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VOLUME XXVI, PART VII.

CONGRESSIONAL RECORD,

FIFTY-THIRD CONGRESS, SECOND SESSION.

Mr. PERKINS. I ask the Senator from Missouri if it is not now advisable to strike out paragraph 213*a*?

Mr. VEST. I am obliged to the Senator from California. I had intended to make the motion to strike out the present paragraph 213*a* and make the next paragraph 213*a*.

Mr. ALLISON. The effect of that will be simply to put currants under the general clause of 20 per cent.

Mr. WHITE. No; it will not.

Mr. PERKINS. No; it will make currants 1½ cents a pound.

Mr. ALLISON. The Senator refers to the words "including Zante currants" in paragraph 217. I understand that currants are 20 per cent ad valorem in paragraph 213*a*, and Zante currants in paragraph 217 are a cent and a half a pound.

Mr. PERKINS. By striking out paragraph 213*a*, Zante currants will be left at a cent and a half a pound. Zante currant is the commercial name for almost all the currants which come from the Levant, from Turkey, and from Greece. I think the word "Zante" should be stricken out, and the word "dried" substituted therefor. That would embrace all varieties of currants.

Mr. ALLISON. I am not sure whether that would put them on the free list or in the basket clause at 20 per cent ad valorem, because the designation "Zante currants" only includes one kind of currants. I care nothing about it. I am willing to put them on the free list, or to make them all half a cent a pound.

Mr. PERKINS. Does the Senator desire to make them all half a cent a pound?

Mr. ALLISON. Whether green or dried.

Mr. SHERMAN. If the Senator from Missouri proposes to strike out clause 213*a*, I shall have something to say about it. If he leaves it as it is, after the vote just taken, I shall say no more about it. What is the question now pending?

The VICE-PRESIDENT. The Senator from Missouri will please state his proposition.

Mr. VEST. I move to strike out paragraph 213*a*, lines 8 and 9, on page 48, and to make the next paragraph 213*a* instead of 213*b*.

Mr. SHERMAN. On that motion I desire to submit some remarks.

Mr. FRYE. Does the Senator from Missouri intend to place currants anywhere else in the bill?

Mr. VEST. Of course they will come under the basket clause. It does not change the duty.

Mr. SHERMAN. Mr. President, the vote taken when I was absent temporarily fixing a duty of 1½ cents a pound on Zante currants seems to me a gross injustice to a country with which we have considerable commerce, and with which we have an increasing commerce.

I have some facts, which I have received from the representatives of that Government in respect to Zante currants. If the statements are true—and I have no doubt they are, because they are verified from the market quotations in the city of New York—it is a grossly outrageous duty on what is commonly called the raisin of the poor. The statement I have shows conclusively that Zante currants are now quoted in the market of New York at about 1¼ cents a pound. This, therefore, would be a duty of 125 per cent upon Zante currants, which are imported in large quantities, and which are used mainly by the poor people in their puddings, etc., as a substitute for raisins. Large quantities of currants of that kind are imported. I shall read what is said here in a communication which I have before me:

CONSULATE-GENERAL OF GREECE,
33 SOUTH WILLIAM STREET,
New York, May 12, 1894.

SIR: In the tariff amendments just presented in the United States Senate (article 217), I notice that a duty of 1½ cents per pound is put on Zante currants, which are produced exclusively in Greece.

This enormous duty is equivalent to 125 per cent ad valorem, the average price of currants in Greece being about 1¼ cents per pound. They are selling now in New York from 1¼ to 1½ cents per pound.

Zante currants, now on the free list, are taxed 10 per cent ad valorem by the House bill. In the Senate bill the duty was increased to 20 per cent; then the Finance Committee increased it to 30 per cent, and now in the amended bill a specific duty of 1½ cents per pound is put thereon, equal to 125 per cent ad valorem,

And yet it is a fact that Zante currants do not come into competition with any product of this country. A small raisin produced in California has nothing whatever to do with the Zante currants of Greece.

We only demand justice. We do not compete with your products. We buy in the United States every gallon of petroleum that is consumed in Greece, as well as all our agricultural implements, and yet it is proposed to tax at the enormous rate of 125 per cent the only article that Greece sends to this country.

The whole tariff does not offer a second example like this, viz: Take an article from the free list and tax it 125 per cent. Is this not a great injustice done to a friendly country, and will it not affect the promising trade which was just being developed between the two countries?

Very respectfully,

D. N. BOTASSI,
Consul-General of Greece.

Hon. JOHN SHERMAN,
United States Senate.

It seems to me that this statement which is made, and I have no doubt truly, by a responsible party, the consul-general of Greece, shows that we ought not to make this discrimination against that important product of Greece, the only thing we import from that country.

As the vote has already been taken, I do not care to move to reconsider, because I hope Senators on the other side having the matter in charge will correct it.

There is no similitude in the use or cost of Zante currants and raisins. Raisins are worth 2, 3, 4, or 5 cents a pound; and the raisins of California are very beautiful, probably the best raisins in the world. I have seen specimens of those raisins which are equal to any produced in the world. To make such a change in the duty on this article, which does not really compete with the raisins of our own country, seems to me at least extortionate, and I think it ought to be corrected. I should have no objection, however, to putting a reasonable rate, an ordinary ad valorem rate, on raisins; but to apply a specific rate to these two articles, which differ so widely in value, raisins being worth at least four or five times as much as Zante currants, is not just to a friendly country, especially to a small country which has an increasing commerce with our own.

I hope Senators will take the matter under consideration so that it may be called up again when the bill is reported to the Senate. I call attention to it now, but shall not put the Senate to the trouble of taking a vote upon it.

Mr. WHITE. Mr. President, if the Senator from Ohio [Mr. SHERMAN] had been here when the subject was being discussed, he would have known that some of the statements he has made are not correct. The statement that there are no Zante currants raised in California and that this article does not come in direct competition is not true, whether it is made by a man from Greece or a man from anywhere else. This is a contest between California and Greece, upon which the great protectionist of the United States, the Senator from Ohio, is on the side of Greece. I have voted for a duty upon iron ore: I expect to vote for a small duty upon coal. I am sorry that I shall do so——

Several SENATORS. How about lumber?

Mr. WHITE. We shall see about that hereafter.

The Senator from Ohio is very glad to avail himself of the aid of such votes as may tend to give protection to the industries of his State; but when California, away over across the mountains, is interested and asks for a duty, which is less than at any time heretofore has been imposed upon this fruit, and which also, by the way, yielded a large revenue, we find the Senator here talking about the poor man. The Senator from Ohio, and those who are to-day talking as he is talking, have been, I suppose, solicitous for the interests of the poor man when they formulated a bill prescribing prohibitory tariff rates.

A cent and a half a pound upon all dried currants will be no prohibition, as the experience of the country has shown. The duty upon raisins, no matter at what you put it, affords but comparatively a small amount of revenue, and absolutely none of that protection, about which the Senator has so often talked, to the raisin industry of California.

I desire to say to my friend, the Senator from New Hampshire [Mr. CHANDLER]—who spoke sometime ago, and whose remarks are so facetious, I understand, that he is unable to publish them in his own paper—when he states that in my canvass in California I ever said anything on this subject different from that which I state here, is also making a declaration which would not look well published in his newspaper, which I suppose, without a violent stretch of the imagination, may be called truthful.

Mr. FRYE. What is the question before the Senate?

Mr. WHITE. To strike out paragraph 213*a*.

Mr. SHERMAN. I had the pleasure of hearing most of what the Senator from California said in his previous speech, although I was called out during a portion of the time. I say there is no such duty in the McKinley law——

Mr. WHITE. Will the Senator allow me?

Mr. SHERMAN. Let me get through.

Mr. WHITE. Very well.

Mr. SHERMAN. This rate of 125 per cent on an article which does not directly compete with the raisins of California does not seem necessary.

Mr. WHITE. That is an extraordinary statement.

Mr. SHERMAN. Under the McKinley act these currants were admitted free. Why? Because they did not come in competition with the raisins of this country. The raisin is quite a different article, an article consumed mainly by the rich. The Zante currant is consumed by the poor. Here is a discrimination, which is not made in any other article on this list. It is an outrageous tax upon a popular article of food; and I think there is nothing like it in any tariff act. That we should protect California raisins, which are cheerfully purchased at 3½ to 6 cents a pound, and put the same tax upon articles which are sold here in the market at 1½ cents a pound, is unjust and wrong,

I do not care who it is for, whether for the rich or the poor, or whether it is from Greece or my own country.

I feel bound, in representing the people of the United States, to do justice to every country and to deal with all foreign countries alike. The making of a discriminating duty of this kind against a comparatively poor nation like Greece, will not, I think, be approved by the American people, anywhere, whether rich or poor.

I think, therefore, a reasonable rate should be put upon this article, at least sufficient to furnish some revenue. Ten or twenty per cent would be a high rate. I had rather have a specific duty, and a small rate of duty, I think, one-fourth of a cent a pound would be ample; that would be 25 per cent on this article, but to carry the doctrine of protection to the extent the Senator from California does, I think, is an exaggeration. It is placing 125 per cent on a cheap article of food.

The people of California do not need such a protection. If they can raise Zante currants in competition with Greece, they will have to sell them in the market at one cent and a quarter. You can not compete with the Zante currant. It is only raised in Greece, and there is a difference, I am told, between the Zante currant and the small raisin produced in California. These gentlemen speak of that difference, and say the two articles do not compete with each other in any respect whatever.

Mr. WHITE. We raise the Zante currant itself in California.

Mr. SHERMAN. These gentleman deny that.

Mr. WHITE. Then they do not tell the truth, for I have some of them here, and have seen them growing.

Mr. SHERMAN. Perhaps the consul-general of Greece should know as much about that matter of fact as the Senator from California.

Mr. WHITE. I would ask the Senator how that can be, when the consul-general is in Greece and I have been in California, and consequently know that he does not tell the truth.

Mr. SHERMAN. The Senator has not compared the Zante currant of Greece with the Zante currant of California. The consul-general of Greece, who is here and has been living in this country, I think would probably know more about that than the Senator, notwithstanding his knowledge extends to a great multitude of things.

Mr. PERKINS. The Senator from Ohio is certainly mistaken when he says that the seedless raisin of California does not compete with the Zante currant, so called in commercial terms. We from California know whereof we speak, and the Muscatel, the Zinfadel, and the Thompson seedless raisin, and several other varieties, are the same variety which is grown in Greece under the name of the Zante currant. As I have endeavored to show, without quoting from the different lexicons, what may be called in the island of Zante, or in Greece, Zante currants, in California are called seedless raisins. They are used for the same purposes, for the purposes of cookery.

I think the Senator from Missouri will perhaps consent to change in paragraph 217 the word "Zante" to "dried," for the reason that the currants now come from the island of Cephalonia and Santa Maria and the island of Zante, also from the coast of Turkey and from the southern portions of Spain. "Zante currant" is a commercial term; but there is an ambiguity, perhaps, in the name, and if it is permitted to remain here as "Zante" it may confuse some of our appraisers. I hope the Senator from Missouri will change the word "Zante" to "dried." Then there can be no charge that we are discriminating against the island of Zante.

One word more in answer to the Senator from Ohio. We are producing seedless raisins, which grow in great clusters upon our vines, some of the vines producing over 100 pounds of the seedless raisins. In California we get them dried, but they are the pure fruit. There is no dirt amongst them, as there is in those which are brought from Italy and Greece in their commercial product, and yet we sell them in the market here as low as a cent and a half and 2 cents a pound—an article far superior to the Zante currant as known in commerce. Therefore I say to my friend from Ohio that California has an area sufficiently large, and we are setting out more vineyards now from week to week, and month and year to year, to furnish all the Zante currants and all the raisins that can be consumed in this country, giving the poor man fine raisins for his puddings, his pies, and his cakes.

Mr. HOAR. Before the Senator sits down I should like to ask him—the reason he stated is a good one—whether it would not be well to ask the Senate to change the rate instead of asking the Senator from Missouri to do it?

Mr. PERKINS. I stand corrected; but I think a recommendation from my friend from Missouri will have more influence, perhaps, than one would have coming from me. There is more reason——

Mr. HOAR. Influence is a good reason.

Mr. CHANDLER. The Senator's colleague is now arranging the matter with the Senator from Missouri.

Mr. ALDRICH. I shall be glad to know if the Senator from Missouri is going to accept the amendment.

Mr. TELLER. Mr. President, it seems to me we have been wasting a good deal of time over the currant business. There are at least 200,000 square miles of the United States adapted to the growth of these currants, which can be raised in Western Colorado, and in most parts of New Mexico, Arizona, and California, except in the high regions. If we protect anything, there is no reason why we should not protect this class of product. It seems to me, after we have passed upon and decided it, it is a considerable waste of time to have this discussion.

Mr. CHANDLER. The Senator from California on the other side of the Chamber [Mr. WHITE], with that kindness and courtesy and thoughtfulness which characterize him, informed me a short time ago that if I remained in the Chamber he should accuse me of being a prevaricator. I have been in a good deal of trepidation since that time. I have been called a Thersites and a theorist; and I do not know of those two accusations which is the more grave. To be called a prevaricator by the Senator from California set me thinking of what time I had, at this period of my life, sullied my soul by an untruth.

I could not think in advance of the Senator's remarks to what he referred, but it seems now that he says, if I desire to convey the impression to the Senate that he spoke differently in California on the stump from what he speaks now, I am incorrect. I understand that this charge, which frightened me so much, of being a prevaricator, is reduced to this, that if—and there is much virtue in "if," as we all know—if I charged the Senator with having spoken differently in California on the stump from what he speaks in this Chamber, then I am mistaken, then I am untruthful, then I am a prevaricator.

I understood long ago that the Senator from California, when he stumped the State in behalf of the Democratic party in the recent canvass, and before he was elected to the Senate, advocated free trade; that he made what were called free-trade speeches all over the State. That is all I said, except that I have said that he is now here advocating a duty on Zante currants raised in California. I am informed, Mr. President, that that was precisely the exception that he made on the stump. He preached free trade all over California, but when he struck a fruit country he said, "Of course these are my sentiments; but still a little duty once in a while on fruit will not be objectionable (laughter); and you understand that I shall put no obstacle in the way of an exception to this doctrine which I am preaching which will help your fruit a little in California; for of course California is destined to be the great fruit-growing State of the United States, if not of the world."

So I understand that the Senator talked there exactly as he talks now. He was in favor of free trade there upon everything except the fruit of California, and he is here now in favor of free trade upon everything except the fruit of California, except—and it is a very important exception, Mr. President—he votes as the Democratic caucus and the Democratic committee decide that he shall vote upon every question which comes up in the bill, for the Senator has boasted here that, contrary to his convictions, he voted for a duty on coal and iron. Why did the Senator do that? Does he wish us to understand that he did it because he is convinced that there ought to be a duty on coal and iron? By no means.

The Senator will admit that he voted for a duty on coal and iron because that is the policy of his party, just exactly as he has told me frequently that the reason he did not let his mellifluous voice resound through this Chamber in this debate was because it was the policy of his party not to have any debate on this bill. The Senator simply carried out the decision of his own party on coal and iron, and he stands here to-day—and I congratulate him on standing here to-day—as consistent here as he was in California for being in favor of free trade on everything except as to the products of his own State. [Laughter.]

Mr. WHITE. I desire to say to the Senator from New Hampshire that I can assure him positively that never, even in private, shall I accuse him of being a prevaricator, for it would merely result in a repetition of the offense, and my conscience will forbid anything of the kind in the future.

Mr. VEST. I simply want to correct a statement which I made to the Senator from Maine nearest me [Mr. FRYE], as I do not want to make any false impression. I did not do it knowingly. He asked me what would be the effect of striking out paragraph 213*a*—"Currants, 20 per cent ad valorem," and I told him it would have the effect to continue the duty under the basket clause. I overlooked the fact that there is a separate basket clause for the fruit schedule, paragraph 489, page 101, which says:

Fruits, green, ripe, or dried, not specially provided for in this act.

So the effect would be to put these currants on the free list. I do not want any misapprehension about it.

Mr. FRYE. Does the Senator mean that they shall be put upon the free list?

Mr. VEST. Yes.

Mr. WHITE. All except dried.

Mr. VEST. Of course. That does not affect the provision as to Zante currants or dried currants, but simply the currants which come in under the other paragraph.

Mr. ALLISON. I suggest to the Senator from Missouri that it places all dried currants, except Zante currants, on the free list as well.

Mr. VEST. Not if we change "Zante," in line 23, of paragraph 217, to read "including dried currants."

Mr. FRYE. But that has not been changed.

Mr. VEST. I propose to do that.

Mr. FRYE. That is all right.

Mr. DOLPH. If Zante currants are not currants, as contended by the Senator from California, they will not be on the dutiable list at all.

Mr. VEST. That is a question between the Grecian consul-general and the Senator from California [Mr. WHITE], and I am bound to take the view of the Senator from California, because he must know.

Mr. TELLER. I should like to suggest to the Senator from Missouri that Zante currants, if not currants, in the commerce of the world are known as "Zante currants," and have been for fifty years, I do not know but for one hundred years. I have known something on that subject for nearly fifty years. I think it is better to let it stand in the bill "Zante currants," which is a name understood in the trade commercially everywhere. If they are called "Zante currants," there will never be any mistake, and they will be taxed as Zante currants. If you call them "dried currants," you raise a new question, and it will lead to confusion.

Mr. PERKINS. It should be "Zante or dried currants."

Mr. TELLER. Yes.

Mr. PERKINS. Zante currants come from Turkey, from the Island of Cephalonia, Santa Maria, and Spain, and from the Island of Zante. The term is ambiguous, at least. If we add after the word "Zante," in line 23, "or other dried," that will cover it.

Mr. DOLPH. "And other."

Mr. PERKINS. I should say "and other."

Mr. TELLER. Only a small proportion of Zante currants come from the Island of Zante. They get the name because they came from there originally; but they now come from all parts of Asia Minor.

Mr. ALDRICH. As stated by the Senator from California [Mr. PERKINS], a great number of countries produce currants which are imported into the United States, all of them at a less price than Zante currants. The object which the Senator from Missouri, as well as the Senator from California, seems to have in view would be arrived at by inserting a clause which prevent the importation of any currants into the United States. That is what the effect seems to be, and what it seems it is desired to be effected.

Mr. VEST. So far as I am concerned, I shall content myself with moving to strike out paragraph 213*a*, and leaving the Treasury Department to construe what are "Zante currants."

Mr. ALLISON. The effect of that will be to put all dried currants on the free list, except Zante currants. If all currants, green and dried, are to be put on the free list, so be it.

Mr. VEST. I will tell the Senator very frankly that I should like to put them all there.

The VICE-PRESIDENT. The question is on the amendment of the Senator from Missouri [Mr. VEST].

Mr. DOLPH. Is the paragraph amendable before the question is put on the amendment of the Senator from Missouri?

The VICE-PRESIDENT. The Chair will entertain the Senator's amendment.

Mr. DOLPH. I move to amend the paragraph so as to read:

Dried currants, other than Zante currants, 20 per cent ad valorem.

Mr. VEST. To what paragraph is that proposed?

Mr. DOLPH. The one the Senator has moved to strike out.

Mr. PERKINS. I hope the Senator from Oregon will withdraw that amendment, and permit this to be stricken out, and then amend paragraph 217, line 23, after the word "Zante," by inserting "and other dried currants," the object being to leave the duty of 1½ cents a pound upon all currants, whether Zante currants from Turkey, from Spain, or any other country.

Mr. DOLPH. The Senator from California must have heard what the Senator from Missouri said, that he would confine his proposition to striking out paragraph 213*a*, and then leave the Treasury Department to determine what are Zante currants. I do not understand the Senator from Missouri proposes that paragraph 417 shall be amended as suggested by the Senator from California. I was only endeavoring to prevent dried currants, other than Zante currants, being placed on the free list by giving them a small ad valorem duty of 20 per cent. That was my proposition.

Mr. PERKINS. Then we have the same object in view.

Mr. DOLPH. We have the same object in view, except the Senator would like to give a cent and a half a pound duty, by placing it in paragraph 217, and I understand the Senator from Missouri has given notice that he does not propose to make that change, as coming from the other side of the Chamber at least.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Oregon [Mr. DOLPH].

The amendment was rejected.

Mr. ALDRICH. What is the pending proposition, Mr. President?

The VICE-PRESIDENT. The amendment proposed by the Senator from Missouri [Mr. VEST], which will be stated.

The SECRETARY. It is proposed to strike out the following paragraph:

213*a*. Currants, 20 per cent ad valorem.

The VICE-PRESIDENT. The question is on the amendment.

The amendment was agreed to.

Mr. LODGE. I now desire to offer the amendment which I before attempted to offer.

Mr. PERKINS. Mr. President——

The VICE-PRESIDENT. The Chair has recognized the Senator from Massachusetts.

Mr. PERKINS. I ask permission to dispose of the matter which has been under consideration; and I ask the Senator from Missouri if he will not consent now to amend paragraph 217, line 23, after the word "Zante," by inserting "and other dried."

Mr. LODGE. I think I am entitled to the floor.

The VICE-PRESIDENT. The Chair will state to the Senator from California that he has recognized the Senator from Massachusetts.

Mr. LODGE. I desire to offer as paragraph 212, at the end of the fish schedule, as it comes more properly under that than any other, the amendment which I send to the desk.

The VICE-PRESIDENT. The amendment proposed by the Senator from Massachusetts will be stated.

The SECRETARY. It is proposed to strike out paragraph 212, and insert:

212. Sea moss or Iceland moss, whether cured or uncured, 10 per cent ad valorem.

Mr. LODGE. Mr. President, this moss is gathered from the rocks on our northern coast cheaply by fishermen. It grows below low-water mark; it is rarely exposed to the air; and its collection is difficult and hard labor. The product is used, as everyone is aware, in cooking and for medicinal purposes. The amendment that I offered covers only the moss from the hands of the fishermen. No capital is employed in this industry, except the boats which the men themselves own. There is no firm engaged in the work; it is entirely individual work by these fishermen upon the coast. They are very anxious that this article should be placed upon the dutiable list with a small duty, because they have suffered very much of late from outside competition.

The entire cost of the article is the labor cost—the labor of collecting it and of then drying it in the sun for the purpose of curing it before it is given to the manufacturer.

I desire to read in this connection a letter on the subject, the writer of which, I will state, at the time he wrote was the secretary of the Knights of Labor of the State of Massachusetts, and is now, I believe, one of the officers of the national order. He says:

BOSTON WEEKLY INDEX AND KNIGHTS OF LABOR JOURNAL,
595 Washington street, January 30, 1894.

DEAR SIR: In the consideration of a tariff, one of our local assemblies, 382, of Scituate, Mass., has a more than ordinary interest. The members of this organization control the industry of gathering and curing sea moss, and its value to them foots up about $70,000 annually.

Their only competitors are in Europe, and at present sea moss is on the free list. We therefore desire your influence and support for a measure which will place such a duty upon the imported article as will prevent it from unjustly crowding the native product to the wall.

Trusting that you will act upon this matter favorably and promptly,

Yours, respectfully,

M. J. BISHOP,
State Secretary-Treasurer.

Hon. HENRY CABOT LODGE,
Senator from Massachusetts.

That, Mr. President, is the whole case. It is the product of poor men. The entire cost is the labor cost. There is no capital involved in it. It is simply a protection to the wages of the men who are engaged in this industry. There is absolutely nothing else involved.

The Senate has just taken Zante currants from the free list, an article of general consumption, an article of food, and put

upon it a high duty of more than 100 per cent. I ask for this article but 10 per cent duty. It is not an article of general, popular consumption, but is supplied by these men to manufacturers. Certainly there can be no better case for a direct protection to American wages than is presented here, and involving no outside question of capital or the profits of manufacturers.

The only distinction that I can see is that these men who are engaged in this industry along our coast have no Democratic Senator to represent them. Of course, if that is the deciding principle on which this bill is made up, I am aware that this amendment is foredoomed to defeat; but if the principle which has just been applied in the case of Zante currants has any economic soundness whatever, then it should apply tenfold to the labor of these poor fishermen upon our Northern coast.

I will add, Mr. President, that this is the precise duty which is placed upon Florida sponges, gathered in the same way by the same class of men. These simply are Northern fishermen, living along the Northern coast, engaged in the same industry, with no capital but their labor and their boats.

I ask for a vote on the amendment.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Massachusetts.

Mr. VEST. Did I understand the Senator to say that $70,000 worth of this article was imported?

Mr. LODGE. I say the value of the product of these men is $70,000 annually. I did not say anything about what was imported. I simply stated the value of their product.

Mr. VEST. The question comes up suddenly, and without any presentation of facts; but I find by the Treasury reports that only $100 worth came in in 1893. I do not think anybody is suffering from that sort of competition.

Mr. LODGE. I will say to the Senator that I take the statement of the men engaged in the industry, that they are being pushed and pressed by outside European competition.

Mr. DOLPH. What is the present duty?

Mr. LODGE. There is none. It is on the free list as Zante currants are on the free list.

Mr. VEST. It has always been on the free list.

Of course, I do not propose to answer what the Senator says about no Democratic Senator being here to represent these people. Considering what we have done in regard to fish, I do not think that is a very just intimation, because the fish industry is represented by Republican Senators. I will let that go.

This question comes to us suddenly and without any facts, as I stated, except the Senator has stated what he believes; but, as a matter of course, under the circumstances, we can not agree to put this article upon the dutiable list. It has not been examined, and the Treasury statistics do not show any such values as the Senator states, and the article has always been on the free list.

Mr. LODGE. I stated no value, I will say to the Senator from Missouri, in regard to the importations. I simply stated the case of the men engaged in the industry.

Mr. VEST. The point is in regard to his argument as to the effect of the importation upon the labor of these people. If there was only $100 worth came into this country, as a matter of course, their labor could not have been depreciated or their product injured in value. There was not enough competition for that.

Mr. LODGE. During what year was the hundred dollars' worth imported?

Mr. VEST. Eighteen hundred and ninety-three.

Mr. LODGE. The fiscal year ending July 1?

Mr. VEST. The Treasury reports are, of course, for the fiscal year ending June 30, 1893, and we have nothing later than that.

Mr. LODGE. I understand that; but I understand from the letter I read that there is an increasing competition, from which these people are suffering.

Mr. VEST. I only spoke from the official statistics.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Massachusetts [Mr. LODGE].

Mr. LODGE. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MILLS. Let the amendment be again stated.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In place of paragraph 212, it is proposed to insert:

Sea moss, or Iceland moss, whether cured or uncured, 10 per cent ad valorem.

The VICE-PRESIDENT. The Secretary will call the roll on the amendment.

The Secretary proceeded to call the roll.

Mr. CULLOM (when his name was called). I am paired with the senior Senator from Delaware [Mr. GRAY]. If he were present I should vote "yea."

Mr. GORDON (when his name was called). I am paired with the Senator from Iowa [Mr. WILSON].

Mr. LODGE (when his name was called). I am paired with the senior Senator from New York [Mr. HILL]. If he were present I should vote "yea."

Mr. MORRILL (when his name was called). I am paired with the Senator from Florida [Mr. CALL], and therefore withhold my vote.

Mr. QUAY (when his name was called). I inquire if the Senator from Alabama [Mr. MORGAN] is recorded as voting?

The VICE-PRESIDENT. The Senator from Alabama is not recorded.

Mr. QUAY. Being paired with that Senator, I withhold my vote.

The roll call was concluded.

Mr. BRICE. I transfer my pair with the junior Senator from Colorado [Mr. WOLCOTT] to the junior Senator from South Carolina [Mr. IRBY] and vote "nay."

Mr. CHANDLER. My pair with the junior Senator from New York [Mr. MURPHY] is transferred to the Senator from Washington [Mr. SQUIRE], so that the Senator from Virginia [Mr. DANIEL] and I can vote. I vote "yea."

Mr. DANIEL. I vote "nay."

Mr. MCMILLAN (after having voted in the affirmative). I inquire if the Senator from Louisiana [Mr. BLANCHARD] has voted?

The VICE-PRESIDENT. He has not voted.

Mr. MCMILLAN. Then I withdraw my vote, as I am paired with that Senator.

Mr. GORDON. I transfer my pair with the Senator from Iowa [Mr. WILSON] to the Senator from Kentucky [Mr. LINDSAY] and vote "nay."

The result was announced—yeas 21, nays 29; as follows:

YEAS—21.

Aldrich,	Dubois,	Patton,	Shoup,
Allison,	Frye,	Perkins,	Teller,
Carey,	Gallinger,	Pettigrew,	Washburn.
Chandler,	Hale,	Platt,	
Dixon,	Hoar,	Power,	
Dolph,	Manderson,	Sherman,	

NAYS—29.

Allen,	Gibson,	Mills,	Turpie,
Berry,	Gordon,	Mitchell, Wis.	Vest,
Blackburn,	Harris,	Pasco,	Voorhees,
Brice,	Hunton,	Peffer,	Walsh,
Cockrell,	Jarvis,	Pugh,	White.
Coke,	Jones, Ark.	Ransom,	
Daniel,	Kyle,	Roach,	
George.	Martin,	Smith,	

NOT VOTING—35.

Bate,	Faulkner,	Lindsay,	Palmer,
Blanchard,	Gorman.	Lodge,	Proctor,
Butler,	Gray,	McLaurin,	Quay,
Caffery,	Hansbrough.	McMillan,	Squire,
Call.	Hawley,	McPherson,	Stewart,
Camden,	Higgins,	Mitchell, Oregon	Vilas,
Cameron,	Hill,	Morgan,	Wilson,
Cullom,	Irby,	Morrill,	Wolcott.
Davis,	Jones, Nev.	Murphy,	

So the amendment was rejected.

Mr. LODGE. I had not looked up the importations, and I should be very glad if the Senator from Missouri would point out to me where he finds that the importation of moss, sea moss, and Iceland moss is only $100. I supposed it had come in under this general head "Mosses, seaweed, and other vegetable substances," by which it appears that they were of the value of $22,725 in 1890, $41,461 in 1891, $45,557 in 1892, and $49,372 in 1893.

I did not know that sea or Iceland moss had been separated and separate amounts given. I should be glad if the Senator from Missouri would point it out, as I do not wish to be inaccurate.

Mr. VEST. I have the statement here, Mr. President, and shall turn to it.

Mr. JONES of Arkansas. Regular order, Mr. President.

The VICE-PRESIDENT. The reading of the bill will be resumed.

The Secretary read as follows:

218. Comfits, sweetmeats, and fruits preserved in sugar, sirup, molasses, or spirits, not specially provided for in this act, and jellies of all kinds, 30 per cent ad valorem.

Mr. ALLEN. I was necessarily absent from the Chamber at the time that action was had on paragraph 199, attending to my duties as a member of the special investigating committee. I now ask the Senate to return to that part of the bill long enough to enable me to offer an amendment.

The VICE-PRESIDENT. Is there objection?

Mr. ALLISON. Let the amendment be reported.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to insert as paragraph 199½—

Hides and skins, raw or uncured, whether dry, salted, or pickled, except goat skins, 20 per cent ad valorem.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Nebraska that the amendment proposed by him may be now considered? The Chair hears none, and the question is on the amendment.

Mr. PLATT. Are not hides now on the free list?

Mr. ALLEN. They are on the free list. I desire to say, if the Senator will permit me, that we imported last year, exclusive of goat hides, $14,605,787 worth of hides. The ad valorem duty on hides has given us in fact $3,000,000 of revenue, and it occurs to me that we ought not to suffer this item of legitimate taxation to pass to the free list. It ought to bear a fair proportion of the taxes imposed by this bill.

I call for a yea-and-nay vote upon the amendment.

The yeas and nays were ordered.

Mr. CAREY. I only desire to say a word concerning this amendment.

In the Rocky Mountain States and Territories, where hides are a very valuable product and where a great deal of money has been received from them, they are no longer worth the railroad tariffs it costs to transport them to the seaboard. In the Argentine Republic thousands of heads of cattle are killed each year for the hides alone, and the carcasses of the animals go to waste. In the Western country a very large amount of money that would be received each year for hides is lost because freight charges can not be paid on them. Hides are an agricultural product, and I can not see why a duty should not be imposed upon them so as to enable our people to continue that industry.

Mr. DOLPH. I should like to say a word on this amendment. I understand the effect of it is to put a duty on hides. The only doubt I have in my mind as to how I shall vote is whether it will affect our reciprocity treaties; but as the Senate has already determined to put a duty on sugar and abrogate those treaties, upon principle I think I shall vote for the amendment.

Mr. PLATT. I should vote for this amendment if I had any assurance that the tariff upon the articles which are manufactured from hides would be correspondingly increased. Boots and shoes, I understand, are now placed at 20 per cent ad valorem by this bill.

It is not fair to put the same duty upon hides which is put upon the article which is made from hides. I have no objection to a duty on hides, except that I should want to know if the duty on the manufactured article was going to be somewhat increased.

Mr. MANDERSON. My colleague [Mr. ALLEN] has stated the enormous importation of hides and skins to this country under the present provision. I do not think that anyone can estimate the enormous product of hides in the country west of Chicago, and why it should not be protected I can not imagine. I shall certainly vote for the amendment proposed by my colleague, and I am glad to have him present it, because I see in his mind, I think, a rising light, which will grow and spread until he is fully illumined with the protection idea.

Mr. ALLEN. I am induced to offer this amendment for the purpose of raising revenue. I had no thought of anything like protection in it. I believe hides to be a proper subject of taxation.

I think the Government ought not to let this item of revenue escape. I am induced, in addition to that, to offer the amendment because I know that it is a bait to our protective friends, and I expect to see every one of them swallow the hook.

Mr. HOAR. Let the amendment be stated.

The VICE-PRESIDENT. The amendment will be stated.

The Secretary read the amendment proposed by Mr. ALLEN.

Mr. HOAR. I move to amend that amendment by adding:

And upon boots, shoes, and other manufactures of leather, 35 per cent ad valorem.

So that there will be an advanced duty upon the manufactured articles.

Mr. TELLER. I hope the Senator will do that later.

Mr. HOAR. I make the motion now, Mr. President.

The VICE-PRESIDENT. The amendment proposed by the Senator from Massachusetts to the amendment of the Senator from Nebraska will be stated.

The SECRETARY. It is proposed to add to the amendment—

And upon boots, shoes, and other manufactures of leather, 35 per cent ad valorem.

The VICE-PRESIDENT. The question is on the amendment to the amendment.

The amendment to the amendment was rejected.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Nebraska [Mr ALLEN].

Mr. HOAR. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BRICE (when his name was called). I again transfer my pair with the junior Senator from Colorado [Mr. WOLCOTT] to to the junior Senator from South Carolina [Mr. IRBY], and vote "nay."

Mr. CULLOM (when his name was called). I am paired with the Senator from Delaware [Mr. GRAY], who has been called away from the Senate for the afternoon. If he were present I should vote "yea."

Mr. GALLINGER (when his name was called). I am paired with the junior Senator from Texas [Mr. MILLS], who is absent, and withhold my vote. If he were present I should vote "nay."

Mr. GORDON (when his name was called). I transfer my pair with the Senator from Iowa [Mr. WILSON] to the Senator from Kentucky [Mr. LINDSAY], and vote "nay."

Mr. McMILLAN (when his name was called). I am paired with the Senator from Louisiana [Mr. BLANCHARD]; otherwise I should vote "yea."

Mr. MORRILL (when his name was called). I am paired with the Senator from Florida [Mr. CALL], and therefore withhold my vote.

Mr. QUAY (when his name was called). I have a general pair with the Senator from Alabama [Mr. MORGAN], and therefore withhold my vote. If he were present I should vote "yea."

The roll call was concluded.

Mr. LODGE. I desire to announce my pair with the senior Senator from New York [Mr. HILL]. I therefore withhold my vote.

The result was announced—yeas 17, nays 27; as follows:

YEAS—17.

Allen,	Dubois,	Perkins,	Teller,
Allison,	Kyle,	Pettigrew,	Washburn.
Carey,	Manderson,	Power,	
Chandler,	Patton,	Sherman,	
Dolph,	Peffer,	Shoup,	

NAYS—27.

Aldrich,	Daniel,	Jarvis,	Roach,
Berry,	Frye,	Jones, Ark.	Smith,
Blackburn,	George,	McLaurin,	Vest,
Brice,	Gibson,	Mitchell, Wis.	Voorhees,
Camden,	Gordon,	Pasco,	Walsh,
Cockrell,	Harris,	Pugh,	White.
Coke,	Hoar,	Ransom,	

NOT VOTING—41.

Bate,	Gorman,	Lodge,	Proctor,
Blanchard,	Gray,	McMillan,	Quay,
Butler,	Hale,	McPherson,	Squire,
Caffery,	Hansbrough,	Martin,	Stewart,
Call,	Hawley,	Mills,	Turpie,
Cameron,	Higgins,	Mitchell, Oregon	Vilas,
Cullom,	Hill,	Morgan,	Wilson,
Davis,	Hunton,	Morrill,	Wolcott.
Dixon,	Irby,	Murphy,	
Faulkner,	Jones, Nev.	Palmer,	
Gallinger,	Lindsay,	Platt,	

So the amendment was rejected.

Mr. HOAR. I desire, in regard to the matter which has just been dealt with, to say that we are now having a considerable export trade of boots and shoes. Hides are upon the free list now. Now, if there were a duty upon hides, I suppose the managers and contrivers of the present tariff expect to retain the policy of having a drawback of 99 per cent of the duties paid on imported material, so that if there were a duty on hides the export trade would not be affected, except to the extent of 1 per cent, because the manufacturers would get their drawback so far as they use imported hides.

So, if the representatives of the cattle-raising portion of the Union believe a duty on hides is necessary for their interest and for that product, I shall be prepared to agree to a graduated duty which would give a similar advance in duty on the products of leather. My vote "nay" just cast was compelled by the refusal of the Senator who made this proposition to permit any corresponding advance of duty on the products, so that it would really amount to a blow to an important American industry. I do not understand that the Senators on this side of the Chamber would refuse to do so.

Mr. JONES of Arkansas. Regular order.

The VICE-PRESIDENT. The reading of the bill will be proceeded with.

The Secretary read as follows:

219. Fruits preserved in their own juices, 20 per cent ad valorem.

220. Orange peel and lemon peel, preserved or candied, 30 per cent ad valorem.

Nuts:

221. Almonds, not shelled, 3 cents per pound; clear almonds, shelled, 5 cents per pound.

The Committee on Finance reported an amendment to paragraph 221, line 10, before the word "shelled," to strike out

"not"; after the word "shelled" to strike out "3 cents per pound; clear almonds, shelled, 5 cents per pound," and insert, "or unshelled, 25 per cent ad valorem."

Mr. VEST. The amendment is withdrawn.

Mr. JONES of Arkansas. I withdraw the committee amendment.

The VICE-PRESIDENT. The amendment is withdrawn. The reading will proceed.

The Secretary read the next paragraph, as follows:

222. Filberts and walnuts of all kinds, not shelled, 2 cents per pound; shelled, 4 cents per pound.

The Committee on Finance reported an amendmentoin line 15, after the word "kinds," to strike out "not shelled, 2 cents per pound; shelled, 4 cents per pound," and insert "35 per cent ad valorem; cream or Brazil nuts, 20 per cent ad valorem."

Mr. JONES of Arkansas. I withdraw the amendment.

The Secretary read the next paragraph, as follows:

223. Peanuts or ground beans, unshelled, 1 cent per pound; shelled, 1½ cents per pound.

The Committee on Finance reported an amendment to paragraph 223; in line 21, after the word "beans," to strike out "unshelled, 1 cent per pound; shelled, 1½ cents per pound," and insert "20 per cent ad valorem;" so as to read:

223. Peanuts or ground beans, 20 per cent ad valorem.

The amendment was agreed to.

The Secretary read the next paragraph, as follows:

224. Nuts of all kinds, shelled or unshelled, not specially provided for in this act, 1 cent per pound.

The Committee on Finance reported an amendment to paragraph 224, page 50, line 1, after the word "act," to strike out "one cent per pound" and insert "20 per cent ad valorem."

The amendment was agreed to.

The Secretary read as follows:

Meat products:

The Committee on Finance reported as an additional paragraph:

224½. Fresh beef, mutton, and pork, 25 per cent ad valorem.

Mr. JONES of Arkansas. I move to amend the amendment by striking out "twenty-five" and inserting "twenty."

Mr. HOAR. I wish to ask the committee if they understand that they have made any special provision in the bill for lamb as distinguished from mutton?

Mr. VEST. No, sir; not that I know of.

Mr. HOAR. Does the Senator understand that the word "mutton" includes lamb?

Mr. VEST. I think so.

Mr. HOAR. Would it not be well to make that clear?

Mr. VEST. All meat of the sheep, I understand, is mutton.

Mr. ALLISON. It is the same as in the McKinley act.

Mr. FRYE. The word "lamb" never has been inserted.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Arkansas to the amendment of the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The Secretary read the next paragraph, as follows:

225. Extract of meat, 20 per cent ad valorem.

Mr JONES of Arkansas. I move to strike out "twenty" and insert "fifteen."

Mr. MANDERSON. I hope that will not be done. It is true that we have been importing a large amount of meat extract into this country which is known as the Liebig beef extract, and for a number of years, because of the excellence of that article, it seemed to have a monopoly of the American market, but we have very lately outstripped Europe in the production of meat extracts, particularly extract of beef. The great packing houses of Chicago, Kansas City, and Omaha are producing to-day a far better article of meat extract, beef extract, than can be produced anywhere in the world. There was at one time the production of a beef extract in Richmond, Va., I think. It was most excellent, and rivaled somewhat Liebig's meat extract.

This industry is one worthy of maintenance. I hope the committee will not lower the ad valorem rate that was fixed by the other House. I took occasion within a few days to see one of the members of the committee in charge of the bill with reference to this item, and to know whether it certainly included both the solid and the fluid extract of meat, and was told there could be no doubt about that proposition. I am somewhat surprised at this proposition, coming from the committee without notice, to lower the ad valorem duty upon this extract. It is one that the West is particularly concerned in, and I hope that the blow will not be given it in this very unexpected fashion.

Mr. VEST. The Treasury reports show that in regard to these extracts, fluid meat extracts, under the McKinley act the rate of duty is 15 cents per pound or 18 per cent ad valorem. We have reported a duty of 20 per cent ad valorem which it is proposed to reduce to 15 per cent. There was imported, in 1893, $30,922 worth. All other extracts of beef, meaning the solid extracts, under the McKinley act, were 35 cents per pound or 17.93 per cent ad valorem. We made that duty 20 per cent, which would also be reduced to 15 per cent. The imports for 1893 were $292,270. After we had fixed it one of our Republican colleagues came to us with facts and representations that induced us to decrease the duty.

His statement was that we had made such advance in these meat extracts that we are able with reduced duty to compete successfully with all the balance of the world and sell the article cheaper to our own people. One of the largest packers in the United States told me not long since, while discussing the cattle question, that he was able now to send his meat extracts to Paris and sell them to the French manufacturers, and that they were then put under their brand. He said that he had obtained after six months' endeavor in Paris an analysis of the Liebig extract, and that he had submitted it to his chemist, to whom he paid a very large salary, I think he said $25,000 a year, and told him that he must make a better article than the Liebig. He said that after three months' work the man came to him with an extract which was now taking the market away even in Europe from the French manufacturers. I give the statement for what it is worth. If I were to mention the name it would be recognized as that of a man of national celebrity.

Mr. MANDERSON. The Senator from Missouri understands, I think, from my conversation had with him within a day or two, that this language would mean both the solid and the fluid extract of meat.

Mr. VEST. I think so. The way we have it here it includes all.

Mr. MANDERSON. I call his attention to the fact that the solid extract of meat has heretofore had an ad valorem rate of 20 per cent. There was imported in 1893 $140,773 worth of the fluid extract, which, as he says, has an ad valorem of 17.95 per cent, which is nearly 18 per cent. There was imported $294,174 worth, making close on to a half million dollars of these extracts.

Mr. VEST. The Senator has reversed the duties. On the fluid extract the ad valorem is 18 per cent.

Mr. MANDERSON. I say the fluid extract was 18 per cent.

Mr. VEST. And on the other it is 17.93.

Mr. MANDERSON. Seventeen and ninety-five one-hundreths.

Mr. VEST. Seventeen and ninety-three one-hundredths.

Mr. MANDERSON. On the solid extract it was 20 per cent.

Mr. VEST. No; 17.93 per cent.

Mr. MANDERSON. I turn to this authority——

Mr. ALLISON. To what year does the Senator refer?

Mr. MANDERSON. Eighteen hundred and ninety-three, page 613 of Imports and Exports.

Mr. VEST. What was the amount of imports for that year?

Mr. MANDERSON. The imports of solid extracts of meat for the year 1893 were $140,773, the duty being ad valorem 20 per cent. The importations of fluid extract of meat in 1893 were 150,872 pounds, worth $294,127, with an ad valorem rate of 17.95, or about 18 per cent. Now, with this immense importation, even at the rate of 18 and 20 per cent ad valorem, it certainly seems to me that the rate proposed by the other House and agreed to by the Committee on Finance should not be changed in this very sudden and unexpected fashion. It looks to me like an effort to protect Liebig and Liebig's agents in this country rather than those who produce these extracts in this country.

Mr. VEST. If the Senator will look at the Treasury reports of Imports and Exports, page 613, he will see he is mistaken about the ad valorem duty on fluid extract.

Mr. MANDERSON. I take it from that report.

Mr. ALLISON. If the Senator from Missouri will look at page 614 he will see the ad valorem under the duty of 35 cents, which was fixed in the McKinley act, is 17.95, as stated by the Senator from Nebraska.

Mr. MANDERSON. There is no doubt about it.

Mr. VEST. There is no doubt about it. But on the next page he will find fluid extracts 18.01.

Mr. ALLISON. I submit that this difference between 17.95 and 18.01 per cent is so small that we had better leave it at 20 per cent, and if our people can compete with the others there will be no harm done.

Mr. PLATT. I do not know about the statistics, but in the report which the Committee on Finance has given us the importations are divided into three parts.

Mr. ALLISON. That is under the old law.

Mr. PLATT. Extracts of meat, fluid, and extracts of meat all others, and the importations of fluid extract is as was stated by the Senator from Missouri, only $30,000 for 1893 in this statement.

Mr. ALLISON. If the Senator will turn to the next page he will see——

Mr. PLATT. Those, I suppose, are solid extracts. The imports under "all others" were $294,127.88, but the imports of fluid extracts I think were only $30,000, according to this statement.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Arkansas.

Mr. MANDERSON. I ask for a division on the question.

Mr. JONES of Arkansas. Let us have the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CULLOM (when his name was called). I am paired with the senior Senator from Delaware [Mr. GRAY], who is called out of the Chamber. If he were present I should vote "nay."

Mr. GALLINGER (when his name was called). I again announce my pair with the junior Senator from Texas [Mr. MILLS]. If he were present I should vote "nay."

Mr. GORDON (when his name was called). I transfer my pair with the Senator from Iowa [Mr. WILSON] to the Senator from Kentucky [Mr. LINDSAY], and vote "yea."

Mr. MCMILLAN (when his name was called). I again announce my pair with the Senator from Louisiana [Mr. BLANCHARD].

Mr. MORRILL (when his name was called). I am paired with the Senator from Florida [Mr. CALL], and withhold my vote.

Mr. QUAY (when his name was called). I am paired with the Senator from Alabama [Mr. MORGAN].

The roll call was concluded.

Mr. HIGGINS. I again announce my pair with the senior Senator from New Jersey [Mr. MCPHERSON], and I shall not announce it for the rest of the day.

Mr. LODGE. I am paired with the Senator from New York [Mr. HILL], and shall not announce it again during the day. It will stand for the afternoon.

Mr. MCMILLAN. I shall vote to make a quorum. I vote "nay."

Mr. QUAY. For the purpose of making a quorum I will take the liberty of voting. I vote "nay."

The result was announced—yeas 24, nays 19; as follows:

YEAS—24.

Berry,	Gibson,	McLaurin,	Smith,
Blackburn,	Gordon,	Martin,	Turpie,
Camden,	Harris,	Pasco,	Vest,
Cockrell,	Hunton,	Pugh,	Voorhees,
Coke,	Jarvis,	Ransom,	Walsh,
George,	Jones, Ark.	Roach,	White.

NAYS—19.

Aldrich,	Dolph,	Manderson,	Quay,
Allison,	Dubois,	Patton,	Shoup,
Carey,	Frye,	Peffer,	Teller,
Chandler,	Hoar,	Perkins,	Washburn.
Dixon,	McMillan,	Pettigrew,	

NOT VOTING—42.

Allen,	Faulkner,	Kyle,	Platt,
Bate,	Gallinger,	Lindsay,	Power,
Blanchard,	Gorman,	Lodge,	Proctor,
Brice,	Gray,	McPherson,	Sherman,
Butler,	Hale,	Mills,	Squire,
Caffery,	Hansbrough,	Mitchell, Oregon	Stewart,
Call,	Hawley,	Mitchell, Wis.	Vilas,
Cameron,	Higgins,	Morgan,	Wilson,
Cullom,	Hill,	Morrill,	Wolcott.
Daniel,	Irby,	Murphy,	
Davis,	Jones, Nev.	Palmer,	

So the amendment was agreed to.

Mr. MANDERSON. I wish to give notice that the last amendment is one of the numerous amendments adopted in Committee of the Whole, upon which a separate vote will be demanded in the Senate. I offer the following to come in as paragraph 225½:

225½. Blood albumen, 25 per cent ad valorem.

Mr. President, albumen was at one time not made in this country at all. Upon it for a number of years there was a duty of 25 per cent ad valorem. In 1871 there was imported, it having been placed upon the free list that year, $122,773 worth.

The next year, or that year perhaps, by a change in the law 25 per cent ad valorem was placed upon it, and the importation fell from $122,000 worth to $329 worth. So it was practically excluded from this country. The reason for it appears in a letter which I find, dated January 19, 1889, signed by Craven & Co., who did business at Jersey City, N. J. This was to Mr. Ketcham, a member of Congress:

JERSEY CITY, N. J., *January 19, 1889.*

DEAR SIR: In 1871 we began the manufacture of albumen at the stockyards in Jersey City from the blood of the animals slaughtered there. The enterprise was a new one, and was for a time moderately successful. We gave employment to some 250 men. At that time we were protected by a duty of 15 cents per pound on the imported article. We continued to conduct our business successfully until this duty was taken off, when we found that we were utterly unable to do so longer at a profit, and about a year ago we were compelled to abandon the business altogether, since which time our plant and the capital invested has been idle, and will be worthless unless we are enabled to resume.

The albumen of commerce is manufactured in France, Germany, and England, and is an article the chief cost of which is comprised in the labor entering into it. Owing to the higher rates at which labor is compensated in this country we are entirely unable, unaided by a protective duty, to compete with the cheap labor of the foreign manufacturer. A moderate duty, say 15 cents per pound, the rate at which the imported article was taxed when we began our business, would give us this protection, enable us to resume, reëmploy our labor, and look forward to a competition with the foreign manufacturer, under not altogether unfavorable conditions.

We respectfully request your attention to this matter, and that you properly bring it before Congress.

Very respectfully, yours,

CRAVEN & CO.

Hon. JOHN H. KETCHAM, M. C.,
Washington, D. C.

This article being on the free list continued an article of extensive importation. In 1875 $650,000 worth was imported. It ranged differently in different years, and last year nearly $200,000 worth of this article was imported from France, Germany, and England. In the great stock yards of the West this is beginning to be one of their items of industry. No part of the steer which is conducted into these great slaughtering houses, it is said, is allowed to escape, except perhaps his bellow before his death. Among other items that they have gone into is the manufacture of blood albumen. I have here a letter from the Cudahy Packing Company, at South Omaha, Nebr., a very extensive institution, having works also, I think, at both Chicago and Kansas City. They say as to blood albumen—

Both the McKinley and the Wilson tariffs put albumen on the free list. The reason it was put on the free list under the McKinley tariff was undoubtedly from the fact that there was no American producer—

The only American producer, this one in Jersey City, having been squeezed out by placing blood albumen upon the free list—

we being the first to manufacture blood albumen successfully in this country. We are to-day turning out the finest albumen that is offered in the market, but are unable to get a price for it that will enable us to successfully continue its manufacture, as the writer told you a few days ago in Washington—

This letter being addressed to me—

he had just sold 2 tons that would not yield the cost of production. Under these circumstances we believe even your Democratic friends will see the justice of giving us an ad valorem duty of at least 25 per cent so that the industry can be continued and our factory kept running. We have a large capacity even now, and are contemplating an increase to produce about one-half of the present importations, and can do this if we have a moderate protection.

It seems to me that under this showing there certainly should be an ad valorem rate that is fair upon this industry, once destroyed, ready to be resurrected if fair protection is afforded.

Mr. VEST. I have simply to say that this article has been on the free list since 1871.

Mr. MANDERSON. Yes. It was not manufactured in this country.

Mr. VEST. Prior to that time it had upon it a duty of 35 per cent ad valorem. It was put upon the free list in the McKinley act, and we do not feel inclined to put a duty upon it now.

The PRESIDING OFFICER (Mr. BLACKBURN in the chair). The question is on agreeing to the amendment proposed by the Senator from Nebraska.

Mr. MANDERSON. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. GALLINGER (when his name was called). I again announce my pair with the junior Senator from Texas [Mr. MILLS]. If he were present I should vote "yea."

Mr. MCMILLAN (when his name was called). I announce my pair with the Senator from Louisiana [Mr. BLANCHARD].

Mr. QUAY (when his name was called). I am paired with the Senator from Alabama [Mr. MORGAN].

The roll call was concluded.

Mr. CAFFERY. I am paired with the Senator from Montana [Mr. POWER]. I transfer my pair to the Senator from South Carolina [Mr. IRBY], and vote "nay."

Mr. CULLOM. I have a general pair with the Senator from Delaware [Mr. GRAY]. I transfer my pair to the Senator from Maine [Mr. HALE], and vote "yea."

Mr. PLATT. I am paired with the Senator from Virginia [Mr. HUNTON], who has been called from the Chamber, or I should vote "yea."

Mr. MCMILLAN. I am authorized to vote to make a quorum. I vote "yea."

Mr. GORDON. I transfer my pair with the Senator from Iowa [Mr. WILSON] to the Senator from Kentucky [Mr. LINDSAY], and vote "nay."

The result was announced—yeas 18, nays 27; as follows:

YEAS—18.

Allison,	Dubois,	Morrill,	Shoup,
Carey,	Frye,	Patton,	Teller,
Cullom,	Hoar,	Peffer,	Washburn.
Dixon,	McMillan,	Perkins.	
Dolph,	Manderson,	Pettigrew,	

NAYS—27.

Berry,	Daniel,	Kyle,	Smith,
Blackburn,	George,	McLaurin,	Turpie,
Caffery,	Gibson,	Martin,	Vest,
Call,	Gordon,	Pasco,	Voorhees,
Camden,	Harris,	Pugh,	Walsh,
Cockrell,	Jarvis,	Ransom,	White.
Coke,	Jones, Ark.	Roach,	

NOT VOTING—40.

Aldrich,	Gallinger,	Jones, Nev.	Platt,
Allen,	Gorman,	Lindsay,	Power,
Bate,	Gray,	Lodge,	Proctor,
Blanchard,	Hale,	McPherson,	Quay,
Brice,	Hansbrough,	Mills,	Sherman,
Butler,	Hawley,	Mitchell, Oregon	Squire,
Cameron,	Higgins,	Mitchell, Wis.	Stewart,
Chandler,	Hill,	Morgan,	Vilas,
Davis,	Hunton,	Murphy,	Wilson,
Faulkner,	Irby,	Palmer,	Wolcott.

So the amendment was rejected.

Mr. JONES of Arkansas. I move to insert as a new paragraph:

225½. Lard, 1 cent per pound.

The amendment was agreed to.

Mr. JONES of Arkansas. I move to insert as a new paragraph:

225¾. Meats of all kinds, prepared or preserved, not specially provided for in this act, 20 per cent ad valorem.

The amendment was agreed to.

The Secretary read the next paragraph, as follows:

226. Poultry, 2 cents per pound; dressed, 3 cents per pound.

The Committee on Finance reported an amendment to paragraph 226, line 11, after the word "poultry," to strike out "2 cents per pound; dressed, 3 cents per pound," and insert, "dressed or undressed, 20 per cent ad valorem."

Mr. JONES of Arkansas. The committee amendment is withdrawn.

The PRESIDING OFFICER. The amendment is withdrawn. The reading will proceed.

The Secretary read as follows:

Miscellaneous products:

227. Chicory root, burnt or roasted, ground or granulated, or in rolls, or otherwise prepared, and not specially provided for in this act, 2 cents per pound.

The Committee on Finance reported an amendment to paragraph 7, after the word "act," to strike out "2 cents per pound" and insert "30 per cent ad valorem."

Mr. JONES of Arkansas. The amendment is withdrawn.

The Secretary read the next paragraph, as follows:

228. Chocolate, and sweetened chocolate, worth not exceeding 35 cents per pound, 2 cents per pound; chocolate confectionery, 25 per cent ad valorem.

The Committee on Finance reported an amendment to paragraph 228, before the word "not," in line 21, to strike out "worth" and insert "valued at;" and in line 22, after word "pound," to strike out "2 cents per pound" and insert "10 per cent ad valorem;" so as to read:

Chocolate, and sweetened chocolate, valued at not exceeding 35 cents per pound, 10 per cent ad valorem; chocolate confectionery, 25 per cent ad valorem.

Mr. JONES of Arkansas. This and the following paragraph I propose to have considered together, and I ask the Secretary to read the next paragraph before action is taken upon paragraph 228.

The PRESIDING OFFICER. If there be no objection the Secretary will read the succeeding paragraph.

The Secretary read the next paragraph, as follows:

229. Cocoa, prepared or manufactured, not specially provided for in this act, 2 cents per pound.

The Committee on Finance reported an amendment to paragraph 229, after the word "at," to strike out "2 cents per pound," and insert "5 per cent ad valorem."

Mr. JONES of Arkansas. I move to strike out both of these paragraphs and insert in lieu of them:

229. Cocoa or chocolate, not sweetened or flavored, and sweetened or flavored, valued at 35 cents per pound or less, 2 cents per pound: valued at exceeding 35 cents per pound and chocolate confectionery, 35 per cent ad valorem.

The amendment was agreed to.

The Secretary read the next paragraph, as follows:

230. Cocoa butter or cocoa butterine, 3½ cents per pound.

The Committee on Finance reported an amendment in paragraph 230, line 9, after the word "butterine," to strike out "three and one-half cents per pound," and insert "fifteen per cent ad valorem."

Mr. JONES of Arkansas. The amendment is withdrawn.

The Secretary read the next paragraph, as follows:

231. Dandelion root and acorns prepared, and other articles used as coffee, or as substitutes for coffee, not especially provided for in this act, 1½ cents per pound.

The Committee on Finance reported an amendment to paragraph 231, line 13, after the word "at," to strike out "1½ cents per pound" and insert "30 per cent ad valorem."

Mr. JONES of Arkansas. The amendment is withdrawn.

The Secretary read the next paragraph, as follows:

232. Starch, including all preparations, from whatever substance produced, commonly used as starch, 1 cent per pound.

The Committee on Finance reported an amendment to paragraph 232, after the word "starch," in line 17, to strike out "1 cent per pound" and insert "30 per cent ad valorem."

Mr. JONES of Arkansas. The amendment is withdrawn.

Mr. FRYE. The amendment as it appears in the bill is "2 cents a pound," and before the Senator from Arkansas withdraws it and leaves the rate 1 cent per pound, I desire to be heard.

Mr. JONES of Arkansas. I have no doubt that the print as it appears here is a mistake of mine. I do not think the committee ever intended to change the rate as it is fixed in the bill as it came from the other House. I have no doubt that I gave it to the clerk, who prepared the amendment and had it printed, and I wish to take the responsibility of that mistake. I do not propose to offer the amendment. Of course the Senator from Maine can make his remarks.

Mr. FRYE. Mr. President, I desire to say a few words to the Senate in relation to this matter. It is a very important one. The northeastern county of the United States is a fine agricultural county, singularly enough, considering the cold climate. Not long ago it was a forest, but energetic, determined men went there, felled the trees, and converted the forest into farms. It is to-day as prosperous a county as there is in the State of Maine, and growing in population more rapidly than any other. Of course it can not raise wheat, because it can not compete with the West, though it has as good wheat lands as there are in the West.

It can not raise corn, because the climate is too cold. It can raise oats. The Senate has put oats on the free list. That county is hugged right in by Canada. It can raise buckwheat. The Senate has put buckwheat on the free list. It has immense stores of lumber. The Senate has placed lumber on the free list. Its hay crop is abundant, but the duty on that is reduced one-half. The pending bill threatens ruin to that county, as prosperous as it is. It raises enormous crops of potatoes. Judge Peters, formerly one of the members of the House of Representatives, declared that the potatoes of Aroostook County were the peach crop of Maine, and to the potato Aroostook County owes much of its prosperity.

Aroostook County up to a year ago could not reach the New York market by railroad without going through a foreign country. As a matter of course, only the selected potatoes could be sent to Boston or New York. The freight charges would absolutely prevent marketing the average product. In 1873 a bright Yankee started a starch mill in Aroostook, and to-day there are forty-five starch mills there, brought near to these farmers, within hauling distance. They consumed last year 2,500,000 bushels, yielding to the farmers 20 cents a bushel, giving to the county much of the prosperity it enjoys to-day.

The same is true of Northern Minnesota and Morthern New York, though not to an equal extent. It is true in one or two other portions of the North bordering on Canada, that they are using their potatoes for starch. These potatoes unless so used are utterly worthless. With a duty of 2 cents a pound those factories can pay 20 cents a bushel for potatoes and continue this prosperity in that section of the country. Now, no man has asked that the duty on starch shall be reduced. Under the act of 1883 the duty was 1 cent a pound and 20 per cent ad valorem; in the Mills bill 2 cents a pound. In 1890 it was made 2 cents a pound, and yet here it is proposed to reduce it 50 per cent, and drive the industry from the country.

Mr. President, let me show you something about the cost of starch. I will give the figures exactly, so that they will not be open to dispute. I will give the cost of a ton delivered in Providence, R. I., where it is very largely used; but no manufacturer

from Providence, R. I., has been here demanding that this reduction be made. I will also give the actual cost a hundred pounds.

STARCH.

Cost of a ton delivered in Providence, R. I.:	
Manufacturing and casks	$11.00
225 bushels potatoes, at 20 cents	45.00
Freight	6.50
Commission	2.10
	64.60
At 3⅜ cents a pound	67.50
Profit, less insurance, taxes, and interest	2.90
It takes 12 bushels of potatoes to make 100 pounds of starch—20 cents	2.40
Cost of manufacturing	30
Commission and freight	40
Package	15
Total	3.25

The PRESIDING OFFICER. The time of the Senator from Maine has expired.

Mr. GEORGE. I ask that the Senator's time be extended.

Mr. ALLISON. I ask unanimous consent that the Senator from Maine be allowed to proceed.

Mr. VEST. Certainly.

The PRESIDING OFFICER. Without objection, the Senator from Maine will proceed.

Mr. FRYE. Last year the price of starch was 4½ to 4⅝ cents. This year, from 3¼ to 3½. Starch can be imported from Germany for $1.85 per hundred pounds. Add the duty as proposed by the House of Representatives to the cost of starch from Germany, and it makes $2.40 as the cost of 100 pounds of starch. You may figure it as you please, at that cost you can not pay but 8 cents a bushel for potatoes.

Suppose you adopt the duty of 1 cent which the Senator from Arkansas proposes. Then you can not pay but 10 cents a bushel for potatoes, and it is simply a question whether this industry shall be destroyed. That is all it is. It involves its utter destruction. Now, why should this be done to these farmers up there? Do they deserve this treatment at our hands? They are splendid men, hard-working, intelligent, and patriotic, deserving from us good and not ill.

A few years ago all the glucose in the world was made from potato starch in Germany, and we imported it. To-day we make it from corn, and beat the world. That is what makes German starch so low. That is why they can send it here for $1.85. There are 135 potato-starch factories in this country; 45 in Maine, 20 in New Hampshire, 50 in New York, 10 in Minnesota, 4 or 5 in Wisconsin, 2 or 3 in North Dakota.

Mr. President, we have protected industries in other sections of this country. We have permitted them to live. I do not wish to make a sectional speech, nor to indulge in sectional talk, but if this commends itself to the Senators on the other side of the Chamber; if they believe that this industry in this country ought to be preserved, ought surely to vote their judgments in the matter, and not submit to caucus control. I supposed the matter was adjusted with the committee. I called their attention to it a long while ago. Filed a brief with them, and saw this result on the bill, of 2 cents a pound, and of course had a right to think it settled. Now, if they can not permit us to have 2 cents a pound, why can they not allow us 1½ cents a pound, the lowest duty ever had on starch? We can live, squeeze through, on one cent and a half.

Why can not the committee consent to a duty of 1½ cents, and let us live, instead of by this move of theirs made to-day utterly destroy us? I feel very much in earnest in this matter. We in Maine are being hurt tremendously by the bill, and especially in the northeastern part of the State.

Mr. GEORGE. I desire to ask the Senator from Maine a question.

The PRESIDING OFFICER. Does the Senator from Maine yield to the Senator from Mississippi?

Mr. FRYE. With pleasure.

Mr. GEORGE. What other agricultural products have the people of that country on which to make a profit if the potato industry is destroyed?

Mr. FRYE. They have hay, oats, buckwheat, barley; but you have placed these on the free list, all but barley.

Mr. GEORGE. Does the Senator mean to say that if they are not allowed to have this tax upon potatoes and starch the whole agricultural industry of that country will be destroyed?

Mr. FRYE. I mean to say exactly this, that as we are left to-day, with buckwheat on the free list, oats on the free list, with an utter impossibility to raise wheat in competition with the great West, and a climate that will not permit them to raise one single hill of corn, potatoes are their main crop, and if they can not convert these potatoes into starch a serious blow has fallen upon Aroostook County so far as its agricultural industry is concerned.

The PRESIDING OFFICER. The Chair states to the Senator from Maine that his ten minutes have expired.

Mr. VEST. Our friend from Maine forgets, possibly in his enthusiasm he overlooks, the fact that we increased the duty upon potatoes 5 cents on the bushel.

Mr. ALLISON. From the bill as it came from the other House.

Mr. VEST. From the bill as it came from the other House. The House of Representatives sent the bill here with a duty of 10 cents, and we made it 15 cents. The statistics show that in 1891 there was exported 12,883,821 pounds of starch, worth $475,817. In 1892 the exports increased 8,000,000 pounds to 20,081,027, worth $612,531. In 1893 the increase continued to 21,938,456 pounds, worth $707,093. The imports were $89,249. So, speaking of the starch industry of the whole United States, it seems not only to have held its own, but to have gone out and taken possession of some of the foreign makets. I think, or rather I hope, because I have no local acquaintance that would justify in speaking as to that particular county, that the decrease of the duty will not cause the distress and ruin which my friend from Maine seems to imagine.

Mr. FRYE. I do not make any guess about it. I know just what it is, and I have given what the starch costs the people up there. Let me say right there that the increased duty on potatoes does not have any effect up in the northeastern part of the country. Nobody exports potatoes to Aroostook County, and the difficulty with Aroostook County farmers coming into Boston and New York with potatoes is that freights are so enormous that they can not do it at much of a profit. The only thing to do is to make the ordinary potatoes into starch.

Mr. VEST. But to show our Northern friends that we are not quite so black in this sectional matter as we are painted, I will move to make it 1½ cents per pound.

Mr. FRYE. I am greatly obliged to the Senator from Missouri. I think that will preserve to these people up there this, to them, valuable industry.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Missouri, which will be stated.

The SECRETARY. In paragraph 232, line 18, after the words "one cent," insert "and one-half cents;" so as to read "1½ cents per pound."

The amendment was agreed to.

The Secretary read as follows:

233. Dextrine, burnt starch, gum substitute, or British gum, 1 cent per pound.

The Committee on Finance reported an amendment to paragraph 233, to strike out "1 cent per pound" in line 21 and insert "30 per cent ad valorem."

Mr. JONES of Arkansas. I withdraw the amendment. I move to strike out "1 cent" and insert "1½ cents," so as to read:

Drextine, burnt starch, gum substitute, or British gum, 1½ cents per pound.

The amendment was agreed to.

The Secretary read the next paragraph, as follows:

234. Mustard, ground or preserved, in bottles or otherwise, 10 cents per pound.

The Committee on Finance reported an amendment to paragraph 234; in line 24, after the word "otherwise," to strike out "10 cents per pound" and insert "25 per cent ad valorem."

Mr. JONES of Arkansas. The amendment is withdrawn.

The next amendment of the Committee on Finance was to insert as an additional paragraph:

234½. Orchids, lily of the valley, azaleas, palms, and other plants used for forcing under glass for cut flowers or decorative purposes, 10 per cent ad valorem.

The amendment was agreed to.

The Secretary read the next paragraph, as follows:

235. Spices, ground or powdered, not specially provided for in this act, 3 cents per pound; capsicum or red pepper, 2½ cents per pound, unground; sage, 1 cent per pound.

The Committee on Finance reported an amendment to paragraph 235; in line 5, after the word "powdered," to strike out "not specially provided for in this act, 3 cents per pound;" in line 8, after the word "pepper," to strike out "2½ cents per

pound:" in line 9, after the word "sage," to strike out "1 cent per pound" and insert "30 per cent ad valorem;" so as to make the paragraph read:

235. Spices, ground or powdered; capsicum or red pepper, unground; sage, 30 per cent ad valorem.

Mr. JONES of Arkansas. The amendment is withdrawn.

The Secretary read the next paragraph, as follows:

236. Vinegar, 7½ cents per gallon. The standard for vinegar shall be taken to be that strength which requires 35 grains of bicarbonate of potash to neutralize 1 ounce troy of vinegar.

The Committee on Finance reported an amendment to paragraph 236; in line 12, to strike out "7½ cents per gallon. The standard for vinegar shall be taken to be that strength which requires 35 grains of bicarbonate of potash to neutralize 1 ounce troy of vinegar.," and insert "20 per cent ad valorem;" so as to read:

Vinegar, 20 per cent ad valorem.

Mr. JONES of Arkansas. The committee amendment is withdrawn.

Mr. CAREY. I propose two amendments to the pending bill, which I ask to have printed.

The PRESIDING OFFICER. The amendments will be printed, and lie on the table.

Mr. WASHBURN. I offered an amendment some days ago to come in at the end of this schedule. I should like to have it read.

The SECRETARY. At the end of Schedule G add the following proviso:

Provided, That if it shall at any time appear to the President of the United States that the government of any country producing and exporting the articles and products hereinafter enumerated imposes discriminating or prohibitory duties or other exactions upon grain or the products of grain, or upon other agricultural products of the United States, he shall have the power, and it is hereby made his duty, to certify to the Secretary of the Treasury the fact of the imposition by such government of discriminating or prohibitory duties or other exactions upon grain or the products of grain, or upon other agricultural products of the United States, and thereupon, and so long as such discriminating or prohibitory duties or exactions are maintained, the Secretary of the Treasury shall levy and collect additional and discriminating duties upon the articles and products, the product of or exported from such foreign country into the United States, equal to 50 per cent of the duties provided for in this act, as follows:

Silk, partially manufactured from cocoons or from waste silk, and not further advanced or manufactured than carded or combed silk, thrown silk, not more advanced than singles, tram, organzine, sewing silk, twist, floss, and silk thread or yarn of every description, except spun silk, spun silk in skeins, cops, warps, or on beams, velvets, plushes, chenilles, or other pile fabrics.

Webbings, gorings, suspenders, braces, beltings, bindings, braids, galloons, fringes, cords, and tassels, any of the foregoing which are elastic or nonelastic, buttons and ornaments made of silk, or of which silk is the component material of chief value.

Laces and articles made wholly or in part of lace, and embroideries, including articles or fabrics embroidered by hand or machinery, handkerchiefs, neck ruffings and ruchings, clothing ready made, and articles of wearing apparel of every description, including knit goods made up or manufactured wholly or in part by the tailor, seamstress, or manufacturer, composed of silk or of which silk is the component material of chief value, and beaded silk goods, not specially provided for in this act.

All manufactures of silk, of which silk is the component material of chief value, including those having India rubber as a component material, not specially provided for in this act.

Dice, draughts, chessmen, chess balls, and billiard, pool, and bagatelle balls of ivory, bone, or other materials.

Dolls, doll heads, toy marbles of whatever material composed, and all toys composed of rubber, china, porcelain, parian, bisque, earthen or stone ware.

Brandy and other spirits manufactured or distilled from grain or other materials, cordials, liqueurs, arrack, absinthe, kirschwasser, ratafia, and other spirituous beverages or bitters of all kinds containing spirits.

Champagne and all other sparkling wines.

Still wines, including ginger wine or ginger cordial, and vermuth.

If the government of such country shall cease to impose such discriminating or prohibitory duties or exactions on the said products of the United States, the President may communicate such fact to the Secretary of the Treasury, and the Secretary of the Treasury shall thereupon cease to collect the discriminating duties by this section imposed on the products of or exported from such country into the United States; but the discriminating duties in this section provided for may be reimposed whenever and as often as the President shall deem proper under the power hereby conferred.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Minnesota [Mr. WASHBURN.]

Mr. WASHBURN. Mr. President, the purpose of this amendment, as apparent, is a step in the direction of securing for the grain, and the products of grain of this country, some portion of the market of the continental countries of Europe.

As matters now stand it is, to a great extent, impossible to export the grain, or products of grain, to any of these countries on account of prohibitory duties. Such is the case, as I understand, with all the countries to which we could reasonably look for a market for our grain, but the worst feature is that while the duties on wheat, if you please, are very high, the duties on the manufactured product of wheat (flour) is absolutely prohibitory. Such is the case with Germany, France, Austro-Hungary, Italy, and perhaps some other of the continental countries.

The effect of this is especially unfavorable to the great milling interests of this country, as our millers are absolutely deprived of these markets for the purchase of their flour. For instance, Germany imposes a duty of 3 marks (72 cents) per hundred kilos (220 pounds) of wheat, while the duty on flour is 7 marks ($1.68) to 100 kilos. This is, as intended, a discriminating and in fact a prohibitory duty against the importation of flour. A duty of 4 marks would afford German millers relatively ample protection. Seven marks becomes absolutely prohibitory. Other continental countries either have, or their legislative bodies are now engaged in the adoption of, tariffs more hostile to American milling and American grain than even Germany.

It is only during the last winter that measures have been presented in the French Chamber of Deputies looking to a further increase in duties on all our grain and grain products, notwithstanding the liberal legislation proposed in the Wilson bill, so far as its effects on French importations to this country are concerned. There seems to me no good reason why the people of this country who are importing so enormously of the products of Continental Europe, especially in the way of luxuries and goods that we could well dispense with, why we should be absolutely shut out from sending to them some portion of our surplus breadstuffs.

Why, should we not be permitted to pay for our champagne and wines and brandies and silks and other luxuries or nonessentials, with our wheat and flour rather than in gold. This while it may not be free trade, it would certainly be fair trade. So far as our own people are concerned, by the adoption of this amendment, they would be deprived of none of the necessaries of life. It would at the most only increase the prices and curtail the consumption of articles of voluntary use and luxuries; but to the exporting country the loss would be irreparable.

I desire to suggest that this proposition involves nothing new in our legislative policy, whether from one party standpoint or the other. Legislation of the same character was enacted in the Fifty-first Congress on the bill introduced and championed by Senator VEST, in the act of Congress providing for an "Inspection of meats for exportation and prohibiting the importation of adulterated articles of food, and authorizing the President to make rules in certain cases, and for other purposes."

In this law to which I refer, section 5 provides:

SEC 5. That whenever the President shall be satisfied that unjust discriminations are made by or under the authority of any foreign state against the importation to or sale in such foreign state of any product of the United States, he may direct that such products of such foreign state so discriminating against any product of the United States as he may deem proper shall be excluded from importation to the United States; and in such case he shall make proclamation of his direction in the premises, and therein name the time when such direction against importation shall take effect, and after such date the importation of the articles named in such proclamation shall be unlawful. The President may at any time revoke, modify, terminate, or renew any such direction as in his opinion the public interest may require.

This has precisely the same effect on our meat exportations as I desire, so far as our grain and grain products.

This proposition is identical with that act, and it is only fair to say that no law passed in recent years has been more beneficial in results to our farmers than the so-called meat-inspection bill——

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. ALLISON. I hope the Senator from Minnesota will be given another five minutes to conclude his observations.

The PRESIDING OFFICER. Is there objection? The Chair hears none. The Senator from Minnesota will proceed.

Mr. WASHBURN. I desire to say to the Senator from Missouri [Mr. VEST] that in his whole legislative career he has never done anything that has attached him more to the farmers of the West than his championship of this measure.

The principle of reciprocal rates and duties underlies the whole system of international law. It has been recognized by our Government since its foundation. Those who were in the Fiftieth Congress will remember the message of President Cleveland, recommending legislation by Congress to prohibit the transmitting of Canadian goods over our border, on account of the treatment of our fishermen by that government.

The same principle is recognized in the pending tariff bill, in sections 14 and 17.

The propriety of leaving the ascertainment of the fact as to whether a duty shall be imposed or importation permitted by the executive branch of the Government is conceded in this bill, as in every preceding tariff bill, in section 17. It is believed that the articles chosen for the imposing of discriminating duties, if necessary, are most suitable and effective for that purpose. Being luxuries and articles of voluntary use, increased taxation would be borne by the rich with the least inconvenience to our people generally, and the exportation of articles of this class would prove the most effective in retaliation.

Germany supplies us with most of our toys and goods of that description, as well as the greater portion of bone and ivory named in this amendment, and the other schedule would apply especially to France and Germany.

The milling industry to-day is one of the most important as well as most extensive of the American industries. If an amendment of this character is not adopted the American miller will have to stand by and see his raw material (wheat) taken from him for manufacture into flour and sale in a market for which he is excluded by discriminating and prohibitory legislation, while we are taking from the same country millions of their products without which we could well get along.

I have obtained and would call attention to the Senate to some statistical data furnished by the Northwestern Miller, a paper published in my own State, which show at a glance the extent and importance of the milling industries of the United States.

The exportations of wheat flour from the United States in the last four years are as follows:

Year ending June 30—	Wheat in bushels.	Value of wheat.	Flour in barrels.	Value of flour.
1890	54,387,767	$45,275,906	12,231,711	$57,036,168
1891	55,131,948	51,420,272	11,344,304	54,705,616
1892	157,280,351	101,599,132	15,196,769	75,362,285
1893	117,121,109	93,534,970	16,620,339	75,494,347

The daily capacity of our mills in barrels is as follows:

State.	Daily capacity.
	Barrels.
Minnesota	100,000
North Dakota	7,000
South Dakota	10,000
Wisconsin	47,000
Michigan	51,000
Illinois	61,000
Iowa	5,000
Nebraska	7,000
Other States	262,000
Total	550,000

The amount of capital invested, estimated at $100 per barrel of daily capacity, which is conservative, reaches the enormous sum of $55,000,000.

The number of men employed is not less than 27,500, at wages averaging at least $2 per day.

The average yearly output of flour is not far from 75,000,000 barrels. Of this amount the exports average 13,700,000 and home consumption some 61,300,000.

I am assured by the authority referred to, however, that, owing to the dullness in the flour market, the entire demand for the current year (domestic and foreign) could be supplied in one hundred and thirteen days of operation by our whole milling capacity, leaving two hundred and one days for enforced idleness or partial work. This state of facts shows the desperate condition of the industry, and the propriety of Congress extending such aid as is practicable and legitimate.

These figures, which are believed to be absolutely authentic and more conservative than those of the Census Bureau, also emphasize the economic value to our people of our milling industry, viewed simply as an industrial factor. To illustrate: If we were not prevented by hostile regulations and discriminations in Europe from manufacturing our entire wheat export (as we have the capacity to do), the average annual export (125,000,000) If ground into flour (27,770,000 barrels), would leave our shores with an enhanced valuation.

For sacks, at 15 cents per barrel	$4,165,000
For cost of manufacturing, at 25 cents per barrel	6,942,000
Total	11,107,500

Increasing our credit and consumptive ability to that extent.

Besides, manufacturing the flour here would leave 833,100 tons of feed for domestic consumption, which, at an average valuation of $10 per ton, makes $8,331.

I have obtained and desire to incorporate as a part of my remarks a statement showing the duties on grain and the products of grain imposed by different countries, including Germany, France, Italy, and Austro-Hungary. It will be seen by the figures furnished that in almost every case the duty on the manufactured product is double that on the raw material, showing among other things, that France and Germany are prepared and determined to make use of protective and even prohibitory duties in the interests of their manufacturing industries:

Foreign import duties on corn and flour.

GERMANY.

		s.	d.	Cts.
Wheat	cwt	1	9½	= 43½
Rye	do	1	9½	= 43½
Oats	do	1	5	= 35
Buckwheat	do	1	0½	= 25½
Pulse	do	0	9½	= 18½
Barley	do	1	0½	= 25½
Maize	do	0	9½	= 19½
Other descriptions of grain not separately mentioned	do	0	6	= 12
Millers' products of grain and pulse, *i. e.*, hulled or pearled grain, pearled barley groats, meal, and flour	cwt	3	6½	= 92

FRANCE.

In grain:				
Wheat	cwt	2	10½	= 70½
Oats	do	1	2½	= 30½
Barley	do	1	2½	= 30½
Rye	do	1	2½	= 30½
Maize	do	1	2½	= 30½
Wheat, spelt and meslin, crushed or as grist containing more than 10 per cent of flour	cwt	4	5½	= 111½
Pearled or cleaned grain, other than millet	do	6	6	= 162
Millet, hulled and cleaned	do	2	5½	= 60
Groats, grist (coarse flour)	do	6	6	= 162
Meal and flour:				
Of wheat, the yield from the grain being 70 per cent and above	cwt	4	5½	= 111
Of wheat, between 60 and 70 per cent	do	5	5½	= 136½
Of wheat, of 60 per cent or less	do	6	6	= 162
Of oats, barley, rye, or maize	do	2	0½	= 51
Of buckwheat	do	1	7½	= 40
Of dari or millett	do	1	10	= 35

ITALY.

In grain:				
Wheat	cwt	2	10½	= 70½
Barley	do	0	5½	= 11
Oats	do	1	7½	= 40
Other kinds, including dried pulse	do	0	5½	= 11
Meal and flour:				
Of wheat	do	4	8	= 116
Other kinds	do	1	1½	= 28
Semolina	do	5	10½	= 146½
Bran	do	1	3½	= 32½

AUSTRIA-HUNGARY.

In grain:				
Maize, millet, buckwheat	cwt	0	6	= 12
Barley, oats	do	0	9½	= 18½
Wheat, spelt, rye, meslin	do	1	6½	= 37½
Pulse, beans, lupines, peas, lentils, retches	do	1	0½	= 25½
Meal and flour and mill products (crushed, bruised, and cleaned grain, pearl barley, groats, semolina) made from cereals or pulse	cwt	3	9	= 93

Mr. HOAR. I understand the Senator from Minnesota to say that President Cleveland proposed to exercise this power in regard to Canada in consequence of their treatment of our fishermen. My recollection is that President Cleveland never interposed or proposed any such exercise of power in regard to the fisheries, but it was by reason of their discriminating in favor of their own products in tolls on their canals that he made that proposition.

Mr. PEFFER. Mr. President, we have a very large milling industry in our State. At the city of Topeka we have five large flouring mills, with a daily capacity of from 2,000 to 2,500 barrels of flour. The proprietors of those mills and others in different portions of the State, at Kansas City, Kans., and at Kansas City, Mo., also, have corresponded with me frequently upon this subject. The Senator from Minnesota has very clearly and fully stated the objections which our people make to the discriminating duties against flour in France and Germany. I merely wish to say to the Senator that our millers, who do a very extensive business and who export a good deal of flour, labor under the same disadvantages that the millers in other portions of the country do, and that they are in full sympathy with the amendment proposed by the Senator from Minnesota. Having presented their view of the case, I have done all that I care to do.

Mr. HARRIS. I move to lay the amendment on the table.

Mr. ALDRICH. I think we can get a vote on the amendment now.

Mr. HARRIS. If we can take a vote on the amendment I have no desire to interpose the motion.

The PRESIDING OFFICER. The question is on the amendment submitted by the Senator from Minnesota [Mr. WASHBURN].

Mr. WASHBURN. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CAFFERY (when his name was called). I transfer my pair with the Senator from Montana [Mr. POWER] to the Senator from South Carolina [Mr. IRBY], and vote "nay."

Mr. GALLINGER (when his name was called). I am paired with the junior Senator from Texas [Mr. MILLS].

Mr. GORDON (when his name was called). I transfer my

pair with the Senator from Iowa [Mr. WILSON] to the Senator from Kentucky [Mr. LINDSAY], and vote "nay."

Mr. HIGGINS (when his name was called). I am paired with the Senator from New Jersey [Mr. MCPHERSON]. I should be glad to transfer my pair if I can make an arrangement with someone on the other side of the Chamber.

Mr. PLATT (when his name was called). I am paired with the Senator from Virginia [Mr. HUNTON].

Mr. QUAY (when his name was called). I have a general pair with the Senator from Alabama [Mr. MORGAN], who, I am informed, will be necessarily absent during the remainder of to-day's session on official business. I make this announcement and decline to vote.

The roll call was concluded.

Mr. CULLOM. I am paired generally with the Senator from Delaware [Mr. GRAY]. He was called away from the Senate this afternoon. I should vote "yea" if allowed to vote.

Mr. BRICE. I suggest to the Senator from Pennsylvania [Mr. QUAY] that he transfer his pair to the junior Senator from Colorado [Mr. WOLCOTT], and both he and I can vote.

Mr. QUAY. That arrangement is entirely satisfactory.

Mr. BRICE. I vote "nay."

Mr. QUAY. I vote "yea."

Mr. CALL. I announce my pair with the Senator from Vermont [Mr. MORRILL].

Mr. HIGGINS. I suggest to the Senator from Florida [Mr. CALL] that he can transfer his pair to the Senator from New Jersey [Mr. MCPHERSON], and we can both vote.

Mr. CALL. I will do so. I vote "nay."

Mr. HIGGINS. I vote "yea."

Mr. CAREY. I am paired with the junior Senator from Wisconsin [Mr. MITCHELL]. I will transfer that pair to the senior Senator from Ohio [Mr. SHERMAN] and vote. I vote "yea."

The result was announced—yeas 18, nays 26; as follows:

YEAS—18.

Aldrich,	Dubois,	Patton,	Shoup,
Allison,	Frye,	Peffer,	Teller,
Carey,	Hale,	Perkins,	Washburn.
Chandler,	Higgins,	Pettigrew,	
Dixon,	Hoar,	Quay,	

NAYS—26.

Berry,	Daniel,	McLaurin,	Turpie,
Blackburn,	George,	Martin,	Vest.
Brice,	Gibson,	Pasco,	Voorhees,
Caffery,	Gordon,	Pugh,	Walsh,
Call,	Harris,	Ransom,	White.
Camden,	Jarvis,	Roach,	
Coke,	Jones, Ark.	Smith,	

NOT VOTING—41.

Allen,	Gorman,	McMillan,	Power,
Bate,	Gray,	McPherson,	Proctor,
Blanchard,	Hansbrough,	Manderson,	Sherman.
Butler,	Hawley,	Mills,	Squire,
Cameron,	Hill,	Mitchell, Oregon	Stewart,
Cockrell,	Hunton,	Mitchell, Wis.	Vilas,
Cullom,	Irby,	Morgan,	Wilson,
Davis,	Jones, Nev.	Morrill,	Wolcott.
Dolph,	Kyle,	Murphy,	
Faulkner,	Lindsay,	Palmer,	
Gallinger,	Lodge,	Platt,	

So the amendment was rejected.

The PRESIDING OFFICER. The Secretary will proceed with the reading of the bill.

The Secretary read as follows:

SCHEDULE H.—SPIRITS, WINES, AND OTHER BEVERAGES.

Spirits:

237. Brandy and other spirits manufactured or distilled from grain or other materials, and not specially provided for in this act, $1.80 per proof gallon.

The Committee on Finance reported to amend the paragraph by adding the following:

But when imported in bottles or jugs no separate or additional duty shall be assessed on the bottles or jugs.

Mr. JONES of Arkansas. The amendment of the Committee is withdrawn.

Mr. ALDRICH. I move to strike out $1.80 where it occurs in this paragraph and insert $2.50.

The aggregate reductions in this schedule upon brandy and other similar articles is $1,800,000 in round numbers. If any Senator sitting upon the other side of this aisle can tell me any reason why the rates upon these articles should be reduced I should be glad to hear it. I should be glad if the committee who have this matter in charge, or some other Senator familiar with the construction of this bill, would give a single reason why the rates upon these articles of luxury should be reduced.

We have brandies, gins, Scotch whiskies, beers, still wines, and other articles of that kind. We have been called upon to-day and on other days to increase very largely the duties upon necessaries of life, I suppose partly for the purpose of furnishing an excuse for the reduction of these duties upon French brandies, Scotch whiskies, cordials, and articles of that kind. I do not intend to take up the time of the Senate at any great length, but the party responsible for these reductions will certainly have to answer to the people for their action to-day.

Mr. VEST. We will take that responsibility. We did this deliberately, and I think we had the best reasons in the world for it. While these articles are articles of luxury and made everywhere among civilized nations the great source of revenue, yet it is very bad policy to put them so high as to make the duties prohibitory and to decrease revenue.

We came to the conclusion that there was no reason from any standpoint for making these duties higher than we have fixed them here. In the first place, we believe we will get more revenue by an import duty upon these spirits, considering the nature of the article; and, in the second place, it is no such interest in the United States as appeals to us to entirely exclude foreign competition and make money for the domestic manufacturer.

I would not use the tariff power of the Government in order to strike down this or any other industry while we are collecting taxes from it and recognizing it as legitimate. At the same time I make no concealment of the fact that there is nothing in the nature of the manufacture of alcoholic stimulants that appeals to me to protect it or encourage it. I would make it pay all the revenue possible to the Government. I would not foster it in any way. I believe that these duties from either standpoint, either that of revenue or, as our friends on the other side call it, of protection, are about right, and that is the reason they are so placed.

Mr. ALDRICH. I do not defend the existing law or seek to make this amendment on the ground that the duties are protective duties. It is simply and purely a question of revenue. All political economists have agreed that the articles included in this schedule are proper articles for revenue duties. There can be no question about that. The tariff of 1846, which every Senator on the other side of the Chamber always alludes to as an ideal tariff in these matters, imposed a duty of 100 per cent on the very articles included in this paragraph.

Now, it is proposed by a Democratic Congress, in the latter part of the nineteenth century, when we need revenue, according to their own statements, and when we are imposing high duties upon necessaries of life, to reduce the duty from 100 per cent to 65.98 upon these articles.

I think the common people of the country, whom the Senator from Missouri always speak for, are not greatly interested as to whether the duty upon French brandies is 65 per cent or 100 per cent. They do not use them, and they are willing that the people who do use them shall pay a high rate of duty.

Mr. HARRIS. Question.

Mr. ALLISON. Mr. President, this is an important schedule certainly as relating to revenue. It is not a very lengthy schedule, and yet it is not probable that we can finish it this evening. I suggest to the Senator in charge of the bill that we adjourn now and take up this schedule Monday morning. I would be willing on Monday morning, certainly after 11 o'clock, to apply the five-minutes rule to the debate on this schedule.

Mr. HARRIS. I will say to the Senator from Iowa that the Senator from Rhode Island and myself thought some time ago we could probably get through with this schedule this evening. I should be exceedingly glad to do so. Of course I wish to oblige as far as possible the convenience and comfort of Senators on both sides of the Chamber. What reason is there why we can not go on and get through with this schedule?

Mr. ALLISON. I will say frankly to the Senator that the discussion of the amendment offered by the Senator from Minnesota has made some impression upon me as respects our relations with the French people concerning these duties. I think if we are to reduce duties as is proposed here we ought to make a distinction as between distilled spirits produced from grapes and distilled spirits distilled from grain. I suppose the object of those who are in charge of this bill is to make it easier——

Mr. HARRIS. Will the Senator allow me to suggest to him that the Senate has disposed of the amendment of the Senator from Minnesota?

Mr. ALLISON. I do not propose to renew the amendment of the Senator from Minnesota; but I notice in looking at the comparison of these paragraphs that there is a very large importation of spirits distilled from grain. The importation of spirits distilled from grain for the year 1893 was $1,639,224, a large increase over the importations of any prior year, at least so far as this schedule is concerned; I have not looked beyond. So the proposition to reduce the duty upon distilled spirits from grain I believe 65 cents and 70 cents a gallon is a great reduction when at the same time we are increasing the tax upon our own distilled spirits from 90 cents a gallon to $1.10.

It seems to me that in dealing with this subject, having so many relations and difficulties in its pathway, we should not now at the hour of 5 o'clock on Saturday night undertake to finish a schedule of this importance. It certainly will not take a great while on Monday to go through with this schedule. For myself, I should like to make some observations on the schedule at a later day; and I do not wish to do it to-day. I am perfectly willing as far as I am concerned that the five-minute rule may be applied to this schedule from the opening of the session on Monday morning.

Mr. HARRIS. If I can get a unanimous-consent agreement, upon this schedule and the cotton schedule, down to the schedule on wool and woolens, to limit the debate to five minutes to a Senator on any single amendment or on the paragraph—and when I say five minutes I mean five minutes, and no extension by striking out the last or any other word—if I can get such an agreement I shall concede to the request of the Senator from Iowa.

Mr. ALLISON. I do not like for myself to make at this time any suggestions respecting so important a schedule as the cotton schedule. It seems to me it would be wiser to take one of these schedules at a time; whilst this schedule is not a lengthy one, I think it ought to be debated a little more at large than we can debate it to-night. If the Senator from Tennessee will ask unanimous consent that on Monday this schedule shall be considered under Rule VIII, which is the five-minute rule, I for one will not object, and I do not believe that there will be any objection on this side of the Chamber.

Mr. HARRIS. What objection has the Senator to extending it to the cotton schedule as well?

Mr. ALLISON. I stated to the Senator that that is too important a schedule for me to make any suggestion about.

Mr. HARRIS. I ask that the five-minute rule as defined a moment since by myself be applied to this and the cotton schedule

Mr. HOAR. Mr. President——

The PRESIDING OFFICER. Is there objection to the request of the Senator from Tennessee?

Mr. HOAR. I desire to notify the Senate, as I did three days ago, that that agreement will not be acceded to while I am a member of the Senate in regard to any schedule whatever, I being present.

The PRESIDING OFFICER. Objection is made to the request of the Senator from Tennessee.

Mr. HARRIS. If I understand the suggestion of the Senator from Massachusetts, it applies as well to this as to the cotton schedule?

Mr. CULLOM (to Mr. HOAR). State what you mean.

Mr. HOAR. I mean to say that I shall not beforehand agree to a rule which confines every Senator to five minutes' debate on any schedule.

Mr. HARRIS. Not on the schedule, but on the specific paragraph.

Mr. HOAR. On any specific amendment, on any specific topic. Under the rules of the Senate a whole appropriation bill might be introduced as an amendment; the largest and most important subject might come up; it might be discussed without being moved in terms, and it is an innovation; it is a thing never assented to. The five-minute rule, as defined on this side of the Chamber yesterday, is a well-known rule, which has its interpretation in the customs of the Senate. I do not object to any arrangement which the Republican members of the Finance Committee make in regard to adopting that rule. I propose to commit the conduct of the proceeding in general to them; but what the Senator from Tennessee asks for never will be agreed to in the Senate on any subject whatever while I am present and a member.

Mr. ALDRICH. I suggest to the Senator from Tennessee that we now agree to apply the ordinary five-minute rule to this schedule, and when we reach the cotton schedule I have no doubt we can secure a similar agreement in regard to it.

Mr. HARRIS. I understand from the declaration of the Senator from Massachusetts just made that the five-minute rule can not be applied to this or any other schedule.

Mr. ALDRICH. I did not understand the Senator from Massachusetts that way.

Mr. HOAR. I said directly the contrary.

Mr. VEST (to Mr. HARRIS). The Senator from Massachusetts did not say that.

Mr. HARRIS. Then I misunderstood the Senator. I am glad I did, or rather I am glad that he did not mean what I understood him to mean.

I do not intend to enter into any discussion with the Senator from Massachusetts as to what the five-minute rule is in the Senate. I have very well-defined opinions, though, as to what it is, and they do not agree at all with the views of the Senator from Massachusetts. But I do not intend to open that question or to debate it. If I can not get a five-minutes agreement for the cotton schedule as well, I will take it upon this schedule if I can get it.

Mr. ALLISON and others. All right.

Mr. HARRIS. In other words, I am going to do the best I can.

Mr. ALLISON. I hope the Senator from Tennessee will ask unanimous consent that the five-minute rule may be applied to Schedule H, and that then he will consent that on this Saturday night at least we may adjourn.

Mr. HARRIS. I ask unanimous consent that the five-minute rule be applied to Schedule H until it is concluded as in Committee of the Whole.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Tennessee?

Mr. HOAR. I make no objection; but I suppose the Senator from Tennessee understands my interpretation of that rule by this time.

The PRESIDING OFFICER. The Chair hears no objection.

Mr. HARRIS. The time may come when the Senator and I will debate the question as to the proper interpretation.

I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 10 minutes p. m.) the Senate adjourned until Monday, June 11, 1894, at 10 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate June 9, 1894.

POSTMASTERS.

Henry Vanscoy, to be postmaster at Kingston, in the county of Luzerne and State of Pennsylvania, in the place of David S. Clark, whose commission expired April 16, 1894.

Ralph F. Krieger, to be postmaster at Weehawken, in the county of Hudson and State of New Jersey, in the place of Theodore Buttenbaum, whose commission expired May 2, 1894.

Albert H. Jones, to be postmaster at Granville, in the county of Licking and State of Ohio, in the place of John C. Malone, whose commission will expire June 14, 1894.

W. M. Dunklee, to be postmaster at Christiansburg, in the county of Montgomery and State of Virginia, in the place of George W. Wilson, whose commission will expire June 18, 1894.

ASSISTANT SURGEON IN NAVY.

Ammen Farenholt, a resident of Massachusetts, to be an assistant surgeon in the Navy, from the 29th of May, 1894, to fill a vacancy in that grade.

PROMOTIONS IN ARMY.

Infantry arm.

First Lieut. William P. Evans, Nineteenth Infantry, to be captain, June 7, 1894, vice Taylor, Nineteenth Infantry, retired from active service.

First Lieut. Robert J. C. Irvine, Eleventh Infantry, to be captain, June 8, 1894, vice Hoffman, Eleventh Infantry, retired from active service.

Second Lieut. Thomas G. Hanson, Nineteenth Infantry, to be first lieutenant, June 7, 1894, vice Evans, Nineteenth Infantry, promoted.

Second Lieut. Herman Hall, Fourth Infantry, to be first lieutenant, June 8, 1894, vice Irvine, Eleventh Infantry, promoted.

WITHDRAWAL.

The nomination of John J. McDonald, to be postmaster at Kingston, Luzerne County, Pa., which was sent to the Senate April 3, 1894.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 9, 1894.

MARSHAL.

Emery S. Harris, of Vermont, to be marshal of the United States for the district of Vermont.

POSTMASTER.

Tyler G. Kent, to be postmaster at Wytheville, in the county of Wythe and State of Virginia.

HOUSE OF REPRESENTATIVES.

SATURDAY, *June 9, 1894.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. E. B. BAGBY.

The Journal of the proceedings of yesterday was read and approved.

A. J. DRUMWRIGHT.

The SPEAKER laid before the House a copy of the finding of the Court of Claims in the case of A. J. Drumwright *vs.* The United States; which was referred to the Committee on War Claims, and ordered to be printed.

LEAVE OF ABSENCE.

Mr. ALDERSON, by unanimous consent, obtained indefinite leave of absence on account of sickness.

HOLMES & LEATHERS.

Mr. DAVEY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 6698) for the relief of Holmes & Leathers.

The bill was read.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana for the present consideration of this bill?

Mr. COOMBS. I think I shall have to object to it at this time, Mr. Speaker.

UNITED STATES COURTS, MINNESOTA.

Mr. POWERS. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 7293) to amend chapter 167 of the acts of the Fifty-first Congress, approved July 26, 1890.

The bill was read, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all criminal proceedings instituted for the trial of offenses against the laws of the United States arising in the district of Minnesota, shall be brought, had, and prosecuted in the division of said district in which one or more of the defendants resided at the time such offenses were committed.

SEC. 2. That this act shall take effect upon its passage.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. COOMBS. Mr. Speaker, reserving the right to object, I should like to hear an explanation of the bill.

Mr. POWERS. At the second session of the Fifty-first Congress an act was passed dividing the district of Minnesota into six divisions and providing for the holding of courts in those several divisions, and regulating the proceedings in civil causes. The act did not apply to criminal causes. In all the other districts in the country, so far as I am advised, criminal causes also are tried in the subdivisions of the district, as this bill proposes in this case.

Mr. COOMBS. Is the bill reported favorably by the committee?

Mr. POWERS. It is.

The SPEAKER. Is there objection to the request of the gentleman from Vermont for the present consideration of this bill?

Mr. REED. What is the request?

Mr. CULBERSON. I will state to the gentleman from Maine that this bill was reported from the Committee on the Judiciary by the gentleman from Vermont [Mr. POWERS], and that there is absolutely no objection to it.

Mr. REED. That is all right. I thought it was another bill.

An amendment recommended by the committee, striking out in line 6, the words "one or more of the defendants resided at the time," was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. POWERS, a motion to reconsider the vote by which the bill was passed was laid on the table.

The title of the bill was amended so as to read, "A bill regulating the procedure in criminal causes in the district of Minnesota."

HYPOLITE FILHIOL AND OTHERS.

Mr. BOATNER. Mr. Speaker, I ask unanimous consent for the present consideration of a resolution reported in connection with the bill (H. R. 2380) for the relief of Hypolite Filhiol and others.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he hereby is, authorized and required to pay, out of any money in the Treasury not otherwise appropriated, the sum of $4,825, one-third thereof to Hypolite Filhiol, of Ouachita, Parish, Louisiana, and the other two-thirds to the legal representatives of Edwin L. Betin and Charles D. Betin, late of said parish, to be received and receipted for by them in full payment for property taken from them in said parish by and for the use of the Federal Army during the late war.

Mr. BOATNER. I ask that the report accompanying the bill be read—the resolution.

Mr. COOMBS. I shall have to object to this bill, Mr. Speaker I did not understand that it proposed an appropriation.

Mr. BOATNER. I hope the gentleman will withhold his objection for a moment.

Mr. COOMBS. Certainly.

Mr. BOATNER. This is merely a proposition to refer the claim to the Court of Claims, not to pay it. I ask that the resolution be read.

The resolution was read, as follows:

Resolved, That the bill (H. R. 2380) entitled "A bill for the relief of Hypolite Filhiol and others," now pending in the House of Representatives, together with all the accompanying papers be, and the same is hereby, referred to the Court of Claims, in pursuance of the provisions of an act of March 3, 1883, and an act entitled "An act to provide for the bringing of suits against the United States," approved March 3, 1887, to find and report to the House of Representatives the facts bearing upon the merits of the claim, including the loyalty of the claimant, and all other facts contemplated by the provisions of said act.

Mr. COOMBS. Reserving the right to object, I shall be glad to hear the gentleman explain.

Mr. BOATNER. A bill of this character in favor of Hypolite Filhiol was introduced a number of years ago, and passed by Congress, referring the case to the Court of Claims. When it reached the court it was found that an interest in the claim was held by the heirs of Betin, who were, at the time the property was taken, minor children. The court, therefore, can not consider the matter under the resolution heretofore adopted, because an interest is held by parties over whom the court has not been invested with jurisdiction. This is merely to authorize the Court of Claims to ascertain and report to the House whether there is a debt, whether the parties were loyal, and the amount of the debt, if any exists, in order that Congress may deal with it accordingly. I think there can be no possible objection.

Mr. COGSWELL. There can not be any objection to that.

Mr. BURROWS. I shall have to object, Mr. Speaker.

FISH HATCHERY, PHILADELPHIA.

Mr. BINGHAM. Mr. Speaker, I ask unanimous consent for the consideration of the resolution which I send to the desk.

The resolution was read, as follows:

Resolved, That the United States Fish Commissioner be, and is hereby, directed to report to the House of Representatives the desirability of the Government's establishing a fish hatchery in the grounds of the Zoölogical Society, Philadelphia, on the Schuykill River, in the city of Philadelphia, State of Pennsylvania.

Mr. BINGHAM. This carries no money, no appropriation, no expenditure whatever.

The resolution was adopted.

On motion of Mr. BINGHAM, a motion to reconsider the vote by which the resolution was adopted was laid on the table.

CIRCUIT COURTS OF APPEALS.

Mr. TURNER of Georgia. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the desk.

The bill was read, as follows:

Be it enacted, etc., That the seventh section of the act entitled "An act to establish circuit courts of appeals, and to define and regulate in certain cases the jurisdiction of the courts of the United States, and for other purposes," approved March 3, 1891, be amended so as to read as follows:

"SEC. 7. That where, upon a hearing in equity in a district court or in an existing circuit court, an injunction shall be granted or continued or a receiver appointed, by an interlocutory order or decree, in a cause in which an appeal from a final decree may be taken under the provisions of this act to the circuit court of appeals, an appeal may be taken from such interlocutory order or decree granting or continuing such injunction or appointing such receiver to the circuit court of appeals: *Provided*, That the appeal must be taken within thirty days from the entry of such order or decree, and it shall take precedence in the appellate court; and the proceedings in other respects in the court below shall not be stayed, unless otherwise ordered by that court, during the pendency of such appeal."

The SPEAKER. Is there objection to the request for the present consideration of this bill?

Mr. DINGLEY. Will the gentleman please explain what changes are proposed to be made by this bill?

Mr. TURNER of Georgia. The act of March 3, 1890, creating the circuit courts of appeals, provided that appeals might be had from interlocutory orders granting or continuing injunctions, but it did not provide for an appeal from orders appointing receivers without injunctions. This bill is intended to include such orders.

Mr. CULBERSON. This is the unanimous report of the Committee on the Judiciary.

Mr. LACEY. I would like to ask the chairman of the committee whether the bill provides also for appeals in cases of dissolution of injunctions.

Mr. CULBERSON. All interlocutory orders.

Mr. REED. I should like to understand something more about this.

Mr. TURNER of Georgia. On what point would the gentleman from Maine like to have an explanation?

Mr. CULBERSON rose.

Mr. TURNER of Georgia. I yield to the chairman of the committee that he may make an explanation.

Mr. CULBERSON. I will state——

Mr. REED. I think we had better have this matter come up in regular order.

Mr. TURNER of Georgia. I hope the gentleman from Maine will not factiously interpose. I know he would not if he understood this matter. The present law allows appeals on interlocutory orders granting, modifying, or continuing injunctions, but it does not allow appeals from interlocutory orders merely appointing receivers. The object of this bill is to place that class of cases under the same rules as injunctions.

Mr. REED. Certainly upon the gentleman's statement that seems to be desirable; but we would like to know what effect this may have as a practical matter of business?

Mr. TURNER of Georgia. I will explain. It seems that under a practice which has grown up, these courts have been granting orders appointing receivers and omitting to issue any injunction, so that there should be no appeal allowed. But the gentleman from Maine can see that the appointment of a receiver by whom a whole estate can be administered may be as important a subject of review as the granting of an injunction.

This is a mere omission, I assure the gentleman, in the original act; and I am sure that he as a lawyer will see that the propriety of allowing an appeal in this class of cases is greater than in the other.

Mr. REED. Were such matters the subject of an appeal before this court was created?

Mr. TURNER of Georgia. This matter grows out of the special jurisdiction conferred upon the court by the act of March 3, 1890. I think that writs of error or appeals are allowed in all the courts in all the States on interlocutory orders of the kind I describe.

Mr. REED. Prior to the creation of this court did this right of appeal exist in similar cases? The lower court, whatever it may have been, had, as I understand, the power of appointing receivers the same as now; was there in such cases a right of appeal to the higher court?

Mr. TURNER of Georgia. The gentleman knows that the privilege of taking appeals and writs of error in cases pending in the United States courts was, before the act of March 3, 1890, quite restricted. In the act to which I refer this privilege was granted as to injunctions because the granting of an injunction was regarded as a matter in which there ought to be the right of review for the guidance of the court below in the final determination of the cause. The gentleman can readily see that this privilege of appeal which this amendatory bill proposes to allow with respect to orders appointing receivers is just as important, in fact more so, than the privilege of appeal in the other cases which I have mentioned.

Mr. REED. Will this contemplated proceeding stay the appointment of a receiver?

Mr. WILLIAM A. STONE. Will it act as a supersedeas?

Mr. REED. Will it act as a supersedeas and stay the appointment of the receiver?

Mr. TURNER of Georgia. It will not operate as a supersedeas with respect to the matter pending for final decree in the court below; but pending the appeal with reference to the appointment of a receiver, the case in that respect will be of course suspended pending the appeal.

Mr. REED. I suggest to the gentleman from Georgia that he allow this matter to rest so that we may have opportunity to examine it. It seems that there may be some elements of danger about it. I do not desire to make any opposition, if further examination shall show the measure to be proper.

Mr. TURNER of Georgia. If the gentleman takes that position, of course I can not resist him.

Mr. REED. I prefer that the matter be allowed to go over so that we may know more about it.

Mr. TURNER of Georgia. Perhaps the gentleman will be willing to hear a statement of the chairman of the Committee on the Judiciary [Mr. CULBERSON].

Mr. REED. It is rather difficult to dispose of a question like this upon this sort of interlocutory discussion.

The SPEAKER. If there be no objection, the gentleman from Texas [Mr. CULBERSON] will be allowed to make a statement.

There was no objection.

Mr. CULBERSON. Mr. Speaker, I understand that every member of the Judiciary Committee, including both Democrats and Republicans, who has examined this matter has consented to a favorable report of this bill. It will be remembered that by the act of March 3, 1890, an appeal was for the first time given from an order of the circuit court, or the district judge sitting in the circuit court, granting an injunction in these receivership cases.

Now, in order to avoid an appeal, the judges grant the order for the appointment of a receiver without making an order for an injunction, the result being that the receiver may administer the whole estate, and no appeal or review can lie until the case is finally settled in the court below. Unless that court sees proper to issue an order for an injunction, no appeal lies; there is no opportunity for revision; and the receiver may go on and administer the estate. Those who might desire to complain must wait the final settlement of the estate in order to have the case reviewed.

Now, if the appeal is allowed on an injunction in one of these cases, I do not see why it should not be allowed in the case of the appointment of the receiver who takes charge of the entire estate and have the matter settled.

Mr. POWERS. Will the gentleman from Texas yield to me for a moment?

Mr. CULBERSON. Certainly.

Mr. POWERS. If I understand the purpose of this bill, which the gentleman from Georgia, I believe, introduced, it simply proposes to extend the ordinary rules of chancery proceedings, which prevents an appeal from any order except the final order to certain interlocutory motions or orders.

Mr. CULBERSON. That is the purpose exactly.

Mr. POWERS. The present law allows an appeal in cases where an injunction is asked. I recollect in connection with this case it was thought more important in many instances to grant an appeal in cases of the appointment of a receiver who has to take charge of the entire distribution of the property than to admit appeals in cases of injunction which are only temporary in their character; and the purpose of this bill was to allow appeals in such cases.

Mr. CULBERSON. That is the whole bill.

Mr. POWERS. Now, the question has been asked as to what would become of the property pending such an appeal. It is a well-known principle in equity jurisprudence that the court of equity always has power in all cases to preserve the subject-matter of litigation, so that there would be no difficulty in this case if this jurisdiction is extended to hear appeals in the cases proposed here. It simply enables the parties in interest to protect the property against an improper administration through a receiver by the interlocutory orders of a lower court. It can only be done by appropriate legislation of this character, and I believe this was recommended by the entire committee.

Mr. REED. I would like to ask if there is any pressing haste about this matter?

Mr. CULBERSON. Well, a practice has grown up in this country in order to avoid appeals, to refuse the granting of an injunction because no appeal could be taken.

Mr. McCALL. Let me ask the gentleman whether the appeal would affect the order for the appointment of the receiver?

Mr. CULBERSON. Oh, no.

Mr. McCALL. The receivership would still continue?

Mr. CULBERSON. Yes.

Mr. McCALL. And it would not affect the order of the court?

Mr. CULBERSON. Everything stands exactly in *statu quo* until the decision of the higher court is made known.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. REED. I shall have to ask that this matter go over. I want to look into it a little further.

The SPEAKER. Objection is made.

Mr. COOMBS. I demand the regular order.

The SPEAKER. The regular order is the call of committees for reports.

The committees were called.

BRIDGE ACROSS THE CHATTAHOOCHEE RIVER.

Mr. WISE, from the Committee on Interstate and Foreign Commerce, reported back the bill (H. R. 6577) to authorize the construction of a wagon and foot bridge across the Chattahoochee River at or near the town of Columbia, Ala.; which was referred to the House Calendar.

ADMISSION TO AMERICAN REGISTRY OF FOREIGN SHIPS.

Mr. PERKINS, from the Committee on Merchant Marine and Fisheries, presented the views of the minority of the committee, under leave heretofore granted, to accompany the bill (H. R. 2655) providing for free admission to American registry of ships built in foreign countries.

The SPEAKER. The views of the minority will be printed to accompany the report of the committee heretofore made.

SHIP CANAL LAKE ERIE—OHIO RIVER.

Mr. RYAN, from the Committee on Railways and Canals, presented, in lieu of several House bills, a bill (H. R. 7402) provid-

ing for preliminary surveys of a route for a ship canal from Lake Erie to the Ohio River; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

The SPEAKER. In the absence of objection, the bills originally referred to the committee on the same subject will lie on the table.

There being no objection, the bills (H. R. 1922, 6768, 7068, and 7170) were ordered to lie on the table.

ENROLLED BILL SIGNED.

Mr. PEARSON, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the bill (S. 1950) to authorize the Pennsylvania and New Jersey Railroad Companies or either of them to construct and maintain a bridge over the Delaware River between the States of New Jersey and Pennsylvania; when the Speaker signed the same.

INDIAN APPROPRIATION BILL.

Mr. HOLMAN. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of general appropriation bills.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole, Mr. O'NEIL of Massachusetts in the chair.

The CHAIRMAN. The House is now in Committee of the Whole for the further consideration of the Indian appropriation bill, and the Clerk will proceed with the reading of the bill.

Mr. WILSON of Washington. Mr. Chairman, I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WILSON of Washington. Yesterday afternoon, just before the committee rose, we had proceeded, as I understand it, to the consideration of this bill by paragraphs.

The CHAIRMAN. That is correct.

Mr. WILSON of Washington. I am informed that it was the purpose of some gentlemen, who were on the Chairman's list, to make certain observations or remarks upon the bill; and they believed that they had been promised, or at least it was tacitly understood, that they were to have the floor for the purpose of addressing the committee before the general debate was closed. And I believe it is not the wish of the committee—speaking especially for myself—to deprive these gentlemen of that pleasure, and if they will indicate the time they desire——

The CHAIRMAN. The Chair will state to the gentleman that the only name on the list is that of a gentleman who does not appear to be present.

Mr. WILSON of Washington. I see the gentleman is not at this moment present, and I will not make any further request at this time.

Mr. HOLMAN. I ask the Clerk to proceed with the reading of the bill.

The Clerk, proceeding with the reading of the bill, read as follows:

At the Cheyenne River Agency, South Dakota, $1,700,

The CHAIRMAN. The Chair will call the attention of the chairman of the Committee on Indian Affairs [Mr. HOLMAN] to the fact that the name of the agency which has just been read appears in the estimate as the Forest City Agency. In the bill it is called the Cheyenne River Agency, but in the estimates it is stated that it is now called the Forest City Agency.

Mr. PICKLER. The Indian Bureau desire that it be changed back to the old name, which appears in the bill.

The CHAIRMAN. The Clerk will read.

The Clerk, continuing the reading of the bill, read as follows:

At the Yankton Agency, South Dakota, $1,600.

Mr. WILSON of Washington. I offer the amendment which I send to the Clerk's desk.

The Clerk read as follows:

On page 6, line 18, after the word "dollars," insert the following:

"*Provided*, That no Indian agent or other employé shall be appoin to any Indian agency from any State or Territory other than the State Territory in which said agency is located."

Mr. HOLMAN. Mr. Chairman, I reserve the point of order on that.

Mr. BOWERS of California. I desire to reserve a point of order on that.

Mr. WILSON of Washington. If the point of order is reserved, inasmuch as we can probably discuss this amendment in twenty or thirty minutes, I wish to ask unanimous consent that thirty minutes be allowed for the discussion. According to the understanding made during the general debate, we were to be allowed opportunity for discussing various items as they were reached, and I ask that thirty minutes be allowed for the discussion of this amendment, one-half to be controlled by the chairman of the Committee on Indian Affairs and one-half by some gentleman to be designated by the Chairman of the Committee of the Whole.

The CHAIRMAN. The gentleman asks unanimous consent that thirty minutes be allowed for the discussion of this amendment, one-half to be controlled by the chairman of the committee [Mr. HOLMAN], and the other half to be controlled by the gentleman from Washington [Mr. WILSON]. Is there objection?

There was no objection.

Mr. HOLMAN. If my friend wishes to be heard, I will reserve the point of order until he has completed his remarks.

Mr. WILSON of Washington. Mr. Chairman, I have offered this amendment, not for any reason personal to myself, but in behalf of the Democratic party in my State and in other Western States and Territories of this country. It is a well-known fact that the Democratic party in their national convention at Chicago declared, in one of the paragraphs of their platform, for home rule, as follows:

We hold that the officials appointed to administer the government of any Territory, together with the District of Columbia and Alaska, should be bona fide residents of the Territory or district in which their duties are to be performed. The Democratic party believes in home rule and the control of their own affairs by the people of the vicinage.

It is a notorious fact that upon every occasion afforded them the Democratic party have violated that plank of their platform. In my own State a few days ago—and I am not criticising the gentleman who was appointed—they sent a distinguished gentleman from the State of Arkansas to be the agent at the Puyallup Indian Agency.

They sent another gentleman from the State of Georgia, who had come into our State temporarily, to be Indian agent at the Yakima Indian Agency. He came across the continent, and went clear back to Georgia in order to obtain a bond. They have appointed a United States attorney in my State who has not been a resident long enough to vote. They appointed a United States marshal who had been a resident only a short time, and no man in my locality who belongs to the Democratic party knew who he was. They have appointed farmers from the State of Wisconsin to the State of Washington. Two of the three Indian agents appointed for the State of Idaho are residents of States east of the Missouri River.

And so it has been all over the Western country, violated step by step, in order to satisfy the Southern contingent with patronage and send them out to our country in violation of your own declaration in your own platform. Ah, Mr. Speaker, they have gone further than that. They have come to the city of Washington, and this morning I find in that great Democratic paper, the New York Sun, the following:

ANGERED BY MR. CLEVELAND—A VIOLATION OF THE HOME-RULE PRINCIPLE STIRS WASHINGTON—HE PROCURES THE APPOINTMENT OF A BRITISH SUBJECT AS SUPERINTENDENT OF THE GIRLS' REFORM SCHOOL AGAINST THE PROTESTS OF THE WOMEN MEMBERS OF THE BOARD OF TRUSTEES AND THE DISTRICT COMMISSIONERS—MR. THURBER TELLS THE COMMISSIONERS THE APPOINTMENT MUST BE MADE AT ONCE—FOUR TRUSTEES OF THE SCHOOL RESIGN.

WASHINGTON, *June 8*.

The citizens of Washington have hardly had time to recover from their surprise and disappointment caused by President Cleveland's violation of the home-rule plank of the Democratic platform in the appointment of Charles H. J. Taylor, the colored man from Kansas, to be recorder of deeds for the District of Columbia, when they are brought face to face with another similar act, the appointment of a British subject to the most lucrative and responsible office held by a woman in the District. The indignant citizens, without regard to party, have begun to make protest, and last night the following preamble and resolutions were adopted by a largely attended meeting of the Twentieth Century Club, an organization which is to Washington about what the Sorosis Club is to New York:

"Whereas it has come to our knowledge that the recently elected superintendent of the Girls' Reform School of the District of Columbia is a subject of a foreign country, and that five years must elapse before she can become an American citizen; and

"Whereas said position is the most lucrative one within the gift of the Government in the District of Columbia, to which women are eligible; and

"Whereas there were a number of applicants for this position equally as competent in every way, of American birth and in full sympathy with American institutions; Therefore,

"*Resolved*, That we hereby express our hearty disapproval of said appointment, and call upon all loyal American women to urge upon their Representatives in Congress a thorough investigation of this 'foreign labor' question."

These resolutions were adopted after it had been made known that the following communication had been sent to Mr. Cleveland:

"To the PRESIDENT OF THE UNITED STATES:

"MR. PRESIDENT: The undersigned members of the board of trustees of the Girls' Reform School desire respectfully to tender their resignations, being convinced that their usefulness is at an end. The recent appointment, in defiance of the protests of the minority—which includes every woman on the board—of a superintendent who is a foreigner, without knowledge of our customs and people, without experience in reformatory work, and without the special and most necessary qualifications for such work, seems to make the step imperative.

"Very respectfully,

"LAURA COMSTOCK BATES.
"LOUISE REED STOWELL.
"MARY HOWELL TOTTEN.
"THOMAS P. MORGAN."

The story of the appointment of the Canadian woman is an interesting one, and serves to show the persistence with which inmates of the White House, officials of the Administration, and those close to them, devote them-

selves to the cause of American citizenship and civil-service reform. Several weeks ago a vacancy occurred in the office of Superintendent of the Reform School for Girls by the removal of the incumbent as the result of a scandal. There were several candidates for the place, and the president of the board of trustees, Mr. W. C. Endicott, jr., pardon clerk of the Department of Justice, and at the time of his appointment to the board private secretary to the Attorney-General, warmly indorsed the application of Mrs. Aldrich. She had come to Washington with the family of Postmaster-General Bissell, who, when they were no longer in need of her services, secured a place for her as teacher in the institution. Four other members of the board also recommended Mrs. Aldrich's appointment, but a minority, consisting of three women and ex-Commissioner of the District Morgan, opposed it on the ground that Mrs. Aldrich was a subject of Great Britain, whose husband and six children reside in Canada, and because, moreover, they believed her to be totally disqualified to act as guardian and friend of young girls.

Mrs. Aldrich was selected by the rule of the majority, however, and the Commissioners of the District were called upon, as provided by law, to approve the selection. This for a long time they refused to do, contending that they could not consent to the appointment of a citizen of a foreign country to such an important place. Thereupon they were told that White House influence would be brought to bear which they would be unable to resist. This statement was made good, for shortly afterwards Private Secretary Thurber appeared before the District Commissioners with the information that Mrs. Aldrich's appointment was desired by those in authority, and must be made at once. The Commissioners are creatures of the President, and they took the hint, not without a show of protest, however.

Mr. Thurber had declared the point about Mrs. Aldrich not being an American citizen to be all nonsense, and said this could be avoided by having her make out an application for naturalization papers at once. When told that it would require five years to make her eligible for a certificate, Mr. Thurber, it is understood, replied: "Oh, pshaw! in my State it takes only two years." But without any naturalization papers at all, Mrs. Aldrich was appointed at Mr. Thurber's dictation, and the resolutions of the Twentieth Century Club and the resignation of four members of the board of trustees immediately followed.

Congress will now be asked to investigate the matter, and it may be ventilated when the bill that is now pending, appropriating $30,000 for a new building for the school, is taken up for consideration.

This is the only appointment in the city of Washington to which ladies are eligible, and the President of the United States has gone forward and secured a citizen of Canada, a citizen of the British Government, to come here and be put in charge of the Reform School in the city of Washington.

Ah, they go further than that. In the State of Washington, at the Yakima Reservation, there was an old soldier working as blacksmith at $840 a year. They turned him out, and in his place they appointed a soldier of the Confederacy; and when it was brought to the attention of the Indian Commissioner, he was frank enough and honest enough to rescind the order for the removal of the appointment of the Indian agent. But the Indian agent telegraphed to the Secretary of the Interior, and he revoked the order. He revoked the order and placed this man in as blacksmith at the Indian agency, alleging in this case that he left the agency. I have here the reason why he was removed:

NORTH YAKIMA, WASH., *March 8, 1894.*

Mr. W. H. EMBREE, *Fort Simcoe, Wash.:*

As we are arranging to send a representative Democrat to Washington to attend to some urgent legislation—

Urgent legislation! I do not know what it was. Perhaps it was the Wilson tariff bill that he was coming down here to urge, or some other measure; but he was going to send him here for urgent legislation—

We are compelled to ask the people in office to help us in this matter. I am calling on all the employés at the fort to help us. Now, of course you are a Republican, but nevertheless I will call upon you to help us in the matter just the same as Democrats, for if you were not there, there would be a Democrat in that place that would help us. As the judge (agent) sees fit to keep you there, we expect you to help us in this matter. Your portion—

Your portion!

will be about $25 or $30. Please send me $30, if possible, and let me hear from you by return mail.

I am, very truly,

THOMAS F. MAHER,
Secretary Yakima County Democratic Committee.

NORTH YAKIMA, WASH., *March 23, 1894.*

Mr. WILLIAM H. EMBREE, *Fort Simcoe, Wash.:*

I received your letter of March 20, and in reply would say that I hardly agree with you that you have no kick coming, as you have been left there going on two years after the change of Administration. Of course it is only right and just that to the victor belongs the spoils, and as far as I am concerned I never said one word against you personally, but, on the contrary, I have said several in your behalf. Our county committee made a demand on Mr. Erwin to remove all Republicans, and as I am the secretary of the committee, I had to do it. There was not any put-up job on you or anyone else; and as for some people there not paying anything to the Democratic fund, allow me to say to you that everyone there will pay some or our committee will know the reason why.

With kindest regards, I am truly yours,

T. F. MAHER,
Secretary Democratic County Committee.

UNITED STATES INDIAN SERVICE,
Wallawalla, Wash., May 14, 1894.

MY DEAR SIR: Your favor of April 21 has just reached me; and I will say that I sincerely thank you for the interest you have taken in regard to my removal from the Indian service. I have been informed by good authority that the agent (Mr. Erwin) at Fort Simcoe, when notified to reinstate me, instead of so doing, telegraphed to the Commissioner of Indian Affairs charges against me which are absolutely untrue whatever they may be. I have served the Department honorably and faithfully, and do not wish to be dishonorably removed.

Mr. Erwin, when notifying me of the change, said that he had no fault to find with me, and that I had been very kind to him, and had done my duty. He also made the same remark to other employés in regard to myself. I wrote to the Department denying any charges that might be presented, and asked an investigation in such case. I will send you correct copies of letters in my possession, which will give you a correct idea of why I have been removed, no doubt. I realize that your time is limited, and I do not wish to take up more than is possible, but I would like to see justice done in all things.

Thanking you again for your kindness in this matter, and hoping I may be able to render you service in the future, I am,

Very truly, yours,

WM. H. EMBREE,
Wallawalla, Wash.

Hon. J. L. WILSON, *Washington, D. C.*

HEADQUARTERS A. LINCOLN POST, NO. 4,
GRAND ARMY OF THE REPUBLIC,
Wallawalla, Wash., April 3, 1894.

DEAR SIR: I inclose some papers just received from W. H. Embree, to which I desire to call your attention. Mr. Embree was agency blacksmith at the Yakima Agency, and, from his letter, has been ousted to give place to an ex-Confederate soldier.

Mr. Embree is a member in good standing of this G. A. R. Post, is a good Republican, a worthy man, and has a large family to support. Anything you may be able to do for him in this matter will be appreciated by him and also by the comrades of this post.

Yours, very truly,

E. W. ELIOT, *Post Commander.*

Hon. J. L. WILSON, M. C., *Washington, D. C.*

FORT SIMCOE, WASH., *March 27, 1894.*

DEAR SIR AND COMRADE: I have been notified by the agent at this place that my place here is to be filled by a man from North Yakima. I think he is an old Confederate. It has come about by and through the influence of some of the Democrats there, and I want to beat them if I can. There is no cause for my removal, only that I am a Republican. Now, comrade, I want to ask you, in behalf of the post and Grand Army of the Republic, to assist me, and see if they will remove an old Union soldier without cause and give his place to one undeserving.

I want to ask you to telegraph to Representative WILSON in behalf of the Grand Army of the Republic to see the Commissioner of Indian Affairs immediately, and ask him if it is the policy of their party to do so, especially a Union soldier, who is a poor man, who has a large family to support, and a man that is fully competent to fill his position. I will telegraph to the Commissioner also. There is only a living in this position for one, and that is a great deal to me these hard times. Again, these people here are a lot of Southerners and do not like the old soldier. What is done will have to be done with as little delay as possible. I will pay all expenses.

Yours, in F., C., and L.,

WM. H. EMBREE,
Fort Simcoe, Wash.

S. M. WHITE, M. D.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, April 16, 1894.

SIR: I have to inform you that formal notice of the discharge of William H. Embree, carpenter and wagon-maker, at Yakima Agency, Washington, and the appointment of R. I. Watson in his stead, has been received, and Agent L. T. Erwin has this day been advised both by telegram and letter that the said change is disapproved.

Respectfully,

D. M. BROWNING, *Commissioner.*

Hon. JOHN L. WILSON,
House of Representatives.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, D. C., May 3, 1894.

SIR: I am in receipt of your letter of 23d and telegram of 24th ultimo, and also a telegram signed by Henry J. Snively and others, in regard to the removal of William H. Embree from the position of carpenter and wagon-maker, and appointment of R. I. Watson in his stead, and urging that the change be approved.

In view of the additional information contained in your letter, to the effect that Mr. Embree was not removed for political reasons only, but that he has been negligent of late in the performance of his duties and has failed to carry out your instructions; that Mr. Watson is not, as was supposed, a non-resident, but has lived in Washington for the last five years; that Mr. Embree has left the reservation and gone to Wallawalla, and Mr. Watson has moved his family out to the Fort at great expense, etc., I am directed by the honorable Secretary of the Interior to approve the change permanently.

Respectfully,

D. M. BROWNING, *Commissioner.*

T. ERWIN,
United States Indian Agent, Yakima Agency, Wash.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, May 3, 1894.

SIR: I have to inform you that additional information having been furnished this office in the matter of the removal of William H. Embree from the position of carpenter and wagonmaker at Yakama Agency, Washington, and the appointment of R. I. Watson in his stead, which shows that Mr. Embree was not removed for political reasons only and that Mr. Watson has been a resident of Washington for five years, I have been directed by the honorable Secretary of the Interior to approve the change.

I inclose herewith, for your information, a copy of my letter to Agent Erwin on this subject.

Respectfully,

D. M. BROWNING, *Commissioner.*

Hon. JOHN L. WILSON,
House of Representatives, Washington, D. C.

WALLA WALLA, WASH., *May 5, 1894.*

DEAR SIR: Your favor of April 22 regarding the reinstatement of Mr. Embree, at Yakima Indian Reservation, was received yesterday. The agent at Yakama has not complied with the orders of the Commissioner of Indian Affairs as yet, but as I learn from a reliable source, has sent to Washington charges against Mr. Embree, such as disobedience of orders and other charges, which Mr. Embree is prepared to prove are unfounded and not in accordance with facts.

Mr. Embree is a fine millwright and blacksmith, and was retained by the agent until he had completed work upon a mill, which the man who took his place could not do, then he kicked him out to make a place for an incapable ex-Confederate soldier.

Mr. Embree's home is here; he is a member in good standing of this post and is in every respect a good and worthy citizen, against whom that carpet-bag, ex-Confederate agent has trumped up false charges, and which if properly looked into, can but bring shame and dishonor upon their author. Mr. Embree informs me that he has written to the Commissioner concerning them.

We know that your time is fully occupied, still if you can give this matter a little more attention you will not only confer a favor upon a worthy soldier, but will also receive the thanks of comrades of this post, and the Grand Army of the Republic at large. I thank you for favors already received, and beg to assure you of our highest consideration.

Very truly yours,

E. W. ELIOT, *Post Commander.*

Hon. J. L. WILSON, M. C.,
Washington, D. C.

SIMCOE, WASH., *March 26, 1894.*

Mr. H. A. GRIFFIN, *North Yakima:*

Will you please do me a favor to find out about this man, Mr. Watson, of Yakima, whom they have appointed in my place; whether he is from the South, also whether he is a Confederate soldier or not. Please find out what you can and let me know by mail or stage Wednesday. By so doing you will confer a great favor on me.

Yours truly,

WM. H. EMBREE.

NORTH YAKIMA, *March 27, 1894.*

Mr. W. H. EMBREE:

Mr. Watson was a Confederate soldier, and is from the South, same State as Judge Erwin, so I am reliably informed.

Very truly,

H. A. GRIFFIN.

Mr. Chairman, I have introduced all the correspondence in this case that has come to my hand. It seems to me a great injustice has been done this old soldier, and especially is this true in the demand made on him for money by the chairman of the Democratic county central committee of Yakima County.

Why, Mr. Speaker, Alaric and his Goths would have blushed with shame at demanding money from any old man, a Union soldier, out of his $840 per annum. [Applause on the Republican side.]

This is civil-service reform with a vengeance. And this agent, sent to our country to preside over the Indians, permitting the Democratic county committee to assess an old Union soldier, and when he fails to pay that assessment, they turn him out of his office and put in a Confederate. These are the facts. Do you wonder that I insist upon this plank of the platform?

Why, sir, prior to 1884 no national convention had adopted this plank. In 1884, when the Republican convention assembled at Chicago, by some good fortune the people of the Territory of Washington did honor me with a seat in that body. I drafted and submitted to the committee on resolutions the first plank for home rule. It was adopted by the Republican party in convention assembled; and so far as my knowledge goes, in the West it has never been violated. It was adopted by the Democratic convention that afterwards followed. It was adopted in 1892 and it is now being violated in the West, and in the city of Washington, and every place where it is possible to do so.

I think the amendment I have offered is in the interest of the service; I think it is in the interest of the Indians; I think it is in the interest of good government, and if we are not to have it adopted, why, let us send the last poor feeble plank of the Democratic party out to sea with the others that have gone before. [Loud applause on the Republican side.]

Mr. Chairman, I reserve the balance of my time. I have some data covering this entire question, both from the Secretary's Office and from the Indian Office, which I will print in the RECORD if I am permitted to do so.

Mr. HOLMAN. I yield the balance of my time to the gentleman from Georgia [Mr. MADDOX].

Mr. McRAE. Mr. Chairman, I understood the point of order was made against this amendment.

Mr. BOWERS of California. I supposed that the gentleman was going to allow me some time.

Mr. WILSON of Washington. The point of order has been reserved, and we have thirty minutes, I will state to the gentleman from Arkansas.

Mr. HOLMAN. I yield five minutes to the gentleman from California [Mr. BOWERS].

Mr. BOWERS of California. Mr. Chairman, the object of this amendment has not been given to the House. It is this. It changes existing law, and upon its adoption there can be no more army officers appointed Indian agents. That is the milk in the cocoanut. And I want to say to the committee that had the amendment remained as the House adopted it, before it was amended by the Senate, requiring that army officers should be detailed for Indian agents, the gentleman from Washington could have had no such complaint to have laid before this House.

That is the milk in the cocoanut. This amendment if adopted is to prevent the appointment by the President of any more military officers as Indian agents. Had the amendment been worded so as to apply to the appointment of civilian agents as now allowed by law, I would make no objection to it whatever, but I desire in the short time that I have, to read a part of a private letter received from an allotting agent, a gentleman whom I have known for twenty-five years and a good Democrat. He says:

UNITED STATES INDIAN SERVICE,
Covelo, Round Valley Agency, April 29, 1894.

We have here an illustration of the great good resulting from appointment of army officers as agents. We can easily see what has been, and what improvements have been, and are being made by Lieut. Connelly. This valley in winter is a bog, utterly impassable for wagons, but he has and is building good roads, so by fall that trouble will be in a great measure overcome. He gives his entire time to his work, trying to put the Indians in a self-sustaining position, and if allowed to remain here three or four years longer, all will be in as good condition as possible. He has induced the Indians to put in good fences and build better houses; they seem to be impressed with his good precepts and example.

It will take at least four years longer to get them fairly started, so that the whites will not be able to undo all the good that has been done. When he came he found the cattle of the whites running all over the reservation, and finding that he could not prevent it, he induced the Indians to fence. This has in a great measure put a stop to that trouble, but the whites do not like it very well, so that if he is removed before they fully appreciate the benefits of the work they will easily be induced to stop work and let the fences go. Strange to say, most of the whites speak in the highest terms of him; only those whose interests have been interfered with are unfriendly.

Mr. Chairman, there are now over 200 officers of the United States Army located at or contiguous to the Indian agencies scattered throughout the United States. That is about the only business, in time of peace, that the Army has to attend to—to look after the Indians. I do not care whether these officers desire to serve as agents or not. They are paid their salaries, and let them do the work. They are not hunting for the job, but they are supposed to obey orders. We have now 23 of these officers acting as Indian agents, saving to the Government over $45,000 in salaries and expenses, and we ought to have at every agency an army officer. At some of the agencies there are five or six officers to take care of the Indians.

[Here the hammer fell.]

Mr. HOLMAN. I yield the remainder of the time to the gentleman from Georgia [Mr. MADDOX].

Mr. MADDOX. Mr. Chairman, it is quite refreshing to see my colleague on the committee, Mr. WILSON of Washington, get upon the Democratic platform and insist that at least one plank of that platform shall be carried out; but it occurs to me, after the lectures which the Republican party, and especially the leader on that side, has seen fit to give this side of the House, that this reformation ought to have begun some time ago. As they claim to be the pioneers in everything that tends to the prosperity and preservation of the Government, I think they ought to have begun this reformation themselves, but as a matter of fact they did no such thing. Take the State of Washington; the record shows that there is one nonresident agent in that State now, and there was one nonresident Indian agent there under the Harrison Administration.

On yesterday this House was treated to a speech by the gentleman from Pennsylvania [Mr. BROSIUS], in advocacy of what is known as the Indian Board of Commissioners. He told us how much good they had done for the Indians and for the country generally. Now, let us see what they say on this subject, so that we may ascertain whether the gentleman from Washington is on the right lines or not. Here is what the Indian Commissioners say:

We highly approve the announcement of the Commissioner of Indian Affairs that in selecting civil agents it is his policy "to recommend persons as a rule who do not reside in the vicinity of the reservations upon which their services are rendered." We have seen, in many instances, the evils resulting from the so-called "home-rule" policy, and as the Commissioner says, "Experience proves what theory would indicate, that agents who come to Indian agencies from a distance are more ready than those living near by to give their best efforts to promote the welfare of those whom they are employed to aid."

That is the view of this Board of Indian Commissioners on this subject of home rule in connection with Indian agencies. Now, if the amendment offered by the gentleman from Washington should be adopted, it would prohibit the President from appointing army officers, and, from what I have learned since I have been a member of the committee, some of those officers have proved to be very acceptable agents, and as a matter of fact have performed services for the Indians that could hardly have been accomplished by civilians. I have no personal knowledge of the matter. I know only what I have heard in the committee.

But, recurring to the question of the appointment of nonresidents, I have here a full and complete list of the Indian agents under the Harrison Administration, and also of those under the present Administration, and, so far as the State of Washington is concerned, the record shows exactly the same condition of affairs under each Administration, that is, one nonresident agent. It is true, as the gentleman from Washington says, that an Indian agent has been appointed in his State from Georgia. I believe the gentleman charges him with having been there but six months before he was appointed, but in that I think he is mistaken. That gentleman had been in Washington about eighteen months when he was appointed. He went there before the change of Administration, before the country went Democratic, proposing to become a citizen of the gentleman's State. He was afterwards appointed an Indian agent. The gentleman from Washington seems to reflect upon him because he had to go back to Georgia to make a bond. Well, sir, I think that shows that he had a good standing at his former home, when he could go there and make a bond. I think that is rather complimentary to him.

Mr. WILSON of Washington. Oh, no; I did not reflect on him on that account.

Mr. MADDOX. I will ask the Clerk to read this list.

Mr. WILSON of Washington. What is the date?

Mr. MADDOX. This is the list for 1893, with the changes that have been made.

Mr. WILSON of Washington. That statement is a year old. You will find that an Indian agent at the Lemhi Agency in Idaho has just been appointed from the South.

Mr. COX. That is a great crime, that he should have come from the South.

Mr. WILSON of Washington. Oh, no; no crime at all.

Mr. MADDOX. I ask the Clerk to read this list. The names are in couples; the upper names are those of the men who served under the Harrison Administration, and the lower names are those of the agents appointed under the present Administration.

The Clerk read as follows:

INDIAN AGENTS.

[NOTE.—Term of office expires four years from "date of present appointment."]

State or Territory, name, and agency.	Whence appointed.	Date of original appointment.	Date of present appointment.	Compensation.
ARIZONA.				
Colorado River.				
George A. Allen	Arizona	Feb. 4, 1890	Feb. 4, 1890	$1,500
Chas. E. Davis	Illinois	Nov. 9, 1893	June 16, 1894	
Pima.				
Cornelius W. Crouse	Indiana	Aug. 3, 1889	Jan. 20, 1890	1,800
J. R. Young	Kentucky	June 19, 1893	Sept. 29, 1893	
San Carlos.				
Capt. Lewis Johnson, U. S. A., in charge.				
Capt. A. L. Myer, U. S. A.				2,000
CALIFORNIA.				
Mission Tule River (consolidated).				
Horatio N. Rust	California	June 17, 1889	Jan. 22, 1890	1,600
F. Estudillo	do	Apr. 17, 1893		
Round Valley.				
Theodore F. Willsey	California	Mar. 8, 1890	Mar. 8, 1890	1,500
Lieut. Thos. Connolly, U. S. A.				
Hoopa Valley.				
Isaac A. Beers	California	Oct. 1, 1890	Oct. 1, 1890	1,200
Capt. W. E. Dougherty				
COLORADO.				
Southern Ute.				
Charles A. Bartholomew	Colorado	July 1, 1889	Jan. 22, 1890	1,400
D. T. Day	do	Nov. 4, 1893	Nov. 4, 1893	
IDAHO.				
Fort Hall.				
Stanton G. Fisher	Idaho	June 17, 1889	Jan. 22, 1890	1,500
Capt. J. T. Van Orsdall, U. S. A.				
Nez Perces.				
Warren D. Robbins	Idaho	Sept. 11, 1889	Feb. 4, 1890	1,600
Jos. Robinson	Missouri	June 19, 1893	Oct. 4, 1893	

INDIAN AGENTS—continued.

State or Territory, name, and agency.	Whence appointed.	Date of original appointment.	Date of present appointment.	Compensation.
IDAHO—continued.				
Lemhi.				
George H. Monk	Idaho	Feb. 11, 1892	Feb. 11, 1892	1,200
INDIAN TERRITORY.				
Quapaw.				
Thomas J. Moore	Missouri	Aug. 3, 1889	Jan. 20, 1890	1,400
Geo. S. Doane	District of Columbia.	Jan. 20, 1894	Jan. 20, 1894	
Union.				
Leo E. Bennett	Indian Territory.	Apr. 9, 1889	Jan. 22, 1890	1,500
D. M. Wisdom	do	June 30, 1893	Sept. 9, 1893	
IOWA.				
Sac and Fox.				
Wallace R. Lesser	Iowa	May 16, 1890	May 16, 1890	1,000
KANSAS.				
Pottawatomie and Great Nemaha.				
Joseph A. Scott	Kansas	July 1, 1891	Jan. 18, 1892	1,200
MINNESOTA.				
White Earth.				
Charles A. Ruffee	Minnesota	Feb. 18, 1878	Oct. 18, 1892	1,800
Robert M. Allen	Illinois	Oct. 18, 1893	Oct. 18, 1893	
MONTANA.				
Blackfeet.				
George Steell	Montana	Aug. 13, 1890	Aug. 13, 1890	1,800
Capt. L. W. Cook, U. S. A.				
Crow.				
Moses P. Wyman	Montana	Apr. 13, 1889	Feb. 4, 1890	2,000
Lieut. J. W. Watson, U. S. A.				
Flathead.				
Peter Ronan	Montana	Apr. 12, 1877	May 5, 1890	1,500
Jas. T. Carter	do	Oct. 6, 1893	Oct. 6, 1893	
Fort Belknap.				
Lieut. Wm. D. McAnaney, U. S. A., in charge.				1,500
Maj. J. M. Kelley, U. S. A.				
Fort Peck.				
Charles R. A. Scobey	Montana	Apr. 1, 1889	Apr. 1, 1889	2,000
Capt. H. W. Sproll, U. S. A.				
Tongue River.				
John Tully	Montana	Aug. 13, 1890	Aug. 13, 1890	1,500
Capt. G. W. H. Stouch, U. S. A.				
NEBRASKA.				
Omaha and Winnebago.				
Robert H. Ashley	Nebraska	Aug. 3, 1889	Jan. 22, 1890	1,600
Capt. W. H. Beck, U. S. A.				
Santee.				
James E. Helms	Nebraska	May 18, 1890	May 18, 1890	1,200
Jos. Clements	do	Jan. 29, 1894	Jan. 29, 1894	
NEVADA.				
Nevada.				
Charles C. Warner	Nevada	Oct. 14, 1890	Dec. 12, 1890	1,500
I. J. Wooten	Delaware	Nov. 9, 1893	Jan. 16, 1894	
Western Shoshone.				
William I. Plumb	Nevada	July 1, 1889	Jan. 20, 1890	1,500
W. L. Hargrove	Indiana	June 19, 1893	Oct. 11, 1893	
NEW MEXICO.				
Pueblo and Jicarilla.				
John H. Robertson	New Mexico	June 30, 1891	Jan. 18, 1892	1,500
Capt. J. L. Bullis, U. S. A.				
Mescalero.				
Richard Hudson	New Mexico	July 5, 1892	July 5, 1892	1,600
Capt. L. F. Burnett, U. S. A.				

INDIAN AGENTS—continued.

State or Territory, name, and agency.	Whence appointed.	Date of original appointment.	Date of present appointment.	Compensation.
NEW MEXICO—continued.				
Navajo.				
David L. Shipley	Iowa	Oct. 4, 1890	Oct. 4, 1890	$2,000
Lieut. E. H. Plummer, U. S. A.				
NEW YORK.				
New York.				
Augustine W. Ferrin	New York	Mar. 3, 1891	Mar. 3, 1891	1,000
NORTH DAKOTA.				
Fort Berthold.				
John S. Murphy	North Dakota	Oc 7, 1889	Jan. 22, 1890	1,500
Capt. W. H. Clapp, U. S. A.				
Standing Rock.				
James McLaughlin	North Dakota	June 27, 1881	Apr. 20, 1890	1,800
Devils Lake.				
John H. Waugh	North Dakota	May 24, 1890	May 24, 1890	1,200
Ralph Hall	do	June 19, 1893	Sept. 9, 1893	
OKLAHOMA TERRITORY.				
Cheyenne and Arapaho.				
Charles F. Ashley	New York	Apr. 1, 1889	Apr. 1, 1889	2,200
Capt. A. E. Woodson, U. S. A.				
Kiowa.				
George D. Day	Maryland	Nov. 3, 1891	Jan. 18, 1892	2,000
Lieut. Maury Nichols, U. S. A.				
Osage.				
Laban I. Miles	Iowa	Apr. 18, 1889	Jan. 22, 1890	1,600
Maj. H. B. Freeman, U. S. A.				
Sac and Fox.				
Samuel L. Patrick	Kansas	June 17, 1889	Jan. 22, 1890	1,200
E. L. Thomas	Indian Territory.	Sept. 29, 1893	Sept. 29, 1893	
Ponca, Pawnee, Otoe, and Oakland.				
David J. M. Wood	Indian Territory.	July 18, 1889	Feb. 4, 1890	1,500
J. P. Woolsey	Arkansas	June 19, 1893	Nov. 4, 1893	
OREGON.				
Grande Ronde.				
Edward F. Lamson	Oregon	Nov. 26, 1890	Dec. 12, 1890	1,200
J. F. F. B. Brentano	do	June 19, 1893	Sept. 12, 1893	
Klamath.				
David W. Matthews	Oregon	Oct. 14, 1890	Dec. 12, 1890	1,200
Siletz.				
T. Joy Buford	Oregon	July 18, 1890	Jan. 20, 1890	1,200
Beal Gaither	do	Sept. 15, 1893	Sept. 15, 1893	
Umatilla.				
John W. Crawford	Oregon	June 30, 1891	Jan. 18, 1892	1,200
G. W. Harper	Georgia	Nov. 9, 1893	Jan. 16, 1894	
Warm Springs.				
James C. Luckey	Oregon	May 20, 1889	Jan. 22, 1890	1,000
Lieut. E. E. Benjamin, U. S. A.				
SOUTH DAKOTA.				
Forest City (formerly Cheyenne River).				
Frank Lillibridge	South Dakota	Apr. 19, 1892	Apr. 19, 1892	1,500
Peter Couchman	do	Sept. 16, 1893	Sept. 16, 1893	
Pine Ridge.				
Capt. George Le R. Brown, U. S. A., in charge.				2,200
Capt. C. G. Penney, U. S. A.				
Rosebud.				
J. George Wright	South Dakota	July 6, 1882	Feb. 28, 1890	2,200

INDIAN AGENTS—continued.

State or Territory, name, and agency.	Whence appointed.	Date of original appointment.	Date of present appointment.	Compensation.
WASHINGTON—cont'd.				
Yankton.				
Everett W. Foster	South Dakota	Apr. 1, 1890	Apr. 1, 1890	$1,600
J. A. Smith	do	Oct. 11, 1893	Oct. 11, 1893	
Sisseton.				
Capt. Geo. W. H. Houch, U. S. A., in charge.				1,500
A. M. Keller	South Dakota	Mar. 7, 1894	Mar. 7, 1894	
Crow Creek and Lower Brule.				
Andrew P. Dixon	South Dakota	Aug. 4, 1890	Aug. 4, 1890	1,800
Fred Treon	do	June 19, 1893	Sept. 11, 1893	
UTAH.				
Uintah and Ouray (consolidated).				
Robert Waugh	Iowa	Apr. 2, 1890	Apr. 2, 1890	1,800
Maj. J. F. Randlett, U. S. A.				
WASHINGTON.				
Colville.				
Hal J. Cole	Washington	May 27, 1889	Jan. 20, 1890	1,500
Capt. J. W. Bubb, U. S. A.	do			
Neah Bay.				
John P. McGlinn	Oregon	July 18, 1889	Jan. 20, 1890	1,200
W. L. Powell	Washington	June 19, 1893	Sept. 20, 1893	
Puyallup (consolidated).				
Edwin Ells	Washington	April 17, 1871	Dec. 19, 1892	1,600
Yakima.				
Jay Lynch	Washington	Mar. 6, 1891	Mar. 6, 1891	1,800
L. T. Erwin	do	June 19, 1893	Sept 6, 1893	
Tulalip.				
Chester C. Thornton	Washington	Oct. 21, 1890	Dec. 12, 1890	1,200
D. C. Govan	Arkansas	May 5, 1894	May 5, 1894	
WISCONSIN.				
Green Bay.				
Charles S. Kelsey	Wisconsin	Apr. 15, 1890	Apr. 15, 1890	2,000
Thos. H. Savage	do	June 19, 1893	Sept. 15, 1893	
La Pointe.				
Lieut. Wm. A. Mercer, U. S. A., in charge.				2,000
WYOMING.				
Shoshone.				
John Fosher	Wyoming	May 18, 1889	Feb. 4, 1890	1,500
Capt. P. H. Ray, U. S. A.				

Mr. HOLMAN rose.

The CHAIRMAN. The gentleman from Washington [Mr. WILSON] has five minutes remaining.

Mr. WILSON of Washington. If the chairman of the committee [Mr. HOLMAN] desires to make some observations, I will withhold mine for the present.

Mr. HOLMAN. Oh, no; go on.

Mr. WILSON of Washington. Mr. Chairman, in reply to my friend from Georgia [Mr. MADDOX], and also in reply to a remark made, perhaps inadvertently, on the other side that there is no crime in appointing these gentlemen from other localities, I wish to say that I do not myself think it is a crime; but I do say it is a violation of every principle of the platform of the Democratic party adopted at Chicago.

So far as concerns the report read at the desk in regard to the appointments of agents, I have not taken the time to make examination in regard to other appointments than those in my own locality. And, Mr. Chairman, I am not criticising the gentlemen who have received these appointments. So far as I know or have any information, they are all perfect gentlemen; if not, they ought to be; and if I knew a thousand things derogatory to them, I would not mention them on an occasion of this character.

I am fighting for a principle for which you gentleman on the

other side have vociferated on this floor in season and out of season—the principle of "home rule." Yet, here you are to-day endeavoring to give us a different class of "home rule" from that which you desire for yourselves.

Mr. MADDOX rose.

Mr. WILSON of Washington. I have only a few minutes, and I can not yield to the gentleman; I am trying to get in what I want to say. If afterwards I have any time, I will yield to the gentleman with great pleasure.

Now let me refer to the appointments in my immediate locality under Mr. Harrison. The United States attorney was appointed from my State, as were also the collector of the port and all his subordinates, the United States district judge, and United States marshal. The Indian agents at the Colville Agency, the Yakima Agency, the Puyallup Agency, the Tulalip agency were all appointed from the State of Washington. What do we find now? At the Puyallup Indian Agency Mr. Cleveland has appointed a gentleman from Arkansas; at the Lemhi Agency the appointment was made from Texas.

As has been stated here, two farmers were sent to the Colville Indian Agency from Wisconsin. One applicant for that place was a friend of mine, a Democrat it is true, but nevertheless a friend of mine. He had been struggling for fifty years, and the tide had run hard against him. He was poor, and he wanted this little place. Yet the Democratic party sent a farmer from the State of Wisconsin to take that place, which this man might otherwise have had.

Our people, whether Democrats, or Republicans, or Populists, need these places. They belong to the State. You might as well take your collectors of your ports, or your registers and receivers of land offices from remote localities as take Indian agents. This system of appointment has prevailed all through the Western Territories. I rose here for the purpose of standing by this plank in the platform of the Democratic party. We have as good men there as you have in your States; there are as good Democrats in the State of Washington as elsewhere. They fought your fight; they helped elect your President, and they are entitled to some consideration at the hands of the Democratic party. Are you going to continue this system?

The gentleman says that these agents ought not to be appointed from the vicinity. Why, sir, in the Fifty-second Congress I got an amendment through this House appropriating $20,000 for the appointment of an Indian Commission at the Puyallup Indian Agency to take charge of that property and see whether something could not be done to dispose of it. I thought then that the honorable Secretary of the Interior might see proper to give to some citizen of my State one of those appointments. If he did not want to make an appointment from the vicinity, he could have gone over to the neighborhood of the Idaho line, 500 miles away. What did he do? He appointed one gentleman from Georgia, one from Illinois, and one from Ohio. They have been there since; and it requires a guide to enable them to get to the Indian Reservation; and they know nothing about it when they get there.

[Here the hammer fell.]

Mr. MADDOX. I would like to ask the gentleman from Washington a question.

Mr. WILSON of Washington. Certainly; I will answer if I have the time.

Mr. MADDOX. Does the gentleman really believe in the principle he is advocating here?

Mr. WILSON of Washington. Certainly, I believe in it. The gentleman could not have heard my first remarks. I believed in this principle away back in 1884.

Now, I am going to state to the gentleman something which I have not already stated. I went into Washington Territory as a so-called "carpetbagger" myself. I ought to acknowledge that. I see what the gentleman has in his mind, and I anticipate his remark. I went there as a "carpetbagger;" and I say frankly that I never could have had money sufficient to get across the Rocky Mountains if I had not had in my carpet sack a commission of the Government. So much for that.

Subsequently I came to the Republican national convention from that Territory. I trust I may be pardoned this personal reference to myself. I wrote the first resolution in favor of home rule for insertion in that platform. I introduced it in the convention and had it considered by the committee upon resolutions. It was engrafted in the platform. You Democrats followed in the same line. You reasserted your belief in that principle in your convention in 1892. But you have violated it at every opportunity. That is the history of the matter.

I repeat, I went to Washington Territory as a "carpetbagger," because I never would have had money enough to get that far West if I had not gone in that way.

Mr. FLYNN. Mr. Chairman, there is probably no section of the United States which illustrates better than the Territory I have the honor to represent here the effects of the repudiation of the home-rule plank in the Democratic platform under the present Administration. Fifty-seven appointments of nonresidents of my Territory have been made in defiance of that plank and against the earnest protest of the honest Democrats of that Territory.

But I have not risen specially to find fault with that now. I desire to address myself to another point. What I do contend for is this: that when a man is sent there—appointed by the Government to an official position in that Territory—from Indiana, West Virginia, Texas, Tennessee or any other State, the Blue Book, the official record of this Government, which we are presumed to be informed by as authentic, should specify that fact, and no effort be made to cover up, hide, or falsify the record so as to attempt to show that such appointments were made of actual residents of the Territory. I hold in my hand the first copy of the Blue Book issued under the present Administration. I find the name of Edward G. Spillman appointed register of the land office at Kingfisher, Okla., and under the caption of "whence appointed," I find that he is charged to Oklahoma.

Now, Mr. Chairman, it is a well-known fact that for three weeks the appointment of this man was hung up in the Senate mainly on the ground that he was a carpet-bagger and a resident of West Virginia, and not of that Territory at all. In addition to that, and I appeal now to the gentleman from Tennessee [Mr. McMILLIN] who has succeeded in having Mr. Wilson M. Hammack from his State appointed as register in charge of the land office at Woodward in Oklahoma and yet I find on an appeal to this same Blue Book that he is credited as being a resident of that Territory.

Mr. COX. Will the gentleman allow me to ask him what statement he makes in connection with my colleague?

Mr. FLYNN. I can not yield to the gentleman now.

I next ask your attention to the name of a gentleman who sat here as a member of this body in the Fifty-second Congress, Mr. David H. Patton, who represented a certain district in Indiana in that Congress, and who was appointed to a receivership at Woodward, in my Territory, and was charged to Oklahoma. Neither of these three men, I desire to say now, ever set foot in that Territory, or perhaps knew where it was located, until appointed to these positions and had their commissions in their pockets.

Now, Mr. Chairman, I repeat that our public records should specify the truth in such matters. If we have carpet-baggers amongst us, appointed by the Government to fill official stations in the Territory, let us know at least where they come from, and do not try to throw dust in the eyes of the public by pretending that they are appointed as residents of the Territory when they never set foot in there until they were appointed.

Mr. COX. My colleague, Mr. McMILLIN, is not present, and inasmuch as the gentleman has referred to him, I ask him to repeat what he said.

Mr. FLYNN. What I said was that Mr. Wilson M. Hammack was appointed by the aid of the gentleman from Tennessee to be register of the land office at Woodward, in Oklahoma.

Mr. COX. Well, what of that? What objection is there?

Mr. FLYNN. The gentleman does not understand me. What I am objecting to is not to the appointment of any competent person to an office; but what I do complain of is that the record should show—this Blue Book, which is supposed to be official—that this man was appointed from the Territory of Oklahoma, when, as a matter of fact, he comes from Tennessee.

Mr. COX. Do you know where he resided and from where he was appointed?

Mr. FLYNN. I do.

Mr. COX. Do you know him?

Mr. FLYNN. I have not met him. Several of our people there know him now, I can tell the gentleman.

Mr. COX. How did you get there?

Mr. FLYNN. I went in on the railroad train just like any other honest citizen.

Mr. COX. Well, is it not likely that he went there in the same way?

Mr. FLYNN. Mr. Chairman, I am not finding fault with him for being a carpet-bagger at this time; but I am complaining of the official record, I repeat, for attempting to blind the public by stating that this man was appointed as a resident of that Territory, when, as a matter of fact, he was a resident of Tennessee when appointed.

Mr. COX. Is the gentleman able to say that he was not a resident of the Territory when he was appointed?

Mr. FLYNN. No, sir; he was not.

Mr. COX. What is the name?

Mr. FLYNN. Wilson M. Hammack.

Mr. COX. And where did he reside before he was appointed?

Mr. FLYNN. He was appointed from Tennessee; I believe

from the district of Mr. MCMILLIN, because he made a very strong effort to secure his appointment.

Mr. COX. Well, we have a good many very excellent men in Mr. MCMILLIN'S district.

Mr. FLYNN. I am not complaining of that, but of what this Blue Book attempts to show.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MCRAE. Mr. Chairman, I desire to say but a word only in explanation of what our party promised upon the Territorial home-rule question in 1892. So far as I am concerned, I admit that some Democrats, with the help of the opposition in this Congress, have violated some of the pledges made at Chicago. [Laughter].

Mr. REED. Oh, you do not mean it! Oh, no! [Laughter].

Mr. MCRAE. But I do not admit that this is one of them.

The Democratic platform made the following statement in reference to the Territories, and I ask your attention to it, because it does not appear to be understood by those who referred to it here:

We approve the action of the present House of Representatives in passing bills for admitting into the Union as States, the Territories of New Mexico and Arizona, and we favor the early admission of all the Territories having the necessary population and resources, to entitle them to statehood, and while they remain Territories we hold that the officers appointed to administer the government of any Territory, together with the District of Columbia and Alaska, should be bona fide residents of the Territory or District in which their duties are to be performed. The Democratic party believes in home rule and the control of their own affairs by the people of the vicinage.

Now, so far as the Territories are concerned, this plank of the Democratic platform has not been violated in the appointments of the officers appointed to administer the governments of the Territories so far as my information goes.

Mr. WILSON of Washington. Will the gentleman pardon an interruption?

Mr. MCRAE. Certainly.

Mr. WILSON of Washington. Do you think the collector in Alaska should be appointed from the State of New York?

Mr. SPRINGER. There is no reason why he should not.

Mr. MCRAE. I do not know that we have any great number of white residents of Alaska to elect from. I do not know anything about that.

The collector is not an officer appointed to administer the government of the people of the Territory. The language of this platform clearly meant executive officers and those concerned in the immediate government of the Territories, like the governor and secretary, and others directly connected with Territorial matters. Those officers appointed by the United States to discharge the business of the General Government, such as registers and collectors, might well be appointed from the outside so far as this platform is concerned, but it has not been done in but few cases.

Mr. WILSON of Washington. The governor of Alaska is appointed from outside the Territory. The secretary, the judges, the marshal, and the collector of the port in Alaska are all appointed from outside the Territory.

Mr. MCRAE. A gentleman sitting by my side knows the marshal, and says he has lived in Alaska for ten years. But I am speaking especially of the Territories of Arizona, New Mexico, and Oklahoma, and I have already stated that I know nothing of Alaskan appointments.

Mr. HOLMAN. All the commissioners, except one for the Territory of Alaska, are appointed from outside of Alaska.

Mr. MCRAE. I presume you will hardly find a man who will admit he is a resident of Alaska, because no man wants to have his residence in any part of the United States where he can not exercise the elective franchise. Men who go to Alaska retain their citizenship somewhere else, but that is not the case with the other Territories.

Now, the Indian agencies, under this and prior Administrations, Democratic and Republican alike, have not been treated as local patronage, and I do not believe they should be. The best of reasons have been given here to-day by the gentleman from Georgia why they should not be, and the question involved here is not whether this Administration has carried out the home-rule plank in the platform of the Democratic party, but whether Indian agents who perform duties upon reservations, where no white citizens can legally reside unless he is an officer, shall be appointed from the State or Territory in which the agency is located. The Indians are the only people who have the right to be there, and the strict construction insisted upon would bar all except the Indians. You could not select a competent Indian agent from the reservation, because white citizens have no rights there. The convention meant no such thing, and so in all fairness to this Administration, as well as to the last Administration, we ought not to undertake to apply the doctrine of home rule to Indian reservations It can not be done.

I believe as strongly as any man in the great fundamental doctrine of home rule and of giving every locality the right to select its officers, and in the Territories and the District of Columbia I think all appointive officers connected with the territorial or city governments should be selected from the citizens residing there; but that does not apply to Indian reservations. I know that when I have applied to this Administration for the appointment of friends from my State the reply has been almost invariably made to me that the intention of the Administration was to live up to the home-rule plank, and I believe there has been but little if any carpet-bagging in the Territories.

Mr. WILSON of Washington. Is Gen. Govan from your district?

Mr. MCRAE. He is not; but I know him, and I can say that he is as gallant, chivalric, and able a gentleman as ever went to your State as an Indian agent, and if we will give him proper assistance and support, he will give the Government a capable, honest, and impartial administration.

[Here the hammer fell.]

The CHAIRMAN. The time for debate on this amendment is exhausted, and the Chair will treat the formal amendment as withdrawn.

Mr. SPRINGER. Mr. Chairman——

Mr. WILSON of Washington. I move to strike out the last two words. If the gentleman from Illinois desires to address the committee, I will yield to him.

Mr. SPRINGER. I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois [Mr. SPRINGER] is recognized.

Mr. SPRINGER. Mr. Chairman, the gentleman from Oklahoma has referred to the appointment of registers and receivers of the Land Office in that Territory, and has stated that the home-rule principle was violated in their appointment. I desire to call the attention of the Chair to the fact that those appointments to which he refers were in what is known as the Cherokee Outlet.

Mr. FLYNN. Is Kingfisher in the Cherokee Outlet?

Mr. SPRINGER. Kingfisher is not.

Mr. FLYNN. Mr. Spillman is appointed there.

Mr. SPRINGER. The register to which the gentleman referred——

Mr. FLYNN. There are three whom I mentioned in the charges that I made. The gentleman must have misunderstood me. The charge that I made was that the public record was falsified to show that these men were appointed from Oklahoma, when in fact they were not.

Mr. SPRINGER. Those in the Cherokee Outlet were appointed in a region of country where, before the time of their service, there were no persons living, either Indians or white men.

This was a new country purchased from the Cherokee Indians and opened to settlement; and it was opened under an act of Congress by which outsiders went in from all parts of the country and secured homes. There were no persons residing in that region at all, either Indians or white men, as I said before, and it was perfectly competent to appoint men from other regions who wanted to make their homes there.

Mr. FLYNN. Will the gentleman permit me?

Mr. SPRINGER. One moment. But if it were not so, the administration of the Land Office is no part of the government of the Territory, or anything of the sort; and there is no reason why persons appointed to administer Indian affairs and to administer the affairs of the Land Office, should be residents of that locality; because these are functions that belong to the entire United States, and every State of the Union is interested in the manner in which those functions are performed.

Mr. FLYNN. Does the gentleman approve of the statement made in the Blue Book—that they were residents of the Territory?

Mr. SPRINGER. I do not know what the Blue Book says.

Mr. FLYNN. Let us see.

Mr. SPRINGER. That is not the Blue Book. That is the RECORD.

Mr. FLYNN. It is not the RECORD, but a first copy of the Blue Book. I find on pages 728 and 729 that they state they were residents of the Territory.

Mr. SPRINGER. It is perfectly proper that these persons upon the Strip should state that they come from that country, because they go there for the purpose of making a home, where there was no one there before them.

Mr. FLYNN. But what about Spillman?

Mr. SPRINGER. Now, I will ask the gentleman a question. How long were you a resident of Oklahoma before you were appointed postmaster?

Mr. FLYNN. I was a resident about a week. [Great laughter on the Democratic side.] I was as old a resident as any at the time, except some "sooners."

Mr. SPRINGER. I know of no one more capable of arraigning "carpet-baggers" than the gentleman, who confesses himself the chief of them in the Indian Territory.

Mr. FLYNN. We all went in there together. I do not know whether the gentleman heard what I stated. I said I was as old a resident as anybody, except some of the friends of the gentleman from Illinois, who were "sooners."

Mr. WILSON of Washington. Mr. Chairman, I do not desire to prolong this debate, but I hope my venerable friend, the chairman of the Committee on Indian Affairs, will pardon me. I desire simply to reply to the gentleman from Arkansas [Mr. MCRAE], and to state that if anything I may have said was construed to be any reflection upon Gen. Govan, of the State of Arkansas, who was appointed agent at the Tulalip Agency, in the State of Washington, relieving Mr. Thornton, a bona fide resident of that State, nothing was further from my intention.

All my information is that Gen. Govan is an estimable gentleman, and he did as I or any other person would do, wanting a position of that character—he got it if he could. I am not attacking him; I am attacking the principle, contending that it is wrong, and that it has been gradually curtailed in this country since 1884.

The gentleman from Illinois [Mr. SPRINGER] stated that we were not entitled in the Territories to the registers and receiverships in the various land offices. It is true that prior to the Republican convention of 1884 all registers and receivers were appointed from other States rather than from the Territories, but the system had been so much complained of that the home-rule principle finally became engrafted both on the Republican and Democratic platforms, and from day to day and year to year they have been gradually trimming it down and giving those positions to bona fide residents, until this Administration, and it is making the appointments from every direction.

In this connection, so that there will be no uncertain sound about it, I desire to put in the RECORD, because the various papers of the press of the country may desire to comment on them, resolutions of certain people gotten up relative to an appointment in the city of Washington:

Whereas it has come to our knowledge that the recently elected superintendent of the Girls' Reform School of the District of Columbia is a subject of a foreign country, and that five years must elapse before she can become an American citizen: and

Whereas said position is the most lucrative one within the gift of the Government in the District of Columbia, to which women are eligible: and

Whereas there were a number of applicants for this position equally as competent in every way, of American birth and in full sympathy with American institutions: Therefore,

Resolved, That we hereby express our hearty disapproval of said appointment, and call upon all loyal American women to urge upon their representatives in Congress a thorough investigation of this "foreign labor" question.

These resolutions were adopted after it had been made known that the following communication had been sent to Mr. Cleveland.

To the President of the United States:

Mr. PRESIDENT: The undersigned members of the board of trustees of the Girls' Reform School desire respectfully to tender their resignations, being convinced that their usefulness is at an end. The recent appointment, in defiance of the protests of the minority—which includes every woman on the board—of a superintendent who is a foreigner, without knowledge of our customs and people, without experience in reformatory work, and without the special and most necessary qualifications for such work, seems to make the step imperative.

Very respectfully,

LAURA COMSTOCK BATES.
LOUISE REED STOWELL.
MARY HOWELL TOTTEN.
THOMAS P. MORGAN.

This is from the New York Sun, dated June 9, 1894. I think these criticisms are enough to establish, Mr. Chairman, in the mind of anyone the fact that the platform enunciated in Chicago by the Democratic party has been continuously and continually violated by the President of the United States.

I withdraw the pro forma amendment.

Mr. HOLMAN. I ask that the Chair rule upon the point of order.

The CHAIRMAN. The Chair ruled upon the point of order some time ago.

Mr. WILSON of Washington. I beg pardon of the Chair. If my attention had been called to that fact I certainly would not have trespassed upon the well-known disposition of the Chair to hear members.

The CHAIRMAN. The Chair sustained the point of order, and the gentleman moved to strike out the last word and then to strike the last two words, and debate followed.

Mr. WILSON of Washington. I know I have moved to strike out nearly everything in the amendment.

Mr. MORGAN. I desire to offer an amendment.

The CHAIRMAN. The Chair agreed to recognize the gentleman from Arkansas [Mr. NEILL].

Mr. NEILL. Mr. Chairman, from the somewhat excited, I might say electric, harangue we have had from the gentleman from the State of Washington, he seems to be somewhat exercised in his mind to-day because the President of the United States, exercising his constitutional right and privilege, has appointed a gentleman to an Indian agency in his State without consulting the distinguished gentleman from Washington.

The gentleman undertakes to quote from the Democratic platform. My friend, I do not think you could understand the Democratic platform if you were to study it for twenty years.

Mr. WILSON of Washington. No human being could. The gentleman does not understand it himself.

Mr. NEILL. Yes, but you can not; you are not built that way. [Laughter.] It seems that the gravamen of the charge of the gentleman is that an agent was appointed from the State of Arkansas to go out to his State and look after some poor devils of Indians there, and he reads from the Democratic platform about home rule. Why, sir, if he knew anything about that platform he would have noticed that that statement about home rule is in the first section and is a prelude to the denunciation of the Federal-elections law and of the carpet-bag régime, under which the Southern people bled and suffered for years.

Now, the gentleman need not be uneasy about Gen. Govan, of Arkansas. There was not the slightest scintilla of either the spirit or the letter of the Democratic platform violated in his appointment as an Indian agent in the State of Washington. The Indians are not governed by your State laws. They are the protegés, the wards, of the nation. But I want to relieve the gentleman's mind a little further. It is evident that Gen. Govan was resting upon his mind heavily. If the gentleman is uneasy to know who Gen. Govan is, let him write to Crocker's brigade in Iowa. They will tell him that Gen. Govan was a foeman worthy of their steel; they will tell him that they invited Gen. Govan several years ago to one of their reunions, and that he went up and was their honored guest—the guest of the men whom he had met on the battle-field, whose flag he had captured, which flag he carried back with him and returned to them at their reunion, when they presented him with a magnificent gold-headed cane, which I have had the pleasure of seeing and admiring. My friend need have no apprehension that poor Lo will not be fairly treated as long as Gen. Govan is an Indian agent in the gentleman's State.

Mr. WILSON of Washington. Mr. Chairman, I know that I am trespassing on the committee, but if the gentleman from Arkansas had read the Democratic platform with which he doubtless is familiar——

Mr. NEILL. I have it here.

Mr. WILSON of Washington. Well, if he had read it he would have found that it did declare for home rule. I know that I am not "built" like the gentleman from Arkansas when it comes to a question of Democratic thought and Democratic principles, and that sort of thing. I am aware of that. But the gentleman seems to have entirely misunderstood me. Either he paid no attention to what I said——

Mr. NEILL. Yes: I did.

Mr. WILSON of Washington. Then I failed to impress my idea upon the gentleman, because I said nothing whatever derogatory of Gen. Govan. I merely stated that he had been appointed an Indian agent in my State from the State of Arkansas. I stated also, that Mr. Andrews had been appointed from Texas. I stated that a gentleman had been appointed a farmer, from Wisconsin; I stated that a gentleman had been appointed from Tennessee; but said nothing derogatory of those gentlemen. I here and now reaffirm what I said about the platform, and I hope the gentleman will read the Democratic platform——

Mr. NEILL. I have read it.

Mr. WILSON of Washington. I am afraid not. If the gentleman will read the last plank of the platform he will see that it does declare for home rule. Now, if you are going to violate that principle in regard to Indian agents, you may as well violate it as to collectors of the ports. If you send us an Indian agent from the State of Arkansas, why not send us a collector of our port from Boston, Mass. One is just as fair and proper as the other. Now, I do not care anything about the personnel of these officials. As I said before, they may be gentlemen of good character; I am not acquainted with them; doubtless they are. I have no doubt, from what the gentleman from Arkansas has said, that Gen. Govan is a most estimable gentleman, and when I revisit my State I shall take the greatest pleasure in calling upon him and paying my respects to him at the agency.

Mr. NEILL. You will find him a thorough gentleman.

Mr. LYNCH. Mr. Chairman, is there any amendment pending?

The CHAIRMAN. The Chair understood the gentleman from Arkansas to move to strike out the last word.

Mr. CANNON of Illinois. I understand it is admitted that a citizen of Arkansas has been appointed to be Indian agent in the State of Washington, but I will ask the gentleman from Washington whether the excuse is not in the fact that in his

State at that time, in 1893 or 1894 when this appointment was made, there was not an honest and competent Democrat to be found for the place? [Laughter.]

Mr. WILSON of Washington. Well, Mr. Chairman, that might seem to be the logic of the situation; but I stand here to say that all over the State of Washington are great numbers of honest, industrious, law-abiding Democrats. I could not say otherwise if I would, and would not if I could.

Mr. MORGAN. Mr. Chairman, I desire to offer the amendment which I send to the desk.

The amendment was read as follows:

After line 18, page 6, add, "at the Quapaw Agency, Indian Territory, $1,500."

Mr. MORGAN. Mr. Chairman, I learned for the first time this morning——

Mr. HOLMAN. I wish to reserve a point of order on this amendment.

The CHAIRMAN. The point of order will be reserved.

Mr. MORGAN. I learned for the first time this morning that no provision is made in this bill for the continuation of the Quapaw Agency. I know no reason for this action on the part of the committee.

A MEMBER. Where is that agency located?

Mr. MORGAN. In the Indian Territory; on the Missouri line, opposite Seneca.

I have heard of no demand for this action on the part of the committee; and I would like to inquire whether it is recommended by the Department, and what is the supposed necessity for such action.

Reading the bill still further I find a provision to consolidate the Quapaw Agency with the Union Agency at Muscogee. I suppose that this is the reason that the committee has failed to make appropriation for the Quapaw Agency. I should like to know from the distinguished chairman of the Committee on Indian Affairs whether there does not exist the same necessity for the maintenance of the Quapaw Agency that has always existed.

It seems to me very extraordinary to attempt this sort of economy. To abolish this agency would be a great injury to the Indian tribes located here. I trust that the committee will give some explanation of their action; and in the absence of a sufficient explanation, the House must recognize this proposition as entirely wrong.

Mr. HOLMAN. Mr. Chairman, the Quapaw Agency seems to be entirely unnecessary. The Quapaws are advanced Indians, on the same footing as the Five Civilized Tribes. This is a little reservation in the northeast corner of the Indian Territory, on lands which formerly belonged to the Cherokees; and these Indians practically constitute a portion of the Cherokees.

On this tract there are the Quapaws and some of the Delawares. I beg to call the attention of my friend from Missouri to the fact that these Indians have divided the lands up among themselves, and Congress has ratified the arrangements which they themselves have made. They are as far advanced in civilization as any one of the five civilized tribes.

Mr. MORGAN. May I ask whether the Department recommends the abolition of this agency?

Mr. HOLMAN. The Indian Committee ought to know as much about this matter——

Mr. MORGAN. But I ask that as a pertinent question.

Mr. HOLMAN. The Department does not recommend the abolition of this agency or other.

Mr. MORGAN. Why have you selected this agency for abolition rather than others?

Mr HOLMAN. Well, first, because these Indians naturally belong to the five civilized tribes; secondly, they have divided up their lands among themselves—by their own choice, not under the instigation of Congress. They are well advanced in civilization. They do not ask for the continuance of this agency.

Besides, the most intelligent report which has been made for a great many years in regard to Indian affairs—that of Hon. Thomas Donaldson, of Philadelphia, an expert in such matters, appointed to assist in taking the census of 1890—recommends the abolition of this agency, its absolute abolition, as unnecessary

These advanced Indians attend to their own affairs; an agent there has practically nothing to do. But as a matter of abundant caution, and for fear of any possible mistake (I call the attention of my friend from Missouri to this fact), we have inserted in a subsequent part of the bill a provision that the Quapaw Indian Agency be consolidated with the Union Agency at Muscogee.

Mr. MORGAN. I understand that.

Mr. HOLMAN. The gentleman must see, it seems to me, that there is no possible excuse for continuing this agency. These Indians are really a part of the Cherokees. They were included in the Cherokee Agency when the Cherokee Agency was a part of the Union Agency.

Mr. MORGAN. According to my understanding, the gentleman is simply mistaken on that point. The Quapaw Agency has never been a part of the Union Agency.

Mr. HOLMAN. I agree to that statement; but I say it belongs to the same territory as that embraced in the Cherokee Reservation.

Mr. MORGAN. It is a part of the Indian Territory.

Mr. HOLMAN. It is a part of the same region; and at the time the Union Agency was established it embraced the territory now occupied by the Quapaws.

Mr. MORGAN. I deny that the Union Agency has ever embraced the territory of the Quapaw Agency.

Mr. HOLMAN. It embraced the lands of that agency.

Mr. MORGAN. No, I think not.

Mr. HOLMAN. It embraced the whole of the Cherokee lands.

Mr. MORGAN. The gentleman might just as well say that the Quapaw Agency embraced the same ground as the Union Agency.

Mr. HOLMAN. Apart from that, the most competent man who has investigated this subject in our time, Col. Donaldson, of Philadelphia, recommends simply that the agency be abolished as not at all necessary. He regards its continuance as without reason or excuse. Still, out of abundant caution, as I have already said, we have consolidated this agency with the Muscogee Agency, known as the Union Agency, the agency of the five civilized tribes.

The CHAIRMAN. Does the gentleman from Indiana insist on his point of order?

Mr. HOLMAN. No; I will not insist upon it, but I must ask a vote on the amendment.

Mr. MORGAN. I do not know who Mr. Thomas Donaldson may be; undoubtedly he is an excellent man; but it seems to me that in the absence of any demand from this agency, in the absence of any recommendation by the Department, and in the absence of any intelligent explanation in favor of the action proposed by the committee, this agency ought not to be abolished.

Mr. HOLMAN. Why, my dear friend, can you say that that is not an intelligent explanation, and not a satisfactory one?

Mr. MORGAN. Let me get through. You might as well offer as an explanation that the abolition of the Union Agency would be justifiable, for the reason that it could be consolidated with some other agency.

Now, Mr. Chairman, if there is to be a consolidation of these agencies, why not consolidate the Union and the Quapaw Agency at the latter place. The Quapaw is the oldest, has existed the longest——

Mr. HOLMAN. Oh, no.

Mr. MORGAN. I say it has existed the longest. It was in existence before the Union Agency was established, and I know it.

Mr. HOLMAN. I think not.

Mr. MORGAN. Well, I know it. I can remember when it was established, and I am familiar with that country. The Quapaw Agency is directly on the line of my district.

There is no reason for this proposed action and no possible excuse for it. There is no necessity for it. It is an agency that has existed for fifty years. Evidently the only object of the gentleman from Indiana is to cut down the bill and save the $1,500 appropriated for the agency, and for no other reason.

Mr. HOLMAN. Oh, it amounts to a good deal more than that.

Mr. MORGAN. And the gentleman may as well admit that that is what his purpose is.

Mr. HOLMAN. How many Quapaws are there?

Mr. MORGAN. Well, I have not the statistics here.

Mr. HOLMAN. A mere handful.

Mr. MORGAN. Very well. Now, you are the chairman of the Committee on Indian Affairs, how many are there?

Mr. HOLMAN. Very few of them, the gentleman will find by examining.

Mr. FLYNN. There were sufficient of them to take 150,000 acres of land in severalty.

Mr. HOLMAN. I think not more than 50,000 acres.

Mr. FLYNN. One hundred and fifty thousand.

Mr. MORGAN. Now, if there is to be a consolidation of the two agencies I shall offer an amendment that the Union Agency shall be consolidated with the Quapaw.

Mr. HOLMAN. Very well; submit your amendment.

Mr. MORGAN. The Quapaw is on the line of the railway; it is more convenient, more accessible; can be more easily supplied, and is in many respects the superior location; but I hope for the good of the service the Quapaw Agency will be continued.

The CHAIRMAN. The Clerk will read the amendment proposed by the gentleman from Missouri.

Mr. HOLMAN. I shall not object to the amendment I think. I want to get rid of one of these agencies, but I think the plan proposed in the bill is the proper one, and I hope it will be adopted.

The CHAIRMAN. The Clerk will read the amendment proposed by the gentleman from Missouri.

The Clerk read as follows:

Line 18, page 6, add at the end of the line, "at the Quapaw Agency, Indian Territory, $1,500."

Mr. LYNCH. Why do you want to increase the amount? It was only $1,400 last year.

Mr. MORGAN. Very well; I will modify the amendment and make it $1,400.

The CHAIRMAN. The question is on agreeing to the amendment just read, as modified.

Mr. HOLMAN. Now, Mr. Chairman, I know something about this Quapaw Agency as well as the Union Agency. I know very well the condition there. I spent several weeks in that region, and have also read carefully the statement of the Hon. Thomas Donaldson on the subject. We are not acting blindly about the matter. I have no objection to the consolidation of the Union Agency with the Quapaw, though it seems to me it would be a singular thing for us to do. The Union Agency is the older one, covering practically the five civilized tribes. It is a well established agency, and well conducted. I suppose that these Quapaw Indians own land to the extent of some 50,000 acres.

Mr. FLYNN. About 300,000.

Mr. HOLMAN. Oh, but that embraces some of the Delawares.

Mr. FLYNN. Yes; they are all together.

Mr. HOLMAN. Nobody says that the Delawares need an agent. They occupy the same situation, under the shadow and influence of the five civilized tribes, with the Quapaws.

Mr. STOCKDALE. Why not abolish both of them?

Mr. HOLMAN. I am in favor of abolishing both. I think it might be done.

Mr. MORGAN. Why not abolish all of the agencies?

Mr. HOLMAN. I am in favor of abolishing all that are not needed.

But the question in this instance is which is the more competent? I understand that the man at the Union Agency is a very competent one. I do not know him, or in fact any of them. But my belief is that the Union agent is the more competent man, so far as I am able to ascertain; and therefore I would not like to make a change, and place the five tribes under the Quapaw agent, about whom I know nothing. I myself doubt very much really if any of these Indians want an agent.

Mr. MORGAN. The Quapaws?

Mr. HOLMAN. None of them; none of the five civilized tribes.

Mr. MORGAN. Have you anything of that kind from the Department to substantiate your belief?

Mr. HOLMAN. I think I could find amongst my papers some statements on this subject that would confirm that conviction.

Mr. MORGAN. Now, let me ask if you have referred this to the Department at all?

Mr. HOLMAN. Oh, no——

Mr. MORGAN. Has it not been the usual thing to make an appropriation, and have they not maintained an agency there for years?

Mr. HOLMAN. Oh, certainly.

Mr. MORGAN. And does not the same necessity exist to-day that existed ten years ago?

Mr. HOLMAN. Oh, no necessity has existed for fifteen years past.

Mr. MORGAN. Then, it is merely a matter of economy, and you think you can strike out that agency?

Mr. HOLMAN. Without any trouble at all.

Mr. MORGAN. Well, I object to it, and I demand a vote on my amendment.

Mr. MADDOX. Do I understand that the amendment is to consolidate the Quapaw Agency with the Union Agency?

Mr. MORGAN. Oh, no.

Mr. MADDOX. I was going to say, if it was for that purpose you would be taking the mountain to the mouse.

Mr. MORGAN. No; it is to continue the Quapaw Agency. The committee proposed to strike it out.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri [Mr. MORGAN].

The question was taken, and the Chairman announced that the ayes seemed to have it.

Mr. HOLMAN. Division.

The committee divided; and there were—ayes 37, noes 14.

Mr. HOLMAN. There is no quorum. I do not wish to stop the consideration of the bill on that account, though. But, with a clear, sensible recommendation upon this subject from a public officer that the office be abolished, it seems to me strange that the House should retain the office.

Mr. MORGAN. What public officer has advised that?

Mr. HOLMAN. The gentleman who took the census of those Indians.

Mr. MORGAN. The Commissioner of Indian Affairs has recommended nothing of the kind.

Mr. HOLMAN. No; the Commissioner of Indian Affairs has not.

The CHAIRMAN. Does the gentleman insist upon his point of no quorum?

Mr. HOLMAN. I believe I will not insist upon it, but I will ask a vote on it in the House.

The CHAIRMAN. The ayes have it, and the amendment is agreed to.

The Clerk, resuming the reading of the bill, read as follows:

Provided, That the foregoing appropriation shall not take effect nor become available in any case for or during the time in which any officer of the Army of the United States shall be engaged in performance of the duties of Indian agent at any of the agencies above named: *Provided further*, That the Commissioner of Indian Affairs, with the approval of the Secretary of the Interior, may devolve the duties of any Indian agency upon the superintendent of the Indian training school located at such agency, whenever in his judgment such superintendent can properly perform the duties of such agency. And the superintendent upon whom such duties devolve shall give bond as other Indian agents: *Provided*, That the Quapaw Indian Agency is hereby consolidated with the Union Agency at Muscogee; in all, $85,200; and all provisions of law fixing compensation for Indian agents in excess of that herein provided are hereby repealed, and all offices in the Indian service not herein provided for are hereby abolished.

Mr. LYNCH. In order to make that proviso conform to the amendment of the gentleman from Missouri [Mr. MORGAN], just adopted, I move to strike out all from line 7 to line 13, inclusive, on page 7.

Mr. MORGAN. I have an amendment already prepared.

The CHAIRMAN. Does the gentleman from Wisconsin [Mr. LYNCH] accept the amendment of the gentleman from Missouri [Mr. MORGAN]?

Mr. MORGAN. My amendment is to strike out in lines 6, 7, and 8, on page 7, the words:

Provided, That the Quapaw Indian Agency is hereby consolidated with the Union Agency at Muscogee.

The CHAIRMAN. The question is on the amendment just offered by the gentleman from Missouri [Mr. MORGAN].

The amendment was agreed to.

Mr. PICKLER. I offer the amendment which I send to the Clerk's desk.

The Clerk read as follows:

Amend by adding after the word "named," in line 23, page 6, the following:

"*Provided*, That the President shall only detail an army officer to discharge the duties of Indian agent when he shall deem it for the best interest of the service to do so."

Mr. HOLMAN. I make the point of order on that, that it is a change of existing law.

Mr. BOWERS of California. I shall insist upon a quorum if that amendment is pressed.

Mr. PICKLER. The point of order is not good. There is nothing in the law providing for the detail of army officers, except a provision in the last annual appropriation bill. There is no provision for next year that I know of.

Mr. BOWERS of California. It is the law.

The CHAIRMAN. The Chair will be compelled to sustain the point of order. The Clerk will read.

Mr. LYNCH. Mr. Chairman, by reason of the adoption of the amendment of the gentleman from Missouri [Mr. MORGAN] it will require another amendment, on page 7, and we will have to add $1,400.

The CHAIRMAN. So that it will be $86,600. If there be no objection, that amendment will be considered as agreed to.

There was no objection, and it was so ordered.

Mr. PICKLER. I move to strike out the last word.

Mr. Chairman, although the chairman of the Committee on Indian Affairs has seen proper to make the point of order, it is in my opinion not a proper or desirable thing to detail army officers as Indian agents. It is beyond my comprehension how the gentleman from California [Mr. BOWERS] who was the father of this matter, and how the Fifty-third Congress can stand by the gentleman from Indiana in his desire to save a few dollars in this matter for the sake of economy. It is beyond my comprehension how these gentleman can insist upon retaining this provision upon the statute.

The detail of army officers as Indian agents is against the judgment of every Secretary of the Interior; against the judgment of every Commissioner of Indian Affairs; it is against the judgment of every civil commission which has been appointed at any time and made any recommendation as to the government of Indians; it is against the recommendation of Gen. Sheridan and a board of army officers who were appointed some years ago

to investigate that matter. It is against the judgment of every intelligent Indian chief, and of every Indian tribe; it is against the judgment of everybody who is interested in the cause of humanity, so far as Indians are concerned, except upon the poor, simple, pitiful plea of saving a few dollars.

There are several Indian agencies in my State, and I am very thankful that there is but one army officer occupying the position as agent. I have nothing to say against him. A short time ago a gentleman who had been candidate for governor on the Democratic ticket of my State was appointed to an agency, one of the most important in the State; and I am glad he was appointed. The logical result of the policy of the gentleman from Indiana would be that you had better take a lieutenant from West Point when he graduates and send him out there to have control over 3,000 Indians rather than one of our own citizens, a man who had been the candidate of the Democratic party for governor, and a man who stands high in the estimation of the people of the State.

I have no word to say against the army officers, but it is not their business to govern Indians. We are governing the Indians by education, and trying to civilize and Christianize them. Army officers are not men adapted for the performance of such a duty; and it is against the judgment of all the Indians to appoint them agents. In times past, when the Indians were warlike, it was thought to be a good idea to have army officers as agents. Those days have passed. The Sioux Indians, who comprise 20,000 of the manliest and grandest Indians in all this country, and the most warlike, so far as that is concerned, are no longer warlike; and we have no need for army officers there.

I am surprised that the majority in this House should permit this. You hear complaints about the violation of the home-rule plank, and I indorse the sentiment that we ought to appoint men from the States in which the offices are situated. During the last Administration I went to secure appointments to consulships, and I was informed the Administration was appointing the agencies and the officers of the land offices from the States, and was told: "You will get your quota in that way." In that way they kept us out of the competition for other offices in the United States.

[Here the hammer fell].

Mr. PICKLER. I ask unanimous consent that I may have more time.

There was no objection.

Mr. PICKLER. The appointment of army officers, I say, is against the judgment of the Indians; it is against the judgment of all people who are interested in the Indian. It is against the judgment of the President of the United States at this very moment. It is against the judgment of the Secretary of the Interior at this very moment, and it is against the judgment of the Commissioner of Indian Affairs. My friend from California [Mr. BOWERS], as I understand, from some local matter, I believe, in the Fifty-first Congress injected this practice. Now, I understand that the only reason that the gentleman from Indiana has for a continuance of this policy is that it saves money, when it is against the judgment of the Indians, and two Commissioners of Indian Affairs have told me, and shown me the figures to prove that the appointment of a military officer always makes the administration more costly than the appointment of a civilian.

Mr. CAMPBELL. It saves trouble anyhow.

Mr. PICKLER. When an army officer is appointed as an Indian agent there are a lot of subordinate officers to which he recommends the appointment of his friends. He takes his son, and the sons and daughters of army officers from other parts of the United States and has them appointed. I agree with my friend from Washington [Mr. WILSON] that the positions ought to be filled by residents of the States. I know we have Democrats in my State who are good enough to hold these offices, and I want to see them have them rather than that army officers from other parts of the United States shall be appointed, for it is against the judgment of everybody concerned with or who has an interest in the Indians.

There is no force in the argument of the gentleman from Indiana that it will save money. The army officer, you know, likes to live well, and he will do it. There is no one who has any acquaintance with the necessities in the Indian service who is in favor of the appointment of army officers, and I am surprised that the Congress of the United States will force those army officers where all who are interested in the Indian service say they should not go.

Mr. HOLMAN. I ask that the provision of the existing law bearing on this subject be read.

The Clerk read as follows:

Provided, That from and after the passage of this act the President shall detail officers of the United States Army to act as Indian agents at all agencies where vacancies from any cause may hereafter occur, who, while acting as such agents, shall be under the orders and direction of the Secretary of the Interior, except at agencies where, in the opinion of the President, the public service would be better promoted by the appointment of a civilian.

Mr. HOLMAN. Mr. Chairman, under that provision twenty-three army officers have been detailed for the Indian service.

Mr. PICKLER. I beg the gentleman's pardon; nearly all the Indian officers were appointed long before that provision took effect.

Mr. HOLMAN. Still, twenty-three army officers have been appointed under that provision, which has been substantially the law for forty years past. I visited most of these agencies a few years ago; and the best conducted agency which I found during a tour of four or five months was the Apache Agency, which was under the control of Capt. Green. It was the most efficiently administered; the Indians were better satisfied than at other agencies. There was a feeling all around there that the Indians were being justly treated. So far as I know, this provision has worked very well. Besides, it will be perceived that this matter is discretionary with the President. How can my friend on the other side say that the President does not approve it? It is his policy. Twenty-three Indian agents have been appointed from the Army.

Mr. BOWERS of California. In reply to the gentleman from South Dakota, I wish to read an expression of the judgment of a gentlemen who, I think all will admit, is quite familiar with this matter of Indians and Indian agencies—Gen. Nelson A. Miles, of the United States Army. I know of no man who has had more experience with the Indians than Gen. Miles, and no man who stands higher in the estimation of all who know him. In his report dated February 9, 1891, he says:

I have no hesitation in giving it as my belief that the same Indians (the Sioux and Cheyennes), under military control for a few years' time, could be made a peaceful, progressive, and law-abiding people.

My reason for asking the appointment of officers of the Army to be made agents and take charge of those agencies, was to secure officials in whom the Indians have confidence, and whose efficiency and integrity in the management of Indians have been tested and proven by years of service in this kind of duty. It is needless to point to the fact that, where officers have had charge of agencies, they have been eminently successful in managing even the wildest and most warlike. Officers of the Army have also inaugurated and conducted the most important Indian schools in this country.

As a law of Congress especially authorizes the Executive to make such appointments, I recommend that the Sioux and Cheyenne Indians remain entirely under the care and government of the military, and I base this entirely upon what I believe to be essential to the public good and to the welfare of the Indians, and the assurance of permanent peace for the people whose homes, property, and lives are dependent upon their successful management.

The military problem, so far as the Sioux and Cheyenne Indians are concerned, has been solved, with the results heretofore mentioned, and that part of the country has been restored to a condition of profound peace and tranquillity.

This, gentlemen, is the testimony of a man whom I think no one here will accuse of making any false statement or of not knowing what he is talking about. There is not a man here who does not know that Gen. Miles, in what I have read, tells the exact truth. Whatever may be your political aspirations or your political schemes, and whatever friendships you may have to serve, you know that this is the truth, the Government of the United States knows that it is the truth, and the people know it.

[Here the hammer fell.]

Mr. FLYNN. Mr. Chairman, I move to amend by striking out the last line. Mr. Chairman, I am in sympathy with the general policy of the committee. I believe that in many cases army officers are beyond doubt the best Indian agents. But we have at Anadarko, near Fort Sill, in our Territory, one of these army officers in charge of the Indians, who has busied himself here in Washington to defeat the ratification of certain pending treaties. In order that this matter may be fully understood, I wish to read a letter from one gentleman who was engaged at this agency:

OKLAHOMA CITY, *April 21, 1894.*

DEAR SIR: I am in receipt of an order from Frank C. Armstrong removing me from the position of additional farmer at the Kiowa Agency, to take effect immediately. No charges have been made. I have complied and obeyed every order that has been given me from the agent. I have punctiliously performed my duty. There is not a man on the agency but will corroborate this statement. I wrote you a letter advising you, or rather informing you how and what the agents were doing here to defeat the treaty made at Fort Sill.

Now, since the agent has found out that I reported the facts to you and that you read my letter to the Indian Committee, he has waged the war against me solely, and holds me responsible for the whole matter. I will repeat the charges so as you may be able to understand them.

Lieut. Nickols called the council of the Kiowas and Comanches and was in the council, and the delegates were appointed and an interpreter was appointed by the Indian council. The interpreter that was appointed by the Indian council was rejected by the agent, Lieut. Nickols, and he appointed another interpreter of his own liking. They had no money to go to Washington on, and the agent, Lieut. Nickols, went to the merchants and pledged himself as the agent of the Indians to pay them out of the grass money, and did place guards and sentinels at the door, and did collect from the Indians grass money to pay off the merchants who had advanced this money; and he did send the money that he had received from the merchants to Chickash by one Mr. E. Buck, and did give it over to one Lieut. Scott, all of which I am able to prove by a number of witnesses, all of which is contrary to orders and the regulations of the Indian Department.

Now, it looks hard that I am the only man to suffer for reporting the facts to you. I have worked hard with the Indians to get them not to fight the ratification of the Sill treaty.

Now, I want you to see J. WHEELER and get him to go with you to the Secretary of the Interior, H. Smith, and explain this matter to him and have me reinstated in my former position, that of additional farmer. Show

Gen. WHEELER the letter I wrote you and I know that he will aid you all he can. If you deem it necessary I will send you a dozen charges against the agent that I can sustain.

While I differ with you politically, I am the only man in the Kiowa Indian Agency that dared fight for the ratification of the treaty and the only employé of the Government from this Territory in the agency.

Please reply immediately at Anadarko, Okla.

Yours respectfully,

JAS. M. WARREN.

Hon. DENNIS FLYNN.

Now, before taking my seat, I desire to say that I called upon the Assistant Commissioner, Gen. Armstrong, and he stated that he was compelled to remove this man for reasons of his own. But that fact does not remove the charge made against this army officer, the Indian agent at that post, of putting guards at the doors of the Indian council, and making them agree to contribute a certain amount of money to send another army officer here to Washington to protest against the ratification of certain treaties that had been negotiated by such men as ex-Governor Jerome, of Michigan.

Mr. BOWERS of California. If there is anything in that charge, that officer should be tried by court-martial.

Mr. STOCKDALE. I offer the amendment which I send to the desk.

The Clerk read as follows:

On page 7, strike out lines 14, 15, 16, as follows:

"For the payment of necessary interpreters, to be distributed in the discretion of the Secretary of the Interior, $10,000."

Mr. STOCKDALE. I offer this amendment more for the purpose of making an inquiry than to discuss the merits of the question. I do not concur in the disposition manifested by gentlemen on both sides of the House; and I think that under the present circumstances the fact is to be deprecated that whenever a paragraph of this bill or an amendment proposed by the committee looks to economizing the expenses of the Government, the gentleman from Indiana is attacked and the policy of economy sneered at.

It does seem to me, in the present condition of the Treasury of the United States, that a member of this House who attacks the chairman of the committee, who is striving to economize the expenditures of the Government, is hardly discharging his honest duty; he may be to his constituents, but not to the Government and the balance of the people.

Now, if this can be done, why is it not done? I offered an amendment of this sort in the last Congress, and was informed by gentlemen from the West that there are men, and plenty of them, who can be employed who are themselves competent to act as interpreters. If that be true, why should we appoint an agent first and then appoint a man to tell the agent what the Indians say, and to tell the Indian what the agent says, when you can have both combined in the same person? If they can be combined in the same person it seems to me that it ought to be done, and I ask the chairman if it can not be done?

Mr. LYNCH. Not if you take them from other States or Territories.

Mr. HOLMAN. I think, of course, it could be done.

Mr. STOCKDALE. Then if it could be done it ought to done. Now, my friend from Wisconsin says, "Not if you take them from other States." I think that home rule is a good thing, and I am glad to see so many gentlemen on the other side of the House to-day coming up to the good old sound States' rights doctrine. I hope they will be like the old school Presbyterians and the Ironside Baptists, that they will be steadfast in their faith.

Mr. PICKLER. You are the one that is deserting it.

Mr. STOCKDALE. Oh, no; I was always opposed to carpet-baggers, and but for the fact that some gentlemen on the other side have announced themselves carpet-baggers during this debate—gentlemen for whom I have very high respect—I would be inclined at this time to occupy a part of my time in saying something about that class of the *genus homo*.

Mr. PICKLER. But you are in favor of importing army officers.

Mr. STOCKDALE. In response to that it is only necessary to say that they are public officers, and are not supposed to have any special location. Wherever you can save the Government anything by their appointment as agents, or in any other way, it seems entirely proper to do it when the appointment is within the scope of their duties. No man has ever spoken a word against the honesty, the integrity, or the ability of the army officers. They have their reputation at stake. They have a life position, and the gentleman knows that this Indian business, as a system in this country, has not always been free from suspicion

Mr. PICKLER. That I deny as having any foundation in fact during the last fifteen years.

Mr. STOCKDALE. Well, not to your knowledge.

Mr. PICKLER. No, sir; there is not a more honest service in connection with the Government than the Indian service.

Mr. STOCKDALE. Very well; if that is true, I am glad of it; I have no doubt it is true at this time.

Now, I repeat, army officers may be appointed anywhere and for any duty.

Mr. PICKLER. Then, why not take them for postmasters in your district?

Mr. STOCKDALE. That is no business for an army officer to engage in. And I do not think the gentleman himself is in earnest.

Mr. PICKLER. I do not see any difference in principle.

Mr. STOCKDALE. If the gentleman has no better argument than that against the army officers, they certainly ought to be appointed as agents.

Mr. PICKLER. There is no difference in principle.

Mr. STOCKDALE. Well, if the gentleman from South Dakota can not see the difference now, I have no time in five minutes to undertake to convince him. Now, the chairman says this can be done without injury to the service, and I think it ought to be done in the interest of economy.

[Here the hammer fell.]

Mr. LUCAS. Mr. Chairman, before the vote is taken on this proposition, I desire to call the attention of the committee to the fact that this is the beginning of economy at the wrong end. There is no more important position connected with the Indian service than the interpreter. It is very important that there should be a correct and competent interpreter in dealing with them.

It has been my fortune in the last twelve or fifteen years to live beside the Indians. I have done business with them, and know the difficulties surrounding any man who attempts to do business with them without the aid of a competent and honest interpreter. To take a half-breed, as suggested, and make an interpreter of him, the chances are at least nineteen out of twenty that the white man will be dealt against every time in different transactions.

It is important, Mr. Chairman, that a competent and honest interpreter shall be maintained between the Government and the Indians, for as prone as the white man is to complain, as prone as he is to find fault, he is not a commencement with an Indian on ration day, because when the Indian comes to draw his rations, if he is not satisfied with what the Government is giving him his excuse is that he can not understand the interpreter.

Now, to abolish the interpreter, to take him away, to rely upon somebody not a responsible party, will inure to the damage of the Government as sure as the world exists. I trust the committee, then, will not strike out the section. I trust they will not do it, because it is important in point of peace, quietude, and contentment for the Indian himself, as well as to the material advantage of the Government, to maintain these interpreters.

Mr. HOLMAN. Mr. Chairman, just one word. The only reduction made upon that item is $5,000. The estimate is $15,000, and that sum has been appropriated for some years. But my friend from Illinois [Mr. CANNON] will fully confirm my statement, because I was with him at most of the important agencies of the country some years ago, and there was no lack of persons competent to interpret. Of course, the number of persons competent to interpret has largely increased since then, because that was eight or nine years ago. Now, I have been told, year after year, that there were some Indians, the Blackfeet, and some other tribes north of the Upper Missouri, and in the northern portions of Idaho, Montana, and Washington, which we did not visit, where you would hardly ever find a person in Government employment who was competent to interpret.

But at the agencies we visited we fell in with Indians everywhere, and white men upon all sides who could interpret. It was the simplest thing in the world. Why, during this last winter, a lady by the name of Mrs. Lochren, a Pottawatomie Indian, who could not read or write, who had never been to school an hour, came here as an interpreter for some Pottawatomies and some other fragments of tribes remaining in Kansas. She spoke English just as well as any lady that I know, and interpreted for the four or five tribes that came here. There was no trouble about it at all. If you go to such an agency as the Apache Agency you will find any number of persons in Government employment who are perfectly competent to interpret.

Mr. LUCAS. It is an easy language to learn, but the trouble is to get honest interpreters.

Mr. HOLMAN. You will get the same class of people anyway.

Mr. LUCAS. Indeed you will not.

Mr. HOLMAN. But I wish to say that in the remote northern portions of the country, along the international boundary, across Minnesota, North Dakota, Montana, Idaho, and northern Washington, there are bodies of Indians somewhat remote from

the civilized sections of the country, and it may be necessary that a small sum of money be made available for interpreters there. I think, however, that $10,000 is a very ample sum.

[Here the hammer fell.]

Mr. PICKLER. I think under the amendment of the gentleman from Mississippi [Mr. STOCKDALE] it would be utterly impossible to administer the Indian service. I do not know how you can do it, if you do not provide an interpreter. I do not understand how you could get along with them at all.

I beg to detain the committee for two or three minutes in regard to the quotations made by the gentleman from California [Mr. BOWERS] from Gen. Miles concerning Indian officers. This communication that the gentleman has read was made by Gen. Miles just after the fight at Wounded Knee, the most disgraceful butchery of Indians that has occurred in the last quarter of a century.

Mr. LUCAS. You are mistaken about that.

Mr. PICKLER. The most disgraceful butchery of Indians that has occurred in the last quarter of a century!

Mr. BOWERS of California. Do you call Gen. Miles a butcher?

Mr. PICKLER. I am not charging anybody; but I know from the civil agents out there—I know the agent of the Big Foot band that was attacked—and that gentleman told me that it was hunger and the aggressiveness of the military which brought on that engagement; and I believe, as he was governing 2,000 Indians, he could have governed this Big Foot band of a few Indians. It is conceded by everybody there that it was hunger and the aggressiveness of the Army, and mistakes made there, that resulted in that disgraceful butchery, in which some of our officers and 28 soldiers and over 100 Indians were killed, and which also resulted in the killing of Sitting Bull, an affair which the gentleman from Indiana [Mr. HOLMAN] knows about so well.

Gen. Miles said at that time that all of our agencies in South Dakota should be put under military officers. They were not put under military officers, and we only have one so placed today, but we have had peace and quietude ever since that time. All we need is enough for the Indians to eat, and the civil agents will keep the peace. Army officers always sustain army officers of course, but I ask the gentleman, instead of quoting from Gen. Miles, to take the statement of any Indian. I have talked with Little-No-Heart and with White Swan of the Cheyenne River Indians; I have talked with John Eastman at Flandrau; I have talked with chiefs from different agencies in my State, and there is not a solitary one of them who is not opposed to the appointing of military officers as agents.

Mr. BOWERS of California. Will you allow me to ask you a question?

Mr. PICKLER. I have not the time. These Indians say the army officers' idea is to govern by force. They say that they want schools and education, and that they do not want bayonets and bullets. The language of Little-No-Heart to me was that the soldiers are the natural enemies of the Indians.

Mr. BOWERS of California. Did the soldiers starve them? Was it the army officers who denied them rations and brought on the war?

Mr. PICKLER. Was it the goose that flew over the barn or a duck?

Mr. BOWERS of California. The less you stir that matter the better it will appear.

Mr. PICKLER. I want to say that if you will take any humanitarian; if you will take any Indian rights commission; if you will take anybody interested in this business, and see what they say, and then say that they are in favor of the appointment of army officers, I will concede there may be some virtue in it. The gentleman talks about my attack on the gentleman from Indiana. I merely said the only reason he had for supporting this was as a matter of economy. It is not economy, as the Commissioner of Indian Affairs tells you here, to have these army officers as Indian agents. The army officer, like my friend from California, is a man who has blood in his eye, and who believes that the only good Indian is a dead Indian.

Mr. BOWERS of California. I should be sorry to be taken at the value the gentleman puts on me.

Mr. STOCKDALE. In view of the statement that this appropriation has already been reduced $5,000, I withdraw my amendment.

Mr. CANNON of Illinois. I move to strike out "ten" and insert "fifteen;" so as to make it $15,000. I do that for the purpose of asking the gentleman from Indiana whether this reduction is recommended by the Secretary of the Interior?

Mr. HOLMAN. No; it is not recommended by anybody——

Mr. EVERETT. Then why have it, if it is not recommended by anybody?

Mr. HOLMAN. Except by the Committee on Indian Affairs.

Mr. CANNON of Illinois. I want to say that I fear when you cut this appropriation of $5,000 from $15,000 to $10,000, as proposed by the committee, you injure the service. All told, I believe there are one hundred and thirty-nine reservations. How many agencies?

Mr. HOLMAN. Fifty-six agencies.

Mr. CANNON of Illinois. And they regulate how many Indians?

Mr. HOLMAN. About 133,000.

Mr. LYNCH. That is, regular Indians.

Mr. CANNON of Illinois. And the United States has control of all of them.

Mr. LYNCH. And there are about 100,000 mixed bloods.

Mr. CANNON of Illinois. Now, most of these Indians, as I understand, can not speak the language used at the respective agencies. You want interpreters in whose truth and fidelity you can rely; and when you get such interpreters, if you can find them, you ought to pay them a good compensation.

I can readily see how a dishonest or incompetent interpreter could make a great amount of trouble for the Government, and a great amount of trouble for the Indians. His knowledge, his honesty, and his good faith is stronger bond for peace than could otherwise be given by any other one man; and I must say I doubt the propriety of decreasing this appropriation. I am slow, I will say frankly, after the gentleman from Indiana has investigated a matter of this kind, to antagonize it; but I fear he is not wise, or his committee is not wise, in recommending this decrease.

Now, there are 133,000 Indians that the Government has charge of. The most of the Indians, as I understand it, can not speak English. In a matter of communication, a matter of business, a matter of rations, and every conceivable matter that they desire to present, whether there is sense in it, or whether it is a "kick" only or a proposition, it should come accurately to the ear of the man who has authority and control. Having said this much about it, I have said all I am inclined to say; and I believe that you ought to have $15,000 for interpreters, as we have had heretofore, and therefore I make the motion.

Mr. HOLMAN. Just a word. This $15,000 for interpreters has been appropriated for a great many years. During that time hundreds and thousands of Indians have been educated, East and West. Hundreds are in the Government employment at the agencies, all the laboring employments, such as herders and all that kind of employment, shall be given to Indians. It is a peremptory requirement, except these others where they could not be employed; but as to all other employments, such as teachers, Indians shall be preferred. There has been any number of delegations here from all the tribes.

I mention Mrs. Lockran, who has never been to school an hour. She spoke our language perfectly, and interpreted for three or four tribes. At Pine Ridge, where the gentleman was present, we met with Indians of all ages, nine years ago, who spoke both languages well. There is no trouble about it at all. I hope the House will adopt the policy that Indians shall be employed at the agencies exclusively so far as possible; and I think it can be done exclusively. Think of how many hundreds and thousands of Indians we have educated during the last even nine years from all sections of the country. Intelligent persons come here as delegates from every tribe, and there are always some men among them who speak our language well.

Mr. EVERETT. Will the gentleman allow me to ask him a question?

Mr. HOLMAN. Just one moment. In addition to that, at every important agency you have your police force. They are generally intelligent men, people who speak our language. I venture to say if you go to Pine Ridge, or Rosebud, or Standing Rock you will find hundreds and hundreds of persons in all these Government employments who speak the two languages perfectly well. Now, I admit that fifty years ago this was all well enough, but when you commence a public expenditure of this kind for a proper object it becomes so fastened upon you that you can not get rid of it when it is no longer necessary.

Mr. RAY. I will ask the gentleman if he has any knowledge whether or not the educated Indians have been employed as interpreters?

Mr. HOLMAN. Sometimes. We now require that they shall be employed.

Mr. RAY. What I wanted to get at was whether they would make reliable interpreters as between the Government and the Indian tribes.

Mr. HOLMAN. Just as reliable as any that would be appointed. They are all the same class of people around there. I never heard of any trouble about interpreting.

Mr. RAY. The question would be one of policy with me. Of course, if they are honest and trustworthy and would discharge their duties honestly and faithfully, I should be in favor of their employment, and the only question that would arise in my mind

would be whether these educated Indians would perform that duty honestly and faithfully as between the Government and the tribes.

Mr. HOLMAN. My friend is aware that at every one of these agencies there is an agency school, with a competent superintendent, who generally understands English very well, and also the Indian language, and who has a number of teachers under him who understand both languages. Gentlemen are talking about this matter as it might properly have been talked of, perhaps, fifty years ago, but we have been civilizing these Indians during all that time, and for thirty years past have been devoting special care to their education, and you can not go into any Indian community now where you will not find white men who are familiar with the Indian language as well as with English. I do not know what experience my friend from Illinois [Mr. CANNON] may have had, but I found no difficulty in communicating with the Indians anywhere. I always found persons competent to interpret.

Mr. RAY. The money that has been appropriated for this purpose heretofore has been all used, I suppose.

Mr. HOLMAN. No, sir; it has not been all used. I have sent to ascertain how that happened, but I know it has not all been used. This is a mere question of how much will you pay. If you pay a captain of the police force in the Indian Territory a hundred or two hundred dollars additional for this service, that will serve the purpose just as well as to employ another man and pay him $500 a year. At Pine Ridge alone there is a police force of forty-nine, composed of fairly intelligent men.

Mr. LUCAS. About twelve of them speak English. The balance do not.

Mr. RAY. I will ask the gentleman from Indiana whether, in his judgment, the time has come when we need a less number of interpreters than we have required heretofore?

Mr. HOLMAN. Certainly. I think that no injury would occur to the Indian service if the proposition of the gentleman from Mississippi [Mr. STOCKDALE] were adopted, but still I think that $10,000 should be allowed for this purpose.

Mr. CANNON of Illinois. Mr. Chairman, I desire to withdraw the amendment and then to renew it for the purpose of saying a word. I agree that there are more people upon the reservations now who can talk both languages than there were twenty-five years ago, or ten years ago, or five years ago; but I want to remind my friend from Indiana that there are 139 of these reservations, fifty and odd agencies, and 133,000 Indians under the charge of the United States. Now, I call his attention to the fact that outside of the Government employés, no white man can legally be upon those reservations. There are white men there, to be sure. Some of them go in there and get adopted into the tribes; some of them intermarry with the Indians; some are fugitives from justice who have gone in there in defiance of law; but no white man, not a Government employé, can be there lawfully——

Mr. STOCKDALE. Unless he is married.

Mr. CANNON of Illinois. Unless he intermarries with the Indians, and many of them who have intermarried went there at first in violation of law. Therefore, so far as these white people are concerned, they are not the most trustworthy persons in the world for interpreters. Now, so far as the Indian is concerned, he sees the Indian side of a question, and unless there is a special incentive, as a rule I do not think the Indians will make the most trustworthy interpreters.

It is true that we are educating them at Carlisle and at the Haskell Institute, and at other places, and that they go back to the tribes, and I am in complete harmony with the gentleman from Indiana in holding that all Indians who are thus educated should be given employment on the reservations, and that the preference should be given to them, because if the Government does not employ them, their condition will be worse than if they were not educated at all. But when you consider that there are 133,000 Indians, and that the white people who are on the reservations are there against the law, and some of them fugitives from justice, the bare statement of the number of Indians, the number of agencies, and the number of reservations would seem to be a sufficient argument for allowing at least $15,000 to be used by the Secretary of the Interior for the employment of interpreters.

If you have an interpreter at all, you must make his compensation sufficient to enable him to feel that he is not giving something for nothing. That, as we all know, is the rule among white people. If I employ a white man and put him in a position of responsibility, I would run my hand into the fire before I would have him feel that he was giving something for nothing. The rule of my life has always been to pay every cent that the service is worth, if not more, and then you can expect good service, because the man feels that it is to his interest as well as to his inclination to render such service.

Mr. LUCAS. One of the peculiar things about the Indian is that if he is paid by the Government—if he receives a compensation, however small, as its employé—he feels himself under an obligation to be faithful to its interests. This seems to be the only thing that will induce an Indian to desert his own people and be loyal to the Government as against them.

Mr. CANNON of Illinois. I think there is some force in that suggestion.

Mr. LUCAS. Any man familiar with the Indian character knows this to be true. Hence the importance of properly selecting interpreters. No doubt there are hundreds of men, and women too, who can interpret the Indian language. The white men around the agencies all have a smattering of that language, for it is easily learned; but if you wish to get an interpreter that the Government may rely on, he must be the paid servant of the Government. The truth is that the difficulty at Pine Ridge, when the Wounded Knee war came on, arose in the beginning from the treachery of an interpreter.

Mr. STOCKDALE. Mr. Chairman, I am not factious about this matter, but I want to get at the truth. I would like to know where the Government gets these interpreters. You take them, I presume, right around the agency.

Mr. LUCAS. We take them off the agency and pay them a salary.

Mr. STOCKDALE. And you can get an Indian agent who can also serve as an interpreter?

Mr. LUCAS. Not one time in a thousand.

Mr. STOCKDALE. There is this difficulty in dealing with the present question. Western gentlemen, in whom I have great confidence, and by whom I have frequently been influenced in my votes in reference to measures concerning Indians, take positions on this question which are hard to understand. When we talk about reducing the appropriations for the Indians or adopting any regulation in regard to their lands, almost the whole Western delegation will pronounce eulogiums upon the Indian; will tell us how great he is, how honest he is, how true he is; will tell us that he is highly civilized, equal to the white man.

Why, sir, the gentleman from South Dakota spoke awhile ago of "grand" Indians. On the other hand, whenever we talk about using the Indians as agents, everyone of those gentlemen comes up and says, "Oh, the Indian is treacherous."

Mr. LUCAS. We do not say that they are all treacherous; that is too broad a statement.

Mr. STOCKDALE. If we have been continuing for so long our efforts to civilize the Indians, and can not find now one that can be relied on as an Indian agent or interpreter, that goes very far to confirm what I have often been inclined to believe—that there is no full-blooded Indian who is civilized.

Mr. LUCAS. The Indian is a good deal like the white man.

Mr. STOCKDALE. Well, if he is "a good deal like the white man," why not treat him as such? You can not improve on the white man.

The talk about the Indian seems to me very much like some of the talk which we have had here, which amused me very much, in regard to locating the new Printing Office. Gentlemen tell us of the great importance of preserving the public reservations in this city. They say, "These are the great breathing-places, created that the citizens of Washington may have a health-giving atmosphere." But when we talk about putting a Public Printing Office on one of these reservations they at once say, "Oh, that location is malarious; we ought not to compel the employés of the Printing Office to breathe such air; nobody can maintain his health there."

So it would appear that so long as we want to fleece the Indians and make money out of them, they are the grandest people on the earth; but when we propose to use them for any purpose requiring intelligence and fidelity, at once we are told "They are treacherous." Under such circumstances, how are we to come to any conclusion intelligently?

Mr. LUCAS. Allow me to make this suggestion: You have been dealing with the colored man so long and not paying him anything, that now you do not want to pay the Indians.

Mr. STOCKDALE. The gentleman's assertion is not true. He makes a charge that no man can sustain.

Mr. LUCAS. I am speaking in general terms.

Mr. STOCKDALE. Well, those "general terms" do not truthfully apply. There are no people better fed and more surely paid (they are not paid so much as these Indian agents) as the negroes in the South. And I wish to say to the gentleman from South Dakota that in my opinion there is a great deal of sickly sentiment in regard to the negro. You have never appropriated a single dollar to the colored man.

Mr. LUCAS. He did not need it.

Mr. STOCKDALE. No; he does not need it because we support him; we tax ourselves to educate him. He does not pay 10 cents on the dollar of the money that educates his own chil-

dren. Year after year the educational bill was heralded through this country, and we were told that the Government of the United States must appropriate money to educate the negro; but the moment that the Republican party come into possession of the Government in the Fifty-first Congress that measure died a natural death, and we have never heard of it since.

Mr. LUCAS. I thought you would bring politics into it before you got through.

Mr. STOCKDALE. Well, then, do not make such statements as that. You can not find a colored man in the whole country, anywhere in the Southern States, who will agree to the statement you have made.

Mr. LUCAS. Oh, I think I could.

Mr. STOCKDALE. I will give you a dollar apiece for every one of them.

Mr. LUCAS. I think I might make a good deal of money in that way.

Mr. STOCKDALE. I take it that no gentleman who has traveled in the Southern country will make that statement.

Mr. PICKLER. What has that to do with the question of the interpreters?

Mr. STOCKDALE. Well, the gentleman from South Dakota uses it as an argument as to why we should not say anything about paying the Indians. I was only replying to that.

Mr. LUCAS. I said we wanted to pay these men for their services.

Mr. STOCKDALE. The gentleman said if the Government paid the Indian he would be true to the Government.

[Here the hammer fell.]

Mr. LYNCH. Mr. Chairman, there are so many reductions in this bill that we shall necessarily have to increase, that I am of the opinion that this one ought to stand rather than many of the others. From year to year the Indians are getting better and better able to do their own business with the agents, and without the aid of an interpreter, and I think we can stand a reduction of $5,000 without injury to the service. If I did not think so I would not hesitate to vote to increase the amount to the estimate made by the Commissioner. But this is one of those items that I think we can stand a reduction in, without detriment to the service, and hence I favor reducing the appropriation to the amount fixed here—$10,000. We will come across other items after a while where that condition may not apply.

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from Illinois.

The amendment was rejected.

The Clerk read as follows:

For the pay of five Indian inspectors, at $2,500 per annum each, $12,500.

Mr. McRAE. I wish to offer a substitute for that section.

The Clerk read as follows:

Strike out lines 17, 18, and 19, on page 7, and insert:
"For pay of five Indian inspectors, at $3,000 per annum each, $15,000."

Mr. BOWERS of California. I wish to offer an amendment to the substitute.

Mr. HOLMAN. I raise the question of order on the amendment.

Mr. McRAE. Do I understand the gentleman to say that we can not change an appropriation bill at all, even to make it conform to the existing law? I would like very much to hear what the point of order is.

Mr. HOLMAN. It is that these salaries are fixed by law.

Mr. McRAE. That is exactly what I am trying to have done, to make their salaries conform to the law. The idea that a point of order can be made against an amendment to a bill, when the bill itself seeks to change the law, is a most singular proposition to me. I ask the Clerk to read from the Revised Statutes——

Mr. HOLMAN. I understand the salary of these officers is fixed by law at $3,000.

Mr. McRAE. That is correct.

The CHAIRMAN. Does the gentleman from Indiana insist upon the point of order?

Mr. HOLMAN. No; I withdraw the point of order.

Mr. McRAE. Now, I ask the Clerk to read sections 2043, 2044, and 2045 of the Revised Statutes, as bearing directly upon this subject.

Before that I wish to state, however, that these officers, created by this statute, have salaries fixed at $3,000 each. They are required to be nominated by the President and confirmed by the Senate. Their duties are very responsible, perhaps the most responsible of any other officers connected with the Indian service lower in authority than the Commissioner himself. They ought to be men who are worth $3,000 a year, and I believe that those now on duty are worth it. None of them were appointed from my State.

I am not even acquainted with any one of the gentlemen occupying these positions, but I do know something of the responsible and important services rendered by them. It has always been the practice to pay them the full amount of the salary fixed since the passage of the statutes to which I refer. That ought to be continued until the law is changed.

I ask the Clerk to read now the sections of the statutes to which I have referred.

The Clerk read as follows:

SEC. 2043. There shall be appointed by the President, by and with the advice and consent of the Senate, a sufficient number of Indian inspectors, not exceeding five in number, to perform the duties required of such inspectors by the provisions of this title. Each inspector shall hold his office for four years, unless sooner removed by the President.

SEC. 2044. Each inspector shall receive an annual salary of $3,000 and his necessary traveling expenses, not exceeding 10 cents a mile for actual travel while in the discharge of his duty, a statement of which expenses as to each inspector shall accompany the annual report of the Secretary of the Interior.

SEC. 2045. Each Indian superintendency and agency shall be visited and examined as often as twice a year by one or more of the inspectors. Such examination shall extend to a full investigation of all matters pertaining to the business of the superintendency or agency, including an examination of accounts, the manner of expending money, the number of Indians provided for, contracts of all kinds connected with the business, the condition of the Indians, their advancement in civilization, the extent of the reservations, and what use is made of the lands set apart for that purpose, and, generally, all matters pertaining to the Indian service. For the purpose of making such investigations, each inspector shall have power to examine all books, papers, and vouchers, to administer oaths, and to examine on oath all officers and persons employed in the superintendency or agency, and all such other persons as he may deem necessary or proper.

The inspectors, or any of them, shall have power to suspend any superintendent or agent or employé, and to designate some person in his place temporarily, subject to the approval of the President, making immediate report of such suspension and designation; and upon the conclusion of each examination a report shall be forwarded to the President without delay. The inspectors, in the discharge of their duties, jointly and individually, shall have power, by proper legal proceedings, which it shall be the duty of the district attorney of the United States for the appropriate district duly to effectuate, to enforce the laws, and to prevent the violation of law in the administration of affairs in the several agencies and superintendencies. So far as practicable, the examinations of the agencies and superintendencies shall be made alternately by different inspectors, so that the same agency or superintendency may not be examined twice in succession by the same inspector or inspectors.

Mr. McRAE. From the reading of that law the committee can form some idea of the services performed by these inspectors. They are the confidential agents of the Secretary of the Interior, who is charged with the administration of all matters relating to Indian affairs, and who must look after the $7,000,000 carried by this bill. I am informed that all the men who occupy these positions are men of high character and well qualified, and are needed. I do not indorse the policy of taking away a part of a man's salary on an appropriation bill when that salary is fixed by general law, as in this case. The law will give it to him. They can sue for it in the courts, and will do so no doubt. I believe that inasmuch as these men have been appointed, made their bonds, and are now on duty, that they ought to be continued, if continued at all, at the salary fixed by law.

The preceding section allows the President of the United States to nominate a less number than five, if he sees fit, so that if the point is attempted to be made that we have more inspectors than are necessary, let that argument be addressed to the executive department. The law does not compel five to be appointed, but it says a number not exceeding five; and these men, of the character and special fitness required, should be paid the full compensation which the law gives them. I hope the amendment will be adopted.

Mr. COOMBS. I will ask the gentleman if up to this time they have been receiving $3,000?

Mr. McRAE. Yes; up to this time they have been paid $3,000.

Mr. HOLMAN. I did not expect my friend from Arkansas [Mr. McRAE] to rival my friend from Illinois [Mr. CANNON] in trying to prevent a moderate degree of retrenchment in the expenditures of our Government. Gentlemen, consider the matter for a moment. See how we have taken advantage of the benevolent spirit of the people of the United States in behalf of the Indians to fasten upon their appropriations an army of employés in the Indian service. This is rather a bill to appropriate money for the benefit of the hangers-on of the Indian service than for the benefit of the Indians, and the tendency is to increase the number and to increase salaries all along the line; and the misfortune of our system, gentlemen, is that whatever is valuable and good and necessary, whatever ought to receive the fostering care of the Government, is seized upon for the purposes of plunder.

Now, the idea of these inspectors getting $3,000 a year! What class of men are they? Respectable men, who could make perhaps a thousand or fifteen hundred dollars a year at home. Why, a few years ago one of these officers, a man from my own district, spent the entire winter here in Washington with nothing to do, and yet here are a long series of duties read from the statutes as though they were performed.

Mr. COOMBS. Do I understand the gentleman to state that these inspectors do not perform these duties?

Mr. HOLMAN. Oh, there are scarcely any duties to be per-

formed. You can visit all of these agencies in three months and investigate their accounts at any one point in a few days. My friend must understand that we have got ten of these men, of this same class exactly, five for the Secretary of the Interior, who are called inspectors, and five for the Commissioner of Indian Affairs, who are called special agents. They are exactly the same kind of men. I have known many of them for years and years. Some have been from my section of the country, but they are the same class of men, those of the one class receiving $2,000 a year and the others $3,000 a year, but performing the same general duties. There are ten of these men, and yet any intelligent member of this House could visit all of these agencies and look after all of these matters in the course of a year without the least embarrassment or trouble. I speak from some slight experience—not much, I admit, but some experience.

This system was gotten up when the whole Western country had to be traversed with ambulances and on horseback, when there were no railroads.

Mr. HUNTER. The expenses of these men are all paid?

Mr. HOLMAN. Oh, certainly. I think that twenty years ago, when this system was inaugurated, when the Indians were widely scattered and almost inaccessible, ten of these agents were well enough; and considering the hardships that men had to encounter in those days, the salaries were not excessive; but everything is changed. There are but five or ten of these agencies beyond the reach of railroads, and they are mostly along the international line, north of the Missouri and on westward.

These agencies are very accessible. I have visited nearly every one of them in a period of less than four months. And yet you have got ten men employed. At the last session of Congress I moved to reduce the number to three inspectors and three special agents. The committee did not think proper to adopt that view, and yet I think it could be done with absolute safety. When I saw a gentleman spending the entire winter here, and receiving his pay with nothing to do, I felt then that some reduction should be made.

This proposition now approximates a degree of fairness; that is to say, this bill provides for five inspectors at $2,500 each per year, with traveling expenses to the amount of $7,000.

That is a substantial addition to their salaries. Then we provide for five special agents, performing the same general duty, at a pay of $2,000 a year and traveling expenses. Here we have five men, traveling all over the country; and that is not all. In addition to that, you have in your employ four superintendents of schools traveling at your expense. There are fourteen. Then there is the superintendent of education traveling at your expense, at $1,500 a year, making fifteen persons traveling all over the country, when any one of you gentlemen could visit those places twice in one year.

Mr. BOWERS of California. Mr. Chairman, I have an amendment I wish to offer to the amendment, or as a substitute for the amendment.

The CHAIRMAN (Mr. McMILLIN). The Chair will state to the gentleman that the proposition pending is a substitute, and his amendment can only be offered as an amendment to the substitute.

Mr. BOWERS of California. Then I offer it as an amendment to the substitute.

The Clerk read as follows:

In line 17, page 7, amend by striking out the word "five" and inserting the word "three," and in line 18 of the same paragraph by; striking out the word "twelve" and inserting in lieu thereof the word "seven."

Mr. BOWERS of California. Mr. Chairman, these paragraphs, the six lines, lines 17, 18, and 19, and the next three lines, provide for an expenditure of $19,500 for five inspectors—$20,000 in round numbers. On the next page provision is made for the appointment of five more special agents and their expenses. Their expenses are not specifically named, except in a lump sum. They will undoubtedly be as large as the others.

We may therefore safely calculate that $39,000 are appropriated in just these two places, saying nothing about their contingent expenses, for general traveling expenses, and sleeping-car fare, and all that sort of thing, for the inspectors of this district. There are fifty-six agencies. You have appointed ten of them here. It does seem to me that this "honest Bureau" requires an immense amount of inspection. In any other branch of the service, in the Light-House Board for instance, one man does more than all these inspectors and special agents do. They could do all they have to do, and do it far better; and you could reduce their number.

I had some experience with these inspectors in my district. I remember now that two special agents, one an Indian agent and one an inspector, arrived in my city by train at 9 o'clock at night and went into a first-class hotel there. They sent word in the morning that they wanted to see me. They had learned that I had been elected to Congress and they wanted to interview me. There are three or four, or about half a dozen, reservations in my county. These gentlemen left the city and the county that afternoon by train at 2 o'clock. They had a good time, were on a fine junket, and they did not go within 40 miles of any Indian reservation, or anything of that kind, and did nothing in the world; and I just give this as a specimen of these inspections.

Mr. HOLMAN. Just let me state my experience. I went to visit one of the agencies, and I will not mention it, because otherwise the name of the gentleman might appear. The railroad was about 3 miles from the agency, and he took a carriage and went over there and had a splendid time for two or three days afterwards, and then the gentleman retired. That does not look like investigating matters seriously.

Mr. BOWERS of California. Now, Mr. Chairman, these are facts. You know, and we all know it, that the Indian Bureau has been asylum, a refuge to hide in; places to which the Democratic Administration has had the key and kept open doors, and they have placed in them these gentlemen that have been useful and for whom they had no other place. You know it, and know I am stating the truth about it. Take the sentimentality out of this careful system and bring it down to business principles and there is no other business which requires such an expense to inspect.

Mr. Chairman, it is absurd; it is a fraud; it is unnecessary, and every man here who knows anything about business knows that it is unnecessary and that three men could do all the work that is done by these men.

Mr. MADDOX. Mr. Chairman, I desire to say a few words in reply on this subject. This is a question which was much discussed in committee, and I visited the Secretary of the Interior to find out whether these five inspectors were actually necessary or not. He thinks, and so stated, that they were absolutely necessary. And for the same reasons and the very reasons that the gentleman has just given, that the inspectors had simply failed to discharge their duties and report the facts to the Government. He had to have an investigation made of facts which the Department ought to know. In addition to that the gentleman does not seem to know the duties of these inspectors. We have added to the duty already imposed on these inspectors other duties which they have not hitherto been required to perform.

Mr. BOWERS of California. To inspect the agencies.

Mr. MADDOX. I am not talking about inspecting the agencies, but allotting and appraising the public lands.

Mr. BOWERS of California. That is all right. I am not talking about that.

Mr. MADDOX. That is an additional duty that this committee has imposed on these inspectors. Now, the gentleman talks as if there were no precedents for this. In the Internal Revenue Department there are special agents; in the Post-Office Department there are special agents, and in the Pension Office there are special agents, who are the very eyes and arms of the Departments.

Mr. BOWERS of California. I could give you some interesting history about those special agents.

Mr. MADDOX. I have no doubt of it; and all that the gentleman says in that line only shows the necessity of finding out the true condition of affairs.

Mr. Chairman, the Secretary of the Interior says it is absolutely necessary that he should have these agents; and he went so far as to say that if he be allowed to keep them until this Congress meets again he will be able to make a report to this body which will be of benefit to the country.

In reply to the statement of our distinguished chairman, the gentleman from Indiana, that one of these gentlemen had stayed here the whole winter drawing his salary and rendering no public service, the Secretary of the Interior has authorized me to say that no agent of his will spend his winter in this city or anywhere else drawing salary without rendering service; that the very moment there is any agent who has not some public duty to perform he will be dispensed with.

In view of the opinion of the Secretary of the Interior, that these five inspectors are absolutely needed; in view of the fact that he regards them as necessary to represent him in different parts of the country—they being, as it were his eyes and arms—in view of the importance of these officers in transacting the business of the Indian agencies on reservation—in the allotment of lands, etc.—I think that this amendment ought to be voted down, and this statute, which has been so long on the statute book, continued.

Mr. RAY. Mr. Chairman, at an appropriate time I think I shall move to strike out the enacting clause of this bill, because after listening to the arguments and explanations and statements of gentlemen here who are acquainted with the Indians and supposed to know their condition, I am almost though not quite

satisfied that they need no more care or looking after than the average white man.

The gentleman from South Dakota [Mr. PICKLER] tells us in all seeming sincerity and with great earnestness that all Indians, especially the Sioux Indians, known to have been heretofore the most warlike and ungovernable, have become good men, noble Indians; that they are now an educated, intelligent, Christian, and law-abiding people. If this is true, we need appropriate no money for them; we need send no men to take care of them or look after them.

Mr. CANNON of Illinois. The gentleman might add that wherever the Indians have received allotments of lands, they have become citizens of the United States, and voted.

Mr. RAY. So much the better. Why not give land to all of them? Now, the gentleman from California [Mr. BOWERS] tells us that the gentlemen appointed as inspectors to look after the Indians in California and on the Pacific coast pay no attention whatever to the Indians; yet we have had no outbreaks there. He tells us that these inspectors stop at a hotel 40 miles away from the Indians, and call upon him to entertain them, which he does so charmingly and effectively that they take the train and depart without visiting the Indians at all, and we infer the Indians are the better for it.

The gentleman from Indiana, the distinguished chairman of the committee having charge of this bill and which recommends the expenditure of thousands of dollars of the public money for the Indians, tells us that we do not need to employ interpreters to communicate between the Government and the Indians, for the reason that the Indians are so civilized, so honest, so well educated, so reliable that the service of interpreters is substantially unnecessary. Now, if all these statements are true (and they ought to be true, for they fall from the lips of representatives of the people who live among the Indians and are acquainted with their condition), we should at once abolish the Indian Department; we should abolish these various offices and stop this expenditure of money.

Are these gentlemen quite honest in making these statements? Are they telling the whole truth in regard to the Indians and their condition? Are they picturing the situation as it actually is? If so, they can not justify their action in recommending these appropriations and these expenditures of money. I had always supposed, and I have a lingering belief still, that the Indian tribes are uneducated, uncivilized, treacherous, naturally vicious, disposed to break away from the reservations, and commit depredations upon the white men.

Mr. BOWERS of California. That is not true.

Mr. RAY. Well, I am glad to hear it. I am glad to have my ideas of the Indian character and disposition entirely changed. I have read in history of Indian treachery, of Indian massacres, of tortures inflicted upon the whites by the Indians in various parts of this land. No longer do I believe it! The ideas gathered from my reading of history are all changed! I simply say, that taking the statements of these gentlemen as true, the time has come to abolish the Indian Bureau, and stop these appropriations of money as a piece of wasteful extravagance.

All Indians should be made citizens of the United States at once, and in two, four, or six years we may hope to see an improvement in Congress, because we shall have here a better representation than we have now—we will have Indian Congressmen. As pictured by the gentleman from South Dakota, the average Sioux Indian is better, far better, than the average Republican or the average Democrat. Nothing can equal these Sioux unless it be the Populist or the commonwealer. What a change in the Indian race! No more Indian wars shall vex this people! The noble red man is here.

I have read of the raids made by hordes of the Western savages; of ranches burned, murders committed, and of women carried into a captivity worse than death, and had supposed that the perpetrators of all these cruelties were inhuman, brutal, and unpitying. But after the speeches of the gentlemen from South Dakota [Mr. PICKLER], Indiana [Mr. HOLMAN], and California [Mr. BOWERS], I am almost forced to the conclusion that all the tales of Indian ferocity are mere fables, possibly invented by speculators for the purpose of keeping immigrants from the fertile fields of the great West, or it may be to excite hatred against these red men and bring on a war of extermination.

I almost expect to see the magnificent Gen. Custer walk into this Chamber attended by his three hundred cavalrymen, denounce the story of his massacre among the Black Hills as a base slander upon the noble red men, and a malicious fabrication.

No more shall we hear men on this floor announcing that an educated Indian boy will relapse into barbarism if permitted to return to his tribe, for the tribes are civilized, educated, peaceable, religious, honest.

These are the legitimate conclusions that might be drawn from much of the declamation to which we have listened this afternoon. But, Mr. Chairman, I do not concur in those statements. I adhere to my preconceived opinions that the Indians, especially the Sioux and the Apaches, are uncivilized, barbarous, ignorant, cruel, and vindictive, and that they are restrained from outbreaks and deeds of violence by a wholesome fear of visits from Government troops and the swift vengeance of an offended Government. The Indian is not all bad, but it will take a century of active missionary work and the succession of many generations under Christian influences before we shall see a race of hard-working, intelligent, law-abiding, and self-supporting Indians.

I do not think that the children and descendants of the red-handed screeching devils, who for unknown centuries hunted human life by stealth, burned captives at the stake, and wore human scalps at their girdles, can be trusted or relied upon or made self-supporting for generations to come. Cooper has told us that old Chingachook, Indian John, the very last and noblest of the noblest tribe of the American Indians, fell away from the Christian faith when death began to seal his eyes, and that he chanted his death song, recited his deeds of massacre, and saw only visions of happy hunting grounds, tenanted by valiant warriors, as as he took his departure for the unknown country.

Cooper understood Indian character as no living man does; and when we read of the cruel and bloodthirsty Mingoes of 1756 and realize that they were better than the Sioux of 1876, we deceive ourselves in assuming that the tribes of 1894, as tribes, are anything but barbarous savages restrained by the wholesome fear of a powerful army. There are individual exceptions, and we may except some of the remnants of tribes that have been surrounded by elevating and civilizing influences for nearly a century.

I do not forget or belittle the wrongs of the red men; I think that much of their wrongdoing in recent years has been by way of retaliation. I am simply contending that the nature of the tribes on our frontiers is not greatly changed, and that, as a matter of fact, we should increase our efforts for the care, elevation, and protection of these Indians, while at the same time we should be sleeplessly vigilant lest an Indian war or outbreak scandalize our nation, strew the borders with murdered men, women, and children, and shock the civilized world.

I want more care taken of the Indians, not less; more money expended, not less; more Indian schools, teachers, interpreters, farms, schoolhouses, and more of all the work necessary to restrain, elevate, and ennoble, so far as possible and as rapidly as possible, these red men who are as they are, and are not at all blamable for their condition. But I do not think we shall be the gainers if we deceive ourselves as to the true character and condition of our Indian tribes. I do not think we shall gain a penny in the end by making small or inadequate appropriations for the care of these wards of the nation.

Mr. MCRAE. Mr. Chairman, I go as far as anyone in supporting the rights of the Indians. While I have decided convictions upon the policy that should be adopted as to them, I have not time now to discuss the question. I wish now only to say that the Indian policy of the Government for the last twenty or twenty-five years has not been discreditable to the Government. Under it the Indians have advanced and are advancing in civilization and are nearly ready for American citizenship and their lands in severalty. The five tribes are ready.

When the gentleman from Indiana tells you that this is an old statute passed forty years ago, when the Indian agencies were all off of the lines of transportation, he is mistaken. The first section of the statute read was passed in 1873, and the second in 1875, following the outrageous scandals and frauds connected with the Indian service prior to that time—scandals which ruined the character of so many white men around these agencies. I will not do more than to refer to them.

Since the passage of this law giving the executive department power to put into the service such men as we have now we have had no such scandals and frauds. Without this law the Department is without any adequate protection in many cases. Without these men, who represent the Indian and the Government as well—without the honest official who stands between the uneducated, helpless Indian and the shrewd, unscrupulous agent who happens to be in favor with his party—there is no protection either to the Department or the Indian. You owe it to the Secretary to give such help as is necessary to see that this money is honestly expended.

Mr. HOLMAN. The special act which the gentleman refers to was passed in 1873; but this original policy was inaugurated away back.

Mr. MCRAE. I do not know what you find running away back; but this, I tell the gentleman, was the beginning of the system of inspectors as now used.

Mr. HOLMAN. Oh, no; not at all. I think you will find you are entirely mistaken.

Mr. McRAE. And when the gentleman says that there is no agency to inspect, I beg to ask why is this bill here, then?

Mr. HOLMAN. Oh, I did not say that. You misunderstood me entirely.

Mr. McRAE. I stand corrected if I misunderstood you. Then, if these gentlemen have nothing whatever to do, as the gentleman has suggested, why are they appointed at all? I leave the Department to determine that. The law vests discretion in the President of the United States to appoint not to exceed five Indian inspectors. Now, he need not appoint any of them, or he may appoint a less number than five. The charge the gentleman from Indiana makes, when reduced to its final analysis, implies a reflection upon the President of the United States—the choice of his own party, an honest man—because he has selected these inspectors and thereby said that he thought they could render efficient service to the Government and to the Indians. I hope, Mr. Chairman, that as long as this statute stands, whatever may be the judgment of the committee as to the propriety of continuing it in the future, we will pay the inspectors what the law gives them, $3,000 a year, and not undertake to starve them out by cutting off their pay $500 at a time. The law fixes it, and they ought to have it.

Mr. HOLMAN. Is my friend opposed to the reduction of any salary?

Mr. McRAE. No; I am in favor of reducing salaries wherever it can be done fairly and justly.

Mr. HOLMAN. Is not this a good salary fixed by the bill?

Mr. McRAE. If you seek to change the law, why do you not do it in a legitimate way? You only seek to do it here for the ensuing year, and you discriminate against the best class of officers you have.

Mr. HOLMAN. Oh, not all.

Mr. McRAE. I will go with you on a bill to reduce all salaries; but these inspectors are absolutely important in the Indian service and should not be singled out by you on an appropriation bill. This system of inspection has been adopted by the Government in regard to nearly all its important affairs. It is the method used for protection of depositors in the national banks.

The Post-Office Department uses inspectors in its business with postmasters, as does the Treasury. You have your internal-revenue inspectors, your customs inspectors, sugar inspectors, and timber inspectors. They are appointed to look into these matters in which the Government is interested, and prevent frauds in the public business. The fact that they can be used prevents fraud. It is not so much what is detected as what is prevented by them.

Now, will you deprive this great Bureau, for which the Secretary of the Interior is directly responsible, of the services of a sufficient number of inspectors to serve him and keep him informed as to the operations of the agents and army officers who have to expend the $7,000,000 you give the Indians?

Mr. HOLMAN. Will my friend allow another question? These salaries, admitting the fact that they were established in 1872——

Mr. McRAE. In 1873.

Mr. HOLMAN. Well, whenever the law was enacted, but when everything was on a high key——

Mr. McRAE. Yes, during the panic of 1873.

Mr. HOLMAN. Oh, no; this was passed before that, the gentleman will find by examination.

Mr. McRAE. I gave you the date of the law.

Mr. HOLMAN. Well, at that time everything, I repeat, was on a high key. Now that everything is reduced, the cost of living is reduced, and when we pay all the travelling expenses to the last cent which these men incur, adding at least $700 to their respective salaries, I ask if $2,500 a year is not a fair salary, when the gentleman knows the condition of the people of this country to-day as well as I do?

Mr. McRAE. These men were appointed with the understanding that they were to have $3,000. We should not pass a bill reducing it for the current year. If you are going to change the law, change it in the proper way. You should not change it indirectly, and I hope the amendment will be adopted which only gives the sum allowed by law.

[Here the hammer fell.]

Mr. LYNCH. Mr. Chairman, a strong effort was made in the committee, first, to dispense entirely with these inspectors, and next, to appoint three only, instead of five. That required of the committee an investigation and inquiry at the Indian Office and Interior Department as to the necessity of still retaining five. In that way we became possessed of information that led us unanimously to recommend the retention of the five inspectors.

Mr. RAY. How many are there now?

Mr. LYNCH. Five.

Mr. HOLMAN. Five inspectors and five special agents, ten in all.

Mr. LYNCH. These inspectors are the private detectives of the Secretary of the Interior. They are exclusively under his control, and they work for him solely and report to him solely. He sends them out wherever he thinks an agency or an agent should be investigated. They drop in on an agent just like the post-office inspectors, without notice or warning, and demand his books, accounts, and cash. They go through them carefully to see whether he has been honest in his accounts, whether he has made payments he should have made, and how he has transacted his business. And in addition to that, the Secretary of the Interior within the last year has imposed upon them a new and important duty. He now uses them, instead of commissioners usually appointed for that purpose, to negotiate treaties in certain cases.

We have, I think, three treaties negotiated by them without any additional expense to the Government. In that way they have saved the expense of a commission costing about $35 a day, for one or two months, and they are now engaged in investigating and making a special report on each agency, which will appear in the next report of the Secretary of the Interior, and from which some very important recommendations will be made to the next Congress.

So the only question remaining is whether they shall be paid $3,000 or $2,500 a year. There are also five special agents who are under the charge of the Commissioner of Indian Affairs, and entirely under his direction, to perform such duties as he may require. They practically perform the same duties, these two classes of officials.

The special agents only get $2,000 a year and their expenses, and there seemed to the committee no special reason why five men, performing practically the same line of duty under the Secretary of the Interior, should receive a thousand dollars a year more than five other men equally competent, faithful, and honest, performing practically the same duties under the Commissioner of Indian Affairs.

Mr. LUCAS. Is it not a fact that the five inspectors are supposed to be expert bookkeepers, that they may check up these accounts, whereas the five special agents of the Indian Department inspect the quality of goods, etc.?

Mr. LYNCH. Oh, no.

Mr. LUCAS. But they inspect the goods delivered at the agency, and the general management of affairs?

Mr. LYNCH. They are expected to be experts in bookkeeping also, and to examine the accounts.

Mr. LUCAS. Are you sure of that?

Mr. LYNCH. Yes; when one agent supplants another, one of these agents is sent to check up the accounts and turn over the office to his successor.

Mr. HERMANN. I wish to ask whether, in addition to the other qualifications which have been enumerated, they are not also required to investigate quarrels and matters affecting integrity in the Indian training schools and matters referring to the educational work of the Bureau?

Mr. LYNCH. They are supposed to investigate all disturbances.

Mr. HERMANN. And therefore it is necessary to have men of very high qualifications?

Mr. LYNCH. Necessarily so.

Mr. LUCAS. That is what I was getting at. No common man can do the work. A man must be well qualified.

Mr. LYNCH. Now, the only question is, should these inspectors, performing practically the same duty, receive a thousand dollars a year more than the five special agents?

Mr. McRAE. The per diem allowance of $3 a day is perhaps not allowed to the Indian inspectors. I think that they are allowed actual traveling expenses, while the special agents are allowed not exceeding the sum of $3 per day when on duty in the field, out of which they sometimes save something that the inspectors do not.

Mr. HOLMAN. The same rule applies to both.

Mr. McRAE. I think not, from the reading of your bill.

Mr. LYNCH. The rule of the Department is, that whenever they are not on duty their expenses cease.

Mr. McRAE. But if when on duty the inspectors only get their traveling expenses, and the special agents get an allowance of $3 per day, out of which at times they can save something, there would be less difference than the salary would indicate.

Mr. LYNCH. They are not allowed any expenses except when they are in the field.

Mr. McRAE. But when they are on duty they are allowed $3 a day.

Mr. HOLMAN. They are both allowed the same.

Mr. McRAE. I think not, but I am not certain about it.

Mr. HOLMAN. Practically the same.

Mr. McRAE. No; not practically the same, because one class get their actual traveling expenses and the others receive $3 a day, from the language of your bill.

Mr. HOLMAN. The $7,000 covers the whole.

Mr. LYNCH. The only question is: Should there be a difference of a thousand dollars a year between men performing practically the same duties? The bill allows a difference of $500 a year, and we thought that was enough. The salaries of several of the agents have been cut down. Three of them have been cut from $2,200 to $1,800 a year. Seven of them have been cut from $2,000 to $1,800 a year. They devote all their time to the service and they only get that salary, and support themselves, while these men get a fixed salary with all expenses.

The CHAIRMAN. The question is on the amendment.

Mr. CANNON of Illinois. I wish to say just a word before this vote is taken. The expenditure of money in the Indian Service is large, and it is expended in a great many different channels. You hold the Secretary of the Interior responsible. Of course, so far as it is possible he holds the Commissioner of Indian Affairs responsible. The contracts are let in New York and Chicago, and formerly much of fraud crept in in the delivery of the goods to comply with the contracts.

Mr. PICKLER. They would sell the same cattle three or four times, and drive them around the hill?

Mr. CANNON of Illinois. As settlements increase throughout the country, there is all the while friction between the settlers and the Indians. That is peculiarly so where there is a continual disposition to trench upon reservations. I am not complaining about this disposition. I do not believe in reservations. I hope the time will soon come when the Indians may have their allotments in severalty, and when there may be half a dozen white families to every Indian family, with the white civilization all about them; and I wish they were scattered a hundred times more than they are.

But we have got to take the condition as it is. With this service, scattered as it is in twenty odd different States and Territories, and involving as many things to look after, it seems to me, when you make the Secretary of the Interior responsible, that he should have at least five men who should be well paid, paid well enough to command first-class men.

Mr. HOLMAN. What difference is there that they should be paid better than the others?

Mr. CANNON of Illinois. The agents ought to be good men and do their work well; but these are under the Secretary of the Interior, and have, in my judgment, in former years been the best class of employés in the Indian service, of a high grade of intelligence, and of a high grade of honesty and of vigilance.

Now, in the Indian service and in the allotments that are being made, notwithstanding you gentlemen upon that side have the Administration, and some of your friends, Democrats not Republicans, hold these places, I am satisfied that there are good Democrats you can get. Maybe you have got them. Anyhow, I would give the Secretary of the Interior this appropriation, and hold him responsible for the just and proper Indian service. So that I am not in harmony with this proposition to decrease the salaries of these five Indian inspectors.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California to the substitute offered by the gentleman from Arkansas [Mr. McRAE].

Mr. HUNTER. I ask that they both be read.

The substitute offered by Mr. McRAE and the amendment of Mr. BOWERS of California to the substitute were again read.

The CHAIRMAN. The vote will first be taken on the amendment to the substitute.

Mr. McRAE. This amendment is an amendment to the original text of the bill.

Mr. HUNTER. It seems to me we ought to have a division of that amendment to the substitute and have the propositions voted upon separately.

Mr. BOWERS of California. It does not change the salary. It simply changes the number from five to three, and then changes the amount in the bill.

The CHAIRMAN. The question is on the amendment of the gentleman from California, to strike out "five" and insert "three," and then to change the amount to make the bill conform to it, if adopted.

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. BOWERS of California. Division, Mr. Chairman.

The committee divided; and there were—ayes 4, noes 60.

So the amendment was rejected.

The CHAIRMAN. The question now recurs on the substitute offered by the genteman from Arkansas.

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. McRAE. Division, Mr. Chairman.

The committee divided; and there were—ayes 19, noes 29.

Mr. CANNON of Illinois. Mr. Chairman, I ask to have a quorum. I hope the gentleman from Indiana, as it is Saturday evening and half-past 3, will assent to move that the Committee rise and let us have a full House on that.

Mr. HOLMAN. I ask as a favor that we may go on for half an hour longer.

Mr. REED. It is late enough for Saturday evening.

Mr. HOLMAN. We will reach an important amendment pretty soon.

Mr. CANNON of Illinois. This is an important amendment, and I think we had better have a full House.

Mr. DINGLEY. It is Saturday afternoon and near 4 o'clock.

Mr. REED. It is Saturday afternoon, and we have nearly succeeded in adjourning.

Mr. DINGLEY. It is now after half-past 3, and some of us were here late last night.

Mr. LYNCH. About half an hour will dispose of the miscellaneous items, and then there will be the treaty stipulations.

Mr. CANNON of Illinois. You have several hours' fight before you reach that,

Mr. HOLMAN. Does the gentleman intend to insist on a quorum?

Mr. CANNON of Illinois. I shall have to do so in this matter.

Mr. HOLMAN. I move that the committee rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. O'NEILL of Massachusetts, chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill (H. R. 6913) had come to no resolution thereon.

Mr. HOLMAN. I move that the House do now adjourn.

The motion was agreed to.

And accordingly (at 3 o'clock and 37 minutes p. m.) the House adjourned until Monday, June 11.

PUBLIC BILLS AND RESOLUTIONS.

Under clause 3 of Rule XXII, bills and resolutions of the following titles were introduced, and severally referred as follows:

By Mr. DAVIS: A bill (H. R. 7403) to authorize the Secretary of War to convey to the city of Junction City, Kans., for park purposes, a tract of land near said city—to the Committee on Military Affairs.

By Mr. MAGUIRE: A joint resolution (H. Res. 191) relating to Pacific railroad grant lands—to the Committee on the Pacific Railroads.

PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as follows:

By Mr. CLARK of Missouri: A bill (H. R. 7404) for the relief of Hannibal Griffith—to the Committee on War Claims.

By Mr. COCKRELL: A bill (H. R. 7405) for the relief of Juan S. Hart, administrator of Simeon Hart, deceased—to the Committee on Claims.

By Mr. MEREDITH: A bill (H. R. 7406) for the relief of Mrs. Elvira Moore, executrix of J. L. Moore—to the Committee on War Claims.

By Mr. OATES: A bill (H. R. 7407) for the relief of S. E. Hallford, of Alabama—to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BLAND: Petition of citizens of Calloway County, Mo., for free leaf tobacco—to the Committee on Ways and Means.

By Mr. COGSWELL: Petition of H. T. Balch and others, asking that certain beneficiary societies may be exempted from an income tax—to the Committee on Ways and Means.

By Mr. DALZELL: Petition of sundry citizens of Wilmerding, Pa., against an income tax affecting beneficiary societies—to the Committee on Ways and Means.

By Mr. DE FOREST: Petition of labor organizations, in aid of legislation to regulate convict labor—to the Committee on Labor.

By Mr. DINGLEY: Two petitions of citizens of Calais and Hodgton, Me., for legislation to abolish lotteries—to the Committee on Foreign Affairs.

By Mr. DRAPER: Two petitions of many citizens of Mar-

quette and other portions of the State of Michigan; 21 citizens of Newark, Ohio; 26 of Pittsburg, Pa., and 21 more citizens of Michigan City, Ind., for the passage of House bill 5804, an act to promote the safety of railroad employés—to the Committee on Interstate and Foreign Commerce.

Also, petition of L. H. Whipple and other citizens of Needham, Mass., praying that the income-tax provision of the Wilson bill may be amended so as to exempt beneficiary orders, etc., from taxation—to the Committee on Ways and Means.

By Mr. LAYTON: Resolution of the Young Men's Christian Association and Young Woman's Christian Association of Normal University of Lebanon, Ohio, for the speedy passage of antilottery laws—to the Committee on the Judiciary.

By Mr. McGANN: Petition of Chicago Stamping Company, relating to House bill 4897—to the Committee on the Post-Office and Post-Roads.

By Mr. PATTERSON: Papers to accompany H. Res. 190, for the printing of the digest of the laws and decisions relating to the appointment, salary, and compensation of officials of the United States courts—to the Committee on Printing.

By Mr. PHILLIPS: Two petitions of 109 citizens of Beaver Falls, Pa., protesting against an income tax being levied on fraternal and beneficiary orders composing the National Fraternal Congress, having a combined membership of over 2,000,000 holding benefit certificates—to the Committee on Ways and Means.

Also, resolution of the Economic Literary Club, of Beaver Falls, Pa., urging the passage of the two Coxey bills—to the Committee on Labor.

By Mr. REYBURN: Petition of citizens of Pennsylvania, praying that the beneficiary societies be exempted from the income tax—to the Committee on Ways and Means.

By Mr. STORER: Petition of Ed. Bratfish and 14 other citizens of Hamilton County, Ohio, against sectarian appropriations—to the Committee on Indian Affairs.

By Mr. WALKER: Petition of Good Citizenship Club, of Dudley, Mass., urging the passage of the Hoar antilottery bill—to the Committee on the Post-Office and Post-Roads.

By Mr. WEADOCK: Papers to accompany House bill 7400—to the Committee on Invalid Pensions.

SENATE.

MONDAY, *June 11, 1894.*

The Senate met at 10 o'clock a. m.

Prayer by Rev. T. BOWMAN STEPHENSON, LL. D., of London, England.

On motion of Mr. MORRILL, and by unanimous consent, the reading of the Journal of the proceedings of Saturday last was dispensed with.

UNITED STATES NAVAL OBSERVATORY.

Mr. MORRILL. MR. Speaker, I wish to ask as a personal favor the privilege of making remarks about ten minutes long in relation to an amendment proposed by me to the naval appropriation bill on Saturday.

The VICE-PRESIDENT. Is there objection? The Chair hears none, and the Senator from Vermont will proceed.

Mr. MORRILL. I will not ask for the reading of the amendment, but will insert it at the head of my remarks.

The amendment (submitted by Mr. MORRILL on the 9th instant) was to insert the following:

That from and after the passage of this act the Superintendent of the United States Naval Observatory shall be a person selected from civil life, learned in the science of astronomy, to be appointed by the President by and with the advice and consent of the Senate, and shall receive an annual salary of $5,000; he may also occupy the dwelling house near the observatory free of rent. The superintendent aforesaid is hereby authorized and directed, with the approval of the Secretary of the Navy, to reorganize said observatory establishment and to make such regulations as may be expedient in relation to the observatory and its subordinate officers, professors, and other employés: *Provided*, That after January 1, 1895, the total salaries and annual expenditures shall be adjusted to a basis of not exceeding $50,000 per annum.

Mr. MORRILL. Mr. President, I make this proposition, after mature deliberation, not in any hostility to the Navy, nor to any of its officers, but as a steadfast friend, with the purpose of relieving naval officers of the chief responsibility in the direction of our astronomical observatory, which the experience for the greater part of fifty years shows would be a grave error longer to impose.

One purpose of the change contemplated is that of economy, in order to escape from the overwhelming criticism that the United States parades great expenditures without the parade of great results. Another high purpose is to obtain a skilled and practical astronomer as superintendent of an observatory which, not the Navy but the nation supports, and of which our country must bear the responsibility and the recoiling reputation. It is wholly a conservative measure—a relief to the Navy, and a relief to the observatory. A large portion of the working force of competent officers, professors, and computers now at the observatory must be retained, although the force will be reduced by the limit proposed to the total expenditures.

No nation, as I am assured on the best authority, has now or ever had an astronomical observatory directed by its naval officers. The observatory in France is placed in charge of the department of public instruction, science, and fine arts. The Greenwich Royal Observatory is under the admiralty, or navy, but the director is a prominent practical astronomer, as he should be here.

No one will dispute that we have had very eminent naval officers detailed for service as superintendents of our national observatory, and it was fortunate soon after its start to have had, even for a brief time, such officers as Maury and Gilliss, with qualifications and genius that won deserved national recognition.

Some occasional notable work has since been done by officers of rare scientific culture, such as Prof. Hall, who were also ornaments of the naval profession.

Yet many blank years have passed without so much as an annual report of astronomical observations to show even the existence of our Naval Observatory, and when reports of the usual work well done have appeared the work has rarely been better done than that of observatories of much inferior nominal rank in different parts of our country. We want an observatory which will promote the advancement of astronomical science by day and by night, by "labor and study intent," and prove itself by its work at least able to contest the primacy of any other observatory in America.

We have purchased a site and erected a new Observatory at a cost of about $640,000, or greater than the cost of any similar national institution in Europe, and have furnished it with a 26-inch equatorial telescope, as well as other proper instruments for scientific observation. Manifestly the design could not have been less than to give our Observatory a higher national character and the means of answering the public demand for resulting work of commensurate importance. The present annual cost for its support is extraordinarily large, or $68,600, being nearly twice as much as that of the Greenwich Royal Observatory. If any recent extraordinary work has been done, its report has not yet leaped to light.

The United States naval officers are educated and trained in their legitimate profession as profoundly as any in the world. The curriculum at our Naval Academy is broad and exacting, embracing English studies, modern languages, mathematics, chemistry, steam engineering, ordnance, gunnery, drawing, mechanics, applied mechanics, and much else. To master these branches in four years is a task full of labor. But the cadets at the Academy do not touch either astronomy or navigation until the second term of the third year, and all instruction in these branches ends with some further attention and one or two brief voyages at sea in the fourth and last year at the Academy. This is the whole measure of instruction in navigation and astronomical science with which all our naval officers have been or can be practically equipped.

The numerous studies prescribed at the Naval Academy require the utmost diligence of students in order to pass the rigid examinations to which they are subjected, and final success here secures to our country the best possible material for the officers of the American Navy, of whose conduct, in peace or in war, our people have always been justly proud. That is their chosen and sufficient field of ambition, and however worthy in all other respects, it would seem impossible for them to have won distinction as experts in astronomy where they have merely had a brief opportunity to learn only something of the rudiments, and so far only as related to or necessary in navigation.

No one can more fully realize the impropriety of placing a naval officer at the head of an astronomical observatory than naval officers themselves. If the question could be submitted to them I have much reason to believe that no more such appointments would be made.

I will here make a brief extract from the very able report, in 1892, of the Secretary of the Navy, as follows:

The revolution which the last thirty years have witnessed in the requirements of marine warfare on the one hand and in the methods and appliances of astronomical research on the other have quite severed that close connection between the naval and astronomical professions which led to placing the old observatory under the direction of a naval officer and regarding it as a naval station; and the professional attainments now exacted by our officers and necessary to their efficiency include so wide a range of subjects and extend to such minute details that they have no time to devote to matters so far outside of the line of their profession as those which pertain to the management of a great modern astronomical observatory.

The position is not regarded as a perquisite logically belonging to naval officers, few of whom hanker for it and less obtain

it. The fair fame of the Navy can lose nothing but gain much by the co operation of leading astronomers in building up a national observatory that will remain under the loyal protection of the Navy Department.

Since March 4, 1885, twenty-five new modern naval vessels have been completed; fifteen more are to be completed in 1894, three more in 1895, and five in 1896. In all there will be forty-eight new vessels, for which the best and most competent officers either have been or must be assigned. After deducting vessels lost or no longer seaworthy, the large addition of new vessels will demand an unusually large increase of the number of officers in active sea service and the surplus for duty on shore will be diminished.

When naval officers are to be entrusted with the command of these modern "gems of the sea," surely neither the gallant captain now serving as the superintendent of the Observatory nor his friends will consent that he shall be neglected or held back in tame shore duties.

The direct and discreet control by the presiding officer of institutions of learning and even of legislative bodies is found to be absolutely necessary, but for such service it has never been found equally necessary to select a military officer. Military authority is healthful and indispensable on the deck of a vessel of war, but in the studious and patient direction of a national astronomical observatory it may seem sometimes obtrusive, rather than always useful. The working force of almost any institution will cheerfully obey the chief director if known to be their superior in practical kowledge, as well as authority, of the work in hand. The number of eminent practical astronomers in the United States is comparatively large. No one of them, however, is a candidate for the position, but with a more permanent tenure in sight, some one of those who has made and still makes astronomy the ambition of life might be had for superintendent of our Observatory.

Except perhaps for the Nautical Almanac, astronomical observations are hardly more useful to the Naval Department than to that of Agriculture.

An astronomical observatory is a light-house in the skies by which we behold the magnificence of possible worlds, infinite in number, greater than that where we were created. Eagerness of the human race to explore the secrets of the heavens above us has prevailed in every age and grows more intense by its modern achievements. I only seek to have the work in that direction of the United States, by its admirable establishment on Georgetown Heights, take rank with that of other leading nations.

I present some papers in relation to the amendment which I move be printed as a miscellaneous document, and referred to the Committee on Naval Affairs.

The motion was agreed to.

PERSONAL EXPLANATION.

Mr. QUAY. Mr. President, I desire to make a personal explanation. It is understood pretty well that I am not in the habit of paying any attention to newspaper statements affecting myself, and I refer to this one, first, because legislation connected with the subject is to come up in the other House to-day, and if a contradiction is not made it may be affected by the article I send to the desk; and, secondly, because the name of the Senator from New Hampshire [Mr. CHANDLER] is given as authority for the lying statement. I ask that the article may be read.

The VICE-PRESIDENT. The Secretary will read as indicated.

The Secretary read from the New York Sun of Sunday, June 10, 1894, as follows:

CORRUPTION IN CONGRESS—CHARGES AS SERIOUS AS THOSE INVOLVED IN THE SUGAR SCANDAL—EFFORTS OF THE PHILADELPHIA SYNDICATE, OF WHICH SENATOR QUAY IS SAID TO BE THE ACTIVE AGENT, TO GET CONTROL OF THE SURFACE ROADS IN THE DISTRICT AND TO PROCURE CHARTERS FOR THE CONSTRUCTION OF NEW LINES WITH THE TROLLEY AS THE MOTIVE POWER.

WASHINGTON, *June 9.*

Congress may soon be called upon to investigate charges of corruption against members of both Houses as serious as those involved in the sugar scandal. For several years past Congress has been besieged with applications for charters for the construction of new surface roads in this city and the extension of old lines, and there has been constant contention between the citizens, the District officials, and Congress as to the motive power to be used. The citizens of Washington generally are opposed to the use of the overhead trolley system, and it is in use by only one or two lines within the District, and only for a short distance. Moreover, under the law, even this short privilege will cease within a few months.

For the past few weeks the Washington News has persistently charged that the Philadelphia syndicate is making a systematic effort to get control of all the important surface roads in Washington, and that to carry out their plan a combination of wealthy men in the Senate and House has been formed by which the stock of the local companies is to be depressed so that it can be bought up at a low figure. The News charges further that Thomas Dolan, of Philadelphia, is the agent of the syndicate, and that the active man under him in trying to influence Congress is Senator QUAY. For sometime there has been a bill before the House granting a charter for a cross-town road, and in spite of the fact that nine-tenths of the property owners along the proposed route protest against using the street for a car line, the bill came near passing the House last Monday, which was District day. It was withdrawn in the face of the strong opposition, however, and will come up again on Monday next.

According to the News, which quotes Senator CHANDLER as one of the authorities for the statement, Dolan and QUAY have made a list of the men whose votes they can control, and have announced that the bill will certainly pass, with a proviso authorizing the use of the overhead trolley system. The vote on this bill, it is said, is to be used as a test of the strength of the Dolan-Quay combination, and if they win on that they feel sure of being able to pass the other bills and gridiron the city with trolley roads. According to the News there are fifty-eight bills pending asking for charters for new surface roads, in many of which the syndicate is interested, or of which they hope to get absolute control.

One of the most important car lines of Washington uses the cable system, and its main rival still employs broken-down horses. Several years ago Congress ordered this road to change its motive power within a given time, but it did not do it, although the date set has long since passed. This road, which is one of the greatest money-making concerns in the District of Columbia, also owes the Government a great many thousands of dollars for back taxes, and although negotiations have been in progress for two or three years for the settlement of the claim, not a cent has been paid. Congress, the District Commissioners, and the directors of the road are still in a wrangle as to the motive power that is to be used, and they are apparently as far from an agreement in this as they are with regard to the payment of the back taxes. The directors of the road say that the use of the cable is impossible on this line, owing to the great number of abrupt curves, and that the underground electric system, now in use with great success on one line within the city limits, is too expensive and too impracticable. The District Commissioners are divided in their opinion, and the citizens and taxpayers are opposed to the use of the overhead trolley. In the meantime horses pull the cars, the fight goes on, and Congress does not bring the road to terms. The vote in the House on Monday will probably show whether the Philadelphia syndicate or the citizens of Washington are in control of the city.

Mr. QUAY. I desire to state that the allegations in that article, as it is probably unnecessary for me to say, are absolutely false.

I will state the facts. Certain citizens of Philadelphia, how many I know not, and exactly whom I know not, of whom Mr. Thomas Dolan, who was recently president of the Manufacturers' Club in that city, is one, have corporate interests in some passenger railways in this city. I do not remember the name of their corporation. They are seeking an enlargement of some of their franchises, what I do not exactly know, for I have not seen the proposed legislation.

At their request I did for them what I will do for any other citizens of Pennsylvania or for citizens of any other State who come here for a fair and honest purpose. My interference in their behalf was simply to introduce Mr. Dolan to the Senator from Michigan [Mr. MCMILLAN], who is a member of the Committee on the District of Columbia, in order that Mr. Dolan might present the case to him.

I think I have not heard from the Senator from Michigan since on the subject. Also, at the request of Mr. Dolan, I spoke to the Senator from West Virginia [Mr. FAULKNER], who I understood was chairman of a subcommittee having this matter in charge, requesting that he should give Mr. Dolan a hearing. The Senator from West Virginia informed me that I was mistaken, that he was not chairman of the subcommittee, and I have not heard from him since on the subject.

On Friday last, at the request of Mr. Dolan, I asked a friend of mine of the other House to request some of the delegation from his State to be present to-day in order to constitute a quorum. He replied that there would be a quorum there to-day.

That is the extent of my knowledge of or connection with this enterprise. I think I am justified in this instance in departing from my usual course in relation to the thousands of newspaper attacks upon me, first, as I said before, because this article was evidently written to affect legislation to come up in the other House to-day; and, secondly, because the Senator from New Hampshire [Mr. CHANDLER] is alleged to be the author of it.

Mr. CHANDLER. The Senator from Pennsylvania did not call the subject to my attention before sending up the paper. I only heard what he said, and I have not the statements of the article distinctly in mind. I did, however, see the statement in the Evening News, which is quoted by the article the Senator has had read. I have heard of the syndicate and the proposed formation of a traction company for the purpose of obtaining control of the street railways of this city, and that is about all I can say on the subject, except that I may have talked with newspaper men about it and asked them questions, and they may have asked me questions.

I never heard until this morning Mr. Dolan's name in connection with any such project, and I certainly have made no remarks attributing any improper motives to any Senator, or any improper relations, or any relations whatever to any such proposed traction company organization—certainly nothing connecting the Senator from Pennsylvania with any such organization in any way whatever. I have no reason to doubt the exact truth of the statement made by the Senator from Pennsylvania.

Mr. QUAY. I do not know but that the matter may as well be referred to the special committee of which the Senator from Delaware [Mr. GRAY] is chairman, so as to let him take charge

of this subject along with the other matters referred to that committee. I make that motion.

The VICE-PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

PETITIONS AND MEMORIALS.

Mr. QUAY presented petitions of Herman Diesenger and 230 other citizens of Philadelphia; of J. Harold Wickensham and 33 other citizens of Lancaster; of H. W. Taylor and 37 other citizens of Philadelphia; of W. J. Vance and 8 other citizens of Braddock; of John W. Schell and 10 other citizens of Philadelphia; of F. B. Schertz and 7 other citizens of Philadelphia; of W. M. Geesaman and 16 other citizens of Shippensburg; of Thomas Lamb and 37 other citizens of Boston; of B. F. Stedeford and 40 other citizens of Wilmerding; of C. B. Kebber and 7 other citizens of Coroy; of A. H. Koch and 8 other citizens of Sharpsburg; of C. B. Roberts and 10 other citizens of Philadelphia; of William H. White and 22 other citizens of Uniontown; of W. E. Baldwin and 19 other citizens of Unionville, and of C. R. Moore and 45 other citizens of St. Petersburg, all in the State of Pennsylvania, praying that the funds of mutual life insurance companies and associations be exempted from the proposed income-tax provision of the pending tariff bill; which were ordered to lie on the table.

Mr. HARRIS presented a petition of sundry citizens of Huntingdon, Tenn., praying that fraternal beneficiary societies and associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

Mr. SHERMAN presented the petition of M. A. Meyer and sundry other citizens of Ohio, praying that the funds of mutual life insurance companies and associations be exempted from the income-tax provision of the pending tariff bill; which was ordered to lie on the table.

He also presented petitions of Thomas C. Bope and sundry other citizens of Lancaster; of D. E. Brown and sundry other citizens of Niles, and of Job D. Williams and sundry other citizens of Ironton, all in the State of Ohio, praying that the pending tariff bill be amended so that fraternal beneficiary societies, orders, or associations, operating upon the lodge system and providing for the payment of life, sick, accident, and other benefits to the members, and dependents of such members, shall be exempt from all the provisions of the bill requiring taxation in any form; which were ordered to lie on the table.

Mr. CULLOM. I present quite a number of memorials from wholesale and retail liquor dealers of various cities in Illinois, remonstrating against an increase of the whisky tax, and also against an extension of the present bonded period. I call attention to these memorials because there are a large number of them and they all seem to be endorsed alike. I move that the memorials lie on the table.

The motion was agreed to.

Mr. CULLOM presented a petition of sundry citizens of Morgan County, Ill., and a petition of sundry citizens of Elgin, Ill., praying that fraternal beneficiary societies, orders, and associations be exempted from the proposed income-tax provision of the pending tariff bill; which were ordered to lie on the table.

Mr. MANDERSON presented a petition of 176 citizens of Lancaster County, Nebr., praying that in the passage of any law providing for the taxation of incomes, the funds of mutual life insurance companies and associations be exempted from taxation; which was ordered to lie on the table.

He also presented a petition signed by the officers of the State of Nebraska and sundry other citizens of Lincoln, Nebr., praying that fraternal beneficiary societies, orders, and associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

He also presented a petition of the McCook Coöperative Building and Loan Association, of McCook, Nebr., praying that mutual building and loan associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

Mr. PERKINS presented a memorial of sundry citizens of Placer County, Cal., remonstrating against the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

He also presented a memorial of the Chamber of Commerce of San Francisco, Cal., remonstrating against the abolishment of the custom-house at Eureka, Cal.; which was referred to the Committee on Commerce.

Mr. PATTON presented the petition of A. M. Todd and 69 other peppermint growers of Kalamazoo and Decatur, in the State of Michigan, praying for the retention of the present duty of $1 per pound on oil peppermint; which was ordered to lie on the table.

He also presented the petition of B. A. Born and sundry other citizens of Grand Rapids, Mich., praying that the funds of mutual life insurance companies and associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

Mr. VEST presented the petition of E. C. Link and sundry other citizens of Adair County, Mo., praying that the funds of mutual life insurance companies and associations be exempted rom the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

He also presented the petition of Julius W. Koch and sundry other citizens of St. Louis, Mo., praying that the pending tariff bill be so amended "that fraternal beneficiary societies, orders, or associations operating upon the lodge system and providing for the payment of life, sick, accident, and other benefits to the members and dependents of such members, shall be exempt from all the provisions of the bill requiring taxation in any form;" which was ordered to lie on the table.

Mr. MARTIN presented petitions of J. D. Bowersock and sundry other citizens of Lawrence; of Alfred Welsh and sundry other citizens of Atchison; of A. X. Campbell and sundry other citizens of Holton, and of H. W. Berkley and sundry other citizens of Rossville, all in the State of Kansas, praying that in the passage of any law providing for the taxation of incomes, the funds of mutual life insurance companies and associations be exempted from taxation; which were ordered to lie on the table.

Mr. COCKRELL presented a petition from Eureka Council, No. 37, Royal League, of St. Louis, Mo., praying that the pending tariff bill be so amended that fraternal beneficiary societies, orders, or associations, operating upon the lodge system and providing for the payment of life, sick, accident and other benefits to the members and dependents of such members, shall be exempt from all the provisions of the bill requiring taxation in any form; which was ordered to lie on the table.

Mr. SMITH presented a memorial of the trustees of the East River Savings Institution, of New York City, N. Y., remonstrating against the imposition of a tax on the funds of savings institutions; which was ordered to lie on the table.

He also presented a memorial of the Democratic Club of New York City, N. Y., remonstrating against the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

He also presented the petition of Chas. P. Senger and sundry other citizens of Essex County, and the petition of George B. Raymond and sundry other citizens of Morris and Essex Counties, all in the State of New York, praying that the funds of mutual life insurance companies and associations be exempted from the proposed income-tax provision of the pending tariff bill; which were ordered to lie on the table.

He also presented the petition of J. W. Bailey and sundry other citizens of Arlington and Jersey City, and the petition of the Royal Arcanum, Grand Council, of Jersey City, all in the State of New Jersey, praying that the pending tariff bill be so amended "that fraternal beneficiary societies, orders or associations, paying benefits to their members in the nature of insurance, and operating upon the lodge system, shall be exempt from all the provisions of the bill requiring taxation in any form;" which were ordered to lie on the table.

Mr. HOAR presented the petition of Alfred L. Barbour and 19 other citizens of Massachusetts, praying that fraternal beneficiary societies, orders or associations, be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

Mr. DOLPH presented sundry petitions of citizens of Umatilla and Multnomah Counties, in the State of Oregon, praying that in the passage of any law providing for the taxation of incomes, the funds of mutual life insurance companies and associations be exempted from taxation; which were ordered to lie on the table.

He also presented a petition of sundry citizens of Washington, praying that section 2324 of the Revised Statutes be amended so as to suspend for the year 1894 the performance of $100 worth of labor upon mining claims; which was referred to the Committee on Mines and Mining.

Mr. SHERMAN presented sundry memorials of wholesale and retail liquor dealers of Cincinnati, Cleveland, Sandusky, Bridgeport, Portsmouth, St. Marys, Zanesville, Toledo, Dayton, Columbus, Niles, Hamilton, and Chillicothe, all in the State of Ohio, remonstrating against an increase of the present tax on whisky and also against an extension of the bonded period; which were ordered to lie on the table.

Mr. TELLER presented a petition of members of the bar of Indian Territory, praying for the passage of a bill granting judicial relief in that Territory; which was referred to the Committee on the Judiciary.

Mr. MORRILL presented a petition of sundry citizens of Brattleboro, Vt., praying that fraternal beneficiary societies, orders, or associations be exempted from the proposed income-

tax provision of the pending tariff bill; which was ordered to lie on the lable.

He also presented a petition of the Vermont Association of Life Underwriters of Burlington, Vt., praying that mutual life insurance companies and associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

Mr. HIGGINS presented a petition of sundry citizens of Middletown, Del., praying that fraternal beneficiary societies, orders, or associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

Mr. SQUIRE presented a petition of sundry citizens of Washington, praying that mutual life insurance companies and associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

Mr. McMILLAN presented a petition of the Michigan Life Insurance Agents' Association, of Detroit, Mich., praying that the funds of mutual life insurance companies and associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

Mr. FRYE presented a petition of the Board of Trade of Portland, Me., praying for the passage of House bill No. 6723, to promote the efficiency of the Revenue Cutter Service; which was referred to the Committee on Commerce.

He also presented petitions of 161 citizens of Winthrop; of 22 citizens of York Village, and of 18 citizens of Bath, all in the State of Maine, praying that fraternal beneficiary societies, orders, or organizations be exempted from the proposed income-tax provision of the pending tariff bill; which were ordered to lie on the table.

Mr. GORDON presented a petition of sundry citizens of St. Marys, Ga., praying for an increase of the appropriation for the improvement of the harbor at that city; which was referred to the Committee on Commerce.

He also presented a petition of sundry citizens of Rome, Ga., praying that fraternal beneficiary societies, orders, and associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

He also presented the memorial of W. B. McDaniel, of Gundee, Ga., remonstrating against an increase of the postage on second-class mail matter; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. HARRIS presented the memorials of Parry & Co., of Knoxville; of B. H. Carbery and Emil Nathan & Co., of Memphis; of N. C. Ford & Co., E. R. Betterton & Co., and Sobel & Co., of Nashville, all in the State of Tennessee, remonstrating against any increase of the internal-revenue tax on whisky; which were ordered to lie on the table.

Mr. BRICE presented memorials of Anne Etchells Lomas, of Dayton; of Frank L. Willcut, of Cleveland, and of Trades and Labor Council, of Zanesville, all in the State of Ohio, remonstrating against the proposed increase of postage on second-class mail matter; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of sundry citizens of Piqua, Ohio, and Brooklyn and New York City, N. Y., praying for the retention of the present rate of duty on imported cocoa mats and matting; which were ordered to lie on the table.

He also presented a memorial of the Medical Society of Cleveland, Ohio, remonstrating against the proposed reduction in the appropriation for the Surgeon-General's library from ten thousand to seven thousand dollars; which was referred to the Committee on Appropriations.

He also presented a petition of the General Assembly of the State of Ohio, praying for the enactment of legislation providing a service pension of $8 per month for soldiers of the Union Army during the rebellion who have received an honorable discharge; which was referred to the Committee on Pensions.

He also presented petitions of 44 citizens of Wayne County; of 88 citizens of Ohio; of 44 citizens of Mahoning, and of 212 citizens of Cincinnati, all in the State of Ohio, praying that mutual life insurance companies and associations be exempted from the proposed income-tax provision of the pending tariff bill; which were ordered to lie on the table.

He also presented the petition of Isaiah Leist, jr., and sundry other citizens of Napoleon, Ohio, and the petition of C. W. Nessler and sundry other citizens of Sidney, Ohio, praying that the pending tariff bill be so amended that fraternal beneficiary societies, orders, or associations operating upon the lodge system and providing for the payment of life, sick, accident, and other benefits to the members, and dependents of such members, shall be exempt from the provisions of the bill requiring taxation in any form; which were ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. McPHERSON, from the Committee on Naval Affairs, to whom was referred an amendment submitted by Mr. MORRILL on the 9th instant, intended to be proposed to the naval appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

Mr. DUBOIS, from the Committee on Public Lands, to whom was referred an amendment submitted by himself on the 9th instant, intended to be proposed to the legislative, executive, and judicial appropriation bill, reported favorably thereon and moved that it be referred to the Committee on Appropriations and be printed; which was agreed to.

TARIFF BULLETINS.

Mr. VOORHEES. I report from the Committee on Finance Tariff Bulletins Nos. 45, 46, and 47, inclusive, which I ask may be printed.

The VICE-PRESIDENT. It will be so ordered.

BILLS INTRODUCED.

Mr. WASHBURN introduced a bill (S. 2107) granting to the Northern Mississippi Railroad Company right of way through certain Indian reservations in Minnesota; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. TELLER (by request) introduced a bill (S. 2108) to amend an act entitled "An act to establish a United States court in the Indian Territory, and for other purposes," approved March 1, 1889, and an act entitled "An act to provide a temporary government for the Territory of Oklahoma, to enlarge the jurisdiction of the United States court in the Indian Territory, and for other purposes," approved May 2, 1890; to provide for the redistricting of the Indian Territory for judicial purposes, for an additional judge and more United States commissioners, and to prescribe the jurisdiction, duties, and authority of such judges and commissioners, and for other purposes; which was read twice by its title, and, with the accompanying paper, referred to the Committee on the Judiciary.

Mr. BRICE introduced a bill (S. 2109) to correct the military record of George W. Pilcher; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. GORDON introduced a bill (S. 2110) to aid and encourage the holding of a Cotton States and International Exposition at Atlanta, Ga., in the year 1895, and making an appropriation therefor; which was read twice by its title, and referred to the Committee on Education and Labor.

AMENDMENT TO REVENUE BILL.

Mr. SHERMAN submitted an amendment intended to be proposed by him to the bill (H. R. 4864) to reduce taxation, to provide revenue for the Government, and for other purposes; which was ordered to lie on the table and be printed.

AMENDMENT TO APPROPRIATION BILLS.

Mr. HIGGINS submitted an amendment intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

Mr. VILAS submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on the Quadro-Centennial (select), and ordered to be printed.

THE PADRONE SYSTEM.

Mr. CHANDLER. I submit a resolution to be printed and go over until to-morrow.

The resolution was read and ordered to lie over and to be printed, as follows:

Resolved, That the Secretary of the Treasury be directed to inform the Senate, so far as the records of the Department enable him to do so, to what extent the system now prevails under which immigrants from Italy or other countries fall into the hands of agents or bankers who entice or force them into contracts or customs under which their labor is farmed out to their employers, commonly called the padrone system; and also to inform the Senate whether any special measures are being taken or contemplated by the Treasury Department for breaking up every such system; whether the Department has sufficient funds at its disposal derived from the head moneys, or whether additional appropriations are needed for the suppression and extermination of such systems and for the due enforcement of the laws prohibiting the importation of contract laborers.

GRAND ARMY PLACE.

Mr. PALMER submitted the following concurrent resolution; which was referred to the Committee on the District of Columbia:

Resolved by the Senate of the United States (the House of Representatives concurring), That that portion of the public reservations in the city of Washington, D. C., lying south of the grounds of the Executive Mansion, and bounded on the east by Fifteenth street, on the south by B street, and on the west by Seventeenth street, be designated and hereafter known as "Grand Army Place."

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed the following bills and joint resolution; in which it requested the concurrence of the Senate:

A bill (H. R. 6500) to define and establish the units of electrical measure;

A bill (H. R. 7293) regulating the procedure in criminal causes in the district of Minnesota; and

A joint resolution (H. Res. 172) granting full permission to the State of Maryland and to the several State courts to occupy the old United States court-house in the city of Baltimore for the period of five years.

THE REVENUE BILL.

The VICE-PRESIDENT. The hour of half past 10 o'clock having arrived, the Chair lays before the Senate the unfinished business.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4864) to reduce taxation, to provide revenue for the Government, and for other purposes; the pending question being on the amendment of Mr. ALDRICH, in paragraph 237, line 25, page 52, before the word "cents," to strike out "one dollar and eighty" and insert "two dollars and fifty;" so as to read:

Brandy and other spirits manufactured or distilled from grain or other materials, and not specially provided for in this act, $2.50 per proof gallon.

The VICE-PRESIDENT. Is the Senate ready for the question on agreeing to the amendment of the Senator from Rhode Island?

Mr. ALLISON. I suggest that we have the yeas and nays on the amendment.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. MITCHELL of Wisconsin (when his name was called). I announce once for all, for the day, that I am paired with the Senator from Wyoming [Mr. CAREY]. The Senator from Wyoming wished me to state that he has been called out of the city by the death of a member of his family.

Mr. PALMER (when his name was called). The Senator from North Dakota [Mr. HANSBROUGH] is absent from the city, unwell. I announce my pair with him, and withhold my vote. I will not again announce the pair to-day. If he were present I should vote "nay" on this question.

Mr. PATTON (when his name was called). I am paired with the junior Senator from Maryland [Mr. GIBSON]. If he were present I should vote "yea."

Mr. QUAY (when his name was called). I am paired with the Senator from Alabama (Mr. MORGAN]. If he were present I should "yea."

The roll call was concluded.

Mr. MCPHERSON (after having voted in the negative). Has the Senator from Delaware [Mr. HIGGINS] voted?

The VICE-PRESIDENT. He has not voted.

Mr. MCPHERSON. Then I wish to withdraw my vote, as I am paired with that Senator. I shall not announce the pair again to-day.

Mr. CAFFERY. I inquire if the Senator from Montana [Mr. POWER] has voted?

The VICE-PRESIDENT. He has not voted.

Mr. CAFFERY. Then I announce my pair with that Senator, and withhold my vote.

Mr. GORDON. I transfer my pair with the Senator from Iowa [Mr. WILSON] to the Senator from South Carolina [Mr. IRBY] and vote "nay."

Mr. FRYE. I am paired with the senior Senator from Maryland [Mr. GORMAN], who is detained from the Chamber by illness.

Mr. LODGE. I am paired with the senior Senator from New York [Mr. HILL], and withhold my vote. If he were present I should vote "yea."

Mr. HOAR. I am paired with the Senator from Alabama [Mr. PUGH].

Mr. MITCHELL of Oregon. I am paired with the senior Senator from Wisconsin [Mr. VILAS], and the junior Senator from Wisconsin [Mr. MITCHELL] is paired with the Senator from Wyoming [Mr. CAREY]. We have agreed to transfer our pairs so that the senior Senator from Wisconsin will stand paired with the Senator from Wyoming. I vote "yea."

Mr. MITCHELL of Wisconsin. Under that arrangement I vote "nay."

Mr. DANIEL (after having voted in the negative). I desire to explain that I have a standing pair with the Senator from Washington [Mr. SQUIRE], but I have transferred that pair to the Senator from Georgia [Mr. WALSH], who is absent, understanding that he has no pair. If he has, I should be glad to know it, so that no mistake be made. If the Senator from Georgia is not paired I will let my vote stand.

Mr. BLANCHARD. I inquire if the Senator from Michigan [Mr. MCMILLAN] has voted?

The VICE-PRESIDENT. He has not voted.

Mr. BLANCHARD. I am paired with that Senator, and withhold my vote.

Mr. GEORGE. In order to make a quorum, I vote "nay," although paired with the Senator from Oregon [Mr. DOLPH].

Mr. HOAR. I suggest to the Senator from Mississippi that we transfer our pairs. I am paired with the Senator from Alabama [Mr. PUGH], and I will transfer that pair to the Senator from Oregon [Mr. DOLPH], which will enable the Senator from Mississippi and me to vote.

Mr. GEORGE. That is all right. I vote "nay."

Mr. HOAR. I vote "yea."

Mr. PLATT (after having voted in the affirmative). Has the Senator from Virginia [Mr. HUNTON] voted?

The VICE-PRESIDENT. He has not voted.

Mr. PLATT. Then, I think perhaps I ought to withdraw my vote, as I am paired with that Senator.

Mr. MCPHERSON. I suggest to the Senator from Connecticut that, if agreeable to him, we transfer our pairs. I am paired with the Senator from Delaware [Mr. HIGGINS].

Mr. PLATT. I shall be very glad to do so.

Mr. MCPHERSON. Then I transfer my pair with the Senator from Delaware [Mr. HIGGINS] to the Senator from Virginia [Mr. HUNTON].

Mr. PLATT. So that the Senator from Virginia will stand paired with the Senator from Delaware.

Mr. MCPHERSON. Yes.

Mr. PLATT. Then my vote may stand.

Mr. MCPHERSON. I vote "nay."

The result was announced—yeas 18, nays 27; as follows:

YEAS—18.

Allison,	Hale,	Morrill,	Shoup,
Chandler,	Hoar,	Peffer,	Teller,
Cullom,	Kyle,	Perkins,	Washburn.
Davis,	Manderson,	Platt,	
Dubois,	Mitchell, Oregon	Sherman,	

NAYS—27.

Allen,	Daniel,	McLaurin,	Roach,
Berry,	George,	McPherson,	Smith,
Blackburn,	Gordon,	Martin,	Turpie,
Butler,	Harris,	Mills,	Vest,
Call,	Jarvis,	Mitchell, Wis.	Voorhees,
Cockrell,	Jones, Ark.	Murphy,	White.
Coke,	Lindsay,	Pasco,	

NOT VOTING—40.

Aldrich,	Faulkner,	Hunton,	Proctor,
Bate,	Frye,	Irby,	Pugh,
Blanchard,	Gallinger,	Jones, Nev.	Quay,
Brice,	Gibson,	Lodge,	Ransom,
Caffery,	Gorman,	McMillan,	Squire,
Camden,	Gray,	Morgan,	Stewart,
Cameron,	Hansbrough,	Palmer,	Vilas.
Carey,	Hawley,	Patton,	Walsh,
Dixon,	Higgins,	Pettigrew,	Wilson,
Dolph,	Hill,	Power,	Wolcott.

So the amendment was rejected.

Mr. ALLISON. I observe in the printed bill an amendment at the end of paragraph 237. Has that been agreed to?

Mr. JONES of Arkansas. It has not been offered.

The VICE-PRESIDENT. The reading of the bill will be resumed.

The Secretary read as follows:

238. Each and every gauge or wine gallon of measurement shall be counted as at least one proof gallon; and the standard for determining the proof of brandy and other spirits or liquors of any kind imported shall be the same as that which is defined in the laws relating to internal revenue; but any brandy or other spirituous liquors, imported in casks of less capacity than 14 gallons, shall be forfeited to the United States: *Provided*, That it shall be lawful for the Secretary of the Treasury, in his discretion, to authorize the ascertainment of the proof of wines, cordials, or other liquors, by distillation or otherwise, in cases where it is impracticable to ascertain such proof by the means prescribed by existing law or regulations.

Mr. SHERMAN. Mr. President, I notice that in Schedule H, spirits, wines, and other beverages, the rates of duty prescribed by the existing law have been very largely reduced. On the first item, the one upon which the vote has already been taken, the duty has been reduced from $2.50 per proof gallon to $1.80 per proof gallon.

I also notice that in the latter part of the bill, in dealing with internal revenue it is proposed to increase the tax on domestic spirits very largely and to give certain advantages to the distillers of whisky. I should like to know from the Senator having charge of the bill whether it is true or not that the duties on imported brandies and spirits are largely decreased, while the tax on domestic spirits is largely increased?

Mr. JONES of Arkansas. Under the present law the tariff on brandy and liquors of that kind coming from abroad is $2.50 a proof gallon, and it is now proposed to reduce it to $1.80. The internal-revenue tax stands now under the present law at 90 cents a gallon, and the provision in this bill raises that tax to $1.10.

Mr. SHERMAN. That is the very point to which I wish to call the attention of the Senate. It seems to me that this is grossly wrong. Brandy is one of the strongest possible forms of spirituous liquor for common consumption which is imported from abroad. It does not come up to the standard of alcohol, but it approaches nearer to it than any other spirit.

It seems to me that here is a difficulty that ought to be at once

corrected. There is no reason in the world why the duties on wines, spirits, and other beverages imported from abroad, which are entirely articles of luxury and consumed mainly by those who are perfectly able to pay the duties, should be reduced, and I can see no reason, as this is intended to be a bill to provide revenue for the support of the Government, why the rates of duty should be reduced on articles which would be imported anyway, whatever may be the rate of duty, and would be imported probably to the same extent whether the duty is high or low.

Therefore, it seems to me that the theory of this whole schedule is wrong. I can not comprehend why the duties on these imported articles—not taking into account the question of protection at all, because, so far as that is concerned, no spirits made in the United States would probably compete with brandy, except whisky, which is very cheap, and on which the tax is very high—should be reduced, while the tax is increased on the domestic article.

I hold in my hand a large number of remonstrances, petitions, and resolutions of different commercial bodies, not only in Ohio but in other parts of the country, and even including Kentucky, against the increased tax on whisky and against the additional discrimination that is proposed to be given to imported spirits. I present these papers and ask that they be laid upon the table. They come from large organizations of business men, and from large firms and dealers who are known to me personally, and they uniformly remonstrate against any increase of the tax on spirits.

It is true, we have not yet come to the internal-revenue portion of the bill; but certainly we ought not, in view of the proposed increase of the tax on domestic spirits, to reduce the duty on imported spirits, especially on articles like champagne wines, although I believe the duties on them have not been materially changed, but if at all, they have been reduced. On brandy, gin, and all articles of that kind there is no occasion, in my judgment, for a reduction of the duty.

No one has complained against the duties now placed on those articles; no petition has been presented here for such a reduction, and there would be no sympathy in the Senate or among the people of the United States in favor of a reduction of duties on these articles of luxury, which may be consumed, but which the people are better without than with.

I think, under the circumstances, the Senate ought to give a little deliberation to the question of this proposed reduction of the duty on brandy alone. I have not the statistics before me, but I think it will bring about a large reduction of the revenue and that the decrease of revenue will not be made up by the increase of importations.

I think, in considering this whole schedule, it would be better for the Senate to allow it to stand as it now is. There has been no complaint against the provisions of the existing law, so far as the rates of duties on these imported articles of spirits are concerned, and no petitions and no remonstrances have been received against the present rates of duty on them.

Mr. JONES of Arkansas. The opinion of the committee was that the present tax on liquors of this class was entirely too high to derive the largest amount of revenue from them. We believe that a larger amount of revenue would come to the Treasury from a smaller rate of taxation; we believe that the present rate of duty approaches, in a considerable degree, to the point of prohibition, and that there would be a larger commerce in these articles under a tax of $1.80 per gallon than under a tax of $2.50 a gallon.

We impose an internal-revenue tax of 90 cents a gallon under the law upon domestic spirits, and we impose a tariff tax of $2.50 a gallon on imported spirits. It seem to me that those rates are unreasonable. When we reach the internal-revenue features of this bill, whether or not we shall impose a large domestic tax on liquor is a question to be determined then. The petition presented by the Senator from Ohio, of course, is addressed to that subject; and when we reach that portion of the bill will be the time to consider the question. For the present, it seems to me the proposed reduction of the tax on these foreign liquors from $2.50 a gallon to $1.80 a gallon is not unreasonable, particularly as French brandy is, to a very considerable degree, a medicinal article, a prime necessity otherwise than as a luxury or as a beverage.

Mr. HALE. Before the Senator sits down, I wish to say that, of course, the reason he has given was expected to be the only one that could be given in reply to the statement of the Senator from Ohio [Mr. SHERMAN], that this being a revenue duty a larger amount of revenue was expected from this duty than from a higher one.

Now, will not the Senator, as the organ of the committee conducting this bill upon business principles and in business fashion, tell the Senate upon what he bases his judgment that there will be a larger revenue from this reduced duty than from the old duty?

Mr. JONES of Arkansas. As a rule, Mr. President, a reduction of tariff will increase the importations. I presume it is not necessary for me to undertake to enter into an argument to show why that should be so, and that that rule will apply in this case as well as in others.

Mr. HALE. There must be some point at which that rule should cease. The Senator does not hold that, if duties were reduced 50 per cent or 75 per cent, there would be a larger revenue? I take it, if he did, he would have moved to reduce the duty to a lower point.

What I was seeking was the reason why the Senator, who has given a great deal of study to this bill—and we know his intelligence upon it—struck this particular point as being the place that would give the most revenue, and not any other. Why did he not either allow the old revenue rate to remain, or, if reduced duties give larger revenues, why not cut the rate still further and not rest at this point?

Mr. JONES of Arkansas. It is a matter of conjecture as to what the revenue point will be on an article until after a trial has been made. I am fully satisfied that a duty of 300 per cent is not a revenue duty; and so believing, I favor a reduction at least to this extent.

Mr. SHERMAN. Before the Senator sits down, I wish to state that I have the statistics before me, which I did not have a while ago, showing that this article of brandy and other spirits yields nearly $3,000,000 annually of revenue.

Mr. JONES of Arkansas. The Senator will allow me to say, in that connection, that more than a million and a half of that is levied upon an article that costs abroad only 65 cents; and the present duty is a tax of almost exactly 300 per cent on that class of goods.

Mr. SHERMAN. Very well; but we now tax our domestic whisky, which can be manufactured anywhere in the West for 20 cents a gallon, 500 per cent. The present tax on imported brandies, according to their valuation, is only 91 per cent, less than 100 per cent, and the Senator proposes to reduce it to 66 per cent on three items which now yield us nearly $3,000,000 of revenue. We certainly ought not to interfere with the revenue by such a reduction, especially when we know that these articles will be imported, and that the reduction of duty will increase the importation, but even if it would increase the importation we ought not to legislate in that way.

Mr. JONES of Arkansas. I do not see on what authority the Senator from Ohio can assert that there will be no increase of importation. The committee believe that there will be not only an increase of importation, but an increase of revenue from this decrease of taxation.

Mr. ALLISON. The Senator from Arkansas suggests that one reason for reducing the duty upon brandy is that it is used largely as medicine. It is used to some extent for that purpose; but, as I take it, our grape brandy in this country for medicinal purposes is quite as good as the grape brandy of France. But the unit of value on brandy is now $2.73 a gallon, as shown by the official tables. So that the duty is only about 65 per cent upon this great article of luxury. There is no article which is more an article of luxury than French brandy, and yet it is reduced here in this bill to a point much less than the duty upon many necessary articles of consumption.

On the next item, "other spirits distilled from grain," the unit of value is not 65 cents, but 85 cents a gallon. That is chiefly Scotch and Irish whisky.

I call the attention of Senators to the fact that by increasing these importations, they displace other articles of revenue in our own country. Why it is that this schedule should be selected when in all past tariff laws it has been considered purely a revenue schedule and nothing else, and it had no other purpose or aim, and why we should single this article out and reduce the duty upon brandy, upon Scotch whisky, and Irish whisky, and upon still wines seems to me a marvel. There will not be one cent additional revenue produced by this reduction, in my judgment; in other words, the reduction of duty will only reduce the revenue.

People are not going to drink Scotch whisky because they can get it a few cents less a gallon upon importation. Those who drink Scotch whisky do so because they like it and prefer it; they are accustomed to it, and they will pay the duty on it; and yet it is reduced to $1.80 a gallon from $2.50 a gallon. People who are fond of gin will buy it and pay the duty. There is no smuggling under it, and there is no complaint of a single sort as to the existing liquor schedule. It is a duty which is easily collected. Now, with all these cries for revenue, here is an article yielding $3,000,000 to the Treasury, which we are told we must cut down to a revenue point, as the gentleman from Arkansas says, in order that we may get a little more revenue.

Mr. President, the effect of this proposition will be simply to induce the importation of these foreign luxuries and reduce the revenue. That is all there is about it.

Mr. PLATT. The vote upon the paragraph which we have just passed was taken so quickly and quietly, and while my attention was diverted for the moment, that I did not say anything when it was under consideration. Of course, a motion to reconsider would put me in order, but I had supposed that the Senator from Iowa [Mr. ALLISON] would oppose this reduction before the vote was taken. I agree to all that has been said, but there were one or two other considerations which I should like to advert to.

The Senator from Iowa [Mr. ALLISON] has well said that there would be no more imported under a reduction of duty, for the reason that people who drink brandy and Scotch whisky and gin drink it because they have acquired a taste for it. Brandy is used for medicine, and by a few gentlemen of wealth, whom we call brandy drinkers. They will drink no other kind of liquor. The same is largely true of Scotch whisky. Nobody supposes that a prescription will be a cent cheaper by reason of the reduction of the duty on brandy. There will be no benefit to those who are obliged to use the medicine. It is quite improbable that there will be any diminution in the price to those who have acquired the habit of brandy drinking.

The Senator from Arkansas says we make no brandy in this country. I think the Senator is mistaken in that respect. I remember when I was in San Francisco I was taken to the grape farm of the late Senator Stanford, and I know that the process of making brandy was going on there at that time. I am informed that large quantities of brandy are made in California. I know that during recent sickness in my family my physician advised that for medicine I should obtain California brandy because it is pure, and we have no pure French brandy, certainly none the purity of which can be guaranteed.

There is another consideration which has not been adverted to. We have made a discrimination against Germany on sugar. I should like to speak at some length upon this matter, but being limited to five minutes I am precluded from doing so. If the newspapers are correct, and I think they are, an informal protest has been entered by the German minister on account of the discrimination which is proposed against Germany by reason of the special discriminating duty on sugar. Now, I will not say Germany and France are at swords points, but there is friction between them, as we all know. If we discriminate against Germany in the matter of sugar and discriminate in favor of France in the matter of brandy, will not Germany have the greater reason to complain to our Government, and will it not be an inducement for Germany to restore the prohibition on pork? I have little doubt that that will be done if we insist upon discriminating against Germany in the matter of sugar and discriminating in favor of her rival, France, in the matter of brandy.

The VICE-PRESIDENT. The reading of the bill will be proceeded with.

The Secretary read the next paragraph, as follows:

239. On all compounds or preparations of which distilled spirits are a component part of chief value, not specially provided for in this act, there shall be levied a duty not less than that imposed upon distilled spirits.

The Committee on Finance reported to strike out paragraph 239 and insert:

239. Upon all compounds or preparations containing alcohol there shall be levied a duty at the rate of $1.80 per proof gallon upon the distilled spirits contained therein in addition to the duty provided by law upon the other ingredients contained in such compounds or preparations.

Mr. JONES of Arkansas. I withdraw the committee amendment. I move to strike out paragraph 239 and insert:

239. On all compounds or preparations (except as specified in the preceding paragraph of the chemical schedule relating to medicinal preparations, of which alcohol is a component part), of which distilled spirits are a component part of chief value, not specially provided for in this act, there shall be levied a duty not less than that imposed upon distilled spirits.

The amendment was agreed to.

The Secretary read the next paragraph, as follows:

240. Cordials, liquors, arrack, absinthe, kirschwasser, ratafia, and other spirituous beverages or bitters of all kinds containing spirits, and not specially provided for in this act, $1.80 per proof gallon.

The Committee on Finance reported an amendment to paragraph 240, after the word "gallon" in line 19, to insert:

But when imported in bottles or jugs no separate or additional duty shall be assessed on the bottles or jugs.

So as to read:

240. Cordials, liquors, arrack, absinthe, kirschwasser, ratafia, and other spirituous beverages or bitters of all kinds containing spirits, and not specially provided for in this act, $1.80 per proof gallon; but when imported in bottles or jugs no separate or additional duty shall be assessed on the bottles or jugs.

Mr. JONES of Arkansas. The amendment is withdrawn.

Mr. ALDRICH. In paragraph 240, line 18, I move to strike out "$1.80" and insert "$2.50;" so as to read:

Two dollars and fifty cents per proof gallon.

Mr. President, the reasons which were stated by the Senator from Iowa against the reduction of the duties upon brandy apply with greater force to the paragraph now under consideration. I can not understand why absinthe and the other cordials and liqueurs should be placed at a lower rate of duty than they are in the existing law. Certainly there can be no reason for increasing the importation into this country, and if they are imported they certainly ought to pay a very high rate of duty. The rate ought to be higher even than the existing law. Therefore I have moved to restore the rates of the act of 1890.

Mr. VEST. The decrease in the duty on these cordials, absinthe, ratafia, and other articles is inconsiderable. In the McKinley act the rate is 97.63 per cent, and we make it 70.27, a reduction of something over 20 per cent. We would judge from the arguments made by the Senator from Iowa and the Senator from Ohio that there was an inconsiderable duty upon these brandies which we have passed. But I simply want to call attention to the fact that brandies made out of grain have a duty in the pending bill of 211.14 per cent.

Mr. ALLISON. That rate does not apply to brandy; it applies to other spirits—Scotch whisky.

Mr. VEST. And brandy made from other materials 264.06. I am talking about the items we have passed.

Mr. ALLISON. The rate the Senator has quoted is applicable to Scotch and other whiskies.

Mr. VEST. It is spirits; other spirits not specially provided for, manufactured from grain, etc.

Mr. ALDRICH. Will the Senator from Missouri allow me to ask him a question?

Mr. VEST. Certainly.

Mr. ALDRICH. Does the Senator from Missouri think it good policy to encourage larger importations of absinthe and other articles enumerated in this paragraph?

Mr. VEST. No, Mr. President, I would not encourage the importation of any of them, and I would not encourage the manufacture of any of them in this country, to be entirely frank. But I would put such a duty upon them——

Mr. ALLISON. The Senator from Arkansas says the object of the duty is to increase importations.

Mr. VEST. I understood the Senator from Arkansas to say what he and I entirely agree about, that it is simply a revenue question. We reduced these duties because we think they are too high under the McKinley act. We are taxing those articles under the internal-revenue system, and as long as we treat them as manufactured articles we ought to treat them as we do other articles in the bill. We put upon whisky, for instance, and other alcoholic stimulants an internal-revenue tax of $1.10 in the bill and $1.80 is the import duty, making the differential 70 cents. Under the English system they impose in their tariff law an equivalent to the internal-revenue duty. We go beyond that and put in 70 cents more. Under the McKinley act the duties are considerably higher, and they are too high.

In other words, our friends in making the McKinley law did not increase the duties upon these articles simply because they are luxuries, but they seem to have injected into the act the idea of excluding them from the country because they are injurious luxuries. It seems to me that the duty now proposed upon cordials, a reduction of only 20 per cent, is a very fair one. There may be people in the United States, and we have no right to suppose anything else, who think that these cordials are necessary to their health and comfort. There is no question of competition between anything we produce here and these compounds; they do not come in competition directly with anything we make in this country, and the duty proposed is, it seems to me, a very fair one.

Mr. SHERMAN. Mr. President, although this item looks very innocent and harmless, it covers merely articles of luxury. Whatever may be said of pure brandy used for medicine can hardly be said of cordials, liqueurs, arrack, absinthe, kirschwasser, ratafia, and other spirituous beverages, which are used merely to encourage an appetite for drink. They are seasoning materials for brandy or whisky or anything of that kind. Their importation yields now a revenue of $491,596. The decrease of the rate of duty will not in the slightest degree affect the importation. The large amount of 196,000 proof gallons is introduced here, and will be introduced whatever rate of duty is put upon it. The present revenue derived from the imports is $3,213,000, and as a rule the committee have reduced it about one-third; so that it sacrifices about $1,000,000, which is paid by a class of people for a luxury that is not enjoyed generally.

Now, here is the discrimination. The tax of 90 cents a proof gallon upon spirits made in this country is 450 per cent, and you propose to tax these liqueurs at a rate of from 60 to 85 per cent, the present rate being, according to the McKinley act, from 80 to 115 per cent. It seems to me this is a great mistake, but I consider that my duty is done when I call attention to it. There is no public demand for it and no petitions asking that it be done. If there is any ring or trust behind it I do not know.

Certainly there can be no motive for reducing the revenue on these articles.

I hope Senators will review the matter. With the large proposed increase in the internal tax on spirits, which is opposed by our own people very stoutly and strongly, as I have shown by the mass of petitions which I have presented this morning, to reduce largely the duty on foreign brandies and whiskies and gins, it seems to me, is a departure from a just principle. It is throwing a burden upon our own productions and relieving the foreign product. It is legislation in the interest of foreigners and not in the interest of our own people. It is not in the interest of anybody here who complains of the prices he now has to pay for these expensive liquors.

Mr. LODGE. Mr. President, the Senator from Missouri has stated, as I think everyone must agree, that this is a revenue question. No one desires to encourage the production of absinthe, liquors, arrack, and the other articles enumerated in the schedule, in this country. The question of free trade or protection does not enter into this clause at all. It is purely a revenue question.

Now, these are articles of luxury. If there are any articles in the world that ought to bear a high tax, certainly it is the articles enumerated in this schedule. Their production is undesirable; their importation is undesirable, and it seems to me that all we ought to look at is how high a duty we can impose on those articles without going beyond what is called the smuggling limit; that is, without making it profitable to smuggle these things in large quantities.

As the Senator from Iowa said, these articles are going to be introduced and sold in substantially the same quantities that they are now sold, without any reference to the duty, until you reach the point at which it becomes profitable to take the risk of smuggling. No one pretends that that point was passed in the McKinley act.

The only argument I can see here made in regard to this provision is that it is more or less modeled after the English system. Surely we ought to be able in this country to raise our own revenue, in what we think the best way, on productions of this character on some better reason than the English tariff. It seems to me that we ought to get from these articles the largest possible revenue. I can not understand the principle on which a duty is placed upon sugar and then every duty is reduced on these spirituous liquors, cordials, etc., articles which ought to be made to bear the very heaviest tax which can be placed upon them.

Mr. PLATT. Mr. President, the more this matter is discussed the more its importance is seen. If there is anything upon which persons with differing views upon protection and free trade have been agreed, it is that luxuries ought to have a high duty placed upon them. Another principle has come in, which is that deleterious luxuries may have such a duty placed upon them as to be practically prohibitive.

Now, one of the articles included in this paragraph, absinthe, is about as deleterious as opium. One of any extensive reading can not but know that in France the habit of using this cordial is almost as deleterious to human life as the morphia habit. I think it does not prevail to such an extent in America, but a person who gets in the habit of using it will go on with its use until death comes.

Now, why, when we want revenue, when we hear every day about the need of revenue and the deficiency in the Treasury, the revenue upon articles of this sort should be reduced passes comprehension. I thought for a moment that when the Senator from Missouri stated that duties were too high in the McKinley act the reason might be that the other side do not want to fix exactly the same duties that were fixed in the McKinley act, but I turn to the next paragraph and I see there is at least one duty which the committee does not consider infamous, for they have let the rate of duty upon champagne stand without any reduction. So that can not be the reason.

I submit under the circumstances there can be no reason adduced why the duty upon the articles which we have been considering should be reduced. It is a reduction of the revenue at a time when the universal cry is that we have not revenue enough

Mr. HALE. Mr. President, it is another wonderful feature of this most wonderful bill, that while upon many articles of everyday consumption by all the people the duties have been raised, when you strike articles which are pure luxuries, and also, as the Senator from Connecticut suggests, injurious luxuries, and that are used by but few people, the duties are reduced. Here are brandies, Scotch whiskies, Holland gin, which are luxuries used by comparatively few, and in this class of cordials, liqueurs, arrack, absinthe, kirschwasser, ratafia, articles of luxury of a still narrower range than brandies and the other liquors, the same reduction is made.

The Senators in charge of the bill do not quite agree. The Senator from Arkansas says frankly that he thinks more duty will be raised by this lower rate; and while it is a matter of conjecture, he believes that they have reached just the proper rate where the most money can be put into the Treasury. But the Senator from Missouri balks at that conclusion——

Mr. VEST. The Senator is mistaken.

Mr. HALE. I understood the Senator to say——

Mr. VEST. I said this is a pure revenue duty.

Mr. HALE. So the Senator did say; but when he was reminded by the Senator from Iowa what the Senator from Arkansas had said, that this would raise more revenue and result in larger importations, the Senator said that he is not in favor of larger importations and that was not the reason why the duty had been reduced.

Mr. VEST. I said I would not put it lower to increase importations.

Mr. HALE. So I say the Senators differ. The Senator from Arkansas says plainly, squarely, and frankly that the rate has been reduced because he believes it will result in larger importations and larger revenue. The Senator from Missouri does not agree to that.

Mr. President, the whole sum and substance of this provision is that it will benefit only one very narrow class. The importations of these strong liquors, what are called good brandies, Scotch whiskies, Holland gin, and these cordials, is in the hands of a few importers, almost all foreigners. They are the only men who will get the benefit of it. The consumer will not get a dollar of benefit in a year; he will not get a cent of benefit at any time whatever. The consumers of these liquors are small in number. The consumers of these heavy liquors and cordials are a very small portion of the American people, but they are very much larger than the importers who bring them here. The consumers will not get any benefit from it, while the very few men, the foreigners who import these articles, will get so much more benefit from it. They will not charge a dollar less in their prices, and their profits will be increased.

If this duty is fixed, anyone who gets the figures, the facts, will learn that that is the result. Under the present duty there is no smuggling to amount to anything. There is no complaint from the Treasury Department that the present duty ought to be lowered in order to prevent smuggling. There is no pretense of that anywhere. The Senator from Massachusetts [Mr. LODGE] stated it right. It is not because the present duty reaches the smuggling limit. I do not understand that it has been stated here that the Treasury Department, looking carefully after the ingress of these liquors into this country and the payment of the duties, see where there are infractions of the law. I do not understand that the Treasury Department has declared that here is a grievance in the Department, and that the duty ought to be lowered. Where does the demand come from? Not from the people; not from the Treasury Department; not from the consumers of these cordials, many of which are noxious; only from the importers.

Mr. HOAR. I was in hopes that before the Senator from Maine ended he would have asked the Senator from Arkansas if he could state to the Senate from what source, if any request came to the committee, or on what authority this reduction was made. Is the Senator able to state?

Mr. JONES of Arkansas. The bill came in this form from the Ways and Means Committee of the House of Representatives. It was considered and passed by the other House in this form. It had the indorsement of a large number of gentlemen there, and I have no doubt the provision was indorsed by many other people besides.

Mr. HOAR. The mere fact that a particular rate of duty had the indorsement of the Ways and Means Committee or of the other House, does not seem to have governed our committee in other things. Do I understand the Senator he did not get any evidence which was before the Ways and Means Committee of the House, and that there was nothing before his committee urging this reduction of duty? I suppose from the answer of the Senator we are to understand that nobody applied to the Finance Committee of the Senate to reduce this duty?

Mr. JONES of Arkansas. I do not think anyone did.

Mr. HOAR. Why, when they depart from the House committee and put up duties because they say they need the revenue, the committee should put this rate down and keep it down, I do not understand.

Mr. HALE. They put it down from the old law.

Mr. HOAR. They put it down from the old law. I understand this is a foreign product, in the first place, purely. It is a luxury, in the second place, and the business of importing these liqueurs and the high-priced brandies is conducted by a class of persons mainly in the State of New York. I think the principal house in Boston which imported such things has nearly

discontinued its direct importations. I am not sure about that; but I suppose it is done by a few houses in New York, who are themselves foreigners chiefly, and the business is largely established by foreign capital, with foreign partners, under foreign management, so that the commerce part of it is foreign as well as the production.

The consumers perhaps are not foreigners, but they are pretty much all that class of Americans who spend a large part of their lives abroad, and when they are at home spend their time mainly in wishing that they were foreigners. I do not think there will be any increased revenue by this reduction, and if any revenue comes by the reduction anywhere, I do not think it will ever reach the Treasury of the United States.

Mr. PEFFER. Mr. President, the Republicans have made two points on this schedule. One is discrimination against the home manufacturer. I suggest to them that that discrimination has been measurably set off by the proposition in the bill to extend the bonded period five years for the benefit of the manufacturers. The other point is that we shall lose revenue. I suggest to those Senators that while we shall lose revenue upon the liquor schedule, it is made up about tenfold or more on the sugar schedule, so that we are not going to lose any revenue in the end.

For myself, I regard it as a very great mistake upon the part of the committee to attempt to reduce duties upon spirits and upon the different varieties of liquors imported into this country for any purpose, no matter what the purpose may be. I believe it would be a good deal better, if instead of having any schedule of duties upon imported liquors there should be a prohibitory paragraph, a provision that there should be no liquors of any kind imported into the country except for medical purposes, or scientific purposes, or some useful function in the arts or sciences.

But to remove duties from an article whose use is wholly voluntary, whose use is confined almost exclusively to the rich and to that class of rich people who neither do us nor anybody else any good, a class of people who spend a large part of their time in club houses, in yacht racing, in horse racing, and things of that kind; gentlemen and ladies who are able to pay very high prices for an article and who prefer such articles because they are high priced and because they are foreign. That class of people almost exclusively use the articles upon which these duties are proposed to be levied, and I submit to the Senate that it would be much wiser to prohibit their importation entirely rather than to reduce duties upon them, especially when we have to place a duty on sugar, a necessary of life, in order to make up a deficiency.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Rhode Island [Mr. ALDRICH].

Mr. HOAR. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CULLOM (when his name was called). I have a general pair with the senior Senator from Delaware [Mr. GRAY]. If he were present I should vote "yea."

Mr. DANIEL (when his name was called). I am paired with the Senator from Washington [Mr. SQUIRE], and I refrain from voting.

Mr. PEFFER (when Mr. KYLE'S name was called). The Senator from South Dakota has been called away from the Chamber on official business. He requested me to state when his name was called that if he were present he would vote for this amendment.

Mr. GORDON (when his name was called). I transfer my pair with the junior Senator from Iowa [Mr. WILSON] to the junior Senator from South Carolina [Mr. IRBY] and vote "nay."

Mr. MCPHERSON (when his name was called). I am paired with the Senator from Delaware [Mr. HIGGINS].

Mr. MITCHELL of Oregon (when his name was called). I am paired with the senior Senator from Wisconsin [Mr. VILAS].

Mr. PATTON (when his name was called). I wish to announce my pair with the Senator from Maryland [Mr. GIBSON]. If he were present I should vote "yea."

Mr. PLATT (when his name was called). Has the Senator from Virginia [Mr. HUNTON] voted?

The VICE-PRESIDENT. He has not voted.

Mr. PLATT. Then I withhold my vote.

The roll call was concluded.

Mr. MILLS. I wish to ask if the Senator from New Hampshire [Mr. GALLINGER] has voted?

The VICE-PRESIDENT. He has not voted.

Mr. MILLS. I am paired with that Senator. I should vote "nay" if he were present.

Mr. CAMDEN. I have a general pair with the Senator from South Dakota [Mr. PETTIGREW], but with the understanding that I can vote whenever it is necessary to make a quorum. The Senator from South Dakota is not in the city to-day, and I shall not vote at this time.

Mr. FRYE. I transfer my pair with the senior Senator from Maryland [Mr. GORMAN] to the senior Senator from Nevada [Mr. JONES], and vote "yea."

The result was announced—yeas 22, nays 26, as follows:

YEAS—22.

Aldrich,	Dixon,	McMillan,	Quay,
Allen,	Dolph,	Manderson,	Sherman,
Allison,	Dubois,	Morrill,	Shoup,
Cameron,	Frye,	Peffer,	Teller.
Chandler,	Hale,	Perkins,	
Davis,	Hoar,	Power,	

NAYS—26.

Berry,	Coke,	Martin,	Turpie,
Blackburn,	Gordon,	Morgan,	Vest,
Blanchard,	Harris,	Murphy,	Voorhees,
Butler,	Jarvis,	Pasco,	Walsh,
Caffery,	Jones, Ark.	Pugh,	White.
Call,	Lindsay,	Roach,	
Cockrell,	McLaurin,	Smith,	

NOT VOTING—37.

Bate,	Gorman,	Lodge,	Ransom,
Brice,	Gray,	McPherson,	Squire,
Camden,	Hansbrough,	Mills,	Stewart,
Carey,	Hawley,	Mitchell, Oregon	Vilas,
Cullom,	Higgins,	Mitchell, Wis.	Washburn,
Daniel,	Hill,	Palmer,	Wilson,
Faulkner,	Hunton,	Patton,	Wolcott.
Gallinger,	Irby,	Pettigrew,	
George,	Jones, Nev	Platt,	
Gibson,	Kyle,	Proctor,	

So the amendment was rejected.

The VICE-PRESIDENT. The reading of the bill will be proceeded with.

The Secretary read the next paragraph, as follows:

241. No lower rate or amount of duty shall be levied, collected, and paid on brandy, spirits, and other spirituous beverages than that fixed by law for the description of first proof; but it shall be increased in proportion for any greater strength than the strength of first proof, and all imitations of brandy or spirits or wines imported by any names whatever shall be subject to the highest rate of duty provided for the genuine articles respectively intended to be represented, and in no case less than $1 per gallon.

Mr. ALDRICH. I move to insert the words "and fifty cents" after "one dollar," so as to read:

And in no case less that $1.50 per gallon.

The other House reduced the rates upon all genuine liquors, spirits, and wines, and here it is proposed to reduce the duties on importations of spirits and wines, I do not know for whose benefit.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In line 7, page 55, paragraph 241, after the word "dollar" insert the words "and fifty cents," so as to read:

one dollar and fifty cents per gallon.

Mr. ALDRICH. I hope there will be no objection to this amendment.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Rhode Island.

The amendment was rejected.

The Secretary read the next paragraph, as follows:

Bay rum or bay water, whether distilled or compounded, of first proof, and in proportion for any greater strength than first proof, $1 per gallon.

Mr. ALLISON. The articles mentioned in this paragraph are not used as medicine; and therefore I move to insert the words "and fifty cents" after the words "one dollar."

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In line 10, page 55, paragraph 242, after the word "dollar," insert "and fifty cents;" so as to read:

One dollar and fifty cents per gallon.

The amendment was rejected.

The Secretary read the next paragraph, as follows:

Wines:

243. Champagne and all other sparkling wines, in bottles containing each not more than 1 quart and more than 1 pint, $8 per dozen; containing not more than 1 pint each and more than one-half pint, $4 per dozen; containing one-half pint or less, $2 per dozen; in bottles or other vessels containing more than 1 quart each, in addition to $8 per dozen bottles, or the quantity in excess of 1 quart, at the rate of $2.50 per gallon.

The Committee on Finance reported an amendment to the paragraph by adding thereto:

But no separate or additional duty shall be assessed on the bottles.

Mr. JONES of Arkansas. That amendment is withdrawn.

Mr. CHANDLER. I should like to ask some member of the Committee on Finance whether the duty on champagne wines is reduced from the present law proportionately as the reduction is made on brandies and cordials, arracks, absinthe, etc.

Mr. JONES of Arkansas. It is not reduced at all.

Mr. CHANDLER. I should like to ask the Senators in charge of the bill why a reduction is made on one class of spirituous drink and not upon another.

Mr. VEST. Simply because we thought this a fair duty, considering the quantity brought in and consumed in this country.

Mr. CHANDLER. I must confess that I am at a loss to understand the principle upon which the Senators on the other side of the Chamber have constructed this schedule. It seems that while we are to change free sugar to dutiable sugar and tax every poor man's household in the land, we are to encourage a larger importation of French brandies and "cordials, liquors, arrack, absinthe, kirschwasser, ratafia, and other spirituous beverages or bitters of all kinds containing spirits;" and we are to enlarge if possible the consumption of those articles in this country. They are luxuries and they contribute to vices; and they are to be encouraged at a time when we need more revenue.

Senators perhaps think there will be more revenue by encouraging a larger importation, but that larger importation will be an importation that will come in competition with our own whiskies and spirituous liquors, which I think it must be admitted are purer liquors and spirits than imported French brandies are likely to be. But that is the policy. This is to be done to get more revenue by encouraging vice; and when we come to champagne, which certainly is not more harmful than brandy and absinthe, we are told that the duty is to remain upon champagne. I did not distinctly understand the reason given by the Senator from Missouri for the discrimination, but we are to deal with one kind of intoxicant differently from the way we deal with other kinds of intoxicants. We are to encourage by a reduction of duty the importation of foreign ardent spirits in competition with Kentucky and Illinois whisky. We are not to encourage the importation of champagne wines, which are comparatively pure.

Mr. President, I dislike to coerce the Senator from Missouri into listening to speeches from me. He may stop up his ears if he likes, or go out of the Chamber; but I am obliged to take the opportunity to say that I think this schedule as it is being made is utterly inconsistent; and following the term which the Senator from Missouri commonly applies to the system of protection, it is an infamous schedule when you compare it with the duty that is to be imposed by the bill upon the sugar that is to be used in the coming years in this country.

The VICE-PRESIDENT. The reading of the bill will be proceeded with.

The Secretary read the next paragraph, as follows:

244. Still wines, including ginger wine or ginger cordial and vermuth, in casks or packages other than bottles or jugs, 50 cents per gallon: *Provided*, That no such still wines in casks shall pay a higher rate of duty than 100 per cent ad valorem. In bottles or jugs, per case of 1 dozen bottles or jugs, containing each not more than 1 quart and more than 1 pint, or 24 bottles or jugs containing each not more than 1 pint, $1.60 per case; and any excess beyond these quantities found in such bottles or jugs shall be subject to a duty of 5 cents per pint or a fractional part thereof, but no separate or additional duty shall be assessed on the bottles or jugs: *Provided*, That any wines, ginger cordial, or vermuth imported containing more than 25 per cent of alcohol shall be classed as spirits and pay duty accordingly: *And provided further*, That there shall be no constructive or other allowance for breakage, leakage, or damage on wines, liquors, cordials, or distilled spirits. Wines, cordials, brandy, and other spirituous liquors imported in bottles or jugs shall be packed in packages containing not less than 1 dozen bottles or jugs in each package, or duty shall be paid as if such package contained at least 1 dozen bottles or jugs.

The first amendment reported by the Committee on Finance to paragraph 244 was, on page 56, in line 2, after the word "jugs," to insert:

If containing 14 per cent or less of absolute alcohol, 30 cents per gallon; if containing more than 14 per cent of absolute alcohol.

So as to read:

Still wines, including ginger wine or ginger cordial and vermuth, in casks or packages other than bottles or jugs, if containing 14 per cent or less of absolute alcohol, 30 cents per gallon; if containing more than 14 per cent of absolute alcohol, 50 cents per gallon.

Mr. ALLISON. I call the attention of the Senator from Missouri to what I think must be a vice in the amendment. It will practically allow all still wines to come in at 30 cents a gallon, because as a matter of course they will contain only 14 per cent of alcohol. The difference between 30 and 50 cents, 20 cents a gallon, will result in all these wines being so diluted as to alcohol as to make them measure only 30 cents. I think that is a very dangerous provision. I trust the Senator will leave the paragraph in that respect as the other House left it and as it is in the existing law. I certainly think the provision on page 56 was not put in at the request of the California Senators.

Mr. WHITE. May I ask the Senator from Iowa to repeat his statement?

Mr. ALLISON. I understand that the amendment proposed by the committee, found on page 56, reduces the duty upon the cheap wines to 30 cents a gallon.

Mr. WHITE. I will state to the Senator from Iowa, if I will not interrupt him, that the amendment reported by the committee is much more advantageous to the wine producers than the bill as it came from the other House, and it was on their suggestion that the change was made.

Mr. ALDRICH. It is much less advantageous, however, than the existing law.

Mr. WHITE. It is very little less; and in fact, in my judgment, so far as affecting the industry is concerned, there is no difference.

Mr. JONES of Arkansas. The question as to where this line should come in was discussed with representatives of the wine producers and the importers, and the opinion of the Treasury Department was taken on the question. Fourteen per cent was accepted as being the proper line for the cheaper class of wines, wines of little strength, and the strong wines.

Mr. ALLISON. But the question is as to whether we shall allow these wines to come in at 30 cents a gallon, or a little more than one-half the rate now imposed on the same class of wines.

Mr. JONES of Arkansas. My opinion is it ought to be less than that. The importations are absolutely prohibited by the present law. The wines of that class do not come here at all.

Mr. ALLISON. Still wines?

Mr. JONES of Arkansas. That class of still wines which go below 14 per cent. There is a considerable importation of still wines, but they contain more than 14 per cent of alcohol. Wines containing less than 14 per cent of alcohol are absolutely prohibited.

Mr. ALLISON. It seems to me to be very curious that just at the line of 14 per cent of alcohol there is to be a change, and that there shall be suddenly a jump from 30 to 50 cents. I think that will make great confusion in the administration of the law.

Mr. ALDRICH. Mr. President, I am greatly surprised at the statements both of the Senator from Arkansas and that of the Senator from California in this regard. One of the descriptions here given of the two kinds of still wines, that containing less than 14 per cent of alcohol, is intended to apply to clarets and red wines of that kind, and the other to what are called sweet wines. All clarets contain 14 per cent or less of alcohol, and all sweet wines, like ports and sherries, contain more than 14 per cent of alcohol.

If this paragraph is adopted as it now stands all clarets, which come in competition most largely with California wines, will only pay 30 cents a gallon, while ports and sherries will pay, as under the present law, 50 cents. Some time since I asked a large importer of wines in New York, a man who I think is more familiar with this question than anyone else, for an estimate of the amount of wines that would come in under these different rates. He gave me a statement which he had prepared, based on the importations of 1893, showing that substantially one-half of the still wines imported are claret and other wines containing 14 per cent or less of alchol, and about one-half wines containing more than 14 per cent. Any reduction of the rates of duties on still wines will, in my opinion, be harmful to the wine-producing interests of this country.

Mr. WHITE. Do I understand the Senator to say that no claret contains more than 14 per cent?

Mr. ALDRICH. No claret contains more than 14 per cent. None of the ordinary red table wines do.

Mr. ALLISON. Red wine.

Mr. ALDRICH. None of the ordinary red wines contain more than 14 per cent alcohol, or are not supposed to at least, and do not unless they are doctored; that is, if they have not had alcohol inserted. But the ordinary red wines as they are usually made would not contain more than 14 per cent of alcohol.

Now, I can not see any good reason for reducing duties on any still wines at all. It makes a difference in the revenue, as I remember, of about $250,000 a year if the reduction in rates is made. I think myself that the provision as it now stands will be less harmful to the domestic industry than the bill as it came from the House, because the imitation wines made in Cette and other points in France would come in at very much less than 30 cents per gallon, as I think they are sold at 10 or 12 cents a gallon.

Mr. WHITE. Seven or eight cents, sometimes.

Mr. ALDRICH. Sometimes they are sold, as the Senator says, at 7 or 8 cents, or even less. So the duty under the House provision would be very much less than the Senate provision as it now stands. We produce large quantities of still wines in this country, and will soon produce a sufficient quantity for our consumption. If people prefer foreign still wines to American it is no great hardship for them to pay the difference in cost growing out of the imposition of a considerable revenue duty.

Mr. WHITE. The statement of the Senator from Rhode Island that this rate is more favorable to the producers of wine than the rate prescribed by the other House is correct. I think he agrees with me in that regard.

Mr. ALDRICH. Yes.

Mr. WHITE. I will state the difficulty with the provision as

it came from the other House. The language used by the House is as follows:

That no such still wines in casks shall pay a higher rate of duty than 100 per cent ad valorem.

Of course where wine is sold at 8 cents a gallon, as was the case last year in France, where there was an immense surplus crop, the result would be very apparent.

Now, the wine producers of California got together and sent here a representative who is an expert in the business. He was in constant communication with me and with other members of the California delegation. We found the provision in the bill as it came from the other House and thought it was hardly fair. On the other hand, there were other parties representing other interests from other parts of the country where wines were not produced. Finally, as the result of considerable talk upon the subject, and, as the Senator from Arkansas has stated, after consultation with the revenue officers of the Government, we reached a point where we consented to accept the schedule as it is now found in the bill.

Mr. HALE. Will not the Senator from California tell us what interest is represented by the other side with which he says the California wine growers came in conflict and had to be yielded to, reducing the present duties? What is the interest to which the Senator refers?

Mr. WHITE. Those whom I spoke to about it—I met the parties myself—are from New York City.

Mr. HALE. They are New York importers?

Mr. WHITE. I presume so. Anyway, they are gentlemen who were here upon the subject. I refer to the men I myself saw.

Mr. HALE. Those were the men whose representations here resulted in the duty being reduced to the rate proposed, which is better than the House duty.

Mr. WHITE. I will say no. There were many others beside these parties, as I discovered, who were endeavoring to have low duties. In fact, there was a demand that came from various parts of the country. I read an article in a Chicago newspaper the other day attacking me very vigorously because it was said I insisted upon a duty of two or three hundred per cent upon some classes of wines. It was not confined to importers.

I will further state that the difficulty we have encountered in marketing our wines has been mainly due to the fact that a great many persons who consume beverages of that kind are still wedded to the idea that they must get their liquor abroad. Just before the last commercial treaty with France was ratified some of our California producers understood that our Government had succeeded in procuring the insertion of the favored clause in the treaty, and they entered into a contract with French manufacturers, involving some hundreds of thousands of dollars, to sell their wine in France. But we found that Mr. Reid had not been able to obtain, or at least did not obtain, the insertion of that clause in the treaty; and as the result, the California producers were forced to cancel their contracts.

Mr. ALLISON. What was the contract?

Mr. WHITE. They made a contract in France to sell wine to French dealers for the purpose of being remanufactured there, and sent back and sold to us under French labels.

Mr. ALLISON. Is not that prohibited under the French law?

Mr. WHITE. Under the French law as it is to-day they were unable to carry it out, principally owing to the French duty, which remains under the treaty negotiated by Mr. Reid, and which is a treaty very detrimental to our interest.

Mr. CHANDLER. I should like to ask the Senator from California whether it is not true that the pure article of brandy, made from the California grape, is sent to France and doctored in that way, coming back as French brandy?

Mr. WHITE. I will state to the Senator from New Hampshire that I, of course, do not know of my own knowledge, but I have heard that such is the case. But, as I said, I do not know anything about it.

Mr. CHANDLER. I have been informed by a person who thinks he knows, that that is the case. Therefore, I call the attention of the Senator from California to the importance of not having this reduced rate of duty, reduced from $2.50 to $1.80, put upon French brandy, because after all it is valued very high; it comes in an impure article, and is consumed here. I suggest to the Senator that if, instead of a specific rate of duty, he would get an ad valorem upon these high-priced French brandies—and that I believe is the Democratic principle now—it would be a great deal better for the consumers of this country and quite as well for the producers of brandy in California.

Mr. WHITE. I desire to correct a mistaken inference which may be drawn from a remark I made just now. I learn from an inspection of the record that but 1,000 gallons of brandy were exported to France last year. So that it could not have been sent over there to any great extent to be doctored.

Mr. HOAR. If the Senator will allow me, the proposition is that the product of the California grape is exported.

Mr. WHITE. Yes, sir; grape brandy.

Mr. HOAR. Is it not true that millions and millions are sent abroad and come back into this country?

Mr. WHITE. I think not.

Mr. HOAR. It is exported and comes back into this country as foreign wine.

Mr. WHITE. Not a great deal of it.

Mr. HOAR. It is a subject which I have not investigated, but I was told, I think by as high an authority as California contains, that that is true, going up into the millions.

Mr. PERKINS. I will state for the information of my colleague that I was informed a few days since that all the vintage of brandy on the Stanford estate had been shipped to Europe, part of it going to France.

Mr. WHITE. If my colleague will allow me, I shall perhaps explain the whole matter by simply referring to the table I hold in my hand. We exported to France 1,096 gallons, to Germany 38,052 gallons, undoubtedly to be remanufactured in Hamburg, and to the United Kingdom 77,000 gallons.

Mr. CHANDLER. I desire to state to the Senator from California that I am obliged to him for enlarging the 1,000 gallons which he said was all that was exported to France. I did not say that the importations of manufactured brandy came from France. I said there were importations of French brandy, not intending to imply that it was manufactured in France.

Mr. WHITE. I was speaking of the exports.

Mr. CHANDLER. I suppose it makes no difference whether French brandy is made out of California brandy in the United Kingdom or Germany; the fact remains that the brandy goes abroad. I do not think it can be made into anything but brandy, except that it may be made into some of the infernal cordials which are referred to in the bill, probably ratafia. But otherwise it is made into brandy and comes back as brandy, whether French brandy or any other brandy; and instead of being dutiable at $1.80 a gallon it ought to be $2.50 a gallon, or it ought to have a high ad valorem rate.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the committee; which will be stated.

The SECRETARY. In paragraph 244, after the word "jug," in line 2, insert:

If containing 14 per cent or less of absolute alcohol, 30 cents per gallon; if containing more than 14 per cent of absolute alcohol.

The amendment was agreed to.

The next amendment of the Committee on Finance to paragraph 244, was, in line 5, page 56, after the word "gallon," to strike out:

Provided, That no such still wines in casks shall pay a higher rate of duty than 100 per cent ad valorem.

The amendment was agreed to.

Mr. ALLISON. In lines 18 and 19 I move to strike out "twenty-five," and insert "twenty-four," so that the proviso will read:

Provided, That any wines, ginger cordial, or vermuth, imported, containing more that 24 per cent of alcohol, shall be classed as spirits and pay a duty accordingly.

Under the existing law where those articles contain more than 24 per cent of alcohol they are forfeited. Now, 24 per cent of alcohol or 25 per cent of alcohol is equal to about 49 per cent, I should say, of proof spirits, and the object of the existing law as respects these articles is to forfeit them in case they are sought to be imported as wines and cordials and not as proof spirits. The House provision simply says that they shall be classed as spirits and pay duty accordingly.

There is no forfeiture and no punishment for the effort to import spurious or distilled spirits under the name of wines. But I remember very well, as I think the Senator from Rhode Island must remember, that in the consideration of the tariff bill in 1890 we were very careful as to the per cent. I remember that we had before us a good many dealers, and especially experts, who stated that 24 per cent of alcohol was a line beyond which it would not be safe to go.

I suggest to the Senator from Arkansas that the amendment I have proposed be made, and if afterward any reason can be shown why it should be increased (and I do think there can be, because it is equal now to more than 2 per cent proof spirits added) it can be changed afterward. The Senator from Arkansas may be in possession of a reason for it of which I am not advised.

Mr. JONES of Arkansas. The object of the committee in making this provision in lieu of the one which now exists is that we believe the tariff should be levied upon these spirits in

case they come in in this way without undertaking to levy a forfeiture.

Mr. ALLISON. I do not ask the Senator to change the provision in that respect. I do not contemplate moving an amendment for a forfeiture of the articles, but inasmuch as you have now provided that they shall be classed as spirits and pay duty accordingly I think it is important to insert 24 per cent instead of 25, because I am quite sure, although I speak only from memory, that when we had this subject up two years ago it was stated distinctly that that was a line beyond which forfeiture could not well go, beyond which, if you provided a greater strength, it would lead to fraud. Now, I suggest to the Senator that he allow 24 per cent to go in, and if later on it shall appear that 25 per cent is essential, I shall make no objection to it.

Mr. JONES of Arkansas. The penalty attached to finding 25 per cent of alcohol in wines is of, course, very heavy; they are classed as spirits, and compelled to pay a duty accordingly. The difference between 24 and 25 per cent is not very great, and it does not seem to me to be at all likely that any harm can be done to allow a margin this much wider for what might be an accident in the increase of the strength of wines beyond the point that it ought to be. I do not think there is a very great difference in it. We consulted the Commissioner of Internal Revenue on this point, and his opinion was that 25 per cent is nearer a correct line than 24; and we were governed more by his judgment than our own. Altogether it seems but a slight difference between the present law and the pending bill.

Mr. ALLISON. With all due deference to the Commissioner of Internal Revenue, I know this was a topic of very great consideration and it was a topic as respects what was called the legislation, in favor of California. Senators have stated on this floor that very little wine is exported and that very little brandy is exported. We went into a most elaborate and complicated scheme two years ago whereby the Californians were permitted to withdraw their grape brandy in bond. For what purpose? For the purpose of enabling them to fortify the wines in order that they might carry them around the Horn. Fourteen per cent was the minimum and 24 per cent the maximum. We went into that matter with the utmost elaboration. I remember it very well.

I wish to say to the Senator from Arkansas that I agree with him that this is very little, but it is a very big thing to somebody or else we should not see this provision in the bill. Somebody thinks it is a little bigger thing than the Senator from Arkansas does. All I ask of him is to make an amendment here so that we shall have it in control, and if it turns out that he is right and I am wrong, then we can change it.

Mr. VEST. Why not let it stay at 25 per cent, and if the Senator from Iowa can show us afterwards it is such an important matter we will change it?

Mr. ALDRICH. You can not change it then.

Mr. JONES of Arkansas. This provision was sent from the other House; the Commissioner of Internal Revenue indorsed it; the Senators from California, who are interested in the question, preferred 25 per cent. Why should we make a change?

Mr. ALLISON. Do I understand that the Senators from California prefer 25 per cent?

Mr. WHITE. The matter has never been suggested.

Mr. ALLISON. If the people who are interested in the question do not care anything about it, I do not see why I should stand up here and ask for the change. Here is a change that comes from the other House. I venture to say, without knowing anything especially about it, that there is an individual in the wood pile. If the provision is left as it is now, we can not go back to it and change it without having the fight all over again in the Senate.

Mr. HALE. Let me ask the Senator from Iowa if he does not think the "individual in the wood pile" is likely to be one of these New York importers, whom the Senator from California says he met here and who made the representations before the Committee on Ways and Means? Is not that likely to be the interest?

Mr. ALLISON. I do not know what the interest is; but I know that this matter does not come under the jurisdiction of the Commissioner of Internal Revenue at all. He has no more to do with it than the man who is reputed to be in the moon. Whilst his opinion on everything within his jurisdiction is valuable, and may also be valuable upon this subject if he has examined it, still, having examined it two years ago and having looked into it with the utmost care, I should like to look into it further before I consent to the change.

The Senator says let it go, and if it turns out to be all right so be it; but if we allow it to remain as the other House has put it, then the only way to deal with it is in the Senate after the bill has been reported to the Senate.

Mr. WHITE. With the permission of the Senator from Iowa, I desire to state that I have no doubt if I had called the attention of the committee, or if the committee's attention had in any way been called to the fact that there was a mistake, it would have been rectified. I do not know that there is any mistake about it.

Mr. ALLISON. Neither do I.

Mr. WHITE. The expert who was here representing our interest did not point it out. But as the difference is slight I think it is advisable to make the change. I do not see that any harm can come from making it 24 instead of 25 per cent, and it might possibly prevent a mistake.

Mr. ALLISON. As I am fortified by the Senator from California, I hope the committee will yield to him, as they do not to me.

Mr. JONES of Arkansas. We shall agree to it; but I hope the Senator from Iowa will point out the "individual in the wood pile," as we get further along in this matter.

Mr. ALDRICH. I think I can do that right now to the satisfaction of the Senator from Iowa and the Senator from Arkansas.

Mr. ALLISON. I did not see the individual, I will say to the Senator. I should be glad to see him now.

Mr. JONES of Arkansas. I should be obliged to the Senator if he would point him out.

Mr. ALDRICH. I call the attention of the Senator from Arkansas and the Senator from Iowa to the fact that under the provision as it now stands, taking the two provisions together, all still wines, including ginger wines and vermuth containing more than 14 per cent of alcohol, shall pay 50 cents a gallon duty.

If they contain 25 per cent of alcohol, according to this provision they will pay, as we now have it, only 45 cents a gallon. In other words, a vermuth containing 25 per cent of alcohol would pay a less rate of duty than a vermuth containing 15 per cent of alcohol, as 15 per cent would pay 50 cents a gallon, and under the provision as you have it, if it contains 25 per cent, it would pay less.

Mr. JONES of Arkansas. It would be classed as spirits.

Mr. ALDRICH. And of course it would pay a duty of 25 per cent proof spirits, which, at $1.80 per gallon, would be 45 cents a gallon, according to my arithmetic.

Mr. JONES of Arkansas. It would be classed as proof spirits, and pay a duty accordingly. We understand it pays a duty as if it were proof spirits.

Mr. ALDRICH. It pays duty on the proof spirits in it.

Mr. JONES of Arkansas. That is not what the provision says.

Mr. ALDRICH. That is what it would do according to the terms of the proposed law in other respects.

Mr. JONES of Arkansas. It says, "Containing more than 25 per cent of alcohol shall be classed as spirits and pay duty accordingly."

Mr. ALDRICH. That would be 45 cents a gallon.

Mr. JONES of Arkansas. It would pay the full tax.

Mr. ALDRICH. If you say it shall pay a duty of $1.80 a gallon I shall not object to it.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Iowa [Mr. ALLISON], which will be stated.

The SECRETARY. In paragraph 244, line 18, strike out "twenty-five" and insert "twenty-four;" so as to make the proviso read:

Provided, That any wines, ginger cordial, or vermuth imported containing more than 24 per cent of alcohol shall be classed as spirits and pay duty accordingly.

The amendment was agreed to.

Mr. ALDRICH. In line 20 I move to strike out the words "duty accordingly" and insert "a duty of $1.80 per gallon."

Mr. VEST. There is no occasion for that.

Mr. ALDRICH. If that is the meaning of the language we might as well have it expressed.

Mr. VEST. We prefer our own language, with all due respet to the Senator from Rhode Island.

Mr. ALDRICH. What does the Senator from Arkansas say in respect to my suggestion, that it will pay a duty of only 45 cents a gallon? What answer does the Senator make to that suggestion?

Mr. JONES of Arkansas. That is provided for in the bill, and that is sufficient.

Mr. ALDRICH. I do not think it is provided for. I therefore move to strike out the words "duty accordingly," in line 20, and insert:

A duty of $1.80 per gallon.

So as to read:

Shall be classed as spirits and pay a duty of $1.80 per gallon.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Rhode Island.

The amendment was rejected.

The VICE-PRESIDENT. The reading of the bill will be proceeded with.

The Secretary read the next paragraph, as follows:

215. Ale, porter, and beer, in bottles or jugs, 30 cents per gallon, but no separate or additional duty shall be assessed on the bottles or jugs; otherwise than in bottles or jugs, 15 cents per gallon.

The Committee on Finance reported an amendment, in line 7, before the word "cents," to strike out "fifteen" and insert "ten;" so as to read:

Ten cents per gallon.

Mr. ALDRICH. I move to amend the paragraph by inserting "forty" instead of "thirty" in line 4, and "twenty" instead of "ten" in the last line. Those are the rates of the present law.

The VICE-PRESIDENT. The amendment proposed by the Senator from Rhode Island will be stated.

The SECRETARY. In paragraph 215, line 4, strike out "thirty" and insert "forty;" and in line 7 strike out "ten" and insert "twenty," so as to make the paragraph read:

215. Ale, porter, and beer, in bottles or jugs, 40 cents per gallon, but no separate or additional duty shall be assessed on the bottles or jugs; otherwise than in bottles or jugs, 20 cents per gallon.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Rhode Island.

Mr. HALE. On that let us have the yeas and nays.

The yeas and nays were ordered.

Mr. ALLISON. I do not quite see why it is proposed to reduce the duty upon these articles imported from abroad. The duty is not a very high one, and especially in the last clause, which the committee propose now to reduce to 10 cents a gallon, while the House provision, I believe, is 15 cents a gallon.

Under the existing law ale, porter, and beer imported otherwise than in bottles or jugs pay just half the duty put upon beer in bottles. Now, it is proposed to make the duty upon bottled beer 30 cents, and the duty upon beer imported otherwise 10 cents a gallon. I think that is too great a difference, and I do not see any reason why we should reduce the duty. It is purely a revenue duty, just as the other articles here are articles having revenue duties. Of course, I do not expect to see it changed, but I regret that the committee have made the reduction.

Mr. JONES of Arkansas. Twenty cents is the difference provided for under the McKinley act between bottled beer and beer in barrels.

Mr. HALE. I call the attention of the Senator from Iowa, but in my own time to the fact that upon ale, beer, and porter in casks, imported from abroad, coming in competition with our own manufactures, at the moderate duty imposed by the present law, the imposts fort 1893 amounted to $412,377.40, and upon ale, beer, and porter in bottles, they amounted to $495,751, or an aggregate of $907,000.

Mr. ALLISON. Under an ad valorem of 41 per cent.

Mr. HALE. That sum was paid by the consumers of these higher priced malt liquors from abroad. No representation appears to have been made here by anybody, by the people at large, by the Treasury, by the consumers, as to why the duty should be reduced, and yet the committee proposes to take from it a large portion of this revenue and make it up on something else. Of course it is in the same line with the treatment which the committee has accorded to these imported products in the form of spirits, not malt liquors.

Somebody or other, somebody whom the Senator from California met when he was trying to protect his own producers, has been here. The foreign importer has been here. He has been abroad. His mark is shown here in the bill, and it runs all the way through whether it is spirits, brandy, Scotch whisky, Holland gin, favorite foreign liquors, or the finer kinds of beers, porters, and ales, made in England, Austria, Germany, and perhaps in France. It is all one way. The only person who in any way will get one dollar of profit out of it will be the foreign importer. There will not be a bottle of German beer, or Bass's ale, or malt liquor, or porter which will be one cent less to the consumer after the bill is passed.

Mr. VEST. Mr. President, whatever political differences there may be between the Senator from Maine and myself, I think he will believe me when I make a personal statement. Not a single human being has approached our committee in regard to these duties. This reduction from 15 cents to 10 cents upon ale and beer not in barrels or kegs was made at the instance of a member of the committee who is not present here today, and who insisted upon some reduction, and urged vehemently that the present duty is too high. I thought then and think now it should be put back, and I have no objection to putting back the duty to what was fixed by the other House, 15 cents, although it is not a matter of very great difference. It applies only to these peculiar brands of German beer which are brought into this country and are drank principally by Germans.

Americans very seldom drink any of them, but prefer the domestic beer. We will withdraw the amendment, because it is a matter of not the slightest importance. I wish to say to the Senator from Maine, however, that so far as any solicitation is concerned, none was made to us at all by anybody; not even a written communication.

Mr. HALE. Of course nobody will raise any question upon that score after the Senator's statement. I referred most naturally to the belief that the importer had been here, and largely because of the statement of the Senator from California—that when he was wrestling for the interests of his own people he did meet the New York importer who had other ends and other objects in view.

I am very glad he did not make his way to the committee. I for one do not think that the taking of the House proposition will satisfy either the revenues of the Treasury or the people. I think the vote ought to be taken upon the amendment offered by the Senator from Rhode Island, that restores the present rate, which is a moderate duty, and which gave us nearly a million dollars in revenue.

Mr. ALDRICH. Mr. President, if this proposition becomes a law the revenues will be reduced by it, based on the importations of 1893, at least $325,000 a year. The reduction of the rates would be about to 30 per cent ad valorem in both cases, if the changes suggested by the committee are adopted.

Now, I can not understand any economic theory which proposes to impose a duty of 30 per cent ad valorem upon foreign ale, porter, and beer, and on Saturday imposed a duty of 3.00 per cent upon currants, a revenue duty in both cases. It seems to me that if a high revenue duty is to be imposed upon anything it ought to be upon foreign ale, beer, and porter, and if we are to impose high revenue duties, we ought not to select sugar and currants, and other articles in common use by the people of the country and a necessity to them, and reduce the duty to the lowest point upon French brandies and upon foreign ales and porters.

The PRESIDING OFFICER (Mr. WHITE in the chair). The question is on agreeing to the amendment of the Senator from Rhode Island [Mr. ALDRICH], on which the yeas and nays have been ordered.

The Secretary proceeded to call the roll.

Mr. CAFFERY (when his name was called). I am paired with the Senator from Montana [Mr. POWER], and withhold my vote unless I see that it is necessary to make a quorum.

Mr. CULLOM (when his name was called). I am paired with the senior Senator from Delaware [Mr. GRAY]. He is not present and I withhold my vote. I should vote "yea" if he were present.

Mr. LODGE (when his name was called). I am paired with the senior Senator from New York (Mr. HILL]. If he were present I should vote "yea."

Mr. MCPHERSON (when his name was called). I am paired with the Senator from Delaware [Mr. HIGGINS].

Mr. MORRILL (when his name was called). I am paired with the Senator from Florida [Mr. CALL], and therefore withhold my vote.

Mr. PATTON (when his name was called). I am paired with the junior Senator from Maryland [Mr. GIBSON]. If he were present I should vote "yea."

Mr. PLATT (when his name was called). I am paired with the Senator from Virginia [Mr. HUNTON].

The roll call was concluded.

Mr. PLATT. I wish to state that my colleague [Mr. HAWLEY], who was called away by the death of a relative and has not returned, is paired with the Senator from West Virginia [Mr. FAULKNER].

Mr. GORDON. I transfer my pair with the Senator from Iowa [Mr. WILSON] to the Senator from South Carolina [Mr. IRBY], and vote "nay."

Mr. MILLS. I am paired with the Senator from New Hampshire [Mr. GALLINGER]. If he were present I should vote "nay."

Mr. CAMERON. Has the Senator from South Carolina [Mr. BUTLER] voted?

The PRESIDING OFFICER. The Senator from South Carolina has not voted.

Mr. CAMERON. I withhold my vote, being paired with that Senator.

Mr. CAMDEN. I wish to announce my pair with the Senator from South Dakota [Mr. PETTIGREW] under the conditions heretofore stated. I shall only vote when necessary to make a quorum.

Mr. BRICE. I am paired with the Senator from Colorado [Mr. WOLCOTT]. If he were present I should vote "nay."

Mr. GEORGE. Has the senior Senator from Oregon [Mr. DOLPH] voted?

The PRESIDING OFFICER. He has not voted.

Mr. GEORGE. I am paired with that Senator.

Mr. DANIEL. I desire to state that I am paired with the Senator from Washington [Mr. SQUIRE]. Otherwise I should vote "nay."

Mr. CAMDEN. Under the terms of my pair with the Senator from South Dakota [Mr. PETTIGREW] I have a right to vote. I vote "nay."

Mr. DANIEL. Having the same privilege, in order to make a quorum, I vote "nay."

Mr. ALLISON (after having voted in the affirmative). Has the Senator from Missouri [Mr. COCKRELL] voted?

The PRESIDING OFFICER. The Senator has not voted.

Mr. ALLISON. Then I take the liberty of withdrawing my vote for the present. Of course if it is necessary to make a quorum I will renew it.

The PRESIDING OFFICER. Does the Senator from Iowa withdraw his vote?

Mr. GEORGE. He had better let it stand.

Mr. ALLISON. I will allow my vote to stand.

Mr. CAMERON. Having a right to vote to make a quorum, I vote "yea."

Mr. MILLS. I do the same thing. If my vote is necessary to make a quorum, I vote "nay."

Mr. BRICE. If it is necessary to make a quorum, I vote "nay."

Mr. CAFFERY. I reserved the right to vote to make a quorum, and I vote "nay."

Mr. GEORGE. If necessary to make a quorum, I vote "nay."

Mr. MORRILL. If necessary to vote to make a quorum, I vote "yea."

The result was announced—yeas 19, nays 29; as follows:

YEAS—19.

Aldrich,	Dubois,	McMillan,	Quay,
Allison,	Frye,	Manderson,	Shoup,
Cameron,	Hale,	Morrill,	Teller,
Chandler,	Higgins,	Peffer,	Washburn.
Dixon,	Hoar,	Perkins,	

NAYS—29.

Berry,	George,	Martin,	Turpie,
Blackburn,	Gordon,	Mills,	Vest,
Blanchard,	Harris,	Morgan,	Voorhees,
Brice,	Jarvis,	Murphy,	Walsh,
Caffery,	Jones, Ark.	Pasco,	White.
Camden,	Lindsay,	Pugh,	
Coke,	McLaurin,	Roach,	
Daniel,	McPherson,	Smith,	

NOT VOTING—37.

Allen,	Gallinger,	Kyle,	Ransom,
Bate,	Gibson,	Lodge,	Sherman,
Butler,	Gorman,	Mitchell, Oregon	Squire,
Call,	Gray,	Mitchell, Wis.	Stewart,
Carey,	Hansbrough,	Palmer,	Vilas,
Cockrell,	Hawley,	Patton,	Wilson,
Cullom,	Hill,	Pettigrew,	Wolcott.
Davis,	Hunton,	Platt,	
Dolph,	Irby,	Power,	
Faulkner,	Jones, Nev.	Proctor,	

So the amendment was rejected.

The PRESIDING OFFICER. Does the Chair understand the amendment of the committee is withdrawn?

Mr. JONES of Arkansas. It was withdrawn.

The PRESIDING OFFICER. The reading of the bill will proceed.

The Secretary read the next paragraph, as follows:

246. Malt extract, including all preparations bearing the name and commercially known as such fluid, in casks, 15 cents per gallon; in bottles or jugs, 30 cents per gallon; solid or condensed, 30 per cent ad valorem.

Mr. JONES of Arkansas. There is a mistake in punctuation in line 9 of the paragraph. The comma after the word "fluid" should come in after the word "such," and not after the word "fluid."

The PRESIDING OFFICER. If there be no objection that change will be made. The reading of the bill will proceed.

The Secretary read the next paragraph, as follows:

247. Cherry juice and prune juice or prune wine, and other fruit juice not specially provided for in this act, containing 18 per cent or less of alcohol, 50 cents per gallon; if containing more than 18 per cent of alcohol, $1.80 per proof gallon.

Mr. ALLISON. I call attention to paragraph 247 in analogy to the wine provision. If cherry juice and prune juice contain 18 per cent of alcohol or less, they pay 50 cents. If they contain more than 18 per cent, they pay $1.80. So I think I am somewhat strengthened and invigorated by my statement made awhile ago.

Mr. JONES of Arkansas. The purpose of this paragraph is to prevent fraud being perpetrated under the pretense of the importation of fruit juice. Eighteen per cent is sufficient to preserve the juice and bring it here in a sound and healthy condition. When a greater amount of alcohol is put in it is evidently the intention of the importer to smuggle juice into the country, and the intention is to make him pay a penalty for undertaking to do so. If they want to import fruit juice fairly and honestly they can put in the necessary spirits to bring it in without difficulty, and after that limitation if they undertake to perpetrate a fraud they pay a penalty.

Mr. ALLISON. I am thoroughly in accord with the provision of the paragraph, but I was merely contrasting it with the one which we had under debate a little while ago when certain other people who want to bring in spirits under the name of wines were allowed to bring them in at 25 per cent.

Mr. JONES of Arkansas. The things are totally unlike. Regular order.

The PRESIDING OFFICER. There is no question before the Senate. The reading will proceed.

Mr. HALE. I noted and appreciated what the Senator from Arkansas said, that the object is to make the difference between the two sufficent to deter false entries; but why was it considered necessary to make the discrimination between the juices which are 18 per cent or less and those which are over so much greater than under the present act?

In the present act it is 60 cents per gallon for 18 per cent of alcohol or less, and for that which is over 18, where the opportunity for fraud arises, it is $2.50, or a difference of $1.90 between the two. The committee have made the difference by adopting the provision of the House only the difference between 50 cents and $1.80, which is $1.30. Now, does the Senator think that that discrimination is better than the older and larger discrimination?

Mr. JONES of Arkansas. I do not understand the criticism of the Senator from Maine. This juice containing 18 per cent or less under the present law pays 60 cents. Under the bill we propose that it shall pay 50 cents. That is a reduction from 60 to 50 cents. Then the juice containing more than 18 per cent pays the same duty that a gallon of proof spirits would pay, and for the reason I have explained distinctly to the Senator from Iowa. The tax on a gallon of proof spirits imported from abroad under the McKinley act was $2.50. Under this bill it is $1.80. That imposed the tax on a gallon of proof spirits upon this article when more than the required per cent of alcohol went into the prune juice, and this is just the same provision exactly.

Mr. HALE. Now I catch what I did not catch before, and it is perfectly satisfactory. This is made to adapt itself to the rate that is fixed on proof spirits.

Mr. JONES of Arkansas. Exactly.

The PRESIDING OFFICER. The reading of the bill will be resumed.

The Secretary read as follows:

248. Ginger ale or ginger beer, 20 per cent ad valorem, but no separate or additional duty shall be assessed on the bottles.

249. All imitations of natural mineral waters, and all artificial mineral waters, 30 per cent ad valorem.

Mr. JONES of Arkansas. In paragraph 249, line 21, I move to strike out the word "thirty" and insert "twenty," so as to make the rate 20 per cent ad valorem on "all imitations of natural mineral waters, and all artificial mineral waters."

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Arkansas.

The amendment was agreed to.

Mr. CHANDLER. The Senator from Massachusetts [Mr. LODGE], not now in his seat, desires to offer an amendment at this point in the bill. I have sent for him, but in the meantime I send the amendment to the desk, and ask that it be read.

The PRESIDING OFFICER. The amendment proposed by the Senator from New Hampshire for the Senator from Massachusetts will be read.

The SECRETARY. It is proposed to strike out paragraph 249, and in lieu thereof to insert—

249. All mineral waters, and all imitations of natural mineral waters, and all artificial mineral waters not specially provided for in this act, in green or colored glass bottles, containing not more than 1 pint, 16 cents per dozen bottles; if containing more than 1 pint and not more than 1 quart, 25 cents per dozen bottles. But no separate duty shall be assessed upon the bottles. If imported otherwise than in plain green or colored glass bottles, or if imported in such bottles containing more than 1 quart, 20 cents per gallon, and in addition thereto duty shall be collected upon the bottles or other covering at the same rates that would be charged if imported empty or separately.

Mr. CHANDLER. If the Senator from Massachusetts does not come into the Chamber before I conclude the brief statement I desire to make, I shall ask that the paragraph may be passed over. He is engaged in performing a duty to which he has been assigned by direction of the Senate.

I notice that the present law puts a duty of 16 cents per dozen pint bottles on all mineral waters, which, I suppose, includes natural mineral waters. The committee not only reduce the duty on imitations of natural mineral waters and artificial mineral waters, but they propose to admit free of duty all natural mineral waters. I do not understand why it is necessary to relieve natural mineral waters from the payment of any duty whatever.

Mr. LODGE. Mr. President, the Senator from New Hamp-

shire was kind enough, during my temporary absence on business of the Senate, to offer an amendment which I desired to offer when this paragraph was reached, reimposing the rates of the McKinley act. Of course, this paragraph covers articles of consumption totally different from all the other articles in this schedule. It involves not only the important industry of natural mineral waters and the making of artificial mineral waters, but also many associated industries. I desire to read a letter stating the case, written by a gentleman largely engaged in this business. He is also an importer. So that, so far as he is immediately concerned, his business would not suffer; but he puts the case for the home manufacturer. He says:

BOSTON, *June 2, 1894.*

DEAR SIR: I wish you would place before the honorable Senate the following statement bearing upon the importation of mineral waters.

During the past twenty years the importation of mineral waters has increased to an enormous extent, and keeps increasing every year. This has seriously crippled the mineral-water industry of this country. The amount of money that leaves this country for those waters foots up to at least three quarters of a million dollars every year.

These imported waters are by no means superior to the waters we have in this country. We have the richest production of mineral waters, North, South, East, and West, that can be found in any part of the world. I can not understand why some check can not be put on the importation of foreign waters.

Several industries connected with the mineral-water trade have suffered seriously through this source, viz., the manufacture of mineral waters, manufacture of glass bottles, manufacture of mineral-water apparatus, the cork trade, label printing, etc., which would give thousands of skilled laborers employment in this country.

I wish to state here that we pay our employés from $10 to $30 per week, whereas in Germany, where the greater part of this water is manufactured, the same class of workmen receive from 6 to 18 marks per week (some receiving 1 mark per day, some as high as 3), or from about $1.50 to $4.50 per week. This is in the rural districts.

I am well acquainted with this subject, as I have been in Germany on three occasions and have traveled through those districts. Under such conditions it would be impossible for us engaged in the mineral-water business to compete with the importers, labor being so cheap there and high here, and the freight from Hamburg, Rotterdam, or any other port to this country is so low.

On that account instead of having the duty 30 per cent ad valorem, as it is in the Wilson bill, it should be 100 per cent, or in other words those waters should be prohibited altogether, as it is only a matter of fancy and luxury to use foreign waters in preference to our mineral waters here.

I hope you will make a strong argument in behalf of the mineral-water industry of this country, and also in behalf of the labor and industries in general, as in my judgment it is impossible for the country to exist in a prosperous state without a high tariff.

I remain yours, respectfully,

ROGER F. SCANNELL.

Hon. HENRY CABOT LODGE.

The writer of that letter is familiar with the entire business in all its aspects. Mineral springs, as he states, exist all over this country. Some are developed and some are undeveloped. They stand, so far as their value is concerned, on precisely the same ground as iron, or coal, or any other gift of nature of that character; and I can see absolutely no reason for drawing a distinction between mineral waters and coal or iron, which have both been given a large protective duty, whilst the duty proposed here on these mineral waters is absolutely insufficient. It will result in driving the native mineral waters from the market; it will also greatly diminish the associate industries, which are very numerous and employ a great many men.

It strikes not only the manufacturers of mineral water, but the manufacturers of glass bottles, which are made in this country for our own mineral waters, and it also strikes at the manufacturers of mineral-water apparatus, the label printing for bottles, and all the men engaged in every branch of the industry. If there could be any industry suggested entitled to a fair protection it certainly is this one. Mineral waters, if they are to be introduced and imported into this country, are a proper source of revenue. For that reason, Mr. President, I offer the amendment.

Mr. CHANDLER. Mr. President, reflection convinces me that mineral waters imported should pay a duty; that they should contribute to provide revenue for the Government and the general welfare of this country; and that they should also pay a duty as a protection to our own industries.

It is very evident from the letter read by the Senator from Massachusetts that the cost of the production of mineral waters is almost entirely a question of labor. The cost of producing foreign water for importation into this country is substantially all labor.

When I was in Carlsbad in 1889, where I saw them bottling the Carlsbad water for exportation to the United States, I inquired the price of labor and the kind of labor that they employed to do that work, and I was informed that full-grown men who did that work were paid a florin a day; that is, 40 cents. The same kind of labor for which 40 cents a day is paid in Carlsbad, according to my observation, would receive in this country from a dollar to a dollar and a half a day, and perhaps the more intelligent workmen engaged in bottling the mineral waters of this country would receive much more than that.

Mr. President, the taking the duty off of foreign mineral waters will simply flood the market with those mineral waters to the destruction of our mineral water industry. To be sure it is better that these waters should come in and supplant our own waters than that French brandies and vile compounds, like absinthe and other cordials, should come in and poison and destroy our people; but certainly the mineral waters which are produced by the cheap labor of Europe and other countries ought to have a duty imposed upon them out of regard to our own labor.

Mr. SHOUP. Mr. President, I desire to add a word to what has been said by the Senator from New Hampshire and the Senator from Massachusetts.

In Idaho the bottling of mineral waters has become a great industry. We have near the village of Soda Springs, on the line of the Oregon Short Line Railroad, several mineral springs which produce immense quantities of natural mineral water. The water is bottled, being naturally charged, and having as much life as the Apollinaris and other waters which are artificially charged.

The water of these springs find a market in Idaho, and they are also exported in large quantities into Montana, Oregon, Washington, and Utah, but the waters can not be shipped East on account of the heavy rates of transportation to Eastern points in this country, where they come in competition with the imported waters; and hence, in my opinion, a duty of 16 cents per 1 dozen pint bottles or 25 cents per dozen on quart bottles ought to be imposed on the imported waters.

As stated by the Senator from New Hampshire, and as I understand it, these imported natural mineral waters are a proper subject for the imposition of a duty, and in my opinion they are, of all waters, those which ought to pay a duty.

I will go further and say that artificial mineral waters should be required to be stamped "artificial mineral water" on the bottles, so as to prevent our people being deceived by them.

Mr. CHANDLER. May I ask the Senator what would be the cost in Idaho of the ordinary labor of adults that would be employed in bottling those waters? Would it be as low in any case as 40 cents a day for any kind of adult labor employed in that work?

Mr. SHOUP. Oh, no; nothing like it.

Mr. CHANDLER. What would probably be the labor cost in Idaho?

Mr. SHOUP. The probability is that the labor in such work there would cost from $1.50 to $2 a day.

Mr. HALE. Let me ask the Senator whether the mineral waters in his own State have not been proved by analysis and by use to be as good and as safe table waters as the mineral table waters of Europe?

Mr. SHOUP. I will say to the Senator that our waters are equal or superior to any waters of the kind in the world; and the mineral waters are bottled just as they come from our springs, requiring no artificial charging whatever. The difficulty is, as I have stated, that the rate of transportation from Idaho to New York is two or three times as much as the freight from Europe to the city of New York; and so our mineral waters are driven out of the Eastern market.

Mr. LODGE. I desire to emphasize the point which has been so strongly confirmed by the Senator from Idaho [Mr. SHOUP], that under this clause natural mineral waters, as I understand it—if I do not misread the clause—go upon the free list, and a duty of 30 per cent ad valorem is imposed on imitation mineral waters.

Mr. ALLISON. Let me call the attention of the Senator to the fact that before he came in the committee proposed an amendment reducing the duty of 30 per cent ad valorem to 20 per cent, which was agreed to.

Mr. LODGE. That I had not heard; but it only still further strengthens the point I make. Why should there be a duty on coal or a duty on iron ore and the refusal of a duty on mineral waters? We are opening these springs all over the country, and they are of great value, just as valuable as the European springs, and if they are stricken down and not allowed to be developed, while we have a duty on coal and iron, or if the duty on mineral waters is cut so low it will force men like my correspondent, whose letter I have read, who prefer to go on bottling the American mineral waters, to become solely importers. The result would be under this clause the practical destruction of the native industry and the forcing of these men into some other occupation.

Mr. CHANDLER. I should like to ask the Senator from Colorado [Mr. TELLER] whether water is not bottled at Colorado Springs, at Manitou, and also at Idaho Springs? When I was in Colorado in 1873 there was no habitation at the so-called soda springs at Manitou. There was a village at a place called Idaho Springs. I have been informed that since that time a large industry has grown up in the bottling of those waters. I should like the Senator to state whether that is so or not. I call his at-

tention to the fact that mineral water is to be admitted free under the provisions of this bill, and I should like the Senator to state what the price of labor would be in Colorado to-day employed in bottling those waters?

Mr. TELLER. Natural mineral water is bottled at Manitou in large quantities, and it is also bottled at two or three other places in the State—not at Idaho Springs now; that, I understand, has been discontinued; but quite a large industry has grown up in the bottling of natural waters, and it is being extended to a great many springs; though in my State there are many springs which have never been touched.

The labor cost in Colorado, as a rule, is nearly double what it is in the country east of the Alleghanies.

Mr. VEST. I can not understand why there is any complaint in the duties proposed in this bill on artificial mineral waters. As I understand, we are not now discussing the natural mineral waters.

Mr. FRYE. There is an amendment offered by the Senator from Massachusetts [Mr. LODGE] to include natural mineral waters.

Mr. VEST. I did not know that.

The PRESIDING OFFICER. The amendment offered by the Senator from Massachusetts is to impose a duty on natural mineral waters.

Mr. VEST. I beg pardon. In 1890, after a debate which I remember very well, both by Republican and Democratic votes, all natural mineral waters were put upon the free list, and they remain there to-day under the existing law.

Mr. LODGE. The amendment that I offered is the same as the provision in the McKinley act.

Mr. VEST. I understand the Senator has offered an amendment; but I am speaking now of the existing legislation. Under the McKinley act all mineral waters, not artificial, were put on the free list.

Mr. HALE. They are on the free list in the McKinley act?

Mr. VEST. Yes; and I recollect very well the debate in which Apollinaris water figured very conspicuously.

Mr. LODGE. The McKinley act says:

All mineral waters, and all imitations of natural mineral waters.

It includes both.

Mr. VEST. If the Senator will turn to the free list in the McKinley act he will find that all mineral waters not artificial are on the free list.

Mr. LODGE. The mineral waters "not otherwise provided for," I suppose are on the free list; but these are otherwise provided for here.

Mr. VEST. Then I am worse mistaken than I have ever been in my life, and I have at times been badly mistaken. I read paragraph 650 of the McKinley act, which is part of the free list:

Mineral waters, all not artificial.

I remember the debate very well, and it was one of the very few things about which both sides of the Chamber seemed to agree in 1890. The Senator from Rhode Island [Mr. ALDRICH] remembers it.

The imitation waters under the McKinley act, in bottles containing not more than one pint, pay a duty of 22.59 per cent; artificial mineral waters, in bottles containing more than one pint and less than one quart, 19.52 per cent; and artificial mineral waters and waters in bottles containing more than one quart, 24 per cent.

The bill as it came from the House of Representatives put 30 per cent, or an increase of 8 per cent, over the first and 11 per cent over the second classification. We simply brought it down to the equivalent in the McKinley act, as it now is, of 20 per cent, which is a fair duty. Unless the Senate has changed its mind materially as to putting mineral waters on the dutiable list, the provision in this bill is right.

Mr. SHOUP. Mr. President, I desire to say a word.

The PRESIDING OFFICER. The Chair will state that the understanding has been that the Senate was proceeding under the five-minute rule. While there has been some transgression of the rule, as the Chair understands, the Senator can not speak a second time upon the same amendment.

Mr. VEST. I hope the Senator will be allowed to proceed.

The PRESIDING OFFICER. If there be no objection, the Senator from Idaho will proceed. The Chair hears none.

Mr. SHOUP. Mr. President, in 1890 I made inquiry as to the amount of water brought in and shipped from Idaho springs, in the State of Idaho, and I was informed by the agent that in 1889 535,000 bottles had been shipped. The same authority states that about a million bottles or 250,000 gallons had been shipped in 1890.

I have some recent data at my hotel which I should like to present to the Senate. I therefore ask that this paragraph may go over until to-morrow to enable me to produce them.

Mr. VEST. Would the Senator not just as soon have the matter considered when the bill is reported to the Senate? We do not like to leave a gap and go back in the bill again. The Senator can bring the matter up when the bill is reported to the Senate.

Mr. HARRIS. The question will be quite as open then as it is now.

Mr. SHOUP. Very well.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Massachusetts [Mr. LODGE].

Mr. LODGE. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BRICE (when his name was called). I am paired with the junior Senator from Colorado [Mr. WOLCOTT].

Mr. DANIEL (when his name was called). I am paired with the Senator from Washington [Mr. SQUIRE].

Mr. LODGE (when his name was called). I am paired with the Senator from New York [Mr. HILL]. If he were present, I should vote "yea."

Mr. MILLS (when his name was called). I am paired with the Senator from New Hampshire [Mr. GALLINGER], and shall not vote unless it be necessary to make a quorum.

Mr. MORRILL (when his name was called). I am paired with the Senator from Florida [Mr. CALL], and therefore withhold my vote.

Mr. PATTON (when his name was called). I again announce my pair with the Senator from Maryland [Mr. GIBSON]. If he were present I should vote "yea."

The roll call was concluded.

Mr. GORDON. By an arrangement with the junior Senator from Massachusetts [Mr. LODGE], I transfer my pair with the Senator from Iowa [Mr. WILSON] to the Senator from New York [Mr. HILL], and vote "nay."

Mr. LODGE. Then I vote "yea."

Mr. MITCHELL of Wisconsin. I am paired with the Senator from Wyoming [Mr. CAREY]. If he were present I should vote "nay."

Mr. MITCHELL of Oregon. I am paired with the Senator from Wisconsin [Mr. VILAS]. If he were here I should vote "yea."

Mr. PLATT. I am paired with the Senator from Virginia [Mr. HUNTON]. I should vote "yea" if he were present.

Mr. MORGAN (after having voted in the negative). I withdraw my vote. I am paired with the Senator from Pennsylvania [Mr. QUAY], who, I observe, has not voted.

The result was announced—yeas 20, nays 26; as follows:

YEAS—20.

Aldrich,	Dolph,	Hoar,	Perkins,
Allison,	Dubois,	Lodge,	Shoup,
Chandler,	Frye,	McMillan,	Squire,
Cullom,	Hale,	Manderson,	Teller,
Dixon,	Higgins,	Peffer,	Washburn.

NAYS—26.

Berry,	George,	McLaurin,	Smith,
Blackburn,	Gordon,	McPherson,	Vest,
Blanchard,	Gray,	Martin,	Voorhees,
Caffery,	Harris,	Murphy,	Walsh,
Cockrell,	Jarvis,	Pasco,	White.
Coke,	Jones, Ark.	Pugh,	
Daniel,	Lindsay,	Roach,	

NOT VOTING—30.

Allen,	Gallinger,	Mills,	Proctor,
Bate,	Gibson,	Mitchell, Oregon	Quay,
Brice,	Gorman,	Mitchell, Wis.	Ransom,
Butler,	Hansbrough,	Morgan,	Sherman,
Call,	Hawley,	Morrill,	Stewart,
Camden,	Hill,	Palmer,	Turpie,
Cameron,	Hunton,	Patton,	Vilas,
Carey,	Irby,	Pettigrew,	Wilson,
Davis,	Jones, Nev.	Platt,	Wolcott.
Faulkner,	Kyle,	Power,	

So the amendment was rejected.

The PRESIDING OFFICER. The reading of the bill will proceed.

The Secretary read as follows:

SCHEDULE I—COTTON MANUFACTURES.

250. Cotton thread, yarn, warps, or warp yarn, whether single or advanced beyond the condition of single by grouping or twisting two or more single yarns together, whether on beams or in bundles, skeins, or cops, or in any other form, except spool-thread of cotton, hereinafter provided for, valued at not exceeding 12 cents per pound, 20 per cent ad valorem; valued at over 12 cents per pound and not exceeding 20 cents per pound, 25 per cent ad valorem; valued at over 20 cents per pound and not exceeding 30 cents per pound, 30 per cent ad valorem: valued at over 30 cents per pound and not exceeding 40 cents per pound, 35 per cent ad valorem; valued at over 40 cents per pound, 40 per cent ad valorem.

Mr. JONES of Arkansas. I move to strike out the paragraph which has just been read, and to insert in lieu of it what I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. It is proposed to strike out paragraph 250, and insert:

Cotton thread and carded yarn, warps or warp yarn, in singles, whether on beams or in bundles, skeins or cops, or in any other form, except spool thread of cotton hereinafter provided for, not colored, bleached, dyed, or advanced beyond the condition of singles by grouping or twisting two or more single yarns together, 3 cents per pound on all numbers up to and including No. 15, one-fifth of a cent per number per pound on all numbers exceeding No. 15 and up to and including No. 30, and one-quarter of a cent per number per pound on all numbers exceeding No. 30; colored, bleached, dyed, combed or advanced beyond the condition of singles by grouping or twisting two or more single yarns together, whether on beams, or in bundles, skeins or cops, or in any other form, except spool thread of cotton hereinafter provided for, 6 cents per pound on all numbers up to and including No. 20, and on all numbers exceeding No. 20 three-tenths of a cent per number per pound: *Provided, however*, That in no case shall the duty levied exceed 8 cents per pound on yarns valued at not exceeding 25 cents per pound, nor exceed 15 cents per pound on yarns valued at over 25 cents per pound and not exceeding 40 cents per pound: *And provided further*, That on all yarns valued at more than 40 cents per pound there shall be levied, collected, and paid a duty of 45 per cent ad valorem.

The amendment was agreed to.

The PRESIDING OFFICER (Mr. PASCO in the chair). The reading of the bill will be continued.

The Secretary read as follows:

251. Spool thread of cotton, containing on each spool not exceeding 100 yards of thread, 4½ cents per dozen; exceeding 100 yards on each spool, for every additional 100 yards of thread or fractional part thereof in excess of 100 yards, 4½ cents per dozen spools.

Mr. JONES of Arkansas. There are certain amendments to that paragraph I desire to propose, which I send to the desk.

The PRESIDING OFFICER. The amendment proposed by the Senator from Arkansas will be stated.

The SECRETARY. On page 58, line 25, paragraph 251, after the word "thread," it is proposed to strike out "four and one-half" and insert "five and one-half;" and in line 4, on page 59, before the word "cents," to strike out "four and one-half" and insert "five and one-half;" so as to read:

251. Spool thread of cotton, containing on each spool not exceeding 100 yards of thread, 5½ cents per dozen; exceeding 100 yards on each spool, for every additional 100 yards of thread or fractional part thereof in excess of 100 yards, 5½ cents per dozen spools,

The amendment was agreed to.

The PRESIDING OFFICER. The reading of the bill will proceed.

The Secretary read as follows:

252. Cotton cloth not bleached, dyed, colored, stained, painted, or printed, and not exceeding fifty threads to the square inch, counting the warp and filling, 1 cent per square yard; if bleached, 1½ cents per square yard; if dyed, colored, stained, painted, or printed, 2 cents per square yard.

253. Cotton cloth, not bleached, dyed, colored, stained, painted, or printed, exceeding 50 and not exceeding 100 threads to the square inch, counting the warp and filling, 1½ cents per square yard; if bleached, 1½ cents per square yard; if dyed, colored, stained, painted, or printed, 2¾ cents per square yard: *Provided*, That on all cotton cloth not exceeding 100 thread to the square inch, counting the warp and filling, not bleached, dyed, colored, stained, painted, or printed, valued at over 6½ cents per square yard, 20 per cent ad valorem; bleached, valued at over 9 cents per square yard, 25 per cent ad valorem; and dyed, colored, stained, painted, or printed, valued at over 12 cents per square yard, there shall be levied, collected, and paid a duty of 30 per cent ad valorem.

Mr. JONES of Arkansas. I move to strike out paragraph 253, and insert what follows in small type.

The SECRETARY. It is proposed to strike out paragraph 253 and insert:

253. Cotton cloth, not bleached, dyed, colored, stained, painted, or printed, exceeding 50 and not exceeding 100 threads to the square inch, counting the warp and filling, and not exceeding 6 square yards to the pound, 1½ cents per square yard; exceeding 6 and not exceeding 9 square yards to the pound, 1½ cents per square yard; exceeding 9 square yards to the pound, 1⅞ cents per square yard; if bleached and not exceeding 6 square yards to the pound, 1½ cents per square yard; exceeding 6 and not exceeding 9 square yards to the pound, 1⅞ cents per square yard; exceeding 9 square yards to the pound, 2½ cents per square yard; if dyed, colored, stained, painted, or printed, and not exceeding 6 square yards to the pound, 2½ cents per square yard; exceeding 6 and not exceeding 9 square yards to the pound, 3½ cents per square yard; exceeding 9 square yards to the pound, 3⅞ cents per square yard: *Provided*, That on all cotton cloth not exceeding 100 threads to the square inch, counting the warp and filling, not bleached, dyed, colored, stained, painted, or printed, valued at over 7 cents per square yard, 25 per cent ad valorem; bleached, valued at over 9 cents per square yard, 25 per cent ad valorem; and dyed, colored, stained, painted, or printed, valued at over 12 cent per square yard, there shall be levied, collected, and paid a duty of 30 per cent ad valorem.

The amendment was agreed to.

The PRESIDING OFFICER. The reading of the bill will proceed.

The Secretary read as follows:

254. Cotton cloth, not bleached, dyed, colored, stained, painted, or printed, exceeding 100 and not exceeding 150 threads to the square inch, counting the warp and filling, 1½ cents per square yard; if bleached, 2½ cents per square yard; if dyed, colored, stained, painted, or printed 3½ cents per square yard: *Provided*, That on all cotton cloth exceeding 100 and not exceeding 150 threads to the square inch, counting the warp and filling, including all cotton duck, not bleached, dyed, colored, stained, painted, or printed, valued at over 7½ cents per square yard, 25 per cent ad valorem; bleached, including all cotton duck, valued at over 10 cents per square yard, 30 per cent ad valorem; dyed, colored, stained, painted, or printed, valued at over 12½ cents per square yard, there shall be levied, collected, and paid a duty of 35 per cent ad valorem.

Mr. JONES of Arkansas. I move to strike out that paragraph, and insert what follows in small type.

The PRESIDING OFFICER. The amendment proposed by the Senator from Arkansas will be read.

The Secretary read as follows:

254. Cotton cloth, not bleached, dyed, colored, stained, painted, or printed, exceeding 100 and not exceeding 150 threads to the square inch, counting the warp and filling, and not exceeding 4 square yards to the pound, 1½ cents per square yard; exceeding 4 and not exceeding 6 square yards to the pound, 2 cents per square yard; exceeding 6 and not exceeding 8 square yards to the pound, 2½ cents per square yard; exceeding 8 square yards to the pound, 2¾ cents per square yard; if bleached, and not exceeding 4 square yards to the pound, 2½ cents per square yard; exceeding 4 and not exceeding 6 square yards to the pound, 3 cents per square yard; exceeding 6 and not exceeding 8 square yards to the pound, 3½ cents per square yard; exceeding 8 square yards to the pound, 3¾ cents per square yard; if dyed, colored, stained, painted, or printed, and not exceeding 4 square yards to the pound, 3½ cents per square yard; exceeding 4 and not exceeding 6 square yards to the pound, 3¾ cents per square yard; exceeding 6 and not exceeding 8 square yards to the pound, 4½ cents per square yard; exceeding 8 square yards to the pound, 4½ cents per square yard: *Provided*, That on all cotton cloth exceeding 100 and not exceeding 150 threads to the square inch, counting the warp and filling, not bleached, dyed, colored, stained, painted, or printed, valued at over 9 cents per square yard, 30 per cent ad valorem; bleached, valued at over 11 cents per square yard, 35 per cent ad valorem; dyed, colored, stained, painted or printed, valued at over 12½ cents per square yard, there shall be levied, collected, and paid a duty of 35 per cent ad valorem.

The amendment was agreed to.

The PRESIDING OFFICER. The Chair calls the attention of the Senator from Arkansas to line 12, and suggests that the word "pounds" should be "pound."

Mr. JONES of Arkansas. It is not printed that way in the copy of the bill I have, but if it is so printed in any other copy, it should be corrected.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In line 12, it is proposed to strike out the the word "pounds" and insert "pound."

The PRESIDING OFFICER. The amendment will be made in the absence of objection.

The Secretary read as follows:

255. Cotton cloth, not bleached, dyed, colored, stained, painted, or printed, exceeding 150 and not exceeding 200 threads to the square inch, counting the warp and filling, 2 cents per square yard; if bleached, 2½ cents per square yard; if dyed, colored, stained, painted, or printed, 4½ cents per square yard: *Provided*, That on all cotton cloth exceeding 150 and not exceeding 200 threads to the square inch, counting the warp and filling, not bleached, dyed, colored, stained, painted, or printed, valued at over 8 cents per square yard, 30 per cent ad varorem; bleached, valued at over 10 cents per square yard, 35 per cent ad valorem; dyed, colored, stained, painted, or printed, valued at over 12 cents per square yard, there shall be levied, collected, and paid a duty of 40 per cent ad valorem.

Mr. HOAR. I suggest to the Senator from Arkansas that there is no occasion for reading the text which is to be stricken out. I ask unanimous consent that it may be passed over.

The PRESIDING OFFICER. If there be no objection, it will be so ordered. The Chair hears none.

Mr. JONES of Arkansas. I move to strike out paragraph 255, and insert what follows in small type.

The PRESIDING OFFICER. The amendment proposed by the Senator from Arkansas will be stated.

The SECRETARY. It is proposed to strike out paragraph 255 and insert:

255. Cotton cloth not bleached, dyed, colored, stained, painted, or printed, exceeding 150 and not exceeding 200 threads to the square inch, counting the warp and filling, and not exceeding 3½ square yards to the pound, 2 cents per square yard; exceeding 3½ and not exceeding 4½ square yards to the pound, 2¼ cents per square yard; exceeding 4½ and not exceeding 6 square yards to the pound, 3 cents per square yard; exceeding 6 square yards to the pound, 3½ cents per square yard; if bleached, and not exceeding 3½ square yards to the pound, 2½ cents per square yard; exceeding 3½ and not exceeding 4½ square yards to the pound, 3½ cents per square yard; exceeding 4½ and not exceeding 6 square yards to the pound, 4 cents per square yard; exceeding 6 square yards to the pound, 4½ cents per square yard; if dyed, colored, stained, painted, or printed, and not exceeding 3½ square yards to the pound, 4½ cents per square yard; exceeding 3½ and not exceeding 4½ square yards to the pound, 4½ cents per square yard; exceeding 4½ and not exceeding 6 square yards to the pound, 4½ cents per square yard; exceeding 6 square yards to the pound, 5 cents per square yard: *Provided*, That on all cotton cloth exceeding 150 and not exceeding 200 threads to the square inch, counting the warp and filling, not bleached, dyed, colored, stained, painted, or printed, valued at over 10 cents per square yard, 35 per cent ad valorem; bleached, valued at over 12 cents per square yard, 35 per cent ad valorem; dyed, colored, stained, painted, or printed, valued at over 12½ cents per square yard, there shall be levied, collected, and paid a duty of 40 per cent ad valorem.

The PRESIDING OFFICER. The question is on the adoption of the amendment offered by the Senator from Arkansas [Mr. JONES].

The amendment was agreed to.

The next paragraph of the bill was read, as follows:

256. Cotton cloth, not bleached, dyed, colored, stained, painted, or printed, exceeding 200 threads to the square inch, counting the warp and filling, 3 cents per square yard; if bleached, 4 cents per square yard; if dyed, colored, stained, painted, or printed, 5½ cents per square yard: *Provided*, That on all such cotton cloths not bleached, dyed, colored, stained, painted, or printed, valued at over 10 cents per square yard, 30 per cent ad valorem; bleached, valued at over 12 cents per square yard, 35 per cent ad valorem; and dyed, colored, stained, painted, or printed, valued at over 15 cents per square yard, there shall be levied, collected, and paid a duty of 40 per cent ad valorem.

Mr. JONES of Arkansas. I move to strike out that paragraph and insert what is in small type below.

The SECRETARY. It is proposed to strike out paragraph 256 and insert:

256. Cotton cloth not bleached, dyed, colored, stained, painted, or printed, exceeding 200 threads to the square inch, counting the warp and filling, and not exceeding 2½ square yards to the pound, 3 cents per square yard; exceeding 2½ and not exceeding 3½ square yards to the pound, 3½ cents per square yard; exceeding 3½ and not exceeding 5 square yards to the pound, 4 cents per square yard; exceeding 5 square yards to the pound, 4½ cents per square yard; if bleached, and not exceeding 2½ square yards to the pound, 4 cents per square yard; exceeding 2½ and not exceeding 3½ square yards to the pound, 4½ cents per square yard; exceeding 3½ and not exceeding 5 square yards to the pound, 5 cents per square yard; exceeding 5 square yards to the pound, 5½ cents per square yard; if dyed, colored, painted, or printed, and not exceeding 3½ square yards to the pound, 5½ cents per square yard; exceeding 3½ square yards to the pound, 6½ cents per square yard: *Provided*, That on all such cotton cloths not bleached, dyed, colored, stained, painted, or printed, valued at over 12 cents per square yard: bleached, valued at over 14 cents per square yard; and dyed, colored, stained, painted, or printed, valued at over 16 cents per square yard, there shall be levied, collected, and paid a duty of 35 per cent ad valorem.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Arkansas.

The amendment was agreed to.

The PRESIDING OFFICER. The reading of the bill will proceed.

The Secretary read as follows:

257. The term cotton cloth, or cloth, wherever used in the foregoing paragraph of this schedule, shall be held to include all woven fabrics of cotton in the piece, whether figured, fancy, or plain, not specially provided for in this act, the warp and filling threads of which can be counted by unraveling or other practicable means.

258. Clothing ready made, and articles of wearing apparel of every description, handkerchiefs, and neckties or neckwear composed of cotton or other vegetable fiber, or of which cotton or other vegetable fiber is the component material of chief value, made up or manufactured wholly or in part by the tailor, seamstress, or manufacturer, all of the foregoing not specially provided for in this act, 40 per cent ad valorem.

259. Plushes, velvets, velveteens, corduroys, and all pile fabrics composed of cotton or other vegetable fiber, not bleached, dyed, colored, stained, painted, or printed, 35 per cent ad valorem; on all such goods, if bleached, dyed, colored, stained, painted, or printed, 40 per cent ad valorem.

Mr. JONES of Arkansas. In line 23 of paragraph 259 I move to strike out the word "thirty-five" and insert "forty;" so as to read "40 per cent ad valorem."

The amendment was agreed to.

Mr. JONES of Arkansas. In line 24, I move to insert the words "seven and a half;" so as to read "47½ per cent ad valorem."

The amendment was agreed to.

The PRESIDING OFFICER. The reading of the bill will proceed.

The Secretary read as follows:

260. Chenille curtains, table covers, and all goods manufactured of cotton chenille, or of which cotton chenille forms the component material of chief value, 40 per cent advalorem.

Mr. JONES of Arkansas. I move to insert what follows in small type.

The PRESIDING OFFICER. The amendment proposed by the Senator from Arkansas will be stated.

The SECRETARY. It is proposed to add to paragraph 260:

Sleeve linings or other cloths, composed of cotton and silk, whether known as silk stripe sleeve lining, silk stripes, or otherwise, 45 per cent ad valorem.

The amendment was agreed to.

The PRESIDING OFFICER. The reading of the bill will proceed.

The Secretary read as follows:

261. Stockings, hose, and half-hose, made on knitting machines or frames, composed of cotton or other vegetable fiber and not otherwise specially provided for in this act, and shirts and drawers composed of cotton, valued at not more than $1.50 per dozen, 30 per cent ad valorem.

Mr. JONES of Arkansas. I move to strike out the words included in brackets.

The PRESIDING OFFICER. The amendment proposed by the Senator from Arkansas will be stated.

The SECRETARY. After the word "act," in line 9, it is proposed to strike out "and shirts and drawers composed of cotton, valued at not more than $1.50 per dozen."

The amendment was agreed to.

The PRESIDING OFFICER. The reading of the bill will proceed.

The Secretary read as follows:

262. Stockings, hose and half-hose, selvedged, fashioned, narrowed, or shaped wholly or in part by knitting machines or frames, or knit by hand, including such as are commercially known as seamless or clocked stockings, hose or half-hose, all of the above composed of cotton or other vegetable fiber, finished or unfinished, 40 per cent ad valorem.

Mr. JONES of Arkansas. In line 16 I move to strike out "clock" and insert "clocked." It should be "clocked stockings." It is a misprint.

The amendment was agreed to.

Mr. JONES of Arkansas. In line 17 I move to insert the words "and knitted shirts or drawers."

The amendment was agreed to.

Mr. JONES of Arkansas. In line 18; I move to strike out "forty" and insert "forty-five;" so as to read "45 per cent ad valorem."

The amendment was agreed to.

The PRESIDING OFFICER. The reading of the bill will proceed.

The Secretary read as follows:

263. Cords, braids, boot, shoe, and corset lacings, tape, gimps, galloons, webbing, goring, suspenders, and braces, made of cotton or other vegetable fiber, and whether composed in part of India rubber or otherwise, and cotton damask, in the piece or otherwise, 35 per cent ad valorem.

Mr. JONES of Arkansas. I move to strike out that paragraph, and insert what I send to the desk.

The PRESIDING OFFICER. The amendment proposed by the Senator from Arkansas will be stated

The SECRETARY. It is proposed to strike out paragraph 263, and insert:

263. Cords, braid, boot, shoe, and corset lacings, tapes, gimps, galloons, webbing, goring, suspenders, and braces, woven, braided, or twisted lamp or candle wicking, lining for bicycle tires, spindle binding, any of the above made of cotton or other vegetable fiber and whether composed in part of India rubber or otherwise, 45 per cent ad valorem.

The amendment was agreed to.

Mr. LODGE. Did I understand the amendment offered by the Senator from Arkansas omitted entirely "cotton damask"?

Mr. JONES of Arkansas. That is to be included in the following paragraph.

Mr. LODGE. It is to be offered as a separate paragraph?

Mr. JONES of Arkansas. It is to be offered as an amendment to follow the words "cotton duck," in the first line of the next paragraph.

The PRESIDING OFFICER. The reading of the bill will proceed.

The Secretary read as follows:

264. All manufactures of cotton not specially provided for in this act, including cloth having India rubber as a component material, 35 per cent ad valorem.

Mr. JONES of Arkansas. I move to insert after the word "cotton," in the first line of the paragraph, the words "including cotton duck and cotton damask in the piece, or otherwise."

Mr. DOLPH. I desire to be heard upon that amendment.

Mr. President, of all the surprises during the progress of the bill this is the greatest. Here is one of the most important schedules in the bill, which covers ten pages of closely printed matter, and it has been substantially disposed of in thirty minutes. The Senate was for many days discussing the question of the proposed amendment of the committee fixing the time when the bill should take effect, and other comparatively trivial matters have occupied the time of the Senate for days.

Now, we are disposing of the cotton schedule, embracing ten pages of the bill, vital to a great industry of all the New England States, and my vigilant and aggressive friend from Rhode Island [Mr. ALDRICH] has not opened his mouth. No objection has been made to a single line or provision of the schedule. My friend from Massachusetts [Mr. HOAR], who has taken so able and instructive a part in this discussion is silent, and even my friend from New Hampshire [Mr. CHANDLER] is not in the Chamber.

Mr. HOAR. Will my friend from Oregon allow me to tender him my profound thanks and gratitude? For the first time in my life I have been commended for not opening my mouth, and I want it recorded. [Laughter.]

Mr. DOLPH. Mr. President, this silence is significant, and I want to know what it means. I want to know why my friend from Rhode Island, representing so many of the great cotton manufactories in that State, is silent now; I want to know why my friend from Connecticut [Mr. PLATT], who has been so vigilant in looking after the interests of his State, is absent. There is but one conclusion, and that is that this schedule is satisfactory to the cotton manufacturers. Why is it? Is it because the Democratic majority have abandoned its platform and its principles? Why have we not heard during the consideration of this schedule something about the profits of the cotton manufacturers? Why have we not heard some denunciation of the robber barons manufacturing cotton?

If our Democratic friends have abandoned their position, if they have gone astray from their platform, if they have become afraid of their principles, and know that to destroy this great industry would not only destroy the prosperity of the country, but destroy the Democratic party, I congratulate them on their conversion to the doctrine of protection. I can tell better whether that is the case when we reach the woolen schedule.

If I find in the woolen schedule that the woolen manufacturers of New England have been treated as liberally as the cotton manufacturers, I shall say that is conclusive proof that our friends have abandoned their position on the tariff in regard to the cotton manufactures of this country. If I find, on the contrary, that the provisions of the woolen schedule are not satis-

factory to the New England Senators, and that they will claim that the provisions of that schedule will destroy the woolen manufactures in their States, then, sir, I shall know that the action of the majority concerning this schedule is because cotton is a product of the South; then I shall know that the reason for fixing this cotton schedule so that it is satisfactory to New England, is because cotton manufacturing is an industry of the South.

Mr. President, I repeat that I am amazed that the cotton schedule, covering ten pages of the bill, should have been read and substantially passed in thirty minutes, and not a New England Senator opening his mouth to protest against its provisions. The Senator from Colorado [Mr. TELLER] asks me why should they, as it is satisfactory to them. How and why has it become satisfactory? Who was it that secured these satisfactory provisions? I can not, I do not believe that New England and the South have combined, that there has been any agreement between New England and the Democratic majority in regard to the progress or the final disposition of this bill which secured this result.

There must be some reason not apparent. Why is it that our friends have so suddenly changed front? Wy is it that protective duties are given to manufacturers of cotton? I understand the general reduction in this schedule will not be over 30 per cent upon the duties imposed by the McKinley law, and under the changed conditions of the country, with the fall in prices, no doubt the duties to be levied by this schedule, when it becomes a law, will be nearly equivalent to those in the McKinley law.

The Pacific coast is discriminated against, as we have no cotton manufactures. I should like to know why it is that the great industries of my State are to be destroyed and the industries of New England are to be protected; and some of the rest of us should like to know the reason why. I disclaim all idea that there has been any agreement between New England and the majority of the Senate concerning this schedule by which the final disposition of the bill is to be effected or the time when the bill shall be voted upon determined.

If I find the woolen schedule has not been dealt as fairly with, I shall believe that it is because the Democratic majority in this body has come to the conclusion that the South has an interest in cotton manufactures, and desires to preserve the home market for its cotton, and to protect its cotton manufacturers. I am glad that this industry has been protected and provided for. I should have voted for any increase of duties if it had been desired by the New England Senators, just as I voted on my own motion not to put rice in the same category with wheat and other agricultural products of the North. I believe in protection. I am willing to protect every industry, but I should like to know what is the secret of this matter, the reason why the cotton schedule has been dealt with as it has.

I desire to call the attention of the Senate and of the country to the fact that the Democratic majority, which has been denouncing the manufacturers of this country, and is seeking to destroy the agricultural industries of the country, to destroy the woolgrowing industry, and to put our laborers engaged in producing agricultural products on a level with the laborers of the rest of the world, and which proposes to put lumber on the free list, has presented here a cotton schedule that is so satisfactory to New England that not a New England Senator has opened his mouth to protest against it.

The PRESIDING OFFICER. The question is on the adoption of the amendment proposed by the Senator from Arkansas.

Mr. ALDRICH. I ought to say a word in answer to the suggestions made by the Senator from Oregon. I will say that the rates in the schedule are reduced, I should think, about 30 per cent upon the average below those imposed by the act of 1890.

Mr. DOLPH. I should like to have the Senator state the average imposed by the McKinley law and also by this bill, so that we may know.

Mr. ALDRICH. The average rate imposed by the act of 1890 upon cotton cloth, as shown by the imports of 1893, was about 55 per cent ad valorem. It is reduced by this bill, I think, to about 40 per cent ad valorem.

Mr. DOLPH. The Senator means, then, 30 per cent on the rates of duty, and not 30 per cent on the price of the goods. There was a controversy between the Senator from Missouri and the Senator from California the other day. The Senator from California was using the same comparison that the Senator from Rhode Island uses, and I saw the Senator from Missouri had reference to the percentage on the cost of the goods. But what the Senator from Rhode Island now means to say is that there has been a 30 per cent reduction on the duty; that is, that the difference between the duty as imposed under the McKinley law and a sproposed by this bill would be about 30 per cent of the duty under the McKinley law.

Mr. ALDRICH. That is the statement exactly.

Mr. DOLPH. I rose simply to call attention to the fact, after the controversy between the Senator from California and the Senator from Missouri, for one had one in mind and the other had another.

Mr. ALDRICH. I will state that aside from this reduction, this schedule, which was prepared by a number of manufacturers of Fall River so far as the price of cloth is concerned, is perhaps the most scientific schedule that has ever been prepared upon the subject. The rates are lower than the manufacturers of New England or the people interested in the manufacture of cotton throughout the country desire, but so far as the method of representing the rate is concerned it is most satisfactory.

I realize, as all the other Senators from New England do, that it is impossible to have the rates fixed in accordance with our notions. If that had been possible I certainly should have moved an amendment to every paragraph on the schedule, but I recognize the inevitable. I think that the committee deserves the thanks of the cotton manufacturers of the country, certainly, for having consented to an arrangement which, while the duties are not high enough, is perfectly satisfactory as to the methods by which they are levied.

Mr. GEORGE. How do they compare with the McKinley duties?

Mr. ALDRICH. I think they average about 30 per cent lower than the McKinley duties, and I suppose that is about the average reduction which is made throughout the bill. I trust this explanation will be satisfactory to my friend from Oregon as to the reasons why the New England Senators did not antagonize the schedule.

Mr. HOAR. The Senator from Oregon has not observed perhaps that the only question before the Senate upon these paragraphs is not the question of their adoption, but whether certain amendments to the House provisions should be adopted; and while those amendments do not raise the duty, they do make a scale fixing the duty which is more specific in its effect on the product in proportion to the labor. Instead of having one gross, sweeping provision by which there is a per cent ad valorem, as the House proposed, on articles that are 95 per cent labor and articles that are 30 or 40 per cent labor, the committee have granted an amendment which does not increase the rate of duty at all, I understand, but which does make a little more fitting adaptation of the duty to the amount of labor in the particular product.

Now, I think he would be a very strange Senator from New England or from the North anywhere who when that amendment is the only question should get up and undertake to make a long debate over it. It is remarkable while the whole proceeding was going on, the eloquent and resonant voice of the Senator from Oregon, which we so delight to hear, whether it utters the opinion of the Senator himself or utters the opinion of the State of Oregon which loves and trusts him, was also silent. We all agreed, I and the Senator from Rhode Island, and all were of the same opinion that the schedule as proposed should pass without discussion. I do not think the Senator from Oregon has had occasion to complain of any New England Senator, certainly not any Senator from Massachusetts, that he did not free his mind about the general wickedness of this bill; and I do not think my honorable friend will have occasion to do so in the future if he shall hear some few remarks I have been proposing to make when I get the floor.

I will inform the Senator, so far as the woolen schedule is concerned, that any proposition which does not take as good care of wool and of lumber as of any article in the cotton schedule, will be opposed by me as vigorously as I know how to oppose it; it will be attacked in argument as vigorously as I know how to attack it; it will be denounced on the stump hereafter as vigorously as I can denounce it; and it will be repealed in about two years, when the Republicans get into power; and I hope I may possibly help to repeal it.

Mr. DOLPH. I did not intend to complain of the Senators from New England. I drew the inference that they were satisfied with the schedule.

Mr. HOAR. With the amendments. We are very much dissatisfied with the schedule.

Mr. DOLPH. I drew the inference that they were satisfied with the amendments. It is no answer for the Senator from Massachusetts to say that the only question before the Senate was whether certain amendments proposed should be adopted. If those amendments were not satisfactory they were open to amendment, and if they had not been satisfactory the Senators from New England interested in cotton manufactures would have moved an increase of duties; but the amendments were so satisfactory that the Senators held their peace. I discussed the relations of the Senators from New England to this industry far enough to draw the conclusion that the cotton schedule had been reasonably satisfactory to the cotton manufacturer. I did that

for the purpose of then asking the majority why these cotton manufacturers had been so dealt with.

Mr. President, I have not complained of the manner in which the Senators from New England have discussed or voted upon questions in which my constituents are interested. My constituents are not especially interested in the question of cotton manufacture. We raise no cotton, and we manufacture none, I think; at least, we manufacture no cotton cloth in the State of Oregon. We are interested in the question of protecting cotton industries just as we are interested in protecting every industry of the country, because, as I have stated more than once on this floor, every industry in the country is intimately connected, and you can not strike down the cotton industry unless you strike a blow at the prosperity of Oregon; and you can not strike down the woolen industry and the woolgrowing industry unless you strike a blow at every industry in the United States and all the people of the United States.

Not only the States of the Union are so connected by interest, the people of the States of the Union are so connected, the industries of the country are so connected, the different classes of our population are so connected that you can not strike a blow at any industry in this country unless it falls upon every State of the Union, upon every industry of the Union, and every class of our citizens.

I did not feel called upon to move an amendment to any of the rates proposed in the cotton schedule. As I said, it is not an industry of my State, and if the Senators from New England are satisfied with it, that is all I desire. I said I am glad of their good fortune, and that all I should like for them to tell me is how this was brought about?

I should like to know the agencies, I should like to know the arguments, I should like to know the inducements, because I want to apply those agencies and use those inducements to protect the industries of my State. All the reason I had for calling attention to this schedule was to call the attention of the Senate and of the country to the fact that the cotton schedule has been treated differently from the industries of my State.

Mr. President, I rejoice in the good fortune of New England, and whatever reason has induced it, whether it is the selfish reason affecting the cotton-manufacturing industry, or the industries of the South, or whether a majority of the Senate have come to believe that to strike down the manufacturing industry of the country will destroy the country and the Democratic party as well—whatever the reason, I rejoice in the good fortune of New England in securing reasonable protection for cotton industries. I do not doubt that when we come to the woolen schedule we shall have the sympathy and the support of every New England Senator.

It is true that New England buys our wool and our food products to feed her operatives, and so New England and Oregon are jointly interested in maintaining the wool industry and the woolen manufacturing industry. While we are individually in Oregon less interested in the cotton schedule and cotton manufactures, as I have said before, we are interested because the people of Oregon understand that the question of protection or free trade is a national question, and they are quite willing, while only asking that their own industries may be protected, that every industry which affords employment to the laborers of the United States shall be protected.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Arkansas.

The amendment was agreed to.

Mr. JONES of Arkansas. I wish to make one correction in an amendment. In passing over paragraph 262 I made a mistake and moved to insert "forty-five" where I should have moved to insert "fifty," in line 19, paragraph 262, relating to stockings, hose and half-hose, etc.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In line 19 strike out "forty-five" and insert "fifty;" so as to read:

All of the above composed of cotton or other vegetable fiber, finished or unfinished, 50 per cent ad valorem.

The amendment was agreed to.

The PRESIDING OFFICER. The reading of the bill will proceed.

The Secretary read as follows:

SCHEDULE J.—FLAX, HEMP, AND JUTE, AND MANUFACTURES OF.

265. Flax, hackled, known as "dressed line," 1½ cents per pound.
266. Hemp, hackled, known as "dressed line," 1 cent per pound.
267. Yarn, made of jute, 20 per cent ad valorem.

Mr. JONES of Arkansas. In line 10, page 68, paragraph 267, I move to strike out "twenty" and insert "thirty," so as to read "30 per cent ad valorem."

The amendment was agreed to.

The PRESIDING OFFICER. The reading of the bill will be continued.

The Secretary read the next paragraph, as follows:

268. Cables, cordage, and twine (except binding twine), composed in whole or in part of New Zealand hemp, istle or Tampico fiber, manila, sisal grass, or sunn, 10 per cent ad valorem.

Mr. DOLPH. There is no amendment I believe to that paragraph. I move to strike out "ten," in line 14, and insert "twenty-five;" so as to read:

Twenty-five per cent ad valorem.

Some months ago I presented to the Senate a memorial from all the employés of the Portland Cordage Company, and I was proceeding to read it in the Senate when the Senator from Missouri objected, and I was not allowed to put it in the RECORD. I believe my colleague, in a speech which he made upon the pending bill, placed that memorial in the RECORD. It was signed by the employés without regard to politics, and I think stated substantially what is stated in a letter I hold in my hand from the secretary of that company. They present their case for a protective duty so clearly that I will read the communication.

PORTLAND, OREGON, *January 22, 1894.*

DEAR SIRS: Inclosed you will find, signed by thirty-one of our employés and addressed to the United States Senate, a protest against those clauses of the Wilson bill that relate to manila and sisal rope and binder twine. Please see that this protest is put in the way of doing all the good possible towards accomplishing the object prayed for.

It is of vital importance to us, and indirectly to this whole community, that the tariff on rope and twine be not reduced from its present schedule.

Free trade in these articles, or an approach to it, will put us in direct competition with the rope manufacturers in Hongkong, where labor is but a fractional part of what it is here (being from 10 cents to 25 cents per day). In addition to that the freight on rope from the East Indies will probably be very low, as a large proportion of our yearly grain fleet comes here in ballast from those climes (from Europe via East Indies with general cargoes for those ports), and they can and propably will accept very low rates from the East Indies to United States and save the handling of ballast.

We think our strongest competition in cordage will come from China. If so, the labor that we would pay here, under protection with free trade, will be transferred to China.

This west coast will be helpless without a protective tariff, because our volume of trade is so very limited (to say nothing of higher expenses) that our cost of manufacture must necessarily be at the maximum until there is a more plentiful supply of labor and increased consumption by increase of immigration.

Our European competition, under free trade, would come mostly from England, and there we must contend against interest, insurance, and labor, probably 50 per cent less than the average in the United States; but there is another item that we think is not given due consideration, and that is the marine transportation from the Philippine Islands and Yucatan to the factories and thence to the general markets of the world.

England for the past century has fostered her marine until now she has a direct line of sailing vessels to all the good markets of the world. This we, the American people, do not enjoy and regular and cheap transportation to the world's markets would be the life of any business. As it is, we are shut out of a large portion of the world's markets and the proposed tariff's advocates ask us to be content with only a portion of our home market. If we could manufacture as cheaply to-day as the English, we would still be shut out on account of transportation.

In years past at this season we have run our factory at full capacity and manufactured a large stock of binder twine and rope for the following summer's trade; but the uncertainty about the tariff now compels us to move cautiously, so we have made a reduction of 25 per cent in our pay-roll schedule and are only employing thirty-one hands, whereas a year ago we gave work to sixty-five mill hands. If free trade comes we want a small stock on hand at a reduced cost, because it is likely to prove more profitable to close the factory and loan the working capital.

We know that you are interested in the general cause of protection, but beg of you to give a little especial attention toward having the tariff on cordage and twine maintained as at present.

Thanking you and your honorable colleagues in advance, we remain,
Yours, respectfully,

THE PORTLAND CORDAGE CO.,
By S. M. MEARS, *Treasurer.*

Hon. J. N. DOPLH and Hon. JOHN H. MITCHELL,
United States Senate, Washington, D. C.

This letter tells the whole story so far as the Pacific coast is concerned. There are large cordage manufactories in Hongkong and in other points in China. They have improved machinery, manufactured, I think, in the United States. They are manufacturing cordage and twine with Chinese labor at from 10 to 25 cents a day as compared with the labor paid to the mill hands in the United States.

Mr. President, whenever we have discussed this question of Chinese labor there has been virtually an agreement on both sides of the Chamber as to the bad effect of allowing Chinese laborers to come into this country to compete with the American laborers. I should like to ask any Senator on the floor what is the difference in principle between importing Chinese laborers to this country to manufacture cordage and employing them in the manufacture of cordage and twine and the manufacture of cordage and twine in China, and bringing that either free of duty or at a very low rate of duty into this country. The principle is the same.

Mr. FRYE. There is a great difference. If we bring the foreigner here and let him manufacture we have the privilege of feeding him here, and clothing him here, and giving him house room here, and all that sort of thing, which we do not have if he manufactures abroad.

Mr. DOLPH. That is true; and I called attention to that

matter the other day; but there is less advantage in allowing Chinese labor to come to this country than bringing laborers from other countries, because they use less of the products of this country, they expend less of their earnings in this country, they make no permanent investments in this country. But the principle of protecting American labor is the same, whether we apply it to the exclusion of Chinese laborers or apply it to the exclusion of the products of cheap Chinese labor in China.

The letter I have read tells the whole story. I do not desire to take up the time of the Senate, because I have learned from experience that the amendments proposed under the caucus agreement of the majority here, like the laws of the Medes and Persians, can not be changed. I do not expect to bring about a change even when I show, so that every Senator can understand it, that in the present case the reduction of the duty upon cordage and upon binder-twine means that our cordage and twine will be largely manufactured in China. I do not suppose that the committee will relent, or that the majority of the Senate will consent to any increase of duty.

The Portland Cordage Company sent me their answers to the questions propounded to them through the circular of the Finance Committee, and they left it optional with me whether I should present their answers to the committee or keep them for use in the Senate. At the time their communication came to me I did not understand that the reports would be printed as they are now being printed in the bulletins which are laid upon our desks from day to day, and for that reason, fearing that it might never see the light if simply turned over to the committee, having the option given to me as to what I should do with it, I kept it in my desk for the purpose of presenting it to the Senate at the proper time. As it is a very full statement of the whole case and of this industry, I ask to have it read as a part of my remarks, and then I shall conclude.

The PRESIDING OFFICER (Mr. WHITE in the chair). The Secretary will read the communication, if there be no objection.

The Secretary read as follows:

REPLY TO CIRCULAR LETTER OF COMMITTEE ON FINANCE, UNITED STATES SENATE.

PORTLAND, OREGON, *February 17, 1894.*

SIR: We have the honor to transmit to you answers to your circular letter of December 20, received February 10.

1 to 5. The name of our corporation is the Portland Cordage Company, of Portland, Oregon. Our invested capital is $350,000, and we established in 1887.

6. We have run full time since 1888, adding to our plant each year until 1893. We began operations with $100,000 capital. In 1893 we were running full capacity until about July 1, when the general financial and business depression compelled us to curtail our output one half.

7. We consider the present specific duty of 1½ cents per pound none too great to enable us to compete profitably with foreign competition. Our neighbors in British Columbia and Canada are protected by a tariff of 1½ cents per pound and 10 per cent ad valorem, or an average duty of about 2 cents per pound. They have as cheap facilities for manufacturing as we have, and with our tariff removed they could invade our territory and we could not retaliate or protect ourselves, as they could afford to dispose of their surplus in this market at a very close figure.

8. If the present duty were removed one-third, we would be compelled to reduce our cost one-third, which would be a difficult matter to do except by a lowering of wages.

10. Both domestic and foreign competition has in a measure caused a gradual decline in our prices for the past four years.

11. Our preference is for specific duty. This is particularly applicable to manila hemp products, as fully 80 per cent of the cordage manufactured is of a standard grade, and the remaining 20 per cent of cordage does not average more than 20 per cent less in value, so that in this instance the duty can not be said to bear very unequally upon the different grades, and what little of that objection there is is more than offset by the assurances that the Government will not sustain any loss of revenue by under and dishonest valuation that is possible under the ad valorem system; especially as we understand the ad valorem duty is to be collected on market value at the port of shipments. With specific duty dishonest merchants have no advantage over their honest neighbors.

12. Since July 1, 1893, our sales have fallen off 40 per cent on account of the general depression in business, although we have lost no customers, and added some new accounts to our books.

13. Since July 1 the tendency of wages has been down. On January 1, 1894, we reduced our scale of wages 25 per cent.

16. The price of living in this locality has decreased some in the past four years from local competition in all lines, and lower freight rates from the East.

17. The causes of the present depression in trade, we think, can be attributed to the unprofitable management of railroads and other large corporations. Also, to overproduction and speculation, the result of ten years' prosperity under a protective tariff. These, however, are but auxiliaries to the main issue, the tariff changes now proposed.

It being generally understood that the political party now in power were pledged to radical tariff reform in the direction of free trade, the natural result was that those manufacturing protected articles could not wisely continue buying raw materials and continue the manufacture of products when they could form no safe idea of what the value of their goods would be in the near future, and most all manufacturers have to plan at least six months ahead. Uncertainty hampers any business.

The result in our particular line has been, that since the United States manufacturers have ceased buying fiber, except for immediate wants, the fiber market has declined in price 30 per cent, which means nearly that percentage of loss on all stocks of fiber and manufactured goods on hand. Such loss is depressing. Manufacturing can not resume to any extent except for immediate demands (demands prior to the date that the proposed Wilson bill goes into effect) until the tariff question is settled. If cordage manufacturing can then be resumed at a profit without protection, it is sure to be with a reduced market, from foreign competition. The world's source of supply for manila and sisal hemps are the Philippine Islands and Yucatan. These fibers are the raw material to cordage manufacturers, and they are now admitted free of duty. The higher rates of interest, insurance, and labor in this country will offset transportation charges from Europe to New York, so that foreign manufacturers will have an equal footing with us in our home market, and we must expect to divide with them. We certainly can not enter foreign markets, from lack of the low rates and regular sail transportation enjoyed by the English, and not by us.

As a remedy for the depression we believe in stopping the present radical changes suggested in the Wilson bill. Reform of our tariff laws may be advisable, but we pray it may be done gradually, so that business can adjust itself to the changes without a great loss.

18 and 19. Fibers are our raw materials and our products are necessities.

20. Our credit we consider unquestioned, and yet we are compelled to pay 8 per cent interest on sixty-day loans. We think foreign manufacturers only pay on the average of about 3 per cent.

21. We have not had enough immigration to feel the effects of it.

26. We have kept foreign rope out of this market by quoting prices that make it advantageous for our local merchants to trade with us.

27. The only country that we could export to is British Columbia, but their protective tariff and other foreign competition preclude our selling at a profit there. We can not export to any other country because freights are too high to allow us to compete with English manufacturers.

28. The cost of manufacture has decreased since our establishment by increasing our volume, which always brings cost nearer the minimum. That is the only decrease in cost we have experienced, except in fibers, until the last few months; since that time we have reduced our wages.

29. All raw materials have grown less in value from year to year, as transportation facilities to this coast have improved. In the summer of 1893 the fiber market made a sharp decline, and has continued declining ever since, caused by large falling off in demand in the United States and decline in silver exchange rates.

31. We do not use any products of this country except tar, oil, and tallow. Ninety per cent of our material is raw material from the Philippine Islands and Yucatan. These markets are the general source of supply for the world.

32. None of our component materials are dutiable, and yet we require a protective tariff on the manufactured articles for reason stated above.

We trust we have answered your queries to your satisfaction, and hope it may have some influence towards convincing your honorable committee that protective tariff for the cordage industry is a necessity for its successful prosecution in the United States.

Yours, respectfully,

PORTLAND CORDAGE COMPANY,
By S. M. MEARS, *Treasurer.*

D. W. VOORHEES, Esq., *Chairman.*

Mr. LODGE. Is there an amendment now pending?

The PRESIDING OFFICER. There is an amendment, the Chair will state, pending to line 14, page 68, to strike out "ten" and insert "twenty-five"—the amendment proposed by the Senator from Oregon [Mr. DOLPH].

Mr. LODGE. I move to amend, in line 12, by striking out the words in parenthesis, "except binding twine."

The PRESIDING OFFICER. Does the Chair understand that the Senator from Oregon has yielded the floor?

Mr. DOLPH. I have yielded the floor, but my amendment is pending.

The PRESIDING OFFICER. The question before the Senate is the amendment proposed by the Senator from Oregon. That amendment is now pending.

Mr. LODGE. If only one amendment is pending it is in order of course to offer a second amendment.

The PRESIDING OFFICER. The Chair was not aware that the Senator from Massachusetts understood exactly the amendment before the Senate.

Mr. LODGE. I understand it is to raise the rate from 10 to 25 per cent ad valorem.

The PRESIDING OFFICER. That is the amendment.

Mr. LODGE. My amendment is to strike out the words "except binding twine."

The PRESIDING OFFICER. The amendments are disconnected, it appears to the Chair.

Mr. LODGE. They are, but it makes no difference. I give notice that I shall offer my amendment after the amendment of the Senator from Oregon is disposed of.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Oregon [Mr. DOLPH].

The amendment was rejected.

Mr. LODGE. I now offer my amendment. On page 68, line 12, paragraph 268, I move to strike out the words "except binding twine."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In line 12, page 68, paragraph 268, strike out the words "except binding twine;" so as to make the paragraph read:

Cables, cordage, and twine, composed in whole or in part of New Zealand hemp, istle or Tampico fiber, manila, sisal grass, or sunn, 10 per cent ad valorem.

Mr. LODGE. Of course, I need not say that after striking out the words proposed by my amendment it would require the addition of a separate clause to put the proper rate on binding twine, that is, to restore it to its present rate. The striking out of "binding twine" in the amendment I propose, if it shall prevail, is only preliminary to another amendment. Binding twine forms a portion of a very large industry of New England and some other portions of the country, and particularly the State which I represent, and I wish, as representing a large body of men engaged in the industry, to say a few words in regard to it.

Binding twine was first introduced in 1878 as a substitute for wire, and at a cost of 17 cents per pound, which was then fully 40 per cent cheaper to the farmer than wire. The manufacture of this article is carried on principally in the States of Massachusetts, New York, New Jersey, Pennsylvania, Ohio, Illinois, Indiana, and Texas, and has steadily increased in this country, and the entire amount of twine consumed has for many years been produced here, although it is also manufactured in England, France, Germany, Canada, and some in the Philippine Islands, and also in Italy. It is largely used in every civilized country on the globe.

The production here has reached the aggregate of 50,000 tons per annum. The price has steadily declined to 7¼ cents per pound in May, 1891, at which point it remained during the entire year. Latterly the manufacturers have used domestic hemp in the manufacture of binder twine, until in 1890 one-seventh of the entire product was made from this material, and it is believed that the proportion has now largely increased. Manufacturers have been spending large sums of money every year for new improvements, and have been reducing price of twine; and with low-priced fibers binder twine has been sold fully 40 per cent cheaper, on the average, than when first introduced. The expenditures for one factory alone, for new machinery and mill, have been over $600,000, and this has been the rule all over the United States.

I mention this to show that the manufacturers have aimed to reduce cost, and by doing so increase consumption. There has been no single year since binder twine has been introduced that the manufacturers have not sold it at a reasonable price over and above the cost of fiber; the difficulty is, that they are too far from the farmer, from the fact that the twine will have passed through two or three dealers before it reaches the farmer, and then it is sold to them by the village storekeeper, who is obliged to trust them from one to two and sometimes three years' crops before he gets his money. If the farmer could buy closer to the manufacturer he could save from 3 to 4 cents per pound on his twine.

Under the tariff of 1883 the duty upon binder twine was 2½ cents per pound. The duty upon the raw material from which it was manufactured was, for manila, 1¼ cents per pound; sunn and sisal grass, three-fourths of a cent per pound; and jute 20 per cent ad valorem, being from one-half to three-fourths of a cent per pound. The Mills bill made these raw materials free, and reduced the duty upon binder twine to 25 per cent ad valorem, which amounted to about 2 cents per pound. The tariff act of 1890 makes all these raw materials free, and reduces the duty on binding twine to seven-tenths of one cent per pound, which is less than 10 per cent ad valorem.

Statistics show that the price of binding twine during the season of 1891 were so near the actual cost of fiber that binding twine could not be imported without loss, and yet the supporters of the bill now under consideration advocate the destruction of this industry in this country by putting the article on the free list, and yet they have the evidence, as given before the Committee on Ways and Means, that if the duty should be further reduced binder twine could not be made in this country.

It is therefore evident that to remove the tariff is to transfer the entire industry to other countries. It must be understood that there is no country in the world equipped with the machinery to supply the demand of the United States with binder twine, and if the manufacturers of the United States found that England, Ireland, and Germany were building and putting in machinery to do this work, the manufacturers here would be compelled to remove their works abroad or close the mills, for their wages in these three countries are fully 60 per cent less than ours, and the seven-tenths of a cent duty does not protect the American manufacturer. The duty now on binder twine is the lowest grade of duty on any article manufactured in the United States.

The cost of labor in this country to manufacture this twine is about 2 cents per pound. In Belfast and Dundee the cost of labor is fully 50 per cent less. In Hongkong there are now running American machines manufacturing this twine at a cost of $5 per month for labor. This industry distributes to labor yearly the sum of $2,000,000. It is estimated that 10,000 tons of American hemp are used in its manufacture yearly. The manufacture of this twine from American hemp is an industry peculiar to the Western and Northwestern States. The raising of hemp for this purpose is more profitable than that of any cereal. What will it profit the American farmer if the vast army of American workmen now employed in the production of binder twine is driven to adopt agricultural pursuits and the industry transferred to Belfast or Hongkong?

The majority, by implication at least, profess to think that the removal of this duty will relieve the consumer, not of American wheat, but of binder twine. They propose to destroy the business of one class of American citizens for the assumed benefit of another class, and yet on every occasion this same majority are loud in their denunciation of class legislation. The fact is, the removal of this duty would simply benefit foreign producers and foreign consumers of the surplus of American wheat.

In the end the farmer would bear whatever burden falls to the American consumer. Destroy the competition of the American manufacturer and you leave the farmer entirely at the mercy of the foreign producer and the importer. The seven-tenths of a cent protection, if taken off, would never reach the farmer, but would simply be the means of compelling the dealers to pay cash for their twine, if supplied from England, whereas the manufacturers in the United States sell to them on six months' credit without interest.

This industry is already established; the removal of this duty would destroy it, throwing thousands of men out of employment and rendering millions of invested capital useless, and turning $2,000,000 in wages annually to the laborers of other countries. There is a lively competition which can only be maintained by the present duty which enables manufacturers of American hemp binder twine to prolong their existence; the destruction of this industry would inevitably increase the price of binder twine.

I have a letter from the Plymouth Cordage Company, which is the largest cordage company I believe in the State, or one of the largest, written by the treasurer, Mr. G. F. Holmes, in which he states that:

PLYMOUTH CORDAGE COMPANY,
North Plymouth Mass., May 23, 1894.

We pay the same for labor engaged in the manufacture of binder twine as we do for making rope, and the labor is fully two-thirds of the expense of manufacturing either article. It puts us to a decided disadvantage and brings us in direct competition with foreign labor if these goods are admitted free of duty. Our foreign competitors have the same style of machinery that we use, and of course this can be made to turn out as many goods in Europe as in America.

Yours, very truly,

G. F. HOLMES, *Treasurer.*

Not only that, but they have American machinery in China, in Hongkong, just as good machinery as we have, and they get their labor there, as I have said, for something like $5 a week. The result of putting binding twine upon the free list will be the destruction of a large portion of the cordage industry in my State and several other States of the Union. I do not believe that it will be of the slightest benefit to the farmer whom it is intended to benefit, for while it will destroy beyond any question the American industry, it will remove the American competition and leave us entirely at the mercy of the foreign importer. For this reason I move to strike out those words preliminary to a further amendment restoring the existing duty of seven-tenths of a cent on binding-twine.

Mr. PEFFER. The people whom I represent are interested in binding-twine; not in its manufacture, but in its use. Those of us who use binding-twine are engaged in business out of which we produce a very large surplus of wheat, for the binding of which twine is used. That surplus is sold in a foreign market where the prices are regulated by wheat coming from half a dozen different nations, competing one with another, all the producers of which excepting our own work for wages ranging from 6 cents per day in India to about 25 cents per day in the Argentine Republic and Russia.

Now, if we are compelled to produce wheat in competition with such labor as that, I do not see why the manufacturers of twine in Massachusetts can not do as well as we do in this open, free-trade competition. Hence I object to the amendment proposed by the Senator from Massachusetts.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Massachusetts [Mr. LODGE].

The amendment was rejected.

Mr. ALDRICH. I call the attention of the Senator from Arkansas to the language used in this paragraph in regard to the composition of twine. The language used is:

Cables, cordage, and twine (except binding-twine), composed in whole or in part of New Zealand hemp, istle or Tampico fiber, manila, sisal grass, or sunn, 10 per cent ad valorem.

In order to secure the admission of twine for 10 per cent ad valorem it will be necessary to insert a small proportion of some one of these articles. For instance, cotton twine or silk twine, with a small proportion of any of these fibers, would be admitted at 10 per cent ad valorem. It seems to me that the words "or in part" should be stricken out, and perhaps the words "or admixture of any of them" inserted; so that the paragraph would read:

Cables, cordage, and twine (excepting binding-twine), composed in whole of New Zealand hemp, etc.

Now, that was the intention of the committee. This paragraph was copied in part from the act of 1890, but the rates imposed by the act of 1890 were so much higher that there was really no danger of frauds in the direction which I have suggested. I think it would be much safer for the paragraph to have the lan-

guage changed as I have suggested, so that it would read, "composed in whole of New Zealand hemp, istle," and then add after "sunn," in line 14, "or a mixture of any of them." That is all it is intended to cover, I have no doubt, and I move to amend as I have indicated.

Mr. VEST. This is the same provision that was found in the McKinley act, and I have never heard of any trouble in regard to it.

Mr. ALDRICH. But the rate is a very different one. There was a considerable specific rate imposed by the act of 1890, and this is a very small ad valorem rate. The Senator will notice that he proposes to give a heavier duty upon yarns than upon the twine, and it is important that we should limit the articles to be admitted at this very low rate of duty, so that there will be no chance for deception or frauds upon the revenue.

Mr. VEST. All these are hard fibers. It would be almost impossible to mix them with cotton or other softer fabrics so as to produce the trouble the Senator anticipates. I should not like to make this change, because, as I said, there has never been any trouble in regard to it, and I do not think it ought to be done.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Rhode Island.

Mr. ALDRICH. I think the Senator from Missouri did not quite catch the meaning of what I said. I think that manila, for instance, could easily be mixed in a very small proportion with either cotton, or silk, or wool, and that a yarn could be imported under the name of twine at this very low rate of duty. But, in order to make the paragraph perfectly plain, I suggest to strike out "or in part," after the word "whole," and to insert after the word "sunn," in the fourteenth line, "or a mixture, or any of them." That, I think, will make the meaning of the paragraph, as the Senator from Missouri desires it, perfectly plain.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Rhode Island.

Mr. CHANDLER. What is the amendment?

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. After the word "whole," line 13, page 68, paragraph 268, strike out the words "or in part," and after the word "sunn," in line 14, same page, insert "or a mixture of any of them."

Mr. VEST. Then that would confine the paragraph to these articles alone.

Mr. ALDRICH. Is not that what was intended?

Mr. VEST. And mix New Zealand hemp with istle, or with Tampico fiber, or with manila or sisal grass?

Mr. ALDRICH. Is not that the intention of the committee?

Mr. VEST. In other words, it would shut out every one of them. It reads here, "composed in whole or in part."

Mr. ALLISON. Let me ask the Senator from Missouri if it is not intended by this paragraph that you may mix a twine of hemp and cotton, for example, or of hemp and silk, or that you may make manila twine with manila and cotton?

Mr. VEST. I think that certainly would be the construction the way it reads.

Mr. ALLISON. I think so, too; and it seems to me hardly the right thing to do, because surely the twines that are named here are intended to be made of these cheap raw materials, and they are intended to include twines made of cotton. For instance, you might put in a single thread of manila here under this paragraph as it reads. There is a great deal of cotton twine, and it could all come in at 10 per cent ad valorem. It may be that it is a proper duty for such an admixture, but I think not. Certainly the old paragraph was intended to include cables. cordage, twine made of all these articles, or of any one of them.

Mr. VEST. "Composed in whole or in part."

Mr. ALLISON. Yes; and it is now the suggestion of the Senator from Rhode Island to make it very clear, that it is composed in whole, or of any one of them, or of an admixture of any two of them or more. It seems to me that would make it a clear statement, and I hope the Senator will consent to the amendment.

Mr. PLATT. How would it affect paragraph 263 as it now stands?

Mr. ALLISON. Paragraph 263 accords. Of course, there is a large amount of what might be called cordage twine, I think, manufactured.

Mr. ALDRICH. I hope the Senators on the other side will accept the amendment. It will take a great deal less time to dispose of it in that way than to discuss it. It seems to me it makes clear what the committee must have intended.

Mr. VEST. I should like to know what was intended by the McKinley act. There the duty was 1½ cents. I understand the Senator to say now it might be all silk except one thread of the sisal grass, or of hemp, or of manila, and then it would come in at 10 per cent. The same thing could have happened under the McKinley act, but it never has been done. There has been no difficulty in regard to it. It can not be possible that anybody would take cotton, a very cheap article, or ordinary hemp, or the common or coarser grasses and put in a thread or two of the higher priced articles and then pay 10 per cent upon it.

Mr. ALLISON. I agree to that. I believe that statement true, and if it be true then there could be no objection to the change proposed.

Mr. VEST. It certainly never was the intention of either the McKinley act or the present enactment that these cables should be made entirely of the articles mentioned here, because it says "made in whole or in part." The 10 per cent attaches if there are any of these specific articles found in the texture. That unquestionably is the law and is so construed by the Department. If there has never been any trouble, why should we undertake to change it now?

Mr. ALDRICH. I ask that the paragraph be read as it would read as amended.

The PRESIDING OFFICER. The amendment will be stated as requested.

The SECRETARY. After the word "whole," in line 13, page 68, strike out the words "or in part;" and after the word "sunn," in line 14, insert "or a mixture of any of them;" so that the paragraph, when amended, will read:

Cables, cordage, and twine (except binding-twine), composed in whole of New Zealand hemp, istle or Tampico fiber, manila, sisal grass, or sunn, or a mixture of any of them, 10 per cent ad valorem.

Mr. ALDRICH. As I have already stated, the reason why this was not taken advantage of under the act of 1890 was undoubtedly because of the imposition of quite a large specific duty by that act. Now we are to have a very small ad valorem duty. I have always felt as though the paragraph might be taken advantage of even under the act of 1890 for the importation of high-class articles in fraud of the revenue. My attention was not called to it until after the bill had passed and become a law, and I have been fearful from that time to this that there might be some importations of different articles under the provision. It seems to me there can be no question but that the Senator's intent is covered by the language which I have proposed to use, and I hope my amendment will be accepted.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Rhode Island.

Mr. ALDRICH. I ask for a division.

Mr. VEST. I ask for the yeas and nays.

The yeas and nay were ordered; and the Seretary proceeded to call the roll.

Mr. FAULKNER (when his name was called). I am paired with the Senator from Connecticut [Mr. HAWLEY]. I do not see him present.

Mr. PLATT. My colleague has not returnd from the funeral of his relative.

Mr. FAULKNER. I announce my pair with the Senator from Connecticut [Mr. HAWLEY].

Mr. MCPHERSON (when his name was called). I am paired with the Senator from Delaware [Mr. HIGGINS].

Mr. QUAY (when his name was called). I am paired with the Senator from Alabama [Mr. MORGAN]. If he were present I should vote "yea" and he would vote "nay."

The roll call was concluded.

Mr. CULLOM. I have a general pair with the senior Senator from Delaware [Mr. GRAY]. If he were present I should vote "yea."

Mr. VILAS. I am paired with the Senator from Oregon [Mr. MITCHELL].

Mr. BLACKBURN. I am paired with the senior Senator from Nebraska [Mr. MANDERSON], but I transfer that pair to the Senator from North Carolina [Mr. RANSOM], so that the Senator from Maine [Mr. HALE] and myself may vote. I vote "nay."

Mr. HALE. I vote "yea."

Mr. GORDON. By an arrangement with the Senator from Illinois [Mr. CULLOM], I transfer my pair with the Senator from Iowa [Mr. WILSON] to the Senator from Delaware [Mr. GRAY], and vote. I vote "nay."

Mr. CULLOM. I vote "yea."

Mr. FAULKNER. Under an arrangement made, the Senator from Pennsylvania [Mr. QUAY] will transfer his pair with the Senator from Alabama [Mr. MORGAN], to the Senator from Connecticut [Mr. HAWLEY], and he and I will vote. I vote "nay."

Mr. QUAY. I vote "yea."

The result was announced—yeas 19, nays 26; as follows:

YEAS—19.

Aldrich,	Dolph,	Patton,	Sherman,
Allison,	Dubois,	Peffer,	Shoup,
Chandler,	Frye,	Perkins,	Squire,
Cullom,	Hale,	Platt,	Teller.
Dixon,	McMillan,	Quay,	

NAYS—23.

Berry,	George,	Kyle,	Turpie,
Blackburn,	Gibson,	McLaurin,	Vest,
Blanchard,	Gordon,	Martin,	Voorhees,
Cockrell,	Harris,	Murphy,	Walsh,
Coke,	Hunton,	Pasco,	White.
Daniel,	Jarvis,	Roach,	
Faulkner,	Jones, Ark.	Smith,	

NOT VOTING—40.

Allen,	Gallinger,	Lindsay,	Pettigrew,
Bate,	Gorman,	Lodge,	Power,
Brice,	Gray,	McPherson,	Proctor,
Butler,	Hansbrough,	Manderson,	Pugh,
Caffery,	Hawley,	Mills,	Ransom,
Call,	Higgins,	Mitchell, Oregon	Stewart,
Camden,	Hill,	Mitchell, Wis.	Vilas,
Cameron,	Hoar,	Morgan,	Washburn,
Carey,	Irby,	Morrill,	Wilson,
Davis,	Jones, Nev.	Palmer,	Wolcott.

So the amendment was rejected.

The PRESIDING OFFICER. The reading of the bill will be proceeded with.

The Secretary read the next paragraph, as follows:

239. Hemp and jute carpets and carpetings, 20 per cent ad valorem.

Mr. JONES of Arkansas. I move to strike out "20 per cent ad valorem," in lines 16 and 17, and insert "4 cents per square yard."

Mr. PEFFER. I move to amend the amendment by striking out the last five words "four cents per square yard," and inserting "shall be exempt from duty;" so that the paragraph will read:

Hemp and jute carpets and carpetings shall be exempt from duty.

The amendment to the amendment was rejected.

The amendment was agreed to.

The Secretary read the next paragraph, as follows:

270. Burlaps, not exceeding 60 inches in width, containing not over 40 threads to the square inch counting warp and filling, 15 per cent ad valorem; bags for grain made of such burlaps, 20 per cent ad valorem.

The Committee on Finance report to amend the paragraph, on page 68, line 21, by striking out after the word "burlaps," the word "twenty," and insert "twenty-two and a half."

Mr. JONES of Arkansas. I move to strike out in line 18, the words "not exceeding 60 inches in width."

Mr. ALDRICH. I should like to have the Senator from Arkansas explain why that is done.

Mr. JONES of Arkansas. I can see no reason why a higher rate of duty should be put on burlaps over 60 inches in width than those that are narrower. It seems to me they are of the same value practically, and if there is any reason for having a rate of duty on burlaps under 60 inches the same reason should apply to burlaps above 60 inches.

Mr. ALDRICH. I think the Senator from Arkansas stated but a very small part of his case. Burlaps exceeding 60 inches in width have been made in this country to a considerable extent, especially since 1883, when a higher rate of duty was imposed upon burlaps exceeding 60 inches in width. They are more expensive than narrower burlaps. The narrower burlaps have always been given a low rate of duty for the reason that they have not been made in this country to any considerable extent.

Mr. JONES of Arkansas. The wide ones are not made here practically.

Mr. ALDRICH. Yes; to a very considerable extent. One large concern in New York has made a great many of them, and they have been sold in competition with the foreign article at a rate of duty which was not more than reasonably protective. Now, the effect of this amendment if it is adopted will be to prevent absolutely the making of any burlaps exceeding 60 inches in width in the United States.

Let us see just what the committee have done. They have proposed by paragraph 267 to impose a duty of 30 per cent ad valorem upon jute yarn, and in the next paragraph but one they propose to impose a duty upon burlaps from which yarn is made of 15 per cent ad valorem, 30 per cent on yarns and 15 per cent on the finished cloth. If there could be a more absurd arrangement of paragraphs than that I can not imagine. Certainly jute yarns ought to be 10 per cent or some such sum if burlaps are to be 15 per cent.

To show the inconsistency of this scheme as it stands, here we have these three rates: First, a duty upon jute yarns of 30 per cent; then a duty upon burlaps, of which the yarns are made, of 15 per cent, and in the next paragraph still a duty upon the bags, from which the burlaps are made, of 22½ per cent, a decline from the yarns to the cloth of 15 per cent, and an advance from the cloth to the finished bag of 7½ per cent. All that is necessary to make this cloth into bags is to sew them up with a sewing machine. The total cost of making them does not exceed three-tenths of a cent apiece on bags, or four-tenths at the outside; and yet the committee proposes to advance the rate from 15 to 22½ per cent for a protection upon that one process, which I affirm is 400 per cent of the total cost of making bags in India, where they are made in competition with those who make bags in the United States.

If there is to be that great additional amount of protection to the man who makes bags over the man who makes burlaps, there certainly should be some protection in the manufacture of burlaps over the man who produces yarn in the United States. This whole jute schedule is certainly anything but creditable to the members of the committee who have prepared it. These different rates can never be considered with any relation to each other. I presume the duty on jute yarns was put up to accomodate somebody who was engaged in the manufacture of jute yarn, and the duty upon burlaps was put down possibly because the oilcloth manufacturers were not content with their rate of duty.

Then, the duty upon bags has been put up to please a small bag combine, or people who are engaged in making bags in the United States, to an inordinate rate of duty, I mean as compared with the others. The whole schedule is as inharmonious and as out of line as it is well to imagine any schedule to be constructed. If it is desirable to give up the production of jute to the foreign manufacturer in Calcutta or Dundee and they are to have this trade, let us give them the whole of it. Let us make all the jute product free, or let us see that there is some relation between the different products. I shall be glad to know why these different rates are made and on what theory they have been adopted.

Mr. HALE. There seems to be something almost heartrending after we have got through a schedule that had been the subject of pacificatory arrangement and had been settled satisfactorily to some parties, so that it went through quietly and almost unobservedly, to find following that in the same day a schedule that is legitimately subject to the very sharp denunciation which the Senator from Rhode Island has visited upon this schedule. While that Senator would like to know why this arrangement upon this product has been made, why the discrimination seems to have been against the classes where the most labor is employed, and in favor of that state of the article where the least labor is employed, I should be glad to have the Senator in charge of the bill to tell us why it was not possible to submit this schedule to the peaceful processes by which we had so easy a deliverance from the cotton schedule.

It would seem to me that we were going on in a way that might be satisfactory even to the Senator from Tennessee [Mr. HARRIS] in the previous schedule, and that everything was lovely and that every goose hung high. It is a warm day and everybody felt that progress was most gratifying. Now, we have struck another subject-matter, where some of us fondly hoped we would continue the same pacificatory course, and we find the Senator from Rhode Island denouncing this schedule as one entirely discreditable to the committee. It seems to me the committee has not bestowed average attention to these two schedules.

If they gave so much attention to pacificate the cotton schedule and had given a little more attention to pacificate this schedule it might be that out of the general average we would have got a schedule that would have run through here in a very easy manner comparatively. But I am disheartened when I hear the denunciation the Senator from Rhode Island has resorted to upon this schedule, and I am bound to believe he is correct because he knows all about it. I should like to have some explanation why it was not submitted to the unwarlike crucible that ground out the other schedule.

Mr. JONES of Arkansas. The complaint of the Senator from Rhode Island at the rate of ad valorem tariff on jute yarn, it seems to me, is hardly consistent with his constant contention on the higher rate of ad valorem tax upon all other yarns.

Mr. ALDRICH. I do not mean to be understood as objecting to the high rate upon jute yarns. I am objecting to the low rate upon the products of yarn. I do not think the 300 per cent ad valorem——

Mr. JONES of Arkansas. I understood the Senator to complain and say it was unphilosophical, and all that. That can be passed by so far as that goes. I was simply speaking of the fact that he is not satisfied with 40 or 50 per cent upon other yarns; that he wants the very highest possible rates on spinning and everything else except jute, and to jute is unwilling to accord 30 per cent.

Leaving that aside, the question of wide burlaps, it seems to me, is easily settled. I understand they are made to a very limited extent, if at all, in the United States, and when burlaps are admitted at 15 per cent there is no difference between wide and the narrow burlaps, except the mere question of width, and they can be made wide or narrow, about as easily one way as the other. I can see no difference in that now.

The difference suggested by the committee as to the ad valorem to be levied on grain bags was a rate that after careful ex-

amination we believed was absolutely just to the manufacturers of grain bags.

I think 2½ per cent on these bags amounts to a very small difference between the cost of the material and the cost of the bags. After all, it is less perhaps than 3 per cent. I do not know just what the amount is; I have not the calculation by me, but there seems to me to be but a reasonable difference between the two. I do not think the committee has made so grave a mistake as the Senator from Rhode Island thinks.

Mr. ALDRICH. I did not intend to criticise unfavorably the action of the committee in fixing the duties on jute yarns at 30 per cent. I think it is a fair rate. What I did intend to criticise was the fact that they put a less rate, in fact only half that rate, upon the cloth which is made from the yarn.

The Senator says that these are practically the same thing. They are not the same thing by any means. The narrow burlaps are made differently, woven on an entirely different kind of loom, are much more expensive to make, and are used for an entirely different purpose.

The narrow burlaps are used for making grain bags. The wide burlaps are used for the foundation of oilcloths, or for various kinds of cheap carpet. They are an entirely different product, made in an entirely different manner. These wide oilcloths, or wide burlaps, have been made to a very large extent in the United States. I think there is but one establishment, but I take it for granted that does not affect the claim which they have upon reasonable consideration. The present duty is 40 per cent ad valorem, as I remember it, or perhaps it is a specific rate.

The duty by the act of 1883 was 40 per cent ad valorem. I think it is not a fair treatment to that particular industry to reduce the rate from 40 per cent ad valorem to 15 per cent, as is proposed by this paragraph. From any standpoint, it is not fair to impose a rate of duty of 30 per cent upon yarns and 15 per cent upon the finished product.

Mr. VEST. Nothing could illustrate more distinctly the facility with which one can criticise the work that is done by somebody else, and the equal facility with which one can forget his own work of two or three years ago. The Senator from Rhode Island makes his argument upon the fact that there is a high duty in our bill upon jute yarn and a smaller duty upon the finished product to make which the yarns are used.

In the McKinley act, upon jute yarn the duty was 35 per cent. Upon burlaps 60 inches wide, which is the finished product, in the same law, the duty was 29.23 per cent, being a reduction from the raw material, which is the yarn, as is the case in the present bill.

But the Senator complained that there is a high rate of duty put upon the bags, on which there is very little labor, and which are made out of the burlaps. That is another criticism that he makes upon the pending bill. We find in the McKinley act that while the duty on burlaps was 29.23 per cent the duty on bags was 44.73 per cent. So that the same criticism he makes in regard to the pending measure is applicable in even a larger degree to the bill which he constructed in 1890.

Mr. President, I never pretend to conceal or avoid the force of any argument. It is a fault, possibly, with me, that I am a little too frank, even in discussion. I will say right now that I do not claim this schedule is symmetrical. I have stated frequently that we were compelled to make concessions in order to pass a bill in some shape which would reduce duties generally from the McKinley standard. But the very same argument which the Senator makes to-day against this bill is applicable even in a larger degree to the McKinley act, which the Republicans have told us was the perfection of tariff legislation, and which they propose now to keep upon the statute books if possible.

Mr. ALDRICH. Mr. President, the act of 1890 was not as inconsistent as the Senator from Missouri seems to think. The act of 1890 did impose a duty of 35 per cent upon jute yarns. It gave a rate of duty which was not protective to burlaps not exceeding 60 inches in width, as I have already stated in the presence of the Senate. The fact was that those burlaps had not been made to any considerable extent in the United States, and never have been made to any considerable extent, but it did give a much higher rate upon burlaps exceeding 60 inches in width. Upon burlaps exceeding 60 inches, if valued at 5 cents a pound or less, a certain rate was given, which was equivalent to 55 per cent ad valorem; upon goods valued above 5 cents a rate of 40 per cent was fixed.

So burlaps exceeding 60 inches in width under the act of 1890 either paid 40 per cent or 55 per cent, as they might be valued at more or less than 5 cents a pound. The duty on the finished product was higher than the duty upon yarns.

Mr. VEST. Was there not the same limitation under the act of 1890 on burlaps that there is now?

Mr. ALDRICH. Certainly.

Mr. VEST. The Senator's argument a few minutes ago was that we are now putting a high duty upon an article on which there is no labor.

Mr. ALDRICH. I was talking about the difference between burlaps and bags. I was stating that the committee in this case gives 7½ per cent additional protection to bags over burlaps, and that the cost of making grain bags from burlaps does not exceed four-tenths of a cent a pound; and that that 7½ per cent imposes the equivalent to three-tenths of a cent a pound, or about 300 per cent upon the entire cost of making those bags from burlaps in Calcutta. I am not saying that is excessive, but I am only stating the different methods by which these two different articles are treated.

I repeat, burlaps less than 60 inches in width have not been made very much in this country, and under the rates of duty which were imposed by the act of 1890 or under this bill they will not be made in this country, but burlaps exceeding 60 inches in width can be made and are made at the present time and they are entitled to a higher rate than the duty upon all yarn. That is the contention I make.

Mr. WHITE. Mr. President, I desire to say simply one word at this point. If there is any criticism to be made upon this schedule it is that the tariff, as suggested by the Senator from Missouri, may be too high upon some particular article. Certainly it is not as low upon any of the articles mentioned in paragraph 270. The grain bags mentioned in that paragraph are utilized almost entirely upon the Pacific coast. Nearly the whole consumption occurs upon the Pacific coast, because there wheat is placed in sacks and shipped in sacks to Liverpool. The McKinley law placed a tariff on grain bags amounting, according to the report upon import duties, to between 42 and 45 per cent ad valorem.

It was a tax of 2 cents per pound and is reported at that rate. Although the committee have imposed a tariff upon this article they have done I have no doubt the best they could. They have cut the duty down, reduced it one-half, and to that extent they have relieved us of a very onerous burden. We never have seen any chance of relief, and certainly have never obtained any from antecedent legislation under other political conditions here.

In 1891, after the McKinley act had been enacted, the Legislature of California passed a joint resolution which was voted for by all the members, Republican and Democratic alike. It can be found on page 525 of the Statutes of 1891. In that joint resolution the members of Congress were requested to relieve the people from this tax, as it was called in that resolution, by Democrats and Republicans alike. While the citizens of my State would no doubt prefer these articles absolutely free, they are very grateful to the party that has reduced them 50 per cent.

Mr. PLATT. Mr. President, the reason for this reduction is what I supposed it was, that upon the request made by the farmers of the Pacific coast, the Government gives away by the bill about $1,200,000 of revenue. I do not know that I object to it, because I think perhaps it is worth that for an object lesson. I do not suppose the farmers of the Pacific coast will ever hear of it, but I wish now to make a prediction that under this reduced rate, which relinquishes $1,200,000 of revenue to the Government a year, they will not get a grain bag a picayune cheaper.

Mr. PEFFER. I move to amend the paragraph by striking out all after the words "burlaps" in line 21 and inserting "shall be exempt from duty."

Mr. PERKINS. Mr. President, I simply desire to supplement that which has been so well stated by my colleague. If there is any one question which the farmers of the Pacific coast—of Washington, Oregon, and California—are deeply interested in, it is that of grain bags. We are differently situated in California and the other Pacific coast States than the farmers in the West. We have no grain elevators. Farmers can not take their grain to the warehouses and there have it emptied into bins and transported in bulk to market, but it must all be shipped in grain bags, in burlap sacks, to the port of shipment, where it is transported by vessel to Liverpool and other European ports.

It seems to me the different memorials from the farmers which have been submitted here from time to time, asking that they be relieved from this burden, should have found a hearing, if anything is to be placed upon the free list. Therefore it is not clear to me why the committee should raise the rate upon jute yarn from 20 to 30 per cent and increase the duty upon burlaps from 20 to 22½ per cent as the bill came from the other House. There are arguments without number which can be used why if any article should be upon the free list grain bags or the materials from which they are made should be.

California, realizing the importance of this to her farmers, made a liberal appropriation whereby grain bags might be manufactured in the penal institutions of our State, and the result is that we have at one of our State prisons burlap machin-

ery which is turning out bags by the 10,000 or 15,000 daily. It is the only equalizer, as it were, which helps the farmers from being imposed upon by the combinations of the country which are controlling the burlap imports into the country. I feel constrained in view of these facts to support by my vote the amendment offered by the Senator from Kansas [Mr. PEFFER].

Mr. PEFFER. I wish to modify my amendment slightly. I am satisfied it will be improved in the estimation of the Senator from California [Mr. PERKINS]. I wish to modify it by striking out of the paragraph also all the words after the word "burlaps," in line 18, until we come to the words "ad valorem," in line 20, and inserting before the word "bags" the word "and"; so that the paragraph will then read:

Burlaps and bags for grain made from burlaps shall be exempt from duty.

The PRESIDING OFFICER. The Chair will state that the first question is upon agreeing to the amendment of the committee.

Mr. PEFFER. Then I can say what I wish to say upon this point, and afterward we can take the vote.

Mr. President, grain that is shipped out of the United States from the farms is sold in a free-trade market. It has to compete with free-trade wheat. It has to compete in a gold market where all the prices are regulated by gold, and it occurs to me that it is not only reasonable, but that it is only fair, that while the farmers, the tradesmen, the merchants, and the mechanics in all parts of the country stand by their brethren of the loom and the shop, those brethren ought to stand by us, so as to cheapen as much as possible the articles which we are compelled to use in getting our surplus grain shipped to a free-trade market.

Mr. ALLISON. I should like to ask the Senator from Rhode Island whether he thinks that under paragraph 270 burlaps are likely to be manufactured in the United States?

Mr. ALDRICH. As the paragraph stands, most emphatically no.

Mr. ALLISON. As the paragraph stands?

Mr. ALDRICH. Yes.

Mr. ALLISON. Therefore, it seems to me, if the industry is to be destroyed in the United States, there is great force in the suggestion made by the Senator from Kansas [Mr. PEFFER] and the Senator from California [Mr. PERKINS]. I should be glad to so adjust the rate as to have the industry continued in the United States, but if that can not be done I see no objection to making it free.

Mr. HIGGINS. You do not wish to impose a tax on the farmers?

Mr. ALLISON. I do not wish to impose a tax on the farmers of California. And I will say to my friend from California we use these burlaps in Iowa as well.

Mr. PERKINS. They are used for wool bags and hop bags.

Mr. ALLISON. And for oats.

Mr. PERKINS. For oats, barley, and all other cereals.

Mr. ALLISON. Under existing law, of course where these bags are exported, largely from California, and also largely from every other portion of the country, there is a drawback equivalent to the duty, so that upon all burlaps and bags exported there is really no tax.

Mr. PERKINS. That usually accrues to the shipper, and not to the farmer.

Mr. ALLISON. I so understand. But if the result of this provision will be to import the bags and not to establish an industry and make them here, it would prevent a great deal of circumlocution and drawbacks in the way of duty to put them upon the free list, and they may as well go on the free list.

Mr. VEST. Do I understand the Senator from Iowa to say he wants to put these bags on the free list?

Mr. ALLISON. I think the Senator from Missouri must have had his attention diverted when I was making my observation.

Mr. VEST. It was.

Mr. ALLISON. I inquired of the Senator from Rhode Island if under the paragraph as it stands it would be possible to conduct this industry in the United States, he being an expert upon the subject and more familiar with it than I am, and he says it is absolutely impossible. So if that be true, it seems to me it might be wise to put these bags on the free list rather than to leave them in this nebulous state without doing any good to our own people.

Mr. VEST. I am glad to hear the Senator say it, because his party put a 44 per cent duty upon them in 1890. We propose to reduce that.

Mr. ALDRICH. That was for a protective duty.

Mr. ALLISON. I supposed then and hoped that it would be an industry in connection with the jute industry, which we were seeking to establish in the United States, and which would measurably prosper here under the duty proposed. But now it seems the industry is to be destroyed. If so, why should we tax the people of California or Iowa for this article which they must have?

Mr. VEST. That is the Democratic doctrine.

Mr. PERKINS. I understand that under the revision of the paragraph we have already adopted burlaps bags can not be manufactured at a profit in this country. If that were not true, then I should be in favor of doing what I could do to protect the American manufacturing interest in this country and at the same time do justice to the farmer.

Mr. CHANDLER. Will the Senator from California give me information on a point about which I desire to learn something, and that is as to the capacity of this country to produce the burlaps—the bagging?

Mr. PERKINS. We have not yet a sufficient number of factories to produce the burlaps required, but yearly they are augmenting, and in time, should the McKinley law remain, I doubt not that in a few years we should be able to manufacture all the bagging we desire.

Mr. CHANDLER. Is it all made from coarse hemp?

Mr. PERKINS. So I understand.

Mr. CHANDLER. I believe the agricultural product can be raised to supply all the bags——

Mr. ALDRICH. It is not raised in the United States at all.

Mr. CHANDLER. Is none of it raised here?

Mr. ALDRICH. It is jute, and comes from India.

Mr. CHANDLER. It is made from foreign material?

Mr. ALDRICH. Yes, sir.

Mr. CHANDLER. Then what is the question? Is it between the raw material and the manufactured material, or both?

Mr. ALDRICH. The motion of the Senator from Kansas is to put bags and bagging upon the free list.

Mr. CHANDLER. That is, the manufactured article?

Mr. ALDRICH. Yes.

Mr. CHANDLER. The result of which will be, then, that there will be no manufacture of them in this country.

Mr. ALDRICH. There will not be any under this bill, so far as burlap is concerned. Bags might survive, possibly.

Mr. WHITE obtained the floor.

Mr. HOAR. Mr. President——

Mr. WHITE. I yield to the Senator from Massachusetts.

Mr. HOAR. I have here a letter from Messrs. E. S. Halsted & Co., manufacturers of bags and bagging, 75 Pearl street, New York, in which they say that when the exportation of flour to Cuba began under the reciprocity policy we were exporting very little; that we were not exporting more than 60,000 to 75,000 barrels of flour and those in wood. They say:

The duty against our country in favor of Spain was so great as to almost exclude shipment. The first six months after reciprocity went into effect shipment of flour alone amounted to 200,000 barrels. Most of this was in sacks, and since then, in the two years or nearly two years that have elapsed, there has been from six to seven hundred thousand barrels.

Certainly a very excellent showing in favor of this present tariff. In addition to this there have gone from this market several hundred thousand sugar sacks to the West Indies, for sugar to place in shipment to this country; this is a very great innovation on the shipments from England. The reason of it is that under the present system of reciprocity these bags can be made in this country from goods manufactured in Dundee and sold from here at a cheaper rate than they can be sent from Europe.

I should like to have the whole letter printed in the RECORD as a part of my remarks. I have read nearly all of it. There are one or two sentences which would not sound pleasant to Democratic ears. I ask leave to have it printed.

The PRESIDING OFFICER (Mr. KYLE in the chair). Is there objection to the request of the Senator from Massachusetts? The Chair hears none, and it is so ordered.

The letter is as follows:

FEBRUARY 10, 1894.

DEAR SIR: Yours of the 9th came duly to hand and noted. We are greatly obliged to you for your kindness in replying to ours. We do not know whether it can be made to have any effect upon the Democratic majority now ruling, but would add to what we stated to you in our last a thing which no doubt you are perfectly familiar with, but nevertheless we can give you the information from positive knowledge and experience.

Before the present law came into existence we were doing comparatively little in the way of exporting flour in sacks. To cite one instance, we would refer to Cuba; previous to the negotiations based on reciprocity, our country was not exporting more than about 60,000 to 75,000 barrels of flour, and those in wood. The duty against our country in favor of Spain was so great as to almost exclude shipment. The first six months after reciprocity went into effect, shipment of flour alone amounted to 200,000 barrels; most of this was in sacks, and since then in the two years, or nearly two years, that have elapsed there has been from 600,000 to 700,000 barrels. Certainly a very excellent showing in favor of this present tariff. In addition to this, there have gone from this market several hundred thousand sugar sacks to the West Indies for sugar to place in shipment to this country.

This is a very great innovation on the shipments from England. The reason of it is that under the present system of reciprocity these bags can be made in this country from goods manufactured in Dundee and sold from here at a cheaper rate than they can be sent from Europe; this difference is occasioned from the fact that the duties against England on these bags are greater than those against the United States, resulting from reciprocity treaty. Give the United States a proper protection in these matters and there is no doubt but what we can command a large proportion of this foreign trade. While we have very grave doubts as to being able to preach loud

enough or strong enought upon these deaf ears, yet we could trust that in the near future we may be able to recover to this country this prestige and strength again.

Yours, truly,

E. S. HALSTEAD & CO.

Hon. G. F. HOAR, *Washington, D. C.*

Mr. HOAR. I suppose, Mr. President, that if the reciprocity policy were retained we should have a very large exportation of these bags, with our flour and to some extent our beef, because they export the beef, and also pork to some extent, in these bags, and with the very large importation from these countries with which we have reciprocity arrangements, which would come in in these bags, that would be sent from America for that purpose—these manufacturers say that under those circumstances we would establish the manufacturing in this country and have a very large foreign trade.

I have no interest in the matter as representing any constituency interested in the manufacture, but if the Senator from California [Mr. PERKINS] and the Senator from Kansas [Mr. PEFFER] think the protective system should be applied to any manufacture, I suppose the mere fact that they have a constituency who buy these things does not change their minds as to what is the proper policy. I have no doubt that retaining the present duty will result in cheapening the bags and establishing the industry in this country.

Mr. ALLISON. I think the manufacture of bags is an industry quite well established in this country. I know there is a very large manufactory at Minneapolis. I am sorry the Senator from Minnesota [Mr. WASHBURN] is not here. All the flour shipped to Europe is shipped in these bags; and where the burlaps are exported the shippers receive a drawback equivalent to the duty upon the burlaps, although they make the bags in Minneapolis. This is my understanding.

Mr. WHITE. Those bags are made of a different material from the grain sack.

Mr. ALLISON. They are jute bags, and are made from jute. But I had supposed that under the duty imposed in the McKinley act burlaps suitable for these bags was actually made in the United States. I think they are, to some extent, although I do not know.

Mr. WHITE. My colleague mentioned a fact in the course of the discussion which I will call to the attention of the Senator from Iowa and other Senators. In the State of California, in order to give employment to a number of convicts in one of the penitentiaries, that of San Quentin, we have established a jute mill for the manufacture of grain bags.

The jute is imported. There is no duty upon jute, I will state, and there has not been any lately. The jute is imported from India, Calcutta, and brought directly to the San Quentin penitentiary, which is located upon San Francisco harbor, and the bags are made there. I have seen the process myself. Everything is done there. The bales of jute are brought in right there. They are delivered on board ship at Calcutta and delivered there.

Mr. ALLISON. Then the bags are made in California.

Mr. PERKINS. We also have two other jute mills in California.

Mr. WHITE. I was about to state that. We have two other jute mills in the State of California where these products are made. Nevertheless, although we are manufacturing the article there, there is not the least question that our people have always been in favor of a great reduction of duty. Before the McKinley bill became a law our people were here endeavoring to impress upon the authorities in charge of the Republican measure, or they stated that they did, that there should be a reduction, but they were unable to get it.

The Democratic party, however, as represented in the present committee, has reduced the tariff tax 50 per cent, and to that extent it is a great relief. As far as concerns the benefit which has accrued to us from the manufacture in that State, our farmers would a great deal rather take every employé and board him at the Palace Hotel than to permit the imposition of such a duty as has hitherto been upon this product. I am glad that Senators upon the other side who have heretofore found it necessary to impose almost 50 per cent duty upon this article have so radically changed their minds that they have now abandoned their original ground.

Mr. VEST. Mr. President, I congratulate the country and the Democratic party upon the accession we have had to the doctrine to-day. I have listened with great and unalloyed pleasure to the argument of the Senator from Iowa and the statements of the Senator from Rhode Island. We can not resist the appeals which they have made in behalf of free bags made out of burlaps. So we withdraw the amendment, and in behalf of the committee we will move to strike out that portion of paragraph 270 from the words "ad valorem" in line 20, down to the end of the paragraph, including "bags for grain made of such burlaps, 22½ per cent ad valorem." That gives free bags for grain, wool, etc., to the agricultural portion of our country.

Mr. ALLISON. I understand the Senator proposes to retain the duty on burlaps and then make bags free. Of course under such a provision no burlaps will be imported.

Mr. VEST. It will all come in in the shape of bags.

Mr. ALLISON (to Mr. ALDRICH). Is that your understanding?

Mr. ALDRICH. That is my understanding of the amendment.

Mr. VEST. I suppose some burlaps will come in for oilcloth manufacture. They use large quantities. But what we are dealing with now is the agriculturist. I am for the farmer.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee, in line 18, to strike out the words "not exceeding 60 inches in width."

The amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Missouri, which will be stated.

The SECRETARY. In paragraph 270, after the words "ad valorem" in line 20, strike out the remainder of the paragraph, as follows;

Bags for grain made of such burlaps, 22½ per cent ad valorem.

Mr. PEFFER. Does the amendment proposed by the Senator from Missouri take precedence of the amendment I offered some time ago?

The PRESIDING OFFICER. Under the arrangement of the Senate amendments offered by the committee must first be acted upon.

Mr. HARRIS. The effect of the amendment of the Senator from Kansas I understand is to make burlaps and bags made of burlaps free?

Mr. PEFFER. That is right.

Mr. JONES of Arkansas. Where is the motion of the Senator from Missouri is to make bags free and leave burlaps taxed.

Mr. PEFFER. I shall insist upon my amendment when the amendment of the Senator from Missouri is disposed of.

Mr. VEST. Under the amendment of the Senator from Kansas he would give to the oilcloth manufacturers free burlaps.

Mr. CHANDLER. Mr. President, I am unable to vote for the amendment of the Senator from Kansas. I understand very well that the farmers, the grain producers in the great West, and the grain producers of California labor under many disadvantages, and in some respects they are perhaps entitled to peculiar and special consideration. But I do not believe that the farmers of any portion of the country wish to have any industry that is established in this country destroyed.

I do not believe that the farmers of this country are very largely demanding either free lumber or free barbed fence wire, or free binding twine, or that the farmers are educated up to the idea that it will materially increase their farm profits to destroy the business of making jute bags in this country. It seems to me that these are infinitesimal benefits which will not result in any appreciable help to the farmers, while they will destroy these industries, especially this industry which is now in this country in competition with the factories that are worked by the labor of India, where the processes are so cheap.

I say, Mr. President, that I do not believe the farmers are demanding these things. I admit that some demagogues, speaking for the farmers, or attempting to do so, are endeavoring to satisfy themselves or somebody else that the farmers want the manufacture of these articles destroyed in order that they may receive some possible benefit by it. But the farmers of this country, when they come face to face with the fact that they are demanding that there shall be convict labor in order that they may have cheaper bags, are asking something that is not reasonable.

I have had occasion already to call attention to the great danger to the industries in this country from the cheap labor of Asia. I have here a paragraph which gives the pay of the workmen in the textile mills of India. A workman in the textile mills of India earns about 15 cents a day, and he toils from twelve to fourteen hours a day, including Sunday. That is the kind of labor which is employed in the mills of India that make these bags for grain. Now, I ask the Senator from Kansas whether his people are really demanding that they shall have bags made by that labor and whether when the free raw material comes in—the jute from India—they are not willing that the bags shall be manufactured by American labor at American prices?

Mr. PEFFER. Answering the Senator's question, I say to him that the farmers of Kansas do not care who makes their bagging or who makes anything they have to use in shipping their wheat, when they are compelled to sell their wheat in competition with the very class of men to whom the Senator re-

fers. The ryots of India who labor on the farms work for about 6 cents to 10 cents a day. Kansas farmers are worth $1.50 or $2.50 a day, and if we have to sell our products in competition with those fellows over there who receive but 12 cents a day we do not care who make the bags.

Mr. CHANDLER. I admitted that the farmers labor under peculiar difficulties, and that they may be entitled to special consideration in some respects, but I do not believe they want special consideration in this respect. The farmers ought to have protection upon their wool. They do not want to raise wool in competition with the cheap labor of Australia. They want protection upon their wool, and they ought to have protection upon their wool, and they have had protection upon their wool while the Republican party has made tariffs.

But because the tariff is taken off wool and because the Democratic party in that respect is attacking the interests of the farmer, I do not believe that the farmer wants to have the manufacture of bags for grain in this country stricken down. I do not believe the farmer wants to destroy a wire factory, or that the farmer wants any of these little things which, as the Senator from Connecticut [Mr. PLATT] has well said, will not make themselves felt in the practical reduction of the price of any article which the farmer buys, any more than I believe the men who raise the cotton at the South care anything about free cotton ties.

It is all an outcry gotten up by the opponents of the protective system, and I do not think that the real interests of the farmer are promoted by this class of exceptions to the general principle of protection, any more than I think the interests of the cotton-grower are protected by giving him nominally cotton ties free. I believe the prosperity of the farmer, of the man who raises grain in Kansas and California, and the prosperity of the man who raises cotton in the South are equally to be benefited by the system of protection to be maintained as a whole upon correct principles of protection, which principles are, that by a duty we will protect everything which we can manufacture in this country by our highly-paid labor against similar articles manufactured by the pauper labor of Europe and of Asia.

Mr. ALDRICH. Mr. President, the Senator from Missouri, by the amendment which he now submits, undertakes to impose upon me a certain responsibility for his amendment which I do not propose to accept. In answer to a question asked by the Senator from Iowa I stated that in my opinion burlaps could not be made in this country with 15 per cent duty. I repeat that opinion. I have no question whatever about it.

It would not be possible, considering the different rates of wages paid in India and in the United States, with free jute to make burlaps in the United States with 15 per cent duty. I stated that so far as that industry is concerned, if that is all we are considering in this matter, the duty might as well be taken off entirely, so far as any American interest in the production of burlaps is concerned, and beyond that it is simply a question of revenue. I did not mean to say that burlaps can not be taken under this duty and made into bags in the United States, because I believe the difference between 15 per cent and 22½ per cent in this paragraph is a protective duty. I think bags consumed in the United States will be made here, if this paragraph shall become a law.

Now, the suggestion of the Senator from Missouri is to place the bags, the finished product, upon the free list and to impose a duty of 15 per cent upon burlaps. Of course that would absolutely prohibit the making of any bags in this country, and to that extent I think it would be unjust to our people engaged in the production of bags, and certainly there must be a great many in different parts of the country. Therefore I think the suggestion made by the Senator from Missouri is not a proper one to be adopted.

If we are going to put anything upon the free list in this connection it should be burlaps, with a reasonable and moderate protection upon bags. I should impose protective duties upon all these things. It was the purpose of the act of 1890 to give to the jute industry in the United States fairly protective duties for the first time in the history of the country. This might be a very important American industry. Thousands of people are engaged in the manufacture of burlaps into bags at Calcutta and other points in India and at Dundee in Scotland.

This great industry might be and ought to be transferred to the United States, but it is simply a farce to give it a duty that will not and can not be protective. That is the fault I find with the proposition of the committee. If anything at all should be put upon the free list it should be the burlaps and not the bags. A small protective duty should be given to the bag manufacturers of the United States.

Mr. VEST. Nobody understands better than the Senator from Rhode Island what will be the effect of putting bags on the free list and leaving a duty on burlaps. No burlaps will come in. The bags will come in, of course.

Mr. ALDRICH. Of course.

Mr. VEST. But there will be no necessity for bringing burlaps here, because the entire demand for bags will be supplied from abroad. But the Senator's colleague, the Senator from Iowa, made an argument and wound up by saying that these bags should be put on the free list. As that is in the direction I have been traveling for sometime, and am now traveling, I was entirely willing to agree. I hope it will not be said that it is sectional, because there is a factory in St. Louis engaged in the making of these bags and the proprietor has been more aggressive on this subject than anybody else I know of in this country.

In the next paragraph, 271, will come bagging for cotton. The same doctrine would apply there. I hope our friends will be consistent, and I will go with them, because it has been my contention all the time that these articles should be made free in order to relieve the expenses that are piled up year by year upon the farmers and planters of the West and South. We can not protect them by tariff duties. All we can do is to diminish the cost of the absolute necessities of life, both in the way of what they wear and what they use in preparing their products for market.

Mr. TELLER. Mr. President, I do not believe it is possible to build up the burlap industry in the United States with any amount of tariff you put on. The Dundee manufacturers are being ruined by the manufacturers of India, and as long as the present monetary condition of the world continues there will be no probability of any industry of that kind being built up in this country. India receiving, as it practically does, a bounty upon all its exports of burlaps and bags that they may make, will rule the business of the world in that direction duty or no duty. I do not believe a duty on burlaps or bags made out of that material will be of the slightest benefit to anybody in this country.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Missouri, which will be stated.

The SECRETARY. In line 20, after the word "ad valorem," strike out the remainder of the paragraph, as follows:

Bags for grain made of such burlaps 22½ per cent ad valorem.

Mr. BLANCHARD. I desire to inquire if that is a committee amendment or one that the Senator offers originally in the Senate?

Mr. VEST. My colleague on the committee agrees to it.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Missouri.

The amendment was agreed to.

The PRESIDING OFFICER. The question recurs on agreeing to the amendment proposed by the Senator from Kansas, which will be stated.

The SECRETARY. After the word "burlaps," in line 18, strike out the remainder of the paragraph and insert the words "and bags for grain made of such burlaps shall be exempt from duty;" so as to make this paragraph read:

Burlaps and bags for grain made of such burlaps shall be exempt from duty.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Kansas.

Mr. ALDRICH. I suppose the Senator from Missouri intends to follow this up by putting bags on the free list. Otherwise he has raised the duty instead of lowering it.

Mr. VEST. I have enlisted under the banner of reform led by the Senator from Iowa and the Senator from Rhode Island, and I will stay with them. If they will make the motion I will vote for it.

Mr. ALDRICH. I am not making any motion in this connection.

Mr. VEST. I am merely an humble private.

Mr. ALDRICH. The Senator from Missouri made the other suggestion.

Mr. VEST. The Senator from Iowa made the last suggestion.

Mr. ALDRICH. The effect of the action of the Senate taken at the suggestion of the Senator from Missouri will be to increase the duty on bags.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Kansas.

Mr. PEFFER. I ask for a division, Mr. President.

Mr. HARRIS. Let us have the yeas and nays. A division will not develop a quorum.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CULLOM (when his name was called). I have a general pair with the senior Senator from Delaware [Mr. GRAY]. I should vote "nay" if he were present.

Mr. GORDON. I suggest to the Senator from Illinois that we make the same transfer of pairs that we made on the previous vote.

Mr. CULLOM. That is perfectly agreeable to me. I did not

see the Senator from Georgia, or I should have made the suggestion.

Mr. GORDON. The Senator from Iowa [Mr. WILSON] will stand paired with the Senator from Delaware [Mr. GRAY], so that the Senator from Illinois [Mr. CULLOM] and I will both vote.

Mr. CULLOM. I vote "nay."

Mr. GORDON (when his name was called). I vote "nay."

Mr. MORRILL (when his name was called). I am paired with the Senator from Florida [Mr. CALL], and therefore withhold my vote.

Mr. QUAY (when his name was called). I am paired with the Senator from Alabama [Mr. MORGAN].

Mr. VILAS (when his name was called). I am paired with the Senator from Oregon [Mr. MITCHELL].

The roll call was concluded.

Mr. BLACKBURN. I am paired with the Senator from Nebraska [Mr. MANDERSON]. I withhold my vote in his absence.

Mr. FAULKNER. I am paired with the Senator from Connecticut [Mr. HAWLEY].

Mr. HIGGINS. I ask if the senior Senator from New Jersey [Mr. MCPHERSON] has voted?

The PRESIDING OFFICER. He has not.

Mr. HIGGINS. Then I withhold my vote.

Mr. MILLS. I am paired with the Senator from New Hampshire [Mr. GALLINGER].

Mr. FAULKNER. I will make the same transfer that I made with the Senator from Pennsylvania [Mr. QUAY] before, pairing the Senator from Alabama [Mr. MORGAN] with the Senator from Connecticut [Mr. HAWLEY], and we will both vote. I vote "nay."

Mr. QUAY. I vote "nay."

Mr. MITCHELL of Wisconsin. I am authorized to vote to make a quorum. I vote "nay."

The result was announced—yeas 5, nays 40; as follows:

YEAS—5.

Kyle,	Perkins,	Power,	Teller.
Peffer,			

NAYS—40.

Aldrich,	Dolph,	Jarvis,	Pugh,
Allison,	Dubois,	Jones, Ark.	Quay,
Blanchard,	Faulkner,	Lindsay,	Roach,
Caffery,	Frye,	Lodge,	Sherman,
Chandler,	George,	McLaurin,	Smith,
Cockrell,	Gibson,	McMillan,	Turpie,
Coke,	Gordon,	Mitchell, Wis.	Vest,
Cullom,	Harris,	Murphy,	Walsh,
Daniel,	Hoar,	Pasco,	Washburn,
Dixon,	Hunton,	Patton,	White.

NOT VOTING—40.

Allen,	Davis,	Jones, Nev.	Platt,
Bate,	Gallinger,	McPherson,	Proctor,
Berry,	Gorman,	Manderson,	Ransom,
Blackburn,	Gray,	Martin,	Shoup,
Brice,	Hale,	Mills,	Squire,
Butler,	Hansbrough,	Mitchell, Oregon	Stewart,
Call,	Hawley,	Morgan,	Vilas,
Camden,	Higgins,	Morrill,	Voorhees,
Cameron,	Hill,	Palmer,	Wilson,
Carey,	Irby,	Pettigrew,	Wolcott.

So the amendment was rejected.

Mr. SHERMAN. I ask that paragraph 270 be read, so that I may see how it stands.

The PRESIDING OFFICER. The paragraph will be read.

The Secretary read as follows:

Burlaps containing not over 40 threads to the square inch counting warp and filling, 15 per cent ad valorem.

The PRESIDING OFFICER. The reading of the bill will be proceeded with.

The Secretary read the next paragraph, as follows:

271. Bagging for cotton, gunny cloth, and all similar material suitable for covering cotton, composed in whole or in part of hemp, flax, jute, or jute butts, 15 per cent ad valorem.

Mr. PEFFER. I move to amend paragraph 271 by striking out in lines 1 and 2, page 69, the words "fifteen per cent ad valorem" and inserting "shall be exempt from duty," so as to read:

Bagging for cotton, gunny cloth, and all similar material suitable for covering cotton, composed in whole or in part of hemp, flax, jute, or jute butts, shall be exempt from duty.

Mr. HOAR. I rise to make a parliamentary inquiry as to the time. I wish to know if it is understood by the Senate under the arrangement made taking up these schedules in their order that questions relating to the free list are taken up as the schedules are taken up, or when the free list is reached?

Mr. VEST. I will state in reply to the Senator from Massachusetts that we intended to take these matters up when we came to the free list.

Mr. HOAR. I thought that was the understanding of the Senate. I have no choice about it myself.

Mr. PEFFER. Mr. President, I wish to say in relation to this paragraph and the proposed amendment that cotton stands in the same relation to the commerce of the world that wheat and corn do; that it comes in competition with the same class of material made in other parts of the world by the cheapest sort of labor that has to be sold in a gold market in competition with the products of that kind of labor, and that it as well as wheat and corn is entitled to every possible concession from the manufacturing interests that they can extend to it, for there is no other way by which cotton or wheat or corn can receive any protection through the operation of our tariff laws.

Cotton has to be compressed and put into large bales and covered with this bagging, and if the cotton planters shall have the benefit of free bagging, free material, if you please, you may term it free raw material, because their cotton when it is in bales is the finished product—if they have the benefit of the concession to that extent the revenue laws which are intended to protect manufacturing interests will also protect the agricultural interests. With that simple statement Senators have the entire question.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Kansas.

Mr. PEFFER. I shall ask the yeas and nays on the amendment when we come to a vote.

Mr. PLATT. I regret that the Senator has proposed this amendment, as I understand, cotton bagging is made of jute butts and made largely in the South and Southwest. I am sorry to see him propose to strike down a Southern and Southwestern industry in this way.

Mr. BLANCHARD. Mr. President, I hope the amendment of the Senator from Kansas [Mr. PEFFER] will be accepted on behalf of the committee. We have just adopted an amendment to paragraph 270, which makes free of any tax or duty bags for grain used by the farmers of the West. In another part of the bill I find that binding-twine, used exclusively in the West in putting up the products of that region for the market, is placed upon the free list.

Now, bagging for cotton is to us in the South what binding-twine is to the farmers of the North, and what the grain bags just placed upon the free list are to the farmers in the Northwest. It is a fact that the bagging placed around cotton is an absolute loss to the cotton producer. While it is true that when a bale of cotton is rolled up on the scales and weighed nothing is deducted here in this country in the markets where cotton is sold for the bagging in which the cotton is wrapped, or for the ties that are around the bale, it is nevertheless a fact that the price of cotton grown in the United States and throughout the world is fixed in the great cotton marts of Liverpool and Manchester, and there, as is well known, a tare of 22 pounds per bale is deducted.

So, when you sift it down to the actual fact, the cotton producer of the South gets nothing whatever for the bagging and ties placed around his bale of cotton, and the price of those articles is a dead loss to him.

Under these circumstances, since binding-twine is made free, and since bags for grain have just been made free, it would seem a fair thing to do to make bagging for cotton free also. It seems we are legislating just now in the interests of the farming classes of the United States, and have extended favors just now to the farmers of one section of the country. Let us be consistent and extend like favors to the cotton producers of the South. Let us make bagging for cotton free, as we have just made bags for grain free.

Mr. FRYE. Mr. President, in 1866 bagging for cotton was controlled by a foreign trust. The price of it was 36 cents a square yard. In 1867 it was 31 cents, and in 1868 it was 28 cents; in 1869 it was 30 cents; in 1870 it was 31 cents. Then in 1870 we put a duty upon this bagging and commenced the manufacture in the United States, and to-day it is manufactured in nineteen different States.

There is a manufactory of it in the State of Texas. These factories make all the bags we use. Now, what has been the effect of that? Capital, induced by the duty to go into this business, has, as I say, gone into it in nineteen States. Now, let me give the price list of this cotton bagging since the duty was imposed upon it.

In 1871 it had fallen to 18 cents a square yard, in 1875 to 13 cents a square yard, in 1878 to 12 cents a square yard, in 1890 to 9½ cents a square yard, in 1891 to 8½ cents a square yard, in 1892 to 7½ cents a square yard. It has gone from 36 cents a square yard down to 7½ cents a square yard, and still the Senator from Louisiana cries out for more protection!

Mr. BLANCHARD. Mr. President, if the Senator from Maine [Mr. FRYE] had taken up almost any other article mentioned in the tariff bill now pending, he would have found that exactly the same thing is true. Prices have declined all along

the line on everything, just as they have on cotton bagging. But that is no reason why the same treatment should not be meted out to bagging for cotton that was meted out just now for bags for grain—make both free of any tax. If the Senator from Maine had inquired into the prices of bags for grain, I think he would have found that the decline in prices has been as great with respect to them as it has been upon bagging for cotton.

But he did not make that argument when the Senator from Kansas and other Senators were proposing to make bags for grain free of any tax. He does make it, however, when it is proposed to adopt the other amendment of the Senator from Kansas which means that the Senate be consistent and extend to the farmers of the South the same favor just now extended to the farmers of the West. If you make bags for grain free of tax, make also bagging for cotton free of tax.

Mr. VEST. The Senator from Maine is mistaken about the price of this article. If he will turn to the Treasury reports on page 249, as to cotton bagging, he will see that it was lower in 1887 and 1888 than at any other time. It was then 2 cents a pound. These bags have 2 pounds to the bag. So you must double these rates. In 1891, which is the last quotation, it was 4 cents a pound. In 1871 it was 5 cents a pound, the next year 4 cents, then 5, and 5, and 4, and 4, and 5, and then 4 again, and then 3, and then 2.

Mr. President, as I said a few minutes ago, I should be very glad if the Senator from Rhode Island or the Senator from Iowa had followed up the suggestion as to putting the bags made out of burlaps upon the free list by also putting these bags for cotton on the free list. As it is a movement in the interest of the cotton planters, I myself hesitated to make the suggestion as coming from the committee. The State of Missouri has about three counties interested in this matter. It is a very considerable interest in my State.

I believe, however, that as a matter of right these bags ought to be upon the free list, because, in the line of general observation that I have frequently indulged in here, it is impossible for us to protect the farmer and the planter. The ingenuity of mortal man can not find a way in which you can extend what our friends call the beneficent influences of the protective system to the agriculturists of this country. All that we can do is to cheapen what they use both as to their persons and in sending their products to market. Therefore whenever I can get a chance to make the burden lighter upon them I shall do so; and I make no opposition, speaking for the committee and for myself, to the amendment of the Senator from Kansas.

Mr. FRYE. Does the Senator from Missouri mean that the committee report in favor of the proposition of the Senator from Kansas?

Mr. VEST. The committee will make no opposition to it.

Mr. FRYE. The Senator from Louisiana says the same reason applies to this that applies to putting grain bags on the free list. I think that may be true, but there was no reason in that. In my judgment, in putting grain bags on the free list, there was no sense or propriety in it.

Mr. BLANCHARD. I did not hear the Senator from Maine argue against it.

Mr. FRYE. I was not present when it was done and did not know until this moment that it had been done. I presume that was done by some one on this side of the Chamber saying something——

Mr. VEST. The suggestion was made by the Senator from Iowa, and I accepted it.

Mr. FRYE. I presume it was done by some one on this side of the Chamber saying something or other that the Senator from Missouri did not fancy, and therefore he immediately retired from the proposition that the committee reported, and put it on the free list.

Mr. VEST. My friend is mistaken. I did fancy it. The Senator from Iowa made the suggestion, and I thought it was so fair and in the right direction that I immediately accepted it.

Mr. FRYE. I have no doubt about it.

Mr. ALLISON. I not only did not make the suggestion, but the suggestion was made elsewhere, as I did not happen to be in the Chamber when that paragraph was voted upon. The only suggestion I made was a suggestion of inquiry to the Senator from Rhode Island, in reply to which I was told that the arrangement of duties here would result in the destruction of our manufacturing industry.

After having made that slight observation, the Senator from Missouri undertakes to hold me responsible for the amendment, which I wholly disclaim. I will give it to the Senator from California now in the chair [Mr. WHITE] and the other Senator from California, who is not present at this moment, and so I absolve the Senator from Missouri from quoting me further upon that suggestion.

Mr. VEST. I would not, under any circumstances, even to pass this bill—and I do not know anything that I desire more than to get rid of it—misrepresent the Senator from Iowa. He knows that, I hope. I think I quote almost his exact words. After asking the Senator from Rhode Island [Mr. ALDRICH] whether the duty we proposed would cause the production of these bags or the making of these bags and the making of burlaps in this country, and the Senator from Rhode Island said no, then the Senator from Iowa said: "I see no reason why those bags should not go upon the free list." If he did not so state, then I never was more mistaken in my life.

Mr. ALLISON. Of course the reporters know what I did say. I inquired of the Senator from Rhode Island, who is an expert, as to whether, in the first place, these burlap bags were made in this country, and he said they were. I then inquired if the present arrangement of duty was sufficiently large for their production, and he said it was not. Then I said, "If that be true, what objection is there to putting them on the free list?"

That is all I said, and that was after the Senator from California, who is now in the chair, and the other Senator from California had suggested that it was very important to California that they should be placed upon the free list, and having made that observation, I retired from the Chamber for a moment.

Mr. FRYE. I had not completed, and had not yielded the floor.

Mr. ALLISON. I beg pardon.

Mr. FRYE. Go on.

Mr. ALLISON. I retired from the Chamber for a moment, and when I came back I was told that bags had been put on the free list. The Senator from Missouri is entitled to everything he can gather from my observation.

Mr. FRYE. The prices which I gave were taken from the New York Financial Chronicle, as given in the last debate on the tariff.

Mr. JARVIS. Will the Senator from Maine be kind enough to read those prices again?

Mr. FRYE. In 1866 the price of this covering for cotton was 36 cents a square yard, and in 1892 7¼ cents a square yard. The price ran down from 1870, when a duty was placed on this article, from 18 cents a square yard to 7¼ cents.

I want to say a word in relation to this other matter——

Mr. VEST. The prices the Senator quotes were the domestic prices, and not the import prices.

Mr. FRYE. Not the import prices, but the domestic prices.

It seems to me the putting of binding twine upon the free list is the cheapest possible kind of demagogy. If the entire duty—I think it was only seven-tenths of a cent placed on binding-twine in the McKinley act——

Mr. ALLISON. That is all. It was 6.47 per cent ad valorem.

Mr. FRYE. If that whole duty is a tax to be paid by the farmers out West, the enormous amount, by the closest calculation that they would be relieved from, would be 1 cent an acre; and yet I have heard talked of here in the United States Senate the policy of putting on the free list binding twine in the interest of the farmers of the United States, so that they might save a cent an acre!

Here is the industry of making bags established in this country, and bags are lower now than they ever were, and lower than they ever will be again, provided they are put on the free list, because we will be giving up the business, and the men who use the bags will be obliged to pay more for them in less than two years, simply because there is a little talk gotten up here in the Senate about the farmers and getting this article on the free list, and because the Senator from Missouri saw an opportunity to score one against somebody on this side, away they go in the twinkling of an eye on the free list, notwithstanding the committee has reported in favor of having them on the dutiable list—an enormous industry in the United States, an industry which has reduced the cost of the article enormously—and the proposition comes from the Senator from Kansas to put that on the free list and destroy this industry, and the Senator from Missouri rises in his place, acting on behalf of the Committee on Finance, and says that the Senator from Iowa has placed grain bags on the free list, and other Senators have placed binding twine upon the free list, and so he is in favor of putting these coverings for cotton on the free list.

I do not believe in that kind of statesmanship. We are dealing with pretty serious matters in this bill. There is hardly an item here which does not affect somebody, and nearly all of the items affect a great many somebodies, and I do not believe that a bill of this kind ought to be dealt with in that way. If there is an industry entitled to protection, and the committee believe that it is entitled to protection, and if the committees of both Houses reported in favor of it, I do not believe that that protection ought to be surrendered simply because somebody in the United States Senate says what may have been an indiscreet thing; and I do not think the Senator from Missouri and the Senator from Arkansas, representing the Committee on Finance, ought to permit themselves to do this thing.

When the lumber schedule was under argument here there were charges made that there was an enormous duty on planed lumber. The duty on planed lumber was perfectly right. It was not an enormous duty but a fair one, and the most important thing in the lumber schedule. That ought to have been protected. It afforded more protection to more men than anything else in the lumber schedule, yet because somebody charged that it was an enormous duty, and all that sort of thing, immediately the two Senators in charge of the bill permitted it to go on the free list, thus doing immense damage to hundreds of thousands of men and to hundreds of millions of capital in the United States.

Mr. President, I think we ought to deal seriously with these matters, where they have or may have such serious effects.

Mr. JARVIS. Mr. President, the Senator from Maine [Mr. FRYE], in reading the prices of cotton bagging for the last twenty years, omitted unadvisedly an important fact, that in the year 1889 there was a combination formed in this country by those manufacturing and selling cotton bagging, to put up the price of bagging which the farmers put around their cotton, from 7 cents a pound to 14 cents a pound, and they were enabled to do that because of the high duty by the then existing tariff law upon cotton bagging.

Against this trust and combination the farmers assembled in the country and in villages and declared that they would not submit to such an outrage. I remember well that in the South the farmers brought their cotton into town, wrapping it up in old sugar bags and in old, worn-out sacks of various kinds. They even resorted to the temporary expedient of making bagging out of pine straw, and resorted to every expedient they could devise to defeat that conspiracy and combination which had been formed under the laws which enabled this trust and combination thus to rob the farmer.

Now, sir, here is an opportunity to put this article upon the free list, so that no such conspiracy or combination can be formed in the future; and I trust the Senate will put this necessary article to the farmer upon the free list.

Mr. JONES of Arkansas. If the Senator from North Carolina will allow me to interrupt him a moment, I should like to remind him of another fact in connection with this subject. The members of this organization, the manufacturers of cotton bagging, at that time appeared before the Finance Committee of the Senate, and when asked the question as to whether they had made this combination to put up the price of cotton bagging within two weeks from 6 or 7 to 14 cents, answered "Yes, we did; and what are you going to do about it?"

Mr. ALLISON. I think there ought to be just one other word said about that. The Mills bill, so called, which had passed the House of Representatives, had put practically no duty upon cotton bagging, and it was very well understood that these gentlemen were endeavoring to punish the gentlemen on the other side for what they were doing. They did admit practically, as the Senator from Arkansas says, that supposing they would be entirely struck down by what was then called the Mills bill, they thought they would get as much out of cotton bagging as they could for the moment.

Mr. FRYE. If there was such a trust as that to which the Senator from North Carolina has alluded in 1889, it was broken up before 1890, because the price of cotton bagging in 1890 was only 9 cents a square yard, and it went from that down to a little over 7 cents a square yard for domestic cotton bagging. I do not believe that there is any trust or that there has been any in the last three years, and I think the Treasury reports will bear out that statement.

Mr. DOLPH. A few days ago the Senator from Rhode Island [Mr. ALDRICH] read an Associated Press dispatch——

Mr. ALLEN. Will the Senator allow me?

Mr. DOLPH. I shall only take a moment.

Mr. ALLEN. I only want to put a question to the Senator from Maine while he is on his feet.

Mr. FRYE. I am not on my feet for a speech. I only wanted to make a statement, which I have made.

Mr. DOLPH. A few days ago the Senator from Rhode Island read an Associated Press dispatch from Oregon showing the result of the election in Oregon, and showing what the farmers of Oregon thought about the Wilson bill, or the pending measure. The Senator from Kansas [Mr. PEFFER] was good enough to say "wait until the back counties are heard from." I then stated that the opposition had elected less than 20 out of 90 members of the Legislature. I said I thought when the back counties were heard from the opposition would not exceed 10. Full returns are given in the Evening Star of this city, of to-day, as follows:

PORTLAND, OREGON, *June 11*

Reliable election returns show that Hermann (Republican), for Congress in the First district, has 9,087 plurality, and that Ellis (Republican), in the Second district, has a plurality of 9,320.

The Legislature stands as follows: Senate—Republicans 19, Democrats 8, Populists 3; House—Republicans 52, Democrats 1, Populists 7. The Republican majority on joint ballot is 52.

Of the 8 Democrats in the Senate 7 are hold-overs and 2 are classed as Populists—one ran as a Populist and the other was elected on a citizens' ticket in Multnomah County. Three Populists were elected two years ago. So the total number of members elected by the opposition to the Republican party of all kinds is 1 Democrat and 1 Populist in the senate, and 1 Democrat and 7 Populists in the house, making 10 out of 90.

Mr. LINDSAY. I should like to ask the Senator a question. I ask if the paper indicates how that very large number of Republicans expect to vote in the election of a United States Senator?

Mr. PLATT. We know how they ought to vote.

Mr. DOLPH. The Senator from Kentucky [Mr. LINDSAY] need not trouble himself about that. I am not troubling myself about it.

Mr. PLATT. Mr. President, the Senator from Louisiana [Mr. BLANCHARD] seems to be worried all at once about the possibility that some little inconsistency may be developed in the treatment of the different industries and interests in this bill, and therefore wants cotton bagging on the free list, because he does not want the Senate to do anything inconsistent. Having put grain bags on the free list, and barbed wire and binding-twine, for the benefit of the farmers, he now insists that the Senate must be consistent and put bagging on the free list for the benefit of the cotton-planters.

He did not say anything, I believe, about when this commenced. It began by putting cotton ties on the free list for the benefit of the cotton-planter, but when it comes to the question of consistency, that does not seem to have had a very great deal of consideration in the forming of this bill. We had a duty on rice, which was only reduced 25 per cent, which was 118 per cent before the reduction began.

Then there came up the question of the reduction of the duty on hay, the largest crop of the United States, and in behalf of the farmers who raise hay, a few of us tried to convince the Senate that the same proportional reduction only should take place which had taken place on the rice industry; but that found no supporters on that side of the Chamber.

So, as it seems to me, this question of consistency does not cut very much of a figure in this matter, and I am glad to be able to stand up and say that this ought not to be done, that the industry of manufacturing cotton bagging ought not to be destroyed, because I believe there does not happen to be one single mill of that sort in New England. Therefore I shall not be accused of any sectionalism or any desire to promote the interests of my own section, when I say that I do not think that that industry ought to be destroyed. It is an industry in the West largely and in the South considerably.

It is an industry employing a great deal of capital and a great many men. The proposition now is to turn it over to the tender mercies of foreign manufacturers and foreign trusts because of some supposed benefit which will inure to the cotton planter. It has been admitted that so far as this country is concerned all this cotton bagging is sold at a price which exceeds what the cotton planter pays for it, though it is claimed that in the cotton which goes abroad it is deducted in the way of tare.

But look at it. Whatever may have been the condition with regard to a trust in former times, that trust is broken up, and whatever price that trust may have imposed upon cotton planters, there is no longer any complaint from cotton planters of the price of this bagging. There was no complaint in 1890, and the duty on it under the present law, where it is valued at 6 cents or less a square yard, is only 32 per cent ad valorem, and valued at more than 6 cents per yard, 26 per cent ad valorem, which the pending bill proposes to reduce to 15 per cent ad valorem.

The price has gone steadily down under the manufacture in this country, and if you destroy this manufacture it will go steadily up under the manipulations and the combination of foreign manufacturers. The planter will get nothing. It will simply be the destruction of an industry which I am just as much interested in the preservation of as if it were a New England industry.

I do not know, Mr. President, that this delusion of free trade can ever be eradicated from the minds of the American people until they have had experience with it. It is possible that putting this article upon the free list may operate to give the American people a little experience of what the result of the free traders' logic is really to be. It may be that putting it on the free list will at last convince the cotton planter that when he destroys a manufacturing interest in this country he gains nothing by it, and loses something.

It may be that putting grain bags on the free list will have the effect to convince the Western grain grower than when he destroys an industry in this country the competition in which

has reduced the price, he gains nothing by it, but loses something by it. If that should be the effect it is possible that the destruction which is to follow the adoption of this proposition will not have been too dearly purchased.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Kansas.

Mr. PEFFER. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CAFFERY (when his name was called). I am paired with the Senator from Montana [Mr. POWER].

Mr. FAULKNER (when his name was called). I am paired with the Senator from Connecticut [Mr. HAWLEY].

Mr. GORDON (when his name was called). I am paired with the Senator from Iowa [Mr. WILSON].

Mr. HALE (when his name was called). I am paired with the Senator from North Carolina [Mr. RANSOM]. I transfer that pair to the Senator from Ohio [Mr. SHERMAN] and vote "nay."

Mr. HIGGINS (when his name was called). I am paired with the senior Senator from New Jersey [Mr. MCPHERSON]. If he were present I should vote "nay."

Mr. MILLS (when his name was called). I am paired with the Senator from New Hampshire [Mr. GALLINGER]. If he were here I should vote "yea."

Mr. MITCHELL of Wisconsin (when his name was called). I am paired with the Senator from Wyoming [Mr. CAREY].

Mr. HIGGINS. I suggest to the Senator from Wisconsin that we transfer pairs, so that the Senator from Wyoming will stand paired with the Senator from New Jersey [Mr. MCPHERSON] and we can both vote.

Mr. MITCHELL of Wisconsin. Very well. Then I vote "yea."

Mr. HIGGINS. I vote "nay."

Mr. QUAY (when his name was called). I again announce my pair with the Senator from Alabama [Mr. MORGAN].

Mr. VILAS (when his name was called). I transfer my pair with the Senator from Oregon [Mr. MITCHELL] to the Senator from South Carolina [Mr. IRBY], and vote "yea."

The roll call was concluded.

Mr. CALL. I am paired with the Senator from Vermont [Mr. MORRILL]. If he were present I should vote "yea."

Mr. GORDON. The arrangement announced on the other vote will stand on this, and the Senator from Iowa [Mr. WILSON] will stand paired with the Senator from Delaware [Mr. GRAY]. I vote "yea."

Mr. BRICE. I desire to announce my pair with the junior Senator from Colorado [Mr. WOLCOTT], unless there is a question of a quorum, in which case I shall vote.

The result was announced—yeas 34, nays 19; as follows:

YEAS—34.

Allen,	Gibson,	Martin,	Squire,
Berry,	Gordon,	Mitchell, Wis.	Turpie,
Blackburn,	Harris,	Murphy,	Vest,
Blanchard,	Hunton,	Pasco,	Vilas,
Butler,	Jarvis,	Peffer,	Voorhees,
Cockrell,	Jones, Ark.	Perkins,	Walsh,
Coke,	Kyle,	Pugh,	White.
Daniel,	Lindsay,	Roach,	
George,	McLaurin,	Smith,	

NAYS—19.

Aldrich,	Dolph,	Hoar,	Power,
Allison,	Dubois,	McMillan,	Shoup,
Chandler,	Frye,	Manderson,	Teller,
Cullom,	Hale,	Patton,	Washburn.
Dixon,	Higgins,	Platt,	

NOT VOTING—32.

Bate,	Faulkner,	Jones, Nev.	Pettigrew,
Brice,	Gallinger,	Lodge,	Proctor,
Caffery,	Gorman,	McPherson,	Quay,
Call,	Gray,	Mills,	Ransom,
Camden,	Hansbrough,	Mitchell, Oregon	Sherman,
Cameron,	Hawley,	Morgan,	Stewart,
Carey,	Hill,	Morrill,	Wilson,
Davis,	Irby,	Palmer,	Wolcott.

So the amendment was agreed to.

The PRESIDING OFFICER. The reading of the bill will proceed.

The Secretary read as follows:

272. Flax gill netting, nets, webs, and seines, 30 per cent ad valorem.

The Committee on Finance reported an amendment in line 3, to strike out "thirty" and insert "thirty-five;" so as to read "35 per cent ad valorem."

Mr. JONES of Arkansas. I withdraw the committee amendment, and move to strike out "thirty" and insert "forty," in line 3.

The PRESIDING OFFICER. The amendment proposed by the Senator from Arkansas will be stated.

The SECRETARY. In line 3, it is proposed to strike out "thirty" and insert "forty;" so as to read "forty per cent ad valorem."

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Arkansas.

The amendment was agreed to.

The PRESIDING OFFICER. The reading of the bill will proceed.

The Secretary read as follows:

273. Oilcloth for floors, stamped, painted, or printed, including linoleum, corticene, cork carpets, figured or plain, and all other oilcloth (except silk oilcloth), and waterproof cloth, not specially provided for in this act, 30 per cent ad valorem.

The committee reported an amendment to the paragraph, in line 8, after the word "act," to insert "valued at 25 cents or less per square yard, 20 per cent ad valorem; valued above 25 cents per square yard;" and in line 11, after the word "yard," to strike out "thirty," and insert "thirty-five;" so as to read:

273. Oilcloth for floors, stamped, painted, or printed, including linoleum, corticene, cork carpets, figured or plain, and all other oilcloth (except silk oilcloth), and waterproof cloth, not specially provided for in this act, valued at 25 cents or less per square yard, 20 per cent ad valorem; valued above 25 cents per square yard, 35 per cent ad valorem.

Mr. JONES of Arkansas. I move, in line 9, to strike out "twenty" and insert "twenty-five;" and in line 11 to strike out "thirty-five" and insert "forty."

The PRESIDING OFFICER. The amendment proposed by the Senator from Arkansas to the amendment of the committee will be stated.

The SECRETARY. In line 9, page 69, it is proposed to strike out "twenty" and insert "twenty-five;" and in line 11 to strike out "thirty-five" and insert "forty:" so as to read:

273. Oilcloth for floors, stamped, painted, or printed, including linoleum, corticene, cork carpets, figured or plain, and all other oilcloth (except silk oilcloth), and waterproof cloth, not specially provided for in this act, valued at 25 cents or less per square yard, 25 per cent ad valorem; valued above 25 cents per square yard, 40 per cent ad valorem.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The PRESIDING OFFICER. The reading of the bill will proceed.

The Secretary read as follows:

274. Yarns or threads composed of flax or hemp, or of a mixture of either of these substances, valued at 13 cents or less per pound, 25 per cent ad valorem; valued at more than 13 cents per pound, 30 per cent ad valorem.

Mr. JONES of Arkansas. I move the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment proposed by the Senator from Arkansas will be stated.

The SECRETARY. After the word "substances," in line 13, it is proposed to strike out down to the word "pound," in line 15, and to insert after the word "thirty," the word "five;" so as to read:

274. Yarns or threads composed of flax or hemp, or of a mixture of either of these substances, 35 per cent ad valorem.

The amendment was agreed to.

The PRESIDING OFFICER. The reading of the bill will proceed.

The Secretary read as follows:

275. Collars and cuffs, and shirts, and all articles of wearing apparel of every description, not specially provided for in this act, composed wholly or in part of linen, and linen hydraulic hose, 35 per cent ad valorem.

The Committee on Finance reported an amendment in line 17, after the word "cuffs," to strike out "and shirts," and insert "composed wholly or in part of linen, 55 per cent ad valorem; shirts;" in line 19, after the word "all," to insert "other," and in line 22, after the word "linen," to strike out "and linen hydraulic hose, thirty-five," and insert "fifty;" so as to make the paragraph read:

275. Collars and cuffs, composed wholly or in part of linen, 55 per cent ad valorem; shirts and all other articles of wearing apparel of every description, not specially provided for in this act, composed wholly or in part of linen, 50 per cent ad valorem.

Mr. JONES of Arkansas. I move to amend the amendment by striking out the words "fifty-five," in line 18, and inserting "30 cents per dozen pieces, and in addition thereto thirty."

The PRESIDING OFFICER. The amendment proposed by the Senator from Arkansas will be stated.

The SECRETARY. It is proposed in line 18 to strike out the word "fifty-five" and insert "30 cents per dozen pieces, and in addition thereto thirty;" so as to make the paragraph read:

Collar and cuffs, composed wholly or in part of linen, 30 cents per dozen pieces, and in addition thereto, 30 per cent ad valorem; shirts and all other

articles of wearing apparel of every description, not specially provided for in this act, composed wholly or in part of linen, 50 per cent ad valorem.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question is on the amendment as amended.

Mr. PLATT. Mr. President, we have here an absolutely protective duty, and for one I am very glad of it; we have also a duty which, to all practical purposes, is as high, or higher, than the duty in the McKinley act. I am glad of that, too. It is not a duty which affects anybody in the State of Connecticut. I am glad of that, too.

Mr. PUGH. The Senator is pleased all around.

Mr. PLATT. So I think I may be permitted, without doing any damage to the amendment proposed by the committee, to make some observations with regard to this protective McKinley duty. I do not think it will be quite prohibitory, because there were imported last year, in all, 89,000 dozen collars and cuffs, composed in whole or in part of linen, of the value of $93,000, on which there was $64,000 duty paid.

Those, Mr. President, are the collars which dudes wear, and they would be imported if the tariff were 300 per cent instead of about 60 per cent, as it will be by the pending bill. To be a little more specific, the duty in the McKinley act was 30 cents per dozen and 40 per cent ad valorem. The duty now proposed is 30 cents per dozen, and 30 per cent ad valorem. The equivalent duty under the McKinley bill was, as given, 68.54 per cent.

As it is figured, it will be under the proposed amendment 58.54 per cent, a nominal apparent reduction of 10 per cent in the duty from the McKinley law; but the changed conditions, the fall in price of collars, has been such that at the end of a year's time, when the record is made up, I have no doubt that the average ad valorem will be higher than that given by the duty under the McKinley act. But that is no objection to it, in my mind. I am quite willing that this industry should be continued in the United States.

I congratulate the Democratic Senators that they have given us an absolutely protective and high tariff and, as I believe, prohibitive duty. I congratulate the men and women and girls engaged in this occupation in Troy, that there will be no necessity for reducing their wages; that their wages can be kept up to the point at which they have been kept during the past two or three years, and that there will be no occasion even for a 10 per cent reduction of wages.

Mr. CHANDLER. May I ask the Senator how he can show that? When the duty is kept up on collars and cuffs at the old rate, and when other industries will be destroyed by the reductions which have been made, will not the people who were employed in those industries flock into this highly protected collar and cuff industry, so that the wages willbe lowered?

Mr. PLATT. I hope not. I hope that this industry will be preserved for that radically Democratic city of Troy, and that no Democratic workingman, nor his daughter, nor anybody who has been engaged in this industry, will have their wages reduced one penny.

But it was not so much to congratulate the Democratic Senators on having thus come to this protective duty that I rose, as it was to call attention to this paragraph as illustrating the evolution of tariff reform.

Immediately after the election, as before it, we heard a great deal in this country about tariff reform. It was printed on every Democratic banner before the election, and even after the election it stood in black headlines at the head of the editorial columns of almost all the Democratic newspapers; and even, indeed, when we came to this Congress, when we had this bill reported in another place, which I shall not designate, by a gentleman whose name ought no longer be connected with or attached to it, we were told that this bill embodied the real, genuine tariff reform upon which the election was won. Every speaker who advocated that bill in that place advocated it as a measure of Democratic tariff reform.

I have not heard so much about that recently, Mr. President. Indeed, until the Senator from Missouri [Mr. VEST] to-day cautiously and incidentally mentioned it, I do not think I have heard those words in this Chamber for the last three weeks. The last time I remember to have heard them was when the Senator from Georgia [Mr. WALSH], evidently not understanding the changed condition in the Senate, beat his rub-a-dub on the drum of tariff reform.

This is a paragraph which will bear looking at as well as reading, and I am going to ask to have it reproduced in the RECORD with my remarks in the same type in which it appears in the bill under consideration. It will indeed require the explanations which are to be found on the first page of the bill in order that any reader of the RECORD may understand what represented tariff reform on collars and cuffs at the different stages after this bill reached the Senate.

The paragraph referred to is as follows:

275. Collars and cuffs, ~~and shirts,~~ *composed wholly or in part of linen,* [*fifty-five*] thirty cents per dozen pieces, and in addition thereto thirty *per centum ad valorem; shirts* and all *other* articles of wearing apparel of every description, not specially provided for in this Act, composed wholly or in part of linen, ~~and linen hydraulic hose, thirty-five~~ *fifty* per centum ad valorem.

Mr. PLATT. Before this bill reached the Senate, as I have said, it was tariff reform and 35 per cent ad valorem upon collars and cuffs, and a gentleman elsewhere, whom I shall not mention, when he called the roll for this bill, which put a duty on collars and cuffs of 35 per cent ad valorem, said:

This is a roll of honor. This is a roll of freedom; and in the name of honor and in the name of freedom, I summon every Democratic member of this House to inscribe his name upon it. [Loud and prolonged applause.]

That was tariff reform then; and I have heard that his associates were roused to such a pitch of exaltation by the bugle blast with which he summoned them to rally around the standard of tariff reform, that after the "roll of honor" had been made up they bore him in triumph from the Chamber on their shoulders. The Wilson bill came to the Senate, and we heard various suggestions—I shall not say suspicions— that in some way or other the duty of 35 per cent ad valorem on collars and cuffs did not after all truly illustrate the doctrine of tariff reform.

So, when the bill was being concocted in some room in this Capitol, into which we on this side of the Chamber could not get, and afterwards when a Democratic caucus was held and another printed bill, which we have not been permitted to see, was passed around among Democratic members of the Senate, it was all at once discovered that it took 55 per cent ad valorem on collars and cuffs composed wholly or partly of linen, to constitute the real, genuite, simon-pure Democratic tariff reform. So, when the bill came in on the 20th day of March, the caucus having been held some time in February, we found the bill proposed to be amended by putting an ad valorem duty of 55 per cent on collars and cuffs.

I think that would have been protective, Mr. President; but it was not protective enough for somebody. Then there were whisperings. In the meantime the Senator from Missouri [Mr. VEST] informed the Senate that he was compelled by "political exigencies" to submit to something that he did not want to submit to, which he did not believe in and which he was going home to tell his constituents he did not believe in, but submitted to it because he must.

We are told by the Senator from Tennessee [Mr. HARRIS] that no Republican should have anything to do with the shaping of this bill. Very frank it was. So on the 7th of May the bill came in perfected by the so-called Jones amendments, and all the Democratic tariff reform which was embodied in 35 per cent ad valorem and then in 55 per cent ad valorem duty on collars and cuffs had disappeared, and the old staff of the tariff reform banner, with the flag all tattered and torn, had graced the head of a procession of Democratic Senators who succeeded in placing a duty of 30 cents per dozen pieces and, in addition thereto, 30 per cent ad valorem on collars and cuffs.

We had just been told a little while before by the Senator from Indiana—I will not say the Senator from Indiana, but by the chairman of the Finance Committee—that this ad valorem business was true, Simon pure, genuine tariff reform, that a specific duty was practically the synonym of protective plunder. That is the way he stated it—the chairman of the Finance Committee, understand.

The object in laying specific duties like these and others is plainly manifest. It is not desirable on the part of protected wealth that the people should know how much tribute they pay, or to what extent they are plundered.

* * * * * * *

It is true that exceptional instances sometimes compel the use of specific duties, but it may be stated as a rule that tariff reform never adopts them if it can be avoided, and that the protectionist, on the other hand, shuns ad valorem rates as guilt shuns discovery.

Ad valorem rates, then, gave the true ring to tariff reform. So in the House of Representatives it was 35 per cent ad valorem on collars and cuffs. When the Democratic caucus had manipulated the bill, after its manipulation in a secret room in this Capitol, it was 55 per cent ad valorem on collars and cuffs. But when the final act comes, in which the protectionist "shuns ad valorem rates as guilt shuns discovery," we find a compound duty,

partly ad valorem and partly specific, of 30 cents per dozen pieces, and in addition thereto, 30 per cent ad valorem!

Mr. President, that has been all figured out by the expert of the committee. He tells us that the compound ad valorem and specific duty together will be 58.54 per cent ad valorem; a higher ad valorem duty than is to be found upon any other article of textile manufacture; practically the same ad valorem duty which the wine and liquor schedule averages, which we discussed this morning; that is to average 58.98 per cent, and these collars and cuffs are to average 58.54 per cent.

I believe collars and cuffs, collars certainly, are worn by poor people. They are, as I suppose, articles of prime necessity, about all the Democrats wear them. I think there are few people in the land so poor, so abject, as not to wear collars and cuffs, and yet for somebody, in some way, mysteriously, this tariff reform, which fixed the duty originally at 35 per cent ad valorem, has been so stretched and enlarged that we have now a specific ad valorem duty averaging 58.54 per cent, a duty upon these articles of prime necessity higher than any duty upon any textile fabric or upon the materials made from any textile fabric in the bill.

Why this was it is best, perhaps, not to inquire a great deal. I do not want to hurt anybody's feelings, and I do not want to imperil this duty, because I want it to stand in the bill as an instance of the fact that tariff reform upon a discussed subject means McKinley duties pure and simple.

I have my own ideas about how this occurred. There is an old saying that "if you scratch a Russian you will find a Cossack," and my observation has taught me that whenever you scratch a protective amendment in this bill you find a Democrat under it. [Laughter.]

Perhaps that is enough to say with relation to how this protective duty came to be inscribed in this bill as an illustration of the beauties of tariff reform.

I should like to go into this subject a little more at length, but I have not the time this evening; I am very anxious to get on with the bill; but it would be an exceedingly instructive half hour which might be spent here inquiring what has become of the professions of tariff reform on which the election was carried. But I refrain, Mr. President, and I close with a single remark illustrative of the course of tariff reform in the Senate, a sort of a parody on those famous lines of Bret Harte:

> For ways that are dark
> And tricks that are vain,
> This tariff reform is peculiar.

[Laughter.]

Mr. HOAR. Mr. President, I do not wish to discuss this matter at this time, except to ask a word of explanation of the honorable Senator from Missouri as to whether articles which are covered by this provision are, in the opinion of the committee, a luxury or a necessity?

Mr. VEST. Both.

Mr. ALDRICH. In the absence of the Senator from New York, who, I suppose, would naturally be expected to understand and defend this duty, I should be glad to have the Senator from Missouri, who is now present and who for the moment seems to be alone in the protection of this bill, to state whether this is a revenue duty or a protective duty?

Mr. VEST. A revenue duty of course. [Laughter.] I am astonished the Senator should ask me that question.

Mr. ALDRICH. Imposed solely for the purpose of raising revenue?

Mr. VEST. As a matter of course—a revenue duty.

Mr. ALDRICH. Would the Senator state about what per centage ad valorem it would be upon the ordinary kinds of collars and cuffs?

Mr. VEST. Oh, Mr. President, the Senator does not want any information from me about the tariff.

Mr. SQUIRE. How much revenue will be derived from it?

Mr. ALDRICH. I received a letter to-day from a very extensive importer, in which he said this duty would amount to 150 per cent on the kind of collars and cuffs which the ordinary people of the country wear. I should be glad to have that statement confirmed or otherwise by the Senator from Missouri.

Mr. VEST. It seems to me that a Senator whose political stomach can stand 240 and 250 per cent on common wool clothing, ought not to gag at this duty on collars and cuffs.

Mr. ALDRICH. But the Senator from Missouri has a much more sensitive stomach than that, and I wanted to find out what was the limit of his endurance in this regard.

Mr. VEST. I have been associated with the Senator from Rhode Island so long that I have fallen into a few of his habits. I propose to get rid of them after this bill is disposed of; but for the present I leave him to explain this duty for himself.

Mr. CHANDLER. We are obliged to stand anything which is necessary for the other side to do to get this bill through, and once in awhile we are gratified with a protective duty and are disposed to cackle a little—to use the sweet and expressive word which the Senator from Missouri used in this debate—and we do not refrain from cackling over this vindication of Republican principles because the junior Senator from New York [Mr. MURPHY] cackles also.

I do not understand that the Senator from New York should be criticised for getting his share of what goes to the so-called conservative Senators on the other side of the Chamber. The Senator from Maine [Mr. HALE] who early in this debate grouped these Senators—and I think he spoke this afternoon on this subject—will be obliged to rearrange his group, and perhaps absolve everyone of them.

Some dozen or fifteen Senators, it was rumored early in the session, had organized either to prevent the passage of this bill or to secure a modification of it, and they have gone on and secured the necessary modifications of the bill.

The Senator from Maryland [Mr. GORMAN], who spoke so smoothly the other day about this bill and its future passage, which was soon to take place, said to us that the bill as it came from the House could not have commanded a majority of the Senate, that the bill as reported by the committee could not have commanded a majority vote in the Senate, but the Senator from Maryland took pleasure in announcing that then the Democratic party was united, and the bill was about to pass.

Then the Senator retired from the Chamber and we have not seen him since. We trust that if he is not well, that he will soon be restored to health, and that we shall see his cheerful and joyous countenance with us before this bill is put upon its passage.

The Senator from Maryland omitted to tell us, in his modesty, that the two situations of which he spoke were created by him. He omitted to tell us that the bill could not pass the Senate as it came from the House because he and the Senator from Ohio [Mr. BRICE], as the two ringleaders of the conservative party, organized to prevent its passage. He did not tell us the bill as reported by the Finance Committee could not pass this body because he and the Senator from New York organized a conservative party in order to prevent its passage in the form in which it then stood.

The Senator omitted to tell us much history which he might have usefully given to the Senate concerning this bill. The Senators composing the conservatives of whom I have spoken, the group of Senators whom the Senator from Maine has described, went on and got what they desired.

It was first necessary, however, to capture and hold securely the Populists upon the other side of the Chamber, and they have been taken care of by free binding-twine, free barbed wire, and free lumber; and it may be that they are even now setting other traps for the Populist Senator who so pleasantly associates with Senators upon this side of the Chamber. At any rate, the Populist party was conciliated and taken care of.

Then the conservative Senators from Maryland, West Virginia, and Alabama, and the conservative Senator from Ohio were conciliated by a duty on iron ore and a duty on coal. Thus one after another the conservatives began to disappear. I do not know whether the Senator from New Jersey [Mr. SMITH], who made so brave a speech against the income tax, has been sufficiently conciliated or not, but time will tell upon that point.

Under those circumstances, however, who can blame the genial junior Senator from New York for consenting to be conciliated? Why should any one criticise if he, in the general wreck of the conservative party among the Democrats, accepted at the hands of this generous committee a duty practically prohibitive upon collars and cuffs?

Mr. President, as I understand, cotton collars and cuffs, which were dutiable under the McKinley law, have disappeared from the list; and under the duties which are now proposed, with the fall in prices which has taken place—which fall in prices upon other articles has been used by Senators upon the other side of the Chamber as some justification for reductions which they have made from the McKinley law, amounting to from one-fourth to one-half of the existing duties—the fall in prices has been such that upon the cheapest linen collars and cuffs, worth, say two and a half cents apiece, the two and a half cents duty derived from such collars and cuffs will be 100 per cent.

Then there is 30 per cent ad valorem in addition. The duties upon the cheapest linen collars and cuffs under this bill will be 130 per cent, and they will not be lower than 80 per cent in the case of any collars and cuffs which will be imported.

Mr. President, that makes the duty almost prohibitive. The present duty has practically given the manufacturers of Troy a monopoly of the collar and cuff business. There have been substantially no importations of cotton collars and cuffs, and very few importations of linen shirts, and, as stated by the Sen-

ator from Connecticut [Mr. PLATT], only importations of about $92,000 worth of linen collars and cuffs under the present duty.

With the fall of prices which has taken place, the duty which is now proposed, of 30 cents a dozen and 30 per cent ad valorem, is a prohibitive duty, and the monopoly of the manufacture of collars and cuffs for this country is pretty nearly given to the city of Troy, the Senator's own home; and the Senators upon the other side of the Chamber, as well as the Senators upon this side, will undoubtedly vote to give that duty, and to present that testimonial of the protectionists in this Chamber to the junior Senator from New York as an evidence of the appreciation in which his associates hold one of the most distinguished of the conservative party to which I have alluded.

Mr. President, one other question remains. Is the last remaining conservative to be conciliated? Is the income tax to be thrown over in order to pass this bill? I sincerely hope that the Senator from Missouri and the Senator from Arkansas are making up their minds to perform the last act of conciliation. When they concede the exclusion of the income tax from this bill and everything has been made dutiable which seeks a duty, except lumber and wool, they can then perform the last acts of mercy and I hope we shall have them reconsider their action upon lumber, put a duty upon wool, satisfy the farmers of the United States, and strike out the income tax from the bill and thus conciliate us all.

If this could be done, while I think the bill would be like a leopard, spotted with a little protection here and a little destruction there, I should have a feeling that it might possibly pass the Senate. It would not be satisfactory to me and would not be a bill then constructed upon any consistent principle, such as a protectionist would advocate, or such as the Senator from Texas [Mr. MILLS], who wishes to destroy all protection, would advocate; but it would be a bill which, while destroying many industries, would allow other industries to survive; the country would be saved from the Populist income tax, and, as I said, I think if all this could be done, the Senators upon this side of the Chamber would be willing to agree to fix a time when a vote might be taken upon the bill.

Mr. ALDRICH. Mr. President, I was not very successful in securing an explanation of the provisions of this paragraph from any Senator on the other side of the Chamber, and I assume, from their continued silence, that I shall not be able to obtain such an explanation.

But there is another portion of this paragraph, however, to which I desire to call the attention of the Senator from Missouri. After fixing a rate upon collars and cuffs which is amply protective, as I think Senators on the other side might be willing to admit, the paragraph goes on in this way:

> Shirts and all other articles of wearing apparel of every description, not specially provided for in this act, composed wholly or in part of linen, 50 per cent ad valorem.

Paragraph 258, which we have adopted to-day, reads as follows:

> 258. Clothing ready made, and articles of wearing apparel of every description, handkerchiefs, and neckties or neckwear, composed of cotton or other vegetable fiber, or of which cotton or other vegetable fiber——

Including, of course, linen—

> is the component material of chief value, made up or manufactured wholly or in part by the tailor, seamstress, or manufacturer, all of the foregoing not specially provided for in this act, 40 per cent ad valorem.

Here is one paragraph that fixes a duty upon "wearing apparel of every description * * * composed of cotton or other vegetable fiber at 40 per cent ad valorem," and another which fixes the duty "on wearing apparel of every description * * * composed wholly or in part of linen at 50 per cent ad valorem."

Mr. VEST. I should like to ask the Senator from Rhode Island, as a matter of information in which we are all interested, whether he does not think that the words "not specially provided for in this act" would meet the criticism he is now making?

Mr. ALDRICH. Those words are used in both paragraphs. They are alike in that respect.

Mr. VEST. The provision fixing 50 per cent ad valorem, which we are now considering in the pending paragraph, is certainly a special provision.

Mr. ALDRICH. It applies, according to its terms, to shirts and all other articles of wearing apparel of every description, and paragraph 258 applies to all articles of wearing apparel of every description, and both have the limitation "not specially provided for in this act." They are both general clauses.

Mr. VEST. There can be no trouble about that.

Mr. ALDRICH. Perhaps there is no trouble about it, but it is very evident that two different rates of duty are imposed by these paragraphs upon the same articles. Under the similitude clause, I suppose, they would all pay the higher rate of duty, 50 per cent ad valorem, unless specially enumerated in either paragraph; but the only articles enumerated in paragraph 258 are handkerchiefs, neckties, or neckwear, and the articles enumerated in paragraph 275 are shirts, which would pay 50 per cent, while handkerchiefs, neckties, and neckwear would undoubtedly pay 40 per cent; but the two paragraphs are open to the same construction, and with the similitude clause operative also, these articles would pay 50 per cent. That, perhaps, may be what the Senator desires, and I am inclined to think it is what ought to be done; but certainly there is an apparent inconsistency in rates.

We have two or more paragraphs applying to the same articles—I have recited two of them—other paragraphs of the bill apply to wearing apparel composed of other material; for instance, the woolen schedule contains a paragraph fixing a rate for wearing apparel at 45 per cent, and we have also a provision in this schedule applying to miscellaneous manufactures, flax, hemp, jute, etc., of 35 per cent. So that we have in various parts of this bill paragraphs applying to similar miscellaneous manufactures of 35, 40, 45, and 50 per cent.

I suggest to the Senator from Missouri that at some time before the bill passes the Senate, these inequalities, which I suppose have arisen from the various degrees of pressure exercised by different conservative Senators on various portions of the bill, may be equalized, and that we shall have some one rate, perhaps an average rate of say 45 or 50 per cent, which will apply to all similar wearing apparel. If this is not done there will be inextricable confusion in the administration of the law.

Before I sit down, in answer to the question of the Senator from Colorado [Mr. TELLER], as to whether I am satisfied with this rate, I desire to say I am perfectly satisfied. I will add, if this entire tariff bill had been constructed on the collars-and-cuffs basis, there would have been no remonstrance or criticism from this side of the Chamber as to a single item.

What I am criticising is that only a small portion of the bill is builded on the collar and cuff basis, and that portion is comparatively unimportant. We have had within the last half hour some manufactured articles put upon the free list, and upon others a rate of duty of 125 and 150 per cent placed, and the latter articles are of no more consequence than the former, and no better entitled to protective duties.

I know it is too much to expect any consistency in the preparation of this bill, but I do think that some of these manifest and glaring defects should receive attention, and at some time before final action is taken I trust that some corrections will be made.

Mr. HOAR. Mr. President, we do not seem to get much explanation from the Senators in charge of this bill in regard to this particular item.

The Senator from Missouri [Mr. VEST] the other day was polite enough to say in regard to this side of the Chamber that they cackled over the Oregon election. I am afraid there is a gander somewhere on the other side of the Chamber who has been sitting about twelve weeks on a cuckoo's egg, who does not seem disposed to cackle just now, or even to crow over this item.

Mr. President, this bill was introduced by the honorable chairman of the Committee on Finance with a statement of principle; and although I suppose that honorable Senator has left the detail of some of these matters to his lieutenants, yet he is still in command of his army. He used this language:

> Darkness and deception lurk in the very principle of specific rates of duty.
>
> * * * * * * * *
>
> This is the favorite device of high protection.
>
> * * * * * * * *
>
> That the people should know how much tribute they pay, or to what extent they are plundered.

And the Senator gave as an illustration the specific duty on shirt buttons. He said it was no consolation for an Indiana farmer who paid one-sixth of 1 cent, as it turned out to be on ciphering on the buttons on his shirt, so that he would get six buttons additional at a duty of a cent, to know that that was covered up by a specific duty.

Here it is proposed to add to the high ad valorem duty of 50 per cent on the shirt, 30 cents a dozen on cuffs and collars, which the Senator from New Hampshire [Mr. CHANDLER] says is a little over 100 per cent ad valorem, and a specific duty. I should like to know on what principle that is vindicated. I think we are entitled to some explanation, as are the American people, as to what is the reason of putting on every man's shirt in this country this plunder; what is the reason for cheating every Indiana farmer, not only a sixth of 1 cent—I believe that is taken off—but cheating every Indiana farmer to the amount of 150 per cent on his shirt and his shirt collar.

Will the Senator from Indiana [Mr. VOORHEES] kindly tell us? The Indiana farmer is ready for revolution against these plundering outlaws and robbers, when he pays a sixth of a cent on his shirt buttons, and yet he is going to pay an addition of 30 per cent

ad valorem, over 100 per cent, on his collars and cuffs, more than thirty times as much, and he is going to be comforted by the fact that that is what his favorite statesman, the great and good Senator from Indiana recommends, the great economist of this generation, the champion of the oppressed and plundered Democracy, against the wicked robber barons, and he, indeed, is responsible for it. Will not the Senator from Texas tell us?

Mr. MILLS. With the greatest pleasure in the world.

Mr. HOAR. I should like to hear it.

Mr. MILLS. I thought you would come to me directly, and I was just waiting for you, and came over close by you on purpose.

Mr. HOAR. I am glad to see the amiable smile on the Senator's countenance.

Mr. MILLS. We found ourselves in a situation where it was necessary to make this concession in order to prevent some other barons, who were engaged in plundering the people of the United States out of about $300,000,000 on woolen goods and $125,000,000 on cotton goods, and in order to reduce that plunder about $150,000,000 on woolen goods and not so much on cotton goods—very little, I believe, on them—we thought we could afford to stand a little rise on collars and cuffs.

Mr. HOAR. Ah, Mr. President, that is not the way to state it. The Senator is not standing "a little rise on collars and cuffs;" he is doing a little cheating and stealing himself, according to his account. He takes to the highway with his bludgeon in his hand, and says, "There is a man on the highway who is plundering at large; and therefore, in order to discourage him, I will take to the byways and lanes, and do a little plundering myself."

That is the difficulty; but I should like to have the Senator go a little further. I ask him how is it that it was necessary to do this? How did it happen that his friends on the Democratic side of the Chamber, who are a clear majority, would not have voted for this bill if the principle of the Senator from Indiana had been carried out?

Mr. MILLS. Your friend from New Hampshire [Mr. CHANDLER] has been discussing all the conservatives and knows more about the matter than I do, and he knows what is the fact. The Senator had better cross-examine him.

Mr. HOAR. I do not think the Senator quite answers this cross-examination. I did not talk about the Senator from New Hampshire, who knows it and has the facts, as I dare say; but I want to get the facts out of this witness, who, when I was addressing the court on a legal proposition, stood up and volunteered his testimony, and have him say how it was necessary to get votes to pass the bill, and what votes are they?

Mr. MILLS. The Senator knows that. He asked me for the facts, and I gave him the facts, and I answered that the bill could not be passed without concessions.

Mr. HOAR. Why not?

Mr. MILLS. I do not want to go into particulars.

Mr. HOAR. Why?

Mr. MILLS. The Senator wants me to go into our family affairs, and is asking me to discuss matters he has no right to know. I deny the jurisdiction of the court to institute the inquiry. [Laughter.]

Mr. HOAR. The Senator seems to me to use Burke's phrase—I do not use it in the offensive sense—but Burke spoke of a gentleman in the British Parliament who had sneaked out of a difficulty which he had boldly strutted into. Of course that phrase of Burke is not applicable to so gallant and chivalrous a Senator as my friend from Texas. He said he would tell why it was that this thing had to be done.

Mr. MILLS. I told you why.

Mr. HOAR. The Senator gets up and asks us why is it necessary to pry into their family secrets. The American people will want to know the policy of the party which is governing this country, they will want to know why it is that they have got to be taxed and plundered, as the Senator says, and when asked the reason the answer is, it is a family secret. This is the first time I have ever heard in an economic discussion such a doctrine avowed.

Mr. President, it is not a family secret and it is not a necessity. This breach of the promise made to the New England manufacturers to put coal and iron on the free list can not be vindicated by the Senator from Texas, or anybody else, on the ground that they can not pass their bill without it, for every Senator from a coal producing State has risen in his place and declared that he should have voted for the bill which the majority of the Democratic party supported whether coal had been free or had been protected.

It is not the necessity of passing this bill, which the President in advance said he approved, and which the House of Representatives have sent us; it is the fear of popular indignation in the election and it is the hope of saving some Southern or Northern communities interested in certain manufactures which is inducing the Democratic party to put these things, which they say are crimes, robbery, and plunder—I do not say so—into this measure.

Mr. ALDRICH. Will the Senator from Massachusetts allow me?

Mr. HOAR. It is another delusion, a mistake, a pretense, that this bill is made up in this way because they can not pass a better one. It is made up in this way because they can not face the popular indignation with a worse one.

Now I yield to the Senator from Rhode Island.

Mr. ALDRICH. I ask the Senator from Texas, through the Senator from Massachusetts, the question, whether any assertion could be made—I think no assertion has been made—that any Senator sitting upon that side of the Chamber would have voted against this bill, unless this duty on collars and cuffs had been put in?

Mr. MILLS. The Senator from Rhode Island showed on the floor of the Senate some weeks ago that he knew more about this business than I did, and there is no use of him asking me questions. The Senator knows all about this thing from top to bottom, from center to circumference.

Mr. HOAR. Mr. President, the substance of it then is, when there is a departure in pleading, my honorable friend from Texas pleads guilty and throws himself on the mercy of the court. [Laughter.]

The PRESIDING OFFICER (Mr. JARVIS in the chair). The question is on the amendment proposed by the Committee on Finance as amended.

The amendment as amended was agreed to.

The PRESIDING OFFICER. The reading of the bill will proceed.

The Secretary read as follows:

276. Laces, edgings, embroideries, insertings, neck ruffings, ruchings, trimmings, tuckings, lace window curtains, and other similar tamboured articles, and articles embroidered by hand or machinery, embroidered or hemstitched handkerchiefs, and articles made wholly or in part of lace, ruffings, tuckings, or ruchings, all of the above-named articles, composed of flax, jute, cotton, or other vegetable fiber, or of which these substances or either of them, or a mixture of any of them is the component material of chief value, not specially provided for in this act, 40 per cent ad valorem.

Mr. JONES of Arkansas. I move to strike out the words inclosed in brackets in the printed bill.

The PRESIDING OFFICER. The amendment proposed by the Senator from Arkansas will be stated.

The SECRETARY. In line 2, page 70, after the word "curtains," to strike out "and other similar," and in line 3, after the word "embroidered," to strike out "or hemstitched."

The amendment was agreed to.

Mr. ALDRICH. I move the amendment which I send to the desk.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Rhode Island, which will be stated.

The SECRETARY. In line 9, page 70, it is proposed to strike out "forty" and insert "sixty;" so as to read, "60 per cent ad valorem."

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Rhode Island.

Mr. PEFFER. I move to amend the amendment by striking out "sixty" and inserting "seventy-five."

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Kansas to the amendment of the Senator from Rhode Island.

Mr. PEFFER. Mr. President, these are articles which are properly classified among the luxuries for which people are well able to pay if they wear them; and according to the rule which I have adopted for myself, at least, that the luxuries should bear the burdens and not the necessaries, I think 75 per cent is not too high a duty on this class of articles.

Mr. VEST. The Senator from Kansas, I know, is laboring under a mistake about this matter. These are not articles of luxury. The units of value show that they are the cheapest sort of cotton embroideries, used by servant girls and people not able to buy any better. It is as much a matter of necessity to them, considering their social rank, as any article can possibly be. These are not the fine laces of the rich and luxurious, but they are the commonest laces and the plainest articles of everyday wear by women in the lower classes of life. Some of these laces are very fine, it is true, but I speak of the large majority of them.

Mr. CULLOM. Are there no other classes of laces than those described in this paragraph in the bill anywhere? The Senator says these are common laces of the poorer people.

Mr. VEST. As a matter of course, this embraces all of them, but I am speaking of the large mass embraced in this paragraph which are not of high value. It is an ad valorem duty.

Mr. ALDRICH. The suggestion of the committee in regard to this paragraph means a reduction of over $3,000,000 in revenue to be derived from articles of pure luxury. Notwithstanding the statement of the Senator from Missouri, I say there is not an article in this paragraph which is not an article of luxury, an article of voluntary use.

Mr. VEST. And of high value?

Mr. ALDRICH. Of high and low value. Most of them are, of course, of high value. This includes all the laces, except silk laces; the finest of the high-priced cotton laces, all the high-priced linen laces, all the laces used by the rich people of the country; and if there is any article in the bill upon which a high revenue duty should be levied it is upon the articles contained in this paragraph. To reduce the revenue $3,000,000 upon articles of this kind and increase duties, as Senators on the other side propose to do, upon sugar and other necessaries of life is an outrage upon the American people.

Mr. CULLOM. I find that paragraph 301 reads:

Laces and articles made wholly or in part of lace, and embroideries, including articles or fabrics embroidered by hand or machinery, etc.

Mr. ALDRICH. Those are laces composed of silk. That paragraph includes all the other laces. Of course, cotton laces and linen laces are the most expensive laces. They are used by the rich people of the country. The finest laces in the world are included in this paragraph, and I desire to have the yeas and nays upon my amendment, which restores the rate in the existing law, which is 60 per cent ad valorem.

Mr. VEST. I am compelled to ask the Senator from Rhode Island if this is an outrage, what was the McKinley law in regard to this provision?

Mr. ALDRICH. The rate in the McKinley law was 60 per cent, which I think is a fair revenue duty upon this class of articles. I think revenue ought to be derived by an imposition of high rates of duty upon articles of pure luxury.

Mr. VEST. Does the Senator not think these duties are high enough on these very fine laces which are used by rich and luxurious people?

Mr. ALDRICH. I think we should probably collect as much revenue at 60 per cent as at seventy-five. Some of these articles are easily smuggled. If we put the duty too high, of course it would only lead to fraud and evasion of the law.

The PRESIDING OFFICER. The question is on the amendment to the amendment.

The amendment to the amendment was rejected.

The PRESIDING OFFICER. The question recurs upon the amendment proposed by the Senator from Rhode Island [Mr. ALDRICH].

Mr. HALE. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CAFFERY (when his name was called). I am paired with the Senator from Montana [Mr. POWER], whom I do not see in the Chamber, but I have a right to vote to make a quorum. I vote "nay."

Mr. FAULKNER (when his name was called). I am paired with the Senator from Connecticut [Mr. HAWLEY], but I transfer that pair to the Senator from Georgia [Mr. WALSH], and vote "nay."

Mr. HALE (when his name was called). I transfer my pair with the Senator from North Carolina [Mr. RANSOM] to the Senator from Ohio [Mr. SHERMAN], and vote "yea."

Mr. HIGGINS (when his name was called). I announce my pair with the senior Senator from New Jersey [Mr. MCPHERSON]. If he were present I should vote "yea."

Mr. MILLS (when his name was called). I am paired with the Senator from New Hampshire [Mr. GALLINGER]. If he were here I should vote "nay."

Mr. MITCHELL of Wisconsin (when his name was called). I am paired with the Senator from Wyoming [Mr. CAREY].

Mr. VILAS (when his name was called). I am paired with the Senator from Oregon [Mr. MITCHELL]. The Senator from Delaware [Mr. HIGGINS] is paired with the Senator from New Jersey [Mr. MCPHERSON]. I suggest to the Senator from Delaware that we transfer our pairs, so that the Senator from New Jersey will stand paired with the Senator from Oregon, and we can both vote.

Mr. HIGGINS. That will be satisfactory to me.

Mr. VILAS. I vote "nay."

Mr. HIGGINS. I vote "yea."

The roll call was concluded.

Mr. BLACKBURN. I transfer my pair with the Senator from Nebraska [Mr. MANDERSON] to the Senator from South Carolina [Mr. IRBY], and vote "nay."

Mr. GORDON. I transfer my pair with the Senator from Iowa [Mr. WILSON] to the Senator from New York [Mr. HILL], which relieves the Senator from Massachusetts [Mr. LODGE] and myself, so that we may both vote. I vote "nay."

Mr. LODGE. Under that arrangement I am at liberty to vote. I vote "yea."

Mr. CALL. I announce my pair with the Senator from Vermont [Mr. MORRILL]. If he were present I should vote "nay."

Mr. GEORGE. I am paired with the Senator from Oregon [Mr. DOLPH].

Mr. FAULKNER. I see that the Senator from Georgia [Mr. WALSH], to whom I transferred my pair with the Senator from Connecticut [Mr. HAWLEY], has returned to the Chamber and voted. I shall therefore be compelled to withdraw my vote.

The result was announced—yeas 22, nays 28; as follows;

YEAS—22.

Aldrich,	Frye,	McMillan,	Shoup,
Allison,	Hale,	Patton,	Squire,
Chandler,	Higgins,	Peffer,	Teller,
Cullom,	Hoar,	Perkins,	Washburn.
Dixon,	Kyle,	Platt,	
Dubois,	Lodge,	Quay,	

NAYS—28.

Blackburn,	Daniel,	Jones, Ark.	Roach,
Blanchard,	Gibson,	Lindsay,	Smith,
Brice,	Gordon,	McLaurin,	Vest,
Caffery,	Gray,	Morgan,	Vilas,
Camden,	Harris,	Murphy,	Voorhees,
Cockrell,	Hunton,	Pasco,	Walsh,
Coke,	Jarvis,	Pugh,	White.

NOT VOTING—35.

Allen,	Faulkner,	McPherson,	Power,
Bate,	Gallinger,	Manderson,	Proctor,
Berry,	George,	Martin,	Ransom,
Butler,	Gorman,	Mills,	Sherman,
Call,	Hansbrough,	Mitchell, Oregon	Stewart,
Cameron,	Hawley,	Mitchell, Wis.	Turpie,
Carey,	Hill,	Morrill,	Wilson,
Davis,	Irby,	Palmer,	Wolcott.
Dolph,	Jones, Nev.	Pettigrew,	

So the amendment was rejected.

The Secretary read the next paragraph, as follows:

277. All manufactures of flax, hemp, jute, or other vegetable fiber (except cotton), or of which flax, hemp, jute, or other vegetable fiber, except cotton, is the component material of chief value, not specially provided for in this act, 30 per cent ad valorem.

Mr. JONES of Arkansas. In lines 12 and 13, I move to strike out the words "flax, hemp, jute, or other vegetable fiber, except cotton," and insert "these substances, or either of them."

Mr. HOAR. I should like to ask the Senator if that is not ungrammatical?

Mr. JONES of Arkansas. Perhaps the word "is" ought to be "are."

Mr. GRAY. I do not think so. Is the Senator from Massachusetts quite right about that?

Mr. HOAR. It is a debatable question, but I think it is better as the Senator from Arkansas now leaves it.

The PRESIDING OFFICER. Does the Senator from Arkansas make it "is" or "are"?

Mr. JONES of Arkansas. I think the word "is" is correct. Let it remain "is."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Arkansas.

The amendment was agreed to.

Mr. JONES of Arkansas. In line 15, I move to strike out "30" and insert "35;" so as to read: "35 per cent ad valorem."

The amendment was agreed to.

Mr. HOAR. In my absence some days ago the Senator from Arkansas was kind enough to pass over an item in regard to spectacles, which is a manufacture largely carried on in my district. I desire to address the Senate very briefly on that matter to-morrow morning, if the Senate will take it up now and let it go over until to-morrow.

Mr. VEST. I ask the Senate to go back to paragraph 258, page 66.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the paragraph will be read.

The Secretary read the paragraph, as follows:

258. Clothing ready made, and articles of wearing apparel of every description, handkerchiefs, and neckties or neckwear, composed of cotton or other vegetable fiber, or of which cotton or other vegetable fiber is the component material of chief value, made up or manufactured wholly or in part by the tailor, seamstress, or manufacturer, all of the foregoing not specially provided for in this act, 40 per cent ad valorem.

Mr. VEST. In lines 14 and 15 I move to strike out the words "or other vegetable fiber," so as to confine it to cotton.

The PRESIDING OFFICER. Is there objection to the adoption of the amendment?

Mr. ALDRICH. There is objection, because those words will have to be put in paragraph 275.

Mr. VEST. What words?

M. ALDRICH. The words "or other vegetable fiber. I suggest to the Senator from Missouri to leave that for the present. It will need, I think, a careful comparison of the various paragraphs to arrange it properly.

Mr. VEST. It can be passed over, but I do not think that is necessary.

Mr. ALDRICH. It will be necessary to put something in its place.

The PRESIDING OFFICER. The paragraph will be passed over for the present.

Mr. HOAR. I ask consent that the Senate go back to paragraph 98, on page 19, relating to spectacles, which was passed over.

The PRESIDING OFFICER. The Senator from Massachusetts requests that to-morrow morning the Senate shall take up the paragraph indicated. Is there objection? The Chair hears none, and it is so ordered.

Mr. PEFFER. I understand that Schedule K is to be passed over until tomorrow morning. Is my understanding correct?

Mr. HARRIS. That will be the result. I will say to the Senator that it will not be taken up this evening.

Mr. PEFFER. I wish to give notice that to-morrow morning as soon as Schedule K is taken up I shall move to amend the first paragraph by inserting the provisions of the present law with relation to the duties on raw wools, excepting that the rate of duty will be decreased about 40 per cent. I shall have the figures arranged in the morning.

Mr. QUAY. I desire to announce that to-morrow when the woolen schedule is reached for consideration it is my purpose to resume the remarks on that schedule which were interrupted some four week ago.

EXECUTIVE SESSION.

Mr. HARRIS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After eight minutes spent in executive session the doors were reopened, and (at 6 o'clock and 6 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, June 12, 1894, at 10 o'clock a. m.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 11, 1894.

SURVEROR OF CUSTOMS.

Buchanan Schley, of Maryland, to be surveyor of customs in the district of Baltimore, in the State of Maryland.

UNITED STATES ATTORNEY.

W. Oscar Hamilton, of Texas, to be attorney of the United States for the northern district of Texas.

APPOINTMENT IN THE ARMY.

To be post chaplain.

Ruter W. Springer, of Illinois.

PROMOTIONS IN THE MARINE CORPS.

First Lieut. Randolph Dickens, United States Marine Corps, to be a captain.

Second Lieut. Cyrus S. Radford, United States Marine Corps, to be a first lieutenant.

Second Lieut. Thomas C. Treadwell, United States Marine Corps, to be a first lieutenant.

PROMOTIONS IN THE NAVY.

Passed Assistant Engineer Warner B. Bayley, to be a chief engineer.

Assistant Engineer Martin A. Anderson, to be a passed assistant engineer.

POSTMASTERS.

Samuel J. Tetley, to be postmaster at Farmington, in the county of St. Francois and State of Missouri.

William K. Spiller, to be postmaster at Bridgeport, in the county of Jackson and State of Alabama.

W. M. Dunklee, to be postmaster at Christiansburg, in the county of Montgomery and State of Virginia.

Joseph J. Wharton, to be postmaster at Morgantown, in the county of Monongalia and State of West Virginia.

James J. White, to be postmaster at Oakland, in the county of Alameda and State of California.

Nicholas C. Stanton, to be postmaster at West Liberty, in the county of Muscatine and State of Iowa.

William H. Morgan, to be postmaster at Northumberland, in the county of Northumberland and State of Pennsylvania.

HOUSE OF REPRESENTATIVES.

MONDAY, *June 11, 1894.*

The House met at 12 o'clock m. Prayer by Rev. EUGENE R. HENDRIX, D. D., of Kansas City, bishop of the Methodist Episcopal Church South.

The Journal of the proceedings of Saturday was read and approved.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. ELLIS of Kentucky, indefinitely, on account of important business.

To Mr. GROSVENOR, for one week.

To Mr. WILSON of Ohio, indefinitely, on account of sickness in his family.

To Mr. O'NEILL of Missouri, on account of ill health.

To Mr. PAYNTER, indefinitely.

PRESBYTERIAN CHURCH OF BETHEL SPRINGS, TENN.

Mr. ENLOE. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 725) for the relief of the trustees of the Presbyterian Church of Bethel Springs, Tenn.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the trustees of the Presbyterian Church in Bethel Springs, Tenn., out of any money in the Treasury not otherwise appropriated, the sum of $400, being for the use, occupation, and damage to said church by the Army of the United States during the late war.

Mr. ENLOE. I would like to have an amendment striking out the word "damage," and making the clause read "for use and occupation." I ask unanimous consent that the bill be amended in that way.

The SPEAKER. The question is first on consent to consider the bill. Is there objection?

Mr. COOMBS. Reserving the right to object, I would like to have some explanation of the bill, Mr. Speaker.

Mr. BURROWS. Mr. Speaker, this is one of the claims which arose some thirty years ago, and I think it had better be considered with other claims of that class on Friday. I object to it.

Mr. ENLOE. I will state to the gentleman from Michigan that this is a Republican church, in a Republican community. The people are all loyal there, and they vote his ticket.

Mr. BURROWS. I do not care whether it is Republican or Democratic. I do not care about their politics, one way or the other.

Mr. ENLOE. It is sufficient for the gentleman that this claim comes from a Southern State.

The SPEAKER. Objection is made.

WILLIAM A. WINDER.

Mr. BOWERS of California. Mr. Speaker, I ask unanimous consent for the present consideration of a bill (H. R. 450) to restore William A. Winder to the Army, and to place him on the retired list with the rank of captain of artillery.

The bill was read, as follows:

Be it enacted, etc., That the President is hereby authorized to appoint and restore to his proper rank in the Army, as captain of artillery, and to place him on the retired list, William A. Winder, of San Diego, Cal.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. ENLOE. Let us have the regular order, Mr. Speaker.

Mr. HOOKER of Mississippi. I hope the gentleman will withdraw that demand. I want to ask unanimous consent for the consideration of a bill which has been pending for several years here.

The SPEAKER. The gentleman from Tennessee [Mr. ENLOE] demands the regular order.

Mr. HOOKER of Mississippi. I hope the gentleman will withdraw that demand.

Mr. ENLOE. If I can not have a bill considered by unanimous consent once during a session, no other man shall.

Mr. HOOKER of Mississippi. I have not had a bill considered in that way in three years.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1950) to authorize the Pennsylvania and New Jersey Railroad Companies, or either of them, to construct and maintain a bridge over the Delaware River between the States of New Jersey and Pennsylvania.

The message also announced that the Senate had passsd with amendment the bill (H. R. 5778) to supply a deficiency in the grant of public lands to the State of Mississippi for the use of the State University; in which the concurrence of the House was requested.

The message also announced that the Senate had passed without amendment bills of the following titles:

A bill (H. R. 2710) for the relief of Edward Morrison and Nellie Morrison, now deceased; and

A bill (H. R. 6126) to amend an act to authorize construction of a bridge at Burlington, Iowa, approved August 6, 1888, and amended by act approved February 21, 1890.

The message further announced that the Senate had passed bills of the following titles; in which the concurrence of the House was requestsd:

A bill (S. 210) for the relief of Wetmore & Brother, of St. Louis, Mo.;

A bill (S. 544) to reclassify and prescribe the salaries of railway postal clerks; and

A bill (S. 1301) for the relief of the legal representatives of Hiram Somerville.

PRESIDENTS' MESSAGES, PROCLAMATIONS, ETC.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I desire to present a privileged report from the Committee on Printing.

The report was read, as follows:

HOUSE OF REPRESENTATIVES, *April 3, 1894.*

Resolved by the House of Representatives (the Senate concurring), That there be printed and bound in cloth 3,000 copies of the complete compilation of all the annual, special, and veto messages, proclamations, and inaugural addresses of the Presidents of the United States from 1789 to 1894 inclusive; 800 copies for the use of the Senate and 2,000 copies for the use of the House. The work shall be prepared under the direction of the Joint Committee on Printing.

The committee have considered the concurrent resolution introduced by Mr. BAILEY, of Texas, into the House of Representatives on April 3, 1894, which was referred to this committee, and which provided for the printing and binding in cloth of 3,000 copies of the compilation of all the annual, special, and veto messages, proclamations, and inaugural addresses of the Presidents of the United States from 1789 to 1894 inclusive, and direct me to report the same with the recommendation that it do pass.

The committee are of the opinion that these various public documents consolidated into one publication will be of great historic value. They do not exist in such form. It is almost impossible to refer to them in their present form of publication. The demand for such a publication as a public document as is contemplated by the resolution is so obvious and manifest no argument need be adduced therefor by the committee.

The compilation provides very properly that the work shall be prepared and printed under the direction of the Joint Committee on Printing of the two Houses of Congress.

Mr. HEPBURN. Mr. Speaker, is that resolution open to amendment?

The SPEAKER. It is.

Mr. HEPBURN. Then I move to strike out "3,000," and insert "10,000." It seems to me that in the case of a publication of such importance an edition of 10,000 would not be at all too large. I know of no publication which would be of more general interest. Three thousand copies would hardly be enough for the public libraries of this country, to say nothing about private libraries.

Mr. RICHARDSON of Tennessee. This is a valuable publication, and if the gentleman will move an amendment to make the number 6,000, 2,000 for the Senate and 4,000 for the House, I will not object.

Mr. HEPBURN. Very well; I move that amendment.

The amendment was agreed to.

The resolution as amended was adopted.

REPORT OF BUREAU OF ETHNOLOGY.

Mr. RICHARDSON of Tennessee. I desire to report from the Committee on Printing a resolution for printing the annual report of the Director of the Bureau of Ethnology. The printing of this document has not yet been ordered, although it is provided for in the printing bill passed by the House.

The resolution was read, as follows:

Resolved by the House of Representatives (the Senate concurring), That there be printed at the Government Printing Office 8,000 copies each of the thirteenth and fourteenth annual reports of the Director of the Bureau of Ethnology, with accompanying papers and illustrations, and uniform with the preceding volumes of the series, of which 1,000 shall be for the use of the Senate, 2,000 for the use of the House of Representatives, and 5,000 for distribution by the Bureau of Ethnology.

The report was read, stating the estimated cost of the printing at $12,000, and recommending an amendment striking out such of the resolution as provides for the printing of the thirteenth annual report, the same having been already ordered.

The amendment of the committee to strike out after "8,000 copies" the word "each," and to strike out before the word "fourteen" the words "thirteen and," was agreed to.

The resolution as amended was adopted.

The committees were called for reports, and no reports were presented.

ORDER OF BUSINESS.

Mr. HEARD. This being District day, I desire to call up a bill now on the Calendar, reported from that committee——

Mr. HOLMAN. I rise to a parliamentary inquiry. This being District day, will it be necessary to postpone each of the bills which may be presented by the District Committee before it will be in order to move to go into Committee of the Whole for the consideration of appropriation bills?

The SPEAKER. Under the practice that would be necessary. This day being assigned to the Committee on the District of Columbia, that committee may call up any matter of District business which is on the Calendar, but upon each bill as called up the question of consideration may be raised.

POLICE FUND OF THE DISTRICT OF COLUMBIA.

Mr. HEARD. I desire to call up for consideration the bill (H. R. 7238) making permanent provision for the police fund of the District of Columbia.

Mr. HEPBURN. I rise to a parliamentary inquiry. Two weeks ago, when we were engaged in the consideration of District business, we had a bill pending when the House adjourned. I wish to inquire whether the regular order does not require the taking up of that bill now.

Mr. COOMBS. The gentleman refers to a bill with reference to a suburban railroad?

Mr. HEPBURN. Yes, sir.

Mr. HEARD. According to my understanding of what has been the uniform practice, it is optional with the committee what bill on the Calendar they shall call up for consideration.

Mr. HEPBURN. But the House was engaged in the consideration of that bill.

Mr. HEARD. I understand that; but on the same day the House had under consideration another bill which was laid over for want of a quorum. So that, as far as that matter is concerned, the question would be as to which one of those bills would have precedence; I suppose it would be held that the bill first laid aside and with which the House had farthest progressed would take precedence.

Mr. COOMBS. But I suggest to the gentleman that the bill to which he now refers was withdrawn from the consideration of the House.

Mr. HEARD. Only temporarily.

The SPEAKER. The rule provides that—

The second and fourth Mondays in each month shall, when claimed by the Committee on the District of Columbia, be set apart for the consideration of such business as may be presented by said committee.

Mr. HEARD. The bill which I now call up will not, I think, receive one adverse vote in the House. The bill to which the gentleman from Iowa has referred will probably be contested; it may be passed or may be defeated. The bill I now call up demands immediate action. It provides for replenishing the police fund of this District which, as the Chief of Police informs us will, without this provision, be entirely depleted within a month. The immediate necessity for action on this bill and the fact that it will, as I assume, meet with no opposition is the reason I propose bringing it first to the attention of the House.

Mr. HEPBURN. Is it your intention to call up afterward the bill that we were considering the other day?

Mr. HEARD. In perfect candor I will say to the gentleman that upon consultation with the committee it is my purpose to call up after this bill is disposed of, a bill drawn by the Commissioners and approved by the committee, to provide for the extension of the Georgetown cable road to a point opposite the Aqueduct bridge, a measure which we believe will meet with no opposition, and then to revert to those bills which have heretofore been considered and left undisposed of.

I was about to appeal to the House, in view of the importance of this measure, that we may have order while the bill is being read, and the report of the committee. The report of the committee is practically the report made by the Chief of Police, Maj. Moore, covering all of the facts in connection with the matter.

Mr. DINGLEY. Should not this bill be considered in Committee of the Whole?

The SPEAKER. The bill is on the Union Calendar.

Mr. HEARD. It is on the Union Calendar, and, if the point of order is made, it would have to be considered there. I would ask, however, unanimous consent that it be considered in the House.

Mr. DINGLEY. I desire to make some observations on an opinion recently given by the attorney of the District Commissioners, and if I can have an opportunity for that I shall not object to the request of the gentleman.

Mr. HEARD. It will afford me pleasure to extend every facility that the gentleman from Maine may desire in the way of discussion.

Mr. DINGLEY. Then I have no objection.

The SPEAKER. Is there objection to the request of the gentleman from Missouri to consider this bill in the House as in Committee of the Whole?

There was no objection.

The SPEAKER. The Clerk will read the bill.

The bill was read, as follows:

Be it enacted, etc., That the Commissioners of the District of Columbia shall hereafter, beginning July 1, 1894, set aside and retain each fiscal year $30,000, or so much thereof as may be necessary, of the moneys received for municipal licenses issued for the sale of intoxicating liquors in said District, and deposit the same with the Treasurer of the United States to the credit of the police fund, and apply the same, as far as may be necessary, to carry out the provisions of "An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1886, and for other purposes," approved February 25, 1885, for the relief of any policeman who, by injury received or disease contracted in the line of duty, or, having served not less than fifteen years, shall become so permanently disabled as to be discharged from service therefor, and in case of his death from such injury or disease, leaving a widow or children under 16 years of age, for their relief: *Provided*, That such relief shall not exceed for any one policeman or his family the sum of $50 per month, and shall not be paid to a widow who remarries; and a sum not exceeding $75 may be allowed from said fund to defray the funeral expenses of any policeman dying in the service of the District.

Mr. HEARD. I desire to have the report of the committee read, as it states the case more fully and completely than I could do it myself.

The report (by Mr. HEARD) was read, as follows:

The Committee on the District of Columbia, to whom was referred the bill (H. R. 7238), making permanent provision for the police fund in the District of Columbia, having examined and considered the same, report it back to the House and recommend that it do pass.

Your committee respectfully submit herewith a statement by Maj. W. G. Moore, superintendent Metropolitan police, which fully explains the propriety and necessity for the enactment of such legislation as is proposed in this bill, together with interesting and valued information bearing on this subject. Also the report of the Commissioners of the District of Columbia recommending said bill.

HEADQUARTERS METROPOLITAN POLICE,
DISTRICT OF COLUMBIA.
Washington, April 22, 1894.

SIR: The police pension fund will be depleted another month, and thereafter it will be a question as to how 19 disabled policemen, 30 widows, and 28 children will derive a livelihood. The persons enumerated have been a charge upon the fund at a monthly expenditure of $1,685. The nucleus of the fund on which they have been dependent was created by act of Congress, August 6, 1861. This provision reads as follows:

"All fines imposed by the board of police upon members of the police force, by way of discipline, and collectable from pay or salary, and all rewards, fees, proceeds of gifts, and emoluments that may be paid and given for extraordinary services of any member of the police force, except when allowed to be retained by such member, shall be paid to the treasurer of the board of police, unless otherwise appropriated by the board," and, with "all moneys arising from the sale of unclaimed goods shall constitute the 'policeman's fund.'"

The board of police was made the trustee of this fund, and empowered to invest it as they should see fit. The same law provided that "whenever any member of the police force, in the actual discharge of his duty, shall become actually disabled, his necessary expenses, during the time of such disability, on the certificate of a competent surgeon, stating the manner, cause, and condition of the injury, and approved by the board of police, may become a charge upon the policeman's fund; but the board may discontinue such allowance for any satisfactory reason."

This law being incomplete in that it made no allowance for officers who might be discharged on account of permanent disability incurred in the line of duty, the following provision was incorporated into the act making appropriations for the expenses of the District of Columbia for the fiscal year ending June 30, 1886, and approved February 25, 1885:

"That hereafter the Commissioners shall deduct $1 each month from the pay of each policeman, which sum so deducted shall be added to and form a part of the present police fund, to be invested in the United States or District bonds by the Treasurer of the United States, and be held by him subject to the drafts of the Commissioners for expenditures made in pursuance of law, and such expenditures shall be accounted for as required by law for other expenditures of the District; and said police fund shall be used for the relief of any policeman who, by injury received or disease contracted in line of duty, or having served not less than fifteen years, shall become so permanently disabled as to be discharged from service therefor; and in case of his death from such injury or disease, leaving a widow or children under 16 years, for their relief: *Provided further*, That such relief shall not exceed for any one policeman or his family the sum of $50 per month; and a sum not exceeding $75 may be allowed from said fund to defray the funeral expenses of any policeman dying in the service of the District."

At the time of the passage of this law, which became immediately operative, a large number of policemen who had been on the force from the time of its organization in 1861 were eligible to retirement under its provisions. Up to that time the Department had been in existence twenty-four years. Since the law became operative ninety-one allowances have been made upon the recommendation of an impartial board, composed of the captain of police, two lieutenants, and the attending surgeon of police. These allowances range from the maximum of $50 to the minimum of $10 per month, as provided by law, and an examination of the papers submitted to the accounting officers of the Treasury in each case will reveal the fact that the highest pension was given only to those by whom it had been justly earned. Physical condition, cause of disability, length and kind of service were taken into consideration, the evidence of the police surgeon who attended the applicant during his active career or at the time his disability occurred furnishing the principal basis for the award.

In the eight years which have elapsed since the law went into effect but 19 policemen have been granted the maximum of $50, while 1 has been allowed $40, 4 $30, and 5 $25 per month. Some of these have died. One widow has been given $30, 3 $25, and 26 $20 per month; 32 dependent children have been awarded $10 a month until they should reach the age of 16 years.

Under the law approved February 25, 1885, the report of the Treasurer of the United States shows that the Commissioners had in their charge, under the original act of 1861, a total cash fund of $27,469.10, which was turned over to the Treasurer of the United States, the *ex-officio* Commissioner; and the same report, the first year after the Treasurer became the custodian of this fund, shows that the sum paid for the benefit of policemen amounted to $2,534.48, and each succeeding year from that time shows increasing demands upon the fund, until in 1893 the sum of $19,420 was required to sustain those dependent upon it, an increase of over 666 per cent in eight years. It must be remembered that during the period covered the Metropolitan police force was increased from a total of 267 men to 449, and the dollar apiece required to be paid by each member of the force each month, together with about $100 from fines and rewards turned in to the fund, would be far from adequate to keep up the monthly expenditure even at its present rate of $1,685 per month.

Therefore I have to urge, as one of the most important questions that now concern this Department, that Congress make immediate provision to care for those who have been heretofore dependent upon the pension fund and those who may be dependent hereafter. This matter has been considered in all its phases, and I am fully convinced, as I have already expressed myself to and urged upon the members of this committee, that the best means to provide for this emergency, and for ensuing years, is to set aside from year to year, from sums paid the District of Columbia as excise or liquor-license fees, a sum sufficient to meet such demands.

As to the amount required, I have the honor to invite your attention to my letter addressed to the Commissioners of the District of Columbia under date of October 21, 1893, wherein I asked "that the sum of $3,951.88 be included in the deficiency estimate for the ensuing fiscal year, to enable this Department to continue in effect the provisions of police-relief act of Congress approved February 25, 1885," and stated that "the current rate of expenditure is about $1,710 per month, and will be $20,520 for the year, leaving a deficiency, provided there are no further retirements and funeral expenses to defray, of $3,951.88." For the support of those now dependents, and at the same rate and under the usual conditions of retirements and funeral expenses, there would be required for the fiscal year 1895, $24,463.20.

In this connection I have to state that the police pension fund has become a permanent feature in the police institutions throughout the United States. No city, in fact, has a well-regulated police organization without a fund of some kind from which to provide for the relief of its sick or disabled policemen, or their widows and orphans. These funds are maintained in various ways. In New York City, on the 1st of January, 1891, the largest proportion of the fund was derived from excise money paid over by the comptroller, it amounting to $234,277.50, the amount disbursed being $487,727.99, making provision for 1 inspector, 16 captains, 58 sergeants, 9 roundsmen, 511 patrolmen, 25 doormen, 7 detectives, 2 surgeons, 350 widows, 58 orphans—in all 1,037.

In Brooklyn the fund for 1892 amounted to $157,304.43, of which $78,590, or 50 per cent, was derived from excise fees.

In the city of Boston legislative enactment requires compulsory retirement at the age of 65 on one-half pay. The payment on account of pensions during the year 1892 was $61,065.31, and the board of police of that city estimated that $69,500 would be required for the purpose in 1894.

I have the honor to be, very respectfully, yours,

W. G. MOORE,
Major and Superintendent Metropolitan Police.

Hon. JOHN T. HEARD,
House of Representatives.

OFFICE COMMISSIONERS OF THE DISTRICT OF COLUMBIA,
Washington, June 1, 1894.

DEAR SIR: The Commissioners of the District of Columbia recommend favorable action upon the bill (H. R. 7238) "making permanent provision for the police fund of the District of Columbia," which was referred to them at your instance for their views thereon.

Very respectfully,

JOHN W. ROSS,
President Board of Commissioners of the District of Columbia.

Hon. JOHN T. HEARD,
Chairman Committee on the District of Columbia.

Mr. HEARD. All I desire to say, Mr. Speaker, in addition to what is set forth in the report is this: A fund was created—a police pension fund—for the benefit of disabled or superannuated policemen in 1861. This was added to in 1886 by the addition of a certain amount deducted from the pay of the members of the police force. This fund now is grossly inadequate, and the proposition is to add $30,000 a year, or so much as may be necessary, from moneys received from liquor licenses in the District. That is all the bill contemplates. It is recommended by the Commissioners of the District and unanimously by the Committee on the District of Columbia.

I yield to the gentleman from Maine so much time as he desires.

Mr. DINGLEY. Mr. Speaker, I understand the pending bill provides to set apart $30,000 per annum of the receipts from the excise taxes for the purpose of increasing the fund for the benefit of the disabled or superannuated policemen in the District of Columbia. This is a civil-service pension.

It appears that in 1861 certain fines that had been imposed on policemen, and also the proceeds of certain unclaimed property, were set apart as a police pension fund——

Mr. HEARD. That is right.

Mr. DINGLEY (continuing). For the benefit of such policemen as might become disabled or superannuated. Now, it is proposed to add to this fund a sum of money to be taken from the ordinary sources of taxation in the District.

Mr. HEARD. Let me say to the gentleman that again in 1886 this fund was increased by deducting $1 per month from the pay of each policeman and adding it to said fund.

Mr. DINGLEY. In 1886, as the gentleman says, a deduction of $1 per month from the pay of each policeman was authorized to increase this fund.

Mr. HEARD. Which is now found to be exhausted.

Mr. DINGLEY. That is to say, this pension fund has been a fund which came from certain fines, and from the payment by the police force themselves from their salaries, which is entirely proper, but it is now proposed to divert the receipts or revenues derived from taxation to increase the fund some $30,000 a year. I desire simply to call attention to the fact that this bill is the beginning of a civil-pension policy.

Mr. HEARD. I will state to the gentleman that if he will refer to the report accompanying this bill he will find that in New York, Brooklyn, and Boston this fund is taken largely from the proceeds of the excise taxes.

Mr. DINGLEY. It is well to take into consideration, in considering this bill, the question of policy whether or not we propose to begin the establishment of a civil-service pension under the Government; for when we set apart $30,000 at this time, probably twice that sum will be needed within a year or two, and by and by we will have the system thoroughly established, and it will begin to extend itself to other departments.

But what I rose particularly to call attention to was, since we are on the subject of excise taxes, as to whether the chairman of the Committee of the District of Columbia has any information that the attorney of the District Commissioners has recently given an opinion that a simple application for a license, while it continues as an application, and has not been rejected by the Commissioners, is a license within the meaning of the act of March 3, 1893, which prohibited the licensing of persons to sell liquor within 400 rods of a church or schoolhouse, but provided in an amendatory act that those dealers who were licensed at the time the act passed would be exempted from its provisions.

It is stated in the daily papers that the attorney of the District Commissioners has delivered an opinion that it does not require an actual existing paper license at the time, but if the application is pending it is held to be a license within the meaning of the act of March 3, 1893, and the act amendatory thereof.

Mr. HEARD. Replying to the inquiry of my friend from Maine, I will say that I have no information on the subject except what I have derived from my conversation with him a day or two ago when he directed a similar inquiry to me. I have not seen any notice of such decision in the city papers.

I will say, Mr. Speaker, if there has been any publication of that kind it has escaped my notice.

Mr. DINGLEY. I noticed the opinion published at length in the Evening Star of this city.

Mr. HEARD. If that publication gives the opinion correctly, and as now stated by the gentleman from Maine, it seems to me an extraordinary opinion, that the filing of an application for a license is equivalent to the granting of a license!

Mr. DINGLEY. That is, during the time that it has not actually been rejected by the Commissioners.

Mr. HEARD. I will say, however, that I have no information on that point. I have not even seen the publication to which the gentleman from Maine refers.

Mr. DINGLEY. The opinion was published in the Evening Star, and is to the effect that I have stated, and I agree entirely with the chairman of the committee that it is a most extraordinary opinion. It practically overrides the provisions of the act of March 3, 1893, which prohibited licenses for the sale of intoxicating liquors within 400 feet of a church or schoolhouse, with certains exceptions made by an amendatory act as to those then licensed.

It is in effect an overriding of the act of March 3, 1893, and I desire simply to call the attention of the District Committee to this extraordinary attempt of the attorney of the District Commissioners to override in this manner an act of Congress. If there is any intention on the part of the District Commissioners to act under the opinion rendered by their attorney, it is extremely desirable that some amendatory act should be immediately reported by the committee in order to make clear what Congress intended by the act of March, 1893.

Mr. HOLMAN. Will the gentleman from Maine state the effect of that act of 1893?

Mr. DINGLEY. The act of March 3, 1893, according to my recollection—I have not the act before me—prohibited the granting of licenses to liquor saloons within 400 feet of a schoolhouse or a church. There was subsequently an amendatory act passed, which excepted from the operation of that prohibitory provision those establishments that were licensed at the time the act went into effect.

Now, under that provision, designed to relieve four or five parties, as I understand, the attorney of the District Commissioners, according to a publication in the daily Star of this city, has given an opinion that any liquor seller who had an application pending for a license at that time, notwithstanding the application was rejected subsequently, but not rejected until after the passage of the act of March 3, 1893, was, within the meaning of the act of March, 1893, and the act amendatory thereof, licensed, and therefore that he may continue to be licensed, although carrying on his trade within 400 feet of a church or schoolhouse.

Mr. HEARD. I will suggest that if that is a correct statement of the opinion of the attorney, it would seem to me in substance that it establishes the fact that the only man outraged was the man whose license was rejected, for those who were licensed stood on the same ground only as those whose applications were not considered.

Mr. DINGLEY. It is an outrage that ought not to be permitted to go on.

Mr. HEARD. I think that if on investigation it be found that such opinion has been rendered, the law to which it refers ought to be amended.

Mr. DINGLEY. But what purports to be the opinion of the attorney for the Commissioners has been published.

Mr. HEARD. There may be a mistake about it, and I hope there is, but if the published statement correctly sets forth the opinion it occurs to me the gentleman is right in suggesting that the law may need some further amendment.

Mr. DINGLEY. I merely desire to call the attention of the committee to this attempt to override a deliberate enactment of Congress in the interest of these men conducting business illegally within 400 feet of a church or schoolhouse. I have nothing further to say.

Mr. HEARD. I yield to the gentleman from New York [Mr. COOMBS].

Mr. COOMBS. This bill is in the line of the practice of a great many cities, of contributing from the license fund toward the police pension fund.

Mr. HEARD. I will say in furtherance of the statement just made by the gentleman, that in Brooklyn in 1892 the fund amounted to $157,000 in round numbers, of which $78,000, or about one-half, was derived from excise fees, the same as proposed in this case.

Mr. REED. Will the gentleman from Missouri allow me?

Mr. COOMBS. I can not yield the floor.

Mr. HEARD. I will yield to the gentleman from Maine later.

Mr. COOMBS. There is a very general feeling at this time that it will be wise to do away with this way of providing funds for that purpose. It is beginning to be looked upon as an unwise thing to connect the police as beneficiaries with the question of licenses.

It is a part of the duty of the police to see that laws governing licenses are not violated. The plan now proposed for Washinton, and now in use in several cities, creates a relation between the two that is believed by many to be prejudicial to good order. I make that point against the bill, Mr. Speaker; and I make the further point that it is an unwise thing to divert any revenues before they are actually paid into the Treasury. This bill proposes to give the police commissioners, who collects these funds, the right to divert $30,000 before it goes into the public Treasury.

Mr. WILSON of Washington. How much does this entire fund amount to?

Mr. COOMBS. I do not know. I believe in a police pension fund; I believe in having a fund that will warrant men in taking risks when risk is necessary, but I do not believe that the fund ought to be diverted out of any money collected from taxes of any kind until that fund is converted into the Treasury. There should be no indirect appropriations; it opens the doors to unlimited abuses.

I think that the chairman of this committee will agree with me that that is good Democratic doctrine. I am sorry that I can not vote for the bill, but I shall not for these two reasons: First, it is unwise to connect the police as beneficiaries with the license fund. It brings them into a relationship with the liquor dealers which is not wise, proper, or in the interest of public order. In the second place, I think it is unwise to divert any funds before they go into the Treasury. Let the fund be paid into the Treasury and then let a regular appropriation be made if it is necessary, and I will vote for it.

Mr. COX. Will the gentleman allow me one moment?

Mr. COOMBS. Certainly.

Mr. COX. Does not this question presented here involve this point in its practical application? You collect from the whisky dealer an amount of money assessed, and then you take that fund and make it a kind of trust fund for the benefit of policemen.

Mr. COOMBS. Yes; before you pay it into the Treasury.

Mr. COX. Wait a moment. I am not talking about that. Now, where is the authority to take the fund that the licensed dealer pays and appropriate it as a fund for retired policemen?

Mr. HEARD. I will say that there is no authority except it be given by this bill.

Mr. COX. When you take this fund, collected from the licensed dealer, and appropriate it in that way, do not you make the Government of the United States pay half of it? I ask you that question.

Mr. HEARD. You just appropriate that much of the collection.

Mr. COX. That results in the Government of the United States paying half of it.

Mr. HEARD. I suppose it is like any other payments. I say that the practice and the effect would be that the amount collected by the District and appropriated to this use would lessen the amount if put into the Treasury.

Mr. COX. Precisely; so that the effect is the same as if you appropriated any money out of the Treasury of the United States to pay these pensions.

Mr. HOLMAN. To pay civil pensions.

Mr. COX. That is just what it is.

Mr. HEARD. Let me say to the gentleman——

Mr. COX. Let me state that with my understanding of the bill this will be a diversion of the funds that now go into the Treasury, and which make up that which the District has collected, and one-half of the expense will have to be paid by the General Government.

Mr. HEARD. Precisely.

Mr. COX. That is what I understand to be the case.

Mr. CANNON of Illinois. But, if the gentleman will pardon me, this pension fund, as I understand it, is to come out of the District revenues?

Mr. COX. No, no: it does not.

Mr. HEARD. I think, upon reflection, that the gentleman from Illinois is right, that the United States Government is obligated to appropriate only as much from the Federal Treasury as is contributed by the District for the current expenses. I did not clearly understand the position of the gentleman from Tennessee.

Mr. COX. Well.

Mr. HEARD. Now, this fund comes out of the money collected in the District, and it would not go into the Treasury for current expenses. The amount which the General Government would have to contribute, being equal to that furnished by the District, would, therefore, be less by that amount; and therefore we would not appropriate so much by that amount.

Mr. COX. Pardon me. Let us get down to it practically. Suppose the amount paid for the license by the licensed dealers amounts to $30,000. Suppose you take that $30,000 and pay it to the policemen under this regulation. Of course the revenues of the District would be that much less, and the Government of the United States would lose its half of that $30,000, which would require an assessment on it for the half.

Mr. HEARD. Now, the gentleman has asked me a question and I will answer him.

Mr. COX. That is what I want.

Mr. HEARD. I think the gentleman is wrong, for this reason. Suppose, for instance, you raise $2,030,000 in the District; then, under the act of 1878, the Federal Treasury would have to appropriate two millions and thirty thousand. Now, if the thirty thousand is diverted to this use without going into the Treasury, then it does not increase by a dollar the amount the Government has to contribute, but will lessen it, because then the Government will have to contribute only two millions in order to offset the two millions contributed by the District.

Mr. COX. Does not that diminish the amount of the fund?

Mr. HEARD. It diminishes the amount in the District fund. I think the gentleman is wrong in this. It does not increase the amount the Government contributes, because the limit of the Government contribution is the amount contributed by the District to the general fund. Therefore, if the District puts $2,000,000 into the District fund we have got to put into that fund just an equal amount, but we have not to put in anything for the $30,000 that has been diverted for this particular purpose.

Mr. COX. Suppose, now, that the District of Columbia diverts $30,000 of the two million and thirty thousand dollars; after that has been diverted, then, when the expenses of the District of Columbia require so much money and an assessment is made on the property of the District to raise it, does not the Government have to bear its share of that?

Mr. HEARD. The effect of that would be to lessen the amount that the Government would contribute by just the amount which was diverted to this purpose.

Mr. COX. If that is so, you had better appropriate it all.

Mr. HEARD. Mr. Speaker, the point is clear, I think, to most of the gentlemen who have heard this dialogue that the amount which the Government, under our present compact, has to put in, is the exact amount which the District contributes, and if you lessen the amount which the District puts in from taxation, you do not increase, but on the contrary, you lessen the amount which the Government has to put in. Now, if you take $30,000 of the taxes collected in the District and divert it for this purpose, that makes $30,000 less that the Government has to put in to equal what the District puts in.

Mr. COX. So your argument means this, that if the District of Columbia raises $2,000,000 by assessment the Government must meet that with two millions on its part?

Mr. HEARD. That is correct.

Mr. COBB of Alabama. The gentleman from Tennessee does not state the case correctly. The Government of the United States does not contribute an amount equal to the amount which is assessed upon the District. There is the point where he falls into error. There is a large amount over and above the amount which is expended on the District expenses which remains in the District treasury.

Mr. HEARD. But the amount contributed by the Government is equal to the amount contributed by the District for the same purpose.

Mr. COBB of Alabama. That is correct.

Mr. COX. That is my proposition.

Mr. COBB of Alabama. But the argument of the gentleman from Tennessee is based upon the idea that the Government of the United States contributes dollar for dollar the amount that is raised by taxation in the District; which is not the fact. The District of Columbia raises a certain amount of money by taxation and appropriates, out of the sum so raised, the amount which is required to pay the current expenses of the District, or rather half the current expenses.

Mr. COX. Who pays the other half?

Mr. COBB of Alabama. The Government of the United States pays the other half of the current expenses of the District. Now, it is perfectly plain that if an amount of money is collected from the taxpayers of the District which never goes into the Treasury, that amount of money will not have to be duplicated by the Government of the United States. The Government will not have to pay a dollar of it. It is just so much money over and above the current expenses of the District, and the Government has nothing whatever to do with it. It is only the money that is appropriated out of the Treasury for the current expenses of the District that the Government of the United States has to meet by contributing a like amount.

Mr. COX. Now, I have listened with great patience to the gentleman, and I ask him to yield to me a moment.

Mr. COOMBS. I will yield to the gentleman for a moment, for I believe I still have the floor. [Laughter.]

Mr. COX. I understand the point to be that if the government of the District of Columbia makes an assessment for a certain purpose, and that money does not go into the Treasury of the United States, then the Government of the United States is not called upon to pay a corresponding amount?

Mr. HEARD. That is correct.

Mr. COX. Then the gentleman's argument is that this $30,000 is paid by the District?

Mr. HEARD. Certainly.

Mr. COX. That it is an extra amount which is paid by the District of Columbia, and that the Government does not have to pay a corresponding amount?

Mr. HEARD. That is correct.

Mr. COX. Now, do not you gentlemen see at once that if that $30,000 was paid into the Treasury of the United States for the District of Columbia it would reduce the amount that the Government would have to pay toward the expenses of the District?

Mr. HEARD. No, sir; on the contrary, it would add to it.

Mr. COX. The gentleman has not met my point yet.

Mr. HEARD. I think I have.

Mr. COX. Suppose out of $150,000 of taxation raised by the District, $30,000 obtained as license tax is taken out; that reduces the District fund to $120,000, so that the Government of the United States has to meet by taxation only that amount.

Mr. HEARD. That is right.

Mr. COX. Now take your $30,000 and put it over into the District account and compare it with your expense account, and you will see the effect.

Mr. HEARD. I ask my friend to wait a moment and listen to my answer to that point. I stated in the first place, and I think it was generally understood, that the amount which the Government of the United States has to contribute to the current expenses of the District is limited to the amount contributed by the District treasury; the Government's contribution must simply be equal to that. When, therefore, you reduce the amount contributed to the District treasury, you lessen the contribution of the Government instead of adding to it. If there were an obligation resting on the Government to make up to the District treasury any deficit which might arise after this joint contribution, the gentleman would be right; but there is no such agreement; the limit of what the Government contributes is the amount contributed by the District for current expenses. Therefore, when this District fund is reduced $30,000 we thereby lessen to that extent the contribution of the Government instead of adding to it.

Mr. COX. I am sorry we do not agree on this point.

Mr. COBB of Alabama. Now, if the gentleman from Tennessee [Mr. COX] will give me his attention——

Mr. COX. With pleasure.

Mr. COBB of Alabama. I will give him a little information as to how the moneys of the District are distributed or paid out.

Mr. COX. I think I can see how this proposition will work.

Mr. COBB of Alabama. In this connection, I think I can show to the gentleman from New York [Mr. COOMBS] the reason why in this case there is some propriety in diverting this fund before it reaches the public Treasury, although I agree in the main with the principle on which the gentleman's proposition rests.

An assessment of a certain percentage is made by way of tax on the citizens of the District of Columbia, and in that way a certain amount of money is raised which goes into the Treasury. It is no part of the law that the Government of the United States is to expend an amount equal to the amount which the taxpayers of the District have paid into the Treasury, and there is the gentleman's error. The only money which the Government of the United States pays is an amount equal to the amount required to be expended for public purposes in the District—not the amount collected from the taxpayers. Does not the gentleman see the distinction?

Here is, we will suppose, $3,000,000 collected from the taxpayers of the District, which goes into the public Treasury. The amount needed to be expended in the city for public purposes is we will suppose, $5,000,000, of which the amount paid by the District is two millions and a half, and the amount paid by the Government two millions and a half, leaving in the Treasury $500,000 collected from the taxpayers. This balance remains there for any proper expenditure that may be made under any act of Congress.

Now, here is a proposition to pay $30,000 for a specific purpose. The proposition is that the taxpayers of the District shall pay this; that the Government of the United States shall pay none of it. If this amount, $30,000, should be deposited in the Treasury and should be considered a part of the regular expenditures for District purposes, then the Government of the United States would have to pay the same amount, because the agreement by law is that the Government of the United States shall pay half of the current expenses of the District. But it is quite evident that this is an extra fund, not going into the public Treasury, not used for ordinary District purposes; and the Government of the United States will not have to pay a dollar on account of this amount raised from the citizens. This fund of $30,000, collected in a certain way and used for a certain purpose, is something outside of the ordinary expenditures of the District, and with this outside expenditure the Government of the United States has nothing to do.

Mr. GROUT. In fact the Government gains by it.

Mr. COBB of Alabama. Yes; the Government gains by it. If this money going into the Treasury were considered an ordinary District expenditure, the Government of the United States would have to appropriate an equal amount; but the proposition of this bill is to take this proposition out of that category, to make it a separate fund for a specific purpose; and the District taxpayers alone contribute to this fund. It seems to me this proposition is too plain for argument.

Mr. DINGLEY. I wish to ask the gentleman from Alabama [Mr. COBB] whether the Congress of the United States is not bound to exercise the same discretion and care in making these appropriations out of the District funds that it would in making an appropriation from the United States Treasury? Is not the objection primarily here to initiating the policy of civil pensions to be paid by taxation, no matter whether the funds come from the people of the District or the people of the country at large? The principle is one which seems to me exceedingly unwise.

Mr. COBB of Alabama. Very well, I shall not take issue with the gentleman on that point. I am not talking about the underlying principle, but simply endeavoring to state what this proposition is.

My proposition would be, or rather I would prefer the proposition, to let all money go into the public Treasury and let the Government of the United States pay its part in any proper expenditure, considering it as a part of the regular District expenditures. I think that would be better; but the members seem to prefer the bill in the other form.

Mr. DINGLEY. If it is to be done at all, it certainly should be done in that way.

Mr. COBB of Alabama. I say I would prefer that myself; but the proposition comes here in a different shape, and seems to be acceptable, or to meet favor with the members as to how this particular fund should be paid, that is, by the taxpayers of the District alone. If that principle is to prevail this bill carries it out and the Government of the United States is not called upon to pay a dollar. I am simply trying to get my friend from Tennessee to understand that point. I am not defending the principle on which the bill rests.

Mr. HOLMAN. I hope the gentleman from New York will yield to me for a few moments.

Mr. COOMBS. I yield to the gentleman from Indiana.

Mr. HOLMAN. I simply rise for the purpose of calling attention to the fact that this discussion is, after all, a mere abstraction. The United States Government has to carry on the District government, and this proposed pension system of the District police is simply a diversion of a certain amount from the sum raised by taxation for a specific object; but the burden, after all, of deficiencies falls on the Federal system.

But I rose mainly to call attention to a fact that was mentioned on the floor a few years ago when the subject of the civil pension list was under consideration. The fact was stated—I have not looked over the journals of the proceedings of the Convention which framed the Constitution of the United States, to see for myself if it was correct or not—but it was stated that during the sittings of that constitutional Convention, some gentleman, possibly Robert Morris, proposed a provision prohibiting Congress from creating a civil pension list, a subject with which the men of that period were well acquainted. One of the causes of the hostility to the British system of government at that time was the extraordinary expenditure induced by the civil pension list, which was impoverishing that country; and very naturally a proposition was made to incorporate into the Federal Constitution, a provision against granting pensions for any civil service whtaever.

Mr. COX. They were right there.

Mr. HOLMAN. John Rutledge or Ben. Franklin, I am not sure by which member of the Convention it was, said that the provision was unnecessary; that with the experience of European governments before the American people and which would be always before the American people, if they should ever reach that condition of affairs that they were willing to tax themselves—the whole people—to pay pensions for civil services rendered by the few, with sufficient salaries, the spirit of liberty and of equal rights would have so completely died out that no constitutional provision against special privileges would be of any avail.

For one I protest against entering upon or extending that policy. I admit that we did take a step in that direction some years ago in relation to the Federal judiciary at a time when the subject could not receive proper consideration. It was during the period of reconstruction. But I implore the House not to go beyond that. It is discouraging to the friends of free institutions that Federal judges and army and navy officers, after a comparatively brief public service, with ample salaries, are retired to private life with pensions enormously exceeding the pensions you pay to men disabled in the conflicts of arms. Gradually the favoritism of classes common to all monarchies is creeping into our system of government. For one, while deploring the favoritism to classes already expressed in our legislation, I protest against going a tithe of a hair further.

I have always favored liberal pensions for patriotic services in war, in the Army or Navy. No one can doubt the justice of this policy, but I protest against the granting of civil pensions. I denounce a civil pension list as un-American. It is easy to see how such a system, if once inaugurated, will grow and expand until in the progress of time it shall have impoverished the masses of our people for the benefit of the few. I enter my protest against a civil pension list as not only un-American, but as a most unmanly and discreditable imitation of the ideas of monarchies of Europe, from which our fathers hoped they had forever emancipated our country.

Mr. COOMBS. I yield a few moments to the gentleman from Tennessee [Mr. COX].

Mr. COX. Mr. Speaker, the proposition that I have been discussing lies in this direction. If you take $30,000 (and I use that sum merely as an illustration of the revenues of the District) and appropriate it for this special purpose, to say the very least of it, you will have levied a special tax of that amount on the District for the purpose of creating a fund for civil-service pensions. There is no doubt of that. There is no dodging that proposition. Now, whether you would increase the taxes of the General Government or not, I stop for a moment just simply to ask when you undertake to legislate for the District of Columbia and the city of Washington, to tax the people of the District of Columbia for the creation of a special fund for the purpose of paying special pensions for certain officers in the employ of the District, I ask, gentlemen, where it is to end?

Mr. HEARD. I will say to the gentleman, if he addresses that inquiry to me, that he has now stated the case exactly right. He is correct in that statement.

Mr. COX. Well, I am very glad to know that I am correct anyhow.

Mr. HEARD. And I am glad to be able to congratulate you upon the fact.

Mr. COX. Very well; I will proceed now, if the gentleman will allow me.

Mr. HEARD. I shall not occupy but a moment of your time. The proposition is that this is to levy this tax practically on the people of the District themselves, by themselves, and for a special purpose. That is true.

Now my response to the gentleman is this, that the people of this District are alone interested, and they come and ask Congress, which can alone make the provision, that they may pay their own taxes and provide a fund for these superannuated and crippled policemen. They ask permission to do this thing, and Congress holds the purse strings of the District. They can not get the authority except from Congress. If Congress does not authorize the people here to set apart this fund it can not be done. We are not taking a dollar out of the Treasury of the General Government, but simply authorizing the people of the District to make the fund and foot the bill.

Mr. COX. But you are taking all my time. [Laughter.]

Mr. HEARD. I will give the gentleman more time if he wants it. But putting this question fairly before the House it is simply a proposition to allow the people of the District to pay out of their own funds a certain tax to be applied to taking care of disabled and superannuated policemen and their families. Application is made by this bill to Congress for authority to do this thing. That is all there is of it.

Mr. COX. Now, I ask the gentleman in all candor, if he has heard a single taxpayer make an application here in behalf of this, outside of the Commissioners of the District of Columbia?

Mr. HEARD. Mr. Speaker, the District Commissioners sent this bill to us. As I have stated here repeatedly, they are in my judgment the immediate representatives of the people of the District, and I will say to the gentleman that probably fifty taxpayers in this District have spoken to me favorably about this matter, and there has not been a single protest, and I am advised that the public press and the people of the District unanimously approve it. This is not a new proposition. It is simply to add to a fund established first in 1861, and again added to in 1886 by a Democratic House, on an appropriation bill, and it is simply a proposition to add to that which is now inadequate.

Mr. COX. Will the gentleman pardon me for an interruption?

Mr. HEARD. Certainly.

Mr. COX. If that principle is correct, that the taxpayers of the District of Columbia ask Congress to apply a special fund for the purpose of paying pensions upon a civil-service list, I ask gentlemen in all candor and honesty, when a man serves the Government of the United States in a civil capacity, and after a lapse of years is worn out by age and infirmities, does not the same argument apply with all of its force in favor of putting him on a pension list?

Mr. HEARD. Not at all.

Mr. COX. What is the reason it does not apply? Is not a man who is working in the Capitol here just as much entitled to the respect of the Government as a man who is working on the police force in this city? And if a policeman is to be retired on account of his age or infirmities, or on account of some accident, then I say, take the whole civil-service list and apply the same principle. When I vote to put a tax upon the District of Columbia for a purpose of this kind, I will vote to put a tax upon the people of the United States for the same purpose, because Congress is legislating for both upon the same lines.

Mr. HEARD. Will my friend allow an interruption?

Mr. COX. I am done with the subject.

Mr. HEARD. I want to give the gentleman a reason why I think there is a very material difference.

The SPEAKER *pro tempore*. The gentleman from New York [Mr. COOMBS] is entitled to the floor.

Mr. COBB of Alabama. Will the gentleman yield for a moment?

Mr. COOMBS. Yes.

Mr. COBB of Alabama. I just want to say one word in answer to the gentleman from Indiana [Mr. HOLMAN], and also in answer to the gentleman from Tennessee [Mr. COX], in regard to this pension business. I am as much opposed to a civil pension list as anybody can possibly be, but this matter does not come under the principle of a civil pension list by the Government of the United States. We are here not only as a Congress, attending to the business of the whole country, but we are practically the common council of the District of Columbia, and in regard to this matter we are doing that which the civil authorities of every large city in the United States are in the habit of doing for their police officers.

Mr. STOCKDALE. Suppose this bill should pass, and then the Capitol police should come in and ask that they be put in the same attitude?

Mr. COBB of Alabama. That would be a question for Congress to determine when it came up.

Mr. BRETZ. Are you not setting a precedent for it?

Mr. COBB of Alabama. Not at all, because this matter, as I said before, is in line with the action of every large city in the country, if I am correctly informed, or if not, it should be made so. I understand that the cities of New York, Brooklyn, Cincinnati, Chicago, and others, have the same system.

Mr. COOMBS. I am not sure about that.

Mr. COBB of Alabama. They have a fund for this purpose, if my information is correct.

Mr. HEARD. The report shows that the cities of New York, Brooklyn, and Boston have similar funds.

Mr. COBB of Alabama. It is not, strictly speaking, a pension.

Mr. HOLMAN. In most cities, I understand, a portion of the monthly salary of each policeman is set apart and applied to this fund. But I wish to ask my friend if the Government of the United States, at a moment when legislation can be fairly conducted, in deliberate assembly, establishes the principle that pensions for civil services are proper, how can you answer that large class of people whom you have in your employment as postal clerks, the great mass of people you have in your employment in connection with the river and harbor system—engaged in perilous employment—how can you answer the argument in favor of granting them pensions, after accepting the principle that it was proper as applicable to the District of Columbia? If it is proper here, it is proper in every other Department.

Mr. COBB of Alabama. If it is proper in New York, is it not proper everywhere else?

Mr. HOLMAN. We are not legislating for New York.

Mr. COBB of Alabama. Of course not; and we are not legislating now for the people of the United States. We are legislating for the people of the District of Columbia, along a line which is followed in every large city of the country.

Mr. HOLMAN. I want to say to my friend that if this step is taken it will be invoked year after year, in cases that are much stronger than this. I am willing to pay these gentlemen ample salaries where they render public service, but not a dollar beyond. Why, a member of Congress claims that he is worn out by the public service, and under this British system they would come in here for aid. Would my friend tolerate that idea?

Mr. COBB of Alabama. Do you believe a large city does wrong to make provision for this class of men?

Mr. HOLMAN. My only theory about the matter would be this: The salary should be sufficient, and a portion of the fund, just as in the case of your army establishment up here, the military home, should be set apart for their use under just such circumstances as it is now desired to appropriate this fund. That is the principle of your National Home; and I see no impropriety in that.

Mr. COBB of Alabama. I just want to say, in conclusion, in answer to the gentleman who took my time, that I am not advocating a civil pension list, nor do I propose to go further in this legislation than the District authorities would, if they had a government of their own, be authorized to go in the direction of the practices which obtain in the various cities of this country.

So far as the bill provides for civil pensions it should be amended. I will consent to go no further in the direction of aid to policemen than to provide a plan which, avoiding the idea of granting pensions, will give such temporary relief as the exigencies of their service demand.

Mr. COOMBS. Do I understand the gentleman from Maine desires to address the House?

Mr. REED. I would like a moment or two.

Mr. COOMBS. I want to say about ten words.

Mr. HEARD. The gentleman from New York has the floor.

Mr. COOMBS. How much time does the gentleman from Maine desire?

Mr. REED. A few moments.

I think the gentleman from Missouri made some mistake in his opening statement in regard to this question, as he spoke of it as a mere extension of existing law. To my mind it is very different from that. The existing law provides that fines which are inflicted upon policemen for neglect of duty and money which arises from the sale of unclaimed goods and money which has been bestowed upon the body for meritorious services are to be appropriated for a particular purpose; and it having been discovered that that was not a sufficient fund, the law went further and provided that the policeman should pay $1 a month out of his own salary, to become a part of this fund.

Mr. HEARD. Will the gentleman allow a correction?

Mr. REED. Certainly.

Mr. HEARD. I think you will find my remark to be that it was proposed to increase the fund established by existing law.

Mr. REED. Very well; I am glad the gentleman did not say what I supposed, but I think the impression made was——

Mr. HEARD. I then went on to explain how this fund had been increased.

Mr. REED. I think the impression made was that it was a mere extension of the existing law.

Mr. HEARD. That was not my intention at all.

Mr. REED. Anyone will see that this is more than a mere extension of existing law; for, instead of being a fund which the policemen, with a slight exception, themselves directly contribute everything, it is now proposed to make a fund which shall be paid by the people of the District of Columbia, and possibly by the people of the United States. Now, whether it is paid by the people of the District or the people of the United States is a matter that interests me very little. I am perfectly willing that the people of the United States shall pay one-half of the expenses of the District of Columbia, for reasons which are very simple and plain. But whether we should adopt the plan of a pension for disabled policemen is another question; and it is a question the importance of which can not be overestimated; because if we do pension the policemen, I fancy that I hear in my ear the tones of some gentleman saying, "Having pensioned policemen, ought we not to be fair towards the rest? It may be that it was not proper to pension policemen; but having pensioned policemen, why not pension other equally deserving men?"

Why, I have seen the whole "leave" system extend over the civil service, until the Government pays one-twelfth more than any other employer, simply because of this system, and as my mind extends back over the service, I find that owing to the adoption of the civil-service plan, unless men can be hunted out they are kept in office through their lives. Now, you observe at once there is going to be a very heavy pressure brought to bear upon Congress, and that pressure is going to take this form, that the old men are going to be objects of charity.

Government employés, as a rule, spend their entire salary; and when they get old the alternative is presented to the man who has the appointing power, at the head of a department, to either keep that man in when he has become useless, on full pay, or discharge him and throw him upon the charities of the cold world. That he is not likely to do; and there are services already clamoring here for action on the part of Congress, on the score of economy, that it would be better to put these men on the retired list at one-half pay and get vigorous men to fill their places.

Now, you want fully to comprehend that. To my mind, if there is going to be any solution of that problem which is at all sensible it has got to be a solution so radical that I despair of seeing it reached upon an appropriation bill conducted through the House in the usual fashion. It ought to commence at the beginning. Instead of paying twelve hundred dollars a year, we ought to commence at five hundred. Instead of stopping at eighteen hundred or two thousand, we ought to stop at thirty-five hundred or four thousand, and from the money saved in that way we ought to establish a superannuation fund with which to provide for the superannuated and the disabled, so that a man who is useless shall not be kept on full pay on the ground of charity.

But until we take hold of this matter in a thorough and systematic fashion we run the risk of paying the large salaries that we now pay, and at the same time having to provide a superannuated fund to keep these public servants in decent condition in their old age, when, properly, they ought to have saved enough for that purpose out of their abundant salaries; for the salaries paid to the clerks and other departmental employés of the United States are large compared with the nature of their employment, and they were made large because, under the old system, a man gave five or six, or seven or eight of the best years of his life to the service, and then quit it, and it was reasonable that he should be highly paid for those years. But if you are going to keep men in the service during their lives, then you ought to arrange the salaries so that if the men will not save what will keep them in their old age, you can save it for them. Otherwise you do in that branch of the public service what you are doing in the Revenue Service to-day.

There are many men there who are entirely unfit for sea duty, and yet who are receiving the same pay as if they were active, vigorous men, while the young men in the service are being delayed in their promotion and prevented from receiving the pay to which they are properly entitled. I freely admit that there is one strong reason why something special should be done for policemen. Their occupation may at times become dangerous, and a man ought to have the consolation of knowing, when he goes into a fight in the performance of his official duty, that he does not risk the sustenance of his family by so doing. Consequently, I say there is a certain propriety in doing something of this kind for policemen, but the law has already struck the true plan, which is to make the force contribute to a superannuation fund in such fashion as to provide that disability or superannuation shall not be followed by poverty and suffering. In other words, when these men will not save from their salaries, we as public officers ought to adopt some plan or system by which a portion of their salaries shall be saved for them.

Now, what effect that has upon this particular pending measure I leave for the House to consider.

Mr. HEARD. The gentleman from Maine understands, of course, that the District of Columbia has no means of making any provision of this kind unless as it may be authorized by Congress?

Mr. REED. I understand that.

Mr. HEARD. Then it comes to this: The gentleman concedes the propriety, and even the necessity, of establishing such a fund as this?

Mr. REED. What I say is that, if we are going to establish such a system, we ought to establish it upon a sound principle, and to my mind this is not exactly the right way to do it. If we are not paying these policemen enough so that we can take out of their salaries a fund which will save from suffering and want those who become superannuated or disabled, then we ought to pay them more, but we ought to make the job a complete one, and a proper precedent as well.

Now, look at the situation. Here we have freed our office-holders from the danger of being turned out by unmeritorious persons—except, perhaps, in the Treasury Department and a few other places [laughter], and the result is that those gentlemen are forming associations so as to impress upon us their views with regard to their own salaries, and we are impressionable people. [Laughter.] We are moved by the cry of distress, especially when it is backed up by a considerable voting power. [Laughter.] It seems to me that civil-service reform has reached that point when it ought to be taken hold of in the right spirit, and with due regard to the change of attitude of the Government toward its civil employés, in order that two things may be accomplished: In the first place, that the Government shall receive the faithful service of trained men, and in the second place, that the Government shall pay them fairly. I will add another point: that it shall pay them in such manner as will justify them in devoting their lives to the business, so that they may find themselves with a reasonable compensation during their active days and with reasonable support in their nonactive days.

Mr. HEARD. With the permission of the gentleman from New York [Mr. COOMBS], I want to say just a word in reply to the gentleman from Maine. The gentleman concedes, if I understand, the propriety of having some provision made for superannuated policemen, firemen, and those who are engaged in such risky avocations in the public service.

Mr. REED. And in other kinds of business.

Mr. HEARD. So that we go so far together. Now, the question in this case arises not upon the ground suggested by the gentleman from Maine. He has inveighed against the system of pensioning civil servants as a general rule, against the principle of providing pensions for people who ought to provide for themselves.

Mr. REED. No. It is quite evident that I have not made my meaning clear. I say that if we are going to adopt another method than that of paying men for their day's work, then we ought to go into it upon a principle which is uniform and which is justifiable upon the idea that men earn during their active life an amount which ought to be spread over their active and their inactive life.

Mr. HEARD. I come now directly to the point to which attention has been called, and I think there can be no misunderstanding about it. The gentleman insists that, however commendable the object may be, this method of accomplishing it is not perhaps the best. Now, let us see about that. The gentleman, in his elaboration of the plan which he would set up as counter to this, suggests that the proper thing would be to deduct a certain amount from the salary of each policeman and thus make a fund—a plan provided for by the act of 1886 and which has proved to be inadequate.

Mr. REED. Inadequate in amount, but not inadequate as to principle.

Mr. HEARD. Well, of course, you might deduct half the salary of these policemen so far as that is concerned; but in point of fact the amount realized from that source is not sufficient. The question then is, what is the better way to increase this fund, and I ask the gentleman's attention to this plan. The proposition is to divert certain excise taxes——

Mr. REED. That does not make any difference.

Mr. HEARD. I think it does: I think I can convince the gentleman that it does. The proposition is to divert a certain fund

collected in the District by excise taxes, and apply it to this specific object. Now, the diversion of that fund in this way would not, I still insist, tax the citizens outside of the District to the extent of one dollar. I insist that gentlemen are bound to concede that point, because the fund is diverted before it goes into the Treasury, and the Government is not obliged to place dollar for dollar against that $30,000.

The question, then, is (and I know this is the controlling question with some members on this floor) whether this provision can be made in accordance with the wishes of the people of this District without taxing people outside the District is not a just and a wise one. The plan here proposed, would, I think, effect that object; whereas if we should adopt the plan suggested by the gentleman from Maine, and first increase the salaries of policemen so as to make them adequate to stand the necessary deduction for the creation of this fund, then any increase of salary made for the police fund would come partially out of the United States Treasury, because this fund is paid half by the Government and half by the District.

Mr. REED. We entered into an understanding with the District that we were to pay one-half. There were good reasons in favor of that policy——

Mr. HEARD. All right; I am not objecting to that.

Mr. REED. And I do not think it creditable to us to be trying every piecemeal method of evading the obligation we assumed.

Mr. HEARD. I agree with the gentleman on that point. That compact was made; whether it be entirely fair or not we find it existing and should respect it so long as it does exist. But that does not obscure the point I make—that any tax levied upon the salaries of these policemen, which would call for an increase in their salaries, would be borne in the proportion of one-half by the Federal Treasury and one-half by the District; whereas a tax levied in the way here contemplated would be paid by the people of this District for a purpose applicable alone to the District, in accordance with the application made by citizens of the District for the carrying out of an object which can not be authorized by any other body than ourselves.

I am opposed to a civil pension list except when paid by the citizens themselves, voluntarily, as they would in this case, and in accordance with their votes when they have suffrage, as in Brooklyn, New York, Boston, and other cities. I am opposed to ingrafting the principle of a civil pension list upon the practice of the United States Government. But here is an application from the people, for whom, as the gentleman from Alabama has said, we are by the laws made a common council, for authority to pay their servants out of their own pockets. They ask that we appropriate out of their funds a certain amount for a specific purpose, which they believe to be a worthy one and which we concede to be worthy. If there is any better way, in fairness to the Government and to the District, in which this purpose can be accomplished, I want to adopt it. But I want to say distinctly that I am opposed to the principle of giving pensions to persons engaged in the civil service outside of occupations like that of policemen, and in such cases only when it is sanctioned by the citizens whose money is to be thus expended, as has been done by the common councils of Brooklyn, Boston, etc., and as I fully believe is the case here.

Mr. STOCKDALE. I wish to ask the gentleman a question which I tried to have answered by the gentleman from Alabama. When this plan is accomplished (if it should be accomplished) and the Government's policemen in this city make application for similar provision, what answer will the gentleman make to them?

Mr. HEARD. I will say to those Government policemen that the people of this country, who have their bills to foot, have made no application for such a measure and that I had no assurance that those people would sanction any such law.

Mr. STOCKDALE. But suppose that application is made?

Mr. HEARD. We would have the right to reject it, of course.

Mr. STOCKDALE. Is not the principle the same?

Mr. HEARD. Not at all; for this reason: that the present proposition affects only the people of this District, who, I believe, are unanimous in its favor.

Mr. STOCKDALE. Why, then, do they not make provision for taxing their own property in order to carry out this measure?

Mr. HEARD. They do tax their own property; they have got to pay the taxation levied; and if there is a deficit they have got to pay increased taxation in order to raise their half of what is necessary to meet the required public expenditures.

Mr. COOMBS. I now yield to the gentleman from Texas [Mr. HUTCHESON].

The SPEAKER. The gentleman has seven minutes remaining.

Mr. HUTCHESON. I would like to occupy about ten minutes.

Mr. HEARD. I shall be glad to yield to the gentleman any time he may desire.

Mr. COOMBS. I may want five minutes.

Mr. HEARD. I shall be glad to yield also to the gentleman from New York [Mr. COOMBS].

Mr. HUTCHESON. Mr. Speaker, I think the greatest opportunity ever presented to Congress is presented right here. From the foundation of the Government until now we have never taken the step which this committee proposes we shall take. We have never had an aristocracy in this country, and in my opinion it is a thing which we very much need at this time—if for no other purpose than to illustrate to a Republican Government what an aristocracy should be.

Now, the gentleman from Missouri says very properly that he wants to limit this to the city of Washington. That suggestion is entirely correct. If this system should be extended to other portions of the country, the policemen of this District would not be any better than the policemen anywhere else, and you would not have your aristocracy.

Mr. HEARD. My friend does not want to put me in a false attitude. He wants to be fair. I undertook to distinguish between the policemen here and policemen elsewhere, because the people of this District, who contribute the money we are proposing to expend, have applied to our committee for a measure of this kind.

Mr. HUTCHESON. I understand all that, and do not blame the gentleman at all. I know the committee have acted upon the matter as it came to them. But, Mr. Speaker, if I were amongst the people of Washington, and there was to be an aristocracy established in this country, I would insist that we should have our full share of it. I would want our policemen pensioned and nobody else's.

If you want immigration to come to this country, just pass this bill, and all the ships that plow the sea will not be able to bring the numbers that will want to come in. You will have immigration from every part of the earth, men of all nationalities, coming here and running for policemen in the District of Columbia. [Laughter.] Why, there is not a man in this country who can tell who his great-great-grandfather was, but there are a great many men who would be relieved from the necessity of doing so if he were able to say "I do not know who my great-great-great-grandfather was, but I do know that my father is a pensioned policeman and lives in the District of Columbia." [Laughter.]

Any man under the sun who is anxious to rise to distinction in this world has nothing to do but take a club in his hand, come to Washington, spend his life here as a policeman, and then retire on the aristocratic pension list. [Laughter.] Any man who has a daughter who wants to distinguish herself will find that she has nothing to do but to marry a young fellow 25 years old with a blue suit and brass buttons and with the distinct understanding that he is to be a pensioned policeman after he becomes too feeble to knock a Coxeyite on the head who chances to tramp on the grass. It is the grandest opportunity ever presented to this country, and that man in the Fifty-third Congress who votes against it votes against the chance of his life and the privilege of making a class which has not heretofore been provided for under the laws of the United States. I hope, of course, that such an important measure will prevail if we are to have an aristocracy anywhere in this country, and the committee seems to think we are.

Mr. COOMBS. Mr. Speaker, a great deal has been said in the parenthesis intervening between my opening and closing remarks, much of which I shall not indorse or object to. I want to express, however, going back to the original proposition on which I started, the opinion that I believe it to be unwise to connect the policeman, or the police pension fund, or bring him in contact with the local liquor dealer in any way except to enforce the law. That is one proposition, and the other is that I think it undemocratic and improper to divert funds before they get into the Treasury.

And I want to express in closing my sense of appreciation of the fairness and courtesy of the chairman of the District Committee for the impersonal manner in which he has considered and discussed the purposes of the bill which we now have under consideration.

Mr. HEARD. I yield to the gentleman from Iowa [Mr. HEPBURN].

Mr. HEPBURN. Mr. Speaker, there are two or three objections to this bill, it seems to me, which have not been considered. One, that this amount asked for is unnecessary. It is more than or quite 50 per cent larger than can be expended this year. This bill provides for $30,000. Now, the total expenditure estimated for this year is about $25,000. The fund, from the method now in use for its collection, will be about $10,000, so that there exists only a deficit of $15,000 for this fiscal year, and yet $30,000 is appropriated for in the pending bill.

I want to call your attention to the extraordinary rapidity with which the necessities for this fund have increased. We find 666 per cent of increase since 1885, or in other words this pension fund has grown at that rate. I desire also to call your attention to the extraordinary expenditure necessary for this fund in the city of New York. The amount needed as a pension fund for about 4,000 men is $485,000. More than $120 per capita upon the policemen of that city would be required to make good the pension fund if raised by contribution from the force. Apply that to the two and three-quarters millions of men that were in the Federal army, and if the same ratio was observed, your pension list, now $145,000,000, would be increased to $350,000,000 a year.

It is entirely safe in my judgment to continue the method of raising this fund now in vogue. Let there be appropriated a sum, whatever it may be, from the monthly pay of each of these men necessary for the requirements of this fund. It will be carefully scrutinized then, there will not be the extraordinary growth which is now apparent, and the expenditure of the fund will be limited to what is absolutely necessary. It may be that it will be required eventually to increase the pay, and some would say that that was tantamount to an appropriation of this character. But it would not be, in my judgment; because there would be a careful scrutiny and examination of every expenditure, there would be an interest on the part of all the force in seeing that there were no abuses in the fund, and that it was being applied to necessary and legitimate purposes only.

I think, too, Mr. Speaker, that there is very much force in the objection raised by the gentleman from New York [Mr. COOMBS]. If the liquor license fund of this city is set apart for this special purpose, it gives policemen an interest in that business and in that fund and the profits arising from it, that they otherwise would not have. Instead of being watchful and careful with regard to what is going on in the saloons, they will have a direct, or if not a direct, certainly some interest in having the largest possible returns from that business, so that the fund from which their pensions are to be derived shall in no instance be jeopardized. I do not think that the police force of this city should be forced into a copartnership with the liquor-dealing interest of the city. The policeman ought to be the enemy of the saloon and not its sponsor. He ought to have his eye on the saloon at all times, because all men recognize the fact that the saloon is the nursery of crime here, as well as elsewhere, and there should be no relation between the police and that interest to make it his pleasure or interest to look leniently on the saloon, the chief of all the enemies of society.

Mr. HEARD. Mr. Speaker, I only care to say a few words. Directing my attention to the remarks made by the gentleman from Texas [Mr. HUTCHESON] for a moment, I will say that instead of this being an attempt to create an aristocracy, or an attempt to create a new class, that is not the case. The police pension fund exists in this District to-day, as has been explained fully. It was inaugurated by an enactment in 1861, and later in 1886. That fund is now inadequate, and this is a method which is suggested by the Commissioners for the increase of that fund. Whether this is a proper method of raising that money or not, is for the House to determine.

I have put the case fairly before the House, and have submitted with the report a statement which shows that this plan is in force in Brooklyn, New York, Boston, and perhaps other cities. I do not know of any better plan for raising the necessary money here. There may be a better plan. This plan, I insist, however, has this merit: That it is designed to provide that the money shall be raised not from the people of the United States, but from the people in the District; and as I say, this bill is here in response to an application on the part of the people for this legislation, for their benefit, to be paid for out of their money, and not from the Treasury of the United States. I have responded to their demand as best I could, believing it to be right, and realizing that this is the one legislative body to which they can appeal for authority to expend their own money for such public purposes as they may think right.

Mr. BYNUM. I should like to ask if the gentleman has ever made any investigation as to what rules have been adopted by this board that passes on the question of disability? I ask that for the reason that I have also noticed the same point made by the gentleman from Iowa [Mr. HEPBURN], that this appropriation has grown so enormously that it does seem to me that it is being squandered.

Mr. HEARD. I will say to the gentleman that, as I understand it, the provision is explained in the statement made by the chief of police.

Mr. BYNUM. My question is whether you have made any investigation as to the rules regulating the determination of disability. Unless the matter is properly conducted there would be danger of a man being put on the pension list to get rid of him, or something of that kind.

Mr. HEARD. I have never had occasion to examine that question in detail. The police force stands in the same relation as the firemen, the school board, and others of that kind. These matters of detail are supervised by the District Commissioners, and I have never had my attention specially directed to this, because no occasion required it. I am not able to give any more detailed information than the report presents.

Mr. CANNON of Illinois. I want to say that I have read this bill with some care since it was called up this morning, and also the report.

Under the law of 1861 and the law of 1885, as has been stated, the pension that goes to disabled policemen goes substantially from their pay. Certain fines for breach of discipline are levied against policemen from time to time, when they ought to be, and those fines go into this pension fund, and a dollar a month is taken from the salary of each policeman, of whom I believe there are about four hundred, and this sum goes into the pension fund.

As now constituted, every man on the police force is interested in seeing that no one gets there improperly, because the policemen themselves pay the bills. They not only police the city, but they police this fund; and the same principle applies to appointments. I apprehend that it would now be pretty difficult to get a man upon the police force who in fact is disabled, because the members of the force would naturally watch that matter narrowly to see that no man was appointed who would be likely soon to become a charge upon that fund, which the members of the police force pay.

I am not opposed to payment of disabled policemen, but I believe that the law should be amended increasing their pay somewhat, if proper, and increasing the amount taken from their monthly pay to go into this fund. Therefore, I shall vote against this bill in its present shape, with the hope and expectation that the Committee on the District of Columbia will mature a proper bill and report it to the House at an early day. A policeman now gets, I believe, $900 a year to begin with, and the highest pay that the privates can get is $1,080. I have no doubt, as the gentleman from Maine [Mr. REED] has well said, that they might properly commence at a smaller rate, perhaps at $600, and the age be fixed a little younger than it now is for them to go on the force, and then let length of service and fidelity give the gradual increase of pay.

As to the public service being treated in this way all along the line, that will come later. The gentleman from Texas may talk about the aristocracy of office-holders from a tenure during good behavior. It is very easy to talk about that kind of thing. We are all talking about it. Yet we have already taken the step, and you can not get rid of it, either. You can not repeal your civil-service law; and the result is that we take a callow youth, who could not earn, as a rule, $400 a year in private employment anywhere in the United States, and we start him in a clerical position under the civil service, at a thousand or twelve hundred dollars a year. Once in, if he gets his backing, he is promoted up to $1,800 for the maximum in the classified service. That starts our civil employés at a higher rate than Great Britain pays when her employés go off the roll at the age of sixty-two on half pay.

These things will have to be looked to after awhile, as the gentleman from Maine has so ably said, and as I believe every thinking man will acknowledge.

But, as I understand, we are not going to look after that to-day; but we can look after this to-day, namely: we could refuse to divert $30,000 a year from the District revenues for this pension fund. When you divert it, if you pass this bill, I fear it will be twice as easy to become a policeman and twice as easy to be pensioned as it is now, because the pension will be paid out of the District revenues instead of being paid by the policemen. That is about all I want to say.

Mr. MCNAGNY. Will the gentleman pardon me for asking him a question?

Mr. CANNON of Illnois. Certainly.

Mr. MCNAGNY. I would like to have the gentleman's opinion of this phase of the question—whether or not civil pensions are not wrong in principle, because they sap the independence and self-reliance of Americans, which is the best capital of all our men and women?

Mr. CANNON of Illinois. I will say to my friend I have had, in the past fifty years, the experience which most men and boys throughout the length and breadth of the country have had, who have had to make their own way. I have had the ambition and experience that the ordinary boy has had, taught at the country school, and all that sort of thing, and I will grant that years ago it was perhaps a good thing for an American citizen to get office under the Government. But I want to say now, in light of the experience I have had, the same industry and

ability that command place, if a man rests upon his merit in the public service, will yield fivefold in private service.

We have entered upon a new era, and I can not stop it, and you can not stop it; we had just as well march up and look it squarely in the face, and say we have adopted a system, and are not going to repeal it, that does away with the necessity for the salaries that were paid heretofore, and that we had better revise our salaried list and make it lower, for without law in most cases and with it in some cases we practically give a civil pension in many instances. When a member of Congress dies we give his widow not to exceed $5,000; when an employé of the House dies we bury him and give his widow six months' pay. All Federal judges can retire at the age of 70, after ten years' service, on full pay. In the classified service employés incompetent from age or disease remain in service at full pay when they should retire on half pay or no pay.

I have stood here for many years, and sometimes when my fellow-members thought me ungracious, and by the mere right to say no, have kept considerable amounts of money from being paid that seemed to me to look like establishing in effect a civil pension. I did it for the reason that it seemed to me that we ought not to go further in that direction until the whole matter was taken up and intelligently considered. I have in mind two cases where I objected, and made, or helped to make, the fight.

One was the case of Justice Miller, the other of Chief Justice Waite. They were great men, and served their country well; and the proposition was to pay $8,000 or $10,000 to each of their widows. It was a little ungracious, my friends thought, and I was not quite clear myself whether I should not consent to it, on account of the service of their distinguished husbands, deceased; notwithstanding that, I knew that seated about the floor of this House there were many men ready to make the same motion for the widow of every United States judge who had died for the last twenty-five or thirty years, and later on as other judges should die.

Now, all of these things grow on us; and we will not only have the tenure in the civil service of the United States that is to last during good behavior and life, but we will have it upon the most extravagant terms, unless we wake up at an early day and take the matter in hand and regulate it. However, I will again apologize for having spoken in this matter; perhaps I should not have done so had not the gentleman from Maine so ably and clearly called attention to the matter; but I will say again, as to this specific bill, for the reasons assigned my vote shall be "no;" and if it is defeated I trust that the Committee on the District of Columbia will properly investigate and at an early date report a bill by which this pension fund can be increased, and increased from the earnings of the beneficiaries themselves and their fellows.

Mr. RICHARDSON of Tennessee. I want to ask my friend, if he will make any suggestion, from what source this increase can properly be made for an increase of the pensions of the policemen.

Mr. CANNON of Illinois. In my judgment if you will provide that no man shall be appointed a policeman who is over twenty-four years of age, that his salary should begin at about $700—I am not particular as to the exact amount—and that it should increase every year of faithful service $50 or $100, as the case might be, until it reached the maximum of a thousand or a thousand and eighty, which is the present maximum, then, as you have four hundred of these men, if you would deduct three or four dollars instead of $1 a month from each, you would have a fund which would be large enough to take care of the disabled, a fund that four hundred men would be interested in policing to see that it was not pirated.

Mr. DINGLEY. What is the salary of these policemen now?

Mr. CANNON of Illinois. The minimum is $900 and the maximum $1,080.

Mr. DINGLEY. And only $1 a month is deducted for this fund. Now, there would be no difficulty in increasing the deduction to $50 per annum, which would furnish a most abundant fund and the compensation would still be very liberal.

Mr. CANNON of Illinois. Well, the committee ought to investigate the whole matter. Of course it is impossible for me to suggest what the details of such a bill should be, but I think the bill ought to be constructed on that principle.

Mr. HEARD. I hope the District Committee will have the benefit of the gentleman's suggestions. I see that one of these acts was passed on an appropriation bill when the gentleman from Illinois was a member of the Appropriations Committee, and it might be well that the result of that committee's investigation should be brought to bear to supplement the labors of the District Committee.

Mr. CANNON of Illinois. The act of which the gentleman speaks is the one passed in 1885, the first year of Mr. Cleveland's first Administration. I had not the honor at that time to be in the majority on the committee, but the provision put upon that act was that there should be a dollar a month deducted from the salary of each policeman to make up this fund. That, I think, was in the line of correct legislation, and while I ought not have the credit of it, having been in the minority, I was on the committee, and I have no doubt that I indorsed the proposition at the time.

Mr. RICHARDSON of Tennessee. That was before President Cleveland came in.

Mr. CANNON of Illinois. Well, just as President Arthur went out.

Mr. HEARD. Mr. Speaker, I am somewhat surprised to see so much opposition manifested to this bill, but it may be that a better method of providing this fund may be devised, either in a bill presented by some individual member of the House or by the committee. It has been suggested to me that it might be well to withdraw this bill, but I do not see any reason for doing that.

The committee have presented this as the plan approved by the Commissioners. The discussion that we have had this morning has doubtless been profitable to the committee and to us all, and may prove to be so to the Commissioners also, and to the police department. I am in favor, however, of letting the House pass its judgment upon the bill, and, therefore, I ask for a vote.

The SPEAKER. General debate is concluded.

Mr. HEARD. Mr. Speaker, since this bill has been before the committee, in fact within the last thirty minutes, there has been brought to me a report of the Commissioners upon this subject. They recommend favorable action upon the bill, as they do in the report which has been read here, but in this they also suggest an amendment which, in deference to their views, I now offer.

The amendment was read, as follows:

Add the following words, after the word "District," in line 26: *Provided further*, That th efurther sum of $6,000 per annum, or so much thereof as may be necessary, of the moneys received as aforesaid shall be applied to carrying out the provisions of the act approved February 25, 1885, entitled, "An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1886, and for other purposes," which establishes the firemen's relief fund.

The SPEAKER. The question is on the amendment.

Mr. DINGLEY. Mr. Speaker, before that question is put, I would like to ask the gentleman from Missouri whether there is any pension fund now for firemen in this District?

Mr. HEARD. This amendment recommended by the Commissioners would indicate that there is.

Mr. DINGLEY. Does the gentleman know whether any deduction is made from the pay of firemen for the purposes of that fund?

Mr. HEARD. I have no further knowledge than is contained in the amendment just read, but the gentleman from Indiana beside me [Mr. HOLMAN] says that there is a fireman's fund.

Mr. HOLMAN. That is my recollection.

Mr. HEARD. Mr. Speaker, upon consultation with some of my colleagues upon the committee, and at their suggestion, I ask that this bill be recommitted to the committee.

Mr. COOMBS. Mr. Speaker, a parliamentary inquiry. If that is agreed to will it do away with debate upon the bill in case it is brought forward again by the committee?

The SPEAKER. Not at all.

Mr. HEARD. I assure the gentleman that he shall have ample time to discuss this or any other measure that the committee may report.

There being no objection, the bill was recommitted to the committee.

WASHINGTON AND GEORGETOWN RAILWAY COMPANY.

Mr. HEARD. Mr. Speaker, I call up the bill H. R. 6953, the purpose of which is to authorize and require the extension of the cable road from its present terminus at Thirty-second and M streets to a point opposite the end of the Aqueduct Bridge, and to authorize the company to acquire land there and build a station.

The SPEAKER. This bill ought to be considered in Committee of the Whole.

Mr. HEARD. I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

Mr. PERKINS. I object.

Mr. HEARD. Then, Mr. Speaker, I move that the House resolve itself into Committee of the Whole for the consideration of this bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole, Mr. O'NEIL of Massachusetts in the chair.

The CHAIRMAN. The House is in Committee of the Whole for the consideration of the bill which the Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That the Washington and Georgetown Railroad Company be, and it is hereby, directed and required to extend its tracks and run its cars thereon as follows: Beginning at the present terminus of its tracks in Georgetown; thence west on M street to or near Thirty-fourth street; thence northerly and westerly, on a private right of way to be acquired by said company to a point to be designated by the Commissioners of the District of Columbia, between M and Prospect, Thirty-fourth and Thirty-sixth streets.

SEC. 2. That all plans relating to the location and construction of said railroad extension and of the passenger houses hereinafter mentioned shall be subject to the approval of the Commissioners of the District of Columbia; the said company shall furnish at the western terminus of its route a passenger house within such reasonable time as may be required by the said Commissioners, and shall maintain such passenger house and permit its use by connecting lines of street-car companies for the safe, convenient, and comfortable transfer of passengers, upon terms mutually agreed upon by said railway company and the connecting line or lines, or, in default of agreement, as may be fixed by the said Commissioners. Any violation of the requirements of this section as to passenger house shall be punished by a fine of $50 for each day such violation is continued and maintained, said fine to be recovered in any court of competent jurisdiction at the suit of the Commissioners of the District of Columbia.

SEC. 3. That the said company shall bear all the expenses of necessary changes to underground construction incident to the construction of the extension of its roads herein directed and required, and shall deposit with the Treasurer of the United States, before commencing work on said extension, to the credit of the Washington Aqueduct, such sum as the Secretary of War may consider necessary to defray all the expenses that may be incurred by the United States in connection with the inspection of the work of construction of said extension, and in making good any damages done by said company, or its works, or by any of its contracting agents, to any water mains, fixtures, or apparatus, and in completing, as the Secretary of War may consider necessary, any of the work that the said company may neglect or refuse to complete and that the Secretary of War may consider necessary for the safety of said mains, fixtures, or apparatus; and the said company shall also deposit, as aforesaid, such further sums for said purposes at such times as the Secretary of War may consider necessary: *Provided*, That the said sum shall be disbursed like other moneys appropriated for the Washington Aqueduct, and that whatever shall remain of said deposits at the end of one year after completion of the said extension shall be returned to said company, on the order of the Secretary of War, with an account of its disbursement in detail: *And provided also*, That disbursements of said deposits shall, except in cases of emergency, be made only on the order of the Secretary of War. And the said company shall also deposit with the collector of taxes of the District of Columbia such amounts as may be deemed necessary by the Commissioners of said District to cover the cost of inspection, supervision, pavement, and repairs incident to the said extension of its road; any unexpended balance of such deposits remaining after the completion of the said extension shall be returned to said company with an account in full of the disbursement of such deposit.

SEC. 4. That the said company shall commence the construction of the extension of its road, herein directed and required to be made, within three months and complete it, with cars running thereon, within six months after the date of the passage of this act: *Provided*, That this time limit shall be waived in case of unavoidable delay in securing the right of way herein authorized. Any violation of the requirements of this section shall be punished by a fine of $50 for each day such violation is continued and maintained, said fine to be recovered in any court of competent jurisdiction at the suit of the Commissioners of the District of Columbia.

SEC. 5. That in the event the said railroad company shall be unable to come to any agreement with the owner or owners of any land required for the extension of its road, as herein provided for, and for a passenger house, as contemplated in section 2 of this act, the said company is hereby authorized to institute proceedings in the supreme court of the District of Columbia, in accordance with existing law for the taking of private property for public use, for the condemnation of so much land as may be required for said purposes, said proceedings to be under such rules and regulations as to notice as said court may prescribe.

SEC. 6. That said railroad company is authorized to furnish and maintain a passenger house at Pennsylvania avenue between the tracks of the Navy Yard and the Baltimore and Ohio depot branches of said company's railroad.

SEC. 7. That this act may at any time be altered, amended, or repealed by the Congress of the United States.

The amendment reported by the committee was read, as follows:

Strike out the following:

"SEC. 6. That the said railroad company is authorized to furnish and maintain a passenger house at Pennsylvania avenue between the tracks of the Navy Yard and the Baltimore and Ohio branch of said company's railroad."

Mr. HEARD. The proposition contained in this section, which the committee disapprove, is to give the railroad company authority to build a shed down here in front of the Peace Monument between the two tracks. That provision we propose to strike out.

Mr. COOMBS. Is there a report on this bill?

Mr. HEARD. There is.

Mr. COOMBS. I should like to hear it.

Mr. HEARD. I ask a vote on this amendment of the committee. I do not think any one will oppose it.

Mr. DINGLEY. General debate must take place before any amendment is voted upon.

Mr. HEARD. There is no further amendment we wish to offer.

Mr. DINGLEY. This amendment can be voted upon with the understanding that it shall not interfere with general debate.

Mr. HEARD. Certainly. No advantage will be taken.

The CHAIRMAN. The Chair will put the question on agreeing to the amendment, with the understanding that the vote on the amendment will not interfere with general debate.

Mr. HEARD. That is right; that is perfectly well understood.

The CHAIRMAN. The amendment will be again read.

The Clerk again read the amendment.

Mr. HEARD. For the benefit of gentlemen who may not have heard my previous statement, I will say that this section proposes to authorize the company to put a shed between their tracks down here in front of the Peace Monument. The committee disapproves that proposition and moves to strike out the section.

Mr. CANNON of Illinois. One word on this question, because you are legislating in regard to my carriage. I ride on it back and forth daily, paying the usual price, six tickets for a quarter. It is the only carriage I have. I do not know whether the gentleman from Tennessee [Mr. RICHARDSON] who sits before me has any other kind.

Mr. RICHARDSON of Tennessee. I ride on it every day on the same terms.

Mr. CANNON of Illinois. Gentlemen understand that when we start for the Capitol on a yellow car we are obliged to change cars near the Peace Monument at the foot of the hill. To-day we do not need any shed there, because we can stand the sunshine; sunshine is healthy; but during the winter or in stormy weather the transfer can not be made without waiting a minute or two, sometimes five minutes; I suppose the time will average a couple of minutes. Now, why should there not be a shed (constructed under the direction, if you choose, of the Commissioners, so that it may be ornamental and as little in the way as possible)—why should there not be a shed at that point which would keep off the rain and the sleet from women and children, saying nothing about the men?

Mr. HEARD. I will answer my friend's question; and that is all the argument I have to make on this proposition. The reason the committee objected to putting this shed at the place proposed is that they thought it would obscure the view of the monument, and while it might afford some shelter, would be regarded as a detriment to the appearance of things, and that it could better be placed elsewhere. The company is perfectly willing to erect a shed, and the Commissioners recommend that permission be granted; but the committee had an aversion to locating the shed there, believing that the opposition which has been made to a shed used for a similar purpose on Fifteenth street, in front of the Treasury Department, would be intensified against a shed erected in the place here proposed. The whole question is whether the House prefers to have that shed put there or not. If the shed is such a desirable thing, let us vote down the amendment and accept the bill as it stands.

Mr. GROUT. Why not put the shed on the sidewalk?

Mr. CANNON of Illinois. It seems to me if the District Commissioners were authorized to superintend the erection of a shed, we will say on the south side of the avenue, at the curb, it might not be objectionable. It would not materially obstruct the view from down the avenue. And I would rather have a little less view and a little more protection from the elements.

Mr. HEARD. I understand the gentleman from Illinois to uggest a shed on the south side of the avenue?

Mr. CANNON of Illinois. Yes, sir; by the curb.

Mr. HEARD. That is a different proposition from the one contained in the section we move to strike out, which proposes to locate a shed between the railroad tracks, in the middle of the Avenue, directly in front of the Peace Monument. That is what we object to. If my friend wishes to offer an amendment to locate this shed on the south side of the Avenue, that proposition can be considered by the House. But we are not in favor of having this shed in the middle of the street in front of the monument.

Mr. PERKINS. It was that proposition that the committee very properly, I think, objected to.

Mr. CANNON of Illinois. I would sooner have it there than not at all.

Mr. HEARD. If my friend from Illinois desires to have a shed on the south side of the Avenue, let him offer an amendment to that effect. But there is no proposition of that kind in the bill. We simply propose to strike out the section in its present form, which we think objectionable.

Mr. CANNON of Illinois. Then, Mr. Chairman, I move to strike out and insert what I send to the desk.

Mr. BINGHAM. Let me ask the chairman of the committee where this road is to run?

Mr. RICHARDSON of Tennessee. This is simply an extension of the Washington and Georgetown road, in Georgetown, from the end of the present line up to or near the Aqueduct bridge. The road ends now at Thirty-second street, and this authorizes the extension of the road some three or four blocks further on the same street.

Mr. CANNON of Illinois. I offer the amendment I send to the desk as a substitute for the amendment recommended by the committee.

The Clerk read as follows:

SEC. 6. That the said railroad company is authorized and required to furnish and maintain a passenger house at Pennsylvania avenue near the tracks of the Navy-Yard and Baltimore and Ohio branches of said company's railroad, over the sidewalk, on the south side of Pennsylvania avenue.

The CHAIRMAN. The question is on agreeing to the substitute.

Mr. RICHARDSON of Tennessee. Mr. Chairman, before the vote is taken on the substitute I suggest that the gentleman ought to add, so as to make this harmonious with the rest of the bill:

To be constructed under the direction of the Commissioners of the District of Columbia.

Mr. CANNON of Illinois. I accept that modification, Mr. Chairman.

The substitute, as modified, was agreed to.

Mr. HEARD. Now, Mr. Chairman, I have nothing further to add in presenting this bill to the House. It is simply a proposition to extend the tracks of the Washington and Georgetown Railway Company about three or four blocks from its terminus on M street between Thirty-second and Thirty-third streets, to a point that has been recommended by the Commissioners between Thirty-fourth and Thirty-fifth streets, which will give railroad accommodations for three or four blocks beyond the present terminus, and allow them to land their passengers close to the Aqueduct Bridge. In addition, it requires the company to buy a block of land between M street and Prospect avenue, which is back of the bridge, and to construct thereon a passenger house for the accommodation of the passengers now transported over the present road; and it is the plan proposed by the Commissioners that other roads may run into the same passenger house, and make transfer of their passengers under cover. That is all there is of the bill.

Mr. TAWNEY. I would like to ask the gentleman from Missouri a question.

Mr. HEARD. Certainly.

Mr. TAWNEY. As I understand the gentleman, the proposition here is to authorize the Washington and Georgetown Railroad Company to buy a block of ground. Is it not a fact that the company owns now more than a block of ground west of Thirty-fifth street, and that you propose to clothe the company with the right of eminent domain for the purpose of acquiring title to a half block of land that they have not been able to buy, and that in doing so they will take and destroy the home of Mrs. Morris? And is it not also true that this lady requested a hearing before your committee, in opposition to the project as embodied in the bill, and was denied a hearing?

Mr. HEARD. I am very glad to be able to set my friend right. We will get through after awhile with having our friends imposed on by false statements of interested parties outside. That statement is absolutely false. Of course my friend is not to blame; but the statement is without foundation, and he has been imposed on. I do not know what this company owns beyond Thirty-fifth street, or whether they own a square, as the gentleman suggests.

Mr. TAWNEY. They do, or rather it has been bought in their interests.

Mr. HEARD. I do not know that they own a foot. But I know that this statement about Mrs. Morris having been denied a hearing before the committee is without foundation. The fact is this: The bill was before the committee for some time and was considered. About three weeks ago the committee, without a dissenting voice, directed a report to be made and without any opposition in the District, except Mrs. Morris through her attorneys.

Mr. TAWNEY. Permit me there. The reason you did not hear a dissenting voice was because the company bought up the property west of Mrs. Morris, and hope to buy enough on the east side of her property to accomplish the purpose they seek to accomplish.

Mr. HEARD. Then what do they want of Mrs. Morris's property at all?

Mr. TAWNEY. Because that lies between the two lots which they possess or hope to acquire by purchase.

Mr. HEARD. Well, Mr. Chairman, to continue what I was saying. After the bill was directed be reported the Commissioners of the District found, on attention being called to it, that one or two suggestions had been made in their report, and which brought in some irrelevant matter, notably some suggestions about the propriety of ultimately allowing other roads to come across the river over the Aqueduct bridge, which we knew would be prejudicial to this bill and which have no connection with its object. They were suggestions that did not pertain to the bill, and would be so considered in this House. The Commissioners saw that it was better to reform their report so made to the committee, and they did so. As soon as that was done, and that was the only reason of the delay, the committee made their report of the bill to the House.

Now, on the day of our last meeting, which I believe was last Wednesday, I received a note from the attorney of Mrs. Morris asking permission for a hearing before the committee. As I say, the matter had been considered three weeks before, and, as I advised him by letter, had already been unanimously ordered to be favorably reported.

Now, about the Morris proposition. This bill authorizes the condemnation of that property under existing law in the District, and the company can not take a dollar's worth of her property without paying for it, and the same is true as to the property of anybody else.

Mr. TAWNEY. If this is a public corporation, and if the use to which this company seeks to put this property is a public use, why is it necessary to authorize the condemnation proceedings which you authorize here by section 5? Why can they not come in under the general law and institute condemnation proceedings without this provision?

Mr. HEARD. They have no authority under the general law to condemn private property.

Mr. TAWNEY. Why have they not that authority?

Mr. HEARD. Because it is not given to any corporation in the District of Columbia, except by special action of Congress. Now, the gentleman misapprehended me. I said they would proceed, under existing law, for the condemnation of property, as for highways and so forth, which general law protects every property holder in the District. That is the situation.

Mr. TAWNEY. But is it not a fact that this is not one of those corporations entitled to invoke the power of eminent domain, under existing law?

Mr. HEARD. This corporation has no power to condemn property, except when the power is given by an act like this.

Mr. TAWNEY. Nobody ever heard of a street railway company being clothed with the power, especially when it would operate to deprive a person of their home.

Mr. HEARD. I suppose not, and therefore this is the proper manner in which to proceed. If Congress in its judgment feels that the good of the public may be met by authorizing the exercise of that power in a particular case, it is competent for Congress to do it, and that is what Congress proposes to do in this case, if it acts favorably upon the bill.

Mr. TAWNEY. Then we are to pass upon the question whether or not this is a proper corporation to clothe with that power, and whether the use to which the company is going to put this property is a public use.

Mr. HEARD. Most assuredly.

Mr. TAWNEY. And in order to pass upon that question, I say the owners of the property have a right to be heard.

Mr. HEARD. I do not know what hearing they had before the District Commissioners.

Mr. TAWNEY. None whatever. They were never notified.

Mr. HEARD. If they had made an application before our committee before the bill was considered and ordered to be reported, they could have got the hearing, although they had no right to claim it except as a matter of courtesy which the committee always gives.

Mr. TAWNEY. Do you say they have no right to a hearing, when you propose to pass a law which will take from them their private property?

Mr. HEARD. I say it is a courtesy always extended by the committee to anybody who asks it under reasonable conditions, but they have no right to complain. There is only one proposition in the bill which the Commissioners recommend, and I think wisely recommend, and that is that we require this railroad company, which is a rich one, to buy a block of ground for which they must pay, and put a passenger house there, where they can decently accommodate the public, and in that way give the public the right to the use of the street.

The company should take care of their passengers under a decent cover, to be constructed at their expense. Not a dollar of Mrs. Morris's property or of anybody else's property can be taken without full compensation. Everybody knows that where a jury sits upon a case on one side of which stands a corporation and on the other side of which stands a private citizen, no private citizen's rights are sacrificed. If there is any tendency to be partial, it is a tendency to be partial to a private citizen. That is the way it should be, and the way it is.

I apprehend nobody will doubt that this property can not be taken for this meritorious purpose without full compensation being made for it. That is the entire purpose of this bill, and I hope it will be favorably considered.

I want to say, Mr. Speaker, that two years ago, when this company was about to put in this cable plant, they were perfectly willing, on the suggestion of our District Committee, to extend their line up to the point now contemplated, and we presented to

the House a bill for that purpose, which was bitterly fought on this floor. I thought then that the opposition to it was unreasonable, and said to the House at that time that it would not be more than two years, that during the life of the then next Congress, the public would demand that these people make that change, and that it would cost forty or fifty thousand dollars to remove the terminal p'aat, which they should have been permitted then to locate at the right place. But that is a burden which the bill puts upon the company, and which the company is ready to assume, because they know that in order to get a good service they must do it, and that the demands presented in this bill are not on that account unreasonable.

Mr. EVERETT. Will the gentleman allow me to ask him a question?

Mr. HEARD. Certainly.

Mr. EVERETT. When a bill is pending before the committee, and before it has been reported, how are property owners who are interested to ascertain that it is pending, so that they may apply to the committee to extend to them the courtesy of a hearing? Until it is reported to the House, how can they know that it is pending?

Mr. HEARD. The gentleman is surely advised of the fact that all these bills relating to the District of Columbia are always reported in the newspapers. It is a matter of general report that they are pending; and I will state further to the gentleman that every bill that comes to the Committee on the District of Columbia, except such as come from the Commissioners themselves, is referred to that body for information and recommendation; and they, as I am advised, invariably advertise the fact that it is there and give hearings to those who are interested.

Mr. EVERETT. Has the Chairman investigated the subject sufficiently to be able to state whether this property owner did have a hearing by the District Commissioners?

Mr. HEARD. I am not advised as to that. I do not know that she was before the Commissioners when this bill was under consideration; but I know that the newspapers stated that this property holder did apply, through her attorney, to the Senate committee for a hearing. I think they had a hearing before the Senate, but whether she did before the District Commissioners I do not know.

Mr. EVERETT. I understand she did have a hearing before the Senate committee. It is, I understand, a great security that property owners shall be duly heard; and as I understand the gentleman, they have a chance to be heard by the Commissioners.

Mr. HEARD. I am advised that it is the practice of the Commissioners in every instance where there is notice of any opposition, to advertise the fact that the bill is there, and that hearings will be given.

Mr. EVERETT. And it is fair to assume that such hearing is given in every case.

Mr. HEARD. It is entirely fair to assume that any property holder applying will have a hearing, and in every case when it comes before the committee, before a case has been considered and acted on, I never knew of it being declined. I will say that courtesy is always extended by the committee wherever application is preferred before the bill is considered.

Mr. TAWNEY. I desire to move to strike out section 5 of this bill.

Mr. RICHARDSON of Tennessee. I submit to the gentleman that the motion is not in order until general debate is closed.

Mr. HEARD. I ask that general debate be closed on this bill.

Mr. TAWNEY. I give notice that at the proper time I will move to strike out this section. My principal object is this. The primary purpose of this bill is to extend the line of the Georgetown and Washington road to the Aqueduct bridge from its present termination.

Mr. HEARD. Not to the bridge, but to a point north of the bridge.

Mr. TAWNEY. To a point opposite the end of that bridge.

Mr. HEARD. That is correct.

Mr. TAWNEY. Now, coupled with that proposition is another proposition to purchase or to condemn private property for the purpose of erecting and maintaining a station, a transfer station. Now, the gentleman from Missouri says that this station is absolutely necessary to the public in using that road, notwithstanding the fact that the road has been used——

Mr. HEARD. I used no such language. I beg the gentleman's pardon. He does not certainly wish to misrepresent me. I used no such language as "that it was absolutely necessary." All I meant to state was that it would be an accommodation to the people which we should provide.

Mr. TAWNEY. I understood the gentleman very clearly to say that the use of this property was essential to the public accommodation and for the benefit of the company.

Mr. HEARD. The gentleman will allow me to say that my purpose was to argue that it would be for the benefit of the public that this erection be located at this point. And in order to enable these people to accomplish that end it is required that they should be authorized to condemn that property if they can not purchase it at a fair price.

Mr. TAWNEY. Now, then, the purpose is to erect and maintain a station there for the accommodation of the people. Mr. Chairman, that road now terminates about five blocks from the point proposed for its termination in this bill, and for a good many years they have had no station and have needed no station terminus. Why? Because the cars are standing there, and people desiring to go east simply get on the cars. Those people who wish to go west go on to their destination. The only way in which there could arise a necessity for a transfer station is by connecting that line with some line going beyond the Aqueduct Bridge, and this is the scheme contemplated, when taken together with the bill passed two weeks ago, giving another railroad a charter on Prospect street north of M street, on which the Washington and Georgetown line is located.

Now, this company has bought a large amount of property west of Thirty-fifth street, between Prospect and M streets. There is one half block, however, which it has not been able to secure. It is owned by Mrs. Morris, a native of my State, but who has resided on this property for a great many years; first with her parents and afterwards with her husband, until his death. That property is valuable. It is the lady's home, the only home she has. It fronts on Prospect 150 feet, and 120 feet on M street; the distance between the two streets is 240 feet, and the difference in elevation between M street and Prospect street is 75 feet. Now, how does this company propose to maintain a transfer station on property of that character without excavating the entire bank? They do not propose to take only a part of Mrs. Morris's property, but the whole tract; 150 feet on Prospect street and 240 feet deep, or the entire half block between the two streets.

Mr. HEARD. Your purpose, as I understand, is to strike out section 5, which authorizes condemnation proceedings?

Mr. TAWNEY. Yes, sir.

Mr. HEARD. It is not your purpose, however, to strike out the requirement that the company shall build a station there?

Mr. TAWNEY. No, sir.

Mr. HEARD. Therefore you ought to move to change the title of the bill to "A bill for the benefit of Mrs. Morris," by compelling the railroad company to pay her her price for her ground.

Mr. TAWNEY. She has set no price upon the land. It is her home, and she proposes to live there; and because this street railroad company is not one of those corporations that can invoke the right of eminent domain, you propose to give it that right by this act, which is wrong, and ought not to be done, especially in view of the fact that there is property just west of this that can be obtained for this purpose. If the company will extend their terminus one block further west they can get the necessary property without invoking the aid of a special act of this kind. They can go there and buy property as they have done heretofore. They own the block, or part of the block, west of this, and also part of this block adjoining Mrs. Morris's property.

Mr. HEPBURN. Suppose these condemnation proceedings take place and the company acquire the title to the two blocks between Thirty-fourth and Thirty-sixth streets and between Prospect and M streets and then grade those two blocks to the level of M street, what becomes of Thirty-fifth street between Prospect and M streets? Will it not be absolutely destroyed?

Mr. TAWNEY. Certainly.

Mr. GROUT. How?

Mr. HEPBURN. By reason of the difference in grade.

Mr. WASHINGTON. You can hardly walk up or down there now.

Mr. TAWNEY. Oh, yes; you can.

Mr. WASHINGTON. If you are a billygoat you can. [Laughter.]

Mr. TAWNEY. Well, perhaps the gentleman has tried it, and I have no doubt he has succeeded. [Laughter.] In fact, Mr. Chairman, there is a street there dedicated to the public and open to the public. Now, I submit that this Congress ought not to clothe a quasi-public corporation with the powers that this corporation would be clothed with under this section, and I submit that under the circumstances this lady ought not to be deprived of her home. There is no necessity for the company taking that property, none whatever.

This is simply part of a mammoth scheme of persons interested in suburban property. This House passed the other day a charter for a road that will connect with the Washington and Georgetown road running up the Potomac River from the Aqueduct Bridge, where they hope in the distant future to have occasion

for a transfer station, but there is no present necessity for it and no public demand for it. The Washington and Georgetown road now connects with no other road at that end, and the people who come from that direction are accommodated by the cars on the track, and the people who go in that direction go to their destinations without stopping at this point, and would not stop even if there was a transfer station there.

Mr. HEARD. I desire to say only a few words in reply to the gentleman from Minnesota. I repeat, Mr. Chairman, that the extension of this road would accommodate the people on three or four blocks on either side of M street where there is now no railroad accommodation. The gentleman refers to this as a part of a scheme to connect this road with other roads, but he should be fair enough to say that that scheme is one that is recommended by the District Commissioners.

Mr. TAWNEY. Is there any demand for it by the public?

Mr. HEARD. Yes, sir. It is the judgment of the committee and it is my judgment that the public greatly desire it.

Mr. TAWNEY. Have the committee received any petitions or anything of that kind in favor of it?

Mr. HEARD. Mr. Chairman, I state what I believe to be true, that this extension is demanded by the public, and there is only this one property-holder, so far as I have ever heard, who has made objection to the proposed extension to the Aqueduct Bridge. So far as the railroad company are concerned, they would get no more fare for carrying passengers on to this proposed terminus than they receive now for carrying them to their present terminus, and this extension will put them to large cost in moving their terminal plant up there, but they are willing to do it, for they know they have to go there ultimately.

Now, sir, one word about this scheme of another railroad to which the gentleman has referred.

The railroad company to which the gentleman from Minnesota has referred, a suburban road, came into Congress with a bill, not asking for this transfer station but on the contrary asking to be permitted to come down Prospect street and to connect with this road over the Tennallytown track at its present terminus. When the Commissioners reported upon their bill, and proposing a union railway station at this point, they required the bill to be amended, which was done on this floor by the committee, so as to permit the road to run to a point opposite this spot between Thirty-fourth and Thirty-sixth streets, with a view to using the station there when built, and requiring them to use it when the plan should be carried out. Now, in all fairness, if this road is to be extended as a public benefit to accommodate those people beyond its present terminus, the railroad company ought not to be required to go to work and purchase ground and build a station without having the power to protect themselves against exorbitant prices.

Mr. TAWNEY. How many people are there west of the terminus of this road?

Mr. HEARD. I never took any census of them, but there are several blocks. But I wish to call the gentleman's attention to the fact that this extension is not only a matter of accommodation to those people, but it concerns everyone who may want to go to Arlington by that road, or to any point beyond the Aqueduct Bridge. Such persons have a right to be put down at the point nearest to the bridge consistent with the public good.

Now, if you want to authorize the extension of this road, saying nothing about the use of the station, I shall not object, though I think the company ought to be compelled to buy ground and erect a station. I do not think they ought to be placed at the mercy of Mrs. Morris, however, or anybody else who may wish to oppress them by demanding three or four prices for their property. The general law of the District in regard to the condemnation of property, under which these people would have to proceed, sufficiently protects everybody whose property it may be necessary to take.

Mr. GEAR. Why was it that these parties in interest were denied a hearing?

Mr. HEARD. They were not denied a hearing. I contradict that statement on this floor. They made their application two or three weeks after the bill had been considered and ordered reported to the House.

Mr. GEAR. I have seen a letter stating that a hearing was denied them.

Mr. HEARD. No, sir; you saw my letter, and I wrote no such letter as the gentleman states. I wrote a letter stating why a hearing could not be granted at that time because the bill had been considered two or three weeks before. Let the gentleman bring that letter here.

Mr. GEAR. I saw the letter.

Mr. HEARD. The gentleman, when he states to the House a matter affecting the standing of other members, ought to be very careful to state the truth.

Mr. GEAR. I am not stating anything against the gentleman or his committee.

Mr. HEARD. I say that the statement affects me as a member of the committee; and it is not the truth.

Mr. GEAR. I am making no charge against the gentleman.

Mr. HEARD. The gentleman does make a charge, whether he intends it or not.

Mr. GEAR. A reputable gentleman told me this morning that he had such a letter; he took it out of his pocket and showed it to me. I did not read the letter——

Mr. HEARD. That will do. I excuse the gentleman.

Mr. GEAR. He said that letter showed that these parties had been denied a hearing.

Mr. HEARD. It is absolutely untrue, except under the conditions I have explained. Those people applied to us for a hearing two or three weeks after the bill had been considered and ordered reported, and while we were waiting simply for an amended report from the Commissioners of the District of Columbia to accompany our report.

Mr. TAWNEY. Do you know whether the owners of this property were notified of the pendency of this bill?

Mr. HEARD. I do not know; I never heard. Why, Mr. Speaker, those people are all immediately represented by the Commissioners who, as I am advised, advertise these hearings when notified of opposition before them. I never heard of Mrs. Morris till I heard through the papers she was before the Senate committee in regard to this bill; and when her lawyer wrote that letter to me, I stated to him in reply why the hearing could not be granted to him. If my friend from Iowa had brought that letter here and read it, there would have been no need for any further explanation about the matter. It would establish the facts as I have stated them. The bill has already been ordered reported, and we were merely waiting the return of the amended report of the District Commissioners in order that the bill might be presented to the House, and we had that when the attorney's letter was received.

Mr. TAWNEY. Just one word. Mrs. Morris went to the Commissioners and they told her there was no proposition pending for the condemnation of her property. Then she went to the president of the Washington and Georgetown road, who evaded her question as to what they proposed to do by this bill. Then application was made to the committee.

Mr. HEARD. Let me ask my friend this question: If she made that application to the Commissioners, why did she not follow it up then with an application to the committee? If she had done so she would have had a hearing.

Mr. TAWNEY. I understand that she did——

Mr. HEARD. She did no such thing.

Mr. TAWNEY (continuing). Through her attorney.

Mr. HEARD. She did nothing of the kind at that time. The Commissioners had the bill there, for we sent it to them, and her attorney should have been able to see the provision in the bill about the condemnation clause and called her attention to it.

Mr. TAWNEY. She went in person and they told her that there was no proposition to condemn the property.

Mr. HEARD. Well, I do not know what the Commissioners may have told her. I was not there. If they misrepresented the matter to her then they ought to be held responsible for it and not the committee, but I apprehend there must be some misunderstanding about their statement to her. I am stating exactly the facts as far as they concerned the committee.

Mr. BYNUM. Let me ask the gentleman from Missouri a question: I understand that at the time this application was made, the bill had not been reported?

Mr. HEARD. No, sir; but the committee had ordered it made.

Mr. BYNUM. Please state then what urgent necessity existed for reporting it so hurriedly without giving her an opportunity to be heard?

Mr. HEARD. Well, Mr. Chairman, this bill had been considered and ordered to be reported to the House; and I suppose there is no committee of the House which ever held up a bill on any such ground as that. I never knew a committee to do it. The bill was considered by the committee, was ordered to be reported, and the report was made, and I do not know any reason why it should have been held up because of such an application. This bill contains but one proposition, it must be remembered. All persons in interest had notice, I presume, from the Commissioners of the District of Columbia that the bill was being considered by them; and I know, and I presume all the members of the committee know, that we have considered the matter thoroughly, and that if this party had a dozen hearings upon the facts here stated by her friends it would not have changed the views entertained by the committee. I am frank to say no amount of evidence to show the facts claimed here would have changed

my view, and I presume that is true of the other members of the committee.

Now, the facts are before the House for your action. Here is a proposition to authorize this railroad company to extend its line of road to accommodate the traveling public. It can be voted down or voted up; I do not care a penny. There is a proposition, in addition to the bill, allowing this company to buy more land for the purpose of building a transfer station. That is a matter for the determination of the House. Strike it out if you desire; vote the bill down if you will. But the bill is a good one, the Commissioners say so; the Committee on the District of Columbia believe it ought to be passed. It is for the House to vote as it pleases in regard to the matter.

Mr. GROUT. This land is wanted for the purpose of establishing a passenger station upon it, as I understand?

Mr. HEARD. Yes, sir.

Mr. GROUT. Well, a statement has been made that other land has been bought adjoining this on the west side by this company.

Mr. HEARD. I know nothing whatever about that. I have no such information.

Mr. GROUT. That is stated as a fact.

Mr. TAWNEY. It is a fact.

Mr. GROUT. I was wondering if the other land was purchased why they might need this also.

Now, I want to say with reference to this bill that I would like to see the road extended to connect with any proposed line for Great Falls.

Mr. HEARD. Or all lines.

Mr. GROUT. Or any other lines extending anywhere else into the country, wherever they may choose to run. I do not altogether share the objection which has been raised here by gentlemen to condemning private property for such purposes, although it is a little outside of the purpose indicated by the name given a street railway, for that is supposed to cling to the street. Yet I can see no real absurdity or impropriety, if necessary for the proper exercise of that franchise for the accommodation of the public, for private property to be condemned for this purpose.

Mr. BYNUM. Will the gentleman answer one question?

Mr. GROUT. Yes, sir.

Mr. BYNUM. When this company was required to change its motor power was a condition put into the law allowing them to condemn private property for the establishment of a power house?

Mr. GROUT. I think not.

Mr. BYNUM. Was it ever granted any such right, or any other street railroad?

Mr. GROUT. I am not able to say.

Mr. TAWNEY. Not anywhere in the United States.

Mr. BYNUM. Did not they purchase this square of ground down here at what they claimed to be an excessive cost, some six hundred and odd thousand dollars, because they could not have the right to condemn it?

Mr. GROUT. Oh, they have no right of condemnation under the general law, as I understand it. It must be expressly conferred.

Mr. HEARD. They have no power of condemnation, of course, unless it be expressly granted.

Mr. GROUT. And it has never been specially conferred, I believe.

Mr. BYNUM. I think not.

Mr. GROUT. But granted that it has not the power, wherein lies the objection, if it be for the convenience of the public?

Mr. BYNUM. I say to the gentleman that this power ought not to be conferred upon a corporation of this character. I do not believe it is such a public corporation as brings it within the rule authorizing the exercise of the principle of eminent domain.

Mr. GROUT. But why not on this, if on others? It is certainly given steam railways.

Mr. GEAR. It should not be granted to any.

Mr. BYNUM. No street railway corporation in the District should have that right.

Mr. GROUT. Do you mean simply because it is called a street railway and not a steam railway?

Mr. BYNUM. I do not believe this corporation should have that right. It has no public station at the other end of the line. Why is one more necessary at that end of the line than at the other end of the line?

Mr. GROUT. On account of its connections beyond.

Mr. BYNUM. Is not there something behind this, that they want to get this property for some other purpose?

Mr. GROUT. Of course that should be guarded against. But I can not understand why this corporation should want to build a passenger house there unless it is for the accommodation of the company and the accommodation of the public. I can not imagine any other reason. Its self-interest can be trusted to regulate this.

Mr. HEARD. I will explain to the gentleman that it is a scheme of the District Commissioners——

Mr. GEAR. "Scheme" is the proper word.

Mr. HEARD. A plan of the District Commissioners, absolutely. It originates with Maj. Powell and the District Commissioners, and they made their first suggestion of it in connection with the Great Falls road, when that matter was here.

Mr. GROUT. I do not care where it originated. Let us look at it as a practical question. That is all we have to do with it.

Mr. TAWNEY. Is the gentleman aware of the fact that there are scarcely any people residing west of the terminus?

Mr. GROUT. I suppose it does go pretty well out to the city limits, but it connects with other lines beyond.

Mr. TAWNEY. There are no other lines beyond.

Mr. GROUT. Well, projected lines beyond.

Mr. TAWNEY. In the future, when this suburban property is developed, there may be some necessity for a connection, but at the present time there is no other road there to connect with and there are no people to travel on the road, if they had one there.

Mr. GROUT. There are people up the valley toward Cabin John, and pretty much all the way to Great Falls, to be accommodated by the proposed line there.

Mr. HEARD. It is a mistake to suppose there are no people there. There are people on that street along which this line runs.

Mr. GROUT. I have been up as far as the Great Falls. I went in a carriage, at the expense of another man. Now, if a company want to build a railway there which will take me up, I am willing that they should, and I am willing that they should have the trolley up in that section. Then, when the line is built, I may take it sometime on my account, not being able to support a carriage. And this illustrates the convenience it will be to the general public. I have no objection to corporations building railways for the accommodation of the public. I am in favor of it, heartily in favor of it; but let us come back to the question. Wherein lies the reasonable objection to giving this company the right to take private property for a passenger house, provided that passenger house is for the accommodation of the public? I am unable to see any reason for objection. I can see no difference in principle to have a street railway and a steam railway. The fact that no street railway company has ever had the right before, if that be true, is not a sufficient reason. Before I can concur in this objection something must be suggested to distinguish a street railway from a steam railway, for which it is granted in every State and Territory.

Mr. WARNER. Will the gentleman allow an interruption?

Mr. GROUT. Certainly.

Mr. WARNER. I wish to ask a question. Possibly it would be more pertinent to ask the chairman of the committee, but I think the gentleman from Vermont is informed on this subject. I understand from what has been said that this road proposes to extend its line only about five blocks, and that the neighborhood where this land is to be condemned has been suggested as being peculiarly appropriate for a passenger station, because it may hereafter be a place where very much more important transportation lines from outside will center. Now, may I ask, what there is in this bill which, when that time comes, will prevent this company—which is given the opportunity to acquire this land when it is not specially needed—from becoming a dog in the manger to prevent the public from being well served by the other companies which will then need the land, and which will find this company in possession of the point of vantage?

Mr. HEARD. There is ample provision in the bill to guard against that.

Mr. GROUT. It is provided for in the bill.

Mr. HEARD. And this plan is proposed by the Commissioners of the District.

Mr. WARNER. As I read the bill, it did not seem to be very well provided for.

Mr. HEARD. It is provided for.

Mr. GROUT. It is satisfactorily provided for in the bill as I read it. If the corporations can not agree among themselves, the Commissioners are to determine.

Mr. HEARD. That is the fact.

Mr. GROUT. But, to come back to the question, I can see no reason why a street railway company may not be allowed to take private property for the convenience of the public, the same as a steam railway company may. I should want, of course, to know that it was absolutely necessary for the purpose assigned, and for no other purpose.

Now, in reply to the suggestion of the gentleman from Minnesota [Mr. TAWNEY] that notice was not given these parties, so they might have a hearing, let me say: If there be any suggestion of any matter which should have been presented to the committee, which can not with equal fullness and certainty be presented to the House, that objection would be a good one, undoubtedly. But I can hardly imagine what matter of that kind there could be. The objection stated by my friend from Minnesota [Mr. TAWNEY], that the company have no right to condemn private property, is an objection which the House would have to consider ultimately, even if it had been passed upon by the committee, after argument before committee by counsel in behalf of the person heard.

Mr. TAWNEY. But they had a right to be heard.

Mr. GROUT. They have a right to be heard and are being heard now, it seems to me; so that that objection is not a good one. But I wish to be sure, as has been suggested by the gentleman from Indiana [Mr. BYNUM], that it is necessary to take this private property for this purpose; and I want to know, too, that it can not be misapplied or afterward appropriated to any other purpose. So I have drawn an amendment which I will submit when the time comes, provided the section is not stricken out. I will read the amendment for the information of the House and will send it to the Clerk's desk to be called up in due time. It is as follows:

Add to section 4 the words:

"*Provided*, That no land shall be condemned under this act unless it be absolutely necessary for the construction of the passenger house hereinbefore provided; *And provided also*, If said land is ever put to any other purpose whatever it shall revert to the owner."

Mr. HEARD. That is right.

Mr. GROUT. Now, very likely it might take that course under the law, but we want it expressly provided.

Mr. HULL. Is it proposed to provide that the Commissioners may determine the necessity?

Mr. GROUT. No; let that go to the courts. The courts have control of the condemnation proceedings, and I want to leave that to the courts, to be determined by them when the proceedings are instituted. The company should be compelled to show that it is necessary to take this land before they can have it, and when they do establish that fact and take the land, then they must not divert it to any other purpose. When these conditions are complied with I shall be satisfied.

It does seem to me a little strange, if it be true, that they have been buying other blocks in that neighborhood, and it naturally raises the question whether there is not some other scheme in contemplation, and I do not propose to further any plan to buy land, or to acquire land for any other purpose; but if we can be sure that it will be applied to that purpose and that alone, then I am in favor of allowing them to do it. This provided for and I am in favor of the bill.

Mr. HEARD. I think the gentleman's amendment is altogether proper. I have no earthly objection to it.

Mr. GEAR. Mr. Chairman, I am opposed to this bill. I happen to know the parties who own this property and have known them for many, many years. I took a carriage and rode there this morning and went all over this ground. The south half of this block has been bought by private parties, as I am informed. I oppose the bill on that account. I oppose the bill because the parties interested were not given a hearing. I further oppose it upon the ground that I do not believe it is right to give to a street railroad company the right of eminent domain so as to enable it to condemn other people's property. I recognize as much as anyone the importance of having these street railroads, and street improvements to furnish the people with facilities for travel, but I do not believe in granting at will franchises worth $100,000 to $200,000 out of which they can make money at the expense of the people.

Mr. HEARD. If the gentleman will permit me, I will state that this railroad company, if it extends its road, will collect no more fare.

Mr. GEAR. That is an altogether different question.

Mr. HEARD. Then how does it add to the value of their franchise?

Mr. GEAR. Now, there is other property beyond that, and as the gentleman from Vermont stated, there is very little population west of this place. Why, they have selected to put their station at this place, 70 feet above, taking a beautiful homestead and confiscating it for the interests of the parties who bought the south half of that property. I never will vote the right to condemn and destroy property at random. The original act chartering the road required them to procure proper stable and station grounds, but it does not give them the right of eminent domain to which Congress alone can give the right, and I earnestly hope the members will pause before they will grant this particular road the right to confiscate this property.

Mr. GROUT. I would like to make an inquiry of the chairman of the committee. I do not understand from what you said, and I did not hear every utterance and presume it has been stated, but I want to ask if the proposition is to take in the dwelling place of this woman and not merely the land in connection with it?

Mr. HEARD. I say to the gentleman from Vermont that I have no information on that point.

Mr. GROUT. I was not aware that it went further. I am not clear about that.

Mr. GEAR. The lot on which this building stands extends 150 feet from north to south.

Mr. TAWNEY. Two hundred and forty feet.

Mr. GEAR. And 150 feet from east to west. All south of that property, including all the buildings to the west of the property, have been bought by certain parties, who, I understand in a general way, though I do not know anything positive about it, are connected with this road. Presumably it has been bought, as many other pieces of the property have been bought, where a gentleman buys it and turns it over to the corporation.

Mr. GROUT. And all of this is abutting this private property to the west.

Mr. GEAR. All west of it is abutting the whole length.

Mr. GROUT. Well, Mr. Chairman, if that is the fact——

Mr. GEAR. One moment. If you confer the right of eminent domain—if you give them this right to take the property—they can take the whole block from this lady.

Mr. GROUT. The language of my amendment is—

Unless it is absolutely necessary for the purpose of erecting this passenger station.

And if there is open land beyond, no court in the world will say it is absolutely necessary, especially if owned, as is stated, by this company. I think she is protected under my amendment.

Mr. HEARD. I am perfectly content to accept the amendment of the gentleman from Vermont.

The CHAIRMAN. The amendment can not be accepted at this stage of the proceedings, as the committee is still proceeding to consider the bill under general debate. The Chair recognizes the gentleman from New York.

Mr. WARNER. Mr. Chairman, I believe it will be conceded by every member——

Mr. GEAR. I want to say to the gentleman from Tennessee——

The CHAIRMAN. The gentleman from New York has the floor.

Mr. WARNER. I yield to the gentleman for a moment.

Mr. GEAR. I want to say that this block or building and property is between Thirty-fifth and Thirty-sixth streets. The residence is 3508, and it is a very charming and lovely home.

Mr. WARNER. Mr. Chairman, I believe it will be conceded by every member present that this is a most extraordinary power, for the granting of which to a similar corporation there is absolutely no precedent in the District; and I say, even if there were precedents innumerable, we should be most careful of the extent to which we grant it.

And now, sir, when it is proposed to grant this extraordinary power of the condemnation of land for the purposes of stations, etc., to a railroad which only proposes to extend its road for five blocks, I submit that such is scarcely a case to call for the exercise of any such extraordinary power as is now proposed to be given.

Again, sir, if the chairman of the committee has stated the matter correctly—and I have no doubt he has—this power is proposed to be given to provide accommodation not so much for what this railroad now needs, or for it will need after it has completed this extension, as for what may be needed by the development of other roads, which are expected to open up new traffic demanding such additional accommodations. If that be so, sir, it seems to me that what we should do is to wait until those needs have developed, and then, if we are going to confer this extraordinary power at all, confer it upon the corporations which shall then have need to exercise it.

But that is not my main objection to this proviso giving the right of eminent domain to this company. I have not examined the statutes of the District of Columbia in this regard, and if I am mistaken the chairman of the committee I know will correct me, but unless there is some peculiar provision in them which is not contemplated by any reference in this bill, the fact is that when this railroad shall have completed these condemnation proceedings it will become the owner in fee simple of the lands thus taken and they will not be subject to forfeiture in case the company shall afterwards wish to use them for other purposes.

Mr. HEARD. That will not be so if the amendment suggested by the gentleman from Vermont [Mr. GROUT] should be adopted.

Mr. WARNER. I did not hear that.

Mr. HEARD. The gentleman from Vermont has proposed an

amendment providing that if any land taken under this right is ever used for any other purpose, then it shall revert to the original owner.

Mr. WARNER. If that is the tenor of the amendment of the gentleman from Vermont, I am in favor of that amendment. But, even if that amendment were adopted and the company were thereafter kept from appropriating for its own benefit and not for the public advantage the result of the exercise of this power of eminent domain now proposed to be given, there would still remain a serious defect in this bill. The land that is proposed to be condemned is confessedly the land that would be needed for a passenger station for what the chairman of the committee has stated will probably be a great development of suburban travel and traffic.

Mr. HEARD. I want to say at this point, for the information of the House, that in connection with another bill recently under consideration here the Commissioners of the District recommended the establishment of a union transfer station at this point. I think they had elaborated a plan in which they had named six or seven such stations, which they proposed to recommend to Congress, and this is among them.

They propose to establish a station at that end of Washington into which suburban roads may come, including roads which are expected to cross the river. The scheme originated with the Commissioners, and it is not confined at all to this particular case.

Mr. WARNER. I am glad the gentleman has so far explained the matter; and his explanation simply goes to show that it is one of even greater importance than, upon his former statement, I had imagined, In so far as he has explained it, it seems to me a matter of the very greatest importance, for it is practically the provision of a general center for the whole of the great suburban traffic on both sides of the river that may be expected on the north and west of the District of Columbia, and for that reason, if there were no other, it would seem to be preposterous that at this time we should put the power to acquire in fee simple all the very extensive property which in such a case would be proper and necessary into the hands of a single railroad company which does not now need it even for its own purposes.

But that is not my only objection. In section 2 of this bill—which I presume is the section to which the gentleman referred when he mentioned the guaranties provided by the bill against this road standing like a dog in the manger after it should have exercised this right of eminent domain and acquired this property—the only provisions of that character that I find, are practically, first, that this company shall allow other lines to use its station, under such arrangements as the Commissioners of the District of Columbia may prescribe; and second, that if it does not do this, it shall forfeit $50 per day for the days that it does not do it.

Now, sir, to allow a company to have the power of eminent domain to acquire a considerable tract of land—and the gentleman himself intimates that the tract ought to be large enough to provide a central station for all the suburban traffic in that direction—to confer such a power upon a corporation and then simply to provide that, as to the passenger house which it may put upon that property, it shall allow the use of that passenger house by such other corporations as the Commissioners of the District may direct, but that if it does not do so, the only penalty shall be the payment of $50 per day for the days when it refuses to permit such use, seems to me to be legislation which, however well intended, would be effective in enabling this company to stand as a dog in the manger, by protecting it from being called upon to respond in damages in the ordinary way upon the ground that Congress had already prescribed the penalty in this act.

In other words, sir, a little experience, and a very painful experience, in watching the proceedings of roads which have obtained rights of way and vantage ground in competition with others, has convinced me that if any serious attempt is to be made, after granting this unwarranted power, so to restrict it as to make it as little hurtful as possible, some other method must be adopted than that which is here provided.

Mr. HEARD. I will ask the gentleman from New York whether the objection he has last made in regard to the inadequacy of the fine would be met by increasing the fine, or by providing for a forfeiture?

Mr. WARNER. Nothing short of a forfeiture would be any deterrent whatever; and to a company which employs good counsel in this District, even a threatened forfeiture, as experience has shown, has no terrors.

Mr. HEARD. The gentleman has made some suggestion in regard to a recommitment of the bill. That, of course, if meant honestly by the gentleman, as it doubtless is, would mean to reform the bill. Now, since the House has the bill before it for consideration, why should we not adopt such amendments as may be necessary to put it in acceptable form if that can be done?

Mr. WARNER. I suggest to the gentleman an amendment which I believe would put the bill in perfectly acceptable form as regards the only matter to which my criticisms have referred; and that is an amendment leaving out all provision for giving this company the right of eminent domain. It does not need to use this right; it is not pretended that it will be used mainly for this company; and as for any other company, it will be very easy to confer that right, if necessary, whenever the occasion may arise.

I reserve the balance of my time.

Mr. HEARD obtained the floor.

Mr. TALBERT of South Carolina. I suppose it is not absolutely necessary that the company should have this particular property?

Mr. HEARD. I apprehend not. The Commissioners recommend the location of a union transfer station at this point, between Thirty-fourth and Thirty-sixth streets. It seems to me this might be limited to ground between Thirty-fourth and Thirty-fifth streets, if that would remove any objection.

Mr. TALBERT of South Carolina. Then why make such a contention on this point?

Mr. HEARD. We are acting in accordance with the recommendation of the District Commissioners, including the Engineer Commissioner, who is supposed to be familiar with the requirements in this regard. I will say, however, to the gentleman from South Carolina and to the gentleman from New York, that so far as I am concerned as a member of the committee and as a member of the House, if it is desired to strike out the condemnation proceedings altogether and also the provision requiring a transfer station to be built, while I think that the only sufferers will be the general public (and would be inclined to object on that account), still if it is the choice of the House that those provisions should go out, let them go.

Mr. TALBERT of South Carolina. That was my suggestion, in order that all difficulty might be obviated and the bill passed.

Mr. HEARD. Then the bill would provide simply for extending the line of the road up to the point named, which I think ought to be done, even if nothing further is.

Mr. TAWNEY. I have no objection to the bill in that form.

Mr. HEARD. I think that in the interests of the public we ought to require the erection of a decent structure to accommodate passengers; but that can be done hereafter. If such is the wish of the House, I should have no objection to asking permission to withdraw the bill and recommit it to the committee for the purpose of reforming it in that direction.

Mr. RICHARDSON of Tennessee. Why not amend it here in the House?

Mr. HEARD. As my colleague on the committee [Mr. RICHARDSON] suggests, we might by an amendment in the House strike out that provision authorizing the company to acquire property by condemnation or purchase, and also the provision requiring the building of a transfer station. In that case the company would take their chances about getting the ground. Hereafter if the District Commissioners should make it appear to the satisfaction of Congress that there is need for clothing the corporation with power to acquire ground for this purpose, it can be done. Two years ago I stood here insisting that this corporation should extend their line to this point for the public benefit. I am perfectly willing that those provisions be stricken out, retaining only the portion of the bill which directs this company to extend its line to the point named. That would leave to further legislation the question of the establishment of a passenger station. I understand this arrangement will obviate the objection of gentlemen who have opposed this bill. But I wish to state that I think the bill would be better as it is.

The CHAIRMAN. If there be no objection, the Chair will regard general debate as closed, and the bill will be read by paragraphs, with the understanding that when the provisions referred to have been reached amendments shall be offered striking them out.

The Clerk read as follows:

Be it enacted, etc. That the Washington and Georgetown Railroad Company be, and it is hereby, directed and required to extend its tracks and run its cars thereon as follows: Beginning at the present terminus of its tracks in Georgetown; thence west on M street to or near Thirty-fourth street; thence northerly and westerly, on a private right of way to be acquired by said company, to a point to be designated by the Commissioners of the District of Columbia, between M and Prospect, Thirty-fourth and Thirty-sixth streets.

Mr. GROUT. I do not see that it is specified what kind of power shall be used over this extended line—I presume the cable.

Mr. HEARD. The cable, of course.

Mr. GROUT. Then, why not amend by inserting in the fifth line the words "to be operated by cable?"

Mr. HEARD. There is no objection to that.

Mr. GROUT. Without such an amendment, if there should be a steam railway up there it might undertake to pass its steam cars over this line of road.

Mr. HEARD. There is no objection at all to the amendment the gentleman suggests.

Mr. GROUT. I move to amend by inserting after the word "follows," in the fifth line, the words "to be operated by cable."

The amendment was agreed to.

The Clerk read as follows:

SEC. 2. That all plans relating to the location and construction of said railroad extension and of the passenger houses hereinafter mentioned shall be subject to the approval of the Commissioners of the District of Columbia; the said company shall furnish at the western terminus of its route a passenger house within such reasonable time as may be required by the said Commissioners, and shall maintain such passenger house and permit its use by connecting lines of street car companies for the safe, convenient, and comfortable transfer of passengers, upon terms mutually agreed upon by said railway company and the connecting line or lines, or in default of agreement, as may be fixed by the said Commissioners. Any violation of the requirements of this section as to passenger house shall be punished by a fine of $50 for each day such violation is continued and maintained, said fine to be recovered in any court of competent jurisdiction at the suit of the Commissioners of the District of Columbia.

Mr. HEARD. Mr. Chairman, in accordance with the understanding with gentlemen of the committee, I move to strike out of this section, beginning with line 2, after the word "extension," down to and including the word "mentioned," in line 3, the following words: "extension and of the passenger houses hereinafter mentioned;" so it will read:

That all plans relating to the location and construction of said railroad shall be subject to the approval of the Commissioners of the District of Columbia, etc.

The CHAIRMAN. Without objection the amendment will be agreed to.

Mr. COOMBS. I object and ask for a vote upon it.

Mr. HULL. I object, Mr. Chairman.

It seems to me that one of the very things that should not be adopted is proposed in the amendment of the gentleman from Missouri. Every man who has gone to Arlington by that railroad line will agree with me, first, that it should be extended to the Aqueduct Bridge; and second, that some provision should be made for the care of the people who are compelled to wait on the street at the end of the route either for a carriage or some other conveyance to get to Arlington.

I am one of those who believe that this company should be compelled to erect a passenger station there, and I am opposed to the motion of the gentleman from Missouri, for the reason that every Sunday hundreds of people are going to Arlington, and if it is raining they are compelled to stand in the rain or else seek shelter in private doorways until carriages come along to take them to the national cemetery.

I do not believe that the railroad company is specially interested in this extension. I believe that the people are directly interested in it, and the course adopted upon this bill has been largely, in my mind, the erecting of a "man of straw" to fight. The Commissioners recommend the bill; the railroad does not ask it. The company does not get a cent more for carrying passengers to the end of the line than it gets for carrying them to the present terminus; and this is a great, rich corporation, carrying more people than any other company in Washington, having a valuable franchise, and they ought to be compelled to provide some means to take care of their passengers at the end of the line.

You adopted an amendment compelling it to provide a little station here at the foot of the hill to accommodate the few people who transfer from the main line to the Baltimore and Ohio branch. Now, there are a hundred that take the cars out to the terminus of the road for one that is transferred at the foot of the hill here.

Mr. HEARD. Will the gentleman allow me to ask him a question?

Mr. HULL. Certainly.

Mr. HEARD. I do not know whether the gentleman was present during the course of this debate or not.

Mr. HULL. I have been here all the time.

Mr. HEARD. Then you understand the objections which have been made to the acquisition of the property at the place suggested by the Commissioners for the erection of this station. The object of the committee now is to get rid of these objections, if possible, and yet authorize the extension of the road, leaving the question of the acquisition of property for the construction of a passenger station to be determined hereafter.

Now, if my colleague will prepare an amendment providing for the erection of a passenger station there, drawn up in proper terms, I am perfectly willing to accept it. The only effort now is to meet the wishes of those gentlemen who have objected to that provision of the bill.

Mr. HULL. I am opposed to striking out the section that has been discussed, and I wish to say that I favor the amendment of my friend Mr. GROUT, that this property shall be used exclusively for a passenger station, or revert to the original owners.

Mr. HEARD. I agree with that. I am not opposed to it. I would much prefer not to strike out the provision in the bill. I am satisfied with the amendment of the gentleman from Vermont, but I believe it avoids very much of the confusion and objection that has been raised if the provision for this passenger station is stricken out; so I have moved to strike it out in accordance with the understanding which I supposed had been reached.

Mr. BURROWS. Let us test it by a vote of the committee.

Mr. HULL. If the House agrees to strike it out, let it do so, but let the matter be tested by a direct vote. I am not willing to sacrifice what I believe to be right merely to meet the objections of some gentlemen who do not agree with me. I would prefer to leave the matter to the judgment of the House rather than accommodate myself to the views of some other member of the House who differs with me.

Mr. TAWNEY. Let me ask the gentleman why is it not as necessary to have a station at the present terminus as it is if the road is extended three blocks farther?

Mr. HULL. I think it is necessary.

Mr. TAWNEY. Why is it necessary at all? When people are coming this way there are cars to get in at the terminus. If they are going west, when they get to the terminus of the line, if they are going beyond there, they have got to walk or wait for a conveyance.

Mr. HULL. They should have provision made for a passenger house there of some kind now to shelter people.

Mr. TAWNEY. Is it the duty of Congress to provide shelter for the people?

Mr. HULL. It is the duty of a corporation, receiving the money of the people, to provide proper accommodations for them, especially when they are enjoying a valuable right that costs them nothing. It is necessary that they should provide a depot for the people, and I think they should be compelled to erect one there. If you extend the road up to the Aqueduct Bridge you are beyond the reach of the private shelter which people have been compelled to seek in doorways, because you strike that part of the street where one side is practically a wall of rock, and where you can get no shelter. For that reason I am insisting that they should be compelled to put up a passenger house there.

Mr. BAKER of New Hampshire. In reply to the remarks just made by the gentleman from Iowa [Mr. HULL] I wish to read, for the information of the committee, part of a section of the act by which the Washington and Georgetown Railway Company was originally incorporated. The first part of section 10 reads as follows:

And be it further enacted, That said company shall procure such passenger rooms, ticket offices, stables, and depots, at such points as the business of the railroad and the convenience of the public may require.

That was passed on the 17th of May, 1862. So this is not a new question, but is a requirement of the original act of incorporation, which for more than thirty years has not been carried out; and I presume that the gentleman's objection would be disregarded in the same way.

Mr. HULL. We can put it in the law, all the same.

The CHAIRMAN. The question is on the amendment proposed by the gentleman from Missouri [Mr. HEARD].

Mr. HEARD. I want to say that I agree perfectly with the remarks of the gentleman from Iowa [Mr. HULL] that these people ought to be compelled, whether they want to or not, to extend that line, and they ought also to be compelled, under proper conditions, to provide accommodations for the passengers. That is my view. Yet, in view of the opposition to the bill as it stood, I was content to have this matter go out of the bill.

Believing as the gentleman does about the matter, having made the motion, I myself shall vote against it, because I believe that they ought to have the power to secure that property and to build a station there. With the consent of the House, I will withdraw the amendment which I have offered.

The CHAIRMAN. Is there objection to the withdrawal of the amendment proposed by the gentleman from Missouri [Mr. HEARD]?

Mr. GEAR. I object.

Mr. HEARD. Then let the amendment be voted down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri.

Mr. HEARD. Let the amendment be again reported.

The Clerk read as follows:

On page 2, section 2, line 2, after the word "extension" strike out the words "and of the passenger houses hereinafter mentioned."

Mr. HEARD. I will simply suggest to the members of the committee that whether we subsequently adopt the provision

about the building of the station house or not, that amendment would not materially interfere. If you by a subsequent provision require the construction of the house you withdraw the supervision of its construction from the District Commissioners if you strike this out; but that can be put in to such amendment if adopted.

Mr. BURROWS. It would be better to leave it in.

The question was taken on the amendment, and the Chairman announced that the noes seemed to have it.

Mr. COOMBS. Division.

The committee divided, and there were—ayes 9, noes 39.

Mr. COOMBS. No quorum.

The CHAIRMAN. The gentleman from New York [Mr. COOMBS] makes the point of no quorum. The Chair will appoint as tellers the gentleman from Missouri, Mr. HEARD, and the gentleman from New York, Mr. COOMBS.

Mr. HEARD. Owing to the probability that there is not a quorum present, I think it is my duty to the committee to ask to withdraw the bill and to give the committee authority to report a substitute, if in the judgment of the committee it deems it best.

Mr. DINGLEY. The gentleman can move to recommit.

The CHAIRMAN. That can only be done in the House.

Mr. COOMBS. I move that the committee do now rise.

The CHAIRMAN. The gentleman from Missouri [Mr. HEARD] has the floor.

Mr. HEARD. I will move that the committee rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. O'NEIL of Massachusetts, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 6953) to amend an act entitled, "An act to incorporate the Washington and Georgetown Railroad Company," approved May 17, 1862, and had come to no resolution thereon.

Mr. HEARD. Mr. Speaker, I desire now to withdraw the bill from the consideration of the House for the present.

The SPEAKER. Without objection, the gentleman can withdraw the bill from the further consideration of the House.

ORDER OF BUSINESS.

Mr. HEARD. I now desire to call up the bill which was before the House on the last District day, and which was withdrawn from the House because of the fact that no quorum voted upon the amendment which was pending. I now call up the bill H. R. 6596.

Mr. HEPBURN. I submit to the chairman of the committee that it is scarcely fair to do that. We understood from the gentleman a little while ago, when objection was made to the consideration of another bill, that as soon as the committee disposed of two bills, naming them—the two that have been disposed of—he would then call up the bill we were considering when the House adjourned two weeks ago—not the L-street bill.

Mr. HEARD. The gentleman misunderstood me clearly, for on the contrary I told the gentleman that I felt that, the L-street bill having progressed further than the other, debate having been closed and the bill having been withdrawn because no quorum appeared on the amendment which was offered, that bill was entitled to precedence, and that I should call it up first.

Mr. HEPBURN. That is not the understanding. I certainly understood the gentleman clearly to say that the measure that we were considering two weeks ago would be called up as soon as we had disposed of those two measures.

Mr. HEARD. I clearly intended to say a different thing. The gentleman very clearly misunderstood me.

Mr. HEPBURN. I did not misunderstand you; you misunderstood yourself.

Mr. HEARD. I beg the gentleman's pardon. The gentleman misunderstood me, because I am sure I stated a different thing.

Mr. GROUT. The gentleman from Iowa asked what bill it was understood we would return to.

Mr. HEARD. Well.

Mr. GROUT. Designating the one that we left off upon the other day, when a quorum was lacking, which was the suburban railroad, and I understood the gentleman, maybe unintentionally, to state that that was the bill we would return to after two bills were disposed of.

Mr. HEARD. Of course I do not pretend to infallibility, and it may be I said what I did not intend to say; but I desire to say to the gentleman from Vermont now, that I had stated to the gentleman from Mississippi [Mr. WILLIAMS], who came to me and asked about the other bill, that it would not be taken up until the Belt Line bill was disposed of; and I had so stated to my colleague [Mr. RICHARDSON] and others who asked for the consideration of that bill.

For the reason I stated before I asked to call up this bill. As I say, Mr. Speaker, I have no desire to take any advantage of the House, nor do I see how it can make any difference, not the slightest. The L street road bill that was before the House before had progressed to that stage where general debate had been closed, the first section had been read for amendment, an amendment had been offered by the gentleman from Iowa [Mr. HEPBURN], and a substitute by the gentleman from Tennessee [Mr. RICHARDSON], and upon the pendency of that substitute the vote was being taken when no quorum was developed. It was my belief that it was the proper thing to return to that bill, it having been abandoned because on a vote no quorum appeared to be present.

Mr. HEPBURN. Mr. Speaker, I raise the point of order against the consideration of this bill. My point of order is that the measure that was pending, and which the House was considering at the time of adjournment two weeks ago, that being District day, is now the proper measure to be considered by the House. That it is the regular order. I understand the gentleman to say that he seeks to have this other matter disposed of.

The SPEAKER. What disposition was made of it? What was the order in relation to the bill when it was up before?

Mr. HEPBURN. None. It was under consideration when the committee rose, pending consideration.

Mr. COOMBS. If the Speaker will look at the RECORD, on page 6419, he will find this:

> Mr. HEARD. I desire to withdraw the bill from the consideration of the House.
> The SPEAKER. The gentleman withdraws the bill.

Then, after that, the House considered the bill in relation to the Great Falls Railroad, which passed the House; then came the Suburban Railroad bill, which went over on account of lack of a quorum. The House was dividing, and that bill was before the House. That is the way it stands in the RECORD, and that is the true statement.

Mr. HEARD. It is not the purpose of the committee to be put in the attitude of taking advantage of any misunderstanding on the part of the gentleman from Iowa or anybody else, so far as I am concerned and as the committee is concerned. We thought that that bill had the right of way, for the reason I have stated: that it had passed the stage of general debate. I will not, however, call up that bill for the present. If the gentleman from Mississippi [Mr. WILLIAMS] is here I will call up the suburban bill, but having made the statement to him that said bill would not be called up next, I will not call that up at present.

Mr. HULL. He is not here.

Mr. RICHARDSON of Tennessee. Mr. Speaker, upon the question of order, if I may be heard, this is a matter which is entirely in the discretion of the Committee on the District of Columbia. While I would be perfectly willing to take up the suburban bill, it seems that the chairman has made an arrangement with the gentleman from Mississippi [Mr. WILLIAMS], who is not here, and who is not here possibly by reason of that arrangement, and it might be considered as bad faith to take that up in his absence; while I would not object if he were present, I do object to be deprived of the right to call up another measure.

It is a matter entirely within the discretion of the committee to decide what measure it will take up. While the chairman has very properly stated that he would not take up the suburban bill, because there appears that some misunderstanding has been created, by reason of some statement he made, inasmuch as that can not be done, I insist we ought to take up the other and dispose of it. We have an hour, and I think we can dispose of it in that time.

Mr. BAKER of New Hampshire. You can not do it.

Mr. HEARD. Mr. Speaker, I do not like to take any issue with my colleague. I aimed to state exactly to the gentleman from Iowa what I stated here, and in consequence of what I stated to the gentleman from Mississippi [Mr. WILLIAMS], and because of that statement, perhaps, he has probably absented himself, and while I do not feel that the District should lose the balance of the day, and I do not much like withdrawing absolutely from the field, yet I am not willing to assume a position which might be considered unfair to anybody concerned.

I suggest to the gentleman from Tennessee, my colleague, that if we call up this L-street road bill now, the first proposition will be a vote on the pending amendment, and if that develops the want of a quorum, then the bill will have to be withdrawn again. I am advised, Mr. Speaker, that my friend, the gentleman from Mississippi [Mr. WILLIAMS], is now here, so that the embarrassment on that account no longer exists, and I now move to take up the suburban railroad bill, which was under consideration in the House two weeks ago.

The SPEAKER. The Clerk will read the title of the bill.

The Clerk read as follows:

A bill (H. R. 6416) to amend the charter of the District of Columbia Suburban Railway Company.

The SPEAKER. The pending question is upon the amendment of the gentleman from Mississippi [Mr. WILLIAMS], which the Clerk will now read:

The Clerk read as follows:

Strike out all of lines 6, 7, 8, 9, and 10 on page 1, after the word "that" in line 6; and strike out line 1 on page 2, and also the words "and assigns are hereby created" in line 2 of the same page; and insert after the word "company" in line 4, page 2, these words:

"Is hereby created to consist of such person or persons as shall at public auction, to be held at such time and place as shall be prescribed by the District Commissioners, after notice of not less than thirty days by publication in a Washington, D. C., newspaper, bid the highest percentage of annual gross proceeds of said railway business, for a term of not exceeding twenty years."

Mr. WILLIAMS of Mississippi. Mr. Speaker, I do not want to say anything on this amendment except to call the attention of the House to the character of it lest some gentleman should not know what they are to vote upon.

Mr. DINGLEY. Mr. Speaker, does not this bill require to be considered in Committee of the Whole?

Mr. GROUT. It is being considered in the House as in Committee of the Whole.

Mr. COOMBS. I suggest to the gentleman from Tennessee that he did not ask to have it considered in the House as in Committee of the Whole.

Mr. RICHARDSON of Tennessee. It is being so considered, if I am not mistaken. I am informed that the Journal shows that the bill is being considered in the House as in committee, and one section of it has been read.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I do not feel well enough to make any remarks on the subject of this amendment, even if I had the inclination to do so, and if the necessity existed. Upon last District day I undertook to present the merits of the amendment to the House to the best of my ability. It involves merely putting up this franchise for sale to the highest bidder, the bids to be based upon a percentage of the gross proceeds of the business to be carried on. I merely wish to call the attention of the House to the character of the amendment, so that all may know what they are called to vote upon.

Mr. RICHARDSON of Tennessee. Only a word in reply, Mr. Speaker. I do not think this amendment ought to be adopted. It is a proposition to sell a railroad franchise. The adoption of it would be a complete revolution, a complete departure from the course of proceeding in reference to street railroads that has ever prevailed in the District of Columbia, and I see no reason why this new method should be applied to this little suburban road, which merely wants to get into town from the neighborhood of Bladensburg. I hope the gentleman will not insist upon the amendment.

Mr. CANNON of Illinois. I understand, Mr. Speaker, that for this suburban road the adoption of the amendment of the gentleman from Mississippi would be equivalent to striking out the enacting clause of the bill?

Mr. RICHARDSON of Tennessee. Certainly.

Mr. WILLIAMS of Mississippi. The gentleman from Illinois is mistaken and so is the gentleman from Tennessee. This amendment does not strike out any enacting clause. All it does is to strike out the names of the persons mentioned as incorporators. Instead of saying that A, B, C, and their associates shall be a body politic, it simply gives the name of the corporation and says that it shall be a body politic, to consist of such persons as shall bid the highest percentage of the gross proceeds for this franchise. The amendment strikes out the names and leaves the corporation to consist of persons who shall buy the franchise in the manner prescribed.

Mr. CANNON of Illinois. And limits the grant of the franchise to twenty years.

Mr. WILLIAMS of Mississippi. Yes; but in order to bring the matter up fairly, I will say that I am perfectly willing that the limit shall be extended to fifty years, and, if it is parliamentary to do so, I will now modify my amendment in that way. All that I want is to guard against granting these corporate privileges in perpetuity. I append to my remarks an article on this subject from the Evening Star of this city:

STREETS, STREET RAILROADS, AND PROPERTY OWNERS.

To the Editor of the Evening Star:

In the discussion of the bill for the extension of the tracks of the Belt Line Railroad, the question has arisen as to the right of property owners to damages. Citizens who are interested do not think Congress will let their homes be destroyed and the market value of their property, whether for their own use, for rental or sale, be seriously injured by the destruction of the trees and the parking, which now give to the street the shade and beauty and repose which are so highly prized, without at least making the railroad corporation liable for actual ascertainable damages.

The United States dedicated the street and beautified it with trees and appropriated the spaces for roadway, sidewalk, and parking. The planting of the trees was a pledge that the dedication was made in good faith, and that if the citizen bought land abutting on the street so dedicated and appropriated and spent his money in building a residence, the Government which had induced him to build would not allow the character of the street to be radically changed and its eligibility for residence destroyed without compensation.

To say that the Government owns the fee of the street and can do with it as it chooses, without regard to the interests of the abutting owners, whom it induced to establish their homes where they are, is to say that the Government may be like a heathen god—a greater scoundrel than any of his worshipers.

It has been held by the highest courts of the different States that the right of an abutting owner to damages does not depend upon his ownership of the fee of the street. At one time the supreme court of New York took the view that this right did so depend, but the court of appeals, in the Story case (90 N. Y., 122), and the subsequent elevated railroad cases, held that damages could be recovered for an injury to an easement as well as to a fee. The reason and right of the thing have been well stated by the supreme court of Colorado, in the City of Denver *vs.* Bayer (7 Colo., 113), as follows:

The position taken in some of the cases is, that if the adjoining owner have not the fee of the streets, and the value of his property be diminished by 50 per cent by the construction of a railroad therein, he has no redress; while if he be the fortunate owner of this fee, he may recover not only for the taking or appropriation of the streets, but also for the interference with his easement, and the decrease occasioned in the value of his premises. Yet, whether he own the fee or not, his rights in connection with the street, while it remains a street, are practically the same. His possession of his fee in no special way contributes to the use or enjoyment of his lot, and enables him to exercise no greater control over the street than he would have without it.

The distinction as to the fee seems to rest upon the fact that in one case there is a wrongful incumbrance of his freehold, while in the other there is not. The actual injury is about the same in both. But while, if the fee rests in the city, there may be no wrongful incumbrance of his estate in the sense of these cases there is under our Constitution at least a damaging thereof, for which he is entitled to compensation.

Congress can be trusted to eventually recognize a right which is now guarded by the constitutions or statutes of so many of the States, and to enact some general law under which such franchises may be acquired, under proper conditions, for their fair market value. What may be accomplished in this direction has been signally illustrated in the city of Glasgow, as shown in an article entitled "Street Railroad Franchises," published in last Wednesday's Star.

C. K.

The question being taken on the amendment as modified, the Speaker declared that the noes seemed to have it.

Mr. WILLIAMS of Mississippi. I ask for a division.

The House divided; and there were—ayes 14, noes 47.

Mr. WILLIAMS. No quorum.

Mr. RICHARDSON of Tennessee. I demand the yeas and nays.

The yeas and nays were ordered, and Mr. COOMBS and Mr. RICHARDSON of Tennessee were appointed tellers.

The question was taken; and there were—yeas 92, nays 67, answered "present" 3, not voting 190; as follows:

YEAS—92.

Arnold,	De Armond,	Lester,	Richards, Ohio
Bailey,	Dinsmore,	Linton,	Robbins,
Baker, Kans.	Dunn,	Livingston,	Rusk,
Baker, N. H.	Erdman,	Lynch,	Russell, Ga.
Bankhead,	Everett,	Maddox,	Sayers,
Barwig	Forman,	Maguire,	Shell,
Bell, Tex.	Geissenhainer,	McCreary, Ky.	Sibley,
Black, Ga.	Grady,	McCullough,	Sipe,
Boatner,	Hager,	McDannold,	Snodgrass,
Branch,	Hall, Minn.	McEttrick,	Springer,
Bretz,	Hare,	McRae,	Stockdale,
Brookshire,	Harris,	Money,	Strait,
Bryan,	Hermann,	Neill,	Talbert, S. C.
Bynum,	Hooker, Miss.	Ogden,	Tate,
Cabaniss,	Ikirt,	Outhwaite,	Turner, Ga.
Cannon, Cal.	Johnson, N. Dak.	Paschal,	Warner,
Catchings,	Kem,	Patterson,	Washington,
Clark, Mo.	Kyle,	Pearson,	Weadock,
Coombs,	Lane,	Pendleton, Tex.	Wheeler, Ala.
Cox,	Lapham,	Perkins,	Williams, Ill.
Crain,	Latimer,	Pigott,	Williams, Miss.
Crawford,	Lawson,	Post,	Wolverton,
Culberson,	Layton,	Powers,	Woodard.

NAYS—67.

Adams, Pa.	Epes,	Jones,	Reed,
Bingham,	Funston,	Kiefer,	Reilly,
Brosius,	Fyan,	Lucas,	Reyburn,
Cadmus,	Gardner,	Mahon,	Richardson, Tenn
Campbell,	Gillett, Mass.	Marsh,	Stephenson,
Cannon, Ill.	Grout,	Martin, Ind.	Stone, C. W.
Cobb, Ala.	Harmer,	Marvin, N. Y.	Stone, W. A.
Cobb, Mo.	Haugen,	McAleer,	Stone, Ky.
Cogswell,	Heard,	McCleary, Minn.	Sweet,
Cooper, Wis.	Hendrix,	Meredith,	Tarsney,
Curtis, Kans.	Hepburn,	Montgomery,	Tawney,
Dalzell,	Hooker, N. Y.	Northway,	Taylor, Tenn.
Davis,	Hulick,	O'Neil, Mass.	Thomas,
Draper,	Hull,	Page,	Updegraff,
Durborow,	Hunter,	Pendleton, W. Va.	VanVoorhis, Ohio
Edmunds,	Izlar,	Quigg,	Walker.
English, Cal.	Johnson, Ind.	Ray,	

ANSWERED "PRESENT"—3.

Dingley,	Ellis, Oregon	Smith,

NOT VOTING—190.

Abbott,	Alexander,	Baldwin,	Bell, Colo.
Adams, Ky.	Allen,	Barnes,	Beltzhoover,
Aitken,	Apsley,	Bartholdt,	Berry,
Alderson,	Avery,	Bartlett,	Black, Ill.
Aldrich,	Babcock,	Belden,	Blair,

Bland,	Ellis, Ky.	Lefever,	Ryan,
Boen,	English, N. J.	Lisle,	Schermerhorn,
Boutelle,	Enloe,	Lockwood,	Scranton,
Bower, N. C.	Fielder,	Loud,	Settle,
Bowers, Cal.	Fithian,	Loudenslager,	Shaw,
Breckinridge, Ark	Fletcher,	Magner,	Sherman,
Breckinridge, Ky.	Funk,	Mallory,	Sickles,
Brickner,	Gear,	Marshall,	Simpson,
Broderick,	Geary,	McCall,	Somers,
Brown,	Gillet, N. Y.	McDearmon,	Sorg,
Bundy,	Goldzier,	McDowell,	Sperry,
Bunn.	Goodnight,	McGann,	Stallings,
Burnes,	Gorman,	McKaig,	Stevens,
Burrows,	Graham,	McKeighan,	Storer,
Caminetti,	Gresham,	McLaurin,	Straus,
Capehart,	Griffin,	McMillin,	Strong,
Caruth,	Grosvenor,	McNagny,	Swanson,
Causey,	Grow,	Meiklejohn,	Talbott, Md.
Chickering,	Hainer,	Mercer,	Taylor, Ind.
Childs,	Haines,	Meyer,	Terry,
Clancy,	Hall, Mo.	Milliken,	Tracey,
Clarke, Ala.	Hammond,	Moon,	Tucker,
Cockran,	Harter,	Morgan,	Turner, Va.
Cockrell,	Hartman,	Morse,	Turpin,
Coffeen,	Hatch,	Moses,	Tyler,
Conn,	Hayes,	Murray,	VanVoorhis, N. Y.
Cooper, Fla.	Heiner,	Mutchler,	Wadsworth,
Cooper, Ind.	Henderson, Ill.	Newlands,	Wanger,
Cooper, Tex.	Henderson, Iowa	Oates,	Waugh,
Cornish,	Henderson, N. C.	O'Neill, Mo.	Wells,
Cousins,	Hicks,	Payne,	Wever,
Covert,	Hines,	Paynter,	Wheeler, Ill.
Cummings,	Hitt,	Pence,	White,
Curtis, N. Y.	Holman,	Phillips,	Whiting.
Daniels,	Hopkins, Ill.	Pickler,	Wilson, Ohio
Davey,	Hopkins, Pa.	Price,	Wilson, Wash.
DeForest,	Houk,	Randall,	Wilson, W. Va.
Denson,	Hudson,	Rayner,	Wise.
Dockery,	Hutcheson,	Richardson, Mich.	Wooner,
Dolliver,	Johnson, Ohio	Ritchie,	Wright, Mass.
Donovan,	Kilgore,	Robertson, La.	Wright, Pa.
Doolittle,	Kribbs,	Robinson, Pa.	
Dunphy,	Lacey,	Russell, Conn.	

No quorum voting.

Before the result was announced——

Mr. PIGOTT. The gentleman from Florida [Mr. MALLORY] was obliged to leave the House an hour ago on account of sickness. I ask that he be excused.

There was no objection.

Mr. BRETZ. My colleague from Indiana [Mr. TAYLOR] left the House a while ago, sick. I ask that he be excused for this day.

There was no objection.

Mr. JOHNSON of North Dakota. I ask that the gentleman from Minnesota [Mr. BOEN] be excused on account of sickness.

There was no objection.

Mr. KEM. I ask that my colleague [Mr. MCKEIGHAN] be excused on account of sickness.

There was no objection.

Mr. JONES. I ask that my colleagues from Virginia, Mr. TUCKER and Mr. TURNER, be excused on account of sickness.

There was no objection.

Mr. ENLOE. I am paired with the gentleman from Maine [Mr. BOUTELLE]. If he were present I should vote in the affirmative.

The following pairs were announced:

Until further notice:

Mr. SICKLES with Mr. DANIELS.

Mr. CLARKE of Alabama with Mr. HENDERSON of Illinois.

Mr. WHITING with Mr. CHILDS.

Mr. GRESHAM with Mr. VAN VOORHIS of New York.

Mr. CARUTH with Mr. RUSSELL of Connecticut.

Mr. BRECKINRIDGE of Arkansas with Mr. HOPKINS of Illinois.

Mr. SCHERMERHORN with Mr. MILLIKEN.

Mr. LOCKWOOD with Mr. AITKEN.

Mr. DOCKERY with Mr. DINGLEY.

Mr. BARNES with Mr. MCCLEARY of Minnesota.

Mr. ENLOE with Mr. BOUTELLE.

Mr. ALLEN with Mr. AVERY.

Mr. O'NEILL of Missouri with Mr. SHAW.

Mr. KRIBBS with Mr. LEFEVER.

Mr. SORG with Mr. WEVER.

Mr. MUTCHLER with Mr. WHITE.

Mr. TYLER with Mr. MERCER.

Mr. LISLE with Mr. WRIGHT of Massachusetts.

Mr. ROBERTSON of Louisiana with Mr. STRONG.

Mr. MOSES with Mr. WRIGHT of Pennsylvania.

Mr. CAMINETTI with Mr. RANDALL.

Mr. PAYNTER with Mr. GROSVENOR.

Mr. KILGORE with Mr. WILSON of Ohio.

Mr. ALDERSON with Mr. HITT.

Mr. GOODNIGHT with Mr. HENDERSON of Iowa.

Mr. HATCH with Mr. CURTIS of New York.

Mr. BLAND with Mr. MORSE.

For this day:

Mr. TERRY with Mr. WANGER.

Mr. BLACK of Illinois with Mr. HEINER of Pennsylvania.

Mr. BERRY with Mr. APSLEY.

Mr. TALBOTT of Maryland with Mr. PHILLIPS.

Mr. HENDERSON of North Carolina with Mr. STORER.

Mr. WELLS with FUNK.

Mr. ENGLISH with Mr. BUNDY.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. MOSES, for ten days, on account of sickness in his family.

To Mr. DANIELS, for one week from to-morrow, on account of illness in his family and important engagements.

To Mr. BLAND, indefinitely, on account of sickness in his family.

To Mr. WILSON of West Virginia, indefinitely, on account of sickness.

To Mr. RANDALL, indefinitely, on account of important business.

Mr. STOCKDADE. I ask leave of absence for the gentleman from Missouri, Mr. HALL, on account of sickness in his family.

There being no objection, leave was granted.

The result of the vote was announced as above stated.

And then, on motion of Mr. HEARD (at 4 o'clock and 25 minutes p. m.), the House adjourned.

PUBLIC BILLS AND RESOLUTIONS.

Under clause 3 of Rule XXII, bills and resolutions of the following titles were introduced, and severally referred as follows:

By Mr. GRADY: A bill (H. R. 7412) to fix the standard and regulate the quality and price of gas within the District of Columbia—to the Committee on the District of Columbia.

By Mr. PATTERSON: A resolution fixing a day for the consideration of the bill H. R. 7273 –to the Committee on Rules.

By Mr. RUSK: A resolution to pay the salary of clerk to the Hon. Robert F. Brattan—to the Committee on Accounts.

PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as follows:

By Mr. BRECKINRIDGE of Arkansas: A bill (H. R. 7408) for the relief of Lorenzo D. Gilbreath—to the Committee on Pensions.

By Mr. HARE: A bill (H. R. 7409) for the relief of W. S. Hammaker—to the Committee on Claims.

Also, a bill (H. R. 7410) granting a pension to Mary Carrol—to the Committee on Invalid Pensions.

By Mr. HAYES: A bill (H. R. 7411) for the relief of Louis A. Yorke—to the Committee on Naval Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BAKER of New Hampshire: Petition of A. M. Wilkins, of Amhurst, N. H., and 10 others of the same place, praying that fraternal beneficial societies, orders, or associations, operating upon the lodge system and providing for the payments of life, sick, accident, and other benefits to members, be exempt from the operations of any income tax which may be enacted—to the Committee on Ways and Means.

By Mr. BROOKSHIRE: Petition of E. H. Bindley & Co., Cook, Bell & Black, and Samuel C. Parker, of Terre Haute, Ind., against any increase of the tax on whisky, and any extension of the present bonded period, and to indorse most heartily the resolutions adopted at a meeting of the wholesale liquor dealers of Cincinnati, June 4, 1894—to the Committee on Ways and Means.

Also, petition of M. N. Cortner and others, of Terre Haute, Ind., favorable to the eight-hour law proposed by Mr. GRESHAM, of Texas—to the Committee on Labor.

By Mr. COCKRELL (by request): Petition of citizens of Indian Territory for Federal court—to the Committee on the Judiciary.

By Mr. COGSWELL: Petition of James Higgins and others, of Haverhill, Mass., members of certain beneficiary orders, against an income tax—to the Committee on Ways and Means.

By Mr. CRISP (by request): Resolutions of Congress of Ameri-

can Physicians, relating to medical department of the Army—to the Committee on Military Affairs.

By Mr. DALZELL: Three petitions of A. Klinerlinger & Son, James McKay, and Joseph Greenswald, citizens of Pittsburg, against any increase of the tax on whisky and against any extension of the bonded period—to the Committee on Ways and Means.

By Mr. GORMAN: Petition of Brewers' Union and the Germen Typographical Union of Detroit, Mich., for the establishment of a Government telegraph system—to the Committee on Post-Office and Post-Roads.

By Mr. HOOKER of New York: Protest of W. P. Decker against any increase of the tax on whisky and any extension of the present bonded period—to the Committee on Ways and Means.

By Mr. JOHNSON of Ohio: Resolutions of the Cleveland Printing Pressmen's Union, protesting against the manner of appointment of pressmen in the Government Printing Office at Washington, D. C., and favoring the passage of House bill 4737—to the Committee on Printing.

Also, resolutions of the Cleveland Chamber of Commerce, adopted May 15, 1894, advocating appropriation for Naval War College at Newport, R. I.—to the Committee on Naval Affairs.

By Mr. JOSEPH: Memorial of the Commercial Club of the city of Albuquerque, N. Mex., praying Congress to pass legislation authorizing citizens of the United States to go upon grants of lands made by the Spanish and Mexican Governments, and mine for precious metals to be found within the same—to the Committee on Mines and Mining.

By Mr. LAYTON: Protest of P. F. Dugan, of Celina, Ohio, and of A. Pauch & Son, of St. Marys, Ohio, against any increase of the tax on whisky or any extension of the bonded period—to the Committee on Ways and Means.

By Mr. McALEER: Petition of A. H. Ladner and others, against the employment of convict labor—to the Committee on Labor.

By Mr. McCALL: Petition of citizens of Medford and Somerville, Mass., for an amendment to the proposed income tax—to the Committee on Ways and Means.

By Mr. McDEARMON (by request): Petition of A. J. Collingsworth and 14 other citizens of Crockett County, Tenn., protesting against taxing income of fraternal beneficiary societies—to the Committee on Ways and Means.

By Mr. MORSE: Petition by L. N. Francis, regent, and the eight other officers of Bristol Council, No. 158, Royal Arcanum, Taunton, Mass., praying that fraternal beneficiary societies be exempted from the provisions of the proposed income tax—to the Committee on Ways and Means.

By Mr. OUTHWAITE: Petition of citizens of Lancaster, Ohio, urging amendment to the Wilson bill to exempt secret societies, etc., from taxation—to the Committee on Ways and Means.

Also, resolutions indorsed by Collins Bros., Lang, Schenck & Co., Theobold & Son, and Bott & Cannon, all of Columbus, Ohio, protesting against any increase of tax on whisky and extension of bonded period—to the Committee on Ways and Means.

By Mr. PAGE: Petition of William Legg and 19 other citizens of Burrillville, R. I., and of H. S. Woodworth and 18 other citizens of Providence, R. I., asking for an amendment to the proposed tariff bill—to the Committee on Ways and Means.

By Mr. PENCE: Petition of the Evangelical Lutheran Church of Morgan County, Colo., against the proposed change in the Constitution of the United States—to the Committee on the Judiciary.

Also, petition of the Chamber of Commerce of Colorado Springs, for appropriation for Galveston Harbor—to the Committee on Appropriations.

Also, petition of Park County, Colo., to permit mining locations on forest reservations—to the Committee on the Public Lands.

By Mr. PERKINS: Petition of 41 citizens of Sioux City, against an income tax upon beneficiary assessments—to the Committee on Ways and Means.

By Mr. RAY: Petition of Cigar Makers' Union of Binghamton, N. Y., on the subject of convict labor—to the Committee on Labor.

By Mr. REYBURN: Petition of citizens of Pennsylvania, praying for an exemption of beneficial societies from income tax—to the Committee on Ways and Means.

By Mr. SIPE: Petition of 40 citizens of Boston, Allegheny County, Pa., and vicinity, members of benevolent societies, not for profit, and of Conclave No. 168, Improved Order Heptasophs, located at Red Stone, Pa., praying that such societies and orders be exempt from the provisions of the bill passed by the House to tax incomes of corporations—to the Committee on Ways and Means.

Also, memorial of Conclave No. 81, Improved Order of Heptasophs, located at McKeesport, Pa., having a membership of 600, praying for the passage of Senate bill 1353 and House bill 4897—to the Committee on the Post-Office and Post-Roads.

By Mr. STEPHENSON: Petition of the Board of Trade of the city of Detroit, Mich., protesting against the Hatch anti-option bill—to the Committee on Ways and Means.

Also, petition of the Board of Trade of the city of Detroit, Mich., urging certain amendments to the interstate-commerce law—to the Committee on Interstate and Foreign Commerce.

By Mr. WILLIAM A. STONE: Resolutions of wholesale liquor dealers at Cincinnati, Ohio, against increase of tax on whisky and extension of bonded period—to the Committee on Ways and Means.

Also, protest of beneficiary associations, against the income tax upon social associations—to the Committee on Ways and Means.

By Mr. WARNER: Memorial of the Chamber of Commerce of the State of New York, in favor of provision for pooling agreements—to the Committee on Interstate and Foreign Commerce.

SENATE.

TUESDAY, *June 12, 1894.*

The Senate met at 10 o'clock a. m.

Prayer by the Rev. E. B. BAGBY, Chaplain of the House of Representatives.

The VICE-PRESIDENT being absent, the President *pro tempore* took the chair.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. CHANDLER, and by unanimous consent, the further reading was dispensed with.

HOUSE BILLS REFERRED.

The bill (R. R. 6500) to define and establish the units of electrical measure was read twice by its title, and referred to the Committee on Finance.

The bill (H. R. 7293) regulating the procedure in criminal causes in the district of Minnesota was read twice by its title, and referred to the Committee on the Judiciary.

The joint resolution (H. Res. 172) granting full permission to the State of Maryland and to the several State courts to occupy the old United States court-house in the city of Baltimore for the period of five years was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

PETITIONS AND MEMORIALS.

Mr. PEFFER presented the petition of H. W. Cadott and sundry other citizens of Jackson County, Kans., praying that fraternal beneficiary societies, orders, or associations, operating upon the lodge system and providing for the payment of life, sick, accident, and other benefits to the members, and dependents of such members, shall be exempt from all the provisions of this bill requiring taxation in any form; which was ordered to lie on the table.

Mr. ALLEN presented a memorial of Hastings Saddle and Harness Makers' Union, No. 41, of Hastings, Nebr., remonstrating against the present system of convict labor; which was referred to the Committee on Education and Labor.

He also presented a petition of the McCook Coöperative Building and Loan Association, of McCook, Nebr., praying that mutual loan and building associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

He also persented a petition of sundry citizens of the State of Washington, praying that section 2324 of the Revised Statutes of the United States, relating to mining claims, be amended so as to suspend for the year 1894 the performance of $100 worth of labor; which was referred to the Committee on Mines and Mining.

Mr. PASCO. I present a joint resolution of the Legislature of the State of Florida, in the nature of a petition, praying that the Fort Jupiter military reservation be not sold at public sale, but that it be opened to homestead entry. Without taking the time of the Senate to have it read, I ask that it may be printed in the RECORD, and the bill on the subject having been reported, I ask that it lie on the table.

The petition was ordered to lie on the table, and to be printed in the RECORD, as follows:

House joint resolution requesting the Secretary of the Interior not to cause the Fort Jupiter military reservation to be sold at public sale; and to urge the Senators and Representatives from Florida in the Congress of the United States to secure the passage by Congress of an act opening the said reservation to homestead entry.

Whereas the Fort Jupiter military reservation in Florida was established, by order of the President, May 14, 1855, and not being longer required for

military purposes it was relinquished by the War Department, March 16, 1880, and placed under the control of the Secretary of the Interior; and

Whereas, by an act of Congress, July 5, 1884, entitled "An act to provide for the disposal of abandoned and useless military reservations," the Secretary of the Interior was empowered to cause the lands embraced in said reservation to be sold at public sale to the highest bidder for cash; and the said lands never having been sold under the said act; and

Whereas there are many residents on said reservation who have in good faith settled upon the same and made extensive and valuable improvements thereon, who would suffer great loss if the said lands were sold at public sale: Therefore, be it

Resolved by the Legislature of the State of Florida, That the Secretary of the Interior be, and he is hereby, requested not to cause the lands embraced in the Fort Jupiter military reservation in Florida to be sold under the act of July 5, 1884.

And be it further resolved, That our Senators and Representatives in Congress be, and they are hereby, requested to use every effort to secure the passage by Congress of an act opening the Fort Jupiter military reservation to homestead entry under the laws of the United States.

And be it further resolved, That the secretary of state is hereby directed to send copies of this resolution to the Secretary of the Interior and to our Senators and Representatives in Congress.

Approved June 3, 1893.

Mr. PALMER presented a petition of sundry employés of the Haish and J. L. Elwood manufacturing companies, and a petition of the Superior Barbed Wire Company, all of Dekalb, Ill., praying that the Senate reconsider its action in placing fencing wire on the free list, and that the import duty of 1¼ cents per pound be restored on that article; which were ordered to lie on the table.

He also presented memorials of F. Madelener and sundry other citizens of Illinois, remonstrating against an increase of the internal-revenue tax on whisky, and also against an extension of the bonded period; which were ordered to lie on the table.

Mr. HOAR presented the petition of James W. Gifford and 1,163 other citizens of Massachusetts, praying that in the passage of any law providing for the taxation of incomes the funds of mutual life insurance companies and associations be exempted from taxation, and also that the premium paid for life insurance by individuals who are subject to taxation shall be deducted from their taxable income in the same manner as such premiums are exempted under the income-tax laws of other countries; which was ordered to lie on the table.

Mr. VILAS presented the petition of A. J. Frame and sundry other citizens of Waukesha, Wis.; and the petition of Theodore Kersten and sundry other citizens of Wisconsin, praying that mutual life-insurance companies and associations be exempted from the proposed income-tax provision of the pending tariff bill; which were ordered to lie on the table.

Mr. CULLOM presented a petition of Lagrange Council, No. 861, Royal Arcanum, of Lagrange, Ill., and a petition of sundry citizens of Fmma, Ill., praying that fraternal beneficiary societies, orders, or associations be exempted from the proposed income-tax provision of the pending tariff bill; which were ordered to lie on the table.

Mr. LODGE presented petitions of George H. Newhall and 12 other citizens of Lynn; of L. U. Francis and 8 other members of Bristol Council, No. 158, Royal Arcanum, of Staunton; of Joseph E. Ober and 15 other citizens of West Medford, and of Fannie T. Leonard and 24 other members of Siloam Commandery No. 360, of Haverhill, all in the State of Massachusetts, praying that fraternal beneficiary societies, orders, or associations be exempted from the proposed income-tax provision of the pending tariff bill: which were ordered to lie on the table.

Mr. FRYE presented a petition of 14 citizens of Pembroke, Me., praying that fraternal beneficiary societies, orders, and associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

Mr. MILLS presented a petition of the Commercial Club, of Albuquerque, N. Mex., praying for the enactment of legislation authorizing citizens of the United States to go upon grants of land made by the Spanish and Mexican Governments and mine for precious metals; which was referred to the Committee on Mines and Mining.

Mr. CULLOM presented sundry memorials of wholesale and retail liquor dealers of Illinois, remonstrating against an increase of the internal-revenue tax on whisky, and also against an extension of the bonded period; which were ordered to lie on the table.

Mr. COKE presented a memorial of the members of the bar of El Paso, Tex., remonstrating against the passage of the bill creating a court at Laredo, Tex.; which was referred to the Committee on the Judiciary.

REPORT OF A COMMITTEE.

Mr. VILAS, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (S. 2065) to prevent the carrying of obscene literature and articles designed for indecent and immoral use from one State or Territory into another State or Territory, reported it with an amendment and submitted a report thereon.

SENATORIAL INVESTIGATING COMMITTEE.

Mr. GRAY. I submit a partial report from the special committee to investigate certain matters ordered several weeks ago, and ask that the report may be printed.

Mr. HOAR. Will the Senator from Delaware be kind enough to state what the nature of the report is?

Mr. GRAY. It is a report from the investigating committee appointed some two or three weeks ago by the Senate to investigate certain alleged attempts at bribery and alleged connection of the sugar trust with legislation. It is a report of the testimony of a witness and of the refusal of that witness to answer certain questions which the committee thought pertinent to the subject then under examination before the committee.

Mr. HOAR. My object in asking the Senator's attention to the matter is to ascertain whether a similar report was printed in the RECORD.

Mr. GRAY. I do not recollect whether the previous report was printed in the RECORD, but I ask that this report be so printed.

Mr. HOAR. I suggest that if the other report was printed in the RECORD the whole history of the matter should be inserted in the RECORD.

The PRESIDING OFFICER (Mr. FAULKNER in the chair). The Chair will state that the former report having been read, it was made a part of the RECORD.

Mr. HOAR. I suggest that as a part of the history of the transaction has been put in the RECORD, the Senator from Delaware had better obtain leave to have this report, without being read, put in the RECORD.

Mr. GRAY. If the report is printed in the RECORD it will answer every purpose.

The PRESIDING OFFICER. The Senator from Delaware asks unanimous consent to have the report printed in the RECORD. Is there objection? The Chair hears none, and it is so ordered.

The report is as follows:

IN THE SENATE OF THE UNITED STATES.

Mr. GRAY, from the Special Committee to Investigate Attempts at Bribery, etc., under resolution of the Senate of May 17, 1894, submitted the following report:

The special committee, under and in pursuance of a resolution of the Senate of May 17, A. D. 1894, as follows—

Whereas it has been stated in the Sun, a newspaper published in New York, that bribes have been offered to certain Senators to induce them to vote against the pending tariff bill; and

Whereas it has also been stated in a signed article in the Press, a newspaper published in Philadelphia, that the sugar schedule has been made up as it now stands in the proposed amendment in consideration of large sums of money paid for campaign purposes of the Democratic party: Therefore,

Resolved, That a committee of five Senators be appointed to investigate these charges and to inquire further whether any contributions have been made by the sugar trust, or any person connected therewith, to any political party for campaign or election purposes or to secure or defeat legislation, and whether any Senator has been or is speculating in what are known as sugar stocks during the consideration of the tariff bill now before the Senate, and with power to send for persons and papers and to administer oaths.

Resolved further, That said committee be authorized to investigate and report upon any charge or charges which may be filed before it alleging that the action of any Senator has been corruptly or improperly influenced in the consideration of said bill, or that any attempt has been made to so influence legislation—

have attended to their duties so far as they have been able, because of the matters hereinafter stated, and ask leave to report in part as follows:

In pursuance of said resolution the said committee met in the Capitol on the 21st day of May, 1894, at 10 o'clock a. m., and after the examination of certain matters embraced in the first paragraph of the said resolution, the committee proceeded to investigate further the matters submitted to them by the said resolution, and on the 8th day of June, A. D. 1894, the committee being duly assembled, one Elverton R. Chapman, who had been duly subpœnaed and summoned as a witness to appear before said committee, then and there appeared and submitted to be examined as a witness. The witness was duly sworn by the chairman of said committee.

After certain testimony had been given by him, his examination was at his request continued until the 9th day of June, A. D. 1894, at which date he appeared, and the testimony of the said Elverton R. Chapman having been resumed, the following proceedings were had before the committee, and he was asked the following questions, to which questions he made the following answers and refusals to answer:

The CHAIRMAN. Mr. Chapman, you were asked yesterday whether your firm is a large dealer in sugar stock, and you were told by Senator DAVIS that in connection with this question, which was to be considered as preliminary to inquiry of the witness into dealings he or his firm may have had in sugar stocks during the pendency of the present tariff bill in the Senate, in which dealings Senators were, or are, directly or indirectly interested. That was the question in regard to which you said yesterday that you would like, before answering, to consider. What do you say this morning in answer to that question already put, and I put it to you again?

Mr. CHAPMAN. With reference to the first part of the inquiry, as it is matter of public notoriety among our associate members of the New York Stock Exchange, I state that we have handled large quantities of stock of the American Sugar Refining Company during the pendency of this bill.

Senator LODGE. You have bought and sold?

Mr. CHAPMAN. Bought and sold. Perhaps is better bought and sold than handled.

The CHAIRMAN. Were any of those transactions in sugar stock or certificates, so called, transactions in which any Senators of the United States were interested, either directly or indirectly, during the pendency of the present tariff bill or the consideration of the present tariff bill?

Mr. CHAPMAN. With all due respect to this honorable committee, I decline to answer that question or any question relating to the business of the firm of Moore & Schley, of which I am a partner.

The CHAIRMAN. Have you finished your answer?

Mr. CHAPMAN. I have.

The CHAIRMAN. You have? Do you decline to answer that question on the ground that its answer may tend in any way to criminate yourself or expose you to a criminal prosecution of any kind whatever?

Mr. CHAPMAN. I decline to answer that question for the reason that we are brokers, and as such are engaged in the business of buying, selling, and carrying stocks, bonds, and other securities dealt in on the New York Stock Exchange for the account of our customers, who are the principals. In transactions we are simply their agents, and as such have neither a moral nor a legal right to divulge the details of business with which we are intrusted. Our relations with our clients are those of the closest confidence, and should we violate this confidence, even at the demand of this honorable committee, we should justly forfeit the respect of those upon whom we must depend for our business.

The CHAIRMAN. You have given a reason for declining to answer the question before the last. My last question was whether you decline to answer for the reason that an answer might expose you to criminal prosecution or tend to expose you to such in any way.

Mr. CHAPMAN. I do not.

The CHAIRMAN. You do not for that reason.

Senator LODGE. You decline to answer for the reason that you have just stated?

The CHAIRMAN. And not for the reason that I have just asked?

Mr. CHAPMAN. That is correct.

Senator DAVIS. You have been summoned to appear before this committee as a witness, have you not?

Mr. CHAPMAN. Yes.

Senator DAVIS. And you appear pursuant to that summons?

Mr. CHAPMAN. I do, sir.

Senator DAVIS. Mr. Chapman, you are asked whether the firm of Moore & Schley have bought or sold what are known as sugar stocks during the month of February, 1894, and after the first day of that month, for or in the interest direct or indirect, of any United States Senator.

Mr. CHAPMAN. I decline to answer that question

Senator DAVIS. Has the firm of Moore & Schley during the month of March, 1894, bought or sold any stocks or securities known as sugar stocks for or in the interest, direct or indirect, of any United States Senator?

Mr. CHAPMAN. I decline to answer.

Senator DAVIS. Has the firm of Moore & Schley during the month of April, 1894, bought or sold any stocks or securities known as sugar stocks for or in the interest, direct or indirect, of any United States Senator?

Mr. CHAPMAN. I decline to answer.

Senator DAVIS. Has the firm of Moore & Schley, during the month of May, 1894, bought or sold any stocks or securities known as sugar stock for or in the interest, direct or indirect, of any United States Senator?

Mr. CHAPMAN. I decline to answer.

Senator DAVIS. Has the firm of Moore & Schley, during the month of June, 1894, bought or sold any stocks or securities known as sugar stock for or in the interest, direct or indirect, of any United States Senator?

Mr. CHAPMAN. I decline to answer.

Senator DAVIS. Is the firm of Moore & Schley at present carrying any sugar stock for the benefit of or in the interest, direct or indirect, of any United States Senator?

Mr. CHAPMAN. I decline to answer.

Senator DAVIS. Mr. Chapman, has your attention been called to, and have you considered, sections 102, 103, and 104 of the Revised Statutes of the United States upon the subject of refusal of a witness to answer a question pertinent to the inquiry when addressed to him by a committee duly authorized to investigate?

Mr. CHAPMAN. In a general way, yes.

Senator DAVIS. You have read the statute?

Mr. CHAPMAN. I have not read it.

Senator DAVIS. I show you the sections to which I refer. Just cast your eye over them.

Mr. CHAPMAN (after reading). I have now read the statute.

Senator DAVIS. After reading that statute, do you still persist in your refusal to answer the several questions which have been addressed to you?

Mr. CHAPMAN. I do.

Senator ALLEN. Mr. Chapman, Hon. NELSON W. ALDRICH is a United States Senator from the State of Rhode Island, now engaged in discharging his duties as a member of the Senate, and has been since the 1st of February, 1894. You may state if he has purchased or sold any sugar stock, such as are mentioned in this resolution, through your firm during the period I have mentioned. I speak of the period from the 1st day of February, 1894, to the present moment, during all which time the tariff bill has been under discussion in the Senate.

Mr. CHAPMAN. I decline to answer.

Senator ALLEN. You decline to answer. WILLIAM V. ALLEN is a United States Senator from the State of Nebraska, and has been during this period. You may state if during that time he bought or sold or had been concerned in buying or selling sugar stocks through your firm.

Mr. CHAPMAN. I decline to answer.

Senator ALLEN. I want to state to you, in connection with this question, Mr. Chapman, that I am the WILLIAM V. ALLEN whose name is embraced in the preceding qusetion, and I give you full liberty, and make personal request of you, to testify before this committee if I have had any business transactions with your firm, or through your firm, in the purchase or sale of sugar stocks or any other stocks during that period. I hope you will waive your privilege, as you look at it, to that extent.

Mr. CHAPMAN. I decline to answer.

Senator ALLEN. You decline to answer that. The Hon. WILLIAM B. ALLISON is a United States Senator from the State of Iowa, and has been during the period I have mentioned. State whether he has been concerned in buying or selling any sugar stocks during the period I have mentioned. I am going to take you through the list of these names, and you may answer as rapidly as I can proceed with them.

Mr. CHAPMAN. I decline to answer.

Senator ALLEN. I put to you the same question in reference to Hon. WILLIAM B. BATE, a United States Senator from the State of Tennessee.

Mr. CHAPMAN. I decline to answer.

Senator ALLEN. I put to you the same question with reference to Hon. JAMES H. BERRY, a United States Senator from the State of Arkansas.

Mr. CHAPMAN. I decline to answer.

Senator ALLEN. Also Hon. JOSEPH C. S. BLACKBURN, a United States Senator from the State of Kentucky.

Mr. CHAPMAN. I decline to answer.

Senator ALLEN. Hon. CALVIN S. BRICE, a Senator from the State of Ohio, you have testified about. Hon. MATTHEW C. BUTLER is a United States Senator from the State of South Carolina. I ask you the same question with reference to him.

Mr. CHAPMAN. I decline to answer.

Senator ALLEN. Also the same question with reference to Hon. DONELSON CAFFERY, a United States Senator from the State of Louisiana.

Mr. CHAPMAN. I decline to answer.

Senator ALLEN. Also Hon. WILKINSON CALL, a United States Senator from the State of Florida.

Mr. CHAPMAN. I decline to answer.

Senator ALLEN. Also Hon. JOHNSON N. CAMDEN, a United States Senator from the State of West Virginia.

Mr. CHAPMAN. I decline to answer.

Senator ALLEN. Also Hon. JAMES DONALD CAMERON, a United States Senator from the State of Pennsylvania.

Mr. CHAPMAN. I decline to answer.

Senator ALLEN. Also Hon. JOSEPH M. CAREY, a United States Senator from the State of Wyoming.

Mr. CHAPMAN. I decline to answer.

Senator ALLEN. Also Hon. WILLIAM E. CHANDLER, a United States Senator from the State of New Hampshire.

Mr. CHAPMAN. I decline to answer.

Senator ALLEN. Also Hon. FRANCIS M. COCKRELL, a United States Senator from the State of Missouri.

Mr. CHAPMAN. I decline to answer.

Senator ALLEN. Also Hon. RICHARD COKE, a United States Senator from the State of Texas.

Mr. CHAPMAN. I decline to answer.

Senator ALLEN. Also Hon. SHELBY M. CULLOM, a United States Senator from the State of Illinois.

Mr. CHAPMAN. I decline to answer.

Senator ALLEN. Also Hon. JOHN W. DANIEL, a United States Senator from the State of Virginia.

Mr. CHAPMAN. I decline to answer.

Senator ALLEN. Also the Hon. CUSHMAN K. DAVIS, a United States Senator from the State of Minnesota. He is a member of the committee, and may speak for himself.

Senator DAVIS. Mr. Chapman, I request and insist that you answer that question.

Mr. CHAPMAN. I decline to answer.

Senator DAVIS. Do you wish to put me in the position of appearing to have speculated in sugar stocks through your firm?

Mr. CHAPMAN. I do not; I simply decline upon general principles.

Senator ALLEN. Also the Hon. NATHAN F. DIXON, a United States Senator from the State of Rhode Island.

Mr. CHAPMAN. I decline to answer.

Senator ALLEN. Also Hon. JOSEPH N. DOLPH, a United States Senator from the State of Oregon.

Mr. CHAPMAN. I decline to answer.

Senator ALLEN. Also Hon. FRED T. DUBOIS, a United States Senator from the State of Idaho.

Mr. CHAPMAN. I decline to answer.

Senator ALLEN. Also Hon. CHARLES J. FAULKNER, a United States Senator from the State of West Virginia.

Mr. CHAPMAN. I decline to answer.

Senator ALLEN. Also Hon. WILLIAM P. FRYE, a United States Senator from the State of Maine.

Mr. CHAPMAN. I decline to answer.

Senator ALLEN. Also Hon. JACOB H. GALLINGER, a United States Senator from the State of New Hampshire.

Mr. CHAPMAN. I decline to answer.

Senator ALLEN. Also Hon. JAMES Z. GEORGE, a United States Senator from the State of Mississippi.

Mr. CHAPMAN. I decline to answer.

Senator ALLEN. Also Hon. CHARLES H. GIBSON, a United States Senator from the State of Maryland.

Mr. CHAPMAN. I decline to answer.

Senator ALLEN. Also Hon. JOHN B. GORDON, a United States Senator from the State of Georgia.

Mr. CHAPMAN. I decline to answer.

Senator ALLEN. Also Hon. ARTHUR P. GORMAN, a United States Senator from the State of Maryland.

Mr. CHAPMAN. I decline to answer.

Senator ALLEN. Also Hon. GEORGE GRAY, United States Senator from the State of Delaware.

Mr. CHAPMAN. I decline to answer.

The CHAIRMAN. I make the same request that Senator DAVIS did, and ask and insist that you answer the question so far as I am concerned.

Mr. CHAPMAN. I decline to answer.

Senator ALLEN. Also Hon. EUGENE HALE, United States Senator from the State of Maine.

Mr. CHAPMAN. I decline to answer.

Senator ALLEN. Also the Hon. HENRY C. HANSBROUGH, United States Senator from the State of North Dakota.

Mr. CHAPMAN. I decline to answer.

Senator ALLEN. Also Hon. ISHAM G. HARRIS, a United States Senator from the State of Tennessee.

Mr. CHAPMAN. I decline to answer.

Senator ALLEN. Also Hon. JOSEPH R. HAWLEY, a United States Senator from the State of Connecticut.

Mr. CHAPMAN. I decline to answer.

Senator ALLEN. Also Hon. ANTHONY HIGGINS, a United States Senator from the State of Delaware.

Mr. CHAPMAN. I decline to answer.

Senator ALLEN. Also Hon. DAVID B. HILL, a United States Senator from the State of New York.

Mr. CHAPMAN. I decline to answer.

Senator ALLEN. Also Hon. GEORGE F. HOAR, a United States Senator from the State of Massachusetts.

Mr. CHAPMAN. I decline to answer.

Senator ALLEN. Also Hon. EPPA HUNTON, a United States Senator from the State of Virginia.

Mr. CHAPMAN. I decline to answer.

Senator ALLEN. Also Hon. J. L. M. IRBY, a United States Senator from the State of South Carolina.

Mr. CHAPMAN. I decline to answer.

Senator ALLEN. Also Hon. JAMES K. JONES, a United States Senator from the State of Arkansas.
Mr. CHAPMAN. I decline to answer.
Senator ALLEN. Also Hon. JOHN P. JONES, a United States Senator from the State of Nevada.
Mr. CHAPMAN. I decline to answer.
Senator ALLEN. Also Hon. JAMES H. KYLE, a United States Senator from the State of South Dakota.
Mr. CHAPMAN. I decline to answer.
Senator ALLEN. Also Hon. WILLIAM LINDSAY, a United States Senator from the State of Kentucky, who is also a member of this committee, and who, I am well satisfied, would desire you to make any statement concerning him if he were present. He is detained from the committee by sickness
Mr. CHAPMAN. I also decline to answer as to him.
Senator ALLEN. Also Hon. HENRY CABOT LODGE, a United States Senator from the State of Massachusetts, a member of the committee.
Senator LODGE. I request and insist, Mr Chapman, as Mr. GRAY and Mr. DAVIS have done, that you reply whether, directly or indirectly, I have dealt through your firm in the purchase or sale of any kind of stocks?
Mr. CHAPMAN. I decline to answer.
Senator ALLEN. You may assume that that request is made and urged upon you, Mr. Chapman, by every member of the committee, collectively and individually. Also Hon. JAMES MCMILLAN, a United States Senator from the State of Michigan.
Mr. CHAPMAN. I decline to answer.
Senator ALLEN. Also Hon. JOHN R. MCPHERSON, a United States Senator from the State of New Jersey.
Mr. CHAPMAN. I decline to answer.
Senator ALLEN. Also Hon. CHARLES F. MANDERSON, a United States Senator from the State of Nebraska.
Mr. CHAPMAN. I decline to answer.
Senator ALLEN. Also Hon. JOHN MARTIN, a United States Senator from the State of Kansas.
Mr. CHAPMAN. I decline to answer.
Senator ALLEN. Also Hon. ROGER Q. MILLS, a United States Senator from the State of Texas.
Mr. CHAPMAN. I decline to answer.
Senator ALLEN. Also Hon. JOHN L. MITCHELL, a United States Senator from the State of Wisconsin.
Mr. CHAPMAN. I decine to answer.
Senator ALLEN. Also Hon. JOHN H. MITCHELL, a United States Senator from the State of Oregon.
Mr. CHAPMAN. I decline to answer.
Senator ALLEN. Also Hon. JOHN T. MORGAN, a United States Senator from the State of Alabama.
Mr. CHAPMAN. I decline to answer.
Senator ALLEN. Also Hon. JUSTIN S. MORRILL, a United States Senator from the State of Vermont.
Mr. CHAPMAN. I decline to answer.
Senator ALLEN. Also Hon. EDWARD MURPHY, Jr., a United States Senator from the State of New York.
Mr. CHAPMAN. I decline to answer.
Senator ALLEN. Also Hon. JOHN M. PALMER, a United States Senator from the State of Illinois.
Mr. CHAPMAN. I decline to answer.
Senator ALLEN. Also Hon. SAMUEL PASCO, a United States Senator from the State of Florida.
Mr. CHAPMAN. I decline to answer.
Senator ALLEN. Also Hon. WILLIAM A. PEFFER, a United States Senator from the State of Kansas.
Mr. CHAPMAN. I decline to answer.
Senator ALLEN. Also Hon. GEORGE C. PERKINS, a United States Senator from the State of California.
Mr. CHAPMAN. I decline to answer.
Senator ALLEN. Also Hon. R. F. PETTIGREW, a United States Senator from the State of South Dakota.
Mr. CHAPMAN. I decline to answer.
Senator ALLEN. Also Hon. ORVILLE H. PLATT, a United States Senator from the State of Connecticut.
Mr. CHAPMAN. I decline to answer.
Senator ALLEN. Also Hon. THOMAS C. POWER, a United States Senator from the State of Montana.
Mr. CHAPMAN. I decline to answer.
Senator ALLEN. Also Hon. REDFIELD PROCTOR, a United States Senator from the State of Vermont.
Mr. CHAPMAN. I decline to answer.
Senator ALLEN. Also Hon. JAMES L. PUGH, a United States Senator from the State of Alabama.
Mr. CHAPMAN. I decline to answer.
Senator ALLEN. Also Hon. MATTHEW S. QUAY, a United States Senator from the State of Pennsylvania.
Mr. CHAPMAN. I decline to answer.
Senator ALLEN. Also Hon. MATT W. RANSOM, a United States Senator from the State of North Carolina.
Mr. CHAPMAN. I decline to answer.
Senator ALLEN. Also Hon. WILLIAM N. ROACH, a United States Senator from the State of North Dakota.
Mr. CHAPMAN. I decline to answer.
Senator ALLEN. Also Hon. JOHN SHERMAN, a United States Senator from the State of Ohio.
Mr. CHAPMAN. I decline to answer.
Senator ALLEN. Also Hon. GEORGE L. SHOUP, a United States Senator from the State of Idaho.
Mr. CHAPMAN. I decline to answer.
Senator ALLEN. Also Hon. JAMES SMITH, Jr., a United States Senator from the State of New Jersey.
Mr. CHAPMAN. I decline to answer.
Senator ALLEN. Also Hon. WATSON C. SQUIRE, a United States Senator from the State of Washington.
Mr. CHAPMAN. I decline to answer.
Senator ALLEN. Also Hon. WILLIAM M. STEWART, a United States Senator from the State of Nevada.
Mr. CHAPMAN. I decline to answer.
Senator ALLEN. Also Hon. HENRY M. TELLER, a United States Senator from the State of Colorado.
Mr. CHAPMAN. I decline to answer.
Senator ALLEN. Also Hon. DAVID TURPIE, a United States Senator from the State of Indiana.
Mr. CHAPMAN. I decline to answer.
Senator ALLEN. Also Hon. GEORGE G. VEST, a United States Senator from the State of Missouri.
Mr. CHAPMAN. I decline to answer.
Senator ALLEN. Also Hon. WILLIAM F. VILAS, a United States Senator from the State of Wisconsin.
Mr. CHAPMAN. I decline to answer.
Senator ALLEN. Also Hon. DANIEL W. VOORHEES, a United States Senator from the State of Indiana.
Mr. CHAPMAN. I decline to answer.
Senator ALLEN. Also Hon. WILLIAM D. WASHBURN, a United States Senator from the State of Minnesota.
Mr. CHAPMAN. I decline to answer.
Senator ALLEN. Also Hon. Edward D. White, formerly United States Senator of the State of Louisiana.
Mr. CHAPMAN. I decline to answer.
Senator ALLEN. Also the Hon. Senator JARVIS, of the State of North Carolina.
Mr. CHAPMAN. I decline to answer.
Senator ALLEN. Also Senator MCLAURIN, of the State of Mississippi.
Mr. CHAPMAN. I decline to answer.
Senator ALLEN. Also Hon. NEWTON L. BLANCHARD, a United States Senator from the State of Louisiana.
Mr. CHAPMAN. I decline to answer.
Senator ALLEN. Also Hon. STEPHEN M. WHITE, a United States Senator from the State of California.
Mr. CHAPMAN. I decline to answer.
Senator ALLEN. Also Hon. JAMES F. WILSON, a United States Senator from the State of Iowa.
Mr. CHAPMAN. I decline to answer.
Senator ALLEN. Also Hon. EDWARD O. WOLCOTT, a United States Senator from the State of Colorado.
Mr. CHAPMAN. I decline to answer.
Senator ALLEN. Also Senator PATTON, of the State of Michigan.
Mr. CHAPMAN. I decline to answer.
Senator DAVIS. Also Senator Stockbridge, of Michigan, recently deceased.
Mr. CHAPMAN. I decline to answer.
Senator ALLEN. Now, Mr. Chapman, I understand you to refuse to testify anything whatever concerning any dealings your firm may have had for or on account of any of the persons whose names we have mentioned?
Mr. CHAPMAN. I do.
Senator ALLEN. As dealers in what are known as sugar stocks, pending the present tariff bill, since February 1, 1894, to the present time?
Mr. CHAPMAN. I do.
The CHAIRMAN. And also as to whether any of the persons named have had any dealings or not?
Mr. CHAPMAN. I decline.

The subpœna by which said witness was commanded to appear and testify before the committee at the time and place aforesaid, together with certificate of service thereof, is hereto attached, and marked "Exhibit A:"

UNITED STATES OF AMERICA.
Congress of the United States.

To E. R. Chapman, New York City, greeting:

Pursuant to lawful authority, you are hereby commanded to appear forthwith before the special committee of the Senate of the United States, appointed under the resolution of the Senate of the United States of May 17, 1894, at the room of the Committee on Privileges and Elections, then and there to testify what you may know relative to the subject-matters under consideration by said committee.

Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

To Richard J. Bright, Sergeant-at-Arms of the Senate of the United States, to serve and return.

Given under my hand, by order of the committee, this 6th day of June, in the year of our Lord 1894.

GEO. GRAY,
Chairman Special Committee.

SENATE OF THE UNITED STATES,
Office of the Sergeant-at-Arms.

I do appoint and hereby empower B. W. Layton to serve this subpœna, and to exercise all the authority in relation thereto with which I am vested by the within order.

R. J. BRIGHT,
Sergeant-at-Arms of the United States Senate.

WASHINGTON, D. C., *June 7, 1894.*

I made service of the within subpœna through my deputy, B. W. Layton, by the within-named E. R. Chapman, at No. 80 Broadway, New York City, at 10 o'clock a. m., on the 7th day of June, 1894.

R. J. BRIGHT,
Sergeant-at-Arms, Senate of the United States.

Your committee further report that during said examination the said witness, Elverton R. Chapman, refused and declined to answer sundry other pertinent questions duly and properly put to him, as manifestly appears from a full copy of all of his testimony taken before said committee, and of all proceedings had in connection therewith, which copy is hereto annexed and is hereby made a part of this report, as fully as if it were incorporated therein. (Exhibit B.)

In the opinion of the committee each of the questions put to said witness was a proper question, and pertinent to the question under inquiry before the committee, and was necessary to make the examination ordered by said resolution of the Senate, and that said witness is in contempt of the Senate and merits to be dealt with for his misconduct; and that said witness, by his various refusals to answer the questions as herein set forth, has violated the provisions of that certain act of Congress in such cases made and provided, being chapter 7 of the Revised Statutes of the United States, which chapter is as follows:

SEC. 102, Revised Statutes. Every person who, having been summoned as a witness by the authority of either House of Congress to give testimony or to produce papers upon any matter under inquiry before either House or any committee of either House of Congress, willfully makes default, or who, having appeared, refuses to answer any question pertinent to the question under inquiry, shall be deemed guilty of a misdemeanor, punishable by a fine of not more than $1,000 nor less than $100, and imprisonment in a common jail for not less than one month nor more than twelve months.

SEC. 103. No witness is privileged to refuse to testify to any fact or to produce any paper respecting which he shall be examined by either House of Congress, or by any committee of either House, upon the ground that his

testimony to such fact or his production of such paper may tend to disgrace him or otherwise render him infamous.

SEC. 104. Whenever a witness summoned, as mentioned in section 102, fails to testify, and the facts are reported to either House, the President of the Senate or the Speaker of the House, as the case may be, shall certify the fact under the seal of the Senate or House to the district attorney for the District of Columbia, whose duty it shall be to bring the matter before the grand jury for their action.

Wherefore the committee report to the Senate, and to the end that the President of the Senate certify as to said witness his aforesaid failure to testify and his aforesaid refusals to answer, and all the facts herein, under the seal of the Senate, to the United States district attorney for the District of Columbia, in order that said witness may be proceeded against in manner and form provided by law.

GEO. GRAY,
WILLIAM LINSDAY,
C. K. DAVIS,
HENRY CABOT LODGE,
WILLIAM V. ALLEN,
Committee.

Mr. ALLEN subsequently said: I desire to submit an additional report on behalf of myself as a member of the special investigating committee. I ask that it be printed as a document, and also that it be printed with the report filed to-day.

The PRESIDING OFFICER. The Senator from Nebraska asks that the report submitted by him may be printed in the RECORD. Is there objection?

Mr. HOAR. I suggest to the Senator from Nebraska that as there was an order made to print the report submitted by the Senator from Delaware [Mr. GRAY] in the RECORD, it might be convenient for all of us to have his report immediately follow it in the RECORD, so that the two will appear together.

Mr. ALLEN. I desire this supplemental report to be printed immediately after the other report.

Mr. CHANDLER. I ask for the reading of the report.

The PRESIDING OFFICER. If there be no objection the report will be read. The Chair hears none.

The Secretary read as follows:

ADDITIONAL REPORT OF MR. ALLEN, OF THE COMMITTEE.

In addition to the above recommendation of the committee regarding the witness E. R. Chapman, I think he ought to be brought to the bar of the Senate and required to purge himself of the contempt of which he is guilty, or be summarily punished for a refusal to do so. I therefore recommend the adoption of the following resolution by the Senate:

Whereas E. R. Chapman, a witness, was heretofore duly summoned by a select committee of the Senate, and being lawfully required to testify before said committee, has, as appears by the report of said committee, refused to answer pertinent and material questions propounded to him by said committee: Therefore,

Resolved, That the President of the Senate issue his warrant in due form under his hand and the seal of the Senate, directed to the Sergeant-at-Arms of the Senate, commanding him forthwith to arrest and bring to the bar of the Senate the body of said E. R. Chapman, to show cause why he should not be punished for contempt, and in the meantime to keep the said Chapman in custody to await the further order of the Senate.

Respectfully submitted.

WILLIAM V. ALLEN.

The PRESIDING OFFICER. The report will be printed in connection with the report of the majority of the committee, in the absence of objection. The Chair hears none, and it is so ordered.

BILLS INTRODUCED.

Mr. FAULKNER introduced a bill (S. 2111) for the relief of the estate of Hugh L. Gallaher, deceased, late of Augusta County, Va.; which was read twice by its title, and referred to the Committee on Claims.

Mr. HOAR introduced a bill (S. 2112) for the relief of Mrs. Sidney Manse; which was read twice by its title, and referred to the Committee on Claims.

Mr. WASHBURN introduced a bill (S. 2113) to amend an act entitled "An act granting to railroads the right of way through the public lands of the United States," approved March 3, 1875; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Public Lands.

Mr. GRAY introduced a bill (S. 2114) relating to the proof of the genuineness of disputed writing; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. SQUIRE introduced a bill (S. 2115) to provide for the regulated free coinage of silver bullion into standard dollars of the United States, and for the preservation of the parity of value of the various kinds of coined money of the United States; which was read twice by its title, and referred to the Committee on Finance.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. POWER submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

He also submitted an amendment intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

THE PADRONE SYSTEM.

Mr. CHANDLER. I ask unanimous consent for the consideration of the resolution I submitted yesterday.

The PRESIDENT *pro tempore*. The resolution will be read.

The Secretary read the resolution submitted yesterday by Mr. CHANDLER, as follows:

Resolved, That the Secretary of the Treasury be directed to inform the Senate, so far as the records of the Department enable him to do so, to what extent the system now prevails under which immigrants from Italy, or other countries, fall into the hands of agents or bankers who entice or force them into contracts or customs under which their labor is farmed out to their employers, commonly called the padrone system; and also to inform the Senate whether any special measures are being taken or contemplated by the Treasury Department for breaking up every such system; whether the Department has sufficient funds at its disposal derived from the head moneys, or whether additional appropriations are needed for the suppression and extermination of such systems, and for the due enforcement of the laws prohibiting the importation of contract laborers.

The PRESIDENT *pro tempore*. The Chair would suggest to the Senator from New Hampshire and the Senate, that the resolution is the third now upon the table having the right to be presented this morning, coming over from a former day. The Senator from New Hampshire, however, asks unanimous consent that his resolution be now considered. Is there objection?

Mr. COCKRELL and others. No objection.

The PRESIDENT *pro tempore*. The Chair hears no objection, and the resolution is before the Senate.

Mr. CHANDLER. I ask the attention of the Senator from West Virginia [Mr. FAULKNER].

Mr. President, recently the Italian Government has shown deep interest in the suppression of the padrone system in this country under which Italian immigrants fall into the control of agents and bankers who keep them in a state of half slavery, and exact from them, for no real service, a large portion of every day's wages which they earn by severe and honest toil. The energetic and courteous Italian ambassador, the Baron Fava, has made such representations to our Government that renewed efforts are being made by the President, the Secretary of State, and especially by the Secretary of the Treasury, Mr. Carlisle, and the efficient Superintendent of Immigration, Mr. Stump, for the extermination of the vicious system. To bring to public attention this creditable coöperative movement of the two Governments, and to ascertain the existing situation with a view to additional legislation if necessary, is the object of the resolution now before the Senate, and which I hope may be allowed to pass unanimously.

It will, however, be impossible to completely destroy the objectionable padrone system until a sentiment hostile to its continuance is avowed among the better and wealthier class of Italians who have become residents in this country, and who ought to be willing to render their assistance through organized effort. Something is being done in this direction, and more must be done to protect Italian laborers in the full and free enjoyment of their liberty and their hard earnings.

I annex to these remarks an account from the Boston Journal of June 1 of a meeting in Faneuil Hall of an organization against the padrone system which has been effected and is doing noble work in Boston under the lead of Mr. C. Conte, supported by the best citizens of Massachusetts. Similar organizations ought to be effected in New York City without delay:

[Boston Journal, Friday, June 1, 1894.]

AN UPRISING—ITALIANS OF BOSTON HOLD A MASS MEETING IN FANEUIL HALL AND PROTEST AGAINST THE PADRONE SYSTEM AND OTHER ABUSES.

A most significant meeting was held in Faneuil Hall last evening. It was a mass meeting of Italians and Americans, held for the purpose of discussing the best means of helping, morally and socially, the people of the Italian colony in Boston. Fully 1,200 swarthy sons of sunny Italy were there, and they were a pretty lively crowd. The actions of many bosses under the padrone system were vigorously denounced by the speakers, also the methods of numerous Italian bankers. Each speaker was interrupted frequently by vigorous applause, and sharp resolutions were adopted. Some of the speakers talked in English, some in Italian.

The meeting was held under the auspices of the Societe Purificatrice George Washington and other Italian societies. On the platform was an American and an Italian flag. Mr. C. Conte, Presidente del Circolo Umanitario Educatino, called the meeting to order and introduced Mr. Edwin D. Mead as the presiding officer. Mr. Mead made an earnest address in which he denounced the padrone system as a species of human slavery. He explained why this was so, and evidently had the sympathy of the audience. He spoke of the men under the direction of the bosses being compelled to buy their food of their employers, and being charged exorbitant rates for it. The methods of some of the Italian bankers were also strongly condemned by Mr. Mead.

A vigorous address in Italian was made by Antonio Martorana, who said in Italian substantially what Mr. Mead had said in English. Then Georgio Capparelli, presidente della Societa Fratelli Bandiera, was presented and made an effective address in English. He said that all Italians believed

in justice and humanity. The Italian colony in Boston was suffering greatly. It was largely made up of poor laboring people who are out of work. Their present condition was due to the bosses. These bosses advertise for men, and, getting them, send them in freight cars like cattle far off. They are put to work and are at the mercy of the bosses, of whom they are forced to buy their food. Exorbitant charges are made for bread, macaroni, etc.—twice as high as they would cost at an ordinary grocery store in Boston.

When these poor people try to save their earnings and place them in the care of an Italian banker they do not know positively that their money is safe. Such people as these bosses and bankers are not fit to live in a civilized world, except behind prison bars, said the speaker, and the crowd cheered. Continuing, he advocated the establishment of national American banks at the North End, where the Italians could deposit their money and know it was all right. There should also be reputable employment offices instituted at the North End. What should be done was to make these Italians citizens of the United States. Out of 20,000 Italians in Boston only 200 were entitled to vote, he said. This should be remedied.

The principal speech of the evening was made by Mr. C. Conte, a handsome Italian, who occupied a prominent seat on the platform during the entire meeting. Although he has only been in Boston five or six weeks, he has kept up a vigorous fight against the above-named abuses. He has established a weekly paper called L'Amico del Popolo, one page being printed in English, the rest in Italian. Mr. Conte spoke in Italian and was really quite eloquent. He said that the question was a larger one than it was generally thought to be. It was a moral question first, because the families of most of the Italians who came here lived in Italy. The wives and children were without protection in Italy. Many of the Italians remained here seven or eight years without their families, and were led into temptation to commit sin.

It is true that they are dirty, because fourteen or fifteen have to sleep in little rooms with three or four beds in them. This kind of life has a bad influence on their character and degrades them very naturally.

Then these men do not love Italy after they have been here in America some time. But they can not supply this love by substituting America. All they know of America is the bosses, who make them work like slaves and abuse them all the time. They should become citizens. Under proper conditions they would become law-abiding and reputable men. Now, out of 15,000 Italians in Boston, only 200 were citizens, and of this number probably not more than 95 voted. A Government agent from Washington had recently been in Boston investigating the condition of the Italian laboring classes. It was hoped he would urge some action on the part of the Government. A brief speech in English was also made by Mr. Walker, of the Epworth Mission, on Hull street at the North End.

The following resolutions were unanimously adopted by the meeting, with cheers and hand-clapping:

"The Italian Colony of Boston, in a mass meeting assembled, having learned the social condition of Italian immigrants in this city, and having studied ways and means of bettering these conditions, adopt the following resolutions:

"*Resolved*, As soon as possible, with the help of the Italian Liberal Associations, to naturalize all Italians who can meet the requirements of the naturalization laws of the country.

"*Resolved*, That in view of the good disposition of the Italians toward American laws and usages, the citizens of Boston be urged to influence American contractors to trust and employ Italian workmen.

"*Resolved*, That in view of the failure and dishonesty of so many Italian bankers, that all honest Italian bankers unite to abide by the laws of the country, giving the necessary and proper guarantees, and if this is impossible, that a branch of some well-established bank be located in North street to receive and transmit money to Italy.

"*Resolved*, In view of the abuses and failures of many Italian bosses and the outrageous abuses against the poor workmen by these, their own countrymen, and also by other contractors, we advise that an employment office, subject to the laws of the State, be established for their use.

"*Resolved*, That in view of these abuses, a committee of protection of influential citizens be formed to aid in their suppression."

These questions, put to the audience by Mr. Conte, were answered in the affirmative by a unanimous show of hands, they being put separately:

"IS IT TRUE."

"First. That many bosses take commission without giving work?

"Second. That the price of commission is from $1 to $6.

"Third. That after a few weeks' work men are dismissed to make room for new workers, who have likewise paid commission?

"Fourth. That the prices of food in the boarding places is two or three times more than in Boston?

"Fifth. That the Italian workmen are obliged to buy their food of their employers or be dismissed?

"Sixth. That generally they are obliged to pay $10 or $12 per month?

"Seventh. That often the wages of workmen are reduced or taken from them by bosses?

"Eighth. That very many have lost their money through the failure of Italian banks?"

Mr. Conte will speak next Monday at 1 p. m., at a meeting to be held in the Chardon Building. Rev. Dr. Edward Everett Hale will preside.

Mr. FAULKNER. I hope the resolution will be passed for the reason that I think it supplements the information we now have before the Committee on Immigration. I am satisfied that the information we shall get under the resolution will be beneficial in view of future legislation which that committee will present to the Senate for action.

Mr. SHERMAN. I should like to have the resolution read.

Mr. CHANDLER. I desire to say further that the Senate Committee on Immigration took testimony at its session in New York City, at which the Senator from West Virginia was present, where it went to some extent into this subject. There is very full information now in the archives of the Senate on the subject; but the precise object now is to bring to light the renewed efforts which this Government in coöperation with the Italian Government is making to strike an effective blow at this very pernicious system.

Mr. SHERMAN. I do not ask for the reading of the resolution. I have a copy of it before me.

The PRESIDENT *pro tempore*. The question is on agreeing to the resolution.

The resolution was agreed to.

RESOLUTIONS PASSED OVER.

The PRESIDENT *pro tempore*. The Chair lays before the Senate a resolution coming over from a former day, which will be stated.

The SECRETARY. A resolution relative to the arrest of Elisha J. Edwards for contempt.

Mr. TELLER. Let the resolution go over.

The PRESIDENT *pro tempore*. At the suggestion of the Senator from Colorado the resolution will go over, if there be no objection. The Chair also lays before the Senate a resolution coming over from a former day, which will be stated.

The SECRETARY. A resolution relative to the appointment of a special committee to investigate the organized efforts of corporations to control elections of members of State Legislatures and members of Congress.

Mr. TELLER. Let that go over also.

The PRESIDENT *pro tempore*. The resolution goes over. Is it the pleasure of the Senate that these resolutions shall hold their place or go to the Calendar, as they will under the rule?

Mr. FAULKNER. Let them go to the Calendar.

The PRESIDENT *pro tempore*. Both resolutions will be placed on the Calendar.

PERSONS ENGAGED IN PROTECTED INDUSTRIES.

Mr. ALLEN. I ask unanimous consent that the Senate proceed to the consideration of the resolution submitted by me May 15, 1894, which is on the Calendar.

The PRESIDENT *pro tempore*. The morning business having been concluded, and the Calendar under the rule being in order, the Senator from Nebraska asks unanimous consent that the resolution indicated by him be now considered. The resolution will be stated by title.

The SECRETARY. A resolution directing the Secretary of the Treasury to inform the Senate of the total number of persons engaged in protected industries in the United States whose wages are or may be claimed to be affected by tariff legislation, etc.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the resolution?

Mr. SHERMAN. Let the resolution be read.

Mr. CHANDLER. Let it be read at length.

The Secretary read the resolution submitted by Mr. ALLEN, May 15, 1894, as follows:

Resolved, That the Secretary of the Treasury be, and he is hereby, directed to inform the Senate of the total number of persons engaged in protected industries in the United States whose wages are, or may be claimed to be, affected by tariff legislation; the total number of persons engaged in such industries whose wages are not, or will not, be affected by tariff legislation, and the proportion of the population of the United States who depend upon the foreign market for the sale of their products, classifying such industries respectively; such information to be based on the census of 1890. Also, that the Secretary of the Treasury be, and he is hereby, directed and required to inform the Senate of the total number of such persons who are native-born citizens of the United States of America, the total number who are naturalized citizens, and the total number of such persons who are aliens; and at what ratio, if any, alien mechanics and laborers have been taking the place of native and naturalized citizens of the United States in the protected industries of the United States.

Mr. SHERMAN. I think such an inquiry would involve a great deal of labor to any Department, and if the resolution should pass at all it ought to be directed to the Secretary of the Interior. The Secretary of the Treasury has no means of information as communicated by the Census Reports. As a matter of course such information would belong to the Interior Department. I think, myself, it would probably involve the expenditure of a large sum of money without any useful purpose, but as I do not often object to resolutions of inquiry proposing to call for information for Congress, I do not care to object in this case. However, the inquiry ought to be directed to the Secretary of the Interior, because he has command of the sources of information.

Mr. ALLEN. If the Senator——

The PRESIDENT *pro tempore*. The Chair would suggest to the Senator from Ohio that the pending question on the resolution is the motion of the Senator from Vermont [Mr. MORRILL] that it be referred to the Committee on Finance.

Mr. SHERMAN. I think the resolution had better go over for the present.

Mr. ALLEN. I hope the Senator from Ohio will withdraw the objection. The information is certainly very desirable for some members of the Senate at least. I understand that the matter involved in the resolution is now being considered by the Treasury Department, and I think we ought to have the information here, and have it published in document form, so that we may have the benefit of it.

Mr. SHERMAN. That information——

The PRESIDENT *pro tempore*. Does the Chair understand the Senator from Ohio to object to the present consideration of the resolution?

Mr. SHERMAN. I do. Let it go over until to-morrow anyway. I do not wish to displace it.

The PRESIDENT *pro tempore*. The resolution will go over on objection, and take its place on the Calendar as heretofore.

FRANCIS M. TOMLIN.

Mr. BERRY. I ask unanimous consent to call up the bill (H. R. 1127) for the relief of Francis M. Tomlin.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to pay to Francis M. Tomlin, of Columbia County, Arkansas, $186, erroneously paid to the United States for certain described land in township 19 south, range 22 west, of the fifth principal meridian.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EMMA A. RIPLEY.

Mr. MCMILLAN. I ask unanimous consent to call up the bill (S. 447) to authorize the Secretary of the Interior to issue a duplicate of a certain land warrant to Emma A. Ripley.

The bill was read by the Secretary.

Mr. CALL. I should like to know what committee reported the bill?

Mr. MCMILLAN. The Committee on Private Land Claims. It was looked into very carefully, and the chairman was quite well satisfied that this scrip was lost when claimed. There is a very elaborate report with the bill, showing that the scrip was lost by this lady, and that there is no authority for the Department to issue it unless such a bill is passed. I hope the Senator from Florida will allow it to pass.

Mr. CALL. I think the bill had better go over until we can understand it thoroughly. I understand it is a bill to provide for issuing a warrant where the original has been lost.

Mr. MCMILLAN. Yes.

Mr. CALL. I think the bill had better go over.

The PRESIDENT *pro tempore*. The Senator from Florida objects, and the bill goes over.

E. DOUGLASS.

Mr. WASHBURN. I ask unanimous consent for the present consideration of the bill (S. 1319) for the relief of E. Douglass, late Indian agent at White Earth Indian Agency.

By unanimous consent the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from Committee on Claims with amendments: In line 3, after the word "the," to strike out "Interior" and insert "Treasury;" in line 6, after the word "in," to strike out "his hands" and insert "the Treasury;" and in line 7, after the word "of," to strike out "six hundred and thirty-two dollars and seventy-five" and insert "five hundred and sixty-six dollars and sixty-six;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby authorized and directed to pay to Ebenezer Douglass, late Indian agent at White Earth Indian Agency, in the State of Minnesota, out of any moneys in the Treasury not otherwise appropriated, the sum of $566.66, for money paid out and services performed by said Douglass, at the request of the Commissioner of Indian Affair, in closing the accounts with said agency.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN F. W. DETTE.

Mr. COCKRELL. I ask unanimous consent for the consideration of the bill (S. 203) for the relief of John F. W. Dette, which has heretofore passed the Senate, and has been again favorably reported.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Secretary of War to cause to be examined the terms and conditions of the contract of John F. W. Dette with the United States to build a stone wall of masonry around the national cemetery at Jefferson Barracks, in the county of St. Louis and State of Missouri; and whether by reason of any change or modifications in the contract the cost of the work per perch was increased, and what loss was incurred on any additional work required by the changes or modifications, and what, if any, sum is reasonably and equitably due to him, in addition to the amount already paid him, by reason of the changes or modifications in his contract, and to report the result to Congress.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ELISHA B. BASSETT.

Mr. DAVIS. I ask unanimous consent for the present consideration of the bill (S. 1483) to correct the military record of Elisha B. Bassett.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It authorizes the President of the United States to revoke, disapprove, and set aside so much of general orders numbered 253, headquarters Department of the Cumberland, Chattanooga, Tenn., dated October 23, 1863, by command of Maj. Gen. George H. Thomas, general in command, as confirms so much of special field orders numbered 171, headquarters Department of the Cumberland, Murfreesboro, Tenn., dated June 23, 1863, Maj. Gen. Rosecrans commanding, as dismissed Capt. Elisha B. Bassett, captain of Company B, Nineteenth Michigan Volunteer Infantry, from the service for cowardice exhibited by deserting his command while engaged with the enemy at the affair of Thompson Station, and to cause to be issued and delivered to his widow a certificate of honorable muster out of the service as of the 23d day of June, 1863; but his widow and heirs shall not be entitled by virtue of this act to any pay or allowance subsequent to the 23d day of June, A. D. 1863.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JUDICIAL DISTRICT OF NORTH DAKOTA.

The PRESIDENT *pro tempore*. The first bill on the Calendar under Rule VIII will be called.

The bill (S. 686) to amend an act entitled "An act to divide the judicial district of North Dakota," and to provide for the fees and compensation of the officers of the circuit and district courts of the said judicial district, was announced as first in order, and the Senate, as in Committee of the Whole, proceeded to consider it.

The bill was reported from the Committee on the Judiciary with amendments.

The first amendment was in section 1, line 15, after the word "repealed," to strike out—

And all suits, prosecutions, and processes, recognizances, bail bonds, and other proceedings of whatever nature pending or returnable to said court on the days last named are hereby transferred to and shall be made returnable and have force in the said respective terms provided in this act, in the same manner and with the same effect as they would have had had this act not been passed.

So as to read:

That sections 3 and 5 of the act approved April 26, 1890, entitled "An act to divide the judicial district of North Dakota," are hereby amended to read as follows:

"SEC. 3. That the terms of the district court for the district of North Dakota shall be held at Bismarck on the first Tuesday of March in each year; at Fargo on the third Tuesday of May in each year; at Grand Forks on the second Tuesday of November in each year, and at Devils Lake on the first Tuesday of July in each year. And the provisions of law now existing for the holding of said court on the first Monday in April and February of each year is hereby repealed."

The amendment was agreed to.

The next amendment was, in section 1, after line 30, to insert the following proviso:

Provided, That all suits, prosecutions, and processes, recognizances, bail bonds, and other proceedings of whatever nature pending in or returnable to said district and circuit courts, respectively, on the days named in the act to which this is an amendment, are hereby transferred to and shall be made returnable and have force in the said respective terms of said district and circuit courts, respectively, as provided in this act, in the same manner and with the same effect as they would be returnable and have effect in said courts, respectively, at the terms thereof as now fixed by the act to which this is amendatory, as though this act had not been passed.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had agreed to the amendment of the Senate to the bill (H. R. 5778) to supply a deficiency in the grant of public lands to the State of Mississippi for the use of the State University.

The message also announced that the House had passed a concurrent resolution to print 6,000 copies of the complete compilation of all the annual, special, and veto messages, proclamations, and inaugural addresses of the Presidents of the United States from 1789 to 1894, inclusive; in which it requested the concurrence of the Senate.

The message further announced that the House had passed a concurrent resolution to print 8,000 copies of the fourteenth annual report of the director of the Bureau of Ethnology; in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President *pro tempore*:

A bill (H. R. 2710) for the relief of the heirs of Edward Morrison and Nellie Morrison, deceased; and

A bill (H. R. 6126) to amend an act to authorize construction of a bridge at Burlington, Iowa, approved August 6, 1888, and amended by act approved February 21, 1890.

COMPILATION OF MESSAGES, ETC.

The PRESIDENT *pro tempore* laid before the Senate the following concurrent resolution from the House of Representatives; which was referred to the Committee on Printing:

Resolved by the House of Representatives (the Senate concurring), That there be printed and bound in cloth 6,000 copies of the complete compilation of all the annual, special, and veto messages, proclamations, and inaugural addresses of the Presidents of the United States from 1789 to 1894, inclusive; 2,000 copies for the use of the Senate and 4,000 copies for the use of the House. The work shall be prepared under the direction of the Joint Committee on Printing.

ETHNOLOGICAL REPORT.

The PRESIDENT *pro tempore* laid before the Senate the following concurrent resolution from the House of Representatives; which was referred to the Committee on Printing:

Resolved by the House of Representatives (the Senate concurring), That there be printed at the Government Printing Office 8,000 copies of the fourteenth annual report of the Director of the Bureau of Ethnology, with accompanying papers and illustrations, and uniform with the preceding volumes of the series, of which 1,000 shall be for the use of the Senate, 2,000 for the use of the House of Representatives, and 5,000 for distribution by the Bureau of Ethnology.

THE REVENUE BILL.

The PRESIDENT *pro tempore*. The hour of half past 10 o'clock having arrived, the Chair lays before the Senate the unfinished business.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4864) to reduce taxation, to provide revenue for the Government, and for other purposes.

The PRESIDENT *pro tempore*. The Secretary will proceed with the reading of the bill.

Mr. PEFFER. Before that is done, I wish to propose an amendment to precede all the matter in Schedule K.

Mr. HOAR. I rise to a question of order, Mr. President.

The PRESIDENT *pro tempore*. The Senator from Massachusetts will state his point of order.

Mr. HOAR. It was unanimously agreed last night that the spectacle paragraph, which had been passed over, should be taken up and be in order this morning.

Mr. PEFFER. I understood that an arrangement of that kind had been made, but I saw the Senator's attention was attracted to something else, and I thought I would occupy the meantime by presenting the amendment. It will not interfere with that proceeding in the least.

Mr. HOAR. Very well.

The PRESIDENT *pro tempore*. The amendment proposed by the Senator from Kansas will be laid on the table until that part of the bill shall be regularly reached. The Secretary will read the paragraph referred to by the Senator from Massachusetts.

The Secretary read as follows:

98. Spectacles, eyeglasses, goggles, opera glasses, and other optical instruments and frames for the same, 40 per cent ad valorem.

Mr. HOAR. Mr. President——

Mr. QUAY. Will the Senator from Massachusetts yield to me a moment?

Mr. HOAR. Certainly.

Mr. QUAY. I desire to mention that my understanding in relation to the order of discussion agreed upon yesterday evening for this morning was that the Senator from Massachusetts was to be heard in relation to the paragraph on spectacles, and I was to succeed, before the woolen schedule was formally taken up, in continuation of my remarks, which were interrupted some four or five weeks ago. The amendment of the Senator from Kansas will come in, I suppose, after I conclude my remarks.

Mr. PEFFER. I suggest, Mr. President, to relieve all friction, that when the matter referred to by the Senator from Massachusetts is disposed of, the amendment which I offer may be read, and then let the Senator from Pennsylvania proceed with his remarks.

Mr. QUAY. That will be satisfactory.

Mr. HOAR. I suggest that the amendment of the Senator from Kansas be read now.

The PRESIDENT *pro tempore*. The unanimous-consent agreement yesterday evening was that the paragraph referred to by the Senator from Massachusetts should be first considered this morning, in view of which fact the Chair recognizes the Senator from Massachusetts.

Mr. HOAR. I think if the Senator from Kansas will allow his amendment to be read now, it may be as well.

The PRESIDENT *pro tempore*. If there be no objection the amendment intended to be proposed by the Senator from Kansas [Mr. PEFFER] will be now read. The Chair hears no objection, and the amendment will be read.

The Secretary read as follows:

SCHEDULE K—WOOL AND MANUFACTURES OF WOOL.

—. All wools, hair of the camel, goat, alpaca, and other like animals shall be divided for the purpose of fixing the duties to be charged thereon into the three following classes:

—. Class one, that is to say, merino, mestiza, metz, or metis wools, or other wools of merino blood, immediate or remote, Down clothing wools, and wools of like character with any of the preceding, including such as have been heretofore usually imported into the United States from Buenos Ayres, New Zealand, Australia, Cape of Good Hope, Russia, Great Britain, Canada, and elsewhere, and also including all wools not hereinafter described or designated in classes two and three.

—. Class two, that is to say, Leicester, Cotswold, Lincolnshire, Down combing wools, Canada long wools, or other like combing wools of English blood, and usually known by the terms herein used, and also hair of the camel, goat, alpaca, and other like animals.

—. Class three, that is to say, Donskoi, native South American, Cordova, Valparaiso, native Smyrna, Russian camel's hair, and including all such wools of like character as have been heretofore usually imported into the United States from Turkey, Greece, Egypt, Syria, and elsewhere, excepting improved wools hereinafter provided for.

—. The standard samples of all wools which are now or may be hereafter deposited in the principal custom-houses of the United States, under the authority of the Secretary of the Treasury, shall be the standards for the classification of wools under this act, and the Secretary of the Treasury shall have the authority to renew these standards and to make such additions to them from time to time as may be required, and he shall cause to be deposited like standards in other custom-houses of the United States when they may be needed.

—. Whenever wools of class 3 shall have been improved by the admixture of Merino or English blood from their present character as represented by the standard samples now or hereafter to be deposited in the principal custom-houses of the United States, such improved wools shall be classified for duty either as class 1 or as class 2, as the case may be.

—. The duty on wools of the first class which shall be imported washed shall be twice the amount of the duty to which they would be subjected if imported unwashed; and the duty on wools of the first and second classes which shall be imported scoured shall be three times the duty to which they would be subjected if imported unwashed.

—. Unwashed wools shall be considered such as shall have been shorn from the sheep without any cleansing; that is, in their natural condition. Washed wools shall be considered such as have been washed with water on the sheep's back. Wool washed in any other manner than on the sheep's back shall be considered as scoured wool.

—. The duty upon wool of the sheep or hair of the camel, goat, alpaca, and other like animals which shall be imported in any other than ordinary condition, or which shall be changed in its character or condition for the purpose of evading the duty, or which shall be reduced in value by the admixture of dirt or any other foreign substance, or which has been sorted or increased in value by the rejection of any part of the original fleece, shall be twice the duty to which it would be otherwise subject: *Provided*, That skirted wools as now imported are hereby excepted. Wools on which a duty is assessed amounting to three times or more than that which would be assessed if said wool was imported unwashed, such duty shall not be doubled on account of its being sorted.

If any bale or package of wool or hair specified in this act imported as of any specified class, or claimed by the importer to be dutiable as of any specified class shall contain any wool or hair subject to a higher rate of duty than the class so specified, the whole bale or package shall be subject to the highest rate of duty chargeable on wool of the class subject to such higher rate of duty, and if any bale or package be claimed by the importer to be shoddy, mungo, flocks, wool, hair, or other material of any class specified in this act, and such bale contain any admixture of any one or more of said materials, or of any other material, the whole bale or package shall be subject to duty at the highest rate imposed upon any article in said bale or package.

—. The duty upon all wools and hair of the first class shall be 6 cents per pound, and upon all wools or hair of the second class 7 cents per pound.

—. On wools of the third class and on camel's hair of the third class, the value whereof shall be 10 cents or less per pound, including charges, the duty shall be 20 per cent ad valorem.

—. On wools of the third class, and on camel's hair of the third class, the value whereof shall exceed 10 cents per pound, including charges, the duty shall be 25 per cent ad valorem.

—. Wools on the skin shall pay the same rate as other wools, the quantity and value to be ascertained under such rules as the Secretary of the Treasury may prescribe.

—. On noils, shoddy, top waste, slubbing waste, roving waste, ring waste, yarn waste, garnetted waste, and all other wastes composed wholly or in part of wool, the duty shall be 20 cents per pound.

—. On woolen rags, mungo, and flocks, the duty shall be 26 cents per pound.

—. Wools and hair of the camel, goat, alpaca, or other like animals, in the form of roping, roving, or tops, and all wool and hair which have been advanced in any manner or by any process of manufacture beyond the washed or scoured condition, not specially provided for in this act, shall be subject to the same duties as are imposed upon manufactures of wool not specially provided for in this act.

Mr. HOAR. I should like to have paragraph 98 read.

The PRESIDING OFFICER (Mr. FAULKNER in the chair). The Secretary will read the paragraph.

The Secretary read as follows:

93. Spectacles, eyeglasses, goggles, opera glasses, and other optical instruments and frames for the same, 40 per cent ad valorem.

Mr. HOAR. Is there not a pending amendment of the committee?

The PRESIDING OFFICER. The amendment from the committee was agreed to.

Mr. HOAR. I move to strike out "forty" and insert "sixty."

The PRESIDING OFFICER. That, the Chair presumes, will have to be considered by unanimous consent.

Mr. HOAR. I presume there will be no objection to that course.

The PRESIDING OFFICER. Is there objection to the consideration of the amendment submitted by the Senator from Massachusetts? The Chair hears none, and the amendment will be stated.

The SECRETARY. In line 8, paragraph 98, strike out "forty" and insert "sixty;" so as to read: "60 per cent ad valorem."

The PRESIDING OFFICER. The Chair hears no objection to the consideration of the amendment, and the Senator from Massachusetts will proceed.

Mr. HOAR. Mr. President, the argument for the great American policy of keeping the American market for the American workman has been stated in many ways. Our early statesmen—the men who won in the great contest of the Revolution, the men who laid the foundations of the Constitution, the men who were the leaders of the young nation, who administered the Government when it was yet an experiment, liked to put the argument for protection on the ground that it was essential to national independence. Washington, Jefferson, Jackson and Hamilton and John Adams urged upon the American people that they could never be a great people if they depended on foreigners for iron or steel, or the products of iron or steel, for ships, for wool, or for the clothing of the people in peace or war.

The next generation—Webster and Clay and John Quincy Adams and Calhoun until he ceased to be a national and became a Southern statesman, dealt rather with the necessity for national wealth, for variety of employment, for the encouragement and support of infant industries which needed a certain fostering care to put them on their feet.

Later still the statesmen of the country saw more clearly that we were becoming, and were to become, a great manufacturing nation, and that, if that were true, the destiny of this country was to be controlled by the men who do its work in the workshop and on the farm; that these men could not be fit for the august function of sovereignty unless a scale of wages should be maintained which would enable them to live in comfort and to keep a standard of living which should prevent citizenship itself from being debased. This is, however, no recent doctrine. Fifty years ago, my distinguished fellow-citizen, Mr. Winthrop, who still lives to enjoy the affection of his countrymen, said in a speech in the other House:

> This, Mr. Chairman, I repeat, is what the policy of protection aims at. It looks at the workingman, not in his mere brute capacity of a consumer, but in his higher nature of a producer. It looks not to reducing the price of what he eats or what he wears, but to keeping up the price of his own labor. It looks, in short, to wages first, wages last, wages altogether. Shall the wages of the whole civilized commercial world be equalized and leveled off? This is the briefest, truest, most concise, and most comprehensive statement of the question between free trade and protection. The wages of labor—by which is to be understood not merely the wages which are paid by the capitalist to hired hand, but the wages also which are earned by labor of any kind working on its own account—are now higher in this country than in any other beneath the sun. If anybody doubts this, let him stop the first immigrant whom he meets in the streets and ask him why he came over here, what condition he left behind him, and in what circumstances he finds himself within six months after his arrival. If anybody doubts this, let him turn to the Parliamentary debaters, the economical essayists, or even the corn-law rhymers of England, and see what they say as to the condition of the great mass of British operatives.
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> Listen to Charles Buller, in his admirable speech on systematic emigration as the only relief for the pauper labor of his country, while he tells you "of human beings huddled together in defiance of comfort, of shame, and of health, in garrets and in cellars, and in the same hovels with their pigs; of workhouses crowded; of even the gaol resorted to for shelter and maintenance; of human beings prevented from actually dying of starvation in the open streets, or of others allowed to expire from inanition in the obscurity of their own dwelling places." Listen to him again, while he gives you an account "of thousands of men, women, and children congregated together without any regard to decency or comfort in noisome sites and wretched hovels; of those who wear out their lives in the darkness of coal and iron mines, doing what is commonly considered the work of brutes, in a moral and intellectual state hardly raised above that of the mere animal; of the shirtmakers, who get tenpence for making a dozen shirts, and of the 15,000 milliners in this metropolis [London], habitually working for the scantiest wages in close rooms, always for thirteen or fourteen hours a day, sometimes for days and nights together; nine out of ten losing their health in the occupation, and scores of them falling victims to consumption, or rendered incurably blind whenever a court mourning or any festivity of particular magnitude tasks their powers more than usual." * * *
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> Mr. Chairman, the fact is indisputable. The low prices of land and its vast extent compared with the population, the vast amount of work to be done compared with the number of hands which can be commanded on our own soil to perform it—these and other influences secure now to American labor a remuneration which no other in the world receives. Shall this state of things, so fruitful of the greatest good to the greatest number, be continued, or shall we, in a fit of universal benevolence, go in for a horizontal scale of wages, and an average condition of labor in the wide world over? Equality of earnings, equality of encouragements, equality of opportunities, privileges, and wages throughout the length and breadth of our land no man would disturb. We desire the establishment of no system which shall benefit or build up one class of our industry, or one section of our country, at the expense of another. But can not our democracy be content with equality at home? Is it anti-republican or anti-American to maintain and protect the superior condition of our own people? Can not the frenzy of our philanthropy be appeased until it has accomplished that universal level of labor which can only be reached by the prostration of our own? Free trade says no to this question. The Secretary of the Treasury says no. The bill before us says no. Or if they do not dare to say so in terms, they propose and pursue a policy which leads to such a result with the speed and the directness of a railroad.
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> The policy of protection, on the other hand, says: "Yes, yes; it shall not be in vain to the workingman of America that their fathers threw off the colonial yoke and secured for them a country and a government of their own. Other nations may well afford to enter into the free-trade copartnership with us, for their labor has already reached that lowest depth to which there is no lower deep, and from which every change must be for the better. Other governments may afford to institute a free-trade experiment on their own account, for they look to the intelligence, the education, and the independence of the few. But our institutions rest on the intelligence, education, and independence of the many. Our institutions rely on a condition of society which nothing but a high rate of wages can maintain. If our labor be leveled off to the grade of European labor, our liberty must be cut down to the standard of European liberty.

Later still, as science has lent her aid and statistics on a large scale have been gathered by national and State authority, the friends of protection have been able to vindicate their prophecies by the test of history. Even their old triumphs in argument have been surpassed in recent years by the triumphant demonstration of the facts.

But in all these arguments the question has been dealt with on a national and comprehensive scale. I want to occupy the attention of the Senate for a few moments in dealing with the subject in a little different way. I wish to take an example of an individual and local industry. It is one example. I suppose it would be easy to furnish a thousand. I want to show you something of the history and condition of a single manufacturing village, no better and no worse than a thousand others which could be found in our manufacturing States, to show you how this protective policy, without burdening anybody, without increasing to any mortal the cost of any manufactured article, has created hundreds of happy, comfortable, prosperous American homes, has furnished employment for the laborer, has furnished a market for the farmer, has brought up children to be men and women for the resource and service of the Republic, in every exigency of war or peace.

All this is accomplished simply by doing upon American soil and with American hands and brains what otherwise would have been done abroad at a larger cost to the consumer and with less consumption of the products of American agriculture, without a toll taken for freight, for transportation both ways or either way, and without the agency of a squalid, degraded, oppressed foreign manhood instead of the noble, prosperous, free American citizenship which has been alike the creator, the supporter, and the result of the policy of protection.

SOUTHBRIDGE.

The town of Southbridge, in Massachusetts, has about 8,000 inhabitants, and it is something like 20 miles from my residence in the county of Worcester. I know its people. Fifty years ago it was an agricultural community containing, perhaps, 1,500 inhabitants. In 1833 a small manufactory of spectacles and eye-glass frames was established there, which continued on a small scale until 1869, when the present corporation, known as the American Optical Company, was formed.

In 1884 they began to manufacture spectacle lenses and increased their business from about $79,000 in 1869 to upwards of $1,200,000 in 1892.

They have a capital invested of $950,000, and employ 850 persons; 733 are males, of whom 10 are between the ages of 15 and 16 years, and none younger. There are 107 females, of whom 11 are between the ages of 15 and 16 years, and none younger.

Their workmen are employed fifty-eight hours a week. Of these 467 get from $5 to $9 a week, and 373 from $9 to $24 a week. Two other companies have since started in the town, employing 125 hands.

So, if you allow an average of 5 persons supported directly and indirectly by these workmen, you have about 4,900 supported by this industry.

Of the cost of this product, about 90 per cent is labor, with the exception of the small number manufactured of gold or silver.

Each of these 5,000 persons consumes at least twice as much—some authorities estimate it much higher—of the product of American agriculture as the persons performing the same labor broad.

He gets, on an average, twice the wages of the person performing the same labor abroad.

He is a skilled laborer. He not only consumes twice as much of the Western flour, beef, and pork, but he consumes many things to which his foreign competitor would be an entire stranger.

Of the Maryland strawberries, the Delaware peaches, the Florida oranges and lemons he is a large and increasing consumer. In recent years, and especially since 1890, the Boston expresses have been loaded down with these things every day in their season.

A TYPE OF NEW ENGLAND TOWNS.

Mr. President, I do not claim any special preëminence for Southbridge. She is a fair type of many American communities. Beside her 30 cities, Massachusetts has 64 towns with a population exceeding 4,000 inhabitants. They are much alike. What I say of her I say of all. She has her national bank; she has her savings bank; she has her town hall—the statehouse of her little republic—where her freemen meet as equals and debate in freedom and in honor the things which pertain to self-government. Every man has an equal vote, every man's vote is freely cast, and every man's vote is honestly counted. She has her churches, where men of different forms of church polity worship the common Father with all the essentials of a common Christian faith. She has her excellent schools, which the people of any nation upon the earth might take as models. She has her free public library. Under these institutions she has developed a liberal, patriotic, American spirit. There is no bigotry; there is no intolerance; there is no sectional hatred in the hearts of her people. While they prize what they did and what their brothers and fathers did for the safety of the republic, there would be no more welcome guest in that community than a brave Confederate soldier, who had himself laid aside the anger and animosity of the war.

These people are ready to welcome any generous emulation or rivalry in other parts of the country. They hear of Birmingham and Atlanta and Chattanooga and Kansas City and Denver and Tacoma with as much pleasure as of Lowell or Worcester.

Now, I would not arrogate anything for these people above other communities, especially above other American communities. There are such all over the country. But I say that such communities, wherever they are found, are the one highest and best thing that this world produces. There is no better example of Christian brotherhood than their simple republican, social equality. Under no cathedral arches, under no domes of ancient synagogues is there taught a purer and sincerer faith than in these simple wooden churches. In no parliament house and in no royal council chamber are the principles of wise government better understood. These men never plundered anybody, or oppressed anybody, or took an advantage of anybody. All they have, all they are, all they will be, all they desire to be, they owe to their own honest labor, directed by brains educated in the common school. Every American citizen has had an equal opportunity, and if he will be industrious, frugal, and honest, can expect an equal accomplishment.

Now, under the existing law the protection on spectacles and eyeglasses, or spectacles and eyeglass frames, is 60 per cent ad valorem. On spectacle and eyeglass lenses, with their edges ground or beveled to fit frames, 60 per cent ad valorem.

The price has not risen, but has been steadily and constantly going down from 1884 to 1892.

I insert a table of prices from the answers made to the inquiries of the Committee on Finance:

	1884.	1890.	1892 and present.
Steel spectacle frames, per dozen:			
No. 30	$1.04	$0.99	$0.94
No. 70	1.54	1.41	1.32
No. 150	1.79	1.64	1.55
No. 336	2.45	2.02	1.88
No. 346	4.70	3.05	2.80
Steel eyeglass frames, per dozen:			
No. 480	4.23	2.59	2.35
No. 520	3.76	2.47	2.21
No. 430	1.88	1.50	1.50
IOK gold spectacle frames, per dozen:			
No. 716	18.62	.....	16.92
No. 710	24.82	.....	23.12
No. 720	29.90	.....	28.20
IOK gold eyeglass frames, per dozen:			
No. 801	20.30	.....	18.61
No. 881	23.12	.....	22.00

Lenses per gross.

	1884.	1890.	1892.	Present.
Double convex, uncut:				
First quality	$5.80	$5.15	$5.15	$5.15
Second quality	3.75	3.40	3.25	3.25
Periscopic convex, uncut:				
First quality	10.00	8.50	8.00	8.00
Second quality	6.25	5.15	4.75	4.75
Double convex, ground to size:				
First quality	.....	8.15	7.65	7.65
Second quality	.....	6.40	5.90	5.90
Periscopic convex, ground to size:				
First quality	.....	11.50	10.50	10.50
Second quality	.....	8.15	7.25	7.25
Cylinders, first quality	.....	15.00	15.00	15.00
Sphero-cylinders, first quality	.....	33.00	27.00	27.00

The cost of the living of these men has been going down in all these years. I had a table made for me a year or two ago, carefully examined by one or two grocers and by one or two market men in this very town of Southbridge, from which it appeared that a man with a wife and four children, getting double the foreign wages, in this very town of Southbridge would not pay more than $30 a year for his support for articles whose prices could be, on any theory, in the least enhanced by the protective tariff.

IS NOT THIS COMMUNITY A GOOD THING?

Now, Mr. President, I do not know what our Democratic friends may think; but I think a community of this kind is a good thing. The fathers and mothers are honest, intelligent, temperate American citizens; they are ready for the service of the Republic in war and peace; they can read and write; they understand public affairs; they attend the churches; their children are in school; they have built up a flourishing town; they have created an honest industry. It is a community without a lord and without a serf. They are customers to their brethren of the South and the West, and they supply a necessary of life at a price cheaper than it would have been supplied without their labor, their skill, and their competition.

Now, I can not conceive any good reason why American statesmanship should not be directed toward fostering and encouraging such communities as this. If they get crowded their children will go West or South, or wherever labor shall be respected and welcomed.

Two other concerns of the kind have been started by their side in recent years. There are plenty of others in the country whose competition will continue to bring down this profit to the lowest point at which it can be furnished by human ingenuity and skill, always, however, keeping up and increasing the rate of wages. The employer is the friend and companion of the workman. They live side by side on the same village street as equals and friends. There is not a city in the Union that is not to some degree benefited and does not to some degree profit by the work of these men's hands and brains. There is not a penny of tribute in it from any quarter. It is all benefit. It is all advantage. And what these people are doing a thousand other communities are doing all over the country, and every community in the country can do, if it see fit.

Now, Mr. President, what are you proposing to do to these people under this bill? You propose to reduce from 60 to 40 per cent ad valorem the protection on spectacles, eyeglasses, and other optical instruments and frames for the same; and from 60 to 35 per cent ad valorem, the protection on spectacle and eyeglass lenses with their edges ground or beveled to fit frames.

Labor is 90 per cent of the product. Foreign labor gets less than one-half of what is paid to the domestic laborer, so that the advantage to the foreign manufacturer, in labor alone, is at least 45 per cent of the product.

The amount of the foreign importation now just about equals the domestic production. So it is clear that this industry must be destroyed, or there must be a decrease of from 10 to 20 per cent in wages. The first thing then you propose to do to these people is to strike off from 10 to 20 per cent of their wages.

But you promised them that you would give them free coal, and free iron, and free wool, and free lumber, and free sugar, as at least a partial equivalent. I do not understand that the promise is to be kept. The junior Senator from Texas visited that neighborhood two or three years ago, and promised to be the Moses that should lead them into the promised land of Paradise flowing with milk, honey, and free coal.

The Senator from Texas professes to be personally in favor of keeping his promise. But he tells us he is between the devil and the deep sea. I suppose the devil of Democracy and the deep sea of popular indignation. I do not think he is in any danger of drowning. I think, from the wail of anger and rage which he uttered when the word "sugar" was pronounced the other day in his ears, that it is quite manifest who is getting him, and that all the use he will be able to make of his good intentions is to make a pavement for his future dwelling place. I am afraid, however, that the New England manufacturers who were led to vote the Democratic ticket by his blandishments will be entirely indifferent to the fate of the honorable Senator from Texas, and will make no large contribution to rescue him from either alternative.

But the Democratic knife is being whetted for another blow at these American workmen. They have a savings bank in the town of Southbridge whose deposits amounted in 1893 to $1,735,768.36. Their semiannual dividend last October was 2 per cent. The preceding one was 2½ per cent. I suppose they can not expect to make a dividend of more than 4 per cent annually in the future. They have 4,369 depositors, being an average of $396 for each depositor.

This community is not peculiar in this respect. All over New England, as well as in other manufacturing States, a like condition of things will be found. In the six New England States there were deposited in savings banks, according to the Comptroller's report for 1893, $741,335,979. The number of depositors was 2,057,401 persons, and the average standing to each depositor, $360.33. In Massachusetts alone there were 184 of these savings institutions, with an aggregate deposit of $393,019,862. There were 1,189,936 depositors, being an average of $330.29 for each depositor. This is from the report of the Comptroller for 1884, which makes a part of the report of the Secretary of the Treasury.

I do not know the precise date to which this report of the Comptroller applies. But the report of the savings bank commissioners of Massachusetts for 1893, which bears date January 23, 1894, shows the aggregate amount deposited at the close or the year 1893, for the savings banks of Massachusetts, to be $399,995,569.81—lacking less than $5,000 of $400,000,000. This sum is represented by 1,214,493 accounts, being an average of $329.35 to each depositor.

Now the whole aggregate deposits of the savings banks in this country is $1,550,820,403, representing 4,290,712 depositors, being an average of $361.43 for each depositor. They are in the North and in other manufacturing States, including Delaware and Maryland, with the single exception that there are in West Virginia two savings banks, with deposits amounting, in all, to $237,707.

Now, upon the incomes of these depositors, coming from these little deposits averaging about $360 each, and I suppose never exceeding $1,500, you propose to levy an income tax, from which you exempt every man with a moneyed capital or landed estate amounting to $100,000 in value, which yields him $4,000 or less. This man,

whether planter, or retired merchant with an income from invested property on which he can live in comfort and in idleness, is peculiar to no part of the country. But according to the census the number of such persons seems to be rapidly increasing in the South. Yet these men get off altogether from the tax which you fasten upon the honest and frugal workman, with his wife and family of children, whose little savings against a rainy day are deposited in the savings banks of the North. You cut down his wages with one hand and tax his savings with the other.

Another thing. You propose to give to the manufacturer of spectacle frames an ad valorem duty of 35 per cent. But you put on sheet steel, which is his material, 1¼ cents a pound, fully 52 per cent ad valorem. But that is becoming largely a Southern industry. So, as I have just said, you cut down his wages with one blow, you tax his little savings with another, and you tax the material for his industry with another.

PROMISE OF FREE MATERIAL BROKEN.

Senators who have been profuse in their promises for free raw material tell us that they can not keep their promises to put coal on the free list because they can not pass the bill if they do it. I wish some Senator who has made this suggestion would be good enough to tell the Senate, and the country, why not. Do you pretend that the bill could not pass the House? It has come over from that body with coal on the free list, and with a unanimous party majority for that proposition. Are you going to lose any Democratic votes here? If so, won't you tell us whose they are? Both the Senators from West Virginia, the great coal-producing State, the Senators from Alabama, and, I think, both Senators from old Virginia have earnestly, if not indignantly, disclaimed this imputation. Who is it that is constraining the somewhat ostentatious virtue of the Senator from Texas, and the Senator from Arkansas, and the Senator from Missouri? Would it not be a good plan to have at least tried the experiment in this Congress, which is Democratic in both branches, before you tell us that the promise on which you got into power was broken because you found yourself unable to keep it? Have not the people at least the right to demand that some single Senator should rise in his place and take the burden upon his own shoulders and relieve his Democratic brethren of the imputation? Are you bowing to the will of the House of Representatives? No. Are you bowing to the will of the Finance Committee of the Senate? No. Are you bowing to the will of any wicked Republicans? No. Are you bowing to the will of the three magicians who prepared the first report, or any of them? No; they are all for free coal. Are you submitting yourselves to the dictation of any Senator from a coal-producing State? Why does not this undetected and unexposed criminal who is debauching the innocent Democratic conscience stand up and make confession? Unless he do so, this whole thing must be taken by the American people as a subterfuge and as a pretense. The true reason is not that you are afraid of losing the measure here, for which you say a majority of the American people declared itself in 1892, but because you are afraid of losing the vote of the people of the State of West Virginia at the polls hereafter if you keep your promises.

DEMOCRATIC WOLF TO HAVE HIS SHEEP'S CLOTHING ON THE FREE LIST.

Every one of these promises, which beguiled some of the credulous people of New England, for free raw material, is to be broken, with a single exception. Free coal and free iron have disappeared like dissolving clouds. Free wool is all that remains. The Democratic wolf is still to have his sheep's clothing on the free list, unless our Democratic friends of the committee change their minds before that schedule comes up for action.

So let me recapitulate how you propose to deal with the workmen engaged in this industry: You take off their protection, which has cost, and would cost if continued, no American consumer a dollar; you propose to tax their savings; you propose to tax their life policies; you put a tax on the railroads, which is another form of taxing their food; you break your promises on free coal, and free iron, and free lumber, in the interest of Southern producers.

HIGH DUTY ON WORKMEN'S FOOD FOR THE SOUTH AND THE TRUST.

Now what do you propose to do with their food? On the two principal articles, sugar and rice, both Southern agricultural products, you put a specific duty, although you declare specific duties, when asked for them, to be a delusion and a fraud. You put a duty of 40 per cent ad valorem, for the Louisiana producer, on sugar, and one-fifth to one-tenth more per pound for the benefit of the sugar trust. You put nearly 85 per cent ad valorem on rice for the benefit of the Southern producer, and then ask the people of the country to believe you when you say you are in favor of a tariff for revenue only. Louisiana is the largest sugar growing State in the Union. It is the largest rice producing State in the Union.

Now suppose we acquit you of the charge which is made in the newspapers of paying a duty to the sugar trust for a liberal contribution to the Democratic campaign fund. Suppose we acquit you of any sectional feeling in this matter. I say again is it but fair that the American people should know who it is, if anybody, that will decline to vote for your tariff bill if these necessaries of life to the poor and plain people of the country shall be admitted free? You do not need it for your revenue. You have, with one possible exception, the whole Republican party in the Senate, solid for free sugar and a bounty. Who is it that has his hand on the throat of this mighty American people, whose majestic voice has just been uttered through the President, House of Representatives, and Senate? Is it the junior Senator from Louisiana? By no means. He voted in the House of Representatives for a provision containing free sugar without a bounty. Where is this arch demon before whom President, and House, and Democratic committee, and Democratic majority are powerless? Let us know his name. Let us see his shape,

> If shape it may be called, that shape hath none.
> Distinguishable in member, joint, or limb.
> Or substance may be called that shadow seems.

No, Mr. President, these Democratic principles are not violated, these Democratic pledges are not broken, this alleged command of the American people is not disobeyed, for the want of Democratic votes in the Senate. It is for fear of public indignation in the elections. You are ready enough to strike at the industry of any Northern state from which Democracy has no hope in the future. You strike down the workman's wages, you put protective duties, and specific duties of 85 per cent on his food and his fuel, and his material, you tax his little savings, and the freight that brings him material, and fuel, and food, and when you tell us that you are doing what you know the people do not want you to do, and what you do not want to do yourselves because some nameless, shapeless, voiceless, shadowy, and unknown phantom stands ready to slay your bill if you do otherwise.

NEW ENGLAND TOO NEAR THE NORTH STAR.

Mr. President, can you find any other explanation of the policy that you seek to apply to these Massachusetts workmen except that they live a little too near the North star and have loved freedom a little too much in our past history to come within the field of benevolent Democratic vision?

How curiously an article which is produced at the South and consumed at the North seems to our friends on the other side to be an excellent subject for raising revenue. The shell-fish which the fisherman of Maine gets off that stormy and rock-bound coast, even if it is canned, is to come in free. The sponge, which comes from the Florida reefs has a duty of 10 per cent. The sea moss from the rocks of the New England shore is free. The flax of the Northwest is to be on the free list. The sumac of Virginia has a protection of 10 per cent. The chain which the Northwestern workman manufactures has a duty as a protection of 30 per cent. The pig iron of Alabama and Tennessee, of which it is made, has a protection of $4 per ton, equal to 50 per cent ad valorem. The freestone and sandstone and limestone of Ohio, Rhode Island, and Connecticut, and of Berkshire County, Massachusetts, rough, are to come in free, and the manufactured are to have a duty of 20 per cent, while the rough marble of Tennessee and Georgia is to have 50 per cent (specific) per cubic foot and 85 per cent per cubic foot manufactured. The sugar of Louisiana is to have 40 per cent raw, with its addition to the refiner, while wool—the great product of the North—is to come in free. Live animals of the West and Northwest are to have 20 per cent. Their grains are to have but 20 per cent, while the great Southern grain, rice, which the South grows and the North consumes, is to have 84 per cent protection. The grains of the North, of all kinds, are to have but 20 per cent. The tie for baling cotton is free, the hoop iron for the hay bundle of the North—a crop more valuable to this country than the whole vaunted cotton crop of the South—is to have 30 per cent ad valorem.

My honorable friend from Ohio, from whose remarks of the other day I have taken a few of these items, which I have added to those I had previously collected, inquires what reason could be given for that. Mr. President, the honorable State of Tennessee, represented upon this floor and in this discussion so fearfully and wonderfully by my respected friend, her senior Senator, has made, I think, an ingenuous and complete statement of the whole Democratic argument in this speech. I read the reply of the Concord Quarry Company, of Concord, Tenn., manufacturers of Tennessee marble, which is found in Bulletin No. 8 of the replies to tariff inquiries. Reply No. 960.

[Established in 1881 to 1882. Capital invested, $10,000.]

The value of our production is from $10,000 to $50,000 per year.
We ran less time during part of 1893 for lack of demand for products.
To place domestic production on an equal footing with the foreign product the rates of duty should be 65 cents per cubic foot (specific) for difference in labor. We have been able to compete at this rate, though the competition has been sharp and direct.
Our selling price has been decreasing for the last ten years and we have now got all we can do to compete with Italian marble.
Our products (marble) are a luxury and not needed by the masses.
Our stockholders are all Democrats and believe in tariff for revenue only, but if you do not tax marble what under the heavens will you tax?

IS THE SENATE ABOLISHED?

Mr. President, our Southern brethren a few years ago undertook the task of abolishing the country. They have abandoned that purpose, most of them, I have no doubt, in entire good faith. They seem just now to be devoting their energies instead to abolishing the Senate. For all practical purpose, so far as this tariff bill is concerned, the unknown and mysterious power which passes

upon the details of this tariff bill, listening to no reason, giving no reason, concealing its identity, indifferent whether it shall persuade anybody, or convince anybody, changing its own mind, not only on important matters of detail, but in essential matters of principle, every few weeks, might as well announce its conclusions in the newspapers along with the reports from the Weather Bureau as to go through the formality of a vote in the Senate.

When Congress met last December, we had a message from the Executive to the effect that a tariff bill had been prepared.

> A measure has been prepared by the appropriate Congressional committee embodying tariff reform on the lines herein suggested, which will be promptly submitted for legislative action. It is the result of much patriotic and unselfish work, and I believe it deals with its subject consistently and as thoroughly as existing conditions permit.

The public knew nothing about it. The House of Representatives who were expected to pass it was ignorant of its contents. The Committee on Ways and Means of the House of Representatives had not seen it. They had not even had a meeting. The Democratic majority of that committee was totally unacquainted with it. Important schedules of that measure, afterwards adopted, had not even been disclosed to the committee itself. I would not undertake to penetrate Democratic mysteries too far, but there is good reason to believe that the Secretary of the Treasury was not acquainted with it. But the infant itself appeared in due time. It was held at the baptismal font by the Representative from the State of West Virginia, whose name was given to it as its godfather in baptism. It survived and had a sickly and feeble life, though it was sorely wounded in the house of its friends.

The bill came to the Senate. Three Democratic Senators met in conclave. They brought us another bill, never submitted to the full committee, except with an agreement which prevented Democratic Senators from voting according to their opinions. It was reported back, accompanied by statements which showed it had no majority of the committee in its favor. It remained here till the 7th of May. On the 6th, I think it was, perhaps a day or two earlier, the statement that important changes were contemplated was declared to be a falsehood by the Democratic leaders. But on the 7th 408 amendments came in changing the whole structure of the bill, never submitted to the Committee on Finance at all. None of these amendments seem to have any relation to the opinion of the Senator who moves them. Few of them are defended in debate or reconciled with each other.

This is the first debate in American history in which the shameless doctrine has been avowed that the judgment, conscience, sense of constitutional duty, interest of his constituency, pledged public faith of his party, of an American Senator had nothing whatever to do with his vote. You may persuade all these, and you are as far off as ever from obtaining his vote. That still is to be given the other way. You may show him that all these are on one side. You may show him that his vote is to violate all these. He will smile, or he will answer you with a gibe or a personality. But the vote will be unchanged.

Here is the coal schedule. Did not your party promise free coal in the election of 1892? Certainly. Did not you who are to give your votes against it make the promise with your own lips? Certainly. Why is the promise then not to be kept? Is the House of Representatives opposed to it? That House has declared its opinion in an emphatic majority. Is the President opposed to it? He told you his opinion in his message before any legislator in either House had made up his legislative mind. Has the Committee on Finance discovered some new and good reason against it? That committee has never acted upon the question at all. It is notorious that the Democratic majority of the Committee on Finance has had little to do with framing this bill. The Senator from Indiana, the chairman of that committee, and the Senator from Tennessee who has charge of the parliamentary conduct of the measure upon this floor, neither of them will undertake to answer any question, either of fact or reason, as to the smallest detail of the measure. Another member, the senior member, save one, I believe, on the Democratic side of that committee, is reported to have recently testified, in substance, in regard to its most important item—that of sugar—that he knew nothing as to what was to be in the bill; that he had not been consulted, but that he heard a rumor that they were about to do something in regard to sugar.

Have the three gentlemen who have made up this present measure found some grave reasons of state to constrain them? I think every one of them has told us on the Senate floor that he remained personally unchanged. But he said he found they could not pass a bill which contained such a provision. Is the majority of the Democratic party in favor of a duty on coal? That majority is notoriously the other way. Who is it? Where is this unscrupulous and hidden power, greater than the President, greater than the House of Representatives, greater than the Finance Committee, greater than the Democratic party, greater than the sense of constitutional duty, greater than obligations and pledges of public faith, greater than conscience, greater than honor, which is constraining you to do this thing? It is not the Senators from the coal-producing States. Both the Senators from West Virginia have declared that they should support the measure agreed upon by their Democratic associates, whatever might be its policy in regard to coal. Both the Senators from old Virginia, if I mistake not, have made a similar statement. The senior Senator from Alabama has made publicly what I think the junior Senator from Alabama is also willing to say freely to anybody who asks him, that they shall support the policy of the party, whatever may be done with this particular industry. Does anybody claim or believe that the senior Senator from Maryland, now absent, would break down the measure pressed by the entire Democratic party because of his individual opinion as to certain items?

Where is the man, if it be a man; where is the Senator, if it be a Senator, who is exerting this mighty power-secret, irresponsible, irresistible, before which the knees of Democratic committees and Democratic majorities tremble, their arms are paralyzed, and their tongues are dumb?

If the Senator from Arkansas be the Jupiter in this debate, the Senator from Missouri is the Mercury. He is the chief speaker. He comes to the assistance of his puzzled colleagues whenever it becomes necessary for the Democratic majority to ascend into the region of the higher mathematics. One would almost think, to hear the volubility with which he deals with paragraph and schedule, that his head was an ant-hill of units and tens. There would be an infinite pathos and tragedy, as it must seem to himself, in the suffering of that worthy and excellent Senator, but for the infinite comedy which it exhibits to the world at large. We have heard that Senator for the past ten or twelve years as he inveighed against the doctrine of protection. Robber tariff and plunder barons, and monopolist giants have terrified his life in the daytime and haunted his innocent pillow in the nighttime. He enlisted years ago a soldier for the war of extermination against all protected industries. But the demon—the witch—of protection seems to have appeared to him as he was sallying forth for his first encounter, demanding of him a high tariff on sugar for the benefit of the Democratic planter of Louisiana and the Democratic millionaire of the sugar trust.

The only parallel that I can think of with the experience of the Senator from Missouri is the encounter of Dominie Sampson with the gypsy Meg Merrilies, as it is told in his matchless fashion by the magician of the North. The Senator certainly resembles the dominie in personal worth, in learning—especially on economic questions—in guileless simplicity, and in fidelity to the patron in whose service he is engaged. The Senator's struggle, in his horror and terror of the protection demon, is well portrayed in the dominie's encounter with the gypsy.

Meg may be fairly taken to represent the sugar trust, and the Dominie the simple-hearted Senator from Missouri.

> The figure of Meg Merrilies, well known, though not seen for many a revolving year, was placed at once before the eyes of the startled Dominie. * * *
>
> "I kenn'd ye wad be here," she said, with her harsh and hollow voice; "I ken wha ye seek; but ye maun do my bidding."
>
> "Get thee behind me!" said the alarmed Dominie. "Avoid ye!—Conjuro te, scelestissima—nequissima—spurcissima—iniquissima—atque—miserrima—conjuro te!!!"
>
> Meg stood her ground against this tremendous volley of superlatives, which Sampson hawked up from the pit of his stomach, and hurled at her in thunder. "Is the carl daft," she said, "wi' his glamour?"
>
> "Conjuro," continued the Dominie, "Abjuro, contestor atque viriliter impero tibi!"
>
> "What in the name of Sathan are ye feared for, wi' your French gibberish, that would make a dog sick? Listen, ye stickit stibbler, to what I tell ye, or ye shall rue it while there's a limb o' ye hings to anither!" * * *
>
> "Assuredly," said the Dominie, "I am dubious, for woman, I am perturbed at thy words and my flesh quakes to hear thee." * * *
>
> "In the name of all that is good," said the Dominie, "desist, I say—I am strong—lo, I will resist." Here his speech was cut short, for Meg, armed with supernatural strength (as the Dominie asserted) broke in upon his guard * * * and lifted him into the vault.
>
> "Sit down there," she said pushing the half-throttled preacher with some violence against a broken chair, "Are ye fou or fasting?"
>
> "Fasting, from all but sin," answered the Dominie, recovering his voice. * * *
>
> Meg, in the mean while, went to a great black caldron that was boiling on a fire on the floor, and, lifting the lid, an odor was diffused through the vault. * * * It was in fact the savor of a goodly stew. * * *
>
> "So ye hae eat naething a' day?" said Meg, heaving a large portion of this mess into a brown dish. * * *
>
> "Nothing," answered the Dominie—"scelestissima—that is, gudewife."
>
> "Hae, then," said she, placing the dish before him, "there's what will warm your heart."
>
> "I do not hunger—malefica—that is to say, Mrs. Merrilies;" for he said unto himself, "the savor is sweet." * * *
>
> "If ye dinna eat instantly and put some saul in ye, * * * I'll put it down your throat, * * * whether ye will or no.
>
> Gape, sinner, and swallow."
>
> Sampson, afraid of eye of newt and toe of frog, * * * had determined not to venture; but the smell of the stew was fast melting his obstinacy. * * * Hunger and fear are excellent casuists.
>
> "Saul," said Hunger, "feasted with the witch of Endor."

And McKinley put a duty on refined sugar.

> "And," quoth Fear, "the salt which she sprinkled upon the food showeth plainly it is not a necromantic banquet, in which that seasoning never occurs."

And you have put a great many Northern industries on the free list, which shows this is not a protective measure.

> "So ye like the meat? said the hostess.
>
> "Yea," answered the" dominie, "and I give thee thanks—scelestissima—which means—Mrs. Margaret." * * *
>
> "Now, ye maun tak a dram."
>
> "I will," quoth Sampson, "conjuro te—that is, I thank you heartily," for, he thought to himself, in for a penny in for a pound; and he fairly drank the witch's health in a cupful of brandy. When he had put this capestone upon Meg's good

cheer, he felt, as he said, "mightily elevated, and afraid of no evil which could befall unto him."

"Will ye remember my errand now?" said Meg Merrilies.

"I will, Mrs. Margaret," repeated Sampson, stoutly.

This tariff bill, Mr. President, is the first Democratic measure that has been enacted for thirty-four years. The repeal of the purchasing clause of the silver bill of 1890 did not, I believe, receive a Democratic majority either in this or the other Chamber. Indeed, it is a little singular that there has not, since this bill was reported, been a Democratic speech made in its favor. The chairman of the committee, indeed, made a speech in favor of another measure as different in principle, substance, and effect as are the five points of Calvinism from one of Ingersoll's lectures. The principal single topics in that speech were the denunciation of the greed, wickedness, and covetousness of the persons engaged in protected industries in this country, and the special exposure of the infamy and fraud of specific duties. The other Democratic speeches, even from the three Senators who framed the measure, to the Senator from Texas

Who, saying he would ne'er consent,
Consented,

have consisted in disavowing the authorship or proprietorship of this bill, and saying that somebody else made it and is forcing it down their throats. Indeed, the last person in the world to ask as to what this bill contains, with the hope of getting an intelligent answer, would be the Senator from Indiana, chairman of the Finance Committee, and next to him the Senator from Tennessee, who is its parliamentary manager on this floor. And, Mr. President, if the Republican orator in the coming campaign desires to find a magazine of arguments against most of its principal and distinguishing provisions, there will be no better place for him to find them than in the speeches of the Democratic members of the Finance Committee, the Senator from Indiana, now its chairman, and the Senator from New Jersey, and the Senator from Missouri, and the Senator from Texas, formerly chairman of the Ways and Means Committee of the other House, and a sort of *ad interim* member of the Finance Committee of the Senate when the learning or the endurance or the digestive powers of any of the regular apostles of free trade gives out.

John Randolph, in a famous taunt, compared the coalition of John Quincy Adams and Henry Clay to a combination of the Puritan and the blackleg—of Blifil and Black George. I would not dishonor the brave and constant Puritan, as profound in civic wisdom as he was sincere in religious faith, by comparing him with the fickle, frivolous Mugwump. Nor do I find anything either of honor, character, or capacity in the Democratic leader of to-day to remind me of Henry Clay. But surely there was never a political union so incongruous or so ridiculous as that which seems to inspire the council of the present Administration in uttering its edicts to the disgusted, puzzled but obedient Democratic Senators of the Finance Committee. A paragraph of high protection is followed by a paragraph of free trade. The Socialist or the Populist gets in an item here to be followed in the next line by protection to a trust. The American manufacturer has an increased tax put on the material of his industry and is comforted by reading in the same schedule a clause which operates as a bounty to his Canadian competitor. The method of carrying this bill is as wonderful as the contents of the measure itself. For fear of indiscretion, its main contents, its principle, its policy, are carefully concealed from the chairman of the committee who reported it, and from the Senator to whom its parliamentary conduct is assigned.

If you will ask the Senators who are expected to defend it in debate why one doctrine is applied to one product and a totally different one to another of the same class, you are told that the gentlemen who answers you does not approve it and does not understand it, but that it was necessary to pass the bill. I would not be guilty of indelicacy, but I suspect there can not be found in all literature a choicer collection of emphatic theological language than in the private utterances of the Senator from Texas and the Senator from Missouri in regard to the details of the measure they are compelled to advocate. If you press your inquiries too far the button is touched and the axe of the motion to lay upon the table comes down upon your neck. The Democratic champion of free speech is talking about a cloture. The New England independent demands the application of Democratic party discipline. The civil service reformer compares the Executive, who is using patronage to force distasteful measures down reluctant throats, to heroes of ancient time. I saw a cartoon the other day in which the draftsman made up in enthusiasm for what he lacked in artistic skill, in which the present Executive was compared to Horatius at the bridge:

Alone stood brave Horatius,
But constant still in mind,
Thrice thirty thousand foes before
And the broad flood behind.

Mr. President, if there be any bridge by which our worthy Chief Magistrate is standing just now, it is the Pons Asinorum, which his Democratic pupils in the Senate will never be able to get over.

These financial problems are more puzzling to the free trade intellect than the famous fifth problem of Euclid. Our modern Horatius will successfully defend his bridge.

The most remarkable circumstance of the whole of which I have spoken is this curious substitution, for the ordinary conduct and function of the legislator, of the behest of some mysterious, unknown, secret political power. Somebody somewhere pulls a string and the regular Democratic majority is duly registered. We have heard of such things in ward politics in some Northern States, but this is the first time the political ward wire-puller has made his appearance on a national scale. The Senator from Tennessee is a good general, but his methods are those of the ancient Roman and not of the modern civil-service reformer. We are told by the historian that when the Roman general was to arrange his order of battle he sacrificed an ox to Mars, and the soothsayer consulted the entrails. The general obeyed the command. He yielded neither to expostulation nor to advice. He pretended no knowledge of his own. He had but one answer, "*Locutus bos.*" That was sufficient for army and the people. What soothsayer consults the entrails, or in what white-porched temple near our Tiber the sacrifice is made, or the entrails are consulted, I can not say. But we get but one answer to our inquiries, "*Locutus bos.*" The boss has given his orders.

Why is Tennessee marble specific and Connecticut freestone ad valorem? *Locutus bos.* The boss has given orders.

Why do you have specific duties for the South and ad valorem for the North? *Locutus bos.* The boss has given orders.

Why do you give duty and bounty both to the sugar trust? *Locutus bos.* The boss has given orders.

Why is rice 84 per cent ad valorem with a specific duty and wheat free, and barley 30 per cent ad valorem? *Locutus bos.* The boss has spoken.

The power which is to pass this bill is a coalition between the aristocrat and the Populist; between the spirit of the old slave master and the spirit which would make war on property, on frugality, on honest labor, on honest, moderate earnings. The alliance is between the spirit of sectionalism of the South and that spirit at the North which never has known the impulse of a true nationality. It protects by enormous duties, upon which it piles enormous bounties, the industry of the South and the ill-gotten gains of the trust. Its warfare is upon the savings bank, upon the life insurance, upon the yeoman, upon the farm, and upon the workman in the mill. The power which is behind it may seem to secure for itself a brief victory; but the men who are wielding it know well that it is doomed. Its success will be as short lived as it is mischievous. It may last for a day, for a year, and perhaps for a Presidential term. But in the end the issue of this contest can not be doubtful. The stars in their courses fight against it. The spirit of the American people is against it. The spirit of honest labor, the spirit of American liberty, are on our side. And in the future, as in the past, God giveth to liberty nothing but victory.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Massachusetts [Mr. HOAR].

Mr. HOAR. I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. PEFFER. Let the amentment be stated, Mr. President.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In paragraph 98, on page 19, line 8, before the words "per cent," it is proposed to strike out "forty" and insert "sixty;" so as to make the paragraph read:

98. Spectacles, eyeglasses, goggles, opera glasses, and other optical instruments and frames for the same, 60 per cent ad valorem.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. CAMERON (when his name was called). I am paired with the Senator from South Carolina [Mr. BUTLER], and withhold my vote.

Mr. CULLOM (when his name was called). I am paired with the senior Senator from Delaware [Mr. GRAY]. If he were present I should vote "yea."

Mr. DUBOIS (when his name was called). I am paired with the junior Senator from New Jersey [Mr. SMITH].

Mr. MCPHERSON (when his name was called). I am paired with the Senator from Delaware [Mr. HIGGINS]. If he were here I should vote "nay."

Mr. MILLS (when his name was called). I am paired with the Senator from New Hampshire [Mr. GALLINGER], but I transfer that pair to the Senator from New York [Mr. HILL], who is paired with the Senator from Massachusetts [Mr. LODGE], so that the Senator from Massachusetts and I can vote. I vote "nay."

Mr. LODGE. Under that arrangement I am at liberty to vote. I vote "yea."

Mr. PALMER (when his name was called). I announce my pair with the Senator from North Dakota [Mr. HANSBROUGH]. If he were present I should vote "nay."

Mr. WHITE (when his name was called). I am paired with the Senator from Idaho [Mr. SHOUP]. I do not observe the Senator in the Chamber and therefore I withhold my vote.

Mr. HOAR. I suggest to the Senator from California that I am paired with the Senator from Alabama [Mr. PUGH], and if

the Senator will agree to a transfer of pairs, I suggest that his pair with the Senator from Idaho be transferred to the Senator from Alabama, which will enable us both to vote.

Mr. WHITE. That is entirely satisfactory. I vote "nay."

Mr. HOAR. I vote "yea."

The roll call was concluded.

Mr. DANIEL. I am paired with the Senator from Washington [Mr. SQUIRE], but I am at liberty to vote to make a quorum, and I vote "nay."

Mr. GORDON. I transfer my pair with the Senator from Iowa [Mr. WILSON] to the Senator from New Jersey [Mr. SMITH], which will enable the Senator from Idaho [Mr. DUBOIS] and me to vote. I vote "nay."

Mr. DUBOIS. Under that transfer of pairs I vote "yea."

Mr. QUAY. Is the Senator from Alabama [Mr. MORGAN] recorded as voting?

The PRESIDING OFFICER. The Senator from Alabama is not recorded. He has requested the present occupant of the chair to state that he is detained from the Senate by sickness.

Mr. QUAY. Being paired with that Senator, I withhold my vote.

Mr. PATTON. I inquire if the junior Senator from Maryland [Mr. GIBSON] has voted?

The PRESIDING OFFICER. He has not voted.

Mr. PATTON. Then I withhold my vote.

Mr. FRYE. The senior Senator from Maryland [Mr. GORMAN] is detained from the Senate by illness. He is paired for to-day with the senior from Nevada [Mr. JONES].

Mr. HARRIS. I simply desire to announce that my colleague [Mr. BATE] is absent under the order of the Senate, as is the junior Senator from Vermont [Mr. PROCTOR]. They are paired with each other.

Mr. CAFFERY. I transfer my pair with the Senator from Montana [Mr. POWER] to the Senator from North Carolina [Mr JARVIS], and vote "nay."

Mr. BRICE. I have transferred my pair with the junior Senator from Colorado [Mr. WOLCOTT] to the Senator from South Carolina [Mr. IRBY] for the day, and I shall vote during the day without making any further announcement. I vote "nay" on this question.

Mr. GORDON. In order to save time hereafter, I beg leave to state that the pair I have just announced of the Senator from Iowa [Mr. WILSON] with the Senator from New Jersey [Mr. SMITH] will stand during the day.

Mr. DANIEL. As I am informed that a quorum has voted without counting my vote, I desire to withdraw it, and announce my pair with the Senator from Washington [Mr. SQUIRE].

The result was announced—yeas 21, nays 30; as follows:

YEAS—21.

Aldrich,	Frye,	Manderson,	Sherman,
Allison,	Hale,	Mitchell, Oregon	Teller,
Chandler,	Hawley,	Morrill,	Washburn.
Dixon,	Hoar,	Perkins,	
Dolph,	Lodge,	Platt,	
Dubois,	McMillan,	Power,	

NAYS—30.

Berry,	Coke,	Lindsay,	Roach,
Blackburn,	Faulkner,	McLaurin,	Vest,
Blanchard,	George,	Martin,	Vilas,
Brice,	Gordon,	Mills,	Voorhees,
Butler,	Harris,	Murphy,	Walsh,
Caffery,	Hunton,	Pasco,	White.
Call,	Jones, Ark.	Peffer,	
Cockrell,	Kyle,	Ransom,	

NOT VOTING—34.

Allen,	Gibson,	McPherson,	Shoup,
Bate,	Gorman,	Mitchell, Wis.	Smith,
Camden,	Gray,	Morgan,	Squire,
Cameron,	Hansbrough,	Palmer,	Stewart,
Carey,	Higgins,	Patton,	Turpie,
Cullom,	Hill,	Pettigrew,	Wilson.
Daniel,	Irby,	Proctor,	Wolcott.
Davis,	Jarvis,	Pugh,	
Gallinger,	Jones, Nev.	Quay,	

So the amendment was rejected.

The PRESIDING OFFICER. The question recurs on the amendment submitted by the Senator from Kansas [Mr. PEFFER].

Mr. MCMILLAN. Mr. President, I can not let the wool schedule pass without a protest, however ineffectual, on behalf of the farmers of Michigan, a State which stands fifth among the wool-producing States of the Union. In Michigan the wool is about the first large product which the farmer brings to market. The money which he obtains for his wool is used to pay the expenses of harvesting. The country banks obtain their supplies of money from the Eastern centers on shipments of wool, and in this way the moving of the crops is assisted and made easy. Again, it has been found that sheep will thrive on what are called the "pine barrens" from which certain kinds of timber have been cut; and in this way large quantities of new land are brought into use.

Under the influence of a tariff designed to be protective the production of wool in Michigan has increased steadily from 153,375 pounds in 1840 to 12,378,318 pounds in 1890. When the McKinley law was passed the intention was to give adequate protection to wool, but by an error only half the duty intended to be placed on fine wools was provided for. As a result wool graded with fine Ohio washed was subjected to a duty of but 6 cents, instead of 22 cents, as intended. Hon. John T. Rich, the governor of Michigan, in his address before the National Woolgrowers' Association, last October, well expressed the feelings of the Michigan woolgrowers, when he said:

It is useless to expect during the present Congress any amendment to the law of 1890 which will help our case at all. On the contrary there is a well-grounded fear that such changes are liable to be made in the law that what little protection we have may be wiped out.

The question is, What can be done to avert this threatened action? This is the real purpose for which you were called together. It is generally understood that the majority in Congress purpose to put wool on the free list and remove the compensating duty on manufactures of wool. Now, if placing wool on the free list did not entirely destroy wool-raising in the United States, protection on manufactured woolens would be better than nothing, as it would make it possible to have a market for our wool in this country instead of selling it in a foreign country to be returned to us manufactured.

But with his own finished product on the free list, the woolgrower would not feel an interest in protecting another product while his own had only a remote and incidental benefit, if he did not at once insist that all or none should go on the free list. It is evident that the people who are at heart just as much in favor of free woolen manufactures as of free wool recognize the fact that the combined wool interests of this country are too strong to be attacked at once and are appealing to the cupidity and selfishness of the manufacturers for their aid to place wool on the free list. With this accomplished, they will then ask the injured and indignant woolgrower to get even with the manufacturer by helping to put the manufactured article on the free list.

The final result of free wool must be that we shall come to depend on foreign lands not only to raise wool, but also to manufacture woolens. Hon. M. E. Rumsey, of Leslie, Mich., states the case fairly in a letter, from which I quote:

I have owned sheep for the past twenty-five years—

Says Mr. Rumsey—

and am able to know something of the cost of raising wool. We, in the central portion of Michigan, keep sheep on land worth from $30 to $60 an acre, and in order to make the business profitable we must have adequate protection against Australia and other countries, where a rental of a cent an acre is paid. I am paying—

Mr. Rumsey is a dealer as well as a grower—

from 8 to 10 cents a pound for wool, all because of the prospect that wool is to be admitted free of duty. I know the Democrats argue that wool has gone down under the McKinley law. The reason is that the price of wool has declined the world over. Still, two years ago I bought wool from the farmers of Michigan for from 22 to 28 cents a pound; one year ago from 12 to 20 cents a pound; and this year from 8 to 17 cents, according to quality and cleanliness. We are down to free-wool prices this year, or nearly so; because of the almost certainty that before this year's clip can be sold it will have to compete with the world's supply. Free wool will drive the sheep from Michigan, at least all except the mutton varieties.

The little village of Saline, Mich., beautiful for situation, is one of the headquarters for breeders of stud flocks of merino sheep. At Chicago and at the Michigan State and local fairs, the Saline sheep have won a large share of the prizes; and the names of the Shaws, the Hoyts, the Smiths, the Woods, of the Crittendens and of Parsons are known wherever in this country merino sheep are raised, and several of these breeders have a trade in Australia. Prior to the election of 1892 sheep for breeding were selling for from $10 to $40 a head, with occasionally a much higher price for exceptional stock. The tariff agitation and the settled conviction that wool was likely to go on the free list has ruined the sheep-raising business.

Mr. Benjamin N. Smith furnishes an example of the present condition of affairs in the case of Mr. Jessup S. Wood, a sheep-breeder of wide reputation. Mr. Wood decided last fall to give up to his son the business at which he had been so successful. He had a flock that cost him on an average $40 a head. It had been carefully culled every year and represented half a century of the most skillful breeding, each individual being a type of a breed. His son, having an equally good flock and one large enough to stock the place, the elder Mr. Wood offered his sheep at auction, but could not get a bid on them. Then failing to sell them at private sale, the owner resolved to fatten them and sell them for mutton. This he did, and last March he sold them with the fleeces on for 1½ cents a pound, or about $1.50 a head! In just four months a sheep that had been paying property at $40 dropped in value to $1.50.

During last winter Mr. A. S. Wood sold at 50 cents a head a number of sheep that six months previous would have readily brought from $10 to $15 for the Texas or the Western trade. With wool from six to ten cents a pound, less than one-quarter of the usual number of lambs are being raised this year. Mr. Wood writes that if wool is to go on the free list, the Michigan farmers must kill their sheep; for it is useless to try to compete

with Australia and South Africa, where land is cheap and labor is a small item.

The pasturage of a sheep in Michigan is worth 2 cents per head per week for six months in the year; and 5 cents per head per week for the other six months, making $1.82 a year. It takes an extra good grade of flock to average 10 pounds of wool to a sheep, and at present prices these 10 pounds are worth between seventy and ninety cents. Thus there is a loss of over 50 per cent on raising wool; and this means simply a slaughter of the sheep.

Mr. H. D. Platt, of Ypsilanti, a man of wide experience in all that pertains to farming, gives his experience with Shropshire-down ewes, which he keeps for their wool and to fit their increase while lambs for market. The sales of wool and lambs for the past three years are given as a demonstration of the effect of free wool on the business of the farmers of Michigan. In 1892 Mr. Platt sold his wool unwashed for 26 cents a pound and the lambs for 6 cents a pound. In 1893 he sold his wool for 22 cents a pound to a free trader who sold it later in the season for 15 cents. The lambs sold for 5 cents a pound. In 1894 he sold his wool for 14 cents and his lambs for 4 cents.

These figures show that since the cry of free wool has been raised the price of wool, as well as the price of the best mutton (lamb), has decreased, and if the threat of free wool is fulfilled the flock-masters of the Northwest will have to go out of business.

When the McKinley bill became a law the woolgrowers of Michigan expected to have at least a living chance with the manufacturers, but with free wool and protected woolens there is nothing but the ruination of the wool industry, and this will in turn affect every farmer in the State.

Even the expectation of free wool has quite wiped out a majority of the flocks of fine-wool sheep. Mr. J. Evarts Smith, the treasurer of the Michigan Merino Sheep Breeders' Association, states that he has a flock of thoroughbred merinos which he started about thirty years ago by the purchase of fifty-eight ewes, for which he paid $30 each. He has given his best efforts to the improvement of his flock by judicious selections of males, for which he has paid hundreds of dollars. Previous to the last election he was doing a good business in supplying the ranchmen of the West with the means to improve their flocks, and was building up a good trade with Australia and South America. Since last November trade has been at a standstill. Wool, unwashed, is worth but from 7 to 10 cents a pound; and this the Democrats say is raw material.

Every fine-wool sheep in Michigan to-day is being kept at an absolute loss, and it is only the disinclination to sacrifice what it has cost so many years to perfect that has spared any of the flocks.

"Last fall," Mr. Smith continues, "I sold about one hundred ewes for 80 cents each, that would have sold readily a few years ago for $25 each. I have saved a few for 'seed,' and my course is what nearly every breeder of my acquaintance has taken. I write as a breeder of a stud flock, but what I say will apply in some degree to every man who owns a flock."

Mr. President, I shall support the amendment offered by the Senator from Kansas, as well as any other amendment which will tend to the protection of this great industry.

Mr. BERRY. The Senator from Pennsylvania [Mr. QUAY], who I understand is going to take the floor, has kindly yielded five minutes of his time to me for the purpose of making a statement that I wish to make.

On Friday last the question arose in the Senate whether it had been customary, when the Senate was by unanimous consent acting under the five-minutes rule, to move to strike out the last word in order to get an opportunity to speak an additional five minutes. During the discussion that day the Senator from Massachusetts [Mr. HOAR] used the following language:

> The rules of the Senate are construed by its immemorial usage. The five-minutes rule, as it is called, has been in force in some form or other in this body as applied to the Calendar for forty years. During that time it has been the invariable custom of Senators to make a motion to strike out the last word and treat that as an amendment for this purpose. No experienced Democratic Senator sits here who has not done it, I presume, twenty times in his life.

The Senator from Maine [Mr. HALE] added:

> Always.

On the following day the Senator from Ohio [Mr. SHERMAN] used the following language:

> The plan of moving to strike out the first or the last word in a clause in order to gain an additional five minutes for debate has been resorted to over and over again, as Senators on the other side of the Chamber know, and it has never been objected to. Our power to extend debate is almost unlimited.

The Senator from Oregon [Mr. DOLPH] said:

> I wish to say that the agreement under which we are proceeding was entered into yesterday in my absence, but I shall endeavor to keep it in letter and spirit. I know, and so does every Senator on either side of the Chamber know, that ever since I have been in the Senate it has been customary for Senators on both sides, who were not satisfied with having spoken for five minutes on any amendment, to move another merely formal amendment, for the purpose of extending their remarks five minutes more. That has come to be the practice in regard to this rule, and Senators who complain about it know that it is so as well as I do. The Senator from Ohio [Mr. SHERMAN] and the Senator from Iowa [Mr. ALLISON] have stated this morning that during their long service in the Senate that had been the universal custom.

Mr. President, having been here for nine years and not having remembered to have ever heard the motion made, I consulted the Senator from Tennessee [Mr. HARRIS], who is an experienced man and has been here for seventeen years. He said he had no recollection of ever having heard the motion made. I then consulted the Senator from Missouri [Mr. VEST]. He said he had never heard the motion made, though it might have been done. I consulted a Republican Senator of long experience, and a very prominent one on the other side of the Chamber, and he made the same statement to me.

I had a conference with our Journal clerk, Mr. Spencer. He said it might have been done in the morning hour under the five-minutes rule or on an appropriation bill where an order had been made to act under the five-minutes rule. He would not say that it had; he thought possibly it had; but never had it been done within his knowledge where the Senate was acting under the five-minutes rule by unanimous consent.

I then, last Saturday, went to the librarian, Mr. Church, and the assistant librarian, Mr. Baker, and talked with them in regard to it, and I ask the Secretary to read the statements that they make.

The PRESIDING OFFICER. The statements will be read if there be no objection. The Chair hears none.

The Secretary read as follows:

SENATE LIBRARY, CAPITOL,
Washington, D. C., June 11, 1894.

DEAR SIR: I have examined with as much care as I could in the limited time given me both the Journal and the RECORD from the Forty-ninth to the Fifty-second Congress, inclusive, for precedents (both under the Anthony rule in the morning hour and under orders of the Senate as to the five-minute rule) for striking out the last word in an item or bill. I have not been able thus far to find any such precedent, although it is possible that I may have overlooked them. The nearest approach to it is where Senator Plumb, in the second session of the Fifty-second Congress, made a motion (after the adoption, by order of the Senate, of the five-minute rule) to strike out a whole paragraph of an appropriation bill, which was debated. (See RECORD, second session Fifty-second Congress, page 3301.)

I have made my examination of your question as thorough as possible in the short time allowed me, and can only say that if any such precedent exists it has escaped my notice.

Very truly, yours,

ALONZO W. CHURCH,
Senate Librarian.

Hon. J. H. BERRY,
United States Senate.

SENATE LIBRARY, CAPITOL,
Washington, D. C., June 11, 1894.

DEAR SIR: In compliance with your request, I have examined carefully the Senate Journal from the first session of the Forty-ninth Congress to the Fifty-second Congress, which covers a period of about eight years, and I have failed to find a precedent to strike out the "last word" of a bill or amendment, when the bill was being debated under the five-minute rule.

Most respectfully,

JAMES M. BAKER,
Assistant Librarian.

Hon. JAMES H. BERRY,
Senate Chamber.

Mr. BERRY. I will only add that I requested them to go back to the Forty-ninth Congress, because that was the Congress when I first came here.

Now, I do not say that no precedent exists. Precedents may be found, but I have failed to find them. I simply put this in for the purpose of stating that I did not at the time remember such a precedent, and I wanted to show that there are able and experienced Senators here who have been here longer than I, and that they are equally ignorant of such a custom, if ever such a custom has existed. I simply wanted to put in the RECORD these statements, and I have no comments to make.

Mr. HOAR. If the Senator from Pennsylvania will pardon me one moment, I merely wish to say that the question of striking out the last word has nothing to do with it. It is the question of moving an informal amendment, an amendment pro forma for the purpose of debate.

Mr. QUAY. Mr. President——

Mr. SHERMAN. If the Senator from Pennsylvania will allow me a moment, I wish to state that after consulting the convenience of Senators so far as I could I have ascertained that a number of Senators desire to speak on the wool question to-day; and I shall ask the unanimous consent of the Senate to-morrow morning, not interfering with other public business, to take the floor upon the question.

Mr. QUAY addressed the Senate. After having spoken one hour and twenty-five minutes,

Mr. HOAR said: Mr. President, the Senator from Pennsylvania yields to me for a moment. I see the Senator from Texas [Mr.

MILLS] is now in charge of the bill, and I ask unanimous consent that the Senate go back, and that coal be put on the free list.

The PRESIDING OFFICER (Mr. HUNTON in the chair). Is there objection?

Mr. MILLS. I do not think that coal has been reached yet in the bill.

Mr. HOAR. I ask unanimous consent that coal be now placed on the free list.

The PRESIDING OFFICER. Is there objection?

Mr. MILLS. I have nothing to do with putting coal on the free list in the bill until it is reached, and of course it has not been reached.

Mr. HOAR. I ask unanimous consent that the coal schedule be now taken up, and that coal be placed on the free list.

The PRESIDING OFFICER. Does the Chair understand the Senator from Massachusetts withdraws his request for the present?

Mr. MITCHELL of Oregon. I object to its being withdrawn.

Mr. QUAY. Mr. President, I ask unanimous consent, as the Senator from Texas is now in charge of the bill, and believing that he is not very much in love with it, that the bill and amendments be laid on the table.

Mr. CULLOM. It may be laid on the table without his consent.

The PRESIDING OFFICER. The Senator from Pennsylvania asks unanimous consent that the bill be laid on the table. Is there objection?

Mr. MILLS. I object.

The PRESIDING OFFICER. There is objection.

Mr. QUAY. Then I shall proceed with my remarks, Mr. President.

Mr. MITCHELL of Oregon. Will the Senator from Pennsylvania yield to me to make a motion?

Mr. QUAY. Certainly.

Mr. MITCHELL of Oregon. I move that the pending bill be indefinitely postponed.

Mr. QUAY. I am afraid that that motion may occasion some little controversy. [Laughter.]

The PRESIDING OFFICER. The Senator from Oregon moves that the pending bill be indefinitely postponed.

Mr. MITCHELL of Oregon. On that motion I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. QUAY. Do I understand the motion is withdrawn?

Mr. MITCHELL of Oregon. No; it is not withdrawn. The question is on the motion to indefinitely postpone, and I ask that the roll may be called upon it.

The Secretary proceeded to call the roll.

Mr. DIXON (when his name was called). I have a general pair with the Senator from Mississippi [Mr. MCLAURIN]. As he is not present in the Chamber I withhold my vote.

Mr. HIGGINS (when his name was called). I am paired with the senior Senator from New Jersey [Mr. MCPHERSON]. If he were present, I should vote "yea" and I presume he would vote "nay."

Mr. MILLS (when his name was called). I am paired with the Senator from New Hampshire [Mr. GALLINGER]. If he were present I should vote "nay."

Mr. PATTON (when his name was called). I am paired with the junior Senator from Maryland [Mr. GIBSON]; otherwise I should vote "yea."

Mr. QUAY (when his name was called). On this question I am paired with the Senator from Alabama [Mr. MORGAN].

The roll call was concluded.

Mr. LODGE. I make the same transfer of pairs that was made on the last vote, and transfer my pair with the Senator from New York [Mr. HILL] to the Senator from New Hampshire [Mr. GALLINGER], which will allow the Senator from Texas [Mr. MILLS] and me to vote. I vote "yea."

Mr. MILLS. My pair with the Senator from New Hampshire [Mr. GALLINGER] having been transferred, I vote "nay."

Mr. CAMERON. I am paired with the Senator from South Carolina [Mr. BUTLER], and make this announcement for the day. If the Senator from South Carolina were present I should vote "yea."

Mr. ALDRICH. The Senator from Tennessee [Mr. HARRIS] has been called from the Senate Chamber to attend to some departmental business, not anticipating that any vote would be taken on any part of the bill. I promised that Senator, however, to pair with him in case a vote should be taken. I therefore withhold my vote. If the Senator from Tennessee were present I should vote "yea" and he would vote "nay."

Mr. MITCHELL of Wisconsin. I transfer my pair with the Senator from Wyoming [Mr. CAREY] to the Senator from North Dakota [Mr. ROACH], and vote "nay."

Mr. PASCO. The Senator from West Virginia [Mr. FAULKNER] has been called from the Chamber, and I desire to announce that he is paired with the Senator from Connecticut [Mr. HAWLEY].

Mr. CALL. I transfer my pair with the Senator from Vermont [Mr. MORRILL] to the Senator from Mississippi [Mr. MCLAURIN], which will enable the Senator from Rhode Island [Mr. DIXON] and me to vote. I vote "nay."

Mr. DIXON. That arrangement is agreeable to me, and under it I am permitted to vote. I vote "yea."

Mr. FRYE (after having voted in the affirmative). The senior Senator from Maryland [Mr. GORMAN] was paired for the day with the senior Senator from Nevada [Mr. JONES], but the Senator from Nevada has now come into the Chamber and has voted. Therefore I resume my pair, which I have generally with the Senator from Maryland, and will withdraw my vote.

The PRESIDING OFFICER. The vote of the Senator from Maine will be withdrawn.

Mr. FRYE. Mr. President, as I observe it will make no difference in the result, notwithstanding my pair I will let my vote stand.

The result was announced—yeas 23, nays 34; as follows:

YEAS—23.

Allison,	Frye,	McMillan,	Power,
Chandler,	Hale,	Manderson,	Sherman,
Cullom,	Hansbrough,	Mitchell, Oregon	Squire,
Davis,	Hoar,	Perkins,	Teller,
Dixon,	Jones, Nev.	Pettigrew,	Washburn.
Dolph,	Lodge,	Platt,	

NAYS—34.

Allen,	Coke,	Lindsay,	Ransom,
Berry,	Daniel,	Martin,	Turpie,
Blackburn,	George,	Mills,	Vest,
Blanchard,	Gordon,	Mitchell, Wis.	Vilas,
Brice,	Gray,	Murphy,	Voorhees,
Caffery,	Hunton,	Palmer,	Walsh,
Call,	Jarvis,	Pasco,	White.
Camden,	Jones, Ark.	Peffer,	
Cockrell,	Kyle,	Pugh,	

NOT VOTING—28.

Aldrich,	Gallinger,	Irby,	Quay,
Bate,	Gibson,	McLaurin,	Roach,
Butler,	Gorman,	McPherson,	Shoup,
Cameron,	Harris,	Morgan,	Smith.
Carey,	Hawley,	Morrill,	Stewart,
Dubois,	Higgins,	Patton,	Wilson,
Faulkner,	Hill,	Proctor,	Wolcott

So the motion was not agreed to.

The PRESIDING OFFICER. The Senator from Pennsylvania is entitled to the floor.

Mr. PETTIGREW. Will the Senator from Pennsylvania yield to me for fifteen minutes? I wish to leave the city this afternoon, and I desire to make some remarks on the pending bill.

Mr. QUAY. Under the circumstances I will yield to the Senator from South Dakota.

Mr. PETTIGREW. Mr. President, the Senate has disposed of about all the items in this bill which are produced by the farmer, and what is the result? The duty on live animals is reduced to 20 per cent ad valorem; buckwheat, wheat, rye, corn, oats, oatmeal, corn meal, eggs, broom corn and many other farm products are practically on the free list, and the duty on barley is so much reduced that at least 10,000,000 bushels will be imported as against less than 2,000,000 last year.

Free eggs will bring in from sixteen to twenty million dozens as against a little over 1,000,000 last year. In fact, the market for $15,000,000 worth of farm products is thus turned over to Canada and taken away from the American farmer. Sixteen million dozen of eggs thrown upon the market of the United States will break the price and eggs will decline several cents a dozen.

Last week three car loads of South Dakota butter and eggs were shipped to this city, a thing that can not be repeated if this bill passes, for the nearer Canadian farmer will have this market. With free corn the starch makers of New York will import their corn from the Argentine Republic, and within one year after this bill passes corn from South America by the cargo will be sold in New York, for the freight per bushel from the Argentine Republic is less than half the rate per bushel from Dakota or Nebraska, and the farmers of Dakota and Nebraska will be buying protected starch made of South American corn. It will not do to say we export corn and it can not come here from other countries. We export vast quantities of cotton, and I presume few people know that 43,000,000 pounds, valued at $4,680,000 was imported last year; yet such is the case. Of this cotton 28,000,000 pounds came from Egypt and is long, fine, staple; yet every pound of it could be raised in North and South Carolina if a duty was placed upon it sufficient to compensate for the difference in wages. Why do you not put a duty on cotton and

save this market to our own people? The sugar bounty is repealed, giving the death blow to the budding industry in Nebraska and Dakota, which would have soon given employment to thousands of people in those States.

A duty has been placed upon raw sugar of 1¼ cents a pound, which equals a tax on the people of South Dakota of 87½ cents per capita, as each person consumes 70 pounds of sugar per year, making a total tax of $350,000 per annum upon the 400,000 people who reside within her borders; and an additional tax of 42½ cents on each 100 pounds of refined sugar, which is a direct donation to the trust and amounts to 32½ cents per capita, or a tax of $140,000 on the 400,000 people who reside in South Dakota as a direct contribution, per year, to the sugar trust.

The population of Nebraska is 1,050,000, and their contribution will be a tax of 87½ cents per capita, or $875,000 on the 1,000,000 people who reside in that State, which goes into the treasury of the Government, and 32½ cents per capita on refined sugar, levied for the benefit of the trust, or $325,000 per annum from her 1,000,000 people.

I take these two States as examples, because the two Populist Senators in this body assisted in doing all this, and I want to give them a chance to explain to the people why they did it.

A Populist farmer with a family of five would pay $1.60 per year to the trust, just four bushels of wheat at 40 cents a bushel. I imagine I see a Nebraska or Dakota Populist farmer, filled with joy, hitching up his team and starting to market with four bushels of wheat, selling it for 40 cents a bushel, and sending the money to the sugar trust as his contribution to help maintain the gang of vampires that have hung around this Capitol for the past five months, disgracing the nation. With what elastic step and swelling heart filled with joy, will this farmer return home with an empty wagon and an empty pocket to bless God in his prayers that he has had the privilege of sending a Populist to the United States Senate who has assisted by his vote in conferring upon him and the people of his State the blessed chance to make this contribution. I hope the Populists of my State will not take this too much to heart, for this bill places lumber on the free list, and it is said millions will be saved to the people by having their lumber free.

Mr. President, free lumber will not cheapen that article in South Dakota or Nebraska one farthing. The lumber for Nebraska and South Dakota comes from three sources: siding, shingles, and high grades of light lumber from Oregon and Washington, sawed along the bays and rivers which skirt the Pacific coast in those States. Will this lumber be cheapened any by taking off the duty? Not one penny. And the conclusive proof that it will not be cheaper is in the fact that millions of feet of lumber are shipped each year from Puget Sound to Asia, Australia, South and Central America, and the ships that carry this lumber come through British America, through the Straits of Juan de Fuca to reach the United States to get their loads.

If lumber was cheaper in British America these ships would load there instead of coming to the United States, but the fact of the matter is American enterprise has made lumber cheaper in the United States than in British America in spite of the fact that under the present law there is a duty of $2 per thousand. I saw one hundred ships loading lumber for these foreign countries in Puget Sound last summer, and when I crossed the line into British Columbia I found boundless forests on every hand.

Logs are admitted free under the present law and are sawed in American mills, furnishing labor for American workmen. As far, then, as Washington and Oregon are concerned, free lumber will not cheapen the article 1 cent, but it will transfer the industry of manufacturing a portion of it to a foreign country.

Nebraska and Dakota get considerable flooring and finishing lumber from the forests of the South. No one pretends this Southern lumber will be cheaper.

Most of the lumber used in Dakota and Nebraska comes from Northern Minnesota and Wisconsin, and this lumber will not be cheaper if you admit lumber free of duty. The only Canadian lumber that can compete with it is along the east shore of Lake Superior and the east shore of Lake Huron, over 300 miles further from Dakota or Nebraska than the forests of Wisconsin or Minnesota; therefore, the difference in the cost of transportation prevents the Canadian lumber from competing; but I will grant, for the purpose or argument, that the tranportation cost will be the same from Canada and Wisconsin, or, in other words, that the Canadian lumber is as near Dakota and Nebraska as the Wisconsin and Minnesota lumber. Even then free lumber will not reduce the price, for logs come in free now and are rafted across the lakes and sawed in the American mills, and the cost of bringing them across the lakes in rafts of logs is no greater than it would be to raft the manufactured lumber to this country.

When the McKinley bill passed there were many mills on the east side of Lakes Huron and Superior, sawing lumber for the American market. After the passage of the act of 1890 these mills were closed and the logs sent to the United States and made into lumber. The only thing, then, free lumber will do is to surrender part of our market and transfer the sawing of Canadian logs to the Canadian side of these lakes, depriving Americans of the employment and giving their places to Canadian workmen.

All this talk about free lumber is demagogy, so far as it relates to Dakota and Nebraska; but it can do no harm, as our farmers are too intelligent to be fooled all of the time. I challenge anyone to show how free lumber will cheapen that article in South Dakota or Nebraska. It may cheapen it a little in New England, but I doubt it.

With free lumber disposed of, what has the farmer in this bill? You say, free barbed wire. This again is a delusion and a fraud. Dakota and Nebraska are too far inland, and the long haul by rail prevents them from importing wire. Our barbed wire comes from Illinois and Missouri, and it is worth at the factory to-day 1½ cents per pound. Free wire will not cheapen this article in these States, but it will allow German wire to reach our seaports, in some cases, and take part of our market away from the American manufacturer, and part of the chance to earn a living away from the American laborer.

There is one more point, and that is the advantage the sugar trust derives from this bill over the McKinley bill, a point that has not been heretofore made. The sugar trust refines raw sugar, and their factories are in the cities along the coast. Sugar made from beets is refined by the factory that makes it. If the bounty was not repealed, before ten years Nebraska and Dakota would produce all the sugar used in this country and there would be no further use for the refineries or the trust, and their property would be valueless. Therefore the trust is interested in preventing the growth of the beet-sugar industry in this country; is interested in preventing the United States from raising its own sugar. To repeal the bounty is of no small importance to the trust, for if the bounty should continue and thus the sugar industry continue to grow year by year, the refineries owned by the trust would have less to do and finally be closed altogether. In fact the discriminating duty now levied for the benefit of the trust of 32½ cents for every person, if paid in cash to the farmers as a bounty on beet sugar, would soon make the United States independent of the world as far as a supply of sugar is concerned.

Mr. QUAY resumed his speech. After having spoken altogether two hours and forty minutes—

Mr. POWER said: Will the Senator from Pennsylvania yield to me?

Mr. QUAY. I have no objection to yielding to the Senator from Montana. I feel a little exhausted.

[Mr. QUAY'S speech will be published entire after it shall have been concluded. See Appendix.]

Mr. HOAR. I think this very important debate should be listened to by the Senate. I suggest that there is no quorum present.

The PRESIDING OFFICER (Mr. FAULKNER in the chair). The Senator from Massachusetts suggests the want of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Allison,	Dixon,	McLaurin,	Quay,
Berry,	Dolph,	Martin,	Sherman,
Blackburn,	Dubois,	Mills,	Squire,
Blanchard,	Faulkner,	Mitchell, Wis.	Teller,
Brice,	Gordon,	Morrill,	Turpie,
Caffery,	Hale,	Palmer,	Vest,
Call,	Harris,	Pasco,	Voorhees,
Cameron,	Hoar,	Peffer,	Walsh,
Cockrell,	Hunton,	Perkins,	Washburn,
Coke,	Jarvis,	Platt,	White.
Cullom,	Jones, Ark.	Power,	
Daniel,	Kyle,	Pugh,	

The PRESIDING OFFICER. Forty-six Senators having answered to their names, a quorum of the Senate is present. The Senator from Montana will proceed.

Mr. POWER. Mr. President, representing one of the States very largely interested in woolgrowing, I conceive it to be my duty to present a number of important facts concerning this industry, to which I respectfully invite attention of the Senate. Inasmuch as the industry of sheep-raising is not confined to any one section of the country, but is pursued to a greater or lesser extent in every locality, the great community of interest demands most careful treatment of the subject, and a thorough understanding of the important issues involved in fixing tariff rates upon the American wool product.

In 1893, after the second election of President Cleveland, great anxiety followed to those interested in producing wool, which

in many cases developed into a panic. Flocks were sacrificed, the value of the wool clip was cut in two, the price obtainable for sheep was less than half, and the woolgrower seemed doomed to bankruptcy and ruin. Whether these fears are groundless, or whether their dire anticipation has had only too sure a foundation, remains for this Congress to determine.

Can there be a greater contrast than that afforded by the condition of affairs during the three previous years under the protective system? Not only the three years previous, but protection and prosperity seem always to have gone hand in hand.

THE FIRST IMPETUS TO WOOL GROWING.

The first protection to woolgrowing of any importance was in 1867, under which this industry made rapid and continued advancement. From 1880 to 1883, with protective duties, the number of sheep increased 12 per cent. In 1883 Congress unwisely reduced the wool tariff some 2 cents per pound, which reduction prevailed for seven years, and during this period the decrease was 6 per cent in the number of sheep. In 1888, with adequate tariff protection, the sheep industry prospered, the increase of the last three years up to 1893 being extraordinary, reaching 18½ per cent, showing our capacity for woolgrowing, which in a few years would have enabled us to produce the quantity of wool needed and, according to the leading authorities on wool, there is no quality of foreign wool that can not be raised in this country. The only reason why the production of certain grades has been abandoned, is because we can not produce them as cheaply as foreign countries.

The Australian Merino wool, which was quoted recently as not being produced here on account of climatic conditions, is, according to Judge Lawrence, (one of the best authorities on this subject in the country) an American wool, bred from American sheep and their descendants, and chiefly exported by Albert Chapman and others from Vermont to Australia. He says:

Our best clothing goods are made from wools embraced in the McKinley tariff law as class 1 (Merino, etc.) and class 2 (Southdown, Cotswold, Shropshire, etc.), grown in this country and unsurpassed in quality.

Mr. Lawrence further asserts that "there are no foreign wools essential to the production of our fine fabrics, as our wools compare very favorably with those of the foreign product."

Mr. Charles Fletcher, of the Providence Worsted Mills, in a letter dated February 18, 1890, to the Boston Home Market Club, said:

The talk of mixing Australian wool to make goods required for this market is all nonsense, as Australian wools are only used here largely when they are cheaper than domestic wools.

In 1851, at the World's Exhibition in London, four prize medals were awarded to American sheep, and at the International Exhibition of 1863, at Hamburg, where all the finest flocks were represented, two first-class prizes were awarded to Merino sheep from Vermont.

The Chief of the Bureau of Statistics of the Treasury Department under President Cleveland's first administration, referring to the quality of American wool, in his wool report of 1887, page 36, says:

It is the current popular opinion that English and Australian wool surpass American in quality. But the reverse is true; American wool and American manufactures excel those of the rest of the world.

In the face of this unequaled prosperity, why strive to change and force upon the country a policy that has always proved disastrous to this important branch of industry!

TARIFF REFORMERS LIKE TO KICK A SHEEP.

It has been said that if there is anything a tariff reformer hates, it is wool. We have also heard of the free-trade statesman who would climb over a fence, when he sees a sheep, to kick it. Unfortunately that feeling against the sheep and its product seems not to be confined to a few statesmen. The entire Democratic party appears inclined that way.

It must be that a prejudice exists against this industry, since in no other way can we account for this constant desire to legislate to its injury. It always seems to be the one singled out to bear the burden.

WHY NOT PROTECT WOOL?

Iron is protected, sugar and rice are protected, all manufactured goods are protected, and properly so. Why not wool? The principle may be sacrificed on every other article, but never on wool. Why is this? The woolgrower demands a reason. He has a right to know why his product should be made free, while he is obliged to pay protective duties on everything else he uses. Is not wool of sufficient importance to be taken under the mother wing and cared for as she cares for the rest of her flock? Does it not employ enough labor? Does it not sufficiently add to the revenue of the country? Is it a commodity that we can readily dispense with? Is it an industry that can be experimented with free from detriment? Why seize upon this one article of home production and home consumption to illustrate an illusive theory? Is it because wool is principally a product of the West, and, therefore, like silver, doomed to destruction?

Are we to permit ourselves to legislate for sections or sectional interests, rather than for the whole country? The people of the West are broad enough and generous enough to want protection for all home products whether raised in the South, in the East, or the West. They do not manufacture to any great extent, but are willing that the manufacturers of the South and East should be protected, because it is equitable and just. Protection for all home industries or for none would seem more just than this singling out of the products of certain sections.

As a class, the people of the West are above the pettiness of sectional jealousy, and while loyal to their own section, as the portion given over to their care and energies are, above all, American citizens, and as such devoted to whatever promotes the happiness and prosperity of the whole nation.

WOOL SHOULD NOT BE CLASSED AS "RAW MATERIAL." IT IS THE FARMER'S FINISHED PRODUCT.

I venture the contention that notwithstanding the general classification of wool as raw material, any product of which labor forms so great a part is not, and should not be considered raw material.

To the manufacturer, wool may be raw material—so to the tailor may be the cloth—his finished product being the garment, and the finished product of the manufacturer, the cloth. What is the finished product of the sheep grower? Is it not the clip?

The sheep have been cared for, herded at great expense, sheared, the wool baled, and when loaded in cars ready for shipment it will be found that the expenditure of labor and money, even to that stage, is a very large per cent of the value of the clip. The commission man, or manufacturer, receives, pays freight, stores, grades and possibly scours. This requires still further expenditure of labor and money, and the outlay necessary to put the wool in the market in this country is estimated as being 70 per cent of the value of the clip.

Take iron, for instance. The raw material is the ore in the mines. When this ore has been extracted and run into pigs and bars it passes from the raw into the partly manufactured state, after which it is forged into various other shapes. Iron ore, including manganiferous iron ore and also the dross residuum from burnt pyrites, is protected to the extent of 40 cents per ton. Iron in pigs, etc., has 22½ per cent ad valorem protection; wrought and cast scrap iron, etc., has $4 per ton protection; iron slabs, blooms, etc., are protected at 25 per cent ad valorem; beams, girders, etc., at six-tenths of 1 cent per pound, and so on all the way through the iron and steel schedules protection is given for what is really greater "raw material" than wool.

Other ores, clearly raw material, enjoy a certain rate of protection, and the same may be said of almost every other confessedly raw material, subject to subsequent manufacture, specified in the bill, including sugar and rice, while wool, in the production of which the entire country is more or less interested, is placed on the free list and put aside as "accursed." By what character of reasoning can this cruel discrimination be reconciled? Why should wool be classified as "raw material," entitled to no protection, when every other species of raw material is protected, to a greater or lesser extent, from foreign competition?

WOOL IS A LEGITIMATE SUBJECT OF REVENUE.

Is not wool a legitimate subject of revenue, if a tariff is to be shaped upon lines of tariff for revenue only? Have we not hitherto collected hundreds of millions of revenue from wool importations, and why is it that this source of revenue is now to be cut off and the deficit occasioned thereby made up largely from taxation of other material confessedly entirely "raw," unless it be that the policy of the present Administration is shaped understandingly in the interests of foreign wool producers and with the view to surrender our markets to their competition.

THE WARNING OF JAMES G. BLAINE.

True, such a policy must necessarily destroy our own sheep-growing industry and confiscate practically for the benefit of Great Britain the four hundred millions and more of American investment in this enterprise, not to mention the shrinkage of value in all the properties appertaining thereto, which must inevitably follow. This is "free trade" with a vengeance, and recalls the homily of America's great statesman, James G. Blaine, whose lips, now silent in the tomb, never uttered wiser or more prophetic words nor drew a more significant picture of the situation than when he said:

I love my country and my countrymen. I am an American, and I rejoice every day of my life that I am. I enjoy the general prosperity of my country, and I know that the workingmen of this land are the best paid, the best fed, and the best clothed of any laborers on the face of the earth. Many of them have homes of their own. They are surrounded by all the comforts and many of the luxuries of life. I shudder, however, at the thought that the time

must come when all this will be changed, when the general prosperity of the country will be destroyed, when the great body of workingmen in this land, who are now so prosperous, will hear their wives and children cry for bread; that the day must come when the great factories and manufactories of this land will shut down, and where is now life and activity there will be the silence of the tomb. And the reason why this must be is this:

The great Southern wing of the Democratic party is determined to establish the doctrine of free trade in this land. They will be assisted by their Northern allies. There is a great body of visionary but educated men who are employed day by day in writing free-trade essays and arguments in favor of the doctrine, which find their way to every newspaper in this land. The great body of our people have never experienced themselves the sufferings which always result when the protective principles are laid aside. Poisoned and excited by the wild statements of these writers and the demagogic appeals of the Democratic speakers, the result will be that in the very near future these forces which are now working will be strong enough to defeat at the polls the party advocating the doctrine of protection. It must inevitably follow that uncertainty and doubt will ensue.

The business men of the country, fearing the destruction of the principles of protection, will decline to engage in business, consequently mills will shut down and the workingmen will be thrown out of employment. The people will then see, as they have never seen before, that they can not be prosperous and have work while this principle is threatened. In the midst of their sufferings they will learn that the only way they can be prosperous and happy is to vote for the party that has built up the industries by which they have gained a livelihood; because they will then see clearly that when the manufactory is shut down there is no demand for the only thing which they have to sell, and that is their labor.

THE WALKER TARIFF OF 1846 A FAILURE.

The history of free trade and inadequate protection is not one that we should be anxious to have repeat itself. We have no record of any prosperous times in this country under either.

The Walker tariff of 1846 was confessedly not a success. The revenue during its operations fell short of the expenditures about $70,000,000. Under the Walker tariff the making of broadcloth, in which the United States had been very successful, had to be abandoned. Whole flocks of fine-wool sheep were rendered valueless, except where they could be cross-bred into coarse-wooled flocks.

WHAT PRESIDENT BUCHANAN AND HORACE GREELEY SAID.

That the country did not suffer more seriously at that time was due partly to the discovery of the gold mines in California (which yielded the country about $290,000,000) and partly to the Mexican and European wars, which, for a time, created an unusual demand for our products. In 1856, when peace was again established in Europe, giving their people the opportunity to attend to their home productions, our prosperity suddenly collapsed, and the condition of the country is very forcibly described by President Buchanan in his message of December 8, 1857. He said:

> In the midst of unsurpassed plenty in all the productions, and in all the elements of national wealth, we find our manufactures suspended, our public works retarded, our private enterprises of different kinds abandoned, and thousands of useful laborers thrown out of employment and reduced to want.

Horace Greeley, commenting upon the state of affairs about that time, said:

> The making of roads is stopped, factories are closed, and homes and shops are no longer being built. Factory hands, roadmakers, carpenters, bricklayers, and laborers are idle, and paralysis is rapidly embracing every pursuit in this country. The cause of this stoppage of circulation is to be found in the steady outflow of gold to pay foreign balances for the cloth, the shoes, the iron, and other things that could be produced by American labor, but which can not be produced by our present revenue system.

I ask, are we not, by the proposed legislation, forcing a similar condition of things? While with free trade, European goods would flood our markets, and for a time perhaps lower prices prevail, is it reasonable to suppose that with our checked production, and the market absolutely in the hands of those only interested in getting all possible out of it, those low prices would continue? With little or no competition from our producers, the control of our market passes out of our hands and leaves us at the mercy of the foreign producer. Besides, what advantage can it be to the poor man to find prices reduced on articles, imported or otherwise, if his wages are proportionately reduced? Will he be any nearer to the purchase of his "little square of carpet"?

WHAT MAKES BUSINESS PROSPER.

The prosperity of the wage-earner means the prosperity of all business. It is the circulation of money in the hands of the wage-earners that makes business prosperous. Under protection, the working people of this country are better clothed, better fed, and far better educated than the people of any country on the globe. With the wages paid for labor during the past ten years in this country, the workingman could purchase, at prices charged for clothing more and better goods than could the foreign laborer even at the low prices said to prevail there.

Yet we are told that it is in the interest of the poor man that this change of the tariff is proposed, and particularly to benefit him that wool is to come in free. But he must remember that foreign sheep, foreign shepherds, foreign manufacturers mean for us foreign methods, foreign wages, abandoned farms and closed factories.

THE MENACE OF ENGLAND TO THE AMERICAN WOOL INDUSTRY.

Should we open our ports to free wool, what chance will our producers have in competition with England's extensive supply, costing little for its production; or the product from the Argentine Republic, where the sheep multiply with such rapidity their owners can almost afford to kill them for the hide; or from South Africa, where negro labor forms the principal outlay in the production, together with the supply from China, with its rice-fed cheap labor? It simply means that our products, labor, and manner of living must be on a plane with theirs or else we must drop down and out. This means to the woolgrower of the West extermination and annihilation of his industry for with his climate it would be utterly impossible for him to live in the same manner as his competitors. Yet we propose, without any regard for the rights of our people or any idea of justice, to make them bear this burden, and pass this law which will absolutely beggar them.

HAVE THE WOOL GROWERS NO RIGHTS ENTITLED TO RESPECT!

Have those who engaged in this industry no rights that we are bound to respect? The laws passed by one Congress invited this enterprise and, relying on this protection, thousands of our people have invested their all. Now, this Congress proposes measures which will as surely and effectually destroy this industry, lay waste and desolate the homes of those engaged in it, especially in the West, as if fire or flood had passed over that entire country. We may well hesitate before venturing farther in bringing about this radical change. With destitution and misery on every side, with riotous uprisings of different kinds, following apparently on the changes of the last year, it is a situation that demands the most cautious and careful legislation. The demand that "something be done, and at once," seems a popular cry, but it may not give such a measure of relief, after all, and result in the changing to a certainty that which is now only an impending evil.

A surplus in the Treasury may have been a grave offense, but it is an evil apparently easily remedied. We are not, at the present time, troubled in that way, nor are we likely to be. We now have to contend with a more alarming state of affairs, a Treasury with a deficit, a people struggling with poverty and wretchedness, and the masses of the unemployed demanding relief from their impoverished condition. This, unhappily, is not a state or condition of things so easily remedied as was the overflowing Treasury. It is now not how to dispose of a surplus but how to meet our obligations.

In the present disturbed and agitated condition of the masses, any legislation that adds to the large number of unemployed must be extremely hazardous and fraught with the greatest danger to all.

THIS IS NOT THE TIME FOR EXPERIMENT.

In my opinion, it is not the time for experiments nor abrupt changes. No sectional or partisan feeling should influence those who, at this important juncture, claim to be striving for the welfare of the country. If change there must be, let it be gradual, bearing in mind that our country's prosperity and the prosperity of the whole people are at stake.

The Hon. WILLIAM L. WILSON, in his speech of May 5, 1884, said:

> As I have said, I am in favor of a bill for the reduction of taxes. Where this bill departs from its general scheme of merely reducing taxes and seeks to enlarge the free list it bears unevenly and, as I believe, unjustly on some of the interests of my own State. To take any one great interest and transfer it suddenly to the free list is to hold it tributary to all the rest, while depriving it of any share in the common protection. Whatever reduction is made should be made so gradually as not to wreck, to disturb, or to alarm any of our great industries, and this return toward a peace tariff ought to be made by even progress on a scale of justice to all.

The clause, "to take any one great interest and transfer it suddenly to the free list, is to hold it tributary to all the rest, while depriving it of any share in the common protection," seems particularly applicable to the position that wool appears to hold in the proposed arrangement of the pending bill.

It is the "*one* great interest," apparently the only one, in which every State and Territory is interested, which is to be transferred suddenly to the free list, and which arrangement, according to the distinguished author just quoted, "is to hold it tributary to all the rest and deprive it of any share of the common protection." Can we afford to put so important an industry in this position? Is this "making the change so gradual as not to wreck or disturb one of our great industries?"

Besides, this sudden change would be more unfortunate for wool than for any other industry. Wool is not a product like grain, coal, iron, lumber, and in fact nearly all other products, which may be abandoned for a time and on short notice resumed without serious damage. Should free wool force us to discontinue this industry even for a short time it would be absolutely impossible to retrace our steps and place it in the position it now occupies without great outlay of labor and money and the loss of much valuable time.

PRESIDENT CLEVELAND'S DECLARATIONS.

Mr. Cleveland, in his letter of acceptance, September 26, 1892, states:

Tariff reform is still our purpose. Though we oppose the theory that tariff laws may be passed having for their object the granting of discriminating and unfair governmental aid to private ventures, we wage no exterminating war against any American interests. We believe a readjustment can be accomplished in accordance with the principles we profess without disaster or demolition. We believe that the advantages of free raw material should be accorded to our manufacturers, and we contemplate a fair and careful distribution of necessary tariff burdens, rather than the precipitation of free trade.

"A fair and careful distribution of necessary tariff burdens" seems to have been distinctly eliminated from the present bill so far as wool is concerned, and there is no question that if the present arrangement be carried out it certainly means an "exterminating war on this industry."

COMMENT UPON MR. WILSON'S SPEECHES IN MONTANA. LETTER FROM MR. DAVID HILGER.

This quotation from Mr. Cleveland's letter, regarding his care for American industries, and statements made by the Hon. WILLIAM L. WILSON, when in Montana on his political tour organizing Democratic clubs, were used by the Democrats of our State in the campaign of 1892; and through this representation that party held its strength in the woolgrowing districts. The following letter from Mr. Hilger, a Democratic nominee for the Legislature in the last election, justifies this conclusion, and shows the feeling now existing in Montana. I ask that it be read by the clerk.

The letter was read, as follows:

LEWISTOWN, MONT., *December 30, 1893.*

DEAR SENATOR: As you are well aware, I am a stanch Democrat, and was one of the Democratic candidates upon the Legislative ticket of this county at the last election. Further than that, at the time of my candidacy I was inclined to favor free wool, among other reforms which I think necessary in the tariff laws of the United States, and still believe in the main features of the Wilson bill, on principle. Nevertheless, as a woolgrower of this county, and having seen the effects of what has been termed a "free wool scare" upon our business, I am fearful that the results of free wool, or a sudden material reduction of the present tariff, would be very disastrous to the business of this county, as well as to the individuals directly engaged in sheep-raising. For this reason I desire, as a Democrat, to submit to your consideration, and for such use as you may be able to make of it, the following statement upon the proposed abolition of the tariff on wool:

I fully agree with the figures given in the accompanying petition or remonstrance, and am mainly in accord with the argument of the paper. Nevertheless, I believe that I state the position of the Democratic woolgrowers of this county fairly when I state that they are not in favor of putting wool upon the free list immediately, and that none of them ever contemplated such a radical measure in the event of Democratic success at the last Presidential election. I was firmly of the opinion that the party would recognize that an immense industry had been built up throughout the West under the fostering influences of tariff legislation and that it would be an injustice to place the products of that industry on the free list immediately, notwithstanding the party was not responsible in the matter.

I believe it to be the sentiment of the Democratic woolgrowers of the county and State that the reduction in the tariff upon any article or product should be gradual, looking to the entire abolition after such time as will enable those affected by the reduction to so adjust their business matters as to meet the reduction without loss, or with as little loss as possible. If the reduction or abolition of the tariff on wool was effected gradually, it would enable the woolgrower to adjust matters to meet the reduction, or to get out of the business without such harassing losses as would inevitably follow the total abolition of the tariff as now contemplated by the Wilson bill.

I would favor such a course, but am very much opposed to the free-wool clause as it now stands.

Very respectfully,

DAVID HILGER.

Hon. T. C. POWER,
Washington, D. C.

PETITION OF WOOLGROWERS OF FERGUS COUNTY, MONTANA, PROTESTING AGAINST FREE WOOL.

Mr. POWER. The petition referred to in Mr. Hilger's letter, which I will also ask to have read, is signed by various woolgrowers of Fergus County, Democrats and Republicans alike.

The Secretary read as follows:

LEWISTOWN, MONT., *December 29, 1893.*

DEAR SIR: We, the undersigned citizens and woolgrowers of Fergus County, Mont., beg leave to submit the following statement to your consideration:

1. Under the tariff system of the United States, the wool industry has grown to great proportions, and has become the main industry of the county, without which this county in all probability would never have been organized.

There are owned and ranged in Fergus County upwards of 400,000 sheep. Prior to the last Presidential election there was a ready sale for sheep at $3 to $3.50 per head, and the average net value of the wool clip was about $1.25 per head.

Since that time, and the consequent expectation of the material lowering or entire abolition of the tariff on wool, the market price of these same sheep and of the wool clip has declined until sheep can hardly be sold at $1.50 per head, and the net value of the wool clip has been reduced to about 55 cents per head. These figures are not mere theory, but are based upon actual business transactions within our personal knowledge.

2. The consequent loss, arising from this state of facts, to the woolgrowers of Fergus County is about $700,000 in the market value of sheep; and about $280,000 annually in the value of the wool clip.

3. In addition to the investment of our citizens in sheep, experience has demonstrated that the successful conduct of the business requires an investment of about the same amount in lands, camps, fences, buildings, and machinery. Owing to the conditions of the business, partly, the values of all this class of property has shrunk in about the same ratio as has the value of sheep. It is not fair to argue, as many do, that the downfall of the sheep industry would be the upbuilding of agriculture, for these reasons: In the first place, a very large proportion of the investment of our woolgrowers is in lands which are wholly unfit for agricultural purposes, because of the fact that they are dry and arid, without sufficient water available to make them productive; but which are essential to the woolgrower, because of some small spring, not sufficient for irrigation, and yet abundant for sheep ranges.

In the next place, owing to our remoteness from railroad connection—at least 100 miles to the nearest point—there is no market for agricultural products, except the home market, which is already fully supplied; and even this limited market is made largely by the woolgrowers. A further reason why agriculture can not flourish here is that the climate is such that irrigation is necessary, and the available water supply is entirely inadequate to make this a farming country, though sufficient to make it a good sheep country. For these reasons, a large part of the investment in lands would under free wool, or under such inadequate protection as would forbid our competing with foreign growers, be almost, if not quite, a total loss.

IV. A just comparison will show conclusively that it is impossible for the woolgrower of Montana to compete successfully with his competitors in South Africa, South America, or Australia, under existing conditions. The quality of the ranges, and the rates of wages, freights, and all other expenses are against the Montana grower and in favor of his rivals.

V. Wherefore, being well assured that without the protection of an adequate tariff our chief, almost sole industry, is threatened with extinction; and that if wool is placed upon the free list a majority of the woolgrowers of this county and State will be forced into insolvency or to retire from the business; and believing that wool, which is not a raw material, but is our finished product, is as clearly entitled to an effective degree of protection as is the product of the manufacturer of the East, the sugar-raiser of Louisiana, or the rice raiser of the Carolinas, we beg leave to remonstrate against the injustice of removing that protection, without which this industry would not have been developed in our county and State and without which it can not exist, and pray that you, as our representative in the Senate of the United States, will use every legitimate means of resisting any and every attempt to remove or materially lower the present tariff on wool.

Very respectfully,

S. S. HOBSON.	G. M. STONE.
E. A. HUSON.	W. S. PERKINS.
E. P. CHANDLER.	EDGAR A. HAMILTON.
DR. J. H. WILLIARD.	FRED. R. WARREN.
JOS. H. RALSTON.	MRS. L. D. JACKSON.
G. W. COOK.	JNO. D. WAITE.
SAM'L. PHILLIPS.	L. H. HAMILTON.

Hon. T. C. POWER, *Washington, D. C.*

STATISTICS OF SHEEP GROWN AND WOOL PRODUCED IN THE UNITED STATES.

Mr. POWER. In support of the proposition that woolgrowing is a national industry in the broadest and most comprehensive sense of the term, I direct attention to the following table, which exhibits the number of sheep and the amount in pounds of wool produced in each State and Territory for 1893. It will be observed that every State and Territory of our broad domain is included in this list, and hence a community of interest exists touching the wool industry that does not appertain to any other industry in the land:

Table showing number of sheep and pounds of wool produced in the United States by States and Territories.

[Commercial Bulletin, Boston, December 30, 1893.]

States and Territories.	Number of sheep, 1893.	Pounds of wool, 1893.
Alabama	358,158	1,432,632
Arizona	580,879	5,808,790
Arkansas	240,326	1,682,282
California	4,124,376	26,808,444
Colorado	1,231,484	8,620,388
Connecticut	42,479	212,395
Dakota, North	390,400	2,342,400
Dakota, South	324,000	1,944,000
Delaware	13,551	67,755
Florida	106,495	532,475
Georgia	432,809	1,736,246
Idaho	764,262	5,319,834
Illinois	1,187,329	7,123,914
Indiana	1,080,388	5,942,100
Iowa	791,043	4,746,258
Kansas	389,627	2,727,389
Kentucky	1,237,388	7,424,028
Louisiana	191,951	959,755
Maine	398,704	2,790,928
Maryland	151,506	606,024
Massachusetts	53,032	318,192
Michigan	2,518,544	16,370,196
Minnesota	499,941	2,999,646
Mississippi	477,156	2,862,936
Missouri	1,099,948	6,599,688
Montana	2,528,098	17,686,686
Nebraska	272,502	1,907,524
Nevada	555,181	4,441,448
New Hampshire	135,848	1,086,784
New Jersey	61,246	306,230
New Mexico	2,730,082	13,650,410
New York	1,492,528	10,447,696
North Carolina	396,115	1,980,575
Ohio	4,378,725	21,893,625
Oregon	2,456,077	19,648,616
Pennsylvania	1,637,216	11,460,512
Rhode Island	12,270	73,560
South Carolina	78,384	391,920
Tennessee	541,427	3,248,562
Texas	4,334,551	26,007,306
Utah	2,117,577	14,823,039
Vermont	329,612	2,636,896
Virginia	498,400	2,472,000
Washington	823,825	6,590,600
West Virginia	841,434	4,207,170
Wisconsin	1,198,175	7,189,050
Wyoming	1,198,567	9,588,536
Total for United States	47,273,553	299,752,666

The following table shows the average price and value of sheep, and the number of pounds of wool grown in the United States during the years from 1871 to 1894:

Table showing number, average price, and value of sheep, and the number of pounds of wool grown in the United States during the years 1871 to 1894.

Years.	Number.	Average price.	Value.	Pounds of wool.
1871	31,851,000	$2.33	$74,035,837	153,000,000
1872	31,675,300	2.80	88,771,197	150,000,000
1873	33,002,400	2.96	97,922,350	158,000,000
1874	33,938,200	2.61	88,690,569	170,000,000
1875	33,783,600	2.79	94,320,652	181,000,000
1876	35,935,300	2.61	93,666,318	122,000,000
1877	35,804,200	2.26	80,892,683	200,000,000
1878	35,740,500	2.26	80,603,062	208,250,000
1879	38,123,800	2.07	79,023,984	211,000,000
1880	40,765,900	2.21	90,230,537	232,500,000
1881	43,569,899	2.39	104,070,861	240,000,000
1882	45,016,224	2.37	106,595,954	272,000,000
1883	49,237,291	2.53	124,365,835	290,000,000
1884	50,626,626	2.37	119,905,706	300,000,000
1885	50,360,243	2.14	107,960,650	308,000,000
1886	48,322,331	1.91	92,443,867	302,000,000
1887	44,750,314	2.01	89,872,839	285,000,000
1888	43,544,755	2.05	89,279,926	269,000,000
1889	42,599,079	2.13	90,640,369	265,000,000
1890	44,335,072	2.27	100,659,761	276,000,000
1891	43,431,136	2.50	108,397,447	285,000,000
1892	44,938,365	2.58	116,121,270	287,018,405
1893	47,273,553	2.66	125,909,264	299,752,666
1894	44,000,000	1.25	55,000,000	.....

NOTE. The figures for the year 1894 were taken from early reports issued by commercial houses, and in later reports it is estimated the decrease in the number of sheep will be 500,000 additional for the year.

THE AREA WEST OF THE 100TH MERIDIAN AND COMPARISONS.

West of the one hundredth principal meridian there are about 450,000,000 acres of unsurveyed and unappropriated lands, of which about 70,000,000 acres lie within the boundaries of Montana. When it is considered that the total area of the State of Delaware is only 1,356,800 acres, and the total area of the New England States but 43,742,720 acres, we can readily see how great a portion of our country still remains to be settled and developed; hence, instead of hindering and crippling this development, we should so legislate as to foster and protect any system likely to encourage the industries suited to this region.

Great Britain, with a total area of 56,742,508 acres, New England, with a total area of 43,742,720 acres, and New Jersey, with an area of 5,324,800 acres, are very similar in conditions, having a large population with no means of support outside of manufacture and trade. In these localities no need exists for encouraging immigration, but much need exists for the products of other places. In that portion of the country lying west of the one hundredth meridian the conditions are the very opposite. It is a field for unlimited speculation, and has the possibilities of a wonderful future. In that vast expanse of country lies the future of the entire nation. Its progress and advancement mean the progress and advancement of the Eastern and Southern portions of our domain.

Whatever is done for the development and improvement of the great West adds to the wealth and importance of the country at large. The settling and development of the American Colonies added very materially to the prosperity of the mother country. The growth and advancement of the interior made the East prosperous, and the opening up of the great West has been one of the most important factors in the financial prosperity of the whole country, as is particularly shown in the manufacturing interests of the large cities.

The following table exhibits the number of acres in the States lying in and west of the one hundredth meridian (Texas not included), with the estimated number of acres in the arid and semiarid portion of that region:

Table giving the area of the States and Territories lying in and west of the one-hundredth meridian and the estimated number of acres in the arid and semi-arid portion of that region.

State or Territory.	Area, in acres.	Estimated arid portions, in acres.
Arizona	72,906,240	72,906,240
California	100,992,640	100,992,640
Colorado	66,880,000	66,880,000
Dakotas (both)	96,204,800	48,150,000
Idaho	55,228,160	55,228,160
Kansas	51,770,240	12,000,000
Montana	92,016,640	92,016,640
Nebraska	47,077,359	20,000,000
Nevada	71,737,600	71,737,600
New Mexico	77,568,640	77,568,640
Oklahoma	18,234,080	.....
Oregon	60,975,360	40,650,240
Utah	54,064,640	54,064,640
Washington	44,796,160	20,325,120
Wyoming	62,645,120	62,645,120
Total	973,097,679	795,165,040

As will be seen from the foregoing table, the total area of our domain lying west of the one-hundredth meridian is 973,097,679 acres; that of this number 795,165,040 acres are arid, or over one-third of the entire acreage of the United States (2,291,615,347 acres), including Alaska (369,529,600 acres), or 40 per cent of the total acreage of the United States proper (1,922,085,747 acres). By this it will be observed that more than one-third of the area of this vast country is included under the list of lands that can not be utilized to any great extent, except in developing mines and raising stock, and of these the sheep industry is the greatest factor, and the most conservative, permanent investment.

WHAT WOOLGROWING HAS ACCOMPLISHED FOR THE WEST.

The stock-raising industry, combined with that of mining, makes a home market for all the hay, grain, and other products cultivated in this arid region and adjacent country, which can not be disposed of in any other way because of the distance from our commercial markets. The woolgrower has proved a most valuable adjunct in settling up these vast areas of our public domain, which, except for this purpose, would have little attraction for the pioneer going West to seek permanent settlement. The settler finds these lands well adapted for the purposes of stock-raising, especially woolgrowing, and as this industry appears to furnish a speedier and better way to the settlement of the great West, it would seem that all encouragement should be given these settlers, for it is by no easy methods, but rather by hard and unremitting toil that the woolgrower reaches desirable results.

The following official statement supplied by the Commissioner of the General Land Office shows that from 1884 to 1893, ten years inclusive, the Government has derived a revenue of $80,848,138.22 from receipts of lands sold in the public land States, netting $73,830,564.57. This evidences the progress of settlement in the woolgrowing regions of the West, and the direct revenue to the Treasury to which this industry has so largely contributed:

DEPARTMENT OF THE INTERIOR, GENERAL LAND OFFICE,
Washington, D. C., June 1, 1894.

SIR: I have the honor to acknowledge the receipt of your letter of 28th ultimo, requesting the receipts by years for the last ten years, public land sales.

In reply I herewith inclose statement showing—
I. Total amount received from sale of public lands;
II. Total amount received from fees and commissions:
III. Total receipts from all sources;
IV. Total expenses of land offices;
From July 1, 1883, to June 3, 1893.

Very respectfully,

S. W. LAMOREUX, *Commissioner.*

Hon. T. C. POWER,
United States Senate.

Statement shwing (I) total amount received from sales of public lands, (II) total amount received from fees and commissions, (III) total receipts from all sources, (IV) total expenses of local land offices, from July 1, 1883, to June 30, 1893.

Fiscal year.	Total receipts from sales of public lands.	Total receipts from fees and commissions.	Total receipts from all sources.	Total expenses of local land offices.
1884	$10,302,582.49	$1,536,410.58	$11,838,993.07	$682,590.92
1885	6,223,926.74	1,462,188.06	7,686,114.80	672,315.66
1886	5,757,891.06	1,654,876.25	7,412,767.31	625,234.09
1887	9,246,321.33	1,537,600.39	10,783,921.72	670,080.13
1888	11,203,071.95	1,498,000.05	12,701,072.00	711,020.51
1889	8,018,254.50	1,251,971.23	9,270,225.73	706,182.53
1890	6,349,174.24	1,121,696.07	7,470,870.31	705,821.77
1891	4,160,099.70	944,938.02	5,105,037.72	758,206.59
1892	3,322,865.01	1,064,505.26	4,387,670.27	748,127.10
1893	3,193,280.64	998,184.65	4,191,465.29	737,994.35
Total	67,777,467.66	13,070,670.56	80,848,138.22	7,017,573.65

THE DIFFICULTIES ATTENDING WOOLGROWING AND THE PROGRESS MADE IN THE INDUSTRY UNDER REASONABLE PROTECTION.

Even at its best, with the fullest measure of protection, this industry furnishes no bonanza. The sheep-raiser has a rigorous climate with which to contend, and his flock must be housed and cared for in a manner unknown to the woolgrower in warmer latitudes. Science has given him no helping hand, and if he succeed, it is only after close and unwearying attention, and at the sacrifice of many comforts and much that makes life desirable. Notwithstanding all these difficulties, the woolgrowers of this country have succeeded in producing about one-fifth of the clothing wool of the world, and by pursuit of this industry have settled and redeemed nine-tenths of the land now under cultivation in the Western country.

In addition to the millions of dollars invested by our own people, the facilities offered for the prosecution of this industry have attracted to our shores many foreigners bringing their capital and individual enterprise. Our broad unoccupied lands, in contrast with their limited areas, offered a very inviting field for investment, and the progress made in this industry, and its

development in the past few years through reasonable protection, rendered this country a much more desirable field than either Australia or the Argentine Republic.

At the rate of increase exhibited during the fiscal year ending June 30, 1892, and the year 1893, our product of wool would double in less than nine years. The increase in 1893 over 1892 was over 31,000,000 pounds, bringing our last year's product up to 364,000,000 pounds. Add to this actual increase in product the development of our lands, the employment given directly to our people, and the market afforded the farmer for his hay and grain, and we must conclude that this industry is one of paramount importance, in which every citizen who desires the prosperity and advancement of his country should be both directly and indirectly interested.

With just and proper protection by tariff duties, woolgrowing, ranking third in the list of the world's industries, would very soon take the leading place, and be amply able to furnish our woolen manufacturers with all the material necessary to supply the demand for woolen goods used in this country. Supplying this demand means giving employment to a large number of people, both in the factories of the East and on the plains of the West and, in time, avoiding the necessity of importing yearly $40,000,000 worth of woolen goods, which, if wool were protected, could and would be manufactured by our own people.

THE PAUPER WAGES OF THE WORKING CLASSES IN ENGLAND.

In this connection I contend that the interests of the woolgrower and those of the woolen manufacturer are so closely allied that legislation in the interest of one should include the interest of the other. Without an equitable duty on manufactured goods our manufacturers are brought into competition with the cheap-labor product of other countries, which would result either in the closing of our factories or the reduction of wages of the American artisan to the pauper rate of European workmen.

I send to the desk, and request to have read, an extract from an article from the New York Press of May 3, 1894, showing the wages of the workingman in England.

The Secretary read as follows:

WHAT THEY EARN.

In the woolen goods mills a weaver earns on the average of 9*s.* 6*d.* ($2.37) per week; if a weaver takes charge of two looms at once he, or she, can earn 11*s.* 9*d.* weekly ($2.90). And that is the limit of possible wages when mills are running full time.

In the evidence before the Labor Commission lately it was given as a fact that in the confectionery trade wages go from 5*s.* ($1.25) to 9*s.* ($2.25) weekly, and 12*s.* ($3) is the highest amount paid an expert worker.

Match-box makers earn 3*s.* ($1.50) to 8*s.* ($2) per week, and find their own paste for the boxes.

In the wholesale clothing trade, one woman, by working from 8 a. m. to 6.30 p. m. (an hour off for dinner) in the factory, and then taking home bundles of work to finish and working until midnight, made an average of 15 or 16 shillings a week. Out of it she supported her parents, and at the end of the week she had, when all was paid for, twopence left for personal enjoyment.

For making shirt fronts a halfpenny (1 cent) is paid, and by working steadily ten hours a day a woman can make twelve fronts, thus earning sixpence (12 cents) for her day's labor.

Added to these miserly wages paid in factories and mills, there is a constant system of fines that robs the worker of a goodly portion of the earnings. If a man or girl arrives at the mill late a fine is inflicted, and if there chances to be no work for the individual that day, and he or she sits idly by for the entire ten hours, the fine is deducted from the next day's work, or the next work done, whenever it may be.

A woman recently complained to the labor commission that she had earned 2*s.* 2*d.* (54 cents) making vests, and when the work was completed she had been fined 1*s.* 1*d.* for alleged poor work, receiving thus only 1*s.* 1*d.* for her work. Her employer had refused to tell her wherein the work was defective and had sold the vests at full price as undamaged. The employer replied to this that of course he sold the goods as being perfect, all manufacturers did, and the commission sustained him.

At the recent investigations into such matters it was shown that as much as 12*s.* had been deducted in fines out of a 13*s.* income.

HOW THE RICH REGARD THE POOR

Coming as a consistent addenda to the indifference shown and expressed by the London employer and capitalist concerning the comfort of his working people, so far as the wages he pays are concerned, is the expression of a representative member of the Royal Institute of British Architects, who, in discussing the question as to whether or not the overcrowded tenements and slums shall be opened more and better air thus insured to the occupants, opposes the suggested improvement, arguing that "every poor life saved furnishes so much food for disease," and for this reason he sees no argument why they should not be killed off as rapidly as possible. He deplores the slight improvements that have been made, on the ground that they have saved worthless lives, and he concludes his remarks with this peroration, as reported in the official journal of the institute.

AMERICAN CONSUMPTION OF WOOL.

Mr. POWER. The total consumption of raw wool in this country for the fiscal year ending June 30, 1893, was about 650,000,000 pounds; of this amount 286,433,837 pounds were imported, 43,311,365 pounds being in raw wool, chiefly merino, and about 114,000,000 pounds in imported goods (cloth valued at $38,000,000, estimating three pounds of wool for $1 worth of cloth goods, equaling 114,000,000 pounds); in long wools of class 2, about 6,736,200 pounds, and of class 3, which includes carpet and coarse clothing wool, 122,286,072 pounds. Our domestic product aggregated 364,156,666 pounds, making an estimated total consumption of 650,490,303 pounds.

With proper protective duties at the rate of increase during the last three years up to and including 1892 (18½ per cent for the three years), it would take comparatively but a short time to supply all the wool necessary for our manufactures.

THE IMMENSE SHRINKAGE IN VALUE OF SHEEP AND WOOL THROUGH FEAR OF ADVERSE LEGISLATION.

Through fear of adverse legislation the flocks of the country have decreased in number from 47,273,550 in 1893 to about 44,000,000 in 1894. The report of the Department of Agriculture shows, from January, 1893, to January, 1894, a decline in value of sheep of $37,000,000, while the actual loss in the present market value is more than twice $37,000,000. Before the election of Mr. Cleveland to the Presidency 44,000,000 sheep were worth $120,000,000; they now would not sell for over $55,000,000. The wool product of 1892 aggregated about 300,000,000 pounds, and sold at an average of 18 cents per pound, while the clip of 1893 did not bring over 9 cents per pound.

This year, with wool on the free list, it will not average much more than 7 cents per pound. Add to this loss the decline in value of the property and plant devoted to this business, and we may well be appalled at the result of even the prospect of the proposed legislation which, if carried out, will certainly tend to the total annihilation of this industry in the newer portions of the country. Nonprotected wool would bring our product into competition with that of South America, Australia, and Cape of Good Hope, where plentiful pasturage and cheap labor make the cost of wool-producing fully one-half less than ours, when transportation by rail and water is considered.

STATISTICS OF THE WORLD'S PRODUCTION OF WOOL.

The world's production of wool for 1891 is estimated at 2,456,773,600 pounds, of which only 307,100,000 pounds was grown in the United States. The following table shows the world's estimated production for the years 1887 and 1891, both by continents and countries. From this grand total of 2,456,773,600 pounds we find that England, through her numerous colonies and other possessions, produces and controls 910,156,000 pounds of wool, which gives her over 40 per cent of the supply of the world.

World's wool production in 1887 and 1891.

[From statement compiled by S. N. D. North, secretary National Association of Wool Manufacturers. Wool Book, 1892.]

Countries of production.	1887.	1891.
	Pounds.	*Pounds.*
Europe:		
Russia	262,966,000	291,500,000
Great Britain and Ireland	135,936,000	147,475,000
France	80,138,000	124,803,000
Spain	66,138,000	66,138,000
Germany	54,894,000	54,894,000
Hungary	43,146,000	43,146,000
Italy	21,385,000	21,385,000
Austria	11,155,000	11,155,000
Portugal	10,362,000	10,362,000
Belgium	4,409,000	4,409,000
Sweden	3,307,000	3,307,000
All other Europe	8,818,000	8,818,000
Total Europe	702,654,000	787,392,000
North America:		
United States	307,588,000	307,100,000
British North American provinces	4,409,000	12,000,000
South America:		
Argentine Republic (exports, 1885)	283,047,000	376,700,000
Brazil		1,875,000
Peru		6,700,000
Uruguay (exports, 1894)	59,684,000	42,000,000
Australasia	455,470,000	550,000,000
Asia:		
British East Indies (exports, 1885-'86)	23,126,000	72,000,000
Russia		66,000,000
Turkey, Asiatic, and Persia (estimated)	13,228,000	
Afghanistan, Beluchistan, L		
Thibet exports to India		12,200,000
Sivas, Asiatic Turkey		8,300,000
Syria, Asiatic Turkey		
Mesopotamia		31,555,000
Persia (exports to India)		3,470,000
Africa:		
Cape Colony (exports, 1885)	29,299,000	128,661,600
Natal (exports, 1885)	17,306,000	
Egypt		2,800,000
All other countries	88,185,000	48,000,000
Total production	1,983,396,000	2,456,773,600

WOOL PRODUCTION OF ENGLAND AND BRITISH POSSESSIONS.

One of England's possessions, Australia, contains about the same area as that of the United States, with a population in 1892 of 3,980,312. England gives the land to those people at a nominal rent, which is less than the taxes paid by the landowner in this country. The climate in the greater part of that country is superior to ours, and the nature of the soil very much like that west of the one hundredth meridian in the United States. In India, Natal, and Cape of Good Hope the conditions are

equally favorably to sheep-raising and woolgrowing. The Australian product alone in 1891 amounted to 550,000,000 pounds, and that of India and Cape of Good Hope 200,681,600 pounds.

The following table exhibits the wool production of the United Kingdom and the British Possessions:

Table showing the wool production of United Kingdom and the British Possessions.

Country.	Production, 1891.	Number sheep, 1892.
	Pounds.	
Great Britain, including England, Scotland, Ireland, and Wales	147,475,000	33,562,406
British North America	12,000,000	3,150,000
Australasia, including New South Wales, Western Australia, South Australia, New Zealand, Tasmania, Queensland, and Victoria	550,000,000	119,150,542
Cape of Good Hope, including Natal	128,681,600	17,700,000
India	72,000,000	23,600,000
Total	910,156,600	197,162,948

ENGLAND'S EXPORTS OF RAW AND MANUFACTURED WOOL.

During the year 1893 England exported 362,000,000 pounds of wool in the unmanufactured state, and of the manufactured products to the value of $110,000,000. The United States is the largest single purchaser of these goods, importing in 1893 of class 1, about 43,311,565 pounds; of class 2, about 6,736,201 pounds, and of class 3, about 123,000,000 pounds. About $70,000,009 in gold are annually sent abroad in payment for these goods—seventy millions taken from us to enrich the manufacturers and wool raisers of foreign countries.

With the product of her colonies to manufacture and dispose of, England necessarily finds it advantageous to encourage free trade, particularly since, while making a market for these colonial products, she reaps the benefit from the manufactures. The wool is sent to England, manufactured into goods, and then returned to the colonies, England thus securing the profits on the goods manufactured. One gains an intelligent idea of the extent and importance of England's possessions and the vast resources at her command from the description given by the very able lecturer, Mr Stoddard, in one of his recent addresses. He says:

> Not to mention the great continent of Australia and the vast stretch of Canada from sea to sea, think of her line of fortresses around the world; think of her strongholds greeting one as he circumnavigates the globe. Thus, we leave Japan and in four days we find the flag of England flying at Hongkong; a few days more and we behold the Union Jack at Singapore; then at Penang; then at Ceylon; then through the length and breadth of the colossal empire of India, as well as the gigantic area of Burmah. Embark again. If we sail southward toward the Cape of Good Hope we find the entire southern point of Africa in England's hands, or go northward, what do we find? The British citadel of Aden. A few days more and we arrive at Egypt and the Suez Canal, both virtually now in England's hands. Then, like the three stars in Orion's belt, across the Mediterranean, come Cyprus, Malta, and Gibraltar; a mighty line of strongholds all the way.

THE AREA OF GREAT BRITAIN AND POSSESSIONS, AND ITS EFFECT UPON THE WOOL INDUSTRY.

I here insert a table giving the area of the United Kingdom and her possessions, together with population:

Table giving the area and population of the United Kingdom and the British Empire.

Country.	Area in square miles.	Population, 1891.
United Kingdom, British Isles	120,973	38,122,285
British North America, Canada, etc	3,498,383	5,030,613
India and possessions in Asia	995,570	225,292,205
India and native states	593,313	66,050,500
Australasia	3,161,855	3,850,361
Cape of Good Hope and possessions in Africa	297,547	3,876,918
West India Islands, Bermuda, and British Honduras	18,467	1,403,962
British Guiana, Gibraltar, and Malta	109,121	455,275
Total	8,798,229	344,082,119

The estimated area of the land surface of the globe is 53,000,000 square miles. The figures in the foregoing table give the total area of the British possessions as 8,798,229 square miles, or about one-sixth of the entire area of the land surface of the world.

It is not surprising that with this great extent of country, much of it devoted to woolgrowing, England finds herself independent of foreign supply, and while furnishing a market for the productions of her own possessions, she builds up her trade, brings to her market the material necessary to supply her factories, and gives employment to her army of workingmen at home.

The foreign supply cuts so small a figure no necessity exists for legislation against its importation, and there is no possibility of other countries sending her cheaper wool. France, England, Switzerland, Holland, and Belgium, although producing less than one-fifteenth of the merino wool of the world, manufacture more than half of the world's product, evidently appreciating the importance of giving employment to their own people. The combined territory of these countries does not equal the united areas of Texas and Montana. Naturally they desire free wool, the purpose of England being to encourage and dispose of the product of her possessions, fearing no competition from outside markets, nor from France, Holland, Switzerland, and Belgium, because with their limited areas they find it impossible to increase their product, which is totally inadequate to the demand for home consumption.

THE UNITED STATES CAN GROW ALL THE WOOL NECESSARY FOR HOME CONSUMPTION

With us, every year of prosperity increases our wealth and production. Our lands are broad, our climate good, and with needed protection we would be, in a few years, independent of foreign markets. It would be well did every pound of wool imported, or any other article not sufficiently produced for home demand, cost the buyer a good round price, thus giving an impetus to home production, and forcing the man who desires foreign goods to pay for his preference. This country has the capacity for producing the quantity of wool necessary for home demand, as well as machinery and facility for manufacturing all the clothing necessary for our people. Under the protective system this is assured to us, and assured in the near future—judging from the progress made in the industry under this policy.

Why should we change this for a policy which experience has proved is utterly destructive of these prospects, and render useless the advantages which our country and people make possible for us—a policy apparently framed wholly in the interests of foreign products and foreign labor? Have we no unemployed in this country? Are not millions of our people clamoring for work? Have we not the skill and the enterprise to build up our own industries? Why should we desire the so-called advantages of foreign markets? We have the facilities to make us entirely independent of them. We have only to stretch out our hands to our own land, accept the goods provided for us in such abundance and which she so freely offers. With proper provision for the care and encouragement of our own resources we can be made entirely self-sustaining.

WOOL IS ONE OF THE MOST ESSENTIAL MUNITIONS OF WAR.

As a nation, growing, advancing, and second to none in point of intelligence and enterprise, we should be able to take care of ourselves, and feel that, at least for the necessaries of life, we can depend with absolute reliance upon ourselves. With no product is this independence of foreign markets more necessary than with wool. Aside from the leading place it occupies in the ordinary comforts of life, the time may come when it will be still more important as a munition of war, and as such become absolutely indispensable.

Although we are now at peace with other nations, we must not forget that we should "in time of peace prepare for war." Should we find ourselves involved with some foreign power, would it be an easy matter to increase our home product to meet the unusual demand, or would we be willing to depend, at such a time, on foreign markets? Would it not be wise now to see to it that by no mistaken legislation is the production of this most important munition checked, or that we shall be deprived of this most valuable factor of success?

From the year 1880 to 1890 the increase in sheep in foreign countries far exceeded that of the United States. The reduction of duties in 1883—some 2 cents a pound in this country—checked very seriously the growth of the wool industry with us, but seemed to give an impetus to the foreign production. During this period the increase of sheep in New South Wales was about 58 per cent. After the McKinley act increased the duty 1 cent per pound, showing a disposition to increase protection and foster home industries, new life was given to woolgrowing, and as the benefits began to be felt throughout the whole country the increase was in this country very marked. From 1892 to 1893 our flocks augmented about 10 per cent, while the flocks of New South Wales decreased more than 6 per cent.

REFUTATION OF THE CHARGE THAT THE M'KINLEY BILL CAUSED DECLINE IN WOOLS IN ALL MARKETS OF THE WORLD.

The decline in wools for 1893 (which has erroneously been claimed to have ensued as a result of the provisions of the McKinley bill), in all the markets of the world, was but slight. Reliable statistics show that before the McKinley tariff was threatened with repeal, and even so late as in March, 1893, and indeed for several years previous to that date, the average value in London of American wools, or wools of corresponding texture, was over 40 per cent below the average price in the United States under the McKinley act, and this decline of 40.92 per cent since June 1, 1893, evidences the progress which American wools have made in their fall toward the free-wool level and prices, at

this date are scarcely 10 per cent above the free-wool level. This is the first time since 1861 when American wool has failed to average double the price of foreign wool in the outside free-trade markets of the world.

Mr. J. H. Root, of Hartford, Conn., who has given the wool industry his special attention for years, says:

The decline in value in foreign markets during the year 1893 was very slight, and only affected certain kinds. The foreign wool, which competes with the wool grown west of the Mississippi River (which is now the wool-producing portion of the United States), shows really no decline. The statistics of the London wool market—which market regulates the price of wool for the world—(just issued for the year 1893) show that Cape grease wool in February, 1893, was selling in London for 11 cents a pound; in May the same wool advanced to 12 cents, at which price it sold in October, 1893. Sidney grease wool in February, 1893, sold at 15 cents a pound; in May it had advanced to 16 cents, at which price it held and sold in October, 1893. New Zealand grease, X (cross) bred, in February, 1893, sold at 19 cents, advanced to 20 cents in May, and in October, November, and December, 1893, sold at same price.

The above grades of foreign wool compete in grade and character with our domestic, grown west of the Mississippi River. The same statistics quote the best scoured Port Philip (a grade which competes with our very fine Southern Ohio, West Virginia, and Washington County, Pa., fleece), in December, 1892, at 33 cents; in May, 1893, the same wool sold at 36 cents, then gradually declined until October, November, and December, 1893, during which months the same wool sold at 34 cents a pound, 1 cent above the price ruling twelve months previous.

Messrs. Helmuth, Schwartse & Co. (which firm is considered an authority), in their report issued January 9, 1894, reporting the London market of 1893, quote Australian Port Philip average greasy, December 31, 1892, at 15 cents and the same wool, December 31, 1893, at 13 cents. Australian Port Philip average, scoured, on December 31, 1892, was quoted at 31 cents, and December 31, at 31 cents. Sidney average, greasy, was 14 cents both December 31, 1892, and December 31, 1893. Cape wool averaged 15½ cents, on both December 31, 1892 and December 31, 1893, showing that for the twelve months ending January 1, 1894, the opening and closing prices were identical, while in the United States during the same period, the decline was from 30 to 40 per cent.

The decline during this period was very slight in foreign countries, being hardly perceptible, while in this country it could be measured largely by the "free-wool" schedule which the Wilson bill offered the woolgrowers.

Australia, South America, and Cape of Good Hope are the only countries which produce merino wool in such quantity as to seriously compete with the United States. That there has been a depression in wool throughout the world is admitted, but the decline in value of merino wool, as a class, in no market of the world outside of the United States, from April 1, 1893, to October 1, 1893, a period of six months, exceeded 5 per cent, while in the same period in the United States, for merino wool, the decline was from 33 to 40 per cent.

THE PRESENT DEPRESSION IN AMERICAN WOOL VALUES WHOLLY ATTRIBUTABLE TO THE WILSON BILL.

I will add, that since January 1, 1894, the decline to date has been at least 10 per cent more. This great depression, according to the best authority, is felt only in the United States, and is almost entirely the result of the panic caused by the possibility of the Wilson bill, as it first appeared, becoming a law.

It does not appear, however, that this prospect has caused a corresponding depression in the foreign market. On the contrary, statistics show when with free trade our prices and productions decline, foreign markets are unusually buoyant, and that even a low tariff stimulates the foreign production and results in unusually large importations to us. We have an illustration of this in the importation of third-class wools, which has about trebled during the last fiscal year.

This enormous increase in the demand for this class of wools is due largely to the decrease in their production in this country, owing to the mistake in their classification by the McKinley bill, which, as "carpet wools," admitted them on very low duty. This resulted in an immense importation of this wool at prices with which our producers could not compete, and a consequent decrease in production of this wool with us.

The Boston American Wool Reporter (a free-wool journal) of January 15, 1893, says:

The increase of third-class wools imported for a series of years has averaged about 5,000,000 pounds annually, the increase the present year being nearly three times the annual average. This large increase is not attributable to an increased consumption by carpet manufacturers. The wools are being used for clothing purposes, going into men's wear, dress goods, cloaking, etc. The consumption of class 3 wools has become large enough to affect prices of domestic wools, these wools being a greater factor in determining the prices of domestic wools than is generally believed. When the McKinley bill was under discussion the evidence was that only a small fraction of carpet wools was used for clothing purposes, mainly for blankets, and this evidence was undoubtedly correct. Since then fashion and excessive competition in the goods market have made it possible to utilize these wools in the manufacture of clothing.

Much of this wool is grown in China, and with the opening up of the new woolgrowing sections in China, and her increased facilities for exporting, this supply might be said to be almost unlimited.

Of the 122,000,000 pounds of third-class wools imported in 1893 there were 20,000,000 pounds of China wool, direct imports, besides indirect (amount not ascertained), and substantially all used in the manufacture of clothing. The mistake of the McKinley bill was in classifying this wool as carpet wool, and as such admitting it at reduced duty.

The wool purchased from China on a silver basis is paid for by the importer with exchange secured on the price of silver bullion, which is not much over 50 cents on the dollar in gold. This is a double disadvantage to the producer in this country, and offers but little incentive to enter into competition on this basis.

RATES OF DUTY ON WOOL UNDER VARIOUS TARIFF ACTS.

With the view, Mr. President, of supplying information frequently called for in my correspondence, and doubtless by the correspondence of other Senators, I append a statement showing the rates of duty imposed on wool by the various tariff acts of Congress from 1789 to 1890, as follows:

TARIFFS ON WOOL.

Rates of duty imposed on wool by various acts of Congress, 1789-1890.

Date of act of Congress.	Date of tariff.	Rates of duty.
July 4, 1789	July 4, 1789	Free.
Apr. 27, 1816	July 1, 1816	15 per cent ad valorem.
May 22, 1824	July 1, 1824	Value not exceeding 10 cents per pound, 15 per cent ad valorem.
	July 1, 1824	Value exceeding 10 cents per pound, 20 per cent ad valorem.
	June 1, 1825	Value exceeding 10 cents per pound, 25 per cent ad valorem.
	June 1, 1826	Value exceeding 10 cents per pound, 30 per cent ad valorem.
May 19, 1828	July 1, 1828	4 cents per pound and 40 per cent ad valorem.
	July 1, 1829	4 cents per pound and 45 per cent ad valorem.
	July 1, 1830	4 cents per pound and 50 per cent ad valorem.
July 14, 1832	Mar. 3, 1833	Value not over 8 cents per pound, free.
	Mar. 3, 1833	Value over 8 cents per pound, 4 cents per pound and 40 per cent ad valorem.
Mar. 2, 1833	Jan. 1, 1834	Value not over 8 cents per pound, free.
	Jan. 1, 1834	Value over 8 cents per pound, 4 cents per pound and 38 per cent ad valorem.
	Jan. 1, 1836	Value over 8 cents per pound, 4 cents per pound and 36 per cent ad valorem.
	Jan. 1, 1838	Value over 8 cents per pound, 4 cents per pound and 34 per cent ad valorem.
	Jan. 1, 1840	Value over 8 cents per pound, 4 cents per pound and 32 per cent ad valorem.
	Jan. 1, 1842	Value over 8 cents per pound, 4 cents per pound and 26 per cent ad valorem.
	July 1, 1842	Value over 8 cents per pound, 4 cents per pound and 20 per cent ad valorem.
Aug. 30, 1842	Aug. 30, 1842	Value not over 7 cents per pound, 5 per cent ad valorem.
	Aug. 30, 1842	Value over 7 cents per pound, 3 cents per pound and 30 per cent ad valorem.
July 30, 1846	Dec. 1, 1846	Thibet, angora, and other goats' hair or mohair 20 per cent ad valorem.
	Dec. 1, 1846	All other wool, 30 per cent ad valorem.
Mar. 3, 1857	July 1, 1857	Value not over 20 cents per pound, free.
	July 1, 1857	Thibet, angora, etc., value over 20 cents per pound, 15 per cent ad valorem.
	July 1, 1857	All other over 20 cents per pound, 24 per cent ad valorem.
Mar. 2, 1861	Apr. 1, 1861	Sheepskins with wool on, 15 per cent.
	Apr. 1, 1861	Value less than 18 cents per pound, 5 per cent.
	Apr. 1, 1861	Value 18 cents and not more than 24 cents per pound, 3 cents per pound.
	Apr. 1, 1861	Value over 24 cents, 9 cents per pound.
June 30, 1864	July 1, 1864	Sheepskins with wool on, 20 per cent.
	July 1, 1864	Value per pound 12 cents or less, 3 cents per pound.
	July 1, 1864	Value over 12 cents and not over 24 cents, 6 cents per pound.
	July 1, 1864	Value over 24 cents and not over 32 cents, 10 cents per pound and 10 per cent ad valorem.
	July 1, 1864	Value over 32 cents, 12 cents per pound and 10 per cent ad valorem.
	July 1, 1864	Wools scoured, treble the amount of duty.
	July 1, 1864	Flocks, waste or shoddy, 3 cents per pound.
Mar. 2, 1867	Mar. 2, 1867	Clothing wools, 32 cents or less, 10 cents per pound and 11 per cent ad valorem; over 32 cents, 12 cents per pound and 10 per cent ad valorem; washed, twice the amount of duty.
		Combing wool, 32 cents or less, 10 cents per pound and 11 per cent ad valorem; over 32 cents, 12 cents per pound and 10 per cent ad valorem.
		Carpet wool, 12 cents or less, 3 cents per pound; over 12 cents, 6 cents per pound.
		All classes, scoured, treble the amount of duty.
Mar. 2, 1867	Mar. 2, 1867	Sheep and goat skins, with wool on, 30 per cent ad valorem.
		Woolen rags, shoddy, mungo, waste, and flocks, 12 cents per pound.
July 14, 1870	Jan. 1, 1871	Wools on skin to be dutiable at the same rates as other wools.
June 6, 1872	Aug. 1, 1872	Reduction of 10 per cent on all duties.
Mar. 3, 1875	Mar. 3, 1875	Rates under tariff of March 2, 1867, restored.
Mar. 3, 1883	July 1, 1883	Clothing wools, value of 30 cents or less, 10 cents per pound; over 30 cents, 12 cents per pound; washed, twice the amount of duty.
		Combing wools, value of 30 cents or less, 10 cents per pound; over 30 cents, 12 cents per pound.
		Carpet wools, value of 12 cents or less, 2½ cents per pound; over 12 cents, 5 cents per pound.
		Wools of all kinds, scoured, treble the amount of duty.
		Wools on the skin, same as other wools.
		Waste, mungo, shoddy, etc., 10 cents per pound.
Oct. 1, 1890	Oct. 6, 1890	Clothing wools, 11 cents per pound; washed, double duty; scoured, treble duty.
		Combing wools and hairs, 12 cents per pound; scoured, treble duty.
		Carpet wools, valued at 13 cents or under, 32 per cent; valued over 13 cents, 50 per cent ad valorem.

THE COST OF TRANSPORTATION OF WOOL.

I desire to repeat what I stated in the Senate on May 3d last in colloquy with the senior Senator from New Hampshire [Mr. CHANDLER], on the question of the rates of transportation of wool raised in the Western section.

The transportation of wool has not been explained fully. The rate by rail on scoured wool is three times first-class. Merino wool, in which we are interested, is 70 per cent grease and dirt. Consequently it takes 3½ pounds of that kind of wool as you take it from the sheep to make 1 pound of scoured wool. The freight on scoured wool from Arizona, New Mexico, Idaho or Montana would be about 9 cents a pound, while by steamer the regulations as to classification do not apply, particularly where rates are demoralized and freight scarce.

You can ship scoured wool from the seaports of Australia, the Argentine, or the Cape of Good Hope for three-fourths of 1 cent per pound, a difference of 50 per cent on the wool in the grease. I mention, for the serious consideration of the Senate, the fact that there is a difference of 9 cents a pound between scoured wool produced in the far-off Western States and that from the colonies controlled by England.

The rates from the western portion of our country referred to in the letter which the Senator has read are undoubtedly from Cheyenne or somewhere close to what is known in railroad parlance as the Missouri River line, a common point. The rate on grease wool from Montana, Idaho, and Oregon to Boston runs from $1.90 to $2.40 a hundred pounds.

I am interested in this matter sufficiently to know. From the eastern portion of Montana the rate is $1.90 a hundred pounds, and from the eastern portion of Idaho and Oregon it is about $2.20, and in the west of those States it runs about $2.40 a hundred pounds. Then when you get over on the Pacific coast the rate, I am advised, decreases to about 1 cent a pound, but there is no wool grown on the coast which you can ship; it is the product of the interior. You have to ship by rail to the seaboard, and that will cost you, perhaps, from 75 cents to $1.50 a hundred pounds. Water competition makes the rate from the Pacific coast to New York from 25 to 37 cents a hundred pounds, and to London from 37 to 50 cents a hundred pounds.

I will further state that the rate from Melbourne given by the authority the Senator from New Hampshire has quoted is certainly on scoured wool, because on wool in the grease the rate is only about 50 cents to London. It certainly must be scoured wool, which would cost us 9 cents per pound from the West and Southwestern States.

The following table shows the average weights of bales of wool, domestic and foreign:

[Wool Book, 1892.]

Average weights of bales of wool.

DOMESTIC.

	Pounds.
Ohio, per bag	200
Michigan, per bag	220
Indiana, per bag	175
Texas, per bag	210
Utah greasy, per bag	325
Montana greasy, per bag	290
California scoured, per bale	400
California greasy, per bale	500
Eastern Oregon greasy, per bale	510
Valley Oregon greasy, per bale	520
Territory, per bale	300

FOREIGN.

Australian, per bale	350
New South Wales greasy wool, average per bale	400
New South Wales scoured, average per bale	260
Cape, per bale	400
Cordova, per bale	1,000
Montevideo, per bale	1,000
Donskoi, per bale	500
Donskoi, washed fleeces, per sack	200
Donskoi, unwashed	300
English combing, per sheet	600
Scotch carpet, per sheet	600
Scotch carpet, per bag	250
Aleppo, per bale	
East India: Karadi, Bagdad, Turkish and Levant	350
River Plate	800
English wools very from 500 to 600 pounds.	

IS THE AMERICAN WOOL INDUSTRY TO BE ASSASSINATED AND DELIVERED INTO FOREIGN CONTROL?

Mr. President, I very much fear, although I hope to the contrary, that no reasonings however well based, no theories however amply supported, are likely to find favor with those who are so intent on sacrificing some of the best interests of the country to this theory of free trade. It would seem as if the edict had gone forth and the death of one of the leading industries of this country had been decreed, but I shall not believe it until the final vote on the passage of the pending bill, because it would prove a costly experiment, if experiment it be, and recoil terribly upon the political party which justifies and ordains the slaughter.

That if accomplished it will shortly be repudiated and denounced by the rank and file of the Democratic party itself is to my mind a foregone conclusion, since every citizen of the country engaged in the sheepgrowing industry, whether to considerable or inconsiderable degree, North, South, East, and West, must suffer irreparable pecuniary loss through opening our markets to free foreign wool.

This conclusion is justified and rendered more certain by the undeniable fact that it is by no means an easy task to recuperate and reëstablish the wool industry after it shall have suffered either partial or entire destruction. It takes time and money to reproduce flocks; and who is to come forward and reinvest capital in an industry which must be first rescued from captivity by foreign nations before it can again be Americanized?

You propose now to manacle and shackle the sheep-growing, wool-producing industry of the country, with all its varied interests, and deliver it into foreign hands, regardless of the losses and injuries entailed upon our own people. American wool is to be made the outcast and pariah of American industries, the great sacrifice offered to propitiate the demands of the free trade Moloch.

A PROTEST AGAINST SUCH A CONSUMMATION.

Fully realizing that no words of mine, nor cautions and protestations from out the mouths of the many wiser and more eloquent of my colleagues, can or will stay the ruthless hand of the preordained free-trade assassination of the wool industry, I can only, in the name of the State I have the honor to represent and her citizens, interpose my solemn protest, and appeal to the American people for that vindication and retribution which follow, surely as night follows day, the commission of crimes against the welfare and happiness of the Republic!

APPENDIXES.

VARIOUS STATISTICS OF THE SHEEP-GROWING AND WOOL PRODUCING INDUSTRY.

As I have cited figures in the course of my remarks on various items affecting the wool industry, I deem it proper to verify the same by appending statistical tables obtained from sources deemed and accepted as authentic.

I. World's wool product—Department of Agriculture.
II. Number of sheep in the world.
III. Population and number pounds of wool produced in principal wool-growing countries.
IV. Number of pounds of wool in United States, Argentine Republic, and Continents of Europe, Asia, Africa, and Australasia.
V. Price of domestic wool in Boston wool market, year ending June 30, 1893.
VI. Imports of wool and manufactures of wool, 1891, 1892, 1893, 1894.

APPENDIX I.

Approximate statement of the world's wool product according to the latest attainable data, compiled by the Department of Agriculture.

Countries.	Years.	Quantity produced. Millions of kilograms.	Quantity produced. Pounds.
In Europe:			
Russia	1888	*a*118.62	261,509,652
Great Britain and Ireland	1891		*b*147,474,238
France	1892		*c*107,222,264
Spain	1880	*20.00	66,138,000
German Empire	1892		*d* 55,100,000
Hungary	1884	*19.57	43,144,022
Italy	1891		*e*21,214,537
Austria	1891		*f* 9,044,488
Portugal	1882	*g*5.21	11,485,906
Belgium	1890	*.50	1,102,300
Sweden	1890	*1.80	3,968,280
Other European countries		*35.24	77,690,104
Total for Europe			805,093,851
Outside of Europe:			
Australia	1890		*h*505,712,887
United States	1892		*i*293,000,000
Argentine Republic	1892		*j*340,908,398
Uruguay	1892		*k*61,666,699
Cape Colony	1892		*l*70,235,193
British India	1892		*m*24,717,007
Natal	1892		*n*20,887,888
Asiatic Turkey	1892	*o*7.94	17,504,524
British North America	1891		*p*10,000,000
Other extra-European countries		*q*40.00	88,184,000
Total extra-European countries			1,432,917,496
SUMMARY.			
Total for Europe			805,093,851
Total extra-European countries			1,432,917,496
Grand total			2,238,011,347

a (Russia.) These are the figures given by Dr. Franz von Juraschek, on page 468, of Uebersichten der Weltwirthschaft, for 1885–1889. His estimate is based on an assumed average yield of 6 Russian pounds of wool per head of sheep, the number of these animals in 1888 having been 48,220,119, without including those in Asiatic Russia. The allowance of 6 Russian pounds, or approximately 5,417 pounds avoirdupois per capita, seems a rather large estimate.

b (Great Britain and Ireland.) Estimate of the Bradford Observer reproduced in the Wool Book for 1892, page 64.

c (France.) According to the Bulletin of the Ministry of Agriculture for November, 1893 (twelfth year, No. 6), the quantity of wool produced was 486,357 quintals, of which the figures in the table are the equivalent. The number of animals shorn is stated in the same place at 16,591,647, on which the average yield of wool is 2.93 kilograms, or 6.46 pounds per capita. It is probable, however, that the total wool clip, as stated in the table, includes a considerable quantity of pulled wool, in which case the average weight per fleece will be less.

d (German Empire.) The number of sheep on December 1, 1892, according to preliminary figures published in the Statistisches Jahrbuch für das Deutsche Reich for 1893 was 13,775,063, on which number the round number estimate of 55,100,000 pounds is a very small fraction less than 4 pounds per capita. The estimate of Dr. Von Juraschek for 1883 was 25,590,000 kilograms, or 56,415,714 pounds, which was less than 3 pounds per capita on the sheep then in the empire; whereas Mulhall, estimating for 1887, put the total product of the empire at 105,000,000 pounds. The number of sheep has diminished by nearly five and one-half millions within the last ten years.

e (Italy.) The official figures for 1891, as found on page 389 of the Annuario Statistico Italiano for 1892 make the quantity of wool produced in that year 9,622,851 kilograms, or, as stated in the table, 21,214,537 pounds, and the value 18,366,975 lire, or $3,533,246.

f (Austria.) According to the animal census of December 31, 1890, there were in Austria at that time 8,186,787 sheep, against 3,841,340 in 1880. The yield of wool in 1881 was officially reported in part 2 of the Statistisches Jahrbuch des K. K. Ackerbau, Ministeriums for 1881, at 49,452 metric centners (or quintals), and assuming the yield in 1891 to have been proportionally the same, the quantity of wool obtained from the reduced number of sheep would be 41,025.53 metric centners, or, as estimated in the table, 9,044,488 pounds.

g (Portugal.) On the basis of 2,977,454 sheep, the number in the kingdom in 1892, and an average of 1¾ kilograms of wool per capita; the number of sheep is found in the Statesman's Year Book for 1889, and the yield of wool per capita is that assumed by Dr. F. X. von Neumann-Spallart and his successor, Dr. von Juraschek, in Uebersichten den Weltwirthschaft for 1885–1889. The estimate appears to be rather high, but is retained for want of a basis for a different one.

h (Australia.) The net export of the Australasian colonies for 1890 was 493,105,556 pounds, or 12,607,331 pounds less than the total product as stated in the table. The figures there given are from page 304 of the Victorian Year Book for 1892, a work prepared by Henry Heylin Hayter, government statist of the colony of Victoria. The net export was 520,481,863 pounds in 1889 and 642,637,738 in 1891; and if we suppose the net export in these years to have fallen short of the total production by about the same amount as in 1890, we shall have as the total production about 533,000,000 pounds in 1889 and 655,000,000 pounds in 1891. The woolen mills of Victoria and New Zealand, according to the latest official handbooks for these colonies, in 1891 and 1892 used the quantities named below:

	1891.	1892.
	Pounds.	*Pounds.*
Victoria	1,780,859	2,474,441
New Zealand	2,918,073	3,388,954
The two colonies	4,698,932	5,863,395

The figures for New Zealand are given as representing the quantities purchased. No statistics are at hand as to the quantities consumed in other Australasian colonies.

i (United States.) Official figures.

j (Argentine.) This is the quantity of wool exported. The exports for 1891 amounted to 305,570,431 pounds. The quantity manufactured in the Republic must be insignificant, and the figures on production were not available, could not greatly exceed the figures on exportation. The figures on exportation here given are from the official report on commerce and navigation for 1892.

k (Uruguay.) This is the quantity exported as wool of domestic origin during the year. No imports of unmanfactured wool are recorded for 1892 in the Anuario Estadistico de la Republica Oriental del Uruguay, from which document the quantity exported (stated in kilograms) is obtained. The number of sheep in Uruguay in 1892, as declared for the purposes of taxation, is stated at 11,912,760, on which number the exports for the year would be an average of about 5.7 pounds per capita. It is stated, however, on official authority that there are many thousands of inhabitants who do not pay any tax on the animals owned by them, this statement being found on page 27 of a pamphlet prepared for the World's Columbian Exposition by Carlos María de and Pena Honore Roustan, director of the general statistical office. In this pamphlet the total number of sheep is estimated at 23,000,000, the estimate being apparently made for 1891. On this basis the yield per capita would be much less than 5.7 pounds, as in fact it probably is.

l (Cape Colony.) Net export as stated in the Statistical Abstract of the colonial and other possessions of the United Kingdom, page 41, thirtieth number. The net export for 1890 is stated in the same place at 65,655,917 pounds, and that for 1891 at 75,520,701 pounds.

m (British India.) This is the net export during the Indian fiscal year, extending from April 1, 1892, to March 31, 1893, inclusive. It is, of course, much less than the total product, but the latter is difficult to estimate with any approach to exactness. The number of sheep and goats in British India, exclusive of Bengal and the Central provinces, in 1891–1892 is stated in No. 27 of the Statistical Abstract for British India (page 157) at 28,975,156, to which Bengal and the Central provinces would probably add a few millions more.

The numbers of sheep and goats respectively, are, however, not separately stated. D. V. von Juraschek, in his Uebersichten der Weltwirthschaft, while giving in his table the quantity exported, gives in a footnote an estimate of the total wool product, based on the number of sheep and goats together, placing it at from 30,000,000 to 40,000,000 kilograms. The lower of these estimates, which is probably above rather than below the mark, is equivalent to 66,138,000 pounds.

n (Natal.) This is the net export of sheep's wool, as stated in the Statistical Abstract of the colonial and other possessions of the United Kingdom, thirtieth number. The number of sheep in the colony in 1891 is stated in the same document at 959,246, on which the net export of wool in 1892 would amount to an average of over 2½ pounds per capita. It is evident from this that the wool shipped from the ports of Natal must have included a large quantity produced on adjoining territory.

o. (Asiatic Turkey.) The exports from Turkey, including Turkey in Europe, to the United Kingdom, alone amounted in 1890 to 17,458,697 pounds of sheep or lamb's wool and 4,120,222 pounds of goat's wool or hair; in 1891 it amounted to 17,805,113 of the former and 6,496,115 of the latter; in 1892 it amounted to 22,774,764 of the former and 7,774,541 of the latter.

p. (British North America.) The number of sheep in Canada in 1891 is stated in the Statistical Year-Book of Canada for 1892 at 2,513,977, on which the round-number estimate of 10,000,000 pounds of wool is a fraction less than 4 pounds per capita. The exports of home-grown wool from the Dominion during the fiscal year June 30, 1892, amounted to 916,330 pounds.

q. (Other extra-European countries.) According to an estimate of the English firm of Jacoms Sons & Co. It includes the wools of Peru, Chile, Brazil, Egypt, Tunis, Algiers, and other countries.

*Estimates of Dr. Franz von Juraschek, in his Uebersichten der Weltwirthschaft.

APPENDIX II.

Table showing the number of sheep in the world.

[From the Wool-Book, 1892.]

The following table is based upon the estimates made by Hon. J. R. Dodge, Statistician of the Department of Agriculture, for the special report of the Bureau of Statistics on wool and its manufacture, published in 1886. All available data, including the United States Consular Reports, have been carefully considered in making up the estimates for 1891. In the absence of information we do not change Mr. Dodge's figures;

Countries.	Years.	Sheep and lambs.
North America:		
United States	1892	44,938,365
Canada:		
Ontario and Quebec	1881	2,249,011
Nova Scotia	1881	377,801
New Brunswick	1881	221,163
Manitoba and the Northwest	1891	77,000
Prince Edward Island	1881	165,496
Total		3,091,471
Newfoundland	1891	40,000
Central America	1891	700,000
Jamaica	1885	13,350
Guadalupe	1880	13,630
Guatemala	1884	417,577
Mexico	1891	2,000,000
South America:		
Argentine Republic	1887	103,413,817
Brazil	1891	500,000
Chile	1891	2,500,000
Falkland Islands	1885	516,975
Uruguay	1891	13,000,000
Paraguay	1891	77,576
Venezuela	1883	*3,490,563
Europe:		
Austria-Hungary:		
Austria	1880	3,841,340
Hungary	1884	10,594,831
Belgium	1891	370,000
Denmark	1881	1,548,613
France	1885	22,000,000
Germany	1891	20,000,000
Great Britain and Ireland, etc	1891	33,533,988
Greece	1891	5,970,000
Italy	1881	8,590,108
Netherlands	1884	752,949
Portugal	1891	2,980,000
Roumania	1884	4,654,776
Russia in Europe	1891	53,000,000
Servia	1882	3,620,750
Spain	1891	22,800,000
Sweden and Norway:		
Sweden	1891	1,440,000
Norway	1875	1,686,306
Switzerland	1891	340,000
Turkey in Europe	1891	10,000,000
Eastern Roumelia	1883	1,858,839
Asia:		
Russia:		
Caucasia and Transcaucasia	1891	12,000,000
India:		
Madras	1881	*12,063,471
Bombay and Sind	1878	*3,300,000
Punjab	1891	*6,551,180
Central Provinces	1878	*641,000
British Burmah	1878	*20,000
Mysore	1878	*1,590,000
Berar	1878	*386,000
Ceylon	1884	53,757
Turkey in Asia:		
Mesopotamia:		
Angora	1891	*1,223,699
Bagdad	1891	2,037,431
Bassorah	1891	956,000
Diarbekir	1891	1,053,000
Kastamoonee	1891	*1,051,816
Konieh, or Iconium	1891	1,920,000
Mosul	1891	1,211,000
Sivas	1891	2,097,330
Syria	1891	3,831,359
Africa:		
Algeria	1891	2,357,000
Egypt	1891	1,040,577
Cape of Good Hope	1891	*17,770,209
Natal	1885	535,482
Mauritius	1884	*30,000
Orange Free State	1881	5,056,301
Australasia	1891	114,628,301
Oceania:		
Fiji Islands	1884	5,869
Tahiti and Moorea	1883	3,000
Total		584,725,697

*Includes also goats.

APPENDIX III.

Table giving the population and the number of pounds of wool produced in the principal woolgrowing countries of the world from 1800 to 1890.

The production of wool throughout the world for the first fifty years of the present century was 32,360,981,950 pounds, and the yearly average for the first fifty years 647,217,639 pounds.

The following shows the world's production of wool, in pounds, from 1801 to 1890, inclusive, together with the increase in population, Boston prices, and the decrease or increase in sheep in different sections of the United States:

[The American Wool Reporter, December 3, 1890.]

Years.	Population.*	Years.	Production.	Yearly average.
			Pounds.	*Pounds.*
1810	209,400,000	1801–'10	5,109,663,200	510,966,320
1820	208,900,000	1811–'20	5,427,612,600	542,761,260
1830	337,450,000	1821–'30	5,753,904,200	575,390,420
1840	384,060,000	1831–'40	6,867,524,000	686,752,400
1850	435,223,740	1841–'50	9,102,177,950	910,217,795
1860	480,800,450	1851–'60	11,035,584,400	1,103,548,540
1870	537,183,250	1861–'70	14,883,648,300	1,488,364,830
1880	641,858,085	1871–'80	17,080,363,490	1,708,036,349
1890	729,591,430	1881–'90	19,402,037,826	1,940,203,782
Total			94,722,416,960	1,052,371,299

*The population in this table includes eighteen nations of Europe. In America: The United States, Mexico, the Argentine Republic, and the Dominion of Canada. In Africa: The Cape Colonies. In Australia: The whole continent. In Asia: India and Turkey.

APPENDIX IV.

Table showing the number of pounds of wool produced in the United States and Argentine Republic, the Continents of Europe, Asia, Africa, and Australia, from 1800 to 1890.

Year.	United States.	Argentine Republic.	Europe.	Africa.	Australia.	Asia.
	Pounds.	*Pounds.*	*Pounds.*	*Pounds.*	*Pounds.*	*Pounds.*
1800	7,925,840	1,200,000	419,985,200	(*)	(*)	52,498,150
1810	11,227,520	2,800,000	439,945,600	(*)	(*)	56,993,200
1820	14,100,500	3,750,000	456,073,340	(*)	(*)	68,837,420
1830	17,829,870	5,940,000	475,988,700	2,200,000	2,860,650	70,571,200
1840	51,925,640	14,965,250	510,895,860	9,950,600	13,860,780	85,149,270
1850	89,985,400	24,864,300	629,642,100	17,825,850	42,958,645	104,941,500
1860	111,976,950	55,885,760	715,865,380	27,945,240	69,964,320	121,910,890
1870	154,500,080	106,987,500	806,940,870	45,968,880	179,453,780	134,507,120
1880	240,680,750	259,824,840	675,495,630	51,928,050	345,010,338	135,095,140
1890	271,342,200	295,425,200	701,658,350	55,185,780	400,879,240	264,860,050

*No returns.

APPENDIX V.

Table showing the price of domestic wool in Boston wool market, year ending June 30, 1893.

[Boston prices, June, 1892-1893, by Denny, Rice & Co.]

	June, 1892.	Aug., 1892.	Sept., 1892.	Oct., 1892.	Nov., 1892.	Dec., 1892.
Ohio, Pennsylvania, and West Virginia:	*Cents.*	*Cents.*	*Cents.*	*Cents.*	*Cents.*	*Cents.*
XXX, and pick-lock	32–33	32–33	32–33	32–33	32–33	32–33
XX	28 29	28 29	28 28½	28 29	28 29	28½ 29
X	27 27½	27 27½	26½ 27	27 27½	27 27½	27½ 28
No. 1	32½ 33	32½ 33	32 33	32½ 33	32½ 33	32½ 33
No. 2	31 32	31 32	31 32	31½ 32	31½ 32	31½ 32
Fine unwashed	19 20	19 20	19 20	19 20	20 20	20 21
Unmerchantable	22 22½	22 22½	22 22½	22 22½	22 22½	22 22½
Ohio combing No. 1 (⅜ and ½ blood)	35 36	35 36	35 36	35 36	35 36	35 36
Ohio combing No. 2 (¼ blood)	33 34	33 34	33 34	33 34	33 34	33 34
Ohio delaine	32 33	32 33	31 32	31 32	32 32	32½
Michigan, New York, and New England:						
X and above	25 26	25 26	25 25½	25 26	25 26	25½ 26
No. 1	31 32	31 32	31 32	31½ 32	31½ 32	32 32½
No. 2	31 32	31 32	31 32	31 32	31 32	31 32
Fine unwashed	17 19	17 19	17 19	19 19	17 19	17 19
Unmerchantable	19 20½	19 20½	19 20	19 20	19 20	19 20
Michigan combing No. 1 (⅜ and ½ blood)	34 35	34 35	34 35	34 35	34 35	34 35
Michigan combing No. 2 (¼ blood)	32 33	32 33	32 33	32 33	32 33	32 33
Michigan delaine	28 29	28 29	28 28½	28 28½	28 28½	28½ 29
Kentucky, Indiana, and Missouri:						
Combing, ⅜ blood	25 26	25 26	25 26	25 26	25 26	25 26
Combing, ½ blood	25 25½	24½ 25	24½ 25	24½ 25½	24½ 25½	24½ 25½
Combing braid	21 23	21 22	21 22	22 23	22 23	22 23
Clothing, ⅜ blood	24 25½	24 25½	24 25½	24½ 25½	24½ 25½	24½ 25½
Clothing, ½ blood	24 25	24 25	24 25	24½ 25	24½ 25	24½ 25
Clothing, coarse	20 21	20 21	20 21	20 21	20 21	20 21
Texas (scoured basis):						
Spring, fine, 12 months	57 58	56 58	56 58	56 58	56 57	55 56
Spring, fine, 6 to 8 months	52 53	52 53	52 53	52 53	52 53	52 53
Spring, medium, 12 months	52 54	52 54	52 54	52 54	52 53	52 53

Table showing the price of domestic wool in Boston wool market, etc.—Continued.

	June, 1892.	Aug., 1892.	Sept., 1892.	Oct., 1892.	Nov., 1892.	Dec., 1892.
Texas (scoured basis)—Continued.	*Cents.*	*Cents.*	*Cents.*	*Cents.*	*Cents.*	*Cents.*
Spring, medium, 6 to 8 months	48 52	48 52	48 52	48 52	48 52	48 52
Fall, fine	(*)	(*)	48 50	48 52	48 52	48 52
Fall, medium	(*)	(*)	45 48	45 48	45 48	45 48
California (scoured basis):						
Spring, northern, free, 12 months	55 57	55 57	55 57	55 57	54 56	54 56
Spring, northern, free, 6 to 8 months	50 53	50 53	50 53	50 53	50 53	50 53
Southern, 12 months	52 55	52 55	52 55	52 55	52 55	52 55
Southern, 6 to 8 months	45 48	45 48	45 48	45 48	45 48	45 48
Fall, free	(*)	(*)	48 50	48 50	48 50	48 50
Fall, defective	30 40	30 40	30 40	30 40	30 40	30 40
Oregon (scoured basis):						
Eastern, No. 1	53 56	53 56	53 56	53 56	53 56	53 55
Eastern, No. 2	50 54	50 54	50 54	50 54	50 54	50 52
Valley, No. 1	53 56	53 56	53 56	53 56	53 56	53 56
Valley, No. 2	50 52	50 52	50 52	50 52	50 52	50 52
Montana (scoured basis):						
Fine	57 59	56 58	56 58	56 58	55 57	55 57
Fine medium	55 57	55 57	55 56	55 56	54 56	54 55
Medium	52 54	52 54	52 53	52 53	52 53	52 53
Wyoming and Utah (scoured basis):						
Fine	56 58	56 57	55 56	55 56	54 56	54 56
Fine medium	55 57	54 56	53 55	53 55	53 55	53 54
Medium	50 52	50 52	50 52	50 52	50 52	50 52
Colorado and New Mexico:						
Improved	17 20	17 20	17 20	17 20	17 20	17 20
Coarse and carpet	13 15	13 15	13 15	13 15	13 15	13 15
Georgia and southern	24 26	24 26	24 26	25 26	25 25½	25 25½

	Jan., 1893.	Feb., 1893.	Mar., 1893.	Apr., 1893.	May, 1893.	June, 1893.
Ohio, Pennsylvania, and West Virginia:	*Cents.*	*Cents.*	*Cents.*	*Cents.*	*Cents.*	*Cents.*
XXX and pick-lock	32–33	33–34	33–34	34–35	(*)	(*)
XX	29 30	30 31	31 32	31 32	28–29	25–26
X	27½ 28	28 28½	28½ 29	28½ 29	26 27	23 25
No. 1	32½ 33	33 34	33½ 34½	33 34	30 31	27 28
No. 2	32 32½	32 32½	32 32½	32 32½	30	27 28
Fine unwashed	20 21	20 21½	20 22	20 22	19 20	17 18½
Unmerchantable	22 22½	22½ 23	22½ 23½	22 23	20 22	19 20
Ohio combing No. 1 (⅜ and ½ blood)	35 36	35 36	35 36	35 36	23 34	29 30
Ohio combing No. 2 (¼ blood)	33 34	33 34	33 34	33 34	30 31	27 28
Ohio delaine	32 32½	32 33½	32½ 33½	32½ 33½	30 32	27 29
Michigan, New York, and New England:						
X and above	26 26½	26½ 27	27 28½	27 28	26 27	24 25
No. 1	32 32½	32½ 33	33 33½	32 33	30 31	27 28
No. 2	31 32	32 32½	32 32½	31 32	29 30	26 27
Fine unwashed	17 19	18 20	19 20	19 20	18 19	16 18
Unmerchantable	19 21	21 22	22 22½	21 22	19 20	18 19
Michigan combing No. 1 (⅜ and ½ blood)	34 35	34 35	34 35	34 35	32 33	27 28
Michigan combing No 2 (¼ blood)	32 33	32 33	32 33	32 33	30 32	27 27½
Michigan delaine	28½ 29	29 30	29 31	29 31	26 28	25 26
Kentucky, Indiana, and Missouri:						
Combing, ⅜ blood	25 27	26 27	26 27	26 27	22 24	21 21½
Combing, ½ blood	25 25½	25 26	25 26	25 26	21 23	21 22
Combing, braid	22 24	23 24	23 24	21 22	19 21	18½ 20
Clothing, ⅜ blood	25 25½	25 26	25 26	25 26	23 24	22 23
Clothing, ½ blood	24½ 25	24½ 25	24½ 25	24½ 25	23 24	22 23
Clothing, coarse	20 21	20 22	20 22	20 22	19 20	18 19
Texas (scoured basis):						
Spring, fine, 12 months	55 56	55 56	55 56	55 56	53 55	48 52
Spring, fine, 6 to 8 months	52 53	52 53	52 53	52 53	48 50	43 48
Spring, medium, 12 mos	52 53	52 53	52 53	52 53	48 50	43 48
Spring, medium, 6 to 8 mos	48 52	48 52	48 52	48 52	45 48	38 45
Fall, fine	48 52	48 52	48 52	48 52	45 48	(†)
Fall, medium	45 48	45 48	45 48	45 48	40 45	(†)
California (scoured basis):						
Spring, northern, free, 12 months	54 56	54 56	54 56	54 56	52 55	48 51
Spring, northern, free, 6 to 8 months	50 53	50 53	50 53	50 53	47 50	40 45
Southern, 12 months	52 55	52 55	52 55	52 55	50 52	45 50
Southern, 6 to 8 months	45 48	45 48	45 48	45 48	43 45	38 43
Fall, free	48 50	48 50	48 50	48 50	45 48	40 45
Fall, defective	30 40	30 40	30 40	30 40	30 35	28 32
Oregon (scoured basis):						
Eastern, No. 1	53 55	53 55	53 55	53 55	50 52	45 50
Eastern, No. 2	50 52	50 52	50 52	50 52	48 50	43 48
Valley, No. 1	53 56	53 56	53 56	53 55	50 52	45 50
Valley, No. 2	50 52	50 52	50 52	50 52	48 50	43 48
Montana (scoured basis):						
Fine	55 57	55 58	55 58	55 58	53 55	48 50
Fine medium	54 55	55 55	55 56	55 56	52 54	43 51
Medium	52 53	52 53	52 53	52 53	50 52	45 50
Wyoming and Utah (scoured basis):						
Fine	54 56	54 56	54 56	54 56	52 53	45 52
Fine medium	53 54	53 54	53 54	55 56	50 53	48 50
Medium	50 52	50 52	50 52	52 53	50 52	45 50
Colorado and New Mexico:						
Improved	17 20	17 20	17 20	17 20	16 18	15 17
Coarse and carpet	13 15	13 15	13 15	13 15	13 15	13 14
Georgia and Southern	25 25½	25 25½	25 25½	25 25½	23 24	20 21

*Nominal. †No stock.

APPENDIX VI.

Imports of wool and manufactures of wool for fiscal years ending June 30, 1891, 1892, 1893, 1894, under the McKinley law, together with amount of duties collected on same.

[Compiled by Theodore Justice, of Justice, Bateman & Co., Philadelphia.]

Year ending June 30—	Imports of wool.		Duties collected.	Specific (or per pound) duty collected.	Ad valorem duty collected.
	Pounds.	Value.			
				Cents.	*Per cent.*
1891	129,303,648	$18,200,000	$6,500,000	5	35½
1892	148,670,652	19,600,000	7,750,000	5½	39½
1893	163,433,836	21,000,000	8,250,000	4.9	39½
1894*	48,792,168	6,000,000	2,300,000	4.9	38½
Total	495,200,304	64,800,000	†24,800,000		

Year ending June 30—	Imports of manufactures of wool.	Duties collected.	Rate of duty collected (ad valorem).
			Per cent.
1891	$41,000,000	$34,500,000	84.14
1892	35,500,000	34,000,000	95.77
1893	38,000,000	37,000,000	97.37
1894*	22,500,000	21,900,000	97.37
	137,000,000	‡127,400,000	

* The figures for 1894 are all estimates based on the reported imports for first nine months of the fiscal year ending June 30, 1894.

† This $24,800,000 duties collected on wool are, by the pending bill, to be given away at a time when the Government needs revenue.

‡ This $127,400,000 duties collected on woolen manufactured goods, which are almost exclusively luxuries used by the wealthy classes, are by the pending bill to be reduced two-thirds, thus making a present to the wealthy classes of over $80,000,000. This loss of revenue of over $100,000,000 heretofore collected under the McKinley law on wool and woolens is to be replaced by a tax on sugar, a necessary of life, the per capita consumption of which is as great by the poor as the wealthy.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Kansas [Mr. PEFFER].

Mr. PEFFER. I desire to be heard a few moments on the amendment.

Mr. CHANDLER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from New Hampshire suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Allen,	Dolph,	Kyle,	Quay,
Allison,	Dubois,	Lindsay,	Ransom,
Berry,	Faulkner,	Martin,	Sherman,
Blanchard,	Frye,	Mills,	Shoup,
Brice,	Gallinger,	Mitchell, Wis.	Squire,
Butler,	George,	Murphy,	Stewart,
Caffery,	Gibson,	Palmer,	Teller,
Call,	Gordon,	Pasco,	Turpie,
Chandler,	Gray,	Patton,	Vest,
Cockrell,	Harris,	Peffer,	Vilas,
Coke,	Hawley,	Perkins,	Voorhees,
Cullom,	Hoar,	Platt,	Walsh,
Daniel,	Hunton,	Power,	White.
Dixon,	Jarvis,	Pugh,	

The PRESIDING OFFICER. Fifty-five Senators have answered to their names. A quorum is present. The Senator from Kansas will proceed.

Mr. PEFFER. Mr. President, when one speaks about discriminations in our tariff legislation against farmers and in favor of manufacturers, he is very apt to be charged with demagogy; as if he were speaking for mere buncombe; as if there were no real foundation to the charge which he makes. I want to direct the attention of the Senate to that particular point by way of introduction to some other practical matters which I wish to present.

In the first place, Mr. President, the price at which the farmer sells his surplus produce is the price which obtains in what we call the market of the world. Take cotton and wheat, for example. The cotton that is forwarded from Texas or from any other Southern State is forwarded to a market at the other side of the Atlantic Ocean. The price obtained for it there is something larger than the price for which the farmer sells it, but all of the added price is transportation, handling, labor of different kinds bestowed upon the article after it leaves the hands of the farmer. So with wheat. Take wheat from the farm in Kansas; as it proceeds on its way to Liverpool or London it increases at every stopping place in its market value, but the farmer receives no benefit from that increase in value. I will make an illustration of it in a moment, so that the mind will readily grasp it from contrast.

On the other hand, the manufacturer in this country receives the benefit of whatever is derived from protective duties in his favor. He has the benefit of whatever is added to a free-trade price of the article by reason of tariff legislation, and whatever is added to the price of the manufactured article by reason of this legislation is that much more than the free-trade cost of the article. So what is gained in the price of the manufactured article inures to the benefit of the manufacturer, while in the case of the farmer what is added to the price of the article does not inure to him; it is simply paid out for transportation and in the cost of handling, warehousing, etc.

In order to make it more plain, I have put it in this form: Wheat from a farm in Kansas sells at 65 cents a bushel, we will say, which is much higher than the price now. We will take 100 bushels, making $65 worth. By the time it reaches New York $25 have been added to its value, because it costs Kansas farmers about 25 cents a bushel to land their wheat in New York City. When the wheat reaches New York it is worth 90 cents. But that does not help the farmer out any. It proceeds on its journey to London. Ten dollars more are added to the price of the wheat, making an even hundred dollars at London. The Kansas farmer received $65. The person who purchases the wheat in London pays $100 for it.

The difference between $65 and $100 is $35 that the wheat has gained in value on its journey from the farm in Kansas to the warehouse in London; but not a penny of value has been added to the farmer's price.

Now, we will reverse the process. We will purchase $65 worth of sugar in London and bring it back to the United States. Sixty-five dollars' worth of sugar by the time it reaches New York under the duties proposed in this bill would have added to it 40 per cent, which would make it amount to $91 by the time it leaves the custom-house in New York City.

I have not undertaken to compute what it will cost to dray the sugar from the Government warehouses to the warehouse of the wholesale merchant, but I consider 10 per cent on the price in the New York Custom House will pay the transportation to the town where I live in Kansas. That would give us $100.10 on this $65 worth of sugar when it leaves New York City; 10 per cent profit added to it by the Topeka merchant would make it cost the farmer of Kansas $110.1. Sixty-five dollars' worth of sugar in London will cost the Kansas farmer $110, a difference of $45, and nearly all of that added cost comes from the tax that we place upon it in the way of a protective duty.

Compare that with the other proposition. Sixty-five dollars' worth of wheat leaving the Kansas farm, by the time it reaches London is worth $100, but that added cost yields the farmer nothing. The price in London is nothing to him; it is simply the transportation, the handling charges added to the cost of the wheat to the farmer; in other words, the farm price of the wheat follows it wherever it goes so far as he is concerned, but it is not so with the article purchased in London which the farmer has to use. Senators can see from this comparison the great difference there is in the effect of our tariff legislation upon the farmers and upon the manufacturers.

That being true, when we call attention to this discrimination and ask for some sort of legerdemain, if I may use that term properly, by which the farmer can in some way have this discrimination against him offset, we ought not to be charged with demagogy; we ought not to be charged with talking for buncombe, for we are speaking plain, practical, common sense, sober truths; much learning has not made us mad; but we are talking the words of soberness, and of truth, Mr. President.

Another item. The manufacturer, when he uses in his work an article of foreign product and then exports his manufactured article, receives a drawback amounting to 99 per cent of the duty which was paid upon the foreign article. If a manufacturer in Boston or in New York uses foreign material of some kind, upon which $100 duty was paid, when he places this foreign product in his own manufacture and exports it, he receives back $99 of the duty, leaving only $1, or 1 per cent of the duty which was paid originally. The manufacturer gets the benefit of that, but the farmer does not. The farmer pays the manufacturer's price. If the price of a unit of this particular article is $1 when it leaves the shop, although the manufacturer has a rebate of 99 per cent on the duty, the farmer pays $1 with the added cost of transportation.

View this subject in any light you please, the discrimination is constantly staring us in the face, and this applies to a great many articles. It applies not only to wool, of which we export such a trifling amount that it is not worth talking about, but it applies to wheat, it applies to corn, it applies to oats, it applies to cattle, it applies to dressed carcasses of meat, although the

farmer does not sell that; it applies to everything which the farmer exports by reason of having a surplus over and above that which supplies the home market, and as to every article exported from the farm, as cotton or wheat, the price in the foreign market governs the price of the entire product here.

Mr. President, the farmer is trying to solve the problem of how to set off this discrimination against him in the matter of transportation. I have recently seen a very interesting plan suggested by a constituent of my amiable friend from California [Mr. PERKINS], whom I do not see present. He suggests that the Government pay the charges of transportation from American ports to the world's market on all farm products which are exported. It is a novel idea to many, and, of course, would not meet with favor in a Democratic Congress; and yet there is a vein of good, practical sense in the idea.

Take, for example, this 100 bushels of wheat of which I spoke. The transportation costs us $35. If the Government should undertake to protect the farmer's wheat just as it protects the manufacturer's cloth by a duty on foreign goods, by paying this $35 directly out of the public Treasury in such a way and guarded by such regulations as that the farmer would get the benefit of it, it would, as you see, immediately increase the value of the surplus to the amount of the transportation, and the farmer would get it. The effect on the farmer would be to raise the price of the wheat exported just what the transportation from port to port cost. Ten dollars saved on a shipment of 100 bushels would be equivalent to raising the price of the wheat 10 cents a bushel.

The weak point in my correspondent's plan is this: He believes that the price of all the wheat which is sold in the home market would be raised to the farmer just as much as this surplus sent abroad. He would discover, however, that that is error. The effect of the price of what is sold in the home market would not be anything.

I mention these pointers to Senators for the purpose of calling attention to the fact, and emphasizing it, that the farmers are trying to solve the problem of this discrimination against them.

Now I come to the item of wool—that is what we are talking about here—and it is proposed by this bill to remove the duties which are now imposed upon raw wool, but not to remove the duties from manufactures of wool. If Senators will examine the schedule, they will find that in the present law, in nearly every paragraph, where duties are laid on manufactures of wool, they are based upon the duties levied on raw or unmanufactured wool.

That is the case with cloth, clothing, and with dress goods where they are heavy. To illustrate what I mean, on page 33 of the little pamphlet entitled "Tariff rates; the tariff act of 1890 compared with the tariff act of 1883 and the Mills bill," I find paragraph 391, which provides that:

> On woolen and worsted yarns made wholly or in part of wool, worsted, the hair of the camel, goat, alpaca, or other animals, valued at not more than 30 cents per pound, the duty per pound shall be two and one-half times the duty imposed by this act on a pound of unwashed wool of the first class, and in addition thereto 35 per cent ad valorem.

Now, in most of the paragraphs following the same basis of computation is made. First, the amount of duty that is levied upon unmanufactured wool, a certain number of pounds is taken care of in the manufactured cloth. After that, 35 per cent ad valorem is levied. If Senators will examine the schedules in the bill before us they will find that there is no provision for the raw wool, but the 35 per cent on manufactured wool is left; 40 per cent is left; 45 per cent is left, and 50 per cent is left. There are only two cases in the present law, if I remember correctly, where the duty on manufactured cloth of any kind exceeds 60 per cent; but in most of them it is from 35 to 50 per cent, and on a few of the very low grades it is 15 per cent. In every case, however, there is an allowance made for the duty upon unmanufactured wool.

Now, I insist in the presence of the Democratic majority that that is unfair. I do not know what other words to use. Dishonest is not the proper word, because Senators do not mean to be dishonest. But it is unfair. That word can be used without being offensive and yet express the idea I have in mind. That idea is that the Democratic party is pledged to revise the tariff in a spirit of fairness. Those are the words of their platform. I know that platforms do not amount to much nowadays; but this is one of the principles of the party. This is a pledge which they made to the people of the United States; and every farmer in the land had a right to expect that this great party, to which the American people intrusted power, would perform their pledges, at least so far as this particular matter is concerned.

The farmers did not understand at the time of the election in 1892 that the money power was behind the tariff. They understood that the money power was operating in a good many other directions, but they had not at that time learned that it was the disposition of the money power to keep the tariff fight before the people in order that while we were quarreling they might run away with the spoils. The people did not imagine that. They believed and they had a right to believe that the Democratic party was earnest when it incorporated in its platform in 1888 a message of the President of the United States in which he proclaimed openly, boldly, manfully, and honestly, as I believe, that the revision of the tariff would be done in a spirit of fairness to all industries.

That being true, here is a great industry—the growing of wool. How great it is I will show in a short time. It is an industry involving millions, and even hundreds of millions of dollars in permanent investments of property of different kinds. There are 45,000,000 sheep, which ought to be worth an average of $2.50 a head. That would be $117,000,000. It is an industry requiring the culture of large tracts of land to produce hay, to produce corn, to produce oats, and to produce wheat in order that the bran may be used; and it requires many other articles necessary to take care of the flocks and the herds. It requires, besides, a large number of men and women who are engaged in caring for the animals. It requires from two to three years to mature a sheep.

It has required a long period of time to develop our sheep breeds to where they are now, and to develop the grade of wool we have now. From 1860 up to 1890 the grade of our wool improved at least 100 per cent. The weight of the fleece increased 250 per cent. So, whereas in 1860 our clips amounted to about 2 pounds on the average or 2½ pounds, in 1888 they amounted to 6 pounds or 7 pounds, and the quality of the wool constantly improved. It has required the outlay of hundreds of millions, I might say thousands of millions of dollars to develop the sheep industry of the United States to its present high standard.

I have before me a letter from a Missouri woolgrower, with whom doubtless the junior Senator from Missouri [Mr. VEST] is well acquainted. I do not see the Senator present. This gentleman has been in the business of raising sheep and wool for many years, and he has developed the quality of his stock so that he sells the males as far away from the United States as New Zealand and in Australia. His sheep have been spread into the Northwestern States, and wherever in the United States the best quality of Merino sheep are used these Missouri rams are sent. It is a great business; one which involves talent, labor, and a large investment of permanent capital.

There is as much money invested in the sheep industry and in the wool industry as there is in the industry of manufacturing wools. There are more men and women dependent upon it. Perhaps that is putting it a little too strong, but I will say that there are as many men and women engaged in the industry. But the farmer has still one advantage over the manufacturer—he has the great, wide, wide world near him, and if he is thrifty, as a woolgrower invariably is, he is able to take care of himself with or without tariff legislation.

But, Mr. President, if the passage of this wool schedule would affect the wool industry of the country as all woolgrowers say it would, as common sense teaches us it would, and as our present observation and experience show that it would, it is an outrage to pass such a measure when there is no necessity for it.

But, say the Democratic majority, "it is a part of our creed to give the people free wool." That I know is true. It is a part of your creed to give them free coal, but you are not going to do it. It is a part of your creed to give them free iron ore, and you are not going to do it.

Mr. President, you may go along through this bill and you will find the footprints of a power stronger than the Democratic party. That power has shapened this bill, and the only thing left to the solid, conscientious, old-fashioned free-wool Democrat is this item of free wool.

I submit this proposition to the gentlemen who are in charge of the bill. I have shown that you are taking off the duty on raw wool and leaving it on manufactured wool. There may be a few instances where the duties have been somewhat decreased below this point, but speaking in a general way it has been the object to take out all the duties there were laid upon raw wool and leave the manufactured wool protected.

This is the proposition I submit to those gentlemen: Compromise with us as you have done with one another. Take part of the duty off of wool, take a part of the duty off of the manufactures of wool, and you will have no difficulty in compromising with the woolgrowers. The only difficulty will be with the manufacturers, if there is any there, and I have no doubt there will be, because I have found that my manufacturing neighbors insist upon the last straw even though it does break the camel's back. If anybody has to go it is the farmer who must go, because he is willing to vote the ticket straight and bear the burden. But we have now come to the conclusion that the roads fork, and we may possibly be blind enough to take the other road.

Now, we do not want to be unreasonable, nor do we want to be threatening, but we insist that if a duty is placed upon woolen manufactures there ought to be a duty placed upon raw wool, and that we are just as much entitled to it.

Mr. HOAR (in his seat.) Amen.

Mr. PEFFER. The Senator from Massachusetts approves the suggestion by an amen; and the heart of the people will respond, and the Democrats will respond—all except the manufacturers, who have doubtless controlled the inditing of these schedules.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from New Hampshire?

Mr. PEFFER. I am always delighted to yield to that Senator.

Mr. GALLINGER. I wish to ask the Senator, who is always fair in his discussions, what evidence he has that the manufacturers are opposing the interests of the farmer by asking for free wool. I know that in our part of the country where the manufactures of wool are a very important industry, the manufacturers, as a class, are in favor of retaining the duty on wool. I know in my State of but one manufacturer who has ever advocated the contrary, and I understand from reliable authority that he has changed his opinion and is now in favor of retaining a duty on wool.

Mr. HOAR. If the Senator will pardon me, I desire to reenforce the statement of my friend from New Hampshire. I live in a woolen manufacturing region, and represent the largest woolen manufacturing interest in the country I suppose. I have been in this and the other House since 1869, twenty-six years, through the making of several tariffs, and I have had occasion to know all about the history of some of the tariffs that preceded. I do not know a woolen manufacturer who is in favor of free wool, except one or two who have the shabby and indefensible notion that they can set fire to this barrel of gunpowder and put it out when half burned up, and who think that they may possibly get the American people to submit to an arrangement which would give them protection on what they manufacture, and free trade on what they buy; and those men have in every instance signalized their coming to that conclusion by going over to the Democratic party.

Mr. CHANDLER. Will the Senator allow me?

Mr. PEFFER. Certainly.

Mr. CHANDLER. The Senator will remember that two or three weeks ago I read a letter from Mr. John T. Busiel, of Laconia, N. H., in which he made a very strong and forcible argument in favor of a duty on wool, and he brought out the fact that it is absolutely necessary to have some duty on wool in order to compensate for the increased cost of getting wool by rail from the mountain States to the factories of the country in competition with the water-borne wool from Australia. I have other letters from him on this subject, and also a magazine article which I intend to introduce into the debate. This manufacturer, who is a student of the subject, is most earnest in behalf of applying the principle of protection to the farmer who raises wool, as well as to the manufacturer who uses it for the purpose of making textile fabrics.

Mr. HOAR. If I may add one sentence without trespassing on the great patience of my honorable friend from Kansas, I will state that the free traders of New England, the Democrats, make their attack on this schedule of the protective tariff. One of their number quoted last year in a meeting of the tariff reform clubs, Byron's lines—

> While stands the Coliseum, Rome shall stand;
> When falls the Coliseum, Rome shall fall.

He went on to say that as long as the protection on wool stood, the protective tariff in this country would stand, and that when the protection upon wool fell the whole system would fall. That is the opinion of the persons who are opposing a duty on wool in New England.

Mr. PEFFER. I am satisfied that the manufacturers are coming to see very plainly that a contest that will be destructive is growing out of the tendency to remove duties from wool while retaining them upon manufactures of wool.

Mr. HOAR. May I ask the Senator one question before he proceeds? Why does he use the phrase "coming to see?" They have seen it for thirty years.

Mr. PEFFER. I meant it.

Mr. CHANDLER. Will the Senator allow me further to quote the exact language of the statement to which the Senator from Massachusetts has alluded. Will the Senator from Massachusetts kindly listen to the statement? I desire to read the exact language of Hon. John E. Russell at the New England Tariff Reform dinner, which I happen to have in my hand:

> Let us get all that we can. If we can get only free wool we will have knocked the keystone from the arch of protection.

Mr. HOAR. That is from the last Democratic candidate for governor of Massachusetts.

Mr. CHANDLER. The Senator from Kansas very well knows that that is the voice of the Democratic politician and is not the voice of the manufacturers of woolen goods. The whole scheme from the time it was made prominent by President Cleveland in 1887 down to this hour of taking the duty off of wool and making wool free is a mere scheme to get the votes of the farmers to destroy the whole protective system; and nobody understands that better, I think, than the Senator from Kansas.

Mr. PEFFER. Last winter a year ago some friend forwarded to my address regularly a copy of a weekly periodical known as American Industries, a paper whose relations to the Democratic party are the same as those of the American Economist to the Republican party, and I observed that in every issue there were interviews with manufacturers. I do not now remember whether the politics of the gentlemen interviewed were given, though I think they were; but there was a general agreement among them that in the revision of the tariff which was expected there should be an average duty of at least 50 per cent on woolen goods.

I do not recall a single instance where any of those manufacturers urged a duty upon wool. I think at that time manufacturers generally expected that they would have free wool. I remember quite distinctly that a large number of them spoke about being able to compete with foreign manufacturers if they had free raw materials, but they all argued that it would require a long time by gradual process to get down to what would be a reasonable revenue tariff. They ought to begin with at least 50 per cent, and then might go down as low as 25, some of them thought, but most of them stopped at 40.

My information is that the manufacturers of New England and of the country quite generally, whenever they discuss the subject of free wool, are apt to consider that it would be of great benefit to them, and that duties might be considerably reduced if wool were given to them free. While they have not argued in favor of free wool they have not, until quite recently, said so much against it as to produce any effect upon the public mind.

Mr. PLATT. Will the Senator allow me?

Mr. PEFFER. Certainly.

Mr. PLATT. I think the truth about the matter is that since free wool has been talked about there have been a very few manufacturers in New England of the Democratic persuasion who have been in favor of free wool, but a very, very few indeed; and with that exception the manufacturers of New England have not desired free wool, but have been constant and open in their opposition to free wool.

Mr. HOAR. May I be allowed one additional remark?

Mr. QUAY. Mr. President——

Mr. PEFFER. I am very glad to see these gentlemen assisting me.

Mr. HOAR. Yes, I want to assist the Senator. In the first place, as I said, I have represented for eighteen years in the Senate, and for eight years in the other House, a wool manufacturing constituency, and there never has come to me or to my knowledge any suggestion from that constituency (except, as I said, a few selfish persons who went over to the Democratic party when they did it) that they have undertaken to go for free wool. The woolen manufacturers' Bulletin is one of the ablest practical economical journals in this country. I think my honorable friend from Iowa [Mr. ALLISON], who certainly has no woolen manufacturing interests to represent but who has been on the committee all the time, will testify to the great ability of that journal on this class of subjects. He must have seen it. It was edited by Mr. John L. Hayes, secretary of the New England Woolen Manufacturing Association, and it is supported by that association contributing in proportion, I believe, to the number of spindles in the several factories of the members of the association.

The ablest and most powerful articles ever published in this country or elsewhere in regard to the development of the wool-growing industries of this country have appeared in that journal and were the work of that man, Mr. John L. Hayes.

Mr. PEFFER. I know very well who he is.

Mr. HOAR. He died about six years ago. Mr. Hayes would have gone almost for a prohibitory duty on wool, and you can not find stated anywhere the argument for a protective duty on wool with a power, with a fullness, with a learning, with a practical and scientific knowledge of the subject, as it is stated there. I do not mean to apply it now to my honorable friend from Kansas, for he is a man of very great wisdom and sense—and I think he is the only Senator who listened to my speech this morning (laughter)—but I wish to repel with great indignation, as a subject that I know something about, the idea that there ever has been among the American and New England manufacturers any

considerable willingness to separate their interests from the woolgrowers. Is not that true, I ask the Senator from Maine?

Mr. FRYE. Oh, beyond any question.

Mr. HOAR. They are as absolutely true and loyal to the interests of the woolgrower as the chairman of the Wool Manufacturers' Association. My friend from Iowa knows whether I am telling the truth or not. He has been in this and the other House during all these contests for twenty-five years, and he knows whether there has been from any Republican wool manufacturer any hesitation on this subject.

Mr. ALLISON. As the Senator from Massachusetts has alluded to me, I will state that I have been familiar with this subject certainly for a great many years, and during all that period I think the universal opinion of the manufacturers of woolen goods has been that they were benefited rather than injured by the full encouragement of woolgrowing in this country.

Mr. HOAR. By a protective duty.

Mr. ALLISON. They have been in favor of a protective duty. I have no recollection now of any period when that was not true.

Mr. PEFFER. I suppose Senators remember where the prosecuting attorney in a case had introduced one witness to prove that he had seen the defendant steal a pig, and the defendant said he could produce twenty-five witnesses who would swear that they had not seen him do it. There are doubtless a good many manufacturers in New England and in New York and in Pennsylvania who have taken part with the farmers in this wool contest.

But, Mr. President, the Democratic party, being a free-wool party, has been frequently in control of the State so ably represented by my friend on my left, the Senator from Connecticut [Mr. PLATT]; the State of Massachusetts has been several times under Democratic control; the State of New York is a very doubtful State; Pennsylvania still holds solidly Republican; New Jersey is Democratic most of the time. So it is with Delaware. Those manufacturing States have a very large sprinkling of Democracy.

I am inclined to think that at least one-half of the manufacturers of New England are Democrats, and with a large majority of the Democratic manufacturers being in favor of free wool because they can produce goods cheaper, and a very large proportion of the Republican manufacturers saying nothing but sawing wood, believing that if free wool would come it would benefit them just as well as it would their Democratic neighbors. The point I was making is that the manufacturers are coming to see as they never saw before that there is a necessity for affirmative action.

Last summer in this Chamber we had a memorable contest, one that will never be forgotten in American history, when the manufacturers of the East, without respect to party, united with the gold gamblers of New York, without respect to party, with the great bankers of the great cities, without respect to party. They united their votes solidly, obliterating party lines, and undertook to thrash into harness the recalcitrant members. Those men were united then against the West and the South, not because it was the West and the South, but they joined in a matter of local interest to themselves, and seemed to care nothing about the rest of the country.

Now comes another contest, when it becomes evident that in order to maintain party alignment, if there be no higher motive—and I believe a higher motive does inspire many—but, in order to maintain party alignment, concessions are to be made; upon the part of Republicans concessions to the woolgrowers, and upon the part of the Democrats concessions to the manufacturers. There is the difference.

Mr. President, these matters are brought up before the Senate not for the purpose of creating discord, nor for the purpose of saying unkind words, nor for the purpose of saying anything with an unkind spirit, but simply to present to the Senate a few plain facts. Our people will rebel against that doctrine if it is continued. It may just as well be understood now as at any other time.

Mr. PLATT. Will the Senator allow me?

Mr. PEFFER. Certainly. "In the multitude of counsellors there is safety."

Mr. PLATT. I regret that the Senator from Kansas should have fallen into what I suppose at the West is a somewhat popular supposition, that there is a spirit of antagonism on the part of the East toward the West, and the further error that we in the East have been acting upon a selfish theory in our ideas of protection.

From the day when I first began to advocate the doctrine of protection I have disclaimed any selfish, sectional feeling or motive with regard to that great principle. It has been many years since I have advocated protection, as well for the West and the South as for the East, because I believed it to be for the benefit of the whole country, and I have never failed, in discussing anywhere this subject of wool and woolen protection, to advocate the doctrine of protection for wool just as earnestly as I advocated the doctrine of protection for woolen manufactures. I make no distinction between industries in this country. Protection is for the benefit and the industrial growth and development and prosperity of this country.

I do not wish to interject a speech into the speech of the Senator from Kansas, but I hope before this discussion ends to elaborate more fully what I have stated. I wish to say now that I believe in my own State if this doctrine of protection could be submitted to a vote, independent of politics, five-sixths of the voters of Connecticut would vote for protection and for the protection of wool just as much as for the protection of woolen manufactures.

Mr. HOAR. I should like to ask the Senator from Connecticut before he sits down what was the attitude of the two Democratic Senators who came here a few years ago from Connecticut, in regard to the matter of protection to wool? I know very well myself, but I should like to have the Senator state for the information of others.

Mr. PLATT. They were in favor of protection to wool.

Mr. FRYE. I think, if the Senator will investigate, he will find that the State of Indiana to-day is running more sets of cards in the woolen industry than Maine, New Hampshire, Vermont, and Connecticut combined.

Mr. PEFFER. And her Senators upon this floor are advocating free wool.

Mr. FRYE. Yes.

Mr. PLATT. That is incomprehensible.

Mr. PEFFER. I understand, Mr. President, the good nature and the good breeding and the good fellowship of all mankind. We are all made up more of good than we are of bad. While we are moved by selfish purposes, yet in many instances selfishness is one of the most ennobling attributes of the human character. The man and the woman who want to distinguish themselves in some great undertaking for the benefit of their fellowmen and fellow-women are moved by selfish impulses; they want to do this work; they want to have a hand in it; they want to direct it; they want to be personally known in it; and it is one of the most ennobling ambitions that human nature is heir to. Then, from that on down to the miser there are a thousand grades of selfishness more or less to be approved or to be dispised, according to their character.

The New England people are no more selfish than persons in other parts of the country, not any more selfish than we are; the manufacturer not any more selfish than the woolgrower—not a particle. If they were, I would probably not be here advocating the latter's cause.

But, Mr. President, the effect of the combined action of the people of the Eastern States and the old Middle States upon the interests of the people of the South and the West, is what we are complaining of. So when we speak of selfishness, we do not speak of those people as individuals, but we speak of the aggregate effect of what they do.

But when it comes to a great question of currency, in which the people of the South are intensely interested, so much so that the farmers in their secret meetings undertook to solve the problem and finally published the plan known as "the subtreasury plan," in order that they might get rid of the middleman and get rid of the extortions of the banker, and the warehouseman, and the merchant, here were three classes of citizens who were fattening upon the substance of the farmers; and in order to relieve themselves they formed what is known in political literature as "the subtreasury plan."

The people of the South are trying to get rid of the 10 per cent tax upon State banks for the purpose, and the only purpose, of having more currency circulated among them than they now have. They know the difficulties in the way; but what they want is local currency that they can use in the transaction of their business without being compelled to subject themselves to the whims and caprices, and power, and influence of the Eastern bankers. They want money which they can use in their own neighborhood, which they can borrow and for the repayment of which they can give as security that which their neighbors, which their bankers, will understand to be good, so that they will not have to mortgage their farms in order to borrow money on them at 8 and 10 per cent interest.

Our Eastern neighbors are united upon this matter of protection, so they say, and substantially that is true. They are also united upon the monetary question; and the people of the West are interested in both of these. If the manufacturers of the East and of the Middle States will unite with the farmers affirmatively to solve the problem with which I began my speech this

evening, we shall be protected as they are protected now, and we can even up on this matter of transportation.

If they will suggest to me a better method than the one suggested by my California neighbor, or if they will unite with me—I do not know whether they will or not unite with me in a proposition to equalize cost of transportation, so that we may transport wheat, and cotton, and cloth, and clothing, and sugar, and coffee upon the same principle that we transport letters and newspapers, a pound or a ton, no matter what the distance may be, at a fixed rate, so that the farmer or the merchant—I see my friend smiles—may take his ton of wheat, or ton of corn, or ton of cotton to the railway station, and transport them 100 miles or 1,000 miles for the same sum of money; so that the merchant in New England, New York, or Pennsylvania may transport his cotton manufactures or his woolen manufactures, or whatever it may be, to the West, and distribute them there at the same price for a thousand miles that he would pay for a hundred miles, and in this way equalize the cost of our transportation, and in that way equalize the profits of our protective policy—if Senators will unite with me in working out a problem of that kind, we can all be protectionists, we can all be consistent protectionists, and I say in this presence I should be glad if we could adopt a national system of protection which would serve us all alike, and be so liberal in its operation as not to prevent the importation of any goods that ought to be imported, and not to interfere with the rights of people in other parts of the world. But here we find ourselves admitting labor of all kinds without any restriction. We place a duty upon foreign manufactured articles, but we do not put any duty upon foreign laborers who come here and work for one-half or one-fourth of what our people work for.

Mr. PLATT. Will the Senator allow me to interrupt him at that point?

Mr. PEFFER. Yes.

Mr. PLATT. Will the Senator say how he would further restrict the importation of labor than it is now restricted? We have a law which prohibits the making of contracts with persons in a foreign country to be performed by service in this country—the alien contract-labor law. We have a law which prevents any criminals, paupers, or diseased persons from coming to our shores; and there are further restrictions which I can not now name. I presume that the Senator would not adopt an immigration law which said that no Irishman, no German, no Frenchman, no Scandanavian should come to this country. What would he propose further than our laws now provide in the way of restriction?

Mr. PEFFER. The Senator's question implies that we are without remedy, and to a very large extent that is true, and it adds force to the argument which I am now presenting.

Assuming, for the time being, that the Senator does believe that we are at the end of our road and that we have gone as far as we can safely go, the result is that as many men and women, being laborers, as wish to come to this country and go to work here, may come, and with that influx of laboring population, does not the Senator see that it is absolutely impossible to maintain wages and keep all the people at work?

Mr. PLATT. Mr. President, I do not propose to admit the assumption that I think we are at the end of the law with regard to this matter of immigration. I was inquiring of the Senator if he could suggest some further restriction, because I do not yield to him in my desire to check undesirable immigration into this country. I do not believe it practicable to shut out all the people of every country coming to this country. I should be very glad to have the Senator point out some way in which we may more effectually sift our immigration so as to get only the desirable immigrants and keep the undesirable away from our country.

Mr. PEFFER. I am one of those who believe that the earth, the whole earth, was made for the use of the human family; I believe that every child born into the world has a right to live in the world, and he has a right to as much of the earth's surface as will sustain his life. Following that, I believe that every man and every woman has a right to go at will up and down and across this earth wherever he or she pleases to go, with the exception always that he shall not disturb the peace and the possessions of his neighbor. I believe further that nations, like families, are entitled to exercise certain rights and powers which all other nations and all other families ought to respect.

I go so far as to say that, in case there should be other families or other nations that do not respect these rights, they ought to be compelled to do so by force, if need be.

In my family I have a right to choose who my associates shall be, who my guests shall be, but, Mr. President, I have no right to interfere with the passage along the public highway of those persons who may be distasteful to me.

The first bill which I introduced in the Senate, on the 10th day of December, 1891, was a bill to amend our immigration and naturalization laws, so as to restrict the immigration to this country to such classes of people as we desire here, or rather to prohibit from coming here such classes as we do not desire. The classes whom we have a right not to admit are only such as by reason of differences in our grades of civilization would render our commingling together unprofitable, unpleasant, disagreeable, and finally destructive to both parties concerned.

By way of carrying out that idea I propose that our consuls and our representatives in different parts of the world shall be clothed with power to issue certificates of qualification for citizenship in this country, and that with copies of our laws before them they shall not admit to the right of certificate any person who does not come within the provision of the law. I propose that the consul shall give them a duplicate certificate to a person who comes within the provision of our law, and that copy be retained in his office, so that when the immigrant comes to New York or New Orleans, or wherever he proposes to land, the certificate shall authorize him to land upon our shores, and the duplicate is handed to the officer.

In addition to that I propose to require the oath before the consul abroad to be the immigrant's first paper of naturalization in this country, so that he need not after that swear that he has absolved all allegiance to princes, potentates and powers, etc., and that he will support and defend the Constitution of the United States. Then I propose that he shall be followed by the eye of the law wherever he goes up and down in the United States, and that he shall neither vote nor hold office until he has been here five years. Then let him take out his second paper, just the same as he takes it out now, and from that time forward he will be a full-fledged citizen of the United States.

This is merely suggestive by way of answer to the Senator from Connecticut [Mr. PLATT] as to how we can keep out undesirable people.

Mr. PLATT. Will the Senator from Kansas allow me to interrupt him once more?

Mr. PEFFER. With pleasure.

Mr. PLATT. I do not think the Senator and I disagree very much, but the difficulty is in securing the plan and putting it in operation. I think the Senator from Massachusetts [Mr. HOAR] also introduced a bill providing for consular certificates. I have thought that probably that would be an improvement upon our law.

But I am told by those who are familiar with the subject that if we should leave the matter of selecting our immigrants to consular officers such as we have in the different ports from which immigrants sail, there is very much doubt whether we would not get more undesirable immigrants under such a system than we now get by inspection at our own ports. I myself confess that I am not satisfied upon that subject, and my idea has been in favor of consular inspection abroad. But when I have, as I have in my desk now, consular certificates and consular invoices which have been left in blank for shipping agents to fill up, with the name of the consul and the consular seal upon them, which are sold for $2.50 in the market for export purposes, I begin to doubt whether we should get any better result in our immigration system if we were to submit the matter to the inspection of our consuls.

Mr. CHANDLER. Will the Senator from Kansas permit me a few words?

Mr. PEFFER. Certainly.

Mr. CHANDLER. I take occasion to say that there have been probably twenty-five or thirty bills introduced in Congress within the last four years proposing the restriction of immigration through consular certificates. The subject which is opened up by this feature of the debate would require extensive discussion. I only wish now to say that the bill which was introduced by the Senator from Kansas [Mr. PEFFER], who served for a short time as a member of the Committee on Immigration, although he is not now a member of the committee, was a very carefully prepared bill, and one which, if it could be adopted into law, or if the main features of it could be adopted into law, would do a great deal to check the tide of undesirable immigration.

I understand the Senator from Kansas to be in favor of checking immigration into this country. I have so understood him, and I trust I do not misstate his position when I term him a protectionist, that he is in favor of using the taxing power of the Government to exclude foreign products made by cheap labor, and is also in favor of using the police power of the Government to keep undesirable immigrants out of the country.

Mr. President, I think the tariff question and that of immigration are cognate subjects, although they are not exactly the same, and I have at times thought that in consequence of the suggestions of the Senator from Nebraska [Mr. ALLEN] on the

other side of the Chamber, and the Senator from Kansas [Mr. PEFFER], there ought perhaps to be a few days given during the consideration of the pending bill to the discussion of the immigration question. I myself have not as yet brought the subject within the debate, but if the Senator from Kansas thinks the subject ought to be fully discussed in connection with the pending bill perhaps it would be well to bring on such a discussion.

Mr. PEFFER. Mr. President, this little digression emphasizes the difficulties in the way of changing our immigration and naturalization laws. There is a great deal of objection to it, as I discovered early. Every time such a proposition is broached in this Chamber, if anything is said about it at all, the same difficulties appear. I have given attention to the situation. I have given due weight to this difficulty. In answer to the Senator from Connecticut [Mr. PLATT] I said that I believe every man and every woman is entitled to as much of the earth's surface as is sufficient to keep him living. I do not believe that the earth or any part of it belongs to any one person in his own sole right, except only just enough to maintain him. I do not believe that when one nation takes land from another by force there is either right or justice in it. I do not believe that a nation has any right morally or legally to forcibly take any portion of the earth's surface from other people who have it. The natural rights of men and women are paramount to the legal right or the conquests of war.

Starting out with that fundamental proposition of the equal rights of men, for me to defend here or elsewhere an indiscriminate prohibition against foreigners coming to the United States, when generations back all of my ancestry were foreigners, when all the inhabitants of the United States are descendants of foreigners, and many of them foreigners now, would be an inconsistency as well as a very disagreeable performance upon my part.

Now, in view of all the facts I have stated, what are we to do? There was war yesterday or the day before in twelve States of the American Union—actual flagrant war. It all arises out of the fact that we have more working people in this country than we are able to employ.

That tells the whole story. As to the situation in the mineral regions, the men who have brought on these troubles are men who were striking for better wages or against a reduction of wages. Then, in order to protect themselves in their contests with their employers, they said to the cheaper laborers, "You shall not go into the mines and take our places. Go away, and we will settle the dispute and secure fair wages."

Then there was conflict. I heard it said one day, and eloquently spoken from the very place where I now stand, that every man who wants to work in this country not only has a right to work, but that that right ought to be enforced by the whole power of the Government, if need be. To what will that lead us? The men who are out because their wages are not sufficient, say to other men, "You shall not interfere between us and our employers." The men who are proposing to interfere are coming in to work for lower wages. Now, if the power of the Government is to be brought to bear to protect the men who come in to take lower wages, what are you going to do with the men on the outside? How are you going to keep the wages up, Mr. President? You can not do it in that way.

I do not here defend the men who are on the outside quarreling with the men who are going in. I am not willing to do that in the Senate; but if I were one of those men I believe I should do so, just as they have done. It is self-protection, and that is what we are talking about—protection of wages. Here are a thousand men being turned out of mines, being turned out of shops, because they are not willing to work for the wages which are offered. They say those wages are not sufficient, and they ought to know. Then the employer says, "Here are cheaper men; let them come in."

The arm of the Government is used to protect these men. I ask again what are you going to do with the other men? Will you send them to prison and keep them there? Will you tax the people to board them, to clothe them, and to feed them, and keep them in idleness? Had we not better, Mr. President, adopt some other method? Then you ask, What are you going to do about it? That is what we are trying to solve here. We will not do it by increasing duties upon woolen goods in order that we may give well-paid labor to a few of our people, and that the rest may go out upon the highways as tramps. Such men are dangerous men, Mr. President. There are at this hour 250,000 men with arms in their hands in a dozen States in this country, ready at the drop of the hat to use those arms.

The traveling bands are the most peaceful men in the world; not a pistol or a rifle or any other kind of firearms was found in a whole train load of men who passed through Kansas a week or two ago, and yet every one of those men is ready to fight at a moment's notice. I tell you that when men are starving they are dangerous men. A man who has a spark of manhood left in him with a wife or child or more beside him, is not going to stand up in the face of plenty and see the little ones starve; and I should not advise him to do it. Alone he is powerless, but when he meets his companions—five, ten, a hundred, or a thousand—

Iron sharpeneth iron, so a man sharpeneth the countenance of his friend.

They constitute an army without banners, and they are dangerous. It is better for us as men, as statesmen, to look after these things, and now while we are discussing this subject is a fit time to consider them. Hence, when I stand in the American Senate and say that these things are driving me towards free trade, I say speak the truth. I do not see any other way to solve this problem, unless we can restrict immigration so as not to open our doors to the whole world. And if we can not restrict immigration, wages will have to be equalized. I do not like the prospect.

Last summer I said to my Eastern neighbors that I represent in part a great agricultural region, one of the most beautiful portions of the earth that the sun shines upon, containing a noble race of men, inheriting the best blood of Christendom, sober, industrious, enterprising, great, big men. We are near, very near the free-trade door. Our wheat and our corn go to a free-trade market, and you can not help us. If we could not afford to sell to you our wheat as cheaply as you can get it in Liverpool, you would buy it there. You do not buy anything from us unless we can sell it to you cheaper than you can get it from any other place. Not in a spirit of unkindness, not in a spirit of malice, but as neighbors and brethren we say to you that we want these things equalized in some way, and if you can not help us do not ask us to help you. There is nothing unmanly about that. It is fair.

So I say in this wool matter, if you want a duty upon manufactured goods, give the farmer a duty upon wool. If Senators on the other side who are doing me the honor to listen insist that they will give cheaper goods by taking the duty off wool, apply the same doctrine to manufactures and we shall have still cheaper goods. If you say you want the duty for revenue, then divide it; give us some duty on wool and take some of the duties off of the manufactured goods. Take the duty you are now proposing to place upon manufactured goods and divide with the farmer. If it is 50 per cent, divide it; put 30 per cent upon manufactured goods and 20 per cent on wool, and we will be satisfied.

But I say to Senators in all frankness that if you put the entire duty upon manufactured goods and leave nothing on the farmer's wool, you will have trouble in your own ranks. You can not defend it before the people who sent you here. I can not defend such a policy before my people. If the farmer is to have free wool, give him free cloth. Speaking for the woolgrowers of Kansas, and I am satisfied that I may include the the entire number of woolgrowers in the country, they are willing to divide with you upon equitable terms. If the party now controlling the affairs of Government think that an average duty of 50 per cent on manufactures of wool is fair, if that is enough, strike an average; let the manufacturer have the lion's share, as he always gets it; let him have 30 per cent, and give us 20 per cent. Then we can go back to our people satisfied that the Democratic majority have tried to treat the woolgrowing interest fairly.

Mr. President, I had a good deal more to say, but the day is far spent and I will stop with a very few more words. I have here a sample of wool in its finest form [exhibiting]. I wish to present it to the Senate for the purpose of showing to them that this is not something which grows upon trees; it is not something that is drifted about by the wind; it is not something that comes up in a night like a mushroom; it is not a raw material, but a finished product. It is an article that has been produced by hard labor and intelligent effort during a long period of years. We have the finest wool product in the world, ready to be transformed into cloth. Here is a great industry making this necessary product. I ask the Senators from the South, who ought to be able to control their great party, to treat the industry of which this is a product, according to their pledges to the people, fairly. That is all we ask, Mr. President.

Mr. HARRIS. Mr. President, I venture to express the hope that we shall make better progress with the bill to-morrow than to-day.

Mr. PLATT. We all hope so.

Mr. HARRIS. I am glad that we do all hope so, and I hope we shall all concur in the effort. I move that the Senate do now adjourn.

The motion was agreed to; and (at 6 o'clock and 4 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, June 13, 1894, at 10 o'clock a. m.

HOUSE OF REPRESENTATIVES.

TUESDAY, *June 12, 1894.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. E. B. BAGBY.

The Journal of the proceedings of yesterday was read, corrected, and approved.

LAWS OF UTAH.

The SPEAKER laid before the House a communication from the secretary of the Territory of Utah, transmitting two copies of the laws passed by the Legislative Assembly of Utah at its thirty-first session.

The SPEAKER. These volumes have been deposited in the Library for the use of the House.

LAND GRANT, STATE UNIVERSITY, MISSISSIPPI.

The SPEAKER also laid before the House the amendment of the Senate to the bill (H. R. 5778) to supply a deficiency in the grant of public lands to the State of Mississippi for the use of the State University.

Mr. KYLE. Mr. Speaker, I move that the House concur in the Senate amendment.

The SPEAKER. The amendment will be read.

The Clerk read as follows:

Before the word "land," in the forty-ninth line, insert the words "unoccupied and uninhabited," so as to read: "Out of the unoccupied and uninhabited lands of the United States."

The amendment was concurred in.

WETMORE & BRO., ST. LOUIS, MO.

The SPEAKER also laid before the House the bill (S. 210) for the relief of Wetmore & Bro., of St. Louis, Mo.

Mr. COBB of Missouri. Mr. Speaker, I ask unanimous consent for the present consideration of the Senate bill.

The SPEAKER. The bill will be read subject to the right of objection.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby directed to pay to Wetmore & Bro., of St. Louis, Mo., the sum of $220, being the amount in part of fees due to them as attorneys in colored bounty cases, retained and covered into the Treasury.

Mr. SAYERS. I wish to ask if this bill, or a similar bill, has been reported by the House committee?

Mr. COBB of Missouri. I will state to the gentleman that this bill has passed the Senate several different times, and was twice unanimously reported by the House committee. It has not been reported by the committee of the present House, but was in the last Congress. The amount being very small, I was in hopes no objection would be raised to its present consideration, it having passed the House committee and the Senate in former Congresses.

Mr. SAYERS. Well, Mr. Speaker, I would like to have an explanation of this bill.

Mr. COBB of Missouri. I would ask leave to state that this is for the payment of fees due to these attorneys in colored bounty cases, which were retained and covered into the Treasury and withheld without any authority whatever on the part of the Auditor. A bill for the relief of these parties has twice, I think, passed the Senate and has been twice favorably reported in the House. It is money that they are clearly entitled to, and it has been so admitted by the Treasury Department.

Mr. SAYERS. I suggest to the gentleman that he let it lie upon the table until it can be investigated, and call it up hereafter.

Mr. CANNON of Illinois. Let me ask the gentleman a question. Has the gentleman himself made a personal examination of the claim?

Mr. COBB of Missouri. I have, sir; in the Fifty-second Congress, at which time it was reported unanimously by the Committee on Claims.

Mr. CANNON of Illinois. And after that personal examination the gentleman thinks the bill should pass?

Mr. COBB of Missouri. I do. It is a just and equitable claim, and has been so declared by both the Senate and the House repeatedly.

Mr. COOMBS. What is the amount covered by the bill?

Mr. COBB of Missouri. Two hundred and twenty dollars.

Mr. COOMBS. What is the purpose of the repayment?

Mr. COBB of Missouri. It is for attorneys' fees in colored bounty cases withheld improperly by the Auditor.

Mr. COOMBS. How old is the claim?

Mr. COBB of Missouri. Ten or twelve years, I think.

Mr. SAYERS. I suggest to the gentleman to let it lie on the table for the present, until investigation can be made of the matter. He can call it up to-morrow.

Mr. COBB of Missouri. The amount being so small, I had hoped there would be no objection. But I ask consent that it lie on the table for the present.

There was no objection.

SALARIES OF RAILWAY POSTAL CLERKS.

The SPEAKER also laid before the House the bill (S. 544) to reclassify and prescribe the salaries of the railway postal clerks.

Mr. BURROWS. I ask unanimous consent that that bill lie on the table for the present.

There was no objection.

HIRAM SOMERVILLE.

The SPEAKER also laid before the House the bill (S. 1301) for the relief of the legal representatives of Hiram Somerville; which was referred to the Committee on War Claims.

NATIONAL HOME FOR COLORED PERSONS.

Mr. OUTHWAITE. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 7095) to provide for the erection of a national home for the aged and infirm colored persons, and for the maintenance of the inmates thereof.

The SPEAKER. The bill will be read subject to objection.

The bill was read, as follows:

Be it enacted, etc., That the sum of $100,000, out of all moneys, arrears of pay, and bounty which were due the estates of deceased colored soldiers who served in the late war and were in the hands of the commissioner of the Freedman's Bureau and have been repaid into the Treasury, be, and is hereby, appropriated out of any money in the Treasury of the United States not otherwise appropriated, for the purpose of erecting a national memorial home for aged and infirm colored people, and to aid in maintaining the inmates of the same, the building or buildings for said home to be erected in the District of Columbia, upon lands owned by the association known as the Home for Aged and Infirm Colored Persons, a corporation duly incorporated under and by virtue of the incorporation laws of the District of Columbia: *Provided*, That no money shall be paid to said association until the deed of said property shall have been approved by the Attorney-General of the United States, and until the association shall have given good and sufficient bond, to be approved by the Attorney-General, conditioned upon the faithful discharge of their duties in the proper expenditure of the abovementioned fund.

SEC. 2. That the plans, specifications, and contracts for the buildings to be erected for said home shall be submitted and subject to the approval of the Secretary of War, and the Secretary of the Treasury is authorized and directed to pay the money hereby appropriated to the association known as the Home for Aged and Infirm Colored Persons, in the manner provided for and upon the fulfillment of the terms of this act.

Mr. COOMBS. Reserving the right to object, Mr. Speaker, I ask some explanation of this bill.

Mr. OUTHWAITE. Mr. Speaker, a short explanation of the bill would about comprise what the report embodies, and if there is no objection I ask for the reading of the report.

The SPEAKER. In the absence of objection, the report will be read.

The report (by Mr. OUTHWAITE) was read, as follows:

The Committee on Military Affairs, to whom was referred the bill (H. R. 7095) to provide for a national home for aged and infirm colored persons, and for the maintenance of the inmates thereof, have had the same under consideration and beg to submit the following report:

The purpose of the bill is to provide for the establishment of a national home for aged and infirm colored people, and a sum of money now lying in the Treasury of the United States which is due the estate of deceased colored soldiers is sought to be used for this purpose. A joint resolution was passed by Congress in 1867 (see Statutes at Large, volume 15, page 26), which provided that all moneys certified to be due colored soldiers should be paid to the commissioners of the Freedman's Bureau.

At that time most of the colored people from the Southern States who would be entitled to this money that had been slaves, had no individual relationship, and where they had, it was impossible to trace it. The law now governing the proper adjudication of these claims requires that the heirs of the deceased colored soldier must prove their lawful marriage relation by record evidence, and that to be certified to by a notary public or clerk of the court in the several States, but as no marriage record was ever kept of the slaves it is impossible that the law can be complied with; so that in a great many instances the proper proof can not be made. The Second Auditor of the Treasury in 1892, in his annual report, makes the following statement:

"When the Bureau (referring to the Freedman's Bureau) was discontinued in 1872 the unexpended balance of said funds was turned over to the Adjutant-General's Department for disbursement, and every effort was made to find the persons entitled thereto. In many instances it was ascertained that the payees were dead, and in all such cases the funds were held for seven years and then repaid into the Treasury on the legal presumption of the death of the payees. The total amount repaid was $504,000. In 1882 it was found that more than one-half of that sum had been claimed, the actual amount remaining unclaimed being $240,233."

Your committee find that while all of the money has been claimed (and in many instances as many as ten persons from as many different States filed claims as the lawful heirs of one deceased soldier) since the date of that report there still remains in the Treasury at least $300,000, which, under existing conditions, can never be paid out on account of the utter insufficiency of the proof furnished to establish the claims. There have been numerous requests made by the colored people generally to apply the sum for the advancement and benefit of their race, but as there was no law in existence whereby this money could be so used no progress was ever made.

In 1893 a number of colored gentlemen in the District of Columbia formed a corporation for the purpose of establishing and maintaining a home for the aged and infirm colored people of the United States, and by private subscription have acquired a tract of land sufficient to erect a suitable home thereon, and have come to Congress for a transfer to them for that purpose of a portion of the fund in the Treasury which justly, equitably, and legally belongs to the colored people. There is no question but that the aged colored people who were once slaves are more subject to destitution and require charitable aid more than any other class of people in the United States, and as it is not the province of this Government to establish charitable institu-

tions, but rather assist those already established in the District, these people suffer for want of an institution of their own.

There are at the present time only ten colored people permitted admittance in the charitable institutions in the District of Columbia on account of a lack of accommodations, and those are provided for in the basement of the Children's Asylum on Eighth street; therefore it is eminently proper that they should receive recognition to such an extent as will enable them to care for the needy and aged of their own race out of the funds which really belong to them, and are withheld in the United States Treasury.

By taking this money for the purpose set out, it is only giving the colored people the benefit and use of the fund that rightfully belongs to them, and which, if not appropriated for their use, or some other, will lie idle in the Treasury of the United States until some disposition is made of it. The fact should clearly be borne in mind that this fund would be paid to the heirs of the deceased colored soldiers if proper proof could be made, but inasmuch as the requirements of the Department can not be complied with, and satisfactory regulations as to identification of the claimants can not be now be made, unless some legislative action is taken whereby the money can be utilized for the benefit of these people it will remain where it is, and the race of people who are entitled to every penny of it will be deprived of what is justly due them. The total number of colored soldies who served during the war was 186,017, distributed among the several States as follows:

Louisiana	24,052
Kentucky	23,703
Tennessee	20,133
Mississippi	17,869
Maryland	8,718
Pennsylvania	8,612
Missouri	8,344
Virginia	5,723
Arkansas	5,526
South Carolina	5,462
Ohio	5,092
North Carolina	5,035
Alabama	4,969
New York	4,125
Massachusetts	3,966
Georgia	3,486
District of Columbia	3,269
Kansas	2,080
Rhode Island	1,837
Illinois	1,811
Connecticut	1,764
Indiana	1,597
Michigan	1,387
New Jersey	1,185
Florida	1,044
Delaware	954
At large	733
Iowa	440
West Virginia	196
Wisconsin	155
New Hampshire	125
Vermont	120
Maine	104
Minnesota	104
Colorado Territory	95
Texas	47
Officers	7,122
Not accounted for	5,083
Total	186,017

Now, the sum proposed to be appropriated in this bill and for this institution and for the benefit of the colored people of the country is less than 60 cents for each colored soldier who served in the Federal cause during the rebellion.

If it were not for the difficulties in the way of individuals making their proof to entitle them to the payment of their just claims against the Government there would not be so many instances among the people requiring assistance.

Therefore, it appears to this committee that there can be no just and reasonable objection to the Treasury of the country contributing in this manner for the object of this bill out of the patriotic earnings of the colored people which must forever remain unpaid to the owners thereof through no fault of theirs.

The committee therefore recommend the passage of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COOMBS. I would like to ask first as to the amount of the appropriation contained in the bill?

Mr. OUTHWAITE. One hundred thousand dollars.

Mr. COOMBS. What is the amount of this fund on hand?

Mr. OUTHWAITE. Two hundred and forty thousand dollars, as I understand.

Mr. HULL. Two hundred and forty thousand dollars was unclaimed, but the total amount repaid is $504,000.

Mr. OUTHWAITE. Yes, that is true; I thank my colleague for the suggestion.

Mr. COOMBS. This does not use the whole of that fund?

Mr. OUTHWAITE. Not at all.

Mr. COOMBS. Is it supposed to be for the colored people of all sections of the country?

Mr. OUTHWAITE. Yes; all are admitted. It is a national home.

Mr. PICKLER. How is it to be governed?

Mr. OUTHWAITE. By a board of trustees which has been already incorporated, consisting of colored citizens of the District. They have obtained a site by purchase through subscription already made. They expect to continue the present system throughout the country of obtaining subscriptions for the benefit of maintaining the institution.

Mr. HULL. As I understand, this board is composed of representatives from all the colored churches of the District of Columbia. It is under the control of the religious denominations of the colored people of the District of Columbia.

Mr. POWERS. I understand that the bill proposes to give away this money for the purposes of a home for aged and infirm colored people, on the ground that the colored soldiers were unable to prove their legitimacy.

Mr. OUTHWAITE. Not the colored soldiers, but those people who are claiming to be heirs of certain colored soldiers.

Mr. POWERS. Now, is it not just as easy to formulate some legislation that will do away with the red-tape regulations which cut off that proof, and to enable the heirs to get this money.

Mr. OUTHWAITE. It is not; because there are conflicting claims. There are in some instances as many as ten claims pending against the same sum. You know that the colored people, who were slaves, in moving about changed their names, and it would be impossible to arrive at any certainty with regard to the proper heirs of many of these persons.

Mr. POWERS. You are proposing to give away the fund that belongs to these heirs.

Mr. OUTHWAITE. Not to give it away at all, but to put into use for the benefit of this race that fund which they have been unable individually to draw from the Treasury, owing to the impossibility of establishing their claims.

Mr. POWERS. That fund is in the Treasury, clothed with a sort of trust, in favor of the heirs of colored soldiers.

Mr. BRETZ. Yes; but you can not establish who the heirs are.

Mr. POWERS. Is there any difficulty about framing some regulations by which these heirs may be excused from making technical proof?

Mr. OUTHWAITE. There is great difficulty, because there is no way of establishing who are the heirs in a large number of instances.

Mr. COOMBS. In other words, as long as this fund remains there it can never be of any use to them.

Mr. OUTHWAITE. That is the fact.

Mr. HULL. There are $240,000 of this fund not claimed at all.

Mr. TALBERT of South Carolina. Is this a winding up of the old Freedman's Bureau, established a while after the war?

Mr. OUTHWAITE. It is.

Mr. TALBERT of South Carolina. In connection with funds supposed to be lost?

Mr. OUTHWAITE. No, funds paid back.

Mr. HULL. Pay due to colored soldiers, which has not been claimed.

Mr. TALBERT of South Carolina. There is no way to get it out of the Treasury, excepting by a special enactment of this sort?

Mr. OUTHWAITE. No, sir.

The SPEAKER. Is there objection to the request for unanimous consent?

Mr. CANNON of Illinois. I desire to hear the bill read.

Mr. OUTHWAITE. The bill has been read.

Mr. CANNON of Illinois. I have just sent for a copy of the bill.

Mr. OUTHWAITE. I have a copy of the bill, which the gentleman can have.

Mr. CANNON of Illinois. (Examining the bill). I just wish to glance at this bill. Mr. Speaker, this thing ought not to be rushed through. If it is right, let us know it; and if it is wrong, let us know it. The light is not going to hurt it.

Mr. OUTHWAITE. I am ready to throw all the light upon the subject that I can.

Mr. CANNON of Illinois. I want to ask the gentleman if it is contemplated here in the District of Columbia, out of the National Treasury, to found a national home for aged colored people, to be supported from the National Treasury?

Mr. OUTHWAITE. It is not expected to support it from the National Treasury; and, answering the gentleman correctly, it is not proposed to establish this home out of the National Treasury, but this is a fund which was paid back from the Freedman's Bureau—unclaimed amounts. It is a portion of that fund, the unclaimed portion of $504,000 which was paid back by the Freedman's Bureau, the amount then remaining unclaimed being $240,233. This is $100,000 of that. Now as to the other proposition, it is distinctly not proposed to support this institution out of the National Treasury. There is an organization of the colored people of the country, which organization expects to support it, and which has proceeded so far as to procure the necessary land for a site. If the gentleman has any doubt about that proposition, I am quite willing to offer, and to have passed, an amendment at the proper place, providing that this institution shall not become a charge upon the Treasury of the United States.

Mr. LIVINGSTON. At any time.

Mr. CANNON of Illinois. I think that if the bill is to be considered that is an apt amendment, because my experience and observation have been that all institutions, charitable or semi-charitable, national or otherwise, founded in the District, in an exceedingly short space of time come to depend purely upon the Treasury of the United States and of the District.

Mr. OUTHWAITE. Then I will offer an amendment at the end of the——

Mr. DINGLEY. If the gentleman from Ohio will pardon me, I understand this fund is the remainder of the Freedman's Bank deposits that have not been claimed under the act of distribution that is now in the Treasury. Of course it has been used in the general expenditures. It is not a distinct sum that is set apart, except as a matter of bookkeeping.

Mr. OUTHWAITE. The gentleman from Maine has a misapprehension as to the origin of this fund. It is not that particular fund that the gentleman refers to, but is a fund made up of the unclaimed amounts due to the heirs of soldiers of the late war for pay, or bounty, or prize money which those heirs are incapable of making satisfactory proof for——

Mr. DINGLEY. Ah! that is a different fund.

Mr. OUTHWAITE (continuing). That is held in the Treasury.

Mr. DINGLEY. It has been expended, except as a matter of bookkeeping.

Mr. OUTHWAITE. I suppose the gentleman desires to refer to the condition of the Treasury at this time.

Mr. DINGLEY. That is the case with all these funds. How is it contemplated that this institution will be supported, outside of what may come from this fund. Of course in the future there is to be a large expenditure going on.

Mr. OUTHWAITE. I will repeat what I have said twice before—that there is an organization of the colored citizens of the country, which organization is incorporated and has already made subscriptions large enough to buy a considerable tract of land for the establishment of that institution. That corporation expects to support the inmates of that institution by obtaining subscriptions from the colored people of the country.

Mr. DINGLEY. Then it is not to be confined to ex-soldiers, but it is for all dependent and destitute colored people?

Mr. OUTHWAITE. All infirm and aged helpless colored people.

Mr. DINGLEY. And the bill is guarded so that there can be no claim for the maintenance of the institution hereafter?

Mr. OUTHWAITE. With the amendment suggested by the gentleman from Illinois.

Mr. LIVINGSTON. Is there any limitation as to the number that shall come from the States?

Mr. OUTHWAITE. Not at all.

Mr. LIVINGSTON. My State could fill up any two such institutions. What are you going to do when there are more applicants for admission than you can accommodate?

Mr. OUTHWAITE. It is like all other charitable institutions—when it is full you will have to wait until the number of inmates is reduced.

Mr. LIVINGSTON. Have you not made some provision that there shall be so many from each State?

Mr. OUTHWAITE. We did not enter into a scope as wide as that.

Mr. CANNON of Illinois. I did not feel at liberty to object to the consideration of this bill, but I want to say to the gentleman that, notwithstanding the amendment he places in this bill that the Government shall not be responsible, the Government starts with a direct appropriation of $100,000 out of its Treasury. That is all there is of it.

Mr. BRETZ. It is not a Government fund.

Mr. CANNON of Illinois. Oh, certainly it is a Government fund; and every dollar, notwithstanding this appropriation, that may be required to be paid by colored people would have to be paid. The Government starts with an appropriation of $100,000 to begin with this building, and I have no doubt, notwithstanding the amendment the gentleman proposes to put in, that next year and the year after, and for a generation, this charity will come to Congress for its exclusive support at the hands and from the coffers of the General Government.

Mr. HAYES. Not exclusive support.

Mr. CANNON of Illinois. Substantially exclusive; and consequently I want to say to my friend that while I shall not object, as the Government has to foot the bills, I would suggest to him, if we are to authorize this charity, does he think it perhaps better that the Government take charge of it and administer it?

The SPEAKER. The question is on the engrossment and third reading of the bill.

Mr. SAYERS. Unanimous consent has not been granted.

The SPEAKER. The Chair submitted the request. The Chair understood there was no objection.

Mr. OUTHWAITE. I wish to offer an amendment, at the end of the first section of the bill, line 22, by adding this proviso.

Provided, that this home shall not become a charge at any time upon the United States Treasury.

Mr. HULICK. My colleague will notice that in line 11, on the first page, the bill not only appropriates for the erection of a national memorial home for aged colored people, but to aid in the maintenance of that home.

Mr. OUTHWAITE. That is to be done out of this fund.

Mr. HULICK. It states that it is to be done "out of any money in the Treasury not otherwise appropriated."

Mr. OUTHWAITE. That is the usual language.

Mr. HULICK. It does not refer to this fund.

Mr. OUTHWAITE. That is the usual language.

Mr. HULICK. It should be "not otherwise appropriated out of this fund."

Mr. SAYERS. That amendment ought to be made.

Mr. HULICK. I suggest that amendment.

Mr. SAYERS. It must be done before unanimous consent is given.

The SPEAKER. The gentleman from Ohio suggests an amendment, which the Clerk will report.

The Clerk read as follows:

In line 11, after the word "same," insert the words "out of said fund."

Mr. HULICK. That will make it consistent with the amendment of the gentleman from Illinois.

Mr. OUTHWAITE. I will accept that amendment.

The amendment was read, as follows:

After the word "same," in line 11, insert the following: "out of said fund."

The amendment was agreed to.

Mr. HULICK. It appears to me, Mr. Speaker, that another amendment is required in the line previous to that, where it says, "hereby appropriated out of any money in the United States Treasury not otherwise appropriated." Would it not be well to make the same amendment there, so that it would read "out of said fund?"

Mr. OUTHWAITE. No; because the money is not kept separate.

Mr. MURRAY. What amount of money does the gentleman from Ohio say there is?

Mr. OUTHWAITE. Two hundred and forty thousand two hundred and thirty-three dollars remained unclaimed. The amount paid back was five hundred and four thousand, but the portion which remained unclaimed is $240,233. The total amount repaid into the Treasury was $504,000.

Mr. MURRAY. And it has been all reclaimed except two hundred and forty thousand?

Mr. OUTHWAITE. Yes. It has not been proved up at all, but there was still this amount of $243,233 unclaimed.

Mr. HULL. The $264,000 that has been claimed is claimed by a large number of different persons with conflicting interests, so that practically it is in the same position of the $240,000 that is unclaimed. In other words, it has been demonstrated that the claimants can not make the proof that will entitle them to draw even the two hundred and sixty-four thousand from the Treasury.

Mr. MURRAY. So that practically there is $500,000.

Mr. OUTHWAITE. Yes; about half a million dollars.

Mr. MURRAY. Mr. Speaker, I think this is a very worthy cause. There are in this District and all over this country a large number of colored people who have no institutions of the kind proposed in this bill, where they can be taken care of when they are unable to take care of themselves. I am in favor of making some disposition of this money for the benefit of the colored people, and I think there are a great many worthy causes that are suffering for want of the aid that it would afford. I am in favor of establishing this home in the District of Columbia for aged and infirm colored people, and I shall vote for this bill, because I think the fund is sufficient for that purpose, and also to do what I want done with the balance. The colored people of this country need, more than anything else at this time, institutions in which they can be trained industrially. We want industrial institutions for our people, and while the States have done a great deal for the education of the colored people, they have not established such institutions.

We have two very laudable institutions, one at Hampton, Va., which is doing a great work, and the other at Tuskegee, Ala. I think those two are doing more than any other institutions of the kind in the whole country. I think they are meeting the conditions and requirements of the times better than any others. I believe that a people's training ought to be in keeping with their condition, and, as I have said, I believe that what our

people need most of all now is industrial training. I think that the balance of this $500,000 and the amount that is coming to the colored people from the unclaimed funds of the Freedman's Bank should be appropriated to establish and maintain industrial schools in three or four different sections of the Southern country.

As to this particular bill and its object, we find in this District, and not only in this District but throughout the country, a large number of colored people who are in needy circumstances and who require aid. There are a great many institutions for the care of the needy and suffering from which the colored people are excluded, and of course we are desirous of having some places of our own where we can take care of our aged and infirm. I am satisfied that no better use can be made of this money than to appropriate a portion of it for the object set forth in this bill, but I give notice that later I shall prepare and introduce a bill to appropriate all the unclaimed funds in the Treasury belonging to colored people, to establish industrial institutions for the education and training of the colored youth of the country.

The SPEAKER. The question is on the amendment of the gentleman from Ohio, which will be again read.

The Clerk read as follows:

Add at the end of section 2 the following:

Provided, That this institution shall not become a charge upon the United States Treasury at any time.

The amendment was adopted.

Mr. CANNON of Illinois. Mr. Speaker, I desire to offer an amendment, adding at the close of section 2:

Provided, That if residents of the District of Columbia become inmates of said home, and are supported in whole or in part by appropriations made by Congress, one-half of said appropriations shall be a charge upon the revenues of the District of Columbia.

Mr. OUTHWAITE. I shall not object to that amendment, though I think it is holding out an invitation to ask an appropriation for this District to support its inmates of this institution.

Mr. CANNON of Illinois. Not at all.

Mr. SAYERS. Mr. Speaker, I desire to amend the amendment of the gentleman from Illinois so as to provide that the entire appropriation shall be made out of the revenues of the District. I want to protect the General Government.

Mr. RICHARDSON of Tennessee. Why do you do that?

Mr. SAYERS. If the inmates come altogether from the District then the District ought to pay the expense.

Mr. RICHARDSON of Tennessee. But they will not come altogether from the District.

The SPEAKER. The Clerk will read the amendment of the gentleman from Texas.

The Clerk read as follows:

Amend the amendment of the gentleman from Illinois [Mr. CANNON] by striking out all after the word "Congress" and inserting "the entire expense shall be a charge against the revenues of the District of Columbia."

Mr. RICHARDSON of Tennessee. I wish to be heard a moment against this amendment.

Mr. OUTHWAITE. I desire to move the previous question.

Mr. RICHARDSON of Tennessee. I want to be heard, and have been recognized. The gentleman from Texas [Mr. SAYERS] has stated that nobody is to get the benefit of this institution except residents of the District of Columbia.

Mr. SAYERS. That is my understanding.

Mr. RICHARDSON of Tennessee. But that is not the case. The inmates are to come from all the States of the Union, if they can get in; and the District of Columbia ought not to be saddled with the expense of taking care of the indigent people of the States. I think my friend from Texas, in view of this fact, will not insist on his amendment. We have made an agreement with the District of Columbia to pay one-half of the expenses of the District; that agreement has been in existence for sixteen years, and we ought to live up to it. There is no occasion to add to the bill such a provision as the gentleman from Texas proposes; and I hope he will not insist upon it.

Mr. SAYERS. Well, I think wherever the inmates come from the District of Columbia——

Mr. RICHARDSON of Tennessee. Yes; but they come from the States as well as from the District.

Mr. SAYERS. Mr. Speaker, as I caught the reading of this bill its purpose is to provide for indigent colored people of the District of Columbia.

Several MEMBERS. Oh, no.

Mr. SAYERS. If that is not the case——

Mr. LIVINGSTON. That is the practical effect; there is no provision by which the States can have their fair proportion of inmates.

Mr. TAYLOR of Indiana. Yes, that is practically the effect, whatever the wording of the bill may be.

Mr. RICHARDSON of Tennessee. How is it "the practical effect?" The gentleman might as well say that the inmates of the lunatic asylum situated in this District are made up entirely of persons from the District of Columbia; he might say the same of the Soldiers' Home.

Mr. TAYLOR of Indiana. The idea of "infirm" people coming from other States to this District to become inmates of this institution!

Mr. OUTHWAITE. I call for the previous question on the bill and amendments.

The previous question was ordered.

The question being taken on the amendment of Mr. SAYERS to the amendment of Mr. CANNON of Illinois, it was agreed to.

The question then recurred on the amendment of Mr. CANNON of Illinois as amended.

Mr. DINGLEY. I ask unanimous consent that the amendment as amended be read, as many gentlemen do not understand it.

The amendment as amended was read, as follows:

Provided, That if residents of the District of Columbia become inmates of said home, and are supported in whole or in part by appropriations by Congress, the entire expense shall be a charge upon the citizens of the District of Columbia.

The question being taken on agreeing to the amendment as amended, there were on a division (called for by Mr. SAYERS)—ayes 43, noes 48.

Mr. CANNON of Illinois. There is no quorum.

Tellers were ordered; and Mr. CANNON of Illinois and Mr. OUTHWAITE were appointed.

Mr. HUTCHESON. I make a point of order on the amendment to the amendment, that it is inconsistent with the amendment——

The SPEAKER. It is too late to make a point of order.

The House divided; and the tellers reported—ayes 69, noes 87.

Mr. CANNON of Illinois. We may just as well have a roll call.

The SPEAKER. As the Chair understands, the point of "no quorum" is still insisted upon.

Mr. OUTHWAITE. I demand the yeas and nays, as the gentleman from Illinois wants them.

Mr. CANNON of Illinois. The yeas and nays, I presume, would come necessarily, if there is no quorum.

The yeas and nays were ordered, Mr. OUTHWAITE and Mr. CANNON of Illinois being appointed as tellers, to act during the call of the roll.

Mr. CANNON of Illinois. I ask that some one better acquainted than myself with the members may take my place as a teller.

The SPEAKER appointed Mr. LOUDENSLAGER in place of Mr. CANNON of Illinois.

The question was taken; and there were—yeas 113, nays 107, answered "present" 4, not voting 128; as follows:

YEAS—113.

Abbott,	Cooper, Tex.	Kem,	Post,
Aldrich,	Cousins,	Kyle,	Price,
Alexander,	Cox,	Latimer,	Ray,
Arnold,	Crain,	Lawson,	Robbins,
Bailey,	Crawford,	Lester,	Robertson, La.
Baker, Kans.	Curtis, Kans.	Linton,	Russell, Ga.
Baldwin,	Davey,	Livingston,	Sayers,
Bankhead,	Davis,	Lucas,	Settle,
Bartholdt,	De Armond,	Maddox,	Shell,
Bartlett,	Denson,	Marvin, N. Y.	Smith,
Bell, Colo.	Dinsmore,	McCall,	Stallings,
Bell, Tex.	Edmunds,	McCulloch,	Stockdale,
Berry,	English, Cal.	McDannold,	Stone, Ky.
Black, Ga.	Epes,	McDowell,	Strait,
Boen,	Fithian,	McLaurin,	Talbert, S. C.
Branch,	Forman,	McRae,	Tate,
Breckinridge, Ky.	Fyan,	Meredith,	Taylor, Ind.
Broderick,	Gardner,	Milliken,	Thomas,
Brookshire,	Grady	Morgan,	Tucker,
Brown,	Griffin,	Murray,	Turner, Ga.
Bryan,	Grout,	Neill,	Turner, Va.
Bunn,	Grow,	Ogden,	Wheeler, Ala.
Cabaniss,	Haines,	Paschal,	Williams, Ill.
Cannon, Cal.	Harris,	Patterson,	Williams, Miss.
Cannon, Ill.	Henderson, N. C.	Pence,	Wilson, Wash.
Clark, Mo.	Holman,	Pendleton, Tex.	Wise.
Cockrell,	Hudson,	Perkins,	
Coffeen,	Ikirt,	Pickler,	
Conn,	Jones,	Pigott,	

NAYS—107.

Adams, Pa.	Coombs,	Gear,	Hulick,
Baker, N. H.	Cornish,	Geary,	Hull,
Barwig,	Culberson,	Geissenhainer,	Hunter,
Bingham,	Cummings,	Gillett, Mass.	Hutcheson,
Bower, N. C.	Dalzell,	Goldzier,	Izlar,
Bretz,	De Forest,	Gorman,	Johnson, Ind.
Brickner,	Dolliver,	Graham,	Johnson, N. Dak.
Burrows,	Donovan,	Hager,	Kiefer,
Bynum,	Doolittle,	Hall, Minn.	Lacey,
Cadmus,	Dunn,	Hammond,	Lapham,
Catchings,	Dunphy,	Hare,	Layton,
Causey,	Durborow,	Haugen,	Loudenslager,
Chickering,	Ellis, Oregon	Hayes,	Lynch,
Clancy,	Erdman,	Hermann,	Maguire,
Cobb, Ala.	Everett,	Hooker, Miss.	Mahon,
Cobb, Mo.	Fielder,	Hooker, N. Y.	Mallory,
Cogswell,	Funk,	Hopkins, Pa.	Marsh,

Martin, Ind.	Outhwaite,	Ritchie,	Tawney,
McCreary, Ky.	Page.	Ryan,	Taylor, Tenn.
McDearmon,	Payne,	Sipe.	Van Voorhis, Ohio
McEttrick,	Pearson.	Somers,	Walker,
McKaig	Pendleton, W. Va.	Sperry,	Warner,
McNagny,	Quigg,	Springer,	Waugh,
Meyer,	Reed,	Stephenson,	Weadock,
Money.	Reyburn.	Stone, W. A.	Wolverton,
Northway,	Richards, Ohio	Sweet.	Woomer.
O'Neil, Mass.	Richardson, Tenn.	Tarsney	

ANSWERED "PRESENT"—4.

Blair,	Dingley,	Hartman,	Russell, Conn.

NOT VOTING—123.

Adams, Ky.	Dockery,	Lisle.	Sherman,
Aitken,	Draper,	Lockwood,	Sibley,
Alderson,	Ellis, Ky.	Loud,	Sickles,
Allen.	English, N. J.	Magner.	Simpson.
Apsley,	Enloe,	Marshall,	Snodgrass,
Avery,	Fletcher,	McAleer,	Sorg.
Babcock,	Funston.	McCleary, Minn.	Stevens,
Barnes,	Gillet, N. Y.	McGann.	Stone, C. W.
Belden,	Goodnight,	McKeighan.	Storer,
Beltzhoover,	Gresham	McMillin,	Straus.
Black, Ill.	Grosvenor,	Meiklejohn,	Strong.
Bland,	Hainer,	Mercer,	Swanson,
Boatner,	Hall, Mo.	Montgomery,	Talbott, Md.
Boutelle,	Harmer,	Moon,	Terry,
Bowers, Cal.	Harter,	Morse,	Tracey,
Breckinridge Ark.	Hatch,	Moses,	Turpin.
Brosius,	Heard,	Mutchler,	Tyler.
Bundy,	Heiner,	Newlands,	Updegraff.
Burnes,	Henderson, Ill.	Oates,	Van Voorhis, N. Y.
Caminetti,	Henderson, Iowa	O'Neill, Mo.	Wadsworth,
Campbell	Hendrix,	Paynter,	Wanger,
Capehart,	Hepburn,	Phillips,	Washington,
Caruth,	Hicks,	Powers,	Wells,
Childs,	Hines,	Randall,	Wever.
Clarke, Ala.	Hitt,	Rayner,	Wheeler, Ill.
Cockran,	Hopkins, Ill.	Reilly,	White,
Cooper, Fla.	Houk,	Richardson, Mich.	Whiting,
Cooper, Ind.	Johnson, Ohio	Robinson, Pa.	Wilson, Ohio
Cooper, Wis.	Kilgore,	Rusk.	Wilson, W. Va.
Covert,	Kribbs,	Schermerhorn,	Woodard.
Curtis, N. Y.	Lane,	Scranton.	Wright, Mass.
Daniels.	Lefever.	Shaw.	Wright, Pa.

So the amendment was adopted.

Mr. RICHARDSON of Tennessee. Mr. Speaker, my colleague, Mr. SNODGRASS, is detained from the House by illness, and I ask leave of absence for him during the day.

There was no objection.

Mr. KEM. I ask that my colleague, Mr. MCKEIGHAN, be excused on account of illness.

There was no objection.

Mr. MCKAIG. I ask that my colleague, Mr. TALBOTT, be excused on account of illness.

There was no objection.

The following pairs were announced.

Until further notice:

Mr. HATCH with Mr. CURTIS of New York.

Mr. ROBERTSON of Louisiana with Mr. STRONG.

Mr. GOODNIGHT with Mr. HENDERSON of Iowa.

Mr. ALDERSON with Mr. HITT.

Mr. KILGORE with Mr. WILSON of Ohio.

Mr. PAYNTER with Mr. GROSVENOR.

Mr. CAMINETTI with Mr. RANDALL.

Mr. MOSES with Mr. WRIGHT of Pennsylvania.

Mr. LISLE with Mr. WRIGHT of Massachusetts.

Mr. MUTCHLER with Mr. WHITE.

Mr. CARUTH with Mr. RUSSELL of Connecticut.

Mr. SORG with Mr. WEVER.

Mr. KRIBBS with Mr. LEFEVER.

Mr. O'NEILL of Missouri with Mr. SHAW.

Mr. ALLEN with Mr. AVERY.

Mr. ENLOE with Mr. BOUTELLE.

Mr. BARNES with Mr. MCCLEARY of Minnesota.

Mr. DOCKERY with Mr. DINGLEY.

Mr. LOCKWOOD with Mr. AITKEN.

Mr. BRECKINRIDGE of Arkansas with Mr. HOPKINS of Illinois.

Mr. GRESHAM with Mr. VAN VOORHIS of New York.

Mr. WHITING with Mr. CHILDS.

Mr. CLARKE of Alabama with Mr. HENDERSON of Illinois.

Mr. SICKLES with Mr. DANIELS.

Mr. BLAND with Mr. MORSE.

Mr. HALL of Missouri with Mr. CHARLES W. STONE.

Mr. TYLER with Mr. MERCER.

For this day:

Mr. MONTGOMERY with Mr. BELDEN.

Mr. WELLS with Mr. HARMER.

Mr. SCHERMERHORN with Mr. STORER.

MR. ENGLISH with Mr. BUNDY.

Mr. TALBOTT of Maryland with Mr. PHILLIPS.

Mr. BLACK of Illinois with Mr. HEINER of Pennsylvania.

Mr. TERRY with Mr. WANGER.

Mr. ENLOE. Mr. Speaker, I am paired with the gentleman from Maine [Mr. BOUTELLE]. If he were present I would vote "aye."

The result of the vote was then announced as above recorded.

The bill was ordered to be engrossed and read a third time; and was accordingly read the third time.

The question recurred upon the passage of the bill.

Mr. DE ARMOND. Mr. Speaker, I offer a motion to recommit the bill to the Committee on Appropriations.

The SPEAKER. With instructions?

Mr. DE ARMOND. Without instructions.

Mr. OUTHWAITE. This bill did not come from the Committee on Appropriations, and that committee have no jurisdiction of the subject. I make the point of order against the motion. They do not want the bill, and it does not belong to them.

The SPEAKER. The Chair would suggest to the gentleman from Missouri that the motion would be to commit the bill to the Committee on Appropriations.

Mr. DE ARMOND. I make that modification of the motion.

The SPEAKER. The question is on the motion of the gentleman from Missouri, to commit the bill to the Committee on Appropriations.

Mr. RICHARDSON of Tennessee. I make the point of order, Mr. Speaker, against that motion. A motion to recommit a bill, after or before the previous question is ordered on the passage of the bill, is admissible under the rule; but I doubt whether a motion to commit to a separate committee would come within the purview of the rule.

The SPEAKER. The rule provides that—

It shall be in order pending the motion for, and after the previous question shall have been ordered, for the Speaker to entertain and submit a motion to commit with instructions, etc.

The gentleman from Missouri moves to commit this bill to the committee without instructions.

The question was taken, and on a division (demanded by Mr. DE ARMOND) there were—ayes 44, noes 113.

So the motion was not agreed to.

The question recurred on the passage of the bill as amended.

On a division (demanded by Mr. DE ARMOND) there were—ayes 102, noes 29.

Mr. DE ARMOND. No quorum.

The SPEAKER announced the appointment of Mr. DE ARMOND and Mr. OUTHWAITE as tellers.

Mr. OUTHWAITE. If the gentleman insists upon the demand we may as well have the yeas and nays. That is, I suppose, the object in making the point.

Mr. DE ARMOND. I have simply made the point that there is no quorum.

Mr. OUTHWAITE. Then I ask for the yeas and nays.

The yeas and nays were ordered.

The SPEAKER appointed Mr. OUTHWAITE and Mr. DE ARMOND as tellers at the desk.

The question was taken; and there were—yeas 148, nays 52, answered "present" 2, not voting 150; as follows:

YEAS—148.

Adams, Pa.	Covert,	Hicks,	Murray,
Alexander,	Cox,	Hooker, N. Y.	Northway,
Arnold.	Crain,	Hopkins, Pa.	Ogden,
Baker, Kans.	Cummings,	Houk,	O'Neil, Mass.
Bankhead,	Curtis, Kans.	Hudson,	Outhwaite,
Bartholdt,	Dalzell,	Hulick,	Page,
Bartlett,	Davey,	Hunter,	Paschal,
Barwig,	Davis,	Ikirt,	Payne,
Bell, Colo.	De Forest,	Izlar,	Pearson,
Berry,	Dolliver,	Johnson, Ind.	Pence,
Bingham,	Donovan,	Johnson, N. Dak.	Pendleton, Tex.
Black, Ga.	Doolittle,	Kiefer,	Pendleton, W. Va.
Blair,	Dunphy,	Lacey,	Pickler,
Boen.	Durborow,	Lapham,	Pigott,
Bowers, Cal.	English, Cal.	Lawson,	Post,
Brickner,	Epes,	Layton,	Quigg,
Broderick,	Everett,	Linton,	Ray,
Brookshire,	Fielder,	Livingston,	Reed,
Bryan,	Funk,	Loudenslager,	Reyburn,
Burrows,	Funston.	Lucas,	Richards, Ohio
Bynum,	Fyan,	Lynch,	Richardson, Tenn.
Cadmus,	Gardner,	Maguire,	Ritchie,
Campbell,	Geary,	Mahon,	Ryan,
Cannon, Cal.	Geissenhainer,	Marsh.	Smith,
Cannon, Ill.	Gillett, Mass.	Martin, Ind.	Sperry,
Catchings,	Gorman,	Marvin, N. Y.	Springer,
Causey.	Graham,	McAleer,	Stephenson,
Chickering,	Grout,	McCall,	Taylor, Ind.
Clancy,	Grow.	McCulloch,	Taylor, Tenn.
Cobb, Mo.	Haines.	McDearmon,	Van Voorhis, Ohio
Coffeen,	Hall, Minn.	McDowell,	Warner,
Cogswell,	Hare,	McEttrick,	Waugh.
Conn.	Harris.	McKaig	Weadock,
Coombs,	Hartman,	McKeighan,	Wheeler, Ala.
Cooper, Fla.	Haugen,	McRae,	Wilson, Wash.
Cornish,	Henderson, N. C.	Meyer,	Wise.
Cousins,	Hermann,	Money,	Woomer.

NAYS—52.

Abbott,	De Armond,	Latimer,	Stallings,
Bailey,	Denson,	Maddox,	Stockdale,
Baldwin,	Edmunds,	Mallory,	Stone, Ky.
Bell, Tex.	Erdman,	McCreary, Ky.	Strait,
Bretz,	Fithian,	McDannold,	Talbert, S. C.
Brown,	Forman,	Meredith,	Tarsney,
Bunn,	Grady,	Morgan,	Tate,
Cabaniss,	Hammond,	Neill,	Turner, Ga.
Clark, Mo.	Holman,	Patterson,	Turner, Va.
Cobb, Ala.	Hooker, Miss.	Reilly,	Walker,
Cockrell,	Hutcheson,	Robbins,	Williams, Ill.
Crawford,	Jones,	Russell, Ga.	Williams, Miss.
Culberson,	Kyle,	Shell,	Woodard.

ANSWERED "PRESENT"—2.

Dingley, Russell, Conn.

NOT VOTING—150.

Adams, Ky.	Ellis, Ky.	Loud,	Simpson,
Aitken,	Ellis, Oregon	Magner,	Sipe,
Alderson,	English, N. J.	Marshall,	Snodgrass,
Aldrich,	Enloe,	McCleary, Minn	Somers,
Allen,	Fletcher,	McGann,	Sowden,
Apsley,	Gear,	McLaurin,	Stevens,
Avery,	Gillet, N. Y.	McMillin,	Stone, C. W.
Babcock,	Goldzier,	McNagny,	Stone, W. A.
Baker, N. H.	Goodnight,	Meiklejohn,	Storer,
Barnes,	Gresham,	Mercer,	Straus,
Belden,	Griffin,	Milliken,	Strong,
Beltzhoover,	Grosvenor,	Montgomery,	Swanson,
Black, Ill.	Hager,	Moon,	Sweet,
Bland,	Hainer,	Morse,	Talbott, Md.
Boatner,	Hall, Mo.	Moses,	Tawney,
Boutelle,	Harmer,	Mutchler,	Terry,
Bower, N. C.	Harter,	Newlands,	Thomas,
Branch,	Hatch,	Oates,	Tracey,
Breckinridge, Ark.	Hayes,	O'Neill, Mo.	Tucker,
Breckinridge, Ky.	Heard,	Paynter,	Turpin,
Brosius,	Heiner,	Perkins	Tyler,
Bundy,	Henderson, Ill.	Phillips,	Updegraff,
Burnes,	Henderson, Iowa	Powers,	Van Voorhis, N. Y.
Caminetti,	Hendrix,	Price,	Wadsworth,
Capehart,	Hepburn,	Randall,	Wanger,
Caruth,	Hines,	Rayner,	Washington,
Childs,	Hitt,	Richardson, Mich.	Wells,
Clarke, Ala.	Hopkins, Ill.	Robertson, La.	Wever,
Cockran,	Hull,	Robinson, Pa.	Wheeler, Ill.
Cooper, Ind.	Johnson, Ohio	Rusk,	White,
Cooper, Tex.	Kem,	Sayers,	Whiting,
Cooper, Wis.	Kilgore,	Schermerhorn,	Wilson, Ohio
Curtis, N. Y.	Kribbs,	Scranton,	Wilson, W. Va.
Daniels,	Lane,	Settle,	Wolverton,
Dinsmore,	Lefever,	Shaw,	Wright, Mass.
Dockery,	Lester,	Sherman,	Wright, Pa.
Draper,	Lisle,	Sibley,	
Dunn,	Lockwood,	Sickles,	

So the bill was passed.

The following additional pair was announced:

Mr. SAYERS with Mr. ROBINSON of Pennsylvania, on this vote.

The result of the vote was then announced as above recorded.

On motion of Mr. OUTHWAITE, a motion to reconsider the last vote was laid upon the table.

BENJAMIN F. JONES.

Mr. HOOKER of Mississippi. Mr. Speaker, I desire to ask unanimous consent to have a bill involving a very small amount considered. I desired to ask this consent earlier in the day, but have been prevented. I ask first that the bill be read, and then the report, which is very brief.

The SPEAKER. The bill and report will be read if there be no objection, after which the Chair will submit the request of the gentleman from Mississippi.

The bill was read, as follows:

Whereas at a time, to wit, the 22d day of April, anno Domini 1883, when Benjamin F. Jones was postmaster at the town of Beauregard, Miss., the said town was totally destroyed by a cyclone and every building in the town swept away, including the building in which the post-office was kept; in consequence of this disaster there was a loss of money belonging to the Government deposited in said post-office building, which said Jones was compelled to make good to the Government. The Illinois Railway, carrying mails to said town of Beauregard, ceased to deposit them at Beauregard depot and carried them to the town of Wesson, 1 mile from Beauregard, compelling said B. F. Jones, at his own expense, to transport the mails from Wesson to Beauregard, the cost being $97, which the Post-Office Department refused to allow, because of want of lawful authority; and the Government sued said Jones, on his official bond as postmaster, in circuit court of the United States for southern district of Mississippi; and said court refused to allow the said item of $97 as an offset; but both the presiding judge, Hon. R. A. Hill, and the attorney for the Government fully recognized the equity of the claim in open court, and signed a recommendation to allow said item of setoff: Therefore,

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to cause to be paid to the said Benjamin F. Jones, late postmaster at Beauregard, Miss., or to his order, out of such money in the Treasury of the United States not otherwise appropriated, the sum of $97 in consideration of the aforesaid loss and services.

The report (by Mr. BUNN) was read, as follows:

The Committee on Claims, to whom was referred the bill (H. R. 3592) for the relief of Benjamin F. Jones, have had the same under consideration and recommend that it do pass.

The facts are that Benj. F. Jones, claimant, was postmaster at Beauregard, Miss. On the 22d day of April, 1883, the post-office was totally destroyed by a cyclone. The town as well was destroyed. The Illinois Railway, carrying the mail for that point, ceased to deliver the mail there, but delivered it at Wesson, a station 1 mile away. There was no provision for transporting the mail from Wesson to Beauregard.

The postmaster, this claimant, carried the mail for thirty-four days between said points; for twenty-three days of the time he had to employ a vehicle at $2 per day, and the remaining eleven days carried the mail on his back. He claims $1.50 per day for his services for thirty-four days ($51) and $46 for vehicle, making the sum of $97, total amount claimed in the bill.

There is no doubt that the service was performed, and your committee is of the opinion it was worth the amount claimed.

Mr. COOMBS. Is there any communication from the Post-Office Department in reference to this claim?

Mr. HOOKER of Mississippi. I have none at all. It has been here a long time, always reported unanimously from every committee to which it was referred. There is no question of the facts stated. All the papers show it.

Mr. LOUD. I remember this case before the Committee on Claims, but my impression is that it was amended, fixing the service at a dollar a day.

Mr. HOOKER of Mississippi. There is nothing of the kind in the report.

Mr. LOUD. I shall have to object to it unless the reduction is made.

Mr. HOOKER of Mississippi. I hope the gentleman will not make that objection. I have stood here a long time trying to get this little claim through. It has been pending here five or six years, and has always been unanimously reported by the committee having it in charge.

Mr. LOUD. I will consent to a dollar a day.

Mr. COX. I will suggest to the gentleman that he do that.

Mr. HOOKER of Mississippi. I do not know of any amendment having been adopted in the committee. There is nothing in the papers to show that any such amendment was adopted.

Mr. LOUD. Unless that amendment is accepted, I shall object.

Mr. HOOKER of Mississippi. What is it that the gentleman wishes to do?

Mr. LOUD. I want to allow a dollar a day for the carrying of the mail—thirty-four days.

The SPEAKER. Is there objection to the request for the present consideration of the bill?

Mr. LOUD. I object, unless that condition is accepted.

The SPEAKER. Objection is made.

Mr. HOLMAN. I call for the regular order.

The SPEAKER. The regular order is the call of committees for reports.

Mr. HOOKER of Mississippi. The gentleman from California [Mr. LOUD] withdraws his objection to the bill just read. I accept the amendment suggested by him.

The SPEAKER. Is there further objection to the present consideration of the bill?

There was no objection.

The SPEAKER. Will the gentleman indicate the amendment which he proposes?

Mr. LOUD. The amendment is to give $1 a day for the number of days the mail was carried.

The SPEAKER. But there is a provision in the bill for so much per day and so much for the vehicle.

Mr. LOUD. I understand that the bill was reported from the subcommittee, allowing simply $1 a day for thirty-four days.

Mr. COGSWELL. This is a question of thirty-four half-dollars, and I think we will save money by passing the bill without discussing the amendment.

The SPEAKER. But there is a provision in the bill to pay for the use of a vehicle. The gentleman will please send up his amendment.

Mr. LOUD. My amendment is to strike out the total amount carried by the bill, which I believe is $97, and to insert $34.

The SPEAKER. As the Chair understands the gentleman's proposition, it is to make the total amount carried by the bill $34.

Mr. LOUD. Yes.

The SPEAKER. The amendment is to strike out the amount named in the bill and to insert in lieu thereof $34. The question is on the amendment.

The amendment was agreed to.

The bill as amended was ordered to be engrosssd and read a third time; and being engrossed, was accordingly read the third time, and passed.

CONSTRUCTION OF A MILITARY ROAD.

Mr. GORMAN, from the Committee on Military Affairs, reported a bill (H. R. 7419) in lieu of H. R. 6920 for the construction of a military road from the city of El Paso to Fort Bliss, Tex.; which was read a first and second time, and, with the accompanying report, ordered to be printed, and referred to the Committee of the Whole House on the state of the Union.

HOT SPRINGS RESERVATION, ARK.

Mr. MCRAE, from the Committee on Public Lands, reported a bill (S. 513) granting the use of certain lands in the Hot Springs

Reservation, in the State of Arkansas, to the Barry Hospital; which was read a first and second time, and, with the accompanying report, ordered to be printed, and referred to the Committee of the Whole House on the state of the Union.

CERTAIN LANDS IN MONTGOMERY COUNTY, ARK.

Mr. NEILL, from the Committee on Public Lands, reported a bill (H. R. 3374) to sell certain lands in Montgomery County, Ark., to the Methodist Episcopal Church South; which was read a first and second time, and, with the accompanying report, ordered to be printed, and referred to the Committee of the Whole House on the state of the Union.

ENROLLED BILLS SIGNED.

Mr. PEARSON, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

A bill (H. R. 6126) to amend an act to authorize construction of a bridge at Burlington, Iowa, approved August 6, 1888, and amended by act approved February 21, 1890.

A bill (H. R. 2710) for the relief of the heirs of Edward Morrison and Nellie Morrison, now deceased.

INDIAN APPROPRIATION BILL.

Mr. HOLMAN. I move that the House resolve itself into the Committee of the Whole House on the state of the Union, for the consideration of general appropriation bills.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole on the state of the Union (Mr. O'NEIL of Massachusetts in the chair) and resumed the consideration of the bill (H. R. 6913) making appropriation for current and contingent expenses of the Indian Department and fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1895, and for other purposes.

The CHAIRMAN. On Friday, when the committee rose, the committee was dividing on an amendment offered by the gentleman from Arkansas [Mr. MCRAE]. The point of no quorum had been made by the gentleman from Illinois [Mr. CANNON].

Mr. McRAE. Mr. Chairman, I ask that the amendment be again reported, and that we take the vote over.

Mr. HOLMAN. I believe the amendment was voted down.

Mr. McRAE. The point of no quorum was made.

The CHAIRMAN. It is true that there were a greater number of noes than ayes; but the point of no quorum was made. The gentleman from Arkansas asks unanimous consent that the amendment be again reported, and that the vote be taken over.

There was no objection.

The amendment was reported as follows:

Strike out lines 17, 18, and 19, on page 7, and insert: "For pay of five Indian inspectors, at $3,000 each, $15,000."

Mr. HOLMAN. Mr. Chairman, I wish simply to call the attention of my friend to the fact that in addition to the salaries, these inspectors are allowed $7,000 for expenses, which is largely more than $1,000 each.

Mr. McRAE. In reply to that, I wish to say that if there is to be any reduction at all it ought to be from that item and not from the salaries. If there is any abuse in that it is the fault of the committee. I am in favor of giving them what the law allows, and no more.

The CHAIRMAN. Debate is not in order.

The question was taken on agreeing to the amendment, and the chairman announced that the ayes appeared to have it.

Mr. HOLMAN. Division.

The committee divided; and there were—ayes 25, noes 37.

So the amendment was rejected.

The Clerk read as follows:

For necessary traveling expenses of five Indian inspectors, including telegraphing and incidental expenses of inspection and investigation, $7,000.

Mr. BINGHAM. Mr. Chairman, before proceeding in connection with that paragraph I simply, for information, desire to ask the gentleman in charge of the bill a question, because it may govern some future action on the bill. In the same page, lines 11, 12, and 13, this language is used:

And all offices in the Indian service not herein provided for are hereby abolished.

I desire to ask the gentleman now, in view of the fact that no appropriation is made for the Civil Indian Commission, whether that provision in that paragraph abolishes the Indian Commission?

Mr. HOLMAN. It would, unless the Indian Commission is restored to the bill.

Mr. BINGHAM. That is the very point I want to reach. You not only fail to appropriate, but by this paragraph you legislate this Commission out.

Mr. HOLMAN. No, not exactly; because they have not been legislated in. They were appointed under an appropriation bill.

Mr. BINGHAM. I simply wanted to ascertain whether it was the determination to abolish the Commission.

Mr. HOLMAN. It does not abolish the Commission; because the Commission was never established by law, but simply put in on an appropriation bill.

Mr. BINGHAM. Does the gentleman assume that if this provision continues in the bill that the Commission will continue?

Mr. HOLMAN. Yes, because it all depends upon the question of appropriation.

Mr. BINGHAM. But that does not give me an answer. Does this paragraph—

and all offices in the Indian service not hereby provided for are hereby abolished—

abolish the Indian Commission?

Mr. HOLMAN. It would undoubtedly abolish the Indian Commission if it existed by law.

Mr. BINGHAM. Does that practically abolish the office?

Mr. HOLMAN. Why, certainly it does.

Mr. BINGHAM. That is what I desired to ascertain.

Mr. CANNON of Illinois. Mr. Chairman, after line 22, I move the following amendment.

The Clerk read as follows:

For the expenses of the Commission of citizens serving without compensation, appointed by the President under the provisions of the fourth section of the act of April 10, 1865, $5,000.

Mr. HOLMAN. I think I ought to retain the question of order—that it is new legislation; but I will not do so for the present, because I think this matter ought to be fully explained. I think the gentleman from Pennsylvania [Mr. BINGHAM] and the gentleman from Georgia [Mr. MADDOX] ought to be heard.

Mr. WILSON of Washington. I differ with the gentleman in thinking it is subject to a point of order.

Mr. CANNON of Illinois. I supposed there was no question about this amendment being in order. The commission is now in service, and has been since——

Mr. BINGHAM. Since 1869.

Mr. CANNON of Illinois. Since 1869.

Mr. WILSON of Washington. Since Grant's first term.

The CHAIRMAN. The point of order is not made.

Mr. CANNON of Illinois. I want to submit a few words about this amendment, and I think I can in a very few words say all that I desire. This commission, serving without expense to the Government, has become a part and parcel of the machinery in the administration of this Bureau, and that, it seems to me, ought not to be overthrown without the fullest consideration.

Now, I want to say, in my judgment, since the commencement of Grant's first Administration until the present time that the Indian service, so far as a just and honest expenditure of money under treaties with the Indians for the purchase of supplies and appropriations by the Government are concerned, have in the main been honestly expended.

And, with the attention of the country year by year drawn to the expenditure of this money, with the increase in amounts appropriated for the support of the Indians, in my judgment this commission has done more for the common good, without charge to the Treasury, not only in seeing that contracts were honestly awarded and honestly complied with, but in helping to mold a public sentiment that made honesty the rule instead of the exception, than any other machinery that we have had in operation.

Mr. BOWERS of California. I presume there are other gentlemen here who, like myself, are quite ignorant as to the duties and the powers of these three commissioners, and I wish the gentlemen would enlighten us on that point.

Mr. JOHNSON of Indiana. There are ten commissioners.

Mr. BOWERS of California. Then I would like to know what their powers and duties are.

Mr. CANNON of Illinois. Is the gentleman a member of the Committee on Indian Affairs?

Mr. BOWERS of California. I am not. If I were perhaps I would not have occasion to ask the question.

Mr. CANNON of Illinois. Perhaps I am not as well advised as to the details as I ought to be. The amendment explains itself, and the power of the Commission is recited in the act of 1869.

Mr. BOWERS of California. Well, I only want to get a general idea.

Mr. CANNON of Illinois. As I understand it, these Commissioners constitute a board for the inspection of the goods that are furnished for the Indians under contract.

Mr. BOWERS of California. Inspection of the goods themselves?

Mr. CANNON of Illinois. Yes, sir; and of samples when contracts are made.

Mr. WILSON of Washington. That is under the act of 1870. There was an act passed in relation to these Commissioners in 1869, and another in 1870 enlarging their powers.

Mr. CANNON of Illinois. Yes. Now I repeat, I am not as familiar with the administration of the Indian Office as perhaps I ought to be in order to give complete and full information as to all the details of the work that is done by this Commission. But I think I am familiar enough with it to say that the scandals which existed prior to the new departure made under President Grant have been largely done away with through the agency of this Commission, and, for one, I am not willing to see the appropriation for the Commission omitted from this bill.

Mr. MADDOX. Mr. Chairman, I will endeavor to state the reasons why the Committee on Indian Affairs have refused to include this appropriation at this time. This Commission was authorized under an act of Congress passed April 10, 1869, in an appropriation bill. Section 4 of that bill provides:

SEC. 4. *And be it further enacted*, That there be appropriated the further sum of $2,000,000, or so much thereof as may be necessary, to enable the President to maintain the peace among and with the various tribes, bands, and parties of Indians, and to promote civilization among said Indians, bring them, where practicable, upon reservations, relieve their necessities, and encourage their efforts at self-support; a report of all expenditures under this appropriation to be made in detail to Congress in December next. And for the purpose of enabling the President to execute the powers conferred by this act, he is hereby authorized, at his discretion, to organize a board of commissioners, to consist of not more than ten persons, to be selected by him from men eminent for their intelligence and philanthropy, to serve without pecuniary compensation, who may, under his direction, exercise joint control with the Secretary of the Interior over the disbursement of the appropriations made by this act, or any part thereof, that the President may designate; and to pay the necessary expenses of transportation, subsistence, and clerk hire of said commissioners while actually engaged in said service, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $25,000, or so much thereof as may be necessary.

Mr. HOLMAN. That was soon after the Sioux war.

Mr. MADDOX. Yes, soon after the Sioux war. It will be seen that an entirely new system of dealing with the Indians was adopted by this Government at that time, and in order to enable the President to put in force this new plan of controlling the Indians, this commission of citizens was appointed, and $25,000 was appropriated for their expenses. Their duties were defined in the act. In the following year another act was passed continuing them in office and providing that they should continue as long as any portion of the $25,000 appropriated to pay the expenses remained unexpended. Clearly the idea was not to continue this commission beyond the period when that appropriation for expenses should be exhausted.

Mr. CURTIS of Kansas. Was not the appropriation in 1870 $125,000 instead of $25,000?

Mr. MADDOX. No, sir; it was $25,000, as I have read from the act. Now, in any event these commissioners were appointed to aid the President to carry out this new system of controlling and governing the Indians, his peace policy, as it is called. In 1871 it was provided that:

The commission of citizens, serving without pay, appointed by the President under the provisions of the 4th section of the act of April 10, 1869, is hereby continued, so long as the appropriation heretofore made for their expenses shall last.

Mr. BINGHAM. What was the appropriation "heretofore made" as specified in the act of 1871? Does not that refer to the appropriation of 1870 and not that of 1869?

Mr. MADDOX. No, sir; there was no appropriation made in 1870. There was a fund already on hand, and this act provides that they are to continue in office as long as any portion of that fund remains.

Mr. HOLMAN. As far as the $25,000 would go.

Mr. MADDOX. Now, on the 29th of May, 1872, this law was passed.

* * * And the said commission is hereby continued with the powers and duties heretofore provided by law: *Provided*, That any member of the Board of Indian Commissioners is hereby empowered to investigate all contracts, expenditures, and accounts in connection with the Indian service, and shall have access to all books and papers relating thereto in any Government office; but the examination of vouchers and accounts by the executive committee of said board shall be a prerequisite of payment.

In 1871 another act provided that no payments should be made to contractors for goods or supplies of any sort furnished to the Indians, beyond 50 per cent of the amount due, until the accounts and vouchers should have been submitted to the executive committee of the Board of Commissioners.

It provided, however, that the commission might make a report to the Secretary of the Interior, either agreeing or disagreeing to anything that the Commissioner of Indian Affairs might do, leaving it, however, to the Secretary of the Interior to decide the whole matter as he might see proper—either to approve the report or disapprove it. In the same way the matter is left with him to-day. He is the final arbiter of all these matters.

Now, the later act on this subject is in 1882——

Mr. CURTIS of Kansas. I find on an examination of the statutes that $125,000 was not appropriated; but I want to ask the gentleman whether it is not the fact that the duties of that commission were enlarged by the act of 1870——

Mr. MADDOX. Yes, I think so.

Mr. CURTIS of Kansas. So as to provide that they should inspect goods purchased, etc.

Mr. MADDOX. I want to show, however, that these duties were curtailed in 1882. Here is the last provision on the subject; it is contained in the appropriation act of 1882:

The commission shall only have power to visit and inspect agencies and other branches of the Indian service, and to inspect goods purchased for said service; and the Commissioner of Indian Affairs shall consult with the commission in the purchase of supplies. The commission shall report their acts and doings to the Secretary of the Interior.

[Here the hammer fell.]

Mr. CURTIS of Kansas. I ask unanimous consent that the gentleman's time be extended.

The CHAIRMAN. In the absence of objection, the time of the gentleman from Georgia will be extended for five minutes.

Mr. MADDOX. I trust I shall not be restricted to five minutes. All I ask is time enough to explain the statutes bearing on this case.

Mr. CANNON of Illinois. I hope the gentleman will have such time as he requires, and that similar time be granted to the other side.

Mr. HOLMAN. Certainly.

The CHAIRMAN. In the absence of objection the gentleman from Georgia will proceed without restriction.

Mr. WILSON of Washington. The gentleman from Georgia has been speaking of a report from the Indian Committee. He will remember that I, as a member of the committee, was opposed to this provision going out of the bill.

Mr. MADDOX. Certainly; it is, however, the report of the majority.

Mr. WILSON of Washington. It is the majority report, of course.

Mr. JOHNSON of Indiana. Do I understand the gentleman from Georgia to contend that under the law the power of this Commission is restricted simply to the inspection of supplies?

Mr. MADDOX. To inspecting supplies and visiting the Indian agencies. They have no authority beyond that, under the law.

Mr. JOHNSON of Indiana. Is it not the fact that ever since the law from which the gentleman is reading has been in force that Commission has been discharging a great many other duties than those he has enumerated and to which he says they are restricted?

Mr. MADDOX. I take it from their report that they have done nothing of the kind.

Mr. JOHNSON of Indiana. I take it from the report that they have been going on and discharging these other duties. I am satisfied, too, that they are authorized by the law to go farther than the gentleman states.

Mr. EVERETT. If the gentleman from Indiana [Mr. JOHNSON] will permit me, and if the gentleman from Georgia [Mr. MADDOX] will yield——

Mr. MADDOX. The question is simply as to the construction of the law which I have been reading.

Mr. EVERETT. I wish to call attention to the fact that in the Revised Statutes of 1878, to which allusion has been made, it is provided on page 359:

SEC. 2039. There shall be a board of Indian commissioners, composed of not more than ten persons, appointed by the President solely, from men eminent for intelligence and philanthropy, and who shall serve without pecuniary compensation.

SEC. 2040. The board of commissioners mentioned in the preceding section shall have power to appoint one of their own number as secretary, who shall be entitled to such reasonable compensation as the board may designate, payable from any moneys appropriated for the expenses of the board.

Section 2041 provides that—

The board of commissioners mentioned in section 2039 shall supervise all expenditures of money appropriated for the benefit of Indians within the limits of the United States.

So that this matter does not depend on any provision of an appropriation bill. The Revised Statutes have recognized this Board of Indian Commissioners; it is established by law for the purpose of supervising all expenditures of money appropriated for the Indian service.

A MEMBER. But that law has been modified.

Mr. EVERETT. I am aware that it has been modified; but I refer to those provisions of the Revised Statutes because the gentleman from Georgia has passed them over.

Mr. MADDOX. What the gentleman from Massachusetts has just read did very well for 1878; but I am reading from the law of 1882—four years later.

Mr. EVERETT. But you skipped what had been done in the interval.

Mr. MADDOX. No, sir. I have been reading the various statutes which apply to this Board. Now, the Indian appropriation act of May 7, 1882, contains the clause which I am about to read. The gentleman from Indiana [Mr. JOHNSON] says that

the powers of the Board have been enlarged. I will leave that question for the House. I read the provision of law, as the Indian Commission reports it, after the revision to which the gentleman from Massachusetts has referred:

And hereafter the Commission shall only have power to visit and inspect agencies and other branches of the Indian service and to inspect goods purchased for said service; and the Commissioner of Indian Affairs shall consult with the Commission in the purchase of supplies. The Commission shall report their doings to the Secretary of the Interior.

The original idea was that the Commissioners were to report directly to the President.

Mr. BINGHAM. And their duties extended to other branches than those mentioned by the gentleman. What does "to other branches" mean?

Mr. JOHNSON of Indiana. That is the point I desired to make.

Mr. MADDOX. I admit that they may go further; but I desire to show what the idea of the committee was in refusing to make this appropriation.

Now, Mr. Chairman, this Commission has been in service for twenty-five years and have made twenty-six reports. That they have done good service no one will question or deny. But it was the opinion of the Committee on Indian Affairs that they had filled the purpose for which they had been originally appointed, and that there was no longer any necessity for their services. Now, let us see if they have not filled the purposes of their appointment.

According to their report they have been visiting the agencies and reporting upon their condition and surroundings. What have you done fifteen or twenty minutes ago in connection with this very bill? You confirmed the retention in the bill of the five Indian inspectors, whose powers exceed those of these special agents or Commissioners or any of them, and I call attention to the powers conferred on these inspectors:

SEC. 2045. Each Indian superintendency and agency shall be visited and examined as often as twice a year by one or more of the inspectors. Such examination shall extend to a full investigation of all matters pertaining to the business of the superintendency or agency, including an examination of accounts, the manner of expending money, the number of Indians provided for, contracts of all kinds connected with the business, the condition of the Indians, their advancement in civilization, the extent of the reservations, and what use is made of the lands set apart for that purpose, and, generally, all matters pertaining to the Indian service. For the purpose of making such investigations, each inspector shall have power to examine all books, papers, and vouchers, to administer oaths, and to examine on oath all officers and persons employed in the superintendency or agency, and all such other persons as he may deem necessary or proper.

The inspectors, or any of them, shall have power to suspend any superintendent or agent or employé, and to designate some person in his place temporarily, subject to the approval of the President, making immediate report of such suspension and designation; and upon the conclusion of each examination a report shall be forwarded to the President without delay. The inspectors, in the discharge of their duties, jointly and individually, shall have power, by proper legal proceedings, which it shall be the duty of the district attorney of the United States for the appropriate district duly to effectuate, to enforce the laws, and to prevent the violation of law in the administration of affairs in the several agencies and superintendencies. So far as practicable, the examinations of the agencies and superintendencies shall be made alternately by different inspectors, so that the same agency or superintendency may not be examined twice in succession by the same inspector or inspectors.

Mr. JOHNSON of Indiana. What is the gentleman reading from?

Mr. MADDOX. I am reading from the Revised Statutes providing for these inspectors and fixing their duties.

Now, the inspectors are appointed by the President, and, to use their own language, they are the eyes, the fingers, the arms, and the hands of the Administration. They report directly to the President as to the condition of Indian affairs. They are invested with full power, and have nothing whatever to do with the Commissioner of Indian Affairs. They are entirely independent of him. They are appointed by the President, and they are paid regular salaries for discharging the duties similar in every respect, in fact the same as these Indian Commissioners. According to the reports of the Indian Commissioners it seems the service has got to be honest at last; and I do not doubt that that committee of gentlemen, acting without compensation, contributed largely to that end.

But these inspectors are discharging exactly the duties, with other duties added, that were formerly discharged by this Indian Commission. They are doing exactly the same work, and power is conferred upon them beyond what was conferred upon the Commission. They have power to remove at will, for instance. They may report to the President any agent or any other officer of the service that they may think proper, and they make their reports directly to him. They are authorized to administer oaths, and have power to conduct investigations to the fullest extent. What else, then, is the Indian Commission left to do? Nothing, except to visit the agencies when contracts are being made and inspect the supplies. In other words, to see the character of the goods furnished.

Now, I wish to show how this money is expended. I read from a letter from the Commissioner of Indian Affairs, as follows:

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, D. C., April 23, 1894.

MY DEAR SIR: In reply to your letter of this date, asking in what manner and for what purpose the $5,000 "for the expenses of commission of citizens appointed by the President," etc., is expended, I have to say that $2,000 is paid the secretary of the Board of Indian Commissioners, $300 for office rent, about $50 for care of office, and the remainder of the sum is used to pay expenses of its members or its secretary, as it directs, in attending the letting of contracts for the purchase of Indian supplies, and in making visits to Indian reservations.

The work of the Commission is not under the control of this office, and they report directly to the President.

Respectfully,

D. M. BROWNING, *Commissioner.*

Hon. WM. S. HOLMAN,
House of Representatives.

Now, you will find on examination of the statutes that the Secretary of the Interior, under this law, controls the matter at last anyway. They may make what report they please to him and he may support, sustain, or set it aside altogether, as he pleases, under the law. So far as visiting the reservations is concerned, it is the duty of the inspectors who report directly to the President. What is the necessity for the President having five inspectors to visit these agencies and report directly to him if ten others, operating throughout the country, are authorized to do the same identical thing. And in addition to that you have five special agents who are also performing similar duties with the inspectors.

Furthermore, let me call your attention again to how this money is spent. Here is $2,000 paid annually to the secretary. What do you suppose he does? He has got an office in this city, paying $300 a year rent for it; $50,000 allowed to keep it up, and $2,000 for his own services; and from what I have been told, I do not think he does ten days' work in the whole three hundred and sixty-five—a mere sinecure.

It was the opinion of the committee that the Commission had served its day. In other words, that it had performed the functions for which it was originally created, and hence we refused to make any appropriation to continue it, not regarding it as necessary any longer. That is, the majority of the committee took that view. These, Mr. Chairman, are the reasons that actuated us in refusing this appropriation.

Mr. BARTLETT. I move to strike out the last word. Mr. Chairman and gentlemen, I had prepared an amendment *in ipsissimis verbis* with that offered by one of the distinguished leaders on the Republican side, but I had concluded that the proper place to introduce it was at the end of this section, on page 8, at line 10. The amendment proposed by the gentleman from Illinois is in the words of the last appropriation bill; that is, the appropriation bill of March 3, 1893, and in the words of the appropriation bill of July 13, 1892.

I shall endeavor to show you certain reasons why this board of philanthropists, and of independent, impartial gentlemen, should be continued in existence. I think it would have been somewhat fairer if the chairman of the Committee on Indian Affairs in his report had drawn the attention of the committee and of the House to the fact that he proposed to drop this Board of Indian Commissioners out of existence. Our attention should have been drawn to that proposed change in existing law; but, however, we have detected the innovation, and I propose to give certain reasons why this Board should be continued in existence.

You will bear in mind that President Grant, on April 10, 1869, created this Board. He was empowered in the statute passed on that day to select not exceeding ten citizens from men eminent for philanthropy and intelligence, and under that act he selected a board, some of the members of which were men of great distinction and philanthropy. I will mention George H. Stewart and William Welsh of Philadelphia, William E. Dodge of New York, and John Farwell of Chicago. It is conceded that at that time there was an actual, active, pressing necessity for the establishment of such a board of commissioners. Enormous frauds had been perpetrated in the Indian Department. The agent and the contractor were partners. False vouchers, false statements of accounts, were matters of everyday occurrence. So it became necessary to make some effort to check these frauds.

Now, I say that the same necessity exists in a modified form to-day for the continuance of this board. Why? Because the gentlemen composing the membership of that Board are impartial, honest citizens, standing aloof from any supervision or control, except the approval of the Secretary of the Interior, and standing in an attitude of absolute impartiality as between the contractor and the Indian agent and the Indians and the public, their views being inspired only by the instincts of humanity.

Mr. MADDOX. Will the gentleman allow me to ask him a question?

Mr. BARTLETT. Yes.

Mr. MADDOX. Do you know that one of them has made it his business to be here before the Committee on Indian Affairs on nearly all occasions?

Mr. BARTLETT. As to what has taken place in the Committee on Indian Affairs, I know nothing. I only know that the chairman of the Committee on Indian Affairs [Mr. HOLMAN] is in favor of the appointment of a board partly composed of citizen commissioners; and I wish to direct the attention of the committee to a bill which has been introduced by the gentleman from Indiana [Mr. HOLMAN], providing for the appointment of a partly military and partly civil commission. I say that position is utterly inconsistent with the position taken by the Committee on Indian Affairs to-day.

Now, what do these gentlemen do? Let me call your attention, in the interest of true religion and of philanthropy and in the interest of the friends of the Indians, to the membership of this Commission. The chairman, Prof. Merrill E. Gates, is the president of Amherst College in Massachusetts. Among the distinguished members are Darwin R. James, of Brooklyn, who was formerly a member of Congress; William H. Lyon, of New York, a man of the highest character and an old dry-goods merchant; Joseph T. Jacobs, of Michigan, and William D. ——, from North Dakota; Albert K. Smiley, of Rhode Island, and Elbert B. Monroe, of Connecticut.

This Board of eight or nine members is made up of citizens from various parts of the Union, and is composed of men distinguished for their high character and for their absolute honesty. They commit what impropriety? They spend $2,000 for the employment of a clerk or secretary, and to that payment of salary the gentleman from Georgia [Mr. MADDOX] objects. Now, I submit that is a wise use of their fund. It is necessary that they should have an office in the city of Washington, and it is necessary that they should employ a secretary or clerk, and the salary is no more than adequate.

[The time of Mr. BARTLETT having expired, by unanimous consent, at the request of Mr. HOLMAN and Mr. JOHNSON of Indiana, it was extended five minutes.]

Mr. BARTLETT. How is the rest of the money spent? Fifty dollars is paid for the care of the room, $300 for the rent of the office, and the balance is paid for the expenses of these gentlemen. Now, what do they do? Accepting the interpretation put on the existing law by the gentleman from Georgia [Mr. MADDOX], that the act of 1882 is our guide, and that it controls us, then under that statute they have two functions, one to visit the agencies and inspect them, and the other to inspect the supplies.

Now, the first function, that of visiting the agencies, is absolutely necessary for the continued welfare of the Indians, and it is absolutely essential that this supervision should be exercised over the various agencies. We spend millions of dollars for the agencies and the schools, and yet we hesitate to give $5,000 to an impartial board to visit these agencies and schools, and to see that the work is properly performed. Is that logic? Is that common business sense?

Again, what is their other function? It is to inspect the supplies; and from the 15th of May to the 29th of May, five or six members of this board were present at the warehouse in Chicago and took part in the inspection of supplies. From the 31st of May the Board has been sitting at the warehouse in New York; so they are actually at work to-day while you are debating this question of cutting off this pitiful appropriation of $5,000.

I submit that the interest of the Indian and his welfare, and the dictates of philanthropy prescribe that this Commission shall be continued. I submit also that a proper supervision, a salutary supervision of the contracts and supplies requires the continuance of this provision. Mr. Lyon, the member at New York, is an old dry goods merchant, and last year he was obliged to throw out a good many of the blankets. That is one work you can not secure from the paid employés of the Government. You have got to get an outside man who is a man of impartiality and familiar with the goods to perform this duty.

Now, let me call your attention for a moment to the proposition that the chairman of the Committee on Indian Affairs has introduced into this House in this Congress. It is the House bill (H. R. 3326) which provides for the creation of a commission composed of three military officers to be detailed and three citizens. It appropriates $20,000 a year for that commission, and it gives to them the same functions that are exercised by this Board of Commissioners, nonpartisan and without compensation. I say that the introduction of any such measure is absolutely inconsistent with the discontinuance of the appropriation we now ask for. I would say in conclusion that we should be fair to the red men.

We have by the right of conquest, and by the right of superior civilization, gradually segregated them into smaller areas and driven them on to smaller reservations, but at the same time we should remember that we are bound to do all we can to improve their condition and to ameliorate their ultimate fate, which must be one either of extinction or absorption. I ask the committee to vote for the amendment and to retain the appropriation of $5,000.

Mr. HOLMAN. Mr. Chairman, I ask unanimous consent that debate on this paragraph be closed in ten minutes.

Mr. JOHNSON of Indiana. I object to that. I hope my colleague will give us a little longer than that.

Mr. CANNON of Illinois. The gentleman from Indiana wants a little time.

Mr. HOLMAN. What time do you suggest?

Mr. JOHNSON of Indiana. I want ten minutes.

Mr. BINGHAM. I want five minutes.

Mr. HOLMAN. I ask unanimous consent that all debate upon this paragraph be limited, then, to twenty minutes.

Mr. BINGHAM. How much does the other side want?

Mr. HOLMAN. I shall only want a few minutes.

Mr. JOHNSON of Indiana. Better say forty minutes. This is a pretty important question.

The CHAIRMAN. The Chair understands there is no objection to giving the gentleman from Indiana [Mr. JOHNSON] ten minutes and the gentleman from Pennsylvania five minutes, if this is agreed to.

Mr. BINGHAM. The gentleman from Massachusetts desires some time, and there are other gentlemen who may desire to speak.

The CHAIRMAN. Objection is made to the proposition of the gentleman from Indiana.

Mr. JOHNSON of Indiana. Make it forty minutes.

Mr. HOLMAN. I will have to insist on less time than that.

Mr. EVERETT. Make it thirty minutes, then.

Mr. HOLMAN. I will only occupy two or three minutes.

Mr. JOHNSON of Indiana. I think if the gentleman gets started he will find that he requires more time than that.

Mr. LYNCH. It was suggested a moment ago that gentlemen have twenty minutes on that side. We will reserve ten minutes on this side; and therefore I ask unanimous consent that debate be closed in thirty minutes.

Mr. HOLMAN. Then I suggest that debate be closed in thirty minutes, and that the committee have one-half of that time.

Mr. JOHNSON of Indiana. I appeal to the gentleman to yield more time than that. I ask for ten minutes, and I do not desire to cut off other gentlemen by taking that much of the time.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent to close debate on this paragraph and amendment thereto in thirty minutes, twenty minutes to be given to the other side. Is there objection?

Mr. CANNON of Illinois. I would like to have a few moments.

Mr. HOLMAN. I have no idea that we will use ten minutes.

The CHAIRMAN. The Chair hears no objection.

Mr. HOLMAN. I wish to say in advance, Mr. Chairman, that while the statutes which have been enacted since 1869 are somewhat ambiguous, and possibly the point of order might be sustained, I do not think that it ought to be pressed. I think this is a question on which the committee ought to vote. Therefore I make no point of order on the subject. When the inquiry was made as to the expenditure of this money, and it appeared that more than two-fifths of the entire sum has been expended here in the capital ($2,350 of the $5,000), it occurred to the members of the committee that the object of this organization had long since gone by.

It was a valuable institution originally. It was originated in the Great Sioux war, which occurred just before this legislation commenced, and the object had long since been accomplished, otherwise I am quite confident an agency would not be kept up in this city expending so large a portion of the $5,000. The original amount appropriated for this object was $25,000 a year, which was not spent in one year for a series of years, and after that it was brought down to about $5,000, and some of the purest and best men were engaged in that Commission, if you may call it a commission. They rendered very valuable service and did a great deal to quiet the Indians and to secure honest administration at the Indian agencies. No person calls that in question, but that this Commission should be kept in existence simply because it was able at one time to render valuable service does not seem necessarily to follow, although it is a question on which gentlemen may very well differ.

As to the bill to which the gentleman from New York refers, and which he supposes is inconsistent with this proposition to drop this $5,000 a year, the history of that is this: Eight or nine years ago President Cleveland was anxious to adopt a comprehensive policy with reference to the Indian tribes and had certain views with reference to the Indian Territory, the formation probably in the progress of time of an Indian State.

Comprehensive measures seemed to be necessary, and at his instance, if my memory is correct, Secretary Lamar drew up the bill to which the gentleman from New York refers, and it was introduced in Congress as far back as the Forty-eighth Congress and has been pending ever since. It had no relation whatever to any inspection by this Board of Indian Commissioners. It was a comprehensive plan for settling the Indian question, especially as it was involved in the condition of the Indian Territory. That measure, therefore, was for an entirely different purpose.

Now, I do not feel justified in occupying any material portion of the time on this question. If a majority of this body thinks it is well to continue this small item of $5,000 a year, well and good. I hope, however, that if it is to be continued, some gentleman will devise a plan by which the whole of it may be appropriated for the benefit of the Indians themselves. The great trouble about this Indian bill is that such a large proportion of the money we appropriate for the Indians goes to the benefit of the white man, and not either directly, or in some instances, indirectly to the benefit of the Indian. We have an army of people fastened upon the Indian funds, and it is impossible to abolish any of them, and almost impossible to reduce any of their salaries.

Mr. WILSON of Washington. What remedy would the gentleman suggest as to how the money shall be used? I think that the Government should confine itself to the education of the reservation Indians.

Mr. HOLMAN. I think so. That is one of the objects contemplated in the act to which the gentleman from New York has called attention, which was prepared by Mr. Secretary Lamar.

The CHAIRMAN. The gentleman from Indiana [Mr. JOHNSON] is recognized, and asks consent that he may speak ten minutes.

There was no objection.

Mr. JOHNSON of Indiana. Mr. Chairman, my attention was called to this matter only last evening. I have given it a hurried examination. I prepared an amendment similar to the one offered by the gentleman from Illinois [Mr. CANNON], and had intended, like the gentleman from New York, to offer it a little further along in the consideration of the bill, but the action of the gentleman from Illinois relieves me from that necessity.

I am very much surprised that the Committee on Indian Affairs has omitted the usual appropriation for the support of this Board of Indian Commissioners. I say this, notwithstanding the fact that I am familiar with the peculiar and well-known views of the chairman of that committee on the subject of public expenditures. The omission of this appropriation, however, it not only not economy—it is the worst kind of prodigality. It is a saving at the spigot that we may lose at the bung. This Indian Commission, as has been stated here and as is well known, was first appointed under the Administration of President Grant, as far back as 1869. It was composed then, and always has been composed, of intelligent, philanthropic, conscientious men, who have performed their onerous duties free of charge to the Government, an appropriation having been made by Congress simply to pay their necessary expenses.

The Commission has never been partisan in its character, and it has been always composed of men of integrity and ability. During all these years, now a quarter of a century, it has discharged its duties faithfully, and never has Congress refused to appropriate for its expenses except in one instance. In that case the members of the Commission defrayed their own expenses for the year, and Congress subsequently repaid them by a deficiency appropriation. The work its members have done has been such as to commend the Commission to this House. The abolition of the well-known frauds that were practiced against the Government and against the Indians in connection with the furnishing of supplies before the Commission was organized, and which the Commission brought about, was alone a sufficient ground to justify its establishment and also justifies its continuance.

These Commissioners have saved thousands and thousands, and perhaps millions of dollars to the Government by their inspection of the Indian supplies. There is only one class of men upon the face of the earth interested in abolishing the Commission, and that is such men who sell goods to the Government for the supply of the Indians as are inclined to be dishonest. They, I have no doubt, would hail with delight the abolition of the Commission. Under the old system very few men bid for the furnishing of Indian supplies, and they were generally dishonest men, for it was a recognized fact that there was very little honesty in the apportioning of the contracts; and square bidders and live competition among bidders was rare, but under the system introduced and established by this Commission hundreds of people make bids and there is a great reduction in the prices which the Government has to pay for its supplies; a reduction so great that there has probably been more saved in one year than the Commission has cost in all the years it has been in existence.

Not only that, but this Commission agitated the subject and drew the law and presented it to Congress, providing for the allotment system of lands and the breaking up of the tribal relations of the Indians, a measure which has proved very beneficial to the Indians as well as to the Government.

Again, the Commission were largely instrumental in bringing about the abolition of what is known as the treaty system, a change highly approved by those best acquainted with Indian character and with the requirements of the Indian service. This Commission have done more, too, than any other organization in the country to promote the education, and especially the industrial education, of Indian youth and their training in industrial callings, and towards the moral instruction and civilization of the red man.

More than that, they have insisted that the men appointed to the Indian agencies should have moral as well as mental qualifications, and they have done much to raise the standard in that branch of the public service and to improve it and give it character. Tried by its past achievments, this Commission has been a useful and beneficent institution, which deserves well at the hands of Congress instead of having its throat cut in this way by a refusal of this body to appropriate the paltry sum of $5,000 for its necessary expenses.

It has been insisted, sir, that the powers of this Commission have been curtailed. But on examining the very statute quoted in support of this proposition by the gentleman who first spoke in this discussion and who advanced this claim, I find the language sufficiently broad to authorize the Commission to the most extended labor. There can be no question about the matter; and for years past and up to the present time they have gone on, not simply inspecting the character of the goods furnished for the Indian service, but doing much in the way of elevating the morals of the Indians and bringing about their education and enlightenment. They have done, as has been said by the gentleman from Illinois, more to create a healthy state of public sentiment as to the proper manner of dealing with the Indians, than any other organization known to the country.

It is said that these five Indian inspectors perform the very duties which have been assigned to this Commission. But I want to call attention to the fact that this citizens' committee was devised as a system of checks and balances to prevent any collusion or fraud or connivance which might exist between the regularly appointed officers of the Government and those interested in selling goods to the Indians. I am not here to reflect upon any Government officer; but it is a well-known fact that before this system was devised, great frauds were perpetrated upon the Government and great wrongs done to the Indians, and that in almost every instance of wrongdoing Government officials were implicated. This Commission composed of disinterested gentlemen, operating outside of the Government employ, have been above collusion, and in this way have been an effectual check upon misconduct in the Indian service.

This Commission goes out now and visits the various agencies, makes personal inquiry, holds its meetings, makes its reports to the Secretary of the Interior and to the head of the Indian Bureau. It has made a great many valuable suggestions upon which has been predicated some of the most salutary legislation passed by Congress in connection with the government of the Indians. The inspection of supplies, sir, is the smallest part of the valuable services which they render.

It has been said that these Commissioners employ the $5,000 appropriated to their use largely for the purpose of maintaining a home office. From the time of the inception of this body down to the present, covering a quarter of a century, they have of course maintained an organization; they have had a president and a secretary; they have conducted their business in a businesslike way.

It has been absolutely indispensable that they should have an office. The secretary whom they have appointed and who has been paid for his services, has earned every dollar of the money paid him. It is an easy thing for gentlemen to stand here and say that this office is a sinecure, and that this man has been paid extravagantly, as did the gentleman from Georgia; but it is a much more difficult thing to prove any such statement. Dogmatism is one thing, and evidence is another. I assert that it is necessary that this Commission in the proper discharge of its duties should have an extensive correspondence; and its secretary is employed a large portion of his time in that correspondence. His other labors are arduous and require intelligence and discrimination. Even while we are discussing this very matter he is to-day absent upon important business connected with the Commission.

Now, Mr. Chairman, the time has not passed when this Com-

mission can be useful. If it has done so much in the past in the way of elevating the service, have we not the right to expect it still to do good in the future? It is not claimed that the Indian service is now perfected—that there are no defects to be ferreted out, no wrongs to be remedied. And in the work of still further improving this service, upon what class of people can we better rely than upon intelligent, conscientious, and philanthropic citizens who work for their love of the business, and who, giving freely of their time and talents to the work, only ask that the Government shall pay their necessary expenses?

It seems to me, Mr. Chairman, that it would be a reproach upon Congress if we should refuse this appropriation. I understand there is no opposition to it by the Secretary of the Interior or the Indian Commissioner. I understand that from those sources this Commission is commended; that its services are regarded as valuable to the Government. Such being the case, the amount of the appropriation being only $5,000—a mere drop in the bucket, a mere bagatelle—it would be to me perfectly amazing if the American Congress should decline to make the appropriation when this money, properly expended, as it would be, tends so much to promote the good of the country and the benefit of the Indian service. I can scarcely deem it possible that this House will consent to such a line of conduct. I earnestly insist that the appropriation shall be inserted, and that this Commission shall not be destroyed in this unfair and left-handed way.

In conclusion, I ask leave to have read at the Clerk's desk a communication addressed to me recently by a committee of the Society of the Indiana Yearly Meeting of Friends, assembled at Richmond, Ind., in my district. This communication covers the subject I have been discussing so fully and ably that I hope the House will indulge me in having it read.

The Clerk read as follows:

RICHMOND, IND., *June 2, 1894.*

ESTEEMED REPRESENTATIVE: The committee on philanthropic labor of Indiana Yearly Meeting now in session in this city desire to call thy attention to certain proposed actions of the Appropriation Committee of Congress, one of which is the omitting of the usual appropriation to defray the expenses of the Board of Indian Commissioners.

This Board was established at the earnest recommendation of President Grant and is a part of his favorite "peace policy" toward the Indians. He believed that honest dealing with these unlettered children of the forest was the first requisite in gaining their confidence in order to promote their welfare and civilization.

The Commissioners give their services without compensation, and the small sum of $5,000 is for their actual expenses in visiting the agencies; in having the reservations allotted in severalty where practicable; in securing impartiality in the reception of bids and the allotment of contracts for supplies, and, most important of all, a rigid inspection of goods after delivery in a Government warehouse, so as to secure goods equal to the samples offered and to save large sums of money to the Government. At their instance the great principle of giving land in severalty to the Indians has been adopted and the retention of the tribal relations discouraged.

To those who are familiar with the methods in vogue in the Indian Department prior to the creation of this Commission, who can recall the partnerships between agents and traders and contractors, the overestimates of weight of cattle, the blank vouchers filled up with fraudulent sums, the false names carried upon pay rolls, the payment of employés for whom there was no employment, the payment of others at higher or lower salaries than provided by law for the purpose of embezzling the difference, the farming out of appointments controlled by agents, and the selling of their own goods to the Indians, with other like fraudulent schemes—the abolition of the Commission which has inaugurated and secured such vast reforms is hardly short of the grossest folly, unless it could be urged that their services are no longer needed.

Such an argument can not possibly be used at the present time. They still perform the services for which they were appointed; they still attend the opening of bids for contracts, which, through their services, are now open to all, so that in 1892 there were more than five hundred bids, instead of about forty in 1870; they still make visits to the reservations, and, being absolutely untrammeled by any of the traditions of the Indian Department, or any subservience to those in authority, they are enabled to examine, investigate, and criticise with perfect impartiality whatever they may see in the Indian service worthy either of commendation or condemnation.

We earnestly hope thee will make hearty protest against the practical abolishment of the Board of Indian Commissioners. We also desire to enter our protest and ask thy help in opposing the proposed reduction of the salaries of Indian agents. They earn little enough to secure the services of such men as are required for the delicate, and sometimes heroic, service which they have to perform. We understand that a reduction of from 10 to 20 per cent in these already meager salaries is proposed. The saving to the country of this insignificant sum is as nothing compared to the dangers to which the whole country is exposed by the enforced retirement of good agents, who can not be expected to remain at such reduced salaries, and the substitution for them of incompetent and second-rate men.

We hope thee may find it consistent with thy sense of duty to join us in this protest. We also wish to earnestly protest against the proposed reduction of the salary of the superintendent of Indian schools from $3,000 to $2,500. The original salary attached to this position was $3,500. This was reduced last year to $3,000. To reduce the amount still further this year would seem to indicate that those who have failed in their purpose to abolish this post altogether are determined to cripple its usefulness by attaching such meager compensation to it that the superintendency will be untenable to any man whose experience and ability fit him to fill it.

Thy friend,

AARON MORRIS,
Clerk of the Committee.
(Address, Milton, Wayne County, Ind.)

HENRY U. JOHNSON, M. C., *Washington, D. C.*

Before the reading of the foregoing communication was concluded—

Mr. JOHNSON of Indiana (when his time had expired). I ask unanimous consent that, without any deduction from the time allowed for this debate, the reading of this communication be finished. I am satisfied it tends to the enlightenment of the House.

Mr. MADDOX. How long will it take to finish it?

Mr. JOHNSON of Indiana. Not more than three or four minutes.

Mr. MADDOX. We may have some communications on this side that we want to have read.

Mr. JOHNSON of Indiana. I shall have no objection to their being read.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent that his time be extended long enough for the Clerk to finish the reading of the communication which has been sent to the desk.

Mr. WILLIAMS of Mississippi. I object.

Mr. JOHNSON of Indiana. I hope the gentleman will not insist on his objection. This is a very clear and succinct statement, tending to the enlightenment of the House. The reading can be finished in two or three minutes.

Mr. WILLIAMS of Mississippi. I withdraw the objection.

There being no further objection, the Clerk resumed and concluded the reading of the communication.

Mr. BINGHAM. Mr. Chairman, I find in reading the report upon this bill that no reference whatever has been made to the proposed abolishment of the Indian Commission, either under the statute or the appropriation bill; nor have any reasons been given why this Commission, which has been in existence for almost a quarter of a century, should be abolished at the present time. I am free to say the statements or arguments made by gentlemen having charge of this bill have failed to convince me as to the wisdom of this proposed legislation.

It is always the rule, accepted in this House, when consideration is asked for important legislation, the expressions of the Department having the supervision of such legislation should be heard upon the floor; and yet in the proposition submitted by the gentleman neither in the report of the Secretary of the Interior nor in the report of the Commissioner of Indian Affairs is there any reference, by letter or otherwise, wherein this radical change is recommended. This Commission consists of a number of gentlemen—ten, I think—who perform and have performed a valuable service. They are recognized in my community as having done so, and that is my reason for asking the attention of the committee in this debate.

There is in my city a large element of Quaker people, whose views and charitable acts towards the Indians have been well recognized for many years by all the people of this country. Perhaps no Christian or religious sect ever covered in sympathy a wider field of earnest work in regard to the care of the Indians, as the wards of the nation, than have these citizens who form so large, respectable, and influential an element of the community I have the honor to represent. They, with one voice, appeal to me to utter my protest against the change proposed by the abolition of the Indian Commission, together with other changes of cutting down the privileges of the educational clauses in the statute and limitedly appropriated for in this bill.

In view of the provisions of the bill, they are much exercised as to the future care of the Indian, in whom they have felt such a generous and philanthropic interest. Therefore I say to the gentleman that amongst the best friends of the Indians in this country that great Quaker sect is preëminent, and certainly if not the best, at least the most active and watchful in their work; and they have with one voice appealed to me to lay the petition, the prayer, and protest, however humble on my part, or however effective or ineffective it may be, before this House in condemnation of the proposed changes in this legislation.

Everyone knows the character of the gentlemen constituting this Commission. The reading of their report will show the valuable aid that they have rendered not only to the Indian Bureau but to the Indians themselves within the last twenty-five years. And whether the motive that prompted Gen. Grant in the selection of the Commission is such as has been stated by the gentleman from New York, which I do not concur in, I believe its origin to be just as Gen. Grant stated it when he believed it wise to organize the Commission. He said:

From the foundation of the Government to the present the management of the original inhabitants of this continent, the Indian, has been a subject of embarrassment and expense, and has been attended with continuous robberies, murders, and wars. From my own experience upon the frontiers and in Indian countries, I do not hold either legislation or the conduct of the whites who come most in contact with the Indians blameless for these hostilities. The past, however, can not be undone, and the question must be met as we now find it. I have adopted a new policy toward these wards of the nation (they can not be regarded in any other light than as wards), with fair results so far as tried, and which I hope will be attended ultimately with great success.

That the purposes of the Commission as created have been in many respects completed, there is no question. But the field

of their watchfulness and the limit of their usefulness, with reference to subsistence, together with the expenditure of several millions of dollars annually, educational matters and things of that character, have not been exhausted. The consideration of educational questions, covering tens of thousands of families, are of vast importance; and their services will be required in the future in that connection; there seems to be no two sides. These gentlemen are nonpartisan. They stand as far as they can as a breakwater against any effort to make this service partisan, and by their efforts the great body of the subordinate force employed is to-day under the rules of the Civil Service Commission.

Mr. Chairman, I present the wishes, as I have said, of a large portion of my community in entering my protest, not only against this feature of the bill, but wherever in it there has been a reduction made of the appropriations for compensation to the subordinate officers and teachers and others connected with this service, and I protest against any effort or legislation which seeks to reduce the appropriations for this important service below what may be absolutely necessary. I hope it will be the wise conclusion of this House to continue the policy that has been so successful during the last quarter of a century.

The CHAIRMAN. The time of the gentleman has expired.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. BROOKSHIRE having taken the chair as Speaker *pro tempore*, a message from the Senate by Mr. PLATT, one of its clerks, announced that the Senate had passed without amendment the bill (H. R. 1127) for the relief of Francis M. Tomlin.

The message also announced that the Senate had passed bills of the following titles; in which the concurrence of the House was requested:

A bill (S. 203) for the relief of John F. W. Detto;

A bill (S. 686) to amend an act entitled "An act to divide the judicial district of North Dakota," and to provide for the fees and compensation of the officers of the circuit and district courts of the said judicial district;

A bill (S. 1319) for the relief of E. Douglass, late Indian agent at White Earth Indian Agency; and

A bill (S. 1483) to correct the military record of Elisha B. Bassett.

INDIAN APPROPRIATION BILL.

The committee again resumed its session, Mr. ONEIL of Massachusetts in the chair.

Mr. EVERETT. Mr. Chairman, I can hardly think that the force of the argument that I have furnished from the statutes of 1878, is invalidated by the fact that a subsequent appropriation bill modified the powers of the commissioners. It has been maintained by the Committee on Indian Affairs, as I understand it, that the commissioners were constituted for a temporary purpose, and owed their existence almost entirely to their recognition by the various successive appropriation bills which provided for their support. The fact is that the same Revised Statutes, which have been appealed to as a justification for docking the pay of members, and are held to be permanent in that respect, also recognize this Commission as a permanent arm of the Government, shows that they did depend for their existence on something more than mere appropriation bills, and also that they were constituted for something more than a mere temporary purpose.

With regard to the services they have rendered I have nothing to add to what has already been said by the gentleman from New York, the gentleman from Indiana, and the gentleman from Pennsylvania. But I do say this, that I shall vote for the restoration of the appropriation for their expenses, because I find that item in the estimates for the Indian service, and because I believe that these estimates were cut down to the very lowest possible point that is justifiable in view of our relations to the Indians themselves. The end of this bill shows that the estimates for 1895 were $900,000 less than in the preceding bill. That is a sufficient cut, and I hold that when the committee try to cut a little nearer the bone by reducing the estimates $320,000 more, it is an unworthy attempt to reduce farther what has been already cut down to the lowest admissible point.

I do not agree with the chairman of the committee that the Committee on Indian Affairs of this House is as good a judge of the needs of the Indians as the Department of the Interior. I propose to vote for this amendment, and I propose, with possibly some exceptions, to vote for any amendment that will restore the estimates of the Department of the Interior, and not to go in for this unnecessary, uncalled for, and unworthy cut which is proposed by the Committee on Indian Affairs.

Mr. COOMBS. Mr. Chairman, I ask the chairman of the Committee on Indian Affairs to give me three minutes.

The CHAIRMAN. The Chair will state that there are but two minutes left on that side of the question.

Mr. MADDOX. Has the time on the other side been exhausted?

The CHAIRMAN. Two minutes are left, and the gentleman from New York [Mr. COOMBS] is recognized for two minutes.

Mr. COOMBS. Mr. Chairman, I simply want to cover the business reason for the continuance of this Commission. I know two of the gentlemen who compose the Commission, Mr. Lyon and Mr. James. I have been very frequently in the department in New York, and have seen these gentlemen examining samples of goods with as much carefulness and particularity as though they related to purchases for their own account. They are men of a great deal of leisure, and I know that this to them is a labor of love. I know that by their close scrutiny of the purchases of the Government, and of the contracts, the Government saves many times the amount of the expenses of the whole Commission. Anything else that the Commission may do for the benefit of the Indians is clear gain.

Both these gentlemen whom I have mentioned are experienced in the department of goods that they undertake to examine. I know that they save the Government money, I know that they are honest, and I know that their methods are fair. I know that they introduce honest methods for the government of others. Therefore I shall vote for the continuation of the appropriation.

The CHAIRMAN. There are but five minutes remaining, and the gentleman from Indiana [Mr. HOLMAN] has control of the time.

Mr. HOLMAN. I yield the remainder of the time to the gentleman from Arizona [Mr. SMITH].

Mr. SMITH of Arizona. Mr. Chairman, having lived many years in the very shadow of an Indian reservation, and having in my district as many Indians and as varied tribes as are to be found in any part of this country, I have failed, in my experience of some fourteen years among them, to see any good of any kind resulting from this Commission. I do not know a member of the Commission who lives on the other side of the Rocky Mountains. I do not know any one of them that ever saw an Indian until he was appointed a Commissioner. And yet this is stated by the gentleman from New York to be a labor of love—a labor of love conditioned on $5,000, half of which is to be expended for a secretary, who, according to the gentleman from Georgia [Mr. MADDOX] does not perform probably ten days' work in a year.

I will tell you the service of this Commission. It is, as every one on the Committee on Indian Affairs knows, to stand as a block between everything that is attempted by the Government for the amelioration of the condition of the Indians; to make technical quibbles over every contract made for the Indians; to look at supplies. I am not questioning the honesty of any of these men, and it is not necessary to question the honesty of any of them, but I wish to say to this committee that experience has demonstrated that the most dangerous thing on the face of the earth is sincere, ignorant honesty, applied to a thing that they know nothing about. It has been stated that they supervised these contracts, and what is the result of the supervision?

Mr. COOMBS. They save money there.

Mr. SMITH of Arizona. I will tell the gentleman how they saved it in one instance. The year before last, at the San Carlos Reservation, there was a bid from Arizona to furnish flour and the samples sent here and inspected by the Commission, as I am informed—I do not state that they examined those samples, but if they are as zealous as the gentleman from New York states, they did examine them——

Mr. COOMBS. They are zealous.

Mr. SMITH of Arizona. Then they examined into this matter, for it was one of the biggest contracts in that country; and the flour furnished was sent from Chicago, at a higher price, and the quality was absolutely inferior; and that is a sample of the work of this Commission, whose members live on the edge of Newfoundland, and Nantucket, and the northeast extremity of the United States of America. Think of their handling a question that lies down on the Gulf of California. And with all the Indian Commissioners, and with all the Indian inspectors, not one man among all of them, as far as I know, ever saw an Indian in his life until he held the office.

Mr. LUCAS. Will the gentleman allow me to ask him a question?

Mr. SMITH of Arizona. Yes.

Mr. LUCAS. In your long experience among the Indians did you ever know of any one of this Commission that ever came West to inspect the delivery of cattle or horses to these Indians?

Mr. SMITH of Arizona. I never heard of one of them; and that leads to this suggestion. They are never there to do any of that inspecting——

Mr. HOLMAN. That is under the charge of an officer of the Army.

Mr. SMITH of Arizona. I was going to say that was all provided for. Now, we do not propose, as suggested by my friend from Pennsylvania [Mr. BINGHAM], to abolish this Commission. The bill leaves the Commission just as it was when it was started.

Mr. BINGHAM. Ask the gentleman from Indiana if we have not already passed a paragraph which does that.

Mr. SMITH of Arizona (to Mr. HOLMAN). Does the bill abolish it?

Mr. HOLMAN. We simply drop the salary.

Mr. EVERETT. If the gentleman will read lines 12 and 13 he will see.

Mr. BINGHAM. The gentleman stated this morning that it practically abolished the Commission.

Mr. HOLMAN. On page 7 the provision is made that all officers of the Indian service not herein provided for are hereby abolished.

[Here the hammer fell.]

Mr. WILLIAMS of Mississippi. I ask that the time of the gentleman be extended five minutes.

Mr. CANNON of Illinois. With five minutes on the other side.

Mr. SMITH of Arizona. You have already had twenty minutes, and we have had only ten.

Mr. CANNON of Illinois. With five minutes on this side, if desired.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent that the time of the gentleman from Arizona be extended for five minutes, with five minutes on the other side, if desired.

There was no objection.

Mr. SMITH of Arizona. Mr. Chairman, I have not seen any of this Commission at all yet deliver any of these goods. I have never heard of any of them being present, and the very purpose for which this Board was originally organized, as suggested by the gentleman, has entirely passed away. There is not an Indian reservation that is not approachable easily. In the olden time it was a difficult matter to get there. It was alleged, and justly alleged, that the same hundred head of cattle would be delivered to the Indians twenty times. That is impossible now, for the people around these Indian reservations, crowding them closer and closer, and the provision made in this bill, as suggested by the chairman of the committee, fills every single position that this Commission could possibly be organized for. Then, why give $5,000, $2,500 of which goes for clerical hire, to that Commission.

Now, let us see how it performs its duties. I read from page 9 of the Twenty-fifth Annual Report of the Board of Commission:

On the 16th of May the Board met at the Indian warehouse, New York, to witness the Commissioner of Indian Affairs in the opening of bids and the awarding of contracts for Indian goods and subsistence, supplies.

How long an investigation was this—to look at the contracts? I guess there is where the service was.

Mr. COOMBS. And to examine the samples and see that they were up to the contract.

Mr. SMITH of Arizona. I did not know that you were upon the Commission; if I had known you belonged to it I would have had you interpolate that.

Mr. COOMBS. That is what they do.

Mr. SMITH of Arizona:

In accordance with the method practiced for several years, the proposals, four hundred and fifty-eight in number, were read in the presence of many contractors. The samples of clothing, dry goods, shoes, hardware, flour, coffee, tea, and other supplies were inspected——

Mr. MADDOX. With the aid of experts.

Mr. SMITH of Arizona (continuing reading).

with the aid of experts in each line.

By the aid of experts at this particular warehouse; and you had just as well trust to the delivery of those goods by that sample as you would in buying a box of strawberries on the street believing that the good ones were at the bottom of the box. [Laughter.] These gentlemen make an inspection, and simply do it by the aid of experts that are provided for, and who attend to this duty. It is simply throwing away the money, as more than a million is thrown away, as I shall show before we get through with this bill.

Mr. HOLMAN. The experts are appointed by the Indian Office.

Mr. SMITH of Arizona. These are the men that are doing all this work for love. It is not worth any more than the love they give it. [Laughter.]

Now, Mr. Chairman, I consider it an absolute waste of money. These gentlemen can go out, and when they are doing right, God bless them—they can go out and make an inspection of these samples without spending this $5,000. We never find them there making an inspection to see if the goods are delivered as per sample, and we have no doubt they feel an interest in the matter at the opening of the bids, especially from the fact that the contract originates somewhere in the neighborhood of the residence of the Commissioners, and at least I do not see any use of it.

Mr. JOHNSON of Indiana. Does the gentleman mean to insinuate that there is the least breath of suspicion of misconduct upon the part of the Commissioners in respect to the contracts?

Mr. SMITH of Arizona. Not at all; but I do wish to suggest this to the gentleman from Indiana: that I know that if to-morrow a contract was to be given out and one of his constituents was a bidder, that he would be inclined to give it to his district rather than see it go to an outsider.

Mr. JOHNSON of Indiana. But most of these supply goods are inspected in New York and Chicago, and would you have the President go west of the Rocky Mountains in order to select the Commissioners for their inspection?

Mr. SMITH of Arizona. I would see that the goods are carried out there according to the samples.

Mr. JOHNSON of Indiana. Does the gentleman know that none of the Commission are present on the numerous occasions when the goods were inspected?

Mr. SMITH of Arizona. They can not know that they are the same goods without they have examined the samples.

Mr. JOHNSON of Indiana. Does not the gentleman know that when the supplies are delivered in some parts of the country they have been present?

Mr. SMITH of Arizona. That may be true. I do not think they have any decided claim for existence. I know something about this system, and have seen something of it.

Mr. JOHNSON of Indiana. What does the gentleman know about this system? How much is mere statement and how much actual knowledge?

Mr. SMITH of Arizona. How much do you know about it?

Mr. JOHNSON of Indiana. I have talked some with members of the Commission; I have talked with the Assistant Commissioner of Indian Affairs; I have talked with officials of the Indian Bureau; and I learned something from all of these sources and from various official reports.

Mr. SMITH of Arizona. Oh, yes.

[Here the hammer fell.]

Mr. COOMBS. I ask that the gentleman's time be extended so as to enable him to answer questions.

Mr. CANNON of Illinois. Mr. Chairman, I would like to hear the amendment read.

The Clerk read as follows:

After line 22, page 7, insert: For the expenses of the commission of citizens serving without compensation appointed by the President under the provisions of the fourth section of the act of April 10, 1869, $5,000.

Mr. CANNON of Illinois. Mr. Chairman, to that amendment there is no point of order. It speaks for itself and involves an expenditure of $5,000 only. It refers to the fourth section of the act of April 10, 1869, which I hold in my hand, and which will give the scope of the authority of the President under that appropriation and of the Commission. Section 4 of the act of April 10, 1869, provides as follows:

That there be appropriated the further sum of $2,000,000, or so much thereof as may be necessary, to enable the President to maintain the peace among and with the various tribes, bands, and parties of Indians, and to promote civilization among said Indians, bring them, where practicable, upon reservations, relieve their necessities, and encourage their efforts at self-support; a report of all expenditures under this appropriation to be made in detail to Congress in December next. And for the purpose of enabling the President to execute the powers conferred by this act, he is hereby authorized, at his discretion, to organize a board of commissioners, to consist of not more than ten persons, to be selected by him from men eminent for their intelligence and philanthropy, to serve without pecuniary compensation, who may, under his direction, exercise joint control with the Secretary of the Interior over the disbursement of the appropriations made by this act, or any part thereof, that the President may designate.

Then it appropriates to pay the expenses of this Commission $25,000, and authorizes the employment of a clerk.

Mr. HOLMAN. All of which has long since been spent.

Mr. CANNON of Illinois. Certainly it has been spent. But this appropriation provided for in this amendment refers to that section of the act of 1869, and in the act itself you find the scope of the authority of the President and of the Commissioners. Now, the President has the right to utilize these Commissioners to act jointly with the Secretary of the Interior. They act substantially without expense, and I take it that we shall be slow, in a bill which carries $7,000,000, to dispense with the services of these ten men in the name of economy, when their services are donated to the Government, and when, in fact, for a quarter of a century their services have substituted honesty and economy in the Indian service for extravagance and dishonesty. [Applause.]

Mr. MADDOX. Does not the gentleman know that that law

of 1869 has been modified, and there is no such power now vested in this Commission?

Mr. CANNON of Illinois. But this amendment appropriates money, and in controlling the expenditure of that money, adopts section 4 of the act of 1869, by which the President can direct this Commission when and where they shall supervene.

Mr. MADDOX. If that be true I make the point of order that the amendment is new legislation. It is not the law as it now stands.

Mr. CANNON of Illinois. The point of order comes too late. The amendment has been discussed, and besides, the gentleman from Indiana [Mr. HOLMAN] expressly stated that he did not feel at liberty to make the point of order. It is precisely the same statute that we have for the current year.

Mr. MADDOX. It is the same statute. The statute the gentleman has quoted requires these Commissioners to report to the President, and gives them equal authority with the Secretary of the Interior. The statute of 1871 repeals that, and gives the Secretary of the Interior entire control over the matter, and requires the Commission to report to him, and that is the law as it stands now if it stands at all.

Mr. CANNON of Illinois. The appropriation speaks for itself. As to the question of reporting, that is not material. As to their power, it is limited by section 4 of the act of 1869.

The CHAIRMAN. The time for debate has expired. Does the Chair understand the gentleman to press the point of order?

Mr. CANNON of Illinois. It is too late.

Mr. HOLMAN. I stated that I would not make the point of order.

Mr. BINGHAM. I just wish to state to the gentleman from Georgia [Mr. MADDOX] that the amendment is word for word the same as the provision in the act of the current year.

The question being taken on the amendment of Mr. CANNON of Illinois, the Chairman declared that the noes seemed to have it.

Mr. CANNON of Illinois. I ask for a division.

The committee divided; and there were—ayes 46, noes 65.

Mr. CANNON of Illinois. No quorum, Mr. Chairman.

The CHAIRMAN. The point of no quorum being made, the Chair will appoint to act as tellers the gentleman from Indiana [Mr. JOHNSON] and the gentleman from Indiana [Mr. HOLMAN].

The committee again divided; and the tellers reported—ayes 59, noes 79.

Mr. JOHNSON of Indiana. No quorum.

The CHAIRMAN. The point of no quorum being made, the Clerk will call the roll.

The Clerk proceeded to call the roll, and the following-named members failed to respond:

Abbott,	Curtis, N. Y.	Hines,	Rusk,
Adams, Ky.	Dalzell,	Hitt,	Schermerhorn,
Aitken,	Daniels,	Hopkins, Ill.	Scranton,
Alderson,	Davey,	Hopkins, Pa.	Settle,
Allen,	DeForest,	Houk,	Shaw,
Apsley,	Denson,	Hutcheson,	Sherman,
Arnold,	Dingley,	Ikirt,	Sibley,
Avery,	Dockery,	Johnson, Ohio	Sickles,
Babcock,	Dolliver,	Kilgore,	Simpson,
Barnes,	Draper,	Kribbs,	Smith,
Bartholdt,	Dunn.	Lefever,	Snodgrass,
Barwig,	Dunphy,	Lisle,	Sorg,
Belden,	Edmunds,	Livingston,	Stevens,
Bell, Colo.	Ellis, Ky.	Lockwood,	Stone, C. W.
Beltzhoover,	English, N. J.	Magner,	Storer,
Berry,	Epes,	Marsh,	Strait,
Black, Ill.	Fielder,	Marvin, N. Y.	Straus,
Blair,	Fithian,	McAleer,	Strong,
Bland,	Fletcher,	McGann,	Sweet,
Boen.	Forman,	McKaig,	Talbott, Md.
Boutelle,	Gillet, N. Y.	McMillin,	Tawney,
Breckinridge, Ky.	Gillett, Mass.	Meiklejohn,	Terry,
Brosius,	Goldzier,	Mercer,	Thomas,
Brown,	Goodnight,	Meredith,	Tracey,
Bundy,	Gresham,	Moon,	Turner, Va.
Burnes,	Griffin,	Morse,	Turpin,
Cadmus,	Grosvenor,	Moses,	Tyler,
Caminetti,	Grout.	Mutchler,	Van Voorhis, N. Y.
Campbell,	Hainer,	Newlands,	Wadsworth,
Capehart,	Hall, Mo.	O'Neill, Mo.	Wanger.
Caruth,	Hammond,	Paynter,	Washington,
Chickering,	Harmer,	Pendleton, W. Va.	Waugh,
Childs,	Harter,	Perkins,	Wells,
Cockran,	Hatch,	Phillips,	Wever,
Cockrell,	Hayes,	Powers,	Wheeler, Ill.
Cogswell,	Heiner,	Randall,	White,
Conn,	Henderson, Ill.	Rayner,	Whiting,
Cooper, Fla.	Henderson, Iowa	Richards, Ohio	Wilson, Ohio.
Cooper, Ind.	Hendrix,	Robbins,	Wilson, W. Va.
Cooper, Wis.	Hepburn,	Robertson, La.	Wright, Mass.
Covert,	Hermann,	Robinson, Pa.	Wright, Pa.

The roll call being concluded, the committee rose; and the Speaker having resumed the chair, Mr. O'NEIL of Massachusetts reported that the Committee of the Whole on the state of the Union having had under consideration House bill No. 6913 (the Indian appropriation bill), had found itself without a quorum, whereupon the chairman had directed the roll to be called, and now reported the names of the absentees.

The SPEAKER. In accordance with the rule, the names of the absentees will be entered on the Journal. One hundred and eighty-five members have answered to their names. A quorum having responded, the Committee of the Whole, in obedience to the rule, resumes its session without a motion.

The Committee of the Whole having resumed its session,

The CHAIRMAN. The tellers will resume their places; and the question will be again taken.

The question was again taken; and the tellers reported—ayes 67, noes 112.

So the amendment was rejected.

The Clerk read as follows:

For contingencies of the Indian service, including traveling and incidental expenses of Indian agents, and of their offices, and of the Commissioner of Indian Affairs, also traveling and incidental expenses of five special agents, at $3 per day when actually employed on duty in the field, exclusive of transportation and sleeping-car fare, in lieu of all other expenses now authorized by law; for pay of employés not otherwise provided for, and for pay of five special agents, at $2,000 per annum each, $40,000.

Mr. BOWERS of California. I offer the amendment which I send to the desk.

The Clerk read as follows:

Amend, in line 4, page 8, by striking out the word "five" and insert in lieu thereof the word "three," and in line 8, same paragraph, strike out the word "five" and insert the word "three," and in line 9, same paragraph, strike out the word "forty" and insert in lieu thereof the words "thirty-five."

Mr. BOWERS of California. Mr. Chairman, the object of this amendment is to reduce the number of these special agents from five to three, and to make a corresponding decrease in the appropriation. I started in this morning to get some information. When I asked the gentlemen who are very desirous to have this Commission maintained as to the powers and duties of the Commission and what it has done, the answer came a little slowly at first; but as the gentlemen began to refer to the books and to compile and collate the various items of information which they individually possessed, they finally got at a statement of what the duties of this Commission are.

I find that among these duties is that of inspecting goods purchased under contract and supervising their delivery. I asked my questions especially with reference to inspection and delivery. Now, we have already provided in this bill for five inspectors; and here is a provision for five special agents in addition. This duty of inspection appears to run through the whole business. The head of the Department, the Secretary of the Interior, does something in the way of inspection; then under him is the Commissioner of Indian Affairs, who is another inspector; then we have ten commissioners to inspect, and five Indian inspectors, and then these five Indian agents. So that we have in all about twenty-two inspectors.

Now, I want to read something showing the value of the inspection we have had in this service which it is claimed has been so creditably and so honestly performed. I read from the proceedings of a board of survey convened at Rosebud Agency, S. Dak. The report is dated March 13, 1892:

Upon the request of United States Indian Agent J. George Wright, the board was constituted as follows:

Capt. J. M. Lee, Ninth Infantry.
A. Judson Morris, M. D., agency physician.
Egbert J. De Bell, M. D., trader.

* * * * * * * *

The board finds that a large quantity of this bacon, 200,000 pounds, was received in March and April, 1890.

* * * * * * * *

The bacon has been sorted out in three lots.

* * * * * * * *

The board finds that the first lot of bacon, about 12,800 pounds, while not of the first-class quality, is issuable.

Second. That the second lot of bacon, of about 27,000 pounds, is not issuable in its entirety, because of its moldy and rancid condition, and because of "skippers" which numerously abound on the outside. By trimming off about one-third of the outside the remainder can be issued.

Third. The third lot, consisting of 245 sides and weighing actually 21,650 pounds, the board regards as totally unfit for issue.

This bacon is covered and permeated by "skippers," is discolored throughout, rancid, and unfit to be eaten by any human being, and in the opinion of the board none of this lot should be issued.

* * * * * * *

Then this report goes on to show why this bacon was in this condition. The board says that the bacon thus put up was the large heavy sides in which the shoulder bones were included, so that, of course, it could not keep. And this is only a specimen of the efficient manner in which inspections are made. Notwithstanding these twenty-two inspectors, the Secretary of the Interior, the Indian Commissioner, these ten good Christian gentlemen (I believe one member referred to them as being in search of pure religion), five Indian inspectors, and five special agents, this skippery bacon passed the inspection. It would appear that we want about twenty-five more inspectors, possibly five hundred more, in order to prevent such unsuitable supplies being furnished. I would like to ask the chairman of the committee in charge of this bill, whether these Indian Commissioners ordered that rancid bacon issued.

[Here the hammer fell].

The question being taken on the amendment of Mr. BOWERS of California, it was rejected, there being ayes 7, noes 77.

The Clerk read as follows:

CITIZEN BAND OF POTTAWATOMIES.

That the Secretary of the Interior be, and he hereby is, authorized and directed to pay to the Citizen Band of Pottawatomie Indians, or expend for their benefit, the sum of $13,981.68, now on the books of the Treasury, and being the unexpended balance of the appropriation to carry out the provisions of the agreement between the United States and said band of Indians, ratified and confirmed by act of Congress approved March 3, 1891.

Mr. FLYNN. I offer the amendment which I send to the desk.

The Clerk read as follows:

On page 25, insert after the word "ninety-one," in line 17, the following:

"*Provided*, That the restrictions in patents issued to the Citizen Band of Pottawatomies and absentee Shawnee Indians over 21 years of age, are hereby waived, subject to such rules and regulations as may be prescribed by the Secretary of the Interior on lands in Oklahoma, it being understood that they shall only dispose of lands which they hold in excess of 80 acres each; except, where said Indians are nonresidents of Oklahoma, they shall have the power to sell all of said lands."

Mr. FLYNN. Mr. Chairman, there are a great many of these Indians who have lands allotted to them in my Territory——

Mr. HOLMAN. Until I have had an opportunity to consult with some of my associates on the committee, I wish to reserve a point of order on this amendment. I do not make any point at present.

Mr. FLYNN. Many members of this Citizens band of Pottawatomie Indians, who have taken allotments in what is known as Pottawatomie County, in my Territory, do not reside upon these lands, but are residents of Kansas. Many of them, by their appearance, one would not be able to distinguish as having Indian blood in their veins. They are engaged in various avocations of life; and as they do not reside among us, it is desirable that so far as practicable there should be some disposition made of these lands, as otherwise they can not be taxed for twenty-five years.

I introduced a bill for this purpose, which was referred to the Indian Department and received its recommendation. About one-half of Pottawatomie County is made up of lands held in allotment by members of various tribes of Indians. But those in particular who do not reside in the Territory, not occupying the lands, who are capable of maintaining themselves, and do maintain themselves elsewhere, should have the right, in the judgment of the Indian Office, or Congress should grant them the right, to dispose of the lands in Oklahoma, the deeds to be subject to the approval of the Secretary of the Interior.

Mr. WILSON of Washington. Under what limitation does the gentleman propose to sell the lands?

Mr. FLYNN. Under such rules and regulations as may be prescribed by the Secretary of the Interior.

Mr. LYNCH. How much land is involved in this amendment?

Mr. FLYNN. About 50,000 acres.

Mr. LYNCH. Held by the Indians?

Mr. FLYNN. Yes, sir.

Mr. LYNCH. Where do they live?

Mr. FLYNN. Some of them there, but a great many in Kansas.

Mr. LYNCH. Have they allotments now?

Mr. FLYNN. Some of them have, but quite a number about thirty years ago bought the lands from the Government at a certain price per acre.

Mr. LYNCH. And they ask for this legislation?

Mr. FLYNN. Yes, sir; I have petition after petition asking for it. They own large tracts of land down there in Oklahoma, and they are living in Kansas. They are not leasing the lands or using them in any way, and we are unable now to raise money enough by taxation on actual settlers to pay the running expenses of the county.

Mr. WILSON of Washington. Is not that largely due to the fact that the settlements there are of very recent date, the Territory being new, and things have scarcely established themselves as yet upon a permanent footing?

Mr. FLYNN. Well, these lands have been opened up since 1891. A bill for this purpose was referred to the Indian Office, reported upon favorably, and I herewith attach the report of said office in relation thereto:

H. R. bill 6543 provides that any member of the Sac and Fox tribe and of the Citizen Band of Pottawatomies and of the Absentee Shawnee Indians of Oklahoma, being over the age of 21 years, and an allottee of lands under any agreement between the United States and the tribe or band of which such person shall be a member, or under any act of Congress, may appear by petition in any district court of said Territory, asking that all restrictions upon the taxation and alienation of such allotments, excepting 80 acres thereof, shall be removed, and if upon the hearing of such petition it shall appear that the petitioner is a person of sufficient education, intelligence, and experience to manage with prudence his business affairs, the court may, in its discretion, order that all restriction be removed upon the taxation and alienation of all the lands allotted to said petitioner, excepting 80 acres thereof, such finding and order to be entered of record, and whenever a copy thereof shall be recorded in the office of the register of deeds of the county in which the land is situated, the lands therein named may be listed for taxation and the allottee shall be invested with a title in fee simple to the lands so allotted to him, excepting the 80 acres above named: *Provided*, That in the case of a member of the Citizen Band of Pottawatomies who shall be a nonresident of the Territory and who shall be over the age of 21 years, the court in its discretion may order such restriction to be removed from all of the lands in said Territory allotted to such person.

So far as the Sac and Foxes are concerned, I do not think the proposed legislation is necessary or desirable. By the agreement concluded with said Indians, ratified by the act of Congress approved February 13, 1891 (26 Stats., 749), it was provided that 80 acres of the land allotted to each allottee should be held in trust by the United States for a period of twenty-five years, and that the other 80 acres should be so held in trust for the period of five years, or, if the President of the United States will consent, for fifteen years, at the expiration of which periods, respectively, the United States is to convey the same by patent to said allottee or his heirs in fee. Patents were issued to the Sac and Fox Indians on the 11th of September, 1891, so that the restriction upon the taxation and alienation of 80 acres of their lands will expire in a little over two years, unless the President should extend the time. For this reason I do not think it advisable to legislate in regard to the removal of the restrictions upon the sale of lands patented to these Indians.

So far as the Pottawatomies and Shawnees are concerned, I see no objection to allowing them to dispose of the lands in excess of 80 acres each, as I believe that this is a sufficient quantity of land for any Indian to cultivate. The plan proposed in the bill, however, does not meet with my approval. I think this Department should retain the right to determine whether any allottee should sell his land and to see that he receives a sufficient consideration for the sale of any land allotted him. I have therefore prepared the draft of a substitute for H. R. 6543, providing that any member of the Citizen Band of Pottawatomie Indians and of the Absentee Shawnee Indians of Oklahoma, to whom a trust patent has been issued under the provisions of the act approved February 8, 1887 (24 Stats., 388), and being over 21 years of age, may sell and convey any portion of the land covered by such patent in excess of 80 acres, the deed of conveyance to be subject to approval by the Secretary of the Interior under such rules and regulations as he may prescribe, and that any Citizen Pottawatomie not residing upon his allotment, but being a legal resident of another State or Territory, may in like manner sell and convey all the land covered by said patent, and that upon the approval of such deed by the Secretary of the Interior the title to the land thereby conveyed shall vest in the grantee therein named. At the expiration of the trust period the fee-simple title to be issued to any such allottee or his heirs shall convey so much of the land described in the trust patent issued to such allottee as shall not have been conveyed under the foregoing provision.

I have also added section 2, providing that the land sold and conveyed under the provisions of the act shall upon proper recording of the deeds therefor, be subject to taxation as other lands in said Territory, but that neither the lands covered by such patents not sold and conveyed under the provisions of the act, nor any improvements made thereon, shall be subject to taxation in any manner by the Territorial or local authorities during the period in which said lands shall be held in trust by the United States.

It is claimed that there are a number of Citizen Pottawatomies who reside in the State of Kansas and are well to do. The lands allotted them in Oklahoma are of no use to them and for that reason it is thought that they should be allowed to sell all of the lands, if they so desire. If such sale is made, subject to the supervision of the Secretary of the Interior, I have no objection to such course. The Territorial authorities are attempting to tax the improvements of Indians upon their allotted lands held in trust by the United States. I do not think that such taxation is legal or proper, and have accordingly added a provision to that effect in the bill under consideration.

I return the letter of Mr. Mendenhall and the accompanying bills.

Very respectfully, your obedient servant.

D. M. BROWNING, *Commissioner*.

Mr. HOLMAN. Mr. Chairman, I suggest to the gentleman from Oklahoma that he allow this to pass over in its present condition; that is to say, that he offers the amendment, has made his statement, and the question of order is reserved upon it; then I will ask unanimous consent to go back to this paragraph at the proper time.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

Mr. WILSON of Washington. The gentleman from Indiana says he will ask unanimous consent to go back to this paragraph at the proper time. Now, Mr. Chairman, it is very possible that he could not obtain that consent; and I think it is no more than fair to the gentleman from Oklahoma, if he withdraws the amendment at this time, that it should be understood, or at least that there is a tacit agreement, that we shall return to this item.

Mr. HOLMAN. That is my proposition. The item is only passed over temporarily, to be recurred to hereafter, and the gentleman's amendment is pending with the point of order against it.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana that the paragraph be passed over with the pending amendment and the point of order reserved?

There was no objection.

The Clerk read as follows:

For blacksmith and assistant, shops and tools, iron and steel, per fourth article of treaty of July 20, 1831, and fifth article of treaty of February 23, 1867, $530; in all, $1,030.

Mr. MORGAN. Mr. Chairman, I offer the amendment I send to the desk.

The Clerk read as follows:

Eastern Shawnees: This amount to be paid per capita to the Eastern Shawnees under the direction of the Secretary of the Interior and now to their credit in the United States Treasury, being the residue of the sum due by the United States to said Indians for session of lands under the third article of the treaty entered into by said band with the United States, proclaimed October 14, 1868, $9,079.12.

Mr. MORGAN. I offer this letter from the Commissioner of Indian Affairs in explanation of the amendment.

Mr. HOLMAN. For the present I shall reserve the question of order.

The CHAIRMAN. The letter to which the gentleman from Missouri refers will be read.

The Clerk read as follows:

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, March 10, 1894.

SIR: I have the honor to submit herewith a letter from the United States Indian agent at Quapaw Agency, Indian Territory, dated the 3d instant, in which he incloses a petition of the Eastern Shawnees addressed to the Congress, praying for the appropriation of the sum of $9,079.12 now to their credit in the United States Treasury.

The petition sets forth that they have taken their allotments, are living upon them, and are greatly in need of money to enable them to buy stock, agricultural implements, to erect houses, and prepare their homes as their white neighbors do.

According to the last census this band numbers 93 souls, and the appropriation asked for would give them a per capita payment of $109.28. In view of the fact that these Indians are poor, and have taken their allotments, I respectfully recommend that the petition be forwarded with the favorable recommendation of the Department. I inclose herewith a proposed amendment to the Indian appropriation bill, providing for the legislation requested.

Very respectfully,

D. M. BROWNING, *Commissioner.*

The honorable SECRETARY OF THE INTERIOR.

Mr. MORGAN. It will be seen, Mr. Chairman, that this amendment——

The CHAIRMAN. Does the gentleman from Indiana make the point of order?

Mr. HOLMAN. Under the recommendation of the Commissioner of Indian Affairs it would seem to be a proper amendment.

The CHAIRMAN. The question, then, is on agreeing to the amendment.

The amendment was adopted.

The Clerk read as follows:

For pay of additional employés at the several agencies for the Sioux in Nebraska and Dakota, $12,500, $800 of which shall be used for the employment of a second blacksmith at Cheyenne River Agency, South Dakota.

Mr. CANNON of Illinois. Mr. Chairman, I move to strike out the last word, for the purpose of asking the gentleman in charge of this bill a question.

I see that this paragraph provides for the pay of additional employés at the several agencies for the Sioux Indians in Nebraska and Dakota, $12,500. That is a reduction of $7,500 for the current year. This year the appropriation was $20,000. Now, I am not prepared to say that the reduction is not a proper one, nor can I say that it ought not to be twice as great. But I would like to know from the gentleman why he makes it $7,500 less for the coming year than for this year; and then, when he has answered that question, I ask why he did not make twice as much reduction as has been made?

Mr. HOLMAN. I am not able to state the exact conditions on which that change was made; but I shall have no objection to going back to it after I inquire into the facts. The consideration of this bill was begun away back last January, and a good many of the facts have passed out of mind.

Mr. CANNON of Illinois. Then there is unanimous consent to return to this paragraph?

Mr. HOLMAN. Certainly; there will be no objection to that.

Mr. WILSON of Washington. We have changed so many things in the bill since we first started that nobody can remember them.

The CHAIRMAN. Has the gentleman from Illinois any request to make?

Mr. CANNON of Illinois. The gentleman from Indiana [Mr. HOLMAN] asks that we pass this paragraph, with an agreement that we return to it after the reading of the bill is concluded.

The CHAIRMAN. The Chair thinks it would be well for the gentleman from Illinois [Mr. CANNON] or the gentleman from Indiana [Mr. HOLMAN] to make the request through the Chair.

Mr. HOLMAN. The request is made, and I hope it will be granted.

Mr. WILSON of Washington. I hope that we shall not have too many paragraphs to go back to when we get through with this bill.

Mr. HOLMAN. This will only take a moment.

Mr. WILSON of Washington. If we do not consider some of these things as we go along, we shall have the whole bill to go over again.

The CHAIRMAN. If there be no objection, the paragraph will be considered as passed over.

There was no objection.

The Clerk, resuming the reading of the bill, read as follows:

For subsistence of the Sioux and for purposes of their civilization, as per agreement ratified by act of Congress approved February 28, 1877, $1,000,000: *Provided*, That this sum shall include transportation of supplies from the termination of railroad or steamboat transportation; and in this service Indians shall be employed whenever practicable: ***And provided further***, That the number of rations issued shall not exceed the number of Indians on each reservation, and any excess in the number of rations issued shall be disallowed in the settlement of the agent's account.

Mr. CANNON of Illinois. Mr. Chairman, there is an item in this paragraph which I wish to ask about. In lines 17 and 18, on page 32, there is an appropriation, in pursuance of treaty, of $1,000,000 for the subsistence of the Sioux and for purposes of their civilization. The appropriation for the current year is $1,150,000, and this is a reduction of $150,000. I wish to ask why this reduction is made?

Mr. HOLMAN. I think it is according to the estimate.

Mr. LYNCH. Yes; there is a reduction of $150,000 in the estimate.

Mr. CANNON of Illinois. For what reason? Are these Indians on the decrease?

Mr. LYNCH. I can not give you any reason, except that that is the amount called for in the estimate.

Mr. HOLMAN. That is the estimate. The cost of maintaining these Indians is very large, and the estimate has been reduced.

Mr. CANNON of Illinois. Then, that is the explanation of the reduction? I noticed that it was a large reduction, and I did not know why it was.

The Clerk, proceeding with the reading of the bill, read as follows:

For support and maintenance of day and industrial schools, including erection and repairs of school buildings, in accordance with article 7 of treaty of April 29, 1868, which article is continued in force for twenty years by section 17 of the act of March 2, 1889, $80,000; in all $1,395,600.

Mr. PICKLER. I desire to offer an amendment.

The amendment was read, as follows:

Amend by adding at the end of line 13, page 33, the following:

"*Provided*, That when in pursuance of any treaty an appropriation has been heretofore made to erect schoolhouses for the accommodation of children of any tribe of Sioux Indians, out of any fund belonging to said Indians, which appropriation is still in force, the Secretary of the Interior shall proceed as early as practicable to erect such school building."

Mr. HOLMAN. Mr. Chairman, I hope there will be an explanation of this amendment. I do not understand its terms.

Mr. PICKLER. This takes nothing out of the Treasury, and it is not new legislation. It simply provides that where by an act of Congress schoolhouses have been ordered to be built for any tribe of the Sioux Indians, to be paid for out of their money, the Secretary of the Interior shall proceed to build these schoolhouses. An appropriation was made some two years ago to build two such schoolhouses in my State. The schoolhouses are needed, and yet for some reason or other the building of them has not been proceeded with. One of them is to be built at Chamberlain, S. Dak., and one at Rapid City, S. Dak., near large bands of the Sioux Indians.

All that is asked by this amendment is that the Secretary of the Interior shall carry out the act of Congress; and I think when Congress has ordered the building of a schoolhouse it ought to be proceeded with as early as possible.

Mr. HOLMAN. Have you inquired of the Commissioner to know why the money had not been spent?

Mr. PICKLER. Yes, I have inquired about it. An agent is sent out, and he looks the ground over and makes a report, and talks about changing to another piece of land; and so it is delayed along.

Mr. HOLMAN. As the law stands now it is discretionary with the Commissioner to expend the money, is it not?

Mr. PICKLER. The building of these schoolhouses is directed by an act of Congress. There is no discretion about it, only to carry out the act of Congress.

Mr. HOLMAN. Does the act specify where the schools shall be located?

Mr. PICKLER. Yes, and the amounts to be paid; and they are to be taken out of the funds of the Indians. There is no appropriation out of the Treasury of the United States.

The amendment was agreed to.

Mr. CANNON of Illinois. I move to strike out the last word, for the purpose of asking the gentleman from Indiana a question about the provision in line 11 of page 23 of the bill, of $80,000 for the support and maintenance of day and industrial schools, including erection and repairs of school buildings, in accordance with the treaty. There was appropriated under that treaty $100,000 for the current year; this bill only carries $80,000. Now, why?

Mr. HOLMAN. Well, certainly; but the language that is in the present law, as well as in the bill, was "for the support and maintenance of day and industrial schools, including the erection and repairs of school buildings." There was a larger appropriation made for the present current year, and a considerable portion of the money has been expended in the erection of buildings; and this is a comparatively slight reduction when that is taken into consideration.

Mr. CANNON of Illinois. It is $20,000. The buildings have already, I presume, been furnished.

Mr. HOLMAN. This is fully up to the estimate. A large amount of the expenditure, I think, as will be seen, was for the erection and repair of buildings. I think that the gentleman will find that this is the estimate.

Mr. CANNON of Illinois. Well, I believe that in this item the full amount ought to be given, because the gentleman will notice that this is an appropriation for day and industrial schools on the reservation under the treaty that we made with the Sioux. I think that is a very valuable kind of school, and it seems to me that if we owe them the money under the treaty that we should be as vigorous as possible in expending it.

Mr. HOLMAN. We do not owe that specific sum. The appropriation is $100,000 for the present current year. I have no doubt that the larger appropriation made for the maintenance of schools and the erection of a school building was due to the necessity for the erection of schoolhouses, and the absence of the latter consideration especially justifies this reduction. I know that this matter was very carefully examined, because the purpose was to be very liberal in this expense, so far as these Indians are concerned.

Mr. CANNON of Illinois. I will state to the gentleman that I will examine the question before to-morrow, and I will then ask him to return to that paragraph.

Mr. HOLMAN. Perhaps the gentleman from South Dakota can explain it.

Mr. PICKLER. I did not catch the question. I think there will be no objection to returning to it.

The CHAIRMAN. The Chair wants it understood that requests for unanimous consent must be made from the Chair.

Mr. CANNON of Illinois. Well, I desire to ask unanimous consent to return to this item to-morrow.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that this paragraph be passed over until to-morrow. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

SPOKANES.

For third of ten installments, to be expended under the direction of the Secretary of the Interior, in the removal of the Spokane Indians to the Cœur d'Alene Reservation, in erecting suitable houses, in assisting them in breaking lands, in furnishing them with cattle, seeds, agricultural implements, saw and grist mills, thrashing machines, mowers, clothing, and provisions; in taking care of the old, sick, and infirm; in affording educational facilities, and in any other manner tending to their civilization and self-support, as per article 5 of agreement with said Indians, dated March 18, 1887, ratified by act of Congress approved July 13, 1892, $8,000: *Provided*, That any moneys heretofore or hereafter to be appropriated for the removal of said Spokane Indians to the Cœur d'Alene Reservation shall be extended or expended to such members of the tribe who have removed or shall remove to the Colville or Jocko Reservations.

Mr. WILSON of Washington. I desire to offer an amendment. It was evidently overlooked in the print of the bill.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

After the word "Colville," in line 22, page, 34, insert "Spokane;" so as to read: "Colville, Spokane, and Jocko Indian Reservations."

The amendment was agreed to.

Mr. CANNON of Illinois. Mr. Chairman, I move to strike out the last word, so as to make an inquiry of the chairman of the committee or the gentleman from Washington about this provision contained in this paragraph, which seems to be a pretty broad proposition:

That any moneys heretofore or hereafter to be appropriated for the removal of the said Spokane Indians to the Cœur d'Alene Reservation shall be extended or expended to such members of the tribe who have removed or shall remove to the Colville or Jocko Reservation.

And now, as amended, the Spokane Reservation. Now, how much would have to be expended for those who have removed, and what is the object of this appropriation?

Mr. WILSON of Washington. Mr. Chairman, I move to strike out the last word. In the Fifty-first Congress legislation was had looking to the removal of the upper and middle bands of the Spokane Indians. The treaty provided that they should be removed to the Cœur d'Alene and Jocko Indian Reservations.

But there were three, four, or five families who wanted to move to the Spokane Reservation, so as to be among their kinsmen. The entire amount appropriated for this purpose was not given in cash to the Indians, as to the Cœur d'Alenes, but it made provision for the purchase of agricultural implements, machinery, building houses, and giving them homes, and teaching them that which was believed to be the proper and legitimate way of civilizing the American Indians, by labor. Now, I have a letter here that I want to read in my time, which will more fully explain the matter than any statement that I can make.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, April 28, 1894.

SIR: On March 12 last, I received by your reference for my consideration, a communication dated February 1, 1894, from C. A. Coulson, master of Union Grange No. 109, Patrons of Husbandry, asking by resolution on behalf of said grange that such action as might be necessary be taken to throw open to settlement the Spokane Indian Reservation, Washington, and reciting in the preamble of the resolution referred to certain reasons for such prayer.

In connection with this subject I have to state that on March 21, 1894, Capt. J. W. Bubb, United States Army, acting Indian agent of the Colville Agency, Fort Spokane, Wash., was instructed to communicate with the Indians of said reservation and advise them of the action taken by the said grange and the desire of certain citizens in that vicinity to have the Spokane Indian Reservation thrown open to settlement.

He was instructed to ascertain from the Indians whether it is their desire to take allotments of land in severalty and then to negotiate with the United States for the surrender of their surplus lands and to report upon this matter his views as to the advisability of appointing a commission to treat with the Indians referred to for the surrender of a portion of their reserve.

I am now in receipt of a communication from the said agent dated the 19th instant, stating that in compliance with said office instructions he called a council of the Lower Spokane Indians, residents of the Spokane Indian Reservation referred to in the said resolution, at which Chief Lot, with his principal headmen and at least two-thirds of the male adults of his tribe, were present; that the resolution and said office letter were carefully interpreted and fully explained to the Indians, as well as the laws governing the allotment of lands in severalty; that after some little discussion they adjourned for a time to talk the matter over among themselves; that upon reassembling Chief Lot announced in open council that it was the unanimous decision that the Indians did not wish to give up any portion of their reservation and take allotments of land in severalty, and that commissioners be not sent to them to negotiate for the disposal of any part of their reservation.

Chief Lot, in announcing the decision in open council reached by the Indians after conference among themselves, spoke as follows:

"This is the land my Father purchased for us from the other tribes of Indians with such money as we had at that time (furs, skins, horses, etc.), in order that his people might have a home and be at peace with all other tribes as well as with the white people. Washington has already taken away from us much of the land my Father purchased, and for which we have never received any money or other consideration. Now, all we have left is this little reservation and it seems that Washington is now after that. This land we now have is small, but it is too dear for us to give it up. We would like Washington to study over this a long time before taking it away from us.

There has never been a thing that Washington has asked us to do but what we have done cheerfully. But this is too much, we can not do it. None of my people know anything about acres or surveys, and they are not able to carry out this thing of taking land each for himself. We have never had the schools promised us and my young people are not much better fitted for a change than us old people. We did not complain when some of the Upper and Middle Spokanes came to live with us. They told us they would not get any of the treaty money. We have shared our land with them and have made them welcome and we all live happy together. We depend on you, Washington, for everything and need your help for a while longer, and would like you to wait a little longer about our land until our people can learn to read and write and are better able to do as they will have to do when we sell part of our land. All these years I have been urging you to give us schools so we would be prepared to live among white people. So far I have only had promises."

According to the agent's further report some of Lot's head men expressed themselves in a similar manner.

The agent adds, that after carefully considering this matter in all its phases, he is of the opinion that the time has not yet come for these people to take their lands in severalty and be mixed up with white people, as they would be in that event; that the reservation is small, being 8 miles wide and 35 miles long, and not so well adapted to agricultural purposes as said resolution would seem to indicate; that it is hilly and much of it rocky and heavily timbered; that there are at least four hundred and fifty Indians now living there, which number includes many of the Upper and Middle Spokanes, who seem to prefer living there even at the loss of their share of "treaty" money, to which they would be entitled should they go to any one of the reservations named in the agreement with the Upper and Middle Spokanes, to wit, the Colville, Jocko, or Cœur d'Alene; that the farms of these Indians are necessarily small, owing to the small amount of land available for farming purposes, and the number of Indian families now living there; that one reason why these people are still in need of the fostering care of the Government, and a continuance of their reserve as it now exists, is that they have not had schools; and that they have had only such religious teachings as they have been able to obtain from their own scanty contributions.

The agent concludes his report by stating that he does not recommend sending commissioners to that reservation for the purpose of negotiating with the Indians thereof for a surrender of a portion of the same.

In view of the statements contained in Capt. Bubb's report, and the condition of the Indians referred to, I do not think that it would be wise to take any steps now looking to negotiations with them for the surrender of any portion of their reservation.

Very respectfully,

D. M. BROWNING, *Commissioner.*

Hon. JOHN L. WILSON, *House of Representatives.*

Now, these Indians have gone there. They are living together in peace, and I only want to give them a little of this money to purchase agricultural implements and to enable them to make homes. Since receiving this letter I have called the attention of the Commissioner of Indian Affairs to this appeal in relation to schools, and he has already ordered the construction of a schoolhouse on that reservation——

[Here the hammer fell.]

On motion of Mr. CURTIS of Kansas, by unanimous consent, the time of Mr. WILSON of Washington was extended.

Mr. WILSON of Washington. There was a large number of them around Spokane when we made this treaty. They have gone out on that reservation. They are there with Chief Lot. They want education, they want to learn to till the soil, they want agricultural implements to do it with. They want to be taught how to work, for the only way you are going to civilize a barbarian is by and through labor. Give him a primary education and teach him to labor, and then let him take care of himself.

Mr. REED. I desire to call the attention of the Chairman of the committee to the fact that it is 5 o'clock.

Mr. HOLMAN. I move that the committee rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. O'NEIL of Massachusetts, from the Committee of the Whole, reported that they had had under consideration a bill (H. R. 6913), the Indian appropriation bill, and had come to no resolution thereon.

LEAVE OF ABSENCE.

Mr. MARSHALL, by unanimous consent, obtained indefinite leave of absence, on account of sickness.

The House then, on motion of Mr. HOLMAN (at 5 o'clock and 7 minutes p. m.), adjourned.

REPORTS OF COMMITTEES ON PRIVATE BILLS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

By Mr. MAHON, from the Committee on War Claims: A bill (H. R. 5259) for the relief of the heirs and legal representatives of Alfred Robinson, deceased. (Report No. 1061.)

By Mr. AVERY, from the same committee: A bill (H. R. 1665) for the relief of Solomon Lusk. (Report No. 1062.)

By Mr. STONE of Kentucky, from the same committee: A bill (H. R. 2249) for the relief of Warren Hall. (Report No. 1065.)

Also, a bill (H. R. 7065) for the allowance of certain claims reported by the accounting officers of the United States Treasury Department. (Report No. 1066.)

Also, a bill (H. R. 4933) for the relief of the estate of John L. Sammis. (Report No. 1067.)

Also, a bill (H. R. 1082) for the relief of the Madison Female Institute, located at Richmond, Ky. (Report No. 1068.)

Also, a bill (H. R. 3031) for the relief of Washington College (now known as Washington and Lee University), located at Lexington, Va. (Report No. 1069.)

By Mr. BELTZHOOVER, from the same committee: A bill (H. R. 3519) for the relief of the heirs of A. Lawrence Foster, deceased. (Report No. 1070.)

By Mr. GORMAN, from the Committee on Military Affairs: A bill (S. 812) for the relief of William R. Steinmetz. (Report No. 1074.)

By Mr. STONE of Kentucky, from the Committee on War Claims: A bill (H. R. 2300) for the relief of J. C. Peebles. (Report No. 1072.)

By Mr. PICKLER, from the Committee on Invalid Pensions: A bill (H. R. 6336) for the relief of Maj. Thomas W. Lion. (Report No. 1073.)

ADVERSE REPORTS.

Under clause 2 of Rule XIII, private bills were adversely reported and laid on the table, as follows:

By Mr. McNAGNY, from the Committee on War Claims: A bill (H. R. 772) for the relief of Tazwell C. Merritt. (Report No. 1063.)

Also, the petition for the relief of Dr. John B. Rumph. (Report No. 1064.)

PUBLIC BILLS.

Under clause 3 of Rule XXII, bills of the following titles were introduced, and severally referred as follows:

By Mr. TAYLOR of Indiana: A bill (H. R. 4713) establishing two judicial districts in the State of Indiana—to the Committee on the Judiciary.

By Mr. STALLINGS: A bill (H. R. 7414) granting increase of pension to survivors of the Mexican and Indian wars and to their widows—to the Committee on Pensions.

By Mr. CADMUS (by request): A bill (H. R. 7415) to provide relief for the outfalls of the existing sewers within the District of Columbia, and for the disposal of its sewerage to a place of safety—to the Committee on the District of Columbia.

By Mr. MAGUIRE: A bill (H. R. 7416) to amend an act to provide for the bringing of suits against the Government of the United States, approved March 3, 1887—to the Committee on the Judiciary.

By Mr. O'NEIL of Massachusetts: A bill (H. R. 7417) to cause storm and weather signals to be displayed on light-houses between sunrise and sunset—to the Committee on Interstate and Foreign Commerce.

By Mr. PENCE (by request): A bill (H. R. 7418) to limit labor of children, etc.—to the Committee on Labor.

By Mr. COFFEEN (by request): A bill (H. R. 7438) to provide for the improvements of public roads, and for other purposes—the Committee on Ways and Means.

PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as follows:

By Mr. BARTHOLDT: A bill (H. R. 7420) to correct the military record of Capt. Henry Troll—to the Committee on Military Affairs.

Also, a bill (H. R. 7421) to correct the naval record of Robert A. Russell—to the Committee on Naval Affairs.

By Mr. CLARK of Missouri: A bill (H. R. 7422) for the relief of Harriet Clayton—to the Committee on Pensions.

Also, a bill (H. R. 7423) for the relief of heirs of Samuel A. Craddock—to the Committee on War Claims.

Also, a bill (H. R. 7424) for the relief of Frank Richardson—to the Committee on War Claims.

Also, a bill (H. R. 7425) for the relief of Catharine Bedel—to the Committee on War Claims.

Also, a bill (H. R. 7426) for the relief of William Donald McLean—to the Committee on Invalid Pensions.

By Mr. CURTIS of Kansas: A bill (H. R. 7427) for the relief of J. R. Wasson—to the Committee on War Claims.

By Mr. HOUK: A bill (H. R. 7428) to perfect the military record of Henry R. Gibson—to the Committee on Military Affairs.

By Mr. HUDSON: A bill (H. R. 7429) for the relief of Thomas J. Newport, late of Company C, Sixth Regiment Iowa Volunteers—to the Committee on Pensions.

By Mr. LACEY: A bill (H. R. 7430) granting an increase of pension to Gilman Williams—to the Committee on Invalid Pensions.

By Mr. MAGUIRE: A bill (H. R. 7431) for the relief of R. S. Thornton—to the Committee on Claims.

By Mr. McCREARY of Kentucky: A bill (H. R. 7432) for the relief of Katherine Harrison—to the Committee on War Claims.

By Mr. MEREDITH: A bill (H. R. 7433) for the relief of Francis M. Leake—to the Committee on Pensions.

By Mr. PAGE: A bill (H. R. 7434) directing the issue of a duplicate of a lost check drawn by Capt. W. H. Bixby, Engineers, United States Army, at Newport, R. I., in favor of Messrs. Hughes Brothers & Bangs—to the Committee on Claims.

By Mr. PICKLER: A bill (H. R. 7435) for the relief of Elizabeth B. Russell—to the Committee on Claims.

By Mr. STEPHENSON: A bill (H. R. 7436) for the relief of certain parties, sufferers by the burning of the tug Mystic while in Government employ—to the Committee on Claims.

By Mr. ENGLISH: A bill (H. R. 7437) for the relief of William J. Bryan—to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. APSLEY: Petition of citizens of Maynard, Mass., praying for exemption from taxation all fraternal beneficiary societies, orders, or associations operating under the lodge system—to the Committee on Ways and Means.

By Mr. BARTHOLDT: Petition of Anthony Roeslein, second lieutenant, late of Company A, Third Regiment Missouri Infantry Volunteers, praying for the passage of the bill to authorize the Secretary of War to correct his military record—to the Committee on Military Affairs.

Also, petition and affidavit of Robert A. Russell, in support of a bill to correct the naval record of said Robert A. Russell—to the Committee on Naval Affairs.

By Mr. BELL of Colorado: Protest of the citizens of the Tin Cup mining district, Lake City, and Spokane, Wash., asking for the suspension of the mining assessment act for 1894—to the Committee on Mines and Mining.

Also, resolutions of Pride of the West Council, No. 11, Junior Order American Mechanics, of Denver, Colo., commending House bill 5246, known as the Stone bill—to the Committee on Immigration and Naturalization.

By Mr. BERRY: Petition of Thomas Johnson, for relief—to the Committee on Military Affairs.

By Mr. COCKRELL: Petition of citizens of El Paso, Tex., protesting against the establishment of a Federal court at Laredo, Tex.—to the Committee on the Judiciary.

By Mr. COVERT: Petition of the Pattern Makers' National League of North America, against the employment of convict labor—to the Committee on Labor.

By Mr. DALZELL: Petition of sundry citizens of Verona, Pa., against the income tax as affecting beneficiary societies—to the Committee on Ways and Means.

By Mr. DRAPER: Petition of several citizens of Brookline, Mass., that the income tax feature of the Wilson bill may be amended so as to exempt from taxation fraternal societies—to the Committee on Ways and Means.

Also, petitions of 44 citizens of Danville, Ill.; 11 of Waterbury, Conn.; 94 of New York City; 34 of Ottumwa, Iowa, and 47 of Greenleaf, Kans., for the passage of House bill 5804, an act to promote the safety of railroad employés—to the Committee on Interstate and Foreign Commerce.

By Mr. LINTON: Remonstrance of H. Khinderust and 79 other citizens of Detroit, Mich., asking Congress to reject a proposed amendment to the Constitution of the United States—to the Committee on the Judiciary.

By Mr. MILLIKEN: Petition for the relief of Christian F. Beyer, Colman, Ala.—to the Committee on Invalid Pensions.

By Mr. PENCE: Petition of the miners at Duncan Camp, Colo., for the passage of the bill introduced by Mr. JOSEPH of New Mexico, relating to mines and mining on unconfirmed land grants—to the Committee on Mines and Mining.

Also, memorial of mining men of the State of Washington, asking for the suspension of the mining-assessment act of 1894—to the Committee on Mines and Mining.

Also, resolution of Pride of the West Council No. 11, urging the passage of House bill 5246, known as the Stone bill—to the Committee on Immigration and Naturalization.

By Mr. WALKER: Petition of 78 citizens of Massachusetts, urging the passage of certain legislation to restrict immigration—to the Committee on Immigration and Naturalization.

By Mr. WARNER: Petition of the New York City Branch Granite Cutters, for legislation preventing sale of convict-made goods outside of the State where they are made—to the Committee on Interstate and Foreign Commerce.

SENATE.

WEDNESDAY, *June 13, 1894.*

The Senate met at 10 o'clock a. m.

Prayer by Rev. E. B. BAGBY, Chaplain of the House of Representatives.

The VICE-PRESIDENT resumed the chair.

On motion of Mr. HARRIS, and by unanimous consent, the reading of the Journal of yesterday's proceedings was dispensed with.

LELAND STANFORD, JR., UNIVERSITY ENDOWMENT.

Mr. PERKINS. Mr. President, it is with a feeling of some hesitancy that I rise in the Senate to a question of privilege. It is not, however, of myself that I wish to speak, but it is to do a simple act of justice to the memory of one who for eight years occupied a seat on the floor of the Senate, and whose place I am for the time called upon to fill.

It was charged by a member of the House of Representatives on Monday, before a committee in this Capitol, and the statement has been telegraphed all over the country that Senator Stanford founded the great university of learning at Palo Alto, Cal., "from motives of revenge, because he could not be elected a trustee of the University of California."

I desire to say that from my own personal knowledge I know the statement to be entirely erroneous and without foundation in fact or truth. During the latter part of my term as governor of California and during the recess of the Legislature, I, without his knowledge or consent, appointed Senator Stanford a regent of the University of California. He declined to accept or qualify, for the reason that he had not the time to devote to the work. His name, however, was sent to the Legislature with other nominations, and failed of confirmation, as I understand it, at his own request.

My successor as governor, Gen. Stoneman, of national reputation, would have reappointed him regent, but was informed by Senator Stanford's friend and attorney, Col. Creed Haymond, that he would not accept the position for the reason that his sympathies were more inclined towards a college of manual training, a place where the youth of the country could learn professions and trades that would enable them to more easily earn a livelihood, and that he intended some day to build such an institution.

His extensive business affairs so engrossed his time and attention that he did not carry into effect his plan until death entered his home and took away their only son, the light of the home and the idol of the father and mother. Then he realized more fully the transitoriness of all earthly things; and he and his good wife resolved that the most appropriate and enduring monument they could erect to the memory of their beloved son would be an institution of learning that should be free to the youth of the land. In his own loving words he said: "The children of California shall be our children. It is our hope to found a university where all may have a chance to secure an education such as we intended our son to have." And from that time until his death Mr. Stanford consecrated his life to this work.

There is a fitting time and place to deal with the sins of omission and commission of the different railroad companies that owe obligations to the Government. But the way to do it is not by impugning the motive that influenced the munificent endowment of the Leland Stanford, Jr., University, for if there ever was an inspired and unselfish philanthropic act it was the endowment by Senator and Mrs. Stanford of an institution of learning second to none in the land, and whose fountain of knowledge is free to the poorest boy and girl in the land.

Mr. CHANDLER. Mr. President, I ask to be allowed to say a word in addition to the statement made by the Senator from California. I do not regret that he has vindicated the late Senator, Mr. Stanford, from the aspersion made against him, and yet I take occasion to insist that there could be no need of any such vindication for the satisfaction of the Senators now upon this floor. Mr. Stanford had his faults, possibly, but no one who ever knew him could believe that he would act on any subject from a spirit of revenge. I think all will agree that no kindlier or more warm-hearted man ever lived, or one less likely to be influenced by any such motive. Certainly it was most preposterous for any person to suggest that a man who never showed the spirit of unkindness in any way in any dealings whatever with his fellow-creatures would found the magnificent university to which he has devoted his great fortune from a desire to revenge himself upon anyone.

EXECUTIVE COMMUNICATION.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of the 5th instant, in relation to certain described official reports, a letter from the Acting Adjutant-General, dated June 9, 1894, together with copies of the reports desired; which, with the accompanying papers, was referred to the Committee on Claims, and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. SHERMAN presented a petition of sundry mining men, of Spokane, Wash., praying that section 2324 of the Revised Statutes of the United States be amended so as to suspend for the year 1894 the performance of $100 worth of labor upon mining claims; which was referred to the Committee on Mines and Mining.

He also presented petitions of 9 citizens of Miami County; of 44 citizens of Findlay and Toledo; of 16 citizens of Gibsonburg; and of 44 citizens, all in the State of Ohio, praying that mutual life insurance companies and associations be exempted from the proposed income-tax provision of the pending tariff bill; which were ordered to lie on the table.

He also presented a petition of 18 citizens of Leetonia, Ohio, praying that fraternal beneficiary societies, orders, or associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

Mr. PATTON presented a petition of sundry citizens of Portland, Mich., praying that the funds of fraternal beneficiary societies, orders, or associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

Mr. HARRIS presented sundry memorials of wholesale and retail liquor dealers of Memphis, Knoxville, and Nashville, all in the State of Tennessee, remonstrating against an increase of the internal-revenue tax on whisky, and also against an extension of the present bonded period; which were ordered to lie on the table.

Mr. TURPIE. I present a memorial of the National Furniture Manufacturers' Association of the United States on the subject of tariff rates upon looking-glass plates. The memorial sets forth that what are known as looking-glass plates consist of thin glass silvered, and are used only in the manufacture of cheap and medium furniture; that looking-glass plates are manufactured only in Europe and have to be imported into the United States; that by the addition of duties upon looking-glass plates, the cost of furniture in which such plates are used is increased without benefit to any manufacturers in the United States; and that the addition of such duties will only add to the cost of furniture which is purchased only by the poorer classes of consumers in this country. I move that the memorial be referred to the Committee on Finance, as the bill has not yet been reported to the Senate.

The motion was agreed to.

Mr. TURPIE presented memorials of sundry wholesale and retail liquor dealers of Indianapolis, Terre Haute, and Evansville, all in the State of Indiana, remonstrating against an increase of the internal-revenue tax on whisky, and also against an extension of the present bonded period; which were ordered to lie on the table.

Mr. MITCHELL of Wisconsin presented the petition of John S. Wright and sundry citizens of Wisconsin, praying that the

funds of mutual life insurance companies and associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

He also presented the petition of A. R. Autland and sundry citizens of Green Bay, Wis., and a petition of Council No. 40, Royal League, of Milwaukee, Wis., praying that the pending tariff be so amended "that fraternal beneficiary societies, orders, or associations, operating upon the lodge system and providing for the payment of life, sick, accident, and other benefits to the members, and dependents of such members, shall be exempt from all the provisions of the bill requiring taxation in any form;" which were ordered to lie on the table.

He also presented memorials of P. F. Moran and sundry other wholesale and retail liquor dealers of the State of Wisconsin, remonstrating against an increase of the internal-revenue tax on whisky, and also against an extension of the present bonded period; which were ordered to lie on the table.

Mr. PASCO. I present resolutions of the Legislature of the State of Florida, in the nature of a petition, praying that an appropriation be made for improving and deepening the waters of Charlotte Harbor and the mouth of Peace River. I do not wish to take up the time of the Senate in reading the resolutions, and I ask that they be referred to the Committee on Commerce and printed in the RECORD.

The petition was referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

House concurrent resolution requesting our Senators and members of the House of Representatives in the Congress of the United States to urge an appropriation by Congress for improving and deepening the waters of Charlotte Harbor, and the mouth of Peace River.

Whereas thousands of tons of phosphates are now annually shipped from Peace River and the adjacent country, through the mouth of Peace River and thence through Charlotte Harbor to various foreign and domestic ports; and

Whereas the improvement of said waters would release commercial restrictions upon an article now necessarily used by the farmers of the United States and of the world at large: Therefore be it

Resolved by the House of Representatives of the State of Florida (the Senate concurring), That our Senators and Representatives in the Congress of the United States be, and they are hereby, requested to urge upon Congress the necessity of a sufficient appropriation for the improvement of the mouth of Peace River and the waters of Charlotte Harbor; be it further

Resolved, That the secretary of state be, and he is hereby, directed to forward a copy of this resolution to each of our Senators and Representatives in Congress.

Approved May 11, 1893.

Mr. MORGAN presented petitions of C. W. Hare and sundry other citizens of Montgomery County; of C. I. Daughtry and sundry other citizens of Lee County, and of John P. Adams and sundry other citizens of Pike County, all in the State of Alabama, praying that the funds of mutual life insurance companies and associations be exempted from the proposed income-tax provision of the pending tariff bill; which were ordered to lie on the table.

Mr. PALMER presented memorials of J. M. Gross and sundry other citizens of Illinois, remonstrating against an increase of the internal-revenue tax on whiskey, and also against an extension of the present bonded period; which were ordered to lie on the table.

Mr. MORRILL presented petitions of sundry citizens Sheldon, Highgate, and Montgomery, all in the State of Vermont, praying for the enactment of legislation to enable the States to enforce State laws regulating the sale of substitutes for dairy products; which were referred to the Committee on Interstate Commerce.

Mr. CAMERON presented petitions of Edward C. Woods, general manager Equitable Life and Assurance Association, and sundry other business men of Pittsburg; of sundry citizens of Philadelphia, Lancaster, and Allegheny, and of sundry citizens of Dauphin County, all in the State of Pennsylvania, praying that in the passage of any law providing for the taxation of incomes the funds of mutual life insurance companies and associations be exempted from taxation; which were ordered to lie on the table.

He also presented a petition of sundry citizens of Athens, Pa., praying that fraternal society and college journals be admitted to the mails as second-class matter; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of sundry citizens of Oil City, Hanover, and Pottstown, all in the State of Pennsylvania, praying that fraternal beneficiary societies, orders, or associations be exempted from the proposed income-tax provision of the pending tariff bill; which were ordered to lie on the table.

He also presented memorials of sundry wholesale and retail liquor dealers of Harrisburg, York, Philadelphia, Reading, McKeesport, Allegheny City, and Allentown, all in the State of Pennsylvania, remonstrating against an increase of the internal-revenue tax on whisky, and also against an extension of the present bonded period; which were ordered to lie on the table.

He also presented a memorial of the Maritime Exchange, of Philadelphia, Pa., remonstrating against the proposed transfer of the Coast and Geodetic Survey to the Geological Survey and the Navy Department; which was referred to the Committee on Appropriations.

He also presented a joint petition of the Board of Trade, Commercial Exchange, Maritime Exchange, Drug Exchange, Grocers and Importers' Exchange, Vessel Owners and Captains' Association, Board of Wardens of the port of Philadelphia, Manufacturers' Club, and the Trades League, all of Philadelphia, Pa., praying that an increased appropriation be made for the opening and maintenance of a channel from the city of Philadelphia to the sea, in width not less than 600 feet, and in depth at mean low water of 26 feet; which was referred to the Committee on Commerce.

Mr. QUAY presented resolutions adopted at a convention of independent producers, refiners, and exporters of petroleum from the States of New York, Pennsylvania, Ohio, and West Virginia, held at Warren, Pa., on June 7, 1894, favoring the enactment of legislation providing for an investigation into certain evils against the interstate-commerce law by the Standard Oil trust; which were referred to the Committee on Interstate Commerce.

He also presented the petition of John B. Haley and sundry other citizens of Lawrence County, Pa., praying that the funds of mutual life insurance companies and associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

He also presented petitions of William M. Westerman and sundry other citizens of Verona; of D. H. Stoner and sundry other citizens of Mt. Pleasant; of John Curtis, jr., and sundry other citizens of Philadelphia, and of the members of the Equitable Aid Union of Columbia, all in the State of Pennsylvania, praying that the pending tariff bill be so amended that "fraternal beneficiary societies, orders, or associations operating upon the lodge system and providing for the payment of life, sick, accident, and other benefits to the members and dependents of such members, shall be exempt from all the provisions of the bill requiring taxation in any form;" which were ordered to lie on the table.

He also presented memorials of T. Brecht & Son and sundry other liquor dealers of the State of Pennsylvania, remonstrating against an increase in the internal-revenue tax on whisky, and also against an extention of the present bonded period; which were ordered to lie on the table.

Mr. DANIEL presented memorials of sundry wholesale and retail liquor dealers of Norfolk, Fredericksburg, and Richmond, all in the State of Virginia, remonstrating against an increase of the internal-revenue tax on whisky, and also against an extension of the present bonded period; which were ordered to lie on the table.

Mr. HOAR. I present the petition of Julia Ward Howe, Edwin D. Mead, and sundry other citizens of New England, whose title to respect is unquestionable, praying for the passage of the joint resolution for the abrogation of the extradition treaty with Russia. I move that the petition be referred to the Committee on Foreign Relations.

The motion was agreed to.

Mr. HOAR presented memorials of J. A. and W. Bird & Co., and sundry other wholesale and retail liquor dealers of Boston and Lowell, in the State of Massachusetts, remonstrating against an increase of the internal-revenue tax on whisky, and also against an extension of the present bonded period; which were ordered to lie on the table.

Mr. LODGE presented the petition of F. O. Baston and 36 other citizens of Middlesex County, Mass., praying that the funds of mutual life insurance companies and associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

He also presented the petition of L. P. Winchenbaugh and 21 other members of Neponset Council, No. 136, of Hyde Park, Mass., and a petition of Howard Council, No. 46, Royal Arcanum, of Boston, Mass., praying that fraternal beneficiary societies, orders, or associations be exempted from the proposed income-tax provision of the pending tariff bill; which were ordered to lie on the table.

He also presented sundry memorials of citizens of Lowell and Boston, in the State of Massachusetts, remonstrating against an increase of the internal-revenue tax on whisky, and also against an extension of the present bonded period; which were ordered to lie on the table.

Mr. MCMILLAN presented petitions of C. C. Billinghurst and sundry other citizens of Muskegon; of Edwin L. Wright and sundry other citizens of Hancock, and of T. H. Soddy and sundry other citizens of Houghton, all in the State of Michigan, praying that in the passage of any law providing for the taxation of incomes, the funds of mutual life insurance companies be exempted from taxation; which were ordered to lie on the table.

He also presented the petition of F. H. Leavenworth and sundry other citizens of Detroit, Mich., praying that premiums paid for life insurance by individuals, who are subjected to taxation, shall be deducted from their taxable incomes; which was ordered to lie on the table.

INCOME TAX EXEMPTION OF BENEFICIARY ASSOCIATIONS.

Mr. GALLINGR. I present several petitions of citizens of New Hampshire, praying that fraternal beneficiary societies, orders, and associations, be exempted from the operation of the income-tax provision of the pending tariff bill. I give notice that at the proper time I shall offer an amendment exempting such associations from the operations of that proposed law, as I believe the request of the petitioners is a just one. I move that the petitions lie on the table.

The motion was agreed to.

Mr. CHANDLER. I present a petition for the same purpose from A. M. Wilkins, Charles P. Hartshorn, C. F. Wells, W. B. Rotch, and 7 other citizens of Amherst, N. H., praying that fraternal beneficiary societies, orders, or associations be exempted from the proposed income-tax provision of the pending tariff bill. I move that the petition lie on the table.

The motion was agreed to.

Mr. VEST. A great many of those petitions are coming in, and I wish to make a few remarks, in order to relieve some apprehension. The Committee on Finance were unanimously of the opinion that the amendment asked for in regard to these societies is not necessary, but as an amendment has been suggested on behalf of all these societies——

Mr. GALLINGER. The Senator can not be heard on this side. I am interested in this matter, and should like to hear him.

Mr. VEST. I say the Committee on Finance were unanimously of opinion that no amendment is necessary to exempt religious, benevolent, or fraternal societies. The bill, as it now stands reported, expressly exempts from taxation all corporations that are not organized for profit, and then goes on and states besides that all corporations or associations organized for charitable, religious, or educational purposes shall be exempt. But these societies seem to have agreed upon an amendment, to which the committee have not the slightest objection, because it simply makes clear and beyond question the meaning of the bill. That amendment is to insert:

Including fraternal beneficiary societies, orders, or associations, operating upon the lodge system and providing for the payment of life, sick, accident, and other benefits to the members, and dependents of such members.

That is, that the exception shall extend to these corporations, including fraternal and beneficiary societies, orders, or associations operating upon the lodge system, and providing for the payment of life, sick, accident, and other benefits to the members and the dependents of such members.

Mr. GALLINGER. Do I understand the Senator to say that the committee would be in favor of such an amendment.

Mr. VEST. Unquestionably, because that is the meaning of the bill.

Mr. GALLINGER. I am very much gratified to hear it.

Mr. VEST. We conferred with the attorneys and officers representing these societies and undertook to show them that that is the meaning of the proposed law now; and this is the amendment which they agreed upon, and to which we have no objection.

Mr. HOAR. I desire to have the attention of the Senator from Missouri to one point. These orders in New England have very generally, at any rate in Massachusetts, been framed on the system I will state. They begin by paying into a common treasury what they call their monthly or weekly dues. That money is invested, and at the end of seven years or fourteen years, or whatever time is prescribed for the investment to run, each member draws out what he has paid in with his share of the accumulated interest, the earnings. But a member has a right at any time to stop the payments of his monthly dues, as it is called, and borrow a sum of money which is secured by a lien; and then the monthly payment goes to paying off the principal and interest of that money. In that way, when he gets ready he buys a little lot of land, puts a little house on it for himself and his family, and it is paid for in this manner by monthly payments.

Probably not one in a hundred of the original members of the institution will come out at the end a creditor. The money is simply paid in for the purpose of having a fund that the association may loan in that way for the purpose of getting dwelling houses for the members.

But under the bill as it now reads, and I am afraid under the amendment if I heard it correctly, if there be one man out of the thousand or three thousand members who remains simply a lender of money, then the concern is not exclusively a beneficiary or home-getting institution, and still in regard to the other ninety-nine one-hundredths it comes within what the Senator very properly says is the desire of his committee.

I wish to call the Senator's attention to that point. I will not stir up debate on it at this time, but it is very desirable that where there is an association nine hundred and ninety-nine thousandths benevolent, and the other thousandth a mere investment of money, either the association should be exempted altogether, which I think would be the most convenient way (because the other part is so little it is not worth troubling yourself about), or we should make a provision which limits the income tax to so much of the institution as does not come within the principle of exemption stated by the Senator.

Mr. VEST. I think the Senator from Massachusetts is now discussing the provision of the proposed law in regard to loan and building associations.

Mr. HOAR. Yes.

Mr. VEST. We are talking about fraternal beneficiary societies, such as the Knights of Pythias and the Royal Arcanum, which is a different branch of the subject.

Mr. HOAR. The loan and building associations contain very often this other element. They mix the two classes together.

Mr. VEST. That is another provision of the bill. I understand that these are simply mutual aid societies. When one of their members is taken sick he receives so much a month or week during his disability, or where he dies his widow and children are taken care of. But they are not in the nature of associations for loaning money to obtain homes, such as loan and building associations.

Mr. HOAR. If the Senator will give his attention to it at the proper time, I do not want to detain either him or the Senate from other things now; but when this question comes up in the bill I suggest that the committee can probably very easily frame a clause which will cover all classes, savings banks and everything else, and which will provide that in the payment of the tax so much of the funds of the society shall be exempted as belongs, in the judgment of the officials of the Treasury, who must decide it, of course, to the kind of benefit which it is wished to exempt. I think it would be very easy to draft such a provision in regard to this class of associations.

Mr. VEST. We have an amendment.

Mr. GALLINGER. The associations which are intended to be protected by the amendment, if not protected in the bill, are associations, as the Senator from Missouri has suggested, who pay a sick and a death benefit to their own members and to dependents of their own members. They number hundreds of thousands in this country, and they have paid out hundreds of millions of dollars without any profit whatever to the membership beyond a proper salary to two or three officers in each order. I have drafted an amendment, a little different from that suggested in the petition which has been sent in, which I ask be printed and referred to the Committee on Finance.

The VICE-PRESIDENT. It will be so ordered.

Mr. DANIEL. I present the petition of William S. Blankingsby and sundry other citizens of Richmond, Va., praying that fraternal beneficiary societies, orders, and associations, operating upon the lodge system and providing for the payment of life, sick, accident, and other benefits to the members, and dependents of such members, shall be exempt from all the provisions of the bill requiring taxation in any form. The petitioners pray for the adoption of such an amendment as has just been referred to by the Senator from Massachusetts and the Senator from Missouri. I beg to say that there seem to be very many people in my State who much desire that such an amendment shall be adopted, and I hope it will be agreed to at the proper time.

The VICE-PRESIDENT. The petition will lie on the table.

BILL INTRODUCED.

Mr. CAMERON introduced a bill (S. 2116) making appropriations to the Department of Justice to pay Ellery P. Ingham, United States district attorney for the eastern district of Pennsylvania, for extraordinary services rendered in relation to the condemnation proceedings for sites for a new United States mint at Philadelphia; which was read twice by its title, and, with the accompanying paper, referred to the Committee on the Judiciary.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. TURPIE submitted an amendment intended to be proposed by him to the deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. CAMERON submitted an amendment intended to be proposed by him to the naval appropriation bill; which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Naval Affairs.

RECEIPTS AND PAYMENTS OF GOLD.

Mr. MORGAN. I submit a resolution and ask for its present consideration.

The resolution was read, as follows:

Resolved, That the Secretary of the Treasury is directed to send to the Senate a statement in answer to the following questions:

1. What amount of gold coin has been actually received into the Treasury and the subtreasuries of the United States since the 1st day of November, 1893, and on what account the same has been received.

2. What part of the coin so actually received has been obtained from the sale of bonds of the United States, and to what persons, banking houses, banks, or corporations said bonds were sold and delivered; naming them.

3. What payments or redemptions have been made in gold coin or bullion by the Treasury or subtreasuries of the United States since the 1st day of November, 1893, and what were the several descriptions of the obligations of the United States, and the amount of each of such classes of obligations to which such payments or redemptions have been applied, and the names of the persons, banks, bankers, or corporations on whose demand, or to whom such payments or redemptions have been made or applied, with the dates of such redemptions or payments.

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. SHERMAN. The only doubt that occurs to me about the resolution is the propriety of calling for the names of subscribers to public securities.

Mr. MORGAN. The names of subscribers for public securities are not called for in the resolution.

Mr. SHERMAN. I thought so, and the resolution was so understood by Senators around me.

Mr. MORGAN. It is the persons to whom gold coin has been paid in the redemption of obligations.

Mr. SHERMAN. I have no objection to that, but is has never been the custom to call for the names of subscribers to public securities.

The resolution was agreed to.

REPORT OF DISTRICT HEALTH OFFICER.

Mr. HARRIS. I submit a concurrent resolution, and ask its reference to the Committee on Printing, with the accompanying paper.

The concurrent resolution was read, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Public Printer be, and he is hereby, authorized to print and bind in cloth 1,500 copies of the annual report of the health officer of the District of Columbia; 100 for the use of the Senate; 350 for the use of the House of Representatives, and 1,050 for the use of said health officer of the District.

Mr. HOAR. Before the resolution is referred I should like to say that neat leather backs, half morocco, are now about as cheap, I believe, in point of expense as cloth binding, and are very much more convenient for the preservation of such documents, as well as more attractive on the shelf. I shall not move any amendment, but I would suggest to the committee that they consider the practicability of having our public documents bound in half morocco instead of cloth.

Mr. HARRIS. I have asked that the resolution may go to the Committee on Printing.

Mr. HOAR. Very well. I do not ask to have it amended.

Mr. HARRIS. I am glad to have the Senator's suggestion go with the resolution to the committee.

The VICE-PRESIDENT. The concurrent resolution will be referred, with the accompanying paper, to the Committee on Printing.

TRADE RELATIONS WITH GERMANY, ETC.

Mr. HOAR submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That if not incompatible with the public interests, the President be requested to communicate to the Senate forthwith all representations, written or oral, that have been made to the Government of the United States, or the Department of State, by the representative of any foreign government in relation to the probable action of such governments by way of retaliation for the proposed imposition by the United States of a duty upon sugar, and especially as to the probable exclusion of the agricultural products of the United States by such governments from their territories; and especially whether any, and what, representations have been so received in relation to the probable action of Germany and of Guatemala, or either of them.

Further, That the President be respectfully requested to furnish to the Senate any information which he has received as to any measure pending in the Cortes of Spain looking to retaliation upon the United States for the proposed abrogation of the reciprocity with that country, secured by the statute of 1890.

HARBOR AT EVERETT, WASHINGTON.

Mr. CALL (for Mr. SQUIRE) submitted the following concurrent resolution; which was referred to the Committee on Commerce:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War is directed to cause a survey and estimate to be made of the cost of dredging the bar at Everett, in the State of Washington, so as to make a fresh-water harbor in or near the river with the greatest depth of water practicable: *Provided*, That if the information necessary to make such estimate is now in the possession of the Chief of Engineers it may be made without any further survey. The Secretary of War is directed to cause such estimate to be made and reported to Congress without delay.

REPORT OF COMMISSIONER OF EDUCATION.

Mr. MANDERSON submitted the following concurrent resolution; which was referred to the Committee on Printing:

Be it resolved by the United States Senate (the House of Representatives concurring), That of the Report of the Commissioner of Education for 1891-'92 there be printed 6,000 copies for the use of the Senate, 12,000 for the use of the House of Representatives, and 20,000 copies for distribution by the Commissioner of Education.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed the following bills:

A bill (S. 210) for the relief of Wetmore & Bro., of St. Louis, Mo.; and

A bill (S. 513) granting the use of certain lands in the Hot Springs Reservation, in the State of Arkansas, to the Barry Hospital.

The message also announced that the House had passed a bill (H. R. 3592) for the relief of Benjamin F. Jones; in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (H. R. 1127) for the relief of Francis M. Tomlin; and

A bill (H. R. 5778) to supply a deficiency in the grant of public lands to the State of Mississippi for the use of the State University.

SEVENTH JUDICIAL CIRCUIT.

The VICE-PRESIDENT. The morning business is closed.

Mr. VILAS. I ask unanimous consent to call up the bill (S. 1478) providing for an additional circuit judge in the seventh judicial circuit, and for other purposes.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That there shall be in the seventh judicial circuit an addional circuit judge, who shall be appointed by the President, by and with the advice and consent of the Senate, and shall possess the same qualifications and have the same power and jurisdiction now prescribed by law in respect to the present circuit judges therein.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ADDITIONAL JUDGE EIGHTH CIRCUIT.

Mr. GEORGE. I ask unanimous consent for the present consideration of the bill (S. 1390) providing an additional circuit judge in the eighth judicial circuit.

Mr. VILAS. That bill is in the same terms as the bill which has been passed for the seventh circuit.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That there shall be in the eighth judicial circuit an additional circuit judge, who shall be appointed by the President, by and with the advice and consent of the Senate, and shall possess the same qualifications and shall have the same powers and jurisdiction now prescribed by law in respect to the present circuit judges.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

NINTH JUDICIAL CIRCUIT.

Mr. VILAS. I ask unanimous consent for the present consideration of Senate bill 1813, which is in identically the same terms as the bills just passed, providing an additional judge for the ninth judicial circuit.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1813) providing an additional circuit judge in the ninth judicial circuit.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

HOUSE BILL REFERRED.

The bill (H. R. 3592) for the relief of Benjamin F. Jones was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

THE REVENUE BILL.

Mr. HARRIS. Regular order, Mr. President.

The VICE-PRESIDENT. The regular order is demanded. The hour of half past 10 o'clock having arrived, the Chair lays before the Senate the unfinished business.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4864) to reduce taxation, to provide revenue for the Government, and for other purposes.

Mr. JONES of Arkansas. I ask unanimous consent to make a correction in paragraph 229, in which there is a mistake. The paragraph should read:

Cocoa, prepared or manufactured, not specially provided for in this act, 2 cents per pound; chocolate, sweetened, flavored or other, valued at 35 cents per pound or less, 2 cents per pound; valued at exceeding 35 cents per pound and chocolate confectionery, 35 per cent ad valorem.

I ask unanimous consent that this correction may be made.

The VICE-PRESIDENT. Is there objection? The Chair hears none, and the paragraph will be corrected in accordance with the suggestion of the Senator from Arkansas.

Mr. SHERMAN. Mr. President, the subject-matter immediately before the Senate is of vital interest to the people of the State of Ohio, which I in part represent. There is but little difference of opinion among our people in regard to it. As I said early in this debate, they look upon this proposition to put wool upon the free list as the culminating atrocity of this bill. It is made more so by the rapid and great changes which have been made in different portions of the bill in order to give protection to local interests. Since this declaration was made the duty on iron ore and the duty on coal have been proposed and adopted.

Very many changes have been made in the schedules looking to the protection of American industries, and markedly so in the cotton schedule, which I hope will be a great benefit to the people of the Southern States and enable them to convert their cotton into cloth. I have no objection, and I do not wish to make any objection, to any such amendments which have been made or which have been proposed, but I call the attention of the Senators having this bill in charge to the great injustice and wrong that is done to the growers of wool in the United States, and I beg them, in all possible sincerity, without respect to political opinions or political actions, not to give this destructive blow to this most important and valuable industry.

Mr. President, wool is by far the most valuable and the most necessary material for the clothing of the people of the United States. It enters more largely than any other article into the common consumption of all classes of our people; it is the product of every State and Territory of the Union. There is no part of our country where wool can not be produced, sometimes at greater cost, but always more or less produced in every State and Territory of the Union. It is, therefore, a subject of general importance; and although the State of Ohio is more interested, as I have said, than any other State on account of the number and value of her sheep, yet it is an interest that appeals to every man in every section of the country.

It is perfectly certain that we can not compete with various foreign countries in the production of wool; it is certain that we can not compete with Australia or the Argentine Republic, and many other countries of South America. The reason of that is obvious. Those countries have only recently been opened to settlement. Australia has been, comparatively speaking, but lately occupied by England, and England has spread the influences of her industry over that vast region of country.

Sheep-raising there is one of the chief employments of the people. That is to civilization is a new country, with vast plains and great wastes, where nothing of value, for a time, could be produced except by the growth of sheep and of wool. It became quite the fad among the semiaristocrats of England either to go to Australia themselves, or to send their sons to that far-off region, to raise wool. In a short period of time they had vast flocks of sheep roaming free, without cost, all over those extensive plains, and with ample food, so that one man, a boy, and a dog could take care of three thousand sheep. They were only required to be, at the proper season of the year, driven in and the clip taken off, and that was the entire cost of the wool. The same may be said, though in a less degree, of the Argentine Confederation.

The tables and books and information which have been laid before us show amply the condition of that new and interesting country. The Argentine Confederation, however, is very much like California. They have gradually settled some of their waste places, the land is divided out, and owned in severalty. Therefore sheep can not be allowed to roam at large over all those extensive ranges in the Argentine country. In Australia, however, the conditions continue as formerly. It is perfectly manifest that as regards wool-raising, we must either abandon the field and give up this important branch of industry or we must have some support, some protection from the Government of the United States.

The same condition exists in other parts of the world. It must be remembered that these flocks roam near the sea coast, so that the clip can be shipped by sea, the cheapest possible form of freight. Wool and other products can be shipped from Australia to England at a less cost than wool can be shipped from the State of Ohio to the sea coast and then across to England. The cheapness of freights in English bottoms is one of the most important elements in the cost of productions of our day. I have here a statement made on official authority, which I read:

NECESSITY FOR PROTECTION—FREIGHT CHARGES.

To-day we have 45,000,000 of sheep in the United States, 27,500,000 of which and over 60 per cent of all are located west of the Mississippi River. The freight on the wool from these sheep from the ranch to the Eastern markets varies from 2 to 3 cents per pound, while the freight on wool from London is only one-fourth of a cent per pound. How can the American woolgrower pay from 800 to 1,200 per cent more freight than his foreign competitor, when the freight alone under such unequal competition would of itself bar the American woolgrower from his own market? Thus, with the removal of protection, the difference in freight alone would be so heavily against the American woolgrower that he would be compelled to go out of the business.

Mr. President, I had the good fortune to travel over the State of California some twenty-odd years ago. I there met, amongst the early pioneers of that country, a gentleman by the name of Col. Hollister, who was then a conspicuous citizen, but is since dead. I knew him as coming from that part of Ohio where we were born. He was about my age. It was reputed that he had from fifty to one hundred thousand sheep, and he told me all about the mode and manner of his treatment of those sheep. He had a large ranch not far from the Pacific Ocean—one of the Mexican grants—and kept his sheep, during the short and very brief and mild winter of that country, with slight feed, because they could graze most of the winter. In the early spring they would start eastward in great droves over the Coast Range Mountains, gradually approaching that magnificent valley which divides the Coast Range from the Sierra Nevada, feed there with little cost, and tended by one man, a boy, and a dog in the same mode which is adopted in Australia.

I met these flocks of sheep feeding on the wayside not far from the Yosemite Valley, costing only this cheap care. At the beginning of August they were started back westward and driven to their home near the Pacific Ocean. In this way the raising of sheep and the raising of wool was a very cheap process, and this gentleman made a large fortune out of it.

Mr. Hollister established at that time in San Francisco the manufacture of woolen goods and pure woolen blankets, which were famous all over the country and all over the world as magnificent specimens of the manufacturer's handiwork.

Since that time conditions have greatly changed in California as well as in the Eastern States. There are serious obstructions now to the raising of sheep. The land of that great valley has been parceled out and is occupied more or less, and where it is not occupied the owners demand rent at so much an acre for the pasture use of those waste plains. So the difficulty of raising sheep in California is largely increased. The people of that State now are compelled to compete with the wool grown in other countries where land and pasture are free and open to all without cost or rent.

I might say the same in regard to Texas, but there is this peculiarity about the Texas sheep, that they are neither so valuable nor is the wool grown upon them so valuable as the sheep or the wool grown in the Northern States or in California or in any other part of the country. The wool produced in Texas, whatever may be said of the extent of the industry in that State, which is next to that of the State of Ohio as to the number of sheep, is not worth one-half as much as is the wool produced from the sheep of Ohio.

I have here a statement of the number of sheep in Texas. According to the statement in 1893 the number of sheep was 4,334,551, and the value of their wool was $6,924,445. In Ohio we have about the same number, a very little difference, 4,378,725 sheep, but the value of the Ohio sheep is $13,900,263, or more than twice as much as the Texas sheep.

The native-bred sheep of Texas can be kept in the same manner as I have described in regard to Australia, although the land in Texas is now constantly being limited by the smaller ownership of tracts in the western part of that State; but still they can raise sheep more cheaply than elsewhere in the United States. Probably Texas is the only part of our country where the industry might survive, with wool duty free, although, as I shall show a little further on, some of the most eminent men of Texas maintain that their wool industry will be entirely destroyed under the operation of free wool.

Mr. President, sometimes it is said that a duty on wool is no protection, because the price of wool is constantly declining. That also is a very grave mistake. Undoubtedly, wool, like other products, is declining, like wheat, flour, etc., is declining; but wool is a more stable product in price than any other product of the farm. There is no other product which yielded so certain and sure a price as wool.

I have here a table taken from the Statistical Abstract for 1893, recently issued by the Secretary of the Treasury, which gives the prices of wool. Ohio wool is taken as a specimen; it is called Ohio wool, although similar wool is produced in five or six States in the Northwest:

Prices of fine, medium, and coarse washed clothing Ohio fleece wool in the Eastern markets for the months of January, April, July, and October of each year from 1852 to 1893, inclusive.

[From Mauger & Avery's Annual Wool Circular.]

Year.	January.			April.			July.			October.		
	Fine.	Medium.	Coarse.	Fine.	Medium.	Coarse.	Fine.	Medium.	Coarse.	Fine.	Medium.	Coarse.
	Cts.	*Cts.*	*Cts.*	*Cts.*	*Cts.*	*Cts.*	*Cts.*	*Cts.*	*Cts.*	*Cts.*	*Cts.*	*Cts.*
1852	43	38	34	42	36	33	45	38	33	50	42	37
1853	58	56	50	62	56	50	60	53	48	55	50	48
1854	53	47	42	57	52	46	45	37	30	42	36	30
1855	40	35	32	43	35	32	50	40	33	52	41	36
1856	50	38	35	57	45	38	55	42	36	60	55	45
1857	58	50	42	60	56	45	56	50	40	38	30	25
1858	40	33	27	42	35	30	43	37	30	56	41	26
1859	60	52	45	60	46	37	56	40	35	60	50	42
1860	60	50	42	52	45	40	55	50	40	50	45	40
1861	45	40	37	45	37	32	38	30	22	47	48	50
1862	48	50	50	46	45	43	48	47	45	60	60	63
1863	75	68	70	80	85	80	75	70	65	85	80	76
1864	80	78	76	78	77	72	100	100	90	103	95	100
1865	102	100	96	80	80	75	75	73	65	75	75	65
1866	70	65	50	65	60	48	70	67	60	63	60	56
1867	68	53	50	60	55	50	55	49	45	48	46	40
1868	48	43	38	50	48	45	46	45	43	48	48	45
1869	50	50	48	50	50	48	48	48	47	48	48	46
1870	48	46	44	48	47	46	46	45	43	48	48	44
1871	47	46	43	50	52	47	62	60	55	63	62	58
1872	70	72	66	80	80	76	72	70	65	66	60	57
1873	70	68	65	56	53	48	50	48	44	54	53	47
1874	58	54	47	56	56	47	53	53	46	54	54	47
1875	55	56	47	54	52	46	52	49	46	48	50	42
1876	48	52	42	46	49	40	38	35	31	45	40	33
1877	46	43	36	45	40	33	50	44	37	48	44	36
1878	44	45	38	40	43	35	36	36	32	35	37	32
1879	34	35	32	34	34	31	37	38	34	41	43	38
1880	50	55	48	55	60	55	46	48	42	46	48	42
1881	47	49	49	40	44	37	42	44	36	43	46	36
1882	44	46	37	42	45	34	42	45	34	42	45	34
1883	40	43	33	44	44	37	39	41	33	39	40	34
1884	40	40	34	38	38	34	35	34	30	35	34	30
1885	34	33	29	32	32	28	32	31	28	33	35	32
1886	35	36	32	33	34	30	33	33	29	35	38	34
1887	33	38	34	33	37	33	34	37	34	32	36	34
1888	31	35	33	31	34	33	29	33	31	31	34	31
1889	34	38	33	33	37	31	35	39	32	33	37	31
1890	33	27	29	33	36	29	33	37	29	33	37	31
1891	33	37	31	32	37	31	31	35	29	31	35	30
1892	30	35	31	29	34	31	28	34	30	29	33	29
1893	29	33	29	30	32	31	24	26	25	23	24	21

NOTE BY MESSRS. MAUGER & AVERY.—This table exhibits, in a concise form, the prices of the three grades of a standard domestic fleece wool in the seaboard markets at the beginning of each quarter. In its present shape it is deemed to be comprehensive to all who are interested in wool. In the special features of character and condition, "washed Ohio fleece wool" is less subject to variation than any other description, and thus is more a basis of value than any other class. Wool, owing to its wide variety, difference in character, and condition, liability to shrink in cleaning, is precluded from speculative operations which apply to products which may be dealt in as "futures." For these reasons the prices of wool are not liable to the same changes as cotton, wheat, etc.

This table shows that from 1852 to 1861, when we had coin payments, the wool crop in 1852 was worth 42 cents a pound, and in 1861 45 cents a pound, and varied between those figures, sometimes a little below and sometimes a little above, never over 60 cents a pound and never below 42 cents a pound. So during this period there was scarcely any fluctuation. So also during the period when we had currency prices, from 1862 to 1878, the prices ranged from 48 cents in 1862 up as high at one time as $1. It kept pace exactly with the depression of our paper money year by year. In 1865 it rose to $1.02, because at that time our money was worth only one-half—50 cents on the dollar. After that the price gradually lowered with the increasing value of greenbacks, until in 1878, when the specie standard was resumed, the price of wool was 44 cents a pound, exactly the price at the beginning of the civil war. So the price had not changed, measured by the specie value.

From 1879 to 1893 the variation was from 34 cents in 1879 to 29 cents on the 1st of January, 1893, varying a little above and below, but never going above 50 cents a pound, dependent entirely upon the state of the market and the demand for wool.

Therefore, wool under a fair protective system, such as existed during all this period of time, showed a fixed degree of value; the farmer could depend upon it as a crop which was always reliable, from the proceeds of which he could pay his taxes or meet other emergencies.

Mr. President, the very threat of this bill, as is shown here by authentic statements without contradiction or qualification, has had a most serious effect on this industry. On the 1st of January, 1893, as I have said, before Mr. Cleveland was sworn into office, the price still remained precisely as it had been before and was no lower during the years 1890, 1891, 1892, and 1893; for two years of that time it was 33 cents a pound; for one year 30 cents, and for one year 29 cents. So that there was but slight variation, but the very moment it became reasonably sure that the Democratic party was committed to free wool and a proposition was made here to that effect, that moment it fell at once to free-wool prices.

I know this of my personal knowledge. I live among a people where every farmer raises more or less sheep, having a small flock of probably from fifty to two hundred on his farm, and he relies upon his wool for a fixed income of a certain sum. When the farmer met the purchaser in the summer of 1893, he was told that in all probability wool would be made duty free, and that the manufacturers could not afford to pay any more than free wool, or London prices, because they could not convert this wool into cloth for nearly a year after its purchase. It has to be put in the warehouse and kept there, and is very rarely used until the expiration of a year. The result was that the farmers of Ohio, as well as the farmers all over the country, had to submit to a reduction of the price of their wool fully 11 or 12 cents a pound; and here is a table which shows exactly the prices of the different kinds of wool:

Table showing value of different kinds of wool in March, 1893, and June 1, 1894.

	Per cent of shrinkage lost in scouring out the grease and dirt.	London scoured value and the free trade scoured value in the Eastern American markets, June 1, 1894.	London fleece price and also the free wool price in the Eastern American markets, June 1, 1894.	Cost per pound of shipping from farm to factory.*	The free wool value on the farm or ranch in June, 1894.	The minimum value on the farm or ranch previous to March, 1893.†
Average qualities produced in the Rocky Mountain region and upon the Pacific coast:						
Graded Montana fine delaine fleeces	*Per ct.* 65	*Cents.* 28	*Cents.* 9½	*Cts.* 5	*Cts.* 4½	*Cts.* 16
California fine, average fine Montana, choice Nevada, and the best clips in Wyoming	70	28	8½	5	3½	13
Average fine Nevada, average fine Wyoming, and average fine Utah	73	28	7½	5	2½	11
Utah, Oregon, Colorado, New Mexican, fine below average Nevada	75	28	7	5	2	10
Dusty fine Colorado, New Mexican, Arizona, Wyoming	80	27	5½	5	½	7
Montana and Wyoming medium or half-bred	65	26	9	5	4	14
Montana and Wyoming coarse or one-fourth blood (Shropshire)	60	25	10	5	5	16
Improved New Mexican	65	20	7	5	2	13
Ohio Valley and Lake region:						
Eastern wools.—Ohio XX fine washed fleeces	52	33	16	3½	12½	26½
Ohio X, New York State X or fine washed	55	30	13½	3½	10	25½
Michigan X, Wisconsin X or fine washed	56	30	13½	3½	9½	23
Ohio XX fine unwashed	65	30	10½	3	7½	20
Kentucky, Missouri, Indiana, Illinois, Michigan, New York and Wisconsin X fine unwashed	66	29	10	3	7	19
Ohio medium half-blood washed fleeces	40	28	17	3½	13½	33
Indiana, Illinois, Wisconsin, Kentucky and Missouri medium unwashed (half blood)	55	28	12½	3	9½	23
Wisconsin, Ohio, New York coarse washed (Shropshire)	25	27	20	3½	16½	30
Indiana, Illinois, Wisconsin, average Kentucky, and Wisconsin coarse unwashed	40	27	16	3	13	23
North Missouri Valley:						
Kansas, Nebraska, and Dakota medium or half-blood unwashed	60	28	11½	4	7½	16
Kansas, Nebraska, and Dakota coarse or Shropshire unwashed	50	26	12½	4	8½	18
Kansas, Nebraska, and Dakota fine unwashed	70	28	8½	4	4½	13½

*Including freight, drayage, insurance, commissions, and all charges between the farm or ranch and the Eastern factory.

†Before which time the McKinley law was in full force, but since which date its practical effects have been as nearly null and void as though the bill had actually been repealed.

This table shows in the two right-hand parallel columns the free-wool price of the principal grades of American wool on the farm or ranch, June 1, 1894, and the minimum price received on the farm under the McKinley law previous to March 1, 1893.

The McKinley price on the farm is in the outside column.

The free-wool price on the farm is in the next column.

As I showed a while ago, the Ohio wool of the first grade was

worth 29 cents on the 1st of January, and finally on the 1st of June, 1894, it was reduced to 12 cents a pound, even more than was proposed by the repeal of the duty. So that the actual loss to the farmer from the prospect of this great injury is a very severe one, and is a matter of universal complaint.

I have here a specimen of Ohio wool, cleaned, scoured wool, carded and combed, ready to be manufactured into cloth. [Exhibiting.] Anybody who will look at this sample and feel its texture will see that it is equal to any wool that has ever been woven. It is called Botany top, and is the standard for American wools of merino blood. It takes, I am told, about 3 pounds of ordinary wool to produce 1 pound in this form ready for weaving. When in the summer of 1893 the farmers were met with free-trade prices for their wool by the English standard, some of our people, finding the market so low here, undertook to export wool abroad, and they sent it to England. There it was sold alongside of the Australian and other wool, and it was a loss from beginning to end.

I have here a statement of shipments made to England, which shows the sacrifices our farmers were compelled to make. In eight months we exported 342,813 pounds of American wool. They did not like the proposition made by the manufacturers to pay them for their wool only one-half what they had received the year before, and therefore they thought they would send it to the foreign market to see if they could not get a higher price; but, as I have said, when it reached the foreign market it was compelled to be sold alongside the wools of Australia and of other countries at even a less price than was offered here. I say, therefore, that the mere threat of wool being made duty free has already inflicted upon the people of the United States an enormous loss.

I have here a table—and I wish Senators would mark the figures which it contains—taken from the Statistical Abstract, issued by the Secretary of the Treasury, and there can be no question about it. It will be seen from it that on the 1st of January, 1893, we had in the United States of America 47,273,553 sheep; and that their market value was $125,909,264. In 1894, on the 1st day of January last past, the number of sheep had been reduced to 45,048,017; over 2,000,000 sheep had been sacrificed and slaughtered, and then the market value of the wool of these sheep was $89,186,110. So that the actual loss to the farmers of the United States, as shown by these tables, is something like $36,000,000 on a single crop.

Is it desirable to emphasize the passage of this bill by such a sacrifice of the interests of more than one million farmers of the United States of America?

I wish to say, also, that the production of wool in the United States in the past has always increased or decreased according to the extent of protection. It so happened that in early times no one cared about a duty on wool or a duty on sheep, because our people had complete command of the market. Sheep were then grown in every part of the United States, and their growth was encouraged by the States, so that there was no duty paid upon wool until 1816, but the terrible experience of the war of 1812 demonstrated the absolute necessity of our having control of the growth of sheep and having an ample supply of wool in our own country for American needs.

It was then that Mr. Madison called attention to the necessity of a duty for the purpose of protecting American sheep, so that the production of wool might be increased. Mr. Jefferson, who was strongly in favor of the same doctrine, refused to wear any goods brought from abroad, and insisted that he would clothe himself in American cloth made from the wool of American sheep. In fact, the universal feeling of our country at that time, without regard to party, was that we must be independent of the world in the protection and development of this important interest.

Now, who does not feel, who does not know, that the sheep industry is not only necessary for the comfort of our life in time of peace, but that it is absolutely necessary in time of war for the clothing of our soldiers? It is just as important as ammunition. It is just as important as guns. From the beginning in 1816 to this time, there has always been more or less a protective tariff on wool. It has varied somewhat, and the result has been that as it varied the number of sheep increased or diminished. That is a remarkable fact shown by the figures. From 1877 to 1884, a period of eleven years, the production under the tariff then in force increased from 170,000,000 pounds to 340,000,000 pounds, as shown by this table from the Statistical Abstract for 1893.

Quantities of wool produced, imported, exported, and retained for consumption in the United States during 1840, 1850, 1860, and from 1863 to 1893, inclusive.

Year ending June 30—	*b* Production.	Exports of domestic.	Domestic retained for consumption.	Imports.	Exports of foreign.	Foreign retained for consumption.	Total consumption, domestic and foreign.	Per cent of consumption, foreign.
	Pounds.	*Pounds.*	*Pounds.*	*Pounds.*	*Pounds.*	*Pounds.*	*Pounds.*	
1840*a*	35,802,114		35,802,114	9,898,740	85,528	9,813,212	45,615,326	21.5
1850	52,516,950	35,898	52,481,061	18,695,294		18,695,294	71,176,355	26.3
1860	60,264,913	1,055,928	59,208,985	26,282,955	157,064	26,125,891	85,334,876	30.6
1863	106,000,000	355,722	105,644,278	75,121,728	708,850	74,412,878	180,057,156	41.3
1864	123,000,000	155,482	122,844,518	91,250,114	223,475	91,026,639	213,871,157	42.6
1865	142,000,000	466,182	141,533,818	44,420,375	679,281	43,741,094	185,274,912	23.6
1866	155,000,000	973,075	154,026,925	71,287,988	852,045	70,435,943	224,462,868	31.0
1867	160,000,000	307,418	159,692,582	38,158,382	619,614	37,538,768	197,231,350	19.0
1868	168,000,000	558,435	167,441,565	25,467,336	2,801,852	22,665,484	190,107,049	11.9
1869	180,000,000	444,387	179,555,613	39,275,926	342,417	38,933,509	218,489,122	17.8
1870	162,000,000	152,892	161,847,108	49,230,199	1,710,053	47,520,146	209,367,254	22.7
1871	160,000,000	25,195	159,974,805	68,058,028	1,305,311	66,752,717	226,727,522	29.4
1872	150,000,000	140,515	149,859,485	126,507,409	2,343,937	124,163,472	274,022,957	45.3
1873	158,000,000	75,129	157,924,871	85,496,049	7,040,386	78,455,663	236,380,534	33.2
1874	170,000,000	319,600	169,680,400	42,939,541	6,816,157	36,123,384	205,803,784	17.5
1875	181,000,000	178,034	180,821,966	54,901,760	3,567,627	51,334,133	232,156,099	22.1
1876	192,000,000	104,768	191,895,232	44,642,836	1,518,420	43,124,410	235,019,642	18.3
1877	200,000,000	79,599	199,920,401	42,171,192	3,088,957	39,082,235	239,002,636	16.3
1878	208,250,000	347,854	207,902,146	48,449,079	5,952,221	42,496,858	250,399,004	16.9
1879	211,000,000	60,784	210,939,216	39,005,155	4,104,616	34,900,539	245,839,755	14.2
1880	232,500,000	191,551	232,308,449	128,131,747	3,648,520	124,483,227	356,791,676	34.9
1881	240,000,000	71,455	239,928,545	55,964,236	5,507,534	50,456,702	290,385,247	17.3
1882	272,000,000	116,179	271,883,821	67,861,744	3,831,836	64,029,908	335,913,729	19.0
1883	290,000,000	64,474	289,935,526	70,575,478	4,010,043	66,565,435	356,500,961	18.7
1884	300,000,000	10,393	299,989,607	78,350,651	2,304,701	76,045,950	376,035,557	20.6
1885	308,000,000	88,006	307,911,994	70,596,170	3,115,339	67,480,831	375,392,825	18.0
1886	302,000,000	146,423	301,853,577	129,084,958	6,534,426	122,550,532	424,404,109	28.9
1887	285,000,000	257,940	284,742,060	114,038,030	6,728,292	107,309,738	392,051,798	27.4
1888	269,000,000	22,164	268,977,836	113,558,753	4,359,731	109,199,022	378,176,858	28.9
1889	265,000,000	141,576	264,858,424	126,487,729	3,263,094	123,224,635	388,083,059	31.8
1890	276,000,000	231,042	275,768,958	105,431,285	3,288,467	102,142,818	377,911,776	27.0
1891	285,000,000	291,922	284,708,078	129,303,648	2,638,123	126,665,525	411,373,603	30.8
1892	294,005,000	202,456	293,797,544	148,670,652	3,007,563	145,663,089	439,460,633	33.1
1893	303,153,000	91,858	303,061,142	172,433,838	4,218,637	168,215,201	471,276,343	35.7

a Year ending September 30.

b From estimates of the Department of Agriculture.

In 1883 a new tariff was passed, which reduced somewhat, much to the complaint of the farmers of the West, the duty on wool. The result was that from 1884 to 1890 the number of pounds produced decreased from 340,000,000 to 290,000,000 under the operation of a slight reduction. Then from 1890 to 1893 the production increased from 290,000,000 pounds to 364,000,000 pounds. There was that increase in four years under the operation of the McKinley act. It will be seen, therefore, that the production of wool and the growing of sheep increase or diminish according to the extent of protection.

Let me go a little further. The number of sheep increased from 1880 to 1884 from 44,500,000 to 52,000,000. It decreased under the operation of the act of 1883 from 50,500,000 to 44,000,000. It increased again under the McKinley act from 1890 to 1893 from 44,000,000 to 47,000,000. This year the number of sheep, owing to the fear only, the shadow only of your action here in the Senate Chamber, has been reduced 2,000,000, and the value of those sheep has been reduced nearly $30,000,000. These facts are taken from the official statement furnished by our Secretary of the Treasury. I will add this table to my remarks:

January 1—	Sheep.	
	Number.	Value.
1869	37,724,279	$82,139,979
1870	40,853,000	93,384,433
1871	31,851,000	74,035,837
1872	31,679,300	88,771,197
1873	33,002,400	97,922,350
1874	33,928,200	88,690,569
1875	33,783,600	94,320,652
1876	35,935,300	93,666,318
1877	35,804,200	80,892,683
1878	35,740,500	80,603,062
1879	38,123,800	79,023,984
1880	40,765,900	90,230,537
1881	43,576,899	104,070,759
1882	45,016,224	106,595,954
1883	49,237,291	124,365,835
1884	50,626,626	119,902,706
1885	50,360,243	107,960,650
1886	48,322,331	92,443,867
1887	44,759,314	89,872,839
1888	43,514,755	89,279,926
1889	42,599,079	90,640,369
1890	44,336,072	100,659,761
1891	43,431,136	108,397,447
1892	44,938,365	116,121,290
1893	47,273,553	125,909,264
1894	45,048,017	89,186,110

Mr. President, I should like to read a few paragraphs from a statement made by a gentleman who must be known by the Senator from California. I should have read it at the proper place, but I will read it now. It is the statement of Mr. Thomas McConnell, who I believe is president of the Wool Growers' Association, or holds some official relation with it. In speaking of the difficulties of raising wool in California now in comparison with the olden times, the time of Hollister, which I described, he says:

There are very few free ranges, either in the valleys or in the mountains; the land has all been reduced to private ownership, and the sheepmen pay rent from 10 to 40 cents per acre for the use of the valley or foothill land where the sheep are wintered.

There are some free ranges in the mountains. But the mountain counties where the sheep range in impose a license of 6 cents per head, and their right to do so has been upheld by the supreme court.

The profits of the business have only been reasonably remunerative for several years past. The climatic conditions are such that the sheep have to be sheared twice each year, which also adds to the expense of running sheep in California.

The large shrinkage in the value of their wool in 1893 has very generally discouraged the sheepmen of California, and they are now sending ewes and wethers alike to the slaughterhouse, where they are sold at a great sacrifice.

Two millions of them were sold last year.

He says further:

The business can not be carried on under present conditions and prices without an actual loss of at least $740 to $1,000.

My estimates are all conservative, and the facts can not be gainsaid or successfully controverted.

I speak from an actual experience of thirty-seven years on the Pacific coast in this business.

The shrinkage in the past year on wool has been full 40 per cent below the prices of 1892.

The destruction and the annihilation of woolgrowing in California will be completed when wool is put upon the free list, as proposed by the so-called Wilson tariff bill, now pending in Congress.

I voice the opinion of at least nineteen-twentieths of the woolgrowers, wool-dealers, and manufacturers of the Pacific coast.

I am also—

He says—

familiar with the sheep business as carried on in the States of Nevada and Oregon. They have some free ranges, which is more than overbalanced by the greater expense incurred in carrying on the business. They have to provide more or less feed for winter, railroad freights and provisions are much higher, and also herders' wages are paid $35 per month and board.

Mr. PERKINS. I am personally acquainted with Mr. McConnell, the gentleman referred to. He is thoroughly reliable, and has the confidence and respect of the people of California. I can bear testimony to the truthfulness of the statement he has made which has just been read by the Senator from Ohio.

Mr. SHERMAN. Mr. President, I wish to say a few words more in respect to the magnitude of this trade. As I have already said, the number of sheep January 1, 1893, was 47,273,553. Their value was $125,909,264. The quantity of domestic wool produced was 303,153,000 pounds, and all this was consumed in our own mills. We exported no wool. That is one of the greatest advantages of this production, that it is consumed by our own manufacturers, worked into cloth, and then consumed by our own people. We imported mainly what are called carpet wools of a cheaper grade to the extent of 172,433,838 pounds in the year 1892. The table gives the statistics up to the 1st of January, 1893.

Dutiable imports and duties collected, etc., 1875 to 1892.

Year ending June 30—	Wool, and manufactures of.				All other dutiable articles.		Total dutiable merchandise.	
	Unmanufactured.		Manufactures of.					
	Values.	Ordinary duty.	Values.	Ordinary duty.	Values.	Ordinary duty.	Values.	Ordinary duty.
1875	$10,228,622	$3,631,859	$45,627,923	$27,282,178	$56,928,750	$17,465,298	$379,795,113	$154,271,805
1876	7,887,616	2,787,208	34,372,726	22,519,106	46,701,396	15,118,678	324,024,926	144,982,442
1877	7,012,972	2,657,997	26,452,207	17,600,041	42,264,832	14,104,094	298,989,240	128,223,207
1878	6,995,367	2,714,396	25,703,392	17,176,549	42,025,702	13,789,124	297,083,409	127,015,185
1879	5,516,813	1,966,276	25,037,110	16,839,064	45,219,104	14,912,166	296,742,215	133,159,025
1880	17,913,666	7,374,217	31,834,547	21,864,153	59,475,382	19,221,207	419,506,091	182,415,162
1881	12,060,827	4,860,815	33,103,322	22,424,810	64,994,638	20,804,118	448,061,588	193,561,011
1882	10,333,359	3,854,653	37,284,823	25,398,363	80,591,394	25,248,245	505,491,967	215,617,669
1883	8,491,988	3,174,628	42,552,456	29,146,265	77,500,090	23,705,446	493,916,384	209,659,699
1884	13,593,299	4,522,826	41,484,872	27,478,400	68,699,010	19,437,786	456,295,124	189,844,995
1885	9,474,264	3,164,296	36,176,705	24,294,939	60,011,637	17,221,106	386,667,830	177,319,550
1886	13,794,213	5,126,108	40,536,509	27,278,528	63,189,404	18,121,485	413,778,055	188,379,397
1887	16,351,370	5,899,816	44,235,244	29,729,718	71,602,193	20,739,352	450,325,322	212,032,424
1888	14,062,160	4,729,487	47,158,048	32,213,121	80,452,283	22,801,614	468,143,774	213,509,802
1889	17,432,759	5,982,212	52,681,483	35,373,627	76,122,385	21,033,695	484,856,768	218,701,774
1890	16,165,043	5,460,886	54,165,423	37,440,051	77,882,384	21,905,788	507,571,764	225,317,076
1891	17,070,183	6,552,268	43,235,409	34,857,453	85,720,641	26,627,890	466,455,173	215,790,686
1892	17,697,068	7,799,086	35,792,906	34,293,606	75,525,738	24,553,884	355,526,742	173,097,671
1893	18,403,689	8,147,220	36,987,904	36,451,552	85,639,246	27,690,301	400,282,519	198,373,453

I wish to call the attention of Senators who have charge of the bill to the revenue features of this proposition. We collected as duties from 1891 to 1894 on the imported wool I refer to $24,800,000. It is proposed by the bill, as I will show, not only to destroy the sheep industry of our country, but to repeal and throw off an income of $24,800,000 in four years. I ask Senators whether they are prepared for that sacrifice. Here we are in a condition where we are borrowing money to pay the ordinary expenses of the Government; where our expenditures will exceed our revenue to the extent of nearly $100,000,000 this year. Already they exceed our revenue by seventy or eighty million dollars. There is a deficiency, and there is talk about selling bonds. Yet now, in the face of this condition, on a tariff bill intended to provide revenue for the support of the Government, Senators propose to strike down a revenue which in four years was $24,800,000.

But that is not all. That the destruction of the wool industry will affect very seriously the manufactures of woolens is also true. We have collected duties from imported wool manufactures to the extent of $127,000,000 in the four years—from 1891 to 1894. This revenue of $127,000,000 in four years, amounting to $32,000,000 a year, is proposed to be stricken out from our revenue, because no doubt the revenues will be largely decreased by the reduction of the rates of duty on the various articles imported from other countries. In other words, we reduce our revenue from imported wool and woolens, for the benefit of foreigners. They get the benefit of the reduction. They expect to make increased sales to us, as the duty upon these articles will be greatly decreased by the operation of the bill. Yet such a bill is offered to us at a time when we are deficient in revenues and when it is proposed to resort to the domain of State taxation in order to carry on the operations of our Government.

Imports of wool and manufactures of wool for fiscal years ending June 30, 1891, 1892, 1893, 1894, under the McKinley law, together with amount of duties collected on same.

Year ending June 30—	Imports of wool.		Duties collected.	Specific (or per pound) duty collected.	Ad valorem duty collected.
	Pounds.	Value.			
				Cents.	Per cent.
1891	129,303,648	$18,200,630	$6,500,000	5	35½
1892	148,670,652	19,600,000	7,750,000	5½	39½
1893	168,433,836	21,000,000	8,250,000	4.9	39½
1894	48,792,168	6,000,000	2,300,000	4.9	38½
Total	495,200,304	64,800,000	24,800,000		

Year ending June 30—	Imports of manufactures of wool.	Duties collected.	Rate of duty collected (ad valorem).
			Per cent.
1891	$41,000,000	$34,500,000	84.14
1892	35,500,000	34,000,000	95.77
1893	28,000,000	27,000,000	97.37
1894	22,500,000	21,900,000	97.37
Total	137,000,000	127,400,000	

The figures for 1894 are all estimates, based on the reported imports for the first nine months of the fiscal year ending June 30, 1894.

This $24,800,000 duties collected on wool are by the pending bill to be given away at a time when the Government needs revenue.

This $127,400,000 duties collected on woolen manufactured goods, which are almost exclusively luxuries used by the wealthy classes, are by the pending bill to be reduced two-thirds, thus making a present to the wealthy classes of over $80,000,000. This loss of revenue of over $100,000,000 heretofore collected under the McKinley law on wool and woolens is to be replaced by a tax on sugar, a necessary of life, the per capita consumption of which is as great by the poor as the wealthy.

Mr. President, I beg also to remind our friends on the other side that when they propose a measure like this they propose to destroy the hen that lays the golden egg. The enormous revenue derived from wool is to be absolutely stricken out from our tables of revenue, and the duty on woolen goods is so largely reduced as greatly to impair the revenue.

Now, there is another consideration. You may destroy the flocks, as they will be destroyed in my judgment, because the people of Ohio and the other States can not afford to raise sheep under the proposed condition. In Ohio our flocks are small. Very rarely are there more than 200 sheep on a single farm of 160 acres. But some are on almost every farm. Sheep are raised on the farms in the State of Ohio to the vast number of 4,300,000. Under these circumstances, if by your measure you compel them to destroy their sheep, if you destroy and suspend for a moment the sheep industry, you can not replace it. You may stop a coal mine and commence it the next day; you may stop an iron-ore mine and commence it the next day; but when you destroy a flock of sheep, it can not be restored again except in years. The whole experience shows that the fluctuation in the number of sheep grown is very regular, and any attempt to increase the number is met by the laws of nature. You destroy the existing sheep industry, and as a matter of course you can not readily replace it.

Remember too, Mr. President, that the sheep industry in what is called the Ohio range, including Ohio, Indiana, Illinois, Michigan, Wisconsin, Minnesota, are nearly all of the finest breeds in the world. Our people have gone to great expense. I have known of gentlemen paying $600 to $1,000 for one sheep for stock raising. All this money has been expended, and yet all the sheep are to be destroyed by this sudden movement to make free wool, because it is said it is a raw material. I should like to have some of the gentlemen who think that wool is a raw material go and follow the farmer shepherd day by day. Let them follow the shepherd when in the winter time he goes out, gathers the sheep and takes them to some kind of protection and cover, to care for them and nurse them and feed them. In summer they must be protected from the heat, and in winter from the storms.

Mr. PLATT. Sometimes the shepherd has to dig the sheep out of the snow.

Mr. SHERMAN. Sometimes the shepherd digs the sheep out of the snow. It is the most severe labor. The labor performed by the farmers in sheep raising and producing wool is one half of all the cost of the clothes made in this or any other country. It is said to be a general rule that the work of the farmer contributes one-half to the value of all the cloth manufactured, whether it is fine or coarse. If that that be so, I appeal to you whether it is wise for us to disturb this industry.

Remember that the men who pursue this industry are the very base and corner stone of society. The most conservative element in our Government are the farmers. They think and think and think, while other people are acting foolishly. As I say, they are the conservative element of society. I say to Senators on the other side with all kindness, when you strike a blow at them you may not hear the noisy vaporings which would come from the machine shop or the manufacturing establishment, but you will hear their quiet voice in a way that will command your respect.

Mr. President, I have been somewhat amazed that our friends from Texas have not called our attention to this particular industry. Perhaps it is because they may be so bound up by party trammels. I know that those Senators will not dispute the facts which I will give to them from some gentlemen of the highest character in the State of Texas. I will read from what is said by Mr. A. E. Shepard, of the National Woolgrowers' Association, long a resident of Texas. He says here:

Now, as to the effect that the Wilson bill will have upon the woolgrowers of Texas, and, in fact, of all growers west of the Mississippi. It is total annihilation. Their flock and herds will be gotten rid of in every conceivable way possible (when I say growers I mean those engaged solely in the sheep industry), as no man can raise wool at the present prices and live thereby. The sheep of Texas have already decreased about one-fifth, or from over 5,000,000 to about 4,000,000, and soon, instead of being the leading State of the Union in woolgrowing, will fall to the third or fourth place, and it may be lower.

Last fall wool in San Antonio, the nearest market to where I live, was sold at from 5 to 7 cents per pound, and it costs to get wool from where I am to that market 1½ cents per pound, and it cost 1 cent per pound to get it shorn from the sheep. In fact, it costs at least from 2 to 4 cents per pound to raise the wool more than was got for it last fall, saying nothing about the money invested in land or sheep, and this was only in anticipation of free wool. Now, let me say, that when free trade in wool does come it means a further reduction of at least 33⅓ per cent, or from 2 to 4 cents per pound for our wool, and this is the only section of our country that is akin to those foreign countries that are our competitors. In fact, the woolgrowers will have to go out of the business and come East and become importers of woolen products of all kinds, as that is the only thing or concern that I can see will be benefited by free wool at the cost of the utter destruction of the most beneficial and far-reaching industry of this country.

Mr. President, I could here in the same connection read to you from the declarations made by all the Presidents up to and including James Monroe, emphasizing the special importance of the independence of our country from foreign control in clothing, and especially in wool. I shall not do so, however. I may embody some of them in my remarks.

Sir, there is no higher object of national desire, no stronger object for the public good than to make ourselves absolutely independent of all foreign production of wool and woolens. The woolgrowers and woolen manufacturers are akin to each other. They are bound to each other. If one falls the other falls as sure as fate, because if the farmers of our country can get no protection or bounty or help from the Government in the raising of wool, which is more than half the cost of the cloth, then surely it is not just to give the manufacturers any duty whatever upon woolen products. If we must have foreign wool as a substitute for domestic wool, let us buy cheap clothes in the markets of the world, and then, perhaps, some of our friends on the other side will be satisfied. We may get them a little cheaper at the expense of the destruction of one of the great industries of the country.

I am glad that the woolen manufacturers are pretty fairly treated and well treated in the pending bill. I shall vote for all the protection that is given to them. But I trust Senators on the other side will review or reconsider the question of their duty to the farmers of the country of affording protection to them as well as the manufacturers. Our friends on the other side of the Chamber have from time to time yielded to the manifest demands of the people as expressed through their Representatives and Senators. I hope, sir, they will do the same with this industry, and that in due course we shall have some proposition that will relieve the present distress.

To emphasize what I have said about woolen manufactures, I wish to read a few extracts from an important memorial submitted by the wool merchants of Boston. I thank them for it. Indeed, it is so good I may put the whole of it in my remarks. I will read certain parts of it.

Having waited for final and definite action by the committees of Congress in framing a bill for changes in the revenue laws, and much to our disappointment finding the bill to have come from the Senate committee full of inequalities and of especial injustice to the wool interests of the country, we feel that the time has now arrived for the wool trade of this, the acknowledged leading wool market of the country, to make itself heard with no uncertain expression of its views.

Then I omit some.

Hence, as the woolgrower has sought the great West for the prosecution of his enterprise in this new country with his numberless flocks, he has proved to have been, while the pioneer, a most important factor in the settling up of the vast areas of our public domain from Texas to Oregon, into

which have flowed multitudes from the most desirable populations of the world.

At the same time the Eastern, and particularly the Middle States, being well adapted by soil and climate for the production of the choicest of wools, through years of skillful and expensive experiments and industry, now produce wools which are second to none grown upon the face of the earth and which, under favorable conditions, may supply nearly if not quite all the wool of certain classes required for the machinery of this country.

That the wool-producing industry of the United States and Territories, already the third largest of the world, needs only an adequate protection to increase rapidly in importance until it may rival the product of the most prolific of the English colonies, is shown by the fact that under the favoring system now threatened with removal, the increase in 1893 over 1892 was over 31,000,000 pounds, bringing the product of the last year up to the enormous sum of 304,000,000 pounds. Is this hitherto profitable and increasing business to be transferred from our own people to the hands of the foreigner? Already in a single year, from the mere fear of such legislation, the flock of the United States has shrunk in numbers from 47,273,563 to 45,048,017. In a single year the farmers of the United States, according to the Department of Agriculture, have seen the total value of their sheep decline from $125,909,264 on January 1, 1893, to $89,186,110 on January 1, 1894, showing a shrinkage of about $37,000,000 in this brief period; and if we take into account the shrinkage in value of farm and ranch property devoted to the sheep industry during the twelve months, we may say, without any fear of contradiction, that the direct loss on the fixed property of woolgrowers during one year has been not less than $50,000,000. But this is not all. It is a very moderate estimate to state that the decline in the value of the wool taken from these sheep from 1893 reduced the purchasing power of the woolgrowers by at least $20,000,000 more.

If such losses have already been inflicted by the possibility of passing this bill, who shall measure the damage to follow if the bill itself becomes a law?

It goes without saying that the interests are mutual of the woolgrower of America, the manufacturer who manipulates the staple, and all who handle wool in any of its stages or in any capacity, and that they are natural allies. Hence what benefits the grower is for the good of all.

Therefore, frowning upon all sectional legislation, which is too apparent in the Wilson bill, with the interests of the woolgrowers of this broad land from Maine to Texas and from Georgia to Oregon in view, we, the wool merchants of Boston, without distinction of party, whose signatures are hereto affixed, representing with few exceptions the entire catalogue of wool dealers and commission merchants of this market, earnestly protest against the adoption of the inconsistent provisions of Schedule K of section 1 and paragraph 685 of section 2 of the measure now before the United States Senate known as the Wilson bill. Its adoption will be, in a great degree, destructive to the business of the wool-producer, and whereas it is his right to demand the perpetuity of his industry, its continuance will also add, we believe, to the general prosperity of the country.

The memorial is signed by over eighty firms, said to be the leading business men engaged in the manufacture of or in dealing in wool.

Mr. President, it must be remembered that this earnest memorial comes from people who are not represented here, except by Senators and Representatives. It is true that a committee of woolgrowers came here, but they came at a time when the Committee on Finance thought it proper not to open their door to further investigation, and they were refused a hearing. There is no lobby here. There is no trust; there is no combination which can bind these million men together. Their demand of you ought, for that reason, to be heard with more favor.

There is no $85,000,000 trust here to demand a large increase of taxation upon the people. There is no combination of interests coming and mousing about, appealing to us in every way to do this or that in the benefit of its particular interest. Here is a demand from one million hardy yeomanry of our country who only ask justice and what has been granted by every Administration from Madison to this time. They only demand some reasonable protection. I do not care in what form it is made. It may be in the form of specific duties, if desired, or it may be in the form of ad valorem duties. Senators on the other side can determine that question. But these people do demand and do ask that some protection shall be given to them.

Mr. President, I wish to say a few words only, the truth of which is known to all the Senators who hear me. The condition of the farmer at this time is a very harsh one, to say the least. All kinds of agricultural products have declined in value. It is because of the enormous production within the last few years. That has been brought about especially by developments in India, in Russia, and in other countries of the world. Only a few years ago, all within my active lifetime, the wheat and produce of the United States were shipped to all parts of Europe, and supplied their wants entirely. Now the people of India have come in as competitors in the market. Since that time South America has been opened to active civilization. Australia, as I have said, has been opened, and it now supplies wheat as well as wool. So with all the other countries in the world. India is made to supply wheat, a thing not dreamt of in the olden times. Therefore the condition of the farmer at this time is a harsh one. It is difficult for him indeed to make ends meet from year to year or from day to day.

I know from my observation that the farms of Ohio are not worth so much to-day as they were thirty or forty years ago. That is because the vast region of country west of us has been opened to production, and there, with fresh soil, with free lands given to everybody who would go and settle upon them, with every advantage, with railroads equal to ours, they can send their wheat and their produce into our markets.

Now, the other side of the Senate by their votes have opened the markets of our farmers to free competition. There is to be free rye, free wheat, free everything that can be produced in Canada along the line 4,000 miles long. The farmers of this country are not protected on a single article of their industry. Every one of the articles which our farmers produce in the Northern States is left naked and bare without the ordinary protection, and yet the farmers are required to pay taxes.

Yes, sir; free rye, free wheat, free everything, because the only condition dependent is that Canada and other countries shall impose no duty on wheat and rye and other cereals sent by us to them. Within twenty-four hours after the passage of this bill they will make their laws conform to our law, and all this region of country will be open and free.

Mark it, Senators, I do not want to draw sectional lines. All parts of this country are mine. I look upon all with favor, and I would not make any discrimination; but, in conclusion, it must be remarked that throughout this whole bill there are wide discriminations made in favor of a certain section of the Union. If Senators on the other side would extend the same rule and the same principle to all our Northern industries it is all I ask of them.

Now, this bill is not satisfactory to the farmers of Ohio whom I represent. I hear from them by letter. We have no remonstrances made here, no noisy declamation, but I assure Senators that the people of Ohio, like the rest of the United States, feel a deep and bitter hostility to this bill.

I believe that if the question of the passage of this bill were left to the people of Ohio to-day it would not receive one-fifth of the vote of our people. They believe it is poisoned all through with sectionalism and favoritism; that it is destructive to their interests; and they will demand its repeal as soon as possible. They demand that every resistance shall be made to it that will secure at least a full and fair consideration of every interest.

Now, the chief points in this whole controversy, so far as the farmers of Ohio are concerned, is free wool and the admission of grain from Canada free and without conditions into our markets to compete with our productions. These are the chief objections made by the farmer. I do not speak of other features of the bill at this time, but as long as some provision is not made for fair protection of their chief productions I shall continue my oppositions to the bill and I know my action will meet the approval of my constituents.

Mr. DUBOIS. Mr. President——

Mr. POWER. If the Senator from Idaho will permit me, I wish to ask the Senator from Ohio a question.

Mr. DUBOIS. I will yield to the Senator from Montana.

Mr. POWER. Referring to the sample of wool which the Senator from Ohio exhibited a little while ago, let me ask the Senator what it is called.

Mr. SHERMAN. It is Botany top, made from Ohio wool, XX, I believe.

Mr. POWER. Will the Senator state what is understood by Botany top?

Mr. SHERMAN. XX, Botany top, that is the best wool, of the highest grade scoured and combed ready for weaving into cloth.

Mr. POWER. On account of the name a great many, particularly those not friendly to the protection of the wool industry, claim that it is from Australia.

Mr. SHERMAN. Oh, no; this is the top made here. The schedule shows it. I have also a sample of Australian wool of the same grade, but I did not bring it with me. I will read the tag attached to this sample.

BOTANY TOP.

Botany top, like the sample to which this tag is attached, is such a standard, and such as is made of the average American wools of Merino blood, which comprise over 75 per cent of the whole American clip. The average value of top like the inclosed sample, in free-trade Europe for a whole year previous to March, 1893, was 37 cents, while the average value of the same article in the United States under the McKinley law previous to March, 1893, was over 85 cents. Its free wool value to-day all over the world is not over 35 cents, and the value of raw scoured wool in the free-trade markets of the world is from 5 to 8 cents per pound below the value of top.

Mr. POWER. It is merino wool, the Senator understands?

Mr. SHERMAN. It is merino wool, carded and fixed ready for spinning.

Mr. POWER. And equal to Botany top produced in Australia?

Mr. SHERMAN. It is equal to any wool in the world.

Mr. POWER. That is the point I wished to bring out.

Mr. SHERMAN. The Boston authority, in their memorial, say that the wools produced by us are equal to or better than any others in the world.

Mr. POWER. That is what I want our friends on the other side to understand.

Mr. DUBOIS. Mr. President, if the Democratic majority in this Chamber were willing to stand by the declaration of their

last national convention, that all protective duties are unconstitutional; if they were willing to put in operation the mandate they profess to have received from the people at the last general election, to give effect to that declaration; if they were willing to give their constituents and ours an honest chance to experience the alleged blessings of a tariff for revenue only, the remarks I now intend to offer would have remained unsaid. The young State of Idaho is in the Union for better or worse, and the worst that can happen to our common country will never blench the cheek of an Idahoan to a paler cast than that worn by a true patriot anywhere, be it East, West, or South.

But from the very inception of this now fatherless tariff bill, the Congressional representatives of the Democratic party have trampled on their national convention; they have torn up their professed mandate from the people, our masters; they have denied to that people the opportunity of testing in the high school of experience the rival theories of protection and free trade, and, worse than all, they have unsettled the bases of any tariff worthy to be called national, and discredited the capacity of Congress to do its proper and appointed work, by presenting to us a set of tariff schedules in which as much protection as is demanded is yielded to those unjustly selected to enjoy it, while to all others is denied that equality before the law which is the broad foundation on which our Republic rests.

Mr. President, speaking as one of the representatives here of the little Commonwealth of Idaho, I say that if it should be the will of a majority of the people of the United States to strike down the interests and industries of the minority of that people, we should receive the blow in loyal submission and patiently await the turn of the wheel that should bring us to our rightful position again. But what threatens us now is not the popular will, but a perversion of that will by those in whose hands the execution of it has been for the moment placed. In such a situation, to salute our executioners would be cowardly; to protest against their betrayal of their trust, the right and duty of their temporary victims. This is my protest against this indefensible bill. I hope to live long enough to bear an humble part in removing the reproach of it from the statute book.

What I have said, Mr. President, bears with especial force against the wool schedule of this proposed tariff act. Raw wool, one of the great staples of the country, a product in which the struggling farming interest throughout the whole land is concerned, an agricultural commodity peculiarly exposed to a destructive because unequal competition with foreign fleeces, is to be denied the benefits of a newly-fangled protective policy, while other products, boasting of no greater intrinsic merit and far less importance, are to be the favored recipients of a syndicated protection. And this is the gospel according to St. Democratus.

Mr. President, the Republican party is a protectionist party; but it is more, it is a national party. It does not pick and choose the objects of its care and fostering solicitude, but it looks over the whole Union and considers the interests of every class of the people. When moved by the popular will to experiment with the industries of the country, it bids all to participate in the benefits, and expects all to share in the losses of its adventures. Thus, sir, it is true to the people, even in its errors; and thus the people return to it again and again, after trying, for brief periods, a change of servants.

From the first tariff, that of 1789, to the latest, that of 1890, the principle of protection has always been asserted. The principle itself was first challenged, with any show of authority, in the Democratic platform of 1892; a challenge from which the party shrank the moment its representatives were required to act up to it. Can you wonder, gentlemen of the Democratic party, that hosts of our people have put their energies and resources into industries dependent upon some form or degree of protection, in full confidence that protection would not be withdrawn from those industries without giving those engaged in them reasonable time and opportunity to prepare for the change? That is just the case of the woolgrowers of Idaho.

I assert that it was not within the bounds of human probability that our Idaho people, who had found in woolgrowing an outlet for their unemployed capacity, should foresee that their new, useful, and expanding industry would be struck out of the category of possible vocations without a fair chance of saving what they could from the wreck and devoting it to some other means of livelihood. Yet so swiftly is the stroke falling that though your tariff bill is still almost in embryo, it is not possible to-day to sell a pound of wool in Idaho except at a discount from the nominal market price equal to the present rate of duty on raw wool. The fleeces have been grown under a system of protection, and are now to be sacrificed under a system of free trade in wool, accompanied by an exasperating because unjust and partial reservation of protection for favored and selected industries.

Mr. President, I am not asking, and shall not ask, for partial favors to my State and people. I covet nothing that is not just and fair to all. If the majority in this Chamber are willing to pass a tariff bill for revenue alone, and raw wool shall not be considered a proper revenue-producing import, let it go on the free list with the many other things that would have to go on such a list in such a bill. But the bill being what it is, I must denounce the injury done to my constituents by this wool schedule, and done to all woolgrowers in the United States, as an outrageous injustice, without palliation or excuse. The circumstances that make up this injustice vary in the several woolgrowing communities, and I speak briefly of those of my own State only to add our contribution to the general sum of circumstances that protest loudly against any sudden and total abolition of the raw-wool duty.

Idaho entered the woolgrowing field under the encouragement of the McKinley tariff. That tariff came at an opportune time for the young State, affording the means of putting to use a large area of unproductive land, of employing unused labor and additional capital, and of making the future surer by increasing and diversifying the industries of the community. In the reports and debates preceding the conversion of the former Territory into the present State, woolgrowing was foreshadowed as one of the potent means by which the proposed new State would win and maintain a suitable position in the Union and contribute to the welfare of the sister States. Until now, the expectation has not been disappointed. Between 1890 and 1893 the flocks of the State more than doubled in number.

The menaces of the Wilson bill fell upon nearly 800,000 sheep, worth but a little less than $2,000,000, and yielding an annual clip of considerably more than 5,000,000 pounds of wool. The estimated losses of the Idaho woolgrowers, since free raw wool has been proclaimed, have been, in decline of values in sheep and clip, almost equal to the value of the flocks before the threat was heard. You will understand, Mr. President, that with present prosperity destroyed and a promising future wiped out, our Idaho woolgrowers needed at least the consolation of knowing that they have been sacrificed to the general good. What they do know is that they and hundreds of thousands of other of their fellow-countrymen have been marked for destruction, for reasons which nobody has ventured to explain or dared to justify.

The Idaho wool clip is part of that Rocky Mountain fleece which constitutes 60 per cent of our whole domestic production. Its market is in the East, and its present cost, laid down at Boston, 16 cents per pound. The present selling value at the railroad station in Idaho is less than half the cost of delivering it there, and this because of the determination of those in power here to reverse the policy of seventy-five years of direct protection to raw wool without giving even seventy-five days in which to face the change. This Congress has been asked to leave one-half of the present duty on raw wool for the time being, so that woolgrowers may adapt themselves to the change, but to all appearances this reasonable appeal is to be denied, while at the same time protection "to the hilt" is to be granted indefinitely to other and favored industries. For me to remain silent, under such an accumulation of injustice, would be disloyalty both to the people of Idaho and the people of the United States. Half the present rate would be a revenue duty, beneficial to the public Treasury, and hurtful to no meritorious private interest. What just reason is there for not imposing it?

There is just one discernible reason for ruthlessly sweeping away the whole duty on woolen fleeces. It is the persuasion of those who desire the nearest approach to free trade that revenue necessities will permit, that with wool on the free list the whole system of protection will crumble to pieces. That such would be the ultimate result I make no doubt, but let us at least start fairly; let us all sink or swim together. Senators of the Democratic party, pull down the American system, which has stood so long a pillar of national pride and prosperity, the creation of a long line of American statesmen, including those of your own party, as the Parisian communists did the Vendome column; openly, boldly, and all at once. Do not pretend that you are remodeling or reconstructing it, or fitting it with modern improvements. Do not bargain with esteemed or influential friends, that they shall profit by the plunder of it while it is coming down piecemeal. Let it stand for all, or fall for all. That is the only manly course.

If the woolgrowing industry is destroyed by this bill, as it must be by the present tariff schedule of the bill, it will not be possible to immediately restore it when a day of repentance comes. Legislation is the embodiment of practical statesmanship, and, appealing to the force of that argument, I urge upon the Senate not to exemplify a mere theory by an immediate and total surrender of the wool duty, but to test the soundness of the theory by deliberate and successive steps, thus minimizing the actual damage and the possible peril of the experiment.

Mr. President, while all parts of the country have suffered through the advent of the Democratic party to power it seems

that the Pacific coast has been the most conspicuous victim. Notwithstanding the fact that the Democratic platform and a large majority of the Democratic party was favorable to silver, President Cleveland called Congress together in extraordinary session five months after his inauguration for the avowed purpose of taking away every recognition of silver. I do not intend at this time to review or renew that controversy. It is sufficient to state that his influence over the representatives of his party in Congress was so powerful that he accomplished his object.

By this blow the Democratic party paralyzed an industry in the Rocky Mountain region amounting to about $100,000,000 a year, considering the value of the lead and silver product, which were both affected. It is impossible to estimate the loss which this act entailed on various other industries of that section. The condition was such that all business enterprises were dependent, more or less, on silver-lead mining.

I am speaking of this question now, of course, from an entirely local standpoint and considering only the direct and plain injury which was inflicted on our people. It has been abundantly proven, and I think is rapidly becoming accepted as a fact, that the demonetization of silver has injured the balance of the United States and the entire world as much if not more, comparatively, than it has the silver-producing States.

At the end of President Harrison's term of office and when he was a candidate for reëlection I made a thorough canvass of Idaho, advocating Republican principles. At that time all of our people were employed at good wages. Our farmers were receiving good prices for their products, our business men were prosperous, and the outlook for our future growth and development was most gratifying. During that campaign, in every section of the State I publicly challenged any man in the audience to rise up and state that he could not get employment at good wages. There was work for all.

What a contrast now after a year and a half of Democratic supremacy! Our mines are closed, our railroads are in the hands of receivers, and business of all kinds injured to a greater or less extent. The Union Pacific Railroad, which has more than 1,000 miles of track in the State, is being run at a loss of more than $1,000,000 per month. In consequence, it has reduced its force about 50 per cent in Idaho, thus throwing out of employment hundreds of our best and most industrious citizens. It was only last week that the United States district judge in our State sentenced over two hundred so-called commonwealers to various county jails for terms of imprisonment for from one to six months. It will not do to say that all of these idle men are vicious and will not work. They are foolish and badly advised, and are justly punished for violating the laws of the land, but there is something wrong in the administration of so rich a country as ours which produces such distress and lawlessness throughout the length and breadth of the land.

You will all recall the Homestead strike in Pennsylvania which occurred about two years ago, during the summer preceding the Presidential campaign. It made such an impression upon the country that a committee of Congress, with Representative Oates as its chairman, was appointed by Congress to investigate and report the causes. From the printed testimony submitted by that committee it appears that "the wages paid by the firm of Carnegie, Phipps & Co. at Homestead ranged from 14 cents per hour for unskilled and common labor, or $1.40 per day of ten hours, to about $280 per month, say of twenty-four or twenty-five days of eight hours each, for labor of the highest skill." "That the average paid to laborers in the 119-inch plate mill, which is the largest in the works at Homestead, is about $120 per month per man." The point in controversy between the workmen and the company was the proposition by the company to make a change in the contract under which the men worked which would have had the effect of making a slight reduction in the wages of the workingmen.

I do not care nor intend to enter into the merits of the controversy nor to say who was right or who was wrong. Had the men quietly submitted to the proposition of the company the fact stands out that they would have received steady employment at good wages.

The Democratic party utilized the strike at Homestead and made it a conspicuous feature of their campaign. They pointed to it as an example of the injury which protection inflicted upon the workingmen.

Such a strike, accompanied as it was by bloodshed, was so unusual as to startle the entire country. Occurring as it did under a Republican Administration, there is no doubt that it aided the Democratic party in its campaign.

How insignificant it seems as compared with the present situation! Let me read a few extracts from the newspapers, taken at random, showing the condition of business and the workingmen throughout the country.

[Omaha Bee, May 2.]

RIOT IN CLEVELAND—MOTORMAN ROUGHLY HANDLED AND A STREET CAR ENTIRELY DEMOLISHED—UNEMPLOYED WORKMEN BECOME UNRULY—SEVEN THOUSAND OF THEM PARADE AND TROUBLE OCCURS DURING THE MARCH—BULLETS AND STONES PLAY A PART—SOME OF THE STREET CARS ATTACKED AND WRECKED BY THE MOB—PANIC ON THE CROWDED THOROUGHFARES—SO FAR AS REPORTED NO LIVES WERE LOST, ALTHOUGH THERE WERE MANY NARROW ESCAPES FROM SERIOUS INJURY.

[Chicago Times, May 19.]

TRADE STILL BLOCKED—OBSTACLES TO ITS IMPROVEMENT DO NOT LESSEN, SO DUN SAYS—MANUFACTURERS AND RAILROADS EMBARRASSED BY THE COAL AND COKE STRIKE, WITH NO SIGNS OF RELIEF—STILL THE PUBLIC IS AMAZED AT THE VOLUME OF BUSINESS BEING DONE IN SPITE OF ALL THE DISADVANTAGES—FINANCIAL SOUNDNESS SHOWN BY DIMINISHING IMPORTANCE OF THE FAILURES IN THE COUNTRY.

NEW YORK, *May 18.*

R. G. Dun & Co.'s Weekly Review of Trade will say to-morrow: "The obstacles to improvement do not lessen. The strikes of coal miners and coke workers have not ceased, but have caused the stoppage of numerous works this week and embarrassment to some railroads. The conference at Cleveland exhibited much angry feeling and wider differences than was expected, and seems to render agreement more distant."

[New York Press, May 26.]

BLOOD MAY FLOW IN THE COAL FIELDS—PENNSYLVANIA AUTHORITIES PREPARING TO RESIST RIOTERS—ARMS FOR DEPUTY SHERIFFS—OPERATORS COMBINING TO START UP THE MINES WITH NEW MEN, WHO WILL BE PROTECTED AT ANY COST—TROUBLE IN THE WEST—OTHER INDUSTRIES PARALYZED.

[San Francisco Call, May 26.]

SEVEN MEN DEAD—RECORD OF ONE DAY OF FIGHTING—MINERS DRIVEN DESPERATE—HURLED GIANT POWDER DOWN A SHAFT, BURYING ALL WHO WERE BELOW—WAR HAS BROKEN OUT AND BLOOD HAS BEEN SHED AT CRIPPLE CREEK.

[New York Press, May 26.]

COLORADO MINERS MAKE OPEN WAR—ARMED DEPUTIES DEFEATED AND A SCORE OF THEM CAPTURED—SHAFT HOUSES BLOWN UP—THE LAWLESS MOB BARRICADED AT BELLE HILL AND PREPARED FOR A SIEGE—STRIKERS IN ILLINOIS AGAIN ATTACK A MINE, BUT ARE REPULSED—MILITIA ON GUARD.

[Kansas City Times, May 27.]

BATTLE IN THE DARK—STRIKING MINERS AND DEPUTY SHERIFFS COME TOGETHER—THREE MEN ARE SHOT DOWN—FIGHT TAKES PLACE AT CRIPPLE CREEK AT EARLY DAWN—SIX OFFICERS ARE CAPTURED.

[New York Press, May 28.]

ON GUARD AGAINST THE LAWLESS MOB—MILITIA FULLY PREPARED TO REPULSE STRIKERS AT LASALLE, ILLS—1,000 RETURN TO THEIR HOMES—A LEADER WARNED THEM IF THEY PERSISTED IN GOING TO LASALLE THEY WOULD PROBABLY BE SHOT—PRESIDENT SLOCUM OF COLORADO COLLEGE STARTS A MOVEMENT FOR ARBITRATION.

[New York Press, May 29.]

MOBS OF ARMED MEN—SENATOR CAMDEN'S MINES PROTECTED BY WEST VIRGINIA MILITIA—FACED BY GATLING GUNS—GOVERNOR WAITE OF COLORADO DETERMINED TO GO TO CRIPPLE CREEK IN THE INTEREST OF PEACE—THE STRIKERS IN COMMAND OF TRAINED SOLDIERS—OUTLAWRY IN SEVERAL DIFFERENT STATES.

[Kansas City Times, May 29.]

AN OUTBREAK FEARED—TROUBLE AGAIN LIABLE TO SPRING UP IN CRIPPLE CREEK—ARBITRATION IS REFUSED—OPERATORS DECIDE TO LET MATTERS TAKE THEIR COURSE—MINES LOADED WITH DYNAMITE—BOTH SIDES TAKE ADVANTAGE OF THE ARMISTICE OF SUNDAY—DISTRICT IS TERRORIZED.

[San Francisco Chronicle, May 31.]

MISSOURI MINERS DETERMINED—BETWEEN SIX AND EIGHT THOUSAND MEN ON STRIKE.

JEFFERSON CITY, MO., *May 31.*

State Coal Mine Inspector Charles Evans returned yesterday from a visit to the various coal mines of the State. He says that there are less than 1,000 men now at work in the entire State, and only two of the railroad mines are operated. The miners working are scattered and working to supply local demands, such as flouring mills, waterworks, electric-light plants, etc.

Inspector Evans does not see any indications of an early settlement. The miners, he says, are determined to fight to the bitter end. He adds that the miners are peacefully disposed, and he does not think violence will be resorted to. Mr. Evans said that usually 7,000 men worked during the summer months and 9,000 during the winter. This leaves the number of strikers at somewhere between 6,000 to 8,000.

[New York Press, May 31.]

MINERS RIOTING IN HOCKING VALLEY—GOVERNOR M'KINLEY ORDERS OUT FOUR COMPANIES OF MILITIA—A RAILWAY BRIDGE BURNED—THE STRIKERS STARVING, BUT DEFIANT—NITROGLYCERIN IN THEIR POSSESSION, WITH WHICH THEY THREATEN DESTRUCTION TO A RAILROAD—NO SETTLEMENT IN SIGHT.

[Chicago Times, June 1.]

CRISIS IS AT HAND—RAILWAY UNION TO ACT IN AFFAIRS AT PULLMAN—SCREWS TO BE PUT ON—ORDER AGAINST HANDLING THE COMPANY'S CARS TO BE ISSUED—MOVE TO START AT ST. LOUIS—BOYCOTT EXPECTED TO SPREAD TO ALL EXCEPT NEW ENGLAND LINES.

[Washington Times, June 2.]

NONUNION MEN AT WORK—NEGROES FROM WEST VIRGINIA IN THE SCOTTDALE COAL FIELDS—LABOR AGENTS BADLY BEATEN—MINE OPERATORS SEEM DETERMINED TO WORK THE MINES AT THEIR OWN PRICES—MEN REFUSED THEIR OLD PLACES IN MANY INSTANCES—ANOTHER CONFERENCE FOR NEXT WEEK.

[Chicago Times, May 25.]

IN A MOB'S HANDS—RIOTING MINERS TAKE POSSESSION OF LASALLE, ILL.—OPEN FIRE ON OFFICERS—STRIKERS SURROUND THE COAL SHAFT AND DEFEAT THE SHERIFF—ALL THE DEPUTIES ARE HURT—SHERIFF TAYLOR AND FORCE BEATEN DOWN BY THE CROWD—SITUATION IS STILL CRITICAL.

[Special to the Times.]

LASALLE, ILL., *May 24.*

Lasalle is to-night in the hands of an infuriated mob. The strikers held a meeting this afternoon in the eastern part of the city, and speeches were made denouncing the authorities.

[Chicago Times, May 25.]

WOES OF TOILERS—HARD LIFE OF ILLINOIS STEEL COMPANY EMPLOYÉS—MEN CAN BARELY LIVE—MANY MUST SUPPORT FAMILIES ON ONE DOLLAR A DAY—LESS WAGES AND LONGER HOURS—IMPORTED HUNGARIAN LABORERS FAVORED OVER THE AMERICAN—NO HEART FOR RESISTANCE.

The lot of the toiler at the Illinois Steel Company's works at South Chicago is a hard one. Thousands of men there work twelve hours out of the twenty-four. They get in return, in meager quantities, the absolute necessaries of life. Many of the common laborers with families of six and seven children receive only $1 a day.

[Chicago Times, May 25.]

FOUR MINERS SHOT—DEPUTIES AND STRIKERS FIGHT NEAR UNIONTOWN—CAUSED BY OFFICERS—WORKMEN FIRED UPON BEFORE THEY DO ANY VIOLENCE—DESPERATE BATTLE IS WAGED—BOTH SIDES EMPTY RIFLES, SHOOTING AT CLOSE RANGE TO KILL—MORE BLOODSHED EXPECTED.

UNIONTOWN, PA., *May 24.*

Once more riot is running rampant among the miners of Fayette County, and the scenes of bloodshed to-day have not been equaled since the strike began in this region, over two months ago. To-night four men are lying dead and at least eight others wounded as a result of the day's conflicts between the strikers and deputies.

[New York Press, June 3.]

TROOPS ORDERED OUT IN INDIANA—MINERS STILL DETERMINED TO STOP THE MOVING OF COAL TRAINS—THE GOVERNOR FINALLY ACTS—NINE COMPANIES AND A GATTLING GUN SENT TO DAVIESS COUNTY—AN ARMED MOB STOPS A TRAIN IN OHIO—INDIAN TERRITORY MINERS THREATEN TO RESIST REGULARS.

[Washington Times, June 3.]

M'KEESPORT IN AN UPROAR—STRIKERS RAMPANT AND CIVIL AUTHORITIES DEFIED—IT IS HOMESTEAD OVER AGAIN—POLICE ARE POWERLESS—NON-UNION MEN HUNTED THROUGH THE STREETS AND STRUCK DOWN—TROLLEY WIRES CUT—ELECTRIC-LIGHT WIRES BROKEN AND THE CITY IN DARKNESS.

[Chicago Times, June 4.]

QUAIL BEFORE MILITIA—INDIANA RIOTERS MELT AWAY AT SIGHT OF THE SOLDIERY—GOVERNOR MATTHEWS THINKS THAT THE TROUBLES WILL BE BRIDGED OVER WITHOUT BLOODSHED AND IS ACTING PROMPTLY TO THAT END—STRIKERS ATTEMPT TO WRECK FREIGHT CARS ON THE VANDALIA LINE—PORTION OF KELLY'S WEALERS STEAL A TRAIN, BUT IT IS TAKEN FROM THEM.

[Chicago Times, June 5].

SHOTS FIRED BY MINERS—STRIKERS SEIZE A TRAIN, SET FIRE TO A BRIDGE, AND USE WINCHESTERS—SHELBURN, IND., THE SCENE OF UNEXPECTED VIOLENCE AND DESTRUCTION OF PROPERTY—TWO COMPANIES OF MILITIA CHARGE THE RIOTERS, CAPTURING FOUR OF THE LEADERS—PREPARATIONS COMPLETE FOR A BLOODY BATTLE ON BULL HILL IN THE CRIPPLE CREEK DISTRICT TO-DAY—GOVERNOR ALTGELD SENDS ARMS TO MARION.

[Chicago Times, June 6.]

AT A MOB'S MERCY—M'KEESPORT, PA., OVERRUN BY ANGRY STRIKERS—POLICE ARE POWERLESS—THOUSANDS OF MEN BREAK INTO THE NATIONAL TUBE WORKS PLANT—WORKMEN ARE BRUTALLY BEATEN—CHASE THROUGH THE TOWN WITH HOWLING HUNDREDS AFTER THEM—SOME OF THE VICTIMS MAY DIE.

[Washington Post, June 6.]

RIOTING IN EARNEST—BLOODY FIGHT BETWEEN MINERS AND DEPUTIES IN ILLINOIS—SHUT UP IN A BURNING SHAFT—IN PURSUANCE OF A DECISION TO CLOSE THE LITTLE BROTHERS MINE, A MOB CHARGED ON THE WORKS AND OPENED FIRE—MET AND OPPOSED BY A SHERIFF'S POSSE—ONE MAN WAS KILLED AND SEVERAL WERE WOUNDED—ABOUT THIRTY THOUSAND DOLLARS WORTH OF PROPERTY DESTROYED.

[Chicago Tribune, June 7.]

ENGINEER BARR IS KILLED—MINERS STONE A TRAIN NEAR BRAZIL WITH FATAL RESULT—STRIKERS DESTROY PROPERTY.

[Chicago Tribune, June 7.]

WAR ON IN ILLINOIS—THE SHERIFF AND POSSE DEFIED.

[Chicago Tribune, June 8.]

TROOPS UNDER ARMS—ENTIRE MILITARY FORCE OF ILLINOIS READY TO MOVE—GOVERNOR ALTGELD, SINCE THE OUTBREAK OF ANARCHY AMONG STRIKING COAL MINERS, HAS HAD LIEUT. BAKER, UNITED STATES NAVY, AND THE SON OF THE STATE ADJUTANT-GENERAL INVESTIGATING, AND LAST NIGHT ORDERED THE SEVERAL COMMANDANTS TO BE PREPARED AT ALL TIMES TO MARCH.

[New York World, June 10.]

NO AGREEMENT REACHED—CONFERENCES TO SETTLE THE SOFT COAL STRIKE LIKELY TO COME TO NAUGHT—MANY OPERATORS WON'T MEET MEN—SOME OF THE MEETINGS WERE FLAT FAILURES, EVEN THAT AT COLUMBIA, OHIO, IS AT A STANDSTILL—MORE TROUBLE BREWING AT PANA, ILL.—CHICAGO TROOPS RECEIVE A HURRIED NIGHT SUMMONS THERE—STRIKERS AND DEPUTIES FIGHT IN PENNSYLVANIA.

[New York Herald, June 10.]

PREPARED FOR BATTLE—BIG COAL OPERATORS IN PENNSYLVANIA WILL MAKE A DETERMINED EFFORT TO RESUME—HUNDREDS OF ARMED MEN—NEW MINERS SENT TO HORATIO QUARTERED IN A BOMBPROOF FORTRESS AND WELL PROTECTED—TO MAKE THE EFFORT MONDAY—COMPANIES INTERESTED HAVE MADE A COMPACT TO RUN THEIR MINES AT ALL HAZARDS.

[New York Herald, June 10.]

THREE RIOTERS SHOT—BULLETS AND ROCKS IN A RIOT AT THE SILVER BROOK COLLIERY IN PENNSYLVANIA—PLANT ATTACKED BY A MOB—WORKMEN PUT TO FLIGHT AND INJURED AND POLICEMEN PELTED WITH STONES—MILITIA IS ON BULL HILL—ORDERED BY GOVERNOR WAITE TO PROTECT THE MINERS AGAINST THE SHERIFF.

It is unnecessary to multiply these extracts. Every paper which you pick up is filled with them. These riots, accompanied by bloodshed, have become so common that we have ceased to read them any more or to discuss them. Thousands of men out of employment, starting from every part of the land, are endeavoring to reach Washington in order to lay their grievances before Congress in the hope of getting some relief. So serious has the situation become that the Senate has appointed a select committee to hear their complaints—a most unusual and unheard-of thing in this Republic.

The land is filled with misery and woe. Hundreds of thousands of honest and willing men are seeking employment in vain and are unable to earn the necessaries of life for themselves and families. Here in Washington we do not appreciate the distress which prevails throughout the country. This is peculiarly a Government city. Twenty thousand employés of the nation reside in the District, to whom is paid $3,000,000 per month in wages. They receive their compensation in cash at stated times and short intervals. This vast amount of money being disbursed every month sustains the various business enterprises of the city. We can not and should not shut our eyes to the hapless condition of the country at large.

I am glad that a decision is near at hand on the pending bill. The situation being as it is, I feel sincerely that it is the patriotic duty of the Senate to act promptly. This rearrangement of the tariff should be completed as quickly as possible, or the bill under discussion should be defeated with promptness.

When the bill is disposed of and Congress adjourns there will be no incentive or motive for these large bodies of restless men to wander over the country in an endeavor to reach Washington and the National Legislature. No votes in the Senate will be changed by discussion and argument, and I would say to my Republican friends that from a political standpoint no additional argument is needed by the people. The Democratic party itself, since it came in to power a year and a half ago, by its own conduct has spoken more eloquently in behalf of Republican principles than all of us on this side of the Chamber can hope to. Nothing will appeal so strongly to the American voters as the contrast between the Republican and Democratic administration of affairs.

Mr. HANSBROUGH. I understand the Senator from Nevada [Mr. STEWART] desires to reply briefly to some remarks made by the Senator from Ohio, and I have consented to yield to him for that purpose.

Mr. STEWART. Mr. President, we are engaged in discussing a discriminating protective tariff bill. Every gentleman who has discussed it on either side has considered the effect of the bill upon industries and prices. The question has been at all times how industries would be affected. Many industries, and particularly those which are conducted by trusts, have been amply provided for. If there is any great trust which has not received consideration, I have overlooked it.

The proposition to put wool on the free list, I say to my Democratic friends, is unfortunate in the extreme. It is more, it is cruel. This industry is peculiarly situated in the West. About two-fifths of the area of the United States is either arid or semiarid. It is a mountainous country and peculiarly adapted to raising sheep. It is an entirely similar country to the larger portion of Mexico, South America, and Australia. It is equally well adapted to growing sheep with any other country in the world. It is impossible to conduct the industry in the United States as cheaply as in the other countries named. Wages are much higher necessarily. Our rivals are all silver standard countries. That gives them an advantage of about 50 per cent in wages over what they had formerly. The railroads have placed Mexico nearer to the markets of the East than the great interior of the United States; the country is narrow between the two oceans, and the distance to water transportation is short. They have gone largely into woolgrowing. The same condition obtains along the coast of South America and in Australia. They are largely engaged in the business, and it costs for labor three or four times as much in the United States as it does in those countries. Transportation is in their favor. Consequently it is impossible to utilize our country for that purpose. There is an ample region in that part of our country for producing all the wool the United States can possibly consume and even a surplus, provided there was such protection as would make competition equal.

Now, the region of the country that this provision falls especially heavy upon has already received at the hands of this Congress a most fatal blow. Its great industry is destroyed. Thousands are thrown out of employment, and they are trying every way to make a living. If you destroy the wool industry you cut off one of the principal avenues still open to them.

The duty on wool has been a very small one, a much lower duty than you figure it on paper, because the countries that compete with us are nearly all on the silver basis, and the tariff is lowered every time the commercial value of silver falls, because it is estimated at the custom-house according to the commercial value of the bullion in the coin. That fixes the price in foreign markets. It is according to the commercial value, according to the value of the dollar. The statute says that it shall be the duty of the Secretary of the Treasury to state the value of foreign coins according to the pure metal of standard value. This

is not done. The statute is disregarded, and it is measured according to the pure metal of commercial value, and we have nominally now, say, 12 cents a pound duty on wool, but it amounts to only about 6 cents a pound.

The duty is very small as it now exists; but since this proposition was made to put wool on the free list my neighbors and friends write me that they are unable to sell their wool without making a still further reduction. Transportation from the interior is heavier than from some other countries. Labor is three or four times as dear, because we use white labor; we use Americans, and we can not get them down to the labor of the Mexican. They can not live on it. They can not live on the food the Mexican lives on; it is impossible. And to-day what enables the American laborer to exist? It is a lower grade of living than we have. Our people could not for generations be brought down to the low grade of living of other countries, and we can not compete with them.

Now, this is a protective tariff bill, and you are discussing what the industries will bear without any disposition to destroy them. There would be some reason in placing wool on the free list if woolens were free, so that we could buy where we sell. But the nonprotected industries buy all the exports and pay all the interest on our foreign obligations, and are compelled to sell their products to bear that burden in the lowest market in the world, in a market made at gold prices in Europe, where they come in competition not only with the cheap labor of Europe, but with the cooly labor of Asia. But we are compelled to buy our clothing in a protected market under this bill. Why should not our wool be protected?

I concur with the Senator from Ohio. I did not rise to reply to him except to one remark he made. He said that the cause of low prices was overproduction. I deny it. It is underconsumption. Last year for example—I need go into no other argument—the wheat crop of the world was 325,000,000 bushels, less than an average crop, and still wheat has never been as low as this year for three hundred years. With population increased and the world's crop falling off over 300,000,000 bushels, wheat is cheaper than it has been for three hundred years. So there must be some other cause besides overproduction.

You may take any article of that kind. You may take clothing. The consumption of clothing, like the consumption of everything, is falling off. People are economizing because they have not money to buy. The idea of overproduction is absurd. The whole world can not produce more than they consume. The wants of man multiply much more rapidly than production can be increased. It can not keep pace with the wants of man. It is only the question of the grade of living. In India the ryot lives on a mere pittance. He receives from 6 to 8 and 10 cents a day, and sometimes 4 cents a day, and ekes out a miserable existence with that compensation, but he does not consume what he would consume if he had the money to buy. See how your houses would be furnished and see how your children would be clad and educated if you had the money to do it. It is underconsumption to get down to a gold standard.

The property of the world is measured by the gold standard, and there is not gold enough. Gold can not be obtained. The gold of the world is pooled and it can not be obtained. Just see where your gold is. The amount of gold in the world to-day is estimated at from thirty-five to thirty-seven hundred million dollars, and it is said that a large portion of that, which is not exactly estimated, probably three thousand million, is in the United States and Europe. Where is that three thousand million? Five hundred and fifty million are said to be in the Russian war chest, $150,000,000 or thereabouts in Austria, bought with a view of resuming specie payments and held there; $900,000,000 are in France, and $700,000,000 of silver, and with all the obligations payable in silver, if you attempt to export gold they will make you take silver.

Besides France keeps up her circulation and keeps money among the people to enable them to produce still more than she buys, and the balance of the trade is in her favor. With $900,000,000 of gold, $700,000,000 of silver, and about seven or eight hundred million dollars of paper there is a very large per capita for that people. So you can not get any part of the nine hundred million of gold out of France. That you can not have. Germany, with between four and five hundred million dollars, say $450,000,000, was compelled to adopt the same policy with France and use silver to protect her gold from export. She has $150,000,000 of silver to protect her gold and keep it in the country. England with about $450,000,000 of gold pretends to have free gold for the commerce of the world, and the world owes her ten billion according to Gladstone, or twelve billion according to Goschen, on which she is receiving interest to the amount of $500,000,000 per annum, and she has to raise the rate of interest to keep her gold at home.

We have no way of protecting our gold under the policy of the Treasury Department, notwithstanding all our obligations are payable in silver. It goes out and there is no way of getting more. The United States is now said to have $600,000,000 of gold. We have no such amount. If we have $400,000,000 it is a high estimate. That gives about $3,000,000,000, which is all the gold there is in the United States and Europe, except in the small states. There may be from one hundred and fifty to two hundred million among the little governments, and they hold it for a reserve and you can not get it.

The reason why there is underconsumption in this country is because the people can not sell their products for money. If they could sell at fair prices the produce that they have for money they would clothe their children well. They would build good houses. They would live in comfort if they could, but under the existing conditions they must adopt a lower scale of living; they must live as the poor in other countries. That is the condition of things.

What a people will consume is measured by what they can get to consume, and it is underconsumption by means of falling prices, stagnation, and hard times which affects the country now.

See how these mountain States are situated with that class of people, with their principal industry destroyed, relying upon the few sheep and cattle, the few things they can transport, to buy clothing and the necessaries of life. You see that they would be discriminated against in this protective bill.

Now, this bill can never be satisfactory to the American people, and particularly to the people of the West. I know Senators may give figures and say the price of wool has fallen under the McKinley tariff law. Everything else has fallen, and wool particularly has been reduced by the falling price of silver, because it comes from silver-standard countries. The price in the foreign market is estimated by the commercial value of silver. So you have nearly wiped out the benefit of the duty by the destruction of silver.

There is no article on which the duty has been so affected as this one. You may well say that the McKinley act could not keep it up. The reduction by the price of silver has been twice as much since the McKinley act was passed as the increase by the McKinley act. So the duty has been lowered by the fall of silver since the McKinley act passed. That is the reason why the price of wool has fallen. It has fallen because the prices of all property have fallen to the gold standard. It has fallen because the duty is estimated in foreign countries upon which the duty is based according to the commercial value of silver, and every drop in silver has reduced that duty. Consequently we might expect a fall in the price of wool.

But this bill will make a still further fall and must destroy the industry. We can not produce wool upon the same conditions with our labor as in Mexico and South America. It is impossible. Our people will be driven to Mexico. I met a gentleman last night, a man of wealth and enterprise from Illinois, who had been down to Mexico. He said he was going to Mexico because he could do business there. He was going to plant a colony in Mexico, because with the range of labor and the free coinage of silver and plenty of money he said he could make some money there.

Mexico is being filled up by our best citizens in their cotton factories, their woolen factories, in their railroad building, and in their mining, because they have money with which to do business there. Here on the gold basis in this country if you strike down this tariff on wool you will strike a cruel and a fatal blow at a region of the country that has been affected more than any other because we have suffered in common with all others the baneful effects of the gold standard. We have not only realized the fall in prices which we have suffered, but our industry has been destroyed, our towns depopulated, and our people thrown out of employment. I beg of the Democratic party not to place wool on the free list.

Mr. HANSBROUGH. Mr. President, although I am a firm believer in the principle of protection, and want to see that policy sustained and perpetuated, I am opposed to the protective tariff bill now before this Senate. I am opposed to it because of its discriminations, its sectional inequalities, and its false pretenses.

It discriminates against the people of the Northwest by placing wool upon the free list, and in favor of the people of another section by giving rice a duty of 90 per cent. It further discriminates against us in that it levies a duty which has been estimated at more than 50 per cent upon sugar, and almost on the next page provides that Canada and all other grain-producing countries in the world may bring their products here free of any duty whatever.

Its other great inequality is the general principle which it establishes of placing the raw materials of the West upon the free list and giving protection to those institutions of the East

and the Southeast that can no longer lay claim to being "infant industries." In view of this discrimination against our raw materials, the trifling reduction provided for in this bill upon manufactured articles does not remove the burdens that our friends on the other side claim were imposed by the act of 1890.

While its authors assert that it will extend the market for agricultural products, they have provided for the repeal of the beneficent reciprocity clauses of the act of 1890, thereby narrowing the American farmer's foreign market by many millions of dollars. Thus it is full of false pretense and flagrant deception.

I am aware, Mr. President, that this may be considered a narrow, selfish, sectional view to take of a great question which concerns the whole country and all the people in it, but when I find in the bill now being considered a decided advance over the rates in the Wilson bill as it came from the House upon certain manufactured products of the States of Maryland and New Jersey; upon Tennessee marble and upon the Trojan industry of collars, cuffs, and shirts—the latter equaling the duty under the McKinley bill—I feel that in complaining over that which we of the West did not get, I should not meet with any severer condemnation than is accorded to those who remain silent because of receiving that which they demanded. There is ground for the complaint I enter here against this measure which puts raw materials of my State upon the free list and gives the Louisiana Senators 40 per cent duty on raw sugar.

There is reason in my opposition when we know that the industries which sustain the people of North Dakota are to be subjected to open, unrestricted competition from every quarter of the globe, while coal, iron, steel, clothing, and in fact all the principal necessaries of life which they must buy are to be subjected to a duty ranging from 40 to 60 per cent. Nearly 42 per cent duty is levied upon woolen clothing, while raw wool comes in free. Little wonder that the junior Senator from Texas [Mr. MILLS] declines to share the responsibility for so unjust a measure, but his friends at the hustings and the county fairs in the West, where his voice has so often been heard against the "robber barons," will marvel deeply over the small part he takes in tariff tinkering this year. He may acquit himself, however, by telling our people, when he comes West again, that his colleagues on the committee relieved him of all responsibility, agreeing to do the "fat frying" themselves. So, too, may the senior Senator from New Jersey enjoy the benefits of protection by telling his constituents he had nothing to do with it.

Why are these discriminations made? The senior Senator from Maryland declares that the duties have been levied in the interest of revenue. The senior Senator from New York tells us that the bill will raise $75,000,000 more revenue than is required. If the latter statement is correct, it seems to me that it was the plain duty of the Senator from Maryland, who has emphasized his leadership on the majority side of the Chamber, to give the people on the Western prairies free coal, and to leave the duty on cotton duck out of which their overalls are made at 25 per cent, as in the House bill, instead of putting it up to 35 per cent, as in the Gorman bill. It may not be out of place to incidentally mention the fact that the manufacture of cotton duck is a leading industry of Maryland.

The census of 1890 returns eleven cotton-duck establishments in that State, producing 21,000,000 yards, valued at $4,000,000. It also shows seventeen establishments engaged in the wool industry. It is perhaps only a coincidence, but there is also a decided increase in the Senate bill over the House bill in the rates on manufactured woolens, and it appears that they were all agreed upon only a short time before the distinguished Senator from Maryland made his compromise speech in this Chamber, predicting that the New York Senators and all the Democratic Senators would eventually follow his lead and vote for the measure. The returns from New Jersey show fifty establishments engaged in the wool industry and seventeen in the cotton industry. Doubtless another coincidence. Yet the fact remains that manufactures of woolens have been given high protection; likewise cotton duck.

Does anyone believe that the able junior Senator from California has agreed to support this protective tariff bill because apples, dates, olives, figs, and raisins were taken from the free list of the House bill and put upon the dutiable list of the Senate Finance Committee's bill at rates varying from 20 to 30 per cent ad valorem, and that the duty on plums, prunes, figs, raisins, and other dried fruits, including Zante currants, has been increased here on the floor to 1½ cents per pound? Perish the thought! We know that he will support it solely for the sake of tariff reform.

The senior Senator from New Jersey [Mr. MCPHERSON] tells us that the protection in this bill represents simply the amount of higher wages paid in this country. If this is true the labor cost of sugar and shirt making must be enormous, but we have reason to rejoice over the fact that the slogan of the Democratic stump orator that protection does not place the rate of wages paid in this country above the rate paid in foreign countries is to be heard no more in the land forever. Wherefore I am profoundly impressed with the belief that some people are content to sleep with their own consciences if they only may be permitted to enjoy the spoils of office.

Mr. President, under this bill wool, wheat, wheat flour, oats, corn, corn meal, buckwheat, rye, and rye flour are on the free list—wool absolutely so, and the other articles will be, so soon as foreign countries take the hint and remove the duties upon our exportations of these articles.

The most serious shock to the institutions of the West will be caused by the removal of the duty on raw wool. When asked why this should be done, the theorists responsible for this proposed legislation answer that we can not produce in this country the wool necessary to carry on the business of manufacturing certain lines of woolen goods. This unpatriotic proposition has been refuted repeatedly. If it were true, why not except from the operations of this discriminating measure the classes of wool that we can produce? The best authorities on this subject say that every class of wool required for manufacturing all kinds and grades of woolens, including carpets, is produced in the United States, and that adequate protection, continued as the policy of this Government, insuring safety of investment in sheep-raising, would result in the production of an abundant supply of wool for home comsumption.

Under this head I desire to submit to the Senate some extracts from a circular on the wool question recently issued by Justice, Bateman & Co., of Philadelphia, under date of March 1, 1894. I ask that the extracts marked with a pencil be read at the desk.

The VICE-PRESIDENT. The Secretary will read as indicated.

The Secretary read as follows:

1. *Effect of the threat of free wool.*—Rumors from Washington with reference to the probable passage or defeat of the tariff bill now influence the market. With the waning prospects of securing any duty on wool, the demand has fallen off and is now limited to the temporary requirements of the mills.

Although prices are the lowest ever known in this country, there is no certainty that the bottom has yet been reached.

Many industries that were on the eve of revival have been halted, and a more general paralysis of business prevails. This contraction is shown in the falling off in bank clearings which for the month of February were in the neighborhood of 35 per cent below those of the previous month, and it is also shown by the falling off in railroad earnings. Business recovery is seriously impeded by the diminished purchasing power of the nation, owing to the loss of earnings by the army of unemployed. The heavy shrinkage in the value of property and merchandise during the past nine months involves the wool market by the very great curtailment in the sale of clothing, the home production as well as the imports of which have so greatly fallen off.

2. *Why should wool be free?*—No satisfactory reason can be given why wool should be exposed to the destructive influences of foreign competition. It is a necessity of our comfortable existence, and no army without wool could successfully conduct its operations in time of war. Wool is as much a munition of war as any other material. If coal is not to be considered a raw material, there is much more reason why wool can not be so considered, as it takes a whole year for a sheep to produce its fleece; yet coal in one hour can be got ready for market. The element of labor in marketing a ton of wool exceeds many fold that which is expended in marketing a ton of coal; yet there seems to be much greater chance for a duty upon coal than upon wool. If unfavorable legislation should close the coal mines of this country for a thousand years the coal would still remain there, ready for use whenever the nation was once more permitted to resume its industrial activities; but when the flocks of sheep disappear, as they are now doing, they can not be suddenly restored. If this industry is to begin anew it will take many years to reach its present proportions, and if the blow now aimed at the woolgrowing industry is struck it will cause its practical destruction.

3. Free wool will cause the export of gold and bring financial panics. The ultimate result of this would be not only dependence upon foreign countries for our wool supply, but the loss to the nation of the value of the domestic clip, for, instead of distributing its cost among woolgrowers at home, to be spent at home, it must be paid in gold to foreigners, with the ultimate result of higher prices for clothing. This would be a decided loss to the whole nation without any corresponding gain.

4. American woolgrowers can soon produce all needed wools under adequate protection. The American sheep husbandry under adequate protection has twice made such rapid headway in the increase of flocks as to lead to the assurance that with the continuance of that protection we would soon produce the total amount of wool consumed by this country. During the last twelve years of the tariff law of 1867 the American clip increased 100 per cent, that increase being from 170,000,000 pounds in 1873 to over 340,000,000 pounds in 1884. If the duties had not been lowered at the end of that period, it is fair to assume that the same ratio of increase would have continued, in which case we would have produced in 1895 over 650,000,000 pounds, which, including the raw wool imported in the shape of manufactured goods, is the total amount of wool consumed by this country. A serious check to the growth of the wool industry was given by the reduction of duties in 1883, but with the restoration of a portion of those duties by the McKinley law in 1890 such an impetus was given to the woolgrowing industry that the clip again increased at a rapid rate. The increase was from 310,000,000 pounds in 1891 to 360,000,000 in 1893, so that if the McKinley law had not been assailed it is fair to assume that by the year 1900 we would produce 650,000,000 pounds.

Mr. HANSBROUGH. I also send to the desk and ask to have read a short article from the Philadelphia Manufacturer, of February 24, 1894, showing that adequate protection would soon give us all the wool we need.

The Secretary read as follows:

The figures respecting American wool published last week by the Bureau of Statistics were intended to prove that American sheep husbandry had

made no headway under protection. They concealed the fact that between the years 1881 and 1890 the number of American sheep rose to high figures and then, under the influence of reduced duties, fell again. The correct figures demonstrate conclusively that the business prospers under high duties and decays under low duties. Under the high duties of the tariff of 1867 the American clip expanded from 170,000,000 pounds in 1873 to 340,000,000 pounds in 1884. That is to say, it doubled in twelve years. If the duties had not been lowered in 1883 we may fairly suppose that the same ratio of increase would have continued.

In that case we should have produced 680,000,000 pounds of wool two years hence, in 1896. The total consumption at the present time (including the wool in imported fabrics) is about 650,000,000 pounds. This is the industry that is marked for slaughter by the free traders at a time when the low prices of wool and the increasing consumption show that the high duties oppress nobody. It is selected for sacrifice, not for the advantage of the people; not for the benefit of anybody, but solely because the purpose of the free traders is to root out the system of protection to home industry, and this can not be accomplished while the farmers are interested with the manufactures in maintaining it.

Wool is the very last of the raw materials of industry, now dutiable, that should be exposed to the destructive influences of foreign competition. In the first place, it is a positive necessity of comfortable existence in this country. Without it our people can not live safely in time of peace. Without it no American army can conduct operation in time of war. Coal and iron ore are no more essential to the vital force of the nation. But no power in Congress or out of it can deprive the country of its mineral resources. If American legislation upon industrial matters should be controlled by jackassery and treason for a thousand years, the coal and the iron ore in our minds would remain as they are, ready for use, whenever the nation once more permitted reason to resume its sway. The coal could be placed in marketable shape within a few hours.

The iron ore would be ready for the furnace fires as quickly. But, when American flocks of sheep shall disappear, as now they are disappearing, they can not suddenly be restored. Beginning anew, sheep husbandry could hardly within twenty years regain its recent proportions. The blow aimed at the business now is, therefore, intended to produce destruction which may possibly be irreparable, for, while no assurance of continued protection shall be given, Americans will find small inducement again to invest capital in the industry. The ultimate result will probably be, not only dependence upon other countries for a material which this country can easily produce, and not only the loss of the whole cost of the domestic wool clip, but higher prices for both wool and mutton.

Mr. HANSBROUGH. The ability of the American wool-raiser to eventually produce all the necessary grades is not seriously questioned by intelligent men; it is not even questioned by the members of the Finance Committee, who sent out a long list of interrogatories to wool men.

Now, as to the necessity for protection. The domestic wool-raiser can not compete upon an equal footing with the wool-raiser of Australia and South America. First, climatic conditions are against him; and second, his mode of living is far above that of his foreign competitor. Details on these points are unnecessary; they are understood by everyone.

If, however, there were not this great disparity in conditions, the advantage to the foreign wool-raiser in the matter of freights is so great as to leave no two opinions on the subject. That we may have the whole question stated in a nutshell, let us understand that as to the cost of production the figures are 2 to 1 against us, and in the matter of carrying charges they are 9 to 1. To be more explicit, wool can be and is produced in foreign countries at 6 cents per pound, as against 12 cents in this country, while the freight rate from London to Liverpool is one-fourth cent per pound as against 2½ cents from Rocky Mountain points. Now, when it is understood that about 60 per cent of the sheep in this country are located west of the Mississippi River, we are at once confronted with reasons of the most emphatic nature why there should be some encouragement for the domestic wool producer if he is to continue in the business against all comers.

The passage of this monstrous measure means the complete annihilation of the wool industry in the West. Sheep will hereafter be reared only for their mutton. The seriousness of the situation may be seen when it is known that the value of investments in the woolraising industry in this country is about $200,000,000, and that at least 2,000,000 of people are engaged in it. Their plight will be much more serious than that of the factory hand, who, under this act, may accept the wages of the European workman. Deprived of a market for their wool by reason of the great disparity in freights, our farmers must produce it at any cost or sacrifice or go out of the business, because the market will be entirely controlled by the Australian and the South American. Especially will this be true as regards the Western wool-raiser. In his case the triumph of free trade will be complete.

It has been said that wool producing has not progressed under protection. The figures refute this statement. Under the law of 1867, which was repealed in 1883, sheep-raising progressed rapidly. In 1881 there were 290,000,000 pounds of wool produced in the United States. The amount had increased to 337,500,000 pounds in 1884—47,500,000 pounds increase in four years. These favorable results were under the operation of a duty of 12½ cents per pound, which Congress in 1883 reduced to 10 cents per pound. This reduction in duty was the work of a Republican Administration in response to a great outcry by free traders and other superficial minds that the people were being robbed.

The Democrats in various parts of the country at once took political advantage of it, and in Ohio strong resolutions were passed at Democratic conventions denouncing the Republican Congress for destroying the sheep industry. Well, there was some truth in the resolutions, notwithstanding their origin. Under this reduced wool tariff the product in the United States fell off about 30,000,000 pounds by 1891. But the effect of the act of 1890—the McKinley law—was almost momentary. The increase in sheep was very rapid and the output reached the unprecedented figure of 364,156,666 pounds in 1893—an increase of 18½ per cent in three years, under a duty of 11 cents per pound.

Mr. President, it is said further that protection has not helped prices of wool. How utterly unworthy of sober serious thought is this statement. Prices did decline after the passage of the McKinley act, but was that decline the fruit of that act? Let us see. For thirty years the price of wool in free-trade London has been 50 per cent lower than the price in America under protection. Mr. Theodore Justice, perhaps the best authority in the United States on wool, says that the—

> London value of wool during the two years previous to Mr. Cleveland's inauguration fell off over 30 per cent, and during the same period American wool declined less than 7 per cent. If it was not the protection of the McKinley tariff that stood between Ohio woolgrowers and the cheaper wool markets of the world, what was it?

Mr. Justice sums up the situation during the two years succeeding Mr. Cleveland's restoration to power in the following terse language:

> Since President Cleveland's inauguration, and the assault by his Administration upon the American wool industry, American prices have declined from 25 to 30 per cent, when the outside markets of the world are unchanged, and why? Why did American wools hold up before this Administration came in and fall immediately afterwards? It was because it was well known by everybody in the business that the London or free-trade price could not be reached without a decline in American prices of at least 50 per cent, and the movement toward the London market is in progress.

The condition of the wool market for the past year or more is very accurately described in a recent number of the Boston Herald. I quote from its commercial columns:

> The wool market is in a peculiar state. The fear of tariff legislation bringing free wool is terrorizing both producer and dealer. The producer is being alarmed into selling his wool at prices lower than ever dreamed of in the industry, while the dealer is alarmed to the extent that he dares not buy this wool, however low it may be offered. For these reasons very little wool is being purchased by the trade here, notwithstanding that it is at the beginning of the new clip, and a time when a good deal of wool would naturally be negotiated for in the country markets.
>
> Receivers are also afraid of advancing too much money on wool offered on consignment. They lost money last year by overadvances, and they are very cautious this year about doing the same thing again.
>
> It is true that freights are against the domestic grower of wool, as compared with the grower abroad. Wool has been landed here from London as low as 1 cent per pound, while from some of the Territories it has cost, at the same time, 5 cents per pound. But such freights must come down. Indeed, they are already lower, till to-day 3 cents per pound on Territory wool is considered a very high price. In the meantime, if the American wool-grower were allowed a protection equal to the difference in freights, it would be the sentiment of very many in the trade substantially expressed.

This, as I have indicated, is from the news columns of the Herald. The opinions of the editor in the editorial columns are widely different, being in favor of free wool and advocating the beauties of that ignis fatuus, the "world's markets." It is the old story again fully illustrating the difference between fact and theory. The reporter who went out among the buyers and dealers, the men who know something about wool, writes of the situation as it really exists, while the editor, his head filled with free-trade theories, continues to dream of the beauties of "the world's markets." He persists in looking for great oceans, when we know that he will find only duck ponds; his mind running to the airy and indefinable altitudes of commercial æstheticism, although he must soon realize the inevitable importance of returning to a plain everyday diet of home markets and baked beans.

Mr. President, if we accept the statement of those in authority in this Chamber that the protective duties in this bill have been levied with a view to fortifying the American workingman against the low wages of his European brother (the senior Senator from New Jersey has declared that to be the case) where is the consistency of putting wool upon the free list, when we all know that 90 per cent of the cost of producing it is labor?

Here is an item showing the importance of the sheep industry in this country. At the date of the Republican victory of 1888 there were perhaps 50,000 head of sheep in the State of North Dakota. The exact figures are not known, because the industry was small, being confined under a hostile Administration solely to the demand for mutton. At the date of the Democratic victory in 1892 the official figures showed the number of sheep in the State to be 557,590, an increase of 1,100 per cent. Under the impetus to woolgrowing given by Republican success, the sheep industry increased until it reached third or fourth place in importance among the industries of the State. Sheep were brought there from the widely separated States of Washington, Texas, and Ohio. The price paid ranged from $2.50 to $4 per head.

Last fall, under the baneful influence of this free-trade and gold-standard Administration, sheep sold in North Dakota for

75 cents to $1.25 per head. There was practically no market for wool at any price.

The free-wool value on the farm to-day for the leading grade of wool in North Dakota is 7½ cents per pound, while the minimum price for the same previous to March, 1893, which was before the McKinley law was assailed and before the effects of its repeal had been discounted, was 16 cents per pound on the farm.

It must be a very beautiful political theory, the success of which will compensate my constituents for their loss. It is doubtless near akin to the theory of the junior Senator from Texas that that other foreign relative of free trade, the Russian thistle, may spread itself, unopposed by Federal authority, over every acre of land in every State of the Union, to the permanent injury of agriculture, but he will agree to invoke the aid of the Constitution and go forth to do battle against it only when the District of Columbia is invaded by it.

I find some very interesting statistics in a recent circular issued by Justice, Bateman & Co., and I will ask at this point to insert in my remarks a tabulated statement showing the prices of wool at various periods.

The PRESIDING OFFICER (Mr. FAULKNER in the chair). The Chair hears no objection, and it is so ordered.

The table is as follows:

	Per cent of shrinkage lost in scouring out the grease and dirt.	London scoured value and the free trade scoured value in the Eastern American markets, June 1, 1894.	London fleece price and also the free wool price in the Eastern American markets, June 1, 1894.	Cost per pound of shipping from farm to factory.*	The free wool value on the farm or ranch in June, 1894.	The minimum value on the farm or ranch previous to March, 1893.†
Average qualities produced in the Rocky Mountain region, and upon the Pacific coast:						
Graded Montana fine delaine fleeces	*Per ct.* 65	*Cents.* 28	*Cents.* 9½	*Cts.* 5	*Cts.* 4½	*Cts.* 16
California fine, average fine Montana, choice Nevada, and the best clips in Wyoming	70	28	9½	5	3½	13
Average fine Nevada, average fine Wyoming, and average fine Utah	73	28	7½	5	2½	11
Utah, Oregon, Colorado, New Mexican, fine below average Nevada	75	28	7	5	2	10
Dusty fine Colorado, New Mexican, Arizona, Wyoming	80	27	5½	5	½	7
Montana and Wyoming medium or half-bred	65	26	9	5	4	14
Montana and Wyoming coarse or one-fourth blood (Shropshire)	60	25	10	5	5	16
Improved New Mexican	65	30	7	5	2	13
Ohio Valley and Lake region:						
Eastern wools.—Ohio XX fine washed fleeces	52	33	16	3½	12½	26½
Ohio X, New York State X or fine washed	55	30	13½	3½	10	25½
Michigan X, Wisconsin X or fine washed	56	30	13½	3½	9½	23
Ohio XX fine washed	65	30	10½	3	7½	20
Kentucky, Missouri, Indiana, Illinois, Michigan, New York, and Wisconsin X fine washed	66	29	10	3	7	19
Ohio medium half-blood washed fleeces	40	28	17	3½	13½	32
Indiana, Illinois, Wisconsin, Kentucky, and Missouri medium unwashed (half-blood)	55	28	12½	3	9½	23
Wisconsin, Ohio, New York coarse washed (Shropshire)	25	27	20	3½	16½	30
Indiana, Illinois, Wisconsin, average Kentucky and Wisconsin coarse unwashed	40	27	16	3	13	23
North Missouri Valley:						
Kansas, Nebraska, and Dakota medium or half-blood unwashed	60	28	11½	4	7½	16
Kansas, Nebraska, and Dakota coarse or Shropshire unwashed	50	26	12½	4	8½	18
Kansas, Nebraska, and Dakota fine unwashed	70	28	8½	4	4½	13½

*Including freight, drayage, insurance, commissions, and all charges between the farm or ranch and the Eastern factory.

†Before which time the McKinley law was in full force, but since which date its practical effects have been as nearly null and void as though the bill had actually been repealed.

Mr. HANSBROUGH. This circular also contains an introductory paragraph to the effect that if only 5 cents per pound duty is put upon wools of the first and second classes, which are mainly those qualities grown in the United States, over $18,000,000 more than the free-wool price will be put into the hands of the woolgrowers for the wool crop of 1894, which is now being shorn and prepared for market.

If raw materials like coal and iron ore are to be protected, although in one hour after lying dormant in the mine they can be got ready for market, why should not wool also be protected, when it requires a whole year to prepare it for market as against one hour for coal and iron ore? If the free raw material planks of the Chicago platform are to be waived with regard to coal and iron ore, why should the same policy not be applied to American wool?

"The tariff is a tax," has ever been the shibboleth of free traders. Is it true? Only partially so. Those who assert it rely upon theory for proof. What are the practical facts? Every mill or fraction of a mill placed upon imported sugars, raw or refined, is added to the cost of the article when it reaches our shores, because we make so little sugar in this country that there is no competition here among producers. So that the 45 or 50 per cent placed upon sugar, if this bill becomes a law, is a tax collected from the consumers. If we controlled the sugar market, as we would if we produced all or nearly all the sugar we consume, there would be competition at home, and competition would adjust the price.

By continuing the system of bounties inaugurated under the act of 1890 we would in a very few years produce all the sugars we need for our own use. A tariff on raw sugar simply permits the cane-sugar industry to exist, but it will not grow, because it has reached its limit. A continuing bounty upon beet sugar would build up that industry and enable the people of the United States to supply themselves instead of relying upon foreign countries.

Now, let us pursue this proposition that "the tariff is a tax" a step further. Take the item of barley as a fair illustration of the effect of a duty upon all imports of agricultural products. Practically all of these imports come from Canada. During three years under the McKinley act we have imported 5,037,663 bushels of barley, upon which a duty of 30 cents per bushel was collected, amounting to $1,511,300.

Now, if the New York price of barley was, as has been given, 60 cents per bushel, and "the tariff is a tax," then the price of barley in Canada must have been 30 cents per bushel. So in truth it was a tax upon the Canadian farmer and not upon the domestic consumer. The Canadian farmer paid the extra 30 cents per bushel for the privilege of selling in our market, and the $1,511,300 collected upon barley imports was in the form of a contribution from him and went into the Treasury to help pay the running expenses of our Government. Our domestic output of barley during those three years was about 170,000,000 bushels. Consequently there has been competition at home, and this has regulated the price. If in that time we had produced only 5,000,000 bushels, being obliged to buy the 170,000,000 needed for consumption, "the tariff would be a tax," because the original price of barley would have been fixed abroad. To this price would have been added the amount of the tariff.

The wisdom of a bounty upon sugar, of which we produce but 10 or 12 per cent of our needs, must be apparent. Under the McKinley act we are paying about $12,000,000 annually in sugar bounties, and at the same time building up the industry of beet sugar making in this country; under the Gorman bill we will pay a tax on sugar amounting to $50,000,000 or $60,000,000 per year, and the sugar-making industry here will come to a standstill. There is no demand from any quarter for the abolition of this bounty. It is now generally conceded to be a most economical and farsighted provision. Nor is there any clamor for the imposition of enormous duties upon this one of the great necessaries of life. It is demanded only by the theorists.

These illustrations might be carried through the entire list of agricultural products. The people of Canada have been under the present law contributing large sums of money to our Treasury every year in return for the privilege of selling their products in our markets. Now it is proposed to change this policy and give them free access.

Under the policy of a tariff for revenue undoubtedly the "tariff is a tax" upon our people; under the operations of the practical policy of protection it is not strictly so, because in hundreds of instances the foreigner pays it.

I have found in my mail recently a most interesting statement upon the general subject of protection, made officially by the National Grange of the Patrons of Husbandry. It is so complete that I desire to have it read for the information of the Senate, and I send it to the Secretary's desk for that purpose.

The Secretary read as follows:

To the Senators and Representatives assembled
in the Congress of the United States:

GENTLEMEN: We, the undersigned, have been appointed a committee of the National Grange of the Patrons of Husbandry to urge before your honorable body such legislation as is deemed by our order essential to the pros-

perity of the agricultural interests of our country; and in attempting to discharge this duty we find it necessary to emphatically object to some of the changes proposed by the agricultural schedule of the so-called Wilson tariff bill, and in so doing we have nothing to say for or against protection as a policy of the Government; but as a revenue measure every American citizen is interested.

We deem it the true policy of the National Government to collect its revenues, as much as possible, from duties on imports, as being a system of taxation more equitable and less burdensome when justly distributed than direct taxation upon the industries and property of our people, thus leaving this class of subjects to the States for taxation for the collection of their revenues, as they can not levy an import tax under the Constitution of the General Government. Another reason why foreign trade should pay import duties is that our Government must maintain wharves and warehouses for the accommodation of their trade, and this trade should justly pay for this privilege out of which it is proposed to gain a livelihood.

The members of our order, of course, differ in their views upon the details of equitable tariff legislation. It is not the duty of the order to interfere with the free exercise of the rights of our members as citizens.

When the people at the ballot box decide any issue raised by the political parties on general principles our order cheerfully accepts the situation, and only insists that the policy thus indorsed shall be fairly carried into effect, without any discrimination against the farmer, or any class or interest in our country.

When the people decided for the protective policy at the polls we asked Congress that in the proposed tariff revision agriculture should receive the same consideration as did other interests. Our demands were respectfully and fully considered, and, with one exception, all that we asked was incorporated in the tariff laws of our country, and the farmers were largely incidentally protected in the American markets, and as a result realized better prices for hay, barley, vegetables, potatoes, beans, live stock, poultry, eggs, tobacco, fruits, and many other products, which were not oppressive to those engaged in other vocations.

In the change of the political situation of our country our farmers had reason to believe that in the revision of the tariff, placing it on a new basis, that it would be so adjusted that duties would be imposed largely on luxuries and such products as might be imported that would directly come in competition with American agricultural productions and American manufactures, which were essential to give employment to American labor and capital. In fact this was guaranteed in the Chicago platform of the present party.

The legislative committee of the National Grange, at the special session of Congress, advised the Committee of Ways and Means of the importance of taking care of the agricultural interests in drafting a revised tariff bill.

Had the committee reported a bill in strict conformity with the decision of the people at the polls we should have nothing to say against it, but because the proposed legislation is very unjust, in so far as it pertains to the farmers, and unfairly discriminates against the interests of agriculture by virtually abandoning the New England, New York, and coast trade to Canada and other foreign countries, by reason of proximity and cheap water transportation, which in effect bring the producers in foreign countries closer to these markets than our American farmers in the interior, who must transport by the more costly methods of rail.

The great bulk of agricultural products imported into the United States from Canada and countries beyond the sea are consumed in our seaboard cities and great manufacturing centers of the East, which should be preserved as a market for the products of the farmers of the United States.

Your petitioners respectfully maintain that the difference in the cost of agricultural productions in the United States and in foreign countries should be regarded as a just measure of the duties which may be laid upon the products of foreign agriculture for the protection of American farmers. The cost of agricultural productions, including the transportation in the United States, exceeds the cost of such productions in Canada, including transportation, by 44 per cent, owing to the price of labor. This is at least 10 per cent in excess of the duties now imposed by law upon the products of foreign agriculture, and the cost of agricultural productions in countries beyond the sea is even less than in Canada, owing to the same cause.

The Wilson tariff bill, as it now stands, is unjust as between the manufacturer and the farmer, who is a producer of wool, flax, and other fibrous productions that enter into the manufacture of cloth. If the manufacturer should have free wool—then the farmer should have free cloth.

We ask only for justice—that you treat the farmer as others are treated.

The placing of agricultural implements on the free list in compensation for the reduction of the duty on agricultural products is ridiculed by every intelligent farmer, as no agricultural implements are imported of any consequence, being much inferior to those manufactured in the United States, which are sold to the farmer for a less price and on easier terms than in any country in the world.

In view of the foregoing facts, we earnestly ask all true friends of the farmer to insist upon a fair revision of the tariff, and that in any legislation upon the subject the present agricultural schedule be maintained, or otherwise defeat the proposed legislation.

We also desire to impress upon your minds the fact that we do not consider the present financial system of our country as satisfactory, and believe it is the cause of much of the financial embarrassment. Our members generally favor an increase in the volume of the currency to meet the business requirements and revive the industries of our country and give employment to labor.

The majority of our farmers are bimetallists. They may differ somewhat as to the details, but earnestly desire to maintain both silver and gold as money, with an issue of United States Treasury notes, if necessary, to bring the volume of the currency up to at least $40 per capita. They favor such financial legislation and such an adjustment of the tariff as will secure our American markets for American labor and American capital which will again start our country on a prosperous career.

We therefore respectfully petition your honorable body to favorably consider the great agricultural interests of our country, upon which the prosperity of all other industries depends, and so legislate that the foregoing suggestions, which we have felt it our duty to present, may be enacted into law, believing that it will be the means of bringing contentment and happiness to thousands of rural homes and prosperity to our whole country.

Respectfully submitted,

J. H. BRIGHAM,
LEONARD RHONE.

Mr. HANSBROUGH. This is a nonpartizan appeal from a very old and thoroughly representative organization of practical farmers. Has it been heeded by those in charge of this important measure? Surely it has not.

Mr. President, what will be the consequence of the passage of this bill? If we are to judge by past experience the result is scarcely problematical. The balance of trade must be against us—largely so. Imports of merchandise must increase. Who is there here so sanguine as to look for an increase of exports? The treaties with foreign countries under which we have enlarged our markets are abrogated by this measure, and instead of reciprocity as to dissimilar products we offer them free trade as to like products.

The articles that are foreign to our soil, for which we have been exchanging our wheat, flours, meats, etc., we must hereafter buy for gold, while Canada and the Argentine and the rest of the world may send their grains and flours to us free of duty and lay them alongside of our overstocked warehouses. On top of them the foreign sheep-raiser may stack his raw wool, also free of duty, while the woolen clothing our domestic sheep farmer must buy has a duty of 40 to 50 per cent. Herein lies the inequality if not the infamy of this measure. Exporting European countries will not reward us by purchasing greater quantities of our wheat products unless we undersell Russia, India, and the Argentine Republic, which we can not do and maintain our higher and better standard of living. Mark this prediction: The advantage in the freer trade promised by this measure will be with foreign countries and not with the United States.

Mr. President, I believe that the chief cause of the distress in this country is to be found in the financial system dictated to us by England. The passage of this bill will increase the difficulty. I would not cast my vote for a measure providing for the issuing of bonds and the purchase of gold, nor will I vote for a measure which sends our gold abroad to purchase goods we should make at home. Every vote in behalf of this bill is a vote to increase the indebtedness of our people and to circumscribe them in their opportunities to pay the debts they now owe. Whoever advocates it can not consistently avoid advocating a bond issue. If we must buy we must pay, and the countries from whom we will buy greater quantities of goods, if this measure prevails, are gold-standard countries, so we must pay them in gold or its equivalent.

I am curious to know how my silver friends on the other side of this Chamber will justify their votes in favor of this measure with their past professions on finance. The case was stated in a very forcible way by a Western paper recently. It said:

> Every measure that tends to increase the indebtedness of America to Great Britain is a measure that reenforces the power of European opposition to American silver. Every tariff item that lessens the power of an American mill or factory to make goods that will be sold in America in exchange for American silver, at par with American gold, is an item that compels an American to buy something from Europe, and pay for it in gold.

The junior Senator from Texas [Mr. MILLS] says if he had his way he would turn every custom-house into a schoolhouse. By this he means that he would remove every barrier and have absolute free trade. He would have us make a perpetual contract with European countries to take their cheap wares in the hope that they might conclude to take the equivalent in our products. And by his vote in this Chamber last summer the Senator from Texas would enhance the value of that perpetual contract with foreigners by compelling this debtor country to continue payment to those creditor countries in gold. The folly of such a policy is plainly to be seen as a result of the operations of the extravagant free list in the McKinley bill.

For my part, I would be glad of the opportunity of voting for a measure that would put a commercial wall between England and the United States, for that, in my opinion, would be the surest and swiftest way to reach that period of financial independence, the lack of which has brought us to the verge of bankruptcy. I can not understand how it is possible for an American to be at one and the same time an honest free trader and an honest bimetallist.

Mulhall, the great statistician of England, says that the seventy millions of people in the United States consume as much as seven hundred millions of people of other countries. This tells the story of American protection. Think of the enormous trade, free trade, between the States of this Union. There is no record of this trade, or at least we have never heard it quoted by those who stake their political salvation upon acquiring the "markets of the world."

Thus, under a system whose most prominent purpose is the betterment of our own people, we, one-twentieth of the world's inhabitants, are credited with eating and wearing and otherwise consuming as much as one-half the total population of the earth. It is a long way yet to the average level of those with whom free traders wish to place us on an equality, but an enlarged volume of imports, buying abroad more and more of those things we should ourselves produce, and increased exportations of gold to pay for them, will soon bring us to that level.

Mr. President, there are at present some peculiar conditions. There is, for instance, less wheat per capita in the world than at any time during the past ten or fifteen years, and yet the price is lower than it has been at any time in a hundred years. But here is a still greater paradox. Notwithstanding the excessive low price of bread, the mind of man does not run to the period when there were so many empty stomachs as now. This is the

situation throughout the world, far less intense here than in foreign countries. Will an enlargement of our importations mitigate this condition of things? I do not believe it.

If, as Mulhall says, we consume as much as half the peoples of the earth, our own trade is more valuable to us than all the trade of old Europe. The future of our own country and our own people is the paramount consideration. One hundred of the yeomanry of our fields and factories are of more consequence to our national prosperity than one thousand monocled Anglomaniacs, with a thousand money-changers as a background. An American community of practical, industrious people is worth a continent of dudes.

The greater ability of the people to buy is the keynote to the situation. Give them work at the American standard of wages. Coin the product of American silver and of gold at the ratio of 16 to 1. Open the American mines now idle and filled with water or inhabited by bats. Enter into trade relations with the silver-using peoples of the world. Encourage the construction of the Nicaragua Canal. Let us do that which experience has shown is best for us to do as Americans. Stop issuing bonds. Cease going into debt, especially to foreign capitalists. Encourage a spirit of retaliation against those countries that oppress us. The equilibrium between our own people will thus soon be established. Their ability to buy amongst themselves will be enlarged. The prices of the things they have to sell to each other will afford them a profit and make life worth living.

Under these new conditions, if the farmer raises more wheat than he can sell—all being fed to the fullness of plenty—there would then be overproduction, and other and more profitable avenues of work would be opened to the wheat-raiser. He would raise sheep, if protected against the cheap-labor wools of foreign competitors. He would make sugar, if properly encouraged to do so. He would produce something that was not being overproduced. Thus would our resources and our ability to consume be given full sway, and there would be fewer hungry ones at the back doors begging for bread and fewer shivering mortals along the roadsides looking for shelter; seeking a place resembling home, that refuge for which every human heart yearns and without which there is emptiness, discontent and desolation.

Can not the free trader see in conditions now existing the utter fallacy of his doctrine? With bread cheapened to the lowest point in our history, as a result of competition in "the world's markets," where the purchasing standard is about $2.50 per capita, there is excessive want in the land. Will the opponents of protection contend that the cause of this unusual situation is that the people have not had the opportunity to buy the necessaries of life from foreigners? With the closing of mills and factories throughout our land, beginning most abruptly after the result of the election of 1892 was known, multitudes of laboring people were forced into idleness. That was not the result of existing laws; it came in consequence of the belief that the triumphant political party would carry out its oft-repeated promise to exchange our home market for the "markets of the world," and it needed no prophet to foretell the consequences if this came to pass.

The fellow over in Europe who expects his brother free trader in this country to make a market for his cheap goods, knows what it means. I find his view of the case in a recent number of the Birmingham (England) Daily Post. I will read it:

The broad principle which will guide the tariff reformers, we are told, is "necessity for revenue to support government furnishes the only justification for taxing the people." The principle is a sound one, and if it could be fully carried out foreign traders would have nothing to complain of at the hands of the United States. A tariff for revenue purposes only would be a free-trade tariff, but in the present temper of the United States people such a sweeping reform is clearly impossible. To attempt such a thing would probably provoke a civil war. We shall be well content if the Democratic party are able, as a first installment, to undo the high-protective mischief of the late Government, and to restore the tariff to something like the moderate level it occupied a decade ago. The mere fact that the attempt is about to be made should do good, by checking the activity of those eager capitalists who are forcing new industries in the United States in the fond hope that the reign of protection will last forever; and it should also facilitate the work of the new Government in its threatened campaign against those tyrannical trusts and combinations for limiting production and determining prices which of late years have attained such enormous development in the United States.

The editor of this British paper would be overjoyed if he knew how the trusts and combinations had been pulverized by this bill. He may see for himself by examining the sugar schedule, the iron ore schedule, the cotton manufacturers' schedule, the woolen manufacturers' schedule, the furnishing goods' schedule, in fact all the schedules covering the necessaries of life. Then let him turn to the schedules pertaining to those articles the farmers produce—wool, grain, flax, cattle, sheep, meats—many of the most important of which are put upon the free list and the others are given insignificant duties.

As I have already indicated, it is no answer for our friends on the other side to say that their object is to gain a wider market for our agricultural products. There are two considerations under which foreign peoples will buy of us: first, if the articles they need can be had here cheaper than elsewhere; and, second, if there is some sort of advantage to them in being able to sell something they have. What are the probabilities as to the first of these? Are we likely ever to reach that condition which will enable us to undersell the cheap-labor products of Russia, India, Australia, and the Argentine? If we do, it will be when our people have arrived at the same level of existence long since reached by those peoples. Free trade will bring us there.

To the second—offering them an inducement to come to us with goods we do not produce in exchange for those things they do not have—what does this bill give? It repeals the reciprocity clauses of the McKinley act, thus destroying a very large trade built up in a wonderfully short space of time, and deprives us of the opportunity of enlarging that trade.

Mr. President, I will insert at this point some statistical matter showing the benefits resulting from our reciprocity treaties. The figures and deductions therefrom are contained in a very interesting communication to the New York Mail and Express, which I will ask the Secretary to read.

The Secretary read as follows:

THE ISAAC HARTER COMPANY, MERCHANT MILLERS,
Fostoria, Ohio, April 28, 1894.

To the Editor of the Mail and Express:

SIR: Permit me to call your attention to the fact that if the Wilson bill in its present form should pass the Senate of the United States it will abrogate the reciprocity treaty now in effect between this country and Spain, which will prove very disastrous to the mercantile interests of this country.

Under the wise provisions of the reciprocity treaty with the island of Cuba our trade has grown phenomenally, increasing on agricultural implements from $74,000 to $130,000, passenger and freight cars from $127,000 to $271,000, India-rubber goods from $27,000 to $42,000, machinery from $965,000 to $2,792,000, cut nails from $48,000 to $107,000, steel bars from $20,000 to $327,000, tools from $115,000 to $243,000, engines from $10,000 to $130,000, wire from $118,000 to $321,000, boots and shoes from $74,000 to $114,000, other articles from $9,472,000 to $18,845,000.

These figures are taken from statistics from Washington and represent the growth of the business from the last year before the McKinley bill was discussed and passed, and 1893, when it was in full operation, so that its possibilities for the future, if maintained, are readily to be seen.

But, under the provisions of the Wilson bill, as now before the Senate, this treaty will be abrogated, and Spain will promptly reimpose its old duties on American goods, which will very largely curtail our business in that very promising market on grain, pork, beef, cheese, butter, flour, iron, cotton and woolen goods, agricultural implements, tools, and a vast number of articles which we export.

It has been suggested that an expedient method by which this may be prevented would be by the adoption of a retaliatory measure, something after the following:

"If any nation shall hereafter increase the duties it charged on March 1, 1894, upon articles produced or manufactured in the United States when the same are imported into it or any of its colonies or possessions, then the tariff duties levied upon articles produced or manufactured in any such nation or any of its possessions or colonies shall be doubled or increased 100 per cent beyond the rate existing at the time of such increase."

It is a matter of vital importance not only to every manufacturer in the country, but also to every agriculturist. The trade in flour alone has grown from insignificant proportions when the duty was $7 a barrel to a total export for the year 1894 of probably 800,000 barrels, and this is very likely to be increased under favorable conditions to a million barrels annually.

This means a market for from four to five million bushels of the American farmers' wheat, which prevents it being thrown on our own or any other markets at depressing prices.

I would be very much pleased to have your valuable journal make editorial comments on this present condition, dwelling particularly on the fact of the great injury it would be to the farmer, and urging this class as well as all others to write to their Senators protesting against the passage of any measure in Congress which will shut us out from so favorable a market.

With the trade in South America rapidly slipping away from us, we can illy afford in the face of these facts to deliberately shut ourselves out of a market so promising in every way as that of Cuba. I would be very much pleased to have you comment editorially on this matter, sending me a marked copy of the paper, as these will be carefully compiled and placed before the Senators, hoping they may see the magnitude of our trade with this island and heed the earnest protest of the American people against the passage of any bill which would destroy this favorable market.

Yours, very truly,

W. C. BROWN, *Treasurer.*

Mr. HANSBROUGH. The editor of the New York newspaper did comment on these figures as requested. The editorial is brief, and I will ask that it be also read.

The Secretary read as follows:

One of the serious threats of the Wilson bill is brought to light by a special communication to this paper from Fostoria, Ohio. This communication strongly emphasizes the menace of the tariff bill in its present form to our valuable commerce with Cuba by virtue of its abrogation of the reciprocity agreement now in operation between this country and Spain. Our correspondent shows that under this agreement our trade with Cuba has had a phenomenal development. The increase during the period thus represented has been as follows:

	From—	To—
Agricultural implements	$47,000	$130,000
Passenger and freight cars	127,000	271,000
India-rubber goods	27,000	42,000
Machinery	965,000	2,792,000
Cut nails	48,000	107,000
Steel bars	20,000	327,000
Tools	115,000	243,000
Engines	10,000	130,000
Wire	118,000	321,000
Boots and shoes	74,000	114,000
Other articles	9,472,000	18,845,000

This is a remarkable showing, but comes far short of an adequate expression of the beneficial results of the practical operation of reciprocity, even within the circumscribed scope of our Cuban commerce. Under this system our flour exports increased from such an insignificant amount, as to scarcely deserve mention, to about 800,000 barrels for the present year, with the promise of an annual exportation of a million barrels in the near future. This means a market for about 5,000,000 bushels of American wheat under conditions conserving American industries.

If this is true in relation to Cuba, what will be our aggregate loss of trade when we consider the effect of the abrogation by this bill of all our other reciprocity agreements with neighboring sister republics, as well as with more distant foreign countries? We have not at present the figures equal to the demands of such a computation.

It is enough to say that the proposed tariff bill in this, as in almost every other respect, means ruin and destruction to American trade and American industry.

Mr. HANSBROUGH. Thus has our reciprocity policy widened the Cuban markets for our products. Let us see what the effect has been upon our trade with Germany. I shall insert the figures without reading them, as I know that every Senator who feels an interest in this matter is familiar with the subject. This table shows the exports to Germany of the articles affected by the reciprocity treaty:

Articles.	1891.	1893.
Agricultural implements	$233,781	$377,735
Corn	2,042,404	2,794,689
Rye	116,664	217,782
Wheat	295,953	2,569,261
Wheat flour	41,039	1,011,385
Casings for sausages	235,575	537,526
Ingots of copper	399,876	580,007
Fertilizers	360,784	1,423,455
Dried apples	100,861	210,140
Oil cake	1,182,041	2,328,169
Cotton-seed oil	168,075	536,587
Beef, canned	593,034	829,652
Bacon and hams	578,408	825,456
Distilled spirits	189,365	1,495,557
Unmanufactured tobacco	3,757,770	4,694,012
Lumber:		
Boards, deals, planks, joist	262,088	343,702
Timber	560,422	627,418
All other articles	1,400,459	1,855,740

There was also a very decided increase in our exports to other countries affected by these reciprocity treaties, and it is a very remarkable fact that there has been a decided increase in export trade with all nonreciprocal countries.

Directly in line, Mr. President, with these facts may be taken the effect of this bill upon the flouring interest. The question is very intelligently stated by a North Dakota correspondent, whose letter I ask to have read.

The Secretary read as follows:

GRAND FORKS, N. DAK., *January 16, 1894.*

DEAR SIR: As you are probably aware, the millers of the United States have at last been aroused to the fact that their product is in many foreign countries actively discriminated against by a higher duty being placed upon flour than what is placed upon wheat, and are now endeavoring individually and by means of closer business association to do all in their power to have this matter remedied. It would seem that the revision of our tariff laws, now engaging the attention of Congress, affords an opportunity that should not be neglected. It is, we understand, proposed that an amendment be offered to the Wilson bill, which would discriminate against importations from all countries which a higher relative rate of tariff on flour than on wheat.

We believe that such action would result in many foreign countries changing their system and in the end that American millers would be enabled to very largely increase their field of foreign trade. We would ask you to carefully think this matter over, and if able to render any assistance in this matter, as you undoubtedly would be, to do all possible. There is no reason that we can see why all, or mostly all, of our wheat should not go abroad in the shape of flour. The millers of the United States are certainly in position to mill their own wheat into flour cheaper than can be done by the European miller, and place them on an even footing. We think that they will do so. This is a matter of grave importance to the millers of the United States and should, we think, deserve the careful attention of all of our Representatives. Trusting you will give this matter your careful attention, we remain,

Yours respectfully,

NORTH DAKOTA MILLING COMPANY,
By E. MAPES, *Secretary.*

Hon. H. C. HANSBROUGH, *Washington, D. C.*

Mr. HANSBROUGH. A circular letter issued by the Winter Wheat Millers' League, with headquarters at Indianapolis, Ind., goes further into the details of this question. The letter is short. I ask that it be read.

The Secretary read as follows:

FEBRUARY 6, 1894.

DEAR SIR: There will be submitted an amendment to the pending tariff bill in the interest of the flour manufacturers of the United States, in substance as follows:

"The duties levied and to be paid upon all wines, brandies, beverages, upon all china and glass ware, upon all silks, satins, velvets, upon all cutlery and jewelry, and upon all articles made from cotton, wool, silk, or linen imported from countries charging a larger pro rata or relative duty upon flour made in the United States than upon wheat grown in the United States shall be double the rates named in this bill."

In presenting the claims of the American miller for official recognition, we desire to direct your attention to a few facts regarding this great interest.

The milling industry is second to none in the United States in point of capital and help employed. The mills in the United States have ample capacity to convert into flour every bushel of wheat grown in this country, and like the railroads and farming interests, the milling industry is spread over the entire country, being confined to no particular section.

In 1835 flour represented 97 per cent of the wheat exports from the United States. That per cent has steadily declined until flour represents now about 30 per cent of the wheat exports, a decline of 67 per cent in the face of a constantly increasing capacity to manufacture flour in this country. In 1892 the wheat exports amounted to 225,665,812 bushels, of which 157,280,351 bushels went as raw material and 68,385,461 bushels as the manufactured product. In 1893 exports amounted to 191,912,634 bushels, of which 117,121,103 bushels was in shape of the raw material. Were it possible to export this as flour the saving to our country would be from $8,000,000 to $10,000,000, the cost of manufacture. Of this amount the greater part would be paid out in labor.

The agricultural interest of our country would be equally affected with the millers in the extension of our markets for flour, as a larger local demand for wheat would naturally follow an increased demand for flour, and competition among millers for the grain would enhance its value. Further than this, the farmer would be able to obtain mill offal at a much reduced figure, owing to a larger production, and thus be able to feed more live stock.

A number of foreign countries, large consumers of breadstuffs, chief among which are France and Germany, maintain a tariff duty on American flour double that charged on American wheat. The consumers of bread in those countries prefer American flour on account of its superiority, but the discrimination noted prohibits our flour entering their markets.

France has a millers' organization numbering over 3,500 members, and Germany some 2,800 members. These organizations have influenced their governments to discriminate in favor of our wheat as against our flour, thus enabling them to take the raw material nature has given us. The American miller has never asked any form of protection nor does he now, but he does ask, and justly too, that the Government, while legislating to admit raw material free for other industries, take steps to prevent the drawing from the very mill door his raw material.

Very respectfully,

E. E. PERRY, *Secretary.*

Hon. HENRY C. HANSBROUGH,
Washington, D. C.

Mr. HANSBROUGH. Besides putting wool on the free list and abrogating our reciprocity treaties, this measure invites foreign countries to remove their import duties upon eight principal agricultural products, whereupon we agree to remove our import duties—made extremely low by this measure—upon like products made or manufactured abroad. That is what Lincoln would have called the quintessence of free trade. What does this mean to the wheat-raiser of the Northwest? It is notice to him that when this bill becomes a law and Canada removes her duty of 15 cents per bushel on wheat we will remove ours of 20 per cent advalorem, and thus the Canadian farmer may dump his surplus of wheat upon the top of our surplus, further blocking the avenues of traffic, further engorging the local elevators and grain cars, and depressing local trade and prices. It moreover, without restriction, gives about 5,000,000 Canadians the markets which belong to 70,000,000 of our own people who pay taxes here, subscribe to our form of government, and protect our flag.

In return, our farmers may hunt for a market in Canada for the same products her farmers raise in abundance. If the people of the Northeastern States have been purchasing flour from Minneapolis millers, under this bill they may buy in Toronto or Montreal, which they will doubtless do, as the freight is less from those cities to our Eastern seaboard cities. When the Canadian farmers and millers have thus secured free access to our markets for all they can produce, our own farmers and millers must look for a market for those of their products that have been displaced by Canadian products. Thus we may try to capture the markets of the world if first we let the world into our markets unhindered and free of charge.

Mr. President, the great immediate benefit to the Northwestern farmer of a duty upon wheat is in keeping out the Canadian article, and to be of positive good the duty should be prohibitory. A moderate duty that will let in Canadian wheat—a revenue duty, for instance—furnishes no protection. What our farmers want is to be protected against Canadian wheat itself, more than against the low prices of Canadian wheat. In 1891 the States of Minnesota, North and South Dakota produced 150,000,000 bushels of wheat, the greatest crop on record. The facilities for handling this great quantity of grain were very much overtaxed. I have seen in North Dakota during the marketing season—September, October, and November—thousands of bushels of wheat piled up on the open prairie after every bin and elevator on the farms and at the railway stations and every grain car had been filled; in fact, what may be termed a wheat gorge, with farmers' wagons standing in line waiting for space or elevator room.

Under these conditions the local market price is naturally affected. The temporary oversupply depresses values, and the glutting of the market, the engorgement of the elevators, the wheat blockade, bring stagnation to trade. Everything is stopped. When the farmer can not find a place to put his wheat the market is closed. When the market is closed trade in other lines is suspended. Under these conditions, if this bill becomes a law—when elevators, cars, and vehicles are filled with the wheat produced by our own farmers—the Canadian wheat raiser is given the privilege of bringing his surplus to our local markets and dumping it in on top of ours, thus intensifying local

conditions, further depressing local trade and prices, and prolonging the period of depression and anxiety.

If one hundred domestic grain wagons are in line at the station waiting to unload, by this bill you say that any number of foreign grain wagons may come in unhampered, take their places in the line and share in such rights and privileges as our farmers may possibly think are or should be exclusively their own. If one hundred freight trains, the total number available, are engaged in transporting our domestic wheat from local to central markets, by this bill you make it possible for the Canadian shipper of wheat to employ any number of those trains to transport his grain into this country free of duty, while the wheat in the domestic elevator must wait. One of the great drawbacks to the farmer in the Northwest is scarcity of cars to move his crop. Under existing conditions, with a duty upon Canadian wheat so high that it can not be sold here at a profit, the Canadian shipper must find a market elsewhere for his surplus. We do not want it. We can not take care of our own surplus.

If this bill becomes a law the wheat from Manitoba and the great Saskatchewan country, extending a thousand miles north of the Dominion line, will be marketed at Minneapolis, Duluth, and Chicago. Does anyone suppose that a single bushel of wheat raised in Minnesota or the Dakotas will be marketed in Winnipeg? This is the kind of reciprocity proposed by this bill. Again, with free trade in wheat, Russia, India, and the Argentine may possess themselves of a share of our domestic markets for wheat and flour. If it is simply a question of cheap wheat we of the West can not compete with them even for the New York trade.

Mr. President, if we did not have a wheat surplus to send abroad, and with a sufficient duty on foreign imports of wheat, the domestic farmer would get a living price for his grain. The world's price for the little surplus we send abroad fixes the price for our entire product. With just enough for home consumption, the price would be regulated by the domestic demand, and that demand by the amount of money the people are able to earn. Instead of obliging our farmers to become more and more dependent upon foreign countries as respects a market for their wheat and cotton, make it an inducement for them to embark in other branches of agriculture. Give them a bounty upon every pound of sugar they may produce. Make it possible for them to raise beets and have them manufactured into that great necessary of life for which they are now paying $110,000,000 per annum to foreign countries. Give them a duty upon that other great agricultural product, wool, and let them understand that the bounty upon sugar and the duty upon wool shall be sufficiently permanent to justify them in making investments in these enterprises.

This is the true American policy. It is the policy that must prevail, that will prevail. The passage of this malformed measure simply postpones the day when wisdom will supplant theory; when common sense will take the place of blind inexperience; when sectional prejudice will give way to patriotic duty. Missouri, Arkansas, and Texas can not frame a tariff bill that will do justice by all the great industries of this great country. Nor is it within reason to expect that such a bill as might be anticipated from that source can be properly amended by New Jersey, Maryland, and the purblind half of Ohio.

Mr. President, the minority in this Chamber are charged by our opponents with filibustering. If my party leaders will permit me to join them in such an enterprise, I will agree to remain here with them indefinitely, or at least until the expiration of my term as a Senator, and to assist them in the employment of all the tactics known to the filibusterer, if by so doing this outrageous scheme may be defeated.

I would force the majority to adopt a cloture rule before they passed this bill. The business of the country is not now suffering half as much as it will suffer if this measure becomes a law. Every Senator from the West should oppose it. With the raw materials from that section so completely and systematically free-listed as to ruin many of our industries and bankrupt our people; with all protection withdrawn from the articles we have to sell and high rates of duties levied in behalf of the finished articles of the East and the South which we of the West are expected to buy, I should feel that I had misrepresented my constituents if I did not stand here every day during the remainder of my term, if necessary, to help defeat this iniquitous and trust-contaminated measure.

Mr. SHOUP. Mr. President, in answer to those who contend that protection has caused the values of wool to fall in the United States, I submit that the prices of that product have gradually declined for the past twenty years, not in our country alone, but the world over; and that the ruling price during this period for the same grades of wool has been higher in the United States than it was abroad.

Though wool has fallen in fallen in all the markets of the world it has always been worth in the United States the price abroad on many grades, plus the amount of the duty levied at home. The exceptions are where we have produced certain grades in such quantities as to slightly affect the price by competition.

I will undertake to show, later on, that wools in this country were higher up to the time that the Wilson bill was introduced than they were abroad, notwithstanding the fact that wool values were lower than they had ever been before.

If duty levied for protection, and to enhance the value of the product of the United States, resulted in making the prices of that article lower to the consumer, why then do the opponents of protection object? Lower prices for the consumer is their contention, and if protection accomplishes that result whence comes their opposition to it?

They must know that protective duties enhance the value of the article levied upon, until such time as increased home production and competition shall achieve lower values. In order to find therefore, why the prices of wool have fallen they must get away from the free-trade idea that protection has caused it and seek the true cause, which I contend is the shrinkage in the market value of wool the world over.

I submit here a table showing that the decline in price in twenty years, from 1871 to 1891, was as great in foreign wools as it has been in domestics, and consequently that the McKinley act did not cause the decline:

	1871.	1881.	1891.	Per cent of decline.
FOREIGN.*				
Port Phillip fleece (average price)	51½	39	29½	42¾
Port Phillip grease (good average)	31	24	20	35½
Adelaide grease (average)	25½	18½	13¾	45½
Cape Eastern (average fleece)	34¾	22½	17½	50
Buenos Ayres (average grease)	15½	14	10	35½
Donskoi (average)	27	19	14	48
AMERICAN.†				
Ohio fine	55½	43	31¾	42¾
Ohio medium	55	45½	38	30½
Ohio coarse	50¾	38	30½	40½

* Taken from Bradford Observer.
† Taken from Mauger & Avery's report. Averaged from quarterly prices.

A careful study of the foregoing table, and of certain facts of production which go in conjunction with it, reveals the fact that these declines are the legitimate effect of the fundamental law of supply and demand: "That as the production of any great staple increases, so will the price fall, provided there be not an equal enlargement of the consumption of that product."

The world's production of wool in 1870, as estimated by the London Board of Trade, was 1,295,000,000 pounds. The production for 1890 showed an increase of 900,000,000 pounds over these figures, or about 70 per cent. The world's increase in population during the same period was less than 10 per cent, as shown by the following table:

The population of the world in 1870 was 1,391,000,000.
The population of the world in 1880 was 1,468,000,000.
The population of the world in 1890 was 1,490,000,000.

From the foregoing it will be seen that the percentage of increase in production is largely in excess of the percentage of increase in population, and this overproduction must necessarily have operated heavily against values of wool.

There was another potent factor at work during this period, which has affected not only wool but every other product of human labor and skill. When silver was demonetized, as a natural consequence the values of wool were impaired, and even if the law of production had not operated so heavily against it wool would have fallen; and it will continue to fall, in all countries where the production exceeds home consumption, until silver is restored to the position it held as money before it was demonetized.

It is inconsistent for the free trader to tell us that he wishes to give the American producer of wool the world for a market, claiming that the producer will be benefited thereby.

Mr. President, we will investigate the world's market for that product. We will take the staple grades of wool grown and consumed in the United States, and make a comparison with the competing wools of Australia, South Africa, and South America. These wools are sold on the London market, which is generally recognized as the world's market for wool. The comparisons given are the prices for January 1, 1894, in Boston and London, and are taken from the market reports of the American Wool and Cotton Reporter, whom no one will accuse of being partial to American wools. We must also remember that the prices

for wool grown in the United States were from 20 to 40 per cent lower, according to grade, on January 1, 1894, than they were on January 1, 1893, as shown by the following table.

PRICES IN BOSTON AND LONDON.

Comparison of prices January 1, 1894, in Boston and London for competing wools, showing that we were above the free wool basis, and what per cent our domestic wools had to fall to meet that basis:

Ohio delaine, costing 25 cents in grease, shrinking 50 per cent, worth in Boston 50 cents scoured.
Australian, costing 17 to 18 cents in grease, shrinking 50 per cent, worth in London 36 to 38 cents.
Michigan clothing, costing 20 cents in grease, shrinking 56 per cent, worth in Boston 50 cents.
Australian, costing 15 to 17 cents in grease, shrinking 50 per cent, worth in London 32 to 35 cents.
Montana clothing, worth in Boston 38 to 40 cents.
Australian, worth in London 30 to 32 cents.
California and Oregon, worth in Boston 34 to 36 cents.
Australian, worth in London 30 to 32 cents.

Per cent of decline to meet foreign basis, January 1, 1894.

Ohio delaine must fall 11 cents per scoured pound, or 22 per cent.
Michigan clothing must fall 16½ cents per scoured pound, or 33 per cent.
Montana combing must fall 8 cents per scoured pound, or 20½ per cent.
Territory clothing must fall 4 cents per scoured pound, or 11½ per cent.

It will be seen that Ohio delaines, selling at that date for 50 cents per scoured pound in Boston, would only be worth 39 cents per scoured pound in London, and that it was selling in Boston at 11 cents, or 22 per cent above the price in London, where the price of wool outside of the United States is fixed.

It seems to me, Mr. President, that something more alluring should be presented in order to convince our woolgrowers that they will be benefited by having wool placed on the free list. It occurs to me that to ask a people who are already on the verge of bankruptcy by reason of the decline in value of their products to submit to greater sacrifices, is not giving them credit for proper reasoning faculties.

To seek a market already stifled with competition would certainly not indicate sound judgment.

We are told by those who seem determined to place wool on the free list that with the protective duty off in the United States, the price of wool would advance abroad. This is a peculiarly ingenious argument. If the price of wool, with the duty off, is to remain the same to the consumer, why should it be taken off, and thereby throw away the millions of revenue which this duty produces? With the duty off, Ohio delaine, Michigan clothing, and the Territory wool must either decline until they meet the level of London prices, or London prices must advance to meet the Boston quotations. If foreign wools do not advance, we not only lose our revenue but also destroy our grower; if foreign wools do advance we not only lose our revenue, but the cost of wool to the American consumer remains the same. Why not adopt the reasonable, rational course, and preserve both our revenue and our grower?

Mr. President, for some time past I have watched the wool market with some interest; and I notice among other sales one lot of 100,000 pounds of Territory scoured at 30 cents per pound. A few sales of very fine Idaho and Montana wool scoured were reported last week at 32 to 33 cents. Contracts are reported where Territory wool in the grease is to be delivered to mills at 7 cents per pound. Sales of Oregon wool were reported last week at 32 cents scoured, or about the same as Idaho, Montana, and Wyoming. The prices realized for wool sold last week show that the Pacific States and intermountain States and Territories have lost the margin that remained on January 1 of the present year; and the wools grown in this country, if sold now, must be sold on the free-trade basis. In other words the same grades can not be sold to-day above the London market, and the margin left to the American woolgrower on January 1, 1894, has now disappeared.

We are told by Senators on the other side of the Chamber that our woolgrowers will be benefited by having wool placed on the free list; that by so doing the markets of the world will be open to them. Mr. President, I can not understand how they hope to convince any American woolgrower by such an argument. The markets of the world are open to them now, and have been open since this industry assumed prominence in this country. The placing of wool on the free list does not increase their opportunity to ship abroad.

I want to say once more to our friends across the aisle that the owners of flocks in this country are intelligent men, and are not deceived when you employ the argument that their wool has steadily declined on account of the protection given it under the present law.

You do not deceive them. They know and you know that until it became almost a certainty that the present Congress would place wool on the free list, it commanded a better price in this country than in any other market in the world. They also know that if the present duty was not threatened the clip in the grease would be worth from 8 to 11 cents per pound more than it is to-day, and that the great flocks of this country would be worth their former value of $3 to $3.50 per head and would not be selling at the low price of $1 to $1.25 per head, to which they have been reduced by the determination of the party in power to discriminate against this industry.

DUTIES.

There has been much said concerning the amount of duty on a suit of clothes which is actually paid by the consumer. Though this question covers a wide range, because of the great variety of woolen fabrics which are made, yet it is possible by taking any finished, staple, and well-known article of wearing apparel to draw up comparisons which are conclusive, in so far as that article is concerned, and which apply indirectly to all other articles bearing a duty.

A prominent woolgrower in my State has made a practical test as to the amount of duty actually paid by the purchaser of a suit of clothes. I have at hand all the facts covering the cost of a suit of black diagonal, all wool, worsted cloth. The data includes every operation from the raw wool, as it is termed, to the finished suit. The figures given are the result of his personal investigation, conducted upon the ground where the goods are made; and I have at hand the vouchers which test the genuineness of the investigation.

The suit in question is all wool, made from 12-ounce diagonal cloth—a high grade of goods, such as are worn by business and professional men. The amount of wool in the grease, or just as it came from the sheep's back, used in making this suit was 12 pounds, and cost on December 1, 1893, in Philadelphia, 11½ cents per pound. It was fine medium Territory wool, shrinking 70 per cent, and yielding therefore 30 per cent of scoured wool, or 3.6 pounds.

Had Australian wool been used in making this suit it would have taken 5 per cent less scoured wool, or only 3.42 pounds, because Australian wools are not subject to so great a wastage in the process of manufacturing as are our American clothing wools.

Fine medium wool grown in Australia, the same as the clothing wool used in this suit, will only shrink 50 per cent, and has therefore an advantage of 20 per cent in shrinkage over our American clothing wool. Taking 3.42 pounds of scoured wool, made from wools that shrink 50 per cent (which is the shrinkage of Australian wool of this class), and reducing it to Australian grease wool, we have 6.84 pounds, the equivalent of our 12 pounds of Territory wool. The duty on this grade of wool, under the McKinley law, is 11 cents per pound; 6.84 pounds of wool at 11 cents per pound, is 75 cents, which is the amount saved to the buyer by removing the tariff on raw wool entering into the suit in question.

Mr. President, does it seem wise or just to destroy a great industry, ranking seventh among the American industries, and which employs over 5,000,000 persons, and turns off products worth over $200,000,000 annually, in order to save 75 cents on each suit of clothes of this high grade?

The suit which was taken as a basis for this investigation contains more pure wool than does the average suit; which, on account of the cotton and other textiles woven into the cloth, pays but a small duty ranging from 20 to 50 cents on each suit.

FOREIGN COMPETITION.

The facts and conditions incident to woolgrowing in the United States and abroad have been discussed so thoroughly, both in Congress and in the country at large, that the utter inability of our American growers to meet the cost price of the foreign production of wool is recognized by every one who has listened to the argument, or who has investigated the subject; hence I shall but briefly review that phase of the question, as a business proposition, by calling attention to a statement made by a woolgrower from New Zealand, which is properly vouched for; and also statements made by woolgrowers having flocks or bands of sheep on our own ranges.

The New Zealander's statement is as follows:

D. E. Meikle, a prominent woolgrower from Chatham Islands, New Zealand, stated in November last to a representative of the Wool and Mutton Journal, Minneapolis, published December 1, 1893, that he had resided in New Zealand for thirty years; that he is a sheep-grower; that ocean freights are three-eighths of 1 cent per pound to London; that it costs him 4 cents per head to shear his sheep, and that it costs him 7 cents per pound to produce his wool and sell it on the London market.

In contrast to this I have a statement made by an Idaho woolgrower, as follows:

"A member of the firm of, and business manager for, J. D. Wood & Co., of Challis, Idaho, affirms "that Mr. Wood has resided in Idaho twenty-seven years; that he is a sheep-grower, and ranged about 30,000 head of sheep in Idaho last year; that railroad freights are 2½ cents per pound from his shipping station in Idaho to Boston; that it costs him 10 cents per head to shear his sheep, and that it costs him over 20 cents per pound to produce his wool and sell it on the Boston market."

In the above testimony there is such a great difference in the cost per pound of producing wool in Idaho and New Zealand as might cause some doubt as to the entire accuracy of the statements. I will therefore relate some of the conditions existing, which I think will clear away the seeming discrepancy.

DIFFERENCE IN FREIGHTS.

Freight rates per 100 pounds, from Melbourne to London	$0.37½
Freight rates per 100 pounds, from Rocky Mountains to New York	2.33

DIFFERENCE IN LABOR IN THE UNITED STATES AND AUSTRALIA.

In the Rocky Mountain region it requires one man to herd 1,000 to 1,500 sheep.

In Australia one man can take care of 4,000 sheep.

Wages and board for herder in the Rocky Mountain region per annum, $540 to $600.

Wages and board for herder in Australia, $240 to $300.

Shearing sheep in the Rocky Mountains, 8 to 10 cents per head.

Shearing sheep in Australia, 4 cents per head.

Commission for selling wool in London, 2 to 3 per cent.

Commission for selling wool in Boston, 6 to 10 per cent.

COST OF PRODUCTION OF WOOL PER POUND IN THE UNITED STATES.

Woolgrowers in the far Western States and Territories assert that at the present price of wool and mutton, caused by the threat to place wool on the free list, they are doing business at a heavy loss. In support of this assertion I submit a statement made by Mr. Frank J. Hegart, of Idaho. I also have similar statements from other prominent woolgrowers in my State:

COST OF PRODUCTION IN IDAHO.

Herder, twelve months, at $35 per month	$420
Camp tender, or foreman, at $25 per month	300
Keep for herder and foreman	180
Three extra men during lambing season for one month, at $50 each	150
Feeding hay in winter, six weeks, 2 pounds per head per day, or 2 tons per day for band, at $5 per ton	420
Dipping annually for disease, at 2½ cents per head	50
Salt, 150 pounds per week, ¼ cent per pound, fifty-two weeks	58
Shearing 2,000 sheep, at 10 cents each	200
Taxes, 1893, 2,000 head	100
Expense of keeping horses for use of herders	46
Incidentals, tents, utensils, burlaps to cover wool, etc	200
Annual loss of sheep from wild animals, natural causes, etc., 5 per cent, or 100 head, less value of pelts	200
Total yearly expense on 2,000 sheep, not including interest	2,324

The average band of 1,900 sheep will shear something less than 14,000 pounds, which will make the wool cost to the grower 16½ cents per pound at the shearing corral; to which must be added 2½ cents per pound for freight to Boston and 2 cents per pound for commission, interest, etc., making the total cost of wool to the Idaho grower laid down in the Boston market, 21 cents per pound.

I have statements made by other prominent and thoroughly reliable woolgrowers in my State confirming the statement made by Mr. Hegart.

COST OF PRODUCTION IN UTAH.

I submit a statement of the Utah Woolgrowers' Association, made on December 26, 1893, at Manti, Utah, based on a band of 2,500 sheep.

To two herders at $35 per month each, total per annum	$840
To board for same	180
To shearing expenses	175
To sacks and twine, sacking wool	32
To dipping twice a year, 5 cents per head	125
To five horses	125
To taxes, $2 per head, assessed value	50
To camp equipments	150
To 2 tons of oats, winter feed and freight	60
To loss by wild animals and poverty, 10 per cent, 250 head at $2	500
Total, not counting owner's time or interest on capital invested	2,237

The average band of 2,250 Utah sheep will shear 13,500 pounds of wool, which makes it cost the grower 16½ cents per pound at the shearing corral, and after adding railroad freights, commission, etc., over 20 cents per pound on the Boston market.

The above association has made the following balance for the past year's business on a band of 2,500 sheep:

By wool from 2,250 sheep, 13,500 pounds, at 8 cents per pound	$1,080
By 787 lambs, at $1 per head	787
Total income in 1893	1,867

Which, deducted from the expense as noted above, leaves a net loss to the owner of $370.

It will be seen from the foregoing tables that the cost of wool production is greater than the selling price in the market, and the question arises, how can the grower continue in the business?

MUTTON.

This brings us to the consideration of the mutton question. Heretofore the margin realized from the sale of mutton represented the grower's profit. The profit heretofore realized from the sale of mutton has disappeared. Sales of several consignments of Western sheep were reported last year at Chicago where the amount realized did not pay the freight and commission, bringing the shipper out in debt.

I shall here introduce a table covering the number of sheep which entered the Chicago market in 1893, together with their price, compiled by the Drovers' Journal, which is recognized as standard authority. An examination of these tables reveals the fact that in July, when the price of wool took its great fall, mutton also went down, and as the price of mutton went lower and lower the number of sheep put on the market became greater until in October, when sheep grown in the Middle and Western States sold down as low as 75 cents per 100 pounds:

Receipts of sheep at Chicago, and price, during 1893.

Month.	Number.	Price.			
		Grass fed.	Grass Westerns.	Lambs.	Natives.
January	200,873	$1.50	.....	$4.25	$3.00
February	221,945	3.20	.....	4.25	3.25
March	225,169	3.10	.....	4.75	2.60
April	240,783	3.75	.....	5.00	2.50
May	292,847	2.50	.....	5.00	3.00
June	261,169	2.50	.....	4.75	2.50
July	230,138	1.50	$3.40	3.00	1.25
August	278,555	1.25	1.00	2.50	1.00
September	268,266	2.00	2.00	2.50	1.00
October	326,036	2.00	2.25	2.50	.75
November	258,966	1.50	1.50	2.25	1.00
December	236,000	1.25	1.25	2.50	1.20

For the six months ending with December 31, 1892, the number of sheep shipped to the Chicago market was 1,070,582 head. For the same period in 1893, ending with the 31st of December, there were shipped to the same market 1,597,961 head, an increase of 50 per cent, or 527,379 head, for the six months ending December 31, 1893, over the same six months in 1892.

Receipts of sheep at Chicago from July 1 to December 1, 1892 and 1893.

Months.	1892.	1893.
	Head.	*Head.*
July	158,942	230,138
August	183,599	278,555
September	190,938	268,266
October	200,198	326,036
November	178,968	258,966
December	157,937	235,000
Total	1,070,582	1,597,961

Western grass-fed sheep, which comprised the heaviest shipments to this market during the same six months, were quoted by the same journal over 50 per cent lower in 1893 than in 1892.

While Chicago is the greatest stock market in the great West, yet there are many other prominent places, notably St. Louis, Kansas City, Omaha, Sioux City, and I might name many more, at each of which the number of sheep marketed was greater in 1893 than in any preceding year. The threatened legislation will, if enacted as proposed in the pending bill, bankrupt the sheep growers of this country. This is well known to the owners of flocks, who have been seeking every avenue to dispose of their sheep; hence the great increase in the number forced on the markets. So great has been the anxiety of many sheep growers in my State to dispose of their flocks that sheep which found a ready market eighteen months ago at $3 per head are now being offered at $1.25. Our local papers report a sale of 3,000 sheep two weeks ago at $1 per head. With free wool, our Western sheep growers will be compelled to dispose of their flocks at any price they can obtain.

I can not believe that Senators on the other side of the Chamber will strike down so many of their fellow citizens and such a great national industry at the same time—an industry which keeps millions of money at home that would otherwise enrich foreign countries. By retaining the present duty on wool we not only foster one of our great industries but at the same time provide revenue for defraying the expenses of the Government.

Mr. President, Idaho is only an infant in the sheep industry, though her percentage of increase in 1893 was the greatest of any State in the Union.

In 1892 there were in the State 527,077 sheep, and in 1893 an increase of 45 per cent, making 764,262, that produced last year 5,349,834 pounds of wool, 74,426 head of mutton, and 254,754 lambs.

The number of sheep in the State at this time is, in round numbers, about 1,000,000 head. With the prices prevailing two

years ago the sheep owned in the State to-day would be worth $3,000,000, but on account of the decline in their value, caused by the threatened repeal of the present law, they could not be marketed to-day for more than $1,000,000, a net loss to the owners of $2,000,000. The clip of these sheep is estimated at 7,000,000 pounds. The decline in the price of wool since 1892 represents a loss to our woolgrowers amounting to about $500,000, or a total loss of $2,500,000.

Mr. President, in behalf of those who have sustained this great loss, I, as one of the representatives of Idaho, appeal to the dominant party in this Chamber not to discriminate against them and the woolgrowers in other States and Territories, who will be ruined if wool is placed on the free list. If you will not consent to the present duty, you can at least give it the same consideration that has been given to other products and to manufactured goods.

The PRESIDING OFFICER. The question recurs on the amendment submitted by the Senator from Kansas [Mr. PEFFER]. Is the Senate ready for the question?

Mr. QUAY. Mr. President, I had not expected to resume my remarks this afternoon.

Mr. PLATT. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Connecticut suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Allison,	Gallinger,	McLaurin,	Pugh,
Berry,	George,	McMillan,	Quay,
Brice,	Gordon,	Martin,	Ransom,
Caffery,	Gray,	Mills,	Roach,
Carey,	Hansbrough,	Mitchell, Oregon	Shoup,
Chandler,	Harris,	Morrill,	Teller,
Cockrell,	Hawley,	Murphy,	Turpie,
Cullom,	Hoar,	Pasco,	Vest,
Daniel,	Hunton,	Patton,	Voorhees,
Dixon,	Jones, Ark.	Peffer,	Walsh,
Dolph,	Jones, Nev.	Perkins,	White.
Faulkner,	Lindsay,	Platt,	
Frye,	Lodge,	Power,	

Mr. RANSOM. I wish to state that my colleague [Mr. JARVIS] is detained from the Senate by sickness in his family.

The PRESIDING OFFICER. Fifty Senators having answered to their names, a quorum is present.

Mr. MITCHELL of Oregon. Mr. President, we are now on the wool schedule. It is one of vast importance to many people. I have heretofore discussed it at some length since this debate began. Having been repulsed at every point and on every occasion during the discussion of the pending bill, it seems scarcely worth while that the Republicans of this Chamber should make another stand and seek once more to dislodge, even partially, the enemies of American industries and American labor from a position made apparently impregnable by the invincible power of the combined trusts of the country.

The present legislative situation in this Chamber is an unique one. After a month of continued debate on the pending measure—able, instructive, intelligent, exhaustive debate—after many scores of amendments have been presented from the Republican side, ably advocated and voted on, not a single change, except perhaps a few mere formal ones, has been made in the pending bill at the suggestion of any Republican. Nor is this all. Outside of the Democratic members of the Finance Committee, not a solitary amendment has been proposed to the bill by any Democratic Senator. The situation, therefore, is most unusual, not to say abnormal. It is simply this: The fiat has evidently gone forth that not one single amendment to this measure, however meritorious, however well supported by incontrovertible argument, however strongly sustained by reason, however much demanded by the best interests of the country, shall have any consideration whatever in the way of voting or other support from the Democratic side, unless indeed such amendment is proposed by one or the other of the five Democratic members of the Finance Committee.

The legislative journals of Congress, from the beginning of the Government to the present time, present no parallel in the consideration of any tariff measure of such aggressive partisan audacity and unyielding and unreasonable obduracy as that exhibited by the leaders of the majority and supported by the majority in this debate. Can it be possible that all economic and legislative wisdom bearing on the question of tariff legislation is centered in the five Democratic members of the Finance Committee? Are they the embodiment of all learning, all knowledge, all patriotism necessarily involved in the discussion of this great subject? Are the great experience and wisdom of the venerable and distinguished Senators from Vermont and Ohio [Senators MORRILL and SHERMAN], the universally acknowledged ability and learning of the able Senator from Nevada [Senator JONES], the rare practical business sense, long experience, and thorough information of our distinguished friend from Iowa [Senator ALLISON], and last but by no means least, as he is the peer of any, the remarkable scientific knowledge, clear economic wisdom, unbounded information, and legislative ability and prescience of the able champion and leader of the Republican side of the opposition to the pending bill, the distinguished Senator from Rhode Island [Senator ALDRICH]—are these, all these, to go for naught in this great contest? Are all these to weigh as nothing in the balance, to say nothing of the ability, experience, and learning of other distinguished Senators on this side of the Chamber, as against the legislative wisdom, experience, and ability of the five Democratic members of the Finance Committee? To say that this should not be so is no reflection either on the ability, the learning, or even the patriotism of any one of the distinguished Senators who compose the majority of that committee. On the contrary, it must be conceded they are each and all able, patriotic, and learned men, Senators of long legislative experience; but that in them alone, however able, learned, and experienced, are centered all legislative wisdom or all patriotism I most emphatically deny.

The Senate, it is said, is a deliberative body. Historians in the past, at least, have regarded this as a fact. Senators of the olden time have said that it was so, and remarked the fact with a degree of pardonable pride. Unfortunately, these latter years, this alleged historical fact has been questioned by some of our modern historians, and even some of our journalistic friends have, not wholly without reason, intimated at times more recently, that the Senate was no longer a deliberative body, reaching and recording conclusions after and in the light of intelligent and able discussion, but on the contrary is, as it is alleged, a mere instrument, an automatic machine, registering from day to day the will of some unseen, occult, but strangely invincible power.

However, this may be, of one thing we may be assured and that is when in the consideration of great economic questions, such as those now under consideration and which vitally affect the best interests of both capital and labor, it is decreed by the majority in advance of all discussion, that every amendment proposed by the minority shall be voted down, as seems unquestionably to have been the case in this instance, irrespective of their merits, then it can not with any truth be longer said that the Senate of the United States is a deliberative body in any proper sense of that term. In such event the Senate loses much of its rightful dignity and prestige and its hold on the respect and confidence of the American people becomes at once necessarily weakened and lessened.

No one can deny to the majority the ultimate right to control legislation within the lines by which the policy of their party is bounded, but does this conceded right disfranchise the minority? Does it disbar the minority absolutely from making suggestions and offering amendments, not in themselves inconsistent with that policy and not inconsistent, moreover, with various other provisions of the bill, which should on their merits command careful consideration and respect of the majority? And must all such suggestions and amendments be frowned and voted down, not for the reason they are not meritorious, not for the reason they are shown by argument to be inconsistent with other features of the bill, not because they are in antagonism to principles already clearly recognized by the bill, but solely for the reason they have been offered by a Republican, a member of the minority?

Is it not quite possible, Mr. President—yes, is it not more than probable—that the Republican members of the Finance Committee, from their long experience in public life, their conceded ability, their knowledge of the subject, their patriotism, are able to offer suggestions and amendments not out of the line of the general policy as set out by the bill, and which has received and is receiving the sanction of the majority which would, without destroying the policy—if, indeed, policy it can be called—be of invaluable service, not to any political party, but to the country? Will any member of this Senate on the other side deny this proposition? You and each Democratic Senator will doubtless answer no; and yet, by the course pursued in voting down every suggestion offered by this side, you do most emphatically deny it.

You say virtually by your recorded votes from time to time, not only to your Republican associates on the committee, but to each and every Republican on this floor, we not only do not want your votes, your suggestions, or your help in any way, but we are tired of your interference, of your arguments, and of your suggestions, and wish none of them. Is this the high ground a great party in power in the Senate of the United States ought to take? Is this statesmanship? Is this even common courtesy to an intelligent and, in the main, able and patriotic minority? Do you regard us, and would you have the country regard us, as so many useless Stoughten bottles?

Are you speaking and legislating only for your party, and not for your country? If for the former only, then go on. We do not desire to help you any more than our help is desired by you. But if your purpose is a higher and a grander one; if you are aiming to legislate for your country's good, for the welfare of the present generation and that of the untold generations yet to come; if you are striving to promote the general welfare and advance the cause of civilization, progress, and happiness in America, then we implore you, publicans, Republicans, and sinners, as we are, to permit us to join you in that laudable purpose. Your peers, your colleagues, constituent parts of this, the grandest of all legislative bodies in the world, we beg of you to hear us for our cause, your cause, our country's cause—the cause of forty-four States and sixty-five millions of people whose interests we, equally with you, have near at heart, and which we, with you, have sworn to protect; and if in hearing us you are able to see we are not striving for mere party advantage; that we are not laboring to pluck a single laurel of the Democratic party or throw one single impediment in the pathway of the Administration in power, nor yet to place another gem in the crown of Republicanism, already resplendent with the glory of illustrious deeds, but only striving in our humble and modest way, recognizing all the while the fact that we are a minority, to aid you if possible in doing something for our common country in these perilous hours, when our industries are rocking to and fro, and the nation and her people are blindly staggering amid the darkness of financial and industrial convulsions, then we implore of you, the majority, as Senators, statesmen, and patriots, that you rise equal to the occasion and not condemn our suggestions in advance, but give them your cordial and hearty support.

Do this and the pen of the historian will speak of you as statesmen and patriots; fail to do it, and your record will be, as in such case it deserves to be, that of unreasoning partisans, willing to place party above country.

With these prefatory remarks permit me to say you have in this woolen schedule mercilessly assailed a great industry by placing wool on the free list. The magnitude of this interest, its importance, the capital invested in it, the labor employed, the industries depending on it, is a story that has been oft repeated and variously stated and illustrated during this debate, and is not unfamiliar to any. With it every Senator is thoroughly conversant. It is an industry in which are, according to the National Woolgrowers' Association, "deeply interested and engaged" about one-sixteenth of the total population of this country, or 4,000,000 people, with a "directly invested capital of over $2,000,000,000," and an "indirect investment of over $300,000,000 more," making a total of over $500,000,000.

The woolgrowers alone number more than 1,000,000 persons. They own more than 45,000,000 sheep, of the value, "under normal conditions," of more than $150,000,000. The industry gives to labor, including the services of flockmasters, more than $85,000,000 annually. Its annual product of wool, mutton, and pelts, under normal conditions and at reasonable prices, amounts in value to more than $110,000,000. Such, in a word, is a bird's-eye view of the importance and magnitude of the interests assailed by this schedule of the bill. And it is a notable fact, and one that must not be forgotten, that 45 per cent, or over four-ninths, of this vast industry and of the persons interested in it lie and reside west of the Rocky Mountains. In this I include the States of Colorado and Wyoming and the Territories of Arizona and New Mexico. In this distant region of our common country are located over 20,000,000 of the 45,000,0000 sheep now in the United States, while 60 per cent of the wool clip of the United States comes from west of the Mississippi River.

For seventy-eight years (since the year 1816) wool has been accorded protection under all administrations. Never during all that time, except certain kinds of wool under the act of 1857, modifying the Walker tariff of 1846, has wool been on the free list. From that date until 1884, under a continuous policy, and especially under the highly protective tariffs of 1861 and 1867, our herds of sheep have increased from 10,000,000 in 1816 to 50,626,626 in 1884, and our product of wool from 13,000,000 pounds in 1816 to 300,000,000 pounds in 1884; and while by reason of the reduction of tariff rates on wool by the act of 1883 our flocks fell off in 1889 to 43,599,000 head, they, under the stimulus of the increased rates of the McKinley act of 1890, had increased in 1893 to 47,273,533 head, and so greatly had the character of the stock and its capacity for producing wool been increased that our 47,600,000 sheep in 1893 produced over 64,000,000 pounds of wool more and of an infinitely superior quality, than did our 50,626,626 head of sheep in 1884. During the latter year the wool product of this country was but 300,000,000 pounds, while in 1893 it was 364,156,666 pounds.

While the proposition to place wool on the free list will bear ruinously heavy on the great States of Ohio, Michigan, and other of the Central and Mississippi Valley woolgrowing States, it means absolute annihilation to the wool industry west of the Rocky Mountains. Boston, Philadelphia, and New York are our common market depots; hence the question of transportation becomes to the woolgrowers of Oregon, Washington, California, Montana, and other States and Territories of the far West a most important factor. How can the woolgrowers of this vast region hope to compete with the woolgrowers of foreign countries? Wool can be shipped from any and all of the great wool-producing countries to Boston, Philadelphia, and New York infinitely cheaper than it can be from the Pacific coast States, or, in fact, from any State or Territory west of the Mississippi River.

The cost of transporting wool form these Western sheep ranges to Boston and Philadelphia is from 800 to 1,200 per cent higher, and doubtless will continue to be so for many years to come, than is the freight from London to Boston, Philadelphia, and New York. The rate from London to Boston or Philadelphia is for wool in grease but one-fourth of a cent per pound, while from the Pacific coast States it is from 3 to 5 cents per pound, while on scoured wool, on which values are based, the freight from London is a fraction less than one-half a cent per pound, or 48 cents per 100 pounds, while on the like article from Oregon, Washington, Idaho, California, and Montana, the rate is from 7 to 8 cents per pound. The average cost to the Oregon woolgrower in getting his wool from his ranch to the point of shipment is for freight by wagon about 1 cent per pound, railroad freight 2 cents, which, with storage, insurance, expenses of sale, makes the total cost to the producer from the ranch to the Philadelphia or Boston mill, 5 cents per pound.

On a free-wool basis the Oregon wools will not be worth on the ranch more than from one-fourth of a cent per pound to 3 cents per pound. Recent dispatches, we are told, are to the effect that within the last week or ten days 30,000,000 pounds of wool have been withdrawn in London from public sale in order to prevent a break in the market, which since the last sales had already declined 5 per cent. In view of these facts it is quite apparent that with the free-trade basis Oregon wools in Philadelphia and Boston may rate as low as from 4 to 7 cents per pound.

"But," say our Democratic friends, "Protection does not increase the price of wool," and we are constantly taunted with the fact that the McKinley act has been in force since 1890—is still in force—and wool is infinitely lower to-day than when that act was passed. Hence it is exclaimed in great glee, "Protection does not protect." Surely our Democratic friends will not credit the Republicans or any considerable portion of the American people of any party with being so obtuse as to be deceived by any such statement. Wool is lower, it is true, than in 1890; all concede this. But why is it lower? Everyone with the intelligence of an oyster can not help knowing that so far from the McKinley act being the cause of the decline in the United States, but for the good effects of that act it would have been infinitely greater than it has been.

It is not difficult to divine the causes of the decline. They are two and only two. First, overproduction in foreign cheap wool-raising countries, causing a world-wide decline in the price of wool; and, second, the declarations and acts of the Democratic party—first, in declaring constantly in their national platforms for free wool; second, by passing an act through the national House of Representatives in the last Congress placing wool on the free list; and, third, the action and contemplated action in the present Congress on the part of the Democratic party in power looking to the placing of wool on the free list.

The increase in the product of wool in the Argentine Republic has been enormous in the last three decades, increasing from 55,885,760 pounds in 1860 to 295,425,200 pounds in 1890. In Australia the annual increase has been infinitely greater, increasing in the two decades—1870-1890—from 179,459,780 pounds in the former to 400,879,240 pounds in the latter. In Asia in these two decades the annual increase was 130,352,880 pounds, it being 134,507,120 pounds in 1870 and 264,860,000 pounds in 1890. The annual increase of the wool production of France was in four years—1887-1891—44,665,000 pounds—the product in 1887 being but 80,138,000 pounds while in 1891 it was 124,803,000 pounds. Russia increased her annual product in the four years ending 1891, 28,534,000 pounds—her product in 1887 being but 262,966,000 pounds, and in 1891 291,500,000 pounds. In Africa also there has been an increase in the last four years in the annual product of over 10,000,000 pounds.

These facts then, taken into consideration with the further fact that since 1860 the annual increase in production in the United States has been greater than in any other country in the world, the annual increase in these thirty-four years being nearly three hundred million pounds—the product in 1860, as shown by the census reports, having been but 60,264,913 pounds, against about 365,000,000 pounds last year—ought to convince the most incredu-

lous as to the one great cause of the depression in the price of wool in the United States. The increase in production has been infinitely greater than the world's demand; but while there has been a great decrease in the price of wool throughout the world by reason of this vastly increased production, this decrease by reason of the operation of the McKinley act has been infinitely less, more than 50 per cent less, in the United States than elsewhere.

In May, 1891, the very best scoured and purified Ohio merino wool was worth here 91⅝ cents per pound; ten months later, in March, 1892, it was worth 63⅜ cents per pound less, or but 85 cents per pound. In May, 1891, what is commonly known as "top," being the highly purified Australian merino wool, was worth in London 50 cents per pound, while ten months later, in March, 1892, the same article was worth there 13 cents less per pound, or but 37 cents per pound, showing a decline of 26 per cent in ten months, as against a decline here during the same time of but 7 per cent. The former was the decline of the world, which, but for the effect of the McKinley act would have operated here, and in such event, that is, had there been no protection in the United States in virtue of the McKinley act, the fall in the price of the Ohio merino wool would in the ten months have been 23.6 cents per pound, or 65⅛ cents, or a decline of 26 per cent.

I would remind those who insist that the McKinley act has not been beneficial to the woolgrowers of this country that an act giving protection to American wool by levying a customs duty on foreign wool may in either one of two ways operate to aid the American producer. First, by leading the price of American wool far in advance in the world's rising market of the price of wool in other countries; or secondly, by retarding a decline in this country and holding the price far above that of other countries when there has been, as there has been the last two or three years, a world-wide decline in price. The McKinley act has unquestionably had this latter effect. The evidence of this is incontestible and overwhelming. Any man, whether Senator or private citizen, Democrat, Populist, or Republican, who will gravely deny this must be possessed of a superabundance of audacity.

The basis all over the world for fixing the value of merino fleece wool in the condition which the farmer sends it to market is what is known as "Botany top," which is clean, scoured, carded, and combed merino wool. The great difference in the condition of fleece wool of the same breed and diameter of fabric, renders the grease prices of but little value in comparing prices of one year with another, or in comparing wools of one country with another. And hence it is an uniform standard is only reached when the various wools of the world, differing widely as they do in the first or grease condition, are scoured, carded, and combed.

This latter condition, therefore, or Botany top, being the world's meridian, so to speak, or the common basis from which prices are ascertained, and this by the way is made of the average American wools of merino blood, which comprise over 75 per cent of the whole American product, it is worth while to inquire how the prices of this character and condition of wools have ranged the past year or two in this country and in Europe. The statistics on this subject show conclusively that the average value of this article—Botany top in London for the entire year prior to March, 1893, was 37 cents per pound, while the average value of the same article in the United States under the McKinley act was for this same period 85 cents per pound, or 5½ cents more than double the European price of the same article. Does any sane man doubt that this increase of the price in the United States over that in Europe was occasioned by the McKinley act? Can any other rational reason for the difference in price be vouchsafed by anyone? I apprehend not.

The present price in London of this finely prepared wool is 35 cents per pound, having dropped 5½ per cent since March, 1893, or from 37 cents then to 35 cents per pound now. That is the world's free-trade price to-day for this quality of wool, which, as we have seen, is the basis for prices of the world's supply of fleece wool in the grease. Now, suppose the McKinley act is repealed outright and wool placed on the free list. What will be the inevitable result? The United States will at once be admitted into the family of free-trade wool countries, and as a matter of course the price of our wool will at once, or as soon as there is sufficient time for the full effect of the changed condition to operate, fall to the level of the European free-trade prices; and what does this mean? It means that our wool—I am speaking now of this quality "top," which is the basis of all prices and represents 75 per cent of our whole product, and which rated in this country in March, 1892, at 85 cents per pound—will go down 59 per cent from that figure, or from 85 cents, the American price in March, 1892, to 35 cents, the London price at the present time, June, 1894. And as a matter of course the price of all fleece wool must go down in like proportion. This simply means death and destruction without hope of resurrection to the wool industry of this country, especially to that industry between the Rocky Mountains and the Pacific Ocean.

The statistics further show (see Miscellaneous Document No. 35, second session Fifty-third Congress, page 56) that the average percentage of cost of free wool in London below that of protected American wool in the United States between 1878 and 1891 on a gold basis was 51.32 per cent, while the average percentage of cost of free wool in London below protected wool in the United Stated between 1868 and 1877 on currency basis was 50.95 per cent. It will not do, therefore, for the advocates of free wool to argue, or assert rather, because it is mainly assertion, that adequate protection does not sustain the price of American wool largely in advance of the price of wool in free-trade countries.

Furthermore, the records show that the increase in the production of sheep and wool in this country under the protective policy has been greater than that of any other country on earth, notwithstanding the great advantages of South America, Australia, Asia, Africa, and other countries in the matter of cheap lands, cheap labor, climatic conditions, etc. Moreover, it is an undeniable fact that the sheep in this country have prospered in proportion to the amount of protection accorded. The wool clip of this country increased during the last three years of the operation of the tariff of 1867, which gave an average duty of 12½ cents per pound on clothing, and combing wool 10½ per cent, while during the seven years of inadequate protection between the repeal of the act of 1867 by the less protective act of 1883 and the passage of the McKinley act in 1890 there was a decrease in the production of 6 per cent. The duty during this period was less by 2½ cents per pound than under the act of 1867, and was inadequate to balance the advantages of the woolgrowers of other countries, the average duty under the act of 1883 being but about 10 cents per pound.

The wool clip of the United States actually doubled during the last twelve years of the operation of the act of 1867. The total crop of 1873 was but 170,000,000 pounds, while in 1884, the act of 1867 still affecting that year, the clip was 340,000,000 pounds; this was an increase of 100 per cent, or 46 per cent greater than the increase during the same period in any other country in the world. The increase in Australia during this period, and this country had the greatest increase of any country in the world, except the United States, was but 64 per cent. In the Argentine Republic the increase was 35 per cent, and at Cape of Good Hope 60 per cent, while in free-trade Great Britain, a country possessing climatic and other conditions similar to our own, except a tariff, there was a decrease in the wool clip of 19 per cent.

This bill professes to be one for revenue only. During the four years' operation of the McKinley act, notwithstanding the duty imposed by that act, there have been imported into this country more than 400,000,000 pounds of foreign wool, upon which a duty of more than $24,800,000 has been collected. This $24,800,000 in duty this bill discards, throws away as revenue. But not only so. During these same four years the value of the woolen cloth imports amounted to $137,000,000, on which a duty of over $127,000,000 was collected. These imported cloths were in the main luxurious, high-priced cloths, worn only by the wealthy, and if it be true, as claimed by our Democratic brethren, that the consumer pays the tax, this $127,000,000 was in the main paid by the rich people of this country, by those able to wear fine clothes.

This duty the present bill cuts down from one-half to two-thirds, thus diverting from the Treasury of the United States to the pockets of the wealthy of this country every four years from sixty-four to eighty millions of dollars, and on the whole transaction of placing wool on the free list, reducing the duty on woolen goods from one-half to two-thirds, annual customs duties of from $37,750,000 to $50,000,000 are relinquished, and what is the result? A great industry is destroyed, the wealthy who wear foreign-made fine clothes are benefited, and the poor man's clothes, cheaper now in this country than ever before, are not cheapened to the extent of a farthing.

But this is not all nor even the one-half of the diabolism involved in this proposition to place wool on the free list, and in reducing the duty on high-priced woolen goods. This loss of revenue to the Treasury must in some way be made up, and hence our Democratic friends turn to sugar, a prime necessary of life, used by the poor as well as the rich, and this common necessity of life, used by every man, woman, and child throughout the country, rich and poor, must be and is by the pending bill loaded down with a tax which will inevitably increase the price of every pound of sugar used in this country at least 1¼ cents and put into the pockets of the sugar trust, one of the most formidable monopolies of America, or indeed of the world, more than $50,000,000 the coming year, and many millions annually hereafter.

But while 60 per cent of the wool clip of the United States is west of the Mississippi River and 45 per cent west of the Rocky Mountains, we are so unfortunate as not to have a solitary Democratic member of the Finance Committee of the Senate who resides within a thousand miles of the eastern boundary of the latter region. And in this connection it might be worth while to inquire what States these distinguished Democratic financiers represent, and how much the people of these States and to what extent they are interested in the wool industry. I refer to this, not that it would have any influence on the judgment or disposition or patriotism or entire fairness of any one of these genial and able Senators composing the majority of the committee, even though the States they represent never in the aggregate produced a solitary sheep, but I think it may be pertinent, and therefore admissible as testimony, as bearing upon the accuracy of the information and knowledge of those gentlemen on this subject.

The distinguished chairman of the committee, our genial and eloquent friend from Indiana, represents a State whose people in 1893 owned only 972,345 head of sheep out of the 45,000,000 head in the United States. Next comes our sedate and venerable Senator from New Jersey [Senator MCPHERSON], representing a State whose people in 1893 owned but 57,571 head of the 45,000,000. Then, next in order is our venerable and able parliamentarian, our distinguished President *pro tempore*, Senator HARRIS, representing the great State of Tennessee, in whose borders are 519,777 head of sheep only of the 45,000,000 head in the United States, or but little more than one-hundredth part of the whole number.

Then comes our incisive, at times sarcastic, but always delightful friend from the great State of Missouri, Senator VEST, whose people, according to the last census, have 1,000,953 head of sheep, and lastly we find our able and accomplished Senator from Arkansas, Senator JONES, whose tact in avoiding discussion on his part, and that of his friends in his management of this bill has been a source of great satisfaction to his many admiring friends, representing a State whose people own but 228,310 head of sheep. And so it happens that the five States represented by the five distinguished Senators who compose the majority of the Committee on Finance and who tender us this bill and who insist that we must swallow it without the crossing of a "t" or the dotting of an "i" have within their borders in the aggregate but 2,778,949 head of sheep, or but a small fraction more than there are in the State of Oregon alone, and 1,445,009 head less than one-half of the number there are in the two States of California and Oregon.

CONCLUSION

Now, in conclusion, I appeal to the majority of the Committee on Finance, I appeal to the majority of this Senate, not to permit the McKinley act to stand—to do this would be asking you to abandon your pledge to modify the tariff—but I do appeal to you to not wholly abandon to destruction this great industry. Treat the farmer, the woolgrower, at least with the same consideration you treat the woolen manufacturer. Give, moreover, to the people of the West the same consideration you are giving to the people of the East and South. You have cut down the duties on woolen cloths from one-half to two-thirds. Do with the woolgrower no worse than this.

You have not wholly abandoned the manufacturer, and yet you turn your back on the Western farmer, the woolgrower, and stand mute. No member of the majority of the committee, no member of the majority of the Senate, so far as I am advised, up to the present time, has risen in his place to defend before this Senate and the American people the proposition to place wool on the free list. Shall we appeal to you in vain? If you will not listen to your colleagues on this floor, the accredited representatives of the State of Oregon and of other States in the West, then I beg you to hearken to the voice of an indignant and outraged people, who on the 4th of the present month in that far-off State, which I have the honor to represent in part on this floor, uttered a voice which had no uncertain sound, a voice clothed in no ambiguous meaning.

The people of that State, engaged as they are in the great industries of wool, wheat, barley, hops, prunes, coal, lumber, horses, cattle, hay, flax, each and every one of which you mercilessly assail with your outrageously sectional and death-dealing bill, have arisen in their majesty and in rightful defense of their interests, their firesides, their families, their homes, have at the ballot box, by a plurality of more than 16,000 votes, and by a majority of all, in the election of two Republican members of the National House of Representatives, and by the election of a Legislature to which but a single member of your party was elected, set the seal of their unqualified condemnation on your miserable, un-American policy.

Mr. GEORGE. I was somewhat impressed with the Senator's argument in favor of taxed wool, and I desire to ask him a question. If a reasonable tax was placed upon the importation of foreign wool, would the Senator consent to that, without asking what is called a compensatory additional tax on woolen manufactures?

Mr. MITCHELL of Oregon. The present bill already takes care of the woolen manufacturer, and all we ask is that the same kind of care, and to the same extent, be accorded to the farmer and the woolgrower.

Mr. GEORGE. If a tax is laid upon wool, I inquire of the Senator whether he would regard it as right and proper that what is called a compensatory duty, to neutralize that tax, should be laid, in addition to the present duty, on manufactures of wool?

Mr. MITCHELL of Oregon. I think, inasmuch as the present bill proposes to reduce the existing rates of duty on woolen cloth from one-half to two-thirds, it would be but right, proper, fair, and just that a similar reduction, carrying out the views of the party on the other side of the Chamber, should be made in the existing duties on wool. Whether the rates on woolen clothes prescribed in the pending bill, would in the event of a reasonable duty on wool be sufficient, is a question more properly to be propounded to an expert.

Mr. GEORGE. That is not exactly an answer to my question. What I desire to know is this: The bill before the Senate gives us what is called free wool, and, at the same time, it gives a very considerable tax for the benefit, as I suppose, of the manufacturer of woolen goods, upon woolen goods. I wish to know from the Senator if the bill should be amended so as to allow the woolgrowers a fair and reasonable revenue duty upon wool, whether he would be content, when that is passed, not to increase the present rate allowed in this bill upon woolen manufactures?

Mr. MITCHELL of Oregon. I should want the manufacturers of woolen goods to have just such protection as would enable them to go on with their business without breaking down, and which, at the same time, would enable them to purchase the farmer's wool.

Mr. GEORGE. I will ask the Senator another question, for it seems to take two questions to get an answer. He wants the woolen manufacturers to go on and wants them to have reasonable protection. Does the Senator regard the present duty, if a tax should be placed on wool, as furnishing that reasonable protection; or, if we change the schedule so as to allow a tax upon raw wool introduced into this country, would the Senator not insist that, on account of that tax, the duty on woolen manufactures should be increased?

Mr. MITCHELL of Oregon. My individual opinion is that if we placed a tariff on wool of five or six cents a pound, reducing the present duty in the same proportion that the duty on woolen cloths has been reduced, no harm could come to the woolen manufacturer.

Mr. ALLISON. May I answer the Senator's question?

Mr. GEORGE. I should be very glad to have a general answer.

Mr. ALLISON. I see the Senator's point.

Mr. HOAR. I wish the Senator from Mississippi would answer it himself.

Mr. GEORGE. I will answer when I am on the stand, but now I am interrogating.

The PRESIDING OFFICER. The Chair has recognized the Senator from Iowa [Mr. ALLISON].

Mr. ALLISON. As I understand the Senator from Mississippi, he desires to put a duty upon wool.

Mr. GEORGE. I did not state that. That may be my opinion, but I have not asserted it yet.

Mr. ALLISON. Very well. The Senator's inquiry inferentially implies that his mind is turning somewhat in that direction.

Mr. GEORGE. I admit that.

Mr. ALLISON. If a duty is to be put upon wool it is for the purpose of protecting and caring for the wool-producer of this country. Hence we must have a manufacturing industry in the country to consume that wool, otherwise woolen goods will come in from the countries so well described by the Senator from Oregon [Mr. MITCHELL] and thus destroy the wool production of our own country, notwithstanding the duty. Therefore, I take it, the Senator from Mississippi, if he shall finally make up his mind—and I hope he will—to support a duty on wool, will admit that a corresponding schedule must be made up which will enable our manufacturers to continue. I do not say that this schedule as it now stands will or will not do so. I understand that it is claimed that the schedule as it now stands is not satisfactory to those who manufacture woolen goods, they believing that woolen goods will be imported very largely under the existing schedule.

It seems to me the Senator must take into account the fact

that with a duty on wool we must make a scale which will enable our manufacturers to compete with the manufacturers abroad, whatever that scale may be. So it might be necessary in some portions of this schedule to increase the duties. It might be that in some portions no increase would be required. I am not sufficiently an expert myself to answer that question, but I want the Senator to bear in mind that when we put a duty upon wool we must so adjust the schedule as that the wool will be consumed in our own country, for it can not be sold elsewhere.

Mr. FRYE. But the Senator from Iowa may say this: If the committee has reported a reasonable duty in this bill, and then a duty shall be put on wool, this would not be a reasonable duty.

Mr. ALLISON. I think that is manifest.

Mr. GEORGE. That is a very good statement.

Mr. MITCHELL of Oregon. I should like to ask the Senator from Iowa if he can tell by reason of these many amendments what is the average reduction in woolen cloths by the present bill?

Mr. ALLISON. On woolen cloths what the Senator from Mississippi very properly called the compensatory duty is entirely taken off, and then there is a considerable reduction of what is called the ad valorem duty, which in the present law ranges from 10 to 15 per cent.

Mr. HOAR. Now, I hope we shall have an answer from the Senator from Mississippi as to what he is in favor of.

Mr. GEORGE. Mr. President, I have not had an opportunity for three or four weeks of saying what I am in favor of. I have been voting for some things, but I have not said anything. I now want to get through with this subject.

Mr. HOAR. Has the Senator voted for anything he was not in favor of?

Mr. GEORGE. It is not a question of what I should like to have; but, as the Senator from Iowa [Mr. ALLISON] very justly stated, my mind seems to have been turned of late in the direction of what might be done in favor of those who raise wool, and having been turned in that direction, it occurred to me to inquire of those who have advocated on this floor a tax on wool, whether if that tax should be enacted, it would not lead to another tax, that is, the schedule on woolen goods having been framed, as was suggested by the Senator, upon the idea that the manufacturers were to have free wool, if we concluded to give them taxed wool——

Mr. CULLOM. A duty on wool.

Mr. GEORGE. A duty on wool—would it not then, in the estimation of those Senators, be necessary and proper to increase the duty upon the manufactured article? I understand the Senator from Iowa [Mr. ALLISON] and the Senator from Maine [Mr. FRYE] to state that that is so.

So, Mr. President, the farmer, who seems to be the object of the solicitude and care of my friends upon the other side, stands in this relation, that he ought to have tax on wool, but he can not have it unless the manufacturers of this country are to be compensated for that duty on wool by an additional duty upon the manufactured article.

Mr. ALLISON. Let me ask the Senator from Mississippi a question?

Mr. GEORGE. Let me get through with this argument.

Mr. ALLISON. Very well, though it was on that point I wished to make my inquiry.

Mr. GEORGE. The Senator will discover that I am not very familiar with tariff matters. I have surrendered my judgment during this entire discussion to what are called the managers on the Democratic side.

Mr. HOAR. Who are they?

Mr. GEORGE. The Senator sees them here every day.

Mr. HOAR. Every one of them says he does not approve of this bill; that he has surrendered his judgment to somebody else.

Mr. GEORGE. Never mind about that.

Mr. President, I am a farmer myself, and follow no other business. The people of Mississippi are farmers. Taking them altogether they do very little of any other business but farming. They have considerable wool interest there; they have a large lumber interest there. The Senator from Maine will remember that I have uniformly up to this time voted for a tax on lumber.

Mr. FRYE. And the Senator ought to do it now.

Mr. GEORGE. I know that is the Senator's opinion. I also voted for a tax on wool, I believe, in company with Governor Brown of Georgia. We were the only Democrats, so far as I remember, who did so vote. I voted for it mainly upon the ground that at that time we were forming a protective tariff—confessedly so—and I thought when we were sitting down framing a protective tariff that the protection ought to go all around. I thought that but fair. In addition to that I was in the minority. The majority had already imposed a compensatory extra duty upon woolen goods to equalize the tax on raw wool, and I did not think it was exactly fair after that compensatory duty had been laid in the bill to take away what benefit there might be to the farmer by making wool free. I did not think that was logical or fair.

Mr. MORRILL rose.

Mr. GEORGE. Now, let me go a little further. I will yield to the Senator directly.

Mr. MORRILL. I merely wanted to get in a word. The Senator says he considered that it was not exactly fair not to put a duty on wool after putting a compensatory duty on woolens. I should like to know if he thinks it would be exactly fair after having taken off all of the compensatory duty upon woolens that we should make wool free and then put the rate on woolens so low that absolutely all the wool would be imported in the shape of woolens?

Mr. GEORGE. That is exactly what I was trying to get at. I am not an expert in tariff matters, like my venerable and respected friend from Vermont and my friend from Iowa, equally respected but not quite so venerable, and so I have to feel along in this discussion with a little care and see where I put my foot, whether I put it upon safe ground or not.

The remark made by the Senator from Vermont brings to my mind another thing to which I wish to call the attention of Senators on the other side. I have heard it over and over asserted in this Chamber—it seems to be a kind of maxim accepted as the truth on the part of our Republican friends—that the way to get a thing cheap is to tax to protect it. The Senator from Maine [Mr. FRYE] the other day, when we came to cotton bagging, pulled out a price list of bagging running back, I believe, as far as 1866, showing that it was very high in 1866, and that it kept falling gradually until a year, which he mentioned but I have forgotten, when a tax or a duty was placed on bagging, and after that tax was placed on bagging, then, if I understood the Senator's figures correctly, the fall became constant and rapid until we have got it down now to a very cheap thing. I understand it to be a sort of maxim on the part of the Republicans, the Republicans of the Senate especially, that the way in the end to have a cheap article is to protect it. Have I misstated it?

Mr. FRYE. No, sir; that is correct.

Mr. GEORGE. Very well.

Mr. FRYE. But let me say to the Senator——

Mr. GEORGE. That is enough. I do not want to get into an argument until I get through. You will throw me off.

Mr. FRYE. All right.

Mr. GEORGE. I am not familiar with tariff matters like these experts from New England.

Now, it is acknowledged that the way to have cheap goods is to tax them to protect them, that protection encourages production in our own country. If that be so, why is it not the very best thing in the world that we can do for the woolen manufacturers to tax wool in order to get cheap wool for their consumption? If that be so, and according to the Republican argument that is so, where comes in the rightfulness of your compensatory duty?

Mr. President, I have been a little bewildered at the various arguments which have been made during this very lengthy discussion. That has been beaten into my mind, as everything is beaten into my mind which the Senator from Maine gets hold of; he generally makes it plain and forcible. But I notice (and that is the point of bewilderment with me) that whilst that is the argument which is always used when some Democratic Senator commonly called a free trader gets up and opposes high duties on imported goods, and my friends on the other side of the Chamber stand by it when it is proposed to tax a manufactured product that will come in competition with the manufactures of this country. Yet, whenever it is proposed to tax a raw material in this country used by those manufacturers, then it will not do.

We all noticed the other day that when the Senator from Nebraska [Mr. ALLEN] proposed to put a tax on hides, which is the raw material out of which boots and shoes are made, then the learned and distinguished Senator from Massachusetts [Mr. HOAR] suggested, if he did not make the motion, that if you tax hides you must tax boots and shoes to compensate the manufacturer for the tax on hides. Now, I should like to have the Senator from Massachusetts explain why it is that when you tax by a duty a manufactured product——

Mr. HOAR rose.

Mr. GEORGE. Wait until I get through.

Mr. HOAR. I thought the Senator said he would like to have it explained. I can explain it right here.

Mr. GEORGE. Why is it when you tax by a duty goods to be introduced into this country that you are providing the most certain and sure means by which the people of the country are to get cheap goods of the kind taxed?

Mr. HOAR. Now, will the Senator let me explain it right there? I will see that he gets the information.

Mr. GEORGE. Wait until I get through, and then you can explain. Now, you all agree to that. The Senator from Maine says very frankly that I am right on that point. I am glad I am right once in his estimation. But when you come to apply that same principle to the product of the farm, and when that manufacturer is to be the purchaser of the taxed article instead of the ordinary consumer of this country, in every instance when you put the tax upon the article which the manufacturer has to use, then all this maxim accepted, as the Senator from Maine stated very frankly, to be a fundamental and indisputable principle of the protectionists, no longer applies.

I want the country to understand that in the estimation of our friends on the other side of the Chamber if you tax a manufactured product you do not raise the price of it, you get it cheaper than you ever did before; in other words, that is the only way to get it cheap, I understand; but if you lay a tax upon a thing which the manufacturer has to buy, then it raises the price of it, and he must have a compensatory duty in order to equalize it.

Mr. FRYE. Can not the Senator see why?

Mr. GEORGE. No, I can not, and no mortal man can see why.

Mr. FRYE. I can, without the slightest difficulty.

Mr. GEORGE. Very well, you can explain it. In reference to sugar, when it was urged that sugar ought to be reduced in price in the same way by the tax that other products were reduced, it was said that the area suitable for the production of sugar is limited and there is no prospect for the amount of sugar to be produced in this country that would be consumed. They said that. I thought that was a very proper answer. I accepted that. But now we have got out of that limited area. A Senator on the other side of the Chamber, I think the Senator from South Dakota [Mr. PETTIGREW], said the other day that one single valley in his State would raise sugar beets enough to make sugar—I do not know, but enough for all the world, at least all we would want in this country. We have also down in Mississippi, Alabama, Georgia, Arkansas, and Texas an unlimited amount of land to produce beet sugar.

Mr. FRYE. The climate is too warm there to make it a success. Beets must be raised in a colder climate.

Mr. GEORGE. At all events, we have reached the position on the sugar question that we have an unlimited area in which we can produce the sugar beet. We have got out of the old Louisiana circumscribed territory for raising cane. Now, when the Democrats wickedly, in the estimation of some of our friends on the other side, propose to tax sugar we hear lamentations and complaints from all quarters that we are increasing the price of sugar; that we are taxing a necessity of life. You never hear a word suggested that the way in fact to get cheap sugar is just exactly the way in which to get cheap woolen cloth or any other sort of cloth, to tax it. You do not hear that.

So, Mr. President, I confess I have been a little bewildered about this matter. I could not exactly see through it; and I have about come to the conclusion that the maxim of the protectionists, to tax an article to get it cheap, only applies when the tax is laid in favor of a manufacturer, but it has nothing in the world to do with a tax levied upon an agricultural product. And so we are running along in that way. Our friends on the other side are assuring the consumers of the country that by taxing their hardware, boots and shoes, cloth, and all sorts of goods 50, 60, or 100 per cent upon the imported articles is just the way to get the cheapest cloth or cheapest manufactured products in all the world; and when we come to apply that in favor of a tax which the manufacturer has to pay, then it does not operate; the tax raises the price. Now, our friends on the other side of the Chamber can explain that at their leisure.

Mr. HOAR. Mr. President, I should not have supposed but for my great and undoubting confidence in the veracity of my friend from Mississippi that he was so guileless and innocent a person as he says he is. But of course he is; and being therefore a guileless and innocent person—a person whose guilelessness and innocence only finds a fitting illustration in the lamb whose wool is the subject of discussion at this moment—having the Senator's own assertion, I think I am justified in the further inference that somebody has been imposing upon him and practicing upon that guilelessness and innocence in putting into his head the argument which he has just made. It is not the Senator's own. If he had set his astute intellect to work he would have seen the answer to his proposition; but it is only his lamb-like nature which has accepted (without any explanation of his own profound reasoning power) this suggestion of some crafty personage which he asks to have explained.

The Senator wants to know how it is that the doctrine of the protectionist (being, as it undoubtedly is, that the encouraging by protection in this country of native domestic manufacture and agriculture by giving it the great American market to the exclusion of products of other countries who pay little or nothing for labor) reduces in the end the price. First, by bringing American competition into the field. Next, by bringing American intelligence and inventive power into the field. Third, by keeping up a rate of wages which gives an instructed brain and intellect, a hand skilled and muscle trained for the process so that class of mechanics and manufacturers and workingmen are all the time introducing and inventing and promoting processes which cheapen production, while the poor, cheap, and unreasoning laborer of China and India would remain for a thousand centuries doing the same thing without any substantial improvement.

That being the doctrine of protection, the Senator wants to know why it is that when hides are to have a protective duty upon them the manufacturer of hides into boots and shoes does not say, "Why that, of course, is going to cheapen my material, and therefore I do not need any additional duty for my protection," or when wool is to have a duty put upon it the manufacturer of wool into cloth at once says, "Why, you are going to increase the cost of what I am to buy and not diminish it, and, therefore, you must increase the rate on my product." The Senator says he wants to know how that comes about.

Does not the Senator see that when a product is not used except to be made into something else, as is the case with wool and leather, it is just as much making wool or leather free to import woolen cloths or boots and shoes free as if you admitted the leather or the wool free? The only market the American producer of hides has is to sell to the manufacturer of leather in the United States, substantially the only market the American raiser of wool has (unless the Democratic orator wants a little to pull over somebody's eyes) is to sell it to the American manufacturer of woolen goods. Therefore, if with one breath you say there shall be a duty on wool, whether it is protective merely or whether it is prohibitory, and at the same time there shall not be any woolen manufactures in this country, you have said you can raise wool, but there shall not be anybody to whom you can sell it.

If you say there shall be a prohibitory duty on hides and at the same time say that all our boots and shoes shall be made abroad and imported free, of course it is simply saying that there shall not be any use of the hides when they are produced. In other words, you have not a protective duty on wool if you let it come in free or without sufficient protection in the form of woolen cloth or woolen garments. You have not a protective duty on hides if you say in the same breath hides may come in free in the form of boots and shoes. It is only a pretense of a duty.

Therefore, the American manufacturer of wool and woolens very much prefers the duty on wool to free wool, because he knows not only that it is just to another industry, but he knows also that with a duty on American wool, wool is to be cheapened in the end to him by American competition. So if you say to the woolen manufacturer of the East, you may have an adequate duty, as this bill professes to say—I do not think it does, but admitting it for the moment—and you may have your material free, the substantially unanimous answer of the woolen manufacturers of the East is and always has been, with a very few inconsiderable exceptions, "We do not want that arrangement."

In the first place, it would be a policy utterly base and infamous for us to advocate, speaking of the matter of justice to other people. Next, it is against our highest self-interest, because we claim that the protective duty on the American wool will in the end, while it secures a sufficient profit to the wool-raiser, bring down the price of American wool and the price of the American manufactured article made of wool.

So in regard to hides. That is not so strong a case, because we are exporting considerably. In our manufactures of boots and shoes we have an enormous advantage. We have patented and other machinery, and organized labor in the manufacture of boots and shoes, and it occurs to some extent in the same way.

But in regard to wool, which is the thing the Senator deals with, if you put wool on the protected list and have an insufficient duty or no duty on the woolen manufacture, there will not be a pound of wool raised in the United States, because we are not going to raise it and send it abroad and let it be manufactured and brought back again.

Mr. KYLE. I should like right there——

Mr. HOAR. Let me finish this statement. I am a good deal more simple-minded than the Senator——

Mr. KYLE. If the Senator will allow me——

Mr. HOAR. I said no. If the Senator will pardon me, not at present. Indeed, I have lost what I was saying by the Senator repeating his interruption. If, therefore, you put wool upon the protected list, as you should, by whatever name you call it, revenue or protection, matters nothing if you give a reasonable and adequate protection which enables this industry to go on in

the new mountainous States of the Northwest, or in Ohio, or in Southwestern Virginia, or wherever else wool may be raised; you must, in order to do that, as a matter of logic, as a matter of necessity, have some fiscal arrangement under which there will also be a woolen manufacture hereafter in this country. Otherwise nobody would raise any wool. Now I will answer my honorable friend from South Dakota.

Mr. KYLE. I should like to ask just at that point what the Senator would regard as a compensatory duty upon wool?

Mr. HOAR. I should have to leave that to the experts, but I suppose——

Mr. KYLE. I notice that under the McKinley act the average tariff duty on the woolen list is 98.62 per cent, and the bill before the Senate proposes 41.13, it being cut down about 58 per cent.

Mr. HOAR. Those averages, which Senators on both sides of the Chamber are fond of citing and quoting, and they have been quoted on the stump, to my mind convey no idea whatever. They do not help me the least. A campaign speaker takes up the McKinley act, or the previous law in force, or the Mills bill, and he lumps together the rates of duty on articles of which there is not an importation of $100,000 worth in a twelvemonth, and on articles of which there is an importation of $10,000,000 worth in the same period, and then says we have an average reduction or increase of duties in this bill; as if putting on an article like sugar, of which there are fifty or sixty million dollars' worth imported, a quarter of a cent or a quarter of 1 per cent did not drown and sink out of existence an increase of 50 per cent ad valorem or a hundred per cent ad valorem on some little article of luxury, for instance, like stained glass or something of that kind.

Now, take this matter of wool and cotton as well. Take all textile manufactures. Take silk. Of course they vary very much in value and they vary very much in demand. Therefore, it seems to me, with all respect, you have said nothing when you talk about an average on one bill and a comparative average on another measure.

Mr. GEORGE. Mr. President, the speech of the Senator from Massachusetts is a very remarkable one. I do not think when we come to consider it that it was ever suggested to the Senator as he supposes mine was to me. I think that no sane human being will ever produce the exact argument with which the Senator has delighted the Senate to-day, unless, as I suspect, the learned Senator from Massachusetts has indulged in a little jest and joke at the expense of the Senate.

Now, what is his first proposition? It is a very remarkable one when we come to the point in dispute; and I do not intend to allow the Senator, in order to cover up and disguise the point in dispute between us, to go into a general discussion of the benefits of protection.

That question is not in dispute. The question between the Senator and myself, or between Senators on the other side and myself is, How is it that when you put a duty upon manufactured articles and the people complain that they are taxed in their clothing, taxed in their necessaries of life, the answer of the protectionist is "We do not tax you; we are actually giving you things cheaper than you would otherwise get them"? Yet when the manufacturers or their friends come to be heard upon a proposition to tax what they buy and not what they sell, then the tax always enhances the price.

Will the Senator or any Senator answer that question? If the encouragement or the protection of a domestic production cheapens the article why, then, is it that the manufacturers, when an article which they buy is taxed, claim that it does not cheapen it, that it increases the price, and they must therefore have an increased duty in the way of a compensatory tax? I suppose that to carry out the argument of the Senators upon the other side legitimately means this and nothing else, that in order to cheapen the price we must tax manufactured goods which come in competition with manufactures which are sold to the consumers. But if that be so, then I suppose when we tax the manufacturers' raw material and add an additional tax to the manufactured article, that it is done for the purpose of still further decreasing the cost of the manufactured product.

Mr. President, this thing lies in a nutshell. There is no use to attempt to disguise it or to cover it up in any way. If protection decreases the cost of the protected article, then the compensatory duty to the manufacturer for the tax upon the raw material ought not to be levied, because the best way to get for him the cheap raw material is to tax it and encourage it. The Senator from Massachusetts [Mr. HOAR] was ingenious enough to confess that fact before he got through, and I come to that now. He admitted that if we tax wool we make it cheaper, as in other cases. Now, I desire to have a question answered. How are the raisers of wool to be benefited by a tax levied on wool if, as the Senator from Massachusetts says, the inevitable, natural, necessary result of the tax is to make wool cheaper?

Mr. MITCHELL of Oregon. Will the Senator from Mississippi allow me?

Mr. GEORGE. I should like to hear it explained.

Mr. MITCHELL of Oregon. It will make it cheaper whenever the industry in this country is stimulated to such an extent that the production in the country is equal or more than equal to the demand. Then wool will become cheaper. That will be the result of protection eventually. It increases the price of wool for the time being, when the production of the country is not equal to the demand.

Mr. GEORGE. I am very much obliged to the Senator from Oregon for that explanation.

Mr. MITCHELL of Oregon. Is not that a fact?

Mr. GEORGE. I am very much obliged to the Senator for the explanation. When you deal with the farmer you say that the decrease will come only at the end of a long period.

Mr. MITCHELL of Oregon. Will the Senator from Mississippi allow me? Is he familiar——

Mr. GEORGE. No; let me get through with my argument on this point.

The PRESIDING OFFICER. The Senator from Mississippi declines to yield.

Mr. GEORGE. When you deal with the manufacturer the cheapening of the product is instantaneous.

Mr. FRYE. Nobody ever said that.

Mr. GEORGE. Very nearly so.

Mr. FRYE. Not at all.

Mr. GEORGE. How long?

Mr. FRYE. I should like——

Mr. GEORGE. Please tell me how long?

Mr. STEWART. Will the Senator from Mississippi allow me to ask him a question?

Mr. GEORGE. Let me get through with this point. I can not answer everybody at once. I am not an expert on tariff matters. I am not a member of the Finance Committee, and I have not given much attention to the question of taxes, or tariff, or finance, except that I have a sort of old-fashioned notion in my head that if anything I wish to buy is brought into this country and is taxed at the seaport 15 or 20 or 30 per cent, in the end I have to pay it. I have that sort of an old-fashioned notion.

But right here I ought to explain in connection with that point another of the remarkable beauties of protection. I have heard it said over and over again that the American consumer does not pay the tax; that it is taxing the foreigner. Yet while that is the argument always made when those on the other side are advocating a tax in favor of the manufacturer, it does not apply when they advocate a tax in favor of the farmer. Now, if that be true, if the foreign producer of wool pays the tax instead of the American manufacturer, I should like to know in God's name what is the use of giving the American manufacturer a compensatory duty to equalize the duty on the raw material. Will the Senator explain that?

Mr. STEWART. I will give the Senator an explanation, if he will allow me.

Mr. GEORGE. The Senator from Nevada can explain it when I get through.

Mr. STEWART. I will explain it now, if the Senator from Mississippi will allow me.

Mr. GEORGE. No.

The PRESIDING OFFICER. The Senator from Mississippi declines to yield.

Mr. GEORGE. Let us see about these things. They are the most wonderful things in the world. The beauties of protection as explained by those on the other side are the most beautiful things that have happened since the dawn of creation. First, the more you tax an article which the manufacturer sells the cheaper it makes it. Therefore the manufacturer is running down to Congress or sending his committees day after day and month after month beseeching us all to levy a tax in order to make him sell his goods cheaper. That is the first thing.

There is another. Apply it to wool. All our friends on the other side admit that the manufacturer has to have a compensatory duty if we tax wool. If the foreign producer of wool (and all on the other side declare that that is a fundamental principle in protection politics and protection political economy) has to pay the tax instead of the American manufacturer, then I should like to know—will the Senator from Nevada explain——

Mr. STEWART. I am ready to explain it.

Mr. GEORGE. Why, you give the American manufacturer a compensatory duty when we ought to give it to the foreigner, if we give it to anybody? That is the way they reckon. It is a most wonderful species of logic.

The Senator from Iowa [Mr. ALLISON] suggested that I favored a duty on wool. I suppose he got that suggestion from some little intimation I made to him one day that my mind was running somewhat in the channel in which it ran when I voted

for a tax on wool several years ago. My mind was running a little that way, and I wanted a little light on the subject; I wanted to have it explained. When I asked the Senators on the other side whether, if I yielded and voted for a duty on wool, they would accept that with a duty on woolen goods just the same as if there was no tax on wool, they all said they would not. I wish to have that explained.

Mr. President, I will tell you what I think about it. If their logic is correct, if the tax on wool cheapens wool, if the tax on foreign goods cheapens foreign goods, then I think instead of asking for a compensatory duty for the little tax which we may put on wool the Senators on the other side, if they believe in what they profess, ought to move to reduce the tax to that extent.

I believe I have said about all I desire to say, and I shall be glad to have my venerable silver friend from Nevada explain the point I have suggested.

Mr. STEWART. I will explain the matter to the Senator from Mississippi. I will explain it to my satisfaction, and I hope to the Senator's satisfaction.

Mr. GEORGE. I am very easily satisfied. Let me start out with this proposition——

Mr. STEWART. No; I will go right on.

Mr. GEORGE. Before you start so that we can go along together, let us agree first that all the distress in the country now comes from the demonetization of silver.

Mr. STEWART. Yes; all the distress comes from that cause; but this is a question by itself. Other things being equal, the price of everything depends upon the demand. The supply remaining the same, the price will depend upon the demand. If there is no demand for foreign wool by the United States, foreign wool would be cheaper than if the United States were in the market. The Senator admits that.

Mr. GEORGE. We agree on that.

Mr. STEWART. We have got so far along together. In the case of the United States we have probably a greater country for producing wool than any other. Two-fifths of our country is not fit for ordinary agriculture without irrigation, but it is peculiarly adapted to the production of wool. Wool can not be produced here as cheaply as it can be produced in the same kind of country in South America, Mexico, and Australia, on account of the difference in wages and on account of the difference in the currency they use, which also enables them to produce where we can not.

Mr. GEORGE. They are silver men down there.

Mr. STEWART. They are silver men.

Mr. GEORGE. All right. We agree about that.

Mr. STEWART. But if they were not silver men the wages of their labor do not exceed a third of our wages. Then, if we should attempt to produce wool in competition with them, in starting they would drive us out of the market absolutely; but if we put enough protection on our products, so that we could partially equalize the difference in the price of labor, and produce in this country and have our vast demand supplied by our own country, both countries would produce wool, and foreign wool would be much cheaper. But if we could not produce wool in this country at all, then the foreigners would charge for the foreign wool according to the demand, and we would make up the great demand.

Foreign wool in the aggregate will certainly be cheaper if we produce our own wool. There is no doubt about that. The foreigners will put the price at a point where they can compete with us and pay the duty, if it is a reasonable duty. Then all wool will be cheapened. It flows over. Protection does not stop the production, but it prevents the enormous rise in the price of foreign wool which there otherwise would be. I believe that taking off the tariff on wool in this country is going to raise the price of foreign wool, because in the first instance they will undersell us. They will break up the industry in this country, and it will take some years to start it again. They will command the market where the labor is cheap, and it will be a warning to us not to commence again.

Mr. GEORGE. Now, will the Senator from Nevada stop right there and allow me to ask him a question?

Mr. STEWART. Certainly.

Mr. GEORGE. The Senator knows that the manufacturers are the smartest people in the world.

Mr. STEWART. Yes; I admit that.

Mr. GEORGE. They understand it all.

Mr. STEWART. Yes, sir.

Mr. GEORGE. I ask the Senator if taking off the tax on wool is going to increase the price of the foreign wool introduced here?

Mr. STEWART. It will necessarily, because it will increase the demand.

Mr. GEORGE. Why is it, if we put a tax on wool, that the manufacturers want a compensatory duty?

Mr. STEWART. Because they always want all they can get, and that is a good excuse.

Mr. GEORGE. That is a good answer.

Mr. STEWART. They want all they can get, and that is a good excuse. As a matter of fact, as the Senator from Massachusetts [Mr. HOAR] stated, if you put such a tax on wool that we can produce wool in this country to supply our home market, all wool will be cheaper. The foreign wool will be much cheaper, because you take away one of its markets. I do not believe the manufacturers need any compensatory duty.

Mr. GEORGE. Will the Senator from Nevada allow me to interrupt him right there?

Mr. STEWART. Certainly.

Mr. GEORGE. The Senator and I agree perfectly as to silver. That is one bond of eternal friendship between us. Now, we agree on another subject, and that is that no compensatory duty is needed by the manufacturer. That is another bond.

Mr. STEWART. I am perfectly certain that the manufacturers would be benefited by allowing this industry to exist, independent of any compensatory duty, and independent of anything else. I was struck with the remarks of the Senator from Massachusetts [Mr. HOAR]. I have been over the country. I know perfectly well that we can not produce wool as cheaply in the same kind of country as our competitors. I know perfectly well that if we can supply our own market the foreigners will have to sell their wool cheaper than they would otherwise do. We now buy some foreign wool. We have not produced all our own wool. I am certain it will be a great calamity to our manufacturers if this industry is destroyed.

It will make wool higher, it will make clothing higher, to destroy in its infancy this industry, which has been started in a region of the country where they can supply the entire demand of the United States and have wool for export. You see we will have some wool. The industry will not be destroyed all at once; it will be gradually destroyed. If you put the American producer in competition with the foreign producer, the foreign woolgrower can produce wool cheaper and bring down the price all the time until the area where wool is produced is going to be circumscribed.

Wool will be dearer when it is circumscribed. It will take a long time to rehabilitate the industry. You say when the price of wool goes up, the Americans will go into the business again; but it will take a long time. It will be a sad experience. Our people have their flocks and herds. If you destroy them now, by putting our producers in this competition which they can not endure and gradually kill off the industry, it will take a long time for the industry to revive.

Mr. GEORGE. The Senator and I are not going to quarrel, even about this.

Mr. STEWART. No.

Mr. GEORGE. We agree. I wish the Senator would turn around and convince his old Republican fellow-Senators that we do not want a compensatory duty. That is what I am trying to accomplish.

Mr. STEWART. But here in this very bill we have a tariff on woolens and no duty on wool. We have a tariff on woolens. I have not discussed it and I do not propose to discuss it at all. There is no duty proposed on wool, and if you now destroy the flocks and herds which are struggling to come into existence in a country where the main industry of the people is already destroyed, and break up the industry, it will not start again for many years, and the area of production of wool will be vastly limited. That being true and the demand remaining the same, the price must rise. I believe that for cheap clothing and for the benefit of everybody, the wool industry ought to be fostered and continued in this country. If it is not continued the eventual result of the competition of foreign wools will put up the price, wool will be higher, and nobody will be benefited except, perhaps, the foreigners who raise the wool.

I do not object to benefiting the foreigners, but I am a little selfish as to my own country. I believe wool is one of the particular articles where a reasonable protective duty is absolutely necessary, because the difference in cost depends solely upon the price of labor. The country is entirely similar; the conditions of freight are similar; everything is similar but labor. We have an abundant region. We can not compete with the foreigners as to labor, and without protection our wool industry will be abandoned. Then the foreign producers will have a monopoly of the market, and as the demand determines the price, it must go up if you take off the duty.

Mr. GEORGE. Let me interrupt the Senator from Nevada right there for a moment. He thinks while a duty ought to be put on wool there should not be any compensatory duty.

Mr. STEWART. If a duty is retained on wool, I think wool

will be cheaper, because we shall have a greater area of production.

Mr. ALLISON. Mr. President, I also wish to agree as nearly as I can with the Senator from Mississippi [Mr. GEORGE]. I should be glad to know of him whether he believes it is worth while to save the industry of growing wool in this country.

Mr. GEORGE. I think so. I do not want to see any of the industries of my fellow-citizens destroyed.

Mr. ALLISON. Neither do I. I take it, also, that the Senator thinks it is desirable that we should have woolen manufactures in this country.

Mr. GEORGE. Certainly.

Mr. ALLISON. That being true, the question is what we shall do, first with wool, and secondly with woolen manufactures in order to preserve both?

Mr. PALMER. Will the Senator from Iowa allow me to ask him a question?

Mr. ALLISON. Certainly.

Mr. PALMER. Is it the opinion of the Senator from Iowa that neither the woolgrowing industry nor wool manufactures can be sustained in this country without something like a bounty?

Mr. ALLISON. I know of no proposition in the pending bill to give a bounty. The other day we had a very close contest here about a bounty, and on the other side of the Chamber there was a great disinclination to give a bounty on constitutional grounds. We, on this side of the Chamber, were willing to give a bounty on sugar and in that way give it protection and admit it free.

But I will answer the Senator more directly. I do believe that without a duty on wool the woolgrowing industry will be gradually and I think swiftly destroyed. I also believe that if we have no duty on woolen goods, it will be only a question of a brief space of time when our woolen manufacturers will be driven to the wall because of the conditions in this country as compared with the conditions in other countries.

Mr. GEORGE. Will the Senator allow me to say that that is purely an abstract question?

Mr. ALLISON. Certainly it is, and I am answering an abstract question.

Mr. POWER. Will the Senator allow me to ask him a question?

Mr. ALLISON. Yes, sir.

Mr. POWER. Is the Senator in favor of giving all the protection to the manufacturer and none to the woolgrower?

Mr. ALLISON. Mr. President, I do not see why my friend should ask me such a question as that. I am certainly not in favor of it.

Mr. PALMER. Will the Senator yield to me?

Mr. ALLISON. Yes, sir.

Mr. PALMER. I understand the Senator's position to be that neither the woolgrowing industry nor the manufacture of wool can be maintained in this country without the imposition of a protective duty.

Mr. ALLISON. The Senator misunderstands me. I state that I do not believe the woolgrowing industry can be maintained in this country in competition with Argentina and Australia and the Australian regions. I do not believe we can grow wool in this country in competition with them, although we have very excellent natural conditions. As the Senator from Nevada [Mr. STEWART] very justly said, we have a scale of living, a scale of wages, and a scale of cost of production here which is unknown in the countries which come in competition with us.

Mr. HOAR. I should like the opinion of the Senator from Iowa, who has probably studied this question as much as any living man, as to whether he would not except from that general statement the raising of cheap wools where there are very large pastures and where the sheep can be taken care of at a very slight cost?

Mr. ALLISON. There are portions of our country where the climate is similar to the climate of Australia, where that can be done, or it may be done even in Nevada. I do not know how that is, but I should think it could be done.

Mr. STEWART. It can be.

Mr. ALLISON. I should think it could be; but what I want to get at with reference to my friend from Mississippi is to ascertain just what we ought to do. He and I agree, I think—I shall not commit him, but shall commit myself to the idea—that we should put a duty upon wool. The Senator now says that if we put a duty upon wool we must give a compensatory duty upon woolen goods. That was not my proposition. My proposition was that we should put such a duty on wool as would preserve that industry, and that being done, we should then ascertain what is a proper duty to levy upon woolen goods in order to preserve that industry as well.

I understand the Senator from Mississippi now to be in accord with me——

Mr. GEORGE. Not entirely.

Mr. ALLISON. Because he does not wish to destroy either the industry of growing wool or the industry of manufacturing wool. Therefore we are in accord on that point.

Mr. GEORGE. If the Senator will allow me, I should prefer to state my own position; which is to adjust the taxes on woolen manufactures without reference to any taxes or want of taxes on wool. That being done, we come to consider whether we shall tax wool or not. That would be an independent proposition; but I understand all the Senators on that side to say, if taxes on woolen goods are made on the idea that we are to have no taxes on wool, and you put a tax on wool, then the tax on the manufactured articles would not be sufficient.

Mr. ALLISON. I shall reach that point in a minute.

Mr. HOAR. Nobody said that on this side of the Chamber.

Mr. ALLISON. I heard nobody say it. I certainly did not say it, because I said distinctly to the Senator that I did not know but that the rate of duty now in this bill would be sufficient with a duty on wool.

Mr. GEORGE. What about the compensatory duty?

Mr. ALLISON. I am speaking now of every kind of duty. I stated, in answer to the Senator, that there might be duties which were sufficient and there might be others which were insufficient. Under this new condition it may be, although I do not think so, that some duties might even be lowered under this bill, but I think some of them ought to be advanced.

Mr. SHERMAN. Will the Senator allow me a moment?

Mr. ALLISON. I yield to the Senator.

Mr. SHERMAN. I should like to state a mathematical proposition, and if I had a blackboard I should prefer to demonstrate it in that way. I think I can make it so plain that anyone can comprehend it.

In the first instance, suppose a controversy should arise between the duty on wool and the duty on woolens. You can assume as an absolute proposition that the labor expended on the production of wool is equal to the cost of the manufacture of wool into cloth. That I believe is admitted on all hands as a general rule, though it varies somewhat. Now, the Senator will see that if one-half of the cost of a hundred yards of cloth was the cost of the wool, say $100, and the other half was the cost of manufacturing that wool into cloth, say $100, if the wool was imported at the rate of duty of 50 per cent, as a matter of course the duty on the wool would be $50.

If, on the contrary, the cloth is imported, then the duty is $100. So the farmer gets the benefit of the duty and the manufacturer gets the benefit of the percentage of 50 per cent, without any compensating duty between the two; because the difference in value between the wool imported and the cloth imported would make the difference precisely $50. It seems to me, therefore, that if an ad valorem duty was put upon wool and woolens, the duty on wool ought to be less than the duty on woolens.

I should be very well contented with a duty of 40 per cent upon wool, and I think our people generally would be. There is no necessity, in my judgment, to compensate the manufacturer who gets the full compensation of 50 per cent upon the full value of both.

Mr. ALLISON. I am very much obliged to the Senator from Ohio for explaining this matter to the Senator from Mississippi. I was not undertaking myself to deal with the proper rate of duty. I was only undertaking to bring myself in accord with the Senator from Mississippi. In the view that, in the readjustments here, we ought to protect both the producer of wool and the woolen manufacturer alike.

The Senator from Mississippi, however, has another difficulty which does not disturb me in the least, and that is, that where we levy a duty upon the raw material which enters into the manufactured product, we ought to levy a less duty on the manufactured product by reason of the fact that the levying of a duty upon the raw material diminishes the price——

Mr. GEORGE. No, I said if your argument was correct that would be the logical result of it.

Mr. ALLISON. Very well. That is the statement of the Senator as respects an assumed condition. He says that we always claim that the levying of a duty upon an article diminishes the price. I did not know that that was the claim. It certainly does diminish the price in very many instances, and the Senator from Maine [Mr. FRYE] awhile ago gave an instance where the introduction of the manufacture of gunny cloth and the manufacture of cotton bagging into the United States diminished the price. Why? Before this industry was established in the United States Dundee and India had practically a monopoly of the production of those articles.

We levied a duty upon gunny cloth and upon cotton bagging—it was not a heavy duty—and we put jute butts, from which this cotton bagging was made, on the free list. The result of that was that numerous factories started all over the country for the

manufacture of cotton bagging and gunny cloth. What was the result? The result was that within five years there was established in the United States manufactories for this material which were sufficient to supply the entire consumption of the United States.

What was the effect of that? The effect of it was to create sharp competition between the producers here and the producers in Dundee and in India. Was not that a competition which had a tendency to reduce the price? Certainly it was, and it had that effect.

In 1888—because I wish to give this full illustration—in the Mills bill this protective duty, as we call it, was taken off cotton bagging and gunny cloth.

Mr. GEORGE. That bill did not pass and become a law.

Mr. ALLISON. I was going to give the history of it. The bill passed the House of Representatives on the 21st day of July, 1888. That was at a period when it was absolutely essential that the cotton producers should have gunny bags, and it was too late for anybody to import them from Dundee or from Calcutta. Those people put a squeeze upon the cotton producers and raised the price, I agree; they raised it abnormally for that single crop, knowing perfectly well that it could not be continued; and yet, notwithstanding that illustration given the other day, it is true, as stated by the Senator from Maine, that the placing of a duty upon that article had a tendency by means of competition to reduce the price very materially. We might put a duty of 10 cents a pound upon cotton and it would not advance the price of raw cotton in the United States.

Mr. HOAR. May I call the attention of the Senator to a fact which is in line with his argument? What he says is undoubtedly true; but in the early years of this Government, before the cotton industry had been established here, there was a protective duty put on cotton in order to stimulate the American product. The result was that at first we got cotton enough for our own use; then we got cotton enough to export; and we at last commanded the markets of the world with our natural advantages.

If the Senator will pardon me one moment—which seems a complete answer to the Senator from Mississippi—suppose we had continued that duty on cotton with a provision either of free trade or an amendment that there should not be any cotton manufactured in this country, although there had been a protective duty on cotton, there never would have been a shirt or a sheet or any other article of human use manufactured of cotton in this country. The result, then, would have been that cotton would have disappeared and the cotton manufacture would not have grown up in the United States.

There can not be a more absolute illustration on both sides of this question than the history of cotton in this country.

Mr. ALLISON. I am obliged to the Senator. There was a duty on cotton, but we have a country which is especially adapted to the production of cotton, and therefore we do produce it and shall continue to do so as long as we can produce it at a profit. It is the competition of production which fixes the price of the article of cotton.

The theory, as I understand, of those who believe that we should take care of our industries as against the industries of other countries is that, having a great country of 70,000,000 people, we should keep them all actively employed at fair, remunerative wages, some raising cotton, some raising wheat, some producing other articles of common consumption, and others manufacturing the articles which we must have here, rather than importing them from abroad. That is all I understand there is in the principle.

I want to say to the Senator from Mississippi—and I am rather in accord with the view taken by the Senator on this point—that he has been so occupied during the seven weeks of debate on this tariff question that he has not given it that assiduous care which he usually gives to public questions. If he had, he would find that it is not claimed on this side of the Chamber that on every article upon which a duty is levied the price is thereby reduced to the extent of the reduction of the duty.

Mr. GEORGE. I never asserted that. I asserted this—and I want the Senator to understand it distinctly—that the position on the other side was that the tax when levied on anything which came in competition with our manufactures always reduced the price, and when it was levied on anything else they bought that it did not. That was my statement.

Mr. ALLISON. I do not understand that to be our claim at all; but I think it must be manifest to the Senator that if iron ore and coal are essential elements to the production of pig iron, and we levy a high duty upon iron ore and a heavy duty upon coal, neither iron ore nor coal will be imported, but pig iron will be imported instead, if it be made free. In that sense there must run through these tariff bills what is called a compensatory duty.

I have seen the Senator from Mississippi voting over and over again in this very bill for such compensator duties. Why is it that he voted an eighth of a cent a pound duty upon sugar? It was because it was claimed, at least, that if an eighth of a cent a pound was not put upon sugar, instead of bringing raw sugar into the United States, importers would bring refined sugar into the United States, and thus destroy the American refiner. Why was it that the Senator voted for a tenth of a cent additional duty on sugars which come from Germany, where a bounty is paid by the German Government for the exportation of sugar? It was to equalize the situation for the benefit of our refiners in order that they might compete successfully with those German refiners of sugar. That was the theory upon which that was done. I had supposed the Senator had looked into this question before.

If we put a duty on iron ore or on coal, we should put a duty of some kind upon pig iron to equalize conditions; and if we put a duty on pig iron, we must put a duty on the finer forms of iron. I pointed out, some time ago, when the iron and steel schedule was under consideration, and you put a duty of 1.22 cents upon black sheets, and a duty of only 1.2 cents upon tin plates; that by that discrimination you had made it impossible to import black plates and make tin plates here, but that you encouraged thereby the production of tin plate abroad and its importation here by the reduction of duty.

All I propose to say is, that I am for giving a proper duty to the producers of wool and then I am for giving a proper duty, whatever it may be, to the manufacturers of woolen goods, just as I should have voted to give a duty upon prunes and plums the other day had the provision not been coupled with a proposition to place a duty of 125 per cent upon Zante currants.

If Senators want to be fair-minded and divest themselves for the moment of the shackles and ties, whatever they may be, which compel them to stand here as one man and vote, they ought to be willing to do justice here to the woolen producers upon the plains and in the mountains of the West, and also to give a fair duty upon woolen goods.

I want to ask why it is that we have a duty upon cotton goods? Cotton is free, a raw material.

Mr. BUTLER. To raise revenue.

Mr. ALLISON. Undoubtedly, as the Senator from South Carolina says, to raise revenue; but there is not a man in this Chamber so innocent as not to know that those duties are so levied and so finely adjusted as to effectuate the purpose of continuing the production of cotton goods in the United States. That is a commendable thing to do, is it not? That is all we have done. That is all anybody proposes to do, as I understand, respecting the woolen schedule, and we make that proposition because we find this bill coming here without a duty upon wool, which has prevailed practically from the foundation of the Government. I congratulate my friend from Mississippi that his mind is working up to a point where he will be willing to do justice to the farmers of the Northwest, who are the producers of wool, and the people who live upon the plains in the farther West who produce wool in greater quantities, and I hope that then——

Mr. GEORGE. I want to say to the Senator that I had not to do any working-up of my mind to that.

Mr. ALLISON. I am very glad of it, and I hope what the Senator has said this afternoon will have some influence on his associates on that side of the Chamber, so that, of all the things in this bill, wool and the wool-producer will not be singled out and decorated for the slaughter which is proposed by the bill in many of its parts, and in no part so generally and so universally as in this schedule.

Mr. FRYE. Mr. President——

Mr. POWER. With the Senator's permission, I should like to say a word.

The PRESIDING OFFICER. Does the Senator from Maine yield to the Senator from Montana?

Mr. FRYE. With pleasure; but I do not want the Senator from Mississippi to leave just yet. I want to explain something to him.

Mr. GEORGE. No, I shall not leave; but I am getting very tired.

Mr. POWER. I am very thankful to the Senator from Mississippi for what he has said. He has stated that he is a friend of the farmer, and he has also stated that he is not quite satisfied with his party's action in regard to free wool.

Mr. GEORGE. I said that much of it.

Mr. POWER. Then I will qualify what I said. The Senator is not altogether satisfied. He voted the other day with a few of my friends on this side of the Chamber to make hides free. This gives the manufacturers of the East the advantage of getting cheaper hides. The farmers of the West and of the country generally are willing to have hides come in free, be-

cause beef is bringing a fair price. They are fair-minded and liberal. The Senators of the dominant party are framing a bill, and in that bill wool is made free of duty, while the manufacturer of wool is protected. This is an injustice to the farmer.

For this reason I want to thank the Senator from Mississippi for what he has said, that he wanted to arrange the matter in some way so as to do justice to the farmer and the manufacturer. I am ready to join him at any time, or any other friends of farmers on the other side of the Senate—and I am glad to say that we have some on this side—and vote for a bill that will protect not only those who are engaged in the manufacture of wool, but also those who are engaged in the growing of sheep and the production of wool.

I am very glad to have heard what the Senator said to-day on this subject.

Mr. FRYE. Mr. President, I should like to explain one thing to the innocent farmer from Mississippi [Mr. GEORGE]; and that is why a duty on manufactured goods in the long run decreases the cost of the goods to the people; and, as he is so innocent, I will do it in the old-fashioned way of an illustration, about the facts of which there can possibly be no dispute.

Up to 1883 we manufactured in this country no mohair plushes at all. We used immense quantities for car seats, for furniture, covers, and all that sort of thing. The Senator has seen it a great many times. We bought it all of Germany and of France. They made it all, using handlooms. Having control of our market, they had the control of the prices which we were compelled to pay.

In 1883 the Goodalls, manufacturers in the State of Maine, and as skillful, as sagacious, as determined as any who can be found in any country, thought that, under the duty which had been placed upon mohair plushes at that time, they could transfer that industry from Germany and France to the United States. They built a mill. Before the mill was completed and the machinery was in, Germany and France made a cut on those plushes of 10 per cent for the purpose of breaking down this industry which was just coming into existence in the United States. They did not succeed.

After the machinery was in the mill they made another cut of 15 per cent, making 25 per cent; and within a year thereafter they made another of 15 per cent, 40 per cent in all. They came very near destroying this industry, struggling into life; and if these men had been ordinary men, with mere ordinary determination and pluck, they would have succeeded. But they were not. They proceeded at once to see whether or not they could discover or invent some new dyes which would be better than those used in foreign countries; those fading rapidly. They succeeded in that. Then they started on the question of making these plushes by power-machinery instead of by handlooms, and in two years they had invented and perfected, at a cost of $30,000, a powerloom for their manufacture.

From that time up to one year ago they ran their mill on full time, and made a fair profit. Six other mills came into existence in the United States, and they had not only the competition abroad to contend with, but the competition at home. The result has been that to-day we are buying our mohair plushes 45 per cent less than we were when we had no mills in this country. Besides, we are making better plushes with faster colors, and have compelled these foreigners to take our power looms to run their mills with. Thus there has been a reduction in price to the world as well as to the United States, and to-day we are supplying nine-tenths of all the plushes used in this country, at 45 per cent less than they formerly cost. Is not that an object-lesson perfectly plain to anybody? Surely my farmer friend, the Senator from Mississippi, can see in this case how a duty, or as he calls it a tax, resulted in a lower priced product to the consumer.

I assert boldly, without any fear of contradiction, that no Senator can name a single industry which has been started into life and successfully established in the United States by the policy of protection where the prices of the product of the industry have not gone down from 30 to 50 per cent, while the wages of the workmen have increased.

Let me illustrate the same thing by another industry; also the danger of reducing a duty below the protective point. We did not make any worsted goods in the United States until after 1864, and everybody wore them. We bought them from England largely, and from Germany. We placed what the Senator from Mississippi would call a heavy duty on worsted goods, and in a few years made nearly all we used. In 1881 the entire importation of worsted goods into the United States was just $242,000 worth, and before we started that industry we imported them by the millions of dollars' worth.

What was the effect upon prices? Worsted mills started all over the United States; they became competitors with each other. That required them to study every possible economy in manufacture, to close up every loophole for loss, to reorganize their mills in the best possible manner, so as to produce the largest product from a given amount of power; that compelled them to call on the inventive genius of the United States for new machinery, and the Senator knows that that genius responds here as it does not in all the world outside. It did not fail this industry. We were making, as I say, all the worsted goods we required, and they were 46 per cent less in cost to the people of the United States than when they were being manufactured abroad.

Now, see what is the effect of too great a reduction of duty upon an industry. In 1883 we revised the tariff, and made use of such words in placing the duty on worsteds that the Treasury Department made a ruling—and I think it was sustained afterwards by the court—by which these goods did not bear the duty of other woolen goods, though they were made of the finest wool, but were dutiable at a much lower rate. What was the result? In 1884 one-half of the worsted mills in the United States were shut down, and one-half of the other half were running on half time. Those that shut down went into the general woolen industry of the country, which overcrowded that. The entire woolen industry of the United States was so crippled that there was hardly a manufacturer, except of special goods, who was making a dollar. What was the result? The very next year we imported $600,000 worth of worsted goods, and it ran on from that up to over $6,000,000 worth in 1890.

The Democratic Secretary of the Treasury twice called attention in his annual reports to the Democratic House to that mistake in the tariff act, and asked of them that they would rectify it. That Democratic House refused, and it was not rectified until the Republicans came into power four years ago in the House of Representatives, when the first bill passed was a bill restoring the duties intended to be levied in 1883. What was the result? Two years after the importation of worsted goods ran from $6,000,000 down to $2,500,000, and has been decreasing ever since.

That is the effect of just a little reduction of duty on woolens in the United States, and I say to Senators they must not make mistakes in these things. They are dealing with serious affairs.

Mr. TELLER and Mr. PEFFER. How as to the prices?

Mr. FRYE. We are buying them at 50 per cent less to-day than we paid before they were manufactured in the United States, and the people of the whole world are reaping like benefit. The foreign manufacturers were compelled in order to try to kill us to put down their prices, and they never have been able to restore them.

You may consider the duty on cotton goods. It is said the cotton schedule is a good one. I do not know whether it is or not; I am inclined to think it may be, but I believe it places too low a duty on fine cotton goods. We imported, I think, in the neighborhood of $30,000,000 worth in 1890. The intention of the McKinley bill was to put the duty high enough on fine cotton goods, where so much more labor enters into their manufacture, to transfer that industry to the United States. They held it was utterly absurd for us to raise cotton here, send it over to Liverpool and have it manufactured into laces, muslins, and curtains, and all that sort of thing, and then they send their muslins, their laces, and their curtains over here, and we send our gold over there to pay the men and the women who made them.

The McKinley act increased the duty on fine cottons, not on any other. Encouraged by this we started in very shortly to manufacture them. There were one or two big mills in Philadelphia. But we were stopped. Why? Because the next House elected was Democratic. The McKinley act never had any chance to do its perfect work. It never had any fair trial. It was handicapped from the very beginning. It took effect in October, an election followed in November, and the interests of the Democratic party required that it should be blackened. It was handicapped too by the merchants of the United States, they seeming almost in a conspiracy to do it, though of course they were not. Why? Because their goods, as everybody knows, were too low in the market.

The profits of the manufacturer were almost nominal, and those of the retailer were equally so. They thought it afforded a chance to mark up their goods and they marked them up, utterly regardless of the fact whether the McKinley act raised a duty or decreased it. Consequently every merchant in the United States became an advocate, unintentionally I admit, for the defeat of the McKinley act in that he marked up his goods; and when inquired of why the price had been raised always replied, "the McKinley act." Every commercial traveler was doing the same thing. The result was an immense Democratic victory. Our tariff law received a savage blow in the eye at the very outset, and from that time down to this has not performed its efficient duty.

Yet, Mr. President, in spite of that it did transfer an immense amount of industry to the country. With the worsted schedule

corrected and the higher rates of duties imposed on the finest woolen goods we transferred in two years over $20,000,000 worth of manufactures of woolen goods to the United States from abroad. If that act had been allowed to stand undisturbed, if the Republican party had won in the next contest in this country, instead of $20,000,000 worth it would have been twice that.

Mr. President, who can give any reason why we should import $300,000,000 worth of woolens, of cottons, of silks, of linens, of the manufactures of iron and steel into the United States? We have the wool here; we have the cotton here; we have the iron here; we have the coal here; we have the men and women here to do the work. Why should we not do it here instead of sending our money abroad and hiring people there to do it? Why should not men and women do it here who will buy our products, who will clothe themselves in our woolen cloths, who will eat the food which our farmers raise, instead of having England and Germany and France furnish the cloths and the food to the people who make the goods?

The purpose of the McKinley act was to transfer those industries. It transferred in the little time it was in operation, handicapped as it was, over $60,000,000 worth of those industries to the United States, and employed thousands and hundreds of thousands of men here in this country. No Senator can name a single article of goods increased in price by reason of it. We undertook to transfer the remarkable industry of making tin plate in the McKinley act, and it would have been a profound success if the Republicans had been elected to power the very next year. The Government agent in his second report said that in less than four years the entire industry would be transferred from Wales to the United States of America, and hundreds of thousands of men would have been employed, and we would have used our iron and our coal and our tin, instead of using iron abroad and coal abroad.

But the Democratic party went into that campaign declaring that every tin pail that any workingman carried to his shop or to his work house would cost him 10, 15, or 20 cents more under the McKinley act. They made him believe it and vote the Democratic ticket. Yet, after six months' time there was not a single utensil of tin in the United States that cost the man who bought it one single cent more. The great canners of the country were frightened by that cry. They found out in less than a year that they could make their contracts for cans as cheaply as they ever made them in the history of the country.

The Democratic party came into power in the House, and the first bill they reported from the Ways and Means Committee was one placing tin plate on the free list. Why should not that stop the industry in its success? And it did to a very large extent, I have no doubt.

I was speaking about the cotton schedule. A cotton mill in the United States in the last fifteen years could not run with any profit unless it had changed two-thirds of all its machinery. Why was that? The competition was so close that whether there was a profit or not depended upon the amount of product for a given amount of power. That factory which reduced its product 10 per cent below what it ought to produce for the amount of power used failed.

The factory which did not adopt every invention that the genius of this country offered it, to decrease cost, failed. We invented a spinning machine which reduced the cost of spinning cotton goods just exactly one-half. The factory that did not take that spinning machine could not run successfully with the one that did; it was an utter impossibility.

Are cotton goods cheaper anywhere than here? I do not believe it. I went into the city of Manchester, where they make cotton goods entirely, and where the women work for 35 cents a day, ours working for $1 and $1.25 a day. As a mere matter of curiosity I went to six or eight different retail stores to buy nightshirts, and the best offer I could get was $1.25 each. I can go into any store in Washington—I could then; I can to-day—and buy the same shirt for 75 cents.

Now, it may be that no high duty is required on the coarsest kind of cotton goods. Such a duty may not be needed as protective, but may be as a preventive. You let England overmanufacture—have a large product upon her hands. If there is no duty she dumps it upon our wharves and breaks down our mills. If there is a duty which she is obliged to pay, she will not do it. So, whether a duty is required or not for protection, for prevention it may be very valuable indeed.

Now, let me briefly consider wool. There is not a woolen manufacturer in Maine (and we have a great many of them) who is not in favor of a duty on wool. There is not a Republican member of the House from New England who did not vote for such a duty. There is not a New England Senator here who will not do the same, and we represent the woolen industries of the country. There was one man who owned a mill in Maine, but lived in Boston, who wrote articles in favor of free wool. He got his free wool and saw the woolen schedule reported by this committee. That cured him forever. He will write no more articles of that kind. That is the end of his literary life in that direction.

We are in favor of a duty on wool because we do not believe it is a raw material, We do not believe that anything is a raw material which has been touched by the hand of man and increased in value by that touch. We also believe that the farmer is just as much entitled to protection as the mechanic or the manufacturer. We are confident that you can not raise a pound of wool in the United States if you have no duty. We are satisfied that it is in the interest of our people to raise all of our own wool instead of half of it. We are in favor of encouraging by a duty our farmers to raise flocks of sheep. They are useful in many ways besides raising wool.

Before the committee investigating this subject in 1890 there was a very valuable witness, a man who could not be impeached in any way, and I wish to read a part of his testimony. It was Mr. E. N. Bissell, of Shoreham, Vt. He is a farmer. He went on to inform the committee that he had visited New South Wales, Australia, had spent a good deal of time there, and he says:

> I take this colony, as I am more conversant with this by personal observation and interviews with prominent woolgrowers that reside there. My personal observations were made in 1883; my last interview was with Mr. Samuel McCaughey, of Coonong, Urana, New South Wales, who visited Vermont in 1887 and 1888, and who made his headquarters at my home when purchasing Merino sheep to ship to Australia. His home farm is located 400 miles from Sydney. He owns 1,200,000 sheep, which graze on 3,500,000 acres of land; 2,000,000 acres he owns and 1,500,000 he rents of the government at 2 cents per acre, the lease running in some instances thirty-five years, and all permanent improvements made by him on this rented land is paid for by the government. He estimates that on an average it takes 3 acres of land to keep a sheep one year; and as they have no frost or snow during the year they require no hay or grain, and his farm being inclosed in paddocks or fields containing 1,000 to 2,000 acres, he requires no shepherd to herd his flocks.
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> Mr. McCaughey has at different times in the years past hired others to keep sheep for him, and paying 9 cents per head for one year's keeping; and at this price he claims that the person keeping the sheep clears 3 cents a head, as he rents the land of the Government at 2 cents per acre, and it takes only three acres to keep a sheep a year. Mr. McCaughey's sheep shear on an average 5 pounds per head, and it costs a trifle less than 2 cents per pound to grow wool in New South Wales when you hire them kept, or a trifle over 1 cent when kept on rented land.
>
> The cost of transporting wool from Coonong to Sydney by rail is one-half cent per pound. From Sydney to New York or Boston by sailing vessels the freight is 1 cent per pound, and by steamer from Sydney to San Francisco, and thence by rail to our Atlantic seaports, costs 3 cents per pound, making the total cost of growing and transporting wool a trifle less than 5 cents per pound.

Australia is producing an enormous quantity of wool and constantly increasing her flocks. She can supply us. She can land it at a cost of a little less than 5 cents a pound in New York.

Mr. President, is there a farmer in the United States, whether in the cold North, where you must feed your sheep six months in the year, or even in Texas, where you need not feed them at all, but may keep them out during the year in the open country—is there a farmer there, even, who can compete with Australia in raising wool if she can land that wool in New York for 5 cents a pound?

Mr. POWER. And make a living.

Mr. FRYE. Well, and make a living; that is better. And yet the deliberate proposition, deliberately considered, deliberately proposed by the committee, with all of the other side of the Chamber pledged as deliberately to support anything which comes from that committee, whether right or wrong, is that there shall be no duty on wool, and that our farmers shall be exposed to that competition.

The Senator from Mississippi thinks it is very strange that I take the attitude that the duty on sugar is a tax paid by the consumer, while the duty on manufactured goods is not a tax paid by the consumer; and yet the difference is as broad as the earth itself.

Mr. GEORGE. I explained that.

Mr. FRYE. Then the Senator in his own mind is not disturbed about it.

Mr. GEORGE. I explained the difference between sugar and other things. I agreed to your theory. I acknowledged your explanation to be correct that the area for the production of sugar is limited.

Mr. HARRIS. I should like the Senator from Mississippi to speak loud enough to be heard.

Mr. FRYE. I hope the Senator from Tennessee does not complain that I do not speak loud enough?

Mr. HARRIS. The Senator from Maine was speaking loud enough, but I did not hear a word the Senator from Mississippi said; and if not strictly confidential I think the Senate ought to hear what passes here.

Mr. GEORGE. I said to the Senator from Maine that I had explained the difference between sugar and other things. I said there was a reason, and I gave the reason, I even agreed to his

own theory (and he answered it himself and acknowledged the the explanation to be correct) that the area for the production of sugar is so limited it could not be extended to the extent of producing all the sugar consumed in the United States.

Mr. FRYE. That was true up to 1890. There never had been up to that time any particular encouragement that we ever could make a success of sugar-raising in this country. We undertook to try a new plan, a bounty plan, and that, while it lasted, worked admirably. It gave the friends of the beet-sugar industry encouragement to believe that by giving them the time allowed in the act they would supply all the sugar we needed in this country. If under that bounty, or under protection either, sugar became a successful industry in the United States, then the policy of protection would apply to it, and the price of sugar would go down under the force of competition here at home.

Now, as to wool. Why will not the duty on wool operate precisely the same as the duty on manufactured goods? The Senator loses sight of one thing, and that is that his side is claiming that wool is a raw material. In any raw material or in any product nearly so there is the least possible amount of labor, is there not? Then there is the least possible chance to save by machinery or by invention or by organization the cost of production. That is absolutely true of wool. If we in this country could get up a competition in the raising of wool by the inspiration of which we would introduce new methods of raising sheep, of producing lambs, of shearing, of feeding sheep, and all that sort of thing, then the same result would follow from a duty on wool as from one on manufactured goods; but not until then.

It is only by competition, inspired by a protective tariff, in a successful industry, with an opportunity for the use of economy, skill in management, in organization, the invention of new machinery, that we are able to pay higher and constantly increasing wages, and still keep down the price of the product. That does not apply to the production of hides or to the raising of sheep, and in neither case would a duty reduce the cost to any great extent. I have no doubt about this. The production of wool has been enormous in the Argentine Republic; they have increased their flocks to about 100,000,000 sheep, producing nearly 500,000,000 pounds of wool a year.

In 1860 they did not have a quarter of that. In Australia they have been increasing in the same ratio; and so too here. The Senator must remember that at the same time we have been improving breeds of sheep so that woolgrowing has gone up in the Argentine Republic from 2 pounds in a sheep to 5½ pounds, in Australia from 2 pounds to 5 pounds, in the United States from 2½ pounds to nearly 7 pounds to a sheep.

Mr. POWER. Fully seven.

Mr. FRYE. Fully seven. So the result is that there has been an enormous increase in the production of wool the wide world over. That, of course, has reduced the price. The moment the supply is beyond the demand, down the price goes. There is no doubt about that. But the Senator must remember that up to one year ago the price of wool in the United States as compared with the price in Liverpool showed that our farmers got the full benefit of the duty on wool, the price being that amount higher right along, quotation after quotation, in the United States. So the farmers received the benefit.

Mr. President, I beg the Senate's pardon for indulging in a speech; I only intended when I took the floor to say a few words.

Mr. QUAY resumed the speech begun by him yesterday. After having spoken fifteen minutes—

Mr. HARRIS said: I desire to ask the Senator from Pennsylvania if he has reached a point in his remarks where it will be convenient for him to yield to me?

Mr. QUAY. It will always be convenient for me to yield to the Senator from Tennessee.

Mr. HARRIS. The Senator is kind.

The PRESIDING OFFICER. The Senator from Pennsylvania yields to the Senator from Tennessee.

[Mr. QUAY'S speech will be published entire after it shall have been concluded. See Appendix.]

Mr. HARRIS. Mr. President, I perhaps need not refer to the fact that we have been debating the general principles of tariff taxation since the 2d of April. We have been two days on the woolen schedule in general debate, debating everything else quite as much as wool. I should be exceedingly glad if we could get a unanimous consent agreement to apply the five-minutes rule to this schedule. The senior Senator from Rhode Island [Mr. ALDRICH], who has been ill for a couple of days, desires to submit some remarks upon the woolen schedule to-morrow morning, and I think he ought to have the opportunity to do so, but I will ask unanimous consent that after he shall have submitted his remarks to-morrow morning, the debate upon the various paragraphs and amendments to the schedule shall be limited to five minutes to each Senator.

Mr. QUAY. Do I understand the Senator from Tennessee as asking at present for a unanimous consent agreement or merely as giving notice that he will ask for such an agreement to-morrow?

Mr. HARRIS. I am asking it now.

Mr. QUAY. I shall feel it my duty to object at the present time, but I suggest——

Mr. HARRIS. I was going to remark, if the Senator from Pennsylvania will allow me, that if Senators desire to make set speeches on the woolen schedule, I for one will stay with them to-night as late as they may desire. I desire to deprive no Senator of his opportunity, but I do feel that there is an imperative duty resting upon me and those who are associated with me to try to make progress with the bill.

Mr. LODGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Pennsylvania yield to the Senator from Massachusetts?

Mr. QUAY. Before yielding I wish merely to suggest to the Senator from Tennessee that if he will withdraw his request for the present and renew it to-morrow afternoon the conditions in the Senate may be somewhat changed. To-night, as I said, I can not consent to such an agreement.

Mr. HARRIS. I hope the Senator from Pennsylvania will not say to-morrow afternoon.

Mr. QUAY. That is my suggestion.

Mr. LODGE. I will state to the Senator from Tennessee that I do not desire to make a very long speech on the wool question, but I do wish to speak more than five minutes; and I should like to have time to speak to-morrow as I have been pretty closely confined in a committee room all day. Therefore, I hope the Senator will not press his request for the application of the five-minute rule quite so soon.

Mr. HARRIS. I am satisfied as to the duties of the Senator from Massachusetts. I know he has been engaged on other duties which are confining. I think there is absolute merit in his suggestion, and if I could get the unanimous consent agreement after the Senator from Rhode Island and the Senator from Massachusetts shall have been heard, I should be glad to do it.

Mr. CHANDLER. I say ditto to the Senator from Massachusetts. I wish to make some remarks which will not occupy a long time, but which will occupy more than five minutes. I suggest to the Senator from Tennessee that we go on to-morrow under the five-minute rule, but with permission to any Senator who desires to speak longer to speak longer. [Laughter.] I think that would be the most amicable and the most satisfactory arrangement which could possibly be made.

Mr. HARRIS. That is an India-rubber expansive idea which I can not quite take in.

Mr. PLATT. I hope the Senator from Tennessee will not this evening press any request for a unanimous consent agreement. I feel that it is my duty, representing a State which has woolen manufactories, to say something as to how our people feel about the removal of the duty on wool. The Senator from Tennessee knows that I have not made any set speeches on the tariff, and I do not propose to do so, but I can not say what I desire to say in five minutes or ten minutes. I do not make any long speeches on this subject. I think we had better run on to-morrow as we have gone on to-day. We should have proceeded a good deal faster if the entire debate to-day had, as usual, been confined to this side of the Chamber.

Mr. ALLISON. I know there are quite a number of Senators who desire to speak to-morrow. There are certainly two others besides those who have mentioned the fact that they desire to speak. I do not think there is the slightest disposition to delay the woolen schedule in any way. Certainly by Friday morning we can go on under the five-minute rule, and I hope we can do so to-morrow.

Mr. PLATT. Will the Senator from Iowa allow me? I have been advised of some amendments which are likely to be proposed when we proceed with the consideration of the woolen schedule in detail, which will be pretty important and can scarcely be disposed of under the five-minute rule.

Mr. ALLISON. Of course, such an agreement requires unanimous consent. I was not aware that important amendments were to be offered, but I suppose there will be important amendments presented, as this is a very important schedule. Indeed, I supposed that this schedule would take a full week. I believe we have occupied now only two days upon it.

Mr. HARRIS. Especially on the woolen schedule, two days. The Senator from Iowa is right.

Mr. ALLISON. I suggest to the Senator from Tennessee that he at least postpone the consideration of his request until to-morrow. The Senator from Rhode Island will be here and will make such observations as he may desire. Other Senators will do likewise, and perhaps by Friday we can make some arrangement, and possibly we may do so to-morrow.

Mr. DUBOIS. I hope the Senator from Tennessee will not press his request now. As has been shown to-day, the Northwestern Senators especially take a great interest in this question. Sixty per cent of all the sheep in the country are in the Rocky Mountain region. The Senator from Colorado [Mr. TELLER] told me just before he left the Chamber that he desires to submit some remarks in regard to free wool. It occurs to me that this is a very legitimate subject of debate. Therefore I hope that the Senator from Tennessee will not insist on his request to limit debate.

Mr. HARRIS. In answer to the Senator from Iowa I will state that I am raising no question about intentional delay. What I complain of is the delay itself. That is the misfortune of the Senate and the country. But in view of the various suggestions which I am compelled to respect (and whether compelled or not a single objection checkmates me) I will adopt the suggestion of the Senator from Pennsylvania [Mr. QUAY] and postpone my request until to-morrow. I will repeat it to-morrow, however, and I hope with much better success than this evening.

Now, Mr. President, I am inclined to move that the Senate proceed to the consideration of executive business.

Mr. CAREY. Will the Senator from Tennessee withdraw his motion and yield to me for one minute, that I may call up a private pension bill?

Mr. HARRIS. Certainly; I yield to the Senator from Wyoming.

JOSEPH W. FISHER.

Mr. CAREY. I ask unanimous consent for the present consideration of the bill (S. 1957) to increase the pension of Joseph W. Fisher.

By unanimous consent the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Pensions with an amendment: In line 7, before the word "dollars," to strike out "one hundred" and insert "seventy-two," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Joseph W. Fisher, late colonel of the One hundred and ninet-yfifth Regiment of Pennsylvania Volunteers, at the rate of $72 per month, in lieu of the pension he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EXECUTIVE SESSION.

Mr. HARRIS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After twelve minutes spent in executive session the doors were reopened, and (at 6 o'clock and 7 minutes p. m.) the Senate adjourned until to-morrow, Thursday, June 14, 1894, at 10 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate June 13, 1894.

INDIAN AGENT.

Joseph R. Jewell, of Olean, N. Y., to be agent for the Indians of the New York Agency in New York, vice Augustine W. Ferrin, to be removed.

REGISTERS OF THE LAND OFFICE.

John M. Evans, of Missoula, Mont., to be register of the land office at Missoula, Mont., vice Robert Fisher, to be removed.

John W. Wehn, jr., of Wilber, Nebr., to be register of the land office at Alliance, Nebr., vice Frederick M. Dorrington, resigned.

RECEIVERS OF PUBLIC MONEYS.

William C. Murphy, of Missoula, Mont., to be receiver of public moneys at Missoula, Mont., vice John B. Catlin, to be removed.

POSTMASTERS.

Franklin G. Holbrook, to be postmaster at Minneapolis, in the county of Hennepin and State of Minnesota, in the place of William D. Hale, whose commission expired June 10, 1894.

John T. French, to be postmaster at Hammonton, in the county of Atlantic and State of New Jersey, in the place of George Elvins, whose commission will expire June 14, 1894.

Elliott P. Kisner, to be postmaster at Hazleton, in the county of Luzerne and State of Pennsylvania, in the place of Bide W. Wilde, whose commission expired April 26, 1894.

J. Albert Jones, to be postmaster at Marcellus, in the county of Cass and State of Michigan, in the place of Joel J. Nash, removed.

John Murray, to be postmaster at Port Huron, in the county of St. Clair and State of Michigan, in the place of Alexander R. Avery, removed.

Charles E. Thomas, to be postmaster at Battle Creek, in the county of Calhoun and State of Michigan, in the place of William H. Mason, whose commission expired June 2, 1894.

Charles M. Topping, to be postmaster at Fenton, in the county of Genesee and State of Michigan, in the place of Lewis V. Curry, whose commission will expire June 27, 1894.

CHIEF OF BUREAU OF INDEXES AND ARCHIVES.

Pendleton King, of North Carolina, to be chief of the Bureau of Indexes and Archives in the Department of State, vice John H. Haswell, resigned.

UNITED STATES CONSULS.

John H. Miller, of Kentucky, to be consul of the United States at Port Stanley, Falkland Islands, vice Henry S. Lasar, recalled.

John B. Gorman, of Georgia, to be consul of the United States at Matamoras, Mexico, to fill a vacancy.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 13, 1894.

CONSUL.

William J. H. Ballard, of New York, to be consul of the United States at Hull, England.

COLLECTOR OF CUSTOMS.

George E. Van Kennen, of New York, to be collector of customs for the district of Oswegatchie, in the State of New York.

PENSION AGENT.

Henry H. Trimble, of Keokuk, Iowa, to be pension agent at Des Moines, Iowa.

NAVAL OFFICER OF CUSTOMS.

Charles F. Stone, of New Hampshire, to be naval officer of customs in the district of Boston and Charleston, in the State of Massachusetts.

JUSTICES OF THE PEACE.

Charles S. Bundy, of the District of Columbia, to be justice of the peace in and for the District of Columbia.

William C. Harper, of the District of Columbia, to be justice of the peace in and for the District of Columbia.

Charles F. Scott, of the District of Columbia, to be justice of the peace in and for the District of Columbia.

POSTMASTERS.

William M. Reed, to be postmaster at Morris, in the county of Grundy and State of Illinois.

Albert H. Jones, to be postmaster at Granville, in the county of Licking and State of Ohio.

George S. Laird to be postmaster at Chelsea, in the county of Washtenaw and State of Michigan.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *June 13, 1894.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. E. B. BAGBY.

The Journal of the proceedings of yesterday was read and approved.

REPORT OF THE DIRECTOR OF THE MINT.

The SPEAKER laid before the House a letter from the Secretary of the Treasury, transmitting the report of the Director of the Mint for the calendar year 1893; which was ordered to be printed.

WETMORE & BRO., ST. LOUIS, MO.

The SPEAKER laid before the House a bill (H. R. 210) for the relief of Wetmore & Bro., of St. Louis, Mo.

Mr. COBB of Missouri. Mr. Speaker, the objection to this bill having been withdrawn, I ask unanimous consent for its present consideration.

The SPEAKER. The bill was laid before the House on yesterday, but was withheld until to-day by consent. The Clerk will again report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby directed to pay to Wetmore & Bro., of St. Louis, Mo., the sum of $220, being the amount in part of fees due to them as attorneys in colored bounty cases, retained and covered into the Treasury.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. COBB of Missouri, a motion to reconsider the vote by which the bill was passed was laid on the table.

SENATE BILLS REFERRED.

The SPEAKER laid before the House Senate bills of the following titles; which were severally referred as below:

A bill (S. 1483) to correct the military record of Elisha B. Bassett—to the Committee on Military Affairs.

A bill (S. 205) for the relief of John F. W. Dette—to the Committee on Military Affairs.

A bill (S. 685) to amend an act entitled "An act to divide the judicial district of North Dakota," etc.—to the Committee on the Judiciary.

A bill (S. 1319) for the relief of E. Douglass, late Indian agent at White Earth Agency—to the Committee on Claims.

ENROLLED BILLS SIGNED.

Mr. PEARSON, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

A bill (H. R. 1127) for the relief of Francis M. Tomlin; and

A bill (H. R. 5778) to supply a deficiency in the grant of public lands to the State of Mississippi for the use of the State University.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed bills of the following titles; in which the concurrence of the House was requested:

A bill (S. 1390) providing an additional circuit judge in the eighth judicial circuit;

A bill (S. 1478) providing for an additional circuit judge in the seventh judicial circuit, and for other purposes; and

A bill (S. 1813) providing an additional circuit judge in the ninth judicial circuit.

BARRY HOSPITAL, HOT SPRINGS, ARK.

Mr. BRECKINRIDGE of Arkansas. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 513) granting the use of certain lands in the Hot Springs Reservation, in the State of Arkansas, to the Barry Hospital.

The bill was read, as follows:

Be it enacted, etc., That there is hereby granted to the Barry Hospital of the city of Hot Springs, in the State of Arkansas, a charity hospital duly organized and chartered under the laws of the State of Arkansas, the right to occupy, improve, and control, for the purpose of erecting thereon a hospital for the use and benefit of the poor, and for no other purpose whatever, any of the lots, pieces, or parcels of land, situate in the county of Garland and State of Arkansas, now owned by the Government of the United States, to be selected by the Secretary of the Interior: *Provided*, Said hospital shall not be located on the reservation which embraces the hot springs: *Provided*, That the United States reserves to itself the fee and the right forever to resume possession and occupy any portion of said lands whenever in the judgment of the President the exigency arises that should require the use and appropriation of the same, or for such other disposition as Congress may determine.

Mr. PAYNE. Mr. Speaker, I wish to ask the gentleman from Arkansas whether there is any limit to the amount of land that may be used for this purpose?

Mr. BRECKINRIDGE of Arkansas. It is limited by the discretion of the Secretary. The bill calls for a suitable lot, and the selection of it is left to the discretion of the Secretary. I will say to the gentleman that great numbers of indigent sick from all over the Union go to Hot Springs, and this is the only hospital provided for them, and it is supported entirely by the municipality.

It is simply desired that the hospital may be allowed to occupy this land, with the right on the part of the Government to resume possession at any time, although, in point of fact, under existing law, the proceeds of all that land is devoted to Government purposes there.

Mr. PAYNE. I know it is theoretically, but not by law, I believe.

Mr. BRECKINRIDGE of Arkansas. Yes; that is the existing law. The proceeds of that land are to go to care for the water and carry out the Government's policy at Hot Springs.

Mr. PAYNE. I think that if the Government could get rid of all that land there, it would be a benefit to the Treasury.

Mr. BRECKINRIDGE of Arkansas. Well, that is another question.

Mr. BURROWS. Has this bill been acted upon by any House committee?

Mr. BRECKINRIDGE of Arkansas. Oh, yes; the bill has passed the Senate and has been reported favorably by the Committee on Public Lands.

Mr. WILSON of Washington. Mr. Speaker, I understand that this is a bill to authorize the occupation of some public land at Hot Springs, in the State of Arkansas, for hospital purposes?

Mr. BRECKINRIDGE of Arkansas. Yes, sir; to grant that privilege to an existing hospital which needs better accommodations than it has now. The bill provides that the hospital shall be permitted to occupy some suitable lot, upon which a larger building than the existing one can be erected.

Mr. WILSON of Washington. The only reason why I occupy any of the time of the gentleman from Arkansas in connection with this measure is this. I am usually favorable to all bills of this character, but I had a bill passed through the House some days ago which is of the greatest importance to the people of my State, and that bill is held up at the other end of the Capitol.

Mr. BRECKINRIDGE of Arkansas. Well, if the gentleman has as good a bill as mine I would like to help him reform the Senate in that particular. [Laughter.]

Mr. WILSON of Washington. I want it understood now, so that there will be no uncertainty about it, that if the Representatives of the State of Arkansas can hold up matters that are purely local to the State of Washington, I will see whether I can not hold up matters here that are purely local to the State of Arkansas.

Mr. BRECKINRIDGE of Arkansas. I will say to the gentleman that this bill is not local in its bearing. Of the indigent patients in this hospital only five are from the State of Arkansas; all the others are from other States, and the hospital is maintained entirely by the charity of the people of the locality.

Mr. WILSON of Washington. As I have frequently said, I never interpose in any matter that is local to my neighbors, but the bill to which I refer is of very great importance to my people and to a large section of the country. It would not only give employment to people who are now out of employment, but it would make land that is not worth a cent an acre in its natural condition worth $50 an acre. As that land now is, you could not raise a spear of grass upon it, but with proper irrigation it can be made very fertile, and there is any quantity of water going to waste in that valley, but the gentleman from Arkansas stands in the way of the passage of that bill.

Mr. BRECKINRIDGE of Arkansas. The gentleman does not mean, of course, that I have in any way obstructed the passage of his bill?

Mr. WILSON of Washington. No; not this gentleman; but there was objection on the other side. I want to say here and now, that upon general legislation I never object. But upon local legislation, if I am to be held up by the Representative from Arkansas, I will see if I can not also object.

Mr. COGSWELL. I hope the gentleman from Washington will not object.

Mr. BURROWS. He does not object.

Mr. COGSWELL. We have all got to follow the golden rule, and do unto others as we would have them do unto us. We will take care of the gentleman from Washington [Mr. WILSON] by and by.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The bill was ordered to a third reading; and was accordingly read the third time, and passed.

On motion of Mr. BRECKINRIDGE of Arkansas, a motion to reconsider the last vote was laid on the table.

ELIZA K. STARR.

Mr. LOUDENSLAGER. I ask unanimous consent for the present consideration of the bill H. R. 3487, granting a pension to Eliza K. Starr.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Eliza K. Starr, widow of Samuel H. Starr, late colonel Fifth New Jersey Volunteers and major and brevet colonel Sixth United States Cavalry, and pay her a pension at the rate of $50 a month.

The SPEAKER. The gentleman asks unanimous consent to consider this bill, which, as the Chair understands, has been reported from the Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER. The Committee of the Whole on March 18 agreed to an amendment to this bill, which amendment the Clerk will report.

The Clerk read as follows:

Strike out the word "fifty," in line 9, and insert in lieu thereof the word "twenty-five," and after the word "month," in the same line, add the words, "in lieu of her present pension."

The SPEAKER. The question is on the amendment reported from the Committee of the Whole.

Mr. LACEY. I ask that the report be read.

The report (by Mr. LOUDENSLAGER) was read, as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 3487) granting a pension to Eliza K. Starr, have considered the same and submit the following report:

The claimant is the widow of Col. Samuel H. Starr, United States Army, whose military record, as reported by the War Department, shows he enlisted as a private October 27, 1832, and was assigned to Battery C, Fourth United States Artillery, and discharged as a sergeant October 27, 1837.

He reënlisted as a private June 23, 1846, and was assigned to Company A, United States Engineers. Appointed brevet second lieutenant Second Dragoons, to rank June 28, 1848, and accepted appointment July 14, 1848.

Promoted to be second lieutenant, same regiment, July 15, 1848.

Promoted to be first lieutenant, same regiment, November 10, 1851.

Promoted to be captain, same regiment, June 14, 1858.

On August 29, 1861, he was granted leave until further orders to accept the colonelcy of the Fifth New Jersey Volunteers, and discharged from the volunteer service October 20, 1862, and rejoined the regular service in his old regiment. He was brevetted major, United States Army, May 4, 1862, "for gallant and meritorious services in the battle of Williamsburg, Va.," and promoted to major of Sixth Cavalry April 25, 1863. He was brevetted lieutenant-colonel June 21, 1863, "for gallant and meritorious services in action at Upperville, Va.," and to colonel July 2, 1863, "for gallant and meritorious services in the Gettysburg campaign."

He was retired from active service on December 15, 1870, with the full rank of the command he held when he received his disabling wound—that of colonel.

The retiring board reported that he was—

"Incapacitated for active service in consequence of the loss of his right arm 6 inches below the shoulder, said loss resulting from a gunshot wound received in the line of duty in action at Fairfield, Pa., July 3, 1863, while holding the rank of major, Sixth United States Cavalry, and in actual command of said regiment."

The medical records also show he was wounded in the face at the battle of Williamsburg, Va., May 5, 1862, and that he died in Philadelphia November 25, 1891.

It is shown by the testimony on file in the Pension Department that the claimant was married to the soldier in 1841, and by other testimony on file in said office and affidavits filed with the committee, that the widow is without means of support and is dependent for her maintenance upon her two daughters, one a widow with two children, the other unmarried, and who are compelled to earn their own living.

Your committee, after a full and careful consideration of all the facts, believe this bill to be meritorious and its passage is recommended with the following amendments:

Strike out the word "fifty," in line 9, and insert in lieu thereof the word "twenty-five;" and after the word "month," in the same line, add the words "in lieu of her present pension."

The amendment adopted by the Committee of the Whole was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, was accordingly read the third time, and passed.

The title of the bill was amended so as to read:

A bill granting an increase of pension to Eliza K. Starr.

On motion of Mr. LOUDENSLAGER, a motion to reconsider the vote by which the bill passed was laid on the table.

SOUTHERN UTE INDIANS.

Mr. HUNTER. I ask unanimous consent for the present consideration of the bill (H. R. 6792) to disapprove the treaty heretofore made with the Southern Ute Indians to be removed to the Territory of Utah, and providing for settling them down in severalty where they may so elect and are qualified, and to settle all those not electing to take lands in severalty on the west forty miles of present reservation and in portions of New Mexico, and for other purposes.

The bill was read, as follows:

Be it enacted, etc., That the agreement made by J. Montgomery Smith, Thomas S. Childs, and R. B. Weaver, commissioners on the part of the United States, with the Southern Ute Indians of Colorado, bearing date November 13, 1888, be, and the same is hereby, disapproved and annulled.

SEC. 2. That within ninety days after the passage of this act the Secretary of the Interior shall cause allotment of land, in severalty, to be made to such of the Southern Ute Indians in Colorado as may elect and be considered by him qualified to take the same out of the agricultural lands embraced in their present reservation in Colorado, such allotments to be made in accordance with the provisions of the act of Congress approved February 8, 1887, entitled "An act to provide for the allotment of lands in severalty to Indians on the various reservations and to extend the protection of the laws of the United States and the Territories over the Indians, and for other purposes," and the treaties heretofore made with said Indians.

SEC. 3. That for the sole and exclusive use and occupancy of such of said Indians as may not elect or be deemed qualified to take allotments of land in severalty, as provided in the preceding section, there shall be, and is hereby, set apart and reserved all that portion of their present reservation lying west of the range lying between ranges 13 and 14, west of the New Mexico principal meridian, and also all of townships 31 and 32 of ranges 14, 15, and 16 west of the New Mexico principal meridian, and lying in the Territory of New Mexico, subject, however, to the right of the Government to erect and maintain agency buildings thereon and to grant rights of way through the same for railroads, irrigation ditches, highways, and other necessary purposes; and the Government shall maintain an agency at some suitable place on said lands so reserved.

SEC. 4. That at the expiration of ninety days from the passage of this act the President of the United States shall issue his proclamation declaring the lands embraced within the present reservation of said Indians except such portions as may have been alloted or reserved under the provisions of the preceding sections of this act, open to occupancy and settlement, and thereupon said lands shall be and become a part of the public domain of the United States, and shall be subject to entry under the desert, homestead, and town-site laws and the laws governing the disposal of coal, mineral, stone, and timber lands; but no settler shall receive a title to any portion of such lands at less than $1.25 per acre: *Provided*, That before said lands shall be opened to public settlement the Secretary of the Interior shall cause the improvements belonging to the Indians on the lands now occupied by them to be appraised and sold at public sale to the highest bidder, except improvements on lands allotted to the Indians in accordance with the provisions of this act. No sale of such improvements shall be made for less than the appraised value, and the several purchasers of said improvements shall, for thirty days after the issuance of the President's proclamation, have the preference right of entry of the lands upon which the improvements purchased by him are situated: *Provided further*, That the said purchase shall not exceed 160 acres; *And provided further*, That the proceeds of the sale of such improvements shall be paid to the Indians owning the same.

SEC. 5. That out of the moneys first realized from the sale of said lands so opened up to public settlement there shall be paid to said Indians the sum of $50,000, as follows: $10,000 annually for five years, and, when paid, the money to be equally divided among all of said Indians per capita, irrespective of age or sex; also the sum of $20,000 of said proceeds shall be paid to the Secretary of the Interior, who shall invest the same in sheep and divide the said sheep among the said Indians per capita equally, irrespective of age or sex: also to Ignacio, head chief; to Buckskin Charlie, as chief of the Moaches, and Mariano, as chief of the Weeminuches, the sum of $500 each; also to Tapucke and Tabewatch, as chiefs of the Capotes, the sum of $250 each; that the balance of the money realized from the sale of lands, after deducting expenses of sale and survey, shall be held in the Treasury of the United States in trust for the sole use and benefit of said Southern Ute Indians. The Secretary of the Interior may in his discretion cause to be paid any or all of the above sums of money out of the trust fund now held for said Indians by the Government, and shall cause the same to be replaced from the proceeds of the sale of said lands to be opened for settlement.

The Committee on Indian Affairs recommended the following amendments:

That the words "and to carry out the provisions of the treaty made with said Indians June 15, 1880," be added to the title.

That the words "and the treaty made with said Indians June 15, 1880, be carried out as herein provided and as further provided by general law for settling Indians in severalty," be added to and made a part of section 1.

That after the word "approved," in line 8 of section 2, the words "June 15, 1880," be inserted; and in line 13 of the same section, after the word "purposes," "and the amendments thereto as far as applicable hereto," be inserted.

That after the word "acre," in line 13 of section 4, the words "and shall be required to make a cash payment of 50 cents per acre at the time filing is made upon any of said lands" be inserted.

That in line 4 of section 5 the word "five" be substituted for the word "ten," and the word "ten" for the word "five."

That all of section 5 after the words "Ute Indians" in line 19 be stricken out.

That there shall be added to and become a part of section 5 the words: "That nothing herein provided shall in any manner be construed to change or interfere with the right of said Indians under any other existing treaty regarding any annuities or trust funds or the interest thereon."

The SPEAKER. Is there objection to the request of the gentleman for unanimous consent to consider this bill?

There was no objection.

The amendments recommended by the committee were agreed to.

The bill was ordered to be engrossed and read a third time; and being engrossed, was accordingly read the third time, and passed.

The title of the bill was amended by adding the following words:

And to carry out the provisions of the treaty with said Indians June 15, 1880.

On motion of Mr. HUNTER, a motion to reconsider the vote by which the bill passed was laid on the table.

THOMAS RHYS SMITH.

Mr. MILLIKEN. I ask unanimous consent for the present consideration of the bill (S. 499) to provide for the adjustment and payment of the claim of Thomas Rhys Smith for work done and materials furnished for the breakwater at Bar Harbor, Me.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to examine and adjust the claim of Thomas Rhys Smith against the Government of the United States for work done and materials furnished for the breakwater at Bar Harbor, Me., under a contract between said Thomas Rhys Smith and the United States, and determine what amount of work was done and materials furnished thereunder, the amount paid on account thereof, and the balance remaining unpaid, which balance he shall certify to the proper accounting officers for payment in the manner prescribed by law; and for the payment of said claim the sum of $6,391.12, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated: *Provided*, That before making any payment the Secretary of War shall exact from said Thomas Rhys Smith a bond in the penal sum of $10,000, with sufficient sureties, to be approved by him, conditioned to indemnify the United States against any lawful claim of any other party or parties.

The SPEAKER. Is there objection to the request for the present consideration of this bill?

Mr. BYNUM. I should like to hear the report.

The SPEAKER. Without objection the report can be read.

The report (by Mr. LOUD) was read, as follows:

The Committee on Claims, to whom was referred the bill (S. 499) to provide for the adjustment and payment of the claim of Thomas Rhys Smith for work done and materials furnished, having had the same under consideration, hereby adopt the Senate report, and make the same, together with papers marked Exhibits A and B, a part of this report.

The committee recommend that the House concur with the Senate in the passage of the bill, and that House bill 1102, covering same subject, lie upon the table.

[Senate Report No. 191, Fifty-third Congress, first session.]

The Committee on Claims, to whom was referred the bill (S. 3221) entitled "A bill to provide for the adjustment and payment of the claim of Thomas Rhys Smith for work done and materials furnished for the breakwater at

Bar Harbor, Me.," having had the same under consideration, beg to submit the following report:

Under contract with the War Department, entered into October 18, 1890, the claimant, Thomas Rhys Smith, of New York City, agreed to place stone in the breakwater at Bar Harbor, Me., at the price of $1.23½ per ton, and so much as would amount to about $32,500. The work was to have been completed on or before the 31st day of December, 1891. Before all the stone required by the contract was placed the work on the part of the contractor stopped about the middle of November, 1891. According to the contract, payments were to be made monthly for the stone delivered and accepted, reserving 10 per cent from each payment until the whole contract was completed and accepted.

When the contractors stopped work the reserved 10 percentages on payments made amounted to $1,908.07, and stone had been delivered at contract price, according to the report of the Chief of Engineers, amounting to $4,483.05, upon which no payment had been made. The work seems to have come to a standstill because of disagreements between the contractor, Mr. Smith, and parties who were furnishing the stone and placing it. Each of the parties made request to the chief officer in charge not to make payment to the other, and in the course of the correspondence it came to the knowledge of the office of the Chief of Engineers, War Department, that a paper, of which the following is a copy, had been given by Mr. T. Rhys Smith to Neelon & Shields, the parties actually furnishing the stone and placing it:

GREEN'S LANDING, ME., *May 25, 1891.*

To whom it may concern:

This memorandum is to certify that the contract for the curbing with the city of Washington and the contract for depositing the stone on the breakwater at Bar Harbor, Mount Desert, Me., which were taken by me, were taken for the sole benefit of the firm of Neelon & Shields, their heirs or assigns, subject to my agreement with them for expenses and commission. These contracts were taken in the latter part of the summer of 1890.

In witness whereof I have this day and date above mentioned set my hand and seal.

T. RHYS SMITH.

[SEAL.]

Witnessed:

E. E. SPOFFORD.

E. E. SPOFFORD,
Justice of the Peace.

PORTLAND, ME., *June 2, 1891.*

Upon the disclosure of the above, it was decided by the Secretary of War that this paper evidenced such a transfer of the contract as to cause an annulment of the same under section 3737 of the Revised Statutes. Thereupon, the contract being annulled, the work remaining was again advertised, and the lowest bid for the part of the work which Mr. T. Rhys Smith would have performed, had he completed his contract, was $1.23 per ton, that is one-half a cent less per ton than the contract price under the contract with Mr. Smith.

The bill having been referred to the Secretary of War for report, was returned, transmitting the above facts, with the following statement from the Chief of Engineers:

"No objection is therefore seen to the passage of the bill.

"THOS. LINCOLN CASEY,
"*Brigadier-General, Chief of Engineers.*"

The report of the Chief Engineers was transmitted to your committee with the following indorsement:

"WAR DEPARTMENT, *June 16, 1892.*

"Respectfully returned to the chairman of the Committee on Claims, United States Senate, inviting attention to the preceding report of the Chief of Engineers on the bill, from which it appears that no objection is known to its passage.

"L. A. GRANT,
"*Assistant Secretary of War.*"

In view of the foregoing, your committee report back the bill (S. 3221) with the following amendment, and recommend its passage:

Add to the bill the following:

"*Provided*, That before making any payment the Secretary of War shall exact from said Thomas Rhys Smith a bond to the United States in the penal sum of $10,000, with sufficient sureties, to be approved by him, conditioned to indemnify the United States against any lawful claim of any other party or parties."

The SPEAKER. Is there objection to the request of the gentleman from Maine [Mr. MILLIKEN] for unanimous consent for the present consideration of this bill?

There was no objection.

The bill was ordered to a third reading, and was accordingly read the third time, and passed.

On motion of Mr. MILLIKEN, a motion to reconsider the last vote was laid on the table.

CIRCUIT COURT OF APPEALS.

Mr. TURNER of Georgia. Mr. Speaker, I again ask unanimous consent for the present consideration of the bill (H. R. 7278) to amend the seventh section of the act entitled "An act to establish circuit courts of appeals, and to define and regulate in certain cases the jurisdiction of the courts of the United States, and for other purposes," approved March 3, 1891.

The bill was read, as follows:

Be it enacted, etc., That the seventh section of the act entitled "An act to establish circuit courts of appeals, and to define and regulate in certain cases the jurisdiction of the courts of the United States, and for other purposes," approved March 3, 1891, be amended so as to read as follows:

SEC. 7. That where, upon a hearing in equity in a district court or in an existing circuit court, an injunction shall be granted or continued or a receiver appointed, by an interlocutory order or decree, in a cause in which an appeal from a final decree may be taken under the provisions of this act to the circuit court of appeals, an appeal may be taken from such interlocutory order or decree granting or continuing such injunction or appointing such receiver to the circuit court of appeals: *Provided*, That the appeal must be taken within thirty days from the entry of such order or decree, and it shall take precedence in the appellate court; and the proceedings in other respects in the court below shall not be stayed, unless otherwise ordered by that court, during the pendency of such appeal.

The SPEAKER. The gentleman from Georgia asks unanimous consent for the present consideration of this bill. Is there objection?

Mr. BURROWS. Mr. Speaker, I should like to have the gentleman from Georgia [Mr. TURNER] explain the effect of this modification of the statute.

The SPEAKER. Without objection, the gentleman can make an explanation.

Mr. TURNER of Georgia. Mr. Speaker, this is a renewal of the request made by me last week for the immediate consideration of this bill, and some explanation was made on that occasion as to its effect. The gentleman from Maine [Mr. REED] preferred to take time to consider it. He has since examined the bill, and he has informed me that he has no objection to it.

Mr. BURROWS. It is the same matter that was up last week?

Mr. TURNER of Georgia. The same matter.

Mr. BURROWS. Then I have no objection to it.

The SPEAKER. Is there objection to the present consideration of this bill?

There was no objection.

The bill was ordered to be engrossed and read a third time, and being engrossed, was accordingly read the third time, and passed.

On motion of Mr. TURNER of Georgia, a motion to reconsider the last vote was laid on the table.

LEAVE TO SIT DURING THE SESSION.

The SPEAKER. The gentleman from South Carolina [Mr. SHELL] desires to obtain consent that the Committee on Ventilation and Acoustics may sit during the sessions of the House. If there be no objection that leave will be granted.

There was no objection.

REPRINT OF A BILL.

The SPEAKER. The gentleman from Wisconsin [Mr. HAUGEN] asks to have a reprint of a bill, the title of which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 5746) to limit the effect of the regulation of commerce between the several States and with foreign countries in certain cases.

The SPEAKER. The print of this bill has been exhausted, and, without objection, a reprint will be ordered.

There was no objection.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. BOATNER, for ten days, on account of important business.

COMMITTEE REPORTS.

Mr. HOLMAN. I demand the regular order.

The SPEAKER. The regular order is the call of committees for reports.

The committees were called for reports.

UNITED STATES COMMISSIONERS.

Mr. WOLVERTON, from the Committee on the Judiciary, reported a bill (H. R. 7384) to provide for the appointment of United States commissioners and to define their jurisdiction, powers, and duties; which was read a first and second time, and, with the accompanying report, ordered to be printed and referred to the House Calendar.

ARKANSAS, TEXAS AND MEXICAN CENTRAL RAILWAY.

Mr. PENDLETON of Texas, from the Committee on Indian Affairs, reported a bill (H. R. 7335) to grant the Arkansas, Texas and Mexican Central Railway Company a right of way through the Indian Territory, and for other purposes; which was read a first and second time, and, with the accompanying report, ordered to be printed, and referred to the Committee of the Whole House on the state of the Union.

NAVY-YARD, SABINE PASS, TEXAS.

Mr. MEYER, from the Committee on Naval Affairs, reported a bill (H. R. 5777) to provide for the selection of a site for the establishment of a navy-yard and dry dock on or near Sabine Pass, in the State of Texas; which was read a first and second time, and, with the accompanying report, ordered to be printed and referred to the Committee of the Whole House on the state of the Union.

The call of committees for reports was completed.

INDIAN APPROPRIATION BILL.

Mr. HOLMAN. I move that the House resolve itself into the Committee of the Whole House on the state of the Union, for the consideration of general appropriation bills.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole on the state of the Union (Mr. O'NEIL of Massachusetts in the chair) and resumed the consideration of the bill (H. R. 6913) making appropriation for current and contingent expenses of the Indian Department and fulfilling treaty stipulations with

various Indian tribes for the fiscal year ending June 30, 1895, and for other purposes.

The CHAIRMAN. On yesterday the committee passed over, on page 33, the paragraph between lines 6 and 13, with the understanding that it was to be called up to-day. This action was taken at the request of the gentleman from Illinois [Mr. CANNON].

Mr. PICKLER. Mr. Chairman, if I understood the inquiry of the gentleman from Illinois, it was as to why there was an appropriation of only $80,000 this year, while there was an appropriation of $100,000 last year. I will state that the reason for this is that a part of the old appropriation remains unexpended, and the Indian Bureau say this amount will be sufficient for the purposes named. Furthermore the Sioux have a fund of $3,000,000, and half of the interest on that fund can be used for subsistence.

Mr. CANNON of Illinois. Is this all that is asked by the Indian Bureau?

Mr. PICKLER. Yes; the Bureau thinks this will be sufficient.

The CHAIRMAN. If there be no objection, the Clerk will resume the reading of the bill.

The Clerk read as follows:

WINNEBAGOES.

For interest on $804,909.17, at 5 per cent per annum, per fourth article of treaty of November 1, 1837, and joint resolution of July 17, 1862, and the Secretary of the Interior is hereby directed to expend said interest for the support, education, and civilization of said Indians, $40,245.45;

For interest on $78,340.41, at 5 per cent per annum, to be expended under the direction of the Secretary of the Interior for the erection of houses, improvement of their allotments of land, purchase of stock, agricultural implements, seeds, and other beneficial objects, $3,917.02; in all, $44,162.47.

Mr. LYNCH. Mr. Chairman, the committee offers the amendment which I send to the Clerk's desk.

The Clerk read as follows:

At the end of page 36 insert the following:

"That the Secretary of the Interior be, and hereby is, authorized and directed to negotiate and effect, if practicable, an agreement with the Ogden Land Company, its successors or assigns, for the surrender and relinquishment to the United States of all such right, title, and interest as it may be found to have in and to any or all of the lands occupied by the Seneca Nation of Indians in the State of New York, if any right is found to exist. Any agreement made hereunder to be subject to ratification by Congress."

The CHAIRMAN. The Chair understands that this is a committee amendment.

Mr. WILSON of Washington. Mr. Chairman, I desire to ask the gentleman who offered the amendment if it provides for a commission?

Mr. LYNCH. It does not specify how the Secretary is to do it.

Mr. WILSON of Washington. I understand the proposition perfectly. I understand that it emanates primarily from the gentleman from New York [Mr. HOOKER]. I understand all that; and I understand that it has been considered by the committee; but what I wish to get before the House and before the country is, that we are continually, from year to year, treating with these Indians for their lands, not in New York State, as that is probably all passed away, but throughout the West; we are on every appropriation bill providing for commissions to treat with the Indians for a cession of a portion of their land.

These treaties come before the Committee on Indian Affairs, and before Congress, and we very seldom have ratified any of them. Now, we have quite a number of such treaties—sixteen or eighteen—before the Committee on Indian Affairs, and we are not ratifying them. Congress has taken no action, and they are awaiting year after year for the ratification of these treaties. Something ought to be done by Congress one way or the other.

The amendment was agreed to.

Mr. FLYNN. Mr. Chairman, I desire to offer a substitute for the amendment I offered yesterday, with the consent of the chairman of the committee.

The CHAIRMAN. The Chair understands the agreement was that the matter should be passed over until the conclusion of the reading of the bill, and then the committee would return to the paragraph suggested.

Mr. FLYNN. My understanding is, that we could call it up at any time after giving the gentleman an opportunity to make an examination of the amendment.

The CHAIRMAN. The Chair now recollects that to be the case, and the Clerk will report the amendment offered by the gentleman.

Mr. HOLMAN. I have no objection to that being done if the committee is willing.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 25, insert after the word "ninety-one," in line 17, the following:

"*Provided*, That the restrictions in patents issued to the Citizen Band of Pottawatomies and absentee Shawnee Indians over 21 years of age, are hereby waived, subject to such rules and regulations as may be prescribed by the Secretary of the Interior with the approval of the President of the United States as to lands owned in severalty by them in Oklahoma, it being understood that they shall only dispose of lands which they hold in excess of 80 acres each; except, where said Indians are nonresidents of Oklahoma, they shall have the power to sell all of said lands."

The amendment was agreed to.

Mr. PICKLER. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. PICKLER. I believe that this clears up all the bill that has been passed over, and we have gone back to all that we have agreed to.

The CHAIRMAN. The Chair so understands.

The Clerk read as follows:

MISCELLANEOUS SUPPORTS.

For support and civilization of the Apaches, Kiowas, Comanches, Wichitas, and affiliated bands who have been collected upon the reservations set apart for their use and occupation, $90,000.

Mr. HOLMAN. Mr. Chairman, the committee have directed me to report the following amendment to that provision.

The Clerk read as follows:

On page 37, line 5, after the word "occupation," strike out "ninety" and insert "one hundred;" so as to read "one hundred thousand dollars."

Mr. SMITH of Arizona. Mr. Chairman, if I can get the attention of the committee I would like to ask where those Apaches referred to in that section are located?

Mr. HOLMAN. The Apaches are in Oklahoma.

Mr. SMITH of Arizona. These are Indians in the Indian Territory.

Mr. HOLMAN. Yes, sir.

Mr. SMITH of Arizona. They are not the Apaches further west?

Mr. HOLMAN. No, sir; these are the Apaches, Kiowas, Commanches, Wichitas, and affiliated bands, and are located in the southwestern portion of Oklahoma.

Mr. MADDOX. In and around Fort Sill, in the Indian Territory.

Mr. CANNON of Illinois. I offer an amendment to the amendment, making it $125,000.

Mr. HOLMAN. We have increased the appropriation to the estimate already.

The amendment offered by Mr. CANNON of Illinois was read, as follows:

Strike out "ninety" and insert "one hundred and twenty-five;" so as to read $125,000.

Mr. HOLMAN. Oh, well, now the gentleman must remember that these Indians receive $92,000 a year from the rent of their land in addition to the other provisions; and we have increased the appropriation from $90,000 to $100,000, which I think is very liberal, as I assure the gentleman.

Mr. CANNON of Illinois. I would still be glad to have some specific information touching this appropriation. For the current year the amount appropriated for this same service is $125,000. The amount estimated for the coming year is $125,000. The amount recommended by the bill——

Mr. HOLMAN. Is $90,000.

Mr. CANNON of Illinois. Is $90,000. Now, the gentleman comes in and moves to increase the amount from $90,000 to $100,000. Thus his amendment gives $25,000 less than the same service had for the current year, and $25,000 less than the Interior Department estimates in the estimates transmitted to Congress. Now, I am not prepared to say that the gentleman's amendment is wrong; but I may just as well be prepared to say that it ought to be $80,000, decreasing it $10,000, as I am that it ought to be increased to $100,000.

Mr. HUNTER. Mr. Chairman, I wish to say to my colleague from Illinois that this particular item was discussed very fully before the Committee on Indian Affairs, and we had the officers of the Indian Department before us. They hesitated somewhat as to whether $90,000 was sufficient, but they were satisfied with $100,000 at the time, and so expressed themselves. It is understood this is all they desired to make that particular Department efficient.

Mr. HOLMAN. Mr. Chairman, the gentleman should be aware that these particular Indians receive a very large amount from their lands, and they also receive something like $40,000 in the way of annuities.

Mr. CANNON of Illinois. All I wanted was to ascertain the facts.

Mr. SMITH of Arizona. That is all they wanted.

Mr. CANNON of Illinois. If this service is damaged on account of insufficient appropriation for the coming fiscal year, then I want to know wherein it is to be injured, and let the results of injury rest where it ought to. If the Department which sends this estimate, the official estimate, of $125,000 has any additional information that $100,000 is sufficient, then it ought to be somewhere in black and white. But I have accomplished my object in part when my colleague from Illinois states, as he

did, that after investigation $100,000 is all that the administration desires for this service. I understand that to be the fact.

Mr. LYNCH. Will the gentleman yield to me for a moment?

Mr. CANNON of Illinois. Certainly.

Mr. LYNCH. That is not quite the fact. They were not satisfied with $100,000. The amount appropriated for these three tribes in the past has been: In 1885 they had $390,000; in 1886, $375,000; in 1887, $325,000, and 1888, $300,000; in 1889, $275,000; in 1890, $250,000; in 1891, $240,000; in 1892, $240,000; in 1893, $190,000; in 1894, $200,000.

The Commissioner says in his letter here:

> That the reduction proposed by the bill will necessitate the reduction in next year of 1,000,000 pounds of beef and 30,000 pounds of flour.

And, in his judgment, it is likely to provoke trouble. So that he takes into consideration, I take it, in the gradual reduction year by year the amount of money received from leases——

Mr. CANNON of Illinois. The gentleman is giving information, if he will go ahead.

Mr. LYNCH. He says that at the end of the letter—

> The appropriation for the Apaches, Kiowas, and Comanches should be increased at least $25,000. Even that appropriation would be $10,000 less than for the present year.

Hence, I take it, that $115,000 this year would be satisfactory to the Department.

Mr. CANNON of Illinois. I will modify my amendment and make it $115,000.

Mr. HOLMAN. Mr. Chairman, I hope this will not be done.

Mr. CANNON of Illinois. I want to complete what I have to say. The Interior Department gives a note of warning that this description of appropriation from year to year for the support and civilization of the Apaches, Kiowas and Comanches, Wichita and affiliated bands, contained in this proposition, will beget trouble. Now, whether this is right or wrong, for years and years we have entered upon and followed the policy of feeding these people; and if we do not feed them, as there are no more buffalo, they go on the warpath. The gentleman recollects the outbreak in the Indian Territory, when "Dull Knife" went on the warpath and marched up to the Sioux through Kansas, leaving a track of fire and blood behind him, and that outbreak was put down at great expense. Now, so long as we pursue that policy, it seems we had better appropriate something near or substantially what the Department believes to be necessary, which is $125,000 now.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CANNON of Illinois. Just a word more. And I therefore propose to amend the amendment so that the amount of money be made $115,000, which is an increase of $15,000 over what the committee recommend. Therefore I shall stand by the amendment, and if trouble comes it rests upon the House rather than upon the Department. That is all I want to say.

Mr. HUNTER. I want to say to my colleague that there is one item that he has not taken into account, and that is the fact that the lands of these Indians are constantly accruing in value, and the rents are constantly augmenting, which makes up the deficit which is supposed to exist in this bill, and that is the basis on which the committee acted in a large measure.

Mr. CURTIS of Kansas. Is it not a fact that representatives of the Indian Bureau appeared before the committee and asked us to increase the appropriation to $110,000?

Mr. HUNTER. Yes, sir; that is true.

Mr. WILSON of Washington. Mr. Chairman, I hope this amendment of the gentleman from Illinois may be adopted. In the consideration of this item it was reduced to $90,000, and the Indian Office, as the gentleman from Wisconsin [Mr. LYNCH] has well shown, have stated that this will cause a reduction of a million pounds of beef and 30,000 pounds of flour, and they go on to make the significant remark that this will likely lead to trouble.

Then they suggest how much should be appropriated, and I think that if they can get along with $115,000, which would be $10,000 less than was carried in the appropriation bill of last year, we ought to make the appropriation. This is a very important item, and I think we had better avoid trouble if possible, by making the appropriation $115,000.

Mr. HOLMAN. When the amount was fixed at $90,000 the Committee on Indian Affairs supposed that the rents received by the Indians for their lands amounted to about $82,000, and I presume that was the information of the Indian Office also at that time. Later we learned that those rents amounted to $92,000 and were steadily increasing.

That is one of the most fertile portions of Oklahoma, a region where advancement and progress are naturally to be expected, and the committee thought that in increasing the amount from ninety thousand to a hundred thousand dollars, which would give those Indians $192,000, they were acting with great liberality. I notice that the gentleman from Illinois [Mr. CANNON] passes by all the items where there is an increase. Where we made an increased appropriation for school buildings further back in the bill not a word was said, and when we come to the Arapahoes and Cheyennes further on, where there is an increase, nothing will be said, I presume, unless I call the gentleman's attention to the fact. But wherever there is a modest reduction made the gentleman from Illinois is always on hand. [Laughter.]

Mr. CANNON of Illinois. If the gentleman will allow me, I will say, in his time, that when an increase is recommended by a committee of which my friend from Indiana is chairman, that is so out of the usual course of proceeding that it seems to me it does not have to be challenged. [Laughter.]

Mr. SMITH of Arizona. Mr. Chairman, it strikes me that this increase ought not to be made, for the simple reason that these Indians occupy a very fertile portion of the country, and have occupied it for many years, and the policy of the Government should be directed toward forcing, as fast as it can humanely, the Indian to care for himself. For this reason I think we ought to be very cautious in increasing appropriations for the support of the Indians. A white man will not work if you give him all he wants, and the Indian certainly will not work unless you get him very hungry.

I believe it is best for the Indians that these decreases should be made every year. I believe that that is an educating policy for the Indian, and it certainly will not be productive of more suffering to him than every people in the world who have worked up through to a higher civilization.

Mr. BLAIR. In view of the gentleman's great knowledge of this whole subject, I would like to ask his opinion as to the propriety of legislation looking to the early extinguishment of the Indian Bureau, and whether he has in mind any method which would tend gradually, yet promptly, to that end.

Mr. SMITH of Arizona. I would like very much, Mr. Chairman, to answer the gentleman's question, but it opens up so wide a field that it would not be possible to deal with it under the five-minute rule. Briefly, however, I will say that my idea is to make the Indian a citizen of the United States and a proper citizen, as early as possible. The more you keep doing for the Indian under the mistaken idea that you are going to Christianize him in fifteen or twenty minutes the less will be his progress.

He must be taught to labor, as we all have to do, or have had to do at some portion of our lives, and until you get out of the Indian the idea that he is better than anybody else on earth, and that work is made for women and white men to do, and not for an Indian chief, you can do nothing with him. When you get that idea out of his head then you will get him started on the right road, but not before.

Mr. BLAIR. Does the gentleman think there is any real difficulty in closing out this whole business within the next five years?

Mr. SMITH of Arizona. I do not think you could possibly do that with some of the tribes. You could do it easily, though, with many of the tribes.

Mr. BLAIR. With tribes in Arizona?

Mr. SMITH of Arizona. There are a few Indians there that the Indian Office pays little attention to now, those that we call the Pueblo Indians, who have been following some kind of farming for the last three hundred years.

Mr. BLAIR. I will ask the gentleman whether, in his opinion, the interest of the white race in the Indian Bureau is not greater than that of the Indian—whether it is not of greater pecuniary benefit to the white man than it is to the Indian?

Mr. SMITH of Arizona. Oh, I think not. I do not think the white man gets any particular good out of it. I have never seen it do him any good, except, perhaps, where contracts are made to bring all the provender for the Indians from the East. That may help the constituents of some Eastern gentleman here, but it does not help the Western people at all.

Mr. BLAIR. Well, if it does not do the Western people any good would it not be well to look to its early abolishment and let the Indians take care of themselves?

Mr. SMITH of Arizona. Yes, as soon as that can be done; but we can not do it right now.

Mr. WILSON of Washington. I will ask the gentleman whether he does not think a start should be made by diminishing the reservations. There are now about 120,000 reservation Indians, and they occupy about 5,000,000 acres of land.

Mr. SMITH of Arizona. Yes, they hold five times as much land as they ought to occupy. They are roaming over great areas of land now, and that tends to keep them in a wild state, because it keeps them removed from all sorts of civilizing and educating influences. As long as the Indian is allowed to occupy reservations, some of which are as large as an Eastern State, he will remain a wild Indian.

Mr. FLYNN. Mr. Chairman, this appropriation refers to Indians who occupy lands in the Territory of Oklahoma. Bills have been pending for two or three years past providing for the ceding of the surplus lands of those Indians to the Government. If the statements made by the gentlemen who appeared before the Indian Committee protesting against the ratification of those treaties are true, that the treaties were negotiated by commissioners on the part of the United States by force, and almost at the point of the bayonet, through the aid of the military, then I think those Indians should be given all the relief that it is possible for the Government to give them. Residing among them as we do, I say that they are not peaceful Indians unless they are sufficiently fed.

Give them enough to eat on their reservations and they are disposed to stay there, but cut down the appropriations for their food and you will find Mr. Indian beginning to roam, and the moment he does that you will begin to hear complaints from the white settlers. I believe this bill should be so amended as to give the Indian every dollar that is necessary to furnish him ample rations. If the philanthropists in the East desire to aid the Indians, here is an opportunity for them to do so. You will do the Indian more good by feeding him than by appointing commissions to look after him. Feed him well and he will remain quiet and cause no trouble to anybody.

Mr. BLAIR. What sort of an idea would it be to cut up the reservations, leaving the Indian to occupy his section of land and the white man his section adjoining, so that the reservation would be occupied by both whites and Indians, and the Indian would be taught civilization by example?

Mr. FLYNN. The question of allotment of land to these blanket Indians is a problem that I do not see the solution of. For my own part, I believe the idea of allotting blanket Indians on quarter sections or a section of prairie land is wrong. Even though the Indian is supplied with farming implements he can not obtain a living in that way, for the simple reason that the white man who takes up the same land is often unable to get a living off it.

I really do not know what is the proper solution of this problem. I realize the fact that we are constantly crowding the Indian more and more off his reservations because we want more land for white settlement. But you can never crowd the Indian onto 160 acres, or even 1,000 acres, of prairie land in a country where it does not rain, and expect him to make a living off it, for the white man can not do that in many cases.

Mr. HOLMAN. Mr. Chairman, I ask unanimous consent that debate on this paragraph be closed in ten minutes.

There was no objection.

Mr. HARTMAN. Mr. Chairman, I had not intended to ask the attention of the committee upon this question until later on in the consideration of this bill, but a question has been raised by the gentleman from New Hampshire [Mr. BLAIR] which I desire to say a few words upon to this House—that is, a question as to what is an advisable Indian policy for this Government. It seems to me, sir, that the Indian policy of this Government is radically wrong in this regard. We have proceeded here for years appropriating moneys for the purpose of supporting great big buck Indians, any one of whom could take four average members of this House and throw them over his shoulder. [Laughter.]

We have given these men blankets, we have given them guns, we have given them ammunition, we have given them flour, bacon, tobacco, sugar, coffee, and at the same time we have been saying to the poor widows of our own country, American women: "You must take in washing to support your families, or else go to the poorhouse." Gentlemen, I say it is an infamous policy, a shame and a disgrace to the American Government. Why, sir, as I have said, we have given these big buck Indians, many of them physically equal to four white men, this subsistence year after year, and what has been the result? The result has been that fully 90 per cent of them are loafers to-day. Not a single one of them desires to do any manual labor. They do not want to work, and as long as the Government of the United States is foolish enough to appropriate for those big bullies, so long will they remain wards, sponges, and leeches upon the United States Government.

Now, what is the solution? Mr. Chairman, let us proceed by treaty to extinguish every right, if they have any, in the lands of the Indian reservations; let us purchase the lands and allot to them 160 acres each, and give them from five to ten years—not more than ten years—in which to improve those lands, and in which to give the Indians final title, and then say to those fellows, "You rustle and earn your own living or starve."

I do not believe, Mr. Chairman, that it is the duty of the American Government, which is the voluntary guardian of these Indians, to say to them, "We think more of you than we do of the citizens of our own Government."

But that is what we are doing to-day. You turn out some widow in this country, with five or six children to support, and compel her to do it by taking in washing. You say to these great, strong, buck Indians, physically superior to almost any white man, "We will feed and clothe you from now till the end of time."

Now, Mr. Chairman, what has been the inducement for the continuation of this policy? The inducement has been found in the philanthropic organizations of the East. I do not impugn their intentions, which are good; but, sir, the gentleman from Arizona [Mr. SMITH] hit the nail on the head the other day when he suggested that nothing was quite so dangerous as ignorant well-intentioned people. And that is the trouble with this proposition.

[Here the hammer fell.]

Mr. COFFEEN. Mr. Chairman, we can not, in the limited time allowed, enter into a full consideration of this Indian question; but just at this point, in the line of the few remarks that have been made by Western Representatives, who know something of what they are talking about, I wish to say that I indorse many of the ideas which these gentlemen have put forward, and I also wish to take up, for a moment's consideration, the question presented, whether the best method of civilizing these Indians may not be by interspersing white settlers among them, so that the white settlers may be an example to them of proper farming and proper methods of earning a living. The Indians must live as white men must, by eating and by being clothed and sheltered.

Mr. PICKLER. Will the gentleman allow me to ask him a question?

Mr. COFFEEN. I fear my time is limited, but I will attempt to answer the gentleman's question.

Mr. PICKLER. How would it be possible to do as the gentleman suggests, when the allotment laws always give the Indian the choice of the lands, and he goes and takes the best lands.

Mr. COFFEEN. It would take thirty minutes instead of five to consider this question, and so I must leave some things unsaid. But living out on the borders of these reservations, as the gentleman from Arizona [Mr. SMITH] and the gentleman from Montana [Mr. HARTMAN], and the gentleman from Oklahoma [Mr. FLYNN], and these other Western men do, we have learned some things that other members on this floor ought to learn from the Western Representatives, and which we would be glad to tell you if time permitted it.

There is much more land given to the Indians in reservations than is proper. They have too much. I join in the sentiment that we must, by treaty, by purchase, and relinquishment, or by some other methods, cut down this vast territory in reservations that often blocks the settlement of great tracts of Western country. That is one of the things that must be done.

In the next place, you must realize that men who are trained in military occupations can not properly introduce the spirit of civilization among the Indians. We must civilize them through civilizing influences, through men and officers from civil life, and not through the military arm of the Government. Most of the Western Representatives on this floor will indorse that statement also.

Then I want to say again that Indians, like white people, learn more by example than by precept. Therefore I shall favor, as soon as the time shall be found opportune—and with me it is opportune now—the interspersing of white settlements all through these Indian reservations, right alongside of the Indians; not to deprive them of any rights which they have, and not in any manner to endanger the rights of the Indians in their allotments. I would increase their allotments to double or triple the amount which they are now allowed in that arid region, and I would still secure their lands to them by inalienable rights for a term of years, so that their lands can not be taken from them by white speculators before they learn the use and value of farming lands.

Mr. WILSON of Washington. Will the gentleman allow me to ask him a question?

Mr. COFFEEN. Yes, with pleasure.

Mr. WILSON of Washington. How would you provide for watering these arid lands which belong to the Indians?

Mr. COFFEEN. I will take that up as the next thought, if time permits. I would provide for the watering of these lands, for the interspersing of white settlers, just as we provide for the watering of the lands of the Indians. And you who are not familiar with these arid lands may begin to realize now, if never before, that neither white men nor Indians can make a living on these lands without irrigation.

The construction of irrigation canals is a question too broad and too expensive for private and local and small ownerships to consider. It is therefore a State or national question, and this Congress will do a wise and proper thing if it allows two or three

days for the discussion of the irrigation question in the immediate future; and when that time is allowed this question can come up, and it will be shown that irrigation works should be constructed by State or National Government.

I would provide for the irrigation of the lands under national or governmental control for the white settlers, whom I would intersperse among the Indians, just as the Government now does for the Indians on some of the reservations, building these canals under proper surveys and utilizing the water to fertilize and reclaim these lands. Then, instead of a large allotment being necessary, 40 acres, when well irrigated, will furnish a better living for an Indian, or a white man either, than 500 acres can now.

[Here the hammer fell.]

The CHAIRMAN. The time allowed for debate on this amendment is exhausted.

Mr. WILSON of Washington. I ask unanimous consent that we may continue this debate for ten minutes.

The CHAIRMAN. The gentleman from Washington [Mr. WILSON] asks unanimous consent that the debate may be continued for ten minutes.

Mr. HOLMAN. Mr. Speaker, I hope that much time will not be taken, unless it is absolutely necessary.

Mr. BLAIR. I wish to speak for three or four minutes.

Mr. HOLMAN. I hope the time will be extended not to exceed five minutes.

The CHAIRMAN. The gentleman from Washington [Mr. WILSON] wishes five minutes.

Mr. HOLMAN. I will not object to the request.

The CHAIRMAN. Is there objection to the request that the debate on this amendment be allowed to continue for ten minutes longer?

There was no objection.

The CHAIRMAN. The Chair will recognize the gentleman from New Hampshire [Mr. BLAIR].

Mr. BLAIR. Mr. Chairman, I simply rise to resent the idea that there is any undue or improper stimulus, in the nature of philanthropic efforts, among the people of the East. We had the Indian question once and we applied the necessary rules and regulations to settle it.

Mr. SMITH of Arizona. You did, indeed.

Mr. BLAIR. And I do not think the gentleman should make the suggestion that there is any inclination on the part of Eastern people to deal with this question upon any other than practical business principles, influenced as they ought to be by moral considerations.

Mr. PENDLETON of West Virginia. Will the gentleman allow an interruption?

Mr. BLAIR. My time is limited. Here are 250,000 people, most of them savages, or on an ascending scale toward civilization, occupying an amount of territory which would well yield support to at least ten millions of civilized people. I do not consider that a savage race, or a civilized race for that matter, has that absolute and indefeasible title to any particular location of land, if the land is so misappropriated as to do essential mischief to the balance of human kind.

You may recollect that Gladstone, in his proposed legislation with reference to the Irish question, laid down the principle that a nation has the right to so control the soil upon which it lives as to promote the general good, and if it be necessary to extinguish individual or private rights by general contribution, that method of procedure should be resorted to, it being a leading fundamental principle that in the end justice shall be done to the whole, and to the several individuals who compose the community.

Now, this Indian question must inevitably very soon be resolved upon different principles than those under which it is now being conducted. These 250,000 people must be brought under civilized conditions. We can not have among us this uncivilized, savage, barbarous element. Abraham Lincoln well said that this country could not continue permanently half free and half slave, and it is equally true that it can not continue half civilized and half savage. The Indian must become civilized, or he must become extinct, or else his reflex influence upon our civilization will be such as to do infinite mischief unto it.

Now, I am ready at any time to apply those general principles which our Western people so often advocate upon the floor of Congress. I believe the Indian Bureau should itself be wiped out gradually, but very soon, and upon principles which will lead to the merging of the Indian into our civilization or to the extinction of the Indian and his savagery altogether.

[Here the hammer fell.]

Mr. WILSON of Washington. One or two observations have been made by various gentlemen from the West in relation to the solution of what has been said upon the Indian problem.

Mr. Chairman, I will draw one or two illustrations.

Of course, if we are never to commence with a reduction of the reservations and of the appropriations, the Indian problem will not be settled in fifty or one hundred years, and if we continue on in the same manner and same way we are now going it will cost the Government of the United States not less than $200,000,000.

There are places, Mr. Chairman, and there are Indian reservations, that if Congress would do its duty could be closed up and disposed of forever. If we would ratify the agreements or remove the restrictions contained in the patent of the Puyallup Indians, they would have sufficient money to support and educate them for all time. If they permit the Indian agent to dispose of the land above 165 acres, you would have sufficient money to support these Indians for all time. If you would take the Yakima Reservation, and permit a company to run irrigation ditches through there and make that land valuable, and permit the Indians to sell that land and take whatever it is worth, you will have enough money to support the Yakima Indians for all time, and we could dispose of that reservation.

Now, the gentleman speaks about placing a white man on 160 acres and an Indian on another 160 acres. That is an iridescent dream; it is impossible. In my State I remember, away back, that an Indian named Quinamozee came to me and made final proof upon his land. He was then 75 years of age. He had taken up an Indian homestead. White settlers surrounded him and he wanted to go over to the Cœur d'Alene Indian Reservation in order to educate his children; and I went before the Secretary of the Interior and asked for his favorable recommendation for removal of the restrictions; and he recommended that it be not allowed. That Indian could have gotten $3,000, 4,000, or $5,000 for his land. He was old, and wanted to educate his children; but he was not permitted to do so.

The great fault in all this business is that we are educating the Indians off the reservations. The Government of the United States ought to continue its appropriation for the education of children upon the reservations. Teach them to be clean, to be thrifty, to labor, to have one wife, then give them a primary education and tell them they must take care of themselves the same as anybody else. But if we go on giving to the 250,000 Indians that are in the United States to-day, who own, outside of any treaties that have been made with them, 90,000,000 acres of land to roam over, it is an iridescent dream to talk about civilizing them or to teach them anything.

Now, you may send some to Carlisle or to Hampton, and there, perhaps, they will be taught to be harness-makers or tinners, or any other kind of industrial trade. Then, when they go back to the reservation, what use have they for a tinner or for a saddler? In a little while the coat disappears and the blanket is worn; in a little further time the trousers disappear and then the leggings are worn; and in a little while the moccasin, and then the young Indian is back to idleness and filth, and nothing has been accomplished by this education you have given them away from the reservation.

Let us give the Indian a primary education; teach him to plow, to sow, and to reap, and then let us tell him, "You must take care of yourself." Do not give him a large body of land. The Indian is not capable of cultivating over 80 acres of land. Now, there are over 320 acres in the United States for each Indian, one-hundredth part of which receives no cultivation. The Indians on the Cœur d'Alene Reservation are taught to work. I went there a few years ago with an inspector, and we wanted to go to take a steamboat, and we asked old Chief Saltee to let a man go with us, and he told us they were all at work and none of them could go.

The CHAIRMAN. The time of the gentleman has expired. The question will be taken on the amendment offered by the gentleman from Illinois to make the appropriation $115,000.

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. WILSON of Washington. Division.

The committee divided; and there were—ayes 41, noes 50.

So the amendment was rejected.

The CHAIRMAN. The question now is on the amendment offered in behalf of the committee, increasing the appropriation from $90,000 to $100,000.

The amendment was agreed to.

The Clerk read as follows:

For support and civilization of the Arapahoes and Cheyennes who have been collected on the reservations set apart for their use and occupation, $90,000.

Mr. CANNON of Illinois. I move to reduce this amount to $75,000, by striking out $90,000 and inserting $75,000.

The Clerk read as follows:

Strike out "ninety" and insert "seventy-five;" so as to read: "For support and civilization of the Arapahoes and Cheyennes who have been collected on the reservations set apart for their use and occupation, $75,000."

Mr. CANNON of Illinois. I do it for this purpose, and I do not know that I want the amendment adopted. [Laughter.]

Mr. HOLMAN. I know you do not.

Mr. CANNON, of Illinois. But I do it for the purpose of finding out whether I do or not. For the current year the amount appropriated for this purpose was $75,000. The estimate for the fiscal year, made by the Interior Department, is $75,000. Now, for some reason or other, without any estimate, so far as I know, the Committee on Indian Affairs recommends an increase of $15,000. Now, I would be very glad to know why, because there must be a good reason for cutting down that item we have just passed and increasing this item; and I would like to know what it is.

Mr. HOLMAN. If the gentleman will allow me, I do not think my friend would have called attention to that increase if I had not mentioned a moment ago the fact that I did. Wherever an increase is made the gentleman seems to think it is good, and where a decrease is made that it is not good.

Where we improve certain buildings the gentleman overlooks the increase. The difference is this: A Committee on Indian Affairs that does not understand something about the Indian interest would clearly be incompetent to report a measure to the House. That is all there is about it.

Now, the committee in the consideration of these items have taken into account that there has been an enormous shrinkage in values in this country, a shrinkage in the price of employment and the value of all the products, of clothing and of food, and we therefore thought that there could be a fair reduction made in the appropriations carried in this bill. But as to these Arapahoes, the case is this: The Apaches, the Kiowas, the Commanches, and the Wichitas who occupy the southwestern portion of Oklahoma still hold all their lands. They lease them out, and they receive $92,000 on the leases for the present current year, which is an important item to be considered.

The Araphoes and the Cheyennes, on the other hand, have taken their lands in severalty, and no benefit can accrue to them by any lease of their lands now. After a careful examination of the subject, we are of the opinion that the estimates were hardly sufficient, and accordingly recommended an increase from $75,000 to $90,000. Nobody is more helpless than an Indian who is compelled to take his land in severalty, unless he has reached that point of progress and of civilization that enables him to understand something of the value of separate property.

Now, these Arapahoes have taken their lands in advance of the time when they should have taken them. They have not taken them themselves, but the allotments have been made. The same is true of the Cheyennes. It is only nine years since my friend was around among these Indians, and he knows what their condition was then and can well understand their condition now. While they continued as a tribe they were supported; but as soon as their allotments are made, they are thrown on their own responsibility; and the committee reached the conclusion, after a careful consideration, that the item should be increased.

Mr. CANNON of Illinois. I should like to make an observation just along that line, if I may withdraw the amendment and renew it, for the purpose of securing recognition for five minutes, and I think I shall not take that time. Does the Interior Department recommend this?

Mr. HOLMAN. Well, not directly. My friend, the gentleman from Wisconsin [Mr. LYNCH], insists that the Indian Bureau recommends it, but the gentleman will understand very well that a committee acts after careful consideration, and they have concluded, as an act of justice to the Indians, who are compelled to take their lands, that it should be done. I am not acting in this matter upon the recommendation of any executive department, because if the Committee on Indian Affairs brings into this House a bill which they recommend to be passed without knowing something about it, the committee ought to be dismissed.

Mr. FLYNN: I desire to say to the gentleman from Illinois that these Indians are located in my Territory, and last year it was necessary to issue them additional rations. I think the Committee on Indian Affairs not only should be supported in this, but that they are entitled to the thanks of the people who live in that section.

Mr. CANNON of Illinois. As I understand, these Indians live in Oklahoma; and they have had their allotments?

Mr. FLYNN. Yes, sir.

Mr. CANNON of Illinois. They are citizens?

Mr. FLYNN. Yes, sir.

Mr. CANNON of Illinois. Do they vote?

Mr. FLYNN. Well, we tried to vote them.

Mr. CANNON of Illinois. Well, they have just as much right of citizenship and the right to vote belonging to citizenship as fully as any other citizen of the United States.

Mr. HOLMAN. Does my friend know how long they have had their lands in severalty?

Mr. CANNON of Illinois. A very short time.

Mr. HOLMAN. Inside of two years. You have destroyed their tribal relationship, and given them their lands in severalty, and you must bolster them up in it. You can not do an act of injustice to them for the benefit of the white race. We have compelled these Indians to take their lands in severalty before they were in condition to take them, not for their benefit, but for the benefit of our race.

Mr. CANNON of Illinois. Let me say here, along the line of the allotment of land to Indians, when the law for the allotment is made, after the Indian, by allotment and acceptance, becomes a citizen of the United States, he is clothed with citizenship and with all the rights, responsibilities, and duties of citizenship. It may be that it was a mistake; but I want to say now, and I will withdraw this amendment in order that the gentleman may tell me the result, that if we are to enter upon and continue a policy of appropriating from the national Treasury for the support of citizens of the United States, we begin a trick that will last indefinitely.

Mr. HOLMAN. We ought to have thought of that long ago.

Mr. CANNON of Illinois. And while I have been willing and somewhat slow to act, giving place to others who wished the allotment to be made to the Indians and to have citizenship conferred upon them, knowing and believing that at least with that citizenship and its responsibility we would clothe them with the weapons of defense whereby they might defend themselves, I believe that policy should be pursued that would enable the counties and States in which they live to deal with them as they deal with the balance of their own citizens. If they be poor, give them such relief as they are entitled to.

If they be educated, let them be educated along in the same schools with the white brother and white citizen that lives side by side with the Indians; and when this is done you will begin to plant them on the true basis of civilization, namely, first, on that manhood that relies and enables and compels them to rely upon their efforts for support; second, that change in the minds of the children that comes from association with white children and other citizens and education in the same schools. If it can not be worked out this way, it can not be worked out at all except with the destruction of the Indian, and that, too, inside of a generation.

So that I view with alarm a class of appropriations giving gratuities out of the national Treasury to a whole block of citizens of the United States in some State or some Territory.

The CHAIRMAN. The question is on the amendment of the gentleman from Illinois to reduce the appropriation from ninety thousand to seventy-five thousand dollars.

Mr. CANNON of Illinois. I withdraw the pro forma amendment.

The Clerk read as follows:

For support and civilization of the Chippewas of Lake Superior, Wisconsin, to be expended for agricultural and educational purposes, pay of employés, including pay of physician, purchase of goods and provisions, and for such other purposes as may be deemed to the best interest of the Indians, $6,125.

Mr. LINTON. Mr. Chairman, I move to amend that paragraph by striking out, in line 14, "six thousand one hundred and twenty-five thousand dollars."

Mr. HOLMAN. Does the gentleman propose to strike out the entire appropriation?

The CHAIRMAN. That is the amendment proposed by the gentleman from Michigan.

Mr. HOLMAN. I move to amend the paragraph by striking out "six" and inserting "seven," so as to increase the appropriation $1,000.

Mr. LINTON. Mr. Chairman, following the remarks of my colleague [Mr. WEADOCK] on Friday last there appeared in the Post of this city, and I presume in the press dispatches throughout the country, quotations in substance as follows: That the speech which I delivered here on Thursday last had been prepared for me, that the delivery of it was dictated by a certain organization, that I am the mouthpiece on this floor of a secret society, and that I purposely withheld my remarks from the RECORD of the following day. I wish to say, sir, that each and every one of these statements, in whole and in part, is an absolute falsehood and an untruth.

The gentleman stated also in effect that had I used ordinary diligence I would have found on page 626 of the report of the Secretary of the Interior the information that I had asked for and which I appeared to have had some difficulty in obtaining from the Indian Bureau. That statement also is false, as the information for which I asked is not contained in the report as cited. The gentleman saw fit also to go into the oath-publishing business. I have received a telegram from the supreme secretary of the American Protective Association, saying that

he has prepared an affidavit and forwarded it, declaring that the oath as read here is not any portion of the oath of that association.

I believe the gentleman's statement, and think he is entitled to credence from the majority on the other side of the House, as Mr. Beatty claims allegiance to the Democratic party, and in fact was a good enough Democrat during the last campaign to be one of the vice-presidents of a political meeting in my city which was addressed either by Speaker CRISP or Vice-President STEVENSON, I do not now remember which.

As to all that was stated here by my colleague, I shall take a more favorable opportunity to reply in detail. I made a special effort, sir, to have my remarks inserted in the RECORD on the day following their delivery, and I was promised that they would be so printed, but a gentleman from the Government Printing Office came to my house in the evening and stated that owing to the tables contained therein it would be simply impossible to perform the work in time to have the speech appear next day, and therefore, through no fault of mine, it was omitted from that day's RECORD.

I was aware at the time, Mr. Chairman, that sectarian appropriations and privileges were delicate subjects to speak upon. I knew that I might be the subject of ridicule, and undoubtedly would be the subject of vituperation and abuse, as I have been; but I care nothing for those things. I believe and know that I am in the right, and such attacks are not considered argument by the American people, but simply show the desperate straits of the opposition. We will see, sir, at the close of this controversy in connection with the Indian appropriation bill whether certain church influences are stronger than the platforms of parties, greater than the laws of our country, and superior to the Constitution of the United States. I withdraw the pro forma amendment.

Mr. WEADOCK. Mr. Chairman, I move to strike out the last word. I am resolved, sir, that so far as I am concerned the question to which I addressed myself the other day shall in no event descend to be a personal controversy. I said that the gentleman [Mr. LINTON] spoke as the mouthpiece of a certain organization, because the language which he used was their language, and the sentiments he expressed were their sentiments. It was a matter of legitimate argument. I am not in the councils of the A. P. A., and I do not know whether or not he is their chosen mouthpiece; but I do know, as a matter of fact, that he expressed upon the floor of this House simply what they could not express here, and that this speech was addressed to them and to their sympathizers rather than to the judgment of the House. The report of the Commissioner of Indian Affairs speaks for itself and contradicts the gentleman.

So far as regards his speech not appearing in the RECORD the day after it was delivered, I stated that matter exactly as it was. Before my remarks were printed I gave the gentleman the benefit of the correction which he makes here to-day, and stated (on page 5999 of the RECORD) that it was not his fault that his speech did not appear the morning after it was delivered.

It will be observed that as to the other matters referred to in my remarks the gentleman makes no explanation, and any member of the House who desires to examine the manuscript of the gentleman's speech in the hands of the Official Reporters will find in it a complete verification of all that I said about that matter. I desire now to ask the gentleman whether he is a member of the A. P. A., or the American Protective Association, and I will allow him to reply?

Mr. LINTON. I do not propose to be catechised at this time. [Laughter.]

Mr. WEADOCK. Mr. Chairman, that statement, in connection with what we have already heard from the gentleman, is, I submit, ample authority of all that I have said upon this floor, none of which I retract, and all of which I am satisfied with the proof of. I shall not enter into any bandying of words or charges. So far as the gentleman's proposition is concerned, and so far as regards the question whether or not it was offered to please the members of certain organizations, I want to call his attention and the attention of the House and of the country to a publication in the Detroit Tribune of the 9th day of June, 1894. That is the leading Republican paper in the State of Michigan, and it is the gentleman's faithful supporter. In it I find this:

LINTON IS PRAISED—PATRIOTIC SONS OF AMERICA PROFUSELY THANKED MR. LINTON FOR THE EFFORT, AND INFORMS HIM THAT THE ORDER STANDS SQUARELY WITH HIM.

[Special telegram.]

WASHINGTON, *June 8*.

F. E. Steel, national secretary of the Patriotic Order Sons of America, of Philadelphia, sent the following message to Representative LINTON to-day: "Accept hearty congratulations from the Patriotic Order Sons of America for your noble defense of our American public-school system and vigorous protest against union of church and state and appropriations of public moneys for sectarian purposes. Our order, numbering many thousands, stands squarely with you.

No indorsement from the American people; no indorsement from the enlightened citizens of Michigan whom he misrepresents upon this floor; no indorsement from the enlightened public sentiment of this country; but a resolution from a secret oath-bound organization, that they indorse all his sentiments and stand squarely with him. [Applause on the Democratic side.]

[Here the hammer fell.]

The CHAIRMAN. The pro forma amendment will be considered as withdrawn. The question is on the amendment proposed by the gentleman from Indiana [Mr. HOLMAN] on behalf of the committee, to strike out "six" and insert "seven."

The amendment was adopted.

The Clerk read as follows, and also the succeeding paragraph:

For support and civilization of the Apache and other Indians in Arizona and New Mexico who have been or may be collected on reservations in New Mexico and Arizona, $185,000: *Provided*, That the Secretary of the Interior is hereby authorized, under such rules and regulations as he may deem proper and necessary to protect the interests of the Indians and of the United States, to sell or otherwise dispose of a quantity of timber from time to time on the Jicarilla Apache Indian Reservation, the proceeds to be used by him in the purchase of such stock or other articles for the benefit of the Indians belonging thereto as will best tend to promote their welfare and advance them in civilization.

Mr. CANNON of Illinois (during the reading). Mr. Chairman——

The CHAIRMAN. The Clerk has not concluded the reading of the paragraph.

Mr. CANNON of Illinois. I desire to offer an amendment to the paragraph just preceding. On page 38, line 21, I move to strike out "one hundred and eighty-five" and insert "two hundred," so as to make the amount $200,000.

Mr. HOLMAN. It is a little late to go back to that paragraph.

Mr. CANNON of Illinois. Why?

Mr. HOLMAN. More than half of the succeeding paragraph was read by the Clerk.

Mr. CANNON of Illinois. All of the succeeding paragraph was read by the Clerk.

Mr. HOLMAN. But I mean that more than half of it had been read before my friend from Illinois rose.

Mr. CANNON of Illinois. Oh, no; I beg the gentleman's pardon.

The CHAIRMAN. The Chair did not hear the gentleman from Illinois until the Clerk had entered upon the next paragraph.

Mr. CANNON of Illinois. I know. The Clerk has a good strong voice, and I was unable to make myself heard.

The CHAIRMAN. The trouble is that the gentleman from Illinois is in the habit of offering his amendments and making his remarks without addressing the Chair.

Mr. CANNON of Illinois. Well, I did not do it this time. [Laughter.] I said "Mr. Chairman" at least a half dozen times, so that my amendment is in.

Mr. MADDOX. I make the point of order, Mr. Chairman, that the amendment comes too late.

The CHAIRMAN. The Chair sustains the point of order.

Mr. CANNON of Illinois. I appeal from the decision of the Chair.

Mr. HOLMAN. I am willing that the gentleman from Illinois shall proceed.

The CHAIRMAN. The gentleman from Illinois [Mr. CANNON] appeals from the decision of the Chair.

Mr. CANNON of Illinois. And I want to be heard on that appeal. As soon as the Clerk's voice left "civilization," in line 5 [laughter], page 39, which was the close of the paragraph, I was upon my feet, and addressed the Chair, saying "Mr. Chairman" at least a half-dozen times, and I continued to address the Chair until the Clerk had read from line 6 to line 9, inclusive. Then when he caught his breath the Chair heard me. I do not think the Chair heard me before, but I was trying to make myself heard.

The CHAIRMAN. The Chair was looking at the gentleman from Illinois, who had been on his feet while the whole of page 38 was being read, and the Chair was listening to hear the gentleman, but was unable to hear him until the Clerk had reached the middle of the paragraph on page 39. The moment the Chair heard the gentleman from Illinois he rapped the Clerk to order and recognized the gentleman.

Mr. CANNON of Illinois. On the contrary, Mr. Chairman, if there is to be any question about the fact——

The CHAIRMAN. The gentleman must not put it in that way. The Chair merely states that he did not hear the gentleman from Illinois.

Mr. CANNON of Illinois. I do not believe that the Chair did hear me; but that does not alter my right as a member, if I was in time in offering this amendment, or was in time in seeking recognition from the Chair. I was on my feet.

Mr. HOLMAN. I will yield five minutes to the gentleman.

Mr. CANNON of Illinois. I will take nothing by grace in this matter. I am standing on my rights.

Mr. MADDOX. If the gentleman takes nothing by grace, then I insist on the point of order.

Mr. CANNON of Illinois. Then we will fight it out, if it takes all day.

Mr. WILSON of Washington. I wish to say that I was sitting here and I saw the gentleman arise, and heard him address the Chair at the proper time. He not only addressed the Chair once, but upon three different occasions. I do not believe, of course, that the Chair heard him. The gentleman who was reading the bill has a most magnificent voice, and he was reading in a very loud tone. It is well known that the Reading Clerk is a most magnificent reader, and that he has a very valuable voice, and the Chair did not hear the gentleman from Illinois. Nevertheless I distinctly heard him address the Chair upon three different occasions.

Mr. CANNON of Illinois. Now, Mr. Chairman, a word and I have done. It is not a question that is personal to me so much as it is a question of the rights of the committee. This is the Committee of the Whole House, presided over by a member of the House, the Chairman of the committee, the Clerk being an employé or servant of the House. Under the rule, when the reading of a paragraph is concluded, it is then in order for any member of the committee to address the Chairman and to be recognized.

In compliance with my right as a member of the committee, and in conformity to the rule, I state, measuring my words, that I addressed the Chair in apt time. I failed to be recognized, and I addressed the Chair many times while the Clerk was reading.

Mr. MADDOX. Mr. Chairman——

Mr. CANNON of Illinois. Hold on a minute. I addressed the Chair many times while the Clerk was reading the first three lines in the next paragraph.

Mr. MADDOX. If the gentleman will yield just for a minute——

Mr. CANNON of Illinois. I will not yield for a minute. It frequently happens, in the confusion in the committee, that the Chairman fails to hear a member who addresses him, and if a member had to make himself heard his right would be lost. I have yet to recall any instance during my service in this House where a member arose in his place and said he addressed the Chair in apt time, where his word was not taken, and he recognized. That is all I have to say.

The CHAIRMAN. In view of the statement made by the gentleman from Illinois——

Mr. MADDOX. Now, Mr. Chairman, just a word.

The CHAIRMAN. The gentleman from Georgia.

Mr. MADDOX. My colleagues on the committee are of the opinion that the gentleman rose in time. That being true, I withdraw the point of order. I wanted to do that some time ago, but the gentleman would not allow me.

The CHAIRMAN. The Chair will state that of course when a member says he arose and addressed the Chair in time, his word must be taken, and the Chair has not any doubt when the gentleman from Illinois [Mr. CANNON] says it is true, that it is true. The Chair will now recognize the gentleman from Illinois to offer his amendment, which is to strike out 185 and insert 200.

Mr. CANNON of Illinois. Now, Mr. Chairman, I move to increase this sum recommended by the committee by $15,000, to make it the same sum that was appropriated for this service for the current year, and I should be glad to ask the gentleman in charge of the bill why it is that the committee recommend the reduction of this $15,000?

Mr. HOLMAN. The committee will be very glad to furnish that information. Before doing so I wish to call the attention of the gentleman from Illinois to the fact that these two Territories are very ably represented on this floor, and, of course, both of those Delegates are as familiar as the gentleman from Illinois or myself with the interests of those Indians; and one of those Delegates, the gentleman from Arizona [Mr. SMITH], is a member of the Committee on Indian Affairs.

The gentleman from New Mexico [Mr. JOSEPH] is well aware of this provision, and has been before the committee. Now, I submit in all kindness and fairness to the gentleman from Illinois that there are some other persons as well acquainted with these matters as he or myself, and the views of gentlemen representing Territories or States where there are Indians are certainly to be first consulted. They are best informed. But if the gentleman will permit me, I will say that in the northern portion of New Mexico, within the limits of the Indians who occupy that region, and who are provided for by this paragraph, there are extensive forests of pine timber, through which a railroad runs, and in the proviso to this paragraph the gentleman will find the following:

Provided, That the Secretary of the Interior is hereby authorized, under such rules and regulations as he may deem proper and necessary to protect the interests of the Indians and of the United States, to sell or otherwise dispose of a quantity of timber from time to time on the Jicarilla Apache Indian Reservation, the proceeds to be used by him in the purchase of such stock or other articles for the benefit of the Indians belonging thereto as will best tend to promote their welfare and advance them in civilization.

Now, in the judgment of the committee the benefits of that provision greatly exceed the difference between the $185,000 appropriated for next year and the $200,000 appropriated for the current year.

Mr. CANNON of Illinois. Mr. Chairman, I withdraw the amendment, and renew it for the purpose of having five minutes upon it, if I need it.

Mr. HOLMAN. Well, Mr. Chairman, perhaps it will save time to let the gentleman go on, but I do not believe it is according to the rule of the House or the committee.

Mr. CANNON of Illinois. I guess it is in order.

Mr. HOLMAN. Go ahead.

Mr. CANNON of Illinois. I yielded to the gentleman a part of my time for the purpose of trying to get some information. The gentleman took most of my time in delivering a lecture to me. What is his lecture? Because I, as a member of this committee, asked him in a courteous way why it is that he decreases this appropriation $15,000 for next year, the gentleman proceeds to inform me that Arizona and New Mexico are represented by two very able Delegates. I confess it. And still I was entitled to that information, because my constituents and the constituents of every other gentleman on this floor help to pay these appropriations, and this is a part and parcel of the public service.

Mr. HOLMAN. But the gentleman wants to increase the amount.

Mr. CANNON of Illinois. One would have thought, to hear the gentleman make his rebuke, that this Indian service was run, in the light of the gentleman's discretion and wisdom, for the benefit of the honorable gentlemen who represent Arizona and New Mexico.

Having said this much with reference to the gentleman's lecture, I want to say that I have not received, in my judgment, a satisfactory answer to my question. What is this appropriation? Is it to take care of Indians who have received their allotments in severalty? No. Take the Apaches in the Territory of the honorable gentleman from Arizona [Mr. SMITH].

Everybody understands the kind of Indians who are there, and everybody knows that they have cost this Government a great deal to feed and to fight. They are not very popular out in Arizona. They are on a reservation, and this appropriation for their support is reduced in spite of the fact that everybody knows what difficulty we have had to keep them at peace, and to subjugate them from time to time. And while I apprehend I have as much respect for the honorable gentleman from Arizona [Mr. SMITH] as the gentleman from Indiana [Mr. HOLMAN] has—and that is great respect—and while I have equal respect for the gentleman's ability, yet with all due deference to the gentleman from Arizona [Mr. SMITH], if I was going to hunt out the best guardian on the face of the earth for these Apaches who have given us so much trouble, and who reside in the gentleman's Territory, I should not choose the honorable gentleman from Arizona [Mr. SMITH]. [Laughter.]

Now, I suppose this cut will be made. I supposed that there was some good reason for it. I supposed that the Indian Bureau had suggested that it be made, or that somebody had recommended it, and that the gentleman had investigated it. I have failed to hear any such statement. I will not say that the main reason is that their lands have not yet been allotted to them, and that they can not vote, and therefore that their appropriations may be cut. That criticism might be made by a malicious man, as long as the appropriation was increased for the Indians over in Oklahoma, whose lands have been allotted and who can vote. But I do not think that is the case. Some badly disposed, malicious person might make that criticism, and therefore, out of tender regard for the eminent gentleman from Indiana [Mr. HOLMAN], I modestly asked for the reason. I asked for bread and I have received a stone. [Laughter.]

Mr. HOLMAN. Now, Mr. Chairman, the gentleman asks for more than the Apaches do. [Laughter.] They ask for no bread, and for no relief. On the contrary, a portion of them voluntarily abandoned the relief and went to the White Mountains, and nine years ago the gentleman from Illinois [Mr. CANNON] was informed by Gen. Crook that those Indians had prospered from the moment they left San Carlos and went up into the White Mountains. The gentleman is forgetful about some things.

Mr. CANNON of Illinois. But those Indians broke out from the White Mountains, and terror and death followed in their footsteps as they went into Arizona and crossed over into New Mexico. You got them there. You are dealing with them, and I am perfectly willing to decrease the appropriation for their support if that is the proper thing to do, but I simply wanted to know about it.

Mr. BOWERS of California. All that trouble proved that we did not have inspectors enough!

Mr. HOLMAN. All that the gentleman from Illinois [Mr. CANNON] knows upon this subject is what he has learned by observation, for I can see he has not been studying up the Indian literature lately. The experience of the gentleman from Illinois is this: Some years ago he went to a little village called Willcox, on the Southern Pacific road. He had some friends with him. That place was about 140 miles from the Apaches. He was told by a friend of his that it was worth his life to go 15 miles from that village, because the Apaches were out on the war path, and his life would be imperiled, and the country would be in danger of losing a valuable public servant. While that touched him for a moment, yet he straightened up very bravely and continued his journey. He went northward to the Gila River, which he reached at the end of the next day. And what warlike object do you think he encountered in that whole trip down the Gila to San Carlos, the Apache Agency?

He encountered just five wagons, full of barley, driven by Indians. They were a stalwart body of Indians, and they told us that they were hauling this barley, that they had raised on the Gila and San Carlos, up to Camp Thomas, where they were to sell it. That is the whole of the warlike exhibition he saw in the whole of that trip [laughter]; and yet if he had been a timid man he would not have left Willcox, for he was informed that there might be trouble. I will bring him some of the spoils that gentleman brought from that Indian region to show the advances that these Indians have already made. I call for a vote.

Mr. CANNON of Illinois. A word, and a word only. I recollect the trip that the gentleman refers to. When we went from the Southern Pacific up to the San Carlos Agency I was scared [laughter]; wonderfully frightened; and never would have started out had it not been for the renowned warrior from Indiana in charge of this bill, who said: "I take my life in my hand and am ready to sacrifice it in defense of the public duty." [Laughter.] And when he put his body into the ambulance, between the door and where I sat, being courageous, I said: "I will squeeze and slide behind the elegant and courageous gentleman from Indiana;" and I did it. [Laughter.]

Mr. HOLMAN. You could do it safely. [Renewed laughter.]

Mr. CANNON of Illinois. I think we had the experience that he speaks of. Nevertheless, to speak earnestly and honestly about it—within twelve months of that time, as soon as the Indians ascertained that the gentleman had made his trip and was not going back, they went upon the warpath and we had a war in which Gen. Crook, I believe, figured.

Mr. HOLMAN. Will my friend allow me. Geronimo was then on the warpath. Gen. Crook said that he had 37 men, 7 boys, and 92 women in his army on the warpath. [Laughter.]

Mr. WILSON of Washington. I ask that this debate be continued for twenty minutes, until we can get all these reminiscences.

The CHAIRMAN. The question is on the amendment of the gentleman from Illinois.

The amendment was rejected.

The Clerk read as follows:

For support and civilization of the Kickapoo Indians, Indian Territory, $5,000.

Mr. COOMBS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Strike out the words "five thousand dollars."

Mr. COOMBS. Mr. Chairman, I have offered this formal amendment for the purpose of affording me an opportunity to make a few remarks upon the Indian question. It is not an inappropriate place, for the reason that the paragraph is one of thirty-four, each one of which contains an appropriation for the support and civilization of some tribe or group of Indians.

We have as a nation been dealing with this question for generations, and it is very discouraging after so long a time spent in efforts to ameliorate the condition of the aborigines that the work of civilization has made such slight progress and that so large a portion of them should still require the support of the Government.

It is undoubtedly a very difficult question to deal with; but the above fact should cause us to reëxamine our methods and see if they are the wisest that can be adopted, and with the light of such dearly bought and often painful experiences devise some comprehensive plan looking toward a final settlement of the whole question, even though it takes a generation to do it.

There are, of course, a variety of views in relation to the Indian. The Western man, he who lives upon the frontiers and has often suffered from the outbreaks of barbarism, is apt to think "that no Indian is a good one except a dead Indian," and he can not be blamed for entertaining that idea.

We in the East are inclined to take a more sentimental view of his case and possibly lose sight of his natural characteristics in dealing with him, or, in other words, we may commit the error of trying to elevate him by the use of the same methods employed in our efforts to improve the condition of the poor and degraded of our home communities.

The word "support" that appears in these appropriations is very suggestive to my mind.

It is a natural characteristic of the Indian that he considers work as degrading. With rich soil given him for cultivation, endowed with good health and strength, he is still an object for support and charity. I am certain that whatever we may do will be unavailing until he is brought to the condition of mind to feel that it is more degrading to receive charity than to work to supply his own necessities.

It is possible that what we are doing every year in the way of support may to a very great extent neutralize our effort to educate and Christianize him. Education and Christianity can not thrive in company with the degradation of character inseparable from a condition of voluntary pauperism. They should be forced to work to supply their own necessities; they should be taught self-reliance; they should not be encouraged to believe that their lack of providence will be always remedied by our bounty.

The question of tribal relations should receive our earnest attention. Is it not possible that living under the same conditions that existed before the advent of civilization into this country may prevent the reception of new ideas? It is probably an easier matter for us to deal with them as tribes than as individuals; but I am convinced that until we deal with them as individuals we shall make no positive advances in preparing them to become citizens. The members of the same tribe differ in character and capacity, and it is an incongruity that can not be tolerated that there should be divided fealty.

I can not do more than hint at the various points in the five minutes given to me. I believe in giving them good, practical education adapted to their condition. While I do not discourage the methods now employed, I would give greater attention to their education at home. They should have the advantage of religious instruction to counteract their native barbarism. They should, however, first of all be taught to work—not as an experiment, but as a duty and necessity of life. They should not in this respect be exempted from the lot of common humanity; any wavering in this matter will be a concession to their barbarian ideas—unwarranted, and hurtful to them.

No nation has ever treated its aborigines as kindly as has our nation. We can not, even though we resort to stern measures, be accused of heartlessness or cruelty. Our action will stand comparison with that of any nation on the earth.

It is intolerable to suppose that their present condition shall be permanently the same. They should be taught, sternly if necessary, that it is their duty to prepare themselves for citizenship. Those who become sufficiently enlightened should be forced to assume its duties and responsibilities, not as tribes, but as individuals. Those who can not be redeemed from barbarism should be separated from their fellows and be kept as prisoners within prescribed boundaries.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CANNON of Illinois. I hope the gentleman's time will be extended three minutes.

Mr. COOMBS. I am aware that what I have so hurriedly said is incomplete, and I may lead to a wrong understanding of my attitude toward the Indian. I can not look upon this question in a sentimental way. I insist that however difficult it may be, some definite line of policy must soon be adopted whereby this troublesome question may be settled or put in the way of settlement. If what I have said will suggest some such plan, or create a discussion that will lead to an examination of the question I shall be more than satisfied.

[Here the hammer fell.]

The CHAIRMAN. The question is on the amendment of the gentleman from New York.

Mr. COOMBS. I withdraw the amendment.

The Clerk read as follows:

For support and civilization of Shoshone Indians in Wyoming, $10,000.

Mr. CANNON of Illinois. I move to strike out the word "ten" in line 23 and insert the word "fifteen."

The Clerk read as follows:

On page 40, line 23, strike out the word "ten," and insert "fifteen."

Mr. HOLMAN. I have no objection to that.

Mr. CANNON of Illinois. But I want to have my five minutes. [Laughter.]

Mr. LYNCH. That is all right.

Mr. HOLMAN. That amendment was instructed to be reported by the committee.

Mr. CANNON of Illinois. Then why did not the gentleman offer it?

Mr. HOLMAN. You sprung up so promptly.

Mr. CANNON of Illinois. Ah! Promptly! I did not get up to address the Chair until the Clerk had spoken the word "for." I watched the gentleman from Wyoming [Mr. COFFEEN], who represents the State where these Indians are situated, and I supposed that he would make this motion. I also had my eye in the general direction of the gentleman from Indiana. I did not see any indication of either gentleman rising in their places.

Mr. HOLMAN. I was just looking for a little paper.

Mr. CANNON of Illinois. In my time I would like the gentleman to state if he is satisfied with this, that this ought to be $15,000.

Mr. HOLMAN. Let it go.

Mr. CANNON of Illinois. Is the gentleman satisfied that it should be put on?

Mr. HOLMAN. I am satisfied.

Mr. CANNON of Illinois. Have these Indians had their lands allotted to them?

Mr. HOLMAN. No; the Shoshones have not had their lands allotted them, or if at all, only very partially.

Mr. CANNON of Illinois. I will ask the gentleman from Wyoming if they have received their lands in allotment?

Mr. COFFEEN. They have not; but while on the floor I want to say that later an amendment will be offered that I hope will be accepted, providing for the relinquishment of a vast body of land belonging to these Indians for which they have no use whatever; but I will also state that I am in favor of the amendment the gentleman has offered.

Mr. CANNON of Illinois. I will be glad to hear from the gentleman from Indiana why it was that the committee which now recommends this increase, decreased the appropriation $5,000, and now so readily assent to the increase?

Mr. HOLMAN. The committee afterwards considered the matter; that is all.

Mr. CANNON of Illinois. Was it arbitrary, or was it placed on after a contest?

Mr. HOLMAN. It was not arbitrary first or last.

Mr. CANNON of Illinois. I am very glad to be able to offer an amendment which the gentleman will accept.

Mr. RICHARDSON of Tennessee. Will you yield to me to offer an amendment to your amendment?

The amendment offered by Mr. CANNON of Illinois was agreed to.

The Clerk read as follows:

For support and civilization of Shoshone Indians in Nevada, including pay of employés, $10,000.

Mr. MALLORY. Mr. Chairman, I offer the amendment which I send to the desk.

After the word "dollars" in line 25, page 40, insert the following:
"For support, civilization, and instruction of the Seminoles in Florida, $6,000."

Mr. MALLORY. Mr. Chairman, that amendment is intended merely to restore an appropriation that was included in the appropriation bill of the Fifty-second Congress, allowing $6,000 for the instruction and civilization of the Seminole Indians in Florida. I do not understand why the committee saw fit to drop that item.

The Seminole Indians in Florida stand in a relation to the United States Government different from that of any other Indians in the country. They are, in fact, hostile Indians. They are occupying a vast territory in the southern portion of the State known as the Everglades, contrary to the wishes of the Government. They are really there only by sufferance. The lines of civilization are tightening around them. A railroad has gone far down on the east coast of the State, and on the west coast the people are flocking in and filling up the country. These Indians are to-day in a state of barbarism.

The report of the individual who has had charge of the school of instruction down there shows their condition, and shows that if there are any Indians in this country whom the United States Government should undertake to help to climb upto civilization, these are the ones. Some three years ago this amount of $6,000 was appropriated, and the disbursement of it was placed under the superintendence of the Woman's National Indian Association. They entered with much zeal on an effort to improve these Indians. The $6,000 was utilized in building a sawmill and establishing a plant at a point 45 miles southeast of the most southern town in Florida. Unfortunately, at a comparatively recent period, those buildings were destroyed, but the association was making a recognized effort to bring the Indians into a line of action that would induce them to fraternize with our people.

Now, I can say to this committee that unless something is done for the civilization of these Indians, or unless they are removed, they will ultimately prove to be a festering sore in the midst of that section of the country.

Mr. CANNON of Illinois. Are they on a reservation?

Mr. MALLORY. No, sir; there is no reservation.

Mr. CANNON of Illinois. Are they citizens of the United States?

Mr. MALLORY. No, sir; they are not citizens of the United States, or of the State of Florida.

Mr. CANNON of Illinois. What are they; just tramps?

Mr. MALLORY. They stand alone among the Indians of this country.

Mr. COOMBS. How many of them are there?

Mr. MALLORY. Between 400 and 600, as estimated; probably about 500, all told.

Mr. CANNON of Illinois. They have land?

Mr. MALLORY. They have no land, but the State of Florida within a few years has granted to them 5,000 acres of State lands, which, however, I think have not been located. Those lands are to be used in conjunction with the efforts on the part of the General Government to civilize these Indians.

Mr. HOLMAN. These are an absentee band of the Seminoles. The main body of the tribe removed many years ago to the Indian Territory, and these Indians would be entitled to the same rights as the others as soon as they joined their brethren across the Mississippi, but they have never gone there.

Mr. MALLORY. That is correct; and the gentleman might add that they will not go. The United States Government has exerted all its power to compel them to go, and has failed. They are in Florida contrary to the wishes and in defiance of the Government of the United States. It is true that the contact which they have had with the white people of late years has to some extent changed them from the condition in which they were in 1857, when the great body of the tribe were removed, but they are still savages. They live by hunting and furnishing bird plumage and alligator skins to the traders who deal with them. I trust the committee will not oppose this amendment.

Mr. HOLMAN. The only object the committee had in dropping this item, which has been in the bill for a number of years, was this: These Indians have not occupied tribal relations for generations, and under the Constitution and laws of the United States they are citizens, though I do not know how that may affect their relation to the State of Florida. However, Mr. Chairman, as this subject has not been very carefully examined, for one I shall not object to the amendment.

The amendment was adopted.

The Clerk read as follows:

For support and civilization of the Yakamas and other Indians at said agency, including pay of employés, $10,000.

Mr. GEARY. Mr. Chairman, I offer the amendment which I send to the desk.

The amendment was read, as follows:

For the construction of a wagon road on the Hoopa Valley Indian Reservation, in the State of California, in accordance with the recommendation of Capt. W. E. Dougherty, United States Army, acting Indian agent in charge of said reservation, to the Commissioner of Indian Affairs, dated November 21, 1893, $3,509; the work on said road to be performed as far as practicable by Indians.

Mr. GEARY. Mr. Chairman, this appropriation was recommended by the Department, but the estimate was sent in after the committee had prepared this bill.

Mr. HOLMAN. There is no objection to the amendment on the part of the committee, with the distinct understanding that the work is to be done by the Indians themselves.

Mr. GEARY. That I agree to.

The amendment was adopted.

Mr. GEARY. I ask that the letter of the Secretary on this subject be printed in the RECORD.

There was no objection, and it was so ordered.

The letter was read, as follows:

DEPARTMENT OF THE INTERIOR,
Washington, February 13, 1894.

SIR: I have the honor to transmit herewith copy of a communication of 10th instant from the Commissioner of Indian Affairs, and accompanying draft of a bill authorizing the construction of a wagon road on the Hoopa Valley Indian Reservation, in the State of California, and making appropriation therefor.

The letters of the Commissioner and the acting agent, Capt. Wm. E.

Dougherty, United States Army, show the necessity for the construction of this road, and the matter is respectfully submitted for the early and favorable consideration of Congress.

I have the honor to be, very respectfully,

HOKE SMITH, *Secretary.*

The PRESIDENT OF THE UNITED STATES SENATE.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
Washington, February 10, 1894.

SIR: I am in receipt of a communication from Capt. W. E. Dougherty, United States Army, acting Indian agent in charge of the Hoopa Valley Agency, Cal., dated November 21, 1893, in which he states that the superficial area of Hoopa Valley proper is about 4,500 acres; that of this area the high-water flood plain of the Trinity River takes in fully one-third, leaving at low water extensive benches and bars shorn of vegetation and soil; that of the remaining 1,500 acres about 900 are cultivated, and possibly 500 can not be reclaimed for some years, if at all; that a further extension of cultivation is therefore impossible in the valley; that some years ago, when serving there, he prevailed upon the people to abandon the villages, and by furnishing them with lumber and aiding them in the construction of frame houses, and by dividing the land among them in small lots, induced them to live apart and independently, and depend chiefly on agriculture for subsistence instead of upon acorns and salmon; that the response to the requirement was much more prompt and general than he anticipated; that he found it was impossible to supply the people according to their ability and means with the amount of arable land necessary to subsist themselves and their stock, which in a couple of years increased materially; that he now finds himself confronted with the same necessity that existed when he left the reservation; that the population of the valley must be thinned out and part of it placed on the new land, thereby giving more room and enlarging the holdings of those who remain; that many of the most industrious and capable are now anxious to move; that several of them have already taken up locations on the new land, and two families are living there permanently in greatly advanced comfort and abundance; that he is familiar with the locality referred to, having been over it many times, and estimates roughly that 2,000 acres of it can be brought under cultivation without any labor in clearing it; that water is abundant, the springs being numerous, and the oak and fir timber is the finest on the reservation, the soil being fertile and adapted to the growth of grain; that to make this tract available for occupancy and cultivation it must be made accessible over a wagon road, about 10 miles of which should be opened, and that the greater part of the labor would be on the first 3 miles. He estimates the cost of the labor and materials necessary to construct this work at $3,509, and recommends that a bill be prepared to appropriate that amount for the purpose. He submits a rough map of the reservation, showing the locality referred to and the route of the proposed road.

I do not deem it necessary, however, to submit copies of this map.

Agent Dougherty is thoroughly familiar with the Hoopa Valley Reservation and of the needs and requirements of the Indians thereon. From his statements there is no doubt but that the construction of the proposed road would be of great advantage to the Indians and enable them to utilize this body of agricultural land which it is necessary that they should have.

I have therefore prepared a draft of a bill authorizing the construction of this road and appropriating the sum of $3,509 therefor, and have the honor to recommend that it be transmitted to Congress with request for favorable consideration.

Very respectfully, your obedient servant,

D. M. BROWNING, *Commissioner.*

The SECRETARY OF THE INTERIOR.

UNITED STATES INDIAN SERVICE,
Hoopa Valley Agency, Cal., November 21, 1893.

SIR: I have the honor to inclose a roughly made plat of this reservation, which shows, approximately, the location and extent of the arable land on the northern part of it, which is not available to the Indians on account of the difficulty of reaching it with the means to bring it under cultivation and of getting to it from the valley, the only routes being difficult trails for pack or riding animals.

The superficial area of Hoopa Valley proper is about 4,500 acres. Of this area, the high-water flood plain of the Trinity River takes in fully one-third, leaving at low water extensive benches and bars shorn of vegetation and soil. Of the remaining 1,500 acres, about 900 are cultivated, and possibly 500 can not be reclaimed for some years, if at all; 60 to 70 acres are covered with orchards, and the residue of 30 to 40 acres will be brought under cultivation this year. A further extension of cultivation is therefore impossible in the valley.

Some years ago, when serving here, I prevailed upon the people to abandon the villages (rancheries), and by furnishing them with lumber and aiding them in the construction of frame houses and by dividing the land among them in small lots, induced them to live apart and independently and depend chiefly on agriculture for subsistence, instead of upon acorns and salmon. The response to this requirement was much more prompt and general than I anticipated, and I found that it was impossible to supply the people according to their ability and means with the amount of arable land necessary to subsist themselves and their stock, which in a couple of years increased materially.

Soon afterwards I was relieved. Meantime no change has occurred, and I find myself confronted with the same necessity that existed when I left here. The population of the valley must be thinned out and part of it placed on the new land, thereby giving more room here and enlarging the holdings of those who remain. Many of the most industrious and capable are now anxious to move (which they were not before). Several have already taken up locations on the new land, and two families are living there permanently in greatly enhanced comfort and abundance.

I am familiar with the locality referred to, having been over it many times, and I estimate roughly that 2,000 acres of it can be brought under cultivation without any labor in clearing it. Water is abundant, springs being very numerous, and the oak and fir timber is the finest in the reservation. The soil is fertile and adapted to the growth of grain.

To make this tract available for occupancy and cultivation it must be made accessible over a wagon road. About 10 miles of road should be opened. The greater part of the labor would be on the first 3 miles. I went over this section yesterday with a hand level, and estimate that about 3,400 cubic yards of earth would have to be moved, and over the whole distance about 7,000. The remainder of the survey is over ground so easily worked that a valuation is difficult and scarcely necessary, being open ground on easy grade. Very little blasting would be necessary, and no bridging on any part of the route.

The work should be done by day labor by Indians. The following is my estimate of the cost:

One span work mules		$300.00
One pair double harness		25.00
One sidehill plow		18.00
One dozen shovels, L. H., B. & H.		12.00
One-half dozen spades, L. H., B. & H		6.00
One dozen picks and handles		18.00
One-half dozen axes, handled		9.00
One cross-cut saw, handled		8.00
Two crowbars, solid steel, 20-inch		6.00
Drills and tool steel		5.00
Explosives		12.00
Labor		419.00
2 overseers (Indians) 60 days, at $1.50 per day	$180.00	
Labor, 30 Indians 60 days, at $1	1,800.00	
Subsistence of 32 Indians 60 days, at 50 cents per day	960.00	
Contingencies	150.00	
		3,090.00
Total		3,509.00

I recommend that a bill be prepared, embracing the above-described subject, to appropriate the amount shown above for the purpose, and that it be submitted to the House of Representatives as early as possible in the next regular session.

I am, sir, very respectfully, your obedient servant,

WM. E. DOUGHERTY,
Captain United States Army, Acting Indian Agent.

The COMMISSIONER OF INDIAN AFFAIRS,
Washington, D. C.

Insert after line 18, page 42:

"For the construction of a wagon road on the Hoopa Valley Indian Reservation, in the State of California, in accordance with the recommendation of Capt. W. E. Dougherty, United States Army, acting Indian agent in charge of said reservation, to the Commissioner of Indian Affairs, dated November 21, 1893, $3,509; the work on said road to be performed, as far as practicable, by Indians."

The Clerk read as follows:

Arizona: For general incidental expenses of Indian service, including traveling expenses of agents in Arizona, and for the support and civilization of Indians at the Colorado River, Pima, and Maricopa and Moquis Pueblo Agencies, $12,000; and pay of employés at same agencies, $6,000; in all, $18,000.

Mr. CANNON of Illinois. I move to strike out the last word, in order to ask the gentleman why it is that the committee recommend $6,000 here instead of $8,000, the amount carried in the current appropriation bill?

Mr. HOLMAN. The committee were of the opinion that, considering the situation of these agencies, the total amount of $12,000 in the bill was ample, and they thought that not more than $6,000, or half of the appropriation, should go to white men.

Mr. CANNON of Illinois. But there is a reduction of $2,000 here. Does the Indian Bureau recommend it?

Mr. HOLMAN. No, sir. The gentleman will observe that this does not embrace the Navajos, that portion of them living west of the boundary between Arizona and New Mexico. It merely embraces the Indians down on the Colorado River. It does not embrace the Apaches. It embraces only those named in the bill, who are all peaceable Indians, and the opinion of the committee was that an appropriation of $6,000 for white people and $6,000 for the Indians was doing pretty well for the whites.

Mr. CANNON of Illinois. In which opinion, however, the Indian Bureau does not concur.

Mr. HOLMAN. The Bureau does not recommend it.

Mr. CANNON of Illinois. My friend says that the committee cut down the appropriation from $8,000 to $6,000, because they thought $6,000 was enough for pensioning white people. From that point of view, why not cut it all out? Why give any pension to white people?

Mr. HOLMAN. I do not think myself that that proportion ought to exist. I do not think that more than a small percentage of the whole sum appropriated should go to the benefit of the agents, but there have to be blacksmiths and physicians and such employés, and they are covered by this $6,000.

Mr. CANNON of Illinois. Now, my friend gives the real reason. In giving the other reason it seems to me, with all due respect to the gentleman from Indiana, that he did not do himself justice.

Mr. HOLMAN. I did not enter into the details; that is all.

Mr. CANNON of Illinois. The gentleman spoke of this as a gratuity or gift to white people, and said he thought $8,000 was too much to give them. From that point of view I agree with him. Eight thousand dollars is too much; $6,000 is too much; anything is too much. But now the gentleman says he believes there ought to be a certain number of employés at these agencies, and that this appropriation will furnish a sufficient amount to compensate the necessary employés. I understand, however, that the Secretary of the Interior and the Indian Bureau do not agree with him.

Mr. HOLMAN. I say they have not recommended any reduction. That is all.

Mr. SMITH of Arizona. Mr. Chairman, I desire to offer an amendment, upon which, in view of what has occurred on the

floor, I trust there will be no point of order made. I wish to offer it before we leave the Arizona part of this bill.

The amendment was read, as follows:

That the names of Hon. W. S. HOLMAN and Hon. J. G. CANNON be placed on the pension roll, subject to the limitations and restrictions of the pension laws, in modest recognition of the gallant and valuable services rendered the United States in the late war with the Apache Indians in Arizona. [Laughter.]

Mr. HOLMAN. I make the point of order on that amendment. [Laughter and cries of "Vote."]

Mr. SMITH of Arizona. Mr. Chairman, I desire to be heard on the point of order.

Mr. HOLMAN. I insist upon a ruling on the point of order, Mr. Chairman.

The CHAIRMAN. The Chair holds the point of order to be well taken.

Mr. SMITH of Arizona. I would like to say a word on this amendment not entirely in levity. I want to call attention to one thing which I wish to impress upon the members of this House. There is no man who admires either of the gentlemen named in this amendment more than I do; no man, probably, who has a higher respect for them both, and I believe that when they have done so much more than the balance of this Congress which is legislating upon the Indian question, in actually going out to the Wilcox and San Carlos Reservations—a tract that I have seen made absolutely desolate, the ranches destroyed and the people murdered by these Indians—they ought to receive some special consideration.

I believe that every Congressman who will take the trouble to go out and even locate a reservation is entitled to a pension or some special reward; because through such action on the part of our legislators we may finally get some sort of reasonable legislation on this Indian question. Before we leave the Apache Indian I want to say to this committee that he is a dangerous gentleman to deal with. We have him among us in my Territory, and it is a question with us day and night how to solve that problem, and, in view of the remarks of the gentleman from New York [Mr. COOMBS], I do not know but I should be willing to have his name added to this list. [Laughter.] These gentlemen know how to handle the Indian, though some of them, I think, would not know him if they saw him on Pennsylvania avenue; certainly they would not know him on his native heath, for they would never get close enough to the Apache to recognize him. [Laughter.]

In my opinion those Apache Indians must be treated by this Government differently than any other Indian in the world. They are absolutely the Ishmaelites of God's creation. That is their record, going back farther than our history goes and taking their traditions. From the most ancient times until now there never has been a day that the hand of the Apache has not been against all the world, and the hand of all the world against him in self-defense. The Chinaman, the African, the Mexican—even the Eastern Indian agent—are not free from the Apache when he has a fair chance.

Nothing but fear will rule him. His civilization is at present absolutely impossible, and yet he holds a domain larger than the State of Massachusetts, and with five times its natural resources. I suppose this will be attributed to a desire to get that land away from him, but these few thousand Indians, dangerous to the peace and life of every inhabitant within a hundred miles of them, are maintained on this great reservation instead of being held down close under a guard that can be maintained at less expense, and where the Indians themselves can be maintained at less expense than we are now paying to support them. The hope of civilizing that Indian is just as bright as the hope of civilizing his food, the rattlesnake.

You can not conceive of the Apache until you see him. He is absolutely incapable of the emotions that we feel. He is savage in every instinct. Yet he is left there to roam through those hills, getting hundreds of miles away from his reservation whenever he pleases. And so he stands a menace to the community. Even to-day there are six or seven of them who for three years have been at large, pillaging and murdering in old Mexico and Arizona, and occasionally I believe crossing the line into the magnificent domain of my friend from New Mexico [Mr. JOSEPH].

That reservation should be cut down and limited to a small reservation composed of the best lands on the river. These Indians could be maintained there. They should be made to work and they should suffer, as you and I must suffer, under the law of God, that if a man does not work neither shall he eat, and that in the sweat of his face shall he eat his bread all the days of his life. [Applause.] Until they are taught that, they can not be civilized, and I do not hope to see it in this generation or probably in the next.

Mr. BOWERS of California. Do you believe it is an exhibition of a Christian spirit to insist that an Indian should work? [Laughter.]

Mr. SMITH of Arizona. Well, in discussing that question, I do not think any more of that than the Indian does after you preach to him about seven years. It is a purely practical question.

Mr. BOWERS of California. If I understand, the claim is that it is not Christian to compel the Indian to work, but that he must be supported by the Government. The white man must work, of course!

Mr. SMITH of Arizona. The mistake made is in the hope of doing anything, for the present, in the education of that Indian, until you teach him first that he must go hungry next winter if he does not work this summer. As long as you load him with all that he wants to eat and clothe him with all that he wants to wear—clothe him in fact better, if he will take care of his clothes, than many of the constituents I represent here, and feed him better—he will continue to live in absolute dirt and vermin, and degradation inconceivable to you. And then talk about sending preachers to preach the gospel and sing psalms! That is the civilization of the Apache Indian.

Mr. BOWERS of California. Will the gentleman allow me to ask him a question? I wish to know if it is not the gentleman's observation that the Indians have been taught, or at least that they believe, that this Government must and will support them; that that is the one thing that the Indian Bureau has taught the Indians in Arizona and everywhere else?

Mr. SMITH of Arizona. There is no doubt about it. Another thing, the Government is not fair in the way it does. You take these Colorado Indians, the Pueblo Indians, who have been there for hundreds of years, trying to plow and make a living, and succeeding in raising crops; they will be left to be mightily pinched by hunger before the Government steps in to help them, and there has not been a time for years when they have not been working to help themselves, and the Government has no trouble with them; but while the Government lets them go on and take care of themselves, it has given to Geronimo in his day, and to the Apaches that are on that reservation now, a reward to keep them from going on the warpath.

Every one of those Indians that goes off the reservation on the warpath ought to be hanged. They know it as well as we do. Yet they are not made to suffer the penalty of their crime. They are caught by the soldiers and brought back and locked up, and in a little while are in a fair way to escape and go out again into Mexico, as a few of them now are, murdering people and robbing them, and coming back into the United States when they are pressed.

This has been going on there for fifty years, and yet we are leaving these Indians to roam in a domain larger than some of our Eastern States. We are still talking about spending money to educate and preach to them, instead of teaching them, as I said before, to work. Instead of taking your hymn book to the Apache, teach him the song of the anvil, the sound of the drill in the mine. Teach him to raise fruit; teach him that the land he lives on can be made productive, and through that means, and that alone, will we ever succeed in doing anything with him.

Mr. PICKLER. I should like to ask the gentleman if he ever knew a preacher or teacher to go to an Indian tribe, but what the first thing he did was to clean up the Indians and get them into shape?

Mr. SMITH of Arizona. I have known people to "clean them up," just as people did in the East, in early days.

Mr. PICKLER. I am talking about preachers and teachers. They always do clean the Indians up the first thing.

Mr. SMITH of Arizona. I do not think that anyone who knows me, or who knows the influences under which I was raised, would think they would need come to the defense of the Christian religion, or of any meek and lowly follower of our Saviour; but I say that by that means alone they can no more get that Indian into a state of civilization than they can get a house painted by singing to it. There are other means. The preacher is not ready for the Indian, and the Indian is not ready for the preacher. They have got a deal to learn yet. The Indians must learn to work, and to make their way in this world as everyone does, through toil, and trouble, and tribulation.

Mr. COOMBS. I understand the gentleman, in the remarks he is making about the Indians, to refer to the Apaches.

Mr. SMITH of Arizona. Yes.

Mr. LACEY. About how many Apaches are still there?

Mr. SMITH of Arizona. About six or eight thousand.

Mr. WILSON of Washington. What will the gentleman say about the preacher who went to the Cœur d'Alene Reservation seventy years ago, walked there, and who gradually taught those people by his piety and Christian influence to work to support themselves?

Mr. SMITH of Arizona. Who was taxed to pay that good soul?

Mr. WILSON of Washington. Nobody.

Mr. SMITH of Arizona. Ah, those are the men who educate the Indian.

Mr. PICKLER. The same story might be told of many other Indian reservations, too.

Mr. SMITH of Arizona. That is Christianity. Those are the kind of men who first went into Arizona and established those old missions all through Southern California and all that region; who went among the Indians, teaching them to plow and to work, and they have been doing it since. But that was not done by taxing the people to send out agents, or to pay for preachers and schools. It is very well to preach, if they want to——

Mr. WILSON of Washington. Do we tax the people for preachers for the Indians?

Mr. PICKLER. Preachers are not supported by any tax on the Government.

Mr. SMITH of Arizona. If the gentleman from South Dakota has any preachers up there who are not needed, why we are perfectly willing to have them come down and preach all they want to. I am not making any assault on religion in any shape in the world.

Mr. PICKLER. I do not know that the gentleman is, but I do not know a preacher in the Indian service who is paid out of the public Treasury. The preachers are sent by the churches.

Mr. SMITH of Arizona. I can not hear the gentleman when I am talking. One or the other of us must quit.

Mr. PICKLER. Well, I will quit.

The CHAIRMAN. The gentleman from Arizona is speaking to a point of order. The Chair wishes to remind him of that.

Mr. COOMBS. I hope the gentleman from Arizona will be allowed to proceed. We are learning something from him.

Mr. HOLMAN. I think there is a general wish that the gentleman from Arizona be allowed to proceed, and I hope there will be no objection.

The CHAIRMAN. The Chair was simply reminding the gentleman that he was speaking to a point of order.

Mr. SMITH of Arizona. In order to avoid the conclusion that might be reached from the interruption made by my friend from South Dakota, I will say that it is hardly necessary for me to state, in this presence or anywhere else, that for the man whose life is spent in an effort to save somebody, I have as much respect, and I contribute as liberally of my means, probably, without boasting, as any other gentleman present. But I am simply trying to impress this one thing on the minds of this committee, and that is that you are going backward all the time in the present manner of teaching the Indian children.

There never was a nation, in my opinion, and I think my reading justifies the assertion, even contracted as it has been, as far as christianity goes, in which its real influences have ever been felt until the people have become civilized enough to understand and to accept it. You will never get the Indian a bit better than he is to-day; but in my opinion, gentlemen, you are making him worse by educating him simply to read and write; simply to read what the newspaper says, and to write your name to somebody else's check.

The records of these Eastern schools show that when a man goes back he can not associate with those he left on the reservation. He can not go back and maintain the habits he acquires in the East, for the moment he does so they say to him, "You are putting on the airs of a white man." He immediately becomes either the worst Indian of the whole lot, and becomes a great deal more dangerous on account of the education you have given him, or else he starts out into a career of crime. And it is not worth while for me to say here what becomes of those girls turned out of these schools when they go back. Instead of it being humanity towards those Indians you are teaching and supporting at these schools in the East, why in many instances it is making the Indians worse; and I do not know how it may be with other sections, but any gentleman who thinks that by educating the Indian he is better, is simply deluding himself by a beautiful dream, for him to laugh at.

I saw one not long ago who had received an education at an Eastern institution. He could read the same as I. He wrote a good hand. I asked him how many feet there were in a yard. He did not know; and how many pecks in a bushel. He did not know. He knew not one of the simplest things which our children learn at 5 or 6 years of age, but he could read and write. I soon found out that he knew nothing of any of these things; but if you asked him if "he knew who died that he might live," he could answer you that categorically and very correctly. Now, do you mean to tell me that such education is going to affect him any more than any Chinaman coming to this country is going to change his idea of religion to ours.

That is a slow process, my friend. And if we let the religious question alone in this case and educate these Indians in practical things, on the ground where they were born, and where their fathers and mothers can keep them, and let their father and mother see the process of their education, it will have an influence on the older ones as they become accustomed to it from time to time; but so long as you keep them here it will be of no advantage to them.

There is not one of those who have been educated at Hampton, I have been told, who will not go back worse than he came; and I believe that every dollar you spend in that way is worse than thrown away. In my judgment the best and the most profitable way to spend it is on the Indian reservations, teaching the Indian how to plow corn and how to preserve fruit as they are now doing in the school at Phœnix, Ariz. The great lesson taught there is how to preserve fruit, and it has led to an improvement in the education of these Indians greater than any in the United States.

Mr. HOLMAN. There is a point of order pending.

The CHAIRMAN. The Chair sustains the point of order.

Mr. MAHON. Mr. Chairman, I desire to be recognized on the question of order, so as to reply to the charge made as to the bad effects of teaching Indians in the Eastern schools. I think it nothing more than fair that a reply should be made to that charge. What the gentleman from Arizona has said may be true in respect to the Indians in Arizona, and I know that there are warlike tribes in that Territory; but the Apaches are not the only Indians in this country.

I live within a few miles of an Eastern Indian school. I refer to the school at Carlisle, Pa., that contains from 700 to 800 Indian children. I want to say to the gentleman from Arizona that in that institution you will find as apt scholars, you will find almost as high training as in any college in the East. I find, sir, from the report as to that college that 95 per cent of the graduates of the Carlisle School do not go back and become blanket Indians, but become useful citizens of the United States.

Mr. SMITH of Arizona. From what tribes?

Mr. MAHON. From all tribes.

Mr. SMITH of Arizona. There is not one from Arizona who has not gone back.

Mr. MAHON. When the gentleman makes the charge that they go back and become robbers and thieves, and that the young maidens go back and lose their virtue, he is making a charge that he can not substantiate.

Mr. SMITH of Arizona. Where do they go? I want to learn.

Mr. MAHON. They would prefer to stay in the East, with the people who have civilized them. We ought to educate these people and allow them to assimilate with our people. You go with me into the Cumberland Valley, and I will show you hundreds of Indian children, boys and girls, being educated in that school. I will show you during the summer vacation how they associate with our farmers, and thus make the very best citizens. You say that you can not civilize or Christianize them. I have heard an Indian preach the gospel of salvation in the pulpits of the Cumberland Valley and tell the story of the Cross with as much feeling and effect upon the people as many of our white pastors.

Now, this charge that the gentleman has made has been denied over and over again; this story about these Indians going back into degradation and villainy has been proven false time after time. The facts will not justify the charge he has made against this Eastern school. If the gentleman will take the report of Bishop Hare, who was among the Indians, he will find that 95 per cent of them do not go back to the habits of their people, but conduct themselves well.

I will admit that a few Indians will go back and become degraded, but that is no argument against educating them, and if there is any truth in this charge that the educating of these Indians in the Eastern schools does not civilize them, if it does not lead these people out of degradation and savagery, then pray tell me what will be the effect of educating them upon the reservations, surrounded by all the vicious influences of their tribal relations. If you propose to strike down the Eastern schools, you must admit that the idea of civilizing the Indian by education is a failure, and every dollar in this bill for the education of children in the reservation schools ought to be stricken out, and give up the whole matter as a bad job.

Mr. SMITH of Arizona. The only contention between you and myself is simply this. I do not contend that there are not certain tribes in the United States far enough educated, but when they are far enough advanced by education you can not take one man to a tribe and elevate the tribe, nor can you take four and elevate the tribe. The whole tribe is against him. But you can in time by process of education on the reservation improve them by developing them and teaching them the rudiments, allowing those living on the reservation to see the benefit that it is to them; and in that way you will gradually bring them to a higher plane.

Mr. MAHON. The gentleman may represent a Territory in which tribes of Indians are very savage, but if he will go with me to the Cumberland Valley I will show him Indians amongst the best musicians in this country. They have a band there that I think is not equalled by the band of any other school. It is a band that will favorably compare with the Marine Band. You can go with me to that school, and I will show you mechanics that can not be excelled outside of the school. I will show you in all branches of learning that these children are educated to a high grade. Schools of that kind educate and civilize them.

Mr. PICKLER. In the Carlisle school do they do anything in the way of a practical education? I understand they have shops there to give them practical education. What does the gentleman say about that?

Mr. MAHON. They have.

Mr. PICKLER. Will the gentleman tell us something about the practical education they receive?

Mr. MAHON. What do you mean by "practical education"?

Mr. PICKLER. The education they get in the industrial schools.

Mr. MAHON. In the Carlisle school they teach an Indian any trade he may desire to learn. They teach him to become a cabinet-maker, a harness-maker, a tinner, or a blacksmith. These people make the best of mechanics.

Mr. WILSON of Washington. Will the gentleman tell us where they come from?

Mr. MAHON. From all the Indian tribes.

Mr. BAILEY. I understood the gentleman to state that they became useful citizens. My information is that those who are educated in the East and settle there do not become citizens at all. They do not become naturalized. Is that true?

Mr. MAHON. Become voters?

Mr. BAILEY. Yes, sir.

Mr. MAHON. They do not require to become naturalized. If they sever their tribal relations they become citizens.

Mr. BAILEY. Of course they do to become citizens of the United States.

Mr. MAHON. Not in my State.

Mr. BAILEY. The Supreme Court has expressly held that if an Indian belonging to a tribe separates himself from his tribe, he must still be naturalized before he becomes a citizen of the United States.

Mr. MAHON. But they must first separate themselves from their tribes. The gentleman from Texas [Mr. BAILEY]——

Mr. BAILEY. I understand that, but they do not become naturalized.

Mr. MAHON. They do.

Mr. BAILEY. My information is different.

Mr. MAHON. The gentleman from Texas may be right. I have not examined the decisions of the court as he has done, and am not as well posted on the subject as he is.

Mr. HERMANN. Under the present system of allotting lands to the Indians in severalty, the decision is that they do become citizens of the United States.

Mr. BAILEY. No; the decision is that the mere breaking up of the tribal relation, or the mere separation of an Indian from his tribe, does not make him a citizen; that, having been born a member of the tribe, he can only become a citizen by naturalization.

Mr. HERMANN. He becomes *ipso facto* a citizen of the United States when he severs himself from his tribe, and under the practice of allotting lands to the Indians in severalty it has been decided that they do become citizens of the United States, and they are entitled to vote in every State in this Union, and are now voting under that condition of affairs.

Mr. BAILEY. In a bill severing the tribal relations and allotting lands to Indians in severalty, the United States could of course make them citizens, but unless there is a provision to that effect they do not by mere allotment become citizens.

In the case of Elk vs. Wilkins an Indian attempted to vote and alleged that he had separated himself from the tribe and was no longer a part of it. He claimed that he was a citizen of Nebraska, and attempted to vote in the city of Omaha, but the register refused to permit him to register. The Indian sued him, and the case came to the Supreme Court of the United States, and is reported in the 112th volume of reports. The court held that he could not be a citizen of the United States without having been naturalized, because he had been born a member of an Indian tribe.

Mr. HERMANN. That was a condition of affairs in which there were no allotments.

Mr. BAILEY. If the alloting statute provides for citizenship, of course the Indian becomes a citizen, but not otherwise.

Mr. HERMANN. But the statute does provide that they shall become citizens of the United States upon the happening of that condition.

Mr. BAILEY. That is upon allotment.

Mr. HOLMAN. Mr. Chairman, I rise to a question of order. There is nothing before the committee.

Mr. MAHON. One word more, Mr. Chairman. It is beyond all controversy that the education of the Indian children in the Eastern schools has been for the betterment of those people. This House wastes a great deal of time in discussing that question over and over and over again. The Indians educated in our Eastern schools make good citizens. We bid them welcome to the State of Pennsylvania. We would not be sorry if every one of them remained in that State. They are a great deal better citizens than many that we have there.

Pennsylvania to-day is cursed with a lot of anarchists, socialists, bomb-throwers, men who destroy property with dynamite; a lot of Hungarians, Italians, and criminals from foreign countries, who are far worse citizens, worse enemies of this country to-day, and far more likely to destroy its liberties and peace than the poor Indian who travels the plains in all his savagery and debasement, and if this Congress should devote more attention to eliminating that curse and less to the Indian, it would be better employed. I would like to trade off 300,000 of the Hungarian, Italian, and other foreign criminals and scalawags that we have in the State of Pennsylvania for the Indians that belong to the gentleman from Arizona. [Laughter.] We could educate and elevate the Indian to the plane of good citizenship——

Mr. COFFEEN. Mr. Chairman, I move to strike out the last word.

Mr. HOLMAN. I ask unanimous consent that debate on this subject be limited to five minutes.

Mr. REED. I object to that, because I want to say a few words upon this if I can have time.

Mr. HOLMAN. How much time does the gentleman from Maine want?

Mr. REED. Five or ten minutes.

Mr. HOLMAN. Then I ask unanimous consent that debate be limited to fifteen minutes.

Mr. REED. I object to any limitation. Let the debate go on. We have a "tribe" here that needs some education on this subject.

Mr. HOLMAN. The subject of Indian education is not really before the committee at all at this time. It will come up in its regular order.

Mr. REED. Well, we have got into it, and we might as well talk it out.

Mr. COFFEEN. Mr. Chairman, if I can have the attention of the committee I desire to make a few remarks. I observe that the Western people, who, from practical experience with these Indians, are showing that they understand something of the Indian question, and the Representatives of the Eastern portions of this country are manifesting a spirit of inquiry and of kindness in this discussion which is very encouraging and which I think makes it desirable that the discussion should be continued for a few minutes, because good is being accomplished by it.

In reference to the education of the Indians at the Carlisle school, I wish to say that I attended an exhibition by the Indian pupils from that school at Metzerott's Hall not long ago, and I was very much interested and impressed as I beheld those dark-eyed Indian young people peering out, as it were, trying to comprehend the future of themselves and of their race. I have nothing to say against the education of the Indians at the existing schools, or against the benevolent efforts of our people in connection with the Carlisle and other Indian schools.

But, coming from the West, where I have had opportunity to observe the reservation Indians, their needs and their habits, I desire to say, in harmony with what has been said by the gentleman from Arizona, that a much better use of the funds that are now expended for Indian schools would be secured by establishing the schools in the West right beside the Indian. When you move your schools, your educational appliances, mechanical, scientific, and economical to the very home of the Indian, then you will secure results far beyond any that you attain now.

Imagine, if you please, the influence that would be exerted on the Crow Indians in Montana, or on the Shoshone Indians in the State that I have the honor to represent, by bringing them into contact with those educating and civilizing influences.

You would thus be educating or lifting the whole tribe to a higher level, especially if you taught such branches and exercised them in such simple arts as would be properly adapted to the conditions in which they live and out of which they must emerge by slow degrees.

Again, you bring at once into the minds of all the Indian parents, who still must remain the natural guardians of their children, an idea of the advantages that there are in the education of the intellect and hearts of the children while you wisely train them also in the art of making a living. Secondly, you have

another valuable reciprocal influence, which acts upon the teachers and educators themselves, by which they learn and appreciate the difficulties and problems connected with the elevation of the Indians, and which your teachers can never acquire by handling pupils in Pennsylvania or anywhere else in the East far distant from the actual homes of the Indians.

These are among the results to be attained by schools among the Indians. Therefore, in harmony with the general Western sentiment, I say, move your schools and your institutions for the education of the Indian out where the Indians are, so that the Indian parent, as well as the children, may catch the spirit and atmosphere surrounding your schools. That will benefit thousands of Indians and gradually blend them into harmony who are now left to antagonize these young bright pupils whom you educate in the East when they go back to their tribes in the West.

When these children graduate and go West again, the change is so great that they feel it most keenly, and it results disastrously to them and does not accomplish the high and noble purpose you have in view. Instead of wasting $100,000 per year in training Indians at the Carlisle school in Pennsylvania in the higher branches and classical music, for which their parents and tribes at home have no use or appreciation, spend this sum in schools on the edges of the Western reservations and change the curriculum of studies into more practical channels.

Mr. WILSON of Washington. Along the line of the gentleman's argument, which I have listened to with great pleasure and considerable profit to myself, I desire to ask him if he does not think he can educate the Indians more successfully if the administration of affairs is put under the control of our own Indian agents and our own teachers and farmers? [Laughter.]

Mr. COFFEEN. Yes; and I indorse the general sentiment of the gentleman from Washington, indicated by his question, and say that both agents and farmers to teach the Indians should come from civil life and have experience in the methods of farming and living in the regions where these reservations exist.

The CHAIRMAN. The time of the gentleman has expired.

Mr. REED. Mr. Chairman, the path toward truth is said to be along a line of approximate inaccuracy, and possibly that may be our pathway to the truth with regard to Indian education. I desire to contribute some of the views which I entertain upon the subject, which I think may possibly be of use, though I decline to warrant it. I have listened to the remarks of the Delegate from Arizona [Mr. SMITH] and of the gentleman from Pennsylvania [Mr. MAHON], and although they seem to be at sword's points, yet I venture to say that there is very little real difference between them. They are talking of different subjects and of different effects, produced by different courses of action.

Unquestionably the education of the Indian may be carried to a point which, in individual cases, will fit him for association with the citizens of Pennsylvania or of Maine or of Massachusetts, and if he stays with the citizens of those States he will undoubtedly be very much improved in his status, and the country will have the benefit of a new citizen. On the other hand, if he is educated beyond the reach of the tribe to which he belongs, and goes back to that tribe, he meets a great principle, not of Indian nature but of human nature, which is exemplified among us at all times and on all occasions; that is, the demand for uniformity of thought and action. The human race has a sort of instinct which obliges it to keep together, and it will not let any of us stray very far beyond the general sentiment.

The man is a very bold man who to-day wears a very bright red necktie, and the man who twenty years ago had worn one would have been in great danger of personal assault. [Laughter.] The world will not stand anything except general uniformity. A savage tribe is in precisely the same condition. It does not appreciate a graduate of the Carlisle school, and it does not appreciate anybody who is much more elevated in social life than it is. Hence the problem, so far as the education of the tribe is concerned, is the raising of the whole tribe somewhat, rather than the raising of a single member of it a good deal. I do not care how high a man is raised above his community, if he goes back to it he will soon be brought downt o its level of thought and action. This is a principle of human nature so widespread and so inherent in the race that it must be respected, and the more you respect it, the more sensible will be your course of action.

Now, our newspapers are the palladiums of our liberties. We all understand that. But our newspapers would lose their force at once if they undertook to be too far elevated above the people. They have to be within reaching distance. It is the same with all other educational means employed in this world. We have got to get people up, little by little, and in order to get them up at all we have got to get them all up. We have got to stop very often, for instance, in politics, in order to get our Democratic party up to the point for a new departure [Laughter.] And it would be impossible for an advanced Republican to go amongst a very backward Democratic community without being very much lowered in his moral tone before he got out of it, if he continued to live with them any length of time. [Laughter.]

Now, that is an illustration which you will all understand [laughter], and which, if you will apply it to the subject under discussion will, I think, reconcile in very many ways the apparently opposing views of the Delegate from Arizona [Mr. SMITH] and the gentleman from Pennsylvania [Mr. MAHON.]

The CHAIRMAN. The time of the gentleman from Maine has expired.

Mr. REED. I should like to have a few minutes longer.

The CHAIRMAN. In the absence of objection, the time of the gentleman from Maine will be extended five minutes.

Mr. REED. The gentleman from Pennsylvania is arguing about the fitness of the education which is bestowed upon the Indians at Carlisle for certain purposes. Unquestionably he is right about that, and we should all be glad to see the aborigines of this country assimilate themselves with us. But when you come to take a tribe, which can not be separated and distributed, and the question is about the education of that tribe, it is the same with those people as it is with us. They must pass over the same road that we passed over. We did not arrive at our present condition of civilization by leaps and bounds. On the contrary, we went at a snail's pace, because we had to lift everybody all the time.

Why, you are having that identical problem in the education of the colored people of the South. When a Southern colored boy spends three or four or five or six hours in school, and then goes home to his parents who have not had the advantages of that education, they are very likely to feel that he is a little bit uppish in his ways, and unconsciously they try to push him down. So it is with regard to the Indians. Why, I recollect how it was when we were boys, how we used to criticise our companions who undertook to be a little more educated than ourselves, or to wear their clothes a little more in the style of grown people. It is a fact and a principle that runs through human nature.

Now, it seems to me that the inevitable deduction from this is that while it may be proper to take individuals and educate them to be distributed among the community, it is also equally true that the best method of reaching the Indian question is to have those schools which commence with matters nearest to their present thought and gradually lift them up through industrial means, until they all begin to realize and understand the advantages of the change, and when they all of them come to this understanding, which is necessary for progress, each one supported by all the rest, then they will all come up gradually together, and very soon we will find them fit to be citizens of the United States, for that is not necessarily a very high standing. It only requires that men comprehend what is necessary for laws to govern themselves.

Now, it seems to me that these are sound principles, and that it is worth while for us to apply them to this question which is before us. For my part, I should be willing to spend a good deal of money for an education like that, for while they have got to go over the same road we went over, while they have got to pass from their present condition, which was ours centuries ago, they can, thanks to their surroundings, go over the road in a much shorter time than we went over it, and by taking them all together we shall get them there much more quickly than if we undertake a sporadic education. [Applause.]

Mr. COOMBS. What does the gentlemen think of the education of teachers in Eastern schools to send back to teach their own tribes?

Mr. REED. My experience about teachers has been that there may be such a thing as the overeducation of teachers. My impression is that the very best scholars are by no means the best teachers. Some time ago, in discussing another question, apologizing somewhat for my inability to discuss it as fully as might be, I ventured to say that I would discuss it, because I had noticed that a 5-year-old boy could teach a 4-year-old boy more than Noah Webster could, with all the facilities of his dictionary. So it may be that we may educate teachers too much. What we want to do is to get within easy reach of the whole tribe, and lift the whole of it, thereby making our education complete.

The generation which has got beyond school days is to a certain extent hopeless, but you get the whole of the younger generation educated up to a certain point and you have reached that point permanently, and then the next generation has got a better chance; and so they will go on, and when the whole tribe gets permeated with the idea that education is a good thing, progress will be rapid. By education I mean the very broadest

kind of lifting up. I do not believe that education is book knowledge. Book knowledge is the very least part of education.

I think one of the brightest men I knew, when I first came out of college, was a man whose reports I had to write for him. But he was bright enough, and he gave me the idea that there may be an education which can make a man, which does not necessarily come under the head of reading and writing. But applying the term education in its fullest and broadest sense, what we want to do is to educate them all, because—and I think it is a providential arrangement—you can not leave any large portion of the human race outside of progress. Your progress is stopped until you get them up to a fair level.

You can not go ahead. You can not live with an ignorant majority within your borders. You have got to raise them before you can raise yourselves. You are subjected to that unconscious but unfailing influence of the majority of sentiment, and until that majority of sentiment is lifted higher you who stand on the heights can climb no higher. [Loud applause.]

The Clerk read as follows:

New Mexico: For general incidental expenses of the Indian service, including traveling expenses of agents in New Mexico and support and civilization of Indians at Pueblo Agency, $3,500, and pay of employés at said agency, $1,200: in all, $4,700.

Mr. SICKLES. Mr. Chairman, I offer a pro forma amendment to enable me to make a statement. I move to strike out the last five words in the section just read. This morning, while my attention was otherwise occupied by two of my colleagues, an amendment relating to the Seneca Indian lands in New York was offered by the gentleman from Wisconsin on my left [Mr. LYNCH] and accepted by the chairman of the Indian Affairs Committee. It was my intention to raise a point of order against that amendment, at the request of my colleague [Mr. DANIELS], who is absent. I now ask permission of the gentleman from Indiana, chairman of the Committee on Indian Affairs, and the gentleman from Wisconsin, that I may be allowed to raise that point of order, and let it be disposed of by the Chair, without prejudice from its not being raised and disposed of when the amendment was offered, when I was otherwise occupied.

The CHAIRMAN. The gentleman will please state where the amendment was offered.

Mr. HOOKER of New York. It was at the end of page 36.

Mr. SICKLES. It is a provision to pay the Ogden Land Company for certain claims which it says it has over this 50,000 acres of Seneca Indian lands in Western New York. Whether or not they have a good claim I do not know; but this is new legislation, and it ought to be brought before the House in a separate bill. I ask permission to raise the point of order, as I promised my colleague [Judge DANIELS] I would, and as I should have done if my attention had not been occupied by two of my colleagues at the time the amendment was offered.

The CHAIRMAN. The Chair understands that the gentleman from Wisconsin offered an amendment at the end of line 7, page 35, and that the committee accepted it.

Mr. SICKLES. Yes, it was accepted by the chairman.

The CHAIRMAN. The gentleman from New York asks unanimous consent to return to that part of the bill and that he may have permission to raise the point of order against the amendment.

Mr. HOOKER of New York. It is too late. I object.

Mr. SICKLES. I am sorry that my colleague objects, and I give notice that I will demand a separate vote on that amendment, or will move to recommit the bill with instructions to strike out that amendment. I do not think it was fairly introduced.

Mr. HOLMAN. Just one word in this connection. I do not think it is fair to take advantage of the mere circumstance that the gentleman was not able to make the point of order as he has said he intended. I think that under the circumstances the gentleman from New York [Mr. SICKLES] should have permission to raise the point of order.

Mr. SICKLES. My colleague, who objects, was one of those who engaged my attention at the moment the amendment was offered. He knew that it was to be introduced, and I had no opportunity to raise the point. Therefore my colleague is the last one who should object.

Mr. HOOKER of New York. This is a committee amendment, which was unanimously agreed to by the committee.

Mr. LYNCH. I desire to say, Mr. Chairman, that this matter was perfectly understood by the Committee on Indian Affairs. It happened to be omitted from the draft of the bill, when it was last printed. It came from the whole committee as a committee amendment, and it was introduced by me this morning at the proper time and place.

Mr. SICKLES. I find no fault with the committee. I will appeal to the House at the proper time to correct the irregularity of which I complain.

The Clerk read as follows:

Utah: For general incidental expenses of the Indian service, including traveling expenses of agents in Utah, support and civilization of Indians at Uintah Valley and Ouray Agencies, $6,500, and pay of employés at said agencies, $1,500; in all, $8,000.

Mr. WILSON of Washington. I desire to call the attention of the chairman of the committee to this item, which relates to Utah, and I wish to offer an amendment. As it now reads it is $6,500 for incidental expenses, and for pay of employés at said agencies $1,500; in all, $8,000. In the bill for the fiscal year ending 1894 the incidental expenses and pay of employés were appropriated for together. If this $5,000 was used in pay for employés, $3,000 was for incidental expenses, making only $8,000 in all. As it stands now it is not sufficient for the service. I will offer an amendment for incidental expenses, etc., $3,000, and pay of employés $5,000.

Mr. HOLMAN. I hope the Clerk will report the amendment again.

The Clerk read as follows:

For general incidental expenses of the Indian service, including traveling expenses of agents in Utah, support and civilization of Indians at Uintah Valley and Ouray Agencies, $3,000, and pay of employés, $5,000.

Mr. WILSON of Washington. I want to change that so as to make it for pay of employés, $5,000; a total of $8,000. I do not change the total, and it does not increase the appropriation.

Mr. HOLMAN. It increases the appropriation $1,600.

Mr. WILSON of Washington. It gives $3,000 for the incidental expenses, and leaves $5,000 for the employés.

Mr. HOLMAN. It only leaves $1,500 for the Indian employés.

Mr. WILSON of Washington. It was considered with reference to Utah, and agreed to at the time. The same thing occurs with the State of Washington. As it now stands it is practically of no value whatever to the Department.

Mr. HOLMAN. I hope the amendment will again be read.

The amendment was again read.

Mr. HOLMAN. I think the provision of $1,500 for the pay of the Indian employés ought to be retained. If my friend will just modify his amendment that way so that $1,500 shall be retained for Indian employés, I think his amendment will be more acceptable.

Mr. WILSON of Washington. I have no objection to that, if the chairman of the committee desires to have it divided up into Indian employés or anything else. As it now stands it is of no value to the Department, because we have only got $1,500 and $6,500 for incidental expenses. The Department wants $3,000 for incidental expenses and $5,000 for the pay of employés.

Mr. HOLMAN. If the gentleman will say $1,500, and $1,500 for the pay of Indian employés, I think there is no objection.

The CHAIRMAN. The gentleman from Washington will please present his amendment in writing.

Mr. BAILEY. Mr. Chairman, while the gentleman is preparing his amendment I can say all I desire to say.

A moment ago, in a colloquy with the gentleman from Pennsylvania [Mr. MAHON], I stated that an Indian leaving his tribe could not become a citizen of the United States without being naturalized. My assertion was contradicted, and while it is not a matter of special importance it is just as well to be accurate as we go along. I have before me the case in which the Supreme Court has expressly decided what I stated, and the language of the court is:

Indians born within the territorial limits of the United States, members of, and owing immediate allegiance to, one of the Indian tribes (an alien though dependent power) although in a geographical sense born in the United States are no more "born in the United States and subject to the jurisdiction thereof" within the meaning of the first section of the fourteenth amendment, than the children of subjects of any part of government born within the domain of that government or the children born within the United States of ambassadors or other public ministers of foreign nations.

The court continues and holds that the Indian is not born subject to the jurisdiction of the United States within the meaning of the fourteenth amendment to the Constitution, and therefore can become a citizen of the United States only by naturalization.

In reply to the gentleman from Oregon [Mr. HERMANN], who said that they became citizens when their lands are allotted, I beg to say that the act which provided for the apportionment of the land permitted them to become citizens, and therefore that act *pro hac vice*, is a naturalization, and when they had taken the land in allotment it made them citizens.

Mr. HERMANN. In reply to that, permit me to say on the last proposition of the gentleman, that in accordance with the terms of the act passed in 1891 an Indian whose lands are set apart in severalty becomes a citizen of the United States upon that act. As to the gentleman's first proposition, I wish to state that the Supreme Court, possibly as far back as a quarter of a century ago, distinctly held that when an Indian subject to the tribe separates himself from the tribe, absolves himself from allegiance to that tribe, and takes part of the duties imposed upon him by citizenship, he thereby becomes *ipse facto* a citi-

zen of the United States; that is to say, where he takes the dress and manners of the citizens of the country.

Mr. BAILEY. I will give the gentleman the facts on which this complaint is based:

That more than one year prior to the grievances herein complained of he had severed his tribal relation to the Indian tribes, had fully and completely surrendered himself to the jurisdiction of the United States, and still so continues subject to the jurisdiction of the United States.

This case was decided in 1884.

Mr. HERMANN. I will agree with the gentleman about that, but he may not have adopted the dress and customs of civilized life.

Mr. BAILEY. He was living in the city of Omaha, Nebr.

Mr. HERMANN. I will examine that, and refer to the decision originally made by the Supreme Court of the United States.

Mr. WILSON of Washington. I offer the amendment which I send to the desk.

The amendment was read, as follows:

Line 25, strike out "six thousand five hundred," and insert "five thousand." Line 1, page 44, strike out "fifteen hundred" and insert "three thousand; in all, $8,000; of which at least one-half shall be expended for Indian employés."

Mr. WILSON of Washington. That means that one-half of the $3,000 shall be expended for Indian employés.

The amendment was agreed to.

The Clerk read as follows:

Washington: For general incidental expenses of the Indian service, including traveling expenses of agents at seven agencies and the support and civilization of Indians at Colville and Puyallup Agencies, $14,000, and pay of employés, $2,000; in all, $16,000.

Mr. HOLMAN. I offer the amendment which I send to the desk.

The amendment was read, as follows:

Page 44, line 6, after the word "agencies" strike out "fourteen thousand dollars;" and in line 7, after the word "employés" strike out "two thousand" and insert "sixteen thousand." Also in line 7 strike out "in all sixteen thousand dollars."

Mr. HOLMAN. This does not change the amounts but only the arrangement.

Mr. WILSON of Washington. I understand that if the amendment of the gentleman from Indiana prevails the appropriation will be for general and incidental expenses $9,500, and to pay employés $6,500; in all $16,000. That is the way it ought to be. That is the way the Department wishes it, and if we are to change this at all it ought to be in that way.

The CHAIRMAN. The Chair will state that that is not the amendment which has been proposed by the gentleman from Indiana, but the Chair will suspend action on the amendment and will recognize the gentleman from Washington [Mr. DOOLITTLE], who, by unanimous consent, has been allowed thirty minutes.

Mr. DOOLITTLE. Mr. Chairman, I offer the amendment which I send to the desk.

The amendment was read, as follows:

After line 8, page 44, add the following:

"*Provided*, That all lands heretofore constituting a part of the Puyallup Indian Reservation situate near the city of Tacoma, Pierce County, State of Washington, now held in severalty by the Puyallup Indians, patents to which have heretofore been issued by the United States to said Indians, said patents containing certain restrictions upon the sale and conveyance of said lands, are hereby declared to be the property and estate of each of said allottees or their heirs in fee simple, free and clear of each and every restriction as to the sale, conveyance, or other disposition of the same heretofore imposed by the Government of the United States: *Provided, however*, That no sale of said lands shall be valid until the parties shall appear before the United States district judge of the district in which said lands are situate, and thereupon submit to him all the terms and conditions of such proposed sale for his approval, and if approved by such judge he shall indorse his approval on the contract or other instrument evidencing such sale; thereupon such sale may be executed and completed in accordance with the terms and conditions so approved by said judge.

Mr. HOLMAN. Mr. Chairman, having reserved the point of order on a very similar amendment submitted by the gentleman from Oklahoma, I shall feel in duty bound to reserve the point of order on this also. This subject, however, has not been very carefully considered by the Committee on Indian Affairs, and I will call a meeting of the committee to-morrow morning to consider both propositions. In the meantime the gentleman from Washington can proceed with his remarks.

Mr. DOOLITTLE. Mr. Chairman, this amendment is in the interests of justice and right to every person concerned, both whites and Indians, living in the vicinity of these allotted lands. These Puyallup Indians who have taken their lands in severalty are civilized Indians. These allotted lands cover about 17,000 acres in the valley of the Puyallup River, in Pierce County, in the State of Washington. The westerly boundary of this reservation joins the city of Tacoma, my home town, in that State, and it stretches up the valley easterly for a distance of about 9 miles, to the thrifty town of Puyallup, a place which to-day has about fourteen or fifteen hundred people.

That valley is naturally one of the most beautiful in the State of Washington, and if it was cleared up so as to admit of being cultivated, it would be one of the most productive valleys in the entire Union. There are about six hundred Puyallup Indians occupying these 17,000 acres of land. Intelligent as they are, those Indians are desirous, and have been desirous for years past, of selling a portion of their lands in order to raise money to enable them to clear off the portion that they retain and make it productive.

I venture the assertion that any gentleman in this House, or any white man anywhere who understands anything about the cultivation of the soil in our State, can take 7 acres of that land when it is cleared and ready for cultivation, and support a family of half a dozen people royally and well. The land is naturally wonderfully productive in grasses, in vegetables, in hay, and in fruit. No finer fruit country lies out of doors to-day than the valley of the Puyallup River. These Indians have taken their lands in severalty. They are citizens of the United States. They are voters. They have all the rights that any white citizen of this country enjoys. They are asking Congress that the restriction upon the sale of their lands be removed.

What is the restriction they desire to have removed? Within eight years time, under the law which was passed by the Fifty-second Congress, the restriction will be removed and the Indians will come into full enjoyment of this property as they now have dominion and control over it. Under the existing law they have the right to lease these lands for a period not exceeding two years; but that is not sufficient for them. They desire to handle their lands as other citizens of the United States—white people—handle property, real and personal, and it is only the simplest kind of broad daylight justice to permit them to do so and let them dispose of their lands as their own judgment shall dictate.

It is a wrong to these people, who have become citizens and who attend our county conventions and our State conventions and sit upon the juries that try the causes that are tried in our courts, to longer withhold from them this right; especially when they have reached the condition of education and intelligence which they now enjoy. When the Commission was out there, more than two years since, it reported that it was wrong to continue these restrictions any further than the necessity for them existed, and that in a short time they should be absolutely removed.

These Indians decided years ago that the time had come when they were qualified to handle their property like other people, and the white people of that section of the State are unanimously in favor of the amendment I have offered. I have had within the few past days telegrams and letters asking me to present this amendment to the Indian appropriation bill and to urge upon Congress to finally put an end to the difficulties which these people are laboring under in this respect. Now, I desire to state to this committee that these allotted lands are as a rule heavily timbered. It will require an expenditure of from $75 to $125 an acre to remove the timber from them.

From this it will be seen how important it is that these Indians shall have the right to sell a portion of these lands in order to improve the remainder. Like intelligent white people, these Indians do not want any commission to go out there and say what portion of their lands they shall dispose of. When you are about to sell your farm or other property you make up your own mind about it; and they desire to follow the same course with regard to their lands; and I submit to the committee, with all due respect, that these Indians never will consent, so far as these allotted lands are concerned, to any other method of disposing of them than by themselves in an independent way, and as any American citizen is entitled to dispose of his property. Within the limits of this reservation there is a body of land, somewhere in the neighborhood of 5,000 acres, which was reserved for school, church, and cemetery purposes when the allotments were made. This 5,000 acres which was not allotted has been spoken of always since the allotments were made as the reservation land proper.

Now, during the last Congress a law was enacted relative to this entire subject, providing for the appointment of a commission of three gentlemen to go into that country, upon the reservation, providing also for an appraisal of these lands and the sale of them, and that the proceeds so far as allotted lands were concerned should be turned into the Treasury of the United States, and that the sale should be subject to the approval of this commission.

Well, now, Mr. Chairman, when the Indians became aware that if they consented to the sale of these allotted lands, the money which was paid for them was to be turned into the Treasury of the United States, and then was to be paid out under

the approval of the Secretary of the Interior, they became dissatisfied, because they did not wish the money that was paid for property in that locality to be taken away from that country and brought clear back here, nearly 4,000 miles from where it belonged, in that way depriving the people of that country of its use. Neither did they want to be required to have their lands appraised and sold off in this way, or to have some commission select what portion of the land should be sold; and so these Indian citizens have refused to consent to the sale of these lands as each man before me would have done.

They consented to the sale of the 5,000 acres which had been reserved when the allotment was made for school, church, and cemetery purposes. They consented to the sale of that land, and the commission is going on about its business in disposal of the reservation land proper. Now, I do not wish to be understood here as passing any criticism upon the commission. I am entirely content to have them proceed with their business, and I do not care what length of time is covered, but I know from the commissioners themselves that they will not be able to get the consent of any of the allottees for the sale of the allotted lands belonging to these Puyallup Indians, and, in my humble judgment, they should not.

Not knowing this to be the case, I have submitted to those Indians and to the white people of that section of the country this amendment, requiring that before a sale is made the parties to the proposed sale shall go before the judge of the United States district court, holding terms within and for that district, and submit to him the contracts, to have the terms and conditions of the sale approved by him. These Indians have confidence in this judge. He was brought up in their midst. He read law in one of the cities adjoining this reservation.

Every one of those Indians knows this man intimately and well, and they are satisfied and contented to have him overlook their business concerns and transactions with reference to this land. It is a fair and open proposition and nothing else. I would as soon imperil my own existence as to do anything that I had any reason to believe would inflict wrong on a single individual of the Puyallups. On the contrary, I want to preserve and protect their rights in all things. But I tell you, gentlemen of this committee, that this amendment is in the interest of these Indians, that if adopted, as I believe it will be adopted by this House, it will result in bettering the condition of every individual upon those lands. They are an educated, self-reliant, self-respecting people, and fill the bill completely when you come to require an educated, cultured red man. They are everything that education and culture will make of those people during the life of the present generation.

Now, I desire to call your attention, lest it be forgotten, again to the fact that these restrictions, under the law as it now exists, will be removed in eight years' time. If there has ever been any question as to their ability to protect themselves in their relations to each other or in their relations to the white people surrounding them, I wish to say they are just as well qualified and prepared for the removal of this restriction to-day as they will be at the expiration of eight years.

Now, Mr. Chairman, it seems to me that this obstacle to the growth of one of the cities of my State should be removed. It has long seemed to me that these Indians were entitled to the removal of these restrictions, and I know that if you adopt this amendment, as it seems to me you will, in the interest of justice and right to all concerned, there will be a happy crowd of Indians upon those allotted lands within the limits of my State, and I know that the white people surrounding them will be happy, because they desire to have these lands cut up into small pieces and made fertile and productive. The obstacle to the growth of our city will be removed, and the interests of all parties will be advanced. What I want you to do here to-day is to "let my people go." Let them have their rights, as white people enjoy their rights, and as these red men are entitled to enjoy theirs. [Applause.]

The CHAIRMAN. The Chair understands that this paragraph and amendments are to go over until to-morrow.

Mr. HOLMAN. Yes.

Mr. DOOLITTLE. What further time have I, Mr. Chairman?

The CHAIRMAN. The gentleman has five minutes left.

Mr. HOLMAN. I wish to ask the gentleman from Washington to let the matter go over.

Mr. DOOLITTLE. I desire to reserve the remainder of my time, with the exception of such time as my colleague [Mr. WILSON] desires to consume.

Mr. WILSON of Washington. Mr. Chairman, it is hardly necessary, nor would I be able, to add anything to what my colleague, the gentleman from Washington [Mr. DOOLITTLE] has already said, relative to the removal of the restrictions upon the Puyallup Indians. A single word in this connection, however, may be of some benefit to the committee in determining its action upon this question, which is of so great importance to a portion of the State that I in part represent.

In the Fifty-first Congress, at its first session, I secured an appropriation to send a commission to see what was for the best interest of the Indians on the Puyallup Indian Reservation. The commission made a report and submitted a map, of which I wish every member of this committee might have a copy. Could we have had action on the part of Congress at that time, we would have been able to dispose of these lands for at least a million dollars more than we would now be able to dispose of them. The appraisement of the Puyallup Indian lands by this commission was $3,322,184.50. The great body of those lands could have been sold at that time.

While there were some differences of opinion as to the manner in which the money should be controlled, if we could have had this restriction removed we would have placed sufficient money somewhere, either in the hands of the Indians themselves or in the Treasury of the United States, to have supported them and their offspring for all time to come. We could have dispensed entirely with the appropriations made in this bill for the education of the Puyallup Indians and for incidental expenses and for that agency there, in all amounting to some $16,000.

Now, you must understand that it is not the intention to dispose of all of the lands. The Indians will still have a sufficient amount. It will push them farther back, but they will still have sufficient land. Gentlemen will see by examining this map that there is a very narrow place here for the railroads to come around into the city of Tacoma. Every railroad that comes in there has to cross this reservation. The location of this reservation has stopped the growth, progress, and development of a city of 40,000 inhabitants.

It will be observed that in 1886 patents were issued to the Puyallup Indians under authority of the sixth article of the treaty with them, and that the title was vested in the patentees with certain restrictions upon its sale, which restrictions a State in which these lands might be situated could remove, but not without the consent of Congress. These restrictions were removed March 22, 1890, and it now remains for Congress to give its consent or modify those restrictions as it shall see fit.

Certain conditions make these lands of great value. They are two or more miles fronting on the water and adjoining the limits of Tacoma City. That city lies on the southwestern shores of Commencement Bay, and the reservation on the northeastern shore. The bay in front of a large portion of the city, being from 2 to 2½ miles wide, furnishes a harbor of unusual commodiousness and safety. These few Indians are the owners in fee simple of this valuable land, which is of immense value to the growth and future of the city of Tacoma. The great body of it is absolutely unused by them, and most of it is in a state of nature and covered with a growth of timber.

That it is a great drawback to the growth of Tacoma to have such a large area of unoccupied land hindering its commercial, manufacturing, and social development needs no argument from me. Not only is this state of affairs extremely detrimental to the city of Tacoma, but it is also seriously affecting the growth and prosperity of the entire Puyallup Valley. This valley lies east of the reservation, and in productive capacity is unexcelled by any equal area in the United States. These lands are in a large measure devoted to the raising of hops, a very important industry.

To allow the Puyallup Indians to sell their lands would not be forcing them to sell them. It would only be giving them a right to sell, and they could by disposing of portions of their lands develop other portions. As it stands the lands are not doing themselves or anybody else any good. They are not able to improve the property, and are simply "land poor." If an Indian could sell half or any other portion of the land which he holds, he could obtain capital sufficient to clear and otherwise improve the other half. To allow him to sell, I repeat, is not to force him to sell all or even a part. To hinder him from selling keeps his lands tied and hinders him from doing anything to ease his way through life.

With a pretense of kindness to the Indians they who stand in the way of the opening of the reservation are doing the Indians great injury. They are hindering them from the common enjoyment of the common necessaries of life and sending them to their graves in poverty, and yet rich in something which they can not enjoy. Many a poor old Indian would die suffering for food and clothes, if the obstructionists could have their way, who might otherwise spend the balance of his days in comfort. Indians can not eat nor can they clothe themselves with fir trees, water frontage, or land, so long as these stand as they were placed by nature.

More than all, it is important to the city of Tacoma, in the broad and public sense, that this reservation shall be opened to occupancy and improvement without delay.

In fact, I might say in passing that all the tribes of Indians in the State of Washington are in a much better condition than those in other parts of the West. The white citizens of our State have treated them with uniform kindness and justice, and none of their reservations have been reduced or lands taken away from them without compensation and treaty agreements, and only one reservation has been reduced, and this by agreement between the United States and the Indians. The Neah Bay, the Nisqually, the Quillayute, the Puyallup, the Yakima, and the Colville Reservations all remain the same as guaranteed to them by treaty.

But while this is true, Mr. Chairman, that the State has treated the Indians with great justice, so rapidly has the increase and development of the great State of Washington been that something must be done and done immediately to reduce these reservations and throw them open to white homestead settlers; and this is notoriously so in case of the Puyallup, Colville, and Yakima Reservations. As these reservations now stand, they are a blot upon the State, blocking progress, benefiting no one, retarding the prosperity of the Indians themselves. It is not only right, but it is the duty of the Government with determination and firmness to relieve the people of these barriers in the way of their future prosperity and development.

I admit, Mr. Chairman, that the lands of the Puyallup Reservation are valuable, but what has made them so? Certainly not the Indian, but the energy, enterprise, and industry of the people of Tacoma, who have built a great city upon its borders, and whose further progress and development is greatly imperilled by the failure of Congress to act upon the removal of the restrictions placed upon these lands; lands, too, unoccupied for any purpose and absolutely of no benefit to the Indian. It smacks very strangely, sir, of the dog in the manger policy.

By the removal of the restrictions placed upon them by the United States the sale of these lands would average something like $270 per acre, which would give the Indians a large amount of money, with which they would be able to cultivate the portion not sold; building homes for themselves and families, educating their children, and preparing themselves and children for the citizenship now conferred upon them by the Government of the United States. It remains for Congress to say whether they will proceed upon this line, or will continue to permit these Indians to exist in poverty and ignorance, although rich in lands that the paternal Government will not permit them to utilize for their own benefit.

I do not believe, Mr. Chairman, that these lands will ever be more valuable to the Indian than they are now, and I do believe that the sale of them is to his interest, both now and in the future; if I did not believe it I would not ask the adoption of the amendment offered by my colleague, Mr. DOOLITTLE.

The adoption of this amendment will not affect the section of land owned by the Indians as tribal property. It is known as the school section. It is not intended by the proposition of my colleague [Mr. DOOLITTLE] to disturb that in the slighest degree. That is already being disposed of in the way provided in the act of the Fifty-second Congress, at its second session, to wit, by platting it into lots and streets, the same as the city of Tacoma is platted and surveyed, and the money derived from the sale of that land will go into a common school fund, for the education of the Puyallup Indian children. So much for that.

Mr. CANNON of California. Is any portion of this land within the corporate limits of the city of Tacoma?

Mr. WILSON of Washington. No, sir; the corporate limits of the city of Tacoma come up to and join the Indian reservation. The limits of the city can not of course be extended any further. Now, at the time of the passage of this act to which I have referred, as has been said by my colleague [Mr. DOOLITTLE], we cut down the restrictions from twenty-five years to ten years. Two years of that time have already elapsed, and in about eight years more all restrictions will be removed.

Now, under that act a commission was appointed, composed of three gentlemen from Illinois, Ohio, and Georgia. I made some reference to the members of that commission on Saturday last.

It was our wish and hope that we might have an Indian Commissioner from our own State, who thoroughly understood the situation relative to these lands. These lands, some of them, border upon tide water, and are of immense value, some of them estimated to be worth a thousand dollars an acre for the purposes of commerce and trade, for the accommodation of railroads and steamboats. Yet they lie there the same as they did a thousand years ago, absolutely of no use either to the Indians or to the people of Tacoma, retarding the growth and commercial advancement of the city. Now, if we can remove these restrictions and have these lands, or such portions of them as the Indians may desire, put upon the market and sold, it will give them sufficient means to go forward and educate their children, and to take care of themselves.

Mr. NORTHWAY. What is the objection to this proposition? I do not see anybody urging any objection to it.

Mr. WILSON of Washington. The objection has been the same objection that is always heard on the opening of Indian reservations, to wit, that these lands are valuable—and we do not deny that. They are extremely valuable, and the objection is that the white people are seeking to take some commercial advantage of these Indians.

Mr. NORTHWAY. But I understand that these Indians are all asking this?

Mr. WILSON of Washington. Mr. Grover Cleveland, President of the United States, in 1886 issued patents to these lands, but put in a restriction clause that we could not alienate them for twenty-five years, or could not lease them for a period of more than two years. There was a petition praying for the removal of restriction passed by the Legislature and sent to Congress. They came to Congress asking consent to the removal of the restriction. This Congress denied. Then we obtained an appropriation for another commission to go out there. They went out, and we gave them $20,000 to enable them to make another report, and they are now there, enjoying the most magnificent climate in the United States and getting the sea breezes, while we are here sweltering and trying to get something done.

Now, what ought we to do? Say an Indian has 40 acres and wants to sell it; he can not do it. He can get nothing for it. He wants to dispose of part of it for $20,000 and improve the remaining acres, and he would be able thereby to get something very greatly to his advantage. What objection can there be to that. Here are 40,000 Anglo-Saxons, flesh of your flesh and bone of your bone, your own kin and kindred, who are seeking opportunity to develop their property and develop their interests and increase their commerce upon the public highways and navigation of the seas, and for the building of railroads; none of which they can do owing to the restriction imposed in this trade, and they are compelled to come to Congress asking some consideration at your hands. The present condition is unjust to all of these people——

Mr. TALBERT of South Carolina. I desire to ask the gentleman if it is not the case that the facts existed when other appropriation bills were being passed by former Congresses?

Mr. WILSON of Washington. Oh, yes; they existed in the Fifty-first Congress, and in the Fifty-second Congress, and in the Forty-ninth Congress, and in the Forty-eighth Congress. There is no doubt about that.

Mr. TALBERT of South Carolina. And do I understand the gentleman to say that this is the first effort that has been made?

Mr. WILSON of Washington. No, no. We made an effort in the Fifty-first Congress, and in the Fifty-second Congress; and we are here still fighting along to get something in order that we may take away these restrictions.

Mr. TALBERT of South Carolina. I merely asked the gentleman for information. I am inclined to favor his proposition.

Mr. DOOLITTLE. I desire to say to the gentleman from South Carolina there was a case tried by the district court in the State of Washington, the facts in which are that a corporation was trying to get a right of way through this reservation, and the troops were brought upon these lands in order to prevent the grading of the tracks that had been ceded to this company by these so-called Indians. Judge Hanford, of the United States district court, decided that the troops had no authority to prevent them; and we have the opinion of a judge of the United States court, which states that Indians holding these allotted lands have the right and authority to grant this right of way.

Now, then, an appeal has been taken to the United States circuit court of appeals from the decision rendered by Judge Hanford and has been tried recently in the city of San Francisco. This decision I undertake to say to this committee will have its effect upon all these reservations where the allotments have been made; and I have no doubt that the opinion of Judge Hanford will be sustained.

Mr. TALBERT of South Carolina. You are asking for the privilege.

Mr. DOOLITTLE. We are not asking for a dollar, and I desire to say here, further, that this will lessen the expense of this bill and lessen the amount for this commission.

Mr. TALBERT of South Carolina. I see you are only asking for the privilege.

Mr. DOOLITTLE. Yes, sir.

Mr. WILSON of Washington. Now, Mr. Chairman, in the

limited time left to me I will state there is nobody asking for any land. We are only asking that the restrictions may be removed, and that if the Indian desires to sell his property the sale shall be subject to the approval of the United States district court; that the price per acre shall be approved by that court; and if the court thinks it not sufficient in price, of course he will not approve of the trade. It is all to be subject to the approval of the United States district court; and in this connection I wish to say that in all my State there is not a white man that desires in the slightest degree to take any advantage of these Indians.

The gentleman from Kansas [Mr. HUDSON] shakes his head. I will give him a little history that he perhaps is not acquainted with. I desire to tell him that in every trade concluded with Indians, Puyallup, Tulalip, Yakima, Colville, and all the Indian reservations in my State they were treated fairly by the State of Washington. There is not a single acre of land that has ever been taken from an Indian by a citizen of that State unless by due process of treaty under which he has paid him dollar for dollar of its value. The Indian has not been cheated of a single dollar. I will conclude my remarks by adding the memorial from the city council of Puyallup on that subject.

APPENDIX.

To the honorable the Senate and House of Representatives of the United States of America:

Your petitioner, the city council of Puyallup, Pierce County, State of Washington, respectfully represent:

That the city of Puyallup is situate about 9 miles southeasterly from the city of Tacoma, in the Puyallup Valley, on the line of the Northern Pacific Railroad.

That the Puyallup Indian Reservation abuts upon the western limits of our city and lies between us and Tacoma; that this vast extent of the finest land in the State of Washington lies almost wholly dormant, without cultivation, and is a menace to the growth of both our city and Tacoma, for the reason that neither can extend its limits beyond the bounds of the reservation in its present condition of bondage.

The reason for this condition of things exists in the fact that the Congress of the United States has not yet acted upon the petition and memorial of the Legislature of the State of Washington to remove the restrictions imposed upon said reservation; and the object of this petition now is to bring to the notice of your honorable bodies the necessity for immediate action in this matter, at this your present session.

The Indians upon this reservation are civilized and fairly educated, and are capable of managing their own affairs and, in our judgment, making a respectable living; but they are unable to do so at present for the reason that they are restricted from selling their lands or any portion thereof, or in any way incumbering them, and the communities surrounding them knowing this, and knowing that no indebtedness incurred by the Indians can be enforced against them, refuse to extend to them that aid and credit which would enable them to improve their farms that they might be able to maintain themselves in a respectable manner. They are practically homeless and without food or shelter, for the reason that they can not obtain credit for the necessaries of life on account of their lands being thus tied up.

Our State Legislature knowing these unfortunate conditions, and the absolute necessity for the prosperity of that portion of the State in which this Reservation is situated, promptly and in accord with the wishes of the people of the State and the Indians themselves, all of whom petitioned the Legislature to take action, removed the restrictions, subject only to the further action of Congress ratifying their act; and at the same time memorializing Congress to have the restrictions unconditionally removed.

It seems very unreasonable and unjust, not only to the Indians themselves, who are thus left in abject poverty, but to the State of Washington, and especially the counties in which this reservation is situated, that these Indians should be made citizens of the United States, subject to all its laws, with full right of the elective franchise, and yet that they should not have the right to sell their lands or in any way encumber them when necessary; and upon the other hand, that the State should be deprived of the revenues to be derived from these lands, whereas all other classes of citizens and their property are subject to taxation. These are crying necessities, which demand prompt action on the part of Congress in removing these restrictions.

We, who are here among the Indians and who are their neighbors on each side, can see the absolute necessity for the prompt action of Congress more plainly and certainly than anyone else, and we are better qualified to judge of the necessities than those who live away from us; and it is for these reasons, herein set forth, that we earnestly petition your honorable bodies to take early and immediate action in unconditionally removing these restrictions, for the benefit of the Indian, the people, and the State.

And we will ever pray.

Adopted by the city council, January 18, 1892.

S. MEEKER, *Mayor.*
C. C. FIELD,
A. G. MATTHEW,
R. F. LITTLE,
C. H. WILLIAMS,
JOS. N. FERNANDEZ,
FRANK R. SPINNING,
JOHN U. HUSTIS,
City Councilmen.
WM. M. SEEMAN,
City Clerk.

The CHAIRMAN. The gentleman from Indiana asks that this paragraph with the amendments offered by himself and by the gentleman from Washington go over until to-morrow, with the point of order reserved.

There was no objection.

The Clerk read as follows:

Wyoming: For general incidental expenses of the Indian service, including traveling expenses of agents, $800.

Mr. COFFEEN. I see that in Wyoming, instead of giving $1,000, the committee gives $800 for incidental expenses. I do not wish to make any improper amendment; but I think that $1,000 would be nearer the proper amount than $800 for our expenses, and therefore I move to strike out the word "eight" and insert "ten."

Mr. LYNCH. The estimate is only $1,000.

Mr. COFFEEN. That is a pretty small sum for taking care of the Indians of Wyoming.

Mr. LYNCH. It is for the incidental expenses of the Indian service, including traveling expenses of agents. A thousand dollars is all they asked for.

Mr. COFFEEN. Let us make it $1,000. If they want $1,000 and ask for it, I think they ought to have it.

Mr. LYNCH. The Commissioner's estimate is $1,000 for this purpose.

Mr. COFFEEN. Then we better give it to them.

Mr. LYNCH. I do not know any reason why we should not.

Mr. COFFEEN. Then I move to strike out the words "eight hundred" and insert "one thousand," so as to make it conform to the estimate.

The Clerk read as follows:

On page 10, line 44, strike out the words "eight hundred" and insert "one thousand."

The amendment was agreed to.

The Clerk read as follows:

To enable the President to cause, under the provisions of the act of February 8, 1887, entitled "An act to provide for the allotment of lands in severalty to Indians," such Indian reservations as in his judgment are advantageous for agricultural and grazing purposes to be surveyed, or resurveyed, for the purposes of said act, and to complete allotment of the same, including the necessary clerical work incident thereto in the field and in the office of Indian Affairs, and delivery of trust patents, so far as allotments shall have been selected under said act, $30,000.

Mr. COFFEEN. I move to insert after line 4 the following amendment.

The Clerk read as follows:

Amend by inserting after the word "dollars," in line 4, page 45:

"For the purpose of conducting negotiations with the Shoshones and Arapaho Indians for the sale and relinquishment of certain portions of their reservations in the State of Wyoming to the United States under charge of a commissioner to be appointed by the Secretary of the Interior, or he may detail an Indian inspector to conduct such negotiation, and there shall be appropriated the sum of $3,500, to be immediately available: *Provided*, That any agreement entered into for said land shall be ratified by Congress before it becomes binding."

Mr. HOLMAN. Mr. Chairman, for the present I will have to reserve the question of order upon that proposition. There will be a meeting of the committee to-morrow morning. It has not been considered by the committee, and after it has been considered by the committee, why we will determine whether to press the point of order or not.

The CHAIRMAN. The chairman of the committee asks unanimous consent that the matter may go over until to-morrow with the point of order pending against the amendment.

There was no objection.

Mr. CANNON of Illinois. I move to strike out "thirty" in line 4.

The CHAIRMAN. The Chair will state that by unanimous consent that goes over until to-morrow.

Mr. CANNON of Illinois. And will be subject to amendment then?

The CHAIRMAN. It will.

The Clerk read as follows:

For the construction, purchase, and use of irrigating machinery and appliances on Indian reservations, in the discretion of the Secretary of the Interior and subject to his control, $30,000.

Mr. PICKLER. I offer an amendment that I send up.

The Clerk read as follows:

Amend by inserting at the end of line 8, page 45, the following:

"*Provided*, That a sum not to exceed $5,000 may be used in completing three artesian wells at Pine Ridge, Rosebud, and Standing Rock Agencies, this amount in addition to the sum appropriated for that purpose by act of March 3, 1893."

Mr. PICKLER. It will only take a moment.

Mr. CANNON of Illinois. I desire to offer an amendment to perfect the text. I will say to the gentleman from Indiana that this is liable to lead to some debate; and it seems to me that he had better move that the committee rise.

Mr. HOLMAN. Let us hear the amendment first.

Mr. PICKLER. I think there will be no objection to the amendment that I have offered. Under the act of March 3, 1893, $15,000 was appropriated to put down three artesian wells at three different agencies. That amount has been found insufficient, and I only ask that $5,000 of the amount appropriated in this paragraph be used in addition to that to complete those wells.

Mr. HOLMAN. Not in addition to it, but out of this sum.

Mr. PICKLER. Yes; out of this sum.

Mr. HOLMAN. I wish to suggest to the gentleman from South Dakota that there will be a meeting of the Committee on Indian Affairs, of which he is a member, to-morrow morning, when we shall consider this subject. I have no objection to this.

Mr. PICKLER. I spoke to the members of the committee informally about it, and I do not think there will be any objection to it. The $15,000 is not sufficient.

Mr. SMITH of Arizona. Does not that amendment mean that you propose to take one-sixth of this appropriation and apply it in your particular district?

Mr. PICKLER. No, sir; it means that we shall take, if necessary, $5,000 more to complete these wells. Two of them are in my district and one in North Dakota.

Mr. SMITH of Arizona. Has the fund been exhausted?

Mr. PICKLER. No, but they can not make the contracts satisfactorily without an additional appropriation.

Mr. HOLMAN. I suggest to the gentleman from South Dakota that there is another fund which is owned by the Sioux Indians from which this money can come. I have no objection to the appropriation myself.

Mr. SMITH of Arizona. If my friend would make an additional appropriation of $5,000 for this purpose I would not feel inclined to object, but I do feel slightly like objecting when he proposes to take one-sixth of this $30,000, although he has not more than one-twentieth of the Indians, and to apply it to this particular work.

Mr. PICKLER. Certainly the gentleman would not say that when we have appropriated $15,000 for this work it should be left unfinished for want of a few thousand dollars more.

Mr. SMITH of Arizona. I agree with the gentleman as to the amount of the appropriation, but he knows that this kind of work is just as necessary for the people in my part of the country and probably more so than it is in his, and it seems to me that to take one-sixth of this $30,000 and put it at one or two agencies is hardly fair.

Mr. LUCAS. This would not be more than the proportion that the State would be entitled to, at any rate.

Mr. LYNCH. I understood the gentleman from South Dakota to say that if an appropriation was made for this purpose it should be taken out of the Sioux fund, and I understood him to express the opinion that the Indians would not object, but would be rather glad to have a chance to use the money in this way.

Mr. PICKLER. It was taken out of this fund the last time, and I thought there would be no objection to this proposition now.

Mr. HOLMAN. These wells are located at the schools, I understand?

Mr. PICKLER. Yes, sir; at the three schools.

Mr. HOLMAN. I think there will be no trouble about it.

Mr. Chairman, I move that the committee rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. O'NEIL of Massachusetts reported that the Committee of the Whole having had under consideration the bill (H. R. 6913)—the Indian appropriation bill—had come to no resolution thereon.

CORRECTION.

Mr. COFFEEN. Mr. Speaker, I wish to correct the RECORD. In the list of public bills introduced I find a bill (H. R. 7438) reported as introduced by me. That bill was introduced by request, and that statement was plainly written on the document.

I ask that the RECORD be corrected so as to show that the bill was introduced by me by request without any indorsement on my part of its provisions.

There was no objection, and it was so ordered.

REPRINT OF A BILL.

Mr. OATES, by unanimous consent, obtained an order for a reprint of the bill (H. R. 4617), the edition being exhausted.

LEAVE OF ABSENCE.

Mr. SIPE, by unanimous consent, obtained leave of absence for one week, on account of sickness.

And then, on motion of Mr. HOLMAN (at 4 o'clock and 35 minutes p. m.), the House adjourned.

REPORTS OF COMMITTEES ON PRIVATE BILLS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

By Mr. CAMPBELL, from the Committee on Claims, with amendments, the bill (H. R. 7357) granting jurisdiction to the Court of Claims notwithstanding any statutory bar, of the claims of J. F. Bailey and others. (Report No. 1080.)

Also, with an amendment, the bill (H. R. 491) for the relief of J. J. Lints. (Report No. 1081.)

By Mr. LOUDENSLAGER, from the Committee on Pensions: A bill (H. R. 3219) granting increase of pension to Georgianna C. Hall, widow of William Hall. (Report No. 1082.)

By Mr. MCNAGNY, from the Committee on War Claims: A resolution to refer to the Court of Claims the bill (H. R. 3691) for the the relief of Alice Utz. (Report No. 1083.)

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 7426) for the relief of William Donald McLean, and the same was referred to the Committee on Military Affairs.

PUBLIC BILLS AND RESOLUTIONS.

Under clause 3 of Rule XXII, bills and a resolution of the following titles were introduced, and severally referred as follows:

By Mr. HOUK: A bill (H. R. 7439) to purchase an additional tract of land, the same to be added to the United States custom-house lot at Knoxville, Tenn.—to the Committee on Public Buildings and Grounds.

By Mr. BRYAN: A bill (H. R. 7440) to restore the pensions of widows in certain cases—to the Committee on Invalid Pensions.

By Mr. CATCHINGS: A resolution providing for printing the report of the Director of the Mint on the precious metals in the United States for the calendar year 1893—to the Committee on Printing.

PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as follows:

By Mr. BARNES: A bill (H. R. 7441) to remove the charge of desertion against James Harrington—to the Committee on Military Affairs.

By Mr. DAVEY: A bill (H. R. 7442) for the relief of George Baldey, of Louisiana, late private Sixth Infantry in the Mexican war—to the Committee on Military Affairs.

By Mr. GRIFFIN: A bill (H. R. 7443) granting a pension to Harriet T. Sheldon, of Detroit, Mich.—to the Committee on Invalid Pensions.

By Mr. HEARD: A bill (H. R. 7444) to increase the pension of Mary A. Wilkins—to the Committee on Pensions.

By Mr. PENDLETON of West Virginia: A bill (H. R. 7445) to remove the charge of desertion from the record of John Lyons—to the Committee on Military Affairs.

By Mr. STOCKDALE: A bill (H. R. 7446) for the relief of Julia Nutt, widow and executrix of Haller Nutt, deceased—to the Committee on War Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BAKER of New Hampshire: Petition of E. F. Hall and 22 others, of Brookline, and of C. H. Goodwin and 17 others, of Nashua, N. H., praying that fraternal beneficiary societies, etc., operating upon the lodge system, be exempt from the operations of any income-tax law which may be enacted—to the Committee on Ways and Means.

By Mr. BALDWIN: Preamble and resolution of the Duluth Produce Exchange, favoring State control of the sale of oleomargarine—to the Committee on Agriculture.

By Mr. BINGHAM: Petition of John L. Jack and others, of Clover Council, Royal Arcanium, asking for relief of taxation upon fraternal beneficiary societies, etc., that aid the sick and others of their respective associations—to the Committee on Ways and Means.

By Mr. BOEN: Petition of citizens of Hennepin County, Minn., for a special election to decide the question of money, tariff, and an income tax by a direct vote of the people—to the Committee on the Judiciary.

By Mr. BRYAN: Four petitions for the free coinage of silver—to the Committee on Coinage, Weights, and Measures.

Also, nine petitions in the interest of the fraternal society and college journals—to the Committee on the Post-Office and Post-Roads.

Also, petition of citizens of Hitchcock County, Nebr., for resurvey of said county—to the Committee on the Public Lands.

Also, petition against the Chinese restriction bill—to the Committee on Immigration and Naturalization.

Also, petition in favor of the Coxey bills—to the Committee on Revision of the Laws.

Also, petition against the Christian amendment to the Constitution—to the Committee on the Judiciary.

Also, petition against raising tax on cigars—to the Committee on Ways and Means.

Also, petition for loan to embarrassed gold and silver miners, by S. M. Benedict—to the Committee on Revision of the Laws.

By Mr. CRAIN: Resolution adopted by the bar of Webb County, Tex., requesting the passage of House bill 7150, providing for terms of the Federal courts of the western judicial district of Texas to be held at the city of Laredo—to the Committee on the Judiciary.

By Mr. DALZELL: Petition of sundry citizens of Pittsburg and Allegheny, Pa., against the income tax as affecting beneficiary societies—to the Committee on Ways and Means.

Also, petition of Joseph Slubich, a citizen of Pittsburg, Pa., against an increase of the tax on whisky and against an extension of the bonded period—to the Committee on Ways and Means.

By Mr. FUNK: Petition of the Woman's Christian Temperance Union of Normal, Ill., asking the expulsion of W. C. P. BRECKINRIDGE from the House of Representatives—to the Committee on Rules.

By Mr. GRIFFIN: Petition of the Michigan Life Insurance Agents' Association against income tax on life-insurance funds—to the Committee on Ways and Means.

By Mr. HARMER: Memorial of Col. Fred Taylor Council, No. 762, Junior Order United American Mechanics, of Philadelphia, Pa., in favor of the issue of bonds under the authority of the Government of the United States, for public improvements in States, Territories, counties, townships, and municipalities; also, in favor of stopping or greatly restricting immigration—to the Committee on Immigration and Naturalization.

By Mr. HICKS: Petition of E. D. Miller and 25 other citizens of Rockwood, Pa., praying for the exemption of benevolent and fraternal societies from taxation under income feature of the Wilson tariff bill—to the Committee on Ways and Means.

By Mr. IKIRT: Petition of W. H. Mellinger and 16 other residents of Leetonia, asking that all fraternal beneficiary societies be exempt from taxation—to the Committee on Ways and Means.

By Mr. LACEY: Petition of Gilman Williams, to accompany House bill 7430—to the Committee on Invalid Pensions.

By Mr. McCALL: Petition of Charles W. Boyer and 104 other citizens of Boston, Mass., and vicinity in favor of an amendment to the tariff bill relating to the income tax—to the Committee on Ways and Means.

Also, petition of Francis C. Barlow and others, for the abrogation of the Russian extradition treaty—to the Committee on Foreign Affairs.

By Mr. OGDEN: Petition of Whited & Wheless, of Shreveport, La., favoring a duty on lumber—to the Committee on Ways and Means.

Also, petition of Whited & Wheless, of Shreveport, La., relative to right of way for lumbermen over Government lands—to the Committee on the Public Lands.

By Mr. PAGE: Petition of Robert D. Barr and 18 other citizens of Westerly, R. I., for amendment to the proposed tariff bill—to the Committee on Ways and Means.

By Mr. REILLY: Resolution of wholesale liquor dealers, against increased tax on whisky and extension of bonded period—to the Committee on Ways and Means.

By Mr. RICHARDSON of Michigan: Petition of Frank E. Doremus and 65 other citizens of Portland, Mich., asking that benevolent, life, and accident insurance companies be exempt from paying income tax—to the Committee on Ways and Means.

By Mr. SIBLEY: Petition of the survivors of the Union Army and Navy, for speedy settlement of all pending claims for pensions—to the Committee on Invalid Pensions.

Also, petition C. B. Kibler and others, of Corry, Pa., asking that fraternal beneficiary societies, etc., be exempt from the provisions of the income tax—to the Committee on Ways and Means.

Br. Mr WILLIAM A. STONE: Resolution and protest of Max Klein, of Allegheny, Pa., against increase of tax on whisky and extension of bonded period—to the Committee on Ways and Means.

By Mr. WASHINGTON: Resolutions of Charles Nelson and J. Cooney & Co., of Nashville, Tenn., protesting against the proposed increase of the tax on whisky—to the Committee on Ways and Means.

By Mr. WILLIAMS of Illinois: Petition of citizens of Emma, White County, Ill., asking that fraternal beneficiary societies be exempted from the operations of the income tax—to the Committee on Ways and Means.

SENATE.

THURSDAY, *June 14, 1894.*

The Senate met at 10 o'clock a. m.

Prayer by Rev. E. B. BAGBY, Chaplain of the House of Representatives.

The Vice-President being absent, the President *pro tempore* took the chair.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. TELLER, and by unanimous consent, the further reading was dispensed with.

PETITIONS AND MEMORIALS.

Mr. TURPIE presented memorials of sundry wholesale and retail liquor dealers of Evansville and Indianapolis, in the State of Indiana, remonstrating against an increase of the internal-revenue tax on whisky, and also against an extension of the bonded period; which, on motion of Mr. TURPIE, were referred to the Committee on Finance.

He also presented a memorial of the Winter Wheat Millers' League, of Cincinnati, Ind., remonstrating against the passage of any bill that does not recognize the millers of this country by reciprocal treaties with all countries; which, on motion of Mr. TURPIE, was referred to the Committee on Finance.

He also presented a petition of Temple, Hummel Ellis Company, cigar manufacturers of South Bend, Ind., praying for the adoption of the duty on wrapper tobacco of $1 and $1.25, as reported by the Finance Committee; which, on motion of Mr. TURPIE, was referred to the Committee on Finance.

He also presented a petition of the Winter Wheat Millers' League, of Ohio, Michigan, Indiana, Illinois, and Kentucky, praying for the enactment of legislation legalizing railroad pooling, under such restrictions as are embodied in the proposed amendment to the interstate-commerce law; which was referred to the Committee on Interstate Commerce.

Mr. COCKRELL presented memorials of sundry wholesale and retail liquor dealers of St. Louis, Kansas City, Springfield, and St. Joseph, all in the State of Missouri, remonstrating against an increase of the internal-revenue tax on whisky, and also against an extension of the present bonded period; which, on motion of Mr. COCKRELL, were referred to the Committee on Finance.

Mr. HOAR presented the memorial of A. H. Weld and sundry other citizens of Boston, Mass., remonstrating against an increase of the internal-revenue tax on whisky, and also against an extension of the bonded period; which was ordered to lie on the table.

He also presented the petition of Thomas R. D. Stewart and sundry other citizens of South Boston, Mass., praying that fraternal beneficiary societies, orders, or associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

He also presented the petition of P. J. Judge and sundry other citizens of Worcester, Mass., praying that in the passage of any law providing for the taxation of incomes the funds of mutual life insurance companies and associations be exempted from taxation; which was ordered to lie on the table.

Mr. HAWLEY presented the petition of J. E. Dickerman and 20 other citizens of Waterbury, Conn., praying that fraternal beneficiary societies, orders, or associations be exempted from the proposed income-tax proxision of the pending tariff bill; which was ordered to lie on the table.

He also presented a petition of the A. B. Williams Company, of Glastonbury, Conn.; the Pratt and Whitney Company of Hartford, Conn., and sundry citizens of the State of Connecticut, praying that in the passage of any law providing for the taxation of incomes the funds of mutual life insurance companies and associations be exempted from taxation; which was ordered to lie on the table.

Mr. POWER. I present a petition, signed by 764 citizens of the State of Montana, praying that the present duties on foreign wool be maintained. The petition is headed by the governor, lieutenant-governor, secretary of state, treasurer, auditor, attorney-general, justices of the supreme court, superintendent of public instruction, and other officers of the State of Montana and citizens of both the Democratic and Republican parties of Butte, Helena, Great Falls, Fort Benton, Chinook, Lewiston, Billings, Livingston, Assiniboine, Havre, Highwood, Shelby, Pondera, Christina, Maiden, Whitlash, Ubet, Halbert, Yale, Stanford, Grafton, Denton, Fort Maginnis, Musselshell, Lucille, Big Sandy, Warwick, Steele, Belleview, Dupuyer, Brighton, Armington, Kibbey, Choteau, Judith, Pioneer, Boxelder, Big Timber, Augusta, Bynum, Cascade, Lacy, Martinsdale, Harlem, Lloyd, and Flatwillow, all the towns in the State.

I also present a petition of 64 citizens of Billings and Still-

water, Yellowstone County, Mont., praying that the duty on wool remain unchanged.

These petitioners are engaged in the business of sheep-raising in the State of Montana, the majority of whom from small beginnings and by careful management have increased their flocks to considerable proportions, which represent all they have to show for hard labor and great privation on the frontier. They were induced and encouraged to follow this business, owing to its being a well-understood protected industry. In the last fifteen months the price of their product, in anticipation that wool would be placed on the free list, has depreciated 50 per cent. I move that the petitions lie on the table.

The motion was agreed to.

Mr. POWER presented petitions of 19 citizens of Beaverhead County; of 4 citizens of Park County; of 19 citizens of Cascade County, and of 16 citizens, all in the State of Montana, praying that the present customs duties on wool, lead, and barley be maintained; which were ordered to lie on the table.

Mr. PROCTOR presented a petition of the Vermont Association of Life Underwriters, praying that the funds of mutual life insurance companies and associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

Mr. FRYE. I present a petition of 16 citizens of Lebanon, Me., and a petition of 13 citizens of Gilead, Me., praying that fraternal beneficiary societies, orders, or associations, be exempted from the proposed income-tax provision of the pending tariff bill. The committee having given notice that they will report an amendment satisfactory to the petitioners, I move that the petitions lie on the table.

The motion was agreed to.

Mr. GORDON presented a petition of sundry citizens of Albany, Ga., and a petition of sundry citizens of Martin, Ga., praying that fraternal beneficiary societies, orders, or associations be exempted from the proposed income-tax provision of the pending tariff bill; which were ordered to lie on the table.

He also presented memorials of sundry wholesale and retail liquor dealers of Atlanta and Savannah, in the State of Georgia, remonstrating against an increase of the internal-revenue tax on whisky, and also against an extension of the bonded period; which were ordered to lie on the table.

DISTRIBUTION OF GOLD AND SILVER.

Mr. KYLE. I present a criticism by Frederick C. Waite, late special agent of the Eleventh Census in charge of Statistics of True Wealth, on the census distribution of gold and silver by States. I move that the paper be printed as a document and referred to the Committee on the Census.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. MILLS, from the Committee on the Library, reported an amendment intended to be proposed to the general deficiency appropriation bill, the amendment providing for the repair of paintings within the Capitol, including repairs to the frames of the same; which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Appropriations.

Mr. VOORHEES. The bill (H. R. 6500) to define and establish the units of electrical measure after passing the other House came to the Senate and was referred to the Committee on Finance. On consultation it is thought the bill ought to go to the Committee on Foreign Relations. It relates to an international question. I report back the bill from the Committee on Finance, and ask that it be referred to the Committee on Foreign Relations.

The report was agreed to.

BILLS INTRODUCED.

Mr. BUTLER introduced a bill (S. 2117) for the relief of Mrs. Sabina O'Callaghan, administratrix of the estate of Denis O'Callaghan, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. GIBSON introduced a bill (S. 2118) authorizing the sale of title of United States to a tract of land in Montgomery County, in the State of Maryland, to William H. and George Bobinger; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. HUNTON introduced a bill (S. 2119) for the relief of Charles B. Stivers; which was read twice by its title, and referred to the Committee on Military Affairs.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. BUTLER submitted an amendment intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also submitted two amendments intended to be proposed by him to the naval appropriation bill; which were referred to the Committee on Naval Affairs, and ordered to be printed.

Mr. MORGAN submitted an amendment intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

Mr. CALL submitted an amendment intended to be proposed by him to the legislative, executive, and judicial appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

FORT D. A. RUSSELL MILITARY RESERVATION LANDS.

The PRESIDENT *pro tempore*. There being no concurrent or other resolutions, the Secretary will announce the first bill on the Calendar under Rule VIII, commencing at the point reached on the last call of the Calendar.

Mr. CAREY. I ask unanimous consent to call up the bill (S. 168) granting to the State of Wyoming certain lands in the Fort D. A. Russell military reservation for agricultural fair and industrial exposition grounds, and for other purposes.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

TOWBOAT FUTURE CITY.

Mr. COCKRELL. I ask for the present consideration of the bill (S. 207) granting jurisdiction and authority to the Court of Claims in the case of the towboat Future City, her barges, cargoes, etc. A similar bill has passed the Senate once or twice, and it has always been favorably reported.

By unanimous consent the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOSEPH REDFERN AND ELIZA J. REDFERN.

Mr. COCKRELL. The Calendar.

The PRESIDENT *pro tempore*. The Secretary will state the first bill on the Calendar, commencing at the point reached on the last call.

The bill (S. 807) for the relief of Joseph Redfern and Eliza J. Redfern, his wife, was announced as first in order on the Calendar, and the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to pay to Joseph Redfern and Eliza J. Redfern, of the District of Columbia, $2,728.40 in full of all demands against the United States for injuries to and rent of buildings Nos. 1719 and 1721 G street northwest, in the city of Washington, D. C., used by the Signal Service of the Army of the United States during the period from November 1, 1871, to December 31, 1888.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

WOMEN AS PUBLIC SCHOOL TRUSTEES.

Mr. MARTIN. I ask the unanimous consent of the Senate for the present consideration of the bill (S. 1717) to authorize the appointment of women as public school trustees in the District of Columbia. The bill has been reported from the Committee on the District of Columbia for some time, and I should like very much to have it disposed of. It is a local matter, and it ought to be disposed of at once. The Senator from Massachusetts [Mr. HOAR] has an amendment which he desires to have made to the bill, and to which I have no objection.

By unanimous consent, the Senate, as in Committee of the Whole, resumed the consideration of the bill.

The PRESIDENT *pro tempore*. The bill has heretofore been read as in Committee of the Whole. The pending question is on the amendment of the Senator from Massachusetts [Mr. HOAR].

Mr. COCKRELL. Let it be read.

The PRESIDENT *pro tempore*. The amendment will be read.

The SECRETARY. After the word "appoint," in line 4, strike out the words "not exceeding three."

Mr. HOAR. The bill as originally drawn prescribes the number of ladies who may be trustees on the school board. The amendment simply leaves the number to the discretion of the Commissioners of the District of Columbia. I understand the amendment has the assent of the committee.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SILK CULTURE.

Mr. PEFFER. I ask unanimous consent to call up the bill (S. 115) for the development and encouragement of silk culture in the United States under the supervision of the Secretary of Agriculture.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the bill?

Mr. COCKRELL. Let it first be read for information.

The Secretary read the bill.

Mr. COCKRELL. I should like to hear some reason why we should have extra experiment stations when we already have them in every State.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Agriculture and Forestry with amendments.

Mr. PEFFER. I will say, in answer to the question of the Senator from Missouri, that it is not intended to establish new stations. This is for the purpose of dividing up the supervision of the silk industry of the United States among the agricultural experiment stations now established. The object is to create five different stations in the different sections of the country, and to have the Secretary of Agriculture take jurisdiction over the whole subject and designate the particular sections of the country where in his judgment the development of silk culture can be best nourished. That is the object. It is not intended to increase the expenses nor to establish anything new.

Mr. COCKRELL. I understand that there is an experiment station in each State. Is there not?

Mr. PEFEER. We have one in Kansas, but I do not know of a silk station anywhere else.

Mr. COCKRELL. We have one in Missouri, and have had for years.

Mr. PEFEER. But it is under State jurisdiction, is it not?

Mr. COCKRELL. Yes; but it is in coöperation with the Department of Agriculture.

Mr. PEFFER. This would simply extend the industry to other parts of the country. I will say to the Senator further, that some twenty or twenty-five years ago perhaps, soon after the war, there was a very considerable development of silk culture in some of the Southern States, especially in Mississippi. The object of this bill is to spread the culture of silk over the country more largely. That is all there is about it.

Mr. COCKRELL. It must necessarily become a local industry at the place where established, and it ought to be intrusted to the State experimental station, this part of it, as a matter of course, being under the direction of the Secretary of Agriculture. If we should send to the State of Mississippi or any other State persons not residents there to establish an experiment station they might never induce the people there to engage in the business, whereas if it is under State control and under their direction, and there is anything in it, it will be developed there and become permanent.

Mr. PEFFER. But this is intended to enlarge the sphere of this industry. I will state further for the information of the Senator from Missouri and other Senators that it is one of those peculiar kinds of industrial enterprises the women and the children in a farmer's family or in a family in a city anywhere can, without any added expense or without any additional labor or trouble or confusion take care of, and that it amounts to a very considerable sum of money in the course of a year. It requires about six weeks, or two months at most, during a season. The women and children take care of the growth of the worm and the manufacture of silk through the worm, and then the cocoons afterward, and that disposes of the business for the entire season. We have found it in Kansas to be very fruitful among our farmers, and the people think a great deal of continuing the work. This bill——

The PRESIDENT *pro tempore*. The Senator's time has expired. The first amendment of the Committee on Agriculture and Forestry will be stated.

The first amendment was in section 2, line 2, after the word "establish," to strike out "a number of" and insert "five;" in line 3, after the word "stations," to strike out "not exceeding five in number. They shall be located by him" and insert "one each;" in line 4, after the word "different," to strike out "parts" and insert "sections;" in the same line, after the word "the," to strike out "United States" and insert "country;" and in line 6, after the word "culture," to strike out "in the sections in which said stations may be located" and insert "throughout the United States;" so as to read:

That the Secretary of Agriculture is hereby directed to establish five silk experiment stations, one each in different sections of the country, with the view of developing silk culture throughout the United States.

The amendment was agreed to.

The next amendment was in line 9, after the word "they," to strike out "are" and insert "may be;" and in same line, after the word "located," to strike out "and now established and receiving appropriations from the Treasury of the United States;" so as to read:

Said silk-culture stations shall be a part of the several experiment stations in the States in which they may be located.

The amendment was agreed to.

The next amendment was, in section 2, line 13, after the word "who," to strike out "is to" and insert "shall:" so as to read:

The work at each station shall be conducted under the supervision of the director of such station, who shall carry on said work under rules and regulations to be prescribed by the Secretary of Agriculture.

The amendment was agreed to.

The next amendment was, in section 2, line 15, after the word "hereby," to insert "annually;" in the same line, after the word "appropriated," to insert "out of any money in the Treasury not otherwise appropriated;" in line 18, after the word "established," to strike out "by the Secretary of Agriculture;" and in the same line, after the word "under," to insert "the provisions of;" so as to read:

A sum of $5,000 is hereby annually appropriated, out of any money in the Treasury not otherwise appropriated, to each of the stations for silk culture which shall be established under the provisions of this act.

The amendment was agreed to.

The next amendment was, in section 2, line 22, after the word "the," to insert "several;" and in the same line, after the word "in," to strike out "common" and insert "connection;" so as to read:

Said sum is to be drawn from the Treasury of the United States on requisitions made by the Secretary of Agriculture in favor of the directors of the several experiment stations in connection with which the silk-culture stations are established.

The amendment was agreed to.

The next amendment was, in section 2, line 24, after the word "diminish," to insert "or discontinue;" in line 25, after the word "the," to strike out "appropriation" and insert "sum of money;" and in line 26, after the word "it," to strike out the remainder of the section in the following words:

He shall have power, also, to discontinue the payment of the appropriation for any one of the stations if he shall deem that the work in relation to silk culture performed at said station is not performed in accordance with the rules and regulations prescribed by him.

So as to read:

The Secretary of Agriculture shall have power to diminish or discontinue the sum of money to be used at any station or stations if in his judgment the public good requires it.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HEIRS OF JAMES BRIDGER.

Mr. COCKRELL. I ask unanimous consent for the present consideration of the bill (S. 217) for the relief of the heirs of James Bridger, deceased, which has been reported favorably sundry times by the Committee on Claims, and has been heretofore passed by the Senate.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to pay to the heirs of James Bridger, deceased, $6,000 in full satisfaction for his improvements made at Fort Bridger, Utah Territory, which were appropriated by the United States Army in the fall of 1857, under command of Brig. Gen. Albert S. Johnson.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LEGAL REPRESENTATIVES OF JOHN WIGHTMAN.

Mr. QUAY. There is upon the Calendar a bill (S. 886) for the relief of the legal representatives of John Wightman, deceased, which is suspended by a motion made to reconsider its final passage by the Senator from Wisconsin [Mr. VILAS]. As I stated when the bill was pending in the Senate previously, I have no objection, if the Senator from Wisconsin desires it, to have the bill reconsidered and recommitted to the Committee on Post-Offices and Post-Roads for examination; but if he does not desire that, I submit to him whether it would not be better to allow the motion to reconsider to be voted down and let the bill go to the House of Representatives, where it may be reëxamined. I care nothing about the passage of the bill, except that those interested in it are very needy and the claim is really meritorious. I should like to see it expedited.

Mr. VILAS. Other Senators whose attention has been drawn to the bill are of the opinion that it ought to be reconsidered. It may be reconsidered or go to the Committee on Post-Offices and Post-Roads, or retain its place on the Calendar.

Mr. QUAY. As I said, I have no objection to the bill being recommitted to the Committee on Post-Offices and Post-Roads, if that is the desire of the chairman of that committee.

Mr. VILAS. Very good.

The PRESIDENT *pro tempore*. If there be no objection, the votes by which the bill was ordered to a third reading and passed will be reconsidered, and the bill recommitted to the Committee on Post-Offices and Post-Roads. The Chair hearing no objection, it is so ordered.

MINERAL LANDS.

Mr. STEWART. I ask unanimous consent of the Senate for the present consideration of the bill (S. 1515) to amend chapter 6 of Title XXXII of the Revised Statutes, relating to mineral lands and mining resources.

I will state that it is a bill which has passed the Senate on two former occasions. It is a technical bill, amending the mining laws, and inasmuch as the time for doing certain work is regulated in the bill, and there are many petitions asking for this legislation——

The PRESIDENT *pro tempore*. The hour of half past 10 o'clock having arrived, it is the duty of the Chair to lay before the Senate the unfinished business.

Mr. STEWART. I give notice that I shall make a request for the consideration of the bill to-morrow morning.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed the bill (S. 499) to provide for the adjustment and payment of the claim of Thomas Rhys Smith, for work done and materials furnished for the breakwater at Bar Harbor, Me.

The message also announced that the House had passed a bill (H. R. 7095) to provide for the erection of a national home for aged and infirm colored persons, and for the maintenance of the inmates thereof; in which it requested the concurrence of the Senate.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on this day approved and signed the act (S. 591) to donate to the county of Laramie, Wyo., certain bridges on the abandoned Fort Laramie military reservation, and for other purposes.

HOUSE BILL REFERRED.

The bill (H. R. 7095) to provide for the erection of a national home for aged and infirm colored persons, and for the maintenance of the inmates thereof, was read twice by its title, and referred to the Committee on the District of Columbia.

THE REVENUE BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4864) to reduce taxation, to provide revenue for the Government, and for other purposes.

The PRESIDENT *pro tempore*. The pending question is on the amendment submitted by the Senator from Kansas [Mr. PEFFER].

Mr. LODGE. Mr. President, the wool industry or sheep husbandry, which has been singled out by the pending bill for destruction, has been the industry which, above all others, among all intelligent nations has engaged the especial attention and protection of statesmen and of governments. Politically and economically it is the first industry which should receive government protection and encouragement, and it should be the last to lose it.

The production of wool was regarded in England three hundred years ago as the foundation of her prosperity, commercially and financially; and in the time of Elizabeth an act was passed to prevent its exportation. The wool sack of the lord chancellor, on which he sits to-day in the House of Lords, is, as everyone knows, the symbol of the time when England looked upon her wool production as the principal source of her commercial and financial greatness.

In this country the same ideas have prevailed from the beginning of the Government. We find in the early Congresses that the attention of the statesmen of that day was given particularly to sheep husbandry and to wool. It was toward the production of wool and woolens that the colonists turned when they desired to establish their industrial and political independence of England at the time of the stamp-act trouble.

I have here a letter of Washington's, which shows the view he took in regard to the importance of sheep husbandry. There are many letters in which he refers to it, and he gave to it that weight, importance, and place which I think all great modern statesmen have given. This letter was written just after the formation of our Government, on the 22d of November, 1789. It is addressed to Beverly Randolph, governor of Virginia. He says:

NEW YORK, *November 22, 1789.*

SIR: From the original letter, which I forward herewith, your excellency will comprehend the nature of a proposal for introducing and establishing the woolen manufactory in the State of Virginia. In the present stage of population and agriculture I do not pretend to determine how far that plan may be practicable and advisable, or, in case it should be deemed so, whether any or what public encouragement ought to be given to facilitate its execution. I have, however, no doubt as to the good policy of increasing the number of sheep in every State. By a little legislative encouragement the farmers of Connecticut have in two years past added one hundred thousand to their former stock.

In my late tour through the Eastern States I found that the manufacturers of woolens (for the manufacture of woolens is carried on there to very considerable extent and advantage) preferred the wool raised in Virginia for its fineness, to that raised in more northern parts of the continent. If a greater quantity of wool could be produced, and if the hands, which are often in a manner idle, could be employed in manufacturing it, a spirit of industry might be promoted, a great diminution might be made in the annual expenses of individual families, and the public would eventually be exceedingly benefited.

We see from this how deeply the subject had engaged the attention of Washington and how fully he approved the policy of giving to the production of wool Government aid and encouragement. That which is true of Washington is equally true of all our other statesmen, and the reason which governed them was not merely that it was a useful industry, but that the production of wool and the consequent growth of woolen manufacture is always one of the most important foundations and one of the greatest necessities of an independent nation. Everyone admits that it is of the last importance to a nation to be able to arm its soldiers and to build and man ships of war, but there is no use in arming soldiers or in building ships and putting sailors upon them if you are unable to clothe your soldiers and sailors and to furnish them with proper woolen clothing.

It is for these reasons, not only of an economic character, but as affecting the independence and strength of a country, that the wool and the woolen industries have always engaged the particular attention of the statesmen of every enlightened land.

Mr. President, this bill proposes to destroy the wool industry of the United States. Protection, which already existed in many directions in the bill as it came from the House, has been restored and increased on one article after another, until wool and lumber practically alone remain unprotected. This great industry of woolgrowing, employing thousands of men, distributed among thousands of farmers, has been singled out for destruction solely because it is considered to be valuable as a campaign cry. What a degraded, what a base reason for destroying millions of property and depriving thousands of men of occupation! After everything else has got a protective duty, sheep husbandry, the woolgrowing industry, is to be overthrown.

There is no trust among the wool farmers; there is no concentrated capital which is able to come here and obtain high rates of duty. The woolgrowers are scattered throughout the length and breadth of the land; their votes are widely distributed, and they have not that power of concentration which has been felt in so many items of this bill; and yet, Mr. President, I do not hesitate to say that, of all the great staples, there is none, apart from the staples of food, so important to the well-being of the whole United States as the wool-raising industry. They are slaughtered in order to give a cry to the Democratic stump-speakers, because they are not a trust and lack the force of concentration to save themselves.

Out of that wool-raising industry we have built up a great woolen-making industry, which is largely carried on in my own section of the country, and their prosperity is essential to ours. A great deal has been said as to the attitude of New England, of the New England manufacturers, and of the New England operatives in regard to the duties on wool. That is a point on which I wish to leave no doubt whatever.

In the first place, Mr. President, as I have before said in speaking in the Senate for myself, and I believe for every other New England representative on this floor, we know and declare that it is wholly indefensible to give protection to woolens and destroy the wool industry. We recognize that to the wool industry protection must be first given, and we are quite ready to believe that those who are interested in woolgrowing appreciate, as we appreciate, that wool raising and the woolen industry are bound up together. No one who has given the subject proper consideration can believe that the arguments advanced by a very few of the great woolen manufacturers of the country in favor of free wool, while they demand for themselves a duty on woolens, is other than selfish, unfair, and, more than that, purblind and short-sighted to the last degree.

Mr. President, it is utterly untrue that the manufacturers of the East as a body or any considerable number of them have any such desire for free wool. No Republican has, at all events. There has never been a time since the wool and woolen tariff of 1867 was adopted that an overwhelming majority of the New England manufacturers have not favored the continuance of the

equitable adjustment of the duty on wool and on woolens reached in that tariff. This adjustment calls for equal protection to the growers of and the manufacturers of wool, with a compensatory duty for the latter, to enable them to manufacture on equal conditions with foreign manufacturers having free wool. On every occasion when the tariff has been under consideration the New England manufacturers have reaffirmed this position.

I desire, Mr. President, to put in some statements in regard to that point. In October, 1889, the National Association of Woolen Manufacturers passed a resolution:

Resolved, That the National Association of Wool Manufacturers, adhering to the attitude it has consistently held since its organization, and having in mind the proper protection of the American woolgrowing industry, leaves wholly to the wisdom of Congress the determination of the rates of duty which should be applied to the raw material wool, for the purpose of enabling the American grower to continue to produce a sufficient quantity of such wools as he can grow to advantage for the consumption of the American manufacturer. We do not demand lower rates of duty on our chief raw material, wool, nor upon other materials used in the fabrication of our goods, nor upon the machinery we employ.

In 1892 the wool manufacturers petitioned against the House bill to put wool on the free list and reduce the duties on woolen goods. Their petition is given in the memorial of the National Association of Wool Manufacturers, as follows:

Of the 1,000 manufacturers to whom this petition was sent, replies have been received from 917, affixing their signatures.

Others have replied, expressing their entire approval of the petition, but withholding their names for reasons personal to themselves. Among the latter are many who have heretofore expressed themselves in favor of free wool, but who are satisfied with the operation of the present law, or are at any rate opposed to the movement for its uprooting so soon after its enactment.

Some few responses have been received favoring the passage of the House bill. These, with others who have heretofore expressed themselves as favoring free wool, enable us to state the machinery capacity of the manufacturers who ask Congress for the passage of this bill at about 700 cards and 50 combs.

To this petition are signed names of establishments representing 5,848 sets of cards and 796 combing machines. In addition are the names of a large number of woolen and worsted manufacturers who do not employ either cards or combers, but are engaged only in the more advanced processes of manufacture, buying all their yarns.

The census of 1890 represents the number of woolen cards in the United States at 8,200, but of these many were in custom carding mills; others were employed exclusively upon cotton for cotton hosiery and knit goods. No attempt was made to canvass these mills. Of the cards actually employed in the wool manufacture proper, this petition represents about 80 per cent. Not 8 per cent of the whole number can be cited as favoring the House bill.

The census of 1890 showed 855 combing machines in active operation in the United States, and of these the proportion represented on this petition is over 93 per cent.

This petition shows that the attitude of the National Association of Wool Manufacturers, as set forth in the memorial to Congress, adopted at its annual meeting, January 8, 1892, and herewith attached, represents the views of those engaged in this great industry more generally than was ever before the case since the organization was founded in 1867.

Mr. President, I also have here, in Senate Miscellaneous Document No. 44, the petition and protest of the manufacturers of woolens and worsted goods, carpets, hosiery and knit goods, wholesale clothing and cloak manufacturers, wool dealers, and commission merchants of the United States, adopted at a mass meeting held in New York City, on Wednesday, January 10, 1894, against the provisions of the wool and woolens schedule of the Wilson tariff bill, together with the names of one thousand one hundred and fifty manufacturers and establishments indorsing the same.

They say in the protest—and they are all manufacturers of various kinds of woolens—

We particularly protest against the treatment accorded the woolgrowing industry and all branches of the wool manufacture in this bill as harsh in the extreme and more radical and proscriptive than in any other schedule.

* * * * * * * *

A great majority of the manufacturers have approved and still approve this arrangement—

That is, putting a duty on the cheap raw material of the woolen manufacturer—

believing that the benefits of the protective system should be shared equally by farmer and manufacturer; and they have repeatedly protested against the repeal of the duty on wool.

Here I have the memorial to Congress submitted by the wool merchants of Boston, the men who deal in wools, who buy and sell them, and who supply the great woolen industry of the country. The memorial has already been printed, and I will merely ask now to incorporate it in my speech, because it shows the exact opinions of the men engaged in the wool business who furnish the wool to the mills, and who are also largely interested in those mills. The testimony of all these gentlemen is absolutely uniform. They are all as firmly and strongly for a duty on wool as any sheep owner or flockmaster in the country.

[Adopted March 27, 1894.]

Memorial to the Congress of the United States, submitted by the wool merchants of Boston.

Having waited for final and definite action by the committees of Congress in framing a bill for changes in the revenue laws, and much to our disappointment finding the bill to have come from the Senate committee full of inequalities and of especial injustice to the wool interests of the country, we feel that the time has now arrived for the wool trade of this, the acknowledged leading wool market of the country, to make itself heard with no uncertain expression of its views.

Wool is one of the prominent products of this country, and the one with which we are in especial sympathy from the character of our business. It is threatened with most serious disaster, and, as pertains especially to the vast areas of the newer portions of the country, with almost total annihilation. While millions of dollars have been invested in this great industry by our own native citizens, the capital and individual enterprise of large numbers from the thrifty peoples of northern Europe have been attracted to our land by the extraordinary facilities offered by our broad plains and temperate climate. Hence, as the woolgrower has sought the great West for the prosecution of his enterprise in this new country with his numberless flocks, he has proved to have been, while the pioneer, a most important factor in the settling up of the vast areas of our public domain from Texas to Oregon, into which have flowed multitudes from the most desirable populations of the world.

At the same time, the Eastern and particularly the Middle States, being well adapted by soil and climate for the production of the choicest of wools, through years of skillful and expensive experiments and industry now produce wools which are second to none grown on the face of the earth, and which, under favorable conditions, may supply nearly, if not quite, all the wool of certain classes required for the machinery of this country.

That the wool-producing industry of the United States and Territories, already the third largest of the world, needs only an adequate protection to increase rapidly in importance until it may rival the product of the most prolific of the English colonies, is shown by the fact that under the favoring system now threatened with removal, the increase in 1893 over 1892 was over 31,000,000 pounds, bringing the product of last year up to the enormous sum of 364,000,000 pounds. Is this hitherto profitable and increasing business to be transferred from our own people to the hands of the foreigner?

Already in a single year, from the mere fear of such legislation, the flock of the United States has shrunk in numbers from 47,273,553 to 45,048,017. In a single year the farmers of the United States, according to the Department of Agriculture, have seen the total value of their sheep decline from $125,909,264 on January 1, 1893, to $89,186,110 on January 1, 1894, showing a shrinkage of about $37,000,000 in this brief period; and if we take into account the shrinkage in value of farm and ranch property devoted to the sheep industry during the twelve months, we may say, without any fear of contradiction, that the direct loss on the fixed property of woolgrowers during one year has been not less than $50,000,000. But this is not all. It is a very moderate estimate to state that the decline in the value of the wool taken from these sheep in 1893 reduced the purchasing power of the woolgrowers by at least $20,000,000 more.

If such losses have already been inflicted by the possibility of passing this bill, who shall measure the damage to follow if the bill itself becomes a law?

It goes without saying that the interests are mutual of the woolgrower of America, the manufacturer who manipulates the staple, and all who handle wool in any of its stages or in any capacity, and that they are natural allies. Hence, what benefits the grower is for the good of all.

Therefore, frowning upon all sectional legislation, which is too apparent in the Wilson bill, with the interests of the woolgrowers of this broad land from Maine to Texas and from Georgia to Oregon in view, we, the wool merchants of Boston, without distinction of party, whose signatures are hereto affixed, representing with few exceptions, the entire catalogue of wool dealers and commission merchants of this market, earnestly protest against the adoption of the inconsistent provisions of Schedule K of section No. 1 and paragraph No. 685 of section No. 2 of the measure now before the United States Senate known as the Wilson bill. Its adoption will be, in a great degree, destructive to the business of the wool producer, and whereas it is his right to demand the perpetuity of his industry, its continuance will also add, we believe, to the general prosperity of the country.

Uniting with him, then, we ask that in any tariff legislation a just protection be accorded to the woolgrowers of this country, and that it be accompanied with an additional equitable compensating duty upon manufactured goods. The one can not logically be expected without the other, for, otherwise, not only is the manufacturer handicapped and the grower's market destroyed, but the labor which enters so largely into the cost of the various woolen fabrics will be crushed by the still farther reduction in wages which must necessarily ensue.

Furthermore, we protest against the bill in its entirety, as a measure framed apparently with little practical knowledge of the needs of the various manufacturing interests as related to the "raw materials" so called. It has been made to appear, for obvious reasons, to certain factions, who, while tacitly indorsing a party platform which in a measure condemns protection as unconstitutional, are subsidized by the very protection which some of the advocates of the bill profess so much to dislike, which is granted by the amended bill to certain industries in which they are directly or indirectly interested. In this way it is hoped to impose upon the nation this most unequal and unpatriotic measure, one which its framers can by no means claim to have been prepared for "revenue only." We believe such legislation to be inimical to the public morals of the country at large, as well as unjust to many pursuits other than the one for which we especially plead.

Again, we protest, because the fact is unmistakable that the country does not desire the changes proposed in this legislation, as is evidenced by the votes of the people, wherever this opportunity has been given to express their wishes in recent local elections.

We appeal to the Senators and Representatives of the country at large to use their influence and votes against the consummation of the wrongs embodied in the so-called Wilson bill or in any similar legislation.

SIGNATURES.

Chamberlin Bros. & Co., Denny, Rice & Co., Dewey, Gould & Co., Fenno Bros. & Childs, Jeremiah Williams & Co., Hutchins & Co., Henry C. Moses, J. Koshland & Co., Walter Brown's Son & Co., R. B. Clark, Brown & Adams, Walter Wilder & Co., E. A. Adams & Co., Salter Brothers, G. H. Goodhue & Co., Franklin A. Wyman, Eisemann Brothers, Wilcock & Cordingley, George F. Willett, R. T. Sullivan, T. Remick & Co., W. S. Henry, jr., & Co., H. R. Williams, F. A. Varney, F. M. Macomber, Frank Dupee, F. W. Barden & Co., Lewis W. Lothrop, John E. Mann, Charles F. Whitton, W. H. Reed, B. W. Putnam, jr., W. A. Blanchard, George C. Moore, F. H. Matthews, William E. Wall, James Turner, Jacob H. Wood, Luce & Manning, Harding & Caverly, Hobbs, Taft & Co., W. D. Eaton & Co., Alexander Williams, jr., & Co., John G. Wright, Frederick H. Putnam, Roundy & Seaver, Williams & Smith, J. H. Paton, C. B. Harkness, Hecht, Liebman & Co., Coffin & Dodd, Edwin F. Leeds, O. W. Purdy & Co., Pierrepont Wise, J. H. Wheelock, R. B. Denny, J. P. Boutwell, Mauger & Avery, H. J. Nazro, 2d, Warren Stetson & Co., Joseph A. Molineaux, Henry F. Smith, H. Leonard & Co., W. R. Bateman, Charles F. Cross & Co., S. Bienenstok & Co., Frederick Hartley, Howard Eaton Hayden, E. Frank Lewis, George H. Hendry, W. S. & F. Cordingley, Crowell, Robie & Co., F. N. Graves & Co., R. B. Hawley, jr., Richard Webster.

Not 4 per cent of the owners of the New England wool machinery have ever at any time favored free wool, and those gentlemen with very few exceptions were Mugwumps and Democrats. Their notion of tariff reform was to take the duty off the article which came into their mill and maintain a high protective duty on the article which went out of their mill, and they seemed to think that that sort of system, absolutely unjust and unfair as it is, could prevail. They are few in number. They are growing still fewer, for they have learned the lesson which the past twelve months have been teaching to the country—some of them at least have done so, although I think some of them are incapable of learning anything. The proportion favoring it, I will add also, is smaller to-day than it has been at any time since 1867.

Mr. President, the present system of duties on wool and woolens has justified itself and has proved entirely feasible and successful in operation. New England manufacturers favor a duty on wool, first, because they believe protection should be equitably distributed, to the farmer equally with the manufacturer. Second, because they believe it is necessary to the preservation of the American clip, which they desire to preserve, inasmuch as it is better adapted to the needs of American manufacture than any other. Third, because they believe that while the duty adds to the price of wool, its removal would not decrease that price sufficiently to make it any object either to them or to the American consumer. That is to say, the removal of the duty would destroy the American clip, and the price of foreign wools would advance sufficiently to offset the difference in price created by the duty.

Fourth, because, except in carpet wools and a few clothing wools required for special purposes, American wools are ample in character, quality, and amount to meet all the requirements of the highest development of the manufacture. Fifth, because it has been demonstrated by experience that it is possible for the manufacture to prosper and develop with a wool duty equally with that of any other country; and because it is sound economic policy for the nation to encourage making its own clothing, but to grow the material for that clothing. Such, in a rough summary, is the opinion of the woolen manufacturers and wooldealers of the New England States. But there is a large body of men and women in New England more vitally interested in this question than any dealer or manufacturer. These are the people who earn the wages of the woolen industry and whose well-being is more important than everything else involved.

Mr. President, the sentiment of the manufacturers as to woolgrowing and woolen making is the sentiment of the men who work in the mills. They are naturally anxious for protection upon their own industry. I hold here a petition which I have heretofore presented to the Senate, signed by one hundred and twenty-four employés of the Roxbury Carpet Mills at Roxbury, Mass., remonstrating against the passage of the Wilson bill on account of its treatment of the woolen industry.

These men represent the attitude, I believe, of all the woolen workers of my State. And they send with the petition a letter, dated February 12, in which they state:

> The inclosed petition we forward to you. We, being in the carpet business, will give you all information to the best of our ability. This petition was drawn up by the working people of Roxbury Carpet Mills. It was placed in one of these weave rooms and those who wished could; sign no influence has been used whatsoever. It represents interests of eight or nine hundred wage-earners. We interviewed some of our weavers who had worked in John Crossley Mills, of Halifax, England, in regard to the wages paid there two years ago. They say from 12 to 18 shillings per week; the latter were men-weavers. That is when they work steady; they have not done so for years. At the present time they are working four days per week.
>
> (That is in England.)
>
> From the end of the year 1873 to the end of the year 1892 the average pay of a weaver in the Roxbury mills was about $8 per week. You will see by this protest that the weavers in this mill are all women. The grade of tapestry carpets made here are the finest in the world. In the year 1892 this company paid more wages than they ever did in one year before. We received a 10 per cent reduction in September last, and we believe that the passage of the Wilson bill in its present form would cause a reduction of 10 per cent or more. We believe a specific duty of 20 cents per running yard should be put on tapestry carpet instead of ad valorem duty.

The letter is signed by James A. Price and Henry Tyler of the committee. I received only yesterday another letter from the same committee, in which they state:

> This mill is still working under a 10 per cent reduction. The Malden Carpet Company, sixty-five looms, have not made a yard since the 1st of July, last. The Lowell carpet mills closed down on Saturday with $500,000 worth of carpets on hand. The Hartford Company's mills, situated at Thompsonville, Mass., have been running three days per week since August last, and the outlook is very dark for us all.

They wish me to make mention in my remarks of the prayer and petition sent in their behalf. I most gladly do so, for no more forcible reason could be given against the passage of this destructive bill than their unstudied arguments and plain statements of fact.

Mr. President, these men protest against the woolen schedule and these duties on woolens because they know, some of them from harsh experience in England, that it means a reduction of wages to every one of them. At the same time there is not one of these men who would wish to see the duty taken from wool. He desires to see the same ample protection given to the farmer that he asks for himself, and I believe that the American farmer or the American laborer or anyone interested in agricultural productions in this country is just as anxious to give protection to the workman of New England as the workman of New England is to give it to him. I do not believe, sir, that the American farmer has any desire to throw into the streets the man who makes bagging, or burlaps, or binding twine, or woolens. I think he is anxious that they should have a fair protection, and that the same protection should be given to him. That, at all events, is the Republican doctrine.

Such, Mr. President, is the attitude of the New England manufacturer and the New England operative in our woolen mills, and it is a righteous and intelligent attitude.

Let me say before I pass from this branch of the subject that if instead of the slaughter of nearly all the small industries of New England which is contained in the pending bill, every industry, great or small, within those States received a high measure of protection, my vote would still be cast against the bill while it contained the clause for free wool. We have no favors to ask at the expense of any other American industry and no trades to make for ourselves by the sacrifice of others. We want protection for all. To remove the duty from wool is not only economically false, is not only unjust, but it is a direct blow at the industrial independence of the country and at its capacity to properly clothe its sailors and soldiers in time of war when the outside and foreign wool supply may be largely diminished or wholly cut off.

Mr. President, I now desire to say just a few words to show what the actual effect of the McKinley act has been on the wool clip. I quote a short passage from the Commercial Bulletin of Boston, the great wool and woolen newspaper there, and a journal noted for its care and thoroughness in the preparation of all statistics relating to wool and woolens. Under date of April 14, 1890, it says:

> On page 2 we give in detail with the signers, the petition of the Ohio woolgrowers against the Wilson bill. This follows hard upon the action of the Boston wool trade. One glance at the counties represented in the signatures will show that the whole choice fleece raising district is represented.
>
> Already free-trade newspapers in the West and elsewhere are desperately endeavoring to belittle the effect of these petitions.
>
> The most common form used in the Boston Herald and the Detroit Press is to pretend inability to understand how in 1893 the flock of the United States could shrink from 47,273,553 to 45,048,017 while the clip increased to 364,000,000 pounds, the largest figure ever known.
>
> Thanks to protection, the American flock had increased during 1892, and on January 1, 1893, there were 47,273,553 sheep. From those sheep was shorn the largest clip ever taken from the American flock. After the clip had been shorn an enormous quantity of sheep were slaughtered, as the threat of Wilsonism made them unprofitable. Consequently on January 1, 1894, we find that the flock has decreased to 45,048,017.
>
> Is it not possible for a November gale to ruin an apple orchard in the same year which yielded in September a bounteous crop? The free trade blight of 1893 naturally could not prevent the increase in the flock of 1893, from which was shorn the clip of 1893 before the sheep slaughter commenced.

Mr. President, that article shows, in a few sentences, the increase which occurred in the flocks of the United States under the protection given by the McKinley act. It shows also the destruction which was wrought when the threat of free wool was held over the country. The result of the times which have been upon us has been the reduction in the price of wool practically to the free-trade price so desired by the Democratic party. Yet I question very much whether the workingmen of this country have been so helped by the reduction in the price of wool that they do not think they have paid a heavy price for this illusive benefit in the loss of wages and of work which has beset them during the last year.

In regard to the woolen schedule, which follows close upon the clause destroying the sheep husbandry of the United States, I have also a few words to say.

It involves a heavy reduction in the protective duties, and it also involves placing the woolen manufactures on the ad valorem basis, about which I shall have something further to say in more detail later on in the debate. This schedule I understand has had very largely the benefit of the suggestion and advice of Mr. Jacob Schoenhof, lately a consul of the United States. I think he has been advising the committee in regard to it. How much of it he has actually suggested and drawn, I have no means of knowing, but it is generally supposed that he and Mr. Sharretts between them have had a very strong influence in framing many clauses of the tariff bill and that the schedule of woolens has been largely committed to Mr. Schoenhof. I think as he has been the principal adviser and suggester in regard to the schedule it is well to put here on record his history, because

it would indicate, I think, that fitness which no doubt led to his being called in.

Mr. VEST. To whom does the Senator from Massachusetts allude?

Mr. LODGE. I am alluding to Mr. Schoenhof. If he was not called in to advise on the schedule, of course I have nothing further to say.

Mr. VEST. So far as I know, Mr. Schoenhof has had as little to do with this schedule as any man living.

Mr. LODGE. He has been consulted upon it.

Mr. VEST. He has not been consulted as far as I know, and certainly his advice has not been adopted. Mr. Schoenhof is opposed to all high duties in the bill.

Mr. LODGE. If Mr. Schoenhof has not been consulted, I have not a word to say, but I have understood that he was consulted. I have been told so by gentlemen interested in the woolen business, who have given me to understand that they saw him in regard to it, from which I supposed that he was being consulted by the committee in making up the bill.

Mr. VEST. It is hardly necessary to take up the time of the Senate to discuss a personal matter of this kind. Mr. Schoenhof is connected with the Government service, and he has brought us such information as he could obtain in regard to the price of woolen cloths and other expert testimony. But his views in regard to the duty upon woolen cloths are not represented in the pending bill.

Mr. LODGE. I quite understand that the duties in the bill do not go as far as Mr. Jacob Schoenhof would like to go in the work of destruction to American industry, but I think it is worth while to show his fitness for the position of adviser on the wool schedule by simply calling attention to the published statement of his business career in this country:

Mr. Schoenhof is a German Jew, who first appeared in that city in the spring of 1865 as a dry goods dealer in partnership with a Mr. Hoeber. The new firm promptly proceeded to fail, and 25 cents on the dollar was all that could be secured by its creditors. In 1868 Jacob Schoenhof's name appears again in mercantile records, this time as a small dealer in ladies' furnishing goods. His business was understood to consist chiefly in supplying peddlers with their outfits. Three years later a Mr. Rosenheim was taken into the concern, but his presence was a short one, for in February, 1872, Mr. Jacob Schoenhof was again conducting the business alone.

In February, 1875, he allied himself with a Mr. Sigismund Herzog, and in December, 1876, the failure of Jacob Schoenhof & Co. was recorded, with estimated liabilities of $50,000. Settling with its creditors on a basis of 15 cents cash on the dollar and 35 cents additional in time notes, the concern resumed, only to come to grief a third time in November, 1878. After an interval of ten years Jacob Schoenhof reappears in mercantile New York at No. 104 Franklin street, where he claimed to have $15,000 in old stock and machinery. In 1881, in company with Henry Adler, he was manufacturing ladies' skirts in the Franklin street premises. It was the old story, for in October, 1885, judgments covering the stock were confessed in favor of a relative of one of the partners, and the affairs of Adler & Schoenhof were transferred to the hands of a receiver. Mr. Jacob Schoenhof next emerged into public notice as consul, by grace of President Cleveland, at Tunstall, England.

That was immediately after his fourth failure.

Now, Mr. President, we have all seen his letters and his contributions to economic thought from England and elsewhere.

Mr. POWER. How many times did the Senator say Mr. Schoenhof has failed?

Mr. LODGE. Four times, it is here stated, and I understand the facts are taken from the commercial reports.

Mr. POWER. He is in a better business now. I do not think he will fail now.

Mr. LODGE. He is in very much better business for himself. If it is desired to have an expert in bankruptcies to deal with the business of the country involved in these schedules, I do not know that a better man could be selected.

As I have touched on this subject of one of our consuls, I will call attention in this connection to another consul. I hold in my hand some extracts from the Bradford Observer, a paper published in Bradford, England. The Bradford Observer says:

Mr. Claude Meeker, the American consul in Bradford, who has certainly so far proved himself a true prophet on the subject, is of opinion that the new American tariff bill, which has just passed the House of Representatives, will also pass the Senate, though, perhaps, with some modifications and some little delay. Once enacted, he believes the new tariff will introduce a period of great prosperity for America, and that if Bradford continues to make goods of the same high quality as she does to-day, and gives some credit to those who have been pinched during the late financial depression, she will get her full share of that prosperity.

There are also some further remarks in the Bradford Observer of January 30, 1894, upon the minority report of the Ways and Means Committee in regard to the American tariff bill. Mr. Claude Meeker furnished it to the Bradford newspaper, and the Observer gives a summary of the points in the report. Then it concludes:

As has been said, the committee took all sorts of evidence, and, therefore, what has been said by one or two Bradford experts as to the effect of the tariff was no news to the committee. The minority complain that in fixing the duty on cloth at 40 per cent the committee has practically granted the request of the foreign manufacturers. Mr. Henry Latzko, a manufacturer of fine cloths of Brunn, in Austria, told the committee that a duty of only 35 per cent on such goods would enable the foreign manufacturer to sell them to advantage in America. The minority say, "The majority of the committee granted his request within 5 per cent, a difference which the customary undervaluations (under the ad valorem system) will more than offset. The foreign manufacturer has won his case in a committee of the Fifty-third Congress, where American manufacturers have pleaded in vain."

Under this article in the Observer is printed a letter from Mr. John Maddocks, of Bradford, who was interested in the matter of the wool duties, to correct some statements which he made in a lecture on "Our future trade with America." Mr. Maddocks says—

It is quite true that I said "I had heard that the new tariff was to be wool free, 35 to 40 per cent ad valorem duty, and no weight duty—

I suppose he got his information from our consul—

that I did not wish the reduction to be too extensive all at once, and that with a 30 per cent ad valorem duty only the English manufacturers would be put in such a position that perhaps half the mills in America would be closed for a time, and the people of the States would in their disappointment begin to look at the matter in a false light, and there would be a great reaction in the hope of finding employment for the people." My subsequent remarks, however, went to show the audience my strong faith that the Government of President Cleveland would not neglect the true interests of its home industries by going too quickly from one extreme to another in tariff reform; that we in Yorkshire must not build up our hopes on a tariff that would enable us to ship large quantities of goods to the States for a year or two, for such a thing would be but a curse in disguise; it would either wake up the American people to a knowledge of their great economic delusion and make them once for all adopt perfect free trade, or they would demand from the next President and his party a tariff bill which would eclipse the McKinley one in its severity against imports of all kinds.

He says further:

I do not want to convey the idea that I am giving gratuitous advice, or trying to preach wisdom to the American people. I know from experience their shrewdness in getting at the motive; I own at once I have a selfish purpose to serve in advocating free trade for Cousin Jonathan; experience has taught me that I can only be happy and prosperous when those around me are getting their full share.

Those extracts I read simply because I was reminded by Mr. Schoenhof of this new form of consular activity, and they illustrate very well the practical danger which now threatens our woolen industries. It is, as the employés of the Roxbury carpet mill have stated, a great reduction of wages that at the very least they have to dread. And yet, Mr. President, their lot is not so harsh as that which has been meted out to the producers of wool. I consider the destruction and extinction of that great industry of woolgrowing by this bill one of the severest blows which has been struck at the business of this country and at its general prosperity in the lifetime of a generation.

Something was said the other day at the time of the passing of the cotton schedule in regard to the fact that no New England Senator rose to oppose the passing of that schedule. The reason was perfectly obvious. It was impossible for any New England Senator or anyone familiar with the cotton industries to get up here and denounce a schedule which was more scientifically drawn and arranged on a better basis for protection than I think any schedule ever proposed in a tariff bill. The rates on fine goods are too low in many instances, but the schedule was drawn on the best and fairest principle of protection that we ever put into a bill. The schedule was the work of the Fall River manufacturers, who are among the greatest manufacturers of cotton goods in the world. It was a scientifically drawn protective schedule.

Why is it that the cotton textile industries were provided for in a way which has never been given to them before, so far as the method of collecting the duties go? Were they saved because there were thousands of men throughout the length and breadth of the North whose daily bread depended on the work in those mills, or because there were thousands and millions of dollars of Northern capital invested in those industries? No, Mr. President, what preserved the cotton textile industries of the United States was the great growth of those industries in the South. When the committee came to deal with an industry which was growing up at their own doors, and the value of which they saw, they did not turn to Mr. Jacob Schoenhof, but to the best manufacturing experts in the country, to get a schedule which would give a proper protection to the cotton textile industries of the United States.

Mr. President, I applaud the action. It shows the teaching of facts. The South has advanced under the lessons of the great cotton mills which are rising up in those States. It has come to understand the cotton industry. It knows its value. It wants to build it up. Therefore we have in this bill a cotton schedule which is a credit, and the only schedule of which that can be said. That is the reason that while woolens are slaughtered the cotton textile industries are saved and put upon a sound basis.

Mr. President, I welcome the appearance of that cotton textile schedule, for it is the forerunner in legislation of that which will overspread the whole South. In ten years, certainly in fifteen years, there will be no more chance of getting a free-trade vote out of Georgia than there is now out of Pennsylvania or Massachusetts.

The South is coming to understand that its interests are one with those of the North in the development of its industries and the protection of its labor. It is beginning to see that the lumber industry, which is worth, I believe, $150,000,000 a year to the Southern States, is something worth saving, and the time is not far distant when the South will join with us in restoring lumber and woolens to the position they should have. They should be saved now and the frightful loss which the destruction of these industries by this bill will cause should in this way be avoided.

It is the coming of that great industrial movement in the South which has saved the cotton schedule, and it is that same industrial movement we hear speaking also in the resolutions of the Louisiana sugar planters. That great industrial movement sees no State lines, has no evil memories, but realizes that this is a common country, and that the prosperity of one part of it is the prosperity of all. The new industrial South is national and real. This bill represents the ghosts of dead issues and embodies living revenges.

We have been fighting here over this bill for many days. It has come from the other House to us, and in the other House there was a great struggle over it. For many years the Democratic party has been going to the country on the cry of tariff reform. Under that cry it has tried to set class against class. It has preached to the operatives that they did not get their share of the profits, but if they would only restore the Democratic party to power then they would get their proper share. The Democratic party demanded tariff reform in season and out of season. At the last Presidential election, in 1892, they went to the country not only on the ground that free trade was economically right, but on the ground that free trade was the only lawful thing, and that any attempt at protection was unconstitutional and unlawful. They have come here with their President in the White House, with a majority of 100 in the other House, with a majority in this Chamber; and to-day we are passing a high protective tariff, a bad protective tariff, an unjust protective tariff, but still a protective tariff.

If free trade can not pass a bill in a Congress elected on a free-trade platform, where is it to succeed? It is said that this group of Senators and that man and the other man have succeeded in choking the bill. Very likely that is the immediate cause of the strange measure which now lies upon our desks. That is the reason, perhaps, why it is so twisted and distorted; but under that apparent cause lies something more powerful and more far-reaching.

The fact is that this Congress was nominally elected and the President was nominally elected on a free-trade platform and the unconstitutionality of protection. It was really elected on doctrines that the American people do not believe, never have believed, and do not believe to-day. Free trade, with every branch of the Government in its hands, has met on this floor the greatest and most disastrous defeat it has ever sustained in the United States. It has been stabbed to death in the house of its supposed friends. It is a declining cause. Whatever may be the fate of bills or of parties; whatever may become of us or of our opponents in the next election; whatever may be the shape of this bill, the doctrine on which the present Congress was elected has been beaten here in the very Congress which was supposed to favor it. Free trade has been defeated, whether Democrat or Republican has won, and it is defeated because the great forces of this country are against it.

The forces of the North and the rising forces of the South that make for union and prosperity are against it. The whole tide of human thought, of human endeavor, of human advance is against it. It is those great forces working here that have beaten this bill. The Democrats have brought in no free-trade bill. They have passed no bill making a perceptible advance towards free trade, because they could not do so. The forces that met them at the threshhold were too great, and these forces have sustained protection and overthrown free trade.

It is that fact, obvious to every mind, clear in every paragraph, which emphasizes the absolute cruelty of this destruction of wool and makes it ten thousand times more infamous. To give a duty on coal is right, as I look at it as a protectionist. To give a duty on iron is right, as I look at it. But to give a duty on coal, and a duty on iron, and a duty on half a dozen other great staples, and then to strike down the sheep husbandry of the United States is intolerably bad. To put in a cotton schedule, which is the best protective cotton schedule ever framed, except that the rates in a few instances are too low, and then to put side by side with it a schedule on woolens which will destroy the woolen industry, is a bitter injury, wrong, and injustice. Mr. President, such a system as that is utterly monstrous and without defense anywhere. You may be able to defend free trade; you may be able to defend protection, but a bill of preferences, and especially a bill of preferences to trusts and sections, is an infamy beyond the power of any words of mine to describe.

Mr. TELLER. Mr. President, I do not intend to detain the Senate by any lengthy remarks. I have felt for some time since that nothing can be gained by a continual discussion of these questions. This one item of a duty upon wool is a question of local interest to the people I attempt to represent on this floor in part, and I have felt at least that I would be justified in taking a few moments of the time of the Senate upon it.

Wool has been the subject of legislative care, I believe, in all the tariff bills of the past, and it will require some explanation to the people who raise wool why now it is put on the free list when comparatively nothing else that we expected to go on the free list is to be placed there.

We were told early that when the Democratic party came into power they would relieve the people of the burdens that had been put upon them by the McKinley act and similar acts, and they would put a number of articles on the free list which would compensate the manufacturers for the loss that they would sustain by reason of the reduction of the duties. We had expected that there would be free coal, and free iron, and free wool, and free lumber, and various other articles of that character that have been erroneously denominated raw materials. It is a little difficult to say what is raw material. One thing is certain, wool is not a raw material. Wool is the product of the farm, and it is the product of much labor and much care. In no way can it be said to be a raw material so far as justifying the placing of it on the free list.

Mr. President, I have not the faintest expectation that anything I shall say on this subject will have the slightest weight with the committee, and not having any weight with the committee it will not have any weight with the majority of the Senate, for I have discovered that the majority of the Senate have agreed to follow the committee. In other words, the majority of the Senate upon all questions touching this proposed tariff have surrendered to the committee in charge of the bill, not a majority of the Senate committee, but only half of the Senate committee.

The arguments of the Senator from Ohio [Mr. SHERMAN] and the Senator from Montana [Mr. POWER], and various others, have rendered it entirely unnecessary for me to speak of the important wool industry or the sheep industry in this country. That has been done *in extenso* and better than I could do it, by those who are more familiar with the subject. In my section of the country we have a large number of sheep. We had in Colorado, in 1890, nearly two million sheep. I believe there has been a reduction of three or four hundred thousand in the State since the census of 1890. That industry in Colorado must necessarily grow less under any conditions, I think, because of the increased settlement of the country and the development that is going on. I think it will not be in that country a permanent industry with as large an interest and of as much importance as heretofore. So I have no more special interest in this subject than other Senators sitting around me and representing other States in the Union.

But, Mr. President, I think the sheep industry is not a local one. As has been stated, it is carried on in every section of the country to some extent, and in very many sections of the country, where it is not carried on to considerable extent it would be profitable if the people would engage in it, provided there was a fair prospect of a fair price for wool and a fair price for mutton. The demand for wool and for mutton ought to increase very largely in this country with the increase of population.

The great herds of Montana, Colorado, Idaho, New Mexico, and Texas will in time disappear. New Mexico and Texas will for some time yet undoubtedly support vast herds of sheep. The sheep industry eventually must be that of the farmer in small flocks all over the country where farming is carried on; and there is no portion of the United States where farming is carried on where the sheep industry can not be profitably carried on, whether it may be in the cold region of the extreme North or in the semi-tropical regions of the South. Everywhere the sheep industry can be made profitable both for wool and for mutton.

We can undoubtedly buy abroad all the wool we need for our manufacturers, and I am of the impression that we can buy it cheaper than we can raise it. So from a free-trade standpoint I suppose we should have free wool. However, there is not any question but that the English people can manufacture cloths very much cheaper than we can in the United States; and if the free-trade doctrine is to be applied why not apply it to woolen cloths as well as wool? There is no question but that cotton goods can be manufactured in India and sent to the United States cheaper than we can manufacture them here. In ten years I have no doubt but that all the range of textiles of every kind and class can be manufactured by Asiatic labor for very much less than we can manufacture in this country. If we are to ap-

ply the free-trade principle we should apply it to all; that is, we should accept the doctrine of free trade, and if there are any duties to be collected and we find we can not adopt free trade, then there should be at least a fair distribution of duties for the purpose of revenue.

If the time ever comes when we do not need any revenue, or when some method will be adopted, perhaps like an income tax on the rich that shall make it unnecessary to collect import duties, then we can dispense with the duties on woolens and with the duties on wool, because somebody can make them cheaper than we can.

Mr. President, I need not say here—and I am not going into any discussion of the tariff question—that I do not believe in that doctrine. I will admit that you can raise wool in Australia cheaper than you can raise it on American farms or on Texas ranches. I do not believe there is a spot on this continent where you can raise wool as cheaply as you can raise it in some countries outside. Yet I would insist, if I had my way, that there should be such a duty put upon wool as would enable the American farmer to raise as much as he ever did raise, and in fact a great deal more. I would do that because I am a protectionist, because I believe it is a right and a just thing for a country to so regulate its revenues as to protect its industries. I will not quarrel with those who say that it is to be incidental provided it furnishes protection, although I have never seen myself in principle the slightest distinction between a duty that was levied for the express purpose of protection and one where protection was incidental to the revenue. They rest upon the same principle practically, it seems to me, and the effect is the same.

Mr. President, no country, as has been said, can afford to buy its wool abroad, and no country can afford to buy its cloths abroad. I should just as quickly myself think of bringing about a condition of affairs where you could not buy any munitions of war in this country, as that you should not buy woolen clothing manufactured on our own soil. We all know that during the rebellion a few years ago the South suffered immeasurably from the fact that it did not have within its borders either the means of making the munitions of war or woolen goods, and I do not think I overstate it when I say that the South suffered more because it did not have woolen goods than because it did not have munitions of war. It found it a great deal easier to provide munitions of war than woolen clothing. In a climate like ours, whether it be in what you call the South, or the North, or the East, or the West, a good portion of the year is so inclement that an army clothed with anything but woolen goods would be practically useless.

It is as essential that the Army of the United States shall have woolen clothing when it goes into active operation in Florida or Louisiana, as when it goes into active operation in Pennsylvania or New York. There is no portion of the country where the health of the soldier can be maintained without some portion of his clothing being woolen. Woolen blankets can not be dispensed with.

Mr. President, a great nation like ours, having all the advantages of climate and soil for the production of wool and woolen goods, ought never to surrender to any other nation the opportunity of making its clothing, any more than it should surrender to a nation foreign to it the right to make its guns. So the wool question is not simply a local question; it is of interest to every portion of this country.

We have a duty upon woolen goods. I do not know whether that duty is a proper duty or not; I can not myself determine, because I am not sufficiently skilled in the matter. If I had to determine the question, I should have to rely upon those who knew more about that than I do. I have been told by some people who profess to know that the duty on woolen goods is ample for the protection of the manufacturer of woolen cloth. On the other hand, I am told by others who profess to know that it will be exceedingly disastrous to that industry; that they will have to do one of two things, either close up their manufactories or reduce the wages of American labor employed in those factories to a degree never heard of nor supposed possible in this country.

I find in the New York Tribune yesterday a statement which somewhat surprised me, and I desire to ask some Senator familiar with this duty whether there is anything in the statement. I think it is pertinent, because yesterday the question was put to the friends of a duty on wool—and I believe on this side of the Chamber every Senator is in favor of a duty on wool, and I know a good many on the other side would be if they were free to act—whether the friends of a duty on wool were willing to have a reasonable duty laid upon wool and leave the tariff upon woolens as now fixed by the committee. I should hardly know how to answer that question, because I regard it as absolutely essential to the woolgrower that there should be manufactures of wool in this country, for the moment you close all the manufactories in this country and buy your woolen goods abroad there will be no market for American wool, and of course that will be a condition which will be even worse than free wool with the manufactories in full operation.

I find in the New York Tribune of yesterday, which is supposed to be a paper favoring protection, an article which I wish to read, and I want some Senator who knows about this schedule and has had the opportunity of knowing the cost of manufacturer and who has come in contact with the manufacturing interests, as I have not, to tell me whether there is anything in this statement:

In the woolen schedule some surprises are not improbable. The palpable indecency of free wool with prohibitive duties on some woolen goods would be rendered even more glaring if the duties on goods should in some cases be further advanced. But there are rumors that the Senatorial auctioneers, in their bargain for votes to pass the sugar changes have secretly agreed to bestow especial favor upon certain woolen manufacturers without regard to the rest.

I should like the Senator from Rhode Island [Mr. ALDRICH], who is familiar with this subject, to tell me whether there is anything in this statement, whether there is any class of woolen goods on which the duty is prohibitive, because if it is I am not myself in favor of a prohibitive duty. I want the duties to just equalize the difference in the cost of labor in Europe and labor here. If any Senator on this side can tell me, I shall be glad to have an explanation from him, or if any Senator on the other side knows anything about it, I shall be glad to have him state it.

Mr. ALDRICH. The Senator from Colorado appeals to me upon this question, and as I have been familiar with the woolen manufacturing industry of the country and with the duty upon wool and woolens for some years, I think I can answer the question with a certain degree of authority.

I will say that, so far as the duties contained in the bill or in any amendments which the committee have proposed are concerned, no prohibitive duty has been suggested, but there are no duties which under existing conditions give any adequate protection. It would be necessary, under any rates of duties which have been suggested, to reduce the wages of the operatives in the woolen mills of the United States to an extent, as the Senator from Colorado [Mr. TELLER] has already suggested, which would be without parallel in the history of this country.

As to the other suggestions contained in the paper from which the Senator has read, I will say that they are absolutely untrue; and, so far as I know or believe, have no foundation whatever.

Later on I intend to show, and I think I shall be able to prove to the satisfaction of the Senator from Colorado and I believe to the satisfaction of the Senate, that the woolen industries of the United States need much higher duties than any which it will be possible to procure from this Congress, in order to continue the industry successfully.

Mr. FRYE. Under compound ad valorem and specific duties.

Mr. ALDRICH. The duties ought to be specific instead of ad valorem.

Mr. PEFFER. Will the Senator from Colorado allow me a moment?

Mr. TELLER. I yield to the Senator from Kansas.

Mr. PEFFER. I call the attention of the Senator from Rhode Island to the fact that in the pending bill the duties, which by the existing law, the McKinley law, are levied upon wool being left out on a considerable number of the different classes of manufactures, the duties are as high as they are under the existing law and no difference is made. For example, on page 33 of this little book Tariff Rates, I find in paragraph 391 of the present law:

On woolen and worsted yarns made wholly or in part of wool, worsted, the hair of the camel, goat, alpaca, or other animals, valued at not more than 30 cents a pound, the duty per pound shall be two and one-half times the duty imposed by this act on a pound of unwashed wool of the first-class, and in addition thereto, 35 per cent ad valorem.

All along through these paragraphs, under the existing law the first thing provided for is a specific duty upon wool by the pound, and then, when they come to levy duties upon manufactures of wool, the duty upon the raw wool is included, and an ad valorem duty after that is levied upon the manufacture. The same will be found in paragraphs 392 and 393 and so on, running on through the act.

I find in paragraph 391 that the ad valorem rate, throwing out the specific duty, is 35 per cent; in the next paragraph 40 per cent, and it runs up to 50 per cent. It seems to me, as to some articles at least, the Senator from Rhode Island must be mistaken, provided always that free wool is to be considered.

Mr. ALDRICH. I shall not presume to answer the question of the Senator from Kansas in the time of the Senator from Colorado. I expect later in the day, when I take the floor in my own time, to take up that question; and I shall be very glad then to answer the question of the Senator from Kansas.

Mr. POWER. I should like to ask one simple question,

whether the Senator from Rhode Island, who has charge of this bill——

Mr. ALDRICH. No, I beg pardon; I have not.

Mr. POWER. I mean on this side. I ask the Senator what is the difference between the present schedule of proposed duties, protecting the woolen manufactures, putting wool on the free list, and the rates of duty prescribed by the McKinley act?

Mr. ALDRICH. That involves practically the same question which the Senator from Kansas [Mr. PEFFER] has asked.

Mr. POWER. It is a very simple question. I ask what is the difference between the McKinley act and the present bill putting wool on the free list?

Mr. ALDRICH. The rates in the present bill are very much below the McKinley rates, even if the specific duties were compensatory for the duties on wool.

Mr. POWER. What would be the difference, leaving out the compensatory duties?

Mr. ALDRICH. If you leave out the compensatory duties, of course you ask a different question entirely; but you can not leave that duty out, because it is utterly impossible to discuss the matter intelligently without taking both into consideration. When I get the floor I shall try to explain that matter satisfactorily to the Senator from Montana.

Mr. POWER. I shall be glad to have the Senator do so.

Mr. ALDRICH. I will simply say now, in anticipation, that leaving what are called the compensatory duties out of the question, the duties proposed by the bill of the committee will very much lessen the ad valorem rates now imposed by the McKinley act upon those manufactures.

Mr. POWER. To what extent is that true?

Mr. ALDRICH. It is general. It runs almost all through the bill.

Mr. PLATT. It is so in almost every one of the duties.

Mr. POWER. But it is small.

Mr. ALDRICH. Oh, no. The Senator is mistaken——

Mr. VEST. Will the Senator from Colorado yield to me?

Mr. TELLER. I yield to the Senator from Missouri.

Mr. VEST. If Senators will take the trouble to look at the Treasury reports, they will find a complete answer to the inquiry of the Senator from Colorado, whether satisfactory or not depends, of course, upon our opinions in regard to the tariff question.

As I understand the statement of the New York Tribune, which has been read, it is to the effect that bargains have been made by somebody with certain specific manufacturing woolen interests, which have resulted in the obtaining of absolutely prohibitory duties under the pending bill. As a matter of course—I say as a matter of course—it is so absurd that it does not need any notice hardly. So far as the Senators on this side of the Chamber are concerned who are attempting to frame this bill, there is not the slightest foundation for any such statement, and there could be no motive for any such arrangement.

Mr. TELLER. If there is a charge at all, it must be against the Senators on the other side of the Chamber.

Mr. VEST. It is a myth; it is a fiction. It is like 90 per cent of all these newspaper statements in the nature of sensational conjectures. There could be no motive for making any bargain of that kind; and none has been made. We feel that we are attempting to frame the best bill we can to pass through the Senate.

Coming to the statement as to whether there are prohibitory duties and as to what the pending bill does, if Senators will turn to page 10 of Governor McKinley's report upon the tariff bill which bears his name, they will see his statement and argument elaborated that the specific duty in the McKinley act was compensatory to the woolen manufacturers for what they were about to pay under that act for foreign wool in the way of tariff duties. To use his own language, his idea was, in giving the compensatory duties, to give the woolen manufacturers free raw material; and that, put in another form of words, simply means that if you strike out the compensatory duties and give free wool, you have done the same thing that Governor McKinley did in another fashion. That is the statement, and he elaborated it over and over again. Mr. Amidon, formerly the president of the Wool Manufacturers' Association, made the same statement; and President Garfield, when he was a member of the House of Representatives, made the same statement.

So we come, then, to the reports of the Treasury Department to see what is the difference after you strike out the compensatory duties and give free wool, and free wool is equivalent, according to the McKinley argument, to compensatory duties. Then, what is the difference in ad valorem between the McKinley act and the pending bill? Take, for instance, on page 194 of the Treasury reports, and we find of "cloths, woolen or worsted, valued at not more than 30 cents per pound," there were imported 48,852.25 pounds under the McKinley act, and the duty was 33 cents per pound and 40 per cent ad valorem. Give that manufacturer free wool and strike out the duty of 33 per cent, which is the compensatory duty, and, based upon that, you have 40 per cent ad valorem given to the woolen manufacturer by the McKinley act, 40 per cent by the bill as it came from the House, and 35 per cent by the pending bill.

Take the next item, which is "woolen or worsted cloths, valued at more than 30 and not more than 40 cents per pound," of which there came in 347,450.50 pounds; the duty in the McKinley act is 38½ cents a pound and 40 per cent ad valorem. Now, strike out the compensatory duty, and the ad valorem would be 40 per cent under the McKinley act, 40 per cent under the bill as it came from the House, and 35 per cent under the bill as it now stands.

Mr. ALDRICH. Mr. President——

Mr. VEST. The Senator will permit me to finish my statement.

Mr. ALDRICH. Certainly.

Mr. VEST. Taking the next item, which is really the important one, "woolen or worsted cloths valued above 40 cents per pound," of which there came into the country 14,250,621.63 pounds, under the McKinley act the specific or compensatory duty was 44 cents per pound and 50 per cent ad valorem. Strike out the compensatory duty and give the manufacturers free wool, and the duty under the bill as it came from the House would be 40 per cent, and as reported by the committee 35 per cent.

One other word, and I am done. The statement of the New York Tribune must be absolutely false, and it is absurd, with all due respect to the editor who prepared it. Under the compound duty of 38½ cents per pound, 44 per cent, and 50 per cent ad valorem, there came into this country nearly $15,000,000 worth of those goods.

Mr. TELLER. I want to ask the Senator a question, as he is familiar with this matter. Does he understand the compensatory duty was put on to equalize the condition created by putting a duty on wool? Is that what he speaks of the compensatory duty doing?

Mr. VEST. Mr. McKinley states it very clearly.

Mr. TELLER. What is the Senator's idea?

Mr. VEST. On page 10 of his report, Mr. McKinley says the compensatory duties were intended to put the woolen manufactures upon a free raw material basis; in other words, to pay the manufacturer for the increased duties upon the foreign wool which were necessary for his manufacture, he was given these compensatory duties of so much a pound.

Mr. TELLER. And increase the price of his manufactures.

Mr. VEST. And, then, in order to pay the difference between the American and foreign labor, was given the ad valorem of 40 or 50 per cent.

Mr. HOAR. Did Mr. McKinley say in his report that so much of this duty as is specific is intended as exactly an equivalent to the compensatory duty?

Mr. VEST. Substantially. I should be glad to have it read.

Mr. HOAR. I hope the Senator will have it read.

Mr. TELLER. I should like to hear it.

Mr. VEST. It is Mr. McKinley's argument, and I should like to have it read; and it is also the argument of Mr. Amidon, Mr. Whitman, and others.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The Secretary will read as requested.

The Secretary read as follows:

In revising the woolen-goods schedule so as to afford adequate protection to our woolen manufacturers and woolgrowers, we have continued the system of compound duties which have proved to be so essential in any tariff which protects wool, providing first for a specific compensatory pound or square yard duty, equivalent to the duty which would be paid on the wool if imported, for the benefit of the woolgrower, and an ad valorem duty of from 30 to 50 per cent, according to the proportion of labor required in the manufacture of the several classes of goods, as a protection to the manufacturer against foreign competition, and 10 per cent additional upon ready-made clothing for the protection of the clothing manufacturers.

The existing tariff gives an ad valorem duty of from 35 to 45 per cent for the protection of the woolen manufacturer, and the bill which passed the House at the first session of the Fiftieth Congress, which abolished all duties on wool and consequently the equivalent specific compensatory duties on manufactures of wool, gave a uniform duty of 40 per cent on all woolen goods without regard to their character. This duty is more than is required for unfinished goods like cheap blankets and flannels and less than is requisite for fine finished manufactures of wool, which are being imported in so large quantities. For this reason, and to adapt the duties to the comparative cost of manufacturing different woolen fabrics, we have given 30 per cent to the lowest grade of blankets and flannels, 35 per cent to the medium grades, 40 per cent to the highest grades of blankets (flannels valued above 50 cents per pound being classed as "dress goods," which they practically are), carpets and the lower grades of finished cloth and cotton-warp dress goods, and 50 per cent to the finer grades of finished cloth and to all-wool dress goods, requiring the highest skill and greatest amount of labor.

These advanced rates on the better grades of goods for the protection of the manufacturers, with specific duties fully compensatory for the duties on wool, will, it is believed, have the effect to largely diminish importations of manufactures of wool, and consequently to reduce the revenue

instead of increasing the revenue as would be the case if the importations should continue the same. From the best information we can obtain, it is probable that the increased rates of duty given to manufactures of woolens will reduce, certainly not increase, the revenue from this source, and transfer to this country the manufacture of from $15,000,000 to $20,000,000 of woolen goods now made abroad.

In computing the equivalent ad valorem duty on manufactures of woolens, the combination of both the specific duty, which is simply compensatory for the duty on the wool used, of which the woolgrower receives the benefit, and the duty which protects the manufacturers, makes the average resultant rate of the woolen-goods schedule proposed 91.78 per cent.

The average rate under the present law, as computed on the basis of the importations of the last fiscal year, appear to have been only 67.15 per cent. This, however, is about 10 per cent lower than it would have been if the worsted decision, which corrected a flagrant wrong by which woolen cloths known as worsted were admitted at a lower rate than cloths known as woolen cloths, had been made at the beginning of the fiscal year instead of the close; and at least 15 per cent lower than it would have been if worsted yarns had paid the same duty as woolen yarns costing the same. That is, if both of these manifest errors, working serious injustice to the woolen manufacturing industry, had been corrected at the beginning of the last fiscal year, the average rate of duties in the woolen-goods schedule of the present tariff would have been nearly 89 per cent against 91.72 per cent as proposed.

Mr. TELLER. Mr. President——

Mr. POWER. Will the Senator from Colorado yield to me?

Mr. TELLER. Yes.

Mr. POWER. Mr. President, the Senator from Rhode Island [Mr. ALDRICH] asked me what I was trying to arrive at. I say that it is an evident conclusion that the farmer and the sheep-raiser have to stand all the burdens, while the manufacturer is going to be protected. I want the members of the Finance Committee on this side to locate that responsibility. I want to know who is to blame for this great wrong.

Mr. TELLER. Mr. President, I do not intend to defend the article in the Tribune which I have read. I do not know anything about it. I thought as it appeared in a protection paper, and a paper which is opposed to the passage of the bill, it could hardly be overlooked, and I wanted some information about it, because if there are any of these duties which are unduly high I should be glad to see them reduced. But I do not want to be understood as attacking the schedule on woolen cloths or asserting for a moment that it is higher than it ought to be. I have never heard that it was higher than it ought to be; I have been told by some that it was a fair protective duty, but not according to the notions of the manufacturer.

Mr. HAWLEY. If the Senator will allow me, if all the schedule which is proposed by the Finance Committee goes through, there is no possible question but that some of the best woolen manufactories in New England can exist only by a reduction of wages from 15 to 40 or 50 per cent. This bill is an industrial revolution and a calamity which goes straight to the laboring man.

Mr. TELLER. I have not much doubt but what the Senator from Connecticut states the proposition correctly. I am myself rather inclined to think, from all the evidence which I can get, that the manufacturer will continue to manufacture; and if he does not manufacture with as much profit as heretofore, he will still continue his business; but he will take the reduction of duties out of labor.

Mr. HAWLEY. He will do that or quit.

Mr. TELLER. The manufacturer will not quit, because he has too much capital involved in the business; he will not quit because the skilled labor, the men who have been taught to do this work, will find it utterly impossible to secure any other employment, and there will be no avenue open to them; it will be starvation presented to them on one hand and lower wages on the other; and inevitably they will take lower wages.

Mr. President, there is no use of talking, the laboring man who lives from the fruits of his daily toil is never in a condition to make a contest with capital. Whatever you may say about it, though he may create, as was said by the Senator from Kansas [Mr. PEFFER] yesterday, a revolution in ten States and practical war if the attempt is made to reduce his wages, but the ultimate and inevitable result of it always is that his wages are reduced.

This does not mean, if the duty is an unfair one, the destruction of the manufacturer; it does not mean the loss of capital, but it means the deprivation of profitable employment and remunerative wages to the great mass of men working in the factories.

Mr. ALDRICH. Will the Senator from Colorado allow me to put into his speech at this point an object lesson?

Mr. TELLER. Certainly. My speech is not a very logical or extensive one, and I will let the Senator put into it anything he chooses.

Mr. ALDRICH. I have in my hand a sample of what are called clay diagonals, a fine worsted cloth weighing 16 ounces to the yard, and selling in Bradford, where it is made——

Mr. TELLER. Bradford, England?

Mr. ALDRICH. Bradford, England, where it sells at 60 cents a yard, less the usual trade discount, so that goods of this character can be laid down in New York at a cost of not exceeding 60 cents per yard, without duty. Under existing law these goods pay a duty of 44 cents specific and 60 per cent ad valorem, which is equivalent to 74 cents a yard. The total cost, then, of the goods laid down here would be $1.34 a yard. That is without the usual commission and expenses. If you add these, it will make a total cost of those goods laid down here of $1.41 per yard. Under existing conditions they are sold in the United States to-day at about $1.75 a yard in the usual retail quantities to tailors and others who use them.

These goods, I can state on the authority of one of the best manufacturers in the United States, can not be made with free wool at 90 cents a yard, which would be the cost laid down with a 50 per cent ad valorem duty on cloths, without a reduction in wages of at least 40 per cent below existing rates. That shows the situation in which the woolen manufacturer would be left if a duty of 50 per cent is levied.

Mr. VEST. What is the specific duty?

Mr. ALDRICH. Forty-four cents per pound now.

Mr. TELLER. Mr. President, if I may be allowed to return to the question of the duty upon wool, which we have left for a moment, it seems that the committee having this bill in charge have felt that they were bound to do something for the manufacturer. Heretofore the manufacturer has been protected by a duty upon his finished product. Now, the committee have very generously concluded that they can not protect him any longer to the extent which has been done, but that they will give him something in lieu of that, and so they give him free wool, which, in the plainest possible English, means that the farmer or sheep raiser shall be sacrificed for the benefit of the manufacturer.

Mr. President, I would not sacrifice the manufacturer; I believe in protecting him by a proper tariff. The committee which has this bill in charge do not believe in that. They say that this idea of protecting a man and giving him advantages is contrary to correct principles of administration, and yet they turn right around and say to us, "we have not put on as large duties as you put on the manufactured goods, but we have given him other advantages." In principle they have done just what we have been doing; that is, they propose to give him advantages by law. In the first place, we give him advantages which, under certain conditions, might have been taken out of the foreigner who brought his goods here, but under any condition of affairs, under any theory of the tariff being a tax on consumption and being added to the consumer of the product here, it came out of everybody who used this article. The committee, however, have selected a small portion of the American people, the most deserving, the most distressed I may say just now, the American farmers, and they propose to take it out of them for the benefit of the American manufacturers.

I am in duty bound to say that I do not believe the American manufacturers ask that interference on their part. I do not believe that they have been here to any considerable extent demanding free wool. Of course, there are exceptions.

Mr. HAWLEY. Will the Senator kindly yield to me to put in a word at that point?

Mr. TELLER. Yes, sir.

Mr. HAWLEY. I never had a letter from a woolen manufacturer in my State—and the woolen manufacture is a very great interest there—asking for free wool, with one solitary exception, from a very excellent gentleman, a Democrat; but I think he was in error then, and that he has been effectually cured by the present wool schedule.

Mr. TELLER. The committee have not been consistent. They have said substantially, "We will not give anybody any advantage, and we shall put a duty on woolen goods because we have to get a revenue, and if it incidentally helps the manufacturer, that, of course, is all right." They go further than that, and say, "We now specifically and purposely leave off the dutiable list an article which has been upon the dutiable list for a hundred years, which brought to the Government of the United States a revenue of $8,000,000 last year, an important article of the farmers' product; and we depreciate that property for the benefit of the manufacturer." That position is not logical, nor is it just. Why should the farmers make up to the manufacturers the loss which is likely to be put upon them by a reduction of the duty on cloth? Why should the farmer be selected?

Mr. President, I said I was not going to make any extended remarks, and I am not. I know I might as well speak to the blustering northeast wind as to talk upon this question. I know that nothing is to be done for wool; I know that the Democratic party went into the campaign of 1892 with a promise of free raw product, as they called it, to the manufacturers of this country, which included iron and coal and wool. They have abandoned iron and coal, and they dare not go to the country unless they can have something to present upon which they can say, "We have carried out our promise;" but I want to say to the Demo-

cratic side of the Chamber that they may make just as many concessions as they choose to the manufacturers, if they think they are concessions, but the manufacturers of this country are too intelligent to believe that that is in their interest.

They know very well that if you maintain a tariff duty in this country, it must be maintained upon reciprocal lines; they know that you can not maintain a tariff duty upon manufactured articles and not upon articles which are the product of the farm; they know that the 6,000,000 farmers in this country will rebel against that; and it looks to me as though it was a method by which the majority have taken to bring protection, if possible, into disrepute by compelling the farmer to feel that he is being improperly treated.

I want the farmers of the country to understand that that improper treatment does not come from this side of the Chamber. I want the woolgrower of my section of the country to understand that every Republican in this Chamber, without exception, whether he represents a manufacturing State or a woolgrowing State, concurs in this question that there shall be a duty equal—not equal in amount, but equal in justice—upon wool to that upon the manufactured product of wool in this country; and, Mr. President, they will understand it.

The men who grow wool in the Northwest, on the farms of Iowa and Illinois and Ohio will understand it. They will understand that it is an attempt on the part of the Democratic party to placate the manufacturer and get him on their side.

We were told a day or two ago—and I have been told in private conversation twenty times—that a reduction of the tariff upon wool would in nowise interfere with the sheep industry. In 1883, when a tariff upon wool was made which was not what it ought to have been, the number of sheep began gradually to decline in this country. I venture the assertion here and now that 1,500,000 of sheep, or thereabouts, which are kept in Colorado will disappear with free wool. I have before me a letter on this subject written by a very intelligent constituent of mine to a brother Senator here, from whose State he originally came. He is a woolgrower, and I know him. He is not a woolgrower like the Mexican woolgrower or the Australian woolgrower, but he is a man who would find himself not out of place, but at home, in this Chamber. He is a gentleman of education and character. He says:

> Our wool has averaged in price one year with another for the fifteen years prior to 1893 about 18 cents per pound, after paying freight charges to Boston; at which price there has been a fair, though moderate, profit in the business.
>
> Last year, however, owing to threatened tariff changes, the price was reduced to less than 7 cents per pound, at which price it is impossible to grow it, even under the most favorable conditions, without loss. And what is true here is also true throughout the entire woolgrowing regions of the United States.
>
> If the Wilson bill becomes a law it will inevitably bankrupt the American sheep industry. This means not only the destruction of hundreds of millions of dollars' worth of property, but also the permanent depopulation, throughout all the States and Territories west of the Missouri River, of large regions of country which can be profitably utilized only for woolgrowing on account of the scanty rainfall and total lack of water for irrigation. It is the wool industry which has settled up the great plains of the far West, and is the only industry which can thrive there.
>
> It is a matter within my own knowledge that within this State alone thousands of families will be ruined and hundreds of thrifty little country towns, with their schools and churches, will be wiped out.
>
> We can not compete with Australia and South America in the growing of wool. There is no degree of possible economy by the practice of which our people can produce wool and transport it to the Atlantic seaboard as cheaply as it can be laid down there from foreign countries.
>
> Nothing can be more certain than that if the existing tariff be materially reduced our American sheep industry will within two years have become a thing of the past, and the American manufacturer and consumer of woolen goods will thenceforth be alike dependent on the foreign market unchecked as heretofore by American competition.

I believe that that is a true prophecy. I do not suppose that all sheep-growing will stop. I think the State of Ohio will continue to raise more or less sheep for mutton. Ohio has a great market for mutton in the cities of Cincinnati, Columbus, Cleveland, Chicago, and New York, but the extreme West will not be able to raise sheep for mutton to any considerable extent, and the people of my State will be practically unable to raise sheep. Of course, we shall have some demand for mutton, but it will be comparatively small. The reduction of the 45,000,000 sheep now in this country to 20,000,000, to which I have no doubt it will go, means dearer meat to the laboring people of this country.

Who is to be benefited? What influence is there here which demands free wool? I have said—and I think nobody will stand on this floor and deny it—that the manufacturing interests of this country do not require free wool. There is no interest demanding free wool.

I repeat that I do not care to waste the time of the Senate in discussing this question, for I know that whatever is said falls on unwilling ears on the other side of the Chamber. I know that the committee do not intend to yield on this subject. I know very well that, as a general rule, in matters of this kind nothing is secured by a general discussion, and that if anything could have been secured for the woolgrowers it would have been before the committee and through private intervention with the committee. I want to say, for the benefit of the woolgrowers, that there has been nothing left undone to secure to them that which they had a right to expect—a duty upon wool—if this tariff was not based upon pure free-trade principles. We who are interested in woolgrowing knew that this was not to be done by abuse of the committee or by violent speeches.

We hoped in the beginning that we could induce the committee to see the justice and the propriety of it, and I venture to say there is not a man representing a woolgrowing State—I am speaking now of the great woolgrowing States of the Northwest—who has not done everything in his power to secure recognition. We have said, "Cut down the duty upon wool as you have cut down the duty on woolen cloths; if you have reduced that 50 per cent, then reduce wool 50 per cent; give us some recognition; give us 5 cents a pound if you will not give us 10 cents; give us any recognition of wool as one of the things to be protected in this country; if you will not recognize it as a proper subject of protection, then recognize it as a proper subject of revenue." They tell us that sugar is a proper subject of revenue, and therefore it goes upon the dutiable list, and yet they say that wool is not a proper subject of revenue.

Mr. President, the growth of wool in this country is as necessary as the growth of sugar, not perhaps so important in the number of dollars it yields; we do not send out as much to buy wool, but we shall send out to buy wool and woolens a large amount of money. The year before the tariff of 1890 went into effect we sent out $56,000,000 for woolen goods; we sent out last year $38,500,000 of good sound money for an article which we produce in this country, in exchange for woolen goods, every yard of which ought to have been made on American soil, every yard of which could have been made here, and every yard of which, if made on our soil, would have furnished labor to an American citizen who would have been a consumer of American products.

There is no reason why wool should not be put upon the dutiable list. There is no reason why the men who raise wool should not be entitled to the same protection as the men who raise sugar.

Mr. SQUIRE. May I ask the Senator from Colorado a question?

Mr. TELLER. Certainly.

Mr. SQUIRE. I should like to know whether, if the woolen schedule remains as it is in the bill, it would be an act of injustice to the manufacturers of woolen cloths in America to impose a duty upon foreign wool?

Mr. TELLER. Whether that would be an injustice to the manufacturer depends entirely upon the amount of duty now imposed. Representatives on this side of the Chamber, of the woolen manufacturing States have said to me and have said, I think, to Senators on the other side of the Chamber, that they were quite prepared to admit, even with the present duty on woolens, a duty upon wool: but such a duty will not be allowed, and will get no support from the other side of the Chamber. Why? Because there must be somebody sacrificed that this bill may carry with it the pretense of giving free raw products to the manufacturers of the country, which has been a Democratic idea for so many years.

The stock in trade will be gone if they do not have something on the free list. So, I repeat, the woolgrowers are to be sacrificed. You could have left sugar on the free list; but no, the sugar industry is to be protected. I know it is denied by the Senators who were so anxious to secure a duty upon sugar that after all it is for protection. If there is $50,000,000 collected as duties on sugar, there is $8,000,000 or $10,000,000 collected as duties on wool; and I repeat, if one is an article of revenue duty so is the other.

Mr. President, the American farmer is having a hard time. He will see his flocks disappear. He will see one method of acquiring ready cash, because wool has heretofore been a cash product, disappear and taken from him. Unless he lives near a great city or town where he can sell his mutton, he will find it unprofitable to raise sheep simply for meat. The product of wool, which has been more than 300,000,000 pounds a year, will fall off, and as it falls off the importation of wool must increase. We imported last year 168,000,000 pounds of wool, for which we paid American gold, because, put it as you will, whenever the balance of trade is against us you pay for it in gold and nothing else. Every year the demand for woolen goods must increase. Every year the imports of foreign wool must increase, even if there is a duty upon wool. It must increase rapidly, as the product in this country decreases, and in time I fear that the foreign woolgrower and syndicates will make the wool as dear in the manufactured goods as a duty would.

I believe that a duty on wool would raise the price of it and not make it cheaper. I would not advocate here a duty upon

wool if I believed it would make wool cheaper at all, because it is selling to-day at a cheaper price than that at which it can be raised. In very many sections of the country the wool can not be put into the market for the price that is being offered at the local railroad station.

It is true that it is one of the theories of the advocates of protection that protection upon certain articles makes them cheaper, but they are articles, as was said by the Senator from Maine [Mr. FRYE], in which machinery enters and in which ingenuity plays a part.

There can be no cheapening of wool by a tariff any more than there can be the cheapening of iron or coal by a tariff. A duty of 40 cents a ton does not make iron ore any cheaper and it never can. It is a tax upon the consumption of iron. The duty on coal is a tax on the consumption of coal, and so is the duty upon wool a tax upon the consumption of wool. But it is a question whether we had not better pay it to our own people than to pay it to foreigners. The tariff will not cheapen such an article anywhere. You can not take a raw product like iron or a material of that kind and cheapen it by a tariff. There the tariff is a protective tariff, not for the purpose of developing the industry, but for the protection of American labor, pure and simple.

Mr. SQUIRE. If the Senator from Colorado will allow me, before this point is passed, not to interrupt him at any great length, I should like to make a suggestion.

We have on the Pacific coast a large amount of first-class iron ore, magnetic and hematite ore. That ore has not been brought out of the mine. It is still in the mountains and foothills. The vessels that come to the Pacific coast for wheat bring iron there in ballast or they bring coal in ballast. We can not develop this iron ore in the States on the Pacific coast, particularly in the State of Washington, if the protection should be removed from iron ore. I take it the Senator from Colorado does not mean to say that it would be an advantage for the State of Washington, for example, in developing its iron ore if all protection should be removed from iron.

Mr. TELLER. On every occasion when I have had an opportunity I have voted for a duty upon iron. I voted for such a duty on the theory that it is better to open our own mines and develop our own hidden riches than it is to buy from abroad. I have never given my vote with the idea that it would cheapen iron ore. It does not cheapen iron ore. A duty will be a benefit to us, inasmuch as it will save the American market to the mine owners of the United States and be an inducement to them to open their mines and develop them and take out their ores and sell them. The great point to be considered in all this is the demand.

Products of all kinds depend upon the demand. If you have a demand you have a product, and you will not have a product without a demand. The great beauty of the American tariff has been that it has preserved to the American people the greatest market in the world. The manufacturer who can run his factory with fifteen hands and make no money, can add ten hands or twenty hands and make money. If he can work his factory eleven months in the year and live, he can make a profit when he works the twelfth month. So the great question is, where is the market? Make the demand and the product always follows. It is an elementary principle in political science that demand is the first great question. We insist upon preserving to the American manufacturer the demand; in other words, the American market for American manufactures.

We who believe in protection as a principle, believe it is better to give the market to our producers, and we believe that in a great variety of cases a great big market enables a man to manufacture infinitely cheaper than he could with a small market. So the question, I repeat, is one of demand. Make the demand for your products, and the products will be manufactured cheaper. Everybody knows that a mill can manufacture $100,000 worth of products cheaper proportionately than it can manufacture $50,000 worth or $25,000 worth. The American people furnish the great market, a market unlike anything in the world.

There are no 70,000,000 people on the face of the earth who consume as the American people consume. Why have we so consumed? We have so consumed because we have had an interchange of commodities with each other. The man who manufactured iron manufactured it here and sold it to the men who manufactured other things here, and one became the consumer of the products of the other. Fifty million or 100,000,000 people interchanging with each other are as profitable as interchanging with a foreign nation. What more profit can there be for a man from Rhode Island to send his products to Europe and sell them than to send them to Colorado and sell them? If there is any money made in the transaction in the latter case it remains here. It is a theory of modern science at least that in the interchange of commodities there is a profit to each man.

The old theory was that there was not any profit at all; that in the interchange each man stood equal and got what he desired. But there is a profit to each one. There is a profit to the man who sells and there is a profit to the man who buys. When you send your goods abroad, or when you buy abroad, there is one profit, and one profit only, and when you trade in interstate commerce, between the different States, there are two profits.

Mr. President, I did not intend to drift into the discussion of the tariff question. I have only wished to say upon the wool question that there is not any reason why the raisers of wool should not be protected. I wish to say to the Democratic side of this Chamber that the woolgrowers of the Northwest had a right to suppose that when the Democrats abandoned the doctrine of free raw material as to iron and coal they would abandon it as to wool.

Mr. HOAR. Mr. President, I do not propose, after the very able and eloquent speech of my colleague [Mr. LODGE], to enter into a discussion of this question at the present time. But I wish, as the representative of the largest wool manufacturing constituency in this country, to indorse every word which has fallen from the lips of the honorable Senator from Colorado [Mr. TELLER], and to thank him for the generous statement he has made as to the attitude of the manufacturers of New England.

Mr. President, I know, if I know anything, the feeling of the men who have built up the manufacturing towns and cities of that portion of the country. I have lived among them from my childhood. They are my personal and political friends. They are my companions in leisure. Before I entered public life they were my clients. I know their opinion through and through, in and out, to the very core of their understanding and their soul. They understand perfectly well that not only their honor but their interests is inextricably bound up in the matter of the protective duty on wool. They know that it would be a base thing for them, or for any representative of them, to undertake to secure by any vote, by any bargain, or by any silence, an advantage to themselves over the farmers who raise the wool in this country. The man who anywhere imputes to a New England Senator a desire to separate in this matter the fortune of the New England manufacturer from the fortune of the farmer who raises his material, imputes to him a thing unutterably base.

Mr. President, free wool is free trade in principle, in policy, in substance and in effect, and the statesmanship of the Democratic party, drifting without purpose, without calculation, and without rudder, and without port, in so many things which this bill contains, has shown at least sagacity when it has held on to the doctrine and purpose of free wool. Wool is the great object lesson of the protective system. There is not an argument for protection anywhere which does not apply in fullest force to the protection of wool. The authority of the fathers, the authority of the great statesmen of the revolution, the authority of the great statesmen of the Constitution, the authority of their successors of a later date is in favor first and principally of this protection.

The statesmen of the day of the revolutionary war, in the Continental Congress declared that that wool might be protected was one of the objects of their contest with Great Britain. Washington instanced it, as my colleague showed in the interesting letter which he made public this morning. It is of infinitely more importance as a matter of national wealth and as a matter of national strength—of wealth in peace and of strength in war—that this product should be protected than that any other single product which can be named should be protected.

Mr. President, it is an interest which affects the farmer. The farmer is the bone and sinew of the land, the breeze in the brick, the strength of the mortar. It is an interest which affects almost all portions of the country alike. If you are without wool you are defenseless against foreign nations in time of war, as has been well shown here this morning; but when you have your wool, even if you have no woolen factories, your women can spin it on their wheels and can weave it on their looms, and the soldier can be taken care of.

The competition of foreign and pauper labor applies to this article more than to any other. It is a foul shame which the Senators on the other side of the Chamber are proposing, to have the American farmer raise his wool in competition with men to whom wool as a garment and wool as a manufacture are strangers; that the sheep-owners and farmers of California and Oregon and Colorado should be held to a competition with men whose only garment is a breechcloth; that they should be held to competition with men who may almost be described as the Australian was described, I think by Sydney Smith, as a man whose only food was the contents of a watermelon, the shell of which he cut in two, and put one-half of it on his head to protect him from the sun, which was his only clothing, and sat down on the other half, which was his only pretense of a home.

If it were not so disgraceful it would be shortsighted and foolish for any woolen manufacturers of New England to consent to such an arrangement as this. Our statesmanship this year is not intended for the next six months or the next twelve months. It is not intended primarily, still less is it intended chiefly, to tide over these miserable hard times which a Democratic Administration has brought upon us. We are dealing with the permanent policies of American statesmanship.

We want to make our battle here. We know very well that if the wool-raising in this country is doomed, sooner or later the woolen manufacturer of the country is doomed with it. A little advantage which might be got from a schedule in the next six months would be an apple of Sodom in the mouth of the people of New England. The dead and dry and poisonous apple which it is proposed, if it is proposed anywhere, to hold to our lips we reject and scorn.

Mr. President, there is but one interest in this country that is in favor of free wool, and that is not a very valuable or a very large interest in the country just now. That, as the Senator from Colorado well said, is the interest of the consistency of the Democratic party. You went into the campaign with free material on your banner. You want to have a little of that motto left for another campaign. The Democratic wolf wants his sheep's clothing on the free list; and he is the only being under the American flag who is interested in this policy.

Mr. POWER. Mr. President, the Senator from Massachusetts has always been friendly and fair to protection. I am a protectionist. In framing the tariff act of 1890 everything the representatives of the West asked was granted and cheerfully voted for by the then dominant party on this side. But the situation now is peculiar. We are in the minority. In the other House, Mr. STEVENS, a manufacturer of Massachusetts, is a member of the Ways and Means Committee. I should like to ask the Senator from Massachusetts if Mr. STEVENS is not a free trader and a manufacturer. Of course he is a Democrat; but I understood the Senator to say that all the manufacturers of the East are protectionists. I admit that a majority of them are.

Mr. HOAR. I do not wish to be understood as saying that there are none. I said a day or two ago that whenever one of the very small number of men who thought they could set this barrel of gunpowder on fire and extinguish it when it was half burned, or who thought they could get protection for what they made and free trade for all they bought, came to that conclusion he at once went over to the Democratic party. The Senator will of course excuse me from undertaking to discuss the individuality of a colleague of mine in the other House. I believe he does take for granted the idea that he can get protection for his manufactures and free trade for his material.

Mr. POWER. He is a large manufacturer of woolen goods?

Mr. HOAR. So I understand.

Mr. POWER. And on that account, being a member of the Committee on Ways and Means, it is extremely unfortunate for the producer of wool, the farmer, that the conditions are such.

Mr. HOAR. The Senator understands that he is a Democrat?

Mr. POWER. I understand it.

Mr. HOAR. Without knowing much about it, I do not understand that the gentleman whom the Senator from Montana has named had a great deal of influence with the committee in the other House in framing the bill. Whatever changes may have been made in the bill I do not think have come from that quarter.

Mr. POWER. I understood the opposite to be the case, and that the bill was framed in this respect by him. All I wish to say is that the people of my State will not get any good from this arrangement. The result is not what they desire. I tried to make it plain this morning. The manufacturers are protected, and free wool in a manner placates them, but the sheep-grower of the West and of the whole country is to be slaughtered and his investment almost annihilated. This is certainly unjust. I do not give up the situation. I should like, if the Senator from Missouri or the Senator from Arkansas will consider it, to divide the duty between the manufacturer and the farmer so as to do justice to both.

Mr. VEST. If the Senator from Montana will permit me, it seems to me, before he makes a proposition of that sort, he ought to state the details. What is the division he proposes between the manufacturer and the wool producer? Is he authorized to state what they are willing to do?

Mr. POWER. The manufacturer of woolen goods is protected, is he not? I ask the question of the Senator. Under the present bill of which the Senator has charge the manufacturer is protected?

Mr. VEST. There is a duty upon woolen goods.

Mr. POWER. Yes, sir; and as the bill reads, wool is to be free?

Mr. VEST. That is true.

Mr. POWER. If you would give 30 per cent protection to wool, even if you had to take some from the protected woolen goods, would that be unjust?

Mr. VEST. How much does the Senator propose to take from woolen goods?

Mr. POWER. I do not like to take any, but I do not want to put all this burden upon the farmer.

Mr. VEST. I merely wanted to know what the proposition was.

Mr. POWER. I shall present an amendment at the proper time. I should be willing to take 5 cents a pound duty on wool; I should be willing to take 40 per cent ad valorem—whatever is satisfactory to the majority of the Finance Committee.

Mr. FRYE. And take it off from the woolen manufactures?

Mr. POWER. I should like to have justice done. I do not care to take anything off of woolen goods, but I would not stand here and allow the farmer to be divested of every privilege and right due him, and give it all to the manufacturers. While I do not want to take a dollar from the manufacturer, and would vote to increase the duty on woolen goods, I do want justice done, and I ask that it be done.

Mr. FRYE. If the Senator succeeded in killing the woolen manufacture he would have a very poor market for his wool.

Mr. POWER. I understand that the two interests are identical; but I do ask for and insist upon fair play.

Mr. PLATT. Mr. President, the Senator from Montana is justly indignant at the treatment which the woolgrower is receiving in this bill. He is, and it is not to be wondered that he is, smarting under the sense of injustice to the woolgrower. But he is too fair and just a man to desire that injustice should be done to others because the Democratic party insist upon doing injustice to the woolgrower. I am sure of that. It would be little consolation to him to take part in doing injustice to the manufacturer because the Democratic party have been unjust to the woolgrower. I do not think I misstate him in that respect.

Mr. CAREY. Will the Senator from Connecticut allow me to ask him a question?

Mr. PLATT. Certainly.

Mr. CAREY. The Senator from Connecticut is always fair and honorable. Let us get some tariff on wool and then consider the tariff on woolen goods afterwards. Is it right to complicate our desire with that of the manufacturers?

Mr. PLATT. I had not intended to discuss the duty upon woolen manufactures: I do not intend to discuss it now. But for the remarks which have just been made by the Senator from Montana, I should not have alluded to it, I think, in the course of my remarks.

I will say this, that among all the abhorrent features of this bill there is none to my mind so abhorrent as the proposition to put wool on the free list, and for many reasons. There is nothing in that article which makes it proper that it should go on the free list any more than any other production in the United States. On the other hand, in my judgment, if the Democratic policy is to prevail of putting certain products of the United States on the free list, wool should be the last product which should be placed on the free list. I will give some reasons for it. I am not going to elaborate them.

A country that does not produce wool itself, if its soil is adapted to such production, will never be a very highly civilized country. It never will be strong enough to maintain itself. Those propositions were fully stated this morning in the remarks of the Senator from Colorado [Mr. TELLER], and it is not necessary that I should enlarge upon them. I would as soon think of having no ships as not to grow wool. I would as soon think of not having an army or a navy as not to grow wool and to have a duty upon wool if necessary to protect its growing.

I am in entire and thorough sympathy with every Senator who desires a duty upon wool. I have always been so. There has been no changing, no variableness, no shadow of turning with me with regard to it. I have advocated it in the Senate. I have advocated it upon the stump before the manufacturers and workingmen of Connecticut, before the men engaged in the woolen shops of Connecticut. Everywhere that my voice has been heard it has been uniformly for a duty upon wool.

There is another reason besides the great national reason I have given why we should protect the growing of wool in this country, and that is because it is an agricultural product, and agricultural products are just as much entitled to protection as manufactured products, and I do not know but more so. The farmer of this country is having a hard time of it, everybody is having a hard time it, and perhaps the farmer has the worst end of the stick. Perhaps he is suffering more in the intense depression

brought about by the threat that this bill is going to be passed than people engaged in other occupations. He is shut up to his farm for a livelihood and for the obtaining of the necessaries and the comforts and the luxuries of life, for the education of his children, for the development of himself and his family. He is shut up to what he can raise on his farm. Wheat has gone down and corn has gone down; the great products on which he has relied have come to be very cheap; and it is very hard for the American farmer to obtain such returns from his farm as will enable him to maintain such a condition of life for himself and his wife and his children as he ought to enjoy. Now, there are a million of them in this country who are engaged in the business of raising sheep, if I am not mistaken. It has been stated here that there are 1,000,000 flockmasters in this country.

Mr. PEFFER. There are a million flockmasters.

Mr. PLATT. Saying nothing about the increased number of people who are engaged in the work and occupation, there are a million farmers who have flocks of sheep. There are some great sheep-raisers in the Northwest, but practically there are a million who on their little farms throughout the United States are trying to eke out their incomes by the sheep industry, by small flocks, ten, if you please; a hundred, if you please.

Mr. HANSBROUGH. The Senator from Connecticut will remember it is also estimated that there are another million people interested as assistants, making 2,000,000 people engaged in the sheep industry in this country.

Mr. PLATT. I have no doubt of it. I think very likely that is under the mark.

Mr. PEFFER. If the Senator will allow me just a moment, I wish to say that in the Eastern and old Middle States, and all the States east of the Mississippi River, most of the owners of sheep have but small flocks, flocks of from fifty to one hundred, very much upon the plan of old farmers of forty and fifty years ago, while the larger flocks are now almost all west of the Mississippi River. There are about 60 per cent of the total number of sheep in the country now west of the Mississippi. As you get into those regions where the pastoral facilities are greater you observe that the flocks are larger.

Mr. PLATT. That is just what I was trying to say, that these farmers scattered through a great many States——

Mr. PEFFER. All the States.

Mr. PLATT. Through all the States, are trying now in this time of extreme depression and struggle to eke out their living and to get some little return from the small flocks of sheep which they have, and I can not understand the policy which in a time like this, and with the sympathy which is expressed for the farmer, expressed by the chairman of the Committee on Finance, who told how he loved him, and how he had summered and wintered with him and almost slept with him, of all the items in the bill puts wool on the free list. It seems little less than criminal. It may at least be called insane legislation.

Mr. CULLOM. Will the Senator from Connecticut allow me to interrupt him?

Mr. PLATT. Certainly.

Mr. CULLOM. The Senator is speaking of the sheep industry scattered all over the whole country. He will find a table, which I can hand him, showing the number of sheep, the pounds of wool, etc., in each State and Territory of the United States. I want to say while I am upon the floor, by the leave of the Senator from Connecticut, that I had the honor of presenting to the Senate almost a wheelbarrow load of petitions coming from the different States in the Union in favor of a protective tariff upon wool.

The petitions were signed by the persons owning the sheep, and each petition stated the number of sheep owned by the persons signing the paper. So, if that petition was ever looked at by the Committee on Finance they were enabled to see exactly where the sheep industry is mostly located and the number of persons who are engaged in the industry. If the Senator desires to refer to the table, I have it here.

Mr. PLATT. I am familiar with the table, but I am not putting statistics into this impromptu speech. I said it was almost criminal to do this at such a time.

If agricultural industry were on the highway of success, if the returns to the farmer were great, if he was not under the stress of necessity, there would be perhaps a little more excuse for this, but when he is in the trough of the wave, in the valley of the shadow of death, as he is represented to be here, I can not understand how it is that the Democratic party propose to take away from him this little opportunity to get along and make a living outside of the general agricultural business of raising his crops. If it were possible by legislative act to have the farmer's barn and the grain or the hay in it burned up it would be scarcely less criminal than it is to adopt a policy to destroy his flock of sheep.

All over the country everywhere, whether in manufacturing or in rural communities, sheep have been considered as being entitled to the special protection of the Government. Take the sheep-raising States. There is not one of them, I think, which has not passed a law to pay the farmer for the sheep he may lose through the ravages of dogs. I have no doubt that is so in Kansas. It is certainly so in my own State. It is so in Ohio, I have no doubt. By the States the raising of sheep is considered so important that to encourage the farmers to continue it the States pay out of the public treasury the loss which he may sustain by dogs that tear and lacerate and kill the sheep. Yet the great Democratic party of the country is engaged in a policy which will compel the farmer to kill them.

Mr. PEFFER. I will state to the Senator from Connecticut that we have no law in Kansas providing for the payment of losses sustained by ravages of dogs and wolves and other animals, but at different times we have had legislation in order to tax dogs out of existence or to get rid of their ravages in one way or another. So we have been trying all along in our history to protect the flocks of sheep from the ravages of dogs and wild animals.

Mr. PLATT. Mr. President, I am opposed to the removal of the duty on wool, further, not merely because it is a blow at the sheep-raiser and the woolgrower, but also because the blow against the system of protection can be dealt with the deadliest force in that way. That is the secret and motive of this proposed action. I do not wish to take up the time of the Senate unnecessarily in this matter.

Mr. CULLOM. I wish to inquire of the Senator from Connecticut whether he does not believe that if wool goes upon the free list the result inevitably will be that the manufactures of woolen goods will go there, too?

Mr. PLATT. Everything will go there. The Senator need not say the manufactures of woolen goods alone, but everything that the free trader can reach will go upon the free list or the revenue-duty list if the other side can once establish the proposition of putting wool on the free list. That is the reason why this blow is dealt at the sheep-raiser and the woolgrower.

Mr. President, the whole industrial edifice of the United States rests as it were on two pillars, wool and iron, and the free trader well knows that if, like Samson, he can break even one of those pillars the whole industrial edifice will tumble. If he does succeed in it, I warn him that although he may get a little temporary success he will be crushed under the ruins.

So the tactics of the free trader from the commencement have been, first, to bribe the manufacturer of woolen goods with the idea of free wool and protected manufacture of woolen goods, and then, when that has been accomplished, excite the hostility of the woolgrower and the farmer against the manufacturer. That has been the plan. The first proposition of that plan involves the idea that the manufacturer of woolen goods can be bribed. A very few, exceedingly few, manufacturers of New England undertook to represent the views of New England manufacturers. There is about one in a State, so far as I know. They are Democrats or Mugwumps who are anxious to have the Democratic party succeed and anxious at the same time to make a little more on their woolen manufacture. So they have carried the idea to our Southern and Western free-trade Democrats that all the manufacturers of New England could be purchased by the bribe and could be caught by the bait of free wool.

But, as the Senator from Massachusetts [Mr. HOAR] has remarked, I think I know the woolen manufacturers of the East, and I think I know the men who work in the woolen factories of the East, and I tell you that you can not find among the fifty or sixty woolen establishments of my State more than one manufacturer who has been willing to be purchased by this bribe. I do not know how it is through the other States, but I think it is the same in those States. Notwithstanding all that has been said upon the other side, they believe in the protection of American industries, not so much because they want to make money, but because they do not want American labor degraded.

The Senator from Kansas [Mr. PEFFER] said the other day in a little colloquy with me that we were all more or less selfish; that there were certain degrees of selfishness; that there were some degrees which were not really reprehensible. I suppose everybody has more or less of selfishness. The fact is none of us would be good for much if we did not have some selfishness. If we did not have selfishness enough to make our own way in the world, without trampling upon other's rights, we should not be of much value to anyone. But I tell you that neither the New England manufacturer nor the New England workman in the woolen factories is selfish enough to desire to make way by trampling upon the rights of the woolgrower, or farmer, or anybody else in this country.

Nor does the manufacturer wish to make his money by cutting down the wages of his workmen. We have no great number of woolen establishments with large capital in my State. I find

that the whole number of woolen and worsted establishments in Connecticut is sixty-five, and the average capital is $240,000 or thereabouts. There is no great aggregation of capital. They are establishments of reasonable capital. I think I know what I affirm when I say there is no desire on their part to get a little paltry advantage, if there were any, in this matter of free wool by bringing ruin or injury to the farmers and those engaged in the raising of sheep.

I am going to vote for the amendment of the Senator from Kansas [Mr. PEFFER], and I shall vote for it if he will insert in it the rates of the McKinley act, because I believe those rates are right, because I believe they are needed, because I believe that without them we shall not be able to continue this industry in the United States. I am going to vote for the amendment without any pledge or any knowledge of what will follow if it is adopted. If it is adopted I am going to try to get a reasonable duty upon woolen goods, but I am not going to make my vote depend upon whether a correspondingly increased duty upon woolen goods is to follow. I am going to vote for it because I believe that the man who engages in the raising of sheep is just as much entitled to a protective duty as the man who engages in the woolen manufacture or any other manufacture.

I can not avoid, at this stage, in the few remarks which I am making, alluding to the fact that the pending bill seems to strike its deadliest blow at the farmers all around. It is not wool alone which is slaughtered; but there is to be free wheat, free corn, free rye, free oats, a reduction of one-half of the duty on hay, the largest crop in the United States, and innumerable reductions below the protective point upon the products of the farm. Why is it? Is the farmer the "robber"? Is the farmer the "robber baron"? Is he the "greedy monopolist"? Is he the man who is plundering the people? There is but one reason for it; there is but one explanation of the policy of the bill, and that I have already given. It is, strike the farmer first, then arouse his hostility against the protected industries in the country.

I said that the woolen manufacturer of New England was not to be purchased by that bribe, and was not to be caught by that bait. I have too much faith in the agriculturist of the country to believe that he will fall into the trap which has been set by the free traders. There is no reason, as I have said, why this should be done. No excuse can be given for it. If a revenue tariff is the doctrine of the Democratic party, there is no article upon which a revenue duty could be more properly imposed than upon wool. If a revenue duty with incidental protection be the doctrine of the Democratic party, there is no article upon which an incidentally protective duty could be more properly levied than upon wool. This proposition is without excuse, wicked and monstrous, throwing away the revenue which is derived from this article, and which ought to be derived from it, upon a pretended benefit to the consumer of woolen goods.

I desire to say that free wool will benefit nobody. In my judgment the consumer of woolen goods will never receive one penny of benefit from the destruction of this industry by placing wool upon the free-trade list. Suppose he should receive some benefit, how much benefit would he receive? I think it was the Senator from Idaho [Mr. SHOUP] who yesterday told us if the person who desires to purchase a suit of clothing could have deducted from the price the exact equivalent of the duty on wool which is taken off, that according to the quality of the suit which he might buy he would receive an advantage of $1 or 50 cents, or upon the ordinary suit of clothes 25 cents.

Suppose it is true that he would receive that advantage. I believe it not to be true. I will say a little more upon that point soon. But suppose it was true, and suppose you went today to the ordinary working people of this country who have to purchase woolen clothing and you said to them, "The great sheep-raising industry of this country is about to be destroyed. The farmers of this country who desire to protect the industry fear that it is going to be destroyed, and they think that by a contribution of a half dollar on the part of every workingman in this country it could be saved." Is there a workingman in this country who would not put his hand in his pocket and say, "Here is your half dollar; do not destroy the sheep-raising industry in the United States?"

There is not one. The workingmen of this country have learned that an injury to one is the concern of all. They do not want to see the sheep industry destroyed. They would willingly contribute, as willingly as they contribute to sustain their comrades who are on strike, to prevent this being done. That bribe will not be accepted; that bait will not be seized.

But, Mr. President, there is to be no benefit to anyone. The woolen manufacturer is to get no benefit. Even if the entire protective duty on woolen goods were retained, he would receive no benefit from free wool. How would he be benefited? The compensating duty which he enjoys is for the purpose of equalizing the conditions under which he suffers by having to pay an increased price for his wool by reason of the duty placed upon it. I shall not discuss the question whether it is an exact equalization, but I will assume, for the sake of the argument, that it is.

Suppose you take the duty off wool and take the compensating duty off the manufactured product. You have left the manufacturer just where he was before, in competition with the foreigner who is making the same kind of goods. You have not benefited him. He stands precisely where he did before. If the compensatory duty is an exact equivalent of the wool duty, and if you take off the compensatory duty and reduce the ad valorem duties, then you put him into just so much fiercer competition with his foreign rival. Last year we had $36,000,000 of foreign woolen goods introduced into this country, and by just so much as you lower the ad valorem duty by just so much will the importation of foreign woolen manufactured goods be increased.

There is another condition, Mr. President, which I think will work to the disadvantage of the woolen manufacturer and to the disadvantage of the whole country in the removal of the duty upon wool. Every woolen manufacturer now buys his wool in the fleece and treats it in his own factory. I think that almost without exception that is true. He takes the fleece, he has it sorted in his factory, he has it washed in his factory, he has it scoured in his factory, he has it carded or combed in his factory, it is spun or twisted in his factory, and then woven into cloth in his factory.

The foreign manufacturer proceeds upon a different principle. There the business is subdivided. Great establishments with great capitalization treat the wool in the preliminary processes of manufacture only, and those who weave the cloth and perhaps those who spin or twist the wool buy their wool in an advanced stage or process of manufacture, where it has been prepared in these great establishments which do nothing else. By those means the foreigner has been able to reduce the cost of the preliminary stages of manufacture to the very lowest point. He takes advantage of all the economies which come with a great business, all the advantages in purchases, all the advantages in the disposition of waste.

With free wool the woolen manufacturer of the United States will no longer be able to prepare his wool for spinning or twisting in his own factory, but will be compelled to buy it of the foreign manufacturer. That involves the surrender, the giving up of a great portion of the machinery of our woolen manufacturers, converting the machinery so far as possible into adaptation for other uses. So the American manufacturer will not be placed on an equality with his foreign rival if the duty is taken off wool, and the compensatory duty is taken off of woolen goods and the manufacturers duty suffered to remain, but he will be under disadvantages in his manufacture which do not exist now. So, if the manufacturer were looking only to the selfish side of the proposition, if he had no regard for the system of protection, if he had no regard for the woolgrower, if he were willing to succeed, prosper, and thrive by trampling down a million farmers in the country, he would see, as he has seen, that it is not to his interest that wool should be placed on the free list.

Therefore, when it is suggested, suspected, or intimated in any way that free wool is to be regarded as a boon, a benefit to the New England manufacturer, I wish once for all to deny it. I wish to deny that they have kept silent on this subject and have been willing that it should come while not advocating it. With the exception of those few men who have let their politics run away with their business judgment to the extent that they suppose that in some way or other they might be benefited by free wool, there has been no such sentiment among the woolen manufacturers of New England.

Mr. President, I will say a few words about the raw-material cry. Even the President of the United States alluded to it in his message. I think I have it here. It is the most astonishing proposition of the whole message, and I have not heard it alluded to before. The President says:

> Even if the often disproved assertion could be made good that a lower rate of wages would result from free raw materials and low tariff duties, the intelligence of our workingmen leads them quickly to discover that their steady employment, permitted by free raw materials, is the most important factor in their relation to tariff legislation.

I understood the Senator from Maryland [Mr. GORMAN] and the Senator from West Virginia [Mr. CAMDEN] to say that in his letter of acceptance the President abandoned the doctrine of the Chicago platform and proposed to have the tariff adjusted, not on the theory of free raw materials, but of "freer" raw materials. That was when the Senator from West Virginia was talking about coal and iron. But when it comes to wool, it is to be free, absolutely free, raw material. By what process of logic, by what system of reasoning the President of the United States thinks it will be any benefit or any compensation to the workingman of this country for the lower wages which the President

practically admits the workingman will have to take to have free raw materials for the manufacturer, I can not understand or discover.

Where does the President of the United States suppose that with free wool the manufacturer of woolen goods is to sell his product so as to give "steady employment" at reduced wages to the employé? Before the election of the present Chief Magistrate the workingmen had "steady employment" at high wages as compared with any other country on earth.

The PRESIDING OFFICER. The Senator from Connecticut will please suspend while the Senate receives a message from the President of the United States.

[At this point a message was received from the President of the United States, which appears elsewhere in to-day's proceedings.]

Mr. PLATT. I should like to be interrupted by the reception of another message on the subject which I am discussing. I should be gratified if the President of the United States would send us another message, telling us where he supposes the American manufacturer, who has this great boon of free wool given to him, as the free trader would make him believe, is to sell his goods so as to "give steady employment" at a lower rate of wages even to the people whom he employs.

As I have said, on the day when the Chief Magistrate was elected the workingmen had steady employment with a duty on wool. There was not a woolen establishment in the United States which was not running full-handed and on full time, and with better wages than were ever before paid anywhere in the world to workingmen engaged in the same industry. We know that with protection upon wool and a reasonable protection upon the manufacture of woolen goods, the workingman would receive steady employment and not have his wages reduced. History teaches that; observation teaches that, and it can not be denied.

It is said sometimes now that we are proceeding under the McKinley act and that the prices of wool at this time are McKinley prices. I have only to appeal to the Senators from the great Northwest, where the wool is grown, for proof of the fact that the men who go out to buy the wool from the farmer say that they will only offer and do offer only free-trade prices for the wool, the price which the wool will be worth with the duty taken off, and they will buy at no other rate. Am I not correct in this statement?

Mr. PEFFER. I think the Senator from Connecticut is correct.

Mr. PLATT. So we are not, so far as the wool industry is concerned, under the McKinley act or McKinley prices. We are under free trade. The woolgrower already understands what it is and what it is to be.

Mr. PEFFER. Will the Senator from Connecticut allow me?

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Kansas?

Mr. PLATT. Certainly.

Mr. PEFFER. I will state that the wool buyers of the East, who send their agents out among the woolgrowers of the West, the Northwest, and the Southwest, instruct them to purchase wools upon what the price would be on a free-trade basis, and not to purchase wool or to agree to purchase wool upon any other basis. As a result, Kansas woolgrowers, for example, are now being offered about 8½ cents a pound on the average for their wool, when it costs them from 20 to 25 cents to produce it.

Mr. SQUIRE. I ask the Senator from Kansas how long ago that direction to the agents of the wool buyers commenced?

Mr. PEFFER. This summer; this year's crop of wool.

Mr. PLATT. It commenced when the edict went out from the Senate Chamber that by the result of a party caucus enough Democratic votes were to be cast in favor of this measure to make its passage certain. You can not blame people, if they believe that the bill is to pass within the next two or three months and become a law, for asking those who have articles to sell to sell them at the price at which they will have to sell after the bill becomes a law.

I was going to say something as respects the idea that wool is a raw material. I think I have a little personal knowledge of the question whether labor is expended in the growth of wool. It was my good fortune and not my misfortune to work on a farm until I was 20 years of age. It was my misfortune, perhaps, in that I was not able to acquire the education which I might have acquired under different and more favorable circumstances, but it was my good fortune in that it enabled me to understand the thought, the habit, the desire, the feeling of the agriculturists of this country. However far I may have gone away from the farm I have never grown away from the love of the men whom I knew in the earlier years I spent upon the farm. I do not believe I have grown away from an understanding of them. I do not yield to the Senator from Indiana [Mr. VOORHEES] in my love for and appreciation of the men engaged in the most dignified and independent occupation of the world—the tilling of the soil.

I have had myself something to do in my early days with raising sheep. I know how much labor is expended in that industry. I have dug them out of the snow in winter, as the Senator from Ohio [Mr. SHERMAN] suggests has to be done; I have washed and sheared them in the summer; I have looked after them the year round; and I know it is labor which produces the wool which is sent to the manufacturer, just as much as it is labor which produces the cloth which goes to the manufacturer of ready-made clothing. No raw material question enters in here. It is a purely and simply a malicious desire on the part of the tariff reformer to strike down the whole tariff system through this most important industry.

But, Mr. President, nobody is going to be benefited by it. I alluded to the fact that I believed any man who buys an ordinary suit of clothing in this country would be willing to contribute the half dollar, which it is supposed he may possibly gain, to the protection of the industry in this country. I know he would do it. But he will gain nothing, Mr. President. Quality for quality, style for style, serviceability for serviceability, the workingman can buy his clothing cheaper in the United States, notwithstanding the duty, than clothing can be bought anywhere else on the face of the earth. He certainly can buy it cheaper than it is bought in England, and I believe that he can buy it cheaper than it can be bought in Germany or Belgium. What more does he want? Does he suppose that with these duties removed he would be able to get clothing still cheaper? Oh, no. That is the favorite argument; that to be sure prices have been falling, and we have been getting our manufactured goods cheaper, we have been getting our cloths and all the products of the factory and the loom cheaper, but if it had not been for the protective duty we would have got them cheaper still. Oh, no; take off this duty, break down the woolgrowers and the woolen manufacturers, let the foreigner in, and you will find very soon whether you will get anything any cheaper or not.

Is it not enough that a man can be clothed cheaper, considering the quality and style and serviceability of the article he gets, in the United States than anywhere else? Do you need any other illustration of the benefits of protection? I say nothing now about the million of men engaged in the production of wool; I say nothing about the several hundred thousand men engaged in the turning of the wool into cloth and the cloth into clothing; I say nothing about their interests. Take the petty, narrow, selfish interest of whether a man is going to get his suit of clothes 50 cents or a dollar cheaper, if he gets it cheaper now than anywhere else in the world, why should he complain?

Oh, Mr. President, there are a great many things that may be too cheap in the world. Perhaps when that statement is applied to the individual, it will not be admitted. A man may think it is to his interest to buy where he can buy cheapest, but let me remind him that he can buy cheapest when there is widely extended bankruptcy. There is no place where a man can buy so cheaply as at a bankrupt sale; and we can have no goods so cheap as under a condition of universal or widely extended bankruptcy.

Does the man who gets his cloth or clothing a little cheaper because somebody has failed, suppose he gains any advantage? If this free-trade wolf gets into our fold and the wool industry is stricken down, and the wool manufacturing industry is stricken down, and the man who, perchance, is fortunate enough to find something to do in some other occupation of life should get his suit of clothing 50 cents cheaper, does he think he would be any better off for it?

Mr. President, there are some things which may be altogether too cheap in the world, and that suit of clothes which is so cheap that the American farmer can not raise the wool and the American workman can not produce the cloth under conditions which will enable them to occupy the grade in society and the station in life which the American woolgrower and the American workman is entitled to occupy, is far too cheap for the individual as well as for the nation.

Perhaps, before leaving the subject, I ought to say a word more as to whether we are going to get wool or woolen clothing any cheaper after this destructive policy shall have been put into operation.

The Senator from Texas [Mr. MILLS] would have the woolgrower believe that the time will come when he can get more for his wool under free trade than now. Why? Because he has the advantage, perhaps, in Texas of raising the sheep and producing the wool, and when the industry has been destroyed everywhere else in the country, and the sheep which produced the wool have been slaughtered, then there will a demand spring up which will enable the Texas sheep-grower to get a higher price for his wool.

Is that an argument to be addressed to the American Senate?

Undoubtedly the far-off effect of the removal of the duty on wool may be to increase the price of wool from its present low free-trade price; but there will be few sheep upon which to produce it in this country when that time comes, and it would take a long time for the industry to grow up again under the fear that, in some way or other, by false pretenses, the Democratic party may again get into power and strike down the duty on wool. Pass this bill and the wool-raising industry in this country has received its deathblow for the next quarter of a century at least.

I want to say a word to our Democratic woolen manufacturers, at the door of a few of whom, I think, may be laid a large share of this trouble. They are not to remain unscathed. The Senator from Ohio, fair and just as he is, uttered the other day this warning:

> Suppose this bill should pass and the farmers should see that the wool which they have been in the habit of raising all over this country could not be raised in competition with the wool produced in South America and Australia, and yet that there was a high duty of 50 per cent on woolen goods manufactured from these very wools imported, it would create a feeling of unrest, of opposition, which would lead to the destruction of this most important industry.

That is what the men who are proposing the taking off of the duty on wool want. The woolgrower is to suffer first and the wool manufacturer next. It is strange that anybody but a befogged Mugwump would not be able to see that that was what was in store for him. I want to call the attention of these Mugwump and Democratic manufacturers of wool who suppose that they can get free wool and have high protective duties upon their manufactured product and thus make more money than they have been in the habit of making, by way of illustration, to the story of Ulysses in Homer's Odyssey.

It will be remembered by those who have had the benefit of enjoying a classical education, which I have not, and also by those who have been able to read translations of the old classics, as I have, that after Ulysses had passed by the land where the lotus-eaters were and had succeeded in rescuing his men from that land, he sailed on until he came to the island where the Cyclops resided, and where a one-eyed giant dwelt alone in a great cave—Polyphemus, tall and fierce as the giants of mythology, combining with his ferocity the pastoral habits of those Eastern people. By night he fed his goats and his sheep in this great cave, and in the daytime he pastured them on the hillsides on the sweet grass and the herbage, and thus he lived ferocious and alone.

Ulysses, in his wandering with twelve of his men, came to this cave and entered under the great stone door with which the giant blocked the entrance when he shut it up for the night. He entered the cave and awaited the return of Cyclops, and at last, when he came in, his wrath was excited and he immediately seized two of the twelve, hurled them upon the floor, dashing their brains out, tore them limb from limb, and ate them, washing down the unholy meal with the milk of his goats and his sheep. Ulysses and his men were in fear. They skulked in the corner of the cave until the morning. In the morning the Cyclops ate up a couple more of them, destroying them, and eating them in the same way, and, then, imprisoning Ulysses and the remnant of his band in the cave, he went off with his flocks to pasture them upon the hillsides.

During the day they contrived various plans whereby they might escape. The only one that seemed practicable was that they should get this great giant drunk on wine, and then that they should bore out the solitary eye that he had with the fiery end of a sharp stick. So, when he returned that night, having completed all the preparations, Ulysses produced his famous wine, which was given him by the son of a priest whom he had visited, and said:

> Here, Cyclops, drink some wine after your meal of human flesh, and see what sort of liquor our ship held. I brought it hither as an offering, in hope that you would pity me and send me home. But you are mad past bearing. Reckless! How should a stranger come to you again from any people, when you have done so impious a deed? So I spoke. He took the cup and drank it off, and mightily pleased he was with the taste of the sweet liquor, and thus he asked me for it yet again:
>
> "Give me some more, kind sir, and tell your name at once, that I may give a stranger's gift with which you shall be pleased. Ah, yes; the Cyclops's fruitful fields bear wine in the heavy clusters, and the rain of Zeus makes the grape grow, but this is a bit of ambrosia and nectar."
>
> So he spoke, and I again offered the sparkling wine. Thrice did I bring and give, and thrice he drank it in his folly. Then, as the wine crept round the Cyclops' senses, in winning words I said to him, "Cyclops, you asked my noble name, and I will tell it; but do you give the stranger's gift, just as you promised? My name is Noman. Noman I am called by mother, father, and by all my comrades."
>
> So I spoke, and from a ruthless heart he straightway answered, "Noman I eat up last, after his comrades; all the rest first; and that shall be the stranger's gift for you."

That is the free traders' gift to the manufacturer. They will eat him up last—the woolgrower first, and that is all the manufacturer can expect.

Mr. President, I have detained the Senate perhaps longer than I ought to have done.

Mr. HOAR. May I ask the Senator from Connecticut a question before he proceeds from that point?

Mr. PLATT. Certainly.

Mr. HOAR. I should like to ask him, as he is so very familiar with the classics, if Ulysses, who was a very shrewd man, did not finally escape with his men by holding fast to the wool of the sheep as they ran out of the cave?

Mr. PLATT. Yes, that was the way he escaped after he put out the eye of the giant Cyclops.

Mr. HOAR. And after he had put out the eye of the Democratic party.

Mr. PLATT. This is the most indefensible, the most inexcusable, the most vicious possible legislation for the country and for all the people of the country. I despise it in my heart, and I denounce it with all my energy.

Mr. HIGGINS. Mr. President, this bill will put wool on the free list, and thereby add to the free list another product of Canadian production. To that extent it will increase to the relief given to the people of Canada by the reduction of the duty, either in part or in whole, upon their natural products.

I do not propose at this time to add anything to what I have already taken occasion to say during this debate upon this measure as one of merely domestic policy. Important as that is it does not constitute its entire, and I am not prepared to say that I think it constitutes its chief, importance. In more ways than one, and in no way more vital to the interests of the American people than in respect to its effect upon our relations with Canada, it is a measure of far-reaching foreign policy.

We hear its reverberations already from beyond the waters of the Atlantic in its propositions to uproot the policy of reciprocal trade with Germany and continental Europe as respects sugar and our agricultural products on the one hand, and with our sister republics of South America and the Island of Cuba upon the other.

All that, Mr. President, which is of so much importance to the consumer and the public of the United States, which is of so much importance and has been of so much benefit to the farmers of the United States, is condemned ruthlessly to the block, and I do not know but what there is a feeling on the other side of this Chamber, there certainly is in some of the offices of the able editors in the land, that the time of the Senate is wasted by a discussion before the great forum of the American people as to the effect of this proposed policy.

This bill, as I have already taken occasion to discuss during the debate, as it was passed by the House of Representatives and reported to the Senate, abrogated the reciprocity treaty with Hawaii. I am glad to say that that has been altered by amendment, an amendment in which I hope the House of Representatives will agree.

But I wish at this time to ask the attention of the Senate to some observations which I feel moved to make with regard to the effect of this bill upon our relations with our neighbors of Canada, and therein and thereby of the most far-reaching consequence to them and to us as common citizens of one continent.

I am free to say, Mr. President, that when the Senate considered the McKinley bill and passed it four years ago, it really took very little account of its effect upon Canada. We passed in that measure a schedule on agricultural and other natural products of Canada of the utmost consequence to them, and, in a certain sense, of the utmost disastrous consequence to them, but in doing it we really took very little thought of them. I doubt if more than a very few members of either House of Congress had their attention drawn to the great and important effect on our Canadian neighbors of the provisions of that bill.

The farmers of the United States—the Republican farmers—wanted protection. They said if there was protection to be given to the manufacturer they wanted protection to the farmer, and out of regard for them, and out of regard for their circumstances, and for the consistency of the policy of protection, which should hold in equal esteem the products of the soil and the products of the loom and the anvil, we enacted the provisions of that law, which also, as I have said, had their effect upon the natural products of Canada. We, in fact, were involved in a profound self-contemplation, and were lost to all thought of anybody outside of or *aliunde* ourselves.

When the McKinley bill was passed, with its agricultural schedule and the duty on lumber and coal, the American market was secured to the American producer, and that, too, without any additional cost to the American consumer. Prices did not rise within the wide limits of this broad land, because the consumer was left to the industry and capacity of the American farmer and lumberman and miner. Our splendid resources were fully adequate to that task. We needed for that purpose no assistance from Canada—*non tali auxilio*—and from that source no additional cost thereby has been put upon the American people.

As shown, however, by the figures of the tables, which I will

beg leave to submit to the Senate, the duties upon the products introduced into the United States from Canada all fell upon the Canadian producer, and we enforced that much of a right royal contribution to the American exchequer, and to that extent augmented our revenues from our neighbor.

The McKinley legislation, Mr. President, if I may call it so, is an object lesson upon both sides of the line. It shows to the American farmer what an easy remedy he has against foreign competition, and how he can secure for himself the plenitude of our domestic market for his product, a matter of concern the largest at times when we are met in the markets of the world by all the problems of Asiatic and South American and Australian and other foreign competition, and all the complexity of the problem of silver as a money metal.

To the Canadian it was an object lesson at the same time. It showed to him the absolute uncertainty of the American market for him so long as he chooses to indulge in the luxury of being either foreign to the United States or a British dependency; that whatever crop he may plant, whatever particular manufacture or mining plant he may establish, its prosperity and welfare or its destruction are dependent upon the vicissitudes of American politics, and upon the action taken in this Legislature over which he has no control.

The bill now before the Senate, for the first time in American history, proposes to give and hand over to the Canadians almost a free market in their natural products, absolutely without any compensation in return. The history of our reciprocal relations with Canada is important and interesting in this connection.

Our statistics available are only to be found from 1821 to the present time. In 1846 the British Government took the great and impressive step for themselves of free trade, and in the same act cut up by the roots the theretofore differential advantages they had given to their colonies and dependencies in their trade with the mother country; and Canada found herself cut off from an advantageous market for her natural products in Great Britain.

At the same time she found herself face to face with an adverse tariff in the United States. The Walker tariff, of which we have heard such encomiums in this discussion, placed high duties upon agricultural products and the natural products of Canada. So it came about that there was at that time in Canada a condition of profound discontent, so great that the British Government sent one of its first statesmen over there as governor-general, Lord Elgin; and, as we are told by an eminent publicist of England, Lord Elgin himself wondered that the Canadians had rested under the adverse conditions which affected them.

As a remedy, he came to the city of Washington and proposed to the then Democratic Administration the reciprocity treaty, since known by his name, which was adopted by this country. It offered to the United States reciprocity in the natural products of Canada by giving to the United States a free market for agricultural and the like products in Canada in return for free markets for such Canadian products in the United States. That convention and arrangement was what is known as "jug-handled"—it was all on one side.

There was no market for which we cared in Canada for the articles which by the treaty were made free. It was everything to her to have a free market in the United States for her natural products that we thus gave to her free, while she retained her existing duties upon manufactures, and thus excluded us to the extent of her duties from selling our manufactures in her markets, wherein and whereby alone we could get any advantage.

I submit at this point some tables which have been prepared by the Bureau of Statistics of the Treasury Department in response to an inquiry by a resolution of the Senate, giving a recapitulation of the trade of the United States with the British North American Provinces for the years running from 1821 up to 1893 inclusive, and also a table, which is a recapitulation of these annual reports by periods, showing in one set of figures the exports from the United States to Canada and in the other the exports from Canada to the United States. The periods are contemporaneous with what may be called the tariff periods of the United States, and I do not think that such tables have ever before been prepared.

The periods are as follows, giving the years inclusive: 1821 to 1832, 1833 to 1845, 1846 to 1855, 1856 to 1866, being the period of the Elgin treaty; 1867 to 1873, that being the year when our tariff was first materially reduced; 1874 to 1883, when occurred the next reduction of our tariff; 1884 to 1890, the year of the enactment of the McKinley law, and 1891 to 1893, the last year for which we have at this time available figures. The tables are as follows:

Trade of the United States with British North American Provinces.

MERCHANDISE.

Years ending—	Exports.			Imports.			Excess of exports (—) or imports (+).
	Domestic.	Foreign.	Total.	Free.	Dutiable.	Total.	
September 30—							
1821	$2,009,596	$4,933	$2,014,529	$220,541	$180,959	$401,500	—$1,613,029
1822	1,882,587	16,286	1,898,873	229,672	138,920	368,592	—1,530,281
1823	1,821,296	5,907	1,827,203	87,258	156,781	244,039	—1,583,164
1824	1,780,359	2,617	1,782,967	180,705	230,229	410,934	—1,372,033
1825	2,554,292	1,740	2,556,032	200,700	218,788	419,488	—2,136,544
1826	2,105,115	21,430	2,126,545	275,813	153,144	428,957	—1,697,588
1827	1,803,382	6,075	1,809,457	178,045	112,566	290,611	—1,518,846
1828	1,544,788	3,114	1,547,902	169,920	97,795	267,725	—1,280,177
1829	2,138,104	552	2,138,656	180,038	147,567	336,605	—1,802,051
1830	2,741,211	8,021	2,749,232	236,180	161,844	398,024	—2,351,208
1831	3,070,292	9,546	3,079,838	300,457	287,255	587,712	—2,492,126
1832	3,315,269	28,122	3,343,391	296,286	390,495	686,781	—2,656,610
1833	4,033,781	66,299	4,100,080	536,236	439,277	975,513	—3,124,567
1834	3,077,209	57,567	3,134,776	582,604	313,776	896,380	—2,238,396
1835	3,364,246	44,859	3,409,105	614,148	623,620	1,237,768	—2,171,337
1836	2,424,265	162,563	2,586,828	1,093,701	787,396	1,881,097	— 705,730
1837	2,739,349	136,512	2,875,861	982,904	927,757	1,910,661	— 965,201
1838	2,155,229	138,054	2,293,283	620,682	464,176	1,104,858	—1,188,425
1839	3,408,470	139,684	3,548,154	879,836	843,528	1,723,364	—1,824,790
1840	5,884,466	204,035	6,088,501	610,777	616,819	1,227,596	—4,860,905
1841	6,270,790	187,673	6,458,463	821,546	670,750	1,492,296	—4,966,167
1842	5,903,143	228,090	6,131,233	359,857	634,075	993,932	—5,137,301
June 30—							
1843 (nine months)	2,555,571	82,517	2,638,088	154,602	299,549	454,151	—2,183,937
1844	5,297,186	707,473	6,004,659	264,929	574,791	1,019,720	—4,984,939
1845	4,691,417	873,714	5,565,131	225,217	880,387	1,105,604	—4,459,527
1846	5,790,766	1,363,767	7,154,533	348,531	966,143	1,314,674	—5,839,859
1847	5,809,467	1,685,801	7,495,268	305,678	1,174,798	1,480,476	—6,014,792
1848	5,994,059	1,832,696	7,826,755	268,075	2,418,244	2,686,319	—5,140,436
1849	5,932,106	1,990,661	7,922,767	278,268	2,085,951	2,364,219	—5,558,548
1850	7,725,247	1,790,744	9,515,991	322,637	4,856,863	5,179,500	—4,336,491
1851	9,050,357	2,719,735	11,770,092	276,648	5,003,070	5,279,718	—6,490,374
1852	6,604,097	3,625,511	10,229,608	339,435	5,130,010	5,469,445	—4,760,163
1853	7,301,327	5,131,270	12,432,597	395,091	6,132,468	6,527,559	—5,905,038
1854	15,005,244	9,068,164	24,073,408	495,995	8,288,417	8,784,412	—15,288,996
1855	15,746,642	11,995,166	27,741,808	8,085,678	7,032,611	15,118,289	—12,623,519
1856*	22,710,097	6,314,652	29,025,349	20,454,890	821,724	21,276,614	—7,748,735
1857*	19,820,113	4,318,369	24,138,482	21,281,172	827,744	22,108,916	—2,029,566
1858*	19,591,758	4,012,768	23,604,526	15,293,104	491,732	15,784,836	—7,819,690
1859*	21,724,947	6,384,547	28,109,494	18,553,850	733,715	19,287,565	—8,821,929
1860*	18,657,029	4,038,899	22,695,928	22,902,386	670,410	23,572,796	+ 876,868
1861*	18,814,615	3,861,898	22,676,513	22,204,078	520,411	22,724,489	+ 47,971
1862*	18,185,224	2,387,846	20,573,070	17,981,767	529,258	18,511,025	—2,062,045
1863*	24,967,894	2,651,920	27,619,814	16,503,591	981,195	17,484,786	—10,135,028
1864*	24,188,147	2,386,477	26,574,624	27,946,755	1,661,981	29,608,736	+3,034,112
1865*	27,045,024	1,784,378	28,829,402	31,962,960	1,301,443	33,264,403	+4,435,001

Trade of the United States with the British North American Provinces—Continued.

MERCHANDISE.

Years ending—	Exports.			Imports.			Excess of exports (—) or imports (+).
	Domestic.	Foreign.	Total.	Free.	Dutiable.	Total.	
September 30—							
1866*	22,380,652	2,448,228	24,828,880	43,029,389	5,499,239	48,528,628	+23,699,748
1867	17,295,837	3,724,465	21,020,302	1,890,718	23,153,287	25,044,005	+4,023,703
1868	21,419,222	2,661,555	24,080,777	1,762,840	24,498,539	26,261,379	+2,180,602
1869	20,085,805	3,295,666	23,381,471	3,011,630	26,282,136	29,293,766	+5,912,295
1870	21,060,369	4,278,885	25,339,254	2,669,901	33,595,427	36,265,328	+10,926,074
1871	27,564,344	4,711,832	32,276,176	2,781,254	29,760,883	32,542,137	+ 265,961
1872	24,426,465	4,984,989	29,411,454	4,715,379	31,631,551	36,346,930	+6,935,476
1873	30,361,368	4,203,745	34,565,113	6,275,425	31,374,107	37,649,532	+3,084,419
1874	38,883,931	4,589,243	43,473,174	8,409,649	25,956,312	34,365,961	—9,107,213
1875	32,238,965	3,986,770	36,225,735	7,522,753	20,749,173	28,271,926	—7,953,809
1876	31,526,415	3,477,716	35,004,131	7,164,089	21,846,162	29,010,251	—5,993,880
1877	36,676,160	2,698,020	39,374,180	6,809,862	17,467,516	24,277,378	—15,096,802
1878	34,929,072	3,355,349	38,284,421	7,403,772	17,954,030	25,357,803	—12,926,619
1879	28,381,569	2,462,133	30,843,702	7,403,408	18,730,146	26,133,554	—4,710,148
1880	28,062,680	2,713,191	30,775,871	9,512,820	23,701,520	33,214,340	+2,438,469
1881	35,793,031	3,719,845	39,512,876	10,896,286	27,145,661	38,041,947	—1,470,929
1882	35,289,859	3,279,963	38,569,822	12,658,318	38,455,157	51,113,475	+12,543,653
1883	42,831,005	3,749,248	46,580,253	14,201,349	30,539,527	44,740,876	—1,839,377
1884	42,510,932	3,900,518	46,411,450	15,237,307	23,778,533	39,015,840	—7,395,610
1885	35,976,815	4,148,092	40,124,907	12,871,884	24,088,657	36,960,541	—3,164,366
1886	31,953,124	2,831,897	34,785,021	12,042,627	25,453,711	37,496,338	+2,711,317
1887	33,495,403	2,666,944	36,162,347	11,885,368	26,130,216	38,015,584	+1,853,237
1888	34,432,059	2,813,060	37,245,119	12,917,954	30,166,169	43,084,123	+5,839,004
1889	39,806,682	2,334,474	42,141,156	13,519,114	29,490,359	43,009,473	+ 868,317
1890	38,544,454	2,959,358	41,503,812	12,139,489	27,257,491	39,396,980	—2,106,832
1891	37,445,515	2,998,240	39,443,755	11,752,344	27,682,191	39,434,535	— 9,220
1892	42,580,578	2,305,410	44,885,988	9,923,299	25,411,248	35,334,547	—9,551,441
1893	44,830,203	3,798,305	48,628,508	11,649,414	26,536,928	38,186,342	—10,442,166

RECAPITULATION, BY PERIODS.

	Exports.			Imports.			Excess of exports (—) or imports (+).	Per cent of imports.		Total trade average per annum.
	Domestic.	Foreign.	Total.	Free.	Dutiable.	Total.		Free.	Dutiable.	
1821 to 1832 (12 years)	$26,766,282	$108,343	$26,874,625	$2,564,625	$2,276,343	$4,840,968	—$22,033,657	52.97	47.03	$2,642,966
1833 to 1845 (13 years)	51,805,122	3,029,040	54,834,162	7,747,030	8,275,901	16,022,940	—38,811,222	48.35	51.65	5,450,546
1846 to 1855 (10 years)	84,959,312	41,203,515	126,162,827	11,116,036	43,088,575	54,204,611	—71,958,216	20.51	79.49	18,036,743
1856 to 1866 (11 years) *	238,086,100	40,589,982	278,676,082	258,113,942	14,038,852	272,152,794	— 6,523,288	94.47	5.53	50,675,352
1867 to 1873 (7 years)	162,213,410	27,861,137	190,074,547	23,107,147	200,295,930	223,403,077	+35,328,530	10.34	89.66	59,068,218
1874 to 1883 (10 years)	344,612,687	34,031,478	378,644,165	91,982,306	242,545,204	334,527,510	—44,116,655	27.49	72.51	71,317,168
1884 to 1890 (7 years)	256,719,469	21,654,343	278,373,812	90,613,743	186,365,136	276,978,879	— 1,394,933	32.71	67.29	79,336,099
1891 to 1893 (3 years)	124,756,296	8,201,955	132,958,251	33,325,057	79,630,367	112,955,424	—20,002,827	29.49	70.51	81,971,225

* Period of reciprocal trade.

This table, when you come to rest your eye upon it, is most instructive. It discloses the fact that in the year preceding the adoption of the reciprocity treaty, both the exports and the imports between Canada and the United States were greatly augmented, and that that increase of trade has continued almost without intermission from that time until the present; but it shows also that there was a great advance of the free imports by reason of the Canadians taking advantage of the trade in those articles which came in free under the treaty; and a corresponding falling off of the articles which were dutiable, thereby proving that, while the volume of the trade was not so greatly increased, the burden of the tariff of the United States under the treaty was taken off of the Canadian exporters and the loss borne by us; while both before and after the treaty it was borne by the Canadians.

For instance, the amount of free imports into the United States from Canada in 1854 amounted to only $495,995, while in 1855, and presumably in the three and one-half months between the 16th day of March, when the treaty took effect, and the 30th day of June, when the fiscal year ended, the free imports from Canada amounted to the enormously increased sum of $8,085,678, while the dutiable imports from Canada, which were in 1854 $8,288,417, fell in 1856, the first full year of the treaty, to $821,724. The last year of the treaty, 1866, when it was abrogated, the free imports had increased from the sum of $495,995 in 1854, to the enormous sum of $43,029,389; and the dutiable goods imported that year were $5,499,239, being a great increase over any previous period of the treaty, they ranging from as low as $491,732 in 1858, to $1,661,981 in 1864.

With but one other conclusion shall I burden the Senate from these tables, and that is in respect to the balance of trade. The balance of trade in our favor when we entered into this reciprocity convention was $15,288,996 in 1854; in 1855, during which we were only under the treaty for three months and a half, the balance in our favor was $12,623,519. It immediately fell off under the treaty and went as low as $47,976 against us in 1861. The balance against us in 1866, the last year of the treaty, was $23,699,748, while under the McKinley act the balance was, the first year, 1891, in our favor $9,220, and in the last year, 1893, $10,442,166.

I shall leave these tables, however to speak for themselves, and shall not trouble the Senate with drawing any further deductions from them.

It will be remembered by some of the older members of the Senate that in 1874 Canada, through the British minister, tendered to the United States a renewal of the reciprocity treaty of 1864, with the addition thereto of a large list of manufactured articles of the United States, which would be admitted into Canada free of duty. President Grant submitted that project to the Senate for its consideration and advice, and the Senate advised against it. That was the action of Congress in 1874 on the question of reciprocity.

In 1892, under the pressure of Canadian politics and the effect of the McKinley act upon their trade, the government of Sir John A. Macdonald, who was at that time alive and the premier, through their representatives, members of the Canadian ministry, and the British minister here, presented to Secretary Blaine, under President Harrison's Administration, a proposition for the renewal of reciprocity relations. They offered to Mr. Blaine to renew the treaty of 1854, and that he respectfully declined. Mr. Blaine told them that he would only consider the project of reciprocity as it should include certain manufactured articles to be agreed upon, as well as natural products.

Before any answer could be given, however, by the Canadian representatives to that proposition, they put a further question to him as to whether the United States would require, in the event of the conclusion of such an arrangement, that whatever advantages should be given to the United States by the reduction of the Canadian tariff on our manufactured goods, should be exclusive to the United States, or whether we should be willing to have it granted to Great Britain and her other dependencies and colonies. Mr. Blaine's answer was that it must be exclusive to the United States; that we should not be willing to submit our tariff arrangements in that way to Great Britain, and should not be willing that whatever advantages by this convention should be given to the United States should be given to Great

Britain and her dependencies. Thereupon, so far as this branch of the conference was concerned, the representatives of Canada terminated it.

So, Mr. President, was shown by this very adroit and statesmanlike treatment of these negotiations by our great premier, the utterly illusory character of any proposition for reciprocity between the United States and Canada.

What shall be our policy toward Canada, the policy of the McKinley law or the policy of this so-called Wilson bill? I submit that our true policy toward Canada must be governed, under present conditions, not so much by commercial as by political considerations, and that it must be governed by the great fact of our geographical proximity and of her membership as a dependency of the British Empire.

It is not the same case as it would be if we were dealing with Australia, or the Cape Colonies, or India, or any other British dependency. Indeed it is not the same case at all, because all the reasons lead to the conclusion that they never would ask for any special arrangement with us of that kind. Canada only asked for a special reciprocal treatment from us in our tariff because of her geographical proximity, and indeed her geographical proximity is the great vital fact and consideration in this policy.

I submit, Mr. President, that the outstanding difference between Canada and the United States, growing out of the fact that we are under two different governments, never has received a settlement, and never will receive a settlement until we cease to be members of separate empires and become members of one.

I beg the attention of the Senate to a hasty résumé of these outstanding differences, which can not be left out of account in any adequate consideration which is given to this subject. The first in time, if not the first in importance, is the ancient and outstanding difference with regard to the fisheries. Under the treaty of 1818, negotiated on our part by Albert Gallatin and Richard Rush, the American fishermen could only land on Canadian soil in order to obtain shelter and repair damages, for wood and water, and for no other purpose. It has been contended by our Government that circumstances have altered the original construction of that treaty, and that we have the right under it to enjoy all the ordinary rights of hospitality in Canadian ports.

That has been steadily resisted by the Canadians, who have, in asserting the right they claim under the treaty, denied to American fishermen the privilege of landing in their ports for the obtainment of bait, seines, supplies, or outfit, or the transmission of their catch of fish to United States ports. Their reason for refusing to give to American fishermen the commonest rights of hospitality has been that they want to force the United States to give them a free market for the fish caught by Canadian fishermen; and on that we have had a long outstanding difference. It was one of the matters brought into the treaty of Washington in 1871.

By that treaty it was agreed that we should let Canadian fish be brought in free for ten years, if on the other hand these rights I have spoken of, hitherto denied, were given for a like period to American fishermen. But inasmuch as the Canadians contended that the rights they granted were more valuable than the rights they obtained by the treaty, we provided for an arbitration of such difference and the payment of the sum so awarded. We went into the arbitration and we were astonished to find as an off-set to the $15,000,000 awarded us under the treaty of Washington for the Alabama claims, an award of $5,000,000 against us to Canada for this alleged superiority of rights granted to us over what was granted to them in their fisheries.

Mr. FRYE. An award made by a packed court.

Mr. HIGGINS. I accept the statement of the Senator from Maine. He knows more about it than I do, for I was not then in public life. But on the abrogation or expiration of the treaty of 1871, no other arrangements having been entered into, the Canadians began a systematic harrying of our fishermen, seizing their vessels and condemning them in their courts in order to compel the United States to admit their fish free.

I call the attention of the Senate and the country to the fact that they never tried that with a Republican Administration, but they did it in Mr. Cleveland's former Administration, that Administration being full believers in the doctrine of free trade, which then would admit Canadian fish free, as it is now proposed to admit Canadian fish free under the pending bill.

But they proposed a treaty; and a negotiation was entered upon in the city of Washington that resulted in the draft of a treaty known as the Chamberlain treaty, negotiated on the part of England by Mr. Joseph Chamberlain, which admitted Canadian fish free upon their granting to the fishermen of the United States these rights in Canadian ports. That treaty was rejected by the Senate of the United States, then under a Republican majority. Thereupon these commissioners, probably indebted to the good sense of Mr. Chamberlain, who was a practical man, tendered to the United States what is known as the *modus vivendi*, under which American fishermen pay to the Canadians for the enjoyment of these rights of hospitality—to land on Canadian shores to dry their fish, procure bait and seines and nets and outfits, and transship their catch of fish—$1.50 per ton per annum on the tonnage of their vessels.

That *modus vivendi* has been continued. Thus in this uncertain way the fisheries question between the United States and Canada remains outstanding, and promises to remain outstanding while Canada remains a part of the British dominion.

Another difference arising out of the treaty of 1871 is the Canadian discrimination in respect to canal tolls. Under that treaty Canada, in respect to her Welland and St. Lawrence Canals, and the United States, in regard to the Sault Ste. Marie and St. Clair Flats Canals, agreed to grant each to the citizens of the other country the same privileges that were granted to citizens of its own country in these canals.

In the face of that the Canadians imposed tolls of 20 cents a ton for all transportation through the Welland canal and the other canals and allowed a drawback of 18 cents a ton on all grain shipped to Montreal, thereby giving a differential rate of 18 cents a ton to the grain shipped to Montreal, for the obvious purpose of building up the commerce of that port to the injury of the commerce of American ports and through American canals or transportation in our own country.

This was called to the attention of the British commissioners by Mr. Blaine in February, 1892. According to Mr. Blaine's account they promised to rectify this discrimination, but according to their own account they only promised to take it into consideration. When they got back to Ottawa it was found that the Canadian government was unwilling to discontinue this discrimination which it was making in plain violation of the treaty. Thereupon President Harrison after due deliberation retaliated by imposing a like discriminatory tariff upon all Canadian vessels passing through the American Sault St. Marie Canal, and there the matter has remained but for the reason that the Canadians are paralleling our canal at that point with one of their own construction, which is about reaching the point of completion. When it is completed they will have a system in itself complete from one end of their country to the other without having to use any part of the American canals, and being independent they propose to discriminate to their heart's content. That is the attitude they assume towards us in that respect.

But a matter of very much more importance is the aggressions of the Canadian railways upon American railways and transportation interests in the internal commerce of the United States. As we all know, the policy was adopted at the very outset of our Government that all coastwise commerce must be carried in American ships. Not a pound of British or Canadian or other foreign freight between American ports could be carried in other than American bottoms; and such is the law to-day. It is the law upon the Great Lakes quite as much as it is upon the seaboard on either the Atlantic or the Pacific coast. Yet there has grown up a practice only permitted, not authorized by law, by which Canadian railways carry American merchandise through Canadian territory from one point in the United States to another point in the United States, thereby absorbing traffic which if carried on by ship or vessel could only be by an American ship or vessel.

The origin of this was quite simple and quite unobjectionable. A moment's thought of the geographical boundary line between ourselves and Canada in the eastern part of the country shows the origin of it. It grew up under two sections, 5 and 6 of the act of Congress of July 28, 1866, now known in the Revised Statutes as sections 3005 and 3006. Under section 3005 any goods or merchandise landed at the ports of Portland, Boston, New York, or other ports to be designated by the Secretary of the Treasury and intended for their final destination in the Canadian Province, can be entered at the custom-house and carried through the territory of the United States on cars under seal, and in bond, not to violate the customs laws, without the payment of any duty to the United States. Everyone will see that that is nothing but a fair and wise and neighborly convenetion.

Canada for six months in the year is cut off from the sea by ice. Montreal and Quebec can not be reached. The Intercolonial road from Montreal and Quebec to Halifax passes through a country practically impassable at that time of the year. So their easy and natural course during the ice-bound season is through our Atlantic ports; and in that section we have simply said to them that we will permit goods to be carried from Europe or elsewhere in foreign countries through our United States Atlantic ports and over our railways to Canada without impos-

ing any duty, and in a like way from Canada to be carried through the United States and exported from our ports without the payment of duties; and our railroads get the benefit of the carriage.

Now, that is one section, and a very proper one. The other section is the one under which this abuse has grown up, and it grew up in this way. It was very convenient to the United States to permit the carriage of American goods through the peninsula of Ontario between Niagara Falls on the one side and Detroit on the other, or any other route across that peninsula, for goods going from the East to the West or from the West to the East. Both the Michigan Central and the Canadian Southern roads cross the peninsula of Ontario in this way, and they have been in large measure a convenience to American commerce. I do not know, and I do not admit that they are necessary to-day. I see no reason why we should not require that all such traffic should go over the Lake Shore or Nickel-Plate road on the south of Lake Erie, quite as well as to go through Ontario on the north.

But no objection ever would have been raised to that. This statute, to which I have called attention, was enacted in 1866, at a time when the Canadian Pacific Road was not projected, but in 1886 the Canadian Pacific Road was thrown open to traffic. Then arose an exercise of the power under the statute that was never contemplated when it was enacted.

I have omitted to say that this statute is merely permissive. It permits goods to be carried in this way from American ports through Canadian territory under regulations to be adopted by the Secretary of the Treasury. So this whole traffic rests merely upon this permissive statute and certain regulations of the Treasury Department, which at any time may be altered or revoked.

The Canadian Pacific Road extends from ocean to ocean. It has one terminus through the Intercolonial at Halifax and another through a branch or terminal road it has through the State of Maine at a port, the name of which I have forgotten, just north of the boundary between Maine and Canada; and from there it extends to Vancouver on the Pacific Ocean. It has various connecting roads; the Soo railroad, so-called, from the Sault Ste. Marie through Wisconsin to St. Paul, and the Wabash system, which goes from Detroit; the Boston and Maine system on the east and the Vermont Central, the Ogdensburg and New York.

It has various roads, which operate as feeders, extending down into the heart of our country. On the Pacific coast there is a line of steamers (I do not know whether they are run under the American or the British flag) from San Francisco to Vancouver taking goods to be carried over their road. They make rates from one end of this continent to the other for American goods carried through Canada, not merely goods whose transportation originally begins in the States of the northern border, but by means of these feeders on the coast, as well as inland, extending down into the heart of our country. For a reason I shall give in a moment they can afford to make always and every time a lower rate than any American road can afford to make, and they do make a rate low enough to secure the traffic.

Thus, Mr. President, a shipper at San Francisco can send goods destined to New York up the coast to Vancouver, across the continent by the Canadian Pacific, then down to New York by its eastern connection, at a lower rate than he can send by an American railway. How is it that the Canadian Pacific can command this trade? It is because unless it had this traffic it could not exist as a business undertaking. It could not earn its own axle grease by Canadian traffic alone.

After leaving Ontario it passes a long distance through uninhabited regions until it reaches Manitoba, where there is but a relatively small population, and after leaving there it goes through another waste equally long, and over the triple ranges of the Rocky and other mountains to British Columbia. But because it earns nothing from Canadian freight it can afford to take American freight at any rate lower than the rate made by an American railway, because whatever it gets is just that much more than nothing. This is the attack that is leveled by the Canadian corporation at the railway and transportation interests of the United States.

Now, if this was done by a merely commercial corporation it would be important enough and serious enough, but it is a very much more serious matter. The Canadian Pacific road was constructed primarily not for commercial purposes so much as for political, military, and imperial purposes. It was to make this railway and the Dominion of Canada the connecting link between Great Britain on the one side and her Asiatic and Pacific Ocean dependencies upon the other. It was intended to accomplish the same object for which the Dominion of Canada was created—the consolidation of the confederated Canadian provinces under one government in order to maintain their homogeneity and their dependence upon and allegiance to the British Crown. It was intended for the transportation of troops and munitions of war from one part of Canada to another part of Canada, and to weld the whole together into one harmonious entity.

These rates are made not merely from the coast; they are made from points inland. I can say that positively, because as a member of the Committee on Interstate Commerce of the Senate, in a recent hearing with reference to the amendment or repeal of the clause of the interstate-commerce act forbidding pooling, we had before us a very intelligent witness, having a full knowledge of our internal trade by railway, who testified to the fact that the Canadian Pacific road made rates to the East for their grain in the very heart of Iowa, and thus from St. Paul, from Iowa, from Denver, from all points in the heart of the country, this marader upon our internal commerce and traffic levies its contributions upon our American labor.

The fact that this was a political rather than a mere commercial scheme is shown in its innate character and policy; but there is direct evidence in regard to it. Sir E. W. Watkin, member of the British Parliament, in a work upon "Canada and the States," published in 1887, in his preface speaks about this. Sir Edward Watkin made, I believe, some thirty visits across the Atlantic with regard to strengthening the British connection. He says:

> Is this great work—
>
> It was the year after the railway was opened—
>
> the Canadian Pacific Railway, to be left as a monument, at once, of Canada's loyalty and foresight, and of Canada's betrayal; or is it to be made the new land-route to our Eastern and Australian Empire? If it is to be shunted, then the explorations of the last three hundred years have been in vain. The dreams of some of the greatest statesmen of past times are reduced to dreams, and nothing more. The strength given by this glorious self-contained route, from the old country to all the new countries, is wasted.
>
> On the other hand, if those who now govern inherit the great traditions of the past; if they believe in empire; if they are statesmen—then, a line of military posts of strength and magnitude, beginning at Halifax on the Atlantic, and ending at the Pacific, will give power to the Dominion, and wherever the red-coat appears confidence in the brave old country will be restored.
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> * * * * * * *
>
> Which is it to be?
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> Some years ago, Sir John A. Macdonald said: "I hope to live to see the day, and if I do not, that my son may be spared, to see Canada the right arm of England. To see Canada a powerful auxiliary of the Empire, not, as now, a source of anxiety and a source of danger."

Later Sir John A. Macdonald, in an interview with a representative of the Pall Mall Gazette, said what I shall read from the testimony of Mr. Joseph Nimmo, jr., before the Select Committee on Relations with Canada, at page 894 of Senate Report 1530, part 2, Fifty-first Congress, first session:

> About three years ago Sir John A. Macdonald divulged to one of the editors of the Pall Mall Gazette the politico-commercial idea upon which the whole Canadian Pacific Railway enterprise is based. He described it as a railroad extending from ocean to ocean, and superior to the American roads by virtue of that fact, and the fact that it enjoys a monopoly of the transcontinental traffic of Canada. Then, in an outburst of enthusiasm, he announced the fact that he was an imperial confederationist, and a firm adherent of "Greater Britainism." Referring to the Canadian Pacific Railway as a part of an enormous political scheme, he said;
>
> "With England as a central power, with Australia and South Africa as auxiliaries, we (the Confederated British Empire) must control the seas, and the control of the sea means the control of the world."
>
> The leaders of the political party in power in Canada to-day make no attempt to disguise their purpose. The Handbook of Canada recently published by the Dominion government, states that the Canadian Pacific was constructed "in the interests of the Empire at large, as well as those of Canada," and it adds that if these far-seeing plans had been taken up when first mooted, "Canada would have been at least two generations in advance of her present position, while 'Greater Britain' (*i. e.*, British imperial confederation) would have been in a much higher state of development than it is." This significant remark also follows:
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> "It was a singular coincidence and perhaps a prophetic omen of the future imperial importance of this railway, that the first loaded train that passed over its entire length from ocean to ocean was freighted with naval stores belonging to the imperial war department, transferred from Quebec to Vancouver."
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> In speaking of the negotiations for a British subsidy in favor of the Canadian Pacific steamer line to China and Japan, the president of that railroad said in his annual report for 1887:
>
> "The imperial interests involved in this question are so important that there can be little doubt of a satisfactory result."

If this matter were confined to railway transportation it could be thwarted; but the scheme is more far-reaching, and in part it has been carried out. In connection with the Canadian Pacific road there has been established on the Pacific a line of fast steamers, heavily subsidized by the British and Canadian Governments, running from Vancouver, the Pacific terminus of the Canadian Pacific road, to Japan and China by one route, and to Australia by the other; while ships are now building under the assurance of a like subsidy and like speed, faster, or as fast as any yet put upon the ocean, to run between Halifax and Liverpool.

This means British invasion of the Pacific market—the last refuge of the once almost triumphant American marine. Until this competition arose the Pacific Mail and other lines of American steamers commanded the trade between San Francisco and our other ports on the Pacific coast and Japan, China, Hawaii, and Australia, and generally our American trade in what up to recent times has been a most remote region of the globe. The condition is now different. At the outbreak of the civil war we had the second greatest marine of the world and were fast challenging British supremacy. The Alabama, the Shenandoah, and the Florida put an end to that. Sailing from British ports, our Southern friends were able to drive the knife home to our vitals. It remains to be seen whether by this bill they will succeed in increasing the damage which was inflicted then.

But this imperial extension does not stop with the railways or the fast sailing vessels at the ocean termini of the railroads. There is now projected an ocean cable between Vancouver and Australia in opposition to a French cable which has been projected to one of the Australian colonies, I believe, from some point on the coast of Asia. On the 21st of the present month there is to meet in Ottawa a conference of representatives from Great Britain, the Australian colonies, and the Dominion of Canada, to consider the joint and respective subsidizing of an ocean cable from Vancouver to Australia as a completion of this imperial scheme of commercial advantage and military aggression and defense.

I read at this point a short extract from a letter to the London Times of the 25th of May last from a correspondent who has been writing voluminously to the Times from Canada with regard to the matter. He says:

And for what purpose was this mighty barrier of the Rockies and Selkirks, 600 miles wide, to be crossed?

Not to unite two great communities striving for closer intercourse, as was the case when the 40,000,000 people of the Eastean and Western States, already advanced far beyond the Mississippi, made the first American line across a narrower range of mountains to get in touch with San Francisco, and the large population of the Pacific States, which was also pressing up to the base of the Rockies. In Eastern Canada there were only 4,000,000 people; in British Columbia there were less than 50,000 white people—the population of a small English manufacturing town—and few of these on the mainland, when the railroad was undertaken.

It was to complete and round off a national conception; to pave the way for commercial and political advantages as yet far remote, and by many deemed imaginary, that the work was faced. British Columbia, insignificant in population, was significant enough in position and in some of its resources. It fronted on the Pacific; it had splendid harbors and abundant coal; it supplied a new base of sea power and commercial influence; it suggested a new and short pathway to the Orient and Australasia. The statesmen at Ottawa, who in 1867 began to look over the Rockies to continents beyond the Pacific, were not wanting in imagination; many claimed that their imagination outran their reason; but in the rapid course of events their dreams have already been more than justified.

They were, perhaps, building even better than they supposed. We now know, when Japanese and Australian mail and trade routes are already accomplished facts, and Pacific cable schemes are being discussed, and the docks and fortifications of Esquimalt are being completed jointly by Britain and Canada, that they were supplying the missing joints and fastening the rivets of empire. While they were doing this they were also giving political consolidation to the older provinces of Canada. Common aspirations and a great common task, with the stirring of enthusiam which followed on the sudden widening of the Canadian horizon, did more than anything else to draw those provinces out of their own narrow circles and to give them the sense of a larger citizenship.

So, though British Columbia made no great addition to the population of Canada, its absorption into the Dominion some years after confederation, and the pledge of a transcontinental railway which was the condition of that absorption, marked a great turning point in Canadian history.

* * * * * * *

Vancouver is the meeting place of the Empire's extreme west and east and south, for of the two main lines of steamships which frequent the port, one has its further terminus at Hongkong, the other at Sydney. Their presence vindicates the policy which led Canada to make such sacrifices to secure a base upon the Pacific.

Mr. President, it does not even stop there. I brought with me, but can not lay my hands upon it this moment, a clipping from the London Times which says that on April 25 it had intelligence from Apia that the conference at Ottawa would consider the question of the disposition of Samoa, and that colonial interests require the putting to an end of the tripartite arrangements now governing Samoa.

So, Mr. President, we mark the interesting advent of a new feature in the dominion of the world. We have known in the past plenty of things that have been done in support of British interests, but we now have the introduction of colonial interests. I trust that the day will be long distant when for any considerable time, at least, there will be a disregard in this Chamber of American interests.

But this feature of the question does not rest here. It began with the existence and presence on our Atlantic coast of the fortifications at Halifax, Bermuda, and Kingston in Jamaica; not aimed at France, not aimed at Europe, not aimed at Germany, nor at Russia. They can be aimed at nobody but the United States of America and her colonial posts. Now we are having added by the joint contributions of British and Canadian funds a like fortification at Esquimault, in the neighborhood of Vancouver. It is idle to say that it is being built because of the Russian fortress at Vladiovostock on the far-off Pacific shore of the Russian Possessions. It is a menace and a threat at Puget Sound, and Portland, and San Francisco, and San Diego. It can be no other.

I do not find fault with this. Everybody has a right to take care of his own, and Great Britain has a right to take care of her own. What I do find fault with is that these grave facts are being ignored by American statesmen, who thereby fail to take care of their own.

But, Mr. President, not only these lines of shipping, but the Canadian Pacific road itself was built by subsidies. It never could have been built otherwise. The amount which was given in various forms and ways for the construction of the lines of railroad has been variously estimated at from two hundred and fifty to three hundred million dollars, in addition to the subsidies that are given to the line of steamships from Vancouver to the Orient and to Australia, and that are to be given on the line from Halifax to Liverpool, and upon the proposed oceanic cable from Vancouver to Australia.

We hear enough of the doctrine of Cobden—*laissez faire*—let things go as they will. I do not propose to trench upon the ground treated of in such a masterful fashion by the junior Senator from Massachusetts [Mr. LODGE] in the earlier stages of this debate. No more striking illustration of this is furnished than by the present example to which I am alluding, that while Great Britain wisely relies upon free trade where it is to her advantage, she does not hesitate to offer subsidies and bounties, and to apply the doctrine of protection wherever that will be to her advantage. So we have built around us by subsidies a cordon of railway and steamer lines encroaching upon our domestic and foreign commerce, as well as a military and naval cordon that in any time of difference would be precipitated upon our undefended cities and shores.

Mr. President, in this dark picture there is one bright spot that gleams out on the sky like the North star, shining with no borrowed light, drawing its luster from no sun, a lesson of courage and of statesmanship worthy to be learned by the men who, sitting in this Chamber, direct the destinies of the American Republic. I refer to that noble band of Americans in Hawaii, the picket guard, the outpost of American interests, standing there by themselves, loyal to the country of their origin, loyal to the ideas which carried them there, not to be seduced and not to be driven even by the resistless power of that Republic for whose interests they have stood and whose rulers with folly predestinate strove to overthrow them.

Mr. President, there is one safe point for American interests in the Pacific Ocean. There is no merit in the American Government; but a good deal is due the American people for the influence they have exerted in this critical exigency in their affairs.

This country, with its vast resources, with its magnificent possibilities, with a prosperity up to the time of the advent of the Democratic Administration without parallel in the experience or history of the world, could well afford to contemplate with equanimity and relative indifference any prosperity which Canada might have by any means whatsoever.

We might look on and view it with comparative indifference. Certainly if that were all, I should not submit the remarks I am now making to present this view of the subject. But we are concerned as respects the Canadian Pacific road and its influence, with the removal of a duty upon wool and upon Canadian natural products, and the effect of that policy upon the future problem of the unity of the English-speaking people of this continent.

No American has any thought of the conquest of Canada by force of arms. Profoundly as many Americans believe that the welfare of all English-speaking people upon the continent, on whatever side of the line they may live, demands the unity of the two peoples under one Government, we would not be willing to accept such a unity as the result of war of conquest.

If Canada comes to the United States she must come of her own free will and as a result of her recognition and her realization that such unity is demanded by her own permanent and paramount interests. I am one of those who believe that the permanent and paramount interests of the American people and those who live on our side of the line equally demand the union of the continent, and hence I am opposed to the policy of the present bill and the rate of duties it imposes upon Canadian products.

The dominating fact for Canadian and American alike is the American market. It is a necessity to Canada equally with the United States. Canada in respect to it holds a peculiar place arising out of her geographical position. Canada is divided into

four distinct and separate sections, each separated from the other by a vast uninhabited waste, having no immediate trade or commerce with one another. You have on the east the maritime provinces; in the eastern center, Ontario and Quebec; in the western center, Manitoba and the northwestern provinces, and, on the Pacific coast, British Columbia. Their natural trade is with the United States rather than with each other. If you were to compare them to the fingers of one hand, the tie is naturally with the palm rather than with each other. That palm in this case is the United States.

The prosperity of the maritime provinces rests upon their being able to trade freely with New England and the eastern section of our country. In like manner the prosperity of Quebec and Montreal depends upon their free access to the markets of our neighboring States. So with Manitoba and British Columbia. They are merely joined together by this political road and by no natural tie, as they would be if they lay along the same line of longitude but different lines of latitude, instead of lying along the same lines of latitude.

If the union between Canada and the United States that was made in 1763 by Chatham and Wolfe had not been broken up by the American Revolution, to-day it is altogether probable that instead of 5,000,000 people Canada would have 20,000,000 people, and if she could have, without obstruction, free access to our markets for her natural products, especially wool, while she is free to impose duties against us for manufactured goods, she would grow in like manner.

But for the growth that was made during the pendency of the reciprocity treaty of 1854 she would not have anything like the population she has to-day. Under the influence of the adverse tariffs, particularly those of the McKinley act, one-third of the people born in Canada are to-day residents and possibly citizens of the United States. She is but a way station for immigrants, that are brought to her shores at great expense and after great advertising, for their ultimate destination in America.

Her entire prosperity, so far as it depends upon the American market, is of absolutely uncertain foundation just so long as she remains a distinct country.

Whatever may have been their dreams about reciprocal trade, they were rudely broken up by the McKinley tariff; and whatever expectation they may have of prosperity from the pending bill, they may rest equally assured that at the end of four years, whatever business may be started during that time is liable to be cut up by the roots by another President and another Congress who will hold sway here at that time.

The Canadian Pacific Road, as I have already said, rests for its trade upon our sufferance, upon a merely permissive statute and a Treasury regulation. I am not unaware of the strength of the position it holds by reason of the certain or uncertain transportation advantages in cheaper freights that it gives to the distinct sections of our country on the northern border. I am aware that parts of New England have made use of the Canadian Pacific Road to obviate what they consider to be the unfair results to them of the antipooling and the long and short haul clauses of the interstate commerce act.

Their patriotism may not be enough for so severe a test, but it is possible that the clause of the interstate commerce act forbidding pooling may either be repealed or greatly modified, and the long and short haul clause as it applies to them may be modified, and thus they can have a relief from what they consider the hardships of that act without feeling compelled unpatriotically to build up a foreign corporation at the cost of the permanent and paramount interests of their own country; and the same may be said of every community and every city along the whole northern border from one ocean to the other.

One or two other problems in like manner are outstanding and not to be solved by any scheme of policy found in the pending bill. We need not have had any trouble about the Alaskan seals. We need not have had any arbitration over the seals. You needed only to have suggested that the transportation in bond and under seal of goods through Canada between American ports would be suspended to have put an end to every proposition of the Canadians to poach upon our seals. That would have been a swift and a short remedy, and a complete one. If Canada and British Columbia had been a part of the American Union we would have had no seal question.

There was no marauding upon the seals from American ports. It was only from Canadian ports; and it is to be borne in mind that the British Government did not want to engage in it. Lord Salisbury, an English nobleman—gentleman, perforce—was compelled to become the agent of the Canadian poachers to trench upon our right to the seals purchased from Russia, belonging properly to the owners of the Pribyloff Islands, if not by any law hitherto laid down, by a law that ought to be laid down under the circumstances of the peculiar case, as law always is a growth in the application of sound principles to new facts. Thus we have the most unsatisfactory condition of this seal question left to us as a consequence of our present relations with Canada.

But there is another question, Mr. President, of far greater importance. There is no doubt about the attitude or the policy of the people of the United States on Chinese immigration. There ought to be none in the Democratic party. We believe in their exclusion. Certainly we have had trouble enough from race questions in this country. We do not want to introduce another. I am one of those who would give the largest measure of justice to the negro, but no one realizes more than he does the hardship that is being imposed upon the people by his presence under the circumstances as a part of the American Republic.

We do not want to bring the Chinese here, we all say, and yet to-day any Chinaman can come into British Columbia by the payment of a license of $50, and then walk across the border, and you can not detect it or prevent it. So while we are stopping up all other gaps, this great wide one is left open, and that too while this fast line of steamers is put on between Vancouver and Chinese ports, that will greatly facilitate all means of transportation, while the owners of these ships will have all the inducements to make money by the transportation of the Chinese.

But, Mr. President, the American people have a large interest in this question themselves, and from our standpoint I took occasion a few days ago, in the course of this debate, to call attention to the fact that we have arrived at the end of our last available land for homesteading. Possibly there may be a few acres added from the Indian reservations. The rush for the Cherokee Strip a year ago furnished an object lesson. For the first time since John Smith landed at Jamestown, or the Pilgrims at Plymouth Rock, there is no longer a home for any American in need or want to be had for the asking and the taking. That idea has been almost like what metaphysicians tell us of time and space, that they are conditions of thought. One never thought of America but that there was a suggestion of a farm for everyone.

Uncle Sam is rich enough to buy us all a farm.

Very little attention has been called to this fact, and yet the future historian will speak of it as one of the epochs of America and its people, ranking in importance with the discovery of the continent by Columbus, with the landing at Jamestown and at Plymouth Rock, with the Declaration of Independence and the destruction of slavery. The army of the unemployed can no longer go out upon the prairie and find a home and a competence for the breaking of the soil. They can no longer go into the forest and find a competence by the clearing up of land. It is all in private ownership and has to be paid for, even though much of it is yet practically unocupied.

The unemployed to-day are not going to the prairie. They are joining the army of the unemployed, or Coxey's army. North of us in Canada there is an illimitable expanse of unoccupied lands, and the isothermal lines formed by the chinook winds coming across the low passes of the Rocky Mountains to the north make the land habitable and arable and profitable to occupy away up on the Peace River of the North.

To-day the Senate is going to vote to break down the barrier between the American people and that land and turn the tide of emigration north. Mr. President, shall they go there under the American flag or go there under Her Majesty's flag? That is an issue of great moment to this continent and to all who live on it now or hereafter.

So far our policy has kept our people within our own limits. Now, there is proposed one which will expatriate our people and send them as emigrants upon a foreign soil. I say to our Southern brethren, who held the other day a convention at Augusta to advance immigration to the South, that their talk is idle. They can not compass it by the policy of this bill. Not South will this hungry people go to buy land or to compete with the negro. You are going to send them north to build up a new empire under an alien flag.

Mr. President, to the Senate, to the country, to the continent and its people there is presented the most momentous question of the day. Compared with it, your talk about parties and prosperity and power, or wealth or taxation or welfare, is idle and relatively unimportant. It is the great question of peace or of war. We have had it before. This is not the first time this people have had that issue presented to them; and when they were confronted with it they gave no uncertain answer or sound.

No one recognizes more than I do the inexorable influence that drove the South into rebellion. But, Mr. President, if the South did not fight to preserve slavery, the North did not fight to destroy it. If the South fought for the right of secession, the North was nerved to the expenditure of its last dollar and the

last drop of its blood because it intended that there never should be on this continent, if it could help it, two governments.

Mr. HARRIS. Will the Senator from Delaware allow me to ask him what answer he gave when that issue of war was presented a good many years ago?

Mr. HIGGINS. I gave the same answer that I give now.

Mr. HARRIS. I do not quite understand what answer the Senator gives now.

Mr. HOAR. Will the Senator from Tennessee repeat this question?

Mr. HARRIS. The Senator from Delaware was suggesting that there was an issue of war between sections. He has departed from the wool schedule of the tariff bill and is discussing, I understand, the issues of 1861, and I was a little curious to know what he did then.

Mr. HIGGINS. I did not have to go to Mexico, Mr. President.

Mr. HARRIS. There were quite a good many Northern men who shouldered their muskets and went into the Army. What did the Senator do?

Mr. HIGGINS. I shouldered mine for a very little while.

Mr. HARRIS. I expect it was a very little while; and I hope he will shoulder it for a shorter time in the Senate hereafter in respect to such questions.

Mr. HIGGINS. That answer may be and it may not be worthy of the Senator from Tennessee. In presenting a serious question absolutely germane to this bill and brought up by its issue, I have given this example, in which every American citizen has the deepest interest on whatever side he may have been in the conflict of arms of a quarter of a century and more ago. I have presented it as an example, showing that the ultimate issue and outcome of that conflict was that we should not have two flags and two countries in what was to be the United States. What I say now is worthy of the attention even of the Senator from Tennessee. I say we should not adopt a policy that would create on the North the same conflict that we had made upon the South, and I said it in terms without any reflection whatever upon the causes that led to the late civil war.

Now, Mr. President, because of the 5,000,000 people on the North we have the least possible concern. It is not a power that threatens us in the least. Coupled with the military and naval power of Great Britain, it becomes a matter of much more concern, and yet we take it easily. But it will be a matter of vital difference when Canada contains a population of 20,000,000 or of 50,000,000. Then, Mr. President, we shall again have the question presented of peace or war. As I have already pointed out, the existing foreign military establishment of forts and naval armament is a threat and menace upon our coasts. When that comes, whatever the time or period may be, there will be a trial of strength.

Mr. President, the matter would be very different if Canada were independent of Great Britain, but as a dependency of Great Britain she becomes a part of the European system, a system the character of which is best designated by the term used as "the balance of power." She is subject to all the vicissitudes of war and peace to which Great Britain herself is subject, growing out of European and Asiatic complications. We have no cause of war that is not distinctively American, but Canada is involved in all causes of war which are European or Asiatic.

The difference between Russia and England in India may create war for Canada. The differences between France and England in Africa may create war for Canada. She is liable to become involved at any time, and whenever she does the interests of nations determine their course and their policy, just as in the war of 1812 or in the Napoleonic wars we were finally involved in conflict with Canada. So in the future we are likely to be. To-day, growing out of Asiatic and European complications, England is the silent partner of the Triple Alliance or the Dreibund made up of Germany, Austria, and Italy. Against them stands the tacit alliance of Russia and France.

I can conceive that in the event of the conflagration of war breaking out upon the European continent we should find that our interests were identical or at least lay alongside of those of Russia and France. It would not be so if England were to withdraw from this continent. With that withdrawal would end as far as it would be possible the schism of the English-speaking race which began more than a century ago. Then the forces of a common language, a common law, a common literature, and a common religion would draw us and England together with all their peculiar and appropriate force. To-day we are divorced because she insists upon holding on to her possession upon this continent, invidious and essentially hostile towards us.

For that we have great authority. The Articles of Confederation included a clause that at any time Canada could become a member. Our army in the Revolutionary war was called the Continental Army, because we proposed to include the entire continent. When we came to the peace of 1783 it was Franklin who constantly insisted with the British negotiators that we should have Canada, because thereby only could we have peace. Our experience in 1812 is a pregnant confirmation of his prescience and his wisdom and the truth of his declaration, although peace has prevailed from that time until now.

Mr. President, the McKinley act, which places practically prohibitive duties upon the natural products of Canada, was a long step in the true solution of this question. Even before it was enacted great restlessness was being manifested in Canada because of their need of access to our markets free from any tariff restraint.

Whatever may be the course that is taken upon this bill, it need not be expected that the American people will permit its enactment to stand as a settlement. You may succeed in passing the pending bill and strike this blow at the welfare and future peace of the English-speaking race upon the American continent, but that race is too strong, too sagacious, too sensible to permit this temporary obstruction to stem the tide of its imperial destiny. The pending bill is but the ephemeral expression of forces essentially secondary. The primary and everlasting forces will speedily reassert themselves. Four years hence will see a President and Congress here that will tear the bill to tatters and reënact laws and policies that are for the lasting welfare of all the people of this continent.

Mr. CHANDLER. Mr. President, the Senator from Oregon [Mr. DOLPH] on Monday last, after the cotton schedules in the pending bill had been passed over without debate, criticised the absence from the Chamber of several New England Senators, including those from New Hampshire. My colleague was out of the city for one day, and I had been called to another part of the Capitol for a short time. However, I did not intend to speak in connection with the cotton schedules, but to submit some observations, as I now propose to do, concerning both cotton and wool and the manufactures of cotton and wool, in connection with the woolen schedules now under debate.

I have no doubt that the subdivisions of the schedules fixing duties on the manufactures of cotton are judiciously made in form. I have little doubt that the duties on the lower grades of cotton goods made at the South are high enough, and I hope that the duties are sufficiently protective upon the higher grades of cotton goods made at the North, although I fear they are not. If the bill becomes a law time will tell whether or not the manufacture of the highest grades of cotton goods can survive the reductions of duties made by the pending bill. I shall wait the result hopefully, but with many apprehensions. Any reduction in existing rates is unnecessary and uncalled for by any sound public consideration.

There are many reasons of wise public policy for the protection and development of the manufacture of cotton cloths in the Southern States. The South needs diversified industries to promote that growth which her natural resources entitle her to attain. The condition of that section at the close of the war was indeed lamentable. All values had been destroyed, and nearly all the property itself had been destroyed. The agricultural lands, indeed, necessarily remained, but they were unfenced, unfertilized, uncultivated, and of little or no money value. Few buildings were in existence, except dwelling houses, and those were dilapidated. Horses and cattle were scarce; and tangible personal property had almost disappeared.

The railroads were nearly worthless, with bridges gone, rails worn out, and rolling stock shabby and insufficient. Five millions of slaves, who had been rated and valued as property, had become free. Whatever value there may have been in these slaves—and it was nominally a vast amount—had been lost by their owners. The banks and corporations had become insolvent. The value of all the credits or choses in action which survived the war was insignificant. The paper money of the whole South was good for nothing, and of gold and silver they had none. Surely never was a brave race, after a devastating and unsuccessful war which brought myriads of the strongest and most stalwart men to bloody death and forced grief and despondency into every household, left in a more pitiable condition than were the people of the South at the close of the war of the rebellion in 1865.

But the recuperation of the Southern States during the twenty-nine years since they found themselves in such sorrowful case has, on the whole, been rapid. The growth of cotton and its sale at the North and in Europe has brought much money to that section. The former slaves have labored intelligently and with assiduity, and have accumulated property for themselves and their employers. In addition to prosperous agriculture the vast mineral resources are being developed. Above all, manufacturing, which before 1861 was inconsiderable, has become an industry of vast importance. The "New South," so graphically described by the accomplished scholar and veteran

editor, the junior Senator from Georgia [Mr. WALSH], has become a hopeful reality. Newer, higher, and better prosperity has come to the land once depressed by the existence of slavery and all the concomitant evils which surround it and follow in its course.

In this new South the development of the coal and iron industries is perhaps the most marvelous. But the erection of cotton mills, giving profitable manufactures of cotton, is a striking evidence of the change which the new order of things has brought to the Southern country. During a recent trip to Asheville, N. C., I passed through one section of that State which was fairly filled with cotton mills all in busy motion. The wonderful growth of cotton manufactures in the Southern States, especially in Georgia, North Carolina, and South Carolina, will be made apparent by certain census statistics, which I now exhibit to the Senate.

Here is a table relating mainly to cotton industries in the United States. That portion covering solely the cotton industry is compiled from the Eleventh Census, Bulletin No. 242. After the total for the United States, figures are given for New England, the Middle States, which are New York, New Jersey, Pennsylvania, Delaware, and Maryland, and for the Southern States—Virginia, North and South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, West Virginia, Kentucky, Tennessee, Arkansas, and Texas. In the Western States table, which includes all the rest, Ohio, Indiana Illinois, Michigan, Wisconsin, Minnesota, Iowa, Missouri, Kansas, Utah, Washington, Oregon, and California are given separately in the bulletin, but the others are consolidated. Subtractions are made to obtain the amounts of increase in the decade. The amount of yearly wages is obtained by dividing the total amount paid by the number of operatives; the cost of cotton by dividing the total cost by the number of pounds purchased, and the per capita product by dividing the total product by the number of operatives.

Cotton manufactures in the United States.

UNITED STATES.

Period.	Amount of capital invested.	Per cent of increase.	Number of operatives.	Per cent of increase.	Total wages paid.	Per cent of increase.	Average wages per capita.	Per cent of increase.	Pounds of cotton used.	Per cent of increase.	Total paid for cotton.	Cost of cotton per pound.	Cost of all material.	Per cent of increase.	Value of product.	Value of out-put per operative.
												Cents.				
1880	$208,280,346		174,659		$42,040,510		$240.70		750,343,981		$86,945,725	11.58	$102,208,347		$192,090,110	$1,100.00
1890	354,020,843	70.00	221,585	26.86	69,489,272	65.35	313.60	30.35	1,117,945,776	49.00	117,392,576	10.50	154,593,368	51.23	267,981,724	1,209.38
Total increase	145,740,497		46,926		27,448,762		$72.90		367,601,885		30,446,851		52,387,021		75,891,614	

NEW ENGLAND.

1880	156,754,690		137,185		32,170,801		253.00		541,373,880		63,169,434	11.67	74,290,026		143,363,030	1,127.20
1890	243,153,249	55.10	148,718	16.95	49,908,591	55.14	335.59	32.64	714,691,714	32.00	76,749,130	10.73	100,918,881	35.80	181,112,453	1,217.82
	86,398,559		21,533		17,737,730		82.59		173,317,834		13,579,696		26,628,855		37,749,423	

MIDDLE STATES.

1880	31,014,759		28,367		6,613,260		253.13		109,321,428		13,258,526	12.13	16,191,758		29,389,286	1,036.03
1890	51,676,249	66.65	32,344	14.02	10,763,873	62.75	332.79	41.45	128,184,288	17.30	13,906,748	10.85	22,968,895	40.60	40,664,476	1,257.25
	20,661,490		3,977		4,150,613		99.66		18,862,860		648,222		6,777,137		11,275,190	

SOUTHERN STATES.

1880	17,375,397		16,745		2,750,986		164.20		84,528,757		8,890,408	10.05	9,992,145		16,336,598	975.85
1890	53,827,303	209.80	37,168	122.00	7,817,069	184.2	210.32	28.08	250,837,646	197.5	24,506,776	9.77	27,703,357	177.00	44,513,711	1,116.92
	36,451,406		20,427		5,066,083		46.12		166,308,889		15,618,378		17,204,212		25,157,113	

WESTERN STATES.

1880	3,125,600		2,366		505,403		213.61		15,119,916		1,627,357	10.76	1,725,418		2,981,986	1,260.00
1890	5,364,042	71.32	3,355	41.83	999,730	97.81	298.00	39.58	24,232,128	60.25	2,227,922	9.20	3,002,235	74.00	4,601,084	1,398.23
	2,229,042		989		494,326		84.39		9,112,212		600,565		1,276,817		1,709,098	

NEW HAMPSHIRE.

1880	19,877,084		16,529		4,290,980		259.59		76,386,499		8,629,963	11.29	10,146,904		17,953,403	1,086.25
1890	26,801,933	34.83	19,533	18.20	6,429,084	50.00	329.14	26.80	107,319,124	40.50	11,203,742	10.44	12,938,074	27.90	21,958,002	1,124.10
	6,924,849		3,004		2,138,124		69.55		30,922,625		2,574,670		2,791,170		4,004,597	

GEORGIA.

1880	6,318,657		6,349		1,135,684		179.03		33,757,190		3,591,554	10.63	4,019,673		6,481,894	1,020.93
1890	17,664,675	179.60	10,530	66.40	2,366,085	107.40	224.76	25.51	69,139,410	104.80	6,663,550	9.63	7,778,028	93.90	12,035,629	1,141.06
	11,346,018		4,181		1,230,401		45.67		35,382,221		3,071,996		3,758,353		5,553,735	

NORTH CAROLINA.

1880	2,855,800		3,563		439,650		131.50		11,882,641		1,125,934	9.51	1,463,645		2,554,482	764.15
1890	10,775,134	277.00	8,742	161.50	1,646,198	277	188.30	43.00	53,546,289	350.00	5,396,974	10.08	6,238,252	329.00	9,553,443	1,097.40
	7,919,334		5,399		1,206,537		56.80		41,753,648		4,270,990		4,774,797		7,009,961	

Cotton manufactures in the United States—Continued.

SOUTH CAROLINA.

Period.	Amount of capital invested.	Per cent of increase.	Number of operatives.	Per cent of increase.	Total wages paid.	Per cent of increase.	Average wages per capita.	Per cent of increase.	Pounds of cotton used.	Per cent of increase.	Total paid for cotton.	Cost of cotton per pound.	Cost of all material.	Per cent of increase.	Value of product.	Value of output per operative.
												Cents.				
1880	$2,776,100		2,053		$380,844		$185.55		15,601,005		$1,723,187	10.43	$1,808,300		$2,895,769	$1,410.50
1890	11,141,833	301.40	8,192	299.00	1,646,574	332.5	201.00	8.04	64,000,600	410.00	6,242,599	9.75	6,816,820	278.00	9,800,798	1,197.40
	8,365,733		6,139		1,265,730		15.45		48,399,595		4,519,411		5,008,520		6,905,029	

MANCHESTER, N. H.

Manchester cotton industry.

1890	13,845,304		9,617		3,417,235		355.33						6,465,886		10,957,219	1,139.36

All other Manchester industries.

1890	8,579,604		5,734		2,532,999		441.75						5,406,403		9,230,076	1,609.35

Total Manchester industries.

1890	22,424,908		15,351		5,950,234		393.41						11,872,289		20,187,295	1,315.04

TOTAL MANUFACTURING INDUSTRIES OF THE UNITED STATES.

1880	2,780,766,895		2,700,782		939,462,252		348.00						3,395,925,123		5,349,191,458	1,980.00
1890	6,138,716,604	120.76	4,476,094	65.74	2,171,356,919	131.13	485.12						5,018,277,603	47.77	9,054,435,337	2,022.88
	3,357,949,709		1,775,362		1,231,894,657		137.12						1,622,352,480		3,705,244,879	

NEW HAMPSHIRE.

1880	51,112,263		48,831		14,814,793		303.58						43,552,462		73,928,028	1,540.60
1890	79,375,360	55.30	63,361	30.00	24,248,054	63.74	382.73						47,754,152	9.85	85,770,549	1,355.25
	28,263,079		14,530		9,433,261		79.15						4,201,690		11,842,521	

INCREASE OF CAPITAL IN COTTON MANUFACTURING.

Examine some of the results shown by the foregoing table. We had in 1880, in round numbers in the United States, $208,000,000 invested in the manufacture of cotton. This, in 1890, had increased to $354,000,000, the percentage of increase being 70. New England, which had much the largest part of the capital, only increased 55 per cent. The Middle States, which stood next, increased over $22,000,000, showing nearly $52,000,000 of investment, and 66 per cent increase. The Western States advanced 71 per cent. But the Southern States advanced 209 per cent—that is, more than tripled their capital, passing the Middle States in the race, and having $53,827,303 invested in this industry against $17,377,897 in 1880. New Hampshire increased its capital only 34 per cent, while Georgia increased hers 179, North Carolina 277, and South Carolina 301.

INCREASE IN NUMBER OF COTTON OPERATIVES.

Look next at the number of operatives. In the whole country the increase was 26 per cent, from 174,000 to 221,000. In New England the increase was 16.95 per cent; in the Middle States, 14.02 per cent; in the Western States, 41.83, and in the Southern States, 122 per cent. In New Hampshire it was 18.20; in Georgia, 66.4; in North Carolina, 161.50, and in South Carolina, 299 per cent.

INCREASE IN WAGES PAID IN COTTON INDUSTRIES.

The total amount of wages paid in the country increased from $42,000,000 to $69,000,000, being 65.35 per cent. In New England the increase was 55.14; in the Middle States, 62.75; in the Western States, 97.81, and in the Southern States, 184.20 per cent. In New Hampshire the increase was 50 per cent; in Georgia, 107; in North Carolina, 277, and in South Carolina, 332 per cent.

INCREASE IN POUNDS OF COTTON USED.

The number of pounds of cotton used in all the works of the country increased 49 per cent, from 750,000,000 pounds to 1,117,900,000 pounds. In New England the increase was 32 per cent; in the Middle States, 17.30; in the Western States, 60.25, and in the Southern States, 197.5 per cent. In New Hampshire the increase was 40.50; in Georgia, 104.8; in North Carolina, 350, and in South Carolina, 410 per cent.

INCREASE IN PRICE PAID FOR COTTON.

The sum paid for this cotton in 1880 was $86,945,725, and the price was 11.58 cents per pound. The amount paid in 1890 was $117,392,576, an increase of $30,446,851, and the price was 10.50 cents per pound, a little more than 1 cent fall. Of these vast sums New England paid in 1880, 72 per cent, and in 1890, 65 per cent. Cotton cost New England a cent per pound more than it did the Southern manufacturers.

INCREASE IN VALUE OF MATERIAL USED.

It required $102,000,000 in 1880 and $154,000,000 in 1890 to buy all the material required for use in the cotton factories of the country, and the rates of increase in the various sections and States were very similar to those already given.

INCREASE IN TOTAL PRODUCT OF COTTON MANUFACTORIES.

The value of the total product was in 1880 $192,000,000, increased to $268,000,000 in 1890. The value of the product per capita was $1,100 in 1880, and $1,209.39 in 1890, an increased value of output for every worker in the land of $109.38. The average product per capita in the South in 1890 was $1,116.92 and in New England $1,217.82, showing either the production in New England of a greater quantity, per capita, or of a better article. But the Southern States wonderfully improved the value of their per capita output in the decade under consideration, it being only $975.85 in 1880 while it was $1,116.92 in 1890, an increase of $141.07.

INCREASE IN WAGES PAID IN COTTON FACTORIES.

But by far the most important information revealed in this table is the result on wages. Much has been said and many wild declarations made on this question, but here are facts from the official records of the country which doubtless can not be controverted. During these ten years of protection there has been an enormous advance in the wages paid to the cotton operatives. The totals have been already stated, and to show the average per capita rates and to explain them more fully and plainly they will be stated in a different form:

	Average yearly per capita.		Increase.
	1880.	1890.	
United States	$240.70	$313.60	$72.90
New England	253.00	335.59	82.59
Middle States	233.13	332.79	99.66
Southern States	164.20	210.32	46.12
Western States	213.61	298.00	84.39
New Hampshire	259.59	329.14	69.55
Georgia	179.03	224.70	45.67
North Carolina	131.50	188.30	56.80
South Carolina	185.55	201.00	15.40

This puts the whole subject of wages plainly before the eye. There was an average increase of wages to the cotton workers of the country from 1880 to 1890 of $72.90. They earned that much more money. The New England cotton workers had a larger increase. They earned $82.59 more in 1890 than they did in 1880; and looking up and down that column it will be seen that the New England operatives received more wages both in 1880 and in 1890 than the average, and were paid higher rates than in any other section. In 1880 the New England operative received $253, which was $89 more than the Southern, $40 more than the Western, and $20 more than was paid in the Middle States.

In 1890 the New England operative received $335, which was $125 more than the Southern, $34 more than the Western, and $3 more than the operative of the Middle States. This shows that while the Southern States increased their capital, the number of their operatives, the amount of material used, and the value of their product, largely more than any of the other sections the actual rate and the per capita rate of their wages was increased much less.

Taking the four States shown separately in the table, New Hampshire increased its average wages $69.55, while Georgia showed only $45.67, North Carolina $56.80, and South Carolina $15.45, and in 1880 South Carolina paid higher wages than any of the other Southern States and North Carolina lower wages. But while the wages of these Southern States are lower than those of any other section, the advances made are wonderful and creditable. Georgia and South Carolina paid out in 1890 $5,660,000 in wages to cotton workers instead of $1,950,000 as in 1880, this $3,710,000 increase being expended by those who received it in the very place where it was earned, instead of being sent abroad—that is, to New or Old England—to purchase cotton or other clothing.

INCREASE IN THE TOTAL MANUFACTURES OF ALL KINDS IN THE UNITED STATES.

As there is included in the first table presented a statement of the total manufactures for the United States and for the State of New Hampshire, showing the increase in the ten years from 1880 to 1890, it is proper something should be said in explanation. There never has been so remarkable a showing made. The increase from 1870 to 1880 in the capital invested was from $2,118,208,769 to $2,780,766,895, but little over 31 per cent, whilst in the last decade it was 120.76 per cent. The total amount of wages paid to officers, employés, and operatives increased from $775,584,343 in 1870 to $947,953,795 in 1880, an increase of 22.2 per cent, while in the years from 1880 to 1890 the increase was greater than the amount of wages paid in 1880, and amounted to 131 per cent. Wages increased on the average over $130 to each person employed.

The value of the products increased from $4,232,325,442 in 1870 to the value of $5,349,191,458 in 1880, or 26 per cent, and the articles manufactured were cheaper, taking the average, than they were in 1870. But the increase from 1880 to 1890 has been $3,705,243,899, equivalent to over 69 per cent; and again it can be said that every article of home manufacture is cheaper than it was in 1880.

This is the vindication of protection. In twenty years, under a Republican protective tariff, the value of the manufactured products of the country has increased from $4,232,325,442 to $9,054,435,337, more than double, and the products have grown cheaper all the time.

NEW HAMPSHIRE'S GROWTH IN MANUFACTURES.

New Hampshire can point proudly to its place in the ranks of the manufacturing States. With but one-half of 1 per cent of the population, it has more than 1 per cent of the capital in all manufactures, and produces nearly 1 per cent of the total values of all articles manufactured in the United States. It is the sixth State in the list in the production of woolen manufactures, and the third in cotton manufactures, and its people know that they owe their prosperity to the system of protection. They stand by that policy and want the people of every other State to do so, because it will bring prosperity to them.

The population of the State in 1890 was 376,530, of whom, it appears by the table submitted, 63,361 were engaged in manufacturing industries. The assessed valuation of the State for the year 1893 was—

Inventory of real estate and of personal property as assessed for taxation	$196,117,060
Savings bank deposits	77,024,282
Insurance capital	1,675,000
Total	274,816,342

According to the 1890 census estimates of wealth, New Hampshire had $325,128,740, or $863 per capita of her people, while it appears by the table submitted that the capital invested in the State in manufactures was in 1890 the sum of $79,375,360, and the value of the product for the year was $85,770,549.

THE GROWTH OF MANCHESTER, N. H.

The largest manufacturing city of my own State is Manchester, which had, in 1890, 44,126 inhabitants. Of these, 15,351, a little more than one-third of the whole number, were engaged in remunerative employment. They received yearly an average of $387.75 in wages, and turned out products to the value of $20,187,295, a per capita of $1,315.

Of these workers, 9,617 are engaged in cotton manufactures of various kinds, in which business there is invested $13,845,304. The operatives receive $3,417,235 wages, an average of $355.33, and produce cottons to the value of $10,957,219, the per capita product being $1,139.36. Taking the total amount of wages paid, the cost of material, $6,465,886, and the miscellaneous expenses, $535,946, a total of $10,419,067 is paid out by factories to secure goods to the value of $10,957,219, leaving $538,149 profit, which is not quite 4 per cent, instead of the vast sums we hear so much about as the profits of the cotton manufacturers.

THE PROSPERITY OF AUGUSTA, GA.

There is another city of which I have the statistics. It has a number of cotton factories, with a capital invested of $5,337,362. It has 2,982 workers, who receive $709,525 in wages, an average of $237.93. The value of the cotton products of this city is $3,979,042; the value of the product of each operative is $1,334.34. See the contrast between the two cities. In Manchester, N. H., the operatives are paid an average of $353.33 for producing goods to the value of $1,139.36; in this other city the operatives are paid $237.93 for producing goods to the value of $1,334.34. Yet the New England manufacturers are denounced for oppressing their workmen—for introducing cheap Canadian labor. The junior Senator from Georgia can verify these figures, for they are taken from page 722, part 2, of the Compendium of the Census, and apply to the city of Augusta, in his own State.

In this connection I will read a short extract from the Washington Post of June 11, 1894, credited to the Atlanta Constitution. It is as follows:

All through the dull seasons of the present financial depression the Southern cotton mills have been running on full time and yielding bigger dividends than those of their Northern competitors. The D. A. Tompkins Company's mill at Charlotte, which was mentioned as a notable example in these columns a few days ago, is so crowded with orders for its fine numbers that it has to run night and day. The cotton mill is destined to be the most powerful factor of Southern prosperity in future. When we manufacture our leading staple and sell the product of our mills to home and foreign markets, this will be the richest region on the globe.

The Senators who represent States in which these prosperous manufactories are situated should remember that there are other sections where the mills are silent, the workmen idle, their families destitute, and gloom and sadness prevail.

Mr. HOAR. Is the labor employed in the Georgia cotton mills white or colored?

Mr. CHANDLER. I am not informed as to that. My own impression is that in Georgia both white and colored labor are employed in the cotton mills. Will the Senator from Georgia kindly tell us?

Mr. WALSH. I will state for the information of the Senator from New Hampshire that all the employés in the cotton mills of the South are white.

Mr. CHANDLER. So far as the operatives engaged in the direct work of manufacturing the fabric are concerned?

Mr. WALSH. Yes, sir.

AMERICAN WAGES AND FOREIGN WAGES IN COTTON MILLS.

Mr. CHANDLER. The difference in the cost of labor in Europe and America ought certainly to be taken into consideration in determining the rate of duty upon any article we manufacture in this country. In my remarks about the cities of Manchester, N. H., and Augusta, Ga., an easy method of obtaining the labor cost in the cotton goods manufactured in these two cities was given. In Manchester $353.33 worth of labor produced $1,139.36 worth of material; in Augusta, $237.93 of labor produced finished goods to the value of $1,334.34. The percentage of labor cost in Manchester was 31 per cent; in Augusta it was 17.83 per cent.

Comparison of the daily wages of various classes of operatives in the cotton mills of the Northern and Southern districts of the United States, on the continent of Europe, and the island of Great Britain has been made under the direction of the Hon. Carroll D. Wright, Commissioner of Labor, and the result is to be found in the first volume of his Seventh Annual Report, pages 614 to 712, where are given the actual rates paid to 3,232 workers in textile fabrics in the countries and sections named. The Commissioner says (page 5):

In securing the information, experts and agents were sent directly to the producer. The personal method, that of sending well-informed, well-instructed agents to obtain what is wanted, is the only one on the whole that will secure satisfactory results.

Within the Northern district of the United States, in the States of Maine, New Hampshire, Connecticut, Massachusetts, New York, Pennsylvania, and Maryland, thirty-eight establishments were examined. In the Southern district thirty-two establishments were examined, situated in Virginia, North and South Carolina, Georgia, Alabama, Mississippi, Louisiana, Kentucky, and Tennessee (page 20, Report). The results are given in the following table:

Wages in cotton factories.

[Where several rates of pay are given three or more are added together and the average taken.]

Occupation.	Daily wages				Vol. 1, page—
	Northern district United States.	Southern district United States.	Continent of Europe.	Great Britain.	
Back boys	$0.51½	$0.35	$0.34		614
Baler	1.21	93			614
Beam hands	1.16½	79	72		616
Beamers	1.08	1.34			616
Blacksmiths	1.87	1.56		1.21½	616
Bobbin boys	.83½	.35	.51½	.64	616
Card strippers	1.10½	.81½	.62½	.81	622
Carders	1.26½	.81	.49	.35	624
Carpenters	1.88	1.39	.70½		624
Cleaners	.55		.37½		626
Cloth carriers	.80	.79	.60	.20½	626
Cloth inspectors	1.33½	.88	.63	1.00	626
Cloth-room hands	1.01½	.74	.40		628
Coal wheelers	1.25	.90		.76	628
Doffers	.71	.38	.22	.29	630
Head doffers	1.10½	.78		.64½	630
Drawers in	1.03	1.01	.45	.90½	632
Drawing-frame tenders	.74	.65	.37	.71	634
Drawing-frame hands	1.09	.57			636
Driers	1.30	.68½			636
Filling carriers	.90	.66	.55½	.48½	640
Furnishers	1.91½	1.05½	.36½		642
Folders	1.43	.92	.47		644
Harness hands	1.11½	.52	.47½	.77	648
Laborers	1.17	.74	.47½	.56	650
Loom fixers	1.91	1.39		1.48	652
Machinist helpers	1.31½	1.00	.55	1.57	556
Oilers	1.15	.81	.55½	.83½	656
Picking-room hands	1.13	.81	.43	.47	672
Piecers	.59½	.59½	.55½		674
Press hands	1.05	1.00	1.83½		674
Roller coverers	1.58	1.60	.53		678
Roving carriers	.99	.72			678
Scrubbers	1.07	.70			680
Second hands	1.76	1.44	.87	.88	680
Sewing-machine hands	1.00	.76			684
Slasher tenders	1.08	1.31	.68	1.36	684
Slasher helpers	1.13	.73	.62	.63	686
Speeders	1.03	.83½	.45		688
Speeders, coarse	1.10	.82	.41½	.77	688
Speeders, fine	1.23	.85	.54	.69	688
Speeders, intermediate	1.29	.82	.39½	.69	690
Spinners	1.09	.70			690
Spinner's frame	.79	.50	.45	.61	692
Spinner's mule	1.79	1.00	.98½	1.38	692
Spoolers	.82	.60	.41		694
Stitchers	1.09	.69			696
Teamsters	1.40	1.00		.95	698
Third hands	1.31	1.05			700
Trimmers	1.00	.93			700
Twisters	1.17	.67	.37	.81	700
Warpers	1.26	.89	.58	.73	702
Waste hands	1.22	.80½			7.04
Watchmen	1.30	1.21	.47	.59	7.06
Weavers	1.07	.89	.45	.71	7.08
Winders	.84	.34		.40½	7.10
Yarn hands	1.21	1.00			7.12

In the figures taken from the Commissioner's report comparisons can be made between thirty-two examples in the northern district of the United States and the same number in Great Britain, as there are only that number given from the latter country. Averaging these thirty-two sets of wages paid, the amount the British worker gets is 75 cents per day, whilst the average to the Northern American is $1.48 per day, a small fraction less than two to one, so that a high duty is necessary to protect American labor from the cheaper labor of Great Britain.

There are thirty-eight examples given from the continent of Europe, and comparing these with the thirty-eight from the northern district, gives 55 cents as the average for the day's labor in Europe, and $1.52 as the Northern American's average. This shows that a much higher duty is required to protect our workers and put them on an equality with the German worker.

CHEAP LABOR IN THE COTTON FACTORIES OF CHINA AND JAPAN.

But it is not alone the low rate of European wages against which our American laborers are entitled to be protected.

I have already in this debate called attention to the remarkable paper of Mr. D. Lubin, Sacramento, Cal., published in the number for May, 1894, of the American Federationist, of New York, the official organ of the American Federation of Labor, where the second point he makes is as follows:

The influence on the American wage rate in the use of labor-saving agricultural devices and machinery by the semi-civilized races of the cheapest field labor in the world.

He says that the removal of protection would bring, in time, "the Chinese wage rate for labor. For, with free trade, there will be nothing to prevent a manufacturer starting shops and mills in China with Chinese laborers at Chinese wage rates, and sending his products to New York or San Francisco."

In the Manufacturer, published in Philadelphia, June 9, 1894, there is contained an article from the Boston Commercial Bulletin, of June 2, 1894, which I reproduce, headed "Foreign Competition on Cottons:"

Last week we presented some figures on the cotton-cloth industry, showing that its present prospects in the United States are far from rosy. Increasing pressure of foreign competition on our markets, foreign and domestic, seems to be the destiny of our cotton manufacturers.

The industry in England, and in fact in Europe, is particularly depressed. At the international meeting of textile workers at Roubaix, France, last November, the official reports told a terrible tale of foreign wages in the cotton industry. The weavers of Manchester, England, according to this report, earn on an average $6.63 for a week of fifty-six hours. The spinners average $8.53, the girls from 18 to 20 years earning $4.30 to $4.50. Piecers earn on an average $4.38 a week, and bobbin boys, $1.76 to $1.95.

In France the daily wages for fourteen hours' work, in Cambresis and the Department de l'Aisne, is 13⅓ cents to 19½ cents for weavers.

The representatives of a large German factory employing 1,500 hands and 90,000 spindles reported the average earnings of girls and women at $1.45 for a week of sixty-six hours.

Even these meager wages are, however, too high. The capitalists of England conceived the idea that operatives who required no clothing worth mentioning, and no food but oil and rice, could work more cheaply even than these unhappy toilers. So they established large factories at Bombay for the manufacture of the coarser cotton yarns.

The experiment was successful, and Manchester is suffering from the competition of Bombay, not only in India but also in China.

More recently Japan has come to the front, and is taking the China trade away not only from Manchester, but from Bombay. Last year there were 360,000 spindles in operation in Japan, and by the end of this year 750,000 will be turning.

The factories in Japan are at Osaka. They have the advantages of cheap coal, cheap skilled as well as unskilled labor, and a fixed rate of exchange, both Japan and India being on a silver basis. The prices on Japanese cotton yarns at Shanghai and Hongkong are cut sharply below both Manchester and Bombay rates.

The first spinning mill was erected in that country in 1865, and no other spinning mill was built until 1880, when three more were erected, and by 1886 eleven more were in operation.

By 1890, twenty-three were added to those already existing, and since 1890 the increase has been very great, not only in the number of establishments, but in the capacity of those already existing.

The average wages are 16.2 cents per day for male operatives and 8 cents per day for females, and the net earnings of the mills have been at the rate of about $4.25 per spindle.

The mills have all introduced electric plants and run two shifts of eleven hours each. The imports of raw cotton run from 4,400,000 pounds in 1886 to 104,900,000 pounds a year now.

In 1892 the mills began to export yarn to China, and it is estimated that the cost of production is 18 per cent less than the East Indian mills. As yet none of the mills have taken to weaving yarns, all the yarn now manufactured being woven on handlooms, either in China or Japan.

In addition to the bitter competition from ill-paid European labor, the United States has to face a new competitor in Asiatic labor.

Already Japanese refineries are displacing American refined camphor in our own market. The new cloud on the textile horizon may be small, but the Mikado's country is doubling its machinery yearly, and already has nearly as many spindles as the State of Maine.

Commenting on the foregoing the Manufacturer speaks as follows:

The workman in the textile mills of India earns about 15 cents a day, and he toils from twelve to fourteen hours a day including Sundays. In Japan male operatives in the cotton mills earn about 16 cents a day, and the female operatives about 8 cents. The manufacture of cotton fabrics under these conditions has just begun. It is capable of practically indefinite extension in both Japan and India. There are no finer artisans in the world than these people who earn in a week a sum of money upon which an American would starve to death if he earned it every day. What is to become of the manufactures of England, under free trade, if the industries of these countries shall acquire vast dimensions? What chance will American mills have of turning a spindle twenty years hence, if our tariff barriers are to be thrown down so that the products of this cheap Asiatic labor can be projected into our market? Japan is about to supply what may be called appalling demonstration of the folly of the free-trade theory that the highest priced labor is always the cheapest and need fear no competition. The ominous signs of industrial activity in the East are beginning to make some of the British free traders tremble. The Textile Mercury declares that Richard Cobden never dreamed of such a situation; and it warns British manufacturers that "the thing is advancing like a rising tide, and is coming to the dangerous and stifling point." The journal in question demands that something be done to stay it.

With all the conditions above depicted it is not wonderful that the framers of the present bill, the Senators from Missouri and Arkansas, have undertaken to make a cotton schedule that will protect the product of the rapidly increasing cotton factories of the Southern States of this Union. It is to be hoped that they have also equally protected the cotton mills of New England, including those of New Hampshire, which produce cotton goods of a finer texture and of more expensive finish than those made in the Southern factories.

CHEAP EGYPTIAN COTTON AND COTTON YARNS.

Mr. President, it is not only necessary to have duties for the protection of cotton manufactures in this country, but I call the attention of Senators from the Southern States to the fact that the importation of cotton and cotton yarns raised and spun by the cheap labor of Egypt will soon make it necessary to put a duty upon raw cotton, and certainly will soon require increased duties upon cotton yarns. The earliest tariff bill passed by Congress on July 4, 1789, for "the encouragement and protection of manufactures," provided a duty of 3 cents per pound on cotton. Soon will there be a demand for a renewal of the duty and even the raw material which cotton is, will not be allowed to come free to our manufacturers of cotton.

The imports of raw cotton from 1871 to 1890 increased from 1,196,840 pounds to 8,407,160 pounds. I herewith give a table showing the importation of cotton for the last four years:

Imports of cotton.

	Pounds.	Value.	Value per pound.
			Cents.
1890	8,407,160	$1,393,070	16.5
1891	20,880,920	2,833,528	13.6
1892	28,458,566	3,311,950	11.6
1893	43,330,286	4,686,439	10.8

Of the 43,000,000 pounds imported in 1893, the Senator from South Dakota [Mr. PETTIGREW] says 28,000,000 came from Egypt. This is a fine cotton, superior to the South Carolina sea-island cotton.

Mr. FRYE. Does the Senator from New Hampshire say the cotton referred to is superior to South Carolina cotton?

Mr. CHANDLER. It is superior to the South Carolina sea-island cotton. This last named cotton has been allowed to degenerate in recent years and can not hold its own against the fine Egyptian cotton which is brought here raw or as fine cotton yarns, and used for making the great variety of cotton underwear now so abundant in this country. It is also mixed with silks in the manufacture of some goods.

South Carolina will find it necessary to secure a duty on this Egyptian cotton and cotton yarns made therefrom, and also to endeavor by improved methods and greater care in cultivation to bring her sea-island cotton back to the standard it occupied before the war. The transcaspian provinces of Russia are being developed as a cotton-growing region, and in 1892 produced 163,000,000 pounds.

I submit a table showing the importations for the last four years of fine cotton yarns:

	Year.		Pounds.	Value.	Duty.	Ad valorem rate.
Valued at over 70, and not exceeding 80 cents per pound.	1890	33 cts. per lb	77,063.98	$58,608.09	$29,284.31	49.80
	1891	....do	79,510.95	60,135.76	30,214.16	50.24
	1892	....do	74,923.13	56,950.61	28,470.79	50.08
	1893	....do	74,935.90	57,004.00	28,475.61	50.45
Valued at over 80 cents and not exceeding $1 per pound.	1890	48 cts. per lb	92,872.40	$4,176.00	44,578.75	52.84
	1891	....do	119,637.78	107,587.03	57,426.13	53.38
	1892	....do	52,523.82	46,837.57	25,211.43	53.77
	1893	....do	116,166.12	104,129.00	55,759.74	53.54
Valued at over $1 per pound.	1890	50 per cent.	81,514.98	100,270.04	50,135.04	50
	1891	....do	46,871.19	59,197.02	29,598.50	50
	1892	....do	35,652.40	47,224.22	23,612.10	50
	1893	....do	47,207.81	57,021.00	28,810.50	50

WOOL AND WOOLEN MANUFACTURES.

Trusting that the facts about the cotton industries which I have thus submitted to the Senate may not be without interest, I proceed now to consider somewhat in like manner the condition of the woolen manufactures of the United States. I submit first the following table, headed, "Manufactures of woolen goods in the United States, 1880-90:"

Manufactures of woolen goods in the United States, 1880-1890.

UNITED STATES.

Period.	Amount of capital invested.	Per cent of increase.	Number of operatives.	Per cent of increase.	Total wages paid.	Per cent of increase.	Average wages per capita.	Per cent of increase.	Pounds of wool used.	Per cent of increase.	Total paid for all wool.	Cost of wool per pound.	Cost of all material.	Per cent of increase.	Value of product.	Value of output per operative.
												Cents.				
1880	$159,091,869	.....	161,557	.....	$47,389,097	.....	$293.25	.....	266,102,229	.....	107,681,604	32.98	$164,371,561	.....	$297,252,913	$1,654.73
1890	296,494,481	83.41	219,132	35.54	76,660,742	61.75	350.00	19.56	372,797,413	25.98	98,540,484	26.43	202,815,842	23.38	337,768,524	1,541.39
Increase	137,402,612	.....	57,575	.....	29,271,655	.....	56.75	.....	76,695,184	.....	858,870	.....	38,444,281	.....	70,516,611	.....

NEW ENGLAND.

1880	80,678,942	.....	75,400	.....	23,308,751	.....	309.13	.....	168,711,797	.....	55,000,002	32.66	84,187,083	.....	137,927,668	1,829.28
1890	149,166,236	85.60	92,566	22.76	34,372,381	45.33	371.18	20.00	204,266,172	21.08	55,031,899	26.91	95,430,276	13.35	155,336,935	1,678.11
Increase	68,487,294	.....	17,166	.....	10,563,630	.....	62.05	.....	35,554,375	.....	31,897	.....	11,242,243	.....	17,409,267	.....

MIDDLE STATES.

1880	63,717,854	.....	72,339	.....	21,133,923	.....	294.98	.....	99,395,894	.....	33,692,723	33.90	68,162,805	.....	110,833,039	1,533.49
1890	116,372,021	82.65	101,580	40.42	35,503,450	68.00	349.51	18.48	128,718,377	29.50	33,547,030	26.06	91,025,256	33.52	153,904,571	1,514.80
Increase	52,652,157	.....	29,241	.....	14,369,527	.....	54.53	.....	29,322,483	.....	145,693	.....	22,862,451	.....	43,071,532	.....

SOUTHERN STATES.

1880	2,995,517	.....	2,649	.....	494,334	.....	186.60	.....	6,021,980	.....	2,110,212	35.17	2,737,723	.....	3,961,171	1,495.16
1890	8,541,875	185.00	7,234	169.00	1,881,656	280.85	260.00	39.30	8,797,076	49.00	2,480,431	28.21	4,459,306	62.83	7,673,681	1,060.00
Increase	5,542,358	.....	4,585	.....	1,387,322	.....	73.40	.....	2,775,096	.....	370,219	.....	1,721,583	.....	3,712,510	.....

WESTERN STATES.

1880	11,695,526	.....	11,169	.....	2,452,079	.....	219.53	.....	22,602,558	.....	6,878,667	30.30	9,283,990	.....	14,531,035	1,281.41
1890	22,414,349	90.76	17,752	58.99	4,903,055	100.00	276.23	25.33	31,025,788	36.90	7,481,124	24.13	11,901,206	27.11	20,853,337	1,174.94
Increase	10,718,823	.....	6,583	.....	2,450,976	.....	56.73	.....	8,363,230	.....	602,457	.....	2,617,216	.....	6,322,302	.....

NEW HAMPSHIRE.

1880	8,374,855	.....	7,352	.....	2,237,756	.....	304.37	.....	16,929,169	.....	5,407,734	32.00	7,854,953	.....	13,230,859	1,798.63
1890	14,721,786	75.76	9,400	27.86	3,341,695	49.42	355.50	16.82	22,152,190	30.90	5,747,363	25.94	8,784,638	11.33	14,445,172	1,536.72
Increase	6,342,931	.....	2,048	.....	1,103,939	.....	51.13	.....	5,223,021	.....	339,589	.....	929,685	.....	1,214,313	.....

PERCENTAGES OF CAPITAL, WAGES, AND OUTPUT.

Of the total woolen manufactures of the country, New England had of the capital invested 50.74 per cent in 1880 and 50.30 per cent in 1890. The Middle, Western, and Southern States in 1890 had, respectively, increased 82.65, 90.76, and 185 per cent. The wages, as in the cotton industry, were larger per capita in the New England than in any of the other States, both in 1880 and in 1890, being $111 more in New England in 1890 than in the Southern States, $95 more than in the Western, and $22 more than in the Middle States. The average annual output of the New England operative was nearly $200 above the average in 1880 and $138 in 1890.

It is a noticeable fact that there was an average decrease in the cost of wool of 6.55 cents per pound, but this decline doubtless resulted from the imports of cheap carpet wools, which enter into the general average.

INCREASED CAPITAL AND WAGES, WITH LOWER PRICES TO CONSUMERS.

The manufacture of woolens in this country is an enormous one, and under the fostering influence of a protective tariff has been rapidly developed. The table presented shows an increase in capital from $159,000,000 to $296,000,000, equal to 86.41 per cent. It shows that the operatives increased from 161,000 to 219,000, and the total wages paid from $47,000,000 to $76,000,000, whilst the average per capita wages increased from $293.25 to $350. The value of material increased from $164,000,000 to $202,000,000, and the value of the products from $267,000,000 to $337,000,000. The value of the product for each operative decreased from $1,654.73 to $1,541.39, and this is the most significant item in the table.

It has been stated here and elsewhere, so often as to be monotonous, that the high duties collected on woolen imports increased the cost to the consumer. No one will pretend to say that the operative of 1890 did not produce a larger quantity of the same quality of goods than he produced in 1880. In fact, everyone knows that with improved machinery and facilities the average quantity and quality of the goods produced, to the operative, was largely increased. What, then, becomes of the statement that the cost of woolens is increased to the consumer by the tariff?

The operative in 1880 produced a certain quantity of woolen goods of the value of $1,654.73, at which price they were placed on the market. The operative of 1890 produced an equal or greater quantity of woolen goods which were put upon the market for $1,541.39, a saving of $112.34 to the consumers of woolen goods in the United States upon the labor of every operative engaged in producing woolen goods; and as there are 219,132 operatives engaged in the woolen industry, this shows an actual saving in cost to the consumers of over $24,000,000 as against prices paid in 1880. With this plain and indisputable fact, it is time to cease repeating the statement that the duty on woolen goods will always be a tax upon the consumer.

Is it not plain to the dullest comprehension that if the operative engaged in producing woolen goods in 1880 and in 1890 produced a like quantity in each year, and that if the same quantity produced in 1890 sold for $113.34 less than a like quantity produced in 1880, the consumer purchased his goods that much cheaper? The figures given have been carefully collated from the official reports, and that is what they prove.

Mr. PALMER. At this point I should like to ask the Senator from New Hampshire how he accounts for the falling off in the price. How does the Senator explain it?

Mr. CHANDLER. I think it can be explained in various ways, but beyond all question the fall in the price of the materials used by the factories in 1890, as against the cost of the materials used in 1880, contributes largely to the result. It must be that, assuming that the operatives have grown more skillful, if anything, because here is the larger product to each operative than there was in 1880.

CAPITAL NOT EXCESSIVELY REMUNERATED.

It is the custom of the Southern tariff reformers to complain much of the enormous profits of the manufacturers of the North, and to repeat President Cleveland's foolish fallacy that every tariff duty increases the cost not only of the imported article, but also by a like amount the cost of every such article produced at home. One of the latest misrepresentations of this kind applied to woolen goods is admirably exposed in the following letter:

LACONIA, N. H., *June 5, 1894.*

MY DEAR SIR: In following the tariff debate I run on to many very curious statements, which are so utterly at variance with the facts that it is simply amazing to try to account for them.

On page 6771, CONGRESSIONAL RECORD, Senator JONES of Arkansas is reported to have said, "Then the tax levied on the domestic consumption of woolen goods has amounted to about $171,000,000; the tax on the foreign goods to about $36,000,000, making a total tax on woolen goods of about $207,000,000. Of this vast sum only $36,000,000 goes into the Treasury, while $171,000,000 goes to the manufacturers."

In the Eleventh Census of the United States, page 4, Table 1, comparative statement of combined textile industries in the United States, is found the following statement:

Wool manufactures, 1890.

Number of establishments	2,489
Capital	$296,494,481
Employés	219,132
Wages	$76,660,742
Cost of materials used	$203,095,572
Value of product	$337,768,524

Now, the total amount of wages and cost of materials used is $279,756,314, and the difference between this and the value of the product is $58,012,210, which would be the gross profit.

How can the wool manufacturers of the United States have received $171,000,000 if their gross profit was but $58,012,210, or only one-third of $171,000,000? They did not receive $171,000,000, and Senator JONES stated what was not in any sense true.

The $58,112,210 gross profit is too large, because in the total product of the mills there is a duplication of products in the total.

On page 47 of same census report, this duplication is shown to have amounted to over $30,000,000, which reduces the amount of gross profit to less than $30,000,000, and renders the statement of Senator JONES as absurd as it is untrue.

If men like Senator JONES know no better than this, if such statements are made with gravity in the Senate, if Democrats thought worthy to represent States in this highest branch of our legislative body make in good faith such erroneous statements, it is indeed no wonder that we have such a bill under debate as you now are acting upon, and it will be a great mercy if the textile industries of our country have anything left after these men get done with them.

It does seem to an outsider as if these men in charge of the tariff bill should exercise a little common sense and not make any such statements as Senator JONES did, for if he had taken the trouble to look at the total capital in the woolen industry, $296,494,481, he would have seen that his $171,000,000 meant $57.77 on the capital employed, and the wildest tariff reformer must see the absurdity of that.

It is simply pitiable that a great industry, producing nearly $300,000,000 worth of goods per year should be subjected to legislation at the hands of men who show such ignorance in regard to it, and that it should be practically ruined by the proposed rates of duty while a great trust, like the sugar trust is so tenderly cared for by men who are suspected of enriching themselves by speculating in its shares.

Yours, truly,

JOHN T. BUSIEL.

Hon. WM. E. CHANDLER.

WAGES PAID OPERATIVES IN WOOLEN MILLS.

As in the consideration of the wages in the cotton industry, I call attention to the wages paid to the operatives in wool. The table shows an increase in the country at large, from an average of $293.25 in 1880 to $350 in 1890. This may be considered a fair annual wage, when the fact is taken into consideration that 12 per cent of the workers in woolen mills are children under the age of 15 years and 30 per cent are females. But it is none too much. In fact it is barely enough, and would be more if the present protective system should be continued, for it is a well understood principle "that like produces like," and as the protective system has produced an advance of 20 per cent in the per capita wages of the operatives in the last decade, there is no reason why we should not expect a similar advance should it be continued in the present decade, unless free trade or tariff reform arrests the increase.

Here are given the wages paid in the United States and Europe to thirty-eight classes of wool-workers:

Wages paid in United States and Europe in woolen manufacture as reported by the Commissioner of Labor, Seventh Annual Report.

Occupation.	Daily pay.		Vol. 1, page —
	United States.	Europe.	
Blacksmiths	$1.80	$0.87	616
Brushers	1.00	.34	618
Burlers	.75	.32½	618
Card strippers	1.25	.84	622
Carders	1.10	.34	624
Carpenters	2.59	.92	626
Cloth inspectors	1.83	.57	628
Cloth room hands	1.10	1.09½	628
Drawers-in	1.01½	.37½	634
Drawing-frame tenders	.74	.36	636
Dressers	1.00	.55	636
Engineers	2.60	.89	640
Engineers' helpers	1.50	.48½	640
Finishers	2.02	.37½	642
Finishing-room hands	.94	.37½	642
Firemen	1.60	.80½	644
Folders	1.12	.36	646
Gasmen	1.25	.77	646
Harness hands	1.15	.72½	648
Laborers	1.21	.35	650
Loom fixers	2.66	.89½	652
Machinists	2.44	.83½	654
Measurers	1.55	.38½	656
Overseers	3.00	.16	658
Overseers' carding department	3.50	1.55½	662
Overseers' dressing room	2.00	.82	662
Overseers' spinning department	2.75	1.11	666
Overseers' weaving room	2.75	1.14	670
Piecers	.86	.42	674
Scourers	1.39	.65½	680
Second hands	1.73	.46	682

Wages paid in United States and Europe, etc.—Continued.

Occupation.	Daily pay.		Vol. 1, page—
	United States.	Europe.	
Sorters	$1.75	$0.75	686
Spinners	.96	.95½	692
Stitchers	.80	.37½	696
Watchmen	1.41	.69	708
Weavers	1.50	.65	710
Winders	.80	.35½	712
Yarn carriers	1.25	1.21½	712
Average for thirty-eight above classes	1.60	.68½	

The average, it will be seen, is $1.60 to the American and 68½ cents to the European. These figures, it must be remembered, are not from a campaign document, prepared to exploit a particular idea. They are from the report of a Government officer of high character; were collected during the first Administration of President Cleveland, and printed shortly after its close. Free trade in woolens would reduce the American worker in wools to the average of the European worker, for the nonsensical idea has been exploded that "because of modern inventions and improved machinery" we produce more to the operative than is produced in Europe. No "modern invention or improved machinery" which adds to the capacity of the operative is in use in America for a year but what its duplicates can be found in European factories.

The free traders and the tariff reformers want us to give up a market for the products of the farm, the field, and the workshop, where the operative in woolen goods gets an average of $1.60 per day, and go to where he gets only 68½ cents, and where we would have to compete with all other nations on equal terms. The protectionists want to build up this home market, where labor is well paid, and let the others severely alone. The whole question of the tariff is a question of wages. Shall they be maintained at the American or reduced to the foreign standards of Europe, or worse yet, to those of China and Japan?

THE GROWTH OF WOOL PRODUCTION UNDER PROTECTION.

Mr. President, it is not my intention in this speech, which is devoted rather to a submission of statistics than to argument, to repeat what I have already said in this debate to prove that the manufacturers of woolen goods are not only willing, but anxious, to have sufficient duties levied upon the importation of raw material of wool to protect the flocks of sheep in this country. They believe in protection to the farmer as well as to the manufacturer, and are disposed to resist any attempt, by depriving the farmers of the country of the duty on wool, to induce them to lend a hand in tearing down the whole system of protection.

The arguments in favor of the protection of wool have been ably stated by other Senators.

The growth of the sheep and wool industries in the United States under protection is displayed in the following tables:

Sheep.

Year.	Number.	Value.
1880	42,599,079	$90,640,369
1890	44,376,072	100,659,761
1891	43,431,136	108,397,447
1892	44,938,365	116,121,290
1893	47,273,553	125,909,264
1894	45,048,577	89,186,110

Wool.

	Pounds.
1850	52,516,959
1860	60,264,913
1870	100,102,387
1880	155,681,751
1890	165,449,239
1893	364,152,666

To destroy through the Wilson bill the farmers' flocks of sheep and the whole wool industry by free trade in wool, while trying to protect more or less, either adequately or inadequately every other large industry except that of lumber, deserves the stigma of infamy if anything in connection with an economic question can be called infamous.

In my remarks on the 3d of May I stated the absolute necessity for some protection upon foreign wool on account of the fact that wool can be carried from Sidney, New South Wales, to New York and Boston for less than it can be transported from Oregon, Utah, Wyoming, Idaho, Montana, and Arizona. The point was based upon a letter from Mr. John T. Busiel, Laconia, N. H., dated March 28, 1894. It is found in the record of the debate of May 3, and strikingly presents the facts, and they are also brought out distinctly in the remarks of the Senator from Montana [Mr. POWER] made on May 3, and also on June 12, 1894.

"Free wool" is an actual discrimination in favor of foreign wool by reason of the fact that water-borne wool can be placed in New York and Boston cheaper than the wool from the mountain States of this country, or even from Ohio. The facts are indisputable. I will not again enlarge upon them.

THE UNITED STATES NOW PRODUCE TWO-THIRDS OF THE WOOL USED IN CLOTHING OUR PEOPLE.

Mr. Busiel has also taken due occasion to contend that in justly considering the relative use in this country of home and foreign wools, in connection with the question of protecting wool by a duty, there should be excluded from any figures used the third-class or carpet wools, which are not worn as clothing.

This point of Mr. Busiel's is developed in an article written by him in the American Journal of Politics for the month of May, 1894. This journal is devoted to the free discussion of political questions, national, State, and municipal, by writers on all sides.

The article is entitled "On the consumption of wool, foreign and domestic, from a manufacturer's standpoint," and is written in answer to a communication in the February number of the same journal from Mr. Daniel Strange, in which he says, "We produce but little more than half the wool worn in this country."

Mr. Busiel refutes this statement so completely and shows so clearly how the law of 1890 increased the production of wool in this country that I shall read his article and incorporate it in my remarks. I do this all the more readily, as I know Mr. Busiel to be thoroughly competent to discuss the subject.

THE CONSUMPTION OF WOOL, FOREIGN AND DOMESTIC: FROM A MANUFACTURER'S STANDPOINT.

[By John T. Busiel.]

A curious case of the blind leading the blind appears in the article of Daniel Strange in the February number of The American Journal of Politics. He says "We produce but little more than half the wool worn in this country," and, further on, quotes George M. Bond, meaning, I presume, George William Bond.

I wish to present some figures from George William Bond & Co.'s annual wool circular for 1894—which show that Mr. Strange is incorrect in the above-quoted statement. I first give a table showing all foreign wool entered for consumption, the amount of wool used in all the goods imported into the United States, and the total wool product of the United States.

I begin with the year 1886, as the first year in which imports of foreign wool exceeded 100,000,000 pounds, and call this Table I.:

TABLE I.

Year.	Total wool entered for consumption.	Estimated wool used in goods imported.	Total product of United States.
1886	107,910,549	121,609,527	322,305,000
1887	114,404,173	132,705,729	333,500,000
1888	97,231,277	141,474,144	322,300,000
1889	126,181,274	158,044,449	295,779,479
1890	109,902,103	162,526,260	309,474,856
1891	119,390,280	129,606,230	303,401,507
1892	134,622,336	107,377,718	333,018,405
1893	175,636,041	110,963,712	364,152,666

It will be seen from this table that in only one year (1889) is it correct to say we produced but little more than half the wool worn in this country. In all other years, it will be seen, we produced considerably more than one-half.

But this table is constructed from the tariff-reformer's standpoint, and shows that when he refers to "wool worn in this country," he includes third-class or carpet wools. Now third-class wools are not "worn in this country" except on the floors of our houses, and, so far as wearing apparel is concerned, have no more right to appear in the table than importations of jute.

To show what part of the wool "worn in this country" is foreign and what part domestic, I will construct another table, which I will call Table II, and give the total first and second class, or clothing and combing wools in the first column; estimated wool used in goods imported in the second column; the domestic wool product in the third column, and the per cent of imported wool to total amount of foreign and domestic consumed, in the fourth column, for the same years as in Table I.

The first and second class wools are the wools imported to be used in the clothing "worn in this country."

TABLE II.

Year.	1.	2.	3.	4.
				Per cent.
1886	34,194,497	121,609,527	322,305,000	32.6
1887	32,899,696	132,705,729	333,500,000	33.2
1888	22,520,581	141,474,144	322,300,000	33.7
1889	29,624,807	158,044,449	295,779,479	38.8
1890	29,050,844	162,526,760	309,474,856	38.2
1891	33,494,591	129,606,230	303,401,507	34.9
1892	44,062,211	107,377,718	333,018,405	31.3
1893	42,438,460	110,963,712	364,152,666	29.6

It will be seen from this table that the United States has produced two-thirds of the "wool worn in this country" in every year but 1880, 1890, and 1891—and nearly two-thirds in those years. It will appear also that in 1892 and 1893, under the operations of the McKinley law, the United States not only produced the largest proportion of the total amount of wool consumed, but that the production was increasing relative to the total consumption. The increase of 10 per cent in the product of domestic wool in 1892 over 1891, and 10 per cent in 1893 over 1892, is striking evidence of the benefit of the McKinley act to woolgrowers.

Mr. Strange writes: "Manufacturers assure us the imported wool is never made up by itself. Neither is domestic wool. To secure the necessary strength and luster they must be combined; and 'not a spindle in America is running on either domestic or foreign wool alone.'"

Some one has sadly deceived and misled Mr. Strange. I have been in the woolen manufacturing business for twenty-six years, succeeding my father, who had been in it nearly all his life, and the above statement by Mr. Strange I can truthfully say is totally incorrect. Imported wool is frequently worked, or manufactured by itself. There is probably not a worsted yarn mill of importance in the United States which does not make yarns solely of imported wools, yarns of imported and domestic wools, and yarns of domestic wools alone. Such yarns may or may not be put into fabrics by themselves; they may or may not be put into fabrics with domestic yarns. In fact, they are used both ways.

In woolen mills (not worsted mills) cloths and hosiery are frequently and largely made purely of imported wool, but it is safe to say that a good deal more than half the woolen mills of the United States use no imported wool whatever in any shape or form, but run their spindles on domestic wool alone.

The statement that "not a spindle in America is running on either domestic or foreign wool alone" is so grossly inaccurate that it throws a strong doubt upon the sources of Mr. Strange's information. In my own State I am familiar with many mills that never use imported wool and run all their spindles on domestic wool. I have had occasion to use about three-fourths of a million pounds of domestic wool yearly for many years, and in twenty-five years have not used one hundred bales of imported wool. When I have used any imported wool I have usually used it alone, and not mixed with domestic.

Mr. Strange says: "It is imported under enormous duties—the tariff on some grades of scoured wool being over 100 per cent." He further on uses this rate of duty as if it were a common rate and fixed the price of imported wool to us, and of domestic wool also. Nothing could be farther from the truth.

In Table No. 24, United States Treasury Department, Annual Report of the Chief of the Bureau of Statistics on Commerce and Navigation, are given the quantities and values of imports of wool and manufactures of wool entered for consumption in the United States, and also rates of duty and amounts of accruing duties on the same, during the years ending June 30, 1892 and 1893. In this table it appears that we imported in 1892:

	Pounds.	Rate of duty.
		Per cent.
Class 1:		
Unwashed wool	38,592,040	55.09
Washed wool	1,246	36.6
Scoured wool	47,187	63.52
Class 2:		
Unscoured wool	4,068,224	63.21
Scoured wool	84	24.59
Sorted wool	20,171	37.76
Class 3 (carpet):		
Wool, 13 cents or less	83,697,810	32
Wool, sorted	654,592	64
Wool, over 13 cents	2,106,212	50
Wool, sorted	76,159	100

In 1893, on lower prices of wool, the specific duty remaining the same, increased the percentage of duty, so that in class 1 the rates were 59.03, 48.86, and 66.09 per cent; class 2, 56.23, 43.60, and 91.68 per cent. In class 3 the rates are ad valorem in both years, and so do not change.

The only rate of 100 per cent is in class 3, carpet wool, sorted, and in this grade only 76,159 pounds were imported in 1892, and 10,780 pounds in 1893. Yet the statement is boldly made and skillfully used to convey the impression that our price of foreign wool is enhanced 100 per cent by the duty. The rates of duty on class 1 and class 2 are higher in percentage than when the McKinley law was passed, because the price of foreign wool is now lower.

Mr. Strange further on attempts to controvert Mr. McKinley's statement: "Every ship load (of imported goods) displaces American labor, and you can not get around that" by saying, "But if we but once think of the fact that they bring nothing here except in exchange for the product of our own toil, we then see that every ship load, instead of displacing labor, fills our homes with comforts and relieves our markets of our surplus, and thus gives employment to our laborers to create another surplus for another exchange, which exchange we do not make unless it is to our advantage to do so."

This is a familiar free-trade argument, which has so often been refuted that it seems unnecessary to expose its fallacy again.

Under the Walker tariff, from 1847 until 1860, there were but two years, 1848 and 1858, when we did not largely import more merchandise than we exported; in 1848 because imports were withheld to await the lower duties of the Walker tariff, and in 1858 because of hard times, brought on by the action of the Walker tariff in bringing about the great excess of imports over exports.

The excess of imports over exports in this period of the Walker tariff amounted to more than $400,000,000. This excess was paid for in gold and not by any "surplus" created by employment of labor, as Mr. Strange's theory should have worked to pay the excess. Had the mines of California not been discovered, and had they not produced such phenomenal quantities of gold for export to pay this immense excess of imports over exports, the condition of the United States would have been even worse financially than it was from 1857 to 1860.

It is not necessary to argue that the United States is not a nation which manufactures largely for export, and that it is a nation which does largely export agricultural products; these are self-evident facts.

It must pay, then, for imports of all kinds, if we pay by exchange of products, with such articles as we are called upon to supply to other nations; our exports must be agricultural products, since these are mainly what other nations come here to get whenever their other sources fail, or we can sell them more cheaply than other nations can sell similar products.

Now, the importation into the United States of more manufactures—of more shiploads of foreign manufacture—is not going to create more demand abroad for agricultural products. If England can buy the wheat of India or the Argentine or Russia, at lower prices than of America, she will not buy American wheat, simply because we are buying more goods of Bradford; she will buy in the cheapest market. So, too, of other nations supplying us with manufactured articles. Our imports of manufactured goods might double or treble and the chief articles of export not increase in amount exported, because of such imports. Again, the old system of barter or exchange of products between nations is no longer in vogue.

The submarine cables, the swift steamers—the rapid means of communication and transportation—enable a merchant to buy as easily in Hongkong as he can order a suit of clothes of his tailor, nor does he stop to consider the means of payment more carefully in one case than the other. He knows that if he can not pay for Bradford cloths in wheat, he can and will pay in gold, and that is just what he does when the scarcity of bills of exchange drawn against exported agricultural products is great enough to make gold exports necessary.

But, it is argued, we shall export more manufactured goods. Why or to whom? Every market of the world outside the United States is now supplied with goods made of free raw materials, and with much cheaper labor than enters into any goods made in the United States. Where is the new market in which our goods will be paid for at a higher price than is now paid there for foreign goods? There is no such market. So long as the present standard of wages is maintained in the United States and the present number of working hours for labor, the price of our manufactured goods in the case of nine-tenths, or more, of all kinds of goods will be higher than the foreign goods of like character, and they will not be largely exported. The only lines of cotton goods exported to-day by our people are such as contain the raw material as the chief element of cost, and into which labor enters to the smallest extent, the coarse grades of heavy cloth.

With free raw cotton we yearly import some $30,000,000 worth of fine cottons, in which labor is the chief element of cost, in spite of the McKinley tariff and free raw material. The same is true of silk goods, into which enters raw material free of duty. It is inevitable that imports shall exceed exports under a low tariff, and it is also inevitable that such excess will be paid in gold. If long continued, such a fiscal system will bring about great distress and widespread poverty, and will disorganize our monetary system to a degree which has not been equaled in the history of our country.

JOHN T. BUSIEL.

The points made by Mr. Busiel may be recapitulated as follows:

1. In answer to the charge that we produce but little more than half the wool worn in this country, he shows, by excluding the importations of carpet wool, that the true result is that of the wool worn in this country we produce two-thirds.

2. He shows that many of our mills are run entirely upon domestic wool.

3. He dispels the charge that the rate of duty on wool is over 100 per cent, and that the price of all wool is thereby enhanced 100 per cent. He does this by showing that the rates of duty on the larger quantities of wool imported, namely, on carpet wool and unwashed wool, have been only 32 and 55 per cent ad valorem.

4. He refutes the free-trade argument that importations into the United States of foreign goods increase our exports of agricultural products, because he truly says that no nation buys anything from us for any other reason than that she can obtain it at the lowest possible price. The world's needs and the world's prices, and not our duties on importations, determine the quantity of our exports.

5. He concludes that it is inevitable that our imports will exceed our exports under a low tariff, the excess to be paid in gold; and that such a system will bring about great distress and widespread poverty.

It is impossible successfully to dispute the correctness of Mr. Busiel's conclusions.

AMERICAN WAGES CAN ONLY BE KEPT UP BY PROTECTION.

Mr. President, I trust that the facts which I have to-day presented to the Senate, together with my desultory remarks intended to show the importance of protection to the cotton and woolen industries of the country, may not be undeserving of thoughtful consideration. The whole case may be summed up as follows: If the present high wages are to prevail in the United States, neither the cultivation of cotton nor the production of wool can be maintained with the admission of these so-called raw materials free of customs duties in the face of the cheap cotton of India and Egypt and the cheap wool products of the Argentine Republic and Australia. With the present high wages the manufacture of cotton and woolen goods can not be maintained without customs duties in the face of the cotton and woolen mills of China and Japan and of those of all the crowded nations of Europe.

PROTECTION AND THE REPUBLICAN PARTY WILL TRIUMPH IN 1896.

What, then, shall the national policy be? If free trade, all these industries are ruined. If a tariff for revenue only, it can not exceed 20 per cent duties upon all imported merchandise without distinction, which is also ruin to the industries. If a tariff is to be levied upon a different principle, can it be any other than one which designedly protects these great industries by duties amply sufficient to equalize the conditions in foreign countries and in this country, under which the industries are carried on? The principal inequality of conditions grows out of the difference in the wages of labor in the United States and everywhere else in the habitable globe. To this complexion, then, the question always comes at last, Shall tariff duties be maintained for the avowed purpose of protecting highly paid American labor against competition with cheaply paid labor in

other countries? What will be the final answer to this question by the people of this nation?

Mr. CULLOM. I do not desire to interrupt the Senator from New Hampshire——

Mr. CHANDLER. It is no interruption.

Mr. CULLOM. But I wish to inquire whether in his opinion if a tariff were made upon the basis of the difference of the cost of labor in this country and in other countries, we would or would not have sufficient protection to carry on our industries in competition with the balance of the world?

Mr. CHANDLER. That has always been my impression, and I have felt that the true Republican principle could perhaps be better enunciated in that way than in any other. That principle was distinctly voted down in the Democratic national convention of 1892, and the declaration was made instead that all protection is contrary to the Constitution of the United States.

Mr. CULLOM. If the Senator from New Hampshire will bear with me one word further, I will state that I desire, before the consideration of the pending bill is finally concluded, to give the other side a chance to vote it down again if they wish to do so.

Mr. CHANDLER. I hope the Senator from Illinois will give them an opportunity, but I have an impression that the Democratic platform of 1892 is already obsolete in this Chamber. I know of but one Senator on the other side who even professes to adhere to it.

During this debate the Senator from Missouri [Mr. VEST] has confidently predicted the approaching downfall of protection. The Senator from Maine [Mr. HALE] has met the assertion by the counter averment that protection is daily growing stronger with the American people, and by the prediction that it soon will be established permanently and beyond challenge as a part of the fixed economic and fiscal policy of the United States. The Senator from Maine must be right.

Whether the pending bill passes or does not pass, I feel sure that there will be an overwhelming defeat of the Democratic party which is trying to pass it inflicted at the polls in November next; that in the Presidential canvass of 1896 both parties will pronounce explicitly in favor of the protection by tariff duties of American industries and American labor, and that the duty of maintaining this principle upon which both parties will then agree, will be intrusted by an enlightened and aroused people to the ever faithful national Republican party organization.

Mr. DOLPH. Mr. President——

Mr. QUAY. Will the Senator from Oregon yield to me?

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Pennsylvania?

Mr. DOLPH. Certainly.

Mr. QUAY. The Senator from Oregon is about to proceed to address the Senate, and I think it important that we should have a quorum. I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum being suggested, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich,	Dolph,	Jones, Nev.	Power,
Allen,	Dubois,	Kyle,	Pugh,
Allison,	Faulkner,	Lindsay,	Quay,
Bate,	Frye,	Manderson,	Ransom,
Berry,	Gallinger,	Martin,	Roach,
Brice,	George,	Mills,	Shoup,
Call,	Gibson,	Mitchell, Oregon	Smith,
Carey,	Hansbrough,	Murphy,	Squire,
Chandler,	Harris,	Palmer,	Stewart,
Cockrell,	Hawley,	Pasco,	Teller,
Coke,	Higgins,	Patton,	Vest,
Cullom,	Hoar,	Peffer,	Vilas,
Daniel,	Hunton,	Perkins,	Walsh,
Davis,	Jones, Ark.	Platt,	White.

The PRESIDING OFFICER. Fifty-six Senators have answered to their names. A quorum of the Senate is present. The Senator from Oregon will proceed.

Mr. DOLPH. Mr. President, the woolgrowing industry is a great industry in the State of Oregon. During the discussion of the pending measure I have several times incidentally alluded to that industry, and I had intended when the woolen schedule was reached to discuss it more elaborately. I had collected some statistics and some quotations from eminent Americans which I intended to present to the Senate in addition to those I have heretofore presented. But I have been for the last two days in great doubt whether it would answer any useful purpose for me to further discuss the question as to whether wool shall be placed upon the free list. I have never believed that the Democratic majority in this Chamber could be induced to keep wool upon the dutiable list.

Since I have been a member of the Senate, several times a vote has been taken upon the question whether wool should be placed upon the free list, and with one or two exceptions, I think with but one, in the last eleven years the Democratic side of this Chamber have voted for free wool. But my friend from Montana [Mr. POWER] has been confident that the majority in the Senate would relent and that we could secure votes enough upon the other side of the Chamber in favor of a reasonable duty upon wool to carry the proposition.

I do not suppose that anything I can say upon the subject will have any effect whatever. The matter has been fully presented. The statistics of the woolgrowing industry in this country and the wool-manufacturing industry have been presented. I fear no appeal which can be made to the fairness and patriotism of the majority, no argument for the protection of this industry, and no showing that can be made concerning the iniquity of protecting the wool-manufacturing industry, the iron and steel industry, the cotton industry, and the manufacturing interests and other industries of the South, while placing wool upon the free list, will avail.

The wool industry is doomed. Our Democratic friends have for years, in this Chamber, been expressing great solicitude for the farmer. They have been lamenting over the pitiable condition of the workingman of this country, and have been denouncing the manufacturers and the millionaires of the country. Now, when they have an opportunity to legislate in the interests of the farmer, they propose to strike a deadly blow, not only to the wool industry, but to nearly all the agricultural interests of this country.

The Senator from Indiana [Mr. VOORHEES], the chairman of the Committee on Finance, in opening the discussion on this measure, evidently not familiar with the provisions of the bill, indulged in some of the old Democratic rhetoric in regard to the men who have accumulated wealth and have invested their money in the great industries of the country which give employment to American labor. The Senator from Indiana, apparently oblivious to the fact that many of the great manufacturing interests of the country will be reasonably protected by this measure, and that it is the industries of the farmer and the laboring people which are to be stricken down by the pending bill, employed his rhetoric to denounce the men who are engaged in carrying on the great industries which give employment to labor. I can not do better than to quote what the distinguished Senator from New York [Mr. HILL] said in regard to the extravagant denunciations of the Senator from Indiana. He said:

> I listened the other day with considerable interest to the distinguished Senator from Indiana in his fierce denunciations of the people in this country who have been fortunate enough to accumulate a competence. He nearly exhausted the vocabulary of abuse in the anathemas which he hurled against them.
>
> He rebuked their "narrow and corroding selfishness," their "dangerous pretensions and intolerable arrogance," he described their "brutal dictation;" he upbraided "their unjust, relentless, unsparing, and insolent" conduct; he pictured their wealth as the "illegitimate offspring of Governmental paternalism," and characterized them as without "gratitude or love of country;" he imputed to them an intention and willingness to commit perjury and other crimes "for which the convict stripes of the penitentiary are the only punishment," and then having summarily adjudged them guilty without court or jury he declares them to be "fit associates for thieves, housebreakers, forgers, and cutthroats," and not satisfied with this terrible humiliation which he inflicted upon them, and notwithstanding his well-known amiable and forgiving disposition, with one fell swoop he consigned them all "to everlasting hell."

Mr. President, this denunciation by the Senator from Indiana appears to have been intended to answer for the whole majority and for the whole discussion of the tariff bill. There has been no repetition of it in this Chamber. There has been no other denunciation of robber barons, or the people who have grown rich by paternalism. The Senator from Iowa (Mr. ALLISON), I think, the next day or the same day intimated that the Senator from Indiana did not know what the bill contained, and did not understand this bill. Sir, the sequel has shown that the Senator from Iowa was correct.

How ridiculous does this denunciation, this display of rhetoric, appear when taken in connection with the subsequent discussion of the bill on the other side of the Chamber, and the provisions of the bill a bill in which the trusts are provided for; a bill in which the iron and steel schedules were made so satisfactory that they passed the Senate with scarcely a question, and even an amendment which my friend from Pennsylvania (Mr. QUAY) offered was agreed to without a division; a bill so satisfactory to the cotton manufacturers that the cotton schedule of ten pages was passed in thirty minutes; a bill in which every great industry of the South is protected; a bill which imposes a duty upon sugar; a bill which has been made satisfactory to the sugar trust; a bill which gives 83 per cent protection to the producers of rice; a bill which applies the doctrine of the Democratic party of tariff for revenue only and free raw materials to two great products of the Northern agriculturists and laborers, to wool and to lumber.

President Cleveland in his free-trade message of 1887, followed the lead of his distinguished Secretary of the Treasury, and advocated free wool. Mr. Manning in his annual report, advocated reform of the tariff and announced the true doctrine of tariff for revenue only substantially as being a tariff which levies duties upon articles like tea and coffee that we do not produce in the United States and which do not come into competition with articles of our production and admits free, or without protective duties, productions which do come in competition with the products of American industries.

The Secretary of the Treasury advocated free wool, but favored a revenue duty upon sugar, for the reason he said that when a duty is placed upon any product which comes in competition with American products, the consumer is compelled, not only to pay a

tax upon the product imported into the United States, but the price of the domestic product is increased and the consumer is compelled to pay a tax upon it. He contended that inasmuch as we only produce about one-eighth of the sugar consumed in the United States, the tax which the consumer is compelled to pay upon the domestic product is small, and that therefore sugar is a proper subject for taxation, for the levying of revenue duties. Our Democratic friends argue that free wool will not decrease the price of wool, but that by the removal of the duties the price will be increased. At the same time on every stump they have argued that wool should be made free because wool is a product which is used for the manufacture of clothing, used by every citizen of the United States, and that placing wool on the free list, by making wool cheap, would reduce the price of clothing.

These contradictory and inconsistent arguments have been heard all over the country and in this Chamber. But President Cleveland did not deny that placing wool on the free list would reduce its price. He said:

> I think it may be fairly assumed that a large proportion of the sheep owned by the farmers throughout the country are found in small flocks numbering from twenty-five to fifty. The duty on the grade of imported wool which these sheep yield, is 10 cents each pound if of the value of 30 cents or less, and 12 cents if of the value of more than 30 cents. If the liberal estimate of six pounds be allowed for each fleece, the duty thereon would be 60 or 72 cents, and this may be taken as the utmost enhancement of its price to the farmer by reason of this duty. Eighteen dollars would thus represent the increased price of the wool from twenty-five sheep, and $36 that from the wool of fifty sheep; and at present values this addition would amount to about one-third of its price.

The President, then, basking in public favor, receiving a salary of $50,000 a year, surrounded by all the conveniences and luxuries which wealth can procure, paid for by the Government, forgot that in thousands and hundreds of thousands of households in the United States, $36, which he estimated would be the loss on the wool of 50 sheep, or at least $72, which he estimated would be the loss on a flock of 100 sheep, would probably be an amount greater than all the money expended by the household for clothing during the year. The President treated this depreciation of the products of flocks as a trifling matter; but accepting the President's estimate, which I think is too low, placing wool on the free list will cause a serious loss to all the flock-holders in the United States. Let us take the President's figures and make a little calculation.

Eighteen dollars the President estimates as the loss at the then price of wool upon the product of 25 sheep; $36 as the loss on the product of a flock of 50 sheep; $72 as the loss on the product of 100 sheep. Now, we will take larger flocks, and we will reach the owners of the flocks in Oregon, the men who are interested and engaged in this great industry there. The President's estimate would mean a loss of $720 per annum on 1,000 sheep, of $7,200 per annum on 10,000 sheep, of $175,000 per annum on the flocks in Oregon, estimated at about 2,400,000, and upon the product of the sheep in the United States, at the President's estimate, the loss would be over $3,500,000 per annum.

Mr. President, the State of Oregon is divided by the Cascade Mountains into eastern and western Oregon. Western Oregon consists of a succession of valleys and mountain sides, of prairies and forests. Time was when the sheep industry of western Oregon was a great industry, but owing to the increase of population, to the utilization of our beautiful valleys for the raising of cereals, for fruit orchards, and for hop yards, this industry to-day isprincipally conducted in Oregon east of the Cascade Mountains. About one-third of the State of Oregon is west of the mountains and about two-thirds east. With the exception of the slope of the Cascade range, of the Blue Mountains, and other spurs of the Cascade range, and the Rocky Mountain system and a few valleys, eastern Oregon is largely within the arid or semiarid regions.

The area in which agricultural products can be raised without irrigation is comparatively small. But in the large area of eastern Oregon, being some 300 miles north and south and nearly 200 miles east and west, are vast regions which are suitable for sheep-raising, where immense flocks of sheep graze, and if, in the dry season, the feed becomes short they are driven up on the mountain sides and to the watered valleys, places where they can find food. The wool raised in eastern Oregon mainly finds its way to market by being transported by wagon to the Columbia River, or to the Oregon Railway and Navigation Company's line, a railroad which extends from Portland up the Columbia River some 200 miles or more, to Walla Walla and connects with the Northern Pacific, branches off at Umatilla, crossing over the Blue Mountains and entering Idaho at the boundary of the State.

Nearly all the wool product of eastern Oregon is grown so distant from railroad and water transportation that it has to be transported at great cost a long distance by teams. The product of last year is still largely held in the warehouses of eastern Oregon. There has been no buyer for the product of this year, and if you pass the pending bill you will perpetuate the present conditions there. It has been said that near some of the large cities in the East where there is a great demand for mutton, sheep-raising may still be prosecuted, but pass the pending bill and the wool industry in Oregon is doomed. The sheep will be driven out of the country. They will be driven to the slaughter pens.

The industry can not be prosecuted with profit. It must be remembered that whatever reduction there is made in the price of wool comes from the profit of the industry. When President Cleveland was arguing that the loss to the farmer by putting wool on the free list would be small, not more than one-third of the value of the product, he forgot that the expense of raising wool would be just the same, that the value of the land would continue the same, that the cost of feeding the sheep would be the same, that the cost of shearing and marketing the product would be the same, so that the whole loss caused by the depreciation in the price would come out of the profits of the industry; and, with wool at the price it will be if this bill passes and wool is placed upon the free list, I repeat, the woolgrowing industry in the State of Oregon will be doomed.

Only those who know something about that country know what that means to the prosperity of Oregon. It is the great industry of eastern Oregon, as I have said, embracing two-thirds of the area of the State; but when the sheep are sold and driven out of the State, or driven to the slaughter pens because they can no longer be fed and cared for and sheared and their product marketed at a profit, not only that industry and all that it has produced, all that it has added to the prosperity of the people of the State will be gone, the lands that have been occupied for pasturage will lie idle and be unprofitable; they can not be turned to any other profitable purpose; they are unfit for agriculture unless water can be gotten upon them, and the people who are now engaged in the wool industry will be driven to other employment to compete with those employed in our already overcrowded industries.

Mr. President, in view of the disastrous effect of the destruction of this great industry in my State, and in view of the other provisions of the pending bill, which will strike a deadly blow at other great industries of the State, which I have heretofore discussed—the provision putting lumber upon the free list, the provision reducing the duty upon hops, and the duty upon fruits—if I saw any way to defeat this measure I should certainly improve it.

But, as I said when I arose to address the Senate, I am becoming discouraged. It is whispered around that this bill is likely to come to a vote before long, possibly during the present month. If I had my way, if I could prevent it, the final vote upon the bill never should be reached until the people of this country should have another opportunity to render a verdict upon the tariff question and to say whether they desire the McKinley law to remain upon the statute books or this so-called Wilson bill to be passed.

It is the great Northwest which is to be the greatest sufferer from the effect of this bill if it becomes a law. As I have already intimated, many industries in the South are protected and provided for, many of the great industries of the country have been fairly protected, and even the woolen manufacturers, if we are to believe statements made upon the other side of the Chamber, are to receive considerable protection; and it is argued that the placing of wool upon the free list renders a less rate of duty upon imported woolen fabrics necessary for them.

I was interested in the discussion yesterday between the Senator from Mississippi [Mr. GEORGE] and my colleague [Mr. MITCHELL] of Oregon] and the Senator from Iowa [Mr. ALLISON]. I really began to think that possibly the Senator from Mississippi was relenting, and that he intended to vote with us on this side of the Chamber to put some duty upon wool; but when I found what he was driving at, when I understood the purport of his question, that what he wanted to know was if wool was given a duty, we on this side of the Chamber would insist upon an increase of the duties upon woolen manufactures, I saw that he did not understand the question of the protection of wool at all.

Mr. President, ample protection of woolen manufacturing is just as necessary to the continuance of the woolgrowing industry as a protective duty upon wool itself. What good would a duty upon wool alone do? Suppose you were to give us even the McKinley duty upon wool and remove the duties from woolen manufactures, do you suppose that would be of any benefit to the woolgrowers? No, sir. All the wool used in this country would come into the country manufactured; the woolen manufacturing industry would be destroyed; there would be no domestic market for wool, and there would be none imported. Domestic wool, if raised, would be compelled to find a market abroad where the wool was manufactured. It is entirely indifferent to the farmer whether the 160,000,000 pounds of wool we import comes into this country unmanufactured or whether that amount shall be brought in manufactured. It affects the industry the same.

The senior Senator from Louisiana [Mr. CAFFERY], I think it was, the other day referred to something I had said about the wool industry, and quoted some figures in regard to the woolgrowing industry in several of the Southern States, comparing them with some of the New England States. I presented tables to the Senate the other day showing the number of sheep and the number of pounds of washed wool and scoured wool in each State of the Union, and I then segregated the table, showing the number of sheep in the Southern States and the number of pounds of wool produced there. I showed that only 20 per cent of the sheep of the United States to-day are owned in the Southern States, and nearly one-half of those are owned in the State of Texas, and about the same

percentage of the amount of wool was raised there. The single State of Texas is the only State which is really interested to any considerable extent in the question of a duty upon wool.

I stated the other day that I had heard the argument made that if wool were made free of duty there would be large importations of the finer wools of Australia and other foreign countries, and the coarser wool of Texas would be in greater demand. The Senator from Maine [Mr. FRYE], I think it was, suggested to me another matter, in substance, that the conditions in Texas are more nearly like to those in foreign countries, where wool can be produced cheaply. There are large tracts of unoccupied land there, labor is cheap, the climate is mild, and it may be supposed that the wool industry in Texas can survive, while the industry in other States of the Union, the Northern States, where the winters are more severe and land and labor are dearer, will be destroyed.

Mr. President, it has been argued, as I have said, that placing wool upon the free list will make it cheaper and make clothing cheaper. It will make wool cheaper in the United States for a time, and until the industry in the United States is destroyed, but when the foreign producer and foreign dealer can control our market it is more than likely that the price of wool will be increased; but what will our condition then be? The wool industry is an industry of slow growth. It has taken years of patient toil to enable it to reach its present condition; but when our sheep are slaughtered, when the wool industry is abandoned, and there comes a change of the political control of this body, as there will come speedily, and a duty is placed on wool, then, sir, it will take years of protective duty and of care and attention to revive the industry in the United States.

If our friends upon the other side of the Chamber would consent to give us a duty, not a highly protective duty, but such a duty as would enable the industry to be prosecuted without a loss, enable the industry to live, prevent the sheep from being slaughtered, and leave the industry in a condition to be revived when there is a change of policy in regard to it, they would be doing a business-like and sensible thing. But, if they now destroy this industry and wipe it out, it can not be revived until after many years of patient effort and toil.

We hear a great deal of talk about the prices of clothing. Woolen clothing to-day is cheaper in the United States than it has ever been before in all our history. A month's wages in the United States to-day will buy more woolen clothing than can be bought by a month's wages in any other country under the face of the sun.

Mr. GRAY. Shoddy, you mean?

Mr. DOLPH. No, I do not mean shoddy. I never expect to convince the Senator from Delaware upon any proposition connected with the tariff or concerning any fact in regard to our products in the United States or their value. The Senator is wedded, apparently, to free trade; he is wedded to a policy which, as I told him the other day, if it had prevailed in his State, would have made the great commercial and manufacturing center of his State, now a credit to the State and to the nation, a country village. But the Senator will persist in his unsound theory, and will not be convinced, not even by the object lesson which is now afforded to the American people by the condition of our industries, brought about by the mere threat of free trade.

Mr. President, I repeat, that a month's wages in the United States to-day will buy more and better clothing than can be bought by a month's wages in any other country under the sun.

I suppose that there are somewhere from 3 to 5 pounds of wool used in a suit of clothing. If the duty were 10 cents a pound, that would be from 30 to 50 cents reduction in the price of the wool which enters into a suit of clothing. If that difference in price could be traced from the woolgrower through the commission merchant and the warehouseman and the wholesale buyer, and the manufacturer of cloth and the wholesale cloth merchant, and the retail dealer and the clothing manufacturer, and the wholesale dealer in clothing and the retail dealer, down to the customer, it would be but a trifle; but you might as well attempt to irrigate the arid plains of the West by pouring a pail of water on the top of the Rocky Mountains as to attempt to trace this difference in the price of the wool in a suit of clothing through all the middlemen, dealers, and manufacturers from the growers of the wool to the man who purchases the clothing.

Our free-trade friends contend also that if we had free wool we could manufacture woolen goods in the United States to supply the world's demand for woolen cloth. That is a most ridiculous proposition. We never could furnish the foreign markets until we put labor in this country upon an equality with the labor of other countries. There is imported annually in all countries, besides the United States, about $100,000,000 in value of woolen cloth, but we import annually from fifty to sixty millions in value at the foreign price, and in the neighborhood of from eighty to one hundred million dollars at the domestic price after the duty is paid. We should endeavor to secure our own market before we talk about securing the foreign market.

The absurdity of the claim that free wool would enable us to secure the foreign market for woolen goods is clearly shown by the following, taken from the report of the minority of the House Committee on Ways and Means upon the House bill to place wool on the free list in the Fifty-second Congress:

THE CHIMERA OF "FOREIGN MARKETS."

The majority of the committee declares that the cheapening of production that will follow free wool will enable American manufacturers, "within a reasonable time, to sell many grades of woolen goods in foreign markets, thus relieving them from the embarrassment of overproduction and enabling them to take advantage of the world's market. Instead of being limited in their market to the sixty-odd million consumers in this country, they would in a few years' time be able to compete successfully with their foreign rivals in supplying the hundreds of millions of people who patronize the markets of the world."

There is no chimera of the free-trader more flimsy and hollow than this one in a foreign market for American-made woolen goods.

Such a market can never be possible to us until we reduce the labor cost in woolen goods to the labor cost of similar goods made by the nations which now possess these markets.

In limited lines of cotton goods it is possible to obtain some foothold, the proportion of labor cost being relatively small, and superior organization and greater speed in machinery overcoming the disadvantage of higher wages; but in the woolen manufacture these conditions do not and can not exist.

But the greatest error of the majority lies in its extravagant overestimate of the importance of the "world's market" for woolen goods. The total amount of the net importations of woolen goods by all the countries of the globe, excluding our own, does not equal $100,000,000 a year.

The United States in 1890 imported $54,000,000 worth of woolens, foreign value, or about $85,000,000 in duty-paid value; so that that limited portion of the United States market for woolens which, up to the enactment of the present law, was held by foreigners was nearly equal in volume to the value of all the remaining available markets of all the world.

To hold that market for ourselves is worth far more to us, economically, than would be the opportunity to contest on equal terms with England, France, Germany, and Belgium for the woolen-goods markets for which these nations are struggling desperately in order that they may possess an outlet for their surplus products.

They esteem the American market, which the Democratic party proposes to surrender as a free gift to them, worth more than all other markets combined.

It is worth more to us than any other market, and it can be as well supplied by our own as by any other people.

The "open markets" of the world are no longer sufficient to consume the products of the machinery competing for them. There are no such "open markets" into which our trade in woolen goods could be extended under the fiscal policy of the majority.

The protective policy of the United States is now followed, to a greater or less degree, by every important nation, Great Britain alone excepted; and Great Britain is, by the general agreement of her Parliamentary committees and her citizens, the chief, and, in fact, the only sufferer from this universal application of the principle of a protective policy.

As was stated by some Senator to-day we produced in the United States over 300,000,000 pounds of wool last year and imported about 160,000,000 pounds. With the continued growth of the industry, which has taken place since the McKinley law was passed, it would be but a short time, if a protective duty were maintained, until we would produce all the wool in the United States which is consumed here.

It may not be generally known, but it is true nevertheless, that we can raise in the United States as fine wool as can be raised in any other portion of the known world. We can raise in California and in Oregon as fine wool as can be raised in Australia. I was surprised myself, when, as a member of the Senate Committee on our Relations with Canada—the committee was taking testimony in California and Oregon—I ascertained from experts upon the wool question that such was the fact. I am told by my friend from Kansas, now sitting near me [Mr. PEFFER], that as good wool is raised in Kansas as is imported from any quarter of the globe.

Why should we in view of these facts; why should we in view of the fact that we are importing largely of wool now, why should we in view of the fact that we are now growing 300,000,000 pounds of wool in the United States, and the industry is growing and the amount of production is increasing; why should we, in view of the fact that we have millions of acres of land unsuitable for general agriculture, but suitable for sheep-raising; that we have vast territories in which this industry can be profitably conducted, strike a blow which will destroy the industry? Why should we prefer the sheep-raisers of Australia and the Argentine Republic and of other foreign countries, where land is cheap and wages are low and the sheep require little care, to American citizens? No one has answered, and no one can give any satisfactory answer to that question. The industry of the farmers of this country is to be destroyed in pursuance of a theory only, the theory of free trade.

The wool manufacturers have not asked it, the farmers have not asked it, no class of citizens in this country has asked it. No one complains about the price of clothing, but the Democratic party is determined, having abandoned their principles as to everything else, to hold fast to free lumber and free wool in order that it shall not be accused of entirely abandoning its position upon the tariff question.

Mr. President, it is idle to claim, as some have claimed, that the price of wool in the United States will not be decreased by placing wool on the free list. The price of wool is fixed in the great markets of the world like the price of every other product of labor; it is fixed by the world's supply and the world's demand, and for years—in fact, ever since we have had a duty on wool—the price in the United States has been the London price with the duties exacted at the custom-house added; but when you put wool on the free list the price in London and the price in New York will be the same.

The Democratic majority in this body has abandoned its platform and abandoned Democratic principles, and has protected nearly everything except lumber and wool. As I have shown, the South

has very little interest in the wool question. The pending measure proposes duties which give satisfaction to the Carnegies and to all the iron and steel manufacturers. The Democratic majority has given a reasonable schedule to the cotton manufactures; it proposes to maintain a duty upon woolen manufactures. It has shed tears over the condition of the poor farmer, and it talked week after week and month after month here during all the time the McKinley bill was under consideration about the robber barons, the manufacturers, and the money kings—has made provision for the manufacturers and for the wealthy people of the country, and proposes to strike this deadly blow at a great industry of the farmers and the laboring men of this country.

I submit a statement in regard to the market for wool in Great Britain and the effect of free wool upon the price of wool in the United States, taken from the circular of Messrs. Justice, Bateman & Co., issued June 1, 1894. I ask the Secretary to read it.

The PRESIDING OFFICER (Mr. FAULKNER in the chair). Is there objection to the request of the Senator from Oregon? The Chair hears none, and the paper referred to will be read by the Secretary.

The Secretary read as follows:

FOREIGN MARKETS.

In the event of wool being placed on the free list, it is conceded that London prices will be the free-wool American prices; therefore, unusual interest is taken in London quotations. Recent advices state that wools can be bought at an average decline there of 5 per cent below the last auction sales. In order to sustain the market 80,000 bales, or 30,000,000 pounds, were withdrawn, and the sales will be brought to a close to-day, instead of on the 9th, as advertised. This weak condition of the London market is a source of surprise, as it has been generally supposed that the placing of wool on the free list in the United States would cause an advance in the wool markets of the world. Leading London merchants declare that the effect of "free wool" in America upon foreign prices has been already discounted, and that but for the immediate prospect of a larger share of the American trade, foreign prices would inevitably have fallen much lower.

Quotations for the grease price of foreign wools are of but little use for purposes of comparing the prices of one year with another, or of comparing the wool of one country with that of another, on account of wide differences in condition of wools of the same breed and the same diameter of fiber; but when the wools of the world, varying widely in the grease condition, are scoured, carded, and combed, they are thus brought to one uniform standard, which is a fair basis for comparison. "Botany Top" is such a standard, and Botany Top, of such quality as would be made of the average of American fine wools, is selling in Europe at from 35 to 37 cents, the lowest on record.

The price of this article has varied for several years, the average indicating a wool value of about 30 cents for scoured wool similar to that produced from the average American staple. This value of 30 cents per scoured pound, therefore, must be taken as the basis for the average free-trade value of American wool. Territorial wools are not worth 30 cents scoured, while the sound, strong-fiber wool from east of the Mississippi is worth a shade above 30 cents scoured. The average scoured value of American wool during the past month was about 40 cents as against 60 cents previous to March, 1893; so that 60 cents scoured, and upward, may be considered the basis upon which the American clip under protection has grown to its present proportions. It now remains to be seen what will be the condition of the wool industry when prices are adjusted to an average scoured basis of 30 cents instead of 60 cents, as heretofore.

Mr. DOLPH. I hold in my hand a statement of the importations of wool, the number of pounds, the value, the duties collected, and the rates of duty for four years, 1391, 1892, 1893, and 1894.

In 1891 we imported 129,303,648 pounds, valued at $18,200,000, and we collected in duties $6,500,000 on a specific duty of 5 cents per pound and 35⅛ per cent ad valorem; in 1892 we imported 148,670,652 pounds, valued at $19,600,000, and the duties collected were $7,750,000, with a duty of 5¼ cents per pound and 39¼ per cent ad valorem; in 1893 we imported 168,433,836 pounds, valued at $21,000,000, and we collected in duties $8,250,000. Then the duty had been changed by the McKinley law to 4.9 cents per pound specific and 39¼ per cent ad valorem. In 1894 we imported 48,792,168 pounds, valued at $6,000,000, upon which $2,300,000 in duties were collected. It will be seen that both the importations and the duties have largely fallen off on account of the condition of the country.

This makes the total importation for the four years 495,200,304 pounds, of the value of $64,800,000, and the duties collected in the four years amounted to $24,800,000.

Our friends on the other side of the Chamber claim to favor a tariff for revenue, but there was a revenue collected from duties on imports of wool of $8,250,000 in 1893, which it is now proposed to throw away.

I have also a statement showing the imports of manufactures of wool during the same period. I shall insert in the RECORD the statement in full.

The statement referred to is as follows:

Imports of wool and manufactures of wool for fiscal years ending June 30, 1891–'92–'93–'94, under the McKinley law, together with amount of duties collected on same.

Years ending June 30—	Imports of wool.		Duties collected.	Specific (or per lb.) duty collected.	Ad valorem duty collected.
	Pounds.	Value.			
				Cents.	*Per cent.*
1891	129,303,648	$18,200,000	$6,500,000	5	35⅛
1892	148,670,652	19,600,000	7,750,000	5¼	39¼
1893	168,433,836	21,000,000	8,250,000	4.9	39¼
1894	48,792,168	6,000,000	2,300,000	4.9	38½
Total	495,200,304	64,800,000	24,800,000		

Imports of wool and manufactures of wool, etc.—Continued.

Years ending June 30—	Imports of manufactures of wool.	Duties collected.	Rate of duty collected (ad valorem).
			Per cent.
1891	$41,000,000	$34,500,000	84.14
1892	35,500,000	34,000,000	95.77
1893	38,000,000	37,000,000	97.37
1894	22,500,000	21,900,000	97.37
Total	137,000,000	127,400,000	

The figures for 1894 are all estimates based on the reported imports for first nine months of the fiscal year ending June 30, 1894.

This $24,800,000 duties collected on wool are, by the pending bill, to be given away at a time when the Government needs revenue.

This $127,400,000 duties collected on woolen manufactured goods, which are almost exclusively luxuries used by the wealthy classes, are, by the pending bill to be reduced two-thirds, thus making a present to the wealthy classes of over $80,000,000. This loss of revenue of over $100,000,000 heretofore collected, under the McKinley law, on wool and woolens is to be replaced by a tax on sugar, a necessary of life, the per capita consumption of which is as great by the poor as the wealthy.

All this revenue is to be abandoned at a time when the Government needs it for the payment of ordinary expenses.

Mr. QUAY (at 6 o'clock p. m.). Will the Senator from Oregon yield to me?

Mr. DOLPH. I yield to the Senator from Pennsylvania.

Mr. QUAY. Is it the desire of the Senator from Oregon to conclude his remarks this evening?

Mr. DOLPH. It is entirely immaterial to the Senator from Oregon.

Mr. QUAY. The usual time of adjournment has arrived.

Mr. HARRIS. I think the Senator from Oregon has not concluded his remarks upon this subject, and as he has never been heard before on the tariff question, I think he ought to have the fullest opportunity to be heard. [Laughter.]

Mr. DOLPH. The Senator from Tennessee is very kind, and I am very greatly obliged to him.

Mr. HARRIS. I knew the Senator would be, and he ought to be, for I have endured almost beyond the point of human endurance. I hope the Senator will proceed.

Mr. QUAY. I desire to mention to the Senator from Tennessee that I understood the Senator from Oregon to state that he does not desire to conclude his remarks this evening.

Mr. HUNTON. The Senator from Oregon said it was immaterial to him whether he concluded this evening or not.

Mr. HARRIS. I hope he will conclude.

Mr. QUAY. I move that the Senate do now adjourn.

The PRESIDING OFFICER (Mr. FAULKNER in the chair). The question is on the motion of the Senator from Pennsylvania.

Mr. HARRIS. Upon that motion I demand the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. HIGGINS (when his name was called.) I am paired with the senior Senator from New Jersey [Mr. MCPHERSON]. If he were present I should vote "yea."

Mr. HOAR (when his name was called.) I am paired with the Senator from Alabama [Mr. PUGH].

Mr. MCLAURIN (when his name was called.) I am paired with the Senator from Rhode Island [Mr. DIXON], but I transfer my pair to the Senator from Indiana [Mr. VOORHEES] and vote "nay."

Mr. QUAY (when his name was called). I am paired with the Senator from Alabama [Mr. MORGAN].

The roll call was concluded.

Mr. GORDON. I transfer my pair with the Senator from Iowa [Mr. WILSON] to the Senator from North Carolina [Mr. JARVIS], who is detained from the Senate by reason of sickness in his family. I vote "nay."

Mr. BLANCHARD. I inquire if the Senator from Michigan [Mr. MCMILLAN] has voted?

The PRESIDING OFFICER. The Senator from Michigan has not voted.

Mr. BLANCHARD. I am paired with that Senator, and therefore withhold my vote. If he were present I should vote "nay."

Mr. BRICE. I transfer my pair with the junior Senator from Colorado [Mr. WOLCOTT] to the Senator from South Carolina [Mr. IRBY] and vote "nay."

Mr. CALL. I am paired with the Senator from Vermont [Mr. MORRILL] with the privilege of voting to make a quorum. I shall not vote unless I find that my vote is necessary for that purpose.

Mr. DANIEL (after having voted in the negative). I discover that the Senator from Washington [Mr. SQUIRE], with

whom I am paired, has not voted. I therefore withdraw my vote.

Mr. CAREY (after having voted in the affirmative). I am paired with the Senator from Wisconsin [Mr. MITCHELL], and desire to withdraw my vote.

Mr. FRYE. I am paired with the senior Senator from Maryland [Mr. GORMAN], who is detained from the Chamber by illness, and therefore withhold my vote.

Mr. RANSOM (after having voted in the negative). I inquire if the Senator from Maine [Mr. HALE] has voted?

The PRESIDING OFFICER. The Senator from Maine has not voted.

Mr. RANSOM. I beg leave to withdraw my vote, as I am paired with that Senator. If there is not a quorum, however, I shall feel at liberty to vote.

The result was announced—yeas 16, nays 33; as follows:

YEAS—16.

Aldrich,	Dolph,	Jones, Nev.	Platt,
Allison,	Gallinger,	Mitchell, Oregon	Power,
Chandler,	Hansbrough,	Patton,	Proctor,
Cullom,	Hawley,	Perkins,	Shoup.

NAYS—33.

Allen,	George,	McLaurin,	Stewart,
Bate,	Gibson,	Martin,	Turpie,
Berry,	Gordon,	Mills,	Vest,
Blackburn,	Gray,	Murphy,	Vilas,
Brice,	Harris,	Palmer,	Walsh,
Caffery,	Hunton,	Pasco,	White.
Cockrell,	Jones, Ark.	Peffer,	
Coke,	Kyle,	Roach,	
Faulkner,	Lindsay,	Smith,	

NOT VOTING—36.

Blanchard,	Dubois,	Lodge,	Quay,
Butler,	Frye,	McMillan,	Ransom,
Call,	Gorman,	McPherson,	Sherman,
Camden,	Hale,	Manderson,	Squire,
Cameron,	Higgins,	Mitchell, Wis.	Teller,
Carey,	Hill,	Morgan,	Voorhees,
Daniel,	Hoar,	Morrill,	Washburn,
Davis,	Irby,	Pettigrew,	Wilson,
Dixon,	Jarvis,	Pugh,	Wolcott.

So the Senate refused to adjourn.

The PRESIDING OFFICER. The Chair recognizes the Senator from Oregon.

Mr. QUAY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Pennsylvania?

Mr. DOLPH. I do.

Mr. QUAY. I move that the Senate proceed to the consideration of executive business.

The PRESIDING OFFICER. The question is on the motion of the Senator from Pennsylvania.

Mr. ALDRICH and Mr. QUAY called for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BLANCHARD (when his name was called). I am paired with the Senator from Michigan [Mr. MCMILLAN]. If he were present I should vote "nay."

Mr. CALL (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL], otherwise I should vote "nay."

Mr. DANIEL (when his name was called). I am paired with the Senator from Washington [Mr. SQUIRE], and therefore refrain from voting.

Mr. GORDON (when his name was called). I again announce, for the evening, that I have transferred my pair with the Senator from Iowa [Mr. WILSON], who will stand paired with the Senator from North Carolina [Mr. JARVIS], and I vote "nay."

Mr. HIGGINS (when his name was called). I again announce my pair with the senior Senator from New Jersey [Mr. MCPHERSON].

Mr. MCLAURIN (when his name was called). I transfer my pair with the junior Senator from Rhode Island [Mr. DIXON] to the senior Senator from Indiana [Mr. VOORHEES], and vote "nay."

The roll call was concluded.

Mr. CAREY. I desire to announce that I am paired with the junior Senator from Wisconsin [Mr. MITCHELL].

Mr. TURPIE. I am paired with the Senator from Minnesota [Mr. DAVIS], but I am at liberty to vote to make a quorum. I vote "nay."

Mr. GALLINGER (after having voted in the affirmative). I am paired with the junior Senator from Texas [Mr. MILLS], who has not voted, and I therefore withdraw my vote.

Mr. DANIEL. In order to make a quorum, I vote "nay."

Mr. CALL. I am authorized to vote in the absence of a quorum, and I vote "nay."

Mr. BLANCHARD. Under the pair I have with the Senator from Michigan [Mr. MCMILLAN], I reserved the right to vote to make a quorum, and I vote "nay."

The result was announced—yeas 10, nays 34; as follows:

YEAS—10.

Allison,	Hawley,	Patton,	Shoup.
Cullom,	Jones, Nev.	Perkins,	
Dolph,	Mitchell, Oregon	Platt,	

NAYS—34.

Allen,	Coke,	Kyle,	Smith,
Bate,	Daniel,	Lindsay,	Stewart,
Berry,	Faulkner,	McLaurin,	Turpie,
Blackburn,	George,	Martin,	Vest,
Blanchard,	Gibson,	Murphy,	Vilas,
Brice,	Gordon,	Palmer,	Walsh,
Caffery,	Gray,	Pasco,	White.
Call,	Harris,	Peffer,	
Cockrell,	Hunton,	Roach,	

NOT VOTING—41.

Aldrich,	Gorman,	McPherson,	Ransom,
Butler,	Hale,	Manderson,	Sherman,
Camden,	Hansbrough,	Mills,	Squire,
Cameron,	Higgins,	Mitchell, Wis.	Teller,
Carey,	Hill,	Morgan,	Voorhees,
Chandler,	Hoar,	Morrill,	Washburn,
Davis,	Irby,	Pettigrew,	Wilson,
Dixon,	Jarvis,	Power,	Wolcott.
Dubois,	Jones, Ark.	Proctor,	
Frye,	Lodge,	Pugh,	
Gallinger,	McMillan,	Quay,	

So the motion was not agreed to.

The PRESIDING OFFICER. The Chair recognizes the Senator from Oregon [Mr. DOLPH].

Mr. HARRIS. Will the Senator from Oregon yield to me for a moment?

Mr. DOLPH. I will.

Mr. HARRIS. Mr. President, since the 2d day of April I have urged, as earnestly as I knew how to urge, the making progress with and the final disposition of this bill, not because I had any personal interest in it, but because the business of the country is paralyzed and will remain paralyzed until the country is informed of what the rates of tariff taxation are to be in the future. I have at no time sought or desired or been willing to subject any Senator to any inconvenience; but I have all the time thought, as I think now, that Senators can better afford to subject themselves to some slight inconvenience, to some slight discomfort, than to continue indefinitely this uncertainty that paralyzes business and distresses the whole country.

I had desired this evening that the Senator from Oregon [Mr. DOLPH] should conclude his remarks. I had an understanding with the Senator from Rhode Island [Mr. ALDRICH], so far as two Senators could control the question, that we should take the vote upon the question of free wool before adjournment. He and I have been thwarted in our hopes. Is it possible now to get an understanding and an agreement as to the time when we can get a vote upon that question? I should be exceedingly glad to do so.

Mr. ALDRICH. Mr. President, the Senator from Tennessee has stated what took place between him and me in regard to a desire to reach a vote upon the pending amendment in regard to free wool this evening, and he has also stated that we have been disappointed in our efforts in that direction. I have been trying during the day, as the Senator knows, to get the floor for a short speech. I think the debate upon this particular part of the woolen schedule is practically exhausted, or nearly so. I know of no Senator, except the Senator from Oregon and me, who desires to be heard, and I shall not detain the Senate a great while.

I am inclined to think that to-morrow morning we may be able to come to an agreement as to the time when the final vote shall be taken upon this part of the schedule.

Mr. HARRIS. As the Senator from Rhode Island does not propose to consume much time, possibly the Senator from Oregon might give us some idea as to about how much time he will desire to consume.

Mr. DOLPH. I can not determine that to-night, Mr. President. If it will suit the convenience of the Senator from Tennessee any better, I might conclude this speech to-night and make another in the morning; but my present intention is not to continue at any great length. I do not, however, propose to agree at any time when I am in the Chamber, when that matter is brought up, as to the time when a vote shall be taken upon this schedule.

This is a matter in which the people of my section of the country are vitally interested, and we would a great deal sooner suffer some inconvenience until the 4th of March next rather than have a great industry in our State destroyed for years to come.

I had no definite idea as to how long I should take when I

rose, and I have not now any definite idea how long it will take me to finish.

Mr. QUAY. I have no doubt that, if the Senate adjourns at present, there will be an agreement reached to take a vote to-morrow. I do not doubt it, though, of course, I am not able to guarantee it.

Mr. ALDRICH. My impression is that, after the Senator from Oregon shall have concluded, we may be able to fix a time at which a vote can be taken at some hour to-morrow, not late in the day. I suggest to the Senator from Tennessee that that probably is the best arrangement which can be made; that we had better adjourn now, and to-morrow, after the Senator from Oregon shall have concluded, try to make an arrangement for a vote.

Mr. HARRIS. Mr. President, perforce, and not by inclination, I am compelled to submit to the inevitable. I think, however, I shall avail myself of this occasion to say that, after three days consumed on this particular schedule, not to mention the months which have been consumed in the same general character of debate, I hope we shall make progress to-morrow; and, if we do not, I hope that no Senator will complain, not even the Senator from Pennsylvania [Mr. QUAY], in all the liberality and kindness and generosity of his heart, or the Senator from Oregon, with all his volubility, if he will pardon me, if I ask the Senate to stay here to-morrow without regard to time until we have made some progress with the bill.

I move that the Senate do now adjourn.

The motion was agreed to; and (at 6 o'clock and 25 minutes p. m.) the Senate adjourned until to-morrow, Friday, June 15, 1894, at 10 o'clock a. m.

HOUSE OF REPRESENTATIVES.

THURSDAY, *June 14, 1894.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. E. B. BAGBY.

The Journal of yesterday's proceedings was read and approved.

LUCY A. M. JONES.

The SPEAKER laid before the House a communication from the clerk of the Court of Claims, transmitting the findings of the court in the case of Lucy A. M. Jones *vs.* The United States; which was referred to the Committee on War Claims, and ordered to be printed.

ELY MOORE AND DANIEL WOODSON.

Mr. SAYERS. I ask that the Committee on Appropriations be discharged from the further consideration of Executive Document No. 221, and that the same be referred to the Committee on Indian Affairs.

The title of the document was read, as follows:

A letter from the Acting Secretary of the Treasury, transmitting a communication from the Second Comptroller, with enclosures certifying for an appropriation the amounts found due Ely Moore and Daniel Woodson under the joint resolution approved April 2, 1894.

The SPEAKER. Without objection, the change of reference asked by the gentleman from Texas will be made.

SENATE BILLS REFERRED.

The SPEAKER laid before the House Senate bills of the following titles; which were severally read twice, and referred to the Committee on the Judiciary:

A bill (S. 1390) providing an additional circuit judge in the eighth judicial circuit;

A bill (S. 1478) providing for an additional circuit judge in the seventh judicial circuit, and for other purposes; and

A bill (S. 1813) providing an additional circuit judge in the ninth judicial circuit.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. TAYLOR of Tennessee, indefinitely, on account of sickness in his family.

To Mr. WOLVERTON, for this day, on account of business.

Mr. LYNCH. I call for the regular order.

The SPEAKER. The regular order is the call of committees for reports.

The Clerk proceeded to call the committees.

AMERICAN REGISTRY FOR STEAMER MARGARITA.

Mr. PIGOTT, from the Committee on Merchant Marine and Fisheries, reported back favorably the bill (H. R. 6986) to provide for the American registry of the steamer Margarita; which was referred to the House Calendar, and the accompanying report ordered to be printed.

INDIAN APPROPRIATION BILL.

On motion of Mr. MADDOX, the House resolved itself into Committee of the Whole on the state of the Union (Mr. O'NEIL of Massachusetts in the chair) and resumed the consideration of the bill (H. R. 6913), making appropriations for current and contingent expenses of the Indian Department and fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1895, and for other purposes.

The CHAIRMAN. When the committee rose yesterday an amendment had been offered by the gentleman from Wyoming [Mr. COFFEEN], which the Clerk will read.

The Clerk read as follows:

Insert after line 4, on page 45, the following:

"For the purpose of conducting negotiations with the Shoshone and Arapaho Indians for the sale and relinquishment of certain portions of their reservation in the State of Wyoming to the United States; under the charge of a commissioner to be appointed by the Secretary of the Interior, there shall be appropriated the sum of $2,000, to be immediately available, the remuneration of said commissioner not to exceed $6 per day, and necessary traveling expenses: *And provided further*, That any agreement entered into for said lands shall be ratified by Congress before it becomes binding."

Mr. MADDOX. Mr. Chairman, was a point of order made on that amendment?

The CHAIRMAN. A point of order was reserved.

Mr. MADDOX. I now make a point of order against it.

The CHAIRMAN. The Chair sustains the point of order, on the ground that the amendment involves new legislation and increases appropriations.

Mr. COFFEEN. I hope that point of order will be withdrawn. If the Chair will indulge me a moment, I wish to say that this matter was considered by the Committee on Indian Affairs this morning, and it was agreed (I think the chairman of the committee will so state) that the point of order should be waived and the amendment allowed to come in. Am I not correct in that statement [to Mr. HOLMAN]?

Mr. HOLMAN. That was the view of the members of the committee who were present. I hope my friend from Georgia [Mr. MADDOX] will allow the amendment to come in. The amount involved is very small.

Mr. MADDOX. I insist on the point of order.

The CHAIRMAN. The point of order is insisted upon, and the Chair sustains it. There was also pending yesterday an amendment offered by the gentleman from South Dakota [Mr. PICKLER], which the Clerk will read.

The Clerk read as follows:

Amend by inserting at the end of line 8, page 45, the following:

"*Provided*, That a sum not to exceed $5,000 may be used in completing three artesian wells at Pine Ridge, Rosebud, and Standing Rock Agencies, this amount in addition to the sum appropriated for that purpose by act of March 3, 1893."

Mr. OUTHWAITE. Has the point of order been reserved upon that amendment?

The CHAIRMAN. It has been.

Mr. PICKLER. By advice of the committee I ask leave to withdraw the amendment at this place, and offer it at its proper place, in line 18, on page 32.

The CHAIRMAN. The same amendment?

Mr. PICKLER. The same amendment.

The CHAIRMAN. That can only be done by unanimous consent.

Mr. PICKLER. It is suggested by the committee.

The CHAIRMAN. Is there objection to recurring to page 32, line 18, for the purpose of considering the amendment proposed by the gentleman from South Dakota at that point?

Mr. MADDOX. What is the request?

The CHAIRMAN. To recur to page 32, line 18.

Mr. HOLMAN. I suggest to the gentleman that this money comes out of the Sioux fund, and is for the benefit of their common schools.

Mr. WILSON of Washington. This is the same amendment that was objected to at another place, and the gentleman only asks now that it be considered where it properly belongs.

The CHAIRMAN. Is there objection to recurring to the page and line indicated for the purpose of considering the amendment?

There was no objection.

The CHAIRMAN. The amendment will be reported.

The amendment was again read.

Mr. PICKLER. Let us have a vote.

The question was taken, and the amendment was agreed to.

Mr. DOOLITTLE. Mr. Chairman, there was an understanding between the chairman of the Committee on Indian Affairs and myself last evening in reference to the amendment that I offered on page 44 after line 18.

The CHAIRMAN. The Chair will state the present understanding relative to the amendment of the gentleman.

Mr. MADDOX. Before that let me ask if the point of order is considered as pending?

The CHAIRMAN. The point of order is pending.

Mr. HOLMAN. I suggest to my friend from Washington that this subject has been referred to the Commissioner of Indian Affairs, and I presume we will have an answer in an hour or two. I ask, therefore, that it go over temporarily.

Mr. DOOLITTLE. I simply wanted an understanding, Mr. Chairman, that we would recur to this when the information is obtained from the Department.

Mr. WILSON of Washington. Let it be passed over informally, with the privilege of recurring to it hereafter.

The CHAIRMAN. Is there objection to passing over the paragraph and the amendment temporarily, to be recurred to hereafter?

Mr. MADDOX. It is understood that the point of order is reserved: otherwise I will insist on immediate action.

The CHAIRMAN. It will be reserved. Is there objection?

There was no objection.

The CHAIRMAN. The paragraph at the bottom of page 44 has been passed over to be recurred to again. The Chair will call the attention of the gentleman from Illinois [Mr. CANNON] to the paragraph, as it was passed over at his request. No amendment is pending.

Mr. CANNON of Illinois. I move to strike out the last word simply for the purpose of asking the chairman of the committee a question. I wish to inquire why in this paragraph, which provides an appropriation for the allotment of lands in severalty to the Indians, the committee has seen proper to reduce the amount from $40,000 for the current year to $30,000 in the next year?

Mr. HOLMAN. The gentleman from Illinois must see that this work is being completed, and that so large an appropriation will not be constantly required.

Mr. CANNON of Illinois. Being completed?

Mr. HOLMAN. You do not propose to appropriate $40,000 every year for work that is gradually approaching completion?

Mr. CANNON of Illinois. Why, Mr. Chairman, from the reading of the report of Mr. Donaldson, who made the Indian census, one of the most intelligent men and best informed in this country on that question, it would seem that we are just beginning the work. It ought to be done with discretion, but there are certain reservations where the allotment ought to be speedily completed, according to his report; and I am inclined to think he is correct.

Mr. HOLMAN. Well, I have read the report of Mr. Donaldson very carefully. What particular reservation does the gentleman refer to?

Mr. CANNON of Illinois. Oh, some reservations in the Northwest?

Mr. HOLMAN. After looking over the ground carefully, the committee were of the opinion that $30,000 was sufficient.

Mr. WILSON of Washington. What portion of this bill are we discussing?

The CHAIRMAN. The last paragraph on page 44.

Mr. WILSON of Washington. Was there an understanding to return to that?

The CHAIRMAN. There was, last night.

Mr. WILSON of Washington. All I desired to know was "where we are at." [Laughter].

Mr. CANNON of Illinois. We are at the last paragraph on page 44.

Mr. WILSON of Washington. I am much obliged to the gentleman for the information.

Mr. CANNON of Illinois. Before making a material motion—having moved to strike out the last word—I wish to ask whether the Indian Bureau agrees with the judgment of the committee?

Mr. HOLMAN. The estimate of the Department is $40,000.

Mr. CANNON of Illinois. What does the Indian Commissioner or the Secretary of the Interior say about it?

Mr. HOLMAN. He makes no special recommendation, but estimates $40,000.

Mr. CANNON of Illinois. And the committee fixed the amount at $30,000.

Mr. HOLMAN. Which is the amount that we believe to be necessary, owing to the present progress of the work. The gentleman from Illinois is familiar enough with the preparation of appropriation bills to know that while you generally follow the estimates, you must at the same time assume that the committee in preparing a bill will exercise some discretion in such matters. The amount here appropriated is in the judgment of the committee ample. If the gentleman, however, desires to move an increase he can do so.

Mr. CANNON of Illinois. I do not want it increased one cent. I would rather see it reduced, or stricken out entirely, if it can be without injustice to the service; and all I am seeking to learn is, inasmuch as we have entered upon the allotment of lands to Indians in severalty, whether the decrease of this amount by $10,000 will cripple the service.

Mr. HOLMAN. Well, the committee think not.

Mr. CANNON of Illinois. I understand the committee think not, but that is arbitrary. How full have the inquiries been? What reservations are being allotted? What allotments will the $30,000 complete? Does this appropriation drag this machinery along for the benefit of hungry politicians, who hold places from year to year?

Mr. OUTHWAITE. Certainly the taking off of $10,000 would not have that effect.

Mr. CANNON of Illinois. Well, but there are a certain number of them in the service now. Is it proposed to give them lifetime jobs instead of giving what the Bureau estimates for, and completing the work as it ought to be completed? Now, I do not know. I simply ask, and I get the reply that the committee are of such and such an opinion. I have great respect for the committee, but I want the facts.

Mr. LYNCH. Mr. Chairman, since the bill was printed it has been carefully examined by the Indian Office, and no suggestion came for an increase of the $30,000. The office did suggest increases in all the items which it considered too small or which would interfere with the service, but this item was not mentioned, and hence we take it that this amount was satisfactory to the office.

Mr. WILSON of Washington. Mr. Chairman, one word upon this item of the bill. I desire to say that as a member of the minority of the committee, I think the appropriation should be $40,000, for the following reasons: It is a well-known fact that we have been proceeding from year to year to make allotments of Indian lands in severalty. It is also well known that we have never had sufficient funds to carry out the work with the rapidity that was desirable. Now, owing to the fact that we have not sufficient funds, the matter has been delayed at various Indian agencies throughout the country, and it has cost the Government more money to turn back after a few allotments have been made, and endeavor to complete the work than it would to appropriate the whole amount and complete it with rapidity on the various reservations.

The work has been delayed for years at the Mission Agency, in Southern California. At the Yakima Reservation, in my State, the allotments have been going on for two or three years, and could have been closed up last year entirely if we had had the money. At the Colville Reservation 1,500,000 acres are to be allotted, but can not be allotted at all, because there are not sufficient funds to go forward and make the allotments. I think the appropriation ought to be the amount estimated by the Department, and I shall so vote, if opportunity is afforded me.

Mr. Chairman, the amount for survey and subdivision of Indian reservations and of lands to be allotted to Indians of $15,000 is entirely too small. The recommendation of the Commissioner of Indian Affairs upon this subject is as follows:

> Surveying and alloting Indian reservations (page 46, line 13), $15,000.
>
> These are those reservations on which allotments are now in progress, the expenses of which are defrayed from this appropriation—the Mission, in California, and the Lower Brule and Rosebud, in South Dakota. It is probable that the work on the first will be brought to a close early in the next fiscal year, but on the other two it will not be completed before the close of that year.
>
> The expenses of each allotting agent, including his per diem, a surveying corps, and incidentals, amounts to about $8,000 per annum, so that the entire amount of $15,000 will be required to prosecute the work on the two reservations in Dakota.
>
> From this appropriation the expenses of all boundary surveys are paid, as well as the cost of subdividing lands in the several Sioux reservations. The entire sum of $15,000 could be advantageously expended in making surveys on the Pine Ridge, Standing Rock, and other Sioux reservations, which have been urgently recommended by the agents in charge.
>
> Wherever allotment work is commenced on an Indian reservation it should be prosecuted to completion without interruption, as any other course tends to suspicion on the part of the Indians, and frequently necessitates doing the work over again.
>
> The amount estimated for ($25,000) was the lowest sum this office believed to be necessary, and is the same as that appropriated for the current year, which was found to be insufficient.
>
> I strongly recommend that this item be increased to $25,000.

The CHAIRMAN. The gentleman from Washington [Mr. WILSON] moves to strike out "thirty" and insert "forty." The question is on the amendment.

The amendment of Mr. WILSON of Washington was rejected.

The Clerk, proceeding with the reading of the bill, read as follows:

> To enable the Secretary of the Interior to employ practical farmers and practical stockmen in addition to the agency farmers now employed, at wages not exceeding $75 each per month, to superintend and direct farming and stock-raising among such Indians as are making effort for self-support, $70,000.

Mr. BOWERS of California. I desire to offer an amendment.

Mr. CANNON of Illinois. I desire to amend the text.

Mr. BOWERS of California. My amendment will not interfere with the amendment of the gentleman from Illinois.

The CHAIRMAN. The gentlemen from California [Mr. BOWERS] offers an amendment, which the Clerk will report.

The Clerk read as follows:

On page 45, line 14, strike out the word "seventy" and insert in lieu thereof the word "five."

Mr. BOWERS of California. Mr. Chairman, here is a section that appropriates $70,000. I believe that not a single good reason exists for the appropriation of a penny of that money. According to its terms, that appropriation would hire seventy-seven farmers for twelve months in the year. It would hire one hundred and fifty farmers for six months. Now, these one hundred and fifty farmers are to be in addition to the agency farmers. I want to ask the honorable chairman of the Committee on Indian Affairs [Mr. HOLMAN], who has this bill in charge, if he knows how many agency farmers are now employed?

Mr. HOLMAN. About sixty, I think.

Mr. BOWERS of California. Then we will have two hundred and ten farmers. What for? Now every man must speak on this subject from his own observation, or his knowledge, derived in his own locality. I propose to speak upon this subject from what I know about it in my locality. There are several Indian reservations in my district. We do not have any of these farmers that I know of in connection with reservations in Southern California. Why, in that country we hire the Indians for farmers. The stockmen and cattlemen hire them for vaqueros, and those Indians who are hired can teach every one of these political farmers, and give them all points in the business for which they are ostensibly appointed.

Now, then, what are you going to teach them? To plant corn! Why, God bless your soul, they planted corn before Columbus discovered America. [Laughter.] And many of these political farmers at $75 per month would not know whether the corn grew on the tassel or on the top.

A MEMBER. Or at the root.

Mr. BOWERS of California. They know no more about that than they do about growing peanuts, although they may know something about growing them. Now, what are you going to teach them? How are you to keep them employed for twelve months? Are you going to teach them to cultivate corn? Why they did that before the Indian Bureau existed. Why, whether the Republican party or the Democratic party were in, with both parties these positions are simply soft places, where we reward our men; and that is all there is of it.

Why not just call it that? If they are there to be bosses of servants, to aid the Indian agents, why not call them so? The whole of this farming business is nonsense; there is nothing in it. Here we see now 210 farmers for the whole year. Why, you only plant corn for a month or so. You are going to teach the Indian how to plant corn! It is ridiculous! One Indian can teach another. You can teach them to do it in a way, but the whole thing is a simple steal. We had a bill up here the other day providing for the payment of $200, an honest debt of the United States, and you kicked like a lot of bay steers; but here you give away $70,000, because both parties want it. The Republican party expect to have that little billet pretty soon, but it is all wrong.

Mr. TALBERT of South Carolina. Will the gentleman allow me to ask him a question?

Mr. BOWERS of California. Certainly.

Mr. TALBERT of South Carolina. Have not these appropriations been made heretofore?

Mr. BOWERS of California. They have always been made. Right along we have provided these places.

Mr. TALBERT of South Carolina. Have you been objecting to it?

Mr. BOWERS of California. Why, yes. You will find that ever since I have been here I have been objecting to it. I believe that the Indians of Southern California have not been benefited by the efforts of the Indian Department. I believe the system and the policy of the Indian Bureau (even if carried out with absolute honesty, and as to that we know it is not, and never has been) is wrong; wrong in its first teaching—and that is in teaching the Indians that the Government must support and take care of them. That is what the Indians have been taught everywhere.

In my own county a white man, a citizen of the United States, filed on 160 acres of land in accordance with law, lived on it for over four years, and until near the time for final entry. During this time he employed the Indians on the adjacent Indian reservation to do much of the work, and paid them for it. He cleared 100 acres, planted 10 acres in orchard, and as much more in vines. He built 2 miles of fence, a good house, and other improvements. He expended in various ways nearly or quite $8,000.

A few months before the time when under the law he could make final entry, by an executive order the Indian reservation was floated over his land and the reservation enlarged to take in his home. He was ordered off his land, out of his house, and the Indian Department took possession of his home and farm. It placed one Indian on it and gave him the house to live in. I saw the place two years after it was turned over to this Indian. The fences were down. The agent had ordered the Indian to roll up the wire and place it in the barn. The orchard was then nearly destroyed; the vineyard also. Neither had been cultivated or cared for, and to-day both are blotted out and have disappeared. One and one-half acres of the 100 cleared had been scratched over and planted to barley. Outside of that the whole place was going back to its primeval state. It is now to be allotted to the Indians. A more deliberate, cowardly, inexcusable robbery was never committed by any one person, corporation, or government upon a citizen than the robbery committed by the Executive of this Government, at the instance of the Indian Bureau, upon Charles Hensley, of El Capitan, San Diego County, Cal.

I believe the condition of the Indians of Arizona, of New Mexico, of California, have not been improved under the Indian Bureau, but that they were better farmers before the Indian Bureau existed than now, because they knew they must support themselves. Now they have been taught that they are the "wards" of the country and this knowledge has had a demoralizing effect. It has removed the incentive to work and support themselves.

Mr. TALBERT of South Carolina. I only asked for information.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. BOWERS of California. Mr. Chairman, I have not occupied much time, and I ask unanimous consent for five minutes more on this question.

The CHAIRMAN. The gentleman from California asks unanimous consent that his time may be extended for five minutes.

Objection was made.

Mr. WILSON of Washington. Mr. Chairman, I did not object.

The CHAIRMAN. A gentleman on this side objected.

Mr. BOWERS of California. I ask, then, to have permission to print an extension of my remarks in the RECORD?

Mr. PICKLER. Mr. Chairman, I understand that the gentleman from California will be satisfied with permission to print the remainder of his remarks.

The CHAIRMAN. The Chair will put the request. The gentleman from South Dakota requests unanimous consent that the gentleman from California may extend his remarks in the RECORD. Is there objection?

Objection was made on the Democratic side.

The CHAIRMAN. Objection is made. The gentleman from South Dakota is recognized.

Mr. PICKLER. Mr. Chairman, I trust this appropriation will remain in the bill. I do not understand how gentlemen can talk one day about practical education of the Indians and then the next day turn around and absolutely cut out the appropriation that makes education practical. In my opinion there is no more practical appropriation in the bill than this, which provides the means for farmers and for stock-raisers.

Mr. BOWERS of California. Can you tell me where there are twenty of them employed.

Mr. PICKLER. Yes.

Mr. BOWERS of California. I defy the committee to tell where they are employed.

Mr. PICKLER. I think I have the floor. They are employed on all the agencies; and I want to say to the gentleman from California, as much as he says about the political farmers, I think they are practical farmers that are appointed, and none other can be appointed. The gentleman is speaking about the condition in California. Now, in my State, where there are 20,000 Sioux Indians, we have large tribes, and there is not a farmer who can teach them in an hour how to farm there as the gentleman of California claims can be done. We have any amount of grasses on the plains; if we could use these Indians we could utilize and make those grasses valuable. We want practical farmers; men who understand stock-raising; men who are well informed in regard to farming, and who are stock-raisers.

Mr. BOWERS of California. I would like to know who was there first?

Mr. PICKLER. Stock-raising is something that the Indian naturally takes to [laughter] more than he would to raising corn.

Mr. COOMBS. Or to raising scalps.

The CHAIRMAN. The gentleman from New York will be in order. The gentleman from South Dakota has the floor.

Mr. PICKLER. Gentlemen, this talk of scalping may be amusing to you; but if you gentlemen want practical results from this appropriation you can not get it any better than by having

these practical farmers. I was saying that the Indian would prefer to raise stock; and I will also state that in that country farming may not be developed in many places, nor profitable in some places. This is a great service for them, to teach them, and I think it is a thing that should be encouraged in them. We want them to have these practical farmers, men who know something about raising stock.

I know that the farmers out in my country give very valuable instructions to the Indians. The farmer makes his rounds from farm to farm and teaches the Indians all about running their wagons and keeping them in repair; all about running their plows and sharpening them, and all about harrowing; all about everything connected with farming, planting, cultivating, and harvesting, and I say that this is one of the most beneficial appropriations in the way of practical results that is provided for in this bill.

Mr. BOWERS of California. Will the gentleman tell what are the going wages for farmers in that part of the country where they are hired?

Mr. PICKLER. The wages for farm hands in my county are $25 a month and board, and the amount provided in this bill, where the farmer travels and boards himself, is very little if any more than we pay farm hands in my county. This is not an extravagant appropriation. It is not a cent more than these farmers are worth. It is a reasonable appropriation.

Mr. HOLMAN. Mr. Chairman, I ask consent that all debate on this paragraph close in five minutes.

There was no objection, and it was so ordered.

Mr. LUCAS. Mr. Chairman, this is a very practical question, and I trust that this committee will not strike out the appropriation. The idea that this is a waste of money is certainly a mistake. I live on the borders of three Indian reservations where, twelve years ago, there was scarcely an acre of land cultivated by an Indian, and now under the system providing for farmers to instruct the Indians in the methods by which they can earn a living from the land, the Crow Creek Reservation to-day has at least two hundred Indians who are cultivating farms all the way from ten to one hundred acres of land each, and doing it successfully. They have been taught by these farmers to cultivate their lands. They have been taught the methods of farming; they have been taught the lessons of economy and of industry, and all this instruction tends to elevate the Indian, and bring him up to that position that we desire to have him attain.

Not only that, but they have been taught the rules of business through these farmers. These men have gone from farm to farm and have instructed the Indians how to use their implements, how to keep them in repair, how to take care of them, and when they have raised their crops they have been taught how to market them, and I have seen a line of twenty or thirty Indian wagons loaded with the produce of their own farms, which they had raised through the instructions they had received at these agencies. To discontinue this appropriation would be to set those Indians back. It is a great mistake to attempt to economize at this particular point. Those Indians are now beginning to adopt the methods of husbandry that is practiced among the whites, and the policy of the Government should be to encourage and continue that progress and not to discourage it.

Mr. TALBERT of South Carolina. Does not the gentleman think that it would be better to wipe out this appropriation and save that much money, and let those Indians who wish to work at farming go and hire themselves to practical farmers? It seems to me that the farming education they would get in that way would be much more practical, while at the same time the Government would be saved this expense.

Mr. LUCAS. I think not; for this reason. These Indians are on reservations generally far removed from white farmers, and it would not be practicable to separate them from their families and distribute them among the white farmers.

Mr. PICKLER. And there are no white farmers there.

Mr. LUCAS. No.

Mr. TALBERT of South Carolina. Is there not a scarcity of farm labor?

Mr. LUCAS. No.

Mr. BOWERS of California. The white farmers hire the Indians in our country.

Mr. PICKLER. Why, Mr. Chairman, in the country the gentleman is talking about there are two thousand Indians on the reservation and there are no white farmers around them at all.

Mr. LUCAS. That is correct. These Indians are living upon their own lands which have been allotted to them. They are living there with their families. They are learning to cultivate their lands to advantage, and the object of this appropriation is to continue to instruct them in farming methods, and in my opinion it is one of the most meritorious appropriations in this bill, because the instruction for which it provides tends to make the Indian entirely dependent upon himself.

The CHAIRMAN. The question is on the amendment of the gentleman from California [Mr. BOWERS] to strike out "seventy" before the word "thousand," and insert "five."

The question being taken, there were—ayes 8, noes 84.

So the amendment was rejected.

Mr. CANNON of Illinois. Mr. Chairman, I desire to offer an amendment to perfect the text.

The amendment was read, as follows:

On page 45, after line 4, add as follows: "and no person shall be employed as such farmer or stockman who has not been at least five years previous to such employment practically engaged in the occupation of farming."

Mr. HUNTER. That is the law now.

Mr. HOLMAN. I make the point of order that that is the law and has been ever since the Forty-eighth Congress, if I remember correctly. However, to save time, if the gentleman from Illinois will consent to a vote, I will withdraw the point of order.

The CHAIRMAN. There can not be any debate upon the question because the committee has already by unanimous consent closed debate on this paragraph.

Mr. CANNON of Illinois. I do not think debate is closed on this.

The question was taken on the adoption of the amendment, and the Chairman declared that the noes seemed to have it.

Mr. CANNON of Illinois. I ask for a division. I ask unanimous consent that I may have two minutes to explain this amendment.

Mr. MADDOX. I object.

Mr. CANNON of Illinois. Then, Mr. Chairman, let us have a division.

Mr. TALBERT of South Carolina. I ask that the amendment be again read, and let us have order so that it may be heard.

The amendment was again read.

Mr. CANNON of Illinois. I ask to be allowed two minutes to explain this amendment.

Mr. HOLMAN. I have no objection to the amendment, except that it is the law now.

Mr. CANNON of Illinois. Ah, but you left it out of the bill last year.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that he be allowed to speak for two minutes.

Mr. MADDOX. I object.

The question being taken on agreeing to the amendment of Mr. CANNON of Illinois, there were—ayes 60, noes 58.

Mr. MADDOX. I ask for tellers.

Mr. HOLMAN. This provision is now the law.

The CHAIRMAN. Does the gentleman from Georgia [Mr. MADDOX] ask for tellers?

Mr. MADDOX. I do.

[Cries of "Too late!"]

Mr. WILSON of Washington. I make the point of order that the request of the gentleman from Georgia comes too late.

The CHAIRMAN. The Chair overrules the point of order.

Tellers were not ordered, only 25 voting in favor thereof.

So the amendment was adopted.

Mr. WILSON of Washington. I offer the amendment which I send to the desk.

The Clerk read as follows:

After the word "dollars" in line 14, page 45, insert:
"*Provided*, That such practical farmers and practical stockmen shall be appointed from the State or Territory in which said agency is located."

Mr. MADDOX. I raise a point of order on that amendment.

The CHAIRMAN. The gentleman from Georgia makes a point of order against the amendment.

Mr. WILSON of Washington. Then I move to strike out the last word.

The CHAIRMAN. The Chair sustains the point of order. The gentleman from Washington [Mr. WILSON] moves to strike out the last word.

Mr. WILSON of Washington. Mr. Chairman——

The CHAIRMAN. Debate on this paragraph has been exhausted. The committee, by unanimous consent, agreed to close debate on the paragraph; and debate is not now in order.

Mr. WILSON of Washington. Well, Mr. Chairman, I may have been in fault, but I did not hear——

[Cries of "Read!" "Read!"]

Mr. MADDOX. I insist that the gentleman is out of order.

Mr. WILSON of Washington. The gentleman from Georgia will make nothing by his haste.

The CHAIRMAN. But the gentleman from Washington does not wish to violate the rules of the House——

Mr. WILSON of Washington. Certainly not.

The CHAIRMAN. Or the agreement entered into by the Committee of the Whole.

Mr. WILSON of Washington. But I wish to state that I did not hear, nor do I think members around me heard, the request put by the Chair for unanimous consent to close debate on this paragraph. And further, it is a well-known fact——

Mr. MADDOX. Now, Mr. Chairman——

The CHAIRMAN. The Chair, under the rules, can not allow this debate.

Mr. WILSON of Washington. Very well, I will get in what I have to say on this subject if it takes all day and twenty days more.

The CHAIRMAN. The Clerk will resume the reading of the bill.

The Clerk read as follows:

To enable the Secretary of the Interior to employ suitable persons as matrons to teach Indian girls in housekeeping and other household duties, at a rate not to exceed $60 per month, and for furnishing necessary equipments, $5,000.

Mr. BOWERS of California. I move to amend by striking out the last three words. Now, Mr. Chairman, I desire the attention of the House for a moment while I give the reasons why I oppose this provision.

Mr. MADDOX. I rise to a point of order. I believe debate on this paragraph was exhausted.

The CHAIRMAN. This is another paragraph.

Mr. WILSON of Washington. The gentleman from Georgia does not know "where we are at."

Mr. MADDOX. You never do.

Mr. WILSON of Washington. Of course not, according to the estimate of the gentleman from Georgia.

The CHAIRMAN. The gentleman from California has the floor.

Mr. BOWERS of California. Now, Mr. Chairman, I wish to state the point I make against this provision of the bill. All of us who know anything about farming know that the ordinary wages of a farmer are about $20 to $25 a month; and girls who work upon farms, doing housework, etc., receive on the average $8, $10, and $12 a month. Now, the trouble is——

Mr. TRACEY. It is impossible to hear the gentleman from California, there is so much noise in the House.

The CHAIRMAN. The committee will be in order.

Mr. BOWERS of California. Now, you propose to give to these women engaged to teach the Indian girls "housekeeping and other household duties" $60 a month; and you propose to give the farmers $75 a month. We all know that there are farmers all over the United States who would be very glad to get $25 a month. They would have been very glad during the last two or three years to have received $25 a month. We know, too, that these men engaged as "farmers" in connection with the Indian service do not do any work besides drawing their wages, except perhaps giving some directions.

Now, the point I am making is that we are not doing what is fair and right in this matter. We tell our farming people when we employ them to work on our farms that we are only willing to give you $15 or $20 a month at the outside; but if you can get an appointment as an Indian farmer we will pay you $75 a month. It is all wrong. It is a wrong to the people of the country, and especially a wrong to the laboring people. It is wrong to make these men pay such wages for such soft places. You all know it is wrong, and you know that the purpose is a selfish one, so as to secure some favored appointee a soft place somewhere. [Laughter and applause.] You are squandering the public money to do it, and the sooner it is stopped the better. [Cries of "Vote!" "Vote!"]

The CHAIRMAN. The Chair will regard the pro forma amendment as withdrawn.

Mr. PICKLER. I desire to offer an amendment to this paragraph. Debate, I believe, is exhausted?

The CHAIRMAN. Debate has been closed by order of the committee.

The Clerk will read the amendment proposed by the gentleman from South Dakota.

The Clerk read as follows:

Strike out the word "five," in line 19, page 45, and insert the word "ten."

The amendment was rejected.

The CHAIRMAN. The Clerk will proceed with the reading of the bill.

The Clerk read as follows:

For the service of not exceeding eight hundred and fifty privates, at $10 per month each, and not exceeding seventy-five officers, at $15 per month each, of Indian police, to be employed in maintaining order and prohibiting illegal traffic in liquor on the several Indian reservations and within the Territory of Alaska, in the discretion of the Secretary of the Interior, for the purchase of equipments and for the purchase of rations for policemen at nonration agencies, $125,000.

Mr. CANNON of Illinois. I move to strike out in line 3, on page 46, the word "twenty-five" and insert "fifty;" so that it will read, "one hundred and fifty thousand dollars."

I make that motion with an interrogation point after it. I desire to ask the gentleman in charge of the bill why it is that the appropriation for the Indian police is decreased $25,000? One hundred and fifty thousand dollars was appropriated for the current year, and you now propose $125,000.

Mr. SICKLES. They behave better now.

Mr. CANNON of Illinois. I want the gentleman to answer, in his own time, if in his opinion the good of the service will permit this reduction. If so I have no objection to it.

But I wish to say further that I had a little observation of this question some years ago, in a somewhat extended investigation of the Indian service in connection with the gentleman from Indiana himself, which satisfied me that the Indian police service was perhaps the most valuable service in connection with the Indians.

When you employ an Indian and clothe him with authority as an officer of the Government, at a small salary, of $10 to $25 a month, he is in touch with his fellows, and he can do more to keep them in subjection I think than perhaps half a dozen white men can do. It is an economical service, and a service that I would sooner see increased than decreased, because it is along the line of practical education and administration; and therefore I make this motion for the purpose of eliciting from the gentleman from Indiana [Mr. HOLMAN] a statement as to the change, if any, in the situation that justifies the decrease of this appropriation.

Mr. HOLMAN. I will say that there was no intention to change the pay of the privates from $10 per month. Nor was there any intention to change the compensation of the officers from $15 per month. Whether the footing is correct or not, I do not know. There was no intention to make a change in the rates of compensation. So that for the purpose of looking into the matter, I ask that this be passed over for the present.

Mr. CANNON of Illinois. For investigation.

Mr. HOLMAN. Yes; I ask that the paragraph be passed over.

Mr. CANNON of Illinois. That is satisfactory.

The CHAIRMAN. If there be no objection, it will be passed over.

The Clerk, resuming the reading of the bill, read as follows:

For the purpose of continuing and completing the appraisal of improvements of intruders in the Cherokee Nation under the provisions of the act of March 3, 1893, $4,993, the same to be immediately available.

Mr. FLYNN. Mr. Chairman, I wish to offer an amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Oklahoma.

The Clerk read as follows:

After line 23, page 48, add——

Mr. CRAWFORD. I rise for the purpose of offering an amendment.

The CHAIRMAN. There is an amendment offered by the the gentleman from Oklahoma, which the Clerk is reporting. The Clerk will read the amendment offered by the gentleman from Oklahoma.

The Clerk read as follows:

After line 23, page 48, add:

"That the right of commutation is extended to all bona fide homestead settlers on the lands in Oklahoma Territory opened to settlement under the provisions of the act of Congress entitled 'An act making appropriations for current and contingent expenses and fulfilling treaty stipulations with Indian tribes for the fiscal year ending June 30, 1894,' approved March 3, 1893, and the President's proclamation in pursuance thereof, after fourteen months from date of settlement, upon the payment for the lands as provided in said act."

Mr. HOLMAN. I wish to examine the amendment offered by the gentleman from Oklahoma, and for that purpose I wish to reserve the point of order until the gentleman is heard.

Mr. FLYNN. I contend that this amendment reduces expenditures. When the Government purchased the Cherokee Strip from the Cherokee Indians it issued Government paper in the amount of about $18,000,000, bearing 4 per cent interest. There is no section of Oklahoma Territory which to-day has not the right of commutation granted to it. The settlers residing upon these lands, for which they are compelled to pay two dollars and a half an acre, have petitioned for the right after fourteen months' residence, to pay the Government the money which is due to it, so that the Government will not be compelled to continue paying interest to the Indians upon this money.

I have no doubt that as soon as this becomes the law and the fourteen months expire, two or three million dollars will at once be turned into the Treasury of the United States, thereby stopping the payment of 4 per cent interest on that amount of money. I insist that when a man has got to pay for his land, after he resides upon it for fourteen months, he has earned it. The condition

of the country to-day is such that we should be anxious to get every dollar into the Treasury that we legitimately can, and this, as I say, will immediately bring in two or three million dollars to the Treasury and stop the Government paying 4 per cent interest on that amount of money. I might say that this bill has been favorably reported, for a similar provision is engrafted in a bill favorably reported by the Committee on Public Lands. If gentlemen are desirous of economizing and having money enough in the Treasury to pay the running expenses of the Government, they can here, without injustice to any body and with fairness to the people in the Cherokee Strip, stop the payment of 4 per cent interest on $3,000,000, and have that amount of money turned into the Treasury.

Mr. HOLMAN. Mr. Chairman, this is quite an important provision, and it changes existing law, so that for the present I shall have to insist on the point of order. The committee have not had an opportunity of examining the amendment.

Mr. FLYNN. Will the gentleman consent to allow it to go over until to-morrow?

Mr. HOLMAN. I should rather not do that.

Mr. FLYNN. The gentleman from Indiana is in favor of bringing money into the Treasury and reducing expenditures, of course?

Mr. HOLMAN. We wish to guard against any injury to the public lands.

Mr. CURTIS of Kansas. What objection is there to letting this matter go over until to-morrow morning?

Mr. HOLMAN. I do not think we ought to do that. We have had no time to consider this, and it is a very important change in the law.

The CHAIRMAN. The Chair sustains the point of order.

Mr. WHEELER of Alabama. Mr. Chairman, I offer an amendment.

The amendment was read, as follows:

After line 23, page 48, insert the following:

"*Provided*, That paragraph 4, of section 10, of 'An act making appropriations for current and contingent expenses, and fulfilling treaty stipulations with Indian tribes, for fiscal year ending June 30, 1894,' be, and the same is hereby, amended so as to read as follows:

"'And the provisions of said agreement so amended shall be fully performed and carried out on the part of the United States: *Provided*, That the money hereby appropriated shall be immediately available and the remaining sum of $8,300,000, or so much thereof as is required to carry out the provisions of said agreement as amended and according to this act (to be payable at the pleasure of the United States in one or more payments after the 4th day of March, 1900, said deferred payments to bear interest at the rate of 4 per cent per annum, to be paid semiannually), and the amount required for the payment of interest as aforesaid is hereby appropriated: *And provided further*, That of the money hereby contracted to be paid, a sufficient amount to pay the Delawares and Shawnees their pro rata share in the proceeds of said Outlet shall remain in the Treasury of the United States until the status of said Delaware and Shawnee Indians shall be determined by the courts of the United States before which their suits are now pending; and a sufficient amount shall also be retained in the Treasury to pay the freedmen who are citizens of the Cherokee Nation or their legal heirs and representatives such sums as may be determined by the courts of the United States to be due to them. Nor shall anything herein be held to abridge or deny to said freedmen any rights to which they may be entitled under existing laws or treaties. The acceptance by the Cherokee Nation of Indians of any of the money appropriated as herein set forth shall be considered and taken and shall operate as a ratification by said Cherokee Nation of Indians of said agreement, as it is hereby proposed to be amended, and as a full and complete relinquishment and extinguishment of all their title, claim, and interest in and to said lands; but such relinquishment and extinguishment shall not inure to the benefit of any railroad company, nor vest in any railroad company any right, title, or interest in or to any of said lands: *Provided*, That said railroad shall be relieved from any further payments of compensation to said Cherokee Nation as required by law for running said railroad across said Cherokee Outlet: *Provided further*, That the extension of the time of payment, as above provided for, shall only become binding on the Cherokee Nation or its assigns, or on either of them, after the same shall have been accepted for the amounts of indebtedness which they hold respectively, and notice in writing of such acceptance duly filed with the Secretary of the Department of the Interior.'"

Mr. LYNCH. Mr. Chairman, I reserve the point of order on the amendment.

Mr. WHEELER of Alabama. Mr. Chairman, the amendment just read by the Clerk seeks to amend the act providing for the purchase of the Cherokee Outlet. The House will remember that this act was the result of a conference report agreed upon late in the night of the last day of the Fifty-second Congress. That act provided for dividing the payments into five equal annual installments, the supposition at the time being that the money to be paid for the lands by settlers would meet these various installments. It soon became evident that this calculation was very erroneous, and Senator JONES of Arkansas introduced Senate bill 515 as a proposed amendment to said act.

The bill is as follows:

A bill to amend an act entitled "An act making appropriation for current and contingent expenses, and fulfilling treaty stipulations with Indian tribes, for the fiscal year ending June 30, 1894."

Be it enacted, etc., That the word "semi" shall be inserted before the word "annually" in the ninth and tenth lines of the fifth paragraph of section 10 of said act, so that it shall read: "said deferred payments to bear interest at the rate of 4 per cent per annum semiannually."

SEC. 2. That the Secretary of the Treasury is hereby authorized, if it shall be deemed necessary, to secure loan authorized by said act to modify the terms of the contract authorized in the first paragraph of section 10 of said act, and the fifth paragraph of said section 10, so that instead of five equal annual installments shall read: "The first installment being held by the Secretary of the Interior to meet certain payments, the second, third, fourth, and fifth installments may be paid by the Secretary of the Treasury on the 4th of March, A. D. 1899, or redeemed March 4, A. D. 1900.

The bill was referred to the Secretary of the Treasury and by him referred to the Secretary of the Interior by the following letter:

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, D. C., August 23, 1893.

SIR: I have the honor to transmit herewith a copy of Senate bill No. 515, to amend certain provisions of the Indian appropriation act for the fiscal year 1894, approved March 3, 1893; also copy of a letter on this subject addressed to me by William. A Phillips for the Cherokee Nation.

I shall be pleased to have your opinion as to the probable time when the Government will be in receipt of the proceeds arising from the sale of the Cherokee lands which have been purchased and are to be paid for under the provisions of the act above mentioned.

Respectfully, yours,

J. G. CARLISLE, *Secretary.*

The Hon. SECRETARY OF THE INTERIOR.

The Secretary of the Interior replied to this letter on August 30, fully considering the conditions under which the lands were being occupied by settlers. The letter closed with these words:

On review of the whole subject, and giving to it the fullest consideration, it is the opinion of this Department that it would not be safe to count upon a receipt of more than one-third of the proceeds of the sale before the end of seven years from the opening of the Outlet to settlement and the balance at the end of ten years.

The Secretary of the Treasury then returned Senate bill 515 to the Senate, accompanied by the following letter:

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, D. C., August 31, 1893.

SIR: Referring to your letter of the 15th ultimo requesting my views as to the legislation proposed in Senate bill No. 515, amending certain portions of the act of March 3, 1893, under which a contract was recently executed with the Cherokee Indians for the sale of certain lands, I have the honor to state that I approve of such a modification of the contract above mentioned as will enable the United States to defer paying the second, third, fourth, and fifth installments of the purchase money of said lands, until a part, at least, of the proceeds of sales to settlers shall have been received into the Treasury.

In this connection I transmit a copy of a letter from the Secretary of the Interior relative to the time which must elapse before the Treasury will receive the proceeds of said lands; and I also submit draft of a bill which, in my opinion, would accomplish the object if enacted into law.

Respectfully yours,

J. G. CARLISLE, *Secretary.*

Hon. JAMES K. JONES,
United States Senate.

My information is that upon receipt of this letter, the Senate Committee upon Indian Affairs considered bill No. 515, and directed its favorable report to the Senate, with the modification suggested by the Secretary of the Treasury, but soon thereafter an erroneous impression was created that the necessity for the legislation did not longer exist, and the bill was never placed upon the Senate Calendar and the papers became mislaid.

Mr. FLYNN. May I ask the gentleman a question?

Mr. WHEELER of Alabama. Yes, sir.

Mr. FLYNN. If the amendment which I just offered were allowed to prevail, is it not a fact that there would be no necessity for this, as the money would be paid in by the settlers?

Mr. WHEELER of Alabama. The Secretary of the Treasury thinks it would not.

Mr. FLYNN. The Secretary of the Treasury does not know anything about it. It is the business of the Secretary of the Interior.

Mr. WHEELER of Alabama. The Secretary of the Treasury has made an exhaustive examination, and we have letters from the Secretary of the Interior——

Mr. FLYNN. Is it not a fact that the Cherokees have parted with all interest in these bonds, and that they are now held by Eastern banks?

Mr. WHEELER of Alabama. They did part with a greater portion of the Government obligation, but not all.

Mr. FLYNN. How much is there remaining in their hands?

Mr. WHEELER of Alabama. About one-fifth.

In the meantime the Council of the Cherokee Nation passed a resolution appointing a commission to negotiate a sale of a portion of the obligation of the Government which was due them, and the same resolution empowered and directed the commissioners to secure from the Government such modifications of the act creating the obligation as might be desired by the purchasers of the obligation, of course with the condition that such modifications should meet the approval of the Government.

Mr. CURTIS of Kansas. Will the gentleman allow me to ask him a question?

Mr. WHEELER of Alabama. Certainly.

Mr. CURTIS of Kansas. Do you provide here that nothing shall be done without the consent of the Cherokee Nation?

Mr. WHEELER of Alabama. Certainly; and it will be filed

in writing. I trust there will be no objection to this, because it is essential for the settlement of this business.

It is recommended by everyone connected with the matter. It is recommended by the Secretary of the Interior, recommended by the Secretary of the Treasury, and requested by every person that has an interest in the Government obligation.

Mr. LYNCH. May I ask the gentleman a question?

Mr. WHEELER of Alabama. Certainly.

Mr. LYNCH. Has this bill ever been considered by a standing committee of the House?

Mr. WHEELER of Alabama. It was referred to the Committee on Indian Affairs, and I saw the subcommittee, and the gentleman who asks me the question told me that he would advocate it.

Mr. LYNCH. I do not recollect.

Mr. WHEELER of Alabama. I had a talk with you, and with the gentleman from Indiana [Mr. HOLMAN], and the gentleman from Georgia [Mr. MADDOX], and every member of the committee I could find. I went to the committee room several times, and I thought every member of the committee favored the amendment.

Mr. LYNCH. It seems to me that this is too important a matter to be disposed of under the five-minute rule.

Mr. WHEELER of Alabama. The only change it makes in the law of 1893 is this, that instead of having the payments run along for five years, it allows it all to be paid at once.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WHEELER of Alabama. I ask unanimous consent to have a few minutes more.

Mr. WILSON of Washington. Then, make it three minutes.

There was no objection.

Mr. PICKLER. I would suggest that this amendment go over until to-morrow.

Mr. WHEELER of Alabama. There is but very little difference between this amendment and the existing law. It simply changes the time of payment and then it makes no other material change.

The original act provided for the retention in the Treasury a sufficient amount to pay the Delawares and Shawnees and freedmen the amounts which might be found to be due them.

It was estimated that this would take about one and a half million dollars, and the meaning of the act evidently was that this money should be retained out of the money contracted to be paid, but the wording of the act was—

That of the money hereby appropriated a sufficient amount to pay the Delawares and Shawnees their pro rata share in the proceeds of said Outlet shall remain in the Treasury of the United States until the status of said Delaware and Shawnee Indians shall be determined by the courts of the United States, before which their suits are now pending.

Now, the original act does not appropriate any part of money contracted to be paid, but only appropriates the interest, and in order to comply with the letter of the law and at the same time administer the act, so as to carry out the evident meaning and intention of Congress, it is necessary to substitute for the words "hereby appropriated," the words "hereby contracted to be paid."

This could have been accomplished by a short bill substituting words, but it is better practice in amending a paragraph of a law to set out the entire paragraph in the language which is proposed to be substituted for the original.

Again, the original act authorized the Cherokee Nation to issue bonds for the principal and interest of the deferred payments, and as the act provided that the debt should be divided into five payments, it would of necessity require the issuance of five different series of bonds, which would involve considerable useless expense, all of which would be saved if all was made payable at the same time, so as to require but one series of bonds.

It will be observed that the Secretary of the Treasury recommended this amendment last summer. He afterwards verbally recommended the amendment in the language as read at the Clerk's desk, and recently the Secretary of the Treasury has again in a letter to Mr. HOLMAN, the distinguished chairman of the committee on Indian Affairs, commended the amendment as read by the Clerk.

In addition the Hon. J. W. MADDOX, a member of the subcommittee which has the bill in charge, informs me that he submitted the amendment to the Secretary of the Interior, who also recommends its adoption.

I will remind the gentleman from South Dakota that he is one of the gentlemen of the committee to whom I submitted the amendment, and he assured me that it met his full approval.

It seems that the proposed slight modification of the law is desired by the Treasury Department, the Interior Department, the Indians and their assignees, and it also appears that it will be beneficial to all parties, an do not a particle of injury to anyone. I therefore trust no one will make any objection.

It is clear that the amendment is not subject to a point of order.

Under the law as it stands one installment of $1,660,000 will be payable March 4, 1895, during the current year for which this bill provides, and therefore it would be the duty of Congress to include an appropriation for that amount in this bill.

Now, this amendment is in the nature of a substitute for such an appropriation, and therefore reduces the bill by that amount.

Then it is certainly germane to the bill, and it is eminently proper for the Indian appropriation bill of 1894 to correct or amend the the Indian appropriation bill for 1893.

For years it has been the practice in Congress to incorporate in appropriation bills amendments to previous appropriation bills which appropriate for the same general purpose.

This has been a so very universal practice that it would be difficult to find adjudications in cases like the present.

I recall one in the first session of the last Congress. It was then decided, page 1792, that—

An amendment to the pension appropriation bill providing that no fee shall be paid to a member of an examining board for services in which he did not actually participate is not subject to a point of order under this rule, since, while changing existing law, its effect is to reduce expenditures by decreasing compensation.

The case under consideration is somewhat similar. The effect of the amendment now before the House is to reduce the amount of the appropriation for the current year, which is the same as reducing the amount of money covered by the bill. Again, in the Fifty-second Congress, first session, page 1792, it was decided that—

An amendment to the pension appropriation bill, tending to increase the class of persons prohibited from the benefits of the pension laws, is in order, because its effect would be to reduce expenditures.

This amendment has the same tendency.

It certainly tends to increase the items which can properly be omitted from the bill, and its effect is to reduce expenditures for the current year.

I could multiply similar decisions, but I feel confident that it is unnecessary.

Mr. HOLMAN. What about the railroads? I did not understand what it provided about the railroads from the reading of the amendment.

Mr. WHEELER of Alabama. It does not change that. There are no changes except as I have explained. The amendment uses the exact language of the original act, except the change in the time of payment, which is recommended by the Secretary of the Treasury, and the substitution of the words "contracted to be paid" for the word "appropriated," and this, too, is recommended by Mr. Carlisle.

The only other change is the correction of the spelling of the word Shawnees.

The amendment is a printed copy of the bill which was printed and referred to the Committee on Indian Affairs many weeks ago, a copy of which the gentleman from Indiana referred to Mr. Carlisle, and which Mr. Carlisle, the Secretary of the Treasury, sent back with his approval and recommendation to the gentleman from Indiana, chairman of the Committee on Indian Affairs.

In addition I have had other letters read in which the Secretary of the Treasury recommends the passage of a similar Senate bill, and have also read an extract from a letter from the Secretary of the Interior.

Mr. HOLMAN. Will you not send up the letter of the Secretary of the Interior, and let that be read?

Mr. WHEELER of Alabama. It is a long letter. I read the closing part early in my remarks. I would be glad to have the entire letter read. It is as follows:

DEPARTMENT OF THE INTERIOR,
Washington, August 30, 1893.

SIR: I have the honor to acknowledge the receipt of your letter of August 23, 1893, transmitting a copy of Senate bill No. 515 to amend certain provisions of the Indian appropriation act of March 3, 1893 (27 Stat., 612, 641, and 642); also copy of a letter from Mr. William A. Phillips to you in relation to the proposed amendments. Referring to the inclosures, you request my "opinion as to the probable time when the Government will be in receipt of the proceeds arising from the" lands in the Cherokee Outlet, purchased and to be paid for under the provisions of said act.

The inquiry you make is a difficult one to answer, with even an approximation to exactness, because of the very many contingencies which may arise under the legislation relating to the subject-matter.

Under the terms of said act and the rules and regulations established by authority thereof, the ceded lands in the Outlet can only be disposed of under the homestead laws; and paragraph 7 of said section 10 declares that each settler on said lands "shall, before receiving patent for his homestead," pay to the United States for the lands so taken by him $2.50 per acre for land east of 97½° west longitude; $1.50 per acre for land between 97½° and 98½° of west longitude, and $1 per acre for land west of 98½° of west longitude; and shall pay interest on the purchase money at the rate of 4 per cent per annum from date of entry. It is thus seen that the entryman is only required to pay for the land "before receiving patent."

Under the homestead laws, five years' residence, etc., is required before an entryman will be entitled to patent, and proof of such residence, etc., must be made within seven years from date of entry. Under the rules of the Department, the payment of the purchase money for the land, with the interest thereon, is required to be made at the time that final proof is submitted.

Therefore, if each quarter section of land were entered at the time of the opening of the Outlet by a party who is able and willing in good faith to comply with the requirements of the homestead laws, and acquire the same as a permanent home for himself, the earliest day at which the proceeds of the sales would be in the hands of the officers of the Government would be five years after opening, or in September, 1898; to this should be added the time necessary for the transmission of the money to the Treasury. But it is safe to say that no such promptitude will be exhibited, and it is far more probable that the larger number of those who will be promptest to prove up and pay up will take the full time allowed—that is, seven years.

There are some few grounds, such as sickness or climatic reasons, on which the Department may be induced in individual cases to extend for a year the period within which proof is to be submitted.

But it is most improbable that all of the first entries will be made for permanent settlement. On the contrary, looking to the experience of the Department in land matters, it is safe to say that not over one-third of the first entrymen will consummate their entries by purchase. The contests, because of disqualifications or of other sufficient causes, alone will reduce the number. Inability from sickness, impecuniosity, or other causes will induce many abandonments, and the constant temptation to sell out and relinquish the right of entry offered by speculators or newcomers will reduce the number more than all the other causes put together.

Under the law a party might enter a tract, hold it for seven years or less time, and then sell his relinquishment to another who would make entry and who could proceed exactly in the same way—sell to another in six months or six years, and so on indefinitely.

It is further to be considered that the land in the western portion of the Outlet is reported as being poor and undesirable, the price being reduced for those reasons to $1 per acre. These lands in all probability will not be so readily entered or proven upon as the others, and further and greater delay in payment may occur as to them than the others.

On review of the whole subject, and giving to it the fullest consideration, it is the opinion of this Department that it would not be safe to count upon a receipt of more than one-third of the proceeds of the sale before the end of seven years from the opening of the Outlet to settlement, and the balance at the end of ten years.

Very respectfully,

JNO. M. REYNOLDS,
Acting Secretary.

To the SECRETARY OF THE TREASURY.

Mr. HOLMAN. This subject is one of interest; perhaps it has not been considered by all the members of the committee. I would ask that the gentleman have permission to print this letter in the RECORD, so that it will appear to-morrow morning, and let the amendment go over with the point of order pending.

Mr. WHEELER of Alabama. I have no objection to that.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent that the amendment go over until to-morrow, with the point of order pending. Is there objection? [After a pause.] The Chair hears none.

Mr. WILSON of Washington. How often are we going backwards and forwards in this matter?

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. CRAWFORD. Mr. Chairman, I desire to offer an amendment to this paragraph.

The CHAIRMAN. By agreement, this whole paragraph goes over until to-morrow.

The Clerk proceeded to read the following paragraph:

For support of Indian day and industrial schools and the erection and repair of school buildings on Indian reservations, and for other educational purposes not hereinafter provided for, including the pay of the superintendent of Indian schools the salary of $2,500 with traveling expenses as prescribed by the Secretary of the Interior, and pay of draftsman to be employed in the office of the Commissioner of Indian Affairs, $1,000,000, $20,000 of which may be used for the purchase of horses, cattle, sheep, goats, and swine, and poultry for schools, and $30,000 for the transportation of pupils to and from Indian schools: *Provided*, That not more than $167 of this appropriation shall be expended for the annual support and education of any one pupil, except in such cases as in the judgment of the Secretary of the Interior a larger expenditure is absolutely necessary to prevent a serious impairment of the efficiency of the school, a full statement of the specific reasons for such additional expenditure to be made by the Commissioner of Indian Affairs in his annual report: *And provided further*, That no more than three supervisors of Indian schools shall be appointed or paid from this fund: *And also provided*, That $3,000 of the amount hereby appropriated shall be expended in the construction of school buildings for the Cherokee Training School at Cherokee, N. C.

Mr. CANNON of Illinois. Mr. Chairman, I suggest to the gentleman from Indiana [Mr. HOLMAN] that it might be well to ask unanimous consent that all the paragraphs in the bill touching appropriations for schools should be treated as one, should all be read as one paragraph, and then should be open to amendment. I make this suggestion because that method of considering these paragraphs would give scope for amendment that would be uniform in the event of any amendments being adopted, and also scope for a substitute or substitutes if such should be the sense of the committee.

Mr. HOLMAN. I have no objection myself, Mr. Chairman, to that suggestion, but the question has not been considered by the Committee on Indian Affairs. If the gentleman's suggestion should be adopted, I suppose the paragraphs would be treated as one down to the end of page 58.

Mr. CANNON of Illinois. Yes.

Mr. LYNCH. I object to the request, Mr. Chairman.

Mr. WILSON of Washington. Mr. Chairman, I move to strike out the last word. Does the gentleman from Wisconsin [Mr. LYNCH] think it will not be advisable to read these paragraphs through together and have them subject to amendment?

Mr. LYNCH. I think we had better proceed in the regular way. We shall get through faster.

Mr. WILSON of Washington. No, you will not make any time in that way, because unless some concession can be made to this side on some of these matters along some line, we shall have to use what privileges we have later on and make the point of no quorum.

Mr. JOHNSON of Indiana. Mr. Chairman, I desire to offer an amendment to this paragraph.

Mr. HOLMAN. Mr. Chairman, I desire to offer some amendments on behalf of the committee.

The CHAIRMAN. The Chair will first recognize the chairman of the committee to offer the committee amendments, and after that will recognize the gentleman from Indiana [Mr. JOHNSON].

Mr. HOLMAN. I am directed by the committee to offer the amendment which I send to the desk.

The amendment was read, as follows:

Page 49, line 22, where the name "Ware" occurs after the letter "W," insert the letter "e;" making the name read "Weare."

The CHAIRMAN. If there be no objection, that amendment will be agreed to.

Mr. WILSON of Washington. I object.

The question was taken on the amendment, and the Chairman declared that the ayes seemed to have it.

Mr. WILSON of Washington. I ask for a division.

The committee divided; and there were—ayes 56, noes 4.

Mr. WILSON of Washington. No quorum.

Mr. HOLMAN. Mr. Chairman, the amendment is simply for the purpose of correcting the mis-spelling of a name, and I withdraw it.

Mr. WILSON of Washington. It is too late, after a division has been had.

The CHAIRMAN. If objection is made the amendment cannot be withdrawn. The point of no quorum being made, the Chair will appoint to act as tellers the gentleman from Washington, Mr. WILSON, and the gentleman from Indiana, Mr. HOLMAN.

The tellers took their places, and the committee again divided.

Mr. WILSON of Washington (pending the division). I withdraw the point of no quorum, Mr. Chairman.

The CHAIRMAN. The point of no quorum is withdrawn, and the amendment is agreed to.

An amendment previously sent up by Mr. JOHNSON of Indiana was read, as follows:

Strike out the words "two thousand five hundred," in lines 12, page 50, and insert in lieu thereof the words "three thousand."

Mr. JOHNSON of Indiana. Mr. Chairman, I desire to ask the chairman of the Committee on Indian Affairs, Judge HOLMAN, who opposed with such vigor the other day the appropriation of $5,000 to defray the expenses of the Board of Indian Commissioners, whether he will not consent that this amendment, putting back the salary of the superintendent of Indian schools to the amount at which it now stands, may be adopted?

Mr. HOLMAN. I could not consent to that without consulting with the members of the committee.

The CHAIRMAN. Does the Chair understand that the gentleman from Indiana desires to offer any other amendments on behalf of the committee?

Mr. HOLMAN. Yes, sir. I wish to offer the amendment which I send to the desk.

The amendment was read, as follows:

Page 50, line 11, insert after the word "school" the words "and twenty-five hundred dollars of this fund is also hereby made available for the pay of one superintendent of Indian schools, and one thousand for the pay of the necessary traveling and incidental expenses of said superintendent."

The amendment was agreed to.

Mr. HOLMAN. One other amendment, Mr. Chairman.

The amendment was read, as follows:

After the words "one million," in line 15, insert "and seventy thousand."

The amendment was agreed to.

The CHAIRMAN. The gentleman from Indiana [Mr. JOHNSON] is recognized to offer his amendment.

The amendment offered by Mr. JOHNSON of Indiana was read, as follows:

Strike out the words "two thousand five hundred" on line 12, of page 50, and insert in lieu thereof the words "three thousand."

Mr. HOLMAN. Mr. Chairman, I raise a point of order on that amendment. It strikes out language which has just been inserted by order of the committee.

Mr. JOHNSON of Indiana. I will ask the gentleman from Indiana if that was his purpose in getting his amendment in first—to cut out my amendment?

Mr. HOLMAN. Oh, not at all. On the contrary, this was agreed to soon after the bill was reported to the House.

Mr. JOHNSON of Indiana. Mr. Chairman, I move to strike out the last word, and I ask unanimous consent that I be allowed ten minutes.

Mr. WEADOCK. I object.

Mr. JOHNSON of Indiana. Mr. Chairman, while the debate with respect to this bill has been progressing, I have not been entirely without information as to the character of the measure, or as to the circumstances attending its birth. The bill upon its face seems to have some peculiarities, and I think it may be said to be somewhat unique in its formation. It is certainly loaded down with various kinds of sins, those of commission as well as those of omission. Members of the committee, and pretty bright members, too, have told me that the bill had undergone so many changes at the hands of the distinguished gentleman from Indiana [Mr. HOLMAN], who has had it in charge, that it became absolutely impossible for them to follow it, and that they had thrown up their hands in despair. That the gentleman is largely controlling this bill is evident from the parliamentary maneuver which we have just witnessed, the sole purpose of which was to prevent an increase of the salary of an officer of this Government, who deserves every dime which the amendment I propose would give him.

Mr. HOLMAN. My friend knows——

Mr. JOHNSON of Indiana. The gentleman will please not interrupt me. I am not in a mood to be interrupted.

Mr. HOLMAN again made a remark.

Mr. JOHNSON of Indiana. The gentleman is consuming my time, and I do not desire to be interrupted. I desire to be heard through.

The CHAIRMAN. The Chair understands that the gentleman from Michigan [Mr. WEADOCK], who objected to extending the gentleman's time, is now ready to withdraw his objection.

Mr. WEADOCK. I was under a misapprehension in objecting.

The CHAIRMAN. Is there further objection to allowing the gentleman from Indiana ten minutes?

Mr. HOLMAN. There is no objection, if the same courtesy is to be allowed on this side of the House.

The CHAIRMAN. With that understanding, the Chair hears no objection.

Mr. JOHNSON of Indiana. Mr. Chairman, as to the circumstances of the birth of this bill, inasmuch as I have not the honor to be a member of the Committee on Indian Affairs, I trust that if I happen to divulge some of the secrets of the committee room it will not be thought that I am violating either the etiquette or the ethics of parliamentary law. I understand that in the first place the formulation of this place was referred to a subcommittee of which the chairman of the full committee was also chairman, and that when the result of the labor of this subcommittee was reported back to the full committee, it had so unmercifully and outrageously "cut" the appropriations which are usually made for the benefit of the Indian service that out of a sheer feeling of shame and self-respect the full committee enlarged the measure to its present ample proportions, proportions so gigantic that I believe they fall only about $320,000 short of the amount which the sworn officers of the Government have solemnly declared was necessary for the decent administration of the Indian Bureau, and only about $1,200,000 short of the amount appropriated for the current year.

Now, Mr. Chairman, to what end is all this? Under what banner is this pretended battle for frugality being waged? What is the significance of the red cross which this new crusade bears upon its breast? I lower my voice to a respectful and awe-stricken tone when I inform the House that it is all done under the Democratic shibboleth of "economy, retrenchment, and reform." I have no doubt that, considered from the mere standpoint of dollars and cents, the mere saving of money, this bill is a great achievement on the part of the committee, especially when one loses sight of the ulterior consequences which are to flow from this niggardly economy, and lays out of view entirely all the sacrifices which it necessarily entails.

So far as I am personally concerned, however, I trust I may be pardoned if I suggest that it might not have been an unstatesmanlike thing to have considered somewhat the humanities in the formulation of this bill; and that it might also not have been a bad thing to have considered something as to the education, the civilization, and the moral and physical advancement of the North American Indian. I admit, Mr. Chairman, that I am a very great fool. In fact a number of people have been kind enough to suggest to me this fact as I have limped haltingly along the humble and mediocre pathway of my uneventful life; and I have also evolved this knowledge from my inner consciousness, in those reflective and introspective moods in which I have sometimes been compelled to indulge with the view of relieving the monotony of my existence.

But poorly equipped as I am, I think I have rubbed up against my fellow-men enough to have acquired some knowledge of human nature; and I have not put my hand on the public pulse without being able to give some kind of a guess as to what were the sentiments of my countrymen. And I am very much mistaken if the American people have not sufficient sense of discrimination to distinguish between that just economy in the expenditure of the public money which the gentleman who is chairman of this committee seems sedulously to have avoided and that parsimonious disposition which he seems steadily to have courted in the formulation of this bill.

If I am not wrong about this matter, when the people have an opportunity to express themselves at the polls this enlightened sense of public discrimination will bear proper fruit. If it does not, I am willing here and now to say that I will come back to this House after the November election and get down on my marrow bones to the distinguished economist from Indiana, apologize to him, and make reparation to him if I have done him any wrong, and I will also cheerfully in this prediction admit to my colleagues and the country that I am not only the fastest talker, but also the most unscrupulous liar in the American Congress. [Laughter and applause.]

Mr. Chairman, the North American Indians have been subjected to a great many hardships and trials during their existence. The marrow in their bones has been congealed by borean blasts; they have been the victims of tornadoes which have visited the country where they reside. They have not always come off first best in their struggles with "fire-water;" for the American Indian, like one of the leading characters in one of Mr. Thackeray's novels, is sometimes his own worst enemy. They have been afflicted with contagious diseases; they have been robbed without stint by post traders, and unmercifully plundered by Government officials. They have been gradually pressed back from the land of their fathers toward the setting sun, until at last they are entrenched simply on a miserable remnant of land in the shape of reservations, and the white man is now seeking to despoil him even of those.

But with all these evils I doubt whether the noble red men have ever stood in the presence of a genuine calamity until they faced the gentleman from Indiana as chairman of the Committee on Indian Appropriations. I have no doubt that if the aborigines who greeted Columbus when he landed on this continent had been gifted with the power to look down the vista of the future and see what was to befall them and their posterity, they would not have been appalled at anything until they saw the apparition of the gentleman from Indiana in the noonday of the nineteenth century, standing up in the American House of Commons with his well-known face, begrimed all over with the war paint of economy, holding in the one hand his scalping knife and in the other that instrument of still worse torture, his contemptible, penurious Indian appropriation bill, and with the scalps of his victims dangling on the belt which encircles his familiar form.

I have no doubt that if they had witnessed that sight they would have committed suicide then and there in the presence of the adventurous Spaniard, preferring to die by their own hand rather than live to breed a posterity which, after enduring so many trials, would finally be totally exterminated by the slow and tedious process of starvation, through the manipulation of an Indian appropriation bill in the hands of the gentleman from Indiana.

[Here the hammer fell.]

Mr. JOHNSON of Indiana. I ask that my time may be extended.

There was no objection.

Mr. JOHNSON of Indiana. Mr. Chairman, the problem what to do with the North American Indian is one which has invited the attention of a great many mediocre men in Congress, and of some of the wisest men outside of Congress. There has been some diversity of opinion as to what we ought to do with "poor Lo." Some men have thought he ought to be ostracised, or what is about the same thing, ought to be colonized. Some idealists have said that he ought to be Christianized. Philanthropists have said he ought to be civilized; and some gentlemen, judging from their conduct, have thought that he ought to be brutalized.

But I think we are a great deal nearer the solution of the Indian problem now than we ever were before. I think that if we just give full range to the chairman of the Committee on Indian Affairs for about two or three years, he will solve the much discussed problem—not solve it probably along the line of humanity, but solve it very effectually, nevertheless; for, with all the physical hardihood and vitality of the average North American Indian, I doubt very sincerely whether he has constitution enough to live very long under the system of legislative strangulation

which the gentleman manifests the disposition to apply. And it will not be long before he will turn up his toes, go under the daisies, and be gathered into the happy hunting grounds of his fathers.

Now, Mr. Chairman, some gentlemen, who ignore the fact that language is the most appropriate vehicle through which to express thought, and have been content to make their meaning apparent by sundry and divers mysterious winks, nods, and gesticulations, have been unkind enough to intimate hereabouts that there was a specific purpose and deep design behind the promotion—mark you, I say the promotion—of the gentleman from Indiana [Mr. HOLMAN] to a chairmanship where he controls one appropriation, from a chairmanship where he controlled all appropriations. It has been unkindly insinuated, I believe, that certain gentlemen who had a very high estimate of the value of Indian lands, and a very low estimate of the value of Indian lives, and who wanted to get hold of the remnant of the Indian's property, had insisted that the gentleman should be appointed to the chairmanship of the Committee on Indian Affairs.

Now, I am not disposed to say that that charge is true, because if it is true it necessarily involves the honorable Speaker of this House in the unpleasant alternative of being either an idiot or a knave; an idiot if he permitted such a covert and cruel scheme for the extermination of the North American Indian to be carried right on under his nose without perceiving it, and a knave if, having observed what was going on, he consented to allow such a thing to be done. Be that as it may, I want to suggest that the gentleman from Indiana, by the little parliamentary artifice to which he resorted a little bit ago, as well as by his general conduct with reference to appropriations, has taken a long step toward the extermination of the dusky son of the forest. I very much doubt whether the average chief, by the time he has run the guantlet of the present appropriation bill, along with his squaw and papoose, and a buck or two, will have much left him outside of a greasy blanket or so and a spavined pony or two from the whole domestic outfit with which he is at present provided.

Such, Mr. Chairman, is the possibility from the manipulation of an appropriation bill. Verily, verily, all wisdom did not die with the fathers, but some of it has survived to the present generation. I want to suggest to the gentleman that this parsimonious legislation of his is a beautiful spectacle to present to the country and the world. It simply illustrates, as I have said, the possibilities in the hands of a small and penurious man, of juggling with one of the greatest appropriation bills introduced by one of the greatest committees in the greatest legislative body of the greatest nation upon the face of the globe.

Mr. PENDLETON of West Virginia. Mr. Chairman, I think the attack that has been made on the gentleman from Indiana [Mr. HOLMAN] by his colleague [Mr. JOHNSON of Indiana] is one that is thoroughly uncalled for.

Mr. HOLMAN. Oh, I hope the gentleman will not notice such trash. [Applause on the Democratic side.]

Mr. PENDLETON of West Virginia. However much I may disagree with Judge HOLMAN'S ideas of economy, I do not propose to stand by and see such an attack made on him in the House of Representatives without showing that I for one resent it. From my boyhood I have read of him as a gentleman who has done more to prevent steals, to carry on our Government under rigid economy, to enact appropriations in the interest of American people, than any other member who in the last third of a century has found a seat upon this floor, and after hearing such an attack on him, I can not refuse to say that I utterly disagree with it, and that I think it ought to be resented.

Now, as to this appropriation for Indian schools; two years ago, when my attention was first called to it, I was utterly opposed to the idea of educating the Indians at all, because all the information that I had had upon that subject in the past had led me to believe that the result of the education that was given to the Indians had been disastrous to the Indians and wasteful and expensive to the Government of the United States. But of late I have had some experience upon that subject, and I am somewhat a convert to the doctrine of the gentleman from Maine [Mr. REED] and to the remarks that he gave here upon the floor of the House yesterday; and I must say that, as I listened to the remarks of that gentleman, I was forcibly reminded of what was once said of Edmund Burke. I felt sorry that the gentleman from Maine so often gave up to party what was meant for mankind.

I was some months ago a visitor at the Indian school at Hampton. I was there for several days and I had an opportunity to observe for myself the effect that was brought about by the education of the Indians. I saw there a large number of pupils who had been there for a few years and another number who had recently come in, and I found that the difference between the Indian girls and the Indian boys who had had one or two years of instruction, and those who were new recruits, was as wide and as far apart as the poles.

I saw Indian girls there who were competent to be sent forth as teachers, who could converse in the English language, who were able to talk on literature, on critical and scientific subjects, with a facility that utterly surprised me. I am a convert, sir, to the theory of the gentleman from Maine—that is, that our fault is thus far that we are educating too few of these people. The trouble is that the few we have educated, when they are sent back and circulate amongst the great mass of the Indians, are not sufficient in numbers to do any great amount of good, and the tendency on their part is to lapse to their original condition.

[Here the hammer fell.]

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from Indiana increasing this salary.

Mr. HOLMAN. I have made the point of order against the amendment, Mr. Chairman, that it proposes to strike out matter which has been inserted by a vote of the committee.

Mr. PICKLER. That was simply perfecting the text; that would not affect the amendment.

The CHAIRMAN. The Chair overrules the point of order.

Mr. HOLMAN. I do not think it is in order to move to strike out matter that has just been inserted by the committee.

The CHAIRMAN. It is within the power of the committee to do so. The insertion of the amendment proposed by the gentleman from Indiana certainly would not affect the power of the committee to strike out the entire paragraph, nor would it prevent the offering of the amendment proposed by his colleague, which is to increase the amount of the appropriation.

Mr. HOLMAN. I beg to differ with the Chair. While this matter was pending and before the committee had taken action upon it under the amendment of the Committee on Indian Affairs, it would have been entirely in order to move to strike out the $2,500 fixed in the paragraph and insert $3,000, or any other sum, but after the adoption of the amendment fixing the salary at $2,500, it seems to be entirely inconsistent with the rules of the House that you may go back and amend the paragraph still further.

The CHAIRMAN. The Chair overrules the point of order.

Mr. PICKLER. Mr. Chairman, I desire to be heard on this amendment, and I ask the committee to give me its attention for a few minutes while I call attention to the facts in connection with it.

The amendment of the gentleman from Indiana [Mr. JOHNSON] is recognized by the Chair as the prevailing amendment, the Chair, as I understand it, having overruled the point of order, and the proposition is to increase the compensation of the Superintendent of Indian Schools $500—that is, leave it at what it was last year, the proposition of the committee being to reduce it $500.

This Superintendent of Schools under the last Administration and for the last two years received $4,000 per annum. It was afterwards cut down to $3,500 per annum, and afterwards to $3,000. Now, when the gentleman that has been appointed under this Administration, Prof. Hailmann, who is from the gentleman's own State of Indiana, takes charge of this important work—and I know of no greater work than is given to this Superintendent——

Mr. CURTIS of Kansas. Will the gentleman allow a question?

Mr. PICKLER. Not now. I say when this gentleman has been appointed to this important position and the salary of $3,000 is fixed by law, I think it altogether unfair to undertake to cut it down, especially when it is already a low salary in view of the importance of the work that he is called upon to perform. It is an exceedingly important position. The Superintendent of Indian Schools has charge of all the Indian schools in the United States. It is one of the most important positions in the Government, and this Indian service depends largely, as I know personally, upon the Superintendent of Schools.

Now, it was proposed, in the first place, and the majority of the committee gave its assent to it, to abolish the office. Better judgment, however, finally prevailed; but it is proposed now to cut the salary down $500. That is not fair. He is not that kind of a man. In my opinion he is a valuable man, one of the most valuable that could be appointed, and is worth the price. The service he performs is most valuable. It is worth more than the service which is rendered in most of other schools in the United States; and this gentleman could command an equal or a larger salary in any other school throughout the country. There is only one such position in the United States. With the large number of Indian schools in my State, I recognize the importance of this work, and it is just as important now as when the salary was $4,000 heretofore. He has the same work to do that he had then, not a whit less than before, and I trust his

salary will not be brought down as is proposed by the committee.

I believe that Prof. Hailmann, after he has been induced to accept this office, after he has given up other work in which he was engaged to accept it, is justly entitled to receive the compensation which was awarded to him at the time he accepted the position. I have had considerable acquaintance with him since his induction into office, and I know the valuable services he has rendered to the Indian service. We believe that he is the right man in the right place, and I trust the committee will not, after he was engaged at a salary of $3,000, go in now and cut it down, as proposed here, to $2,500. It is not right and it is not fair.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. MADDOX. Mr. Chairman, I want to ask the gentleman from South Dakota a question.

Mr. PICKLER. Yes, sir.

Mr. MADDOX. Have you ever read the rules that were promulgated by this Superintendent?

Mr. PICKLER. Yes; I have looked over them.

Mr. MADDOX. What do you think of them?

Mr. PICKLER. Well, I do not know about the rules. I do not claim to be an adept on rules. There is no member of Congress who, it would appear, does not know all about the Indian service better than the Indian Commissioner himself. There is no question about that. I do not undertake to set up my judgment as to whether the rules of the Superintendent are good or not. He is a practical man, a man of ability, a man who was selected on account of his peculiar fitness. He has been out among the Indians, and has looked at the Indians on the reservations, and in their schools. I believe he has promulgated some rules, and I think that he believes them to be good ones, and I presume they are.

Mr. MADDOX. Do you think they are practical rules?

Mr. PICKLER. I have not examined them particularly to see. I dare say that some of them are not. Every one of them may not be practical; but we know that nobody can make rules every one of which would be practical at the beginning.

Mr. MADDOX. One more question. Do you know what he is engaged on now?

Mr. PICKLER. Do I know what he is engaged on now?

Mr. MADDOX. Yes.

Mr. PICKLER. He was attending to official business the other day when I saw him.

Mr. MADDOX. He is making an arithmetic; a special one for the Indians.

Mr. PICKLER. It is very likely that they need something more simple than the system which is commonly used.

Mr. MADDOX. You are mistaken about that, and about it being more simple.

Mr. PICKLER. One of the propositions that this Superintendent made to me struck me as showing that he had a full conception of the subject he had in hand. He said there was too much of this education, that it was not practical enough, that he wanted to have all the boys and girls sent to these Indian schools and to teach them from the ground up, and that he was trying to establish——

Mr. MADDOX. I did not yield to the gentleman to make a speech.

I desire to say to the House that the rules that have been promulgated by the Superintendent shows that he is not a practical man——

Mr. PICKLER. But you ought not to cut his salary down.

Mr. MADDOX (continuing). And that he is not fit for the position to which he is appointed; and the gentleman from South Dakota knows it.

Mr. PICKLER. Now, I desire to say that the gentleman from Georgia and I agree in most matters as to this Indian service, but I undertake to say that neither he nor I are capable of determining so well what are practical rules for the government of the schools as this Superintendent, about whom he is making this speech.

Mr. MADDOX. I say that you are mistaken. I insist that we ought to have a little common sense in this Indian business.

Mr. PICKLER. This Superintendent is a man of common sense.

Mr. MADDOX. My friend from South Dakota is altogether mistaken. I admit that he is a very good man. I have nothing to say in that line; but so far as injecting any common sense into this Indian service, I think we will have to get it from somewhere else. If the rules promulgated by this Superintendent are any evidence of his capacity, then we had better get a new man.

No such foolishness has ever been submitted to the American people; and not only that, he is not satisfied with the arithmetic that the children of this country study, and which we have in our schools, but he has gone to work to prepare one especially for these Indians, which is not a simple one by any means. I have made an examination of it. It is one he has especially prepared for the Indians, and because he has nothing else to do but to make an arithmetic. It is all nonsense, and I hope the amendment will be voted down by men of common sense in this House.

Mr. ADAMS of Pennsylvania. Mr. Chairman, I rise to enter the protest of a class of people who, if they were present, would not participate in this political wrangle, but whose judgment and whose experience is entitled to some consideration by those who have the true interest of the Indians at heart. For a period covering centuries the relations of this simple sect of people, in their dealings with the red man, have been honorable and successful from the first day that they signed a treaty which was faithfully kept so long as they had control of it, and which never caused a drop of blood to be shed in its fulfillment. They have continued their relation in the treatment and in the education of the Indians from that day until this; and there is no body either civil or religious whose testimony and whose judgment is entitled to greater consideration than the Society of Friends, commonly known as Quakers. [Applause.]

Mr. PICKLER. That is right.

Mr. ADAMS of Pennsylvania. I have the honor of claiming many such among my constituents, and I rise to present their protest against certain features of this bill, and especially against the one now under consideration. I have received letters from the Quakers of Philadelphia, in which they protest against the reduction of this salary.

We have had the appropriation taken away from the commissioners and we have heard the astounding announcement made on this floor that the original cause of the creation of that Commission was that the corruption in the Indian Department was so great that it was necessary to have these outside and impartial observers. We have further heard it stated that it was still necessary to continue the existence of this Commission, because that department was not yet purged of all evil and corrupt influences.

Now, we come to another phase of the subject, that relating to the education of the Indians, and it is proposed to strike down the salary of this Superintendent of Schools. Stop for a moment and think of the proposition that a man who is capable of supervising the instruction of wild, unlettered Indians is not worth a salary of $3,000 a year. The position is a much more responsible one than any that is occupied by a school superintendent in the East, the task is a more difficult one, and it requires certain qualifications that are very, very difficult to find anywhere in this country, or in any other. These friends who have charge of schools in Pennsylvania, both in the city of Philadelphia and elsewhere, well know the qualifications that are required of a man to fill this position. They indorse the qualifications of the present Superintendent, and they protest earnestly and most vehemently against any reduction in his salary.

In fact, they go further and say that it is their firm conviction that this is a blow intended to force the present Superintendent out of office, because, as has been already well said, his services are worth much more in other quarters. Therefore, Mr. Chairman, in behalf of those upright, pure-minded people, who for centuries have controlled in a proper and friendly spirit their relations with these unfortunate aborigines of our country who have been driven by the white man from pillar to post until now they have remaining but a strip of what was originally their own great domain, I protest against this policy. I protest against it in the name of these good people, who approach the question from no political standpoint, who approach it from no interest in supplies and contracts, who approach it simply in the spirit which pervades their creed and their religion, that of humanity and justice to all their fellow-men.

[Here the hammer fell.]

Mr. QUIGG. Mr. Chairman, I move to strike out the last word. I desire to suggest as a point which will certainly appeal to the common sense of this committee, that if it be true, as the gentleman from Georgia [Mr. MADDOX] suggests, that the present Superintendent is incompetent, that he has promulgated rules which are impracticable to be carried out and absurd in their character, there is an easy way of dealing with that matter, and that way is by the Superintendent's removal and by the appointment of a man who is competent and who can promulgate rules that are practicable. Certainly it is not the fair way in the middle of a public servant's term of office to reduce his salary. If there is one principle that the people of this country have given general adherence to, it is the principle that the salary of a public officer shall not be raised or reduced during the term of service for which he is chosen, and that is certainly a principle that ought always to apply. But if it be true

that this general Superintendent has been making bad rules and false arithmetics, the gentleman from Georgia will not claim, I am sure, that all the superintendents of the Indian schools acting under this general superintendent have been doing that sort of thing. They have not all of them been inventing systems of mathematics; and yet if you will look through this bill you will find that, one after another, the salaries of the superintendents in the local schools all over the country have been reduced. And in the mean time their labors—I ask the committee to bear this in mind—in the meantime their labors have been increased. In the schools where the number of pupils at present is only 300, provision is made in this bill for 350 or 400, and yet the salary of the superintendent there is reduced from $2,000 to $1,500.

Mr. PICKLER. If I may interrupt the gentleman, I wish to state that this reduction is not recommended either by the Secretary of the Interior or by the Indian Commissioner.

Mr. QUIGG. I was about to speak of that. None of these reductions are recommended by the Indian Bureau or by the Secretary of the Interior, and yet they extend throughout the whole of our Indian educational system. Now, I appeal to the common sense of my Democratic friends. I am just as anxious as they are that this Congress shall make a record for economy. No man here wants more money spent than ought to be spent, but is this a good object to make a reduction upon?

Is the education of these people, whom we have from time immemorial neglected and wronged, for whose care we ought to have done a great deal more than we have, for whose education we ought to have made a much better provision than has been made at any time—is their education a good object to begin reductions upon? I protest that this is unfair; I insist that it is unwise; and I hope that the amendment of the gentleman from Indiana [Mr. JOHNSON], in despite of his possibly too ardent protests against the economies to which his colleague from Indiana [Mr. HOLMAN] is addicted, will prevail.

Mr. CANNON of Illinois. If I understand the gentleman, he protests against improper administration on the part of the Executive, improper according to the opinion of individual members, being reached by the cutting down of the salaries of persons who hold office, the offices themselves being necessary, under wise administration, for the well-being of the service?

Mr. QUIGG. The gentleman has stated my protest and objection with great clearness and force.

Mr. JOHNSON of Indiana. Before the gentleman takes his seat I want to announce to him that my possibly too ardent protest against the economy of the gentleman from Indiana was not made entirely on the ground of his frugality. In the first place, it grew out of the fact that having cut down the salary of this official, he had come into the House and attempted by a subterfuge to prevent any amendment to rectify the wrong being offered.

Mr. QUIGG. Well, I hope the gentlemen on the other side of the House, in voting on this amendment, will not take into consideration the language of the gentleman to his colleague, but will vote on it with regard simply to the justice or injustice of the amendment.

Mr. JOHNSON of Indiana. I hope at the same time gentlemen will not fail to have the courage of their convictions.

Mr. EVERETT. Mr. Chairman, I should be disposed to agree with very much of what was said yesterday by the gentleman from Maine [Mr. REED] on the question of education, and with what was said a little while ago by the gentleman from West Virginia [Mr. PENDLETON]. It is perfectly possible to educate people too much. It is perfectly possible to educate the Indians too much. And I should be the last man to deny that a great deal of all education, high and low, in this country has been thrown away, and applied to objects that can not well receive it. But for all that, sir, education is coming to be a science. It is already recognized as being an art; and it is altogether impossible to carry on education, high, low, or medium, by any rule of thumb, by any mere application of "common sense," or by any of the methods that answered a hundred, or fifty, or even thirty or twenty years ago.

There is no principle now more thoroughly recognized in the educational systems of our country than that we must employ superintendents; that a system of education must be put under one head. It may be that originally this office of superintendent of education was constituted as a sinecure, and that the salary was cut down because there was really nothing for the officer to do. But as Indian education stands now, whether we carry it on upon the reservations, whether we carry it on at contract schools, whether we carry it on at Carlisle or anywhere else, whether it is to be practical, industrial, mechanical, literary, or musical, I care not what, if Indian education anywhere in this country is to be worth anything at all it must be under a single superintendent, with great powers and with a large salary, because that is the recognized way in which education is now carried on.

This is a matter on which I have a right to speak as an expert. And gentlemen from any part of the country who have paid any attention to education know that if there is anything better established in the science and art of education than another, it is that a system of education should be put under one responsible head, whose supervision shall be extended over the whole system which the Government—general, State, or municipal—is undertaking to carry on.

Now, I say that to attempt to legislate a given official out of office by lowering his salary is no way to do, on any principle, political or economical. Some of our superintendents of Indian education have been injudicious men. They have had the sentimental element too strong in them; they have had the missionary element too strong in them; they have not looked at the practical side of matters; they have not realized the demands of the question. The present Superintendent was selected by the Secretary of the Interior upon advices from numerous sources. He is a man who has studied education scientifically, and I hesitate not to say practically. If he has been giving some of his time to preparing a special arithmetic for the Indians, I can tell gentlemen of this House, if they do not know it, that he could hardly do a better thing; for there is scarcely anything in this country that needs revising more than the prevailing arithmetical text-books scattered among our schools.

[Here the hammer fell.]

Mr. COOMBS. I hope the time of the gentleman from Massachusetts will be extended.

Mr. EVERETT. I should like to have a few minutes more.

The CHAIRMAN. Is there objection to extending the time of the gentleman for five minutes?

Mr. MADDOX. I object, with all respect to the gentleman from Massachusetts.

Mr. JOHNSON of Indiana. I desire to be heard briefly on the merits of the amendment. I have offered it in good faith, and I believe logic and good sense require that it should be adopted.

The regularity with which Congress has been cutting down the appropriation for the salary of this Superintendent of Indian Schools is striking, if not commendable. First, he was awarded a salary of $4,000. That was reduced to $3,500. At a subsequent session Congress reduced it to $3,000, which was the amount appropriated for the current year. Now it is proposed to cut it down to $2,500. The House can readily see that at this rate of progression, or rather retrogression, for such it is, we shall soon reach that point where because of the inadequacy of the salary it will be impossible to get the services of a first-class man to fill this position.

I think this is a very inopportune time for this reduction; and I wish to say to the gentleman from Georgia that I think he is mistaken in saying that the present incumbent of the office got up himself these rules which have been referred to. I understand that he simply adopted these rules for the time being, until he could get time to formulate a more matured system of rules, and that they were the rules adopted by his predecessor in office.

I doubt not that the present incumbent of this office may have come to the discharge of the duties of his office without being entirely familiar with the needs of the Indian service. That is highly possible; but that he will familiarize himself with those duties in a short time and make an acceptable Superintendent of Schools I do not at all doubt.

Prof. Hailman is a graduate of a Swiss university; subsequently he graduated at an Ohio literary institution; after that he graduated at a medical college located in the same State. He was for a time superintendent of schools in the city of Detroit, Mich., and was on the board of education of that city for a number of years. After that he was superintendent of schools in the city of Laporte, Ind., for a number of years, and in every instance, as I am informed, discharged his duties faithfully and with excellent capacity. He is a gentleman of intelligence, a man of large educational experience, and fine executive ability. He has come into this office with the purpose of thoroughly devoting himself to the discharge of its duties; and he has set about learning how to perform those duties in such a way as will soon enable him to promote the good of the Indian schools.

I hold in my hand a list of the duties which he is required to perform; and they are very onerous, as the committee will discover when I read it, which I will now do:

It shall be the duty of the Superintendent of Indian Schools to administer the educational work of Indian schools; to organize the Government schools for Indian youth; to examine, select, and assign to duty superintendents, teachers, matrons, and other employés in the school service; to prepare courses of study and circulars of instructions concerning the educational management of the schools and methods of work; to examine and select text-books and other school appliances; to devise a system of reports from agents, superintendents, teachers, and matrons concerning the con-

duct and progress of the schools; to visit and inspect, in person or through accredited agents, all schools in which Indians are taught in whole or in part from appropriations from the United States Treasury; and to report to the Commissioner of Indian Affairs concerning their condition, defects, and requirements, and to perform such other duties as may be imposed upon him by the Commissioner of Indian Affairs, subject to the approval of the Secretary of the Interior.

Mr. Chairman, the Superintendent of Indian Schools sustains to the Indian schools the exact relation which the superintendent of schools sustains to the public schools in a great city. It is absolutely necessary that there should be some supervising, controlling power in charge of the Indian schools, to classify them, reduce them to order, and oversee and direct them, and which should also be the medium of communication between these schools and the Secretary of the Interior and the Bureau of Indian Affairs.

Mr. EVERETT. And $2,500 is a very poor salary for such a man.

Mr. JOHNSON of Indiana. Mr. Chairman, there is not a city in this country, with a population of 25,000, that does not pay its superintendent of schools more than the amount which is proposed to be given here for the salary of the Superintendent of Indian Schools, and his duties are much more onerous, much more difficult to perform, much more responsible in their character. Why, you are proposing even now to abolish the Congressional appropriation for sectarian schools for the education of Indians, which you have been accustomed to make for years. This officer already has a supervisory and visitorial jurisdiction over those schools, but if this proposed nonsectarian legislation is carried out you will increase all the more the onerous duties which he has to perform. It ought to cause the blush of shame to rise to the face of every Representative on this floor that it is here seriously proposed to require this able executive officer to perform the duties of this high and honorable office at the paltry salary which is proposed in this bill.

Mr. HENDERSON of Illinois. Mr. Chairman, I do not know the Superintendent of Indian Schools. I do not even know his name; but I have before me letters from friends whom I know take a very great interest in this subject of educating the Indians of the country, and from them I understand that this officer is a very worthy and capable officer and gentleman, and deserves to be sustained in the good work in which he is engaged; and I rise simply to say that I hope his salary will not be reduced—in other words, that the amendment offered to increase the salary will be adopted and the salary remain as it is.

These schools are scattered over a vast extent of country; the office is a very important and a very responsible one, and there certainly should be a good man at the head of these schools. And now, as I understand, the present Superintendent of Indian Schools to be a capable and efficient officer, I hope he will be sustaind by an adequate compensation.

I trust, Mr. Chairman, the salary of this responsible officer will not be reduced as proposed by the bill under consideration.

Mr. BINGHAM. I desire to submit as a matter of wise legislation and public policy, so far as I am concerned, when an official has been duly appointed and inducted into his office, and is properly performing the duties of that office, having made his fiscal arrangements on the basis of the salary paid at the time of his appointment, a change in his compensation is an unjust and unwise legislative act, unless it takes effect in the future, beyond the expiration of his term, or unless there is an all-controlling reason for the change.

Gentlemen will remember a few weeks ago the Committee on Appropriations brought in the legislative, executive, and judicial appropriation bill. In that bill was a proposed reduction of the compensation of the Register of the Treasury from $4,000 to $3,600. The gentleman from West Virginia [Mr. PENDLETON] and the gentleman from Tennessee [Mr. RICHARDSON] protested emphatically against the change, and in filing that protest made these statements, simple in language, but truthful, and to my mind potential. The gentleman from Tennessee [Mr. RICHARDSON] said:

Now, I undertake to say that after an efficient, competent gentleman has been brought here and put into this work, responsible as it is, in the midst of his term it is unjust and unfair to reduce the salary, and therefore I hope the amendment will prevail.

The gentleman from West Virginia [Mr. PENDLETON] said:

Mr. Chairman, I am utterly opposed to this warfare on the present Register of the Treasury. From my information about him, he is an honest and capable officer. He was appointed to this position and accepted it entirely with the expectation that if he performed his duties he would serve at least a four years' term, and, as I understand it, he has done like other gentlemen under similar circumstances, has left his business, left his matters at home and come here, locating himself, expecting to receive the salary fixed by the law at the time of his appointment. So far as I have information, up to this hour, he has served efficiently.

I do not believe, sir, that this House should now in the middle of his term single him out for the purpose of cutting off a part of his salary and making an example of him almost alone in the entire legislative bill. I think the policy unwise, and that when a man has been appointed to fill a position of responsibility, as this gentleman has been, I do not believe in making his salary, a small one already, still smaller by attempting to cut it down in this manner just when he is rendering faithful and efficient service. I oppose that principle entirely, and hope the amendment of the gentleman from Tennessee will be adopted.

So the debate went on, and when the question came to be determined by the committee, the proposition of the Committee on Appropriations was rejected, and the compensation of $4,000 was continued. Therefore it will be no severe criticism upon the gentleman having charge of this bill, if this committee in its wisdom determines upon a policy, that when a man has been appointed at a certain compensation, it should continue through his term as a fair, equitable consideration, for the obligations which he incurred when he entered upon his term of office.

If the Superintendent of Indian Schools is incapable, turn him out; if not, then keep your faith and pay him in accordance with your contract both specific and implied.

Mr. PIGOTT. Mr. Chairman, I desire to take the floor not for the purpose of indorsing the criticism of the chairman of the Committee on Indian Affairs, but merely to say that I do not want to have this question considered as a political question, in which way it seems to have been considered pretty generally by those gentlemen who have taken the floor, and especially those who favor the pending amendment, with the exception of my friend from Massachusetts [Mr. EVERETT]. But as a representative of an intelligent constituency, as a representative of Yale College, the professors of which great institution take a deep interest in the question of Indian education, I merely take the floor for the purpose of saying that they are entirely in sympathy with the amendment which proposes to give the gentleman occupying the important position of Superintendent of Indian Schools an adequate salary.

I speak, then, their wishes when I say I trust that the amendment of the gentleman from Indiana will be adopted. I do not know the gentleman who occupies this position, and do not care who he may be; but if he is incompetent to perform the duties of the office, let him be removed and a competent man substituted in his place.

But there is another objection to the cutting down of this salary which has not been thus far alluded to in the debate, that is, if because of incompetency or for any other reason, personal to the present incumbent, you reduce the salary, you thereby make it almost impossible, when a competent man gets the place, to have the salary restored to what it ought to be.

I trust that my Democratic friends on this floor will bear in mind that there are many men in the East in sympathy with the Democratic principles of economy who are unwilling to reduce this salary, and for that reason I favor the adoption of the amendment suggested by the gentleman from Indiana.

The CHAIRMAN. The question is on agreeing to the amendment which has been reported.

Mr. HOLMAN. Mr. Chairman, I do not profess to any particular familiarity with the Indian service. I have had, perhaps, the same experience that most gentleman living east of the Mississippi River have had in regard to this service. But gentlemen situated farther West are, of course, more familiar with it than we can reasonably be expected to be. I know, however, something about the duties of the office of Superintendent of Indian Schools.

This office was created during the Forty-seventh Congress, known as the Keifer Congress, Mr. Keifer of Ohio being the Speaker of the House. At the time the office was created on an appropriation bill, and not by law—no law having been enacted on that subject—and the salary was fixed at $3,000 a year. That was one of the most expensive Congresses, as gentleman are aware, that we have had in our time. A great many salaries were raised, and at that time this office was created.

The question was what service could this Superintendent render, or whether he could render any, and if so, if he could render any service which gentlemen here could render, why not devolve the duties on the Superintendent of Education, an office that is only slightly important, as the business of education is not a Federal business, but belongs to the several States. It was then thought that it could be conferred on the Superintendent of Public Instruction. Others thought that any duty which might be required of him could be performed, as now, by and under the Commissioner of Indian Affairs; for I wish to call your attention to the extraordinary fact that this office is after all, so far as the Superintendent is concerned, under the charge of the Commissioner of Indian Affairs. There has been an effort to abolish the office from time to time years ago, but of late that subject has received no attention. The salary at one time went up to $4,000. It was then subsequently reduced to $3,000.

Now, what does this official do? There is no explanation of the duties at all. You had under the last Administration a superintendent and six supervisors. I will not speak with certainty, for I have not examined the matter lately, but I believe

the supervisors received either $1,500 or $2,000 a year and their traveling expenses.

Mr. PICKLER. Let me ask the gentleman a question. We have recommended in this bill to cut off two of the supervisors——

Mr. HOLMAN. I am coming to that. Under this Administration there are now four persons employed as supervisors. Now, what duty is performed, let me inquire of gentlemen who profess to know all about the subject, and especially my friend from Massachusetts [Mr. EVERETT], who spoke so well, what duties are performed except the duties performed by the supervisors? You have, I repeat, four of them now. This bill proposes to continue three of them. They report to whom? To the gentleman who is supposed to be at the head of this educational system in the Capitol? No; they report directly to the Commissioner of Indian Affairs. What does the Commissioner of Indian Affairs say about their duties?

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. HOLMAN. I ask unanimous consent to be permitted to proceed for a few minutes.

Mr. PICKLER. Let him proceed without limit.

Mr. EVERETT. I object.

Mr. PICKLER. I hope the gentleman will not do that.

Mr. EVERETT. I should be happy to withdraw my objection, but objection was made to my continuing a speech.

Mr. HOLMAN. Did I object?

Mr. EVERETT. No, sir; but a member of the committee did. However, I will withdraw the objection. I admit that the chairman of the committee has peculiar claims.

Mr. HOLMAN. Oh, I ask no more than any other member, Mr. Chairman.

Now, the supervisors, of whom there are four, go from one school to another and examine. Their traveling expenses are paid. The reports come to the Commissioner on Indian Affairs, and in the office of the Commissioner is a small bureau, known as the Bureau of Education.

Now, with that little board of education the Superintendent of Schools has nothing to do. That is a board, I believe, composed of seven persons.

Mr. COX. Who are they?

Mr. HOLMAN. I do not know who they are. I do not know one of them.

Mr. PICKLER. They are clerks.

Mr. HOLMAN. Well, with a head. That board has always managed this business. The superintendent stands upon exactly the same footing as one of these supervisors. He travels when he thinks proper among the Indians, and you pay him, as proposed in this bill, $1,000 for expenses of traveling, which is substantially making his salary $3,500 a year. You pay him that, and yet he performs exactly the same duties that these supervisors perform, to whom you pay smaller salaries; but who are very intelligent men, and the superintendent has nothing to do with them.

Mr. PICKLER. Will the gentleman allow me to ask him a question there?

Mr. HOLMAN. If I may be allowed further time.

Mr. PICKLER. We will give you all the time you desire.

Mr. HOLMAN. Very well.

Mr. PICKLER. Does not the superintendent of education stand in exactly the same relation to the Indian service that the superintendent of education stands to the State?

Mr. HOLMAN. Oh, no.

Mr. PICKLER. And does he not stand in the same relation to these supervisors as the State superintendent would to county superintendents?

Mr. HOLMAN. Why, not at all. They all make their reports to the Commissioner of Indian Affairs.

Mr. PICKLER. No, sir. Their report is sent in to the Superintendent of Education.

Mr. HOLMAN. Their report goes to the Commissioner of Indian Affairs.

Mr. PICKLER. He is at the head of Indian education.

Mr. HOLMAN. Certainly; and that little bureau transacts the business.

Mr. PICKLER. Under his direction.

Mr. HOLMAN. I want to say in reference to this gentleman who now holds the office, that he is a reliable gentleman, a very reliable Democrat, and a very good man. I want to emphasize that—that he is a very good man. I never saw him but once or twice in my life, but I was very much impressed with him; and I understand him to be thoroughly a good man. But what has that to do with it?

Mr. COGSWELL. The Indiana man is a good man, but the other men you do not know anything about?

Mr. HOLMAN. I said the Indiana man was a good man.

Mr. COGSWELL. But as to the other seven, why, you do not know anything about them?

Mr. HOLMAN. I never saw them, that I know of. Do you suppose that I would vote to pay a man a large salary simply because he is a clever gentleman? This salary is above the average for that class of employment.

Mr. PICKLER. I never knew the gentleman to discriminate against an Indiana man before.

Mr. QUIGG. Does the gentleman discriminate against the superintendent on account of the rules he has promulgated?

Mr. PICKLER. The gentleman from South Dakota does not know whether I discriminated against any man.

Mr. QUIGG. Does the gentleman discriminate against the rules which the superintendent has promulgated?

Mr. HOLMAN. There is a superintendent of the schools at the agencies and he is paid a handsome salary, and is usually a very competent man; and then the agent there is an intelligent gentleman. These schools are all on the agencies, beyond the Mississippi. The agent at the Indian agencies has some supervision over all those people.

Mr. PICKLER. But the agents are not school men.

Mr. HOLMAN. These schools are first under the supervision of the superintendent of the schools, and secondly under that of the Indian agent, who is almost uniformly a competent man.

Mr. PICKLER. But they are not school men.

Mr. HOLMAN. A few years ago I visited those agencies with my friend from Illinois [Mr. CANNON], and we always found intelligent men at the head of the schools. The superintendent of the school was under the eye of the Indian agent on the ground. Then we have the supervisors and inspectors, five in number, constantly visiting these schools, and also special agents, who are doing practically the same work. Why, gentlemen, the whole fact about the matter is this: This man performs exactly the same duty that twelve other persons perform.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COX. I would like to ask the gentleman a question.

Mr. QUIGG. I ask that the gentleman's time be extended five minutes.

Mr. WILSON of Washington. I ask that it be ten minutes.

The CHAIRMAN. The gentleman from Washington asks that the time of the gentleman from Indiana be extended ten minutes. Is there objection?

Mr. HAINES. I object.

Mr. KEM. I move that the gentleman's time be extended.

The CHAIRMAN. Is there objection to the request that the gentleman's time be extended five minutes? [After a pause.] The Chair hears none.

Mr. COX. Then, Mr. Chairman, I ask permission to ask the gentleman one question.

Mr. HOLMAN. Very well.

Mr. COX. Now, you have got those supervisors in regard to these schools?

Mr. HOLMAN. Yes, sir. We have got four of them in the field.

Mr. COX. Now, let me draw your attention to the point. What are they for?

Mr. HOLMAN. They are to do any duty in connection with the Indian service, and the main duty is an educational duty.

Mr. COX. Now, then, what do you want with a superintendent?

Mr. HOLMAN. We do not need him at all. We do not need the office.

Mr. QUIGG. But the gentleman from Indiana [Mr. HOLMAN], as I understand, withdraws the imputation made by the gentleman from Georgia [Mr. MADDOX] as to the incompetency of this Superintendent.

Mr. MADDOX. The gentleman from Georgia has made no such charge.

Mr. QUIGG. I think you have.

Mr. MADDOX. I have not done any such thing.

Mr. HOLMAN. Let me state what supervision we now have. In the first place we have, as gentlemen say here, a competent superintendent of schools. Then there is the Indian agent, right on the ground, whose principal duty is to look after the schools. Then there are the five inspectors, who look after everything pertaining to the schools, and they are generally competent men. Then we have five special agents to look after these schools and after the agents themselves. Then, in addition to that, we have in the field to-day four men who are performing the same duties that would be, or could be, performed by the Superintendent of Indian Schools. All these make their reports to the Commissioner of Indian Affairs. We have all this superintendence, and yet there is a clamor here, gotten up by letters from all over the country—I have received hundreds, many of them from my own part of the country—crying out with a loud voice against the slightest reduction of this salary.

Mr. KYLE. Do all these men make separate reports?

Mr. HOLMAN. Certainly they make separate reports. They all report to the Commissioner of Indian Affairs.

Mr. PICKLER. Who gives them their instructions?

Mr. HOLMAN. They have their instructions from the Commissioner of Indian Affairs.

Mr. PICKLER. No; they have their instructions from the Superintendent of Education.

Mr. HOLMAN. Now, Mr. Chairman, I do not desire to have this considered as a party question, although it has assumed that aspect, I admit. [Laughter.] In the interest of economy, I insist on this reduction. I do not think this office ought to exist at all.

Mr. WILSON of Washington. I desire to ask the chairman of the committee a question. When this subject was before the subcommittee there was some disposition to make the salary of this office three thousand or four thousand dollars——

Mr. HOLMAN. Nobody mentioned more than $3,000.

Mr. WILSON of Washington. Well, perhaps it was $3,000; but in the Fifty-second Congress it was $4,000. Now, we have agreed to cut it down to twenty-five hundred.

Mr. HOLMAN. The office was created in the Forty-eighth Congress, I think, and enlarged in the Fifty-first Congress, and somehow or other it has always been a political office.

Mr. WILSON of Washington. Now, is not this amount—$2,500—that the committee agreed upon, about the average salary received by professors in colleges other than the highest throughout the country?

Mr. HOLMAN. Where can you find in any of the colleges of the West any official of this kind so well paid?

Mr. PICKLER. You can not find a man in the United States fit to occupy such a position that can be had for $2,500.

Mr. HOLMAN. The salary here is $2,500, and you have not an official connected with education in your State who gets as much.

Mr. PICKLER. Mr. Chairman, I would not detain the committee longer upon this subject, only that the gentleman from Indiana [Mr. HOLMAN] is so woefully mistaken in regard to the facts of this question. He talks about these different supervisors of Indian education being turned out loose without any head. If there is no general head over them, who is to instruct them in their duties? This matter is really very easily understood. You have a corresponding system in your several States. You have a superintendent of instruction——

Mr. HOLMAN. Oh, that is not this case at all.

Mr. PICKLER. I have the floor. You have your State superintendent of public instruction, and then you have your county superintendents. Now, the proposition of the gentleman from Indiana is to abolish this office altogether; that is, he proposes to expend all this money for the education of the Indians without having any head to supervise his expenditure.

Mr. HOLMAN. What about the Commissioner of Indian Affairs?

Mr. PICKLER. The Commissioner of Indian Affairs has a dozen other things to attend to.

Mr. EVERETT. And he is not a professional educator.

Mr. PICKLER. No; he is not an educator. He is chosen for other qualifications. We have never had a professional educator for Commissioner of Indian Affairs so far as I can recollect. Now, just consider for a moment the idea of the gentleman from Indiana that we are to appropriate these large amounts of money year by year for these Indian schools, and yet are to have no head of Indian education, nobody to guide the men who are engaged in educating the Indians. The gentleman talks about the different supervising officers that he has enumerated making their reports to the Commissioner of Indian Affairs. Why, sir, everybody in that Bureau makes his report to the Commissioner of Indian Affairs, and the Commissioner turns over these reports to the Superintendent of Education.

Mr. HOLMAN. My friend knows that the committee were informed that the reports made to the Commissioner went to the Indian Bureau.

Mr. PICKLER. Oh, there were one or two men who had an ax to grind, who wanted this office abolished, and who testified to that effect; but the Commissioner of Indian Affairs will tell you that all these matters are turned over to the Superintendent, and the present Administration has conferred more authority upon the Superintendent of Education than he has ever had before.

Mr. HOLMAN. We had before the Committee on Indian Affairs two of the most competent men connected with the Indian Bureau, one of whom had served during the last Administration, and one serving under the present; and they both informed us that there was no excuse whatever for the existence of this office.

Mr. PICKLER. One of them, I believe, was turned out of office some time ago, and has "an ax to grind."

Mr. HOLMAN. He was a Republican, though.

Mr. PICKLER. The question comes right down to this—whether you want to expend all these millions of dollars for these educational purposes, with no head to the educational establishment, with no one to direct this work of education.

Mr. HOLMAN. Was not the work done without this Superintendent before this office was created?

Mr. PICKLER. The very reason the office was created was because the need for it was felt. There is not another man connected with the service who is a specialist in educational matters. The Commissioner of Indian Affairs is not a specialist.

Mr. HOLMAN. He is a scholar.

Mr. PICKLER. He is a scholar, but not a practical educator. We certainly ought to have for this duty a man who has been engaged in practical school work and who understands it. I understand that there is not in any college of the United States a man occupying any such important position who does not receive $3,000 or more a year. I defy any gentleman on this floor to name such a man. It can not be done.

Mr. HOLMAN. What are the salaries paid in your State?

Mr. PICKLER. In some cases $2,500, and in other cases $3,000. But we have not in my State any such position as this.

Mr. HOLMAN. What college president in your State receives $3,000?

Mr. PICKLER. There is no college president who occupies such a position as this.

Mr. COX. As a substitute for the pending amendment, I offer the amendment which I send to the desk.

The Clerk read as follows:

That the Superintendent of Indian Schools be abolished, and the salary provided be omitted from the bill.

Mr. COX. Mr. Chairman, if this discussion has developed anything, it is that this office of superintendent is unnecessary in the administration of Indian affairs. You have supervisors of instruction receiving their salaries——

Mr. HOLMAN. With traveling expenses and all?

Mr. COX. Yes; you pay them their traveling expenses as well as their salaries. This bill provides for a certain number of supervisors of instruction for Indian schools. These officers are paid a salary and their traveling expenses. Now, I am at a loss to know what they are to do except to attend to the schools provided for these Indian children. The pending proposition is that we must have a superintendent over these supervisors——

Mr. WILSON of Washington rose.

Mr. COX. The gentleman must excuse me just now. I want to state this matter as I understand it. You have first your supervisors to supervise these Indian schools. That is correct, is it not?

Mr. WILSON of Washington. That is correct.

Mr. COX. I do not want to misstate any fact, for I do not profess to know much about the Indians or the Indian service.

Mr. WILSON of Washington. Does the gentleman understand how these supervisors are appointed?

Mr. COX. I take it for granted they are appointed for the purpose of taking care of the schools. That is all they have to do.

Mr. PICKLER. They do not do anything but what the Superintendent directs them to do.

Mr. COX. What have they to do except to attend to the schools?

Mr. PICKLER. If you abolish the Superintendent, there will be nobody to direct them.

Mr. COX. Now, let me ask, who directs these supervisors in the absence of a Superintendent? Why, the Commissioner of Indian Affairs, of course. Now, you put in the Superintendent as a kind of supernumerary—"a fifth wheel to the wagon." And it would seem, he does not, in fact, superintend anybody. What is the use for him?

Mr. PICKLER. The gentleman might as well ask what use there is for the governor of a State? He might as well propose to abolish the office of governor, and let the State machinery run itself.

Mr. COX. If these supervisors control the Indian schools——

Mr. PICKLER. They do not control them at all.

Mr. COX. Then who does?

Mr. PICKLER. The Superintendent of Indian Education, the man you are proposing to abolish.

Mr. COX. Who controls him?

Mr. PICKLER. Nobody.

Mr. COX. Well, then, he is a greater power in this service than anyone else. Now, what can be the reason or policy of appointing seven supervisors of Indian schools——

Mr. PICKLER. There are only three.

Mr. COX. Well, I do not pretend to know the number. And then after appointing these supervisors you appoint a superin-

tendent to supervise them; and then you have a Commissioner of Indian Affairs to supervise the Superintendent.

There is no use talking about this matter; you are putting a man into this office to be like the fifth wheel to a wagon.

Mr. PICKLER. These supervisors bear practically the same relation to the Superintendent that your clerk does to you. The clerk does what you direct him to do; these supervisors do what the Superintendent directs.

Mr. COX. Oh, well, I understand all that; but when you go to appoint a Government officer, and pay him a certain amount of money, and other officers perform all of the duties, what is the necessity for continuing the office?

Mr. PICKLER. But that is not the case here, by any means.

Mr. JOHNSON of Indiana. Will the gentleman allow me to ask him a question?

Mr. COX. Certainly.

Mr. JOHNSON of Indiana. In all the cities, as the gentleman knows, we have a school board——

Mr. COX. Oh, I understand that.

Mr. JOHNSON of Indiana. Just hear my question out. Then we have a superintendent——

Mr. COX. I understand all of that, of course; but it has no connection here.

Mr. JOHNSON of Indiana. You do not allow me to finish my question. We have, then, the teachers——

Mr. COX. Do you honestly believe this man, this Superintendent of Indian Schools, is essential to the service, or is worth one cent to the service?

Mr. JOHNSON of Indiana. I think he is worth very much more than that or I should not have offered the amendment. I think it would be a most serious mistake to abolish the office.

Mr. COX. Suppose the office is abolished; will not the supervisors do all the work?

Mr. JOHNSON of Indiana. Unless you have some central power, a superintendent, to act as an intermediary between the teachers and the Indian Bureau, then you have no proper connection between them.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. WILSON of Washington was recognized.

Mr. CANNON of Illinois. I desire to be heard for a few moments for the purpose of asking if an amendment would lie to abolish the office—and I will offer it for the time being anyhow—in this shape:

Provided also, That the office of Commissioner of Indian Affairs be, and is hereby, abolished.

Mr. JOHNSON of Indiana. Will the Chair state the parliamentary status?

Mr. CANNON of Illinois. I desire to be heard for a moment on that amendment.

The CHAIRMAN. The Chair had recognized the gentleman from Washington.

Mr. JOHNSON of Indiana. I desire to make a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. JOHNSON of Indiana. The amendment of the gentleman from Tennessee is an amendment to the amendment.

The CHAIRMAN. It is an amendment in the nature of a substitute, as the Chair is advised.

Mr. CANNON of Illinois. And subject to an amendment under the rule.

Mr. WILSON of Washington. Mr. Chairman, I think that the understanding of the Committee on Indian Affairs, and I only speak as my own recollection, was at the time we had the item for the compensation of the Superintendent of Indian Schools up for consideration that I wanted to let the salary remain as it was. I believe my friend from Indiana [Mr. HOLMAN], perhaps the gentleman from Wisconsin [Mr. LYNCH], and the gentleman from Georgia [Mr. MADDOX], thought $2,500 with traveling expenses was sufficient.

Mr. MADDOX. I had nothing to say about it.

Mr. WILSON of Washington. I was only giving my recollection, and of course withdraw the reference to the gentleman from Georgia.

Mr. LYNCH. I did not either.

Mr. WILSON of Washington. At all events, there was an agreement in the subcommittee that the salary should be $2,500. I am inclined to the opinion that the compensation paid for the service of the Superintendent of Indian Schools is sufficient when you include the traveling expenses and per diem.

Mr. COOMBS. What do you mean by traveling expenses and per diem?

Mr. WILSON of Washington. Well, he gets a certain per diem which is allowed for traveling expenses. My recollection is that he gets $3 per day for traveling expenses while visiting the reservations and schools.

Mr. COX. Will the gentleman allow a question?

Mr. WILSON of Washington. Certainly.

Mr. COX. Now, you have a supervisor, and this Superintendent—what does he superintend?

Mr. WILSON of Washington. Well, as a matter of fact, it has been the duty of the Superintendent of Indian Schools to visit all, or as many of the schools as he could.

Mr. COX. Precisely; that is a frank answer.

Mr. WILSON of Washington. But his duties in that connection are arduous.

Mr. COX. If it interrupts the gentleman I will not persist.

Mr. WILSON of Washington. It is no interruption. I yield to the gentleman with pleasure.

Mr. COX. Now, if the supervisors do their duty, what is the need of the Superintendent?

Mr. WILSON of Washington. Well, if the Indian agents do their duty, I might ask, what is the use of the Commissioner of Indian Affairs?

Mr. COX. If you put somebody in the shape of a supervisor to attend to this business, you do not need the Superintendent.

Mr. WILSON of Washington. Now, you have cut down the salary from $4,000 to $2,500. I think, as I have already said, and as was believed in the subcommittee, that that is a fair compensation for the work when you include the traveling expenses.

It is as much as is received by any professor or any president of any Western college of which I have knowledge. And while the gentleman at present occupying the position is a man of the very highest education and character, I think the salary paid him is sufficient, and I am of the opinion that the agreement reached by the Committee on Indian Affairs should prevail.

A few days ago I made some observations to the effect that the present Superintendent was engaged in getting out a new arithmetic. This morning I received a letter from him stating that he was not engaged in getting out a new arithmetic; that he was simply engaged in getting out a new method by which arithmetic might be taught to the Indians. And in so far as I stated he was engaged in getting up a book, I desire to make a correction at this time. He is only getting out a new method of cube root by which and through which the Indian may be taught a higher and more perfect civilization.

Mr. BOWER of North Carolina. A more perfect system of digging roots. [Laughter.]

Mr. BLACK of Georgia. I move to close debate on the pending amendments.

Mr. CANNON of Illinois. I wish to offer an amendment.

The CHAIRMAN. The gentleman from Georgia moves that all debate on the pending amendments be closed.

Mr. CANNON of Illinois. I hope that will not be done until my amendment is read. The gentleman will save time now by allowing us a little more time.

The CHAIRMAN. The Chair will call the attention of the gentleman from Illinois to the fact that the motion is only to close debate on the pending amendments, not on the paragraph.

The gentleman from Georgia moves that all debate on the amendment offered by the gentleman from Indiana [Mr. JOHNSON] and the amendment offered by the gentleman from Tennessee [Mr. COX] be closed.

The motion was agreed to.

Accordingly, debate on the pending amendments was closed.

Mr. CANNON of Illinois. I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. Does the gentleman desire to offer it before a vote is taken on the other amendments?

Mr. CANNON of Illinois. Yes; to add to the amendment of the gentleman from Tennessee [Mr. COX].

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Add to the amendment of the gentleman from Tennessee [Mr. COX] the words, "and the office of the Commissioner of Indian Affairs is hereby abolished."

Mr. CANNON of Illinois. Mr. Chairman, I desire to ask the attention of the committee to this amendment. The President of the United States being the executive, has his branch offices or departments, the Interior, the Post-Office, and so on. They are his aids and helps. But the President is the executive. When you come to the Interior Department there are ten or twelve bureaus, because this Department has a great deal of business. The Indian Office is one of the bureaus of the Interior Department. Congress in its wisdom, in former years, has seen proper, step by step, in the interest of the public service, to create these bureaus. Then, again, many of the various bureaus, much larger than any department of this Government fifty years ago, are divided into divisions. All this saves labor, and gives uniformity and efficiency in administration.

Now, in my judgment, this branch of the service that super-

intends the schools which educate 16,000 Indian children, with 200 different schools, expending between $2,000,000 and $3,000,000, is of great importance. Congress, in its wisdom, thought there ought to be a head to this service. The gentleman from Indiana [Mr. HOLMAN] and the gentleman from Tennessee [Mr. COX] think there ought not to be a head.

Mr. HOLMAN. Oh, no; I distinctly disclaim that.

Mr. CANNON of Illinois. They think there ought not to be a head to this division?

Mr. HOLMAN. The gentleman is misstating me. I have not suggested that.

Mr. COX. The gentleman is misstating me also.

Mr. CANNON of Illinois. Well, an amendment comes to abolish the office. Now, if they wish to do that, I want to see them, and go them one better, because we can save the salary of the Commissioner of Indian Affairs, and let the honorable Secretary of the Interior, Hoke Smith, whose friends claim he is the best worker in the country, shoulder up and administer that office, too.

Mr. HOLMAN. Does not my friend know that the salary of the Commissioner of Indian Affairs is carried on the legislative bill?

Mr. CANNON of Illinois. Oh, well, all bills a place and all seasons a time to save money—to economize. This is a proposition to abolish an office. Now, I have nothing to say against the Commissioner of Indian Affairs. He is from my State, and so far as I know he is an able and competent official; but here is a chance to save that salary, and let the honorable Secretary of the Interior look after the details himself. This is mere bureau work.

Mr. COX. Now, will the gentleman yield to me for one moment?

Mr. CANNON of Illinois. Certainly.

Mr. COX. Do you mean to say that when an office like that of the Secretary of the Interior or the Commissioner of Indian Affairs is created, and when you find a supernumerary under him who is not necessary, that in order to abolish the supernumerary it becomes necessary to go back and abolish the head of the Department?

Mr. CANNON of Illinois. In my judgment this official at the head of this school service is just as important in his sphere as the Commissioner of Indian Affairs presiding over all the divisions of the Indian Bureau is in his sphere.

And while I am not in favor of my amendment, abolishing the Commissioner of Indian Affairs [laughter], I offered it here to call the attention of the gentleman to what he is doing.

The CHAIRMAN (Mr. DOCKERY). The Chair desires to call the attention of the gentleman from Illinois [Mr. CANNON] to the fact that his amendment would seem to come in more properly at the end of the section, inasmuch as the amendment proposed by the gentleman from Tennessee is to strike out certain lines in the bill. If there be no objection, the amendment of the gentleman from Illinois will be treated as coming in at the end of the section.

Mr. CANNON of Illinois. I withdraw the amendment.

Mr. MADDOX. I move that debate be closed on the pending amendment.

The CHAIRMAN. The question is on the amendment of the gentleman from Indiana.

Mr. WILSON of Washington. Mr. Chairman, I just want to know if an amendment would be in order to abolish all the Indian agencies.

The CHAIRMAN. The Chair can not pass on any question until it arises.

Mr. BOWERS of California. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman will please withhold his amendment until a vote is taken upon the pending amendment, upon which debate has closed. The question is first on the amendment offered by the gentleman from Indiana [Mr. JOHNSON], increasing the salary from $2,500 to $3,000.

The question was taken; and the Chairman announced that the noes seemed to have it.

Mr. JOHNSON of Indiana. Division.

The committee divided; and there were—ayes 61, noes 61.

Mr. SHERMAN. I change my vote from no to aye.

The CHAIRMAN (continuing). The amendment is disagreed to.

Mr. JOHNSON of Indiana. I ask for tellers.

Mr. TRACEY. Mr. Chairman, I make the point of no quorum.

The CHAIRMAN. The gentleman from New York makes the point that no quorum has voted. The Chair will appoint the gentleman from New York [Mr. TRACEY] and the gentleman from Indiana [Mr. HOLMAN] as tellers.

The committee again divided; and there were—ayes 80, noes 76.

Mr. TRACEY. I withdraw the point of no quorum.

Mr. HOLMAN. I think we might as well have a quorum.

The CHAIRMAN. The Clerk will call the roll.

The Clerk proceeded to call the roll.

Mr. JOHNSON of Indiana. Then I will inform the gentleman that he will have the point of no quorum raised again.

Mr. HOLMAN. Just a moment, Mr. Chairman. In view of the fact that this is a subject to be voted on in the House, I will there call for the yeas and nays.

The CHAIRMAN. The gentleman from Indiana withdraws the point of no quorum.

Mr. MADDOX. I renew it, Mr. Chairman.

The CHAIRMAN. The Clerk will call the roll.

The Clerk proceeded to call the roll.

Mr. JOHNSON of Indiana. I desire to give notice to the gentleman that I will call for a quorum every time until this bill is concluded if he persists.

The Clerk continued to call the roll.

Mr. MADDOX. I give you notice that I do not care if you do.

Mr. JOHNSON of Indiana. You can get a vote in the House. Why, then, make the point of no quorum now.

The CHAIRMAN. The gentlemen are not now in order. Gentlemen in the front of the Chair will please be seated.

Mr. MADDOX (to Mr. JOHNSON of Indiana). You are not bulldozing anybody.

Mr. JOHNSON of Indiana. I do not want to.

The CHAIRMAN. The gentleman is not in order.

Mr. MADDOX. I say that you can not bulldoze me.

Mr. JOHNSON of Indiana. You can get in a vote in the House.

Mr. MADDOX. You need not throw out your threats to me.

Mr. JOHNSON of Indiana. I say you can get a vote in the House.

The CHAIRMAN. The gentleman from Georgia will be in order. The Sergeant-at-Arms will request gentlemen to take their seats.

Mr. JOHNSON of Indiana (to Mr. MADDOX). You ought to be good-natured.

The CHAIRMAN. The gentleman from Indiana will please be seated.

Mr. MADDOX rose.

The CHAIRMAN. The gentleman from Georgia and the gentleman from Indiana will be in order.

Mr. JOHNSON of Indiana. I am trying to get the gentleman from Georgia to be in order.

The CHAIRMAN. The gentleman from Indiana will please take his seat and observe the rules of the House. [Cries of "Regular order!"]

The roll was called, when the following-named members failed to respond:

Abbott,	Dingley,	Hulick,	Schermerhorn,
Aitken,	Draper,	Johnson, Ohio	Scranton,
Alderson,	Dunn,	Kilgore,	Settle,
Allen,	Dunphy,	Kribbs,	Shaw,
Apsley,	Ellis, Ky.	Lapham,	Sibley,
Avery,	Ellis, Oregon	Lefever,	Sickles,
Babcock,	English, Cal.	Lisle,	Simpson,
Baldwin,	English, N. J.	Livingston,	Sipe,
Barnes,	Fielder,	Lockwood,	Smith,
Bartlett,	Fithian,	Magner,	Snodgrass,
Barwig,	Geary,	Mahon,	Sorg,
Belden,	Gillet, N. Y.	Marsh,	Springer,
Bell, Colo.	Gillett, Mass.	Marshall,	Stevens,
Beltzhoover,	Goodnight,	McCall,	Strong,
Bland,	Graham,	McDowell,	Sweet,
Boatner,	Gresham,	Meiklejohn,	Talbott, Md.
Boutelle,	Griffin,	Mercer,	Taylor, Tenn.
Breckinridge, Ark.	Grosvenor,	Meyer,	Terry,
Breckinridge, Ky.	Grout,	Money,	Turner, Va.
Brookshire,	Hager,	Moon,	Turpin,
Brown,	Hainer,	Morgan,	Tyler,
Burnes,	Hall, Mo.	Morse,	Van Voorhis, N. Y.
Cadmus,	Harmer,	Moses,	Wadsworth,
Caminetti,	Harter,	Mutchler,	Walker,
Capehart,	Hatch,	Newlands,	Wanger,
Catchings,	Heard,	Oates,	Wells,
Chickering,	Heiner,	O'Neill, Mo.	Wever,
Childs,	Henderson, Iowa	Paynter,	Wheeler, Ill.
Conn,	Hendrix,	Phillips,	White,
Cooper, Ind.	Hepburn,	Powers,	Whiting,
Covert,	Hermann,	Randall,	Wilson, Ohio
Cummings,	Hines,	Rayner,	Wilson, W. Va.
Dalzell,	Hitt,	Reed,	Wise,
Daniels,	Hooker, Miss.	Reyburn,	Wolverton,
De Forest,	Hopkins, Ill.	Robertson, La.	Wright, Mass.
Denson,	Hopkins, Pa.	Rusk,	Wright, Pa.

Mr. COOMBS. Mr. Chairman, I ask that my colleague [Mr. GRAHAM] be excused, on account of sickness.

Mr. NEILL. I ask that the gentleman from California [Mr. ENGLISH] be excused. He left the House on account of sickness.

The committee rose, and the Speaker resumed the chair.

Mr. O'NEIL of Massachusetts. Mr. Speaker, the Committee of the Whole House on the state of the Union, having under consideration the bill H. R. 6913, found itself without a quorum.

The Chair directed the roll to be called, and I herewith report the names of the absentees.

The SPEAKER. The gentleman from Massachusetts, Chairman of the Committee of the Whole House on the state of the Union, reports that that committee, having had under consideration the bill H. R. 6913, found itself without a quorum; that he directed the roll to be called, and reports the names of the absentees. The names of the absentees will be entered on the Journal. Two hundred and eight gentlemen having answered to their names, without motion the committee will resume its session under the rule.

The committee resumed its session, Mr. O'NEIL of Massachusetts in the chair.

The CHAIRMAN. The tellers will resume their places.

The committee again divided; and the tellers reported—ayes 86, noes 94; so the amendment was rejected. [Applause on the Democratic side.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee [Mr. COX]; which the Clerk will report.

The Clerk read as follows:

That the Superintendent of Indian Schools be abolished and the salary provided for be omitted from this bill.

The question being taken, the Chairman declared that the noes seemed to have it.

Mr. COX. I ask for a division.

The committee divided; and there were—ayes 8, noes 107.

Mr. COX made the point of no quorum, but immediately withdrew it.

Mr. GEAR. Mr. Chairman, I desire to offer the amendment which I send to the desk.

Mr. BOWERS of California. Mr. Chairman, I have an amendment which is pending.

The CHAIRMAN. The Chair will recognize first the gentleman from Iowa, and afterwards the gentleman from California. The Clerk will report the amendment of the gentleman from Iowa.

The Clerk read as follows:

Insert in line 19, after the word "schools," the following:
"And it is hereby declared that it is the intention of this act that no money herein appropriated shall be paid for education in sectarian schools, and the Secretary of the Interior is hereby charged with the duty of so using and administering said appropriation as to carry out said object, and he is hereby authorized and required to make all needful rules and regulations necessary to prevent the use of any part of said fund for education in sectarian schools."

Mr. HOLMAN. Mr. Chairman, I wish to reserve the point of order on that amendment.

Mr. SMITH of Arizona. I make the point of order.

Mr. GEAR. Then I will speak to the point of order.

Mr. HOLMAN. I will reserve the point of order until we understand the amendment.

Mr. GEAR. I think if the gentleman from Indiana has any objection to this on a point of order he ought to state it.

Mr. HOLMAN. I do not know whether I have or not, but I desire to reserve the point of order until the amendment is fully understood.

Mr. GEAR. Let the gentleman state his point of order.

Mr. TRACEY. I make the point of order that it is new legislation and does not reduce expenditures.

The CHAIRMAN. The Chair will hear the gentleman from Iowa on the point of order.

Mr. GEAR. Mr. Chairman, this is a bill which provides for the education of the Indians and appropriates certain moneys therefor. The amendment which I have sent to the desk to be read simply provides how that money may or may not be disbursed. It seems to me that the point of order is not tenable. I will ask the gentleman from New York to state wherein this changes existing law.

Mr. TRACEY. The point of order I made was that the amendment was new legislation and did not reduce expenditures.

Mr. GEAR. That point of order is not tenable. The amendment simply provides how the money herein appropriated shall be disbursed. It is not new legislation.

The CHAIRMAN. The Chair is very clear that the proposition advanced in the amendment of the gentleman from Iowa is new legislation, and does not retrench expenditures, and the Chair sustains the point of order.

Mr. GEAR. I will state to the Chairman that the amendment does not change existing law.

The CHAIRMAN. If it makes law which is different from the law existing to-day, it changes existing law.

Mr. GEAR. But it does not change existing law. [Cries of "Read!" "Read!" and confusion in the Hall.]

Mr. GEAR. I would like to have order, Mr. Chairman.

The CHAIRMAN. The committee will be in order.

Mr. GEAR. This amendment does not change any existing law; it simply puts a limitation upon the expenditure of the money herein appropriated.

The CHAIRMAN. The Chair has ruled that in his judgment it is new legislation and does change existing law.

Mr. GEAR. Will the Chair state what law it changes?

The CHAIRMAN. It changes the existing law which is in the appropriation bill of last year.

Mr. GEAR. Not at all. I beg to differ with the Chair.

The CHAIRMAN. The Chair has ruled. The gentleman from Iowa has it in his power to appeal from the decision of the Chair if he chooses.

Mr. GEAR. Of course, I understand my remedy, Mr. Chairman, but I think the Chair is under a misapprehension. This amendment does not change the law of last year at all. We are now making a law for the next fiscal year, and this simply proposes to provide a limitation as to how the money here appropriated shall be expended.

The CHAIRMAN. The Chair has already ruled upon the point of order.

Mr. HOLMAN. Mr. Chairman, I think that the proposition of my friend from Iowa is not open to the objection that it changes existing law, but is new legislation.

The CHAIRMAN. The gentleman from Indiana is not in order. The Chair has ruled.

Mr. HOLMAN. Then I move to strike out the last word of the pending paragraph.

Mr. GEAR. I have the floor, Mr. Chairman. I can not be taken off the floor by the gentleman from Indiana.

The CHAIRMAN. The gentleman has no right to the floor. The gentleman having made his point of order and the Chair having ruled upon it, the gentleman has lost his right to the floor.

Mr. GEAR. But I want to exercise my right to appeal from the decision of the Chair.

The CHAIRMAN. The Chair gave the gentleman ample time to do that, but if he chooses now to appeal the Chair will recognize him for that purpose.

Mr. GEAR. I do. One word. This is a matter of some importance. I will not discuss the merits of the amendment now, but will state here and now that I propose to offer at the proper time a motion to refer this bill back to the committee with instructions that the amendment I offer be incorporated in the bill.

Mr. HOLMAN. The appeal is withdrawn, I understand.

Mr. GEAR. No, sir; I insist on my appeal.

Mr. HOLMAN. Mr. Chairman, on that question, then, I wish to say a word in answer to the gentleman from Iowa [Mr. GEAR], for the motion he has made implies that there are some what he would call "sectarian appropriations" in this bill. My friend misapprehends the fact; there are no sectarian appropriations in the bill, as I understand the matter. I hold in my hand a list of all the contract Indian schools as they have existed for years and as they exist now and will probably exist in the coming year. Attached to this list is the following statement of the Indian Bureau:

This list sets forth the schools with which contracts for the education of Indian children were made for the fiscal year 1894 (the present fiscal year), and which were not specially appropriated for. It will be noticed that contracts were made with individuals and not with denominational bodies, except such incorporated institutions as Hampton, Va., and the Lincoln Institute at Philadelphia, in the State of Pennsylvania.

I understand that at the Indian Office they never inquire whether the party with whom the contract is made belongs to one denomination or another, but make the contracts with the persons having charge of the schools, without any regard to the denominations to which they belong.

Mr. GEAR. That is not the question. We are now making appropriations for the year 1895, not for 1894.

Mr. HOLMAN. But we are making them on exactly the same basis as in former years.

Mr. GEAR. And there are some persons who think, and very properly, in my view, that they have a right to determine the kind of legislation which shall now be adopted.

Mr. HOLMAN. This is the same legislation and system of Indian school contracts as existed under the last Administration.

Mr. GEAR. It is not a question of which Administration. It is simply a question whether we are now going on to recognize this class of appropriations as has been done in the past. There is no politics in this matter.

Mr. HOLMAN. Of course not. I understand from the Indian Office that no contract has been made either during the last Administration or the present with any denomination or with the board of any denomination. Formerly contracts were made with boards having a certain denominational character, growing out of the "peace policy" which was inaugurated in 1869 under the Grant Administration. But now, instead of contracts being made with denominations they have been made for years past—during the last Administration and under the present Adminis-

tration up to the present time—not with boards of the various denominations, but with the individuals having charge of the schools.

Mr. DOCKERY. Will the gentleman allow me to ask him this question: Is there any appropriation carried in this bill for any sectarian school?

Mr. HOLMAN. Not for a sectarian school. But I have no doubt Baptists, Methodists, Catholics, Presbyterians, and all the other denominations are in some way or other, as they have been for many years past, connected with these various Indian schools. Not as sectarians, but as individuals. It could scarcely be otherwise; for in this country nearly everybody belongs to some religious denomination.

A MEMBER. And so they ought.

Mr. HOLMAN. But I am assured by the Indian Bureau that no contract has been made in recent years with any board of any denomination or with any denomination for the education of Indian children.

Mr. GEAR. I do not say that there has been; I simply say that I do not believe it is the policy of this Government, either the General Government or that of the States, to recognize anything but a common-school education. And that is what is proposed in the amendment I have offered, which it was my intention, if it had been adopted, to supplement with suitable provisions for carrying it into effect.

Mr. HOLMAN. Does the amendment propose to abolish all these existing contract schools?

Mr. GEAR. I am not discussing the relation of the Government to any individual or any board; I simply propose to extend to these Indians what I believe to be the right kind of education; to give them the same kind of education that we give our own children.

Mr. HOLMAN. Would the gentleman confine appropriations by the Federal Government to schools on the reservations?

Mr. GEAR. I want to apply this principle to the whole system.

Mr. HOLMAN. But the gentleman does not propose to abolish all these existing schools outside the reservations, does he?

Mr. GEAR. No, sir; but I am advocating what I believe to be a sound principle——

Mr. HOLMAN. What does the gentleman propose to do with the six or eight thousand children in these various contract schools?

Mr. GEAR. These very appropriations will provide for them; or if not, I should offer a supplemental amendment authorizing the Secretary of the Interior to carry out this policy in its full spirit and tenor.

Mr. HOLMAN. But my friend does not assert, and I presume he will not, that any contract has been made for this year or for four years past with any denomination or with any board of any denomination.

Mr. GEAR. I am not making any such assertion; the gentleman is putting words in my mouth. I simply say that in a broad, general way I am in favor of educating the Indian to the highest degree that his capacity will permit; but I am in favor of educating him in accordance with the same methods that we adopt in educating our own children in the public schools of the country. That is all there is in this question. [Applause.]

Mr. HOLMAN. I think nobody is opposed to that.

Mr. GEAR. If I were to read the bill, the gentleman from Indiana is in charge of, I would take, in my judgment, a different view when I look over the class of schools for which large appropriations have been made. Why, Mr. Chairman, we have appropriated for this class of sectarian schools within the last eight years some $4,000,000. In 1894 we appropriate nearly $400,000, and a large portion of it is paid out for the support of what may be termed, in ordinary parlance, sectarian schools. Now, I am not in favor of that system.

Mr. HOLMAN. My friend would reduce the schools?

Mr. GEAR. If my friend from Indiana will permit me, I know somewhat of the system of missionary work amongst the Indians. I was the son of an Indian missionary, and I know how much has been done by these missionaries, who go among them and preach, as the gentleman from Arizona properly has said, the meek and lowly Jesus, and I know that they have done very much good. But I do know and believe as honestly as I do anything else that the class of legislation conferred on these wards of the Government is not, in my opinion, in the line of the better thought and judgment of the people of this country. That opinion is entertained by a very large number of respectable people throughout the country. It is the substance of a petition to be presented here to the House to-day, a petition signed by 400 of the ablest men in the United States, opposing this principle of sectarian education.

Mr. COOMBS. I rise to a parliamentary inquiry. I would like to know how this discussion comes in?

The CHAIRMAN. The gentleman has appealed from the decision of the Chair.

Mr. COOMBS. I thought a motion had been made by some gentleman to lay that on the table? [Laughter.]

Mr. TARSNEY. I took that back.

The CHAIRMAN. The gentleman knows that that motion could not be entertained in committee.

Mr. GEAR. Mr. Chairman, the discussion has been somewhat desultory, and there has been, by common consent, some talk permitted upon the bill and its merits, although the question pending, I know, is the appeal from the decision of the Chair. In view of that fact I will avail myself of the courtesy of the House, and ask that this petition be read and printed in the RECORD.

Mr. TUCKER. And not read?

Mr. GEAR. I am having it printed with my remarks, and ask just to have the heading of it read from the desk.

The Clerk read as follows:

To the Congress of the United States: A petition concerning sectarian appropriations——

Mr. BYNUM. I rise to a question of order.

The CHAIRMAN. The gentleman will state it.

Mr. BYNUM. The only question before the committee is the appeal from the decision of the Chair. The gentleman now asks to have something read that has no connection with that question.

The CHAIRMAN. The Chair will hold, if it has no connection with the appeal, that it could not be read.

Mr. GEAR. I only ask to have the caption of the petition read.

Mr. BYNUM. I make the point of order that the gentleman can not have the petition read, or any part of it, at this time.

Mr. GEAR. I make the point of order that the Clerk had commenced to read the petition, and I insist upon the reading of it.

Mr. BYNUM. I object to its being printed now.

Mr. GEAR. Do I understand the Chair to hold that I can not have this petition read?

The CHAIRMAN. The Chair thinks that if it has no relation to the pending question it can not be read or printed in the RECORD without unanimous consent. The Chair understands, however, that the gentleman desires to have it printed as a part of his remarks.

Mr. GEAR. I want to have the petition of it read.

Mr. BYNUM. I object to that. The gentleman can discuss nothing accept the appeal pending. He can not discuss the merits of the proposition and, therefore, the petition is not in order here.

The CHAIRMAN. It is impossible for the Chair to determine whether what the gentleman desires to have read is pertinent or not until he has heard it.

Mr. BYNUM. Does the Chair hold that it can be read in the face of objection?

The CHAIRMAN. The Chair does not know whether it can or not, until he hears it.

Mr. BYNUM. What does the Chair know? [Laughter.]

Mr. WILLIAMS of Mississippi. He knows that it is out of order.

The CHAIRMAN. The Chair will ask the gentleman from Iowa if the petition has anything to do with the appeal?

Mr. GEAR. I had stated, Mr. Chairman, that by common consent, as it were, we had had some little debate here that was outside of the pending question, and as a part of my remarks I desired to have read the caption of the petition which I would then have printed in the RECORD by consent. The Clerk had begun to read the petition when the distinguished gentleman from Indiana made his objection. I claim that the gentleman was too late to interpose objection after the reading had begun.

The CHAIRMAN. The Chair does not think that the fact that the Clerk had begun the reading of the petition would make any difference. The point of order can be interposed at any time, even after the reading has progressed for some time. The Chair understands the gentleman desires to have this paper printed in the RECORD. Is there objection? The Chair hears none.

Mr. SOMERS. I object.

The CHAIRMAN. The gentleman from Wisconsin [Mr. SOMERS] objects to this petition being printed in the RECORD.

Mr. GEAR. If the Clerk will pass it back to me, as I have the floor, I will read it.

Mr. TALBERT of South Carolina. I rise to a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. GEAR. I will read this petition myself.

Mr. TALBERT of South Carolina. If the gentleman reads this petition, I want to know if I can not get in an article from the New York Times also? [Laughter.]

Mr. GEAR. Now, Mr. Chairman, if the gentleman from In-

diana [Mr. BYNUM] still objects to allowing the Clerk to read this, I will read it myself.

Mr. BYNUM. I make the point of order that it has no bearing on the question before the House.

The CHAIRMAN. The Chair sustains the point of order.

Mr. BYNUM. The gentleman has no right to read it.

Mr. CANNON of Illinois. I submit this as a parliamentary proposition. I do not care whether the petition is read or not, but the gentleman from Iowa has taken an appeal. He has the floor, and having the floor, has it for an hour. If there is objection to the manner or matter of his debate, all the Chair can do is to say to him that "the gentleman from Iowa will proceed in order." Otherwise it would be in the power of the Chair and the gentleman from Indiana [Mr. BYNUM] to make his speech for him.

Mr. BYNUM. I understand it is the province of the Chair not only to decide that a member shall speak to the question before the House, but to make him speak to the question before the House, and if he does not do it, to order him to take his seat.

The CHAIRMAN. The Chair is informed that the gentleman from Wisconsin [Mr. SOMERS] withdraws his objection to printing this petition in the RECORD. If there be no further objection leave will be granted. Is there objection? [After a pause.] The Chair hears none.

Mr. GEAR. Mr. Chairman, in support of the position that I take I am going to read this.

The CHAIRMAN. The gentleman has already had leave to print it.

Mr. GEAR. (Reading)—

To the Congress of the United States:
A petition——

Mr. OUTHWAITE. I call the gentleman to order.

Mr. GEAR. I have the floor, Mr. Chairman, and I do not yield.

Mr. OUTHWAITE. I call the gentleman to order.

The CHAIRMAN. The gentleman from Ohio calls the gentleman from Iowa to order. The gentleman from Iowa will please take his seat.

Mr. OUTHWAITE. The gentleman is addressing the Chair upon an appeal, and that is the only business before the committee. The gentleman proceeds to read a petition addressed to the Congress of the United States which in nowise whatever relates to the parliamentary question before the House.

Several MEMBERS. How do you know that?

Mr. OUTHWAITE. It is not necessary that we should know the contents of it to know that a petition addressed to Congress upon the merit of a bill or measure before it can in nowise relate to a question of parliamentary law that is to be considered by this committee at this time.

Mr. GEAR. I think it probable——

Mr. OUTHWAITE. The gentleman himself has admitted that this petition does not relate to the question of order.

Mr. CRAIN. Mr. Chairman——

The CHAIRMAN. The Chair has already ruled that the petition is not in order, because the gentleman from Iowa [Mr. GEAR] has himself stated that it has no reference whatever to the appeal.

Mr. GEAR. No, I beg the pardon of the Chairman, I did not so state. Do I understand that the gentleman from Wisconsin [Mr. SOMERS] has withdrawn his objection to printing this petition?

The CHAIRMAN. Yes.

Mr. GEAR. All right; then I will let it be printed in the RECORD.

Mr. SOMERS. Inasmuch as the gentleman has not availed himself of the withdrawal——

Several MEMBERS. Oh, let him print it.

Mr. GEAR. Then I will take it back and read it in my time. Does the gentleman renew his objection?

Several MEMBERS. No.

Mr. QUIGG. The Chair has already decided that the petition may be printed in the RECORD.

The CHAIRMAN. The question is, Shall the decision of the Chair stand as the judgment of the committee?

Mr. GEAR. Did the Chair hold that this petition can be printed?

The CHAIRMAN. Yes; the Chair submitted the request, and there was no objection.

The document referred to is as follows:

A petition concerning sectarian appropriations for Indian education.

[A careful perusal is respectfully requested.]

To the Congress of the United States:

The National League for the Protection of American Institutions petitioned both sessions of the Fifty-first and Fifty-second Congresses concerning sectarian appropriations by the National Government for Indian education.

The league now addresses the following petition to the Fifty-third Congress concerning Indian appropriation bills.

The league petitions against the violation of the American principle of the separation of church and state which is involved in making any sectarian appropriations for Indian education.

The highest official bodies of the Congregational, the Methodist Episcopal, the Presbyterian, and the Protestant Episcopal Churches have determined to withdraw their applications for funds from the United States Treasury, because of the principle which they now see is involved in this dangerous practice, and they propose henceforth to support their own schools without Government aid.

The league petitions that the General Government now adopt a definite, permanent, and uniform principle, in accord with the spirit of the United States Constitution, for advancing education among the Indians on the basis of the American free common school system, in order that the dangers involved in departure from the American principle of keeping separate and distinct the functions of church and state be no more fostered by any actions of the General Government.

Officers: William H. Parsons, president; William Strong, vice-president; James M. King, general secretary; William Fellowes Morgan, treasurer.

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The CHAIRMAN. The question is, Shall the decision of the Chair stand as the judgment of the committee?

The question was taken; and the Chairman announced that the ayes seemed to have it.

Mr. GEAR. Division.

The committee divided; and there were—ayes 101, noes 40.

Mr. TALBERT of South Carolina. No quorum, Mr. Chairman.

The CHAIRMAN. The gentleman from South Carolina makes the point of no quorum. The Chair will appoint the gentleman from South Carolina [Mr. TALBERT] and the gentleman from New York [Mr. TRACEY] to act as tellers.

Pending the count,

Mr. TALBERT of South Carolina. Mr. Chairman, I withdraw the point of no quorum.

Mr. HICKS. I renew it.

Pending further count,

Mr. HICKS. I withdraw the point of no quorum.

The CHAIRMAN. On this question the yeas are 125, the nays 9. The ayes have it, and the decision of the Chair stands as the judgment of the committee.

Mr. BOWERS of California. Mr. Chairman, I have an amendment I desire to offer.

The Clerk read as follows:

Add to line 7, page 51, the following:

"*Provided*, That from and after the 1st day of July, 1896, no money shall be appropriated or expended for the transportation of any pupil to or from any Indian school, nor for the support and education of any Indian at any school except such as is located on or near an Indian reservation or convenient thereto, and under Government control, and excepting also the public schools of any State or Territory.

Mr. HOLMAN. Mr. Chairman, for the present I wish to reserve the question of order.

Mr. BOWERS of California. Mr. Chairman, I desire to be heard on that question, the point of order being reserved.

Now, Mr. Chairman, the inconsistence and the incongruity of this bill in some respects is only equalled when compared with that nondescript, that "what is it," called the tariff bill, which is undergoing dissection in the other branch.

Now, on page 44 of the bill $30,000 is appropriated for the purpose of making allotments to Indians, which is the most important business of the Indian Bureau. It is important above everything else to make them citizens, to give them farms, and make them self-supporting. On the next page we find $70,000 appropriated for hiring farmers; and up to this time not a man on the committee has ever been able to state where any of these farmers are located, or what they are doing, or to assign any use for them. They have "seen" this $30,000 for allotments, doubled it, and "gone $10,000 better" for these farmers. If that allotment goes on—and it is right—it takes away the opportunity, it takes away the chance for the appointment of the two hundred farmers and the other officers that you "stake" out there at the expense of the Government.

Now, then, Mr. Chairman, as a matter of business, and I ask you gentlemen as a business proposition, is it business to expend $30,000 in kidnapping, in netting, in catching, in grabbing Indian children and transporting them 3,000 miles across the continent? It is not a business proposition, and no business man would so hold it. True were the words of the gentleman from Maine [Mr. REED] yesterday, and no less true the words of the gentleman from Arizona yesterday, and they receive the approbation of every thinking man in the United States who is not interested in an appropriation for the Indian Bureau. When I heard the gentleman from Pennsylvania [Mr. MAHON] boasting that his State welcomed the red men to its borders, I thought "yes," but with all due respect to him, I must reserve the right to believe that if these red men did not come bearing gifts to that State to the tune of $100,000, we would not have heard the point of the great generosity of that State made so energetically; because, so far as my observation has gone, Mr. Chairman, I find that such eloquence all circulated around an appropriation or for an increase of same for salary.

Mr. Chairman, I am not a member of any church; but so far as my observation has gone there is not much difference in these denominations; they are much alike; but I want to call your attention to the scene presented in this House during the last week. This House has witnessed an acrimonious religious debate, brought on through appropriations made for the support of sectarian schools. It is a question that you must meet sometime, and very soon, and I think my amendment meets it. I think it is cruelty to these Indians to transport them across this country and educate them, to place them for several years in surroundings they can not have and can never hope to continue in, and when they get back they are not satisfied with their tribal relations or their tribes or homes, and they can not take the other place and keep up. I say it is wrong.

The solution of this question as to the education of these Indians is to make them self-supporting, and the great mistake of the Indian Bureau and the Indian system of this country is that you have always taught the Indians that they were to be "wards." I say that that is a mistake. They should be taught that they are to earn their own living like anybody else, and that they are no better than anybody else. The system now in vogue has been actually a detriment to the Indians, and as a rule no one can point out where they have been bettered by this system. It is all wrong.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WILSON of Washington. I see the gentleman from Indiana before me, and I desire to ask him a question for information. It will be remembered that at the committee's sittings there was an agreement to increase the amount from $15,000 to $20,000 for the allotment of lands, on page 46 of the bill.

Mr. HOLMAN. That will be attended to.

Mr. WILSON of Washington. That amendment has not been offered.

Mr. HOLMAN. No; but I have it before me. Mr. Chairman, after reading this paragraph again, I am not inclined to press the point of order.

Mr. BOWERS of California. Just one word more, Mr. Chairman. I want to call the attention of the committee to the fact that this is not to go into effect until 1896, thus giving two years to make arrangements for it and not interfering with present contracts or anything of that kind.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BOWERS of California. I ask the indulgence of the committee for a minute or two on this point.

The CHAIRMAN. Is there objection to the request of the gentleman from California, that he be allowed to continue his remarks?

Mr. HOLMAN. I ask unanimous consent that debate be now closed on this paragraph.

The CHAIRMAN. That is equivalent to an objection.

Mr. BOWERS of California. Can not you give me a couple of minutes?

Mr. HOLMAN. I ask unanimous consent that in two minutes and a half debate on this amendment be closed.

A MEMBER. I object.

Mr. BOWERS of California. Then I move to strike out the last word. Mr. Chairman, this subject has been brought to my attention in Southern California, where there are numerous reservations. There is a school at Perris, which is full of Indian scholars. It is convenient to two or three reservations. In San Diego there are three or four reservations, and many of the Indian children are now being taught at the public schools adjoining the reservations—schools under the supervision of the State and of the county—and they are being taught at one-half what it costs in the reservation schools.

This question will settle itself in a business way if you have business men to settle it, by the Indians sending their children to the public schools. Three or four of the schools in my county are supported in part by the Indian scholars, who come in the morning and going back to their homes at night. In those schools they are taught the things that are necessary for them to know—not the "higher education." This is the solution of this question in a large part, and every business man must see that the only practical way to do any good to the Indians is to locate the schools at their homes. Mr. Chairman, history relates that many years ago Russia used to send her young men to school in countries outside of her own dominion, and one day when they were talking that matter over at court, the court fool said to the Czar, "You are a fool."

"What do you mean?" said the Czar. "I will prove to you," said the court fool, "that you are the fool, not I." He took a piece of paper and made a crease in it and said to the Czar, "Take that crease out." The Czar and his cabinet tried, but they could not take the crease out of the paper. Then the court fool said: "When you send your young men to foreign countries to be educated, they get a foreign crease in them and you can never take it out; and that is why I say you are a fool for sending them there." So it is with the Indian who is educated in these schools off the reservation. When he goes back to his tribe he is neither white nor Indian. There is a crease in him which can never be got out. You are doing the Indians great wrong by that system. I am a friend of the red man as distinguished from a friend of Indian agents.

[Here the hammer fell.]

Mr. SMITH of Arizona. Mr. Chairman——

Mr. HOLMAN. I would like to come to some understanding, Mr. Chairman, as to how much time shall be consumed upon this amendment.

Mr. SMITH of Arizona. I do not want to consume any. I simply want to offer an amendment.

Mr. HOLMAN. I ask unanimous consent that all debate on this paragraph and amendments thereto be closed in five minutes.

There was no objection, and it was so ordered.

Mr. MAHON. Mr. Chairman, I am now pretty well satisfied that my friend from California [Mr. BOWERS] does not know what he is talking about. [Laughter.] I did suppose that he knew something about the Indian question, but now I doubt it.

I took the trouble last evening to interview three Indian delegates who are here representing their tribes. I interviewed the delegate of the Creek Indians, who is not only the speaker of the upper house of the tribal legislature, the House of Warriors, but a successful farmer; I interviewed the delegate from the Choctaws, the Osages, and other tribes, and these men say, without any hesitation or qualification, that the very best people they have in the Indian Territory to-day are those who have been educated at the Virginia and the Carlisle schools.

I have in my hand a list of members of the Creek Nation who graduated in the class of 1889, and if I had time to state the positions that those men occupy to-day and the occupations they are engaged in it would be interesting to every member of this body. Now, sir, with all the arraignment that we have heard here of the Eastern schools, where is there a gentleman, either in this Congress or elsewhere, who can find any representative of the Indian tribes who wishes to strike down these Eastern schools?

I defy the gentleman from California to find any such one. I can give him the names of five hundred Indians who have been graduated at Carlisle and other schools, with the places where they live and the occupations they are engaged in, and I defy him to point to a solitary Indian man from any tribe who was educated at said school, and who has gone back into savagery or into criminal life. Can the gentleman name one?

Now, I say the Indians want these schools maintained. The people who represent them here in Washington want these schools maintained. They say that they can be taught reading and writing on the reservation, but that is not the education they want. They want to go away to some place where they will be severed from the tribal relations, where they can see the farmer at work on his farm, where they can see the banker in his bank, where they can see the merchant in his store, where they can see the mechanic in the great machine shop. Observing in this way the active pursuits of men in civilized life, they acquire an education that they can not get upon an Indian reservation. And this makes them better citizens; and it sends them home well educated, on lines that no reservation school can afford. I am in favor of this education by observation, because it is such education that broadens and deepens the mind. Our people are getting tired of these attacks on the Eastern schools. If gentlemen want to strike them down, all right; but first let them produce their evidence showing what is alleged, that the Indians educated there are worse by reason of the education they receive.

Mr. PICKLER. We do not want the Eastern schools abolished. Many of us believe in the Eastern schools, and want to keep them up.

Mr. MAHON. I am glad of that. I am willing to join with our Western friends in educating Indian children on the reservations by Government aid. I want to advance their welfare in whatever may be best.

Mr. BOWERS of California. I challenge the gentleman to give the names of fifty of those Carlisle graduates to whom he has referred.

Mr. MAHON. I can do it.

Mr. BOWERS of California. Only fifty—I do not say five hundred.

Mr. MAHON. I can give them, if you will give me time.

[Here the hammer fell.]

The question being taken on the amendment of Mr. BOWERS of California, it was rejected, there being—ayes 2, noes 96.

Mr. SMITH of Arizona. I offer the amendment which I send to the desk.

The Clerk read as follows:

After the word "schools," in line 19, page 50, add the following words: "Provided no part of said sum shall be applied to the expense of transporting any Indian child to any school situated at a distance greater than 40 miles from the reservation home of such child."

The amendment was rejected.

The Clerk read as follows:

For support and education of two hundred and fifty Indian pupils at Albuquerque, N. Mex., at $167 per annum for each pupil, $41,750; pay of superintendent, $1,500 per annum; in all, $43,250.

Mr. QUIGG. I move to amend by striking out the word "five," in line 12 of the paragraph just read, and inserting "eight," so as to make the salary of this superintendent $1,800.

Mr. HOLMAN. I reserve a point of order on that amendment.

Mr. QUIGG. Mr. Chairman, I have no disposition to resist unduly the evident purpose of the majority of the committee to reduce expenditures in the conduct of the Indian schools; and I trust this amendment will not be accepted as indicative of any such purpose. But I think it suitable to call the attention of the committee to the precise state of facts with regard to the propositions offered by the gentleman in charge of the bill in relation to the salaries of the superintendents.

I do not refer to the salary which we have already disposed of—that of the General Superintendent of Indian Schools. I refer to the salaries of the superintendents of the various Government

schools located here and there over the country. In the bill before the committee I find that in nine case the salaries of these superintendents have been reduced by amounts of from $200 to $500, aggregating the picayune sum of $3,400. Now this small sum of money is saved out of the salaries of nine men who, if they are worth a cent in teaching the Indian children, are worth every dollar they are now getting.

The salary of the school superintendent at Albuquerque is reduced from $1,800 to $1,500; the salary of the superintendent of the training school at Cherokee, N. C., is reduced from $1,400 to $1,200; the salary of the superintendent at Carson City, Nev., is reduced from $2,000 to $1,500; the salary of superintendent at Chilocco, Ind. T., is reduced from $2,000 to $1,500; the salary of the superintendent at Fort Totten, N. Dak., is reduced from $1,800 to $1,500; the salary of the superintendent at Genoa, Nebr., is reduced from $2,000 to $1,500; the salary of the superintendent at Phœnix, Ariz., is reduced from $1,800 to $1,500; the salary of the superintendent of the industrial school at Pipestone, Minn., is reduced from $1,500 to $1,200; and the salary of the superintendent at Salem, Oregon, is reduced from $2,000 to $1,500, making a net saving in all these nine salaries of the small sum of $3,400.

It appears when you compare this bill with last year's bill that in several cases the work required of these superintendents is increased; in no instance is it decreased. The number of pupils for whom they have to provide is in every instance the same as it has been, or it is much larger. The number of pupils at Carson City is increased from 100 to 125; the number of pupils at Chilocco, Indian Territory, is increased from 250 to 350; and the number of pupils at Genoa, Nebr., is to be increased from 325 to 350. Now, it is observable, Mr. Chairman, that these salaries are reduced in every instance in the Government schools. The provision for the contract schools for the various religious organizations, remains as it was. There is no reduction in any of them.

Let me say right here that I do not agree with my friend from Iowa who proposes that we shall not continue these contract schools. I have visited the Indian country and spent six months among the reservations. I know the work these schools are doing; and while I disapprove of the system of having our duty done by others, yet the work of the religious societies is a good and faithful work. It should not be too suddenly supplanted, nor should the pupils now being taught at the contract schools be allowed to suffer for want of the teaching the churches now afford.

We must make provision for them; and if the Government is going to continue, as this bill seems to imply, a policy of neglect and inattention—if, indeed, its policy is to become one of reaction—then all the more need is there for the religious societies of the country to enter the field, and all the more occasion is there for the Government to encourage them. The fact of the matter is——

The CHAIRMAN. The time of the gentleman has expired.

Mr. QUIGG. May I have two minutes more? I will say to the gentleman from Indiana that I do not propose to offer any further amendments if this is rejected. I will assume that the action of the committee in regard to this amendment will govern in reference to all others.

Mr. HOLMAN. I hope there will be no objection to the gentleman proceeding.

The CHAIRMAN. The Chair hears no objection.

Mr. QUIGG. Mr. Chairman, I wish to say to gentlemen that in my opinion the thing that this committee ought to do is to resist every one of these reductions proposed by the Committee on Indian Affairs. It ought not to engage in a policy of reaction in the matter of education. Every dollar that is needed to provide for the proper care and education of these school children ought to be appropriated. You know that you are not in this bill providing for the number of school children for whom provision should be made. Probably you are providing for the number that can, under all the circumstances of the case, be conveniently accommodated. But the work of educating the Indian is at the very beginning, and is not by any means concluded. You ought not to take a back track in that direction, or discourage people who are engaged in the practical work of education by cutting down salaries or dealing with them in a mean and niggardly way. We ought to encourage, help, and sustain them, and do all that we can to give more pupils to the schools and give larger work and better facilities for the education of these people. I hope, therefore, that the amendment, in view of these considerations, will prevail.

Mr. HOLMAN. Mr. Chairman, the Committee on Indian Affairs, after careful consideration of all the salaries, and in view of several facts which were brought to the attention of the committee, were impressed with the idea that a few persons employed in this service might have their salaries reduced without detriment or injury to the service; in those cases especially where favoritism had manifestly been carried out in former appropriations. The qualifications of the superintendent of one of these schools are about the same as the qualifications that are required in the common schools in all parts of the States.

Mr. QUIGG. I think the gentleman is mistaken.

Mr. HOLMAN. I know that there are few instances where such employments are paid as high as under this bill.

The gentleman must bear in mind that everything at the agency belongs to the Government; the buildings, the horses and carriages, and everything of that kind, belong to the Government; so that it is not simply the $1,500 salary, but the further use of a very comfortable house—sometimes, in fact an elegant one—to live in; which has, as a general rule, no connection with the agent; and so, too, with the horses and carriages. The superintendent of schools practically has the use of them, as they belong to the Government. I suppose as a matter of fact the salaries of these gentlemen will average as much as $2,500.

Mr. QUIGG. Oh, no.

Mr. HOLMAN. The highest salaries would certainly average that. These privileges, the gentleman must remember, are very valuable, and when taken into account will show fully that average.

Mr. QUIGG. The gentleman is certainly mistaken.

Mr. HOLMAN. The privileges are important and valuable; and the salaries, I repeat, are ample, beyond the average paid in any State whose system I have had occasion to investigate.

Mr. FLYNN. Let me suggest to the gentleman further the fact that in many instances these teachers, while against the law and contrary to it, live on the rations provided for the Indians.

Mr. HOLMAN. Oh, yes; and you can not prevent it. All of these things go in to make up the salaries.

Let us have a vote.

The question was taken, and the amendment of Mr. QUIGG was rejected.

The Clerk read as follows:

For support and education of one hundred Indian pupils at St. Boniface's Industrial School, at Banning, Cal., $12,500.

Mr. HULL. Mr. Speaker, I move to strike out in line 15 the words "at St. Boniface's Industrial School."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Strike out in line 15 the words, "at St. Boniface's Industrial School;" so that it will read: "For support and education of one hundred Indian pupils at Banning, Cal., $12,500."

Mr. HULL. This does not interfere with the appropriation. I understand that at Banning they have a good-sized village, with public school facilities, and this appropriation can go to the public schools there and not deprive a single Indian of any advantage or privilege of education that he has to-day.

Mr. HOLMAN. That is as to the privileges they get under the common-school education?

Mr. HULL. Yes.

Mr. HOLMAN. That is the case all over the country.

Mr. HULL. Now, sir, so far as I am concerned, wherever I can by my vote, on any amendment to this bill, give the public schools the right to educate the Indian child, I shall vote for such amendment; and I shall vote for it not because I am opposed to any church or denomination, for I recognize the fact that any religion is better than none, nor shall I stop to inquire what church has charge of the matter.

I am in favor, first, of educating these Indians. If the Government can not educate them through the public schools—nonsectarian schools—I would then vote the money to sectarian schools, although I believe that the principle of giving one dollar to sectarian schools for the education of any of the youths of this country, no matter of what nationality, is contrary to the correct theory of our Government.

Mr. BOWERS of California. Your amendment does not prevent the Commissioner of Indian Affairs from directing that these pupils be educated at this school. It simply leaves it to his discretion.

Mr. HULL. Now, I understand from the remarks of the gentleman from Indiana that the Methodists and Presbyterians and Baptists are all in this same boat as well as the Catholics, so that this is not a blow at any church. It is simply an attempt to get our school system back to the line it ought to be on, of educating the children of the country in secular affairs, and allowing the churches to educate them in religious affairs.

Mr. EVERETT. Will the gentleman allow me to ask him a question?

Mr. HULL. Yes.

Mr. EVERETT. Does this public school, where the gentleman thinks the Indian can be educated as well as at St. Boniface School, have the industrial element in its course of teaching?

Mr. HULL. I can only say that the industrial element is an element that does not enter into our public schools as a rule, and I can not see why we should go outside and give any denomination the right to teach our Indians how to work.

Mr. BOWERS of California. You can hire them to work.

Mr. HULL. You can hire them to work. You can put teachers there to teach them to work. That is no argument against the amendment I offer. I simply offer it for the purpose of bringing this question of education back where it should be, so that where there are public schools, where the Indian can be educated just as your children and mine are educated, there shall be no discrimination in favor of sectarian schools.

Mr. BOWERS of California. The gentleman's amendment still leaves it with the Commissioner of Indian Affairs or the Bureau, to keep these Indian children at the school where they now are if it is desirable.

Mr. HOLMAN. As a matter of fact, if the appropriation was not made at all, your common-school system would embrace these Indian children.

Mr. HULL. Where there is a large reservation close to a town, if you are going to throw the burden of educating Indian children on the public schools, the Government ought to give as much to the public schools as to a sectarian school.

Mr. HOLMAN. I am inclined to admit that; but if the Government made no appropriation at all, the Indian children would still have the benefit of the public schools.

Mr. HULL. I do not believe that would be so in all cases.

Mr. WILSON of Washington. The proposition of the gentleman from Iowa [Mr. HULL], as I understand it, is to give the Indian children the benefit of the common schools of the country, wherever we can.

Mr. HULL. Wherever we can.

Mr. WILSON of Washington. But what will you do in cases where there are no common schools? Take a large reservation that is miles and miles away from any of the public schools of the State or Territory in which the reservation may be located; what method will the gentleman adopt for the education of the Indian children upon those reservations? Take, for the sake of illustration, the Yakima Indian Reservation, where the agency is 40 miles away from any public school of the State.

Mr. HULL. How many schools have they in that reservation?

Mr. WILSON of Washington. Two.

Mr. HULL. Then those schools are 20 miles apart?

Mr. WILSON of Washington. No, they are all at the agency.

Mr. HULL. And the pupils are 40 miles from the schools, you say?

Mr. WILSON of Washington. Oh, no.

Mr. PICKLER. They bring them in from a hundred miles away, sometimes.

Mr. HULL. Can they not bring them in just as well in this case? But, I will say to the gentleman, that it will be time enough to consider that question when it arises.

Mr. HOLMAN. I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. O'NEIL of Massachusetts, chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the Indian appropriation bill, and had come to no resolution thereon.

DEFICIENCY IN PUBLIC PRINTING.

Mr. SAYERS. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the bill, after which the Chair will ask if there be objection.

The bill was read, as follows:

An act (H. R. 7458) making appropriations to supply a deficiency in the appropriation for public printing and binding for the fiscal year 1894, and for other purposes.

Be it enacted, etc., That the following sums be, and the same are hereby, appropriated out of any money in the Treasury not otherwise appropriated, namely:

PUBLIC PRINTING AND BINDING.

For the public printing and binding, and for paper for the public printing, including the cost of printing the debates and proceedings of Congress in the CONGRESSIONAL RECORD, and for lithographing, mapping, and engraving for both Houses of Congress, including the salaries or compensation of all necessary clerks or employés, for labor (by the day, piece, or contract) and for all the necessary materials which may be needed in the prosecution of the work, including $20,000 for the Department of the Interior, being for the fourth quarter of the fiscal year 1894, $100,000.

To enable the Public Printer to pay to the employés heretofore or now employed in the Government Printing Office since July 1, 1893, such sums as may be due them for leaves of absence, notwithstanding the fact that thirty days' leave of absence, with pay, had been granted to such persons in said fiscal year on account of service rendered in the preceding fiscal year, and also to pay all employés of the said office any leave of absence which they may have failed to obtain from the lack of necessary appropriations or other cause, $65,000, or so much thereof as may be necessary.

Hereafter the Public Printer is authorized to pay pro rata leave of absence, out of any appropriation for leaves of absence to employés of the Government Printing Office in any fiscal year, notwithstanding the fact that thirty days' leave of absence, with pay, may have been granted to such employés in that fiscal year on account of service rendered in a previous fiscal year.

CUSTOMS SERVICE.

To defray the expenses of collecting the revenue from customs, being additional to the permanent appropriation for this purpose, for the fiscal year ending June 30, 1894, $185,000

The SPEAKER. Is there objection to the request?

Mr. SAYERS. Mr. Speaker, if the House will give me its attention I will explain the necessity of passing this appropriation this evening.

Mr. BURROWS. That is all right.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. RICHARDSON of Tennessee. I desire to ask the gentleman from Texas what is meant by the appropriation there for leaves of absence of employés of the Government Printing Office? As I caught the reading, it provides that a leave may be granted for a part of a month, or thirty days, to an employé, notwithstanding the fact that such employé may have had thirty days' leave of absence in the preceding year. Is that correct?

Mr. SAYERS. Mr. Speaker, under the law as it now exists, and as construed by the Court of Claims, an employé of the Printing Office, in order to secure any leave, must have served twelve months. In other words, if he shall have served the last fiscal year he would be entitled to leave at the rate of two and one-half days per month for the entire year, but he would not be paid until after the close of that year. Now, it so happens that the 600 or 700 employés who have been discharged lately by the Public Printer in fact earned leaves during the present year at the rate of two and one-half days for each month while employed; but inasmuch as this fiscal year during which they were paid for leave earned in the previous fiscal year has not expired, they would not be entitled to receive their pay at the present time. They have really earned their leave, and it ought to be paid.

Mr. RICHARDSON of Tennessee. They have earned their pro rata of the thirty days' leave, and this provides that these men shall be paid the proportion that they have earned, notwithstanding the fact that they have not earned the entire thirty days?

Mr. SAYERS. Certainly.

Mr. RICHARDSON of Tennessee. That is exactly right, and I wanted to have that expression made. I think it has always been the law, but it has not been so construed.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. SAYERS, a motion to reconsider the vote by which the bill was passed was laid on the table.

ENROLLED BILLS SIGNED.

Mr. PEARSON, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

A bill (S. 210) for the relief of Wetmore & Bro., of St. Louis, Mo., and

A bill (S. 513) granting the use of certain lands in the Hot Springs Reservation, in the State of Arkansas, to the Barry Hospital.

Mr. HOLMAN. I move that the House adjourn.

The motion was agreed to.

Accordingly (at 4 o'clock and 47 minutes p. m.) the House adjourned.

REPORTS OF COMMITTEES ON PRIVATE BILLS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

By Mr. HUTCHESON, from the Committee on Claims: A bill (H. R. 6502) to refund certain fines to the State of South Carolina. (Report No. 1084.)

Also, a bill (S. 344) for the relief of William M. Keightley. (Report No. 1085.)

By Mr. AVERY, from the Committee on War Claims: A bill (H. R. 7027) for the relief of Francis Gay. (Report No. 1087.)

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 7429) for the relief of Thomas J. Newport, late of Company C, Sixth Regiment Iowa Volunteers, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS.

Under clause 3 of Rule XXII, bills and resolutions of the following titles were introduced, and severally referred as follows:

By Mr. CUMMINGS: A bill (H. R. 7447) for the erection of a monument in the city of Washington to the memory of the late Commodore John Paul Jones—to the Committee on the Library.

Also, a bill (H. R. 7448) to properly recognize the services of acting assistant surgeons of the United States Army who served in the late civil war—to the Committee on Military Affairs.

By Mr. FLETCHER: A bill (H. R. 7449) authorizing the Minneapolis Gas Light Company, of Minneapolis, Minn., to lay submerged gas pipes across the Mississippi River at Minneapolis—to the Committee on Interstate and Foreign Commerce.

By Mr. TAWNEY: A bill (H. R. 7450) granting to the Northern Mississippi Railway Company right of way through certain Indian reservations in Minnesota—to the Committee on Indian Affairs.

By Mr. FLETCHER: A bill (H. R. 7451) to amend an act entitled "An act granting to railroads the right of way through the public lands of the United States," approved March 3, 1875—to the Committee on the Public Lands.

By Mr. MEREDITH: A bill (H. R. 7452) to provide for the repair of the piers of the Aqueduct Bridge and for its use by a street railway—to the Committee on the District of Columbia.

By Mr. HEARD (by request): A bill (H. R. 7453) to amend an act entitled "An act to provide for the settlement of all outstanding claims against the District of Columbia, and conferring jurisdiction on the Court of Claims to hear the same, and for other purposes," approved June 16, 1880—to the Committee on the Judiciary.

By Mr. ROBINSON of Pennsylvania: A joint resolution (H. Res. 192) tendering the thanks of Congress to Commodore J. H. Gillis—to the Committee on Naval Affairs.

By Mr. LANE: A resolution to pay the laborers in the cloakroom additional wages—to the Committee on Accounts.

By Mr. RICHARDSON of Tennessee: A resolution to print 4,000 copies of the report of the select committee of the Medical Society of the District of Columbia—to the Committee on Printing.

PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as follows:

By Mr. HAYES: A bill (H. H. 7454) granting a pension to Lucy L. Sanger—to the Committee on Pensions.

By Mr. MCNAGNY: A bill (H. R. 7455) to correct the military record of John Sorg—to the Committee on Military Affairs.

Also, a bill (H. R. 7456) to correct the military record of William Frederick—to the Committee on Military Affairs.

By Mr. VAN VOORHIS of Ohio: A bill (H. R. 7457) granting a pension to Harriet Lemert—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BRECKINRIDGE of Arkansas: Resolution of the Sons of the American Revolution, for the publication of Revolutionary records, etc.—to the Committee on Military Affairs.

By Mr. BOEN: Petition of citizens of Hennepin County, Minn., for a special election to decide the question of money, tariff, and income tax by a direct vote of the people—to the Committee on the Judiciary.

By Mr. BROOKSHIRE: Petition of Kramer & Kaufman, and Henry Meyer, of Terre Haute, Ind., against an increase of the tax on whisky and any extension of the bonded period—to the Committee on Ways and Means.

By Mr. BROSIUS: Petition of citizens of Lancaster County, Pa., against imposing an income tax on fraternal and beneficial associations—to the Committee on Ways and Means.

By Mr. COOPER of Wisconsin: Four protests of the Evangelical Lutheran churches of Clinton, Hanover, Waterford, and Janesville, Wis., against the bill to amend the preamble of the Constitution of the United States by recognizing and inserting the name of the Deity therein—to the Committee on the Judiciary.

By Mr. DALZELL: Petition of Otto Frey, a citizen of Pittsburg, Pa., against an increase of tax on whisky and against an extension of the bonded period—to the Committee on Ways and Means.

By Mr. FUNSTON: Petition of citizens of Olathe, Kans., praying for a law to suppress lotteries—to the Committee on the Post-Office and Post-Roads.

By Mr. GEISSENHAINER: Petition of Coast City Council, No. 813, Royal Arcanum, of Asbury Park, N. J., in favor of exempting building associations from the income tax—to the Committee on Ways and Means.

By Mr. HOLMAN: Petition of Phillip Roubideaux, in relation to the employment of Indians—to the Committee on Indian Affairs.

By Mr. HOUK: Petition of Betterton & Co., Perry & Co., and Fitzgerald & Ashe, of Knoxville, Tenn., against the increase of tax on whisky, etc.—to the Committee on Ways and Means.

Also, papers to accompany House bill 7439—to the Committee on Public Buildings and Grounds.

By Mr. LOUDENSLAGER: Petitions of J. Franklin Tice and 53 other citizens of Williamstown, N. J., and of W. F. Iredell and 11 other citizens of Mullica Hill, N. J., asking for the passage of an amendment to the income-tax bill to exempt all benevolent and fraternal beneficiary associations operating under the lodge system and providing for the payment of life, sick, and other benefits to members from all the provisions of said bill—to the Committee on Ways and Means.

By Mr. MCCLEARY of Minnesota: Protest of St. John's Evangelical Lutheran Church, of Sleepy Eye, Minn., against any change in the preamble to the Constitution, signed by Rev. S. Denberboth, pastor, and H. Offerman, H. H. Meyer, and F. H. Benlow, trustees, representing 94 communicants—to the Committee on the Judiciary.

By Mr. MCETTRICK: Petition of Thomas R. D. Stuart, Frank N. Nay, and 53 others, of East and South Boston, favoring an amendment to the tariff bill exempting fraternal beneficiary organizations from the provisions of the income tax—to the Committee on Ways and Means.

By Mr. MCNAGNY: Petition of W. H. Tigar and 38 other citizens of Fort Wayne, Ind., praying that the provisions of the income tax shall not apply to fraternal charitable associations—to the Committee on Ways and Means.

Also, protest of Julius Nathan & Co., Fort Wayne, Ind., against extension of the bonded period for whisky—to the Committee on Ways and Means.

By Mr. MORSE: Petition of Edwin D. Mead and 5 other citizens of Boston, asking for the abrogation of the extradition treaty with Russia—to the Committee on Foreign Affairs.

By Mr. PAGE: Resolutions of the Board of Trade of Providence, R. I., for legislation regarding the interstate commerce law—to the Committee on Interstate and Foreign Commerce.

By Mr. PENCE: Protest of S. C. Henton, of Yokima, Wash., against the passage of House bill 6425—to the Committee on the Judiciary.

Also, protest of the Evangelical Lutheran settlement and others, of Wray, Colo., against the God in the Constitution amendment—to the Committee on the Judiciary.

Also, resolution in favor of the House bill 119, known as the McRae bill—to the Committee on the Public Lands.

Also, petition of the citizens of Park County, Colo., asking amendment to the law creating South Platte forest reservation—to the Committee on the Public Lands.

By Mr. THOMAS: Petition of H. A. Rowe, L. O. Schaefer, C. H. Schaefer, and 57 others, to exempt fraternal and beneficial societies from all the provisions of the income tax—to the Committee on Ways and Means.

Also, petition of W. P. Traphager, J. Gunsaul, W. W. Buys, and 60 others, of Court, Van Buren County, Mich., asking for the passage of the Stone bill, entitled "An act to secure a better grade of immigrants," etc.—to the Committee on Immigration and Naturalization.

SENATE.

FRIDAY, *June 15, 1894.*

The Senate met at 10 o'clock a. m.

Prayer by Rev. E. B. BAGBY, Chaplain of the House of Representatives.

The VICE-PRESIDENT resumed the chair.

On motion of Mr. FAULKNER, and by unanimous consent, the reading of the Journal of yesterday's proceedings was dispensed with.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition of the Baltimore (Md.) Corn and Flour Exchange, praying that the interstate-commerce law be so amended as to enable the Commission to secure stability in rates and nondiscrimination among shippers and competing points; which was referred to the Committee on Interstate Commerce.

Mr. PATTON presented a petition of the Michigan Life In-

surance Agents' Association, of Detroit, Mich., praying that the funds of mutual life insurance companies and associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

He also presented a petition of sundry citizens of Reed City, Mich.; New York City, N. Y., and Washington, D. C., praying that fraternal beneficiary societies, orders, or associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

Mr. BATE presented a petition of the Hamilton County League of Building Associations of Cincinnati, Ohio, praying that national building and loan associations and local building and loan associations be exempted from the proposed imcome-tax provision of the pending tariff bill; which was ordered to lie on the table.

He also presented petitions of sundry citizens of the State of Tennessee, praying that in the passage of any law providing for the taxation of incomes, the funds of mutual life insurance companies and associations be exempted from taxation; which were ordered to lie on the table.

He also presented a petition of sundry citizens of Nashville, Tenn., and a petition of sundry citizens of Harriman, Tenn., praying that fraternal beneficiary societies, orders, or associations be exempted from the proposed income-tax provision of the pending tariff bill; which were ordered to lie on the table.

Mr. MORRILL presented a petition of sundry citizens of New York City, N. Y., Cambridge and Boston, Mass., Buffalo, N. Y., and Philadelphia, Pa., praying for the abrogation of the extradition treaty with Russia; which was referred to the Committee on Foreign Relations.

Mr. CULLOM. I present a memorial signed by members of various fraternal beneficiary orders composing the National Fraternal Congress, having a combined membership of over 2,000,000, complaining that the income tax bears heavily and unjustly upon members thereof, nine-tenths of whom can ill afford to bear the burden of this additional tax. I move that the memorial lie on the table.

The motion was agreed to.

Mr. CULLOM. I also present a memorial signed by many hundred citizens of St. Louis, Mo., in which the memorialists "respectfully but vigorously protest against the recent adoption of the Allen amendment to the Wilson tariff bill, by which barb fence wire is put on the free list.

"We are wire-workers by trade and depend wholly upon this business for our living and feel confident that this recent action of our Senators will seriously cripple if not destroy this important branch of the wire industry." I move that the memorial lie on the table, as the bill to which it refers is now under consideration.

The motion was agreed to.

Mr. CULLOM presented a petition of sundry citizens of Cook County, Ill., praying that in the passage of any law providing for the taxation of incomes, the funds of mutual life insurance companies and associations be exempted from taxation; which was ordered to lie on the table.

He also presented a petition of sundry citizens of Eureka, Ill., praying that fraternal society and college journals be admitted to the mails as second-class matter; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of sundry citizens of Galesburg, Ill., praying that fraternal beneficiary societies, orders, or associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

Mr. HARRIS presented sundry memorials of wholesale and retail liquor dealers of Springfield and Memphis, in the State of Tennessee, remonstrating against an increase of the internal-revenue tax on whisky, and also against an extension of the present bonded period; which were ordered to lie on the table.

Mr. TURPIE presented the petition of S. C. Keel and sundry other citizens of Green Oak, Ind., praying that the pension claim (No. 354342) in favor of Elizabeth New, be made special; which was referred to the Committee on Pensions.

He also presented memorials of sundry wholesale and retail liquor dealers of Terre Haute, New Albany, Evansville, Lafayette, Logansport, Fort Wayne, and Indianapolis, all in the State of Indiana, remonstrating against an increase of the internal-revenue tax on whisky, and also against an extension of the present bonded period; which, on motion of Mr. TURPIE, were referred to the Committee on Finance.

He also presented the petition of Thomas Campbell and sundry other citizens of Vincennes, Ind., praying "that fraternal beneficiary societies, orders, or associations operating upon the lodge system and providing for the payment of life, sick, accident, and other benefits to the members and dependents of such members shall be exempt from all the provisions of the bill requiring taxation in any form;" which, on motion of Mr. TURPIE, was referred to the Committee on Finance.

Mr. COCKRELL. I present a resolution adopted by the Kansas City (Mo.) Transportation Bureau, transmitted by its president, A. J. Vanlandingham, in favor of the so-called Patterson amendment to the act regulating commerce, as reported by the Committee on Interstate and Foreign Commerce of the House of Representatives May 31, 1894. I move that the petition be referred to the Committee on Interstate Commerce.

The motion was agreed to.

Mr. COCKRELL presented sundry memorials of wholesale and retail liquor dealers of Kansas City, Mo., remonstrating against an increase of the internal-revenue tax on whisky, and also against an extension of the bonded period; which, on motion of Mr. COCKRELL, were referred to the Committee on Finance.

He also presented a petition of sundry citizens of Gentry County, Mo., praying that in the passage of any law providing for the taxation of incomes the funds of mutual life insurance companies and associations be exempted from taxation: which was ordered to lie on the table.

Mr. MANDERSON presented the memorial of David Wise & Co., of Lincoln, Nebr., remonstrating against an increase of the internal-revenue tax on whisky, and also against an extension of the bonded period; which was referred to the Committee on Finance.

Mr. HUNTON presented a petition of the Goodman Manufacturing Company, of Virginia, praying for the enactment of legislation regulating convict labor; which was referred to the Committee on Education and Labor.

Mr. HOAR presented the petition of Frederick W. Abbott and 31 other citizens of Taunton, Mass., praying that fraternal beneficiary societies, orders, or associations operating upon the lodge system and providing for the payment of life, sick, accident, and other benefits to the members, and dependents of such members, shall be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

Mr. PALMER presented petitions of the employés of the wire, rod, and billet mills of Joliet, Lockport, and Waukegan, all in the State of Illinois, praying that the Senate shall reconsider its action placing fence wire on the free list and that it shall restore the tariff upon the same to 1¼ cents per pound; which were ordered to lie on the table.

He also presented a petition of sundry citizens of Illinois, praying that fraternal beneficiary societies, orders, or associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

He also presented sundry memorials of wholesale and retail liquor dealers of Illinois, remonstrating against an increase of the internal-revenue tax on whisky, and also against an extension of the present bonded period; which were ordered to lie on the table.

He also presented memorials of employés of the Consolidated Steel and Wire Companies, of Rankin and Allentown, in the State of Pennsylvania, and of the Cincinnati Barbed Wire Fence Company, of Cincinnati, Ohio, remonstrating against the adoption of the so-called Allen amendment to the Wilson tariff bill placing barbed fence wire on the free list; which were ordered to lie on the table.

He also presented a petition of sundry citizens of Highland, Ill., praying that a duty of not less than 60 per cent ad valorem be placed upon laces and embroideries and articles wholly or partly composed thereof, whether made of metal, cotton, flax, silk, or wool; which was ordered to lie on the table.

Mr. CULLOM presented sundry memorials of wholesale and retail liquor dealers of various cities in Illinois, remonstrating against an increase of the internal-revenue tax on whisky, and also against an extension of the present bonded period; which were ordered to lie on the table.

He also presented a petition of sundry citizens of Winnebago County, Ill., praying that fraternal beneficiary societies, orders, or associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

Mr. ALLISON presented the petition of D. L. Pratt, jr., and sundry other citizens of Woodbury County, Iowa, and the petition of M. L. Temple and sundry other citizens of Iowa, praying that in the passage of any law providing for the taxation of incomes the funds of mutual life insurance companies and associations be exempted from taxation; which were ordered to lie on the table.

He also presented a petition of sundry citizens of Iowa, praying that the funds of mutual life insurance companies and associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

Mr. FRYE. I present a petition of 35 citizens of West Scarboro, Me., and a petition of 25 citizens of Augusta, Me., praying that fraternal beneficiary societies, orders, or associations be exempted from the proposed income-tax provision of the pending tariff bill. I ask that the petitions lie on the table, the Committee on Finance having agreed to report an amendment which responds to the request of the petitioners.

The VICE-PRESIDENT. It will be so ordered.

Mr. LODGE presented the petition of John R. Story and 55 other citizens of Essex County, Mass., praying that the funds of mutual life insurance companies and associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

He also presented petitions of Herbert A. Boynton and 22 other citizens of Newtonville; of H. A. Hallett and 13 other members of Crescent Council, No. 71, Royal Arcanum, of Chelsea; and of C. W. Boyer and 114 other citizens of Somerville, all in the State of Massachusetts, praying that fraternal beneficiary societies, orders, or associations be exempted from the proposed income-tax provision of the pending tariff bill; which were ordered to lie on the table.

He also presented sundry memorials of citizens of Boston, Mass., remonstrating against an increase of the internal-revenue tax on whisky, and also against an extension of the present bonded period; which were ordered to lie on the table.

Mr. DANIEL presented the memorial of A. Goodman, of Pocahontas, Va., remonstrating against an increase of the internal-revenue tax on whisky, and also against an extension of the present bonded period; which was ordered to lie on the table.

He also presented the petition of Thad. Wootten and sundry other citizens of Norfolk, Va., praying that the funds of mutual life insurance companies and associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

GONZAGA COLLEGE LAND.

Mr. FAULKNER. I am directed by the Committee on the District of Columbia, to whom was referred the bill (H. R. 6576) to provide for the closing of part of an alley in square 622, in the city of Washington, D. C., and for the relief of the president and directors of Gonzaga College, to report it without amendment. A similar Senate bill was reported favorably sometime ago, and it is very important that the measure should be passed. I ask unanimous consent for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. FAULKNER. I move that the bill (S. 1855) to provide for the closing of part of an alley in square 622, in the city of Washington, D. C., and for the relief of the president and directors of Gonzaga College be indefinitely postponed.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. KYLE. I am directed by the Committee on Education and Labor, to whom was referred the bill (S. 2110) to aid and encourage the holding of a Cotton States and International Exposition at Atlanta, Ga., in the year 1895, and making an appropriation therefor, to report it favorably without amendment, and to request that it be referred to the Committee on Appropriations to be considered as an amendment to the sundry civil appropriation bill.

The report was agreed to.

Mr. CAFFERY, from the Committee on Claims, to whom was referred the bill (S. 1881) for the relief of Edward H. Murrell, reported it without amendment, and submitted a report thereon.

Mr. STEWART. I ask the Senate to proceed to the consideration of the bill (S. 1515) to amend chapter 6 of Title XXXII of the Revised Statutes relating to mineral lands and mining resources.

Mr. VEST. I suggest to the Senator from Nevada that we had better get through with morning business. I have a report from a committee to submit.

The VICE-PRESIDENT. Morning business is not yet concluded.

Mr. VEST. I am directed by the Committee on Public Buildings and Grounds, to whom was referred the joint resolution (H. Res. 172) granting full permission to the State of Maryland and to the several State courts within the city of Baltimore to occupy the old United States court-house in the city of Baltimore for the period of five years, to report it without amendment. Both the Senators from Maryland are very anxious to have the joint resolution considered, as it is of pressing and immediate importance. It refers to the occupation of the United States court room in the city of Baltimore. The court is in session, and it is necessary for it to have the use of this room.

Mr. HOAR. Let the joint resolution be read for information.

Mr. BERRY. Let us finish the morning business first.

Mr. HARRIS. I suppose there will be no objection to the consideration of the joint resolution when the routine morning business has been concluded.

The VICE-PRESIDENT. The Chair will recognize the Senator from Missouri for the purpose of calling up the joint resolution at the conclusion of the routine business.

Mr. MCMILLAN, from the Committee on the District of Columbia, submitted a written report to accompany the bill (H. R. 6171) to authorize the Metropolitan Railroad Company to change its motive power for the propulsion of the cars of the said company.

Mr. MITCHELL of Wisconsin, from the Committee on Military Affairs, to whom was referred the amendment submitted by himself May 11, 1894, intended to be proposed to the sundry civil appropriation bill, submitted a favorable report thereon, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

Mr. BLACKBURN, from the Committee on Appropriations, to whom was referred the bill (H. R. 6016) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1895, reported it with amendments, and submitted a report thereon.

BILLS INTRODUCED.

Mr. BERRY introduced a bill (S. 2120) for the relief of William T. Holman; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MCMILLAN introduced a bill (S. 2121) to establish a system of assessment and permit work, and to make service connections with water mains and sewers in the District of Columbia, and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. ALDRICH introduced a bill (S. 2122) to increase the pension of Mrs. Eunice Ida Gallup Rhoades; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. SHOUP submitted an amendment intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. SHERMAN. I offer an amendment intended to be proposed to the post-office appropriation bill, which I ask may be referred to the Committee on Appropriations and printed.

Mr. CULLOM. I should like to have the amendment offered by the Senator from Ohio read, if it is not long, as that bill has been under consideration by the Committee on Appropriations.

The PRESIDING OFFICER (Mr. FAULKNER in the chair). If there be no objection the proposed amendment will be read.

The Secretary read as follows:

For necessary and special facilities on trunk lines from Cincinnati to Atlanta, and from Cincinnati to Cleveland, $100,000; *Provided*, That no part of the appropriation made by this paragraph shall be expended unless the Postmaster-General shall deem such expenditure necessary in order to promote the interest of the postal service.

The PRESIDING OFFICER. The proposed amendment will be printed and referred to the Committee on Appropriations, in the absence of objection.

Mr. HUNTON submitted an amendment intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

Mr. LODGE submitted an amendment intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

Mr. DANIEL submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

ELECTRICAL EXPERIMENTAL STATION.

Mr. PEFFER. I find on examination that the bill (S. 1170) to establish an electrical experimental station for the purpose of investigating and determining whether electricity can be profitably applied as a motive power in the propulsion of farm machinery and implements needs some little amendment, and I therefore move that the bill be recommitted to the Committee on Agriculture and Forestry.

The motion was agreed to.

REEXAMINATION OF TREASURY SETTLEMENT.

Mr. HILL submitted the following resolution, which was read:

Resolved, That the Secretary of the Treasury be, and he is hereby, required to cause the proper accounting officers of the Treasury to reexamine Treasury settlement numbered 4,813 of 1884 heretofore certified to Congress for appropriation in favor of the Sun Mutual and other insurance companies of New York for insurances paid on the steamer Osceola, and to submit the reasons for said certification, together with a detailed statement of the facts upon

which the claims originated, similar to that submitted by the Secretary of the Treasury May 16, 1894 (printed in Senate Executive Document No. 98, second session Fifty-third Congress), in regard to certain other Treasury settlements certified to Congress for appropriation at the same time as this settlement.

The VICE-PRESIDENT. What is the request of the Senator from New York in regard to the resolution?

Mr. HILL. I should like to have the resolution passed.

Mr. HOAR. Is there a report connected with it?

Mr. CULLOM. It is a resolution of inquiry.

Mr. HOAR. I should like to have it explained.

Mr. COCKRELL. Probably the resolution had better be printed and go over. It raises an important question, whether the Senate has a right to direct the Secretary of the Treasury to review an account that has been once adjusted and reported to Congress and make a new decision.

Mr. HOAR. I did not understand that the resolution went so far. I did not rise for the purpose of objecting to it at all.

Mr. COCKRELL. The Senator asked whether it came from a committee. Do I understand that the resolution has been reported by a committee?

Mr. HILL. It has not.

Mr. COCKRELL. It has not been reported from any committee.

Mr. HARRIS. Let it go over and be printed.

The VICE-PRESIDENT. The resolution will go over under the rule.

Mr. HOAR subsequently said: I interposed an inquiry which led to the going over of a resolution submitted by the Senator from New York [Mr. HILL] this morning. I supposed, by hearing it read imperfectly at the desk, that it was a measure to set aside some action; but I see it is a mere resolution of inquiry, and I desire to withdraw my suggestion.

The VICE-PRESIDENT. It will be so noted.

Mr. HOAR. Let the resolution be passed, if there be no objection.

The VICE-PRESIDENT. An objection was interposed by the Senator from Tennessee [Mr. HARRIS], as the Chair understands, to its present consideration.

Mr. HARRIS. I suggested that the resolution had better be printed and lie over until to-morrow.

Mr. HOAR. I made an inquiry as to the resolution, but I see it is merely a resolution of inquiry, and, so far as I am concerned, I do not wish to interpose any further objection to it.

Mr. HARRIS. If it be only a resolution of inquiry, I have no objection to its consideration.

The VICE-PRESIDENT. If there be no objection, the resolution will be considered as before the Senate. The question is on agreeing to the resolution.

The resolution was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 3487) granting an increase of pension to Eliza K. Starr;

A bill (H. R. 6792) to disapprove the treaty heretofore made with the Southern Ute Indians to be removed to the Territory of Utah, and providing for settling them down in severalty where they may so elect and are qualified, and to settle all those not electing to take lands in severalty on the west 40 miles of the present reservation and in portions of New Mexico, and for other purposes, and to carry out the provisions of the treaty with said Indians June 15, 1880;

A bill (H. R. 7278) to amend the seventh section of the act entitled "An act to establish circuit courts of appeals, and to define and regulate in certain cases the jurisdiction of the courts of the United States, and for other purposes," approved March 3, 1891; and

A bill (H. R. 7458) making appropriations to supply a deficiency in the appropriations for public printing and binding for the fiscal year 1894, and for other purposes.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (S. 210) for the relief of Wetmore & Bro., of St. Louis, Mo.; and

A bill (S. 513) granting the use of certain lands in the Hot Springs Reservation in the State of Arkansas to the Barry Hospital.

MINING CLAIMS.

Mr. STEWART. I ask the Senate to take up the bill (S. 1515) to amend chapter 6 of Title XXXII of the Revised Statutes, relating to mineral lands and mining resources.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Mines and Mining with amendments.

The first amendment was, in section 1, line 28, before the word "dollars," to strike out "ten" and insert "fifty;" so as to read:

On all lode claims located prior to the 10th day of May, 1872, $10 worth of labor shall be performed or improvements made during each year for each 100 feet in length along the vein until payment of the purchase money and a certificate of entry has been issued therefor; and for each 20 acres of placer claims, and for each subdivision thereof less than 20 acres, $50 worth of labor shall be performed or improvements made during each year until payment of the purchase money and a certificate of entry shall be issued therefor.

The amendment was agreed to.

The next amendment was, in section 4, line 20, before the word "agriculture," to strike out "or" and insert "than;" so as to make the additional proviso read:

That in investigating the character of land with a view to ascertain whether it is more valuable for mineral than agriculture, evidence may be taken of the mineral discovered or developed adjacent to such land.

The amendment was agreed to.

Mr. DOLPH. I should like to ask the Senator from Nevada if this is a copy of the bill which has heretofore passed the Senate?

Mr. STEWART. Exactly, except changing the date.

Mr. DOLPH. From what committee does it come?

Mr. STEWART. From the Committee on Mines and Mining.

Mr. DOLPH. Does it relieve the mine holders from the burden of doing the necessary work for the present year?

Mr. STEWART. It does, and one-half for the next year.

Mr. DOLPH. I am satisfied with it.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HOUSE BILLS REFERRED.

The bill (H. R. 3487) granting an increase of pension to Eliza K. Starr was read twice by its title, and referred to the Committee on Pensions.

The bill (H. R. 7278) to amend the seventh section of the act entitled "An act to establish circuit courts of appeals, and to define and regulate in certain cases the jurisdiction of the courts of the United States, and for other purposes," approved March 3, 1891, was read twice by its title, and referred to the Committee on the Judiciary.

The bill (H. R. 7458) making appropriations to supply a deficiency in the appropriations for public printing and binding for the fiscal year 1894, and for other purposes, was read twice by its title, and referred to the Committee on Appropriations.

THE REVENUE BILL.

The VICE-PRESIDENT. The hour of half past 10 o'clock having arrived, the Chair lays before the Senate the unfinished business.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4864) to reduce taxation, to provide revenue for the Government, and for other purposes, the pending question being on the amendment submitted by Mr. PEFFER.

Mr. DOLPH. Mr. President, I regretted to observe last evening, when I reluctantly gave way to the Senator from Pennsylvania [Mr. QUAY], that my friend, the Senator from Tennessee [Mr. HARRIS], manifested some indications of impatience and seemed to think that the business of the Senate was not proceeding as rapidly as it should, and that we should vote immediately upon the pending measure. The Senator from Tennessee has not always been so anxious to expedite the business before the Senate, and I apprehend that if this were a Federal elections bill, or a measure for strengthening the credit of the Government and to maintain the present money standard of the country, he would not now be so anxious to have the business expedited and come to a vote on the measure.

I recollect during the first session of the present Congress, the special session, when I manifested some degree of impatience at the tactics which was resorted to to prevent the measure then pending, which was the bill to repeal the purchasing clause of the Sherman act, from coming to a vote, and inadvertently suggested that I was tired of such tactics, my friend from Tennessee remarked, in his usual tone, that if the Senator from Oregon was tired he had better sit down.

I will suggest to the Senator that he manifests too much impatience with the discussion of this bill. He should remember that this is an important measure; that it affects great industries of the country, which employ labor; that it affects the prosperity of every man, woman, and child of our probably nearly 70,000,000 of population; and that it is a measure which requires careful consideration, deliberation, and discussion, in order that, if possible, such changes as will tend to restore the prosperity of this country in the bill last reported by the committee may be made, in order, as the Democratic majority of the Senate has now abandoned its principle of

tariff for revenue only, and claims that this bill is a fairly protective bill as to many industries, that the bill should be made uniform and all industries should be alike protected. I certainly shall do my best to secure such deliberation and consideration and discussion, and shall endeavor to secure amendments to the bill to make it reasonably satisfactory to the people I in part represent.

I had presented last evening, before I yielded to the motion to adjourn, a statement showing the number of pounds of the importations of wool and the value of the same for four years, and also of woolen manufactures. I now present a statement showing the percentage of shrinkages and loss in scouring wool, the London scoured value, and the free-trade scoured value in the Eastern American markets; London fleece price, and also the free-wool price in the Eastern American markets; the cost per pound of shipping from the farms to the factories, including freights, insurance, shipping commissions, etc., which I ask to have inserted in the RECORD in full. The wools are classified by sections, and it is a very interesting and condensed statement, showing the effect which the threat of placing wool upon the free list has already had and which it will have in the future.

The Secretary read as follows:

The destruction of woolgrowing in the United States.

[Prepared for William Lawrence, president National Woolgrowers' Association, by Justice, Bateman & Co., wool commission merchants, Philadelphia, June 1, 1894.]

	Per cent of shrinkage lost in scouring out the grease and dirt.	London scoured value and the free trade scoured value in the Eastern American markets, June 1, 1894.	London fleece price and also the free-wool price in the Eastern American markets, June 1, 1894.	Cost per pound of shipping from farm to factory.*	The free-wool value on the farm or ranch in June, 1894.	The minimum value on the farm or ranch previous to March, 1893.†
Average qualities produced in the Rocky Mountain region and upon the Pacific coast:						
Graded Montana fine delaine fleeces	*Per ct.* 65	*Cents.* 28	*Cents.* 9¾	*Cts.* 5	*Cts.* 4¾	*Cts.* 16
California fine, average fine Montana, choice Nevada, and the best clips in Wyoming	70	28	8½	5	3½	13
Average fine Nevada, average fine Wyoming, and average fine Utah	73	28	7½	5	2½	11
Utah, Oregon, Colorado, New Mexican, fine below average Nevada	75	28	7	5	2	10
Dusty fine Colorado, New Mexican, Arizona, Wyoming	80	27	5½	5	¾	7
Montana and Wyoming medium or half-bred	65	26	9	5	4	14
Montana and Wyoming coarse or one-fourth blood (Shropshire)	60	25	10	5	5	16
Improved New Mexican	65	20	7	5	2	13
Ohio Valley and Lake region:						
Eastern wools.—Ohio XX fine washed fleeces	52	33	16	3½	12½	26½
Ohio X, New York State X or fine washed	55	30	13½	3½	10	25½
Michigan X, Wisconsin X or fine washed	56	30	13½	3½	9½	23
Ohio XX fine unwashed	65	30	10½	3	7½	20
Kentucky, Missouri, Indiana, Illinois, Michigan, New York, and Wisconsin X fine unwashed	66	29	10	3	7	19
Ohio medium half-blood washed fleeces	40	28	17	3½	13½	32
Indiana, Illinois, Wisconsin, Kentucky, and Missouri medium unwashed (half blood)	55	28	12½	3	9½	23
Wisconsin, Ohio, New York coarse washed (Shropshire)	25	27	20	3½	16½	30
Indiana, Illinois, Wisconsin, average Kentucky, and Wisconsin coarse unwashed	40	27	16	3	13	23
North Missouri Valley:						
Kansas, Nebraska, and Dakota medium or half-blood unwashed	60	28	11½	4	7½	16
Kansas, Nebraska, and Dakota coarse or Shropshire unwashed	50	26	12½	4	8½	18
Kansas, Nebraska, and Dakota fine unwashed	70	28	8½	4	4½	13½

*Including freight, drayage, insurance, commissions, and all charges between the farm or ranch and the Eastern factory.

†Before which time the McKinley law was in full force, but since which date its practical effects have been as nearly null and void as though the bill had actually been repealed.

This table shows in the two right-hand parallel columns the free-wool price of the principal grades of American wool on the farm or ranch June 1, 1894, and the minimum price received on the farm under the McKinley law previous to March 1, 1893.

The McKinley price on the farm is in the outside column.

The free-wool price on the farm is in the column next to outside column.

THE EFFECT OF FREE WOOL.

The pending Wilson-Brice tariff bill proposes to take $40,000,000 annually from the woolgrowers of the United States by the removal of 11 cents per pound duties, lowering the value heretofore received for the wool crop of 365,000,000 pounds by more than $40,000,000 below the values annually received previous to 1893.

THE EFFECT OF 5 CENTS PER POUND DUTY ON WOOL.

If only 5 cents per pound duty is put upon wools of the first and second classes, which are mainly those qualities grown in the United States, over $18,000,000 more than the free wool price will be put into the hands of the woolgrowers for the wool crop of 1894, which is now being shorn and prepared for market.

If raw materials like coal and iron ore are to be protected, although in one hour after lying dormant in the mine they can be got ready for market, why should not wool also be protected, when it requires a whole year to prepare it for market as against one hour for coal and iron ore? If the free raw material planks of the Chicago platform are to be waived with regard to coal and iron ore, why should the same policy not be applied to American wool?

Mr. DOLPH. Mr. President, in regard to the cost of the production of wool in Oregon and the effect of free wool upon the industry there, I desire to let some of the wool-producers and persons familiar with the subject speak for themselves. I hold in my hand a statement sent me not for the purpose of publication, by Mr. E. P. Cranston, of Keating, Oreg., showing the cost of a band of 1,500 ewes for one year, and the value of the products at the present prices of wool. Mr. Cranston assures me that—

There is no money in the sheep business, and should wool be placed on the free list I shall quit the business. The longer I remain in it the worse I shall be off.

The statement is in the form of an account. I ask that it be read at the desk.

The VICE-PRESIDENT. The Secretary will read as requested, in the absence of objection.

The Secretary read as follows:

Expense on a band of 1,500 ewes one year.

Cost, say, at $1.25, $1,875. Wool at 5 cents. These prices are all wool and sheep will bring to-day.

Interest on cost, $1,875, at 10 per cent	$187.50
150 tons hay, at $5	750.00
1½ tons salt, at $25	37.50
3 extra herders during lambing	105.00
Loss on 1,500 sheep, 5 per cent for year (small)	93.75
Shearing 1,425 sheep, at 7 cents	99.75
1 herder one year	420.00
33 wool sacks, for wool	16.50
One-half of one man's time in tending camp, with expenses of horses, pack saddles, etc	200.00
18 months board of herder and tender, at $10	180.00
6 days with 4-horse team hauling wool 20 miles	42.00
3 extra men during two days shearing, at $1.50	9.00
Board 10 men during two days shearing, sixty meals, at 25 cents	15.00
Expense and feed of team and wagon ninety days, winter feeding	67.50
Taxes on 1,500 sheep, $1,875, 2 per cent	37.50
	2,261.00
Incidental, 10 per cent on $2,261	226.10
Total	2,487.10

CR.

Wool from 1,425 sheep, at 7 pounds—9,975 pounds, at 5 cents	498.75
1,068 lambs (75 per cent of 1,425), at 75 cents	801.00
	1,299.75

Net loss for one year, $1,187.25.

Same band of sheep at old rates of wool and price of sheep.

Add to expense account difference of taxes and interest on difference of cost between $1.25 and $2. This difference is $1,125.

Interest one year on $1,125, at 10 per cent	$112.50
Taxes one year on $1,125, at 2 per cent	22.50
Add above expense on the 1,500	2,487.10
	2,622.10

CR.

By 9,975 pounds wool, at 15 cents (average)	1,496.25
By 1,068 lambs (75 per cent of 1,425), at $1.50	1,602.00
	3,098.25

Profit at former prices, $476.15.

This seems small, but we have the profit on our own hay, also profit on our own teams and pack horses, and our own tender on camps.

I consider the above a fair estimate.

E. P. CRANSTON,
Keating, Oreg.

Mr. DOLPH. In connection with this statement I submit another communication from a constituent of mine—a citizen of Oregon engaged in sheep growing—which will present the Oregon woolgrower's case better than I can present it myself.

The VICE-PRESIDENT. The Secretary will read as requested, in the absence of objection.

The Secretary read as follows:

THE DALLES, OREG., *February 10, 1894.*

Hon. J. N. DOLPH,
Washington, D. C.:

DEAR SIR: I have been requested, as a woolgrower of east Oregon, to write you in regard to the condition of the sheep and wool industry of this country during the last administration and at the present time.

During the last administration stock sheep were worth at this season of the year from $3 to $3.75 per head, mutton from $3.50 to $4.25. At the present time stock sheep are worth from $1.25 to $1.50 per head, and mutton from $1.75 to $2.35. There are sheep-raisers in Wasco County who are offering to engage their entire flock, at $1 per head, after shearing; not only one man, but many.

I sold my wool during the last administration for from 15½ to 18 cents in The Dalles. The same class of wool is worth here at the present time from 6 to 8 cents per pound.

During the last administration the woolgrowers of this country were among the most prosperous class of people in the State; their credit was among the best; their patronage as eagerly sought after by bankers, merchants, and all other business men as the most valued customers of any class of producers in this country.

The present price of wool and sheep will not pay the expense of caring for and raising them, and the credit and patronage of the woolgrower at the present time is considered as doubtful and risky and as much to be avoided by bankers, merchants, and other business men as the poorest in the land. Having been engaged in the business during the last ten years, therefore speak from personal experience and observation, and from the opinions of representative woolgrowers with whom I am acquainted and have known for a number years.

During the time that I have been engaged in wool and sheep raising, and especially under the operation of the McKinley bill up to the time of the supremacy of the Democratic party, conditions were such that any person with ordinary intelligence, industry, and prudence had every reason and assurance that they could be successful in the sheep business.

I could mention the names of many in my own vicinity and adjoining sections whom only a few years ago started, in the most humble positions (sheep-herding) without any capital, through their own exertions, prudence, and industry, stand to-day among the well-to-do, prosperous, and honorable citizens of our State.

The conditions under protection were such as to build up hope, encourage and stimulate the poor man in his honest endeavor to secure a competency and independence for himself and those dependent upon him, a happy state to which the poor of other countries seldom reach.

Not only has the protection of our sheep and wool interest in the lonely deserts of the West made it possible for the penniless sheep-herder to become a wealthy man and influential citizen, but has enabled him to contribute largely toward the support of other people.

Farmers, merchants, laborers, and even to the great Transcontinental Railroad all have received their portion of the distributions of the Western woolgrowers. As you are no doubt aware, among the most prosperous cities of the inland empire owe their prosperity in a large measure to the beneficial conditions under which our sheep and wool industries have existed, and the same may be said of most of the cities and communities contained in the great "arid" regions of the West.

Is it any wonder the thousands of industrious, energetic men scattered over all this great Western range country, striving and toiling along the road of prosperity, urged on by hope and expectation until success is almost within their grasp, should view with fear and trembling this great obstacle (the Wilson bill) that has appeared before them; this loathsome blight, that is threatening to destroy their fields of labor when the golden harvests are almost ready to be gathered; a blight so destructive that it will leave the products of their labors worth less than the costs of the raising? Is it any wonder that the flock-masters of this Western country are willing to sacrifice their flocks at almost any price?

When it is known the wool from Australia and other foreign countries, with whom we can not (with wool on the free list) compete on account of cheaper labor and other natural advantages such as we do not possess can be shipped to Boston or New York for less than it costs the Western woolgrower (on an average) to transport his wool from the shearing corral to the nearest line of transportation. The great danger of the immediate removal of the only barrier now standing between us and the destruction of our great industry can scarcely be comprehended. But knowing, as we do, your valued past record in caring for and defending the interests of all the people of this State, do not deem it necessary to remind or urge upon you the great importance of this one.

Thinking that perhaps a few plain facts from one actively engaged in a valued industry of your State, now threatened by legislative destruction, might be of some benefit, I remain,

Yours, truly, A. M. KELSEY.

Mr. DOLPH. Mr. President, yesterday I stated that the destruction of the woolgrowing industry in Oregon would deprive several thousand farmers and laboring men and many more persons dependent upon them for support of the means of subsistence, and would render valueless large tracts of land in the eastern portion of the State which can be utilized for pasture for sheep, but can not be improved for general agricultural purposes. The letter just read at the desk reminds me that there are other interests which I did not mention yesterday that will be disastrously affected. For instance, 2,500,000 sheep in eastern Oregon, scattered throughout that great extent of territory, make a local market for hay and for grain which can not be marketed after the woolgrowing industry is destroyed and the sheep driven out of the country or to the slaughter pens. The wool product and the increase of the flocks also provide freight for the transportation lines, and so there are great numbers of men employed in the various industries who are indirectly benefited by the woolgrowing industry in the State and who will be indirectly injured by its destruction.

I have here a copy of a letter written by one of the most intelligent citizens of Oregon, who has made the question of woolgrowing and sheep-raising and the subject of agriculture and fruit-growing a study for a lifetime. It was written to Hon. William R. Ellis, one of Oregon's Representatives in the other House, and is a very intelligent statement of the condition of the woolgrowing industry in Oregon, the cost of conducting the same, and the profit. Considering the impatience of my friend from Tennessee, I shall not ask that it be read if it can go into the RECORD without reading.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Oregon? The Chair hears none.

The letter is as follows:

THE DALLES, OREG., *December 10, 1893.*

DEAR SIR: As one of your constituents allow me to thank you for your action favoring the extension of time for the payment of dues upon our railway lands. The passage of that bill will be a blessing to many who are trying hard to make homes for themselves and families in this highland region.

I also offer you a representation of our woolgrowing industry, and beg leave to express with regret the feeling of gloom which seems to thoroughly prevail among a large portion of the settlers who came in upon these highland plateaus and mountain sides, and made homes upon lands not suited to diversified farming but excellent for sheep husbandry.

The withdrawal of protection from woolgrowing, by allowing the admission of foreign-grown wool free of duty, and the inability of shepherds to dispose of their last year's product, which in this eastern Oregon valley amounts to 23,500,000 pounds, not only spreads distress, but paints the future of this heretofore prosperous industry, which is far greater than all else here, with the most distressing uncertainty.

I am personally acquainted with many sheep owners who have bought lands and fitted up homes and ranches under the protective encouragement of the Government, especially that of the McKinley tariff, and were thoroughly prosperous and happy in their highland homes, two, three, four, five, six, and some seven thousand feet above the ocean, which is almost in sight to the west of some of the plateaus upon the Cascade Range, where they find the finest grasses, in a climate unsuited to varied agriculture, but splendid for sheep grazing and the production of the finest mutton.

Their business, I assure you, was very prosperous, as I will show you. Some of these men, nay, most of them, came here and entered upon this national industry without capital, and some of them have eight, ten, twelve, and sixteen thousand sheep, and have established home ranches and improvements all over an area of forty to fifty thousand square miles; bringing civilization, schools, houses, churches, villages, mills, and comfort and happiness. And now they bow to what appears inevitable—destruction and ruin of their industry and its great privileges; the American wool market offered free to the foreigner and to semi-civilization.

I assure you, these sheepmen are conscious of the effect of the complete change in the economic policy of the Government toward sustaining their industry, and are trying to sell their sheep at $1, and, in some cases, at 70 cents per head. When I came here twenty years since, there were in this immense great mountain basin but 21,000 sheep that sheared only 5½ pounds of wool each; last year (1892) we sheared 23,000,000 pounds of wool from sheep that yielded 7 to 8½ pounds each, upon the great ranges almost all in sight of this locality. The physical character of the sheep has been much improved for mutton, consequently of the fiber.

You will please bear in mind that this great industry now forced to compete with Australia, Cape of Good Hope, Buenos Ayres, etc., is in eastern Oregon distributed all over the land and is, or has been, a blessing to all of the people, bringing comfort and plenty to any industrious man's door who would enter upon it, and within the reach of any industrious man; its stock in trade was at home; it fed and clothed and found its market for the produce at home, and distributed all its blessings at home, instead of going to a foreign people with them. Trusting you will pardon the liberty I have taken in addressing you, I want to be allowed to present facts to convince you of the calamity we feel awaits us in removing the tariff now upon foreign wool.

In the year 1892 we received at this depot 5,532,000 pounds, and paid therefor ar average of 16 cents per pound, making cash received	$885,120.00
Mutton, 130,000 head, at $2.25 each	292,500.00
Wool pelts, at 11½ cents per pound, 6 pounds each	41,400.00
Total	1,219,020.00

Amount for lambs not obtained.

This year of 1893 the amount is not quite so large, but it is as follows:

Wool production at The Dalles, Oregon, 1893.

Wool received, clip 1893, 5,125,000 pounds, and placed at 7 cents per pound	$358,750.00
Mutton sheep at average $1.50 each (170,000)	255,000.00
Wool pelts, 19,200, 6 pounds each, at 4 cents per pound	46,080.00
Total receipts, 1893	659,830.00
Amount paid for lambs not obtained.	
Amount forward for 1892	1,219,020.00
Amount as shown for 1893	659,830.00
Difference in receipts, 1892 and 1893	559,190.00
Pendleton, 1892:	
Wool received, 1,693,961 pounds; average price, 13 cents	219,314.00
2,000 wool pelts, 60 cents each	1,200.00
	220,514.00
Pendleton, 1893:	
Wool received, 1,126,627 pounds, at 6 cents	67,597.62
Wool pelts, 25 cents each	375.00
	67,972.62
Heppner, 1892:	
2,250 pounds wool, at 13 cents	272,500.00
110,000, at $2.25 each	247,000.00
	519,500.00
Heppner, 1893:	
Wool, 2,500,000 pounds, at 7 cents	175,000.00
Mutton, 80,000 sheep, at $1 each	80,000.00
	255,000.00
Arlington, 1892, 1,512,000 pounds wool, at 16 cents	247,920.00
Arlington, 1893, 1,110,000 pounds wool, at 7 cents	77,700.00
	325,620.00

I am not able to hand you the wool receipts for Baker City, La Grand, and other posts in your district, but you may rely, upon the number of sheep returned, that the district you represent has produced this past year 24,000,000 pounds of wool. By the price I have given you as that paid last year (1892) at the producer's home market and that received this year, being less than half as much, and mutton being only worth one-third as much as in 1892, such action by Congress will virtually stop the progress of all the population in this immense grazing kingdom.

I hope you will not think I write at random.

Until I came here I was a wool manufaturer, and was engaged in handling the wool of all countries that was on the market, and as a fair judge I am proud of what my neighbors have done in establishing here on American soil the best kind of sheep breeding, and systematically feeding their sheep so as to produce a fine, long, strong-fibered wool. Eight and 8½ pounds of wool on a fat, well-fed sheep, is what intelligence among these high mountain shepherds has done, instead of shearing only 5½ pounds, the old average here. All of this wool has a splendid felting fiber, and although 3,000 to 7,000 feet above the ocean, has no tender spot in the fiber for the dry days of July and August—night dews.

The Oregon woolgrower was proud of his success, but it is unfortunate that political success demands that a political party shall break down such an industry and discourage such a splendid set of men and their families, and for the sake of political ascendency give these established privileges to great united masses of capital which control semicivilized sheep ranges of other countries. This act to remove protection to American woolgrowers will, directly and indirectly, seriously injure 25,000 men, women, and children in these highlands, who under Republican economy found comfort and plenty at their own "doorsill."

I am, respectfully, your friend,

THOS. S. LANG.

Hon. WILLIAM R. ELLIS,
House of Representatives, Washington, D. C.

Mr. DOLPH. To emphasize what has already been so well stated on this floor by the Senator from California [Mr. PERKINS] and my colleague [Mr. MITCHELL] and others concerning the difference in the cost of transportation of the American wool product, as compared with the cost of transporting the product of some foreign countries whose citizens compete with the citizens of the United States in woolgrowing, I will quote briefly from a letter received from Messrs. Keyser, Fisler & Co., of Philadelphia, as follows:

A NEW ZEALAND WOOLGROWER.

D. E. Meikle, a prominent woolgrower from Chatham Islands, New Zealand, recently stated "that he had resided in that country for thirty years; that he is a sheep-grower; that ocean freights are three-eighths of a cent a pound to London; that it costs him 4 cents per head to shear his sheep; and that it costs him 7 cents per pound to produce his wool and sell it on the London market.

This is accompanied by a statement of an Idaho woolgrower, Frank J. Hegart, of the firm of J. D. Wood & Co., Challis, Idaho, who is ready to make affidavit—

That Mr. Wood has resided in Idaho twenty-seven years; that he is a sheep-grower and ranged about 30,000 sheep in Idaho last year; that railroad freights are 2½ cents a pound to Philadelphia; that it costs him 10 cents per head to shear his sheep; that it costs him over 20 cents per pound to produce his wool, and sell it on the Philadelphia market.

Mr. President, this shows that not only in the matter of pasture lands or the cost of lands, the cost of labor, and in climate, but that in transportation many of the foreign woolgrowers have a decided advantage over the American producer of wool.

If we were to leave out all considerations of the difference in the price of labor, the difference in the cost of pasturage, and the difference in the expense of shearing, the simple difference in the cost of transportation would seem to require that a duty should be levied upon the foreign product to equalize the difference of the conditions between the foreign producer and the American producer.

I desire to quote briefly from a memorial which I hold in my hand, signed by the wool merchants of Boston. They say:

That the wool-producing industry of the United States and Territories, already the third largest of the world, needs only an adequate protection to increase rapidly in importance until it may rival the product of the most prolific of the English colonies, is shown by the fact that under the favoring system now threatened with removal, the increase in 1893 over 1892 was over 31,000,000 pounds, bringing the product of last year up to the enormous sum of 364,000,000 pounds. Is this hitherto profitable and increasing business to be transferred from our own people to the hands of the foreigner?

Already in a single year, from the mere fear of such legislation, the flock of the United States has shrunk in numbers from 47,273,553 to 45,048,017. In a single year the farmers of the United States, according to the Department of Agriculture, have seen the total value of their sheep decline from $125,909,264 on January 1, 1893, to $89,186,110 on January 1, 1894, showing a shrinkage of about $37,000,000 in this brief period; and if we take into account the shrinkage in value of farm and ranch property devoted to the sheep industry during the twelve months, we may say, without any fear of contradiction, that the direct loss on the fixed property of woolgrowers during one year has been not less than $50,000,000. But this is not all. It is a very moderate estimate to state that the decline in the value of the wool taken from these sheep in 1893 reduced the purchasing power of the woolgrowers by at least $20,000,000 more.

Seventy millions of dollars of loss in the decline of the value of their property, their flocks, and their wool product to the farmers of the United States in a single year by the mere threat of placing wool on the free list. They proceed to say:

If such losses have already been inflicted by the possibility of passing this bill, who shall measure the damage to follow if the bill itself becomes a law?

It goes without saying that the interests are mutual of the woolgrower of America, the manufacturer who manipulates the staple, and all who handle wool in any of its stages or in any capacity, and that they are natural allies. Hence, what benefits the grower is for the good of all.

Therefore, frowning upon all sectional legislation, which is too apparent in the Wilson bill, with the interests of the woolgrowers of this broad land from Maine to Texas and from Georgia to Oregon in view, we, the wool merchants of Boston, without distinction of party, whose signatures are hereto affixed, representing with few exceptions, the entire catalogue of wool dealers and commission merchants of this market, earnestly protest against the adoption of the inconsistent provisions of Schedule K of section No. 1 and paragraph No. 685 of section No. 2 of the measure now before the United States Senate known as the Wilson bill. Its adoption will be, in a great degree, destructive to the business of the wool producer, and whereas it is his right to demand the perpetuity of his industry, its continuance will also add, we believe, to the general prosperity of the country.

I desire to quote some brief extracts from the memorial of the Ohio Woolgrowers' Association, which I will insert in my remarks without reading.

The PRESIDING OFFICER (Mr. MCLAURIN in the chair). The Chair hears no objection and leave is granted.

The matter referred to is as follows:

AMERICAN WOOLGROWERS CAN WITH ADEQUATE PROTECTION SUPPLY ALL NEEDED WOOLS.

American woolgrowers with adequate protection can and soon will supply all wools needed for consumption in this country. No man doubts their capacity to supply all needed merino wools, and all the coarse wools of the mutton breeds. And with a sufficent number of these and the native Mexican sheep with crosses, adapted to Texas and some of the new States and Territories, all needed third-class wools can be supplied. (See U. S. Senate Mis. Doc. No. 149, Fifty-first Congress, first session.) And it is abundantly proved that the woolgrowers of this country can and do supply merino and other wools unsurpassed by—indeed superior to—any in the world. (See Bulletin of the National Association of Wool Manufacturers, March, 1890, p. 4; also September, 1891, p. 307; Switzler's U. S. Treasury Department Wool Report, 1887, p. 36; Consular Reports U. S. State Department No. 128, May, 1891, p. 112; The American Wool Interest, New York American Protective Tariff League, September, 1892, p. 8.)

FREE WOOL WILL SUBSTANTIALLY DESTROY THE AMERICAN WOOL INDUSTRY.

This can be readily proved. The present prices of washed merino wool in the wool-manufacturing centers, New York, Philadelphia, and Boston, are from 20 to 23 cents; for unwashed about 15 cents, for the wools of the Northern States east of Kansas.

The price for North Dakota, western Kansas, Colorado, Utah, Wyoming, Idaho unwashed merino is about 10 to 13 cents. For Washington, Oregon, Texas, New Mexico, from 8 to 13 cents. Other grades sell at corresponding rates.

These are the lowest rates ever known in this country.

The price has been forced down because wool manufacturers properly believed that before they could manufacture wool into goods they would be met by the importation of woolen goods on free-wool prices, and so could not afford to pay more than free-wool prices for American wools.

The prices already mentioned may be regarded as more than free-wool prices in our Eastern cities, where the chief wool manufacturing of the country exists.

But these are prices in those cities. The farm or ranch value of wools in the localities where produced will be and are from 3 to 4 cents per pound less, to cover local wool-buyers' profits, profits to wool merchants in the Eastern States; their commission for classifying, storing, insurance, and selling to manufacturers. Wools can be shipped from Melbourne, Australia, to Boston for less than 1 cent per pound, while from the Pacific States, Texas, and our new interior States freight ranges from 2 to 3 cents per pound; and Australian unwashed merino wools shrink in scouring only 50 per cent, while our Western unwashed shrink from 66 to 70 per cent, and sometimes more. With such prices wool can not be produced in any State or Territory of the United States.

COMPARISON OF SHEEP AND WOOL MANUFACTURING.

The wool industry now under normal conditions, as in former years, would represent the following:

Capital in sheep	$120,000,000
Capital in farms and barns for sheep	400,000,000
Number of flocks and flock-masters	1,000,000
Number of men employed a portion of the year	100,000
Wool produced, pounds	329,410,542
Value	$80,000,000
Number of sheep	45,000,000
Value of sheep sold for pelt and food	$30,000,000
Amount paid in wages	25,000,000
Value of services of flock-masters	50,000,000
Cost of washing and shearing sheep	5,000,000
Total amount paid for labor	80,000,000

THE DESTRUCTION OF THE WOOL INDUSTRY A COLOSSAL POLITICAL CRIME.

III. The product of the gold mines of the United States in 1892 was 1,596,375 fine ounces, of the value of $33,000,000; the product of the silver mines was 58,000,000 fine ounces Troy, worth at the average commercial value of $0.875 per fine ounce, $50,750,000, or a total of both of $83,750,000. Great as this is it is less than the annual value of the mutton product and the wool shorn from our 45,000,000 sheep at fair prices.

What would be said if Congress should prohibit the working of our gold mines and thus destroy their value?

We have heard much and truly of the ruin of the demonetization of silver, but free wool would be more ruinous than the destruction of our mines of gold and silver.

If a foreign army should approach our shores with a purpose to destroy a single village or to pillage one single sheep ranch every true American would be "ready to welcome the invaders with bloody hands to hospitable graves."

But we are now threatened with invasion by the woolgrowers of the outside world, whose purpose it is to destroy our sheep husbandry, to impoverish our people, and enrich themselves. The foreign woolgrowing countries take substantially nothing from us but gold in return for their wools, thus robbing us of the coin we need for the success of all our industries. When we produce the wool we have it and our gold—a double source of wealth; when we send gold abroad to buy foreign wool we have the perishable wool, the foreigners have the permanent wealth of gold.

Financial panics come because of the export of gold. If we cease to buy foreign wool we can forever avoid panics from that cause.

A GROSS AND UNJUST ATTACK ON AGRICULTURAL INDUSTRIES.

IV. Free wool, with such protection for wool manufacturing as will neither "imperil nor curtail" it, as a permanent policy, would be an invidious discrimination in favor of manufacturers against woolgrowers and the great body of our people engaged in agricultural pursuits.

VI.—SHEEP HUSBANDRY HAS STRONGER CLAIMS TO PROTECTIVE DUTIES THAN ANY AMERICAN INDUSTRIES.

1. This is so because it is the only absolutely national industry which reaches into and can be usefully pursued, and with blessings and advantages to all the people, in every State and Territory and in every county in the country.

When Gen. Hancock was a candidate for the Presidency he said: "The tariff is a local question." This is true as to many industries. The mining of lead, coal, iron ore, copper; the production of sugar, rice, tobacco, oranges; the manufacture of cotton, hemp, flax, iron, and other materials, all deserving protection—are all local. But sheep husbandry—the production of wool and mutton—is broad as the Republic; every inhabitant must have wool for clothing and needs mutton because healthful, the cheapest and best of all meat foods.

It gives employment for every locality, fertilizes lands all over the country wherever the "golden hoof" is found, and gives comfort from every "golden fleece."

2. Sheep husbandry has preeminent claims to protection because it is great among the greatest of all our industries in the amount of capital invested, the wages and revenues secured for labor and services, the value of its product in utilizing large areas of land available for no other purpose, and in the additions it makes to national and individual wealth, thus sharing and relieving burdens of taxation in every county in the Republic.

3. There is not one argument in favor of protection for any industry which is not more than equally applicable to sheep husbandry.

4. Neither wool nor mutton ever have been, and neither ever can be, made the subject of combinations or trusts to secure exorbitant prices. There are some industries in which both foreign and American combinations have been made to limit production and demand extortionate prices, but sheep husbandry encounters no such objection.

5. Who asks for free wool? Outside of the minority of Eastern wool manufacturers who favor free wool, and the few whom they influence, there is no demand for free wool. No petition from any other source has gone up to Congress for free wool.

Mr. DOLPH. As I have said before, this industry gives employment to American labor, to unskilled laborers. There are said to be over a million sheep-raisers and wool-growers in the United States. To be sure, a very large proportion of the sheep of the country are owned in large flocks, but they constitute as a rule in such cases the entire property of the owner. Sheep-raising and woolgrowing is his business, and he is engaged in no other. His lands, his time, his entire capital are engaged in the business. Then there are a large number of smaller flock-owners, small farmers, who, as has been said on this floor, depend upon the

product of their flocks for the ready money required to buy the necessaries of life and for the payment of taxes. These are a class of our citizens who are entitled to the sympathy and the aid of legislators. The Democratic party has always claimed to be in sympathy with them and to be desirous of legislating in their interest.

Then this industry provides employment for many other citizens of less means, men who work for daily or monthly wages, as herders who care for the sheep, the shearers of sheep, and incidentally the industry furnishes employment to many others engaged in transportation, in producing hay, grain, and other employments. If any class of the people of the United States should be preferred when we come to legislate upon the tariff or upon any other subject it is the men who labor with their hands. In this country the American citizen who works by the month or by the day, in theory, at least, has the same political power as the man who owns his millions, as the man who controls the great industries of the country, as the man engaged in great enterprises.

This class of men are in the majority in this country, and to repeat what I have probably said many times before, this is the class that has made this country what it is to-day, and will decide the destiny of this country in the future, and if republican government is to be maintained, if our free institutions are to endure, this class of citizens must be made self-supporting and independent.

Mr. President, I do not care to follow up the discussion of this branch of the subject, but I will submit as a part of my remarks two brief quotations from the New England business men's memorial and petition to Congress, one under the head of "Necessities of American citizenship," and another under the head of "Rights of the American workingman."

II—NECESSITIES OF AMERICAN CITIZENSHIP.

American citizenship is connected with all the operations of our laws and scope of governmental authority, and links the humblest with the highest type of citizenship upon a common level in the exercise of the sovereignty of our people. Whatever benefits and privileges belong to a citizen are by right the common heritage of all, and each is entitled to them in the distribution of the general welfare.

The right to earn an honest livelihood is one of the rights of an American citizen guaranteed by the Constitution, which provides for the general welfare, and that the fruits of his labor shall be that which shall provide for his self-respect and comfort and tend to the development of true manhood. Intelligent, in the enjoyment of his high privilege as a citizen of a government which encourages patriotism and exists for the happiness of its people, he may improve the condition and control the destiny of his children, and thus provide for the future typical American citizen.

The welfare of the masses, including provision for their physical comfort and happiness, while enjoying the privileges of education and moral elevation, is no Utopian conception in our political economy, accepted and advocated in the free institutions of the American people.

So long as our Government shall stand among the nations of the earth, the necessities of the American people will demand that the fruition of their labor shall exceed that of any other people. Their wages should be and must remain higher to meet the demands of American citizenship, which is the endowment of human freedom.

III—RIGHTS OF THE AMERICAN WORKINGMAN.

The American workingman, let it be remembered, is an American citizen whose comfort, enjoyment, and happiness is guaranteed by the Constitution. His education, in all that constitutes true manhood and intelligent conception of his duties and privileges as a citizen, is necessarily linked with the products of his labor, and its wise and economical expenditure should grant to him more comforts and true enjoyment than that which belongs to any subject of any potentate or government on earth. His duties and responsibilities are privileges granted to no other individual of any nation. They belong to his own free system of government, which degrades none of its citizens, but seeks to exalt all alike, and become "the light and illumination of the world; a government that most truly represents the cause of freedom and equal rights; that abnegates selfishness, and has within the reach of its influence the welfare of the entire human race. He must be deeply impressed with the greatness of his mission, knowing it to be the mission of the government in which he is an active participant."

He is not called upon to sacrifice his manhood, for the benefit of the less-favored people of foreign nations, by accepting the pittance which despotic and selfish forms of government dole out to their unfortunate subjects as the wages of a people who have not yet awakened to the joys of manly independence and opportunities which belong to an American citizen.

His right to protection from such a fate is transcendent in our republican form of government and any tariff laws which result in the reduction of the wages of our citizens, thereby depriving them of the means required to maintain their home comforts and meet the expenditures involved in good citizenship must meet the hostility of the people. Should the result lead to the actual deprivation and sufferings of the unemployed, until it be said that the family of an American citizen is deprived of bread by the legislation of Congress, such injustice is none the less a crime, though it be executed by the iron hand of law and be the enactment of legislators whose beneficence is world-wide in scope, yet insufficient to cover the necessities of our own countrymen or intelligently grasp the lofty mission of the free institutions of America.

Your memorialists can not believe that an American Congress would willingly and knowingly enact legislation which will result in enforced idleness of employés of industries or curtail the wages of workingmen, and trust that every claim advanced by industries that the adoption of the proposed bill will entail the necessity of reduced wages and discharge of employés or the closing of mills shall be carefully and impartially investigated, and if the claims be found to be sufficient to warrant the increase of the tariff in the proposed bill in such cases that it may be done.

As pertinent to the somewhat broader question than that under discussion, but a question always involved when the question as to whether any product of American industry shall be protected by a duty or shall be placed upon the free list, I desire to present, and have inserted in my remarks, an elaborate table, headed "Chronology of the economic conditions of the United States from the formation of our Government to the present year—a period of one hundred and twenty years."

This table shows by years the total ordinary expenses of the Government yearly, the total ordinary receipts yearly, yearly surplus, yearly deficiency, amount of customs duties paid yearly, what our customs duties would have been under the theory of tariff for "revenue only," our yearly imports and value, and condition of the national debt yearly. It is accompanied with some marginal explanatory remarks, and also gives the date of each prevailing tariff law. I think it is of sufficient general interest to be inserted in the RECORD in full. I shall not read it if I may have permission to insert it.

The PRESIDING OFFICER. Without objection the table will be inserted in the RECORD.

The table is as follows:

Chronology of the economic conditions of the United States from the formation of our Government to the present year, a period of one hundred and twenty years.

[Prepared and copyrighted by Charles S. Hill.]

(For an analysis of these conditions, resulting from each tariff, see series of "Tariff Reviews.")

Year.	Total ordinary expenses yearly.	Total ordinary receipts yearly.	Yearly surplus.	Yearly deficiency.	Amount customs duties paid yearly.	What our customs duties would have been under the theory of tariff for revenue only.	
						Over years would have been.	Short years would have been.
1774							
1776							
1783							
1789							
1790					$2,400,000.00		
1791	$1,919,589.52	$4,409,951.19	$2,490,361.67		4,399,473.09	$1,909,111.42	
1792	5,896,258.47	3,669,960.31		$2,226,298.16	3,443,070.85		$5,669,369.01
1793	1,749,070.73	4,652,923.14	2,803,842.41		4,255,306.56	1,451,464.15	
1794	3,545,299.00	5,431,904.87	1,886,605.87		4,801,065.28	2,914,459.41	
1795	4,362,541.72	6,114,534.59	1,751,992.87		3,388,461.26	3,826,468.39	
1796	2,551,303.15	8,377,529.65	6,026,226.50		6,567,987.94	541,761.44	
1797	2,836,110.52	8,688,780.99	5,852,670.47		7,549,649.65	1,690,979.18	
1798	4,651,710.42	7,900,495.80	3,248,785.38		7,106,061.93	3,857,271.55	
1799	6,480,166.72	7,546,813.31	1,066,646.59		6,610,449.31	4,543,802.72	
1800	7,411,349.97	10,848,749.10	3,437,379.13		9,080,932.73	5,643,553.60	
1801	4,981,669.90	12,935,330.95	7,953,661.05		10,750,778.93	2,797,117.88	
1802	3,737,079.91	14,995,793.95	11,258,714.04		12,438,235.74	1,179,521.70	
1803	4,002,824.24	11,064,097.63	7,051,273.39		10,479,417.61	3,428,144.22	
1804	4,452,858.91	11,826,307.38	7,373,448.47		11,098,565.33	3,725,116.86	
1805	6,357,234.62	13,560,693.20	7,203,358.58		12,936,487.04	5,733,128.46	
1806	6,080,269.36	15,559,931.07	9,479,721.71		14,667,698.17	5,187,976.46	
1807	4,984,572.89	16,398,019.26	11,413,446.37		15,845,521.61	4,432,075.24	
1808	6,504,338.85	17,060,661.93	10,556,323.08		16,363,550.58	5,807,227.53	
1809	7,414,672.14	7,773,473.12	358,800.98		7,257,506.62	6,098,705.64	
1810	5,311,082.28	9,384,214.28	4,073,132.00		8,583,309.31	4,510,177.31	
1811	5,592,604.86	14,422,634.09	9,830,029.13		12,313,222.73	3,483,193.60	
1812	17,829,498.70	9,801,152.76		8,028,365.94	8,958,777.53		16,987,113.47
1813	28,082,396.92	14,340,409.95		13,741,986.97	13,224,623.25		26,966,609.22
1814	30,127,686.38	11,181,625.16		18,946,061.22	5,998,772.08		24,944,833.30
1815	26,953,571.00	15,696,916.82		11,256,654.18	7,282,942.22		18,559,596.40
1816	23,373,432.58	47,676,985.66	24,303,553.08		36,306,874.88	12,003,321.80	
1817	15,454,609.92	33,099,049.74	17,644,439.82		26,283,348.49	8,638,908.67	
1818	13,908,673.78	21,585,171.04	7,776,497.26		17,176,385.00	9,599,887.74	

Chronology of the economic conditions of the United States, etc.—Continued.

Year.	Total ordinary expenses yearly.	Total ordinary receipts yearly.	Yearly surplus.	Yearly deficiency.	Amount customs duties paid yearly.	What our customs duties would have been under the theory of tariff for revenue only.	
						Over years would have been.	Short years would have been.
1819	$16,300,273.44	$24,603,374.37	$8,303,100.93		$20,283,608.76	$11,980,507.83	
1820	13,134,530.57	17,840,669.55	4,706,138.98		15,005,612.15	10,299,473.17	
1821	10,723,479.07	14,573,379.72	3,849,950.65		13,004,447.15	91,545,416.50	
1822	9,827,643.51	20,232,437.04	10,405,784.43		17,589,761.94	7,183,977.51	
1823	9,784,154.59	20,540,666.26	10,756,511.67		19,088,433.44	18,331,921.77	
1824	15,320,144.71	19,381,212.79	4,051,068.08		17,878,325.71	13,827,257.63	
1825	11,490,459.94	21,840,858.02	10,350,398.08		20,098,713.45	9,748,315.37	
1826	12,062,316.27	25,260,434.21	12,198,117.94		23,341,331.77	11,143,213.83	
1827	12,653,095.65	22,966,363.96	10,303,268.31		19,712,283.29	9,409,015.98	
1828	13,296,041.45	24,763,629.23	11,467,587.78		23,205,523.64	12,737,935.86	
1829	12,641,219.40	24,827,627.38	12,186,416.98		22,681,965.91	10,495,548.93	
1830	13,229,533.33	24,844,116.51	11,514,583.18		21,922,391.39	10,407,808.21	
1831	13,864,067.90	28,526,820.82	14,662,752.92		24,224,441.77	9,561,688.85	
1832	16,516,388.77	31,867,450.66	15,351,161.89		28,465,237.24	13,114,075.35	
1833	22,713,755.11	33,948,426.25	11,234,671.14		29,032,508.91	17,797,837.77	
1834	18,425,417.25	21,791,935.55	3,366,518.30		16,214,957.15	12,848,438.85	
1835	17,514,950.28	35,430,087.10	17,975,039.72		19,391,310.59	1,476,283.77	
1836	30,868,164.04	50,826,796.08	19,956,632.04		23,409,940.53	3,453,308.49	
1837	27,243,214.24	24,954,153.94		$12,287,661.20	11,169,290.30		$23,456,351.49
1838	33,849,718.00	26,302,567.71		7,547,856.27	16,158,800.36		23,706,716.63
1839	20,496,948.73	31,482,749.61	4,985,890.88		23,137,924.81	18,152,123.93	
1840	24,139,920.11	19,480,115.33		4,659,804.78	13,499,502.17		18,159,306.95
1841	26,196,840.23	16,860,160.27		9,336,680.02	14,487,216.74		24,823,896.76
1842	24,361,336.59	19,976,197.25		4,385,139.34	18,187,908.76		22,572,048.10
1843	11,256,508.60	8,231,001.26		3,025,507.34	7,046,843.91		10,072,251.25
1844	20,650,108.01	29,320,707.78	8,670,599.77		26,183,570.94	17,512,971.17	
1845	21,895,369.61	29,970,105.80	8,074,736.19		27,528,112.70	19,453,376.51	
1846	26,418,459.59	29,699,967.74	3,270,508.15		26,712,667.87	23,441,159.72	
1847	53,801,569.37	26,467,403.16		27,334,166.21	23,747,864.66		51,082,030.87
1848	45,227,454.77	35,698,699.21		9,528,757.56	31,757,070.96		41,285,828.52
1849	39,933,542.61	30,721,077.50		9,212,465.11	28,346,738.82		37,559,263.93
1850	37,165,990.09	43,592,888.88	6,426,898.79		39,668,686.42	33,241,787.63	
1851	44,054,717.66	52,555,039.33	8,500,321.67		49,017,567.92	30,517,246.25	
1852	40,389,954.56	49,846,815.60	9,456,861.04		47,339,326.62	37,882,465.58	
1853	44,078,156.35	61,587,031.68	17,508,875.33		58,931,865.52	41,442,990.19	
1854	51,967,528.42	73,800,341.40	21,832,812.98		64,224,190.27	42,391,377.79	
1855	56,316,197.72	65,350,574.68	9,034,476.96		53,025,794.21	43,991,317.25	
1856	66,772,527.67	74,056,699.24	7,284,171.60		64,022,863.50	56,738,741.90	
1857	66,041,143.70	68,965,312.57	2,924,162.07		63,875,905.05	60,951,736.18	
1858	72,330,437.17	46,655,365.96		25,675,071.21	41,789,620.96		66,464,692.17
1859	66,355,950.06	52,777,107.92		13,578,847.15	49,565,824.38		63,144,666.83
1860	60,056,754.71	56,054,599.83		4,002,154.88	53,187,511.87		57,189,666.75
1861	62,616,055.78	41,476,299.49		20,139,756.29	39,582,225.64		60,721,881.93
1862	456,379,896.81	51,919,261.09		404,460,635.72	49,056,397.62		453,517,033.34
1863	694,004,575.56	112,094,945.51		581,900,630.05	69,059,642.40		650,960,272.45
1864	811,283,676.14	243,412,971.20		567,870,704.94	102,316,152.99		670,186,857.93
1865	1,217,704,199.28	322,031,158.19		895,673,041.09	84,928,260.60		980,601,301.69
1866	385,954,731.43	519,949,564.38	133,994,832.95		179,046,651.58	45,051,818.63	
1867	202,947,733.87	462,846,679.92	159,898,946.05		176,417,810.88	16,518,864.83	
1868	229,915,088.11	376,434,453.82	146,519,365.71		164,464,599.56	18,945,224.75	
1869	190,496,354.95	357,188,256.09	166,691,902.14		180,048,426.63	13,356,524.49	
1870	164,421,507.15	395,959,833.87	231,538,326.72		194,538,374.44	*36,999,952.28	
1871	157,583,827.58	374,431,104.94	216,847,277.36		206,270,408.05	*10,576,869.31	
1872	153,201,856.19	364,394,229.91	211,182,373.72		216,370,286.77	5,187,913.05	
1873	180,488,636.90	322,177,673.78	141,689,036.88		188,089,522.70	46,400,485.82	
1874	194,118,985.00	299,941,090.84	105,822,005.84		163,103,833.69	57,281,827.85	
1875	171,529,848.27	284,020,771.41	112,490,923.14		157,167,722.35	44,676,799.21	
1876	164,857,813.36	290,066,584.70	125,105,771.34		148,071,984.61	22,968,213.09	
1877	144,209,963.28	281,000,642.00	136,790,678.72		130,956,493.07	*5,834,185.65	
1878	134,463,452.15	257,446,777.40	122,983,324.25		130,170,680.20	7,187,355.95	
1879	161,619,934.53	272,322,136.83	110,602,202.30		137,250,047.70	26,647,845.40	
1880	169,090,062.25	333,526,500.98	164,436,438.73		186,522,064.60	22,085,625.57	
1881	177,142,897.63	360,782,292.57	183,539,394.94		198,159,676.02	14,982,669.66	
1882	186,904,232.78	403,525,250.28	216,621,017.50		220,410,730.25	3,789,712.75	
1883	206,248,006.29	398,287,581.95	192,039,575.66		214,706,496.93	22,667,121.17	
1890	261,637,202.55	403,080,982.63	141,443,780.08		229,668,584.57	88,224,806.49	
1894‡	458,121,000.00	430,121,000.00		28,000,000.00	175,000,000.00		203,000,000.00
Total	8,866,251,509.51	9,763,215,086.90	3,492,619,950.43	2,682,975,646.63	5,476,908,914.17	1,312,893,917.84	3,551,611,658.99
			2,682,975,646.63				1,312,893,917.84
Actual surplus since 1790			809,644,303.80		4,864,505,576.83		4,864,505,576.83
Total surplus over and above what would have been our custom receipts for "revenue" only since 1790.					§ 612,403,337.34		

Year.	Yearly imports.		Condition national debt, yearly.	Nature of the economic policy existing.	Date of the prevailing tariff law.
	Value.	Average per cent of custom duties received thereon.			
1774				Prohibitive policy declared	Oct. 14, 1774.
1776				Declaration of Independence	July 4, 1776.
1783				Pioneer and State tariffs	Apr. 18, 1783.
1789		†5		Madison's tariff—preliminary "until a system of permanent duties could be perfected." A protective policy.	July 4, 1789.
1790	$6,815,000	†7	$5,600,000.00	Hamilton's tariff, strictly protective	Aug. 10, 1790.
1791	29,200,000	15	75,463,476.52	Special tariff. Distribution of surplus revenue among States	Mar. 3, 1791.
1792	31,500,000	11	77,227,924.66	Increased protection, for frontier, etc	May 2, 1792.
1793	31,100,000	13	80,352,634.04		Do.
1794	34,600,000	14	78,427,404.77	Increase upon special home products	June 7, 1794.
1795	69,756,268	9	80,747,587.38		Do.
1796	81,436,164	8	83,762,172.07		Do.
1797	75,379,406	10	82,064,479.33	Changes according to necessities developed by experience	Mar. 3, 1797.
1798	68,551,700	10	79,228,529.12		July 8, 1797.
1799	79,069,148	9	78,408,669.77		Do.
1800	91,252,768	9	82,976,294.35	Special articles increased	May 13, 1800.
1801	111,363,511	9	83,038,059.80		Do.
1802	76,333,333	16	80,712,632.25		Do.

Chronology of the economic conditions of the United States, etc.—Continued.

Year.	Yearly imports. Value.	Yearly imports. Average per cent of custom duties received thereon.	Condition national debt yearly.	Nature of the economic policy existing.	Date of the prevailing tariff law.
1803	$64,666,666	16	$77,054,686.30		May 13, 1800.
1804	85,000,000	14	86,427,120.88	"Jefferson's tariff," to protect American commerce and American seamen—(passed unanimously).	Mar. 26, 27, 1804.
1805	120,600,000	11	82,312,150.50		Do.
1806	129,410,000	11	75,723,270.66		Do.
1807	138,500,000	11	69,218,398.64	Jefferson's famous "embargo" introduced	Do.
1808	56,990,000	29	65,196,317.97		Do.
1809	59,400,000	12	57,023,192.09		Do.
1810	85,400,000	10	53,173,217.52		Do.
1811	53,400,000	25	48,005,587.76		Do.
1812	77,030,000	12	45,209,737.90	*Double* duties—the "war tariff"	July 1, 1812.
1813	22,005,000	60	55,962,827.57	Special additions	July 29, 1813.
1814	12,965,000	46	81,487,846.24		Do.
1815	113,041,274	6	99,833,660.15		Do.
1816	147,103,000	25	127,334,933.74	Calhoun's protective tariff	Apr. 27, 1816.
1817	99,250,000	26	123,491,965.16		Do.
1818	121,750,000	14	103,446,633.83	Special additions	Apr. 20, 1818.
1819	87,125,000	23	95,529,648.28	....do	May 3, 1819.
1820	74,450,000	20	91,015,566.15		Do.
1821	62,585,724	30	89,987,427.66		Do.
1822	83,241,541	29	93,546,676.98		Do.
1823	77,579,267	29	90,875,877.28		Do.
1824	80,549,007	32	90,269,777.77	General increase—the "Clay tariff"	May 22, 1824.
1825	96,340,075	33	83,788,432.71		Do.
1826	84,974,477	31	81,054,059.90		Do.
1827	79,484,668	35	73,987,358.20	Further increase (special)	Do.
1828	88,509,824	34	67,475,043.87	Increased protective rates called the "Tariff of abomination" by the opposition	Mar. 19, 1828.
1829	74,492,527	37	58,421,113.67		
1830	70,876,920	40	48,565,406.50	(Overflowing Treasury), special tariff	May 20, 1830.
1831	103,191,124	35	39,123,191.68		Do.
1832	101,029,266	29	24,322,235.18	Clay's second tariff; increased protection to industry	July 14, 1832.
1833	108,118,341	22	7,001,032.88	The "compromise" tariff or ten-year "sliding-scale," on the principle of a reduction of one-tenth per cent of excess of 20 per cent ad valorem every two years, etc., a failure.	Mar. 2, 1833.
1834	126,520,332	15	4,760,081.08	At this time prosperity prevailed; no debt, and surplus was distributed among States.	Do.
1835	149,895,742	17	37,733.05		Do.
1836	189,980,035	16	37,513.05		Do.
1837	140,989,217	12	336,957.83		Do.
1838	113,717,404	17	3,308,124.07		Do.
1839	162,092,132	16	10,434,221.14		Do.
1840	107,141,519	14	3,573,343.82	By "sliding-scale" reduction the debt increased under low tariff, and bankrupted the Treasury.	Do.
1841	127,946,177	16	5,250,875.54	Free list increased	Sept. 11, 1841.
1842	100,162,087	17	13,594,480.73	Increased rates; "Whig tariff"; recuperative	Aug. 30, 1842.
1843	64,753,799	16	20,601,226.28	Saltonstall's supplementary act, protective	Do.
1844	108,435,035	27	23,461,652.50		Do.
1845	117,254,564	26	15,925,303.01		Do.
1846	121,691,797	22	15,550,202.97	"Walker's tariff" and attempt to create so-called free trade under title of revenue tariff. Dallas's casting vote in Senate secures passage.	Aug. 6, 1846.
1847	146,545,638	16	38,826,534.77		Do.
1848	154,998,928	20	47,044,862.23		Do.
1849	147,857,439	19	63,061,858.69	Treasury exhausted; importers' monopoly	Do.
1850	178,138,318	22	63,452,773.55		Do.
1851	216,224,932	23	68,304,796.02		Do.
1852	212,945,442	22	66,199,341.71		Do.
1853	267,978,647	22	59,803,117.70		Do.
1854	304,562,381	21	42,242,222.42		Do.
1855	261,468,520	20	35,586,956.56		Do.
1856	314,639,942	20	31,972,537.90		Do.
1857	360,890,141	18	28,699,831.85	Reduction from rates of the "Walker tariff" (1846) by combine of free wool and secession interests.	Mar. 3, 1857.
1858	282,613,150	15	44,911,881.03	Investigations by Congress as to corruption	Do.
1859	338,768,130	15	58,496,837.88		Do.
1860	362,160,254	15	64,842,287.88		Do.
1861	335,650,153	12	90,580,873.72	"Morrill tariff," general increase to the tariff of 1846	Mar. 2 and Dec. 24, 1861.
1862	205,771,729	24	524,176,412.13		July 14, 1862.
1863	252,919,920	27	1,119,772,138.63		Mar. 3, 1863.
1864	329,562,895	31	1,815,784,370.57	Revision, increase 50 per cent, the basis of Whig tariff, 1842	June 30, 1864.
1865	248,555,652	34	2,680,647,869.74	Special	Mar. 3, 1865.
1866	445,512,158	40	2,773,236,173.69	....do	Mar. 6, and July 25, 1866.
1867	417,831,571	44	2,678,126,103.87	....do	Mar. 2, 1867.
1868	371,624,808	43	2,611,687,851.19	....do	July 20, 1868.
1869	437,314,255	41	2,588,452,213.94	....do	Feb. 24, 1869.
1870	462,377,587	45	2,480,672,427.81	....do	July 14, 1870.
1871	541,493,708	38	2,353,211,332.32	....do	March 3, 1871.
1872	640,338,766	34	2,253,251,328.78	....do	June 6, 1872.
1873	663,617,147	28	2,234,482,993.20	....do	March 3, 1873.
1874	595,861,248	28	2,251,690,468.43	....do	June 22, 1874.
1875	553,906,153	29	2,232,284,531.95		
1876	476,677,871	31	2,180,395,067.15		
1877	492,097,540	27	2,205,301,392.10		
1878	466,872,846	28	2,256,205,892.53	No action of importance beyond special revision.	
1879	466,073,775	27	2,349,567,482.04		
1880	760,989,056	24	2,120,415,370.63		
1881	753,249,125	26	2,069,013,569.58		
1882	767,111,964	28	1,918,312,994.03		
1883	751,070,305	28	1,884,171,728.07	Reduced tariff generally. ("Senate bill" passed after failure of "House bill" and commission's rates.)	March 3, 1883.
1890	789,300,409	.....	1,552,140,204.73	McKinley tariff "for revenue and home industry"	October 1, 1890.
1894	866,400,000	.....	1,567,923,341.13	"Wilson bill"—Revenue only (professed), admitting a deficit of $75,000,000. Ruin to Southern interests.	(†)

* These amounts represent the surplus revenue there would have been these years without any custom duties at all.

† No returns these years, but this was the average rate estimated.

‡ Estimated to June 30, 1894. (*See* Report Secretary Treasury, December, 1893.) Our foreign commerce the largest amount in the history of the United States—under the McKinley tariff.

§ Or an average of only $6,446,350.92 per year ($6,000,000) = A "tariff for revenue only," even considering war debt.

A similar exhibit of our gross expenses and receipts would show even a greater dependence upon protective laws; hence our customs receipts have been actually not more than a "tariff for revenue only." What, therefore, would have been the deficit of the National Treasury under a "free-trade policy!" See series of "Tariff Reviews."

Mr. DOLPH. It will be understood from what I have already said at this time, and what I have said on previous occasions, that I believe the progress of this bill should stop here, at least until some concession is made by the majority in regard to wool. I hardly know what my duty is in regard to the matter. My own opinion has been that if the minority in this Chamber were united and were determined to accomplish that result, this bill could be beaten, and it should be beaten.

Considering the fact that the passage of this bill would be destructive to every great interest of this country, and instead of relieving the present conditions, as is supposed by the Senator from Tennessee [Mr. HARRIS] would be the case, would perpetuate the existing conditions in this country, would prevent the revival of business, except in connection with such a reduction of wages as would be disastrous to the workingmen of this country, and inasmuch as this bill once passed, the mistake or the evil can not be remedied until the party which favors the protection of American industries, which believes that protection to American capital and American labor is necessary to individual and national prosperity is again in power, I have believed that it was the duty of the Republican minority in this Chamber to enter into a struggle of physical endurance with the majority, and to treat this bill as the other side of the Chamber, heretofore in the minority, have treated measures to which they were opposed.

I do not sympathize much with the idea that because the Democratic party succeeded to power and claim that that was a verdict of the American people in favor of tariff for revenue only, which I deny, no obstruction should be placed in the way of the majority, but that they should be left free to impose upon this country such legislation as they favor. If next fall the Congressional elections (when we shall surely elect a Republican majority in the other House) could also reverse the verdict so far as the Presidency is concerned, and the political majority in the Senate, I should be willing to make a brief trial of the Democratic doctrine; but, sir, considering the fact that if this bill once becomes a law it must remain on the statute book for an indefinite time, at least for two or four years, I have believed it to be the duty of the minority in the Senate if possible by any parliamentary means to defeat the passage of this bill.

But, sir, when I come to consider that it is the great Northwest, the new States of this Union, which are to be injured most by this legislation, the States which are dependent upon great industries that are to be stricken down and destroyed; when I recollect that three of those States are but partially represented in the United States Senate; that two are represented in the Senate in whole or in part by Democrats; when I find that the distinguished Senator from Colorado [Mr. TELLER] and the distinguished Senator from Idaho [Mr. DUBOIS] differ with me for some reason as to what measure should be adopted for the defeat of the pending bill; when I find another distinguished Senator from one of those States seldom voting upon the bill, and several more absent, I become discouraged and I know that what might be accomplished by unity of action, by an agreement in regard to the measures which should be adopted, can not be accomplished under such circumstances.

So, as my friend from Tennessee says when he not very good-naturedly yields to the necessity that is upon him, not on account of opposition alone on this side of the Chamber, but the failure of his own side to stand by him, I, from force of circumstances, will perhaps be compelled to cease my further opposition to the consideration of the bill and its final disposition, and leave it to our friends on this side of the Chamber and the Senator from Tennessee to make their own agreements about schedules, about the rule which shall limit debate, and about the time when votes are to be taken.

Mr. PLATT. May I interrupt the Senator from Oregon for a moment?

Mr. DOLPH. Certainly.

Mr. PLATT. Suppose the only question pending before the Sneate were the question whether wool should be put on the free list. If that were an independent proposition, disconnected from the other items of the pending measure, does not the Senator from Oregon think that a fortnight or three weeks would be the shortest time in which a proposition of that magnitude could be properly discussed in the Senate?

Mr. DOLPH. I think so.

Mr. PLATT. Yet, here we are complained of because we are taking two or three days to discuss it.

Mr. DOLPH. We have consumed two days and a portion of the third. That is the truth. The suggestion of the Senator from Connecticut only emphasizes what I stated a few moments ago in regard to the impatience of the Senator from Tennessee. The Senator from Tennessee does not seem to be charged with the duty of determining what the provisions of the bill shall be; he does not seem to be charged with the duty of discussing the bill, but he seems to be imbued with the idea that the bill is to confer a great blessing upon the people of the United States, and should be rushed through without discussion. I have seen nothing to compare with the impatience of my friend from Tennessee, except the impatience of the press and of a few people who, when the bill for the repeal of the purchasing clause of the Sherman act was under consideration, believed what I did not, that the purchase of silver was the cause of our financial trouble, and that it was necessary, in order to restore financial prosperity in the country, that that bill should be immediately disposed of. We have been discussing the question as to whether wool shall go upon the free list two days. For two days we have been discussing the question which has been discussed by the American people for a hundred years, as to whether the wool industry shall be protected.

I had statistics concerning the industry; I had quotations here from, you might say, the fathers of the Revolution, the framers of the Constitution, from Democrats and Whigs alike in early days, showing the propriety and necessity of protecting the woolgrowing industry; showing that domestic wool is as necessary to the defense of the nation as forts and guns and armies. I might have presented them to the Senate, and I should have presented them to the Senate if I had supposed it would accomplish any good purpose. I beg to assure the Senator from Tennessee that I have not at all failed to do so out of regard for his impatience or out of consideration for his desire to secure the early disposition of the bill.

Another thing which has discouraged me largely is that one or two of our friends from the West have been disposed to belittle the alleged effects of the threat of free trade upon the industries of the country, and have been disposed to belittle the supposed effects of the passage of the pending bill upon the industries of the country. My friend from Nevada (Mr. STEWART) has gone so far on this floor as to state that the gold standard and free trade should go together. I do not agree with those Senators that the present condition of our industries has been brought about by financial legislation. I deplore as much as any member of the Senate and as much as anyone can the existing financial condition of this country and the world. I believe that I am a better friend to silver to-day than any man who advocates the free coinage of silver. I believe that one who advocates the free coinage of silver is a silver monometallist. I think there arebut two courses for this Government to pursue.

One is to maintain the present standard and to endeavor to secure an international agreement between the principal commercial nations of the earth for the free coinage of silver by those countries at an agreed ratio, and the other is to adopt free coinage of silver and go to the silver standard. I have never believed and I could not be convinced, because it would be contrary to all our experience, that the free coinage of silver by the United States alone would increase the value of silver bullion until 16 ounces of silver would be worth an ounce of gold. I know that gold has appreciated in value and that that has affected prices in this country and throughout the world. I know as well that silver has depreciated in value and that that has affected prices everywhere. I do not agree with those who suppose that gold alone has appreciated. I do not agree with those who suppose that silver alone has depreciated.

The increased demand for gold for money has, no doubt, largely increased its value. The decreased use of silver for money has, no doubt, largely decreased its value. If I knew of any legislation by which the silver-mining industry of this country could be made profitable, by which the value of silver bullion could be advanced, and the value of gold depreciated relatively to silver, I should be very glad to adopt it. We have now a few prominent persons contending as to who is the inventor of some new scheme concerning silver, which proposes, by retaliation upon Great Britain and other gold-using countries, to force them into some international agreement for the use of silver, or into the use of silver as individual nations. I have no confidence in any such scheme. I do not believe that Great Britain, or any other country in the world, can be forced, by any discriminating policy of the United States, into any course which she does not believe to be to her interest. It seems to me that we are in the situation in which, as I say, we are bound to adhere to one policy or the other, and everyone is free to believe that we had better go to the free coinage of silver, that we had better adopt the silver standard than to adhere to the gold standard.

I am not going to discuss that question to-day. I simply say that, in my judgment, the free coinage of silver would place us upon the silver standard, as Mexico is to-day; it would reduce the purchasing power of the American standard silver dollar to about the value of the bullion it contains; it would strike down at one blow more than one-half of the value of all the silver money in this country in the hands of the holders, whether in the shape of silver dollars or silver certificates; it would prevent the further coinage of gold; it would drive gold out of circulation; it would contract the circulating medium; it would bring about great financial disaster, and when it was all done and we were upon the silver standard and our silver dollar was worth only the same as the Mexican silver dollar in proportion to the bullion it contained, silver, instead of going to the mints to be coined, in my judgment, would have to be sold in the open market for whatever it was worth, and the United States would have no way of increasing the amount of silver currency; there would be no cause for the coinage of silver, and the sum coined in the American mints might not be $1,000,000 or $500,000. So, with gold gone, a depreciated silver dollar, and no means of increasing the circulating medium, with a contracted currency and

disturbed financial conditions, I fear that our condition would be very much worse than it is now or than it is likely to be under the present standard.

Mr. STEWART. Mr. President——

Mr. DOLPH. Let me finish.

Mr. STEWART. Very well.

Mr. DOLPH. I did not rise to discuss the financial question; but I wish to say now that some financial legislation is necessary; that this country can not go on year after year without any increase of the circulating medium, with the population increasing, and the demand for money increasing, and whenever business revives in this country the disastrous effect of the policy of this Administration will be seen. It is the duty of the Administration in power to present some financial measure, some measure by which there will be an increase of the circulating medium. I say that it is the duty of this Administration, and this Administration will be held responsible for not so doing. I have not felt called upon to formulate a financial policy for this Administration. I have some ideas in regard to the subject.

The Democratic party in its last national platform resolved upon the repeal of the tax on the issues of State banks, with the idea of increasing the circulating medium, but if we are correctly informed about what has transpired in some other legislative body, which I shall not name, there is no likelihood that the Democratic doctrine on that question will be carried out, and I think it is well for the country and well for the Democratic party that that has been abandoned. I do not believe that the business men in this country are willing to go back to the old days of State bank bills, to the depreciated and rotten State bank currency.

I am one who believes that the General Government should control the circulating medium and should provide for it. I am one who believes that all banking should be controlled or supervised, at least, by the General Government. Notwithstanding the unreasoning opposition to the national-banking system, I think everyone will concede that that system has given us the best circulating medium this country has ever had; has given us a currency good in every portion of the Union.

Mr. PEFFER. Will the Senator allow me——

Mr. DOLPH. I wish the Senator would let me conclude.

Mr. PEFFER. Very well.

Mr. DOLPH. The currency furnished by the national-banking system has been good in foreign countries. The Senator from Idaho [Mr. DUBOIS] says, "What do you suggest?" I can only make a suggestion as to how our circulating medium may be increased. I am not the adviser of the administration, I am not a member of any committee whose duty it is to formulate any financial system; but it seems to me—and I indicated that in some remarks I made on the subject of the free coinage of silver several years ago—that the national-banking system might be so changed and enlarged as to give this country a sufficient circulating medium. I think it would be a good thing if the national-banking law were amended so that banks of deposit and exchange might be organized upon the deposit of a single thousand dollars United States bonds, the banks becoming subject to all the laws regulating the national-banking system and subject to the supervision of the national authorities. I think that what has been proposed often in this Chamber might be safely adopted; that we might authorize a larger issue of circulating notes upon the bonds deposited to secure the circulation, at least, to the par value of the bonds.

It is possible that some modification of the law in regard to the circulation of banks might be made to secure the necessary issue. I see no reason why State bonds, the bonds of counties, and the bonds of cities of the United States might not be received as security for bank issues, their value to be passed upon by some authority, board, or commission appointed under Federal authority, and the existing laws, or amended laws, concerning the national-banking system applied to them. Something has to be done. If anyone can propose a better system, I should like to hear it, and I shall be ready to help adopt it; but, I repeat, that while I differ simply as to the remedy, or substantially as to the remedy, with my friend from Nevada [Mr. STEWART], while I claim to be just as good a friend as he is to the mining industry of his State and to the great Northwest, and just as good a friend to silver as is the Senator, I differ with him in regard to the methods by which the mining industry and the silver interest can be advanced.

I do say that there should be some financial legislation, and it is the duty of the present administration to formulate and present to Congress some plan; it is the duty of the majority in this and the other branch of Congress; and we should not go on from month to month and year to year without any increase of the circulating medium, but with an actual decrease, on account of the raid upon our gold coin and the decrease of national-bank circulation. I say we are going on not only without an increase of the circulating medium, but a decrease of the circulating medium, and this can not continue if the prosperity of this country is to be restored.

Mr. PALMER. May I ask the Senator a question?

Mr. DOLPH. Certainly.

Mr. PALMER. I ask the Senator if his attention has ever been called to Senate bill 1791, I think is the number, a bill prepared by my friend, Capt. Cowden, of Illinois, which probably meets the Senator's views.

Mr. DOLPH. I have not seen the bill to which the Senator refers.

Mr. PALMER. I commend it to the Senator.

Mr. DOLPH. I shall be glad to examine it.

Mr. PALMER. That bill goes far beyond accepting the bonds of towns as security for bank issues. It authorizes such issues on wheat and pork and butter, I think, and such things, taking them as security for banking circulation. I commend that bill to the attention of the Senator.

Mr. DOLPH. I do not think my friend from Illinois really thinks that I am advocating any such circulating medium as that based on that sortof security.

Mr. PALMER. If my friend will allow me again——

Mr. DOLPH. I hardly think that the Senator can construe my remarks in that way at all.

Mr. PALMER. I wish to say to the Senator that while he very cruelly, I think, has refused to give us the benefit of his plan, I beg to remind him that for some thirty years his party has been in power, and they have not matured a plan which reaches the idea of the Senator.

Mr. DOLPH. While my party was in power it provided for an increase of the circulating medium by the very law which the Senator's party denounced and proposed to repeal in its national platform. It was an expedient that was adopted at the time for that purpose, and if the Republican party had remained in power, that increase of the circulating medium have been discontinued, some other provision would have been made for additional circulation.

Mr. President, I can not believe that the Senator from Illinois would place the bonds of the State of New York or the State of Illinois, or the city of Chicago, or the city of New York, or the city of Portland—for we have issued bonds in the city of Portland—in the same category with wheat and butter; and I do not believe the Senator would think that the bonds of the city of New York or the bonds of the city of Portland would not be substantially as good security for the issuing of circulating notes by national banks as national bonds.

I admit that to make such a modification of the national-banking act would be to go a step farther than we have gone; would be to adopt a new expedient; that, as the bonds of the National Government, which are the security for the payment of the National bank notes issued, are the debts of the National Government and are held by the Government as security for the payment of the notes, and the United States, in assuming the payment of the notes, substantially only assumes the payment of its own debt to the note holder. It pays its bonds, but pays the money to the holders of the national notes with the other.

Some new liability would have to be assumed by the Government, but the beneficial result which would come from an enlargement and an increase of our circulating medium—an enlargement of the system, if nothing better could be done—would amply compensate the Government for the risk which, after all, would be nominal, because the amount of the circulating notes to be issued, upon the State or municipal obligations, could be fixed by law, and the question as to the value of the bonds would be fixed by the Federal authority. I do not care to follow that question further.

I hold in my hand a statement of the present condition of the industries in Oregon. I shall not take up the time of the Senate to read it, but shall ask leave to insert the quotation in my remarks, if there be no objection.

The quotation referred to is as follows:

Considering that the population of Oregon is not so large as in any of the densely peopled manufacturing and industrial States of the East, our efforts to ascertain the condition of labor in that State have met with great success, and we have received 140 different reports from 35 different towns there, the result being tabulated as follows:

Town.	No. of reports.	Average number of hands employed.		
		1892.	1893.	1894.
Albany	9	37	30	21
Amity	1	1	1	.....
Antelope	1	40	20	20
Ashland	1	20	.....	.....
Astoria	8	165	210	110
Aurora	2	11	9	7
Cascade Locks	1	150	50	.....
Connor Creek	1	12	12	12
Dufur	1	6	5	1
Eagle Creek	1	4	2	1
Eugene	3	17	10	12
Grants Pass	1	8	4	2
Hardman	1	8	6	1
Heppner	2	11	7	6
Island City	1	27	22	12
La Grande	2	9	0	3
Long Creek	1	2	2	2
Marshfield	1	8	8	3
Meachm	1	22	14	4
Mulino	1	5	3	2
Nehalem	1	25	20	0

Town.	No. of reports.	Average number of hands employed.		
		1892.	1893.	1894.
Oswego	1	420	420	52
Pendleton	3	35	21	8
Portland	76	2,589	1,999	1,154
Prineville	3	10	5	4
Prosper	1	25	28	17
Salem	2	14	10	6
Sellwood	1	16	10	3
Silverton	1	5	5	4
Springfield	1	25	10	2
The Dalles	4	24	16	5
Umpqua Ferry	1	2	1	1
Union	1	10	9	8
Weston	2	32	4	3
Woodburn	2	53	42	26
Total	140	3,848	3,021	1,512

Decrease in 1893 ..... 21 per cent of 1892.
Decrease in 1894 ..... 50 per cent of 1893.
Decrease in 1894 ..... 60 per cent of 1892

From these reports, sent by 140 different employers of labor in 35 different towns in Oregon, it appears that the total number of hands for whom they found employment in 1892 was 3,848, but in 1893 the same 140 employers could only find work for 3,021 persons—a decrease of 21 per cent within a year. Coming down to the present year up to the end of April, 1894, we further find that these same 140 employers have only been able to give work to 1,512 persons on an average every day from January 1 up to April 30, 1894.

The condition of Oregon is such this year that 140 employers of labor, in 35 different towns in that State, can find work only for exactly one-half the number of people to whom they gave employment throughout the whole of last year, and there is a decrease in the number of persons employed this year of 60 per cent as compared with those who were busily at work in 1892. It is thus very apparent that the longer the present administration remains in power the worse it becomes every day for the condition of labor in the State of Oregon.

This deplorable Democratic condition of labor in the State of Oregon is not confined to any one industry in particular, our reports being received from those engaged in quite a variety of occupations. For instance, we find reports made by those who are engaged in the business of storing grain; from flour mills; from clothiers and tailors; dealers in agricultural implements and vehicles; and an unfortunate druggist who has been obliged to dismiss all his help owing to the Cleveland times.

The sheep and wool industry employers have been obliged to discharge half the men they employed. The furniture and upholstery trade has been cut down 50 per cent, turning half its men idle upon the world. The lumber and box trade has suffered 30 per cent, and even the hotels have felt the wave of free trade, for at Astoria we notice one hotel where the number of employés has been reduced by 75 per cent. The iron works in that city have also suffered, and at all towns there must have been a marked decrease in the general merchandise trade, judging from the number of hands whose services have been dispensed with in that line of business.

Hardware, boots, shoes, furnishing goods, and even newspapers have not flourished since President Cleveland began to carry out his theoretical prophecies of good times. There has been less demand for agricultural implements on the part of the farmers, who must be making their old implements do further service when they are sadly in need of new ones. How the sawmills have suffered, too, under the threat of free lumber, which would give the lumber trade, now taken care of by Oregon, to the mills of British Columbia.

The iron and steel business appears to have been as dull in Oregon as it was elsewhere. We find a furnace producing pig iron that can only give work to 52 men this year where it was able to keep 420 hands busy during the good times of McKinley protection. Wire mattresses seem to be a luxury that the people have to do without; in fact, many men have not been able to get a mattress of any kind. The building trade, too, must have fallen off by 66 per cent. Half the printers appear to have been out of work, and at one of the planing mills where steady work was given to 25 men almost every day in the year 1892, the manager reports this year that his pay roll consisted of one man and one watchdog, thus establishing a new industry—the watchdog industry—for which President Cleveland and his free-trade followers must be given due credit when they are taken to task for all the destruction caused through their policy of prostration.

Men who are out of work can find no use for tools, so, of course, we find that the tool manufacturers in Portland are closed down, and in that city the effects of tariff tinkering are felt more seriously than elsewhere, our 76 reports from Portland showing that only 1,154 people are working this year where 2,589 people were busy and happy in 1892. The check to buildings, of course, reflects upon the paint trade and upon sashes and doors, while the people seem to have little use for anything that the blank-book manufacturer can make, possibly there being no entries nowadays for cashbooks, journals, or ledgers.

The livery-stable keeper who hires out his teams on Sundays and holidays and for pleasant evening drives is one of the first to feel the effects of hard times, so that this business forms an excellent index of the Cleveland conditions. At one livery carriage stable in Portland the decrease in its business has been very marked. It employed 300 persons on an average in 1892, only an average of 250 during 1893, and during the first four months of 1894 this business has so dwindled away that it now has only 52 persons on its pay roll.

We might go on enumerating such particulars by the score, but conclude with mentioning the case of one of the largest nursery gardens on the northwest coast where 100 men used to find steady work, but where now there is business for only 20 hands. These same farmers and nurserymen put over $50,000 in the bank between December 1, 1892, and May 1, 1893, but a year later, between December 1, 1893, and May 1, 1894, their deposits were below $20,000, part of which was for collections from the sales made the previous year. In a great many instances the men are kept at work more from charity and compassion than for any other reason. They have been working steadily for their employers for years, and their employers make every effort to retain their service.

One old Oregonian who has long been established out West writes us that "business is rotten out here." It is sad to see the same wail of distress from the far, far West that we hear so much of in the East, a condition that has existed only under a Democratic administration that threatens to overthrow the entire industrial and economical affairs of the United States, and that threatens to supplant American institutions and their output with the products of foreign factories made by the cheap pauper labor.

Such a condition can not last long in America, but it has already lasted too long. At every opportunity that has been afforded the people to express their opinions of Cleveland and of the Democratic party, the people have done so most thoroughly and determinedly by their votes, and it is fortunate for Oregon that she can make her voice heard within a few weeks and enter one more very emphatic protest against the establishment of a pernicious system of free trade, by turning down every Democratic candidate nominated for office in the State of Oregon.

Reports previously acquired from other States, together with those from Oregon show the following result:

State.	Reports.	Number of hands employed.		
		1892.	1893.	1894.
Rhode Island	75	19,089	14,770	10,966
New York	100	22,026	17,480	12,650
Connecticut	67	13,777	11,564	8,535
Oregon	140	3,848	3,021	1,512
Totals	382	58,740	46,835	33,663

In 1894 there were 43 per cent less people at work for the 382 employers in all of these States combined, but in Oregon the decrease was 60 per cent during the two years, showing that the fear of free trade has been worse for Oregon than for these Eastern States. The West must be for protection. (*American Economist*, May 18, 1894.)

Mr. DOLPH. Mr. President, Oregon is having a hard time between Pennoyerism, the Democratic party in Congress, and the floods. Pennoyerism is wiped out, the floods are receding, the damage will be repaired, and the Democratic party will be retired after a time; but if the majority in Congress pass the pending measure, thus striking down the wool industry of the State, destroying the lumber industry of the State, and injuring the hop industry and other industries of the State, it will be many years before she will again enjoy the prosperity which her citizens have enjoyed ever since she became a portion of the Federal Union.

Mr. STEWART. Mr. President, I was much gratified to learn that the Senator from Oregon had finally come to the conclusion that there is not money enough in circulation, that gold has appreciated, that silver has depreciated, and that prices have fallen in consequence thereof. Those admissions are fundamental.

Mr. DOLPH. I wish to say to the Senator that if he will refer to the very first speech, some two or three years ago or more, that I made in this body on that subject he will find I asserted substantially the same thing.

Mr. STEWART. I inferred from the uniform votes of the Senator and from what I have heard of his speeches that he entertained entirely different views. I stand corrected if he ever had those views and had expressed them on this floor.

Mr. DOLPH. I never entertained any other views.

Mr. STEWART. The Senator says he never entertained any other views. I leave him to reconcile his votes with that statement.

Now, the Senator is in favor of international bimetallism. I should like to have him or any other Senator point to any governmental action on the part of any European country during the last eighteen years, when we have been applying to them for an international conference, indicating that they had any intention or purpose of complying with our request. On the contrary, every one of them, so far as governmental action is concerned, has uniformly and on all occasions declared that they would not comply with any of our requests for international money. We have had three international conferences, and we have always been treated in the same way.

The party in power in Great Britain to-day treats with contempt the suggestion, and when a resolution was offered and the day fixed a few weeks ago for a vote to be taken upon a proposition looking to an international conference, they were unable to get a quorum of forty in the House of Commons to consider the question.

That being the uniform decision of all other governments, and we having supplicated for eighteen years, and sent three commissions to Europe, only to be sent back with a flat denial, it seems to me that it is time to stop discussing that question. It is the plea which has been used to deceive the people of the United States and prolong the distressed condition which has prevailed; it has been the plea which has been used to delude the people from the beginning ever since it was discovered that silver had been demonetized.

For any Senator here to propose as a remedy an international conference, with the attitude which the European governments occupy and still occupy, seems trifling with the subject. A man who would postpone it and suffer the evils that we now suffer until they change their minds ought to be able to show some probability of a change. It hardly seems that those who contend for an international conference as a remedy can be acting in good faith in view of the absolute refusal of Europe to join in such a conference for the purpose of action. They will join in the conference for the purpose of discussing and refusing, as they have done. Great Britain at each of those conferences has been fair in this regard. She notified us before the conference was

held that her delegates would have no power to bind her to change her policy.

The people of Great Britain have no voice in the government on the financial question. It is the money power which holds nearly $4,000,000,000 of British consols. It is the money power that has cornered the gold and holds it, not the general creditors, for they will be swindled. Your bonds of States and of nations have been unloaded on the general public, but the syndicate that controls the action of Great Britain holds its investments in gold and such bonds as seem free from all danger of repudiation.

If we wait until that money power yields, we shall wait until this generation passes. This is a contest between government by consolidated wealth in the hands of the few and government by the people. The gold advocates boldly proclaim that wealth should govern. They declare that wealth can not be consolidated in the hands of the few in order to govern except through a contraction of the money volume. That must be in the hands of the few; for if the volume of money is increased by remonetization of silver, opportunities will be offered to the people to acquire wealth, and the people will demand a voice in the government.

This is a contest between democracy and the aristocracy of money. It is governmental as well as financial, and is so proclaimed and maintained by English journals who are advocating the gold standard. They do not profess to believe in the right of the people to govern, and they desire to take from the people the means of asserting their rights.

Poverty is weakness. Make the people poor and they will submit. That is the theory which is being carried out. With the money power it is prosecuting a scheme of aggrandizement, a scheme of despotism. So much for an international conference.

But the Senator says that we will go to a silver monometallism. All there is of bimetallism is the right to coin money of either of the precious metals. If no gold shall be coined for the next twenty years, and silver alone shall be used, it would not be silver monometallism, because the right would exist to coin gold offered for coinage.

But we now have gold monometallism. The right to coin silver is denied. Give the American people the right to coin silver and every willing hand in all this broad land will find work. Give them the right that they inherited from their ancestors, that is incorporated in the Constitution, that was maintained previous to 1873 for more than three thousand years—give back that right and the American people will make this the leading nation of the earth.

But we are without money and without the means of acquiring it, because property will not buy gold; if it does, it will be at such a sacrifice that it will ruin the owner of property. Give the people money enough to restore prices and revive business, and they will be independent and govern themselves. The inducement to acquire property will be restored, and producers will prosper.

There is no inducement now to enterprise. If you get property you can not do anything with it. You can not exchange it for money. All people are seeking to make investments in money, because money alone is rising in price. This they do by buying bonds, most of which will be repudiated. Only the cunning few who manipulate will find bonds that will not be repudiated. Look at the thousands of millions of bonds and securities in this country that have been destroyed within the last year.

Look at the foundation upon which your savings banks and your trust companies rest. There are now in this country in round numbers $4,500,000,000 of securities held by private banks, trust companies, and savings banks used for the purpose of acquiring interest to pay their depositors. The investments in these securities were made when the securities were worth twice as much as they are to-day. They have fallen 50 per cent since the investments were made. How can the savings banks that invested in securities when they were 50 per cent higher liquidate to-day? The continued appreciation of gold will shake the foundation out of your savings banks, and they must fall, and this little clique of a money power will govern.

I told a Senator here on this floor years ago, when he was pleading for gold for the depositors in savings banks, that they had better look to the securities upon which those savings banks rested and see that they were not being destroyed. With 50,000 miles of railroad in the hands of receivers, with eight or ten States under arms to keep down the people, with industries paralyzed on account of the shrinkage of the volume of money, I do not wonder that the Senator from Oregon and all others should wake up to the terrible danger that awaits this financial policy. This to me seems to be the very crucial crisis of our civilization. If our civilization withstands this continual shrinking of the volume of money it will be an exception in all history. No civilization has ever been able to withstand the continual and perpetual decline of prices. Prices must decline as other money is destroyed and gold takes its place.

But the Senator from Oregon tells us that he would invent some kind of credit that will only aggravate the evil. As I have before said, credit which is only redeemable in gold is deceptive. It may relieve for the moment. But the results that must follow will be still more terrible. It is like the man who has been indulging in alcohol. He takes a drink in the morning to revive him, but only to sink into deeper gloom later in the day. That is the condition of your credit, your bubbles. I am opposed to bubbles. I want the foundation of our financial system restored. We can not restore it through an international conference. That is absolutely impossible.

How, then, shall we restore it? I know of but one means. Open the mints to silver; adopt bimetallism; use either metal offered for coinage, and that is bimetallism; and if only one comes all right. There have been many times when only one came.

From the discovery of America until 1803, there was very little gold produced. Von Humboldt says there were 44 ounces of silver produced during that period for every ounce of gold. Gold played a small part in the revolution from the Dark Ages produced by the gold and silver from the New World. The great revival of the sixteenth century resulted from silver. Silver was and is better than gold because it is distributed among the people at large. It is the people's money. Gold has always been held by the rich for reserves. Silver has done duty as money and penetrated almost every region of the earth and enabled the people to prosper and advance.

This civilization is more indebted to silver than to any other cause for its existence. It was silver that broke the clouds of the Dark Ages. It was silver that raised the price of property throughout the world, and set willing hands to work to create property and acquire independence for themselves. When the people have property they will assert themselves. You see it in the vagrant; you see it in the tramp. You see how submissive and weak he is when he is starving, with no money. Give him wealth and he will assert himself. It is the privilege to acquire wealth and independence that makes free institutions. The English gold journals tell you that an increasing volume of money will increase democracy, because it will make the people independent, and a decrease in the volume of money will increase aristocracy, because it will make the people dependent. That is the theory which has been worked out here.

The Senator says we can not restore silver alone. We know that we shall have no help. The monarchies of Europe do not symphasize with democracy. They have refused for twenty years to listen to our supplications. We know we can get no help from that quarter. Is it possible that 70,000,000 people are utterly powerless to rescue themselves from the distressed condition into which the gold aristocracy has plunged them? We have examples in other countries older than ours. We know how India prospered when her mints were opened.

She paid the interest on her foreign debt; her exports increased more than fourfold; her factories were so increased that she supplied her own home market, so far as textile fabrics were concerned, and exported over $50,000,000 worth, mostly to China and Japan, the year previous to the suspension of coinage in that country. What has been the result since? Her exports have fallen off one-half. She is now issuing bonds and borrowing money. She got an authorized loan a few months ago, and a month ago she had used up $35,000,000 in defraying her expenses, with an anticipated deficit for the coming year of nearly $100,000,000. Suspension of silver coinage prostrated industries in that country; and you see in the papers rumors of an uprising of that people against the tyranny of gold contraction inflicted upon her by the greed of this British syndicate.

We saw Japan, that we have been taught to look upon as a semibarbarous country, establish woolen mills and cotton factories. I do not know the exact number, but I am told that one mechanic reports that he went out there this year to set up twelve of those establishments, the machinery going from England. Japan has established a steamship line to Bombay and other Asiatic ports, and she has prosperity. Look at the increasing manufactures of China. This policy will transfer manufacturing from Europe and give it to the Asiatics, who will have the advantage of money. They will take the place we now occupy if we submit to the iron yoke of the money rule, more galling than any other despotism, and from which all despotism flows

Look at Italy. Twenty years ago she had a Liberal Parliament. To-day her Parliament is a thing of the past. She sold gold bonds, increased taxation, and continued to do it until she has reached the end of her power to raise more money. During

the last year her army has been in the field to suppress the hungry people who were clamoring for bread. Her deficit last year was over $31,000,000. Next year there is a deficit staring her in the face said to be over $50,000,000. Taxation can not be increased to raise more funds. I am told that they have increased the income tax in that country to 24 per cent. They have about exhausted taxation, and they are at last discussing the necessity of selling their art treasures to bridge over the current year. That is the effect of incurring gold obligations without gold to pay.

We are adopting the same policy. We borrowed $50,000,000 on the 1st of last February. It will all be expended before the end of the present month. Our industries are prostrated and we are resorting to further taxation. We are following in the lead of Italy and all other countries who suppress industries by gold contraction. We propose to impose an income tax, and I want to say to my friends who have incomes acquired by the appreciation of gold, they must contribute to this scheme that they invented, and this trifling income tax is but the entering wedge for a 24 or 50 a per cent tax on incomes if the gold standard is maintained.

Break the corner on gold, liberate the people from the distress which they now suffer, and the burdens of this Government will be but a feather's weight. But now who is to pay the taxes? Who is making any money to pay taxes with? This bill, when it passes, may lull some people into the idea that it will relieve the situation, and they may breathe easier for a few days, but they will find that the bill, the same as the act of the extra session, will leave them on the downward road.

We were told here at the extra session, contrary to reason, contrary to philosophy, contrary to the first principles of mathematics, if we would destroy our silver, if we would stop issuing Treasury notes on silver, all would be well, that a boom would follow; and ambitious people invested in stocks anticipating a boom. Has the boom come? Can it come with the gold in the world cornered? Where is the $100,000,000 of gold that is free to-day? It is in the vaults of banks or in Government vaults for military purposes. It is held from the people as an instrument of oppression.

We are told that we have no redress. I do not advance any new scheme. I say this war on silver, this destruction of half of the basis of circulation, has done the evil, and to reverse the policy will restore the country. It has done more than to destroy it. The output of gold is consumed in the arts, and the wealthy who hold the gold obligations are gathering in and hoarding up for power and plunder what gold there is. Under the gold standard there is nothing left but harder and harder times, more and more misery, more and more tramps, more and more soldiers to keep the peace. That is the spectacle which is presented to us.

Is it possible that this is a scheme to make the people so distressed that they will rise in insurrection, to be put down by the military, and thus establish a military government in this country? It looks very much like it. How often do we hear people say what we want is a stronger government. I say what we want is a happier people. A happier people will take care of the Government without soldiers and without trouble of any kind. They have done it in this country, and if they will now rise in their might and demand the restoration of the money of the Constitution and repudiate the gold trust, we shall have freedom and prosperity in this country. It can come through no other source.

Mr. President, I did not intend to make a silver speech, but the remarks of the Senator from Oregon showing that he had some conception of the evils that afflict the country induced me to say what I have said.

Mr. CAREY. Mr. President, the Democratic party "moves in mysterious ways its wonders to perform." Why this blow should be made against the sheep-growing industry of the United Statesat this time is beyond the comprehension of any man who understands the industry as it exists in the country. In the West proper, that is west of the east line of Texas extended to the northeast corner of North Dakota, there are thirteen States and four Territories. With the exception of three States included therein, this great country scarcely had a political existence previous to the civil war. The country described has a population of 10,000,000 of people. One of their chief industries is the sheep business and the growing of wool. The Rocky Mountain States can not afford to lose this industry at this time. They can not afford to have it broken down. It is in some of these States and Territories the chief agricultural industry.

There are fully one-third of the sheep of the United States in the States and Territories alluded to.

If there was anything to be gained by the destruction of this industry, if we did not need the revenue that is annually derived from the industry, if we had more wool in this country than we consumed, there might possibly be some excuse for this proposed legislation. But no excuse can be found. No reason can be given, and no one has attempted to give a reason in this body, why the duties should be taken off. We feel a deep concern for this industry. It concerns my people.

The Republicans representing the States alluded to appear to have done all in their power to save this industry. If the Democratic Senators from the State of Illinois [Mr. PALMER] and from the State of Ohio [Mr. BRICE], or the two Populist Senators who sit on the other side of this body, or the two Democratic Senators who represent the greatest sheepgrowing State (Texas), had used one-tenth or one-eighth of the energy that was used by the Senators from the State of Louisiana to protect the sugar industry, the West would not have been left in the unfortunate position in which the pending bill places them. They would have secured a duty on wool.

Mr. PLATT. Does the Senator from Wyoming understand that there are any Populist Senators who sit on the other side of the Chamber now?

Mr. CAREY. When they last announced their politics they were members of the Populist party.

Mr. KYLE. Mr. President——

The PRESIDING OFFICER (Mr. FAULKNER in the chair). Does the Senator from Wyoming yield to the Senator from South Dakota?

Mr. CAREY. I do.

Mr. KYLE. I want to ask the Senator from Wyoming if he thinks the Populist Senators who sit on this side of the Chamber are members of the Democratic caucus and are able to control things as they are done on this side of the Chamber?

Mr. CAREY. It is not worth while for me to answer that question; but I say I am satisfied, and I know the Senator from South Dakota is satisfied, that if he and his associate of the Populist party on that side of the Chamber had stood up and made a manly fight for wool, I do not care whether it is inside the Democratic caucus or outside the Democratic caucus, they would have saved this industry in the West.

Mr. KYLE. It remains yet to be proved whether we are not making a fight for wool.

Mr. CAREY. I hope it will so turn out; and I shall make a very humble apology for alluding to it if you do.

Mr. KYLE. Suppose the Populist Senators shall vote for a duty on wool, would the Senator not be very much mistaken in his judgment upon this question?

Mr. CAREY. The Populist Senators will have to do then as the Democratic Senators do, refuse to vote for other provisions of the bill unless they give the West protection for wool. In this wise you can save the wool industry.

Mr. KYLE. Does the Senator from Wyoming imagine that we hold the balance of power on this side of the Chamber?

Mr. CAREY. You do if you will vote against the other provisions of the bill.

Mr. KYLE. I think the Senator will find when the vote is taken that the Populists do not hold the balance of power and that they are in no way responsible for the passage of any particular amendment or any provision in the bill.

Mr. CAREY. The people of the United States are against this measure. It is not necessary to go out and obtain the judgment of the people of the United States. It has been announced by one of the most distinguished Senators on the other side that there is no man sitting on the other side of this body who believes in all the provisions of the bill or who would frame such a bill, if any one of them had the framing of this measure. It is neither a protection bill nor a free-trade bill. It is not in accord with the Democratic platform. I can not see why any member on the other side can refuse, since they have fixed up the bill in the manner they have, to give us some protection on wool. If you can not give us the protection that is in the McKinley act give us half of the protection in the McKinley act.

I believe the Democratic party is against this measure. I only have to call attention to Democratic newspapers to establish the fact. The Democratic papers of the United States have but few words of commendation in favor of the bill, while such newspapers as the New York Sun, the Evening Post, the Brooklyn Eagle, the Philadelphia Record, the Philadelphia Times, the Baltimore Sun, the Louisville Courier-Journal, the Chicago Times, the Cleveland Plain Dealer, condemn all or many of its provisions. Even the American Industries, the Democratic official organ of tariff reform, founded, I understand, by Josiah Quincy, the late dispenser of Democratic pudding, indorsed, as the paper is by many of the leading Democrats in this country, has devoted its columns for weeks to showing the bill to be in many respects false to Democratic theories. The Washington Post, which we all must confess is one of the ablest and most influential papers in the United States, not managed in the inter-

est of any political party, recently summed up the situation in the following editorial.

The Post says:

"WRERE ARE WE AT."

The triumphant columa that entered Washington a year ago with Grover Cleveland at its head and took complete possession of the executive and legislative branches of the Government with such loud-sounding promises of reform and prosperity is already on the eve of a panic that may end in a rout without a parallel in the political history of the country, and the promised land into which they have entered be turned over to their old enemies.

Divided counsels and an army of stragglers are working the dissolution.

The Minnesota Democratic committee issued a proclamation reading out of the party eight Senators, headed by GORMAN, HILL, and BRICE.

Gov. Tillman of South Carolina serves notice on the Washington Democracy that he is done with them, and that a new Democratic party will be organized without New England and the Eastern Middle States.

Ex-Gov. Russell of Massachusetts, at the head of the Democratic army in New England, makes a raid on Senator HILL and his friends that means a war of extermination.

Senator VOORHEES's organ at Indianapolis declares that HILL is a hypocrite and a pretender, a Democrat no longer, and the most unprincipled apology for a statesman since the days of Aaron Burr.

Brother Dana, in the Sun that shines for all, says that Mr. Cleveland is destroying the Democratic party by making war on its regular organizations, and is trying to build up a Cleveland party.

That staid and reliable Sun that shines in Baltimore says that there is a reaction going on in the country "against Democratic methods and in condemnation of Democratic cowardice, imbecility, and incompetency, especially as exhibited in the conduct of the Democratic majority in Congress."

From away out in Montana, where it was supposed the Democracy had an intrenched camp, comes word that the Democrats are going to fight under the Populist banner hereafter.

For the last six months there has been an almost unbroken series of Democratic disasters at the polls, and the strange spectacle is seen of the old and reliable strongholds reversing their positions, and to the utter amazement of the leaders on both sides roll up steadily increasing majorities for the Republican tickets, delivering old strongholds that were considered impregnable to the enemy without a struggle.

Brooklyn, Albany, Jersey City, Newark, Chicago, Milwaukee, Kansas City, Indianapolis, Columbus, St. Louis, Cincinnati, Cleveland, Buffalo, and hundreds of smaller cities, with the great State of New York and the smaller kingdom of New Jersey, are all treading new political roads that lead away from the Democracy.

The feeling of alarm and unrest that is spread over the country is doing its work.

Big Tom Reed tauntingly says that the Democratic mortality will be so great next fall that their dead will be buried in trenches and marked "unknown."

It is over six months till the fall elections, and there is still time for another revolution.

Abraham Lincoln walked into the War Department one day, and was handed a telegram by the great War Secretary stating that Gen. Burnside had been chased near a hundred miles in East Tennessee, and was still running, with heavy losses of men and baggage. Lincoln exclaimed, "That is really good news," and on being asked for an explanation said he had been afraid that there was not enough of them left to run, so even the last returns from Rhode Island are capable of a humorous side for Mr. Cleveland.

Time alone will tell "where we are at."

When the foregoing was written elections had not been held in Illinois and in Oregon. These expressions all tell of the public sentiment in the United States in reference to the pending tariff bill. Take for instance the election in the State of Oregon, a State which for years has been evenly balanced between the political parties. It is stated that in the election last week the combined opposition to the Republican party only elected 8 members to the Legislature, 7 of whom were Populists. Only 1 Democrat was elected in an election affecting 75 members, distributed all over the State.

Mr. President, I say there is no reason for the destruction of the wool industry of the United States. We consume 500,000,000 pounds of wool. We produce but about half of that quantity. During the last thirty years there has been a great increase per capita in the consumption of wool in the United States. Our people are using more wool. The increased facilities for turning wool into manufactured products make it more available for all classes of people. Why the industry should be stricken down, why the extreme Western States—these new States which need this industry—should be punished in the way it is proposed to punish them in the bill I can not understand.

I have been told repeatedly during the last three or four days that if the chains were taken off the members of this body who sit on the opposite side of the aisle and they were permitted to vote their sentiments in reference to wool, that we would receive the votes of probably half the members who occupy seats on the Democratic side of the Chamber in favor of a duty on wool.

Woolgrowing is an agricultural employment. It gives employment to a great many men. It utilizes large quantities of waste land. It is an industry that is always engaged in during the transition period, between the time when a country is sparsely settled and the time when it is becoming thickly settled. We need the industry in the West.

We can not afford to abandon it at this time. We have made every appeal possible to save this industry, but it seems to be the decision of the Democratic side that if nothing else is saved of the Wilson bill they will save the one provision, and that wool shall be put on the free list. It has been stated that we have to have the foreign wool. It is true we will have to have a very considerable quantity of the foreign product until we have greatly increased the industry in the United States, but we are to-day producing every conceivable kind of wool in the United States, the coarse wools and the fine wools. During the last ten years we have been making great progress in this industry, improving the breeds of sheep, increasing the quantity of the fleece, and improving its quality.

The Senator from Texas [Mr. MILLS] has repeatedly stated that he believes that if wool were put on the free list the price of wool to the woolgrower in the United States would be increased. I do not propose to go into this question, as it has been very fully discussed by other Senators on this side of the Chamber. I have tables of London and American prices before me which show during given periods much greater reductions in the prices of wool relatively in London than in the United States. By comparison we will find on the wools which are made the standard in the determination of prices, that while for eleven months, commencing, I think, in May, 1891, wool decreased 26 per cent in the London markets, it decreased only 6¾ per cent in the American markets.

I believe in fair play. In considering the industries of the United States each industry is entitled to consideration at the hands of the National Legislature. If you protect one industry other industries are entitled to protection. If you strip our system of what is known as protection, if we raise our revenues in the same manner in which revenues are raised by the British Government, then no industry will have the right to complain. I believe in protection, but I believe in fair play. It was said a few days ago by the Senator from Texas that he would raise all the revenue on a few articles, naming them. We need the duty. It is not good policy to sell bonds to pay current expenses of the Government. Wool and woolen goods are good revenue producers. The following table speaks for itself:

Imports of wool and manufactures of wool for fiscal year ending June 30, 1891, 1892, 1893, 1894, under the McKinley law, together with amount of duties collected on same.

Year ending June 30—	Imports of wool.		Duties collected.	Specific (or per pound) duty collected.	Ad valorem duty collected.
	Pounds.	Value.			
				Cents.	*Per cent.*
1891	129,303,648	$18,200,000	$6,500,000	5	35½
1892	148,670,652	19,600,000	7,750,000	5½	39½
1893	168,433,836	21,000,000	8,250,000	4.9	39½
1894*	48,792,168	6,000,000	2,300,000	4.9	38½
Total	495,200,304	64,800,000	†24,800,000		

Year ending June 30—	Imports of manufactures of wool.	Duties collected.	Rate of duty collected (ad valorem).
			Per cent.
1891	$41,000,000	$34,500,000	84.14
1892	35,500,000	34,000,000	95.77
1893	38,000,000	37,000,000	97.37
1894*	22,500,000	21,900,000	97.37
Total	137,000,000	‡127,400,000	

*The figures for 1894 are all estimates based on the reported imports for first nine months of the fiscal year ending June 30, 1894.

†This $24,800,000 duties collected on wool are, by the pending bill, to be given away at a time when the Government needs revenue.

‡This $127,000,000 duties collected on woolen manufactured goods, which are almost exclusively luxuries used by the wealthy classes, are by the pending bill to be reduced two-thirds, thus making a present to the wealthy classes of over $80,000,000. This loss of revenue of over $100,000,000 heretofore collected under the McKinley law on wool and woolens is to be replaced by a tax on sugar, a necessary of life, the per capita consumption of which is as great by the poor as the wealthy.

On three or four articles—sugar, tea, coffee, and spices—articles which can not be produced in this country, or of which we can not produce sufficient quantity to supply our own people, we could raise revenue equal to that raised under the McKinley act—$200,000,000. But that has not been the theory upon which this Government, from its foundation, has raised its revenue. The Democratic party sometimes preaches free trade, but the Democratic party has not at any time, so far as its action has been concerned, gone entirely to free trade. The pending bill has protection in it. Now, if you protect other industries, the wool industry is entitled to protection. If you protect raw material, and you say that wool is a raw material, something I do not admit, then wool is entitled to protection. This discrimination is unjust, it is unfair; and I do not see how the Democratic party can consistently go before the people of this country, especially the farmers of this country, with wool on the free list, while iron ore and coal are on the dutiable list.

Mr. KYLE. Mr. President, I did not intend to take part in

the discussion of the wool question or in the discussion of any question connected with the tariff bill now under consideration, but a few words are demanded, inasmuch as Populists we have been charged by Senators on the other side of the Chamber with taking a position which is in direct opposition to the views of the people of our respective States; in other words, that we are coöperating with the Democratic party at the expense of the interests which we represent.

No question has been bandied back and forth like a football more than the tariff, and it is still the bone of contention in Congress and the subject for stump speakers in the field. No campaign is carried on without it. No Congress has done its duty till it has tinkered with it. And yet the enigma is as far from solution as it was fifty years ago. It will remain unsettled and unsolved as long as selfish interests conflict and the greed of man is unsatisfied. That the tariff is a local question is demonstrated more clearly at this time than ever before, when tariff reformers forsake cherished theories to scramble for a share of the coveted spoils.

Selfish interests creep into the formation of any bill in spite of cherished tariff doctrines, and few of us will be satisfied with any measure that can be passed.

I think that the teachings of a hundred years should have a trial, and every restraint as to intercourse between this and foreign nations be removed so far as is consistent with revenue. The elections for the past few years show conclusively that the people have not been satisfied with the legislation of the past thirty years. The great West, now the center of power in this Government if she chooses to exercise it, has voted with the East on this question merely for the sake of harmony—not because they have ever gotten anything in return. They have voted gold into the pockets of Eastern manufacturers, but have themselves fed on the husks of promises.

What has the country west of the Mississippi River to do with the system of protection? What has the United States to do with it, except a small Northeast section? And yet Western voters have never failed to dance when the Eastern capitalist piped.

Thirty years of this régime, Mr. President, has brought us to the verge of national poverty, if not bankruptcy. I do not claim that the tariff system is the greatest evil the country contends with, but it is second in importance to the money question. By indirect taxation the pockets of 60,000,000 of people are drained in order to make millionaires of a favored few.

In other words, the most threatening national evil to day—centralization of wealth—is encouraged and built up by the tariff system.

Mr. President, we are now dealing with one of the most important schedules of the present tariff bill—the citadel of the protected interests. To clothe our people is a great problem, and a tax on clothing may be made a national burden. In dealing with this question we wish to be fair to woolgrowers, and yet preserve the interests of all the people.

I recognize just as well as does the Senator from Wyoming the importance of the wool industry.

We have in the United States millions of acres of the best grass lands, a genial clime, and an energetic population. We have to-day more than 45,000,000 of sheep, valued at nearly $90,000,000. We produced in 1893 more than 300,000,000 pounds of wool. Here are the complete tables from the statistical abstract of 1893 showing the number and value of sheep from 1869 down to 1894, together with the quantity of wool produced, imported, and exported:

January 1—	Sheep.	
	Number.	Value.
1869	37,724,279	$82,139,979
1870	40,853,000	93,364,433
1871	31,851,000	74,035,837
1872	31,679,300	88,771,197
1873	33,002,400	97,922,350
1874	33,928,200	88,690,569
1875	33,783,600	94,320,652
1876	35,935,300	93,066,318
1877	35,804,200	80,892,683
1878	35,740,500	80,603,062
1879	38,123,800	79,023,984
1880	40,765,900	90,230,537
1881	43,576,899	104,070,759
1882	45,016,224	106,595,954
1883	49,237,291	124,365,835
1884	50,626,626	119,902,706
1885	50,360,243	107,960,650
1886	48,322,331	92,443,867
1887	44,759,314	89,279,926
1888	43,544,755	89,872,839
1889	42,599,079	90,640,369
1890	44,336,072	100,659,761
1891	43,431,136	108,397,447
1892	44,938,365	116,121,290
1893	47,273,553	125,909,264
1894	45,048,017	89,186,110

Quantities of wool produced, imported, exported, and retained for consumption in the United States during 1840, 1850, 1860, and from 1863 to 1893, inclusive.

Year ending June 30—	Production.b	Exports of domestic.	Domestic retained for consumption.	Imports.	Exports of foreign.	Foreign retained for consumption.	Total consumption, domestic and foreign.	Per cent of consumption, foreign.
	Pounds.	*Pounds.*	*Pounds.*	*Pounds.*	*Pounds.*	*Pounds.*	*Pounds.*	
1840a	35,802,114	----------	35,802,114	9,808,740	85,528	9,813,212	45,615,326	21.5
1850	52,516,959	35,898	52,481,061	18,695,294	----------	18,695,294	71,176,355	26.3
1860	60,264,913	1,055,928	59,208,985	26,282,955	157,064	26,125,891	85,334,876	30.6
1863	106,000,000	355,722	105,644,278	75,121,728	708,850	74,412,878	180,057,156	41.3
1864	123,000,000	155,482	122,844,518	91,250,114	223,475	91,026,639	213,871,157	42.6
1865	142,000,000	466,182	141,533,818	44,420,375	679,281	43,741,094	185,274,912	23.6
1866	155,000,000	973,075	154,026,925	71,287,988	852,045	70,435,943	224,462,868	31.0
1867	160,000,000	307,418	159,692,582	38,158,382	619,614	37,538,768	197,231,350	19.0
1868	168,000,000	558,435	167,441,565	25,467,336	2,801,852	22,665,484	190,107,049	11.9
1869	180,000,000	444,387	179,555,613	39,275,926	342,417	38,933,509	218,489,122	17.8
1870	162,000,000	152,892	161,847,108	49,230,199	1,710,053	47,520,146	209,367,254	22.7
1871	160,000,000	25,195	159,974,805	68,058,028	1,305,311	66,752,717	226,727,522	29.4
1872	150,000,000	140,515	149,859,485	126,507,409	2,343,937	124,163,472	274,022,957	45.3
1873	158,000,000	75,129	157,924,871	85,496,049	7,040,386	78,455,663	236,380,534	33.2
1874	170,000,000	319,600	169,680,400	42,939,541	6,816,157	36,123,384	205,803,784	17.5
1875	181,000,000	178,034	180,821,966	54,901,760	3,567,627	51,334,133	232,156,099	22.1
1876	192,000,000	104,768	191,895,232	44,642,836	1,518,426	43,124,410	235,019,642	18.3
1877	200,000,000	79,599	199,920,401	42,171,192	3,088,957	39,082,235	239,002,636	16.3
1878	208,250,000	347,854	207,902,146	48,449,079	5,952,221	42,496,858	250,399,004	16.9
1879	211,000,000	60,784	210,939,216	39,005,155	4,104,616	34,900,539	245,839,755	14.2
1880	232,500,000	191,551	232,308,449	128,131,747	3,648,520	124,483,227	356,791,676	34.9
1881	240,000,000	71,455	239,928,545	55,964,236	5,507,534	50,456,702	290,385,247	17.3
1882	272,000,000	116,179	271,883,821	67,861,744	3,831,836	64,029,908	335,913,729	19.0
1883	290,000,000	64,474	289,935,526	70,575,478	4,010,043	66,565,435	356,500,961	18.7
1884	300,000,000	10,393	299,989,607	78,350,651	2,304,701	76,045,950	376,035,557	20.6
1885	308,000,000	88,006	307,911,994	70,506,170	3,115,339	67,480,831	375,392,825	18.0
1886	302,000,000	146,423	301,853,577	129,084,958	6,534,426	122,550,532	424,404,109	28.9
1887	285,000,000	257,940	284,742,060	114,038,030	6,728,292	107,309,738	392,051,798	27.4
1888	269,000,000	22,164	268,977,836	113,558,753	4,359,731	109,199,022	378,176,858	28.9
1889	265,000,000	141,576	264,858,424	126,487,729	3,263,094	123,224,635	388,083,059	31.8
1890	276,000,000	231,042	275,768,958	105,431,285	3,288,467	102,142,818	377,911,776	27.9
1891	285,000,000	291,922	284,708,078	129,363,648	2,638,123	126,665,525	411,373,603	30.8
1892	294,000,000	202,456	293,797,544	148,070,652	3,007,563	145,663,089	439,460,633	33.1
1893	303,153,000	91,858	303,061,142	172,433,838	4,218,637	168,215,201	471,276,343	35.7

a Year ending September 30. b From estimates of the Department of Agriculture.

I recognize that we have in our own State upwards of 325,000 sheep. I recognize that the industry is increasing from year to year. I recognize that from the Missouri River to the Rocky Mountains the raising of sheep is one of the important industries, and that to strike it down means a very great wrong and injustice to the people of that region. I understand that the farmers of the West are already overburdened with taxation, and are scarcely able to make a living upon their farms. Wheat-raising pays no longer. It does not pay to raise corn or flax or oats. We are now, I fear, sounding the death knell of the sugar

industry of the West, which is beginning to make itself one of importance, and now it is said that to destroy the wool industry will be the last and the greatest blow.

But, Mr. President, I am not prepared to say that we are striking down the wool industry by placing wool upon the free list. For my own part, and I speak for but one member of the Populist party, I am not afraid of placing wool upon the free list. The advantage accruing to the American people because of the reduction in the cost of clothing will more than compensate for the destruction of the duty upon wool.

Let me read a few letters which I happen to have in my desk, to show the Senator from Wyoming [Mr. CAREY] something of the sentiment of the woolgrowers of the West. I believe many of them to-day realize they can raise wool upon the prairies of Dakota and Nebraska and Wyoming as cheaply as it can be raised upon the continent of Australia or in South America, the statements of the Senators upon the other side of the Chamber to the contrary notwithstanding. Here is an article from the Sheep Breeders' Gazette, which is quoted approvingly by one of the largest sheep-growers in South Dakota. The writer says:

Contrary to the general impression the Australian flock-owner does not have his pasturage free. He must either own the land or pay the government for its use. For this reason, and the varying carrying capacity of lands, the consul finds some difficulty in estimating the actual cost per sheep, and states:

"Estimates, however, have been made by experts, which doubtless proximate the actual cost, and which may form something like a guide for those interested in comparing the cost of wool production. The cost of rent for pastoral land varies from a nominal sum to about $1.84 per acre per annum. The cost of rent in an averge district, say for a well-improved freehold country, with a good rainfall and capable of carrying one sheep to the acre, would be about 73 cents per acre, and if capable of carrying two sheep to the acre, it would be from $1.45 to $1.95 per acre; the average cost in the dry districts would be about 18 cents per acre. He then sums up the cost of production as follows:

Rent	$0.73
Carriages (improvements, etc.)	.05
Rams, annual cost	.02
Assessments, rabbits, etc	.02
Expense of management	.16
Shearing, pressing, and packing	.09
Total expense per sheep	$1.07

"Against this is placed the credit of $1.17 for wool, and "returns of sales fo fat sheep or stores (allowing 75 for increase and $1.68 for net sales)," making 49 cents more, or gross increase per sheep of $1.66, and leaving net profit of 59 cents per head."

The above extract from an article in The Breeders' Gazette, on the comparative costs of growing wool, shows figures that ought to encourage woolgrowers in this part of the country.

That is, the Black Hills—

Reliable men who are in the business here in the Hills, claim that sheep can be kept in bands of 1,000 or more, at a cost not to exceed 75 cents per head which is 32 cents less than it costs in Australia, where our severest competition comes from.

This is sent to me by a man who, I presume, is one of the largest sheep-growers in the Black Hills region, and perhaps one of the largest in the State of South Dakota. I have some other correspondence which, although it is very interesting, is very voluminous, and I shall not burden the Senate by reading very much of it. But I wish the Senate to know something of the sentiment of our sheep-growers. I am not quoting the words of fancy farmers, full of theory but wanting experience, but those rather of actual sheep-growers who understand something of this question. Here is the opinion of one, D. A. Williams, of Grant County, S. Dak.:

D. A. Williams, one of the most intelligent farmers of this county who called at the Review office a few days ago, one who is quite extensively engaged in sheep-raising, stated that notwithstanding the low price of wool he was making money at the business, and that he did not fear having the tariff entirely removed from wool, but he wanted the tariff also taken off manufactured goods. He said that he seriously doubted whether the tariff on wool increased the price to the American farmer, but even if it did that the difference was more than made up in the higher prices he was compelled to pay for the manufactured goods he had to buy. Here is a farmer—

Says the editor—

who does not claim to be a statesman, but who has intelligently studied from cause to effect, and clearly understands the deception that has been practiced upon the agriculturist by the high tariff taxers.

I have here one more, and it comes from the State represented by the Senator from Wyoming [Mr. CAREY], who preceded me in this discussion. The Minneapolis Times says:

Wool and Mutton, a paper printed in this city, "devoted to the wool and mutton interests of the United States," quotes approvingly the statement made by ex-Senator Warren of Wyoming, before the national convention of the National Woolgrowers' Association in Washington last month, that—

"There were 4,000,000 people directly interested in the growing of sheep and wool, with a direct investment in that industry of $200,000,000 and an additional $300,000,000 indirectly interested. To all these the Wilson bill meant practical annihilation. * * * Putting wool on the free list, in brief, meant the damage of an investment of $500,000,000—the annihilation of 47,000,000 sheep now being raised for their wool, and the removal of employment of 1,500,000 people."

The editor goes on to remark:

Of course, as one of the prophets of high protection, Wool and Mutton echoes this lamentation over the blue ruin which is going to overtake the poor woolgrowers as soon as the new tariff goes into effect. This recalls the attempt last December to collect ammunition in the shape of letters from sheep farmers for the artillery of debate to be fired off at the Wilson bill. A series of questions were propounded in a circular letter to sheep farmers, with the request that the answer be sent to Hon. JULIUS C. BURROWS, the Michigan apostle of McKinleyism.

One of the sheep farmers thus appealed to for facts furnished a mass of useful information, which, though not at all what Mr. BURROWS and his associates sought for, or had any use for, is of timely interest to the general public, who only want to get at the truth about these tariff problems and are not concerned as to whose theories are damaged thereby. This particular woolgrower dates his instructive letter from Carbon, Wyo.

The Senator's own State.

Replying to the inquiry, just why wool can not be grown as cheaply in this country as in Australia or other foreign countries, he says: "There is no reason why we can not grow wool as cheap, if not cheaper, here than any other place in the world."

In response to the vital question, what did wool net you on the farm or ranch during the past season in comparison with previous ones? Mr. BURROWS got some very discouraging disclosures. This Wyoming woolgrower states that he netted 9½ cents per pound for what he has sold of his 1893 clip; that the clip of 1892 netted him 14 cents per pound, and that the clip of 1891, sold before the McKinley law went into effect, netted him the best price of all, 17 cents per poond. This fact, altogether unavailable as it is for high-protectionist orators and organs, was clinched by the further testimony of this candid Wyoming woolgrower. "My experience," he wrote, "during the past season is that it is the dullest I have had, in spite of the fact that there is a duty on the foreign wool that amounts to more than the value of mine." He insisted that the American has the advantage of the foreigner in the wool-growing, "and wool sells for less under the McKinley law than ever before."

The closing sentences of this plain-spoken woolgrower's reply is particularly notable, which it is not at all likely that Wool and Mutton will care to quote. "In summing up this whole business," says he, "I have come to the conclusion that we have nothing to hope for from protection, as the duty on foreign wool is more than the price of American wool. We have nothing to fear from the foreign woolgrower. The cause of the depression in the wool business is that the manufacturers and commission men have taken advantage of the tariff agitation and general business depression to put down prices, so that they can get wool for their own prices."

There is quite another standpoint to which the attention of Wool and Mutton is respectfully invited. This is the standpoint from which free wool can and will be justified—the standpoint of the woolen clothing and carpet manufacturers, whose business will be built up by it, and the yet broader standpoint of the general mass of the consumers, whose clothing and carpets will be reduced in cost. At the same time it is reassuring to the friends of true tariff reform who do not desire to injure any American industry in the process of reducing and equalizing tariff burdens, to learn from the testimony of the men who know best—the woolgrowers themselves—that the McKinley duties have not really helped them at all, and that the transfer of wool to the free list will not hurt them; moreover, that it will liberate them from the clutch of the protectionists, who are now able to combine under the shelter of the high tariff on foreign wool, to dictate low prices for the American clip.

Mr. POWER. Will the Senator from South Dakota allow me to interrupt him?

Mr. KYLE. Certainly.

Mr. POWER. What is the name of the correspondent whose statement the Senator is reading?

Mr. KYLE. The article is from the Minneapolis Times.

Mr. POWER. I thought the Senator read a letter from a correspondent.

Mr. KYLE. The name of the correspondent is not given, but he lives at Carbon, Wyo.

Mr. POWER. I should like to know his name. I am afraid he is holding an office under the present Administration.

Mr. KYLE. I rather think he is not, although I do not know.

Mr. POWER. I should like to have his name.

Mr. KYLE. I presume the Senator from Wyoming knows——

Mr. POWER. If the Senator will give me the name of the correspondent we should like to look it up.

Mr. KYLE. If the Senator from Montana will wait, before I get through I will give him some names. The letter is not one from my own State, and the correspondent's name is not given in the article referred to.

Mr. CAREY. As the Senator from South Dakota says he read the article for my benefit, I wish to call his attention to a letter which is published on page 357 of a memorial presented to the Senate by the Senator from Ohio [Mr. SHERMAN] January 17, 1894. The letter is an anonymous one, and the Senator will find it very fully answered in this document by my late colleague, Hon. F. E. Warren. It is an anonymous letter, and we have not been able to have any person living inside the State acknowledge that he wrote the letter.

Mr. KYLE. I am glad the Senator from Wyoming has brought the matter to the attention of the Senate. I do not know the gentleman at all, but no memorialist would probably print such a letter from an anonymous correspondent.

Mr. CAREY. I do not know him.

Mr. KYLE. But I have no doubt he represents the views of many woolgrowers there. I will read now an article written by W. F. McCulloch, of Jessie, N. Dak.:

I am a woolgrower, and have as good sheep perhaps as can be found in the country I live in. Yet, I am not a woolgrower who wishes the Democratic party in hades on account of their free-trade principles. I never voted a Democratic ticket in my life—

I presume, therefore, he is not a Democrat—

but I can not understand why farmers with sheep want protection on wool when they must know that they can not be benefited by a tariff on wool, unless they form a combination and set their own price. This they have never done and never will.

Farmers of ordinary intelligence must know that this high-tariff policy in the past twenty-eight years has nearly doubled the price of what they bought. They must know that the purchasers of their wool fixed both the price of their wool and their coats. The manufacturers were in a position to take the benefits of the protection, charging the farmers two prices for woolen clothes, while they never paid him the amount of the tariff extra for the wool. The American farmers, very many of them, may not know that $15 worth of woolen cloths on the Canadian side, a few years ago, would sell on the American side for some $30 to $35, and other supplies in proportion, while the American farmers got less for their wheat, corn, cattle, hogs, etc., at Chicago than the prices paid at Toronto in Canada. Now, these are more than mere assertions, for the writer lived beside the line, between the two countries, where smuggling goods was carried on day and night by men, women, and boys. Some women made more at one trip with smuggled goods than they could working out for a year.

Of all classes on the face of the earth the American farmer has been humbugged and fooled the worst, and largely by a lying press, whose interests lay in another direction than that of the toiling masses and the good of this Republic. Do our farmers, having a few sheep, expect to get less for their wool under a low tariff than they have been getting the past few years under the highest tariff the world has ever known?

When will the American farmer awake and take a look around him, rather than be stuffed by interested corporations? When will the American farmer wake to the fact that after more than twenty-five years of the highest tariff on wool and woolens that the world has ever known we find the masses without sheep, the farmer having sheep being the exception, and not the rule?

And what is the result when the farmer takes his wool to market? He returns home with the sweepings of the mill or the rags of the Old World ground up and battered into some cotton for his share in the sheep. What part or parcel can the American farmer have with his sheep, himself being clothed with rags, shoddy, and cotton? Wool is taxed so high that his purse can not reach it. Remove the tariff from wool and woolens, and allow the American farmers to clothe themselves with the wool that grows on their sheep, and their hearts will warm up. They will draw nearer together and prosper.

We are daily reminded that "without a protective tariff we would have no sheep." How do those high-tariff preachers account for the fact that our Canadian neighbors, a people in all their early history, and up till of late, with wool and woolens on the free list, instead of having no sheep, have the hills and dales of their country alive with the best sheep the world ever saw? Nearly every man who tills the soil has sheep, and not something resembling a cross between a coyote and a wolf, as the bulk of our American sheep do.

Mr. POWER. Will the Senator from South Dakota yield to me?

The PRESIDING OFFICER. Does the Senator from South Dakota yield to the Senator from Montana?

Mr. KYLE. Certainly.

Mr. POWER. The latter part of the article which the Senator has read refers to sheep in Canada.

Mr. KYLE. It refers to the grade of sheep in Canada.

Mr. POWER. With the permission of the Senator from South Dakota, I wish to give him a little history as to the matter.

Mr. KYLE. The gentleman who wrote the article lives on the line.

Mr. POWER. I also live near the line, and I wish to give the Senator the facts.

Mr. KYLE. The Senator from Montana can state the facts when I get through.

I know personally many of the people in Upper Canada, along Lake Erie, Lake Ontario, and part of Lake Huron. Numbers of them came from the States of Ohio and New York in early years. They are the best farmers of North America. They have the very best sheep that are known in the country to-day. I wish to read a short letter, written by a gentleman in my own State with his own hand, which explains the sentiments of one who, I think, is a just man as well as a man who knows about sheep. He says:

As members of Congress seem so anxious to protect the farmers and especially on wool, I will give you a few facts in regard to my own county and State. I learn from the auditor of this county (Davison) that we have a population of about 7,000 and about 1,400 voters, and there are not ten farmers in the county who own sheep. In my own township we have a population of about 3,00 and about 60 voters, and I am the only man in the township who has any interest in sheep.

I now ask, would it be just and fair that 7,000 people should be taxed in order that we ten farmers might obtain a few cents more for our wool? I think not. Every man, woman, and child must have woolen clothing. We all must use coal or hay for fuel. We must have lumber. Some of us love to wear white shirts with collars and cuffs, and all of us desire to be protected from a protective tariff. We desire the income tax, and all of the farmers will gladly welcome the day when we have it to pay.

This is a man who, I believe, represents the sentiment of a great many people throughout the Western country, that though they may have a few sheep, and even though a protective duty upon raw wool would benefit them a little, yet they feel that little is more than overcome by the duty which they are compelled to pay upon the clothing they buy.

These views are also expressed by Mr. R. W. Kennedy, of Oakville, N. Dak., in a plain, matter-of-fact way.

A TARIFF QUERY.

R. W. Kennedy, of Oakville, N. Dak., in renewing his subscription to the Farmer for the coming year, adds to his letter the following:

"Seeing some of your contributors are not backward to show their political inclinations through your columns, and as you permit them to do so, I would like to ask Mr. M. F. G., and other sheep and wool men who hold similar views, why, if their business is such a favored one, and so well adapted to this country, as they tell us, and so much superior to that of the wheat-grower—why can not they stand on their own legs without props or crutches? Now, there are probably twenty in the Dakotas who buy wool in the shape of clothing for every one who raises that commodity for sale. Now, why, by a protective tariff, must these twenty poor, struggling wheat-growers and their families be taxed in order to help this great sheep and wool man to stand on his feet?

"Why should the laborers in busy factories all over this broad country, and the poorly paid miners, come up from their dreary toil, and be requested to contribute their pennies to support these great leading sheep and wool men? Truly, selfishness renders men as blind as it makes them mean.

"Oh wad some power the giftie gie us
To see oursel's as others see us!"

Mr. President, I have not stated, perhaps, what action I may take upon this floor. It may not be just for the farmers of this country to sacrifice everything upon raw wool while the manufacturers are still holding the lion's share. Although I have read these letters in your presence to-day, representing the sentiment of some farmers, there are other farmers, and many of them, who say that if the manufacturers are to have everything in sight they do not wish to be left out and have no duty upon raw wool.

I now ask your attention to a little document, entitled Imported Merchandise, 1893, prepared by the Finance Committee, and for the benefit of the people who read the RECORD I will compare the duties paid under the McKinley act with the duties proposed under the pending bill. The first is yarns:

	Average ad valorem under—		
	Present law.	House bill.	Senate bill.
Yarns, woolen and worsted:			
Valued at not more than 30 cents per pound	278.66	30	30
Valued at more than 30 and not more than 40 cents per pound	118.79	30	30
Valued at more than 40 cents per pound	105.42	35	30
Cloths, woolen or worsted:			
Valued at not more than 30 cents per pound	163.09	40	40
Valued at more than 30 and not more than 40 cents per pound	114.86	40	40
Valued above 40 cents per pound	99.50	40	40

Now, here is the blanket list. Blankets are a great necessity among the people, and it is the complaint of the American farmer that he can take almost his entire wool product to market and scarcely be able to bring blankets enough home to supply his family:

	Average ad valorem under—		
	Present law.	House bill.	Senate bill.
Blankets:			
Valued at not more than 30 cents per pound	88.22	25	25
Valued at more than 30 and not more than 40 cents per pound	100	30	30
Valued at more than 40 and not more than 50 cents per pound	103.90	35	35
Valued at more than 50 cents per pound	80.33	35	35

The next is a very important article of consumption amongst the farmers of the United States—flannels for underwear:

	Average ad valorem under—		
	Present law.	House bill.	Senate bill.
Flannels for underwear:			
Valued at not more than 30 cents per pound	84.90	25	25
Valued at more than 30 and not more than 40 cents per pound	103.51	30	30
Valued at more than 40 and not more than 50 cents per pound	103.22	35	35
Weighing over 4 ounces per square yard	96.54	40	40

Mr. President, these are but samples of the exorbitant charges, or what we have regarded in the West as next to highway robbery, placed upon us by the McKinley act on the clothing we wear on our backs. Yet there are Senators upon the other side of the Chamber who are inveighing against Democratic Senators for voting for a duty upon sugar, and against the Populists for coöperating with them, because, forsooth, this article is a necessity of the American people. I would like to know if clothing is not also a necessity. Every man, woman, and child in our country must be clothed. In our Northwest country we can get along without sugar if it comes to the pinch, but we can not get along without clothing.

The question occurs to us many times whether we need even such exorbitant duties as those which are proposed to be imposed under the present Senate bill.

I have made some computations in regard to the reductions. The average under the McKinley act, reducod to an ad valorem basis—many of the duties in that act are specific and many are ad valorem—is 98.62 per cent upon wool and woolens. The average ad valorem duty upon raw wool is 44.30 per cent.

The average upon woolens alone is 88.96 per cent. The bill as it now stands has cut the duty upon woolens 53.7 per cent; in other words, it is cut from 93.62 per cent, as given in the schedule, to an average of 41.13 per cent. That is a remarkable fall, and the people of the country will rise in gratitude to the framers of this bill because they have been able to cut down the duties upon this great necessity.

But I ask in all honesty, have the rates been cut low enough yet? Are not the marks of the woolen manufacturers still in this bill? Have these men not been lingering near the Finance Committee; have they not been button-holding the members upon this side of the Chamber, as well as those upon the other side, to protect their interests, and are they not protected? I have heard it hinted upon both sides of the Chamber that the manufacturers are satisfied with the present woolen schedule, and will be glad and thankful when it goes through.

The first question that will be put to me when I go to the West, will be whether I could not have done something to scale down the duties from an average of 41.13 per cent to perhaps 30 or 35 per cent as a compensation for the reduction of the duty upon raw wool.

Mr. HAWLEY. Will the Senator allow me to ask him a question?

Mr. KYLE. Certainly.

Mr. HAWLEY. Is it a matter of entire indifference to the Senator whether clothing be made in this country or abroad?

Mr. KYLE. It is not a matter of so much difference to me, but I tell you it is to the people in my section of the country. I can point you to American citizens living on the prairies of my State. They are honorable men and women, some of whom came from the Senator's own State of Connecticut, who were educated in your schools, men with as noble aspirations and purposes in their hearts as ever were formed, and women who are as tender in their affection for their children and as noble in every respect as can be found anywhere on the face of the earth. They are to be found on our broad prairies, living sometimes in tarred shacks, sometimes in sod shanties, with no ceilings above their heads, and sometimes upon dirt floors; and to-day, when they are selling wheat for 35 cents a bushel and can not dispose of the cattle they raise for above 2 or 2½ cents a pound on the hoof, it is a matter of very little consequence to them whether they buy their clothing from an Eastern manufacturer or whether it comes from China, or England, or Australia. The question with them is where they are going to get clothing the cheapest.

Mr. HAWLEY. I should be glad to make another observation just there.

Mr. KYLE. Very well.

Mr. HAWLEY. There are people in the State of Connecticut just as badly off for work as there are in South Dakota. They have not any wheat to sell at any price per bushel, and they are waiting until this bill shall be concluded, so that they may know whether their factories are going to be opened again or not; and those people subsist upon the provisions brought to them from the West. If they can not get work in the factories they will go to the farms, and the competition in farming will be still greater and wheat will be still lower.

Mr. KYLE. I have understood from the Senator and others on that side of the Chamber that the workingmen in New England have in the aggregate millions of dollars in the savings banks; which shows that many are in good circumstances; but I know there are poor people living there as well as in the West. But, Mr. President, the question comes to me again, as it comes to a great many others, would not the New England manufacturers, were they to deal justly by their employés, be able to pay them better wages than they are now paying them.

I have some facts which I shall present in regard to the percentage of the cost of production paid to the American wage worker. I have been over New England; I have been in the manufactories; and I want to say right here that I do not have so much sympathy for the New England manufacturer as I used to have.

We enacted a law in this country, the alien contract-labor law, for the purpose of keeping out of the United States the pauper labor of Europe, against which the people represented by the Senators upon the other side of the Chamber have been praying to be protected for the last thirty years; and yet when we protected them against the pauper labor of Europe, and when they have been given also the additional protection afforded by the McKinley tariff law, they have dealt unjustly by the best sons and daughters of America, thrusting them out of the manufactories, and have imported into New England between 400,000 and 500,000 French Canadians to take their places; and those people are living to-day on wages upon which the ordinary American New England man or woman would starve.

I have understood from a statistician of Springfield, Mass., that there are 100,000 French Canadians in that old Bay State. I have gone through the cities of New England, where the old Puritans used to walk in their pride and where I expected to see the sons of those old ancestors occupying the homesteads. You may to-day walk five or ten blocks and not hear your native tongue spoken. Go into the old hotels, in whose halls resounded the voices of some of the famous statesmen of former days, and there at the tables you may hear nothing but a jargon of French during the whole meal. When you go into the factories and other places you hear nothing but French. That is the way high protection has affected the young men and the young women of New England.

Go into the old State of Pennsylvania, where some of my ancestors lived. I go there now, and I find the children of the old Pennsylvanians removed from the manufacturing establishments and their places are filled by Poles, Hungarians, Slavs, Bohemians, and all of those classes which are now supplanting our American citizens—men who work for starvation wages and who can live in a manner that would be considered degrading by American citizens.

A reporter of Pittsburg went into the mines of Pennsylvania a year or two ago and reported this fact: There was a class of Huns or Slavs or Poles working in a certain district who lived in common board houses, the cracks of which you could see through. There were from ten to twenty-five or thirty and in one case even thirty-five men, women, and children, old and young, all living in one room and sleeping upon the floor.

Mr. WALSH. Will the Senator allow me to interrupt him a moment?

The PRESIDING OFFICER (Mr. FAULKNER in the chair). Does the Senator from South Dakota yield?

Mr. KYLE. I do.

Mr. WALSH. I should like to ask the Senator if it is a fact, as alleged by Republican Senators, that American artisans have retired from certain industries as a matter of choice, and not as a matter of necessity? Especially, I understand, is this alleged to be the case in the New England factories; that they were not compelled to give up their places or to resign the special pursuits in which they were engaged as a matter of necessity, but as a matter of choice, because they found more remunerative employment. That is what I understand the argument to be on the other side of the Chamber.

Mr. KYLE. I will say, Mr. President, that I have talked with New England men and women, who say they have left such employments simply because they are no longer renumerative; and further, the American people, with their pluck, will never retire from any sort of employment so long as it furnishes them decent living.

I was referring, when interrupted, to the Huns and Slavs. The reporter to whom I have alluded, stated that instead of their sitting at a table, as does the ordinary American, with perhaps an oilcloth spread before him, if he can not furnish anything else, and plates and knives and forks, these people were eating their black bread without any of the accessories of civilized life, but in the manner they were accustomed to in the countries from which they came, and for butter they were spreading upon the bread-brown colored axle grease, which they had bought at the neighboring grocery store. They were working for wages which were entirely consistent with this manner of living. Must we ask the American employé to do this and to come down to these starvation wages? Or can the American manufacturer state without blushing that he has fulfilled his moral contract with the American people, by which he promised to protect and defend his employés from the beggared condition of the European laborer?

Mr. President, I believe that the American manufacturer, with free wool, will be able to compete with any foreign country, I do not care where it is, in the manufacture of cloth. The Senator from Connecticut [Mr. PLATT] the other day stated that we were buying as good clothing in the United States now, and as cheaply, as it can be bought anywhere in Europe. I have seen the same statement made in the other branch of Congress. With the improved machinery now in the United States, with the energy of the American people, and with free wool I do not hesitate to say that we can compete with any nation to-day in the production of clothing, and without any duty whatever upon manufactured goods.

I have some facts here in regard to the wages paid by American manufacturers—only a very few of them—but they are of great interest. The contention of the Republican party has been for years that there should be a tariff upon all imported goods to equalize the difference paid in wages in this and other countries. That is the stand which has been taken heretofore, and it is that which is taken by Senators on the opposite side of the Chamber to-day, that there should be a duty of such an amount as will equalize the difference in wages between this country

and Europe. Let me state certain facts. I quote from the seventh annual report of the United States Commissioner of Labor, to be found on pages 52 to 63 of the majority report of the Committee on Ways and Means of the House of Representatives, giving the percentage of the cost of production paid in wages to employés in the United States and in Europe.

In the manufacture of cashmere and cassimeres in forty-five establishments in the United States the manufacturers paid their employés as wages 25.01 per cent, and in 14 establishments on the Continent of Europe the percentage was 19.82, a difference in favor of the United States of only about 6 per cent. We have the spectacle before us of Senators contending over and over again for more than the 41.13 per cent of protection accorded in the pending bill.

In the manufacture of ladies' dress goods, seven establishments in the United States paid 20.62 per cent of the cost of production in wages; three establishments in Great Britain paid 21.43 per cent; and on the Continent of Europe one establishment paid 22.33 per cent; in other words, a difference of about 1 per cent in favor of Great Britain, and 2 per cent in favor of the Continent of Europe.

Take worsted goods, of which the Senator from Maine [Mr. FRYE] spoke so vehemently only a day or two since. There are three establishments, recorded in this paper, in Great Britain from which returns have been received, and they pay 23.56 per cent of the cost of production as wages, while thirty-five establishments in the United States pay 21.94 per cent, and the Continent of Europe three establishments pay 20.73 per cent, 2 per cent greater in Great Britain than in the United States, and only 1 per cent less upon the Continent of Europe.

In the manufacture of tweed goods, one establishment in Great Britain paid 35.47 of the cost of production to labor, and in the United States one establishment paid 29.12 per cent; in other words, 6 per cent less goes to wages in the United States than in Great Britain.

Mr. CAREY. Will the Senator allow me?

Mr. KYLE. I hope the Senator will wait until I get through.

Mr. CAREY. Very well.

Mr. KYLE. In the manufacture of serge goods in the United States, one establishment paid 26.08 per cent of the cost of production for labor, and upon the continent of Europe nine establ- paid 15.20 per cent, 11 per cent greater in the United States than upon the continent of Europe.

Mr. President, the figures I have given are, as I stated, from the seventh annual report of the Commissioner of Labor, and I presume they are authentic upon this point as far as the returns have been received.

I have here a statement of the comparative average wages taken from Census Bulletin No. 169, pages 6 to 10, issued March 9, 1892, and only recently published. The statement is as follows:

	Per cent.
Woolen goods, wages	21.4
Worsted goods, wages	20.1
Felt goods, wages	22.4
Wool hats, wages	25.6
Carpets, wages	24.3
Hosiery and knit goods, wages	27.1
Average	23.4

Where is the ground of your contention for 41.13 per cent as an average ad valorem duty on woolens? I ask, Mr. President, in the name of the American people, are the manufacturers to have every advantage in this bill? There seems from this Census Bulletin to be some ground for the statement that the American manufacturer has been satisfied in the consideration of the bill now before us.

I am not willing, as a Senator representing in part the agricultural State of South Dakota, to strike down all the duty upon wool if the Eastern manufacturers are still to contend for that which I believe to be utterly unjust. They do not need the exorbitant duty. If they would do the fair thing by their employés, I believe that they would be able to run their factories upon full time and pay their employés their old schedule of wages.

Mr. President, as I have stated, I should feel perfectly safe in voting for the removal of all duties upon raw wool; yet I feel, under the circumstances, since the manufacturers are to be protected as they are in this bill, that I can not consent to strike down all the duty upon raw wool. There has been a scaling down of the duties upon manufactured woolens of 53.7 per cent. Are Senators willing to scale the duty upon raw wool to the same extent? The same sliding scale of 53.7 per cent running through raw wool would bring the present duty down to about 5 cents, as against 11 cents of the McKinley law and about 5½ cents as against the 12-cent duty. I do not know that there is anybody in the Senate who will present an amendment on that line, but if such an amendment should be offered, I shall be compelled, for the sake of justice and for the protection of my people, to vote for it.

Mr. President, the Populists upon this side of the Chamber have been criticised a great deal for the votes we have cast on various amendments. We were criticised by the Senator from Iowa [Mr. ALLISON], by my colleague [Mr. PETTIGREW], and by other Senators across the aisle, because of the votes we cast in favor of amendments when the sugar schedule was under consideration. I want to say right here, that whether the law heretofore passed was good or bad, it would be to the honor of the American Congress that it should fulfill every jot and tittle of its pledges under the statutes, which pledges were a moral, if not a legal, contract with the sugar people.

On general principles I am opposed to the bounty system. I do not think we should pay a bounty to the sugar manufacturer any more than we should pay a bounty to the wheat-grower of South Dakota or those who raise cattle; but since we have passed the McKinley law, and have made specific mention in paragraph 231 of a bounty on sugar, which should continue from 1891 to 1905, I believe that we, as the people's representatives, should fulfill that obligation to the letter. Let me read you the obligation:

231. That on and after July 1, 1891, and until July 1, 1905, there shall be paid from any moneys in the Treasury not otherwise appropriated, under the provisions of section 3689 of the Revised Statutes, to the producer of sugar testing not less than 90° by the polariscope, from beets, sorghum, or sugar-cane grown within the United States, or from maple sap produced within the United States, a bounty of 2 cents per pound; and upon such sugar testing less than 90° by the polariscope, and not less than 80°, a bounty of 1½ cents per pound, under such rules and regulations as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall prescribe.

Mr. President, I know something about law, though I have never practiced at the bar; but there are Senators here in my presence who have not only practiced, but who for years sat upon the bench, and who are distinguished jurists, and I put it to you whether, what is clearly to the people of the United States a moral obligation resting upon the Government is not in the minds of fair-minded judges a legal contract. I recognize the argument made by some Senators, that it is a unilateral contract, and can therefore be broken.

I recognize that; but it is nevertheless a contract or agreement upon the part of the United States Government that from 1891 to 1905 any person who should erect a sugar refinery and produce a pound of sugar and present it to the Government for inspection should receive a bounty. That was the contract offered on the part of the Government, and those who entered into this enterprise struck hands with the Government and the contract was completed. I believe that to-day, if the question were brought before the United States Supreme Court, we should be holden to the contract, and would be compelled to pay the bounty which it was provided by law should be given to the sugar producer.

Mr. President, when this question came before the Senate, I recognized from the sentiment on this side of the Chamber and the sentiment in the other House that it was impossible to preserve the bounty upon sugar, and in explanation of the vote of myself and my colleague from Nebraska [Mr. ALLEN], in casting our votes for a diminishing bounty, I desire to say we cast those votes because we thought it was the best we could do under the circumstances toward keeping our contract with those we are now about to wrong.

Now, a word also in regard to the vote cast by my colleague from Nebraska and myself in favor of a duty on sugar. I desire to say to the Senate that I am not only in favor of free sugar for the American breakfast table, but I am in favor of free everything. I do not care what it is.

I am in favor of the duty being taken off iron and steel, and coal and lumber, and manufactured goods, too, for that matter. I shall vote, every time I get the opportunity, to remove all duties from the manufactured necessaries of life if by so doing we can still pay the current expenses of our Government. We are bound to provide revenue in some way. Let me tell you what these expenses are at the present time. It is estimated that for the year 1895 we must provide $454,427,748. That revenue must be provided for, however much we may wish to preserve pet industries for our own States, however much we may wish not to tax certain necessities of the poor people.

I have taken the ground—and I think my colleague from Nebraska has taken the same position—that while we are going over the bill in Committee of the Whole we are giving and taking here and there, as all must know. We are taking the duty off some things and increasing it on others, and we can not tell, until we have gone over the bill in Committee of the Whole, just what the total amount of revenue is going to be.

The estimated receipts under the bill as it came from the House were $440,093,416.91, about fourteen or fifteen million dollars short of the necessary expenditures during the year

1895. Under the bill as it now stands in the Senate, the estimated receipts will be $491,073,818.28; in other words, in the neighborhood of from thirty-six to forty million dollars more than the estimated expenditures for 1895.

If in the final making of these schedules I find we can meet our running expenses and yet strike the duty off sugar, I shall vote to do it and I shall be the one to offer an amendment to that effect. If any Senator offers an amendment to continue the diminishing bounty on sugar until at least the year 1899, until the sugar men can get upon their feet and take care of themselves, I shall cast a vote for that. They were innocent of any future action by Congress——

Mr. MANDERSON. Will the Senator permit an interruption?

Mr. KYLE. I will.

Mr. MANDERSON. As the Senator is predicting his action when we shall come into the Senate with this bill, and, as I was particularly struck with his very able argument that under the McKinley law the bounty provision was a contract, involving not only a moral but probably a legal obligation upon the Government, am I to understand, when the bill comes into the Senate, that the Senator will not only vote for a diminishing bounty but for the bounty of the contract?

Mr. KYLE. I shall vote for the bounty of the contract if we can have it.

Mr. MANDERSON. That is right.

Mr. KYLE. The bounty of the contract, the one which the Government is bound to fulfill, I shall vote for if there is any show of getting it; but I tell the Senator frankly, with the disposition that now exists in the other House and with the disposition on this side of the Chamber, we can not get a bounty of 2 cents a pound; and I think the Senator will agree with me that we must do the very best we possibly can to take care of that great industry and fulfill the letter of our contract.

The men engaged in the production of sugar, as I was remarking, went into the business innocently, oblivious of any future action on the part of the United States; they supposed we were going to keep our contract; they invested several millions of dollars in their plants. During the first and second years it was impossible for them to pay expenses, but now, the third year, they are just beginning to realize some profit. Just as they have gotten to this point it is proposed to destroy the bounty, break our contract, and put the business of these men in jeopardy. It is not right. I stand here to-day as the represetative, I am glad to say, of poor people in the United States; but I not only want to be just to poor people, but it is right to be just to the rich, it is right to be just to corporations, it is right to be just to all classes, and my vote shall always be cast in the line of justice so far as I am able to discern it. At the same time I do not believe in casting any vote here that will in any measure enable the sugar trust to continue to hold the people of our country by the throat.

A great many Senators criticised my colleague [Mr. ALLEN] and myself because we voted for the tariff duty upon sugar, which included one-eighth of a cent a pound duty upon sugar above No. 16 Dutch standard. Mr. President, I think that comes with very ill grace from Senators upon the other side of the Chamber who voted for the old McKinley law, which contained in it a duty of one-half cent a pound upon all sugars above No. 16 Dutch standard, and also 10 per cent additional duty upon the sugar exported from those countries which paid a bounty upon sugar. This exorbitant duty, according to Mr. Havemeyer before the special investigating committee a few days ago, netted the sugar trust from $25,000,000 to $35,000,000 during the past three years.

The sugar refiners testified here, I believe, that they could not exist and carry on their business with less than one-fourth of a cent a pound upon sugar above No. 16 Dutch standard. That estimate has been cut in half by the Senate bill, which shows that the finger of the sugar trust is not manipulating this legislation in the Senate. Again, at the time my colleague from South Dakota moved to strike out the one-eighth of a cent a pound on sugar above No. 16, I stood with him, because I wished to remove every vestige of that which the sugar trust might have in the bill, if there was any suspicion in regard to that matter, and I shall vote for such an amendment again if it is presented.

In conclusion, let me say that while I am not satisfied with the tariff bill in its present form, while there are imperfections through and through, I like the bill infinitely better than I do the McKinley act. I can see that the Finance Committee from the start have been actuated by lofty purposes. They have been actuated by a disposition to provide for the running expenses of our Government, which are now very large, much larger than they were when the McKinley act was passed, and therefore a great many things have to be taxed that we would like to leave upon the free list.

But as I look at it all the way through, there have been reductions made in the interest of the people of our country, the people who need to be relieved from the burden of taxation; and if, when the bill is finally adjusted in Committee of the Whole and reported to the Senate and the final amendments are made, it is still in the interests of the people instead of the protected few, and is better than the McKinley act, I shall cast my vote for it and I shall not be ashamed to do so.

Mr. President, I wish to append as a portion of my remarks some tables relating to the sheep industry taken from the Statistical Abstract of 1893, showing the number of sheep by States and Territories from 1860 to 1894. Also a table showing the number of sheep and the amount of wool produced by States and Territories during the year 1893.

Number of sheep in each State and Territory of the United States in 1860.

States and Territories.	Sheep.
Connecticut	117,107
Maine	452,472
Massachusetts	114,829
New Hampshire	310,534
Rhode Island	32,624
Vermont	752,201
New England States	1,779,767
Delaware	18,857
District of Columbia	40
Maryland	155,765
New Jersey	135,228
New York	2,617,855
Pennsylvania	1,631,540
Middle States	4,559,285
Alabama	370,156
Georgia	512,618
Florida	30,158
Kentucky	938,990
Louisiana	181,253
Mississippi	352,632
North Carolina	546,749
South Carolina	233,509
Tennessee	773,317
Virginia	1,043,269
Southern States	4,932,651
Arkansas	202,753
Dakota	193
Illinois	709,135
Indiana	991,175
Iowa	259,041
Kansas	17,569
Michigan	1,271,743
Minnesota	13,044
Missouri	937,445
Nebraska	2,355
New Mexico	830,116
Ohio	3,548,767
Texas	753,363
Utah	37,332
Wisconsin	382,954
Western States and Territories	9,964,985
California	1,088,002
Nevada	376
Oregon	86,052
Washington	10,157
Pacific States	1,184,587
Total	22,471,275

Number of sheep in each State and Territory of the United States in 1870.

States and Territories.	Sheep.
Connecticut	83,884
Maine	434,666
Massachusetts	78,560
New Hampshire	248,760
Rhode Island	23,938
Vermont	580,347
New England States	1,450,155
Delaware	22,714
District of Columbia	604
Maryland	129,697
New Jersey	120,067
New York	2,181,578
Pennsylvania	1,794,301
West Virginia	552,327
Middle States	4,801,288
Alabama	241,934
Georgia	419,465
Florida	26,599
Kentucky	936,765
Louisiana	118,602
Mississippi	232,732
North Carolina	463,435

Number of sheep in each State and Territory in 1880, etc.—Continued.

States and Territories.	Sheep.
South Carolina	124,594
Tennessee	826,783
Virginia	370,145
Southern States	3,761,054
Arkansas	161,077
Colorado	120,928
Dakota	1,901
Idaho	1,021
Illinois	1,568,286
Indiana	1,612,680
Iowa	855,493
Kansas	169,088
Michigan	1,985,906
Minnesota	132,343
Missouri	1,352,001
Montana	2,024
Nebraska	22,725
New Mexico	619,438
Ohio	4,928,635
Texas	714,351
Utah	59,672
Wisconsin	1,069,282
Wyoming	6,409
Western States and Territories	15,323,260
Arizona	803
California	2,768,187
Nevada	11,018
Oregon	318,123
Washington	44,063
Pacific States and Territory	3,142,194
Total	28,477,951

Number of sheep in each State and Territory of the United States in 1890.

States and Territories.	Sheep.
Connecticut	59,431
Maine	565,918
Massachusetts	67,979
New Hampshire	211,825
Rhode Island	17,211
Vermont	439,870
New England States	1,362,234
Delaware	21,967
District of Columbia	
Maryland	171,184
New Jersey	117,020
New York	1,715,180
Pennsylvania	1,776,598
West Virginia	674,789
Middle States	4,476,718
Alabama	347,538
Georgia	527,589
Florida	56,681
Kentucky	1,000,269
Louisiana	125,631
Mississippi	287,694
North Carolina	451,638
South Carolina	118,889
Tennessee	692,789
Virginia	497,289
Southern States	4,106,007
Arkansas	246,757
Colorado	746,443
Dakota	30,244
Idaho	27,326
Illinois	1,037,073
Indiana	1,100,511
Iowa	455,359
Kansas	499,671
Michigan	2,189,389
Minnesota	267,598
Missouri	1,411,298
Montana	184,277
Nebraska	199,453
New Mexico	2,068,831
Ohio	4,902,486
Texas	2,411,633
Utah	233,121
Wisconsin	1,936,807
Wyoming	140,225
Western States and Territories	19,503,502
Arizona	73,524
California	4,152,349
Nevada	133,695
Oregon	1,083,162
Washington	292,883
Pacific States and Territories	5,738,613
Total	35,192,074

Number of sheep in each State and Territory of the United States in 1890, and the value of the same on January 1, 1890.

States and Territories.	Sheep.	
	Number.	Value.
Connecticut	46,759	$171,956
Maine	542,248	1,596,920
Massachusetts	56,530	190,780
New Hampshire	192,824	561,311
Rhode Island	20,231	72,073
Vermont	362,112	1,070,114
New England States	1,220,704	3,663,163
Delaware	22,294	71,798
Maryland	153,763	526,023
New Jersey	103,170	416,807
New York	1,548,426	5,481,423
Pennsylvania	945,002	3,170,671
West Virginia	508,654	1,251,798
Middle States	3,281,309	10,918,525
Alabama	286,238	413,513
Georgia	411,846	640,173
Florida	110,351	220,695
Kentucky	805,978	2,198,708
Louisiana	115,082	179,114
Mississippi	240,148	360,223
North Carolina	414,819	624,718
South Carolina	102,031	189,208
Tennessee	511,118	968,722
Virginia	444,563	1,151,063
Southern States	3,442,174	6,945,687
Arkansas	280,484	401,990
Colorado	1,788,891	3,778,281
Dakota	266,329	703,108
Idaho	487,357	1,072,185
Illinois	688,337	2,000,287
Indiana	1,278,000	3,922,821
Iowa	475,816	1,330,382
Kansas	438,313	870,271
Michigan	2,240,841	6,858,766
Minnesota	327,375	800,105
Missouri	1,198,200	2,506,754
Montana	1,989,845	4,467,799
Nebraska	239,400	503,338
New Mexico	3,092,796	3,872,106
Ohio	3,943,589	11,927,384
Texas	4,752,640	7,389,696
Utah	2,055,900	4,281,617
Wisconsin	809,009	2,302,446
Wyoming	1,017,373	2,249,921
Western States and Territories	27,354,485	61,079,257
Arizona	698,404	1,152,367
California	4,035,120	8,409,190
Nevada	700,986	1,323,882
Oregon	2,929,830	5,622,344
Washington	673,060	1,545,346
Pacific States and Territories	9,037,400	18,053,129
Total	44,336,072	100,659,761

Number of sheep in each State and Territory of the United States in 1894, and the value of the same on January 1, 1894.

States and Territories.	Sheep.	
	Number.	Value.
Connecticut	39,980	$138,914
Maine	326,937	671,865
Massachusetts	51,441	187,700
New Hampshire	115,471	274,821
Rhode Island	11,279	41,168
Vermont	280,170	604,719
New England States	825,228	1,919,237
Delaware	12,873	40,968
Maryland	145,446	447,843
New Jersey	57,571	235,177
New York	1,398,051	3,962,885
Pennsylvania	1,473,494	4,530,700
West Virginia	755,705	1,619,772
Middle States	3,843,140	10,847,345
Alabama	343,832	421,057
Georgia	411,109	646,687
Florida	112,885	202,835
Kentucky	1,163,098	2,797,483
Louisiana	184,273	279,534
Mississippi	415,855	588,435
North Carolina	376,309	559,195
South Carolina	78,384	123,690
Tennessee	519,770	939,952
Virginia	488,432	1,247,051
Southern States	4,094,069	7,806,119
Arkansas	228,310	307,054
Colorado	1,293,658	2,296,295

Number of sheep in each State and Territory of the United States, etc.—Cont'd.

States and Territories.	Sheep.	
	Number.	Value.
Idaho	779,547	$1,753,981
Illinois	1,032,976	2,450,632
Indiana	972,345	2,335,654
Iowa	775,222	2,004,724
Kansas	323,392	635,789
Michigan	2,392,617	5,469,523
Minnesota	514,939	1,128,129
Missouri	1,000,953	1,914,023
Montana	2,780,968	4,891,895
Nebraska	277,952	643,014
New Mexico	2,921,188	3,689,169
North Dakota	370,880	754,073
Ohio	3,765,704	8,506,725
Oklahoma	18,222	38,266
South Dakota	336,960	759,642
Texas	3,814,405	5,075,065
Utah	1,905,819	3,098,480
Wisconsin	1,066,376	2,301,225
Wyoming	1,198,567	2,606,284
Western States and Territories	27,770,340	52,752,642
Arizona	691,946	1,209,681
California	3,918,157	7,074,625
Nevada	544,077	1,164,162
Oregon	2,529,750	4,433,403
Washington	832,033	1,969,796
Pacific States and Territories	8,515,302	15,871,667
Total	45,048,017	89,197,000

UNITED STATES.

Number of sheep and amount of wool produced by States and Territories.

States and Territories.	Number of sheep, 1893.	Wool produced.	
		*1890. *Census report.	†1893. †Committee report.
		Pounds.	*Pounds.*
Alabama	358,158	768,589	1,432,632
Arizona	580,879	551,365	5,808,790
Arkansas	240,326	512,396	1,632,282
California	4,124,376	16,358,547	26,808,414
Colorado	1,231,484	3,334,234	8,620,388
Connecticut	42,479	120,508	212,395
Dakota, North	390,400	510,417	2,342,400
Dakota, South	324,000	1,073,909	1,944,000
Delaware	13,551	47,281	67,755
Florida	106,495	221,954	532,475
Georgia	432,809	841,141	1,730,246
Idaho	764,262	2,119,242	5,319,834
Illinois	1,187,329	4,490,773	7,123,914
Indiana	1,080,388	4,863,404	5,942,100
Iowa	791,043	2,649,652	4,746,258
Kansas	389,627	2,253,240	2,727,389
Kentucky	1,237,338	2,777,533	7,424,028
Louisiana	191,951	440,686	959,755
Maine	398,704	1,864,009	2,790,928
Maryland	151,506	543,225	606,024
Massachusetts	53,032	241,314	318,192
Michigan	2,518,544	12,378,316	16,370,196
Minnesota	499,941	1,945,249	2,999,646
Mississippi	477,156	1,038,186	2,862,936
Missouri	1,099,948	4,040,084	6,599,688
Montana	2,528,098	9,335,551	17,686,686
Nebraska	272,502	791,534	1,907,524
Nevada	555,181	1,450,868	4,441,448
New Hampshire	135,848	717,149	1,086,784
New Jersey	61,246	180,844	306,230
New Mexico	2,730,082	4,074,503	13,650,410
New York	1,492,528	6,715,686	10,447,696
North Carolina	396,115	733,765	1,980,575
Ohio	4,378,725	20,987,574	21,893,625
Oklahoma		59,114	
Oregon	2,456,077	9,982,910	19,648,616
Pennsylvania	1,637,216	6,441,164	11,460,512
Rhode Island	12,260	41,021	73,560
South Carolina	78,384	157,707	391,920
Tennessee	541,427	1,397,666	3,248,562
Texas	4,334,551	14,917,068	26,007,306
Utah	2,117,377	4,660,250	14,823,039
Vermont	329,612	2,118,883	2,636,896
Virginia	498,400	1,449,219	2,472,000
Washington	823,825	1,556,792	6,590,600
West Virginia	841,434	2,560,859	4,207,170
Wisconsin	1,198,175	4,981,083	7,189,050
Wyoming	1,198,567	4,146,773	9,588,536
Total for United States	47,273,553	165,449,239	299,752,666

The following letter is from Col. M. W. Sheafe, one of the most prominent Democrats in the State of South Dakota, a wool-grower, a public-spirited man, and posted as well upon tariff questions as any person in our State. His letter is a complete argument upon the wool question, and is worthy of a place in the CONGRESSIONAL RECORD, and I will append it in full as a portion of my remarks:

DEAR SIR: Inasmuch as the Wilson bill is soon to be a matter of discussion before the honorable body of which you are a member, and as the wool schedule seems to form one of the principal topics for discussion in that document, I desire, as one of your constituents, and more especially as a wool-grower to an extent fully equal to that of any other woolgrower in the State, to urge upon you the importance of placing wool upon the free list.

One is not apt, even for partisan purposes, to advocate a measure which he deems derogatory to his interests, but on the contrary will sometimes depart from party lines to advocate a measure where he thinks it will replenish his purse.

So it is in the wool industry; from selfish and business motives I am extremely anxious that wool should be placed upon the free list.

* * * * * * *

One has but to examine the statistics for the past seventy-five years as regards the prices of wool to discover the fact that whenever wool has been upon the free list it has commanded a higher price than when a duty has been imposed thereon; and again when the duty was light, prices have been higher than when the duties have been exorbitantly high as under the McKinley bill. This is a fact, and it is stated that "one fact is worth a thousand theories."

We find by reference thereto that while wool under the so-called free-trade laws of 1846 to 1861 averaged nearly 60 cents per pound in New York, that on the other hand, from 1861 to the present time, wool has steadily declined under a protective tariff.

Now, sir, there is reason in all this, and the result of such researches as I have made, together with the opinions obtained from prominent wool manufacturers of the East, cause me to think that owing to the fact that imported wools are absolutely necessary in the manufacture of nearly all grades of woolen goods, that it matters not how high the duty on imported wool is placed, these imported wools must be had by the woolen manufacturer for mixing purposes, and this extra price placed upon imported wools by the tariff is made up by a reduction in the prices paid for American wools when averaging up the cost of raw material.

It was my good fortune two years since to meet one of the largest woolen manufacturers in New England, and in speaking on this question I asked him why the manufacturer should not use American wool and pay the prices which would be expected to be paid for the same by reason of the tariff upon foreign wool? He informed me that imported wool was an absolute necessity with him in the manufacture of woolen goods, that wool varied in quality in different latitudes, and in fact in different altitudes, and that a difference of 200 miles in latitude and a difference in the character of the soil made a distinguishing difference in the grade of wool produced, even in the same breed of sheep.

He informed me that he imported wool from every country where sheep were raised, and that he should continue to do so from necessity, whether the tariff were 1 cent or $1 per pound, as it was absolutely necessary to have imported wool for mixing with American wools. He further stated, in reply to a question as to whether or not a protective tariff did not aid in the price of American wools, that in his opinion it did not enhance the value thereof 1 cent a pound, and in fact made no difference whatever.

Now, it can be readily seen that in order to anywhere near meet the prices of foreign goods in competition in foreign markets, there must be a medium reached for the price of wool, and if, in addition to the price of foreign wools, say in Liverpool, a tariff of 11 cents or 12 cents must be added when imported to this country, it is plain to see that a medium must be reached by depressing the price of American wools.

In proof of this theory, I beg leave to quote from a circular issued by the Boston Home Market Club, an organization of a radical protective policy. In that circular we find the following, to wit: "It is a mistaken idea with many manufacturers that foreign prices of wool are necessarily lower than home prices under protection; they average higher, they would be much higher but for a large and certain domestic supply." Then followed a table showing the average price of wool at port of entry, wherein it appears that the prices range from 1 to 9 cents per pound over and above the American wools at the farm; thus showing distinctly, to my mind, that a tariff on wool is the result of a conspiracy of the woolen manufacturer to purchase the American wool at a lower price, rather than to increase the price thereof.

I beg leave to call your attention to the report of the consuls of the United States printed by the Government, No. 128, May, 1891, and refer you to page 111 of that report, wherein you will find that in the year 1890 the prices of wool at New South Wales averaged from 14 cents to 18 cents per pound, while the prices of American wool at that time did not average over 14 cents or 15 cents.

I also beg leave to call your attention to the same report, page 114, of the imports to America from Australia, wherein you will observe that there has been a steady increase notwithstanding the high tariff placed on imported wools. That the number of bales which were received into the United States from Australia for the year ending June 30 would be 100,000, while in the years 1871 and 1872 the number of bales imported into the United States were but 18,650. This, it would seem, corroborated the opinion expressed by my friend referred to from Massachusetts, who stated that imported wools were absolutely necessary in the manufacture of all kinds of woolen goods.

Taking this view, I am constrained to think that if wool were placed upon the free list the manufacturer would be enabled to purchase raw material at a much less price than at present, thus enabling him to enter into competition successfully with foreign manufacturers and thus making a steady demand for American wool and consequently higher prices therefor.

Again, with free wool and a reduction of the tariff on manufactured goods the consumption of woolen goods would increase materially. We have every right to suppose that were the masses of the people enabled to purchase woolen goods instead of "shoddy" at a reasonable price, that the effect would be similar to that in the case of sugar when placed upon the free list, and an increase in the demand would naturally follow, thus giving another reason why our manufacturers would find use for an increased amount of American wool.

On March 24, 1890, Senator ALLISON, of Iowa, stated that he regarded a duty on wool and woolens as not an intentional fraud, but it had operated as though it were a fraud upon the masses. He made quite an elaborate argument in favor of free wool, and you can refer to that and find a great many arguments which are as true to-day as when uttered by him twenty years ago. One other statement made by him was to the effect that under the increased tariff on wool the number of sheep in Iowa decreased materially. This we know holds good to-day that under the existing tariff laws the number of sheep east of the Mississippi River has decreased amazingly, showing that it is absolutely necessary for grazing lands to be free in order to successfully raise wool in the United States, notwithstanding the intended protection given this industry.

Space is too short and your time too valuable for me to argue this matter at any length; but one fact stands towering above all others, namely, that in 1842 England had a protective tariff on wool, which was repealed a short time after that date. Prior to its repeal a howl went up from the protectionists of England, to which the present howl made by our manufacturers is but an echo, that such a course would destroy the woolen industry of that

nation, but history tells us that the contrary was the result, and t seems by the lamp of history we might be guided at present.

We find, in lieu of destruction, the number of sheep increased in England and that the profit in sheep-raising was greatly enhanced by putting wool on the free list, and that the woolen manufacturers of England commenced an era of prosperity which has lasted from that time to this. Above all and beyond all, there is a question of morality involved in thism atter, and when one stops and thinks that the laws of trade are violated; that the people are imposed upon; that the conditions of life are made harder for the poorer classes by this grasping and avaricious prote :tive tariff on woolen goods, it is plain to be seen that a halt should be called and that the masses should be given their innings.

Mr. McKinley patriotically and wisely says that the tariff on wool is placed there because there is a tariff on manufactured woolen goods, and in the same breath gives as a reason for a high tariff on manufactured goods that there is a tariff on wool. This is about the sum and substance of the average protective argument.

As an individual, I became interested in the sheep industry in 1888, believing that there was a reasonable chance of wool being placed upon the free list. I was disappointed, and in lieu thereof the McKinley bill was enacted and an increased tariff placed upon wool. From that time wool has steadily decreased in value. In 1888 I disposed of my clip for 19 cents a pound at my ranch; in 1889 it fell 2 cents. In the year 1890 I was glad to get 16 cents a pound; in 1891 13 cents was the price offered me for my wool. In 1892 I gladly accepted 12 cents, notwithstanding the tariff of my friend McKinley was equal to that amount.

In 1893, with the same tariff laws in effect, no price whatever could be offered and wool was a drug upon the market. Hence it is as a woolgrower and representing the sentiments of a large number of the woolgrowers of this State, we say that certainly matters can be no more worse with free wool than under the high tariff, and if we are to get no more for our wool we certainly will be able to buy our clothing for less.

The statistics show us that the average labor cost in the manufacture of woolen goods is but one-fifth of their total cost, and yet we are told by McKinley and his satellites that the patriotic manufacturer must be protected to the extent of five times the labor cost, and all for the benefit of the laborer. We are told that this 90 per cent more or less of the protective tariff placed upon woolen goods is placed there in order that the woolgrower may be protected and thus both parties to the contract, the producer and the consumer, aided.

It is the same old story of the Indian and the white man dividing up the result of the day's hunt: The Indian got the buzzard and the white man got the turkey, just as the woolgrower gets nothing and the manufacturer gets rich.

So long as people will believe in accepting in blind faith the theories of self-constituted guardians, so long as men will blindly follow the teachings of demagogues and neglect to study this question of such vital importance to themselves, just so long will they be imposed upon and just so long will demagogues flourish.

It is your duty to present to the honorable body of which you are so honored a member the fact that the Dakota woolgrower does not believe that protection aids the price of wool any more than does a 25-cent tariff upon foreign wheat raise the price of American wheat one-tenth of a mill on a bushel.

We wish you success in your endeavors, and believe with the passage of the Wilson bill that every man depending upon his own resources, as he should do, and with the means of taxing the masses taken away from the few who receive this tribute, that our country will enter upon an era of prosperity where fortunes will not be made in a day perhaps, but where profits will be more uniformly distributed and where the poorer classes will have a a chance to live.

Very truly yours,

MARK W. SHEAFE.

Proprietor of Crystal Springs Ranch, Deuel County, S. Dak.

Hon. JAMES H. KYLE,
Member United States Senate, Washington, D. C.

Mr. HAWLEY. Mr. President, the Republicans in general hold that it is the duty of a government to secure to its people, so far as possible, the production within their own limits of the great staples and necessaries of life. But the Senator from South Dakota [Mr. KYLE] adopts in full, it is fair to infer from what he has said, the doctrine that it is our duty to buy where we can buy cheapest. Economic independence is of just as much importance as political independence. A desire for an economical independence was the original source of the efforts of the colonies for independence.

We ought to produce our own cotton, but suppose we can find Egyptian and Indian cotton cheaper, according to the doctrine of the gentleman we must buy it there. We ought to produce, and ultimately we shall produce, all the sugar we need on this continent, but as we can buy it cheaper the gentleman says buy it abroad. We ought to produce all our own iron ore and all the subsequent advanced products of iron and steel, but according to the free-trade doctrine, inasmuch as there are people who can produce iron and steel cheaper than we can, it becomes our Christian duty to buy there, and take no pains to protect the growth of any such industry here.

We ought to be able with all our resources to produce all our own food here, but if anybody in Canada or anywhere else can sell us wheat, or oats, or oatmeal, or corn, or corn meal any cheaper than we can produce it, we ought to buy there. We ought to be able to raise our own wool in this country, substantially all that we need. We raise wool of various grades, and some of the finest and best in the world, but the gentleman is within a hair's breadth of saying we ought not to try to raise wool here while we can buy it cheaper abroad.

We ought to be able to do our own weaving here. We do it very cheaply now, on the whole. We ought to be able to make all our own clothing; and the gentleman has been arguing with great zeal and heat here that we ought to buy our clothing abroad, where possibly we can get it a little cheaper. He can go upon various streets in this city and get a very good suit of clothes for $15 now; but if he could buy a suit for $14 or $12 in Europe, where men and women work for about half price, he would hold it to be a moral duty to buy there.

There is scarcely a thing that we need—food, clothing, household implements, implements of trade, or anything else—that can not be produced cheaper by somebody else where labor gets 60, or 40, or 30 cents a day. The doctrine of the free trader deprives us of work and makes us buy everything abroad; and what are we to buy with? Where is our work? Where is our purchasing power to come from? Daniel Webster said substantially this, that the very first duty of a government is to assist its people in securing employment. Give them employment and they will take care of themselves. The scale may be higher or lower, the higher the better; but if they are sure of steady, constant work they will inevitably adjust themselves to it and will be prosperous.

The gentleman referred with almost an air, I will not say of displeasure, but of reproach, to the fact that the people of New England have large sums of money in the savings banks, and he thinks they can get along. So they could. With the providence characteristic of the New Englander they have been trying to lay up a little something for a rainy day, and you can not starve them to-day, or the next, or next year in all probability. But the secret of $133,000,000 in the savings banks of Connecticut is permanent employment.

I do not omit moral character, and habits of industry and economy, but the economic secret is continuous employment. I am proud to say that there are 335,000 depositors in the savings banks of Connecticut out of a population now of perhaps 760,000. Saving is the habit of our people. It is taught to the children. It is a common thing for the 5, 6, 7, or 8 year old child to have its bank book. It is a common thing to put in bank something when the child is born to be given to it with its accretions when the child is 21 years of age.

I do not know half a dozen millionaires in New England who made their money by manufacturing alone. I know men who laid the foundation of their fortunes by manufacturing, and by fortunate investments elsewhere became millionaires. I have known men who are engaged in manufacturing and by the fortunate help of some valuable invention have accumulated a million. There was Mr. Howe, a citizen of Connecticut, who by the beautiful little device of putting the eye of the needle in the point of the needle made the sewing machine possible, and he revolutionized a field of the industrial world. Did he not deserve from mankind the million he is said to have received?

No matter how high the testimonial paid, because the share contributed by the sewing women was infinitesimal, and the whole world was blessed with cheaper clothing from that day. The Senator observed that he found many foreigners in our New England factories; some Canadians among them. We know little of Bohemians, Slavs, and Poles, but have many of Irish, German, British, French, and Scandinavian origin.

The French Canadians, to whom he specially referred, come to this protection-ridden country precisely because it is the happiest country in the world to live in and the one that best cares for the poor people of all descriptions. For some years they came for a season or a year and returned to Canada. They came into our factories and soon learned to claim as high wages as any, and for many years they have been settling among us, becoming industrious, peace-loving, law-abiding citizens of the United States.

But he says our American girls have gone out of factory work. I can remember very well the time when you found a great many of our girls, bright, intelligent young American girls, in those manufacturing establishments. I know they have to a large extent gone out, but I beg you to observe that it was because they could do better. They have the shrewdness of their race. They went where they could do better, and another class of people largely, not entirely, have taken their places at the loom, and the various positions in all the great manufactories.

I must read a little bit here. I think it will not be tedious, and I commend it especially to the Senator from South Dakota, and to anyone who will do me the honor to listen.

A very unusual, unexpected delegation came here a few weeks ago, a delegation of women selected fairly from New England manufactories. They had no formal hearing before a committee, but some members of the Committee on Finance received and listened to them. Mr. MORRILL, Mr. SHERMAN, Mr. ALLISON, Mr. ALDRICH were there, and several other Senators. These women testified freely of themselves. They were intelligent and sensible people. Let me read a little from their testimony.

Mrs. Harriet Branch, of East Greenwich, R. I., a woolen sewer, said that she had worked in the Phœnix Woolen Mill for ten years, and had received from nine to ten dollars a week; at present she was not employed in the mills, having lost her situ-

ation some three weeks ago, but expected to go back as soon as the work increased. Let me read from the report:

Q. What wages did you receive at the mill?
A. My pay was $9 and $10 a week. I now earn $3, and sometimes $1.90, per week in plain sewing; some weeks not anything.
Q. Do you know the cause of the reduction at the mill?
A. I do not; the only thing I know is that the reduction is so I have not got work. If I have no work I can not earn the money. The girls in our mill feel terribly about the reduction. There are twenty-five or thirty in my room alone that are supporting the mother, father, or children. Of course, when they get only $4 a week you can tell yourself how far $4 a week will go with a family of two or three.
Q. (Senator ALDRICH.) Have you any family dependent on you for support?
A. I support myself and my daughter, 14 years old. She does not work in the mill; she goes to school. All I have is what I make for myself and her.
Q. Were you born in this country?
A. I was born in Scotland.
Q. (Senator ALLISON.) How do you get on in this country as compared with the old country?
A. In the old country we were kept down by not having the money to spend. Of course in this country we have much better advantage of getting along and being one with the people. In the old country we had not that. As long as we appear as ladies in this country we can be ladies; but in the old country it is different. Here women have a dignity and they do not like to go elsewhere. In the old country the servant girls are considered above the mill hands. There the working classes are kept distinct.

Miss Florence Briggs, of Anthony, R. I., a cotton-weaver, stated that she had worked twelve years in the place where she is now employed and was receiving $6.50 or $7 a week where before she had been getting $8 and over.

Q. When were your wages cut down?
A. A short time ago; I think it was in January. The works have not been stopped; they have been running full time, but they talk now of stopping if this Wilson bill is passed.
Q. Are any of your family dependent on you for support?
A. I help take care of my mother and myself. Our small farm is the only other means of support.

Mrs. Mary Brooks, of Fitchburg, Mass., a cotton-weaver, came from Glasgow, working there as a cotton-weaver:

Q. How long have you been in this country?
A. I have only been in this country three years. I came from Glasgow. There I worked at weaving cotton, just the same work as I do here.
Q. What were your wages there and here?
A. I have a dollar here for a shilling at home for the same kind of work.
Q. (Senator ALDRICH.) How did you live in Glasgow as compared with Fitchburg?
A. We do not live over there the same as we do here. Smaller rooms, smaller houses, not the same comforts. For two years I make $10 a week here, and since the cut down, $7.50 a week. The cut down came last fall. I do not know why. The mills stopped for two months, shut down and then put down prices besides.
Q. (Senator ALLISON.) Do you support any one besides yourself?
A. I have two little boys to care for beside myself; the youngest one 3, the oldest one 5. I pay for their keep out of the wages I make. I could not do this there. That is the reason I am here; my mother came along with me.
Q. (Senator ALLISON.) What did you state about the wages in Scotland?
A. The wages there were about a shilling, as compared with a dollar here. That was the ordinary pay there. I could save nothing at home; that was by the piece; we only ran two looms at home.
Q. (Senator ALDRICH.) Do you work harder here than at home?
A. No; I would rather run six looms here than three at home; they are heavy looms; they are different kinds of looms altogether. I could do four looms here better than two at home.
Q. (Senator ALDRICH.) Do you know about the cost of living in Glasgow?
A. Yes; I kept house in Glasgow and ran my own household; there were two in the family. I had one room and kitchen. We paid 12½s. a month—

About $3—

for rent; $10 a month for rent here. We have six rooms here for the $10.
Q. (Senator ALLISON.) How about the furniture?
A. The furniture was respectable, but I could not get any luxuries there; had to confine ourselves to food and necessaries of clothing.
Q. (Senator ALDRICH.) Could you have any musical instruments?
A. No; we could not have any musical instruments or spehd anything out of the bare necessaries of life. I lived there in the same way as the others; there was as much labor over there in working as here.
Q. Is it any better here?
A. Yes, indeed; the first nine months I was here I saved $150, besides keeping myself and children. Over there I could not save enough to bring me to this country without the help of my mother. If I had not had my mother to help me I do not believe I would ever have gotten here.

Miss Hattie Freeman, of Woonsocket, R. I., a worsted sewer, is employed in the Harris Woolen Company, of Woonsocket, R. I.

Q. What pay do you get?
A. I make $7.50 a week. It is day work. We have short time, but no reduction in price. The mill had a reduction, but not the sewers. Beside short time, they have been stopped and then they started again, but they expect another reduction of 20 per cent; that is what they had before. The sewers get the most day pay; the weavers make the most by the piecework.
Q. Do you support anyone beside yourself?
A. I take care of my mother, and we can live comfortably on what I make. I pay $9 per month rent for six rooms, for just me and mother.

Mrs. Amy Lees, of New Bedford, Mass., a cotton weaver, came from Lancashire, England, and has worked seven years in this country.

Q. What was your pay there and what is it here?
A. Over there I made about 15 and 16 shillings a week off three looms.

About $4 on an average.

Here $8.50 off seven looms
Q. (Senator ALDRICH.) Is the work harder here?
A. The work here is a little harder, but not much. I worked in Blackburn, England. I live with my husband.
Q. (Senator ALLISON.) What about the cost of living there and here?
A. It costs more to live here than there, because we have better and more things to eat here than there.
Q. Why?
A. We could not afford them in England.
Q. Would you like to go back to England to live?
A. No; I would sooner be in this country.

Alice Jukes, of Cambridge, Mass., a net and twine maker, has been engaged for fifteen years with the American Knitting and Twine Company, Cambridge, Mass.

Q. How much do you make a week?
A. Before the reduction I made $8 a week. I make $6.50 to $7 now. I am on full time but reduced wages, and expect more reduction if the Wilson bill goes through.
Q. In what branch of the business are you engaged?
A. I make gillingnets. They are made out of linen. There are a number made of cotton, but the greatest number, probably, is made of the linen flax.
Q. Have you ever worked in the old country?
A. I have worked in the old country, but not on the same work. In Birmingham I worked in Gillott's pen manufactory.
Q. (Senator ALLISON.) Do you know the wages paid in England for work similar to that which you do here?
A. Yes; the pay over there is 6 shillings a week for the same work on the flax machine. Here we get $7 in place of 6 shillings.
Q. Were you able to live as well on what you received there?
A. No, indeed. You can exist on 6s. a week, but you can not live on it, because it is not living. We survive, that is all. It is the custom of the country. But of course you do not get any chance of becoming any better.

That is very significant, and very well said by a plain working woman in the mill.

Q. Do you support anyone beside yourself?
A. I have my mother to take care of. I help to take care of her. My sister works in the same mill, and with her help we keep home.
Q. Have you been able to save anything?
A. Yes; I have been able to save since I have been in this business, and we have built a house with the money we have got. But with another reduction, of course, we could not save. We saved up $1,000 between us and we paid that much on the house we built.
Q. Do you live in the house you built?
A. Yes; we live in our own house.

Mrs. Agnes Pohlman, of Fitchburg, Mass., testified next:

Q. Mrs. Pohlman, what do you do and where are you from?
A. I am a cotton-weaver from Fitchburg, Mass., but I do not work there just now, because the mills are shut down; they have had a very hard time there since last summer—lots of suffering, with no work. If the mill is shut down, all the business is shut down, everything is down. So we had very hard times since last summer, and we had lots of poor to help. It is just as bad there now. I could not get work, and that is the reason I am not working now.
Q. (Senator ALDRICH.) Is anyone dependent upon you?
A. Yes; my boy. He goes to school. I am able to take care of him when I get work.
Q. Are you from Germany?
A. Yes; I was born in Germany. I did not work very much there, because I was very young when I came from there.
Q. (Senator ALDRICH.) What about the manner of living there and here?
A. I know we could not live there as we live here, and if I had to go there and work I would not do it, because we can live higher here. I wish we could soon have our old good times again, so that people could get work and live like they used to do. There are a lot of women out of work in our place.

Miss Hannah E. Ryan, of New Bedford, Mass., a cotton-spinner, testified as follows:

Q. Miss Ryan, tell the Senators about your work.
A. I am a spinner in the New Bedford Cotton Manufacturers' Company. I have worked there thirteen years.
Q. Were you born in this country?
A. Was born in New Bedford.
Q. What are your wages?
A. My wages now are $5.50 a week. Two years ago I got over $6, but we were cut down in October, and they now speak of another cut down if the Wilson bill passes. If we do not kill the Wilson bill, it will kill us. The girls in the mill know if the bill passes we will be reduced again. We can not live on less than $5 a week.
Q. Have you anyone to support?
A. Yes; I have my mother and brother and sister to support. My brother works part of the time, but work is slack. In July it started with work for four days in the week.

Miss Minnie Spearin, of Manville, R. I., worked by the week as an inspector of fine muslins.

Q. What wages do you make?
A. I make the average wages. I had formerly $6.42 per week; now I make $5.92.
Q. Has there been a cut down in the mill where you work?
A. The wages were cut down last fall 10 per cent. The works have not kept on full time since. Last April there was a strike among the spinners, and they have never done so well since. We were raised 10 per cent two years ago this April and cut down last fall. I do not know the cause of the cut down.
Q. Are you supporting anyone besides yourself?
A. I support myself. I am not helping anyone.

Miss Emily S. Young, of Providence, R. I., was examined:

Q. What is your work, Miss Young?
A. I am shipping clerk for the manufacturing jewelers, Potter & Buffington, Providence. I have worked there sixteen years, not in that department, but for that firm. My work is by the day or week.
Q. What do you receive per week?
A. I receive $10 a week.
Q. Is your business good at the present time?
A. In all the years that I have worked there I have not known them to work so short hours as they are working now; never. Of course, now and then a day or job work, but the shop seems to be almost closed.
Q. (Senator ALDRICH.) Could you estimate the reduction?
A. At least 50 per cent from now and two years ago.

Q. Miss Young, are you dependent on yourself for support?
A. Yes, I am dependent on myself for support; my sister and I together support ourselves.

Miss Mary J. Ryan, of Woonsocket, R. I., stated that she had worked as a weaver twenty-three years for the Social Manufacturing Company:

Q. What has been your average wages?
A. I averaged $10 a week until September, 1893. In October, $9 a week—$1.50 a day.
Q. Why did your wages fall from $10 to $9?
A. The depression in business, owing to the tariff question, caused the works to be stopped for two weeks, and for four months following the work was slack. They stopped last October. Then they ran on full time, but had a scarcity of work.
Q. (Senator ALDRICH.) Explain what you mean by that.
A. I mean that you can run four, or five, or six looms, but if you have only two or three looms, you will be there and your time will be taken up, but you will not earn so much.
Q. Do you know why the work was slack during the time you have mentioned?
A. I was never told why the work was slack, but I learned through the press.
Q. (Senator ALDRICH.) Have you been able to save anything from your wages?
A. Yes; I have been able to save something in these years, but I have not saved anything for nine months. If this Wilson bill goes into effect, we suppose our wages are to be reduced.
Q. Do you support anyone beside yourself?
A. There is no one dependent on me alone. Two sisters and myself work together in the mill; we all work together, and have everything that is required, with comfort. We work together in the mill, and all come together in the home.

Miss Edith Wolstencroft, of Taunton, Mass., works for the Whittenton Company as a weaver of ginghams.

Q. What wages can you make?
A. I can make $8 on the average a week.
Q. Have you ever worked in any other country?
A. I was born in England. I worked in England. I worked on velvets at home at Oldham. I made from 16 to 18 shillings a week. I had two looms. I work two hours more now a week than I did at home. Fifty-eight hours now, fifty-six over there.
Q. (Senator ALDRICH.) What is the difference in the cost of living here and in England?
A. I think some things are cheaper at home and some more expensive. The clothing is a good deal heavier at home than it is here. The climate is so much different. It is damp, heavy, foggy weather there; of course it is clearer here.
Q. (Senator ALLISON.) How about the rent?
A. We have a tenement, four rooms for two, and pay $7 a month. We had the same number of rooms in the old country, but it was not as comfortable: we paid 5 shillings a week at home, that is $1.25 a week. We had not the same conveniences at home as we have here.
Q. (Senator ALLISON.) Who do you support beside yourself?
A. I have my mother to keep. We are able to get on pretty well and keep house. I get on better in this country. I could not keep my mother at home. It is better living here; I would not go back again and work there.

Mrs. Martha Haworth, of New Bedford, Mass., a weaver, has been employed for five years in a cotton mill.

Q. What wages can you make?
A. I now average about $8.50; I made $10 and $11 in good times. It is not short time; it is short pay.
Q. Have you anyone to care for but yourself?
A. I have one little girl dependent on me for support. She is 9 years old; she is in school. I keep house with the little girl.

Mrs. Elizabeth Tyler, of Boston, Mass, a carpet-weaver, born in England, has worked twenty-one years for the Roxbury Carpet Mills.

Q. What wages do you get?
A. I average my wages for 1892 and 1893 up to the last of August at $8 and some odd cents. Since that time the average pay, up to the present time, has been about $3.50; I formerly made something over $8 a week. I work by the piece.
Q. What was the cause of this difference?
A. The mill has been closed down twice; the first time six weeks, the last time four. There was a 10 per cent reduction on the 9th of October.
Q. (Senator ALDRICH.) Have you always worked in this country?
A. I was born in England. I worked there for the John Bright's concern.
Q. (Senator ALDRICH.) How do wages paid there compare with wages paid here?
A. They paid a penny a yard, which would be equal to 2 cents; whereas our former price here was 3½ cents for weaving a yard. It is now 10 per cent less.
Q. (Senator ALDRICH.) What do you know about the conditions of living in the two countries?
A. We could not live in this country on the wages paid in England. I have conversed with several that have come from England, and have worked there, and they are unanimous in saying that they do not want to go back to the old country to work. It costs a girl $5 a week for board and lodging, and then there are the incidental expenses. When we have work here we can save a little; we can try and have a little laid by for the future. If they want to ruin this country let them pass a free-trade bill. If the protection and the tariff are taken off the carpet industry, I say carpet industry, because I know more about that industry than any other, the manufacturer here will not be able to compete with the foreign manufacturer, and wages, of course, will have to come down; it will be impossible for the people in Boston to live on the wages that will be paid; they can not do it; their living is too high. We want to do all we can to defeat the Wilson bill.

Miss Margaret Wright, of Boston, Mass., a carpet setter, has worked twenty years for the Roxbury Carpet Works.

Q. Please explain your work?
A. I make the patterns such as are in the carpet on this floor. Every day I learn some new pattern as a general thing. It is very difficult, and brain work. I have got to have them very perfect. If I do not, I have got to pull it back and do it over. I get no pay for that. If there is one thread out of place, I am called to the finishing room and sometimes fined 50 cents, which does not occur often. In all the twenty years I have been fined only twice. It is very nice work, and I can earn very good pay. Up to within a year or two ago, i. e., 1892, I could earn $2 a day and more. I call the average $2 a day. I worked very hard. I worked harder than the average run of girls. There are a few who can earn that pay regularly. Two girls work together on what are called frames; twenty-three lines underneath and twenty-three above. It is Brussels tapestry I work at. I form these flowers that are on the pattern. It is something that can hardly be made plain to you unless you see it. I work with both hands all the time, setting the patterns. My eyes have got to be on them. If I take them off and let my hands stay still, I do not earn any money; so I have to work very hard.
Q. Have you had steady work?
A. We shut down from last August to the last of October, going back to 10 per cent reduction. If this Wilson bill goes into effect it means further reduction for us and it means not steady work, which we have not had since last April.
Q. Where do you live, Miss Wright?
A. I live about 4 miles out from the works. I have got to take the steam cars and then the electric cars. It costs 22 cents in the winter and 16 cents in the summer. I live at home. I am one of the fortunate ones that has no one dependent upon me.
Q. (Senator ALDRICH). Are you a native of this country?
A. I am not a native of this country. I was born in Scotland. I never worked in Scotland. I was nothing but a very little girl when I came to Boston. I was left to amuse myself in the daytime, and I remember wondering where all the girls came from at night. In Scotland there is a feeling against factory girls and mill hands. If I had lived there I think I never should have worked in a mill. It is different here; and I told my father that I did not know but what I would like to get work.

He said: "Perhaps you would like to get a job at dressmaking," He took me visiting and I met a young lady who worked in the setting room and I asked her to get me work. The remark I made to my father was: "I do not care if I do work in a factory, because nobody knows me here;" but I have never regretted that I went to work in a factory. A lady is a lady anywhere here, whether her pocketbook is full or not; it is not the same on the other side; you have got to have money, and your people have to have a high standing in society before you can get into it.

I do not only speak for myself, but for all the girls who work in the department with me. I happen to be the fortunate one who was chosen by the girls in my department to come here. No one of the company had anything to do with it. I think if this bill goes into effect it will lower our wages and bring us to the standard of old-country people. It is degrading the working people. In the department with me there are 84 girls; a great many with invalid mothers, brothers, and sisters, all dependent upon them. I can say that in Roxbury in September, and especially during November and December, the suffering was something terrible. There are some seven or eight hundred people dependent on that Roxbury mill; not only the people who work there, but also the people who keep stores. We hope the bill will not pass.

I am sorry to have detained you; but I desired to print this interesting evidence, that I may give it to some of those who, like the Senator from South Dakota, know nothing about New England industries.

Mr. President, only a few words more. We are plunging into a great industrial revolution, and Heaven only knows where we shall come out. I am perfectly well aware that what is gained by free traders in this bill is not all that they intend to have.

Notice has been served upon us repeatedly that this country is to move on in the direction of buying where you can buy cheapest. We are engaged this very moment, probably, in destroying an industry of the very greatest importance, deemed essential to national comfort and success by every sensible economist who ever wrote. I refer to the great wool-producing interest. We are in danger of greatly crippling and in some branches destroying another enormous interest, the woolen manufacture. We are in danger of checking the growth of sugar producing—an industry that promises an immeasurable benefit. We are threatening great injuries to iron, steel, silk, and agricultural interests. In my judgment, the general course we are probably to take is against the dictates of sound common sense and sure to involve us in years of industrial depression and reorganization.

The PRESIDING OFFICER The question is on agreeing to the amendment of the Senator from Kansas [Mr. PEFFER].

Mr. DOLPH. Let it be read.

Mr. PEFFER. I desire to make one or two slight changes in in the phraseology of the amendment.

Mr. PLATT. I suggest, if we are to have a vote on this important amendment, that we ought to have a quorum here.

The PRESIDING OFFICER. The Senator from Connecticut suggests the want of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich,	Faulkner,	Lindsay,	Quay,
Allen,	Frye,	McLaurin,	Ransom
Allison,	Gallinger,	McMillan,	Roach,
Bate,	Gibson,	Manderson,	Sherman,
Berry,	Gray,	Martin,	Shoup,
Blanchard,	Hansbrough,	Mills,	Smith,
Brice,	Harris,	Morrill,	Stewart,
Carey,	Hawley,	Palmer,	Teller,
Chandler,	Higgins,	Pasco,	Turple,
Cockrell,	Hill,	Patton,	Vest,
Coke,	Hoar,	Peffer,	Vilas,
Daniel,	Hunton,	Perkins,	Voorhees,
Davis,	Jarvis,	Platt,	Walsh,
Dolph,	Jones, Ark.	Power,	White.
Dubois,	Jones, Nev.	Pugh,	

The PRESIDING OFFICER. Fifty-nine Senators have answered to their names. A quorum is present. The Chair recognizes the Senator from Kansas [Mr. PEFFER].

Mr. PEFFER. I desire to make a slight modification in my amendment. First, on page 3, line 61, there is a proviso:

Provided, That skirted wools as now imported are hereby excepted.

I wish to strike out that proviso.

Then, on page 4, line 80, after the word "be," I wish to strike out "six" and insert "five;" and in line 81, after the word "class," to strike out "seven" and insert "six;" so as to make the clause read:

The duty upon all wools and hair of the first class shall be 5 cents per pound, and upon all wools or hair of the second class 6 cents per pound.

In line 84, I wish to strike out "twenty" and insert "fifteen;" so that the clause will read:

On wools of the third class and on camel's hair of the third class, the value whereof shall be 10 cents or less per pound, including charges, the duty shall be 15 per cent ad valorem.

The PRESIDING OFFICER. The suggested modifications of the amendment will be made.

Mr. PEFFER. The amendment is pretty long and has once been read. I think a very brief explanation of it will be sufficient without the formal reading of the amendment again.

It is simply a reprint of the present law, so far as wool unmanufactured is concerned, with the exception that where in the present law a duty of 11 cents a pound is levied upon wool of the first class my amendment proposes to levy a duty of 5 cents, and where the present law levies a duty of 12 cents a pound upon wool of the second class my amendment proposes 6 cents, reducing the duties of the present law 50 per cent.

Then, as to the third-class wool, the present law makes a dividing line at 13 cents a pound. On wool of the value of 13 cents a pound and less the duty is 32 per cent ad valorem. My amendment proposes 15 per cent on wool of the third class above 13 cents in value; the present law imposes a duty of 50 per cent and I put it at 25 per cent. But I have changed the 13-cents standard to 10 cents, so as to reduce the value. I have stated the entire change from the present law, with the exception that the present law provides that skirted wool shall be excepted and that is stricken out, so that there will be no exception.

Mr. MORRILL. Mr. President, not having occupied unduly the attention of the Senate, I think I may be indulged for a few minutes, representing in part as I do a State that in proportion to its population will be more seriously injured by free wool than any other State in the Union where sheep husbandry is conducted.

In our early years in the State of Vermont and in many other States there was nothing grown but native sheep, and almost every man who had a farm had a small flock of sheep, from thirty to fifty, and sometimes a hundred, enough at least to produce the wool that could be consumed in manufacture in their own families. There was also a spinning wheel and loom in every house, and a carding machine and fulling mill in almost every town. Adam delved and Eve spun, and thus all domestic wants of woolens were supplied.

Under the Administration of Thomas Jefferson, William Jarvis, a distinguished Democrat of Vermont, was sent as consul to Spain. Upon his return home at the end of his service there he brought back a large flock of merino sheep. Those sheep were kept by him on a magnificent farm on the Connecticut River and were bred from year to year and distributed, not only through Vermont, but through nearly all of the Northern and Northwestern States, and from that stock there grew up what were called the improved Vermont merino sheep. The native sheep only yielded from 2½ to 3 pounds per fleece, while this improved stock yielded more than double that amount, and where formerly a sheep when clipped produced only 3 pounds or less, one that would produce 6 or 7 or 8 pounds was obtained.

In that way it became profitable to continue sheep husbandry in Vermont in larger flocks, and in many other Northern States the farmers increased their flocks largely, so that instead of manufacturing all their wool at home they raised it for sale, sold it for cash in the spring of the year, and bought their manufactures. The encouragement that was given them by the tariff of 1816 and 1828 was entirely in harmony with the Democratic practice, with Jefferson, Madison, and Monroe, and with such Vermont Democrats as Consul Jarvis.

In 1818, I believe, the journey of Monroe took place through the country and through our State of Vermont. We then, in the town where I lived, had a manufactory of copperas. President Monroe came about 25 miles out of his way to see that manufactory, where there were not over fifty men, perhaps, then employed. Yet he paid so much attention to an establishment of that sort that he went out of his way and visited the town, and a very large crowd of people, I remember as a boy of about 8 years of age, assembled to greet him on that occasion; and they were told, as everybody was told at that time, that there was not a thread of clothing on the back of the President that was not of American manufacture. So wedded was he to the system of tariff protection that he not only recommended it in his messages, but in practice personally adopted it.

Now, Mr. President, let me say a word here in passing, to our friends upon the other side. They think that if they could be rid of a few men among their associates to whom they have been compelled to listen, and for whom to make changes in their bill, they could obtain Democratic successors hereafter who would make a bill for revenue only. Let me say, however, that the interests in Louisiana, Alabama, Tennessee, New Jersey, Maryland, West Virginia, New York, and Ohio will continue forever, will grow in magnitude and they will be represented here, whether by Democrats or Republicans, by persons who will look out for their proper protection. Iron, coal, sugar, and marble will not vanish, nor will even cuffs and collars.

I wish to refer Senators to the act of 1846, known as the Robert J. Walker tariff act, an act that Democrats always present as their model tariff act. Let them now contrast it with the proposed act and they will hardly find a line that does not swear against the present bill, brought here with no one acknowledging its paternity; but I believe we have a special committee investigating to find out who was its father.

If you look into the first paragraph of the tariff act of 1846 you will find that it was passed on July 30, and it was not to take effect until the 1st of the next December. If you will look at the present bill it will be seen that it is to take effect on the 30th of June, or perhaps before it passes the Senate. Probably that will be changed so as to make it operative the day after its passage. That is one important distinction. When we come to the article of wool you will find that they put in the Democratic tariff of 1846, 30 per cent duty on wool. That was among the highest duties they proposed except upon a few luxuries that were placed at 100 per cent, and some at 40 per cent.

You will find in the first schedule of the act that they imposed a duty upon brandy and other spirits of grain of 100 per cent, and yet it is only a few days ago that this committee, after proposing a larger internal-revenue duty upon our spirits from grain, proposed to reduce the tariff duty on foreign brandy from $2.50 a gallon to $1.80 a gallon, and the same reduction on spirituous liquors, absynthe, maraschino, ratafia, and so on.

The South and Robert J. Walker and all were quite content with 30 per cent on sugar. Now, in a bill nominally to reduce taxation, it is proposed to pay some 40 or 50 or 60 per cent upon sugar which is now free, or 40 per cent ad valorem, and then one-eighth of a cent more in behalf of the refined sugar and more still if imported from where it bears a bounty.

On iron, such as cotton ties and all manufactures of iron, a duty of 30 per cent was proposed by the act of 1846, and yet this bill proposes that cotton ties shall be free. On rice and paddy a duty of 30 per cent only was asked for then by Walker, and yet under this bill it is proposed that they shall have 83 per cent, although I believe that is to be reduced. There was a duty also imposed in the Walker bill upon wheat and wheat flour, corn and cornmeal, oats and oatmeal, barley, and potatoes; and it was not proposed that if any other country should take their duties off, these products should also be permitted to come in free from any such country. The Walker tariff also imposed a duty upon boards, shingles, timber hewn and sawed, pine and spruce clapboards, and yet this bill proposes to make them all free. I may add that even copperas, the manufacture which President Monroe went so many miles out of his way to see, they propose to make free.

It will be seen also that in the Walker bill it was provided in relation to some articles which were to be admitted free of duty—

That this exemption shall not be construed to include machinery or other articles imported for use in any manufacturing establishments or for sale

While that has been copied from the Walker tariff, or other tariffs, yet the present bill proposes that "plows, tooth and disk harrows, harvesters, reapers, agricultural drills, and planters, mowers, horserakes, cultivators, thrashing machines, and cotton gins" may be imported free from any other country where they do not impose a duty against us upon the same article. Of course the only two countries that would manufacture them and would desire free trade with us would be Canada and Great Britain. Such machines have parts that wear out, or by accident may be broken. To send abroad for repairs might prove costly and inconvenient.

The Senator from Mississippi [Mr. GEORGE], day before yesterday, who we all know is a strong man in argument, attempted instead of argument to be as funny as he could. I did not, however, see the buttons burst off of anybody else but himself when he shook his sides. He proposed a conundrum to the Senator from Montana [Mr. POWER] as to whether he would accept a tariff which put a duty on wool without putting any duty upon woolens.

Of course the ingenious Senator from Mississippi unders'ood

very well what he was talking about. He is a free trader, and was digging a pit for the Senator from Montana. He saw at once that if he could impose a duty upon wool and leave manufactures without a sufficient or a compensatory duty, that no wool raised here could then find a market in this country, but it would all come in the shape of manufactures, and the Senator from Mississippi was killing two birds with one stone. By putting a duty on wool he could place it out of the reach of manufacturers and have our markets open to foreign manufactures. In the tariff of 1883, although wools were protected, yet the Supreme Court decided that worsted goods were not made of wool, and, therefore, a large amount of wool was imported in worsted goods. This error was subsequently corrected, and wool is not less wool, though combed.

Mr. President, I did not intend to occupy much time on this subject. The Senator from Indiana [Mr. VOORHEES], in his opening speech, I think, said that if he believed that taking the tariff off of wool would reduce its price he would not be in favor of it. When that Senator a year or two hence, at his own home in Indiana, finds that over 500,000 of the sheep that formerly were herded in his State have vanished, it will hardly do for the chairman of the Finance Committee to say that he did not know his bill was loaded.

Mr. CULLOM. Mr. President, I shall take the time of the Senate for but a few minutes. I suppose it is entirely useless for anyone to speak any longer upon this question, as I think there is a disposition on the part of both sides of the Chamber to vote. But I can scarcely believe that the majority in this Chamber really intend to put wool upon the free list. I still hope that when the time for voting comes, and it is now about here, if they, the Senators on the other side, have not already determined to put a duty upon wool, will reconsider the matter and come to the conclusion that it is only fair that that great production of the farmers of this country should have some little protection.

The Senator from Vermont [Mr. MORRILL] has said that his State is very much interested in this production, more perhaps than the people of any other State in proportion to population. I will say that the State which I have the honor in part to represent is considerably interested in sheep and wool growing. Illinois has 1,198,175 sheep, producing 7,189,050 pounds of wool. I do not rise, however, to speak merely because my State is interested in this matter, but because I think it is only fair to the sheep and wool interest, if we are going to make a bill with any protection in it at all, that they should have their share.

As has been often said, here is a bill which provides for a duty on iron. It provides for a duty on coal, and as has been shown here that it provides for reasonable duties on cotton manufactures. There is some degree of protection in the bill in the duty upon woolen goods.

Mr. FRYE. There is mighty little protection in it.

Mr. CULLOM. There is not very much. As the Senator from Maine says, there is mighty little protection, but there is some, and it seems to me that as the bill stands the majority of the Senate have singled out wool and put it upon the free list for the purpose of having the country believe that they are making a free-trade bill all the way through. If they are not trying to do that they certainly can not believe that the country will feel that they are treating the wool interest as fairly as they do other articles and other interests.

When I come to look over the history of the tariff in relation to wool, I find that substantially all the time since 1816 there has been a tariff upon wool. Sometimes it has not been very large, but the record shows that nearly all the time there has been a duty on wool. Before 1816 it would seem from history that wool was free. The reason why it was free is that in the early period in our history we were exporting what little wool was produced here instead of importing wool.

In other words, we had more wool than our people required for their own use, or it was exported to be manufactured in Great Britain. But in 1816, immediately after the war of 1812, the policy was changed, and the tariff on wool was fixed at 15 per cent. In 1824 it was 15 per cent; in 1828 it was 4 cents a pound and 40 per cent ad valorem; in 1830 it was 4 cents a pound and 45 per cent ad valorem; in 1832 cheaper wool, not exceeding 8 cents a pound in value, was free, and on wool exceeding 8 cents a pound the duty was 4 cents per pound.

So the record shows that the policy of the Government from 1816 down to the present time has been to maintain a tariff upon wool, and sometimes a very substantial protective tariff. In view of this history I am unwilling to believe, until this subject is disposed of, that it is the determination of the Senators in charge of the bill and the majority in the Senate to allow raw wool to be placed upon the free list.

I appeal to the Senator from Missouri [Mr. VEST], who is, I think, the only Senator in charge of the bill now present. I appeal to him in the interest of the farmers of Missouri and of the country to consent to a small duty upon raw wool, if he is not willing to give a fair one.

Mr. VEST. If it does not interrupt my friend from Illinois, I should like to ask him if he thinks that the increase of the duty on raw wool would increase the price?

Mr. CULLOM. It certainly would not reduce the price, and I hope that it would increase it. It is true the price of wool is going down now, as everything else has been going down in the last year. I will not undertake to give the reason why.

Mr. VEST. In 1883, as the debates show, the leaders of the Republican party contended that the increase of the duty on raw wool would necessarily decrease the price; that that was the logical and inevitable result of protection; that as you increase the duty upon wool, as a matter of course you decrease the price of it, and that therefore it gave to the manufacturers their raw material cheaper.

I remember distinctly that the Senator from Ohio [Mr. SHERMAN] made that argument, and the Senator from Maine [Mr. FRYE], who is present here now, stated that the effect of the high duty of 1867 had been to reduce the price of wool. The Senator from Iowa [Mr. ALLISON] made the same argument. The records can be produced, if there is any question about it. So I wish to know whether the Republican party has changed its ground on that question. When my friend from Illinois [Mr. CULLOM] appeals to me personally in the interest of the woolgrowers of Missouri to put a duty on raw wool, then the other side must take away the argument which they made in 1883, that the effect of the increase of the duty on raw wool is to decrease the price. That has been the effect, for the price has fallen ever since 1883, when the duties on raw wool were increased.

Mr. CULLOM. I can scarcely understand the argument that the Senator from Missouri attempts to make when he undertakes to say that protection to American wool and American sheep husbandry is likely to reduce the price of the product protected. Suppose we had a protective tariff that was prohibitory of the introduction of wool into this country, would the Senator from Missouri argue that it would reduce the price of wool in America?

Mr. VEST. I am merely giving the protection argument that the other side made in 1883.

Mr. CULLOM. I ask the Senator whether, if we had a prohibitory tariff on wool it would reduce the price of wool and the price of sheep in the United States. The Senator knows very well that it would not. I do not ask for a prohibitory duty, but I wish to have a duty which will give some protection to this industry as well as to the other industries of the country. I am very certain that such a policy would not result in the reduction of the price of wool or the price of sheep.

The statistics show that when we have had a good protective tariff on sheep and wool the flocks of sheep increased all over the country, and when the duty on sheep and wool was reduced the flocks have disappeared from the country.

I have here a letter upon this question, of which I should like to read a portion. It is from a gentleman in Chicago, dealing in wool:

> The grower unable to hold his wool can not do it, and the great bulk of wool in Montana, Wyoming, Utah, Idaho, Arizona, and Texas is being consigned to this and Eastern markets on an advance of 3 to 5 cents a pound, which is all the commission houses feel safe in advancing, and few of the growers have reason to believe they will receive anything further than their advances, and the inclosed telegram shows the conditions on which some will consign their wool.
>
> Many of the large growers in the States above named last winter mortgaged their present clip of wool to obtain the means to carry their flocks through, and now receiving even less for their clip than for the clip of 1893, and no protection given to wool, next fall will see such a slaughter of sheep as was never before seen in this country, and this great woolgrowing industry receive a blow from which it will not recover for many a year if ever, but if a small duty can be put on wool, say 5 cents, it would prevent a further decline, set the current the other way, help to ascertain and establish values, and, more than all, give a little aid and comfort to the now disheartened and discouraged grower by assuring him that his rights and his interests will not be unprotected, even if he be without organized, influential, and special representation in the halls of legislation; and the man or men who shall be instrumental in securing protection for that class will not be forgotten in the days that are surely coming.

This letter comes from a gentleman who is buying wool and knows what the sentiment of the farmers is on the subject. I think he has a very definite idea of what will be the result upon the wool industry of the country if wool goes upon the free list.

Now, my friend from Missouri said the other day, with a good deal of confidence and with a flourish of his hand: "I am for the farmer." So am I. I think one way to be "for the farmer" in this instance is to protect one of the industries of the agriculturists of the country and give them the same opportunity to conduct their business as is given to others, the products of whose industry are upon the protected list by the consent of the Senator from Missouri.

Mr. VEST. I do not believe it is protection to put a duty upon raw wool.

Mr. CULLOM. Nor does the Senator from Missouri believe that a duty on wheat is a protection to wheat grown in this country.

Mr. VEST. No; I do not.

Mr. CULLOM. The Senator does not believe that a duty on corn will be any protection to corn.

Mr. VEST. If the Senator from Illinois will convince me, or even make a plausible argument showing that a protective duty on wheat helps the American wheat-grower, when we export a hundred million bushels and import so small a quantity, I shall be glad to vote for such a duty.

Mr. ALDRICH. Will the Senator from Missouri make the same promise as to wool?

Mr. VEST. As to wool, I will state that the cases are so entirely dissimilar that I should hate to make a promise until I have heard the argument and the conclusions of the Senator from Rhode Island.

Mr. ALDRICH. I will submit my views later on.

Mr. CULLOM. The Senator from Missouri says that if I will convince him that a protective duty on wheat would do the wheat-grower any good, he would vote for such a duty. I have no idea that I can convince him or that any other man on earth could accomplish so great a feat.

The Senator in one argument says he is for the farmer, and the next thing he does is to put wheat and corn and other articles which the farmer raises on the free list. When we appeal to him to protect the farmer he says, "Oh, protection to the farmer is a mere myth; it amounts to nothing." If it amounts to nothing, why does the Senator from Missouri insist upon taking such duties out of the bill? Let us see whether it will amount to anything in the condition of the country as it exists to-day.

Mr. President, I do not care to take up the time of the Senate any longer on this subject. I rose principally to appeal to the Senator from Missouri to know whether he will not consent, because apparently we can not do anything unless the Senator does consent, to a duty, a small duty of 5 cents a pound, or some duty, upon wool along with the other articles that he has kindly consented to protect.

The time has gone by when the Senator can insist upon any particular line of policy upon this question, because everybody knows, he as well as the rest, that there is no particular line of public policy which has been carried out so far by the managers of the bill on the question of protection. We have had free trade; we have had a little protection; we have had revenue reform; we have had good protection; and all these ideas and policies are to be incorporated in the provisions of the bill. Now, let us have some kind of protection upon wool, and then we will go on with the bill as rapidly as is consistent with fair discussion.

Mr. TELLER. I desire to offer a substitute for the amendment of the Senator from Kansas [Mr. PEFFER].

Mr. PEFFER. Does the Senator from Colorado say he offers a substitute?

Mr. TELLER. Yes; I propose to substitute the McKinley rates.

Mr. PEFFER. Perhaps it would be better to put it in the form of an amendment to my amendment.

Mr. ALDRICH. A substitute is the same thing.

Mr. TELLER. It is the same thing. I understand the Senator from Kansas has adopted in his amendment the classification of wool which is in the McKinley act, but the rates are entirely different.

Mr. PEFFER. There is a proposed reduction of about 50 per cent.

Mr. TELLER. I think it will save a little time to offer my amendment, which contains the McKinley rates with the McKinley classification. If it is voted down, then we can take the vote on the Senator's amendment.

The VICE-PRESIDENT. The amendment of the Senator from Colorado [Mr. TELLER] to the amendment of the Senator from Kansas [Mr. PEFFER] will be stated.

Mr. TELLER. I suppose by unanimous consent the reading of the amendment might be dispensed with, as everyone understands it. Let the question be put on the amendment.

The VICE-PRESIDENT. Is there objection? The Chair hears none.

Mr. TELLER. Let the question be put on the amendment. I repeat that it is simply the McKinley classification and the McKinley rates.

Mr. HOAR. I do not desire to take up time, but I think if the amendment is acted upon without reading it will establish a precedent which might be troublesome at some time. It will not take more than three or four minutes to read the amendment to the amendment.

Mr. TELLER. It will not take long. Let it be read.

Mr. HOAR. I should like to have it read.

The VICE-PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. Strike out the amendment of Mr. PEFFER and insert in lieu thereof:

All wools, hair of the camel, goat, alpaca, and other like animals shall be divided, for the purpose of fixing the duties to be charged thereon, into the three following classes:

Class 1, that is to say, Merino, mestiza, metz, or metis wools, or other wools of Merino blood, immediate or remote, Down clothing wools, and wools of like character with any of the preceding, including such as have been heretofore usually imported into the United States from Buenos Ayres, New Zealand, Australia, Cape of Good Hope, Russia, Great Britain, Canada, and elsewhere, and also including all wools not hereinafter described or designated in classes 2 and 3.

Class 2, that is to say, Leicester, Cotswold, Linconshire, Down combing wools, Canada long wools, or other like combing wools of English blood, and usually known by the terms herein used, and also hair of the camel, goat, alpaca, and other like animals.

Class 3, that is to say, Donskoi, native South American, Cordova, Valparaiso, native Smyrna, Russian camels' hair, and including all such wools of like character as have been heretofore usually imported into the United States from Turkey, Greece, Egypt, Syria, and elsewhere, excepting improved wools hereinafter provided for.

The standard samples of all wools which are now or may be hereafter deposited in the principal custom-houses of the United States, under the authority of the Secretary of the Treasury, shall be the standards for the classification of wools under this act, and the Secretary of the Treasury shall have the authority to renew these standards and to make such additions to them from time to time as may be required, and he shall cause to be deposited like standards in other custom-houses of the United States when they may be needed.

Whenever wools of class three shall have been improved by the admixture of Merino or English blood from their present character, as represented by the standard samples now or hereafter to be deposited in the principal custom-houses of the United States, such improved wools shall be classified for duty either as class 1 or as class 2, as the case may be.

The duty on wools of the first class which shall be imported washed shall be twice the amount of the duty to which they would be subjected if imported unwashed; and the duty on wools of the first and second classes which shall be imported scoured shall be three times the duty to which they would be subjected if imported unwashed.

Unwashed wool shall be considered such as shall have been shorn from the sheep without any cleansing; that is, in their natural condition. Washed wools shall be considered such as have been washed with water on the sheep's back. Wool washed in any other manner than on the sheep's back shall be considered as scoured wool.

The duty upon wool of the sheep or hair of the camel, goat, alpaca, and other like animals which shall be imported in any other than ordinary condition, or which shall be changed in its character or condition for the purpose of evading the duty, or which shall be reduced in value by the admixture of dirt, or any other foreign substance, or which has been sorted or increased in value by the rejection of any part of the original fleece, shall be twice the duty to which it would be otherwise subject. Wools on which a duty is assessed amounting to three times or more than that which would be assessed if said wool was imported unwashed, such duty shall not be doubled on account of its being sorted. If wools, the quantity and value to be ascertained under such rules as the Secretary of the Treasury may prescribe.

On noils, shoddy, top waste, slubbing waste, roving waste, ring waste, yarn waste, garnetted waste, and all other wastes composed wholly or in part of wool, the duty shall be 30 cents per pound.

On woolen rags, mungo, and flocks, the duty shall be 10 cents per pound.

Wools and hair of the camel, goat, alpaca, or other like animals, in the form of roping, roving, or tops, and all wool and hair which have been advanced in any manner or by any process of manufacture beyond the washed or scoured condition, not specially provided for in this act, shall be subject to the same duties as are imposed upon manufactures of wool not specially provided for in this act.

Mr. HARRIS. Question!

The VICE-PRESIDENT. The question is on agreeing to the amendment in the nature of a substitute proposed by the Senator from Colorado [Mr. TELLER] to the amendment of the Senator from Kansas [Mr. PEFFER].

Mr. TELLER and Mr. MILLS called for the yeas and nays; and they were ordered.

The Secretary proceeded to call the roll.

Mr. GORDON (when his name was called). By arrangement with the Senator from Maine [Mr. FRYE] the Senator from Iowa [Mr. WILSON] will stand paired with the Senator from Maryland [Mr. GORMAN]. I vote "nay."

Mr. MCLAURIN (when his name was called). I transfer my pair with the junior Senator from Rhode Island [Mr. DIXON] to the junior Senator from South Carolina [Mr. IRBY] and vote "nay."

Mr. QUAY (when his name was called). I am paired with the Senator from Alabama [Mr. MORGAN]. If he were present I should vote "yea."

The roll call was concluded.

Mr. RANSOM. Has the Senator from Maine [Mr. HALE] voted?

The VICE-PRESIDENT. He has not voted.

Mr. RANSOM. I am paired with the Senator from Maine [Mr. HALE]. If he were present he would vote "yea" and I should vote "nay."

Mr. HIGGINS. I am paired with the Senator from New Jersey [Mr. MCPHERSON], and I suggest to the Senator from North Carolina [Mr. RANSOM] that we transfer pairs, so that the Senator from Maine [Mr. HALE] will stand paired with the Senator from New Jersey [Mr. MCPHERSON] and we may vote.

Mr. RANSOM. That is agreeable to me. I vote "nay."

Mr. HIGGINS. I vote "yea."

Mr. CAREY. I am paired with the junior Senator from Wisconsin [Mr. MITCHELL], who is detained at home by sickness. If he were present I should vote "yea."

Mr. PASCO. I was requested to state that the Senator from South Carolina [Mr. BUTLER] is necessarily absent, and that he is paired with the Senator from Pennsylvania [Mr. CAMERON].

Mr. VEST (after having voted in the negative). I voted, supposing the Senator from Minnesota [Mr. WASHBURN] was present. I have a general pair with the Senator from Minnesota and withdraw my vote. I should vote "nay" if he were present, and he would vote "yea."

Mr. BRICE. I have a general pair with the junior Senator from Colorada [Mr. WOLCOTT]. If he were present he would vote "yea" and I should vote "nay."

Mr. QUAY. I have already announced my pair with the Senator from Alabama [Mr. MORGAN]. I rise to state that my colleague [Mr. CAMERON], who is necessarily absent, is paired with the Senator from South Carolina [Mr. BUTLER]. If my colleague were present he would vote "yea."

Mr. BLANCHARD. My colleague [Mr. CAFFERY] is paired with the Senator from Montana [Mr. POWER]. If my colleague were here he would vote "nay."

Mr. BRICE. I transfer my pair with the junior Senator from Colorado [Mr. WOLCOTT] to the junior Senator from Wisconsin [Mr. MITCHELL], so that the Senator from Wyoming [Mr. CAREY] and I may vote. I vote "nay."

Mr. CAREY. I vote "yea."

Mr. DANIEL. I wish to state that I am paired with the Senator from Washington [Mr. SQUIRE]. Otherwise I should vote "nay."

Mr. POWER (after having voted in the affirmative). Has the Senator from Louisiana [Mr. CAFFERY] voted?

The VICE-PRESIDENT. He has not voted, the Chair is advised.

Mr. POWER. Then I withdraw my vote, as I am paired with the Senator from Louisiana [Mr. CAFFERY].

Mr. DANIEL. I suggest to the Senator from Montana [Mr. POWER] that we transfer pairs so that the Senator from Louisiana [Mr. CAFFERY] will stand paired with the Senator from Washington [Mr. SQUIRE].

Mr. POWER. I should be pleased to make the transfer.

Mr. DANIEL. Then I vote "nay."

Mr. POWER. My vote will stand.

The result was announced—yeas 29, nays 37; as follows:

YEAS—29.

Aldrich,	Frye,	McMillan,	Proctor,
Allison,	Gallinger,	Manderson,	Sherman,
Carey,	Hansbrough,	Mitchell, Oregon	Shoup,
Chandler,	Hawley,	Morrill,	Stewart,
Cullom,	Higgins,	Patton,	Teller.
Davis,	Hoar,	Perkins,	
Dolph,	Jones, Nev.	Platt,	
Dubois,	Lodge,	Power,	

NAYS—37.

Allen,	Faulkner,	Kyle,	Roach,
Bate,	George,	Lindsay,	Smith,
Berry,	Gibson,	McLaurin,	Turpie,
Blackburn,	Gordon,	Mills,	Vilas,
Blanchard,	Gray,	Murphy,	Voorhees,
Brice,	Harris,	Palmer,	Walsh,
Call,	Hill,	Pasco,	White.
Cockrell,	Hunton,	Peffer,	
Coke,	Jarvis,	Pugh,	
Daniel,	Jones, Ark.	Ransom,	

NOT VOTING—19.

Butler,	Gorman,	Mitchell, Wis.	Vest,
Caffery,	Hale,	Morgan,	Washburn,
Camden,	Irby,	Pettigrew,	Wilson,
Cameron,	McPherson,	Quay,	Wolcott.
Dixon,	Martin,	Squire,	

So the amendment to the amendment was rejected.

The VICE-PRESIDENT. The question recurs on agreeing to the amendment proposed by the Senator from Kansas [Mr. PEFFER].

Mr. PEFFER. I wish to say to those Senators who were not present when my amendment was read that it simply proposes to reduce the duties on unmanufactured wool from the rates prescribed in the present law, the McKinley act, 50 per cent.

Mr. POWER. I wish to offer an amendment to the amendment of the Senator from Kansas. I propose to lower the duties of the McKinley act. It is the McKinley act, with 7 cents in place of 11, and 8 cents in place of 12.

The VICE-PRESIDENT. The amendment of the Senator from Montana to the amendment of the Senator from Kansas will be stated.

The SECRETARY. In line 80 of the amendment it is proposed to strike out "six" and insert "seven:" in line 81, to strike out "seven" and insert "eight;" in line 83, to strike out "ten" and insert "nine;" in line 84, to strike out "20 per cent ad valorem" and insert "4 cents;" in line 87, to strike out "ten" and insert "nine," and in line 88, to strike out "25 per cent ad valorem" and insert "5 cents;" so as to read:

The duty upon all wools and hair of the first class shall be 7 cents per pound, and upon all wools or hair of the second class 8 cents per pound.

On wools of the third class and on camel's hair of the third class the value whereof shall be 9 cents or less per pound, including charges, the duty shall be 4 cents.

On wools of the third class and on camel's hair of the third class the value whereof shall exceed 9 cents per pound, including charges, the duty shall be 5 cents.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Montana [Mr. POWER] to the amendment of the Senator from Kansas [Mr. PEFFER].

Mr. TELLER and Mr. DOLPH called for the yeas and nays, and they were ordered.

The Secretary proceeded to call the roll.

Mr. BRICE (when his name was called). I again transfer my pair with the junior Senator from Colorado [Mr. WOLCOTT] to the junior Senator from Wisconsin [Mr. MITCHELL], so that the Senator from Wyoming [Mr. CAREY] and I may vote. I vote "nay."

Mr. QUAY (when Mr. CAMERON'S name was called). I rise to announce the pair of my colleague [Mr. CAMERON] with the Senator from South Carolina [Mr. BUTLER]. If my colleague were present he would vote "yea."

Mr. FRYE (when Mr. GORMAN'S name was called). The senior Senator from Maryland [Mr. GORMAN], who is detained from the Chamber by illness, has a general pair with me, but for the day the pair has been transferred to the junior Senator from Iowa [Mr. WILSON], giving the Senator from Georgia [Mr. GORDON] and myself the right to vote.

Mr. HIGGINS. I transfer my pair with the Senator from New Jersey [Mr. MCPHERSON] to the Senator from Maine [Mr. HALE]. The Senator from Maine is paired with the Senator from North Carolina [Mr. RANSOM], and under this arrangement the Senator from North Carolina and I will vote. I vote "yea."

Mr. MCLAURIN (when his name was called). I am paired with the junior Senator from Rhode Island [Mr. DIXON].

Mr. QUAY (when his name was called). I am paired with the Senator from Alabama [Mr. MORGAN]. If he were present I should vote "yea."

Mr. VEST (when his name was called). I am paired with the Senator from Minnesota [Mr. WASHBURN]. He would vote "yea" and I should vote "nay" on this question.

The roll call having been concluded, the result was announced—yeas 29, nays 37; as follows:

YEAS—29.

Aldrich,	Frye,	McMillan,	Proctor,
Allison,	Gallinger,	Manderson,	Sherman,
Carey,	Hansbrough,	Mitchell, Oregon	Shoup,
Chandler,	Hawley,	Morrill,	Stewart,
Cullom,	Higgins,	Patton,	Teller.
Davis,	Hoar,	Perkins,	
Dolph,	Jones, Nev.	Platt,	
Dubois,	Lodge,	Power,	

NAYS—37.

Allen,	Faulkner,	Kyle,	Roach,
Bate,	George,	Lindsay,	Smith,
Berry,	Gibson,	Martin,	Turpie,
Blackburn,	Gordon,	Mills,	Vilas,
Blanchard,	Gray,	Murphy,	Voorhees,
Brice,	Harris,	Palmer,	Walsh,
Call,	Hill,	Pasco,	White.
Cockrell,	Hunton,	Peffer,	
Coke,	Jarvis,	Pugh,	
Daniel,	Jones, Ark.	Ransom,	

NOT VOTING—19.

Butler,	Gorman,	Mitchell, Wis.	Vest,
Caffery,	Hale,	Morgan,	Washburn,
Camden,	Irby,	Pettigrew,	Wilson,
Cameron,	McLaurin,	Quay,	Wolcott.
Dixon,	McPherson,	Squire,	

So the amendment to the amendment was rejected.

The VICE-PRESIDENT. The question recurs on the amendment of the Senator from Kansas.

Mr. PEFFER. I ask that the modifications I have made in my amendment my be stated.

The SECRETARY. In line 61 strike out the following:

Provided, That skirted wools as now imported are hereby excepted.

In line 80 strike out "six" and insert "five;" in line 81 strike out "seven" and insert "six;" and in line 84 strike out "twenty" and insert "fifteen;" so as to read:

The duty upon all wools and hair of the first class shall be 5 cents per pound, and upon all wools or hair of the second class 6 cents per pound.

On wools of the third class and on camel's hair of the third class the value whereof shall be 10 cents or less per pound, including charges, the duty shall be 15 per cent ad valorem.

Mr. PEFFER. In the top line, on page 5, 25 per cent is to remain. It is a change from the existing law, which is 50 per cent.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Kansas [Mr. PEFFER].

Mr. PEFFER. On that I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. BRICE (when his name was called). If agreeable to the Senator from Wyoming [Mr. CAREY], I will make the same transfer of pairs, so that the junior Senator from Colorado [Mr. WOLCOTT] will stand paired with the junior Senator from Wisconsin [Mr. MITCHELL]. I vote "nay."

Mr. HIGGINS (when his name was called). I again announce the transfer of my pair with the Senator from New Jersey [Mr. MCPHERSON] to the Senator from Maine [Mr. HALE], so that the Senator from North Carolina [Mr. RANSOM] and myself can vote. I vote "yea."

Mr. MCLAURIN (when his name was called). I am paired with the junior Senator from Rhode Island [Mr. DIXON].

Mr. QUAY (when his name was called). I am paired on this question with the Senator from Alabama [Mr. MORGAN]. If he were present I should vote "yea." While I am on the floor I desire to announce the pair of my colleague [Mr. CAMERON] with the Senator from South Carolina [Mr. BUTLER]. If my colleague were present he would vote "yea." I make this announcement for the last time during to-day's session.

Mr. VEST (when his name was called). I have a general pair, as I have heretofore stated, with the Senator from Minnesota [Mr. WASHBURN]. I will transfer my pair to the Senator from South Carolina [Mr. IRBY], who is absent, and vote "nay."

The roll call was concluded.

Mr. MCLAURIN. If it is agreeable to the junior Senator from Pennsylvania [Mr. QUAY], I will transfer my pair with the Senator from Rhode Island [Mr. DIXON] to the Senator from Alabama [Mr. MORGAN], so that we can both vote.

Mr. QUAY. The arrangement is perfectly satisfactory to me.

Mr. MCLAURIN. I vote "nay."

Mr. QUAY. I vote "yea."

The result was announced—yeas 33, nays 35; as follows:

YEAS—33.

Aldrich,	Frye,	McMillan,	Proctor,
Allen,	Gallinger,	Manderson,	Quay,
Allison,	Hansbrough	Mitchell, Oregon	Sherman,
Carey,	Hawley,	Morrill,	Shoup,
Chandler,	Higgins,	Patton,	Stewart,
Cullom,	Hoar,	Peffer,	Teller.
Davis,	Jones, Nev.	Perkins,	
Dolph,	Kyle,	Platt,	
Dubois,	Lodge,	Power.	

NAYS—35.

Bate,	Faulkner,	Lindsay,	Roach,
Berry,	George,	McLaurin,	Smith,
Blackburn,	Gibson,	Martin,	Turpie.
Blanchard,	Gordon,	Mills,	Vest,
Brice,	Gray,	Murphy,	Vilas,
Call,	Harris,	Palmer,	Voorhees,
Cockrell,	Hunton,	Pasco,	Walsh,
Coke,	Jarvis,	Pugh,	White.
Daniel,	Jones, Ark.	Ransom.	

NOT VOTING—17.

Butler,	Gorman,	Mitchell, Wis.	Wilson,
Caffery,	Hale,	Morgan,	Wolcott.
Camden,	Hill,	Pettigrew,	
Cameron,	Irby,	Squire,	
Dixon.	McPherson,	Washburn,	

So the amendment was rejected.

Mr. SHERMAN. I offer an amendment to come in at the head of the schedule.

The VICE-PRESIDENT The amendment proposed by the Senator from Ohio will be stated.

The SECRETARY. It is proposed to insert:

All wool of the sheep, hair of the camel, goat, alpaca, and other like animals, and all wool and hair on the skin, noils, yarn waste, card waste, bur waste, rags and flocks, including all waste, or rags composed wholly or in part of wool, 40 per cent ad valorem.

Mr. PROCTOR. Mr. President, before the vote is taken on the pending amendment I ask the indulgence of the Senate for not more than five or ten minutes.

The first recorded attempt to break down the interests of sheep husbandry was when Cain slew his brother Abel, who "was a keeper of sheep." [Laughter.] The motives and purposes which actuated Cain were plainly the same as those which actuate his followers to-day. It was jealousy of a preferred and protected industry. Cain was a "tiller of the ground, and brought of the fruit of the ground an offering unto the Lord." This offering may have been of rice, or cotton, or of sugar—the record does not state. But Abel "brought of the firstlings of his flock, and of the fat thereof, and the Lord had respect unto Abel and to his offering, but unto Cain and his offering he had not respect."

The punishment meted out to Cain fairly foreshadows that which shall be meted out by the people to the promoters of this measure: A mark shall be set upon them, and when the time of retribution comes they will say with Cain, "My punishment is greater than I can bear."

The Holy Writ gives abundant evidence that sheep husbandry was considered from the earliest times a favored industry, and recognized as one of the first importance. Abraham tendered ewe lambs as witnesses of an oath in one of the earliest real-estate transactions on record.

And Abraham set seven ewe lambs of the flock by themselves.

And Abimelech said unto Abraham, what mean these seven ewe lambs which thou hast set by themselves?

And he said, for these seven ewe lambs shalt thou take of my hand, that they may be a witness unto me, that I have digged this well.

Wherefore he called that place Beer-sheba; because there they sware, both of them.

The first successful effort at improvement of the breed of sheep was made by Jacob, and grew out of a bargain with his father-in-law, Laban, and is described in the thirtieth chapter of Genesis. The original color of the fleece is generally believed, with exceptionally a streak of white, to have been a dingy black. Laban stipulated with Jacob that he might have the speckled and ring-streaked of the flock—that is, the few which were in part white—in payment for his services as shepherd.

Laban thought he had made a sharp bargain, but his thrifty son-in-law, Jacob, by his shrewd application of what are now well-understood principles of breeding, largely increased the number of the flock having more or less white wool. His example was doubtless followed by others in selecting for breeding those which had the largest proportion of white, for David likens wool to snow, and Solomon likens the whiteness of the teeth of his mistress to a flock of sheep just come up from the washing.

The shepherd and his calling and his flock are often alluded to in the Holy Writ, and furnish some of its grandest imagery and most beautiful illustrations. Many of those specially favored of the Lord were shepherds, and everywhere that calling is referred to as one of the highest character, plainly recognizing its importance to the welfare and prosperity of the people. Jacob "rolled the stone from the well's mouth and watered the flock of Laban" as the first evidence of his love for Rachel. Saul, when in trouble with the Philistines, said unto Jesse, "Send me David thy son, which is with the sheep."

The fate of those who attack this industry and the flocks of their country is plainly foreshadowed and prophesied in many places:

David said unto Saul, Thy servant kept his father's sheep, and there came a lion, and a bear, and took a lamb out of the flock,

And I went out after him, and smote him, and delivered it out of his mouth; and when he arose against me, I caught him by his beard, and smote him and slew him.

Thy servant slew both the lion and the bear; and this uncircumcised Philistine shall be as one of them, seeing he hath defied the armies of the living God.

The same fate, Mr. President, will surely be meted out to the political Philistines of the present day in November, 1894 and 1896. [Laughter.]

The rewards awaiting those who are faithful in sustaining the industries of their country are also foretold:

So will I seek out my sheep, and will deliver them out of all places where they have been scattered in the cloudy and dark day.

And I will bring them out from the people, and gather them from the countries, and will bring them to their own land, and feed them upon the mountains of Israel by the rivers, and in all the inhabited places of the country.

I will feed them in a good pasture, and upon the high mountains of Israel shall their fold be; there shall they lie in a good fold, and in a fat pasture shall they feed upon the mountains of Israel.

I will seek that which was lost, and bring again that which was driven away, and will bind up that which was broken, and will strengthen that which was sick, but I will destroy the fat and the strong; I will feed them with judgment.

As a further evidence of the Divine preference it is written that, "He shall set the sheep on His right hand, but the goats on the left." [Laughter.] The proper application of this sentence to the present situation is so obvious that it need not be stated. [Laughter.]

To establish the connection between the sheep industry of our own country and the flocks of Bible times, I quote from the encyclopædia. Of the Spanish Merino it says: "In modern times it has been brought to the greatest perfection in Spain, though its originals probably formed the flocks of the patriarchs thousands of years ago and have been the stock of all fine-wooled sheep."

The breed was probably brought from the East to Spain by the

Moors, as it was known and written of there in the time of Cæsar Augustus.

It is easy to establish our inheritance of the best of the historic flocks of Spain, which had been for centuries jealously fostered and protected by the Government and grandees of that country, and their exportation forbidden by law under penalty of the most severe punishment. The opportunity came as a result of the Napoleonic wars of the Peninsula. It was fortunate for us that we were represented at that time at Madrid by Col. David Humphreys, of Connecticut, a scholar, poet, patriot, soldier, and diplomat, the military aid and friend of Washington, and member of his family several years after the Revolution. And it was equally fortunate that we were represented at Lisbon by William Jarvis, of Vermont, of whom Jefferson spoke as "pre-eminently among the faithful of the public servants."

These far-seeing and patriotic men embraced the opportunity, which except for the convulsions of war might never have occurred, and made large purchases, which they shipped to this country, and with painstaking intelligence distributed to prominent farmers from Maine to Virginia, in many cases by gift.

I will let Consul Jarvis, as he was known in my State during the many years of his useful life, tell the story of these importations by reading brief extracts of a letter dated Weathersfield, Vt., December 22, 1841, and addressed to Henry S. Randall, corresponding secretary of the New York State Agricultural Society, and published in the transactions of that society for that year. In speaking of the Merino breed of sheep, he says:

It was known in Spain in the time of Columella, a writer on agriculture in the reign of Augustus Cæsar. But whether indigenous in that kingdom, or imported into it at an earlier period, is not certainly known; but the latter is the most probable, from their name "Marino," which is the Spanish spelling, and which means beyond sea. The Merino sheep of Spain are of two classes, the trashumantes or traveling sheep, and estantes or stationary sheep.

* * * * * *

The question may be asked, Why are they called traveling sheep? The answer is that they are driven to the flat, level country in October, to be pastured until April, and in April they are driven into the hilly and mountainous districts, to be pastured until October.

* * * * * * *

So highly did the Spaniards value this breed of sheep, that they were prohibited by law from exportation, under penalty of transportation to the mines, or confinement to the galleys for life.

* * * * * * * *

The first that were sent to this country was in 1802, by Chancellor Livingston, of New York, then minister to France, who obtained a buck and two ewes from the Rambouillet flock; and the same year the Hon. David Humphreys, who had been minister to Spain, got out 200 through Portugal, which were sent to Connecticut, and placed on his farm near New Haven. The value of this useful animal was not then appreciated in the United States; and those two importations remained unnoticed and almost unknown, until the embargo in 1807, and the nonintercourse of the two subsequent years cut off our accustomed supply of woolen goods from England, and began to call the attention of reflecting men to the necessity of rendering ourselves independent of foreign nations for the supply of those all-essential articles of human comfort, by the establishment of woolen manufactures among ourselves.

This independence it is now proposed to surrender to England.

When the second irruption of the French armies into Spain in the winter of 1809 drove the Spanish Junto from Madrid to Badajos, the Junto was without money and without resources.

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No alternative was therefore left them other than to sell the four flocks of Merinos which had been confiscated with the other property of four grandees who had joined France, with license to transport them out of Spain.

* * * * * * * *

Sir Charles Stewart, the British minister, purchased the Negretti flock, of which I selected a small part, and the remainder he sent to England. I also purchased about 1,300 Aqueirres, and selected about 200 from the Montarcos. I likewise purchased in Spain 200 of the Escurial flock from the mayoral, which were the only Escurials ever sent to this country. I shipped in 1809 and in 1810 about 3,850 to this country of the aforementioned flocks, being all which I purchased in Spain, and which were distributed as follows: About 1,500 to New York; 1,000 to Boston and Newburyport, including 350 which I sent to be reserved for me; the remainder were sent to Philadelphia, Baltimore, Alexandria, Norfolk, and Richmond, and a small number to Wiscasset, Portland, and Portsmouth, as I was disposed to distribute those valuable animals to every State which would be likely to profit by the acquisition. Those I reserved for myself were composed of about half Paulars, a quarter Aqueirres, and the other fourth of Escurials, Negrettis, and Montarcos, which I subsequently mixed together.

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All those sheep were Leonesa, trashumantes, and were of the prime flocks of Spain.

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Twenty-five years' experience satisfies me that the wool of the Spanish Merino has rather improved. About six years ago I compared my Merino wool with fifteen or twenty samples of the Paular flock that had been sent me from Spain when I purchased; and eight or ten judges who examined the two gave a decided preference to that taken from the backs of my sheep. Mr. James Shepherd, when he carried on the factory at Northampton, and who purchased my Merino wool for several years, told me that the superfine broadcloths made from my wool handled softer than did those from the best imported Spanish wool he could purchase. When the Merino has been bred with attention and care the wool has not deteriorated in any other country than England, and the deterioration there has unquestionably been owing to the uncommon humidity of that climate.

From this beginning have come the wonderful results which have added hundreds of millions of wealth to this country, besides giving us the great national advantages which result from our independence of other countries for the supply of this great staple.

While wool-raising has ceased in my State to be as profitable as formerly, the breeding of a very high class of Merino sheep is still a very important branch of agricultural production.

The breeders of Vermont, and doubtless those of other States, annually visit and exhibit their sheep at the fairs in the wool-raising regions of Australia and South America and take the leading premiums in those countries. As a result of the superiority of their sheep they have made large sales abroad. Buyers from those countries come here every season to make their purchases. How much our success in breeding has done to increase the average weight of fine wool fleeces may be understood from the fact that within fifty years the average in the United States has increased threefold, and in Australia it has nearly doubled in thirty-five years.

That this result, this great addition to the wealth of the world, is due to American breeders is clear from the fact that they were the first to start upon a scientific and systematic course of improvement of the breed of Spanish Merino sheep, and they still hold a long lead in this direction.

This controlling position has been gained only by more than eighty years of earnest, persistent, and able effort on the part of our leading sheep-breeders, a class of men who have counted among their number many of the most intelligent men of the country.

The American Merino leads the world, and always will, unless we willfully and wickedly surrender the advantages which nature and opportunity and the enterprise of our farmers have given us. I claim that the development and improvement of the Merino sheep by intelligent and scientific breeding is the greatest single achievement of the American farmers. It may be true—I believe it is—that the climate and other conditions necessary for producing the very best Merino sheep are extremely favorable in our Northern States. But despite our natural advantages, we can not hope to continue to be the leading sheep-breeding country of the world if we cease to be also a wool-raising country.

To strike down this industry is not only to bring immediate ruin to the wool-raisers, but also to surrender a great national interest, and, by making the breeding of the best sheep in the world unprofitable, to put it out of our power for generations to come to recuperate and recover our present position in sheep husbandry and woolgrowing, which are of such great national importance.

[Mr. ALDRICH addressed the Senate. See Appendix.]

Mr. POWER. I wish to suggest to the Senator from Rhode Island whether the trouble does not come very largely from the fact that cotton is largely mixed with wool in the production of blankets and other goods? I had occasion to make some inquiry into the matter in order to ascertain why the reduction in the price of wool at the present time was so great, and I was answered that it was on account of the use of cotton goods. I have a letter here from Mr. Roland P. Marks, in charge of the woolen department of Marshall Field & Co., which explains the situation fully, which I ask permission to read. The letter is as follows:

CHICAGO, *December 12, 1893.*

DEAR SIR: As suggested in my letter of last week, I give you below certain information asked for, which is to be taken more as facts than as reflecting my own personal views:

The cotton-blanket industry, if I am not mistaken, was started about 1875 or 1876, the goods being first introduced by the Eagle and Phœnix Mills, of Columbus, Ga., being made only in white, 3 to 4 pounds in weight, and costing something like $1.25 or $1.50 per pair.

The sale was exceedingly limited for the first five years, and indeed it was ten years before they began to be used to any perceptible extent, or about 1886.

Since then the growth has been steady, and during the year 1893 we have used 10 per cent more white and colored all-cotton blankets alone than we used in 1886 in all kinds of all-cotton, all-wool and part-cotton white and colored blankets. That is, 10 per cent more pairs blankets; but of course the cost is very much less per pair.

While a cotton blanket can be made as low as 2 pounds to the pair, an all-wool blanket can not be well made under 3½ pounds to the pair in the same size, as wool can not be worked to the same advantage as cotton can.

I consider that the cotton-blanket industry is in the nature of a "fad," though the hard times may have had something to do with it, and it may die out when it is found they really will not take the place of all-wool goods on account of lack of warmth.

In that respect, they are almost valueless, but it can not be denied that they have taken the place and reduced the production of all-wool goods.

It will probably result eventually in there being less all-wool and all-cotton blankets used, and more cotton and wool mixed.

Regarding napped flannels made of all cotton, I find that we have used this year 1,900 cases in various forms, of which there was not a yard made previous to 1890; when they were introduced in a small way during that year, we used probably less than twenty cases, and the growth has been a steady one, and they have taken the place of all-wool flannels, cotton and wool

mixed flannels, and all-cotton hard finished shirtings, the sale of which latter has almost disappeared.

There has been a complete revolution in the use of wool.

Years ago there was a very large sale in all-wool plain and twilled flannels, while now the business is scarcely 25 per cent of what it was ten years ago.

The first cause of that decline was found in the use of knit underwear, which could be manufactured cheaper and produce a better garment than when woven and manufactured, but there has been a change also in that kind of underwear, as in all kinds of flannels other than cloths and cassimeres.

While it was once thought all flannels should be all wool, it is now found when mixed with cotton they are much more desirable, wear longer, shrink less, and are quite as warm.

Good cotton mixed with wool is much better than a low grade of all wool, both for service and general appearances.

I believe this is one of the principal reasons why wool has declined.

I shall be glad if any of the above information is of use to you.

Very respectfully,

ROLAND P. MARKS.

Senator T. C. POWER, *Washington, D. C.*

Mr. HOAR. Mr. President, I do not rise to prolong this debate, except to call attention briefly to one point which has been several times suggested by the Senator from Missouri [Mr. VEST] and the Senator from Illinois [Mr. PALMER], who have constantly put the question which has been answered in other ways, and I do not suppose it needs any further answer, whether the effect of a duty is to reduce the price of the article protected or to enhance it. They say, "If the effect of your duty is to reduce the price, how do you benefit the person who is protected?"

It seems to me, Mr. President, that, in considering that proposition, we ought to take the two things together, the question of the comparative prices and the question of the increased production in the country. They can not be separated.

Now, suppose you take the entire woolgrowing industry of this country, secure to it the American market, and thereby double or treble or quadruple the product, it is an advantage to the woolgrowing community even if the price is being constantly lowered.

Take the illustration of a single farmer. We will suppose that he has, as an adjunct to his farm, a small flock of sheep, and he raises wool at a cost of $90, which he sells at $100, thereby making $10. We secure him the market from a neighboring manufactory, and the next year he raises $200 worth instead of $100 worth, having his foreign competitor shut out, and supplying that neighboring mill himself; but on that $200 he makes $15, selling his wool at a smaller price than before, and only makes 7½ per cent above what it cost him, instead of 10 per cent; but by the doubling of his sales he has made $15 at the end of the year, when the year before he had only made $10.

Mr. President, that is the law governing not only woolen manufacturing, but every one of these protected industries, about which this question, which our Democratic friends are so fond of putting, is put, "How do you benefit an American producer by a duty under which his price is constantly being lowered?" You benefit him, at least, by doubling his product, and, whether you take the individual man or the whole aggregate of that kind of production, you benefit the consumer by reducing the price the consumer has to pay for the materials, and you benefit the manufacturer in the end by reducing the price which the manufacturer has to pay.

But you benefit the producer by giving him a market which enables him to double his profit. So the large sale at the small profit is not only more profitable to the man to whom he sells, but it is more profitable to the seller at the small sale than the large one. That seems to me a conclusive answer to the conundrum which our friends are fond of putting to us.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Ohio [Mr. SHERMAN].

Mr. HALE. On that I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. DANIEL (when his name was called). I am paired with the Senator from Washington [Mr. SQUIRE]. Otherwise I should vote "nay."

Mr. HIGGINS (when his name was called). I am paired with the senior Senator from New Jersey [Mr. MCPHERSON]. If he were present I should vote "yea" and he would vote "nay."

Mr. MCLAURIN (when his name was called). I am paired with the junior Senator from Rhode Island [Mr. DIXON].

Mr. VEST (when his name was called). I have a general pair with the Senator from Minnesota [Mr. WASHBURN]. I transfer my pair to the Senator from South Carolina [Mr. IRBY] and vote "nay."

The roll call was concluded.

Mr. MCLAURIN. I will transfer my pair with the Senator from Rhode Island [Mr. DIXON] to the Senator from Kansas [Mr. MARTIN] and vote "nay."

Mr. TURPIE (after having voted in the negative). I inquire if the Senator from Minnesota [Mr. DAVIS] has voted?

The VICE-PRESIDENT. The Senator has not voted.

Mr. TURPIE. I withdraw my vote.

The result was announced—yeas 28, nays 35; as follows:

YEAS—28.

Aldrich,	Frye,	McMillan,	Power,
Allison,	Gallinger,	Manderson,	Proctor,
Carey,	Hale,	Mitchell, Oregon	Quay,
Chandler,	Hansbrough,	Patton,	Sherman,
Cullom,	Hawley,	Peffer,	Shoup,
Dolph,	Hoar,	Perkins,	Stewart,
Dubois,	Lodge,	Platt,	Teller.

NAYS—35.

Allen,	Faulkner,	Kyle,	Ransom,
Bate,	George,	Lindsay,	Roach,
Berry,	Gibson,	McLaurin,	Smith,
Blackburn,	Gray,	Mills,	Vest.
Blanchard,	Harris,	Morgan,	Vilas,
Brice,	Hill,	Murphy,	Voorhees,
Caffery,	Hunton,	Palmer,	Walsh,
Cockrell,	Jarvis,	Pasco,	White.
Coke,	Jones, Ark.	Pugh,	

NOT VOTING—22.

Butler,	Dixon,	McPherson,	Turpie,
Call,	Gordon,	Martin,	Washburn,
Camden,	Gorman,	Mitchell, Wis.	Wilson,
Cameron,	Higgins,	Morrill,	Wolcott.
Daniel,	Irby,	Pettigrew,	
Davis,	Jones, Nev.	Squire,	

So the amendment was rejected.

Mr. SHERMAN. I wish to offer one further amendment and then I shall be done, so far as I am concerned, with this subject-matter.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. Insert as paragraph 277½, the following:

All wool of the sheep, hair of the camel, goat, alpaca, and other like animals, and all wool and hair on the skin, noils, yarn waste, card waste, bur waste, rags, and flocks, including all waste, or rags composed wholly or in part of wool, 30 per cent ad valorem.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Ohio.

Mr. SHERMAN. I have before me what is called the Walker tariff act, which has been the boast of the Democratic party since 1846. It is the last expression of the Democratic will on all subjects of tariff legislation since that time. It has been made the subject of eulogy in this debate. The honorable Senator from Indiana [Mr. VOORHEES] spoke of it as being the best tariff which had been framed in this country, and the model of other tariff acts. Now, when I look at the tariff act of 1846 I find a duty levied on unmanufactured wool of 30 per cent ad valorem, and on "manufactures of wool, or of which wool shall be the component material of chief value, not otherwise provided for," 30 per cent ad valorem.

So the idea then of the Democratic party was that the farmer should be dealt with precisely as the manufacturer was dealt with—that to the extent of his labor he should be protected in his industry. This was the rule and law of the Democratic party. From 1816, after the war of 1812, up to this hour there has always been a duty on wool proportionate to some extent to the duty on woolens; but as manufacturing increased the rates of duty on woolens were I think properly increased.

What reason can be given why we should now refuse to the farmer the duty of, say, 20 or 30 per cent or 40 per cent on the product of his industry? The circumstances are not auspicious for such a movement as is proposed. It is hard upon the farmer at best to live. He is brought into competition with all the world in his production.

This little duty of a few cents a pound on wool has always given a price which has made the product a sure resort for the payment of taxes. It has always been a sure reliance for almost every farmer in the State of Ohio and to some extent in all the other States. Such is the case even in Texas. I have here a telegram requesting me to call upon the honorable Senator from Texas [Mr. MILLS] and have him present the unanimous declaration of a large mass-meeting somewhere in Texas against this free-wool clause. I suppose that is the substance of it. I called upon the Senator for it at the request of this person and he said that he had left it at his house, but no doubt he will bring it here in the morning. It purports to be the proceedings of a large mass-meeting in Texas.

This feeling is universal among the farmers of the country. I do not speak for partisan purposes; I think I have got beyond that; but I should like to make an appeal to the Senators of the United States on behalf of the farmers, laboring as they are under severe conditions, under hard lines and hard times, competing with their Wester brethren on cheap farms and cheap land. The farmers of our Eastern States and the Middle States are, to use a common expression, very hard up, although the great mass of them are the best people of our country.

I say it is unjustifiable, it is wrong, it is cruel, and it is unjust

in every sense of the word that you should make this discrimination when all those who went before you now for nearly eighty years have given the farmers an equal chance in the race of life in their production. The tariff act of 1846, which you boast as the model and pride of your party, shows that those who levied these duties put an equal protection on the farmer and the manufacturer. No party has dared since 1816 to leave wool off the tariff list, and prior to 1816 all the wool produced in this country was consumed here; there were neither exports nor imports of wool. I had the book here the other day before me, but forgot to refer to it.

Until 1816 our wool was always consumed in the cheap and homely way carried on in every house with the old-fashioned wheel, which was as necessary a part of the household furniture as the stove in the kitchen. Since that time manufacturing has become an art, and we are making as good cloths as any in the world. I do not object to the protection which has been given by the pending bill, nor would I object to giving additional protection to the manufacturers of wool; but that which you gave to the farmer forty or fifty years ago ought to be given now, and if you do not do it they will have sense enough to see that your ground is not tenable. If the old Democratic party was right forty or fifty years ago it is wrong now. Every dictate of interest, every impulse of honesty, every sign of patriotism, demands that you should extend to them the same benefits that you extend to the other branches of industry.

This is all I desire to say on the subject. I feel earnestly about it, and I hope that our Democratic friends for their benefit as well as for the benefit of the people of the United States will not carry out what I call a bad conspiracy against the industries of the farmers of our country.

Mr. MILLS. Mr. President, the Senator from Ohio has alluded to a telegram which was sent to me from a meeting of woolgrowers at San Angelo, Tex. I did not understand that the telegram was intended to be presented to the Senate. It was simply addressed to me with a request that I should show the telegram to the Senator from Ohio and to the Representative of that district in Texas, Hon. Mr. PASCHAL. I paid no further attention to it.

The people of Texas know very well that I am not in favor of a duty on wool. They know that I have never been in favor of a duty on wool. These are constituents of mine, respectable gentlemen. They had a right of course to send the telegram to me, and I have a right to decline to comply with the request which they have made, and to continue to represent the great body of the Democratic people of Texas, who are in favor of free wool and free everything else they can get free from taxation.

Mr. SHERMAN. If the Senator will allow me a moment, I feel bound in courtesy to the Senator to say that I showed him the telegram and he told me to present it to the Senate in the nature of a petition or memorial. At any rate I showed it to the Senator and did——

Mr. MILLS. The Senator showed me his telegram, but mine was simply addressed to me and contained no request to present it to the Senate. However, there was a request that I should show it to the Senator from Ohio. It was on my table. I do not know where it is now, but it was a request for a vote to put a duty on wool, that we should not have free wool, but a duty on wool.

I wish to make simply one remark in reference to the statement made by the distinguished Senator from Ohio about the Walker tariff. If the Senator from Ohio will read a little book called Does Protection Protect, written by Mr. Grosvenor, who, I believe, is, or was for some time, the tariff editor of the New York Tribune, he alludes to the very fact to which the Senator callsattention in the Walker tariff of 1866, that the duty on wool and woolen goods was the same—30 per cent—and that the result was almost the destruction of the woolen manufactures of the United States.

Mr. ALDRICH. Mr. President——

Mr. MILLS. Hold on a moment, my friend. We imported very largely until 1857, when the tariff of 1857 was adopted. I think my friend from Ohio had something to do with that act, and, if I remember aright, the duty on wool under 20 cents a pound was removed and it was made free.

Mr. SHERMAN. I have also the tariff act of 1857 here. I was a member of the Congress which passed that act.

Mr. MILLS. That is what I thought.

Mr. SHERMAN. If I remember aright, the schedules named in the tariff act of 1846 were simply reduced about 20 per cent.

Mr. MILLS. But all wool under 20 cents a pound was put on the free list. My friend from Rhode Island knows that.

Mr. ALLISON. Twenty-four.

Mr. ALDRICH. All wool under twenty-four.

Mr. MILLS. Twenty, I think.

Mr. ALDRICH. Twenty-four.

Mr. MILLS. That is much better, but I thought it was twenty. Does the Senator from Rhode Island wish to say something?

Mr. ALDRICH. I wish to say a word in justice to Mr. Grosvenor. I think it ought to be stated that since the publication to which the Senator referred he has repudiated the publication and its doctrine.

Mr. MILLS. He repudiated a most masterly work on the subject of free trade. But neither my friend from Rhode Island nor my friend from Ohio will agree that a tariff on such a raw material as wool of 30 per cent and a tariff on manufactured goods of 30 per cent is the right thing to do.

Mr. ALDRICH. I will not.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Ohio, on which the Chair understands the yeas and nays to be demanded.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CAREY (when his name was called). I am paired with the junior Senator from Wisconsin [Mr. MITCHELL]. With the consent of the Senator from Iowa [Mr. ALLISON], I transfer my pair to the junior Senator from Colorado [Mr. WOLCOTT], and vote "yea."

Mr. HIGGINS (when his name was called). I am paired with the Senator from New Jersey [Mr. MCPHERSON]. I should vote "yea" if he were present.

Mr. MCLAURIN (when his name was called). I announce for the day that I am paired with the junior Senator from Rhode Island [Mr. DIXON]. If he were present I should vote "nay."

Mr. VEST (when his name was called). I have a general pair with the Senator from Minnesota [Mr. WASHBURN]. I transfer my pair to the Senator from South Carolina [Mr. IRBY] and vote "nay."

The roll call was concluded.

Mr. FRYE. Has the Senator from Georgia [Mr. GORDON] voted?

The VICE-PRESIDENT. The Senator from Georgia has not voted, the Chair is advised.

Mr. FRYE. Then I think it would be proper he should stand paired with his general pair, the junior Senator from Iowa [Mr. WILSON], and I will resume my pair with the senior Senator from Maryland [Mr. GORMAN].

Mr. PALMER (after having voted in the negative). Has the Senator from Nevada [Mr. STEWART] voted?

The VICE-PRESIDENT. The Senator from Nevada has not voted, the Chair is advised.

Mr. PALMER. I made a temporary pair with that Senator and withdraw my vote.

The result was announced—yeas 29, nays 34; as follows:

YEAS—29.

Aldrich,	Dubois,	McMillan,	Proctor,
Allen,	Gallinger,	Manderson,	Quay,
Allison,	Hale,	Mitchell, Oregon.	Sherman,
Carey,	Hansbrough,	Patton,	Shoup,
Chandler,	Hawley,	Peffer,	Teller.
Cullom,	Hoar,	Perkins,	
Davis,	Kyle,	Platt,	
Dolph,	Lodge,	Power,	

NAYS—34.

Bate,	Faulkner,	Lindsay,	Smith,
Berry,	George,	Martin,	Turpie,
Blackburn,	Gibson,	Mills,	Vest,
Blanchard,	Gray,	Morgan,	Vilas,
Brice,	Harris,	Murphy,	Voorhees,
Caffery,	Hill,	Pasco,	Walsh,
Call,	Hunton,	Pugh,	White.
Cockrell,	Jarvis,	Ransom,	
Coke,	Jones, Ark.	Roach,	

NOT VOTING—22.

Butler,	Gordon,	McPherson,	Stewart,
Camden,	Gorman,	Mitchell, Wis.	Washburn,
Cameron,	Higgins,	Morrill,	Wilson,
Daniel,	Irby,	Palmer,	Wolcott.
Dixon,	Jones, Nev.	Pettigrew,	
Frye,	McLaurin,	Squire,	

So the amendment was rejected.

Mr. PEFFER. I propose an amendment. I move to insert:

All articles of manufacture, composed wholly or in part of wool or hair of the camel, goat, alpaca, and other like animals shall be admitted free of duty.

Mr. President, we have arrived at a point in this discussion when it is made perfectly evident that raw wool, unmanufactured wool of all classes and varieties raised by American farmers is to be placed in open competition in the world's market with wools raised in Australia, in South America, in Russia, in India, in China, in the colonies in the southern part of Africa, and in all portions of the world.

It has been shown during this discussion that there are somewhere in the neighborhood of a million farmers—not simply men, women, and children—but a million men and women, taking them individually, owning sheep in the United States, and that those sheep are being raised and the wool from them is being cared for as a part of the livelihood of those farmers. It has been shown, too, that there are about $500,000,000 worth of invested capital in the business of raising sheep and producing wool.

Now that it is determined that these farmers and their product shall be placed in competition with the cheap labor of other countries, I ask the Democratic majority of this body to apply the same rule to the manufacturers of wool. I hold that the farmer's interests are as sacred as those of the manufacturer, and that if revenue is needed it can be raised with quite as much propriety upon unmanufactured wool as upon manufactured wool. Further, I hold that if it is a matter of protection, the interests of the farmer are as much in need of protection as the interests of the manufacturer.

I have taken occasion two or three times during this discussion to call attention to the fact that as to a great many articles which the farmer produces he does not need any protection; he does not want any protection. It would be of no sort of use to him. For example, in the matter of wheat and in the matter of corn and oats, because our production is so much larger than our consumption that any amount of protection, even though it should amount to prohibition, would not do us any good; but that, whenever a case occurs where either by prohibiting the importation of an article our people would have the benefit of supplying the amount so prohibited, or, as in the case of wool, when we are not able to supply the entire demand of our own market, we would get the benefit of a duty levied upon foreign competing articles. In all such cases I have insisted uniformly that if there is any virtue in protection to anybody there is equal virtue in it to the farmer.

Before going any further I wish to call attention to a matter in the most kindly spirit, but I want to do it with sufficient plainness so that every Senator will understand exactly what I mean. I charge, to begin with, that the Democratic majority is treating the farmers of the country unfairly. I charge upon the Democratic party in the Senate that they are treating themselves unfairly, that they are abandoning their record, that they are betraying the people, that they are doing those things they promised the people they would not do, and that they are leaving undone things they told the people they would do. These be plain words. I want them to be so, and, without intending to be offensive, I want them to go straight home to the hearts and consciences and brains of the Senators who are listening to me.

In 1884, when the Democratic banner was flung high, and the party met in national convention, they gave to the world these words:

> The Democracy pledges itself to purify the Administration from corruption, to restore economy, to revive respect for law, and to reduce taxation to the lowest limit consistent with due regard to the preservation of the faith of the nation to its creditors and pensioners. Knowing full well, however, that legislation affecting the operations of the people should be cautious and conservative in method, not in advance of public opinion, but responsive to its demands, the Democratic party is pledged to revise the tariff in a spirit of fairness to all interests.

I ask Senators who listen to me whether the woolgrowing interest is not one of the interests of the American people; whether it is not the seventh in magnitude of all our great industries, and whether the tariff ought not to be revised in a spirit of fairness to that industry? Senators must remember that wool has been protected every year since 1816. This is one of the industries that has grown up among the American people under the fostering care of the Government precisely the same as the manufacturing of wool, and the manufacturing of cotton, and the manufacturing of iron have grown up. There is no difference between them whatever.

In 1850 our wool clip amounted to about 2 pounds or 2½ pounds to the sheep, while now we have increased it to an average of very nearly 7 pounds, and in very many places fully 7 pounds. Some individual fleeces have already reached 23 and 24 pounds. It is a great industry, and I submit to the Democratic majority here that, when you are removing at one stroke of the legislative pen every vestige of protection from an industry which has as much right to claim the protection of the National Legislature as any other industry in the country, and let the industry drop, while you are keeping 40 per cent, 45 per cent, and 50 per cent ad valorem upon the manufactures of wool, you are not treating us fairly, and we feel it down in our manhood where men feel these things. I ask you in candor, in honor, as men and as legislators, how dare you strike down the farmer's industry and hold up the manufacturer's?

You will arouse a spirit of indignation among the farmers that you can not explain away. There is no child's play about this thing. You strike us with an open hand while we are looking at you, just as a highwayman comes up in front of his victim and says, "Deliver to me;" but you do not do that to the manufacturer. I would not be at all surprised if before this discussion ends we should find that the duties upon manufactured goods are raised by the gentlemen in charge of the pending bill. Having called the attention of Democratic Senators to their platform in 1884, I come to the platform of 1888:

> The Democratic party of the United States, in national convention assembled, renews the pledge of its fidelity to Democratic faith, and reaffirms the platform adopted by its representatives at the convention of 1884—

It is reaffirmed that you will revise the tariff in a spirit of fairness to all industries. But they do more than that Mr. President—

> and indorses the views expressed by President Cleveland in his last earnest message to Congress as the correct interpretation of that platform upon the question of tariff reduction.

Now, we will see what are those views. President Cleveland says:

> It is not proposed entirely to relieve the country of this taxation—

Speaking of protection—

> It must be extensively continued as the source of the Government's income, and in a readjustment of our tariff the interests of American labor engaged in manufactures should be carefully considered as well as the preservation of our manufactures. It may be called protection, or by any other name, but relief from the hardships and dangers of our present tariff laws should be devised with special precaution against imperiling the existence of our manufacturing interests.
>
> * * * * * * *
>
> The standard of our laborer's life should not be measured by that of any other country less favored, and they are entitled to their full share of all our advantages.
>
> * * * * * * *
>
> The simple and plain duty which we owe the people is to reduce taxation to the necessary expense of an economical operation of the Government and to restore to the business of the country the money which we hold in the Treasury through the perversion of governmental powers. These things can and should be done with safety to all our industries which without danger to the opportunity for remunerative labor which our workingmen need, and with benefit to them and all our people by cheapening their means of subsistence and increasing the measure of their comforts.

Mr. President, the Democratic party taught us that doctrine from the platform; they taught it to us from the press, until the American people largely, and especially the farmers, came to believe that they really were in earnest about it, and that if they were intrusted with power they would undertake to revise the tariff in a spirit of fairness to all industries for the purpose of cheapening the necessaries of life, so that men could live cheaper and yet live just as well. But now when we come to this point where they stand before us they say to us, "We will strike down your industry; we will take away the protective hand of the Government from it, and let it fall, while we will protect the industries of half a dozen men," who have forced this infamous measure upon this body.

Mr. President, I want to call the attention of those Senators to the condition of the sheep industry. I have had these figures by me all the time, but thought I would wait until this supreme moment and see whether we are to be slaughtered in the face of our pretended friends. I have here a statement made by woolen manufacturers, who are very much interested, of course, having large investments in the business, in which they show what is now the free-trade price of wool upon the farm and what it costs to get the wool to the market. They have sent out their agents into the Northwest and Southwest to purchase wool, and have instructed every one of them to pay only this much or less, and this much is the free-trade price, expecting that this bill will eventually pass, and that the crop of wool which they will then have on hand will be purchased at a safe price.

I find here that one grade of Montana wool is 5 cents upon the farm, and 9¾ cents is the London price of graded Montana fine delaine fleeces. It costs 5 cents to take that wool to market, which would leave 4¾ cents a pound for wool on the farm in Montana. Coming down to Kansas, I find that Kansas wool, the London price of which is 11½ cents, it costs 4 cents to get to market. That leaves us 7½ cents for our splendid clip of wool in the State of Kansas. So it runs all along through the different grades of wool. California—the price of same grade of wool in London is 8¾ cents, and it costs 5 cents to get that wool to the factory, which would leave 3¾ cents to the woolgrower.

Mr. President, without going into the details further, I say to you that at one of the meetings of the Kansas Woolgrowers' Association a few years ago a committee reported that it cost from 22 to 25 cents a pound to raise first-class wool in the State of Kansas. There are gentlemen here who are interested personally in the business of woolgrowing who understand the truth

of what I say. It costs on an average to produce a first-class clip of American wool from 25 to 30 cents a pound, taking the country over, on high-priced lands of Pennsylvania, New York, and Ohio, and through that section of country and going on west through the lower grades of land a fair average price of the cost of producing good wool in the United States may be put down at 25 cents; and yet we find here that an average of what our farmers would receive for their wool after the expense of getting it to market is deducted would not exceed 8 or 10 cents a pound—more than 50 per cent below the actual cost price of producing the wool.

That being true, none of the Senators who represent constituencies engaged in manufacturing industries will pretend to say that the duties which are proposed by the bill to be laid upon manufactured goods will interfere with the business of manufacturing to the extent of reducing the value of the goods in the market 50 per cent below their cost. They understand very well that an average duty of 35 to 50 per cent on the manufactures of woolen goods is enough. It is enough to protect the manufacturing industries of the country, and hence they have not complained.

Now, I want to know, and I have a right to know, because when I go home to my constituents I wish to explain it to them, the reason why the Democratic majority in the Senate of the United States have done this, and I ask the Senators to answer me and to answer me openly and before the Senate and the country, why it is that they are not willing to leave us some protection upon our wool industry when they leave ample protection upon the manufactures of wool? That is a fair question, and I ask it expecting it to be answered. There certainly is some Senator here who can answer the question. There must be some reason for it, and I wish to know what it is. I see the chairman of the Committee on Finance in his seat, but probably it would hardly be fair to ask him to answer, for the reason that on account of the Senator's health he has not been able to attend the meetings of the committee nor the sessions of the Senate as frequently as he otherwise would have done. But surely there is some Senator, the Senator from Missouri [Mr. VEST], or the Senator from Texas [Mr. MILLS], who can answer it.

Mr. VEST. Does the Senator from Kansas wish me to answer in his time?

Mr. PEFFER. I wish the Senator to answer now.

Mr. VEST. Mr. President, I can give in a very few words the reason which controls my vote and my action as a member of the Finance Committee.

The Senator from Kansas has been engaged, in the remarks he has just made, in proving to the Senate that notwithstanding the duties imposed by the McKinley act upon wool and woolen goods the price of raw wool has continued to fall to the producer in his State and in mine and throughout the country. Not only is that true, but the number of sheep has decreased until to-day east of the Mississippi River there are about one-half the number of sheep there were in 1867.

More than that, the report of the Agricultural Department for 1891 shows that while the number of sheep has slightly increased, taking the whole country, east and west of the Mississippi, the increase has been caused by the increase of what are called the mutton breed, in the vicinity of the cities, for the use of the markets in the way of food. But as to the quantity of wool and as to the number of wool sheep, there has been a decrease notwithstanding the high duties, and there has also been a falling in prices.

Now, it has been said here that the wool-producer will receive twice as much if there be a duty put upon wool, because there will be a larger quantity of wool produced by him. These duties were imposed in 1890, and yet the quantity of wool did not increase, and the market for wool went down upon the producer of wool. Still the Senator stands here and demands that the duty shall be retained or made greater.

Experience demonstrates that it does not benefit his people nor mine who raise the wool, nor has it benefited really the body of the woolen manufactures. We have the highest testimony from experts in woolen manufacture to the effect that this country can not produce the wools which are necessary to enable us to compete in the manufacture of woolen cloths with foreign manufacturers. We are bound to have foreign wool, and if we can increase the quantity of foreign wool brought in to this country, we will increase the demand for domestic wool, which is necessarily to be mixed with it in order to produce the cloths that would give to us any portion of the markets of this country or of the world.

I do not believe that taxing wool has been a success. I do not believe it has helped the wool-producers of the United States. I have the statistics here showing that in Missouri the number of sheep has steadily decreased. I have here the exact figures. In the State of Missouri in 1868 there were 1,377,547 sheep; in 1892, there were 916,623. In Ohio there was a loss from 1868 to 1892 of 2,262,039. In Michigan there was a loss from 1868 to 1892 of 1,594,412. In Pennsylvania the loss was 2,330,525; in New York, 3,575,425, and in Illinois, 1,888,339. Now, does the Senator from Kansas mean to tell me that if duties upon raw wool made the raising of wool profitable our people would not have found it out?

I went to Missouri when I was a boy, in 1852, and I remember that in Central Missouri there were men with from 7,000 to 10,000 sheep upon their farms. They deliberately abandoned the raising of wool because it was not profitable, and turned their land to other culture and to other interests. Are our people so stupid that they are not able to realize their own interest? Why is it, if the duties in the McKinley act operated in favor of the woolgrowers, that the price of wool has continued to fall? The Senator from Rhode Island [Mr. ALDRICH] tells us it is because of the great production throughout the world. But the price has gone down in this country to a larger degree than it has abroad, and if a high tariff would prevent such a result why has it not done so?

Mr. ALDRICH. The tables which I have put in the RECORD to-day will show exactly the opposite result.

Mr. VEST. Very good. Without going into an examination of those tables, which we shall see to-morrow, I assert this proposition, which no tables can controvert, that the price of wool has gone down in the face of these high duties since 1890 when I heard in this Chamber that if this duty were put on wool there would be an increased price to the woolgrowers. That has not been true. Hundreds of men, who voted for Mr. Harrison believing they would receive more for their wool, were disappointed until in my State to-day it is a standing jest with the Democrats who remained true to the party that many of their neighbors who voted for Harrison can not now look a sheep in the face. [Laughter.]

I have here the statement of Mr. Whitman, of the Woolen Manufacturers' Association, to the effect that it is impossible to produce in this country all the varieties of wool which are necessary to the manufacture of cloth. Now, are we to be told that we must continue this system, which so far has not inured to the benefit of the woolgrowers? Does the Senator from Kansas intend to go on in the same road that we have been pursuing for years? Does he think that the result in the future will be different from that which has obtained in the past? What right has he to assume that to put back the McKinley duties or any portion of them will inure to the benefit of the woolgrower as to the price he will receive for his product?

In the McKinley act we have enormous duties, amounting to over 225 and 230 per cent, in favor of the manufacturer. The argument has been made, and but for the consumption of time I could read here statements to that effect from all the authorities of the Republican party, including Mr. McKinley himself, that the specific duties in the McKinley act were put there to compensate the manufacturers for what they were compelled to pay for foreign wool, and that those specific duties were put there for the benefit of the woolgrowers. Now, what do we propose to do? We propose to remove those specific duties and give to the manufacturers what Mr. McKinley said he gave them in effect, and that is, free wool. But the moment we undertake to meet the argument and the demand of the Republican party in 1890 we are told that will not do; "we want to retain the specific duties." In other words, they admit that those duties were not for the benefit of the woolgrower as they said in 1890, but went into the pockets of the woolen manufacturers themselves.

The Senator asks me why I favor free wool. I favor it in the interest of the wool producers of this country and the consumers and users of woolen cloths. I favor it to get rid of 230 and 240 per cent upon one of the prime necessaries of life. I favor it because we have tried the system now crystallized upon the statute books in the shape of the McKinley act, and we have found that every promise made to the people of the United States has proven to be false. Let us in the name of the people try something else.

Let us give to the wool producers of the United States the chance to test what I absolutely believe to be true, that when foreign wools which we can not produce come here and can be used by our manufacturers in being mixed with the domestic wools, there will be a production of woolen cloths never before known in this country. There will be a demand for the domestic article which we have never known and the result will be, as it always is, that increased demand will increase the price, and the people in Kansas and Missouri and the other States of the Union in which wool is produced will reap the result.

This, Mr. President, is inferior to the other great consideration. Woolen clothes will be cheaper. These enormous duties will not be recouped off the people of the United States, either by the importers or by the domestic manufacturers. We will

not be compelled to pay as much in the shape of duties as we pay now for the cloths themselves. Does the Senator from Kansas want this result, or does he want to put a duty upon raw wool, and then force us to put up the duties on manufactured products, which would be the inevitable and logical result?

If you put a duty upon raw wool you must increase the duty upon the manufactured cloths, because the manufacturer has the right to say to us, "You have increased the price of my raw material and you must compensate me for that legislation."

Mr. HOAR. What if you do not?

Mr. VEST. If you do not, then of course gaunt famine will stalk in the streets of all the manufacturing towns and cities, and there will be desolation in the land.

Mr. ALDRICH. Will the Senator from Kansas allow me for a second?

Mr. PEFFER. Yes; for one second.

Mr. ALDRICH. I desire to put upon record as against the statement of the Senator from Missouri the statement that every promise made by any of the advocates of the act of 1890 as to the beneficial effects of that act upon the wool-producing industry in the United States, or the woolen manufactures of the United States, or as to the reduced price of clothing to the people of the United States, has been verified a thousand times over by the actual results. It is true——

Mr. VEST. I should like to ask——

Mr. ALDRICH. Just a second. It is true there was a slight decline in the price of wool in the United States for the fifteen or twenty months subsequent to the passage of that act, but while there was a decline of about 6 per cent in the United States there was a decline in London during the same period of nearly 30 per cent, showing that our tariff had saved the people of the United States from the disastrous competition which came from reduced prices.

It is further true that after the election in November, 1892, there was a ruinous fall in the prices of wool which has continued to the present moment, growing out of the threats (which the people of the country believed would be kept) of the destruction of the wool-producing interests of the country.

Mr. VEST. In other words, the fear of a Democratic victory within one year after Harrison was elected caused a fall in the price of wool. Who believes that statement? I want to say this——

Mr. ALDRICH. No; one year after Cleveland was elected.

Mr. VEST. One year after Harrison was elected.

Mr. ALDRICH. I am not talking about that. I have made no such statement.

Mr. VEST. It is exactly the same statement. In 1890 the voters of the country were told, "Elect Mr. Harrison and the price of wool will go up." He was elected, and the price of wool went down, and it shows that the Republican victory, with the prospects of the increased duties by tariff legislation, did not have the result which the Republicans are claiming to-day, and which they claimed then.

But, Mr. President, I wish to ask the Senator from Rhode Island, when he talks about the falling in the prices of woolen goods, what has been the fall abroad? How is it the importers are able to pay these enormous duties that you put upon cloth in the McKinley act and yet take a large portion of this market? Does anybody believe they give their goods away? Does anybody believe they bring these goods here in the spirit of philanthropy and love of the American consumer? Who pays those duties? Why is it that to-day we are taxed to the amount of these enormous duties and these goods are brought in here for consumption, and yet we are told that goods have fallen in this country since the passage of the McKinley act? How much have they fallen abroad? How much more do we pay than the foreign consumer by reason of that tariff act? That is the only question.

However, I merely wish to ask in corroboration of my assertion—I shall not take time to read it or have it read—that the statement of the National Association of Wool Manufacturers in regard to the object of the compensatory duties in the McKinley act, and also the statement of Mr. Whitman, ex-president of the National Woolen Manufacturing Association, in regard to the absolute necessity for the importation of foreign wools to enable the American manufacturer to compete with his foreign rival, be inserted in the RECORD.

The National Association of Wool Manufacturers in a communication addressed to the Secretary of the Treasury in October, 1885, gave the following explanation of the wool duty:

"The wool manufacturer is to be placed in the same position as if he had his wool and other raw material free of duty; and then to receive substantially the same measure of protection accorded to other industries. The method by which this problem is solved is by the imposition upon woolen cloths and other manufactures of wool of such specific duties as will be sufficient to reimburse the manufacturer for the amount of duty and other material entering into such manufactures, and the amount paid on account of such duty.

"The protection to the manufacturer is provided by an ad valorem duty; being, with slight exceptions, fixed in the old and existing tariff as 35 per cent—these two classes of duty, the specific and ad valorem, constituting that system of compound duties which is held to be the only one that can be effectually defensive of the woolen manufacturer, or is consistent with protection to wool.

"*Necessity for importations of wool.*—It may be said that a remedy for these difficulties is to be found in the exclusive use of the domestic wools, which will be abundantly supplied under due protection. To this we reply that neither our own country nor any other in the world does or can produce, to advantage, wools of all kinds and grades. Experience under high protection of wool in this country for over thirty years has demonstrated that our domestic woolgrowers find it to their advantage to produce only the staple wools required for the ordinary range of woolen fabrics; and as these fabrics will always be in demand, they build up their flocks, a work of time, for the production only of the fleeces which will be profitable for a long series of years. This system, although providing admirable raw material for common goods, is incompatible with the variety required for the diversified and highly advanced manufacture which should be our aim. The American manufacturer to compete with the fabrics of other nations in the endless variety demanded by our times, must have the power of selecting a portion of his raw material from all the world's sources of supply. The sudden and exceptional demand for more or new raw material must be supplied by importations."

Mr. PEFFER. Mr. President, I do not expect to be called away from the basic point of my question by a discussion of what effect duties or the absence of duties have upon prices. What I want to know is why it is that when you take these duties away from unmanufactured wool you do not also remove the duties from the manufactures of wool. That is the question, and the Senator has given me no answer to it. What he has answered is upon his own responsibility as a Senator, and does not assume to answer for the party.

Mr. POWER. Will the Senator from Kansas allow me?

Mr. PEFFER. I should rather not yield until I get through with this thought. It is a pretty big thought and it will take me some little time to deliver it.

Mr. POWER. I wish to give the Senator some information as to prices.

Mr. PEFFER. The Senator will have an opportunity when I get through. The prices of wool have fallen; the prices of manufactured wools have fallen. I have shown to the Senate and to the Senator that by reason of the expectation of the passage of the pending bill the wool buyers are now purchasing wool and making contracts upon the free-trade basis, which is some 4 or 5 cents below the price of raw wool on the farms. That being true, I say to you that the removal of these duties destroys the wool industry to that extent.

The same argument that the Senator from Missouri addresses to me and to the Senate, that protective duties are destroying the wool industry, will apply to the woolen-manufacturing industry. The argument that is good for John is good for Peter; the argument that is good for Paul is good for Silas; the argument that is good for the farmer is good for the manufacturer. What I wish to know the Senator has not answered. He insists that the prices of wool have been falling. I concede that. We all know that.

The prices of wool have been falling, and without reference to what has been the cause of it, if it be true, as the Senator from Missouri says, that it is because of the high duties upon wool, then in the name of all that is fair and honest remove duties from woolen manufactures. You will have my hearty consent. I am not objecting to the wool schedule. That is passed. I offered two or three amendments. I presented such arguments as I was able, to show that we were entitled to a reasonable protection if anybody is, and I do not ask it unless the others are entitled to it. The farmers are perfectly willing to abandon the whole system of protection, as I have told you before a dozen times in this Chamber.

The farmers and woolgrowers of Kansas and Missouri and every other State in the Union, so far as I know, are perfectly willing to abandon duties upon everything that they raise if you will only abandon duties upon the articles you manufacture. Now, I ask you is that not fair? It is an answer to that question that I want. Why do you do this thing? Here are the disciples of Jefferson and of Jackson, who have promised us time and time again that they are going to revise these duties in a spirit of fairness to all industries, and yet you cut off all the protection upon wool and leave it upon the manufactures of wool.

Mr. VEST. I endeavored to the best of my ability to state this fact——

Mr. PEFFER. I understood the Senator very well, but I did not understand him to answer my question.

Mr. VEST. I am not responsible for the Senator's conclusion that I did not answer. I tried to answer him.

Mr. PEFFER. Then the Senator says, and he says truly, that if duties are levied upon wool there must be compensatory duties levied upon manufactures, provided of course that there is any necessity for levying duties upon either. Now, if you say to the woolgrowers that we do not need any protection, then

we say to the manufacturers, you need no protection; and we put it upon the simple proposition of common fairness between men, common fairness between industries in which men are engaged. If you remove our duties, we will remove yours. That is just what my amendment means, and I submit it to the Senate.

All I ask is that when you come to a vote that the Senate do me the kindness and the courtesy to give me a yea-and-nay vote, so that those who wish to place themselves upon record as being fair and candid men can do so and the record can go down. I do not care to detain the Senate any longer. I have tried to put the proposition plainly and forcibly in order that Senators may understand that I am perfectly candid about it. I want duties taken off all manufactured wools if they are taken off unmanufactured wool.

Mr. POWER. Mr. President, we have the verbal assurance of the Senator from Missouri that free wool would not be an injury to the sheepgrower, but nothing to prove they are the facts. I have written to Boston commission men in the last few days to know what they advanced on shipments of wool from Montana commencing in 1887. Jeremiah Williams & Co. say:

In reply to yours of the 11th will say that we buy several million pounds of Montana every year, and our prices have been as follows:

In 1887, 20 cents to 22 cents.
In 1888, 15 cents to 17 cents.
In 1889, 20 cents to 22 cents.
In 1890, 18 cents to 20 cents.
In 1891, 19 cents to 20 cents.
In 1892, 17 cents to 19 cents.
In 1893, 10 cents to 11 cents.

After the election of Mr. Cleveland—

Ten cents to 11 cents.
In 1894, under free wool, we can not pay over 6 to 7 cents.

What does this mean? These are facts. This is not a simple assertion. The farmers know this. One-third at least of the citizens of my State have come from the State of the Senator from Missouri, and they all realize that these are facts, not verbal assertions.

You notice that in 1888 prices were 15 to 17 cents. That was the year free wool was being agitated and the Mills bill was before the House, if we remember rightly, and we bought Montana at 17 cents that we paid 22 cents for in 1887.

Here is a letter from Fenno Bros. & Childs, also of Boston, dated June 14, 1894:

Your esteemed favor of the 11th is at hand and we note contents with interest. In the year 1888-'89 we handled about one and one-third million pounds of Montana; in the year 1889-'90 about the same amount; in 1890-'91 about one and three-fourths million; in 1891-'92 about two million; in 1892-'93 about two and one-fourth million; and in 1893-'94 a little less than two million. What we shall handle this year is of course problematical.

In 1888 we advanced 15 cents to 16 cents; in 1889, 16 cents to 17 cents; in 1890 about 16 cents; in 1891, 15 cents to 15½ cents; in 1892, 14 cents to 15 cents.

An advance is when the woolgrower has his wool ready to ship, and landed at the railroad. Then the commission man advances him the amount named and takes the bill-of-lading wool consigned to him.

In 1893--

Mr. VEST. I should like to ask the Senator——

Mr. POWER. In a minute; when I finish this letter. Fenno Brothers & Childs say:

In 1893, with the possibility of free wool in view, 7½ cents, and this year, when we are apparently nearer than ever the solution of the wool-tariff problem and on account of the passage by the House of the Wilson bill putting wool on the free list, 5 cents to 6 cents. Should wool be put on the free list we should feel that even these advances were dangerous.

You will thus see how fearful a blow the threat of free trade has struck at the interests of the Montana woolgrower. On account of its evil influence the price of scouring fine medium Montana wool, which is the average grade, has declined since 1891 in the neighborhood of 50 per cent. This ought to be a sufficient commentary, even to the most doubting among our legislators, upon what the agriculturist or woolgrower will be forced to suffer in case of free wool. As you and we very well know, no one can profitably raise fine sheep in this country with wool at its present price, and that industry will assuredly be killed out in case we have free wool.

We also from very good authority hear that there are vast amounts of so-called tops, that is to say, the combined product of wool, already made in the various European wool markets for shipment to this country, should the provisions of the Wilson bill become a law. These were made to be sold at a very low figure, and the delay in the settlement of the tariff question, which has existed up to this date, has resulted in the makers of these tops being obliged to now turn them into money at fearfully low prices.

We have heard of fine tops being sold as low as 35 cents per pound in the European markets. Of course these will be manufactured into yarns which can be offered also at ruinously low prices, and then the goods which are made up from these yarns will probably be shipped to this country no matter what legislation occurs upon the tariff; and all this has been brought about by the expectation, owing to the well-known proclivities of the party in power, raised in the breasts of the Europeans of free wool and free tops, or at most a very slight duty upon them.

We very sincerely hope that you will be successful in stimulating the Senate to agree to a duty on wool. We feel positively sure that the interests of the fine-woolgrowing industry in this country depend upon it.

And we remain, very truly, yours,

FENNO BROS. & CHILDS.

BOSTON, MASS., *June 14, 1894.*

Mr. VEST. What has been the fall in the price of wheat and horses?

Mr. POWER. In regard to the fall in the price of wheat we agree perfectly. We understand the cause.

Mr. VEST. I ask what the fall in the price has been?

Mr. POWER. We passed on that last September. We understood that perfectly and we agree entirely. We killed the Sherman law——

Mr. VEST. The Senator is talking about the silver question now. Does he mean to say that has not affected everything that is for sale. I want to ask him if he does not think that has affected woolens.

Mr. POWER. I say to the Senator that the price of wool in the market has declined, but you can not deny that if you give the woolgrower 5 cents protection the wool will be worth that much more. You can not deny that proposition.

Mr. VEST. Then when the duty was put up in the McKinley act the price ought to have gone up instead of going down.

Mr. POWER. It did go up as compared with European London prices.

Mr. VEST. It did not go up; it fell all over the United States.

Mr. POWER. Here are the prices that I have read to you. Now wool is worth 6 and 7 cents because of your free-trade bill.

Mr. VEST. Wheat was then worth $1.25 and $1.30 a bushel and now it is worth 35 cents at the country depots in the West. The fall has been much greater in wheat; and a distinguished citizen of the Senator's State told me not long ago that he shipped one hundred and fifty horses from his horse ranch to Illinois and the proceeds of the sale in Illinois did not pay the freight from Montana there.

Mr. POWER. The Senator has asked why the price of horses has declined. I will tell him. One reason is because of the electric roads. The general decline in business is, of course, another reason. The price of horses everywhere has declined on account of the use of electricity. Every man, woman, and child in the country knows that to be the situation.

Mr. VEST. And wheat, too, I presume, on account of electricity.

Mr. POWER. We agree on wheat exactly. The decline in silver is the reason of the decline in wheat. But wheat is exported, while wool sufficient to satisfy our demands has to be imported, and that is the reason why the farmer should have a duty upon wool. I believe the Senator understands the situation.

Mr. DOPLH. Mr. President, I do not know that I understand exactly the position of the Senator from Missouri [Mr. VEST]. If I do he has been contending that the tariff upon wool will not increase the price, and that the effect of the McKinley law had been to decrease the price of wool. But whenever the Senator from Missouri talks about the tariff he talks about a tax, and he claims that the duty levied at the custom-house is a tax upon the consumer and adds just that much to the cost of the article to the consumer. If that is true in regard to anything it is true in regard to wool. It seems to me the Senator is rather inconsistent. He had better stop talking about a tax, and if the duty levied at the custom-house does not increase the price of wool then he had better levy duties so as to get some revenue, as it will do no one any harm.

The truth is, as I said yesterday, the price of wool is fixed in the London market by the world's supply and demand, and the price of American wool since the McKinley act and before and ever since and until to-day has been the London price, with the duties collected at the custom-house added.

Mr. CHANDLER. Mr. President, I desire to make an appeal to the Senator from Kansas [Mr. PEFFER] not to press his proposition to put manufactured woolens on the free list. He certainly does not wish to put himself in the attitude of destroying the industry of manufacturing wool in the United States because the effort to put a duty upon wool has received a temporary check.

The Senator can not fail to have noticed how near he came to carrying his amendment placing a duty upon wool. It was lost by only two majority; and the Senator from Kansas, instead of proceeding to become an iconoclast and seeking to destroy, ought to persevere in an effort to get a majority for his previous amendment. I suggest to the Senator that he endeavor to get his Populist party to continue to act unitedly, and they may get one more vote. The Populist party in the Senate has wobbled a good deal during the present session. It has not shown unity of action; it has not shown that disposition to harmony and united action that a little party of three men ought to show. But to-day the Senator from Kansas got them together, all three of them, they voted together, and they came within two of carrying a duty upon wool.

Now, I suggest to the Senator from Kansas, considering what I know of his perseverance, and that of the Populist Senator

from Nebraska [Mr. ALLEN], and the Populist Senator from South Dakota [Mr. KYLE], that they three, if they unite, are good enough for one more vote. That will make a tie, and then I am sure the devotion of the Vice-President to the sheep of this country would induce him to give the casting vote, and then the Senator will have accomplished all he desires. It can not be that those three Senators can not capture the Senator's colleague, the junior Senator from Kansas [Mr. MARTIN], in favor of a duty upon wool. I am sure that if the junior Senator from Kansas is appealed to he will give a vote as the other Populists want him to vote.

The junior Senator from Kansas was elected by a Legislature that had but three Democrats in it. There were Republicans, and there was a Populist majority, but there were almost no Democrats there; and he represents on this floor the Populists of Kansas and not the Democrats of Kansas. I am sure, if he were approached in the right way by this united Populist party, he would vote for a duty on wool. There are two or three other Senators upon the opposite side of the Chamber who I am quite sure are shaky on the subject, and who do not like to be put in the position of voting to make everything else dutiable, more or less dutiable, adequately or inadequately dutiable, and placing wool, the universal product of the farm, on the free list.

I say to the Senator from Nebraska, and to the Senator from South Dakota, and to the Senator from Kansas, go to work and proselyte a little between now and the next two or three days, instead of trying to break down the manufacturers of wool in this country, and either by an accession of votes on that side, or by the vote of the Vice-President, we shall have the flocks of this country saved from destruction. If the Senator from Nebraska will put half as much energy into getting one more vote to protect the sheep of this country as he is putting into the effort of his lifetime to find out the mysteries of the sugar trust, we shall have the sheep of this country protected before to-morrow night.

Mr. President, I can not think of any better idea on which to adjourn than that the now reunited Populist party in the Senate, after praying over the subject all night, are to go to work to-morrow morning, and try to get at least one vote on the other side of the Chamber which has some sympathy and some regard for the sheep industry of the United States.

Mr. POWER. I move that the Senate do now adjourn.

Mr. COCKRELL. I hope the Senator will withdraw that motion.

Mr. HARRIS. I ask the Senator to withdraw the motion which he has just made. The Senator from Missouri, the chairman of the Committee on Appropriations, desires very much to have a deficiency bill considered, it being important that it should be considered promptly. After that a short executive session is necessary this evening. I therefore suggest to the Senator from Montana that he withdraw his motion.

Mr. POWER. I withdraw the motion.

Mr. HARRIS. I suggest to the Senator from Missouri [Mr. COCKRELL] that he ask for the consideration of the deficiency appropriation bill at this time.

DEFICIENCY APPROPRIATIONS FOR PUBLIC PRINTING, ETC.

Mr. COCKRELL. I am directed by the Committee on Appropriations, to whom was referred the bill (H. R. 7458) making appropriations to supply a deficiency in the appropriation for public printing and binding for the fiscal year 1894, and for other purposes, to report it without amendment. It makes appropriation for the Printing Office and the payment of some salaries there, and for a deficiency in the Treasury Department.

Mr. CHANDLER. I ask the Senator from Missouri whether the consideration of that bill will not displace the tariff bill? If so, I ask that unanimous consent be given that, after the appropriation bill is disposed of, we may go on with the consideration of the tariff bill.

Mr. HARRIS. I will not trouble the Senator to ask unanimous consent. I think I can get the floor, and may possibly have votes enough to take up the tariff bill if it should be displaced.

Mr. CHANDLER. I shall vote with the Senator.

Mr. HARRIS. I am glad that the Senator from New Hampshire will do so.

Mr. CHANDLER. I think we ought to proceed as rapidly as possible with the consideration of the tariff bill.

Mr. COCKRELL. I ask the Senate to proceed to the consideration of the appropriation bill which I have just reported.

Mr. HOAR. Has the deficiency bill just reported been printed?

Mr. COCKRELL. It has been printed as passed by the House of Representatives and there are no amendments reported to it. It is a very short bill, only a page and a half, with practically only three items in it.

Mr. HOAR. Why should we not go on with it to-morrow?

Mr. COCKRELL. Simply because this is the day when a large number of employés in the Printing Office ought to be paid, and there is no appropriation from which they can be paid.

Mr. HOAR. That is a good reason.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 7458) making appropriation to supply a deficiency in the appropriation for public printing and binding for the fiscal year 1894, and for other purposes.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THE REVENUE BILL.

Mr. HARRIS. Regular order.

The PRESIDING OFFICER (Mr. TURPIE in the chair). The Senate resumes consideration of the unfinished business.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4864) to reduce taxation, to provide revenue for the Government, and for other purposes.

EXECUTIVE SESSION.

Mr. COCKRELL. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After eight minutes spent in executive session the doors were reopened, and (at 6 o'clock and 20 minutes p. m.) the Senate adjourned until to-morrow, Saturday, June 16, 1894, at 10 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate June 15, 1894.

INDIAN AGENT.

J. George Wright, of South Dakota, to be agent for the Indians of the Rosebud Agency, in South Dakota, his term of office having expired.

POSTMASTERS.

Frederick B. Clark, to be postmaster at Moodus, in the county of Middlesex and State of Connecticut, in the place of Charles H. Emily, whose commission expired May 7, 1894.

Frederick E. Jacobs, to be postmaster at North Haven, in the county of New Haven and State of Connecticut, in the place of Edward L. Goodyear, deceased.

David C. Lee, to be postmaster at Kissimmee, in the county of Osceola and State of Florida, in the place of Willard L. Van Duzor, whose commission expired May 7, 1894.

James D. Casey, to be postmaster at Ligonier, in the county of Noble and State of Indiana, in the place of John H. Hoffman, whose commission will expire June 14, 1894.

Henderson S. Martin, to be postmaster at Marion, in the county of Marion and State of Kansas, in the place of John Lynch, deceased.

Thomas R. Phelps, to be postmaster at Harrodsburg, in the county of Mercer and State of Kentucky, in the place of Ovie Smedley, whose commission expired March 24, 1894.

PROMOTIONS IN THE ARMY.

Ordnance department.

First Lieut. Sidney E. Stuart, to be captain June 12, 1894.
First Lieut. J. Walker Benét, to be captain June 12, 1894.
First Lieut. William W. Gibson, to be captain June 12, 1894.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 15, 1894.

CHIEF OF BUREAU OF INDEXES AND ARCHIVES.

Pendleton King, of North Carolina, to be chief of the Bureau of Indexes and Archives in the Department of State.

ASSISTANT UNITED STATES TREASURER.

Campbell P. Berry, of California, to be assistant treasurer of the United States at San Francisco, Cal.

ASSAYER.

Eugene B. Braden, of Montana, to be assayer of the United States assay office at Helena, Mont.

POSTMASTERS.

Howard H. Baker, to be postmaster at Buffalo, in the county of Erie and State of New York.

William F. Hutton, to be postmaster at Holstein, in the county of Ida and State of Iowa.

Z. B. Dunlap, to be postmaster at Perry, in the county of Dallas and State of Iowa.

Matthew J. McEniry, to be postmaster at Moline, in the county of Rock Island and State of Illinois.

George W. Mathews, to be postmaster at Armour, in the county of Douglas and State of South Dakota.

HOUSE OF REPRESENTATIVES.

FRIDAY, *June 15, 1894.*

The House met at 12 o'clock m. Prayer by Rev. RUTER W. SPRINGER.

The Journal of the proceedings of yesterday was read and approved.

COLVILLE INDIAN RESERVATION.

The SPEAKER laid before the House a letter from the Acting Secretary of the Treasury, transmitting an estimate of deficiency in the appropriation for opening a part of the Colville Reservation in Washington, submitted by the Secretary of the Interior; which was referred to the Committee on Appropriations, and ordered to be printed.

FINDINGS OF THE COURT OF CLAIMS.

The SPEAKER also laid before the House copies of the findings of the Court of Claims in the cases of the following-named persons against the United States; which were severally referred to the Committee on War Claims: George Black, deceased; H. A. Butler, and N. H. Knight, deceased.

ORDER OF BUSINESS.

The SPEAKER. The Clerk will call the committees for reports.

SECTION 3331, REVISED STATUTES.

Mr. LANE, from the Committee on the Judiciary, reported back with a favorable recommendation a bill (H.R. 6054) to amend section 3331 of the Revised Statutes of the United States; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

RESTRICTIONS ON SALE OF LEAF TOBACCO.

Mr. BAILEY, from the Committee on the Judiciary, reported back with a favorable recommendation a bill (H. R. 6993) to remove certain restrictions on the sale of leaf tobacco; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

RIGHT OF WAY, EASTERN NEBRASKA AND GULF RAILWAY COMPANY.

Mr. CURTIS of Kansas, from the Committee on Indian Affairs, reported back with a favorable recommendation a bill (S. 1995) granting to the Eastern Nebraska and Gulf Railway Company right of way through the Omaha and Winnebago Indian Reservation, in the State of Nebraska; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

PUBLIC BUILDING, CHICAGO, ILL.

Mr. SWEET, from the Committee on Public Buildings and Grounds, reported back with a favorable recommendation a bill (H. R. 397) providing for the erection of a public building at Chicago, Ill.; which was referred to the Committee of the Whole, and, with accompanying report, ordered to be printed.

PUBLIC PRINTING OFFICE.

Mr. BRETZ. Mr. Speaker, in accordance with the resolution of the House, I am directed by the Committee on Public Buildings and Grounds to report a bill locating the Public Printing Office.

The bill (H. R. 7459) to authorize the erection of a Government Printing Office in the city of Washington, D. C., was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

ADDITIONAL CIRCUIT JUDGE, EIGHTH JUDICIAL DISTRICT.

Mr. TERRY, from the Committee on the Judiciary, reported back with a favorable recommendation an act (S. 1390) providing an additional circuit judge in the eighth judicial circuit, and obtained leave to file the report thereon later in the day.

ORDER OF BUSINESS.

Mr. OUTHWAITE. Mr. Speaker, I present a privileged report from the Committee on Rules, and ask for its immediate consideration.

The report was read, as follows:

Resolved, That immediately upon the adoption of this resolution the House shall resolve itself into the Committee of the Whole on the state of the Union for the further consideration of House bill 6913. That, beginning on page 51, line 14, the bill shall be read through, and during such reading all points of order made against any provision in the bill shall be decided by the Chair, debate on each not to exceed ten minutes. That at the conclusion of such reading the further consideration of the bill shall be resumed by the Committee of the Whole under the five-minute rule, and amendments shall be in order to any part thereof. That at the hour of 3:30 p. m. this day, the bill as amended in the committee, with all pending amendments, shall be reported to the House. That the previous question shall then be ordered on the pending amendments and the bill to its final passage, and no intervening motion shall be in order until the bill is fully disposed of.

Mr. OUTHWAITE. On that, Mr. Speaker, I demand the previous question.

Mr. MCRAE. I hope the gentleman will not insist upon the adoption of that rule at this time unless modified so as to respect the agreement heretofore made.

The general debate on the second section of this bill was expressly reserved until it was reached and a fixed time allowed for debate upon it. It is an important matter, in which the people of my State are interested; and I desire an oportunity to discuss and amend that portion of the bill. I was recognized by the Chairman and the Committee of the Whole House gave me unanimous consent that this should be done when that part of the bill is reached. I think it would be unfair and unjust to insist now upon the adoption of such a rule as this before we reach that paragraph and before those who desire to amend it are allowed the opportunity which the Committee of the Whole House has already agreed to accord to them. We have not been responsible for the delay upon the bill.

Mr. HOLMAN. It was agreed by the Committee of the Whole——

Mr. BURROWS. I desire to inquire of the gentleman from Ohio [Mr. OUTHWAITE] whether it is his purpose now to allow debate on the resolution, or to insist on his motion for the previous question.

Mr. OUTHWAITE. I have asked the previous question——

Mr. BURROWS. That of course is not debatable.

Mr. OUTHWAITE. But I presume this discussion is not to be considered in the nature of debate.

Mr. BURROWS. If this debate is to preclude the opportunity for debate after the ordering of the previous question, I want that fact understood.

Mr. OUTHWAITE. That is not my purpose.

Mr. PAYNE. I want to understand this matter from the Chair. I ask the parliamentary inquiry whether, if the previous question should now be ordered on this resolution, debate already had would be considered as such debate under the rule as would preclude debate after the ordering of the previous question?

Mr. OUTHWAITE. The present discussion is not in the nature of debate. The gentleman from Arkansas has simply been permitted by the House to make a statement.

Mr. HOLMAN. I rise to a question of order——

The SPEAKER. The gentleman from New York [Mr. PAYNE] has already risen to a question of order.

Mr. HOLMAN. What transpired in the Committee of the Whole will, of course——

The SPEAKER. The gentleman will suspend one moment. The gentleman from New York [Mr. PAYNE] has raised an inquiry which is very proper. The rules of the House provide that where there has been debate on a proposition preceding the ordering the previous question there shall be no debate after the previous question is ordered, but where there has been no debate preceding the ordering the previous question, then there shall be thirty minutes' debate after it is ordered.

The gentleman from New York inquires whether the debate which has already taken place on this resolution would be considered by the Chair as such debate, in the contemplation of the rule, as would preclude the thirty minutes' debate after the ordering of the previous question. The Chair is inclined to think that any debate preceding the ordering the previous question cuts off debate after it is ordered; but he would suggest to the gentleman from Ohio [Mr. OUTHWAITE] that the matter can be easily arranged by yielding before the ordering of the previous question fifteen minutes to the gentleman from Michigan.

Mr. OUTHWAITE. I had asked the previous question. I did not yield the floor. The gentleman from Arkansas [Mr. MCRAE] was making a personal statement——

The SPEAKER. But that is in the nature of debate.

Mr. OUTHWAITE. If that is to be regarded as in the nature of debate, then I shall permit this debate to run on for thirty minutes, meanwhile retaining the floor and the control of the resolution, and then ask the previous question.

The SPEAKER. To whom does the gentleman from Ohio yield?

Mr. BURROWS. With due deference to the suggestion of the Chair, it seems to me the statements which have been made ought not to be regarded as debate on this proposition, because the motion for the previous question is not debatable, and therefore this debate was not in order; so that anything which may have been said——

The SPEAKER. The Chair understood the gentleman from Ohio [Mr. OUTHWAITE] to withhold the demand for the previous question.

Mr. OUTHWAITE. I withhold it, and yield fifteen minutes to the gentleman from Michigan.

The SPEAKER. The gentleman from Michigan [Mr. BURROWS] is entitled to the floor.

Mr. CRAWFORD. Mr. Speaker, I rise to a parliamentary inquiry. I desire to know whether this order, if adopted, will cut off amendments which were proposed to be offered to a paragraph beginning on page 48. This resolution provides that we shall begin at page 51 to read and consider the bill under the five-minute rule.

The SPEAKER. Page 48 is passed.

Mr. OUTHWAITE. I rise to a question of order.

Mr. CRAWFORD. I am making a parliamentary inquiry. Yesterday evening a paragraph was carried over upon a point of order; it was withheld until this morning; and all amendments which were proposed to be offered to that paragraph were promised this morning a standing by the Chair. I proposed to offer an amendment to a paragraph preceding page 51; and the Chair informed me that that would be in order this morning when that paragraph, on page 48, was taken up. Now, will this resolution if adopted have the effect of cutting off the opportunity to offer such an amendment?

The SPEAKER. If this order is adopted, only those portions of the bill following page 51 can be considered.

Mr. DOOLITTLE. Mr. Speaker, I desire to submit a parliamentary inquiry.

Mr. MCRAE. This matter was passed over in committee with the distinct understanding that I have stated.

The SPEAKER. The Chair has no knowledge of passing over anything in committee. It is not customary for the committee, and the Chair, of course, has no information as to the matter.

Mr. DOOLITTLE. I desire to submit a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DOOLITTLE. On the day before yesterday an amendment was offered by myself which has not been passed upon. The Chairman of the committee reserved the point of order on it, and I have had no opportunity to present my side of that contention. My question is as to whether or not I will have permission under this rule, if it be adopted, to recur to that amendment and have it considered?

The SPEAKER. The gentleman could not go back to page 51 if this rule is adopted.

The gentleman from Michigan is recognized.

Mr. BURROWS. Mr. Speaker, I think it ought to be deplored on both sides of this Chamber that the Committee on Rules should feel constrained to bring in an order like the one just reported. We are considering a very important bill embracing 138 pages. Only 51 pages of the bill have been read in committee and considered up to this time.

There has been nothing, so far as I have observed, in the consideration of this bill to warrant the order now proposed. There has been no filibustering; the amendments proposed, as a rule, have been substantial amendments, and have been presented in good faith, debated, and voted upon. The difficulty with the Committee of the Whole is a difficulty inherent in the rules themselves. Had a provision been adopted to limit a quorum of the Committee of the Whole to one hundred, much of the time spent in committee would have been saved during the consideration of this bill.

A considerable time has been taken up in roll calls to secure the presence of a quorum, which by the rules, in Committee of the Whole, is the same as a quorum of the House. If we had a rule such as the Fifty-first Congress adopted, making a quorum of the Committee of the Whole one hundred, as it should have been, no difficulty would have been experienced and the business of the House could have been much more rapidly advanced.

This order proposes to take the bill from the Committee of the Whole and put it upon its passage, with the previous question ordered upon it, at half past 3 o'clock this afternoon. The only thing the committee can do under the order is to make points of order against the various provisions of the bill as they are read. Then debate can proceed upon points of order for ten minutes, after which the point must be decided.

I want to call attention to another provision:

> At the conclusion of such reading further consideration of the bill be resumed by the Committee of the Whole under the five-minute rule, and amendments shall be in order to any part of the bill.

Now, by that provision this House, or the committee, will be precluded from making any amendment but one, because it is provided that "it shall be in order to offer an amendment to any portion of the bill to be considered under the five-minute rule."

One amendment might take the entire time of the committee until 3:30 o'clock this afternoon, preventing any further amendment, and preventing any member of the committee from offering but the one amendment named. Had the rule read "and may offer an amendment to any other portion of the bill on which there shall be debate pro and con for five minutes," it would have given liberty to any member of the committee to offer such amendments as he thought proper. But if you adopt this rule in its present form, you bind yourself hand and foot, put it in the power of any member to take up the entire time by the discussion upon a single amendment, as I have already suggested.

I reserve the remainder of my time.

Mr. OUTHWAITE. Does the gentleman from Indiana desire any time?

Mr. MCMILLIN. If the gentleman from Indiana does not wish to occupy the floor now, I want to suggest merely this to my friend from Ohio in charge of this resolution—that there are, I fear, some matters embodied in the bill which will not have sufficient time, under the arrangement proposed by the resolution, for their proper consideration, and I will call attention to one of them, which refers to a question of settlement between the State of Tennessee and the United States. There are bonds of my State, as the gentleman is aware, held by the Government of the United States in trust for certain Indian tribes. We have had a complicated sort of claim with the Government pending for many years, but have not been able to secure a settlement.

There has been an effort made on the part of those of us representing the State to have a clause included concerning this by means of which the matter could be properly adjusted. I had hoped that when we reached that portion of the bill we could frame a satisfactory clause to be incorporated and a conclusion arrived at by which this complicated question between the Government and the State could be settled. I hope too little time for this will not be allowed.

I wanted merely to make this statement in view of the resolution pending, so that it might be placed properly before the House.

Mr. OUTHWAITE. I yield two minutes to the gentleman from Indiana [Mr. HOLMAN].

Mr. HOLMAN. Just a minute in regard to the bond matter. These bonds do not belong to the United States and never have. Indian funds were invested in these bonds, and the Government holds them in trust, just as it would have held the money that was invested in them.

The Committee of the Whole agreed, by unanimous consent, that the gentleman from Arkansas [Mr. MCRAE] should have half an hour, and that the geatleman from Kansas [Mr. CURTIS] should have half an hour upon that question. The provision is subject to a point of order, I think, but the object was that the subject should be brought before the attention of Congress for the first time in thirty years, so that the facts should be understood, and I hope no action will be taken which will deprive these gentlemen of the opportunity of delivering their addresses.

Mr. COX. What arrangement as to time is made in regard to the bonds of the State of Tennessee? This gives all the time to the gentleman from Arkansas.

Mr. LYNCH. Half an hour upon each side.

Mr. COX. It is not the same matter at all.

Mr. LYNCH. If the bond provision is not stricken out on a point of order, I have no doubt that unanimous consent will be given to the gentlemen to engage in debate.

Mr. COX. There are half a dozen States involved.

Mr. OUTHWAITE. Does the gentleman from Tennessee [Mr. COX] want any time?

Mr. COX. No; not on the rule.

Mr. OUTHWAITE. I yield five minutes to the gentleman from Arkansas [Mr. MCRAE].

Mr. MCRAE. Mr. Speaker, I believe in cloture, and I am always in favor of the most speedy action that can possibly be had upon any measure after a reasonable time has been given for discussion; but I do not believe that it is just at this time by a special rule to take this bill from the committee before the important parts of it have been reached and thereby defeat my reserved right to speak. The parts which have been reached deal with salaries and matters that must of course be passed, but the remainder of the bill is full of legislation, new legislation, important legislation, and legislation which, if it is enacted as the committee have proposed it, will outrage the public land laws.

There is legislation embodied in this bill which can not be defended upon sound principle. I have amendments prepared to perfect it in every respect. I had a solemn agreement with the committee to discuss the matter that my State was particularly interested in. I am anxious and ready to do it. The Chairman recognized me. I had the consent of the committee to pass it until the paragraph was reached, and I think it is very unjust treatment now to have the Committee on Rules undertake to take this measure out of the hands of the committee without

providing for the time that has been agreed on by the committee. [Applause.]

Mr. OUTHWAITE. There is no feeling on the part of the Committee on Rules. It is a mere matter of business.

Mr. McRAE. I know there is no feeling with you, but there is feeling with me, because this is a matter to which I have devoted a part of my eight years of service here, and I feel deeply upon it, and I want this Congress and the people to understand the matter. The State of Arkansas has been charged with being a defaulter. We resent it, and stand here to show that she is willing to pay every dollar that she justly and equitably owes. She has invited the United States to a settlement upon honorable and equitable terms, and when this, the best chance that we will perhaps have, is taken away in this manner, I say and I repeat it, that it can not be justified, and I can not but feel that this House, as it now understands the facts, will vote down this order and give me the time that I am entitled to under the agreement.

Mr. OUTHWAITE. Will the gentleman yield for a question?

Mr. McRAE. Yes.

Mr. OUTHWAITE. Is this matter in the latter part of the bill, or has it been passed over?

Mr. McRAE. It has not been reached. The agreement was that when it was reached we should be heard upon it, and rather than discuss the matter in general debate before it was reached, an express agreement was made that I should be allowed to be heard when the paragraph was reached; because I desired that this House should understand what we propose and what the State of Arkansas has requested Congress to do, by an act of its Legislature.

Mr. OUTHWAITE. The Committee on Rules has no disposition, and the gentleman should know it, to cut out any agreement that has been made, or to cut out any State or section of the country from a fair consideration of measures of such importance as those that he represents his to be. But the gentleman must have observed that this bill has dragged its slow length along under the most exasperating tactics.

Mr. McRAE. I admit all that.

Mr. OUTHWAITE. And that there has been gross abuse, a violent abuse of the prerogatives of members of this House by the tactics which have been pursued. We have had roll call after roll call about nothing, and points of no quorum made about the most trivial sort of matters.

Mr. McRAE. That is all true; but it does not apply to me.

Mr. OUTHWAITE. We have had discussions which would have shamed school boys.

Mr. McRAE. But it does not apply to those of us who are interested in this matter in the slightest, because we have consumed no unnecessary time and should not suffer for the acts of others.

Mr. OUTHWAITE. I do not mean to intimate that the gentleman has; but the Committee on Rules is disposed to extend the time necessary for the consideration of these important matters. How much time was it that the gentleman was to have had?

Mr. McRAE. I think it was thirty minutes.

Mr. SWANSON. And the State of Virginia is also involved.

Mr. COX. I want to make a statement with reference to these bonds in which Tennessee is involved.

Mr. OUTHWAITE. What does the gentleman from Tennessee say?

Mr. COX. I want to make a statement to you. There is a proposition that has been introduced here and which has passed the Senate in behalf of the State of Tennessee, which has invited the Government to a settlement of accounts in which these bonds are involved; and under the proposition contained in this bill they are to put up the bonds and sell them.

Mr. OUTHWAITE. But is not that proposition subject to a point of order?

Mr. COX. I clearly think so. Now, I say to you, so that the House will understand, that there is a proposition coming from the State, which has passed the Senate and is in this House, to settle this question. Now, then, the Government proposes to take a part of the bonds that the Government insists is involved in the settlement, put them up to the highest bidder, and sell them.

Mr. OUTHWAITE. As one member of the Committee on Rules I wish to say that I apprehended no danger on that, because I was under the impression that it would go out on the point of order, but I may be mistaken.

Mr. COX. If not, we want to get at it on the merits.

Mr. OUTHWAITE. I yield two minutes to the gentleman from Virginia.

Mr. SWANSON. Mr. Speaker, I would like to say, in connection with this rule, that there is a proposition which will be reached in the bill for the sale of bonds of the State of Virginia owned by the United States. It is proposed to sell these bonds that the United States hold as trustees for the Indians. For the past sixty years the State of Virginia has been endeavoring to get the United States to settle all accounts between them, but she has failed to do so. Yesterday the whole day was taken up in the consideration of an amendment to raise a salary from $2,500 to $3,000. Yet here a rule is introduced that cuts off the consideration of the question of a settlement between the United States and the State of Virginia, and other States, Virginia has been endeavoring to secure for sixty years, and a State, too, which has been the most generous State to this Union of all the States in the Union, and yet we are to be cut off and can not get an opportunity to present our claims to have that account settled.

Now, I say that it is not fair to those States which stand here by the proposition in this bill as being in the attitude of defaulters. This is the only opportunity we have had to discuss the matter, and there are precisely the same kind of claims presented by other States as are claimed by the State of Virginia. I say it is not fair or just to cut off this opportunity for a discussion and settlement of those claims. I shall not vote for this rule unless ample time is given.

Mr. OUTHWAITE. Having heard these statements, it appears there would be some justice in extending this time, and permitting these matters which have been passed over, or upon which an agreement has been made for time to be kept so far as possible; and therefore I suggest as a modification of the rule, that debate shall close at 5 o'clock this evening instead of 3:30.

Mr. BURROWS. Let me suggest to my friend that that does not obviate the difficulty in the case; and you could not obviate it by continuing debate until 5 o'clock.

Mr. OUTHWAITE. I think the agreements already made could be carried out in an hour and a half.

Mr. BURROWS. You can not carry them out. It is impossible.

Mr. OUTHWAITE. But if the rule is so modified as to permit it, why can not we carry it out?

Mr. BURROWS. That cuts off every other amendment. The whole time could be consumed in the consideration of one amendment.

Mr. OUTHWAITE. It does not cut out anything.

Mr. BURROWS. I would suggest to the gentleman from Ohio that he withdraw his order and modify it as he would like to and bring it in later.

Mr. OUTHWAITE. I suggest the modification of the rule which I have designated, that debate continue until 5 o'clock, the vote to begin to-morrow immediately after the reading of the Journal; the bill to be reported from the committee to the House to-morrow, after the reading of the Journal, the hour and a half additional time to be devoted to the consideration of those matters on which gentlemen say an agreement has already been made.

Mr. HARTMAN. I wish to ask the gentleman a question. I have an amendment for an appropriation to maintain a school which was established in my State last year, and which has now 231 pupils, an appropriation which is recommended by the Secretary of the Interior and the Commissioner of Indian Affairs, and is omitted from this bill. May I have an opportunity to offer that amendment?

Mr. OUTHWAITE. The opportunity to offer that amendment is not cut off by this rule. The gentleman will certainly have an opportunity.

Mr. BURROWS. But I want to say to my friend that he will not have an opportunity to offer his amendment under this rule, because any amendment that is offered may be debated until 5 o'clock. If the rule had provided that upon any single amendment there should be only five or ten minutes' debate, then all these amendments might be reached; but the difficulty is that one amendment may take up the whole time.

Mr. OUTHWAITE. Not at all.

Mr. BURROWS. Then I can not read the English language.

Mr. OUTHWAITE. The rule provides that we are to proceed under the five-minute rule, and it is to be expected that under the five-minute rule the Chairman will see that debate does not extend beyond the proper limit.

Mr. BURROWS. Does the gentleman mean to say that under the five-minute rule one amendment can not be debated more than five minutes?

Mr. OUTHWAITE. If the rule is strictly construed. The practice has been very liberal I know, but under the rule you can stop debate at any time.

Mr. BURROWS. You can, if you can get a quorum.

Mr. OUTHWAITE. Well, if there is to be filibustering on that line, we shall only have to let those who do the filibustering suffer by it.

Mr. DOOLITTLE. I want to ask the gentleman from Ohio

whether this rule will cut off votes upon amendments that have been already offered but have not been voted upon, or the presentation of points of order that have been raised and reserved regarding such amendments?

Mr. OUTHWAITE. It will not cut off the vote upon any of the amendments that have been offered. They are pending amendments, and are provided for in the rule.

Mr. DOOLITTLE. And it also gives a sufficient time for the presentation of questions arising on points of order?

Mr. OUTHWAITE. Only ten minutes, which is more than sufficient for some of them. Now, I have asked gentlemen who are interested in the bill whether the modification of the order that I propose, extending the time until 5 o'clock, will be satisfactory.

Mr. McRAE. Does that preserve the agreements?

Mr. OUTHWAITE. Using that hour and a half for the purpose of preserving any agreements that may have been made.

Mr. LYNCH. If the bond question does not go out on a point of order, there will be no necessity for extending the time on that.

Mr. CATCHINGS. Mr. Speaker, I would like, with the consent of my colleague on the committee [Mr. OUTHWAITE], to ask unanimous consent that this bill be proceeded with in the usual way, and that the bill and any amendments that may be pending at 3 o'clock to-morrow be voted upon at that time. I do not see how there can be any objection to that.

Mr. CANNON of Illinois. Why not let this report be withdrawn, trusting that the admonition which this committee has had that there is a disposition to bring in a rule will bring real consideration of the bill, if there has not been such up to this time. Let us devote to-day and to-morrow to the bill, and if the consideration of it is not carried on in good faith it will then, I submit, be time enough to bring in a new rule. This is an extraordinary bill; time is required for its proper consideration, and I do not believe there has been any filibustering up to this time.

The SPEAKER. The gentleman from Mississippi [Mr. CATCHINGS] asks unanimous consent that this bill be proceeded with in the usual way, that to-morrow at 3 o'clock it be reported back to the House, and that the vote be then taken.

Mr. SICKLES. Say Monday.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

Objection was made.

Several MEMBERS. Regular order.

The SPEAKER. The regular order is the consideration of the report from the Committee on Rules.

Mr. OUTHWAITE. Mr. Speaker, I will amend the rule by striking out "3 o'clock and 30 minutes to-day" and inserting "3:30 p. m. to-morrow;" with the modification that the agreements heretofore made by the House and the committee shall be first acted upon. That gives an opportunity for carrying out all agreements that have been made. I demand the previous question upon that proposition.

Mr. PAYNE. Do not you propose to yield any time to this side?

Mr. OUTHWAITE. I withdraw the demand for the previous question until the gentleman from Michigan [Mr. BURROWS] shall have exhausted his 15 minutes.

Mr. BURROWS. Mr. Speaker, I yield 4 minutes to the gentleman from New York [Mr. PAYNE].

Mr. PAYNE. Mr. Speaker, when the House surrendered its powers to the Committee on Rules we were told that there was no surrender, that the whole matter was left in control of the House, and that whenever a rule was brought in that the majority did not agree to, the House could vote it down, and thus take its business into its own hands. I have been waiting for a year to see enough manhood manifested on the part of the members of this House to take the business of the House into their own hands in opposition to the Committee on Rules. Time and time again we have seen rules brought in here that cut off debate and cut off amendment, and bill after bill has gone from this House to the Senate not expressing the will or the mind of the House, simply because the Committee on Rules had interposed its power and compelled the House to submit to this dictation. Now the House has an opportunity to show the manhood of its individual members. The modification proposed in this rule does not help it at all.

Why, do gentlemen realize that the whole time from now till half past 3 o'clock to-morrow can under this proposed rule be consumed on points of order? Points of order can be raised on every paragraph; and with the usual number of members present an appeal can be taken on every paragraph of the sixty, yes, seventy odd pages of the bill yet to be read. Are you to be hoodwinked by any such proposition as that?

Some of the gentlemen whom I see here this morning are very much interested about the proposed removal of the Indian warehouse from New York to Chicago. I do not care anything about it myself. My constituents are not interested. Only for the general good of the Government am I interested at all. But are you gentlemen interested, and will you sit supinely by and not join in voting down this gag rule brought in here—the last and the worst of outrages, both grand and petty, attempted by the rulers of this House—the czars of this House—the Committee on Rules? Yet, I suppose you will walk up and take your medicine. The members who are interested in this bill, among them the gentleman from Arkansas, so much interested that his life work in Congress seems to be hanging in the balance upon this bill, will, I suppose, walk up and take their medicine.

When we call the roll and have the yeas and nays, I want to see how many men there are on that side of the House who do not belong absolutely to the Committee on Rules, who will not surrender their convictions, who will not surrender their judgment, who will not surrender their patriotism to the supposed exigency that compels the Committee on Rules to bring in this resolution when the House has not in front of it any business that will occupy more than one or two weeks. Why, the Committee on Rules will be in here before a great while, asking the House to save itself from bad legislation because it has nothing else to do.

[Here the hammer fell.]

Mr. BURROWS. I yield five minutes to the gentleman from Illinois [Mr. CANNON].

Mr. CANNON of Illinois. Mr. Speaker, this bill has taken much time in the Committee of the Whole; but it is a wonderfully important bill, and has in it more of change, more of important appropriations and proposed legislation than any Indian appropriation bill of which I have had knowledge in twenty years. Its consideration has not taken undue time; and we have just reached one important measure, and are about to reach still other important measures in the bill, which ought to be considered and settled in justice and righteousness after full debate and amendment by the people's representatives in Committee of the Whole. This rule cuts up such consideration by the root. Under this rule, if adopted, whether the time allowed for consideration be one day or two days, makes no difference; the right of consideration in the great Committee of the Whole House is practically destroyed.

What are we on now? The consideration of the Indian school appropriations have just been entered upon. Do gentlemen think that by adopting this rule they can avoid the responsibility of properly making those appropriations by abridging debate and cutting off amendment? We ought to consult, we ought to debate, we ought to amend, we ought to understand what appropriations should be made and how made; not in prejudice, but in the very right, as sensible men throughout the United States, American citizens of all churches and of no church would agree to. It is practicable to do this by entering upon the policy of vigorously expending Government money in Government schools and allowing all persons the largest liberty in education at private or church schools at their own expense. But you propose by this rule to place it out of the power of the minority; ay, more, if you adopt the rule, it will be placed out of the power of the majority to have honest debate and a fair vote upon these questions. Let gentlemen understand what they are doing when they adopt this rule.

One word further. There is no necessity for this haste. The Senate has not touched an appropriation bill. We are far ahead of the Senate. This House has not begun to take the time on appropriation bills that was occupied in the corresponding session of the Fifty-first Congress. I have here a statement made by the clerk of the Committee on Appropriations, a correct and painstaking man. In the first session of the Fifty-first Congress we took sixty days in this House in the discussion and amendment of appropriation bills in the Committee of the Whole. Now, we have the time. Let us vote down this rule in the interest of fair play and sound legislation.

In conclusion, I again say if gentlemen adopt this rule they can not hereafter say that under the rules of the House they had no chance to discuss or amend, because you are now to make the rule that puts it out of the power of the majority to either amend or consider important legislation or appropriations proposed in this bill or to be proposed touching all the remaining provisions of the bill.

I yield back to the gentleman from Michigan the remainder of my five minutes.

Mr. BURROWS (addressing Mr. OUTHWAITE). Have you any time?

Mr. OUTHWAITE. I would like to have the gentleman from Michigan use the rest of his time.

Mr. BURROWS. Let the proposed rule as modified be read. I would like to hear the modification.

The Clerk read as follows the resolution as modified:

Resolved, That immediately upon the adoption of this resolution the House shall resolve itself into the Committee of the Whole on the state of the Union for the further consideration of House bill 6913. That beginning on page 51, line 14, the bill shall be read through, and during such reading all points of order made against any provision in the bill shall be decided by the Chair, debate on each not to exceed ten minutes. At the conclusion of such reading the further consideration of the bill be resumed by the Committee of the Whole under the five-minute rule, and amendments shall be in order to any part thereof. That on Saturday, after the call of committees for reports, the committee shall resume the consideration thereof; and at the hour of 3:30 p. m. on that day the bill as amended in the committee, with all pending amendments, be reported to the House; and that the previous question shall then be ordered on pending amendments and the bill to its final passage; and no intervening motion shall be in order until the bill is fully disposed of. This order not to interfere with any agreements as to debate that have heretofore been made; but the same shall be carried out within the time herein mentioned.

Mr. BURROWS. Now, Mr. Speaker, the only modification proposed by the gentleman from Ohio to this rule is the extension of the time until to-morrow afternoon at half past 3 o'clock, and also to permit the agreements made in Committee of the Whole for debate upon certain propositions to be carried out. How many there are of those propositions I do not know. But the modification does not meet the objection which I made to this order in the beginning.

While the order specifies that points of order may be made upon any portion of this bill and limits debate upon such a point of order to ten minutes, it does not limit debate upon amendments; and any gentleman getting the floor and proposing an amendment this afternoon can, under the practice in Committee of the Whole, consume the entire afternoon on that amendment; for he can move to strike out the last word, he can withdraw that amendment, somebody else can renew it; and thus debate can go on under the practice, and the whole time may be consumed.

The gentleman from Ohio [Mr. OUTHWAITE] says that this resolution preserves pending amendments. But that clause relates entirely to the reporting of the bill back to the House. It provides that pending amendments shall be considered when the bill is reported to the House. But that provision does not refer to consideration in Committee of the Whole. I hope the resolution will be voted down.

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. OUTHWAITE. Mr. Speaker, it would probably be a very difficult thing for anyone on this side of the House to frame a rule or a resolution which would be entirely satisfactory to the last three gentlemen who addressed the House on this subject. The first presents to this side of the House the question of patriotism, and asserts that bills have been passed by the House, under orders from the Committee on Rules, which did not meet the approbation even of the gentlemen on the majority side of the House. That assertion is one the correctness of which I challenge.

No bill has ever passed this House driven through the House by a report from the Committee on Rules, as they were in the Fifty-first Congress, when the gentleman from Michigan and his colleagues on that side of the House saw no occasion to protest against it. He appeals to the manhood and the patriotism of the House, and presents himself as one by whom members on this side of the House shall pattern their patriotism and manhood in disposing of legislative questions. The gentleman from Illinois [Mr. CANNON] also takes up the subject, and in discussing it points out to the Democratic majority on this side of the House, as he usually does, with craft and cunning, the danger they are in; that they will not be able to control this bill, and that they will not be able, even in a majority, to do what they believe to be right and which their consciences approve concerning it, if they bind themselves, as he says they will be bound, by this rule. Such appeals, Mr. Speaker, are not worthy the consideration of gentlemen on this side of the Chamber.

This rule as now modified provides for keeping all of the agreements which have been heretofore made in Committee of the Whole, as to those important questions on which gentlemen have proposed, or propose, to address the committee. It provides ample time, as I said in my remarks a few moments ago, for the discussion of the important features of the bill. The conduct which we have witnessed from some individual members of the House in the consideration of the bill was not of a character to reflect honor or credit on the American House of Representatives.

Gentlemen point out dangers which do not exist except in their imagination, dangers which do not lurk in this order. There is no probability even that the proposition concerning the removal of the Indian warehouse from New York to Chicago will not have full and ample consideration, or that any gentleman who is interested in that matter shall not have a sufficient opportunity to present his views in the time here fixed. There is no probability that the proposition concerning the schools will be deprived of proper consideration.

Gentlemen familiar with the bill know that most of the remainder of it consists of treaties, and that page after page is filled up with the names of Indians, signers to the treaties, which are unnecessary even to read, and which can take up no time, at all events, in disposing of.

The rule proposes, and all it proposes is, that the bill shall be read through and points of order to portions of it disposed of, and then a fair opportunity offered for amendments, which may be proposed by any member of the committee. If gentlemen see proper to raise points of order against paragraphs of the bill as they are reached, they are permitted to do so under the rule, and debate on such points of order is limited to a reasonable time.

Under the terms of this rule, when a parliamentary question is under consideration and when an appeal will be submitted, if it shall be submitted to the Chair, we will not see, as we saw on yesterday, a gentleman from Iowa insisting upon reading a petition to the Congress of the United States and a list of names which occupied nearly a column of the RECORD, which was to have been read from the Clerk's desk at his request as a part of the parliamentary discussion on that point of order. This rule permits a discussion for ten minutes on a point of order; and if gentlemen can not make it clear in ten minutes' time as to what the point of order is and the reasons for or against it, then, without wasting any more time of the committee, it will be decided by the chairman of the committee without difficulty.

I ask the previous question on the rule as amended.

The question was taken; and on a division (demanded by Mr. BURROWS) there were—ayes 128, noes 63.

So the previous question was ordered.

The question being taken on the adoption of the resolution there were, on a division (demanded by Mr. BURROWS), ayes 131, noes 6.

Mr. BURROWS. No quorum.

Mr. OUTHWAITE. I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER announced the appointment of Mr. OUTHWAITE and Mr. BURROWS as tellers at the desk.

The question was taken; and there were—yeas 176, nays 76, answered "present" 3, not voting 97; as follows:

YEAS—176.

Abbott,	Covert,	Ikirt,	Pigott,
Alexander,	Cox,	Izlar,	Price,
Allen,	Crain,	Jones,	Reilly,
Arnold,	Crawford,	Kem,	Richards, Ohio
Bailey,	Cummings,	Kiefer,	Richardson, Mich.
Baker, Kans.	Davey,	Kyle,	Richardson, Tenn.
Baldwin,	Davis,	Lane,	Ritchie,
Bankhead,	De Armond,	Lapham,	Robbins,
Bartlett,	De Forest,	Latimer,	Russell, Ga.
Barwig,	Denson	Lawson,	Ryan,
Bell, Colo.	Dinsmore,	Layton,	Sayers,
Bell, Tex.	Donovan,	Lester,	Shell,
Berry,	Dunphy,	Livingston,	Sibley,
Black, Ga.	Edmunds,	Lynch,	Sickles,
Black, Ill.	English, Cal.	Maddox,	Somers,
Branch,	Enloe,	Maguire,	Sperry,
Breckinridge, Ark.	Erdman,	Mallory,	Springer,
Breckinridge, Ky.	Fielder,	Martin, Ind.	Stallings,
Bretz,	Fithian,	McAleer,	Stevens,
Brickner,	Forman,	McCreary, Ky.	Stockdale,
Brookshire,	Funston,	McCulloch,	Stone, Ky.
Brown,	Fyan,	McDannold,	Strait,
Bryan,	Geary,	McDearmon,	Straus,
Bunn,	Geissenhainer,	McEttrick,	Swanson,
Bynum,	Goldzier,	McGann,	Talbert, S. C.
Cabaniss,	Gorman,	McKaig,	Talbott, Md.
Campbell,	Grady,	McKeighan,	Tarsney,
Cannon, Cal.	Graham,	McMillin,	Tate,
Capehart,	Griffin,	McNagny,	Taylor, Ind.
Caruth,	Haines,	McRae,	Terry,
Catchings,	Hall, Minn.	Meredith,	Tracey,
Causey,	Hammond,	Money,	Turner, Ga.
Clancy,	Hare,	Montgomery,	Turner, Va.
Clark, Mo.	Harris,	Morgan,	Turpin,
Clarke, Ala.	Hatch,	Neill,	Tyler,
Cobb, Ala.	Hayes,	Oates,	Warner,
Cobb, Mo.	Heard,	Ogden,	Washington,
Cockrell,	Henderson, N. C.	O'Neil, Mass.	Weadock,
Coffeen,	Hines,	Outhwaite,	Wheeler, Ala.
Conn.	Holman,	Page,	Williams, Ill.
Coombs,	Hooker, Miss.	Patterson,	Williams, Miss.
Cooper, Fla.	Hudson,	Pearson,	Wise,
Cooper, Ind.	Hunter,	Pendleton, Tex.	Wolverton,
Cornish,	Hutcheson,	Pendleton, W. Va.	Woodard.

NAYS—76.

Adams, Ky.	Brosius,	Dalzell,	Grow,
Adams, Pa.	Bundy,	Dolliver,	Hager,
Aldrich,	Burrows,	Doolittle,	Harmer,
Baker, N. H.	Cannon, Ill.	Draper,	Hartman,
Bartholdt,	Childs,	Ellis, Oregon	Haugen,
Bingham,	Cogswell,	Fletcher,	Hermann,
Blair,	Cooper, Wis.	Funk,	Hopkins, Pa.
Boen,	Cousins,	Gardner,	Houk,
Bowers, Cal.	Curtis, Kans.	Gear,	Hull,
Broderick,	Curtis, N. Y.	Grout,	Johnson, Ind.

Johnson, N. Dak.	McDowell,	Ray,	Stone, C. W.
Lacey,	Murray,	Reed,	Stone, W. A.
Linton,	Northway,	Robinson, Pa.	Storer,
Loud,	Payne,	Russell, Conn.	Strong,
Loudenslager,	Pence,	Settle,	Sweet,
Lucas,	Perkins,	Shaw,	Tawney,
Mahon,	Pickler,	Sherman,	Thomas,
Marsh,	Post,	Smith,	Waugh,
Marvin, N. Y.	Quigg,	Stephenson,	Woomer.

ANSWERED "PRESENT"—3.

Everett,	McCleary, Minn.	Wilson, Wash.

NOT VOTING—97.

Aitken,	English, N. J.	Lockwood,	Scranton,
Alderson,	Epes,	Magner,	Simpson,
Apsley,	Gillet, N. Y.	Marshall,	Sipe,
Avery,	Gillett, Mass.	McCall,	Snodgrass,
Babcock,	Goodnight,	McLaurin,	Sorg,
Barnes,	Gresham,	Meiklejohn,	Taylor, Tenn.
Belden,	Grosvenor,	Mercer,	Tucker,
Beltzhoover,	Hainer,	Meyer,	Updegraff,
Bland,	Hall, Mo.	Milliken,	Van Voorhis, N. Y.
Boatner,	Harter,	Moon,	Van Voorhis, Ohio
Boutelle,	Heiner,	Morse,	Wadsworth,
Bower, N. C.	Henderson, Ill.	Moses,	Walker,
Burnes,	Henderson, Iowa	Mutchler,	Wanger,
Cadmus,	Hendrix,	Newlands,	Wells,
Caminetti,	Hepburn,	O'Neill, Mo.	Wever,
Chickering,	Hicks,	Paschal,	Wheeler, Ill.
Cockran,	Hitt,	Paynter,	White,
Cooper, Tex.	Hooker, N. Y.	Phillips,	Whiting,
Culberson,	Hopkins, Ill.	Powers,	Wilson, Ohio
Daniels,	Hulick,	Randall,	Wilson, W. Va.
Dingley,	Johnson, Ohio	Rayner,	Wright, Mass.
Dockery,	Kilgore,	Reyburn,	Wright, Pa.
Dunn,	Kribbs,	Robertson, La.	
Durborow,	Lefever,	Rusk.	
Ellis, Ky.	Lisle,	Schermerhorn,	

So the resolution was agreed to.

Mr. CLARK of Missouri. I wish to obtain leave of absence for the gentleman from Texas [Mr. CULBERSON]. He received a telegram that his wife was very sick, and so he has suddenly left the Hall.

The SPEAKER. Without objection, the gentleman from Texas [Mr. CULBERSON] will be given indefinite leave of absence, on account of sickness in his family.

There was no objection.

The Clerk announced the following pairs:

Until further notice:

Mr. SORG with Mr. WEVER.

Mr. O'NEILL of Missouri with Mr. MERCER.

Mr. MUTCHLER with Mr. WHITE.

Mr. MOSES with Mr. WRIGHT of Pennsylvania.

Mr. CAMINETTI with Mr. RANDALL.

Mr. KILGORE with Mr. WILSON of Ohio.

Mr. ALDERSON with Mr. HITT.

Mr. JONES with Mr. MCCALL.

Mr. TUCKER with Mr. POWERS.

Mr. BOATNER with Mr. GILLETT of Massachusetts.

Mr. DOCKERY with Mr. DINGLEY.

Mr. GOODNIGHT with Mr. HENDERSON of Iowa.

Mr. ENGLISH of New Jersey with Mr. RUSSELL of Connecticut.

Mr. WHITING with Mr. TAYLOR of Tennessee.

Mr. LISLE with Mr. WRIGHT of Massachusetts.

Mr. PAYNTER with Mr. GROSVENOR.

Mr. ELLIS of Kentucky with Mr. SCRANTON.

Mr. ROBERTSON with Mr. PHILLIPS.

Mr. BLAND with Mr. MORSE.

Mr. KRIBBS with Mr. LEFEVER.

Mr. BARNES with Mr. MCCLEARY of Minnesota.

Mr. LOCKWOOD with Mr. AITKEN.

Mr. BRECKINRIDGE of Arkansas with Mr. HOPKINS of Illinois.

Mr. GRESHAM with Mr. VAN VOORHIS of New York.

Mr. CLARKE of Alabama with Mr. HENDERSON of Illinois.

Mr. SICKLES with Mr. DANIELS.

Mr. COOPER of Texas with Mr. AVERY.

Mr. HALL of Missouri with Mr. HEINER of Pennsylvania.

For this day:

Mr. CULBERSON with Mr. WANGER.

Mr. SIPE with Mr. BOUTELLE.

Mr. MEYER with Mr. HULICK.

Mr. SCHERMERHORN with Mr. BELDEN.

Mr. WELLS with Mr. HARMER.

Mr. BRECKINRIDGE of Arkansas. My pair with the gentleman from Illinois [Mr. HOPKINS] was read, but I voted in order to make a quorum, that right being reserved.

The result of the vote was then announced as above recorded.

On motion of Mr. OUTHWAITE, a motion to reconsider the vote by which the resolution was agreed to was laid on the table.

LEAVE TO WITHDRAW PAPERS.

On motion of Mr. BRECKINRIDGE of Kentucky, by unanimous consent, leave was given to withdraw from the files of the House without leaving copies the papers in the case of Andrew S. Bloom, Fifty-second Congress, there being no adverse report thereon.

QUESTION OF PERSONAL PRIVILEGE.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I rise to a matter of personal privilege.

The SPEAKER. The House will be in order. The gentleman from Tennessee [Mr. RICHARDSON] states that he rises to a question of personal privilege.

[The foregoing is given as understood by the reporter. For incidental correction, see proceedings immediately following the conclusion of Mr. RICHARDSON'S statement.]

Mr. RICHARDSON of Tennessee. Mr. Speaker, for nearly ten years I have been a member of this House, and during that period I have never felt called upon to make a statement of matters personal to myself.

On yesterday an evening paper of this city, the News, contained in its local columns an article on the subject of the overhead trolley for street railroads in this city, in which reference was made to myself. The same paper also contained an editorial making reference to the same matter, and I now ask to have this editorial read at the desk.

The SPEAKER. The Clerk will report the matter referred to by the gentleman.

The Clerk read as follows:

A JOB IN THE HOUSE.

Since Correspondents Edwards and Shriver were headed toward the jail for telling the truth about the sugar trust and the Senate, the News is a little timid. It knows some things about the Philadelphia overhead trolley syndicate and the House of Representatives, but being already under investigation by Mr. Quay's Senate, it is afraid to say very much. It is so frightened that it does not make any charges, but hopes the statements, more statements, mind you, in an article on its first page to-day will not result in the incarceration of its presses and paste-pots by an indignant Congress.

Those statements seriously affect the further usefulness of Mr. RICHARDSON of Tennessee. They are to the effect that he used his position as a member of the House District Committee to unload some real estate on the Philadelphia syndicate, and four days later favorably reported the syndicate's Belt Line Railway bill to the House. This may be a perfectly legitimate manner of doing business on the outside by a member of Congress. That is for the House to decide. The News makes no charges; its statements simply tell the whole story, and quote from the records, which a House investigating committee can examine.

There is no malice in these statements of the News, only a desire to protect the interests of Washington, for which it hopes it will not be sent to jail. The statements show how the city is raped year after year; how official power is prostituted by men from far-off States, who have no love for the city, in the bargaining and sale of its franchises and the trading on its public interests. No wonder Mr. WALKER said that on District day reputable members told him to keep away from the House; that they never went; that it was a day of jobbery. The statements in the Richardson trolley road story of to-day throws a powerful light on the processes to which District legislation is subjected.

We have made no charges. The statements about Mr. RICHARDSON are sufficiently serious, however, it seems to us, to rob the Senate of a monopoly of holding an investigation, and to show the House that it, too, better investigate the whole District Committee.

Mr. RICHARDSON of Tennessee. Mr. Speaker——

The SPEAKER. The gentleman from Tennessee.

Mr. RICHARDSON of Tennessee. Mr. Speaker, it will be seen that the editor states that there is no malice in the statements which are published, and further he says: "We have made no charges." The reflection on me in these articles is in part direct and in part by innuendo.

I recognize, Mr. Speaker, that as a public man all my official acts are entitled to be subjected to the severest scrutiny. I do not shrink from any investigation of them. On the contrary, I invite it. The newspapers have nearly always been as fair and just to me as I deserved as a public man, perhaps more so.

I think, Mr. Speaker, that under the circumstances I should make a plain statement of the facts of my connection with the sale of real estate which is referred to in these articles, and I will proceed to make that statement somewhat in detail, in order that I may be set properly before the House and the country, and I shall rely upon this statement as an answer to all the charges directly and indirectly made.

The facts are, that on May 26, 1891—not in October, 1892, as stated in the article—in connection with a gentleman from Murfreesboro, Tenn., Mr. C. H. Byrn, who is my son-in-law, I began purchasing from Mr. Gilbert Moyers, an attorney at law of this city, not a real estate dealer, part interests in said square 1030 in this city. His deed to us for the interests purchased then bears date May 26, 1891, and was duly recorded June 5, 1891. This was before I was ever on the District Committee or ever expected to have a place on it.

I was put upon the committee in the following December, when the Fifty-second Congress was organized, being placed there by the present occupant of the chair, without solicitation upon my part or knowledge that I was going to be placed upon that committee until the committees were announced at the Clerk's desk. The following year, in October, 1892, Byrn and I purchased other portions of said square from Mr. Moyers. The entire interest of Mr. Moyers in the square had been bought by him at different

dates from different persons prior to this sale to us, for about $39,000. In his purchases of the property he had paid about one-third of the purchase money, say $13,000, thus leaving unpaid two-thirds thereof, or about $26,000.

He conveyed to Mr. Byrn and myself, as stated, an undivided one-half of his interest, and we paid him one-half he had paid, and we assumed the payment of the one-half of the remainder of the unpaid purchase money. We all expected to sell the property before having to meet the deferred payments for the same, in which hope, however, we were disappointed by reason of the dullness in the sale of real estate in the District of Columbia.

The unpaid purchase money became due in the summer of 1892, 1893, and 1894, and as the same fell due, not being able to pay, the same was extended by our paying interest, and in some instances commissions. Being unable to meet and discharge the remainder of the purchase money as the same matured, we agreed last fall and winter to sell the property. To this end I went to Austin P. Brown & Co. and Messrs. Emerson & Cahill, reliable real estate firms, and asked them to find a purchaser for the property.

About the first of March Mr. Brown reported to me that he could get a purchaser who would pay Mr. Moyers, Mr. Byrn, and myself the moneys we had paid out, which, as stated, was about one-third of the whole purchase money, say $13,000 with interest, and would assume to pay the remaining two-thirds thereof, say $27,000, and asked for an option to this effect for sixty days. Messrs. Emerson & Cahill at one time reported that they had secured a purchaser at about the cost of the property to us, but this offer failed for reasons not necessary to mention here.

Feeling unwilling to try to carry the debt longer, the offer of Mr. Brown was accepted by us, and was reduced to writing and signed by the parties. It is as follows:

CITY OF WASHINGTON, *District of Columbia:*

The undersigned, Gilbert Moyers, JAMES D. RICHARDSON, and C. H. Byrn, own jointly the west one-half of square 1030, Washington, D. C., which one-half contains about 112,000 square feet of ground, and includes sublots 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, the said Moyers owning one-half thereof, and said RICHARDSON and Byrn together the other one-half thereof. Said property was conveyed to them by deeds from various persons at different dates, all of which are duly registered in the office of the recorder of deeds of the District of Columbia. Of the purchase money for said property said Moyers, RICHARDSON, and Byrn have heretofore paid one-third thereof, $13,088.58, more or less, and in the proportion of one-half by said Moyers and the other half by RICHARDSON and Byrn together.

The remainder of the purchase money for said property is unpaid, being about two-thirds thereof, and amounts to about $28,000, and is a lien on all of said property, all of which is shown by proper deed and conveyances of record in said office of the recorder of deeds. Now it is hereby agreed by and between said Moyers, RICHARDSON, and Byrn, and the undersigned Austin P. Brown, that the said Brown shall become the purchaser of said property upon the condition set forth below, to wit:

That he shall within sixty days from date thereof pay to said Moyers, RICHARDSON and Byrn the purchase money they have heretofore paid for said property, $13,088.58, more or less, and also pay to them the several payments of interest they have made on the purchase money, amounting in the aggregate to $2,249.26, and will lawfully assume, and bind himself to pay the remainder of the purchase money on the said property, and save them from liability thereon.

The conveyance to him shall be in proper form, and shall convey all the right, title, and interest of said Moyers, RICHARDSON, and BYRN in said property to said Brown or his order, and will be properly executed upon the compliance by him with the conditions herein set forth. The title papers to said property are all duly recorded as hereinbefore stated, and are referred to for fuller description of the property mentioned herein, and for evidence of paid and unpaid purchase money thereon.

MARCH 12, 1894.

Signed,

JAMES D. RICHARDSON.
C. H. BYRN.
GILBERT MOYERS.
AUSTIN P. BROWN.

That is a copy, Mr. Speaker, but I hold in my hand the original, which any gentleman who desires to do so can see for himself.

Shortly after this, and in accordance with the terms of the option, Mr. Brown reported that he would consummate the sale of the property if we would make the deed. He prepared the deed to Mr. Henry Guillaume—who I afterwards learned was a clerk in his office—which was signed by us all on or about March 31, 1894. As I have stated, Messrs. Moyers, Byrn, and I were not able to pay the purchase money due thereon, and were glad to be relieved of our purchase The sale to Mr. Gillaume was consummated, and we were paid back the money which we had paid out for the property, Mr. Moyers receiving as his half of the same $7,964, and Mr. Byrn and I the same sum, or $3,982 each. I now hold in my hand the receipt of Mr. Moyers for said sum in the following words:

WASHINGTON, D. C., *March 31, 1894.*

Received of Austin P. Brown, agent, $7,964, in full payment of my interest in west half of square 1030.

GILBERT MOYERS.

And on the back of said receipt are these words:

Received of Austin P. Brown $7,964, in full payment of the interest of C. H. Byrn and myself in said square 1030, mentioned in within receipt. One-half of this sum, $3,982, belongs to me and the same sum to C. H. Byrn.

This March 31, 1894.

JAMES D. RICHARDSON.

The paper which I hold in my hand is the original, which has been kindly furnished to me by Mr. Brown.

Now, Mr. Speaker, it only remains, I think, for me to say, which I do here and now say, that we did not sell this property to Mr. Bowers of Philadelphia, as alleged in the article in the paper, or to his agent, Mr. Schoepf, manager and vice-president of the railroads known as the Belt Railroad and the Eckington Railroad in this city, nor to the street railroad company. It was a sale to Mr. Austin P. Brown, as I have stated; he, however, taking the deed to his clerk, Mr. Gillaume, for reasons which were satisfactory to him, and which I did not inquire into.

I hold in my hand, Mr. Speaker, a letter from Mr. Schoepf. But before mentioning this, if my colleague [Mr. SNODGRASS] is here, it occurs to me that I ought to make one statement. In addition to having this property offered to Mr. Austin P. Brown & Co. and to Emerson & Cahill, the real estate agents of this city, I also offered it to my colleague [Mr. SNODGRASS] about the same time and at the same price; that is, the cost and interest to me, and he considered purchasing it for a while, but declined to do so for reasons satisfactory to him. I mention this, Mr. Speaker, simply to show that I was endeavoring to get rid of the property at first cost and interest.

Now, sir, I hold in my hand a letter, dated this morning, from W. Kesley Schoepf, vice-president and general manager of the Eckington and Soldiers' Home and Belt Railway Companies, the railroads which I have mentioned. It is in these words, and addressed to me:

WASHINGTON, D. C., *June 15, 1894.*

MY DEAR SIR: Having seen the article in the News of yesterday, in which it is charged that you had sold certain land to the Eckington and Soldiers' Home Railway Company, I would state that while engaged in looking for a suitable location for the proposed car barn and stables for the above-mentioned company Mr. Austin P. Brown called upon me and offered the west half of square 1030, at which point the East Washington extension terminates, at a price that was 10 cents less per square foot than any other property in this section, and suitable for the purpose named. I agreed with him to purchase the land, and until after that date I did not know that you were or ever had been the owner of the property.

Respectfully,

W. KESLEY SCHOEPF,
Vice-President and General Manager.

Hon. JAMES D. RICHARDSON,
House of Representatives United States, Washington, D. C.

I have also, Mr. Speaker, a letter from Mr. Brown, the purchaser of this property, dated June 15, addressed to me. He says:

WASHINGTON, D. C., *June 15, 1894.*

DEAR SIR: The facts regarding the real estate referred to in an article published in the News of yesterday with which my name is connected, are as follows, to wit:

You requested me in January last to find a purchaser for the said real estate, stating that you and the other owners were very anxious to sell, and that you would be glad to let the property go at the price paid for the same and the interest thereon.

I informed you about the 1st of last March that if I could get an option for sixty days I had no doubt but that I would be able to dispose of the property. You secured the option and I sold the property, which was deeded to my clerk, Mr. Guillaume, at my request and was conveyed by him as directed by me.

You had no information from me as to whom I had sold the property to.

The statement that I told the Ninth street builder that I received the money from you to pay a note presented by him is false.

You are at liberty to use this statement if you so desire.

Very respectfully,

AUSTIN P. BROWN.

Hon. JAMES D. RICHARDSON,
House of Representatives.

Mr. Speaker, I submitted this statement this morning to Mr. Moyers, a reputable attorney of this city, from whom these purchases were made. I have his letter in my hand, which reads as follows:

Washington, D. C., June 15, 1894.

DEAR SIR: I have read your statement, to be made to the House to-day, in regard to the sale of certain lots of land located in square 1030, Washington, D. C., and find the same to be absolutely true in every particular.

The sale of said real estate was to Mr. Brown, a real estate agent of this city, without our knowledge of any interest or prospective interest of any railroad company of this city or elsewhere in the same.

Very respectfully, yours,

GILBERT MOYERS.

Hon. JAMES D. RICHARDSON,
House of Representatives, City.

Now, Mr. Speaker, I have the statement of Messrs. Emerson & Cahill, which I believe I did not read, but will read now:

WASHINGTON, D. C., *June 15, 1894.*

DEAR SIR: We have seen the article in the News, in which your name is mentioned. We have also read the statement which you make to the House to-day, and it is true in every particular so far as we are concerned. Both you and Col. Moyers authorized our firm to sell the property last winter at first cost to yourselves with interest.

Very respectfully,

EMERSON & CAHILL.

Hon. J. D. RICHARDSON,
House of Representatives.

Now, sir, this ended my connection with the matter, except that soon after the sale, as stated in the News article, a builder on Ninth street, I presume Mr. Z. Jones is referred to, called to

see me about the payment of a debt due him of $1,252.55, being a part of the unpaid purchase money, saying he had seen Mr. Moyers about it and had been referred to me. I told Mr. Jones that we had sold the property, but that the purchaser from us would pay his debt and all the other unpaid purchase money. Of course I knew I was bound for it, as I have stated, and so I communicated with Mr. Brown, possibly by telephone, and I also went to his office in person, and asked him to pay Mr. Jones, which I was assured he would do, and which I was informed he did.

And now as to the reference in the article to the overhead trolley, I wish to state emphatically that never at any time or place has any human being asked me, or in any manner solicited me, to support any measure for the use of the overhead trolley in the city of Washington. I do not consider it would be a disgrace if I had been asked to do so, or if I favored it. But as a fact I have never favored the introduction of the overhead trolley on the principal streets of this city; and as I have stated, nobody has asked me to favor it. I do not favor its use on the Belt Line extension, or L street line, now pending before the House of Representatives; and I have never been asked by anybody to favor it on that road. On the other hand, I offered an amendment to the bill forever excluding its use on that L street line. Such is the position I now occupy upon it.

Now, one of the charges made is that I reported the House bill (H. R. 6596) on the 6th day of April, 1894, for the charter or for an amendment of the charter of the Belt line, to run on L street. I did so, Mr. Speaker, in the honest discharge of my duty as a member of the Committee on the District of Columbia. It was the unanimous report of that committee, and I believed then, as I do now, that the bill should pass. I had introduced the bill in the House on the 22d of February, 1894; and it is a copy of a bill previously introduced into the Senate by Mr. GORMAN of Maryland.

I simply used the bill which he had introduced in the Senate, striking out only such words as made it applicable to the House. The report on this bill was made in pursuance of the recommendation of the Commissioners of the District of Columbia. They recommended that it be changed from M street and placed upon L street, and the Committee on the District of Columbia made its report in accordance with their recommendation.

Now, Mr. Speaker, in conclusion, I state that I have acted in all these proceedings in a proper manner; and I state that I have received no compensation, nor am I to receive any whatever for my services. I sold the property honestly and in good faith, and got back the money which I had put into it, with interest, and some little amount of taxes I had paid. I am content to leave this matter without further reference to it, and, as I have stated, confidently rely upon the honest judgment of all those who know me, and on the truth of the facts that I have given for my full vindication. I thank the House, Mr. Speaker, for its courteous attention. [Loud general applause.]

The SPEAKER. Under the order adopted the House will resolve itself into Committee of the Whole, and the gentleman from Massachusetts [Mr. O'NEIL] will take the chair.

Mr. REED. A parliamentary inquiry. Was this proceeding had by unanimous consent of the House?

The SPEAKER. The gentleman asked consent to make a personal explanation.

Mr. REED. Asked consent? Was unanimous consent asked?

The SPEAKER. The gentleman asked consent.

Mr. REED. Was that put to the House?

The SPEAKER. Of course that was put to the House. Why does the gentleman ask the question?

Mr. REED. Because I did not hear it.

The SPEAKER. If the gentleman had been here he would probably have heard it. Under the order adopted the House will resolve itself into Committee of the Whole House on the state of the Union, and the gentleman from Massachusetts will please take the chair.

Mr. REED. I am informed that it was not put to the House.

The SPEAKER. The House will resolve itself into Committee of the Whole House on the state of the Union, and the gentleman from Massachusetts will take the chair.

INDIAN APPROPRIATION BILL.

The CHAIRMAN. The House is in Committee of the Whole for the consideration of the bill H. R. 6913, and under the rule the Clerk will now proceed with the reading of the bill.

Mr. BURROWS. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. BURROWS. I think it would be well if the Chair will interpret this order before the reading of the bill goes on.

The CHAIRMAN. The Chair stated that under the provisions of the order the Clerk would now proceed with the reading of the bill.

Mr. BURROWS. Yes, sir. I desire to inquire of the Chair whether if any points of order are to be made against any portions of the bill they must be made during the first reading?

The CHAIRMAN. Yes, sir.

Mr. BURROWS. I hope the Chair will so state; and if the points of order are not made during this first reading, the committee will be precluded, or any member of the committee will be precluded, from making points of order.

The CHAIRMAN. The Chair so understands the rule.

Mr. BURROWS. Yes, sir.

Mr. CANNON of Illinois. Do I understand that the bill is to be read through and then to be re-read for amendments?

Mr. BURROWS. No.

The CHAIRMAN. The Clerk will read the bill.

Mr. CANNON of Illinois. When are amendments to be in order?

The CHAIRMAN. If the gentleman desires information he will please address the Chair.

Mr. CANNON of Illinois. Mr. Chairman——

The CHAIRMAN. The gentleman from Illinois.

Mr. CANNON of Illinois. I desire to know at what point amendments are in order?

The CHAIRMAN. After the bill has been read, subject to points of order.

Mr. CANNON of Illinois. And amendments will then be in order to any part of the bill.

The CHAIRMAN. To any part of it.

Mr. CANNON of Illinois. It will not be read a second time.

The CHAIRMAN. No, sir.

Mr. BURROWS. Then, Mr. Chairman, I am correct in the question I asked the Chair, that points of order must be made during this reading or not at all.

The CHAIRMAN. They must be made during this reading, or not at all.

Mr. WILSON of Washington. A parliamentary inquiry, Mr. Chairman. I was not in when the ruling was made. I want to know whether it will be absolutely necessary for the Clerk to read that portion of the bill that contains all those Indian names?

The CHAIRMAN. Unquestionably.

Mr. WILSON of Washington. Then we will not get through by to-morrow at 3.30.

The CHAIRMAN. The committee will get through by 3.30.

Mr. WILSON of Washington. All right; I will wait for the pronunciation. [Laughter.]

The Clerk, reading the bill, read as follows:

SEC. 2. That the Secretary of the Treasury is hereby authorized and directed to place upon the books of the Treasury to the credit of the several Indian tribes interested therein, the face value of certain nonpaying State bonds or stocks, including certain abstracted bonds described on pages 153 and 154 of annual estimates for the fiscal year ending June 30, 1895 (House Executive Document No. 5, Fifty-third Congress, second session), to draw interest at the rate of 5 per cent per annum, as provided by the act of April 1, 1880; and thereupon said State bonds or stocks shall become the property of the United States.

For the payment of interest on said bonds for the fiscal year ending June 30, 1894, $78,320, and the Secretary of the Treasury is authorized and directed to sell and dispose of said bonds with the accumulated interest thereon at the best price that can be realized for the same, and to that end he shall at once advertise, for thirty days, inviting sealed proposals, and shall accept only such bids as may equal or exceed the face value of the principal of such bonds as the bidder proposes to buy.

Mr. OUTHWAITE (before the reading of the section was completed). Mr. Chairman, I desire to make a point of order on that.

The CHAIRMAN. The point of order may be reserved. It was agreed, by unanimous consent, that at this time the gentleman from Arkansas [Mr. MCRAE] should have thirty minutes to address the committee, and that the gentleman from Kansas [Mr. CURTIS] should have the same time.

Mr. WILSON of Washington. A parliamentary inquiry, Mr. Chairman. Does not the rule that we are now operating under overrule all other agreements until the bill shall have been read through, and do we not then come back to execute the agreement?

The CHAIRMAN. The Chair thinks not.

Mr. WILSON of Washington. We are operating under the direct order of the House.

Mr. HOLMAN. As I understand the order, the debate on this provision by the gentleman from Arkansas and the gentleman from Kansas is to occur now, and then will come the ruling on the point of order raised by the gentleman from Ohio [Mr. OUTHWAITE].

Mr. COX. Mr. Chairman, I do not see how the gentleman in charge of the bill can make any arrangement of that kind. The gentleman from Arkansas has no more rights here than we who represent Tennessee have, upon a matter involving the same question, and to a certain extent the same points. Why exclude

Tennessee and turn over all this privilege to Arkansas? I wish to ask the gentleman from Ohio a question.

The CHAIRMAN. The Chair will state to the gentleman from Tennessee that the rule as originally brought in by the Committee on Rules was afterward modified so as to provide that any arrangements or agreements that had been made should be enforced. Now, early in the consideration of this bill, before it was taken up under the five-minute rule, unanimous consent had been given that the gentleman from Arkansas [Mr. MCRAE] and the gentleman from Kansas [Mr. CURTIS] should have thirty minutes each when this portion of the bill was reached.

Mr. COX. Mr. Chairman, however, that rule may have been adopted—and I make no criticism upon it—why should Arkansas have any right that is denied to Tennessee?

The CHAIRMAN. The gentleman must see that that is a matter that the Chair has no control over.

Mr. COX. One more question, Mr. Chairman.

The CHAIRMAN. The gentleman from Arkansas [Mr. MCRAE] has the floor.

Mr. COX. Wait a moment. The gentleman from Ohio [Mr. OUTHWAITE] raises a point of order here.

The CHAIRMAN. Debate on that point of order will take place after the gentleman from Arkansas and the gentleman from Kansas have been heard.

Mr. COX. Will the Chair just bear with me for a moment until I can get my position right.

The CHAIRMAN. The gentleman can proceed only by unanimous consent.

Mr. COX. I understand that the point of order goes to both these sections of the bill.

The CHAIRMAN. Only one has been read. The point can be raised as to the other afterwards.

Mr. COX. Well, I reserve the point of order upon both.

Mr. BURROWS. Mr. Chairman, I rise to a parliamentary inquiry. It seems to me that under the terms of the order the Chair should determine the point of order now, because the rule declares that the Chair shall pass upon the points of order. The latter portion of the rule, modified after it was brought into the House, preserves previous agreements. I think this debate should occur at the close of the reading of the bill, or certainly after the point of order is disposed of. The bill is read now simply for points of order, and for the information of the House, and I think it would be well for the Chair to dispose of the point of order now, and let the debate take place after the reading is completed. In that way, it seems to me, the Chair would carry out the order of the House.

The CHAIRMAN. The Chair will keep the agreement that has been made, and will now recognize the gentleman from Arkansas [Mr. MCRAE] for thirty minutes.

Mr. BAILEY. Mr. Chairman, I rise to a parliamentary inquiry. As I understood the reading, the Clerk read only the first paragraph of the second section. I desire to ask whether it is not the opinion of the Chair that the whole of that section should be read?

Mr. OUTHWAITE. I was under the impression that the whole section had been read.

The CHAIRMAN. The Clerk will complete the reading of the section.

The Clerk read the second paragraph of section 2, as above.

Mr. OUTHWAITE. I make the point of order against this whole section that it is new legislation, and does not on its face reduce expenditures.

Mr. HOLMAN. To save the trouble of offering an amendment to the bill, I suggest to the gentleman from Ohio that he except from his point of order the first three lines of the second paragraph, which simply maket he ordinary appropriation which, of course, has to be made "for the payment of interest on said bonds for the fiscal year ending June 30, 1894—1894, not 1895—$78,320."

Mr. OUTHWAITE. I have no objection to those lines remaining in.

Mr. HOLMAN. So the point of order is not made as to the first three lines of the second paragraph.

Mr. BAILEY. Mr. Chairman, I desire to reserve the point of order against that part of the second section beginning at the word "and," in line 16, and ending with the paragraph.

Mr. COX. And I desire to reserve the point of order on the section commencing on line 1, page 59, and extending down to and including line 23, on the same page.

Mr. HOLMAN. Except the three lines I have indicated.

Mr. COX. No; I do not except anything.

Mr. MCRAE. Mr. Chairman, I understand that the gentleman from Texas [Mr. CRAIN] desires to make a brief statement, and I yield to him for that purpose.

Mr. CRAIN. Under the decision of the committee or of the House, I was authorized to occupy thirty mintues during the discussion of this bill under the five-minute rule. I wish now to transfer my time to the gentleman from Virginia [Mr. SWANSON].

Mr. SWANSON. I reserve that time until the gentleman from Arkansas [Mr. MCRAE] gets through.

Mr. MCRAE. Mr. Chairman, I am glad that the Committee on Indian Affairs has called the attention of Congress to and made it possible for us to legislate with reference to bonds of certain States held by the United States for the Indian trust fund. Early in the first Administration of President Cleveland the Treasurer, Mr. Jordan, took up the question of the indebtedness from the several States to the United States and to the Indian trust fund, and I will ask the Clerk to read the following correspondence had upon the subject at that time, from which the legal status will be very clearly understood.

The Clerk read as follows:

TREASURY OF THE UNITED STATES, *Washington, May 7, 1885.*

SIR: My attention having been called to certain bonds and stocks of the Indian trust fund, held in custody in this office, on which principal and interest are due and unpaid, I have the honor to submit at once the accompanying statement of such bonds.

Under the act of June 10, 1876, Revised Statutes, volume 19, page 58, transferring the Indian trust fund from the Department of the Interior to the custody of this office, it is made the duty of the Treasurer of the United States to make all purchases and sales of bonds and stocks authorized by treaty stipulations or by acts of Congress, when requested so to do by the Secretary of the Interior, and to collect all interest falling due upon the bonds and stocks so held.

The principal and interest of a large number of these bonds have become due and remain unpaid, some of them for many years.

While it is made the duty of the Treasurer, under the act, to make all purchases and sales of bonds and stocks when requested so to do by the Secretary of the Interior, and to collect all interest falling due without such request, there may be a question as to the responsibility or duty of the Treasurer in reference to such past-due bonds and the interest thereon. I desire, therefore, for my guidance and information (if any action is to be taken by this office), to know—

(1) What steps are necessary to collect the principal of overdue State bonds, or to prevent statutes of limitation in the respective States from barring any action that may hereafter become necessary.

2. What steps are necessary to collect past-due interest on such bonds, or on bonds not yet matured.

3. What proceedings should be taken where the bonds are liens upon railroads and other corporations, as in the case of some of the bonds of the State of North Carolina.

Formal demand has been made for the payment of certain North Carolina bonds and refused, and correspondence has been had with the authorities of States in reference to the payment of past-due bonds with similar results.

Under section 3481, Revised Statutes United States, moneys due certain States have been stopped by this Department and the amount applied to the payment of interest due. The items are set forth in the accompanying list.

The statutes of the different States authorizing these bonds are not accessible to this office, and therefore the conditions under which the bonds were issued and the full nature of the liens are not known here.

Several of the State authorities have made propositions, authorized by their respective Legislatures, for the exchange of bonds at certain rates for those of a new issue, which propositions could not be entertained without the authority of Congressional action.

If it shall be held that further demands be made for the payment of overdue principal, or that demands be made or suits instituted for the payment of overdue interest, I respectfully ask for instructions.

Very truly,

C. N. JORDAN,
Treasurer United States.

Hon. DANIEL MANNING,
Secretary of the Treasury.

(Statement of bonds and stocks inclosed with letter.)

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, D. C., May 20, 1885.

SIR: I have received your letter, "J. C. B.," of the 7th instant, asking for information respecting your duties as custodian of certain bonds and stocks of the Indian trust fund, under the act of June 10, 1876.

In reply I inclose herewith copy of communication, dated 22d instant, from the Solicitor of the Treasury, to whom your letter had been referred, stating his views on the subject of your inquiry.

Very respectfully,

C. S. FAIRCHILD, *Acting Secretary.*

The TREASURER OF THE UNITED STATES.

DEPARTMENT OF JUSTICE,
OFFICE OF SOLICITOR OF THE TREASURY,
Washington, D. C., May 22, 1885.

SIR: By the act of June 10, 1876, the securities held by the Secretary of the Interior in trust for the benefit of Indian tribes were transferred to the custody of the United States Treasurer.

It was made the duty of this officer to collect the interest falling due thereon and deposit the same, and issue certificates of deposit therefor in favor of the Secretary of the Interior as such trustee, and to make purchases and sales of the securities authorized by treaty or acts of Congress when requested by the Secretary of the Interior.

From a statement made by the Treasurer it appears that the principal and interest of a large number of these securities have become due and have remained unpaid, some of them for years.

He asks, in view of this fact, what steps are necessary for him to take to collect the principal and interest of overdue State bonds, and what proceedings should be taken where the securities are liens on railroads or other corporations.

The statute to which I have referred places a certain responsibility on the Treasurer. He is to be the custodian of the bonds. He is to collect the interest as it falls due, and he is to make purchases and sales of bonds when requested so to do by the Secretary of the Interior. His duties, it seems to me, as defined by the act, are ministerial simply.

If the principal of the stock or bonds or the interest on the same falls due

and is not paid on demand made by the Treasurer of the United States, that fact should be communicated by him to the trustee, the Secretary of the Interior.

Whether or not such suit should be brought or other proceedings taken to compel payment from the defaulting maker of the bonds or other securities rests with the Secretary of the Interior, the trustee.

Very respectfully,

A. McCUE,
Solicitor of the Treasury.

Hon. DANIEL MANNING,
Secretary of the Treasury.

This correspondence was then referred to the Secretary of the Interior, with the accompanying letter, the reply to which is herewith given:

TREASURY OF THE UNITED STATES,
Washington, May 28, 1885.

SIR: I have the honor to transmit herewith a copy of an opinion of the Hon. A. McCue, Solicitor of the Treasury, delivered to the honorable Secretary of the Treasury, in reference to certain unpaid stocks and bonds of the Indian trust fund, in response to a request made by myself on the 7th instant, a copy of which is also inclosed.

If, in pursuance of this opinion, it is necessary to take any action in reference to the unpaid principal and interest of said bonds, I respectfully ask for instructions in relation thereto.

Very respectfully,

C. N. JORDAN,
Treasurer United States.

Hon. L. Q. C. LAMAR,
Secretary of the Interior.

DEPARTMENT OF THE INTERIOR,
Washington, August 7, 1885.

SIR: I have the honor to acknowledge the receipt of your letter of the 28th of May last, inclosing, for the information of the Secretary of the Interior, as trustee for certain Indian trust funds, a copy of an opinion of the Solicitor of the Treasury regarding the duties of the Treasurer of the United States in the matter of certain unpaid State stocks and bonds belonging to the Indian trust fund.

The State bonds now belonging to the Indian trust fund which have matured and remain unpaid are as follows: * * *

The interest on these bonds is also due and unpaid by the States for different and various periods.

The Indian trust funds were invested in these bonds by the Secretary of the Interior prior to 1861. The laws governing the matter at the time of purchase will be found in the act of January 9, 1837 (section 2096, R. S.), and act of September 11, 1841 (section 3659, R. S.).

By the act of June 10, 1876 (10 Statutes, 58), the stocks, bonds, securities, etc., of the Indian trust fund were transferred to the Treasurer of the United States as custodian, and it was thereafter made his duty to collect the interest theron as it became due, etc.

The Solicitor holds in the opinion referred to that the Treasurer's duties as defined by this last-named act are "ministerial simply."

"If the principal of the stock or bonds or the interest on the same falls due and is not paid on demand by the Treasurer of the United States, that fact should be communicated by him to the trustee, the Secretary of the Interior. The duty of the Treasurer in this regard ends here. Whether or not suit should be brought or other proceedings taken to compel payment from the defaulting maker of the bonds or other securities rests with the Secretary of the Interior, the trustee."

In view of this opinion, you request instructions in relation to the unpaid principal and interest of said bonds, if it is necessary to take any action in relation thereto.

This matter has heretofore been considered by Congress. By the act of March 3, 1865 (13 Statutes, 539), appropriations were made for the Indians for whom the nonpaying bonds were held, in sums equal to the interest then due and unpaid. Since that date annual appropriations have been made to meet the unpaid interest, not only on the bonds not yet matured, but also on those which have matured.

The act of March 2, 1867 (14 Statutes, 497), required:

"That the Attorney-General of the United States shall be, and is hereby, instructed to inquire into the condition of all funds held in trust by the United States for said tribe (Chickasaw) and for all other tribes of Indians, and what proceedings should be taken for the security of the United States in respect to the same, and report thereon to Congress on the first Monday in December next."

The report of the honorable Attorney-General made in compliance with this law is found in House Executive Document No. 59, Fortieth Congress, second session. The concluding portion of the report is as follows:

"So far as the States are liable upon these, either as principal obligors under the bonds issued by them respectively, or as guarantors of bonds issued by private or municipal corporations, I see no ground upon which that liability can be enforced either at law or in equity. A State can be sued only by its own consent. I am not advised that either of these States has, by its own consent, submitted itself to suit in any court. Nor is there a case made here for original suits against either of these States in the Supreme Court of the United States under the Constitution of the United States; for whether we regard these bonds as belonging to the United States or to the respective Indian tribes, the right to bring an original suit upon them against a State in the Supreme Court of the United States does not exist either in favor of the United States or any of these Indian tribes; for neither the United States nor an Indian tribe is a foreign state within the meaning of the constitutional provision, and as such entitled to bring an original suit against a State in the Supreme Court of the United States. But if any of these States hold claims against the United States, it may be deemed expedient to exercise the right of retention and application in the nature of a set-off, following the precedent set by the joint resolution of March 3, 1845 (5 Statutes at Large, page 801).

"This resolution is as follows:

"'That whenever any State shall have been or may be in default for the payment of interest or principal on investments in its stocks or bonds, held by the United States in trust, it shall be the duty of the Secretary of the Treasury to retain the whole, or so much thereof as may be necessary, of the percentage to which such State may be entitled of the proceeds of the sales of the public lands within its limits, and apply the same to the payment of said interest or principal, or to the reimbursement of any sums of money expended by the United States for that purpose.'

"As to the remedy upon the bonds issued by private or municipal corporations by action at law to recover the amount due for principal or interest, or by proceedings in foreclosure, where the bonds are secured by mortgage, or in mandamus to compel the levying of a tax by municipal corporations, in order to provide payment, the remedy would be the same in favor of the United States as in favor of any individual creditor upon the bonds.

"I am at a loss to suggest any specific measure for further security in respect to these bonds. But it may happen that the indebted States and corporations may offer propositions for compromise favorable to the bondholders, and Congress may deem it expedient to give the Secretary of the Interior authority to entertain, and, in the exercise of a proper discretion, to agree to such propositions."

Sums of money found by the Treasury due the States in default of payment of interest on bonds have been from time to time covered into the Treasury to reimburse the United States for moneys appropriated by reason of such default.

The authorities of the State of North Carolina submitted in 1883 a proposition for the substitution of the old bonds of that State for those of a new issue, authorized by act of the State Legislature. It was considered by my predecessor on December 11, 1883, who, under the circumstances of the case, declined to accede to the proposition, stating among other reasons that he doubted whether it would be proper for the Secretary of the Interior to make the exchange without the grant of special legislation therefor by Congress. Bills were pending in the Forty-eighth Congress which contemplated the granting of the necessary authority, but no law was enacted on the subject.

The facts regarding these State bonds which have matured, as well as those upon which instalments of interest are past due, are essentially the same or similar to those which obtained at the time of the report made by the honorable Attorney-General, whose opinion and conclusion on the subject are quoted above.

In view of the opinion of the Attorney-General, and of the further facts herein set out, the Secretary of the Interior does not consider it necessary or proper that any further means should be attempted with reference to the collection of the unpaid principal and interest of the bonds under consideration until appropriate legislation therefor shall have been enacted by Congress.

Very respectfully,

L. Q. C. LAMAR,
Secretary and Trustee.

Hon. C. N. JORDAN,
Treasurer United States.

Extract from Treasurer Jordan's report for 1885-'86:

The bonds held by this office should receive the serious attention of the legislative power, the greater part of these bonds having been lying in the vaults of the Treasury, paying no interest save such as may have been sequestered from sums due the respective defaulting States, notwithstanding the fact that these States have in great part compromised with their creditors, and are now paying interest on a portion or the whole of their debt. These securities have cost the United States par, and there would seem to be no good reason why proper efforts should not be made to obtain payment in full or effect some compromise with the insolvent States.

By a former ruling of this Department it has been held that money due the respective defaulting States could not be seized except for the current interest, and that no attention should be paid to the fact that by reason of default the principal had become due. The Treasurer has advised, under date of October 8, 1886, each of the Secretaries and accounting officers who may be called upon to settle the accounts of these States, that all sums due the respective States should be held by them in order that such sums shall be applied to the payment of the principal or interest, or both, when any indebtedness from the Government to these States may arise. The correspondence in regard to this matter is herewith submitted.

TREASURY OF THE UNITED STATES,
Washington, October 8, 1886.

SIR: Referring to section 3431, Revised Statutes of the United States, providing for the retention of moneys due from the United States to any State that may be in default in the payment of principal or interest on stocks or bonds issued by said State and held in trust by the United States, I have the honor to call your attention to the following States whose bonds are held in this office in trust, on which principal and interest are due and unpaid; and to request that payment of moneys due any of said States be withheld and this office advised of such action: Arkansas, Florida, Louisiana, North Carolina, South Carolina, Tennessee, Virginia.

Very respectfully,

C. N. JORDAN,
Treasurer United States.

To the FIRST COMPTROLLER.

DEPARTMENT OF THE INTERIOR,
Washington, October 27, 1893.

SIR: I am in receipt of your letter of September 10, instant, referring to me House bill No. 117, "to authorize a compromise and settlement with the State of Arkansas," with the request for my opinion as to the propriety of passing said bill.

I transmit herewith a report from the Commissioner of the General Land Office, which contains all the facts shown by the records of his office relative to the claims of the State against the United States.

I have no information as to what amount of bonds and coupons of the State of Arkansas are held by the United States in trust, or otherwise, nor of other indebtedness arising under claims by the Government against said State.

I would suggest that the bill be referred to the proper Department to ascertain such indebtedness. In the absence of such information I am unable to express an opinion upon the merits of the bill.

Very respectfully,

HOKE SMITH, *Secretary.*

Hon. THOMAS C. McRAE,
Chairman Committee on the Public Lands, House of Representatives.

DEPARTMENT OF THE INTERIOR, GENERAL LAND OFFICE,
Washington, D. C., October 21, 1893.

SIR: I am in receipt by departmental reference of September 12, 1893, from Hon. THOMAS C. McRAE, chairman of the Committee on the Public Lands of the House of Representatives, H. R. bill 117, entitled "An act to authorize a compromise and settlement with the State of Arkansas," with his request for an opinion as to the propriety of passing the same.

By this bill it is provided that the United States "cancel and deliver to the proper officer of the State of Arkansas all the bonds and coupons issued by said State now owned or held in trust by the United States" upon the relinquishment by the State of all her "claims and demands against the United States for the 5 per cent fund allowances under the act approved June 23, 1836, * * * for a portion of the distribution fund under the act approved September, 1841, for indemnity under the acts approved March 2, 1855, March 3, 1857, and under this act, and for all swamp and overflowed lands under the act approved September 28, 1850, not heretofore approved to the State," and for keeping prisoners under Executive order of February 5, 1867.

The records of this office disclose that the sum of $234,281.57 accrued to the State under the act of June 23, 1836, prior to June 30, 1892, and that the sum of about $310 has accrued to the State under that act during the year 1893. If the rule announced by the Supreme Court, in Iowa *vs.* McFarland (110 U. S. 471), relative to lands appropriated by military land warrant locations continues to be applied to lands taken under the homestead laws, but little will accrue to the State under this act in the future; 5,531,314.10 acres have been entered under the homestead law, 2,263,226.92 acres have been located with bounty land warrants, and 880 acres with scrip.

Prior to repeal of the act of September 4, 1841, the sum of $5,012.16 was found to be due the said State under that act, but no part of that amount has ever been paid. No money has ever been paid and no certificates have ever been issued to said State under said acts of March 2, 1855, and March 3, 1857, and it is at this time impossible to state accurately how much is due the State from that source as indemnity in land and money.

On January 24, 1889, Commissioner Stockslager, after evidently careful examination of the records of this office, furnished a statement showing that 200,750 acres of selected swamp lands in said State had been sold for $196,-990, 106,500 acres had been located with warrants, and 55,529 had been taken under the homestead law.

Selections aggregating 3,656,312.63 acres have been made by said State under act of September 28, 1850, and of these selections approvals have been made amounting to 7,638,987.45 acres, leaving an apparent claim remaining of 967,325.18 to be adjusted, but it is estimated that a large per cent of this may be included in that portion of the original claim already rejected by this Department or in duplicate selections.

It is not possible for me to give at this time anything like an exact estimate of the amount of land in place now claimed under this act, as to do so would involve the expenditure of much time and labor, and I presume this report is desired as early as possible.

The foregoing comprises all the facts shown by the record of this office relative to the claims of the State against the United States. I have no information at my command which would enable me to estimate the value of the additional claim for keeping prisoners under said Executive order, or of the "bonds and coupons" now owned and held in trust by the United States. In view of the fact that many of these claims are growing old, and their adjustment and settlement is likely to be a source of much annoyance and will involve a large amount of labor and cost, both on the part of the State and of this Department, it is deemed advisable to adopt some equitable and fair method which would lead to a speedy and complete adjustment of the whole matter.

The General Assembly of the State of Arkansas on the 8th day of April, 1889, passed the following act, fully empowering the governor to compromise and settle the claims of the State, to wit:

"*Be it enacted by the General Assembly of the State of Arkansas*, That the governor be, and he is hereby, authorized and empowered to enter into negotiations with the proper authorities of the United States, with a view of compromising, adjusting, and settling all or any of the claims of the State of Arkansas that have accrued or that may hereafter accrue under existing and future laws and grants; and he is further authorized and empowered to compromise, adjust, and settle the same upon such terms and conditions as he may deem just and right, after having examined into all the facts in relation thereto, the sum or sums agreed upon for such claim or claims as he may compromise and adjust to be applied upon the bonds of the State owned by the United States. The governor is fully empowered to relinquish and quitclaim to the United States any or all claims or demands adjusted or unadjusted upon the surrender to the State of such of her bonds as he may stipulate for in the compromise."

I am of the opinion that Congress by appropriate legislation should vest in some Department of the Government ample authority to compromise and settle with the State of Arkansas the several claims hereinbefore referred to. By analogy it would seem that such authority should be committed to the Department of the Interior. But whether the compromise is proposed to be effected by a commission created directly by Congress, or through the medium of agents appointed by Department, this office will be pleased to expedite by all means in its power a successful compromise of the existing differences.

Very respectfully,

S. W. LAMOREUX, *Commissioner.*

The SECRETARY OF THE INTERIOR.

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, D. C., December 8, 1893.

SIR: Referring to your written request for an expression of my opinion as to the advisability of the passage of House bill 117, and to several more recent interviews on the same subject, and requesting information concerning the condition of the indebtedness of the State of Arkansas to the United States as shown by the records and files of the Treasury Department, I have the honor to state that some legislation by Congress seems desirable if not indispensible to facilitate a satisfactory settlement and adjustment of the complex and long-standing differences between the Government and the State of Arkansas growing out of their mutual claims and demands, and I therefore heartily approve the plan that looks to such appropriate legislation.

It appears to me, however, the bill submitted does not give sufficient power and discretion to the proposed contracting powers or their agents to cover so fair and full an adjustment of such differences as is desirable, since it seems to contemplate only a mutual cancellation and surrender or discharge of all claims or obligations that each may have against the other, without regard to balances.

I would therefore suggest and recommend that the bill be so amended as in substance to authorize the Secretary of the Interior and the Secretary of the Treasury, or three such competent persons as they may select or cause to be selected on behalf of the United States, to fully settle, compromise, and adjust the differences contemplated herein with the governor of the State of Arkansas, or with such person or persons as may be authorized by the laws of that State to act in its behalf in the premises.

The accompanying statement, compiled from the files and records of this Department, shows approximately and as accurately as can be ascertained, in all probability, until a final adjustment is had, the state of the differences in question so far as they pertain to the Treasury Department.

The more difficult matters of adjustment perhaps being those growing out of the claim of Arkansas against the General Government, in connection with the public lands, you are respectfully referred to the Secretary of the Interior for any information connected with that branch of the subject of differences.

Respectfully, yours,

J. G. CARLISLE, *Secretary.*

Hon. THOMAS C. MCRAE,
Chairman Committee on Public Lands,
House of Representatives, Washington, D. C.

Mr. MCRAE. Now, Mr. Chairman, we have here the recommendation of the late Treasurer Jordan and the lamented Lamar when he was Secretary of the Interior, and also the present Secretaries of the Treasury and Interior, that authority should be given to compromise and settle these old matters. It is perfectly apparent that no settlement can be had until there is some appropriate legislation upon the subject. I have labored hard to have such legislation so far as the bonds of Arkansas are concerned, and I submit that pending such measures the proposition to sell her bonds is a most remarkable one.

I can not believe that those who brought it here understood all the facts growing out of the complex and long-standing differences between the State of Arkansas and the United States. I desire to briefly state all the facts. The mutual claims, though complicated, ought to be understood by Congress before it passes any law to sell bonds against which the plea of payment is alleged, and if the committee will give me attention I will try to state the history of these transactions and the present status, so far as the State which I in part represent is concerned. The State of Arkansas, in the year 1838, borrowed from the Smithsonian Institution fund, which was then in the United States Treasury, the sum of $538,000, and issued State bonds therefor, dated January 1, 1838, bearing 6 per cent interest, $500,000 of which were redeemable October 26, 1861, and $38,000 January 1, 1868.

The State ceased to pay interest on $404,000 of the above loan January 1, 1842; the Smithsonian Institution fund was reimbursed by appropriation of Congress August 10, 1846 (9 Statutes, 102). An adjustment made by the Secretary of the Interior with the State by virtue of the act of December 13, 1872 (17 Statutes, 397), whereby certain Indian trust bonds were funded, resulted in the issue of State bonds to cover the indebtedness due from the State arising from appropriations to pay interest accrued, but for the payment of which the State was in default.

The amount of interest thus appropriated for was $91,800; but the United States had withheld $7,677.80 due the State for the care of military convicts, and in the adjustment this sum was deducted, leaving a balance in favor of the United States on account of interest appropriated for of $84,122.20. The State paid $122.20 in cash and delivered to the United States $84,000 in 6 percents, dated January 1, 1870, redeemable January 1, 1900. These bonds are owned by the United States.

This adjustment also resulted in the issue by the State of $168,-000 funded stock, 6 percents, dated January 1, 1870, redeemable January 1, 1900, and the payment of $300 in cash. These bonds belong to the Indian trust fund, and are a part of the bonds involved in the pending bill.

Three thousand dollars in registered 5 per cents, dated January 1, 1837, redeemable January 1, 1887, bonds of the State of Arkansas, were also acquired under authority of an appropriation made by Congress to pay Hiram R. Pitchlyn the proceeds of the sales of two quarter sections of land which were sold and the proceeds invested in the stock of the State of Arkansas, pursuant to the provisions of the eighth article of the treaty with the Chickasaw Indians. (10 Statutes, 43.) It will thus be seen that the United States holds in its own right, in all, bonds of the State of Arkansas, the principal of which amounts to $625,000, all of which are in the Treasury.

The Treasurer of the United States, as custodian for the Secretary of the Interior, trustee, holds the $168,000 in Arkansas bonds belonging to the Indian trust fund before mentioned, and these are some of the bonds now sought to be sold by the second paragraph of the pending section.

No interest has been paid either on those bonds ($168,000) belonging to the Indian trust fund or those held for the United States ($84,000) since 1874.

The State ceased to pay interest on $366,000 of the Smithsonian Institution loan January 1, 1842; on $1,000 July 1, 1852, and on $133,000 July 1, 1860, and on that part of the loan redeemable in 1868 ($38,000) it ceased to pay interest January 1, 1842. On the $3,000 registered 5 per cents no interest has been paid since July 1, 1876.

But the Treasury Department has retained under joint resolution, March 3, 1845 (5 Statutes, 801), and section 3481, Revised Statutes, the sum of $204,410.75, accruing to the State under the act of June 23, 1836, on account of 5 per cent of the net proceeds of the sale of lands in the State of Arkansas. There were two instalments found due, but never paid to the State, under the distribution act of September 4, 1841 (Statutes 5, page 453); one, June 30, 1842, for the sum of $4,482.79, and the other, July 1, 1842, for $529.37, making a total of $5,012.16, also held and which should be applied to the bonds of the State.

The State authorities insist, and I think properly, that the sums thus retained, with what is fairly and equitably due on the unadjusted swamp-land claim of the State, will more than pay what she owes on the bonds. The State claims and is, beyond question, entitled to a large cash and land indemnity under the acts approved March 2, 1855 (10 Stat., 634), and March 3, 1857

(11 Stat., 251). Nothing has ever been allowed or credited to her on this account, as has been done for other swamp-land States. The Interior Department admits that the State has a just claim for both cash and land, but the amount has never been officially determined and credited on her debt. In fact, there is no law authorizing any such credit to be entered by the Department, and it can not be done without legislation of the character I will propose.

The Government of the United States has sold about 200,750 acres of swamp land, the property of the State, for which it received the sum of $196,990, and has also disposed of, for land warrants, scrip, and homestead, 162,080 acres of other swamp-lands, worth at $1.25 per acre, the sum of $202,600. The State should therefore in common fairness be credited with the sums so received, as of the years in which the sales were made, and should also be allowed $1.25 per acre for such lands as were otherwise erroneously disposed of.

The total claim on account of swamp-land indemnity is $399,590. So we have an aggregate, about which there should be no question, of about $609,012, to say nothing of the contested claim for 967,325 acres of swamp lands selected, and still pending before the Interior Department, nor for 5 per cent of the value of lands located with land warrants and as homesteads, which if allowed would more than double the claim of the United States.

A large part of these swamp selections the State insists should have been approved to her because the field notes show them to be swamp, and the United States have agreed to settle by the field notes. The United States surveyor-general certified all of them to be of the character contemplated by the act. The State also insists that as a matter of simple justice she is entitled to have and ought to be credited with 5 per cent on all public lands entered under the homestead laws and located with military bounty land warrants and scrip, estimated at the minimum price for Government lands, $1.25 per acre, but the payment now insisted upon does not depend upon the allowance of this nor is it involved in the amendment I will submit. My apology for referring to it is to show how strong the equities in favor of Arkansas are.

In 1836, when the State was admitted to the Union, there was no way of disposing of public lands except by cash sale or for warrants and scrip. The homestead law was not passed until 1862, and the State, with such a contract as it made, does not think it just to her that the General Government should be allowed to adopt a policy that will have the effect to diminish the fund, upon which she had a right to rely, for the payment of the bonds in question. She did not borrow the money until after the United States had solemnly pledged her 5 per cent of all the proceeds of the public lands within her borders for making public roads and canals. She had a right to rely upon this fund to aid her in repaying the money she borrowed The greater part of all lands disposed of in Arkansas within the last thirty years have been given away by the United States under the homestead law, and nothing has been allowed the State for it.

Up to June 30, 1887, the date of the latest statement I now have, the aggregate of such lands taken as homesteads and with bounty warrants and scrip was 7,795,451.02 acres. Estimating them at the minimum price fixed by the law, the State would be entitled to the sum of $487,215.65 for such lands. This is more than has been allowed on all sales under the present rulings of the Department.

I am aware that the Supreme Court, in the 5 per cent cases (110 United States Reports, 471), has decided that the States are not entitled to the percentage on the value of the lands disposed of by the United States in satisfaction of military land warrants; but in view of the very able dissenting opinion of the lamented Justice Miller, concurred in by Justice Field, and of the fact that the question of jurisdiction was not passed upon by the court at that time, I do not regard the question as finally settled against the State.

The question of allowing the claims for such a percentage on homesteads has never been presented to the court, and besides the personnel of the court has very much changed since the land-warrant decisions were rendered. But whether this rule will be adhered to or not, I ask, Mr. Chairman, is it right and just in a matter of sacred contract like the admission of a State into this great Union for the United States on one part to make so radical a change in the disposition of the lands as to destroy the consideration passing to the State? Against the right and objection of the State, the other party to the agreement, can the Government honestly rely upon such an unfair and illiberal construction made by its own courts?

This Government can, in my opinion, afford to be honest with the States in matters of contract and account like this. I believe that it will in the end be fair, and I predict the time will come when the injustice of this ruling of the court will be corrected.

The act of June 23, 1836, for the admission of Arkansas (5 Statutes, page 58), says that in lieu of the propositions submitted to Congress by the Territorial convention, which are rejected, the following propositions are hereby offered to the General Assembly of the State of Arkansas for their free acceptance or rejection, which, if accepted, shall be obligatory upon the United States. They were formally accepted by the General Assembly. So the propositions were the result of a negotiation. It was a fair contract, entered into between sovereign parties. The third item of the contract, which was accepted by the State and is yet obligatory upon the United States, is as follows:

Third. That 5 per cent of the net proceeds of the sale of lands lying within the said State, and which shall be sold by Congress, from and after the 1st day of July next, after deducting all expenses incident to the same, shall be reserved for making public roads and canals within the said State, under the direction of the General Assembly thereof. * * * *Provided*, That the five foregoing propositions herein offered are on the condition that the General Assembly or Legislature of the said State, by virtue of the power conferred upon it by the convention which framed the constitution of the said State, shall provide by an ordinance, irrevocable without the consent of the United States, that the said General Assembly of said State shall never interfere with the primary disposal of the soil within the same by the United States, nor with any regulations Congress may find necessary for securing the title in such soil to the bona fide purchasers thereof; and that no tax shall be imposed on lands the property of the United States; and that in no case shall nonresident proprietors be taxed higher than residents; and that the bounty land granted, or hereafter to be granted, for military services during the late war shall, whilst they continue to be held by the patentees or their heirs, remain exempt from any tax laid by order or under authority of the State, whether for State, county, township, or any other purpose, for the term of three years from and after the date of the patents respectively.

The State had the right to tax all the lands of the Government as soon as disposed of, and had other rights as to the disposal, but in consideration that she would agree not to interfere with the primary disposal, nor tax nonresidents higher than residents, nor to tax the property of the United States, nor lands granted for military services for three years after the date of the patents, either for State, county, or township purposes, the United States agreed to pay the State 5 per cent of the net proceeds of the sale of lands lying within the said State, and which shall be sold by Congress from and after the 15th day of June, 1836.

Land warrants were receivable for public lands at $1.25 per acre. Homesteads are granted to all settlers who are qualified, upon the payment of certain fees and five years' continuous residence and cultivation upon the lands. This was a wise and proper policy for Congress, but the same necessity for public roads exists in a country settled under the homestead law as one settled under the preëmption or graduation laws. While I believe that this is the best disposition to make of public lands, the State should not be cheated out of the 5 per cent of the value which she had contracted for and had a right to expect. Congress can be just to the State as well as generous to the settlers.

Many of the public-land States settled prior to the passage of the homestead law, or principally under the preëmption law, have received large sums on such sales, but Arkansas has practically received nothing since 1862. Upon this item alone the State ought to be credited with at least $500,000 more than she has received, but I do not say that she can get it without other legislation. I stand here to say for the State that she will pay every dollar she honestly owes on the bonds owned in their own right or held in trust by the United States, under the law as construed by the courts; but I protest against the erroneous and misleading statements here and elsewhere which represent her as a defaulter until some opportunity is given her to settle.

The Departments have by might and power appropriated to their own use over $600,000 of money due the State, and by a narrow and selfish construction of a contract cheated the State out of as much more, and it is now proposed to ask Congress to extend and enlarge this fraud upon the rights of the State by selling a part of the bonds which the State alleges have in all honesty and fairness been paid. For nearly ten years I have asked Congress to authorize an adjustment of all the differences between the State and the United States, and I must now insist that something of that kind should be done before any sale of her bonds is authorized.

The Treasury Department has more than once suggested that some authority ought to be given to compromise, adjust, and settle these matters. The State Legislature has long ago authorized the governor to make a full settlement of all the matters in dispute, and I appeal to this Congress to pass this amendment and let the settlement proceed upon the lines of equity and common fairness.

Mr. Chairman, I repeat that the proposition which I desire to submit does not require that the United States shall waive any of their rights under these bonds; the amendment does not ask Congress to make a settlement; it simply provides that the Secretary of the Treasury and the Secretary of the Interior, or any three persons they may select, may make a settlement with the State of Arkansas and report to the next session or to some subsequent Congress. That is all that is involved in the proposition, and under it the whole of these matters can be settled, or

if not settled the facts and points of difference officially ascertained and reported to us.

I stand here now to say for Arkansas, representing a generation of people a large part of whom had nothing to do with securing this loan and nothing to do with the other matters that have brought about this delay and complication, that she is ready and willing to pay every dollar that she honestly and justly owes. Through her representatives she has invited Congress year after year to provide some method for a settlement of these matters. We stand here to-day appealing to you in the name of fairness instead of denouncing her as a defaulter for refusing to pay interest on her bonds, which have been fully paid, that you give authority to some one to make a settlement with her. We submit it is not manly, it is not fair, it is not honest to refuse to authorize such a settlement. You should make haste to withdraw the erroneous charges that have been preferred against a proud and progressive people of a great State, and meet her upon the honorable terms proposed in my amendment. I feel that you will do so.

And now, Mr. Chairman, it seems to me that there can be no more fitting time for such just action than the 15th day of June. On this very day fifty-eight years ago Arkansas was solemnly admitted into this great Union upon equal terms with the other States, and she would like to put this old debt matter behind by an honorable settlement. Since that time her people have undergone many trials and afflictions; but they are as honest now as they were then. She has hardships yet to encounter, troubles to endure, and many debts to pay; but on this the anniversary of her admission as a State I promise for her and her people that she and they will be honest amidst it all.

"But though they suffer, they shall triumph yet,
For once again our State is free,
And energy shall soon destroy
Those gifts of dying tyranny—
Our poverty and debts; and joy
And hope, unfelt through many years,
Now nerve our hearts and calm our fears."

I appeal to you gentlemen to give this matter a fair consideration and vote to authorize negotiations with the State looking to a final settlement. When the time comes for me to offer this amendment, I will propose the following in lieu of that to sell the Arkansas bonds. My amendment which I will print should follow the first paragraph of this section:

That the Secretary of the Treasury and the Secretary of the Interior, or any three persons they may jointly select or cause to be selected on behalf of the United States, are hereby fully authorized and empowered to compromise, adjust, and finally settle with the governor of the State of Arkansas, or with such person or persons as may be authorized by the laws of that State to act in its behalf, upon such terms and conditions as to them may seem just and equitable, subject to approval by Congress, as hereinafter provided, all or any of the differences between the Government and the said State growing out of and arising from the issue of certain bonds by the said State which are now owned in their own right or held in trust by the United States; the 5 per cent fund which accrued to the said State under the act approved June 23, 1836; the unpaid portion of the distribution fund which accrued to the said State under the act approved September 4, 1841; the swamp and overflowed lands in place granted by the act approved September 28, 1850, and not heretofore approved to the State; the land and money indemnity due the said State under the acts approved March 2, 1855, and March 3, 1857, and all other claims and demands of whatever kind or nature; and any compromise or settlement they may make with the said State shall be fully reported back to Congress, giving the basis thereof for its further action, said compromise not to be effectual and final until approved by Congress.

I yield the remainder of my time to my colleague, the gentleman from Iowa [Mr. LACEY].

Mr. PAYNE (before Mr. MCRAE had concluded his remarks). I rise to a parliamentary inquiry. Is debate proceeding on this paragraph, and not on the point of order?

The CHAIRMAN. It is.

Mr. PAYNE. Well, I would like to know how that can be done under the order of the House?

The CHAIRMAN. The Chair has once stated how it can be done. The order was so modified as to carry out previous arrangements in regard to debate. The debate on this question was included in one of those arrangements, it having been agreed that when this paragraph of the bill should be reached the gentleman from Arkansas [Mr. MCRAE] and the gentleman from Kansas [Mr. CURTIS] should each have thirty minutes. That arrangement having been excepted from the operation of the order, the Chair has recognized the gentleman from Arkansas [Mr. MCRAE] for thirty minutes.

Mr. PAYNE. I did not understand there was any such modification of the order. I should like to see the order.

The CHAIRMAN. The gentleman from Arkansas will proceed.

Mr. MCRAE resumed and concluded his remarks, and then said: Mr. Chairman, if I have any time left I yield it to my friend from Iowa [Mr. LACEY], one of my associates on the committee.

The CHAIRMAN. The gentleman from Arkansas has four minutes remaining.

Mr. LACEY. Mr. Chairman, in the four minutes allowed me I can perhaps say all that I desire to say on this question. The matter which has just been discussed by the gentleman from Arkansas was presented to the Committee on Public Lands in bill 4903, on which the committee has expressed its views in report No. 239 of the present Congress. This Indian bill proposes to dispose of $187,000 of trust funds of the State of Arkansas, which are held for the benefit of certain Indians. It is proposed to treat these bonds as money, to turn them into the Treasury, and to account for that money in some form to the Indians.

It seems to me very proper that in this connection the condition of accounts between the United States on the one hand and the State of Arkansas on the other, so far as concerns this sum of $187,000, should be investigated and disposed of, and that provision on this subject may properly be made on this bill. But the State of Arkansas can not settle with the United States without the consideration of a number of other items of account between the two governments; and the bill reported back by the Committee on Public Lands provides that a settlement shall be negotiated, that this settlement shall be referred back as soon as agreed upon to Congress, to become effective and complete when approved by Congress. Thus in that bill the rights of the Government are fully and completely preserved.

Now, the amendment which I understand it is proposed to offer to this bill proposes to incorporate as part of it the bill which has already been reported unanimously by the Committee on Public Lands. This measure, in short, simply provides that these two governments shall appoint commissioners, who shall go through the entire account and agree upon a settlement and report the settlement to the United States on the one hand and the State of Arkansas on the other.

Mr. OUTHWAITE. That is rather important legislation to be put on an appropriation bill.

Mr. LACEY. It is important legislation, but it is not at all complicated legislation—by no means as complicated as the legislation brought in here by the gentleman from Missouri [Mr. DOCKERY] upon a bill which we passed a few days ago, providing for a reorganization of a part of the business of the Departments—a provision upon which a point of order was made and overruled.

Mr. OUTHWAITE. There were special reasons for that.

Mr. LACEY. This question in regard to this sum of $187,000 ought to be disposed of in some way. It can not be disposed of without a settlement with the State of Arkansas, and such a settlement ought to be provided for. Either the Government of the United States ought to take up that $187,000 as here provided, or else the obligation on the part of the State upon those bonds ought to be provided for in some way. The legislation proposed in connection with this subject is very simple in its character. It is tentative. It reserves the right of Congress in the future to approve or disapprove any settlement that may be recommended. It seems to me it ought to go through on this bill.

A MEMBER. Has any other State a similar claim?

Mr. LACEY. I think the State of Virginia has a somewhat similar claim.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. DOCKERY having taken the chair as Speaker *pro tempore*, a message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed without amendment the bill (H. R. 6576) to provide for the closing of part of an alley in square 622 in the city of Washington, D. C., and for the relief of the president and directors of Gonzaga College.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House was requested:

A bill (S. 115) for the development and encouragement of silk culture in the United States under the supervision of the Secretary of Agriculture;

A bill (S. 168) granting to the State of Wyoming certain lands in the Fort D. A. Russell military reservation for agricultural fair and industrial exposition grounds, and for other purposes;

A bill (S. 207) granting jurisdiction and authority to the Court of Claims in the case of the towboat Future City, her barges, cargoes, etc.;

A bill (S. 217) for the relief of the heirs of James Bridger, deceased;

A bill (S. 807) for the relief of Joseph Redfern and Eliza J. Redfern, his wife;

A bill (S. 1717) to authorize the appointment of women as public-school trustees in the District of Columbia; and

A bill (S. 1957) to increase the pension of Joseph W. Fisher.

INDIAN APPROPRIATION BILL.

The committee again resumed its session, Mr. O'NEIL of Massachusetts in the chair.

Mr. CURTIS of Kansas. Mr. Chairman, in 1836 Congress au-

thorized and directed the Secretary of War to invest, in the manner which, in his judgment, would be most safe and beneficial to the Indian trust fund, certain moneys in the Treasury belonging to certain Indian tribes and all moneys that might thereafter be received under treaties, containing stipulations for the payment to the Indians annually of interest upon the proceeds of the lands ceded by them.

By virtue of the authority given in 1836 there was invested up to the year 1860 in State bonds the sum of $3,396,241; the Government was bound to pay interest to the various Indian tribes on this amount annually and has done so.

In 1860, Mr. Godard Baily, who held the position of Indian appeal clerk and as such had possession of these bonds, embezzled 870 of them, which amounted to $870,000.

In all reports and estimates since 1860 these bonds have been designated as "abstract bonds."

The original amount of abstracted bonds was $870,000, as follows:

Missouri 6's	$370,000
North Carolina 6's	357,000
Tennessee 6's	143,000
Total	870,000

Belonging to—

Delawares	514,000
Iowas	77,000
Kaskaskias, Peorias, etc	196,000
Cherokee national fund	68,000
Cherokee school fund	15,000
Total	870,000

The amounts belonging to the Delawares, Iowas, and Kaskaskias, etc., were provided for by the act of July 12, 1862 (12 Stat., 539, 540). A limited number of those abstracted were traced to certain parties, but what became of the remaining is not known. (See report of committee, second session Thirty-sixth Congress, volume 2, page 9.)

The abstracted bonds not yet provided for by the United States are as follows:

Cherokee national fund:		
Missouri 6's	$50,000	
North Carolina 6's	13,000	
Tennessee 6's	5,000	
		$68,000
Cherokee school fund:		
North Carolina 6's	8,000	
Tennessee 6's	7,000	
		15,000
Total		83,000

There are still $83,000 of the abstracted bonds not yet provided for, and upon which the Cherokee tribe is receiving interest annually.

In addition to these abstracted bonds there are 1,277 State bonds which the Government is holding trust for various Indian tribes, and is paying thereon interest every year.

I herewith submit a letter from the Secretary of the Interior in regard to said bonds and the date from which interest is due.

The Clerk read as follows:

DEPARTMENT OF THE INTERIOR, *Washington, May 7, 1894.*

SIR: In compliance with your verbal request, I have the honor to furnish the following statement relative to the funds held in trust for Indian tribes.

The bonds held are as follows:

State of Arkansas, 6 per cent	$168,000.00
State of Florida, 7 per cent	69,000.00
State of Louisiana, 6 per cent	22,000.00
State of North Carolina, 6 per cent	41,000.00
State of South Carolina, 6 per cent	122,000.00
State of Tennessee, 6 per cent	104,000.00
State of Tennessee, 5 per cent	144,000.00
State of Tennessee, 5½ per cent	66,666.66⅔
State of Virginia, 6 per cent	541,000.00
United States issue to Union Pacific Railroad, Eastern Division, 6 per cent	230,966.10
Total	1,508,632.76⅔

The interest due on these bonds is as follows:

STATE OF ARKANSAS.

Bonds mature 1900, owned by Chickasaw Nation.

From July 1, 1877, on	$139,000.00
From January 1, 1877 (less $29.86), on	29,000.00
	168,000.00

STATE OF FLORIDA.

Bonds matured January 1, 1877.

Cherokee school, from July 1, 1874, on	7,000.00
Cherokee national, from January 1, 1875 (less $26.09), on	10,000.00
Cherokee national, from July 1, 1874, on	2,000.00
Cherokee national, from January 1, 1874, on	1,000.00
Delaware, from January 1, 1874, on	27,000.00
Iowa, from January 1, 1874	4,000.00
Iowa, from July 1, 1874	18,000.00
	69,000.00

STATE OF LOUISIANA.

Bonds mature: Cherokee school, May 1, 1897; Cherokee national, $4,000 May 1, 1897, $7,000 November 1, 1894; Iowa, May 1, 1897.

Interest due Cherokee national, from November 1, 1891, on	$7,000.00
Interest due Cherokee national, from May 1, 1892	4,000.00
Interest due Cherokee school, from May 1, 1892 (less $4)	2,000.00
Interest due Iowa, from November 1, 1891	9,000.00
	22,000.00

STATE OF NORTH CAROLINA.

Bonds matured: Cherokee national, October 1, 1865; Delawares, October 1, 1866; Iowas, $16,000 April 1, 1887, $1,000 April 1, 1889.

Interest due Iowas, from October 1, 1860 (less six months' interest April to October, 1868), on	$17,000.00
Interest due Cherokee national, from April 1, 1861 (less six months' interest), on	21,000.00
Interest due Delawares, from April 1, 1861 (less six months' interest), on	3,000.00
	41,000.00

STATE OF SOUTH CAROLINA.

Bonds matured January 1, 1881.

Interest due Cherokee national, from July 1, 1860, to July 1, 1867, and from July 1, 1871, on	$118,000.00
Interest due Cherokee school, from July 1, 1860, to July 1, 1867, and from July 1, 1871, on	1,000.00
Interest due Iowa, from July 1, 1860, to July 1, 1867, and from July 1, 1871, on	3,000.00
	122,000.00

STATE OF TENNESSEE.

Bonds matured: Chickasaw, $104,000 July 1, 1890; $66,666.66⅔ July 25, 1851; Cherokee, $125,000 January 1, 1863; Menomonee, $19,000 January 1, 1870.

Interest due Chickasaws:

From January 1, 1861, to January 1, 1868; from January 1, 1869, to January 1, 1874, and from July 1, 1875, on	$92,040.00
From January 1, 1879, on	11,000.00
From January 1, 1869 (less $19.49), to January 1, 1874, and from July 1, 1875, on	1,000.00
From January 25, 1861, on	66,666.66⅔
Interest due Cherokee, from January 1, 1861, to January 1, 1866, and from January 1, 1869, on	125,000.00
Interest due Monomonee, from January 1, 1870, on	19,000.00
	314,666.66⅔

STATE OF VIRGINIA.

Bonds matured: Cherokee and Choctaw, January 1, 1894; Cherokee school November 13, 1882.

Interest due Cherokee school, from January 1, 1861, on	$1,000.00
Interest due Cherokee national, from January 1, 1861, to January 1, 1867; from January 1, 1870, and 2 per cent January 1, 1867, to to January 1, 1870, on	90,000.00
Choctaw, from January 1, 1851, to January 1, 1887, on	450,000.00
	541,000.00

UNITED STATES.

Bonds mature July 1, 1898.

Interest due from January 1, 1894, on	$230,966.10

Very respectfully,

HOKE SMITH, *Secretary.*

Hon. CHARLES CURTIS, *House of Representatives.*

Mr. CURTIS of Kansas. It appears from this statement that of the $3,396,241.82 invested under the act of 1836, there is still held for the various Indian tribes the sum of $1,277,666⅔, upon upon which the United States is paying interest each year and is receiving no interest from the States.

The balance of the $3,396,241.82 has been, so far as the Indian tribes are concerned, provided for, and an amount equal to the sum held in trust for the tribes, except those shown in said statement, has been placed to their credit, or they have been fully paid by the Government; but a large number of the bonds are still held by the United States.

The Arkansas bonds were purchased with the funds belonging to the Indians February 27, 1839, and no interest was paid up to 1873, when the State funded its bonds and the unpaid interest; the Arkansas bonds now held in trust amount to $168,000, the unpaid interest May 1, 1894, amounted to $170,550, making a total of $338,550.

I desire to call the attention of the committee to the way these bonds came to be funded in 1873. By an act of Congress passed December 13, 1873, it was provided as follows:

Be it enacted, etc., That the Secretary of the Department of the Interior be, and he is hereby, authorized and directed to issue at once and deliver to the secretary of the State of Arkansas the full amount of college scrip, to wit, 150,000 acres, and 90,000 acres to the secretary of the board of trustees of the Florida State Agricultural College of the State of Florida, as provided for in said act, to be used and appropriated to and for the purposes and objects in said act specified, and none other: *Provided*, That no scrip as aforesaid shall be delivered to the authorities of the State of Arkansas until said State shall have made some satisfactory arrangement by which the bonds of said State, principal and interest, now held by the United States as Indian trust funds shall have been funded in new bonds authorized to be issued by said State for this purpose.

The Florida bonds were purchased October 4, 1857, and the amount now held in trust is $69,000; the unpaid interest May 1, 1894, amounted to $97,538.33⅓, making total of $166,538.33⅓.

The Louisiana bonds were purchased October 4, 1857, and the amount now held in trust is $22,000; the unpaid interest May 1, 1894, amounted to $2,120, making a total of $24,120.

The North Carolina bonds were purchased October 4, 1857; the amount now held by the United States in trust is $41,000; the

unpaid interast amounted to $80,665 May 1, 1894, making total of $121,665.11.

One hundred and twenty-five thousand dollars of the Tennessee bonds were purchased July 21, 1836; $66,666.66⅔ were purchased March 3, 1837; $19,000 were purchased April 13, 1853, and $104,000 were purchased in October, 1851. The amount now held in trust is $314,666.66⅔. The unpaid interest amounted to $501,115 on the 1st day of May, 1894, making a total of $815,781.66⅔.

The South Carolina bonds were purchased February 4, 1858, and the amount now held in trust is $122,000. The unpaid interest May 1, 1894, amounted to $193,926.66⅔, amounting in all to $315,926.66⅔.

The bonds of the State of Virginia held in trust for Indian tribes were purchased July 9, 1860, and amounted to $541,000; the unpaid interest on these bonds (up to May 1, 1894) amounted to $827,600, making a total of $1,368,600.

It will be seen that the State bonds of the seven States above mentioned, with the unpaid interest, which are held by the United States in trust for the Indian tribes, amount to the enormous sum of $3,151,181.66⅔.

I am informed that a demand has been made every year since 1874, upon the various States, for the payment of the interest due on the Indian trust fund bonds, but they have not paid.

In response to a letter addressed to the honorable Secretary of the Treasury, I am informed that—

The uniform reason given by the different States for not paying their bonds when due, is the want of funds and the absence of any provisions of law authorizing the same.

Several States whose bonds are past due have statutes providing for the refunding of their indebtedness; but no action has been taken under these refunding statutes in reference to the bonds held for the Indian trust fund.

It will be seen that the States mentioned have been in no haste to pay the interest as it became due.

Neither have they expressed any desire to pay the bonds.

These States should be made to pay their indebtedness to these tribes and to the United States. There is no reason for this long delay in the payment. Other States have paid their obligations and these States should be compelled to do so.

The committee having charge of this bill thought it would be a good plan to place to the credit of each tribe the amount of money invested by the Government in these bonds in trust for said tribes, and then to sell the bonds with accumulated interest to the highest bidder for not less than their face value, as provided in section 2.

The objection of the several States to this section is not sound; they can set off no claim they may have against the United States against these bonds, for they belong to the Indian tribes and not to the United States. And therefore the objection of the gentleman on the other side to the sale of the trust-fund bonds is not good. There can be no legal set-off against them. The Government of the United States does not own them. They belong to the Indian trust funds, belong to the various Indian tribes. The States can not set up any claims they may have against the United States as a set-off against these trust funds.

Why do not these States do as the other States have done? The other States that had claims against the United States and the United States held certain of their bonds in trust for the Indian tribes, paid off their bonds and then urged their claims against the United States.

Many members of the committee believe this action by Congress will bring about a settlement in a very short time, and that such a section will enable the Government to dispose of said bonds without loss, and should it prove a success it will furnish a good way to dispose of the remainder of the bonds which originally belonged to the Indian trust fund, but which Congress has at different times made appropriations to pay the Indian tribes the amount of money invested in them for their benefit.

These bonds with unpaid interest amount to several hundred thousand dollars, and are still held as the property of the United States.

The following is a list of the bonds which Congress have been providing for by the United States, but which the States have not paid, and I ask the Clerk to read a communication which I send to the desk from the Treasury Department bearing upon this question.

The Clerk read as follows:

TREASURY DEPARTMENT, OFFICE OF THE TREASURER,
Washington, D. C., May 28, 1894.

SIR: In reply to your letter of the 25th instant, in reference to the bonds owned by the United States which formerly belonged to the Indian trust fund, I have to furnish you the following information:

State bonds belonging to the United States formerly belonging to the Indian trust fund.

Arkansas, $87,000, interest due at 6 per cent on $84,000 from January 1, 1874; interest due at 5 per cent on $3,000 from July 1, 1876.

Florida, $80,000, interest due at 7 per cent on $59,000 from January 1, 1862; interest due at 7 per cent on $21,000 from July 1, 1862.

Louisiana, $15,000, interest due at 6 per cent on $10,000 from October 1, 1873; interest due at 6 per cent on $5,000 from November 1, 1873.

North Carolina, $29,000, interest due at 6 per cent on $13,000 from October 1, 1871; interest due at 6 per cent on $7,000 from April 1, 1861.

South Carolina, $3,000, interest due at 6 per cent from July 1, 1860, to July 1, 1867, and from July 1, 1871, to date.

Tennessee, $21,000, interest due at 5 per cent on $15,000 from January 1, 1869; interest due at 5 per cent on $3,000 from January 1, 1870; interest due at 5 per cent on $2,000 from January 1, 1872; interest due at 5 per cent on $1,000 from January 1, 1879.

Virginia, $59,800, interest due on $41,800 from January 1, 1861, to January 1, 1867, at 6 per cent; from January 1, 1867, to January 1, 1870, at 2 per cent (4 per cent having been paid), and from January 1, 1870, to date at 6 per cent; interest due on $12,000 at 6 per cent from January 1, 1861.

In addition to the foregoing there is belonging to the United States $538,000 Arkansas bonds which formerly belonged to the Smithsonian Institution. On these bonds interest is due at 6 per cent as follows: On $133,000 from July 1, 1860; on $404,000 from January 1, 1842; and on $1,000 from July 1, 1852.

The States of Virginia and Arkansas, in addition to the reason of no funds, also claim as a ground for refusing payment that the United States is indebted to them.

Respectfully, yours,

D. N. MORGAN,
Treasurer United States.

HON. CHARLES CURTIS, *Washington, D. C.*

Mr. CURTIS of Kansas. I am informed by the gentleman from Florida that the same claim is made on the part of that State.

It will be seen that the States have neglected to pay the interest upon these bonds, the same as they have upon the bonds which belong to the Indian trust funds.

The State of Arkansas is in very poor situation to object to a disposition of these bonds.

Money belonging to the Indians was invested in Arkansas bonds in 1839; the State paid interest until January 1, 1842, and paid no interest from that date until 1873, when the bonds of said State, principal and interest, held by the United States as Indian trust funds, was funded in order to obtain certain college scrip.

The State paid interest until January 1, 1842, and paid none from that time until 1873, when the bonds of that State, principal and interest, held by the United States as Indian trust funds, were funded in order to obtain the college scrip heretofore mentioned.

Mr. MCRAE. I think the gentleman is mistaken as to the college scrip, and I know that the gentleman misrepresents me when he seeks to put me in the attitude of opposing the proposition to credit the Indians with face value of the bonds. I have said that I was in favor of that proposition, and commended the Committee on Indian Affairs for taking hold of this matter in this way.

Mr. CURTIS of Kansas. I am glad to hear the gentleman favors the proposition. I am not mistaken about the college scrip, as I have had the law read in regard to it.

Mr. MCRAE. All I desire is to secure an amendment to authorize the Treasury and Interior Departments to make settlement with the State as to all matters of difference.

Mr. CURTIS of Kansas. I am glad the gentleman wants to settle even this late, but my time is limited and I decline to yield further.

The bonds were funded in 1873, but there has been no interest paid and the State is still in default for interest on said bonds.

An examination of the bonds held by the United States shows that there are now $168,000, on which no interest has been paid since 1873; really none since 1842.

This amount, with accrued interest, still belongs to the Indian Trust Fund, and principal and interest now amount to	$338,550
They can make no set-off against this as it belongs to the Indians.	
There is also $87,000 in the bonds of this State that formerly belonged to the Indian Indian trust fund, but now belongs to the United States. No interest has been paid on $84,000 since 1874, and none on $3,000 since 1876. Principal and interest amount to	193,560
And there is belonging to the United States $538,000 Arkansas bonds which formerly belonged to the Smithsonian Institution; the principal and interest now amounts to	2,084,440
Total	2,616,550

Taking out the amount belonging to the Indian trust fund, $338,550, leaves $2,278,000.

The State may set off against it, if it has any legal claim against the United States. It surely has none against the Indian trust funds.

There is another thing that I wish to call attention to. Is it not a very poor claim that they must rely for its justness upon the fact that because there has been a change in the United States Supreme Court they hope the court may reverse the former decision of that court? If the Supreme Court of the

United States has held, as the gentleman said, that a part of their claim was not a legal claim against the United States, I do not see how they can ask Congress to hold it to be good because they hope that the court may decide it to be a legal claim now when formerly it decided against it.

Mr. McRAE. The gentleman misunderstood my argument entirely. That was outside of the claim altogether. I had already shown that the indebtedness of the United States to the State for claims about which there can be no question equaled the aggregate of that of the State, and the 5 per cent claim is outside and above it. I was simply making that argument to show how strong the equity in the claim of the State is. There is nothing in my amendment overruling the decision in the "5 per cent cases."

Mr. CURTIS of Kansas. You claimed to the committee that if you could get a chance to settle that the claim would be upheld, because the court had been reorganized. I have not seen the gentleman's amendment.

Mr. McRAE. The gentleman misunderstood me entirely. While I deny the correctness of the decision, the payment claimed does not depend on that.

Mr. CURTIS of Kansas. Now, Mr. Chairman, if these States have a claim against the United States at all, it will be paid just as the claims of the other States have been paid. But why do they, the seven Southern States, or rather the two, not pursue the same course in regard to the adjustment of their claims that was pursued by the State of Kansas and Pennsylvania and other States? The United States Supreme Court has held that certain of these claims have no foundation in fact, and are not just. I repeat, then, it is a poor claim that must depend upon a reversal of the former opinion of the court, simply because there has been a change in the court. Now, all the second section provides for is a sale of the bonds that belong to the Indian trust fund.

Mr. COOPER of Florida. Will the gentleman allow me to interrupt him a moment? Does not the gentleman know that the Treasurer of the United States and the Secretary of War have both reported that the United States owes the State of Florida over $200,000 of principal and interest away beyond our bonds held by the Government, and we have not been able to get it paid?

Mr. CURTIS of Kansas. I stated to the committee that the gentleman from Florida claimed that there was an offset against the United States similar to that claimed by the State of Arkansas.

Mr. COOPER of Florida. The Treasurer of the United States so reports.

Mr. CURTIS of Kansas. There can be no legal set-off against these trust funds. And let me ask in this connection why were the bonds of Arkansas funded? There is no use talking; gentlemen should not ask to have a set-off or ask that the Indian trust fund be held back and not settled simply because they pretend to have some claim against the United States. I submit, Mr. Chairman, that their conduct shows beyond all question they have no legitimate claim against the United States.

The time has come when this matter should be settled, and the sooner it is settled the better it will be for all concerned. There can be no possible excuse for further delay. If the States can not pay then they should at least settle with the Government and fund their indebtedness by issuing new bonds. Other States have paid their indebtedness, and why not these States? If this section does not have the desired result, then the officers of the Government should be directed by Congress to take the necessary steps to collect the amount due on these bonds. [Applause.]

[Mr. SWANSON withholds his remarks for revision. See Appendix.]

Mr. WISE. Mr. Chairman, I want to make a few remarks in reply to the gentleman from Kansas, who, in speaking of the indebtedness of Virginia to the Federal Government, or rather, I should say, to this Indian trust fund, said that that State should be compelled to pay her honest debts.

In reply I say yes; but the obligation upon Virginia to pay her debts is not stronger than is the obligation upon the Government of the United States to pay its debts and to deal fairly with all, and I undertake to say that if the members of this House will take the trouble to inform themselves what the proposition is that we are discussing, every gentleman within the sound of my voice will agree that to carry it out would be unconscionable. What is it? It is to take the bonds of my State and sell them. How did the Government get possession of those bonds?

In 1860, as was stated by the gentleman from Kansas, the Government of the United States took $581,000 from the Indian trust fund; if that was improper it was the act of the Government of the United States and not of Virginia. The Government took $581,000 of that trust fund and transferred it to my State, and took in exchange interest-bearing bonds, the bonds to which this section alludes and which it is proposed to sell. How stood the account between Virginia and the National Government at that date? At that time the Federal Government owed the State of Virginia over $1,000,000; $339,212 principal, and over $700,000 interest.

Mr. HOLMAN. Will my friend tell me when it was that the Government finally settled with Virginia?

Mr. WISE. The indebtedness of which I speak still exists——

Mr. HOLMAN. Did not the Government settle with Virginia when it settled with Maryland?

Mr. WISE. On what account did the Federal Government owe that money to the State of Virginia? The debt had its origin in the expenditure by the State of Virginia of certain moneys for military purposes during the war of 1812——

Mr. HOLMAN. How did it happen, then——

Mr. WISE. I decline to be interrupted. Moneys were advanced at the same time by Massachusetts, New York, Maryland, Pennsylvania, Delaware, South Carolina, and the city of Baltimore——

Mr. HOLMAN. And we have paid them all off.

Mr. WISE. Money was advanced by all these States, and this Government has paid Massachusetts, Maryland, and other States; but there has never been a settlement with Virginia, as you will find in the reports on this subject in every Congress for the last thirty years. It thus appears that the Federal Government has been indebted to my State for nearly one hundred years on account of advances made in the prosecution of a war with Great Britain.

And yet, Mr. Chairman, the proposition is submitted that the Secretary of the Treasury shall be clothed with the authority to sell her interest-bearing bonds, which were obtained as I have explained, and now constitute a part of this Indian trust fund.

Instead of the perpetration of such a foul wrong upon one of the States of the Union, fair dealing and honesty alike require a settlement in accordance with the principles of justice and equity. There is not a Representative within the sound of my voice who, if familiar with the facts of this case, will ever vote to put into this Indian appropriation bill such a provision as that.

If you do not mean to pay, then, in the name of God, do not resort to this trick in order to make complications in my State. Virginia's indebtedness has been settled with her bondholders, and it is not fair or just that the Government should take such action as is here proposed.

But, gentlemen, I have not stated all. I have only spoken of the indebtedness of the National Government on account of advances for the war of 1812. My colleague [Mr. SWANSON] has alluded to the fact that the United States owes Virginia $120,000, advanced after the Revolutionary war for the erection of the Capitol in which we sit.

I hold in my hand a copy of the act penned by John Marshall, the first and greatest Chief Justice of the United States, who was then a member of the General Assembly of Virginia—an act by which was advanced to the Federal Government $120,000, more than one hundred years ago, to be applied toward erecting public buildings. This money has never been returned; and to emphasize the fact that this was an advance, when that act was under consideration in the General Assembly of Virginia, the word "grant" had been inserted in its title by mistake. It was stricken out upon the motion of Judge Marshall, and the word "advance" was substituted.

Yet, notwithstanding these facts are staring us in the face, the gentleman from Kansas gets up here and tells us that we ought to make—make—Virginia pay her debts! I think, as I said in the beginning, that the obligation is no greater upon the State of Virginia to pay her honest debts than it is upon the Government of the United States. No conscientious, honest Representative knowing the facts as I have stated them will vote for such a proposition.

Mr. Chairman, if the point of order raised by the gentleman from Tennessee should not be sustained, as I think it ought to be under the rules, then I call upon gentlemen upon both sides to vote to strike out this provision of the bill and let this question remain as it is until the National Government is ready to come up and treat on honest, fair terms for the settlement of the account between my State and the National Government. We ask for no generosity; only justice. [Applause.]

Mr. COX addressed the Chair.

The CHAIRMAN. The gentleman from Tennessee [Mr. COX] makes a point of order against these two paragraphs on page 59. Under the order the Chair will hear the gentleman for five minutes.

Mr. WILSON of Washington. This is a most interesting

question, involving considerable to various States. I ask unanimous consent of the committee that the debate proceed for thirty minutes longer.

The CHAIRMAN. The House has adopted for the guidance of the committee a rule fixing the time for debate; and the committee can not set that aside.

Mr. WILSON of Washington. I thought the Committee of the Whole might do whatever it agreed to do, by unanimous consent.

The CHAIRMAN. It can not set aside an order of the House.

Mr. WILSON of Washington. We did set aside an order of the House.

Mr. TRACEY and others. Regular order!

Mr. WILSON of Washington. The order of the House was a very peculiar one.

The CHAIRMAN. The gentleman from Tennessee [Mr. COX] will proceed.

Mr. COX. Mr. Chairman, upon this question I have yielded as far as I could to the Representatives from Arkansas and Virginia as much time as they desired. I now wish to occupy only a few moments. First, I want to address myself to the point of order which has been raised and which the Chair is now called upon to decide. It arises upon two paragraphs on page 59, and the point I make is that the provisions embraced in these paragraphs are entirely new legislation. I submit that these two provisions—the first charging these bonds over against the United States as an obligation of the United States, and the second, providing for taking these bonds and putting them on the market for sale—I submit that these two provisions are entirely new legislation. That is the point of order.

Now, when you come to the words in line 14—

For the payment of interest on said bonds for the fiscal year ending June 30, 1894, $78,320—

I do not think my point of order reaches that. I think those words ought to be included in the bill. But outside of those lines, 14, 15, and 16, every line of that provision is new legislation, and I do not suppose the chairman of the Committee on Indian Affairs would dispute it.

The CHAIRMAN. The gentleman will remember that when the gentleman from Ohio [Mr. OUTHWAITE] reserved the point of order against these two paragraphs, he then asked unanimous consent to exempt these three lines quoted by the gentleman from Tennessee from the point of order.

Mr. COX. That is right; and I said that the gentleman from Ohio was entirely correct, on an examination, to exempt these lines. The rest of it, however, is clearly subject to the point of order.

The CHAIRMAN. The gentleman will also modify the point of order he is now making to exempt these three lines?

Mr. COX. Exactly; to conform to the point of order made by the gentleman from Ohio; so that the point of order goes to the whole of these two paragraphs, except the three lines 14, 15, and 16, up to the word "dollars."

The CHAIRMAN. Of course, these three can only be exempted from the point of order by unanimous consent. Is there objection to the point of order being made, as suggested by the gentleman from Tennessee, except as to the three lines of the second paragraph on page 59, lines 14, 15, and 16, which the Clerk will read?

The lines were again read.

Mr. COX. These are the lines exempted from the point of order.

Mr. CURTIS of Kansas. Is the point of order raised on the section, except these three lines?

The CHAIRMAN. That is correct.

Mr. CURTIS of Kansas. I desire to be heard on that.

The CHAIRMAN. The Chair will hear the gentleman from Kansas.

Mr. COX. I do not desire to insist on any more time, but it is a very strange thing that the gentleman from Virginia, the gentleman from Arkansas, and the gentleman from Florida have discussed the whole merits of this question, and Tennessee should be excluded. Therefore I ask five minutes in the discussion on the merits, in so far as it affects the State of Tennessee.

The CHAIRMAN. The Chair wishes to state to the gentleman that the time which has been allowed to the gentleman from Arkansas the gentleman from Kansas, and the gentleman from Florida was allowed by the committee before debate begun under the five-minute rule. And it was granted by unanimous consent. Under the order adopted by the House ten minutes only can be allowed to debate a point of order. The Chair has given the first five minutes of the ten to the gentleman from Tennessee, and if the chairman of the committee does not desire to occupy the other five, the Chair will recognize the gentleman from Kansas.

Mr. COX. I understand, then, that so far as Tennessee is concerned, she is confined to five minutes, when Virginia and Arkansas and Florida have an hour?

Mr. McRAE. Because the gentleman asked no such privilege at the time we did. He made no request for any time, and therefore his reflection on those of us who did is not just.

Mr. HOLMAN. I rise to a question of order.

The CHAIRMAN. The gentleman will state it.

Mr. HOLMAN. It is one of parliamentary procedure. If I understand correctly, the point of order raised now expressly excepts lines 14, 15, and 16 on page 59?

The CHAIRMAN. That is correct.

Mr. HOLMAN. It only puts us to the trouble of reoffering the provision.

Mr. CURTIS of Kansas. Mr. Chairman, shall occupy only a part of the five minutes and be very glad to yield whatever time remains to the gentleman from Tennessee [Mr. COX].

I take it, Mr. Chairman, that if there had ever been enacted a statute authorizing the sale or disposition of these bonds, and it is still in force, that then section 2 is in order, and I desire to call the attention of the Chair to the act of April 1, 1880, which provides as follows:

That the Secretary of the Interior be, and he is hereby, authorized to deposit in the Treasury of the United States any and all sums now held by him, or which may hereafter be received by him, as Secretary of the Interior and trustee of various Indian tribes, on account of the redemption of United States bonds, or other stocks and securities belonging to the Indian trust fund, and all sums received on account of the sale of Indian trust funds or on account of the sales of stocks lately purchased for temporary investment. * * *

Now, here is an act of Congress directly authorizing the sale of these bonds, because they are the only ones that are held in trust, and it directs what shall be done with the funds received from their sale. All that is attempted in section 2 is to provide how said bonds shall be sold and in what way the sale shall be made; that is, by advertising, and to the highest bidder, for not less than their face value.

The CHAIRMAN. The Chair will call the attention of the gentleman from Kansas to the fact that the second section refers specifically to nonpaying State bonds or stocks, and the law to which the gentleman has referred makes no special reference to them.

Mr. CURTIS of Kansas. While it does not name them, they are the bonds meant, because they are the only bonds held in trust for the Indian tribes and they are described as nonpaying bonds or stocks, because the States have been failing to pay interest, and that is the reason they are so described in that section; and this act authorizes the sale of those stocks, which are the ones that we attempt in this section to have sold, and the only ones. They are the only bonds that belong to the Indian trust fund, and they are the ones that are provided for by the act of April 1, 1880.

[Here the hammer fell.]

Mr. McRAE. Mr. Chairman, I want to say——

The CHAIRMAN. Debate on this point of order is exhausted.

Mr. McRAE. I want to say that I think the gentleman from Kansas is correct. These are the bonds referred to, and I think the point of order should be overruled.

The CHAIRMAN. It seems to the Chair that this is new legislation, and the Chair sustains the point of order.

Mr. WILSON of Washington. A parliamentary inquiry. Before we commence reading the bill, I wish to say that on day before yesterday there was an amendment offered by my colleague [Mr. DOOLITTLE], which it was asked might go over until the chairman of the committee could have a meeting of the committee, or obtain some information. Under the rule that we are now operating under, when will it be proper to have that matter come up?

The CHAIRMAN. After the reading of the bill.

The Clerk proceeded with the reading of the bill. After proceeding some time,

Mr. HOLMAN said: Mr. Chairman, the Clerk has now read down to page 77. I wish to ask unanimous consent that the names of the Indians who subscribed to this agreement, all from line 11, page 77, to line 23, page 92, be omitted. These pages embrace the names of the Indians who subscribed to this agreement and the various certificates of authentication. I suggest that those pages be omitted.

Mr. MARSH. Mr. Chairman, I object.

Mr. BOWERS of California. I object. We can not change the order of the House.

Mr. OUTHWAITE. One minute, Mr. Chairman——

Mr. MARSH. Regular order.

The CHAIRMAN. The Clerk will read.

The Clerk proceeded with the reading of the bill. Having proceeded for some time,

Mr. MAHON said: I ask unanimous consent that all those names be omitted.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. MAHON] renews the request that the names of the Indians signing this petition be omitted by the Clerk. Is there objection?

Mr. WILSON of Washington. What is that?

The CHAIRMAN. The gentleman from Pennsylvania [Mr. MAHON] asks unanimous consent to dispense with the reading of these Indian names in the treaty. Is there objection? [After a pause.] The Chair hears none.

Mr. WILSON of Washington. The Chair will recollect that I called his attention to that matter in the early part of the reading of this bill. There is not a human being on earth who could read them so that anybody could understand, and I will not object.

The Clerk, omitting the reading of the signatures, proceeded with the reading of the bill. Having read the first paragraph on page 94,

Mr. McRAE said: A parliamentary inquiry. Should a point of order be made before a paragraph is read, or after?

The CHAIRMAN. At the conclusion of the reading of the paragraph.

Mr. McRAE. I desire to make a point of order to the second paragraph on page 94.

The CHAIRMAN. The Clerk will read the paragraph.

The Clerk read as follows:

Second. That the lands by said agreement ceded to the United States shall, upon proclamation by the President, be opened to settlement, and shall be subject to disposal only under the homestead and town-site laws of the United States (except section 2301 of the Revised Statutes, which shall not apply), excepting the sixteenth and thirty-sixth sections in each Congressional township, which shall be reserved for common-school purposes and be subject to the laws of the State of South Dakota: *Provided*, That each settler on said lands shall, before making final proof and receiving a certificate of entry, pay to the United States, for the land so taken by him, in addition to the fees provided by law, the sum of $3.75 per acre, one-half of which shall be paid within three years from the date of his original entry; but the rights of honorably discharged Union soldiers and sailors, as defined and described in sections 2304 and 2305 of the Revised Statutes of the United States, shall not be abridged except as to the sum to be paid as aforesaid: *Provided, however*, That each settler shall be limited to 80 acres in amount, but after the expiration of six months from the opening of said land to settlement, may take an additional 80 acres from any of the lands of said tract then subject to entry: *And provided further*, That after three years' actual and continuous residence upon said land from date of settlement, the settler shall, upon full payment of $3.75 per acre, receive patent for the tract entered: *Provided*, That settlement shall be made under this act within thirty days from date of filing on land.

Mr. McRAE. Mr. Chairman, that paragraph changes the public land laws of the United States, is new legislation, and contradicts the very treaty that it confirms. Article 8 of the treaty provides that surplus lands shall be disposed of under the existing land laws of the United States. This paragraph of the bill which has just been read involves new land legislation, and I have always contended and now insist that while all the treaties that can possibly be should be ratified, yet I do not want a separate land system for every reservation that is opened. It is vicious and makes a great deal of trouble and allows fraud in many cases.

The CHAIRMAN. Does the gentleman from South Dakota or any member of the committee care to be heard on the point of order?

Mr. HOLMAN. Mr. Chairman, I suppose as a matter of fact that the provisions which have already been read are subject to the same objection as this particular section. The legislation is founded on a treaty or an agreement with an Indian tribe. I suppose that at the present time these are regarded as agreements or as contracts between an Indian tribe and the United States. They were formerly treated as a treaty, and stood on the same footing as a treaty with a foreign nation, until about fifteen years ago.

Since that time they have been considered as contracts, requiring the action of both Houses of Congress. Prior to that time they were ratified in the Senate, after they had been negotiated by the President, just the same as a treaty which had been negotiated with a foreign nation. This is the ratification of an agreement between an Indian tribe and the United States, and it involves a modification of the treaty or the provisions of the agreement; as, for instance, the agreement provides that the money is to be placed to the credit of this Yankton band, bearing interest at the rate of 5 per cent. That is above the rate we have been paying of late years; and therefore it is proposed to modify this agreement so as to reduce the amount of interest to 4 per cent, as of late years we have never paid more than 4 per cent.

There are all through this ratification changes in the terms of the agreement; and I admit that in the particular section referred to, there is a provision that modifies the land law. The present law, the act of March, 1891, provides for a residence of fourteen months to the extent of a quarter section of land.

This provision contemplates a homestead of 80 acres, instead of 160 acres, except that after a period of six months after the land has been opened, if the land is not taken up, a settler may enter an additional 80 acres, making 160. In this respect there is a change made in the law now in force. There is also a provision extending the time of commutation from fourteen months to three years; and I do trust that my friend from Arkansas will not object to that. The homestead law of 1862 contemplated a residence of five years.

Mr. PICKLER. I would like to know what paragraph the gentleman makes his point of order on.

Mr. HOLMAN. To the second paragraph.

Mr. McRAE. If I could make it to a part of it I might do it, but I made it to the whole of the paragraph.

Mr. HOLMAN. He made it to the whole of the second paragraph.

Mr. McRAE. Not in reference to the bonds.

Mr. HOLMAN. Now, Mr. Chairman, I wish to call the attention of the Chair to the fact that this legislation is based on an act of Congress providing for negotiations with these Indians for the cession of their lands and taking a portion of their lands in severalty. It is based on an act of Congress, and under all the circumstances it seems to me it comes within the rule, as it is carrying out an agreement made under an act of Congress, and it modifies that agreement and refers the subject back to the Indians. I did not think of this point being raised, or I would have had the law; but I would be very glad if the Chair will see the law under which this agreement was made and on which this legislation is founded before deciding.

The CHAIRMAN. The Chair will state to the gentleman from Indiana that the point of order, as stated by the gentleman from Arkansas, is that it changes the existing law under which this treaty was made between the Yankton tribe and a commissioner of the United States. Article 8 says that after the ratification of this agreement by Congress these lands shall "be offered for sale through the proper land office, to be disposed of under the existing land laws of the United States," etc.

Now, the gentleman from Indiana admits, as the Chair understands, that this is a modification of the existing laws of the United States, and that in that respect it differs from the treaty which has been agreed upon between the tribe and a commissioner of the United States.

Mr. HOLMAN. It is not only with reference to that provision, if the Chair please, and not only with reference to that article of the treaty, but here all the articles are modified and sent back to the tribe. The Chair will have to consider the existing law authorizing these negotiations so as to see whether this comes within the inhibition——

Mr. PICKLER. Call the attention of the Chair to the words "as modified," on page 93, Mr. HOLMAN, and to see whether that is subject to the point of order? If it is new legislation, not included by the existing law, why the point of order is well taken.

Mr. HERMANN. If the gentleman will permit me, in the line of his argument, I desire to call his attention to the "general allotment act," which authorizes the Secretary of the Interior to do certain things by or between the Government and Indians. For instance:

And provided further, That at any time after lands have been allotted to all the Indians of any tribe as herein provided, or sooner if in the opinion of the President it shall be for the best interest of said tribe, it shall be lawful for the Secretary of the Interior to negotiate with such tribe for the purchase and release by said tribe, in conformity with the treaty or statute under which such reservation is held, of such portions of its reservations not allotted as such tribe shall from time to time consent to sell, on such terms and conditions as shall be considered just and equitable between the United States and the said tribe of Indians, which purchase shall not be complete until ratified by Congress, and the form and manner of executing such release shall also be prescribed by Congress.

Now, the position of the gentleman from Indiana, chairman of the committee, as I understand it, is that all of this proceeding is in line with existing law.

Mr. HOLMAN. In line with existing law.

Mr. HERMANN. And this law authorizes the Secretary of the Interior to enter into negotiations with these Indians.

This particular paragraph includes matter which forms the substance of an agreement with the Indians, modified by these proceedings on the part of Congress, and therefore it is in line with existing law.

Mr. HOLMAN. This is an important provision and the question which it raises is applicable to some other provisions of the bill. I therefore suggest to the Chair that this second clause on page 94 be passed over for the present until we can look up the statute.

Mr. PICKLER. Nearly all of this section is a recital of the present law.

The CHAIRMAN. The Chair understands the objection of the gentleman from Arkansas to be to the proviso beginning in

line 9, page 95, and extending down to and including the word "entry," in line 14.

Mr. MCRAE. No, sir. I make the point of order against the second subdivision of this section, because it can not be amended. If I could submit my amendments now I think I could make it conform substantially to the land laws, but as I can not do that, I am compelled to make the point of order.

The CHAIRMAN. The Chair hopes the gentleman will agree to let that go over also.

Mr. MCRAE. I have not the slightest objection to that; with the understanding that the point of order is still pending.

The CHAIRMAN. The point of order is pending, of course.

Mr. HOLMAN. There are two other provisions that cover the same ground.

Mr. MCRAE. I make the same point of order on the next paragraph.

Mr. HOLMAN. Let it be read first.

The Clerk read as follows:

Third. That any person who was not the owner of land in any State or Territory of the United States at date of passage of this act may make an entry of the lands open to settlement under the provisions of this act, although said person may have heretofore made an entry under the provisions of the homestead law: *Provided*, That said person is not otherwise disqualified.

Mr. MCRAE. I make the point of order on that paragraph.

The CHAIRMAN. The Chair suggests that the gentleman let that go over too.

Mr. MCRAE. That is satisfactory to me, with the same understanding as in the other case.

The Clerk read as follows:

Fourth. That immediately after the passage of this act the Secretary of the Interior shall prescribe rules and regulations to procure the ratification by said Yankton tribe of Sioux Indians to the changes in said agreement, as provided for in section 1 of this act, and shall without delay, upon the agreement of said Indians to said changes, under such regulations as he may prescribe, open said lands to settlement, provided the settlers upon said land shall be required to pay 75 cents per acre at the time of filing upon same: *Provided*, That the proclamation of the President opening said lands to settlement, as provided in section 3 of this act, shall be issued within thirty days after the ratification of the changes in said agreement by said Indians, as provided in section 1 of this act, and that said proclamation shall be issued giving at least sixty days' notice of the date said lands will be open to settlement.

Mr. MCRAE. I make the point of order on that also.

The CHAIRMAN. Without objection, this paragraph also will go over until to-morrow.

There was no objection.

The CHAIRMAN. The Chair calls attention to the fact that there is a duplication in the printed bill, beginning on line 10, page 108, and extending down to and including line 19, page 116.

Mr. HOLMAN. The committee are aware of that. That is a mere blunder of the Printing Office.

The Clerk continued the reading, and read the bill down to the word "Congress," line 23, page 127.

Mr. HOLMAN. Mr. Chairman, I move that the Committee rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the Chair, Mr. O'NEIL of Massachusetts, from the Committee of the Whole, reported that they had had under consideration a bill (H. R. 6913), the Indian appropriation bill, and had come to no resolution thereon.

ENROLLED BILL SIGNED.

Mr. PEARSON, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled a bill of the following title; when the Speaker signed the same:

An act (S. No. 499) to provide for the adjustment and payment of the claim of Thomas Rhys Smith for work done and materials furnished for the breakwater at Bar Harbor, Me.

LEAVE OF ABSENCE.

By unanimous consent leave of absence was granted as follows:

To Mr. MAGUIRE, indefinitely, on public business.

To Mr. MALLORY, until Monday next, on account of sickness.

WITHDRAWAL OF PAPERS.

Mr. BRECKINRIDGE of Kentucky obtained leave to withdraw from the files of the House, without leaving copies, the papers in the case of A. J. Bloom, Fifty-second Congress, no adverse report having been made thereon.

RECESS.

The SPEAKER. This being Friday, under the rule a recess is taken at 5 o'clock until 8 p. m. If there be no objection the Chair will now declare the House in recess. The gentleman from Indiana [Mr. BROOKSHIRE] will perform the duties of the Chair at the evening session.

The House accordingly (at 4 o'clock and 58 minutes) took a recess until 8 o'clock p. m.

EVENING SESSION.

The recess having expired, the House reassembled at 8 p. m., Mr. BROOKSHIRE in the chair as Speaker *pro tempore*.

The SPEAKER *pro tempore*. The House is in session under paragraph 3 of Rule XXVI.

ORDER OF BUSINESS.

Mr. MARTIN of Indiana. Mr. Speaker, I ask unanimous consent that after this evening session the previous question be considered as ordered upon the amendments, engrossment, third reading, and final passage of each bill which has been recommended to the House by the Committee of the whole, subject, however, to the precedence of existing orders, general appropriation bills, and conference reports.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from Indiana?

Mr. JONES. I shall have to object, Mr. Speaker.

Mr. MARTIN of Indiana. Let me suggest to the gentleman from Virginia that this does not include any cases of the kind that he has been opposing, except possibly one.

Mr. JONES. I will say to the gentleman that I do not think consent ought to be given for that order in this slim House. I did not intend to make objection myself, but there are scarcely a dozen members here, and if the gentleman will make this request when there is a fuller House, or when as many members are present as we usually have at these Friday evening sessions, I promise not to make any objection, but I do not believe the request ought to be made now when there are only a dozen present.

Mr. MARTIN of Indiana. Mr. Speaker, I move that the House resolve itself into Committee of the Whole, for the purpose of considering bills upon the Private Calendar.

The motion was agreed to; and the House accordingly resolved itself into Committee of the Whole, Mr. DOCKERY in the chair.

The CHAIRMAN. The House is in Committee of the Whole for the consideration of business upon the Private Calendar, under the rule.

Mr. MARTIN of Indiana. Mr. Chairman, before proceeding to the Calendar, I ask unanimous consent to make a very brief statement, not to occupy more than two or three minutes.

There was no objection.

Mr. MARTIN of Indiana. I desire to call the attention of the Committee of the Whole to these facts. There are now on the Calendar, reported from the Committee on Pensions, of which the gentleman from Georgia [Mr. MOSES] is chairman, fourteen bills. There are on the Calendar several bills—I have not counted the number—reported by the Committee on Military Affairs, involving the charge of desertion. There are no bills that I have any knowledge of on the Calendar from the Committee on the Judiciary for the removal of political disabilities. There are thirty-five bills on the Calendar that have been favorably reported from the Committee on Invalid Pensions. Of this number four involve the question of granting a pension again to a woman once pensioned on account of the death of her husband in the service, she having been remarried and divorced on account of the brutal or cruel conduct of the husband.

There is one other bill involving something of that character, the Mary E. Trickey bill, making, altogether, five bills of that particular type. There are also five bills involving the cases of widows whose husbands died in the service who remarried, and who again became widowed by the death of the second husbands, the proposition of the bill and of the reports accompanying them being to restore those widows to the pension roll. That makes ten of these two classes of bills. Subtracting these from the thirty-five reported by the Committee on Invalid Pensions, there remain twenty-five of an entirely different character.

Now, Mr. Chairman, I am most sincerely, heartily, and earnestly in favor of the passage of the ten bills of which I have spoken. But I want to present to the Committee of the Whole this evening the question whether, in view of the fact that there is less than a quorum present, it would not be best to agree to a proposition to pass over the bills reported from the Committee on Military Affairs and these ten bills involving the question of remarriage and of divorce, and proceed at once to the consideration of the other bills. I will add that I have had an assurance given to me by the gentleman from Missouri [Mr. CLARK], from the Committee on Pensions, that fair hearing and consideration, without filibustering, will be bestowed upon these other twenty-five bills.

Having made this statement I will, for the purpose of testing the sense of the House—acting on my own responsibility and not undertaking to represent any other member or any committee—ask unanimous consent that the bills reported from the Committee on Military Affairs and the ten bills referred to which have been reported from the Committee on Invalid Pensions be passed

over at this evening session without prejudice and without losing their places on the Calendar, and that we proceed to consider in Calendar order the other bills reported from the Committee on Invalid Pensions, and also the bills reported from the Committee on Pensions.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana [Mr. MARTIN]?

Mr. CHARLES W. STONE. I would like to understand what reason there is for passing over the bills reported from the Committee on Military Affairs which simply remove the charge of desertion.

Mr. CLARK of Missouri. If I may be permitted, I will explain. A number of gentlemen in this House have made up their minds resolutely that they do not intend that these bills pensioning deserters and bills paying pensions to women who were the widows of soldiers and who, having remarried, are widows again, and bills of a third class proposing to pay exceptionally large pensions to officers of the Army or their widows, shall ever pass.

Every Friday night these bills absolutely block the proceedings here. At the same time there are some meritorious pension bills here, bills which any reasonable man on the face of the earth would agree are proper and just. Some of them are to pension very old or very necessitous people. Why not dispose of these bills? And then, if gentlemen want to engage in a wrangle about these other propositions, let them make a test case of one bill and fight it out, but not obstruct business every Friday night by pressing bills of that character.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

Mr. CHARLES W. STONE. I object for the present. I want simply to say this——

The CHAIRMAN. Objection is made. Debate is not in order.

Mr. LANE. I ask unanimous consent that to-night each member may be permitted to call up one bill—an easy bill. [Laughter.] I will call up my bill first, if there be no objection. [Laughter.] I think there will be no opposition to it.

Mr. OUTHWAITE. I object to that.

Mr. CHARLES W. STONE. I ask leave to state the reasons for making my objection.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to state his reasons for objecting.

Mr. JONES. I object.

The CHAIRMAN. The Clerk will report the first business in order.

HARRIET WOODBURY.

The Clerk read the bill (H. R. 811) for the relief of Harriet Woodbury.

Mr. OUTHWAITE. What has become of House bill No. 1196, which precedes on the Calendar the bill just read by the Clerk?

The CHAIRMAN. The present occupant of the chair was not in the chair at the last evening session, but is advised that the bill just read is pending as unfinished business.

Mr. MARTIN of Indiana. This bill having been debated on two previous evenings, I ask unanimous consent that it be passed over without prejudice.

There being no objection, it was ordered accordingly.

CORNELIA DE PEYSTER BLACK.

The next business on the Calendar was the bill (H. R. 3156) for a pension to Cornelia de Peyster Black, widow of Henry M. Black, late colonel of United States Army, deceased.

Mr. MARTIN of Indiana. I ask unanimous consent that this bill, which has been the subject of much discussion, be passed over without prejudice.

There being no objection, it was ordered accordingly.

MARY E. TRICKEY AND OTHERS.

The next business on the Calendar was the bill (H. R. 1196) to restore, Mary E. Trickey, and children of Hartwell M. Trickey, to the pension rolls.

Mr. OUTHWAITE. This bill has heretofore been considered by the Committee of the Whole; but as there are several gentlemen here now who were not present on that occasion, I will briefly quote from the report——

The CHAIRMAN. The bill has not yet been reported.

Mr. OUTHWAITE. Very well; I will make my explanation after the bill has been reported.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War of the United States be, and he is hereby, directed to restore Mary E. Trickey, widow of Hartwell M. Trickey, late of Company I, One hundred and sixth New York Volunteer Infantry, and their children, to the pension rolls as of the date of December 1, 1891.

The amendment reported by the committee was read, as follows:

Strike out all after the enacting clause and insert:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the act approved June 27, 1890, the name of Mary E. Trickey, as widow of Hartwell M. Trickey, late of Company I, One hundred and sixth Regiment New York Volunteer Infantry."

Mr. STALLINGS. I ask for the reading of the report.

Mr. OUTHWAITE. I was about to read the body of the report in connection with the statement I propose to make.

Mr. STALLINGS. I prefer first to hear the report, and then the statement of the gentleman.

Mr. MARTIN of Indiana. Mr. Chairman, I beg leave to ask the very careful attention of each member of the committee to the reading of the report. Probably it will result in avoiding an extended discussion.

Mr. WEADOCK. I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WEADOCK. How often can a report be read on the same bill?

The CHAIRMAN. The Chair will state that a report is not read as a matter of right. It can only under the rule be read in the time of some gentleman.

Mr. WEADOCK. This report, I think, has been read two or three times already.

Mr. OUTHWAITE. It has been read once.

Mr. STALLINGS. I ask that it be read in my time.

The CHAIRMAN. The gentleman from Ohio was recognized.

Mr. OUTHWAITE. If I am recognized I intend to use the report in connection with some remarks I wished to make upon the bill. After that, if any gentleman desires to have it read at length, it can be read.

Mr. STALLINGS. I ask the gentleman to have the report read.

Mr. OUTHWAITE. Certainly, if the gentleman desires it.

The CHAIRMAN. The report will be read in the time of the gentleman from Ohio.

The report (by Mr. HARE) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 1196) to pension Mary E. Trickey, have carefully considered the same and submit the following report:

A similar bill was favorably reported in the Fifty-second Congress, but failed of passage. The facts shown are as follows:

Hartwell M. Trickey served as a private in Company I, One hundred and sixth New York Infantry, from July 22, 1862, until June 22, 1865. He was pensioned at $4 per month for gunshot wound of left forearm, and died June 11, 1889.

Mary E. Trickey applied for pension as his widow, and proved to the satisfaction of the Pension Bureau that she was married to the soldier July 2, 1872, and pension was allowed her under act of June 27, 1890, at $8 per month, plus $2 for each of four children from July 2, 1890. Payment of pension was suspended August 15, 1891, on information tending to show that she was not the legal widow of the soldier, and a special examination was had to determine the facts, which are as follows, as is fully shown by evidence now on file in the Pension Bureau:

The soldier, while home on furlough, was married November 12, 1863, at Ogdensburg, N. Y., to one Jane Ritchey, and remained with her one or two weeks at that time. Again, after his discharge, he lived with her as his wife for about one and a half years, when he went to Pennsylvania and she did not accompany him, and never afterward did they live together. The reasons for this separation do not appear. This separation seems to have been about 1867. In 1868 the present claimant, Mary E. (Montgomery), met the soldier at Pottsville, Pa., and on July 2, 1872, they were married at Wilkesbarre, Pa., and lived together continuously as man and wife from that time until his death, and they had five children.

It appears, however, that the soldier was never divorced from Jane, his first wife, and hence this so-called marriage to Mary E. was not legal. Some two or three years after the separation above referred to Jane commenced to live with one William Rogers, and they had lived and cohabited as man and wife openly and publicly since that time, and have a family of four children, one of whom is 20 years of age, and she is commonly known as Jane Rogers. All this is shown by her own admissions and by other evidence.

On November 29, 1890, Jane filed a claim for the accrued pension due the soldier at the date of his death, and although this had already been paid to Mary E., it was determined in the light of all the facts that it must be paid to Jane, as the former payment to Mary E. was illegal; this was accordingly done, and the name of Mary E. was permanently dropped from the rolls. The amount of accrued pension which was thus twice paid seems to have been not more than $13, and possibly not more than $1, if the soldier himself lived to draw the pension for the quarter ending June 4, 1889.

Although it has been determined that Jane was legally entitled to the accrued pension, it does not follow that she is entitled to a continuous pension as widow. It is evident that she has lived as wife with Rogers both before and since the soldier's death, and, even if a common-law marriage does not arise on the death of the former husband, her relations with Rogers are clearly such as to defeat a claim by reason of the act of August 7, 1882, as to open and notorious adulterous cohabitation.

Inasmuch as the object of this bill is to pension the beneficiary as an act of justice rather than of strict legal right, and inasmuch as a considerable sum of money has already been paid her illegally, though, perhaps, through no conscious fault of her own, pension, if allowed, should date from the approval of the act.

Your committee therefore return the bill and recommend that the bill do pass, after being amended as follows:

Strike out all after the enacting clause, and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limita-

tions of the act approved June 27, 1890, the name of Mary E. Trickey, as widow of Hartwell M. Trickey, late of Company I, One hundred and sixth Regiment New York Volunteer Infantry."

Also amend the title so as to read "A bill to pension Mary E. Trickey."

Mr. OUTHWAITE. Mr. Chairman, this report is slightly incomplete, and for the purpose of supplementing it I will make a brief statement in regard to this case. A similar bill was favorably reported to the Fifty-second Congress, but failed of passage. It did not fail of passage in the House, however, it having been discussed in Committee of the Whole, passed in the committee, and passed the House, but reached the Senate too late to be taken up on its Calendar. So that it has this indorsement that comes from the Fifty-second Congress, so far as that may weigh on the mind of anyone.

In the second place, it does not appear from the report, as it should, that the place at which Mr. Trickey met this claimant was quite a considerable distance away from the point where the other woman was living. It was a distance of over 500 miles. He first married in Northern New York, and the second marriage occurred over four years after that, in the coal regions of Pennsylvania, more than 500 miles away, and of these regions it may be said that there were no railroad connections. Trickey lived near the present claimant four years as a single man. She met him as a single man and married him lawfully, according to the forms of the church and the ordinary requirements of law.

After that time they came into my district to live. She bore him five children, all of them taking his name. She nursed him in his final illness, and after his death she applied for a pension. It was granted her because she made all the proofs necessary under the law.

Now, why was she dropped from the rolls? Sometime afterwards, the other woman learning of his death, and being advised that she had a legal claim to the accrued pension of $13, made application and secured the pension. At the time this bill was considered in the Committee of the Whole here at the last meeting the gentleman from Virginia raised the question as to the probability of the other woman coming in and getting a pension.

The report says, in an argumentative way, that this could not be. But since that time, in order to make sure of the fact that it would be impossible for the other woman to get a pension, and that but this one woman could get it as the widow of the man Hartwell Trickey, I visited the Pension Office and examined the papers, and requested the Commissioner of Pensions to examine and give me a report on the subject as to the condition of the claim and as to the facts which exist in relation to this inquiry. I have that letter before me. It is as follows:

DEPARTMENT OF THE INTERIOR, BUREAU OF PENSIONS,
Washington, D. C., April 27, 1894.

SIR: In reply to your personal inquiry of this date I have the honor to advise you that one Jane Trickey, of Gouverneur, St. Lawrence County, N. Y., applied for pension on the 28th of November, 1890, as the widow of Hartwell M. Trickey, late private Company I, One hundred and sixth New York Volunteers.

She has never been pensioned, but, on the contrary, the claim has been rejected on the ground that she is not now the soldier's widow, having lived and cohabited with one William Rogers for more than twenty-one years past, being known by that name, and as his wife. She has, in fact, no title to pension under the act of June 27, 1890, nor under any other law.

Very respectfully,

WM. LOCHREN, *Commissioner.*

Hon. J. H. OUTHWAITE,
House of Representatives.

Mr. STALLINGS. Will the gentleman permit a question?

Mr. OUTHWAITE. Certainly.

Mr. STALLINGS. I understand the claim of the first woman was investigated by the authorities, and it was held that she was not entitled to a pension.

Mr. OUTHWAITE. That is correct. I did not know when the bill was under consideration before that it had been actually investigated and rejected. Jane Rogers has, in fact, no title to pension under the act of June 27, 1890, nor indeed under any other law.

This letter puts a very different face on the question from that presented by the committee, as will be seen.

Mr. JONES. May I ask a question?

Mr. OUTHWAITE. Certainly.

Mr. JONES. I observe in this report that it is stated that this soldier, for whose services this woman deserves a pension, left his first wife in New York, and went to Pennsylvania?

Mr. OUTHWAITE. Yes.

Mr. JONES. And that she did not accompany him?

Mr. OUTHWAITE. True.

Mr. JONES. And that the evidence does not show what was the cause of the separation?

Mr. OUTHWAITE. That is true.

Mr. JONES. I understand that to be the case. Now, the report does not show whether this soldier willfully deserted his wife and went to Pennsylvania, or whether or not he left her because of some misconduct on her part. I should infer from the report that this soldier abandoned his lawful wife and married another woman simply because he preferred the second woman, and not because of any fault of his wife.

Now, if this dead soldier deserted his wife for this woman, who lives in the district of the gentleman from Ohio [Mr. OUTHWAITE], does the gentleman think that under those circumstances this woman ought to be pensioned on account of his services?

Mr. OUTHWAITE. I think so, because this woman had no knowledge of his previous marriage. This woman met him, supposing him to be a single man, and married him. Her intention was good. Her skirts are as clear of offense against the moral law and as white as snow.

Mr. JONES. I understand that. I do not understand that there is anything in the report that at all reflects on this woman.

Mr. OUTHWAITE. True.

Mr. JONES. But the doubt in my mind arises from the fact that she was not his wife during the war. She did not suffer any privations on his account during the war. She simply married him in 1872. Now, at that time, if he had actually deserted the wife who had lived with him during the war, if it was his fault, does the gentleman think she ought to be pensioned on account of his service during the war, for it is on that account she is to be pensioned, if pensioned at all. If he had not been in the war at all she could not, of course, ask for a pension. The gentleman would not ask for a pension for her except on account of the services of this man during the war. She married him long after the war, when he had deserted his lawful wife, whether she knew that fact or not.

Mr. OUTHWAITE. Let me call the attention of the gentleman from Virginia to this fact, that there is no discrimination in the act of June 27, 1890, between the widow of a soldier who married a soldier during the war or before the war, and a widow who had married a soldier subsequent to the war. This woman is in the same predicament as many——

Mr. JONES. Of course I understand that perfectly; but if he had not been a soldier, of course the gentleman would not be here asking to pension this woman?

Mr. OUTHWAITE. Certainly not.

Mr. JONES. And the distinction I draw is that the wife who lived with him during the war, and who lived with him a year and a half after the war, was deserted by him, as I infer from the language of this report. It may be that because of conduct of the abandoned wife after her desertion she can not now secure a pension, but is that any reason for pensioning the woman who never could have been his lawful wife and who is not now his widow? Is it absolutely necessary that somebody must be pensioned simply because this man was a soldier?

Mr. OUTHWAITE. Is not the gentleman assuming a good deal——

Mr. STALLINGS. I think I can clear the gentleman's mind. The trouble is that the wife in New York is barred from getting a pension on account of her misconduct.

Mr. JONES. I am perfectly aware of that fact. But must this other woman be pensioned simply because the true widow is in a position which precludes her obtaining one?

Mr. OUTHWAITE. No; and I will give you the reasons. This widow did not know anything about his ever having had a previous wife until she presented herself in 1890 at the Pension Bureau. This widow had no means of investigating whether Mr. Trickey deserted his wife or his wife deserted him; but the fact that his wife immediately joined this other man and has been living with him——

Mr. JONES. Not immediately, according to the record.

Mr. OUTHWAITE. She had a child 21 years of age when this testimony was taken, and this testimony was taken over two years ago.

Mr. JONES. It was some two or three years after the separation.

Mr. OUTHWAITE. Some two or three years afterwards, and that was before this woman married Mr. Trickey.

Mr. CABANISS. Does not the subsequent misconduct of his first wife naturally raise a presumption that he deserted her or left her on account of her misconduct?

Mr. OUTHWAITE. Well, I do not like to draw any inference against her.

Mr. CABANISS. That strikes my mind.

Mr. JONES. On the other hand, may not the fact that this poor woman was shamefully deserted have had some influence on her subsequent life and conduct?

Mr. OUTHWAITE. No. I do not wish to try her in any way whatever. The amendment is a new bill, simply to place her on the pension roll at $8 a month.

Mr. LANE. Mr. Chairman, if there was any way in which, in this class of cases, we could go on record and have a recorded vote, I should make no objection, except simply to vote my con-

victions. But we never have a quorum here, and therefore there is no way to have a record vote.

Mr. HAYES. Let it be voted on in the House.

Mr. LANE. We are considering these bills here in the committee.

Mr. OUTHWAITE. We make a record here.

Mr. TATE. We are making a record now. The gentleman can state how he is going to vote. Then he has made his record.

Mr. LANE. That is what I am here for, but I have not quite finished my statement yet.

I say that if there was some way of designating those who voted for those bills which are not meritorious I would make no question at all. I am satisfied myself that this woman is not the widow of this soldier, neither by a lawful marriage nor by a common-law marriage; and I am not willing to pension women who are not widows of soldiers until soldiers' widows are pensioned. After pensioning all the widows of soldiers, then I am willing to consider this question as a member of Congress. These parties were simply living in adultery. I do not care anything about the intention.

Mr. MAHON. The gentleman says she was not the wife of this soldier. She was married according to the laws of the State of Pennsylvania.

Mr. LANE. That has nothing to do with the question here. It was neither a common law marriage nor a lawful marriage, but simply adulterous cohabitation so far as she was concerned. Her children were not legitimate.

Mr. BRETZ. You could not convict her in any court in the land.

Mr. LANE. I am not trying to convict her. I am simply stating the legal fact. If the legal widow had died in the meantime, while they were cohabiting, that would have changed the case, and if no change of relations took place, that would have become a common law marriage; but it never could become a legal marriage so long as the obstruction to the marriage existed, and it still exists.

Mr. OUTHWAITE. Will the gentleman from Illinois permit me just one moment?

Mr. LANE. Yes, sir.

Mr. OUTHWAITE. If it were a legal marriage, there would have been no necessity for a special bill. It is only because there could be no lawful marriage that a special bill is introduced. When this lady lived in every sense of the word an innocent, pure woman, and bore the soldier children, and took care of him and nursed him when he was suffering from the effects of his wound, I think it is such a case as to warrant me in presenting this bill.

Mr. LANE. I understand exactly the merits of her case; but that does not change the fact that these are not his children.

Mr. TAWNEY. Whose are they?

Mr. LANE. You can pension both these women. These children are not the soldier's in law; they are bastards in law; they are *nullius filius*. In law they have no father. If she was the widow of this man she would get a pension at the Pension Office. The question I am presenting to you is: Do you want to pension women who are not the widows of soldiers before you pension those who are the widows of soldiers, for there are thousands who are not pensioned?

Mr. CURTIS of New York. Let us come to a vote then.

Mr. LANE. You can come to a vote, and then I will not contend. I am simply making a statement. I am liberal in voting to pension widows and to pension soldiers who are entitled; but I say, gentlemen, there is not money enough in the Treasury to go around and pension this class of women. Having said this much, I will content myself by voting against the bill.

The CHAIRMAN. The question is on agreeing to the amendment recommended by the committee.

The amendment was agreed to

The bill as amended was laid aside to be reported with a favorable recommendation.

Mr. OUTHWAITE. There is an amendment to the title recommended.

The CHAIRMAN. The bill will be reported to the House with the recommendation that the title be changed in accordance with the recommendation of the committee.

MARTHA E. MILLER.

The next business on the Private Calendar was the bill (H. R. 2908) restoring the pension of Martha E. Miller.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to restore to the pension roll the name of Martha E. Miller, widow of Alexander N. Miller, late of Company C, Twenty-sixth Regiment of Iowa Volunteers, to take effect from and after the passage of this act.

The report (by Mr. LACEY) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 2908) restoring the pension of Martha E. Miller, having examined and considered the same, report it back to the House with a recommendation that it do pass.

This same matter was before the Fifty-second Congress and passed this House, and the report, which we adopt, was as follows:

"Martha E. Miller was the wife of Andrew W. Miller, late of Company C, Twenty-sixth Regiment Iowa Infantry, who died at Jeffersonville, Ind., June 17, 1864, from wounds received at the battle of Resaca, Ga., May 14, 1864. She was granted a pension as his widow soon thereafter, which she drew until 1867.

"On January 22, 1867, she married one James E. Irwin, and lived with him until the fall of 1871, when he deserted her, leaving her without any means of support whatever, and upon this she obtained a divorce from him.

"When she married said Irwin she had saved up and had a little property, but it was all used up during her married life with him, and when he left her she had nothing, and has ever since earned her own support by sewing, and now, being of advanced age, she is unable to make a living, and has no one upon whom she can call for aid. The evidence of these facts and a copy of the decree of divorce is now on file in the Pension Office and in the district of Clinton County, Iowa, in June 1881.

"This case is in the line of precedent and your committee recommend the passage of the bill."

Mr. JONES. Mr. Chairman, I would like to have the minority report read.

The CHAIRMAN. The views of the minority will be read.

The views of the minority (by Mr. BALDWIN) were read, as follows:

The minority of the Committee on Invalid Pensions submit the following statement of their views in regard to the bill (H. R. 2908) restoring the pension of Martha E. Miller:

The majority report shows that Andrew W. Miller served in Company C, Twenty-sixth Iowa Infantry, and died in hospital June 17, 1864; his widow, this petitioner, was granted a pension which she continued to draw until January 22, 1867, when she married James E. Irwin, who deserted her in 1871, and in June, 1881, she secured a divorce from him.

Now, the purpose of this bill is to restore her to the pension roll the same as if she were still the widow of the soldier whose name she voluntarily surrendered twenty-seven years ago.

To pass this bill is to nullify for the benefit of this one individual the substantial limitation of the general laws that the pension of soldiers' widows who have remarried shall cease.

The objections to be urged against such bills as this are numerous. In the first place, it makes an exception of a case which is in no wise exceptional. There may be varying degrees of destitution in different cases, but it may be fairly stated that all cases of widows who have remarried and again become husbandless by reason of death or divorce present the same substantial conditions.

If any widow so situated should be restored to pension all widows so situated should be restored, and this by general enactment and not by individual private bills, whereby those who may happen to have a friend to espouse their cause secure a benefit which the modest and the unknown never think of seeking. Special pension acts are justifiable only in cases which are essentially exceptional, and should not be used to grant to one that which is denied to the many, whose situation is precisely the same. But aside from this consideration, however, the soldier's widow who remarries voluntarily relinquishes her pension, because she prefers to do so.

The Government can not become an insurer against an unfortunate termination of this second matrimonial venture either by divorce or death. To restore pension in case of divorce is to encourage remarried widows to seek divorces, and, in any event, it is to give them an ostensible claim upon the soldier's death and memory, which they have long since renounced by preference.

Furthermore, it is not to be assumed that legislation of this character is in the line of justice or of honor to the soldiers themselves, or that it is necessarily desired or favored by the soldier classes. A contribution from the the public Treasury to the support of the widow of the soldier, so long as she remains his widow, every soldier, perhaps, desires, and the common consent of the nation for thirty years has sanctioned this, but that each soldier looks forward to and desires that his services and his memory shall be the basis of a pension to his wife at some remote day, beyond an intervening period of matrimonial alliance with some other husband, is by no means self-evident or fairly to be presumed.

M. R. BALDWIN.
C. J. ERDMAN.
JOHN J. McDANNOLD.

Mr. LACEY. Mr. Chairman, this is one of three or four bills to which objection has been made by the gentleman from Virginia [Mr. JONES], and I think also by the gentleman from Alabama [Mr. STALLINGS]. At last Friday night session, I think the vote was about 3 to 1 in favor of this class of bills. The objection was made that the Committee on Invalid Pensions had not reported a general bill on this subject, and that a general bill could be made that could cover most cases of this class.

Now, I suggest, and I ask unanimous consent, that the action of the House be taken on them, that the committee to-night pass two or three of these bills, and let them be reported to the House with an order that a yea-and-nay vote be taken thereon, because a general bill could come up at the same time if necessary, and then we could get the action of the House on this class of legislation, and not simply throw out this kind of legislation by the act of a single man, or two or three men, out of the whole House. Refer it to the whole House, where a quorum could vote upon it, and have a yea-and-nay vote. I ask unanimous consent that that be done.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

Mr. JONES. What was the request?

Mr. LACEY. The request was this: That this bill and the other three or four bills of the same character that have already been voted on and have not passed through the Committee of the

Whole for the reason that the question of no quorum has been raised——

The CHAIRMAN. The gentleman had better confine the request to this bill.

Mr. LACEY. I was suggesting this in reference to the other bills in order that we could get these out of the way. I make the suggestion as to this particular bill and will make a similar request as to the others—that this bill be passed through the Committee of the Whole with the recommendation that it pass, and with the agreement that a yea-and-nay vote shall be taken in the House.

Mr. HAYES. That has been frequently done with pension bills, but in such cases there has always been a certain amount of debate.

Mr. BAILEY. Before the request of the gentleman from Iowa is put, I desire to ask him whether he believes that the Committee of the Whole can bind the House to take a yea-and-nay vote?

Mr. LACEY. Any gentleman can compel a yea-and-nay vote, or the vote of a quorum.

Mr. BAILEY. But if a quorum votes without a call of the yeas and nays, then you can not have a yea-and-nay vote, and if there is no quorum your bill does not pass.

Mr. LACEY. Well, if there is a quorum a yea-and-nay vote may not be insisted upon. If the expression of the will of the House can be fully ascertained without such a vote, then the yeas and nays may not be demanded.

Mr. BAILEY. I made the suggestion merely to the gentleman so that it might be comprehended in the agreement, if any agreement was to be made.

The CHAIRMAN. The gentleman from Texas is correct Of course the Committee of the Whole can not bind the House; but agreements are often made informally in Committee of the Whole which are ratified in the House.

Mr. LACEY. This has been done frequently in previous Congresses.

Mr. PICKLER. Mr. Chairman, a parliamentary inquiry: There is nothing to prevent this committee from recommending a yea-and-nay vote in the House, is there?

The CHAIRMAN. That would be in order.

Mr. TALBERT of South Carolina. Mr. Chairman, I suggest to the gentleman from Iowa that the difficulty may be obviated if he will simply ask that this bill be reported to the House without any recommendation, and that it be taken up in the House.

Mr. CURTIS of New York. It would lose its place on the Calendar.

Mr. MARTIN of Indiana. Mr. Chairman, I desire to make a parliamentary inquiry. Is it not true that in order to obtain action in the House on a bill this Committee of the Whole must take either favorable or unfavorable action upon it?

The CHAIRMAN. The Chair thinks it would be competent for the Committee of the Whole to report a bill without recommendation.

Mr. LACEY. I make this suggestion in view of the fact that the committee has already voted on this bill, and that there has been quite a large majority vote in favor of them, although not a quorum. Whether we act for or against a bill here the action of the House will be conclusive in the end, and by adopting my suggestion we shall get rid of this class of bills which are now blocking the way of other bills upon the Calendar.

The CHAIRMAN. Will the gentleman please state his request again.

Mr. LACEY. I ask unanimous consent that this bill be reported to the House with a favorable recommendation and with an agreement that a yea-and-nay vote may be had in the House.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

Mr. STALLINGS. I object.

Mr. TAYLOR of Indiana. In view of the fact that general legislation upon this subject is about to be enacted, or at least to be brought before the House for action, I would suggest that all these cases pass to the foot of the Calendar.

The CHAIRMAN. Does the gentleman make that request as to this bill?

Mr. TAYLOR of Indiana. I do.

Mr. HAYES. I object.

Mr. TAYLOR of Indiana. Then I ask that it be passed over without prejudice. That will leave it just as it is.

Mr. HAYES. Mr. Chairman, this bill is a fair subject upon which to test the sense of the House in regard to this class of pensions, for the reason that it is not claimed that there is anything peculiarly against the precedent that has been set so far as the facts in the case are concerned, and the facts in this case are peculiarly strong in favor of granting the pension.

I do not wish to block the way of other cases, but, as a matter of fairness, the House ought to be allowed to take a vote on this bill. I am perfectly content to take the vote here to-night and abide the result, quorum or no quorum; or I am perfectly willing that the bill shall go into the House and let the House determine the question. That is certainly a fair proposition and one that ought to be acceded to; but if that can not be done, as I do not wish to block the way of other pension bills, I will ask that this bill may be passed over without prejudice.

Mr. HULL. I can not see any object in the world in passing these bills over every Friday night "without prejudice," and then taking them up again and having the same reports read over and over again at every Friday evening session. It is in the line of the precedents since the war for such bills as this to pass where meritorious cases are presented.

During the Fifty-second Congress I had one bill of this character from my own district. It passed the Committee of the Whole——

Mr. HAYES. I will consent that the bill shall go to the House with an adverse report. We will bring it right up and let the House take action on it.

Mr. HULL. Very well; that would dispose of it and get it off the Calendar. I am perfectly willing that any action be taken which will prevent bills of this class from standing at the head of the Calendar, depriving us of the opportunity of reaching other measures in which we are interested. I am interested in some bills farther down on the Calendar which have been held back for three weeks on account of these bills coming up every night and occupying the entire time of the evening session. I am entirely ready to consent to any action that will get them off this Private Calendar. I am not willing to consent to any action that will hold them at the head of the Calendar to obstruct other business every night.

The CHAIRMAN. The gentleman from Iowa [Mr. HAYES] moves that this bill be reported to the House with an adverse recommendation.

Mr. HAYES. I desire to make a parliamentary inquiry. In the event that the bill should be so reported, and the House should reverse that action of the Committee of the Whole, would the bill have to come back to the Committee of the Whole?

The CHAIRMAN. It would not.

Mr. HAYES. Then I am perfectly content to have the matter go that way.

Mr. HUDSON. I want to make a parliamentary inquiry. If the bill be reported adversely, does not that kill it?

The CHAIRMAN. Certainly not.

Mr. HUDSON. Can it go on the Calendar and come up afterwards if it be reported adversely?

Mr. HAYES. I will withdraw the motion to report the bill adversely, although I will not oppose the motion if made by anyone else.

Mr. TALBERT of South Carolina. I rise to a parliamentary inquiry. I understand that a motion has been made to report the bill favorably, and a motion is suggested to report it unfavorably. Now, it would seem that a compromise between these two propositions would be to report the bill without recommendation. I ask whether that can be done. I seems to me the Committee of the Whole would have the right to make such a report.

A MEMBER. That can not be done.

Mr. HULL. If the bill be reported adversely, will it not go on the Calendar, or will it come up without being called up specially?

The CHAIRMAN. It will not.

Mr. HULL. It will not take its place along with bills reported favorably?

The CHAIRMAN. The bill will come up in its order in the House.

Mr. LACEY. If the Chair will hear me a moment, I wish to read from the rules upon a point which the Chair was asked about. In Rule XXIII, clause 7, I find the following:

> Whenever a bill is reported from a Committee of the Whole with an adverse recommendation, and such recommendation is disagreed to by the House, the bill shall stand recommitted to the said committee without further action by the House.

So that under this rule, if we send this bill to the House with an adverse report, and the House should disagree to that report, the bill will simply come back to the Committee of the Whole, and we shall find ourselves in the same hole as when we started in.

Mr. CLARK of Missouri. I would like to ask the gentleman from Iowa [Mr. LACEY] a question. If this bill should be reported to the House with an adverse recommendation, and should then be sent back here, would not the Committee of the Whole take that action of the House as an instruction to reverse its previous action and to make a favorable report upon the bill?

Mr. LACEY. The committee are already in favor of the bill. It is simply one or two individuals who are unwilling that the committee should act.

The CHAIRMAN. Will the gentleman from Iowa [Mr. LACEY] be kind enough to cite for the information of the Chair the clause of the rule to which he just referred?

Mr. LACEY. Clause 7 of Rule XXIII.

The CHAIRMAN. [After a pause.] After examining the rule as cited by the gentleman from Iowa, the Chair finds that his impression as stated a few moments ago was incorrect.

Mr. HAYES. I ask unanimous consent that the bill be passed over without prejudice.

Mr. BAKER of New Hampshire. I object.

Mr. HAYES. I move that the bill be passed over and be placed at the foot of the Calendar.

Mr. PICKLER and others objected.

The CHAIRMAN. That motion is not in order. The question is on laying the bill aside to be reported to the House with a favorable recommendation.

The question being taken, there were—ayes 41, noes 14.

Mr. JONES. No quorum.

The CHAIRMAN. The Chair will appoint as tellers the gentleman from Virginia, Mr. JONES, and the gentleman from Iowa, Mr. HAYES.

Mr. HAYES. I ask unanimous consent that this bill be passed over and go to the foot of the Calendar. I do not want to do anything, Mr. Chairman, to block the way of another class of pensions that the committee may be willing to pass. I am willing to take my chance in some other way in the House.

The CHAIRMAN. Pending the count, is there objection to the request of the gentleman from Iowa?

Mr. PICKLER. I object.

The CHAIRMAN. The tellers will take their places.

Mr. HAYES. I hope some other member will be appointed in my stead, Mr. Chairman, as a teller.

The CHAIRMAN. The Chair will appoint the gentleman from Indiana, Mr. MARTIN, to act as one of the tellers.

The committee proceeded to divide.

Mr. PICKLER. I rise to a parliamentary inquiry. Does the Chair hold that it is incompetent for the committee to report this bill without recommendation?

The CHAIRMAN. The Chair did not so decide.

Mr. PICKLER. If it can be reported without recommendation, I am willing that that shall be done. But I think we ought to have a vote one way or the other on the bill.

Mr. CLARK of Missouri. Why not report it adversely?

Mr. PICKLER. That you can not do because the majority of the committee are in favor of the bill.

Mr. CLARK of Missouri. They might agree to report it adversely for the purpose of getting it before the House.

Mr. PICKLER. That can not be done when the majority are in favor of the bill.

The CHAIRMAN. The tellers will report.

The tellers reported—ayes 44, noes 15.

Mr. JONES. No quorum.

Mr. PICKLER. I withdraw the objection to the request of the gentleman from Iowa, that this bill be passed over without prejudice, and take its place at the foot of the Calendar; but it is the last bill, I want to give notice now, so far as I am concerned, that can take that course.

The CHAIRMAN. Without objection, this bill will be passed over without prejudice, and go to the foot of the Calendar.

There was no objection.

Mr. JONES. I withdraw the point of no quorum.

Mr. MAHON. Before going further, Mr. Chairman, I wish to make a motion that any bill on the Calendar, taken up and read, and the report of the committee read and discussed, where the motion is made by the gentleman having charge of it to lay it aside, that it go, without further action, to the bottom of the Calendar.

The CHAIRMAN. That motion would not be in order. It could only be made by unanimous consent.

Mr. MAHON. Well, I ask unanimous consent. The committee, of course, can make such an order.

Mr. LANE. I demand the regular order.

The CHAIRMAN. That is equivalent to an objection.

MADISON M. THOMAS.

The next business on the Private Calendar was the bill (H. R. 1112) to correct the military record of Madison M. Thomas.

Mr. MARTIN of Indiana. That bill is not in order. It went to the foot of the Calendar last Friday night.

The CHAIRMAN. The Clerk will report the next bill.

LOUISA B. HULL.

The Clerk read as follows:

A bill (H. R. 3693) granting a pension to Louisa B. Hull, widow of James E. Darrow.

Mr. LACEY. I ask unanimous consent that this bill be passed without prejudice, in view of the action taken a few moments ago on a similar bill.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

Mr. PICKLER. I object; and pending that I would like to ask a question by consent. Why did the gentleman ask to have this go over?

Mr. LACEY. Because it stands in the way of other bills that will not be objected to.

Mr. HULL. But the other bill went to the foot of the Calendar.

Mr. CLARK of Missouri. Let us have the regular order. The Chairman had decided that this bill could be passed over before either of these gentleman got up. I insist that the decision of the Chair shall stand.

The CHAIRMAN. The Chair asked if there was objection, and the gentleman from South Dakota promptly rose and objected.

Mr. PICKLER. Do I understand that this committee, when it comes to a certain class of bills which have been favorably reported by the committee, will refuse to consider them?

Mr. LACEY. We either have to do that or adjourn.

Mr. PICKLER. Then I object.

The CHAIRMAN. The Clerk will report the bill.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby directed to place upon the invalid pension roll of the United States, subject to the limitations of the general law, the name of Louisa B. Hull, widow of James E. Darrow, late of Company D, Thirty-third Iowa Infantry Volunteers, at the rate of $12 per month.

Mr. JONES. I would like to have the report of the committee and the views of the minority read.

The CHAIRMAN. The report will be read in the time of the gentleman from Virginia.

The report (by Mr. LACEY) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 3693) granting a pension to Louisa B. Hull, submit the following report:

This is a bill to grant a pension to Lucinda B. Hull. There is an error in the bill, the name of Mrs. Hull being Louisa. The bill should be corrected in that respect.

Mrs Hull was the widow of James E. Darrow, of Company D, Thirty-third Iowa Infantry, and as such widow was granted a pension under certificate 70080. Her husband died in the United States service. Subsequently she remarried to Benjamin Hull, from whom she was afterwards divorced on her own application on grounds of desertion. Her decree of divorce is filed with the committee. She is now very poor and advanced in years, and her restoration to the pension roll is recommended.

She remarried September 9, 1865. Benjamin Hull, whom she married as her second husband, was also a soldier. Since the said devorce said Hull remarried and died, leaving a widow surviving him. Her first husband died April 28, 1864. Her divorce was granted September 13, 1880, by the district court of Lyon County, Kans.

Your committee recommend that the bill do pass after being amended by inserting "Louisa" in place of "Lucinda" in line 5. Also, amend title to read "Granting a pension to Louisa B. Hull."

The views of the minority were read as follows:

The views of the minority (by Mr. MCDANNOLD) were read as follows:

"The minority of the Committee on Invalid Pensions submit the following statement of their views in regard to the bill (H. R. 3693) restoring the pension of Louisa B. Hull:

"The minority have expressed their views in this class of cases in report 601 on the bill 2908, to pension Martha E. Miller. That statement is equally applicable to this case, and is as follows:

The purpose of this bill is to restore her to the pension roll the same as if she were still the widow of the soldier whose name she voluntarily surrendered years ago.

To pass this bill is to nullify for the benefit of this one individual the substantial limitation of the general laws that the pension of soldiers' widows who have remarried shall cease.

The objections to be urged against such bills as this are numerous. In the first place, it makes an exception of a case which is in nowise exceptional. There may be varying degrees of destitution in different cases, but it may be fairly stated that all cases of widows who have remarried and again become husbandless, by reason of death or divorce, present the same substantial conditions.

If any widow so situated should be restored to pension, all widows so situated should be restored, and this by general enactment and not by individual private bills, whereby those who may happen to have a friend to espouse their cause secure a benefit which the modest and the unknown never think of seeking. Special pension acts are justifiable only in cases which are essentially exceptional, and should not be used to grant to one that which is denied to the many, whose situation is precisely the same. But aside from this consideration, however, the soldier's widow who remarries voluntarily relinquishes her pension, because she prefers to do so.

The Government can not become an insurer against an unfortunate termination of this second matrimonial venture either by divorce or death. To restore pension in case of divorce is to encourage remarried widows to seek divorces, and, in any event, it is to give them an ostensible claim upon the soldier's death and memory, which they have long since renounced by preference.

Furthermore, it is not to be assumed that legislation of this character is in the line of justice or of honor to the soldiers themselves, or that it is necessarily desired or favored by the soldier classes. A contribution from the public Treasury to the support of the widow of the soldier, so long as she remains his widow, every soldier, perhaps, desires, and the common consent of the nation for thirty years has sanctioned this; but that each soldier looks forward to and desires that his services and his memory shall be the basis of a pension to his wife at some remote day, beyond an intervening period of matrimonial alliance with some other husband, is by no means self-evident or fairly to be presumed.

M. R. BALDWIN,
C. J. ERDMAN,
JOHN J. McDANNOLD.

Mr. MARTIN of Indiana (pending the reading of the minority report). Mr. Chairman, I make the point of order that this bill comes up for consideration at the point where we left off considering it at the last Friday night session. It had been fully discussed, and we were voting on the question of laying it aside when the point of no quorum was raised. It seems to me that the reading of these reports is an unnecessary waste of time.

The CHAIRMAN. But there was no order to close debate, was there?

Mr. MARTIN of Indiana. None. I again renew the request for unanimous consent that this bill be passed by on the Calendar.

The CHAIRMAN. Is there objection?

Mr. PICKLER. I object; and pending that, if I can have a word——

The CHAIRMAN. Only by unanimous consent. The gentleman from Virginia is entitled to the floor, and the report is being read in his time.

Mr. PICKLER. The bill is before the House then?

The CHAIRMAN. It is. The Clerk will continue the reading.

The Clerk resumed and completed the reading of the minority report.

Mr. PICKLER. Mr. Chairman, I do not care to appear obstinate, because I am never obstinate.

Mr. BRETZ. Withdraw your objection, then.

Mr. PICKLER. I believe I have the floor. I have no criticism upon any gentleman upon this floor for any action he takes upon the pension question. I suppose he is representing his constituents. I am seriously opposed to the position of some gentlemen here in regard to pensions, but I have no personal criticism of those gentlemen; but, Mr. Chairman, it is evident to me, it is evident to every man who has been attending these Friday night sessions during this session of Congress, that there are a few gentlemen here who are determined that no pension legislation shall pass if they can help it. That is their prerogative, and I have no difference with them as members of the House. It is their business.

Now, I have objected to this bill going to the foot of the Calendar. I objected to the bill of the gentleman from Iowa, on the other side of the House, going to the foot of the Calendar. The gentleman has as much right to have his bill considered as any other member of this House. He is a constant attendant here, and a faithful member. He brings up a bill, and yet he can not have consideration of it. I am a member of the Committee on Invalid Pensions. We have carefully considered these bills. These widows of soldiers have the right to the voice of this committee as to whether they shall have relief or not. But it seems that a few gentlemen here are determined to make this a stumbling-block for all pension legislation.

Now, my opinion is that these gentlemen are opposed not only to these bills, but to all bills to pension anybody, and if there can be any excuse mustered up they make use of it. I have no fault to find. That is your business. If that is all the Union soldiers are entitled to, if you believe the Government owes soldiers and their widows no more than that, that is your prerogative, and I have no quarrel with you personally, as you well know; but it does seem to me that it is poor treatment of the Committee on Invalid Pensions, after they have considered these bills, for any gentlemen to dictate and say that only certain bills which they select shall be considered, and that bills to which they object shall have no consideration. That is unfair to this House, it is unfair to the committee, and gentlemen are unfair to themselves when they take that position. It is too arbitrary, it seems to me, for any gentleman to assume any such a position.

Now, I want to ask the chairman of the Committee on Invalid Pensions a question. Two or three gentlemen have lately said to me that it is the intention of the chairman of the Committee on Invalid Pensions [Mr. MARTIN of Indiana] to try to get a day in the House for the consideration of these bills for the pensioning of widows. I should like to ask the gentleman about that.

Mr. MARTIN of Indiana. Mr. Chairman, by direction of the Committee on Invalid Pensions—probably the gentleman was not at the meeting—I introduced a resolution, which was referred to the Committee on Rules, asking them to give to the Committee on Invalid Pensions two days for the consideration of bills favorably reported by this committee. I have no doubt that within the next thirty days, and probably within two weeks, time will be given for the consideration of these different bills.

Mr. PICKLER. Yes; I was at that meeting, but I have not heard whether the gentleman succeeded in getting the days or not.

Mr. MARTIN of Indiana. Not yet.

Mr. PICKLER. Are these bills to have consideration if you get those days?

Mr. MARTIN of Indiana. Certainly.

Mr. PICKLER. Now, I should like to know if the chairman of the Committee on Invalid Pensions has consulted these gentlemen who select these bills, and the gentlemen who are giving us a calendar of their own rather than the one that is printed; and I should like to know whether there is any other class of bills that we shall not be allowed to consider?

Mr. MARTIN of Indiana. Mr. Chairman, I have not consulted with any gentleman upon this question except thus far: As I explained to the Committee on Invalid Pensions to-day, the gentleman from Missouri [Mr. CLARK] came to me on Tuesday with a proposition. I told him I did not like the idea of a few members objecting to a class of cases and taking them away from the consideration of the House. I felt opposed to it. The more I thought of it, however, the more I felt it my duty to lay his proposition before the committee of which I have the honor to be chairman, which I did to-day.

I laid before them the proposition, as coming from the gentleman from Missouri [Mr. CLARK], a gentleman who has never raised the point of no quorum. I had no consultation prior to the request I made this evening with anybody else except the gentleman from Missouri, and with our committee to-day. Now, if you will pardon me for taking another moment, there are, besides the nine bills which are objected to, twenty-five other bills. There are bills for insane children, helpless children, for widows who have been trying for twenty-five years to get some relief, widows whose husbands died years and years ago.

I feel, Mr. Chairman and gentlemen, under all the circumstances, that it would be the best thing to do if we would lay these other bills aside temporarily, without any thought of abandoning them. They would come up when the Committee on Rules would give us a day, and I think that it would be better for all concerned to lay these bills aside temporarily and take up bills to which there is no objection.

Mr. BRETZ (to Mr. PICKLER). You can not make any objection to that?

Mr. PICKLER. There are widows and insane children and old men dying every day, that these men have sent to the poor house by their objections. It is these gentlemen who have made the point of no quorum who are keeping these bills back.

Mr. CLARK of Missouri. Mr. Chairman, I would like to make a statement, and then I would like to ask the gentleman two or three questions; and then maybe we can get at the facts. I have never made the point of no quorum, and I do not make any factious opposition against pension bills.

Mr. PICKLER. I believe that.

Mr. CLARK of Missouri. I believe I have the right to fight every pension bill that I think is bogus, and I am going to do it. Now, I want to ask you two or three questions. We have these three classes of pensions that have been suggested by the gentleman from Indiana [Mr. MARTIN]. If they were taken out of the way we would be ready and have an opportunity to discuss pension bills on their individual merits. Each one of these three classes of pension claims which have been referred to present a principle different from the ordinary principle contained in individual cases. Is not that true?

Mr. PICKLER. I do not know about any other. We are talking of these widows' cases.

Mr. CLARK of Missouri. I am coming to the three classes.

Mr. PICKLER. What are the other classes?

Mr. CLARK of Missouri. The first class is the widow of a soldier who has remarried and then become a widow again.

Mr. PICKLER. Yes.

Mr. CLARK of Missouri. That is one class. The second class is that of paying large pensions to men simply because they held rank above that of a private soldier. I am teetotally opposed to pensions of that kind.

Mr. PICKLER. Well, most of us are opposed to such cases.

Mr. CLARK of Missouri. Well. And the other class is the indiscriminate removal of charges of desertion against men who did desert during the war. Now, I want to ask you this question: Has not your committee reported a general bill to pension these women who have become widows a second time—is not that true?

Mr. PICKLER. We have reported a bill that will pension some of them.

Mr. CLARK of Missouri. You have prepared a bill, and you are going to report it.

Mr. PICKLER. Yes; it is ready. It is agreed to in the committee.

Mr. CLARK of Missouri. Now, there are 20,000 or 30,000 or 50,000 widows in the United States who are just as much entitled to a pension on any principle you can present as either one of these women. Is not that true?

Mr. PICKLER. Not so many.

Mr. CLARK of Missouri. Why do you want to single out one

here and there because she simply happens to have an energetic member of Congress to take care of her interest? Why not wait until you can get to consider a general pension bill on this question?

Mr. PICKLER. Because you can not keep ten thousand from dying then you are willing that five thousand should starve. That is your proposition.

Mr. CLARK of Missouri. You have already wasted enough time at these Friday night sessions to have passed many pension bills.

Mr. PICKLER. Who has?

Mr. CLARK of Missouri. You have.

Mr. PICKLER. Oh, no.

Mr. CLARK of Missouri. Now, wait a moment. I am the friend of all of you, and I like you all. I am friend of the gentleman from Virginia [Mr. JONES] and the gentleman from Alabama and you; and one is just as bad as the other about raising objections here. [Laughter and applause.]

Mr. PICKLER. No, indeed. This side never raises the question of no quorum.

Mr. CLARK of Missouri. I want to finish my statement. The very minute we get the gentleman from Virginia and the gentleman from Alabama pacified, you or somebody else bobs up with one objection or another. [Laughter and applause.] Now, I want to say this, and then quit on the subject: I have come here every one of these Friday evening sessions. I would rather be at home reading even a cheap novel, or history, or the Bible, or going to the theater, or doing whatever else I please, than come here and hear men rehashing the same arguments night after night. Now, if you will get out of the way, and two or three other people, the committee will agree that these bills be laid aside, and we can discuss fifteen or twenty meritorious measures to-night.

Mr. PICKLER. How many will you insure to pass?

Mr. CLARK of Missouri. I will insure that every bill will pass that we consider genuine.

Mr. PICKLER. Now, what is the argument of the gentleman from Missouri? It is simply this: The rules of the House gave us a Calendar, and that Calendar is made under the rules of the House; and the gentleman from Missouri says now that the whole committee shall surrender to two or three gentlemen who have prevented this legislation. That is the proposition—that this House shall actually get down upon its marrow-bones and desert the rules of the House, desert the Calendar, and surrender to their domination. That is what you ask, Brother CLARK.

You talk about this class of widows and others that ought to be pensioned. There is no such number of them as you name, but where is the justice in saying, when you have a meritorious widow's bill on the Calendar, that you will not give that widow a pension because there are a thousand others who ought to have pensions? Again, the very gentlemen who have been objecting to these bills to pension widows, when interrogated, have stated that they will not vote for a general measure. That is as inconsistent as anything can be.

Mr. CLARK of Missouri. Oh, no; it is not.

Mr. PICKLER. Yes it is.

Mr. CLARK of Missouri. Let me suggest this to the gentleman. A man has a perfect right to insist that a bill which involves a principle, as this one does, shall have fair discussion, not by half a dozen or a dozen members at these evening sessions, but in a full House. While I have not made up my mind as to whether that kind of a general bill ought to be passed or not, because there are good arguments against it and good arguments in favor of it, still I say there is all the difference in the world between voting a pension to one widow while you leave thousands of others who are on the same footing without pensions, and taking up and discussing a general bill to pension widows of that class; and a man who says that he will object to every one of these bills and will vote against a general law is not inconsistent when he says that he wants that general law discussed here.

Mr. PICKLER. These gentlemen who are making these objections have rolled these cases as a sweet morsel under their tongues, and I have no doubt they thank God that they can have the excuse of a widow's claim of this character to cut out other pensions.

Mr. TAYLOR of Indiana. Well, if you get out of the way we will demonstrate whether that is so or not.

The CHAIRMAN (Mr. WEADOCK). The committee will be in order. Gentlemen must not interrupt the gentleman from South Dakota without his consent.

Mr. PICKLER. I rather enjoy it, Mr. Chairman.

Mr. MARTIN of Indiana. I desire to call the attention of the gentleman from South Dakota to one fact. The very next bill on the Calendar succeeding this one, which the gentleman in charge of has asked to have laid aside, is a bill to pension a woman 71 years of age and very poor. It is intended to remove a technical difficulty. Her husband has been gone for years and years and she can not make proof of his death, although he has been gone long enough to presume death. Now, the next bill, I say, brings up this question——

Mr. PICKLER. The reason that old woman has not been pensioned and has not been drawing her pension for six months past is because two or three gentlemen on this floor have made the point of no quorum on these bills night after night, and the blame is upon their heads and not upon mine.

Mr. LANE. Mr. Chairman——

Mr. PICKLER. I decline to yield.

Mr. LANE. I raise a point of order, Mr. Chairman. What is the question before the committee?

The CHAIRMAN. The gentleman from South Dakota [Mr. PICKLER] will proceed in order.

Mr. LANE. I call the gentleman to order. He has not the floor on any question before the committee.

The CHAIRMAN. The committee will be in order. The gentleman from South Dakota will proceed in order.

Mr. LANE. What is the question that is before the committee?

Mr. BRETZ. This widow's bill.

Mr. PICKLER. Now, Mr. Chairman, I want to say a word now in reply to the gentleman from Missouri [Mr. CLARK], because I have a great respect for his opinion in these matters. He talks about bills being reported here for the "indiscriminate" removal of the charges of desertion. There is no such class of cases here. There are no indiscriminate bills of that character reported to this House. The fact is that many of us here are very hard upon men who technically "deserted" when the war was over, but who really were not deserters at all.

We have forgiven every other class of men who sinned against the Government during that war except some poor boy who had not seen his mother for months or years, or some poor husband who had not seen his wife and children for months or for years and who left the army after the war was over without a technical formal discharge. That is the kind of "deserters" that we are relieving and that is the kind of charges of desertion that ought to be removed. Thirty years have passed since the war, and in cases of that kind, where the men have wives and families, that technical disgrace of such a charge ought to be wiped out in all cases where the men were not really deserters in the true sense of the word. We have tried it here night after night and we can not pass that kind of a case.

Now, so far as officers are concerned, I think nobody here wants an officer to have any advantage over a private. I am sure I do not. I was two years and more in the ranks; I know what the privates and the noncommissioned officers had to bear, and my sympathies are with them all the time. So far as that matter is concerned, gentlemen undertake to raise a bugbear which has no real existence. We are not reporting bills on that line at all. I know that our committee is not.

Having said this much, and having detained the committee thus long, I will only add that if it is the will of the majority that two or three men are to dictate our legislation here; if two or three men are to say that the rules of the House are to go for naught and that we must obey their behests; if the chairman of the Committee on Invalid Pensions desires to acquiesce in that position and surrender to those men; if we are to desert this Calendar and let those gentlemen select the sort of legislation we are to consider, and if the gentleman from Iowa, whose bill is now pending, desires to lay it aside under such circumstances, I shall not object further.

Mr. LACEY. Mr. Chairman, I would like to say just a word before renewing my proposition. I want to call the attention of the committee to the fact that there have been 991 pension bills referred to the Committee on Invalid Pensions in this House. Two weeks ago I called the attention of the Committee of the Whole to the fact that only two pension bills had become laws during the present Congress—one of them granting a pension on account of service in the war of 1812, the other on account of service in the Revolutionary war.

I wish to say to-night that since that statement was made, one more pension bill has gone through—a bill granting a pension on account of service in the Seminole war. So that up to the present date, nine months of the session having passed, just three private pension bills have gone through, and not one of them granting pension on account of service in the war of the rebellion—not one out of 991. Now, I would like to see one such bill get through; I should like to see some soldier of the late war pensioned by this Fifty-third Congress before the election.

Therefore I will withdraw my motion that this bill be laid aside with a favorable recommendation, and in the hope that we may meet some bill which will be satisfactory to gentlemen who have been interposing objections I will ask unanimous consent

that this bill be passed over without losing its place, and that the next bill be taken up.

Mr. JONES. I object. Mr. Chairman—— [Cries of "Regular order!"]

The CHAIRMAN (Mr. WEADOCK). The gentleman having objected, the question is on laying the bill aside to be reported to the House with a favorable recommendation. For what purpose does the gentleman from Virginia rise?

Mr. JONES. I rise to speak to the question before the committee.

The CHAIRMAN. The Chair begs leave to remind the gentleman that—

No member shall speak more than once to the same question without leave of the House, unless he be the mover, proposer, or introducer of the matter pending, in which case——

Mr. JONES. How many times have I spoken on this bill?

The CHAIRMAN. Three times, to the Chairman's knowledge.

Mr. JONES. I beg leave to differ with the Chairman. I have not done any such thing.

The CHAIRMAN. The RECORD shows how often the gentleman has spoken.

Mr. JONES. I have not spoken three times on this bill, or twice. The report was read in my time, and I did not say one word. After that the gentleman from South Dakota got the floor in my time; and I have not addressed the Chair or the House since.

The CHAIRMAN. That is true as to this evening; but the gentleman spoke on this bill a week ago and two weeks ago.

Mr. JONES. Does the Chair mean to hold that because I spoke on this bill a week ago and two weeks ago, I can not speak on it again to-night?

The CHAIRMAN. Most certainly.

Mr. JONES. Then I understand that, as I have heretofore spoken on this bill twice—once a week ago and once two weeks ago—I can not speak on it at all to-night?

The CHAIRMAN. That is my understanding of the rule.

Mr. JONES. I desire to have the ruling of the Chair on that point, because I will appeal from any such decision as that.

The CHAIRMAN. The Clerk will read the sixth clause of Rule XIV.

The Clerk read as follows.

No member shall speak more than once to the same question without leave of the House, unless he be the mover, proposer, or introducer of the matter pending, in which case he shall be permitted to speak in reply, but not until every member choosing to speak shall have spoken.

Mr. WILLIAMS of Illinois. I understand that the gentleman from Virginia [Mr. JONES] desires only five minutes, and I ask unanimous consent that he be allowed to speak for that time. I think this is the quickest way to get rid of this matter.

The CHAIRMAN. Is there objection?

Mr. McKEIGHAN. I object.

Mr. JONES. I would like to have a ruling of the Chair on the question of my right to the floor to discuss this bill.

Mr. McKEIGHAN. I object.

The CHAIRMAN. Does the Chair understand the gentleman from Nebraska to withdraw the objection?

Mr. McKEIGHAN. I refuse to withdraw the objection.

Mr. JONES. I ask a ruling of the Chair on the question of my right to address the committee. The gentleman from South Dakota has addressed the House on this question more frequently than I have, and he has been permitted to speak without limit. He has spoken five, or perhaps ten times on this very bill.

The CHAIRMAN. The Chair did not understand the gentleman had previously spoken on the bill. But the Chair will recognize the gentleman from Virginia in his own right.

Mr. JONES. I merely wish to say a word in reply to some remarks that have fallen from the lips of the gentleman from South Dakota [Mr. PICKLER] and the gentleman from Iowa [Mr. LACEY]. In the first place, I will remind the committee that the reason no more pension bills have been passed by this Congress——

Mr. McKEIGHAN. Mr. Chairman, I object to this debate.

The CHAIRMAN. The Chair is admonished that the practice has been to recognize members even if they have spoken more than once, and therefore the Chair recognizes the gentleman from Virginia, who is talking in his own time.

Mr. JONES. I will first call the attention of the gentleman from Iowa to a statement made by him, that only three pension bills have been passed at this session of Congress. I want to direct his attention to the fact that many more than that number of bills have passed this branch of Congress.

Mr. HULL. How many more?

Mr. LACEY. Forty-one have passed the House.

Mr. JONES. The gentleman from Iowa admits that forty-one have passed the House; and the only reason, I can tell the gentleman, why they have not passed Congress is because they have not been able to secure consideration at the other end of the Capitol. In that branch of Congress there is pending to-day a measure involving the interests of thousands upon thousands of people throughout the length and breadth of this land, and the passage of which is being blocked by the political associates of the gentleman from Iowa.

I want to say to the gentleman that the reason why those forty-one pension bills, of which he spoke, have not become laws at this Congress is because his party associates at the other end of the Capitol are preventing and blockading all legislation by their obstructive tactics, and in order to prevent the passage of a measure for which the people of the country are clamoring, and on account of the delay in the passage of which every interest in the land is suffering.

And I want to say to the gentleman from South Dakota, who has been kind enough to say to those of us on this side of the House who have sometimes objected to the passage of these bills and sometimes been guilty of demanding that a quorum shall be present when bills of the character of this one are passed—I want to say to him that I am very much obliged to him for stating that he does not find any fault with us personally for our conduct in regard to these matters, which he nevertheless seems to consider very reprehensible.

But the gentleman does some of us on this side of the House very great injustice when he says our object is to defeat all pension legislation, and when he says that we roll these particular classes of cases under our tongues as sweet morsels, because we find in them excuses to block pension legislation.

Mr. PICKLER. I did not mention the gentleman from Virginia.

Mr. JONES. As I believe there has been some sort of an understanding on this side of the House that if bills which did not come within the classes mentioned by the gentleman from Missouri [Mr. CLARK] were taken up and considered on their merits there would be no quorum demanded; and the only objection that has come to that proposition has come from the gentleman from South Dakota and other gentleman on his side of the House.

Now, the only reason that these bills, which the chairman of the Committee on Invalid Pensions speaks of as pending here, have not been considered, is because of the persistency and the obstinacy of gentlemen on the other side, who insist on blocking all legislation on the subject of pensions by keeping before this body bills that they know there will be objection to and that they know can never be passed by this body without the presence of a quorum.

The gentleman from South Dakota said, in reply to the gentleman from Missouri, that the bills that have been before the committee for the purpose of removing charges of desertion have been to correct the military records of poor boys who technically deserted after the close of the war in order to join their mothers, or husbands who left the Army for the purpose of seeing their wives and children. I want to say to the gentleman that the only bill I now recall to remove the charge of desertion which has given rise to long discussion, was one where the facts showed the man had twice deserted, and both times to go to Mexico to continue his fighting under another flag and for another country. That was the case that excited the admiration of my friend from Alabama [Gen. WHEELER], simply because the fellow deserted in order to satisfy further his desire for war.

These are the character of bills we are opposed to—bills correcting military records of desertion to put the deserters on the pension rolls; bills intended—and the gentleman himself admits he is not so much in favor of that class of bills—to increase the pensions of the widows of officers (and I understand the committee, of which he is a member, is not very favorably disposed to that class of cases either), and bills to pension widows who have remarried, but who have since lost their second husbands.

Those are the three classes of cases that have been blocking legislation. Those are the cases that I and those who have acted with me have objected to, and those are the cases that the gentleman from South Dakota [Mr. PICKLER] persists in keeping before this body, if not for the purpose, certainly with the result, of preventing all legislation on the numerous bills now awaiting action, and many of which may be meritorious.

I have heard no gentleman on this side object to considering cases not embraced in the enumerated classes. Certainly I have never objected to them, and I came here to-night with the hope that gentlemen on the other side of the House would see the futility of trying further to force through this body this objectionable class of cases, and that they would leave those cases and take up individual cases not open to the objection so often urged upon this floor.

So far as I am personally concerned, I never expect to support

any bill to pension anybody unless I am persuaded that it is a meritorious bill. Every bill should be discussed, or, at least, the report should be read in each case, and when that has been done I shall be prepared to vote upon all cases not embraced in the classes which have been named.

If there are cases here that are meritorious, there will be nobody in this House more willing than myself to have the committee pass upon them. If I can not support them, I will vote against them, and unless they are more than ordinarily objectionable, I will not raise the question of a quorum against them. Now, Mr. Chairman, I withdraw my objection to passing this bill by without prejudice.

Mr. RAY. Mr. Chairman——

Mr. MARTIN of Indiana. I beg the gentleman's pardon for asking to occupy the floor for a few minutes.

Mr. RAY. Very well.

Mr. MARTIN of Indiana. It is a matter that is somewhat personal to myself. The gentleman from South Dakota [Mr. PICKLER] made a remark a little while ago, perhaps inadvertently, to which I desire to call his attention and the attention of the committee.

Mr. Chairman, as chairman of the Committee on Invalid Pensions, I have felt somewhat of a responsibility resting upon myself to insist, whenever a Tuesday morning came, on a meeting of the Committee on Invalid Pensions, and whenever a Friday morning came to insist on having a meeting of the committee, and on every Friday night that we should have a meeting here. I have felt all the time that it was my duty to insist on carrying out the rule of the House requiring a Friday night session.

I think I have been as attentive as any other member of the House in coming here and, with deference to the feelings of every other member on this floor, undertaking to secure the passage of some of the bills which have required the work, the care, and the study of the Committee on Invalid Pensions. I am sure that every member of the Committee of the Whole now present will bear me out in this, that I have persistently, night after night, insisted upon the passage of the bills favorably reported by our committee in the order in which they have stood upon the Calendar.

I have insisted week after week, by my personal intercourse with members, and in every way that I know of have tried to induce members of this House on both sides to come here for the purpose of making a quorum. No member of this House has felt so keenly as I have the fact that, after discussion on bills had taken place, after members had occupied the floor for fifteen or twenty minutes, or maybe an hour, that when a bill came to passage and an overwhelming majority sustained the views of the Committee on Invalid Pensions, that then the point of no quorum should be insisted upon.

But, Mr. Chairman, that is a thing that I can not help. The consience of each member is in his own keeping. I feel that I have done my duty when I have insisted, in a gentlemanly and earnest way, upon the consideration and passage of these bills by this committee.

But, Mr. Chairman, I recognize this fact. Night after night we have failed to secure the passage of these bills because the point of no quorum has been made. Thirty-five bills are now on the Calendar, reported from the Committee on Invalid Pensions.

Mr. LACEY. Will my colleague yield?

Mr. MARTIN of Indiana. In a moment. Of these, nine are of a kind to which objection has been made. Twenty-five others of these bills are of a class to which I think there can be no objection, embracing in some instances relief in cases of destitution which appeal to the sympathy of every member of this committee.

In view of that fact, can the gentleman from South Dakota [Mr. PICKLER] afford to say, because I wish that human distress shall be relieved, because I ask this committee to pass over bills which every member present here knows can not be passed on account of the absence of a quorum, in order that we may pass to the consideration of other bills for the relief of want, for the relief of people in the poor house, for the relief of the imbecile and insane, for the relief of people lying upon sick beds—can the gentleman from South Dakota [Mr. PICKLER] afford to say here to-night that I have surrendered, in the matter of the consideration of these bills, when I ask that they be passed over?

Mr. PICKLER. Mr. Chairman, if the gentleman will allow me, the chairman of the Committee on Invalid Pensions knows very well that I never reflect on him. I believe the soldiers have as good a friend in him as can be found. My suggestion was that it was humiliating that any two or three members could compel the gentleman to surrender. Another thing. Some of these widows are in poorhouses and are just as poorly situated as the class of people whom the gentleman describes. These widows have the right to have their cases considered.

Mr. MARTIN of Indiana. Let me say in regard to that, that in the Fifty-second Congress I had the honor to report a bill for the relief of the whole class of remarried widows whose second husbands had died.

It is not violating the secrets of the Committee on Invalid Pensions to say that a general bill has been agreed upon, though not yet reported, to reach cases presented by this bill, and also in regard to remarried women whose second husbands have died. That report, Mr. Chairman, will soon be before the House for its action. I will not consent under any circumstances to abandon a case, because I believe they are right; I believe that we should not because they are objected to; but when we can not help ourselves we should not refuse to pass to the consideration of other bills.

Mr. Chairman and gentlemen, I appeal to members of this committee on both sides of the House, as to whether I have ever asked of you to do that which is dishonorable, or asked any gentleman who believed in the justness of a bill to retreat from his own position on that subject. But we are confronted with this condition. What shall we do? Had the request I preferred this evening, before a bill had been taken up for consideration, been agreed to—and I say this not to criticise the objection made by any gentleman—but had that been agreed to we would have tested that which the gentleman from South Dakota [Mr. PICKLER] seems to question, the good faith of all the members of this House; and if they had acted in good faith—and I have no reason to doubt their words and their declarations—I think they would have done as they said, instead of being now at ten minutes to 10 o'clock, within forty minutes of the time when we must adjourn, engaged in this debate, we would have considered and I believe that this committee would have been ready to report favorably to the House a dozen or twenty bills to relieve the sufferings of some distressed people. [Applause.]

Mr. PICKLER. There is plenty of time if they will repent.

Mr. RAY. I notice, Mr. Chairman, that the gentlemen on the other side of this House, who have occupied two hours in constant talk, are now, just as the hands of the clock approach the hour when we must adjourn, very, very anxious that gentlemen on this side say nothing and that we go ahead, as the gentleman remarks, and pass a few bills——

Mr. MARSH. Twenty of them.

Mr. RAY (continuing). When they know that not one pension bill can be discussed or voted upon, and when they know that it is not desired that a pension bill shall be discussed or voted upon, how suddenly virtuous after a long career of dissipation!

Mr. TAYLOR of Indiana. Does the gentleman refer to me?

Mr. RAY. Now, if the gentleman will kindly obey the rules of the House for a few minutes I have a few words that I desire to utter, and my only excuse for speaking is that the hours of this session are gone by and that we have reached that hour when it is impossible to do any business. [Cries of "Oh, no!"]

Mr. OUTHWAITE. If you will stop talking we can.

Mr. RAY. Oh, yes; the gentleman from Ohio is now very anxious, having got his bill through——

Mr. OUTHWAITE. Yes, that others shall get theirs through.

Mr. RAY (continuing). And the hours of this session having been wasted by gentlemen on his side of the House, that we should keep silent on this side; but we shall not keep silent. I have the floor, and I propose to occupy it until I am through with my remarks.

Mr. TALBERT of South Carolina. Break away.

Mr. RAY. The gentleman from Ohio has been heard, and I voted for his bill, because it was a pension bill and would assist a poor woman who thought she was a soldier's wife, against my better judgment. [Laughter and applause.] Because—yes, I did it—because I was voting, as was said here by some of our friends, to pension a woman who never was the widow of a soldier; and the gentleman from Ohio knows that his associates—he has not done it—who voted for his bill to-night, have come here time and time again and done everything they could to prevent the granting of a pension to honest, poor, and destitute widows of a Union soldier. But they stand by the gentleman from Ohio out of Democratic courtesy, I suppose.

Mr. COX. I rise to a question of order.

The CHAIRMAN. The gentleman will state it.

Mr. COX. What is there before the committee that is open to debate now? There was a request for unanimous consent.

The CHAIRMAN. Not at all. There is a bill pending before the committee.

Mr. COX. Unanimous consent was asked that that bill be sent to the heels of the Calendar. The gentleman from Virginia [Mr. JONES] objected, and then withdrew his objection, and I do not know what is before the House. The gentleman from South Dakota also objected, and withdrew his objection.

The CHAIRMAN. That request has not been submitted to the House.

Mr. COX. It was submitted.

The CHAIRMAN. The question has not been formally submitted again.

Mr. WILLIAMS of Illinois. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman can not take the gentleman off the floor.

Mr. WILLIAMS of Illinois. Mr. Chairman——

Mr. RAY. I believe I have the floor.

The CHAIRMAN. The gentleman from New York has the floor. The bill is before the committee.

Mr. WILLIAMS of Illinois. I rise to a point of order, then.

The CHAIRMAN. The gentleman will state it.

Mr. WILLIAMS of Illinois. The request was made from the Chair that the bill before the committee be laid aside without prejudice. The gentleman from Virginia [Mr. JONES] objected, but afterwards withdrew his objection. Was it not, then, the duty of the Chair to have declared the bill laid aside without prejudice, or at least to have asked whether there was further objection?

The CHAIRMAN (Mr. DOCKERY). The present occupant of the chair was not presiding at the time, but his recollection is——

Mr. WILLIAMS of Illinois. The gentleman from Virginia [Mr. JONES] can answer for himself as to having withdrawn his objection.

The CHAIRMAN. In the case stated by the gentleman from Illinois it would have been the duty, or at least the privilege, of the Chair to have again submitted the question and asked whether there was further objection; but that was not done, so the bill is still pending, and the gentleman from New York has the floor.

Mr. RAY. Mr. Chairman, I do not wonder that some of the gentlemen on the other side are mighty anxious to raise a point of order as a means of preventing any member on this side of the House from being heard.

In the first place, I desire to call the attention of this committee to the proposition of the chairman of the Committee on Invalid Pensions, presented here repeatedly, to abandon all of these bills on the Private Calendar except one certain class, and to take up and consider those. What assurance has he that if we do abandon three classes of cases the same gentlemen on his side who now object will not raise objections to the remaining class? When we have surrendered three points and only one is left, then we shall be at the mercy of these same gentlemen as to the other bills, and if they raise the point of no quorum they will have made these Friday night sessions absolutely futile and fruitless.

It seems to me that the correct rule by which the members of this committee should be guided is to regard the principle upon which bills are reported from the various committees of this House, and when those committees have found certain bills and measures to be meritorious and proper to come in here, into the House, then we, like good citizens, faithful representatives of the people, and I may say like good soldiers, should stand by our guns, and if any gentleman throws in objections of any kind, let us fight it out on the line of justice to the Union soldiers, even if it takes all of these Friday night sessions, even, in the words of Grant, "if it takes all summer."

I do not believe in yielding the principle upon which these bills are reported because of the factious opposition of any one, or two, or of half a dozen men. If the bill is just and proper and meritorious, and ought to become a law, we fail in our duty if we yield to the groundless objections of any Representative here. Let us stand by the right, and if we go down let us go with colors flying.

If a quorum is not present there is a way to produce a quorum. Let us exert the powers that abide in this House and a quorum can be produced here on Friday evenings the same as it can be produced on any day that Congress is in session. The suggestion has been made that we set aside one day or two days in the House for the consideration of these pension bills.

Mr. MARTIN of Indiana. I will ask the gentleman whether it is not a fact that within the two hours and a half to which these Friday evening sessions are confined, the attempt to procure a quorum in the way he suggests would simply result in the expenditure of whatever amount of money was necessary and finally in an adjournment without a quorum? That has been my experience.

Mr. RAY. Well, that may have been the gentleman's experience, but during this session of the Fifty-third Congress I have not seen the experiment tried.

Mr. BRETZ. It has been tried.

Mr. RAY. No effort, so far as I know, has been made to produce a quorum on any Friday evening here. Now, it rather strikes me that if the officers of this House should set themselves busily to work they could produce a quorum. If you will do me the honor to make me your Sergeant-at-Arms, and give me the power to appoint deputies, I will go into all the saloons——

Mr. WILLIAMS of Illinois. Of course you will. [Laughter.]

Mr. RAY. I will go into all the saloons and hotels and parlors, and in the very first saloon I strike I shall probably find anywhere from twenty-five to fifty Democratic objectors to pensions. [Laughter.] Now come again if you want to. Mr. Chairmain, what I was saying is that we could produce a quorum here if we desired to do it. The suggestion has been made that we should have the Committee on Rules set aside a day or two for the consideration of pension bills, and some of my Republican friends are so green as to think that that is a bona fide proposition, or that the Committee on Rules would seriously consider it.

Why, sir, the Committee on the Judiciary which has charge of the most important legislation, except the appropriation bills, affecting the people of this great country, has been clamoring for a week or even for a day or two for the consideration of the many important measures that are reported from that committee, and thus far it has been absolutely impossible to get an hour's time; yet gentlemen think that the Committee on Rules, after our rules have set apart every Friday evening for the consideration of pension bills, would step in and assign a day or two days to this particular business!

The idea is ridiculous upon its face, and it hardly seems to me that the proposition can have been advanced in good faith. But suppose that were done by the Committee on Rules, what would be the result? Why is it that our Democratic friends, with their majority of 80 or 90, are not here at these Friday evening sessions? Is it because they are busy elsewhere saving the country? Not at all. It is because they are not disposed to come here. It is because they do not want to come here. It is because they do not intend to come here to help pass these pension bills. It is because they think that enough pension legislation has passed the Congress of the United States, and therefore they remain away from these Friday evening sessions.

Mr. PENDLETON of West Virginia and Mr. CAPEHART rose.

Mr. PENDLETON of West Virginia. I should like to ask the gentleman a question.

Mr. RAY. I can not accommodate you all at once.

Mr. PENDLETON of West Virginia. Just one question: Why is it that the Republicans are not here? There are only about twenty Republican members here.

Mr. RAY. I will answer that question in a minute. Now, what is the other gentleman's question?

Mr. CAPEHART. I merely wanted to make a similar suggestion. There are three times as many Democrats here as Republicans.

Mr. RAY. Very good. Two gentlemen have made the same point, or asked the same question. Now, it will be a saving of time to answer both at once.

Mr. CAPEHART. How many nights have you been here?

Mr. RAY. I have been here every Friday night, with two exceptions. I never have made a speech before to-night at any one of these Friday night sessions. I have come here and seated myself, and behaved myself like a gentleman. [Laughter.] I have listened to rant and declamation, principally from your side of the House, all of you proclaiming your love for the Union soldier, all of you telling how much you would do for the Union soldier if we would only give you a chance. And then just as we had a bill well under way—when every man in the House, Republican or Democrat (it made no difference which), rose up in favor of the bill—some particular member on your side of the House who had kept silent as a mouse, quiet as "pigs in thunder" down to that particular moment, would rise up with all the dignity of an American legislator and raise the point of "no quorum;" and so all the work previously done would be fruitless.

Now, you ask me a question which I have not answered and which I desire now to answer without interruption. You ask me——

Mr. LIVINGSTON rose.

Mr. RAY. Let me answer this question first, and then I will listen to you.

Mr. LIVINGSTON. I wanted to suggest that with the number of Democrats we have here to-night, if you had the entire representation of your party here, we would have a quorum.

Mr. RAY. Oh, yes; the blame is all on the Republicans! I have two points to make on that before I get through, because the gentleman from South Carolina has brought that up already. Now, I want to answer why the Republicans do not come here. In the first place, the Democratic party holds control of this House by about 90 majority. We have come here—the Republicans I refer to now—we have come here night after night——

Mr. WILLIAMS of Illinois. When?

Mr. RAY. Early in the session—all there were of us.

A MEMBER. How many?

Mr. RAY. Every one of us. We would muster every man and come here. But we could not muster a quorum. We have not enough Republican members in this House to muster a quorum. But, thank God, Mr. Chairman, in the next Congress we are going to have enough, a great abundance, so that we can muster a quorum on this side of the House; and we will not ask any odds of you on that. [Applause on the Republican side.] That is one reason why we do not come here any more. We have got sick and tired of it. Every time we come here, our feelings are so stirred up——

Mr. PENDLETON of West Virginia. I would like to ask you another question.

Mr. RAY. Let me answer this one.

Mr. PENDLETON of West Virginia. I thought you had got through.

Mr. RAY. We are so stirred up; we are made so indignant through and through by the kind of talk that we hear from such gentlemen on your side as the gentleman from South Carolina, to whom I desire to address a few remarks before I get through, that many keep away. We found it useless to come.

Mr. TALBERT of South Carolina. Are you not mistaken in referring to me? I will be on hand if you want to talk to me.

Mr. RAY. I beg the gentleman's pardon. I did not refer to him.

Mr. PENDLETON of West Virginia. Was the gentleman a member of the Fifty-first Congress; and does he not know that never during that Congress was there a Republican quorum in this House on any Friday night, at any time in the history of the American Congress?

Mr. RAY. Oh, my dear, lovable, generous, eloquent friend from West Virginia, do not travel so far back in history! [Laughter.]

Mr. WAUGH. Allow me to say that the Fifty-first Congress passed more than 1,300 private pension bills; the Fifty-second Congress passed but 200; and this Congress has passed only 3 up to date.

Mr. PENDLETON of West Virginia. Of course, there must be fewer pension bills from year to year. You do not expect these bills to increase in number as time goes on.

Mr. RAY. My colleagues have presented very truthfully the work that was done by these past Congresses; but if the Fifty-first, or the Fiftieth, or the Forty-ninth Congress committed sins, that is no reason why we should commit sins. If they were guilty of errors of omission or commission, it is no reason why we should follow their pattern. We should take warning from them and do better ourselves.

But it seems to me sometimes that you gentlemen on the other side are trailing along in the halls of progress anywhere from two hundred to five hundred years behind the times; and when you talk on these subjects you insist on talking about something that is dead and gone and buried.

Mr. TALBERT of South Carolina. Like the Republican party.

Mr. RAY (continuing). Let the dead past bury its dead. Let us act like men in the living present. Let us do what we ought to do. Let us take hold of this pension legislation and consider these matters on their merits; and, if deserving of a favorable recommendation at the hands of this committee, let us say so and report the bills to the House for its action.

Mr. PENDLETON of West Virginia. I am ready to report one before we go to-night if you will give us a chance.

Mr. RAY. I desire to call the attention of gentlemen to the fact that no Republican on a pension bill has ever made the point of no quorum. If you can find one noted in the CONGRESSIONAL RECORD who has done it, I will give you a premium of $25. That ought to satisfy the fastidious taste of my esteemed friend from West Virginia. And, Mr. Chairman, no Republican ever voted, it is suggested to me, against a general pension law for the Union soldiers.

And I want to say to gentlemen on that side of the House that I have seen bill after bill presented to this House for the pensioning of men who served in the Indian wars and served in the Mexican war, and after that time went into the war of the rebellion and fought against the Union; I have seen bill after bill in their behalf. There were men on this side who voted against the pensioning of that class of men. I was not one of that class. I do not care how many years a man fought or how well he fought in the armies of the Confederacy.

I believe that the rank and file of that army were as sincere and honest in their convictions as were the boys who wore the blue; and while I would not give them a pension for that service, yet, if previous to making that mistake, they fought under the Stars and Stripes to maintain the dignity, the character, and the honor of the old flag and the honor of the country, I would give them a pension; and the fact that they fought in the Confederacy makes no difference to me when called on to act on such a question. We have wiped that score out. We have extended to them the right hand of fellowship.

Whenever an old soldier of the Confederacy comes up loyally to the support of the Union under the Star Spangled Banner, he will find the hand of fellowship extended to him, the fraternal hand extended in a warm and friendly grasp; we will treat him the same as we treat one of the boys who wore the blue, just so long as he behaves himself, obeys the laws of the country, and adheres to the principles of the Constitution. I do not know how you can ask any man to go farther or to take broader ground than that.

I trust you will not look upon me as a partisan in this matter, but I do feel that if any class of American citizens are deserving of recognition at the hands of this Government it is that class of men who now, when their hairs are growing gray, are going with trembling feet towards the grave, conscious of duty nobly done—it is that class of men who fought for the Union in its days of trial and peril and gave their all, and became diseased or maimed on the field of battle and in the service of the country. I assert if there is any class of men deserving consideration, these are the men.

They and their orphan children and their widows are deserving of recognition at the hands of this Government, and I hope no man in this Congress or out of it will ever sneer at the idea of giving a pension to one of that class of our citizens. True and devoted when we needed true men, let us be true to them now.

Now, Mr. Chairman, one other thing and I have done. A few moments ago the gentleman from Virginia over yonder somewhere taunted my friend from Iowa [Mr. LACEY] in reference to a certain matter pending in the Senate. He said the reason that more pension bills had not passed the Fifty-third Congress was because his political associates on this side—referring to the Republicans—had blocked legislation in the other branch of Congress. I desire to resent that imputation.

Some months ago—so long indeed that it is almost past the memory of the members of this body—a bill known as the Wilson tariff bill, under whip and spur did pass this House and went over to the Senate. It went into the Finance Committee, into the hands of a Democratic committee, and there it slept for weeks and weeks. The sugar trust of New York City had fastened on it its long and bony fingers; and that sugar trust decreed that that tariff bill should not come out of the Finance Committee of the Senate of the United States until the proposed legislation had been made agreeable to it.

For weeks, perhaps I may honestly and truthfully say months, the bill, shorn of all its ornaments, so much changed and torn and riddled that its own father in this House would not and could not have recognized it, emerged into the full light of the Senate and of the country, and then the Democrats of that body commenced to quarrel over it, and that quarrel has been in progress ever since, waxing hotter and hotter all the time, and you know it. Finally, after some weeks of quarreling, it was recommitted, or in some way or other it went back into the Finance Committee, and finally there was something like 425 or 430 amendments proposed to that bill. By whom? By the Republicans? No; by the Democrats.

A MEMBER. And by the sugar trust.

Mr. RAY. Yes, and it is suggested by the sugar trust, which is probably true. I do not know; I would have to inquire of my Democratic friends, not having associated with the sugar trust myself. No sugar has fallen on my plate. Well, with these amendments, the bill again came before the Senate, and there it has dragged its slow length along. Who has opposed it most bitterly? Who are the known enemies of that bill? Is it the Republicans? Why, you come now with a bill in many of its features so near the McKinley tariff bill which you denounced so bitterly in days gone by, you come so near to it in many features that you can only distinguish the difference with a magnifying glass.

It is full of the protection you once so bitterly denounced, although the protective features are entirely sectional. Rice is protected; the sugar trust is tenderly cared for, but the Northern farmer is forgotten, and his sheep bleat in vain for mercy. Republicans oppose the bill surely, honestly, and conscientiously, for it is unfair and sectional, not broad and comprehensive.

You approach the McKinley bill in some respects——

Mr. TAYLOR of Indiana. Including the sugar trust.

Mr. RAY. Oh, no; there is one of the great differences. The Republican party, when it had control of legislation, took the duty off sugar and gave free sugar to every citizen of the United States; but our Democratic friends, after claiming for months and years upon every stump in the country that they would lessen taxes for the poor man, have turned squarely around and at the beck and nod of the sugar trust are proposing to tax every poor man who uses a single grain of sugar

Mr. JONES. Will the gentleman allow me to ask him a question?

Mr. RAY. Yes.

Mr. JONES. Did I understand you to say that the McKinley bill made sugar free to everybody?

Mr. RAY. Well, I said that in substance and effect.

Mr. JONES. Is that true?

Mr. RAY. Well, I so understand it. I am not going to stop here to discuss all the details of the tariff bill, for I have not got time. I must get through now. But the Democratic party over in the Senate, after holding meeting after meeting behind closed doors, has at last bowed down to the god of sugar.

Mr. PENDLETON of West Virginia. Will the gentleman allow me to make a suggestion?

Mr. RAY. Yes.

Mr. PENDLETON of West Virginia. We only have about ten minutes remaining, and there is an old widow, about 71 years of age, who is waiting to get her pension, and if the gentleman will quit right now we will pass it. It will be the best thing he has ever done yet for the widows.

Mr. RAY. All right. You have made your suggestion, now let me make mine. I know of hundreds of poor widows——

Mr. PENDLETON of West Virginia. Well, this one is waiting.

Mr. RAY (continuing). Who have been waiting for their pensions for themselves and their orphan children for thirty long years. They have appealed again and again to the Democratic party for what is their due without avail, and I want to say to the gentleman that if this old widow, whom he now has his eye on——

Mr. PENDLETON of West Virginia. I want her bill to get through to-night.

Mr. RAY (continuing). Waits until the gentleman from West Virginia champions her cause, she will wait until a thousand and one years after doomsday.

Mr. PENDLETON of West Virginia. Is the gentleman ready to let us have a vote now?

Mr. RAY. Now, I will say——

Mr. CABANISS. Will the gentleman allow me to ask him a question?

Mr. RAY. Yes.

Mr. CABANISS. You state that the present tariff bill is in the interest of the sugar trust. Under the McKinley bill was there not a tax of one-fourth of 1 cent upon sugar above a certain standard, and was not that tax in favor of the sugar trust and the sugar trust alone?

Mr. RAY. There was something of the kind, but not in favor of a sugar trust; but I just told the gentleman that I was not going to stop here to discuss the cents and the half cents in the McKinley tariff bill.

Mr. CABANISS. What is the duty proposed in the present tariff bill? Is it not one-eighth of a cent a pound on refined sugar?

Mr. PENDLETON of West Virginia. It is less than the McKinley bill.

Mr. RAY. I want to say to the distinguished gentleman that he knows more about the sugar trust, more about its operations, more about its true inwardness, than I do, because he is in it, and his party is in it away up to the chin, and it is going to bother you mightily to get out. [Applause on the Republican side.]

Mr. PENDLETON of West Virginia. I will make another suggestion to my friend——

Mr. CABANISS. I want to thank the gentleman for the information he has given me about the sugar trust.

Mr. RAY. We are not in the sugar trust at all.

Mr. CABANISS. I do not know a single man connected with the sugar trust, or anyone who has any interest in it.

Mr. RAY. One other suggestion——

Mr. CABANISS. What the gentleman has said is not true, and he knows it.

Mr. RAY. Who was it that led the war in the Senate of the United States against the Wilson tariff bill as it came forth from the hand of the Finance Committee? Who was it that led the war against it even after the four hundred amendments had been proposed? Why, it was that man who two years ago was looked up to and worshipped by the Democratic party all over this land as the one only great "I am a Democrat." Do you know who it was? Do you love him to-day? Who obstructs tariff legislation in the Senate? Is it the senior Senator from the great State of New York, or is it the Republican party in the Senate?

Take that proposition into your innermost consciousness and solve it to your own satisfaction, if you can.

Mr. PENDLETON of West Virginia. I would like to tell the gentleman from New York that the widow has only six minutes in which to get her pension to-night.

Mr. RAY. I have already said that there are too few Republicans to grant any relief to the widows and orphans of the old soldiers, and they long ago gave up all hopes of receiving any support from such gentlemen as the one who addressed me from the State of West Virginia [Mr. PENDLETON]. You are a good man, you are a good Democrat, you mean all right, but you have no sympathy——

Mr. PENDLETON of West Virginia. The widow has only five minutes now.

Mr. RAY (continuing). In your heart for the old Union soldier, nor for the widow, nor the orphans of the Union soldier.

Mr. PENDLETON of West Virginia. We will have one widow on the rolls in five minutes.

Mr. MARTIN of Indiana. I desire to ask the gentleman if he has concluded?

Mr. RAY. We have a pension bill under consideration, and I think it is a bill for the relief of the widow of an old soldier. Am I not correct?

Mr. MARTIN of Indiana. You are.

Mr. RAY. That being the case, Mr. Chairman, I now, in conclusion, and in order to test the good faith of my Democratic friends, who for the last hour have been clamoring with their mouths, but objecting in their hearts, for an opportunity to do something for the widow of an old soldier, ask unanimous consent that this pending bill be laid aside with a favorable recommendation.

Mr. TAYLOR of Indiana. I am glad you stated the time and the hour you occupied.

Mr. MARTIN of Indiana. I beg the attention of the committee for a moment. There is a proposition before the House to pass some bill. A bill is pending.

The CHAIRMAN. The Clerk will report the title of the bill, which was reported two hours since.

The Clerk read as follows:

A bill (H. R. 3693) granting a pension to Louisa B. Hull, widow of James E. Darrow.

The CHAIRMAN. The gentleman from New York asks unanimous consent that this bill be reported to the House with a favorable recommendation.

Mr. STALLINGS. I object.

The CHAIRMAN. Objection is made.

Mr. MARTIN of Indiana. The request was, that it be laid aside without prejudice.

The CHAIRMAN. But the gentleman from New York [Mr. RAY] submitted a request for unanimous consent.

Mr. WILLIAMS of Illinois. There was a request made previous to that.

The CHAIRMAN. Objection was made on the right.

Mr. LACEY. I call for a vote on the bill.

Mr. LIVINGSTON. I demand the regular order.

The CHAIRMAN. The question is on laying aside the bill with a favorable recommendation.

The question was taken, and the Chairman announced that the ayes seemed to have it.

Mr. STALLINGS. Division.

The committee divided; and there were—ayes 35, noes 19.

Mr. JONES. No quorum.

The CHAIRMAN. The gentleman from Virginia makes the point of no quorum. The hour having arrived for the adjournment, under the rule of the House, the committee will rise, the point of no quorum being pending.

The committee rose; and Mr. BROOKSHIRE having resumed the chair as Speaker *pro tempore*, Mr. DOCKERY, chairman of the Committee of the Whole, reported that that committee had had under consideration bills on the Private Calendar and finding itself without a quorum the committee rose.

The SPEAKER *pro tempore*. The hour of 10 o'clock and 30 minutes having arrived, the Chair declares the House adjourned.

REPORTS OF COMMITTEES ON PRIVATE BILLS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

By Mr. CAMPBELL, from the Committee on Claims: A bill (H. R. 664) for the relief of Joseph Hague, of New York City, N. Y. (Report No. 1088.)

By Mr. RYAN, from the Committee on Invalid Pensions: A bill (H. R. 6901) to increase the pension of Maj. Gen. Julius H. Stahel. (Report No. 1089.)

By Mr. MARTIN of Indiana, from the same committee: A bill (H. R. 6651) to pension Susannah Kepford, of Noble County, Ind. (Report No. 1090.)

Also, the bill (H. R. 6927) granting a pension to Elizabeth M. Thomas, formerly Elizabeth M. Swain. (Report No. 1091).

By Mr. ERDMAN, from the same committee: A bill (H. R. 6187) for the relief of Martha Lindsay. (Report No. 1092.)

By Mr. BALDWIN, from the same committee: A bill (H. R. 6868) for the relief of Catherine Ott, widow of Joseph Ott. (Report No. 1093.)

By Mr. RYAN, from the Committee on Invalid Pensions: A bill (H. R. 1716) granting a pension to Ellen Carney. (Report No. 1094.)

Also, a bill (H. R. 2051) to grant a pension to Eunice Putman. (Report No. 1095.)

By Mr. LACEY, from the same committee: A bill (H. R. 4850) granting a pension to Marcus D. Box, of Company D, First Missouri Volunteers. (Report No. 1096.)

By Mr. FIELDER, from the same committee: A bill (S. 684) for the relief of Mrs. Evalyn N. Van Vliet. (Report No. 1097.)

ADVERSE REPORTS.

Under clause 2 of Rule XIII, Mr. MARTIN of Indiana, from the Committee on Invalid Pensions, reported adversely the bill (S. 1391) granting a pension to Mrs. Levenia D. Athon, widow of Dr. James S. Athon, deceased, of Indianapolis; which, with the accompanying report (No. 1104), was ordered to be printed, and indefinitely postponed.

PUBLIC BILLS.

Under clause 3 of Rule XXII, bills of the following titles were introduced, and severally referred as follows:

By Mr. CABANISS: A bill (H. R. 7460) to increase the number of army officers to be detailed to colleges—to the Committee on Military Affairs.

By Mr. LIVINGSTON: A bill (H. R. 7461) to amend an act entitled "An act to create a new division of the northern judicial district of Georgia," approved March 3, 1891—to the Committee on the Judiciary.

By Mr. WRIGHT of Pennsylvania: A bill (H. R. 7462) to pension certain widows and children of officers and enlisted men of the Army and Navy of the United States during the late war of the rebellion—to the Committee on Invalid Pensions.

By Mr. GEARY (by request): A bill (H. R. 7463) to provide for public improvements and employment of the citizens of the United States—to the Committee on Ways and Means.

PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as follows:

By Mr. CAMPBELL: A bill (H. R. 7464) in relation to refunding certain sums to port wardens and harbor masters—to the Committee on Claims.

By Mr. CLARK of Missouri: A bill (H. R. 7465) for the relief of William Armstrong—to the Committee on War Claims.

By Mr. HEPBURN: A bill (H. R. 7466) for the relief of William E. Fenton, a resident of Milledgeville, Iowa—to the Committee on Claims.

By Mr. LAPHAM: A bill (H. R. 7467) for the relief of Lewis Brown—to the Committee on Claims.

By Mr. McRAE: A bill (H. R. 7468) for the relief of William T. Holman—to the Committee on Pensions.

By Mr. WILLIAMS of Illinois: A bill (H. R. 7469) granting a pension to George C. Reynolds—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BAKER of New Hampshire: Petition of A. H. Hoyt and 150 others, of Penacook, N. H., praying that fraternal beneficiary societies, etc., operating upon the lodge system be exempt from the operation of any income-tax law which may be enacted—to the Committee on Ways and Means.

By Mr. BOEN: Petition of citizens of Douglas County, S. Dak., for a special election to decide the question of money, tariff, and an income tax by a direct vote of the people—to the Committee on the Judiciary.

By Mr. BOUTELLE: Petition of H. V. Porter and others, of Pembroke, Me., that fraternal beneficiary orders be exempt from the operation of the proposed income tax—to the Committee on Ways and Means.

By Mr. BRETZ: Petition of Thomas Campbell and others, of Vincennes, Ind., asking that certain fraternal societies be exempt from the operation of the income tax—to the Committee on Ways and Means.

By Mr. BROSIUS: Petition of Canestoga Council, No. 463, Royal Arcanum, of Lancaster, Pa., against imposing income tax on fraternal associations—to the Committee on Ways and Means.

By Mr. CARUTH: Views of John G. Wolf, of Louisville, Ky., in regard to the increase of tax on distilled spirits and the extension of the bonded period—to the Committee on Ways and Means.

By Mr. CRISP (by request): Petition from the Congress of American Physicians and Surgeons, asking the appointment of a special committee to investigate the prevalence of leprosy in the United States and adjoining countries—to the Committee on Rules.

By Mr. CUMMINGS: Petition of S. C. Gallot and 21 others, of New York City, praying that fraternal and beneficiary societies, etc., operating on the lodge system be exempt from the operation of any income-tax law which may be enactdd—to the Committee on Ways and Means.

By Mr. DRAPER: Petition of 94 citizens of Hiawatha, Kans.; 58 of Baltimore, Md.; 94 of Chicago, Ill.; 47 of Philadelphia and 51 of Foxburg, Pa.; 51 of Champaign, Ill.; 22 of Laramie, Wyo.; 16 of Trinidad, Colo.; 9 of Henderson, Ky.; 70 of Lincoln, Neb.; 21 of Wheeling, W. Va., and 11 of Rome, Ga., for the passage of House bill 5804, an act to promote the safety of railroad employés—to the Committee on Interstate and Foreign Commerce.

By Mr. EVERETT: Petition of Charles Chamberlain and other citizens of Lynn; of James L. Duncan and others, of Chelsea, Mass., in favor of exempting fraternal beneficiary associations from a tax on incomes—to the Committee on Ways and Means.

By Mr. FLETCHER: Petition of citizens of the State of Minnesota and members of certain beneficial associations, praying Congress not to put an income tax upon the funds of said associations, etc.—to the Committee on Ways and Means.

By Mr. FUNSTON: Petition of L. C. True, of Kansas City, Kans., for an amendment in the postal laws relating to obscene literature and letters—to the Committee on the Post-Office and Post-Roads.

By Mr. HARE: Petition of 83 citizens of Seneca County, Ohio, for passage of House bill 5246—to the Committee on Immigration and Naturalization.

By Mr. HEPBURN: Petition of Wells Peppers and 20 other citizens of Milledgeville, Iowa, asking relief for William E. Fenton—to the Committee on Claims.

By Mr. HULICK: Petition of Rev. John P. Scott, pastor of Presbyterian Church of Lebanon; Mary L. Frost, president, and Idelette Drake, secretary, of the Young People's Society of Christian Endeavor of the Presbyterian Church of Lebanon, Ohio, against lotteries using mails, etc.—to the Committee on the Post-Office and Post-Roads.

By Mr. IKIRT: Petition of Charles R. Judd and other citizens of Canton, Ohio, asking that all fraternal beneficiary associations be exempted from taxation—to the Committee on Ways and Means.

By Mr. KIEFER: Petition of P. S. Henderson and many others, of St. Paul, Minn., against imposition of income tax on fraternal beneficiary orders—to the Committee on Ways and Means.

By Mr. LOUD: Protest of J. D. Spreckles Bros. & Co. and 85 other managing ship-owners of San Francisco, against the passage of Maguire's shipping bills, H. R. 5501, 5502, 5503, 5304, 5505, 5506, and 5603—to the Committee on Merchant Marine and Fisheries.

By Mr. McNAGNY: Petition of William Frederick, Hudson, Ind., to correct his military record, with proof in support of petition—to the Committee on Military Affairs.

By Mr. OUTHWAITE: Petition of druggists of Lancaster, Ohio, urging increase of tax on beer and none on alcoholic spirits—to the Committee on Ways and Means.

By Mr. POST: Petition of J. M. Gross, of Peoria; Beardsley & Bailey, of Rock Island, and Froldech, Gardt & Co., of Galesburg, Ill., against an increase of tax on whisky and extension of bonded period—to the Committee on Ways and Means.

Also, petition of O. W. Walkup (secretary Royal Arcanum) and 18 other citizens of Galesburg, Ill., in favor of an amendment to the tariff bill exempting fraternal beneficiary societies, orders, and associations from taxation—to the Committee on Ways and Means.

Also, petition of the officers and members of Typographical Union No. 288, Galesburg Ill., in favor of claims of laborers and mechanics under eight-hour law—to the Committee on Labor.

By Mr. RUSSELL of Connecticut: Petition of citizens of Preston, Conn., in favor of legislation to suppress lotteries—to the Committee on the Judiciary.

By Mr. WASHINGTON: Petition of H. L. Claiborne and others, of Nashville, Tenn., asking an amendment to the proposed Wilson bill—to the Committee on Ways and Means.

Also, petition and resolution from Ragsdale and others, of Springfield, Tenn., protesting against the increase of the tax on whisky—to the Committee on Ways and Means.

SENATE.

SATURDAY, *June 16, 1894.*

The Senate met at 10 o'clock a. m.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. TELLER, and by unanimous consent, the further reading was dispensed with.

EXECUTIVE COMMUNICATION.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, with his approval, the draft of a bill submitted by the Chief of the Bureau of Statistics, requiring the agents of steam and sailing vessels to deliver to the customs officers at the port of sailing lists of passengers or emigrants embarking therefrom; which, with the accompanying papers, was referred to the Committee on Immigration, and ordered to be printed.

SOUTHERN UTE INDIANS.

The VICE-PRESIDENT. The Chair lays before the Senate a bill received yesterday from the House of Representatives.

The bill (H. R. 6792) to disapprove the treaty heretofore made with the Southern Ute Indians to be removed from the Territory of Utah, and providing for settling them down in severalty where they may so elect and are qualified, and to settle all those not electing to take lands in severalty on the west 40 miles of the present reservation and in portions of New Mexico, and for other purposes, and to carry out the provisions of the treaty with said Indians June 15, 1880, was read twice by its title.

Mr TELLER. I ask unanimous consent of the Senate to take up the bill and put it on its passage.

By unanimous consent the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read.

Mr. LODGE. I ask the Senator in charge of the bill what is its purport?

The VICE-PRESIDENT. The Senator from Colorado [Mr. TELLER] is in charge of the bill.

Mr. TELLER. In 1880 we made a treaty with the Ute Indians and gave them a tract of land 110 miles long by 15 miles wide on the border of New Mexico, in Southern Colorado. Later, while the Senator from Wisconsin [Mr. VILAS] was Secretary of the Interior, a treaty was made with these Indians, by which they were to be removed to Utah. A great deal of opposition was developed against that treaty. The other House has declined at different times to allow a bill to pass to ratify that agreement.

The pending bill simply carries out the treaty of 1880, with modifications. It provides that the Indians may select land anywhere within the reservation as established by the treaty of 1880, and that those who do not choose to make selections shall go 40 miles to the west of the present reservation—which is the best part of it—and make their selections there, or make no selection, just as they see fit.

Mr. LODGE. The bill does not propose the removal of the Southern Utes?

Mr. TELLER. It does not propose to remove them at all. It leaves them on their reservation, but opens the eastern end of the reservation to settlement, and provides that they may select their land in it if they choose, anywhere on the reservation, but if they do not choose to select their land there, they must go to the west end.

Mr. STEWART. I understand that it is a compromise.

Mr. TELLER. The bill passed the other House unanimously on the unanimous report of the House committee, and while not satisfactory to the people of Colorado, it is the best measure they thought they could get.

Mr. LODGE. I have no objection to the bill. I merely desired to have it explained.

Mr. TELLER. No one objected to it in the other House.

Mr. VILAS. Mr. President, I am not willing against the urgent desire and very strong opinion of the Senator from Colorado to interpose an objection to the consideration of the bill, and yet I am not very well satisfied with it.

A commission was raised under an act of Congress some years ago to treat with the Southern Ute Indians for the surrender of their reservation, which certainly ought to be opened in the interests of the people of Colorado, for it lies like a barrier between that State and New Mexico. Under that act of Congress the commission negotiated with the Southern Ute Indians a treaty which was satisfactory to them and which they have always been pressing to have carried into execution. That treaty was opposed by people who had the impression that the exchange was to put the Southern Ute Indians into the possession of lands less beneficial to them than the lands they already occupy in their present reservation; and in consequence of that opposition, which, in my belief, originated in and was fomented chiefly by a cattle-grazing company, the execution of the treaty has been deferred for a number of years.

Now, Congress is interposing here by this proposed act arbitrarily to overrule that treaty and to take from the Southern Ute Indians about two-thirds of their reservation without any bargain whatever and without seeking their consent, and add in place of it a tract of country much less in extent. The Senator from Colorado can give the exact area lying below the western part of their present reservation in New Mexico. Without having carefully examined the treaty, I merely wish to enter by these observations my *dubitatur*.

Mr. TELLER. This proposed act carries out the treaty of 1880, which provided that after the Indians had taken their allotments of land the remainder should be sold and the money should go into the Treasury for the benefit of the Indians. This bill provides that they may do just what the act of 1880 said they should do; that is, to select their lands in severalty anywhere they choose on the reservation. A large number of the Indians decline to select lands and will not select them. Those who do not care to select lands are allowed to go on the west 40 miles of the reservation or on the additional land in New Mexico.

If after the bill passes the Senator from Wisconsin shall, after looking it over, think it ought to be further considered, I shall not offer any objection to a motion to reconsider. The bill is not satisfactory, of course, to our people. I agree with the Senator it would have been better for the Indians and better for us to have had the other bill passed, but we made up our minds that it would not pass, the controversy being so sharp. Many people thought it would be a hardship to remove the Indians from the reservation, and it was determined to leave them on the land. It is not proposed to remove them at all. The additional land in New Mexico was added before the passage of the bill in the other House, with the approval of the Delegate from New Mexico, I understand.

Mr. VILAS. I should like to ask the Senator in what respect this bill executes the treaty of June 15, 1880?

Mr. TELLER. That treaty provides that they shall take land in severalty, and after that the excess shall be sold for their benefit. The bill modifies it by saying that those who will not take land in severalty shall go upon the west end of the reservation, which I assure the Senator is really the most valuable for the Indians, because it is accessible to water, and the climate is a little better than the eastern end, although the eastern end is more valuable undoubtedly for minerals, which is not of any value to the Indians. There is some land in the east end which will become valuable, and of course they will get the benefit of it.

Mr. VILAS. I always understood that the treaty of June 15, 1880, was executed by the creation of the present reservation and the establishment of the Southern Utes upon it.

Mr. TELLER. The treaty of 1880, the Senator will see, required that they should take land in severalty. The Indians have refused to take land in severalty. There is a small number of them who will, but the great majority of them will not take land in severalty, and if it is set apart for them they will not occupy it.

Mr. WHITE. Let me ask the Senator from Colorado a question. As I understand the Senator, when this proposed act goes into effect the Indians will be removed to a place other than that which they now occupy; that is, those who do not take land in severalty.

Mr. TELLER. They will be removed from their present agency a distance probably of 40 miles, but on the same reservation.

Mr. WHITE. They have occupied by choice, of course, the land where they now are; that is, they have preferred it.

Mr. TELLER. They have occupied it because the agency was put there on account of the railroad, not because it was the best land or the best place for them, but because it was contiguous to a railroad which crosses the reservation.

Mr. WHITE. Is it the understanding of the Senator that the Indians will be forced upon this new land? They will not go there of their own volition, I presume.

Mr. TELLER. They will not be forced on it. Those who choose to remain under this proposed act can take their lands in severalty and remain where they are.

Mr. WHITE. But assuming that they decline to accept land in severalty, they will then be removed by the United States.

Mr. TELLER. I suppose then the agency will be moved down to the western part of the reservation, and of course with the removal of the agency, it is immaterial to them where they go if they remain on the reservation. They do not cultivate the soil in any shape except in a few cases.

Mr. MANDERSON. I think it ought to be stated that very many of these Indians have already practically taken land and made improvements on it.

Mr. WHITE. If the Senator will excuse me, I understood the Senator from Colorado to say that but few of them have accepted land in severalty.

Mr. MANDERSON. Not taken in severalty, but quite a number of them have selected certain pieces of land and have improved it. Of course those Indians would take the land that they have thus improved.

Mr. TELLER. They can take the lands now occupied, and they will undoubtedly do so.

Mr. VILAS. I wish to observe that if the treaty of 1880 was executed there would be no land for the United States to take and sell.

Mr. TELLER. Why?

Mr. VILAS. I will read the clause of that treaty.

Mr. ALLEN. I desire to interpose an objection to this measure. It has now consumed twenty minutes of the morning hour.

Mr. TELLER. I ask that the bill may go over until Monday morning. In the meantime the Senator from Wisconsin can look at it.

Mr. VILAS. Very well; but I merely wanted to call the attention of the Senator from Colorado to the treaty. I suppose the bill is regularly before the Senate, no objection having been made to its consideration and the Senate having deliberately agreed to consider it, it is, I think, too late to interpose.

The VICE-PRESIDENT. The Chair thinks the objection does not come too late under the rule. An objection can be interposed at any time.

Mr. HARRIS. That is certainly the rule.

Mr. VILAS. I hope the Senator from Nebraska will at least not interfere for a moment; and I do not exactly see how he can take the floor from me to make an objection.

Mr. ALLEN. The Senator from Wisconsin will observe that we have but ten minutes left for the transaction of morning business.

Mr. TELLER. I suggest to the Senator from Wisconsin that the bill be allowed to lie on the table just as it is until Monday morning.

The VICE-PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. BLANCHARD. I ask unanimous consent for the present consideration of the bill (S. 1852) to provide an American register for the steamer S. Oteri.

The VICE-PRESIDENT. The Chair will state that petitions and memorials are in order.

Mr. BLANCHARD. Very well.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a memorial of the New York Board of Trade and Transportation, remonstrating against the restoration of the system of "damage allowances" on imported articles; which was ordered to lie on the table.

He also presented a petition of the Congress of American Physicians and Surgeons, praying for the appointment of a commission to investigate the existence of leprosy in the United States; which was referred to the Committee on Epidemic Diseases.

Mr. SHERMAN presented a memorial of sundry citizens of San Angelo, Tex., remonstrating against placing wool on the free list; which was ordered to lie on the table.

He also presented a petition of 16 citizens of Cincinnati, Ohio, and a petition of 83 citizens of Norwalk, Ohio, praying that fraternal beneficiary societies, orders, or associations be exempted from the proposed income-tax provision of the pending tariff bill; which were ordered to lie on the table.

Mr. DAVIS presented the petition of P. S. Hendrickson and sundry other citizens of St. Paul, Minn., and the petition of J. H. Hunt and sundry other citizens of Minneapolis, Minn., praying that the pending tariff bill be so amended "that fraternal beneficiary societies, orders, or associations operating upon the lodge system, and providing for the payment of life, sick, accident, and other benefits to the members and dependents of such members, shall be exempt from all the provisions of the bill requiring taxation in any form;" which were ordered to lie on the table.

He also presented the petition of F. J. Evrett, of Ramsey County, Minn., and the petition of A. W. Armatage and sundry other citizens of Hennepin County, Minn., praying that the funds of mutual life insurance companies and associations be exempted from the proposed income-tax provision of the pending tariff bill; which were ordered to lie on the table.

Mr. HIGGINS presented a petition of sundry citizens of Smyrna, Del., praying that fraternal beneficiary societies, orders, or associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

Mr. ALLEN presented a petition of sundry citizens of Douglas County, Nebr., praying that in the passage of any law providing for the taxation of incomes the funds of mutual life insurance companies and associations be exempted from taxation; which was ordered to lie on the table.

Mr. SMITH. On behalf of my colleague [Mr. McPHERSON], who is absent owing to illness, I present a memorial of the General Synod of the Reformed (Dutch) Church, of Asbury Park, N. J., remonstrating against the admission of Utah into the Union as a State. I move that the memorial lie on the table.

The motion was agreed to.

Mr. MANDERSON presented a petition of the Newman Grove Improvement Society, of Newman Grove, Nebr., praying that the funds of mutual building and loan associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

Mr. GORDON presented petitions of sundry citizens of Fulton, Clarke, and Coweta Counties, and the petition of R. F. Shedden, of Atlanta, all in the State of Georgia, and of 42 citizens of Charleston County, S. C., praying that in the passage of any law providing for the taxation of incomes the funds of mutual life insurance companies and associations be exempted from taxation; which were ordered to lie on the table.

He also presented the memorial of C. A. Trevitt, of Rome, Ga., remonstrating against an increase of the internal-revenue tax on alcohol; which was ordered to lie on the table.

He also presented the petition of J. W. Hightower, of Empire, Ga., praying for the retention of the present duty on lumber; which was ordered to lie on the table.

He also presented a petition of the Corset Manufacturers' Association of the United States, of New Haven, Conn., praying that horn strips be retained on the free list; which was ordered to lie on the table.

Mr. LODGE presented the memorial of J. E. Doherty & Co., of Boston, Mass., remonstrating against an increase of the internal-revenue tax on whisky, and also against an extension of the present bonded period; which was ordered to lie on the table.

He also presented the petition of Arthur S. Gay, and sundry other citizens of Massachusetts, praying that the funds of mutual life insurance companies and associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

He also presented petitions of Council No. 487, Royal Arcanum, of Dorchester; of John Burke and sundry other citizens of Boston; of A. Kenfield and sundry other citizens of Chicopee Falls, and of Suffolk Council, No. 60, Royal Arcanum, of Boston, all in the State of Massachusetts, praying that the pending tariff bill be so amended "that fraternal beneficiary societies, orders, or associations, operating upon the lodge system and providing for the payment of life, sick, accident, and other benefits to the members, and dependents of such members, shall be exempt from all the provisions of the bill requiring taxation in any form;" which were ordered to lie on the table.

Mr. ALLISON presented the petition of Charles M. Dilhson and sundry other citizens of Sioux City, Iowa, praying that fraternal beneficiary societies, orders, or associations, be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

He also presented petitions of George W. Harbin and sundry other citizens of Black Hawk County; of S. W. Rathbun and sundry other citizens of Iowa, and of E. T. Davenport and sundry other citizens of Marshall County, Iowa, praying that the funds of mutual life insurance companies and associations be exempted from the proposed income-tax provision of the pending tariff bill; which were ordered to lie on the table.

He also presented a petition of sundry citizens of the State of Washington, praying that section 2324 of the Revised Statutes be amended so as to suspend for the year 1894 the performance of $100 worth of labor on mining claims; which was referred to the Committee on Mines and Mining.

He also presented sundry memorials of wholesale and retail liquor dealers, of Dubuque, Council Bluffs, Burlington, Davenport, Dyersville, and Clinton, all in the State of Iowa, remonstrating against an increase of the internal-revenue tax on whisky, and also against an extension of the present bonded period; which were ordered to lie on the table.

Mr. SQUIRE presented sundry petitions of citizens of Pierce and King Counties, in the State of Washington, praying that in the passage of any law providing for the taxation of incomes, the funds of mutual life insurance companies and associations be exempted from taxation; which were ordered to lie on the table.

Mr. CHANDLER presented the petition of James G. Walker, W. P. Cummings, F. M. Cummings, J. E. Merrill, and 7 other citizens of Hudson, N. H., praying that fraternal beneficiary so-

cieties, orders or associations, be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

Mr. HILL presented a petition of 75 citizens of Monroe County, N. Y., praying that the funds of the mutual life insurance companies and associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

Mr. GIBSON. I desire to call up House joint resolution No. 172, which was reported yesterday by the Senator from Missouri [Mr. VEST], from the Committee on Public Buildings and Grounds. I ask unanimous consent for its present consideration.

Mr. BLANCHARD. I have a similar request already pending.

The VICE-PRESIDENT. The Chair will state that morning business is in order. Reports of committees, standing and select, are next in order.

REPORT OF A COMMITTEE.

Mr. JONES of Arkansas, from the Committee on Indian Affairs, to whom was referred the amendment submitted by Mr. VILAS May 24, 1894, reported favorably thereon, and moved that it be printed, and, with the accompanying papers, referred to the Committee on Appropriations; which was agreed to.

GEORGE P. FURBER.

Mr. GRAY, from the Committee on Privileges and Elections, reported the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That there be allowed and paid to George P. Furber, from the contingent fund of the Senate, $750, as compensation for his services in the preparation of the second edition of Senate Election Cases, and the volume entitled Privileges of the Senate.

BILLS INTRODUCED.

Mr. SMITH (for Mr. MCPHERSON) introduced a bill (S. 2123) for the relief of the legal representatives of James Bell, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. ALLEN introduced a bill (S. 2124) granting a service pension to soldiers, sailors, marines, and their widows and orphans, and for other purposes; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HANSBROUGH introduced a bill (S. 2125) to perfect the military record of Henry R. Gibson; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2126) to authorize and provide for the location of Sioux half-breed scrip (or certificates) by power of attorney and to authorize the Commissioner of the General Land Office to approve and issue patents to any lands located thereby; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. HUNTON introduced a bill (S. 2127) for the relief of Richmond College, located at Richmond, Va.; which was read twice by its title, and referred to the Committee on Claims.

Mr. LODGE introduced a bill (S. 2128) authorizing Commander Davis, United States Navy, to accept a decoration tendered him by the Government of Spain; which was read twice by its title, and referred to the Committee on Foreign Relations.

Mr. TELLER introduced a bill (S. 2129) to authorize the entry of land for reservoir purposes; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. TURPIE introduced a bill (S. 2130) granting a pension to Amelia M. Grobe; which was read twice by its title, and referred to the Committee on Pensions.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. VOORHEES submitted an amendment intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

Mr. GALLINGER. I submit an amendment intended to be proposed to House bill 5481, the District of Columbia appropriation bill, which I ask to have read and referred to the Committee on the District of Columbia, and that it be printed.

The amendment was read and referred to the Committee on the District of Columbia, and ordered to be printed, as follows:

Insert after line 8, page 22:

"For providing instantaneous fire-alarm apparatus for the public school buildings of the District of Columbia, $2,500.

Mr. GALLINGER. In conjunction with the amendment I submit an editorial from Kate Field's Washington of recent date, treating on the same subject; which I move be printed as a document, and referred to the Committee on the District of Columbia.

The motion was agreed to.

Mr. DANIEL submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Claims, and ordered to be printed.

AMERICAN REGISTER FOR STEAMER S. OTERI.

Mr. BLANCHARD. I ask unanimous consent for the present consideration of the bill (S. 1852) to provide an American register for the steamer S. Oteri.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

REPRESENTATIVES OF DANIEL C. RODMAN AND OTHERS.

Mr. HAWLEY. I ask unanimous consent for the present consideration of the bill (S. 814) for the relief of the representatives of Daniel C. Rodman, deceased, and others. I will state that this bill passed the Senate two years ago and four years ago, but failed to receive consideration in the House of Representatives. It has been always unanimously reported.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Claims with an amendment in line 3, to strike out the name "Slazer" and insert "Seager."

Be it enacted, etc., That Daniel C. Rodman, Ossian B. Hart, Charles Seager, Calvin L. Robinson, Ozias Buddington, and Joseph R. Richard, sureties upon the bond of Ozias Morgan, given as security for the faithful performance by said Ozias Morgan of his duties as receiver of public moneys and disbursing agent of the United States land office at Tallahassee, Fla., from 1866 to 1870, and their heirs and legal representatives be, and they are hereby, released and discharged of and from all and every obligation and liability whatsoever on account of said bond.

Mr. HAWLEY. The amendment is incorrectly printed. The name should be "Slager."

The VICE-PRESIDENT. The amendment will be so corrected. The question is on agreeing to the amendment as corrected.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PRICE OF LANDS UNDER DESERT-LAND LAWS.

Mr. CAREY. I ask unanimous consent for the present consideration of the bill (S. 160) to fix the price of lands entered under the desert-land laws.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. CALL. I should like to hear the Senator from Wyoming make some explanation of the bill.

Mr. CAREY. A similar bill passed the Senate in the last Congress. For about a year a ruling prevailed in the Interior Department that the price of desert lands within railroad grants should be $2.50 per acre. This ruling was afterwards changed by the law of 1891, and the Secretary of the Interior ruled he had no right to pay back the money. Since then the Court of Claims have decided that the ruling was in violation of the law. The universal ruling for ten years after the desert-land law was passed fixed the price of such lands at $1.25 an acre. The bill only covers a very short period and a very small quantity of land.

Mr. CALL. I understand that this is simply to refund the excess of the purchase money?

Mr. CAREY. That is all. It places those who entered under the desert land law in the same position as those who entered land under the laws of the United States where the payment was erroneous, which can be paid out of a fund for that purpose.

Mr. CALL. It does not authorize any new purchase of land?

Mr. CAREY. Not at all.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

OCCUPATION OF COURT-HOUSE IN BALTIMORE.

Mr. GIBSON. I ask unanimous consent for the present consideration of the joint resolution (H. Res. 172) granting full permission to the State of Maryland and to the several State courts within the city of Baltimore to occupy the old United States court-house in the city of Baltimore for the period of five years.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The preamble was agreed to.

LOUIS A. YORKE.

Mr. CALL. I ask unanimous consent that the bill (S. 1438) for the relief of Louis A. Yorke, which was reported adversely and is now on the Calendar, be recommitted to the Committee

on Naval Affairs. I am authorized to say that there is no objection to this order on the part of the Senator from South Carolina [Mr. BUTLER], who reported the bill.

The VICE-PRESIDENT. Is there objection? The Chair hears none, and it will be so ordered.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (S. 499) to provide for the adjustment and payment of the claim of Thomas Rhys Smith for work done and materials furnished for the breakwater at Bar Harbor, Me.;

A bill (H. R. 6576) to provide for the closing of part of an alley in square 622 in the city of Washington, D. C., and for the relief of the president and directors of Gonzaga College; and

A bill (H. R. 7458) making appropriations to supply a deficiency in the appropriation for public printing and binding for the fiscal year 1894, and for other purposes.

THE REVENUE BILL.

The VICE-PRESIDENT. The hour of half past 10 o'clock having arrived, the Chair lays before the Senate the unfinished business.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4864) to reduce taxation, to provide revenue for the Government, and for other purposes.

The VICE-PRESIDENT. The pending question is on the amendment proposed by the Senator from Kansas [Mr. PEFFER], which will be stated.

The Secretary read as follows:

All articles of manufacture, composed wholly or in part of wool, or hair of the camel, goat, alpaca, and other like animals, shall be admitted free of duty.

Mr. PEFFER. I ask that the vote on that amendment may be taken by yeas and nays. I hope the Senate will consent to that.

The yeas and nays were ordered.

Mr. STEWART. I should like the Senator from Kansas to explain the amendment.

Mr. PEFFER. The amendment is to put all manufactures of wool on the free list, and the reason for it is that unmanufactured wool has been placed on the free list. That is the only reason. It is not an attack on my part upon manufacturers at all, but inasmuch as the producers of wool are to be put in competition with foreign producers, I insist that fairness dictates that the manufacturers ought to be put upon the same basis. That is all.

Mr. PLATT. Mr. President, I would remind the Senator from Kansas that two wrongs never make a right. The Senator from Kansas himself, I think, hardly believes that all woolen goods should be placed upon the free list. He knows, as we all know, that that would result in the entire destruction of the woolen industry in the United States.

Nobody feels more strongly than I do the injustice which has been done in putting wool upon the free list, but surely the Senator can not repair that injustice by putting woolen goods upon the free list. He feels, and justly and properly feels, that the action of the majority of the Senate in putting wool upon the free list is to lead to the destruction of a great industry among the agricultural people of the United States; but surely he can not desire on that account to put woolen manufactures on the free list, and thus lead to the destruction of another great industry in the United States. He is simply helping the free trader to destroy all our industries by his amendment; and it seems to me that the Senator is too just a man to desire to inflict injury upon others because injury has been inflicted upon the people whom he represents.

Mr. PEFFER. Only a word, Mr. President, in addition. The Senator from Connecticut expresses my views quite accurately. I do not want to destroy anybody. Personally I am willing to give anything that I have in this world to anyone in need, but when you come to strike my friend I will defend him. I am here charged to represent the interests of the men who sent me here. They are, 75 per cent of them, farmers, and I shall stand by those men no matter who else falls. Individually, I am willing to go down, but I am not willing to go down unless the other men go with me.

The VICE-PRESIDENT. The Secretary will call the roll on agreeing to the amendment.

The Secretary proceeded to call the roll.

Mr. CAMDEN (when his name was called). I am paired with the Senator from South Dakota [Mr. PETTIGREW].

Mr. HANSBROUGH (when his name was called). I am paired with the Senator from Illinois [Mr. PALMER].

Mr. MCLAURIN (when his name was called). I have a general pair with the junior Senator from Rhode Island [Mr. DIXON], with the reservation of the right to vote to make a quorum. If my vote be not necessary to make a quorum, I withhold it.

Mr. QUAY (when his name was called). I am paired with the Senator from Alabama [Mr. MORGAN].

Mr. VEST (when his name was called). I am paired with the Senator from Minnesota [Mr. WASHBURN], but I transfer that pair to the Senator from South Carolina [Mr. IRBY], and vote "nay."

Mr. VILAS (when his name was called). I am paired with the Senator from Oregon [Mr. MITCHELL].

The roll call was concluded.

Mr. HIGGINS. I am paired with the senior Senator from New Jersey [Mr. MCPHERSON], but, after consulting with his colleague [Mr. SMITH], and considering the nature of the vote, I feel free to vote. I vote "nay."

Mr. FRYE. I am paired with the senior Senator from Maryland [Mr. GORMAN], who is detained from the Chamber by illness; but as he and I on this question would vote the same way, I take the liberty of voting. I vote "nay."

Mr. DANIEL. I have a general pair with the Senator from Washington [Mr. SQUIRE], but I have taken the liberty to vote in this case, being satisfied if he were present he would vote in the same way I do.

Mr. GORDON. I transfer my pair with the Senator from Iowa [Mr. WILSON] to my colleague [Mr. WALSH], and vote "nay."

Mr. BLANCHARD. I am paired with the Senator from Michigan [Mr. MCMILLAN], but I understand from his colleague [Mr. PATTON] that if he were present he would vote "nay." I therefore feel at liberty to vote, and vote "nay."

Mr. GEORGE. Has the Senator from Oregon [Mr. DOLPH] voted?

The VICE-PRESIDENT. He has not voted.

Mr. GEORGE. Then I withhold my vote, as I am paired with that Senator.

Mr. MILLS. I inquire if the Senator from New Hampshire [Mr. GALLINGER] has voted?

The VICE-PRESIDENT. He has not voted.

Mr. MILLS. Then I withhold my vote. I should vote "nay" if he were present.

Mr. PEFFER. I think I can safely say to the Senator from Texas that if the Senator from New Hampshire were present he would vote "nay." I assume the responsibility of saying that.

Mr. MILLS. As I am paired with that Senator in his absence I withhold my vote.

Mr. PERKINS (after having voted in the negative). I inquire if the junior Senator from North Dakota [Mr. ROACH] has voted?

The VICE-PRESIDENT. The Chair is advised that the junior Senator from North Dakota has not voted.

Mr. PERKINS. I am paired with that Senator, and in his absence I withdraw my vote.

Mr. QUAY. I omitted to mention, when the name of my colleague [Mr. CAMERON] was called, that he is paired with the Senator from South Carolina [Mr. BUTLER]. I make this announcement to cover all votes during the day.

The result was announced—yeas 3, nays 46; as follows:

YEAS—3.

Allen,	Kyle,	Peffer.

NAYS—46.

Allison,	Davis,	Hoar,	Pugh,
Bate,	Dubois,	Hunton,	Ransom,
Berry,	Faulkner,	Jarvis,	Sherman,
Blackburn,	Frye,	Jones, Ark.	Shoup,
Blanchard,	Gibson,	Lodge,	Smith.
Call,	Gordon,	Manderson,	Teller.
Carey.	Gray,	Mitchell, Wis.	Turpie,
Chandler,	Hale,	Morrill,	Vest,
Cockrell,	Harris,	Palmer,	Voorhees,
Coke,	Hawley,	Pasco,	White.
Cullom,	Higgins,	Patton,	
Daniel,	Hill,	Proctor,	

NOTVOTING—34.

Aldrich,	George,	Martin,	Quay,
Brice,	Gorman,	Mills,	Roach,
Butler,	Hansbrough,	Mitchell, Oregon	Squire,
Caffery,	Irby,	Morgan,	Stewart,
Camden,	Jones, Nev.	Murphy,	Vilas.
Cameron,	Lindsay,	Perkins,	Walsh,
Dixon,	McLaurin,	Pettigrew,	Washburn,
Dolph,	McMillan,	Platt,	Wilson,
Gallinger,	McPherson,	Power,	Wolcott.

So the amendment was rejected.

Mr. DUBOIS. I was requested by the senior Senator from South Dakota [Mr. PETTIGREW], before he left, to see that his pair was properly observed and announced. It does not appear by the RECORD that his pair with the junior Senator from West Virginia [Mr. CAMDEN] was announced yesterday. I wish to state that all through the voting of yesterday the Senator from

South Dakota was paired with the Senator from West Virginia. The pair will also stand for to-day.

Mr. GRAY. The pair was observed, but not announced, the Senator means?

Mr. DUBOIS. It was observed, but not announced. It does not appear in the RECORD.

The VICE-PRESIDENT. The reading of the bill will be resumed.

The Secretary read the next paragraph, as follows:

278. Wool of the sheep, hair of the camel, goat, alpaca, and other like animals in the form of slubbing waste, roving waste, ring waste, mungo, shoddies, garnetted or carded waste, carbonized noils or other waste product, any of which is composed wholly or in part of wool, the hair of the camel, goat, alpaca, and other like animals, which has been improved or advanced beyond its original condition as waste by the use of machinery or the application of labor, or both, and carbonized wool, shall be subject to a duty of 15 per cent ad valorem.

Mr. ALLISON. From the print of the bill which I have it appears that the committee recommend that paragraph 278 be stricken out. Is there any amendment pending to the paragraph?

The VICE-PRESIDENT. No amendment has been proposed, the Chair will state to the Senator from Iowa.

Mr. PLATT. I ought to know, but I should like to inquire what the present duty is. Will the Senator from Iowa tell me?

Mr. ALLISON. My impression is that it is a varying duty. The duty is 30 cents a pound, I think, upon some of these articles.

Mr. QUAY. Has the committee amendment, striking out paragraph 278, been adopted?

The VICE-PRESIDENT. Paragraph 278 has been read by the Secretary, but no action has been taken, the Chair will state.

Mr. PLATT. We on this side of the Chamber are quite in the dark as to what the committee propose to do.

Mr. ALLISON. I find that the duty on most of the articles described in this paragraph is now 30 cents a pound.

Mr. VEST. The paragraph has been put in the free list on page 119. I think I have a wrong copy of the bill. Some one has misplaced my copy. I had one that is marked correctly.

Mr. PLATT. I think we ought to understand it.

Mr. ALLISON. Paragraph 685, I think, puts the whole of paragraph 278 on the free list.

Mr. VEST. That is right. It is on page 119. I now have a correct copy of the bill.

Mr. FRYE. Then the Senator from Missouri proposes an amendment to strike out paragraph 278?

Mr. VEST. Yes; that is to be stricken out.

Mr. ALLISON. That is the reason why I called the attention of the Chair to the matter. It appeared to me that there was some amendment to be proposed.

Mr. VEST. My attention was diverted at the moment. I move that paragraph 278 be stricken out.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Missouri, to strike out paragraph 278.

Mr. PLATT. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. ALLISON. Before the roll is called I should be glad to have the Senator in charge of the bill explain why it is that all these various articles are to be put on the free list. Is it because wool is on the free list? I suppose that is the idea.

Mr. VEST. Of course that is the reason of it. The paragraph embraces "wool of the sheep, hair of the camel, goat, alpaca, and other like animals in the form of slubbing waste, roving waste, ring waste, mungo, shoddies, garnetted or carded waste, carbonized noils or other waste product, any of which is composed wholly or in part of wool, the hair of the camel," etc.

On page 119 of the bill will be found the provision which places these articles upon the free list:

All wool of the sheep, hair of the camel, goat, alpaca, and other like animals, and all wool and hair on the skin, noils, yarn waste, card waste, bur waste.

Mr. FRYE. But the Senator does not in that paragraph put shoddy on the free list. In paragraph 279 I see there is another provision. There is a proposed amendment in paragraph 279.

Mr. VEST. Yes.

Mr. FRYE. Does the committee still adhere to that amendment?

Mr. VEST. Yes, sir.

Mr. PLATT. What I want to understand is this: I know that wool has been put on the free list, but if this paragraph is stricken out are "roving waste, ring waste, mungo, shoddies, and carbonized noils," etc., "any of which has been improved or advanced beyond its original condition as waste by the use of machinery or the application of labor, or both," put on the free list? That is what I wish to ascertain.

I do not think that "any wool which has been advanced at all from its original condition by the use of machinery or the application of labor should go on the free list. If raw wool is to go on the free list, that is one thing, but if the manufactures of wool in the early processes are to go on the free list that is another thing. It is possible that the proposed amendment in paragraph 279 answers my objection. I do not quite understand it.

Mr. VEST. Paragraph 279 answers the question of the Senator from Connecticut.

Mr. SHERMAN. After having denied a duty on wools of the highest price and the greatest value in the pending bill, then to put a duty on shoddy, mungo, ring waste, roving waste, slubbing waste, and all the other wastes, it seems to me, would be rather a singular result. I do not know exactly what the purpose of the committee is. Is the proposition of the Senator from Missouri to strike out paragraph 278?

Mr. MILLS. That is the motion, to strike out paragraph 278.

Mr. VEST. The roving and tops and roping, which are in paragraph 278, as proposed to be stricken out, are put back in paragraph 279 with the same duty, 15 per cent ad valorem. Of course the raw wool, which has not been advanced in any degree by manufacture, is by the bill put on the free list.

Mr. MILLS. As I understand, the distinction between paragraph 278 and paragraph 279 it is that the waste of different kinds and the mungo and shoddy and all those articles are to be on the free list, except when they have been carded and advanced to the form ready for spinning, as stated in paragraph 279. It is to be dutiable at 15 per cent when it is in the form of roving, roping, or tops, and that is when it is carded and cleaned and ready for spinning. But when it is in rags and dirt and unprepared for spinning it is on the free list. I myself think it all ought to go on the free list; but that seems to be the distinction here. I have had some of those tops sent to me. I know they are very fine wool, drawn out to the full length of the fiber, handsomely cleaned and carded, ready for spinning.

Mr. CULLOM. Is there any purpose on the part of the committee to put a duty on shoddy so as to keep it out of the country?

Mr. MILLS. I suppose not at this low rate; but the committee can answer themselves.

Mr. CULLOM. If it is intended to keep it out of the country, they had better increase the duty on it.

Mr. VEST. One of the effects of putting high duties on fine woolens has been to increase the importation of shoddy as used in so-called woolen goods. A process has been adopted largely by the manufacturers of woolen goods in the United States called cropping, by which the backs of almost all the garments we use are principally cotton and other adulterants.

The reports of the Treasury Department which I have before me show a vast increase in the amount of shoddy used in the United States, and of cotton, which is an adulterant used in the manufacture of woolens. If any Senator will call upon any merchant tailor he will find that while he has probably seventy-five or a hundred pieces of mixed or adulterated cloth in his shop, he has not one single piece of pure woolen cloth. This has been caused, as we contend, by the high price of foreign wools by reason of the McKinley act, and the duties imposed by the act of 1867, and even by the act of 1883.

This vast increase in shoddy has taken place, not only in this country but in England, because the same cause which operates upon the American manufacturer operates upon the English manufacturer who wants to obtain a market in this country. In order to compete with these adulterated woolen cloths as they are called, misnamed woolen cloths, these mixtures, the English manufacturer must pay the high rates of the McKinley tariff, and come into this market with mixed goods also. The result is, as is the experience of every man and every woman, that there are no pure woolen cloths in the market. They are all mixed cloths, and they wear out in a very few years, so that the supply has again to be met on the part of the consumer.

Now, we did not propose when we gave to the country free wool to let shoddy in free. Our idea is that when you cheapen the wool to the manufacturer he will use more of it, and that we shall have a better article of woolen cloths, and get rid of the adulteration and the fraud which is perpetrated to-day in the name of wool upon the consumers of the United States. If we had come into the Senate with free shoddy, immediately the bill would have been attacked upon the ground that we admitted a sham and a fraud worse than the enemies of oleomargarine declare it to be. We have therefore put a duty upon shoddy, which is largely imported into the United States.

Mr. ALLISON. A duty of 15 per cent.

Mr. VEST. Yes; a duty of 15 per cent. We did not want to put it on the free list. We put the same duty upon it that we place upon roping and roving and tops; and it is the proper duty to put upon it.

Mr. ALLISON. Roping waste, ring waste, carded waste and, all waste are put upon the free list.

Mr. VEST. Not in paragraph 279. On wool "in the form of roving, roping, or tops" there is a duty of 15 per cent ad valorem. That is the provision I refer to.

Mr. PLATT. I think I have studied out the effect of the proposed striking out of paragraph 278. If that paragraph is stricken out then waste, noils, and all waste products which have not been treated by machinery or advanced in the process of manufacture will go on the free list, and the waste which has been treated by machinery will, under paragraph 279, be dutiable at 15 per cent.

Mr. VEST. That is right.

Mr. PLATT. I can see no inconsistency about that.

Mr. VEST. There is not the slightest inconsistency.

Mr. SHERMAN. If the Senator will read paragraph 279 he will find that there is omitted from it the very clause which he says ought to be preserved.

Mr. VEST. We can not hear the Senator from Ohio on this side.

Mr. SHERMAN. I say paragraph 279 omits the clause in paragraph 278 which puts a duty on wools, etc., advanced beyond the condition of waste, by the use of machinery or the application of labor. I think that provision is not in paragraph 279 at all.

Mr. VEST. It is not.

Mr. PLATT. Let me read paragraph 279 as proposed to be amended.

On flocks, mungo, shoddy, garnetted waste, and carbonized noils, or carbonized wool, and on wool of the sheep, hair of the camel, goat, alpaca, or other like animals in the form of roving, roping, or tops, 15 per cent ad valorem.

Roving, roping, and tops, I understand, are forms of wool or waste which have been advanced to what we used to call rolls, or the fine wool which was shown here the other day——

Mr. ALDRICH. Tops.

Mr. PLATT. Under the name of botany top.

Mr. JONES of Arkansas. They are not the less waste.

Mr. PLATT. When waste has been advanced to that point, roving, roping, or tops, then it is to have a duty of 15 per cent. So with mungo and shoddy.

Mr. SHERMAN. But if the Senator will look again—I am somewhat familiar with construing the laws on this subject—he will see that the words now referred to by him "in the form of roping, roving, or tops," apply only to the wool of the sheep, camel, goat, alpaca, and other like animals, and do not apply to flocks, mungo, shoddy, garnetted waste, etc.

Mr. PLATT. I supposed they did.

Mr. SHERMAN. They do not.

Mr. PLATT. I confess the matter is somewhat complicated, and I have had difficulty in understanding it.

Mr. ALLISON. It is certain the committee now propose to put on the free list a large portion of the importations which pay 30 cents a pound. These tops, roping, roving waste, etc., now have a unit of value on their importation of 36 cents a pound. So I think it is a great change to put all these articles on the free list.

I should like to have some Senator who is familiar with the manufacture of woolen goods explain to me why it is, as was just now stated by the Senator from Missouri, that a very large portion of the woolen goods manufactured in the United States is composed of shoddy. I had a different view, and if it be true that the manufacturers of woolen goods in our country used chiefly shoddy, I should be glad to have it explained a little more in detail than the Senator from Missouri has explained it.

Mr. HAWLEY. That is a very great mistake. I do not know anything about the proportion of shoddy used, but it is a comparatively small class of coarse goods. I doubt whether there is an ounce of shoddy in all the woolen goods worn by Senators here.

Mr. ALLISON. I observe that there is very little shoddy imported. Of course it must be manufactured here, and I do not quite understand how so much shoddy can get into woolen manufactures.

Mr. HAWLEY. The experts will tell it, and they do not put it in except as I have stated.

Mr. PLATT. With regard to shoddy and the alleged increase of shoddy in this country stated by the Senator from Missouri——

Mr. VEST. Does the Senator from Connecticut deny there has been an increase? He speaks of the "alleged increase." Does he deny that there has been an increase?

Mr. PLATT. There has been an increase in pounds, but not an increase in per cent. In 1880 the amount of shoddy and animal hair consumed in this country was 56,970,682 pounds. In 1890 it was 73,678,066 pounds. But in 1880 the per cent of shoddy to all woolen goods was 22.06 per cent, and in 1890 it was 22.72 per cent. So while there has been an increase in the number of pounds of shoddy used in the woolen manufacture in this country, no larger proportion of the goods manufactured is now composed in part of shoddy than in 1880. Therefore, while the statement of the Senator from Missouri is true in one sense, it is not true in the sense that the proportion of shoddy consumed in this country has been increased in the last ten years.

Mr. VEST. The statistics show that in 1870, according to the census of that year, there were fifty-six shoddy factories in the United States, and their product was $1,768,592. In 1880, ten years afterwards, they had increased to seventy-three establishments, producing $4,989,615 worth of goods. In 1890 there were ninety-four establishments, producing $9,208,011 worth of goods, an increase of double and more. In 1890 there were consumed in the United States 61,626,261 pounds of shoddy. Of wool in the grease the United States produced 276,000,000 pounds in 1890 or 92,000,000 pounds of scoured wool. This shows that of shoddy there was nearly 70 per cent relatively to the wool used in this country.

I argued this question in 1890, and produced here the advertisements of the shoddy establishments in the United States, together with statements of their product. The answer to it has always been that shoddy had also increased in even a larger proportion in Great Britain, our great manufacturing rival. That is true, for the reason which I undertook to give a few minutes ago, that the use of shoddy and cotton, which is a great adulterant in the manufacture of woolen goods in this country, necessitates the same procedure by our rivals across the ocean, because in undertaking to contend with us for the American market they are compelled to adulterate what are called woolen manufactures in order to compete with us.

Now, I do not care anything about the per cent, but here are the figures. The fact remains, without going down to the exact mathematical proposition, that there has been a vast increase in the use of shoddy, and the experience of every consumer of what are called woolen goods will bear out the assertion which I have made.

Mr. PLATT. I took my statement from the publication of the Woolen Manufacturers' Association, and I have always found their statements and statistics correct. That since 1870 there has been an increase in the number of pounds of shoddy used in the manufacture of woolen goods nobody denies. That there has been an increase in the number of factories—small factories they are—which are producing it and putting it into the shape of yarns and tops, there is no question. The question is whether as compared to the whole amount or woolen goods used in this country there has been any increase, and I understand there has been none.

Mr. ALDRICH. Mr. President, I was not in the Chamber when the original statement of the Senator from Missouri was made, but I understand that he claims that a large proportion—72 per cent—of the woolen goods made in the United States is composed of shoddy. Of course that statement is very wide of the mark. It would be hard to imagine a statement further removed from the actual truth. The proportion of shoddy as compared with the wool and other substitutes for wool used in the United States has kept pace with the growth of the country and with the consumption of wool and woolen goods. Existing duties upon shoddy being prohibitory, there has been no importation of foreign shoddy; and as shoddy is simply a remanufacture of woolen cloths or of other articles of wool which have been used, the consumption in the United States must necessarily be limited. It has grown simply with the growth of the population of the country and its consumption of woolen goods.

In 1880, according to the census figures, the amount of shoddy and animal hair, not otherwise specified, used in the woolen mills in the United States was nearly 57,000,000 pounds. It is well known that in certain coarse products—heavy, cheap goods—cow's hair and the hair of other animals is used to a very large extent. These figures include shoddy and other substitutes for wool. The amount consumed in the United States in 1880, in the census year, was 56,970,000 pounds, and in 1890 73,678,000 pounds, or an increase in ten years of 17,000,000; while the total consumption of wool and substitutes for wool, taken together, had increased from 252,474,545 pounds in 1880 to 324,259,060 pounds in 1890—a total increase of wool and substitutes for wool of 72,000,000 pounds, and an increase in shoddy of only 17,000,000, conclusively showing the truth of the statement which I have made, that the increase in the use of shoddy in the mills of the United States is only the natural increase.

The Senator from Missouri used the word "shoddy" as if there were some fraud about its use; as though a manufacturer who manufactures goods of shoddy was doing something criminal. The use of shoddy is simply a utilization——

Mr. GRAY. A substitution.

Mr. ALDRICH. No; it is not a substitution. It is simply a utilization of what would otherwise be a waste product.

Mr. GRAY. If the Senator will pardon me, I think the contention of those who have looked into this matter and studied the effect of a very high tariff is that there has been a resort to shoddy material in order to make the cheaper grades of clothing which could not be made out of the coarser wool, and that free wool will allow the manufacturer of woolen cloth to utilize it for the cheaper form of clothing where shoddy is now used.

Mr. ALDRICH. The Senator is quite mistaken in that assumption. Shoddy is used more largely in Great Britain and in Germany than in the United States in the production of woolen goods. The processes of manufacturing shoddy have been improved in these countries beyond what has been the case in the United States. There is a greater tendency than formerly in these days to utilize all waste products, and the case of shoddy is not an exception to the general rule. Statistics show that there is four times as much shoddy used in the woolen mills of Great Britain as in the woolen mills of the United States. The statistics which I have just read show that instead of 72 per cent of the cloth made in the United States being made from shoddy but 22.72 per cent is so made.

Mr. VEST. Shoddy and cotton?

Mr. ALDRICH. No. I am talking about shoddy now, not cotton. Of course, cotton is used to a large extent in mixing with woolen goods all over the world, but that fact furnishes no reason for complaint. I certainly trust that the Senators from the Southern States sitting upon the other side of the aisle do not object to the use of cotton wherever it can be used properly in the manufacture of clothing for the people of this or any other country. There is no contention, I suppose, that the sale of a piece of cotton and wool (sold for what it is) is a fraud upon purchasers. There is no suggestion, so far as I can see, that this material is improperly used. The only question is as to the extent of its use.

Let us see what would be the effect of the proposition of the committee in increasing or decreasing the use of shoddy. There is now a prohibitory duty imposed upon foreign shoddy and upon other substitutes for wool except cotton. You now propose to admit those articles free of duty. You propose to give unobstructed admission into the country all the rags and second-hand clothing, all the waste and all the filth and dirt of the whole world.

Now, if the Senator from Missouri believes that the tendency of this action will be to diminish the use of shoddy and increase the use of wool in the United States, I should be very glad to have him state the manner by which this result is to be accomplished.

It seems to me the inevitable result will be to very largely increase the use of shoddy here, because we shall import large quantities of the foreign article, and instead of 22 per cent of the American product being made from shoddy and from substitutes of wool, a very much greater proportion will be made of these articles. The effect of the schedule submitted by the committee, taken together, will undoubtedly be to admit these articles manufactured into cloth; but if that was not the case, if the woolen manufacture in the United States should be preserved, there would certainly be a largely increased proportion of that manufacture produced from shoddy imported from other countries.

Mr. VEST. The great preventive as we understand to the use of shoddy will be free raw wool.

Mr. ALDRICH. Will the Senator permit me right there? Free wool for half a century in Great Britain has brought about the result I have alluded to, namely, that they use four times as much shoddy in proportion to their production as is used in the United States.

Mr. VEST. Yes, Mr. President, and that has been caused by the tariffs of the United States. I have repeatedly stated here that the British manufacturers were compelled to use shoddy in order to compete with the manufacturers of the United States who also use it.

Mr. ALDRICH. Will the Senator allow me another interruption? Those goods are not sent to the United States at all. Our tariff is not only prohibitory upon shoddy, but it is absolutely prohibitory upon goods made from shoddy, owing to the high specific rates on the lower class of goods. Those goods are sent to Russia and to the semibarbarous countries in cold climates. They are heavy goods, and are sold in those countries in competition with their domestic manufactures.

Mr. VEST. Out of the $40,000,000 worth of woolen goods, so called, that come to the United States, does the Senator mean to say that they are all pure wool? What lady wears to-day a woolen dress made out of pure wool? What man to-day wears a suit of clothes made out of pure wool?

Mr. ALDRICH. Shoddy never enters into the manufacture of dress goods.

Mr. VEST. It goes into the manufacture of all these goods.

Mr. ALDRICH. Not at all.

Mr. VEST. And the trouble with the consumers is that it is impossible for them to tell how much wool they are buying in their goods. They are purchased as pure wool, but they are not.

Mr. ALDRICH. Shoddy is never used in the manufacture of dress goods in this or any other country. Shoddy is only used in the manufacture of heavy goods for men's wear, and these do not come to the United States. They are, as I have said, sent to Russia and other cold and semibarbarous countries.

Mr. VEST. I can produce better authority than the Senator from Rhode Island to show that in these heavy dress goods used by ladies both cotton and shoddy are used as component parts.

Mr. ALDRICH. I should be very glad if the Senator could furnish any such testimony. Dress goods are made from combed yarns, and it is physically impossible to comb shoddy.

Mr. VEST. The Senator admits that shoddy goes into men's goods. We know it as a matter of actual observation and experience. Let any gentleman go to a merchant tailor and undertake to buy a dress suit, or any other suit made out of wool, and he will find that it is not for sale. There was a time in this country when a gentleman thought he was not dressed even for everyday life unless he had all-wool garments upon his back. But now they are "cropped," to use the manufacturing expression, and cotton and shoddy are put into them. So it is impossible to get an all-wool dress suit or any kind of an all-wool suit from a merchant tailor.

Mr. ALDRICH. Will the Senator allow me further?

Mr. VEST. Certainly.

Mr. ALDRICH. The Senator never saw a piece of goods in this country or anywhere else fit to make a dress suit of containing one particle of shoddy.

Mr. VEST. I know that you can go to any merchant tailor in this city, or New York, or Baltimore, or Philadelphia, and ask him in regard to the use of all-wool goods for men's wear and he will tell you that they have gone out of fashion. There is not a Senator here who has upon his back a coat made of all wool. With the finish the manufacturers give it is impossible to tell what are the component materials.

Mr. HAWLEY. Mr. President——

Mr. VEST. It is impossible to tell it. They will sell you a coat like the one I have on, which they call vicuna woolen, and when examined by an expert he will find cotton in it and shoddy in it; it is not all wool. Does the Senator from Connecticut want to ask a question?

Mr. HAWLEY. I was simply going to make a general contradiction. I said a while ago that there is not an ounce of real shoddy in this Chamber. I do not know what the Senator has on, but I tell him——

Mr. VEST. I do not know, either.

Mr. FRYE. He has not on any shoddy.

Mr. HAWLEY. I know that a merchant tailor can go up to his coat and tell him in a moment whether it contains any shoddy or not.

Mr. VEST. I know that this coat was sold to me for vicuna wool, but I know it is not. Vicuna is the finest South American wool, but it is adulterated, and every man wears such goods to-day. You can go to a merchant tailor in this city. I have taken pains to inquire if they deal in all-wool goods for gentlemen's wear here. I found one who said he had one piece out of one hundred and seventy-odd pieces that he knew to be all wool. But let me show how much shoddy is used in this country. I see on the floor here, to-day, the secretary of the Woolen Manufacturers' Association, who is assisting our friends in regard to this bill. He has been here ever since the commencement of the debate. The Senator from Rhode Island tells us that by putting only 15 per cent upon shoddy we invite this material into the country.

Mr. ALDRICH. You put it on the free list.

Mr. VEST. Under the McKinley act the duty is prohibitory.

Mr. ALDRICH. I have said you put it on the free list. That is what I have understood is the practical effect of the proposition of the committee.

Mr. VEST. No; 15 per cent is the rate in paragraph 279.

Mr. ALDRICH. I understood that was to be stricken out.

Mr. VEST. No, it is not stricken out. But let me go on, if the Senator pleases.

Mr. ALDRICH. Certainly.

Mr. VEST. The Senator says they put on prohibitory duties in the McKinley act and kept out shoddy from this country. What has been the result? I will read the testimony of the secretary of the Wool Manufacturers' Association before the Ways and Means Committee of the House of Representatives. Mr. TURNER said:

And, coming to the secretary of the Wool Manufacturers' Association—

Which this Mr. North testified he was—

who is undoubtedly a graduate of this business, I want to read the following statement of this book of Mr. Lewis, which, I suppose, he would not insert if it was not true, and you can correct it if he is to blame for it. I read from page 44 of the book called Our Sheep and the Tariff: "The secretary of the Wool Manufacturers' Association estimates that there is now one pound of cotton and shoddy used in so-called woolen goods for every pound of wool." Is that correct?

Mr. NORTH. I think that is pretty nearly correct, sir.

So here we have the very highest possible expert authority to the effect that for every pound of wool which goes into goods manufactured in the United States there is a pound of shoddy and cotton.

Now, the Senator asks me if I object to the use of cotton. I do object to it if it is put in as wool. When I buy woolen goods I want woolen goods, because I want the warmth that is given to protect my body during the inclement season of our country. I do not want goods half cotton and half woolen sold to me as woolen goods. I voted against the oleomargarine bill when it was brought in, and I did it upon the ground that if a man wanted oleomargarine and knew it was oleomargarine he had a right to have it. If it was properly stamped and there was no fraud, I was willing for him to put into his mouth whatever he pleased as a substitute for butter; but I was as much opposed as anyone to half oleo and half butter. And so I am in regard to this matter.

If a man sells me woolen goods I want woolen goods. If he sells me half cotton and half woolen and I know it, then it is my fault if I get a bad article, and I have no right to complain.

But what is the difference between shoddy and cotton? One is clean, pure woolen goods and a valuable article. The other is the refuse of hospitals, old clothes that have been worn out. Shoddy is still used in the United States. We have tried, by putting a prohibitory duty, to stop its use, the Senator says, but he has failed in doing it, for the consumption has gone on increasing until, according to the secretary of the Woolen Manufacturers' Association, there is one pound of cotton and shoddy to-day used for every pound of wool.

I recollect that in 1890 I quoted on this floor the statement, which I have here somewhere, that the governor of Maine had sent abroad to buy uniforms for his staff and himself, because they could not get the pure woolen goods in this country. The Senator from Ohio answered me in that debate in regard to that article, and said there was not a Senator present probably who did not buy foreign goods. That is true; and those goods come into this country made up partly of shoddy, partly of cotton, and partly of wool. They are the same with the American goods, and the prohibitory duty of the McKinley act increased the consumption of shoddy. Therefore my answer to the Senator from Rhode Island is that to continue prohibitory duties does not remove this evil. It is impossible to deny statistics that are furnished by the protectionists themselves.

Mr. ALDRICH. It is true that a prohibition upon the importation of shoddy will not prevent its use in the United States. It will not prevent the use and consumption of the American product, whatever it may be. But what does the Senator expect to accomplish by opening the doors of the custom-houses of the United States to the free importation of shoddy from all parts of the world if its use is such an undesirable thing?

Now, the Senator made two or three astonishing statements in the course of his remarks.

Mr. VEST. We make wool free and tax the shoddy.

Mr. ALDRICH. You tax it in one form, but let it in without limit and without duty in other forms. You admit woolen rags, etc., free, and this will only allow shoddy come in under another name.

The Senator tells us he has a tailor who has informed him that he had no all-wool goods in his shop. I do not know what tailor the Senator from Missouri patronizes, but I will venture the statement that there is not a man in this Senate Chamber at this moment who has on a coat or a suit of clothing that contains any cotton whatever in the cloth from which it is made, and I venture——

Mr. VEST. And no shoddy?

Mr. ALDRICH. I feel equally sure about shoddy. Shoddy only goes into heavier goods; and there is probably not a man in the Chamber who is wearing goods heavy enough to contain any admixture of shoddy.

Mr. VEST. Or in winter either?

Mr. ALDRICH. In winter I would not feel so sure. But my assertion is that there is not a first-class tailor in the United States, nor a second-class tailor, whose stock is not made up very largely of all-wool cloths. At the present price of all-wool cloths there is no excuse for the use of anything else.

I do not think, however, that a mixture of cotton in woolen goods is such an undesirable thing as the Senator from Missouri seems to think it is. Cotton is used for this purpose to a very great extent all over the world, and to an increasing extent perhaps. The movement in this direction may be retarded somewhat by the decline that has taken place in the price of wool, bringing the prices of cotton and wool nearer together.

If it were not for this fact there would be a constantly increasing use of cotton for mixing with wool in cloths used for clothing, and I do not think that that is altogether an undesirable result. There are some classes of cotton and woolen mixed goods that are stronger and more durable than those made of all wool. To revert, however, to the question which we were discussing as to the extent which shoddy and other substitutes for wool are used in this country.

In justice to Mr. North I think I ought to put into the RECORD a letter which he wrote to the Ways and Means Committee in explanation of the testimony to which the Senator from Missouri has referred. The letter is as follows:

DEAR SIR: With reference to the statements made before the Ways and Means Committee, on September 12 last, in reply to certain questions of Judge TURNER, with reference to the increased use of shoddy, cotton, and other adulterants of wool, between 1880 and 1890, it is now possible to furnish the exact statistics from the census of 1890. Inasmuch as a distinctly wrong impression is conveyed in the testimony, it seems desirable to accompany its publication by the exact figures. These are as follows:

Quantities of scoured wool, and of cotton, shoddy, and other so-called adulterants, used in wool manufactures, 1880–1890.

Materials.	1890.	1880.	1890.	1880.
	Pounds.	*Pounds.*	*Per cent.*	*Per cent.*
Total	324,250,060	252,474,545	100.00	100.00
Scoured wool, including camel's hair and mohair	207,5[illegible]	167,634,157	64.02	66.4
Cotton	42,996,248	27,869,706	13.26	11.0
Shoddy and animal hair not specified	73,678,066	56,970,682	22.72	22.6

It will be seen that the proportion of shoddy, cotton, etc., to wool in both 1880 and 1890 was very nearly as 1 pound of the former to 2 pounds of wool.

Instead of 1 pound, as the Senator from Missouri has said—

and that the increase in the use of the adulterants was relatively small—

The increase being from 22.6 in 1880 to 22.7 in 1890, the change being only one-tenth of 1 per cent.

The erroneous statement that 1 pound of substitutes was used for each pound of wool, in 1880, was due to the fact that the statistics of hosiery and knit goods were included as a part of the statistics of wool manufactures, in making the calculation—

Hosiery and knit goods being made almost entirely of cotton.

Inasmuch as a great part of the hosiery and knit-goods industry is distinctively a cotton industry, its statistics should obviously be excluded from such a computation.

Very respectfully,

S. N. D. NORTH, *Secretary.*

With modern processes and modern machinery shoddy can be cleansed, treated, and by a judicious use in connection with wool or wool and cotton made into cloth, that will have as good an appearance as if it were made of all wool; and for clothing purposes, so far as keeping out cold in a rigorous climate, it would be as good as though it were made entirely of wool. It will not wear as long. There is not as much tensile strength in the yarn made from wool after it has been worn and remanufactured in this way, but it would lead to a criminal waste of material if we should prevent by legislation, if this were possible, the remanufacture of wool which had once been used.

Mr. QUAY addressed the Senate in continuation of the speech heretofore begun by him. After having spoken for half an hour——

Mr. HANSBROUGH said: Will the Senator from Pennsylvania yield to me for a few moments?

The PRESIDING OFFICER (Mr. BLANCHARD in the chair). Does the Senator from Pennsylvania yield to the Senator from North Dakota?

Mr. QUAY. Yes, sir.

Mr. HANSBROUGH. Mr. President, in the debate yesterday the Senator from Missouri [Mr. VEST] challenged this side of the Chamber to show that a duty on wheat benefits the American wheat-grower. I do not hope to convince the Senator from Missouri that he is wrong in his view of the case, but I think the facts, as they present themselves to one who comes from a leading wheat State, should be given to the Senate and to the country. It has been a favorite pastime of those entertaining the free trade idea to ridicule the claim that protection is of any service to the wheat farmer. They have pointed out that the price of our entire wheat output is regulated by the price we receive for the surplus we send abroad, and that a duty can have nothing whatever to do with it. It is true that the foreign price does fix the domestic price, and it will be so as long as we have a surplus to sell in the world's markets.

I stated in the course of some remarks offered here a few days ago that I believed it to be the duty of Congress to guard against the enactment of legislation which would make our wheat sur-

plus any greater than it now is. Indeed, good policy dictates that we should not have a surplus of wheat. Then the domestic demand and the ability of our own people to buy would fix the price, and with our per capita of domestic money, about ten times greater than the world's per capita, our wheat-raisers would reap larger rewards for their labors. The way to avoid having a surplus, which we all know must find a market abroad, is to encourage other lines for the farmer. Assist him to raise all the wool we need for home consumption. Encourage him to produce his own sugar. Take him out of the business of wheat-raising. Open the silver mines and coin the product into money, to stand as the basis of our currency. This would give employment to thousands who are now eking out a mere existence raising wheat.

By the policy which underlies this bill you propose to lower the wages of our working people and compel many of them to go into the business of farming. You propose also that a large share of the two millions of people now engaged in wool-raising shall cease raising wool; consequently, they must raise wheat. You strike a blow at beet-sugar making, and as the people engaged in this work are mostly farmers, they will be driven back to the wheat field. Wheat-raising is the last resort of all classes of men when they are deprived of other work to do.

So, instead of diminishing the surplus of wheat, you propose to increase it. More than this. You intend to open the door to the foreign grain-raiser from every quarter of the globe. You invite the Canadian farmer, for instance, to bring his fifty or one hundred millions of surplus wheat into this country, free of duty, and place it on top of our surplus. You invite the Canadian farmer to add his surplus to ours, thereby increasing the amount of wheat for which we must find a market abroad. You give him not only the markets of Minneapolis, Duluth, and Chicago, but make it possible for him to crowd our own wheat-raisers out of those markets to a large extent, because in the Northwest there is always, during the marketing season, a scarcity of elevator room, and grain cars are in great demand for moving our own crop.

I believe that the surplus from the wheat regions of Western Canada which, under the operation of a duty upon wheat exports to this country has been and is now being sent east to and through the Gulf of the St. Lawrence and over the ocean to Liverpool, will, if this bill becomes a law in its present form, be marketed at Minneapolis, Duluth, and Chicago. I would like to know what the American farmer gets in exchange for this. With a duty upon wheat in this country the Canadian farmer must send his surplus abroad; with free trade in wheat he will send it here.

Nor is this all. Russia, India, and the Argentine, if they have free access to our markets, will ship wheat to us. It costs about 25 cents per hundred pounds to ship wheat from the State of North Dakota to New York and other seaboard cities. The foreign wheat countries, all of which are highly favored with water transportation, can lay their grain in New York at a freight charge of 8 to 10 cents per hundred. India can send wheat from Bombay through the Suez Canal and the Mediterranean at a less rate than the North Dakota farmer is required to pay to send his wheat to Chicago. If you do not change the grain schedule in this bill the Boston bread-eater will buy his flour or the wheat to make it in South America. What follows? The flour-maker in Minneapolis and the wheat-raiser in the Dakotas must reduce their prices so as to compete with foreign wheat.

Mr. SQUIRE. Will the Senator from North Dakota permit me to ask him a question?

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Washington?

Mr. HANSBROUGH. Certainly.

Mr. SQUIRE. I would ask whether it is not true that the American prefers flour made from American wheat to flour made from foreign wheat? Is there not a decided difference in the quality of much of the wheat raised abroad and that raised in the United States? Is not the American wheat relatively more valuable? Does it not in many instances bring a higher price abroad?

Mr. HANSBROUGH. There is some difference, the best grades of wheat produced in this country being superior to the wheat produced in most of the foreign grain-raising countries. The lower grades of our wheat are about on a par with the best grades raised abroad. Nevertheless the price at which wheat can be produced and transshipped to this country from India, Russia, and Argentina is so far below the price at which it can be produced and freighted in this country that foreign wheat will come into active competition with our wheat.

Prices here are now below the profit line. South America is shipping wheat to Europe to-day in competition with North American wheat. Remove the duty, and it will be shipped more easily to Galveston, New Orleans, Charleston, Norfolk, Baltimore, Philadelphia, New York, and Boston than to Liverpool, because the distance to our ports is not so great. So in this respect the bill is a double calamity. It increases our surplus and narrows our markets at the same moment.

Mr. President, the more we study this proposed tariff bill, the closer we analyze its provisions, the nearer we seem to approach a great sea of commercial uncertainty. No, it is not an uncertain sea. It is a treacherous gulf of swirling, seething waters; a dark expanse of shoals, eddies, and uncompassed currents.

Mr. QUAY resumed his speech. After having spoken nearly an hour.

Mr. GALLINGER said: Will the Senator from Pennsylvania allow me a few minutes?

Mr. QUAY. Certainly.

Mr. GALLINGER. Mr. President, I wish to occupy a few minutes in calling attention to some remarkable statements made by the Senator from South Dakota [Mr. KYLE] in his speech of yesterday on the wool schedule. I regret exceedingly that I do not find his speech in the RECORD this morning, as otherwise I should have reviewed it at greater length than I propose now to do. Before calling attention to the statements of the Senator from South Dakota, I desire in a single word to repeat what I have already said, and to reiterate what other New England Senators have said over and over again, as to the attitude of the manufacturers of New England toward the wool-growers of the United States.

I have said, and I repeat, that so far as my knowledge extends (and I have lived for thirty-four years among people who manufacture largely), I have known of but one instance of a woolen manufacturer who has openly advocated placing wool on the free list, and I have information that that man has changed his opinion and is now an advocate of retaining a proper duty upon raw wool. Why, in the face of such facts, the stale charge should be repeated and reiterated by Senators on the other side that manufacturers are in favor of free wool surpasses my comprehension.

But what I desire to call attention to more particularly was the statement made by the Senator from South Dakota, that he has traveled over New England towns; that he has gone past block after block of residences, and has not heard a word of English spoken. Mr. President, I can not for the life of me understand what towns in New England the Senator from South Dakota has visited. They certainly are unknown to me; and I venture to say they are unknown to every New England Senator on this floor.

That we have to some extent introduced into our factories Canadian Frenchmen, many of whom do not speak English, is true. That they have taken the places voluntarily relinquished by Americans is likewise true. But that our population is so largely made up of foreigners that the English language is not spoken from one end of a block to another, or through several blocks, is an absurdity so patent that I need hardly call attention to the statement.

A further statement made by the Senator from South Dakota was that he has been in the hotels of New England, and at the tables he has heard nothing but the jabber of French. I am pleased to stand here to say a good word for the Canadian Frenchmen who come to New England. They are industrious, intelligent, honest people. They perform good work; they receive good pay. They pay their bills and they observe our laws, and so far as I know the people of New England are very glad to employ them in their factories in the absence of American help. As I have said, I have lived in New England thirty-four years. I have associated with her people very intimately. I have been in a great many of the hotels of New England, and so far as I can now recall I never heard a word of French, Parisian or Canadian, spoken at a hotel table during those thirty-four years. So the wonder came to my mind yesterday, as it does to-day, as to what class of hotels the Senator from South Dakota has patronized in New England.

Mr. President, this is all I care to say. Daniel Webster, a great many years ago, on a very notable occasion, spoke for New England. New England has held her place among her sister States ever since. She is inhabited by an industrious, law-abiding, God-fearing, prosperous people, striving to do their full part in the industrial progress and prosperity of this great nation; and I submit that it is not becoming the Senator from South Dakota, or any other Senator, for the purpose of making a point against the manufacturers of this country, to utter libels upon the people whom I in part represent. Every New England Senator has voted for a duty on wool; every New England Senator has steadily voted to protect the farm products of the great Northwestern States, and it is a poor return for our action to be misrepresented and reviled by a Senator from that section of the country.

In every part of the Union New England men can be found, among the most intelligent, industrious, and progressive in

every community where they reside; but while they have contributed so much to the prosperity and progress of other Commonwealths, the interests of our own little States have not been overlooked or neglected. The same principles of freedom, equality, justice, and liberty of conscience that characterized and distinguished the early settlers are still found in New England, making her people the champions of the school, the church, and of every benevolent and charitable movement of the age; and equally so in this great contest for industrial freedom, New England stands unflinchingly in support of the industries and labor of the people of our own country against those of any other nation on the face of the earth.

Mr. QUAY resumed his speech. After having spoken altogether about one hour and three-quarters, he said:

I will print the statement by Maj. Hanson without reading it, and as it seems to be the disposition of the Senate to proceed to a vote upon the pending paragraph, I will cut short my remarks at this point, and unless there is objection on the part of the Senate will print much of the documentary matter which I proposed to read.

[Mr. QUAY'S speech will be published entire after it shall have been concluded. See Appendix.]

The PRESIDING OFFICER. The pending question is on the amendment submitted by the Senator from Missouri [Mr. VEST] on behalf of the Committee on Finance to strike out paragraph 278.

Mr. PLATT. Let it be read.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. It is proposed to strike out paragraph 278 in the following words:

278. Wool of the sheep, hair of the camel, goat, alpaca, and other like animals in the form of slubbing waste, roving waste, ring waste, mungo, shoddies, garnetted, or carded waste, carbonized noils or other waste product, any of which is composed wholly or in part of wool, the hair of the camel, goat, alpaca, and other like animals, which has been improved or advanced beyond its original condition as waste by the use of machinery or the application of labor, or both, and carbonized wool, shall be subject to a duty of 15 per cent ad valorem.

The PRESIDING OFFICER. The yeas and nays have been ordered upon agreeing to the amendment, and the Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. HIGGINS (when his name was called). I am paired with the senior Senator from New Jersey [Mr. MCPHERSON]. In his absence I withhold my vote.

Mr. PATTON (when his name was called). I am paired with the junior Senator from Maryland [Mr. GIBSON].

Mr. VEST (when his name was called). I have a general pair with the Senator from Minnesota [Mr. WASHBURN]. I will transfer my pair to the Senator from South Carolina [Mr. IRBY], and vote "yea."

Mr. VILAS (when his name was called). I have a general pair with the Senator from Oregon [Mr. MITCHELL], but by consent of the Senator from Wyoming [Mr. CAREY], who is paired with my colleague [Mr. MITCHELL of Wisconsin], my colleague being detained from the Chamber by the sickness of a child, we will transfer our pairs, so that the Senator from Oregon will stand paired with my colleague, and the Senator from Wyoming and myself will vote. I vote "yea."

The roll call was concluded.

Mr. PEFFER. I was requested to state that if the junior Senator from Nebraska [Mr. ALLEN] were present he would vote "yea."

Mr. PATTON. I was requested to announce that my colleague [Mr. MCMILLAN] is absent from the city and is paired with the junior Senator from Louisiana [Mr. BLANCHARD].

The PRESIDING OFFICER (after having voted in the affirmative). The Chair desires to withdraw his vote, as the Senator from Michigan [Mr. MCMILLAN], with whom he has a general pair, is absent.

Mr. CAMDEN. I wish to announce my pair with the Senator from South Dakota [Mr. PETTIGREW].

Mr. GEORGE (after having voted in the affirmative). I am paired with the Senator from Oregon [Mr. DOLPH], and voted inadvertently. I withdraw my vote. If the Senator from Oregon were present he would vote "nay" and I should vote "yea."

Mr. CALL (after having voted in the affirmative). I inquire whether the Senator from Vermont [Mr. MORRILL] has voted?

The PRESIDING OFFICER. He has not voted.

Mr. CALL. Then I withdraw my vote and announce my pair with the Senator from Vermont [Mr. MORRILL].

Mr. HANSBROUGH (after having voted in the negative). I wish to inquire if the junior Senator from Illinois [Mr. PALMER] has voted?

The PRESIDING OFFICER. He has not voted.

Mr. HANSBROUGH. Then I withdraw my vote, being paired with that Senator.

Mr. GORDON. By an arrangement with the junior Senator from Michigan [Mr. PATTON], I transfer my pair with the junior Senator from Iowa [Mr. WILSON] to the junior Senator from Maryland [Mr. GIBSON], which enables the Senator from Michigan and myself to vote. I vote "yea."

Mr. PATTON. I vote "nay."

Mr. GEORGE. The Senator from Delaware [Mr. HIGGINS] is paired with the Senator from New Jersey [Mr. MCPHERSON]. I am paired with the Senator from Oregon [Mr. DOLPH]. I am willing to transfer pairs so that the Senator from Delaware and I can vote.

Mr. HIGGINS. I am content with that arrangement.

Mr. GEORGE. The Senator from Oregon [Mr. DOLPH] will stand paired with the Senator from New Jersey [Mr. MCPHERSON]. I vote "yea."

Mr. HIGGINS. I vote "nay."

Mr. ALDRICH. Perhaps I ought to state for the Senator from Oregon [Mr. DOLPH], that he left the Chamber understanding that there would be no vote reached upon this question in the course of the afternoon, a suggestion for which I am myself responsible. If the Senator from Oregon were present he would vote "nay" upon this question.

Mr. HARRIS. The Senator's pair has been taken care of by transfer.

Mr. ALDRICH. I understand.

Mr. QUAY. The junior Senator from Maryland [Mr. GIBSON] left the Chamber understanding, or rather the assurance conveyed by me, that there would be no vote taken this afternoon. I presume he is paired.

The PRESIDING OFFICER. By a transfer just made the Senator from Maryland [Mr. GIBSON] stands paired with the Senator from Iowa [Mr. WILSON].

Mr. FRYE. I am paired with the senior Senator from Maryland [Mr. GORMAN].

Mr. BRICE. I am paired with the junior Senator from Colorado [Mr. WOLCOTT], but transfer my pair to the Senator from Georgia [Mr. WALSH] and vote "yea."

The result was announced—yeas 32, nays 23; as follows:

YEAS—32.

Bate,	Faulkner,	Kyle,	Ransom,
Berry,	George,	Lindsay,	Roach,
Blackburn,	Gordon,	Mills,	Smith,
Brice,	Gray,	Morgan,	Turpie,
Caffery,	Harris,	Murphy,	Vest,
Cockrell,	Hunton,	Pasco,	Vilas,
Coke,	Jarvis,	Peffer,	Voorhees,
Daniel,	Jones, Ark.	Pugh,	White.

NAYS—23.

Aldrich,	Gallinger	Manderson,	Quay,
Allison,	Hale,	Patton,	Sherman,
Carey,	Hawley,	Perkins,	Shoup,
Chandler,	Higgins,	Platt,	Squire,
Davis,	Jones, Nev.	Power,	Teller.
Dubois,	Lodge,	Proctor,	

NOT VOTING—30.

Allen,	Dolph,	McLaurin,	Pettigrew,
Blanchard,	Frye,	McMillan,	Stewart,
Butler,	Gibson,	McPherson,	Walsh,
Call,	Gorman,	Martin,	Washburn,
Camden,	Hansbrough,	Mitchell, Oregon	Wilson,
Cameron,	Hill,	Mitchell, Wis.	Wolcott.
Cullom,	Hoar,	Morrill,	
Dixon,	Irby,	Palmer,	

So the amendment was agreed to.

The PRESIDING OFFICER. The reading of the bill will proceed.

The Secretary read as follows:

279. On wool of the sheep, hair of the camel, goat, alpaca, or other like animals, in the form of roving, roping, or tops, valued at not more than 35 cents per pound, the duty shall be 25 per cent ad valorem; valued at over 35 cents per pound, the duty shall be 30 per cent ad valorem.

The Committee on Finance reported an amendment, in line 6, after the word "tops," to strike out "valued at not more than 35 cents per pound, the duty shall be;" and in line 8, after the words "ad valorem," to strike out "valued at over 35 cents per pound, the duty shall be 30 per cent ad valorem."

The amendment was agreed to.

Mr. JONES of Arkansas. I move a further amendment to the paragraph, which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In line 3, after the word "on," it is proposed to insert "flocks, shoddy, garnetted waste, and carded waste, and carbonizeds noils, or carbonized wool, and on."

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Arkansas.

The amendment was agreed to.

Mr. JONES of Arkansas. In line 7, before the words "per

cent," I move to strike out "twenty-five," and insert "fifteen;" so as to read "15 per cent ad valorem."

Mr. ALDRICH. I hope the Senator from Arkansas will not insist upon this amendment, for its adoption would be absolutely destructive to the wool-spinning industry of the United States. If we can import the articles named in this paragraph, wool tops, for instance, at 15 per cent ad valorem, there is no possibility that they can be made in the United States; and instead of importing raw wool, we shall import all wool in the form of tops. That will be the certain result of this amendment, and I hope the Senator will allow the original House proposition to stand.

Mr. PLATT. Mr. President, I do not think this amendment ought to be adopted without a protest on the part of those who desire to preserve that portion of the woolen industry in this country which is engaged in transforming the fleece into yarn. All the preliminary processes of the manufacture of wool up to the stage of yarn is involved in this paragraph. Roving, if I understand it, is the carrying along of the wool upon the cloth, and is practically ready for spinning; roping is like our old carded wool, and tops is the last process prior to the spinning.

As I said the other day in some remarks that I made about the duty on wool, there is a great difference in the way wool is treated in this country and in foreign countries. In foreign countries the treatment which produces the roving, roping, or tops, is a separate manufacture by itself, and the man who weaves cloth either takes the wool in the form of roving, roping, or tops from the factories in which it has been prepared or in the further advanced stage of yarn. The manufacturer of woolen cloth abroad does not take the fleece and sort it, and wash it, and scour it, and put it through the preliminary processes which form roving, roping, tops, and yarn; but the American manufacturer does. I doubt if there is a single woolen-cloth factory in the United States which has not now the machinery for these preliminary processes. If there are any, they are very few in number. There may be a few cloth factories which buy yarn and manuacture the cloth but if so they are the exception.

It will be observed that there is a very low duty placed upon the manufacture of wool when it is advanced to this stage when only 15 per cent ad valorem is allowed, and it is one of those articles to ascertain the value of which for importing purposes is extremely difficult, or certainly somewhat difficult; in other words, there will be undervaluations even with this duty of 15 per cent ad valorem. It is to be seen, and it can not be otherwise, that all the machinery which is now employed in this country in these preliminary stages of manufacture will have to be abandoned. That will result in failure and bankruptcy to a great many concerns.

The very strong concerns will be, perhaps, able to stand the loss and will go on by the importation of the roving, roping, tops, or yarn from abroad, but the effect of so low a duty upon this process of manufacture will be that it can not be carried on in this country. Do Senators on the other side desire such rates of duty as shall either drive the business out of the country or force the combination of capital and of establishments? It is only possible for this business to survive in this country by adopting the English and the German method of doing the business, having certain factories which prepare the roving, the roping, the tops, or the yarns, as the case may be, and confine themselves to that particular business, which will require great capital. It will not be immediately done, but when the little concerns have been broken up and destroyed, then probably the large manufacturers will combine together and establish manufactories for this class of woolen manufacturing upon a large scale.

The inevitable tendency of low duties, as I have already had occasion to remark, is the formation of trusts and combinations for self-defense and self-protection, not for the purpose of making money, but to be able to compete with the foreign manufacturers, who have utilized all possible economies in the manufacture of wool up to this point. That will be the inevitable result of it—loss to all woolen establishments and destruction to many, and a final combination and aggregation of concerns to endeavor to meet the foreign manufacturers.

I am sure if Senators on the other side understood this matter as do the Senators from the woolen manufacturing States, they would not insist on reducing this duty 10 per cent below the duty which was fixed in the bill as it came from the House of Representatives. That was bad enough, Mr. President; that was ruinous in itself almost; but it is possible that it would not have been absolutely destructive of the industry in this country. Wool was on the free list as the bill came from the House of Representatives. The Ways and Means Committee and the House itself thought that 25 per cent ad valorem was a fair duty upon wool advanced to this stage of manufacture, and I should like to know what representations have been made to the committee which have induced them to reduce it almost one-half from the rate at which the House left it, the House having made a serious reduction from the present law.

Mr. PEFFER. Mr. President, I should like to inquire of some Senator who is familiar with manufacturing in New England as to the probable extent to which shoddy is used in the manufacture of cloth known as woolen cloth.

I have a letter here from a gentleman residing in Vermont, in which he incloses some samples of shoddy and of the goods manufactured from it. He shows that the material which is used in the manufacture of a certain grade of cloth is made up of 7,000 pounds of rags to 350 pounds of wool.

Then he shows certain samples which I have here [exhibiting], and which Senators can see if they wish to. No. 1 is material made up of shoddy rags and wool ready for carding; No. 2 is the same, and shows the materials carded; No. 3 shows the same material partly twisted; No. 4 shows the fabric pressed and finished; No. 5 shows the fabric not finished; and No. 6 shows the fabric after it has been worn.

The letter is as follows:

APRIL 16, 1894.

MY DEAR SIR AND BROTHER: As the far-famed fizzle is now before the Senate (the Wilson bill), I thought some ideas from a Vermont woolgrower might not be out of place.

The inclosed samples are the product of one of our Vermont woolen mills. Every woolen mill (to my knowledge) in the State, save one, and that is idle, manufactures a similar fabric and is now doing from a fair to a rushing business.

The raw material used is cotton warp filled with shoddy made from rags 7,000 pounds to wool 350 pounds. I get these figures from the manufacturers themselves, and they claim to sell the fabric for what it is bringing there—about 25 cents per yard, jobbers' price. Sample No. 1 is shoddy, of rags and wool, ready to card. No. 2 is same carded. No. 3 is partly twisted. No. 4 is fabric pressed and printed. No. 5 is fabric not printed. No. 6 is fabric after being worn.

If any sane person thinks the woolgrower can compete with this oleowoolen, tariff or no tariff, they had better try it. Before the McKinley bill became a law, wool sold here for 30 cents. It is a drug on the market to-day at 15 cents.

I have the honor to be, sir, fraternally,

C. S. LOUIS,
Secretary Vermont Executive Committee People's Party and Acting Chairman of same.

Senator PEFFER, *Washington, D. C.*

Senators can see from these samples that the nap or the woolen portion of the cloth which has been used has been worn off, leaving the cotton warp exposed. It certainly is a very inferior grade of cloth; and what I should like to find out from Senators who are familiar with the business is, to what extent probably this kind of manufacture is now going on in the United States?

Mr. ALDRICH. If the Senator from Kansas had been present this morning and listened to the discussion which took place, he would have had the information fresh in his mind.

Mr. PEFFER. I was necessarily absent in attendance upon a committee of the Senate.

Mr. ALDRICH. About 22 per cent of the material used in 1890 in the manufacture of wool and woolen products was shoddy and other substitutes for wool, including hair.

Mr. PEFFER. Do I understand the Senator from Rhode Island to answer that about 20 per cent of the importations——

Mr. ALDRICH. No; 22 per cent of the domestic manufactured product.

Mr. PLATT. Mr. President, there is one other thing which ought to be said, and I think it was said this morning by the Senator from Rhode Island [Mr. ALDRICH]. The 15 per cent which is to be placed by this tariff upon shoddy applies to the shoddy when it has been advanced to the condition of roving, roping, or tops, and not to the shoddy in its original state.

Shoddy, as I understand, is woolen cloth which has been picked up, and shoddy like that in the sample which the Senator from Kansas [Mr. PEFFER] exhibited, and which I hold in my hand, comes in free by the pending bill. The next process is that by which it has been advanced from a condition somewhat resembling wool to a condition resembling carded wool, on which a duty of 15 per cent is imposed, but shoddy by the pending bill, before it has been advanced to the condition of roving, roping, or tops, is to come in free with wool, and there is not any question in my mind about it; but it will very materially increase the proportion of shoddy goods in the country.

Mr. ALDRICH. There is no doubt about it whatever.

Mr. PLATT. As I said this morning, if wool is to be placed upon the free list, it is consistent that shoddy should go on the free list; but it is not right that it should go on the free list any more than it is right that wool should go on the free list. If, however, it is determined that wool shall go on the free list, then I suppose consistency requires that shoddy in its original condition should also be placed upon the free list. It will be a damage to the people in this country; it will increase the proportion of shoddy goods which will be made and worn in this country, for the proportion of shoddy goods is much greater abroad than it is here. There is no question about that. It will come right home to the man who buys a cheap suit of ready-

made clothing. Whereas he now gets a fair article, an article which wears well for a low price, he will get, with shoddy on the free list, the article which the English workingman wears at the same price, which is not half as good. That is to be the result of putting shoddy on the free list.

I do not know that I need say anything more about this matter; but, in answer to the question which the Senator from Kansas asked, I will state that the whole quantity of wool and similar materials used in the production of woolen goods in this country in 1880 was 252,474,545 pounds; in 1890, 324,259,060 pounds. That included all the materials used in the nature of wool in the manufacture of woolen cloth. Of those 56,970,682 pounds were used in 1880 and 53,678,066 pounds in 1890, being 22.6 of the entire material used in 1880 and 22.72 per cent of the entire material used in 1890. So, although the number of pounds of shoddy used had increased between 1880 and 1890, the percentage remained the same.

During the last ten years there has been no increase in the proportional amount of shoddy goods made in this country; but let shoddy in free and, first, it will come in free in its original condition, or under this very low duty, as it will be, when advanced to the condition of roving, roping, or tops; and I have no doubt you will find that the proportion of shoddy goods will be very greatly increased in this country.

Mr. ALDRICH. Mr. President, I feel obliged to utter another word of protest in regard to the provisions of this paragraph.

If the duty upon wool tops is placed at 15 per cent ad valorem, three-quarters of the woolen-spinning machinery of the United States will be rendered valueless. There are twelve different processes from the wool to the finished yarn, and nine of those take place before the top is produced. I shall insert in the RECORD a statement of what these processes are in order that Senators may understand what I mean.

The statement is as follows:

Memorandum of the processes of making worsted yarns.

First. Sorting the wool.
Second. Washing the wool.
Third. Drying the wool.
Fourth. Preparing through five machines. (Some use carding machinery here.)
Fifth. Gilling for the winder.
Sixth. Winding for the comb.
Seventh. Combing. (The wool is here divided into top and noil.)
Eighth. Gilling after combing. (This is improving the top.)
Ninth. Drawing through five machines. (This makes tops into roving.)
Tenth. Spinning on one machine.
Eleventh. Twisting on one machine.
Twelfth. Reeling and packing.
On some kinds of yarn redoubling after twisting is done.
Tops are the product of the first nine processes.
Rovings are the product of the first nine processes, and three-quarters of the manufacture is then completed.

In this paragraph the duty on wool tops, a highly advanced manufactured product, is placed at the same rate as that imposed upon mungo, flocks, and shoddy. The inequality of this action must be apparent to any Senator at all familiar with the processes of woolen manufacture. There is no one paragraph in the bill which is quite so unequal in its operation, or quite so inconsistent as the paragraph now under consideration.

I think it not an unreasonable estimate to say that one-half of the entire amount invested in woolen manufacturing plants in the United States at the present moment will be destroyed if this action should receive the assent of the Senate, and if the bill with this provision incorporated in it should be come a law.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Arkansas [Mr. JONES].

Mr. PLATT. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. GORDON (when his name was called). With the consent of the Senator from Maine [Mr. FRYE], I transfer my pair with the Senator from Iowa [Mr. WILSON] to the Senator from Maryland [Mr. GORMAN], and vote. I vote "yea."

Mr. VEST (when his name was called). I am paired with the Senator from Minnesota [Mr. WASHBURN], but I transfer that pair to the Senator from South Carolina [Mr. IRBY], and vote "yea."

Mr. VILAS (when his name was called). I am paired with the Senator from Oregon [Mr. MITCHELL].

The roll call was concluded.

Mr. BLANCHARD. I am paired with the Senator from Michigan [Mr. MCMILLAN]. If he were present I should vote "yea."

Mr. VILAS. I transfer my pair with the Senator from Oregon [Mr. MITCHELL] to the Senator from Kansas [Mr. MARTIN], and vote "yea."

Mr. GEORGE. I am paired with the Senator from Oregon [Mr. DOLPH], and withhold my vote.

Mr. CHANDLER (after having voted in the negative). I am paired with the junior Senator from New York [Mr. MURPHY], and withdraw my vote.

The result was announced—yeas 30, nays 23; as follows:

YEAS—30.

Allen,	Faulkner,	Lindsay,	Roach,
Bate,	Gordon,	Mills,	Turpie,
Berry,	Gray,	Mitchell, Wis.	Vest,
Brice,	Harris,	Morgan,	Vilas,
Caffery,	Hunton,	Palmer,	Voorhees,
Call,	Jarvis,	Pasco,	White.
Cockrell,	Jones, Ark.	Pugh,	
Daniel,	Kyle,	Ransom,	

NAYS—23.

Aldrich,	Frye,	Manderson,	Quay,
Allison,	Gallinger,	Morrill,	Sherman,
Carey,	Hale,	Peffer,	Shoup,
Cullom,	Hansbrough,	Perkins,	Squire,
Davis,	Hawley,	Platt,	Teller.
Dubois,	Hoar,	Power,	

NOT VOTING—32.

Blackburn,	Dolph,	Lodge,	Pettigrew,
Blanchard,	George,	McLaurin,	Proctor,
Butler,	Gibson,	McMillan,	Smith.
Camden,	Gorman,	McPherson,	Stewart,
Cameron,	Higgins,	Martin,	Walsh,
Chandler,	Hill,	Mitchell, Oregon	Washburn,
Coke,	Irby,	Murphy,	Wilson,
Dixon,	Jones, Nev.	Patton,	Wolcott.

So the amendment was agreed to.

The VICE-PRESIDENT. The reading of the bill will be resumed.

The Secretary read as follows:

280. On woolen and worsted yarns made wholly or in part of wool, worsted, the hair of the camel, goat, alpaca, or other animals, valued at not more than 40 cents per pound, 30 per cent ad valorem; valued at more than 40 cents per pound, 35 per cent ad valorem.

The Committee on Finance reported an amendment to the paragraph in line 12, after the word "animals," to strike out "valued at not more than 40 cents per pound;" and in line 13, after the words "ad valorem," to strike out "valued at more than 40 cents per pound, 35 per cent ad valorem."

Mr. JONES of Arkansas. I withdraw the committee amendment, and move to substitute for it the amendment which I send to the desk.

The VICE-PRESIDENT. The amendment proposed by the Senator from Arkansas will be stated.

The SECRETARY. In paragraph 280, line 14, after the word "pound," it is proposed to strike out "thirty-five" and insert "forty;" so as to read, "40 per cent ad valorem."

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Arkansas.

The amendment was agreed to.

Mr. MANDERSON. Mr. President, the adoption of the amendment proposed by the Senator from Arkansas leaves the duty on woolen and worsted yarns "valued at not more than 40 cents per pound," 30 per cent ad valorem; and those "valued at more than 40 cents per pound," 40 per cent ad valorem.

I am very glad to see that increase in the duty on woolen and worsted yarns worth over 40 cents per pound; but it seems to me that in fairness to this industry the committee has hardly gone far enough. I think it will be conceded that the line as to price between those low grades of yarn which go to the manufacture of carpets and those of better grades which enter into the manufacture of dress goods and men's apparel, is 30 cents per pound rather than 40 cents.

I have had occasion, because of an interest which I can not ignore, to look somewhat into this matter, and I hold in my hand a letter which presents the matter very carefully and fully, from worsted yarn makers in the city of Philadelphia, who say that they make a grade of yarn which enters into the coarser fabrics of men's and women's wear, which is worth over 30 cents a pound; that they can exist and can conduct their business if there shall be granted to them on wools worth over 30 cents per pound, a duty of 35 cents.

The decrease in the ad valorem rate upon these yarns is enormous, even if the amendment which I suggest should obtain. Of course, there is included in the equivalent average ad valorem under the present law that compensation which comes from the duty upon wool; but looking at the rates under the present law, I find that upon the yarns, woolens, and worsteds valued at not more than 30 cents per pound in 1893, taking the current prices, there was a duty of 278.66 per cent, and that duty it is proposed to reduce now to 30 per cent on yarns, wools, and worsteds valued at more than 30 and not more than 40 cents per pound.

The duty was 118.79 per cent, which it is proposed to reduce to 30 per cent, and on yarns, woolens, and worsteds valued at above 40 and not exceeding 60 cents per pound, the equivalent average ad valorem under the present law, in 1891, was 66.87 per cent; on yarns valued at above 60 cents and not exceeding 80 cents per pound, the equivalent in 1891 was 71.23 per cent.

So it will be seen that here is a very radical, sweeping, and, I fear, destructive lowering of the rate of duty. I hope the committee will be able to see its way to making some increase in this rate, and that which is asked is one which is very modest.

I propose an amendment to strike out the word "forty," in line 12, and insert "thirty;" to strike out the word "thirty," in line 13, and insert "thirty-five;" and to strike out the word "forty," in line 13, and insert "thirty;" so that the duty would be on woolens worth not more than 30 cents per pound, 35 per cent ad valorem, as against 278.66 per cent ad valorem under the present law; and on wools worth more than 40 cents per pound, 40 per cent ad valorem, as suggested by the committee.

I earnestly hope that this very modest limited demand for the protection of this great industry will be granted. Under it we may continue in a sort of lame and halting way the manufacture of woolen fabrics in this country. It certainly would be a most disastrous condition if we should not only import wools, but the woolen yarns which go into the fabrics made in America.

The VICE-PRESIDENT. The amendment proposed by the Senator from Nebraska will be stated.

The SECRETARY. In line 12 strike out "forty" and insert "thirty;" in line 13 strike out "thirty" and insert "thirty-five," and in the same line strike out "forty" and insert "thirty;" so as to read:

280. On woolen and worsted yarns made wholly or in part of wool, worsted, the hair of the camel, goat, alpaca, or other animals, valued at not more than 30 cents per pound, 35 per cent ad valorem; valued at more than 30 cents per pound, 40 per cent ad valorem.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Nebraska [Mr. MANDERSON].

Mr. MANDERSON. I shall not ask for the yeas and nays, but I will ask for a division.

Mr. HARRIS. Let us have the yeas and nays, which will develop a quorum. A division will not.

Mr. ALDRICH. Yes, I think we shall have a quorum on a division.

Mr. PLATT. Let us try a division.

Mr. FRYE. It will easily develop a quorum.

Mr. HARRIS. Very well.

The amendment was rejected; there being, on a division—ayes 19, noes 27.

The VICE-PRESIDENT. The reading of the bill will proceed.

The Secretary read the next paragraph, as follows:

281. On woolen or worsted cloths, shawls, knit fabrics, and all fabrics made on knitting machines or frames, and all manufactures of every description made wholly or in part of wool, worsted, the hair of the camel, goat, alpaca, or other animals, and any of the above having India rubber as a component material, not specially provided for in this act, 40 per cent ad valorem.

The Committee on Finance reported to amend the paragraph in line 22, page 71, by striking out "forty" and inserting "thirty-five;" so as to read, "35 per cent ad valorem."

Mr. JONES of Arkansas. I move to strike out, in line 15, the words in brackets, "woolen or worsted cloths, shawls." All the different amendments I propose to the paragraph constitute really one amendment, and I think it would be better to state them all at one time, and let us have a single vote. In line 16, after the word "frames," I move to strike out the words inclosed in brackets and insert the words printed in small type; and also in line 19, after the word "animals," I move to strike out the words inclosed in brackets and insert the words printed in small type; and to insert the small type in lines 22 and 23.

Mr. ALLISON. What is to be done with the amendment in line 22, striking out "forty" and inserting "thirty-five"?

Mr. JONES of Arkansas. Let that be considered also as a part of the amendment. I move to strike out the word "forty" and insert "thirty-five," the committee amendment, in line 22.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In paragraph 281, page 71, line 15, strike out the words "woolen or worsted cloths, shawls;" in line 16 strike out "and all manufactures of every description" and insert "not including wearing apparel, and on shawls;" in line 19 strike out "and any of the above having India rubber as a component material, not specially provided for in this act," and insert "valued at not exceeding 40 cents per pound;" in line 22 strike out "forty" and insert "thirty-five," and after the word "ad valorem," in line 22, insert "valued at more than 40 cents per pound, 40 per cent ad valorem," so as to make the paragraph read:

281. On knit fabrics, and all fabrics made on knitting machines or frames, not including wearing apparel, and on shawls made wholly or in part of wool, worsted, the hair of the camel, goat, alpaca, or other animals, valued at not exceeding 40 cents per pound, 35 per cent ad valorem; valued at more than 40 cents per pound, 40 per cent ad valorem.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Arkansas.

Mr. FRYE. Mr. President, I wish to say a few words in relation to the general woolen schedule. It is not satisfactory at all to the woolen manufacturers of my State. We have a large number of them. They are mostly what would be called small manufacturers, running from four sets of cards up to twelve, with a very large majority below ten sets.

As a rule, in the small mills the men who run them own nearly the whole stock. I know all of those woolen manufacturers personally. My father was one for over fifty years in Maine. These men have commenced with the picker and gone through the entire manufacture of woolen cloths.

They are familiar with everything connected with the manufacture of wool. A great many of them are of Scotch descent. I do not believe that in the world there can be found more skillful, more sagacious, more economical manufacturers than those of woolen goods in the State of Maine. They have had a hard struggle. For the last three years, excluding the latter part of last year, they had been reasonably successful, but ten years before the industry was seriously crippled, and they had hard work to live.

I have received letters from, I think, every one of those manufacturers, and the opinion expressed by those experienced men and honest men, and I have no doubt honestly expressed, is that this schedule will ruin their industry or compel them to reduce wages at least 40 per cent. That, they believe, is beyond question. They complain, and I think with great cause, too, that the duty now imposed in this bill is entirely an ad valorem duty. They say, and they say truly, that it is an invitation for fraud, an invitation that is always accepted. No regrets are ever sent back. It has been the experience of the last fifty years that a 50 per cent ad valorem duty will not produce really over 35 per cent of money collected by the custom-house officers on the value of the goods, and that a duty of 35 per cent ad valorem will not produce more than 20 per cent to the Treasury of the United States from the goods imported. I do not believe that anybody can successfully question that experience of the past.

I alluded the other day to some of the frauds which are practiced, and I desire to call attention to them again. The world has not changed, and resorts will be made to the same kind of expedients by foreigners to avail themselves of a low duty on the goods that they export to this country. I hold in my hand a consular certificate prepared in a foreign country, which I will not name, and the Reporter will be obliged to take it as I read it, because I shall not surrender the certificate to him when I am through. It is from a manufacturing city abroad, and it reads in two different languages. I read the English:

I, ——— ———, do solemnly and truly declare that ——— ——— and shipper of the goods, wares, or merchandise in the annexed invoice mentioned and described; that the said invoice is in all respects true; that it contains a true and full statement of the time when and the place where the goods, wares, and merchandise therein mentioned, and which are subject to duty, etc., regulated or directed by law to be estimated or based upon the value of the square yard, or of any specified quantity or parcel purchased, and the actual cost and quantity thereof, and of all charges thereon; that no discounts, bounties, or drawbacks are contained in said invoice but such as have been actually allowed thereon; that the currency in which said invoice is made out is the currency which was actually paid, or is to be paid, for said goods, wares, and merchandise, and that no different invoice thereof has been or will be furnished to anyone.

I further declare that it is intended to make entry of the goods, wares, and merchandise mentioned in said invoice at the port of ——— in bond to ———, in the United States of America, dated at ———, this —— day of ———, 1888.

On the back is the following certificate:

I, the understand, do certify that at ——— on this —— day of ———, A. D. 1888, the within invoice numbered —— in which are mentioned and described certain ——— amounting with the charges thereon to the gross sum of ——— was produced to me in person by ——— ——— for ——— ——— of ———, and shipper of the goods, wares, and merchandise therein mentioned, who thereupon declared in writing that it was intended to make entry of said goods, wares, and merchandise at the port of ——— in bond to ——— in the United States of America.

I do further certify that I am satisfied that the person making the declaration hereto annexed is the person he represents himself to be, and that the actual market values or wholesale prices of the goods, wares and merchandise described in the said invoice in the principal markets of the country at the time of exportation are correct and true, excepting as changed by me and set forth in the column of consular corrections and estimates.

On the inside is the seal of the United States. On the back of the last certificate which I have read is the name of the American consul. Notwithstanding this particular description of the manufacturer or merchant who supplied the invoice, or who was to supply the invoice, he never appeared before the American consul at all.

Notwithstanding the certificate refers to the "annexed invoice," it was not annexed when the certificate was signed. Notwithstanding the signature of the American consul with the last declaration which I read, no manufacturer or merchant exporting goods to the United States ever appeared before the American consul. Here is a receipt: "Fee $2.50; received." It was received, but the American consul, as I am informed from perfectly good authority, sold these certificates, signed by him in blank, with the seal of the United States annexed, to the at-

torneys for the manufacturers and merchants abroad, and they were at entire liberty to fill up the blanks and put in their invoices when they sent the goods.

Now, is there any escape from a fraud and a cheat there. Is this the only American consul who ever did it?

Mr. HARRIS. I should like to ask the Senator from Maine if he feels justified in suppressing the name of an American consul guilty of a fraud such as he has just described.

Mr. FRYE. The Senator from Maine does suppress it, for the present at any rate.

Mr. HARRIS. I regret that the Senator does. The consul deserves thorough exposure and punishment.

Mr. FRYE I wish to say further in relation to this matter that that is not an isolated case by any manner of means. I am informed that hundreds of those certificates were sold by this American consul, and that the goods exported to the United States came in under any declaration that the manufacturer or merchant exporting the goods was pleased to make.

Now, let me go further. When Mr. Cleveland was President in his former term, he appointed as consul at Stuttgart, Germany, a large manufacturing city, Hon. Charles P. Kimball, of Maine, who had been three times the Democratic candidate for governor of my State. I knew him well—a thoroughly honest and upright gentleman—but born a Democrat, he never knew anything else, and he was a free trader, as much so as the Senator from Texas.

Mr. MILLS. A good man!

Mr. FRYE. He was a good man undoubtedly, but with awfully bad theories. Mr. Charles P. Kimball went over to Stuttgart. About a year afterwards I saw him. I said to him, "Well, Mr. Kimball, how is it? Is your Democracy as pure as formerly and your free-trade theory persisted in by you as much as formerly?" Said he, "It is all blown to the wind." I asked, "Why, what is the trouble, Mr. Kimball?" He said, "I pay my coachman 40 cents a day and he boards himself. I pay my cook in the kitchen 35 cents a day. I can hire all the men and women I want here at from 30 to 50 cents a day to do anything I wish them to do; and when Germany is manufacturing and using the same machinery you are in the United States how on earth you can compete with Germany without a protective tariff I can not see." "Well," said I——

Mr. MILLS. If my friend from Maine will permit me, I do not doubt what the Senator is saying is accurate and true of Mr. Kimball; but a very distinguished gentleman in the United States who was once Secretary of the Treasury wrote a letter to me in which he said that he had lived abroad in England and got servants at the same rate my friend is now speaking of, but he said he and his wife both agreed that one American servant is worth three or four such servants as the Senator is speaking of.

Mr. FRYE. As nearly all our servants recently come from abroad, I do not see where the difference would come in—at least up in our part of the country.

Now, I want to go a step further in relation to this Charles P. Kimball history. The largest corset mill in the world was at Stuttgart. Mr. Kimball told me that he had spent three months in investigating the corset factory in that city. He said he found to his utter amazement that the women employed there received on the average 30 cents a day. He said he found that the entire product of the corset factory, not even excepting one, was exported to the United States of America, to the city of New York, to an agent of the Stuttgart manufacturing company, and invoiced at just exactly one-half the cost, and that up to Mr. Kimball's investigation that invoice had been accepted by the customs-house officers in New York as the true value of the corsets. He made a complete and thorough investigation, as I said, and called the attention of the collector in New York to the fact, and it was stopped, but for years that had been going on.

Now, let us call the attention of the Senate to another thing. In the first place, take the returns which have been made in reply to the inquiries of the committee—forty or fifty of them. I ran them over as they came out. On the matter of fabrics I doubt if there is a single return which does not declare that an ad valorem duty will not do; that there will be frauds and undervaluation under it; that it affords no reasonable protection, and that specific duties are required wherever they can be had. I admit that on all fabrics, so far as I know, you can not have entirely a specific duty, but you can have a compound duty which shall be perfectly fair.

Here are two or three statements from consuls which I desire to read. Mr. George H. Murphy, United States consular agent at Hanover, in a report to the Department of State, dated January 15, 1893, says:

The fault lies * * * in the provision of the law which causes the duty on consigned wares to be based, not on the price paid by the purchaser in America (as with other wares), but upon a foreign market value, which, in many cases, does not exist.

Mr. Evans Blake, United States consul at Crefeldt, in a letter to the Department of State, dated May 29, 1893, states that he had submitted to a manufacturer twenty-five samples of goods made by Hermann Schott, of Rheydt, which goods had previously been invoiced by Schott to Louis C. Wagner & Co., of New York, and asked the manufacturer what would be his wholesale price for such goods. The result shows that, averaging the twenty-five samples, his wholesale price was 26 per cent higher than as invoiced by Schott; twelve of the items averaged 37.7 per cent higher, and only one of the twenty-five was invoiced at the same price.

Consul-General Edwards, of Berlin, stated to Mr. R. M. Donaldson, of New York, that—

In no line of goods is there a market price in Germany where the consignment of goods to the United States is the practice, and the consignment of free or specific goods is unknown.

These statements are conclusive as to the fact that no foreign market value exists on consigned goods (and a large proportion of them are consigned goods), and that it is practically impossible to ascertain their value. Comparison shows that the manufacturer quoted by Mr. Evans Blake patriotically made his price extremely low, the real difference in price being from 50 to 63¾ per cent.

Mr. President, the nations of Europe are wise, as wise as we are. They have been trying every conceivable scheme of fraud upon our custom-houses ever since we have had what is called a protective tariff. If there has been an unbaptized spot anywhere they have found it. For years they have been enjoying this experience, and for years they have been undervaluing their goods and sending them into the United States to escape taxation.

Every one of those European governments has made a tariff—a tariff for protection, too. Taking the paragraphs and items, they will number by thousands.

Now, do you suppose after an experience of thirty or forty years in cheating us that they have the folly to expose themselves to being cheated in turn by us? As a matter of course, they have availed themselves of that experience. You may take to-day the tariffs of all Europe, with their thousands and tens of thousands of paragraphs and items, examine them carefully and you will find but ten ad valorem duties in the whole, and those in cases where it was an absolute necessity. I will state that again. I say you may examine all the European tariffs and you will find only ten cases of an ad valorem duty; they are all specific; and it comes from their experience of the last thirty years in undertaking to defraud the revenues of the United States and take away from us the protection which the law has given us. And here we are exposing ourselves once more. Does anyone suppose that those countries will not take advantage of us?

I know perfectly well what the Senator from Texas thinks. I have served with him upon the Committee on Ways and Means. He thinks nothing on earth is decent but an ad valorem duty, and the only thing more decent than that is no duty at all. That is the Senator's view. But, Mr. President, it is apparent to everyone who has anything to do with these industries—I do not believe an exception can be found—that under an ad valorem duty on fabrics (and I go no further than that, for I know nothing about the others) cheating by undervaluation is inevitable. There is no escape from it. When Senators say they have made an adequate duty for the protection of woolen manufacturers they are stating the duty at the face of it, when as a matter of fact you must inevitably cut it down from 15 to 20 per cent.

Mr. MILLS. Mr. President, I dislike very much to take up the time of the Senate when it is very precious, but I wish to say a few things in reply to my friend from Maine.

He has spoken of the fact that in recent years a large amount of goods have been imported into the United States that have escaped the taxation imposed by the Government. I do not question it. I have been wondering for a number of years how it was possible that our exports have so largely exceeded our imports in value as returned to our Government, and I am satisfied that it is occasioned, not exclusively but in a great measure, by frauds on our revenue laws.

But, Mr. President, the frauds are not confined to the duties imposed by value. They have been equally as great in those goods that are imported and charged with specific duties. My friend remembers—I alluded to that some time ago—when he and I were on the committee together in the other House, the sugar schedule was the one in which the largest frauds were being perpetrated. The distinguished Senator from Ohio [Mr. SHERMAN], now a member of this body, who was then Secretary of the Treasury, came before us and told us of the enormous frauds being perpetrated on the Treasury, not under ad valorem duties, but under specific taxes. The country is still listening

to the frauds being perpetrated by specific duties in the importation of opium.

Mr. President, what is the cause? There is a cause for all this thing. The cause does not arise in the form of duty, whether it is ad valorem or specific. The frauds arise from the amount of duty that is imposed. It is a struggle by the importer or trader to get into the market and sell his goods, and make a profit. When you have a large ad valorem duty he will beat it if he can. If you put on a large specific duty, he will beat that if he can.

The only question before us is whether the ad valorem duty furnishes better opportunities for fraud than the specific duties. I can not see where it does. A low duty, whether it is by specific quantities or by the value of the article, will always let the goods come into the market, because then it does not prohibit the importer from entering; he simply enters and transfers his charges to the consumer, and he puts the profits in his pocket.

My friend speaks again of the low wages that the foreigners receive; and he replies to the statement which I made, and which was given to me by a distinguished ex-Secretary of the Treasury, by saying that the same foreigners are coming over here and doing our work. My friend forgets that he is trying to protect them against competition with the foreigners who are staying over yonder. There is something in this country, whether it is the genius of our institutions or whether it is our climate, whatever it is, which causes the man who labors in this country to produce more for his employer, and if the employer be himself to produce more for himself than the laborer in any other part of the world, civilized or savage. That is a fact. It can not be disputed by any well-informed man who has studied the question of wages and the product of labor. Yet my friend speaks of these goods coming over here as though they were the product of cheap labor to displace the goods made by our dearer labor in this country.

Mr. President, with all our genius and all our productive power there are some things we can not do. There are some things other people can do better than we can do. We have not a monopoly of all the genius and all the skill of the world. Other people excel us in some branches. I made a speech on the same line with this one in the city of Providence, the city in which my distinguished friend from Rhode Island [Mr. ALDRICH] lives. I was talking along on this line. The next day I was invited by a generous and kind people to a club dinner. I was never treated better anywhere in my life than in that city. I fell in love with the people. At the club dinner they took up the cudgel with me again. I still contended that I was right; that while we pay the highest rate of wages by the day, week, month, or year, still we produce the things that come in competition with the market cheaper than they are produced in other countries. That is the general rule. Of course, there are exceptions to it.

One gentleman, whom my friend knows, whose name I will give to him but not to the public, was sitting at the table with me at the time, and he said, "Gentlemen, Mr. MILLS'S statement is true in many respects, as I know." He said, "You all know that I am paying as high if not the highest wages paid in the city of Providence;" and there they pay as high wages as are paid anywhere in the United States; "and yet," he says, "I import steel from France and pay 45 import duty on every hundred dollars worth of steel. I manufacture that steel into edged tools, and I send those edged tools right back to France again. I take the market from everybody in France who competes with me. I have now a contract on my hands in France for some fifty or sixty thousand dollars"—I forget what amount it was that he stated; it was a large one—"to manufacture edged tools out of steel imported from France."

There was a man paying the highest wages in the world, competing with those who paid the lowest rate of wages. But what is the fact that remains? It is that a certain firm in France at some point could make and temper steel in such a way as adapted it to the manufacture of these tools, when nobody could do that in the United States; and, on the other hand, that the American with his skill, could take that steel and make an edged tool out of it that defied the skill of France. Then this gentleman propounded the question: "Why should not I have that steel free of duty; and if I had, could I not manufacture more of these tools and give employment to more people?"

Mr. ALDRICH. I think the Senator must be mistaken as to the article which the gentleman was manufacturing. I do not think it was edged tools, because there is no manufacture of edged tools in Rhode Island.

Mr. MILLS. He was manufacturing tools from steel imported from France.

Mr. ALDRICH. I think the gentleman referred to manufactures fine tools.

Mr. MILLS. I may be mistaken about edged tools, but he imported steel from France and manufactured tools and sent them back to France and sold them there.

That is not all of it. I went into the town of my friend from the State of Connecticut [Mr. HAWLEY]. I found a man making watches and clocks. I was very much interested in it. He was making watches to send all over the whole world, and sell them cheaper than anybody else, too. It was the finest timepiece I ever saw. He gave me one of them, worth three or four dollars, as good a timepiece as I ever had in my life. He was fixing the springs for the watches, and I asked him, "Where do you get this metal?" He got it from France. I said, "My friend, you are a Republican." Of course they badgered me a little, and I did them sometimes. We had a little fun at each other's expense. I said, "Why do you not get your steel for the watch-springs in the United States? Why do you go to France for it? You contend for a tariff to protect and build up American industries, and here you are importing steel springs from France." He laughed and said he could not get that kind of steel in the United States; he could not get steel with the constant textile strength of that steel to the inch, however long it was; that his business required him to make the very best product for the market; and he could not afford to use a spring in watches where it was constantly breaking; that the character of his watches would go down and his business would suffer.

I went into another factory in Connecticut, owned by an old friend of mine. I had served in Congress with him. He was making horseshoe nails. I said to him, "Where do you get these coils of iron from that you have piled up here in your factory?" "From Norway," he said. I said, "Why do you not buy American iron?" He said "Nobody in the United States can make this charcoal iron, on which I pay $22 a ton. I must have the best iron in order to carry on my business and sustain the reputation of my business. I can not afford to have inferior iron. Nobody can make the iron from which I make the nails except the house from which I obtain it." He gave me some of the nails. He was shipping me some things and sending them to my home.

He understood that I was a farmer, like some of the rest who claim to be farmers. I do not do much at it except to sink a little money perhaps. He fixed up a box of braces and bits and some tools and sent them to me. He put in a pound of these nails and said: "Give them to your blacksmith and let him try them and see whether they are good or not." I did so. When I got home I took them to my blacksmith, who was an old-fashioned Illinois Democrat in my town, a strong friend of mine. I got up on the weak side of him. I said: "Here is an old Connecticut Democrat who is making horseshoe nails. I think you ought to buy some, and I brought you a pound so that you could sample them." He said to me, "Business is business. I am a friend of yours. I should like to do anything to gratify any of your friends; but," he said, "if I were to buy nails simply because they came from a Democratic manufacturer and they were inferior nails, and a horse should cast his shoe when he struck a hard, rocky road, my reputation as a blacksmith would be gone. I can only make the best of nails myself to keep up my business."

He said to me, "Do you know a good nail when you see it?" I said, "No; of course I do not." He said, "I did not think you did. I will tell you what is a good nail. Let me try this one. I am going to double the nail up on this anvil and hammer it. If it breaks to pieces and the fibers part, it is of no account; it is not the sort of nail I want. If you double it all up and hammer it down and the fibers do not part, and I can hammer it down like a wafer, then it is a good nail." So he told me then, before he touched it, and he did double it and hammer it down until it was as fine as a wafer, and not a fiber parted on it. He said, "That is a good nail."

I mention these facts to show that there are certain things we must import from foreign countries, and you find them in almost every manufacturing establishment in New England. In manufacturing in this country we have the most skillful and enterprising people on the continent in that branch of industry, and yet, as I remember, I did not go into a single factory where there was not something brought from foreign countries that had to be used. I remember in New Haven one of the largest manufacturing establishments in the United States, where a gentleman was importing Scotch pig iron and paying a duty of $6.72 a ton. He said he had to have it to make a certain kind of article that he was making, and he was making a variety of things. My friend Senator HAWLEY doubtless knows him very well. I refer to Mr. Sargent. That manufactory makes a number of things. He bought largely Pennsylvania pig iron and pig iron manufactured perhaps in other parts of the United States, but he said his business required him to have some Scotch pig iron to make certain things. I went into a woolen manufacturing establishment in Massachusetts where wool was brought from other countries.

Mr. HAWLEY. Will the Senator from Texas allow me to help him out a little with the story in reference to the Norwalk gentleman, who is a well-known citizen of Connecticut? He would like very much to have a good deal of raw material, because much of his work is a very simple process and he can easily transform it, throwing it into the molds. He used to be a Republican. He joined the Democrats in order to get Scotch pig free, and now the other side put a duty of 50 per cent on it.

Mr. MILLS. To get it free is a very good thing, I reckon. I wish some Republicans would take that view of the question and get their pig iron free.

As I was going on to say, I went into a woolen establishment, one of the largest establishments in the United States. They had wool from everywhere in the United States, and wool from foreign countries, and the same thing was told to me. We must have wool from foreign countries, wool of all kinds, and there is almost as much difference in wool as there are in the features of man. The tastes of people differ. One man wants one kind and another man wants another kind. It takes different varieties to meet the differences in the tastes of the people.

Now, why should we keep these things out of the country when their introduction would give employment to the labor of this country and meet the wants, not only of people here, but people in foreign countries? It should be our policy to reduce the cost of production so as to increase the amount of product and increase the consumption, and thereby increase the employment of our people, for the vast body of them depend upon constant employment for a livelihood.

Mr. CHANDLER. Mr. President, I am not familiar with the rates which the majority of the committee have proposed, certainly not with those which they may propose, upon the various articles in the woolen schedule of the bill. I trust that they may be high enough to allow the industry to survive, but I am afraid they are not. I believe that the rates which are now contained in the bill, or which may be there when the bill becomes a law, will be destructive of many forms of woolen industry in this country. I hope that some Senator upon the committee on this side of the Chamber will take occasion, before we proceed much further with the woolen schedule, to inform the Senate what reduction of rates is effected by the bill and to what extent it will prove to be injurious to the woolen industry.

For my own part, I now desire to enter a protest against any considerable reduction in the duties imposed by the McKinley act. The industries which are to be affected by the reduction in the duties on woolen goods are very important in this country. They are large in amount; they are far-reaching, and they need the fostering care of the Government.

I hope that in this work of securing adequate duties upon woolen manufactures we shall have the assistance of the junior Senator from New Jersey [Mr. SMITH], who I regret to say has just left the Chamber, but who I presume will return before I finish my remarks.

The industries of New Jersey and the similar industries of other States are deprived substantially of the benefit of the labors and efforts in committee and in this Chamber of the senior Senator from that State [Mr. MCPHERSON]. The condition of his health has prevented him from rendering as much service and as continuous service for the protection of the industries of New Jersey as I have no doubt he would have been glad to have rendered. But he is absent, and has been absent most of the time.

The junior Senator from New Jersey has occupied a peculiar position. He has spoken honestly against the incorporation in the bill of the Populist measure known as an income tax, and the Senator has not spoken upon any other feature of the bill. He has, however, I have no doubt, been endeavoring to secure protective duties upon the manufactures of New Jersey. I trust the Senator will continue his efforts, because I call his attention to the fact that not only are all the schedules in the bill open to discussion, as in Committee of the Whole, but they will be again open to consideration when the bill shall be reported to the Senate for final action.

I trust, I say, Mr. President, as I see the junior Senator from New Jersey has returned to the Chamber, that he will not confine his efforts to an endeavor to eliminate the income tax from the bill, but will continue his exertions to secure such rates of duty as will protect the industries of New Jersey, because in protecting those industries he will protect the many similar industries in my own State, all over New England, and in all the Eastern States.

Some twenty years ago I visited a fair in the city of Newark, N. J. I was amazed at the extent and variety of that exhibit. I saw in the building of the Newark fair specimens of almost every manufactured product which man can produce either by hand or machinery: I came away from Newark amazed at the wonderful variety of its industries, and I felt that that State produced within its own borders almost everything necessary to the sustenance and the comfort of mankind. That was more than twenty years ago; and the industries of New Jersey have advanced with the increasing prosperity of this country. I have taken the pains to prepare some statistics upon this subject, to which I invite the attention of the Senator from New Jersey, if he will do me the honor to listen to me.

I have here a statement of the New Jersey wool industry from Census Bulletin No. 242, which I will insert in the RECORD. It gives the capital invested, the workers employed, the wages paid, the wages per capita, and the value of the product. There was an increase in the capital invested between 1880 and 1890 of 106 per cent, of the workers employed of 41 per cent, of the wages paid of 73 per cent, of the wages per capita of 23.3 per cent, and of the value of the product of 46.2 per cent.

NEW JERSEY INDUSTRIES, FROM CENSUS BULLETIN NO. 242, COMPARED.

The wool industry.

FOR NEW JERSEY.

	Capital invested.	Workers employed.	Wages paid.	Wages per capita.	Value of product.
1880	$3,795,695	5,142	$1,302,515	$270.80	$6,829,074
1890	7,793,714	7,248	2,416,371	333.72	9,984,640
Increase	3,998,019	2,106	1,023,856	62.92	3,155,566
Per cent increase	106	41	73	23.3	46.2

FOR THE UNITED STATES.

1880	$159,091,869	161,557	$47,389,087	$293.35	$267,252,913
1890	296,494,481	219,132	76,660,742	350.00	337,768,524
Increase	137,402,612	57,575	29,271,755	56.65	70,515,611
Per cent increase	84	38	61.7	20	26.4

I now compare these percentages with the similar percentages throughout the United States upon all these woolen industries. The table is a table of woolen industries. In the United States the increase in capital invested between 1880 and 1890 was only 84 per cent against 106 in New Jersey; in the workers employed, only 38 per cent in the United States, as against 41 in New Jersey; in the wages paid in the United States 61.7 per cent, as against 73 per cent in New Jersey; in the wages per capita, 20 per cent in the United States, as against 23.3 per cent in New Jersey, and 26.4 per cent the value of the product in the United States, as against 46 per cent in New Jersey.

I also insert in my remarks a table of the wool, cotton, and silk industry in New Jersey, as compared with the wool, cotton, and silk industries of the whole United States.

Wool, cotton, and silk.

FOR NEW JERSEY.

	Capital invested.	Hands employed.	Wages paid.	Wages per capita.	Value of product.
1880	$14,555,770	21,913	$5,727,231	$307.17	$28,490,579
1890	38,123,613	30,848	11,646,843	378.20	46,647,626
Increase	23,567,843	8,935	4,819,612	71.03	18,147,047
Increase, per cent	153	41	72	23	63.5

FOR THE UNITED STATES.

1880	$386,497,515	367,553	$98,576,302	$268.10	$500,376,068
1890	701,532,861	491,630	165,830,332	337.35	693,048,702
Increase	315,025,346	124,077	67,254,030	69.25	192,672,634
Increase, per cent	81.5	33.5	68	32.5	38.5

These tables show that in the tissue fabrics, wool, cotton, and silk, the capital employed in the United States increased 81.5 per cent. In New Jersey it increased 155 per cent. Employés increased in the United States 33.5 per cent; in New Jersey, 41 per cent. The amount of wages paid in the United States increased 68 per cent; in New Jersey, 72 per cent; and the value of the product increased in the United States 38.5 per cent, while it increased in New Jersey 63.5.

Mr. President, these figures show the marvelous growth of the Senator's State. They show that New Jersey has been perhaps preëminent in the advances which have been made in the United States within the last decade in the woolen, the cotton, and the silk industry; and therefore the Senators from that State, the Senators upon this floor, the Congress of the United States should see to it when they fix the schedules of duties upon

wool, upon cotton, and upon silk, that no risk shall be run of the destruction of those industries either in New Jersey or anywhere else in the United States.

Let us look at the wages paid in these industries in the United States, as compared with the wages paid in other parts of the world. I have here a statement of the wages paid in the silk industry. Col. Carroll D. Wright, Commissioner of Labor, in his eleventh annual report, part 1, upon labor and wages, gives the amounts paid to a few workers in silk textiles in Europe. They are given below with reference to the page of the report where they can be found:

Occupation.	Daily wages.	Page.
Engineers	$0.96½	640
Fishers	.37½	652
Laborers	.52	652
Overseers	.94½	658
Piercers	.53½	674
Spoolers	.37	696
Threaders	.40½	700
Warpers	.49½	704
Weavers	.51	710
Winders	.51	712

It will be observed that these wages vary from 37 cents a day, the lowest, to 96 cents a day, the highest. The average daily wages paid to all employés in the silk industry in New Jersey, as shown by Census Bulletin No. 242, is $1.33½ a day.

It must be evident to the Senator from New Jersey, it must be evident to every common-sense man who studies the subject, that if the workers in the silk industry in foreign countries are to be paid as wages on an average from 37 cents up to 96 cents a day, while the average for the New Jersey workers in the silk industry is $1.33, high tariff duties are necessary to equalize those conditions.

The industries of which I have spoken, especially the cotton and woolen industries, have made great strides, not only in New Jersey, but all over the United States during the period from 1860 to 1890. I have a table showing the conditions in the wool, cotton, and silk manufactures, taken from the Census Reports for those two periods, 1860 and 1890, and I can not refrain from saying that the first period was when the Republican party came into power, and the second thirty years after. I insert the table:

Census report for 1860 and 1890 in wool, cotton, and silk.

	Capital invested.	Hands employed.	Wages paid.	Wages per capita.	Value of product.
1860	$141,068,286	185,466	$37,580,181	$202.50	$198,436,114
1890	701,522,861	491,630	165,830,332	357.35	693,048,702
Increase	560,454,575	306,164	128,254,154	154.85	494,612,680
Increase, per cent	397.5	165	344	76.4	250

In thirty years of Republican rule, under its protective policy, the amount of capital invested in the manufacture of wool, cotton, and silk increased 397.5 per cent; that is to say, it nearly quadrupled. The number of persons employed increased 165 per cent. The money paid for wages went up from $37,000,000 to $165,000,000, or 344 per cent. The average pay of the employés in 1860 was $202.50 per year. The wages went up under Republican protection to $357.35, an increase of $154.85. The value of the product increased 250 per cent.

One noticeable feature of this table is that in 1860 the total value of the annual product was greater than the capital invested, showing 140 per cent of production to capital, while in 1890 the total gross product amounted only to 98 per cent of the capital. In 1890 the value of the product of the wool, cotton, and silk industry of the United States was $693,048,702.

Mr. President, can we afford to tamper with these industries? Can we afford to take any risk in dealing with these industries? Shall we allow a supposed party exigency to induce us to go through this tariff bill and cut down the rate of protection from 25 to 50 per cent in order to fulfill some supposed party promise which very few people know anything about, or can explain, and which still less, when the principles of the platform are stated, do they seem to care anything about? I trust that this great woolen industry will not be made to suffer, as I fear it will if the proposed schedule in this bill is adopted.

I called attention the other day to the condition of my State, and I repeat that New Hampshire, with 376,000 people, has 63,000 actually employed in manufacturing. There is a product of $85,000,000 annually, and the wages paid reached $24,000,000. Whilst New Hampshire is also an agricultural State, and agriculture goes hand in hand with manufacturing, yet it is of the utmost importance that the manufacturing cities and villages of our State shall remain prosperous; that there shall be an end of the silence and the gloom and the despondency which now prevail in many of the mills and the mill towns of New Hampshire. It is of the utmost importance to us that those towns shall be made prosperous; that they shall continue to consume the agricultural products of our State, and, Mr. President, it is impossible that that prosperity shall remain to us, unless not only the cotton industry, but the woolen industry of New Hampshire is protected, as the manufacturing industries of New Jersey and all the other manufacturing industries of the United States ought to be protected.

Mr. PLATT. Mr. President, I do not wish to delay action upon this schedule, yet I feel compelled to say a word in reply to what was said by the Senator from South Dakota [Mr. KYLE] yesterday, relating to the character of the people employed in the mills of New England. There is no place where I shall be able to say it so appropriately as upon this woolen schedule.

The remarks of the Senator from South Dakota have not yet been published in the RECORD, and therefore I can not quote him exactly in what he said with reference to the French Canadian population; but the whole tenor of his remarks was to the effect that they were an undesirable people to have in our midst, and I remember that he spoke, either in tones of sadness or derision, of the fact that in some of the manufacturing cities and towns of New England he could go from one end of a street to the other "and hear nothing but the jabber of French Canadians."

Mr. KYLE. Mr. President, I should like to say to the Senator from Connecticut that I wish him to quote me accurately in the matter. I said I could go a distance of five or ten blocks. I did not say from one end of a street to the other. I have counted those blocks myself in the limits of certain towns.

Mr. HOAR. What does the Senator mean by "blocks"?

Mr. PLATT. I do not know what distinction the Senator makes between "streets" and "blocks".

Mr. KYLE. A street may be a mile long.

Mr. CHANDLER. Has the Senator's speech been printed?

Mr. PLATT. It has not, and therefore, as I said, I can not quote him accurately.

I desire to say, however, with regard to the French-Canadian population, and the Canadian population in general, which has to some extent immigrated to New England, that when the time comes that we are ready to say that we will have nobody come to the United States, that we will have no immigrants landed on our shores or crossing our lines, it will be quite soon enough to object to the presence amongst us of people who have come from Canada. I have been unable to see any consistency in the people who advocate the annexation, but are unwilling that Canadians as individuals shall now find a home with us. They are not an undesirable class of our population. They are not to be compared, as I understood the Senator yesterday to compare them, with the Hungarians or the Poles or the Slavs.

I have known these people for forty years in the city where I reside, and I am proud to number among them very many valued acquaintances, social acquaintances, with whom I am as glad to associate as with any of the citizens of my town. They are, as a rule, intelligent, industrious, thrifty, and conservative; they make good citizens; they accumulate property, they are mechanics, agriculturists, and merchants, and among them are many scholars, authors, and men representing the different professions; they assimilate with our native population; their children intermarry with ours; they are quiet and unostentatious; they make no trouble, and after a period of residence here they can scarcely be distinguished from our own native population.

Their children attend our schools, take prizes in competition with the children of the old inhabitants of Connecticut, and in no respect can they be taunted with being an inferior or undesirable people. Usually they accumulate property, and they do not return to Canada carrying away the money which they have earned here. They do not supplant our American workmen by accepting lower wages. They work for the same wages that the native workman receives; they work beside him at the same bench or on the same machine. There is no prejudice against them. They are a church-going and a religious people, moral as well as industrious. They do not appear in our police courts, but they do take part, as they should, in our town meetings.

Mr. President, why should they be held up to disparagement, not to say ridicule, here? If, as I said in the beginning, we are to adopt the principle that no foreigner shall come to this country, then shut them out; but if America is still to be a land to which the oppressed and the lowly may come, desiring to become a part of us, to live with us, and to accept all the responsibility of American citizenship, why this continual taunting of New England with having French Canadians among its population?

Mr. ALDRICH. I desire to say a single word in addition to

what the Senator from Connecticut has said upon this subject. The conditions which he has described as applicable to his State are equally applicable to mine. There is no better class of people in the United States, in my opinion, than the French Canadians who come to live and work with us.

Mr. FRYE. Mr. President, I desire to say but a word in relation to this matter for the information of my friend from South Dakota [Mr. KYLE].

I live in a city of about 25,000 inhabitants, 10,000 of whom are French Canadians. They are excellent citizens; they are temperate; they are hard-working; they are economical. They buy lands and build houses. They are citizens of my city; and the only thing under the sun I know against them is that a majority of them agree in politics with my friend from South Dakota. [Laughter.]

Mr. HOAR. Mr. President, there is a very large French Canadian population in the State which I represent, and in the county and city where I dwell.

There is a very close tie between the people of New England and the French Canadians. It is very well known that it was among the dearest desires and hopes of the statesmen of the Revolution, especially Dr. Franklin, that the Canadians should join with us and should be a part of our country. There was a special and earnest appeal made by the Continental Congress to the people of Canada. In fact, one of the very greatest of those great State papers, which Lord Chatham said were equal to anything in Thucydides, set forth the desire of our fathers to that effect.

It is well known that the expedition under Montgomery and Arnold was designed with the hope and expectation of a Canadian rising against the British Government, but the priesthood, who are on terms of great affection and confidence with that people, probably more than any other priesthood are anywhere with their flocks, did not look favorably upon the scheme. Very likely they were repelled a good deal by the puritanism of their New England neighbors; but, at at any rate, whatever may have been the cause, the French Canadians have been in Canada among the most obedient and docile and orderly subjects of Great Britain. They took very little part, comparatively, in the Canadian rebellion before the Dominion of Canada was formed.

They have retained, very curiously, their French attachments. In spite of their loyalty to the British Crown, they feel that they are Frenchmen, and a Canadian orator of great fame said in a famous speech a few years ago that if anybody doubted whether the people of Canada were still Frenchmen, he had but to go to one of the humblest peasants on his farm in the interior of Canada and tell him that Germany had beaten France, and then put his hand on the man's heart or his pulse and feel it beat.

Mr. President, these people, though they have held aloof from our invitation to a political union, probably having, a good many of them, the dream of establishing another France in this country, to be independent of Great Britain and separated from the Western Canadian provinces, where they should have a great French Catholic power, still are among the best neighbors we have. Our troubles with Canada do not come from the men of French origin. The Frenchmen in the Canadian Parliament have never been in favor of the measures which have excited complaint with us.

Many of them come down to New England in the winter and chop wood in the forests, some of them come in the summer to labor on the farms, and those persons return, just as the Highlanders of Scotland used to do the harvesting in the northern shires of England, and return with their wages. But for the last twenty or twenty-five years in Massachusetts, in Connecticut, in Rhode Island, in Maine, and in New Hampshire——

Mr. MORRILL. And in Vermont.

Mr. HOAR. And in Vermont, those men have been attracted by our institutions and have come to stay. I am speaking more particularly now of the manufacturing towns. They come, they like our institutions, and they are among the most quiet, orderly, law-abiding citizens.

My friend from Maine [Mr. FRYE] says that they agree politically with the Senator from South Dakota. I do not think they do.

Mr. KYLE. I am glad to hear that they are getting their eyes opened in New England.

Mr. FRYE. I was not counting the Senator from South Dakota as a Populist, but as a Democrat. We have, I think, but two Populists in Maine, one is a candidate for governor and the other is a candidate for Congress. [Laughter.]

Mr. KYLE. The Senator will find a good many more of them in his State.

Mr. ALDRICH. The French Canadians in my State are more enlightened than that. They are nearly all Republicans.

Mr. HOAR. I do not wish to spend any time about their politics. If the Senator from South Dakota entertains, or if any other Senator entertains—I do not wish to make any personal application to him—any disorganizing sentiments, any disloyal sentiments, any sentiments which are opposed to honest gain, to frugality, to industry, to the rights of property to a moderate extent and degree, he will get no sympathy whatever from that class of men. They are law-abiding, conservative, industrious, frugal, temperate, and religious. They are under the influence of their religious instructors more than is the fashion of men of Saxon origin.

If nothing else, gratitude ought to keep any American statesman from saying anything unkind or disrespectful of the people of French origin. They were the early discoverers of the Northwest——

Mr. KYLE. Will the Senator allow me?

Mr. HOAR. In a moment.

They were the early discoverers of the Northwest. They set an example of heroism, courage, fortitude, and religious faith, which the annals of mankind and all history can scarcely parallel. In our New England States are found many geographical names of French origin. The beautiful Lake Champlain, which is the glory and ornament of the State of our honored and beloved associate from Vermont [Mr. MORRILL], is one; and in the State of Maine, in the State of Rhode Island, are found names which are memorials of the kindly relations which existed between our fathers and the French people.

Mr. President, I have no sympathy with the bringing into this country of vice or ignorance; of men who are to bring foreign fashions and keep foreign fashions here; of an element which is opposed to a true Americanism; but I have also no sympathy with that sentiment which would strike at any class of our citizens or at any class of mankind because of their nationality.

These men are to furnish a valuable, important, and permanent element in our national life. Our children and theirs are to mingle in this great strain which is to be made up of so many nationalities. Our national motto, *E pluribus unum*, is as applicable to men of different nationality, to men of different faith, as it is to the men of the different States which make up the Union. Our national motto, *E pluribus unum*, of many one, of many States one nation, of many races one people, of many creeds one faith, of many bended knees one family of God, is the one distinguishing American fact which this nation has contributed to history.

Mr. KYLE. Mr. President, I am sure the Senator from Massachusetts does not mean to misrepresent me in any way. It was far from my purpose yesterday to cast any reproach or to say any unkind word in regard to the people of New England, amongst whom I have many very warm friends, and what I said yesterday would not apply to a very large number of the towns of New England.

I recognize that in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut there are many small towns where industries are carried on, where there are manufactories, and where the sons and daughters of American people are treated as liberally as they were in days gone by. I did not mean to cast any reproach whatever upon the Canadian people or upon the Canadian French. What I did say was that the people of New England in the larger cities, the larger manufactories, were crowding out the American workmen and were introducing French Canadian labor because it was cheaper.

Mr. HOAR. They are receiving the same wages as the American workmen, and they are receiving higher and better wages than they got in Canada.

Mr. KYLE. Canadian labor is being imported because it is cheaper.

I do not mean to say that the Canadian people are going to remain as they were perhaps across the border in Canada. The American spirit is dominant always; and by and by the New England people—certainly I hope so—will be able to bring those people up to the average intelligence of their own class.

I hope also that there will be liberality shown by the people and the manufacturers of New England in paying these Canadians by and by as good wages as they ought to pay to the sons and daughters of the American people.

I corroborate what the Senator from Massachusetts has said in regard to the people of foreign nationalities coming upon American soil. We welcome people from all nations and from all climes, from Russia, and from Scandinavia, and from Germany, and from England, but I believe the Senator will also agree with me that the undesirable classes of their population should not be allowed to land upon our shores. We know also that it is the custom of those nations to get rid of their undesirable population, if possible, by sending them to America. There is no use of disguising that fact.

Mr. HOAR. From Canada?

Mr. KYLE. I am not speaking of Canada. I am speaking of the nationalities of Germany, England, Russia, and other countries.

I did make some reflection upon the class of population we find in certain mining districts of Pennsylvania, and I believe every word I spoke yesterday about that class was absolutely just.

Mr. CHANDLER. Mr. President, when the remarks of the Senator from South Dakota are printed we shall see exactly what he did say.

I suppose it is no reproach to good immigrants that they retain an attachment to their native language; and so far as streets, and neighborhoods, and communities retaining the use of their native language, that happens quite as frequently, much more frequently indeed, in the Western States than it does in the French communities in New England. I have been told—the Senator from South Dakota can correct me if I am wrong—that now and then there is a Western village which has been peopled by immigrants from Europe which retains to a large extent, perhaps universally, not merely the general customs, but the language, the speech of the country whence they came.

Certainly, therefore, a mere attachment on the part of immigrants to their own language is not to be censured. It is desirable that all immigrants should come in time to speak the English language, that they should mingle with American citizens, and come to understand the English tongue; but there is no great danger, I imagine, of any injury to result to this country in this particular. Certainly there is none as to the French immigration into New England.

The French do mingle with our own people; they do become thoroughly Americanized; and they are coming to constitute a very helpful and important part of our population.

Mr. MORRILL. And they will not work for any less wages than the Yankees.

Mr. CHANDLER. As the Senator from Vermont suggests to me, they also become Americanized in the matter of wages. Whatever their wages may have been in Canada, they receive American wages and the result of American wages in their life in this country.

Mr. President, when the first French Canadian migrations commenced into New Hampshire, Vermont, and Massachusetts, there was some prejudice against that migration because the immigrants were in the habit of coming only for a little while. They would come to work for the summer; would go back in the winter; they did not take root in our soil; and there was some prejudice against that kind of migration. But of recent years large numbers of French Canadians have come, and they have come to stay. They have acquired habitations. Not merely have laboring men come, but there have come their religious teachers; there have come cultivated men, educated men; and now, among some of the most intelligent and eloquent orators in New England, are those who have come from Canada to make their permanent residence in New England.

I can confirm, from my own observation, everything which has been said here to-day in commendation of the French immigrants as a whole. They are industrious, they are economical, they are well behaved, they are patriotic, and I do not agree with the Senator from Maine [Mr. FRYE] that a majority of them belong to the party to which he said the Senator from South Dakota belonged, meaning the Democratic party. I believe, now that there have come to be so many French Canadians in New England, they have studied our institutions and studied our economic questions, they have studied the tariff, they have mingled in our politics, they have held office to some extent, and beyond all doubt the tendency of the mind of these people is in the direction of joining the Republican party.

I believe to-day that a large majority of the French Canadians who have become voters, not only in New Hampshire, but in Vermont and in Massachusetts, and I am inclined to think also in Maine, are Republicans. But whether they are or not, Mr. President, does not matter. They have come here to enjoy our institutions, our freedom, our right of suffrage, to participate in a larger degree than they did in Canada in the formation of the Government under which they live, and they enjoy that right of political freedom which entitles them to belong to whichever political party they choose to attach themselves. They make good citizens, good politicians; and they are, as a whole, in every way acceptable to the native-born citizens of New England

Mr. HOAR. Mr. President, I meant to add, before I sat down, one word. I think my colleague [Mr. LODGE] will confirm what say.

Among the French population im Massachusetts are a good many very able lawyers and newspaper editors of both parties. I remember one especially, Mr. Hugo Dubuque, of Fall River, Mass., one of our most eminent lawyers. He was a member of the Massachusetts Legislature for several sessions, and a member of the judiciary committee of that body. I am not sure whether he was chairman or not, but he was a man having the great respect of all the people of the Commonwealth. He was commended to President Harrison for a very high office under the Government, though I believe somebody had already been fixed upon before the recommendation for his appointment was made.

Mr. LODGE. Mr. President, I very gladly, as my colleague refers to me, confirm entirely what he has said. The number of French-Canadian immigrants coming to New England is very large. They are among the very oldest settlers on this continent. They are thorough Americans in feeling, I am sure, and are now assimilating very rapidly in my part of the country with the people there. I think everything which has been said about them here to-day has been well deserved.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Arkansas [Mr. JONES].

The amendment was agreed to.

The VICE-PRESIDENT. The reading of the bill will proceed.

The Secretary read as follows:

282. On blankets, hats of wool, and flannels for underwear, and felts for paper-maker's use and printing machines, composed wholly or in part of wool, the hair of the camel, goat, alpaca, or other animals, valued at not more than 30 cents per pound, 25 per cent ad valorem; valued at more than 30 and not more than 40 cents per pound, 30 per cent ad valorem; valued at more than 40 cents per pound, 35 per cent ad valorem: *Provided*, That on blankets over three yards in length the same duties shall be paid as on woolen and worsted cloths, and on flannels weighing over four ounces per square yard, the same duties as on dress goods.

The Committee on Finance reported an amendment to the paragraph, on page 72, line 4, after the word "thirty," to strike out "and not more than forty;" and in line 5, after the words "ad valorem," to strike out "valued at more than 40 cents per pound, 35 per cent ad valorem."

Mr. JONES of Arkansas. I withdraw the committee amendment.

The VICE-PRESIDENT. The reading of the bill will proceed.

The Secretary read as follows:

283. On women's and children's dress goods, coat linings, Italian cloth, bunting, and goods of similar description or character, composed wholly or in part of wool, worsted, the hair of the camel, goat, alpaca, or other animals, and not specially provided for in this act, 40 per cent ad valorem.

Mr. JONES of Arkansas. I move the amendment to that paragraph which I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In line 13, after the word "bunting," it is proposed to strike out "and" and insert "or;" in line 14, after the word "character," to insert "and on all manufactures;" in line 16, after the word "animals," to insert "including such as have India rubber as a component material;" in line 17, after the word "act," to strike out "40 per cent ad valorem," and insert "valued at not over 50 cents per pound, 40 per cent ad valorem; valued at more than 50 cents per pound, 50 per cent ad valorem."

Mr. PEFFER. How will the paragraph read as proposed to be amended?

The VICE-PRESIDENT. The paragraph will be read as proposed to be amended.

The Secretary read as follows:

283. On women's and children's dress goods, coat linings, Italian cloth, bunting, or goods of similar description or character, and on all manufactures composed wholly or in part of wool, worsted, the hair of the camel, goat, alpaca, or other animals, including such as have India rubber as a component material, and not specially prohibited for in this act, valued at not over 50 cents per pound, 40 per cent ad valorem; valued at more than 50 cents per pound, 50 per cent ad valorem.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Arkansas.

Mr. COKE. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. FRYE (when his name was called). The Senator from Maryland [Mr. GORMAN], who ordinarly is paired with me, is paired to-day with the junior Senator from Iowa [Mr. WILSON]. I vote "yea."

Mr. GALLINGER (when his name was called). I am paired with the junior Senator from Texas [Mr. MILLS], whom I do not see in his seat, and therefore withhold my vote. I should vote "yea" if he were present.

Mr. GORDON (when his name was called). Under the arrangement just announced by the Senator from Maine [Mr. FRYE], I am permitted to vote. I vote "yea."

Mr. HIGGINS (when his name was called). I am paired with the senior Senator from New Jersey [Mr. MCPHERSON]. If he were present I should vote "yea."

Mr. MCLAURIN (when his name was called). I transfer the pair with the Senator from Rhode Island [Mr. DIXON] to my Senator from Nebraska [Mr. ALLEN], and vote "yea."

Mr. PALMER (when his name was called). I am paired with the Senator from North Dakota [Mr. HANSBROUGH], and withhold my vote.

Mr. PATTON (when his name was called). I am paired with the junior Senator from Maryland [Mr. GIBSON]. If he were present I should vote "yea."

The roll call was concluded.

Mr. CULLOM. The Senator from Iowa [Mr. ALLISON] is temporarily absent from the Senate. If he were present he would vote "yea." I am informed that the senior Senator from Delaware [Mr. GRAY], with whom I am paired, if present would vote "yea," and I therefore cast my vote. I vote "yea."

Mr. CAREY. The junior Senator from Wisconsin [Mr. MITCHELL], with whom I am paired, is not in his seat. If it be agreeable to the junior Senator from New Jersey [Mr. SMITH], who is paired with the Senator from Idaho [Mr. DUBOIS], I suggest that we transfer our pairs.

Mr. SMITH. That is entirely satisfactory to me.

Mr. CAREY. I transfer the pair of the junior Senator from Wisconsin to the Senator from Idaho, and vote. I vote "yea."

Mr. SMITH. I vote "yea."

Mr. BRICE. I transfer my pair with the Senator from Colorado [Mr. WOLCOTT] now and for the day to the Senator from Georgia [Mr. WALSH], and vote "yea."

Mr. CAMDEN. I am paired with the Senator from South Dakota [Mr. PETTIGREW], with the right to vote if necessary to make a quorum.

Mr. GALLINGER. I suggest to the Senator that I stand paired with the junior Senator from Texas [Mr. MILLS], and that we transfer our pairs and both vote.

Mr. CAMDEN. Very well. I vote "yea."

Mr. GALLINGER. I vote "yea."

Mr. BLANCHARD. I am paired with the Senator from Michigan [Mr. MCMILLAN]. If he were present I should vote "yea."

Mr. VEST. I am paired with the Senator from Minnesota [Mr. WASHBURN], but I transfer that pair to the Senator from South Carolina [Mr. IRBY], and vote "yea."

Mr. MANDERSON (after having voted in the affirmative). I notice that the Senator from Kentucky [Mr. BLACKBURN] has not voted. I am paired with that Senator, and withdraw my vote.

The result was announced—yeas 48, nays 5; as follows:

YEAS—48.

Aldrich,	Dolph,	Jones, Ark.	Proctor,
Bate,	Frye,	Jones, Nev.	Pugh,
Brice,	Gallinger,	Lindsay,	Quay,
Caffery,	George,	Lodge,	Ransom,
Call,	Gordon,	McLaurin,	Roach,
Camden,	Hale,	Martin,	Shoup,
Carey,	Harris,	Morgan,	Smith,
Chandler,	Hawley,	Morrill,	Squire,
Cockrell,	Hill,	Murphy,	Turpie,
Cullom,	Hoar,	Pasco,	Vest,
Daniel,	Hunton,	Perkins,	Voorhees,
Davis,	Jarvis,	Platt,	White.

NAYS—5.

Berry,	Kyle,	Peffer,	Teller.
Coke,			

NOT VOTING—32.

Allen,	Faulkner,	McPherson,	Power,
Allison,	Gibson,	Manderson,	Sherman,
Blackburn,	Gorman,	Mills,	Stewart,
Blanchard,	Gray,	Mitchell, Oregon	Vilas,
Butler,	Hansbrough,	Mitchell, Wis.	Walsh,
Cameron,	Higgins,	Palmer,	Washburn.
Dixon,	Irby,	Patton,	Wilson,
Dubois,	McMillan,	Pettigrew,	Wolcott.

So the amendment was agreed to.

Mr. ALDRICH. Mr. President, I voted for the amendment offered by the Senator from Arkansas [Mr. JONES] because the rates of duty contained in it were higher than those contained in the bill as it came from the House of Representatives; but I desire to put on record the statement that those rates are entirely inadequate for the protection of the woolen manufacturer of the United States.

No such radical change has been made in any other portion of the bill as those made by the paragraph which has just passed from the consideration of the Senate. The reductions range from 50 to 75 per cent of the existing rates.

For instance, take woolen cloth valued at 40 cents per yard, weighing 16 ounces to the yard, the rates at the present time are 44 cents a pound and 50 per cent ad valorem, or 64 cents a yard. The proposition of the committee is to reduce these rates to 16 cents a yard; from 64 to 16 cents, or a reduction of 75 per cent on existing rates. At 16 cents a yard duty the goods in question can not, I am sure, be made in the United States. I desire to say to the Senate that the enormous and uncalled for reductions in this schedule will be certain to prove disastrous to this important industry.

Of the articles provided for in this paragraph more than $30,000,000 in value were imported last year. It is perhaps the most important single paragraph in this whole bill.

Mr. COCKRELL. What is the reduction made on the manufactures referred to in this paragraph as compared with the McKinley act?

Mr. ALDRICH. From 50 to 75 per cent, and on a large class of goods the reduction of 75 per cent, as in the class which I have just cited, where the reduction is from a duty of 64 cents a yard to 16 cents a yard.

Take goods like the sample I exhibited to the Senate on yestered, valued at 60 cents a yard abroad, the duties under the present law are 44 cents a yard and 50 per cent ad valorem, or a duty of 74 cents per yard, while under the proposition of the committee the rate would be 30 cents a yard, a reduction of from 74 to 30 cents, or about 60 per cent. On all classes of goods in use here is a similar reduction of rates.

I hope the majority of the committee, upon such investigation as they may be able to give to the subject between now and the time action is to be taken in the Senate, will then consent to the imposition of adequate rates upon this large and important class of goods.

The woolen manufacturing industry of the United States is in a peculiar condition. At the present moment the duties upon the goods they make are specific and ad valorem, and amount to equivalent ad valorem of from 100 to 125 per cent. To reduce those duties at one blow to an ad valorem rate of 40 per cent is not in any respect fair treatment for this great industry.

We are now obliged to make limited classes of goods, such goods as can be made from the wools produced in the United States, and of such wools as can be imported under the existing law. These conditions will be changed with free wool; changes in methods, changes in machinery, changes in character of plants will be necessary under the new conditions. The woolen manufacturers of the country, if their interests are to be considered at all, should not have these great reductions forced upon them.

I repeat, I hope the committee, before this question is reached again in the Senate, will take into consideration these conditions and the necessities of the industry, and advance these rates so that they will be reasonably adequate.

Mr. HAWLEY. Mr. President, the Senator from Rhode Island spoke for Connecticut in what he has just said concerning these great reductions in woolen goods, and the influence they will have on the employment of our people. It is useless to complain now. The bill which is cursed by all parties will be approved by none in the coming elections.

Something was said this morning about the quantity of shoddy used in the manufacture of cloth. The Senator from Missouri [Mr. VEST] observed that there were practically no goods made in this country wholly fine or without shoddy. I told him I presumed there was not an ounce of shoddy in the clothing of this Chamber, though I did not know what peculiar fancy some Senator might indulge.

I telegraphed to what I consider a model, typical New England town, or rather young city. I asked for the sum of their production and the quantity of shoddy. Not a great many years ago this town was a ravine running through rough, unproductive highlands, one or two hundred feet above the tumbling stream. At the head of the valley is a fine lake or a natural reservoir, from which the strong stream runs rapidly down, furnishing a noble water power. Now great mills succeed each other at short distances in what has become a prosperous and altogether comfortable and happy town of fine churches, halls, and homes.

I asked the question: "What are your annual products and what shoddy do you use?"

I wish to say of their goods, that after they get into New York they are frequently put upon the shelves and are sold by tailors for French-made and English-made goods of the highest class.

The reply is as follows:

ROCKVILLE, CONN., *June 6, 1894.*

To Hon. JOSEPH R. HAWLEY:

Estimated annual production five fine cloth mills in Rockville, $4,000,000—

Remember, that this is a place where was the ravine I described a few years ago—

no shoddy; only fine wool and worsted yarns used in these mills. Two other mills here make blankets, knit goods, and lining, giving an estimated annual production of $400,000. One mill makes shoddy to sell to mills outside of Rockville.

H. L. JAMES.

There are $1,000,000 worth of beautiful dress goods of the highest and the finest class made in that town. How this tariff will operate upon these manufactories six months or a year hence, I do not know.

Shoddy is spoken of as if it were altogether a dishonest thing,

like the clay the English manufacturers work into the cotton they send to Asia and sell, which adds to the weight, but which does not deceive the Chinaman much, for after one washing he never buys cotton with that mark. He prefers the Eagle stamp.

"Shoddy" is a word derived, I judge, from some local dialect, perhaps a derivative of "shod." There is a recognized word "shode." It represents the waste of woolen mills thrown off in the weaving, finishing, and trimming, and also refuse woolen stuffs that are run through machines that may be said to resemble a cotton gin. I speak from limited technical knowledge.

It is usually worked into the coarser and inferior cloth. It seems to give body and warmth, and has a legitimate place. It is a perfectly honest, useful product save when the manufacturer lies about it. The expert recognizes it at sight.

The VICE-PRESIDENT. The reading of the bill will proceed.

The Secretary read as follows:

284. On clothing, ready made, and articles of wearing apparel of every description, made up or manufactured wholly or in part, not specially provided for in this act, felts not woven, and not specially provided for in this act, and plushes and other pile fabrics, all the foregoing, composed wholly or in part of wool, worsted, the hair of the camel, goat, alpaca, or other animals, including those having India rubber as a component material, 45 per cent ad valorem.

The Committee on Finance reported an amendment to the paragraph, in line 2, on page 73, after the words "pile fabrics," to insert "and imitations of fur," and in line 5, before the words "per cent." to strike out "forty-five" and insert "forty."

Mr. JONES of Arkansas. The committee amendment to that paragraph is withdrawn.

Mr. PEFFER. I should like to inquire of the Senator from Arkansas how the rate of duty in paragraph 284, which has just been read, will compare on an ad valorem standard with the duties under the present law? Paragraph 396 is the corresponding paragraph in the McKinley law.

Mr. VEST. Under the McKinley act the duties would be on clothing, ready made, and articles of wearing apparel, except knit goods, made up or manufactured wholly or in part, 80.32 per cent, and we make it 45 per cent.

Mr. PEFFER. The Senator will understand that the existing law provides for four and one-half times the duty imposed upon a pound of unwashed wool in connection with an ad valorem duty of 60 per cent. It seems to me that if the Senators in charge of this bill want to keep the ad valorem rate of duty where it is now, inasmuch as they have removed the duties from wool, they ought to make the duty 60 per cent on the manufactured article, without anything in addition whatever.

Mr. VEST. If the contention made in 1890 is true, that these specific duties were given as compensatory to the manufacturers on account of the high duties on the foreign wool, we have reduced 15 per cent the 60 per cent ad valorem which was left to the manufacturers to compensate them for the difference between wages paid labor here and abroad.

Mr. PEFFER. Then there would be a reduction of about 10 per cent ad valorem?

Mr. VEST. A reduction of 15 per cent ad valorem upon the highest grade, from 60 to 45 per cent.

Mr. PEFFER. You take all the duty off of wool and only 15 per cent off of the manufacturers of wool.

Mr. VEST. We take off 15 per cent ad valorem, and then we take away the specific duties altogether. It is a simple calculation under the Treasury reports, amounting to 80.32 per cent up to 109.09 per cent. We reduce it to 45 per cent.

Mr. PLATT. That is just what we complain of. You might just as well go and apply the torch to a great many of the factories engaged in this business as to do that.

Mr. PEFFER. We might as well understand while we are upon this point, that the cost of a ten-dollar suit of clothes will be increased just $5, according to the rate of duties proposed by the Senators in charge of this bill.

Mr. FRYE. Under the McKinley act you could buy a suit of ready-made clothing just as cheaply in New York or in Boston as you could buy it in Liverpool or London, of better style and as good quality.

Mr. PEFFER. That may be true, but I am arguing from the standpoint of the Democrats.

Mr. FRYE. Oh!

Mr. VEST. I desire to state to the Senator from Maine that I think the present duty is a great deal better than that of the McKinley act. If the cost of a suit of clothes would be increased $5 under the present bill, it would be increased $10 under the other.

Mr. PEFFER. That may be all true; but we are not called upon now to reënact the McKinley law, which none of us is responsible for, except the Republicans. This is a bill prepared by the Democratic party.

Mr. VEST. If you beat this bill the McKinley bill will be reënacted.

Mr. PEFFER. The Democratic party say to us in their platform, upon the stump, and in the press that every dollar of duty is added to the cost of the article. That being true, why do they take the duty off wool so that the farmers' wool will be brought into competition with the cheap wool from all parts of the world, and make us pay for a $10 suit $5 more than it is worth? That is the point I want to get at.

Mr. PLATT. The Senate is tired and I am tired of talking about these duties; but the truth about the question is that under a 60 per cent ad valorem duty in the McKinley act, in addition to the specific duty, we did not have any particular advantage over the foreigner in this business, or if we did it was very slight. Now, the duty has been taken off wool, and the specific or compensatory duty has been taken off of this branch of manufactures. So far as that is concerned, if the duty remained at 60 per cent ad valorem, we should stand just as we did before, nothing having been gained to the manufacturer, but when the manufacturer's duty is reduced from 60 to 45 per cent the American manufacturer is practically at the mercy of the foreign manufacturer.

Mr. LODGE. As I understand it, Mr. President, the committee in this paragraph have returned to the House rate of 45 per cent. That is a little better than what the committee proposed, but it is bad enough. There is a very large number of persons engaged in this country in making ready-made clothing: they are very poorly paid; and it is among that class of people that has arisen what is known as "the sweating system," which has been a curse to the people of all our large cities. I know that it is useless for me or anyone else to seek to get a proper rate of duty on ready-made clothing, but I desire to at least enter my protest against these insufficient rates, and to say a word in behalf of the large body of people who are engaged in this industry.

There has been sent to me, as showing with what we have to compete, this suit of clothes [exhibiting], which is an English suit of clothes, and the labor in that suit of clothes cost 90 cents. That is the labor with which our people in our cities are called upon to compete. That suit was sent to me by a member of a large clothing house in Boston, which deals in home-made and imported clothing.

I do not know in what part of England this suit of clothing was made, but it was made in England, and anyone can see that it is very well made clothing. The work, as I have said, cost only 90 cents on that entire suit.

Mr. President, that is the sort of labor with which the people engaged in our large cities in the manufacture of ready-made clothing will have to compete. They are a large number of people; they are ill paid now; and it seems to me that they, of all others, should not be subjected to any further competition. If the loss falls anywhere, it will fall on them; and they are least able to bear it.

I have no intention of delaying the bill by offering an amendment, which I know will be voted down; but I at least desire to enter my protest against the rate proposed by the committee.

The PRESIDING OFFICER (Mr. PASCO in the chair). The reading of the bill will proceed.

The Secretary read as follows:

285. On cloaks, dolmans, jackets, talmas, ulsters, or other outside garments for ladies' and children's apparel, and goods of similar description or used for like purposes, composed wholly or in part of wool, worsted, the hair of the camel, goat, alpaca, or other animals, made up or manufactured wholly or in part, 45 per cent ad valorem.

Mr. JONES of Arkansas. I move to strike out that paragraph and insert what follows it in the bill, printed in small type.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. It is proposed to strike out paragraph 285, and in lieu thereof to insert:

285. On cloaks, dolmans, jackets, talmas, ulsters, or other outside garments for ladies' and children's apparel, and goods of similar description or used for like purposes, and on knit wearing apparel, composed wholly or in part of wool, worsted, the hair of the camel, goat, alpaca, or other animals, made up or manufactured wholly or in part, 50 per cent ad valorem.

The amendment was agreed to.

Mr. FRYE. I think that the Senator from Kansas [Mr. PEFFER], and that any Senator, even a free-trade Senator, ought to be content with paragraph 284, which cuts plushes and other pile fabrics from 118 per cent down to 45 per cent. That, I should think, was cut enough.

Mr. McLAURIN. That is very satisfactory.

The PRESIDING OFFICER. The reading of the bill will proceed.

The Secretary read as follows:

286. On webbings, gorings, suspenders, braces, beltings, bindings, braids, galloons, fringes, gimps, cords and tassels, dress trimmings, laces and embroideries, head nets, buttons, or barrel buttons, or buttons of other forms, for tassels or ornaments, any of the foregoing which are elastic or nonelas-

tic, made of wool, worsted, the hair of the camel, goat, alpaca, or other animals, or of which wool, worsted, the hair of the camel, goat, alpaca, or other animals is a component material, 40 per cent ad valorem.

The Committee on Finance reported an amendment to the paragraph, on page 74, line 2, before the words "per cent," to strike out "forty" and insert "thirty-five."

Mr. JONES of Arkansas. The committee amendment is withdrawn. I move to strike out "40 per cent" and insert "50 per cent."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 74, line 2, before the words "per cent," it is proposed to strike out "forty" and insert "fifty," so as to make the rate "50 per cent ad valorem."

The amendment was agreed to.

The PRESIDING OFFICER. The reading of the bill will proceed.

The Secretary read as follows:

287. Aubusson, Axminster, Moquette, and Chenille carpets, figured or plain, carpets woven whole for rooms, and all carpets or carpeting of like character or description, and oriental, Berlin, and other similar rugs, 35 per cent ad valorem.

Mr. PLATT. I may as well say on this paragraph, as on any of these carpet paragraphs, what I wish to say.

The reduction of the ad valorem rate on carpets is, I think, more unjust than any of the reductions which are made in the woolen schedule, for the reason that there was in the compensatory duty, as it is called, some protection to the carpet manufacturers upon certain grades of their carpets. It was more than an equivalent for the duty upon wool. For instance, quite a number of carpets are made with linen backs, jute backs, and cotton backs. In all those branches of carpet manufacture there was some protection afforded in the 40 per cent ad valorem duty, because the materials were not all wool.

As to purely woolen goods, the duty on wool has been taken off, and the specific or compensatory duty has been taken off. That leaves the manufacturer even so far as these two matters are concerned. Then, the reduction of the ad valorem is a reduction upon the duty afforded for the protection of the manufacturer. But the Democrats say that the woolen manufacturer has free raw materials, or free materials, as we say; that they have made wool free. They have done no such thing with the carpet manufacturer, unless the manufacturer's carpet is made of all wool. If he manufacture a Brussels carpet, and, indeed, any of the common carpets, except ingrain, he still has a duty upon a portion of the materials, which is equal to the duty which is given to him upon the manufacture by this bill. Jute yarns are 30 per cent, linen yarns are 35 per cent, and cotton yarns are 40 per cent. The manufacturer of carpets of those grades has to use the linen yarn, the jute yarn, and the cotton yarn. On those there are the duties which I have specified. So he does not get his materials free; and yet, in addition to that, his ad valorem duty has been reduced in this bill.

It is unfair treatment, Mr. President, and on this Saturday afternoon, when the Senate is so thin, I can not ask for a yea-and-nay vote upon amendments which I should like to propose; but I wish to say I am not going to give up this point, and when the bill comes into the Senate, we shall see whether some proper amendment can not be made.

Mr. ALDRICH. In line 6, of paragraph 287, I move to strike out "thirty-five" and insert "fifty."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In paragraph 287, line 6, before the words "per cent," it is proposed to strike out "forty" and insert "fifty," so as to read "50 per cent ad valorem."

Mr. ALDRICH. I am in favor of this amendment for two reasons: First, that the articles enumerated in this paragraph are pure luxuries upon which a high revenue duty ought to be imposed. I know of no reason why a person who wants to buy Oriental rugs, Axminster, or other imported carpets of this character, should not pay at least 50 per cent ad valorem upon their foreign value; and it seems to me there can be no reason for this reduction of rates from a revenue standpoint.

I am for an increased duty, in the second place, because these rates are not adequate. I agree with the Senator from Connecticut [Mr. PLATT] that the Senate should not allow these low rates to stand upon carpets. I regret that I have left at my room some memoranda I have, giving in detail the difference in cost in manufacturing carpets here and in competing countries; but when these items are reached in the Senate I shall join the Senator from Connecticut in trying to impose adequate protective duties on the carpets imported that do compete with those made in the United States, and in having a high revenue duty upon those that do not.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Rhode Island [Mr. ALDRICH].

The amendment was rejected.

The PRESIDING OFFICER. The reading of the bill will proceed.

The Secretary read as follows:

288. Saxony, Wilton, and Tournay velvet carpets, figured or plain, and all carpets or carpeting of like character or description, 35 per cent ad valorem.

Mr. ALDRICH. In line 10, before the words "per cent," I move to strike out "thirty-five" and insert "fifty."

The amendment was rejected.

The PRESIDING OFFICER. The reading of the bill will proceed.

The Secretary read as follows:

289. Brussels carpets, figured or plain, and all carpets or carpeting of like character or description, 30 per cent ad valorem.

Mr. JONES of Arkansas. In line 12, before the word "per cent," I move to strike out "thirty" and insert "thirty-five."

The amendment was agreed to.

The Secretary read as follows:

290. Velvet and tapestry velvet carpets, figured or plain, printed on the warp or otherwise, and all carpets or carpeting of like character or description, 30 per cent ad valorem.

Mr. ALDRICH. I should on the preceding paragraph and on this and the following paragraph have offered the same amendment if I was not certain, from the indications, that these different amendments would be voted down in every case.

Mr. JONES of Arkansas. In line 12, before the words "per cent," I move to strike out "thirty" and insert "thirty-five."

Mr. LODGE. I move to amend the amendment by striking out "thirty-five" and inserting "forty."

I called attention the day before yesterday, when I spoke in regard to the question of wool and woolens generally, to this matter of tapestry carpets. I desire to call attention to it again. The letters from which I read, and the petitions which I have presented, were from the weavers engaged in the making of tapestry carpets.

They have been suffering from a 10 per cent reduction; they are threatened with a further and inevitable reduction if these rates prevail; and they petition the Senate to give them, as wage-earners and workers, a proper protection. Some of them are men who have worked in the John Crossley mills, at Halifax, England, where they received from 12 to 18 shillings a week, and did not get steady work. The average pay of a weaver in the Roxbury mills was about $8 a week, and with labor paid at the rate of $8 per week we have to compete with labor paid, at the highest rate, of $3 per week.

Mr. President, there can be but one end to that competition if proper protection is not given, and that is a heavy reduction in the wages of the operatives. They are the persons who have written me, and who have forwarded their petitions. They are the makers of tapestry carpets, on which they ask a heavier duty than that offered by the bill. It is for that reason, Mr. President, that I move this very slight addition.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Massachusetts [Mr. LODGE] to the amendment of the Senator from Arkansas [Mr. JONES].

The amendment to the amendment was rejected.

The VICE-PRESIDENT. The question is on the adoption of the amendment offered by the Senator from Arkansas.

The amendment was agreed to.

The Secretary read the next paragraph, as follows:

291. Tapestry Brussels carpets, figured or plain, and all carpets or carpeting of like character or description, printed on the warp or otherwise, 30 per cent ad valorem.

Mr. JONES of Arkansas. I move to strike out "thirty" and insert "thirty-five;" so as to read "35 per cent ad valorem."

Mr. LODGE. I move the same amendment, to make the rate 40 per cent.

Mr. ALDRICH. I hope before this matter is again reached to be able to show definitely to the Senate the difference between the foreign and domestic cost of carpets and the necessity for higher rates of duty than those imposed in these paragraphs.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Massachusetts [Mr. LODGE] to the amendment of the Senator from Arkansas [Mr. JONES].

The amendment to the amendment was rejected.

The PRESIDING OFFICER. The question is on the adoption of the amendment offered by the Senator from Arkansas.

The amendment was agreed to.

The next paragraph was read, as follows:

292. Treble ingrain, three-ply, and all chain Venetian carpets, 30 per cent ad valorem.

Mr. JONES of Arkansas. In line 23, I move to strike out "thirty" and insert "thirty-five;" so as to read: "35 per cent ad valorem."

The amendment was agreed to.

The Secretary read the next paragraph, as follows:

293. Wool Dutch and two-ply ingrain carpets, 25 per cent ad valorem.

Mr. JONES of Arkansas. In line 24, after the word "carpets," I move to strike out "twenty-five" and insert "thirty;" so as to read: "30 per cent ad valorem."

The amendment was agreed to.

The Secretary read the next paragraph, as follows:

294. Druggets and bockings, printed, colored, or otherwise, felt carpeting, figured or plain, 25 per cent ad valorem.

Mr. JONES of Arkansas. In line 2, I move to strike out "twenty-five" and insert "thirty;" so as to read: "30 per cent ad valorem."

The amendment was agreed to.

The Secretary read the next paragraph, as follows:

295. Carpets and carpeting of wool, flax, or cotton, or composed in part of either, not specially provided for in this act, 25 per cent ad valorem.

Mr. JONES of Arkansas. In line 6, I move to strike out "twenty-five" and insert "thirty;" so as to read, "30 per cent ad valorem."

The amendment was agreed to.

The Secretary read the next paragraph, as follows:

296. Mats, rugs, screens, covers, hassocks, bed sides, art squares, and other portions of carpets or carpeting made wholly or in part of wool, and not specially provided for in this act shall be subjected to the rate of duty herein imposed on carpets or carpetings of like character or description.

Mr. JONES of Arkansas. I move in line 7 to insert after the word "rugs" the words "for floors;" so as to read:

Mats, rugs for floors, screens, etc.

The amendment was agreed to.

The Secretary read the next paragraph, as follows:

297. The reduction of the rates of duty herein provided for manufactures of wool shall take effect December 2, 1894, and on all rates of duty in the woolen schedule, except on carpets, there shall be a reduction of 1 per cent ad valorem to take effect on the 1st day of July, 1895, and thereafter of a like amount on the 1st day of July, 1897, 1898, 1899, 1900, respectively.

The Committee on Finance reported to amend the paragraph by striking out lines 15 to 21, inclusive, in the following words:

And on all rates of duty in the woolen schedule, except on carpets, there shall be a reduction of 1 per cent ad valorem to take effect on the 1st day of July, 1896, and thereafter of a like amount on the 1st day of July, 1897, 1898, 1899, and 1900, respectively.

Mr. JONES of Arkansas. In line 13, I move to strike out "December 2" and insert "January 1;" also to strike out the word "ninety-four," in line 14, and insert "ninety-five," and to strike out the remainder of the paragraph; so as to make it read:

297. The reduction of the rates of duty herein provided for manufactures of wool shall take effect January 1, 1895.

The amendment was agreed to.

The PRESIDING OFFICER. The reading of the bill will proceed.

The Secretary read as follows:

SCHEDULE L.—SILKS AND SILK GOODS——

Mr. LODGE. I desire, before we pass from Schedule K, to offer an amendment, to be numbered paragraph 297½.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. It is proposed to insert as paragraph 297½:

297½. In all cases where the appraiser shall believe that there has been undervaluation in the invoices of any importations of manufactures of wool in this schedule, and where the person importing such manufactures is dissatisfied with the appraised value placed upon such importations by the appraiser, the collector of the port shall be authorized to take such goods, paying to the owner the declared value and an advance of 5 per cent, and shall then order such goods sold for the benefit of the Government in such a manner as the Secretary of the Treasury shall prescribe.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Massachusetts.

Mr. LODGE. Ad valorem duties are abandoned by all the countries of Europe as far as they possibly can be abandoned. They are recognized, I think, by all tariff experts outside of the United States as an undesirable form of duty, because they lead to vast frauds and bring many goods into the country at a lower rate than they cost, which is an injustice to the home producer if he has a protected industry, and is also a severe discrimination against the honest importer.

As I said, they have practically abandoned ad valorem duties in the foreign tariffs, except in those instances where they felt they could not avoid them. The opposition to them is so strong that in the German tariff there is a clause such as I have now presented.

The object of that clause is to prevent frauds under the ad valorem system. It operates in this way: If an appraiser is of opinion that the goods presented are undervalued and the importer objects to his valuation, the collector of the port then has the right to take those goods, paying to the importer the invoice price and 5 per cent, and then to sell the goods at auction. It is a simple protection of the Government against frauds under ad valorem duties.

The ad valorem duties imposed in this schedule make in reality a much heavier reduction than appears on the face. A dishonest importer has no difficulty in bringing in clothing invoiced at a very low rate, and unless some power is placed somewhere in the hands of the officers of the Government there is no method of putting a check upon that fraud.

This amendment of mine raises no duty. It simply provides a method by which importers shall be forced to make honest returns of the value of their goods, because if they do not the goods will be taken from them at the invoiced price and sold at auction. Such a provision, borrowed, as I have said, from the German tariff, would, I think, very largely check the dangers to be apprehended from the ad valorem system.

Mr. President, I have gone through the reports of the collectors of the American ports on this matter of ad valorems and specifics, and even there, with all the desire that those eminent gentlemen have to say "ditto to Mr. Burke," to agree with the Secretary of the Treasury, a large majority are obliged to confess the specifics are the only proper method of levying duties.

I will print these extracts from the collectors with my remarks. In the other bulletins, of which we have thirty or forty, the testimony from the home producers is almost overwhelming in favor of specifics. There is hardly any opposition to them. Therefore, it seems to me that it is entirely consistent and would be greatly for the advantage of the revenue to put in some such clause as I have now suggested.

The matter referred to is as follows:

AD VALOREM.

COMMITTEE ON FINANCE, UNITED STATES SENATE,
January 10, 1894.

MY DEAR SIR: In view of proposed tariff legislation the Committee on Finance is desirous of having a full and comprehensive report from you concerning the workings of the existing tariff laws in your district. It is, therefore, desired—

First. That you submit your views as to any modifications or changes which you or your responsible subordinates believe would insure a better administration of the customs laws.

Second. The views of yourself and your immediate subordinates as to whether ad valorem or specific rates of duty are most desirable, and why.

Very respectfully,

D. W. VOORHEES, *Chairman.*

The COLLECTOR OF CUSTOMS.

(1.)

CUSTOM HOUSE, NOGALES, ARIZ.,
Collector's Office, February 12, 1894.

DEAR SIR: In reply to your circular letter of Jandary 10, requesting observations concerning the workings of the existing tariff laws, I would state that experience and observation in this district have led us to believe that the revenue purposes of the tariff laws will be best accomplished by a reasonable ad valorem duty as low and as nearly uniform as possible. When the protection idea enters into the formation of a tariff schedule extremists are prone to push the theory to the point of prohibition, and this is done to mask the enormity of the exaction, under the guise of specific duties. The taxpayer, paying ad valorem duties, readily sees wherein and how much he is being taxed, but is often befogged by specific duties.

These ideas are indorsed by all the force in our office. The collector having been called away, I write at his request. Hoping for the speedy success of tariff reform, I am,

Very respectfully,

H. M. WOODS, *Statistical Clerk.*

Hon. D. W. VOORHEES,
United States Senate, Washington, D. C.

OFFICE OF THE COLLECTOR OF CUSTOMS,
Port of Wilmington, Del., February 2, 1894.

Ad valorem duty is much easier to collect, because duty can be estimated and collected upon the sworn invoice, but specific rates are, in my judgment, safer, as there is no temptation to undervaluation.

Very respectfully,

GEO. L. TOWNSEND,
Collector of Customs.

CUSTOM HOUSE, INDIANAPOLIS, IND.,
Surveyor's Office, February 12, 1894.

As to the tariff schedules I give it as the opinion of myself and chief deputy that as a general thing ad valorem duties are preferable to specific, and that in the preparation of schedules compound rates of duties should be entirely omitted.

Very respectfully,

GEO. G. TANNER,
Surveyor of Customs.

(9.)

CUSTOM-HOUSE, BRASHEAR, LA.,
Collector's Office, Morgan City, La., February 7, 1894.

SIR: Your circular No. 9 is at hand. The importation of merchandise at this point is very limited, and the importers reside in New Orleans.

It is my opinion that an ad valorem duty is most desirable. It places the amount of duty directly on the valuation of imports, and does away with the compounding of specific and ad valorem, which gives the customs officers greater work, besides creating appeal upon appeal as to classification of articles, etc. I also believe it would increase the customs revenues.

Very respectfully, etc.,

JAS. R. JOLLEY, *Collector.*

Hon. D. W. VOORHEES,
Chairman Finance Committee, United States Senate.

CUSTOM-HOUSE, GALENA, ILL., SURVEYOR'S OFFICE,
January 12, 1894.

SIR: In reply to yours of the 12th ultimo, I have the honor to report as to circular 9, as follows:

I have obtained the ideas of our leading manufacturers and business men, and especially of such as are true and patriotic Democrats, and found them unanimous in favor of the Wilson bill.

Second. They also believe strongly in the ad valorem rates of duty, because they consider the same the fairest and most honest one.

Very respectfully,

CHARLES H. MILLER,
Surveyor of Customs.

Hon. D. W. VOORHEES,
Chairman Finance Committee,
United States Senate, Washington, D. C.

OFFICE OF THE COLLECTOR OF CUSTOMS,
Port of St. Paul, Minn., February 10, 1894.

DEAR SIR: * * * As to your second inquiry, whether ad valorem or specific rates of duty are the most desirable, am of the opinion that ad valorem rates, notwithstanding occasional undervaluations, are the fairest, most equitable, and most desirable. Purely specific rates are fixed and arbitrary, resulting in onerous and unreasonable exactions, in many instances amounting frequently to prohibition. On the other hand, ad valorem rates adjust themselves to trade conditions and the rise and fall in the prices of foreign commodities. Specific rates, with few exceptions, are only defensible on the ground that they protect the Government against frauds upon the revenue through undervaluations.

JOHN C. GERAGHTY, *Collector.*

Hon. D. W. VOORHEES,
Chairman Finance Committee, United States Senate.

CUSTOM-HOUSE, ST. LOUIS, MO.,
Surveyor's Office, February 17, 1894.

* * * * * * *

If this is done, then to my mind your second question, "whether ad valorem or specific rates of duty are the most desirable," should be answered that ad valorem rates of duty are the most desirable.

If the purpose be to raise revenue and not protection, and the suggestions that I have made with reference to the consul invoice be observed, this, in my judgment, would operate equitably upon all; all would pay taxes on the value of what they purchase.

Very respectfully,

R. DALTON, *Surveyor of Customs.*

OFFICE OF THE COLLECTOR OF CUSTOMS,
Port of Edenton, N. C., February 5, 1894.

* * * * * * *

Second. Myself and subordinates are convinced that ad valorem duties are most desirable. And why? Because they are fairer under all circumstances and require no payment of duty except for value received.

R. K. PENDLETON,
Collector of Customs.

CUSTOM-HOUSE, NEWBERN, N. C.,
Collector's Office, February 6, 1894.

SIR: In reply to your circular letter, No. 9, interrogations concerning working of the existing "tariff laws," I would respectfully state, first, that I believe they should be changed, and that the Wilson bill as formed by the House of Representatives, including the internal-revenue and income tax, meets with general approval of this community; second, I believe that both ad valorem and specific duties are necessary, but where it is possible the ad valorem duty should be applied.

Respectfully,

S. H. LANE, *Collector of Customs.*

Hon. D. W. VOORHEES, *Washington, D. C.*

OFFICE OF THE COLLECTOR OF CUSTOMS,
Port of Oswego, N. Y., February 9, 1894.

Second. It is believed that ad valorem duties should be levied instead of specific. They are more just to the poor consumer. If the poor man pays 25 per cent ad valorem duty on 5 yards of imported cloth, worth $2 per yard, used in making a suit of clothes for himself, the dutiable increased cost to him is $2.50. If the rich man uses 5 yards of cloth worth $5 per yard the increased dutiable cost to him is $6.25. This is as it should be. The consumer should pay in proportion to the value he consumes.

Yours, very truly,

W. J. BULGER, *Collector.*

OFFICE OF THE COLLECTOR OF CUSTOMS,
Port of New York, February 28, 1894.

In answer to your second inquiry, I have to say that, in my own opinion, ad valorem duties are more desirable than specific rates of duty as a general rule. There are, of course, instances in which the specific rates would, in my opinion, be more desirable, but these are exceptional.

I can add nothing by way of argument in favor of this position to that which has already been fully and ably expressed by the honorable Secretary of the Treasury in his recent annual report.

Very respectfully, yours,

JAMES T. KILBRETH, *Collector.*

OFFICE OF THE COLLECTOR OF CUSTOMS,
Port of Philadelphia, February 14, 1894.

On the question as to whether ad valorem or specific rates of duty are most desirable, I beg to state that ad valorem duties appeal at once to the common-sense view of exacting duties and collecting revenue, appearing so just and impartial as to require but little examination to gain the approval of most men. The duties follow the rise or fall of values so closely and sympathetically as to appear to leave nothing more to be desired on the score of equality and justice.

This view, however, loses its practical feature in the face of tests which develop fraud and undervaluation, dishonest methods of concealing the quality of materials used in manufactures, the employment of bribes in some instances to corrupt public officers, to which may be added, what is perhaps the greatest objection of all to ad valorem rates, the tendency to place the control of the most valuable imports in the hands of foreign manufacturers having agents in this country to whom they consign the products of their factories at cost of production, or perhaps less—a method which has been carried to such an extent as to force a large number of merchants in our chief commercial cities out of the importing business, compelling them to buy their goods from such agents who are enabled by the ad valorem system to sell the goods, duty paid here, at lower prices than an importer could buy them at the foreign point of manufacture.

It is therefore apparent that the ad valorem rate in such instances, while appearing to be most just and equitable, is practically the one best adapted to injure the revenue.

THOS. V. COOPER, *Collector.*

CUSTOM-HOUSE, PETERSBURG, VA.,
Collector's Office, February 6, 1894.

SIR: Your circular reached me a few days ago.

Since the tariff legislation has been under discussion my attention has been particularly drawn to the question of specific and ad valorem rates, and as you invite expression of opinion and reasons therefor, I have no hesitation in saying that ad valorem taxation seems to me far preferable to specific rates; and why?

Take for example: One of our wealthiest citizens might desire to buy a grand piano, at a cost of $3,000, from one of the great manufacturing establishments of Germany. He has the right, unquestionably, to indulge his preference, and, being amply able to pay his way, why not require him to pay a duty according to the value of the instrument? Should the duty be 20 per cent on value, the Government would realize the sum of $600. Then suppose a less-favored citizen, wishing to be fashionable, should also decide to import a piano, the cost of which might be $500. At 20 per cent ad valorem he would pay $120 duty. Then suppose the tax to be a fixed rate of $100 per instrument; the Government would only realize $200 for both, and the man with small means would be required to pay as high a rate of duty as his wealthy neighbor. This example would, it seems to me, be applicable in a majority of instances.

T. J. JARRATT,
Collector of Customs, Port of Petersburg, Va.

Hon. D. W. VOORHEES,
United States Senate.

OFFICE OF THE COLLECTOR OF CUSTOMS,
Nantucket, Mass., February 5, 1894.

Specific duties here are well enough, though I am a believer in most cases of ad valorem duties.

Very respectfully,

JOSEPH W. CLAPP,
Collector of Customs.

SPECIFIC.

OFFICE OF THE COLLECTOR OF CUSTOMS,
Port of San Diego, Cal., February 10, 1894.

In reply to second inquiry, I am of the opinion that specific rates are most desirable. Because (1) they are most uniform in their application; (2) they make fraudulent undervaluation impossible; (3) they are the most easily assessed and collected; (4) they are the most simple.

JOHN R. BERRY, *Collector.*

OFFICE OF THE COLLECTOR OF CUSTOMS,
Port of New Haven, Conn., February 8, 1894.

Second. "As to whether ad valorem or specific rates of duty are most desirable, and why?"

In reply to this I would say that, so far as importations at the comparatively small and unimportant ports of entry are concerned, in my opinion specific rates of duty are preferable, for the simple reason that in the smaller towns and cities it is difficult in many cases to determine the values of imported goods. In the large cities expert appraisers and merchants familiar with the market prices in foreign places are to be found who may detect undervaluations. Not so, however, in the smaller and interior places, where the custom-house official appraiser is seldom familiar even with the kinds and qualities of imported goods, much less with foreign market values.

There is thus ample opportunity for undervaluation to pass undetected, especially in invoices to established houses whose reputations have been subjected to no suspicion, but which may passively accept undervaluations with the condoning thought that "it is done everywhere and we must submit to it or cease business." I know of no other or stronger reason why, in these places of lesser importance, specific duties are preferable to ad valorem.

Very respectfully,

J. RICE WINCHELL, *Collector.*

OFFICE OF THE COLLECTOR OF CUSTOMS,
Port of Tampa, Fla., February 6, 1894.

Second. Our experience here clearly indicates the specific rate of duty as preferable. Why? I can only say that it is not always practicable to have an expert appraiser at every port capable of detecting a false valuation, but there are none who are unable to read the figures on a scale or beam.

E. R. GUNBY, *Collector.*

CUSTOM-HOUSE, BALTIMORE, MD.,
Collector's Office, February 8, 1894.

Specific rates are simple and far more easily collected. They afford less chance for fraud, where susceptible of measurement, weight, and gauge. Values are more readily ascertained, and rates less difficult of application.

W. M. MARINE, *Collector.*

OFFICE OF THE COLLECTOR OF CUSTOMS,
Port of New Orleans, February 12, 1894.

The examiners concur in the opinion that specific duties generally are more desirable than ad valorem duties, stating that the possibilities of fraud are much greater and the detection thereof much more difficult.

THEO. S. WILKINSON, *Collector.*

CUSTOM-HOUSE, GLOUCESTER, MASS.,
Collector's Office, February 13, 1894.

DEAR SIR: In answer to your circular letter of the 10th ultimo (No. 9) regarding the workings of existing tariff laws in this district, I would say

that, in my opinion, a specific duty on salt and fish, the two principal articles of importation at this port, is preferable to an ad valorem duty.

WILLIAM A. PEW, *Collector.*

HON. DANIEL W. VOORHEES,
Chairman Committee on Finance, Washington. D. C.

OFFICE OF THE COLLECTOR OF CUSTOMS,
Port of New Bedford, Mass., February 8, 1894.

The specific rates of duty seem to be the most desirable where practicable, as it does away with questions of fictitious or fraudulent invoice values and obtaining more nearly the exact duty without a delay on the part of the importer in custom-house liquidations.

Respectfully, yours,

JAMES TAYLOR, *Collector.*

OFFICE OF THE COLLECTOR OF CUSTOMS,
Port of Ellsworth, Me., February 10, 1894.

In answer to question second and in reply would state that specific rates of duty are most desirable. An ad valorem duty gives an importer too much chance to defraud the Government by invoicing the goods much below the value of them.

Respectfully,

JOHN D. HOPKINS, *Collector.*

OFFICE OF COLLECTOR OF CUSTOMS,
Port of Eastport, Me., February 9, 1894.

Such experience as I have had leads me to prefer specific rates as involving less time and expense of inspection appraisal and also avoiding the very frequent efforts at undervaluation, and, within the limits of my own observation. I think the honest importer suffers less from inequalities under the specific than under the ad valorem rates.

Respectfully, yours,

GEO. A. CURRAN, *Collector.*

OFFICE OF THE COLLECTOR OF CUSTOMS,
Port of Detroit, Mich., February 20, 1894.

My idea is that it is impossible to have a wholly specific tariff; but, where practicable, the specific system has much to recommend it. For instance, it is possible to arrive exactly at the amount of duty to be collected, as weight or quantities can be estimated exactly, and questions of classification, causing delay by protests and sometimes expensive suits, do not arise.

JNO. B. MALONY, *Collector.*

OFFICE OF THE COLLECTOR OF CUSTOMS,
Port of Duluth, Minn., February 7, 1894.

The second proposition, "as to whether ad valorem or specific rates of duty are most desirable," I beg to state that in every instance known to me where specific rates are possible they are preferable to ad valorem rates. "Why?" Because the specific system diminishes the possibility of defrauding the revenue by undervaluation.

C. F. JOHNSON,
Collector of Customs.

OFFICE OF THE SURVEYOR OF CUSTOMS,
Port of St. Joseph, Mo., February 6, 1894.

In many instances the duty ought to be specific, as it prevents undervaluations. Tin plate, dress goods, cottons, etc. Specific and ad valorem duties both are subject to objections.

Respectfully,

JAMES LIMBIRD,
Surveyor of Customs.

OFFICE OF THE COLLECTOR OF CUSTOMS,
Port of Fort Benton, Mont., February 9, 1894.

So far as the district is concerned it makes no difference whether an ad valorem or specific rate of duty is levied. However, the latter, in my judgment, would be preferable, as the amount of duty is more easily determined than where valuations must be determined.

DAVID G. BROWNE,
Collector.

OFFICE OF THE SURVEYOR OF CUSTOMS,
Port of Omaha, Nebr., February 5, 1894.

Second. (1)—I hold to specific duties, whenever practicable, because I believe the Government loses less through fraud, and would be saved much costly litigation. There could also be a saving in cost of expert service in valuation. (2)—It is practically impossible, at many interior ports, to pass intelligently upon values where a great variety of merchandise is handled. It is, therefore, possible for importations to be undervalued without detection, whereas specific duties invite computation which can not fail of being accurate.

W. H. ALEXANDER,
Surveyor, Omaha, Nebr.

OFFICE OF THE COLLECTOR OF CUSTOMS,
Port of Pembina, N. Dak., February 21, 1894.

Second. As to whether ad valorem or specific rates of duty are most desirable, and why?

I have the honor to state that the experience of this office has been that in the interest of the prevention of fraud upon the revenue, specific rates of duty, in all cases where such rates are practicable, are decidedly the most desirable.

The most fruitful source of frauds upon the revenue from customs would seem to be a persistent system of undervaluation by means of fraudulent invoices. It is true that all foreign invoices of importations, valued at $100 or more, must be accompanied by consular certificates, ostensibly certifying to the foreign market value of the goods; but this requirement is, in a great many cases, rendered valueless by collusion between the foreign vender and the American vendee, whereby one set of invoices (undervalued) is furnished to the United States consul for customs purposes and another correct set furnished the importer.

N. E. NELSON, *Collector of Customs.*

OFFICE OF THE COLLECTOR OF CUSTOMS,
Port of Suspension Bridge, N. Y., February 13, 1894.

Second. As to my views, and my immediate subordinates, as to whether ad valorem or specific rates of duty are most desirable, and why?

I am entirely clear in my own mind, after considerable experience, that specific duties on nearly all the merchandise imported at this port and other ports along the Canadian frontier are most desirable, for the reason that they obviate the opportunities for fraud and undervaluation, and render more economical the collection of the revenue.

It is not difficult to ascertain the number of bushels of beans, peas, barley, potatoes, apples, etc., or the tons of bran or hay, pounds of butter or cheese, number of lambs, sheep, horses, or cattle, but very difficult to ascertain the actual market value of these products in the principal markets of Canada, and will be so as long as human nature remains as it is.

My experience has taught me that many importers will invoice below actual value to escape paying the proper duties; that different shippers will give different values, and different appraisers or collectors will come to different conclusions as to values, so that rates are not the same at the different ports on this frontier.

JAMES LOW, *Collector.*

OFFICE OF COLLECTOR OF CUSTOMS,
Port of Rochester, N. Y., February 5, 1894.

Second. In my opinion specific rates of duty give less opportunity for fraud upon the revenues than ad valorem rates. This is, I believe, the opinion of most of the Treasury officials.

Respectfully, yours,

HENRY HEBING, *Collector.*

OFFICE OF THE COLLECTOR OF CUSTOMS,
Port of Ogdensburg, N. Y., February, 7, 1894.

Fifth. That specific duties are most desirable in every case where it is possible to levy them, for the reason (1) that it always can be ascertained to a certainty how much there is of an importation, whether the duty be so much per yard, pound, bushel, ton, or other unit of quantity making no difference, the amount being in each instance easily calculated; (2) that it is almost an impossibility for an appraiser to know how much another person paid for any article which he wanted—for instance, the market value of an article might be a certain amount and a person take a liking to it, and in order to get it, pay much more than the market value and yet enter it for that, the appraiser being powerless to detect the fraud; (3) in case where the whole product of a mill is purchased (viz, of lumber, for instance) at a certain price, when it comes to be shipped to the United States it is graded and qualities changed so much that it is almost an impossibility for the fraud to be detected; (4) fluctuations in the market value are always occurring, and a value correct one week may be entirely wrong the next, and the appraisers not be able to ascertain the true one. With duties all specific they may go up or down and the Government get all its dues.

Such are some of the reasons which have come under my observations during a service at this port since April 1, 1867, why duties should be specific, etc.

Respectfully, yours,

FRANK JOHNSON, *Deputy Collector.*

OFFICE OF THE COLLECTOR OF CUSTOMS,
Port of Toledo, Ohio, February 5, 1894.

Second. The importations through this office have been limited as to variety, but in such lines as have been brought to our attention there are arguments to offer in favor of both ad valorem and specific rates of duty. Our chief importations are tin (specific), crockery (ad valorem), and bicycle fittings (both specific and ad valorem). We believe there is force in the argument that an ad valorem duty offers opportunities for undervaluation, and hence of defrauding the Government, that under a specific rate of duty does not obtain, at least to the same extent.

D. R. AUSTIN, *Collector of Customs.*

OFFICE OF THE COLLECTOR OF CUSTOMS,
Port of Sandusky, Ohio, February 3, 1894.

Second. I am most decidedly in favor of specific duties, as I believe that the adoption of an ad valorem system would be an incentive to dishonest foreign producers and dealers, at the instance of importers who are equally dishonest, to undervalue their commodities in invoices in order to evade the payment of duties in full. The adoption of ad valorem duties, would, in my opinion, inaugurate a system of speculation by importers, upon the judgment of appraisers, and open the way to frauds innumerable by which the revenue would suffer great losses. Specific duties, wisely adjusted, so as not to be burdensome, are, in my opinion, far preferable to ad valorem duties, as they offer no incentive to dishonesty, and the Government runs no risk of loss of revenue by undervaluation or errors of judgment on the part of appraisers who are not absolutely experts in determining the values of the vastly differing commodities upon which it is their duty to fix valuations as to duty.

Very respectfully,

T. PITT COOKE, *Collector.*

OFFICE OF THE COLLECTOR OF CUSTOMS,
Corpus Christie, Tex., February 27, 1894.

The brief experience that I have had in this office inclines me to the belief that ad valorem rates of duty are more desirable than specific rates. The great objection to specific rates is that they are inequitable. All articles in the same class are not of the same quality and value. The importer purchases in the foreign market to meet the demands of all classes of consumers at home.

FRANK B. EARNEST, *Collector.*

OFFICE OF THE COLLECTOR OF CUSTOMS,
Laredo, Tex., February 10, 1894.

First. As to ad valorem and specific rates of duty, it seems that specific rates are desirable in many cases, because of the inclination to undervalue commodities and opportunities of importers to take advantage of the lack of the necessary information of customs officers.

F. E. THOMPSON,
Deputy Collector.

CUSTOM-HOUSE, FERNANDINA, FLA.,
Collector's Office, February 5, 1894.

My personal opinion as to rates is that specific rates of duty are the most desirable—based largely on the facilities for false valuation allowed by an ad valorem system.

Respectfully,

JAMES A. PINE, *Collector of Customs.*

OFFICE OF THE COLLECTOR OF CUSTOMS,
Cape Vincent, N. Y., February 5, 1894.

I am positive in the opinion that specific rates of duty are far preferable, where practicable; and this opinion is concurred in by my special deputy, who has had over twenty-five years' experience in the customs service.

In this district duties, specific, can and have been collected at a less expense than ad valorem. Many cases of undervaluation have been detected, while undoubtedly many have escaped detection, with a consequent loss of revenue. It often becomes necessary to send officers to Canada to ascertain in regard to values, which expense is avoided where specific rates prevail.

Very respectfully,

G. H. SMITH, *Collector.*

CUSTOM-HOUSE, CAIRO, ILL.,
Surveyor's Office, February 5, 1894.

As regards the second query, I beg to say that, in my opinion, if a duty is to be imposed on foreign goods for revenue only, a specific duty is by far the more desirable. It would be more easily assessed, easier of comprehension by the average importer, and therefore more favorable to commerce. It would, I think, be less exposed to misrepresentation, undervaluation, and fraud.

The markets of foreign countries would fluctuate so that the importer who made an honest valuation of his goods could never more than approximately tell what duty he would be expected to pay next year or even next month. Nor could the customs officer do more than guess what the revenue would be from an estimated quantity of goods to be imported. An ad valorem duty would render it possible for importers to illegally control dutiable values, and thus control the amount of duty paid on the merchandise, even if their invoices show the actual price paid for it. I would, therefore, respectfully say that, in my opinion, the rate of duty should be made specific instead of ad valorem so far as the nature of the merchandise will admit.

I have the honor to be, very respectfully,

JOHN F. RECTOR,
Surveyor of Customs.

OFFICE OF THE SURVEYOR OF CUSTOMS,
Wheeling, W. Va., February 6, 1894.

As to whether ad valorem or specific duties are more desirable, I think there is no doubt that specific duties are far more desirable, because in case of dispute or protest the rates can be adjusted on this side, while the ad valorem system offers too great facilities for dishonest shippers to commit fraud, over which we have comparatively no control.

JOSEPH A. FARIS,
Surveyor of Customs.

The PRESIDING OFFICER. The question is on the adoption of the amendment offered by the Senator from Massachusetts [Mr. LODGE].

The amendment was rejected.

The Secretary read the next paragraph, as follows:

298. Silk partially manufactured from cocoons or from waste silk, and not further advanced or manufactured than carded or combed silk, 25 cents per pound. Thrown silk, not more advanced than singles, tram, organzine, sewing silk, twist, floss, and silk threads or yarns of every description, except spun silk, 20 per cent ad valorem. Spun silk in skeins, cops, warps, or on beams, 20 per cent ad valorem.

The Committee on Finance reported to amend the paragraph on page 75, line 25, after the word "silk," by striking out "25 cents per pound" and inserting "20 per cent ad valorem;" on page 76, line 3, after the word "description," by striking out "except spun silk, 20 per cent ad valorem," and inserting "and;" and in line 5, after the word "beams," by striking out "twenty," and inserting "twenty-five;" so as to make the paragraph read:

298. Silk partially manufactured from cocoons or from waste silk, and not further advanced or manufactured than carded or combed silk, 20 per cent ad valorem. Thrown silk, not more advanced than singles, tram, organzine, sewing silk, twist, floss, and silk threads or yarns of every description, and spun silk in skeins, cops, warps, or on beams, 25 per cent ad valorem.

Mr. ALDRICH. Upon this paragraph there will be a contest. I suggest to the Senator from Arkansas that the paragraph be passed over until Monday for consideration, and that the other paragraphs of the schedule, which will not give rise to any considerable discussion, be read to-night, and that we shall then take an adjournment.

Mr. JONES of Arkansas. We will agree to that.

The PRESIDING OFFICER. Is there objection?

Mr. HALE and others. Agreed.

The PRESIDING OFFICER. The Chair hears no objection. Paragraph 298 will be passed over and paragraph 299 will be read.

The Secretary read as follows:

299. Velvets, plushes, chenilles, or other pile fabrics, 45 per cent ad valorem.

Mr. JONES of Arkansas. In line 7, I move to strike out "forty-five" and insert "fifty:" so as to read, "50 per cent ad valorem."

Mr. DOLPH. Mr. President, I had supposed that silk and manufactures of silk, silk goods, were a proper object for the levying of high duties. If I am not mistaken, both parties in this Chamber during the last ten years have advocated a system of customs taxation by which high duties should be levied upon articles of luxury. That certainly has been the doctrine of the Democratic party. I had supposed that silks and the products of silk, silk goods, were articles of luxury.

I had an impression that silks are worn by the wives and daughters of wealthy men, men who are amply able to pay the tax, if a duty is a tax, as our friends on the other side of the Chamber always contend. But, I suppose, inasmuch as the Democratic majority have always expressed great sympathy for the farmer and the laboring man, and a great desire to lessen his burdens, they must have come to the conclusion that silks are worn by the wives and daughters of day laborers.

I should like to know some reason for reducing the duties upon silks and silk goods. I do not propose to discuss the question at length. I know it would be entirely useless. It would be just as futile for me to undertake to make an argument in favor of retaining the present duties on silk and silk goods levied under the McKinley law as it has been for me to ask that a duty be retained on wool and lumber, and that the industries of my own State shall be protected.

I hold in my hand a little pamphlet entitled Facts Referring to the Silk Industry of America, from which I quote briefly:

The growth of the silk industry in this country for the past thirty years has been steady and healthy, so that now more than half, probably two-thirds, of the silk goods consumed here are made in the United States, and are sold cheaper than corresponding goods of foreign manufacture.

The growth of this industry has been only possible under the duties which have been imposed on imported silks, and its further progress depends upon maintaining them.

Here is an opportunity to tax the rich. Here is an opportunity to tax articles of luxury. Here is an opportunity to raise the necessary revenues by taxation upon the rich in order that the poor may be relieved, and at the same time give such incidental protection to this industry as to continue its growth. This pamphlet states that more than one-half, probably two-thirds, of the silk goods consumed here are made in the United States. Why should we not make them all, or at least if the rich people of the United States are determined to import foreign silks, either because they are foreign silks or because they suppose them better than domestic silks, why not make them pay for that indulgence?

Mr. JONES of Arkansas. It has been suggested that we pass over paragraph 299, and I ask unanimous consent that that be done. Let it go over with the preceding paragraph.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the next paragraph will be read.

The Secretary read the next paragraph, as follows:

300. Webbings, gorings, suspenders, braces, beltings, bindings, braids, galloons, fringes, cords, and tassels, any of the foregoing which are elastic or nonelastic, buttons and ornaments made of silk, or of which silk is the component material of chief value, 40 per cent ad valorem.

Mr. JONES of Arkansas. In line 12, after the word "value," I move to strike out "forty" and insert "forty-five," so as to read "45 per cent ad valorem."

Mr. ALDRICH. I move to amend the amendment of the Senator from Arkansas by striking out "forty-five" and inserting "fifty," so as to read "50 per cent ad valorem."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Rhode Island to the amendment of the Senator from Arkansas.

The amendment to the amendment was rejected.

The amendment was agreed to.

The Secretary read the next paragraph, as follows:

301. Laces and articles made wholly or in part of lace, and embroideries, including articles or fabrics embroidered by hand or machinery, handkerchiefs, neck ruffings and ruchings, clothing ready made, and articles of wearing apparel of every description, including knit goods made up or manufactured wholly or in part by the tailor, seamstress, or manufacturer, composed of silk, or of which silk is the component material of chief value, and beaded silk goods, not specially provided for in this act, 50 per cent ad valorem.

The Committee on Finance reported to amend the paragraph on page 76, line 22, after the word "act," by striking out "fifty" and inserting "forty-five."

Mr. JONES of Arkansas. The committee amendment is withdrawn. I move, in line 17, to add the words "veils and veilings" after the word "ruchings," so as to read:

Handkerchiefs, neck ruffings and ruchings, veils and veilings, clothing ready made, and articles of wearing apparel of every description.

The mendment was agreed to.

Mr. ALDRICH. In line 22, after the word "act," I move to strike out "fifty" and insert "sixty;" so as to read "60 per cent ad valorem."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Rhode Island.

The amendment was rejected.

The Secretary read the next paragraph, as follows:

302. All manufactures of silk, or of which silk is the component material of chief value, including those having India rubber as a component material, not specially provided for in this act, 45 per cent ad valorem.

Mr. ALDRICH. In line 2, page 77, after the word "act," I move to strike out "forty-five" and insert "fifty;" so as to read "50 per cent ad valorem."

The amendment was rejected.

The PRESIDING OFFICER. The reading of the bill will be proceeded with.

The Secretary read as follows:

SCHEDULE M.—PULP, PAPERS, AND BOOKS.

Mr. HARRIS. It is now six minutes of 5 on Saturday evening. In view of various requests made by Senators, I move that the Senate adjourn.

Mr. VILAS. Will not the Senator from Tennessee withdraw that motion and move to proceed to the consideration of executive business?

Mr. HARRIS. Yes; I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After seven minutes spent in executive session the doors were reopened, and (at 5 o'clock and 2 minutes p. m.) the Senate adjourned until Monday, June 18, 1894, at 10 o'clock a. m.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 16, 1894.

CONSUL.

John H. Miller, of Kentucky, to be consul of the United States at Port Stanley, Falkland Islands.

PROMOTIONS IN THE ARMY.

Medical department.

Maj. John S. Billings, surgeon, to be deputy surgeon-general.

Capt. William R. Hall, assistant surgeon, to be surgeon.

Capt. George H. Torney, assistant surgeon, to be surgeon.

Lieut. Col. Joseph P. Wright, deputy surgeon-general, to be assistant surgeon-general.

Maj. Alfred A. Woodhull, surgeon, to be deputy surgeon-general.

Cavalry arm.

Second Lieut. Nathaniel F. McClure, Fourth Cavalry, to be first lieutenant.

Infantry arm.

First Lieut. John J. Crittenden, Twenty-second Infantry, to be captain.

First Lieut. William T. Wood, Eighteenth Infantry, to be captain.

Second Lieut. Thomas G. Hanson, Nineteenth Infantry, to be first lieutenant.

Second Lieut. Herman Hall, Fourth Infantry, to be first lieutenant.

Second Lieut. William Weigel, Eleventh Infantry, to be first lieutenant.

Second Lieut. John C. Gregg, Sixteenth Infantry, to be first lieutenant.

First Lieut. William P. Evans, Nineteenth Infantry, to be captain.

First Lieut. Robert J. C. Irvine, Eleventh Infantry, to be captain.

Artillery arm.

Second Lieut. Charles C. Gallup, Fifth Artillery, to be first lieutenant.

POSTMASTERS.

Charles M. Topping, to be postmaster at Fenton, in the county of Genesee and State of Michigan.

Charles E. Thomas, to be postmaster at Battle Creek, in the county of Calhoun and State of Michigan.

A. E. Blakeslee, to be postmaster at Thomaston, in the county of Litchfield and State of Connecticut.

John H. Tower, to be postmaster at Sutton, in the county of Clay and State of Nebraska.

Frank E. Fritcher, to be postmaster at Nashua, in the county of Chickasaw and State of Iowa.

John T. French, to be postmaster at Hammonton, in the county of Atlantic and State of New Jersey.

Ralph F. Krieger, to be postmaster at Weehawken, in the county of Hudson and State of New Jersey.

Henry Schneider, to be postmaster at West Hoboken, in the the county of Hudson and State of New Jersey.

John S. Smith, to be postmaster at Osceola, in the county of St. Clair and State of Missouri.

Thomas R. Phelps, to be postmaster at Harrodsburg, in the county of Mercer and State of Kentucky.

Henderson S. Martin, to be postmaster at Marion, in the county of Marion and State of Kansas.

HOUSE OF REPRESENTATIVES.

SATURDAY, *June 16, 1894.*

The House met at 12 o'clock m. Prayer by the Rev. WILLIAM H. MILBURN, D. D., Chaplain of the Senate.

The Journal of the proceedings of yesterday was read.

The SPEAKER. If there be no objection the Journal will be approved.

Mr. REED. I object for a moment, Mr. Speaker. I do not observe that any mention is made in the Journal of the question of privilege which was raised by the gentleman from Tennessee [Mr. RICHARDSON] yesterday.

The SPEAKER. There was no action taken by the House upon the matter. It was a personal explanation.

Mr. REED. It was part of the proceedings of the House.

The SPEAKER. It was not necessary to incorporate it in the Journal. It is not customary, the Chair thinks, to include such matters in the Journal. It was a matter of debate, a personal explanation.

Mr. REED. I have not examined the matter, but it was certainly a part of the proceedings of the House, and I do not see why it should be left out any more than any other proceeding. The RECORD reads:

Mr. RICHARDSON of Tennessee. Mr. Speaker, I rise to a matter of personal privilege——

The SPEAKER. That is not correct.

Mr. REED. Whereupon Mr. RICHARDSON proceeded with his statement.

The SPEAKER. That which the gentleman has read is incorrect.

Mr. REED. Well, on that I think opinions perhaps will differ.

The SPEAKER. What is the suggestion of the gentleman as to the Journal?

Mr. REED. My suggestion is that there should be some statement in the Journal that the gentleman from Tennessee [Mr. RICHARDSON] arose on a question of privilege and addressed the House.

The SPEAKER. Certainly there can be no such statement as that, because that is not the fact.

Mr. REED. But here is the RECORD which states that that is the fact.

The SPEAKER. The gentleman from Tennessee himself will state that it is not the fact. The Chair has knowledge that it is not the fact.

Mr. RICHARDSON of Tennessee. I will say this, Mr. Speaker, when I prepared my remarks I expected to address myself to a matter of privilege, and the first sentence in the typewritten speech which I had prepared makes that statement, but by inadvertence on my part I was prevented from doing so; in other words, the special rule reported from the Committee on Rules was presented before I had an opportunity to take the floor, and upon that rule, or resolution reported, there was a demand for the yeas and nays, and a yea-and-nay vote was taken.

While the yea-and-nay vote was being taken I went to the Speaker, knowing full well that under former rulings of the Chair I was not entitled to the floor upon a matter of privilege and asked to be recognized to ask permission to make a statement by unanimous consent, and was informed that I would be recognized for that purpose. Immediately after the closing of the yea-and-nay vote I arose and addressed the Chair and asked permission to make a statement by unanimous consent on a matter which I thought would ordinarily be privileged, or words to that effect. That is about the statement I made. I looked over the House to ascertain whether I could have order, and as soon as order was restored I began my statement. I understood that I was proceeding by unanimous consent.

Mr. REED. Mr. Speaker, this situation would not be complete unless it is presented fully to the House. On page 7510 of the RECORD the following colloquy is reported by the official reporters, and I do not see any note here to indicate that there is any doubt about this:

Mr. REED. A parliamentary inquiry. Was this proceeding had by unanimous consent of the House?

The SPEAKER. The gentleman asked consent to make a personal explanation.

Mr. REED. Asked consent? Was unanimous consent asked?

The SPEAKER. The gentleman asked consent.

Mr. REED. Was that put to the House?

The SPEAKER. Of course that was put to the House. Why does the gentleman ask the question?

Mr. REED. Because I did not hear it.

The SPEAKER. If the gentleman had been here he would probably have heard it.

That, whether intended or not, contains a suggestion that I was not present at the time. The Speaker then proceeded to say:

Under the order adopted the House will resolve itself into Committee of the Whole House on the state of the Union, and the gentleman from Massachusetts will please take the chair.

Meantime, I had asked some of my neighbors whether my recollection was correct or not, and, finding it confirmed, I made this remark:

Mr. REED. I am informed that it was not put to the House.
The SPEAKER. The House will resolve itself into Committee of the Whole House on the state of the Union, and the gentleman from Massachusetts will take the chair.

I at once went to the Reporter and got his notes of the transaction just as he had taken them down, because I wanted to know whether my recollection was accurate or not. It had meantime been fortified by the recollection of all the gentlemen I knew who had noticed the transaction, which recollection I think I may state agrees with the Reporter's notes. I will read the reporter's notes:

Mr. RICHARDSON of Tennessee. Mr. Speaker, I rise to a matter of persona privilege——

Not a personal explanation, you will see, but a matter of personal privilege, which was precisely what it was in parliamentary language.

The SPEAKER. The House will be in order. The gentleman from Tennessee [Mr. RICHARDSON] states that he rises to a question of personal privilege.
Mr. RICHARDSON of Tennessee. Mr. Speaker, for nearly ten years I have been a member of this House—

And so on.

According to the Reporter's notes there was no question put to the House; according to the Reporter's notes there was no request for unanimous consent; according to the Reporter's notes there was no request to make a personal explanation; but, on the contrary, the gentleman rose to a question of personal privilege; and there was no question put to the House whatever. Now, there is an inaccuracy here somewhere. The Reporters have added this note, or somebody has:

The foregoing is given as understood by the Reporter. For incidental correction see proceedings immediately following the conclusion of Mr. RICHARDSON'S statement.

The SPEAKER. The Chair ought to state——

Mr. RICHARDSON of Tennessee. Before the gentleman from Maine concludes, if the Chair will indulge me, I would like to ask the gentleman from Maine whether he was in his seat or heard what occurred when I did rise?

Mr. REED. I did.

Mr. RICHARDSON of Tennessee. My distinct recollection is that I addressed myself to the Chair, and asked consent to make a personal explanation.

Mr. REED. I think the gentleman will have to make another one before he gets through with this.

Mr. RICHARDSON of Tennessee. Will the gentleman be kind enough to inform me to what he refers in order that I may begin to get ready for that explanation?

Mr. REED. I think that the present proceedings have indicated it already. I mean by that, frankly, that I think the gentleman from Tennessee is mistaken in supposing that he asked unanimous consent. I think he is mistaken. I think he may possibly—for I am desirous of being entirely courteous to the gentleman—I think it is possible that he may have had such an intention. If he says so, I shall not be inclined to disbelieve it. But the action that took place before the House was so plain and simple—the House will remember the transaction, and will remember the language which I have read, and will see at once that I am somewhat concerned (although it is a very small matter) in believing the actual truth presented in the RECORD.

Mr. RICHARDSON of Tennessee. Mr. Speaker, only a word or two in reply. I do not usually put my recollection against the recollection of other gentlemen. But I knew I had to make my remarks as a personal explanation, not to present a matter of privilege. As I have said, my remarks were typewritten. The first sentence in my remarks was "I rise to a question of personal privilege." But that is omitted from the printed statement, because I did not use that language, knowing I was not addressing myself to, or had not obtained the floor on, a matter of personal privilege. I am further sustained in my recollection by reason of the fact that when I went to the Speaker and asked him to recognize me to make a personal explanation, I knew I could not in the condition of affairs at that time, by reason of the special rule under which we were acting, rise to a question of privilege; and therefore I knew I must make it "a personal explanation." And that is what I intended to make. I am further supported in my recollection by at least one gentleman, the gentleman from Illinois [Mr. LANE], now sitting within a few feet of me, and who was sitting there yesterday when I rose, and who says that I did say that I rose on a matter of personal explanation.

Mr. HOLMAN (to Mr. RICHARDSON of Tennessee). You made that statement; everybody heard that.

Mr. RICHARDSON of Tennessee. The gentleman from Indiana [Mr. HOLMAN] states that he so understood me.

Mr. HOLMAN. My attention was called to the matter from the fact that I desired to correct the RECORD; and the gentleman was standing by me at the moment before he went to his seat.

Mr. LANE. I was sitting right here; and I heard the gentleman make the distinct statement.

Mr. RICHARDSON of Tennessee. I knew that was what I was obliged to do and that is what I tried to do. That is the explanation I make.

Mr. REED. It will be perceived—and I call the attention of the gentleman from Tennessee to this—that this is not simply a statement made by the gentleman from Tennessee and taken down by the reporter, and a part of his notes, "I rise to a matter of personal privilege," but the Speaker repeats, "The House will be in order. The gentleman from Tennessee states that he rises to a question of personal privilege."

Mr. RICHARDSON of Tennessee. That is undoubtedly true; but the gentleman from Maine well knows that that is the ordinary form when a gentleman rises to a matter such as I had in hand yesterday; and the reporter being so familiar with the usual form, might have put it that way. I do not say it occurred that way. I simply state what my recollection was; and I find that recollection supported by the gentleman from Illinois [Mr. LANE] and the gentleman from Indiana [Mr. HOLMAN], who were very near me. The gentleman from Missouri [Mr. CLARK] now repeats the statement; and the gentleman from Mississippi [Mr. CATCHINGS], and perhaps other gentlemen near me also sustain it.

Mr. REED. Do you now claim that it was submitted to the House?

Mr. RICHARDSON of Tennessee. In this way: I do not undertake to say that the Speaker said, "The gentleman asks unanimous consent, etc.; is there objection?" which would have been the formal way if he had adhered strictly to the rule; but the gentleman knows that three times out of five, if a gentleman on this floor desires to object to a request for unanimous consent he objects, and the Speaker takes note of the fact; but when he pauses and waits for objection, as I did, and there was no objection, because I would not have proceeded if there had been any objection, it is assumed there is no objection, and the gentleman proceeds.

Mr. REED. But I desire to refresh the mind of the gentleman from Tennessee by this recital:

Mr. REED. Was that put to the House?

Mr. RICHARDSON of Tennessee. I remember very distinctly hearing that.

Mr. REED (reading):

The SPEAKER. Of course that was put to the House. Why does the gentleman ask the question?

After having his mind refreshed by that, does he think that it was put to the House?

Mr. RICHARDSON of Tennessee. I am not on the floor to answer that question. I do not think that is material; but I would ask the gentleman, without getting into any controversy with him——

Mr. REED. It seems material to accuracy.

Mr. RICHARDSON of Tennessee. Without getting into any controversy, when it was suggested by the Chair, yesterday, that the gentleman was not on the floor, the gentleman from Maine did not reply that he was on the floor.

Mr. REED. The time was somewhat limited. The Chair seemed to be desirous of closing the incident.

The SPEAKER. The Chair thinks it proper that he should make some statement about this matter.

Ordinarily the Reporters are very accurate, and yet, as we all know, they sometimes make mistakes. It is no uncommon thing for gentlemen to rise and correct the RECORD as to statements alleged to have been made by them, but not made by them. And that is not remarkable when you consider the size of this body and the confusion usually incident to the transaction of business in it.

If there were no incident connected with this matter, except that which ordinarily takes place in the House, to have fixed the recollection of the Chair, the Chair would be inclined to accept, as he always has been inclined to accept, the notes of the Reporters. But in this matter there was a circumstance which fixed and fixes the recollection of the Chair.

The gentleman from Tennessee [Mr. RICHARDSON] came to the Chair pending the consideration of the report from the Committee on Rules, and stated that he desired to reply to a matter which had appeared in a paper in the city of Washington, "But," he said, "it will require unanimous consent." Inasmuch as the order which was then before the House provided that immediately upon its adoption the House should resolve itself into the Committee of the Whole to consider a given bill,

it *would* require unanimous consent to interrupt that automatic action provided by the order, and the Chair said to the gentleman, "It will require unanimous consent to do this."

The gentleman from Tennessee, after the order was adopted, in the eye and ear of the gentleman from Indiana [Mr. HOLMAN], rose and asked unanimous consent to make a personal explanation, or to refer to a personal matter, and the Chair stated, after rapping for order and asking for order, "If there be no objection, the gentleman from Tennessee will be permitted to make his personal explanation." That was an invitation to any gentleman to object who desired to object. That was submitting the matter to the House.

The gentleman asking unanimous consent to make the explanation, the Chair said: "If there be no objection, the gentleman will be permitted to make the explanation." The gentleman took the floor. He made his explanation. No one objected. After the gentleman had finished his explanation, after the matter had passed, as it were, from the consideration of the House, when there was nothing before the House for action, the gentleman from Maine arose and asked how it was the gentleman from Tennessee obtained the right; or to quote his own language as reported:

Mr. REED. A parliamentary inquiry. Was this proceeding had by unanimous consent of the House?

Now, that was after the proceeding was over. It was at a stage when the gentleman from Maine, whether it was had by consent of the House or without the consent of the House, could take no action relating to the explanation. After the transaction was completed the gentleman from Maine asked:

Was this proceeding had by unanimous consent of the House?

The Speaker replied:

The gentleman asked unanimous consent to make a personal explanation.

The Speaker made that reply because he had a distinct recollection, from the incident just indicated, that he did make the request. Quoting further:

Mr. REED. Asked consent? Was unanimous consent asked?
The SPEAKER. The gentleman asked consent.
Mr. REED. Was that put to the House?
The SPEAKER. Of course that was put to the House—

And the Speaker reiterates now that it was put to the House by the Speaker stating, "The gentleman asks unanimous consent to make an explanation, and in the absence of objection the gentleman will be permitted to make his explanation."

Then the Chair said:

Of course that was put to the House. Why does the gentleman ask the question?

The Chair asked why the gentleman propounded the question, because there seemed to be nothing practical, no practical result that could arise or occur, whether it was by unanimous consent or without unanimous consent, because it was a completed and a perfect act. The gentleman replied:

Because I did not hear it.
The SPEAKER. If the gentleman had been here he would probably have heard it.

All this is in accordance with the recollection—the distinct recollection—of the Chair. Now, the gentleman from Maine [Mr. REED] refers to a note which the Chair sees now for the first time, or saw this morning for the first time, and of which prior to that time the Chair had no knowledge. The reporters have inserted that note. They quote the gentleman from Tennessee [Mr. RICHARDSON] as saying:

Mr. RICHARDSON of Tennessee. Mr. Speaker, I rise to a matter of personal privilege.
The SPEAKER. The House will be in order. The gentleman from Tennessee [Mr. RICHARDSON] states that he rises to a question of personal privilege.

And then this note appears in the RECORD:

The foregoing is given as understood by the reporter. For incidental correction, see proceedings immediately following the conclusion of Mr. RICHARDSON'S statement.

The Chair desires to say that so far as that note is concerned, he is no wise responsible for it, and did not suggest it in any way. After the incident on yesterday, the Chair's attention was called to the fact that the notes of the reporters were called for as to what took place when the gentleman from Tennessee [Mr. RICHARDSON] arose. The Chair desired that a copy of those notes be furnished to him. They were furnished to him.

When the Chair saw them, he saw that the reporter's notes were inaccurate and incorrect; but inasmuch as this colloquy took place between the gentleman from Maine and the Speaker, after the completion of this transaction, the Chair expressly declined to make any correction of the RECORD. He wrote a line to the reporters, saying that the statement in the notes was incorrect, but under the circumstances the Chair declined to make any suggestion as to a change, and only wrote this line so that he might not be understood, even by implication, having seen the notes, to approve their correctness. That is the whole of the transaction so far as the Chair recollects it.

The gentleman from Maine [Mr. REED] makes the point that this matter should go into the Journal, and that is a practical question.

The Chair has not looked at the precedents. The Chair is informed that those matters only go into the Journal where there is some action of the House upon a resolution or question of order, or a matter of that kind. When a gentleman arises to a personal explanation it is not stated in the Journal; and while the Journal has to contain a recitation of the proceedings of the House, it does not mean the debate that takes place in the House. Debate is not entered upon the Journal; but it is some action of the House upon some pending measure or questions of order that are contained in the Journal. Therefore the Chair does not see that it is necessary that this should go in the Journal. There is no objection, however, if the gentleman desires that this should go in the Journal.

Mr. REED. Mr. Speaker——

The SPEAKER. The gentleman from Maine.

Mr. REED. I desire to say that I procured at once, there being a difference of recollection between the Chair and myself upon the point, as the Chair had manifested by suggesting that I was absent, the notes of the Reporter, and was assured that that was the transaction as it took place. I do not know what caused the Reporters to put that note in the RECORD. Certainly something caused them to do it. In that I had no hand or part. I desire to say that among the gentlemen who recollected this as I do are three gentlemen immediately around me—the gentleman from California [Mr. LOUD], the gentleman from New York [Mr. PAYNE], and the gentleman from Pennsylvania [Mr. DALZELL].

I desire to suggest to the Chair, in furtherance of the idea the Chair suggests, that this can not go in, because it was not a part of the business of the House; if unanimous consent of the House was asked, it thereupon becomes the business of the House; and it would therefore seem as if the journal clerk's recollection and that of gentleman about me, was the same as the Reporter's notes. I do not desire in the slightest degree to make a mountain out of a mole-hill or to make any particular comment upon inaccuracies which have occurred.

I think the Speaker divined what my motive was in putting the question. In addition to the answer which I made that I did not hear it, I was at the time, of course, a little doubtful of my recollection, inasmuch as in the hurry and confusion of this House a man may be very easily mistaken. While I felt confident of it, I had the statement of the Speaker at the time, and I thought there might be some doubt; I thought possibly I might have been mistaken, and I do not desire to make mistakes if I can help it about this matter.

I think the Speaker also divined the point which I intended to bring to his attention, and which I should have brought to his attention if the gentleman from Massachusetts had not taken the chair, was that ruling of the Speaker to which I had objected, and on which I addressed the Chair a number of times before, that one of these orders stops the privileges of the House, and was not only incorrect in theory, as I think I had demonstrated, but was also exceedingly inconvenient in practice, because it would put a gentleman in a position of submitting in silence to a newspaper statement which was absolutely incorrect and which he thought to be damaging to himself. I think I may be doing the country more service in pointing out the practical results of what I conceive was the mistaken theory of the Chair. That question I am not making, except so far as it incidentally comes up in the statement which I make.

Now, in regard to this amendment of the Journal, it seems to me very clear that it must be made, especially after what the Speaker says on the subject of having put this question to the House. If he had put it to the House it certainly was a transaction of the House; and if he did not put it to the House, and it was not a transaction of the House, I wonder what in the world it was; because the House of Representatives does not usually spend ten minutes in what it is obliged to admit in its Journal was absolutely nothing.

The Journal is a statement of the proceedings of the body. It is accurate, and intended to be so, for all purposes; and if this question was put to the House, and the House gave unanimous consent for the gentleman to proceed, then the Journal ought to state it; and if the Journal does state that unanimous consent was given, of course the responsibility for that statement will rest upon those who choose to make it. For my part, with my recollection fortified by that of a number of other gentlemen, and agreeing perfectly with the notes of the Reporters, I may be pardoned for still continuing to think that there is a possibility of an inaccuracy somewhere or other in this transaction.

Mr. CATCHINGS. Mr. Speaker, I desire to say a few words. I have a very distinct recollection of what occurred on yesterday. Shortly before the gentleman from Tennessee [Mr. RICH-

ARDSON] took the floor to make his explanation, he met me behind the railing and told me that he contemplated making an explanation with reference to a publication that had been made in the News, and that he had been informed by a mutual friend that I had said that if I were in his place I would treat the charge as unworthy of answer.

I told him that I had so stated; that I did not suppose that anybody in this House would believe for a moment that he was guilty of the act which was charged against him. He said, however, that he had prepared with care what he was satisfied would be a complete answer to the charge, and that he proposed to make a statement. Just then he left me and walked down the aisle, and I followed him for the purpose of hearing what he had to say. He stood near the seat now occupied by the gentleman from Indiana, Mr. MARTIN, and I sat within a foot or two of him, across the aisle. I have a distinct recollection that he rose to address the Chair and stated that he desired to ask consent to submit to the House an explanation of a nature personal to himself.

I am very sure that nothing was said about rising to a question of personal privilege. The Speaker thereupon made a statement as I remember—and my recollection is quite vivid—using about these words: "The gentleman from Tennessee asks consent to submit a statement of a nature personal to himself. If there be no objection, the gentleman will proceed." There was no objection, and the gentleman from Tennessee did proceed. That is my recollection of what occurred, and I believe I state the transaction correctly.

Mr. REED. I only want to say to the gentleman from Mississippi—and I wish I could reach the country—that, in view of his statement, I trust none of us will ever be accused hereafter of doing things or saying things here upon the mere authority of the Reporters. [Laughter.]

Mr. CATCHINGS. I have made no accusation against anybody. I have taken the floor simply to make this statement because of the statement made by the gentleman from Maine. I have made no accusation against him or anybody else. I can well understand how things that occur in the bustle and turmoil which often exists on this floor may be misunderstood. I think it very likely that a dozen of us might get together any time and undertake to recite what had occurred during the preceding hour and might all differ about it, but I have no doubt myself that what I have stated is exactly what occurred here yesterday.

Mr. WALKER. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. There is one question pending now. The gentleman from Maine [Mr. REED] suggests that the action of the House on this matter should be entered upon the Journal. That is the practical question and the only practical question. The Chair has no doubt himself as to what took place on yesterday, his recollection being distinct from the previous conversation with the gentleman from Tennessee [Mr. RICHARDSON], and the Chair has no concern as to what gentlemen may think as to whether the Chair's recollection is correct or incorrect.

Conscious that his recollection is correct, the Chair would not yield it to the notes of anyone, no matter who he might be, nor to the recollection of anyone, no matter who he might be, and the Chair will not be deterred from stating that recollection by any intimation that "hereafter it will be understood the Reporters' notes are inaccurate."

While the official reports are generally correct, yet no fair-minded or just man, knowing the nature of the proceedings of the House and the circumstances under which the Reporters are required to perform their duties, would expect them to escape occasional inaccuracies. For this reason a "correction of the RECORD" is always recognized as a matter of privilege; yet on such occasions, and they are not infrequent, no gentleman has ever heretofore risen and made the suggestion, "Hereafter be it understood that the notes of the Reporters are not to be trusted."

It is well enough to be fair and just and honest with each other. The practical question now is whether the Journal should contain a recital of the fact of the gentleman from Tennessee rising on yesterday to make a personal explanation. The Chair is informed that it never has been the habit to include such matters in the Journal. A gentleman rises and asks leave to extend his remarks in the RECORD, and no reference is made to it in the Journal. The House gives consent that he shall extend his remarks in the RECORD, and that is found in the RECORD, and not in the Journal. A gentleman rises to make a personal explanation involving no resolution, involving no action of the House except the mere action by which he is permitted to make the explanation, and it is not customary to put such a matter in the Journal.

No practical purpose would be subserved by including such matters in the Journal, and the Chair is informed by the Journal Clerk that such has not been the practice. Therefore, the Chair thinks that the Journal, so far as that is concerned, is correct. The question is upon the approval of the Journal.

Mr. PAYNE. Mr. Speaker, I want to call the attention of the Chair to another matter in the Journal. I understood the Journal, as read, to state that the modification of the rule proposed by the gentleman from Ohio was made by unanimous consent of the House. The modification was offered and was objected to, and then it was offered by way of amendment by the gentleman from Ohio [Mr. OUTHWAITE], he having withdrawn the previous question.

The SPEAKER. The Chair thinks it was modified by the gentleman from Ohio, on consultation with the gentleman from Michigan, [Mr. BURROWS], the gentleman from Mississippi [Mr. CATCHINGS], and the Speaker. The unanimous consent, however, will be stricken out. The question is on the approval of the Journal.

The Journal was approved.

Mr. WALKER. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will suspend a moment that the House may receive a message from the Senate.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed without amendment, bills and joint resolution of the following titles:

A bill (H. R. 7458) making appropriations to supply a deficiency in the appropriation for public printing and binding for the fiscal year 1894, and for other purposes; and

Joint resolution (H. Res. 172) granting full permission to the State of Maryland and to the several State courts within the city of Baltimore to occupy the old United States court-house in the city of Baltimore for the period of five years.

The message also announced that the Senate had passed the bill (S. 1515) to amend chapter VI, of title 32, of the Revised Statutes, relating to mineral lands and mining resources, in which the concurrence of the House was requested.

A further message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed bills of the following titles; in which the concurrence of the House was requested:

A bill (S. 160) to fix the price of lands entered under the desert-land laws;

A bill (S. 814) for the relief of the representatives of Daniel C. Rodman, deceased, and others; and

A bill (S. 1852) to provide an American register for the steamer S. Oteri.

QUESTION OF PERSONAL PRIVILEGE.

The SPEAKER. The gentleman from Massachusetts [Mr. WALKER] rises to a question of personal privilege.

Mr. WILSON of Washington. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WILSON of Washington. According to the rule under which we are operating, does it not require unanimous consent to present a question of personal privilege?

The SPEAKER. It does not. There is nothing in the special rule requiring that the House shall consider the pending bill until after the first morning hour—after the call of committees for report.

Mr. WALKER. My question is this: The records of the reporters having been refused to me, and I having been told that they were refused under the direction of the Speaker, and it having appeared in the debate this morning that a copy of the records has been furnished to other members at their request where the matter was not a matter of controversy between them and other members, my question is whether there is a discrimination made as between the members of this House; in other words, who may and who may not have a copy of the records of the reporters of this House? And if you will allow me, my theory about the matter is——

The SPEAKER. What is the gentleman's proposition?

Mr. WALKER. My question of privilege is that I have been refused a copy of the records of this House; I have been denied the opportunity to verify my recollection of what transpired in the House by having the reporters furnish me a copy of the records or read to me those records. It appears that the gentleman from Maine did receive a copy of the records of the House about a transaction of the House in regard to which he was in doubt. Now, if one member of this House has a right to that privilege, it seems to me all members of the House have that right. I have been told that the Speaker directed the reporters of the House not to give me a copy of the records of remarks and transactions in the House about which I was in doubt, because I had no right to them, unless it was a matter of personal

controversy between me and the member whose remarks I wanted.

Now, it does not appear by anything that has been said this morning that there was a personal controversy between the gentleman from Maine and the gentleman from Tennessee. My point is this—that I have the same right to verify my recollection of remarks that were made here, by access to the records of any transaction on the floor, that the gentleman from Maine has.

Let me say that I do not question the right or the propriety of any gentleman on this floor changing to any extent that his judgment dictates any remarks that he may have made on this floor which, when he sees the record of the Reporters, he decides do not receive his deliberate approval.

But if, on the other hand, any member desires to have, for any reason that commends itself to his judgment, a record of the exact words pronounced on this floor, which are taken down by the public reporters, which as printed are spread broadcast over the country by the newspapers, he has such right; otherwise he may never know whether they are correctly published or not in the RECORD. When he may recite those remarks himself upon the stump before his constituents or anywhere in the country, he may be called to account for stating that which is not true, although he heard them with his own ears. Therefore I contend that each member has a right to obtain from the Reporters, if they are willing to be at the trouble and cost of giving it to him, the record of anything which has been said on the floor of the House. And that right has been denied me. That is my point.

The SPEAKER. It is, of course, a very difficult matter to determine exactly what is the limit of the right of revision.

Mr. WALKER. This is a question of discrimination—whether I am to be discriminated against.

The SPEAKER. It is a very difficult question to determine exactly the extent of the right of a member to revise his remarks for the RECORD. Of course, there is somewhere a limit, and generally all are inclined to be very liberal in allowing the revision of remarks where there is nothing personal added or subtracted. Where there is simply a discussion of economic or other public questions, and no personal reference is made to individuals, the House, so far as the Chair knows, and individual members, have generally been very liberal in their view of this question.

Now, the Chair does not recollect exactly the circumstances incident to the matter referred to by the gentleman from Massachusetts. He can refresh his recollection by inquiry of the Reporters, if necessary. But the case was something like this: A gentleman on the floor had made remarks and withheld them for revision; he took them and revised them; and the revised speech was then published. As the Chair recollects, there was no reference to the gentleman from Massachusetts [Mr. WALKER] in the remarks——

Mr. WALKER. Will the Chair allow me one word?

The SPEAKER. Certainly.

Mr. WALKER. No reference whatever.

The SPEAKER. That is what the Chair thought.

Mr. WALKER. My point is that in quoting those remarks I might be confronted by the remarks as revised and printed, and I might be unjustly charged with stating that which was not true. Therefore I claimed that if I chose of my own motion to put the actual remarks made in the RECORD, I ought to have the right to do so.

Furthermore, as I have before said, I am in favor of the most liberal changing of remarks, even to any extent that a member chooses, if his deliberate and final judgment does not approve of what he has said on the floor: but if any member, in order that he may be certain of his memory, desires to have the original record, the original notes, my point is that he has a right to have them.

The SPEAKER. The point was this—because the Chair does not want to be misunderstood about it—it appeared to be this kind of a case, as the Chair recollects: A gentleman on the floor made certain remarks, withheld them for revision, the notes were sent to him, and he revised them, and perhaps, as suggested by the gentleman from Massachusetts, on cool reflection in his room, when he revised his remarks, he left out certain things, not personal in their nature to anybody, and the revised remarks were printed. Then, as the Chair understands it, the gentleman from Massachusetts wanted to get from the Reporter the original remarks, which the gentleman himself had never published, which he had revised and left out, the part omitted reflecting on nobody.

The Reporter came to the Speaker about it, and the Speaker said there was no fixed rule about how far one member had a right to see the original manuscript of another's remarks, except that wherever there was a personal controversy between them, wherever one reflected upon the other, or anything that seemed to point to the right of the member to have an examination of the original, that they ought to be furnished, but where it seemed to be a mere effort to criticize something not personal that a gentleman had spoken and did not want printed the Chair did not think the Reporter should furnish the original. That was all there was of it.

Mr. OUTHWAITE. I wish to correct the RECORD. On page 7511, about the middle of the page, appear the following remarks:

Mr. HOLMAN. To save the trouble of offering an amendment to the bill, I suggest to the gentleman from Ohio that he except from his point of order the first three lines of the second paragraph, which simply make the ordinary appropriation which, of course, has to be made "for the payment of interest on said bonds for the fiscal year ending June 30, 1894—1894, not 1895—$78,350."

At the suggestion of the gentleman from Indiana I immediately asked unanimous consent to except those three lines from my point of order. It was granted. It does not appear in the RECORD, and I think it ought to.

The SPEAKER. Without objection, that will be corrected

IMMIGRATION.

The SPEAKER laid before the House a letter from the Secretary of the Treasury, transmitting a communication from the Chief of the Bureau of Statistics, in relation to the importance of the question of determining the movement—passenger and immigrant—from the United States to foreign countries, and inclosing the draft of a bill for that purpose; which was referred to the Committee on Immigration and Naturalization.

REFERENCE OF SENATE BILLS.

Senate bills of the following titles were severally laid before the House and referred as indicated, namely:

A bill (S. 115) for the development and encouragement of silk culture in the United States under the supervision of the Secretary of Agriculture—to the Committee on Agriculture.

A bill (S. 168) granting to the State of Wyoming certain lands in the Fort D. A. Russell military reservation for agricultural fair and industrial exposition grounds, and for other purposes—to the Committee on Military Affairs.

A bill (S. 207) granting jurisdiction and authority to the Court of Claims in the case of the towboat Future City, her barges, cargoes, etc.—to the Committee on Claims.

A bill (S. 217) for the relief of the heirs of James Bridger, deceased—to the Committee on Claims.

A bill (S. 807) for the relief of Joseph Redfern and Eliza J. Redfern, his wife—to the Committee on Claims.

A bill (S. 1717) to authorize the appointment of women as public-school trustees in the District of Columbia—to the Committee on the District of Columbia.

A bill (S. 1957) to increase the pension of Joseph W. Fisher—to the Committee on Invalid Pensions.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. WASHINGTON until Tuesday, on account of sickness.

Mr. REED. Mr. Speaker, I desire to request that my colleague, Mr. BOUTELLE, may have indefinite leave of absence.

The SPEAKER. In the absence of objection, leave of absence will be granted to the gentleman from Maine as requested.

There was no objection.

ERRONEOUS PRINT, INDIAN APPROPRIATION BILL.

Mr. HOLMAN. Mr. Speaker, I ask a single moment. On yesterday I made a statement in response to an inquiry in reference to a certain duplication of a part of the Indian appropriation bill, and stated that it was a blunder at the Printing Office. The accomplished Public Printer calls my attention to the fact, and on examination I find it to be true that the blunder was committed in the committee room and not at the Government Printing Office.

I ask that this letter go into the RECORD:

OFFICE OF THE PUBLIC PRINTER,
Washington, D. C., June 16, 1894.

DEAR SIR: I observe in the CONGRESSIONAL RECORD of this morning that you stated in the House of Representatives yesterday, in connection with the discussion of the Indian appropriation bill, in reply to a statement made by the Chairman of the Committee of the Whole [Mr. O'NEIL], that there appeared a duplication in the printed bill then under consideration, and that such duplication or error was a "mere blunder of the Printing Office."

I desire to say that the error was not a blunder on the part of this Office, but was an exact print of the copy furnished by your committee; further, your committee had a proof of this copy sent them, and the error was returned to us unnoticed. I think it is due the Public Printing Office that these facts should be made as prominent in the records of Congress as the unjust statements which appear in to-day's issue of the RECORD.

Very respectfully,

TH. E. BENEDICT,
Public Printer.

Hon. WILLIAM S. HOLMAN,
Chairman Committee on Indian Affairs,
House of Representatives, Washington, D. C.

ORDER OF BUSINESS.

The SPEAKER. The Clerk will call the committees for reports.

The committees were called for reports, none being submitted.

INDIAN APPROPRIATION BILL.

The SPEAKER. Under the special rule the House will now resolve itself into Committee of the Whole on the state of the Union for the further consideration of the Indian appropriation bill, and the gentleman from Massachusetts will please resume the chair.

The House accordingly resolved itself into Committee of the Whole, Mr. O'NEIL of Massachusetts in the chair.

The CHAIRMAN. The Clerk will proceed with the reading of the bill.

Mr. PAYNE. Mr. Chairman, before that I desire to state that my colleague, Mr. SHERMAN, a member of the committee, desired to submit some remarks on a paragraph of the bill, but was called away suddenly last night. He desires to have leave to print his remarks in the RECORD.

The CHAIRMAN. In the absence of objection, leave will be granted to the gentleman from New York.

There was no objection.

Mr. BARTHOLDT. Mr. Chairman, I desire to make the same request.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HUNTER. I also, Mr. Chairman, as a member of the committee, ask the privilege of submitting certain remarks to be printed in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

The Clerk resumed the reading of the bill.

Mr. McRAE. Mr. Chairman, I make the point of order upon this provision in the bill which has just been read by the Clerk: The mineral lands shall be disposed of under the laws applicable thereto, and the balance of the lands so ceded shall be disposed of until further provided by law under the town-site law and under the provisions of the homestead law: *Provided, however*, That each settler, under and in accordance with the provisions of said homestead laws shall, at the time of making his original entry, pay the sum of 50 cents per acre in addition to the fees now required by law, and at the time of making final proof shall pay the further sum of $1 per acre, final proof to be made within five years from the date of entry, and three years' actual residence on the land shall be established by such evidence as is now required in homestead proofs as a prerequisite to title or patent.

Mr. PICKLER. I would like to understand what the point of order is made against.

Mr. McRAE. Beginning with line 21 after the word "law" on page 136 and down to and including line 9 on page 137.

Mr. HERMANN. Is it not too late now to make that point?

The CHAIRMAN. The Chair will also reserve the decision on that point of order. The Clerk will proceed with the reading of the bill.

The Clerk read as follows:

That immediately after the passage of this act the Secretary of the Interior shall prescribe rules and regulations to procure the ratification by said Indians of the Siletz Reservation to the changes in said agreement, as provided for in this act, and shall without delay, upon the agreement of said Indians to said changes, under such regulations as he may prescribe, open said lands to settlement after sixty days' notice,

Mr. McRAE. I also make the point of order against that provision.

The CHAIRMAN. That also will be reserved for the present.

The Clerk read as follows:

SEC. 16. That to pay the expense of purchasing goods and supplies for the Indian service and pay of necessary employés; advertising, at rates not exceeding regular commercial rates, inspection, and all other expenses connected therewith, including telegraphing, $35,000: *Provided*, That the office for purchasing goods and supplies and the principal depot shall be established at Chicago, and the bids shall be opened there.

The CHAIRMAN. This completes the reading of the bill.

Mr. STRAUS. Mr. Chairman, I desire to raise the point of order against the provision on page 138, beginning with line 1 and ending with line 3, the proviso to section 16. I make the point of order that this is new legislation and that it does not reduce expenditures. It makes it incumbent upon the Secretary of the Interior to establish a warehouse contrary to any previous regulations; consequently it does not retrench expenditures, but on the contrary increases them.

Mr. HARTMAN. I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HARTMAN. Are amendments now in order under the rule?

The CHAIRMAN. Not at present; a point of order is pending, raised by the gentleman from New York. The gentleman will please restate his point of order.

Mr. STRAUS. I raise the point of order on lines 1 to 3 on page 138, beginning with the word "Provided," as being new legislation and not reducing expenditures.

The CHAIRMAN. The Clerk will report that particular part of the bill to which the gentleman from New York raises the point of order.

The Clerk read as follows:

Provided, That the office for purchasing goods and supplies and the principal depot shall be established at Chicago, and the bids shall be opened there.

Mr. CAMPBELL. Mr. Chairman, I rise to second the demurrer and objection made by my colleague from New York [Mr. STRAUS] to this proviso, on the ground that it has no place in the bill; that it is class legislation; that it is vicious, and does not retrench expenditures. There is no reason why the amendment should be ingrafted on this bill at the present time. Why it was put in originally is a question that is agitating the minds of the people of our section of the country.

I have here a petition, or letter, from the Clothing Manufacturers' Association of the city of New York, which will thoroughly explain the facts and circumstances why the provision should not remain in the bill. I ask that it be read at the Clerk's desk.

The Clerk read as follows:

NEW YORK, *May 28, 1894.*

DEAR SIR: We would respectfully call your attention to the following words in the Indian appropriation House bill No. 6913, page 138, lines 1, 2, and 3, viz:

"*Provided*, That the office for purchasing goods and supplies and the principal depot shall be established at Chicago, and the bids shall be opened there."

This is an attempt to interfere by legislation with the discretion vested in the Secretary of the Interior, to receive bids and purchase supplies in such market as he may deem most advantageous to the public interests.

It is unjust to New York and the East, as a very large proportion of the supplies—dry goods, clothing, hats, caps, groceries, medical supplies, etc.—are produced in New York or territory contiguous thereto, and must be directly or indirectly purchased there, wherever offered; and no bids for these articles have ever been submitted from Western points for the well-known reason that the Eastern prices on them could not be competed with.

The provision would work an injustice to New York, whence these supplies must be obtained, as it would put its merchants to the inconvenience of sending samples and bids to a distant point and of delivery there, where they are not needed, instead of at the point of supply.

It would work an injustice to the Government, which now makes special freight contracts for delivery of these supplies at the agencies; whereas contractors, whether from the East or West, would necessarily have to pay the regular freight rates on articles to be drawn from the East and would, of course, add such freight to the cost of the articles.

The Government would be put to a considerably increased expense in procuring these supplies not only in freight, but also on the added profit to be paid in purchasing from second hands instead of first hands, as heretofore.

There is at present under order of the Secretary of the Interior, dated March 31, 1894, an office and warehouse at Chicago "for receiving samples and for purchasing the goods which experience has shown are furnished at lowest prices in Chicago and the West;" and one in New York "for receiving samples and for purchasing those goods, which experience has shown are furnished at lowest prices at New York and the East."

The present arrangement is an eminently fair one, and has been directed by the honorable Secretary of the Interior after a thorough examination.

It seems clear that such matters should be left for proper disposition to the executive and administrative departments which can act upon them understandingly with a thorough knowledge of all the facts.

We deem the provision quoted vicious in principle, uncalled for, and unfair, and respectfully request that you employ your good offices to have the same eliminated from the bill.

Very respectfully,

THE CLOTHING MANUFACTURERS' ASSOCIATION,
ALBERT F. HOCHSTADTER, *President.*
SAMUEL FLEISCHMAN, *Secretary.*

Hon. TIMOTHY J. CAMPBELL,
Member of Congress, Washington, D. C.

Mr. CAMPBELL. Mr. Chairman, the letter which has just been read from the Clothing Manufacturers' Association of New York fully explains why no change should take place, and why the principal warehouse of the Indian Bureau should remain at the city of New York, as they are one of the best authority and one of the most reputable organizations in the State and city of New York.

Also, Mr. Chairman, I present an editorial from the New York Herald, giving further reasons why the Indian supply warehouse should not be removed from its present location.

TRICKERY CONCERNING INDIAN SUPPLIES.

The jobbery in the Indian appropriation bill, by which Commissioner Browning and the Committee on Indian Affairs are seeking to remove the Indian supply warehouse from New York to Chicago, came in for another scoring yesterday in the House, this time at the hands of Representative BARTLETT.

This rider which the committee sought to insert in the bill aroused suspicion that something was wrong from the time it first appeared. That Commissioner Browning and the Indian Affairs Committee should endeavor to override the Secretary of the Interior, who favored the change only so long as he was in ignorance of the character of the jobbery behind it, of itself tends to confirm this suspicion.

Congress is certainly in no temper to tolerate anything which is likely to bring back Indian scandals again, and the news from Washington is to the effect that when the voting on the amendment takes place it will be defeated. There is no honest reason why the Indian supply warehouse should be moved from New York, the natural market for nearly one-half of the supplies purchased, to Chicago, the natural market for less than one-tenth of the supplies, and the argument of economy is in favor of its retention here.

During the discussion on this paragraph last week, the gentleman from Illinois [Mr. GOLDZIER], in his speech of wit and sarcasm, took occasion to interject my name, and say that I called the people of Chicago "guerrillas." I suppose the remark was made in a Pickwickian sense, as there should be no sectional differences between the East and the West, for New York has always been ready and willing to extend the right hand of fellowship to all parts of the country when the same is needed.

I trust that the Chairman may, with his usual good sense and judgment, see his way clear to decide the point of order made by my associate [Mr. STRAUS] as well taken, and thereby prevent future legislative jealousies between the Eastern and Western States, as such jealousies are detrimental to the interests of all sections of the country. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. CAMPBELL. Mr. Chairman, I ask that I be allowed five minutes more.

The CHAIRMAN. That can not be done under the order of the House.

Mr. WILSON of Washington. I object.

Mr. CAMPBELL. I ask that I be given five minutes.

The CHAIRMAN. It cannot be done under the rule which the House adopted.

Mr. WILSON of Washington. The gentleman voted for that rule, and he is now suffering from the same.

Mr. CAMPBELL. I am not suffering from anything; and the gentleman can not make me suffer from anything. [Laughter.]

Mr. KIEFER. Mr. Chairman, when this bill first came up the other day New York and Chicago gave a complete and thorough exposition of their relative greatness and importance—and we all agreed that both cities are ably represented on this floor—and I for one am quite sure that the House long since became satisfied that neither of these great rivals for commercial notoriety wanted the World's Columbian Fair—New York refused it and Chicago had it unwillingly thrust upon her—and now both towns are so excessively jealous lest they may appear to want anything from the Government, and especially a little matter like the Indian supply depot, that the champions of both Chicago and New York, as I will show, have inadvertently admitted that if the business principles which they urge are applied to the proper purchase and distribution of Indian supplies, the city of St. Paul is the logical center for the depot, the very center of distribution.

In all the arguments thus far essayed for or against either New York or Chicago, there have been three propositions submitted upon which claim to superiority is made. First. Facilities to obtain supplies and commodities needed and desired. Second. Ability of persons, firms or corporations handling the goods and commodities needed to furnish them at a low price. And third. Transportation facilities, which is the most important point of the entire question after all. On any one, and on all of these propositions, I am prepared to prove that the gentlemen from New York and the gentlemen from Chicago have made effective arguments in favor of St. Paul. I will also show that the Commissioner of Indian Affairs and the honorable Secretary of the Interior are essentially, though perhaps unconsciously, valuable advocates of the city for which I speak.

ST. PAUL'S ADVANTAGES.

I do not claim that St. Paul produces as many goods, or that it has as large a trade as either of the other cities—that is not the question involved—but I do maintain that St. Paul possesses many advantages over New York and Chicago, which makes it the logical distributing point for the Indian reservations, upon which a greater portion of our Indian population is located, and I propose now briefly to show why. Mr. Commissioner Browning stated the salient point of the entire question when he said in the letter which has been read from the desk, "Whatever difference there might be," meaning in the cost of the goods and supplies purchased, "will be more than offset by the difference in transportation, which is on an average of 30 cents per hundred less from Chicago to the various agencies than from New York."

Now, Mr. Chairman, St. Paul is much nearer more reservations, and more Indian agencies, and to a greater part of the Indians who are supplied by the Government, than Chicago or New York; and I will, before I conclude, produce a table of freight rates taken from transportation contracts with the Government which shows how much of a saving will be effected. Applying Commissioner Browning's figures, that $18,000 can be saved in freight rates between New York and Chicago delivery on 6,000,000 pounds, the same number of pounds shipped from St. Paul would effect a saving of more than $30 000, for the average difference rate from St. Paul to the agencies where deliveries are made is an average of 50 cents a hundred.

Now, the main argument made here on behalf of New York is that that city is the natural base of supplies. To prove this remarkable claim the gentleman from the city that is 1,500 miles further from any big reservation than is St. Paul, say the records show that for many years past 85 per cent of the supplies have been furnished by New York bidders. In answer to this the champions for Chicago have clearly shown that their city is as well equipped and in many instances better than New York York to make bids and deliver the supplies.

The statement has been made and has not been contradicted that Chicago sent out more packages, more pounds of freight, last year than did New York. The gentleman from Chicago [Mr. ALDRICH] presented figures showing that out of 80,000 packages purchased by the Bureau of Indian Supplies in 1893, 60,000 went from Chicago, and the statement has not been questioned, so far as I know.

But, say the gentlemen from New York, if bids can only be opened in Chicago and the West and goods only delivered there, it would necessitate sending a corps of men there by the heretofore successful bidder, for submitting samples as well as for the ultimate delivery of the goods; and as it often happens that some lots of goods are rejected because they are not up to sample, these New York gentlemen would have to take into consideration the reshipping of such goods back to New York and the replacement of them with other satisfactory substitutes. "All the risk and expense," complains Mr. STRAUS, "the New York bidders would have to add to the price of their goods or desist from bidding altogether"—a handsome argument indeed. Now then, Mr. Chairman, that involuntary admission by the gentleman from New York, has lost the battle for him and the cause he represents in this controversy; and I have been wondering, Mr. Chairman, why some of our Chicago friends did not take up that admission.

First, he says that the successful bidders send men out with samples; then admits that Eastern samples are not up to contract requirement; and, third, says that if the depot comes West New York must cease bidding altogether. Ah, Mr. Chairman, that is the very reason why the Western cities have been unable to come boldly to the front. Is the gentleman from New York so selfish that he is not willing to give to other cities the same privileges that he himself asks for New York? I want to say right here, Mr. Chairman, that if this House finally concludes to leave the purchase of supplies and location of a depot open for the next year, and will allow the Department to make comparisons as to where it can do the best for the kind of goods needed, you will not hear of New York in 1895.

In St. Paul the manufacturers make a class of goods especially designed for the West. The sizes of shoes, mittens, socks, caps, outside coats, and, in fact, all wearing apparel, run larger than in goods made in the East. I venture to say that the many great firms engaged in making boots and shoes, clothing, knit and woolen goods, blankets, etc., in and about St Paul will furnish samples that will be filled to the very letter in a contract.

One reason why Eastern bidders have had more contracts on these goods is, I am told, because they are given an opportunity to replace a rejected lot that are not up to sample.

Chicago's chief spokesman on this floor, Mr. ALDRICH, in his very able speech said:

> The nearer the base of supplies is to the consumer, the cheaper the consumer obtains his goods. This is a well-recognized axiom among business men and the first principle of commercial science. There will be ten bidders through this transfer where there is now one. Warehouse facilities, as pointed out by the Commissioner, will be cheaper and better, because located in the greatest railroad center of the country.

Now, Mr. Chairman, that is absolutely true, and following that proposition to a legitimate conclusion, I will now cite a few reasons why St. Paul should be selected as the distributing point of Indian supplies.

Take the latest map issued by the Interior Department and enumerate the different Indian reservations in the United States. You will find that the greater number of them lies within a Territory that is tributary to the city of St. Paul, and that St. Paul is the logical distributing center. With three great transcontinental lines of railroads from St. Paul to the coast, and with nine other lines centering at St. Paul, the great Mississippi River and the Great Lakes, the transportation facilities, as shown by the statistics from the Indian Bureau, show plainly that St. Paul is a better shipping point for the Government for its Indian supplies than either New York or Chicago.

Embraced within a territory that is nearer St. Paul than any other city that ranks at all as a commercial center and distributing point there are more reservations, more agencies, and more Indians than in all the other territory combined.

The total Indian population exclusive of the Five Civilized Tribes, as shown by the Commissioner's last report, is 178,866. Of this number, 106,305 occupy the territory which I have men-

tioned as being nearer to St. Paul than the other cities who are seeking to have the supply depot. In some of the States the Indian population has been consolidated, and former reservations as shown on the maps are now open in some instances to settlement. In other cases, as in my State, the lands are to be sold for the benefit of the various tribes.

Number of reservations and population.

States and Territories.	No. of reservations.	Population.
California	6	12,434
Colorado	1	1,002
Idaho	4	4,185
Iowa	1	389
Kansas	3	1,102
Minnesota	10	6,194
Montana	6	10,722
Nebraska	6	3,863
Nevada	4	1,685
New Mexico	5	9,882
North Dakota	4	7,928
Oregon	5	3,923
South Dakota	5	18,501
Utah	2	1,877
Wisconsin	7	8,177
Wyoming	1	1,724

In addition to the above number, there are, as stated by the Commissioner's report, upward of 2,500 Indians outside of the State of California and Indian Territory that are not under control of an agent. Those in California and the Indian Territory who are not looked after by the agents of the Department are included in the totals given in the above table.

Take the four States of Minnesota, North and South Dakota, and Montana, and there is an Indian population of 43,345. Add Idaho, Oregon, and Washington, and it makes nearly half of the total of all in the States and Territories mentioned. This territory is strictly in the dominion of St. Paul, and that city has a large trade with every section of the territory mentioned. Moreover, the very articles that are furnished the Indians are produced by manufactures and raised from the soil in the great Northwest.

Minnesota makes more flour than any other State. We have immense stock yards at St. Paul where the beef of Montana and the pork of Minnesota and the Dakotas are packed. The Northwest raises barley and beans. We manufacture a high grade of woolen blankets especially adapted for the use of the Indians. We have some of the largest boot and shoe factories, and St. Paul's wholesale grocers import coffees and teas direct via the Pacific coast, and sell these articles as cheap as New York. Agricultural implements are now made very near to the big reservations of the Northwest. Everything in the way of natural facilities gives that city the advantage.

So much has been said by our friends from New York since the proposed removal of the supply depot concerning freight rates that one might suppose that New York was the only place where transportation contracts could be made for the best advantage to the Government.

But what are the facts? It will not do for New York to claim that it can give a lower freight for a longer distance than either Chicago or St. Paul. The tabulated statement of transportation contracts, as shown on page 774 of the report of Commissioner Browning, shows that the depot should be located at the place that is nearest to the great body of the consumers. I cite only a few rates by way of comparison: From New York to Devils Lake, N. Dak., the rate given per hundred is $1.35; from Chicago, $1.17; from St. Paul, 72 cents—63 cents per hundred in favor of St. Paul.

HOW THOUSANDS CAN BE SAVED.

	New York.	Chicago.	St. Paul.
Fort Berthold, N. Dak	$1.80	$1.80	$0.95
Mandan, N. Dak	1.16	.90	.90
Standing Rock	1.59	1.35	1.17
Chamberlain, S. Dak	1.17	.88	.80
Crow Creek	1.48	1.19	1.08
Browns Valley, Minn	1.09	.94	.54
Pipestone	.92	.73	.55
Detroit	.96	.80	.46
Blackfeet Agency, Mont	2.55	2.41	2.05
Crow Agency	2.65	2.51	2.10
Rosebud	1.88	1.76	1.46

These are mere instances chosen at random from the report of the Commissioner. But it proves that St. Paul, as a distributing point, has advantages in freight facilities that other cities can not have. The Northern Pacific and Great Northern systems terminate in St. Paul running from the coast. Shipments made on these lines do not become subject to any charges by traffic agreements with other lines.

In answer to a request from the superintendent of the Union Depot Company at St. Paul, Mr. C. B. Brunson, secretary of that company, answers as follows:

There are at this time about one hundred and thirty passenger trains in and out of the city and about one hundred freight trains daily.

There are ten great railroad systems centering in St. Paul, viz; The Northwestern, known as the Chicago, St. Paul, Minneapolis and Omaha; Chicago, Milwaukee and St. Paul, with several divisions radiating from this great center; the Burlington line, the Chicago, Great Western; the Chicago, Rock Island and Pacific, of which the Minneapolis and St. Louis is a division; the Wisconsin Central, St. Paul and Duluth; the Great Northern Transcontinental system; the Northern Pacific Transcontinental route, and Minneapolis, St. Paul and Sault St. Marie.

With the divisions and with the smaller lines absorbed the total number of lines radiating from St. Paul are twenty, representing a mileage of 42,308 miles. In the lake season boats come up the Mississippi to St. Paul, and we are enabled to get a lake and rail-route rate that is more favorable for the purposes desired than any other city.

Within a radius of 20 miles from St. Paul there is made annually from good No. 1 hard 10,000,000 barrels of flour—more than is produced at any other point in the world. This brings us on an average of $45,000,000. We have immense packing houses, and the business done last year was $5,775,000. In the manufacture of boots and shoes we did last year $11,690,000. In groceries $24,500,000. Fruits, produce, fish, etc., $9,893,000. Paints, oils, varnishes, etc., $1,540,000. Dry goods and notions, $15,000,000. Harness, leather, and leather manufactures, $2,000,000.

We manufacture blankets of every quality, and the "North Star" woolen mills, at Minneapolis, turns out as good an article of this kind as there is manufactured in the United States.

Now, Mr. Chairman, and gentlemen of this committee, let me ask in all candor, what does the Indian receive from his Great Father? The main articles are: Beef, on the hoof; beef, in barrels; pork, smoked and salted; flour, in barrels and sacks; rice, in packages; beans, in sacks; sugar, in barrels; tea, in boxes; coffee, in packages; blankets, clothing, shoes, agricultural implements, etc. These are the main articles the Government furnishes the Indians.

Mr. Chairman, where are all these articles produced? Beef cattle are raised upon the broad fields of the great Northwest, and not in New York. Pork is raised in Minnesota, Iowa, and the Dakotas, and not in New York to any extent. Flour is made in Minnesota more than in any other State. Rice is grown on the Lower Mississippi River lands, which admits of the cheapest river freight to St. Paul. Beans are raised in Minnesota. Sugar is produced on the Lower Mississippi River lands, and is laid down at St. Paul under a much lower freight than it can be laid down at either New York or Chicago. Tea and coffee is placed at St. Paul at a rate as low as in any city in this country. Enterprising wholesale merchants at St. Paul are buying their tea and coffee directly at the plantations where it is produced. Coming as these articles do, via the Pacific Ocean and through rail to St. Paul, purchase and freight are largely in favor of my city.

Blankets are made within 10 miles of St. Paul at Minneapolis.

Clothing and boots and shoes are made by the millions of dollars worth per annum in that great metropolis that I have the honor to represent upon this floor.

Agricultural implements: St. Paul has one of the greatest plants in America—the noted Walter A. Wood harvester works. The work of this firm goes all over the great Northwest, in which territory New York does not sell a plow.

It is for these reasons that I, as the representative of 200,000 people, ask that this supply depot, if located permanently at all, be placed at St. Paul. And if you see fit to leave the matter open for the next year, and if the Department will make a special effort to ascertain where all supplies can best be laid down, I will be satisfied. All St. Paul asks is a fair field and no favor.

During the delivery of the foregoing remarks the time of Mr. KIEFER expired.

Mr. PICKLER. I ask unanimous consent that the gentleman's time be extended.

The CHAIRMAN. The time for debate on the point of order is exhausted.

Mr. KIEFER. I move to strike out the last word.

The CHAIRMAN. Under the rule adopted by the House that motion can not be entertained.

Mr. PAYNE. I ask unanimous consent that the gentleman may be permitted to extend his remarks in the RECORD.

The CHAIRMAN. Without objection, the gentleman from New York and the gentleman from Minnesota may be allowed to extend their remarks in the RECORD. [After a pause.] The Chair hears no objection.

Mr. BURROWS. Let us have a decision on the point of order.

Mr. KIEFER. I now move——

The CHAIRMAN. A point of order is pending, and an amendment can not be offered at this time.

Mr. HOLMAN. I admit, Mr. Chairman, that this provision does not upon its face retrench expenditures; but as a matter of fact it does, as a reduction of $28,000 has been made by the authority of the Commissioner of Indian Affairs from the appropriations in the bill on account of this provision, $18,000 of the amount being for transportation and $10,000 for the warehouse, which amounts would be saved to the Government.

The CHAIRMAN. Debate on the point of order is exhausted. The gentleman from Indiana, chairman of the committee, admits that this provision on its face does not retrench expenditures.

Mr. HOLMAN. But it does so in fact.

The CHAIRMAN. The Chair can not go beyond the face of the provision. On its face it does not; it is unquestionably new legislation; and the Chair sustains the point of order.

The Chair would suggest to the gentleman from Indiana, chairman of the committee, that there were several things passed over and that it would be well to go back and dispose of them.

Mr. HOLMAN. To go back to whatever was passed on points of order I think will be entirely proper; but otherwise I ask permission to submit the amendments which the committee recommend.

The CHAIRMAN. On page 44, at the end of line 8, the gentleman from Washington [Mr. DOOLITTLE] offered an amendment to the bill, against which the chairman of the committee or some other member of the committee reserved a point of order.

Mr. HOLMAN. I do not remember what that amendment was.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

After line 8, page 44, add the following:

"*Provided*, That all lands heretofore constituting a part of the Puyallup Indian Reservation, situate near the city of Tacoma, Pierce County, State of Washington, now held in severalty by the Puyallup Indians, patents to which have heretofore been issued by the United States to said Indians, said patents containing certain restrictions upon the sale and conveyance of said lands, are hereby declared to be the property and estate of each of said allottees or their heirs in fee simple, free and clear of each and every restriction as to the sale, conveyance, or other disposition of the same heretofore imposed by the Government of the United States: *Provided, however*, That no sale of said lands shall be valid until the parties shall appear before the United States district judge of the district in which said lands are situate, and thereupon submit to him all the terms and conditions of such proposed sale for his approval, and if approved by such judge he shall indorse his approval on the contract or other instrument evidencing such sale; thereupon such sale may be executed and completed in accordance with the terms and conditions so approved by said judge."

Mr. HOLMAN. I simply reserve the point of order until the gentleman is heard.

The CHAIRMAN. The gentleman from Washington is recognized for five minutes.

Mr. DOOLITTLE. Mr. Chairman, I observe that inadvertently King County was not inserted in the amendment. Now, I desire to have the words King County inserted after the words Pierce County.

The CHAIRMAN. The gentleman can so modify his amendment. It will be so modified by the Clerk.

Mr. HOLMAN. Mr. Chairman, this is an exceedingly important provision, involving a very important effect; but inasmuch as it does not come within the rule, and does not retrench expenditures, I will have to insist upon the point of order.

Mr. DOOLITTLE. Mr. Chairman, I understand that the ground of objection in this point of order is that it does not decrease the appropriation.

That I believe is the case. Now, Mr. Chairman, in presenting my side of this contention I desire to call the attention of the Chair to the statute which provided for a commission. I suppose that the chairman of this committee will take judicial notice of the law which this amendment, if it be adopted, will modify, and for the information of the Chair I will read a portion of the statute I refer to:

That the President of the United States is hereby authorized, immediately after the passage of this act, to appoint a commission of three persons, not more than one of whom shall be a resident of any one State, and it shall be the duty of said commission to select and appraise such portions of the allotted lands as are not required for homes for the Indian allottees, and also that part of the agency tract, exclusive of the burying ground, not needed for school purposes, in the Puyallup Reservation in the State of Washington. And, if the Secretary of the Interior shall approve the selections and appraisements made by said Commission, the allotted lands so selected shall be sold for the benefit of the allottees, and the agency tract for the benefit of all the Indians, after due notice at public auction, at not less than the appraised value for cash, or one-third cash, and the remainder on such time as the Secretary of the Interior may determine, to be secured by vendor's lien on the property sold.

This amendment relates solely to the allotted lands of the Puyallups, and not at all to the reservations or the school lands proper.

The CHAIRMAN. The gentleman himself says that this is a modification of existing law. Therefore it is new legislation.

Mr. DOOLITTLE. The point is not made that it is new legislation. The point of order is based entirely on the other ground, and is so presented to the Chair.

The CHAIRMAN. The Chair only heard the gentleman from Indiana state that he insisted on this point of order against the amendment. So far the Chair has been unable to hear what the grounds are.

Mr. DOOLITTLE. But if it please the Chair, the grounds were stated, and the point or order was not made upon the proposition that this is new legislation, but solely on the ground I have stated.

But, as I have said, this amendment relates only to the allotted lands. Now, on page 634 of the Statutes at Large, Fifty-second Congress, I find this:

And the sum of $30,000, or so much hereof as may be necessary, is hereby appropriated for the purpose of paying the expenses of said commission, to be reimbursed to the United States out of the proceeds of the sale of that portion of the agency tract, to be immediately available.

That, of course, relates to the allotted lands. Now, Mr. Chairman, if this amendment shall become a law the necessity for any further work upon these allotted lands will have been done away with entirely; so that the passage of this amendment will decrease the expenditures of the Government as contemplated by this law, and the amendment is in the way of decreasing expenditures rather than of increasing them, as I have attempted to show by the reading of this statute. It seems to me there can be no question, then, as to this amendment being in order and not being subject to the point of order that has been raised by the gentleman from Indiana.

Mr. HOLMAN. If the Chair has any doubt upon this question, I desire to be heard for a moment.

The CHAIRMAN. The Chair has no doubt about this being new legislation. The Chair sustains the point of order.

Mr. WILSON of Washington. One moment, Mr. Chairman. Our ten minutes have not been exhausted, have they?

The CHAIRMAN. Only five minutes have been used.

Mr. DOOLITTLE. I yield the balance of the time to my colleague.

Mr. WILSON of Washington. I do not desire to convince a man against his will, and if the Chair has already made up his mind that this is new legislation——

The CHAIRMAN. It is admitted to be so by the gentleman himself [Mr. DOOLITTLE].

Mr. WILSON of Washington. Well, I do not want to argue that point now, but I wish to call the attention of the Chair and of the House to the fact that year after year when we have come into the House with an Indian appropriation bill, there has been a great hue and cry about the expenditures contained in the bill and about the amount appropriated. Every time that we discuss the bill we seek in some manner to do those things that will ultimately result in decreasing the expenditures for Indian affairs.

I called the attention of the House to four or five cases the other day, three of them in my own State. Now, if you will permit these Indians to sell their lands at what they are worth, subject to the control of the United States court, sufficient money will be obtained to support the Indians for all time, and it will not be necessary to make any further appropriations for an Indian agent, or for the schools at that agency, because the section of land which is owned by the tribe as a whole and which has not been allotted will sell for money enough to swell the school fund that is already provided for by law so that it will educate them for all time to come. This amendment, therefore, does tend to decrease expenditures; and the only way that you can ever succeed in reducing the expenditures of the Indian Department is by gradually cutting off the Indian agencies wherever it is possible, and decreasing your expenses in that way. I might add that you can also make a saving by removing this warehouse farther West. You can save $27,000 or $30,000 in that way.

After this agency has been out at Chicago a little while, if gentlemen can not agree about retaining it there, we will take it out to Spokane; and that word means in the Indian language "Take everything in sight," and we are trying to do it. [Laughter.]

Does this amendment decrease expenditures? How, I ask the gentleman from Indiana [Mr. HOLMAN], under the policy that you have sought to inaugurate, are you going to stop appropriating money for Indian agencies unless you permit the Indians to sell their lands where they are valuable and put that money into a fund to take care of them and educate them—their own money, not the people's money?

Mr. HOLMAN. The gentleman will remember that he got an act passed on this subject in the last Congress covering the same ground.

Mr. WILSON of Washington. I know an act was passed by the last Congress; but the Indians say in reference to that act, "It is none of your business; we will not sell our lands that way; we have acquired them by treaty, and we want to dispose of them ourselves, and take our own money to provide for our own comfort and happiness." They are educated. They own probably as valuable a body of land as can be found anywhere in the United States.

Mr. HOLMAN. You provided by that act, I believe, that the money should go into the Treasury, and the Indians should be paid the interest on that money.

Mr. WILSON of Washington. Oh, yes.

Mr. HOLMAN. Was that a safe measure?

Mr. WILSON of Washington. I think so. I can not go back on that. I was constrained by the gentleman from Indiana to accept that as the very best I could get. [Laughter.] I wanted to go farther; but the gentleman from Indiana said, "Thus far shalt thou go, and no farther."

Mr. DOOLITTLE. Does not the gentleman from Washington know this to be true—that this Government has been engaged for the last fifty years or more in the attempt to educate the Indians, to make men of them capable of transacting their own business; and does he not know further that these people, the Puyallups, holding these allotted lands are educated, capable of transacting their business; and can he tell me why, under the policy of this Congress, we find the Government of the United States holding on to those men with a stronger grip than it would hold on to blanket Indians, uneducated and uncivilized? Why will not this Government allow those men to go free?

[Here the hammer fell.]

Mr. WILSON of Washington. I can not answer the gentleman, because my time has expired.

The CHAIRMAN. The Chair sustains the point of order. The Clerk will now read the next amendment pending, which was offered by the gentleman from Alabama [Mr. WHEELER].

Mr. HULL. At the time the House adjourned on the day preceding the adoption of the special rule, we were considering an amendment on page 51.

The CHAIRMAN. That is still pending.

Mr. HULL. But for the existence of the rule, that amendment would have come up the first thing the next morning, when the consideration of the bill was resumed.

The CHAIRMAN. That amendment is still pending. The Chair is taking up the amendments as they come.

Mr. BURROWS. The points of order are now being disposed of, as I understand.

The CHAIRMAN. Points of order were reserved against these amendments. At the same time the gentleman from Washington offered his amendment to the first paragraph on page 44, the gentleman from Indiana offered an amendment on behalf of the committee. Both amendments were allowed to go over. The Clerk will now report the latter amendment.

The Clerk read as follows:

On page 44, after the word "agencies," in line 6, strike out "$14,000;" and in line 7, after the word "employés," strike out "two" and insert "sixteen thousand;" also, in line 7 strike out the words "in all $16,000."

The question being taken, the amendment was agreed to.

The CHAIRMAN. The Clerk will now report the amendment of the gentleman from Alabama [Mr. WHEELER] to page 48, upon which a point of order was reserved.

The Clerk read as follows:

Amend by adding after line 23, page 48, the following:

"*Provided*, That paragraph 4 of section 10 of 'An act making appropriations for current and contingent expenses and fulfilling treaty stipulations with Indian tribes for fiscal year ending June 30, 1894,' be, and the same is hereby, amended so as to read as follows:

"And the provisions of said agreement so amended shall be fully performed and carried out on the part of the United States: *Provided*, That the money hereby appropriated shall be immediately available, and the remaining sum of $8,300,000, or so much thereof as is required to carry out the provisions of said agreement as amended and according to this act, to be payable at the pleasure of the United States, in one or more payments, after the 4th day of March, 1900, said deferred payments to bear interest at the rate of 4 per cent per annum, to be paid semiannually, and the amount required for the payment of interest as aforesaid is hereby appropriated: *And provided further*, That of the money hereby contracted to be paid, a sufficient amount to pay the Delawares and Shawnees their pro rata share in the proceeds of said Outlet shall remain in the Treasury of the United States until the status of said Delaware and Shawnee Indians shall be determined by the courts of the United States before which their suits are now pending; and a sufficient amount shall also be retained in the Treasury to pay the freedmen who are citizens of the Cherokee Nation, or their legal heirs and representatives, such sums as may be determined by the courts of the United States to be due them. Nor shall anything herein be held to abridge or deny to said freedmen any rights to which they may be entitled under existing laws or treaties. The acceptance by the Cherokee Nation of Indians of any of the money appropriated as herein set forth shall be considered and taken and shall operate as a ratification by said Cherokee Nation of Indians of said agreement, as it is hereby proposed to be amended, and as a full and complete relinquishment and extinguishment of all their title, claim, and interest in and to said lands; but such relinquishment and extinguishment shall not inure to the benefit of any railroad company, nor vest in any railroad company any right, title, or interest in or to any of said lands: *Provided*, That said railroad shall be relieved from any further payments of compensation to said Cherokee Nation as required by law for running said railroad across said Cherokee Outlet: *Provided further*, That the extension of the time of payment, as above provided for, shall only become binding on the Cherokee Nation, or its assigns, or on either of them, after the same shall have been accepted for the amounts of indebtedness which they hold respectively, and notice in writing of such acceptance duly filed with the Secretary of the Department of the Interior."

The CHAIRMAN. On this amendment a point of order was reserved. Is the point of order pressed?

Mr. WILSON of Washington and Mr. HUDSON. We insist on the point of order.

The CHAIRMAN. The point of order being made against this provision, the Chair will hear the gentleman from Alabama on the point if he wishes to be heard.

Mr. WHEELER of Alabama. The principle involved in the point of order upon this amendment having been so recently decided by the Chair, I do not think it would be proper for me to consume any portion of the very limited time left for the consideration of other amendments, particularly as the Chair fully considered the question on Thursday and now has my argument before him.

Mr. BURROWS. Let us have a ruling.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk will report the next amendment.

Mr. WILSON of Washington. Before that, Mr. Chairman, I had an understanding with the gentleman from Indiana, the chairman of the Committee on Indian Affairs, that a certain item, which had been overlooked, increasing the appropriation from fifteen to twenty thousand dollars, as agreed on by the committee, for the allotment of lands in severalty would be presented.

The CHAIRMAN. The Chair would state that after the pending amendments are disposed of the Chair will recognize the committee for other amendments.

The Clerk will report the next pending amendment.

The Clerk read as follows:

On page 51, in line 15, strike out the following words: "At St. Boniface's Industrial School."

Mr. CANNON of Illinois. Mr. Chairman, I desire to be recognized to address the committee on that amendment.

I desire, first, to send to the desk the following resolution which I have prepared and wish to have read, prefacing it with the statement before it is read that if I am recognized, or the gentleman from Iowa [Mr. GEAR] is recognized, as he gave notice he would desire to be, at the proper time I shall move to recommit this bill to the Committee on Indian Affairs with the instructions contained in the resolution which I now ask to have read.

The Clerk read as follows:

Resolved, That the bill (H. R. 6913) "making appropriations for current and contingent expenses of the Indian Department, and fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1895, and for other purposes," be recommitted to the Committee on Indian Affairs, with instructions to report the same back to the House forthwith, amended as follows: "Striking out all of the bill relating to Indian schools beginning with line 6, on page 50, and all of pages 51, 52, 53, 54, 55, 56, 57, and 58," and inserting in lieu thereof the following:

"For support of Government Indian day and industrial schools and the erection and repair of Government school buildings on Indian reservations and at places where the Government has established and is now maintaining Government Indian schools, and for each and every purpose necessary in the judgment of the Secretary of the Interior for the establishment and proper conduct of such schools, $2,250,000: *Provided*, That pending the establishment of such schools on Indian reservations, the Secretary of the Interior may, in his discretion, during the fiscal year 1895, authorize contracts to be made with established schools not conducted by the Government for the education and support of Indian pupils and to pay therefor from this appropriation; and the Secretary of the Interior shall report to the first regular session of the Fifty-fourth Congress, in detail, all expenditures made and authorized by him under this appropriation; *Provided further*, That nothing herein shall be construed to prevent the sending of Indian children, at no expense to the United States, to schools not conducted by the Government."

Mr. HOLMAN. I wish to reserve the question of order on that proposition.

Mr. BURROWS. Oh, it is not offered now.

The CHAIRMAN. It is only read for information.

Mr. CANNON of Illinois. I have given notice of the reason why I desired to have the resolution read. I wish now to submit a brief explanation in support of it.

I want to say to the committee, Mr. Chairman, that the census of the United States for 1890 shows the Indian population to be 247,498; of these Indians there reside on reservations situated in twenty States and Territories, 133,417; of these Indians on reservations 34,785 are supported, in whole or part, by the Government, having rations issued to them; while 98,785 on the reservations are self-supporting. There are 58,806 Indians off the reservations who are taxed or taxable, self-supporting, and most of them are citizens of the United States and voters. There are, in addition, the five civilized tribes in the Indian Territory, in number 49,392 (the richest population in the world in

agricultural lands). Add to these the Six Nations of New York, 5,309 in number, and you have, total Indians not supported by the United States, 212,139, as against 34,785 that are supported by the United States.

The report of the Commissioner of Indian Affairs, page 7, for 1893, gives the enrollment of children at Indian schools for that year at 21,138, and the average attendance at 16,333. Of these children 11,229 were in Government schools (training, boarding, and day), 160 in local public schools; 4,916 were in contract schools, not controlled by the Government, but the tuition and subsistence of the children was paid by the Government. Some of these schools were under Protestant control, most of them were under Catholic control. Twenty-eight of these children were in mission schools, not assisted by the Government. I will state further that of these children in contract schools 3,430 were in boarding schools, 1,111 were in boarding schools specially appropriated for, and 342 in contract day schools.

Mr. Chairman, the appropriations by the Government for education of Indian children began in the year 1877, for which year the appropriation was $20,000, and the average attendance of children in schools was 3,508. These appropriations have increased every year until now for the year 1893 the appropriation by the Government for this purpose was $2,315,612, and the average number of children in attendance 16,333. On page 19 of the report of the Commissioner of Indian Affairs is a statement of the various amounts of public money set apart for various religious bodies for Indian education for each of the fiscal years 1887 to 1894, inclusive, from which it appears that $502,635 was so set apart for the year 1894.

Mr. Chairman, from all of which it appears that over two-thirds of these children are being educated in schools exclusively under Government control and less than one-third of them, in round numbers 5,000, in contract schools not under control of the Government, but substantially under control of the various religious bodies, but all at the expense of the Government.

Now, having hastily outlined the situation, I have to say this proposition that I have read briefly would do this: For the coming year it would increase the appropriation for schools over the amount recommended by the committee in this bill a quarter of a million of dollars, and $100,000 over the estimate; the object being, if it should be adopted, that the Secretary of the Interior, in the exercise of a wise discretion, shall prepare Government schools on the reservations for the education of these children that are being instructed in contract schools.

Pending the construction of such public schoolhouses, as there are nearly 5,000 children in the contract schools, it gives the Secretary of the Interior the exercise of a wise discretion, not to turn them out without any school, but to use the appropriation, so far as necessary, to put these children in established schools, giving him plenary power in the premises, and he is required to report his expenditure of this money to the first session of the next Congress.

Mr. Chairman, it is perfectly evident that for fifty years to come or more, the public sentiment is such that as these Indians get ready for citizenship the Government will pay for the education of most of them. We have passed beyond the experimental stage with them. In my judgment the time has come to enter vigorously upon the policy that all expenditures of public moneys for the education of these, the nation's wards, shall be in Government schools.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CANNON of Illinois. Just one moment more, Mr. Chairman.

One other remark. The last proviso in the resolution provides that any Indian child may be sent to any private or religious school, but not at the expense of the Government. This is broad and liberal ground, on which we can all stand, and in my judgment will meet the approval of the intelligent, liberal members of all churches and of no church.

That is all I desired to say. [Applause.]

[Mr. HOLMAN withholds his remarks for revision. See Appendix.]

Mr. CANNON of Illinois. If the gentleman will permit me, I will state that I hope the bill will be recommitted for the purpose of securing the consideration of this proposition; and it is in the power of this House, by the adoption of a rule, to consider that amendment, which will not unnecessarily cut off debate, as that rule adopted yesterday.

Mr. HOLMAN. It will have to be reported back instantly.

Mr. BURROWS. Not necessarily. There is plenty of time.

Mr. CANNON of Illinois. The Speaker and the majority of this House have the power, if they will exercise it, to consider it at this session.

Mr. TRACEY. We do not want it.

Mr. CANNON of Illinois. Ah; the gentleman from New York says he does not want it. Then his ears are dead to my proposition.

Mr. TRACEY. At this session.

Mr. PICKLER. Will the gentleman from Illinois yield to me for a question?

Mr. CANNON of Illinois. If I had the time I would.

The CHAIRMAN. The Chair will recognize the gentleman from South Dakota.

Mr. CANNON of Illinois. Then I will answer the gentleman.

Mr. PICKLER. You propose to strike out from page 50 to 58 inclusive.

Mr. CANNON of Illinois. Yes.

Mr. PICKLER. Now, I want to inquire why you strike out the Government schools? There are several purely Government schools you strike out. How is that?

Mr. CANNON of Illinois. It provides for every Government school in existence.

Mr. PICKLER. It does not in detail.

Mr. CANNON of Illinois. While it may not in detail, it does in the lump.

Mr. PICKLER. I have two such schools in my State, the Flandrau and Pierre schools.

Mr. CANNON of Illinois. It provides for schools of that kind.

Mr. PICKLER. But I want it to provide for them in terms.

Mr. CANNON of Illinois. It can be. The gentleman can trust, of course, to the general provision.

Mr. PICKLER. I do not propose to do that.

Mr. CANNON of Illinois. Very well; then the gentleman can vote against it.

Mr. PICKLER. I would like to support the proposition, and it would not hurt your proposition to put these schools in, as we have provided for education there.

Mr. CANNON of Illinois. It would be the duty of the Commissioner, if this proposition were adopted, to utilize every Government school to its full capacity, and then to go on and build other schools on the reservation—day, industrial, and board—and to take care of the children in these schools.

Mr. PICKLER. That is all right; but after we have provided for certain schools in the bill I want that provision in your proposition.

Mr. BURROWS. Then you would have to mention in detail every one of them.

Mr. PICKLER. There are only two or three of them.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. COFFEEN. Mr. Chairman, I desire not to make a speech, but to enter my own indorsement of the motion made, and hope the committee will accept the situation and go at once to it. It is the proper thing. Almost all the Western men have favored it. Because they see the way that the minds of the people are inclined, I hope the committee will take this up and will be willing to work a little while longer on it. It would make the education of the Indian children depend on schools on the reservations as far as possible.

Mr. PICKLER. We have already provided in this bill that these children can not be taken more than 40 miles from their homes without the parent's consent.

Mr. HOLMAN. We have made great progress as to the reservation schools in this bill. This is the most progressive measure of the kind we have ever passed by Congress. We have taken a long step in that direction, the gentleman will see.

Mr. COFFEEN. So far so good.

The CHAIRMAN. The question is on the amendment proposed by the gentleman from Iowa, which the Clerk will report again.

The amendment was again reported.

Mr. CANNON of Illinois. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. CANNON of Illinois. Would it be in order to move this amendment by way of amendment.

The CHAIRMAN. The gentleman from Illinois knows it certainly would not.

Mr. CANNON of Illinois. I was not sure whether it would be in order under the special order. I know it would not be in order under the general rules of the House.

The question was taken on agreeing to the amendment; and the Chairman announced that the noes seemed to have it.

Mr. HULL. Division.

The committee divided; and there were—ayes 20, noes 57.

So the amendment was rejected.

The CHAIRMAN. The Clerk will now turn to page 94, line 15.

Mr. POST. Can I offer an amendment to the next section?

The CHAIRMAN. Not now.

Mr. BINGHAM. Do I understand that no amendment can be offered to any part of the bill preceding page 90?

The CHAIRMAN. Not until the unfinished business has been disposed of.

The Clerk read as follows:

Second. That the lands by said agreement ceded to the United States shall, upon proclamation by the President, be opened to settlement, and shall be subject to disposal only under the homestead and town-site laws of the United States (except section 2301 of the Revised Statutes, which shall not apply), excepting the sixteenth and thirty-sixth sections in each Congressional township, which shall be reserved for common school purposes and be subject to the laws of the State of South Dakota: *Provided*, That each settler on said lands shall, before making final proof and receiving a certificate of entry, pay to the United States, for the land so taken by him, in addition to the fees provided by law, the sum of $3.75 per acre, one-half of which shall be paid within three years from the date of his original entry; but the rights of honorably discharged Union soldiers and sailors, as defined and described in sections 2304 and 2305 of the Revised Statutes of the United States, shall not be abridged except as to the sum to be paid as aforesaid: *Provided, however*, That each settler shall be limited to 80 acres in amount, but after the expiration of six months from the opening of said lands to settlement, may take an additional 80 acres from any of the lands of said tract then subject to entry: *And provided further*, That after three years' actual and continuous residence upon said land from date of settlement, the settler shall, upon full payment of $3.75 per acre, receive patent for the tract entered: *Provided*, That settlement shall be made under this act within thirty days from date of filing on land.

And provided further, That sections 16 and 36 of the lands ceded and relinquished by said agreement are hereby confirmed to the State of Oregon for the support of the common schools of said State under the limitations prescribed by law; the mineral lands shall be disposed of under the laws applicable thereto, and the balance of the lands so ceded shall be disposed of until further provided by law under the town-site law and under the provisions of the homestead law: *Provided, however*, That each settler under and in accordance with the provisions of said homestead laws shall, at the time of making his original entry, pay the sum of 50 cents per acre in addition to the fees now required by law, and at the time of making final proof shall pay the further sum of $1 per acre, final proof to be made within five years from the date of entry, and three years' actual residence on the land shall be established by such evidence as is now required in homestead proofs as a prerequisite to title or patent.

The CHAIRMAN. On this the gentleman from Arkansas [Mr. McRAE] makes the point of order.

Mr. McRAE. The point of order applies to what has been read on pages 94 and 95, and to all of the paragraph on pages 136 and 137, beginning with the words "the mineral lands," in line 21, page 136, down to and including the word "patent," in line 9, page 137, and also to the lines from 14 to 20, inclusive, on page 137.

Mr. HERMANN. Mr. Chairman, I rise to a parliamentary inquiry. The gentleman from Arkansas did not make his point of order until after the Clerk had proceeded to read the last line on page 136, and about six lines beyond. His point of order, as I understand, applies to all after the words "provided, however," on line 25, page 136.

Mr. McRAE. No, sir; the point of order applies beginning at the word "law," on line 21, page 136.

Mr. HERMANN. Then I make the point that the gentleman did not make his point of order until after the Clerk had passed that point in the bill.

The CHAIRMAN. That was the proper time to make the point of order, after the paragraph was read.

Mr. HERMANN. But the Clerk had read six lines beyond that particular paragraph.

The CHAIRMAN. The Chair thinks the gentleman's point of order is in time.

Mr. McRAE. Now, Mr. Chairman, I will repeat what I have already said, that these provisions will change the manner of disposing of the lands treated for, and are therefore new legislation. This kind of legislation does not belong on an appropriation bill. So far as I am personally concerned, I wish these and all other treaties could be ratified, but when the Committee on Indian Affairs undertakes to change the public-land laws simply because we have ratified an agreement with an Indian tribe, I think it exceeds its jurisdiction. These provisions change the public-land laws in several particulars. They allow in some cases only 80 acres of land where the general law allows 160 acres, and in other cases they allow people who have no right to the benefit of the homestead law to take the benefit of it. They allow persons who have taken the benefit of the law and who have sold the land to speculators to enter under this act. They suspend the operation of some of the laws by making them inoperative here, and in many other important respects they change the public-land laws as to these reservations.

Now, I maintain that we should ratify these treaties, but that these provisions should go out, and instead of them we should, if necessary, enact a general provision for the disposal of the lands acquired by this act, or that may be acquired hereafter.

The CHAIRMAN. The gentleman claims that the provisions in this section interfere with the laws in relation to public lands now on the statute books. Are those lands, before the treaty is confirmed, subject to the laws of the United States?

Mr. McRAE. Certainly not until the treaty is confirmed; but these provisions change the methods of disposing of the lands that will become a part of the public domain under these agreements and set up in every reservation a different system of land laws, a system under which, in Oklahoma, in the Outlet, and on other reservations, we have had the most outrageous scandals and frauds upon the honest settlers that have ever disgraced our Government. Now, in the face of the experience we have had, I feel it my duty to make the point and to warn this committee that there are in the bill provisions which will allow a repetition of those outrages. I will not quietly consent for the land laws of this country to be so changed as to make it possible for those outrages to be repeated. I want these reservations opened, but I want them opened in an orderly way under the existing public-land laws, or under some system adapted to the end in view, and I insist that we ought not to change existing laws in this way on an appropriation bill.

Mr. LYNCH. Mr. Chairman, the different propositions contained in this bill for disposing of the surplus lands on the several reservations are numerous, but in each instance they are conformed to the circumstances of the case as nearly as possible. I contend that this point of order is not well taken, because the lands to which these provisions apply are not now public lands of the United States. The Government has no interest in them, and it will have no interest in them until it acquires such interest by the ratification of each of the treaties separately. When that is done and the Government acquires these additional lands it has a perfect right to prescribe the methods by which they shall be disposed of.

Mr. McRAE. But are the treaties themselves germane to an appropriation bill?

Mr. LYNCH. Entirely so.

Mr. PICKLER. Positively so.

The CHAIRMAN. The Chair thinks it is too late to make that point now.

Mr. LYNCH. The Government obtains these lands at different prices in different cases. By some of the treaties the lands cost 75 cents or 80 cents or $1 an acre; and in one case, that of the Yankton Reservation, the Government pays $3.50 an acre, so that it would have to sell that land for $3.75 in order to come out even. These cases, therefore, can not all be provided for by any general uniform law.

Mr. McRAE. I think they can be. I think I have an amendment which will cover the whole matter, and could be adopted, I think, at this time.

Mr. LYNCH. I have read the gentleman's bill and I wish it could be passed, but it is too important a matter to be considered and disposed of in the short time now at our command. If the gentleman can pass that bill, it can be so modified as to include these cases, because its passage will be subsequent to this. These different methods of disposing of these surplus lands are absolutely necessary. In regard to the Yankton Reservation the committee were of the opinion that as the price of those lands was $3.75 an acre, $1.60 an acre would come too high for a poor man to buy, and therefore we concluded to reduce the amount which one man could enter there to 80 acres. Each reservation was taken up on its own merits, and disposed of on its own merits, it being impossible to make any general rule or law applicable to all these cases. I contend that as the Government does not own the land now, it has a perfect right to acquire that land and dispose of it upon any terms that it may deem fit, regardless of existing law.

Mr. HOLMAN. Let me suggest to my friend that these contracts are made in pursuance of law; and this proposition simply carries the agreements into effect.

Mr. LYNCH. That is all. The Government finds itself the owner of those surplus lands, and must dispose of them. They are of no account while they remain in the possession of the Government. It seems to me that it is simply acting in furtherance of their acquisition to adopt limitations or restrictions in regard to their sale, and to dispose of them as may be deemed proper; and this I submit is not a change of existing law.

Mr. McRAE. It is new legislation; that is the point.

Mr. LYNCH. Well, everything is new legislation in one sense.

Mr. HOLMAN. The purpose is to carry out existing law.

Mr. LYNCH. Contracts are made according to law. The treaty is referred to Congress according to law——

Mr. TERRY. Allow me to ask this question: As soon as these lands were purchased under this treaty, did they not become a part of the public domain of the United States?

Mr. LYNCH. Not necessarily.

Mr. PICKLER. No; they are to be sold at $3.75 an acre——

Mr. TERRY. Did not the United States purchase the land?

Mr. PICKLER. If they were public lands, under the home-

stead law they would have to be granted to homestead settlers for nothing.

[Here the hammer fell.]

Mr. PICKLER. Mr. Chairman, I submit that the point of order made by the gentleman from Arkansas is clearly not well taken. We do not by this provision change one word or syllable of the public land laws of the United States. I ask the attention of the Chair to that proposition. We simply provide in this bill how these 168,000 acres of land acquired from the Indians shall be disposed of. It is impossible to dispose of this land under the public land laws of the United States. Why? Because under those laws every homesteader is allowed to take 160 acres, and, after five years' residence thereon, to acquire title. Now, in this case that is impossible. We acquire these lands at $3.50 an acre, and dispose of them to settlers at $3.75 an acre. So that the public land laws of the United States will not and can not govern this case.

Wherever there is an acre of public land subject to the public land laws of the United States we do not interfere with it or affect it in any particular. We simply carry out the agreements as modified by Congress. The point made against this proposition is not applicable. We are not attacking the land laws of the United States; we are not proposing to vary in any way these laws as applicable to any portion of the public domain.

One other point, Mr. Chairman. We are not here by sufferance. In the Forty-seventh Congress Mr. Kasson, as Chairman of the Committee of the Whole, held squarely upon a point raised by the gentleman from Indiana [Mr. HOLMAN]—and I may say that as a parliamentarian Mr. Kasson has had few superiors in this House—that the ratification of a treaty where a commission had been appointed, and its action came before Congress for ratification, was in pursuance of a "public work," and was therefore proper on an appropriation bill.

Now, if the ratification of a treaty is proper on an Indian appropriation bill, then whatever is necessary to carry out such an agreement is proper and in order. We are inevitably forced to that conclusion. If the treaty covered by this section is in order, as it is, and would have been under this decision even if a point of order had been made against it—then whatever is necessary to carry out that treaty must necessarily be in order.

But, Mr. Chairman, my other proposition is too clear for argument. We do not interfere with the public land laws of the United States. We propose to take the only course possible to dispose of these lands; and the proposition affects no land but that which has been acquired under the conditions I have stated.

Mr. HERMANN. Mr. Chairman, inasmuch as this point of order applies to the provision pertaining to the allotment of lands to Indians in my State, the point is in some respects different from that which relates to the Dakota reservation.

Now, in the first place, I ask the consideration of the Chair to this fact—these are not public lands of the United States. They are lands belonging to the Indian reservations and to certain bands of Indians. They do not become lands of the United States at all until after the ratification of the treaty made with the Indians. Then and only then do they become subject to our land laws.

Now, as to the point made by the gentleman that this is new legislation, I desire to make the distinct proposition that this is in accordance with existing law, and that therefore it is pursuant to regulations already provided and strictly in accordance with such regulations. In order to convince the Chair of that fact I ask his kind attention to the act approved February 8, 1887, the law providing for the allotment of lands in severalty among the Indian tribes, in which will be found this provision:

> All lands adapted to agriculture, with or without irrigation, so sold or released to the United States by any Indian tribe, shall be held by the United States for the sole purpose of securing homes to actual settlers, and shall be disposed of by the United States to actual and bona fide settlers only, in tracts not exceeding 160 acres to any one person, on such terms as Congress shall prescribe.

In reference to this proviso as to the Oregon Indians there is no minimum fixed for the sale of the lands. The maximum limit prescribed by the homestead law is followed, 160 acres; but as to payments, terms, and conditions, they are prescribed in this particular bill, and that authority is given by the general act of Congress providing for the allotment of lands in severalty to the Indians. So, Mr. Chairman, all of the precedents are in line with existing law and not in contravention of it, and it occurs to me that the point of order the gentleman makes is not tenable.

Now, to show again the effect of it, it is provided here that $142,000 shall be paid to these Indians for a large body of land; that $42,000 shall come by way of appropriation; that $10,000 shall be appropriated by the bill, and $32,000 shall come from the sale of the lands; that in order to economize, the settlers shall pay $1.50 an acre for the homestead land, and that they shall have have 160 acres of land and shall be required to reside on them according to the provisions of the homestead laws of the United States.

The Chair will perceive, therefore, that there is nothing here in contravention of the existing law. It is pursuant to the well-known provisions of law regulating the homestead lands of the United States and is in strict accordance with the language of the provision of the general law which I have read, which provides that Congress may regulate the terms and conditions on which the land may be sold to the settlers after the lands are segregated from the rest of the Indian lands and become excess lands and subject to disposal by the Government.

But the first fact that I desire to impress upon the Chair is that they are not public lands of the United States; they are not governed by any of the public land laws until they become segregated from the Indian lands and become in fact a part of our public domain.

[Here the hammer fell.]

Mr. TERRY. Mr. Chairman, I think the point of order submitted by my colleague, Mr. MCRAE, is very well taken. It seems to me, sir, very clear that the provisions contained in the bill are not germane to the treaty proposed to be ratified. A modification or a change to be germane to a contract or an agreement is one that in some way or other naturally affects the rights of both parties to the contract.

Now, the question as to how the United States shall dispose of these lands after she has acquired them is a matter with which the Indians have no concern whatever, and therefore it shows very plainly that it is not germane to a question of contract.

Mr. HERMANN. Will the gentleman permit me a moment? As to the Indians not being concerned in the transaction, it is just the reverse. They can not obtain payment, according to the treaty, unless the funds are derived according to the provisions objected to by the gentleman from Arkansas.

Mr. TERRY. That is not in the treaty.

Mr. PICKLER. Oh, yes it is.

Mr. TERRY. You are putting it in here.

Mr. PICKLER. It is a modification.

Mr. TERRY. Of course, but the terms of the treaty provide that Congress should ratify or confirm the treaty terms and conditions, not as to how the lands should be disposed of, but how they should be purchased.

Mr. PICKLER. In the point of order against my bill, it is provided in section 8 that very thing.

But another question, if the gentleman will permit me. Does not the gentleman know that there has never been a treaty ratified by Congress in all these years, but the bill for the disposition of the land followed directly the treaty? It is universal.

Mr. TERRY. That may be, but it has nothing to do with the point of order.

Mr. PICKLER. And this bill was prepared by the Indian Bureau in accordance with the precedent. It is their bill.

Mr. TERRY. Very well; I have endeavored to answer the gentleman's question.

Now, as I say, the original act provided for a commission which was sent to negotiate the purchase of this land.

They have submitted a treaty, which has been signed by these Indians. If we wish to modify the terms of that treaty as to paying more or less for the land, or as to when the payment shall be made, etc., that is all germane; but to bring forward legislation as to what the United States shall do with the lands after they have purchased them is not germane to the proposition of purchasing them.

Mr. HERMANN. Will the gentleman indulge me again—and this is a very vital point? I ask the gentleman what is his construction of the provision of law which I have just quoted?

Mr. TERRY. I did not have my attention called to that.

Mr. HERMANN. That the specific act of Congress providing for the allotment of lands to the Indians, provided that as to the excess lands they shall be disposed of to actual settlers under the homestead act, "under such terms and conditions as Congress shall prescribe."

Now Congress is proposing to prescribe that under the general provision of the law these lands may be occupied by actual settlers, but one of the conditions shall be that they shall pay $1.50 per acre at the time of final proof. Now, I ask the gentleman if that is not in accordance with existing law?

Mr. TERRY. Not now recalling the particular section to which the gentleman from Oregon [Mr. HERMANN] refers, I will leave the answer on that matter to my colleague [Mr. MCRAE], who has just been examining it, and I now yield the floor to him.

Mr. MCRAE. The section of the law read by the gentleman from Oregon, instead of being an authority for him, is to my mind very conclusive against him. That law contemplates that when we acquire lands we shall dispose of them, as I am insist-

ing we should, under the public land laws. The gentleman points to this law, which requires that they shall be disposed of under the homestead law, and yet he contends for a proposition in this bill which literally takes all the life and vitality out of it. That is what I complain of.

Mr. HERMANN. My answer to the gentleman is this, Mr. Chairman, that if that were the construction to be placed upon this provision, then it would be necessary simply to say that they shall be acquired under the conditions imposed by the homestead act, but we go further, according to the language of the allotment act, and we are standing upon the allotment act, which provides for such terms and conditions as may be prescribed by Congresss. Why insert those words if the lands were to be disposed of under the homestead act?

Mr. McRAE. The gentleman forgets that this is a point of order, and the question is, at what time and upon what bill shall Congress make or prescribe these conditions? The point I make is that it can not be done upon an appropriation bill. Now this is a very plain proposition, that does not, as my colleague has correctly and clearly stated, have any reference to the confirmation of the treaty; but it is a proposition to change the land laws, so far as these lands are concerned, giving men the benefit of the law who are not entitled to it, changing the time of residence from five to three years and depriving settlers of the right of commutation. Almost every important provision of the homestead law is changed. Men who have had the benefit of it can take it again under this bill, and gentlemen will find that if these provisions are adopted the land jumpers and "sooners" will take every valuable piece of land that you open to settlement by it.

Mr. PICKLER. Oh, no.

Mr. LYNCH. Will they not take it under the homestead law just as well?

Mr. McRAE. Oh, no.

Mr. HOLMAN. Why not?

Mr. McRAE. This bill restores the right to those who have lost it.

Mr. HOLMAN. Mr. Chairman, I only rise to correct a mistake in the statement of my friend from Arkansas [Mr. McRAE]. There is no such change here as from five years to three. The act of the 3d of March, 1891, provided a period of fourteen months, and this makes it a period of three years. That is the only difference.

Mr. PICKLER. Is it to prevent fraud?

The CHAIRMAN. The Chair is ready to rule. The Chair was of the opinion yesterday that perhaps the point of order was well taken, but he has given the matter very careful consideration last night and this morning, and the Chair wishes to direct the attention of the gentleman from Arkansas to the fact that the question whether or not a point of order would lie against a treaty in an appropriation bill does not now come up for consideration. It is too late to raise that point, and that has nothing whatever to do with the question before the House. Now, it is conceded by the gentleman from Arkansas that these lands are not public lands of the United States, and are not governed by the laws now on the statute books in relation to the public lands of the United States.

In addition to that the Chair finds, upon looking at the matter, that it is the universal custom, in considering these treaties, to modify and change them just as now being done in the present bill, and that is not only true of Indian treaties, as the Chair understands, but it is also true of other treaties. In fact, the Chair is informed that when the treaty between France and the United States was made, by which the United States acquired the great territory of Louisiana, after that treaty had been made by the high contracting parties, the great Napoleon twice modified the treaty, and the Senate of the United States once modified it, before it finally became a law. It seems to the Chair, therefore, that in view of the custom which has existed from time immemorial in this country that the point of order is not well taken, and the Chair so rules.

Mr. WILSON of Washington. I rise to offer an amendment.

Mr. McRAE. I wish to offer an amendment.

The CHAIRMAN. The Chair desires to be perfectly fair, and he will first recognize the chairman of the committee to offer any amendment. This ruling cleans up the four points of order which were pending against the bill.

Mr. HOLMAN. Mr. Chairman, since the preparation of this bill——

Mr. McRAE. I understand the Chair's decision goes to all of these, the whole of them.

The CHAIRMAN. The Chair thinks the point of order against each is good on the same ground.

Mr. McRAE. That any kind of land legislation as to these lands will be germane. Is that the ruling?

The CHAIRMAN. The Chair so holds.

Mr. McRAE. Then, I wanted to move an amendment myself. That is the reason I asked the question.

Mr. HOLMAN. Mr. Chairman, I submit the following amendment in behalf of the committee.

The Clerk read as follows:

On page 7, line 8, after the word "Muscogee," insert the following language:

"And also provided that the Pueblo, Jacarilla Agency, in New Mexico, is hereby abolished and consolidated with the Southern Ute Agency, Colorado."

The amendment was agreed to.

Mr. HOLMAN. I offer the following amendment.

The Clerk read as follows:

On page 53, line 18, after the word "thousand" insert "fifty," making it read $28,050.

The CHAIRMAN. Without objection this amendment will be agreed to.

There was no objection.

Mr. HOLMAN. I believe the understanding was yesterday reached that all the duplicate matter shall be omitted.

The CHAIRMAN. It was not read, and it is to be omitted.

Mr. HOLMAN. Now, I offer the following amendment.

The Clerk read as follows:

Strike out all on page 77 after the word "seal," in line 12, and insert the words "and others;" and strike out all of pages 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, and all of page 92 down to and including line 22.

The CHAIRMAN. This strikes out the signatures and names. If there is no objection, this amendment will be agreed to.

Mr. HOLMAN. Mr. Chairman, I wish to say before the Chair announces the result, that it has not been thought necessary of late years to insert the names of the Indians who sign the contracts, as was done in former years, for the reason that the original agreement is on file in the Interior Department and there is no necessity for anything more than to refer to the law.

The names are left in, however, so that if any question should arise in the House there would be an easy reference to the number of persons who signed the agreement. I now submit, with the same object in view, the following amendment.

There was no objection, and the amendment was agreed to.

The Clerk read as follows:

Strike out all on page 101, after the word "seal," in line 16, and insert the words "and others," and strike out all of pages 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, and all of page 116 down to and including line 19.

The CHAIRMAN. If there be no objection, this amendment will be agreed to.

There was no objection.

Mr. HOLMAN. I also offer the following.

The Clerk read as follows:

Strike out all of page 120, after the word "seal," in line 21, and insert the words "and others;" and strike out all of pages 121, 123, and lines 1, 2, 3, and 4, on page 124.

The CHAIRMAN. If there be no objection this amendment will also be agreed to.

There was no objection.

Mr. HOLMAN. I also offer the following.

The Clerk read as follows:

Strike out all of page 131, after line 17, and insert the words "and others," and strike out all of pages 132, 133, 134, and 135 down to and including line 11.

The CHAIRMAN. If there be no objection this amendment will be considered as agreed to.

There was no objection.

Mr. HOLMAN. Mr. Chairman, I have another amendment, which I have left on the table in the room of the committee on Indian Affairs, but I will ask leave, if I find the amendment, to submit it.

Mr. WILSON of Washington. I want to ask the gentleman from Indiana if he has offered the amendment in accordance with the agreement of the committee, on page 46 of this bill, relative to the allotment of land, that the appropriation was to be increased from $15,000 to $20,000?

The CHAIRMAN. The gentleman from Indiana has not offered any amendment to page 46.

Mr. WILSON of Washington. I desire to call the attention of the chairman of the committee to the fact that this amendment was agreed upon by the whole committee.

Mr. HOLMAN. Well, the amount in the appropriation—what line is that?

Mr. WILSON of Washington. Page 46, allotting lands. In line 17, is my recollection.

Mr. HOLMAN. The amount appropriated is——

Mr. WILSON of Washington. Fifteen thousand dollars.

Mr. HOLMAN. Fifteen thousand dollars.

Mr. WILSON of Washington. We agreed to increase that amount to $20,000.

Mr. HOLMAN. With reference to one of these items the money is to be expended by direction of the President. This item provides for the expenditure under the authority of the Commissioner of Indian Affairs. The Committee on Indian Af-

fairs directed me to move an amendment increasing the amount from $15,000 to $20,000.

The CHAIRMAN. The gentleman from Indiana moves to strike out the word "fifteen" and insert "twenty."

The amendment was agreed to.

Mr. HOLMAN. Mr. Chairman, I ask leave to withdraw the amendment, fixing the salary of the superintendent of schools at $2,500, which was adopted. That provision is already in the bill, so of course there is no necessity for duplicating it.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana to withdraw this amendment?

There was no objection.

Mr. CURTIS of Kansas. Mr. Chairman, I offer a committee amendment which I send to the desk.

The amendment was read, as follows:

Strike out lines 7 to 14, inclusive, and insert the following:

"For support and education of one hundred and fifty Indian pupils at Mount Pleasant, Mich., at $150 per annum each, $22,500; for pay of superintendent, $1,500 per annum; general repairs, $1,000; construction of laundry, $500; construction of storage building, $2,000; in all, $27,500."

The amendment was adopted.

Mr. HOLMAN. Mr. Chairman, I desire to offer an amendment for the committee.

The amendment was read, as follows:

Strike out the word "six" in line 16, on page 58, and insert the word "ten." Also insert "ten" after the word "thousand" in line 17, page 58.

The amendment was agreed to.

Mr. BAILEY. Mr. Chairman, I offer the amendment which I send to the desk.

The amendment was read, as follows:

Amend by inserting after the word "dollars" in line 16, page 59, the following:

"*Provided*, That the sum of $9,500 shall be subtracted from the amount to be paid to the Chickasaw tribe of Indians on account of the interest herein provided for, and the Secretary of the Treasury shall pay the said sum of $9,500 to W. B. Munson, of Denison, Tex."

Mr. BAILEY. Mr. Chairman, I have discussed this amendment with the chairman of the Committee on Indian Affairs and most of the members of it, and every one of them to whom I have explained it have agreed that it is a proper one. It is intended to reimburse Mr. Munson for money which was advanced for the Chickasaw Indians, and for which he had the acceptances of the auditor of that tribe. This money was used for an Indian school at Lebanon, in the Indian Territory.

The amendment was adopted.

Mr. WILSON of Washington. Mr. Chairman, I desire to offer an amendment.

The amendment was read, as follows:

After "land," page 95, line 19, add:

"That the right of commutation is extended to all bona fide settlers on the lands in Oklahoma Territory opened to settlement under the provisions of the act of Congress entitled 'An act making appropriations for current and contingent expenses and fulfilling treaty stipulations with Indian tribes for the fiscal year ending June 30, 1894" approved March 3, 1893, and the President's proclamation in pursuance thereof, after fourteen months from date of settlement and upon payment for the lands as provided in said act."

The amendment was agreed to.

Mr. LYNCH. Mr. Chairman, I offer the amendment which I send to the desk.

The amendment was read, as follows:

After line 7, page 51, insert the following:

"*Provided*, That so much of the appropriations made in this bill for the payment of agents as shall not be required for that purpose is hereby made available for educational purposes, to be added to the $1,000,070 already appropriated, and used for the same purposes if required."

Mr. HOLMAN. I reserve the point of order on that for a moment. I wish to call the gentleman's attention to the fact that there is already a provision in the bill which authorizes the use of surplus appropriations to the amount of $25,000. The truth is that this will amount to about $40,000. My friend will bear in mind that twenty-three military men are acting as agents, and of course appropriations are made for those agencies, all of them, and I should think the salaries of all the twenty-three would be in the neighborhood of $15,000. That would make the whole amount about seventy or seventy-five thousand dollars. However, I will not press the point of order.

The amendment was agreed to.

Mr. HARTMAN. Mr. Chairman, I offer the amendment which I send to the desk.

The amendment was read, as follows:

After line 19, page 51, insert the following:

"For support of Indian school at Fort Shaw, Mont., as follows:

"For support of 230 Indian pupils, at $167 per annum each, at said school, $38,000; for pay of superintendent, $1,500; for repairs of buildings, $3,000; for fences, farm implements, seed, etc., $1,000; for irrigation ditches, laterals, etc., $3,000; in all, $46,500."

Mr. HOLMAN. I make the point of order on that amendment.

Mr. HARTMAN. Mr. Chairman, this is no new legislation. I hold in my hand a letter from the Acting Secretary of the Treasury, inclosing a letter from the Secretary of the Interior and a letter from the Indian Commissioner, recommending this appropriation, only that they recommend $62,250 instead of $46,500, as is proposed to be appropriated by my amendment. Now, I want to say here that from the records it appears that last year there were 171 pupils in this school. It is a Government school; a reservation school. There was an average attendance of 136 last year, and during the present year there are 231 Indian pupils enrolled and 216 as an average attendance.

And I do not know upon what principle this has been omitted from the bill.

Mr. CURTIS of Kansas. Was this provided for last year?

Mr. HARTMAN. It was.

Mr. CURTIS of Kansas. And no provision is made for the matter in this bill?

Mr. HARTMAN. No provision is made this year.

Mr. HOLMAN. There was no estimate for this.

Mr. HARTMAN. Why, the chairman of the committee [Mr. HOLMAN] is entirely wrong. I hold the estimate in my hand.

Mr. HOLMAN. From the Secretary of the Treasury?

Mr. HARTMAN. From the Secretary of the Interior——

Mr. HOLMAN. We do not get our estimates from him.

Mr. HARTMAN. And also from the Indian Commissioner——

Mr. HOLMAN. We do not get our estimates from him, either.

Mr. HARTMAN. And a letter from the acting Secretary of the Treasury, Mr. Curtis.

Mr. HOLMAN. What does Mr. Curtis say.

Mr. HARTMAN. Here is his letter; and with the permission of the gentleman I will read it:

TREASURY DEPARTMENT, *March 31, 1894.*

SIR: I have the honor to transmit herewith, for the consideration of Congress, an estimate of appropriation submitted by the Secretary of the Interior on the 29th instant, for the support of the Indian school at Fort Shaw, Mont., for the fiscal year ending June 30, 1895, $62,250, this school being now maintained out of the general school appropriation.

Respectfully, yours,

W. E. CURTIS, *Acting Secretary.*

The SPEAKER *of the House of Representatives.*

Mr. HOLMAN. Ah, that comes out of the $1,070,000. That is why it is omitted here.

Mr. HARTMAN. Will the gentleman allow me to ask him this question: How happens it that other Government schools are specifically provided for and this is not?

Mr. LYNCH. This was a new school just started a year ago, and was not carried in the appropriations.

Mr. HARTMAN. Then I presume I have the assurance of the chairman of the committee that this school will be taken care of out of that general fund?

Mr. LYNCH. There is no doubt about that.

Mr. HOLMAN. I will say without hesitation that out of the general fund this school has been kept up till the present time, a period of two years; and, so far as I am concerned, I shall insist that the necessary money for this school shall be taken from the $1,070,000.

Mr. LYNCH. There is no danger about that matter.

Mr. HARTMAN. What sum will be allowed for this school?

Mr. HOLMAN. Whatever is necessary—based on the average attendance.

Mr. MCRAE. I now move to amend by inserting on page 59 of the bill the provision which I send to the desk, as a new paragraph.

The Clerk read as follows:

That the Secretary of the Treasury and the Secretary of the Interior, or any three persons they may jointly select or cause to be selected on behalf of the United States, are hereby fully authorized and empowered to compromise, adjust, and finally settle with the governor of the State of Arkansas, or with such person or persons as may be authorized by the laws of that State to act in its behalf, upon such terms and conditions as to them may seem just and equitable, subject to approval by Congress, as hereinafter provided, all or any of the differences between the Government and the said State growing out of and arising from the issue of certain bonds by the said State which are now owned in their own right or held in trust by the United States; the 5 per cent fund which accrued to the said State under the act approved June 23, 1836; the unpaid portion of the distribution fund which accrued to the said State under the act approved September 4, 1841; the swamp and overflowed lands in place granted by the act approved September 28, 1850, and not heretofore approved to the State; the land and money indemnity due the said State under the acts approved March 2, 1855, and March 3, 1857, and all other claims and demands of whatever kind or nature, and any compromise or settlement they may make with the said State shall be fully reported back to Congress, giving the basis thereof, for its further action, said compromise not to be effectual and final until approved by Congress.

Mr. HOLMAN. Mr. Chairman, while I am in complete sympathy with the gentleman from Arkansas [Mr. MCRAE] in regard to the adjustment of these mutual accounts between Arkansas and the United States, and while they certainly ought to be adjusted, this subject has never been considered by the Committee on Indian Affairs; and I feel that I should be doing injustice to my colleagues on that committee if I consented that so important a provision should go into this bill without any opportunity for its consideration by the committee. I shall, therefore, have to insist on the point of order.

Mr. McRAE. Mr. Chairman, I want to be heard on the point of order. This matter, to which I move this as amendment, involves, as was stated yesterday, the bonds, the interest upon which is provided for. I claim that this amendment is germane to that section, and I insist that under the last clause of the second paragraph of Rule XXI, inasmuch as this is a proposition coming with a favorable report from a committee having jurisdiction of the subject-matter, it is admissible. Let me read the clause of the rule to which I refer:

That it shall be in order further to amend such bill upon the report of the committee or any joint commission authorized by law or the House members of any such commission having jurisdiction of the subject-matter of such amendment—

The Public Lands Committee in this case—

which amendment, being germane to the subject-matter of the bill, shall retrench expenditures.

Now, Mr. Chairman, the bill which is embodied in this amendment has been considered and reported by the Committee on Public Lands, and substantially approved by two Departments. It does occur to me that when we have so reasonable and just a proposition as this, which must come back to Congress before any settlement is approved relating to a matter for which Congress is now called upon to make an appropriation which may be saved in future by this provision, it does seem to me the gentleman from Indiana, who has so often given me the assurance that he would like to see this provision enacted into law, should now withdraw his point of order.

Mr. HOLMAN. Mr. Chairman, my friend from Arkansas does not, of course, pretend that this provision retrenches expenditures; that is the frailty of the proposition—it does not retrench. My friend must see that I should be doing great injustice to the committee of which I am the chairman, if I consented to so important a proposition as this, without the committee having an opportunity to consider the subject. I repeat, I am in full sympathy with the gentleman on this question, and always have been.

The CHAIRMAN. The Chair sustains the point of order.

Mr. BARTHOLDT. Mr. Chairman, I offer the amendment which I send to the desk.

The Clerk read as follows:

Amend, in line 3, page 138, by striking out the word "Chicago" and inserting "St. Louis."

Mr. BARTHOLDT. This contest, Mr. Chairman, of our great cities for the Indian warehouse may not be as lofty as was that of the seven cities of ancient Greece for the honor of being the birthplace of Homer. In accordance with the spirit of the times, it is waged for things material. Yet there are involved in this controversy not merely questions of pecuniary gain, but also paramount considerations of fairness and justice.

If a father of a family be good and just, he will distribute the good things at his disposal equally and impartially among the members of his family. But to us, to St. Louis, "Uncle Sam" has not been a good and just parent, but rather a stepfather. While all her sisters were constantly receiving presents of some kind or other, St. Louis's invariable lot was to go empty-handed.

However gigantic the national pie, there never was a crumb left for St. Louis, and we are thus unlucky under Democratic as well as Republican Administrations, because, let me tell you confidentially, both parties deem Missouri too safely Democratic to require looking after. Consequently, when we ask for the protection of our farms against the annual floods, we are told that no money could be spent for this purpose; when I ask for the building of a road to our military reservation, Jefferson Barracks, in order to enable the farmers of St. Louis County to haul supplies there; when I ask that that reservation, which is now only a recruiting station, be turned into a regular military post; when we prove by facts and figures that our postal facilities need extension on account of the natural growth of our city, the stereotype answer of Congress and the Executive Departments to all these questions is, "No money."

Even our pension claims are disregarded, neglected, and ignored, or how will you account for the astounding fact that I now have over seven hundred unadjudicated pension claims on my files? Claims, too, of men who deserve to be remembered above all others, because they were the first to take up arms in defense of the nation, and were the ones who, by capturing Camp Jackson, did so much to save Missouri to the Union.

My people have patiently stood this sort of treatment for more than a quarter of a century, but the time has come when patience ceases to be a virtue with them. They begin to ask themselves, if such are the results of Missouri always going Democratic, whether it would not be wise, whether it would not be a good investment for them to for once hand the State over to the Republicans and to forever thereafter keep Missouri in the column of the doubtful sisters, so as to be "looked after" in the future.

And let me say right here, that if the proposition of the committee to transfer the Indian supply bureau from New York to Chicago is made with a view to offering a present to Illinois in order to keep that State in the Democratic phalanx, the same argument, motive, and consideration holds good with respect to Missouri, in fact more so, because Missouri now is a doubtful State, while Illinois, as recent elections show, is again as safely Republican as is Pennsylvania.

I sincerely trust, however, that political motives are not actuating the committee in a matter that presents a plain business proposition and nothing else. The only question is, can the Government buy the $3,000,000 worth of supplies that are annually furnished the Indians as cheaply in St. Louis as in New York or Chicago?

I unhesitatingly answer this question in the affirmative, and this being the case, I claim that the metropolis of the Mississippi Valley ought to have a chance for once. As a base of supplies for the Indians it is more favorably located than either New York or Chicago, because it is equally near to the Southwestern and the Northwestern Indians. It is the principal market of the staples of the South, and not only of those, but it is also one of the greatest flour, vegetable, and cattle markets, and the greatest tobacco and mule market in the country. And when you ask about the character of St. Louis business enterprises, we bluntly say to all the world, "Match it, if you can, the proud solidity of our commercial houses, the honor and integrity of our merchants."

Perhaps many of my Southern friends will not admit the adaptability of the allegory when I say that Uncle Sam was, instead of a kind parent, a stepfather to us—because their political theories preclude that admirable gentleman from being either an uncle or a father—but I know they will bear out my assertion that of all larger cities of the country, there is none more closely related to the South, in a commercial sense, than is St. Louis. The father of waters has connected us and tied us together for all time to come. We are selling your products, and we now merely ask you to help us get Uncle Sam as a customer for them. Will you do it?

Politically speaking, Mr. Chairman, St. Louis knows no East or West, North or South. She is the heart of the continent, in which sectionalism has no place, and which beats alike for all sections and all the people of our common country. This is a time, Mr. Chairman, when we should carefully avoid emphasizing questions and framing laws which have a tendency to separate us. We should rather seek points that unite us, and strive to discover common ground upon which North and South, East and West can stand. Therefore do not incite the envy of the West and South by unduly favoring New York, and do not go out of your way to confer new national favors upon a city which has but recently been the recipient of the grandest boon in the gift of the nation. The whole country has ungrudgingly contributed to make the World's Fair the grand success it was; now let Chicago do the graceful thing and step aside for her Missouri sister.

In harmony with this suggestion two Representatives of Chicago have indeed declared upon this floor that it was really immaterial to them whether they would get the Indian Supply Bureau or not. To us, Mr. Chairman, it is not immaterial; we want it, we need it, and we think we are entitled to it; and since there ought to be a branch bureau somewhere in the West, I appeal to the House in the interest of economy, fairness, and good Government, to locate it at St. Louis.

The CHAIRMAN. The Chair will regard the amendment of the gentleman from Missouri as withdrawn, as this provision has been eliminated from the bill.

The Chair now recognizes the gentleman from North Carolina [Mr. CRAWFORD], who, on yesterday, was granted leave to offer an amendment on page 48.

Mr. CRAWFORD. I offer the amendment I send to the desk.

The Clerk read as follows:

Insert on page 48, in line 23, after the word "available," the following: "*Provided, however*, That jurisdiction is hereby conferred upon the United States court in the Territory to hear, try, and determine claims for Cherokee citizenship in all cases where the claimant can show a *prima facie* right to citizenship by reason of being a Cherokee within the meaning of treaties and laws guaranteeing his rights as such; and shall in all cases have the right of appeal to said court from the decision or judgment of any commission, court, or tribunal of the Cherokee Nation, and pending such appeal neither he nor his family shall be disturbed in their possessions until the suit is terminated.

Mr. HOLMAN. I will have to reserve the point of order on the amendment, and hope the gentleman from North Carolina will be heard.

Mr. CRAWFORD. Mr. Chairman, I offer this amendment with the view of taking the jurisdiction or authority out of the council of the Indian Territory and giving it to a court of the United States which is now located in that Territory.

Everybody knows, who has given any attention at all to the

question, that the council of the Cherokee Nation has, contrary to any authority, in my judgment, ever conferred upon it, taken jurisdiction of all questions affecting the right of citizenship in that Territory.

Now, we have a large number of the old Cherokee tribe in my district in North Carolina; but under the usurpations of the Cherokee council they assume the right to reject any Cherokee from my district, if they so desire, and put him off without the provision of law as an intruder. I maintain, Mr. Chairman, that the Cherokee council has no jurisdiction whatever, either of the person or the property, of so-called intruders into that Territory, and that they can not determine the question so as to legally put them out by the court or by any departmental ruling, and I think it perfectly fair that some provision should be made by which those who have certain rights under the treaties with the United States, could have them determined by an impartial court. It has been recently decided by the United States court in the Territory, Judge Stuart presiding, when the question was brought before him on an appeal, that he had no jurisdiction whatever in the case where Cherokees alone were involved so as to determine the question of citizenship.

Mr. CURTIS of Kansas. Let me ask the gentleman what there is in the report that the nation frequently refuses to give those who claim to be citizens an opportunity for a hearing?

Mr. CRAWFORD. It amounts to this, that the council claims absolute power over the matter, without any right of appeal on the part of the defendant.

Mr. CURTIS of Kansas. That is, that they refuse to grant such hearing?

Mr. CRAWFORD. They refuse to put them on the roll of citizenship and they are not recognized unless they are enrolled. In this case to which I have referred, that went to the United States court over which Judge Stuart presided, it was clearly established that the applicant for citizenship, who had been declared an intruder, was a Cherokee, and it was so held by the court; but when the question was decided in favor of the so-called intruder as to his being a Cherokee he could not take further jurisdiction of the matter, and it was consequently dismissed.

The only thing that the Cherokee chief has to do now is simply to designate any man in the Territory not on the rolls as an intruder, and the commission of appraisers go on and appraise the value of the property, and that is all that has to be done before the Department can proceed to remove him as an intruder. Now, I maintain that the Cherokees of North Carolina, or anywhere else, have a perfect right to go there under the treaties, and there is no authority in any council, or in any court, or in any Department, to exclude them upon any proposition made by the nation or by the council, for the treaties are the supreme law.

I say that the court which you have recently established should have jurisdiction of the matter. How can the Department know anything about intruders there, simply when the appraisement has been made and referred to the Secretary of the Interior? No other facts are submitted in support of it. You must have some kind of a court with jurisdiction to determine the question involved, before the Department can act intelligently and fairly. The Secretary can not go into the matter, but must act on the report of the appraisers, and this appropriation is for the purpose of executing their decree.

I ask, then, Mr. Chairman, that the court be given jurisdiction to determine the question of the right of these Cherokees under the treaty. That is all the amendment proposes. It does not prevent the Cherokees from ejecting intruders, but it permits the Cherokees who are entitled to citizenship to have the privilege of having that right determined by some proper tribunal without having a judge sitting in his own case.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CRAWFORD. I hope I will have a few minutes more.

Mr. HOLMAN. I will yield two minutes of my time to the gentleman.

Mr. CRAWFORD. Now, I think the gentleman from Indiana [Mr. HOLMAN] ought to withdraw the point of order and let the Federal court in the Territory determine whether or not they have these rights, whether or not they are entitled to these rights under the treaties which have been made, which question has not been determined. The case of the Eastern Cherokees *vs.* The United States and the Western Cherokees does not determine the question of the right of the council to determine who shall be citizens, but it only goes to the question of tribal relations with the Western Cherokees; and I say right here that they have usurped the right of the United States, and that the power ought to be assumed by the Federal court, as proposed by this amendment, to decide this question.

I will ask the chairman of the committee to withdraw the point of order and let the court determine the question without prejudice. What objection can be made against the United States court determining the rights of citizenship? They have been refused when it has been found that they were Cherokees and had those rights under the treaties. The court determined that question in favor of the defendant, holding that the proceedings by the council were illegal, and yet it could not take jurisdiction simply for the reason the suit was between two Cherokees.

[Here the hammer fell.]

Mr. HOLMAN. Mr. Chairman, I wish to say just a word. More than one treaty expressly confers upon the Cherokee Nation the power to determine who its citizens are, and it is no use to adopt my friend's proposition. We have no right to violate those treaties, and I trust we never shall.

The CHAIRMAN. The Chair sustains the point of order.

Mr. JOHNSON of North Dakota. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from North Dakota [Mr. JOHNSON] offers an amendment, which the Clerk will report.

The Clerk read as follows:

In line 23, page 53, strike out the word "five" and insert the word "eight."

Mr. HOLMAN. What is the effect of that amendment?

Mr. JOHNSON of North Dakota. It is to retain the present salary.

Mr. HOLMAN. Let the amendment be again reported.

The amendment was again reported.

Mr. JOHNSON of North Dakota. The effect of it is to pay the superintendent of schools $1,800 instead of $1,500 per annum.

Mr. HOLMAN. I must raise the point of order on that. There is no law fixing the salary at $1,800.

Mr. JOHNSON of North Dakota. That is the existing law.

The CHAIRMAN. The Chair overrules the point of order.

Mr. HOLMAN. If the Chair holds that an appropriation bill is a law within the meaning of Rule XXI, of course the Chair must overrule the point of order.

The CHAIRMAN. The Chair is obliged to overrule the point of order.

Mr. HOLMAN. I trust that the amendment will not be agreed to.

Mr. JOHNSON of North Dakota. Mr. Chairman——

The CHAIRMAN. The question is on the amendment proposed by the gentleman from North Dakota [Mr. JOHNSON].

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. JOHNSON of North Dakota. Division.

The committee divided, and there were—ayes 46, noes 75.

Accordingly the amendment was rejected.

Mr. COFFEEN. I offer the amendment which I send to the Clerk's desk.

The amendment was read, as follows:

Insert after line 4, page 58, the following:

"For the purpose of conducting negotiations with the Shoshone and Arapahoe Indians for the relinquishment of certain portions of their reservation in the State of Wyoming to the United States, under charge of a commissioner to be appointed by the Secretary of the Interior, there shall be appropriated the sum of $2,000, to become immediately available: *Provided*, That the pay of said commissioner shall not exceed $6 per day and necessary traveling expenses: *And provided further*, That any agreement entered into for said lands shall be ratified by Congress before it becomes binding."

Mr. HOLMAN. I ask that that amendment be again reported. There is so much confusion that it was impossible to hear it.

The amendment was again read.

Mr. HOLMAN. Although that subject has not been considered by the Committee on Indian Affairs, I am not inclined to press the point of order, if my friend will consent to strike out the provision for a commissioner, and authorize the Secretary of the Interior to have these negotiations carried on by one of the Indian inspectors. If that change is made, and the appropriation of $2,000 is stricken out, I shall not object.

Mr. COFFEEN. That neutralizes everything and renders it valueless.

At the request of the committee we cut down the provision from $3,500 to $2,000, and cut down the three commissioners to one, and then the committee agreed to it. It only went out the other day upon the objection of the gentleman from Georgia, who has now withdrawn his objection, so that it can be passed upon as it was agreed upon. I do not see why that should not be done.

Mr. HOLMAN. There is no necessity for the expenditure of this $2,000. There are so many of these commissioners and Indian inspectors, and so many officers employed all the time, that this bill is terribly top-heavy. It is almost as much a bill for patronage as it is a bill providing for the Indians.

Mr. COOMBS. Is it not necessary that there should be inspectors or commissioners employed?

Mr. HOLMAN. Why not employ inspectors, Indian inspectors, or special agents?

Mr. COOMBS. I know you say that the bill is top-heavy; but it is necessary to have either inspectors or commissioners.

Mr. HOLMAN. The Indian inspector is not an Indian. He is a white man; and there is really nothing much for these inspectors to do.

Mr. COFFEEN. I ask to be heard a moment on this.

Mr. WILSON of Washington. I want the attention of my friend from Wyoming.

Mr. STOCKDALE. I desire to offer an amendment.

The CHAIRMAN. There is one amendment pending.

Mr. STOCKDALE. I want to offer an amendment to the amendment.

Mr. WILSON of Washington. I desire to obtain the attention of the gentleman from Wyoming. I am exceedingly anxious that he shall have some one appointed to make this treaty, and I suggest that he take the same method and the same plan as has been suggested by the chairman, which I took in the Fifty-second Congress. I have had two treaties ratified, and they have been better made and the Indians have been better pleased by having the Secretary of the Interior send one of the five inspectors to negotiate the treaty than any other treaties we have had made in my country. I think it is in the interest of the Indians and the interest of the gentleman from Wyoming that he accept the suggestion of the gentleman from Indiana. He will be much better provided for, and his treaty will be ratified much quicker, by having one of the inspectors authorized to make the treaty.

Mr. COFFEEN. I regret, Mr. Chairman, that any discussion should be necessary. We have done all the work that could be done to get the committee harmonized, and it was understood that it was going on as it was, after we had given away on every point that we could. We have endeavored for years and years to get the Shoshone Reservation, which contains three times as much land as is necessary, or in any manner used by the Indians, relinquished to the United States, so that people could settle on it and make homes and go on and develop that part of the State. Therefore, we have asked that a commissioner be appointed, not three, but one, at a very low rate, and the work that is already almost completed can then be accomplished. Now, let me say one word further. There is nothing whatever in this amendment which would not permit all that the gentleman from Washington said as to the appointment.

The Secretary can appoint one of the inspectors if he chooses. I hope the chairman of the committee will notice that. I ask that he may have latitude, so that we may secure the appointment of a commissioner or of one of the inspectors and get this work completed.

Mr. HOLMAN. If my friend will authorize the Secretary of the Interior, in his discretion, to devolve the duty of conducting the negotiations upon one of the inspectors I think there would be no objection.

Mr. COFFEEN. All right.

The CHAIRMAN. Does the gentleman modify his amendment?

Mr. COFFEEN. I modify it in that line.

The CHAIRMAN. The Chair will recognize the gentleman from Mississippi, who desires to offer an amendment to the amendment.

The Clerk read as follows:

Strike out all from and including line 8, on page 50, to and including line 17, on page 58, except lines 14, 15, and 16, page 51, and insert instead thereof the following:

"For the establishment and maintenance of public schools for Indian children between the ages of 7 and 18 years, $200,000, to be expended under the direction and on such plan adopted by the Secretary of the Interior."

The CHAIRMAN. That is not an amendment to the amendment now pending.

Mr. STOCKDALE. Why not?

The CHAIRMAN. Because it is offered to a different part of the bill.

Mr. STOCKDALE. The amendment now pending applies to schools, and this is a motion to strike that part all out.

The CHAIRMAN. The Chair holds that the amendment is not in order. The Clerk will report the amendment of the gentleman from Wyoming as modified.

Mr. STOCKDALE. What was done with my amendment?

The CHAIRMAN. It was ruled out by the Chair.

Mr. STOCKDALE. On what ground?

The CHAIRMAN. The Chair can not entertain it as an amendment to the pending amendment when it was not to the same paragraph.

The Clerk will report the amendment of the gentleman from Wyoming as modified.

The Clerk read as follows:

For the purpose of conducting negotiations with the Shoshone and Arapahoe Indians for the sale and relinquishment of a certain portion of their reservation in the State of Wyoming to the United States under charge of a commissioner to be appointed by the Secretary of the Interior, there shall be appropriated the sum of $2,000, to become immediately available: *Provided*, That the pay of said commissioner shall not exceed $6 per day and necessary traveling expenses: *And provided further*, That any agreement entered into for said lands shall be ratified by Congress before it becomes binding: *And provided further*, The Secretary of the Interior may in his discretion detail an inspector in lieu of such commissioner.

Mr. WILSON of Washington. I make the point of order against that.

Mr. STOCKDALE. I make the point of order against that.

Mr. WILSON of Washington. I object to the Secretary of the Interior having discretion in the matter.

The CHAIRMAN. The gentleman from Washington and the gentleman from Mississippi both make the point of order against the amendment.

Mr. WILSON of Washington. The agreement was that the Secretary of the Interior "shall" detail an inspector: and unless that is agreed to I shall object.

The CHAIRMAN. The gentleman from Mississippi is recognized.

Mr. STOCKDALE. Mr. Chairman, I desire to say, in reference to this point of order, that the whole system of Indian schools is against the spirit of our institutions, and the money expended ought to be expended in common schools.

All the States have common schools. Very few support high schools at the public expense. I believe it is an unwarranted and unwise expenditure of public money to support high schools anywhere. The public of any community or any government are not called upon to do more than to give the poor children of the community what is known as a common-school education.

The CHAIRMAN. Does the gentleman from Washington insist upon his point of order?

Mr. WILSON of Washington. I do, unless the amendment be modified so as to provide that the Secretary of the Interior shall detail an inspector for this purpose.

The CHAIRMAN. The Chair sustains the point of order.

Mr. WILSON of Washington. I ask the gentleman from Wyoming to accept this amendment: "*Provided*, That the Secretary of the Interior shall detail one of the inspectors to make this agreement."

I ask him to accept that amendment, and to strike out the $2,000 appropriation.

The CHAIRMAN. The point of order is withdrawn, then?

Mr. WILSON of Washington. It is withdrawn if the gentleman will make that modification.

Mr. COFFEEN assented.

The amendment as modified at the suggestion of Mr. WILSON of Washington was adopted.

Mr. BOWER of North Carolina. Mr. Chairman, I offer an amendment which I ask the Clerk to read.

The amendment was read, as follows:

On page 51, line 24, strike out the word "two" and insert in lieu thereof the word "four;" so as to make the provision read: "For pay of superintendent, $1,400."

Mr. HOLMAN. That is more than the law allows.

Mr. BOWER of North Carolina. The salary has been at that figure heretofore. The amount in the bill is a reduction.

Mr. HOLMAN. I think his salary as superintendent has been $1,200, but he has received additional pay in some other capacity.

Mr. BOWER of North Carolina. Mr. Chairman, this school is not located in my district, so that I have no peculiar interest in it, but this amendment simply proposes to restore the salary of the superintendent to what it has been heretofore, and I will add, by way of argument, that the agency at this point has been discontinued and, as a result, the duties pertaining to that agency have been transferred to the superintendent of schools. Instead of reducing his salary, therefore, it occurs to me that this is a very proper case for an increase but the committee, inadvertently, I suppose, has seen fit to decrease this officer's salary to $1,200, and my amendment simply proposes to restore it to $1,400, the amount at which it stood before.

Mr. HOLMAN. My friend will find as a matter of fact that the case stands this way: There was a compensation of $1,200 fixed by law for this office of superintendent, but afterwards $200 was added for his services as agent. His salary as superintendent has been $1,200.

Mr. CRAWFORD. I hope the gentleman from Indiana will not make the point of order against this amendment. I want to make a plain statement of this case. There was an agent at this school, and the Fifty-second Congress abolished the agency and transferred all of the agent's duties to the superintendent, and made the salary $1,400, thereby saving the Government $600. I offered an amendment to the appropriation bill myself giving the superintendent $200 additional, because of the extra duties that were imposed upon him, and it was adopted. Now, the committee are not taking away the duties that are put upon him, yet they propose to reduce his salary without giving a single reason for it. It is the only case where there is a dual capacity, superintendent and agent.

Mr. HOLMAN. Oh, there are no agency duties there.

Mr. CRAWFORD. This superintendent has a great many duties to perform for the board in the capacity of agent. It is his duty to attend council meetings, make reports to the Indian Bureau, keep records and furnish evidence in litigation, prevent trespass being committed, and many things too numerous to mention here, and this amendment restores the salary to what it has been heretofore.

Mr. HOLMAN. We allowed you $3,000 on a new building, you know.

[Here the hammer fell.]

The question was taken on the amendment; and the Chairman declared that the noes seemed to have it.

Mr. CRAWFORD. I ask for a division.

The committee divided, and there were—ayes 95, noes 13; so the amendment was agreed to.

Mr. MAHON. Mr. Chairman, I offer the amendment which I send to the desk.

The amendment was read, as follows:

Page 64, line 22, after the word "child," add "under the age of 14 years."
Also, on page 65, lines 1 and 2, strike out the words "and if neither of them are living without the voluntary consent of the next of kin of such child."

Mr. HOLMAN. I ask the Clerk to report the provision as it stands, and then as it is proposed to be amended.

The Clerk read as follows:

SEC. 11. That no Indian child shall be sent from any Indian reservation to a school beyond the State or Territory in which said reservation is situated without the voluntary consent of the father or mother of such child if either of them are living, and if neither of them are living, without the voluntary consent of the next of kin of such child.

Mr. HOLMAN. Now, I ask that he read the provision as proposed to be amended.

The Clerk read as follows:

That no Indian child under the age of 14 years shall be sent from any Indian reservation to a school beyond the State or Territory in which said reservation is situated without the voluntary consent of the father or mother of such child if either of them are living.

Mr. HOLMAN. I shall not object to that proposition provided the gentleman will strike out the limit of 14 years of age. I think that that would destroy a very valuable feature of this provision.

Mr. MAHON. If you let the provision stand as it is, you will not get any Indian children into these Eastern schools. If an Indian boy is 14 years old and wants to go to an Eastern school for the purpose of becoming a teacher or learning any other business, he certainly ought to be allowed to come. Even as the law now stands, where they can take a child off the reservation at a much less age the Commissioner says that no harm is done; that there has been no complaint made for the last year or two.

A MEMBER. Make the limit 18.

Mr. MAHON. Oh, no. If you can not get an Indian to go to school before he is 18, you had better keep him away entirely.

Mr. HERMANN. Allow me a single suggestion. I understand the limitation in this case is that children under 14 shall not be sent to any school beyond the boundaries of the State or Territory where those children are.

Mr. MAHON. Yes, sir.

Mr. HERMANN. Now, I submit to the gentleman that some of these Indian training schools are 300 miles away from any reservation; and it might be as great a hardship to send children under 14 to a school three or four hundred miles away, even though within the limits of the State or Territory, as to send them a thousand or two thousand miles to a school beyond the limits of the State or Territory.

Mr. MAHON. I do not agree with the gentleman. At present you can not send these children 40 miles away from the reservation, no matter what their age.

Mr. HOLMAN. My friend from Pennsylvania [Mr. MAHON] says there has been no complaint of late years about children being taken away from the Indian reservations and sent to remote schools in the East. The gentleman labors under a misapprehension. If there is anything that creates dissatisfaction and wretchedness on your Indian reservations, it is this snatching away of the Indian children from their homes and their parents. You hear that complaint all along the line in the Indian reservations. The Indian is devoted to his children.

Parental affection is a universal instinct, and a strong one among the Indian tribes. I was told a few years ago by a Mennonite teacher (the Mennonites are great missionaries and eager to benefit mankind) that he had been sent out by his people, living in Kansas, to establish a school at an old abandoned fort called Cantonment, in the old Indian Territory, and he had gathered around him quite a large number of children of the Arapahoes and Cheyennes, neither of which tribes, as gentlemen know, are very highly civilized yet.

He told me there never was a day that he could not look up at the windows of his school room without seeing some mother or father or some other relative of the children looking in for the purpose of seeing that their children were safe. And when I was at Rosebud, S. Dak., an old lady came, as the agent, Mr. Wright told me, a distance of 90 miles, footsore and weary, for the purpose of seeing her little girl. He told me that she made this weary journey twice a year for this purpose of seeing her little girl at the school at Rosebud.

Mr. HAFTMAN. I rise to a parliamentary inquiry. In the event that all the time remaining for the consideration of this bill in Committee of the Whole should be consumed by the gentleman from Indiana, I want to know whether or not we shall be permitted to repeat the old legislative fraud which has been enacted in former times—the turning of the clock hands back?

Several MEMBERS. It is the Senate that does that.

The CHAIRMAN. That is not a parliamentary inquiry.

Mr. HOLMAN. This old lady came to the door of the school room, and her little girl came out to her. They went out upon the prairie and sat down. They did not seem to talk much to each other; but after they had sat there together for half an hour the child returned to the school room and the old mother got up and started homeward on her weary journey. Now, gentlemen, consider the agony of the old mother if her little girl was taken away by the agent of some Eastern institution in the name of philanthropy, when the little one would even, if in after years she returned to her, be lost to her. Is there any philanthropy in this? [Applause.] I venture to say that no well-authenticated case can be found throughout all your Eastern Indian school system where any Indian father or mother has voluntarily surrendered a child. In the name of common humanity let the Indian children be educated among their people, elevating at once the whole tribe.

[Here the hammer fell].

The CHAIRMAN. The hour of half past 3 having arrived, the Committee of the Whole will now rise and report the bill.

The committee accordingly rose.

The Speaker having resumed the chair, Mr. O'NEIL of Massachusetts reported that the Committee of the Whole on the state of the Union had had under consideration House bill No. 6913 (the Indian appropriation bill); that, in accordance with the order of the House, the hour of half past 3 o'clock having arrived, the committee had risen, and now reported the bill back to the House with sundry amendments.

The SPEAKER. Under the order of the House, the previous question is ordered on the amendments recommended by the Committee of the Whole and amendments pending when the committee rose. Only one amendment was pending, as the Chair understands, and that the Clerk will now report.

The Clerk read as follows:

In section 11, on page 64, line 22, after the word "child," insert the following, "under the age of 14 years;" and on page 65, after the word "living," strike out the following, "and if neither of them are living, without the voluntary consent of the next of kin of said child."

Mr. HOLMAN. I hope that will be voted down.

The question being taken, the amendment was rejected.

The SPEAKER. Now, unless a separate vote is demanded, the vote will be taken in gross upon all the amendments reported from the Committee of the Whole.

Mr. COOMBS. I ask a separate vote upon the amendment offered by the gentleman from Wisconsin [Mr. LYNCH], on page 36 of the bill. I do this at the instance of my colleague, Judge DANIELS.

The SPEAKER. Debate is not in order. If a separate vote is not demanded on any other amendment, the remaining amendments reported from the Committee of the Whole will be voted on in gross. [A pause.]

The question being taken, the amendments reported from the Committee of the Whole on state of Union (excepting that upon which a separate vote was demanded by Mr. COOMBS) were agreed to.

The SPEAKER. The Clerk will now read the amendment on which the gentleman from New York [Mr. COOMBS] has asked for a separate vote.

The Clerk read as follows:

At the end of page 36, insert the following:
"That the Secretary of the Interior be, and he hereby is, authorized and directed to negotiate and effect, if practicable, an agreement with the Ogden Land Company, its successors or assigns, for the surrender and relinquishment to the United States of all such right, title, and interest as it may be found to have in and to any and all of the lands occupied by the Seneca nation of Indians in the State of New York, if any right is found to exist. Any agreement made hereafter to be subject to ratification by Congress."

The question being taken, the amendment was agreed to.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time.

The question recurred on the passage of the bill.

Mr. GEAR. Mr. Speaker, I move to recommit the bill with the following instructions.

Mr. TRACEY. I make the point of order against the motion

to recommit the bill, that there is no provision authorizing the motion under the special rule adopted by the House.

The SPEAKER. The Chair thinks there is nothing in the rule which would prevent a motion to recommit the bill. Has the gentleman examined the order? It provides:

And that the previous question shall then be ordered on pending amendments and the bill to its final passage, and no intervening motion shall be in order until the bill is fully disposed of.

That does not prohibit the motion to recommit. It was not the intent to cut out the motion to recommit.

The Clerk will report the resolution offered by the gentleman from Iowa.

The Clerk read as follows:

Resolved, That the bill (H. R. 6913) "making appropriations for current and contingent expenses of the Indian Department and fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1895, and for other purposes," be recommitted to the Committee on Indian Affairs, with instructions to report the same back to the House forthwith, amended as follows:

Striking out all of the bill relating to Indian school, beginning with line 8, on page 50, and all of pages 51, 52, 53, 54, 55, 56, 57, and 58, and inserting in lieu thereof the following:

For support of Government Indian day and industrial schools, and the erection and repair of Government school buildings on Indian reservations and at places where the Government has established and is now maintaining Government Indian schools, and for each and every purpose necessary in the judgment of the Secretary of the Interior for the establishment and proper conduct of such schools, $2,225,000: *Provided*, That pending the establishment of such schools on Indian reservations, the Secretary of the Interior may in his discretion, during the fiscal year 1895, authorize contracts to be made with established schools not conducted by the Government, for the education and support of Indian pupils and to pay therefor from this appropriation; and the Secretary of the Interior shall report to the first regular session of the Fifty-fourth Congress, in detail, all expenditures made and authorized by him under this appropriation: *Provided further*, That nothing herein shall be construed to prevent the sending of Indian children, at no expense to the United States, to schools not conducted by the Government.

Mr. O'NEIL of Massachusetts. I desire to make a point of order against the proposed instructions.

The SPEAKER. The gentleman will state it.

Mr. O'NEIL of Massachusetts. I make the point of order, Mr. Speaker, that this amendment is out of order for the reason that such an amendment is new legislation, and would therefore not be in order as an amendment to the bill while being considered in Committee of the Whole House on the state of the Union. That being so, according to the uniform rulings in this House, a motion to recommit, with instructions to report a certain amendment, is not in order if the proposed amendment would not be in order as an amendment to the bill. That has been held uniformly by Speaker Carlisle, and other Speakers.

The SPEAKER. There is no question of that.

Mr. BURROWS. If it was not in order in committee, of course it would not be in order now.

Mr. O'NEIL of Massachusetts. I make the point that it is new legislation and not in order; that it changes existing law and does not retrench expenditures.

The SPEAKER. The Chair will hear the gentleman from Iowa if he desires to be heard.

Mr. GEAR. The gentleman from Illinois [Mr. CANNON] wishes to be heard on the point of order.

Mr. CANNON of Illinois. Mr. Speaker, after a careful examination of this amendment I am satisfied that under the rules it is in order, and for the following reasons: If the Chair will take the Indian appropriation bill itself, he will find that the pages proposed to be stricken out cover appropriations in one sum of $1,000,000 and over for Indian schools, contract and Government. Then there are specific appropriations for the support and education of Indian children in certain specified religious schools.

Now, what is the law? That these expenditures have always abounded in appropriation only; and if the Chair is willing I will send the Book of Estimates to the Chair, which shows that this is a service that abounds only from year to year in appropriations and has for the last twenty-five years substantially so abounded, and that there is no law for the same outside of annual appropriations.

Now, what does the amendment propose to do? Simply to strike out these items and to substitute in their place an appropriation of two and one-half million of dollars; to do what? To support exactly the same kind of Government schools that have been carried on heretofore, with the addition of more money than is carried by the bill, for additional Government schools.

Again, there is one further provision in this bill, that the Secretary of the Interior is provided, pending the building of Government schoolhouses, [with power to extend such education as in his discretion may be necessary; to do what? To utilize other schools than Government schools for the education of these children precisely as it has been done for the last quarter of a century and as it is now being done.

Having said this much as to the provisions of this resolution, let me call the attention of the Chair to Rule XXI. I read it, the second clause; if the Chair will observe, it provides:

No appropriation shall be reported in any general appropriation bill, or be in order as an amendment thereto, for any expenditure not previously authorized by law, unless—

And I call the attention of the Chair to the next clause—

unless in continuation of appropriations for such public works and objects as are already in progress.

Now, this object has been in progress for a quarter of a century, and this appropriation is for the support of schools established, perhaps not by law, except as the grant of annual appropriations constitutes the law, the bill each year being a law for that year, and that is all that is proposed by the resolution which I offer, namely, an appropriation of money to support the Government schools in existence, for the education of Indian children in Government schools, wherever they may exist, and for the construction of Government schoolhouses upon Indian reservations, and for the utilization of this money in contract schools, so far as necessary, pending that construction; this appropriation in the original bill being for precisely the same purpose, differing only in degree.

Mr. BURROWS. As to the manner of the expenditure.

Mr. CANNON of Illinois. Now, one other observation and I have done. This resolution, if adopted, changes no legislation within the meaning of the rule. It is protected by the rule, as I have pointed out to the Chair. Again, even if there was a permanent law which said that the United States should expend so much money in contract schools every year, it would be in the power of Congress to appropriate or not, as it chose, and it has always been held that it was within the power of Congress, in making appropriations, to direct the application of the specific money appropriated.

Now, I do not think that is the true ground, or that it is necessary to put it on that ground. I think this is in order on the other ground already stated; but from every standpoint it seems to me there can be no question but what the motion is in order.

Mr. HOLMAN. Mr. Chairman, the gentleman from Illinois makes the statement that this appropriation bill differs from most of the others, as legislation has generally been on this bill; that is to say, that the appropriations are made, not in conformity with existing law, but from time to time, as the exigencies of the Indian service require.

Now, assuming that to be the case, the Chairman of the Committee of the Whole, who has presided during the debate, has held repeatedly that this Rule XXI referred to existing law, and that the appropriation law was the law to which reference was made, and that therefore, if there was an appropriation made for a given service for the present fiscal year, that admitted of the reappropriation of the same sum of money, or an increased or less amount. That is the position he has been taking, and that principle has been very generally adopted. Nobody pretends from that standpoint that this changes the existing law, except the law making an appropriation, but it does create new legislation. My friend can not get around that proposition.

Mr. CANNON of Illinois. What legislation does it make in contravention of Rule XXI?

Mr. HOLMAN. It creates new principles of administration of the Indian school system.

Mr. CANNON of Illinois. Not at all.

Mr. HOLMAN. Why, certainly it does. It is too obvious to talk about. These schools are carried on under a given system. The effect of the proposed amendment would be to entirely change that system, and to largely increase the appropriations. The appropriation in this bill for educational purposes is about $1,929,000, while the effect of your proposition is to enlarge it much more than a quarter of a million dollars. It is new legislation, adopting a new policy or system.

I call attention to the fact that if this bill was referred back to the Committee on Indian Affairs, and the committee should report it in accordance with the order of the House, it would then be subject to the point of order that it must be considered in Committee of the Whole, and when the subject should come before the Committee of the Whole, it would go out on a point of order that it is new legislation undoubtedly.

It is clear that on an appropriation bill, under the rules of the House, no such radical legislation is possible. Such legislation as the gentleman demands must be by direct legislation and not an appropriation bill.

The SPEAKER. The Chair understands that an amendment substantially embodying the provisions of the instruction now asked for by the gentleman from Illinois was presented in the committee, and in the committee held subject to a point of order.

Mr. CANNON of Illinois. How is that?

The SPEAKER. The Chair understands that an amendment was offered in the Committee of the Whole embracing substantially the provisions of this proposition.

Mr. CANNON of Illinois. I will correct the Chair about that. That is, I will give the Chair the correct understanding. This morning I obtained the floor on another amendment, and gave notice, having this resolution read, that I or some other member would move to recommit this bill with that instruction. After that, out of an abundance of caution, I asked the presiding officer if it would be in order to offer it as an amendment to an amendment to a single paragraph or provision in the bill. He said that I knew it would not. I said that I knew it would not, under the rules of the House, because it would strike out thirty or forty paragraphs before they had been reached, and it would be larger in scope than the paragraph considered. I said I only asked him the question, because I was not quite clear, and wanted to be absolutely certain whether the special rule changed the general parliamentary law of the House.

The SPEAKER. The Chair was misinformed then.

Mr. BURROWS. It was not offered as an amendment.

The SPEAKER. The Chair would ask the gentleman from Indiana what the statute is now, what the law is, in relation to the maintenance of Indian schools.

Mr. HOLMAN. The law for the current year?

The SPEAKER. Any law that may exist on the subject.

Mr. HOLMAN. The law in force in regard to these Indian schools which are affected by that amendment is contained in Indian appropriation bills, a series of them, and I submit further to the Chair that this changes existing law, and makes new law. It is entirely a new system of legislation, and if offered in the committee would be subject to the point of order.

The SPEAKER. That is what the Chair wants to find out.

Mr. HOLMAN. There is a large increase in the appropriation—over a million dollars. It is new legislation.

Mr. SPRINGER. Anything that authorizes the Secretary of the Interior to do anything that he hitherto had not the power to do is a change of existing law.

The SPEAKER. It seems to the Chair that this is new legislation on the subject of Indian schools. Does the gentleman know of any provision by which such legislation may go on an appropriation bill except when it reduces expenditures?

Mr. CANNON of Illinois. Wherein does it legislate?

The SPEAKER. It provides——

Mr. CANNON of Illinois. It appropriates.

The SPEAKER (continuing):

For support of Government Indian day and industrial schools and the erection and repair of Government school buildings on Indian reservations and at places where the Government has established and is now maintaining Government Indian schools, and for each and every purpose necessary, in the judgment of the Secretary of the Interior, for the establishment and proper conduct of such schools, $2,250,000.

Mr. CANNON of Illinois. Then I just want to call the attention of the Chair——

The SPEAKER. And then it says:

That pending the establishment of such schools on Indian reservations the Secretary of the Interior may, in his discretion, during the fiscal year 1895, authorize contracts to be made with established schools.

That authorizes him to make temporary contracts for the establishment of schools.

Mr. CANNON of Illinois. Yes, sir. May I call the attention of the Chair to one thing, because I think the Chair has not examined it or the bill itself. This resolution provides for all the Government schools that the bill provides for and for a part of the contract schools temporarily that the bill provides for, the Chair will find; and if there is legislation in one there is legislation in the other. And the Chair will find, further, that there is only appropriation in either.

Mr. BURROWS. These contract schools are already provided for by law.

The SPEAKER. These are contract schools; but this proposes to give permission to make contracts with other schools.

Mr. CANNON of Illinois. Ah, but this provides for contract schools in any degree if no Government school be near.

The SPEAKER. Then you propose legislation to go beyond this appropriation?

Mr. CANNON of Illinois Oh, no.

The SPEAKER. It must be one or the other.

Mr. CANNON of Illinois. We do not legislate at all in that resolution within the meaning of Rule XXI. We only provide in that instruction for the expenditure of the money appropriated here for the coming fiscal year, nothing more or less, and no broader in that respect than is the bill itself.

The SPEAKER. As the Chair understands it, under the present law, under provisions contained in appropriation bills, the Government is engaged in supporting the education of Indians by contracts with existing schools.

Mr. CANNON of Illinois. And by Government schools and contract boarding schools.

The SPEAKER. Does the proposition contemplate abandoning the making of contracts?

Mr. CANNON of Illinois. So far as this particular affair provided for in the resolution is concerned, I will say to the Chair no, because then it provides an appropriation of money for Government schools, and provides that while schoolhouses are being built that the Secretary of the Interior may contract for the education of the children with established schools not owned by the Government. Even if the permanent law did provide for contract schools it is in the discretion of Congress, in whole or part, to withhold appropriations, although the law might be an inch thick. But this resolution does utilize for the coming fiscal year a portion of this money for contract schools. But suppose it did not utilize any of it, it would merely be a failure to appropriate for an object that the Government has heretofore appropriated for.

Mr. CAMPBELL. Is not that new law?

The SPEAKER. The Chair thinks so. The Chair thinks that the scope and intent of this is to get away from the contract schools and establish schools by the Government. Therefore the Chair holds that it would not be in order as an amendment, and not being in order as an amendment, it is not in order by way of indirection, because that which can not be done directly can not be done indirectly.

Mr. CANNON of Illinois. I respectfully appeal from the decision of the Chair.

The SPEAKER. The question is, Shall the decision of the Chair stand as the judgment of the House?

Mr. SPRINGER. I move to lay the appeal on the table.

Mr. CANNON of Illinois. The gentleman from Michigan desires to be heard on the appeal.

Mr. TRACEY. I move to lay the appeal on the table.

Mr. BURROWS. The gentleman has moved that the appeal be laid on the table, and of course that is not debatable.

The SPEAKER. It is not debatable. The previous question has been ordered, and all collateral questions must be decided without debate after the previous question is ordered.

Mr. CRAIN. I move to lay the appeal on the table.

The SPEAKER. The question is on laying the appeal on the table.

The House divided; and there were—ayes 171, noes 35.

Mr. CANNON of Illinois. I ask for the yeas and nays.

The question was taken on ordering the yeas and nays, and 35 members voted in favor thereof; not a sufficient number.

Mr. BURROWS. I ask for tellers on ordering the yeas and nays.

Tellers were ordered, 40 members voting therefor; and the Speaker appointed Mr. CANNON of Illinois and Mr. HOLMAN.

The tellers reported—ayes 47, a sufficient number; so the yeas and nays were ordered.

The SPEAKER appointed to act as tellers at the desk Mr HOUK and Mr. HOLMAN.

The question was taken; and there were—yeas 158, nays 58, answered "present" 1, not voting 135; as follows:

YEAS—158.

Abbott,	Cox,	Hutcheson,	Price,
Alexander,	Crain,	Ikirt,	Reilly,
Allen,	Crawford,	Izlar,	Richards, Ohio
Apsley,	Davis,	Kem,	Richardson, Mich
Arnold,	De Armond,	Kyle,	Richardson, Tenn
Bailey,	De Forest,	Lane,	Ritchie,
Baker, Kans.	Denson,	Lapham,	Robbins,
Bankhead,	Dinsmore,	Latimer,	Russell, Ga.
Barwig,	Dockery,	Lawson,	Ryan,
Bell, Colo.	Donovan,	Layton,	Sayers,
Bell, Tex.	Draper,	Lester,	Shell,
Berry,	Dunn,	Livingston,	Sibley,
Black, Ga.	Dunphy,	Lynch,	Snodgrass,
Black, Ill.	Durborow,	Maddox,	Somers,
Branch,	Edmunds,	Martin, Ind.	Sperry,
Bretz,	English, Cal.	McCulloch,	Springer,
Broderick,	Enloe,	McDannold,	Stallings,
Brookshire,	Epes,	McDearmon,	Stevens,
Bryan,	Everett,	McEttrick,	Stockdale,
Bunn,	Fithian,	McGann,	Strait,
Bynum,	Forman,	McKaig,	Straus,
Cabaniss,	Fyan,	McKeighan,	Swanson,
Campbell,	Geary,	McLaurin,	Talbert, S. C.
Cannon, Cal.	Goldzier,	McMillin,	Tarsney,
Capehart,	Gorman,	McRae,	Tate,
Catchings,	Grady,	Meyer,	Taylor, Ind.
Causey,	Graham,	Money,	Terry,
Childs,	Griffin,	Montgomery,	Tracey
Clark, Mo.	Hall, Minn.	Morgan,	Turner, Ga.
Clarke, Ala.	Hall, Mo.	Neill,	Tyler,
Cobb, Ala.	Hammond,	Oates,	Walker,
Cobb, Mo.	Hare,	Ogden,	Warner,
Cockrell,	Harris,	Outhwaite,	Weadock,
Coffeen,	Harter,	Page,	Wheeler, Ala.
Cogswell,	Heard,	Patterson,	Williams, Ill.
Conn,	Henderson, N. C.	Pearson,	Williams, Miss.
Coombs,	Hermann,	Pendleton, Tex.	Wise,
Cooper, Fla.	Holman,	Pendleton, W. Va.	Woodard.
Cooper, Ind.	Hooker, Miss.	Pickler,	
Cooper, Tex.	Hunter,	Pigott,	

NAYS—58.

Adams, Ky.	Funk,	Linton,	Stephenson,
Aldrich,	Gardner,	Loud,	Stone, C. W.
Baker, N. H.	Gear,	Loudenslager,	Stone, W. A.
Bingham,	Hager,	Mahon,	Storer,
Blair,	Haugen,	Marsh,	Strong,
Boen,	Henderson, Ill.	Marvin, N. Y.	Sweet,
Bowers, Cal.	Hepburn,	Northway,	Tawney,
Burrows,	Hopkins, Pa.	Pence,	Thomas,
Cannon, Ill.	Hudson,	Perkins,	Updegraff,
Cooper, Wis.	Hulick,	Post,	Van Voorhis, Ohio
Cousins,	Hull,	Ray,	Waugh,
Curtis, Kans.	Johnson, Ind.	Robinson, Pa.	Wilson, Wash.
Dolliver,	Johnson, N. Dak.	Settle,	
Doolittle,	Kiefer,	Shaw,	
Ellis, Oregon,	Lacey,	Smith,	

ANSWERED "PRESENT"—1.

McCleary, Minn.

NOT VOTING—135.

Adams, Pa.	Daniels,	Kilgore,	Rayner,
Aitken,	Davey,	Kribbs,	Reed,
Alderson,	Dingley,	Lefever,	Reyburn,
Avery,	Ellis, Ky.	Lisle,	Robertson, La.
Babcock,	English, N. J.	Lockwood,	Rusk,
Baldwin,	Erdman,	Lucas,	Russell, Conn.
Barnes,	Fielder,	Magner,	Schermerhorn,
Bartholdt,	Fletcher,	Maguire,	Scranton,
Bartlett,	Funston,	Mallory,	Sherman,
Belden,	Geissenhainer,	Marshall,	Sickles,
Beltzhoover,	Gillet, N. Y.	McAleer,	Simpson,
Bland,	Gillett, Mass.	McCall,	Sipe,
Boatner,	Goodnight,	McCreary, Ky.	Sorg,
Boutelle,	Gresham,	McDowell,	Stone, Ky.
Bower, N. C.	Grosvenor,	McNagny,	Talbott, Md.
Breckinridge, Ark.	Grout,	Meiklejohn,	Taylor, Tenn.
Breckinridge, Ky.	Grow,	Mercer,	Tucker,
Brickner,	Hainer,	Meredith,	Turner, Va.
Brosius,	Haines,	Milliken,	Turpin,
Brown,	Harmer,	Moon,	Van Voorhis, N. Y.
Bundy,	Hartman,	Morse,	Wadsworth,
Burnes,	Hatch,	Moses,	Wanger,
Cadmus,	Hayes,	Murray,	Washington,
Caminetti,	Heiner,	Mutchler,	Wells,
Caruth,	Henderson, Iowa	Newlands,	Wever,
Chickering,	Hendrix,	O'Neil, Mass.	Wheeler, Ill.
Clancy,	Hicks,	O'Neill, Mo.	White,
Cockran,	Hines,	Paschal,	Whiting,
Cornish,	Hitt,	Paynter,	Wilson, Ohio
Covert,	Hooker, N. Y.	Payne,	Wilson, W. Va.
Culberson,	Hopkins, Ill.	Phillips,	Wolverton,
Cummings,	Houk,	Powers,	Woomer,
Curtis, N. Y.	Johnson, Ohio	Quigg,	Wright, Mass.
Dalzell,	Jones,	Randall,	Wright, Pa.

The following pairs were announced:

Until further notice:

Mr. CULBERSON with Mr. GROUT.

Mr. BLAND with Mr. MORSE.

Mr. WHITING with Mr. TAYLOR of Tennessee.

Mr. O'NEIL of Massachusetts with Mr. SHERMAN.

Mr. TUCKER with Mr. POWERS.

Mr. CUMMINGS with Mr. MCDOWELL.

Mr. ROBERTSON of Louisiana with Mr. PHILLIPS.

Mr. WASHINGTON with Mr. WANGER.

Mr. KRIBBS with Mr. LEFEVER.

Mr. BARNES with Mr. MCCLEARY of Minnesota.

Mr. LOCKWOOD with Mr. AITKEN.

Mr. BRECKINRIDGE of Arkansas with Mr. HOPKINS of Illinois.

Mr. GRAHAM with Mr. VAN VOORHIS of New York.

Mr. SICKLES with Mr. DANIELS.

Mr. MOSES with Mr. HEINER of Pennsylvania.

Mr. DAVEY with Mr. WRIGHT of Massachusetts.

Mr. SCHERMERHORN with Mr. BELDEN.

Mr. JONES with Mr. MCCALL.

Mr. SORG with Mr. WEVER.

Mr. O'NEILL of Missouri with Mr. MERCER.

Mr. MUTCHLER with Mr. WHITE.

Mr. GEISSENHAINER with Mr. WRIGHT of Pennsylvania.

Mr. BRICKNER with Mr. DINGLEY.

Mr. CAMINETTI with Mr. RANDALL.

Mr. KILGORE with Mr. WILSON of Ohio.

Mr. CARUTH with Mr. AVERY.

Mr. ALDERSON with Mr. HITT.

Mr. BOATNER with Mr. GILLETT of Massachusetts.

Mr. PASCHAL with Mr. MEIKLEJOHN.

Mr. GOODNIGHT with Mr. HENDERSON of Iowa.

Mr. PAYNTER with Mr. GROSVENOR.

Mr. ELLIS of Kentucky with Mr. SCRANTON.

Mr. ENGLISH of New Jersey with Mr. BOUTELLE.

The following for this day:

Mr. TALBOTT of Maryland with Mr. GILLET of New York.

Mr. MCCREARY of Kentucky with Mr. REED.

Mr. COVERT with Mr. HAINER of Nebraska.

Mr. HARMER with Mr. HATCH.

Mr. TURNER of Virginia with Mr. LUCAS.

Mr. MAGUIRE with Mr. RUSSELL of Connecticut.

Mr. WELLS with Mr. HOOKER of New York.

Mr. TURPIN with Mr. REYBURN.

Mr. CLANCY with Mr. HOUK.

Mr. HALL of Minnesota. Mr. Speaker, I ask that my colleague, Mr. BALDWIN, be excused for to-day on account of sickness.

There was no objection, and it was so ordered.

Mr. COGSWELL. Mr. Speaker, I desire to have my colleague, Mr. MCCALL, excused on account of sickness in his family.

There was no objection, and it was so ordered.

Mr. HATCH. Mr. Speaker, I am paired with the gentleman from Pennsylvania, Mr. HARMER, who was compelled to leave the House awhile ago. If he were present I should vote "aye."

The result of the vote was then announced as above recorded.

On motion of Mr. HOLMAN, the appeal was laid on the table.

The SPEAKER. The question now is, Shall this bill pass?

Mr. MCRAE. Mr. Speaker, is it now in order to make a motion to recommit?

The SPEAKER. It is.

Mr. MCRAE. Then I move to recommit with the accompanying instructions.

A MEMBER. That motion was ruled out a while ago.

Mr. MCRAE. The point of order was made and sustained against the other motion to recommit.

Mr. SPRINGER. The motion was nevertheless made.

The SPEAKER. The Chair is inclined to think that if it was ruled out it is hardly a motion. It was not entertained.

Mr. SPRINGER. What was ruled out was the instructions, but it seems to me that the motion to recommit is still pending.

The SPEAKER. It was a motion to recommit with instructions. It was all one motion. The Clerk will report the motion which the gentleman from Arkansas proposes to make.

The Clerk read as follows:

Strike out all of the paragraph on page 95 after the word "entry," in line 14, down to and including the word "land," in line 19.

Strike out all after the word "third," in line 20, page 95, down to and including the word "disqualificated," in line 2, page 96.

Strike out all after the word "law," in line 21, page 136, down to and including the word "law," in line 25, and insert the following words:

"The remainder of the lands by said agreement ceded to the United States shall, upon proclamation by the President, be opened to settlement and disposal under the public land laws of the United States.

Strike out all of this paragraph after the word "acre," in line 5, page 137, down to and including the word "patent," in line 9.

Mr. SPRINGER. I make a point of order on that, Mr. Speaker. There are about half a dozen amendments there. None of them are necessarily connected with each other.

Mr. PICKLER. And they were held to be out of order in Committee of the Whole.

Mr. MCRAE. Oh, the gentleman is mistaken. There was no opportunity to present them there. I made points of order against these and other provisions, which were overruled.

Mr. PICKLER. They were the same propositions substantially.

Mr. SPRINGER. It would not be in order in Committee of the Whole to move all these amendments together.

Mr. MCRAE. These are not amendments. They are instructions to strike out certain parts of the bill. They are offered not as amendments, but as instructions to strike out certain parts, so as to make the bill conform to existing law and prevent fraud and injustice in the entries.

Mr. SPRINGER. There is a proviso there which changes existing law.

Mr. TRACEY. The gentleman's motion is not germane.

Mr. MCRAE. Mr. Speaker——

The SPEAKER. This question is not debatable.

The question being taken on agreeing to the motion of Mr. MCRAE, it was rejected, there being ayes 9, noes 130.

The question being then taken on the passage of the bill, there were, on a division (called for by Mr. GEAR)—ayes 137, noes 2.

Mr. GEAR. No quorum.

Tellers were ordered, and Mr. GEAR and Mr. HOLMAN were appointed.

Mr. PICKLER. I demand the yeas and nays.

Mr. HOLMAN. Oh, no.

The yeas and nays were not ordered.

The House again divided; and the tellers reported—ayes 156, noes 23.

So the bill was passed.

On motion of Mr. HOLMAN, a motion to reconsider the vote by which the bill was passed was laid on the table.

ENROLLED BILLS SIGNED.

Mr. PEARSON, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

A bill (H. R. 6576) to provide for the closing of part of an alley in square 622 in the city of Washington, D. C., and for the relief of the president and directors of Gonzaga College; and

A bill (H. R. 7458) making appropriations to supply a deficiency in the appropriation for public printing and binding for the fiscal year 1894, and for other purposes.

LEAVE TO PRINT.

By unanimous consent, Mr. HOLMAN and Mr. CANNON of Illinois obtained leave to extend their remarks in the RECORD on the bill just passed.

And then, on motion of Mr. HOLMAN (at 4 o'clock and 40 minutes p. m.), the House adjourned.

REPORTS OF COMMITTEES ON PRIVATE BILLS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

By Mr. PICKLER, from the Committee on Invalid Pensions: A bill (S. 237) to pension Mrs. Ann Bradford, mother of William K. Bradford. (Report No. 1105.)

By Mr. RICHARDS, from the Committee on Claims: A bill (H. R. 2454) for the relief of Joseph Redfern and Eliza J. Redfern, his wife. (Report No. 1106.)

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills; which were referred as follows:

A bill (H. R. 7061) for the relief of Mallory C. Carey—the Committee on Invalid Pensions discharged, and referred to the Committee on Military Affairs.

A bill (H. R. 7275) to amend section 3480 of the Revised Statutes of the United States—the Committee on War Claims discharged, and referred to the Committee on the Judiciary.

PUBLIC BILLS.

Under clause 3 of Rule XXII, bills of the following titles were introduced, and severally referred as follows:

By Mr. McKAIG: A bill (H. R. 7470) to provide for the securing of plans and for the erection of the public buildings of the United States—to the Committee on Public Buildings and Grounds.

By Mr. RYAN: A bill (H. R. 7471) to erect a monument to Judson Kilpatrick—to the Committee on the Library.

PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as follows:

By Mr. BARTLETT: A bill (H. R. 7472) for the relief of James Welch—to the Committee on Claims.

By Mr. BRETZ: A bill (H. R. 7473) to pension Elizabeth Crane, widow of Nathaniel Crane, late of Company A, Ninety-seventh Regiment Indiana Volunteers—to the Committee on Invalid Pensions.

By Mr. McCREARY of Kentucky: A bill (H. R. 7474) authorizing Lieut. Col. Forwood and Dr. George H. Penrose to accept certain testimonials from the Argentine Government—to the Committee on Foreign Affairs.

Also, a bill (H. R. 7475) authorizing Commander C. H. Davis, United States Navy, to accept a decoration from the King of Spain—to the Committee on Foreign Affairs.

By Mr. TURNER of Virginia: A bill (H. R. 7476) for the relief of the heirs and distributees of Joseph Snapp, deceased—to the Committee on War Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ADAMS of Pennsylvania: Resolution of Philadelphia Board of Trade against removing the Indian depot for supplies from New York to Chicago—to the Committee on Indian Affairs.

By Mr. COOMBS: Petition of members of benevolent organizations in the city of Brooklyn against the income tax, and asking an amendment to the proposed law—to the Committee on Ways and Means.

By Mr. CRISP (by request): Resolution of the New York Board of Trade, protesting against the restoration of the system of damage allowances on imported goods—to the Committee on Ways and Means.

By Mr. CUMMINGS: Petition of citizens of the State of New York, praying that fraternal and beneficiary societies, etc., operating on the lodge system, be exempt from the operation of any income-tax law which may be enacted—to the Committee on Ways and Means.

By Mr. CURTIS of Kansas: Nine petitions of the citizens of Kansas, asking Congress to give efficiency to the legislation of the several States by the passage of the bill accompanying the memorial presented by Lyman Abbott and others—to the Committee on the Judiciary.

By Mr. DALZELL: Two petitions of sundry citizens of Pittsburg, Pa., against an income tax as affecting beneficiary societies—to the Committee on Ways and Means.

By Mr. DAVIS: Petition of about 50 names from Minneapolis, Kans., and 50 more from Randolph, Kans., for admission to the mails as second-class matter all college and fraternal society journals—to the Committee on the Post-Office and Post-Roads.

By Mr. FLETCHER: Petition of policy-holders in life insurance companies of St. Louis County, Minn., protesting against an income tax on funds of mutual insurance companies—to the Committee on Ways and Means.

By Mr. HATCH: Protest of Missouri Medical Association against reduction of appropriation for National Medical Museum library—to the Committee on Appropriations.

By Mr. HARRIS: Petition of citizens of Kansas City, Kans., for suppression of lotteries—to the Committee on the Post-Office and Post-Roads.

By Mr. HAUGEN: Protest of the Chippewa River and Menomonee Railway Company, of Appollonia, Chipewa County, Wis., against the passage of House bill 5746, to restrict the sale and use of oleomargarine, etc.—to the Committee on Agriculture.

By Mr. McETTRICK: Petition of Charles J. Chance and 175 others, of South Boston, Mass., for the establishment of a life-saving station at City Point, South Boston, Mass.—to the Committee on Interstate and Foreign Commerce.

By Mr. MORSE: Petition of Frederick W. Abbott, M. D., and 30 other citizens of Taunton, together with William H. Spencer and 22 other citizens of East Weymouth, Mass., praying that fraternal beneficiary societies be exempted from the provisions of the proposed income tax—to the Committee on Ways and Means.

By Mr. PENCE (for Mr. SIMPSON): Petition of the citizens of Hayes, Kans., for a Federal act to enable the States to enforce State laws regulating the sale of substitutes for dairy produce—to the Committee on Agriculture.

Also, petition of citizens of Wichita, Kans., for the suppression of lotteries—to the Committee on the Post-Office and Post-Roads.

By Mr. SHAW: Petition of Elliot Loeffler Company and Ignatz Schierl, of Lacrosse, Wis., against any increase of the tax on whisky and extension of the bonded period—to the Committee on Ways and Means.

By Mr. WALKER: Petition of Richard E. Price and 15 other citizens of Massachusetts, urging the amendment to the tariff bill to exempt fraternal associations from taxation—to the Committee on Ways and Means.

By Mr. WILLIAMS of Illinois: Papers to accompany House bill 7469, for the relief of George C. Reynolds, child of Greenberry Reynolds—to the Committee on Invalid Pensions.

By Mr. WILSON of Washington: Three petitions of the citizens of the State of Washington, in opposition to the passage of House bill 5746—to the Committee on Interstate and Foreign Commerce.

SENATE.

MONDAY, *June 18, 1894.*

The Senate met at 10 o'clock a. m.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

On motion of Mr. HARRIS, and by unanimous consent, the reading of the Journal of the proceedings of Saturday last was dispensed with.

PETITIONS AND MEMORIALS.

Mr. PERKINS presented sundry petitions of citizens of California, praying that the funds of mutual life insurance companies and associations be exempted from the proposed income-tax provision of the pending tariff bill; which were ordered to lie on the table.

He also presented a petition of the Grange Congress of California, praying for the construction of the Nicaraguan Canal; which was ordered to lie on the table.

Mr. COCKRELL presented sundry memorials of wholesale and retail liquor dealers of Chillicothe, Nevada, and St. Louis, all in the State of Missouri, remonstrating against an increase of the internal-revenue tax on whisky, and also against an ex-

tension of the present bonded period; which were ordered to lie on the table.

Mr. PATTON presented the petition of C. E. Covell and sundry other citizens of Grand Rapids, Mich., and the petition of E. D. Wheeler and sundry other citizens of Manistee, Mich., praying that the funds of mutual life insurance companies be exempted from the proposed income-tax provision of the pending tariff bill; which were ordered to lie on the table.

Mr. BATE presented a petition of sundry citizens of Nashville, Tenn., praying that fraternal beneficiary societies, orders, or associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

Mr. HARRIS presented sundry memorials of wholesale and retail liquor dealers of Nashville, Paris, and Knoxville, all in the State of Tennessee, remonstrating against an increase of the internal-revenue tax on whisky, and also against an extension of the present bonded period; which were ordered to lie on the table.

Mr. FRYE presented a petition of 22 citizens of Deering, Me., praying that fraternal beneficiary societies, orders, or associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

Mr. GALLINGER presented a memorial of the New Hampshire Underwriters' Association, of Concord, N. H., remonstrating against the passage of the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

Mr. HAWLEY presented the petition of J. H. Bidwell and 48 other citizens of Collinsville, Conn., praying that the funds of mutual life insurance companies and associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

He also presented the petition of George H. Cowell and 110 other members of Mattatuck Council, No. 718, Royal Arcanum, of Waterbury, Conn., praying that fraternal beneficiary societies, orders, or associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

Mr. VILAS presented a petition of the common council of Kaukauna, Wis., praying for the enactment of legislation to aid and indemnify the property owners adjoining and abutting the United States Government canal at that city, on account of land slide and damages to buildings caused by dredging and deepening that canal from time to time; which was referred to the Committee on Claims.

Mr. SHERMAN presented a petition of sundry citizens of Wellsville, Ohio, praying that fraternal beneficiary societies, orders, or associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

Mr. LODGE presented the petition of S. H. Woodbridge and 8 other citizens of Massachusetts, praying for the enactment of legislation to suppress the lottery traffic; which was ordered to lie on the table.

He also presented the petition of E. M. Cooke and 106 other citizens of Salem, Mass., praying that fraternal society and college journals be admitted to the mails as second-class matter; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. PLATT presented the affidavit of James C. Jewett, of Brooklyn, N. Y., in the matter of the claim of J. Floyd Johnston, as administrator of the estate of John Floyd Johnston, deceased; which was referred to the Committee on Claims.

Mr. DOLPH presented a petition of the Oregon State Grange, Patrons of Husbandry, praying for the governmental control of the telegraph service, the free coinage of silver, the election of United States Senators by the people, and the control of the railroads by the United States Government; which was referred to the Committee on Railroads.

He also presented sundry petitions of citizens of Multnomah County, Oregon, praying that in the passage of any law providing for the taxation of incomes the funds of mutual life insurance companies and associations be exempted from taxation; which was ordered to lie on the table.

Mr. CULLOM presented sundry petitions of wholesale and retail liquor dealers of various cities in Illinois, remonstrating against an increase of the internal-revenue tax on whisky, and also against an extension of the bonded period; which were ordered to lie on the table.

He also presented a petition of sundry citizens of Winnebago County, Ill., and a petition of sundry citizens of Grundy County, Ill., praying that the funds of mutual life insurance companies and associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

He also presented a petition of sundry citizens of Chicago, Ill., praying that fraternal beneficiary societies, orders, or associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

Mr. VEST presented the petition of E. F. Fellows and sundry other citizens of Marion County, Mo., praying that in the passage of any law providing for the taxation of incomes the funds of mutual life insurance companies and associations be exempted from taxation; which was ordered to lie on the table.

Mr. MORGAN presented a memorial of sundry citizens of San Juan County, N. Mex., remonstrating against the proposed attachment of certain territory in New Mexico to the Southern Ute Indian Reservation in the State of Colorado; which was referred to the Committee on Indian Affairs.

Mr. HARRIS (for Mr. COKE) presented the petition of W. H. Austin and sundry other citizens of El Paso County, Tex., praying that in the passage of any law providing for the taxation of incomes the funds of mutual life-insurance companies and associations be exempted from taxation; which was ordered to lie on the table.

REPORT OF A COMMITTEE.

Mr. HAWLEY, from the Committee on Military Affairs, to whom was referred the bill (S. 1468) for the relief of James L. Townsend, reported it without amendment, and submitted a report thereon.

BILLS INTRODUCED.

Mr. HARRIS (by request of the Commissioners of the District of Columbia) introduced a bill (S. 2131) to secure uniformity in the names of minor streets of the cities of Washington and Georgetown; which was read twice by its title, and, with the accompanying paper, referred to the Committee on the District of Columbia.

Mr. WASHBURN introduced a bill (S. 2132) granting to the Northern Mississippi Railway Company right of way through certain Indian reservations in Minnesota; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Indian Affairs.

Mr. PLATT introduced a bill (S. 2133) for the relief of James H. Cromwell, and for other purposes; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 2134) to amend section 4472 of the Revised Statutes of the United States, forbidding the transportation of certain explosive articles on steamers carrying passengers; which was read twice by its title, and referred to the Committee on Commerce.

Mr. MORRILL introduced a bill (S. 2135) to provide that a term of the circuit and district court of the United States for the district of Vermont may be held at Montpelier; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. VEST introduced a bill (S. 2136) to authorize the construction of a bridge across the Missouri River at De Witt, Carroll County, Mo., and to establish it as a post-road; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 2137) to authorize the construction of a bridge across the Osage River, in the State of Missouri; which was read twice by its title, and referred to the Committee on Commerce.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. LODGE submitted an amendment intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. CALL submitted an amendment intended to be proposed by him to the legislative, executive, and judicial appropriation bill; which was referred to the Committee on the Library, and ordered to be printed.

He also submitted an amendment intended to be proposed by him to the legislative, executive, and judicial appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also submitted two amendments intended to be proposed by him to the legislative, executive, and judicial appropriation bill; which were referred to the Committee on the Judiciary, and ordered to be printed.

BERLIN SILVER COMMISSION.

Mr. VOORHEES. I submit a resolution, which I ask may be printed and go over until to-morrow morning for consideration.

The resolution was read and ordered to lie over, and to be printed, as follows:

Resolved, That the Finance Committee of the Senate have authority to translate the proceedings of the Silver Commission, held at Berlin in February and April, 1894, and report the same to the Senate.

SOUTHERN UTE INDIANS.

The VICE-PRESIDENT. The Chair lays before the Senate a bill from the House of Representatives, which will be read by title.

The SECRETARY. A bill (H. R. 6792) to disapprove the treaty heretofore made with the Southern Ute Indians to be removed from the Territory of Utah, and providing for settling them down in severalty where they may so elect and are qualified, and to settle all those not electing to take lands in severalty on the west 40 miles of the present reservation and in portions of New Mexico, and for other purposes, and to carry out the provisions of the treaty with said Indians June 15, 1880.

Mr. COCKRELL. Has the bill just come from the other House? It ought to go to the Committee on Indian Affairs.

The VICE-PRESIDENT. The bill was under consideration on Saturday.

Mr. TELLER. Let it go to the Committee on Indian Affairs.

Mr. COCKRELL. Does the Senator from Colorado think that would be the better course?

Mr. BERRY. The bill was discussed on Saturday.

Mr. HARRIS. I think there was an agreement by unanimous consent, on the request of the Senator from Colorado, that the bill should come up this morning.

Mr. TELLER. There was; but there seems to be some objection to the bill. I ask that the bill may lie on the table just as it is, without any action this morning.

Mr. COCKRELL. There is no objection to that course.

The VICE-PRESIDENT. Without objection the bill will lie on the table for the present.

CHARLES W. CRONK.

Mr. COCKRELL. The Calendar is in order.

The VICE-PRESIDENT. The first bill on the Calendar will be stated.

The bill (S. 1228) for the relief of Charles W. Cronk, was announced as first in order on the Calendar.

The VICE-PRESIDENT. The Senator from New Jersey [Mr. MCPHERSON] who has charge of the bill is not present.

Mr. COCKRELL. Let the bill and report be read, and let it go through, and get it off the Calendar. The bill is all right.

The Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to pay to Charles W. Cronk, late an acting first assistant engineer, United States Navy, $264.46, being the amount of three months' extra pay which he failed to receive as a volunteer officer at the date of his discharge.

The VICE-PRESIDENT. The report will be read.

The Secretary read the report submitted by Mr. BUTLER, for Mr. MCPHERSON, January 31, 1894, as follows:

The Committee on Naval Affairs, to whom was referred the bill (S. 1228) for the relief of Charles W. Cronk, have had the same under consideration and beg leave to report it back and recommend its passage for the reasons given in the appended letter of the Acting Secretary of the Navy.

NAVY DEPARTMENT, *Washington, March 18, 1890.*

SIR: I have the honor to return herewith the petition of Charles W. Cronk, late an acting first assistant engineer in the Navy, asking to be allowed three months' extra pay on account of his service in the war of the rebellion, and to furnish the following statement, in compliance with your request for information and suggestions relating thereto, viz.:

Charles W. Cronk was appointed an acting second assistant engineer in the Navy October 10, 1863, but the appointment was revoked on the 17th of that month on account of an injury he had received which prevented him from reporting for duty, and he was informed that upon his furnishing the Department with a medical certificate of recovery from the effect of such injury his appointment would be renewed.

Mr. Cronk was reappointed an acting second assistant engineer November 21, 1863, and on the 29th of October, 1864, was promoted to the grade of acting first assistant engineer. Under date of July 27, 1865, Mr. Cronk was detached from the United States steamship Naubuc and given two months' leave of absence, to take effect from the date of the receipt by him of the order granting the same, and notified that if at the expiration of such leave of absence his services were no longer required he would be honorably discharged from the service. The order detaching Mr. Cronk from the Naubuc and granting him leave of absence was not delivered to him, as appears from the papers accompanying his petition, until September 13, 1865, and as he was ordered to duty again on the 30th of that month, he had only seven days' leave thereunder.

Mr. Cronk remained in the service as an acting first assistant engineer until December 22, 1868, when he was honorably discharged from the service and informed by letter of that date that the leave of absence granted him in 1865 was all the leave to which he was entitled, but said letter seems to have been written upon the supposition that Mr. Cronk had had all the leave to which he was entitled under the order of July 27, 1865, the Department not having been informed as to the date of the receipt by him of that order.

It appears, therefore, that Mr. Cronk, through circumstances beyond his control, failed to receive the leave of absence with pay which, in accordance with the practice of the Department, was granted to volunteer officers of the Navy prior to their honorable discharge from the service, viz, one month for each year or portion of a year greater than six months, of service rendered prior to May 1, 1865.

This practice was adopted by this Department in consequence of the passage of an act of Congress, approved March 3, 1865, allowing to officers of the volunteer Army who remained in the service until the close of the late war three months' extra pay on being mustered out of the service.

The petition of Mr. Cronk is recommended to the favorable consideration of the committee.

Very respectfully,

F. M. RAMSAY,
Acting Secretary of the Navy.

Hon. J. R. MCPHERSON,
Committee on Naval Affairs, United States Senate.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ESTATE OF ALEXANDER W. BALDWIN.

The bill (S. 1365) to refund illegal internal-revenue tax collected of the late Alexander W. Baldwin as United States district judge for the district of Nevada was considered as in Committee of the Whole.

The bill was reported from the Committee on Claims with an amendment, in line 4, after the words "to the," to insert "legal representatives of the;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to refund to the legal representatives of the estate of Alexander W. Baldwin, late United States district judge for the district of Nevada, the sum of $824.59, out of any money in the Treasury not otherwise appropriated, the same being the internal-revenue tax illegally collected on his salary as said officer.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ESTATE OF JOHN SHERMAN, JR.

Mr. SHERMAN. I ask the Senate to proceed to the consideration of the bill (S. 763) relieving the personal representatives of John Sherman, jr., late United States marshal for the Territory of New Mexico, from the requirements of section 833 of the Revised Statutes.

By unanimous consent, the Senate, as in the Committee of the Whole, proceeded to consider the bill. It proposes to relieve the personal representatives of the late John Sherman, jr., late United States marshal for the Territory of New Mexico, from the rendition of his emolument returns for the periods from July 1 to December 31, 1881, and from January 1 to April 21, 1882, as required by section 833 of the Revised Statutes.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ELECTRICAL EXPERIMENT STATION.

Mr. PEFFER. A few days ago I had the bill (S. 1170) to establish an electrical experiment station for the purpose of investigating and determining whether electricity can be profitably applied as a motive power in the propulsion of farm machinery and implements recommitted to the Committee on Agriculture and Forestry. My object in asking the recommittal was that I might procure authority from the committee to make one slight verbal change in the framework of the substitute reported by the committee, to enlarge its scope a trifle. I report the bill back with that amendment to the amendment, and ask unanimous consent that it may be considered.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

Mr. HARRIS. Let the bill be read for information.

Mr. PEFFER. I will state the object of the bill as now reported before it is read.

It is a bill to authorize and empower the Secretary of Agriculture to make experiments with a view to ascertain whether electricity may be used profitably as a motive power in the propulsion of farm machinery. The amendment which I have made is, after the word "electricity," wherever it occurs, to insert "or any gaseous substances." My correspondence with gentlemen who have been experimenting in this direction inform me that they are making very good progress in the application of gas to the propulsion of machinery, and that they think could be applied on farms very profitably. Now I ask that the bill be read.

The VICE-PRESIDENT. The substitute reported by the committee will be read.

The SECRETARY. The Committee on Agriculture and Forestry report to strike out all after the enacting clause and insert:

That the Secretary of Agriculture be, and he is hereby, authorized and empowered, in any way or manner that he may deem best, by investigation, experiment, or otherwise, to ascertain whether electricity, or any gaseous substances, can be profitably used and applied as a motive power in the propulsion of farm machinery used in the tilling of the soil and harvesting and moving of crops.

SEC. 2. That for the purpose of carrying into effect the provisions of this act the sum of $2,500, payable on warrants issued by the Secretary of Agriculture, is hereby annually appropriated. The Secretary will report in detail to Congress annually his proceedings under the provisions of this act.

Mr. HARRIS. I suggest to the Senator to strike out annually and not make it a permanent appropriation. If the proposition has merit regular appropriations can be made.

Mr. PEFFER. The Senator will see that there is nothing in the bill which requires this action to be taken. It is left purely a matter of discretion with the Secretary of the Treasury as to whether he shall proceed or not, and of course there would be no appropriations made unless he did proceed.

Mr. HARRIS. Still, I am opposed to making permanent appropriations for such matters. If the proposition has merit annual appropriations will be made, and if it has not they ought not to be made.

Mr. PEFFER. I will accept the suggestion of the Senator from Tennessee.

The VICE-PRESIDENT. If there be no objection the bill will be considered as before the Senate as in Committee of the Whole.

Mr. HOAR. Let it be again read.

Mr. BATE. I ask the Senator from Kansas if the Secretary of Agriculture has recommended the bill?

Mr. PEFFER. No.

Mr. BATE. Has it never been referred to him at all?

Mr. PEFFER. The present Secretary of Agriculture, I think, is not in favor of it.

Mr. SHERMAN. The bill had better be read again.

The VICE-PRESIDENT. The bill will be again read.

The Secretary again read the substitute reported by the committee.

Mr. HAWLEY. Mr. President, I doubt the usefulness of the bill. There are already hundreds of thousands, if not millions, of dollars offered as a premium for somebody to do this thing. Men of the greatest ingenuity are studying all the problems connected with electricity, with an intense anxiety to advance the use of it in any and every direction. It is quite useless, in my judgment, to ask the General Government to take charge of this subject, or to go to the expense of appropriating $2,500 for it.

The technical schools of the country have branches devoted especially to the study of electrical matter. The whole thing is a very great and wonderful subject. A man who will go to the Patent Office and read the successive applications for patents and see the patents granted there will get a faint idea of what is being done in this very wonderful field. You might just as well appropriate 1 cent as $2,500 for all the good it will do. It will pay some clever fellow to go around and visit places and go to the Patent Office and look up the matter, but it will be of no material use in the world, in my judgment.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill? If not, the bill is before the Senate as in Committee of the Whole; and the question is on agreeing to the amendment of the committee.

Mr. HOAR. I thought we were proceeding under the Calendar.

Mr. PEFFER. I will state to the Senator from Massachusetts that I asked a few days ago to have the bill recommitted to the Committee on Agriculture and Forestry, so that I might make a verbal change, adding the words "or any gaseous substances;" and I have now reported the bill back, and ask that it be acted on; that is all.

Mr. HOAR. I thought when it was read it was to be considered as a bill upon the Calendar under the five-minute rule and liable to objection after explanation. I do not think it ought to come up. It seems to me——

The VICE-PRESIDENT. The bill is liable to an objection, the Chair will state. It was reported this morning. If there is objection it goes over.

Mr. HOAR. I should like to say, it seems to me it is very much as if somebody should propose to offer a sixpence to enable the Secretary of Agriculture to inquire what is the best model of ocean steamers, and whether we could not surpass the rest of mankind in naval architecture. As the Senator from Connecticut says, every technical school now in the country has established or is seeking to establish a department of electrical engineering, where this precise problem is being studied. The mechanical genius of the country is dealing with electricity at this moment. There are great establishments, like the Thomson-Houston in Massachusetts, devoted to the manufacture and perfection of electrical machinery, and they seek greedily, they hunger for the best inventive faculty, and the best scientific training, and youth possessing these command large salaries instantly.

Now, to give this little pittance of $2,500 is totally inadequate. The Government would be vieing with private citizens in a problem where they are spending hundreds of thousands already. In the next place, the Secretary of Agriculture is not the official, if anybody, to deal with such a question. It should be the Commissioner of Patents, who has jurisdiction over invention, and who has under his control a trained body of men to deal with the problem of inventive and scientific development. The Secretary of Agriculture has no capacity for the work. I speak of this with the greatest respect for him. I suppose he does not know any more about it than I or my friend from Kansas. So I think I must object to the consideration of the bill.

Mr. PEFFER. Mr. President, just a word.

Mr. HOAR. I withdraw the objection, of course, so that the Senator from Kansas may be heard.

Mr. PEFFER. If the Senator from Massachusetts wishes to enlarge the appropriation, I shall not object. The amount which I had in the bill originally when it went to the committee was $10,000, and I thought that was low enough. If the Senator is in earnest in his objection I shall be very glad indeed to have him propose an amendment. I infer, however, from the criticism which the Senator makes, that he is opposed to the spirit of the bill. All that I care to say, in reply to that, is that the Senator has been here now in the neighborhood of some two months asking for what amounts to the same thing, the paternal care of the Government over the industries in which he is interested, and when I ask a little help for my people, technicalities and quibbles are interposed.

Mr. HOAR. I do not think this will help the Senator's people a particle. I move to amend by substituting "$100,000" for "$2,500," and then I shall object to the bill.

Mr. HARRIS. I object to the further consideration of the bill. Let the bill go to the Calendar.

The VICE-PRESIDENT. There is objection, and the bill will go to the Calendar.

PAYMENT OF TAXES IN THE DISTRICT OF COLUMBIA.

Mr. PROCTOR. I ask unanimous consent for the present consideration of the bill (S. 1597) to amend an act entitled "An act for the support of the government of the District of Columbia for the fiscal year ending June 30, 1878, and for other purposes."

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to amend section 4 of the act entitled "An act for the support of the government of the District of Columbia for the fiscal year ending June 30, 1878, and for other purposes," approved March 3, 1877, so as to read as follows:

SEC. 4. That if one-half of the tax herein levied upon the real and personal property taxed by this act shall not be paid before the 1st day of December in each year, said installment shall thereupon be in arrears and delinquent; and there shall then be added, to be collected with such taxes, a penalty of 1 per cent upon the amount thereof, and a like penalty on the 1st day of each succeeding month until payment of said installment and penalty. And if said installment shall not be paid before the 1st day of June following, together with the one-half of said original tax due before said 1st day of June, a like penalty shall then be added on said last one-half of such tax; and the whole together shall constitute the delinquent tax, to be dealt with and collected in the manner prescribed by this act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed the bill (H. R. 6913) making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes, for the fiscal year ending June 30, 1895, and for other purposes; in which it requested the concurrence of the Senate.

HARBORS OF SUPERIOR AND DULUTH.

The VICE-PRESIDENT. The next business on the Calendar will be stated.

The next business on the Calendar was the joint resolution (S. R. 57) directing the Secretary of War to appoint a commission of engineers to examine and report upon the cost of deepening the harbors of Superior and Duluth and their entrances to a uniform depth of 20 feet.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

HOUSE BILL REFERRED.

The bill (H. R. 6913) making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes, for the fiscal year ending June 30, 1895, and for other purposes, was read twice by its title, and referred to the Committee on Appropriations.

THE REVENUE BILL.

The VICE-PRESIDENT. The hour of half past 10 o'clock having arrived, the Chair lays before the Senate the unfinished business.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4864) to reduce taxation, to provide revenue for the Government, and for other purposes.

The VICE-PRESIDENT. The reading of the bill will proceed.

Mr. PLATT. Paragraphs 298 and 299 in the silk schedule were passed over on Saturday, practically at my request, and I should like to have another day with reference to their consideration.

Mr. JONES of Arkansas. There will be no objection to that. Let them be passed over for another day.

The VICE-PRESIDENT. Without objection, the paragraphs will be passed over. The reading of the bill will proceed.

The Secretary read as follows:

SCHEDULE M.—PULP, PAPERS, AND BOOKS.

Pulp and paper:

303. Mechanically-ground wood pulp and chemical wood pulp unbleached or bleached, 10 per cent ad valorem.

Mr. FRYE. Mr. President, I desire an amendment to this paragraph. Maine, like Bozarris, is bleeding at a great many veins under the blows inflicted by the pending bill, and this is one of them.

The wood-pulp industry has grown up in this country since 1870, and it has reached enormous porportions. There are over $60,000,000 of capital invested in it to-day. It employs at least 70,000 men, able-bodied, grown-up men; no women, no children. Its product every year is worth $35,000,000. It pays out in labor alone $23,500,000 annually. It is a very beneficent industry. It has reduced the cost of paper of all kinds enormously.

I notice that wool fiber in 1870 was 7 cents a pound; last year it was 2¼ cents. Ground fiber, in 1870, was worth 4½ cents; last year it was worth 1¼ cents; and it has, as I say, reduced the price of all kinds of paper all over the world.

Our competitors are Austria, Sweden, Norway, and Canada. Austria, Sweden, and Norway have all of their chemicals free of duty. Ours are all dutiable. Austria, Norway, and Sweden employ women largely, and their wages are only one-quarter of the wages paid in the United States in the same industry. I have somewhere the cost per ton in these countries. In Germany the cost of labor is $4.49 per ton; in Austria, $2.83 per ton; and in the United States, $13.27 per ton.

The importations have been largely increasing. In 1886 they were 16,000 tons, and last year 63,566 tons, showing that under the duty in the McKinley law the importations are growing every year.

There are twenty-nine States interested in this industry, Maine more largely than any other, except New York. The annual product in Maine is 600,000 tons, and in New York 1,000,000 tons,

I think that an ad valorem duty was tried awhile on this article, and the frauds under it were so great that it failed. Under the McKinley law I see that the ad valorem duty on pulp dried for paper-makers' use was only 10 per cent; on wood pulp mechanically ground in, 17.52 per cent; on chemical, unbleached, 11.61 per cent; and on wood pulp chemical, bleached, 10.38 per cent.

This bill provides for an ad valorem of 10 per cent. I wish to ask the committee, there being so little decrease in duty, whether or not it can not consent to restore the specific duties in this matter of wood pulp?

Mr. JONES of Arkansas. Mr. President, the committee examined this subject with as much care as they were capable of doing. When we took this schedule up the argument was pressed, and was earnestly and vigorously pressed, in favor of a specific rather than an ad valorem tariff, and the difficulties of the administration of the law when there was an ad valorem tax heretofore imposed were pointed out; but after consultation with the officials of the Treasury Department and the custom-house officers, and a full examination of the question, we thought there would be practically no difficulty in enforcing the law under an ad valorem tariff. We believe there will be no injustice done and no difficulty in the execution of the law. With that sort of a conviction, I do not see how we could consent to make the change from an ad valorem to a specific basis.

Mr. FRYE. The duty is an exceedingly low one, as the Senator himself will admit—10 per cent ad valorem; it is the lowest duty you have provided in this entire bill, and the industry is an exceedingly valuable one. It is very valuable to the farmers, for it makes a market for their wood, which otherwise would be utterly useless, a mere waste. I wish that the duty could be made specific, even though it be not over 10 per cent.

I know that we have exported a little wood pulp during the tast two or three years, but that came from the dullness of the times and the overproduction of wood pulp in the United States. We exported some to England, but the exportation will stop at once. It is merely temporary. There is a syndicate to-day with $3,000,000 of capital which has bought an enormous tract of forest land in Norway, and is erecting pulp and paper mills there. We can not compete with that product produced in Norway at their price of labor.

Mr. GALLINGER. I call the attention of the Senator from Maine to the fact that during the last year we imported nearly $3,000,000 worth.

Mr. FRYE. We imported nearly 93,000 tons last year, and the importation has been increasing for the last four or five years. I shall be obliged to offer an amendment to the paragraph.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to strike out paragraph 303 and in lieu thereof to insert:

303. Mechanically ground wood pulp, $2.50 per ton, dry weight; chemical wood pulp, unbleached, $6 per ton, dry weight; bleached, $7 per ton, dry weight.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Maine.

Mr. VEST. Mr. President, I saw the other day—I think it was the day before yesterday—one of the most vicious and outrageous attacks upon my colleague from Arkansas [Mr. JONES] and myself in regard to the construction of the pending bill. The principal feature of the indictment was that we had been influenced by some Democratic leaders in New York, naming one of them, a distinguished Democrat who was a member of Mr. Cleveland's Cabinet when he was last President, to fix the schedule upon wood pulp because they had made a large investment, and that they had been consulted in regard to these rates. I only mention this to show how utterly unjust and reckless are the statements made in regard to public men who are engaged in public duty.

Our only object in framing this paragraph was to make an article of every-day and hourly necessity as cheap as possible to the vast body of consumers in the United States. On one hand are the manufacturers of wood pulp in New York and New England, demanding an increase of duty, but nobody has applied to us in the interest of the importers or of outside manufacturers to put this duty down. We have allowed it to remain as it was in the bill as it came from the House of Representatives.

It is an article so universally consumed, which enters into every family and business use, and public and private employment in the United States, that it seemed to us our manifest duty to make it as cheap as possible, and to put a duty upon it, which it is true, as the Senator from Maine says, is low, and we intended to make it low. It has not been done in order to meet the wishes of any manufacturers or importers, but because it is one of those articles, like salt and lumber, that ought to be made as cheap as possible.

That is the whole argument on behalf of the committee, and it seems to me it ought to be a paramount argument, unless we were consulting only specific interests. As a matter of course, the manufacturers in this country want the duty put up on it, for it gives them a market and excludes the foreigners. If we consulted the interests of the foreigners alone we would let it come in entirely free. But as it is, we have put this small duty upon it for the purpose of revenue and in the interests of the great body of the people of the country, as we understand it.

Mr. FRYE. Mr. President——

Mr. JONES of Arkansas. Before the Senator from Maine proceeds, I should like to suggest, in addition to what the Senator from Missouri has said, that the great bulk of the importations into this country were of unbleached chemical wood pulp; that 42,000 tons of this article came into the United States in the year 1893; that the tax was $6 per ton, which was an equivalent of 12.38 per cent; and that the tax now proposed is 10 per cent, which is a reduction of but 20 per cent below what it was under the law as it existed at that time. If we are to make any kind of a reduction it would seem that this is a reasonable one.

Mr. FRYE. On wood pulp mechanically ground, by this book, the ad valorem duty was 17.52; on pulp dried, 10 per cent; on wood pulp chemically unbleached, 11.61 per cent; on wood pulp chemically bleached, 10.38 per cent. I am not complaining that the bill has reduced slightly the existing duty; but I am asking, and all I am asking is that it should be made specific instead of ad valorem, on account of the frauds about which the Senator says complaint was made before his committee.

Mr. PLATT. Will the Senator from Maine state how the value of wood pulp can be ascertained? Is it a thing which has a stable and well known market value?

Mr. FRYE. I doubt if any wholesale prices in markets abroad can be ascertained. The markets abroad are Austria and Norway and Sweden. Of course they could probably be obtained in Canada, but Canada is not our great competitor to-day, although she will be. It must be understood that this industry is and will be

a Northern industry, because the woods grown in cold climates have a much finer fiber than in the warm climates. That is why Maine is carrying on so immensely the pulp industry to-day, and Upper New York. Canada has the same advantage exactly that we have, with 40 per cent less of wages.

Norway has the same advantage as to its forests, and so with Swedon. Austria has not the same; but England is looking entirely to Norway, and purchasing all the forest lands there in order to come in and be our competitor in this matter, as she will be undoubtedly.

The most I care about is to make the duty specific instead of ad valorem. Senators will recognize the fact that there is no rate of duty in the whole bill less than 10 per cent ad valorem. There is no lower duty in the bill than the specific rate which I propose on wood pulp.

Mr. HAWLEY. Mr. President, I remember well some fourteen or fifteen years ago in the House of Representatives the discussion about wood pulp, and it became in the mouths of many men who did not understand the subject, a prolific subject of jeers. I remember a distinguished statesman from New York who was called Wood Pulp Miller for some time because he desired a protective duty on wood pulp and at the same time was interested in it himself with others. We were told about the anxious desire of those men to keep up the price of the necessities of life. Well, some duty was placed on it, and it has continued to be a profitable industry up to this time.

Then I know very well the paper made from it for newspapers was sold at 6 cents a pound, and instead of the price being raised or even kept up in accordance with the uniform rule, the price of paper for newspapers has gone steadily down until it can be bought in large quantities for large newspapers at considerably less than 3 cents a pound. I do not wish to say exactly how much, because my concern has been buying some, but it has gone down more than one-half since that time. There has been a steady decrease in the price. Of course it is very easy to see if there should not be sufficient protection given to it one has only to take his capital across the line to Canada and avail himself of the boundless spruce forests there, and pay about half as much for wages as we pay here, and trundle it over the border and take away a very large and interesting industry from the United States.

Mr. GALLINGER. Mr. President, the Senator from Arkansas called attention to the fact that the importations were largely of chemical unbleached wood pulp during the last year, over 43,000 tons having been imported, and he suggested that the proposed lowering of duties was only 10 per cent. If foreign manufacturers of wood pulp were enabled, with a duty of 12.38 per cent, to send 43,607 tons into this country last year, of the value of more than $2,000,000, I submit that under a reduction of 20 per cent they will probably be able to send in ten times that amount, and they will displace the manufacture of chemical unbleached wood pulp in this country.

The Senator from Connecticut calls attention to the great reduction in the price of paper in this country during the last decade. I was in New York a few days ago, and a friend of mine purchased, I think, 200 reams of paper suitable for printing ordinary documents on for 2¼ cents a pound, a price unknown in this country before. There never was a time in the history of the United States when paper was sold as cheap as it is sold to-day. It does seem to me that under these circumstances there ought not to be the slightest reduction upon a manufacture such as wood pulp, which is being carried on by the people of Maine, New York, New Hampshire, and some other States of our country.

I trust the amendment of the Senator from Maine as offered will be adopted. I wish it might be accepted by our friends on the other side, because it does seem to me that it is absolutely just and very necessary if we are to prosper in the manufacture of wood pulp in the United States.

Mr. CHANDLER. I should like to ask the Senator from Maine whether the specific duties which he now moves are in the vicinity of 10 per cent, which the committee propose, so that the substance of his amendment is that we shall have specific duties instead of ad valorem?

Mr. FRYE. They are very nearly, but I propose to change my amendment so as to make the duty exactly 10 per cent ad valorem of the present prices, and they certainly can not go any lower than they are now. Where $6 occurs in the amendment I propose to make it $5, and where $7 occurs to make it $6.50. That makes a specific duty equivalent to 10 per cent ad valorem through the range.

Mr. GALLINGER. And on the mechanically ground wood do you not make it $2.25 in place of $2.50?

Mr. FRYE. No; that is only 10 per cent now.

Mr. GALLINGER. It does not seem to be so in this book.

The VICE-PRESIDENT. The amendment as modified will be stated.

The SECRETARY. Strike out paragraph 303 and insert:

Mechanically ground wood pulp, $2.50 per ton dry weight; chemical wood pulp unbleached, $5 per ton dry weight; bleached, $6.50 per ton dry weight.

Mr. ALLISON. I hope the Senator from Missouri will accept the amendment as now proposed by the Senator from Maine, making the duty specific instead of ad valorem. Whatever may be said about the ease with which ad valorem duties can be collected, it is absolutely certain that to make these duties specific will simplify their collection. I do not believe that the average appraiser or surveyor acting as appraiser at the small ports will be able to distinguish these pulps so as to make in every case an accurate estimate of value. If the duty is made equivalent to 10 per cent, why should it not be specific? Certainly no harm can be done.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Maine [Mr. FRYE].

Mr. FRYE and Mr. SMITH called for the yeas and nays, and they were ordered.

The Secretary proceeded to call the roll.

Mr. CAFFERY (when his name was called). I am paired with the Senator from Montana [Mr. POWER].

Mr. CULLOM (when his name was called). I have a general pair with the senior Senator from Delaware [Mr. GRAY]. If he were present I should vote "yea."

Mr. GALLINGER (when his name was called). I have a general pair with the junior Senator from Texas [Mr. MILLS], who informed me on Saturday that he would necessarily be absent to-day and to-morrow. Therefore I withhold my vote.

Mr. GEORGE (when his name was called). I am paired with the Senator from Oregon [Mr. DOLPH].

Mr. HIGGINS (when his name was called). I transfer my pair with the senior Senator from New Jersey [Mr. MCPHERSON] to the Senator from Idaho [Mr. DUBOIS], who is paired with the junior Senator from New Jersey [Mr. SMITH], thus enabling the junior Senator from New Jersey and myself to vote. I vote "yea."

Mr. MITCHELL of Wisconsin (when his name was called). I am paired with the Senator from Wyoming [Mr. CAREY].

Mr. PATTON (when his name was called). I am paired with the Senator from Maryland [Mr. GIBSON]. If he were present I should vote "yea."

Mr. SHERMAN (when his name was called). I am paired with the senior Senator from West Virginia [Mr. FAULKNER] until he arrives to-day.

The roll call was concluded.

Mr. CAFFERY. I transfer my pair with the Senator from Montana [Mr. POWER] to the junior Senator from Georgia [Mr. WALSH], and vote "nay."

Mr. CAMDEN. I announce my pair with the Senator from South Dakota [Mr. PETTIGREW].

Mr. GEORGE. I transfer my pair with the Senator from Oregon [Mr. DOLPH] to the Senator from Texas [Mr. COKE], and vote "nay."

Mr. VILAS. I am paired with the Senator from Oregon [Mr. MITCHELL], who is detained from the Chamber on business, and I therefore withhold my vote.

Mr. GALLINGER. I suggest to the Senator from Wisconsin [Mr. VILAS] that, as I am paired with the Senator from Texas [Mr. MILLS], we shall transfer our pairs so that we may vote.

Mr. VILAS. Very well. I vote "nay."

Mr. GALLINGER. I vote "yea."

Mr. HOAR (after having voted in the affirmative). I inquire if the junior Senator from Alabama [Mr. PUGH] has voted?

The VICE-PRESIDENT. He has not voted, the Chair is advised.

Mr. HOAR. I am paired with that Senator. I will withdraw my vote unless a transfer of pairs can be arranged.

Mr. CAMERON. I am paired with the Senator from South Carolina [Mr. BUTLER].

Mr. BRICE. I wish to announce my pair with the junior Senator from Colorado [Mr. WOLCOTT].

Mr. SHOUP (after having voted in the affirmative). Has the senior Senator from California [Mr. WHITE] voted?

The VICE PRESIDENT. He has not voted, the Chair is advised.

Mr. SHOUP. I am paired with that Senator and withdraw my vote.

The result was announced—yeas 20, nays 28; as follows:

YEAS—20.

Aldrich,	Gallinger,	Lodge,	Platt,
Allison,	Hale,	Manderson,	Proctor,
Chandler,	Hansbrough,	Morrill,	Quay,
Davis,	Hawley,	Peffer,	Teller,
Frye,	Higgins,	Perkins,	Washburn.

NAYS—28.

Allen,	George,	Kyle,	Ransom,
Bate,	Gorman,	Lindsay,	Roach,
Berry,	Harris,	Martin,	Smith,
Blackburn,	Hill,	Morgan,	Turpie,
Caffery,	Irby,	Murphy,	Vest,
Call,	Jarvis,	Palmer,	Vilas,
Cockrell,	Jones, Ark.	Pasco,	Voorhees.

NOT VOTING—37.

Blanchard,	Dolph,	McMillan,	Shoup,
Brice,	Dubois,	McPherson,	Squire,
Butler,	Faulkner,	Mills,	Stewart,
Camden,	Gibson,	Mitchell, Oregon	Walsh,
Cameron,	Gordon,	Mitchell, Wis.	White,
Carey,	Gray,	Patton,	Wilson,
Coke,	Hoar,	Pettigrew,	Wolcott.
Cullom,	Hunton,	Power,	
Daniel,	Jones, Nev.	Pugh,	
Dixon.	McLaurin,	Sherman,	

So the amendment was rejected.

The VICE-PRESIDENT. The reading of the bill will proceed.

304. Sheathing paper and roofing felt, 10 per cent ad valorem.
305. Printing paper, unsized, suitable only for books and newspapers, 12 per cent ad valorem.

The Committee on Finance reported an amendment to strike out paragraph 305.

The amendment was agreed to.

The Secretary read the next paragraph, as follows:

306. Printing paper, sized or glued, suitable only for books and newspapers, 15 per cent ad valorem.

The Committee on Finance reported to amend the paragraph, on page 77, line 12, after the word "paper," by inserting "unsized;" and in line 13, after "newspapers," to strike out "fifteen," and insert "ten."

Mr. JONES of Arkansas. I move to insert after the word "paper," in line 12, the word "unsized."

The amendment was agreed to.

Mr. JONES of Arkansas. The other part of the amendment of the committee is withdrawn.

Mr. TELLER. I wish to offer an amendment and have it printed. I ask leave to offer it now. On page 83, paragraph 338, I move to strike out all in lines 7 and 8 down to the word "including" in line 9, and to insert:

Diamonds, whether cut or uncut, 30 per cent ad valorem.

The VICE-PRESIDENT. The amendment intended to be proposed by the Senator from Colorado will be printed.

Mr. TELLER. I shall also move to add at the end of the paragraph what I send to the desk. I ask that the proposed amendment be printed.

Mr. ALLISON. Let it be read.

Mr. TELLER. Very well; let it be read.

The VICE-PRESIDENT. The amendment intended to be proposed by the Senator from Colorado will be stated.

The SECRETARY. At the end of paragraph 338 add the following:

To secure more effectually the conditions of this act, and the revenue to be derived from it, it is enacted that all diamonds entering this country as the property of travelers shall be subject to the duty where their value exceeds $350: *Provided, however*, That diamonds or precious stones the property of travelers shall enter free where it is shown by a consular certificate that they have previously left this country, their identity being further established by a photograph of the stones in their settings, which shall have been deposited with the consul at the port of departure in the United States.

And it is hereby declared that any informant who notifies the customs authorities that an attempt is to be made to smuggle precious stones shall be entitled, where a conviction is made, to the full value of the stones, deducting only the duty owing to the Government; that this provision to reward informants applies equally to all tradesmen or jewelers in any part of this country to whom smuggled stones may be offered for sale: *Provided*, That such persons can establish the fact that the stones are contraband.

That from the total duty derived from precious stones, 5 per cent shall be appropriated to pay the salaries of special agents abroad, whose duty it shall be to watch sales of precious stones and report to the customs authorities when they suspect that the illicit introduction of such stones is contemplated.

The VICE-PRESIDENT. The amendment will be printed as requested. The reading of the bill will proceed.

The Secretary read the next paragraph, as follows:

307. Papers known commercially as copying paper, filtering paper, silver paper, and tissue paper, white, printed, or colored, made up in copying books, reams, or in any other form, and albumenized or sensitized paper, 30 per cent ad valorem.

The Committee on Finance reported to amend the paragraph by striking out "twenty-five" and inserting "thirty;" so as to read, "30 per cent ad valorem."

Mr. PLATT. I had hoped that the Senator from Arkansas would make a division of this paragraph so as to give the papers first mentioned in the paragraph, copying paper, filtering paper, and silver paper, a duty of 35 per cent ad valorem. There is such a distinction in the cost of manufacture and the price of these two classes of paper that it seems as if they ought not to go under one uniform duty of 30 per cent. I was informed that the matter had been brought to the notice of the committee, and I was indulging in the hope that there might be a division suggested by the committee with a slightly higher rate of duty on copying and filtering and silver papers. I should like to inquire of the Senator from Arkansas whether he is unwilling to make such a division?

Mr. JONES of Arkansas. I did not understand the question of the Senator from Connecticut.

Mr. PLATT. I inquire of the Senator from Arkansas whether he is willing to make a division of the paragraph by which the papers first mentioned in the paragraph, copying paper, filtering paper, and silver paper, shall be made 35 per cent?

Mr. JONES of Arkansas. The committee had under consideration the proposition as to whether there should be a change made in the paragraph. We had not finally determined when the paragraph was reached as to what action we would take, and will simply pass it over with the intention to consider it further. We shall make up our minds when we have further time to consider it and determine whether to make a different recommendation in this connection. I do not want the change made now.

Mr. PLATT. The Senator will allow the paragraph to be passed over for the present?

Mr. JONES of Arkansas. I simply want to have the paragraph acted on. The committee will further consider it, and if they believe it should be changed, they will propose it later.

Mr. PLATT. The Senator means that he will propose an amendment when the bill comes into the Senate?

Mr. JONES of Arkansas. If we think a change ought to be made we shall propose it when the bill gets into the Senate.

Mr. PLATT. With that understanding, I shall offer no amendment to the paragraph at the present time.

The PRESIDING OFFICER (Mr. PASCO in the chair.) The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The PRESIDING OFFICER. The reading of the bill will proceed.

The Secretary read the next paragraph, as follows:

308. Parchment papers, surface-coated papers, and manufactures thereof, cardboards, lithographic prints from either stone or zinc, bound or unbound (except illustrations when forming a part of a periodical, newspaper, or in printed books accompanying the same), and all articles produced either in whole or in part by lithographic process, and photograph, autograph, and scrap albums, wholly or partially manufactured, 30 per cent ad valorem.

The Committee on Finance reported to amend the paragraph by striking out "twenty-five" and inserting "thirty;" so as to read, "30 per cent ad valorem."

Mr. GALLINGER. Some months ago a committee of gentlemen were in Washington, and they confided to me a memorial touching the matter of surface-coated papers, which I handed to the Senator from Rhode Island [Mr. ALDRICH], who assures me he will be able to procure it in a very little time, but he has it not at hand at the present moment. I ask the committee to let the paragraph be passed over for a few minutes and it can be taken up again. I do not know but that the amendment to be proposed by the Senator from Arkansas is satisfactory, but I want to examine the memorial of those gentlemen, who are very respectable gentlemen, and who ought to be heard on this matter.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New Hampshire?

Mr. JONES of Arkansas. There is no objection to that course.

The PRESIDING OFFICER. The Chair hears no objection, and the paragraph will be passed over for the present. The reading of the bill will proceed.

The Secretary read as follows:

Manufactures of paper:

309. Paper envelopes, 20 per cent ad valorem.
310. Paper hangings and paper for screens or fireboards, writing paper, drawing paper, and all other paper not specially provided for in this act, 20 per cent ad valorem.
311. Blank books of all kinds, 20 per cent ad valorem; books, including pamphlets and engravings, bound or unbound, photographs, etchings, maps, charts, and all printed matter not specially provided for in this act, 25 per cent ad valorem.

Mr. QUAY. I move to amend paragraph 311 by inserting in line 23, after the word "including," the words "books printed in any foreign language;" so as to cover foreign books.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. After the word "including," in line 23, paragraph 311, insert "books printed in any foreign language."

Mr. QUAY. I move this amendment at the request of the bookbinders and printers, especially of German books, in this country, who advise me that their industry will be absolutely destroyed if these books are placed on the free list. I should be glad to know from the gentlemen in charge of the bill what reason there is why these foreign books are to be exempted from duty.

Mr. JONES of Arkansas. I did not distinctly understand the

Senator from Pennsylvania, but it seems to me that the amendment proposed by him does not extend the paragraph a particle.

Mr. QUAY. It does extend it. It defines it, and it makes it apply specifically to books printed in any foreign language. I propose to follow that up by striking off the clause in the free list which exempts such books from duty.

Mr. HOAR. I suggest to the consideration of the Senator from Pennsylvania whether the true way would not be to move the amendment when the free list is reached, because if that clause is stricken from the free list then this paragraph covers all books in whatever language.

Mr. JONES of Arkansas. That would certainly be the way to reach the purpose the Senator has in view.

Mr. QUAY. I will withdraw the amendment and renew the proposition when the free list is reached.

The PRESIDING OFFICER. The amendment of the Senator from Pennsylvania is withdrawn. The reading of the bill will be resumed.

The Secretary read as follows:

312. Playing cards, in packs not exceeding 54 cards and at a like rate for any number in excess, 10 cents per pack and 50 per cent ad valorem.

313. Manufactures of paper, or of which paper is the component material of chief value, not specially provided for in this act, 20 per cent ad valorem.

SCHEDULE N.—SUNDRIES.

314. Hair pencils, brushes, and feather dusters, 30 per cent ad valorem; brooms, 20 per cent ad valorem.

Buttons and button forms:

315. Button forms: Lastings, mohair, cloth, silk, or other manufactures of cloth, woven or made in patterns of such size, shape, or form, or cut in such manner as to be fit for buttons exclusively, 10 per cent ad valorem.

316. Buttons commercially known as agate buttons, 25 per cent ad valorem; pearl and shell buttons, wholly or partially manufactured, 1 cent per line per gross and 15 per cent ad valorem.

Mr. JONES of Arkansas. After the word "line," in paragraph 316, line 24, I move to insert "button measure of one-fortieth of an inch."

The amendment was agreed to.

The Secretary read the next paragraph, as follows:

317. Ivory, vegetable ivory, glass, bone, or horn buttons, wholly or partially manufactured, 25 per cent ad valorem.

The Committee on Finance reported to amend the paragraph on page 80, paragraph 317, by striking out "ivory" and inserting "buttons of ivory," and in line 2, by striking out the word "buttons."

The amendment was agreed to.

Mr. JONES of Arkansas. I move to strike out the word "twenty-five" and insert "thirty-five" in line 3, so as to make the rate "35 per cent ad valorem."

Mr. ALDRICH. I move to amend the amendment by striking out "thirty-five" and inserting "fifty," which is the present law on ivory buttons.

Mr. JONES of Arkansas. I did not understand the proposition.

Mr. ALDRICH. My proposition is to restore the present law on ivory buttons—50 per cent—instead of 35 per cent.

The PRESIDING OFFICER. The committee amendment has been agreed to. An amendment was offered by the Senator from Arkansas to make the rate 35 per cent, and the Senator from Rhode Island moves to amend the amendment by striking out "thirty-five" and inserting "fifty," so as to read, "50 per cent ad valorem." The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was rejected.

The PRESIDING OFFICER. The question is on the adoption of the amendment of the Senator from Arkansas.

The amendment was agreed to.

The PRESIDING OFFICER. The reading of the bill will proceed.

The Secretary read the next paragraph, as follows:

318. Shoe buttons, made of paper, board, papier-maché, pulp, or other similar material not specially provided for in this act, 25 per cent ad valorem.

The next amendment of the Committee on Finance was to insert after paragraph 318:

Coal, bituminous, and shale, 40 cents per ton; coal slack or culm, 15 cents per ton.

Mr. HILL. I offer an amendment, which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. Strike out in line 8, on page 80, the words "40 cents per ton," and insert "shall be admitted free from duty;" so as to read:

Coal, bituminous and shale, shall be admitted free from duty.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from New York.

Mr. HILL. Mr. President, the amendment which I have offered proposes to place bituminous coal and shale upon the free list. I do not intend to detain the Senate with any lengthy remarks upon the amendment. I assume from what has taken place in the past two weeks in the Senate that this motion to amend will be defeated by substantially a unanimous Republican vote and by those Democrats upon this side of the Chamber who seem to be voting against this class of amendments.

The country expected that a Democratic Congress in framing a tariff-reform bill would place bituminous coal upon the free list. It was substantially so required by the Chicago Democratic platform. Every Democratic orator in the land who has spoken upon this subject has demanded free coal. I listened the other day with great interest to the remarks of the junior Senator from Mississippi [Mr. MCLAURIN] when he made an elaborate plea in the Senate for free coal. I regret that he is not now in his seat. I assume that after those remarks he will be glad to avail himself of the opportunity of sustaining the pending amendment.

Mr. President, if there is one thing more than another to which the Democratic party stands solemnly pledged, it is to place raw materials upon the free list. That has been said over and over again by prominent Democrats throughout the whole country. If coal is not a raw material within the meaning of Democratic orators I do not know of a single item in the bill that can be called such.

I have heard no definition of raw material given here. I can suggest one. It is a production which is in its lowest or crudest form when it enters into commerce. Under this definition coal constitutes a raw material. Iron ore constitutes a raw material. Lead ore constitutes a raw material, and yet it is proposed by the bill to place a duty of 40 cents upon this raw material.

I observe since I began my remarks that the champions of this measure who have had charge of it during the past two or three weeks have left their seats. I assume they had nothing to say in defense of this provision and in opposition to my amendment. I am waiting to hear if the old threadbare plea is to be presented that the Finance Committee have been bulldozed into the acceptance of this provision. If so, I should like to know who has bulldozed them. I should like to know what Senators have announced that they would refuse to vote for this bill if coal should be placed upon the free list. Let them be named so that we may know who they are.

Mr. President, it ought not to require any argument in a Democratic Senate to induce Democratic Senators to vote for this amendment. If we place the proposed duty upon coal we go back upon all the Democratic arguments uttered in years past. We virtually repudiate our platform adopted in Chicago and we are brought into ridicule at the hands of the American people. Is one, substantially one, single article which may properly be denominated raw material—wool—to be singled out as the only triumph that is to be achieved for tariff reform in this bill?

I do not propose to detain the Senate by any further remarks upon my amendment. It of course has been decreed that it is to be defeated. I trust the little band who have stood together thus far in the Senate for free raw materials will stand together now, whether they be one, two, three, four, or five. A principle is involved in this amendment. A principle is at stake here, and for one, even if I am alone, I propose to stand up for that principle.

Mr. PEFFER. Mr. President, I have a much stronger reason for supporting the amendment proposed by the Senator from New York than he gives. I understand the Senator's reason chiefly to be that the Democratic platform has promised free coal. I have no more respect for that platform than the Democrats themselves have. Hence, I will not waste any time on that line of argument.

But there is a deeper, a broader, and a much grander reason than that. It is that with free coal under the surveillance of Government officers the people who are entitled to the use of free coal would obtain it, whereas, now, under existing conditions, if we were to have free coal, and if the Democratic platform was to be spread all over the country, coal would be but little cheaper than it is now to those who most need it. I care much less for the character of coal as a raw material than I do for its character as a substance of fuel for the use of the poor people.

I have a most interesting little document in my hand which will indicate measurably at least what I have in mind just now. During the hard pressing times of last winter when it became necessary for the city authorities in different parts of the country to look after the interests of the poor people, one particular person in the city of New York disposed kindly towards all classes, and especially towards the poor, opened a coal house where he sold coal in small quantities to poor people, such people as have been compelled to pay from two to four times as much for the little coal that they use as the well-to-do people across the street or within a block or two from their doors. Here is a record of what this good man did. It shows the number of tickets that he sold.

I ask that Senators will listen. Every Senator in the room, I hope, will listen to these figures. He sold 200,501 five-cent tickets to the poor people of the city of New York. Think of that, Senators; men and women buying coal by the 5 cents' worth when you and I buy it by the ton or the carload, according to what we use! He sold 18,933 ten-cent tickets, 7,799 fifteen-cent tickets, 2,933 twenty-cent tickets, and 3,121 twenty-five-cent tickets.

Mr. GALLINGER. How many five-cent tickets did he sell, may I ask the Senator?

Mr. PEFFER. The 5-cent tickets number 200,501. They procured from 20 to 25 pounds of coal. That is the way the poor people, those who are out of employment, those who are pinched by close poverty, those to whom the future is all dark, were able to procure their coal.

Now, there is another phase of this subject. The men who have control of the coal mines are either rich individual men or they are wealthy corporations and syndicates. While every coal mine in the country and every coal field, no matter what its extent, ought to belong to the entire people of the country, and the coal mined and paid for at fair wages to the persons who do the work, so that the people can procure it cheaply at cost, the truth is that all the coal mines of the country are owned by private persons or by corporations and syndicates, and they have reduced the wages of their miners to such an extent that the men are in open rebellion.

On the 4th day of May last a dispatch was printed in the various newspapers, and here is one of them, headed—

PROMPT ACTION DID IT—PREVENTED A RIOT OF COAL MINERS IN THE VANDERBILT REGION.

And then it goes on to describe what was done by prompt action of the authorities and people to prevent great trouble in the coal mines. On the 7th day of May another dispatch came. Indeed, they were coming every day numerously, but I have selected a few along from day to day. This one, dated May 7, Birmingham, Ala., is headed as follows:

STRIKERS RESORT TO DYNAMITE—ALABAMA MINERS BLOW UP MACHINERY AND ROLLING STOCK.

Then it goes on to describe the affair:

A mob numbering from two hundred to five hundred went to Price's mines at Horse Creek last night at midnight and blew up the boilers and other mine machinery with dynamite and fired one hundred shots into the company's store and houses. No one was hurt.

On the same day there came another dispatch, as follows:

OMENS OF BLOODSHED—STRIKERS USE DYNAMITE IN ALABAMA AND WEST VIRGINIA—MORE VIOLENCE EXPECTED TO-DAY—WORKS AND CARS BLOWN UP AT PRICE'S AND THE VICTORIA MINES—RIOTOUS DEMONSTRATIONS AT THE PARSONS PLANT—SERIOUS CONFLICT BREWING IN THE UNIONTOWN AND CONNELLSVILLE DISTRICTS—THE COMPANIES TRYING TO BREAK THE STRIKE WITH NEW MEN.

On May 9 we had the following:

BATTLE BETWEEN STRIKERS AND SHERIFF'S DEPUTIES—UNION AND NON-UNION LASTERS FIGHT—AUSTRIAN STRIKERS FIRED ON AND DISPERSED—GENERAL LABOR TROUBLES.

This came from Uniontown, Pa. May 10 we had the following from Birmingham, Ala.:

ALABAMA TROOPS ARE UNDER ARMS—COAL STRIKERS ASSUME A THREATENING ATTITUDE THERE.

Then the dispatch proceeds:

Troops of Birmingham, Woodlawn, and Bessemer have been ordered under arms.

Followed by other descriptive matter. May 9 we had a dispatch from Connellsville, Pa. It is headed as follows:

BEATEN NEARLY TO DEATH—COKE STRIKERS ATTACK WORKMEN AT THE HILL FARM—SEVERAL RIOTERS WOUNDED BY DEPUTIES—MORE DISORDER NEAR SCOTTDALE—DEPUTIES ARE TO BE ARRESTED—BALTIMORE AND OHIO TAKES COAL IN TRANSIT FOR ITS OWN USE—FACTORIES CLOSING—ANTHRACITE MINERS MAY JOIN.

Here are dispatches from Albany, N. Y.; Watertown, N. Y.; Sandusky, Ohio; Wheeling, W. Va., and Scottdale, Pa., dated May 14, all relating to the same subject. Here is another dispatch from Cleveland, Ohio, in reference to the meeting of operators and miners conferring for the purpose of adjusting their differences. The dispatch is headed as follows:

NOW WAR TO THE DEATH—THE CLEVELAND CONFERENCE FOR THE SETTLEMENT OF THE COAL STRIKE ENDS IN A FLAT FAILURE—MINERS WILL YIELD NOTHING—"NO COMPROMISE ALONG THE LINES OF STARVATION WAGES," SAYS PRESIDENT M'BRIDE—OPERATORS ANGRY, ETC.

Under date of May 22, we have the following:

TROUBLE AT MISSION FIELDS—DEPUTY SHERIFFS ARMED WITH WINCHESTERS SURROUND THE WORKS—GUNS FOR THE COKE REGIONS—ONE THOUSAND ARMS SHIPPED TO THE SCENE OF THE RIOTOUS LABORERS IN PENNSYLVANIA—OFFICERS GUARDING WORKING MINERS AND THE STRIKERS THREATEN FIGHT, ETC.

That is from Danville, Ill., and relates to the region about there. Under date of May 22 we have the following:

MOBBED BY STRIKERS—MINERS BEATEN INTO INSENSIBILITY—ASSAILANTS SURROUND A MINE AT LA SALLE, ILL., AND ATTACK THE MEN AS THEY COME UP—CITIZENS FEAR A WORSE RIOT TO-DAY.

From Uniontown, Pa., May 24, we have the following:

STRIKERS SHOT DOWN—BATTLE WITH DEPUTY SHERIFFS AT DAYBREAK—MANY VOLLEYS FIRED AT CLOSE RANGE—FIVE REPORTED KILLED AND A NUMBER INJURED—THE OFFICERS FIRED FIRST—

With descriptive matter following along.

On May 24, we have a dispatch from La Salle, Ill., headed as follows:

MOB LAW IN ILLINOIS—LA SALLE GIVEN OVER TO THE FURY OF STRIKING MINERS—BLOODY RIOT WITH DEPUTIES—CITY AUTHORITIES OVERPOWERED AND TROOPS CALLED FOR—AFTER VANQUISHING THE SHERIFF'S FORCE THE RIOTERS TOOK POSSESSION OF THE TOWN AND COMPELLED THE RELEASE OF PRISONERS FROM JAIL—PANDEMONIUM PREVAILED—PANIC AMONG THE CITIZENS, ETC.

I have a number of others. One which catches my eye is headed:

KILLED LIKE DOGS—DEPUTIES SHOOT DOWN STRIKING MINERS WITHOUT A MOMENT'S WARNING—EIGHT OF THE MEN WERE LEFT DEAD IN THE PUBLIC ROAD, WHILE MANY OTHERS RECEIVED SERIOUS WOUNDS FROM THE WINCHESTERS.

That is from Fayette City, Pa.

And yet, Mr. President, while reciting these bloody notes I observe but few Senators listening to them, although I doubt not nearly all at least hear them. Has it come to a point when in the highest, most exalted and dignified legislative body in the country such recitals as these can be given in open daylight and not create wonder and surprise? Can it be that we have grown so callous that our hearts are not affected by this turbulence, by this rioting, by this violence and bloodshed among our people? Are we so far along as that none of these things attract our attention and we prefer to go along in a humdrum way discussing tariff schedules and stopping upon free coal, thinking nothing about what is surrounding us?

I urge, Mr. President, that coal be put upon the free list, and more than that——

Mr. PLATT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Connecticut?

Mr. PEFFER. Certainly.

Mr. PLATT. The Senator has called attention to the very serious condition of things in the country. I think I appreciate its seriousness as much as he does, but I do not see exactly how it is to be helped by putting coal on the free list. If he will inform us about that I shall be glad.

Mr. PEFFER. That is only the first step in what ought to be done. We must begin by putting coal on the free list. Then we must hurry up our Judiciary Committee, and if we can not get an act of Congress through the Judiciary Committee let the National Legislature take charge of this subject, let it take possession of all the coal beds and all the coal mines in the country; and let the coal be given to the people freely. That is the only way to settle this work. Senators smile. I remember that just about two years ago, when the Homestead trouble came, I offered a resolution for the purpose of testing the question which was involved in that struggle. When I said to the Senators there were but three ways out of the difficulty they smiled. I put it to them in this way: First, just keep your hands off and let the employer and the employé settle their disputes among themselves.

That will soon arrange it all peacefully, amicably, and justly. But if you are not willing to keep hands off in case of disturbance, then treat both sides alike. If you are determined to bring out the military arm of the Government in order to protect one side, protect the other side as well. If you can do neither, and if you are determined to put your hands on, then put them on the entire business and take charge of it as a Government institution, and manage it in the interest of the people, letting the profits go to the people and into the public Treasury instead of going into the pockets of millionaires, whom we are just now examing for fraud and conspiracy.

Mr. PLATT. Mr. President, I do not wish at this time to discuss the serious condition with which we are confronted, so far as any final remedy is to be concerned, but the point I wish to get at is, how does it help the matter to put coal on the free list? How does it help the matter to adopt legislation which must necessarily, if it has the effect which it is desired to have, reduce the production of coal and throw out of employment men who are now engaged either at proper wages or at wages which are not satisfactory in the production of coal and throw them into idleness? How is it to help this condition of things in the coal industry to put coal on the free list and get it from Nova Scotia, mined by Nova Scotians, or from elsewhere out of the country?

Mr. PEFFER. Does the Senator wish to be understood as saying that if coal is placed on the free list any miners will be thrown out of employment or their wages will be reduced?

Mr. PLATT. I have not any doubt that to put coal on the free list would throw out of employment one-third of the persons engaged in mining coal in the United States.

Mr. PEFFER. That is one of the surprising things of this debate. It only costs from 40 to 46 cents a ton to mine coal, and we are proposing to put a duty of 40 cents a ton on foreign coal. I do not believe that it will affect the occupation of a single miner; but I am taking advantage of this opportunity to call the attention of the Senate and of the country to the dangerous condition of public affairs on account of the management of mines now existing, and to impress upon the minds of Senators that we have got sooner or later not only to deal with this subject but with a great many others; and this is one good time for Senators, for the members of the other branch of Congress, for public men everywhere, for newspaper writers, for legislators, for political speakers, for all classes of the people who are pretending to instruct their neighbors, to take up this subject from the standpoint of the people.

Let us get it out of the hands of syndicates and corporations and wealthy individuals who control large tracts of land. There ought not to be a mine of coal, lead, zinc, copper, gold, or silver owned by any private individual. All of these things are for the public use. Just as soon as a man or a corporation or a company gets hold of a mine they begin immediately to raise the prices upon the people.

The extract that I read in the beginning of my remarks shows the straits to which poor people are brought. They go to the coal bins with baskets. You and I have seen them on the public streets many, many hundred times picking up coal by the single piece at a time, not bigger than a marble or a walnut or a hen's egg, and putting them into a basket.

We have seen little boys, smaller than the pages here, and little girls, feeble, frail, little creatures, gathering up the specks of coal. What would these boys do if they were placed under such circumstances? What would we full-grown men do under like circumstances? It appeals to the sympathy as well as to the conscience and to the brain of men.

I hope that the amendment proposed by the Senator from New York will prevail.

Mr. ALDRICH. Mr. President, as I have heretofore suggested, the political campaigns in New England for the last half dozen years have been waged along the line of a contest for free raw material, and especially free coal.

Our Democratic friends in those States have made the removal of the duty on coal the cardinal point of their political faith; and I shall be greatly surprised this morning if the Senator from New York does not succeed in securing a larger following in his vote upon this part of the Democratic platform than he succeeded when he made his last effort.

I am gratified that there is even an appearance of disagreement on that side of the Chamber upon this important question. If I thought that this disagreement was large enough to imperil the passage of this bill I would suggest that we might pass this item over until a new Democratic caucus could be held and a further agreement made as to what should be the attitude of the party upon this particular item.

But I have great fears that the Senator from New York will not be able to call to his assistance this morning, notwithstanding his eloquent statement of the case of the Democratic party, a sufficient number of followers on that side of the Chamber to make another caucus necessary.

So far as I am concerned, I am inclined to allow my Democratic friends to settle this question of free coal among themselves; to abstain from voting, and allow them to say whether they intend to follow in any instance the policy and principles which they have heretofore advocated.

Mr. VEST. Mr. President, we have at last a statement of the higher order of statesmanship from the Senator from Rhode Island [Mr. ALDRICH]. I understand now that he proposes to abnegate his duties as a United States Senator, sent here to represent the people of this country, and, in order to obtain a political advantage, to sit quietly and silently in his seat. If that is the Senator's idea of the duties of an American Senator, I cannot congratulate him upon the plane where he has now located himself.

We have heard some extraordinary statements here this morning. The Senator from New York [Mr. HILL], who is opposed to this bill, as I have understood, because it contains a provision for an income tax, now asks information of those of us who have been earnestly laboring to construct a tariff bill which will pass Congress, to know who has caused to be inserted in this bill a tax on coal instead of free coal, as it came here from the House of Representatives.

Mr. President, we are here to give information, but not to those who are as well informed as we. The Senator from New York knows as much in regard to this matter as we do; and, as a matter of course, his inquiry is not for information, but in order to elicit some statement which would antagonize the passage of this bill in its entirety.

I have had occasion to say, and even under oath, Mr. President, the evidence being published, that there are a great many things in this bill which do not receive my personal approval, if isolated and by themselves; but I deem it my duty to look to the general result as to what will be for the best interests of the entire country to the largest degree. It is impossible that any Senator should obtain all that he wants in a great measure like this; but if I obtain the best that I can, and in the right direction, whilst I may deprecate and regret that I can not go further, I shall not hesitate as to how far I shall go.

We are determined, if we can, to supplant the McKinley act with a better measure, and if I am compelled to give up my opinion in favor of free coal, and to take a duty of about one-half of that imposed by the McKinley act, whilst I regret the difference of opinion which compels that necessity, I shall not remain silent, and leave it to others to discharge the duties which I have sworn to perform. I am here as an American Senator to do the best I can; and when I can not have my way, I shall compromise so far as it is necessary, if I can thereby obtain something better for the people of the United States. This much, Mr. President, is due to the committee; this much is due to the people of this country.

I agree with the Senator from Kansas [Mr. PEFFER] that coal ought to be made cheaper; but there is nothing in the parallel which he instituted between the buying of coal by the ton and the poor people of New York buying it 5 cents' worth at a time. The Senator uses in this city anthracite coal, which is already upon the free list, and the price of it is therefore not affected by the tariff at all. I should be glad to see the people of this country who are not now able to buy anthracite coal buy it as cheaply as possible and in such quantities as their means admit.

I would not take the coal mines of this country into the possession of the Government any more than I would take the railroads of the country. That is not my idea of the functions of the Government of the United States. If I were hunting votes in a country where there is universal suffrage, and the vote of the poorest man is equal to that of the richest, I might favor these wild socialistic reforms, as they are termed; but the functions of the Government of the United States are not such as the Senator from Kansas supposes them to be.

The functions of the Government are simply to give to the people of the United States, of all sections, of all classes, of all races, and of all colors, equal privileges and equal protection under the law. This Government is not a merchant, it is not a warehouseman, and it was not constructed to take into its hand what belongs to the people or to the States. Therefore, against the opinions of the Senator from Kansas I am as much opposed as I am to the opinions of the Senator from Rhode Island. Whatever the Democratic platform may have declared, it never could bind me to give up what I believed was for the benefit of all the people of the country, because I could not get what that platform declared to be good and right policy.

I remember once in the Senate, after a national convention of the Republican party had declared for a service pension, I think it was some eight or ten years ago, when the bill was reported by the then Senator from Kansas, Mr. Ingalls, not now a member of this body, just before a Presidential election, and those of us on this side, who had differed with our brethren upon the other side in the late war, felt ourselves coerced into silence by reason of the positions that we had occupied. I remember very well when the proposition from the committee was reported by Mr. Ingalls, I concluded it would immediately pass, because the national convention of the Republican party had declared for it, and because the trend of events and of popular opinion was in that direction.

I never had more respect for any public man in my life than for the Senator from Ohio now sitting before me [Mr. SHERMAN], with whom I differ as radically as I do from any man living, when he rose in his seat and, amidst profound silence, opposed the passage of the bill, and he uttered the sentence to be found in the CONGRESSIONAL RECORD: "Mr. President, I say that no political party can govern my action as a Senator of the United States in making laws for the people."

I would no more hesitate here to-day to ignore the declaration of a convention of the Democratic party of the United States in regard to a law I considered inimical to the best interests of the people of this country, than I would to tear into atoms a piece of blank paper. I am here under oath to do my duty, to get the best law I can, and if, on account of differences of opinion, I can not get free coal, I will take a duty of 40 cents a ton on coal, instead of 75.

Mr. ALDRICH. Mr. President, so far as I can now remember, I do not recall a paragraph of this bill which the Senator from Missouri has advocated or defended *con amore*, or in accordance with any principles or ideas which he has heretofore held upon the question of tariff revision. He has disclaimed

any responsibility for the bill, and stated in regard to every paragraph upon which he has spoken that it was the best he could do, and that he was forced into the attitude which he occupied.

Mr. VEST. Personally it is a matter of very little importance to me what statement the Senator makes about my position; but as this matter is all to go into the RECORD and will go to the country, and as there are some people whose good opinion I value, I will say that I have stated here repeatedly that I am entirely responsible for everything in this bill. I should be ashamed of myself if I endeavored to evade any portion of the responsibility which rests upon me when I voted for the bill to be reported.

In the second place, the Senator's memory is very short as to my not supporting anything *con amore* in this bill. I defended free lumber, I defended free wool, and I never intimated in regard to those matters, which are cardinal features of the bill, that I had anything else except the largest approbation for both of them.

Mr. ALDRICH. I think I shall have to admit that in respect to the two items to which the Senator from Missouri has referred, I was mistaken. I had for the moment forgotten his position in respect to these. From the statement which the Senator has made so frequently, that the provisions of this bill did not meet his personal views and that he had accepted them under duress, I had forgotten the exceptions to which he now refers.

The Senator from Missouri, in his attempts to defend this bill, has not always been able to conceal the awkwardness of his position. The actor upon the dramatic stage, who has appeared for a lifetime in the rôle of a heavy tragedian, when too suddenly called upon to assume the part of comedian is quite likely not to make the best impression upon the audiences before whom he is called upon to appear in his new character for the first time. The Senator from Missouri is apparently out of place in his defense of the protective duties of the measure which he is now called upon to advocate.

I regret that the testimony to which the Senator from Missouri has referred as to the authorship of this bill and as to the persons who have obliged him to assume this new role, was not as definite and as clear as I hoped that it might have been. It is true, he says that certain gentlemen—naming them, some five or six Senators—came before the Democratic members of the Finance Committee; but these "conservatives" did not at that interview agree among themselves as to what attitude should be taken, and, as I understood from the Senator's testimony, he asked them politely to leave the room of the Finance Committee and said: "Gentlemen, we shall fix this bill to suit ourselves." After this I suppose the functions of the Senator from Ohio [Mr. BRICE], of the Senator from New Jersey [Mr. SMITH], and of the other Senators mentioned by the Senator from Missouri ceased, and from that time forward whatever was done with this bill, whatever changes were made in its various provisions, were made by the Senator from Missouri and by the Senator from Arkansas, and I suppose from testimony of the former Senator that they alone are responsible for the measure as it now appears.

I would ask the Senator from Missouri if he does not think it would be wise, in view of all the circumstances, if he should add one other item in this bill to those he has mentioned to which he can give his cordial support now and hereafter? If he has soothed his conscience somewhat by making lumber free, and by making wool free, why not make coal free?

The Senator suggests that it would not be good statesmanship for me to abdicate my functions in regard to this particular vote. There is a family difference of opinion in respect to this question which I would be glad to have settled without Republican interference It is a question whether the Democratic party are in favor of free coal or of a duty upon coal. Whenever they settle that question among themselves, we will then take our share of the responsibility of fixing the rates, if any duties are to be imposed.

Mr. VEST. Will my friend from Rhode Island oblige me and the Senate—I undertake to put the question for a large number of Senators here—by telling us why he favors putting coal upon the free list?

Mr. ALDRICH. I do not favor putting coal upon the free list.

Mr. VEST. I understood the Senator to ask me to add free coal to free lumber and free wool.

Mr. ALDRICH. I was making the suggestion to the Senator from his own standpoint and for his own reputation.

Mr. VEST. Oh!

Mr. ALDRICH. I am not undertaking to argue this question.

Mr. VEST. I ask the Senator if he is for free coal or for a duty upon coal?

Mr. ALDRICH. I am not for free coal in a protective measure. In a protective tariff bill I am for protecting every industry of the country that is entitled to protection; and coal, I think, is one of those. I should vote for a duty upon coal which I believed to be adequate in a bill which gave protection to all industries.

Mr. VEST. I would not insult the Senator by supposing that his opinions of the people of the United States are governed by the nature of the particular measure or the place upon which it comes and is pending. He must certainly have some ideas, as an old and experienced legislator, as to whether free coal is good or bad for the people of this country, and I assume that he would vote accordingly. I ask him categorically, without meaning to be offensive, does he think that the interests of the people of this whole country demand a duty upon coal or that coal should be free?

Mr. ALDRICH. I think most emphatically that the interests of the people of this country demand, first and above everything else, the defeat of the measure which is now pending in the Senate.

Mr. VEST. But that has nothing to do with coal.

Mr. ALDRICH. It may have a great deal to do with coal.

Mr. VEST. The Senator can not escape on the ground of ignorance of not having formed an opinion on this subject. His opinions are crystallized and perfected so far as he is concerned upon all the items of this bill, and he knows more about these details than any of us, and I cheerfully yield that acknowledgment to him. He says I am ungraceful at times, but I gracefully yield to him the palm. I ask the Senator—and he certainly knows as well as any man—what he thinks about this particular item before the Senate? We have been repeatedly warned to discuss the pending issue and not to go back to 1890, to the McKinley act. Does the Senator believe a duty upon coal is necessary to the welfare of the people of the United States?

Mr. ALDRICH. What I believe upon that subject is shown by my vote and by my action in assisting in the preparation of the act of 1890, which imposed a duty of 75 cents a ton upon coal.

Mr. VEST. Then the Senator believes it is right to put a duty on coal?

Mr. ALDRICH. I desire above everything else to continue in existence the act of 1890 with a duty of 75 cents a ton on coal; and every effort of mine shall be made in that direction and to secure that result. If I believed the Senators from West Virginia and Maryland and the other Senators who have been instrumental—I do not use the word in any offensive sense—in fixing this rate of 40 cents a ton on coal, would vote against the bill, if coal is upon the free list, I should vote for free coal without the slightest hesitation.

Mr. CHANDLER. Mr. President, the Senator from Missouri [Mr. VEST] I understood had recently been delivering lectures on statesmanship to the Senator from Rhode Island [Mr. ALDRICH]. The Senator from Rhode Island, when I was out of the Chamber, I understood suggested that he thought it would be wise, so far as he was concerned, to leave this question of free coal or dutiable coal to be settled by the Democratic side of the Chamber; and thereupon the Senator from Missouri arose to deliver his lecture on statesmanship and to suggest that if the Senator from Rhode Island took that course he would be remiss in his duty as a Senator and a statesman.

Only a little while before that I heard the Senator from Missouri, when he was asked by the Senator from Maine [Mr. FRYE] why he was not willing to take a specific duty on wood pulp in the place of an ad valorem duty, although they were substantially the equivalents of each other, give the Senate to understand that he was afraid to do that, because there had been rumors that a member of the Cabinet of President Cleveland during a former Administration was interested in the pulp manufacture, and that, therefore, improper motives would be attributed to him or to the committee on the other side of the Chamber, or to whoever they may be who are making up this bill, if they consented to so simple a thing as the imposition of a specific duty upon wood pulp, in the place of an ad valorem duty, although they were substantially the equivalents of each other. I should like to ask the Senator from Missouri what sort of statesmanship that is?

Mr. VEST. I made no such statement, and the RECORD will show that I made no such statement.

Mr. CHANDLER. I understood the Senator to give the fact that that member of the Cabinet was supposed to be interested in the pulp manufacture as the reason why the committee was not willing to give a specific duty on wood pulp.

Mr. VEST. I did not give any such reason.

Mr. CHANDLER. What did the Senator say?

Mr. VEST. I stated simply, in showing the injustice that was perpetrated upon those of us who are framing this bill in regard to the wood-pulp matter, that the charge had been made that

there was an agreement between the members of the committee and certain distinguished Democrats in this connection, not that we were afraid or that——

Mr. CHANDLER. You were not influenced by that; oh, no.

Mr. VEST. I stated that no such thing had happened, and that nobody had approached us in any such interest; and that that illustrated the absolute falsehood of the charges made daily in regard to the framing of this bill.

Mr. CHANDLER. I beg the Senator's pardon. I certainly understood him to give all this as a reason why he was not willing to agree to a specific duty on wood pulp. If the Senator only mentioned the story in order to deny it, as he has had occasion to mention a great many other somewhat vicious newspaper stories in connection with this bill in order to deny them, I have no criticism to make of the Senator; and he may be much more of a statesman in disposing of the various items in this bill than is the Senator from Rhode Island, if he chooses to set up that claim.

But, Mr. President, there is another question of statesmanship that I wish to submit to the Senator from Missouri; and that is, why this bill is made up by two or three Senators, a little handful of men gathering together, and deciding yea or nay, and then their decision being ratified by substantially a unanimous vote on the Democratic side of the Senate? Is that statesmanship? Is that a statesmanlike way of making a bill?

The Senator criticises Senators upon this side of the Chamber, and has criticised the Senator from Rhode Island because he thought of not voting on this question of coal, and yet everybody knows that, instead of making up these schedules here in the Senate by discussion; instead of having amendments moved and discussed and voted on and decided in a Senate of statesmen, if there are any here besides the Senator from Missouri, the whole thing is decided outside of this body. The dictum of two or three Senators upon the other side of the Chamber settles the question, and discussion is of no more use than whistling against the north wind.

Mr. President, it seems to me that a singular spectacle is presented to the country when a tariff bill is not made up by discussion in the Senate, by open, public dealings on the floor of the Senate, but where everything which two or three Senators upon the other side of the Chamber favor goes, and everything to which they are opposed fails of adoption, and the Democratic party rallies almost as one man to ratify these secret decisions which are thus made upon the other side of the Chamber.

I have a word to say on this amendment. I could refrain from voting upon it without any fear of the criticism of the Senator from Missouri that it would not be a statesmanlike act——

Mr. ALDRICH. Will the Senator permit me a word there?

Mr. CHANDLER. Certainly.

Mr. ALDRICH. My object in making the suggestion I did was that this question might be settled by the entire Democratic Senate. I understand the Senator from Missouri, notwithstanding his disclaimer, which was more or less emphatic, is acting under the orders of a junta of Democratic Senators to a greater or less extent, two, three, four, or half a dozen, to which he submits his conscience and his judgment. I desire to have a larger forum, a larger court to decide this question, and I desire to have the whole Democratic party act. That was my purpose in making the suggestion I did.

Mr. CHANDLER. Mr. President, on the subject of coal, if I vote upon the question, I shall vote in favor of the duty upon coal. I am a protectionist, and I shall answer the question which the Senator from Missouri asked of the Senator from Rhode Island. I believe the best interests of the whole country will be promoted by a duty on coal. Therefore, I am willing to protect the industry of Ohio, and West Virginia, and Virginia, and Maryland, and every other State where coal is produced, because of the large interest of the whole country. I believe that for coal we should depend as largely as possible upon our own mines, and should not depend upon the mines of Nova Scotia or of Europe. Therefore, I shall vote, if I vote at all, for this duty; and I regret that the existing duty is to be reduced.

I congratulate the Senator from Ohio [Mr. BRICE] and the Senator from West Virginia [Mr. FAULKNER], whom I see upon the floor, upon the fact that, notwithstanding this bill came from the House of Representatives with free coal, coal is to be made dutiable because an important industry of their State will be protected by the duty which is to be imposed upon coal. If Senators choose to disclaim, as the Senator from West Virginia has once or twice done, having exerted any influence to secure this protection upon the product of their State, I accept that disclaimer.

I do not know what the subtle influence was which led to the placing of coal upon the dutiable list, notwithstanding it came from the House free in the pending bill; but whatever the influence may have been, whether creditable or not creditable to the parties who exerted it, it was an influence exerted in the right direction. I believe that the duty should remain, notwithstanding the promise of the platform of the Democratic party is to be broken, and notwithstanding the heroic devotion to that platform of the senior Senator from New York [Mr. HILL].

I am inclined to think, however, that we shall have free coal. I can not doubt that the Senator from Texas [Mr. MILLS] before this bill finally passes will make a rally in order to redeem his promise to New England. I can not believe that the Senator from Texas has so thoroughly obliterated his personality in connection with tariff legislation that he will not succeed before this bill passes in giving some other free raw material to this country besides lumber and wool; and when, as the Senator believes, the restoration of the industries of New England so much depend upon the fulfillment of his promise of free raw material, which he has made so many times to the people of New England, I believe that he will make a rally and at last succeed in giving more free raw material than we are now promised by this bill.

Mr. President, I believe there is another reason why New England will get free coal before this bill passes through the committee of conference and is adopted by both Houses of Congress. I understand that the Nova Scotia coal syndicate rests in serene confidence that the promises which have been made to them will be fulfilled.

The Senator from Missouri has taken occasion to allude to a member of a former Cabinet of President Cleveland as being interested in the manufacture of pulp. That gentleman also, it is rumored, is largely interested in Nova Scotia coal mines, and the syndicate which has been formed under his auspices, I have information from New York, is resting serenely confident that when this bill comes out of the conference committee, coal will be put upon the free list, in pursuance of some understanding which they have with somebody.

So, in spite of my vote; in spite of the vote of the Senator from Rhode Island; in spite of the very reluctant vote of the Senator from Missouri to puta duty upon coal, it is quite likely that, if there was a contract with the Nova Scotia syndicate, and if the men who have made that bargain are as successful as the sugar trust has been, the Senator from Texas and the Senator from Missouri, after all, when this bill finally becomes a law, if it ever does become a law—which God forbid—will at last give free raw material of coal to the people of New England.

Mr. HILL. Mr. President, the Senator from Missouri [Mr. VEST] and the Senator from Rhode Island [Mr. ALDRICH] both seem to favor a duty upon coal. The Senator from Rhode Island spoke of the differences upon this side of the Chamber in regard to certain portions of the pending bill. The differences seem to be no greater upon this side of the Chamber than they are between those who advocate this duty upon coal. The Senator from Rhode Island favors a duty upon coal because he is a protectionist; and, to be consistent with his position upon other matters contained in the bill, he of course expects to vote to place a duty upon coal or to continue the one already thereon.

The Senator from Missouri says, as a matter of principle, he would favor free coal. I understand him to say that he believes that a reduction of the duty upon coal would make coal cheaper. If that be so—and I hope it is so—then a still further reduction or an entire abolition of the duty upon coal would make coal cheaper still. Therefore, in voting for free coal it shall not be charged, at least to-day, that I am playing into the hands of any trust by placing another article upon the free list.

The House of Representatives passed the Wilson bill, and, in its wisdom, saw fit to place coal upon the free list. The country was not surprised at that action. The country demanded it, and expected it; and the surprise of the country is that this Democratic Senate is going back upon its record in the past, and now proposes to place a duty upon coal.

I have received letters and telegrams and resolutions from all parts of the country, many of them from Missouri, Indiana, and other parts of the West and South, asking me to support the Wilson bill as it passed the House, great emphasis being always laid upon that portion of the resolutions and letters and telegrams "as it passed the House."

I can comply with that request in this particular. I have advocated free raw material in all the speeches which I have made upon the subject of tariff reform for the past five or ten years. I do not see any reason why I should take back what I have said.

Mr. President, I favor free coal because I believe it will make coal cheaper. I am opposed to the duty upon it because I think it places the Democratic party in a false and inconsistent position. I am in favor of this because the party stand committed by its record, by its votes in the past, and by its platforms, and in its procedures heretofore in favor of free raw material. I stand to-day where I have stood for many years.

The Senator from Missouri seeks to attribute to me a motive

for making this motion which I can not accept. He says that I make the motion because, "as he understands," I am opposed to certain features in this bill, and desire to defeat the whole bill. Who is his informant? Whence comes this information, of which he is the exclusive possessor? What Senator around this circle has dared to assure him of any such fact? What Senator has dared to deliver my vote one way or the other upon this bill?

Mr. President, I am opposed to certain features of this bill. I have expressed my views upon them heretofore. I am opposed earnestly, and conscientiously opposed, to that socialistic and Populistic principle which you have engrafted upon the pending bill, of a war income tax. I expressed my views before, and I propose to express them again when that schedule of this bill shall be reached; but while I have opposed that portion of the bill, while I have sought by my vote to eliminate what I thought were bad features of the bill, and sought to make it better, no Senator around this circle has a right to say "that he understands" I am opposed to the whole bill.

Mr. VEST. Will the Senator permit me?

Mr. HILL. Certainly.

Mr. VEST. I utterly disclaim the two statements of the Senator or the two imputations, in the first place, that I undertook to state what I had been informed in regard to his vote by any one else, or, in the second place, that I undertook to put any interpretation upon what he has said himself which his language does not justify.

In an address, a carefully prepared address to the Senate upon that feature of this bill which is known as the income tax—and I think the record will substantiate what I now state—the Senator from New York said that he could not, and would not, vote for a measure containing that provision; and assuming that that provision will remain in the bill, as I have no question it will, I think I am authorized, therefore, in stating that the Senator meant he would not vote for the bill in the shape it now is. If he did not mean that, I am exceedingly glad to know it. No one separates from the Senator as to any measure pending here with more reluctance than I, but I simply undertook to give what I understood him to say in his speech regarding the matter.

Mr. HILL. Mr. President, then we are to understand from the disclaimer of the distinguished Senator from Missouri that his only authority for making the broad statement that he understood that I was opposed to the bill was the address which I had the honor to deliver to the Senate some time ago against the income tax. The RECORD will speak for itself. I ask the Senate to peruse that speech, and then point out to the Senate the line or the sentence from which he has a right to make that inference. I neither said that I intended to support this bill if it contained the income tax, nor do I say at this time that I shall not.

I shall cross that bridge when I reach it. No ingenious suggestion of the ingenious Senator from Missouri will have me here and now declare what I shall do when the final vote comes upon the pending bill. God knows, no one can tell what this bill will be when it passes the Senate, or what it will be when it comes from the conference committee. I know not how many concessions are yet to be extorted from the Finance Committee; I know not how many other Democratic principles may have to be yielded at the dictation of some one, no one knows whom. Therefore, sir, I reserve my right to vote upon this bill, or I reserve an expression, rather, of my views upon this bill until I see what the bill is when it is presented to me as a finality.

I understood the Senator from Missouri to say that no one knows better than I how these schedules came to be prepared. I do not know why he makes that statement. I am not a member of the Finance Committee. I have attended but very few times before that committee. I have no more reason to know how those schedules were made up than any other member of the Senate. Once I happened to be in the Finance Committee room, where, I desire to say, I have been always treated with the utmost courtesy by the distinguished chairman and by the other members of the committee.

I was there one day when I heard the distinguished Senator from West Virginia [Mr. FAULKNER], whom I always delight to hear, speaking ably and eloquently in favor of a tax upon coal. He was representing, as he understood, undoubtedly, the best interests of his State and the best interests of the country. I sat quietly by and listened. I said not one word. I do not assume that he will say or that any other person will say that I acquiesced in the propriety of his argument or that I acquiesced in the propriety of having a duty placed upon coal.

The coal schedule was made up by the Finance Committee according to its own judgment. I do not know of any Senator on this side of the circle who threatened to vote against the bill on its final passage if coal was not protected. If there is such an one, let him be named here and now. I do not understand that the Senator from West Virginia made any demand, made any threat, or even hardly made a request. He simply presented his arguments, and relied upon those, and those alone; and the committee, in the discharge of its duty to itself and the country, saw fit to place this duty upon coal.

Now, when a Senator rises here and moves to place coal upon the free list the Senator from Missouri says if he had his own way he would place coal upon the free list, he believes in it, he believes in the doctrine, as I understand him, of free raw material, or else he believes in the doctrine of free trade, it matters not which, and away down in his heart he would like to vote for my amendment, but there is some power, some source, nobody knows where it exists, which compels him to vote, much as he regrets it, with the Senators upon the other side of the Chamber.

I do not know how a duty came to be placed upon coal. Surely, the very first report of the Finance Committee which was submitted to the Democratic caucus contained, if I recollect aright, a duty upon coal. It certainly did. Am I not right, I ask the Senator from West Virginia? He says that I am. Nothing, therefore, that took place in the three days Democratic caucus compels the placing of coal upon the dutiable list; nothing that took place in the subsequent hearings before the Finance Committee compelled it. I think it would be wiser and better for the Finance Committee to come here and defend this provision rather than attempt to apologize for it and excuse it.

The Senator from Missouri in his remarks alluded to certain sworn testimony of his before the special investigating committee on Saturday last. The proceedings of that committee are secret. I have not been furnished yet with a complete copy of the testimony. I have only seen portions of it published in the press. Certain wrong impressions are liable to be made by what the Senator intentionally or inadvertently stated. In substance, I understood him to say, and he allowed it to be inferred, that after the famous three-days conference of the Democratic Senators, at which no conclusion is conceded to have been arrived at, certain Senators waited upon the Finance Committee, Senators GORMAN, SMITH, BRICE, CAFFERY, and myself.

From the manner in which the testimony was given it would seem that we went there in a body. No such thing ever occurred. I was invited there by some messenger from that committee to give my views, saying that I was desired there. I went alone; I went in company with no one; although I do not wish it to be inferred from that statement that I should have been ashamed of such excellent company as these gentlemen were. There other gentlemen came and went away. There was no hearing in the proper sense of the word. There was an informal talk.

The Senator from Maryland [Mr. GORMAN] said but little upon the subject. The discussions were had in an informal way, upon the sugar question principally. I do not intend to go into the details of what took place before the committee, but I think a wrong inference can be drawn from the Senator's testimony, although I have not had the pleasure of perusing a copy of it.

I desire to say right here that I made no demand, I made no request, I made no suggestion in favor of a duty upon sugar in any interview before the committee; and I ask the Senator from Missouri, who I know does not wish to do me an injustice, whether that is not true?

Mr. VEST. Mr. President, I so stated expressly and emphatically in my testimony, which has been published, I will say to the Senator from New York. I do not know how it happened that he has not seen a copy of it. It was in yesterday's papers. I expressly stated that the Senator from New York said nothing; and I never intimated that the Senators to whom he has referred came there in a body. I do not know who sent for them; but when I walked into the committee room I found them there. I never undertook to say how they came there. They met the committee there. The Senator is utterly mistaken when he assumes that I stated that he made any demand. I expressly stated that he did not open his mouth.

Mr. HILL. And I deny that the Senator from Maryland [Mr. GORMAN], in behalf of myself or in behalf of any other member of that delegation, made any demand upon the committee. None, certainly, was made by me whilst sitting by and hearing the subject discussed. Is it to be said that I favored a tax upon sugar before that committee, and then came here and voted the other way? I had my own views upon that question. I expressed them in the caucus to a slight extent; I had expressed them elsewhere in public places. I said that the propriety of placing a duty upon sugar depended upon a large number of other things not now necessary to be mentioned. It depends largely upon what is retained in the bill; it depends largely on the amount of revenue you feel compelled to raise; it depends largely upon other considerations not now necessary to be mentioned.

Therefore, I assert right here—and let the denial go forth to the country—that before the Finance Committee or on any other occasion, not by my silence, not by my act, not by any word, or by any deed of mine was the present sugar schedule placed in this bill. It was not done to oblige me. It was not done in pursuance of any demand, of any request, or of any suggestion of mine, or in order to conciliate me in the slighest. Other Senators may speak for themselves; I can only speak for myself and as to what occurred in that interview.

When the testimony comes to be printed, it is possible that these inferences, to which I have alluded, may hereafter be unfounded, and it may simply be the errors which sometimes creep into the press in their accounts of these affairs, but that is another reason, in my judgment, why the sessions of the committee ought to have been open, so that the press might be right there to hear what actually occurred, and so that they might publish to the world exactly what took place. The public then would not be subjected to these statements, sometimes *ex parte*, which are made before committees, and probably not correctly reported. That is all that I have to say upon that subject.

Mr. President, I am not going to speak of the difference between the two parties on the subject of protection or free trade. I differ with my associates upon this question of free raw materials; but it is a respectful difference; it is an unpleasant task. The Senator from Missouri says he regrets to differ with me. I regret to differ with him and with my other associates. I did not suppose in all the discussions which were had amongst the Democrats that there were serious differences upon the question of raw materials; but it seems there were such differences; it seems there are such differences; and the committee, in its wisdom, has seen fit to reflect, I think, their own judgment as well as the judgment of the majority upon this side of the Chamber in framing a duty upon this article.

I am not here to unduly criticise that. I simply respectfully differ from my party friends upon this question. When I first arose, I simply intended to state the Democratic position, as I understood it, to ask for a roll call, and to be content with the result. I have no question that the "protectionists" upon the other side of the Chamber and the "free traders" upon this side of the Chamber will all rally again once more in favor of a duty upon another raw material.

Mr. FAULKNER. Mr. President, I shall detain the Senate but a very few moments in reference to the subject which is now before it for its consideration and action.

I desire to say with perfect frankness to the Senator from New York [Mr. HILL] and to the Senate that were I convinced that there was any Democratic principle which required me to vote for free coal I should not hesitate one moment to do it. If I were so anxious to put raw materials upon the free list, as the Senator from New York seems now to be in reference to coal, I should not follow what I remember to be his example. When the question was before the Senate for its action in reference to raw wool I should have voted my sentiments, and not remained quietly in my seat and declined to be recorded.

My purpose in rising here is to state from the standpoint of a Democrat why I submitted to the committee the propriety of placing a reasonable revenue tariff upon coal.

In the first place, we have the facts of history to show that for over fifty years bituminous coal has always been upon the dutiable list. We have the further fact to sustain us that never has a Democratic tariff bill been presented to an American Congress which did not place coal upon the dutiable list.

The Walker tariff, regarded as the very embodiment of a revenue tariff, placed a duty of 30 per cent upon coal; and this tariff, which is not regarded as the embodiment of a revenue tariff or the expression of a true revenue sentiment in the Democratic party, only places a duty of 12½ per cent ad valorem upon coal.

Again, if there was a sentiment in the Democratic platform which demanded of me, as a Democrat, to place coal upon the free list, recognizing, as I do, its obligations, I should not hesitate one moment.

But what is that ptatform? It approves the doctrine of a tendency to freer raw material, and, for argument's sake, at this point permit me to admit that coal is a free raw material. In what connection was that expression used by the Democratic party at Chicago? It was in reference to the bill passed by the House of Representatives putting raw wool upon the free list, and it simply expressed the opinion that as a policy the party should be pledged by its declarations to the adoption of freer raw materials. It was clearly an enunciation of the doctrine of freer raw materials, and not that all raw materials should be free, and was so understood and explained in the letter of acceptance of Mr. Cleveland.

In accordance with that plank and with that letter of acceptance, I should not have thought of asking the committee, from my standpoint as a Democrat, to have maintained that duty at 75 cents a ton. I believe that it should be reduced, and so I expressed myself.

Mr. HILL. Will the Senator allow me?

Mr. FAULKNER. I will.

Mr. HILL. Then it seems to me that the Democratic House of Representatives has almost unanimously misconstrued the President's letter of acceptance and the Democratic platform.

Mr. FAULKNER. The Senator from New York has no reason to assert and express his opinion as to what actuated or controlled a majority of the House of Representatives on this or any other question, and especially——

Mr. HILL. Will the Senator allow me?

Mr. FAULKNER. In one moment—and especially when that question was not even discussed or an expression of sentiment given by a single gentleman, so far as I remember, in reference to it.

Mr. HILL. Will the Senator yield to me a moment?

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from New York?

Mr. FAULKNER. I do.

Mr. HILL. I am not criticising the motives of the Representatives in the other House. I am speaking of results. The House placed this article upon the free list, first the Ways and Means Committee, and next the House itself, and no Democrat sought to make a motion to place a duty upon it.

Mr. FAULKNER. The Senator from New York is as mistaken in his last statement of fact as he was in the expression of his opinion. A serious and earnest debate occurred in the House upon a motion to restore a duty upon coal, which motion was made by a Democrat.

Our Republican friends, acting from the standpoint of politics alone, when it was ascertained that no Democrat was willing to vote for a duty on coal at a rate higher than 50 cents a ton, were willing to vote for an amendment to fix the duty at 75 cents, knowing that it could not be carried, and declined to vote with a minority of Democrats for a duty of 40 or 50 cents upon coal. Their votes declared the Republican policy to be that, if you do not retain the present rate of the McKinley bill, coal shall be placed upon the free list. This action upon their part being prompted by political considerations regardless of the merits of the question.

I was speaking, when diverted by the Senator from New York, on the question of my construction of the platform and the letter of acceptance of President Cleveland. Consequently, when I appeared before the committee I informed its members of the construction which I had placed upon the platform when I canvassed the State of West Virginia and asked the suffrages of its citizens in that great campaign, when there was arrayed against the Democratic party of the State, not only the great influence of the local Republican organization, but also the power and influence of the national party, which gave liberally its talent and money to bring West Virginia into the Republican column.

But even in the face of that opposition and the critical condition of the State, I determined that I would promise nothing to my constituents that I could not ask of a Democratic Congress under a Democratic platform should we carry the election and elect a President and both branches of Congress. I said to them frankly then that if we carry this election, it must be understood that we intend to pass an honest revenue-reform tariff bill, and that I would not be willing to ask a Democratic Congress to put a duty on coal that would be greater than the average duty that will be placed on other articles in that bill.

The tariff was reduced on an average by the Wilson bill some 28 per cent, and by the Senate bill we have reduced it about 25 per cent. When I went before the committee I suggested a reduction of almost 33 per cent, but after full consideration the committee made a reduction of 43 or 44 per cent. Instead of making an equitable reduction upon the general average, as was done on everything else, or only reducing it 33 per cent, as I had requested, which was below either the Wilson or Senate bills reduction upon other articles, they reduced it 43 or 44 per cent below what it has been since 1867, and it was made absolutely and purely a revenue duty.

Therefore, from the standpoint of a Democrat, from the standpoint of one who is anxious to see these high and onerous duties taken off the shoulders of the people, I was anxious to see the same equitable reductions made in this article as in every other, although my entire State is interested in it. Out of 24,000 square miles in that State, 16,000 are underlaid with bituminous coal. Since the idea of putting coal upon the free list has been agitated in the House of Representatives, not a single acre of coal land as such has been sold by a farmer or property owner in the State of West Virginia.

Mr. President, this is one of the evils our people must suffer

as the committee is of the opinion that it is an equitable reduction when compared with other duties in the bill.

I desire to say further that there is no question of trust, of combination, or of unlawful conspiracy which has been organized by the bituminous mine owners for the purpose of raising the price of coal in this country. Coal is like the raising of wheat. It is scattered over such a large area of our immense empire that it is as impossible for the coal operators as it is for the farmers to unite together and make a combination and conspiracy by which the price of coal would be affected. Consequently there has never been an attempt in the United States to form a trust or combination or conspiracy to increase the price of bituminous coal. That has been the case, I have understood, with anthracite, but not with bituminous coal operators.

Mr. President, I wish to correct an error of fact stated by the Senator from New York. He said it will be strange if the Senate does not follow its previous record in its votes upon this subject, at least I understood him to say that. Sir, the Senate has never voted for free coal. Since I have been a member of this body it has twice been agitated, but never favorably. Individual Senators, who may now vote against free coal, may have, under other circumstances and conditions, voted in favor of placing coal on the free list. Looking to the interests of the Democratic party, to the conditions that confront us, and to the passing of this relief measure we all realize the necessity which requires us to yield some of our individual opinions in order to unite in the passage of a tariff bill. I have done it; all Senators have done the same; and every party has been compelled to harmonize their views on such a measure, even when the majority was larger than the Democrats can boast of to-day.

Mr. ALDRICH. Will the Senator from West Virginia allow me to ask him a question?

Mr. FAULKNER. Certainly.

Mr. ALDRICH. Coal stores for American vessels have been on the free list ever since 1872.

Mr. FAULKNER. That is true.

Mr. ALDRICH. That has been the case through half a dozen different tariff enactments. This bill, for the first time in twenty-five years, puts a duty upon the coal stores of American vessels. I should like to know whether that is done by the Senator's influence, or by what mysterious power that particular result was accomplished.

Mr. FAULKNER. I will state very frankly to the Senator that until he suggested the question, if he is correct, I did not know that such was the case in the present bill.

Mr. ALDRICH. I suggest to the Senator from Arkansas——

Mr. FAULKNER. I have not the slightest objection to the usual provision being put in the present bill if the committee deem it proper.

Mr. ALDRICH. It is not in this bill.

Mr. FAULKNER. I supposed it was.

Mr. VEST. What provision is that?

Mr. ALDRICH. Coal stores for American vessels have been free ever since 1872, and the provision which makes them free is not in this bill.

Mr. VEST. As it came from the other House?

Mr. ALDRICH. It is not in the bill as it came from the House. It was not necessary to put it in that bill, because all coal was made free in the bill as it passed the House; and in putting the duty back upon coal it is proposed to put a duty upon the coal stores of American vessels.

Mr. FAULKNER. I agree with the Senator from Rhode Island. I think there ought to be such a provision in this bill. I will say to the Senator and to the Senate that until he suggested it it never occurred to me that it was not in the bill.

Mr. President, there is another reason which has influenced me in my action. Neither taking the duty off of or putting it on coal will change its price to a single human being except along the northeastern seacoast of our country.

Mr. HILL. Will the Senator from West Virginia allow me?

Mr. FAULKNER. Certainly.

Mr. HILL. The Senator from Missouri says the effect will be to cheapen coal.

Mr. FAULKNER. I have no doubt the Senator from Missouri was referring to the fact which we all know, that just along the Atlantic seacoast, down perhaps as far as Baltimore, by giving free coal it would cheapen to some extent the cost of bituminous coal to the Atlantic seaports; but I assert here as a fact which is known to every man who has studied the question, that it would not cheapen the cost of bituminous coal to a single man or woman one mile inland from the seacoast. If there is one mile of transportation in which there are two handlings of Nova Scotia coal it would be impossible to compete with the American product.

Mr. HILL. Will the Senator allow me?

Mr. FAULKNER. Certainly.

Mr. HILL. The reduction, then, even afforded by this bill is of no benefit to any living person?

Mr. FAULKNER. It is a benefit to those upon the Atlantic seaboard and to the great transportation lines in New England and New York. Outside of those great transportation lines it is a benefit to nobody.

Mr. HOAR. Will the Senator explain that to me a little more fully. It is a very interesting point that he is making, and I should like to have him elaborate it. A very large portion of our New England cities are a considerable distance inland.

My own city, for instance, is some 45 miles from the seaboard. Coal is brought in barges from the Middle States to Boston, Providence, or Norwich, and is transported by rail to the interior. There are thirty cities and sixty towns of over 4,000 inhabitants in Massachusetts. The Nova Scotia coal will come in barges from Nova Scotia. How does it happen that there is any difference in that particular?

Mr. FAULKNER. The cost of transportation and the two handlings have always been assumed——

Mr. HOAR. But I am speaking of coal which comes from Nova Scotia, to say nothing about the greater cheapness of Nova Scotia ocean transportation, which is in foreign vessels and not in our vessels. The Nova Scotia coal is to be landed on our coast in their barges or other coal-carrying vessels side by side with the Cumberland coal or the Pocahontas coal or the coal that comes from Baltimore or Norfolk. How can there be any advantage to the American coal?

Mr. FAULKNER. I have not gone into that subject in detail, but that has been the expression of opinion of all those engaged in the trade.

The Senator will have a full opportunity to understand that question when this bill is passed, because I can say to him that with the duty now given in the bill upon bituminous coal it will result in opening the Boston markets to the delivery of Nova Scotia coal.

Mr. HOAR. I rose to call the Senator's attention to what seemed to me to be a misstatement of the fact. He answers me with a prophecy. Facts are things that can be established. Prophecies are rather uncertain.

Mr. FAULKNER. The Senator will find that the result of this duty will open Nova Scotia coal to the Boston market and will give him coal free.

Mr. PLATT. Will the Senator from West Virginia allow me?

Mr. FAULKNER. Certainly.

Mr. PLATT. I understand his proposition to be that the people of his section consent to this reduction of the duty on coal because of their desire to take burdens off of the sholders of the people, and that it will take the burdens off of the shoulders of the people only along the seaboard. I wish to know if the reason why he advocates the reduction of the duty on coal is that it may help the people in New York and Boston and along the seaboard?

Mr. SQUIRE. I would like to ask the Senator from West Virginia a question, not to interrupt him in the line of his remarks.

Mr. FAULKNER. Let me answer the Senator from Connecticut on what I regard as a very vital question, for his remark is based on a misinterpretation of my language. I did not say that the people of West Virginia or any of her people had consented to a duty of 40 cents on coal. I have simply acted in this matter from the standpoint of a representative of those people, believing that I should act in accordance with the principles of the Democratic party as laid down at Chicago, and announced in the letter of the gentleman who accepted its nomination for the Presidency. Now, I will hear the Senator from Washington.

Mr. SQUIRE. I wish to ask the Senator from West Virginia whether he understands that if the duty be entirely removed from coal in the United States the Canadian Government under the present existing law would also admit coal free of duty?

Mr. FAULKNER. I think not. I am satisfied the Canadian Government would not admit coal free of duty if we admitted it free of duty in this bill.

Mr. SQUIRE. I understand that in 1883 the Dominion Government enacted a law under which if the Government of the United States took the duty off of a large number of articles, among which were coal and coke, the governor-general by proclamation had the right and privilege of making similar articles imported into Canada free of duty. This act was amended in 1888, and coal was stricken from the list of articles which the governor-general by proclamation could make free.

Mr. FAULKNER. The influences at work, then, are much more potent and powerful at this time. After the arrangements which have been made with the syndicate which is now working the Nova Scotia coal mines, and the very advantageous leases

which have been granted for the first time in the history of that country, Canada would certainly not think of taking off the duty or of adopting reciprocity in coal.

Mr. SQUIRE. Is it not necessary in order to have a reciprocal duty with Canada now that the Dominion of Canada should pass another act?

Mr. FAULKNER. Of course it is. That is unquestioned.

Mr. SQUIRE. We get nothing out of it now.

Mr. FAULKNER. Nothing whatever.

Mr. PEFFER. We have had some information touching who will be benefited by a reduction of duty on coal or by placing coal on the free list. I wish to inquire of the Senator who will be benefited by retaining a duty on coal?

Mr. FAULKNER. I must be as frank in answering that question as I would any other on the floor of the Senate. Mr. President, the only persons who could possibly be benefited by any duty upon coal are those engaged in the occupation of mining in the States of West Virginia, Maryland, Pennsylvania, and Virginia, for the reason that they are the only ones to come in competition with the Nova Scotia coal.

The rest of the country would not be affected in any way at all, unless it would be perhaps some of the States on the Pacific coast, but I am alluding to the Central and Eastern States. Those are the only four States, in my judgment, that would in any way be benefited by this duty.

Mr. PEFFER. Will the Senator name the States again?

Mr. FAULKNER. Maryland, West Virginia, Pennsylvania, and Virginia. Those are the only States that ship to the eastern seaboard, and that come in competition with Nova Scotia coal; and therefore they would be the only States that would be in any way benefited by this duty.

But I must go further, and be entirely frank. I do not believe that after one or two years of experience even with free coal the mines of West Virginia, Virginia, and Pennsylvania could not compete successfully with the Nova Scotia mines. After the paralysis that would exist for a year or two shall have passed, the enterprise, pluck, and business sagacity of the American operator would I hope make up for the difference in cost of transportation; and I will hail with delight the hour when I can stand upon the floor of the Senate and advocate free coal, in the interest not only of the Eastern section of this country, but of my own State.

I believe the duty the Finace Committee has imposed upon coal will demonstrate within one or two years to the people of those four States that they will and must be able to compete with Nova Scotia by the adoption of new appliances and cheaper transportation, without any reduction of wages of labor. Witness the condition of those States to-day. Strikes, lock-outs, involving the interests of thousands of miners, all growing out of the question of wages. If without any preparation, if without any notice a policy is adopted different from that which has existed for fifty years, you fall from a high protective duty of 75 cents, prohibitory I may say in its character, to free coal, could you estimate the injury which your policy would entail during the next two or three years upon the people of those States?

Mr. PEFFER. That is what we said about free wool.

Mr. FAULKNER. The Senator asks me, and it is a pertinent question—he almost throws it at me with the semblance of a taunt—what about free wool?

Mr. PEFFER. I say what the Senator has said about coal is what we said about free wool.

Mr. FAULKNER. If the constituents of the Senator from Kansas stood in the position where mine stand to-day I hope he would find me acting as fairly and as justly to them as I hope he will act towards mine. The question of free wool has been debated in this country for three great campaigns. My State is a large woolgrowing State.

Mr. HOAR. May I ask the Senator a question right there?

Mr. FAULKNER. Certainly.

Mr. HOAR. I desire to ask whether in the campaign in the Senator's State, with which he is familiar, the public speakers on the Democratic side advocated free coal or a duty on coal?

Mr. FAULKNER. They advocated in the campaign of 1892, under the platform, an equitable and fair reduction of the duty in proportion to the reduction on other protected articles.

Mr. HOAR. The Senator from Texas [Mr. MILLS], who addressed the people in Massachusetts in the same campaign, addressed the people in West Virginia, did he not?

Mr. FAULKNER. I do not remember whether that distinguished Senator addressed my constituents in West Virginia in 1892. I think not.

Mr. SQUIRE. I would like to ask a question there to make the point clear. I listened to the remarks of the Senator from West Virginia with great interest because I am very much interested in this question of a duty on coal. I believe the present duty of 75 cents a ton ought to be maintained in justice to the coal-producing States on the Pacific coast, but I wish to ask a question to make it clear. Am I to infer from what the Senator has said that he means to say he is satisfied with a duty of 40 cents a ton, representing as he does a coal-producing State, a State producing bituminous coal? Is he satisfied with this duty or does he think it ought to be somewhat higher? He said he did advocate some reduction in the present rate, but is he satisfied with the duty imposed under the terms of the bill?

Mr. FAULKNER. My own judgment was in favor of putting a duty of 50 cents a ton upon it, which was 33 per cent reduction, but I yielded without a moment's hesitation to the judgment of the Finance Committee when they considered, after mature deliberation, that it ought to be reduced to 40 cents a ton.

Mr. SQUIRE. Why?

Mr. FAULKNER. I supposed they took into consideration other articles made dutiable in the bill, and equalized as they considered the rates upon all. They are more competent than I am to speak, and I propose, as I stated to them then, and I have no hesitation in stating now, to follow their judgment in reference to this question of duty.

But I want to answer the Senator from Kansas. I wish to say to the Senator from Kansas, that when the Democratic party in 1888 took the position in favor of free wool, although my State was a large woolgrowing State, and I may say growing a grade of wool equal to that of Pennsylvania and Ohio XX wool, I did not hesitate in that campaign to go upon the stump and to advocate the policy that the party had outlined in the Congress of the United States. It was a very dangerous measure for us then, but my party had taken its position on that question through its action in the House of Representatives, and whether we failed or succeeded I did not hesitate to follow the lead of the party of which I was an humble member.

It came very near causing the defeat of the Democratic party in West Virginia in 1888. The people were not prepared for it, and the woolgrowers from one end of the State to the other rallied under the leadership of well-known and old-time Democrats against free wool. We did not give up the struggle, but carried the State by 688 votes. We went into the campaign again in 1890, advocating free wool, because the Democratic party announced its position in favor of free wool, and we had no hesitation in assuming that position before our constituency and making the issue squarely upon it.

Mr. SQUIRE. I would be pleased to ask another question.

Mr. FAULKNER. Let me first get through with this historical narration. We increased the Democratic majority in that campaign. We went before the people again under this very policy, announced as the policy of the party in 1892, approving the act of the House of Representatives in the Chicago platform putting wool on the free list. We submitted it to the people again, and I am glad to say that the woolgrowers of West Virginia, realizing the fact that they had been misled by the Woolen Manufactures' Association of this country, wheeled around and gave their almost unanimous support to the Democratic party upon the free-wool platform.

They believed that they were being made the mere tools of this association, which, with its perfect organization, as the sole purchasers of the American product, had the power and exercised it to control the price of that product. That this association, with its thorough organization, monthly fixed the price of American wool. It was the belief of the woolgrowers in my State that that association fixed the price of American wool, and that the higher you made the duty on the immense product of foreign wool that had to be imported, amounting to 160,000,000 pounds to 200,000,000 pounds, just in that proportion did they lower the price of American wool.

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from Rhode Island.

Mr. FAULKNER. Certainly.

Mr. ALDRICH. I must confess that I did not fully understand the Senator from West Virginia, but if he means to say that there is any organization or association in the United States that has ever undertaken to fix the price of wool——

Mr. PLATT. Or to depress it.

Mr. ALDRICH. Or to depress the price of wool in any manner, the Senator from West Virginia is entirely mistaken. No such organization exists or ever has existed in this country.

Mr. FAULKNER. I ask the Senator from Rhode Island whether there is not a manufacturers' association composed of the woolen manufacturers throughout this country.

Mr. ALDRICH. Yes; there is an organization of woolen-manufacturers, but they never have undertaken to confer in relation to or to fix prices of wool. They meet only once a year.

Mr. FAULKNER. Wait a moment I ask the Senator from Rhode Island whether that association is not thoroughly and completely organized.

Mr. ALDRICH. I do not understand what the Senator means by thoroughly and completely organized. They have a president, a vice-president, a secretary, a treasurer, and various other officers, but that they have any organization to affect prices, or have ever undertaken in any way to control prices is entirely untrue.

Mr. FAULKNER. One more question. I ask the Senator from Rhode Island whether that woolen manufacturers' association, or at least the members who compose it, are not the sole purchasers of the wool clip of the United States?

Mr. ALDRICH. It must be very evident that the people who produce wool in the United States must sell their clip to the woolen manufacturers of the United States, because they can not send it anywhere else. That is the only part of the statement of the Senator from West Virginia in which he is in any sense correct.

Mr. FAULKNER. Now, we have all the facts.

Mr. ALDRICH. Oh, no; the Senator from West Virginia is entirely mistaken.

Mr. FAULKNER. Human nature is always the same and it is easy to suggest the conclusion.

Mr. ALDRICH. The Senator is entirely mistaken as to the fact. There is no business arrangement or agreement of any nature or description as to purchases or prices of wool or otherwise between the members of the National Manufacturers' Association.

Mr. LODGE. They neither fix the price of things sold nor those bought.

Mr. ALDRICH. Nor the product.

Mr. LODGE. It is a mere association without reference to price.

Mr. FAULKNER. Are you gentlemen members of that association?

Mr. LODGE. I have not the slightest interest in it.

Mr. FAULKNER. Is the Senator from Rhode Island a member of it?

Mr. ALDRICH. I am not.

Mr. FAULKNER. Are you part of its executive board?

Mr. ALDRICH. No, sir.

Mr. FAULKNER. Then, how do you know what the association does?

Mr. LODGE. Because all of its proceedings are published, and they are just as well known as the proceedings of the Senate.

Mr. FAULKNER. Like the sugar trust.

Mr. LODGE. No; like the Senate, not like the sugar trust.

Mr. FAULKNER. Then, without any knowledge whatever the Senator makes denial of what the Woolen Manufacturers' Association do? The woolgrowers of West Virginia believe that the association do control the price of wool.

Mr. ALDRICH. I do not know what the woolgrowers of West Virginia believe. They may have been deluded into the belief the Senator from West Virginia has indicated. I am stating what the facts are, and I am stating them from a personal knowledge of those facts.

Mr. FAULKNER. The Senator told me he is not a member of this association, that he is not on the executive board of the association, and yet he tells me that they have nothing to do with fixing the cost of any article produced or any article bought. On the admitted facts, as stated by the Senator from Rhode Island, I say that human nature will assert itself, and that greed and selfishness, having the power, and by his admission being the sole purchasers of the wool clip of this country, will naturally dictate and control the price of the home market.

Mr. PEFFER. Let me ask the Senator where he gets the authority for his statement that the Democratic party in its platform has pledged itself in favor of removing all the duties from wool?

Mr. FAULKNER. I thought I had stated that previously. It is in the allusion in the platform in which it declares in favor of the tendency to freer raw material. I believe the purpose of that expression was to indorse the act of the House which was passed putting wool on the free list, and which never came up in the Senate, because it was pigeonholed by the Committee on Finance.

Mr. PEFFER. Does not the Senator consider that that is a matter of construction? How am I, for example, listening to a Democratic speaker who is talking in favor of free wool, to understand except what he tells me outside of the platform, when there is nothing of that kind in the platform?

Mr. FAULKNER. I do not know whether the Democratic speakers in Kansas made the point squarely, boldly, and manfully beore their constituents as we did in West Virginia. We declared that if the Democratic party came into power it meant to place wool on the free list, and we did it in three campaigns; in the last campaign, as I stated, the woolgrowers became fully convinced that it was to their interest to try free wool under any circumstances, as they had seen the price of their product going down every day as higher duties were placed upon it.

Mr. PEFFER. I understand all that, but I am inquiring as to the authority, so that I may find it.

Mr. FAULKNER. The authority is found in acts passed in the Fifty-first and Fifty-second Congresses, and, as I claim, the particular reference in the platform was an indorsement of the free-wool bill of the last Congress.

Mr. PEFFER. The Senator concedes that the words are not to be found in the platform?

Mr. FAULKNER. The words relating to free raw materials, no.

Mr. PEFFER. I do not say free raw material, but free wool.

Mr. FAULKNER. The term "free wool" does not appear in the platform.

Mr. WASHBURN. If it will not interrupt the Senator from West Virginia, although perhaps not exactly in the line of his remarks, as an allusion was made by him earlier to one point, I should like for my own information and satisfaction to have a reply. Among other things the Senator said that in the last campaign he pledged the people of his State that if he were elected to the Senate he would never vote for any tariff bill that was not a genuine revenue tariff bill. I should like to ask him if this bill, which is likely to pass, and which I have no doubt he will vote for, is that kind of a genuine Democratic revenue bill?

Mr. FAULKNER. The Senator from Minnesota has simply misquoted my language. I never said I stated to my constituents I would never vote for any bill that was not a genuine tariff reform bill.

Mr. WASHBURN. I did not say that.

Mr. FAULKNER. I stated that if the election was carried and both Houses of Congress and the President were Democratic, the Democrats would seek to pass a genuine tariff reform bill, and that in the formation of that bill coal would have to suffer a reduction in proportion to all other protected articles.

Mr. WASHBURN. I understood the Senator to say that he would never support any bill that was not a genuine revenue bill, and so assured his people. I was going to ask him if he felt that by supporting this bill he would have made good his pledge. Our people in the Northwest have suffered so severely, so many of our great interests being absolutely slaughtered, with free wool and free agricultural products almost without exception, that I should like to have them know this bill, which does that thing, is a genuine tariff reform revenue bill.

Mr. FAULKNER. I do not think the Senator from Minnesota can bring me to the absolute and unqualified admission he desires from me. I will say to the Senator that I shall vote for this bill with pleasure. It gets rid of the onerous and burdensome taxation of the McKinley act. It reduces largely the duty on woolens and other necessaries of life, and still leaves the manufacturers a sufficient protection. Although it may not be as far as I would like to go on these and other lines, yet I shall gladly welcome its passage rather than allow the present act to remain upon the statute books.

Mr. SQUIRE. May I interrupt the Senator a moment?

Mr. FAULKNER. Certainly.

Mr. SQUIRE. The Senator has been drawn into a slight debate on the subject of wool. I want to bring him back to his mutton, to the coal question. I understood the Senator in answering me to say that he was not satisfied with the duty upon coal as proposed in this bill, but he accepted it perforce because he could not do any better under the circumstances, and because he thought that the rate proposed in the bill was an average with the reductions over the McKinley rates. Is that correct?

Mr. FAULKNER. That seemed to be the judgment of the committee, and I yielded to it.

Mr. SQUIRE. I understand that answer fully, but I wish to hear the Senator on one other point, and that is reciprocity. Is it fair, when the Dominion of Canada charges the United States 60 cents a ton duty for coal brought in from Canada that we should reduce the duty on coal in the United States to 40 cents a ton without an opportunity to make a fair and equitable reciprocity arrangement on that subject? Would it not be better, in other words, to give authority to the President to make such a reduction dependent upon legislation had in the Dominion of Canada, so as to have the interests fair, impartial, and equitable as between the people of that country and the people of the United States? Inasmuch as this has been the subject of consideration by the Dominion Government heretofore, would it not be wise and prudent for us to insert something upon which we might arrange an agreement?

Mr. FAULKNER. I desire to state to the Senator from Washington that I am not interested from the standpoint of my constituents in the question of reciprocity.

Mr. SQUIRE. You are interested as an American citizen and as an American Senator.

Mr. FAULKNER. I have left the question of reciprocity to those gentlemen who are interested in that question. It would be of no benefit to the States of West Virginia, Virginia, Maryland, or Pennsylvania, but to Iowa, Illinois, Washington, and those States it would be of advantage.

Mr. SQUIRE. Would it not do good to the interests of the whole United States if coal should be introduced into Canada at the same rate that the Canadian coal is introduced into the United States?

Mr. FAULKNER. I have fully considered that question. It certainly would not affect beneficially the interests of my State. I think it would be beneficial to Ohio, Illinois, and Iowa, and perhaps to all the Northwestern States, but little coal would be shipped from my State to Canada.

Mr. President, I have occupied the time of the Senate much longer than I intended. I am sorry that I have become an obstructionist on the Democratic side, and I assure the Senate it was done almost unconsciously upon my part, as I did not expect to occupy five minutes when I arose to express my views in reference to this question. I wish to add merely one more word and then I propose to close.

Upon the question of raw material, I desire to say coal is not a raw material in any sense whatever.

Mr. HILL. Will the Senator point out some articles in this bill which are usually understood to be raw materials?

Mr. FAULKNER. No, sir; I shall not undertake to point out any articles or involve myself in a controversy with any other interest. I am not here for that purpose; but I hold that a raw material must be something in the mind of everyone that enters into and becomes a part of the finished product. When you take the coal from the ground and put it upon the cars it is a complete and finished product. It is then ready for all of the use you can make of it.

There is no other form into which you can transpose it. Upon what theory do Senators maintain that it is a raw material? To the manufacturing industry? Its use for the purpose of manufacturing is insignificant compared to its other uses. It is employed almost exclusively, at the present day, for steam purposes. Its greatest use is for transportation by land and water. It is used to a limited extent only for domestic consumption—I mean for the stove, the kitchen, and the household. But few use bituminous coal for that purpose. Anthracite coal is the great domestic coal.

Mr. HANSBROUGH. I desire to ask the Senator if the same is not true with respect to flour which it is proposed to put on the free list? Is not flour a finished product also?

Mr. FAULKNER. I would say it was.

Mr. SQUIRE. I would ask the same thing about lumber?

Mr. FAULKNER. I would say that lumber is not a finished product—not undressed lumber.

Mr. SQUIRE. How about dressed lumber?

Mr. FAULKNER. I am not an expert on that subject. Senators declare that under the provisions of this bill great injury will be done their States. Lumber is on the free list. Salt is on the free list. Wool is on the free list. All those are large products of my State; but her people are not complaining in reference to its provisions.

Mr. SQUIRE. May I interrupt the Senator from West Virginia further?

Mr. FAULKNER. Certainly.

Mr. SQUIRE. The Senator has said that he was interested mainly because the interests of his State are in this coal question, and perhaps exclusively——

Mr. FAULKNER. The Senator misstates me. I did not speak of the interests my State had in it. I said I had not an interest in the question of reciprocity, as it did not in my judgment affect my State.

Mr. SQUIRE. I think the Senator is mistaken about that.

Mr. FAULKNER. I have not studied the question of reciprocity, or the results which might flow from it, as in my judgment it would not affect the coal interests of the States of West Virginia, Virginia, Maryland, or Pennsylvania.

Mr. SQUIRE. I desire to ask the Senator one further question. I do not desire to harass or annoy him. But is it not important in this phase of the question? The people of the New England States are under the terms of this bill to be served with coal from Nova Scotia, are they not? Do you suppose they will be?

Mr. FAULKNER. That will have to be tested by the experience of the future.

Mr. SQUIRE. I hold in my hand a statement in regard to that subject entitled Nova Scotia *vs.* Virginia, some comments on the prospectus of the Dominion Coal Company. It is dated Norfolk City, Va., January 15.

Mr. FAULKNER. I have read it.

Mr. SQUIRE. The Senator has read it. It is assumed that the article is in the main correct? Is it not from a responsible source?

Mr. FAULKNER. There is a great deal in it, and I do not want to pass judgment on an article in that way.

Mr. SQUIRE. Is it true that if the New England States should be supplied with coal to any large extent from Nova Scotia that that would lessen the consumption of coal from the mines of Virginia and West Virginia?

Mr. FAULKNER. I should assume so.

Mr. SQUIRE. Then have not the people of those States a direct interest in this question?

Mr. FAULKNER. Reciprocity, in my judgment, does not touch that question.

Mr. SQUIRE. I leave the subject of reciprocity. Would not the fact that a large amount of the supply of coal for the New England States is to come from Nova Scotia so reduce the output of the coal mines of Virginia and West Virginia as to make them less valuable as property and make the mining of coal relatively dearer there, so that it would directly affect the interest of every consumer of coal in all the Southern States? Would not this reduction of the output of the Southern coal mines affect the railroad and other important interests very largely?

Mr. FAULKNER. I do not think that the question will affect the price of coal in West Virginia one way or the other. I can say that to the Senator without hesitation.

One other question now, Mr. President, I desire simply to refer to, in connection with raw material. The Democratic principle upon which the doctrine of free raw material rests is this: Where the cost of the raw material enters into the cost of the finished product and the cost of the raw material is enhanced in price by reason of the duty upon it, that duty ought to be as low as possible, or the article ought to be put upon the free list so as to make the price of the finished product as low as possible. Mr. President, I am satisfied there is not a Senator here who would not verify the statement I am about to make, even the Senator from Rhode Island [Mr. ALDRICH].

There has never been a tariff bill framed by either party in which those who were considering its several schedules of rates took into consideration, in fixing the duty upon the finished product, the question whether coal had been placed upon the dutiable or the free list. Therefore the application of the Democratic principle in reference to free raw material could have no application whatever to the subject of coal.

Mr. PERKINS. In my remarks, Mr. President, a few weeks ago upon the tariff bill now under consideration, I took occasion to state that when we reached this paragraph I should refrain from voting upon it for the reason that I have a personal indirect interest in coal mines upon the Pacific coast. It matters not that they have been unprofitable. I deem it the duty of every member of Congress to refrain from voting upon any measure in which he has a pecuniary interest. His relation to the people is similar to that of a judge upon the bench or a juror in the box. He has no right to cast a vote that places him in a position to be criticised for his act.

Yet, Mr. President, I can not refrain from stating that I believe, so far as the Pacific coast is concerned, the removal of the duty upon coal would not decrease the cost one farthing to the consumer. I believe that the proposed reduction from 75 cents a ton to 40 cents a ton upon coal from foreign countries will go into the pocket of the foreign mine owner and the foreign shipowner. We have no way of judging of the future but by the past. Experience has demonstrated to us in California at least that it is the domestic output of coal in the States of Washington, Oregon, and California which has held in check the importation of coal from foreign countries.

Only a few years since it was possible for the coal combination of San Francisco to buy up and control all the coal that was afloat in shipping from Australia and Great Britain to the Pacific coast, and the result was that the price of coal advanced from $5 per ton to $10 per ton by the cargo. That price gave a new impetus to our mine owners in the States of the Pacific coast, and we commenced to turn out our domestic coal, and from that time to the present those mines on the Pacific coast have been a check upon the great coal trusts that oppress the people in the manner the Senator from Kansas [Mr. PEFFER] has alluded to.

The Senator from Massachusetts asked my friend from West Virginia how it would affect the transportation business. I want to answer that question, because I have some practical knowledge of the transportation of coal by water. Fortunately for us, only an American-built ship can engage at the present time in the coastwise business of our country. But the moment they are to ply to a foreign port ships of foreign build will come here in competition with our own people, and instead of the coal that is

now lying in West Virginia being transported from tide water from Newport News or Baltimore in American vessels to the home of my friend from Massachusetts, near Boston, coal will be taken from Nova Scotia in vessels of foreign build, manned by foreigners, who will carry out from this country that which they receive for the transportation of the coal.

Such is the condition of affairs on the Pacific coast to-day. Our coal from British Columbia is transported from Vancouver Island to San Francisco, San Diego, and other ports in California in English, German, and other foreign-built vessels. It is transported in what are known as English tramps, that come here under contract with their crew and with officers for a term of years to engage in the business, and the wages for which they work is at least 50 per cent less than that which is paid the crews of American vessels. We have an object lesson brought directly home to us in the transportation business on the Pacific coast. The moment you remove all of the duty you not only strike a blow at the American miners of coal, but you strike a blow at the American shipping of the Pacific coast that will be almost fatal to that industry.

We have to-day in the State of Washington alone nearly twenty thousand men engaged in the industry of coal mining, or directly and indirectly dependent upon that industry. The same may be said of Oregon and California; thirty thousand people or more are interested in the industry. The 40 cents a ton duty the committee have agreed to report will perhaps enable them to exist, but if you remove it altogether it will be impossible for them to continue to operate those coal mines.

Our mines are differently located in California and Washington from those in the Island of Vancouver. The veins stand up at an angle of forty-five degrees, and in some cases are almost perpendicular. This necessitates expensive pumping works. If the mines are permitted to fill up cavings take place. The result is that the mines become almost useless, and when they are again worked new shafts must be opened and new machinery erected. Expensive transportation is required to take the coal from the interior to tide water. The distance varies from 10 to 100 miles inland, while in British Columbia their mines are almost at the water's edge, where the ships can go under the chutes and take the coal and transport it to market without any very extraordinary expense attending it.

But we have demonstrated, as I said before, that removing the duty from coal would not cheapen it to the consumer one farthing. In the year 1892 we imported into San Francisco alone 65,000 tons of anthracite coal. It came in free of duty under the present law, not one cent being paid to the Government. It came from Wales and Great Britain. Yet that coal was not given to the consumer for one sou markee less than the prevailing market price, which was regulated by our domestic coal.

It is estimated that we have in the State of Washington alone 1,000,000 acres of coal land. It has been demonstrated that there are deposits of coal extending all over that vast area. Nearly as great an extent exists in the two States of Oregon and California. Our people to-day, while cut off from silver mining and some of our manufacturing interests, hope to develop those mines and to give our people cheap coal, which is done by competing with each other.

I believe the committee have done a wise act in placing 40 cents duty upon coal. I believe they would have performed a wiser act had they permitted it to remain where it was at 75 cents a ton. As the Senator from West Virginia says, coal is a finished product after it is raised from the mine and placed in the coal bunkers ready for shipment. As proof of that fact, I can sell you through friends any quantity of coal as it lies in the mines for 10 cents a ton royalty, and our people are satisfied to sell it to the consumer, to the poor friends of my friend from Kansas, for 15 cents a ton, covered by a margin. I will enter into a contract to give him all the coal he wants for the next twenty years for 15 cents a ton margin of profit to them.

In the great West we are not in a coal trust. We are not coal barons; but we are satisfied with a fair and reasonable profit. We are satisfied to live up to the teachings of the golden rule: "Do unto others as ye would that other should do unto you."

Our neighbors in British Columbia are standing ready to take advantage of the bill under consideration. Already they are shouting with exultation that the duty is removed from lumber, and that free wool is to come in to compete with us. Allow me to read what one of the leading journals of Victoria, British Columbia, says about the coal trade:

> The mine owners expect to more than double their production should Congress pass the proposed tariff bill. Even with the present duty of 75 cents a ton British coal practically monopolizes the California markets. Coal in British Columbia is mined much cheaper than in Washington. In one or two of the mines the wages will barely average $2.50 a day, exclusive of board. If the new law goes into effect you can look for a boom in the British Columbia coal mines as well as in the lumber markets.

This is the testimony of our neighbors in British Columbia. They at least are commending us, if our own people do not, for the legislation we are enacting for Canada and British Columbia. I for one am in favor of an American policy for the American people. I believe not only in protecting coal, but lumber, and iron, and every other American industry that comes in competion with foreign labor. While, as I said, I shall refrain from voting upon this measure because I have an indirect interest in mines, I believe it is a just and a wise provision as contrasted with free coal. If we can not get 75 cents a ton protection, for revenue, if you please, then we will take 50 cents or 40 cents.

Mr. ALLEN. Mr. President, I was not in the Chamber at the time the Senator from New York [Mr. HILL] moved to place coal on the free list, as I was at that time engaged on the special investigating committee. I am very glad to know, however, that the Senator from New York has taken this important step. It satisfies my mind that the heart of the Senator from New York is in the right place.

The question of coal is an important one. In the State in which I have the honor to reside and represent in part in this Chamber I think I am safe in saying that 95 per cent of all the fuel consumed is coal.

It is the fuel of the rich and the poor, the fuel of all classes of people; and in a climate such as we have and such as ranges throughout the United States it is not a matter of choice with any citizen whether he will use one class of fuel or another. The fuel which makes the homes of our people warm, which is essential to sustain life and bring some degree of comfort to the masses of our people, ought to be admitted free of duty to them, especially when we are producing and can produce coal as cheaply as any section of the known civilized world.

I approve the sentiments of the Senator from California [Mr. PERKINS] when he says that he is in favor of an American policy. I believe in Americanism. I believe in America. I believe in an American policy. But I do not believe in that kind of a so-called American policy which taxes every article of necessity used by the poor people of this country. I believe an enlightened and just American policy would dictate the taking of the burden of taxation from every essential necessary of life so far as that can be done consistent with raising the requisite revenue to conduct our Government.

Coal is one of the articles that the people must have. It is bought in various quantities throughout our larger cities. It is bought by the pound and the mere basketful at a time, to such a great extent does poverty prevail. To say that the coal they purchase by the mere basketful should be taxed to any extent whatever, it seems to me, is an outrage upon their rights and upon justice.

Mr. President, owners of the coal mines would have no occasion whatever to complain about the removal of this tax upon coal. It has been their policy, so far as I understand it, to drive out American labor, naturalized and native born, and give its place to a class of laborers brought into this country for the specific purpose of mining coal below living rates.

If I am informed correctly there are something like six thousand coal miners in the State of Pennsylvania to-day who are under arms, who are violating the laws of that State in various strikes against a reduction of their wages. Their wages have been reduced to a point where a self-respecting American citizen, if I am correctly informed, can not earn a livelihood for himself and his family, and he has been compelled by force of circumstances to cease mining coal and go into some other occupation or to go upon the streets in absolute idleness.

I do not propose to consume the time of the Senate in discussing this matter. I simply rose for the purpose of expressing the hope that the Senate in voting upon this measure will be guided somewhat by the necessities of the great mass of our people and put this important item upon the free list.

Mr. LODGE. Mr. President, I was very much interested in the speech of the Senator from West Virginia [Mr. FAULKNER], because it showed very clearly the nature of the arguments which have been addressed to the people of West Virginia on the question of wool. To them the association of woolen manufacturers had been represented as a trust formed for the purpose of controlling the price of wool and woolens. It is perfectly well known, I think it ought to be to all the people of this country, that that association of woolen manufacturers in no respect is formed for the purpose of controlling prices in any way. It has no business quality of that kind. The members make no agreements to buy or to sell. They are rivals in business and have no resemblance to any trust or syndicate.

The Senator from West Virginia also had a great deal to say in regard to the matter of free coal, He said that the principle of the Democratic party was freer coal. There is much virtue in that letter "r" just as there is much virtue in an "if." It was not so understood among the people of my State, nor was that the ground taken by the Democratic orators and the Dem-

ocratic party in my State in regard to the question of coal. I have here the platforms of the Democratic party of my State for 1889, 1991, and 1892 on this point. That of 1889 says:

We give our hearty support to the petition of the present Republican governor of this State and other leading iron and steel manufacturers of both political parties, addressed to the New York members of Congress, asking for free coal and iron ore and lower duties upon pig iron, and we commend their efforts to save this important industry, threatened with extinction in our section of the country through failure to adopt tariff duties to the changed condition of the iron market.

In 1891 they said:

We renew our demand for the repeal of all its provisions which increase rates of duties, and for the enactment of a genuine measure of tariff reform. We believe that all taxes upon food, fuel, fibers and ores, and also upon the crude or partly manufactured materials necessary in the process of our domestic industries should be repealed, thus affording genuine protection alike to the workingmen and the manufacturers of our Commonwealth.

In 1892 they said:

We demand for the true development of our great industries that raw materials shall be admitted free of duty, and we particularly emphasize the necessity of free wool, coal, iron, lumber, and all drugs, dyes, and chemicals used in our manufacturing enterprises.

There was the attitude of the Democratic party in Massachusetts in regard to coal. That is positive; they used the positive and not the comparative. They said they wanted free coal and not freer coal. They failed utterly to recognize the principle so correctly laid down by the Senator from West Virginia, that a duty was necessary in order to protect the wages of the coal miners. At the same time the Democratic governor of Massachusetts, from whose volume of speeches I have already quoted in reference to iron, made several statements which I think are of interest now. The book may not be a great addition to the literature of eloquence or of economic thought, but it is interesting as showing what the Democratic party at that time thought fit to advocate for the purpose of securing votes from the people. He said to the convention of Democratic clubs in 1888:

Economy, low taxes, free wool, free lumber, free salt, free coal, cheaper necessaries of life, and raw materials that quicken industry, we believe to be the true American policy.

Again he said in 1889:

Now contrast that evasive platform with the declaration of Democracy upon the question. We do not hesitate to say, in answer to the demands of business interests and of the whole people, that we stand for free wool, for free coal to make more cheerful the fireside of the humblest home and to give our industries greater prosperity. Free iron we demand, free raw materials we demand, and cheaper necessaries of life. There is no evasion in the platform of the Democratic party.

He said again in a speech at Dedham, as late as October 9, 1892:

If giving free wool, coal, ore, copper, and tin to our great industries, with a protective tariff on their finished product, is free trade, I mistake the sentiment of New England if it does not demand this benefit, under whatever name it comes.

Again he said in his speech at Haverhill in October, 1893:

What is the Democratic policy? It is to reduce tariff taxation so as to cheapen the necessaries of life and give free raw materials to our industries. This is the policy of the Democratic party as declared in its national conventions and State conventions over and over again, in bills which it has formulated, and in votes which it has given.

Just as certain as that the McKinley bill has got to go, it is also certain that in its place will come a Democratic bill, with free wool, coal, iron ore, and other raw materials for our industries, and still raising the revenue necessary for public purposes.

That was the bill the Democratic governor of Massachusetts sketched, and it is very easy to see how closely it resembles the bill now before us.

Upon the subject of coal I desire to call the attention of the Senate to one point which seems to me of real importance. There was formed not long ago in my State a company known as the Dominion Coal Company, its president and principal manager being Mr. Henry M. Whitney, a well-known business man of great ability, and a brother of the former Secretary of the Navy, Mr. William C. Whitney. They bought up some large mines in Nova Scotia and elsewhere beyond the Canadian borders. The company was formed with American capital.

It was formed with the idea that they were to have free coal into this country. The old Nova Scotia mines were not, as I have always understood, serious competitors with the coal of Virginia, Pennsylvania, and West Virginia because they contained so much sulphur that they were not desirable for manufacturing purposes. The new mines which have been bought by the Dominion Coal Company are, I understand, a much better quality of coal.

Now, the situation is just this: That Dominion Coal Company, controlled by American capital and American capitalists, has absolute control of the Canadian market, where it has a protective duty on coal; and it was the desire of its owners to get free entrance to the American market.

In that way they would have a protected market under their hands in Canada and a free market open to them just over the border in which they could come and compete with their coal produced at much lower wages than those paid in this country.

I for one think that it might be very desirable if we could apply to coal the same provision which was applied to the great cereals of this country in a previous clause of the bill. If they would open the markets of Canada to our coal and allow us to get in there without the payment of a duty, I am inclined to think that, owing to our much greater supplies of coal and our neighborhood to the market in certain parts of this country, the balance would be perhaps largely in favor of the American mine owner. But as the matter is now adjusted it is arranged to give to a group of American capitalists a free entrance or an entrance at a lower rate of duty to the American market, while they have control of every Canadian market under a protective system.

Mr. HANSBROUGH. Will the Senator from Massachusetts yield to me for a moment?

Mr. LODGE. Certainly.

Mr. HANSBROUGH. I desire to state to the Senator, in line with the argument he is now making, that I have prepared an amendment which I propose to offer. It is to insert after the word "ton," in line 10, on page 80, the following words:

But the above product shall be admitted free of duty from any country which imposes no import duty on the like product when exported from the United States.

I will state to the Senator from Massachusetts that this is the exact language used in connection with paragraph 190, on page 43, with respect to eight agricultural products—wheat, flour, buckwheat, corn, maize, and other agricultural products of our country. I propose to offer that amendment at the proper time.

Mr. LODGE. I am very glad to hear that that amendment is to be offered, for I think it will test the sincerity of the makers of this bill. As the bill stands now it reduces the duty on coal, and very possibly when the bill reappears from conference there may be no duty at all on coal, and in that case the situation will arise which I have pointed out, by which this coal company of which Mr. Whitney is president, organized with American capital, would have a protective market in Canada and free entrance to the markets of the United States.

The amendment of the Senator from North Dakota is in the nature of a reciprocity provision, and therefore falls into the line of the Republican policy; but the bill as it now stands abandons the pledge of the Democratic party made to the people of New England in favor of free coal. At the same time, I have been told—I do not know how correctly—that while this lower rate of duty will discriminate more or less effectively against most Canadian coals, it will admit the coal of the Dominion Company at a small but reasonable profit. I desired to call attention to this specific instance because I think it shows the injustice with which the bill has been made up.

We are told in every Democratic speech that the desire is to give the people cheaper necessaries of life, to lower the rates of the McKinley act and to take from these robber barons, these coal-mine owners, these manufacturers, their gigantic profits; and yet we find that in this arrangement of duties a situation has been created in which a body of American capitalists whose enterprise and foresight as to the probable action of the Democratic party have taken them to Canada, receive this enormous encouragement. If anybody is to be encouraged by our tariff legislation, if any industry is to be developed, surely it should be our own. It is certainly a great mistake to put a premium on taking American capital over the line into Canada or to any other country to pay wages there, to develop mines or start industries there, rather than within the borders of the United States.

Mr. SQUIRE. Mr. President, I can hardly permit this schedule to pass without some further reference to the coal of the Pacific coast, although I have enjoyed the remarks of the Senator from California [Mr. PERKINS] on this subject, and I have previously addressed the Senate in a carefully prepared speech in which I adverted to the subject of the production of coal in the State of Washington in detail. Therefore I do not expect to go over that subject fully again.

I merely wish to call attention to a few points before this feature of the discussion is passed by. In starting I wish to refer for a moment to the statement made by the Senator from Nebraska [Mr. ALLEN], to the effect that by the reduction of the tariff the cost of coal would be so lowered that the people of his State would enjoy lower rates for fuel. It seems to me that the suggestion made by the Senator from Nebraska has very little relevancy, because it is a well-known fact that no foreign coal reaches the interior of the United States, in the far Western States, those situated near the Rocky Mountains, unless it should be some special coal for some special purpose.

There is very little of that imported I think to the far interior of the United States. The coal that is consumed in the Western States this side of the Rockies is mined to some extent in the States near the Atlantic seaboard and mainly in the intermediate Western States, and there is no effect whatever pro-

duced upon the price of coal in Nebraska in consequence of the duty that may be levied upon foreign coal. Coal is mined as far west as Indian Territory and Colorado.

Mr. KYLE. Does the Senator from Washington mean to say that there has been no coal imported under the McKinley law?

Mr. SQUIRE. It is not probable that there would be much coal imported in any event that would be shipped to the State of Nebraska——

Mr. KYLE. Is that a guess?

Mr. SQUIRE. Because the cost of transportation from the seaboard to the State of Nebraska would be far more than the cost of the coal. The Senator knows very well that coal is mined for about $1.25 or less per ton in the States of Ohio, Indiana, and Illinois.

Mr. KYLE. Can not coal reach the West and Northwest by way of the lakes?

Mr. SQUIRE. I am told by the principal mine operators in the State of Ohio that there is no interference whatever so far as Canadian coal is concerned. We know perfectly well what the cost of coal mining is in the States of Indiana and Illinois. I have been told recently by the operators who are acquainted with the events of the recent great strike that $1.25 a ton is the average cost of the coal to mine it. The miners are paid 69 cents, it has been stated, for certain kinds of coal, and from that up to 85 cents.

Mr. ALLEN. I wish to ask the Senator from Washington if I understand him to say that bituminous coal can be mined and put on cars for a dollar and twenty-five cents a ton in the State of Ohio?

Mr. SQUIRE. I do. For one dollar and a quarter.

Mr. ALLEN. I wish to state to the Senator from Washington that the same coal which may be mined in the State of Ohio and placed on the cars for a dollar and a quarter a ton will be sold in the State of Nebraska for about $5.50 or $6 a ton. The suggestion I wish to make is that if our ports are open to free coal it will have the effect of driving coal from West Virginia, Ohio, and those States into the great West and give us the benefit of the reduction of the prices of coal.

I believe that; but I did not speak particularly of the State of Nebraska, because I believe that I am large enough to be in favor of legislating for every person upon this continent. I do say it is surprising to me that a Senator with the known humane qualities of the Senator from Washington should stand in this Chamber and insist upon a tax going upon coal that is consumed in the midst of the poverty-stricken homes of the nation. Is not the Senator from Washington willing that the people should have free coal, especially in view of the fact that no coal can be brought to this country and successfully compete with the coal mined here by our miners?

Mr. SQUIRE. I will say that no one engaged in the business of coal mining or who knows anything about it believes that the reduction in the duty would reduce the cost of coal to the consumer, excepting possibly to the New England States. That problem is yet to be worked out.

I have a letter in my possession from one of the leading Democrats in the State of Washington, a gentleman who held a high position as chairman of the executive committee of the Democratic party, in which he says distinctly that—

> In my judgment our State will be much better off if the duties remain as they are. Lumber and coal are our chief industries, and will doubtless continue to be whether these articles are placed on the free list or not. The only effect I can see that taking the duty off will have will be to reduce the wages to the same level as those in England, Australia, and Canada. Taking the duty off will not aid a single industry or lift a single burden in any one of the Pacific States. It will not extend our markets in any direction. There is nothing to be gained by the proposed tariff law and much may be lost. If a man is in favor of low wages he should favor the bill, otherwise he should oppose it.

The remainder of the letter is a discussion of the iron ore question.

Mr. ALLEN. Will the Senator from Washington permit me another question? I understand the Senator to say now that taking the duty off of coal would not reduce the price to the consumer.

Mr. SQUIRE. I grant it will not. It will not reduce the price of coal. I am speaking more particularly with reference to the people of the interior of the country. That is my view. I doubt very much whether it will reduce the price anywhere. I think the capitalists who have arranged to bring in the product from Nova Scotia will get the benefit of the reduction of the duty and will make some profit. The consumer will pay about the same.

Another thing I will say to the Senator, when you talk about reducing the output of American mines you increase the relative cost. When the mines of West Virginia, and Maryland, and Virginia find themselves shorn of their business by reason of the admission of the Nova Scotia coal without paying any duty upon it, or even with a duty of 40 cents a ton, they will find the consumption of their product necessarily cut off or reduced. Their expenses will be increased relatively thereby; the railways that have been operating will be unable to carry coal at the price they have been carrying it, and consequently the cost of carrying it will be higher.

Mr. ALLEN. If the Senator will permit a question, I understood him to put his argument in favor of taxing coal upon the thought that it would protect American labor engaged in coal mining. If it be true that it will not affect the price of coal in this country, how can it affect the wages of the miners?

Mr. SQUIRE. It prevents the coming in of foreign coal to take the place of the coal of our mines.

Mr. ALLEN. The introduction of foreign coal brings about competition.

Mr. SQUIRE. It brings about competition, but by that competition the coal of foreign mines takes the place of the coal that we would mine.

Mr. ALLEN. If it brings about competition, does it not necessarily force the miner of bituminous coal in the United States to ship his coal into the interior at a reduced price?

Mr. SQUIRE. It may in some places. I will not deny that in some places the increased competition may temporarily decrease the price of coal on the sea coast, not in the States of Ohio or Indiana, and not in the State of Pennsylvania, because they mine there themselves cheaper than they could buy it from the seaboard—not certainly in any State west of these great Middle States, because they can get their coal from Ohio, Illinois, or Indiana more cheaply than they can get it from the seaboard. But at certain times it may happen, and doubtless will happen, that the introduction of this foreign product into the markets of New York and Boston, particularly, will reduce the price of coal to consumers there. Now, that may be true. I have no doubt there will be an effect of that kind at certain times.

Mr. ALLEN. Let me make this suggestion to the Senator from Washington: If our ports are open to coal and this section of the country is flooded with foreign coal, that necessarily forces down the price of coal here, does it not?

Mr. SQUIRE. On the seaboard, provided the Nova Scotia trust does not keep up the price.

Mr. ALLEN. Then the miner of coal in the United States must seek an enlarged market at a reduced price for his product, must he not?

Mr. SQUIRE. Yes; or fail to mine it.

Mr. ALLEN. Or fail to mine it.

Mr. SQUIRE. And that would be the result.

Mr. ALLEN. The effect of that will be to force him to send his coal into the interior of the nation in competition with coal mined in Ohio, Indiana, and Iowa?

Mr. SQUIRE. It would only go where he could afford to send it—where the freight rates would permit it.

Mr. ALLEN. Now, if coal can be mined in West Virginia and placed on cars for $1.25 a ton, does the Senator from Washington say that money can not be made on that coal to take it to the State of Nebraska and sell it for $3.50 or $4 a ton?

Mr. SQUIRE. I suppose the coal has to go through several hands; in the first place going in large quantities to job operators, and then finally going all through the various avenues of distribution to the retail dealer.

Mr. ALLEN. If the jobber in coal in Omaha, for instance, or in the State of Nebraska anywhere, comes down to this part of the country and buys his coal for $1.25 a ton or less——

Mr. SQUIRE. Certain kinds of coal——

Mr. ALLEN. I mean ordinary bituminous coal that is used in the family of the farmer. If he can come here and buy it for that price, I say to the Senator from Washington that the effect of admitting coal into this country without any duty upon it will be to force the American product out into the interior of the country and save the consumer of coal possibly $1.50 or $2 a ton.

Mr. SQUIRE. It seems to me the Senator from Nebraska does not quite understand the situation. In the coal that is mined, as I have before said, in the States of Ohio, Indiana, and Illinois, I am not talking about the price that it is sold for; I am talking about the cost of mining and putting it on the car. I refer to the actual cost, without reference to the capital employed in it, simply to put it on board of the car, the actual cost in moving it out from the mines and putting it on the cars. It is about the same in the State of Washington, about $1.25 a ton.

Does the Senator suppose that the coal that can be brought from Nova Scotia by water to Boston and New York will compete with the coal mined in Ohio, and that the people of Nebraska will not get their coal from Ohio, Indiana, and Illinois, and from the coal mines of the West?

Mr. ALLEN. Let me suggest to the Senator that the people of Nova Scotia have free access by water to the port of Chicago, and from there the coal can be shipped in direct competition with the coal mined in Illinois and Indiana and States of that character.

Mr. SQUIRE. How will it go there?

Mr. ALLEN. It will go there from Chicago and other distributing points along the lakes.

Mr. SQUIRE. But outside of Chicago where will it come from?

Mr. ALLEN. From Nova Scotia, a great portion of it.

Mr. SQUIRE. It will cost too much to get it there. The coal of Nova Scotia, as I am told, can not profitably be shipped to Chicago.

Mr. ALLEN. Suppose that coal comes right to Washington City itself, right here at the seat of the Eastern coal market of West Virginia, would not that have the effect of forcing down the price of coal to the consumer?

Mr. SQUIRE. Not as against the cost of transportation.

Mr. ALLEN. Then the law of competition is entirely destroyed.

Mr. SQUIRE. But when you take into consideration the cost of transportation, that must govern. That is all there is of it.

Mr. ALLEN. If the Senator will permit me, I desire to make this suggestion, and then I think I will leave him to his glory. If you take off the duty on coal and make our ports free for bituminous coal, it will have the effect of forcing down the price of coal along the seaboard, and will force the coal of West Virginia, Ohio, and States of that character near the interior of the United States to a reduced price. It must either have that effect or there is no such thing as the law of competition.

Mr. SQUIRE. As I stated before, I have no doubt there may be times when the people on the seaboard will receive a benefit by competition; but at that same moment the people engaged in mining coal in the States of Pennsylvania, Virginia, West Virginia, and the other States near the seaboard will find their production undesired; that is, they could not profitably compete. There may be times of glut in the market when these States could not compete, and when their mines would have to shut down, or else the relative cost of mining would be largely increased by reason of the reduced output; and then the effect would come home to the people of those States and to the consumers they do necessarily supply, because the miners of coal will have to raise their rates to the consumers in their vicinity and in the interior, to which they are now supplying coal. I have in my mind the States of Virginia and West Virginia.

Mr. PALMER. Let me make one observation. I live in a State where there are, as my colleague [Mr. CULLOM] said the other day, 35,000 square miles of coal lands. I will not say as much as I should like to now, because the subject requires more time than I could give to it in replying to the Senator from Washington in the midst of his speech.

If coal was brought from Nova Scotia to Boston or New York, and was absolutely given to any person who might want to use it in Nebraska, it would not be worth the freight, for that coal could not be transported.

The trouble with the Senator from Nebraska is as to the cost of the coal. I know that in Illinois coal is loaded in the sheds of the railways for their own use at 80 cents a ton. In the city and county in which my colleague and I live, there are nearly twenty coal sheds, and most of them are situated on the railways. Coal is delivered to the railway companies for their own use at 80 cents a ton.

As a matter of fact, in all the coal regions of Illinois, coal is delivered to private parties, and I have bought many a ton of it myself at $1.50 a ton, delivered and thrown into the coal house.

Mr. ALLISON. What did I understand the Senator to state the cost of coal is to the railway companies and to the large consumers of coal?

Mr. PALMER. Eighty cents a ton.

Mr. ALLISON. And the duty upon coal is 50 per cent ad valorem?

Mr. PALMER. Forty cents a ton, I believe.

I hope the Senator from Washington will tolerate me a moment longer. I have in the discussion about coal come to the conviction that the whole dispute involves nothing in the world. It may interest the railway companies who transport coal to the seaboard, and it may interest the consumers of coal near the seaboard, but it has no interest whatever to any other persons.

I apprehend, Mr. President—if I may be allowed to take the liberty of saying it—that if it were not for the necessity of satisfying the country that the Republican party are for protection at all times and under all circumstances, they would really prefer free coal. It is a combination of interests; it is a partnership of interests that makes them oppose free coal in order to give the impression that they are for protection under almost all circumstances.

Mr. CHANDLER. Will the Senator kindly tell us what combination of interests induces the Democratic party in the Senate to favor a duty on coal?

Mr. PALMER. Necessity, not choice.

Mr. CHANDLER. What kind of necessity?

Mr. PALMER. There are interests that demand a duty on coal, and as 40 cents a ton is preferable to 75 cents a ton, those of us who believe it is all humbug prefer the 50-cent duty rather than the 75-cent one.

Mr. CHANDLER. Why—I speak not now of the Republican policy on coal, but of the Democratic policy—should not the Democrats, who have a majority in this Chamber, or are supposed to have, give New England the free coal which they say the Republicans really want?

Mr. PALMER. I am now trespassing on the time of the Senator from Washington. If I can obtain the floor for twenty minutes after he is through, I shall answer that question.

Mr. SQUIRE. I was speaking a few moments ago in regard to the argument of the Senator from Nebraska [Mr. ALLEN] that he was in favor of giving the people of his State cheaper fuel. After that, when I remarked that the people of his State would get no benefit from the coming in of coal free of duty on the Atlantic seaboard, the Senator said he was broad enough and big enough to be willing to help the people of the Atlantic seaboard to cheaper rates. Of course, if he feels that way about the people of the Atlantic seaboard, he would feel the same way about the people of the Pacific seaboard; and on that subject I have some authority that I should like to quote.

The statement has been made by very able authority on the Pacific coast, and arguments have been brought forward to show that when there has been for any reason a reduction of the price of foreign coal—that is, when the purchase price of the foreign coal was less than the rate there before charged for it—the price in California was not lowered one bit. I have the statement here of a gentleman who is largely interested in the coal business in San Francisco. He says:

> Who will benefit by the abolition of the duty on coal? As the function of such laws is to do the greatest good to the masses, let us analyze the coal traffic of California and ascertain whether the great public will reap any material advantage.
>
> The American coal-producer on the Atlantic seaboard protests against any reduction in duty, because the Nova Scotia mines will disturb his trade in the great consuming centers of New England.
>
> The American miner on the Pacific coast contends for a chance to keep his present trade in California against mines in British Columbia, but the same kind of practical reasoning applicable in the East does not fit the peculiar conditions here. It may be said in prophecy that if the present duty be annulled, the most of the 75 cents will go into the pockets of the British miner and shipowner. Theoretically it should go to the California consumer. Practically it will not.
>
> As a proof of this, I will state that on January 1, 1894, the Australian miners announced a decline of 1 shilling free on board ships at their wharves. Immediately the ship owners made an advance of 1 shilling in freights to California, and reaped the whole benefit from the drop in price.

Mr. President, it seems to me sometimes, as I look over the entire situation and all the phases of the discussion of this bill, rather hard that the main onus seems to fall on the people of the new communities, the new States of the West, and particularly on the State of Washington. Only a few days ago we had the duty entirely removed from sawed lumber and dressed lumber. That is the principal industry of the State of Washington. Now, it is proposed to reduce the duty on coal from 75 cents a ton to 40 cents a ton. That is probably the second industry in point of prominence in the State of Washington.

So the people of the new States, who have been all their lives helping to keep up the system under which they have prospered, who have gone out into this new country, and just at the time they get fairly started in the development of their industries they are to lose the benefit of the protection they have been assisting to give to the people of the Union up to the present time. It seems to me rather hard. They have not the diversification of industries which the people of the Eastern and Middle States have.

Mr. PLATT. The Senator omitted wool.

Mr. SQUIRE. Yes, sir; I should have mentioned wool. I am thankful to the Senator from Connecticut for mentioning wool. I can not understand why these three industries, which are the great industries of the State of Washington and of several other States in the far West, should be singled out in this mistaken effort or pretense to try and relieve the people of the United States. I can not understand why this blow should be aimed by this great country at these relatively poor communities; I mean in point of developed wealth; for they are rich in point of brains, rich in point of energy, rich in all the resources that nature has bestowed upon them, rich in their soil, climate, and unrivaled seabord, rich in their great cereal producing plains, rich in their vast forests of merchantable timber, rich in their mines of coal and of iron, and they are rich in their manhood, their energy, and their tact.

They understand the situation, and they know how to avail themselves of all these resources, and just as they get fairly started at the work, having placed their small fortunes in laudable enterprises, the Congress of the United States takes away all the protection it has heretofore afforded to those States, and thus you leave us without anything by which we may go on in

our good work of developing our region of the country, and leave us a prey to foreign powers.

As I said before in the remarks I formerly submitted, vessels go around Cape Horn to receive the wheat product of the Pacific coast States. They have not much to bring in the way of merchandise to the people of the Pacific coast, but they bring coal in ballast, they bring iron in ballast, and it costs them in that way practically nothing for the transportation of these articles to our ports. We have to compete with this foreign coal and foreign iron. As I have said, it is not fair or just to the people of the Pacific coast that this reduction should take place upon these great elements of their industry, and all this talk of free raw materials comes right home to their products, of which, as in the case of lumber, at least from 90 to 95 per cent is labor. There is nothing raw in the material of lumber except the tree in the wood.

This bill is peculiarly oppressive to the people of my own State. When it comes to the question of competition with British Columbia on the north, there are extensive coal fields on the island of Vancouver. The island of Vancouver is a large island. It has been sometimes compared in size with the island of Ireland, with which people are generally more familiar. It contains the capital of British Columbia—the city of Victoria. It has extensive coal mines at several places, and this coal is of excellent quality.

We have had a great contest recently in trying to prevent the Navy Department of the United States from procuring coal with which to supply the fleet of the Pacific Ocean, including the Bering Sea fleet, from the mines of British Columbia. The order had been given and I believe a large purchase had been at first made of the coal of British Columbia. Later, upon reports made to the Navy Department, the question was reconsidered, and ultimately the vessels then about to sail to the north did put on board coal from the State of Washington, although I believe a large shipment of coal had been sent north in advance of the going of these vessels, which had been purchased in British Columbia.

I think it important that the mining interests of coal on the Pacific coast should be protected.

Mr. ALLISON. May I ask the Senator a question?

Mr. SQUIRE. Certainly.

Mr. ALLISON. I have heard it often stated that the coal of British Columbia is superior to the coal of the State of Washington for steam purposes. Is that in any sense true?

Mr. SQUIRE. I do not believe it is true. I have statements from the best experts on that subject, and it is stated that the coal of the State of Washington is equal to the coal of British Columbia in every respect. It has been used for steam coal for more than twenty years with the greatest success. There are sometimes agencies in operation to secure the taking of coal in particular localities, and I am told such influence was exerted at the time the coal to which I have referred was taken from British Columbia, without reference to the quality of the coal. Sometimes there has been a disposition to draw distinctions unfavorable to the coal of the State of Washington. I am happy to state now that the Secretary of the Navy has ordered the coast defense vessel Monterey, in Puget Sound, to make a thorough comparative test of different kinds of coal.

There are some questions connected with the subject of the construction of the boilers and furnaces of these great war vessels as to their adaptability to different kinds of coal. It is very evident that if there is any fault in the construction, or in relation to the forced draft of the air in the furnaces of the vessels, or if there is any fault which interferes with the consumption of American coal, that construction ought to be changed and that difficulty, if it is only a mechanical one, ought to be obviated, so as to use American coal on American war vessels, which might be engaged in a war with the very country from which they would be compelled to obtain their coal if these experiments are not made and if these changes are not made, if they are found to be needed.

Mr. President, the coal of British Columbia lies very near the water, while the coal of the State of Washington lies at various points distant, say from 10 to 50 and 100 miles from the coast, necessitating railway transportation, whereas in British Columbia the coal can be put right on the vessel. That is an element entering into the cost. Then, in British Columbia the kind of labor employed is much less expensive than that in the State of Washington. The State of Washington is called the Pennsylvania of the Pacific coast. It has a vast area of coal, more than 1,000,000 acres, which coal area is said to be larger than that of any other State in the Union, and, in fact, larger than that of any country in the world. As yet there is only a beginning of the development, but it is capable of great expansion.

The Chamber of Commerce of Seattle in its petition to Congress states the following:

One of the chief resources of this State is coal. Its discovery was made in 1853. Geologists estimate the coal area at 1,000,000 acres. Development of this resource has been slow. Nothing was done prior to the war of the rebellion. After the war, encouraged by the imposition of an import tax on the product of foreign mines, capital was invested, labor employed, and trade begun. In 1867, 10,000 tons were mined; in 1877, 150,000 tons; in 1887, 800,000 tons, and in 1892, 1,150,000 tons.

That is stated by one authority. I think the correct statement of it is 1,213,427 tons, as ascertained by the United States Census authorities:

More than 3,000 men find employment in the mines. A great number of other men are engaged in the transportation and distribution and sale of coal. Including those dependent upon these men and others indirectly interested in the trade, it is a reasonable estimate to make that 20,000 people in the State of Washington live to-day upon the interests involved in the opening and operation of coal mines. These interests could be vastly increased, and would be were the import charge raised to the old figure of $1.25 per ton. Our chief competitors in this line of trade, as I have said, are in British Columbia, Canada's Pacific province.

These Canadian mines employ Chinese, and the lowest grade of Chinese. Our coal mines pay the highest price which is paid to colliers anywhere in the world. We pay more relatively for coal mining in the State of Washington than is paid in any other country on the face of the globe. Our miners are prosperous and as a rule they are contented. What the effect will be of the reduction of the duty to 40 cents a ton I can not fully explain.

This petition concludes as follows:

Free coal will mean an increased product of 50 per cent from the mines of British Columbia, and a decreased product of 50 per cent from the mines of Washington, prosperity and happiness north of the 49th parallel, and poverty and strife south. That the American Congress will ever look with pain upon the American people in matters of this character is our present and constant prayer.

I only know that it is impressed upon me on every hand by Democrats as well as by Republicans, in fact by the ablest and best men we have, that it will be disastrous to reduce the duty to 40 cents a ton. It is just about 40 cents which makes up the difference in the cost of transportation to the seaboard between the coal mines in Washington and those in British Columbia. Besides that, we have their cheaper labor to compete with.

Mr. CHANDLER. Does the Senator know what the duty is upon our coal that is admitted into Canada? Is it not 60 cents a ton?

Mr. SQUIRE. Yes. I spoke of that before in my discussion with the Senator from West Virginia.

Mr. CHANDLER. If the duty on the Dominion coal coming into the United States is to be 40 cents a ton, does the Senator know of any reason why we should put our duty at that figure when theirs is 60 cents?

Mr. SQUIRE. I think it is very evident that we should not reduce our duty below the duty imposed by Canada upon our coal. It is very evident if the purpose to do so is contemplated, that it ought to be made the subject of careful consideration and perhaps of an interchange of views by those representing our Government with those representing the government of the Dominion of Canada.

Mr. CHANDLER. Is not the result inevitable, if you have coal of the same kind in Washington as that in British Columbia, that we shall import largely of their coal while we shall not send them a ton of ours?

Mr. SQUIRE. That would be the practical effect, having the same kind of coal.

Mr. CHANDLER. That is what I mean. Is not the coal of the same kind?

Mr. SQUIRE. In our part of the country it is.

It is very seldom we have an opportunity to explain to the Senate and to the people of the United States the character of our resources and of our development in the State of Washington; and I ask permission to insert in the RECORD, without reading, an article on the subject of the Washington coal fields. It is a special article recently addressed to the New York Tribune.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Washington? The Chair hears none; and it will be so ordered.

The article referred to is as follows:

WASHINGTON COAL FIELDS—PROBABLY THE LARGEST IN THE WORLD—THE PRODUCT BEING TESTED ON UNITED STATES STEAMSHIPS.

[Special.]

SEATTLE, WASH., *May 7.*

The result of the recent test of Washington coal made by the several vessels of the Bering Sea fleet is being waited for with considerable interest on this coast. For years every effort has been put forth to induce the naval authorities to buy American coal instead of the coal from the British Columbian mines. The contract for this year's supply was made as usual with the Comox Mine on Vancouver Island; but Secretary Herbert afterward ordered the Bering Sea fleet to visit Puget Sound and make a thorough trial of the steaming qualities of the Washington product. The Mohican, the flagship of the squadron, took 125 tons; the Yorktown, 200 tons; the revenue cutter Bear, 350 tons; the Corwin, 40 tons; the other vessels of the fleet went north with full bunkers, but will use the Comox coal after the present supply is exhausted.

The importance of a coaling station on this side of the continent is easily apparent. In the event of war with England, the British Columbian mines would be immediately shut off, and in case of a quarrel with another coun-

try, the neutrality laws would forbid England to supply us. There seems no reason for preferring the British Columbian to the Washington coal. The latter has been in use for years on all the coast steamers, and has given universal satisfaction. The Oregon Improvement Company runs more than a dozen large boats, including the Queen, the finest on the Alaska route, all using coal from the company's mines.

The revenue cutter Bear, one of the largest carriers of the Bering Sea fleet, uses the American coal from preference. The Bear is one of the finest vessels in the service. She has been selected to make the annual trip to Point Barrow, the northernmost point of Alaska, and is the only ship, except whalers, that goes so far north. The Washington coal will be cheaper to use, and in the opinion of experts, will give better satisfaction, since it contains less sulphur and less ash-making material than the average output of the British Columbian mines. It is possible that some slight alteration will have to be made in the furnaces of vessels before the coal can be made thoroughly useful, but the result would more than pay for the trouble. It can be used in the present furnaces, with rather more frequent feeding than the Comox coal requires.

The magnitude of the coal deposits in the State of Washington is little realized away from the Pacific coast. Not all the Atlantic States combined contain such a supply. Workable veins are known to exist in eighteen out the thirty-four counties, and they cover an area of more than 1,000,000 acres. The coal ranges in character from cannel to semianthracite, through all grades of domestic, gas, steaming, coking, and smithing coals. With the exception of the Roslyn mines in Kittitas County, the productive measures lie west of the Cascade Range. They are all lignite and bituminous.

Anthracite has been found in the Olympics and in the Cascades, and there is a fine deposit at the base of Mount Rainier. These, however, have not been developed sufficiently to judge of their values. The lignite measures extend from British Columbia on the north to the Columbia River, and east from Puget Sound 15 miles. The area covered is estimated at 800,000 acres. Less than 2 per cent of all this territory has been worked, although about 5 per cent of it is owned by companies prepared to open up veins as soon as the market is ready for the output. Many hundred acres are held by prospectors who lack the money to develop their claims.

Of the mines already in operation the New Castle, owned by the Oregon Improvement Company, lies 21 miles from Seattle, and consists of four veins, the shallowest of which is 3 feet, the deepest 12 feet. The coal is excellent for steaming purposes. The Gilman mine, 42 miles from Seattle, is now working two of its five veins. The output is high-grade lignite, with small streaks of bituminous; too small, however, to warrant separation. The Cedar Mountain mine is working two veins, one of them 11 feet 6 inches in depth. At Franklin, the coal is of a semibituminous character, the deposit being of a somewhat older geological formation. The same is true of the Black Diamond mines, 30 miles from Seattle. This mine employs something like five hundred men, and its capacity is estimated at 1,000 tons per day.

The Skagit County mines bid fair to be of immense value in the near future. The preliminary tests made by the Yorktown indicated that this coal is the best for steaming purposes on the Sound. It also makes a very superior coke. The bituminous measures join the lignite on the east and extend to the Cascade range. The veins are so twisted that it is impossible to determine their number. The Carbon River group is developed more than the others, four veins being worked, the product high-grade gas and steam coal. Twelve miles north is the Raging River group, consisting of eight veins, four of which are being worked. The Roslyn mines are 125 miles east from Seattle. Their veins lie nearly horizontal, near the surface, and cover an area of 100,000 acres. The mines have been in operation since 1886. Over 1,000 men are employed, and the daily output is about 2,500 tons of bituminous lump coal, well adapted to domestic and steaming purposes.

The first discovery of coal in Washington was made in 1852, at Bellingham Bay, but no export of importance was made until 1870. Last year over a million and a quarter tons were marketed, which for a season of depression is no bad showing. The Washington coal veins are easier mined than those of the Eastern States, on account of the angles at which they dip allowing them to be opened by tunnels and saving the expense of hoisting the output. Timber for bunkers, etc., is cheap and abundant; water for washers is to be found everywhere. This, of course, has a great bearing on the values of the measures. It seems only a question of time before Washington will be the largest coal-producing district in the United States, and probably the largest in the world.

Mr. SQUIRE. I may say also in this connection, in regard to the rate of wages paid in the different countries, that the average cost of coal mining in the United States is far above the cost in Great Britain. I have here a table showing the average cost of coal mining in the United States and in Great Britain. As a rule, where in the United States the wage-worker in coal gets $2, in England the same worker gets $1, in France and in Germany 60 cents, and in Bohemia and the eastern parts of Europe 50 cents.

Mr. President, I say, in conclusion, that I trust before this bill is finally disposed of, the Committee on Finance will be willing to increase the rate of duty on coal to at least 60 cents a ton. I am very glad to get 40 cents rather than no duty at all; but I hope the committee will increase it at least to the extent of 50 or 60 cents a ton.

Mr. PLATT. They ought to make it 60 cents a ton.

Mr. SQUIRE. Sixty cents a ton would be preferable; and if no other Senator does so, I shall first propose an amendment making the rate 60 cents a ton, and if I do not succeed in getting that, I may propose an amendment at 50 cents a ton. I may add, in this connection, that I hope there will not be exercised that kind of spirit against the lumber industry that seems to exist now in the minds of the members of the Finance Committee. It is not right, it is not fair, and the Democratic party, if they insist upon entirely abolishing the duty upon sawed lumber, will be held to a severe account by the people of the State of Washington. I hope, before we get through with this bill, a reasonable duty will be placed upon lumber, at least a small duty, say 50 cents per thousand feet on sawed lumber and $1 per thousand on dressed lumber.

Mr. HARRIS. Mr. President, this amendment has been under discussion for about four hours, and I move to lay the amendment of the Senator from New York to the amendment of the committee on the table.

The VICE-PRESIDENT. The question is on the motion of the Senator from Tennessee.

Mr. CHANDLER. I suggest the absence of a quorum.

The VICE-PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Allen,	Faulkner,	Jones, Ark.	Pugh,
Allison,	Frye,	Kyle,	Quay,
Bate,	Gallinger,	Lindsay,	Ransom,
Berry,	George,	Lodge,	Sherman,
Blackburn,	Gordon,	McLaurin,	Shoup,
Blanchard,	Gorman,	Manderson,	Smith,
Caffery,	Gray,	Martin,	Squire,
Call,	Hale,	Mitchell, Wis.	Stewart,
Camden,	Hansbrough,	Morgan,	Teller,
Cameron,	Harris,	Morrill,	Turpie,
Carey,	Hawley,	Murphy,	Vest,
Chandler,	Higgins,	Palmer,	Vilas,
Cockrell,	Hill,	Pasco,	Voorhees,
Coke,	Hoar,	Peffer,	Walsh,
Cullom,	Irby,	Perkins,	Washburn,
Dolph,	Jarvis,	Platt,	White.

The VICE-PRESIDENT. Sixty-four Senators have answered to their names. A quorum is present. The question recurs upon the motion of the Senator from Tennessee [Mr. HARRIS].

Mr. HILL. I desire to ask consent of the Senator from Tennessee to withdraw his motion, that there may be a direct vote on the merits of the amendment.

Mr. HARRIS. If a direct vote can come without further debate I should prefer taking it upon the amendment, but the amendment has been debated for four hours and I think the country is sufficiently enlightened upon it.

The VICE-PRESIDENT. The question is on the motion of the Senator from Tennessee.

Mr. HILL. Does the Senator from Tennessee accede to the request I made? I think I can assure him that there will be no further debate upon this particular question.

Mr. HARRIS. The only trouble is that the Senator from New York can not assure me that others will not debate it. If he can I should most cheerfully accede to his request.

Mr. DOLPH. Let the Senator from New York ask unanimous consent to that effect.

Mr. HILL. I ask unanimous consent that no further debate be had upon the proposition to place bituminous coal upon the free list.

The VICE-PRESIDENT. Is there objection to the request of the Senator from New York? The Chair hears none.

Mr. HARRIS. I withdraw my motion to lay the amendment to the amendment on the table.

The VICE-PRESIDENT. The motion of the Senator from Tennessee being withdrawn, the question recurs on the amendment proposed by the Senator from New York [Mr. HILL] to the amendment of the committee.

Mr. HILL. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. HIGGINS. Let the amendment be stated.

The VICE-PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. In line 8, on page 80, it is proposed to strike out "40 cents per ton," and insert "shall be admitted free from duty."

The VICE-PRESIDENT. The yeas and nays will be called on the amendment.

The Secretary proceeded to call the roll.

Mr. BLANCHARD (when his name was called). I am paired with the senior Senator from Michigan [Mr. MCMILLAN]. If he were here I should vote "nay."

Mr. CAMERON (when his name was called). As a rule I am paired with the Senator from South Carolina [Mr. BUTLER]; but if he were present I think he would vote "nay," and therefore I shall vote "nay."

Mr. GALLINGER (when his name was called). I am paired with the junior Senator from Texas [Mr. MILLS].

Mr. GORDON (when his name was called). I am paired with the Senator from Iowa [Mr. WILSON].

Mr. MCLAURIN (when his name was called). I am paired with the junior Senator from Rhode Island [Mr. DIXON]. If he were present I should vote "nay."

Mr. PLATT (when his name was called). I am paired with the Senator from Virginia [Mr. HUNTON]. If he were present I should vote "nay."

I desire, while I am on my feet, to say that I voted this morning inadvertently upon some roll call when the Senator from Virginia was absent. I try to be very particular respecting my pairs, but forgot it this morning.

Mr. SMITH (when his name was called). I have a general pair with the junior Senator from Idaho [Mr. DUBOIS], and my

colleague [Mr. MCPHERSON] has a general pair with the Senator from Delaware [Mr. HIGGINS]. I desire to transfer that pair, which will allow the Senator from Delaware and me to vote. I vote "nay."

Mr. HIGGINS. Under that arrangement I am at liberty to vote. I vote "nay."

Mr. VILAS (when his name was called). I am paired with the Senator from Oregon [Mr. MITCHELL].

The roll call was concluded.

Mr. GIBSON. I am paired generally with the junior Senator from Michigan [Mr. PATTON]. I am not advised as to how he would vote if present, but I presume he would vote "yea." I should vote "nay."

Mr. CAMDEN. I am paired with the Senator from South Dakota [Mr. PETTIGREW], but I transfer that pair to the Senator from Virginia [Mr. HUNTON], which will allow the Senator from Connecticut [Mr. PLATT] and me to vote. I vote "nay."

Mr. PLATT. I vote "nay."

The result was announced—yeas 7, nays 50; as follows:

YEAS—7.

Allen,	Hill,	Kyle,	Washburn.
Hansbrough,	Irby,	Peffer,	

NAYS—50.

Aldrich,	Cullom,	Jones, Ark.	Quay,
Allison,	Dolph,	Lindsay,	Ransom,
Bate,	Faulkner,	Lodge,	Roach,
Berry,	Frye,	Manderson,	Sherman,
Blackburn,	Gibson,	Martin,	Shoup,
Brice,	Gorman,	Mitchell, Wis.	Smith,
Call,	Gray,	Morgan.	Teller,
Camden,	Hale,	Morrill,	Vest,
Cameron,	Harris,	Murphy,	Voorhees,
Carey,	Hawley,	Palmer,	Walsh,
Chandler,	Higgins,	Pasco,	White.
Cockrell,	Hoar,	Platt,	
Coke,	Jarvis,	Pugh,	

NOT VOTING—28.

Blanchard,	Gallinger,	McPherson,	Proctor,
Butler,	George,	Mills,	Squire,
Caffery,	Gordon,	Mitchell, Oregon	Stewart,
Daniel,	Hunton,	Patton,	Turpie,
Davis,	Jones, Nev.	Perkins,	Vilas,
Dixon,	McLaurin,	Pettigrew,	Wilson,
Dubois,	McMillan,	Power,	Wolcott.

So the amendment to the amendment was rejected.

The VICE-PRESIDENT. The question is upon agreeing to the amendment of the Committee on Finance.

Mr. HANSBROUGH. I desire to offer an amendment to the amendment, which I send to the desk.

The VICE-PRESIDENT. The amendment proposed by the Senator from North Dakota will be stated.

The SECRETARY. It is proposed to add at the end of line 10, page 80:

But the above product shall be admitted free of duty from any country which imposes no import duty on the like product when exported from the United States.

Mr. HOAR. Mr. President, the Senator from West Virginia [Mr. FAULKNER] made a very remarkable statement, considering the attitude which has been taken by his party in this debate. He said that possibly some few years hereafter, when the people's minds had been prepared by discussion for free coal, he might himself be able to stand up here and advocate it. If there is anything that our friends on the other side have insisted upon in this debate, it was that the people's minds on all these questions had been prepared by abundant discussion, and had been not only made up, but expressed in the Presidential election of 1892; and it is a little remarkable that when the people's minds had got so made up and expressed, according to our Democratic brethren, the Democrats come in here and undertake to act directly contrary to its expression.

If there is any one thing which the mind of the people who voted the Democratic ticket was made up on in New England, it was free coal. That has been the cry of all the Democratic speakers and the burden of all Democratic resolutions and platforms. The Democratic party went into that campaign with a principle, as they allege, and a promise. The principle was that a protective duty was robbery; was unconstitutional; that no patriotic American could support it; that they proposed to abandon it in establishing this duty, as they have in a thousand other cases where a Southern industry comes into consideration.

Then they have made this particular and express promise as to its application. The Senator from Texas [Mr. MILLS], who must be somewhere, mourning and wringing his hands when he can not be present, uttered that promise all over the State of Massachusetts, and, I think, in some other New England States, certainly in Connecticut. The Democratic platforms in each State had the same principle and promise.

The Senator from Missouri [Mr. VEST] lectured us on statesmanship a little while ago, and thought it was a great wrong that any Senator on the Republican side should refrain from voting on this question if he thought best. I think of the two it is better statesmanship not to vote at all than to constantly and confessedly keep voting against what you think is the interest of your country, sound constitutional principle, and your own promises; and with this poor excuse that these Senators want to vote for free coal and free raw material, but there is some hidden person who will not let them.

Now, I appeal to the honorable Senator from Missouri to try to have an honest vote once; let him get up and make his speech in favor of free coal and free sugar, which he believes in, and see if he can not convert these people. Let him move an amendment. A great many amendments have gone through here on the authority of the Senator from Missouri and the Senator from Arkansas [Mr. JONES]. Why will they not just try once moving an amendment which represents their principles and their promises? Perhaps that is what my honorable friends are consulting about at this moment. [Laughter.] I shall wait, if the Senator from Arkansas and the Senator from Missouri would like to have me, until they finish their consultation. I presume it is a new idea to my honorable friends on the other side——

Mr. VEST. I did not hear the Senator's question.

Mr. HOAR. My question was whether the Senator would once move an amendment in accordance with his own belief and make a speech in favor of it?

Mr. VEST. Oh, I thought the Senator was talking about the size of some duty.

Mr. HOAR. I suggest that before the Senator yields to this unknown Ethiopian in the Democratic woodpile, he should once move something which he believes in, and make a speech in its favor, and try a vote in the Senate on it.

Did the Senator ever hear before of statesmanship which carried its point by silence? Did he ever before hear of statesmanship which carried its point by voting against everything in which it believed? Did the Senator ever before hear of statesmanship which was constantly making motions to amend a bill, which was right as the Senator found it, to make it wrong?

Mr. President, it does seem to me that our honorable friends on the other side never can go to the American people—I do not know that they ever expect to go to the people of New England again—and ask the confidence of any human being, merely on this claim that they were forced to do something by somebody whom they do not name. Why can you not stand up like men and move an amendment to put coal on the free list, and vote for it? Why can you not stand up like men and move an amendment to put sugar on the free list, and vote for it? Why can you not stand up and move an amendment to put iron on the free list, and vote for it?

Where is this man? In regard to this particular matter of coal, as I said the other day, every Democratic Senator from a coal-producing State has told the Senate that he would vote for the pending bill whatever you did with coal—every one of them, both Senators from West Virginia, both Senators from old Virginia, and one Senator from Alabama, and the other, I have no doubt, knows very well his purpose in the same way is perfectly understood. Can the Senators on the other side of the Chamber name a man on that side whose vote would be lost if you concur with the House of Representatives and concur with the President? Your promise, your word of honor is broken. I am speaking now of the party, and not in the personal sense. Your principles are abandoned and gone.

Mr. President, there was a New England poet and prophet who described the present situation of the Democratic party a good many years ago, and I should like to commend the narrative to my honorable friend from Arkansas. History repeats itself. The same old Democratic party—I was going to use another word, but I shall simply confine myself to that, for I can not say anything worse than that [laughter]—has been in existence a good many years, and here is a description in regard to it in reference to this very tariff question, which I commend to my honorable friends on the other side:

A marciful Providunce fashioned us holler
O' purpose thet we might our principles swaller;
It can hold any quantity on 'em, the belly can,
An' bring 'em up ready fer use like the pelican.
Or more like the kangaroo, who (which is stranger)
Puts her family into her pouch wen there's danger.
Ain't principle precious? Then who's goin to use it,
Wen there's resk o' some chap's gittin up to abuse it?
I can't tell the w'y on 't, but nothin' is *so* sure
Ez thet principle kind o' gits spiled by exposure.
A man thet lets all sorts o' folks git a sight on 't
Ough' to hev it all took right away, every mite on 't;
Ef he can't keep it all to himself wen it's wise to,
He ain't one it's fit to trust nothin' so nice to.
Besides, ther's a wonderful power in latitute—

West Virginia and Massachusetts, for example——

To shift a man's morril relations an' attitude,
Some flossifers think thet a fakkilty's granted
The minnit it's proved to be thoroughly wanted,
Thet a change o' demand makes a change o' condition,
An' thet everythin' 's nothin' except by position;

Ez, fer instance, thet rubber trees fust begun bearin'
Wen p'lit'kle conshunces come into wearin';
Thet the fears of a monkey, whose holt chanced to fail,
Drawed the vertibry out to a prehensile tail;
So, wen one's chose to Congriss, ez soon ez he's in it,
A collar grows right round his neck in a minnit,
An' sartin it is thet a man can not be strict
In bein' himself when he gits to the Deestrict,
Fer a coat thet sets wal here in ole Massachusetts,
Wen it gits on to Washinton, somehow askew sets.

I recommend that to my honorable friend from Texas——

So they march in percessions, an' git up hooraws
An' tramp thru the mud fer the good o' the cause,
An' think they're a kind o' fulfillin' the prophecies,
Wen they're on'y jest changin' the holders of offices;
Ware A sot afore, B is comf'tably seated,
One humbug's victor'ous an' t'other defeated,
Each honnable doughface gits jest wut he axes,
An' the people—their annooal softsodder an' taxes.

Now, to keep unimpaired all these glorious feeturs
Thet characterize morril an' reasonin' creeturs,
Thet give every paytriot all he can cram,
Thet oust the untrustworthy Presidunt Flam,
An' stick honest Presidunt Sham in his place,
To the manifest gain o' the holl human race,
An' to some indervidgewals on 't in partickler,
Who love Public Opinion an' know how to tickle her—
I say thet a party with gret aims like these
Must stick jest ez close ez a hive full o' bees.
I'm willin' a man should go tollable strong
Agin wrong in the abstract, fer thet kind o' wrong
Is ollers unpop'lar an' never gits pitied,
Because it 's a crime no one never committed;
But he mus'n't be hard on particklar sins,
Coz then he'll be kickin' the people's own shins;
On'y look at the Demmercrats, see wut they've done
Jest simply by stickin' together like fun;
They've sucked us right into a mis'able war
Thet no one on airth aint responsible for;
They've run us a hundred cool millions in debt
(An' fer Demmercrat Horners ther's good plums left yet);
They talk agin tayriffs, but act fer a high one,
An' so coax all parties to build up their Zion;
To the people they're ollers ez slick ez molasses,
An' butter their bread on both sides with The Masses,
Half o' whom they've persuaded, by way of a joke,
That Washinton's mantelpiece fell upon Polk.

Mr. VEST. I have an amendment to offer after that literary production.

Mr. PLATT. Is there not an amendment pending?

Mr. VEST. The amendment pending has been voted upon, I understand.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from North Dakota [Mr. HANSBROUGH] to the amendment of the committee.

Mr. ALLISON. Mr. President, I am rather sorry my friend from North Dakota has offered this amendment. I know that it is in accord with a great many amendments which have already been voted into this bill. It is provided in the bill that wheat and wheat flour, rye and rye flour, oats and oatmeal, corn and corn meal, buckwheat and buckwheat flour, and perhaps some other things shall come into this country free of duty from the Dominion of Canada when the Dominion of Canada admits free of duty similar articles from this country.

I admit with the Senator from North Dakota that consistency would seem to require that the same arrangement should apply to bituminous coal; but the Senator from North Dakota forgets that under the coal arrangement, as it now stands in the bill, the coal miners of Pennsylvania, Virginia, West Virginia, and Maryland will be unable to transport their coal along the seaboard line, with the provision of 40 cents a ton, as against like coal transported southwestward from Nova Scotia, and that it is not intended by the producers of coal, first, in these States, and secondly, in Nova Scotia that this competitive market with a 40-cent duty per ton upon one side and 60 cents duty upon the other side shall get very far away from the seaboard; because if it did the coal of Ohio and the more westerly coal would find a market in the Western portion of Canada, and possibly in the neighborhood of Manitoba, and thus interfere with the transportation of the Canadian railroads and the Nova Scotia coal into the provinces of Ontario and Quebec.

So it is intended that this shifting as between the Southern regions of coal producing shall have their play along the seaboard, and that Ohio and other Western States, which produce coal, shall be shut out of the Canadian market, and the Canadian coal shall be shut out of the interior regions of the Northeastern States.

So these rules, I submit to my friend, do not seem to apply with the force with which they applied to wheat and corn and oats and buckwheat, because, in that instance, nobody but the people of the Northwestern States is to be injured by such a proceeding; but in this instance it will cut a little both ways, possibly, and that will do very well. It is all well enough to put these great Northwestern products into competition with Canada without duty on either side; but when it comes to coal it must be left, the Atlantic seaboard to play on one side or on the other.

Mr. HOAR. I should like to ask the Senator from Iowa if there is not a very large export of bituminous coal from this country into Canada?

Mr. ALLISON. It is very large; I do not know how much, but nearly 2,000,000 tons, I think, per annum, and yet it pays 60 cents a ton duty.

Mr. HOAR. If that duty were taken off would it not extend our exports into Canada of that coal very far to the eastward of the supply now—about as far east as Quebec?

Mr. ALLISON. Yes; and in doing that it would come in competition with the Nova Scotia coal, which is no part of the purpose here; but the purpose seems to be to keep out the Ohio coal from this competition, in order that the Nova Scotia coal may get as far into Ontario as possible.

Mr. SHERMAN. I trust the Senate will not adopt the amendment offered by the Senator from North Dakota, because, if it does, it will not be operative. The people of Canada now ship largely from Ohio and from other Northwestern States across the Canadian line. Indeed the coals of the United States supply all the demand in that whole country from Montreal clear westward almost to the Rocky Mountains, where they have plenty of fine anthracite coal. They therefore will not accept this condition if it is proposed, while it leaves the other provision, which has already been acted upon, to operate entirely against the people of the United States.

There is now no wheat, no buckwheat, no rye, and no grain of any kind shipped from the United States of America to Canada. The farmers of Canada supply these articles for their own people, consequently the provision which has already been inserted will be very injurious to the Northwestern States, as will indeed be many of the provisions of this bill. I think this is one of the most injurious in a financial sense.

The people of Canada will not surrender the 60-cent duty upon coal in order to avail themselves of the privilege of free coal. They regard the duty on our coal as a revenue duty, and it was imposed for that purpose. They know the coals from Nova Scotia can not go west of Montreal. The conditions of commerce and everything prevent it. The coals of Nova Scotia must find their market, if anywhere, either in Quebec or in the New England States, and can not by possibility be extended up the St. Lawrence beyond the city of Montreal. Nova Scotia coal will not be transported above Montreal west, for that region is supplied entirely by our coal.

The Canadians, I am quite sure, will not surrender the revenue which they derive from coal, which is quite a necessary item, and is vital to them. If the quantity imported into Canada amounts to 2,000,000 tons, at 60 cents a ton it would be $1,200,000, a very large sum, and a sum that they can not do without. Therefore, it is useless to insert this provision here, and it will probably set a bad example.

I trust before this bill passes away from the Senate that the other provisions, which entirely place our market at the command of the Canadian farmer without any corresponding benefit whatever to us, will be changed, because no grain whatever is transported from the United States across the water into Canada, and they supply themselves with the cereals. The land in some parts of Canada in some respects is better than the average land in the United States for wheat, rye, oats, and barley.

I therefore shall vote against this amendment, however plausible it may appear to be.

Mr. HARRIS. I move to lay the amendment of the Senator from North Dakota to the amendment on the table.

Mr. HANSBROUGH. I call for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BLANCHARD (when his name was called). I am paired with the Senator from Michigan [Mr. MCMILLAN]. If he were present I should vote "yea."

Mr. GALLINGER (when his name was called). I again announce my pair with the junior Senator from Texas [Mr. MILLS].

Mr. GIBSON (when his name was called). I take occasion to again announce my pair with the junior Senator from Michigan [Mr. PATTON].

Mr. HANSBROUGH. I think it is quite clear that the Senate or some of the Senators do not understand the proposition before the Senate, and I ask that the amendment be read and then that the parliamentary situation be explained.

Mr. HARRIS. Let the roll call proceed.

Mr. FAULKNER. I object to debate.

The VICE-PRESIDENT. There is objection. The Secretary will proceed with the roll call.

The roll call was resumed.

Mr. GORDON (when his name was called). I am paired with the junior Senator from Iowa [Mr. WILSON].

Mr. HIGGINS (when his name was called). I suggest to the Senator from Georgia [Mr. GORDON] that we transfer pairs so that the Senator from New Jersey [Mr. MCPHERSON] will stand paired with the Senator from Iowa [Mr. WILSON], and we may both vote.

Mr. GORDON. That is entirely agreeable to me.

Mr. HIGGINS. I vote "yea."

Mr. GORDON. I vote "yea."

Mr. MCLAURIN (when his name was called). I am paired with the junior Senator from Rhode Island [Mr. DIXON]. If he were present I should vote "yea."

Mr. PLATT (when his name was called). I am paired with the Senator from Virginia [Mr. HUNTON], and therefore withhold my vote.

Mr. VILAS (when his named was called). I am paired with the Senator from Oregon [Mr. MITCHELL].

The roll call was concluded.

Mr. ALDRICH. On this question I am paired with the junior Senator from Georgia [Mr. WALSH]. If he were present I should vote "nay."

Mr. GEORGE. I am paired with the Senator from Oregon [Mr. DOLPH], but I transfer that pair to the Senator from Texas [Mr. COKE], and vote "yea."

Mr. HARRIS. The Senator from Texas [Mr. COKE] has been called away from the Chamber by illness.

Mr. CAMDEN. I again announce my pair with the Senator from South Dakota [Mr. PETTIGREW]. If he were present I should vote "yea."

Mr. CAREY (after having voted in the negative). I am paired with the Senator from Wisconsin [Mr. MITCHELL], and withdraw my vote.

Mr. CAMERON. Assuming that the Senator from South Carolina [Mr. BUTLER], if present, would vote the same way as I do upon this question, I vote "yea."

Mr. MURPHY. I am paired with the Senator from New Hampshire [Mr. CHANDLER], and withhold my vote. If he were present I should vote "yea."

The result was announced—yeas 33, nays 13; as follows:

YEAS—33.

Allison,	Daniel,	Jones, Ark.	Roach,
Bate,	Faulkner,	Lindsay,	Sherman,
Berry,	George,	Martin,	Smith,
Blackburn,	Gordon,	Morgan,	Vest,
Brice,	Gorman,	Palmer,	Voorhees,
Call,	Harris,	Pasco,	White.
Cameron,	Hawley,	Pugh,	
Cockrell,	Higgins,	Quay,	
Cullom,	Jarvis,	Ransom,	

NAYS—13.

Dubois,	Kyle,	Peffer,	Washburn.
Hansbrough,	Lodge,	Shoup,	
Hill,	Manderson,	Squire,	
Hoar,	Morrill,	Teller,	

NOT VOTING—39.

Aldrich,	Dixon,	McLaurin,	Platt,
Allen,	Dolph,	McMillan,	Power,
Blanchard,	Frye,	McPherson,	Proctor,
Butler,	Gallinger,	Mills,	Stewart,
Caffery,	Gibson,	Mitchell, Oregon	Turpie,
Camden,	Gray,	Mitchell, Wis.	Vilas,
Carey,	Hale,	Murphy,	Walsh,
Chandler,	Hunton,	Patton,	Wilson,
Coke,	Irby,	Perkins,	Wolcott.
Davis,	Jones, Nev.	Pettigrew,	

So the amendment to the amendment was laid on the table.

Mr. SQUIRE. I offer an amendment to the amendment, which I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In line 8, on page 80, after the word "shale," it is proposed to strike out "forty" and insert "sixty."

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Washington [Mr. SQUIRE] to the amendment of the committee.

Mr. PLATT. I shall support this amendment with a great deal of pleasure. I should support it in silence by my vote, if I did not fear that after what has been said here to-day by some Senators from my section of the country it might be charged or suspected that New England wants free coal, or coal at a largely reduced rate of duty.

I am sure that what all those Senators intended should be understood from their remarks was that it was a criticism upon the very great inconsistency of the Democratic party in trying to obtain votes upon a promise to give free coal, and then when in power keeping coal dutiable. That inconsistency, Mr. President, hardly ought to be remarked upon in the Senate. It is so common and has been so universal in all the past history of the Democratic party that it should try to secure votes by promises which it never intended to keep, that it is scarcely worth while to remark upon it.

I shall also support this amendment very heartily, because the Senator from West Virginia [Mr. FAULKNER] says that nobody in the world is to be benefited by a reduction of the present duty upon coal, except some people along the seaboard. The people along that seaboard do not want a reduction, and have no respect for the gift so bestowed by the people of West Virginia upon them. I wish to vote for a larger duty than that recommended by the Committee on Finance for the purpose of emphasizing the fact that we do not want this reduction of duty, either suggested by the Senator from West Virginia, or recommended by the Finance Committee, or by any member of the committee, for the purpose of benefiting anybody up in New England or in New York; but I do agree with the Senator from West Virginia to the extent that the reduction of this duty will benefit nobody.

He thinks it will benefit nobody, except some people in Boston and New York and not a mile back from the Atlantic seaboard. The reduction of the duty will benefit nobody else all over the country. I do not know when I have been more pleased by the statement of a law of political economy by a concession to the theory of the protectionist than I was by the admission of the Senator from West Virginia.

It is rather curious to witness what reasons are given by a free trader and a man who believes in free raw material when he wants to get a duty which will protect. He wants to reduce the duties in this bill because he wants to take some burdens off of somebody's shoulders; but the moment it goes to coal, and the reduction of the duty on coal from 75 cents a ton to 40 cents a ton, that will take the burdens from nobody's shoulders and be of no earthly benefit to anybody, except some few within a mile of the Atlantic seaboard!

Why not? If this great reduction of the duty on coal from 75 cents a ton to 40 cents a ton is not going to lift a burden from anybody's shoulders, how are all these other reductions which the Senator votes for, and for which Senators on the other side of the Chamber vote, going to take burdens off the people's shoulders? It shows the inconsistency of the claim that this reduction is going to benefit somebody.

Then the Senator said this 40 cents per ton duty is a revenue duty, and he said that 75 cents a ton was a revenue duty. If 75 cents a ton duty was a good revenue duty, why in the world impose a duty of 40 cents a ton? Will 40 cents a ton get as large revenue as 75 cents per ton, when they are both revenue duties? I notice we got quite a good deal of revenue out of the importation of bituminous coal last year. Of bituminous coal and shale we had an importation of 1,090,374 tons, of the value of $3,599,037, with a duty of $817,780; and the reduction of duty as figured by the expert of the committee is from $817,780 to $436,149. A peculiar kind of a revenue duty transaction this!

Mind you, the 75 cents per ton duty was a revenue duty, and the 40 cents per ton is a revenue duty, which is going to reduce the revenue by some $300,000, more or less—I do not remember the exact figures. If the 75 cents a ton was a revenue duty and yielded this large revenue, why not keep it? Why reduce it to 40 cents per ton and obtain less revenue? Is the Treasury so plethoric that we do not need the revenue?

When this Congress first met we were told that there was to be a deficit in the Treasury of about $28,000,000. Under Republican administration, the year ending June 30, 1893, there had been no deficit; the revenue had been equal to the expenditures, and a little more; but after we got together here in session we were told there was going to be a deficit of $28,000,000. That ran along for a time, bad enough to contemplate, but after awhile those figures were revised by the Secretary of the Treasury, and we were told that there was to be a deficit of $78,000,000 about the 30th of June.

Here is the end of the year, and I have the last estimate of the Secretary of the Treasury, undoubtedly to be corrected, and the deficit in our receipts, as compared with our expenditures, for the past year is from $75,000,000 to $78,000,000. Why, then, when we have a revenue duty which produces $800,000 and over, we should go and put on another revenue duty which will raise only about $400,000, is one of the things that I can not understand.

There are several things about this bill which, to use the language of a famous comedian, "no fellow can find out," and one of them is, why it is that this marvelous change has come over the spirit of the Democratic dream since this bill came from the House of Representatives. When the bill was in the House of Representatives it was a revenue bill; it was a Democratic bill; it was a reform bill; and adhesion to it was thought to be a test of pure Democracy; the things which were vaunted in the bill, the things which were praised to the skies, the things which were so eulogized that not only the Hall in the other end of this

building rang with the eulogies, but all the Democratic papers in the land took up the cry, were that sugar and wool and coal and iron and lead were on the free list.

That was the crowning glory of the Wilson bill, and there went up one universal cry from the mouth of all Democrats in the United States just as soon as this bill got over into the Chamber, "Pass the Wilson bill."

What was the Wilson bill? A bill for free coal. That was the burden of the Democratic song; that was the significance of the Democratic cry, their banner cry—"Pass the Wilson bill." Well, the Wilson bill said "free coal." I suppose I may not read from what anyone said in the other House, but I want to read what was said somewhere.

Of all the reductions made in this bill there are none in their benefit to the consumer, none in their benefit to the laborer, that can be compared with the removal of taxes from the materials of industry. We have felt that we could not begin a thorough reform of the existing system, built up, as I have shown, story by story, until it has pierced the clouds, except by a removal of all taxation on the great materials that lie at the basis of modern industry, and so the bill proposes to put on the free list wool, iron ore, coal, and lumber. [Applause on the Democratic side.]

There was a Democratic doctrine then. Then there was a little something more said about coal.

With such exhaustless supplies, so close to the surface that the cost of mining has been reduced to a minimum, to less than is possible in Nova Scotia, to less than is actually paid in England, the question of a tariff on coal is neither a question of protection nor a question of revenue, but simply a question of subsidy to the great railroad corporations of the country.

* * * * * * *

We are exporters of coal for sale in neutral markets. We have a steadily and of late years a rapidly growing export trade, and retain this duty only to hold on to markets so remote from the coal mines that railroad transportation is their chief item in the cost of fuel.

Have we at last, Mr. President, come to the reason why this Wilson bill, which put coal on the free list, has been changed, and a duty of 40 cents a ton put upon coal? I have got so that in scanning the bill and analyzing its provisions, it has come to me naturally to hunt for a corporation behind any of the proposed advances. Let me read again what was given elsewhere as the only reason for keeping a duty on coal:

A tariff on coal is neither a question of protection nor a question of revenue, but simply a question of subsidy to the great railroad corporations of the country.

It was a Democrat who said that, and a Democrat who has a right to speak for the Democratic party. The bill came here to the Senate with that notice, that to put a duty on coal would be to grant a "subsidy to the great railroad corporations of the country." Yet, notwithstanding that, here comes this duty on coal. My only objection to it is that it is not enough, as I shall try to show before I get through the few remarks which I am making.

To show that there was not any mistake about what the Wilson bill meant, I wish to read from a review made of it by a very distinguished exponent of the Democratic party, so much so that he was invited to write the review of the Wilson bill for the North American Review of February, 1894:

The Democratic party, now in possession of the executive and legislative branches of the Government, has from its origin been the advocate and defender of equal rights and equal duties. It has been the uncompromising foe of class legislation and special privileges. In the press, on the stump, and in the conventions it has condemned every form of legislation that conferred bounties and exclusive privileges on one class of people and corresponding burdens on another. Two years ago the people took us at our word, and placed in our hands the constitutional power to redeem the pledges we had so often made. We are now face to face with the responsibility, and the future is soon to tell whether we have been sincere in the professions we have made, and whether we have the ability to execute the trust confided to our hands.

Let me read once more what this other noted Democrat says:

A tariff on coal is neither a question of protection nor a question of revenue, but simply a question of subsidy to the great railroad corporations of the country.

The article in the North American Review proceeds:

The Democratic party * * * in the press, on the stump, and in conventions has condemned every form of legislation that conferred bounties and exclusive privileges on one class of people and corresponding burdens on another.

But here comes this Wilson bill which had free coal in it, with a duty on coal, as its author says, for the benefit of the "great corporations of the country." Now, we go on a little further with this review of the Wilson bill:

The very first step to take is to put all materials that are to be manufactured or remanufactured on the free list. The work must not stop with wool and coal and ores, but it must be extended to all materials.

In looking at the schedules, the first in the list is chemicals, every article of which should be placed on the free list. Almost every article on that schedule is used in our metal and textile manufactures. In the metal schedule, all ores, pigs, bars, blooms, slabs, ingots, sheets, plates, and rods, should be freed from taxation. In textiles, all wool, cotton, silk, flax, hemp, and jute, and the yarns and threads of every fiber should be admitted free. All machinery oils and dyes, and everything that increases the cost of the finished articles, and especially of those we export, should be untaxed.

But wool, coal, and ore were indispensable. It never entered the mind of this distinguished exponent of the Democratic party that the party in the Senate could stop short of wool, coal, and ore. That was in the Wilson bill. The Wilson bill, as it passed the other House, was Democratic gospel. After looking at the bill before us I think the author of this article, who, by the way, is the Senator from Texas [Mr. MILLS], will read the following sentence from his review with interest:

Invested with full power, the people expect us to emancipate them from the tryanny to which they have been so long enslaved. We have put our hands to the plow and should not look back. We have started out from Sodom, and should "remember Lot's wife." There should be no halting, doubting, or debating as we stand on the banks of the stream.

That was when free coal was going to be adopted as a Democratic measure. But it strikes me if that Senator could now express his real sentiments about this bill, which goes back upon every promise of the Democratic party made to secure votes, he would think that if they had started from Sodom with the bill as it was passed by the other House they were only going over to Gomorrah with the bill as it will pass the Senate.

Mr. President, there are different degrees of virtue in the world, as we were told the other day by the Senator from Kansas [Mr. PEFFER], there are different degrees of selfishness. There is that virtue which is proof against all assailment, which nothing can overthrow and nothing can destroy. Then there is virtue which resists a good deal of temptation and pretty strong assaults. Then there is virtue which yields pretty easily when tempted or assaulted.

Now, we are told by the Senators on the other side that they have been forced to this matter of a duty on coal; that they yielded from necessity, not from choice. They are free traders still in this matter of coal. They are going home to their constituents and they are going to ring the changes on the same old platform again; they are going to tell them that they are for free coal, but they could not get it this time and they will next; and the reason why they could not get it this time was because they were overpowered and forced, and their virtue was not proof against the assault which was made upon them.

Mr. President, we have not seen any evidence here of resistance which entitles the people who put up that plea to any great sympathy. I never before have understood that two or four or six persons could control a Democratic caucus. I had supposed that the majority controlled in a Democratic caucus. When I am told that two or three or four or one mythical Senator had to be conciliated by a duty on coal when everybody else wanted to make free coal, I beg to say that there is not any such evidence of resistance as justifies the assumption of any extraordinary virtue in respect to this bill, and that the plea of being forced to take the protective duties which are scattered all along through the bill will scarcely go down hereafter even with Democratic audiences.

Now, Mr. President, a little more on the subject of the fierce assault which was made upon the virtue of Senators on the other side. They might have taken warning from something which was found in the letter of acceptance of President Cleveland, which was not incorporated in the speech of the Senator from Maryland [Mr. GORMAN]. They might have taken warning from this, when the President said:

The struggle for unearned advantage at the doors of the Government tramples on the rights of those who patiently rely on the assurance of American equality. Every governmental concession to clamorous favorites invites corruption in political affairs by encouraging the expenditure of money to debauch suffrage in support of a policy directly favorable to private and selfish gain.

I think the Senators who were constructing this bill, when the great coal barons we have heard so much about came to the doors of the committee room and demanded this duty, might well have turned as to their political bible to the following phrase of President Cleveland:

Every governmental concession to clamorous favorites invites corruption in political affairs by encouraging the expenditure of money to debauch suffrage in support of a policy directly favorable to private and selfish gain.

Is it so that the concessions which have been made to clamorous Democratic favorites will debauch the suffrage? That is what the President says. The chairman of the committee had a little experience with these clamorous favorites in the construction of the bill. With, as I thought, a somewhat unnecessary parade of the virtue which had been overthrown, he said when he made his speech in place of a report upon the bill that—

Obstacles have, of course, been encountered gigantic in size, arrogant, insolent, dictatorial, and, in some instances, sinister, perfidious, and dishonest in character.

Were those resisted or did the Senate committee succumb to them? Were the influences which got this duty on coal obstacles which were "gigantic in size, arrogant, insolent, dictatorial,

sinister, perfidious, and dishonest in character?" I do not want to believe it, Mr. President; I am loath to believe it; but we must find some reason why these pledges, and these promises, these oft-reiterated principles of the Democratic party have been overthrown, and why when they were once incorporated in the Wilson bill in the nature of free coal they are overthrown by the imposition of a duty of 40 cents a ton on coal. I do not suppose that the Senator reporting the bill intended the coal barons by this sentence—I merely read it to show what they had to contend with—

> Manufacturing interests * * * haughtily strutting the corridors and issuing their edicts in the tones of dictators for or against the enactment of pending measures in the halls of Congress.

Unfortunately the manufacturing interests, however much they have strutted these corridors, however loud they may have been in their demands, and however dictatorial they may have been, have not succeeded in getting so well taken care of as these coal barons.

There was something said this morning about statesmanship. It was intimated that if we did not vote upon this subject on this side of the Senate we should not be statesmen. I would rather not vote at all than to vote for something that I do not believe in. I express my private conviction (and I express it publicly, for the benefit of all Senators on the other side of the Chamber) that a majority of the Democratic Senators do not believe in a duty on coal. Yet they are going to vote for it. They vote one way when they believe another.

It is a sad spectacle, Mr. President, when the whole Democratic majority in the Senate quails and surrenders before two or three. Do they believe in the majority rule, or do they believe in the minority rule? Have they the capacity to carry into legislation their belief? I respect and admire the discipline of the Democratic party. I can not respect their surrender of the many to one or a few; but when they have surrendered I respect and admire their discipline. Senators are going to vote for this bill when they know it will consign them to private life in their own States.

Democratic Senators are going to vote for this bill, when they know that it works a revolution in politics and brings the Republican party again into power. Yet there is no flinching. Not a Senator halts in the onward march to the destruction of the Democratic party. The discipline is splendid. It is like the soldier of a forlorn hope. He believes that he is going to be shot down; he believes that he is not going to succeed; but he never falters or misses a step. Even in that grand charge at Balaklava of the six hundred, where some one had blundered, not a soldier faltered.

> Forward, the Light Brigade!
> Was there a man dismay'd?
> Not tho' the soldier knew
> Someone had blunder'd;
> Their's not to make reply,
> Their's not to reason why,
> Their's but to do and die:
> Into the valley of Death
> Rode the six hundred.
>
> * * * * *
>
> Storm'd at with shot and shell,
> Boldly they rode and well,
> Into the jaws of Death,
> Into the mouth of Hell,
> Rode the six hundred.

Not a Democratic Senator flinches or falters, knowing that the action of the Senate in passing the bill, unless the action shall be overthrown in the conference, means the death of the Democratic party.

Mr. HARRIS. Will the Senator allow me to ask him if that is the reason why he so vigorously opposes our action?

Mr. PLATT. I warn you to "flee from the wrath to come."

Mr. HARRIS. Warn yourselves.

Mr. PLATT. Believing one way and voting another reminds me of nothing so much in the world as the account which Mr. By-ends gave of his kindred in Pilgrim's Progress.

It will be remembered that after Faithful had lost his life at Vanity Fair, and Christian and Hopeful escaped with their lives and went on their journey, Mr. By-ends, of the town of Fair-speech, overtook them. Christian questioned him with regard to his ancestry, and I shall read his answer:

> CHRISTIAN. Pray, who are your kindred there, if a man may be so bold?
> BY-ENDS. Almost the whole town, and in particular my Lord Turn-about, my Lord Time-server, my Lord Fair-speech, from whose ancestors that town first took its name; also Mr. Smoothman, Mr. Facing-both-ways, Mr. Anything, and the parson of our parish, Mr. Two-tongues, was my mother's own brother by father's side, and to tell you the truth I am become a gentleman of good quality. Yet my grandfather was but a waterman, looking one way and rowing another, and I got most of my estate by the same occupation.

Believing one way, and voting another, and hoping to secure in some way a Democratic estate by that means. They will be mistaken, Mr. President.

I have thus far alluded to what seemed to me the shameful inconsistency of the Democratic party in the Senate in disfiguring, so far as the Democratic party of the country is concerned, this bill by protective duties. I am glad enough to get them. When I find one in the bill I vote with the committee to retain it. I only wish they had some principle about it, and that the bill was not fashioned on the principle of the church festival grab-bag, by which everybody grabs and gets all he can, for if the grab-bag game was to be applied to the bill I regret that Republican Senators have not had an opportunity to put their hands in and grab too.

Mr. STEWART. And Western Senators in regard to wool.

Mr. PLATT. The Senator from Nevada speaks about wool. I want to say that I regard free wool as the crowning shame of the bill. It is shameful in a good many respects, but that is the worst. What I complain of is that if the bill is to be constructed on the grab-bag principle we are not allowed in the game. The Senator from Tennessee [Mr. HARRIS], in his youthful impetuosity, one night told us we were not to be in the game at all; that the Republicans were to have no hand in it; that it was all going to be constructed by Democratic hands. I had not then come to understand just exactly how it was to be constructed.

My complaint about the duty under consideration is that it is not large enough, and I propose to vote for the duty proposed by the Senator from Washington. If this has been a revenue duty at 75 cents a ton nobody ought to oppose it. Nobody ought to oppose a duty of 60 cents a ton. As I said, we do not want to throw away this revenue. I never did see such hot haste as the Democratic party makes to empty the Treasury, and to keep it empty. If there is an article here which produces revenue like wool, coal, lumber, brandy, and all those things which might stop the continual outward flow of money from the present Democratic Treasury, they will not have any revenue from that source.

I shall vote for this proposed duty of 60 cents a ton, because I want the coal we use mined in this country by American workmen, and if there are some undesirable men among those American workmen, some who think they do not have their rights and take improper measures to obtain those rights, as they suppose them to exist, that is no reason why I should favor having this work done out of the country.

I wish the Democratic free trader could get the one idea into his mind as to what a benefit it is to the country to have all our work done here, what a benefit it is to have our wool grown here, and our ore dug here, and our coal mined here rather than to have it done somewhere else. I should suppose that the underlying patriotism of American Senators would get the better of their party predelections and party pride, so that they would not put into the bill anything which would strike down industries in this country.

Mr. President, at a rate of 40 cents a ton coal will not be mined in this country in competition with Nova Scotia and Vancouver Island except at a great reduction of wages to the miner, and it is poor wages enough that the miners get now. Everybody knows that. The Senator from West Virginia admits it. He admits that at 40 cents a ton the Nova Scotia coal will meet the Cumberland coal at New York or further south. Who will mine the Nova Scotia coal? Not an American workman. And what will the American workman do, who might have mined the coal in the United States if the duty had not been reduced from 75 cents a ton to 40 cents a ton?

He will not work at less wages in the mines, because when the work is being performed in Nova Scotia and on Vancouver Island there will be just so much less work performed in the mines of this country, and there will be just so many less men required to perform it as are employed in Nova Scotia and in Vancouver Island. What is he to do? What other occupation is he going into? Is he to go into the already crowded occupation of farming, with its blessed prospects under free wool, and free wheat, and free corn, and free oats? The rest of the miners will be told and told justly, that they can not compete with the Nova Scotia mines and the Vancouver mines at the rate of wages which has been paid; that if they will go on paying the same rate of wages their coal will be met at New York with Nova Scotia coal, which will come down to Philadelphia, and the coal of Vancouver will go on down the coast to San Diego, and therefore the wages have got to be reduced.

Mr. President, I stand for the system of protection because I will not desert the American laborer. I have no special right to call myself his champion, but I believe that the continuance of all these industries in the United States by American labor is the salvation of our civilization, and it is for that reason

that I am a protectionist. No supposed sentiment that we could get coal a little cheaper in New England will for a moment turn me from the plain, straight path of protection, which a man who acts from principle and not from selfish aims ought to pursue.

I hope the amendment of the Senator from Washington will be adopted.

Mr. HARRIS. If we had fewer common scolds in the Senate we would get on with the public business much more rapidly. I move to lay the amendment on the table in order that we may make some progress.

Mr. ALDRICH. It is evident that the discussion upon this particular amendment is exhausted, and I hope the Senator will allow the vote to be taken on it.

Mr. HARRIS. I was speaking of the character of the discussion and not of the discussion itself.

Mr. ALDRICH. I hope the Senator will withdraw his motion and allow the vote to be taken upon the pending amendment.

Mr. HARRIS. If we can come to a direct vote on the amendment it is just as satisfactory to me.

The VICE-PRESIDENT. The question is on the amendment of the Senator from Washington [Mr. SQUIRE] to the amendment of the committee.

Mr. PLATT. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. GEORGE (when his name was called). I transfer my pair with the Senator from Oregon [Mr. DOLPH] to the Senator from Texas [Mr. COKE], and vote "nay."

Mr. GIBSON (when his name was called). I announce my pair with the junior Senator from Michigan [Mr. PATTON].

Mr. HIGGINS (when his name was called). I am paired with the Senator from New Jersey [Mr. MCPHERSON].

Mr. MCLAURIN (when his name was called). I am paired with the junior Senator from Rhode Island [Mr. DIXON]. If he were present I should vote "nay."

Mr. MITCHELL of Wisconsin (when his name was called). I am paired with the Senator from Wyoming [Mr. CAREY].

Mr. PLATT (when his name was called). I am paired with the Senator from Virginia [Mr. HUNTON]. If he were present I should vote "yea."

Mr. VILAS (when his name was called). I have a general pair, as heretofore announced to-day, with the Senator from Oregon [Mr. MITCHELL], which I will transfer to the Senator from Texas [Mr. COKE] and vote "nay."

Mr. WHITE (when his name was called). I am paired with the Senator from Idaho [Mr. SHOUP] and withhold my vote.

The roll call was concluded.

Mr. GALLINGER. I desire to announce my pair with the junior senator from Texas [Mr. MILLS].

Mr. HIGGINS. I will transfer my pair with the senior Senator from New Jersey [Mr. MCPHERSON] to the junior Senator from Rhode Island [Mr. DIXON], who is paired with the junior Senator from Mississippi [Mr. MCLAURIN], enabling the Senator from Mississippi and myself to vote. I vote "yea."

Mr. MCLAURIN. I vote "nay."

Mr. BLANCHARD. I am paired with the senior Senator from Michigan [Mr. MCMILLAN]. If he were present I should vote "nay."

Mr. CAMDEN. I am paired with the Senator from South Dakota [Mr. PETTIGREW], but with the distinct understanding that I may vote when necessary to make a quorum. Is my vote necessary to make a quorum?

Mr. CAFFERY. I announce my pair with the Senator from Montana [Mr. POWER].

Mr. VILAS (after having voted in the negative). I learn that another Senator has transferred his pair to the Senator from Texas [Mr. COKE], and that the Senator from South Carolina [Mr. IRBY] has not yet been paired. I therefore transfer my pair with the Senator from Oregon [Mr. DOLPH] to the Senator from South Carolina [Mr. IRBY]. I have already voted.

Mr. CAMERON. I am paired with the Senator from South Carolina [Mr. BUTLER]. He would vote "nay" if present, and I should vote "yea."

The result was announced—yeas 16, nays 34; as follows:

YEAS—16.

Aldrich,	Davis,	Hawley,	Manderson,
Allison,	Dubois,	Higgins,	Quay,
Carey,	Frye,	Hoar,	Squire,
Cullom,	Hansbrough,	Lodge,	Teller.

NAYS—34.

Allen,	Call,	Gorman,	Jones, Ark.
Bate,	Cockrell,	Gray,	Kyle,
Berry,	Daniel,	Harris,	Lindsay,
Blackburn,	Faulkner,	Hill,	McLaurin,
Brice,	George,	Jarvis,	Martin,
Mitchell, Wis.	Peffer,	Smith,	Voorhees,
Morgan,	Pugh,	Turpie,	Walsh.
Palmer,	Ransom,	Vest.	
Pasco,	Roach,	Vilas,	

NOT VOTING—35.

Blanchard,	Gallinger,	Mills,	Proctor,
Butler,	Gibson,	Mitchell, Oregon	Sherman,
Caffery,	Gordon,	Morrill,	Shoup,
Camden,	Hale,	Murphy,	Stewart,
Cameron,	Hunton,	Patton,	Washburn,
Chandler,	Irby,	Perkins,	White,
Coke,	Jones, Nev.	Pettigrew,	Wilson,
Dixon,	McMillan,	Platt,	Wolcott.
Dolph,	McPherson,	Power,	

So the amendment to the amendment was rejected.

Mr. VEST. In line 9, after the word "culm," I move to insert the words "such as will pass through a half-inch screen."

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to amend the amendment of the committee in line 9, after the word "culm," by inserting "such as will pass through a half-inch screen;" so as to make the paragraph read:

Coal, bituminous, and shale, 40 cents per ton; coal slack or culm such as will pass through a half-inch screen, 15 cents per ton.

The amendment to the amendment was agreed to.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the committee as amended.

The amendment as amended was agreed to.

The next amendment of the Committee on Finance was to insert as a new paragraph after line 10, page 80:

Coke, 15 per cent ad valorem.

Mr. HILL. After the word "coke," I move to strike out "15 per cent ad valorem" and insert "shall be admitted free of duty."

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from New York to the amendment of the committee.

Mr. HILL. The Wilson bill as it passed the other House placed coke and charcoal and articles of that nature upon the free list. The present bill, which has been termed the Gorman bill, provides a duty of 15 per cent ad valorem on coke, and leaves charcoal still upon the free list. I do not propose to detain the Senate with any argument in favor of placing coke upon the free list. I submit the question to the judgment of the Senate. I should like to hear some reason why the bill as it passed the other House is departed from in this particular. I should like to know why coke has been changed from the free list to the dutiable list and charcoal allowed to remain on the free list. I await some reply to my inquiry.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from New York to the amendment of the committee.

Mr. HILL. No explanation seems to be made for this most extraordinary distinction. I assume that none can be made. I will content myself, Mr. President, with asking for the yeas and nays upon the amendment to the amendment.

The yeas and nays were ordered.

Mr. ALLISON. I should be glad to have the Senator in charge of the bill state about how much coke is imported into the United States.

Mr. VEST. Eighty-seven thousand two hundred and thirty-eight dollars' worth in 1893.

Mr. ALLISON. Where does it come from?

Mr. VEST. I will say in reply to the Senator from New York that it is one of the blessings of our rule that we are unable to stop debate or control the action of the Senate in any way. The Senators in charge of the bill are constrained to give as little cause for discussion as possible. It is generally used as a great argument against any previous question in the Senate that this is the only place in the country where there is unlimited free debate. The fact is that our present rules discourage debate and make it an *ex parte* matter entirely. That has been the experience of the Senate on various occasions.

When it was determined to put a duty of 40 cents upon coal, as a matter of course, and I use the words advisedly, it followed that there should be a duty upon coke, and as there was $87,000 worth imported into the United States under the McKinley act, the rate being 20 per cent, it was considered only proper to put a duty of 15 per cent upon coke, a reduction of 5 per cent from the McKinley duty.

The Treasury reports do not give the countries from which coke comes.

Mr. FRYE. It must come from British Columbia.

Mr. ALLISON. It comes from British Columbia, I suppose.

Mr. VEST. I think that is very probable. I do not know.

At any rate, I have given the amount of importations, and that is all I am able to state.

The VICE-PRESIDENT. The roll will be called on the amendment of the Senator from New York to the amendment of the committee.

The Secretary proceeded to call the roll.

Mr. BLANCHARD (when his name was called). I am paired with the senior Senator from Michigan [Mr. MCMILLAN]. If he were present I should vote "nay."

Mr. CAFFERY (when his name was called). I am paired with the Senator from Montana [Mr. POWER].

Mr. CALL (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL]. If he were present I should vote "nay."

Mr. CAMDEN (when his name was called). I am paired with the Senator from South Dakota [Mr. PETTIGREW]. I should vote "nay" if he were present.

Mr. CAMERON (when his name was called). I am paired with the Senator from South Carolina [Mr. BUTLER].

Mr. GALLINGER (when his name was called). I am paired with the junior Senator from Texas [Mr. MILLS].

Mr. GEORGE (when his name was called). I transfer my pair with the Senator from Oregon [Mr. DOLPH] to the senior Senator from Texas [Mr. COKE] and vote "nay."

Mr. GIBSON (when his name was called). I am paired with the junior Senator from Michigan [Mr. PATTON].

Mr. HIGGINS (when his name was called). I will transfer my pair with the Senator from New Jersey [Mr. MCPHERSON] to the Senator from Rhode Island [Mr. DIXON], so as to enable the Senator from Mississippi [Mr. MCLAURIN] and myself to vote. I vote "nay."

Mr. KYLE (when his name was called). I wish to state that the Senator from New Hampshire [Mr. CHANDLER] has gone from the Chamber, and I am paired with him. Not knowing how he would vote on this question, I withhold my vote.

Mr. MURPHY (when his name was called). I am paired with the Senator from New Hampshire [Mr. CHANDLER]. If he were present I should vote "nay."

Mr. PLATT (when his named was called). I am generally paired with the Senator from Virginia [Mr. HUNTON]. I suppose if he were present he would vote "nay," but I am not advised, and therefore I withhold my vote. I should vote "nay" if he were present.

The roll call was concluded.

Mr. WHITE (after having voted in the negative). I observe that the Senator from Idaho [Mr. SHOUP] is not in the Chamber, and I withdraw my vote. I am paired with that Senator. If he were present I should vote "nay."

Mr. BERRY. I am paired with the Senator from Colorado [Mr. TELLER].

Mr. CALL. I am authorized to vote in the absence of a quorum and I vote "nay."

Mr. GORDON. I am paired with the junior Senator from Iowa [Mr. WILSON].

Mr. KYLE. The junior Senator from New York [Mr. MURPHY], who is the regular pair of the Senator from New Hampshire [Mr. CHANDLER], having returned to the Chamber and announced his pair, I will vote "nay."

Mr. CAMDEN. I have a right to vote under an arrangement with the Senator from South Dakota [Mr. PETTIGREW], with whom I am paired when my vote is necessary in order to make a quorum. I vote "nay."

Mr. CAFFERY. Under the arrangement I made with the Senator from Montana [Mr. POWER] I have a right to vote to make a quorum. I vote "nay."

Mr. CALL (after having voted in the negative). I understand a quorum is present without my vote, and I withdraw it.

Mr. TELLER (after having voted in the affirmative). I withdraw my vote. I understand the Senator from Arkansas [Mr. BERRY] has announced a pair with me.

The result was announced—yeas 4, nays 46; as follows:

YEAS—4.

Allen,	Davis,	Hill,	Peffer.

NAYS—46.

Aldrich,	Faulkner,	Kyle,	Quay,
Allison,	Frye,	Lindsay,	Ransom,
Bate,	George,	Lodge,	Roach,
Blackburn,	Gorman,	McLaurin,	Smith,
Brice,	Gray,	Manderson,	Squire,
Caffery,	Hale,	Martin,	Turpie,
Camden,	Hansbrough,	Mitchell, Wis.	Vest,
Carey,	Harris,	Morgan,	Voorhees,
Cockrell,	Hawley,	Palmer,	Walsh,
Cullom,	Higgins,	Pasco,	Washburn.
Daniel,	Jarvis,	Perkins,	
Dubois,	Jones, Ark.	Pugh,	

NOT VOTING—35.

Berry,	Call,	Coke,	Gallinger,
Blanchard,	Cameron,	Dixon,	Gibson,
Butler,	Chandler,	Dolph,	Gordon,
Hoar,	Mills,	Platt,	Teller,
Hunton,	Mitchell, Oregon	Power,	Vilas,
Irby,	Morrill,	Proctor,	White,
Jones, Nev.	Murphy,	Sherman,	Wilson,
McMillan,	Patton,	Shoup,	Wolcott.
McPherson,	Pettigrew,	Stewart,	

So the amendment to the amendment was rejected.

The VICE-PRESIDENT. The question recurs on agreeing to the amendment of the committee.

The amendment was agreed to.

The next amendment of the Committee on Finance was to strike out paragraph 319, in the following words:

319. Manufactured corks, 20 per cent ad valorum.

And in lieu thereof to insert:

319. Corks, manufactured, 10 cents per pound.

Mr. JONES of Arkansas. I move to amend the committee amendment by adding the words "wholly or partially," after the word "corks," in line 12.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The VICE-PRESIDENT. The reading of the bill will be proceeded with.

The Secretary read the next paragraph, as follows:

320. Dice, draughts, chessmen, chess balls, and billiard, pool, and bagatelle balls, of ivory, bone, or other materials, 50 per cent ad valorem.

The Committee on Finance reported to amend the paragraph by striking out "fifty" and inserting "thirty;" so as to read, "30 per cent ad valorem."

Mr. ALDRICH. I hope the committee will withdraw the amendment. There certainly can be no reason for reducing the duty on dice and this class of articles from the House provision or the present law.

Mr. JONES of Arkansas. The committee have made no agreement to withdraw this amendment, and I think it will have to stand.

Mr. ALDRICH. I move——

Mr. ALLISON. The question is on agreeing to the amendment of the committee. Let us vote it down.

Mr. ALDRICH. All right.

Mr. ALLISON. I should like to have a division upon the amendment. The other House put 50 per cent on these articles, which are articles of pure luxury. I think we ought to have the sense of the Senate on the question.

Mr. MANDERSON. Most assuredly.

Mr. ALDRICH. Let us have the yeas and nays.

Mr. VEST. The duty in the McKinley act was prohibitory. Only $21,582 worth came in in 1893. While they are articles of luxury—that is, I suppose men can live without them—yet they are used in innocent amusements. The idea that a man can not play a game of backgammon without paying an enormous duty upon dice or that our people can not make them——

Mr. ALLISON. I call the attention of the Senator from Missouri to the fact that the other House provided a duty of 50 per cent.

Mr. ALDRICH. Certainly, whether our people can make these articles or not, there ought to be a high rate of duty imposed on them.

Mr. ALLISON. Fifty per cent is too much, 30 per cent is a fair revenue duty. It is not prohibitory; it is not oppressive, and it makes enough difference, if there should be a difference, between labor here and abroad, which is the standing argument in favor of high duties.

Mr. PLATT. The Senator from West Virginia [Mr. FAULKNER] told us to-day that he is supporting this bill because he wanted to take the burden off of men's shoulders. Whose shoulders will it take burdens off to reduce the duty on dice and billiard and pool balls? It does not seem to me we ought to be in great haste to take burdens off the shoulders of the people who shake dice for drinks and loaf around billiard rooms.

Mr. GALLINGER. It is true that the importations of these articles last year amounted to only a little more than $21,000, but it is manifest that they were manufactured in this country and gave employment to American workmen. They are not articles of prime necessity. It seems to me that instead of giving a practical monopoly of the business of manufacturing dice, chessmen, and other articles of that kind to artisans in Europe we ought to keep the manufacture in this country.

We confer a benefit upon our workingmen in permitting them to manufacture these articles, the use of which very often works to the detriment of those who employ them. It does seem to me that this is one item in the schedule that ought to be left unchanged. That it can do any earthly good to the people of the United States to allow foreign mechanics to manufacture these articles and send them to our people to purchase, even though they may get them a little cheaper by the process, surpasses my comprehension. It is one of the things, it strikes me, that we ought to insist upon, and, if possible, retain as it is in

the existing tariff law. I am surprised that any Senator should insist that we ought to reduce the duty on these articles so that they may come in here and be bought perhaps a little cheaper by our people.

Mr. KYLE. Mr. President, it seems to me this is a question entirely of revenue, and the people of the country in looking upon it will not understand how it is that we increase the duty upon sugar, a necessity of life, and cut it off on dice, billiard balls, and such articles, which are not a necessity, but rather a luxury. It seems to me the committee ought to withdraw the amendment and leave the duty just as it was when the bill came from the other House.

The VICE-PRESIDENT. The question is on the amendment proposed by the committee.

Mr. LODGE. On that I ask for the years and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BLANCHARD (when his name was called). I am paired with the senior Senator from Michigan [Mr. MCMILLAN].

Mr. CAFFERY (when his name was called). Under the terms of my pair with the Senator from Montana [Mr. POWER] I am permitted to vote if necessary to make a quorum. I vote "yea."

Mr. CALL (when his name was called). I announce my pair with the Senator from Vermont [Mr. MORRILL].

Mr. CAMERON (when his name was called). I am paired with the Senator from South Carolina [Mr. BUTLER].

Mr. GALLINGER (when his name was called). I am paired with the junior Senator from Texas [Mr. MILLS]. If he were present I should vote "nay."

Mr. GEORGE (when his name was called). I am paired with the Senator from Oregon [Mr. DOLPH]. If he were present I should vote "nay."

Mr. GORDON (when his name was called). I am paired with the junior Senator from Iowa [Mr. WILSON].

Mr. HIGGINS (when his name was called). I again announce my pair with the senior Senator from New Jersey [Mr. MCPHERSON].

Mr. PLATT (when his name was called). I am paired with the Senator from Virginia [Mr. HUNTON]. If he were present I should vote "nay."

Mr. VILAS (when his name was called). I transfer my pair with the Senator from Oregon [Mr. MITCHELL] to the Senator from South Carolina [Mr. IRBY] for the day unless the Senator from South Carolina comes in. I vote "yea."

Mr. WHITE (when his name was called). I am paired with the Senator from Idaho [Mr. SHOUP]. In his absence I withhold my vote.

The roll call was concluded.

Mr. MCLAURIN. I announce my pair with the junior Senator from Rhode Island [Mr. DIXON].

Mr. HIGGINS. If the Senator from Mississippi [Mr. MCLAURIN] is willing, we can transfer our pairs and vote.

Mr. MCLAURIN. I am willing to make such an arrangement.

Mr. HIGGINS. I vote "nay."

Mr. MCLAURIN. I vote "yea."

Mr. TELLER. I inquire whether the Senator from Arkansas [Mr. BERRY] has voted.

The VICE-PRESIDENT. The Senator from Arkansas has not voted, the Chair is advised.

Mr. TELLER. Then I will withhold my vote. I am paired with that Senator.

Mr. CAREY. I am paired with the junior Senator from Wisconsin [Mr. MITCHELL].

Mr. GALLINGER. I am paired with the junior Senator from Texas [Mr. MILLS]. The Senator from Mississippi [Mr. GEORGE] is paired with the Senator from Oregon [Mr. DOLPH]. I ask the Senator from Mississippi if it would be agreeable to him to transfer pairs that he and I may vote.

Mr. GEORGE. Certainly.

Mr. GALLINGER. I vote "nay."

Mr. GEORGE. I vote "nay."

Mr. HARRIS. The Senator from Mississippi has announced that he would vote "nay" but for the fact that he was paired; and in the face of that announcement a Senator on the other side proposes to transfer pairs with him so as to get two more votes on the record. The Senators can determine for themselves the fairness of such a proceeding.

Mr. GALLINGER. I stand on the declaration as it was made. I simply followed the usages of the Senate and made a transfer of my pair. The Senator from Tennessee has no right to call my action in question.

Mr. GEORGE. There was no necessity, I presume, for a transfer of my pair. I suppose the Senator from Oregon [Mr. DOLPH] would have voted "nay" if present, and that was my vote.

Mr. GIBSON. I desire to announce my pair with the Senator from Michigan [Mr. PATTON].

The result was announced—yeas 25, nays 24; as follows:

YEAS—25.

Bate,	Gray,	Murphy,	Vest,
Blackburn,	Harris,	Pasco,	Vilas,
Caffery,	Jarvis,	Pugh,	Voorhees
Cockrell,	Jones, Ark.	Ransom,	Walsh.
Daniel,	Lindsay,	Roach,	
Faulkner,	McLaurin,	Smith,	
Gorman,	Morgan.	Turpie,	

NAYS—24.

Aldrich,	Dubois,	Hawley,	Manderson,
Allen,	Frye,	Higgins,	Palmer,
Allison,	Gallinger,	Hill,	Peffer,
Chandler,	George,	Hoar,	Perkins,
Cullom,	Hale,	Kyle,	Quay,
Davis.	Hansbrough,	Lodge,	Washburn.

NOT VOTING—36.

Berry,	Dixon,	Martin,	Proctor,
Blanchard,	Dolph,	Mills,	Sherman,
Brice,	Gibson,	Mitchell, Oregon	Shoup,
Butler,	Gordon,	Mitchell, Wis.	Squire,
Call,	Hunton,	Morrill,	Stewart,
Camden,	Irby,	Patton,	Teller,
Cameron,	Jones, Nev.	Pettigrew,	White,
Carey,	McMillan,	Platt,	Wilson,
Coke,	McPherson,	Power,	Wolcott.

So the amendment was agreed to.

The VICE-PRESIDENT. The reading of the bill will be proceeded with.

The Secretary read the next paragraph, as follows:

321. Dolls, doll heads, toy marbles of whatever material composed, and all other toys not composed of rubber, china, porcelain, parian, bisque, earthen or stone ware, and not specially provided for in this act, 25 per cent ad valorem. This paragraph shall not take effect until October 1, 1894.

Mr. JONES of Arkansas. I move to amend the paragraph, in lines 22 and 23, by striking out the words, "This paragraph shall not take effect until October 1, 1894," and inserting "This paragraph shall not take exect until January 1, 1895."

Mr. ALLISON. I ask the Senator from Arkansas to explain briefly why that change of date is proposed.

Mr. JONES of Arkansas. There were some representations made to the committee as to the date, October 1, interfering with the operation of the trade in some way that I do not distinctly recall. I remember that we agreed to it, thinking at the time it was a good and sufficient reason. I have some doubt about the propriety of it myself, and I am perfectly willing to withdraw the amendment and leave the matter stand as it was.

Mr. ALLISON. I do not make any suggestion respecting that. I did not know but that there was some special reason why the date should be changed to January 1.

Mr. JONES of Arkansas. Some statements were made as to its interfering with the time of manufacture in some way that I do not recall. As is suggested to me by the Senator from Wisconsin [Mr. VILAS], the dealers have to purchase these articles long before, and the former date interferes with the trade in a way that we are not justified in interfering with it.

Mr. PLATT. I do not know about the matter, but I suggest that as these articles are sold largely at Christmas for the holiday trade it is very possible that the makers in this country desire not to be cut off by the foreign manufacturers before the holiday trade. I do not know that to be fact, however.

Mr. FRYE. That is undoubtedly the reason.

Mr. PLATT. I suppose that is true, and I think the amendment a very proper one.

Mr. JONES of Arkansas. There is some such trade reason as that.

Mr. HALE. Why not let the amendment be agreed to and it can be fixed in the Senate afterwards, if necessary.

Mr. JONES of Arkansas. I hope that will be done.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Arkansas.

The amendment was agreed to.

Mr. ALDRICH. I move to strike out "twenty-five" and insert "thirty-five." I do not ask for the yeas and nays on the amendment, but I desire to have a vote on it.

The VICE-PRESIDENT. The amendment proposed by the Senator from Rhode Island will be stated.

The SECRETARY. In line 21, paragraph 321, before the words "per centum," it is proposed to strike out "twenty-five" and insert "thirty-five;" so as to read: "35 per cent ad valorem."

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Rhode Island.

The amendment was rejected.

The VICE-PRESIDENT. The Secretary will proceed with the reading of the bill.

The Secretary read as follows:

322. Emery grains, and emery manufactured, ground, pulverized, or refined, 1 cent per pound.

The Committee on Finance reported an amendment in line 1, on page 81, after the word "refined," to strike out "1 cent per pound" and insert "20 per cent ad valorem."

Mr. JONES of Arkansas. I move to strike out the committee amendment and insert "eight-tenths of 1 cent per pound."

The amendment was agreed to.

The VICE-PRESIDENT. The reading of the bill will be resumed.

The Secretary read as follows:

Explosive substances:

323. Firecrackers of all kinds, 8 cents per pound, but no allowance shall be made for tare or damage thereon.

The Committee on Finance reported an amendment in line 4, after the word "kinds," to strike out "8 cents per pound," and insert "50 per cent ad valorem."

Mr. ALDRICH. I hope that the amendment will not prevail. The proposition of the committee will reduce the revenue from the importation of firecrackers at least $350,000 per annum, and if there is any public reason why the revenue from the importation of firecrackers should be reduced to this extent I should be very glad to have the Senator from Arkansas state it. I do not believe that any such reason exists, and I do not believe that that change can be defended here or elsewhere on any ground of public policy.

Mr. VEST. The duty under the McKinley act upon single firecrackers is 147.32 per cent. The importation was $335,478. We propose to reduce this ad valorem to 50 per cent.

It is true that the boys of this country can live and exist without firecrackers, and that they are a luxury; but at the same time, by the customs and habits of the country, we know that firecrackers will be used and will be imported; and we know that our people are also manufacturing them, and that the skill and resources of the American people, with a moderate duty, will insure the revenue and will give the manufacturers all the advantages they need.

Mr. ALDRICH. I should like to have the Senator from Missouri state where any firecrackers are manufactured in the United States?

Mr. VEST. I understand that there is a large factory in the city of New York. That is my information.

Mr. ALDRICH. I never knew of it.

Mr. VEST. And if I am not mistaken, there is a large factory in the city of St. Louis.

Mr. ALDRICH. There may be some Chinamen who make firecrackers in this country.

Mr. VEST. I am positive with regard to the fact that we manufacture firecrackers; but it is true that the great bulk of them come in from abroad, and that China furnishes most of the importation that comes into this country; but our people have been, I think, manufacturing them to a considerable extent lately.

But, Mr. President, if it is necessary to exclude firecrackers from the country, then double the duty in the McKinley act and collect no revenue from them. It seems to me 50 per cent duty is enough to put on them, and the enormous duty in the McKinley act is to my mind absurd, unless we propose to use it for the purpose of prohibition.

Mr. LODGE. I wish to say that we have been manufacturing firecrackers in this country within a few years; I think the manufacture of very large crackers, somewhat high explosives, has grown up in this country, but the small, common firecrackers, with which everybody is familiar, I do not think are yet made here. I think only the large ones, the high-explosive, giant, or thunder crackers.

Mr. ALDRICH. With the peculiar notions the Senator from Missouri has as to what are necessaries of life, I suppose we shall have to submit to this duty. We have had the duties reduced upon cosmetics and upon alcoholic perfumery and artificial flowers on the ground, as stated by the Senator from Missouri, that they were necessaries of life, and now he proposes to add another item to the catalogue in the shape of firecrackers.

If the revenue from this source is to be maintained, it will be necessary to import three times as many firecrackers as we do now. Is that desirable? Who is desirous of having three times as many firecrackers imported into the United States as now?

Mr. WHITE. The boys.

Mr. ALDRICH. Possibly, but I think the Senator from California will agree with me that there are quite enough imported now. I do not think we have suffered—possibly they have in California—from having too few firecrackers. But, with all deference to the action of the committee, it seems to me to reduce the duty on firecrackers two-thirds is simply absurd.

The VICE-PRESIDENT. The question is on the amendment proposed by the committee.

Mr. ALDRICH. I should move to strike out "50 per cent ad valorem" and insert "8 cents per pound" but for the fact that the same object will be accomplished by voting against the amendment of the committee, and letting the paragraph stand as it came from the House.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the committee.

The amendment was agreed to.

The VICE-PRESIDENT. The reading of the bill will proceed.

The Secretary read as follows:

324. Fulminates, fulminating powders, and like articles, not specially provided for in this act, 30 per cent ad valorem.

335. Gunpowder, and all explosive substances used for mining, blasting, artillery, or sporting purposes, when valued at 20 cents or less per pound, 5 cents per pound; valued above 20 cents per pound, 8 cents per pound.

The Committee on Finance reported an amendment to paragraph 325, after the word "purposes," at the end of line 11, strike out "when valued at 20 cents or less per pound, 5 cents per pound; valued above 20 cents per pound, 8 cents per pound," and insert "10 per cent ad valorem."

Mr. JONES of Arkansas. The amendment of the committee is withdrawn.

The Secretary read as follows:

326. Matches, friction or lucifer, of all descriptions, 20 per cent ad valorem.

The Committee on Finance reported an amendment to the paragraph, in line 19, before the words "per cent," to strike out "twenty" and insert "ten."

Mr. JONES of Arkansas. The committee amendment is withdrawn.

Mr. FRYE. I offer as a substitute for the paragraph what I send to the desk.

326. Matches, friction or lucifer, of all descriptions, per gross of 144 boxes, containing not more than 100 matches per box, 8 cents per gross; when imported otherwise than in boxes containing not more than 100 matches each, three-fourths of 1 cent per 1 000 matches.

Mr. FRYE. This specific duty is about equivalent to 25 per cent ad valorem. I offer it on account of the information contained in this letter from the Portland Star Match Company. It is as follows:

If Wilson bill is passed as amended Canadian and Swedish matches will drive us out of business, unless labor will submit to a reduction of at least 50 per cent. Do all you can to keep present duty of 10 cents per gross. Will write.

In our factory one-third of the labor is done by girls at $1 per day; two-thirds by men and boys at an average of $1.37 per day.

In Canada girls at about 40 cents per day do nearly all the work, very few men and boys being employed.

In Sweden, we are informed, the work is done principally by girls at 20 cents per day.

Again, on glue, whiting, and phosphorus we are to pay a duty of 25 per cent each, while our competitors will pay none.

All we want is to be kept on an even footing with our competitors. Hope you will do all you can for us.

Truly, yours,

PORTLAND STAR MATCH CO.

This, to be sure, is a small industry, but it employs about six thousand people.

Mr. JONES of Arkansas. This criticism, as I understand, is to the House bill as amended.

Mr. FRYE. This is a criticism of the Senate amendment reducing the rate from 20 to 10 per cent, but these persons desire very much a specific duty; and as I have drafted the amendment it is a specific duty equivalent, as I have said, to about 25 per cent ad valorem. I wish the committee would accept it. I have reduced the rate in the McKinley act from 10 cents per gross to 8 cents per gross, and from 1 cent to three-quarters of a cent per thousand matches when imported in boxes containing not more than 100 matches each.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Maine.

The amendment was rejected.

Mr. JONES of Arkansas. I propose an amendment, which I send to the desk, to be numbered 326½, to come in after the paragraph just acted upon.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to insert as a new paragraph the following:

326½. Musical instruments, or parts thereof, except pianoforte actions, and parts thereof, strips for musical instruments not otherwise enumerated, cases for musical instruments, pitch pipes, tuning forks, and tuning hammers, and metronomes, 25 per cent ad valorem.

Mr. PLATT. To what does the exception refer?

Mr. JONES of Arkansas. It excepts only the pianoforte actions and parts thereof.

Mr. ALDRICH. That is another reduction upon articles of luxury, and it ought not to be adopted.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Arkansas.

The amendment was agreed to.

The Secretary read as follows:

327. Percussion caps, 30 per cent ad valorem; blasting caps, 35 per cent ad valorem.

Mr. JONES of Arkansas. In line 21, after the words "blasting caps," I move to strike out "35 per cent ad valorem" and insert "$2.07 per thousand caps."

The amendment was agreed to.

The Secretary read as follows:

328. Feathers and downs of all kinds, when dressed, colored, or manufac-

tured, including quilts of down and other manufactures of down, and also including dressed and finished birds suitable for millinery ornaments, and artificial and ornamental feathers, fruits, grains, leaves, flowers, and stems, or parts thereof, of whatever material composed, suitable for millinery use, not specially provided for in this act, 35 per cent ad valorem.

Mr. ALDRICH. I move to strike out "35 per cent" and insert "50 per cent." What the committee propose is another reduction upon articles of artificial feathers, flowers, and millinery ornaments.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In paragraph 328, on page 82, line 5, before the word "per cent," it is proposed to strike out "thirty-five" and insert "fifty;" so as to read, "50 per cent ad valorem."

The amendment was rejected.

The Secretary read as follows:

329. Furs, dressed on the skin but not made up into articles, and furs not on the skin, prepared for hatters' use, 10 per cent ad valorem.

The Committee on Finance reported an amendment in line 7, after the word "articles," to insert "20 per cent ad valorem;" and in the same line, before the word "furs," to strike out the word "and."

The amendment was agreed to.

Mr. JONES of Arkansas. I move in line 8, before the words "per centum," to strike out "ten" and insert "twenty."

Mr. ALDRICH. I was about to suggest that this is the McKinley rate, but perhaps I had better not make the suggestion. I withdraw it in deference to the suggestion of the Senator from Connecticut [Mr. PLATT].

Mr. JONES of Arkansas. We thought that perhaps furs were a luxury.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Arkansas.

The amendment was agreed to.

The Secretary read as follows:

330. Fans of all kinds, except common palm-leaf fans, 40 per cent ad valorem.

331. Gun wads of all descriptions, 25 per cent ad valorem.

The Committee on Finance reported an amendment in paragraph 331, line 12, before the words "per cent," to strike out "twenty-five" and insert "ten."

The amendment was agreed to.

The Secretary read as follows:

332. Hair, human, if clean or drawn but not manufactured, 20 per cent ad valorem.

Mr. JONES of Arkansas. I move to insert as paragraph 332½ what I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to insert as a new paragraph:

332½. Hair, curled, suitable for bedsor mattresses, 10 per cent ad valorem.

Mr. PLATT. What is the rate now?

Mr. JONES of Arkansas. Fifteen per cent.

The amendment was agreed to.

Mr. ALDRICH. I ask that paragraphs 333 and 334 may be passed over for the present. I have some figures which I wish to present in relation to them.

Mr. JONES of Arkansas. Those paragraphs may be passed over.

The VICE-PRESIDENT. Without objection, paragraphs 333 and 334 will be passed over.

The Secretary read as follows:

335. Hats for men's, women's, and children's wear, composed of the fur of the rabbit, beaver, or other animals, or of which such fur is the component material of chief value, wholly or partially manufactured, including fur hat bodies, 30 per cent ad valorem.

The Committee on Finance reported an amendment after the words "hat bodies," at the end of line 23, to strike out "thirty" and insert "thirty-five."

Mr. VEST. I move to amend the amendment by striking out "thirty-five" and inserting "forty;" so as to make the rate "40 per cent ad valorem."

Mr. PLATT. That is not a sufficient duty, but I despair of getting any higher duty by moving an amendment. The rate ought to be 55 per cent, as is in the existing law.

The VICE-PRESIDENT. The question is on the amendment of the Senator from Missouri to the amendment of the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The Secretary read as follows:

Jewelry and precious stones:

336. Jewelry: All articles not specially provided for in this act, and commercially known as "jewelry," and cameos in frames, 35 per cent ad valorem.

Mr. JONES of Arkansas. After the word "act," in line 3, I move to strike out the word "and."

The amendment was agreed to.

Mr. ALDRICH. I move to strike out "thirty-five" and insert "fifty."

The VICE-PRESIDENT. The amendment proposed by the Senator from Rhode Island will be stated.

The SECRETARY. In line 4, it is proposed to strike out "thirty-five" and insert "fifty;" so as to read, "fifty per cent ad valorem."

Mr. ALDRICH. I suppose the reason for reducing the duties upon jewelry is the fact that jewelry is largely a necessity of life in Missouri and in Arkansas. I can not understand any other reason why this reduction should be made. Certainly the rate ought to be retained at 50 per cent ad valorem.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Rhode Island.

The amendment was rejected.

The VICE-PRESIDENT. The reading of the bill will proceed.

The Secretary read as follows:

337. Pearls, 10 per cent ad valorem.

The Committee on Finance reported an amendment to the paragraph, in line 6, strike out "fifteen" and insert "ten."

The VICE-PRESIDENT. The question is on the amendment proposed by the Committee on Finance.

The amendment was agreed to.

Mr. TELLER. I ask the Senator who has this bill in charge to allow paragraph 338 to be passed over. I wish to offer an amendment, which has not been printed, in regard to diamonds and precious stones.

Mr. JONES of Arkansas. There is no objection to passing the paragraph over.

The VICE-PRESIDENT. The paragraph will be passed over. The reading of the bill will proceed.

The Secretary read as follows:

Leather, and manufacturers of:

Sole leather, 10 per cent ad valorem.

The Committee on Finance reported an amendment to the paragraph, in line 17, before the words "per cent," to strike out "five" and insert "ten."

Mr. PEFFER. I propose an amendment striking out paragraphs 339, 340, 341, and 342, and inserting in lieu thereof what I send to the desk.

The VICE-PRESIDENT. The amendment proposed by the Senator from Kansas will be stated.

The SECRETARY. It is proposed to strike out paragraphs 339, 340, 341, and 342 and insert:

All leather and manufactures of leather, except ladies' and children's gloves, provided for in paragraphs 343 to 348, inclusive, shall be admitted free of duty.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Kansas.

The amendment was rejected.

The VICE-PRESIDENT. The question recurs on the amendment proposed by the Committee on Finance.

The amendment was agreed to.

The VICE-PRESIDENT. The reading of the bill will proceed.

The Secretary read as follows:

340. Bend or belting leather, and leather not specially provided for in this act, 10 per cent ad valorem.

341. Calfskins, tanned, or tanned and dressed, dressed upper leather, including patent, enameled, and japanned leather dressed or undressed, and finished; chamois or other skins not specially enumerated or provided for in this act, 15 per cent ad valorem; bookbinders' calfskins, kangaroo, sheep, and goat skins, including lamb and kid skins, dressed and finished, 15 per cent ad valorem; skins for morocco, tanned but unfinished, 10 per cent ad valorem; pianoforte leather, and pianoforte action leather, 25 per cent ad valorem; boots and shoes, made of leather, 20 per cent ad valorem.

The Committee on Finance reported an amendment to paragraph 341, in line 25 on page 83, to strike out the word "fifteen" and insert "twenty;" in line 3, page 84, to strike out "fifteen" and insert "twenty;" and in line 6, to strike out "twenty-five" and insert "twenty."

The amendment was agreed to.

Mr. ALDRICH. The articles included in this paragraph might properly be called necessaries of life. Instead of being treated as jewelry and the various other articles we have passed over, which were reduced from 20 to 30 and 40 per cent, the duties on these articles are increased from 15 to 20 per cent, showing, I suppose, that some different influence has affected these articles, other than the influence which affected duties on jewelry and articles of that nature.

The VICE-PRESIDENT. The reading of the bill will proceed.

The Secretary read as follows:

342. Leather cut into shoe uppers or vamps, or other forms, suitable for conversion into manufactured articles, 20 per cent ad valorem.

343. Gloves made wholly or in part of leather, whether wholly or partly manufactured, shall pay duty at the following rates, the lengths stated in each case being the extreme length when stretched to their full extent, namely:

344. Ladies' or children's "glace" finish, Schmaschen (of sheep origin),

not over 14 inches in length, $1 per dozen pairs; over 14 inches and not over 17 inches in length, $1.50 per dozen pairs; over 17 inches in length, $2 per dozen pairs; men's "glace" finish, Schmaschen (sheep), $2 per dozen pairs.

Mr. VEST. In paragraph 344, line 23, I move to strike out the word "two," and insert "three;" so as to read, "$3 per dozen pairs."

The amendment was agreed to.

The VICE-PRESIDENT. The reading of the bill will proceed.

The Secretary read as follows:

345. Ladies' or children's "glace" finish, lamb or sheep, not over 14 inches in length, $1.75 per dozen pairs; over 14 and not over 17 inches in length, $2.75 per dozen pairs; over 17 inches in length, $3.75 per dozen pairs. Men's "glace" finish, lamb or sheep, $3 per dozen pairs.

Mr. VEST. In paragraph 345, line 8, I move to strike out "eight," and insert "four," before the word "dollars."

The amendment was agreed to.

The VICE-PRESIDENT. The reading of the bill will proceed.

The Secretary read as follows:

346. Ladies' or children's "glace" finish, goat, kid, or other leather than of sheep origin, not over 14 inches in length, $2.25 per dozen pairs; over 14 and not over 17 inches in length, $3 per dozen pairs; over 17 inches in length, $4 per dozen pairs; men's "glace" finish, kid, goat, or other leather than of sheep origin, $3 per dozen pairs.

Mr. VEST. In that paragraph, I move to strike out, in line 15, the word "three," before the word "dollars," and insert "four."

The amendment was agreed to.

The VICE-PRESIDENT. The reading of the bill will proceed.

The Secretary read as follows:

347. Ladies' or children's, of sheep origin, with exterior grain surface removed, by whatever name known, not over 14 inches in length, $1.75 per dozen pairs; over 14 and not over 17 inches in length, $2.75 per dozen pairs; over 17 inches in length, $3.75 per dozen pairs; men's, of sheep origin, with exterior surface removed, by whatever name known, $3 per dozen pairs.

Mr. VEST. In line 3, page 86, paragraph 347, before the word "dollars," I move to strike out "three" and insert "four."

The amendment was agreed to.

The VICE-PRESIDENT. The reading of the bill will proceed.

The Secretary read as follows:

348. Ladies' or children's kid, goat, or other leather than of sheep origin, with exterior grain surface removed, by whatever name known, not over 14 inches in length, $2.25 per dozen pairs; over 14 inches and not over 17 inches in length, $3 per dozen pairs; over seventeen inches in length, $4 per dozen pairs; men's goat, kid, or other leather than of sheep origin, with exterior grain surface removed, by whatever name known, $3 per dozen pairs.

Mr. VEST. In line 15 of that paragraph, before the word "dollars," I move to strike out "three" and insert "four."

The amendment was agreed to.

The VICE-PRESIDENT. The reading of the bill will proceed.

The Secretary read as follows:

349. In addition to the foregoing rates, there shall be paid on all leather gloves, when lined, 60 cents per dozen pairs.

Mr. VEST. In line 17, I move to strike out "sixty cents" and insert "one dollar."

The amendment was agreed to.

350. Glove tranks, with or without the usual accompanying pieces, shall pay 75 per cent of the duty provided for the gloves in the fabrication of which they are suitable.

Mr. ALLISON. I do not wish to occupy time, but I observe that there is an entirely new classification here in this bill as it comes from the House of Representatives, and I notice that the Senator from Missouri has quite largely increased, not only the specific rate in each paragraph, but at the end of paragraph 349 a dollar a dozen is to be added for gloves lined.

Inasmuch as our tables are all made on the basis of 40 per cent ad valorem, I should like to ask the Senator to give us a general idea of the equivalent ad valorem rates of the proposed scheme, especially on what are known as the cheaper gloves, gloves of cheap origin, worth four and five dollars a dozen.

Mr. VEST. This is a slight increase over the bill as it came from the House in regard to men's gloves. The other rates are substantially unchanged. The intention in the House was to make it about 40 per cent ad valorem or the equivalent, although they adopted specific rates. My impression in regard to it, upon such examination as I could give, was that the duty ought to be ad valorem.

There was no schedule in the whole bill which gave me so much trouble to understand as the duties upon gloves, and I have never yet found any man who understood it. They were made up by experts, by importers, in the McKinley act, and the House followed the same classification. The importers and manufacturers having made the schedule, it is simply impossible for anybody but an expert to know when you put the duty upon a particular length or upon the number of buttons and the number of stitches, what is the equivalent ad valorem.

All I could arrive at was that the House intended to put on the equivalent of about 40 per cent. We have added to some of these classes, for instance, on men's gloves an increase of $1 on a dozen pairs, and it would make slightly over 40 per cent.

Mr. ALLISON. I should like to ask the Senator if he understands this as a sufficient protection to our own glove-makers in New York and elsewhere?

Mr. VEST. It is not all they ask; but so far as I can judge, they always ask more than they expect to get; and it was thought a very fair duty.

Mr. ALLISON. The Senator is satisfied that none of these duties would go above 50 or 60 per cent?

Mr. VEST. I think not, unless we have been grossly deceived by the appraisers and by the manufacturers and importers. There has been a great difference of opinion as to whether these duties should be ad valorem or specific. The appraisers first held, as shown in the testimony under the bill of 1888, identically the same appraisers—said an ad valorem was the fair duty; but of late years the weight of testimony has been the other way.

It is impossible for an appraiser to sustain an ad valorem duty, because it increases his work so much that it would not be human nature for him to put it upon that ground alone, and so he does not stand by ad valorem duties. But the pressure was tremendous on all sides for a specific duty, and the House has put a specific duty there. We contented ourselves with increasing the rates slightly upon certain classes.

Mr. ALDRICH. I do not object to this scale of duty, but I think we ought to have a sort of general understanding amongst ourselves that it is a pretty high rate on some things. The scale as it came from the House was said to be on some of the cheaper classes of goods about 120 per cent ad valorem. I notice the Senator from Missouri has added $1 a dozen here and there. I should think that rate must be in the neighborhood of 150 per cent.

Mr. VEST. The Senator is entirely mistaken. We did not increase the rate on the lower grade of goods, of which he is speaking. The increase was made alone on men's gloves and the higher priced gloves.

Mr. ALDRICH. The increase is satisfactory to me.

The VICE-PRESIDENT. The reading of the bill will proceed.

The Secretary read as follows:

Miscellaneous manufactures:

351. Manufactures of amber, asbestus, bladders, coral, catgut or whipgut or wormgut, jet, paste, spar, wax, or of which these substances or either of them is the component material of chief value, not specially provided for in this act, 25 per cent ad valorem.

The Committee on Finance reported an amendment after the word "coral," in line 2, page 87, to insert "cork."

The amendment was agreed.

The VICE-PRESIDENT. The reading of the bill will proceed.

The Secretary read as follows:

352. Manufactures of bone, chip, grass, horn, India rubber, palm leaf, straw, weeds, or whalebone, or of which these substances or either of them is the component material of chief value, not specially provided for in this act, 25 per cent ad valorem. But the terms grass and straw shall be understood to mean these substances in their natural form and structure and not the separated fiber thereof.

353. Manufactures of leather, fur, gutta-percha, vulcanized India rubber, known as hard rubber, human hair, papier-mache, plaster of Paris, indurated fiber wares, and other manufactures composed of wood or other pulp, or of which these substances or either of them is the component material of chief value, all of the above not specially provided for in this act, 30 per cent ad valorem.

354. Manufactures of ivory, vegetable ivory, mother-of-pearl, gelatine, and shell, or of which these substances or either of them is the component material of chief value, not specially provided for in this act, and manufactures known commercially as bead or beaded trimmings or ornaments, 35 per cent ad valorem.

Mr. JONES of Arkansas. I move to strike out the word "or," in line 6, after the word "beaded," and insert "or jet."

The amendment was agreed to.

Mr. ALDRICH. In lines 6 and 7 I move to strike out "thirty-five" and insert "forty;" so as to read "40 per cent."

The amendment was rejected.

The VICE-PRESIDENT. The reading of the bill will proceed.

The Secretary read as follows:

355. Masks, composed of paper or pulp, 25 per cent ad valorem.

356. Matting and mats made of cocoa fiber or rattan, 20 per cent ad valorem.

The Committee on Finance reported an amendment to paragraph 356, after the word "rattan," in line 10, to insert "and floor matting manufactured from round or split straw, including what is commonly known as Chinese matting."

Mr. ALDRICH. The proposition of the committee is to take what is known as Chinese matting from the free list and impose a duty of 20 per cent ad valorem upon it.

Chinese matting is not made and can not be made in this country. It is used as carpeting by a large class of the poor people of the United States, and the different treatment afforded to this article, when there is no necessity of revenue, as com-

pared with the reductions which have been made to-day upon jewelry and all those articles of luxury, will, I think, create some surprise, to say the least, in the minds of the American people, and there is no economic policy, of which I know anything, that will justify this action.

Mr. LODGE. Mr. President, I desire to offer an amendment, and I desire to say something on the matter of cocoa mats and mattings made of cocoa fiber and rattan. I should be very much obliged if the Senator who has the bill in charge would allow this clause to go over until to-morrow.

Mr. VEST. I withdraw the committee amendment, and let the paragraph stand as it came from the House.

The VICE-PRESIDENT. The amendment of the committee is withdrawn.

Mr. LODGE. I ask the Senator from Missouri if he will be willing to let this paragraph go over until morning? It is now very late, and I should like to offer an amendment and speak for a few minutes in regard to it.

The VICE-PRESIDENT. Is there objection?

Mr. VEST. Does the Senator mean as to Chinese matting or as to cocoa matting?

Mr. LODGE. I mean the paragraph relating to matting made of cocoa fiber or rattan. I desire to offer an amendment to it, and I have some petitions and papers I desire to present. I also desire to say something about it, but it is so very late that I should be obliged if the Senator would let it go over. I shall only take up a few moments.

Mr. VEST. Let it go over.

The VICE-PRESIDENT. The paragraph will be passed over. The Secretary will proceed with the reading of the bill.

The Secretary read as follows:

357. Pencils of wood filled with lead or other material, 35 per cent ad valorem; slate pencils, 25 per cent ad valorem.

The Committee on Finance reported an amendment in line 16 to strike out "thirty-five" and insert "forty," and in line 18 to strike out "twenty-five" and insert "thirty."

Mr. JONES of Arkansas. I move the amendment which I send to the desk.

The VICE-PRESIDENT. The amendment proposed by the Senator from Arkansas will be stated.

The SECRETARY. In line 15, it is proposed to insert "and slate pencils covered with wood;" in line 16, to strike out "forty" and insert "fifty;" after the words "ad valorem," in line 17, to insert "all other;" and, in line 18, to strike out "twenty-five" and insert "thirty."

The amendment was agreed to.

Mr. ALLISON. Are those the ordinary pencils which are used in our schools?

Mr. JONES of Arkansas. Yes, sir.

Mr. ALDRICH. If it were not so late, I should be glad to have the committee explain why these progressive advances are made from 15 and 20, to 30 and 45 per cent. I suppose it would be asking too much at this late hour of the evening to tax the chairman of the committee to that extent.

Mr. ALLISON. It is too late.

The VICE-PRESIDENT. The reading of the bill will proceed.

The Secretary read as follows:

358. Pencil leads not in wood, 10 per cent ad valorem.

Mr. JONES of Arkansas. I move to add as a new paragraph, to be numbered 358½, what I send to the desk.

The VICE-PRESIDENT. The amendment proposed by the Senator from Arkansas will be read.

The Secretary read as follows:

358½. Photographic dry plates or films, 25 per cent ad valorem.

Mr. ALDRICH. What is the present rate on the article?

Mr. JONES of Arkansas. About 45 per cent.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Arkansas.

The amendment was agreed to.

The VICE-PRESIDENT. The reading of the bill will proceed.

The Secretary read as follows:

359. Pipes, pipe bowls, of all materials, and all smokers' articles whatsoever, not specially provided for in this act, including cigarette books, cigarette-book covers, pouches for smoking or chewing tobacco, and cigarette paper in all forms, 50 per cent ad valorem; all common tobacco pipes of clay, valued at not more than 50 cents per gross, 10 cents per gross.

The Committee on Finance reported an amendment to the paragraph in line 25, after the word "pipes" to insert "and pipe bowls;" in line 1, on page 89, after the word "clay" to strike out "valued at not more than 50 cents per gross, 10 cents per gross," and insert "10 per cent ad valorem."

Mr. JONES of Arkansas. I withdraw the amendment proposed by the committee, and I move the amendment which I send to the desk.

The VICE-PRESIDENT. The amendment proposed by the Senator from Arkansas will be stated.

The SECRETARY. After the word "pipes," in line 25, it is proposed to insert "and pipe bowls made wholly of clay, valued at not more than 50 cents per gross, 10 per cent ad valorem."

Mr. ALDRICH. I hope the committee amendment will not be adopted. The effect of it would be to absolutely destroy the American industry, not a very large one, it is true, but one employing a very considerable number of men. Clay pipes can not be made in the United States with a duty of 10 per cent ad valorem; and as the paragraphs which have just been passed over give 20 and 25 and 50 per cent upon industries which are of no more consequence so far as the labor in them is concerned, I think it is unjust and an unfair discrimination against the people engaged in this little industry.

We propose to impose 30 per cent, as the Senator from Connecticut [Mr. PLATT] suggests, upon common slate pencils and only 10 per cent upon clay pipes.

Mr. VEST. Does the Senator call these articles of necessity or articles of luxury?

Mr. ALDRICH. Practically of necessity. They are, however, no more necessary than slate pencils or lead pencils. Does the Senator from Missouri think that clay pipes are any more an article of necessity than lead pencils?

Mr. VEST. I think clay pipes are an article of luxury in my part of the country; I do not know what they are in Rhode Island.

Mr. ALDRICH. Then you should not put a higher duty than 10 per cent upon them.

Mr. VEST. The McKinley act put a duty on these articles of over 50 per cent.

Mr. ALDRICH. The House provision put on the same rate, whatever it may have been.

Mr. VEST. No; 10 cents a gross, which I think was about 33.41 per cent. Under the House provision it was 50 per cent.

Mr. ALDRICH. Why does the Senate committee propose a reduction of from 33 to 10 per cent. below the House rate?

Mr. VEST. Because it is an article which is used by all classes of people here; it is to them an article of necessity, and the best reason in the world exists for making it as cheap as possible. The Senator says it is an article of necessity, and I accept him as the highest authority on the tariff question.

Mr. ALDRICH. The Senator from Missouri, in paragraph 356, proposes to take an important article of common use from the free list and put a duty of 20 per cent on it. If this paragraph proposes to reduce an article that is not as important and not in as great use from 33 to 10 per cent, there is certainly no consistency in the action upon the two paragraphs.

Mr. GRAY. That amendment is withdrawn.

Mr. ALDRICH. I did not understand that.

Mr. VEST. I withdrew that amendment, as the Senator from Massachusetts [Mr. LODGE] said he wanted to speak on cocoa matting, and the whole paragraph went over; but if it will relieve the Senator any we will withdraw the amendment and let it go back to the free list.

Mr. ALDRICH. It will only relieve me by having it go to the free list, where it belongs.

Mr. VEST. Let it go there.

Mr. LODGE. I want to say in regard to this heavy cut on clay pipes that if they are necessities, certainly the match which lights them is a necessity, and the duty on matches now stands at 20 per cent in the bill, and the duty on matches is raised in every case but one.

I have a table here furnished by the importers of matches, who have been consulted largely as authorities on this subject, and it appears that the duty on matches have been increased in some instances over the McKinley rate from 300 to 500 per cent, on wax matches particularly; and certainly if those increases were made on matches, I see no reason for making this immense reduction of duty on clay pipes, which the Senator from Rhode Island stated, as I understand, will stop the manufacture in this country.

The price of those pipes is so very small that the foreign importer will have to put them in the markets at the same price, and he would undoubtedly carry the duty. The only result of the reduction would be to destroy that particular industry, and at the same time these increased duties are put upon matches, which, I understand, although a small industry, employs many people.

Mr. PEFFER. I think this is a proper place for me to propose an amendment which I wish to offer, to put a duty on salt. I see that these miscellaneous matters are arranged in alphabetical order, and I will ask the committee whether I am correct in assuming that this will be the proper place to propose the amendment?

Mr. GRAY. Where?

Mr. PEFFER. Just before paragraph 360.

Mr. COCKRELL. I suggest that the Senator propose the amendment at the end of these articles, just before the free list.

Mr. PEFFER. I prefer to propose the amendment now, Mr. President, if this be the proper place. I wish to say that my amendment is to insert as a new paragraph:

359½. Salt, 5 cents per 100 pounds.

The VICE-PRESIDENT. The Chair will recognize the Senator from Kansas for the purpose of offering the amendment after this paragraph is concluded.

Mr. PEFFER. I understood it was disposed of by the Senate.

Mr. GALLINGER. With reference to the tremendous cut that is proposed on clay pipes, I desire to detain the Senate a single moment by calling attention to the fact that with a 50 per cent duty we imported 185,327 gross last year, the value of which was nearly $56,000. Now, it is proposed to reduce the duty four-fifths from the present rate, from 50 per cent and a fraction to 10 per cent.

It can not do otherwise than to utterly annihilate this industry. I do not know how extensive it is. I am not an authority on pipes of any kind, but it must necessarily, it seems to me, utterly destroy the industry; and the worst part of it is, that after we have imported all our clay pipes and given this work to foreigners instead of to Americans, the poor American citizen, whether he be a Yankee or an Irishman or a Dutchman, will pay his 1 cent for his clay pipe just the same. It is not going to reduce the price of pipes to the poor man who uses them, but it will transfer this industry from American soil to foreign soil. It is to take from us the very considerable revenue that comes in now under this 50 per cent duty.

If anybody can tell me who is going to be benefited by this proposed change I shall be very glad to get the information. It seems to me, while this is a very small matter, it is one nevertheless involving a principle that we ought to contend for; and the best interests of the country require that the duty shall not be reduced, certainly, to the extent proposed by the committee.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Arkansas [Mr. JONES].

The amendment was agreed to.

The VICE-PRESIDENT. The Chair now recognizes the Senator from Kansas.

Mr. PEFFER. I move to insert as a new paragraph—

359½. Salt, 5 cents per 100 pounds.

Mr. ALDRICH. If the Senator from Kansas will permit me, salt has heretofore been in the agricultural schedule, and if salt is put on the free list, it should be stricken from there, and can be inserted in some other place in the agricultural schedule rather than here. Of course it is not very material, but I want to make that suggestion to the Senator, if he desires to move the amendment to-night.

Mr. PEFFER. I can enter the motion now, and I wish to submit a very small amount of matter from the salt people in Kansas, and I might just as well do it now as in the morning.

Mr. ALLISON. I will suggest to the Senator from Kansas that I think the salt provision will lead to considerable debate, and if it will suit him to pass it over, I should like very much to get over this schedule to-day.

Mr. PEFFER. Very good, let it go.

The VICE-PRESIDENT. The reading will be resumed.

The Secretary read as follows:

360. Umbrellas, parasols, and sunshades, covered with material composed wholly or in part of silk, wool, or goat hair, 45 per cent ad valorem; if covered with paper or other material, 35 per cent ad valorem.

Mr. JONES of Arkansas. I move to strike out the words "or goat hair," in line 8, and insert what is printed in the small type following down to the words "ad valorem," in line 10, and then to strike out the remainder of the paragraph.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In line 8, after the word "wool," it is proposed to strike out "or goat hair" and insert "worsted, the hair of the camel, goat, alpaca, or other animals, or other material than paper;" and after the words "ad valorem," in line 10, it is proposed to strike out the remainder of the paragraph, as follows: "If covered with paper or other material, 35 per cent ad valorem."

The amendment was agreed to.

Mr. PLATT. I simply want to call attention to a paragraph which, on page 34, comes into this bill in some mysterious way, and I think this is a pretty good place to speak of it.

The paragraph is as follows:

Umbrella and parasol ribs, and stretcher frames, tips, runners, handles, or other parts thereof, made in whole or chief part of iron, steel, or any other metal, 50 per cent ad valorem.

It crept into that schedule where all the manufactures of iron in my State are getting only 35 per cent ad valorem. I have had a great curiosity to know the history of it, and it has in no respect been allayed by the fact that the manufacturers of umbrellas and parasols are only to get 45 per cent ad valorem, less duty than is given upon the ribs, frames, tips, etc. I should like on some convenient occasion, when we have more time, to have explained how it was that that paragraph has crept into this schedule.

Mr. JONES of Arkansas. I suppose some Yankee who wanted to make those things got it put in.

Mr. PLATT. That will not do.

Mr. ALLISON. As to that explanation of the Senator, it seems to me that the duty upon the finished article ought at least to be as high as upon the parts.

Mr. JONES of Arkansas. The cost of the finished article would hardly have any relation to the cost of these items, which would enter into the construction of it. I do not see that that is inevitable by any means.

Mr. ALLISON. I do not see how you can have an umbrella without a rib, and if you pay 50 per cent on a rib, it is probable that you will import the rib, and not manufacture it here. That would be my idea, although I may be wrong about it.

Mr. JONES of Arkansas. If the umbrella cost $1.50 and the ribs 25 cents, 45 per cent on the umbrella would be very much more, according to the value, than 50 per cent of the cost of the parts.

Mr. ALLISON. The Senator does not seem to get my point. We are providing here for umbrellas on the supposition that the manufacturer will make the umbrella and every part of it. If he undertakes to do that, he will find his neighbor importing a good part of these articles or manufacturing by his side with a greater protection than he receives.

Mr. ALDRICH. I suggest to the Senator from Iowa that the bill as it now stands imposes a duty of 50 per cent upon the umbrella frames, and a duty of 45 per cent on the covering, if of silk 45 per cent, and if covered with woolen or worsted it would pay 45 per cent.

Mr. JONES of Arkansas. The Senator is certainly in error when he states that the umbrella would be admitted at 30 per cent. The provision, I see, is 45 per cent.

Mr. ALDRICH. You struck out paragraph 361?

Mr. JONES of Arkansas. Paragraph 361 has not been adopted.

Mr. ALDRICH. Forty-five per cent is the proposition of the committee. I do not understand that the bill increases that.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Arkansas.

The amendment was agreed to.

The VICE-PRESIDENT. The reading of the bill will be proceeded with.

The Secretary read as follows:

361. Umbrellas, parasols, and sunshades, sticks for, if plain or carved, finished or unfinished, 30 per cent ad valorem.

Mr. ALDRICH. The language in this paragraph should be changed. The words "sticks for" should be put at the head of that paragraph, or else you are liable to have a construction given by some appraising officers that umbrellas and parasols are provided for as well as sticks.

Mr. JONES of Arkansas. I think that is a correct criticism; and I move to transpose the location of those words, so that it will be clear that it means the sticks for umbrellas and parasols.

The amendment was agreed to.

The Secretary read as follows:

362. Waste, not specially provided for in this act, 10 per cent ad valorem.

Mr. HARRIS. I move that the Senate adjourn.

The motion was agreed to; and (at 6 o'clock and 15 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, June 19, 1894, at 10 o'clock a. m.

HOUSE OF REPRESENTATIVES.

MONDAY, *June 18, 1894.*

The House met at 12 o'clock m., and was called to order by Mr. THOMAS O. TOWLES, Chief Clerk.

The following was read:

SIR: I hereby name Hon. JOSEPH W. BAILEY, a Representative from the State of Texas, to perform the duties of the Chair for this day.

CHARLES F. CRISP, *Speaker.*

Hon. JAMES KERR,
Clerk House of Representatives.

Mr. BAILEY took the chair as Speaker *pro tempore.*

Prayer was offered by Rev. W. H. MILBURN, D. D., Chaplain of the Senate.

The Journal of the proceedings of Saturday was read and approved.

PUBLIC BUILDING AT SIOUX FALLS, S. DAK.

The SPEAKER *pro tempore* laid before the House a letter from the Acting Secretary of the Treasury, referring to an estimate of deficiency in the appropriation for the completion of the United States custom-house and post-office building at Sioux Falls, S. Dak., transmitted by him on February 6, 1894, and recommending that the same be reduced to $15,000; which was

referred to the Committee on Appropriations, and ordered to be printed.

SENATE BILLS REFERRED.

The SPEAKER *pro tempore* laid before the House Senate bills of the following titles; which were severally read twice, and referred as stated:

A bill (S. 1515) to amend chapter 6, of Title XXXII, of the Revised Statutes, relating to mineral lands and mining resources—to the Committee on Mines and Mining.

A bill (S. 160) to fix the price of lands entered under the desert-land laws—to the Committee on Public Lands.

A bill (S. 814) for the relief of the representatives of Daniel C. Rodman, deceased, and others—to the Committee on Claims.

A bill (S. 1852) to provide an American register for the steamer S. Oteri—to the Committee on Merchant Marine and Fisheries.

DEFICIENCY APPROPRIATION BILL.

Mr. BRECKINRIDGE of Kentucky, from the Committee on Appropriations, reported a bill (H. R. 7477) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1894, and for prior years, and for other purposes; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

LEAVE OF ABSENCE.

Mr. MCCREARY of Kentucky. I desire to ask that my colleague from Kentucky, Hon. W. J. STONE, who is sick, be excused for to-day.

There was no objection.

Mr. HEARD. I wish to ask indefinite leave of absence for the gentleman from Kentucky, Mr. CARUTH, who received this morning a telegram from Louisville, summoning him home on account of sickness in his family.

There being no objection, leave was granted.

By unanimous consent, leave of absence was granted as follows:

To Mr. GARDNER, indefinitely, on account of sickness.

To Mr. RICHARDS, indefinitely, on account of sickness in his family.

ADDITIONAL CIRCUIT JUDGE IN EIGHTH JUDICIAL DISTRICT.

Mr. COBB of Missouri. I ask unanimous consent for the present consideration of the bill (H. R. 1390) providing an additional circuit judge in the eighth judicial circuit.

The bill was read.

The SPEAKER *pro tempore*. Is there objection to the present consideration of this bill?

Mr. REED. Before unanimous consent is granted I should like to know what are the grounds for this application. I think such a matter as this ought to be fully understood by the House.

Mr. COBB of Missouri. My colleague [Mr. CLARK] will make an explanation.

Mr. CLARK of Missouri. Mr. Speaker, I think I can explain the situation in a very few minutes.

Mr. HOLMAN. I wish to object to this measure.

Mr. CLARK of Missouri. Then, of course, there is no use in making a statement.

Mr. HOLMAN. I will withhold the objection, however, until the gentleman can be heard.

Mr. CLARK of Missouri. The situation is about this: In the eighth circuit the court business has grown so much and the courts are so much behind the docket that it takes nearly the entire time of all the district judges, in the circuit, to sit as circuit judges, and they do not keep up with the work; so that practically we have had no district court in the eighth circuit for the last two or three years. Now, if it is the intention of Congress to transact the business of the country, then we ought to have this additional judge.

Mr. REED. How does this circuit compare with the others?

Mr. CLARK of Missouri. Why this is one of the largest, considering the number of people in connection with its geographical configuration, of any district in the country. The gentleman from Minnesota [Mr. TAWNEY] can tell all about it.

Mr. HULL. It should be stated also that it is a circuit that does the largest business of any circuit in the United States.

Mr. CLARK of Missouri. Yes; there are more cases pending in it now than in any other circuit in the United States.

The SPEAKER *pro tempore*. Is there objection to the present consideration of the bill?

Mr. GROSVENOR. I object.

Mr. HOLMAN. The remedy is to reduce the jurisdiction of the Federal courts.

The SPEAKER *pro tempore*. Objection is made by the gentleman from Ohio.

RIGHT OF WAY THROUGH OMAHA AND WINNEBAGO RESERVATIONS.

Mr. PERKINS. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 1995) granting to the Eastern Nebraska and Gulf Railway Company right of way through the Omaha and Winnebago Indian Reservations, in the State of Nebraska.

The SPEAKER *pro tempore*. The bill will be read, subject to the right of objection.

The bill was read at length.

The SPEAKER *pro tempore*. Is there objection to the present consideration of the bill?

Mr. DUNPHY. I object.

AMENDMENT OF INTERSTATE COMMERCE ACT.

Mr. DURBOROW. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 3291) to amend section 22 of an act to regulate commerce, as amended March 2, 1889.

The SPEAKER *pro tempore*. The bill will be read, subject to objection.

The bill was read, as follows:

Be it enacted, etc., That section 22 of an act to regulate commerce, approved February 4, 1887, and as amended March 2, 1889, be, and is hereby, amended by adding thereto the following provisio:

"*Provided further*, That nothing in this act shall prevent the issuance of joint interchangeable 5,000-mile tickets, with special privileges as to the amount of free baggage that may be carried under mileage tickets of 1,000 or more miles."

The Committee on Interstate and Foreign Commerce recommend the adoption of the following amendment:

Insert after the word "miles" in section 1 of the bill:

"But before any common carrier, subject to the provisions of this act, shall issue any such joint interchangeable mileage tickets with special privileges, as aforesaid, it shall file with the Interstate Commerce Commission copies of the joint tariffs of rates, fares, or charges on which such joint interchangeable mileage tickets are to be based, together with specifications of the amount of free baggage permitted to be carried under such tickets, in the same manner as common carriers are required to do with regard to other joint rates by section 6 of this act; and all the provisions of said section 6 relating to joint rates, fares, and charges shall be observed by said common carriers and enforced by the Interstate Commerce Commission as fully with regard to such joint interchangeable mileage tickets as with regard to other joint rates, fares, and charges referred to in said section 6. It shall be unlawful for any common carrier that has issued or authorized to be issued any such joint interchangeable mileage tickets to demand, collect, or receive from any person or persons a greater or less compensation for transportation of persons or baggage under such joint interchangeable mileage tickets than that required by the rate, fare, or charge specified in the copies of the joint tariff of rates, fares, or charges filed with the Commission in force at the time. The provisions of section 10 of this act shall apply to any violation of the requirements of this proviso."

Mr. PICKLER. Let us have an explanation of this bill.

The SPEAKER *pro tempore*. Is there objection to the present consideration of the bill?

Mr. MCCREARY of Kentucky. I would like to have the gentleman from Illinois make some explanation of the bill first.

Mr. DURBOROW. I will be very glad to do so. If the Clerk will first read the report I will then supplement it with any additional information that may be required by any member.

The report (by Mr. DURBOROW) was read, as follows:

The Committee on Interstate and Foreign Commerce, to whom was referred the bill (H. R. 3291) "to amend section 22 of an act to regulate commerce, as amended March 2, 1889," report the same back with an amendment, and with the recommendation that the bill as so amended do pass.

Your committee is of opinion that there is nothing in the act to regulate commerce which prohibits the thing which this bill permits, and that the only object of the bill is to be declaratory to that effect. But they have deemed it proper to offer the amendment proposed in order to prevent the declarations of the bill from being made, under any circumstances, a vehicle of discriminations between any of the people in the United States who use interstate transportation. Should the amendment be adopted, there is no reason, your committee believes, why this bill should not pass.

Your committee further recommends that H. R. 1938, which is a bill in the same general interest as the present bill, do lie upon the table.

Mr. DURBOROW. Mr. Speaker, this bill is one the passage of which is earnestly desired by commercial travelers all over the country. The interstate-commerce law, it is believed by the committee, does not really prohibit the sale and use of this class of tickets now, but the transportation companies have stated to the commercial travelers' associations that before they issue such tickets as the bill provides they prefer to have special authorization from Congress to that effect; they are perfectly willing to do it, but believe that it would make the law clearer if this amendment to the law, as proposed by the pending bill, shall be adopted.

The large body of men throughout the country who will use the tickets will greatly contribute to the commercial interests of all sections, and it is believed that the bill will give very great and needed relief in many directions. The Committee on Interstate and Foreign Commerce have investigated the matter thoroughly and this is a unanimous report from the committee. It is desirable that this measure should be acted upon if possible to-day; and I have been requested to call it up by reason of the fact that the National Commercial Travelers' Association of the whole country is now in convention assembled at Milwaukee, Wis., and as they earnestly desire the passage of the measure it will afford them much pleasure if such action shall be taken to day, to be able to annouce it authoritatively to the convention.

The SPEAKER *pro tempore*. Is there objection to the present consideration of the bill?

The Chair hears none.

Mr. HAUGEN. Let the amendment be again read.

The amendment recommended by the committee was again reported.

Mr. DURBOROW. I would, like to say, Mr. Speaker, with reference to this amendment that the committee drew the amendment very carefully, because the only objection to this measure was that in practical effect it might lead to unjust discrimination. It is believed by the committee that the amendment as reported will prevent anything of the kind and make it applicable especially as intended.

The amendment recommended by the committee was adopted.

The bill as amended was ordered to be engrossed and read a third time; and, being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. DURBOROW, a motion to reconsider the last vote was laid on the table.

The SPEAKER *pro tempore*. In the absence of objection, the bill (H. R. 1938) will be laid on the table.

JUDGMENTS OF UNITED STATES COURTS.

Mr. BRYAN. Mr. Speaker, I ask unanimous consent for the present consideration of a bill which I send to the Clerk's desk.

The SPEAKER *pro tempore*. The gentleman from Nebraska [Mr. BRYAN] asks unanimous consent for the present consideration of a bill, the title of which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 6979) to amend section 3 of an act entitled "An act to regulate the liens of judgments and decrees of the courts of the United States," approved August 1, 1888.

The SPEAKER *pro tempore*. The Clerk will report the bill.

The bill was read at length.

The SPEAKER *pro tempore*. Is there objection to the present consideration of this bill?

Mr. HOLMAN. I ask that the first part of the bill be reported again. There was such confusion that it could not be heard.

The Clerk again read the first portion of the bill.

Mr. BRYAN. Mr. Speaker——

The SPEAKER *pro tempore*. The Clerk informs the Chair that there is an amendment reported by the committee. The Clerk will now report the amendment.

The amendment recommended by the committee was read.

Mr. GROSVENOR. Is this bill before the House by unanimous consent?

The SPEAKER *pro tempore*. The Chair directed the Clerk to read the bill and amendments, after which the Chair will submit the request for unanimous consent.

Mr. BRYAN. I will explain the bill so that I think there will be no objection to it.

The SPEAKER *pro tempore*. Is there objection to the present consideration of the bill?

Mr. GROSVENOR and Mr. PAYNE objected.

Mr. BRYAN. Will you allow me to explain?

Mr. GROSVENOR. I make no objection to the bill itself.

The SPEAKER *pro tempore*. Objection is made.

RIGHT OF WAY THROUGH OMAHA AND WINNEBAGO INDIAN RESERVATIONS.

Mr. PERKINS. Mr. Speaker, I understand that the gentleman from New York [Mr. DUNPHY], who objected to the consideration of the bill for which I asked unanimous consent, has withdrawn his objection.

The SPEAKER *pro tempore*. The gentleman from Iowa [Mr. PERKINS] states that the objection which was made to the consideration of the bill called up by him has been withdrawn. The Chair again submits the request. Is there objection to the present consideration of the bill?

Mr. PAYNE. The bill just read?

The SPEAKER *pro tempore*. No; the bill the title of which the Clerk will now report.

The Clerk read as follows:

A bill (S. 1935) granting to the Eastern Nebraska and Gulf Railway Company right of way through the Omaha and Winnebago Indian Reservations, in the State of Nebraska.

The SPEAKER *pro tempore*. Is there objection to the present consideration of this bill?

There was no objection.

The SPEAKER *pro tempore*. The bill has already been reported. The question is on its third reading.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. PERKINS, a motion to reconsider the last vote was laid on the table.

ORDER OF BUSINESS.

Mr. HATCH. I move that the House resolve itself into the Committee of the Whole on the state of the Union, for the consideration of bills raising revenue.

The SPEAKER *pro tempore*. The gentleman from Missouri [Mr. HATCH] moves that the House resolves itself into the Committee of the Whole for the purpose of considering bills raising revenue.

Mr. BYNUM. Mr. Speaker——

Mr. McRAE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. McRAE. Is that motion in order until after the call of committees for reports?

The SPEAKER *pro tempore*. This being the third Monday of the month, there is no morning hour.

Mr. BYNUM. Mr. Speaker, I desire to raise a question of order on the motion made by the gentleman from Missouri [Mr. HATCH].

The SPEAKER *pro tempore*. The gentleman from Indiana will state the point of order.

Mr. BYNUM. I will state the grounds of my objection. The Chair will find by examining clause 57 of Rule XI, that certain bills reported by certain committees are privileged matters. Clause 57 of Rule XI reads as follows:

57. The following-named committees shall have leave to report at any time on the matters herein stated, viz: The Committee on Rules, on rules, joint rules, and order of business; the Committee on Elections, on the right of a member to his seat; the Committee on Ways and Means, on bills raising revenue; the committees having jurisdiction of appropriations, the general appropriation bills, etc.

The only privilege provided in the rules for the consideration of bills is the provision contained in this rule, which provides that certain committees shall have the right to report at any time. Under the construction of this rule in the Thirty-second Congress, it was held and has been held continuously from that time to the present that the right to report at any time carried with it the right to have a bill considered at any time. So, instead of providing in the rules that certain bills shall be privileged to be considered at any time, the provision simply is that committees having jurisdiction of certain bills shall have the right to report at any time, which carries with it the right of consideration at any time.

I can find no other provision for the consideration of revenue bills. Now, I do not contend for one moment that this bill is not a revenue bill, but I maintain this position, that no other committee of this House has the right of privilege as to revenue bills, except the Committee on Ways and Means, and that revenue bills reported by the Committee on Ways and Means are the only ones that are entitled to privilege under the rules of the House.

It is true, Mr. Speaker, that this House has the right to refer any bill to any committee; but that does not change the effect of the rules. I have no doubt but that this bill will be considered; and I do not raise this point of order for the purpose so much of antagonizing this same, as to settle this question, because if the Committee on Agriculture has the right to take the privilege of the Committee on Ways and Means, then every other committee in the House which might acquire jurisdiction of a bill which was privileged from some designated committee would be entitled to the same privilege, and the entire mode of procedure as prescribed by this House in its rules for the purpose of controlling and regulating its business would be completely overthrown.

It is well known to the Chair and to the House that under our present system there is no trouble in securing the consideration of any measure that the Committee on Rules and the House desire to take up. Formerly there was great difficulty in reaching measures which the House desired to consider. Our rules have been so modified, amended, and improved that the House has it in its power, with the consent of the Committee on Rules, to consider any bill which it desires. Therefore I maintain, Mr. Speaker, that there is not the slightest excuse for deviating from the strict construction of the rule as laid down by the House for the government of its proceedings.

There are certain reasons, Mr. Speaker, why this should be done. There are certain rules which must be strictly adhered to, and which are essential to the government and regulation and proper conduct of the business of the House; and it is as essential in preserving the order and the dignity and the regularity of its proceedings that we should adhere strictly to the construction of the rules, as it is that the doctrine of *stare decisis* be adhered to in the construction of the State statute and the enforcement of rights under the common-law rights.

Now, Mr. Speaker, there is but one point which might be insisted as giving the Committee on Agriculture the right of privilege, and that is that this being a revenue bill, and having been referred to the Committee on Ways and Means, it was subsequently by the House taken away from it, and referred to the Committee on Agriculture.

I maintain, Mr. Speaker, that whenever the House lays down

rules for its government it ties its own hands in the same manner that the people tie their hands when they prescribe a constitutional provision regulating their own conduct. The House has designated certain matters as being privileged. The only revenue bills that are privileged are revenue bills reported by the Committee on Ways and Means; not all revenue bills, but all revenue bills reported by the Committee on Ways and Means.

The very same is true in regard to appropriations, general appropriation bills coming from the Committee on Appropriations, not all appropriations. Also certain matters referred to the Committee on Printing, and certain matters to the Committee on Accounts are privileged. And therefore, Mr. Speaker, I maintain that revenue bills reported only by the Committee on Ways and Means are privileged, and that the general motion to go into Committee of the Whole for the consideration of revenue bills is not in order, because that includes a motion broader than the rule prescribes as privileged. It should be a motion that the House resolve itself into Committee of the Whole for the consideration of revenue bills reported by the Committee on Ways and Means, not a general motion that the House resolve itself into Committee of the Whole for the consideration of revenue bills, because the latter motion may include bills which under the rule are not privileged.

Now, Mr. Speaker, it may be urged that the rules construed as a whole apply to all revenue bills, from whatever committee they may come. Rule XXIV, clause 6, provides as follows:

6. Unfinished business, if any, having been disposed of, motions shall be in order as follows:

First. That the House resolve itself into the Committee of the Whole House on the state of the Union to consider, first, bills raising revenue and general appropriation bills, and then other business on its Calendar.

That provision, Mr. Speaker, is contained in a rule prescribing simply the order of business or priority of procedure, and must be construed in connection with the other rules of the House. Therefore the first motion is a motion to consider revenue bills, under the clause I have cited, which gives the privilege to revenue bills from the Committee on Ways and Means. I take it that that does not confer any additional power, so far as the question of privilege is concerned, than that which is contained in the provision I have already cited.

This I look upon as an important question. It is a well-known fact that the Committee on Ways and Means, as well as the Committee on Appropriations and the Committee on Elections, are selected, that the minds of their members are directed in certain lines of investigation, and that they become better equipped for those special matters than committees which are given jurisdiction of other matters, and therefore in the organization of the House there are certain policies to be carried out, and the committees are organized in that view, and the privilege is conferred upon the committee in connection with such special measures.

Now, if that is not true, Mr. Speaker, then we are at sea so far as concerns the measures that may come before this House for consideration. A number of bills may come from a committee that have had little experience in the investigation of the matter.

General appropriation bills might come from any other committee than the Committee on Appropriations, who devote their entire time and attention to the consideration of such measures. So revenue bills need not come from the Committee on Ways and Means, but might originate in other committees, who devote no time to the consideration of the general question of revenue, but simply desire to bring in some special measure to affect some special interest under the guise of a revenue bill.

Therefore, Mr. Speaker, I maintain that the motion of the gentleman from Missouri, if entertained at all, must be restricted to revenue bills reported from the Committee on Ways and Means. I make the further suggestion to the Chair that it must be made by order of the Commitee on Ways and Means. It is not the individual right of any member of the House to move to take up a bill which is privileged only because it is reported by a certain committee. It is the province of that committee alone to determine when a motion shall be made to take up such a measure. In accordance with that idea, upon questions which may be called by a committee in the morning hour, it has been repeatedly held that no member of the committee can call up a bill in the morning hour unless he is authorized to do so by the committee reporting the bill. I take the same view of all these privileged measures. They must be reported by the committee having the privilege, and must be called up by the consent of that committee.

Now, Mr. Speaker, upon the point which I did not elaborate, as to the reference of this bill by the House to the Committee on Agriculture, I maintain that whenever the House has established a code of rules prescribing certain privileges for certain committees, those rules must govern, and the mere fact that the House has the power to refer bills to any committee it may choose does not give to it the power to transfer the privileges which it has given to certain committees to other committees. To admit that right would amount to a complete abrogation of the rules and to a violation of the provisions prescribed in the rules by which they may be changed.

It is well settled that the people of a State, or of the United States, can not amend their constitution except in conformity with the modes prescribed in the constitution itself; and equally is it true that this House can not change its rules except in the mode prescribed by the House in the rules. Therefore, the mere right of reference, or the mere right to change the reference of a measure from one committee to another, does not carry with it the right upon the part of the House to transfer the privileges which it has conferred by its rules upon one to another committee when the latter has been denied such a privilege by the rule of the House.

Mr. SPRINGER. Mr. Speaker, I desire to submit a point of order.

The SPEAKER *pro tempore*. There is one point of order now pending.

Mr. BRECKINRIDGE of Kentucky. I desire to ask the gentleman from Indiana a question.

Mr. BYNUM. What is the gentleman's question?

Mr. BRECKINRIDGE of Kentucky. The question I desire to submit to the gentleman from Indiana is whether he holds that this motion made by any member of the House on this particular day, under clause 6 of Rule XXIV, would be out of order if the member were recognized by the Speaker to make the motion?

Mr. BYNUM. By clause 6 of Rule XXIV a mere order of business is prescribed. Certain motions would be in order. Of course, a number of privileged questions may come before the House and they take precedence, according to previous rules. For instance, a motion to go into Committee of the Whole for the consideration of revenue bills, or of bills making general appropriations, would take precedence over a motion to go into Committee of the Whole to consider a bill from the Committee on Coinage, Weights, and Measures. Why? Because the Committee on Ways and Means and the Committee on Appropriations have priority of privilege.

Mr. BRECKINRIDGE of Kentucky. The point I want to submit is this. If a gentleman were to rise this morning and ask for the regular order, and the Chair called the regular order, and the gentleman from Missouri, or any gentleman representing any other committee, were to rise and make a motion under subdivision 1 of clause 6 of Rule XXIV, and the Chair were to recognize him, would not that be in order without regard to the argument presented by the gentleman from Indiana as to privileged motions?

Mr. BYNUM. The order of business in the rule is intended to prescribe the order in which the business of the House shall be transacted, even as between privileged questions. There are several privileged questions that may come up, but the Chair would have to decide the order of their precedence under the order of business, and that is all the order of business is for. In order to determine which question had precedence it would be necessary to go back and look at the entire body of rules to see what authority was conferred upon the committees concerned.

Mr. HATCH. Mr. Speaker, I hardly think it necessary to reply at any length to the argument of the gentleman from Indiana. I will simply call the attention of the Chair to the fact that so distinguished a Speaker of this House as the Hon. John G. Carlisle held in the Forty-eighth Congress that a bill raising revenue, which had been referred by a vote of the House to the Committee on Agriculture and reported back from that committee, had all the rights and privileges of a revenue bill reported from the Committee on Ways and Means. After extended argument upon a point of order made against that bill, similar to the one made now by the gentleman from Indiana, the Speaker held as I have stated, and the motion to go into Committee of the Whole for the consideration of what was known as the oleomargarine bill was entertained day after day until the bill was disposed of.

In the Fifty-second Congress the present Speaker of the House (who I think understands the rules of this House fully as well as the gentleman from Indiana) decided in the same way, not only once but repeatedly, by entertaining the motion made by me that the House resolve itself into Committee of the Whole for the purpose of considering a bill similar in many respects to the bill now before the House.

Mr. BYNUM. Was the point ever made against that bill?

Mr. HATCH. The point was made and argued at the very beginning.

Mr. BYNUM. What bill does the gentleman refer to?

Mr. HATCH. The antioption bill, in the Fifty-second Congress.

Mr. BYNUM. I have examined the RECORD, and I find that no point of this kind was raised against that bill.

Mr. HATCH. I think the gentleman is mistaken, because my recollection is that on that occasion I referred the Speaker to the ruling made by Mr. Carlisle in the Forty-eighth Congress.

But whether the point was raised or not the motion was entertained by the Speaker day after day; and it was acted upon by the House. If the present occupant of the chair has any doubt whatever in his mind upon this question I shall be glad to get the RECORD of the Forty-eighth Congress and read it. The practice has been unbroken from that Congress down to the present time; and Mr. Carlisle stated in his ruling on the oleomargarine bill that the very highest privilege that a bill could have, coming from any committee, was acquired by a direct vote of the House referring it to that committee for consideration; and that when it came back to the House it had under the rule all the privileges thereby implied.

The SPEAKER *pro tempore*. The Chair calls the attention of the gentleman from Indiana [Mr. BYNUM] to Rule XXIV, which prescribes the order of business. The second clause of that rule provides that there shall be a call of committees for reports on all days except the first and third Mondays of the month. The fourth clause of the rule provides that after the call of committees for reports has been completed, or the hour has been exhausted, the Speaker shall again call the committees in their order for the consideration of such bills as each committee may see fit to call up. The fifth clause of the same rule then provides that——

After the hour under the preceding clause shall have been occupied, it shall be in order to proceed to the consideration of the unfinished business in which the House may have been engaged at an adjournment, and at the same time each day thereafter, other than the first and third Mondays, until disposed of; and it shall be in order to proceed to the consideration of all other unfinished business whenever the class of business to which it belongs shall be in order.

This being the third Monday in the month, there is neither the first nor the second morning hour, and there is no unfinished business to which the House can proceed. Now, the sixth paragraph of the rule provides that—

Unfinished business, if any, having been disposed of, motions shall be in order as follows:

"First. That the House resolve itself into the Committee of the Whole House on the state of the Union to consider, first, bills raising revenue."

The Chair thinks that it is not material what committee or what member of the House makes this motion. The motion itself is in order, without reference to the member making it. The Chair suggests to the gentleman from Indiana that this is a motion to go into Committee of the Whole on the state of the Union for the purpose of considering bills raising revenue. There may be, and there probably are, more bills than one on the Calendar raising revenue; and it is not possible for the Chair to determine at this point that, the House having resolved itself into Committee of the Whole for the purpose of considering bills raising revenue, the committee will then proceed to the consideration of a bill which may not be a revenue bill.

The Chair conceives that if that question can properly arise at all, it must arise in Committee of the Whole, because the motion here is a general motion to go into Committee of the Whole for the purpose of considering bills raising revenue. There may be one, there may be two, or there may be several bills of that character on the Calendar of the Committee of the Whole. And the House having resolved itself into Committee of the Whole, if the committee should then undertake to proceed with the consideration of a bill not a revenue bill, the point of order could certainly be made in the Committee of the Whole. With this view of the question, the Chair overrules the point of order. The question is upon the motion of the gentleman from Missouri [Mr. HATCH].

Mr. SPRINGER. The parliamentary inquiry which I desired to submit was this: This being the third Monday of the month, and preference being given on this day under the rule to committees that may desire to move to suspend the rules, and after that has been exhausted by committees, the privilege being then accorded to individuals to make that motion—whether it is not now in order, even pending this motion of the gentleman from Missouri, for the Chair to entertain a motion to suspend the rules for the purpose of passing any bill which may be designated, where a committee may have recommended that motion to be made?

The custom heretofore has been on the third Monday of the month for the Speaker to call the committees in their order for the purpose of preventing any conflict as to whether one committee or another should come in first. The committees having been thus called, the Chair would then recognize motions submitted by individuals for suspension of the rules. This day being set apart for a special purpose, it seems to me that special purpose should be first carried out, if desired by any committee. That appears to be the intention of Rule XXVIII.

As to clause 6, of Rule XXIV, which has been referred to by the Speaker, it seems to me a part of the general provisions of that rule relate to all days other than the first and third Mondays, and on all days other than those the business there specified is to be the order of business; but on those days, under the uniform practice, the committees have been called for motions to suspend the rules. And I submit that is now the order of business.

The SPEAKER *pro tempore*. In reply to the gentleman from Illinois [Mr. SPRINGER], the Chair would say that there is no rule providing that the Chair must at any time entertain a motion to suspend the rules. On the contrary, the rule provides that—

No rule shall be suspended except by a vote of two-thirds of the members present, nor shall the Speaker entertain a motion to suspend the rules except on the first and third Mondays of each month.

If he does entertain a motion to suspend the rules, the provision is that "preference shall be given on the first Monday to individuals and the third Monday to committees." But it is not obligatory upon the Speaker to recognize either an individual or a committee to move to suspend the rules. The provision simply is that the rules shall not be suspended except by a two-thirds vote, nor shall the Speaker entertain a motion to suspend them at all except upon the first and third Mondays of the month.

Undoubtedly the Speaker could to-day in the exercise of his discretion, recognize the chairman of any committee, or any member of a committee on its behalf, to move a suspension of the rules. But the Chair has not done that. The Chair has recognized the gentleman from Missouri to make a motion which is now in order. And therefore the Chair thinks the point of order submitted by the gentleman from Illinois [Mr. SPRINGER] is not well taken.

Mr. SPRINGER. Will the Chair pardon me——

Mr. CANNON of Illinois. I rise to a parliamentary inquiry.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. CANNON of Illinois. Suppose the House should vote down the motion of the gentleman from Missouri, there would not then be anything under the rules, I take it, to prevent the Chair from recognizing somebody to move a suspension of the rules?

The SPEAKER *pro tempore*. There certainly would not be.

The question is on the motion of the gentleman from Missouri that the House resolve itself into Committee of the Whole House on the state of the Union for the purpose of considering bills raising revenue.

The question was taken; and on a division (demanded by Mr. GOLDZIER), there were—ayes 79, noes 72.

Mr. GOLDZIER. No quorum.

Mr. HATCH. I ask for the yeas and nays.

The yeas and nays were ordered.

The SPEAKER *pro tempore* announced the appointment of Mr. FORMAN and Mr. GOLDZIER as tellers at the desk.

The question was taken; and there were—yeas 136, nays 79, answered "present" 3, not voting 134; as follows:

YEAS—136.

Abbott,	Crawford,	Ikirt,	Pearson,
Alexander,	Curtis, Kans.	Izlar,	Pence,
Allen,	Davis,	Johnson, Ind.	Perkins,
Arnold,	De Armond,	Kem,	Pickler,
Baker, Kans.	Denson,	Kyle,	Richardson, Mich.
Baldwin,	Dinsmore,	Lacey,	Richardson, Tenn.
Bankhead,	Dockery,	Lane,	Robbins,
Bell, Colo.	Dolliver,	Latimer,	Russell, Ga.
Bell, Tex.	Doolittle,	Lawson,	Sayers,
Berry,	Epes,	Layton,	Settle,
Black, Ga.	Fithian,	Linton,	Shell,
Blair,	Forman,	Livingston,	Sibley,
Boen,	Fyan,	Lucas,	Smith,
Bowers, Cal.	Gear,	Maddox,	Snodgrass,
Branch,	Gorman,	Mallory,	Sorg,
Bretz,	Grady,	Marsh,	Stallings,
Broderick,	Grosvenor,	Martin, Ind.	Stockdale,
Brookshire,	Hager,	McCreary, Ky.	Stone, C. W.
Brosius,	Hall, Mo.	McCulloch,	Swanson,
Brown,	Hammond,	McDannold,	Talbert, S. C.
Bryan,	Hare,	McKaig,	Tate,
Bunn,	Harris,	McKeighan,	Taylor, Ind.
Cabaniss,	Hatch,	McLaurin,	Terry,
Cannon, Cal.	Haugen,	McNagny,	Turner, Va.
Capehart,	Heard,	McRae,	Turpin,
Catchings,	Henderson, Ill.	Meredith,	Tyler,
Clark, Mo.	Henderson, N. C.	Money,	Waugh,
Cobb, Ala.	Hicks,	Montgomery,	Weadock,
Cockrell,	Holman,	Morgan,	Wheeler, Ala.
Conn,	Hopkins, Pa.	Murray,	Whiting,
Cooper, Wis.	Houk,	Neill,	Williams, Ill.
Cousins,	Hudson,	Northway,	Williams, Miss.
Cox,	Hull,	Ogden,	Wise.
Crain,	Hunter,	Patterson,	Woodard.

NAYS—79.

Adams, Ky.	Cannon, Ill.	Draper,	Harter,
Aldrich,	Clarke, Ala.	Dunphy,	Hartman,
Apsley,	Cobb, Mo.	Durborow,	Hayes,
Baker, N. H.	Cogswell,	Erdman,	Hulick,
Barwig,	Coombs,	Fletcher,	Johnson, N. Dak.
Bingham,	Cooper, Fla.	Funk,	Johnson, Ohio
Black, Ill.	Cooper, Tex.	Geary,	Lapham,
Breckinridge, Ky.	Covert,	Goldzier,	Lefever,
Bundy,	Cummings,	Graham,	Lester,
Bynum,	Dalzell,	Griffin,	Loud,
Cadmus,	Donovan,	Hall, Minn.	Lynch,

Mahon,	Page,	Ritchie,	Storer,
Marvin, N. Y.	Pendleton, Tex.	Robinson, Pa.	Straus,
McDearmon,	Pendleton, W. Va.	Russell, Conn.	Talbott, Md.
McEttrick,	Pigott,	Shaw,	Tarsney,
McGann,	Quigg,	Somers,	Tracey,
McMillin,	Ray,	Sperry,	Turner, Ga.
Mercer,	Reed,	Springer,	Walker,
Meyer,	Reilly,	Stephenson,	Warner.
Outhwaite,	Reyburn,	Stevens,	

ANSWERED "PRESENT"—3.

Cooper, Ind.	Ellis, Oregon	Wilson, Wash.

NOT VOTING—134.

Adams, Pa.	Dingley,	Kilgore,	Ryan,
Aitken,	Dunn,	Kribbs,	Schermerhorn,
Alderson,	Edmunds,	Lisle,	Scranton,
Avery,	Ellis, Ky.	Lockwood,	Sherman,
Babcock,	English, Cal.	Loudenslager,	Sickles,
Bailey,	English, N. J.	Magner,	Simpson,
Barnes,	Enloe,	Maguire,	Sipe,
Bartholdt,	Everett,	Marshall,	Stone, W. A.
Bartlett,	Fielder,	McAleer,	Stone, Ky.
Belden,	Funston,	McCall,	Strait,
Beltzhoover,	Gardner,	McCleary, Minn.	Strong,
Bland,	Geissenhainer,	McDowell,	Sweet,
Boatner,	Gillet, N. Y.	Meiklejohn,	Tawney,
Boutelle,	Gillett, Mass.	Milliken,	Taylor, Tenn.
Bower, N. C.	Goodnight,	Moon,	Thomas,
Breckinridge, Ark.	Gresham,	Morse,	Tucker,
Brickner,	Grout,	Moses,	Updegraff,
Burnes,	Grow,	Mutchler,	Van Voorhis, N. Y
Burrows,	Hainer,	Newlands,	Van Voorhis, Ohio
Caminetti,	Haines,	Oates,	Wadsworth,
Campbell,	Harmer,	O'Neil, Mass.	Wanger,
Caruth,	Heiner,	O'Neill, Mo.	Washington,
Causey,	Henderson, Iowa	Paschal,	Wells,
Chickering,	Hendrix,	Payne,	Wever,
Childs,	Hepburn,	Paynter,	Wheeler, Ill.
Clancy,	Hermann,	Phillips,	White,
Cockran,	Hines,	Post,	Wilson, Ohio
Coffeen,	Hitt,	Powers,	Wilson, W. Va.
Cornish,	Hooker, Miss.	Price,	Wolverton,
Culberson,	Hooker, N. Y.	Randall,	Woomer,
Curtis, N. Y.	Hopkins, Ill.	Rayner,	Wright, Mass.
Daniels,	Hutcheson,	Richards, Ohio	Wright, Pa.
Davey,	Jones,	Robertson, La.	
De Forest,	Kiefer,	Rusk,	

So the motion was agreed to.

The following pairs were announced:

Until further notice:

Mr. KILGORE with Mr. WILSON of Ohio.

Mr. CAMINETTI with Mr. RANDALL.

Mr. GEISSENHAINER with Mr. WRIGHT of Pennsylvania.

Mr. MUTCHLER with Mr. WHITE.

Mr. HUTCHESON with Mr. KIEFER.

Mr. JONES with Mr. MCCALL.

Mr. SCHERMERHORN with Mr. BELDEN.

Mr. DAVEY with Mr. WRIGHT of Massachusetts.

Mr. O'NEILL of Missouri with Mr. HARMER.

Mr. RICHARDS with Mr. MCDOWELL.

Mr. MOSES with Mr. HEINER of Pennsylvania.

Mr. SICKLES with Mr. DANIELS.

Mr. GRESHAM with Mr. VAN VOORHIS of New York.

Mr. BRECKINRIDGE of Arkansas with Mr. HOPKINS of Illinois.

Mr. LOCKWOOD with Mr. AITKEN.

Mr. KRIBBS with Mr. LEFEVER.

Mr. WASHINGTON with Mr. WANGER.

Mr. BRICKNER with Mr. WEVER.

Mr. ROBERTSON of Louisiana with Mr. PHILLIPS.

Mr. TUCKER with Mr. POWERS.

Mr. STRAIT with Mr. ELLIS of Oregon.

Mr. OATES with Mr. GARDNER.

Mr. ENLOE with Mr. BOUTELLE.

Mr. ELLIS of Kentucky with Mr. SCRANTON.

Mr. PASCHAL with Mr. MEIKLEJOHN.

Mr. BOATNER with Mr. GILLETT of Massachusetts.

Mr. ALDERSON with Mr. HITT.

Mr. CARUTH with Mr. AVERY.

Mr. GOODNIGHT with Mr. HENDERSON of Iowa.

Mr. O'NEIL of Massachusetts with Mr. SHERMAN.

Mr. CAUSEY with Mr. PAYNE.

Mr. WHITING with Mr. TAYLOR of Tennessee.

Mr. BLAND with Mr. MORSE.

Mr. CULBERSON with Mr. GROUT.

For this day:

Mr. WELLS with Mr. GILLET of New York.

Mr. PAYNTER with Mr. HOOKER of New York.

Mr. STONE of Kentucky with Mr. DINGLEY.

Mr. EDMUNDS with Mr. BARNES, on the antioption bill.

Mr. EDMUNDS. Mr. Speaker, I withdraw my vote, as I find I am paired. I should have voted in the affirmative on this proposition.

Mr. ENLOE. I am paired with the gentleman from Maine, Mr. BOUTELLE. If he were present I would vote "aye."

The SPEAKER *pro tempore*. Before the announcement of the result of the vote, the Chair desires to submit the request of the gentleman from New York [Mr. COOMBS] for a reprint of House bill 7133, the present supply being exhausted.

There was no objection.

The result of the vote was then announced, as above recorded.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. LIVINGSTON in the chair.

The CHAIRMAN. The House is now in Committee of the Whole for the purpose of considering revenue bills, and the Clerk will report the title of the first bill.

The Clerk read as follows:

A bill (H. R. 5442) to impose a tax on corporate and individual incomes, to increase the tax on distilled spirits, and for other purposes.

Mr. HATCH. Mr. Chairman, that bill has already been disposed of by the House. I do not know how it happens to be on the Calendar, but I move that it be passed over.

Mr. COBB of Missouri. I object. I would like to have the bill read.

The CHAIRMAN. The question is, Will the committee agree to pass over this bill?

Mr. BYNUM. I ask for the reading of the bill. We want to know what it is.

The CHAIRMAN. The title of the bill has already been read. It will be reported again for the information of the committee.

The title of the bill was again read.

The CHAIRMAN. The question is, Will the committee agree to pass over this bill?

The committee proceeded to divide.

Mr. BYNUM. I do not understand that this bill has been read.

The CHAIRMAN. The Chair will state that it is not customary to read a bill in full when objection is made to its consideration. The practice has been to read only the title of the bill.

Mr. BYNUM. We are entitled to know what the bill is, and to have it read in full.

The CHAIRMAN. It is not the practice.

Mr. BYNUM. It has always been heretofore. I do not know what it is now.

The CHAIRMAN. The Chair differs with the gentleman from Indiana.

Mr. BYNUM. We are entitled to the full reading of all bills; even on the third reading, when the demand is made.

The CHAIRMAN. The committee will be in order, and conversation on the floor must cease. The Sergeant-at-Arms will see that order is preserved on the floor, and the Chair wants this to be the last time he will have to make that request while he is in the Chair. [Laughter.]

Mr. PENDLETON of West Virginia. I would like to know what is before the committee.

The CHAIRMAN. The Chair will let you know when he can get order on the floor.

Mr. HATCH. Mr. Chairman, I think in the confusion the motion put by the Chair was not understood. If gentlemen will allow the Chair one moment, that he can hear what is going on on the floor, it will facilitate business.

If the Chair pleases, there are many gentlemen here who do not understand the motion put by the Chair to pass over the bill known as the income-tax bill, it having already been acted upon by the House as an amendment to the tariff bill, but by some means is still on the Calendar. My motion is to pass that bill over, in order to reach the House bill known as the antioption bill.

Mr. BYNUM. Mr. Chairman, there was an objection by the gentleman from Missouri [Mr. COBB] to passing it over, and the only thing the committee can do is to rise and report that objection to the House. It is for the House to instruct the committee.

Mr. HATCH. That was the rule in the former Congress, but the rule now provides that the committee itself can pass over a bill.

Mr. BYNUM. That is a mistake, I think.

The CHAIRMAN. The Chair will direct the Clerk to read the fourth paragraph of Rule XXIII.

The Clerk read as follows:

4. In Committees of the Whole House, business on their calendars shall be taken up in regular order, except bills for raising revenue, general appropriation bills, and bills for the improvement of rivers and harbors, which shall have precedence, and when objection is made to passing over any bill or proposition, the committee shall thereupon rise and report such objection to the House, which shall decide, without debate, whether such bill or proposition shall be considered or laid aside for the present; whereupon the committee shall resume its sitting without further order of the House.

The CHAIRMAN. The committee will now rise, and the Chair will report the matter to the House.

The committee accordingly rose; and Mr. BAILEY having resumed the chair as Speaker *pro tempore*, Mr. LIVINGSTON, Chairman of Committee of the Whole House on the state of the Union,

reported that that committee, having proceeded to the consideration of bills raising revenue, and having reached the bill (H. R. 5542) to impose a tax on corporate and individual incomes, to increase the tax on distilled spirits, and for other purposes, that being the first revenue bill on the Calendar, and the request having been made that it be passed over, and objection being made to passing over the same, that under the rule he reported the action of the committee to the House.

The SPEAKER *pro tempore*. The gentleman from Georgia, Chairman of the Committee of the Whole, reports that the committee having proceeded to the consideration of bills raising revenue, and having reached the bill (H. R. 5542) to impose a tax on corporate and individual incomes, to increase the tax on distilled spirits, and for other purposes, a request was made that it be passed over, to which objection was made. The committee has accordingly risen and reported the matter to the House. The question is, Will the House order the Committee of the Whole to proceed with the consideration of the first bill? the negative of which, of course, would direct the committee to pass to the consideration of the second bill.

Mr. BYNUM. I suppose it is essential to have the bill reported to the House, so that we may know what it is.

The SPEAKER *pro tempore*. The provision of the rule is that the question shall be decided without debate.

Mr. BYNUM. That is true.

The SPEAKER *pro tempore*. And the Chair thinks that the title of the bill having been read——

Mr. BYNUM. But the Chairman of the Committee of the Whole should have reported to the House what bill it is, in order that we may know whether we want to pass it over.

The SPEAKER *pro tempore*. The practice has been to read merely the title, and the Chair thinks the practice a reasonable one.

Mr. BYNUM. The Chair does not understand me. My point is that the Chairman of the Committee of the Whole did not report to the House what bill was attempted to be passed over.

The SPEAKER *pro tempore*. The Chairman did report that.

Mr. LIVINGSTON. I desire to say that I had the title of the bill read twice.

The SPEAKER *pro tempore*. The Clerk will now report the title of the bill, to the passing over of which objection was made.

The Clerk read as follows:

A bill (H. R. 5542) to impose a tax on corporate and individual incomes, to increase the tax on distilled spirits, and for other purposes.

The SPEAKER *pro tempore*. The question is, Shall this bill be passed over in the Committee of the Whole?

The question was taken, and the Speaker *pro tempore* announced that the ayes seemed to have it.

Mr. BAKER of New Hampshire and Mr. TRACEY demanded a division.

The House divided; and there were—ayes 89, noes 10.

Mr. TRACEY (sitting in his seat). No quorum.

The SPEAKER *pro tempore*. The gentleman from New York makes the point of no quorum.

Mr. HATCH. I make the point of order that no gentleman rose in his place and addressed the Chair in accordance with the rule.

Mr. TRACEY rose.

Mr. HATCH. It is too late now. I have made the point of order, and it is too late. No gentleman can sit in his seat and yell any of these objections at the Chair. He must rise and address the Chair before the Chair can entertain the gentleman's proposition.

The SPEAKER *pro tempore*. Undoubtedly the rule does require that before any gentleman can submit any motion, he shall rise and address the Chair.

Mr. TRACEY. I will withdraw the point of no quorum.

The SPEAKER *pro tempore*. The ayes have it, and the House orders the committee to pass over the first bill. In accordance with the rule, the House will now resolve itself, without motion, into the Committee of the Whole, and the gentleman from Georgia [Mr. LIVINGSTON] will resume the chair.

The House accordingly again resolved itself into the Committee of the Whole House on the state of the Union, with Mr. LIVINGSTON in the chair.

TAX ON OPTIONS.

The CHAIRMAN. The Clerk will report the title of the next bill.

The Clerk read as follows:

A bill (H. R. 7007) regulating the sale of certain agricultural products, defining "options" and "futures," and imposing taxes thereon and upon dealers therein.

The CHAIRMAN. The Clerk will report the bill.

The bill was read.

Mr. HATCH. Mr. Chairman, under the rules of the House having the right to open and close this discussion, I shall content myself on this occasion with a plain, full, and frank explanation of the provisions of this bill, and what I believe to be the importance of its passage. To some extent it is a new departure in revenue legislation. It is not following in the tracks of all legislation for the raising of revenue that has gone before it; and coming from a committee to which it has been specially committed by a direct vote of the House, it is due to the House that I should explain fully and as frankly as possible the provisions and effect of this revenue measure.

The first criticism upon this bill is that it does not come within the lines or within the limitations of the constitutional provision in regard to Federal taxation. I have studied that question very closely, not only in connection with this measure, but with a similar measure now upon the statute books, known as the oleomargarine bill. I yield to no gentleman upon this side of the floor in my devotion to a fair and rational construction of the Constitution of the United States in regard to the question of taxation. I do not believe that the taxing power should ever be used except for the primary purpose of raising revenue; and I would not myself support any measure as a representative of my own people that had not for its foundation principle the raising of revenue for the Government.

That this bill in all its provisions is within the Constitution I assert with the utmost confidence, because I am sustained in that position by not only the action of the two Houses of Congress, but by the decisions of the Supreme Court of the United States. The Supreme Court has stated, and has held more than once, that the power of taxation in the two Houses of Congress was unlimited. The two Houses of Congress, that constitute the legislative branch of the Government, are the supreme power as regards the subject of taxation, and whenever their action is approved——

Mr. BLACK of Georgia. Mr. Chairman, may I ask the gentleman a question?

The CHAIRMAN. Does the gentleman from Missouri yield to the gentleman from Georgia?

Mr. HATCH. Mr. Chairman, I trust the gentleman will allow me to state my position.

Mr. BLACK of Georgia. Certainly. I was only going to interrupt you to the extent of inquiring to what decisions of the Supreme Court you referred?

Mr. HATCH. I will come to that presently, and refer the gentleman to those decisions.

When the two Houses of Congress have acted and that action has been approved by the Executive power of the Government, and the statute becomes the law, the law of the land, there is no power in the courts of the country to go behind that statute and inquire into the motives of Congress or of any member of the two Houses as to the subject-matter of that taxation; and I refer my friend from Georgia to the well-known cases upon the State bank tax and the more recent decisions of the Supreme Court of the United States, the titles of which I will furnish the House before this debate closes, upon the oleomargarine bill, which has been twice before the Supreme Court.

Now, my position is, that the power over taxation and over the subjects of taxation, is within the two Houses of Congress, when that action is approved by the Executive power of the Government.

Now, some of our Democratic friends say that this power should never be used except in the strictest sense for the purpose of raising "revenue only," and for no other purpose; and that any revenue act of which that is only a secondary effect is undemocratic and unconstitutional. To that position I can not agree. In the exercise of my right and duty as a member of this legislative body, and representing an independent Congressional district of the State of Missouri upon this floor, I not only have the right, but it is my duty to select such subjects for taxation as will do the greatest good to the greatest number of people of the United States, and fall with the least burden upon the smallest number of the population of the country. Since I have been a member of this House I have voted to put matches upon the free list. Why? Because matches have become one of the necessaries of every-day domestic life of nearly every family in the land. Matches are of universal use and consumption, and they ought to be free. Yet the Government must have revenue; and if every member of Congress was to say in regard to everything in the present tax bill now pending before the other branch of this Congress, and that recently passed this House, was a necessary of life, and that we should put them all on the free list, we would have no revenue. I voted to tax opium and put quinine on the free list. I voted to put quinine on the free list, because it is of almost universal consumption, harmless in its administration within reasonable limits, and one of the ordinary remedies for certain diseases used in families throughout the length and breadth of the land.

I would not vote to put opium on the free list, because I believe that opium is a dangerous drug, that it ought to come in here through our custom-houses, and I believe in the wisdom of

those laws of nearly every State of the Union, if not every one, that restricts the sale of opium to licensed druggists and pharmacists throughout the land. Opium ought not be of unrestrained use and unrestricted sale and purchase like matches or quinine; and, therefore, in the exercise of my judgment as a legislator, I voted to tax opium and voted to put quinine on the free list.

I justified my position in reporting the oleomargarine bill to the House of Representatives and its passage through the House and the Senate—that bill which is now the law of the land—upon the same ground that I justify myself in reporting this bill to the House. That ground is that I would raise revenue from the manufacture of an article that was a common adulteration and was palmed off at that time upon the people of the United States under the name of butter and by other fraudulent plans and devices. I voted to put a tax upon the manufacture of that article so that it could be regulated by the Government.

The effect of that legislation has been just exactly what I, in the Forty-eighth Congress, predicted it would be, namely, that it would be a benefit to the consumers of the commodity, because being placed under the ban of the Federal law the manufacture of it would go into the hands of reputable and competent dealers and manufacturers and its quality would be improved. That such has been the result no gentleman who knows anything about the facts will now question. There are now but few manufacturers of oleomargarine in the United States, and among them are some of the very largest and most reputable packers either in this country or in the world.

The quality of the article has been improved a thousand fold. All the little dead animal factories that were making it throughout the length and breadth of the land have been closed up under the operation of that law; and whilst I have no more admiration for oleomargarine as a food product than I had when I so persistently pressed that bill to its final enactment into law, I do not hesitate, in justice to the firms that are now manufacturing it, to state that the quality of it has been wonderfully improved, and I state that not only to their credit but in the interest of the consumers of the article throughout the United States and the world.

Now, in the selection of other subjects for taxation I find one that, like the poisonous drug of opium, or like the outrageous and villainous practice of manufacturing oleomargarine out of unwholesome and unhealthful articles and palming it off on the people under the name of butter—I find, I say, confronting the people of the United States and of the world to-day a system of commercial transactions in the great agricultural products of the country that, in my judgment, has been the bane of every board of trade in the United States, a violation of all the old commercial regulations and practices of a century before, and which, in my judgment, has wrought more injury and brought more disaster to the people who produce the great staple commodities named in the bill than any other commercial practice ever devised by the ingenuity and avarice of man.

Now, I state frankly that in my judgment the Congress of the United States, under our Constitution, has no power to regulate these sales upon boards of trade except by the exercise of the power of taxation. For myself I would greatly prefer the enactment of a substitute for this bill which was offered in the Senate during the Fifty-second Congress, which simply declared this gambling to be a misdemeanor and a crime, and fixed the penalty for these fictitious sales, but I do not believe that such a law would stand the test of the courts for an hour; and, on the other hand, I do believe that under the power to tax and under that power alone has the Federal Government the right to regulate these purchases and sales on the boards of trade. The bill that is before this committee for consideration is different from the bill reported from the Committee on Agriculture in the Fifty-second Congress.

The foundation principle of it is different, and if I can get the attention of members of this committee I can explain this bill in a very brief time, so that there can be no mistake about it. The bill has, of course, been misrepresented. There has been a systematic misrepresentation of it from the time it was reported from the Committee on Agriculture down to this very hour. Not one gentleman out of ten who are listening to me now has taken the pains to study the bill and the report carefully, or to analyze its provisions. Several members have told me so themselves.

Within the last thirty minutes certain gentlemen came and asked me questions about the bill. I asked them if they had read it and they said they had not. "Well," I said, "I can not undertake to educate you now, unless you are willing to listen to what I have to say on the floor." Gentlemen have even published criticisms upon the bill, and when those criticisms were examined it was discovered that they were directed against the bill which was before the Fifty-second Congress and not against this one. Before this debate closes I may have something to say in reply to certain gentlemen who have run into the press in criticism of this measure in advance of any discussion of its merits upon this floor and have denounced it as "a combination of ignorance and anarchism." Those gentlemen will hear from me in possibly equally emphatic language before this discussion is concluded; but now I have a more agreeable duty to perform, namely, to explain exactly what this bill is.

I start out with the proposition that there is not a principle involved in this bill from the beginning to the end of it that has not been incorporated in the charters and rules of every board of trade in the United States. I challenge and defy any gentleman to produce the charter and the rules and regulations of any board of trade in the United States that do not recognize the fundamental foundation principle of this bill. What is it? In the first and second sections we simply define "options" and "futures." Every representative of every board of trade in the United States who appeared before our committee, either in this Congress or in the Fifty-second Congress, stated emphatically that to the first section of this bill they had no objection, but would support it. That is the section which defines options. I want to read it.

That for the purposes of this act the word "options" shall be understood to mean any contract whereby a party thereto, or any person for whom or in whose behalf such contract is made, acquires the right or privilege, but is not thereby obligated, to sell and deliver to another at a future time, or within a designated month or other period, or any contract whereby, as vendee, a party thereto, or any person as vendee, for whom or in whose behalf such contract is made, acquires the right or privilege of demanding and receiving from another at a stipulated price, at a future time, or within a designated month or other period, but is not thereby obligated to receive and pay for any of the following articles, namely: Raw or unmanufactured cotton, hops, wheat, corn, oats, rye, barley, pork, lard, bacon, dry-salted meat, or pickled meat.

To that first section, I say, the representatives of the boards of trade who are opposed to the enactment of this bill into law interpose no objection. They put their entire opposition upon the definition of "futures," which is found in the second section.

Mr. COX. The trouble with those parties seemed to be that they could not enforce delivery of the article according to contract.

Mr. HATCH. I will come back and explain that. The second section is as follows:

SEC. 2. That for the purposes of this act the word "futures" shall be understood to mean any contract whereby a party thereto, or any party for whom or in whose behalf such contract is made, contracts to sell and deliver to another, at a future time, or within a designated month or other period, any raw or unmanufactured cotton, hops, wheat, corn, oats, rye, barley, pork, lard, bacon, dry-salted meat, or pickled meat.

Now, in every board of trade in the United States there is an obligation on the seller of these commodities named to deliver them at the designated time; there is an obligation on the part of the purchaser to receive them. And in this bill there is not another provision that does not hinge around that one great principle of the measure. The only difference in the world between this bill and the regulations of the Chicago Board of Trade, or any other board of trade in the United States, is that this bill, if enacted into law, will compel that delivery in good faith and honestly, while to-day these boards of trade, after making their own rules, have builded up a system of evading those rules by allowing the transaction to be consummated without the delivery of a single pound or ounce of what is sold under the contract.

I again challenge any gentleman on this floor to produce the regulations or charter of any board of trade in the United States that do not contain such a provision; and then I challenge him to deny that the provision is violated in that board of trade every day and every hour.

"Anarchistic," they say this bill is. It is the first time I ever heard that the enactment of a law compelling the observance of laws was "anarchistic." I thought "anarchism" meant the breaking down of laws. Now, if it is right that the man who sells upon a board of trade 1,000,000 bushels of wheat, the sale to be consummated by delivery in the future, should deliver that wheat—if it is a fact that it has been so declared in the rules and charters of the boards of trade—where is the "anarchism" in this bill, which simply seeks to enforce that contract?

Now, the difference between this provision and the bill of the Fifty-second Congress is that any nonowner, any citizen of the United States who desires to buy and sell any of these commodities for future delivery, shall have the right to do it. The bill of the Fifty-second Congress restricted the sale to owners, or those who had acquired the right from owners to sell. All we ask of any man who goes upon a board of trade and offers 500 or 1,000 bales of cotton or a million bushels of wheat to be delivered in the future, is not that he shall be the owner or in possession of the commodity at the time he makes that sale, or that he shall have acquired the right from the owner to sell, but when the hour comes that the contract is to be consummated, that he shall actually deliver in good faith the wheat or the cotton that he sells. This delivery, of course, is constructive, either by warehouse or elevator receipt, or bill of lading, or actual delivery,

at the option of the seller under the rules of the board of trade where the contract is made.

Mr. COX. I am very much interested in this point, and I hope the gentleman will pardon an inquiry. In the case the gentleman supposes, a man contracts to deliver the wheat or the cotton at a designated hour. Now, suppose the party that made the purchase is willing to release the seller from the obligation, does the gentleman mean to say that he would make the seller deliver the goods whether the buyer wants them or not? I am in sympathy with the gentleman from Missouri in regard to the principles of the bill; but I want to get at the exact working of its provisions.

Mr. HATCH. If the gentleman will possess himself in patience for one moment——

Mr. COX. With pleasure.

Mr. HATCH. I will answer him not only fully but frankly and candidly. I say that no man in the United States has any right to go upon the boards of trade and make a sale or a purchase that is in such bad faith that when he comes to consummate it, he is going to destroy the value of the property of the people of the country.

Mr. COX. I agree with the gentleman on that.

Mr. HATCH. That is my answer. And that is exactly what these men have been doing. They have contracted to deliver cotton and they have delivered "wind;" they have contracted to deliver wheat and they have delivered "wind." They have simply multiplied upon their sales-boards from day to day, to an exorbitant and outrageous extent, pretended sales of commodities that never existed; and in this way they have depressed prices to the producers throughout the land of the commodities thus sold.

Mr. GOLDZIER. Will the gentleman allow me a question?

Mr. HATCH. Certainly.

Mr. GOLDZIER. In every sale of the character which the gentleman describes there are two parties—one party who buys and another who sells—one party who is interested in depressing the price, as the gentleman says, and another party who naturally must be interested in raising the price of the product. Now, how can a transaction of that kind affect the price of the commodity?

Mr. HATCH. Well, that is an easy one. [Laughter.]

Mr. GOLDZIER. I would like the gentleman to give me an answer.

Mr. HATCH. That is one of the oldest "gags" in the argument of this whole question from beginning to end—that where there is a seller there must be a purchaser. Now, my friend is a good lawyer; I am not sure he knows anything in the world about the transactions of the board of trade; the less he knows about them the higher respect I have for him, especially the board of trade in Chicago. [Laughter.] But the gentleman ought to know that the seller is the man who has unlimited control—of what? Not of the actual commodity that he pretends to sell, but simply to offer to the supposed purchaser an option or a bet upon what the price of it will be in the future; and thus the selling indefinitely and in a magnified degree of these commodities upon the boards of trade depresses the price whatever the purchase may be.

Mr. GOLDZIER. How about the bet that the price shall go up?

Mr. HATCH. My friend, I will answer all these matters as I come to them. The man who bets that wheat is going higher has no control over the class of men who have walked upon the boards of trade in Chicago, as your own papers have stated, and sold from a million to a million and a half of bushels—yes, 3,000,000 bushels of wheat—within an hour and a half, when if they had been compelled to deliver that wheat they could not have delivered one-tenth part of it to save their lives.

Mr. GOLDZIER. If the gentleman will yield for just one more question, I will not bother him further.

Mr. HATCH. All right.

Mr. GOLDZIER. In the sales of which the gentleman speaks, the man who has that unlimited amount of "wind," as the gentleman calls it, at his disposal, can not make any earthly use of it, unless there is some other fellow who wants to buy the "wind." Is not that right?

Mr. HATCH. Well, that is easily explained and easily understood by every gentleman who has ever studied this question.

Mr. CRAIN. They can not "take the wind out of your sails."

Mr. HATCH. This bill will take the wind out of all their *sales*. [Laughter.]

The man, as I said before, who goes on the market to depress it, and whose only purpose in going on the market is to produce such an effect on a commodity that it will drop in price, because if it does not drop in price he loses, and the buyer is the man who is compelled to put up the margin; when the seller puts 3,000,000 or 5,000,000 bushels of wheat on the market in Chicago to-day that does not exist, and the sales of which are published all over the world as bona fide sales of wheat, when it is simply such a transaction as these boards of trade have denounced the bucket shops to be, the worst species of gambling known to the ingenuity of man—I say, when such a condition of affairs as that exists, it is time that the Government of the United States should step in and protect the people.

Now, Mr. Chairman, all this bill seeks to do, and all that there is in it—every other provision simply clusters around this great principle to enforce it—is to prevent such transactions as that. There are but a half dozen sections of the bill that it is necessary for the House to consider to get a full and accurate statement of every single principle involved in it, because all of the remaining sections are those that look to the execution of the law if it goes upon the statute books; and the principle underlying the whole is the principle that whatever is sold for future delivery shall be in good faith delivered—not delivered as you deliver it to-day, on the board of trade.

Now, these gentlemen, when they came before the committee two years ago and the hearings were all published, every one of them contended that the rules of the boards of trade compelled these deliveries, if insisted upon or if anybody wanted to demand it. That is, that the purchaser had a right to demand the wheat that he bought, and the seller had the right to deliver it, and the purchaser was bound to accept it. But when you come to find out the facts you find that rule is not enforced; and I want some of those gentlemen when they come before this Committee of the Whole of the House of Representatives in denunciation of this measure and trying to defeat its passage, and especially those gentlemen who represent districts in the city of Chicago, to explain to the House and the country that damaging testimony that stands here printed in a House document—the hearings before the Committee on Agriculture of the House of Representatives during the Fifty-second Congress, when the president of that board of trade, a fair-minded and honorable witness as ever testified, as far as I have ever heard, stated in his cross-examination, in response to questions put by me, when he insisted that this was the rule of the board, and I asked how often it was enforced, he said as far as he knew during the entire hours of the regular board.

"What is the regular board?" was asked. According to his statement it met at half past 9 o'clock and closed at half past 1, or at 10 o'clock and closed at 1. I have forgotten the exact hours, and do not care to take the time to refer to it, as it is not material, but one or the other, and at that hour the board of trade closed its doors. The question was asked if that was the end of its daily session. "Yes," he said, "of the regular board." "Was there another meeting by the board of trade under different rules in the building?" "Yes, sir." "Was that meeting held in a room on the ground floor?" giving the size of it. "Yes, sir." "Who had admittance to that board of trade?" "None but members of the Board of Trade of the city of Chicago and their clerks." Guarded at every door by Chicago policemen, in that room from 1 o'clock until 5 o'clock in the evening the worst system of gambling ever known in the civilized history of man took place to the injury and the detriment of the producers of the great commodities of this country.

Gentlemen have said to me, "Do not say harsh things about these boards of trade. There are some very honorable men amongst them." I know that, Mr. Chairman, and I am glad to state it in this presence. I know of members of the Merchants' Exchange in St. Louis who would no more sell an option than they would play faro or deal faro. I know members of the Board of Trade of Chicago who are as far above the suspicion of indulging in this system of gambling as any merchants in the world, and my judgment is to-day that there is a large minority, if not indeed a majority on these boards, if they could be heard, who are opposed to this system of gambling known as "futures and options," where no delivery takes place.

I have the very highest admiration for a large number of the merchants in the United States, both on these boards of trade and those who are not on them. I look back to a period just after the close of the war, when under the constitution of my State I could not enter the courts of my State to practice my profession, and during that struggle, when we came back, I, with you [Mr. COBB], was a member of the Merchants' Exchange of St. Louis. That was before such a system of gambling was ever known on a board of trade, and a more honorable body of men I was never associated with in my life or ever expect to be; men whose words were as good as the bonds of any national bank in the United States to-day; aye, Mr. Chairman, as good as the bonds of the Government of the United States, and many of them are there yet. This system of violating their own rules and selling like gamblers on the boards of trade, has sprung up in the last twenty or twenty-five years, and, as I said before, has grown in my judgment into the most infamous system of gambling ever devised by mortal man.

No man on this floor has a higher regard for what is known as legitimate speculation in these products than I have. I would not, if I know my own heart and judgment, undertake to prevent it; and I would erase from that bill any single word or any sentence or paragraph in it that would interfere with the free and unhampered and legitimate speculation in the commodities produced by the farmers of the United States. I like it; I want to see every legitimate merchant who is willing to sell the farmers' product for present or future delivery, have the right to do it. But when he pretends to sell wheat or cotton I want him to deliver wheat or cotton, and not terminate the contract by some system that ends simply in a gambling transaction at last.

Mr. COOMBS. Will the gentleman allow an interruption for information?

Mr. HATCH. I yield for a question.

Mr. COOMBS. You demand the absolute delivery of the product which is sold. The party who is selling a commodity for future delivery must have a guarantee from the party to whom he sells that he will receive it. In case the second party is unable to receive the product on delivery, and the party who makes the sale has it for delivery, do you not involve the matter in additional possibility of loss in case there is a misfortune, by which the party purchasing can not receive the commodity? Do you not, in other words, complicate what would otherwise be a very simple transaction?

Mr. HATCH. Well, I am afraid my friend is one of that class of whom I have spoken, and that he has not read the bill.

Mr. COOMBS. No, I am honest in asking the question.

Mr. HATCH. Has the gentleman studied the bill carefully?

Mr. COOMBS. I have carefully studied it.

Mr. HATCH. I am sorry the gentleman has overlooked that provision. If the gentleman from New York sells to me to-day a hundred bales of cotton, to be delivered in the city of New Orleans on the 1st day of September next, at 7 cents a pound, he may not own any cotton, but he has a perfect right to sell it under the provisions of this bill.

The 1st of September comes around, and in the mean time cotton has gone up 1 cent a pound, and the gentleman says: "I can not deliver that cotton; I can not buy it at 7 cents. If I buy it I have got to buy it at 8 cents." The present plan is to settle that with the 1 cent difference; but under this section of the bill, if the gentleman refuses or fails to deliver it, he must pay 1 cent a pound to the Government for his failure to deliver. That has nothing in the world to do with his obligation to me. I have the same remedy under this bill, to compel the enforcement of that contract in the courts, that I would have to-day.

If the gentleman sells me a thousand bales of cotton for delivery in New Orleans on the 1st day of September, under the present laws of the country, if he fails to deliver, every lawyer in the House knows what my remedy is. Stated in a nutshell, it is to sue him for the specific performance of his contract, or for damages for his failure to deliver the article sold to me at the price agreed upon.

Mr. CRAIN. What is the measure of damages? Is it not the difference between the contract price and the market price?

Mr. HATCH. Of course it would be the difference between the contract price and the market price in New Orleans on the 1st day of September.

Mr. CRAIN. Very well; is not that what he has got to pay when he makes the bet, as the gentleman calls it?

Mr. COBB of Missouri. He may go and buy the cotton and deliver it, and avoid the penalty.

Mr. HATCH. Of course he can. My colleague [Mr. COBB of Missouri] talks like a merchant. He knows exactly what he would have to do to-day, and that is what every honest merchant in the United States ought to do, and what we seek to compel him to do. If he sells cotton let him deliver it, and if he has not got it let him go and buy it.

Mr. COBB of Missouri. Suppose you do not want it?

Mr. HATCH. Then you have no business to sell it to a man who does not want it, and I have no right to buy it if I do not want it. You know you can compel me to take it if you want to.

Mr. GOLDZIER. Suppose the seller of this cotton, at the time he sells it, has actually the whole quantity of cotton that he sells, but between the time of the sale and the time of delivery his cotton burns up. You want to impose a punishment upon him for the misfortune that he has met. He must go and swell the market in buying other cotton in order to deliver it. Is that right?

Mr. HATCH. Now, there is another instance of a gentleman who has not read the bill. There is a provision in it as plain as the English language can make it. Possibly I could have made it plainer if I had put it in a half dozen other languages, but not in English.

Mr. GOLDZIER. How many other languages do you understand.

Mr. HATCH. I only understand one, and I am very proud of it. I was born an American, and never was ashamed of the fact anywhere in my life, wherever I was.

Mr. GOLDZIER. You would have no business to be.

Mr. HATCH. So cautious were we to cover the very case suggested by the gentleman from Illinois, that there is a provision in the bill that if any owner of cotton, or wheat, or other commodity, owning it at the time he makes the sale, has it destroyed by fire or casualty, or if it is en route to the place of delivery and is delayed by the act of God or the king's enemy, or any of the ordinary disturbances of transportation, all he has to do is to state that fact, and the Commissioner of Internal Revenue, under the rules and regulations of the Secretary of the Treasury, absolves him from the payment of the penalty provided.

Mr. GOLDZIER. That answers that question. Now, suppose a man has a contract with another man upon whom he relies for the delivery of this cotton. The other party breaks his contract and fails in the delivery. Do you wish to punish that merchant or speculator, or whatever you may choose to call him, because, without his fault, it is beyond his power to make delivery?

Mr. HATCH. If he is relying on the promise of somebody else, and is not taking a sufficient guaranty for the delivery, of course under this bill he would be held responsible.

Mr. GOLDZIER. Then he has got to be punished.

Mr. WILLIAMS of Mississippi. He gets back from his other man what you get from him.

Mr. COOMBS. I should like to ask the gentleman this question: If A sells to B and B sells to C, who is the consumer, and A fails to meet his obligation to B, thereby forcing a failure of obligation on the part of B, do A and B both have to pay the penalty to the Government?

Mr. HATCH. Not at all.

Mr. COOMBS. There is no such a provision in the bill?

Mr. HATCH. My time is almost exhausted, and I want to make this opening statement about the provisions of this bill. Now, this bill provides that these contracts shall be in writing. There is no hardship in that, for every board of trade to-day requires that they shall be in writing. It is true that it is a very brief statement. They make a memorandum, but it is always made in writing, and nobody will suffer if there is a written contract from purchaser or seller. It will be some little trouble in the beginning, I have no doubt, for legitimate traders of the board of trade to conform themselves to the provisions of the bill if it becomes a law, and that they shall have these blanks, which shall be filled up and signed, and will show identically the transaction, and that the bill of sale in duplicate shall bear a nominal revenue stamp.

Now, that feature alone makes this bill, as I designated it in the beginning, an absolute revenue bill, and that aside from the $12 license demaned of these dealers. That alone makes it a revenue measure, because every single commercial transaction on the boards of trade will bear that nominal revenue stamp provided by the revenue department. Now, when you come to terminate that contract, if it is terminated in good faith by the delivery of the commodity, no other tax is imposed on the dealer or seller. It simply bears the additional nominal revenue stamp of the deliverance of the contract, and that is an end of it. Now, if parties desire to evade the provisions of the act by settling this contract in any other way than by actual delivery, then there are these additional taxes provided for in the bill, so much a bushel on wheat and so much a pound on cotton and other commodities will be affixed by the revenue officer.

Mr. COX. That is where they do not deliver?

Mr. HATCH. That is where delivery is not made; but whenever the failure to deliver comes from misfortune, fire, destruction of the property, either at home or en route to the place of delivery of it, or it is delayed—all the casualties, in other words, of commercial transactions, are provided for and taken care of.

Mr. STRAUS. Will the gentleman allow me to ask one question.

Mr. HATCH. Certainly.

Mr. STRAUS. The purpose of your bill is to prevent speculation that has not a basis of actual merchandise. Now I want to——

Mr. HATCH. I can not yield to anything in the nature of argument. I have only five minutes; but if the gentleman desires to ask a question I will answer it.

Mr. STRAUS. A spinner buys a thousand bales of cotton at a time when the cotton itself is in the market, in order to procure the exact quality he requires. Now, he sells the cotton short in order to cover his wants monthly and have his cotton cost him the price prevailing when he needs it. Are you not, by preventing him from securing himself against speculation, doing the very thing you are aiming to destroy—that is, increased speculation?

Mr. HATCH. The gentleman has very adroitly made that statement. I understand the whole transaction.

Mr. STRAUS. This is an actual transaction.

Mr. HATCH. Here is the transaction. Here is a man who goes into the market to-day and he buys cotton that he wants to manufacture, and he does not want it until next month.

Mr. STRAUS. That is it; possibly his wants for six months.

Mr. HATCH. He goes into the market and buys it; and not satisfied with that, he goes into the market and sells, and by that sale depresses the price on the other delivery.

Mr. STRAUS. You do not understand my question.

Mr. HATCH. Well, I think I do.

Mr. STRAUS. No, sir; the man buys a thousand bales of cotton. He needs 300 bales a month. In order not to speculate he sells cotton short in order to cover at the beginning of each month, so that he is not speculating.

Mr. HATCH. Now, if he makes a sale under this bill, and I understand it perfectly, if he sells cotton either short or long, and you may call it what you please, if he sells cotton for future delivery, he has got to deliver the quantity sold. Any sale not accompanied by delivery will be speculative gambling and an evasion of the law.

Mr. WILLIAMS of Mississippi. And it will have its legitimate effect on the price of cotton.

Mr. HATCH. That is it. There is nothing in the world in this feature against which there can be objection, and if gentlemen vote against that they may just as well vote against the whole bill.

Mr. STRAUS. I am voting against it on that account.

Mr. HATCH. I understand that. The gentleman is voting against the bill for the very reason I voted for it, because it interferes with the short sale, and I am supporting it, because, in my judgment the people want every sale in the United States confined to sales of actual commodities of those that are sold on the board of trade.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WARNER. Mr. Chairman, rising as I do by the courtesy of the gentleman from New Hampshire, who yields me his precedence but not his time, I disclaim interference with the informal arrangement by which my friend (Mr. COBB of Missouri) controls the time in opposition to this bill.

Now, sir, I want to start off by joining with my friend from Missouri (Mr. HATCH) in the straightforward appeal that he has made to this House. I beg every member of this House to read this bill through—not to read merely the four, five, or six sections which my friend from Missouri thinks will be enough for you, but to read the whole bill. Read it through from beginning to end—and it will be too much for most of you.

If we could have a civil-service examination of the Democrats in this House upon this bill and be assured that they would all so qualify themselves as to try to pass it, there would be no question but that, without a single negative vote from the other side, we would overwhelmingly defeat it by our own votes. It is because this bill is undemocratic; it is because it is paternal; it is because it is unconstitutional; it is because it is intermeddling; it is because it sums up in one bunch nearly all the sins for which we have so long cursed and labored with the heresies of our brethren on the other side of this House that I, for one, am opposed to it.

Now, sir, it is very reassuring to be told, as we are told by the report upon this bill, that the bill is the result of long and patient investigation and study, that the committee have had it under consideration since early in the session. Why, Mr. Chairman, that statement is altogether too modest. Since the time when it was introduced as a Republican measure in the Fifty-first Congress, right down to the present time, long after it has been repudiated by gentlemen who first presented it, I suppose scarcely a day or an hour has passed but that my friend from Missouri has been giving this measure careful consideration, and if there is anything which proves that, it is the extent to which, by giving it consideration, he has changed his mind since he last explained this measure to the House.

On a survey of his work no one will question the further suggestion of the report that—

> The opposition to this bill will be different from that which had to be met in the bill which was before the last Congress. Every argument urged against that measure is met in this.

In fact, there is scarcely a shred left of the bill, which, two years ago, was pressed as perfect, and there is scarcely a single argument which could have been urged in support of the former measure which the bill as now presented does not repudiate.

Two years ago my friend from Missouri was breathing fire against all dealers in produce for future delivery, and was willing for the time being to throttle his Democratic tendencies, and adopt the most paternal methods to stamp them out. He proposed to make everybody who dared touch the accursed thing first pay a license of $1,000, and then proposed to fine him at the rate of 5 cents for every pound of cotton, hops, pork, etc., and 20 cents a bushel for all produce sold by that measure, and to make him give a bond of $40,000 to keep his books so that the Government could always "make the penalty fit the crime." Such was his position after the two years of consideration he had then been enabled to give the matter. Two years of further study have ameliorated his mental condition. He is now careful to explain that "legitimate speculation is the very heart blood of commerce;" and is as vociferous in defending contracts for future delivery as he was two years since in their condemnation. Two years ago the result of his study had convinced him that "most members of the exchanges deal in 'puts and calls,'" which he rightly brands as gambling of the worst sort; but now he tells us that "but a small percentage of the membership of any board of trade in the United States, save perhaps the Cotton Exchange of New Orleans, and the Cotton Exchange of New York, deal in 'speculative gambling' contracts."

If confession is good for the soul, and we can judge of his feelings by the wholesale renunciation of the views entertained by him two years ago which he has made, my friend from Missouri is doubtless the happiest man in this House. If this is his experience, as I have no doubt it is, I know he will thank me for the suggestion that he ask unanimous consent that the pending measure be referred back to him for further consideration. For, sir, if we are to judge of the future by the past the result would most certainly be that, by this date two years hence, his patient investigation and study would have obliterated the bill entirely, and my friend from Missouri would lead the Democrats of this House in opposition to any such scheme as this for extension of Federal powers, for paternal interference with the details of legitimate business, and for obstruction to that part of our commerce, the free transaction of which is most essential to the great agricutural interests of our country.

FLOUR.

I am sorry, however, not to be able unreservedly to congratulate my friend upon the progress he has made. As his bill was introduced, it included flour among the articles over which his watchful care was to be exercised. I understand that this article was omitted from the bill as finally reported by him upon information that this article was always sold by special brand of the miller who ground it. Personally I have not been able to understand why every facility should be given the miller to corner the wheat market, at the same time that the system of sales for the future delivery of flour was encouraged so as to keep anybody from cornering him. This, however, might be explained by the fact that the corresponding bill in the Senate, known as the Washburn bill, was composed under circumstances which did not exclude the milling interests from close consultation.

No such consideration, however, would commend such a course to my friend from Missouri, who is certainly more of a farmer than he is a miller, and I know he will appreciate my defense of his motives, at least, when I assure him that he is mistaken in his assumption regarding flour, and indeed that he must have been "stuffed" by wicked men with intent to lead him astray. It is true that the Washburns, and Pillsburys, and other great Northwest millers, do have their special brands, and, to a large extent, do actually manufacture the flour they permit to be sold under those brands. It is, however, equally true that our great exporters and jobbers, through whom is carried on our great foreign trade, are accustomed to make sales for future delivery, either by contracts providing that the flours delivered shall be equal to samples, or by brands of their own which have no earthly relation to any mill or miller, but which represent simply a standard grade which they carefully maintain, and to fill contracts for which they purchase flour indifferently from any source whatever that furnishes it in sufficiently good and uniform grades. In other words, while it is true that but a small proportion of the flour marketed is marketed by sample, it is also true that the practice of selling futures in flour by brands which are merely guaranties of quality, and which are filled by purchases afterward made, is so general as utterly to vitiate the gentleman's supposition. I have no question as to the sincerity of my friend from Missouri. If, however, one may judge from such a particular as this, it is evident that his opinion has been swerved by some one who was about a thousand times as much of a miller as is my friend from Missouri a farmer. [Laughter.]

I have such respect, sir, for the position of my friend, and I know that the House will rely so largely upon his judgment, that before I take up the special provisions of his pending bill I venture hastily to sketch his attitude from another standpoint. How radically different is his present bill from that of two years ago I have inadequately suggested. But, sir, when we come to compare the report that he made then with the one which accompanies the bill now under discussion, it is as surprising as pleasing to find that his present statement of the several objects had in view is almost word for word that with which he prefaced the one we were not permitted to discuss in the Fifty-second Congress. How valuable, however, is this statement, which is the backbone of the recent report, may be inferred from the fact that two years since it prefaced with equal grace a most full and contradictory explanation of a totally different bill.

THE CHARACTER OF THIS BILL.

Taking up the bill reported by the committee—the ruins of the really imposing structure presented by it a few years ago—I beg, sir, to call attention to a defect of that old bill which this new one has preserved and even exaggerated. In the first section is carefully

defined what among business men is known as "privilege" dealing—gambling in "puts and calls," "straddles and spreads." I do not suppose that there is any one in the United States that will defend these. The very ones who engaged in them would be most prompt to admit that they are gambling, pure and simple.

Mr. CANNON of Illinois. I would like to ask a single question. My friend is talking about "options," "puts," and "calls," and other transactions that I do not know much about. But I find that in section 5, page 4, of this bill there is a provision—and I am inclined to think it is a very valuable one, because I do not know exactly what it means [laughter]—that a "contango" agreement shall be in writing. I think that must be something very useful.

Mr. WARNER. I am coming to that section; and I am going to demonstrate that my friend from Missouri does not know—I will not say he does not know what "contango" means—but that he does not know what some other words there mean. It must be remembered, however, first, that these gambling transactions have nothing whatever to do with either the real produce or its price. They are simple bets as to what at some definite time in the future will be the price or variations in price of the article referred to. They have no more to do with actual supply and demand, which is the real criterion of price, than do the bets upon a horse race add to or take from the speed with which either of the horses completes his course. There is, however, no defense for them.

The only questions in this regard are, whether the evil is one which may properly be attacked by law, and, second, whether it is one the dealing with which comes within the legal powers of Congress.

I had expected, Mr. Chairman, to make somewhat of an argument on these questions, but from a Democratic standpoint the objects of this bill are so scandalous, and this was so well illustrated by my friend himself in his discussion of them, that he leaves me but little to do. He admits that his object is to enact by Federal statute a new provision of criminal law. He tells you that he prefers the proposition which was pending in the other House, which directly undertook that; and he then admits that such a provision would be unconstitutional, and that he has therefore gone at the business in this indirect and, if I may say it, un-Democratic sort of way in order to reach the same result. If any Democrat on this committee will weigh that admission, it will be just as impossible for him to vote for this bill with that intent confessed by its author as it would be for him to vote for a bill assuming jurisdiction of petty larceny in the States; and it is not a defense of gambling any more than it would be a defense of petty larceny to object to this unconstitutional and paternal attempt to interfere with and regulate by Federal enactment the local affairs of the several States.

If, on the other hand, the gentleman tells me that I ought to regard it as a sufficient excuse for the transaction, that he expects to get revenue from this measure, I ask him: "Why don't you get down and sweep the other gutters of life in order to raise revenue?" Why does the gentleman omit so many other sources of crime and depravity from which he might get revenue for the Government of the United States by traffic in human vice, human misery, and human weakness? If, Mr. Chairman, this had been suggested by a Republican, as it was four years ago, we would all have denounced it as a most immoral and scandalous proposition. If it had been proposed by a pagan we would have used it as an argument for standing by our foreign missionaries in their attempt to carry enlightenment to the far-off corners of the world, where poor degraded wretches were brought up with such sentiments and surroundings. But when it comes to a Christian Democrat [laughter], and he tells us that in order to interfere with the local and criminal jurisdiction of the States, as he admits we can not constitutionally do, he will find an excuse by levying a toll on crime; I can only urge that, remembering what the gentleman himself has admitted, you determine that question for yourselves when you come to vote on this proposition.

REAL MEANING OF "OPTIONS."

In the second section are properly defined the contracts of agreement in general use in many lines of business and which have come to be known as "futures." Right here it may be proper, in view especially of the way in which the draftsman of this bill has used the term "option" in the first section, and of the extent to which that word is frequently used to designate "futures" as such, to explain the real meaning of that term. For it should be understood that the numerous references to "options" which may be seen in our commercial papers do not refer to the gambling "privileges" described in the first section, but in general to the legitimate transactions known as "futures." One of the uses of futures is this: Millers, factory owners, contractors, and others, knowing far in advance that they will require large and definite quantities of raw supplies, find it to their advantage to contract far in advance for the delivery of those supplies at fixed prices, and thus to lessen the risk of any attempt to corner the actual wheat, cotton, or other product before they need it for use. And originally contracts were drawn, for example, providing for cotton to be delivered upon a definite date in a certain month in the future. It was soon found, however, that in the ordinary course of business the exact dates at which the more important contracts became due were generally known, and corners were engineered by those wishing to take advantage of the situation, which could be successful in their ends—that of fleecing consumer on the one hand and producer on the other—provided the available stock could be carried for a few days only, including the date at which the contract fell due.

In order to avoid this trouble, and to put it out of the power of speculators to corner the market unless they were competent to carry for a considerable time all available stocks, the following plan was devised: Contracts for future delivery were so drawn as to give to the seller the option of choosing, within a certain month named, the day upon which he would deliver the produce bought. From that time on, under such contracts, with ordinary caution on the part of the seller it was practically impossible to corner any given product except at a cost and risk which of themselves were a guaranty against the attempt. A January option, therefore, does not mean a gambling privilege, according to which buyer or seller has the option to carry out or to repudiate his contract; but it means a definite sale to a purchaser, who expects to receive the produce, by a seller, who is bound to deliver it, to whom, however, in order to take away opportunities for cornering the market by others, is given the option of choosing the particular day in the month named upon which he will deliver the goods sold. An "option," therefore, as generally referred to, is so far from being a gambling privilege that it is rather a special form of a contract for future delivery devised to reduce the gambling risk in legitimate business.

EXTENT OF INTERFERENCE PROPOSED.

This bill, sir, may be summarized as based upon two propositions—both grossly mistaken ones. The first one is that the administrative features are reasonable and tolerable, either from a business or political standpoint. On this point I can characterize, in no other way so completely as by quoting extracts therefrom, the utterly ruinous and paternal interference with the marketing of our principal food products in which it is proposed our Government shall engage.

SEC. 3. That all "options" and "futures" contracts and all transfers and assignments thereof shall be in writing and signed in duplicate by the parties thereto, and every "options" contract shall state in explicit terms the time when the right or privilege of delivering, or the right of demanding the delivery of the article or articles therein named, shall expire; and every "futures" contract shall state in explicit terms the quantity and the day upon which, or the last day of the period within which, the article or articles therein contracted to be sold shall be delivered; and in each such contract the party so contracting, or the party for whom he acts as agent, broker, or employee in making such contract to sell and deliver, shall state explicitly whether he is or is not as the case may be, the owner of the article or articles so contracted to be sold and delivered, or has or has not, as the case may be, theretofore acquired it or them by purchase, or is or is not, as the case may be, then entitled to the right of the future possession of such article or articles under and by virtue of a contract for the sale and future delivery thereof previously made by the owner thereof; and any such contract not including such statements and not so made and signed shall be unlawful, but nothing contained in this section shall be construed to relieve any person or dealer in "options" or "futures" from the penalties and taxes provided for by this act.

SEC. 4. That whenever any "options" or "futures" contract shall be terminated by the absolute sale and actual delivery of the raw or unmanufactured cotton, hops, wheat, corn, oats, rye, barley, pork, lard, bacon, dry-salted meats, or pickled meat embraced in or covered by such contract the person contracting to sell and deliver shall execute a bill of sale in which shall be specified the number of pounds of raw or unmanufactured cotton, hops, pork, lard, bacon, dry-salted meat, and pickled meat, the number of bushels of wheat, corn, oats, rye, and barley, delivered, together with the name, title, or designation, and place of business of the custodian, and the serial numbers and dates of the acceptances, certificates, receipts, freight or way bills, or other vouchers representing the quantity of each article sold and delivered.

SEC. 5. That whenever any "options" or "futures" contract shall be terminated otherwise than by absolute sale and actual delivery of the raw or unmanufactured cotton, hops, wheat, corn, oats, rye, barley, pork, lard, bacon, dry-salted meat, and pickled meat embraced in or covered by such contract, or when such termination shall be delayed or postponed beyond the time designated by the contract, the cancellation, clearance, settlement, acquittance, contango, backwardation, privilege, waiver, ringing-out, or other agreement or arrangement by which such contract shall be terminated otherwise than by absolute sale and actual delivery of the article or articles embraced therein or covered thereby, or such termination shall be delayed, postponed, or obviated, shall be executed in writing and be signed in duplicate by the parties thereto.

SEC. 6. That special taxes are imposed as follows: Dealers in "options" or "futures" shall pay twelve dollars. Every person who shall, in his own behalf or as agent, broker, or employee of another, as vender deal in "options" or make, enter into, transfer, or assign any "options" contract, or shall by letter, telegram, or other communication sent from the United States to any foreign country, or by an agent, broker, employee, or partner, resident in any foreign country, make, enter into, transfer, or assign, or cause to be made, entered into, transferred, or assigned, any "options" contract entered into or terminated within the United States, shall be deemed a dealer in "options;" and every person who shall, in his own behalf or as agent, broker, or employee of another as vender deal in "futures," or make, enter into, transfer, or assign any "futures" contract, or shall by letter, telegram, or other communication sent from the United States to any foreign country, or by an agent, broker, employee, or partner, resident in any foreign country, make, enter into, transfer, or assign, or cause to be made, entered into, transferred, or assigned any "futures" contract, entered into or terminated within the United States, shall be deemed a dealer in "futures."

SEC. 7. That the original and the duplicate of every "options" contract and of every "futures" contract shall at the time of its execution have affixed thereto internal-revenue adhesive stamps representing taxes as follows, namely: For every ten thousand pounds or fractional part thereof of cotton, hops, pork, lard, bacon, dry salted meat, and pickled meat, and for every one thousand bushels or fractional part thereof of wheat, corn, oats, rye, and barley embraced in or covered by such contract, one cent. To each and every written or printed instrument and to the duplicate thereof, evidencing any tranfer or assignmennt of any "options" or "futures" contract, whether such transfer be by indorsement upon said contract and the duplicate thereof, or by separate written instrument, there shall, at the time such transfer or assignment is made, be affixed internal revenue adhesive stamps representing taxes as follows: For every ten thousand pounds of raw unmanufactured cotton, hops, pork, lard, bacon, dry salted meat, and pickled meat, and for every one thousand bushels of wheat, corn, rye, oats, and barley embraced in or covered by the contract, transferred or assigned, one cent. Every bill of sale executed at termination of any "options" or "futures" con-

tract shall have affixed thereto an internal-revenue adhesive stamp of the denomination of two cents.

To the original and duplicate of every cancellation, clearance, settlement, acquittance, contango, backwardation, privilege, waiver, ringing-out or other agreement by which the "options" or "futures" shall be terminated otherwise than by an absolute sale and actual delivery of the articles embraced in or covered by such contract, or by which such termination is or shall be delayed, postponed, or obviated, shall be affixed internal-revenue adhesive stamps representing taxes as follows: For every pound of raw or unmanufactured cotton, hops, pork, lard, bacon, dry salted meat, and pickled meat embraced in or covered by such contract, one cent; for every bushel of wheat, three cents, and for every bushel of corn, oats, rye, and barley embraced in or covered by such contract, two cents. Every "options" contract that shall expire by limitation without an absolute sale and actual delivery of the article or articles embraced in or covered by such contract, shall, at the time designated by such contract for its expiration, have affixed to the copy thereof, which shall be retained by the vendor therein named, internal-revenue adhesive stamps representing taxes as follows: For every pound of raw or unmanufactured cotton, hops, pork, lard, dry salted meat and pickled meat embraced in or covered by such contract, one cent; for every bushel of wheat, three cents, and for every bushel of corn, oats, rye, and barley covered by such contract, two cents.

SEC. 8. That every person engaged in or intending to be engaged in the business of a dealer in "options" or of a dealer in "futures" shall, before commencing or continuing such business, give notice in writing, subscribed by him, to the collector of internal revenue for the district wherein such business is to be carried on, stating his name, residence, and if a company or firm the name and residence of each member thereof, the name and residence of every person interested or to be interested in such business, the principal place where such business is to be carried on, and whether of dealing in "options" or "futures," or both, and if such business is to be carried on in a city, the residence and place of business shall be designated by the name of the street and number of the building; and if the whole building is not occupied, the number or other designation of each story and the number and other designation of each room so occupied or to be occupied. Every person intending to commence or continue the business of a dealer in "options" or of a dealer in "futures" shall, on filing with the collector of internal revenue his notice of such intention and before proceeding with such business, and on the first secular day of July of each succeeding year, execute a bond in the form prescribed by the Commissioner of Internal Revenue and approved by the Secretary of the Treasury, conditioned that he shall faithfully comply with all the provisions of law relating to the duties and business of a dealer in "options" or a dealer in "futures," as the case may be, and shall pay all taxes due and all penalties incurred or fines imposed on him for a violation of any of said provisions. Said bond shall be, with at least two sureties, approved by the collector of the district, and for a penal sum of three thousand dollars. Nothing in this act shall be construed to require more than one permit to or bond from any person dealing in "futures" contracts, nor to prevent a change of the principal place of business of such dealer in "futures" by first giving notice thereof to said collector.

SEC. 9. That it shall be the duty of every dealer in "options" or "futures" to keep at his said principal place of business a book in which shall be recorded, on the day of its execution, the date of each and every "options" or "futures" contract made, entered into, transferred, or assigned by such dealer, in his own behalf or in behalf of another or others, also the name and residence and place of business of the parties to the contract or to whom transferred or assigned, the kind and quantity of the article or articles embraced in or covered by each such contract, the day when or the last day of the time within which the right or privilege of delivering or of demanding the delivery, as the case may be, of such article or articles as are embraced in or covered by any "options" contract shall expire, and the day when or the designated period within which delivery shall be made of the article or articles embraced in or covered by any "futures" contract, and said dealers shall enter in such book such other particulars as the Commissioner of Internal-Revenue, with the approval of the Secretary of the Treasury, shall prescribe. All contracts executed during the fiscal year shall be numbered consecutively, commencing with number one for the first contract executed on or after the first day of July, and no two or more contracts made during the same fiscal year by the same dealer shall have the same whenever any "options" or "futures" contract shall be terminated by the sale and delivery of the article or articles embraced in or covered by such contract, the bill of sale shall be numbered to correspond with the number of the contract and recorded in the book with name, title, or designation and place of business of the custodian and serial numbers and dates of the acceptances, certificates, receipts, freight or waybills, or other vouchers representing the quantity of each article so sold and delivered. Whenever any "options" or "futures" shall be terminated otherwise than by an absolute sale and an actual delivery of the article or articles embraced in or covered by the contract, or the termination thereof shall be delayed or postponed beyond the time fixed by the contract the cancellation, clearance, settlement, acquittance, contango, backwardation, privilege, waiver, ringing out, or other agreement or arrangement by which the "options" or "futures" is so terminated, delayed, postponed, or obviated, shall be numbered to correspond with the number of the contract and recorded in the book as in the case of a bill of sale where the termination is by absolute sale and actual delivery. Such book shall at all times be kept in the dealer's place of business and shall be subject to inspection by the collector or deputy collector of internal revenue or by any duly authorized internal-revenue agent who may make memoranda or transcripts therefrom. And such further particulars shall be entered in such book as may be prescribed by the Commissioner of Internal Revenue and approved by the Secretary of the Treasury. It shall be the duty of every person required to keep the book provided for in this section to make a return monthly to the collector of internal revenue for the district in which any "options" or "futures" contracts required to be entered into such book shall be made, transferred, or assigned. The first return shall be made on the first secular day of the month next succeeding the date of commencing business, or within five days thereafter, and returns shall be made on the first secular day of every subsequent month or within five days thereafter. Each return shall be under oath and in such form as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall prescribe, and shall show each "options" and "futures" contract made or entered into or transferred or assigned by such person in his own behalf or in behalf of others during the preceding month, together with all the particulars relative to such contract as are shown by the record, or which may be required by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury.

In the quotations I have just given I have noted only those provisions which the vender himself is obliged to carry out. Other sections provide for a most complex and obtrusive system of Government espionage and a highly specialized system of penalties and criminal law to enforce the act, so that to the pestering of individuals it is proposed to add the multiplication of Federal officers and the elaboration of criminal law appropriately devised as a part of the new system of interference and espionage proposed by the bill.

There is no parallel in the world for such officious intermeddling, except in some of the tyrannical governments of Europe, where certain vices, being under police supervision, are looked after as carefully as my friend from Missouri proposes to look after the marketing of American produce.

Mr. CANNON of Illinois. Has the gentleman any idea how many thousand internal-revenue deputies would be required?

Mr. WARNER. The bill if enacted must fall by its own weight. No human being can do business if there are enough deputies about his door to keep track of what he is doing under this bill, and no self-respecting human being will do business with the prospect of such espionage as is here contemplated.

A great many years ago it was recognized that although there might be tares in the wheat field, yet it would be better to leave them grow together until the harvest. But my friend from Missouri [Mr. Hatch] introduces a new principle. He says: "No, I do not believe in pulling up the tares; that may hurt the wheat. All I propose to to do is to pinch each blade of wheat as it comes up, so that if to my enlightened thumb it feels like a tare I can put it down in my books"; and it would be just as possible to make a success of wheat-raising under those conditions as to attempt to do business in the marketing of American produce under the conditions prescribed by my friend from Missouri [Mr. Hatch]. Mark you, the gentleman in his present report explains that he is not against legitimate speculation. He explains that only a few of the members upon any of the exchanges—except the two wicked ones, the cotton exchanges of New York and New Orleans—do much in this line. Mind you therefore, that, in order to meet what he himself not merely confesses but demonstrates is an infinitesimal proportion of the business of this country, he proposes to stick his intermeddling hands into every legitimate transaction.

"RINGING OUT."

It is perhaps to the credit of my friend from Missouri that the provisions of his bill demonstrate his unfamiliarity with such legislation. It would be easy to take up section after section and show its absurdity. A single instance must, however, suffice here. By section 7 a penalty is provided for any "ringing out" of contracts for future delivery.

What my friend from Missouri fails to appreciate is that the "evasion" which he proposes to punish so severely is not an evasion of fulfilment of contracts which have been made, but simply an avoidance of unnecessary trouble and expense in carrying them out.

The process of ringing out is not a substitute for actually fulfilling a contract, but simply an expedient to avoid extra expense and trouble in fulfilling it. The "ringing out" is exclusively an arrangement by which brokers in providing for their numerous customers do so at the least expense to themselves. For example, supposing that my friend from Missouri should to-day order me at New York to purchase him, for shipment to Europe in November, a boat load—or 8,000 bushels—of wheat at $1 per bushel, and supposing that two weeks afterward my friend from Georgia should instruct me to sell for him at 98 cents per bushel a boat load of wheat deliverable at New York in November. Having placed both these contracts on change, it is not improbable that before their maturity they may have both gotten into the hands of a single broker who, discovering that he is obliged to receive from me a boat load of wheat in November and also deliver to me the same amount in the same month, notifies me of the fact and suggests that he is ready to receive the difference in price, and to consider the contracts as "rung out," that is to say, that together they have made a circle or ring, and met and canceled each other. In other words, "ringing out" is simply an adjustment between brokers to save the cost of transferring produce back and forth. The customer has nothing whatever to do with it. The man who bought the grain will receive it in November as he stipulated for. The man who sold the grain will have to deliver it as he stipulated for. The only difference is that, instead of each broker, through whose hands the contracts have passed, being compelled to attend to both the receipt and delivery of the grain, it has been arranged between them that there should be but one receipt and delivery, and that—since these can be most easily attended to by the one who has both to receive and deliver the same amount—that all others interested shall be excused from bothering themselves with it. The result is simply so much less trouble in handling grain and so much less of cost to come between the producer and consumer. There is nothing of gambling about it at all, and it is simply one of the methods by which business is facilitated.

In practice, among the hundreds and even thousands of members associated upon an exchange, these opportunities for cancellation naturally occur as a result of a series of contracts rather than of a simple interchange between two brokers. In every great exchange firm there is therefore some clerk whose business it is to keep track of all their contracts, both bought and sold, and, whenever possible to do so, to obviate expense of mutual receipt and delivery by interchanging against each other corresponding contracts for purchase and sale—the saving of time and expense being simply enormous and absolutely essential to enable expense of handling produce contract to be kept at a point sufficiently low to make them attractive for temporary investments. It is true that upon these cancellations differences are paid in cash. This again, however, is neither gambling nor has it anything to do with the purchaser or seller. It is simply a case where a broker, by the rules of his

exchange responsible for his customers, finding that in dealings with another broker he is obligated to receive money for the credit of a customer, and to pay out money for the account of another customer, simply sends or receives the balances between the two amounts.

A MEMBER. How about "contango"?

Mr. WARNER. I will say that "contango" is not particularly wicked. It is not, however, the same transaction as "ringing out." It is a way temporarily to postpone settlement.

Mr. WALKER. It is the same kind of a transaction.

Mr. WARNER. It is, in a way, similar, but not the identical transaction involved in "ringing out."

Mr. PATTERSON. What is that transaction?

Mr. WARNER. It is an arrangement for postponing delivery of goods purchased. I have heard it most frequently used with reference to the public securities of different countries. I do not see any reason why it should not apply to produce, but it is not generally used in that way; at least I have not frequently so heard it.

Mr. HALL of Missouri. If I understand you the ringing-out process is simply a clearing-house process.

Mr. WARNER. That is all. The whole business is simply and purely one of clearing-house methods adjusted to the complex relation of contracts involving produce as well as money; the reasons for the methods adopted, the economies in their use, and the facilities given to the advantage of all concerned, and the utter lack of effect except to reduce the expense of doing his business upon the contractor or contractee being precisely the same as in the case of a clearing-house in its relations to banks and their individual depositors. A bank depositor draws a check addressed to his bank requiring the payment to a certain individual of a certain amount of money. This particular thing is, however, one of the most rare of occurrences. What the person does is to deposit that check in his bank, requesting its payment to such bank. What that bank does, however, is not to present that check, but to turn it into the clearing-house; and what the clearing-house does is not to present the check, but to add it with hundreds of other checks against the bank in question and offset it by the equally numerous credits in favor of the bank in question, and as a result receive from one or another of its members, and pay to one or another of its members, a balance, infinitesimal as compared with the total amount of its transactions, and having no special reference to anyone of them—this without in the slightest degree affecting the relations of any of its associated banks with their customers, whose accounts are kept in precisely the form that would be the case were the primitive method of settling each check by payment in cash at the bank upon which it was drawn in actual vogue.

I was about to say that it would be just as sensible to fine every drawer of a check for permitting it to be paid through the clearing-house. This, however, Mr. Chairman, would be an understatement, for the check involves money transactions alone. The multitudinous contracts thus "cleared" by the "ringing-out" process involves each the handling of enormous bulks of stored produce as well as the handling of the money involved. And, therefore, when my friend from Missouri proposes a penalty for the ringing-out of contracts this is much worse than if he should forbid any check to be settled otherwise than by separate payment in cash at the teller's window, as is the handling of a boat load of wheat more onerous than the carrying about of a check. The utter ignorance, not merely of the conditions with which he is dealing, but of the most common expedients of permitting business to be done in a civilized way, is the only excuse which my friend can urge. If he were to be charged with the intent to accomplish what his proposition would actually do if carried out, he would become an outlaw to be abated as an Apache or a dynamiter. Of course, I appreciate that he intends no such attack upon commerce. Such, however, is practically the attitude in which this bill places him, and the consideration to which, if he is to be taken seriously, the commercial world must consider him entitled.

THEORY THAT "FUTURES" ARE WRONG.

The second theory on which this bill is based is that deals for future delivery are immoral, and hence that any interference with them is presumably a good thing for the farmer and probably for every one else.

THE OBJECT OF "FUTURES."

As to this, I believe the real trouble to be that our friends are either unacquainted with the nature of the transactions with which they propose to deal, or on the other hand, forgetful of the conditions under which commerce and business have developed. I am led to these conclusions by the suggestion still frequently made, though not as often as it was two years ago, as in the mind of the speaker a conclusive answer to any defense of the contracts called futures, viz: That they are plainly an attempt on the part of a person to sell what he does not own. That is an entirely correct description, Mr. Chairman, one with which I shall not for a moment quarrel; and it is just because such is their nature that the business of dealing in futures is a natural and beneficent one, and will become more extended and more beneficent as our civilization develops and the processes of production and distribution become perfected as to one after another of our great staples. To the extent that dealings in futures are substituted for what is known as spot transactions is the gambling element eliminated from the business involved, the effect being in each case to relieve the one who participates in each stage of the transactions involved from all speculative risks except that particular one which, it being his special business to estimate, is for him legitimate and for any one else would be illegitimate.

Let me explain. If a jackal wants a shelter, he goes into a convenient cave. If a ground hog wants one, with somewhat more of intelligence directed to that particular object, he digs him a hole. If a savage feels similar need, with still advancing use of intellect, he puts together, or makes his wife do so, the materials of which his rude hut is constructed; or if he is a great chief and wants a bigger one he causes to be brought together the material, and when he has gotten them they are fashioned and put together as he may order. If, however, a civilized man wants a house, about the last thing he does—or about the first thing he is sorry for if he does do it—is to purchase the lumber, the stone, and the brick, and then hire the men to put up the house himself. The reason is plain. In direct proportion as we take advantage of civilized condition we have to deal with a greater and greater proportion of matters as to which no man can be an expert in more than one, and the man who undertakes to be his own architect and carpenter and to serve himself as contractor in every branch required for housebuilding is simply taking in each case a gambling risk about which he can know little or nothing. What he does do, however, is to go to a builder whose special business it is to arrange for the erection of houses in that locality and he contracts with that builder for his house—in other words, he buys a future in houses, deliverable six months, or a year, or two years hence.

Mr. PENCE. And what if he does not deliver the house?

Mr. WARNER. If for any reason he does not want the house, or he wants a different or better house, or if for any reason the two parties concerned come to a different conclusion than they at first contemplated, this beneficent Government—up to date—allows them to attend to their own business.

It is not assumed—it generally is not the fact—that the building contractor has a single foot of the timber, a single one of the stones, a single thousand of the brick, or, indeed, any of the material that he thus sells in the shape of a future in houses.

No one, however, would claim that this is a gambling transaction; every one, on the contrary, would appreciate that, so far from a gambling transaction, it was a legitimate process by which what would have been a speculative risk in the man who wanted the house, but who knew nothing about building, was transferred, to his great advantage, to a contractor who could legitimately assume the risk in question, for the very good reason that it was his particular business, in which he had carefully trained himself, so as to make the contract for him a legitimate business transaction. This, however, is only the first step. The contractor himself is not equally an expert in carpentry and mason work, in plumbing and gas-fitting, and decoration, exterior and interior. He, in turn, having made a contract for the future delivery of a house, calls in several tradesmen, each most conversant with the particular branch with which he is to deal, and the general contractor buys of one a future in masonry, of another a future in carpenter work, of another a future in plumbing and gas-fitting, of another a future in painting. And no one knows better than himself that no one of these has on hand a single item of the work he thus contracts to deliver. But, just as the owner recognizes the contractor as a man who can undertake the general risk for him much more cheaply and much more legitimately than he could undertake it for himself, just so the contractor recognizes each one of these several tradesmen as one who can undertake in his specialty much more cheaply and much more legitimately than can he the special risk involved.

Not merely the articles mentioned in this bill, but iron, copper, tin, cotton goods, butter, cheese, coffee, freights, and exchange are regularly contracted for long in advance by those who are thus enabled to make definite provisions for the particular industry in which they are engaged. Lines of cloths are sold in the same way long before their manufacture. Building materials are thus contracted for long before the timber is hewn or the clay dug. That the gentlemen who are pressing this bill have not heard of these futures and do not provide against them simply shows how little are they acquainted with the universal tendency of civilized business. That they have selected the cases which are best known and most universally practiced simply shows to me, sir, that in their misinformation they have so drawn their bill as to apply it to the very cases in which, on account of the market being universal and the information as to the supply and demand being most easily and most promptly secured, the possible good to be done by such a bill, even upon their own assumption, is the least, and the certain interference in legitimate business the greatest possible. Indeed, the future system is being gradually extended to cover every product in regard to which practical methods of grading and preservation are devised; and in every quarter where this has not already been accomplished the ingenuity of intelligent producers and dealers is exercised toward the solution of the problem. It is the universal experience that in proportion as the grading of a product can be perfected and the dealing in it systematized is the economy with which it can be handled between its production and ultimate use to the equal advantage of the one who produces it and the one by whom it is finally consumed.

ILLUSTRATION FROM COTTON TRADE.

Now take the case of the cotton manufacture. I can not but feel that the theory upon which this bill is drawn is that the cotton manufacturer, when he finds he wants cotton, takes a cart and goes around and buys it of the planter, takes it to his mill, weaves it into cloth, and then takes the cloth and carts it about, seeking some one to whom he may sell it. This does approach the primitive—the barbaric—method of doing this kind of business; and it is but fair to admit that under such circumstances there would be no trouble about dealings for future delivery. Such, however, as everyone knows, is not the case at present. The business of cotton planting, of cotton marketing, of cotton manufacturing, and of distribution of cotton goods is in each case a highly specialized industry, capable of engrossing all the enterprise, intelligence, and tact of any man, and as to which no prudent man wishes to undertake more than one at a time. In the case of the manufacturer, for example, the one thing with which he is conversant is manufacturing—the process by which, the cost at which, the time within which, given the material ready for his use, he can produce the cloth ready for sale. He does not know anything about cotton-raising. And it would be impossible for him to keep track of the relations between the supply and the demand of cotton, the development of transport and commercial facilities, and all the other data that are included within the province of the cotton dealer. He is equally unacquainted with the methods by which through wholesaler and jobber and retailer, in accord with the varying demands arising from varying conditions, his goods must be marketed to the ultimate consumer. What he does know, and the only thing it is safe for him to depend upon knowing, is the process of manufacture. The risks involved in this are the ones which it is his legitimate business to assume, for the precise reason that he appreciates and can handle them better than anybody else, so that what to anyone else would be a mere gambling venture is to him a business enterprise. How does he do this?

In general, as you know, the process is about as follows: The manufacturer is without capital except a small margin above that sufficient to enable him to run his factory. He goes to the factor at New York, Boston, or Philadelphia—the man who is specially versed in the methods of distribution of cotton goods. He consults with him as to the kind of goods for which there will probably be a good demand in the near future and as to the prices at which these goods can probably be marketed. He selects those as to which his experience suggests he can most surely make a profit, and thereupon contracts with his factor somewhat in this wise: The mill owner contracts to deliver to the factor, say, 10,000 pieces of goods per month for twelve months, commencing three months in the future, and the last delivery being fifteen months off. In turn, the factor contracts to advance funds to the mill owner from month to month at a rate not to exceed a certain rate per yard or per piece of the goods to be delivered, to market the whole product as advantageously as possible, and to render an account at certain dates, interest being charged and paid at a certain fixed and generally moderate rate. There is now left for the mill owner but one factor of anxious uncertainty in the situation. As to the manufacturing, he understands perfectly its different conditions, and as the price of cotton then rules, he knows there is a fair margin for safety and profit in the transaction. The price of cotton, however, may vary by 25 or 40 per cent in the course of the year. It is something which he is utterly powerless to influence.

After all these arrangements noted are made, he is still in a position in which, while a material reduction in the price of cotton may add greatly to his profit, a sharp rise in this price may bring certain ruin. Should he go on under these conditions his business is speculative, risky, illegitimate. There are just two ways in which he can avoid this: He can buy at once, by spot contract, the whole amount of cotton he will need for the next fifteen months, thereby necessitating the use of an enormous capital and excessive expense for interest, storage, handling, and insurance; or, going into the market, he can buy cotton in such amounts as he shall estimate he will need for delivery month by month in the future. His experience has taught him that the grades which are near the standard grade vary with such exactness in proportion as does the price of that grade, that he need not concern himself as to the precise grade he wishes; but that by making a present contract for future delivery, month by month as he estimates he will need the cotton, of a sufficient quantity of a standard grade, he can, on any month when such contracts mature, secure any marketable grade above or below that standard by simply paying the difference, if what he wants is a better quantity than the standard, or by realizing the difference in case the cotton he wishes to use is of a poorer quality.

In other words, by the system of dealing in futures the cotton manufacturer is enabled to do his business with but a small proportion of the capital he would otherwise need, and to do it upon a profit margin much smaller than would be necessary if he was obliged either to take the gambling risk involved in waiting until he needed the cotton before he contracted for it, or, on the other hand, in keeping idle the money and meeting the expense involved in the purchase and holding of the enormous amount of cotton required. And I need not add that in proportion to the cheapness with which the manufacture can thus be carried on, the smallness of the margin which manufacturers are willing to accept, the inducements which are thus given manufacturers by relieving them from all risks except the one which they are specially qualified to undertake, is the manufacture of cotton encouraged, the margin between the cost of the product and the cost of the raw cotton cheapened, the consumption increased, and the demand for and the price of the planters' product increased.

To subject such deals to the provisions of this bill not merely involves a harassing trouble and expense, but—since there is no necessary contract relation between the deals in standard grade he has thus made for future delivery, and his actual purchases of special grade, when he comes to need them—the manufacturer would be subjected to all the pains and penalties provided by this bill for gambling transactions. The only alternatives would be such additional complexity in the bill, and the practice under it as would make it impracticable, or such evasion by a system of "washing" contracts as would tend to drive straightforward men out of the business.

"FIRM OFFERS"—WHEAT EXPORTS.

Take our great agricultural export trade—that upon which, to a greater extent than upon any other branch of our commerce, depends the prosperity of the great agricultural classes of the country. Take the item of wheat, which perhaps is more characteristic than any other, except cotton. American wheat and other products of the kind are marketed in Europe and throughout the world by a system known as "firm offers." That is to say, in the afternoon of each day on the Produce Exchange at New York, or the Board of Trade at Chicago, the American broker sends cable advices to each one of his foreign correspondents—sometimes hundreds in number and in every part of the civilized world, especially throughout Europe—naming the price at which he will contract to ship them wheat, corn, or other produce, provided the acceptance reaches him before the noon of the following day. The European correspondent neither knows nor cares about the conditions which will probably govern the course of prices in the next twenty-four hours. But he does know the conditions which affect the immediate demand for wheat or other produce in his country or vicinity, or is in telegraphic communication with those who do know. The European dealer, therefore, calculating upon the basis of the offer made him, sends to his own customers throughout the province, or the country where his connections are, and offers to deliver them American produce at certain fixed rates in case their answer is given within a certain number of hours.

At the expiration of the time thus given each European correspondent knows whether he will be able to market at a profit the American produce that has been offered him at a fixed price; and before the close of business on the day succeeding that upon which the American broker has made his offer, there come back to him the acceptances from every part of the world of every man who, at the price named, cares to handle American produce. These acceptances are, of course, from but a comparatively small proportion of those to whom the offers were made. Advised of the amount he will be called upon to deliver, the American broker goes upon "'change" and purchases to cover the sales thus made, and having made his offers according to the best information in a matter in which he is an expert, the average result is a net profit to him on the transaction. By this process, without the employment of any extraordinary amount of capital, without assuming any risk except the one which he is best qualified to measure, and in return for the assumption of which he has named and received his compensation, the American broker has succeeded in offering at every spot in the entire world American wheat in competition with that from every other country.

If, however, he is not to be permitted thus to do business; if he is not to be permitted to sell wheat until he has bought it—for the sale is closed the moment the return telegram is received—this whole system of offering and marketing American produce must cease, except in so far as it shall be carried on by the few who are able and willing either to contract in advance for tenfold the amount of produce that they can possibly expect to market, and thereby tenfold increase their expense and risk, or who are willing to limit their offers to the few cases which would be possible if their aggregate is to be confined to the amount the American broker has contracted for. The result would be practically to stop the offering of the American produce in most of the markets in the world in anything like sharp competition with that from other countries, or so to increase the amount of capital required and the amount of risk involved as to require the exaction of a much larger margin between the price at which the firm offer is made and the price at which the produce can be purchased here. And as the former—the selling price abroad—is fixed by the level of the world's commerce, this would mean just so much lower prices to the American producer.

Mr. WILLIAMS of Mississippi. This bill does not do that.

Mr. WARNER. It is suggested by my friend [Mr. WILLIAMS of Mississippi] that the bill does not do that. It may be claimed that if the precise order is filled by the shipment of standard grade that the bill does not prevent that. But it must be remembered that every single one of these orders carried on in trade is negotiable; and when a Government contractor in Bristol, for example, wants to be sure that he will be able to get the wheat he does want

at a price which will enable him to make a profit out of his contract, he buys No. 2 red wheat. And then, even though he does not want as good a quality, or even if he wants a better quality, he knows that when the time comes he can exchange or settle that contract in such a way as to secure without sacrifice just the quality he wants, the relation of the prices of the two grades being practically constant throughout the world. The case is the same as with cotton. The penalties of this bill would prevent perfectly legitimate transactions.

Now, there is the trouble with the bill of my friend from Missouri. His intentions are all right; but he does not know what he is about. He assumes that he knows what we mean when we contract, and that if we do not do the precise thing he expects us to do we are committing a crime which, under appointment from heaven, it is his business to look out for and punish; whereas this is legitimate business; and in a great measure, although contracts for future delivery of cotton, as well as wheat, are in what is known as the standard brand, this is the way by which, indirectly as I have mentioned, not merely the standard brands and grades but the whole great product, of all grades, is marketed to the purchaser.

INDUCEMENT FOR TEMPORARY INVESTMENT.

I have attempted to illustrate but two of the numerous features of deals for future delivery, the conditions of which are inherent in the natural process of the marketing and use of our chief agricultural staples. There is another consideration which most substantially affects their price, and by which, not as a matter of original intent, but as a matter of beneficent result, the producer and consumer alike are greatly aided. Under the old system of spot deals in the products now largely handled by sales for future delivery, the investment in them—as is still the case with every product not dealt in by futures—tended to be limited to those who were specially conversant with the circumstances of their production and use, and had an extraordinary amount of capital at their disposal. As fast, however, as an article became one genrally quoted on the exchanges and extensively dealt in for future delivery it became an attractive object for temporary investment, which is what, I presume, is meant by my friend from Missouri when he talks about legitimate speculation. That any product may be attractive for temporary investment—i. e., for the use of the vast amount of floating capital that is waiting permanent investment, or kept in hand by its owner as a safety margin in case his more risky ventures fail—certain matters are essential. The product must be a well-known staple, so largely produced and so generally dealt in as to be familiar to the general public; and the conditions of its supply and use must be such as to make it reasonably sure that it has an actual worth independent of all probable risks which can be realized at any time without extraordinary trouble or sacrifice.

These conditions are most nearly met in the case of our great agricultural staple; and to the precise extent that facilities for information, transportation, and trade have been perfected, our food product has become more and more the normal investment for enormous amounts of capital that, until lately, were left idle in banks or confined to investments in Government funds. An important effect of this development has been, first, greatly to increase the number of investors and the amount of capital available for investment in farm produce, and thus somewhat to increase, and even more, to steady its price; and, second, to reduce the margin of expense for handling farm produce between the producer and the consumer, and thus benefit both.

As to the former, the advantage of more numerous purchasers and more capital for investment in a given product, I shall not assume any special explanation to be necessary.

On the second point, however, a word may be in order. So long as the dealing in produce is confined to those who have chosen it as their main business, the average profit which they expect must at least be as high as the ordinary interest upon capital, plus the reward for whatever of risk is involved. Temporary investments, however, are made as an alternative for leaving capital idle; and therefore, provided the investment is one from which his capital can be easily and promptly withdrawn, the investor is willing to purchase the wheat or cotton involved on any terms which, on the average, will secure him a small fraction of the ordinary profits in his main enterprises. As a result of the presence, bidding for wheat to be delivered far in the future, of a vast amount of capital which will be satisfied on the average with profits at the rate of 2 or 3 per cent interest, the discount is lessened—that is, a higher price is offered to-day for the wheat which will be needed next December, than could be afforded by one who was making the purchase and sale of wheat simply his main business, and who therefore would insist upon discounting the expected future price to an extent which would give him 6 per cent or more interest as well as profits for his trouble. As a natural and desirable result, the great bulk of the ordinary business of handling and marketing the farm produce of the civilized world is done through the temporary investment of floating capital willing to serve its purposes at an interest from 3 per cent down to nothing, and eagerly competing for the chance to do so.

The difference, after deduction of all strictly transport and handling charges, between the old profit margin—which in former times used alike to reduce the price to the producer and increase it to the consumer—and that which obtains to-day is a practical illustration of the nature and extent of the universal benefit thus secured.

It may be urged that the great amount of business has of itself permitted a lower relative scale of charges and profit. But even this is, in its turn, directly attributable to the eagerness with which capital seeking temporary investment avails itself of the opportunities offered. If it is the result of this system—and it largely is so—that to-day there are five or ten purchases and sales of grain, including the great number made by those who have taken it only as a temporary investment, as compared with the far less number of those made in the main by special dealers a few years since, this simply measures the competition for employment of capital that has been the result of present methods, and indicates the inevitable lowering of interest and carrying charges that is the result of this competition.

The farmer is, therefore, directly benefited in the resulting cheapness with which his necessary business is transacted, while the extent of the competition for investment in that business measures the average reduction in the discount—greater for every month in the future—that will be made in naming a present price to the farmer from the probable worth of the wheat at the time when it shall be finally ground into flour.

Nor is this all. Such is the sanguine temperament of humanity that, in the case of any article thus made a natural subject of temporary investment, the tendency always is to offer more than conservatism would estimate as safe. It is a most striking and conclusive result of this that the New York market averages higher than the Liverpool market, and the Chicago market higher than the New York market, when cost of transport is considered—in other words, that the temporary investors on the average lose their interest and pay part of the transportation to boot, so that the Western farmer or Southern planter gets just so much more for his wheat or cotton.

This feature—an advantage alike to the producer and consumer of wheat would be simply obliterated by such legislation as that now proposed. Not only does the fact that the investments are temporary, and that the same wheat is sold over and over again within a few months, multiply the obstruction and expense involved by the provisions of this bill; but it is a fact that frequently—though not nearly so often as claimed—it is convenient for all parties concerned to settle by paying differences. I presume my friend from Missouri will agree that if a bona fide temporary investor occasionally wants to back out of his contract he should be permitted to do so if he can arrange with the one to whom he is under obligation. But the trouble is that if he wishes to do so once in ten times the penalty provided by this bill will destroy his chances of profit on the whole ten deals, and the result will be that no one will have to do with business subjected to such intermeddling, except the few gennine gamblers, who will arrange to evade the law, as they can easily do if they are unscrupulous enough.

Mr. COX. You have demonstrated in your proposition that in order to send the wheat and the cotton to the consuming market, you bring into use the floating capital, and that makes it much more beneficial to the consumer.

Mr. WARNER. It makes the interest charge less.

Mr. COX. If that is true, what is the man to do that has to buy the actual cotton?

Mr. WARNER. I must confess that my friend has touched a perfectly pertinent point. The man who actually proposes to speculate in spot cotton has to make his money out of the lower price he can compel the producer to accept and the higher price he can compel the consumer to give; and he is the man who would be hurt by this bill.

Mr. COX. Then the man who buys the cotton and pays the money for it and gets the cotton is the fool in the transaction?

Mr. WARNER. It is actually the fact that most money made in the business of marketing cotton consists in the commissions which are received from sanguine gentlemen, who at the end find they have invested their money and transported the cotton without receiving much, if any, interest. It is not profitable to-day, as it used to be in former years, for a man to go out and try to corner and control the crops of a single neighborhood, or to try to control the supply of a certain number of factories. If he tries to pinch the producer and the consumer in that way, the system of deals for future delivery will pinch him between them, and give the producer a better price, at the same time that the consumer gets his supplies more cheaply.

Mr. WALKER. I think some gentlemen have failed to quite see that this transportation is done practically for nothing, that the crops of this country are handled practically for nothing.

Mr. WARNER. I should not put it quite as strongly as that. I think they are handled practically for nothing so far as the interest charge is concerned, and very frequently the competition of capital does pay a part of the transportation.

Mr. WALKER. It brings the consumer and the producer right together.

Mr. WARNER. Right together, at the expense of these middlemen about whom I have been talking.

Mr. TALBERT, of South Carolina. How do those men make their money, then?

Mr. WARNER. The records will show that, of the thousands who

do this great business and invest their money to move your crops from the different parts of this country to Europe, nine-tenths of them lose money, and not one-tenth of them have as much money when they get through as one-tenth of the nine-tenths have lost.

Mr. TALBERT, of South Carolina. They get rich all the same.

Mr. WARNER. I beg your pardon, they do not get rich. The brokers do well, who also at the same time are profited by the sanguine temperament of these gentlemen; but the man who, with the great competition of capital, actually goes to the Southern planters and buys their cotton and takes that cotton himself and tries to market it in Liverpool, paying all freight and charges, is the fool from whom his money will be soon parted; and I do not know of a man who has been crazy enough to do it lately.

Mr. COX. Is there not some way to protect him?

Mr. WARNER. This bill would do it. This bill would put the farmers at the mercy of the local factors, and it would put the factories under the thumb of men who will corner the spot cotton.

EXEMPTIONS PROPOSED.

I am aware that by a somewhat elaborate system of exemptions, my friend from Missouri believes himself to have left the capitalist opportunities for investment in every direction where it will help the farmer at the same time that he has cut him off from realization in every direction which is an inducement to capital. This is a marvelously astute plan—provided the capitalist is an ass and will walk into a hole for the farmer's benefit, knowing that he can never get out of it for his own. Until, however, there shall arise a new kind of fool—one who keeps his money until he lets the farmer fleece him—all such exceptions are simply ridiculous, and no capitalist will be attracted by legal permission to go into a speculation, by which somebody else will be assisted, at the same time that he is forbidden to get out of it in the way most likely to be of advantage to himself. If he can not sell or settle his futures as he pleases, he knows better than to buy them from the farmer or anyone else.

THE TEST OF EXPERIENCE.

No test of the pudding, however, is so conclusive as the taste, and nothing can be more conclusive than the tabulated experience of our principal markets under the development of the system of dealing in futures; and with one suggestion I shall quote the statistics I have lately had prepared. That suggestion is this: While the result is uniformly to demonstrate that so far from excessive dealings for future delivery being a detriment to the price of the products dealt in, the contrary is the result, and prices are actually found to be higher in proportion to the extent of such dealings in futures, I must not for a moment be understood to attribute to the extent to which futures are dealt in the whole of the more favorable market which coincided with the increase of such deals in futures. For, although the tendency of so systematizing a business as to make it attractive to a vast amount of capital that otherwise would be unavailable for its purposes is inevitably to cheapen the processes of such business and give better prices to the producer, yet in the long run the relations of supply and demand are the great determinant factors in the price of farm products, as in the case of everything else.

To a considerable extent, however, on account of the sanguine temperament that characterizes human nature, the extent of deals for future delivery is in a measure a consequence of high prices and at the same time a stimulus to higher ones. No one appreciates more clearly than I do that, since every investment in wheat has its corresponding sale and every sale its corresponding investment, the effect, so far as concerns the mere balance of sales and investments, is rather to steady the price than to improve it, such enhancement as comes from these deals being due to the competition of capital thus induced and the cheapening of interest and other carrying charges thereby resulting.

I.

The first table which I quote shows the wheat transactions on the New York Produce Exchange for the past six years.

Total sales on the New York Produce Exchange of wheat for future and spot delivery, with the range and average prices of the contract grades for each month, monthly, for the past six years.

Months.	Total sales of wheat futures and spot bushels.	No. 2 red winter wheat. Price per bushel.	
		Range for month.	Average for month.
1888.		Cents.	Cents.
January	66,561,000	89¼ to 93⅝	91.4
February	76,167,000	88 91⅝	89.13
March	96,038,000	88½ 93½	90⅝
April	123,221,000	88⅞ 97⅛	93.8
May	171,833,200	91 103	96⅝
June	89,043,000	86 95	90⅛
July	125,226,000	87½ 98½	90.14
August	263,522,000	91⅝ 103⅝	97.16
September	157,868,100	97 103½	99.2
October	224,505,200	104 121	111.4
November	114,954,000	100⅜ 116	108½
December	49,203,000	99½ 108½	104⅞
Totals, range and average	1,558,141,500	86 121	97½

Total sales on the New York Produce Exchange of wheat, etc.—Continued.

Months.	Total sales of wheat futures and spot bushels.	No 2 red winter wheat. Price per bushel.	
		Range for month.	Average for month.
1889.		Cents.	Cents.
January	78,070,000	93½ to 104⅜	98.8
February	60,346,000	93¾ 101¼	97⅛
March	176,626,300	88⅛ 99¾	93½
April	152,587,900	82½ 89.4	86.16
May	53,700,150	80 86¼	83.9
June	146,761,150	79¾ 88¾	83.14
July	83,508,000	85½ 91⅛	88½
August	34,821,500	84 91½	88½
September	65,160,000	83½ 88½	85½
October	146,565,000	81½ 88	84½
November	66,435,000	82½ 86⅝	84.16
December	58,567,000	83½ 87⅜	85½
Totals, range and average	1,123,148,600	79¾ 104⅜	88½
1890.			
January	52,531,000	84.8 to 87½	86½
February	80,024,000	83.11 87⅜	85.5
March	116,938,000	86½ 89⅛	87½
April	245,139,000	86.14 98½	93.7
May	138,475,000	93½ 103⅛	98⅛
June	66,547,000	91½ 96⅝	94⅛
July	95,218,000	94 100⅜	96.7
August	137,625,000	94⅛ 111½	104
September	94,914,000	99½ 106⅛	101.13
October	76,435,000	100⅜ 109⅜	106⅛
November	90,138,000	96½ 108⅜	102⅜
December	44,343,000	101⅜ 106⅛	104.7
Totals, range and average	1,238,327,000	83.13 111½	96⅜
1891.			
January	53,823,000	103⅛ to 110⅛	105⅜
February	71,062,000	109⅛ 112⅜	110.5
March	190,305,000	109 118½	113⅝
April	287,597,000	114⅜ 128⅞	119.4
May	218,910,000	109⅛ 117⅝	113⅜
June	121,202,000	102⅜ 111	107.6
July	124,616,000	93½ 106⅜	99½
August	169,732,000	97⅜ 114	105⅞
September	118,814,000	100 107⅛	103.5
October	146,076,000	102 107	104½
November	117,424,000	103⅛ 108	105.8
December	72,711,000	103 107⅛	105.11
Totals, range, and average	1,692,272,000	93⅛ 128⅞	108
1892.			
January	93,997,000	99⅜ to 105⅜	102⅜
February	154,577,000	99⅛ 109⅜	104⅛
March	142,280,000	96 107	101
April	190,717,000	90⅜ 102⅛	98⅛
May	134,954,000	94 99	96⅛
June	85,643,000	87⅞ 100	91.8
July	66,637,000	82⅛ 88⅜	86.5
August	63,620,000	79⅜ 85	82⅞
September	39,604,000	77⅛ 80⅛	78⅜
October	72,646,000	73⅛ 80⅛	77.3
November	63,661,030	73⅛ 77⅞	75⅞
December	43,112,000	74 79	76⅛
Totals, range and average	1,151,448,000	73⅛ 109⅛	89⅜
1893.			
January	60,765,000	77⅜ to 82⅛	79⅛
February	49,551,000	76⅛ 81⅜	79.3
March	99,139,000	73⅜ 79⅜	75⅞
April	185,882,000	74 78⅜	76⅛
May	123,408,000	74⅛ 81⅜	77⅜
June	145,676,000	68⅛ 76⅛	72.6
July	101,844,000	64⅛ 73⅛	71.10
August	65,705,000	65⅜ 79⅜	68
September	38,814,000	68⅛ 74⅜	72⅛
October	77,013,000	65⅛ 72	69⅛
November	74,234,000	64⅛ 68½	66⅜
December	30,434,000	64⅛ 69	67⅛
Totals, range and average	1,052,465,000	64⅛ 82	72⅛

The most summary consideration of this table makes it evident that prices and future dealings are directly proportioned to each other, *i. e.*, the more extensive the dealings in futures, the higher the price, and *vice versa*. Taking the summary for the several years, we have during 1888 sales of 1,560,000,000 bushels, including spot, at an average of 97½ cents per bushel; in 1889, 1,123,000,000 bushels of sales, at an average of 88½ cents; in 1890, an aggregate of 1,240,000,000 bushels, at an average of 96⅜ cents; in 1891, an aggregate of 1,700,000,000 of sales, at an average of $1.08; in 1892, an aggregate of 1,150,000,000 of sales, at an average price of 89⅜ cents; and in 1893 an aggregate of but 1,050,000,000 of sales, at an average of only 72⅛ cents. In other words, the greater the extent of the so-called speculation in wheat, the higher its price, and vice versa.

II.

There is another way of looking at the same question, and without special introduction I present the following table:

Prices at New York and Liverpool for spot No. 2 red wheat. Ocean steam freights from New York to Liverpool. Total sales of wheat, spot and futures, at New York City. Total wheat crop of the United States. Ratio of aggregate sales to crop, and amount of exports.

Crop year, July 1 to June 30.	Prices at New York of No. 2 red wheat (the standard grade) for spot delivery.				Prices at Liverpool for No. 2 red wheat, per bushel.			Ocean freights on wheat, per bushel, by steam, New York to Liverpool.			Total sales of wheat at New York, spot and future, for the crop year.	Wheat crop of the United States for the corresponding year, as estimated by the U. S. Department of Agriculture.	Ratio of sales at New York of futures and spot wheat to the wheat crop of the United States for the same crop year (times greater).	Exports of wheat and flour from the United States for the same crop year.
	Annual average price (crop year) per bushel.	Highest and lowest price actually sold for, with extreme range.			Highest and lowest prices quoted for spot delivery.			Highest monthly average.	Lowest monthly average.	Extreme range of monthly averages.				
		Highest spot price.	Lowest spot price.	Extreme range for season.	Highest.	Lowest.	Extreme range for season.							
								d.	*d.*	*d.*	*Bushels.*	*Bushels.*		*Bushels.*
1883–'84	$1.10 5/16	$1.22 1/2	$0.96	$0.26 1/4	$1.35 1/4	$1.09 1/4	$0.26 3/4	4 1/2	1 1/4	2 1/4	1,322,888,000	421,086,000	3 1/4	111,534,182
1884–'85	.92 3/8	1.06 1/2	.76	.30 1/8	1.14	.93 1/2	.20 1/2	6 1/2	2 1/2	3 1/4	1,279,907,000	512,765,000	2 1/2	132,570,366
1885–'86	.93 1/2	1.04 1/4	.82 1/2	.21 1/8	1.05 1/2	.94 1/2	.10 1/4	4 1/2	2 1/8	1 1/2	1,376,397,000	357,112,000	3 1/2	94,565,793
1886–'87	.90 1/8	1.07	.81 1/2	.25 1/8	1.11	.93 1/2	.17 1/8	4 1/2	1	3 1/2	1,794,961,000	457,218,000	3 1/2	153,804,970
1887–'88	.88 7/16	1.03	.78 1/4	.24 1/4	.99 1/4	.85 1/2	.13 3/4	3 1/4	0 3/4	2 1/2	1,445,411,000	456,329,000	3 1/4	119,625,344
1888–'89	.96 7/16	1.21	.79 1/2	.41 1/4	1.18 1/4	.91 1/2	.27 1/4	5 1/2	2	3 1/4	1,603,369,090	415,868,000	2 1/2	88,600,743
1889–'90	.89 1/4	1.04 1/2	.81 1/4	.23	1.03 1/4	.95 1/2	.07 3/4	5 5/16	1 1/2	3 11/16	1,154,710,000	490,560,000	2 3/8	109,430,467
1890–'91	1.08 3/8	1.30 1/4	.95 1/2	.25 1/8	1.26	1.05 1/8	.20 3/8	3 1/8	0 5/16	3 7/16	1,481,575,000	399,262,000	3 3/4	106,181,316
1891–'92	1.03 1/4	1.15 1/8	.90 1/4	.24 3/8	1.28 3/8	.96	.32 3/8	5 1/2	1 1/2	3 1/4	1,551,541,000	*a*611,780,000	*c*2 1/2	225,665,812
1892–'93	.78 1/8	.88 3/8	.68 1/2	.20 1/8	.96 1/4	.78 1/4	.18 1/8	3	1 1/4	1 1/4	1,013,701,000	*a*515,949,000	*c*2	191,912,635
1893–'94 *	.66 1/4	.74 3/8	.59 1/4	.14 1/4	.83 3/4	.68 1/2	.15	3 3/16	2 1/8	1 7/16	797,150,000	*b*396,131,725	*c*2	*d*142,000,000

a Crops seriously underestimated, and now officially admitted to have been so. *b* Crop undoubtedly underestimated. *c* Ratios calculated upon the official estimates of the crops, which are undoubtedly much too small, making the apparent ratios of sales to crops too large. *d* About. * First 10 months.

Unless I am mistaken as to the clear and conclusive character of this table, it needs but little explanation. The volume of trading in futures and cash wheat at New York has declined in the decade from three and one-seventh times the crop in 1883–'84 to two times, or actually less, in 1892–'93 and 1893–'94; that is, prices and volume of deals have decreased together.

Again the Liverpool market is usually lower than the New York market, freights and necessary charges being considered, and New York is likewise usually lower than the Chicago market, which is generally considered the home of speculative trading. Or to sum up the consequences of the excessive speculations in wheat, the cost of transporting wheat from Chicago to New York and from New York to Liverpool, and of the interests and charges involved in carrying it from the time it is received at Chicago until it is actually consumed, on an average of six months later, is so reduced by the competition of capital utilizing wheat futures as a temporary investment that the business is practically done for nothing, and the cost of all processes between the time when wheat reaches Chicago and the time when it is sold to an English miller is practically reduced to the cost of transportation alone, and the producer and consumer are alike benefited by being thus brought more nearly together and relieved from what otherwise must be the far greater charge of serving them both.

III.

In order to put upon record as well a clear exhibit of the business transacted, as to avoid the merging and thus losing even immaterial details in the figures of a general average, I shall add as an appendix to my remarks a table prepared by Mr. J. C. Brown, statistician of the New York Produce Exchange, to whom I am glad to acknowledge other indebtedness, showing the approximate sales on the New York Produce Exchange of contract wheat for future delivery for each month, and separately in each month for every other month, together with the monthly range and monthly average price of spot No. 2 red winter wheat, monthly during the same period from January 1, 1890, to June 1, 1894.

Though perhaps superfluous, a brief explanation may be proper. Taking the first line of the first table (in the appendix) the statement indicated by the figures is as follows: During January, 1890, spot wheat ranged between 84 2/16 and 87 1/4 cents per bushel, averaging for the month a price of 86 1/8 cents. During such month (January, 1890) there were sold for future delivery wheat as to which the seller was bound to deliver it in the month named, but as to his option as to the day of the month, 1,536,000 bushels for delivery during the same month, or January, 1890; 3,648,000 bushels for delivery in February, 1890; 4,136,000 bushels for delivery in March, 1890; 1,536,000 bushels for delivery in April, 1890; 32,104,000 bushels for delivery in May, 1890; 2,784,000 bushels for delivery in June, 1890; 2,656,000 bushels for delivery in July, 1890; 1,824,000 bushels for delivery in August, 1890; 136,000 bushels for delivery in September, 1890, and 768,000 bushels for delivery in December, 1890, the total amount thus sold during January, 1890, for future delivery being 51,128,000 bushels. There are many interesting details which might be noted here. Of these the most important, however, are the obvious increases of sales for delivery in July and September, and the extraordinary extent to which deliveries are contracted for May and December. As to July and September, this comes from the fact that the harvest of winter and spring wheat is expected to have developed by that time, while May and December are respectively months as to which the former is the earliest one for which it is probable that lake and canal shipments can arrive in time, and the latter, the latest one, not likely to be demoralized by the closing of our lakes and canals for the winter.

I am far from claiming that every figure in the appendix noted is significant upon the questions involved in this bill. Indeed, the one direction in which they are conclusive is as demonstration of the immateriality of such considerations when compared with the dominant one of the relation of general supply and demand, and the most important variance—that of temporary conditions of transportation.

To an extent, however, which I myself did not anticipate, I find that the apparent connection between the volume of sales and the price of wheat is not merely in the direction I have indicated—that is, toward the coincidence of extensive sales and high prices; but that this tendency is even more marked than I had supposed, and in this connection I submit a diagram (see page 6491), showing in graphic proportion the comparative course of average prices and volume of business, including sales for future delivery (which indeed constitute its far larger portion) in wheat upon the New York Produce Exchange for the last six years. It needs no explanation. It appears there so plainly that he who runs may read—unless he runs away from it—that, generally speaking, in proportion to the activity in dealings in wheat as measured by the extent of the very business this bill is intended to hamper, is the price which makes its production a profitable one to our farmers of the Northwest.

IV.

So much for the general argument upon this point. It may be suggested, however, that it would be more conclusive should I take the conditions which, because they now prevail, are those at once most serious and most practical. If the bill introduced by my friend from Missouri is thus to be judged, damnation awaits it. The price of wheat for May of this year, the great delivery month in the Eastern markets, has ranged from 56 cents to 61 1/2, averaging 58 3/8 cents per bushel. The sales for delivery during the month of May, 1894, on the New York market were as follows:

Contracts made in—	Bushels.	Average price.
		Cents.
July, 1893	180,000	83 1/2
August, 1893	910,000	83 1/2
September, 1893	2,685,000	83 1/2
October, 1893	31,445,000	78 1/2
November, 1893	37,090,000	73 1/2
December, 1893	19,765,000	72 1/2
January, 1894	29,690,000	70 1/2
February, 1894	83,820,000	65 1/2
March, 1894	68,185,000	63
April, 1894	51,555,000	63 1/2
Total	325,325,000	68

From this it is plain that, so far from the bears last summer, autumn, and winter having beaten down the price of wheat by sales for future delivery, it was the bulls instead who, on their faith in wheat prices, invested in wheat futures an amount sufficient to carry our total stock of wheat on hand, at prices averaging about 9 cents above what it was worth during the month of May, and who have found themselves the losers to the extent of many millions of dollars on account of the fact that they had to pay during May, 1894, a far higher price for the wheat which they had bought months in advance

than, when the price came to be settled by supply and demand in that month, the actual wheat was worth.

In other words, the farmer who took advantage of the market afforded last September by the system of sales for future delivery obtained 24 cents per bushel more for the wheat that would have been called for by actual demand in May than he who held it until May received for similar wheat, when the price was fixed by actual supply and demand. If he sold in October he received, under the same system, 19 cents more than though he had waited until May. If he sold in November his advantage was 15 cents; in December, 13 cents; in January, 11 cents; in February, 6½ cents; and even after holding it until March or April, if he then took advantage of this system, he would have received 3¼ cents per bushel more than the average price in May as settled by supply and demand.

Mr. TERRY. That was before we repealed the purchasing clause of the Sherman law.

Mr. WARNER. Wheat which was sold for future delivery near to the time of the repeal brought the highest price, much higher than when it was afterwards fixed by the law of supply and demand.

Mr. SIBLEY. What about those who got only 35 cents a bushel for their wheat?

Mr. WARNER. Where were they?

Mr. SIBLEY. They were in Tennessee, the constituents of the gentleman from Tennessee [Mr. COX].

Mr. WARNER. They must have been waiting for this bill to pass.

Mr. SIBLEY. They have been waiting for something a long time.

Mr. WARNER. They ought to have sold their wheat last fall, for future delivery, when they would have gotten good prices.

And these figures develop another consideration, namely, that, instead of the dealings in futures fixing the price of spot wheat, it is, on the contrary, the growing certainty of the relation of supply and demand for any given date that, as that date draws nearer, determines the price at which futures then deliverable can be sold. The demonstration of our late experience is therefore absolute, first, that by the system of sales for future delivery the farmer has not been injured, but has been greatly advantaged as compared with what would have been his fate had he depended upon spot sales; and, second, that the price of spot wheat is really fixed by supply and demand, which, in its turn, as fast as its proportions develop, controls, and is not controlled by, the market for future delivery.

THE REAL CAUSE OF LATE LOW WHEAT PRICES.

But my friend from Missouri may remind me that the price of wheat is a serious and material matter, and may ask me to account for its serious decline during the past few years. I might retort by quoting from his own speeches and pointing to the price of silver and talking about Indian rupees and Indian exports. But I think he knows better than that now, as I certainly do. And knowing that it is supply and demand, and not rupee exchange or Hindoo proclivities, that govern the price of wheat—knowing, as I suspect he does, that so far from the decline in silver prices of late years having stimulated Indian exports of wheat, those exports have, on the average, been getting less and less instead of greater and greater, I simply quote here the statistics as to exports of wheat from British India, which show that the only year of late in which wheat exports have been as large as they were ten years ago was the year 1891–'92, when wheat was higher here than in any other year of late, and that exports of wheat from India have on the whole decreased since 1881.

Exports of wheat from British India, from official sources, expressed in bushels of 60 pounds, for the years (crop years) April 1 to March 31.

April 1 to March 31—	Wheat exported.	April 1 to March 31—	Wheat exported.
	Bushels.		*Bushels.*
1867–1868	556,852	1881–1882	37,148,543
1868–1869	514,231	1882–1883	26,495,024
1869–1870	145,088	1883–1884	39,202,636
1870–1871	463,908	1884–1885	29,588,311
1871–1872	1,189,251	1885–1886	39,312,969
1872–1873	735,485	1886–1887	41,588,235
1873–1874	3,277,781	1887–1888	25,271,249
1874–1875	2,004,156	1888–1889	32,872,151
1875–1876	4,686,767	1889–1890	25,758,551
1876–1877	10,428,327	1890–1891	26,754,103
1877–1878	11,896,580	1891–1892	56,573,043
1878–1879	1,972,544	1892–1893	27,959,445
1879–1880	4,109,495	1893–1894	22,520,000
1880–1881	13,896,167		

I have done what I am afraid my friend from Missouri has not done, looked about the world to see what was the explanation of the fall in price of American wheat. There are a number of causes, sir, but they may all be characterized by the one which I shall call to your special attention.

ARGENTINE WHEAT DEVELOPMENTS.

The Argentine Republic has of late been developed for agricultural purposes, especially wheat production, with a rapidity which is comparable only to the promptness with which, when her broad lands were once opened to communication, Dakota became so important a factor in our own wheat supply. I append the statistics for the last twenty years, from which it appears that wheat exports from the Argentine Republic, starting at nothing in 1870 and not becoming constant in any degree until 1883, had risen to 18,000,000 bushels in 1892 and 39,000,000 bushels in 1893.

Exports of wheat, of flour, with total as wheat, from the Argentine Republic annually, from official sources.

Year.	Wheat (bushels of 60 pounds).	Flour (barrels of 196 pounds).	Total as wheat bushels (reckoning flour at 4½ bushels to a barrel).
1870			
1871	294	180	1,104
1872	625	2,306	11,002
1873	182	1,371	6,351
1874	13,136	270	14,351
1875		135	607
1876	766	3,975	18,653
1877	7,334	2,453	18,372
1878	93,601	32,822	241,300
1879	943,176	18,030	1,024,311
1880	42,829	16,009	114,870
1881	5,772	14,481	70,936
1882	62,658	6,173	90,436
1883	2,232,329	54,489	2,477,529
1884	3,986,623	42,004	4,175,641
1885	2,884,109	83,764	3,261,047
1886	1,391,265	59,189	1,657,615
1887	8,739,987	69,751	9,013,366
1888	6,574,431	71,902	6,897,990
1889	837,982	47,803	1,008,095
1890	12,047,924	135,177	12,656,221
1891	14,534,016	78,909	14,889,106
1892	17,273,394	212,014	18,227,457
1893*	37,037,280	427,422	38,960,679

*Commercial reprint of Argentine official figures.

While the monthly bulletin for March, 1894, of the Bureau of American Republics estimates the exports for 1894 at 2,000,000 tons, or between 65,000,000 and 70,000,000 bushels.

The startling showing thus made of sudden and great increase in production is made more so by the data thus far received as to 1894. When I first made note of matter to be referred to on this discussion the Corn Trade News of May 14 was the latest number of that periodical showing wheat in transport. On page 1122 I find that there was at that date actually afloat *in transitu* between the Argentine Republic and Great Britain alone 1,500,000 quarters, or 12,000,000 bushels of wheat; and that there were also *in transitu* at the same time for continental ports 615,000 quarters, or 5,000,000 bushels; while the list of ships already chartered and yet to load was simply an appalling one. How great the entire shipment of wheat from the Argentine Republic to Great Britain and the continent will be during the present year is one which no prudent man will put below most extraordinary figures. All calculations have already been distanced, and not until the capabilities of the Argentine Republic and their rate of development have become more generally known than at present would it be safe to prophecy what is the future of wheat-growing in the United States. I am perfectly well aware that there is more than one consideration which may mitigate the result which now seems imminent. I suspect, indeed, that the unexpected increase of Argentine production may have so startled the business world as to have been more than discounted, and thus to have made prices unremunerative even to Argentine producers. There is, however, nothing sure as yet. The situation can not be handled by any obstruction interposed by our Government to the most economical and natural methods of wheat marketing by those who are engaged in it here.

There never has been a good time—there never will be—to enact any such legislation as that proposed by this bill. It seems, however, like the irony of fate that it should be pending at just the moment when its uselessness has been most thoroughly demonstrated by the course of late events, and when the damage to be done by its enactment will be of most fatal consequence to American wheat-growers, who are now facing the most serious crisis by which they have ever been met. How desperate is the condition which this bill would further aggravate may be appreciated when I note that under date May 28, 1894, I am advised that grain room to Antwerp had been taken the week before at Baltimore for nothing; that is to say, that one of our great grain-exporting points found so little demand for a commerce which in former years so profitably filled every outgoing vessel as to bring many of them back in ballast, that the comparatively few vessels which have brought cargoes to her found no grain to be carried eastward, except what they were willing to take as ballast alone and without any charge whatever for freight.

I do not know, sir, that I ever felt much like getting very indignant at Nero because he fiddled when Rome was burning, because, if anything is well established historically, it is that he was a good fiddler, and I do not suppose his fiddling helped the conflagration. [Laughter.] But now, just at the very time when our export trade in produce is in the very worst peril it has ever experienced, when it seems essential that every scope should be given our traders to handle their business in the most economical and easy way possible—at such a time as this, for my friend from Missouri—who, although he may know something about fiddling, does not

know anything about dealing in wheat or cotton—to come in and propose his intermeddling expedients in order to harrass and put to further expense the men who are already almost driven out of business, is almost too much to view with equanimity. I know he does not mean it; I know he would not do a bit of hurt intentionally; but, sir, his is the calm assurance of a baby trying to mend a watch, or an anarchist arranging to fix a government. [Laughter.] The only trouble is that the gentleman is of age, and we cannot deal with him according to our sympathies, but must do so with regard to the merits of the measure he proposes to father.

It would fatigue criticism, sir, to attempt any adequate exposé of this bill and of the depths of misinformation disclosed by the report which accompanies it. And I care now to call attention to but one further consideration in this line.

THE BILL ENCOURAGES "CORNERS," OBSTRUCTS LEGITIMATE BUSINESS, AND LEAVES GAMBLING UNTOUCHED.

Every great speculation in produce which has brought disaster either to the producer, the consumer, or the speculator has been made effective by the purchase and withholding from market of the actual produce involved. If this law forbade this, and its enforcement could prevent thus forestalling the necessaries of life and industry, and demoralizing the business dependent upon their consumption, there might be some excuse for it. So far, however, is the bill before us incapable of producing this effect that it does not even pretend to attempt it, but, leaving untouched every opportunity for this crime against civilization, proposes to discourage capital from produce investments so as to make more easy and more disastrous the "cornering" of the actual product. The effect, therefore, is to discourage legitimate business and to lessen the amount of capital available for carrying the world's stock of produce, thereby facilitating speculation in it by those who shall actually attempt to forestall it, with the inevitable result, when the market breaks, of a time of lower prices than any which could otherwise have ruled.

The law, however, would be utterly ineffective to prevent gambling in farm produce. For the whole world is to-day a single market, and purchases are made from Chicago, at London, at Berlin, at Calcutta, as easily as they are at Duluth or New York. Legitimate business must be carried on and legitimate investments are made along well-defined limits of trade, and within comparatively narrow limits of locality. The gambler is indifferent as to the market in which he deals. The result, therefore, of the enactment into law of this bill would be to demoralize legitimate business in America. As to gambling, however, it would still be carried on by the same men in the same way, except that the nominal place of the fictitious sales and purchases would be London or Berlin instead of New York or Chicago—in the world's markets where the price of these products is fixed—and whence prices in America would be afflicted (if at all) precisely the same as though the fictitious sales were made here.

I have omitted, sir, to refer to the puerile devices by which it is attempted in the bill now pending to bring within the scope of this bill numerous classes of contracts which ordinarily would not be subject to the jurisdiction either of our Government or that of any of the States. I shall not assume that there is any member of this House to whom they will not upon reflection plainly appear to be the shams which they really are. I shall not dignify them by the notice involved in an argument against them. As a lawyer, however, I will summarily state—what will be concurred in, I believe, by every brother lawyer in this House—that no client of mine who is willing to do his business through foreign offices will ever be in the least degree troubled by them. When we shall all have become wonted to the methods I shall suggest he will be so little bothered by anything which my friend from Missouri has concocted that he will not have even unpleasant reason to remember his existence. But to the American citizen who must do his business here, I can offer no such guarantee.

CONSTITUTIONALITY.

As to the broad question of constitutionality, a similar reason would prompt me to let the obviously unconstitutional character of this legislation develop itself from the arguments of those who ventured to defend it. But, sir, I have another reason—and to me even a better one. The ends proposed and the means suggested are so far outside of what seems to me desirable and tolerable, that questions of technical constitutionality are of little moment. To one like myself, who has the little regard for the intent of this bill and the utter abhorrence of the means proposed that I entertain, it is worse than frivolous to urge in addition that it is unconstitutional. On the other hand, with anyone who, thoroughly understanding the scope of this measure, shall deliberately conclude its end to be laudable and its means proper, I do not care to discuss questions of constitutionality. There is no earthly reason in my mind why, bent upon such an errand, he should allow himself to be restrained by either law, morals, or common sense.

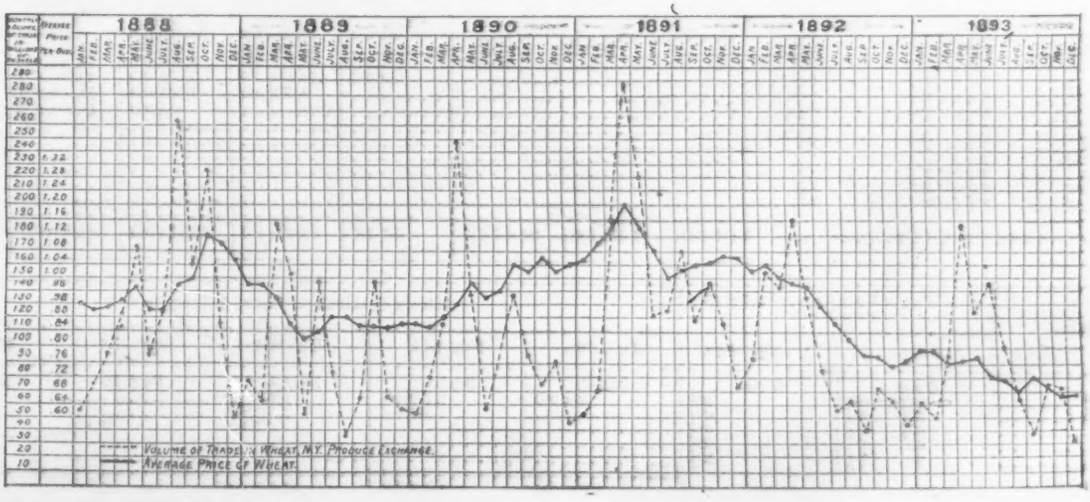
If there is any man, calling himself a Democrat, who, after fully understanding this bill, needs to consult the constitution or any other document in order to know whether he shall favor it or not, then, sir, either he or I is in the wrong party.

The bill is simply a meddling one. If enacted into law, it would be worse than worthless for the aims it professes and which, in simple charity, are all those which I attribute to the conscious intent of those who promote it. It is so outrageous that if enacted it must promptly produce such a revulsion as shall blot it from the statute books. Were it a Republican measure, I should have it photographed and exhibited as a horrible example of the consummate folly of blind paternalism. As it is, I can only appeal to those of my Democratic friends who may have the least intention of supporting it, to keep on studying it until they are sure they understand it. This being done, not merely is the measure before us foredoomed, but the disgrace of even the presentation of another of its character ever averted from our party.

The chairman of the committee reporting it has admitted that the bill is an attempt to interfere with what he concedes to be legitimate business in order virtually to apply Federal criminal law to a matter which he confesses is none of the business of the United States Government. And in order to dodge the Constitution, he proposes another evasion; and under the assumption that this subject belongs to the Committee on Agriculture, brings in a revenue bill, and interferes by an unconstitutional use of the taxing power.

It seems to me, sir, that as representatives of the various sections of this country, we should not merely avoid interference with the legitimate business of citizens, but that, as Congressmen of the United States of America, we should confine the exercise of our functions within that range of both criminal and civil law that is confided to our jurisdiction. As Democrats we should remember that the welfare of this country demands less rather than more of Federal interference; that we come here not to extend paternalism but to abolish it; and that our office is rather to repeal bad laws than to make worse ones. [Loud applause.]

CHART SHOWING MONTHLY VOLUME OF TRADE IN WHEAT AND AVERAGE PRICE OF NO. 2 RED WHEAT ON THE NEW YORK PRODUCE EXCHANGE.



APPENDIX.

Table showing the approximate sales on the New York Produce Exchange of contract wheat for future delivery, together with

Months.	Spot No. 2 red winter per bushel for month (in store).		Sales each month for future delivery in—								
	Range.	Average price.	Jan., 1890.	Feb., 1890.	Mar., 1890.	Apr., 1890.	May, 1890.	June, 1890.	July, 1890.	Aug., 1890.	Sept., 1890.
	Cents.	*Cents.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*
January, 1890	84⅝ to 87½	86⅛	1,536,000	3,648,000	4,136,000	1,536,000	32,104,000	2,784,000	2,656,000	1,824,000	136,000
February, 1890	83½ 87½	85½	.....	504,000	2,176,000	704,000	42,776,000	11,080,000	8,192,000	5,872,000	2,456,000
March, 1890	86½ 89½	87⅞	.....	.....	648,000	704,000	58,712,000	11,240,000	14,784,000	9,056,000	5,456,000
April, 1890	86⅛ 98¼	93⅜	.....	.....	.....	400,000	64,952,000	32,776,000	53,720,000	20,976,000	16,232,000
May, 1890	93½ 103⅜	98⅛	.....	.....	.....	.....	4,208,000	13,744,000	34,080,000	27,120,000	20,016,000
June, 1890	91¼ 96¼	94⅛	.....	.....	.....	.....	.....	936,000	8,736,000	14,168,000	12,392,000
July, 1890	94 100⅜	96⅜	.....	.....	.....	.....	.....	.....	2,776,000	15,472,000	18,272,000
August, 1890	94½ 111¼	104	.....	.....	.....	.....	.....	.....	.....	2,144,000	21,088,000
September, 1890	99½ 106¼	101⅛	.....	.....	.....	.....	.....	.....	.....	.....	2,720,000
October, 1890	100½ 109½	106½	.....	.....	.....	.....	.....	.....	.....	.....	.....
November, 1890	96½ 108⅜	102½	.....	.....	.....	.....	.....	.....	.....	.....	.....
December, 1890	101⅜ 106¼	104⅛	.....	.....	.....	.....	.....	.....	.....	.....	.....
Total deliveries contracted for			.....	.....	.....	.....	.....	.....	.....	.....	.....

Months.	Spot No. 2, red winter, per bushel, for month (in store).		Sales each month for future delivery in—								
	Range.	Average price.	Jan., 1891.	Feb., 1891.	Mar., 1891.	Apr., 1891.	May, 1891.	June, 1891.	July, 1891.	Aug., 1891.	Sept., 1891.
	Cents.	*Cents.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*
January, 1891	103½ to 110½	105⅜	680,000	920,000	2,168,000	.....	28,784,000	984,000	10,728,000	3,040,000	16,000
February, 1891	109½ 112½	110⅛	.....	160,000	1,448,000	.....	35,792,000	3,360,000	17,640,000	3,640,000	592,000
March, 1891	109 118½	113⅜	.....	.....	608,000	.....	58,240,000	8,440,000	56,800,000	22,680,000	5,400,000
April, 1891	114½ 128⅞	119⅞	.....	.....	.....	.....	36,880,000	17,016,000	86,264,000	44,616,000	22,304,000
May, 1891	109½ 117½	113⅞	.....	.....	.....	.....	2,480,000	4,112,000	73,584,000	33,760,000	17,080,000
June, 1891	102⅜ 111	107⅛	.....	.....	.....	.....	.....	1,000,000	28,648,000	18,712,000	12,904,000
July, 1891	93½ 106¼	99⅛	.....	.....	.....	.....	.....	.....	5,016,000	20,904,000	26,344,000
August, 1891	97¼ 114	105⅞	.....	.....	.....	.....	.....	.....	.....	7,616,000	32,784,000
September, 1891	100 107⅛	103⅛	.....	.....	.....	.....	.....	.....	.....	.....	1,752,000
October, 1891	102 107	104½	.....	.....	.....	.....	.....	.....	.....	.....	.....
November, 1891	103½ 108	105⅛	.....	.....	.....	.....	.....	.....	.....	.....	.....
December, 1891	103 107⅜	105⅞	.....	.....	.....	.....	.....	.....	.....	.....	.....
Total deliveries contracted for			10,312,000	2,380,000	8,744,000	.....	392,960,000	34,912,000	283,584,000	155,104,000	119,176,000

Months.	Spot No. 2 red winter per bushel for month (in store).		Sales each month for future delivery in—								
	Range.	Average price.	Jan., 1892.	Feb., 1892.	Mar., 1892.	Apr., 1892.	May, 1892.	June, 1892.	July, 1892.	Aug., 1892.	Sept., 1892.
	Cents.	*Cents.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*
January, 1892	99½ to 105¾	102⅜	2,295,000	6,480,000	9,472,000	5,765,000	56,980,000	3,520,000	1,105,000	.....	.....
February, 1892	99⅛ 109¼	104⅛	.....	1,545,000	8,585,000	8,730,000	102,045,000	18,115,000	7,570,000	370,000	.....
March, 1892	96 107	101	.....	.....	1,795,000	3,460,000	75,120,000	21,630,000	24,455,000	7,985,000	2,755,000
April, 1892	96¾ 102⅝	98⅛	.....	.....	.....	1,675,000	63,065,000	37,210,000	53,130,000	15,995,000	6,235,000
May, 1892	94 99	96⅛	.....	.....	.....	.....	17,390,000	27,635,000	54,470,000	12,880,000	9,315,000
June, 1892	87⅞ 100	91⅛	.....	.....	.....	.....	.....	2,220,000	26,775,000	19,140,000	16,740,000
July, 1892	82½ 88⅝	86⅞	.....	.....	.....	.....	.....	.....	4,020,000	12,385,000	11,830,000
August, 1892	79⅜ 85	82⅛	.....	.....	.....	.....	.....	.....	.....	2,470,000	15,425,000
September, 1892	77½ 80½	78⅜	.....	.....	.....	.....	.....	.....	.....	.....	3,625,000
October, 1892	73½ 80½	77⅛	.....	.....	.....	.....	.....	.....	.....	.....	.....
November, 1892	73⅜ 77⅞	75⅞	.....	.....	.....	.....	.....	.....	.....	.....	.....
December, 1892	74 79	76⅜	.....	.....	.....	.....	.....	.....	.....	.....	.....
Total deliveries contracted for			39,374,000	20,891,000	35,492,000	25,610,000	509,156,000	114,820,000	171,550,000	71,225,000	65,925,000

Months.	Spot No. 2 red winter per bushel for month (in store).		Sales each month for future delivery in—							
	Range.	Average price.	Jan., 1893.	Feb., 1893.	March, 1893.	April, 1893.	May, 1893.	June, 1893.	July, 1893.	Aug., 1893.
	Cents.	*Cents.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*
January, 1893	77⅜ to 82½	79½	710,000	1,380,000	3,835,000	80,000	40,790,000	3,160,000	7,210,000	.....
February, 1893	76⅛ to 81½	79⅛	.....	30,000	4,600,000	.....	27,190,000	370,000	13,850,000	.....
March, 1893	73⅛ to 79⅜	75⅞	.....	.....	1,490,000	145,000	43,320,000	2,095,000	42,405,000	1,180,000
April, 1893	74 to 78½	76⅜	.....	.....	.....	40,000	64,215,000	5,535,000	88,755,000	685,000
May, 1893	74½ to 81½	77⅜	.....	.....	.....	.....	9,775,000	3,605,000	58,855,000	2,740,000
June, 1893	68⅛ to 76½	72⅛	.....	.....	.....	.....	.....	630,000	44,865,000	9,965,000
July, 1893	64½ to 73½	71⅛	.....	.....	.....	.....	.....	.....	1,610,000	9,885,000
August, 1893	65⅜ to 69⅝	68	.....	.....	.....	.....	.....	.....	.....	885,000
September, 1893	68½ to 74⅜	72⅛	.....	.....	.....	.....	.....	.....	.....	.....
October, 1893	65⅞ to 72	69⅜	.....	.....	.....	.....	.....	.....	.....	.....
November, 1893	64⅛ to 68½	66⅜	.....	.....	.....	.....	.....	.....	.....	.....
December, 1893	64⅛ to 69	67⅛	.....	.....	.....	.....	.....	.....	.....	.....
Total deliveries contracted for			9,695,000	2,515,000	23,850,000	290,000	283,485,000	16,510,000	258,320,000	25,340,000

Months.	Spot No. 2 red winter, per bushel (for month in store).		Sales each month for future delivery in—				
	Range.	Average price.	Jan., 1894.	Feb., 1894.	Mar., 1894.	Apr., 1894.	May, 1894.
	Cents.	*Cents.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*
January, 1894	65⅛ to 68¾	66⅝	530,000	1,170,000	1,720,000	.....	29,690,000
February, 1894	59⅜ 66⅜	62¼	.....	325,000	4,020,000	.....	83,820,000
March, 1894	60⅛ 63⅜	61⅛	.....	.....	995,000	10,000	68,185,000
April, 1894	61 67	62½	.....	.....	.....	.....	51,555,000
May, 1894	56 61⅛	58⅜	.....	.....	.....	.....	3,215,000
Total deliveries contracted for			3,280,000	2,440,000	10,770,000	10,000	328,540,000

APPENDIX.

the monthly range and monthly average price of spot No. 2 red winter wheat monthly, from January 1, 1890, to May 31, 1894.

Sales each month for future delivery in—											Total sales for future delivery.
Oct., 1890.	Nov., 1890	Dec., 1890.	Jan., 1891.	Feb., 1891.	Mar., 1891.	Apr., 1891.	May, 1891.	July, 1891,	Aug., 1891.	Dec., 1891.	
Bushels.	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*
		768,000									51,128,000
		4,824,000									78,584,000
		7,376,000									107,976,000
		25,128,000									214,184,000
72,000	56,000	34,400,000					752,000				138,448,000
144,000		23,904,000		8,000			3,904,000				64,192,000
768,000	16,000	42,168,000	416,000				12,208,000				92,096,000
3,840,000	472,000	62,656,000	1,096,000	96,000			45,112,000				136,504,000
1,664,000	328,000	45,456,000	272,000	24,000	24,000		42,352,000				92,840,000
536,000	728,000	35,168,000	992,000	96,000	504,000		36,296,000	448,000			74,768,000
	32,000	21,112,000	4,448,000	624,000	2,048,000		58,392,000	1,392,000	24,000	16,000	88,088,000
		2,888,000	2,408,000	448,000	1,944,000		31,768,000	3,064,000	112,000	504,000	43,136,000
7,024,000	1,632,000	305,848,000									

Sales each month for future delivery in—										Total sales for future delivery.
Oct., 1891.	Nov., 1891.	Dec., 1891.	Jan., 1892.	Feb., 1892.	Mar., 1892.	Apr., 1892.	May, 1892.	June, 1892.	July, 1892.	
Bushels.	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*
		4,888,000								52,208,000
		6,768,000								69,400,000
		36,816,000								188,984,000
504,000		71,888,000	16,000				5,128,000			284,616,000
520,000		75,640,000					6,912,000			214,088,000
4,008,000	128,000	44,704,000	48,000	56,000			5,640,000			115,848,000
6,248,000	464,000	48,672,000	425,000				6,536,000			114,609,000
18,488,000	3,856,000	86,544,000	1,640,000	200,000			12,060,000			163,188,000
17,368,000	2,712,000	69,088,000	2,790,000	655,000	160,000	20,000	18,420,000			112,975,000
1,968,000	3,840,000	68,008,000	5,180,000	1,875,000	1,320,000	1,560,000	55,060,000	50,000		138,861,000
	520,000	37,680,000	14,700,000	4,040,000	9,360,000	2,960,000	46,480,000	1,320,000		117,060,000
		3,072,000	12,280,000	6,040,000	4,800,000	1,500,000	38,320,000	3,120,000	25,000	69,157,000
49,104,000	11,520,000	554,288,000								

Sales each month for future delivery in—										Total sales for future delivery.
Oct., 1892.	Nov., 1892.	Dec., 1892.	Jan., 1893.	Feb., 1893.	Mar., 1893.	Apr., 1893.	May, 1893.	June, 1893.	July, 1893.	
Bushels.	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*
										85,537,000
										146,960,000
		320,000								137,520,000
420,000		4,940,000					205,000			182,873,000
375,000		5,580,000					1,450,000			129,095,000
870,000	120,000	10,600,000					2,555,000			79,020,000
2,095,000	100,000	20,515,000	10,000		310,000		4,005,000			55,270,000
7,730,000	95,000	24,430,000			10,000		5,350,000			55,510,000
6,345,000	565,000	17,590,000			420,000		7,125,000			35,670,000
880,000	1,190,000	32,435,000	690,000	110,000	2,170,000	25,000	28,640,000	70,000		66,210,000
	305,000	21,645,000	3,475,000	595,000	4,860,000		25,875,000	450,000		57,205,000
		1,955,000	4,810,000	400,000	6,155,000		22,990,000	595,000	770,000	37,675,000
18,715,000	2,375,000	140,010,000								

Sales each month for future delivery in—									Total sales for future delivery during month.
Sept., 1893.	Oct., 1893.	Nov., 1894.	Dec., 1893.	Jan., 1894.	Feb., 1894.	Mar., 1894.	April, 1894.	May, 1894.	
Bushels.	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*
									57,165,000
2,220,000			1,225,000						46,040,000
10,215,000	140,000		8,895,000						94,080,000
24,850,000	500,000		16,330,000						178,480,000
59,930,000	1,340,000	50,000	20,745,000						94,290,000
45,515,000	1,790,000	40,000	33,950,000					180,000	137,525,000
28,640,000	4,635,000	80,000	24,890,000	10,000				910,000	92,970,000
2,075,000	6,250,000	60,000	22,510,000	10,000				2,685,000	60,050,000
	1,205,000	620,000	35,550,000	580,000	160,000	690,000		31,445,000	33,590,000
		215,000	30,280,000	720,000	560,000	1,825,000		37,090,000	70,250,000
			3,360,000	1,430,000	225,000	1,520,000		19,765,000	70,690,000
173,445,000	15,865,000	1,065,000	197,735,000						26,300,000

Sales each month for future delivery in—								Total sales for future delivery during month.
June, 1894.	July, 1894.	Aug., 1894.	Sept., 1894.	Oct., 1894.	Nov., 1894.	Dec., 1894.	Year, 1894.	
Bushels.	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*		*Bushels.*
195,000	1,060,000	240,000				1,410,000		36,015,000
35,000	23,625,000	1,305,000	185,000			12,350,000		125,665,000
705,000	31,550,000	160,000	715,000			8,715,000	2,370,000	113,405,000
415,000	55,470,000	1,425,000	2,350,000	20,000		6,690,000		117,925,000
825,000	44,465,000	2,870,000	11,625,000			19,985,000	50,000	83,035,000

[Mr. BRYAN withholds his remarks for revision. See Appendix.]

Mr. HATCH. How much time has the gentleman from Nebraska remaining?

The CHAIRMAN. The gentleman has seventeen minutes.

Mr. BRYAN. I yield that to the gentleman from Missouri.

Mr. HATCH. I reserve that time, and move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and Mr. BAILEY having resumed the Chair as Speaker *pro tempore*, Mr. LIVINGSTON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the anti-option bill (H. R. 7007), and had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. OATES, until August 8, on account of important business.

To Mr. NORTHWAY, for one week, on account of business engagements.

And then, on motion of Mr. HATCH (at 5 o'clock and 10 minutes p. m.), the House adjourned.

REPORTS OF COMMITTEES ON PRIVATE BILLS.

Under clause 2 of Rule XIII, Mr. HARE, from the Committee on the Public Lands, reported the bill (S. 1076) to release a certain limitation existing in an act of Congress touching the Episcopal Church at St. Augustine, Fla.; which, with the accompanying report (No. 1107), was ordered to be printed and referred to the Committee of the Whole House.

ADVERSE REPORTS.

Under clause 2 of Rule XIII, Mr. MCRAE, from the Committee on the Public Lands, reported adversely the bill (S. 1583) for the relief of Wesley Montgomery; which, with the accompany report (No. 1108), was ordered to be printed and indefinitely postponed.

PUBLIC BILLS, MEMORIALS, AND RESOLUTIONS.

Under clause 3 of Rule XXII, bills, and a resolution, and a memorial of the following titles were introduced, and severally referrred as follows:

By Mr. WILLIAMS of Mississippi: A bill (H. R. 7478) to secure adequate compensation for the right to construct, use, or extend, and operate street railroads in the District of Columbia—to the Committee on the District of Columbia.

By Mr. HEARD: A bill (H. R. 7479) to secure uniformity in the names of minor streets in the cities of Washington and Georgetown—to the Committee on the District of Columbia.

By Mr. DURBOROW: A resolution to allow the Committee on Ventilation and Acoustics a clerk for the session—to the Committee on Accounts.

By Mr. HULICK: A joint resolution adopted by the General Assembly of Ohio and memorial relative to pensions of soldiers of the Union Army—to the Committee on Invalid Pensions.

PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as follows:

By Mr. CAPEHART: A bill (H. R. 7480) for the relief of J W. and J. P. Hall—to the Committee on Claims.

By Mr. CURTIS of Kansas: A bill (H. R. 7481) to restore Margret Barney, widow of Herman Fenskey, to the pension rolls—to the Committee on Invalid Pensions.

By Mr. DONOVAN: A bill (H. R. 7482) granting a pension to Dora Sangston—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7483) for the relief of Mathias Krouse, alias Mathias Weibel—to the Committee on Military Affairs.

Also, a bill (H. R. 7484) granting a pension to Robert McDonald—to the Committee on Invalid Pensions.

By Mr. GEARY: A bill (H. R. 7485) to increase the pension of Cornelius D. Hughes—to the Committee on Pensions.

By Mr. MCDANNOLD: A bill (H. R. 7486) for the relief of Richard Pool—to the Committee on Invalid Pensions.

By Mr. SPRINGER: A bill (H. R. 7487) for the relief of Sarah Grisson—to the Committee on War Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. APSLEY Petition of Puritan Council, No. 1018, Royal Arcanum, of Gardner, Mass., praying for an amendment to the tariff bill relative to fraternal beneficiary societies, etc.—to the Committee on Ways and Means.

By Mr. CAPEHART: Evidence to accompany House bill 575, a bill for the relief of Charity Ann Smith—to the Committee on Invalid Pensions.

By Mr. COGSWELL: Petition of Gloucester Council, No. 319, Royal Arcanum, Gloucester, Mass., for passage of Senate amendment to tariff bill to exempt fraternal beneficiary societies from income tax—to the Committee on Ways and Means.

By Mr. CRAIN: Petition of citizens of McMullen County, Tex., for passage of House bill providing for the terms of court at Laredo, Tex.—to the Committee on the Judiciary.

By Mr. ENGLISH of California: Memorial to Congress of the Humboldt Chamber of Commerce, urging the construction of the Nicaragua Canal—to the Committee on Railways and Canals.

By Mr. GEISSENHAINER: Petition of the cigar-makers of New Brunswick, N. J., in favor of a duty of $4 per pound on cigars—to the Committee on Ways and Means.

By Mr. HICKS: Petition of Alexander Wilson, J. E. Hill, and 20 other citizens of Morrellville, Cambria County, Pa., praying for the adoption of an amendment to the tariff bill exempting fraternal societies from the provisions of the income-tax feature of said bill—to the Committee on Ways and Means.

By Mr. HULICK: Petition of Rev. W. F. Silvens, pastor Cumberland Presbyterian Church, and of Rev. J. P. Porter, of the Methodist Episcopal Church, of Lebanon, Ohio, and of the congregations thereof, for the suppression of the lottery traffic in the United States—to the Committee on the Judiciary.

By Mr. JOHNSON of Ohio: Three petitions of citizens of Cleveland, Ohio, for the passage of an act recognizing the services of military telegraph operations—to the Committee on Military Affairs.

By Mr. LACEY: Petition of W. S. Hendrixson, J. Macey, and others of Iowa College, against Honduras lottery—to the Committee on Foreign Affairs.

By Mr. OUTHWAITE: Petition of citizens and ex-soldiers of Columbus, Ohio, urging passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. STORER: Petition of Fred W. Merdel and 15 other citizens of Cincinnati, Ohio, in favor of the exemption of fraternal beneficiary societies from the income tax—to the Committee on Ways and Means.

Also, resolutions of the Chamber of Commerce of Cincinnati, Ohio, asking increased appropriation for fast-mail service from Cincinnati to the South—to the Committee on the Post-Office and Post-Roads.

By Mr. TRACEY: Petition of Roeper & Beyer, John E. Danaher, John Wansboro, and E. Schell, protesting against any increase of the tax on whisky and any extension of the bonded period—to the Committee on Ways and Means.

Also, petition of Charles R. Heller and 17 other citizens of Albany, N. Y., against income tax on fraternal beneficary orders—to the Committe on Ways and Means.

By Mr. TYLER: Petition of certain members of the Royal Arcanum, praying the adoption of amendment to the income-tax feature of the tariff bill—to the Committee on Ways and Means.

By Mr. WARNER: Memorial of United States Council, No. 639, Royal Arcanum, and of Independence Council No. 687, Royal Arcanum, in favor of exemption of fraternal beneficiary societies, etc., from the income tax—to the Committee on Ways and Means.

SENATE.

TUESDAY, *June 19, 1894.*

The Senate met at 10 o'clock a. m.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. QUAY, and by unanimous consent, the further reading was dispensed with.

PETITIONS AND MEMORIALS.

Mr. QUAY presented petitions of Edwin H. Chase and 16 other citizens of Luzerne; of Alexander Wilson and 22 other citizens of Morrellville; of Edwin L. Morgan and 17 other citizens of Reading; of John D. Hanlon and 34 other citizens of Pittsburg; of P. Crawford and 14 other citizens of Lancaster; of Charles H. Wenhold and 30 other citizens of Bethlehem; of S. B. Abbott and 46 other citizens of Philadelphia; of T. H. Robinson and 21 other citizens of Allegheny; of S. B. Hills and 11 other citizens of Jermyn; of E. D. Miller and 26 other citizens of Rockwood; of H. H. Pritchard and 10 other citizens of Bangor; of John J. Jack and 39 other citizens of Philadelphia; of J. C. Schutte and

45 other citizens of Lancaster; of H. B. Goldsmith and 22 other citizens of West Newton; of A. H. Hechler and 25 other citizens of Petrolia; of G. E. Noble and 49 other citizens of Erie; of J. S. Frazier and 45 other citizens of Punxsutawney; of J. I. McKenna and 20 other citizens of California; of T. O. Tairman and 16 other citizens of Creekside; of Charles M. Fairman and 11 other citizens of Pittsburg; of M. F. Church and 16 other citizens of Bethlehem; and of Joseph Newman and 6 other citizens of Pittsburg, all in the State of Pennsylvania; and the petition of W. W. Bacon and 71 other citizens of Steuben, N. Y., praying that the funds of mutual life insurance companies and associations be exempted from the proposed income-tax provision of the pending tariff bill; which were ordered to lie on the table.

Mr. MARTIN presented the petition of L. L. Northrup, H. L. Henderson, H. W. McNeill, and sundry other citizens of Allen County, Kans., praying that the funds of mutual life insurance companies and associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

Mr. COCKRELL presented a petition of the board of directors of the Merchants' Exchange of St. Louis, Mo., praying that an appropiation be made for a national exhibit at the Cotton States and International Exposition, to be held at Atlanta, Ga., in the fall of 1895; which was referred to the Committee on Appropriations.

Mr. GALLINGER presented the petition of A. M. French and sundry other citizens of Gilsum, N. H., praying that fraternal beneficiary societies, orders or associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

Mr. TURPIE presented a petition of the Blish Milling Company, of Seymour, Ind., and the petition of Igleheart Bros., of Evansville, Ind., members of the Winter Wheat Millers' League, praying for the enactment of legislation legalizing railroad pooling; which were referred to the Committee on Interstate Commerce.

He also presented a petition of the Indiana Association of Life Underwriters, of Indianapolis, Ind., praying that the funds of life insurance companies and associations be exempted from the income-tax provision of the pending tariff bill; which was ordered to lie on the table.

Mr. WASHBURN presented sundry petitions of citizens of Hennepin County, Minn., praying that the funds of mutual life insurance companies and associations be exempted from the proposed income-tax provision of the pending tariff bill; which were ordered to lie on the table.

Mr. PROCTOR presented petitions of B. J. Wade and sundry other citizens of Montgomery; of John Spears and sundry other citizens of Highgate, and of A. T. Leach and sundry other citizens of Sheldon, all in the State of Vermont, praying for the enactment of legislation to enable the States to enforce State laws regulating the sale of substitutes for dairy products; which were referred to the Committee on Interstate Commerce.

Mr. FRYE presented a petition of 33 citizens of Bangor, Me., praying for the enactment of legislation to suppress the lottery traffic; which was ordered to lie on the table.

He also presented petitions of 8 citizens of Lisbon Falls; of 15 citizens of Rangeley, and of 35 citizens of Lisbon Falls, all in the State of Maine, praying that fraternal beneficiary societies, orders, or associations be exempted from the proposed income-tax provision of the pending tariff bill; which were ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. HALE, from the Committee on Naval Affairs, to whom was referred the amendment submitted by Mr. BUTLER on the 14th instant, intended to be proposed to the naval appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

Mr. BLACKBURN, from the Committee on Naval Affairs, to whom was referred the amendment submited by Mr. BUTLER on the 14th instant, intended to be proposed to the naval appropriation bill, reported favorably thereon, and moved that it be printed, and, with the accompanying paper, referred to the Committee on Appropriations; which was agreed to.

He also, from the same committee, to whom was referred the amendment submitted by Mr. HUNTON on the 15th instant, intended to be proposed to the naval appropriation bill, reported favorably thereon, and moved that it be printed, and, with the accompanying paper, referred to the Committee on Appropriations; which was agreed to.

BILLS INTRODUCED.

Mr. WASHBURN introduced a bill (S. 2138) authorizing the Minneapolis Gaslight Company, of Minneapolis, Minn., to lay submerged gas pipes across the Mississippi River at Minneapolis; which was read twice by its title, and referred to the Committee on Commerce.

Mr. ALLISON introduced a bill (S. 2139) to authorize the construction of a bridge across the Mississippi River from a point within the limits of the city of Dubuque, in the State of Iowa, known as Eagle Point, to the opposite bank of said river in the county of Grant and State of Wisconsin; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Commerce.

Mr. QUAY introduced a bill (S. 2140) granting a pension to Katharine K. McCartney; which was read twice by its title, and referred to the Committee on Pensions.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. ALLEN submitted an amendment intended to be proposed by him to the Indian appropriation bill; which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Indian Affairs.

Mr. ALLISON submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Public Lands, and ordered to be printed.

Mr. PEFFER submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Agriculture and Forestry, and ordered to be printed.

Mr. PLATT submitted an amendment intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

PUBLIC SAVINGS BANKS.

Mr. PEFFER. I submit a resolution; which I ask may be read, printed, and lie over. The resolution was read and ordered to lie over, and to be printed, as follows:

Resolved, That the Committee on Post-Offices and Post-Roads be, and it is hereby, directed to prepare and report, as soon as practicable, a bill providing for the establishment of a system of public savings banks, to be conducted under the surveillance of public officers in connection with the Post-Office Department.

BERLIN SILVER COMMISSION.

The VICE-PRESIDENT. The Chair lays before the Senate the resolution of the Senator from Indiana [Mr. VOORHEES] coming over from a previous day.

The resolution submitted yesterday by Mr. VOORHEES was read, as follows:

Resolved, That the Finance Committee of the Senate have authority to translate the proceedings of the Silver Commission held at Berlin in February and April, 1894, and report the same to the Senate.

Mr. VOORHEES. I will explain the resolution in just a moment; and I am very glad to see the Senator from Colorado [Mr. TELLER] in his seat. The papers that I ask to have translated, to be submitted to the Senate and published as a document, are the daily reports of a commission on the silver question which sat in Berlin. I understand from the brief examination I have been able to make, with my ignorance of the German language, this commission was composed of the most scientific and learned men, really the savants of Germany, Austria, and France, on the silver question. I am led to believe that their report is a most valuable contribution to the cause of silver money and its rational and proper use among the nations of the earth. I consequently ask that the Finance Committee be authorized to have it translated and submitted to the Senate.

I will state in this connection that from the investigation I can make, the expense will be inside of the limit of $500. There is no doubt about that. It is thought by some that it will not be over $250, but it will be inside of the limit. With these remarks I trust the resolution will be adopted.

Mr. QUAY. I desire to inquire of the Senator from Indiana if this is the conference which adjourned but recently, in which Dr. Arendt took part?

Mr. VOORHEES. I think it is. I see by the proceedings that it ran to the latter part of April, beginning some time in February. It was suggested to me at my seat yesterday by Senators that they thought the matter had already been translated, and we had seen it here. In point of fact it has not been in this country at this time more than forty-eight hours. There have been references to it in the newspapers.

Mr. TELLER. There has been no translation. A very worthless synopsis of the general work of the commission has been published, but nothing of any importance.

Mr. QUAY. I think the resolution ought to be adopted.

Mr. TELLER. I hope the proceedings will be published. I think it is a very valuable work.

Mr. CULLOM. I think the resolution ought to be adopted, and that we ought to have the benefit of the information contained in the proceedings of the conference.

The resolution was agreed to.

Mr. VOORHEES. I will simply state that I shall see that a competent person is employed to make an acceptable translation.

SOUTHERN UTE INDIANS.

The VICE-PRESIDENT. The morning business is closed, and the Calendar, under Rule VIII, is in order.

Mr. TELLER. The bill (H. R. 6792) to disapprove the treaty heretofore made with the Southern Ute Indians to be removed from the Territory of Utah, and providing for settling them down in severalty where they may so elect and are qualified, and to settle all those not electing to take land in severalty on the west 40 miles of the present reservation and in portions of New Mexico, and for other purposes, and to carry out the provisions of the treaty with said Indians of June 15, 1880, was yesterday ordered to lie on the table to be called up perhaps this morning. I ask that it may be continued on the table. The Senator from Wisconsin [Mr. VILAS] is not yet here to-day.

The VICE-PRESIDENT. Without objection, it will be so ordered. The first bill on the Calendar under Rule VIII will be announced.

YANKTON INDIAN AGREEMENT.

The bill (S. 1538) to ratify and confirm an agreement with the Yankton tribe of Sioux or Dacotah Indians in South Dakota, and to make appropriations for carrying the same into effect, was announced as first in order on the Calendar, and the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

LUCY BROWN.

Mr. TURPIE. I ask for the present consideration of the bill (H. R. 4720) to pension Lucy Brown, dependent foster mother.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place upon the pension roll the name of Lucy Brown, dependent foster mother of Aaron B. Divinny, late of Company B, Ninety-first Regiment Indiana Infantry, in the war of the rebellion.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THE RUSSIAN THISTLE.

The VICE-PRESIDENT. The next bill on the Calendar will be announced.

The bill (S. 1545) to provide for the destruction and extermination of the noxious plant or weed known as Russian thistle or Russian cactus, technically *salsola kali tragus*, was announced as next in order on the Calendar.

Mr. COCKRELL. Let the bill be passed over. It may as well go to the other Calendar.

The VICE-PRESIDENT. The bill will go over, on objection.

PUNISHMENT OF FRAUDS.

The bill (S. 1320) to provide for the punishment of certain frauds was considered as in Committee of the Whole.

The bill was reported from the Committee on the District of Columbia with an amendment in line 5, after the word "mails," to insert "or in any other manner;" so as to read:

That any person who shall by fraud, deception, or false pretenses practiced through the use of the United States mails, or in any other manner, procure to be sent into the District of Columbia any produce, goods, wares, or merchandise, with intent to cheat or defraud, may be prosecuted therefor in the courts of the District of Columbia, and upon conviction shall be punished by a fine not to exceed $1,000 and by imprisonment not to exceed five years.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PERSONS ENGAGED IN PROTECTED INDUSTRIES.

Mr. ALLEN. I ask unanimous consent to call up Order of Business No. 448, being a resolution directing the Secretary of the Treasury to inform the Senate of the total number of persons engaged in protected industries in the United States whose wages are, or who may be claimed to be, affected by tariff legislation, etc.

The VICE-PRESIDENT. The resolution will be read.

The Secretary read the resolution submitted by Mr. ALLEN, May 15, 1894, as follows:

Resolved, That the Secretary of the Treasury be, and he is hereby, directed to inform the Senate of the total number of persons engaged in protected industries in the United States whose wages are, or may be claimed to be, affected by tariff legislation; the total number of persons engaged in such industries whose wages are not, or will not, be affected by tariff legislation, and the proportion of the population of the United States who depend upon the foreign market for the sale of their products, classifying such industries respectively; such information to be based on the census of 1890. Also, that the Secretary of the Treasury be, and he is hereby, directed and required to inform the Senate of the total number of such persons who are native-born citizens of the United States of America, the total number who are naturalized citizens, and the total number of such persons who are aliens; and at what ratio, if any, alien mechanics and laborers have been taking the place of native and naturalized citizens of the United States in the protected industries of the United States.

The Senate, by unanimous consent, resumed the consideration of the resolution.

Mr. MORRILL. I ask to have the resolution referred to the Committee on Finance.

Mr. CHANDLER. There is such a motion pending, I think.

Mr. MORRILL. There is. I have heretofore moved to refer the resolution to the Committee on Finance.

The VICE-PRESIDENT. The pending question is on the motion of the Senator from Vermont [Mr. MORRILL] to refer the resolution to the Committee on Finance.

Mr. CHANDLER. I wish to say to the Senator from Nebraska, who has seemed anxious for the passage of this resolution, that I do not object to calling for any information that is now contained within the records of the Treasury Department. If the Senator has knowledge that a committee or a board of experts have made a report covering these points of inquiry, there could be no objection to calling for that report. Whether it was wisely ordered or unwisely ordered, there would be no cavil about the authority of the Secretary of the Treasury to transmit the information if he has already compiled it.

But the Senator knows very well the objection stated by the Senator from Ohio [Mr. SHERMAN], and also by myself, to a resolution wherein the Senate seems to order the collection of information upon certain points, ascertaining how many people in this country have their wages affected by a protective tariff, and to what extent foreigners have taken the place of native citizens in protected industries. It is not within the proper function of the Senate by a resolution of the Senate alone to direct such an investigation to be made. It is a subject-matter of legislation. It is not a call for information.

Therefore, there has been objection on this side of the Chamber to the passage of a resolution which would seem to impose upon the Secretary of the Treasury a duty to do something of this kind. It imposes upon him, according to the language of the resolution, almost the necessity of forming an opinion, which opinion he has not already formed. I submit to the good sense of the Senator from Nebraska that it is not wise, neither is it competent, for the Senate by its own action to direct this whole ground to be covered by the procuring of statistical information not now in existence, and by the formation of an opinion thereon not already formed.

I repeat to the Senator, if he will modify his resolution so as to call for documentary evidence already existing or for a report on these subjects already made, I for one shall make no objection to it; but I do stand here to object to a resolution of the Senate which undertakes to direct the Secretary of the Treasury to gather information which he has not already gathered, to compile information which he has not already compiled, for the purpose of forming an opinion which he has not already formed.

I trust the Senator from Nebraska sees the distinction. I think it is a sound distinction.

Mr. MORRILL. My motion was not made in any hostility to the resolution, but in order that the resolution might be perfected so as to call for exactly what is wanted. I think it needs verbal amendment in several places, and it can only be done in a committee where both protectionists and free traders are fully represented.

Mr. LODGE. I should be very glad to have this information in the form of the request of the Senator from Nebraska. I think it is very valuable and would be extremely convenient. But do not statistics of population come properly under the head of the Bureau of the Census? They must be all there, and they only need to be collated and put into different form. I do not know where the Secretary of the Treasury would have them. It seem to me, as suggested by the Senator from New Hampshire, that it is imposing an immense work on a Department to which the inquiry does not strictly belong. The census has gathered all the statistics of population, and I suppose it would only require a new classification to give us what we want. I ask the Senator from Nebraska whether he would not better reach the result desired through the Bureau of the Census than through the Treasury Department?

Mr. ALLEN. I certainly hope that the objections to the passage of the resolution will be withdrawn. They appear to me to be purely captious, and to illy conceal a purpose on the part of some Senators on the other side of the Chamber to defeat any information upon this important subject. The Senator from Ohio [Mr. SHERMAN] has made it his duty, seemingly, to studiously object to the consideration of this resolution. The resolution calls for vital information. It is not without precedent at all; for in 1886 the Secretary of the Treasury appointed three different persons to compile information of this precise char-

acter based upon the census of 1880, which is found in Appendix D of Mr. Manning's report for the year 1886. The information is valuable, according to my way of thinking; and I believe that the Treasury Department has the means of furnishing us with reasonably accurate information upon the subject.

I can realize very well and very fully that gentlemen who believe and who teach the doctrine that protection comes to the home of every American citizen, regardless of his occupation, can wage war upon a resolution of this character, which will have a tendency if properly answered, in my judgment, to show the reverse of that claim. I am not a believer myself in that doctrine. If it be possible to obtain information that is reasonably accurate and reliable, showing the exact number of persons in this country who are engaged in gainful occupations and whose wages are directly affected by legislation, I think the Senate and the country are entitled to that information, and I think it will be information essential to enable every Senator to intelligently cast a vote upon the pending tariff bill, or upon any other tariff measure that may come before us.

The VICE-PRESIDENT. The Chair is compelled to interrupt the Senator. The hour of half past 10 o'clock having arrived, the Chair lays before the Senate the unfinished business.

THE REVENUE BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4864) to reduce taxation, to provide revenue for the Government, and for other purposes.

Mr. LODGE. The committee were kind enough last night to pass over, on my suggestion, paragraph 356, matting and mats made of cocoa fiber or rattan, to which I desire to offer an amendment. I move to strike out that paragraph and insert what I send to the desk.

The VICE-PRESIDENT. The amendment proposed by the Senator from Massachusetts will be stated.

The SECRETARY. It is proposed to strike out paragraph 356 and insert:

356. Matting made of cocoa fiber or rattan, 12 cents per square yard; mats made of cocoa fiber or rattan, 8 cents per square foot.

Mr. VEST. Let the amendment be again read.

Mr. LODGE. I will state that it proposes a restoration of the McKinley rates.

Mr. VEST. Very well.

Mr. LODGE. Mr. President, the manufacture of cocoa matting and mats made of cocoa fiber or rattan is not a large industry. It has grown up in this country under great difficulties. It has been obliged to compete with the very lowest form of labor, the cooly labor of the East and the convict labor of certain prisons. It has had a hard struggle for existence, but it is estimated by the president of the Mat Makers' Union, in Brooklyn, that there alone they have some five hundred men employed. The exclusion of the convict-made goods has relieved them from one important point of competition, but they are still exposed, if they are not given a proper duty, to the competition of the labor in India, perhaps the lowest paid labor in the world.

There is no reason in the nature of things why this industry should not be domesticated here, and why it should not give employment to large numbers of men. They are not engaged in making a necessary of life; but they are engaged in a very useful employment, and I propose to show by the testimony both of the manufacturers and of the workingmen themselves engaged in the industry that the proposed change offered by the Finance Committee means the absolute destruction of this industry and the throwing out of employment entirely of the men who now earn a living in it.

I have here a letter from one of the makers of mats. I will say that these are small firms; that there is no large aggregate of capital in the business, except in the case of one person, who is principally, I am informed, an importer, and therefore favors a reduction of duties. This letter is dated June 18, 1894, and was sent me by a representative of the United States manufacturers as set forth in their various petitions. It makes the following statement:

WASHINGTON, D. C., *June 18, 1894.*

To the honorable Senators of the Finance Committee having in charge the tariff bill now under consideration:

SIRS: Referring to the proposed change in Schedule N, miscellaneous manufactures, paragraph 356, which now reads, "Cocoa matting, 12 cents per square yard; cocoa mats, 8 cents per square foot," and which it is now proposed to change to 20 per cent ad valorem, we would herewith beg to give a few particulars regarding this industry, which is comparatively a new one in this country, and the enactment of the present law has only made it possible, since its enactment, to compete with India coolie labor.

Taking cocoa matting, the average cost of producing this in United States is from 10 to 12 cents per square yard. The proposed change in the new tariff, of 20 per cent ad valorem, of value of matting made in India, costing from 6d. to 12d. per square yard, cost and freight New York, would average about 3.6 cents per square yard duty.

The cost of making such matting in India would not exceed 1 cent per square yard (native workmen get there only 3 cents to 6 cents per day and less); this, with above duty, would make these goods stand, including cost of making in India and the duty at 20 per cent, laid down in this country, 4 to 4.6 cents per square yard against 10 to 12 cents per square yard cost to make in United States; so that the cost of making these goods in India, including the duty of 20 per cent, is about one-third of cost to make in United States.

Taking cocoa mats, the average cost of producing these in United States is estimated at 6 to 8 cents per square foot, viz, for cost of making only by American skilled labor.

The proposed duty of 20 per cent ad valorem would mean on the India value of these goods about 1¾ to 2 cents per square foot duty, perhaps somewhat less (if values in India continue to decline). Add to this the cost of making with coolie labor in India not over 1 cent per squar efoot (but rather under this), would make the foreign or India product cost here, duty paid, including India coolie labor, not over 2¾ to 3 cents per square foot, or say about half to one-third of the cost to make in United States, including duty. So it must be plain to you from the foregoing that if this proposed duta of 20 per cent ad valorem on mats or matting is made a law, it can only result in the complete stoppage of this industry in our country.

The benefit of low cost of producing in India these staple articles of household use as imported by our foreign competitors has, however, never been, nor will it ever be, given to the consumer, and these said importers and foreign manufacturers have practically had a monopoly of forty years of this business prior to 1890. It was only when the existing law was enacted that our American mills could in any way compete with the coolie labor of India. Formerly the importers and foreign firms charged fancy prices, while now that these goods are made in the United States the consumer (and these goods are used in nearly every household in this country) gets the benefit of the lower price of door mats and mattings, which is now fully 30 per cent lower than when the said foreign firms had the monopoly of the business, and it was made possible for them to have this under the tariff of 1883 (20 per cent) and prior.

With the present duty of 12 cents per square yard on matting and 8 cents per square foot on cocoa mats, our manufacturers have taken heart and have embarked in the promotion of this industry in the United States, which business has been now so extended that we need no longer look to the natives of India or the cheap labor of Europe to supply us with these commodities.

Should, however, the existing tariff be changed back to where it formerly was (prior to 1890), *i. e.*, 20 per cent ad valorem on this basis, it would be impossible to compete with the India made, or even European convict-made goods, and the importers and foreign manufacturers could safely and easily reduce and regulate their prices for a time sufficient to kill or stifle our newly created industry in this country, and after having done this, again get complete control of this trade for another thirty or forty years, as they formerly did, and on their own terms, unless, indeed, we were to transfer our manufacturing interests to India, and manufacture there; which, taking into consideration that the industry has only gotten on its feet after considerable expenditure of money, labor, etc., based on the existing law, can not very well now be done.

We can not therefore contemplate without serious apprehension such a change as is proposed in the existing tariff on the articles cocoa mattings and cocoa mats, and we ask in fairness, and in the interest of the number of people employed in this business in the United States, that the present rates of duty on cocoa matting, 12 cents per square yard; cocoa mats, 8 cents per square foot, remain as it is. If it must be modified, and can not be left as it is, we pray that the duty be made a specific one of 9 cents per square yard on matting and 6 cents per square foot on cocoa mats.

This would be fully 25 per cent reduction on the existing specific duties, and under this rate it will be barely possible to make these goods in the United States. And since only our foreign competitors have in view the abolition of this duty, and the manufacturing community of this country is vitally interested in its maintenance, the modification proposed of 20 per cent ad valorem would mean, as said before, the complete stoppage of this business in the United States.

Therefore, in view of the various lengthy petitions received from the mills in this country and signed by the numerous working people, as well as the representative citizens of the various cities and towns in this Union, we would most respectfully submit this matter for your careful consideration, believing that you will do our American interests and the working people engaged in this business justice, and protect them against the India coolie labor.

Yours, respectfully,

JOHN W. GREENE.

Representing United States manufacturers as set forth in the various petitions as signed by them from Ohio, Pennsylvania, New York, Massachusetts, etc.

The article known as floor matting manufactured from round or split straw, including what is commonly known as "Chinese or Japanese matting," is, we believe, not made in this country at all. It has been proposed in paragraph 356 to classify these cheap straw mattings and the heavy substantial cocoa door mats and matting alike. There is, however, no similarity whatever. Our domestic cocoa matting and mats needs adequate duty against the coolie labor, while the straw matting can evidently only be made profitably by coolie labor of India and China.

That is the statement in behalf of the manufacturers. I now desire to read and put into the RECORD a statement made in behalf of the workingmen engaged in this industry, signed by D. J. Curnen, ex-president of the Mat Workers' Protective Association, of 319 Plymouth street, Brooklyn:

BROOKLYN, N. Y., *June 9, 1894.*

DEAR SIR: In their own defense the workingmen of the cocoa mats and matting industry respectfully present the real facts regarding the condition of their small industry and beg your kind consideration in their behalf as American citizens.

The petition submitted asking for a reduction of duty on the above-named articles contains many misrepresentations which we are in our own defense obliged to expose and contradict, a review of which shows the purpose of this old firm of importers; that purpose is a reduction to the old rate, 20 per cent, which they enjoyed for such a long period it has enabled them to become very wealthy at our expense.

We were obliged for a long time to witness shiploads of their coolie-made goods landed here in an unfinished condition, finished here, and placed on the market, and we had to remain idle half our time.

They wish to resume and continue this state of affairs, and in justice to us and our families, you should not permit them by giving them the desired reduction.

The firm of Darragh & Small claim to be the largest American manufacturers. There is no factory in Brooklyn or elsewhere in the United States run under that firm name; the factory to which they refer is that of Jos. Wild & Co., in which, from their manner of doing business, we believe they have some slight interest or private understanding.

They claim they employ upwards of 200 men; the fact is, there are not 100 employed, and near all of them have been for a long time on three and four days a week and some on less.

In the face of this condition of affairs they claim their cooly-made goods does not compete with the American-made goods; they claim their imported matting is peculiar in make and superior in quality and can not be produced here. The fact is, all the grades are made here and of better workmanship, as our facilities are far in advance of that of India, but of late years they have taken steps to increase and perfect their facilities by sending on their skilled foremen and improved machinery to better train the coolies.

They claim that only the labor of eight workmen is involved; the fact is, about five hundred is involved and we are entitled to consideration instead of a few wealthy importers who care nothing for the suffering they may bring to men who have devoted all their lives to the business.

They claim their imported matting sells for 70 cents a yard; the fact is, it has been offered for 38 cents a yard. The same quality made by us sells for about 55 cents a yard. We submit the comparative cost of production in the two countries. A roll of best cocoa matting made in India: Weaving, 2 rupees or 70 cents; general labor, 30 cents; total, $1. Same in United States: Weaving, $2.95; general labor, $3.15; total, $6.10. One dozen best quality mats made in India, 6½ cents each, total, 75 cents. One dozen best quality mats made in United States, 51 cents each; total, $6.12. Total cost of a roll of India matting, $9; freight, $2; duty, $1.80 ad valorem; total, $12.80. Total cost of same quality made in United States, $17.80. Total cost of one dozen best quality mats made in India, $5.80. Total cost of one dozen best quality mats made in the United States, $12.51.

Thus you can see at once why they want to manufacture in India, where labor can be hired for 3 cents to 10 cents a day. This trifling cost of labor is why they want the duty reduced. You may think it is impossible for the native coolies to live on this small sum. The reason they do so is that they have no ambition but merely to live; their food consists of rice and native fruits, which grow there in abundance.

The importers who have petitioned for the reduction know fully the sad condition of prices in the market, made so by their cooly goods and the goods made by convict labor in the penitentiaries of Pennsylvania and New Jersey, which we have been fighting against for nine years past and during which time we were obliged to submit to short time and very short wages.

The fact that they want a reduction proves they are willing to pay 20 per cent duty and yet underbid convict labor.

Do not give the importers an advantage that would give them the market and place us idle and in want.

Equalize the cost of labor in India and the United States. This will do us justice, and justice is all we ask. The rate in the present law about enables our employers to compete with the cooly goods; please let it stand.

A reference to the large importations of cocoa mats and mattings under the low rate previous to present law, confirm the facts we submit to you. That the rate in the present law is not too high is proved by the amount imported under it.

We appeal to your sense of common justice not to put us on a par with coolies of India.

Hoping to see your name recorded in our favor, on behalf of my fellow-workmen of the cocoa mats and matting industry.

Most respectfully, yours,

D. J. CURNEN,
Ex-President Mat Workers' Protective Association,
319 Plymouth Street, Brooklyn.

Hon. HENRY C. LODGE.

Mr. President, that is the case as stated by the manufacturers and by the workmen employed in this industry. They are obliged to face this cooly competition. If this duty goes into effect a few firms here will export American machinery to India, and will there make these cocoa mats and matting at the prices of Indian labor, which is anywhere from 6 to 14 cents a day; and with that they will take complete control of this market; there will be no domestic competition and no check upon them; there will be no advantage, in the long run, to the consumer, but these men will be cut out of their industry; their employment will be taken from them.

If all industries had been treated alike in this bill, I should not think of making this argument in behalf of the cocoa mat and matting makers, because I am only too well aware that a small number of Northern workingmen engaged in an industry of this kind have no claim for regard in this bill. But when I see some of the protection that is given to other industries in the bill, I can not imagine why these men should not have the same chance. I yesterday referred briefly to the matter of the duty on matches. It is not a large industry. It is in a close trust. I think there is a firm in Maine, one in Massachusetts, one in Brooklyn, one in Detroit.

The duties in the McKinley act were supposed to be high, amply protective duties, and yet I find from this circular which is supplied to us by an importer—and importers are generally considered by the Democratic party as the best authorities on American industries—that the duties on matches have been raised with a single exception over all the McKinley rates. I find that the large Tiger match, as it is called, has the same duty; the small Tiger match is slightly decreased; the large safety match has an increase of 100 per cent over the McKinley act; the wax matches in their different grades range from 300 to 500 per cent increase over the McKinley rates. I will print this circular with my remarks to illustrate it more in detail.

MATCHES IN THE WILSON BILL.

It being generally understood that the new tariff bill had been framed with a view of reducing the duties which are now being enforced under the McKinley tariff, we beg most respectfully to submit to your honorable committee that under Schedule N 324 of the Wilson bill, or of the bill now under consideration in the Senate, if passed in its present form, matches (excepting the lowest grades, which remain taxed about the same) would be subjected to an increase of duty ranging from 100 per cent to 500 per cent as compared to present duties.

The effect would be that only the very cheapest and commonest kind of matches could in future be imported, which would be disastrous to our interests, for it would prevent us altogether from importing the higher grade wax matches, which we have introduced into this country at considerable expense and trouble, and which are not manufactured here to any extent.

As we have every reason to believe that the proposed increase in the duty on matches was quite unintentional and caused by the change from the specific to ad valorem system, we take the liberty of placing before you the relative duties on such lines as we are in the habit of importing most extensively, which will show that while there is no reduction made under the new tariff, in nearly all cases the duties have been raised, in some instances over 300 per cent over and above the rate chargeable under the McKinley bill.

Begging your honorable committee to give this matter your favorable consideration, we are,

Yours very truly,

S. HOFFNUNG & CO.,
Agents for Messrs. Bryant & May, Limited, London, England.

Comparative statement of duties on the most popular styles of Messrs. Bryant & May's matches.

Bryant & May's—	Factory cost.	McKinley duty.	Proposed duty.	
Large Tiger matches	$2.75	$0.54	$0.55	Duty same.
Small Tiger matches	.44	.10	.08	Slightly decreased.
Large safety matches	1.00	.10	.20	Increase 100 per cent.
Wax matches:				
1,000	17.00	1.22	3.40	Increase nearly 300 per ct.
500	9.00	.52	1.80	Increase over 300 per cent.
"Sportsman"	2.62	.10	.52	Increase over 500 per cent.
Advertising	1.75	.10	.38	Increase over 300 per cent.
Lips	1.30	.10	.26	Increase over 250 per cent.
Flamers	1.68	.10	.33	Increase over 300 per cent.
Tiny	.60	.10	.12	Increase 20 per cent.

MATCHES IN THE WILSON BILL.

We find that schedule N 324 in the proposed new tariff bill reads as follows: "Matches, friction or lucifer, of all descriptions, 20 per cent ad valorem," which may have been intended as a reduction of the McKinley tariff, but which we desire to point out will have just the opposite effect. Schedule N in the McKinley bill reads as follows: "Matches, friction or lucifer, of all descriptions, per gross of 144 boxes, containing not more than 100 matches per box, per gross 10 cents; when imported otherwise than in boxes containing not more than 100 matches each, per thousand matches 1 cent."

To illustrate, we will therefore first consider matches packed in boxes containing less than 100 matches, and afterward those packed in boxes containing more than 100 matches. The above indicated change cause a reduction only on such goods which cost at the factory in a foreign country 50 cents per gross boxes or less, if such matches are packed in boxes containing less than 100 matches per box, as 20 per cent of 50 cents is 10 cents, so that in this case the proposed ad valorem and the now levied specific duty would be the same.

On all matches, packed in boxes containing not more than 100 matches per box, costing more than 50 cents in a foreign country, the new ad valorem duty of 20 per cent will be higher than the old specific duty of 10 cents per gross. To illustrate this, we beg to mention that we import very largely a very superior wood safety match packed in boxes containing less than 100 matches, the average number of matches in a box being 73, which costs at the factory 1s. or $1, on which the duty to-day is 10 cents. The proposed new law would increase this duty to 20 cents, or 100 per cent, and would seriously interfere with, if not entirely stop, the importation of this line.

It is, however, the high-class article of wax matches which would be most affected by the proposed change in the tariff, as they are considerably better and more expensive than the wood matches. We ourselves import about twenty different styles of wax matches, nearly all of which are packed in boxes containing less than 100 matches, as we find that matches are transported more safely if only a comparatively small number is packed in a box; most of our styles are packed, some in wood, some in tin boxes, containing from 30 to 50 wax matches per box. Of all these wax matches packed as just described, there is not one single style which costs at the factory in England less than 2s. 6d.—60 cents—per gross boxes, and they run as high as 14s., or about $3.50 per gross boxes.

These two prices are at present about the lowest and highest market values at the factory in England for the high-class grade of wax matches packed in boxes containing not more than 100 matches per box which we import; and all these goods now pay duty 10 cents per gross boxes. You will see that a change to 20 per cent ad valorem would mean an increase of the duty to 12 cents on the cheapest lines, and to 70 cents per gross on the highest-priced goods, where to-day the duty is only 10 cents per gross boxes on all the lines. If this proposed 20 per cent ad valorem duty on the goods above described should become a law it would stop their importation altogether and entirely ruin our trade and business, for the building up of which we have spent much time and large sums of money. We have no doubt that it is not and has not been the intention of the framers of the tariff bill to increase duties out of all proportion and to stop importation, as we understand the general purpose and intent of the bill to be to reduce duties wherever possible.

We now come to consider the matches described in the McKinley bill, Schedule N, as follows: "Imported otherwise than in boxes containing not more than 100 matches each;" that is, matches packed in boxes each containing over 100 matches. The wood matches imported containing more than 100 matches in a box are usually packed in boxes containing about 380 to 400 matches, and are known in the trade as "Nominal 500's." There are also imported boxes containing about 200 and 300 matches, though not to a very large extent. The duty on the so-called "Nominal 500's" under the present law is between 50 and 60 cents per gross boxes (1 cent per thousand matches). The value of these matches at the factory is about $2.50 to $2.75 per gross boxes, so that the proposed duty of 20 per cent ad valorem on these goods would be between 50 and 60 cents, or about the same as the present specific duty.

In wax matches, however, which are largely imported in boxes containing about 350, as well as in boxes containing about 850 matches (known to the trade as nominal 500's and nominal 1,000's respectively), the difference between the present specific duty and the proposed ad valorem duty is enormous. Under the present tariff the two kinds mentioned pay a duty of about 53 cents and $1.22 respectively. The value of the nominal 500's wax matches at the factory in England is from $8 to $9 per gross. The duty on these under the proposed law would be $1.60 to $1.80, or an increase of over 300 per cent in duty. The value of the nominal 1,000's wax matches at the factory in England is from $15.50 to $17 per gross, and the duty on these un-

der the proposed law would be $3.10 to $3.40, or an equally large increase, viz, 300 per cent.

It is evident from these figures that such an enormous increase in the duty would absolutely do away with the importation and consumption of wax matches, for which after years of labor and considerable outlay we have succeeded in creating a demand; we may also mention that these goods are not manufactured in this country to any great extent.

We trust that the committee on the new tariff bill may in justice to existing interests such as ours, see fit to fix the duties on wood and wax matches on a basis at least as favorable as those at present in force (under the McKinley tariff), which puts a duty of 10 cents per gross boxes on matches packed in boxes containing less than 100, and of 1 cent per thousand on matches packed in boxes containing more than 100 in a box.

S. HOFFNUNG & COMPANY,
Sole agents for the United States and Canada for Messrs. Bryant & May, Limited, London.

The point I wish to make is that here is this increase given on the production of an article of such common consumption as matches. I am not prepared, as a protectionist, to question that it is necessary. I have no desire to break down or injure the match industry in this country, but I do say that the distinction to be drawn between the men who make matches and the men who make cocoa mats or clay pipes is to me wholly indefensible.

Mr. HILL. Mr. President——

The PRESIDING OFFICER (Mr. VILAS in the chair). Does the Senator from Massachusetts yield to the Senator from New York?

Mr. LODGE. Certainly.

Mr. HILL. Do I understand the Senator from Massachusetts to say that there are numerous articles in the bill now before the Senate whereon the duties have been increased from those in the McKinley act?

Mr. LODGE. I took the figures from the circular of S. Hoffnung & Co., agents for Messrs. Bryant & May, limited, of London, England, which I suppose was sent to every Senator. They are the great match manufacturers of England. They gave a statement of the duties imposed. The table is on the second page, and they give the duties in cents, showing the actual rise by the 20 per cent ad valorem imposed by the pending bill. They involve apparently a very large increase in the case of wax matches, although they keep the same rates as the McKinley rates on wooden matches with one single exception, where there is a slight decrease.

Mr. President, the point I make is not that these rates are excessive. I dare say that the committee, in their further inquiry, have found that it is necessary to give just that protection on matches in order to properly protect the persons engaged in the industry and to guard them against a competition which they can not stand. The nature of that competition was pointed out yesterday by the Senator from Maine [Mr. FRYE]. I have no question of the exactness of his figures. I do not quarrel with any proper protective rates that the committee put on, but I do say that it is absolutely unfair to give this protection to a small number of match companies which have their factories in Maine, Massachusetts, Delaware, and Michigan, and their workingmen, and then absolutely destroy the industry of the matmakers and makers of cocoa mats and matting by throwing this market open to the control of the importers of cooly-made goods.

The same injustice exists in the matter of clay pipes, where the result could not be any increase to the consumer and where our industry is destroyed by the rates imposed in the present bill. If it is just to give to the match-makers the protection which the bill affords, then it is simple justice to give the same protection to all the other small industries. This picking out of one industry here and there and giving it all it desires and cutting down on all sides of it industries equally deserving, is something which can find no defense either in the doctrine of free trade or in the doctrine of protection.

I ask leave to modify my amendment by making the rates 9 and 6 instead of 12 and 8. I have reduced them to the very lowest line under which the manufacturers and workingmen say it is even possible for them to exist, and in that form I ask for a vote on the amendment.

The PRESIDING OFFICER. The amendment will be modified as suggested.

Mr. VEST obtained the floor.

Mr. PLATT. May I ask the Senator from Massachusetts a question before the Senator from Missouri proceeds?

Mr. VEST. Certainly.

Mr. PLATT. Did I understand the Senator from Massachusetts in his statement to claim that putting Chinese matting on the dutiable list would in any way interfere with the manufacture of the persons whom he represents?

Mr. LODGE. These matting-makers state that the Chinese matting, which it is proposed to take from the free list and put on the dutiable list, is not made in this country at all. I do not know whether they are correct in that statement. It does not interfere with them or their product in the least. It is only the cocoa mats and matting with which they are concerned. They now have a specific rate on those articles.

Mr. PLATT. They would have no objection, then, to placing the Chinese matting on the dutiable list?

Mr. LODGE. They do not care whether it is on the dutiable list or the free list. It does not affect their industry.

Mr. PLATT. Will the Senator from Missouri allow me a few moments further?

Mr. VEST. Certainly.

Mr. PLATT. I do not like to talk about anything in this connection as to which I am not thoroughly informed; but a manufacturer in Connecticut, a Democratic friend of mine, undertook the manufacture of a matting in this country to come in competition with the Chinese matting, using certain American weeds or grasses not now utilized, and there being no duty upon it, he found it was impossible for him to succeed. He always thought that with a moderate duty on Chinese matting he could succeed and produce from American materials a matting which would serve the same purpose as Chinese matting.

It is, perhaps, some six months ago that he told me he had to abandon his business because he found that he could not compete with Chinese matting, which came in free, but he felt that if there were a reasonable duty upon it he could compete with it and produce as good matting as the Chinese matting. I simply make this statement, not understanding very much about the matting business. The instance I have stated, however, is a matter which is within my personal observation.

Mr. VEST. Mr. President, I stated yesterday on behalf of the committee that we were entirely willing that Chinese matting should go back to the free list. It is a very cheap article and is used largely now in this country. We saw no reason, under the arguments made by the Senator from Rhode Island and others, why it should not go back to the free list, and we adhere to that opinion.

Now, I wish to say a few words in regard to what the Senator from Massachusetts [Mr. LODGE] so persistently and energetically advanced to-day. The McKinley act put 71 per cent duty upon cocoa matting, which for twenty years before that time had borne a duty of 20 per cent ad valorem. We put 20 per cent on cocoa matting and 20 per cent upon matches.

All this agitation about the increase of the duties upon matches above the rates in the McKinley act comes from the fact that under the ad valorem of 20 per cent upon the higher-priced matches known as wax matches, and only used by the rich and luxurious classes, the ad valorem is higher than the specific under the McKinley act. Upon the common matches, which are used by the large body of the people, there is no advance in duties at all. It would be preferable, perhaps, if the duty were smaller, but the allegation (and that is the intent of all these statements) that the duties upon ordinary matches which go so generally into consumption have been put up, is not true.

Mr. LODGE. Will the Senator from Missouri allow me to ask him a question?

Mr. VEST. Certainly.

Mr. LODGE. Does the Senator from Missouri class the wooden safety match as an ordinary match in common use? The Senator was speaking of common matches as distinguished from wax matches.

Mr. VEST. As a matter of course these matches are very cheap and go into ordinary use. Everybody's experience will bear out the suggestion.

Mr. LODGE. On the wax match the duty has been doubled.

Mr. VEST. One rarely sees these wax matches. They are used by ladies, possibly, in their boudoirs, or by some dude in his dressing room.

Mr. FRYE. Oh, Mr. President, they are used by a poor fisherman like me.

Mr. VEST. I might make an issue with the Senator on that point. I should not say he is a poor fisherman, because I know he is a good one. But I merely mean to say, without making any strict issue with the statement of the Senator from Maine, that we do not use these wax matches. In the West one does not see them. The safety matches are generally used, and the common matches, which are now sold generally at 1 or 2 cents a box, and can be found anywhere, in any country store. Those are the matches, in which our people are interested. We have not advanced the duty upon them. We have attempted to make the duty equal by putting 20 per cent upon both articles.

But, Mr. President, I do not want to take time. I wish to call the attention of the Senator from Massachusetts, however, to a communication which is found on page 1191 of the testimony before the Ways and Means Committee of the House of Representatives. The communication is from the largest cocoa-matting manufacturers in the United States, Danagh & Smail. They state that they are the largest manufacturers; that they employ over two hundred hands; that the duty ought to be 20 per cent;

that there is no reason for advancing it; that the duty under the McKinley act is excessive and monstrous; and they asked the committees of the two Houses to put this article at 20 per cent ad valorem, and we complied with their wishes.

Mr. LODGE rose.

Mr. VEST. I yield to the Senator from Massachusetts.

Mr. LODGE. I merely wish to say about Mr. Small, that the Senator from Missouri evidently did not listen to the statements which I read. They controvert that precise petition. It is against that that these arguments are directed. They say that Mr. Small employs only one hundred men, and only for a portion of the time; that he is an importer of matting, and that the manufacturing part of his business is small. The other manufacturers and workingmen protest against it as being in his interest as an importer to bring in these goods. They protest against it on the ground that he has petitioned for it.

Mr. VEST. I only know that Danagh & Small are the largest manufacturers of these goods in this country. My experience leads me to adhere strictly to the rule that when manufacturers ask for a reduction of duty which is against their ordinary interest, it should receive the largest weight with the framers of a tariff bill who believe that the burdens should be lessened upon the consumers as far as can be done.

The Senator from Massachusetts says these statements are not true, and he quotes other manufacturers. These are reputable people. The Senator from New Jersey [Mr. SMITH] knows them. I have some private letters from them addressed to their Senators in which they combat the position of the Senator from Massachusetts, and reiterate the statement that 20 per cent is enough. They do not ask for any more. They had 20 per cent for twenty years prior to 1890, and they say that since the McKinley act went into effect their business has fallen off. They would rather have a duty of 20 per cent, and I am entirely willing to give it to them, for I think it is in the direction in which legislation ought to go.

Mr. LODGE. I have no doubt that the business of the firm referred to has fallen off. They bring over here from India a matting partially made, nearly completed, and have it completed here. Their principal business is that of importers. Of course these patriots want the duty reduced.

Mr. VEST. Does the Senator from Massachusetts say this statement is false?

The undersigned, the largest manufacturers——

Mr. LODGE. I say it is contradicted by all the other manufacturers and by all the workingmen employed, who took up this very point and discussed it.

Mr. VEST. They say they employ two hundred hands.

Mr. LODGE. Those persons say this proposed change is in the direct interest of this large firm and it takes from them their employment.

Mr. VEST. It is impossible that they could be anything but the worst sort of falsifiers if they are simply importers. They employ two hundred hands.

Mr. LODGE. I did not say they were simply importers. I said they brought these things in from India partially completed and complete them here, which gives very limited work to only about half the number of workingmen they claim to employ. The workingmen state that the employment is for only three or four days in a week on the average. Of course, it is to the interest of this firm to get their imported matting in as cheaply as they possibly can.

Now, on the matter of matches I do not want to be thought to have misstated the rates. On the large Tiger match, as it is called, which is a wooden match in common use, the duty under the McKinley act is 54 cents a gross; the proposed duty is 55 cents a gross. On the small Tiger match, also in common use, a wooden match, the McKinley duty is 10 cents, the proposed duty is 8 cents. That is the only duty in which there is a reduction. It is a reduction from 10 cents to 8 cents. On the large safety match, which is a match in common use, and also a wooden match, the duty is 10 cents under the McKinley act and 20 cents under the proposed law.

All the wax matches, as the Senator from Missouri admits, are enormously increased in their rates. Those are matches which are very largely used elsewhere, and which are coming here I have no doubt.

As I have said, and I reiterate it, I did not bring this matter in to say that the matchmakers were unduly protected, but to show that the discrimination in favor of one industry and against another, especially in favor of an industry where there is a close trust and against industries where there is none, is very unfair.

Mr. FRYE. Does the Senator from Massachusetts mean to be understood as saying that the duty on the common lucifer match is too high in this bill?

Mr. LODGE. I do not. I have not questioned these rates at all. I simply say that to give an ample and an increased rate on matches, and then deny it to the maker of clay pipes and the maker of cocoa matting, is a gross injustice. The rate ought to be the same on the other articles; that is all.

Mr. FRYE. I tried very hard yesterday to get the duty increased on the common lucifer match, and failed as a matter of course. I find on looking at the RECORD this morning that I was made to say (and very likely I may have said it; I presume I did) that the complaint of my correspondent was against the Senate committee's reduction to 10 per cent. It was not. It was against the original House bill at 20 per cent ad valorem, declaring that that was entirely too low, and that they could not manufacture matches under it. The letter which I read was dated March 11, and therefore it must have referred to the House rate of 20 per cent rather than to the Senate committee's 10 per cent.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Massachusetts.

Mr. LODGE. I ask that the amendment may be read as I have modified it.

The PRESIDING OFFICER. The amendment will be read as modified.

The SECRETARY. Strike out paragraph 356 and insert—

Matting made of cocoa fiber or rattan, 9 cents per square yard; mats made of cocoa fiber or rattan, 6 cents per square foot.

Mr. LODGE. I call for a division on agreeing to the amendment.

Mr. VEST and Mr. JONES. Let us have the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. DOLPH (when his name was called). I am paired with the Senator from Mississippi [Mr. GEORGE]. I will transfer my pair to the junior Senator from Rhode Island [Mr. DIXON], so that the Senator from Mississippi [Mr. MCLAURIN] and myself can vote. I vote "yea."

Mr. GALLINGER (when his name was called). I am paired with the junior Senator from Texas [Mr. MILLS], who is necessarily absent from the Chamber.

Mr. HIGGINS (when his name was called). I announce my pair with the Senator from New Jersey [Mr. MCPHERSON]. If he were present I should vote "yea."

Mr. PALMER (when his name was called). I am paired with the Senator from North Dakota [Mr. HANSBROUGH], and withhold my vote.

Mr. PERKINS (when his name was called). I am paired with the junior Senator from North Dakota [Mr. ROACH]. If he were present I should vote "yea."

Mr. PLATT (when his name was called). I am paired with the Senator from Virginia [Mr. HUNTON], who has been unavoidably called away from the Senate. If he should not come in during the day I will let this announcement stand for the day. I should vote "yea" if he were present.

The roll call was concluded.

Mr. PASCO. I wish to state that the Senator from Georgia [Mr. WALSH] has been called from the Chamber for to-day and is paired with the Senator from Oregon [Mr. MITCHELL].

Mr. GORDON. By an arrangement with the junior Senator from California [Mr. PERKINS] I transfer my pair with the Senator from Iowa [Mr. WILSON] to the Senator from North Dakota [Mr. ROACH] and vote "nay."

Mr. PERKINS. I vote "yea."

Mr. CAMDEN. I announce my pair with the Senator from South Dakota [Mr. PETTIGREW].

Mr. BLACKBURN. I am paired with the Senator from Nebraska [Mr. MANDERSON]. If he were here I should vote "nay."

Mr. PALMER. I transfer my pair to the Senator from Texas [Mr. COKE] and vote "nay."

Mr. DANIEL. I beg leave to transfer my pair with the Senator from Washington [Mr. SQUIRE] to the Senator from New Jersey [Mr. MCPHERSON], so that the Senator from Delaware [Mr. HIGGINS] and myself can vote. I vote "nay."

Mr. HIGGINS. I vote "yea."

The result was announced—yeas 25, nays 33; as follows:

YEAS—25.

Aldrich,	Dubois,	Lodge,	Sherman,
Allison,	Frye,	Morrill,	Shoup,
Carey,	Hale,	Patton,	Teller,
Chandler,	Hawley,	Perkins,	Washburn.
Cullom,	Higgins,	Power,	
Davis,	Hoar,	Proctor,	
Dolph,	Jones, Nev.	Quay,	

NAYS—33.

Allen,	Gorman,	Martin,	Smith,
Bate,	Gray,	Mitchell, Wis.	Turpie,
Berry,	Harris,	Morgan,	Vest,
Caffery,	Hill,	Murphy,	Vilas,
Cockrell,	Jarvis,	Palmer,	Voorhees,
Daniel,	Jones, Ark.	Pasco,	White.
Faulkner,	Kyle,	Peffer,	
Gibson,	Lindsay,	Pugh,	
Gordon,	McLaurin,	Ransom,	

NOT VOTING—27.

Blackburn,	Coke,	McMillan,	Roach,
Blanchard,	Dixon,	McPherson,	Squire,
Brice,	Gallinger,	Manderson,	Stewart,
Butler,	George,	Mills,	Walsh,
Call,	Hansbrough,	Mitchell, Oregon	Wilson,
Camden,	Hunton,	Pettigrew,	Wolcott.
Cameron,	Irby,	Platt,	

So the amendment was rejected.

Mr. SHERMAN. I have already called the attention of the Senators in charge of the bill to the discrepancy between paragraphs 21 and 45, and I should like to have that corrected now. Paragraph 21 imposes a tariff of 20 per cent ad valorem on ink and ink powders, while paragraph 48, which is the general clause, provides for a duty on paints, colors, and pigments from which ink and ink powders are made of 25 per cent ad valorem. Either the 25 per cent in paragraph 48 ought to be reduced to 20 per cent or the 20 per cent in paragraph 21 should be increased to 25 per cent. I called the attention of the Senators having charge of the bill to the matter and I understand they are willing to make the correction. They have not stated which they would prefer.

Mr. VEST. I suppose that the duties upon paints and colors ought to be reduced to 20 per cent.

Mr. SHERMAN. Certainly the articles from which ink is made ought not to be higher than the duty on the article itself. I am assured by a very prominent firm in Cincinnati that this would be very injurious to the manufacturers of ink and ink powders, but they are perfectly willing to pay the same duty for the pigments they use in their work as the duty imposed upon the product they manufacture. If that is the desire of the Senator from Missouri, I move that in paragraph 48 the duty be reduced to 20 per cent.

Mr. VEST. Yes, strike out the word "five," after "twenty," in line 20, page 8.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 8, line 20, in paragraph 48, strike out "twenty-five" and insert "twenty;" as as to read, "20 per cent ad valorem."

Mr. ALDRICH. I have no objection to the reduction on pigments, but we do not want to reduce the duty on all other paints and colors to 20 per cent.

Mr. VEST. That must either be done or else the other duty must be raised. We do not want to raise the duty.

Mr. SHERMAN. My impression is that both clauses produce considerable revenue, and that it would be better to raise the duty, in paragraph 21, to 25 per cent. That would come up to the average rate on all the other articles in that schedule.

Mr. VEST. If the duty in paragraph 21, on page 4, should be raised it would read:

Ink and ink powders, printers' ink, and all other inks not specially provided for in this act, 25 per cent ad valorem.

Mr. SHERMAN. That would be a handsome duty.

Mr. VEST. We do not want to make that increase. We think that duty is high enough already.

Mr. SHERMAN. My impression is that the present duty on both items is 30 per cent, and if it is reduced it ought to be reduced either to 25 or 20. I think it would be better for revenue purposes to make it 25. It is a duty that affords revenue on this article now.

Mr. VEST. I sugggest to the Senator from Ohio to let his first suggestion obtain.

Mr. ALDRICH. We shall have to resist that very strenuously, because it would not only reduce the duty on pigments that go into the manufacture of ink, but it would make a reduction on all paints and colors. It is the basket clause of the paint and color schedule.

Mr. VEST. I understand that. We can either do that or make a separate paragraph and say:

Upon all pigments used in the manufacture of ink or ink powders, 20 per cent ad valorem.

Mr. ALDRICH. I have no objection to that proposition.

Mr. ALLISON. Then put it in paragraph 21.

Mr. SHERMAN. I am willing to accept that. The only point is that I am informed the manufacturers of printers' ink import certain oils that are not produced in this country. I do not know what the nature of them is. It extends to oil, but the pigments are the principal thing they use in the manufacture of ink.

Mr. ALDRICH. The suggestion of the Senator from Iowa I think would be better, to add to paragraph 21:

Pigments used in the preparation of ink and ink powders, 20 per cent ad valorem.

Mr. ALLISON. Paragraph 21 would then read:

Ink and ink powders, printers' ink, and all other ink not specially provided for in this act, and pigments used in the preparation of ink and ink powders, 20 per cent ad valorem.

Mr. ALDRICH. That is right.

Mr. VEST. I have no objection to the amendment in that form.

Mr. SHERMAN. I suppose it would be better, but it would be very difficult for the customs officers to say what pigment was introduced for that purpose. I suggest to the Senator from Missouri to put up the rate in paragraph 21 to 25 per cent now, and he will have it in power at any time to correct the matter.

Mr. ALLISON. That is better, because then it will leave paragraph 21 open to adjustment afterwards. As paragraph 21 is now, it could not be changed.

Mr. SHERMAN. I hope the Senator from Missouri will agree to a duty of 25 per cent.

Mr. VEST. Of course it will have to be settled hereafter. I will agree to 25 per cent in paragraph 21. We can adjust it either in the Senate or in conference.

The PRESIDING OFFICER. If there be no objection, paragraph 21 is considered as amended by the insertion of the word "five" after "twenty" in line 20. The amendment to paragraph 48 is withdrawn, the Chair understands.

Mr. SHERMAN and Mr. VEST. It is withdrawn.

Mr. ALLISON. As we are making corrections, I ask the attention of the Senator from Arkansas to paragraph 190, on page 43. I understand the committee have made a further examination of the proviso in paragraph 190. I ask the Senator from Arkansas to modify that paragraph by striking out "but each of the above products," etc., beginning in line 15, down to and including the words "United States," in line 18.

Mr. JONES of Arkansas. The committee will agree to that amendment.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In paragraph 190, line 15, after the word "ad valorem" strike out—

but each of the above products shall be admitted free of duty from any country which imposes no import duty on the like products when exported from the United States.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Iowa.

The amendment was agreed to.

Mr. ALLISON. Now, I ask the Senator from Arkansas to turn to page 45, and on line 4, perhaps after paragraph 198, to insert as a new paragraph, 198½:

Eggs, 3 cents per dozen.

Mr. JONES of Arkansas. We will agree to that amendment also.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. Insert as a new paragraph on page 45, before paragraph 199:

198½. Eggs, 3 cents per dozen.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Iowa [Mr. ALLISON].

The amendment was agreed to.

Mr. GALLINGER. Yesterday, at my request, paragraph 308, page 77, was passed over, and I ask that it be now considered.

The PRESIDING OFFICER. The paragraph will be read.

The Secretary read as follows:

308. Parchment papers, surface-coated papers, and manufactures thereof, cardboards, lithographic prints from either stone or zinc, bound or unbound (except illustrations when forming a part of a periodical, newspaper, or in printed books accompanying the same), and all articles produced either in whole or in part by lithographic process, and photograph, autograph, and scrap albums, wholly or partially manufactured, 25 per cent ad valorem.

The Committee on Finance reported to amend the paragraph by striking out "twenty-five" and inserting "thirty;" so as to read, "30 per cent ad valorem."

Mr. JONES of Arkansas. I move to strike out the entire paragraph and insert what follows in lines 6, 7, 8, and 9.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. Strike out paragraph 308 and insert:

Parchment papers, and surface-coated papers, and manufactures thereof, cardboards, and photograph, autograph, and scrap albums, wholly or partially manufactured, 30 per cent ad valorem.

Mr. JONES of Arkansas. I also move to add what I send to the desk, both provisions to constitute paragraph 308.

The PRESIDING OFFICER. The residue of the amendment of the Senator from Arkansas will be read by the Secretary.

The Secretary read as follows:

Lithographic prints from either stone or zinc, bound or unbound (except cigar labels and bands lettered or blank, music, and illustrations when forming a part of a periodical or newspaper and accompanying the same, or if bound in or forming part of printed books), on paper or other material not exceeding eight-thousandths of an inch in thickness, 20 cents per pound; on paper or other material exceeding eight-thousandths of an inch and not exceeding twenty-thousandths of an inch in thickness, and exceeding 35 square inches cutting size in dimensions, 8 cents per pound; prints exceeding eight-thousandths of an inch and not exceeding twenty-thousandths of an inch in thickness, and not exceeding 35 square inches cutting size in dimensions, 5 cents per pound; lithographic prints from either stone or zinc on cardboard or other material exceeding twenty-thousandths of an inch in thickness, 6 cents per pound; lithographic cigar labels and bands, lettered or blank, printed from either stone or zinc, if printed in less than ten colors, but not including bronze or metal leaf printing, 20 cents per

pound; if printed in ten or more colors, or in bronze printing, but not including metal leaf printing, 30 cents per pound; if printed in whole or in part in metal leaf, 40 cents per pound.

Mr. GALLINGER. Mr. President, the paragraph relating to lithographic prints is entirely satisfactory to me, and I believe it has been agreed upon by the parties in interest. It is especially satisfactory for the reason that it recognizes the principle of specific duties. The paragraph relating to parchment and surface-coated papers I should like very much to have amended, so as have specific rates substituted for ad valorem, as has been done in reference to lithographic prints. With that end in view, I move to strike out the words "thirty per cent," at the close of that paragraph, and insert the words "five cents per pound." I desire to be heard briefly on the amendment.

The PRESIDING OFFICER. The amendment proposed by the Senator from New Hampshire will be stated.

The SECRETARY. In line 8, paragraph 308, it is proposed to strike out "30 per cent ad valorem" and insert "5 cents per pound."

Mr. GALLINGER. Mr. President, I have here a memorial of the manufacturers in this country of parchment and surface-coated paper, which I desire to put in the RECORD. The first part of it is an argument in favor of dividing the schedule. As the committee has divided the schedule, making lithographic prints a separate item, I shall omit reading that part of the memorial, but will have it inserted as a part of my remarks.

The memorial is as follows:

To the CHAIRMAN OF THE FINANCE COMMITTEE,
United States Senate, Washington, D. C.:

SIR: We, the undersigned, manufacturers of surface-coated papers and cardboards, representing an invested capital of $5,000,000 and giving employment to 3,000 American workmen at fair and commensurate wages, respectfully urge your honorable body to change paragraph 308, Schedule M, of the tariff bill, recently passed by the lower House of Congress, as follows:

"Parchment papers, surface-coated papers, and manufacture thereof, cardboard, 5 cents per pound"—

thereby separating the above manufactured goods from lithographic prints, etc., as our manufactures do not stand in any relation to these works of art, though they may be executed on paper, which, however, represents only a minimal part of the value of these art productions.

We further desire this separation on the grounds that surface-coated papers and cardboards are of sufficient importance to be treated separately in the tariff.

The tariff bill, just passed by the House, proposes to reduce the duty on our products from 35 per cent ad valorem to 25 per cent ad valorem, a reduction of almost 30 per cent, which we consider extremely unjust and inequitable, inasmuch as this same tariff does not afford us an equal relief on our raw materials. This is quite evident if your honorable body will kindly refer to—

Schedule A, relating to chemicals, oils, and paints.

Paragraph 17, glue, leaves the present duty of 25 per cent ad valorem at the same rate.

Paragraph 36, blues, such as Berlin, Prussian, and Chinese blue, etc., the present rate of duty of 6 cents per pound is maintained at the same rate.

Paragarph 46, all other paints and colors and pigments, etc., the present duty of 25 per cent ad valorem is also left undisturbed.

It appears, therefore, that while under the new tariff our product is to be reduced almost 30 per cent, the main raw materials are left at the old high rates, thus not affording the American manufacturers any relief whatsoever.

It is further a well-known fact that under the present rate of duty on surface-coated papers and cardboards at 35 per cent, no protection is afforded to the American manufacturer, as may be seen from the records, which will show that the importations of surface-coated papers have steadily increased from year to year, until the present time. We find that ordinary surface-coated papers are brought to this market and are here sold with a fair profit to the importer at less than they cost to produce in the United States. The main reason for this state of affairs is to be looked for in the difference of wages paid to our workmen as compared with those paid in Europe.

The following is a schedule of wages paid:

	In United States.	In Europe.
Ordinary workmen, per week	$9.00	$2.50
Machine tenders, per week	14.00	4.42
Foreman, per week	21.00	7.20

The difference in wages paid here and in Europe is almost four times greater.

We request your honorable body further to change the proposed ad valorem duty to a specific one, as it is well known that manufacturers in Europe have been and still are sending their product to this market at less than their regular prices. While the German and Belgian manufacturers have formed a trust to sell surface-coated papers at 8 marks, or 9.60 francs, in England, these same manufacturers, or this trust, send the very same goods to this market at 5.85 marks per ream. It is impossible for the custom-house examiner to know of such facts, and furthermore it is impossible for him to determine the actual value of these foreign products.

We could produce evidence that very similar-looking papers vary quite considerably in price, and that it is impossible to determine the actual value of these papers unless they are submitted to an expert. It is, however, a well-known fact that unscrupulous importers have taken advantage of these difficulties and have fraudulently undervalued their importations.

For this reason, we would respectfully urge your committee to change the duty on our products to a specific duty of 5 cents per pound.

Schedule M, paragraph 306, would then read:

"Parchment papers, surface-coated papers, and manufactures thereof, card boards, 5 cents per pound.

"Lithographic prints," etc., etc.

We hope we have been able to prove to your committee—

First, that in the new tariff, as passed by the House, surface-coated papers have been unjustly discriminated against.

Secondly, that an ad valorem duty does not afford sufficient protection to the United States against fraud.

We therefore hope that you may consider our proposition favorably, but if it appears impracticable to make such a change at present, we would request that the duty on surface-coated papers be left at the present rate of 35 per cent ad valorem, as this is hardly sufficient to cover the difference in labor between the United States and Europe.

Doty & Scrimgeour, New York; Walther & Co., New York; J. B. Kaiser, New York; Louis Dejonge & Co., New York; Western Coated Paper and Card Company, Chicago, Ill.; Rhode Island Card Board Company, Pawtucket, R. I.; Linton Bros. & Co., Pawtucket, R. I.; Champion Card and Paper Company, Pepperell, Mass.; Holyoke Card and Paper Company, Springfield, Mass.; Whitmore Manufacturing Company, Holyoke, Mass.; Pawtucket Glazed Paper Company, Pawtucket, R. I.; Hampden Glazed Paper Company, Holyoke, Mass.; New England Card and Glazed Paper Company, Springfield, Mass.; Albany Card and Paper Company, Albany, N. Y.; Faluiah Paper Company, Fitchburg, Mass.; Nashua Card and Glazed Paper Company, Nashua, N. H.; E. G. Locke, Camden, N. J.; Cashin Card and Glazed Paper Company, Springfield, Mass.; Niagara Glazed Paper Company, Niagara Falls, N. Y.; Springfield Glazed Paper Company, Springfield, Mass.

These memorialists represent, as I understand, almost the entire manufacturing interests in this line in the United States. I think these gentlemen have made a good argument in favor of a specific duty in preference to an ad valorem duty, and an inquiry made satisfies me that 5 cents per pound is not an excessive rate. I hope that the amendment may be adopted. I will say that, if it is not adopted, I shall then move an amendment restoring the rate of duty as it is in the existing law.

Mr. PEFFER. I beg to inquire of the Senator from New Hampshire how much his amendment proposes to increase or diminish the rate of duty provided in the bill?

Mr. GALLINGER. I have not been able to determine that offhand. I shall make a little investigation, and perhaps shall be able to answer the inquiry in a few moments.

Mr. PEFFER. I should say, in addition, that my preference is always for specific duties, but I do not wish to increase any of the rates above those provided for in the bill, except upon articles of luxury. Of course, if the Senator's amendment does not increase the rate provided in the bill I have no objection to it.

Mr. GALLINGER. So far as I know, no computation has been made on that point, and I am unable to answer the Senator's question; but I think the rate of 5 cents per pound will be practically the same as proposed by the bill, the chief advantage being that it is specific.

Mr. ALDRICH. Next to the correct application of the principles of equity and consistency to its different paragraphs, I think simplicity is the most desirable element to be sought in the enactment of a tariff. The amendment which is proposed by the committee in regard to photographic and lithographic prints is about as wide a departure from simplicity as it is possible to imagine. I should be very glad to know in what way this schedule is to be enforced, and I should be glad to have some sort of explanation as to what change it proposes in the existing law, and what the effect of these various rates will be.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from New Hampshire [Mr. GALLINGER] to the amendment proposed by the Senator from Arkansas [Mr. JONES].

The amendment to the amendment was rejected.

Mr. GALLINGER. I now move to strike out the word "thirty," and insert "thirty-five;" so that it will read "35 per cent ad valorem;" and I desire to be heard a moment on that.

I find that under a duty of 35 per cent, which is the duty in the existing law, last year there were imported into this country of the classes of papers mentioned in this paragraph $1,855,980 worth, almost $2,000,000. These papers came in from Germany and other countries in competition with American manufacturers under a rate of duty of 35 per cent ad valorem. It does seem to me, in view of that fact, that the proposed cut of 5 per cent from the existing rate will be a very severe blow to the manufacturers of those classes of papers in the United States, and I can not myself understand why it should be made.

The people of New Hampshire have some interest in the manufacture of these papers, as have the people of Massachusetts, Rhode Island, New Jersey, New York, and other of the Northern States. I do not know that I have any grounds upon which to base the hope that the Democratic side will make this concession; but, in the interest of American labor, as well as in the interest of revenue, it seems to me we ought not to disturb the existing law. Perhaps I am incorrect in saying in the interests of revenue, because, if the rate is reduced, I apprehend the importations will be increased to such an enormous extent that possibly we shall get more revenue than we now get, but if we get it, we get it at the expense of the manufacturers and workmen of the United States. I hope the slight concession I ask on this item will be granted, and that the old rate of duty may be retained.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from New Hampshire to the amendment proposed by the Senator from Arkansas.

Mr. GALLINGER. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. GALLINGER (when his name was called). I am paired with the junior Senator from Texas [Mr. MILLS]. If he were present I should vote "yea."

Mr. PALMER (when his name was called). I transfer my pair with the Senator from North Dakota [Mr. HANSBROUGH] to the Senator from Texas [Mr. COKE] and vote "nay."

Mr. PERKINS (when his name was called). I am paired with the junior Senator from North Dakota [Mr. ROACH]. By consent of the senior Senator from Georgia [Mr. GORDON], who is paired with the Senator from Iowa [Mr. WILSON], we will transfer pairs, and therefore I vote. I vote "yea."

Mr. PLATT (when his name was called). I am paired with the Senator from Virginia [Mr. HUNTON]. If he were present I should vote "yea."

Mr. PUGH (when his name was called). I am paired with the Senator from Massachusetts [Mr. HOAR].

Mr. QUAY (when his name was called). I am paired with the Senator from Alabama [Mr. MORGAN]. If he were present I should vote "yea."

The roll call was concluded.

Mr. BLANCHARD. I am paired with the Senator from Michigan [Mr. MCMILLAN]. If he were present, I should vote "nay."

Mr. HARRIS. I wish to state for the day that the Senator from Texas [Mr. COKE] is absent from the Senate because of illness. He stands paired with the Senator from North Dakota [Mr. HANSBROUGH].

Mr. CAMDEN. I again announce my pair with the Senator from South Dakota [Mr. PETTIGREW].

The result was announced—yeas 21, nays 29; as follows:

YEAS—21.

Aldrich,	Dubois,	Morrill,	Shoup,
Allison,	Frye,	Patton,	Teller,
Carey,	Hale,	Perkins,	Washburn.
Chandler,	Hawley,	Power,	
Cullom,	Lodge,	Proctor,	
Dolph,	Manderson,	Sherman,	

NAYS—29.

Bate,	Gibson,	Martin,	Turpie,
Berry,	Gorman,	Mitchell, Wis.	Vest,
Blackburn,	Harris,	Murphy,	Vilas,
Caffery,	Irby,	Palmer,	Voorhees,
Cockrell,	Jarvis,	Pasco,	White.
Daniel,	Jones, Ark.	Peffer,	
Faulkner,	Kyle,	Ransom,	
George,	Lindsay,	Smith.	

NOT VOTING—35.

Allen,	Dixon,	Jones, Nev.	Pugh,
Blanchard,	Gallinger,	McLaurin,	Quay,
Brice,	Gordon,	McMillan,	Roach,
Butler,	Gray,	McPherson,	Squire,
Call,	Hansbrough,	Mills,	Stewart,
Camden,	Higgins,	Mitchell, Oregon	Walsh,
Cameron,	Hill,	Morgan,	Wilson,
Coke,	Hoar,	Pettigrew,	Wolcott.
Davis,	Hunton,	Platt,	

So the amendment to the amendment was rejected.

Mr. ALDRICH. I suggest that the committee amendment be stated.

Mr. CHANDLER. I was about to ask whether the committee amendment on this subject had been adopted?

The PRESIDING OFFICER. The committee amendment as printed in the bill has not been considered. The amendment proposed by the Senator from Arkansas [Mr. JONES] is by way of substitute, to strike out the paragraph and insert:

Mr. CHANDLER. Is it the paragraph which follows, beginning with parchment papers?

The PRESIDING OFFICER. It is, but the second paragraph is different from that as printed on page 78, the Chair will inform the Senator.

Mr. CHANDLER. Then I ask that that may be read, for the purpose of saying something upon the subject.

The PRESIDING OFFICER. The paragraph as proposed by the Senator from Arkansas will be read.

The Secretary again read the amendment as proposed by Mr. JONES of Arkansas.

Mr. CHANDLER. I do not understand that that amendment as now offered has been printed hitherto. It is not the amendment printed on page 78 of the bill, is it?

Mr. JONES of Arkansas. The first paragraph of the proposed amendment, I will say to the Senator, is as printed in the bill on page 78. The subsequent part relating to lithographs has not yet been printed.

Mr. CHANDLER. Mr. President, I rose to congratulate the Senator from Arkansas [Mr. JONES] upon the rapid progress which his committee is making in the application of the principle of protection to American industries. This clause is much more carefully and scientifically constructed than the provisions of the present law. The present law imposes an ad valorem duty upon all these articles of 35 per cent. Ad valorem duties are vicious; ad valorem duties tend to fraud. Discriminating specific duties are of the very essence of a wise system of protection. The system of specific duties is complicated; it is difficult; but all things in human life which are worth anything are difficult. So the principles of protection, the great American principles, the great Republican principles of protection can not be applied to the thousands of complicated industries of the United States without labor, without effort, without scientific study, and without a careful application of those principles.

That has not been done with reference to lithographic prints hitherto. It was not done under the McKinley act; but the Senator from Arkansas and the Senator from Missouri [Mr. VEST] have thrown their minds upon this subject, so that they have carefully classified all the various lithographic prints—class 1, class 2, class 3, class 4—and have given specific rates to these various classes of lithographic work, and they have done it faithfully, patiently, assiduously, and scientifically, and when this bill becomes a law, if it ever does become a law, there will be one species of industry in this country where, thanks to the Senator from Arkansas and the Senator from Missouri, the junior Senator from New York [Mr. MURPHY], and the junior Senator from New Jersey [Mr. SMITH], the provisions relating to it have been correctly, elaborately, and scientifically constructed upon the true principle of protection——

Mr. VEST I am afraid there is something wrong about this amendment. [Laughter.]

Mr. CHANDLER. And not upon ad valorem duties, which lead to frauds, but specific duties. I congratulate the Senators upon the progress they are making. I shall now listen to the Senator from Missouri with pleasure.

Mr. VEST. I say I have great doubt about this paragraph now, after what the Senator from New Hampshire has said about it, and after the laudation by the Senator.

Mr. CHANDLER. I fear I may cause the Senator from Missouri to retract. I have succeeded in that way two or three times, and I have been very successful in developing the principle of give and take, offer and back out, upon which the two Senators have constructed this bill; but, fortified as they are on the one side by the Senator from New Jersey, and on the other side by the Senator from New York, I know they will not back out to-day.

They may back out in the committee of conference, they will not back out here in the Senate. They will not back out under fire, Mr. President, any more than they did when it was demonstrated to them that by postponing the duty on sugar until January 1, 1895, they were giving $35,000,000 as a donation to the sugar trust. They then said: "It will not do to back out under fire; we can withdraw these little amendments if anybody criticises them and asks to have a specific duty applied in some other direction, when it is applied in a direction which meets with favor from the committee; but it will not do to back out here in the Senate now under the charge that the sugar trust is to have $35,000,000 by postponing the sugar duty until the 1st day of January, 1895; we will take care of that in conference."

I rose to congratulate the Senator from Missouri and the Senator from Arkansas. I felt in an amiable frame of mind toward them, and I should have continued so, but for the fact that the Senator from Missouri had interrupted me to make his usual threat of withdrawing the paragraph which is so in accordance with the principles of protection that my heart swelled within me and led me to thank the Senator for the good work that at that particular time he was doing in accord with the principles of protection. That is what I rose to do, and also to say that I can not understand why in the world the two Senators will not apply that same principle to parchment paper.

Why will they not apply it to parchment paper and surface-coated paper and manufactures thereof, and photographic and autographic and scrap albums as well as apply it to lithographic prints? They have improved upon the McKinley act, as I say, in reference to lithographic prints; and lithographic prints, which are pictures, works of art, they propose to let in by a specific pound rate. Parchment papers, surface-coated papers, and photographic papers are to continue to come in under this inferior, this injurious, this pernicious method of an ad valorem system of duty.

Mr. President, in all sincerity and with much love and affection for those two Senators, I ask them why they can not apply this principle of specific duties, carefully discriminated, and scientifically applied to lithographic prints also, so as to protect American parchment papers made by American labor?

Mr. ALDRICH. Mr. President, the principal charge made

against the framers of the act of 1890 was that in the preparation of that act manufacturers were permitted to write the schedules and to fix the rate of duties. That charge was entirely without foundation, but in the particular item now under consideration, I am afraid, if the exact truth were known, it would appear that the manufacturers have prepared this new paragraph.

I can not agree with the Senator from New Hampshire [Mr. CHANDLER] that the Senator from Missouri [Mr. VEST] from his inner consciousness had evolved a scheme providing a difference in rates between papers eight-thousandths of an inch in thickness and twenty-thousandths of an inch in thickness. I think the manufacturers, the lithographers of the United States, must have prepared this schedule. In fact, as I understand, it is in print as a schedule prepared by the tariff committee of the National Lithographers' Association.

I do not object to that. I believe that a Committee of Congress, having these matters in charge, should consult with the people who know most about the business connected with the articles upon which the rates are to be fixed, and I am very glad that the committee have adopted this schedule of the Lithographers' Association. I have no doubt it is a correct one, but I suggest to these Senators that, if this principle was applied all through the bill, we should have a tariff bill of 10,000 pages at least, and one which would require at least 10,000 appraisers to enforce it.

If these minute subdivisions of rates were to be applied to all the thousands and tens of thousands of articles covered by this tariff bill, we should never get through with its consideration, and we should have great difficulty in collecting duties under it.

I feel like joining with the Senator from New Hampshire in congratulating the Senator from Missouri and the Senator from Arkansas upon the progress which they are making in adopting adequate specific rates in these various paragraphs.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Arkansas.

The amendment was agreed to.

Mr. JONES of Arkansas. I ask to go back to paragraph 314, on page 79, in order that I may move the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 79, paragraph 314, line 12, after the word "thirty," it is proposed to insert "five;" and at the end of the paragraph to add "bristles, sorted, bunched, or prepared in any manner, 7½ per cent ad valorem;" so as to read:

314. Hair pencils, brushes and feather dusters, 35 per cent ad valorem; brooms, 20 per cent ad valorem; bristles, sorted, bunched, or prepared in any manner, 7½ per cent ad valorem.

Mr. ALLISON. For convenience, I suggest to the Senator that he make the rate 8 per cent ad valorem, which is only a difference of one-half per cent.

Mr. JONES of Arkansas. Seven and one-half per cent is a reduction of 25 per cent on the present rate.

Mr. ALLISON. I know; but it will be more convenient in computation to make it 8 per cent.

Mr. JONES of Arkansas. There will be no difficulty about Democratic custom-house officers making that computation.

The PRESIDING OFFICER. Does the Senator from Iowa propose an amendment?

Mr. ALLISON. No; I shall not interfere with the Senator's amendment.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Arkansas.

The amendment was agreed to.

Mr. JONES of Arkansas. On page 85, paragraph 347, there was an error made, which I now ask to correct; and for that purpose I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In paragraph 347, line 20, before the word "inches," it is proposed to strike out "fourteen" and insert "seventeen;" in line 21, after the word "over," it is proposed to strike out "fourteen and not over;" and in line 23, after the word "pairs," to strike out "over 17 inches in length, $3.75 per dozen pairs."

Mr. ALLISON. It is proposed to make two classifications instead of three, as I understand.

Mr. JONES of Arkansas. Yes.

Mr. ALDRICH. I should like to have the paragraph read as it will read after being amended as proposed.

The PRESIDING OFFICER. The Secretary will read the paragraph as proposed to be amended.

The Secretary read as follows:

347. Ladies' or children's, of sheep origin, with exterior grain surface removed, by whatever name known, not over 17 inches in length, $1.75 per dozen pairs; over 17 inches in length, $2.75 per dozen pairs; men's, of sheep origin, with exterior surface removed, by whatever name known, $4 per dozen pairs.

The PRESIDING OFFICER. The question is on the amendment.

The amendment was agreed to.

Mr. CHANDLER. There was passed over, when I was not in the Chamber, early in the consideration of this bill, the article of sponges, which is proposed to be reduced by this bill from 20 per cent ad valorem to 10 per cent ad valorem. This is a subject which caused much tribulation in 1890, when the rate was fixed at 20 per cent.

I am very much opposed to the reduction, I will state to the Senator from Arkansas; and I should like to move to restore the 20 per cent rate, to make a few remarks, and to have a vote upon the amendment at such time as may be convenient to the Senator; but I desire to do so when the Senators from Florida are both in the Chamber, for I count upon their valuable and necessary assistance to protect the sponge industry, which is an important industry in Florida. I shall accommodate myself to the wishes of the Senator from Arkansas in taking up this subject; but I certainly want, in some way, to secure the attendance in the Chamber, when it is being considered, of the Senators from Florida.

Mr. JONES of Arkansas. I have no objection to taking the paragraph up whenever the Senator from New Hampshire desires to take it up, either now or at any subsequent time. He may take his own time for that.

Mr. CHANDLER. I shall ask to take it up at some time when the two Senators from Florida are in their seats.

The PRESIDING OFFICER. The reading of the bill will proceed.

The Secretary read as follows:

FREE LIST.

SEC. 2. On and after the 1st day of June, 1894, unless otherwise provided for in this act, the following articles, when imported, shall be exempt from duty:

The Committee on Finance reported an amendment, on page 89, line 19, after the words "Sec. 2," to strike out "On and after," and insert "After;" and in the same line, before the word "day," to strike out "first" and insert "thirtieth," so as to read:

After the 30th day of June, 1894, etc.

Mr. ALDRICH. I suggest that the fixing of the date should go over for the present.

Mr. JONES of Arkansas. Yes.

The PRESIDING OFFICER. In the absence of objection, the amendment will be passed over.

The Secretary read as follows:

363. Acids used for medicinal, chemical, or manufacturing purposes, not especially provided for in this act.
364. Aconite.
365. Acorns, raw, dried or undried, but unground.
366. Agates, unmanufactured.
367. Albumen.
368. Alizarin, and alizarin colors or dyes, natural or artificial.

Mr. JONES of Arkansas. The amendment intended to be proposed by the Senator from Missouri [Mr. VEST] to paragraph 368 is withdrawn.

Mr. ALLISON. I do not object to that, of course, but I have had several letters suggesting that all coal-tar dyes should be put on the free list or all should be taxed. There are certain other dyes, as I understand it, which are practically in competition with these dyes, which are not yet on the free list. I wish to call attention to paragraph 443, page 98, in connection with this, wherein coal tar, etc., preparations and products of coal tar, not colors or dyes, are put on the free list. Now, these alizarin colors and dyes, I understaud, are used for the same purpose practically, and are in accord with other coal-tar dyes, and it seems to me if one is put upon the free list the other should also be upon the free list.

Mr. JONES of Arkansas. These alizarin colors have been on the free list all along I understand. We simply leave them where we find them.

Mr. ALLISON. I know they have been on the free list, but in the existing law certain colors are specified, page 361.

Mr. ALDRICH. I suppose that all the colors enumerated in the act of 1890 would come in free under the language here used by the committee. That is my understanding of their action. I should like to ask the Senator from Arkansas if that is not his understanding.

Mr. JONES of Arkansas. Yes, sir; I understand so.

Mr. ALLISON. I so understand. In connection with that, before we pass from the paragraph, I desire to have read a letter which I have just received upon this subject. I will have it put in the RECORD, so that we may see what we are doing about these colors.

The PRESIDING OFFICER. The Secretary will read as indicated.

The Secretary read as follows:

178 FRONT STREET, NEW YORK, *June 15, 1894.*

SIR: It has come to our notice that a firm of importers of coal-tar dyes have written a large number of mills asking them to urge upon their representatives in Congress that the coal tar dyes sold by them as alizarin orange, alizarin yellow, alizarin green, alizarin blue, alizarin brown, alizarin black, etc., be admitted free of duty.

We beg to call your attention to the history, as we understand it, of the classification of these alizarin dyes.

About fifteen or twenty years ago, when artificial alizarin was first discovered, the Badische anilin and soda fabrik, represented in this country by Pickhardt & Kuttroff, took out patents for the production of artificial alizarin, but shortly after another firm discovered a method so much superior to their patented method that the Badische Company abandoned their mode of manufacture, we are informed.

At this time, artificial alizarin was selling throughout Europe at about 30 cents per pound, and aniline dyes, as coal tar dyes were then known, paid a duty of 50 cents per pound, and 35 per cent ad valorem.

Messrs. Pickhardt & Kuttroff succeeded in getting a decision sustaining their patent in a distant circuit court, and secured injunctions restraining everyone from importing, dealing in, or selling artificial alizarin in the United States. By unusual skill they succeeded in keeping this case from reaching the Supreme Court for about a space of seven years, and when the case reached the Supreme Court the patent was declared by them to be void. At about the same time they secured their first judgment in a distant circuit court, they succeeded in getting Congress to put artificial alizarin on the free list, on the ground, we suppose, that it would be a benefit to the textile industry of the country to have the tax of 50 cents per pound and 35 per cent ad valorem removed.

When Congress removed this tax of 50 cents per pound and 35 per cent ad valorem the firm of importers representing the Badische Company put their own tax of $1 per pound on the article, so it was selling here at about $1.30 per pound, while it sold throughout Europe at 30 cents per pound. This continued for about seven years, during which time the importers have levied a tribute on every consumer in this country, putting them at a disadvantage as compared with European consumers.

Since the Supreme Court gave their decision breaking the patent monopoly the price dropped to a par with that in Europe, viz, from $1.30 to 30 cents per pound, and by competition has gradually come down now to 14 or 15 cents per pound for artificial alizarine or alizarine red.

In the two tariffs preceding the tariff of 1890 it was provided that alizarine, natural or artificial, should be free, and in the tariff of 1890, or the "McKinley bill," to the surprise of every importer of coal tar dyes, in the free list it was found that after the words "alizarine, natural or artificial," another sentence had been added, reading as follows: "And dyes commercially known as alizarine orange, alizarine yellow, alizarine green, alizarine blue, alizarine brown, and alizarine black." Now, those dyes thus enumerated in the free list are coal tar dyes, and this firm succeeded by the insertion of this clause in getting in a large number of their coal tar dyes free of duty, while a very much more important class of coal tar dyes, imported by us and known as diamine dyes, have had to pay the regular aniline or coal tar dye duty. Those other coal tar dyes imported by us, and known as "diamine red, diamine yellow, diamine blue, diamine green, diamine orange, diamine black, diamine violet, and diamine brown," are not produced in this country, nor are they likely to be produced here.

Our point is, that the above two classes of coal-tar dyes differing only in being separate classes of coal-tar dyes, should be treated alike, both free or both taxed. There is obviously no propriety in basing a discrimination with respect to the duty they shall pay, on the commercial name. The class of coal-tar dyes, commercially known as diamine dyes, are certainly of as much importance to the consumers as the coal-tar dyes commercially known as alizarine dyes, and we venture to ask you to use your influence to see that these dyes be treated as they deserve to be, exactly alike, both free, or both taxed, we do not care which.

Respectfully,

WM. J. MATHESON & CO., LIMITED,
B. D. BACON, *Treasurer.*

Hon. WILLIAM B. ALLISON,
United States Senate, Washington, D. C.

Mr. ALLISON. Of course I am not familiar with the difference between these diamine dyes and other coal-tar dyes which are now put upon the free list by this arrangement and which were on the free list under the act of 1890, but it seems to me if diamine dyes are not produced in this country and come in competition with other dyes or colors which are put upon the free list, they ought to be treated in the same way. Not vouching for the accuracy of that information, but calling the attention of the Senators in charge of the bill to statements there made, I hope, with the writer of the letter, that the two articles will be treated alike or some reason given why they should not be.

Mr. ALDRICH. I will state the reason why the alizarin colors named in the act of 1890 were put upon the free list. It appeared from the testimony of every one interested in the question that these alizarin colors could not be made in the United States at the rate of duty which had been imposed upon alizarin colors and dyes, and that the imposition of a duty in this case was simply imposing a burden upon the consumers of these particular dyes in the United States. There was no difference of opinion in the committee who then had this matter in charge as to the desirability of the duty being removed.

Mr. ALLISON. I so understand.

Mr. ALDRICH. The Senator from Iowa assents to that proposition. Now, whether these dyes which these rival manufacturers make come within the same category I do not know. I do know that the dyes in question are not made in the United States, and are not likely to be made in the United States, and I think the committee have wisely acted in allowing them to remain upon the free list. Whether the free list ought to be extended so as to include other dyes which can not be made in the United States, I am not certain. That is a matter which I suppose the committee will take up later on.

Mr. JONES of Arkansas. The committee was very strongly inclined to add coal-tar dyes to the free list in connection with these alizarin dyes, and the most vigorous opposition was made by the persons interested in the business and by their friends in the Senate and out of the Senate. It was stated that large amounts of money had been invested in developing the production of dyes from coal tar, that it was done to a much greater extent in Germany than in this country, and that we would be destroying an industry which deserves consideration.

We found the provision as it is in the bill, alizarin dyes free and coal-tar dyes taxed. We reduced the tax on coal-tar dyes somewhat in the proportion we reduced taxes upon other things and left the paragraph as it stands, because we were not prepared to say that the coal-tar dyes could safely be put upon the free list with the alizarin dyes, and we have no idea of taking alizarin dyes off the free list and putting them on the taxable list.

Mr. ALLISON. This firm, which seems to be a reputable firm of merchants, states that these diamine dyes are not made in this country at all, and that they come in competition with the dyes which have been put by the bill upon the free list. It seems to me worthy of consideration whether we should not make such a provision as will deal fairly with those people, as well as with the consumers of the articles in our own country, where there is no production of the article here. I call attention to it for the purpose of doing at a later stage what seems to be just in the matter.

I do not know whether there are colors or dyes made in this country which come in competition with these diamine dyes. Somebody ought to know whether that is the case or not. If so, I shall not ask that they be put upon the free list; but if not, then I see no reason why one class of coal-tar dyes should be put upon the free list and another class excluded.

The PRESIDING OFFICER. There is no question before the Senate. The Secretary will proceed with the reading of the bill.

The Secretary read the next paragraph, as follows:

369. Amber, unmanufactured, or crude gum.

Mr. JONES of Arkansas. After the word "amber," in paragraph 369, line 7, I move to insert "and amberoid," so as to read:

Amber and amberoid, unmanufactured, or crude gum.

Mr. PLATT. Let me inquire what amberoid is?

Mr. JONES of Arkansas. The statement was made by a custom-house officer that it is some imitation of amber and looks very much like it, but it is difficult to be distinguished from it. There is some difficulty about classification in connection with it. I know nothing about it personally.

Mr. PLATT. I have a fear that it may include a manufactured amber made in this country by taking little bits of amber and making them up into larger pieces. I do not know that it is true, but I merely speak of it in this connection. I suppose the committee do not desire to put a manufacture of amber on the free list. I am not sure that I am correct, but I know that that manufacture is carried on in this country.

Mr. JONES of Arkansas. That would be a manufacture of amber.

Mr. PLATT. Exactly.

Mr. JONES of Arkansas. I understand this is an imitation, or something that is taking the place of amber, and is not a manufacture.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Arkansas.

The amendment was agreed to.

The PRESIDING OFFICER. The Secretary will proceed with the reading of the bill.

The Secretary read as follows:

370. Ambergris.
371. Ammonia, carbonate of, muriate of, or sal-ammoniac and sulphate of.

Mr. JONES of Arkansas. I move to strike out paragraph 371.

The amendment was agreed to.

The Secretary read as follows:

372. Aniline salts.
373. Any animal imported specially for breeding purposes shall be admitted free: *Provided*, That no such animal shall be admitted free unless pure bred of a recognized breed and duly registered in the book of record established for that breed, and the Secretary of the Treasury may prescribe such additional regulations as may be required for the strict enforcement of this provision.

The Committee on Finance reported an amendment to paragraph 373, to insert at the end of the paragraph:

Any cattle, horses, sheep, or other domestic animals which have strayed across the boundary line into any foreign country, or where such domestic animals have been or may be driven across such boundary line by the owner for pasturage purposes, the same may be brought back to the United States free of duty under regulations to be prescribed by the Secretary of the Treasury.

Mr. JONES of Arkansas. I withdraw the committee amendment, and move to insert:

Cattle, horses, sheep, or other domestic animals, which have strayed across the boundary line into any foreign country, or have been or may be driven

across such boundary line by the owner for pasturage purposes, together with their increase, may be brought back to the United States free of duty under regulations to be prescribed by the Secretary of the Treasury.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Arkansas.

Mr. ALLISON. That seems to be a pretty broad provision. It would enable our own people, of course, to carry their domestic animals across the boundaries free and breed them, keep them there as long as they desire, and then return them free of duty. I am afraid such a provision might lead to some confusion at least, if not fraud. I should be glad to have the Senator from Arkansas, who is undoubtedly familiar with the situation which requires some such provision, state what the effect of it will be. I take it it applies only to our Mexican border.

Mr. JONES of Arkansas. It is intended to apply only to the Mexican border. There are large ranches along the boundary from the Rio Grande west, where I understand it is a physical impossibility for the owners of stock to prevent the stock wandering across the river and going on the Mexican side.

I understand that on occasions when long droughts prevail, in some localities it is a matter of absolute necessity that stock shall be driven from the location of the ranches across into the pastures on the other side and kept there for such length of time until they can be safely brought back to this side. The intention of the amendment is simply to provide that stock which may be driven or which may stray across the border for that purpose shall be returned without paying a duty. If the provision I propose is open to any abuse, I shall be glad to have it limited so that there will be no danger from it.

Mr. ALLISON. It looks to me as though the effect of the provision would naturally be to make free intercourse between this country and Mexico as respects these animals. It will of course be impossible for customs-house officers to distinguish between an increase in the number of animals and the original exportation.

Mr. JONES of Arkansas. That would have to be established, of course.

Mr. ALLISON. I do not know enough about the subject to make any criticism upon it. I suppose there is some necessity for a provision in the nature of the amendment proposed.

Mr. JONES of Arkansas. I understand this provision was submitted by the Senator from Texas [Mr. COKE] to the Treasury Department, and that it has the approval of the Secretary of the Treasury in its present form.

Mr. PALMER. The last remark of the Senator from Arkansas answers the point I was about to make, whether the Secretary of the Treasury has the power to prevent abuses. The Senator's explanation is satisfactory to me.

Mr. JONES of Arkansas. I understand the Secretary of the Treasury has the power.

Mr. HARRIS. I chance to know that in Northwestern Texas it has been frequently absolutely necessary for a ranchman in time of great drought to drive his stock some times hundreds of miles to find water and pasturage so combined that the stock can have the benefit of both. Occasionally they are compelled to cross the Rio Grande and find pasturage near enough to the Rio Grande to get the benefit of the water.

I take it for granted from what the Senator from Texas, who prepared the amendment, said to me yesterday, that it is intended to provide for that exact case. From my little knowledge of the stock business I do not think there can be any difficulty or danger of any traffic, because every herd has its brand and is easy of identification, and therefore the stock that is driven across would have the privilege of being driven back.

Mr. ALLISON. Having had the whole question elucidated by my friend from Tennessee, I withdraw any further opposition.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Arkansas.

The amendment was agreed to.

The PRESIDING OFFICER. The reading of the bill will be continued.

The Secretary read as follows:

374. Animals brought into the United States temporarily for a period not exceeding six months, for the purpose of exhibition or competition for prizes offered by any agricultural or racing association; but a bond shall be given in accordance with regulations prescribed by the Secretary of the Treasury; also, teams of animals, including their harness and tackle and the wagons or other vehicles actually owned by persons emigrating from foreign countries to the United States with their families, and in actual use for the purpose of such emigration under such regulations as the Secretary of the Treasury may prescribe; and wild animals intended for exhibition in zoological collections for scientific and educational purposes, and not for sale or profit.

The Committee on Finance reported to amend paragraph 374, on page 91, line 4, after the word "agricultural," to strike out "or racing."

Mr. JONES of Arkansas. The amendment is withdrawn.

The PRESIDING OFFICER. The reading of the bill will proceed.

The Secretary read as follows:

375. Annatto, roucou, rocou, or orleans, and all extracts of.
376. Antimony ore, crude sulphite of, and antimony, as regulus or metal.
377. Apatite.

The next amendment of the Committee on Finance was to strike out paragraph 378, in the following words:

378. Apples, green or ripe.

The amendment was agreed to.

The next amendment of the Committee on Finance was to strike out paragraph 379, in the following words:

379. Apples, dried, desiccated, evaporated, or prepared in any manner, and not otherwise provided for in this act.

The amendment was agreed to.

The Secretary read as follows:

380. Argal, or argol, or crude tartar.
381. Arrow root, raw or unmanufactured.
382. Arsenic and sulphide of, or orpiment.
383. Arseniate of aniline.
384. Art educational steps, composed of glass and metal, and valued at not more than 6 cents per gross.
385. Articles imported by the United States.
386. Articles in a crude state used in dyeing or tanning, not specially provided for in this act.
387. Articles, the growth, produce, and manufacture of the United States, when returned after having been exported, without having been advanced in value or improved in condition by any process of manufacture or other means; casks, barrels, carboys, bags, and other vessels of American manufacture exported filled with American products, or exported empty and returned filled with foreign products, including shooks when returned as barrels or boxes; also quicksilver flasks or bottles, of either domestic or foreign manufacture, which shall have been actually exported from the United States; but proof of the identity of such articles shall be made, under general regulations to be prescribed by the Secretary of the Treasury, but the exemption of bags from duty shall apply only to such domestic bags as may be imported by the exporter thereof, and if any such articles are subject to internal tax at the time of exportation, such tax shall be proved to have been paid before exportation and not refunded: *Provided*, That this paragraph shall not apply to any article upon which an allowance of drawback has been made, the reimportation of which is hereby prohibited except upon payment of duties equal to the drawbacks allowed; or to any article manufactured in bonded warehouse and exported under any provision of law: *And provided further*, Then when manufactured tobacco which has been exported without payment of internal-revenue tax shall be reimported it shall be retained in the custody of the collector of customs until internal-revenue stamps in payment of the legal duties shall be placed thereon.
388. Asbestus, unmanufactured.
389. Ashes, wood and lye of, and beet-root ashes.
390. Asphaltum and bitumen, crude or dried, but not otherwise manipulated or treated.
391. Asafetida.
392. Bacon and hams, beef, mutton, and pork, and meats of all kinds, prepared or preserved, not specially provided for in this act.

The Committee on Finance reported to amend paragraph 392 by striking out "beef, mutton, and pork," after the word "hams."

Mr. JONES of Arkansas. I withdraw the amendment of the committee, and move to strike out all of paragraph 392 after the word "hams."

Mr. PEFFER. I move to strike out the entire paragraph.

Mr. PLATT. I do not know whether the motion to strike out the paragraph is to be resisted on the other side. I hope it will be accepted. I do not know why bacon and hams should come in from other countries in competition with our farmers and the men who prepare them here. Will the committee consent to strike out the whole paragraph?

The PRESIDING OFFICER. The amendment proposed from the committee will be first submitted to the Senate; that is, to strike out a part of the paragraph. The question is on the amendment of the Senator from Arkansas to strike out all of the paragraph after the word "hams."

The amendment was agreed to.

The PRESIDING OFFICER. The question recurs on the amendment proposed by the Senator from Kansas, to strike out the paragraph as amended.

Mr. PEFFER. Mr. President, I wish to say just a word. Agriculture in general has been unfairly treated I think in this bill. Here is an article the farmers are very much interested in—bacon and hams; and I submit it is a proper subject for at least a revenue duty. At the proper time, if the amendment I now propose is carried, I expect to move to vote to place it upon the dutiable list, and I shall ask for a vote by yeas and nays.

Mr. VEST. The effect of this amendment, unless the Senator has some specific duty to propose otherwise, would be to put 20 per cent upon these articles. We bring into this country forty-odd thousand dollars' worth of Westphalia hams. They are a peculiar article of that genus.

Mr. ALDRICH. Why should they not pay a duty?

Mr. VEST. I have not the slightest objection.

Mr. ALLISON. Then let the paragraph be stricken out.

Mr. VEST. We send out 82,000,000 pounds. It does not amount to anything. It is merely leather and prunella.

Mr. ALLISON. It costs 19 cents a pound.

Mr. VEST. I know it does.

Mr. ALLISON. That is the unit of value. It seems to me

the importers can afford to pay 20 per cent. The duty ought to be higher.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Kansas [Mr. PEFFER] to strike out the paragraph as amended.

The amendment was agreed to.

The PRESIDING OFFICER. The reading of the bill will be continued.

The Secretary read as follows:

393. Balm of Gilead.
394. Barks, cinchona or other, from which quinine may be extracted.
395. Baryta, carbonate of, or witherite, and baryta, sulphate of, or barytes, unmanufactured, including barytes earth.
396. Bauxite, or beauxite.
397. Beeswax.
398. Bells, broken, and bell metal broken and fit only to be remanufactured.
399. All binding twine manufactured in whole or in part from New Zealand hemp, istle or Tampico fiber, manilla, sisal grass, or sunn, of single ply and measuring not exceeding 600 feet to the pound.

Mr. VEST. Let the amendment of the committee to paragraph 399 be stated.

Mr. JONES of Arkansas. I understand there is a committee amendment to strike out the word "manila."

Mr. ALDRICH. It is a Vest amendment.

The PRESIDING OFFICER. The Senator from Arkansas will observe that it is an amendment to be proposed, not an amendment reported by the committee.

Mr. JONES of Arkansas. The word "manila" should be stricken out. It is a committee amendment, I understand.

The PRESIDING OFFICER. It is an amendment which was intended to be proposed by the Senator from Missouri.

Mr. JONES of Arkansas. Perhaps the Chair is correct.

Mr. ALDRICH. I am glad we have a discriminating Presiding Officer who is able to tell the various classes of amendments which have been offered to the bill.

The PRESIDING OFFICER. Does the Senator from Arkansas move to strike out the word "manila?"

Mr. JONES of Arkansas. I do not. I understood the Senator from Missouri was to move to strike out that word and insert "manila twine not exceeding 650 feet to the pound." I do not know whether the Senator from Missouri proposes to move the amendment or not. I have no suggestion to make.

Mr. VEST. I did intend to move it, but I understand there was an amendment pending to strike out the word "manila," and after it was carried I proposed to move to insert—

and manila twine not exceeding 650 feet to the pound.

The PRESIDING OFFICER. The amendment proposed by the Senator from Missouri will be stated.

The SECRETARY. In paragraph 399, page 94, line 2, after the word "fiber," strike out "manila," and after the word "pound," in line 4, insert:

and manila twine not exceeding 650 feet to the pound.

Mr. ALLISON. I hope the Senator from Missouri will give some explanation of his proposal to take manila out of the general scope of the paragraph and insert 650 feet to the pound instead of 600. That seems to be a distinction that has some reason for it, but I do not know what it is.

Mr. VEST. This was suggested upon samples which were exhibited to us, showing that unless this amendment was made it would not carry out the intention of the committee as to admitting binding-twine free; it would let in rope. There is a difference, the experts assured us, in regard to the quality of this twine, which is regulated according to length. I have the samples in the committee room if it is necessary to produce them here. We were satisfied that statement was true, and that we would render the rest of the provision inoperative as to free binding-twine unless we made this amendment.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Missouri.

The amendment was agreed to.

The Secretary read the next paragraph, as follows.

400. [Birds, stuffed, not suitable for millinery ornaments, and] bird skins, prepared for preservation, but not further advanced in manufacture.

Mr. JONES of Arkansas. I move to strike out the words inclosed in brackets.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. Strike out the following words at the beginning of paragraph 400.

Birds, stuffed, not suitable for millinery ornaments, and

The amendment was agreed to.

The Secretary read as follows:

401. Birds and land and water fowls.
402. Bismuth.
403. Bladders, and all integuments of animals, crude, salted for preservation, and unmanufactured, not specially provided for in this act.
404. Blood, dried.
405. Blue vitriol, or sulphate of copper.
406. Bologna sausages.
407. Bolting cloths, especially for milling purposes, but not suitable for the manufacture of wearing apparel.
408. Bones, crude, or not burned, calcined, ground, steamed, or otherwise manufactured, and bone dust or animal carbon, and bone ash, fit only for fertilizing purposes.

The next amendment of the Committee on Finance was to strike out paragraph 409, in the following words:

409. Bone char, suitable for use in decolorizing sugars.

The amendment was agreed to.

The Secretary read the next paragraph, as follows:

410. Books, engravings, photographs, bound or unbound, etchings, maps, and charts, which shall have been printed more than twenty years at the date of importation, and all hydrographic charts and books and periodicals devoted exclusively to original scientific research, and publications issued for their subscribers by scientific and literary associations or academies, or publications of individuals for private circulation.

Mr. JONES of Arkansas. I move to add at the end of paragraph 410: "And public documents by foreign governments."

Mr. GALLINGER. I should like to inquire of the Senator if foreign governments admit our documents free of duty. Ought there not to be a clause making it reciprocal?

Mr. JONES of Arkansas. I think they do. The Secretary of the Treasury suggested this amendment.

Mr. QUAY. I move further to amend the paragraph by striking out all after the word "charts," in the second line, on page 95, down to the word "or," in line 5. I move this amendment at the suggestion of Pressmen's Union No. 4, of the city of Philadelphia, in pursuance of resolutions which I send to the desk to be read.

The PRESIDING OFFICER. The resolution will be read.

The Secretary read as follows:

ROOMS OF TYPOGRAPHICAL UNION, No. 2,
124 NORTH NINTH STREET,
Philadelphia, December 19, 1893.

To PRESSMEN'S UNION, No. 4:

At a stated meeting of this Union held on the 17th instant the following preamble and resolutions were unanimously adopted. As the matter referred to is of vital importance to our craft we solicit your aid in order that our fellow-workmen may not be made sufferers by the passage of the free-book clause in the proposed tariff bill.

Whereas, in the tariff bill to be reported from the Committee on Ways and Means of the House of Representatives, "all scientific publications, either of individuals or of institutions," are placed on the free list; and

Whereas this phraseology can and probably will be construed so as to admit free of duty all works, popular, technical, and educational, on physical, natural, medical, historical, sociological, mental, and moral science, constituting a very large portion of the current publications of the day: Therefore

Resolved, I. That we view with alarm the prospect of the interference with our labor which this clause will effect if the bill shall become a law in its present shape.

II. That we respectfully but earnestly request the omission of the said clause from the free list, believing as we do that no discrimination of the kind proposed can be so phrased as to prevent abuses in the administration of the law which were not contemplated by its framers.

III. That copies of these resolutions be sent to the members of the Committee on Ways and Means and to the Senators and Representatives of this State in Congress, and that the latter be respectfully urged to prevent by every means the enactment of the said objectionable clause.

IV. That copies of the above preamble and resolutions be forwarded to the officers of the International Union, to our sister unions, and to the different trade organizations with the request that they take immediate favorable action; and that they forward the same to their central labor councils for similar action.

GEORGE CHANCE, *President.*
WM. J. SLOAN, *Recording Secretary.*

Mr. QUAY. I ask for a vote on the amendment. I shall not occupy the time of the Senate upon it.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In line 2, on page 95, after the second word "and" and before "books," strike out—

books and periodicals devoted exclusively to original scientific research, and publications issued for their subscribers by scientific and literary associations or academies, or,

So as to make the paragraph read:

410. Books, engravings, photographs, bound or unbound, etchings, maps, and charts, which shall have been printed more than twenty years at the date of importation, and all hydrographic charts, and publications of individuals for private circulation.

Mr. HOAR. I confess that the phrase in the paragraph as it stands, "devoted exclusively to original scientific research," conveys no clear meaning whatever to my mind. I should like to ask my honorable friend from Missouri (who I suppose is as capable of answering such questions as anybody in the Senate) if he will mention a book which is devoted exclusively to original scientific research that he thinks of in this world? I do not think of one. I suppose no mathematician, no chemist, no biologist, no metaphysician could write a book which might be said to be devoted exclusively to original scientific research; though I will say, with no disrespect to the Senator, it is possible there might be some English books on political economy, the scientific research of which is entirely original and was not borrowed from anything else in heaven or on earth. I can not conceive of any book which that phrase aptly describes.

Mr. VEST. I should think that the very celebrated publication, Darwin's Origin of Species, ought to come under this defi-

nition. I will state to the Senator frankly my idea about it. We discussed the matter in the committee. This was intended to apply not to collations or to books which were prepared from other books, but original publications, original scientific research, that is, where an author gave the result of his own researches, not copying from anybody or not collating from other authors. That was our idea in regard to it, and it was no doubt the idea of the House of Representatives. If any more apt language can be discovered of course we would be very glad to adopt it. I do not think the Senator from Massachusetts will disagree with the intention of this proposed legislation.

Mr. HOAR. It seems to me that in describing what belongs to science, we ought not to use the most unscientific and inexact phrase in the whole bill for the purpose. Darwin's researches, which the Senator speaks of, can not be described as a book devoted to original scientific research. He may have used in a thousand ways all the research which had preceded him; it may have been a collection of other men's researches.

I understand of course what the Senator has in mind, but I do not see how when a man gives the result of the scientific researches of all ages and all time openly it can be announced as a theory of his own, or described as a book devoted exclusively to scientific research. I think this is a puzzle, I will not say anything about Democrats, but I think it would puzzle all Republican appraisers, or whatever officers are to deal with it, whom I have ever known. If you should say books relating to natural science, to mathematics, or to science, that is one thing.

Mr. PALMER. Will the Senator from Massachusetts allow me to ask him if this language is found in any preceding tariff law?

Mr. HOAR. I do not find it in any. It is a new phrase.

Mr. PALMER. If it has not already received the construction of the revenue officers I think the words are ambiguous.

Mr. ALDRICH. I should like to ask the Senator from Missouri whether a book like Lecky's History of England, or Walpole's work, now in process of publication, might not be held to be a book of original scientific research?

Mr. VEST. I should hardly think so.

Mr. ALDRICH. They are certainly original books, and they are books of research.

Mr. VEST. Waiving the argument of the Senator from Massachusetts that there can be no trouble amongst Democrats, because we are so ignorant, I take it, we can not——

Mr. HOAR. Oh, no; I beg the Senator's pardon. I carefully avoided anything that could possibly be an imputation by saying that I do not know any Republican appraiser who would not be puzzled by such a phrase. I do not undertake to speak for any other person.

Mr. VEST. Let me make a suggestion. I know exactly what I want to accomplish. Whatever the House of Representatives intended by using this language, I want to exempt from duty all scientific works. I did not object to the word "original" in the way I understood it, and that was that the provision should not apply to collations, as I have stated, simply works of labor without any original thought, like a dictionary, for instance, like one of these gazetteers, which is the lowest order of literary work so far as intellectual effort is concerned.

Mr. HOAR. If the Senator from Missouri will pardon me, my friend, the illustrious scientific man who died last week, Prof. Whitney, was the author of the Century Dictionary; and I do not suppose there is a work anywhere which contains the result of more original scientific research than the Century Dictionary.

Mr. VEST. I will modify the statement. I meant the higher order of intellectual effort, which is that which originates a system of thought—that which is not borrowed from any other source. But I have not the slightest objection to strike out the word "original," and say "devoted exclusively to scientific research," because so far as my ideas are concerned, you can not make this sort of legislation too broad. I think every nation in the world is entitled to the thought of every other nation.

Mr. LODGE. The first part of this clause excepts all books printed within twenty years of the date of importation. That has been the general provision, I think, in the tariff laws, and it is directed of course against books printed in the English language. Books in other languages are admitted free. The reason of it undoubtedly is to give protection to the printers and the men who are engaged in the material production of books in this country.

The objectionable feature of this new clause is that there is one particular class of works singled out to come in free. If it is right to let in free books which contain scientific thought, it is just as right to let in all other forms of original literature. There is no reason I can see for singling out science, letting it in free and keeping a duty on works of history, or poetry, or drama, or fiction, or theology, or any other subject.

Mr. HOAR. Or morals.

Mr. LODGE. Morals, or ethics, or the great social questions which are now filling men's minds and on which there is a great deal of modern literature in England. There is no more reason for picking out scientific books than for picking out any other class of literature. Either we should let in all books free and give no protection whatever to those engaged in the material production in our own country, or we should put a duty on all books published within twenty years and give protection to those engaged here in the material production of books. I think that is fair, and that is the principle recognized in our copyright law.

The Senator from Missouri said he does not want to keep out foreign thought on any subject. No one does. Under the copyright law foreign thought comes in free, and is protected here just like our own authors. It is a wise measure. Nothing keeps out the ideas contained in those books. The only provision is that the men who print them and bind them and make them shall have protection on English books printed within the last twenty years. If that is to be extended to books generally, it is an injustice to put in a loose clause like this excepting scientific books.

There is no more reason for excepting science than there is for excepting anything else. I think the argument made in the petition presented by the Senator from Pennsylvania as to the loose construction which this would cause is a very forcible one. It does not seem to me that that argument applies to publications issued by scientific associations for their subscribers or anybody else, for those works are not reprinted here as a rule and have a very trifling circulation. There would be no work given here, if a duty was put upon them, to books and periodicals devoted exclusively to original research. I can not see on what ground it is justified to except the one particular class of books. It seems to me a class discrimination. I do not see any reason for doing it whatever. If the committee desires to make them all free, that is another and broader question, involving a question of principle, but to select this single class does not seem to me to be fair.

Mr. MORRILL. I have an impression that this paragraph in relation to the admission of books free more than twenty years after their publication was introduced many years ago as a favorite hobby of Senator Sumner. I rather thought it was wrong, for all that is necessary to be done in the case of any of the standard works of literature of the foreign country is just to put the date twenty years back, and the works of Shakespeare, Dryden, or Scott, or any other of the distinguished authors of Great Britain can be brought here in the finest kind of binding. I think the whole provision in relation to this matter is wrong and ought to be stricken out.

Mr. ALLISON. The original provision respecting the admission of books without duty provided that the books should not only be printed twenty years ago but bound and manufactured twenty years ago; so that it was an easy matter for our customs officres to distinguish the binding of the ancient books. Now, it is proposed to strike out the provision as respects binding, and merely require that they shall have been printed twenty years. I think that the original clause which has passed through many tariff laws, providing that the books shall have been printed and bound or manufactured twenty years ago, should be retained.

That is the first criticism I make upon the change proposed by this paragraph. I think we ought to insert the provision which has been in the tariff laws for many years, that the books shall be printed, bound, or manufactured for twenty years. I agree wholly with the Senator from Massachusetts that it will not be an easy thing for any appraiser or collector to draw the line with reference to books devoted exclusively to original scientific research. In any event, these words should be stricken out.

Mr. VEST. Which words?

Mr. ALLISON. "Books and periodicals devoted exclusively to original scientific research." That, I submit, is a provision which could not be executed with any degree of accuracy by anyone who is likely to have control in our custom-house or anywhere else, because what would be a book of exclusive scientific research to one man would be an ordinary book to another.

Mr. HOAR. It would have to be left to a jury, then.

Mr. ALLISON. It would have to be left to a jury, as the Senator from Massachusetts suggests. Under this new law the question would have to pass into the courts and be subjected to the personal examination of judges. To the next clause I have no objection; that is, "publications issued for their subscribers by scientific and literary associations or academies." I do not think those productions are reprinted as a rule in this country. It is a common thing for scientific and literary associations to have quarterly publications.

Mr. QUAY. I have no objection to modifying my amendment so as to retain the clause the Senator has just read.

Mr. ALLISON. Very well. Does the Senator from Pennsylvania also propose to strike out after the word "academies" the words "or publications of individuals for private circulation?"

Mr. QUAY. I do not. My amendment ceases at the word "or."

Mr. ALLISON. That clause is impossible of execution. Here is a person in Europe who publishes an edition of a thousand copies, if you please, for private circulation. How is that fact to be ascertained in this country? If a gentleman publishes a book for a limited circulation and sends it to his friends, it seems to me the ordinary rule of paying duty ought to be followed.

Mr. HOAR. I call the attention of the Senator to the fact that this phrase applies to books for private circulation. A person may have a book published to give to his friends, or to be sold.

Mr. ALLISON. That is, I may order a book from a book publisher in London. That would be a book for private circulation and it would be so considered. At least no customs officer could say that it was not for private circulation or for a public purpose or for use in a public library.

Mr. LODGE. I will state to the Senator from Iowa that there is an entire class of books not adapted to general circulation which would come in free under that clause, such as Burton's Arabian Nights, the publications of the Villon Society, the limited edition of Payne's translation of the Arabian Nights, and other works of that character.

Mr. HOAR. I speak of books sold to subscribers only.

Mr. LODGE. They are limited mainly to private circulation. Burton's translation of the Arabian Nights, which is a somewhat notorious book on account of the character of the notes, would come in free under this clause, and the last poems of Tennyson would have a duty upon them.

Mr. ALLISON. I think everything in the paragraph should be eliminated except the clause relating to publications of scientific societies abroad, and we ought to restore the phraseology of the existing law which is, "which shall have been printed and bound and manufactured more than twenty years ago." The ancient binding and manufacturing will as a rule enable the customs officers to distinguish between a modern book with an ancient date and a book actually manufactured more than twenty years ago.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Pennsylvania as modified.

Mr. ALLISON. Let it be again read.

The PRESIDING OFFICER. The amendment as modified will be read.

The SECRETARY. In line 2, after the word "charts," strike out the words:

And books and periodicals devoted exclusively to original scientific research.

The PRESIDING OFFICER. The question is upon the amendment of the Senator from Pennsylvania as modified. (Putting the question.) The ayes appear to have it.

Mr. VEST. Let us have the yeas and nays.

Mr. ALLISON. If the yeas and nays are to be taken upon the question——

Mr. VEST. I will be entirely frank about this matter—I am willing to modify the language so as to carry out our object, but I am not willing to have the paragraph eliminated in this way. I do not agree with the Senators on the other side that there is no good idea contained in this proposed enactment. I am emphatically and decidedly in favor of admitting free of duty all scientific works. I would go a great deal further if I could. I would favor the introduction of all books into this country free. I think they ought to be entirely free. If there is anything in the world that ought to be free it is the advanced thought of the age and the right thought of all ages. I do not appreciate the argument of the Senator from Iowa that we ought to stand on a question of binding. If a book was bound twenty years ago, and has become injured by time he wants to let it come in the country free of duty. It is not the binding that we care anything about; it is the essence of the book printed.

Mr. ALLISON. The Senator from Vermont [Mr. MORRILL] said that under this provision there would be frauds; that the printing would be modern and the date ancient; and I suggested that there was a safeguard in the old clause which provided that they must be books that had been printed and bound or manufactured twenty years ago, and it is not so easy to counterfeit a book thus appearing as to counterfeit a date simply in the printing. That was all I suggested about it; and I think for that reason the words "bound or manufactured" should be restored.

Mr. VEST. If I were looking simply to the manual work of dollars and cents involved in the printing, I might appreciate the argument in regard to binding and printing, but what I want to do is to let in books, good books of all countries, to elevate the people, books that are valuable to public thought in every country. I would do anything that I could as a legislator to allow such books to come to this country, and to go from this country abroad.

My objection to this paragraph, if I have any, is that it is too narrow. It ought to go further than books of scientific research. It is not possible that as American legislators we are to be governed simply by the question of giving a few dollars to the printers or binders of this country if we thereby sacrificed the general interests of the community in regard to better ideas and better thought and better civilization. I do not want to talk about it in any æsthetic way, but that is my idea in regard to the whole matter. If we can agree upon some words that will bring about, even to the limited extent that the House of Representatives has attempted it, the idea I have advanced I am willing to join in it, but I do not want this paragraph cut to pieces and made to mean nothing.

Mr. HOAR. I hope the Senator from Missouri will allow the amendment of the Senator from Pennsylvania, to strike out the words "and books and periodicals devoted exclusively to original scientific research" to stand, as the Chair declared it carried, without insisting upon the yeas and nays. Those are words which nobody on either side of the Chamber likes. I think we are all agreed that they ought to be stricken out.

Mr. VEST. Let me ask the Senator from Massachusetts if it would not greatly improve the matter just to strike out the word "original," as there seems to be doubt as to what is meant by books of "original scientific research"?

Mr. TELLER. I suggest that we strike out "exclusively" also.

Mr. VEST. We understand what is scientific research.

Mr. HOAR. That would improve it a little, but it would not then express anybody's meaning. The book is not devoted to scientific research. The book is the record of previous scientific research. If it is devoted to scientific research, and that phrase has any meaning, it means simply that it is a scientific book; which is an indefinite and indistinct phrase.

I think before this matter comes up in the Senate the Senator from Missouri can probably devise some phrase which will have at least the merit of precision, as his phrases generally do, and enable us either to support it if we like it or vote against it if we do not like it; but we shall understand what we are voting for or what we are voting against. Nobody likes its phraseology. I hope the Senator will take that course and let these words be stricken out. Then in the meantime, before the matter comes into the Senate, where it is all to be done over again, he can have his phrase ready.

Mr. TELLER. I suggest to the Senator from Massachusetts that perhaps the word "devoted" as applied to periodicals would not be so bad—periodicals devoted to scientific research.

Mr. HOAR. To science. If I wanted to carry out what the Senator from Missouri does I would say, "devoted exclusively to science." That, then, would present the question whether history is a science, whether ethics is a science, and so on, raising the question that my colleague suggested. We might say "devoted to natural science." That would be probably nearer what he seems to mean; but I do not think a phrase of that kind ought to be formulated on the floor of the Senate in a three-minutes' discussion like this.

Mr. TELLER. I do not know what the Senator would include in natural science.

Mr. HOAR. At any rate there would be some things not included in it.

I rose to say in reply to the Senator from Vermont [Mr. MORRILL] that I always had a strong feeling in favor of Mr. Sumner's view. I should like to have the thought on any subject whatever of any man on the face of the earth brought into this country and presented to the intelligence of the American people without any fetter, without any constraint, and without any condition—poetry, history, science, moral discussion, eloquence, fiction, fun, or wit, everything that is literature, everything that is history, everything that is science.

I agree with my friend from Vermont, that the paper manufacturer and the mechanic who binds the book and the printer are as much entitled to protection as any other class of our mechanics or artisans, and that whatever be the sound policy in regard to others is the sound policy in regard to them. That is what I understand the existing law in this country proceeds upon. The international copyright law, which the Senator from Connecticut [Mr. PLATT] got through, is on that theory, to protect the mechanic and put the thoughts face to face, and let them grapple, as Milton says, the thinkers of this country and the thinkers of all other countries.

My friend from Connecticut [Mr. PLATT] suggests to me that this language ought to be considered very carefully in its rela-

tion to the international copyright law where we have made certain conditions in regard to the introduction of works of foreign authors; but I believe, and I think a majority of the American people believe, that it is a sound, wise, and healthy policy to let every product of a human brain which is not immoral and indecent in its tendency circulate in this country, wherever it originated, side by side with every other, the foreigner and the American on an equal footing.

When it comes to printing Shakspeare, Dryden, or other books which are the classics of mankind, the man who does the mechanical work of printing and binding and setting the type and making the paper is as much entitled to protection as workmen are entitled to be protected on other articles. That is what I understand is the existing policy.

This paragraph is in violation of that policy, because it provides that where certain works come in, the works of what we call original scientific research, or works published by individuals for private circulation, the mechanical part of them is to come in without a duty as much as the thought or the work that is original.

I do not think that is necessary, and it is a violation of the principle established by the bill as the other House passed it and established by the bill as the committee proposed it. If you are going to adopt that doctrine, then place books, engravings, and photographs on the free list and stop. But you do not propose that, and in proposing to do something else it seems to me you ought to have the clause carefully drawn and precise. I hope, as I said, the Senator from Missouri will think best to strike out what nobody wants, and will address himself to preparing a proper phrase before the bill passes.

Mr. VEST. Let me make a suggestion. I am anxious to get on with the bill. In line 2, between the word "and" and "books," I propose to insert "scientific," and to strike out "devoted exclusively to original scientific research;" so as to read: and all hydrographic charts, scientific books, periodicals, and publications.

Mr. HOAR. That is more precise in its meaning, but I should like to have the Senator say, then, what he means by scientific books. Does he include history?

Mr. VEST. Of course not. I mean books devoted to scientific subjects.

Mr. HOAR. Does he include ethics?

Mr. VEST. Scientific books and periodicals. We all understand what is meant by science and scientific. I think any appraiser would come to a conclusion on that point. It would not include history; it would not include poetry; it would not include philosophy, in my opinion.

Mr. ALLISON. Or fiction.

Mr. VEST. Or moral essays; but it would be science.

Mr. HOAR. Natural science includes what the Senator speaks of.

Mr. VEST. It would include anything called science.

Mr. LODGE. I think there is one point to be considered in connection with the copyright law. The operation of that law is to encourage the English writer to copyright his book in this country for the purpose of getting the American market and the copyright royalty. The result is that we get books printed here in editions suitable to our market. Our market requires and calls for popular and cheap editions; but I think the tendency of this provision will be to open the door to the introduction of a book in the original English edition, which is generally a much more expensive one and quite different from that prepared for our market, and prevent the writer from copyrighting his book here. We shall be obliged to take it in the expensive English edition instead of the cheaper edition which is prepared for our own market. It seems to me that this is a clause which ought to be carefully considered before it is passed upon.

Mr. HOAR. I should like to add one word. All lawyers maintain that law is a science. A great many of the modern law books are purely mechanical. Some clerk or young law student spends his hours of leisure in making a collation of cases and statutes. Sometimes it is very well done; sometimes it is very badly done. As I said, I am in favor of having such works come in free so far as the intellectual work is concerned, but there is no reason why they should come in without having the binding and printing protected, if you are going to protect it at all.

The PRESIDING OFFICER. The Senator from Missouri asks for the yeas and nays on agreeing to the amendment of the Senator from Pennsylvania.

The yeas and nays were ordered.

Mr. GRAY. Let the amendment be read.

The PRESIDING OFFICER. The amendment will be read as modified.

The SECRETARY. After the word "charts," in line 2, page 95, strike out "and books and periodicals devoted exclusively to original scientific research."

Mr. TELLER. I wish to have the clause stricken out, not because I care about eliminating it from the paragraph, but because it will put it in a form where it can be put in a shape satisfactory to everybody. Therefore I shall vote to strike out the clause.

The Secretary proceeded to call the roll.

Mr. BLANCHARD (when his name was called). I am paired with the Senator from Michigan [Mr. MCMILLAN]. If he were present I should vote "nay."

Mr. GALLINGER (when his name was called). I am paired with the junior Senator from Texas [Mr. MILLS].

Mr. HIGGINS (when his name was called). I announce my pair with the Senator from New Jersey [Mr. MCPHERSON]. If he were present I should vote "yea."

Mr. PERKINS (when his name was called). I announce my pair with the junior Senator from North Dakota [Mr. ROACH]. If he were present I should vote "yea."

Mr. QUAY (when his name was called). I am paired with the Senator from Alabama [Mr. MORGAN]. If he were present I should vote "yea."

The roll call was concluded.

Mr. BLACKBURN. I am paired with the Senator from Nebraska [Mr. MANDERSON], but I will transfer my pair to my colleague [Mr. LINDSAY], and vote "nay."

Mr. PALMER. I transfer my pair with the Senator from North Dakota [Mr. HANSBROUGH] to the Senator from Texas [Mr. COKE], and vote "nay."

Mr. CALL. I announce my pair with the Senator from Vermont [Mr. MORRILL].

Mr. DANIEL. I wish to state that my colleague [Mr. HUNTON], who is unavoidably detained from the Senate by illness in his family, is paired with the Senator from Connecticut [Mr. PLATT].

The result was announced—yeas 18, nays 29; as follows:

YEAS—18.

Aldrich,	Dolph,	Lodge,	Shoup,
Allison,	Dubois,	Patton,	Teller,
Carey,	Frye,	Power,	Washburn.
Chandler,	Hawley,	Proctor,	
Cullom,	Hoar,	Sherman.	

NAYS—29.

Bate,	George,	Jones, Ark.	Ransom,
Berry,	Gibson,	Kyle,	Smith,
Blackburn,	Gordon,	Mitchell, Wis.	Vest,
Brice,	Gorman,	Murphy,	Vilas,
Caffery,	Gray,	Palmer,	White.
Cockrell,	Harris,	Pasco,	
Daniel,	Irby,	Peffer,	
Faulkner,	Jarvis,	Pugh,	

NOT VOTING—33.

Allen,	Hale,	Manderson,	Roach,
Blanchard,	Hansbrough,	Martin,	Squire,
Butler,	Higgins,	Mills,	Stewart,
Call,	Hill,	Mitchell, Oregon	Turpie,
Camden,	Hunton,	Morgan,	Voorhees,
Cameron,	Jones, Nev.	Morrill,	Walsh,
Coke,	Lindsay,	Perkins,	Wilson,
Davis,	McLaurin,	Pettigrew,	Wolcott.
Dixon,	McMillan,	Platt,	
Gallinger,	McPherson,	Quay,	

So the amendment was rejected.

The PRESIDING OFFICER. The question recurs on the amendment proposed by the Senator from Arkansas, which will be stated.

The SECRETARY. At the end of the paragraph it is proposed to add "and public documents issued by foreign governments."

The amendment was agreed to.

Mr. ALLISON. I move to strike out "or publications of individuals for private circulation."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In line 5, after the word "academies," it is proposed to strike out "or publications of individuals for private circulation."

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Iowa. (Putting the question.) The ayes appear to have it.

Mr. VEST. I call for the yeas and nays.

The yeas and nays were ordered.

Mr. ALLISON. I suggest to the Senator from Missouri that this amendment, or some amendment at least, should manifestly be made to this paragraph.

Mr. HARRIS. Will the Senator from Iowa [Mr. ALLISON] allow me to suggest to my friend from Missouri [Mr. VEST], and to the Senate, that we let this paragraph go over for the present until the bill is reported to the Senate, and I hope the Senator from Missouri will have time to scrutinize and prepare such form as may seem in his judgment proper. It seems that the language here is not altogether satisfactory to him, and it is unsatisfactory to others. I take it for granted that the Senator

can, if he will take the time to look at it between now and the time when the bill is reported to the Senate, prepare a satisfactory amendment.

Mr. ALLISON. That will be entirely satisfactory to me.

Mr. HARRIS. I presume that will be satisfactory to the Senator from Missouri.

Mr. ALLISON. I am clear that this paragraph ought to be changed; and my object was simply to get some amendment to enable the conference committee, if we are ever to have one, to deal with it, in order to secure proper phraseology; but passing over the paragraph will be perfectly satisfactory to this side of the Chamber.

The PRESIDING OFFICER. Is the amendment withdrawn?

Mr. HOAR. The Senator from Iowa says "it will be perfectly satisfactory," and I suppose it would be more satisfactory to some on this side of the Chamber, and I suppose to all, if we did with this legislation as we do with all legislation—let the Senate vote according to the opinion of its majority. I never knew a tariff bill, or an appropriation bill, or a bill of any kind where the representatives of the dominant party did anything more than formulate its policy and propose it. This is the first time in our history that a majority of the Senate have avowed the doctrine that they propose to swallow everything that was proposed to them whether they liked it or did not like it, and propose to commit their conscience and judgment and the public interests to two men, and have nothing to say about it themselves. So I do not say this is perfectly satisfactory, but I think it is better than voting into the bill by a yea-and-nay vote things which everybody agrees are ridiculous.

Mr. ALLISON. I must state, after the suggestion of the Senator from Massachusetts [Mr. HOAR], that my language was quite inaccurate. I meant merely to say that the passing over of the paragraph would be perfectly satisfactory under existing conditions, being the best possible thing obtainable at this moment.

Mr. VEST. I want to say, once for all, that this continued scolding and criticism will not avail anything. So far as I am concerned, I have no apologies to make to anybody. I am doing my duty as I see it; and that is satisfactory to me. I have tried to make this sentence carry out what I believe is the intention of the majority of the Senate, but our friends on the other side seem satisfied with nothing but cutting this paragraph to pieces, and leaving it in such a condition that it conveys nothing like the intent of the House of Representatives or the intent of the Committee on Finance of the Senate.

If the Senator only wants to bring this matter into conference, I will move to insert between the word "and," and the word "books," in line 2, the word "scientific," so as to read, "scientific books and periodicals devoted exclusively to original research."

Mr. ALLISON. Strike out "exclusively."

Mr. VEST. Strike out "exclusively" and insert "scientific" between the word "and" and the word "books," in line 2.

Mr. HOAR. Why is not the shortest way to strike out the entire paragraph as a matter of form, and then the whole thing will be in the power of the committee of conference?

Mr. VEST. Because I do not choose to accede to the idea that the paragraph does not contain a good intent in the way of legislation. I prefer to have it in some sort of shape conveying the idea it does. As to the words to be used we can arrange them afterwards.

The PRESIDING OFFICER. The yeas and nays have been ordered, and unless the amendment proposed by the Senator from Iowa is withdrawn——

Mr. ALLISON. The Senator from Missouri seems to think that these amendments are proposed merely for captious purposes. I want to ask the Senator from Missouri in good faith how this portion of the paragraph can be executed which reads "or publications of individuals for private circulation?" There is a class of publications that are to come in free under one condition; that is, where they are for private circulation.

How can a custom-house officer execute a provision of that character? I do not see how it is possible to be done; and, therefore, whatever else is done, it seems to me we should not open a wide loophole here for fraud as respects the importation of books. It would be better to make all books free than to do that.

Mr. VEST. I have never known any difficulty in regard to defining what is a book for private circulation—when it is not put upon the market and not sold; when it is donated by the publisher or author.

Mr. ALLISON. But it is not a donation. It may be sold. The paragraph does not say "books for private circulation not sold or given away."

Mr. VEST. I do not think there is any doubt in regard to the meaning of those words. I do not think any man, whether a literary man or not, would have any difficulty in ascertaining what the language means, "or publications of individuals for private circulation." That is in contradistinction to the idea that they are to be put on the market for sale, where they are presented to friends or gratuitously offered with the compliments of the author. Doubtless every Senator has received books in that way, and receives them every week.

Mr. ALLISON. If the Senator will say "for gratuitous circulation," that will be all right. I will withdraw my original amendment and say "for gratuitous private circulation."

Mr. VEST. I have no objection to that.

The PRESIDING OFFICER. The previous amendment of the Senator from Iowa will be considered as withdrawn, and the ordering of the yeas and nays will also be reconsidered if there be no objection. The Chair hears none.

Mr. ALLISON. I now move before the word "private," in line 5, to insert the word "gratuitous."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In paragraph 410, line 5, on page 95, before the word "private," it is proposed to insert "gratuitous;" so as to read: "or publications of individuals for gratuitous private circulation."

The amendment was agreed to.

Mr. VEST. I propose an amendment, in line 2, before the word "books," to insert the word "scientific;" in the same line, after the word "devoted," to strike out "exclusively;" and in line 3, before the word "research," to strike out "scientific."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In paragraph 410, line 2, before the word "books," it is proposed to insert "scientific;" after the word "devoted," at the end of the same line, to strike out "exclusively;" and in line 3, before the word "research," to strike out "scientific;" so as to read:

And scientific books and periodicals devoted to original research, etc.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Missouri.

The amendment was agreed to.

The PRESIDING OFFICER. The reading of the bill will be resumed.

The Secretary read as follows:

411. Books and pamphlets printed exclusively in languages other than English; also books and music, in raised print, used exclusively by the blind.

Mr. QUAY. I move to amend that paragraph by striking out all of line 7 and line 8, down to and including the word "also."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In paragraph 411, line 7, it is proposed to strike out "Books and pamphlets printed exclusively in languages other than English; also," so as to read:

Books and music, in raised print, used exclusively by the blind.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Pennsylvania.

Mr. QUAY. This proposition to put books printed in a foreign language upon the free list made its appearance first in the McKinley act, after which this bill seems to be to some extent modeled. I know of no reason for its insertion here except that it was inserted in the McKinley act, unless the committee and the majority in this Chamber mean to discriminate against those who speak, write, and print English, in favor of books in foreign languages, especially in the German language, which is a very important interest in the United States, particularly in the city of Philadelphia. To my mind there is no reason why the printers and binders of German books in this country are not entitled to the same protection accorded to the printers and binders of English books. I have here the answer of Mr. Ig. Kohler to the inquiries of the Committee on Finance, and will take the liberty of reading a portion of it. He says:

5. We have published since 1879 621,698 volumes, including all our publications. In that year our house was destroyed by fire, so we are unable to say how many volumes were published before that, but since 1879 we have invested, alone, about $30,000 in new electrotype plates and wood cuts—all made in this country, as all our plates are. Our publications consist of religious, theological, classical, fiction, German and English dictionaries, text-books and schoolbooks, and we very seldom print an edition of less than 1,000 copies; our publications comprise about 100 or more different works, comprising from 1 to 12 to 14 to 54 volumes, costing from $500 to $10,000 a work, according to number of volumes.

6. In the last two years we have not worked full time, the reason why is that German books are allowed to enter free of duty, as all German publications are in the same order as ours.

7. We recommend the same duty upon German books as is on English.

8. If the duty upon our class of manufacture was reduced one-third, we would, no doubt, have to make a reduction in the same proportion.

9. Our books are sold by German houses, booksellers, and canvassers throughout the United States; we allow from 40 per cent to 50 per cent discount on retail prices.

10. The competition from Germany is very great and very injurious to German publishers here, on account of the very cheap labor there.

13. We are paying good wages, but we will be unable to continue doing so unless we receive protection.

14. We can not give living expenses of our workmen.

15. We are very much puzzled about the present law and its effects as it has caused a reaction upon our whole industry.

16. The price of living has been the same as in former years.

17. Our opinion is that the McKinley law relating to German books has a good deal to do with our depression in the German book market on account of competition from Germany.

24. We employ about ten men and ten girls; we pay skilled males from $15 to $16. Our apprentices earn from $3.50 to $6 per week. Females earn from $5 to $7 per week, as most of them are piece workers.

25. Some work full time, others half time, according to the work that is to be done.

26. All foreign articles of the like kind enter into competition with us, and to such an extent that it is injurious, as they manufacture much cheaper there, on account of the cheap labor; we here pay $2.50 and more a day, while there a skilled workman only receives a half dollar a day.

35. We recommend the same duty as upon English books and a high duty upon all bound books from any country, as that would give greater protection to the bookbinding industry and would prevent many large firms in America from having their books bound in England, France, or Germany. And, in conclusion, we beg to say we do not look at this from a selfish motive, but from real, earnest principle.

Allow me to state briefly how the duty was managed to be taken from German books. A lot of New York importers got together, sent out circulars to colleges, schools, professors, and teachers, had petitions signed and sent to Congress asking that the duty be taken from books, only for their own personal ends, not for the country's welfare, since which time there has not been any reduction in retail prices. We have no objections for institutions of learning having their books come in free of duty; we favor this always. We hope and sincerely pray that your committee will grant us the desired protection.

To show the extent of the industry in the city of Philadelphia I will read, or have the Secretary read for me, a petition signed by firms in Philadelphia representing the publishers, printers, bookbinders, paper manufacturers, and manufacturers of bookbinders' materials, interested in book-making, etc., praying for a restoration of at least 25 per cent on German books. The petition is addressed to the Secretary of the Treasury.

The PRESIDING OFFICER. In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

PHILADELPHIA, *April, 1893.*

Hon. JOHN G. CARLISLE,
Washington, D. C.:

DEAR SIR: We, the undersigned firms of Philadelphia, representing the publishers, printers, bookbinders, paper manufacturers, bookbinders' materials, all interested in the manufacture of bookmaking, etc., petition for the restoration of at least 25 per cent duty upon German books.

Publishers: Ig. Kohler, 911 Arch street; Charles G. Fisher, 907 Arch street; G. W. Fredericks, 117 North Sixth street; Boerick & Tafel, 1011 Arch street; A. J. Halman & Co., 1222 Arch street; National Publishing Company, 241 Levant street; Bradley Bros., 712 Sansom street; P. W. Zeigler & Co., 720 Chestnut street; Pelkinpine & Higgins, 914 Arch street; Historical Publishing Company, 3941 Market street; R. Friedlander (Philadelphia Abend Post), 406 North Fourth street; Henry S. Boner, 43 North Ninth street; F. W. Schmid (Philadelphia Tageblatt), 613 Callowhill; J. M. Stoddard, Limited, Seventh and Cherry; The A. R. Keller Company, Ridge Avenue and Noble.

Printers: William F. Fell & Co., 1222 Sansom street; Globe Printing House, 112 North Twelfth street; Sherman & Co., Seventh and Cherry; Avill Printing Company, John D. Avill, 3943 Market street; Walther Printing House, 413-415 Girard avenue; Stahl Bros., 501 North Fourth street; Franklin Printing Company, 516-18 Minor street; Binder & Kelly, 518-520 Minor street; William J. Dornan, 100 North Seventh street; William H. Keyser & Co., southwest corner Fifth and Locust; Th. M. Armstrong & Co., 710 Sansom street; Frank T. Armstrong, 1318 Reed street; Thos. M. Armstrong, 1511 North Twelfth street; McIntire & Weldin, Limited, 514-516 Minor street; George S. Ferguson & Co., 15 North Seventh street.

Bookbinders: Oldach & Co., 1215 Filbert street; Righter & Gibson, Philadelphia; The William Marley Company, Philadelphia; Henry Daniels & Bro., Philadelphia; A. Reed & Co., 820 Cherry street; Magee & Stanwood, Philadelphia; Oxford Bindery, Fred. Shields, president, 529 Arch street; James Arnold, 518 Minor street; John W. Clark's Sons, northeast corner Seventh and Commerce, W. J. McLeester, manager.

Paper dealers: A. G. Elliott & Co., Philadelphia; Magarge & Green, Philadelphia; Charles Beck Paper Company, Limited, Philadelphia, A. S. Beck, secretary and treasurer.

Bookbinders' materials: J. L. Shoemaker & Co., Philadelphia; Schulte Bros. & Co., Philadelphia.

Mr. QUAY. I also desire to bring to the attention of the Senate a letter which I have received from Mr. T. H. Diehl, a highly respectable and prominent citizen of Allentown, in which he says:

ALLENTOWN, PA., *March 21, 1894.*

DEAR SIR: I am a publisher of German books, of religious character, in accordance with the tenets of the Lutheran Church, so largely represented in Pennsylvania.

When the McKinley tariff bill was under consideration, certain importers of books and periodicals represented to the committee that the publishing interests in the German and other languages than the English in the United States were of very little consequence, that a continued duty on such publications was a hardship on those who were obliged to import from abroad and with such and similar arguments impressed the committee (unfamiliar with the subject) sufficiently to secure the placing of such publications on the free list, whereas they had previously been subject to the same duty (25 per cent) as English publications. The publishers in this country were not awake to the situation and no serious objection was made to the passage of the clause and thus it became a law.

The amount of capital involved and the results attained in German book publishing in this country are, however, much more extensive than most people are aware of. The rescinding of duties on importations has already very seriously injured these interests, and will inevitably do more harm in the future if continued.

Some lines of German publications are, of course, not affected, since they are in use by virtue of resolution of religious bodies. But all classes of books not enjoying such protection, of a general character, and with competitors of similar order in Germany, have since been subjected to competition of a killing character. Among such are the many juveniles, which schools are in the habit of using for reward or presentation purposes. American books have usually been made better than the European article, but since the duty is withdrawn the former will have to be made extremely poor and, if possible, wages reduced if the publishers are to be able to do any business whatever.

During the last two years some American-German publishers have been able to do very little with their stock, and their plants are in danger of being wiped out. All accumulations of plates and stock are nearly worthless, and for them the present situation is worthless.

But the remission of duty has not only done this harm, but has already caused the transfer of considerable work from this country to Germany. Some importers have sent unbound sheets of American-German books, notably church hymn books, which enjoy the protection of religious bodies, to Germany, to have finer bindings put on them.

The transportation cost is so much less than the wages paid here that they have found this business profitable, since they are free of paying duty on importations. Considerable work of this kind has already been taken away from our factories and workmen and given to foreigners. I happen to know of parties who import and publish and have in view the making of their book plates in Germany in future, which will give them still greater advantages, which the scale of wages (one-third or one-fourth of that in America) for composition, printing, binding, etc., will afford.

I think I will not need to multiply words. The case seems to me to be self-evident, and to my view affords a strong argument against tariff reductions generally, since the same results will follow most likely in other branches of manufacture and trade which have followed the inadvertent remission of duty in this line.

I have submitted these facts to Hon. D. W. VOORHEES, of the Finance Committee, in answer to circulars for information, but have had no answer from him and have no knowledge of any change in the bill. I ask that the duty be again placed on German books at the figure as before and as enjoyed by books in English. We German publishers must pay wages and materials at the price fixed by the employers who enjoy the protection which English books have afforded them, and then sell against competitors who have a free market against us.

Another point of view remains to be considered. The present law affords large opportunities for fraud. Nearly all the small Christmas, Easter, and other fine booklets, etc., for English and American houses are made in Germany. Since the new law is in existence at least some of these houses have commenced to make such booklets with German text, although very few are sold in this country. To me it does not appear improbable that, to some extent at least, the latter help to bring the former into this country free of duty. I have no positive evidence of such being the case, and do not make the charge, but the suggestion is worthy of consideration.

Yours, truly,

S. H. DIEHL.

Hon. M. S. QUAY,
United States Senate, Washington, D. C.

I sincerely trust the committee will see proper to modify the paragraph as it is now in the bill. If they will not, I shall ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Pennsylvania. Does the Senator from Pennsylvania ask for the yeas and nays?

Mr. QUAY. Yes, sir, I sincerely trust the committee will accept the amendment. I do not suppose the majority in this Chamber are so wedded to the McKinley law that they insist upon the rate named in the bill merely because it stands in the existing law. This provision first made its appearance in that law.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. GALLINGER (when his name was called). I am paired with the junior Senator from Texas [Mr. MILLS]. I should vote "yea" if that Senator were present.

Mr. MCLAURIN (when his name was called). I am paired with the junior Senator from Rhode Island [Mr. DIXON], and withdraw my vote unless it be necessary to make a quorum.

Mr. PERKINS (when his name was called). I again announce my pair with the Senator from North Dakota [Mr. ROACH]. If he were present I should vote "yea."

Mr. PLATT (when his name was called). I am paired with the Senator from Virginia [Mr. HUNTON].

Mr. QUAY (when his name was called). I am paired with the Senator from Alabama [Mr. MORGAN].

The roll call was concluded.

Mr. CALL. I announce my pair with the Senator from Vermont [Mr. MORRILL], and shall not vote unless it be necessary to make a quorum.

Mr. SHOUP. I am paired with the Senator from California [Mr. WHITE], and therefore withhold my vote.

Mr. BLANCHARD. I transfer my pair with the Senator from Michigan [Mr. MCMILLAN], to the Senator from Texas [Mr. COKE], and vote "nay."

The result was announced—yeas 18, nays 26; as follows:

YEAS—18.

Carey,	Dubois,	Lodge,	Sherman,
Chandler,	Frye,	Manderson,	Teller,
Cullom,	Hale,	Patton,	Washburn.
Davis,	Hawley,	Peffer,	
Dolph,	Jones, Nev.	Power,	

NAYS—26.

Allen,	Daniel,	Jones, Ark.	Pugh,
Bate,	Faulkner,	Kyle,	Smith,
Berry,	George,	Lindsay,	Vest,
Blackburn,	Gibson,	Martin,	Vilas,
Blanchard,	Gray,	Mitchell, Wis.	Voorhees
Caffery,	Harris,	Murphy,	
Cockrell,	Jarvis,	Pasco,	

NOT VOTING—41.

Aldrich,	Gorman,	Mitchell, Oregon	Shoup,
Allison,	Hansbrough,	Morgan,	Squire,
Brice,	Higgins,	Morrill,	Stewart,
Butler,	Hill,	Palmer,	Turpie,
Call,	Hoar,	Perkins,	Walsh,
Camden,	Hunton,	Pettigrew,	White,
Cameron,	Irby,	Platt,	Wilson,
Coke,	McLaurin,	Proctor,	Wolcott.
Dixon,	McMillan,	Quay,	
Gallinger,	McPherson,	Ransom,	
Gordon,	Mills,	Roach,	

So the amendment was rejected.

The PRESIDING OFFICER. The reading of the bill will proceed.

The Secretary read as follows:

412. Books, engravings, photographs, etchings, bound or unbound, maps and charts imported by authority or for the use of the United States or for the use of the Library of Congress.

413. Books, maps, lithographic prints, and charts, specially imported, not more than 2 copies in any one invoice, in good faith, for the use of any society incorporated or established for educational, philosophical, literary, or religious purposes, or for the encouragement of the fine arts, or for the use or by order of any college, academy, school, or seminary of learning in the United States, subject to such regulations as the Secretary of the Treasury shall prescribe.

414. Books, libraries, usual furniture, and similar household effects of persons or families from foreign countries, if actually used abroad by them not less than one year, and not intended for any other person or persons, nor for sale.

415. Borax, crude, or borate of soda, or borate of lime.

The Committee on Finance proposed an amendment to strike out paragraph 415.

The amendment was agreed to.

The Secretary read as follows:

416. Brazil paste.

417. Braids, plaits, laces, and similar manufactures composed of straw, chip, grass, palm leaf, willow, osier, or rattan, and sweat leathers, bindings, bands, and tips, when cut to length for trimming felt or wool hats, suitable for making or ornamenting hats, bonnets, and hoods.

The Committee on Finance reported an amendment to strike out paragraph 417.

Mr. JONES of Arkansas. The proposed committee amendment is withdrawn, and the fine print below in lines 7, 8, and 9 is offered as a substitute.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. It is proposed to strike out paragraph 417, and in lieu thereof to insert:

Braids, plaits, laces, and similar manufactures composed of straw, chipgrass, palm leaf, willow, osier, or rattan, suitable for making or ornamenting hats, bonnets, and hoods.

The amendment was agreed to.

The PRESIDING OFFICER. The reading of the bill will proceed.

The Secretary read as follows:

418. Brazilian pebble, unwrought or unmanufactured.

419. Breccia, in block or slabs.

420. Bristles.

Mr. JONES of Arkansas. In paragraph 420 I move to add the words which I send to the desk.

The PRESIDING OFFICER. The amendment proposed by the Senator from Arkansas will be stated.

The SECRETARY. It is proposed to add to paragraph 420 "crude, not sorted, bunched, or prepared."

Mr. HALE. How does that accord, let me ask the Senator from Arkansas, with the amendment which was offered this morning?

Mr. JONES of Arkansas. It coincides with the amendment exactly. That proposition was that bristles sorted, bunched, or prepared, should be taxed 7½ per cent. This is to make "crude bristles, not sorted, bunched, or prepared," free.

Mr. HALE. So that it was only the higher grade of bristles which was covered by the amendment this morning?

Mr. JONES of Arkansas. That is the effect of it.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Arkansas.

The amendment was agreed to.

The Secretary read as follows:

421. Bromine.

422. Broom corn.

Mr. JONES of Arkansas. I move to strike out paragraph 422.

The amendment was agreed to.

The Secretary read as follows:

423. Bullion, gold or silver.

424. Burgundy pitch.

425. Cabbages.

Mr. JONES of Arkansas. I move to strike out paragraph 425.

The amendment was agreed to.

The Secretary read as follows:

426. Old coins and medals, and other antiquities, but the term "antiquities" as used in this act shall include only such articles as are suitable for souvenirs or cabinet collections, and which shall have been produced at any period prior to the year 1700.

427. Cadmium.

428. Calamine.

429. Camphor.

Mr. JONES of Arkansas. After the word "camphor," in paragraph 429, I move to insert "crude."

The amendment was agreed to.

The Secretary read as follows:

430. Castor or castoreum.

431. Catgut, whipgut, or wormgut, unmanufactured, or not further manufactured than in strings or cords.

432. Cerium.

433. Chalk, unmanufactured.

434. Charcoal.

435. Chicory root, raw, dried, or undried, but unground.

436. Cider.

Mr. JONES of Arkansas. I move to amend by striking out paragraph 436.

The amendment was agreed to.

The Secretary read as follows:

437. Civet, crude.

438. Chromate of iron or chromic ore.

439. Clay—common blue clay in casks, suitable for the manufacture of crucibles.

440. Clays or earths, unwrought or unmanufactured, not specially provided for in this act.

Mr. JONES of Arkansas. I move to strike out paragraph 440.

The amendment was agreed to.

The Secretary read as follows:

441. Coal, anthracite, bituminous, and shale, and coal slack or culm.

Mr. JONES of Arkansas. I move to strike out the words "bituminous, and shale, and coal slack or culm," and insert after the word "anthracite" the words "and coal stores of American vessels, but none shall be unloaded."

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Arkansas.

Mr. JONES of Arkansas. I was in error a few moments ago in moving to strike out paragraph 425 and paragraph 436. Both of those paragraphs should remain in the free list.

The PRESIDING OFFICER. After the pending amendment is disposed of the Senator can move to reconsider. The question is on the amendment proposed by the Senator from Arkansas to paragraph 441.

The amendment was agreed to.

Mr. JONES of Arkansas. I wish to inquire if paragraph 422 was stricken out of the free list?

The PRESIDING OFFICER. It was.

Mr. JONES of Arkansas. I move to reconsider the vote by which that was done, and that that paragraph be restored to the free list.

The PRESIDING OFFICER. The Senator from Arkansas moves to reconsider the vote by which paragraph 422 was stricken out. Is there objection? If not objected to, the motion will be considered as agreed to.

Mr. JONES of Arkansas. I ask unanimous consent to restore paragraph 425, which was striken out by mistake.

The PRESIDING OFFICER. The Senator from Arkansas asks unanimous consent to restore paragraph 425. Is there objection?

Mr. ALDRICH. I do not mean to object to the action, but I do object to its being done by unanimous consent. I have no doubt the majority of the Senate will restore it, but I do not desire to have it understood that it was done by unanimous consent.

Mr. JONES of Arkansas. Then I move to restore paragraph 425. To be strictly parliamentary, I shall move to reconsider the vote by which the paragraph was stricken out.

Mr. ALDRICH. I do not object to the process by which it is done.

Mr. JONES of Arkansas. Very well; then I move to restore the paragraph.

The PRESIDING OFFICER. The Senator from Arkansas moves to restore to the bill paragraph 425, which was stricken out. If there be no objection, the motion will be considered as agreed to.

Mr. ALLISON. I do not see why that should be struck from the bill.

Mr. JONES of Arkansas. The principal reason is because we intend to put it on the free list.

Mr. HALE. What is the force of the brackets inclosing that paragraph?

Mr. JONES of Arkansas. We had given notice of an intention to propose a tax of 2 cents a head on cabbages, and then it would have been proper to strike cabbages from the free list; but in going over the bill for the moment the matter had passed from my mind, and I had forgotten the fact that we had not offered the amendment to tax cabbages; and therefore it should properly

be on the free list. I had cabbages stricken from the free list, and this is a proposition to restore them to the free list.

Mr. HALE. The final action is as the House sent it to us.

Mr. JONES of Arkansas. Yes, sir; to leave cabbages free.

The PRESIDING OFFICER. The motion will be considered as agreed to, if there be no objection.

Mr. ALLISON. There is objection to it.

The PRESIDING OFFICER. Then the question is on the motion.

The motion was agreed to.

Mr. JONES of Arkansas. I move to restore paragragh 436 in the same way.

The PRESIDING OFFICER. The question is on the motion of the Senator from Arkansas to reconsider the vote by which paragraph 436 was stricken from the free list.

The motion was agreed to.

The PRESIDING OFFICER. The Chair understands that the amendments to strike out paragraphs 422, 425, and 436 are withdrawn.

Mr. VEST. Yes.

Mr. JONES of Arkansas. And they are restored to the free list.

Mr. PLATT. Not without objection.

Mr. ALDRICH. By a vote of the Senate.

Mr. JONES of Arkansas. By a vote of the Senate.

Mr. HARRIS. Let it so appear.

Mr. HALE. Let us have a vote on the motion.

The PRESIDING OFFICER. The question is on the motion to restore the three paragraphs named to the free list. [Putting the question.] The ayes have it and they are restored.

Mr. CHANDLER. I desire to speak on the motion, Mr. President.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. CHANDLER. Mr. President, I suppose we had better have another vote on this amendment.

The statement of the Senator from Arkansas, who inadvertently allowed these two articles to be stricken from the free list, was distressingly intelligible. It indicated that the Senator still adhered to his abandonment of his amendment upon page 45 of the bill, which gave some little encouragement to those of us who are interested in maintaining the duty on agricultural products. There it stands at the head of page 45, reported on May 7:

Broom corn, $6 per ton.
Cabbages, 2 cents each.
Cider, 3 cents per gallon.
Eggs, 3 cents per dozen.
Eggs, yolk of, 15 per cent ad valorem.

There it stands; and there it stood for several weeks, and the hearts of the agriculturists of the country were encouraged by the hope that these little duties, which protected our farmers on the Northern frontier from immediate competition with the farmers of the Dominion, would be retained; but when the paragraph was reached, the Senator from Arkansas receded from his promise; he did not gratify us by the entertainment to which we had been apparently invited during all these weeks. I had hoped when I saw the Senator from Arkansas allow these paragraphs on the free list to be stricken out, that he had reached the conclusion that duties should be imposed upon the articles named in them.

Alas! Mr. President, I was mistaken. There they stand on pages 96 and 97, surrounded by encouraging black marks. Cabbages and cider were to go out of the free list, and of course the Senator from Arkansas intended to move to put a duty upon them; but in a moment again our hopes were dashed, as they have been many times before. I understand the Senator has relented on eggs, and that this forenoon eggs were made dutiable, I think at 3 cents a dozen.

Mr. HALE. Made dutiable for the day.

Mr. CHANDLER. They were made dutiable this morning at 3 cents a dozen; and I tremble now with fear that one or the other of the two Senators in charge of the bill will rise and withdraw the concession, and strike them out. But I understand that of all that tantalizing list of five commodities on page 45, we are to be gratified by being treated to only one of them, "eggs, 3 cents per dozen," whilst broom corn, cabbages, cider, and the yolks of eggs are not to be made dutiable.

Mr. President, I suppose we shall have to submit to this fitfulness on the part of the Senator from Arkansas, but I do hope he will be more tractable when he comes to other various items in this bill, and not tantalize us, as he has done, both when we were considering the duty upon eggs and the articles we have just now been considering on the free list, by leading us to suppose that he has some idea of protecting these agricultural products, and then, suddenly changing his mind, withdrawing his concessions and plunging us and the farmers along the Canadian border into the extreme depths of despondency, into which they are cast by this last and, I fear, unrelenting mood of the Senator from Arkansas.

The PRESIDING OFFICER. The Chair understood the motion of the Senator from Arkansas to reconsider the vote by which the paragraphs referred to were stricken from the bill as agreed to.

Mr. CHANDLER. I rose to speak, and as I rose there was a request, which I heard, for a vote from two or three Senators. I ask for a division myself.

The PRESIDING OFFICER. The question will be again put. The question is on the motion of the Senator from Arkansas [Mr. JONES] to reconsider the vote by which paragraph "422, broom corn," was stricken from the free list.

Mr. CHANDLER. I ask for a division.

Mr. JONES of Arkansas. That is equivalent to a call for the yeas and nays. We may as well have the yeas and nays, and qe done with it.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BLANCHARD (when his name was called). I announce my pair with the Senator from Michigan [Mr. MCMILLAN]. If he were present I should vote "yea."

Mr. GALLINGER (when his name was called). I am paired with the junior Senator from Texas [Mr. MILLS].

Mr. MCLAURIN (when his name was called). I transfer my pair with the junior Senator from Rhode Island [Mr. DIXON] to the junior Senator from South Carolina [Mr. IRBY], and vote "yea."

Mr. PERKINS (when his name was called). I again announce my pair with the junior Senator from North Dakota [Mr. ROACH]. If he were present I should vote "nay."

Mr. PLATT (when his name was called). I am paired with the Senator from Virginia [Mr. HUNTON]. If he were present I should vote "nay."

Mr. SMITH (when his name was called). I am paired with the junior Senator from Idaho [Mr. DUBOIS]. If he were here I should vote "yea."

Mr. VEST (when his name was called). I am paired with the Senator from Minnesota [Mr. WASHBURN].

Mr. WHITE (when his name was called). I am paired with the senior Senator from Idaho [Mr. SHOUP]. I withhold my vote for the present, as I do not see him in the Chamber.

The roll call was concluded.

Mr. CALL. I announce my pair with the Senator from Vermont [Mr. MORRILL].

Mr. MCLAURIN (after voting in the affirmative). I announced a transfer of my pair with the Senator from Rhode Island [Mr. DIXON] to the Senator from South Carolina [Mr. IRBY]. As the Senator from South Carolina has entered the Chamber and voted, I withdraw my vote.

Mr. BLANCHARD. I am paired with the Senator from Michigan [Mr. MCMILLAN], but I transfer my pair with him to the Senator from Indiana [Mr. VOORHEES] and vote "yea."

Mr. WHITE. I transfer my pair with the Senator from Idaho [Mr. SHOUP] to the Senator from Texas [Mr. COKE] and vote "yea."

Mr. MANDERSON. I am paired with the senior Senator from Kentucky [Mr. BLABKBURN], who is absent. If he were present I should vote "nay."

Mr. GORDON. In order that there may be no misapprehension, I now announce that the pair between the junior Senator from Iowa [Mr. WILSON] and the Senator from North Dakota [Mr. ROACH] will stand, unless the Senator from North Dakota reappears in the Chamber during the day.

Mr. CAREY (after having voted in the negative). I am paired with the junior Senator from Wisconsin [Mr. MITCHELL], and I withdraw my vote, having voted inadvertently.

Mr. PERKINS. Under the arrangement announced by the Senator from Georgia [Mr. GORDON] I am now at liberty to vote, and I vote "nay."

The result was announced—yeas 26, nays 18; as follows:

YEAS—26.

Allen,	Faulkner,	Irby,	Pasco,
Bate,	Gibson,	Jarvis,	Pugh,
Berry,	Gordon,	Jones, Ark.	Ransom,
Blanchard,	Gorman,	Kyle,	Vilas
Brice,	Gray,	Lindsay,	White.
Caffery,	Harris,	Martin,	
Daniel,	Hill,	Murphy,	

NAYS—18.

Aldrich,	Frye,	Patton,	Sherman.
Allison,	Hale,	Peffer,	Squire,
Chandler,	Hawley,	Perkins.	Teller.
Cullom,	Hoar,	Power,	
Dolph,	Lodge,	Proctor,	

NOT VOTING—41.

Blackburn,	Gallinger,	Mitchell, Oregon	Stewart,
Butler,	George,	Mitchell, Wis.	Turpie.
Call.	Hansbrough,	Morgan,	Vest.
Camden,	Higgins,	Morrill,	Voorhees,
Cameron,	Hunton.	Palmer,	Walsh,
Carey,	Jones, Nev.	Pettigrew,	Washburn.
Cockrell,	McLaurin,	Platt,	Wilson,
Coke.	McMillan,	Quay,	Wolcott.
Davis,	McPherson,	Roach,	
Dixon,	Manderson,	Shoup,	
Dubois,	Mills.	Smith.	

So the motion to reconsider was agreed to.

The VICE-PRESIDENT. The pending question is on the motion to reconsider the vote striking from the free list paragraph "425. Cabbages."

Mr. JONES of Arkansas. A motion was made to strike this article from the free list. That was carried, and I moved to reconsider the vote by which it was carried, and that the article be restored to the free list. As I understand, there is nothing more to do, the whole thing is accomplished.

Mr. HARRIS. The various paragraphs are disposed of by the vote just taken.

Mr. LODGE. Has paragraph 436 been disposed of?

The VICE-PRESIDENT. It has been disposed of.

Mr. LODGE. I understood the motion of the Senator from Arkansas referred to paragraph 435.

Mr. HARRIS. The Senator from Arkansas distinctly stated that he made the motion in respect to the several paragraphs named, including paragraph 436.

Mr. JONES of Arkansas. And it was so stated by the Chair.

Mr. HOAR. I think not. I heard the statement of the Chair, and I noticed that the statement when the vote was put was only on paragraph 425.

Mr. JONES of Arkansas. The Chair distinctly stated that my motion was to reconsider the vote by which paragraphs 422, 425, and 436 were stricken from the free list; and on that the vote was taken.

Mr. LODGE. I ask for a separate vote on paragraph 422, and then a separate vote on paragraph 425. Paragraph 436 has not been voted upon.

Mr. JONES of Arkansas. If the Senator desires to go back and take these things up and consume time, I have no objection, and we can not help ourselves; we are powerless. I asked unanimous consent not to be required to go through the form at the time and it was agreed to, and then I made the same request as to all the paragraphs I named.

Mr. HALE. The Senator undoubtedly did that; but when the Chair put the motion he followed the parliamentary rule of only putting it as applicable to one paragraph, 422.

Mr. HARRIS. I did not notice the language used by the Chair, but I did notice what the Senator from Arkansas said.

Mr. VILAS. Mr. President, I happened to be occupying the chair at the time this action was had. I understood, when the vote came to be taken, the Senator from New Hampshire [Mr. CHANDLER] objected and insisted that instead of its being done in a bunch as to all three, it must be done in accordance with parliamentary rules, and I did so state that the motion was to reconsider the vote by which paragraph 422 was stricken from the free list.

Mr. HALE. That is my recollection.

Mr. JONES of Arkansas. Very well.

Mr. VILAS. Previous to that time the Senator from Arkansas [Mr. JONES] had asked that the three paragraphs should be considered as restored, and that I put as one request; but it being objected to when the vote was taken, I felt bound to put the vote, according to the parliamentary rule, as to the particular paragraph.

Mr. JONES of Arkansas. I shall not make any motion as to paragraphs 425 and 436 at this time.

The VICE-PRESIDENT. The reading of the bill will proceed.

The Secretary read as follows:

442. Coke.

The Committee on Finance reported an amendment to strike out the paragraph.

The amendment was agreed to.

The Secretary read as follows:

443. Coal tar, crude, and all preparations and products of coal tar, not colors or dyes, not specially provided for in this act.

Mr. JONES of Arkansas. In line 4, after the word "tar," I move to insert the word "crude," and in the same line, after the word "preparations," to insert "except medicinal coal-tar preparations."

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In paragraph 443, line 4, after the word "tar," it is proposed to insert "crude," and in the same line, after the word "preparations," to insert "except medicinal coal-tar preparations;" so as to make the paragraph read:

443. Coal tar, crude and all preparations except medicinal coal-tar preparations and products of coal tar, not colors or dyes, not specially provided for in this act.

The amendment was agreed to.

The Secretary read as follows:

444. Cobalt and cobalt ore, and oxide of cobalt.

Mr. JONES of Arkansas. After the word "ore," I move to strike out the words, "and oxide of cobalt."

The amendment was agreed to.

The Secretary read as follows:

445. Cocculus indicus.
446. Cochineal.
447. Cocoa, or cacao, crude, and fiber, leaves, and shells of.

The Committee on Finance reported an amendment to paragraph 447, after the word "crude," to strike out "and fiber."

The amendment was agreed to.

The Secretary read as follows:

448. Coffee.
449. Coins, gold, silver, and copper.
450. Coir and coir yarn.
451. Copper imported in the form of ores.
452. Old copper, fit only for manufacture, clipping from new copper, and all composition metal of which copper is a component material of chief value not specially provided for in this act.
453. Copper, regulus of, and black or coarse copper, and copper cement.
454. Copper in plates, bars, ingots, or pigs, and other forms, not manufactured, not specially provided for in this act.
455. Copperas, or sulphate of iron.

Mr. ALDRICH. I ask that paragraph 455 may be passed over in the hope that the committee will conclude to report an amendment in favor of placing a small duty upon copperas.

Mr. JONES of Arkansas. Let the paragraph be passed over by unanimous consent.

The VICE-PRESIDENT. Without objection, it will be so ordered.

The Secretary read as follows:

456. Coral, marine, uncut, and unmanufactured.
457. Cork wood or cork bark, unmanufactured, or cut into squares or cubes.

Mr. JONES of Arkansas. In line 1, after the word "unmanufactured," I move to strike out the words "or cut into squares or cubes."

The amendment was agreed to.

The Secretary read as follows:

458. Cotton and cotton waste or flocks.
459. Cotton ties of iron or steel cut to lengths, punched or not punched, with or without buckles, for bailing cotton.

Mr. ALDRICH. I move to strike out paragraph 459.

The VICE-PRESIDENT. The question is upon the amendment of the Senator from Rhode Island to strike out paragraph 459, which has just been read.

The amendment was rejected.

The Secretary read as follows:

460. Cryolite, or kryolith.
461. Cudbear.
462. Curling stones, or quoits, and curling-stone handles.
463. Curry, and curry powder.
464. Cutch.
465. Cuttlefish bone.
466. Dandelion roots, raw, dried, or undried, but unground.
467. Glaziers and engravers' diamonds not set, and diamond dust or bort, and jewels to be used in the manufacture of watches or clocks.

The Committee on Finance reported an amendment at the beginning of the paragraph to strike out the word "glaziers'" and insert "diamonds and other precious stones, rough or uncut, including miners', glaziers';" so as to make the paragraph read:

467. Diamonds and other precious stones, rough or uncut, including miners', glaziers', and engravers' diamonds not set, and diamond dust or bort, and jewels to be used in the manufacture of watches or clocks.

Mr. PEFFER. I move to strike out the entire paragraph.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Kansas to the amendment of the committee.

Mr. TELLER. I ask the Senator from Arkansas to allow that paragraph to be passed over with the other on that subject, which has been passed over, and we will take up the two together. One might be dependent upon the other. I am not ready to take up the question now, but ask that it be passed over for the time being. It will only occupy a few minutes.

The VICE-PRESIDENT. Does the Senator from Kansas [Mr. PEFFER] ask for a vote on his amendment?

Mr. PEFFER. I ask that the vote may be taken upon the amendment.

Mr. JONES of Arkansas. Does the Senator insist on asking for the vote now? Is he not willing to accede to the request of the Senator from Colorado [Mr. TELLER] that the paragraph be passed over?

Mr. PEFFER. I have no objection to letting it be passed over.

The VICE-PRESIDENT. In the absence of objection, the paragraph will be passed over.

The Secretary read as follows:

468. Dividivi.
469. Dragon's blood.
470. Drugs, such as barks, beans, berries, balsams, buds, bulbs, bulbous roots, excrescences, fruits, flowers, dried fibers, dried insects, grains, gums and gum resin, herbs, leaves, lichens, mosses, nuts, roots and stems, spices, vegetables, seeds aromatic, seeds of morbid growth, weeds, and woods used expressly for dyeing; any of the foregoing which are not edible, whether crude or advanced in value or condition by refining or grinding, or by other process of manufacture, and not specially provided for in this act.

Mr. VEST. In paragraph 470, line 25, after the word "foregoing," I move to insert the word "drugs."

The amendment was agreed to.

Mr. VEST. In the same paragraph, line 1, on page 100, after the word "edible," I move to strike out the words "whether crude or," and insert "and which have not been."

The amendment was agreed to.

The Secretary read as follows:

471. Eggs and yolks of, and eggs of birds, fish, and insects.

Mr. JONES of Arkansas. At the beginning of the paragraph I move to strike out the words "Eggs and yolks of, and;" so that the paragraph will read:

Eggs of birds, fish, and insects.

Mr. LODGE. When the question of eggs was discussed some little time ago I think it was generally agreed in the Senate that we should prevent as far as possible the importation of the eggs of game birds, especially of wild ducks, whose nests, principally in Canada, have been largely destroyed by the opening of our market to them. The Canadian Parliament passed a law to prevent the destruction of the nests, which would lead to the extermination of all those species of birds. I offer now an amendment, which I have submitted to the committee, and which meets with the approval of the Senator from Missouri [Mr. VEST], to add at the end of line 6:

Provided, however, That this shall not be held to include the eggs of game birds, the importation of which is prohibited, except specimens for scientific collections.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Massachusetts to the amendment proposed by the Senator from Arkansas.

The amendment to the amendment was agreed to.

The VICE-PRESIDENT. The question recurs on the amendment of the committee as amended.

The amendment as amended was agreed to.

The VICE-PRESIDENT. The reading of the bill will be proceeded with.

The Secretary read as follows:

472. Emery ore.
473. Ergot.
474. Common palm leaf fans, and palm leaf unmanufactured.
475. Farina.
476. Fashion plates, engraved on steel or copper or on wood, colored or plain.

Mr. PEFFER. I move to strike out paragraph 476.

The PRESIDING OFFICER (Mr. MARTIN in the chair). The question is on agreeing to the amendment of the Senator from Kansas, to strike out paragraph 476.

The amendment was rejected.

The Secretary read as follows:

477. Feathers and downs for beds, and feathers and downs of all kinds, crude or not dressed, colored, or manufactured, not specially provided for in this act.
478. Feldspar.
479. Felt, adhesive, for sheathing vessels.
480. Fibrin, in all forms.
481. Fish, frozen or packed in ice fresh.

Mr. JONES of Arkansas. Let paragraph 481 be passed over.

The PRESIDING OFFICER. Paragraph 481 will be passed over if there be no objection. The reading of the bill will proceed.

The Secretary read as follows:

482. Fish and bait.
483. Fish skins.
484. Flint, flints, and ground flint stones.
485. Floor matting manufactured from round or split straw, including what is commonly known as Chinese matting.

The next amendment of the Committee on Finance was to strike out paragraph 485.

Mr. ALDRICH. I call the attention of the Senator from Missouri to this paragraph.

Mr. VEST. The amendment is withdrawn. Chinese matting is restored to the free list.

The PRESIDING OFFICER. The amendment is withdrawn. The reading will proceed.

The Secretary read as follows:

486. Fossils.
487. Fruit plants, tropical and semitropical, for the purpose of propagation or cultivation.

Fruits and nuts:

488. Dates.

The next amendment of the Committee on Finance was to strike out paragraph 488, in the following words:

488. Dates.

The amendment was agreed to.

The Secretary read the next paragraph, as follows:

489. Fruits, green, ripe, or dried not specially provided for in this act.

Mr. ALLISON. I see there is an amendment marked in the bill. What becomes of it?

Mr. JONES of Arkansas. Bananas are included in paragraph 489.

Fruits, green, ripe, or dried not specially provided for in this act.

Pineapples are put on the dutiable list in paragraph 213*b*.

The PRESIDING OFFICER. The reading of the bill will be proceeded with.

The Secretary read as follows:

490. Tamarinds.
491. Cocoanuts, Brazil nuts, cream nuts, palm nuts, and palm-nut kernels.

The Committee on Finance reported an amendment in paragraph 491, after the word "cocoanuts," to strike out "Brazil nuts, cream nuts."

Mr. JONES of Arkansas. I withdraw the committee amendment. I move to strike out the word "cocoanuts," before the word "Brazil," and at the end of the paragraph to insert "not otherwise provided for;" so as to make the paragraph read:

491. Brazil nuts, cream nuts, palm nuts, and palm-nut kernals, not otherwise provided for.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Arkansas.

The amendment was agreed to.

The Secretary read the next paragraph as follows:

492. Furs, undressed—

Mr. JONES of Arkansas. I move to insert after the words "undressed" in line 13, the words, "dressed fur pieces suitable only for use in the manufacture of hatters' fur," so as to read:

Furs, undressed; dressed fur pieces suitable only for use in the manufacture of hatters' fur.

The amendment was agreed to.

The Secretary read the next paragraph, as follows:

493. Fur skins of all kinds not dressed in any manner.

The next amendment of the Committee on Finance was to strike out paragraph 494, in the following words:

494. Gambier.

Mr. ALDRICH. I understood the committee were to withdraw the amendment. There certainly is no reason for restoring gambier to the dutiable list.

Mr. JONES of Arkansas. I withdraw the amendment.

The PRESIDING OFFICER. The amendment is withdrawn.

The Secretary read as follows:

495. Glass, broken, and old glass, which can not be cut for use, and fit only to be remanufactured.
496. Glass plates or disks, rough-cut or unwrought, for use in the manufacture of optical instruments, spectacles, and eyeglasses, and suitable only for such use. *Provided, however*, That such disks exceeding 8 inches in diameter may be polished sufficiently to enable the character of the glass to be determined.

Grasses and fibers:

497. Istle or Tampico fiber, jute, jute butts, manila, sisal grass, sunn, flax straw, flax not hackled, tow of flax or hemp, hemp not hackled, hemp, flax, jute, and tow wastes, and all other textile grasses or fibrous vegetable substances, unmanufactured or undressed, not specially provided for in this act.
498. Gold-beaters' molds and gold-beaters' skins.
499. Grease and oils, such as are commonly used in soap making or in wire-drawing, or for stuffing or dressing leather, and which are fit only for such uses, not specially provided for in this act.

The next amendment of the Committee on Finance was, in paragraph 499, line 11, after the word "uses," to insert "and cod oil;" so as to make the paragraph read:

Grease and oils, such as are commonly used in soap-making, or in wire-drawing, or for stuffing or dressing leather, and which are fit only for such uses, and cod oil, not specially provided for in this act.

Mr. ALDRICH. I should like to have an explanation of the amendment. I do not see why cod oil, unless it is suitable only for dressing leather, should be admitted free of duty.

Mr. JONES of Arkansas. I understand it is used by leather-dressers. I see no reason why it should not be admitted free of duty. It is a product, as I understand, which can not be put to any other than mechanical uses. It is a cheap product which is used by leather-makers.

Mr. ALDRICH. All fish oils are made dutiable by the bill, and cod oil itself is made dutiable at 15 per cent ad valorem, if I remember aright.

Mr. HARRIS. This paragraph provides for oils "not specially provided for in this act."

Mr. ALDRICH. I cannot quite understand——

Mr. JONES of Arkansas. I do not think the Senator from Rhode Island will find a provision making cod oil dutiable.

Mr. ALDRICH. I think I will. I will call attention to it in a moment. By the paragraph at the the top of page 6, as I remember the final action of the Senate, cod-liver oil was made dutiable at 10 per cent or 15 per cent.

Mr. VEST. It was stricken out in lines 2 and 3.

The PRESIDING OFFICER. The Chair is advised that that clause was stricken out.

Mr. ALDRICH. I can see no reason why cod oil should be treated differently from other oils. Cod oil is an important product of the American fisheries, and I can see no reason why foreign fishermen should be allowed to import their cod oil free of duty any more than any other oil. If there is any reason I should be glad to have the Senator from Arkansas state it.

Mr. VEST. Paragraph 499 in part says:

Grease and oils, such as are commonly used in soap-making or wire-drawing or for stuffing or dressing leather.

The customs officials said that that did not include cod oil, and there should be a specific provision if we intended to admit it free. Therefore it was inserted, and also because it was represented to us that it was exceedingly important to this industry that it should be specifically named.

Mr. ALDRICH. What industry asked to have it done?

Mr. VEST. The leather dressers.

Mr. ALDRICH. Did the leather dressers ask for this amendment?

Mr. VEST. Yes.

Mr. HOAR. I have not received any such request. I suppose I represent the largest leather dressing community in the United States, and the same is true as to cod oil. I have not received any such request.

Mr. VEST. Does the Senator from Massachusetts object to cod oil being put in the paragraph? We do not care anything about it.

Mr. HOAR. I was asking where the request came from.

Mr. JONES of Arkansas. From leather dressers.

Mr. HOAR. What leather dressers asked for it, and where are they located?

Mr. JONES of Arkansas. I can not give the names. There were a number. It was stated that there was difficulty in distinguishing this, which is a common oil used by leather dressers, from other oils provided for in the paragraph; that there was difficulty in separating the two.

Mr. HOAR. The Senator from Missouri asked me whether I objected to the amendment. The subject is entirely new to me. I am surprised that I should not have received some communication on the subject, if any change is desired.

Mr. LODGE. Mr. President——

Mr. VEST. If the Senators representing these large leather interests think that this is an inimical movement to them let us understand it. We were under the impression that this is an article necessary in the dressing of leather and that we were doing something in the interest of leather manufacturers, making boots and shoes cheaper, by furnishing them their raw material free of duty. If we have made a mistake about it we want to know it.

Mr. ALDRICH. The Senator from Missouri says they are doing something for the leather manufacturers.

Mr. LODGE. It seems to me that the first words in this clause cover entirely the oils which are used for these specific purposes. It says "grease and oils, such as are commonly used * * * for stuffing or dressing leather." I do not see why this fish oil, a product of Northern fisheries, should be singled out from all others and placed upon the free list. As far as the request of leather dressers and persons engaged in the leather trade go, I think my colleague and myself represent in our State as large an industry of that sort as any in the United States. I have not heard a single word from any human being in regard to it, but I have had a great many letters from the men engaged in the fisheries expressing the greatest possible anxiety as to all the products of those fisheries. I do not see why cod oil is put in the paragraph. It is not put in as an oil simply for dressing leather, but it is put in generally. It is selected out of all the fish oils and made free in this paragraph.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the committee.

Mr. VEST. I merely wish to state to the Senator from Massachusetts that if he will turn to page 62 of the testimony in regard to chemicals, taken before the Ways and Means Committee of the other House, he will find that it is the nature of this article that it should be used only for manufacturing purposes, and it is only so used.

Mr. ALDRICH. What page?

Mr. VEST. Page 62, under the head of cod oil.

This article was free when imported from Canada under the treaty of Washington, prior to the abrogation of certain articles of that treaty which provided for free entry of fish, etc.

* * * * * * * *

The cod oil used by tanners is made from cod livers and other offal of codfish.

Mr. ALDRICH. The statement to which the Senator refers is that of some man in Indiana. The dressing of leather in the State of Indiana is not a very large industry, I understand. It is a large industry in Massachusetts and in most of the New England States. The duties upon leather have been retained by the committee at the rates now existing under the McKinley law I think in every instance. I believe there has been no reduction in any article of leather in the entire bill. I suggest that it is unfair to the people engaged in the fisheries to take one of their principal products and make it free simply for the benefit of leather manufacturers or the men who are engaged in dressing leather when all the duties upon leather are maintained throughout the entire bill.

Mr. VEST. If the Senator will turn to page 64 of the same document he will find that Mr. Frederic W. Clarke, of Boston, under date of September 19, 1893, reënforces the statement from which I read in regard to this product.

Mr. LODGE. I suggest to the committee, if they mean to insist upon the amendment as to cod oil, that they put it in line 9 after the words "grease and oils," so that it will read "grease and oils and cod oil, such as are commonly used," etc., so as to confine it to the leather use which they say is the reason for its being on the free list. I ask the Senator from Missouri if he sees any objection to changing the place?

Mr. VEST. I did not hear the suggestion of the Senator from Massachusetts, as there is so much talk in the Chamber.

Mr. LODGE. As the Senator has it now, cod oil is made free for all uses. I understand the Senator's object in putting it on the free list is to have it free for the special uses enumerated. Would there be any objection to placing it in the ninth line—

Grease and oils, such as are commonly used, etc.

Mr. VEST. I do not see how it would be practicable for the customs officials to follow the article to its uses.

Mr. LODGE. The transposition I suggest would make it free for the uses for which the Senator desires to make it free. As it is now worded, he makes it free for every possible use.

Mr. VEST. It would be utterly impossible for the customs officials to follow it, as I stated, into its uses. All we can do is to take the evidence before us that it is only used for this purpose.

Mr. LODGE. I ask the Senator from Missouri why it is more difficult for the officials to make this distinction in the case of cod oil than with other oils. There must be some standard of defining the other oils which have specific uses. Why cod oil alone should be singled out I can not understand.

Mr. VEST. Because there has been some difficulty in regard to including it with the other oils which are used in the dressing of leather. As we intended to put upon the free list all the oils which are used by the leather manufacturers, when they asked us to specify cod oil, so that there could be no mistake about it, we saw no objection.

Mr. LODGE. The proposition which I make leaves cod oil free for all the uses of the leather dressers. It simply keeps it on the dutiable list when employed for other uses.

Mr. VEST. It is utterly impossible to follow it to its use.

Mr. HALE. If the object is, as the language of the paragraph indicates, to put on the free list only such oils as are commonly used in soap-making or in wire-drawing, or for stuffing or dressing leather, and which are fit only for such uses, there is no use to put cod oil in at all, because the language is very sweeping and embracing. It says "grease and oils"—that includes cod oil as much as any other oil—"such as are commonly used." As the Senator from Massachusetts says, while the clause generally confines the free admission of oil to a particular branch of human industry, by putting cod oil at the end and after other oils have been named, it admits it free for every purpose. Why does the Senator put cod oil in at all? Why is it not embraced in the words "grease and oils?"

Mr. VEST. I suppose cod oil may be used for some other purpose than dressing leather.

Mr. HALE. Does the Senator want to amplify this branch? These oils are put in for a direct purpose, as stated, to be used in soap-making, or wire-drawing, or for stuffing or dressing leather and fit only for such purposes. It is not a general clause admitting all oils free, but only oils for certain purposes. Now, the reason and purpose of the clause are entirely departed from when at the end, after making the restriction, you put in "cod oil" and place no restriction upon it.

Mr. VEST. Suppose we strike out the word "and," and say "including cod oil."

Mr. HALE. It would then read:

Such as are commonly used in soap-making or in wire-drawing, or for stuffing or dressing leather, and which are fit only for such uses, including cod oil for such uses.

Mr. HOAR. It had better come in after the word "oils," "grease and oils, including cod oil."

Mr. HALE. That is the proper place if it is to be put in at all. I do not see that it is necessary to put it in.

Mr. VEST. Put it in in line 9, after the word "oils."

Mr. HALE. "Grease and oils"——

Mr. VEST. "Grease and oils, including cod oil, such as are commonly used," etc.

Mr. HOAR. That is better.

Mr. HALE. That will do.

Mr. VEST. Then I withdraw the committee amendment, and move to insert "including cod oil," after the word "oils," in line 9.

The PRESIDING OFFICER. The amendment proposed by the Senator from Missouri will be stated—

The SECRETARY. After the word "oils," in line 9, insert:

"Including cod oil."

So as to make the paragraph read:

499. Grease and oils, including cod oil, such as are commonly used in soap-making or in wire-drawing, or for stuffing or dressing leather, and which are fit only for such uses, not specially provided for in this act.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Missouri.

The amendment was agreed to.

Mr. JONES of Arkansas. I asked the Senate a moment ago to pass over paragraph 481, "fish, frozen or packed in ice, fresh." I had mislaid an amendment sent me by the Secretary of the Treasury, which I wish to offer in connection with that paragraph, or rather as a substitute for it. I send it to the desk now to be read.

The VICE-PRESIDENT. The Secretary will read the amendment.

The SECRETARY. Strike out paragraph 481 and insert:

481. Whenever the President shall be satisfied that the Governments of Canada and Newfoundland have provided for the admission free of duty into the Dominion of Canada and Newfoundland of fish oil, whale oil, seal oil, and fish of all kinds, except fish preserved in oil, being the produce of fisheries carried on by the fishermen of the United States, as well as the usual and necessary casks, barrels, kegs, cans, and other usual and necessary coverings containing the products above mentioned, and that the said Governments of Canada and Newfoundland accord to United States fishing vessels, by annual licenses, free of charge, the privilege of entering the ports, bays, and harbors of the coasts of Canada and Newfoundland for the following purposes, namely:

I. The purchase of provisions, bait, ice, seines, lines, and all other supplies and outfits, provided that such supplies, with the exception of bait, shall not be obtained by barter.

II. Transshipment and transportation of catch by any means of conveyance.

III. Shipping of crews.

He shall issue his proclamation declaring the same, and thereafter fish oil, whale oil, seal oil, and fish of all kinds, except fish preserved in oil, being the produce of fisheries carried on by the fishermen of Canada and Newfoundland, including Labrador, and the usual and necessary coverings of the same as above described, shall be admitted into the United States free of duty, and the fishing vessels of Canada and Newfoundland shall have and enjoy like privileges and immunities on the Atlantic coast of the United States as have then been accorded to the fishing vessels of the United States by the Governments of Canada and Newfoundland.

Mr. HOAR. Mr. President, if this amendment is to be acted upon by the Senate I shall feel it my duty to ask its postponement in order that I may prepare myself with some authorities to address the Senate at length upon the subject. It is a matter which, in my judgment, is foreign entirely to the purpose of the bill. It brings up the great question in our foreign relations, whether we will consent under any circumstances or upon any terms to purchase of Canada the ordinary hospitalities for our fishing vessels to which we are entitled under the law of nations as modified in modern times.

By the treaty of 1818 we secured some special and conditional and restricted title to a brief hospitality, but that was at a time when American vessels were not admitted into the colonial ports of Great Britain for any commercial purpose whatever, and there were special provisions for a recognition of the title to the hospitality of the fishermen engaged in their dangerous and adventurous pursuit. Canada of late years has insisted that when all other vessels have the entire and complete hospitality which modern civilization exacts, the fishing vessels shall still be restricted to the provisions of the treaty of 1818 and that that shall be still a definition of what they shall receive.

Mr. President, if I had my way, if I had the honor to be clothed with the executive powers, including those which have been recently and expressly for that very purpose conferred upon the President of the United States, I should say at once that there should not be a Canadian vessel of any kind admitted into one of our Atlantic ports or into any other port in this country until the complete hospitalities which decency requires, the power of refitting, the power of repairing vessels, the power of getting supplies, and the right to tarry at their convenience for an unlimited time, were granted to all our fishing vessels.

But that is a great question. It would involve the discussion of a history extending back to a time prior to the Declaration of Independence; prior to the treaty of 1783. It would involve reviewing the whole history of the transactions which led to the war of 1812; the transactions which led to the peace of 1815, and the commercial treaty of 1818. I shall detain the Senate for but a moment, because I know the purpose of the Senator from Arkansas, but it is due to my constituents that I should say what I am saying.

There is another great question which is connected with this matter, entirely foreign to a tariff bill. That is as to the expediency of maintaining and protecting by these duties upon fish and the products of fish, the fishermen of Gloucester and Provincetown and the few Maine ports that engage in the same industry as a nursery for seamen.

When the fishery treaty negotiated by Mr. Secretary Bayard was before the Senate five or six years ago it was discussed for several weeks, and the discussion turned upon the point which I have just suggested and upon this other point to which I am now speaking. Admiral Porter wrote a letter addressed to me, which was read in the debate here and will be found in the RECORD, in which he declared that the importance of our New Foundland bank fisheries as a nursery for seamen was never so great as it had been since the substitution of steam for sails as the motive power for naval vessels.

You do not find men familiar with boat craft, you do not find men familiar with the waters of the Atlantic coast, you do not find men who are familiar with the constant changeable dangers which attend navigation and which attend especially naval warfare, except those who are especially trained in these fisheries. That gave great value to the Norsemen and the other men of the northern nations of Europe who enlisted in our naval service, but we can not depend in war on a ship's crew which is not made up certainly in a large part of Americans who love the flag and who were born under it.

Therefore, Mr. President, if we abandon the doctrine of the protection of our fisheries, we shall have to spend much larger sums, larger by millions upon millions, in establishing institutions for the training of seamen for our naval service. I believe my honorable friend from Arkansas, whatever opinion he may form as to the merits of this amendment, will agree with me in thinking that it belongs on a separate measure in regard to which other policies may be considered, and not on a tariff bill, whether for revenue or protection.

Mr. JONES of Arkansas. Mr. President——

Mr. LODGE. I merely desire to say a word. I shall not detain the Senate more than a moment.

Mr. JONES of Arkansas. I only wanted to withdraw the amendment, but of course I yield to the Senator.

Mr. LODGE. I did not wish to discuss the amendment. I merely wish to say to the Senator from Arkansas that this is a matter of most vital interest to our people, and that we should feel obliged to discuss it at considerable length and could not help doing so. Our people believe, as I believe, that it involves the whole question of giving up their rights in consideration of certain tariff advantages.

Mr. HALE. Does the Senator from Arkansas withdraw the amendment?

Mr. JONES of Arkansas. I rose for that purpose. I was going to say in connection with it that the Secretary of the Treasury sent me the amendment, and I know his idea was that it would be entirely acceptable. I had no idea of pressing it unless it was generally acceptable in the Senate. But as Senators on the other side have indicated opposition to it, I withdraw it. Paragraph 481 has been read, I believe, and I offered this as a substitute for it. I now withdraw the amendment.

The VICE-PRESIDENT. The amendment is withdrawn.

Mr. HALE. There is so much confusion in the Chamber I can not hear what is going on. Do I understand the Senator to withdraw the amendment?

Mr. JONES of Arkansas. That is what I did, unless the Senator from Maine wishes to make some remarks upon it.

Mr. HALE. I am very glad the Senator from Arkansas has withdrawn it. It certainly could not have been disposed of without several hours of discussion. I desire to move to amend paragraph 481 by striking out the paragraph and inserting the present law. Has the Senator from Arkansas a substitute for the paragraph?

Mr. JONES of Arkansas. I offered as a substitute for paragraph 481 what was read at the desk. I have now withdrawn the amendment and offered no other amendment to the paragraph, unless somebody else wishes to make——

Mr. HALE. Then I propose the amendment which I ask the Secretary to read.

The VICE-PRESIDENT. The amendment proposed by the Senator from Maine will be stated.

The SECRETARY. Strike out paragraph 481 in the following words:

481. Fish, frozen or packed in ice fresh.

And insert in lieu thereof:

481. Fish, the product of American fisheries, and fresh or frozen fish (except salmon) caught in fresh waters by American vessels, or with nets or other devices owned by citizens of the United States.

Mr. LODGE. I ask the Senator whether what he moves is the present law?

Mr. HALE. It is the present law exactly. I ask the Senator from Arkansas to let this paragraph be passed for the moment. My colleague [Mr. FRYE] desires to be here when it is considered, and I have sent for him. The reading of the bill can proceed, and we can go back to the paragraph afterwards.

Mr. JONES of Arkansas. There is no objection to that course.

The VICE-PRESIDENT. The Chair hears no objection to the request of the Senator from Maine. The reading of the bill will be proceeded with.

The Secretary read as follows:

500. Guano, manures, and all substances expressly used for manure.
501. Gunny bags and gunny cloths, old or refuse, fit only for remanufacture.
502. Guts, salted.

The next amendment of the Committee on Finance was to strike out paragraph 502.

The amendment was agreed to.

The Secretary read as follows:

503. Gutta-percha, crude.
504. Hair of horse, cattle, and other animals, cleaned or uncleaned, drawn or undrawn, and curled hair suitable for beds or mattresses, not specially provided for in this act; and human hair, raw, uncleaned, and not drawn.

Mr. JONES of Arkansas. In paragraph 504, line 20, I move to strike out "and curled hair suitable for beds or mattresses."

The amendment was agreed to.

The Secretary read the next paragraph, as follows:

505. Hides and skins, raw or uncured, whether dry, salted, or pickled.

Mr. PEFFER. I move to strike out paragraph 505. I propose this amendment because leather and manufactures of leather, which are made of hides, are dutiable, and I think hides ought to be dutiable also.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Kansas.

The amendment was rejected.

The Secretary read as follows:

506. Hide cuttings, raw, with or without hair, and all other glue stock.
507. Hide rope.
508. Hones and whetstones.
509. Hoofs, unmanufactured.
510. Hop roots for cultivation.
511. Horns, and parts of, unmanufactured, including horn strips and tips.

Mr. QUAY. I move to strike out the concluding words in lines 7 and 8, "including horn strips and tips."

The VICE-PRESIDENT. The amendment proposed by the Senator from Pennsylvania will be stated.

The SECRETARY. In paragraph 511, line 7, after the word "unmanufactured," strike out "including horn strips and tips;" so as to make the paragraph read:

Horns, and parts of, unmanufactured.

Mr. QUAY. The argument for the amendment is very succinctly stated in a circular letter which I have received, and which I ask may be read.

Mr. ALDRICH. Let it be printed in the RECORD.

Mr. QUAY. No; let it be read.

The Secretary proceeded to read the letter, which is as follows:

NEW YORK, *April 5, 1894.*

The Hon. M. S. QUAY,
Senate of the United States:

Your attention is respectfully called to an inconsistency in the present tariff bill regarding the duty on horn strips, this article being admitted free of duty while other articles manufactured of horn pay a duty of 25 per cent.

The manufacture of horn strips or "French horn" was first begun in the city of Paris in about 1870. At present there are twelve manufactories of this article located in the city of Paris, four in the suburbs, and one on the Rhine. Two of these concerns, to wit, Bonzanes Freres and Roux Brunean & Co., employ between them nearly seven thousand hands, exporting to all parts of the world, using for the short strips the horn of the cattle of France and for the very large strips the horn of the cattle of India and the Argentine Republic.

Section 511, free list of the tariff bill at present before the Senate, provides for "horns and parts of, unmanufactured, including horn strips and tips."

This paragraph in the act of 1883 read: "Horns and parts of, unmanufactured, and horn strips and tips."

In the act of 1890 it was intended to limit the provision to unmanufactured horn strips and tips, but in administration it has been so construed as to admit the manufactured article free of duty. No objection was raised to this; on the contrary, the parties principally interested—manufacturers of corsets—were instrumental in having this construction placed upon the clause, as no one had ever been successful in manufacturing the same in this country up to that time. The only concern that had endeavored to do so was the firm of M. Cohn & Co., Twenty-sixth street and Seventh avenue, New York, who state that they sunk over $100,000 in the attempt. In 1892 the Empire Horn Company was established for the manufacture of this same article, the superintendent, Charles Efras, having been for a number of years a manufacturer of strips in France. They made an excellent article and had orders from such concerns in this city as Dickerhoff, Balfour & Co., Tefft, Weller & Co., Sweetser, Pembrook & Co., Ehrich Bros., Spelman Bros., C. B. Rouss, Mills & Gibbs, etc. They also had orders from various corset manufacturers. It was admitted that the goods that they turned out were in all respects equal to those manufactured abroad.

But as they accepted orders at the quotations of the foreigners and were unable to procure labor in this country as low as is paid for the same in France, they succumbed to the inevitable and were sold out under foreclosure in August, 1893, having been about one year in existence. The plant of machinery, which is yet standing, cost over $50,000. It is held intact by the present owners in hopes that Congress will recognize this question and allow them a reasonable duty, the same as is laid on or covers other articles manufactured of horn. The Empire Horn Company was located at 15, 17, 19 Hope street, Brooklyn, N. Y., and is still there, although not in operation.

Another concern, known as the Franco-American Horn Manufacturing Company, with an office at 108 Cliff street, this city, formerly, were also manufacturers of the article in question, and were in 1892-'93 located at the corner of Roebling and Hope streets, Brooklyn. They likewise found that they could not compete with foreign labor, and were sold out under foreclosure, the machinery, etc., being now owned by a party named Philip Lewinski, 12 Atlantic avenue, Brooklyn.

The Empire Horn Company had at one time in its employ about 500 people, the Franco-American about 200.

About 80 per cent of the cost of manufactured horn strips is represented by labor.

The cost of the horn of cattle varies, and at present runs from 2½ cents to 15 cents per pound. Of the horns of American cattle the comb and umbrella manufacturers utilize the tips; the principal part of the balance goes to waste. It is estimated that if the introduction of the manufacture of horn strips were permitted in this country, with the development of the industry the value of American horn, especially of the long-horned cattle of Texas, would be increased threefold. The French manufacturers use for short strips the horn of native cattle, and for extra long strips, 15 to 24 inches, the horn of cattle from India and South America.

The manufacture of what is known in the trade as "horn strips" or "French horn" is a simple process, as will be noticed from the following description of the same, requiring principally a thorough soaking in chemically prepared vats, cutting and polishing, or, in other words, loosening the fiber and then straightening it out.

In making what is known as horn strips no less than twenty-four operations are required and fully six weeks' time, the following being the necessary operations:

1. Sawing the rough horn into long strips, and
2. Cutting off the tips.
3. Cleaning and rubbing off the hair from inside of the horn.
4. Washing and cleansing the same.
5. Keeping it in a tank of chemically prepared water, it remaining there from ten days to two weeks, according to the age of the horn.
6. Drying.
7. Planing off the rough edges.
8. Placing in tank of chemically prepared water—strongest solution—and remaining there from three to five weeks.
9. Keeping in ovens and baking it on an average of three days.
10. Placing each strip under hydraulic and steam pressure.
11. Cutting it into thin strips.
12. Using machines and squaring the edges.
13. Planing and finishing strips to a smooth surface.
14. Polishing the same with buffs.
15. Washing the same.
16. Inserting in chemically prepared sawdust.
17. Washing again.
18. Drilling the holes.
19. Soaking in oil.
20. Drying in sawdust.
21. Polishing again.
22. Counting.
23. Tying, and
24. Packing.

This manufactured horn is admitted by the manufacturers of corsets to be a splendid substitute for whalebone; but the lower price of labor in France is the only cause that it has not been successfully produced in this country.

Whalebone at the present market rate is worth about $5 per pound. It has been as high as $15 a pound and as low as $4. It is now used only by corset manufacturers on high-grade goods.

The relative cost of whalebone and manufactured horn strips is in the proportion of about one-fifth, or in other words, where 40 cents worth of the genuine whalebone is used, 8 cents is the cost of horn substituted.

The strips imported and intended primarily to be used in corsets are sold by the weight, the cost of importing same at present being $2 per kilo (2 pounds 4 ounces) for those 8 inches long. On the average, a thousand of these strips come in a kilo.

The maximum number of horn strips used in each corset made of those 8 inches long is between 32 and 40, which, according to the present rate, costs the manufacturer 7 cents all told. That would make the duty on the same, if the article was dutiable at 25 per cent, the same as other goods made of horn, less than 2 cents per corset—not enough to cut any figure when it is considered that the average selling price of great quantities of corsets used in this country is $15 per dozen, they being made and sold at all prices from as low as 50 cents to as high as $10 each. And thousands are employed in the manufacture of the same. Yet the corset manufacturers are opposed to the introduction of the manufacture of horn in this country, where thousands of hands could be given permanent employment.

There are practically, though, two classes of horn strips imported, those used as above for corsets, and another class which are commonly known as waist stays. These are used in the waists of dresses. The latter as a rule are highly polished, a little broader in width, have rounded ends, and holes drilled into them. They are counted into dozens, neatly wrapped, and packed in boxes, the cost of the latter being about 30 per cent more than the strips intended for corsets. Those made for corsets are in special widths, and plainly finished, being neither polished, oiled, nor drilled.

When the Treasury Department's attention was called a month or so ago to the fact that the horn strips mentioned in the free list was a manufactured article, and samples both of the raw horn and of horn strips at their various stages of production were shown them, they at once admitted that they were under the impression, and had always been, that horn strips and tips were simply the horn of cattle cut into large strips as a matter of convenience in importing.

The Treasury Department appeared never to have had any idea that the strips were in any way a manufactured article, and after investigating the matter they recommended to the subcommittee of the Finance Committee of the Senate that the clause "including horn strips and tips" be stricken out of what is known as the "Wilson bill," the principal point being the inconsistency of the same with another paragraph of the same act which imposed a duty of 25 per cent on manufactures of horn. It was also understood that completed knife handles have been admitted free, they being claimed to be tips of horn. There was no more reason or justice in admitting free horn strips and stays used in the manufacture of corsets, etc., than any other manufactured material. It is in other words simply giving additional protection to such special manufacturers. The raw material should be admitted free, as it is necessary to have the same for extra long strips. All the Empire Horn Company ask is that they be permitted to have an opportunity to make these goods by having some slight tariff discrimination against the European manufacturers. There is no justice in legislation in the interests of one manufacturer to the injury of another, and it is not believed that such is the idea of the framers of the new tariff bill.

There are to-day in France and on the German border between 12,000 and 15,000 workmen employed in manufacturing these horn strips. They sell their productions to all parts of the world. Between $300,000 and $400,000 worth, according to the values stated in the Customs Department, were imported by this country during the year 1893, all of which should have paid a duty. Should the Congress in its wisdom place this manufactured article amongst other manufactured articles of horn, there is no question that within a few months several thousand employés would be working at this industry, skilled labor not being necessary for 95 per cent of the manufacturing process, and as stated before, over 80 per cent of the cost is represented in labor.

The average daily wages of men employed in the factories of France run from 3 to 5 francs—60 cents to $1. If a duty of 25 per cent as on other manufactured articles of horn were placed on horn strips, this item would assure the success of the enterprise sufficiently to give employment, as stated before, to thousands of people, and a staple industry be introduced in this country.

The Treasury Department has recommended this alteration, as has also General Arpraiser Tichenor, who in a letter of recent date states that "there is no reason why the finished manufactured knife-handles or strips of horn should be admitted free of duty more than a button or any other manufacture of horn."

Paragraph 511 of the free list should be amended by striking out the words including "horn strips and tips."

Respectfully,

EMPIRE HORN COMPANY,
15, 17, 19 Hope Street, Brooklyn, N. Y.
S. F. MYERS & CO.,
48 and 50 Maiden Lane, New York, N. Y.

Before the reading was concluded—

Mr. QUAY. I think the Secretary has read enough of the letter to indicate its purpose and argument. I will be satisfied with the printing of the letter in the RECORD without further reading. I ask for a vote on the amendment.

The VICE-PRESIDENT. The letter will appear in full in the RECORD. The question is on agreeing to the amendment proposed by the Senator from Pennsylvania.

The amendment was rejected.

The Secretary read as follows:

512. Ice.
513. India rubber, crude, and milk of, and old scrap or refuse India rubber, which has been worn out by use and is fit only for remanufacture.
514. Indigo, and extracts or pastes of, and carmines.

Mr. ALDRICH. I move to strike out paragraph 514. I hope the Senator from Arkansas will let it go out.

Mr. JONES of Arkansas. Why?

Mr. ALDRICH. The article ought to be dutiable at 10 per per cent. All other extracts of dyewood are dutiable at 10 per cent, and I can see no reason why indigo should be treated differently.

Mr. VEST. It has been a very valuable article to the manufacturers of New England, although alazarin and coal-tar products have taken the place of it to a large extent. Yet it is still largely used.

Mr. ALDRICH. I will modify my amendment. I did not intend to strike out indigo. I modify the amendment so as to strike out all after the word "indigo."

The VICE-PRESIDENT. The amendment proposed by the Senator from Rhode Island will be stated.

The SECRETARY. In paragraph 514, after the word "indigo," strike out "and extracts or pastes of, and carmines;" so as to read:

514. Indigo.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Rhode Island.

The amendment was rejected.

The Secretary read as follows:

515. Iodine, crude, and resublimed.
516. Ipecac.
517. Iridium.
518. Iron ore, including manganiferous iron ore, also the dross or residuum from burnt pyrites, and sulphur ore, as pyrites or sulphuret of iron in its natural state.

The next amendment of the Committee on Finance was to strike out paragraph 512.

The VICE-PRESIDENT. The amendment will be agreed to if there be no objection.

Mr. PLATT. I do not like that way of passing over paragraphs of this sort. None of these paragraphs are stricken out without objection.

The VICE-PRESIDENT. The Chair will submit the question to a vote. The question is on agreeing to the amendment of the Committee on Finance to strike out paragraph 518.

Mr. CHANDLER. I ask for a division on that question.

Mr. JONES of Arkansas. Let us have the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. GALLINGER (when his name was called). I am paired with the junior Senator from Texas [Mr. MILLS]. If he were present I should vote "yea."

Mr. HALE (when his name was called). I am paired with the Senator from North Carolina [Mr. RANSOM].

Mr. McLAURIN (when his name was called). I am paired with the junior Senator from Rhode Island [Mr. DIXON].

Mr. SMITH (when his name was called). I am paired with the junior Senator from Idaho [Mr. DUBOIS], who is absent. If he were present I should vote "yea."

The roll call was concluded.

Mr. CALL. I announce my pair with the Senator from Vermont [Mr. MORRILL].

Mr. BLANCHARD. I am paired with the senior Senator from Michigan [Mr. MCMILLAN], but I transfer my pair to the Senator from Texas [Mr. COKE], and vote. I vote "yea."

Mr. GEORGE. I am paired with the Senator from Oregon [Mr. DOLPH]. Otherwise I should vote "yea."

Mr. CAREY (after having voted in the affirmative). I am paired with the junior Senator from Wisconsin [Mr. MITCHELL], and therefore desire to withdraw my vote.

Mr. PLATT. I am paired with the Senator from Virginia [Mr. HUNTON].

Mr. HIGGINS. I am paired with the senior Senator from New Jersey [Mr. MCPHERSON]. If he were present I should vote "yea."

Mr. VEST (after having voted in the affirmative). I withdraw my vote, as I am paired with the Senator from Minnesota [Mr. WASHBURN].

Mr. CAREY. With the consent of the Senator from Mississippi [Mr. MCLAURIN], I transfer my pair with the junior Senator from Wisconsin [Mr. MITCHELL] to the junior Senator from Rhode Island [Mr. DIXON] and vote "yea."

Mr. MCLAURIN. I vote "yea."

Mr. VEST. I will vote to make a quorum. I vote "yea."

Mr. VILAS. I have a general pair with the Senator from Oregon [Mr. MITCHELL], which, as has already been announced by the Senator from Florida [Mr. PASCO], stands transferred to the Senator from Georgia [Mr. WALSH] until he returns. I can therefore vote. I vote "yea."

Mr. GEORGE. I have arranged with the Senator from New Hampshire [Mr. GALLINGER] to exchange our pairs so that we can both vote. He is paired with the Senator from Texas [Mr. MILLS] and I am paired with the Senator from Oregon [Mr. DOLPH].

Mr. GALLINGER. That is agreeable to me.

Mr. GEORGE. I vote "yea."

Mr. GALLINGER. I vote "yea."

Mr. CALL. I have already announced my pair with the senior Senator from Vermont [Mr. MORRILL]. I have a right to vote to make a quorum, and vote "yea."

The result was announced—yeas 43, nays 4; as follows:

YEAS—43.

Aldrich,	Cockrell,	Hoar,	Power,
Allison,	Daniel,	Jarvis,	Pugh,
Bate,	Faulkner,	Lindsay,	Quay,
Berry,	Gallinger,	Lodge,	Sherman,
Blackburn,	George,	McLaurin,	Squire,
Blanchard,	Gibson,	Manderson,	Teller,
Brice,	Gordon,	Morgan,	Turpie,
Caffery,	Gorman,	Murphy,	Vest,
Call,	Gray,	Pasco,	Vilas,
Carey,	Harris,	Patton,	Voorhees.
Chandler,	Hawley,	Perkins,	

NAYS—4.

Allen,	Hill,	Kyle,	Peffer.

NOT VOTING—38.

Butler,	Hale,	Mills,	Shoup,
Camden,	Hansbrough,	Mitchell, Oregon	Smith,
Cameron,	Higgins,	Mitchell, Wis.	Stewart,
Coke,	Hunton,	Morrill,	Walsh,
Cullom,	Irby,	Palmer,	Washburn,
Davis,	Jones, Ark.	Pettigrew,	White,
Dixon,	Jones, Nev.	Platt,	Wilson,
Dolph,	McMillan,	Proctor,	Wolcott.
Dubois,	McPherson,	Ransom,	
Frye,	Martin,	Roach,	

So the amendment was agreed to.

The VICE-PRESIDENT. The reading of the bill will proceed.

The Secretary read as follows:

519. Ivory, sawed or cut into logs, but not otherwise manufactured, and vegetable ivory.
520. Jalap.

521. Jet, unmanufactured.
522. Joss stick, or joss light.
523. Junk, old.
524. Kelp.
525. Kieserite.
526. Kyanite, or cyanite, and kainite.
527. Lac-dye, crude, seed, button, stick, and shell.
528. Lac-spirits.
529. Lactarine.
530. Lard.

Mr. JONES of Arkansas. I move to strike out paragraph 530.

The amendment was agreed to.

The Secretary read as follows:

531. Lava, unmanufactured.
532. Leeches.
533. Lemon juice, lime juice, and sour-orange juice.
534. Licorice root, unground.
535. Lifeboats and life-saving apparatus specially imported by societies incorporated or established to encourage the saving of human life.
536. Lime, citrate of.
537. Lime, chloride of, or bleaching powder.
538. Lithographic stones not engraved.
539. Litmus, prepared or not prepared.
540. Loadstones.
541. Madder and munjeet, or Indian madder, ground or prepared, and all extracts of.
542. Magnesia, sulphate of, or Epsom salts.
543. Magnesite, or native mineral carbonate of magnesia.
544. Magnesium.
545. Magnets.
546. Manganese, oxide and ore of.
547. Manna.
548. Manuscripts.
549. Marrow, crude.
550. Marsh mallows.
551. Medals of gold, silver, or copper, and other metallic articles manufactured as trophies or prizes, and actually received as honorary distinctions.

The next amendment of the Committee on Finance was, after the word "received," in line 8, page 105, to insert "or bestowed and accepted;" so as to make the paragraph read:

551. Medals of gold, silver, or copper, and other metallic articles manufactured as trophies or prizes, and actually received or bestowed and accepted as honorary distinctions.

The amendment was agreed to.

The Secretary read the next paragraph, as follows:

552. Mica, and metallic mineral substances in a crude state and metals unwrought, not specially provided for in this act.

Mr. CHANDLER. I ask the Senator from Arkansas whether he proposes to move the amendment which is stated in the print, to strike out:

And metallic mineral substances in a crude state and metals unwrought, not specially provided for in this act.

Mr. HALE. What has become of the amendment indicated in the print?

Mr. JONES of Arkansas. That amendment will not be offered. The paragraph will be allowed to remain as it is.

Mr. CHANDLER. I move to strike out the words "mica and."

The PRESIDING OFFICER. The amendment proposed by the Senator from New Hampshire will be stated.

The SECRETARY. In paragraph 552, before the word "metallic," strike out the words "mica and;" so as to make the paragraph read:

Metallic mineral substances in a crude state and metals unwrought, not specially provided for in this act.

Mr. CHANDLER. Mr. President, mica is now dutiable at the rate of 35 per cent ad valorem. This mineral is produced in New Hampshire, North Carolina, and in other States of the Union. It is also a product of India. It is impossible to work the mica mines of New Hampshire and North Carolina in competition with the mica mines of India unless there is protection. Senators know very well what is the cost of labor in Asia. Five, 10, and 12 cents a day are the wages paid to the mica workers of India. A dollar, $1.25, $1.50, and $2 a day are the wages paid to American workers in mica.

The wages in North Carolina are undoubtedly lower than the wages paid in New Hampshire, but mica can not be mined profitably in either State if it is upon the free list. As I have said, there is now a duty of 35 per cent ad valorem on mica, and I have heard no reason stated by the committee why the duty should be removed. I may add that I do not expect to hear any statement.

Mr. President, this question was pretty thoroughly investigated in 1890, when the McKinley bill was passed. The investigation made by the House committee is contained in a volume entitled Tariff Hearings, Fifty-first Congress, first session, House Miscellaneous Documents, 1889–'90, volume 15, pages 1174 to 1186, inclusive.

I find by reference to that volume that addresses were made before the House committee. On page 1174 there is the statement of James M. Gere. Then follows the statement of Representative H. G. Ewart, from the Ninth North Carolina district; an additional statement of Mr. Gere; the statement of the Ruggles & Randall Mica Company, by Charles L. Randall, president; the statement of the Palermo Mica Company, of New York; the statement of George H. Randall; the statement of Mr. O. C. Moore, who then represented that district of New Hampshire in Congress; the statement of Mr. Frank H. Clark, representing the Thompson-Houston Electric Company, who opposed the duty in the interest of the manufacturers of dynamos; the statement of Mr. H. T. Richardson, 234 Wall street, New York; the statement of F. W. Webster, and the statement of W. H. Clough.

I recite the names of parties who appeared before the committee in order to show how fully the subject was considered by the House committee. The result was that the McKinley bill came to the Senate with a duty of 35 per cent upon mica. But the bill fell into unfriendly hands in the Committee on Finance, and that committee recommended that mica should be continued upon the free list. It was not considered with favor by the members of the committee, but the recommendation that mica should be placed upon the free list made by that committee was resisted in the Senate. Quite a debate took place, to which I shall briefly call attention. The subject was discussed on the 26th day of August, 1890. I find the report in the CONGRESSIONAL RECORD, volume 21, part 9, beginning on page 9166, where the Senator from New Hampshire, Mr. BLAIR, my then colleague, made a very full recital of the facts connected with the mica industry. I read from his statement:

The mining of mica is an old and established industry in the United States. It has been pursued in my own State for at least sixty years, and in the State of North Carolina for many years, and in both it has been pursued profitably and to the advantage of the country. The mica deposits of our country are very extensive and to be found in at least all great sections of the country. They are extensive enough in my State to satisfy our entire consumption and any increased consumption that is likely to take place by reason of improvements in the arts. In the State of North Carolina the deposits are, to speak moderately, immense. There is a single county in North Carolina where the deposits, of a most excellent quality and various qualities, are sufficient probably to supply the world.

Senator BLAIR also states that mica is to be found in New York, all through the Alleghany range, in both the Virginias, and South Carolina, and then says:

If I remember aright, there are deposits in Texas, certainly extensive deposits in the Dakotas, where we have, as we know, a vast deposit of tin also.

But it is an old and an established industry which has been pursued with somewhat of profit and to the supply of the entire country until within a very few years. By reason of the entire absence of foreign competition it has always been an article placed upon the free list until about the year 1882, when extensive deposits were discovered in India, and since that time the mining industry has been pursued there with, as the data which I have before me show, labor at 50 cents per month, plus the little cotton cloth to be used as apparel; and in esthetic New Hampshire our kind of people have been called upon to pursue this industry with mica on the free list in competition with that sort of servile labor. The result has been that the industry in New Hampshire and the industry in North Carolina have been paralyzed and substantially destroyed.

At the present day over four-fifths of the mica used in the country is imported. It is brought here in the form of ballast in ships. It costs next to nothing where these mines are located, and is of course a very much reduced article in price, so that the domestic industry is destroyed.

The Senator subsequently stated that mica has also been discovered in Siberia and that vessels are bringing the Siberian mica to the United States mined by the convict labor of the Russian Empire.

Thereupon the present Senator from Rhode Island [Mr. ALDRICH] gave some slight encouragement that a duty might be placed upon mica, and asked that the amendment might be passed over without prejudice and the discussion ended for that day.

The consideration of the paragraph came up again on the 4th day of September, 1890. The debate is to be found in the CONGRESSIONAL RECORD, volume 21, part 10, beginning on page 9724, where Senator BLAIR again stated the case and said that the taking off of the duty on mica of 25 per cent ad valorem, which had been placed upon it prior to 1883, had ruined the industry. I read from his remarks:

Now, I want to say in regard to this industry that the entire amount of mica consumed is between seven and eight hundred thousand dollars' worth. A single mine in New England properly worked would produce at least half a million a year. There are thirteen mines in our State (only one or two of them are now in operation) that have been in operation until the circumstances of the last few years to which I have alluded. Something like seventy existed in the State of North Carolina. Over thirty have been worked in the course of the last ten or twelve years, and so far as I know not a single one of them is now in operation; or certainly only one or two. The industry was absolutely ruined by reason of the lack of proper protection.

The Senator proceeds then to state that the consumers of the article are the stove manufacturers and the electric light companies, and he contends that the cost of the stoves in which mica is used is not increased to the consumer by a duty upon mica, and he contends that there is no reason why the electric light manufacturers should have free mica for their dynamos. He says:

They are protected in their patents and in everything that enters into their business.

They win the largest profits of any business that is now being carried on in the country; and if they do pay for the article which they bring in from

abroad, it is actually of no consequence whatever. It will not be felt in the cost of electricity to the people of the United States if this article is placed upon the free list.

Thereupon the discussion was continued. The Senator from Vermont, Mr. Edmunds, advocated a duty. The Senator from Kentucky, Mr. Carlisle, participated in the discussion and stated that the industry had seemed to be prosperous while mica was upon the free list. I read from the debate:

Mr. BLAIR. I beg the Senator's pardon. It has been utterly prostrated through that policy until only one mine is in operation in my State, and, so far as I know, only one in North Carolina, every other one being absolutely destroyed. It is not a case where we are to establish a new industry, but to revive an old industry already destroyed.

Later I read from Senator BLAIR:

Will the Senator allow me to say in regard to that, that there is a mica trust which controls this matter abroad. These little manufacturers of mica here are poor men with small capital. It is a kind of mining which may be engaged in with scarcely any capital at all. They are not in any trust.

The Senator from Nevada [Mr. STEWART] advocated a duty on mica. So did the Senator from Connecticut [Mr. PLATT], although he stated that there was no mica in Connecticut. The Senator from Connecticut said:

My information is that in the new State of Wyoming, not yet represented on this floor, there are large quantities of mica which can be profitably worked and which is of the best character.

The Senator from Montana, Mr. Sanders, stated as follows:

In the State of Montana there have been recently found large beds of mica, and I am well satisfied that we shall develop there an industry of no inconsiderable magnitude; and in conjunction with the existence of mica in the other States I think it is wise that we should lay a duty upon it.

I now read from the remarks of the Senator from North Carolina [Mr. RANSOM]:

Mr. RANSOM. Mr. President, I do not intend to detain the Senate a moment, but I apprehend it would be very hard for anybody to give a reason, when iron, tin, lead, coal, almost everything that you can think of, pays a duty, why mica should not pay the reasonable duty of 35 per cent. I can not add to what has been so well said by the Senator from New Hampshire about the immense mica deposits in North Carolina, and I believe in Alabama too. I see the Senator from Alabama [Mr. PUGH] in sight of me. I think there are large deposits there.

Mr. PUGH. Yes.

Mr. RANSOM. Gentlemen from the great West say they have it there, and if we put a tariff duty upon almost every other article of human consumption I do not see why mica should be made the exception and be put upon the free list, when it is stated here, when it is demonstrated before the whole country, that putting mica upon the free list has destroyed the industry in this country.

Thereupon the Senator from Rhode Island [Mr. ALDRICH] came to the defense of the committee, and he argued that the mines of New Hampshire and other parts of the United States could not produce sufficient mica to supply the demand in the United States. The question went to a vote, and the Senate Finance Committee were defeated. This seemed to have been an occasion upon which the Senator from Rhode Island [Mr. ALDRICH] and the Senator from Iowa [Mr. ALLISON] were a little discouraged about the doctrine of protection. This was one little infant industry.

Mr. ALLISON. It certainly must have been the Senator from Rhode Island, because I have never been discouraged in any vote except in that particular case.

Mr. CHANDLER. I find the yeas in favor of putting mica upon the free list, begin, "Messrs. ALDRICH, ALLISON." I suppose the constant and habitual association of those two Senators misled the Senator from Iowa into voting with the Senator from Rhode Island on that occasion, and that he really thought perhaps unless mica should be protected the mica in this country would not be developed. He perhaps voted from that *esprit de corps* which sometimes prevails in committees, and which exists now strongly between the Senator from Missouri [Mr. VEST] and the Senator from Arkansas [Mr. JONES], so that we notice no difference of opinion between them on any question.

I only regret in this case that if the Senator from Iowa thought really that the mica industry was deserving of protection, he did not pull the Senator from Rhode Island his way, instead of having the Senator from Rhode Island pull him in his direction.

At any rate the cause of mica protection triumphed by 34 votes to 21, and I find among those who voted to reject the proposition to put it on the free list, when the House had decided on a 35 per cent duty, Senator Barbour of Virginia, Senator Blodgett of New Jersey, Senator BUTLER of South Carolina, Senator FAULKNER of West Virginia, Senator Gibson of Louisiana, and Senator GORMAN of Maryland, Senator Hearst of California, Senator RANSOM of North Carolina, and Senator Vance of North Carolina.

All those Democrats voted for the protective duty of 35 per cent ad valorem upon mica. So Senators will see that the cause of protection to mica at that time had a very handsome Democratic support; and the protection then given can be continued to-day if we can have the votes of the same Democratic Senators now in the Senate who voted for a duty on mica at that time and were not deterred from voting for a duty upon mica because the Senator from Iowa and the Senator from Rhode Island faltered in the good work of protection.

The duty of 35 per cent ad valorem went upon mica, and there has been a considerable American product; I do not know how much. Senator BLAIR stated that the product consumed was seven or eight hundred thousand dollars' worth a year. I find that the importations under the present law are considerable. In 1891 there were $110,000 worth of mica waste, and $21,750.01 worth of mica. In 1892, $179,865.12 worth of mica, and in 1893, $214,679.99 worth of mica were imported. So the Senator from Rhode Island was mistaken in saying that this country could not supply the demand.

Mr. ALDRICH. I do not think the Senator from Rhode Island was mistaken at that time. I notice that the Senator from New Hampshire has fallen into a habit of thought that I think is common perhaps among people who have a particular industry upon which they want to have a very high duty placed in thinking that any man falters in the cause of protection who is not in favor of the highest possible duty upon every conceivable product of the United States.

Mr. CHANDLER. I notice that the Senator from Rhode Island sometimes falls into a special habit of thought which is this: That although every duty which he thinks ought to be protected must be protected, yet that any duty which he does not think worthy of protection must go to the wall.

Now, I think this duty is to be stricken down for the benefit of the electric dynamo manufacturers in this country, and if I am speaking under the influence which a Senator is likely to have in reference to an industry in his own State, I may say perhaps the Senator from Rhode Island, insensibly to himself of course, may be influenced by the disposition to cheapen the manufacture of electric dynamos in this country, for I can conceive of no other interest that would be opposed to maintaining the duty upon mica. I regret that I have not the estimate as to the amount used in this country, but I have certainly given the correct figures as to the amount imported.

It is only $200,000 worth. I believe, the statistics presented by Senator BLAIR, my former colleague, showed that six or eight hundred thousand dollars' worth were consumed in the country every year. If that is the case, then this country has shown under the operation of the 35 per cent ad valorem duty its capacity to produce two-thirds or three-quarters of all the mica consumed in this country.

As I look at the subject, there is not any doubt at all that the present duty should be continued. I can understand why there may have been a disposition to cut it down from 35 per cent ad valorem to 25 per cent ad valorem. I have been living in hopes that the Senator from North Carolina [Mr. RANSOM], who spoke and voted in favor of the 35 per cent ad valorem duty which was imposed in 1890, and who assisted in securing this duty by his voice and his influence, would succeed in inducing the members of the Finance Committee to put at least a duty of 25 per cent ad valorem upon mica in the pending bill.

Mr. President, I do not see this result accomplished by the Senator from North Carolina. I see this industry which is beginning to grow, which was simply on the way to the production of all the mica that is needed in the United States, doomed to destruction if the bill passes. I can not understand why this industry can not be allowed to survive, as it is to be hoped that many of the industries of this country may survive, notwithstanding the passage of the Wilson bill.

I shall not detain the Senate longer, although there is much to be said upon this subject. I believe that this duty is being sacrificed to the desire of the Senators upon the other side of the Chamber to strike down the industry, that it is being sacrificed in the interest, and possibly through the influence of the great electric dynamo manufacturers of this country, who probably are imbued with a spirit such as has been suggested by the Senator from Rhode Island this afternoon as applicable to myself and other Senators who care for any industry in their own State, the spirit which leads them to desire to have free of duty everything which they use in their manufacture and in the conduct of their business, and to be protected either by patents or otherwise in the enjoyment of a monopoly of the business of manufacturing electric dynamos in this country.

I do not believe that is a sound principle upon which to deal with this subject, and as the electric companies of this country have large privileges and large opportunities, I think they should be compelled to submit to the development of the mica industry in this country, and that it should not be sent to destruction and all the mica that is used in this country introduced and furnished by the cheap and degraded labor of Siberia and of India.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from New Hampshire [Mr. CHANDLER].

The amendment was rejected.

The VICE-PRESIDENT. The Secretary will proceed with the reading of the bill.

The Secretary read as follows:

553. Meerschaum, crude or unmanufactured.
554. Milk, fresh.
555. Mineral waters, all not artificial, and mineral salts of the same, obtained by evaporation, when accompanied by duly authenticated certificate, showing that they are in no way artificially prepared, and are the product of a designated mineral spring; lemonade, soda water, and all similar waters.
556. Minerals, crude, or not advanced in value or condition by refining or grinding, or by other process of manufacture, not specially provided for in this act.

Mr. VEST. Returning to the paragraph placing mica on the free list, paragraph 552, the remainder of the paragraph after the word "mica" ought to be stricken out, as I understood my colleague on the committee to withdraw that amendment. The same provisions are virtually contained in paragraph 556.

Mr. ALDRICH. Paragraph 556 is very much the same, and paragraph 552 ought to be stricken out.

Mr. VEST. I say it ought all to be stricken out except the word "mica." "Mica" should remain.

The VICE-PRESIDENT. The amendment to paragraph 552 will be stated.

The SECRETARY. Strike out all of paragraph 552 after the word "mica," in the following words:

And metallic mineral substances in a crude state, and metals unwrought, not specially provided for in this act.

The amendment was agreed to.

The VICE-PRESIDENT. The reading of the bill will proceed.

The Secretary read as follows:

557. Models of inventions and of other improvements in the arts, including patterns for machinery, but no article shall be deemed a model or pattern which can be fitted for use otherwise.

Mr. JONES of Arkansas. I move to add as a new paragraph the small print at the top of page 106.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. Add as paragraph 557½:

557½. Molasses testing not above 40° polariscope test, and containing 20 per cent or less of moisture.

The amendment was agreed to.

The VICE-PRESIDENT. The reading of the bill will be proceeded with.

The Secretary read as follows:

558. Moss, seaweeds, and vegetable substances, crude or unmanufactured, not otherwise specially provided for in this act.
559. Musk, crude, in natural pods.
560. Myrobolan.
561. Needles, hand-sewing and darning.
562. Newspapers and periodicals; but the term "periodicals" as herein used shall be understood to embrace only unbound or paper-covered publications, containing current literature of the day and issued regularly at stated periods, as weekly, monthly, or quarterly.
563. Nickel, nickel oxide, alloy of any kind in which nickel is the component material of chief value.

Mr. JONES of Arkansas. I move that paragraph 563 be stricken out.

The amendment was agreed to.

The VICE-PRESIDENT. The reading of the bill will proceed.

The Secretary read as follows:

564. Nux vomica.
565. Oakum.
566. Ocher and ochery earths, sienna and sienna earths, umber and umber earths, not specially provided for in this act, dry.
567. Oil cake.
568. Oils: Almond, amber, crude and rectified ambergris, anise or anise seed, aniline, aspic or spike lavender, bergamot, cajeput, caraway, cassia, cinnamon, cedrat, chamomile, citronella or lemon grass, civit, cotton seed, croton, fennel, Jasmine or Jasimine, Juglandium, Juniper, lavender, lemon, limes, mace, neroli or orange flower, nut oil or oil of nuts not otherwise specially provided for in this act, orange oil, olive oil for manufacturing or mechanical purposes unfit for eating and not otherwise provided for in this act, ottar of roses, palm and cocoanut, rosemary or anthoss, sesame, or sesamum seed or bean, thyme, origanum, red or white; valerian; and also spermaceti, whale, and other fish oils of American fisheries, and all other articles the produce of such fisheries; petroleum, crude or refined.

The Committee on Finance reported to amend paragraph 568, on page 107, line 9, after the word "all," by striking out "other articles the produce" and inserting "fish and other products."

Mr. JONES of Arkansas. I move to insert, in line 1, page 107, after the word "flower," "enfleurage grease," and to strike out the comma as it appears in the print.

Mr. ALDRICH. Yes; the comma ought to be stricken out.

The SECRETARY. After the word "flower," on page 107, line 1, insert "enfleurage grease."

The amendment was agreed to.

Mr. JONES of Arkansas. I move to strike out the words "other articles the produce," in line 9, and insert "fish and other products."

The amendment was agreed to.

Mr. JONES of Arkansas. At the end of the paragraph I move to insert the proviso as printed in small type:

Provided, That if petroleum, crude or refined is imported from any country which imposes a duty on the same article exported from the United States, then there shall be levied, paid, and collected upon such petroleum, crude or refined, the rate of duty existing prior to the passage of this act.

Mr. QUAY. I wish to offer an important amendment to this paragraph, and on it I wish to address the Senate at some length. I ask the managers of the bill to let the paragraph go over until to-morrow.

The VICE-PRESIDENT. Is there objection?

Mr. JONES of Arkansas. I could not hear what was said by the Senator from Pennsylvania.

Mr. QUAY. My request is that the paragraph shall go over until to-morrow without further action, for the reason that I have an important amendment which I desire to offer to it and which I have mislaid.

Mr. JONES of Arkansas. Under the circumstances of course I can not object, although I should be glad to dispose of the paragraphs as we reach them.

The VICE-PRESIDENT. Without objection the paragraph will be passed over. The Secretary will proceed with the reading of the bill.

The next amendment of the Committee on Finance was, to strike out paragraph 569, in the following words:

569. Olives, green or prepared.

The amendment was agreed to.

Mr. JONES of Arkansas. I move to insert as a new paragraph:

569. Opium, crude or unmanufactured, and not adulterated, containing 9 per cent and over of morphia.

The amendment was agreed to.

The Secretary read as follows:

570. Orange and lemon peel, not preserved, candied, or otherwise prepared.
571. Orchil, or orchil liquid.

The Committee on Finance reported to strike out paragraph 572, in the following words:

572. Orchids, lily of the valley, azaleas, palms, and other plants used for forcing under glass for cut flowers or decorative purposes.

The amendment was agreed to.

The Secretary read as follows:

573. Ores, of gold, silver, and nickel, and nickel matte.
574. Osmium.
575. Paintings, in oil or water colors, original drawings and sketches, and artists' proofs of etchings and engravings, and statuary, not otherwise provided for in this act, but the term "statuary" as herein used shall be understood to include only professional productions in marble, stone, alabaster, wood, or metal, of a statuary or sculptor only.

The Committee on Finance reported to amend paragraph 575, on page 108, line 6, after the word "only," to strike out "such;" in line 7, after the word "wood," to insert "or," and in the same line, after the word "sculptor," to strike out "only," and insert "and the word 'painting,' as used in this act, shall not be understood to include such as are made wholly or in part by stenciling or other mechanical process."

Mr. JONES of Arkansas. I move to insert after the word "productions," in line 6, the words "whether round or in relief," and to strike out "such," in the same line.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. After the word "only," in line 6, strike out "such," and after the word "productions," in the same line, insert "whether round or in relief."

Mr. ALDRICH. What is the meaning of the word "round" in that connection? I do not understand its meaning there.

Mr. JONES of Arkansas. I understand it means the full, complete figure—full relief entirely.

The amendment was agreed to.

Mr. JONES of Arkansas. In line 7, I move to insert the word "or," before the word "metal," and in the same line I move to strike out "only" and insert the words printed in italics.

The VICE-PRESIDENT. The Secretary will state the amendment.

The SECRETARY. In line 7, after the word "wood," insert "or;" and after the word "sculpture," strike out the word "only," and insert the words—

And the word "painting," as used in this act, shall not be understood to include such as are made wholly or in part by stenciling or other mechanical process.

The amendment was agreed to.

Mr. ALLEN. I desire to strike the entire paragraph 575 from the free list, viz:

575. Paintings, in oil or water colors, original drawings and sketches, and artists' proofs of etchings and engravings, and statuary, not otherwise provided for in this act, but the term "statuary" as herein used shall be understood to include only professional productions in marble, stone, alabaster, wood, or metal, of a statuary or sculptor, and the word "painting," as used in this act shall not be understood to include such as are made wholly or in part by stenciling or other mechanical process.

And insert the present law, paragraph 465 of the McKinley act.

The VICE-PRESIDENT. The amendment proposed by the Senator from Nebraska will be stated.

The SECRETARY. It is proposed to strike out paragraph 575, on page 108, and insert:

Paintings, in oil or water colors, and statuary, not otherwise provided for in this act, 15 per cent ad valorem; but the term "statuary" as herein used shall be understood to include only such statuary as is cut, carved, or otherwise wrought by hand from a solid block or mass of marble, stone, or alabaster, or from metal, and as is the professional production of a statuary or sculptor only.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Nebraska [Mr. ALLEN].

Mr. ALLEN. Mr. President, if this amendment shall be sustained paragraphs 686, 687, and 688 of the pending bill provide for the entry of foreign oil paintings, water colors and statuary when to be used for exhibitions, museums, education, and culture. No art the work of an American artist residing abroad has ever paid duty under an American tariff law, and will not under the proposed change. Many so-called American artists living abroad are in fact, by long absence, almost foreigners, but these are also exempt.

Mr. President, all the tariff laws of the United States, I believe, have recognized foreign oil paintings, water colors, and statuary when imported for private use, luxury, and commerce as articles of luxury, and classed them for revenue along with silks, feathers, diamonds, ribbons, jewelry, velvets, champagne and other wine, brandies, and Persian rugs. There is no protective element in this classsfication. It is revenue from articles of luxury. Foreign oil paintings, water colors, statuary and artists' proofs of etchings and engravings, for private use, in homes, houses, saloons, bar rooms and what not, are luxuries. You can not eat, drink, or wear them.

Free luxuries and taxed necessities do not work well together in a proper government under a tariff law.

The several tariffs on foreign art and for luxury were, in the tariff of 1790-'91, 1792, 10 per cent ad valorem; acts of 1794 and 1795, 10 per cent; acts of 1797-1800, 12½ per cent; acts of 1804, 1807, and 1808, 15 per cent; acts of 1812, 1813, 1815, and 1816, 30 per cent; acts of 1841 and 1842, 20 per cent; acts of 1812 and 1846, paintings on glass, 30 per cent; act 1861, to March 3, 1883, 10 per cent; act March 3, 1883, 30 per cent, and by the act of October 1, 1890, the present law, 15 per cent.

It will be noticed that paragraph 575, in addition to foreign oil paintings, water colors, and statuary, adds to be admitted free of duty, "and artists' proofs of etchings and engravings." Artists' proofs of etchings and engravings are copies signed by the artist or etcher or engraver, or by both, and are frequently held at high figures. The dealers purchase the plates and then corner the market as to prices. These, along with foreign oil paintings, water colors, and statuary, are favorite investments of the rich, for private use and luxury. These are to be exempt from duty. They are bought by the rich. The favorite investment of the average American in the foreign art line is an unsigned etching, lithograph, chromo, or a photograph; these, it will be observed by paragraph 311 of the pending bill, are to be taxed 25 per cent ad valorem. This seems to be a most glaring inconsistency.

The revenues in this bill are claimed to be laid where possible chiefly on articles of luxury—and properly should be. Why not give the poor man his low-priced picture free while giving the rich man his high-priced picture free? Shall Mr. Vanderbilt enjoy a $50,000 picture in his private house free, while Magee pays 25 per cent ad valorem for the privilege of his small chromo?

Shall Mr. Havemeyer, the sultan of the sugar industry, bow in his private house before a $40,000 oil painting free of duty, while Smitz, a sand pounder or furrow-turner, must pay 25 per cent ad valorem when he hangs in his house an unsigned etching or a chromo, lithograph, or photograph?

If Mr. Vanderbilt, or Mr. Havemeyer, or any other of the rich patrons of foreign art, and whose houses contain millions of dollars' worth of foreign art, desire foreign art to enter America free, let them import and present foreign art to any museum, art gallery, school, or other place of instruction, and where the public can see it, and then it will be admitted free; but when they import foreign art for their private use and luxury, as they do diamonds, silks, velvets, champagnes, etc., let them pay a duty. Shall a man be exempt from a tax because he is rich? The discrimination proposed by paragraph 575 and 311 would seem to be a legislative recognition of a most dangerous proposition.

For the year ending June 30, 1893, the importation of foreign oil paintings and water colors was in value $2,086,764.69. The duty collected on the same at 15 per cent was $313,014.71. The foreign statuary imported during the same time was in value $175,002.16. The duty collected on the same at 15 per cent was $26,250.32, a total importation of foreign oil paintings, water colors, and statuary, produced by foreign artists, $2,261,766.85, on which a duty was collected of $339,265.03.

This foreign made and produced art was imported entirely for private use and luxury, or as articles of commerce, because had it been imported for education, museums, art galleries, or associations, or other means of public culture, it would have come in free of duty.

The proposition embraced in paragraph 575 is to present about $350,000 annually to the rich picture dealers and buyers of foreign art to be used for private luxury.

In the many efforts made by rich men in the past ten years to repeal the duty on foreign art used for luxury, there have been some notable contests and several speeches of value made against it. In 1884, and again in 1890, there were three speeches against it which can now be read with profit.

In the House, in May, 1884, the Ways and Means Committee reported on a bill on the subject. It was a bill to merely reduce the then 30 per cent duty to 10 per cent. On the 19th day of May, 1884, on this bill reported by Mr. Hurd, of Ohio, the House of Representatives, after a full discussion on the question of suspending the rules for the passage of H. R. 6751, which was to reduce the tariff duty on foreign art used for luxury from 30 to 10 per cent, refused to do so by a vote of 52 in its favor to 179 against it, 92 not voting. Of the 52 who voted aye only 17 survived in the Congressional election of that fall.

Mr. MILLS, now a Senator in this Chamber, not a Senator then, said:

Mr. Speaker, I am opposed to this bill not so much on account of the amount of revenue that is involved in it as on account of the violation of what I believe to be the correct principle of levying taxation. The whole of our onerous system of Federal taxation is levied on consumption. We do not tax the property of the wealthy. Now, I hold that all property ought to be taxed, because property is powerless; the object of government is to protect, and that which needs protection more than anything else in this world is property. But our whole system of taxation is levied on consumption, and rests indiscriminately on all the population of the country irrespective of their capacity to pay; that is, irrespective of the amount of property they own. It ought to be so apportioned even in levying it on consumption that the wealthy should bear some appropriate part of the burden.

Now, here it is proposed that we shall take off taxation from a luxury. * * *

A painting is a luxury; a foreign painting especially is a luxury which costs much money. It goes to adorn the parlors of the wealthy; and you ought not to take off the taxation they pay when the House positively refused the other day to reduce the taxation on a woolen shirt. You refused to reduce the taxation on woolen goods and on boots and shoes, and on farming implements, and on all implements with which our people toil to make their daily subsistence. You refused to take 20 per cent off that taxation; and yet you are ready to reduce the taxation on a magnificent painting from 30 per cent down to 10 per cent.

On the implements of labor, some of them, you levy a tax of from 75 to 101 per cent. The necessaries of life in the shape of clothing and food come in under a rate of duty of 100 per cent, and you refused to reduce it to 50 or 60 per cent. And at the same time you propose to bring down the duty on the magnificent paintings which are imported to adorn the parlors of a Gould or a Vanderbilt to 10 per cent. And the House was asked to put them on the free list because the tax was burdensome. What a record we are making to go before the country upon! How strong an appeal we will be able to make to the people of the United States upon such a record!

I also quote from the speech of Mr. Dunn of Arkansas, a Democrat:

We, the Democrats, seek to make all taxation equal and uniform, to limit it to the actual needs of the revenues, to remove all unnecessary taxation, and to take it off of the common necessaries of life and let it rest as far as possible upon luxuries. Every argument that comes from the Republican side of the House, and every motion that comes from members on that side of the House, is an argument or motion based upon the idea of protecting something or somebody, and the only inquiry with them is, Whom does it protect and how much does it protect? The gentleman from Iowa [Mr. KASSON] holds up a bundle of petitions from American artists at home and abroad and says that they ask for no protection. I do not care what protection they ask for or do not ask for. If they ask me for protection I would refuse to give it to them as protection and for the sake of protection.

* * * Limit this bill to the simple removal of these discriminations, and leave the tariff on the works of art, as you do the tariff on all the necessities of life consumed by the poor, and I will vote for it; but when you reduce the tariff on works of art and other luxuries of the rich, I demand the same or a greater reduction on the necessaries of life.

Mr. KASSON (Republican). That is all this does.

Mr. DUNN. Oh, no! it reduces the tariff on works of art from 30 to 10 per cent. And this reduction of taxation is on luxuries and fine ornaments of the very rich. Not only can the poor not afford these things, but people of average good fortunes can not. The burdens, galling as they are, that rest upon the great masses of the people, are to remain as the pressing necessities of a great war that ended twenty years ago left them.

These are some of my objections to the bill. It is wrong in principle and unjust to take taxes off of the luxuries of the rich, while we are refusing to take off the necessities of the poor. * * *

Tax the salt of the humblest laborers of the land and take off the tax from the one-hundred-thousand-dollar painting and other works of art of the millionaire! Is that justice? Tax the wool hat or the blankets of the toiling millions, and take it off the luxuries of the rich! [Applause.] Tax the trace chains, the implements of industry of the laboring masses, and give the wealthy their luxuries and ornaments free! Give away the revenues of the Government from whisky to jobbers, but leave the tax to be paid by the consumer!

Sir, go on in that line of revenue reform and the country will rise up and ask us, Is all this pretension of tariff reform a Trojan horse with an army of spoilsmen concealed within it, or are you earnestly and honestly for reforming the administration and reducing taxation? [Applause.] Sir, let us all go home, if that is the rule, and if that is to be our policy, with our heads bowed down in shame and humiliation, confessing our sins, and calling upon

the mountains to fall upon us and hide us from the sight of a deceived and betrayed people. * * *

Now, sir, it is unfortunate that no man can speak for the taxpayer here without being howled against as a communist or a demagogue. Sir, that denunciation has no terrors for me; and so long as I stand here you shall never, with my consent, remove taxation from whisky, nor from works of art, nor from luxuries, nor from silks, nor from fine raiment of any kind, until you reduce it on all the articles consumed by the toiling poor and the overtaxed people of this country. [Applause.]

Hon. GEORGE W. COOPER, of Indiana, in the House of Representatives May 14, 1890, said on the McKinley bill:

Another item which these (Republican!) gentlemen who have been engaged in reforming the tariff have given us free is "statuary and paintings in oil and water colors." This is an innovation. Heretofore these things have paid high duties. The duty collected on these for last year [1888] amounted to $357,921.47.

Now, by this bill, all this revenue is to be surrendered. For whom and why is this done? It is said that it is done to encourage art and cultivate the taste, but this is not so, for already all such articles are admitted free of duty where it is shown that they are for public galleries, to be placed upon exhibition for the benefit of the public. No, Mr. Chairman, it is to enable the rich, who can always get a hearing here—it is to enable them to decorate their parlors and ornament their homes without the payment of a tax.

This tax was reinstated in the Senate by the Republican majority, and is now the law.

Mr. President, there is much more of the same kind that has been said by gentlemen in the two Houses of Congress upon this subject, and it does strike me forcibly that the discrimination made between the massive and costly oil painting of the man who is able by his fortune to put hundreds of thousands of dollars of costly oil paintings made abroad in his dwelling, against the man who is only able to hang in his house a cheap lithograph or engraving of some kind, is one that ought not to be made. In my judgment one of the surest tests of a refined disposition is to find in the house of a citizen a nice picture of some kind, I care not how cheap it may be. It may not be worth 50 cents or a dollar, and yet it is silent evidence of the fact that works of art, cheap as they may be, deficient as they may be, are highly appreciated by the members of that family.

I do not believe it is either wise or just to the common people of this country that the cheap pictures which they hang in their houses shall be taxed 25 per cent ad valorem, or in fact any sum whatever, and yet a picture, which in itself amounts to an enormous fortune, be suffered to be brought into this country entirely free of duty. If American citizens are able to go abroad and purchase at fabulous prices the works of foreign artists and hang those pictures in their houses as a private luxury, why should they not be compelled to pay a tax equivalent at least to the tax that is paid upon the cheaper pictures of the poorer classes of our people? We have a right to demand that these articles shall be placed upon the taxable list when used for this purpose.

The amendment which I offered, and which is now the law, provides that when these pictures are placed in museums, or in art galleries where the people are permitted to see them, they shall be admitted free; that whenever they are placed where the great masses of our people for a small compensation can visit them and get the benefit of them, in our academies and places of that kind, they shall be admitted free, but the moment that they are taken into a private residence to adorn it, the moment they become a luxury of the man who can invest thousands, and even hundreds of thousands of dollars in luxuries, that moment in my judgment they should pass from the free list to the dutiable list.

I know of no reason, and I do not believe the American people will see any reason why splendid works of art should be admitted into this country as a matter of private luxury, while the cheap pictures of the farmers, and the laboring men throughout the country are taxed 25 per cent ad valorem.

The PRESIDING OFFICER (Mr. FAULKNER in the chair). The question is on the amendment of the Senator from Nebraska.

Mr. ALLEN. I ask for the yeas and nays upon agreeing to the amendment.

The yeas and nays were ordered.

Mr. PEFFER. I desire to ask the Senator from Nebraska whether he proposes to incorporate the present law?

Mr. ALLEN. That is the identical amendment. It is the present law.

Mr. PLATT. I should like at this time to offer an amendment to the pending bill to have it printed.

The PRESIDING OFFICER. The amendment will be received if there be no objection. It will be printed and lie on the table.

Mr. GEORGE. Mr. President, I should like to have an explanation from the committee as to the propriety of the paragraph proposed to be stricken out. Of course, I have been voting all along to sustain the committee, but unless I can have a reason given that has not occurred to my mind against the amendment offered by the Senator from Nebraska, I shall be very much embarrassed. I am unable to see any reason why the paragraph should stand. I hope, therefore, that the committee who have the management of the bill will furnish a proper reason for this proposed legislation.

Mr. VEST. The Senator from Mississippi as a matter of course, like any other Senator, has a perfect right to know the reason why we have reported the provision.

Mr. GEORGE. Certainly I have.

Mr. VEST. My reasons (and I think my colleagues on the committee agreed with me) were that everything in the way of art, which elevates our people, which increases the love of the beautiful and the refined, which makes us in every respect a better people, should be encouraged by legislation.

The McKinley act put a duty of only 15 per cent upon these articles. We propose to put them upon the free list, because, if great artists see proper to bring their work to this country in order to elevate the taste of our people, in order to create the generous competition between artists which always is to be encouraged, we did not think that, with the other provisions in the bill, it was necessary to put a tax upon the productions of the artists, but that they should rather be encouraged to come here.

I had occasion to say this morning, and I repeat, that no political exigency would ever induce me to shut out from this country any work of literature, no matter what branch of literature it might appertain to, that gave new thought and better thought to the people of the United States.

I am not a worshiper of the æsthetic. I am not a connoisseur in painting or in sculpture. But, Mr. President, as an educated man, fit to be here as the representative of an educated people, I must say that one tendency of this age is going to the extreme, and that is the tendency to the exclusively practical, that we should escape if possible from all that seems to be æsthetic, or beautiful, or artistic, and confine ourselves to absolute physical necessities.

The greatest peoples of the whole world have been those who were practical and at the same time devoted to art and sculpture. When the people of the United States by their legislation discriminate against art in any shape, whether painting, or sculpture, or fine literary production, then the decadence of the Republic will commence. There is something else in this world besides meat and bread and clothing. A people who have nothing else are on the verge of barbarism. A people who can not admire art, who eschew it because it is unnecessary, will soon degenerate into fit subjects of despotism.

As long as I have a place in this body, I shall vote to encourage everything that lifts and elevates the people, and without criticising other Senators, I should, with my opinions upon this subject, prove derelict in every way to my sense of duty if I did not do so.

When a great painting comes to a free people, it speaks to them oftentimes with a voice which oratory can not rival. It teaches them a great moral lesson. It encourages them to heroic endeavor. It softens the hard places in the everyday life of all of us, and leads us to that higher and better life for which every human soul must aspire.

I hope I shall not be accused of sentimentality, for I am not a sentimentalist; but as a legislator, representing a great Commonwealth, which I hope to see advanced not only in material wealth, but in the love of the good and the great and the beautiful, I shall by every vote and word of mine encourage sculpture, painting, music, literature, and all that makes our human life better.

Mr. GEORGE. Mr. President, of course I am impressed with the eloquent remarks of the Senator from Missouri. I know the ennobling influences of fine paintings and of fine statuary. But what I would like to know is this: In every tariff which has ever been enacted, if the Senator from Nebraska [Mr. ALLEN] is correct, commencing with the very first and extending to the present hour, duties were laid upon this kind of property. In the McKinley tariff act a duty was also laid upon it. I fail to see that the American people have not advanced morally, artistically, or in every good way during all this long period, with the duties imposed upon these works of art.

I do not think that there has been any retardation of our advancement by reason of these taxes. Call me a radical if you please, or what not, there is, I am bound to say, a great deal in the argument made by the Senator from Nebraska that, when the works of art, the engravings, lithographs, etc., which become the private property of the poor are imported into this country they are taxed, and when the great works, which cost large sums of money, and which can only be the private property of the rich, are admitted it is proposed that they shall come in free of duty.

There is in the human heart, and especially in the American heart, a sentiment which demands equality in burdens as well as equality in civil rights and political privileges. So, as a

plain man, if provision be made, as suggested by the Senator from Nebraska, for the admission of statuary and paintings free of duty when they are to be put in public galleries where the people at large are to be admitted to view them, I can not see why, when they are admitted for the simple private use of a private person, they should be exempt from taxation.

I should like to know how much educational influence is imparted to the great mass of the American people by the importation of a fine picture, or a fine statue, and placing it in a private house where the great mass of the American people are not permitted to enter. That kind of a painting or statue may contribute to the pleasure, it may contribute to the artistic taste of the owner and his family, and the friends who are permitted to visit his private gallery, but how it is to contribute to the advancement, to the welfare, to the education in an artistic sense of the great mass of the American people, I fail to see.

Then again, Mr. President, by paragraph 411, which we have just passed, "books and pamphlets printed exclusively in languages other than English," are to be admitted free. If the view presented with so much beauty and with so much eloquence and force by the Senator from Missouri be correct, that he would not exclude from the American people any opportunity to commune with the great thoughts of the great men of the world by a tariff tax, I should like to know how we are to justify the paragraph which I have read. You allow persons who are so well educated as to read foreign languages, whether living or dead languages, to import their books free, and you exclude from the great mass of the American people the opportunity of reading, of considering, of being improved by anything said by a foreign author in a language which he can read.

So, Mr. President, I believe the best way to settle the question raised by the Senator from Nebraska is to reënact the present law upon this subject. Then those persons who are favored by fortune so as to enable them to import for their private galleries great works of art, whether paintings or statuary, may be compelled to share the burdens imposed by this bill upon the humble to purchase engravings and lithographs.

I do not see how, in legislating for a free people, a people composed as well of poor as of rich, we can draw this line of distinction as it is drawn in the bill. So, I hope that for once the Senate may reënact a portion of the law which is so much opposed upon this side of the Chamber.

Mr. ALLEN. Mr. President, I have no desire to detain the Senate any length of time. I fully and heartily concur in all that has been said by the honorable Senator from Missouri [Mr. VEST] as to there being more in this life than merely struggling for animal existence. I am not an artist myself; I am not related to any artist; I have but very little of the artistic in my nature; and yet I think I appreciate a fine painting or a picture as well as any man alive. I might not be able to describe it in classic language, I might not be able to express my appreciation to any very great extent, and yet I believe all people are conscious in a very great degree of the influence which a fine picture exercises over them.

The law which is now in force levies a tax upon the oil paintings which are painted abroad and which are imported into this country and used exclusively in private residences.

Is there any reason why Mr. Belmont, for instance, should import a $50,000 oil painting from Europe entirely free of any tax whatever, and I should pay upon a cheap representation of that picture which I hang in my house 25 per cent ad valorem or 27 cents a pound? I can not indulge in these luxuries, but I am perfectly willing that he shall. I do not envy him his riches or his ability to gratify his taste in that respect; but I say if he expends his money by the thousands of dollars in Europe for foreign-made pictures and hangs them in his house to the exclusion of the public, he should be required to pay a tax upon such pictures the same as upon any other property; but whenever he brings those pictures where the Senator from Missouri, and I, and the common people of this country can look upon them and enjoy them, when we can feel the inspiring influences of those pictures, then they should come here free of taxation.

The time never will come when the committee will be able to explain to the common people of this country why they suffer those great pictures to come here, which involve fortunes within themselves, and go into private residences, and then tax the picture which goes into the house of the poor man 25 per cent ad valorem or 27 cents a pound, as this bill does.

Mr. KYLE. Mr. President, I merely want to add a word to what has been said by the Senator from Nebraska [Mr. ALLEN], and that is to give the amount of duty collected upon oil paintings and statuary during the past year, 1893. From the report as given in the appendix to the bill now under consideration, I find that the value of paintings in oil and water colors imported in 1893 was $2,086,764, and the amount of duty collected was $313,014.71. The value of the statuary imported was $175,002.16, and the duty collected was $26,250.32, making a total of some $340,000 in round numbers.

I submit that in the adjustment of the tariff schedules here today it is very much a matter of revenue as to whether we shall exempt certain articles or impose duties upon them. The American people, after what has been said this afternoon with reference to oil paintings and statuary, will want to understand why it is that we exempt those which are used only by the rich people of the country, and deny ourselves a revenue of about $340,000 from them, and place a tax upon the paintings and lithographs which are in use in the homes of the poor people.

That is all I desire to say.

Mr. HARRIS. I move to lay the amendment on the table.

Mr. HOAR. I wish the Senator would kindly withdraw that motion for one minute.

Mr. PROCTOR. I wish the Senator from Tennessee would yield to me for a moment.

Mr. HARRIS. I shall be obliged to yield to the Senators, but I regret the necessity of it.

Mr. HOAR. Mr. President, I think there is a good reason for the action of the committee in this particular, independent of the one which is generally stated, and on which they can vindicate themselves to any audience, whether of simple and plain people or other people. I am not speaking now of the fact that a great work of art is an instructor to people; that it is like a great book, and that sooner or later it gets into public galleries. The ownership of these things by private persons is always very brief, as the ownership of great properties is brief. But I do not put it on that ground.

Nearly everything which pays a duty in the tariff is imported for consumption, and is consumed. Food products, whether they pay a duty or come in free, are consumed in the year; nearly everything perishes with the using, and if it is material for something else, it is used as a material and changes its character, and the article which is made of it, in its turn, is worn out, whether it be clothing or medicine or anything else; but the work of art abides and becomes a part of the property of the man who imports it; it is a tangible part, and I suppose in every State of the Union it is taxed annually.

It is in Massachusetts, and I do not know of any other State where it is not. So, if I import—if I could afford to do so—a $20,000 picture, I have to pay a tax on something which will constantly be increasing in value, as all paintings do with age if they have any value to begin with, forever to the State. So it does not escape taxation, but is taxed more than any other article in the tariff. When an article is imported and is consumed, it is taxed but once; but a work of art is taxed every year, year after year. Therefore, there is a reason which I think will satisfy the people of all the States. If it is imported on the 30th of April and gets into the port of Boston, it is taxed in Massachusetts the next day, the 1st of May, to the owner.

Mr. ALLEN. If the Senator will permit me to ask him a question, I ask him if that is not true of a horse or an ox?

Mr. HOAR. Yes; it is true to some extent of the horse and of the ox, but it is true to a very brief extent. If the ox is imported and fatted, that is the end of him. If the horse is imported he lasts two, three, or five years—I do not know what the average age of a horse is in point of use. I heard of a Vermont deacon once who sold a horse which he called 7 years old, which was discovered to be 18 years old, and when he was questioned about it he said, "They lie so about the age of horses that I do not put any confidence at all in them." That is about the only instance of an article imported which goes into State taxation at all.

Mr. ALLEN. I ask the Senator from Massachusetts whether he thinks there ought to be any discrimination? If oil paintings and valuable pictures are to be admitted free for private use, why not do the same thing on the cheaper grade of pictures for the masses of the people?

Mr. HOAR. I am not sure that I should not be willing to do that on the cheaper grade of pictures spoken of by the Senator. It is true that even if a painting is in a private gallery, the owner does not keep it for his own use, exclusively, but a great many see it and enjoy it. Take Mr. Walters's picture gallery at Baltimore. People go over from Washington and the surrounding cities on regular days to see that collection of pictures, and it is a semipublic institution.

Mr. ALLEN. I should like to ask the Senator from Massachusetts is it not true that in the cities of Boston, Philadelphia, New York, and other similar cities, there are millions of dollars' worth of oil paintings of a high order, which are kept for purely private purposes and which the public are not permitted to see?

Mr. HOAR. I do not know about the city of New York, but I do not think it is true in the city of Boston. I think generally

that the paintings belonging to people in Boston go into the art museum or the atheneum, where they are seen by the public.

Mr. PROCTOR. Mr. President, the very interesting argument of the Senator from Missouri [Mr. VEST] in regard to education in art, it seems to me does not apply with force, especially in regard to statuary. It seems to me that it would be much more for the interests of art and its development in this country, if our artists and our sculptors resided here and had their studios here where the people could visit them, see the designs, see the models, see their works in the course of construction, and see them when completed. As it is now, it is a mere question of mechanics. Our sculptors reside abroad, not because there is a greater atmosphere of art there, but because the mechanics who execute their work can be employed there very much cheaper than they can be here.

The case is different with paintings where the artist himself executes his design, but in statuary he merely makes the clay model; he rarely ever in these days touches the chisel. The ancient sculptors executed their own works, but the sculptors of the present day make their clay models, and the work is executed entirely by a mechanic, by a system of measurements.

The artist often does not see his marble until it is perfectly completed. I have heard eminent American artists in their studios in Italy say that it was merely the mechanical question; that they would much prefer to reside in America, that their orders came from America, that they would prefer to live here, and that they should like to be here to see their customers; but that they were obliged by the cost of execution to reside abroad. They can employ mechanics in Italy who will execute accurately any design from the clay at 80 cents or $1 a day, and the studios are full of them. If here, the workman would receive at least three times that. That is about the average difference in wages.

I am in favor of the amendment, because I think in both respects, especially in regard to statuary, it is for the encouragement of education in art to do something to induce our artists to come here and execute their work here, and because it would give protection to American labor and American mechanics.

The PRESIDING OFFICER. The Secretary will call the roll.

Mr. GEORGE. I should like to know what is the exact motion before the Senate?

The PRESIDING OFFICER. The motion before the Senate is the striking out of paragraph 575 and the insertion of the amendment submitted by the Senator from Nebraska [Mr. ALLEN].

Mr. GEORGE. And not the motion to lay the amendment on the table?

The PRESIDING OFFICER. It is not.

Mr. GEORGE. It is a vote directly on the amendment.

The PRESIDING OFFICER. The Senator from Tennessee [Mr. HARRIS] has withdrawn the motion to lay on the table.

The Secretary proceeded to call the roll.

Mr. CALL (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL].

Mr. GALLINGER (when his name was called). I am paired with the junior Senator from Texas [Mr. MILLS]. The Senator from Mississippi [Mr. GEORGE] is paired with the Senator from Oregon [Mr. DOLPH]. I suggest to him that we transfer our pairs and vote.

Mr. GEORGE. Very well.

Mr. GALLINGER. I vote "yea."

Mr. GEORGE. I vote "yea."

Mr. GORDON (when his name was called). I am paired with the Senator from Iowa [Mr. WILSON].

Mr. HIGGINS (when his name was called). I suggest to the Senator from Georgia that I am paired with the Senator from New Jersey [Mr. MCPHERSON], and that we transfer pairs and vote.

Mr. GORDON. Very well. I vote "nay."

Mr. HIGGINS. I vote "nay."

Mr. McLAURIN (when his name was called). I am paired with the junior Senator from Rhode Island [Mr. DIXON].

Mr. PALMER (when his name was called). Being paired with the Senator from North Dakota [Mr. HANSBROUGH], I transfer that pair to the Senator from Texas [Mr. COKE], and vote "nay."

Mr. PLATT (when his name was called). I am paired with the Senator from Virginia [Mr. HUNTON]. If he were present I should vote "yea."

Mr. VILAS (when his name was called). I am paired with the Senator from Oregon [Mr. MITCHELL].

The roll call was concluded.

Ma. BLACKBURN. I am paired with the Senator from Nebraska [Mr. MANDERSON]. I learn that he has not voted, and I withhold my vote.

Mr. ALLISON. I am paired with the Senator from Missouri [Mr. COCKRELL]. He has not voted, and therefore I refrain from voting.

The result was announced—yeas 15, nays 36; as follows:

YEAS—15.

Allen,	Dubois,	Kyle,	Proctor,
Carey,	Gallinger,	Peffer,	Shoup,
Chandler,	George,	Perkins,	Teller.
Davis,	Hawley,	Power,	

NAYS—36.

Aldrich,	Gordon,	Lodge,	Roach,
Bate,	Gorman,	Mitchell, Wis.	Smith,
Berry,	Gray,	Morgan,	Squire,
Brice,	Hale,	Murphy,	Turpie,
Caffery,	Harris,	Palmer,	Vest,
Cullom,	Higgins,	Pasco,	Voorhees,
Daniel,	Hoar,	Patton,	Walsh.
Faulkner,	Jones, Ark.	Pugh,	Washburn,
Frye,	Lindsay,	Quay,	White.

NOT VOTING—34.

Allison,	Dixon,	McLaurin,	Platt,
Blackburn,	Dolph,	McMillan,	Ransom,
Blanchard,	Gibson,	McPherson,	Sherman,
Butler,	Hansbrough,	Manderson,	Stewart,
Call,	Hill,	Martin,	Vilas,
Camden,	Hunton,	Mills,	Wilson,
Cameron,	Irby,	Mitchell, Oregon	Wolcott.
Cockrell,	Jarvis,	Morrill,	
Coke,	Jones, Nev.	Pettigrew,	

Mr. HAWLEY. Mr. President, I ask unanimous consent to make a brief explanation. I voted just now under misapprehension of the question, and supposed I was voting in favor of paragraph 575, placing on the free list paintings, statuary, and other works of art.

So the amendment was rejected.

Mr. ALLEN. I was absent from the Chamber attending a meeting of the special investigating committee when paragraph 308 was passed. I now ask permission to turn back to that paragraph, and I move to strike out the substitute for the paragraph.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nebraska?

Mr. JONES of Arkansas. I must object to going back to another part of the bill which has been passed upon. It is a violation of the unanimous-consent agreement of the Senate.

Mr. ALLEN. Then I desire to give notice that in the Senate at the proper time I shall ask a separate vote upon it.

Mr. JONES of Arkansas. That is all entirely proper and entirely regular, and I have no objection to it.

The PRESIDING OFFICER. The reading of the bill will proceed.

The Secretary read as follows:

576. Palladium.

577. Paper stock, crude, of every description, including all grasses, fibers, rags, waste, shavings, clippings, old paper, rope ends, waste rope, waste bagging, old or refused gunny bags or gunny cloth, and poplar or other woods, fit only to be converted into paper.

578. Paraffine.

579. Parchment and vellum.

580. Pearl, mother of, not sawed or cut, or otherwise manufactured.

581. Pease, green, in bulk or in barrels, sacks, or similar packages.

582. Peltries and other usual goods and effects of Indians passing or repassing the boundary line of the United States, under such regulations as the Secretary of the Treasury may prescribe: *Provided*, That this exemption shall not apply to goods in bales or other packages unusual among Indians.

583. Personal and household effects, not merchandise, of citizens of the United States dying in foreign countries.

584. Pewter and britannia metal, old, and fit only to be remanufactured.

585. Philosophical and scientific apparatus, instruments and preparations; statuary, casts of marble, bronze, alabaster, or plaster of Paris; paintings, drawings, and etchings, specially imported in good faith for the use of any society or institution incorporated or established for religious, philosophical, educational, scientific, or literary purposes, or for encouragement of the fine arts, and not intended for sale.

The Committee on Finance reported an amendment to paragraph 585, after the word "apparatus," in line 7, to insert "utensils."

Mr. ALDRICH. I hope the Senator from Arkansas will not insist upon that amendment. I do not know why these different societies should be permitted to import utensils free.

Mr. JONES of Arkansas. The utensils are meant to cover simply those that are used for scientific purposes. It seems to me as proper that they should be included as are other things of the same sort.

Mr. ALDRICH. Certainly the word "apparatus" covers all utensils which could be used for scientific purposes. It seems to me the word "utensils" opens a door which should not be opened.

Mr. JONES of Arkansas. A contention was made before the committee by persons who represented this interest, that this word is absolutely necessary to include classes and things of the same nature and character as these, and the impression made upon the committee was that that was correct.

The amendment was agreed to.

The next amendment reported by the Committee on Finance to the paragraph was, in line 8, to insert "including bottles and boxes containing the same."

The amendment was agreed to.

The next amendment reported by the committee to the paragraph was, in line 10, after the word "etchings," to insert "including stained or painted window glass or stained or painted glass windows."

Mr. JONES of Arkansas. I withdraw that amendment.

The PRESIDING OFFICER. The amendment is withdrawn. The reading of the bill will proceed.

The Secretary read as follows:

585. Phosphates, crude or native.
587. Plants, trees, shrubs, and vines of all kinds, commonly known as nursery stock, not specially provided for in this act.

Mr. HALE. What has become of the amendment of the committee to paragraph 587, as indicated by the brackets?

The PRESIDING OFFICER. The Chair will state that that is not a committee amendment.

Mr. VEST. We offer no amendment there. We do not propose to strike that out.

Mr. HALE. I move to strike out the paragraph.

The PRESIDING OFFICER. The Senator from Maine moves to strike out paragraph 587.

The amendment was rejected.

The Secretary read as follows:

588. Plaster of Paris and sulphate of lime, unground.
589. Platina, in ingots, bars, sheets, and wire.
590. Platinum, unmanufactured, and vases, retorts, and other apparatus, vessels, and parts thereof composed of platinum, adapted for chemical uses.
591. Plows, tooth and disk harrows, harvesters, reapers, agricultural drills, and planters, mowers, horse rakes, cultivators, thrashing machines, and cotton gins.

Mr. JONES of Arkansas. There is a committee amendment there.

The PRESIDING OFFICER. The amendment will be reported.

The SECRETARY. After the word "gins," in line 3 of the paragraph, it is proposed to insert:

Provided, That all the articles mentioned in paragraph 591, when imported from any country which lays an import duty on like articles coming from the United States, shall be subject to the duties existing prior to the passage of this act.

Mr. JONES of Arkansas. I move to amend the committee amendment as indicated on the paper I send to the desk.

The PRESIDING OFFICER. The amendment proposed by the Senator from Arkansas to the amendment will be stated.

The SECRETARY. It is proposed to amend the committee amendment so as to make it read:

Provided, That all articles mentioned in this paragraph, if imported from a country which lays an import duty on like articles imported from the United States, shall be subject to the duties existing prior to the passage of this act.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The Secretary read as follows:

592. Plumbago.
593. Plush, black, known commercially as hatters' plush, composed of silk, or of silk and cotton, and used exclusively for making men's hats.
594. Polishing stones, and burnishing stones.
595. Potash, crude, carbonate of, or "black salts." Caustic potash, or hydrate of, including refined in sticks or rolls. Nitrate of potash, or saltpeter, crude. Sulphate of potash, crude or refined. Chlorate of potash. Muriate of potash.
596. Professional books, implements, instruments, and tools of trade, occupation, or employment, in the actual possession at the time of persons arriving in the United States; but this exemption shall not be construed to include machinery or other articles imported for use in any manufacturing establishment, or for any other person or persons, or for sale.

The Committee on Finance reported an amendment in paragraph 596, after the word "sale," in line 28, to insert:

Nor shall it be construed to include theatrical scenery, properties, and apparel, but such articles brought by proprietors or managers of theatrical exhibitions arriving from abroad for temporary use by them in such exhibitions and not for any other person and not for sale shall be admitted free of duty under such regulations as the Secretary of the Treasury may prescribe; but bonds shall be given for the payment to the United States of such duties as may be imposed by law upon any and all such articles as shall not be exported within six months after such importation: *Provided*, That the Secretary of the Treasury may in his discretion extend such period for a further term of six months in case application shall be made therefor.

Mr. JONES of Arkansas. I move to insert in line 3, on page 111, after the word "sale," the words "and which have been used by them abroad."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The Secretary read as follows:

597. Pulu.
598. Pumice.
599. Quicksilver.

Mr. PERKINS. I hope that the committee will not insist upon placing quicksilver upon the free list. If they do, I should certainly like to hear some reason given for that action.

Quicksilver is an industry in which California is especially interested. Of all the States and Territories of this Union, California is the only State which produces quicksilver. There are from twenty to thirty million dollars of capital invested in the industry. It gives employment to 5,000 miners, to mechanics, to laborers, to machinists, to our foundries and machine shops. It consumes the supplies produced by the farmer, gives employment to wood-choppers, to coal-miners, to charcoal-burners, and thousands of others who are dependent upon this industry.

No one, to my knowledge, has asked to have quicksilver placed upon the free list. There are only four countries in the world which produce quicksilver in any considerable quantity. Those countries are Spain, Austria, Italy, and California. The Idria mines of Spain have been worked for more than 2,000 years. They belong to the Government of Spain. They are worked by convict labor, by cheap labor brought into Spain. The same is true of Austria. For the past five years the mines have been, and for the next twenty-five years will be, under lease to the Rothschilds of London. The whole product of those mines belongs to the Rothschilds, and if you strike out the duty on quicksilver and close up this industry in California, it will be done in the interest of the great Rothschilds of Europe. I think they have money enough without asking the people of the United States and the laboring men and mechanics, to contribute more to their great fund.

Not only that, but the mines of Spain and Austria are the richest cinnabar mines known in history. The average yield of cinnabar is 10½ per cent of quicksilver, while in California we have worked our mines, and the most they have ever reached has been about 2 per cent of quicksilver during the past ten years. Last year they went as low as 1¼ per cent of quicksilver. I can not understand any reason why this article should be placed upon the free list.

I find by comparing the figures on page 194 of the Mineral Industries of the United States for 1890, that when there was an increased production in California prices invariably declined. When the California production decreases prices advance, showing that the California production for forty years has in great measure controlled the prices of the world. It has been the equalizing lever which has prevented the Rothschilds from coming in here and crushing out the industry, and then charging our people what they please for their quicksilver.

Mr. VEST. I should like to ask the Senator from California a question, if he will yield.

Mr. PERKINS. With pleasure.

Mr. VEST. It is as to the statement the Senator has just made. Do not the Treasury reports show that we imported 94,000 pounds and exported 424,000 pounds last year?

Mr. PERKINS. The books of the Treasury show that in 1893 California produced 30,164 flasks of quicksilver, about 2,262,300 pounds; they show that we exported about 5,600 flasks of quicksilver, or 425,000 pounds, and that we imported 94,000 pounds of quicksilver.

Mr. VEST. That is what I said.

Mr. PERKINS. Showing a surplus of about 4,000 flasks of quicksilver, which we produced in this country more than were required, and those 4,000 flasks of quicksilver we were enabled to export by reason of the cheap freights on the Pacific coast. We sent it to British Columbia, we sent it to Mexico, to South America, and Australia; but we are producing in California about what we require for use in this country, while last year there was a surplus of 4,000 flasks of 75 pounds each, which our people produced and sent abroad at its actual cost so as to keep our mines running. If we close up the cinnabar mines they fill with water; the pumps must be removed, the furnaces corrode, and the machinery is eaten away by iron rust. To close down the mines means death to the industry.

So our people, with their enterprise, their goaheadativeness, their application, have kept their mines running; and last year we were able to export 4,000 flasks of quicksilver. Instead of censuring us for it, the Senator from Missouri should commend the enterprise of California for being able to do this. If we had not done it we should have taken out of this country hundreds of thousands of dollars to add to the riches of the Rothschilds, instead of putting that money into the pockets of our American citizens. I can not, as I stated before, see one reason why quicksilver should be placed upon the free list.

I reiterate that at the New Almaden mine, which was the only rich mine we have ever had in the United States, the average of cinnabar would compare with the percentage of Spanish cinnabar. We find that in 1874 it produced only 27,000 flasks of quicksilver, but in 1875, 1876, 1877, 1878, and 1879 it produced, respectively, 50,000, 75,000, 70,000, 65,000, and 75,000 flasks. While the price in 1874 was $118 per flask, in 1876, when the production was trebled, the price dropped to $53 per flask; and

by 1879 it had fallen to $34 per flask; which was wholly due to the production of this article of commerce in California.

There was a little variation in the price after the duty was imposed in 1883 until the production commenced to run down very largely, amounting, in 1886, to 29,000 flasks, as against 75,000 flasks in 1876. By continuing an examination of the list we find this to be the case, that as California's production diminished the price increased, and as California's production increased the price diminished. An examination of the statistics will show that while quicksilver was on the free list from 1875 to 1883 it sold for a higher price in the London markets than it did in our markets. The United States was used by the Rothschilds as a dumping ground for their surplus supply of quicksilver, and the prices in Europe and London were very much higher than they were in the United States.

The conservative policy of the Rothschilds has influenced them in producing quicksilver as it has in their great financial business. They could to-day take out ten times the quantity of quicksilver which is required for consumption in mining, in the arts and sciences and other industries, but they only produce what is necessary to supply the trade and to keep the prices up.

I believe that the cost of quicksilver to us in California is not less than $27 per flask, and yet it can be produced in Spain as low as $8.50 per flask. It is only because we are producing this that we are enabled in a great measure to control the market price in this country; but if you close up our mines, as this will surely do if quicksilver is permitted to remain upon the free list, we shall be at the mercy of the Rothschilds of Europe.

In 1878 we had thirty working mines of cinnabar in California. To-day we have only eleven, and six of those produce less than 100 flasks of quicksilver per month. Yet our people are prospecting, are delving into the earth; they are bringing up cinnabar; they are taking it to the furnaces, are reducing it, and turning out the liquid quicksilver, paying the money they receive for it to our people.

I beg of you, I entreat of you, not to do this great wrong to the people whom I in part represent. We have a great State on the western line of this continent, and this Congress have sent some heavy thrusts home to it. They put coal and they put lumber on the free list; they put wool on the free list; they have struck down 50 per cent of the duty upon our fruit, upon our vines, and they are striking at our various industries. There may be some reason for some of those things you have done, but I challenge anyone to successfully show why quicksilver should be placed upon the free list, when the only competitors we have in the world are the Governments of Spain, of Austria, and of Italy; and those Governments are under contract for all the production of all the mines with the great house of Rothschilds.

Five thousand—yes, ten thousand—people in California, directly and indirectly, are dependent upon the quicksilver mining of that State. They are working for very small interest upon their capital. They are paying out eighty-odd per cent of their gross receipts for labor, and 15 per cent more goes for supplies. Why will you, then, ruin this great industry in which our people are so deeply interested? The greatest reduction you can make, if you are fair, if you are just, is to reduce it in the same ratio of percentage that you have reduced the tariff upon other things.

The duty to-day is 10 cents a pound. If, then, you will reduce it, reduce it in the same average percentage that you have the balance of the schedules, which I understand to be about 30 per cent. Our people will accept a reduction of 30 per cent if you will make it specific, 7 cents a pound. But I beg of you not to go below that figure. California will believe that you have dealt unjustly with her if you do.

California cast her last electoral vote for the party which is to-day in the majority. She did not believe that that great party, with its traditions, with its history, with its protestations and declarations of what it would do for the laboring man, for the workingmen of this country, would do this thing. The people who gave their votes for that party which to-day controls their destinies and their interests did not believe you would be so unjust to them as to strike at this great industry.

Therefore, I ask again if you can not permit the law to stand as it is, then reduce it in the same ratio that you have reduced the tariff upon other articles which have been before you for consideration.

Mr. LODGE. Mr. President, the only thing that is advanced on this destruction of the quicksilver industry is the statement—for it can not be called an argument—which the Senator from Missouri [Mr. VEST] makes, that we exported a large quantity to some other country. As a general proposition, that amounts to saying that the moment an industry in this country gets sufficiently strong to command its own home market and export, it will be stricken down. But this is very easily explicable; though I doubt very much if the Senator from Missouri knows how these exportations have come about. A very large exportation was made in 1891; I will take that as an example. I quote from the letter of the vice-president and general manager of one of the quicksilver mines, who says:

BOSTON, *December 26, 1893.*

DEAR SIR: I inclose you herewith memoranda relating to quicksilver, which I think you will find sufficiently complete to explain the state of the industry. We invested our capital under existing laws and to wipe out that capital, as surely would be done by putting quicksilver on the free list, is neither just nor right.

The chief objection raised against our industry by Mr. WILSON was that at times we were enabled to export some quicksilver, notably in 1891, when we exported 3,000 or 4,000 flasks to Mexico. This occurred under anomalous conditions. By one of those spasmodic efforts which the Rothschilds put forth once in a great while, in November of that year they raised their price of quicksilver from £6 10*s.* to £10, and six weeks later it was back to its former price. We sold all the quicksilver we had to Mexico, where we had the advantage of them in the matter of freight, believing it to be good business to do so, when we could get such an advantage over the ruling price of the year.

It is only when some such sudden and uncertain jump in the price occurs that we can think of competing with them for export. You are well aware from my former conversations with you that the returns for the capital invested in this industry are very meager, and with the duty of 10 cents per pound taken off, with the present low grade of ores, it would mean ruin to our business and closing down of the California mines.

I wish to thank you heartily for your courteous attention, and assure you that I appreciate it most highly, and should the opportunity ever present itself, I would be most glad to return it in kind so far as I can.

With the kindest regards, I am, very respectfully,

W. B. BUCKMINSTER,
Vice-President and General Manager,
Ætna Consolidated Quicksilver Mining Company,
Napa Consolidated Quicksilver Mining Company,

and representing the Quicksilver Mining Company of New Almaden, California; the Standard Quicksilver Mining Company, California; the Sulphur Bank Quicksilver Mining Company, California; the Redington Quicksilver Mining Company, California; the New Idria Quicksilver Mining Company, California; the Napa Consolidated Quicksilver Mining Company, California; the Great Eastern Quicksilver Mining Company, California; the Great Western Quicksilver Mining Company, California; and the Great Eastern, No. 2, Quicksilver Mining Company, California.

HON. HENRY CABOT LODGE,
Washington, D. C.

Mr. President, that illustrates precisely the condition of this industry. The Rothschilds hold a monopoly of it practically. The product of Italy is very small, and the Rothschilds control the mines in Idria, Austria, and the mines in Almaden, Spain, and they could make the price of quicksilver, except for the California competition which has been built up here. When they raised the price, as in 1891, when they pushed it from £6 10*s.* to £10, at that moment the California product began to pour into Mexico, as appears from our Treasury reports, and down the price came.

Quicksilver is used chiefly by miners—I think I am correct in that statement—and every man engaged in practical mining will know that, if you withdraw the California competition, you will have an immediate rise in the price of quicksilver, which they so much need; in other words, you make a monopoly when you close the California mines, and the removal of the duty on quicksilver will close the California mines. The Rothschilds, controlling the Spanish and the Austria mines, will pour in quicksilver here at low prices, made by low wages, until they have closed every quicksilver mine in the country, thrown all the plants out of operation, disperse the miners, and then they will raise the price of quicksilver to our miners to any price they like. If I am mistaken in this statement the Senator from Nevada [Mr. STEWART], whom I see sitting near me, can correct me.

If anyone will take the trouble to examine the tables which I shall print in the RECORD, he will notice that the price of quicksilver has declined when the California mines were encouraged and running full, and it has gone up in exact proportion as these mines have been shut down, as when quicksilver was on the free list, to which the Senator from California [Mr. PERKINS] has already alluded.

There never was a plainer case of the interest of our people in maintaining an industry than in this case of quicksilver. It seems to me to be absolutely without any excuse whatever; and the argument about our exporting it turns out, as I understand, to be an argument in favor of maintaining it, for it shows the capacity of the Rothschilds to lift the price of quicksilver; and if we are not there with our competition there is nothing to prevent their putting it to any price they like.

Taking off this duty and the breaking down of the American quicksilver mines means the raising of the price of quicksilver and the putting of a great many millions into the pockets of the Rothschilds.

Mr. CHANDLER. Will the Senator kindly explain how the Rothschilds came to control the foreign mines?

Mr. LODGE. The Rothschilds have control of the mines of Spain and Austria.

Mr. PERKINS. Under a thirty-years lease.

Mr. LODGE. I was going to say they have control under a thirty years' lease; under mortgage to secure a debt of those countries they hold those mines absolutely.

I give in the table which I shall print a comparative statement of the wages. It is something like the difference between 81 cents and $2.50 a day in what is paid for labor, ours being $2.50, and theirs about 81 cents.

Mr. HALE. The Rothschilds are creditors of these countries, and have the mines as security?

Mr. LODGE. They are creditors and have the mines as security; they control them absolutely, and there is no quicksilver supply outside of Austria and Spain. They are the creditors of the Spanish Government; the mines belong to the government, and the governments have pledged the mines and given them over to the Rothschilds to work as security for money which the Rothschilds have lent those governments.

Mr. CHANDLER. Then the whole business outside of the United States is a governmental trust?

Mr. LODGE. The whole business outside of the United States, except a very small product in Italy, is the property of the Spanish and Austrian Governments, in the control of the Rothschilds—there is nothing else—and it is a governmental trust, as the Senator from New Hampshire [Mr. CHANDLER] suggests. If you take the table which I have here, and which I shall not read to the Senate, you will see that the range in prices has varied precisely with the activity of the California mines.

We not only have to pay higher rates of wages, but our rock is not so rich as that in the Spanish and Austrian mines. The only way that we can hope to compete with them is by a protective duty, and if we can have it we can keep down the world's price of quicksilver. It has been done, and it is a matter of absolute proof that if we do not keep our mines open the Rothschilds will raise the price, just as they raised it in 1891, when we exported 4,000 flasks of quicksilver to Mexico. They raised the price and put it up £4 a flask, $20 a flask, and they kept the price there for six weeks. It was the American competition which forced it down again, and which keeps it down to all our miners.

I now ask leave to insert in my remarks the statement and tables to which I have referred.

The PRESIDING OFFICER. In the absence of objection, it will be so ordered.

The paper referred to is as follows:

QUICKSILVER.

WASHINGTON, D. C., *December 11, 1893.*

To the Honorable Chairman and Members of the
Ways and Means Committee, Washington, D. C.:

GENTLEMEN: Sulphide of mercury, or cinnabar, from which quicksilver is produced, is an ore found in the United States only in California. Its production is an important interest there, giving employment to over 5,000 men, at good wages, and representing a large amount of invested capital. The only other countries producing this mineral are Spain, Austria, and Italy, the first two producing by far the largest amount and owned and worked by the Spanish and Austrian Governments. Italy producing but a small amount. The Austrian and Spanish product is controlled by the Rothschilds and sold by them, the Spanish product being mortgaged to the Rothschilds for a period of thirty years from 1870, in repayment of a loan made by them to the Spanish Government of £1,696,000, with interest at 8 per cent per annum.

Until the discovery of the American quicksilver mines quicksilver brought a very high price, more than three times what it is selling for at present, and the production of the California mines has, therefore, since their discovery practically controlled the price of quicksilver in the world, by preventing the Spanish and Austrian mines from having a monopoly. These two mines, Almaden in Spain, and Idria in Austria, are very rich and hold immense reserves. The ore is found in two immense bodies or chimneys in the Almaden, and shafts have been sunk to a depth of a thousand feet, finding the mineral fully as rich as it goes down. The grade of the ore in the Almaden and Idria is about 11 per cent.

On the other hand, in the California mines the mineral is found in scattered bodies at long distances apart, and does not occur in any regular formations, veins often being barren and carrying no ore for distances of a thousand feet or more, and it is generally found at no great depth below the surface. The grade of ore in the California mines averages but little over 1 per cent, and they have practically no reserves, but are dependent upon their yearly developments of ore.

Comparing year by year the Spanish mines with the New Almaden of California, as to the amount of rock mined, we find that in the Spanish mines 98 per cent of the rock mined was good enough to run through the furnaces; while in the new Almaden of California, 24 per cent only could be used, showing three-quarters of the rock mined was waste—the New Almaden being taken as affording the most complete figures and a fair sample of the whole.

The average wages per man in Spain are 60 cents; the average wages per man in California are $2.43. The average cost of a flask of quicksilver at Almaden, Spain, is $7.86; the average cost in California is $33.31, of which 78 per cent is labor. Comparing the two, and allowing for sake of comparison that the wages paid in Spain were equal to those paid in California, we have the cost of a flask of quicksilver in Spain, $7.86, of which there was paid for labor 78 per cent, or $6.13. The cost of producing a flask in California is $33.31, of which there is paid for labor 78 per cent, or $25.98, showing a difference paid in wages to the American workman of $19.85 per flask. A standard flask consists of 76½ pounds of quicksilver. The production for the past five years has been as follows:

	Flasks.
1888	33,250
1889	25,650
1890	22,615
1891	25,584
1892	27,000

The amount produced in this country is equal to its needs at present. But little has been imported for a long series of years since the imposition of the duty, and during this past year none at all. I beg to call your attention to the fact that were the mines of California to be closed down, as they must inevitably be unless some protection is afforded, that the whole power of making the price would lie with the Spanish and Austrian Governments, as represented by the Rothschilds, and we should be at their mercy. When this duty has been so low as to cause a shut down of the American mines, this has been the case heretofore.

We are now protected by a duty of 10 cents per pound. This is little enough, and we ask in consideration of the capital involved, and the labor of five thousand men employed at good wages, that it be kept at the present rate.

Quicksilver is an article which can be used only for specific purposes within narrow limits, and the price has little to do with the consumption. A low price will not extend its uses, which are confined to amalgamation of ores, vermillion, and mercurial preparations. As it is used over and over again in mining, the slight duty cuts no figure there, and all preparations of mercury are protected by a duty higher than that on quicksilver, so that no detriment is worked to their interest. Again, a specific duty of 10 cents per pound gives protection when most needed, *i. e.*, when the price is low, which an ad valorem duty does not do, but affords great protection when least needed, *i. e.*, when the price abroad is higher.

The quicksilver mines of this country are struggling for existence because of the low prices existing, and were lower prices to come, would have to succumb to foreign competition. The average of ore now being worked is but little over 1 per cent, yielding 20 pounds of quicksilver to the ton; while the Almaden of Spain yields between 10 and 11 per cent, or over 200 pounds to the ton—a difference in favor of the Spanish mines of 180 pounds per ton.

You may ask why we are able to compete with quicksilver produced in Spain at $7.86 per flask, while the cost of production here is $33.31. Spain authorized the loan in 1870, from Messrs. Rothschilds, of £1,696,000, hypothecating the Almaden mines and stipulating therein that they should not sell quicksilver outside the United Kingdom at less than £6 per flask (which at the present rate of exchange amounts to $29.75 per flask) and as much more as they can get. If to £6 7*s.*, the present selling price, we add the duty of $7.65 per flask, we have $37.50, which we can obtain for quicksilver in competition with them.

By article 6 of the Spanish agreement with the Rothschilds, the Messrs. Rothschilds enjoy without interest all the money which collects from the sale of quicksilver in London during the year until the settlement in July. By article 9, Messrs. Rothschilds have the right to half the amount they obtain above £6 per flask in London for trying to improve the selling price of quicksilver. Finally by article 10, in the same agreement, they are authorized to sell such quicksilver for £6 per flask, but no less, as Messrs. Rothschilds think desirable to send to other markets, whatever the price may be in London. So that, though the price may be £8, £9, £10, or £11 in London, as it has been within the last three years, they can use this country as a dumping ground for their surplus product at a price of not less than £6 per flask.

In other words, it is only the production of quicksilver in California which keeps us from being subjected to a gigantic monopoly. It is an article which we must have to reduce our gold and silver ores, and did we not produce it in competition with the Rothschilds, we should have to pay their price of not less than £6 in any event, and as much more as they could force us to do. (See speech of Señor Marcoarto, delivered in the Spanish Senate, May 8, 1890.)

In other words, we are at the mercy of a gigantic monopoly which is controlled by the Messrs. Rothschild if we do not produce sufficient quicksilver or nearly enough for our own needs in this country. Since the California mines were opened the price has been steadily declining, except in the instances where the low price caused by importations from abroad at a time of no duty have shut down our mines and reduced our supply so that we were obliged to buy from abroad. It is not only in the interest of the producer, but also in that of the consumer as well, that the American mines should be kept open and stimulated to the extent of their production.

Were this duty removed and quicksilver allowed to come in free, there is no question but what, with the low grade of ore which we are now mining, the California mines must shut down. Once shut down it is not only a question of enormous expense to reopen them, owing to their becoming filled with water and shafts and tunnels caving in, but it is a question of time as well, and it would take many months, if not years, to put them in active working order if they were once closed down. Capital is timorous of investment and would hesitate to seek again any employment in which it has been so grievously disappointed. Again, quicksilver can in no sense be called a raw material. It is a manufactured article, into the production of which labor largely enters, quite as largely as any manufactured article produced, averaging 78 per cent of the total cost in wages alone.

To summarize: The ores of Almaden, Spain, and Idria, Austria, run 11 per cent ore; the ores of the California mines average but 1 per cent. The cost of a flask of quicksilver in Spain and Austria is $7.86, which price is increased to the consumer by the Rothschild monopoly to £6 at the lowest, and as much more as they can increase it; the cost of a flask of quicksilver in California is $33.31, 78 per cent, or $25.98, of which is in wages alone. The industry gives employment in California to about five thousand men. Were the mines closed down these men would be out of employment and driven to seek work in other branches; thus displacing a like number of men, or lowering the wages of all, for supply and demand govern the labor market.

Our own country produces sufficient quicksilver for its own needs, in which case any importation from abroad must displace an equal amount of American product, and the money paid for the same goes into the coffers of the Rothschilds instead of into the American workingmen's pockets. The admission free of duty of a product manufactured exclusively by foreign governments (which themselves have a high protective tariff) to the detriment and ruin of an American industry is an anomaly in our revenue laws which we beg may not take place. The foreign mines are owned by governments; our own mines are owned by individual citizens.

Under this statement of facts, which are reliable, will the honorable chairman and members of the Ways and Means Committee keep this mineral on the free list, cause the consumer to pay at least twice the present price, and drive into other industries 5,000 laborers earning unequaled wages; for this will be the inevitable result of such determination. In my opinion it would be wise to increase the tariff to insure the continuance of this industry to compete with a monopoly of foreign bankers in an article that has no equivalent. Our consumers must have it at some price or abandon enterprises requiring its use.

Such a course would violate no principle of protection or free trade, as this industry is an exceptional one, subjected to no principle or argument except that of nature's first law, self-preservation.

I have the honor to be, very truly, yours,

W. B. BUCKMINSTER,
Vice-President and General Manager
Ætna Consolidated Quicksilver Mining Company.

And representing the following quicksilver mining companies: The Quicksilver Mining Company of New Almaden, Cal.; the Standard Quicksilver Mining Company of California; the Sulphur Bank Quicksilver Mining Company of California; the Reddington Quicksilver Mining Company

of California; the New Idria Mining Company of California; the Napa Consolidated Quicksilver Mining Company of California; the Great Eastern Quicksilver Mining Company of California; the Great Western Consolidated Quicksilver Mining Company of California; the Great Eastern, No 2, of California.

See Exhibits A, B, and C, attached.

The returds on capital invested are very meager. In the ten years from 1874 to 1884 the production was 590,224 flasks. In the ten years from 1884 to 1894 (1894 estimated) the production was only 286,866 flasks, showing conclusively that if there were any great profit in the business the output would have increased rather than diminished.

EXHIBIT A.

STATISTICS.

Comparative statement of rates of import duty on quicksilver under the several tariff acts, from July 30, 1846, to May 21, 1890.

Act of—	Duty.
July 30, 1846	20 per cent.
March 3, 1857	15 per cent.
March 2, 1861	10 per cent.
August 5, 1861	Do.
December 24, 1861	Do.
July 14, 1862	Do.
March 3, 1863	Do.
June 30, 1864	10 and 15 per cent.
March 3, 1865	Do.
March 16, 1866	Do.
May 16, 1866	Do.
June 1, 1866	Do.
July 28, 1866	15 per cent.
March 2, 1867	Do.
March 22, 1867	Do.
March 25–26, 1867	Do.
March 29, 1867	Do.
February 3, 1868	Do.
July 20, 1868	Do.
February 19–24, 1869	Do.
July 14, 1870	Do.
December 22, 1870	Do.
May 1, 1872	90 per cent of existing duties.
June 6, 1872	Do.
1875	Free list.
March 3, 1883	10 per cent.
May 21, 1890	10 cents per pound.

The act of May 21, 1890, was as follows: "Quicksilver, 10 cents per pound. The flasks, bottles, or other vessels in which quicksilver is imported, shall be subject to the same rates of duty as they would be subjected to if imported empty."

Free list.—"Quicksilver flasks, or bottles, of either domestic or foreign manufacture, which shall have been actually exported from the United States."

EXHIBIT B.

WAGES.

The wages paid at the Spanish Almaden mine, so far as I have been enabled to obtain them, are reliable.

Miners' ore contract, per day	$0.81
Miners' rock contract, per day	.57
Masons in quarries, per day	1.03
Lumbermen, per day	.55
Furnacemen, per day	.40

These departments command the highest wages; hence we may conclude their wages to be from 50 cents to 60 cents per day.

The amount of wages paid in California for relative positions is:

Laborers in ore chambers, per day	$2.00
Miners	2.80
Laborers on surface	2.00
Firemen	1.75
Timbermen, including captain	3.20
Carpenters	$3 and $3.50
Blasters	2.75
Surface mining	1.50

ORE.

Of all the rock mined in Almaden, Spain, 93 per cent is sufficiently good ore to be put through the furnaces. In California, of all the rock mined only 24 per cent is sufficiently good ore to go through the furnaces.

PRICE.

In 1850, when the Cinnabar was discovered in California, the ruling price per flask of 76½ pounds, standard weight, was $114.50, or $1.50 per pound. It is now $37 per flask, or 48.3 cents per pound, and though great fluctuations in price have occurred during the forty-two years of its production in California, yet notwithstanding these fluctuations, its price has been in the main steadily declining.

EXHIBIT C.

Production of quicksilver in California, and prices from 1849 to 1893.

Year.	Number of flasks.	Highest price.	Lowest price.
1850	7,723	$114.75	$384.15
1851	27,779	76.50	57.35
1852	20,000	61.20	45.45
1853	22,284	55.45	55.45
1854	30,004	55.45	55.45
1855	33,000	55.45	51.65
1856	30,000	51.65	51.65
1857	28,204	53.55	45.90
1858	31,000	49.75	45.90
1859	13,000	76.50	49.75
1860	10,000	57.35	49.75
1861	35,000	49.75	34.45
1862	42,000	38.25	34.45

EXHIBIT C—Continued.

Year.	Number of flasks.	Highest price.	Lowest price.
1863	40,531	$45.90	$38.25
1864	47,489	45.90	45.90
1865	53,000	45.90	45.90
1866	46,550	57.35	45.90
1867	47,000	45.90	45.90
1868	47,728	45.90	45.90
1869	33,811	45.90	45.90
1870	30,077	68.85	45.90
1871	31,686	68.85	57.35
1872	31,621	65.95	65.00
1873	27,642	91.80	68.85
1874	27,756	118.55	91.80
1875	50,250	118.55	49.75
1876	75,074	53.55	34.45
1877	79,396	44.00	30.60
1878	63,880	35.95	29.85
1879	73,684	34.45	25.25
1880	59,926	34.45	27.55
1881	60,851	31.75	27.90
1882	52,732	29.10	27.35
1883	46,725	28.50	26.00
1884	31,913	35.00	25.00
1885	32,073	32.00	28.50
1886	29,981	39.00	32.00
1887	33,800	48.00	36.00
1888	33,250	48.00	37.00
1889	25,560	50.00	40.00
1890	22,615	58.00	49.00
1891	25,584	51.00	42.00
1892	27,000	44.00	36.00
1893	(*)	40.00	36.00

*Not yet known, but will probably be considerably less than 1892.

A strong point which I wish to make is, that with the increase of the California product prices declined; as it decreased prices advanced, showing California production has for forty-two years controlled the price of the world.

Mr. LODGE. Mr. President, I move to strike quicksilver from the free list.

Mr. STEWART. This is a product on which both the producers and consumers want a tariff. There is no doubt about that. I have been familiar with the quicksilver question for the last forty years, and I will state that the principal portion of the quicksilver consumed in the United States has been consumed by the miners and in the mining regions. It has been understood that there is no check upon the Rothschilds to monopolize the industry other than the production of the United States.

The European mines are much richer than the mines in California; the mines in Spain and Austria are greater mines than ours. There is certainly 10 or 15 cents difference in the cost of a pound of quicksilver, and whenever there has been no duty upon quicksilver the habit has been to put down its price until the American mines were closed, and when they are once closed, it takes a long time to get them in operation, for it is very expensive to start them again. When quicksilver advances in price the mines are again opened and when the price decreases they are shut down. The existence of a duty has been a great protection to the miners in setting the price, and preventing the Rothschilds from controling it.

I speak advisedly when I say that the duties which have been maintained for some years are essential to this industry. There is no objection on the part of the consumers to the duty, because they know very well what will happen and what has happened in the past when the duty was removed. For a little time the price will be put down, the mines will be closed, and then we shall be compelled to pay the exorbitant prices which may be fixed by the Rothschilds.

I hope the committee will let the tariff on quicksilver stand as it is in the existing law. Certainly that will be more satisfactory to all the parties concerned and to the consumer as well as the producer; though I speak especially in the interest of the consumer.

Mr. LODGE. I should like to ask the Senator from Nevada a question. I ask him is it not the desire of the miners, who are the great consumers of quicksilver, that this duty shall be kept on and the American quicksilver mines kept open?

Mr. STEWART. Undoubtedly. I have received constantly petitions and memorials on this subject during my service in the Senate, and the desire has been universal that a suitable duty should be imposed on quicksilver. I have not known a single exception to it. No miner has ever asked to have the duty taken off; on the contrary, the miners have asked to have it maintained, for the reason that it gave them cheaper quicksilver.

Mr. PERKINS. I will say to the Senator from Nevada that during the past year quicksilver has been as low as $30 per flask, and the highest point reached in that period on the Pacific coast has been $58.

Mr. STEWART. If the duty is removed they will not be able to produce it at all; and it will only be a question of a few months when the mines of the United States will have to close. After they have remained closed for a time, it will be difficult to start them up, for the mines will fill with water, the machinery will rust, and great damage be done in every way. That is the experience we have had for forty years.

The PRESIDING OFFICER. The amendment proposed by the Senator from Massachusetts will be stated.

The SECRETARY. It is proposed to strike out:

599. Quicksilver.

Mr. PLATT. I do not really see why quicksilver should be put upon the free list if the statements made by the Senator from Nevada [Mr. STEWART], the Senator from Massachusetts [Mr. LODGE], and the Senator from California [Mr. PERKINS], who opened the discussion, are true. Nobody in this country asks that it shall be done, and the only persons to be interested in it are the Rothschilds. I had observed, Mr. President, that certain trusts in this country seemed to have duties or the lack of duties according as they desired, but why we should frame an item in this bill simply for the purpose of pleasing the Rothschilds is a thing which I can not understand.

But, if the statements which have been made, and made emphatically in the Senate, that there is nobody in this country asking to put this article on the free list, that the consumers as well as the producers of it want the duty, and there is nobody anywhere in the whole world who wants it made free except the Rothschilds, it seems to me that it does require some explanation on the other side of the Chamber before the Senate should be asked to take off the duty and put quicksilver on the free list.

Mr. LODGE. Before the vote is taken I want to say a single word more on this subject—simply to emphasize the position that the consumers want this duty kept on. I think the great bulk of the consumers, who are mine owners, and the practical miners of the United States want this duty kept on, because the American competition, which keeps down the price of quicksilver, is all-important to them. The producers want the duty kept on; the men employed in the quicksilver mines want it kept on. The dividends paid by these American mines are extremely small. They do not yield great incomes.

There does not seem to be a single argument even advanced, except that on an exceptional occasion 4,000 flasks of quicksilver were exported, and because under the putting up of the price by the Rothschilds monopoly our people have been able to export and lower the price again; and for that act they are to be punished here, and have their mines closed. The taking away of the duty will close the quicksilver mines, and no argument is advanced in favor of it, and I have not heard of any request for it being made by the consumers or by any portion of the American people.

Mr. WHITE. Mr. President, I have a letter on this subject from a gentleman who is really the managing man in the quicksilver business in California, which gives certain facts which I think ought to go in the RECORD, and I desire them to go there, making some correction as to the amount of quicksilver returned in the Treasury reports as having been exported. There is an amount given there which is greater than the total product of California. In this letter Mr. Randol points out how that error occurred, and I should like to have it go into the RECORD as part of my remarks.

Mr. LODGE. Let it be read.

Mr. ALLISON. As we are to vote on this question, I think we ought to know the contents of the letter, and I ask that it may be read.

The PRESIDING OFFICER. If there be no objection, the letter will be read. The Chair hears none, and the Secretary will read as requested.

SAN FRANCISCO, *May 18, 1894.*

DEAR SIR: Referring to the enclosed letter from our friend, Mr. J. Downey Harvey, I beg to inform you that with my associates I had invested over $500,000 in quicksilver properties in California shortly before the exit of the Republican Administration, and now under the change proposed in the new tariff bill of putting quicksilver on the free list in place of the duty then and now existing of 10 cents per pound, we are threatened with almost the total loss of our investment in an industry carried on solely in California in all of the United States, and, as will be shown by the papers herewith, one that is subject not only to the fluctuations of commerce but to the extraordinary competition of the quicksilver mines owned and worked by the Governments of Spain and Austria, in addition to the risks attending all mining industries.

The relative position of the mines of California and Spain have not changed since the period when the Hon. Mr. Felton presented the subject to the House of Representatives, except that the California mines have had poorer ores and lower prices and consequently are now more than ever unequal to continue the battle between quicksilver produced in the United States—solely in California—by individuals or companies and quicksilver produced by the mines of Almaden, Spain, and Idria, Austria, mines owned and worked by the Governments of those countries, and also by mines in Italy, all of which have the advantage of lower-paid labor, and in one or more instances, higher grade ores, notably the Almaden mine of Spain, named "The Jewel of the Crown."

If the two mines—Almaden and Idria—were not Government enterprises as opposed to the individual industries of the United States in California, this appeal to your assistance would have less merit and perhaps would not need to be made, but when "The Jewel of the Crown," the Almaden of Spain, has an average production of 45,000 flasks for the eight months in which it is worked yearly, the ore averaging 10 per cent, against 30,000 flasks produced in California by twelve months' continuous work yearly, the ores in the last instance averaging less than 2 per cent, we believe the question should be considered not as between individuals and companies, but one of national importance between the United States and Spain and Austria.

It must be evident that if those nations succeed in their evident intention to close the quicksilver mines of the United States, they can and will place the price of quicksilver, for this country at least, at a height before unknown, and will have it in their power to cripple and retard not only the gold and silver mining industries but the many and various industries dependent for successful continuance upon a fair price for quicksilver; such as the manufacture of mirrors, of colors, of chemical preparations and drugs, of high explosives, and also restrict its use in electricity and other arts.

I am informed, and I believe correctly, that the proposed removal of duty on quicksilver arose from an error in figures made by some one in the Committee on Ways and Means of the House of Representatives, when the question of the free list was under consideration, and the general principle was made that articles having a large exportation as shown by the customs return exhibited to that committee could with justice to all be made free.

I do not object to that principle, but quicksilver does not come within it—on merit. Nor was it the intention of the majority of the committee to include it, but they were led astray by a curious mistake in division.

The customs returns showed an export for the year of 300,000 pounds. Reducing that to flasks, which were averaged at 75 pounds each (although the exact contents of each American flask is 76½ pounds), the result should be 4,000 flasks exported, but a blunder made it 40,000 flasks, an excess of 36,000 flasks, which as shown by the inclosed statement of production was largely beyond the total yield of all the mines in the United States for any one of the past four years.

Is it not right that this error should be corrected and the quicksilver producers of California saved from extermination, and be permitted to exist by continuing the present duty?

If it is thought otherwise or found to be impossible, can not at least this be done—add to the paragraph on quicksilver in the free list, "*Provided*, That upon quicksilver the product of any country which imposes a duty upon quicksilver exported from the United States, there shall be levied, paid, and collected the rate of duty existing prior to the passage of this act."

It should be understood that quicksilver is not a raw material.

The cinnabar ore from which it is produced is mined under extraordinary difficulties, at great depth, in nearly all American mines. That by the application of heat and condensation in costly furnaces and condensation chambers the metallic quicksilver is obtained and that labor forms a large part of its cost.

In conclusion I have to thank you for your consideration of this statement and beg you will exert your powerful influence in behalf of the California quicksilver producers and not permit them to suffer a great and unwarranted injury through an error which you have power to correct.

Yours, truly,

J. B. RANDOL.

Hon. STEPHEN M. WHITE,
United States Senate, Washington, D. C.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Massachusetts [Mr. LODGE].

Mr. LODGE and Mr. PERKINS called for the yeas and nays.

The yeas and nays were ordered.

Mr. GALLINGER. Before the vote is taken on the pending amendment, I desire to make a single observation.

One of the most ordinary arguments that has been made in this prolonged discussion has been that the moment it is shown that we are producing in America anything that is exported, therefore the duty should be lowered upon it, or it should be placed upon the free list. The Senator from Missouri [Mr. VEST] a moment ago called attention to the fact that there were large exportations of quicksilver, and therefore, presumably, it should go on the free list.

As I have read modern political history in this country, it is one of the cardinal doctrines of the Democratic party that we should get possession of the markets of the world. It has been dinned in our ears, certainly for the last ten years, in all economic discussions that we should so legislate as that we should get possesion of the markets of the world. Just how we are going to get possession of the markets of the world if, when we commence to export an article, the duty is to be reduced or it is to be placed on the free list, I confess surpasses my comprehension.

I sympathize very deeply with the Senator from California [Mr. PERKINS] and with the people of California in reference to this industry. It seems to me we ought to protect it; it seems to me we ought to stand here in advocacy of an American industry as against a great governmental trust, organized, fostered, and dictated by the Rothschilds.

I can not persuade myself to believe, before the vote is taken, that the majority in the Senate will, in the face of the facts which have been developed in this debate, place this product partially of the mines of California on the free list, and by so doing absolutely destroy it, and give the monopoly into the hands of foreign producers.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. BLANCHARD (when his name was called). I am paired with the senior Senator from Michigan [Mr. MCMILLAN], and therefore withhold my vote.

Mr. CAFFERY (when his name was called). I am paired with the Senator from Montana [Mr. POWER].

Mr. CALL (when his name was called). I announce my pair with the Senator from Vermont [Mr. MORRILL].

Mr. CAREY (when his name was called). I am paired with the Senator from Wisconsin [Mr. MITCHELL].

Mr. FRYE (when his name was called). I am paired with the senior Senator from Maryland [Mr. GORMAN].

Mr. GALLINGER (when his name was called). I am paired with the junior Senator from Texas [Mr. MILLS]. The Senator from Mississippi [Mr. GEORGE] is paired with the Senator from Oregon [Mr. DOLPH]. Will it be agreeable to the Senator from Mississippi to transfer those pairs on this vote, as we have done on former votes?

Mr. GEORGE. That will be agreeable to me.

Mr. GALLINGER. I vote "yea."

Mr. GEORGE. I vote "nay."

Mr. HIGGINS (when his name was called). I am paired with the senior Senator from New Jersey [Mr. MCPHERSON].

Mr. HOAR (when his name was called). I am paired with the Senator from Alabama [Mr. PUGH], but I am authorized to vote to make a quorum. I should vote "yea" if my vote were necessary to make a quorum. I shall not vote at present.

Mr. MCLAURIN (when his name was called). I am paired with the junior Senator from Rhode Island [Mr. DIXON]. If agreeable to the Senator from Delaware [Mr. HIGGINS], I will transfer that pair to the Senator from New Jersey [Mr. MCPHERSON], which will enable the Senator from Delaware and me to vote.

Mr. HIGGINS. I prefer to observe my pair.

Mr. MCLAURIN. Then I announce my pair with the Senator from Rhode Island [Mr. DIXON], and withhold my vote.

Mr. PALMER. I transfer my pair with the Senator from North Dakota [Mr. HANSBROUGH] to the Senator from Texas [Mr. COKE], and vote "nay."

Mr. PLATT (when his name was called). I am paired with the Senator from Virginia [Mr. HUNTON]. If he were present I should vote "yea."

Mr. VILAS (when his name was called). I will transfer my pair with the Senator from Oregon [Mr. MITCHELL] to the senior Senator from Indiana [Mr. VOORHEES], and vote "nay."

The roll call was concluded.

Mr. BLACKBURN. I am paired with the senior Senator from Nebraska [Mr. MANDERSON], and withhold my vote unless it be necessary to make a quorum.

Mr. WHITE. I am paired on this question with the Senator from Colorado [Mr. WOLCOTT], and unless my vote be necessary to make a quorum I shall not vote.

Mr. PATTON. I am paired with the Senator from Maryland [Mr. GIBSON], and therefore withhold my vote.

Mr. GORDON (when his name was called). I am paired with the junior Senator from Iowa [Mr. WILSON], though I am at liberty to vote if my vote be necessary to make a quorum.

Mr. TELLER. I desire to announce that on this vote my colleague [Mr. WOLCOTT] is absent by leave of the Senate on account of sickness. If present he would vote "yea" on this question.

The result was announced—yeas 23, nays 20; as follows:

YEAS—23.

Aldrich,	Gallinger,	Lodge,	Shoup,
Allen,	Hale,	Morgan,	Squire,
Allison,	Hawley,	Peffer,	Stewart,
Chandler,	Hill,	Perkins,	Teller,
Cullom,	Jones, Nev.	Proctor,	Washburn.
Dubois,	Kyle,	Quay,	

NAYS—20.

Bate,	Gray,	Martin,	Roach,
Berry,	Harris,	Murphy,	Smith,
Cockrell,	Jarvis,	Palmer,	Vest,
Faulkner,	Jones, Ark.	Pasco,	Vilas,
George,	Lindsay,	Ransom,	Walsh.

NOT VOTING—42.

Blackburn,	Davis,	Irby,	Platt,
Blanchard,	Dixon,	McLaurin,	Power,
Brice,	Dolph,	McMillan,	Pugh,
Butler,	Frye,	McPherson,	Sherman,
Caffery,	Gibson,	Manderson,	Turpie,
Call,	Gordon,	Mills,	Voorhees,
Camden,	Gorman,	Mitchell, Oregon	White,
Cameron,	Hansbrough,	Mitchell, Wis.	Wilson,
Carey,	Higgins,	Morrill,	Wolcott.
Coke,	Hoar,	Patton,	
Daniel,	Hunton,	Pettigrew,	

So the amendment was agreed to.

Mr. PERKINS. I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment proposed by the Senator from California will be stated.

The SECRETARY. On page 37, after line 2, it is proposed to insert as a new paragraph:

Quicksilver, 7 cents per pound.

The amendment was agreed to.

The PRESIDING OFFICER. The reading of the bill will be continued.

The Secretary read as follows:

600. Quills, prepared or unprepared, but not made up into complete articles.
601. Quinia, sulphate of, and all alkaloids or salts of cinchona bark.
602. Rags, not otherwise specially provided for in this act.
603. Regalia and gems, statues, statuary, and specimens of sculpture where specially imported in good faith for the use of any society incorporated or established solely for educational, philosophical, literary, or religious purposes, or for the encouragement of fine arts, or for the use or by order of any college, academy, school, seminary of learning, or public library in the United States; but the term "regalia" as herein used shall be held to embrace only such insignia of rank or office or emblems, as may be worn upon the person or borne in the hand during public exercises of the society or institution, and shall not include articles of furniture or fixtures, or of regular wearing apparel, nor personal property of individuals.

Mr. HOAR. I should like to ask the committee what is meant by the words "specimens of sculpture." I believe this language comes from the old law, but it seems to be a very curious phrase. What are "specimens of sculpture?"

Mr. ALDRICH. Plaster casts.

Mr. HOAR. The Senator from Rhode Island, who had something to do with the framing of the old law, says it is intended to cover plaster casts.

Mr. JONES of Arkansas. I know the Senator from Massachusetts is on his feet and I know he is speaking, but I have not been able to hear a single word he has said.

Mr. HOAR. I inquired of the Senator from Arkansas what was the definition of the term "specimens of sculpture." It comes from the old law, I understand, and is not the phrase of the Senator.

Mr. JONES of Arkansas. I suppose it means articles of sculpture.

Mr. HOAR. The Senator from Rhode Island understands that it means plaster casts. I should like to insert after the word "specimens," if there be no objection, the words "or casts." I suppose that would make the meaning clear. I do not know but that it is provided for elsewhere.

Mr. JONES of Arkansas. As that phrase is in the existing law there can be no difficulty about its construction.

Mr. HOAR. It has been only the law for two years. This provision applies only to articles "imported in good faith for the use of any society incorporated or established solely for educational, philosophical, literary, or religious purposes," etc.

I think the words "or casts," should be inserted.

Mr. JONES of Arkansas. I agree to the Senator's suggestion.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In paragraph 603, page 111, line 21, after the word "specimens," it is proposed to insert "or casts;" so as to read:

Regalia and gems, statues, statuary, and specimens or casts, or sculpture, etc.

The amendment was agreed to.

The Secretary read as follows:

605. Saffron and safflower, and extract of, and saffron cake.
606. Sago, crude, and sago flour.
607. Salacine.
608. Salt in bulk, and salt in bags, sacks, barrels, or other packages, but the coverings shall pay the same rate of duty as if imported separately: *Provided*, That if salt is imported from any country which imposed a duty upon salt exported from the United States, then there shall be levied, paid, and collected upon such salt the rate of duty existing prior to the passage of this act.

Mr. JONES of Arkansas. On page 112, line 16, paragraph 608, I move to insert after the word "country," the words "whether independent or a dependency;" so as to make the proviso read:

Provided, That if salt is imported from any country, whether independent or a dependency, which imposed a duty upon salt exported from the United States, then there shall be levied, paid, and collected upon such salt the rate of duty existing prior to the passage of this act.

The amendment was agreed to.

Mr. PLATT. I should like to inquire of the Senator from Arkansas whether the word "imposed" in line 16 should not be "imposes"?

Mr. JONES of Arkansas. It should be "imposes." I thank the Senator for the suggestion. I had it marked, but overlooked it.

Mr. PLATT. Let it be corrected.

The PRESIDING OFFICER. The correction will be made if there be no objection.

Mr. PEFFER. I wish to amend the paragraph by inserting after the word "packages," in line 14, "5 cents a hundred pounds;" so as to read:

Salt in bulk, and salt in bags, sacks, barrels, or other packages, 5 cents per hundred pounds.

The PRESIDING OFFICER. The amendment proposed by the Senator from Kansas will be stated.

The SECRETARY. In paragraph 608, page 112, line 14, after the word "packages," insert "5 cents per hundred pounds;" so as to read:

Salt in bulk, and salt in bags, sacks, barrels, or other packages, 5 cents per hundred pounds.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Kansas.

Mr. HOAR. Mr. President——

Mr. HARRIS rose.

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Tennessee?

Mr. HOAR. I yield to the Senator from Tennessee. I hope he rises for the purpose of moving that the Senate adjourn. It is very hot and uncomfortable.

Mr. HARRIS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session, the doors were reopened, and (at 6 o'clock and 22 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, June 20, 1894, at 10 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate June 19, 1894.

REGISTERS OF LAND OFFICES.

John P. Dunn, of San Francisco, Cal., to be register of the land office at San Francisco, Cal., vice John F. Sheehan, term expired.

John C. Gamble of Garberville, Cal., to be register of the land office at Humboldt, Cal., vice Joseph Tracy, term expired.

RECEIVER OF PUBLIC MONEYS.

Edward Hackett, of Oakland, Cal., to be receiver of public moneys at San Francisco, Cal., vice Thomas B. Shannon, term expired.

WITHDRAWAL.

Executive nomination withdrawn from the Senate June 19, 1894.

Perry Bartholow, of Missouri, to be consul of the United States to Plauen, Germany, whose nomination was sent to the Senate on the 5th instant.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 19, 1894.

INDIAN AGENT.

J. George Wright, of South Dakota, to be agent for the Indians of the Rosebud Agency, in South Dakota.

POSTMASTER.

Frederick B. Clark, to be postmaster at Moodus, in the county of Middlesex and State of Connecticut.

HOUSE OF REPRESENTATIVES.

TUESDAY, *June 19, 1894.*

The House met at 12 o'clock m., and was called to order by Mr. THOMAS O. TOWLES, Chief Clerk.

The following communication was read:

JUNE 19, 1894.

SIR: I hereby name the Hon. JOSEPH W. BAILEY, a Representative from the State of Texas, to perform the duties of the Chair for this day.

CHARLES F. CRISP, *Speaker.*

To Hon. JAMES KERR,
Clerk of the House of Representatives.

Mr. BAILEY took the chair as Speaker *pro tempore.*

Prayer was offered by Rev. W. H. MILBURN, D. D., Chaplain of the Senate.

The Journal of yesterday's proceedings was read and approved.

CHIPPEWA INDIANS, MINNESOTA.

Mr. BALDWIN. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the Clerk's desk.

The bill was read, as follows:

A bill (H. R. 5103) to amend an act entitled "An act for the relief and civilization of the Chippewa Indians in the State of Minnesota."

Be it enacted, etc., That the fifth section of the act of Congress passed January 14, 1889, providing for the relief and civilization of the Chippewa Indians in the State of Minnesota, be and the same is, amended so as to read as follows:

"SEC. 5. That after the survey, examination, and appraisal of at least 100,000 acres of said pine lands have been made, the portion so surveyed, examined, and appraised shall be proclaimed as in market and offered for sale in the following manner: The Commissioner of the General Land Office, under the direction of the Secretary of the Interior, shall cause notices to be inserted once in each week for four consecutive weeks in one newspaper of general circulation published in Minneapolis, St. Paul, Duluth, and Crookston, Minn.; Chicago, Ill.; Milwaukee, Wis.; Detroit, Mich.; Philadelphia and Williamsport, Pa., and Boston, Mass., of the sale of said land at public auction to the highest bidder for cash at the local land office of the district within which said lands are located, said notice to state the time and place and terms of such sale. At such sale said lands shall be offered in 40-acre parcels, except in case of fractions containing either more or less than 40 acres, which shall be sold entire. In no event shall any parcel be sold for a less sum than its appraised value. The residue of such lands remaining unsold after such public offering shall thereafter be subject to private sale for cash at the appraised value of the same, upon application at the local land office. And from time to time, as fast as a quantity of 100,000 acres of the remaining pine lands, the disposal of which is provided for in this act, or a final residuum of a less quantity, shall have been surveyed, examined, and appraised, the same course shall be pursued for the disposal thereof until all shall have been disposed of as provided for herein."

The amendments recommended by the committee were read, as follows:

Insert after the word "amended," and before the word "so," the following:

So far as the same relates to the White Earth and Red Lake Reservations, and as to the other reservations mentioned in said act whenever all the allotments of land in severalty shall have been made to the Indians of each reservation, respectively, as therein provided;

And after the word "Duluth," in line 16, insert the words "Stillwater, Taylor's Falls, St. Cloud, and Brainerd."

The SPEAKER *pro tempore.* Is there objection to the present consideration of this bill?

Mr. HOLMAN. Mr. Speaker, what committee is this bill reported from?

Mr. BALDWIN. It is reported from the Committee on Indian Affairs. They have reported it unanimously. The bill is recommended by——

Mr. HOLMAN. What member of the committee made the report?

Mr. BALDWIN. The report of the committee is at the Clerk's desk if you desire it read.

Mr. HOLMAN. I hope the report will be read.

Mr. CURTIS of Kansas. This is not a bill reported from the Committee on Indian Affairs.

Mr. McRAE. I think with a word or two we can explain this bill and save the time necessary for the reading of the report.

Mr. HOLMAN. Then the measure comes from the Committee on Public Lands, so that I was not familiar with it.

Mr. McRAE. The gentleman from Minnesota is doubtless more familiar with the subject than I am, but it involves, I think, only a single question, and if he will allow me I will explain it as I understand it. The act of which this is amendatory does not authorize the sale of this timber until all of it is appraised, which is estimated at about 4,000,000 acres, I believe. The Committee on Public Lands, in reporting this bill, acted upon the recommendation of the Department of the Interior, and all concur in the opinion that the placing on the market of so large an amount of pine timber at any one time will not be beneficial to the Indian or to the Government; so this amendment is intended to authorize the sale in lots of 100,000 acres as appraised, and to increase the number of places for advertising the sales. That is all there is in it. The sale is to be made under the old law, and at the minimum price fixed by it.

Mr. HOLMAN. Well, then, this is for the sale of the timber alone, and not for the sale of the land.

Mr. BALDWIN. If I may be permitted a few words of explanation——

Mr. HOLMAN. This measure belongs to the Committee on Indian Affairs, but may not inappropriately have been referred to the Committee on Public Lands. It might properly be referred to the Committee on Public Lands, but more properly to the Committee on Indian Affairs.

Mr. McRAE. The gentleman is mistaken about the jurisdiction of the Committee on Indian Affairs over this bill. The treaty with the Indians was ratified in 1889, and the land is now being examined and disposed of by the Commissioner of the General Land Office, and the jurisdiction has passed from the Committee on Indian Affairs.

Mr. BALDWIN. This measure is in the interest of the Chippewa Indians of Minnesota, and is asked for by those Indians.

Mr. HOLMAN. What are the changes from existing law?

Mr. BALDWIN. The Nelson act provided for the sale of these lands, provided that they should be sold when all the pine has been estimated, and then it is to be sold in a body.

Mr. HOLMAN. That is, the timber and not the land.

Mr. BALDWIN. It is the timber and not the land. The land is provided for in another clause of the act.

The SPEAKER *pro tempore.* Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. The question is on the amendments recommended by the committee.

The amendments recommended by the committee were agreed to.

Mr. TAWNEY. Mr. Speaker, I desire to offer an amendment.

I move to amend, on page 2, line 20, by inserting after the word "Duluth" the word "Winona."

Mr. BALDWIN. There is no objection to that.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. BALDWIN, a motion to reconsider the vote by which the bill was passed was laid on the table.

RAILROAD BRIDGE ACROSS THE MONONGAHELA.

Mr. DALZELL. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 6078) to authorize the Pittsburg and Mansfield Railroad Company to construct and maintain a bridge across the Monongahela River.

The SPEAKER *pro tempore*. Is there objection to the present consideration of the bill indicated by the gentleman from Pennsylvania?

There was no objection.

The bill was read at length.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. DALZELL, a motion to reconsider the vote by which the bill was passed was laid on the table.

LANDS FOR PARK, NEWPORT, KY.

Mr. BERRY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 2586) granting certain property to the city of Newport, Ky.

The SPEAKER *pro tempore*. Is there objection to the present consideration of this bill?

Mr. SAYERS. Mr. Speaker, I would like to have the bill read.

The bill was read, as follows:

Be it enacted, etc., That all the right, title, and interest of the United States in and to the lots and parts of lots and the appurtenances and appendages thereunto belonging, comprising the old military post or barracks property situated at the confluence of the Ohio and Licking Rivers, in the city of Newport, in the county of Campbell and State of Kentucky, be, and is hereby, granted and conveyed to the said city of Newport, to have and to hold for public purposes forever.

SEC. 2. That whenever said city shall cease to use the said property for public purposes, or shall use the same, or any part thereof for any other than public purposes, all the right, title, and interest hereby granted and conveyed to said city, shall at once and without any act whatever upon the part of the United States revert to and become the property of the United States.

The following amendments recommended by the Committee were agreed to.

Section 1, line 10, before "public" insert "a."

Line 10, strike out the word "purposes" and insert "park."

Section 2, line 2, strike out "public," insert "the" before the word "purposes," and after "purposes" insert "of a public park."

Lines 3 and 4, strike out "public purposes" and insert "for a public park."

Mr. OUTHWAITE. Mr. Speaker, I desire to offer the amendment which I send to the desk.

The amendment was read, as follows:

Amend by adding section 3 in the words and figures following, to wit:

"SEC. 3. This act shall take effect on January 1, 1895."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. BERRY a motion to reconsider the vote by which the bill was passed was laid on the table.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed bills and a joint resolution of the following titles; in which concurrence of the House was requested:

A bill (S. 1228) for the relief of Charles W. Cronk;

A bill (S. 1365) to refund illegal internal-revenue tax collected of the late Alexander W. Baldwin as United States district judge for the district of Nevada;

A bill (S. 763) relieving the personal representatives of John Sherman, jr., late United States marshal for the Territory of New Mexico, from the requirements of section 833 of the Revised Statutes;

A bill (S. 1597) to amend an act entitled "An act for the support of the government of the District of Columbia for the fiscal year ending June 30, 1878, and for other purposes;" and

A joint resolution (S. R. 57) directing the Secretary of War to appoint a commission of engineers to examine and report upon the cost of deepening the harbors of Superior and Duluth and their entrances to a uniform depth of 20 feet.

The message also announced that the Senate had passed without amendment the bill (H. R. 4720) to pension Lucy Brown, dependent foster mother.

ALBERT E. REDSTONE.

Mr. BOWERS of California. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 1105) for the relief of Albert E. Redstone.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from California for the present consideration of the bill indicated by him?

Mr. SAYERS. Let the bill be read, Mr. Speaker.

Mr. BOWERS of California. I will say to the gentleman that this bill has passed the Senate, and has been favorably reported by the House committee.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and is hereby, authorized and directed to pay, out of any money in the United States Treasury not otherwise appropriated, the sum of $1,800, to Albert E. Redstone, of Tulare County, Cal., for loss sustained by the incorporation of his preemption claim within the limits of the Sequoia Park Reservation, Tulare County, Cal.

The SPEAKER *pro tempore*. Is there objection to the present consideration of this bill?

Mr. STALLINGS. I ask that the report in that case be read.

Mr. BOWERS of California. Mr. Speaker, the report is quite long, and I can explain the matter briefly.

Mr. HOLMAN. I hope the gentleman from California will make a statement as to the facts.

Mr. HATCH. I trust the gentleman from Alabama [Mr. STALLINGS] will not insist on having this long report read.

ORDER OF BUSINESS.

Mr. STALLINGS. Then I will ask for the regular order, Mr. Speaker.

The SPEAKER *pro tempore*. That is equivalent to an objection. The regular order is the call of the committees for reports.

Mr. BLACK of Illinois. Mr. Speaker, I desire to present a joint resolution from the Committee on Military Affairs, and I ask unanimous consent for its present consideration.

The SPEAKER *pro tempore*. That would not be permissible unless the demand for the regular order should be withdrawn.

Mr. BLACK of Illinois. This is a matter of public business, and I ask the gentleman to withdraw the demand for the regular order so that this joint resolution may be considered at this time.

Mr. STALLINGS. I will withdraw the demand for the purpose of having the matter considered which is called up by the gentleman from Illinois.

Mr. BOWERS of California. A parliamentary inquiry, Mr. Speaker. If the gentleman from Alabama withdraws his demand, does not that bring up my bill?

The SPEAKER *pro tempore*. An objection would defeat the particular bill. The demand for the regular order would defeat all bills, and require the call of the committees for reports. The withdrawal of the demand for the regular order with a view to permitting the House to consider the joint resolution presented by the gentleman from Illinois would only be equivalent to an objection to the particular bill called up by the gentleman from California. The Clerk will report the joint resolution for the consideration of which the gentleman from Illinois asks unanimous consent.

The Clerk read the title of the joint resolution, as follows:

Joint resolution (H. Res. 183) for the appointment of Charles M. Anderson a member of the Board of Managers for the Homes for Disabled Volunteer Soldiers of the United States.

The SPEAKER *pro tempore*. Is there objection to the present consideration of this joint resolution?

Mr. BLACK of Illinois. I ask that the resolution be read.

Mr. BRODERICK. How many managers does this resolution propose to appoint?

Mr. GROSVENOR. One.

Mr. OUTHWAITE. There are three vacancies; and the resolution reported from the committee as a substitute provides for filling all three.

The SPEAKER *pro tempore*. The Clerk informs the Chair that the committee reports a substitute for the original resolution, and the substitute will now be read, subject to objection.

The Clerk read the proposed substitute.

Mr. BRODERICK. I think this resolution should be taken up when we have better opportunity to examine and discuss it.

The SPEAKER *pro tempore*. The gentleman from Kansas objects; and the regular order having been demanded, the Clerk will call the committees for reports.

MANAGERS OF SOLDIERS' HOME.

Mr. BLACK of Illinois, from the Committee on Military Affairs, reported as a substitute for joint resolution H. Res. 179 and 186 a joint resolution (H. Res. 193) to appoint three members of the Board of Managers of the National Home for Disabled Volunteer Soldiers; which was read a first and second time, referred to the House Calendar, and, with the accompanying report, ordered to be printed.

The joint resolutions (H. Res. 179 and 186) were, by unanimous consent, laid on the table.

COLD WATER RESERVOIRS, HOT SPRINGS, ARK.

Mr. MCRAE, from the Committee on the Public Lands, reported as a substitute for House bill No. 6987 a bill (H. R. 7488) authorizing the Secretary of the Interior to grant leases for sites on the Hot Springs Reservation, Ark., for cold water reservoirs; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

House bill No. 6987 was by unanimous consent laid on the table.

LAND FOR MILITIA PURPOSES IN NORTH DAKOTA.

Mr. LACEY, from the Committee on the Public Lands, reported back favorably the bill (S. 171) granting to the State of North Dakota certain lands heretofore set apart as a wood reservation for Fort Totten military reservation for the use of the militia of North Dakota, and for other purposes; which was referred to the Committee of the Whole House on the state of the Union, and the accompanying report ordered to be printed.

PENSIONS.

Mr. MARTIN of Indiana, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 7440) to restore the pensions of widows in certain cases; which was referred to the Committee of the Whole House on the state of the Union, and the accompanying report ordered to be printed.

HOMESTEAD RIGHTS.

Mr. LATIMER, from the Committee on the Public Lands, reported as a substitute for House bill No. 5268 a bill (H. R. 7489) to amend section 3 of an act to withdraw certain public lands from private entry, and for other purposes, approved March 2, 1889; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

By unanimous consent, House bill No. 5268 was laid on the table.

ANTIOPTION.

Mr. HATCH. I move that the House resolve itself into Committee of the Whole on the state of the Union for the further consideration of bills raising revenue.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole on the state of the Union (Mr. LIVINGSTON in the chair) and resumed the consideration of the bill (H. R. 7007) regulating the sale of certain agricultural products, defining options and futures, and imposing taxes thereon and upon dealers therein.

Mr. COOMBS. Mr. Chairman, the address of my colleague from New York [Mr. WARNER], submitted to the House yesterday, carried so many of the points with which I proposed to deal, that I have found it necessary to change the order of my remarks, and omit many of the points that he treated so admirably. While I deplore the havoc that this circumstance has brought to the symmetry of my speech, I must congratulate the House upon having been treated to so masterful, minute, complete, and truthful a description of the various classes of operations of the exchanges and bankers, which the authors of this bill claim are hurtful to the farmers, and which it is their object to correct or prevent.

You must have been struck, whatever your prejudices may be, with the admirable organization which skillfully unites enterprise and capital in the work of marketing the great staples of our country.

You can not also have failed to observe the minute subdivision of the work resulting in bringing specially skilled men into the performance of each branch of it—the arrangement for the elimination, as far as possible, of every risk, and the world-wide scope of its operations.

My colleague did his work so thoroughly that any attempted addition on my part would not add to your information, and would needlessly consume the time of the House.

I shall therefore pass on to other matters.

We are passing through a season of great business depression. It affects all classes, rich and poor; the farmer, the manufacturer, the mechanic, and the capitalist. There are very few failures, but a general paralysis of trade and enterprise. This condition not only prevails in our own country but is general throughout the world. I have not, in a business experience extending through a period of forty years, during which time I have done business with nearly every nation on the globe, known a time when some of them could not be pointed out as being prosperous. To-day I do not know a single exception to the prevailing depression. I shall not attempt to account for it; the globe seems to be swinging in a cloud. I think that it can be fairly claimed that we are fully as prosperous as any nation, and more prosperous than most of them.

The business philosopher will not be greatly disturbed by this condition. He knows that it is only one of those periodical depressions that always follow seasons of prosperity, when commerce and enterprise are resting, as nature rests in winter. He will account for its universality by the fact that the commercial relations of nations are more interlocked than ever before; that when one suffers all must be affected. He believes that when overproduction has been consumed trade will again spring up, and the wheels of commerce and manufacture will again be set in motion. The machinery of commerce is not destroyed, but only working on half time, and is all ready and in good order to resume full operation when the proper time arrives.

The man who has a pet theory and narrow views, the result of limited experience, will claim that all the difficulty arises from a disregard of the idea that he advocates. So it happens that we are now deluged by a great number of crude suggestions as to what will most quickly remedy the evils of the times and restore prosperity to the nation. They find their advocates in Congress, and the bill now before the committee is one of them.

The gentleman from Missouri [Mr. HATCH] asked me yesterday, in reply to a question that I addressed to him, if I had studied the bill. I replied that I had done so. I have studied its provisions carefully and, with a full knowledge of what he seeks to accomplish, am prepared to tell him without hesitation that it is absolutely impracticable. That even if the end that he seeks to accomplish were a desirable one, the mechanical defects are so glaring and so poorly adapted to existing conditions that they would defeat it, or so seriously cripple the operations of commerce as to justify its disregard from the beginning. You can no more subject the rushing, roaring currents of the business of the New York and Chicago exchanges, where hundreds of transactions involving millions of dollars are rushed through in a day, to the petty annoyances of this scheme, than you can dam the floods of Niagara with one of his proposed revenue stamps.

Now, I propose to come to the consideration of the report accompanying the bill. Although it is divided into several heads it is all based upon the claim that speculative sales and resales of certain farm and plantation products have a tendency to lower the prices of those products below the limits that they would naturally maintain were there no such operations. That is their first claim.

The report does not contend that these operations are in violation of the laws of the several States in which they take place; and the right of the General Government to interfere and impose pains and penalties on such transactions is based solely on the question of revenue that may be derived from the tax, or the sale of stamps, and the penalties collected.

I see that no estimate is made of the amount of revenue that it is supposed will be collected under the operation of such a measure. If the revenue bills now before Congress are sufficient to provide needed support for the Government, then this would be an excess of revenue and to that extent undemocratic. I shall deal with these propositions in the reverse order of their statement.

I do not think, Mr. Chairman, that the gentleman in charge of the bill will claim that revenue is the primary consideration, but will admit that it is a device to make possible an enactment overriding State laws and the practices permitted in the States under the State laws.

A simple statement of this point should be sufficient to secure the attention of anyone who believes that legislation should not be strained to accomplish a temporary purpose; that the General Government should not by indirection seek to accomplish what it can not do under the plain and simple interpretation of the Constitution, and that due regard should be paid to the laws of each State regulating its internal affairs.

The gentlemen making the report fail to state how the suppression of these practices, that they so strongly condemn in this country—and I beg your attention especially to this point—will relieve the farmer and the planter from the results of the same practices and mode of doing business in the countries that consume our surplus, and practically set the prices, subject of course to the laws of supply and demand for not only our surplus but also for what we ourselves consume.

They also fail to tell us how it is that, notwithstanding all the manipulations that they so strongly condemn in regard to these products, our prices have never differed, except by a very small margin, after calculating freights, from those that prevail in consuming countries. They claim that the prices in this country are put down below their normal condition by the operation of our exchanges. And yet they do not explain, I repeat, why it is that there is no difference practically between our prices here and the prices on the commodities in consuming countries. They must either assume that the operations of our markets and exchanges control the markets of the world or they must yield the point and abandon the claim that these practices in our markets unfavorably influence the prices.

They also fail to tell us how the farmer and the planter are to be benefited by practically limiting the demand for their products to a smaller circle of buyers. This would inevitably be the case where the artificial help to carry the crop is withdrawn and the demand is limited to the few rich capitalists who have the money to invest in the crops and the ability to hold them until they are required for consumption.

They also failed to tell us, Mr. Chairman, why it is that the Consolidated Millers' Association of the country, without an exception, favor this law. They are buyers of wheat. Why do they favor the law? Fortunately, we are not left in ignorance upon this point, as they have, in moments of confidence, said that the price of wheat was too high, and that if speculative competition was withdrawn they would be able to deal with the farmers upon their own terms both as to prices and date of delivery.

That statement, Mr. Chairman, was made to my own firm by the agent of the milling syndicate in the West. He was asked: "Why do you favor the antioption law?" and he said, "We want to deal with the farmers directly. We shall get our wheat cheaper, and we shall take it just as we want it."

Mr. PATTERSON. In that connection, why is it that flour is not included in that bill?

Mr. COOMBS. Because the millers wanted to be left to speculate in futures, but to deny the privilege to the exchanges on these articles which go to make up their products.

There is one omission that I see in this report, which appeared in the report of the former bill made to the Fifth-second Congress, but it was practically repeated by the gentleman from Missouri [Mr. HATCH] in his address yesterday.

In the former report they stated that every speculative sale supplanted the sale of an equal amount of the real product, and reduced its price proportionately. In that same report it appeared that fifty times the product of the country was actually sold upon the exchanges.

Take the two things together, gentlemen, the statement that every fictitious sale made had the same effect as though that was real wheat produced. Consequently, as wheat was at that time under what they call these unfavorable conditions, selling upon the exchanges at 80 cents a bushel, it should, according to that claim, have sold at $40 a bushel had these unfavorable conditions been removed.

Now, I submit, gentlemen, that if that is the style of reasoning which underlies the conception of this bill, that it is very unsafe for us to follow it; that it does not furnish us assurance enough of wisdom in its conception to warrant us in perfecting it into legislation. They will not deny that this one reason is their sole basis for this proposed legislation; if they have any other I now call upon them for it. If I have in that simple calculation proved the absurdity of it I may reasonably hope that it will have some influence upon your votes.

We are told that the agricultural interests of the country are in a very depressed condition, that the farmers are very much dissatisfied, and demand this legislation. It is very difficult to tell whether this statement is true or not, for, unfortunately, the farmer has become a bone of contention between rival political parties, and statements are not always made with the finest regard for accuracy.

The farmer, or the imaginary farmer, has become a political factor. There are in my mind, gentlemen, two classes of farmers; that is, there is a class that I will call the farmer of the politician, the imaginary farmer that he has set up for his political purposes. He is a narrow, cramped man, looking with jaundiced eyes upon the world, prejudiced, ready to accept any advantage that they can offer him, whether it is honest or dishonest. He is set up upon every public platform, and patted on the back and cried over. He is like the stuffed figure at a wake. He is carried around in processions, and becomes an article of trade and commerce for the politician.

Mr. SIBLEY. Will the gentleman pardon an interruption for a moment? I should like to ask the gentleman from New York if he is quoting now the Secretary of Agriculture?

Mr. COOMBS. No; I have nothing that he has said or written in my mind. [Laughter.]

Now, gentlemen, this is not my idea of the farmer. I will tell the gentleman from Pennsylvania [Mr. SIBLEY] what my idea of the farmer has always been. I remember the farmer as the pioneer of civilization; I remember him as the man who hewed the road into the forest, who beat back the hordes of savages, who climbed the mountains and went through their passes, who carried civilization to the prairie and to the valley. I remember him and picture him as an aggressive man, accustomed to self-reliance, ready and willing to bear his full share of the ills of life without murmuring or complaint.

I do not look upon him as a narrow-minded man, who is naturally full of prejudices against everything that is Eastern. You for your own reasons have tried to make him so, but I do not believe that you have succeeded. The farmer of the West and the planter of the South are the natural allies of the merchant of the East. For while they are cutting the paths for civilization in the forest and mountains, subduing the prairies and the secluded valleys and covering them with waving harvests, his brother the merchant of the East, is opening the paths of commerce to every market in the world to dispose of his productions.

Their interests are mutual, and their natural alliance should not be destroyed by meddling politicians for selfish purposes. I do not believe that the farmer is pleased with the pictures of him that are presented to the people of the East, and that are constantly held up in Congress. He will some day, if he does not now, resent it and hurl from power the men who misrepresent him.

We all know that there is a great falling off in prices of agricultural products, but there has also been a falling off in the prices of all other products, and there is no doubt that while he has suffered by the falling off of prices, he has also profited by this decline to a corresponding degree, and in many cases to a far greater degree.

I do not think that it will be denied by the advocates of this bill that the farmer could to-day buy more agricultural implements of a better class, more clothing, more supplies, for the same quantity of wheat than he could in the year 1860. They who produce these things that he buys have been correspondingly benefited by their ability to buy the agricultural products that they consume at a much less price.

A bale of cotton to-day in the South will buy more bacon and other food, as well as agricultural implements, than it would in the olden times. Some gentlemen upon this floor who represent the cotton-growing sections of the South have told me so.

The gentleman from Nebraska [Mr. BRYAN] yesterday, in answer to my question, admitted this, and seeing the force of the argument and the danger of the admission, turned to the question of the debt upon the farm. It was a confession of weakness.

I do not think that you who listened to his reply were particularly impressed by his fairness. The merchant in the city, the mechanic in the village, and the manufacturer all have mortgages upon their property; and why should the hardship in one case be considered as greater than in another. There are undoubtedly cases of great hardship, particularly to those farmers who have from lack of foresight located in sections of the country where soil is poor, irrigation imperfect, and where, as in some portions of Kansas, they can only average a crop once in three years. But certainly these extreme cases, which could have been prevented by wise foresight, should not be taken as types in judging of the condition of agriculture generally.

Mr. HOOKER of Mississippi. Will the gentleman allow me to ask him a question?

Mr. COOMBS. Yes, sir.

Mr. HOOKER of Mississippi. Mr. Chairman, I understand the gentleman from New York to say that the gentleman from Nebraska [Mr. BRYAN] in his speech on yesterday had admitted there never was a time in the history of the country when the product of a bale of cotton would buy more of bacon, a great article of consumption with the people of the South, or more mess pork than now. If the gentleman made that admission, he did not know anything about the facts in the case. For the last two years cotton has sold for 6½ and 7 cents a pound, and

mess pork has sold at $19 to $20 a barrel and bacon from 12 to 18 cents a pound.

Mr. COOMBS. Then certainly the farmer of the West has no reason to complain of the price of his product.

Mr. HOOKER of Mississippi. That is what Southern men had to pay.

Mr. SIBLEY. And it was the bankers who got that money and not the men who raised the pork.

Mr. WHEELER of Alabama. I desire to ask the gentleman whether he believes this bill can do any harm to the merchant who is doing a legitimate business?

Mr. COOMBS. I will answer that further on.

Mr. Chairman, I will send to the Clerk's desk an editorial from the St. Louis Republic of May 29, which I desire to have read. It is a thoughtful article and well worthy of the consideration of those Democrats who are ready to lower the standard of Democracy.

The Clerk read as follows:

TO DEAL WITH POPULISM.

There are Democratic politicians who think that the party must take a great deal of pains to prevent the growth of the People's party in Democratic States.

As far as the Populists are Socialists, any Democratic effort to win them over would be a futility from the start. The Democratic party must be born again, and born very different, if it is to ever be a success as a teacher of Socialism.

The average Populist is not a Socialist at all. He is a natural Democrat who is beginning to learn politics. The alphabet stage of political education is socialism.

It corresponds with the religious stage of the tribes who attribute to their idols unlimited virtues and powers, and pray effusively until continued disappointment brings on a general smashing of images. It will not be long now before the leaders who are professional Socialists will be unable to collect railroad fare and lecture fees.

The American voter quickly outgrows faith in Socialistic promises. See how soon the ultra Socialist leaders were compelled to put land loans and subtreasuries in the background. See how little there is now of vast Treasury note issues in their speeches. They are reduced to dependence on a variation of the Democratic idea of free silver coinage. Before long they will be trying to follow along after the progress of their own rank and file to the straight Democratic platform of free coinage at a bimetallic ratio.

Populism has been a real force only in old Republican States—Nebraska, Kansas, Colorado, and Nevada. Weaver and Donnelly have had no counterparts in the old Democratic States. The rise of Populism, like the rise of the Coxeys and Kelleys, can be understood by tracing the centralization of the war period and the subsequent efforts of Republican Federalists to impose war centralization as a permanent policy of American Government.

A strong, centralized government presupposes a weak people. Faith in socialism presupposes a people politically blind.

In States which have been long Democratic, the people know too much to believe in any of the idols of centralization or socialism. They are not fooled by protection, by war debts, by irredeemable money, by Government support and ownership of labor, or by any of the other beauties the centralizers exploit. No further experience is needed to teach them that government, from the town to the nation, can do no more than to spend money first deducted from the earnings of labor.

Every Democrat is clear about that truth, and the man who has reached so far is not going to be deceived about what a Government's limitations should be.

He is not going to suppose that a partly socialized Government which has been an oppression under the Republicans will become a blessing when still more socialized and under Weaver, PEFFER, Mrs. Diggs, Waite, Lowelling, and SIMPSON, who have the bad doctrines of the Republicans, with much less capacity and experience in the practical conduct of business.

The Democratic party need not worry about the spread of Populism. Let it stick to its tried and proved principles and to its habit of plain, sensible government. All the healthy minds among the Populists will come to it. The unhealthy minds will remain socialistic and either join the Republicans or hold out for their own somewhat more advanced form of centralization.

Mr. TALBERT of South Carolina. Is that from the New York World?

Mr. COOMBS. It is from the St. Louis Republic.

It has always been understood to be a distinctive feature of Democratic policy to interfere as little as possible in the domestic and business affairs of the people.

It has always insisted upon State's rights, and the policy of leaving to the people the working out of their own fortunes, unaided and unhindered by governmental interference.

We still believe that that is the only safe policy for our Republic; its effect is to build up our trade and industries upon a natural and true basis, and to cultivate in the people a spirit of manly self-reliance. While it entails some temporary disadvantages, they are far outweighed by the evils that would result from a departure from such a wise system.

The temptation to legislate to meet temporary emergencies of trade or condition are very frequent, but should be resisted, for it is a hopless task to undertake to follow and regulate them in their swiftly changing relations; they are too subtle for such crude machinery, and once entered upon, create demands from so many conflicting interests that it will be impossible to satisfy them. The equilibrium once disturbed by artificial interference works untold injury to every interest, not excepting the particular one that we attempt to benefit.

If we resist the temptation and remain loyal to our conception of the true functions of government, the difficulties will adjust themselves or disappear under the operations of the unwritten laws of trade, conflict of intelligent self-interest, and natural forces.

Our party has heretofore been true to this idea, and I trust will not now ignore its record.

The Republican party has stood as the representative of opposite views on this question, the most conspicuous example of which has been in the practice of the doctrine of protection, whereby it was sought to build up our producers and manufacturers by imposing discriminating duties upon the products of other countries.

This was an attractive doctrine until the people began to understand that they were all being taxed indirectly for the benefit of special classes—when they rebelled against it and hurled that party from power. Events that are occurring at this time prove to us that it came too late to prevent a dangerous perversion of public sentiment and an injury to the quality of our citizenship.

The giving of bounties to one class not only demoralized them and sapped their self-reliance, but led to demands from all other classes and gave birth to a brood of political heresies that are antagonistic to the simple conception of government entertained by the founders of the Republic.

We are asked for subtreasuries and Government loans to individuals; unlimited issue of currency and Government employment of all of the unemployed; so-called armies march from all sections of the country upon Washington to enforce their demands upon Congress. All of this indicates that socialism has taken root in our midst, and that it is dangerous to proceed further in the direction of class legislation.

The Populist party to-day is the outgrowth of the Republican policy of paternalism, and is the natural ally of the Republican party, and as such it and its theories are to be fought, and not adopted by the Democracy.

I am, therefore, very sorry to see this bill, which is a part of the faulty policy of paternalism, introduced into this House and pressed for adoption by so sterling a Democrat as the gentleman from Missouri.

It is clearly an attempt to legislate in the supposed interests of a certain class, and is the first break of Democracy in that direction.

It proves that even our Democratic blood has been poisoned by the virus of paternalism. It would have been much more natural that this measure should have emanated from the other side of the Hall, for it is a natural outgrowth of their policy.

Government must not be encouraged to further encroach upon the domain of the people; class legislation must cease if we wish to preserve our institutions and beat back the hordes of socialism which are clamoring for recognition.

When a false step is taken, and special privileges are accorded to any class, we find by experience that it is very difficult to retrace it. The battle that is to-day going on in this Capitol should be a sufficient warning. Every inch of ground held by the privileged class is being contested, and a defeat of the demands of the people seems imminent.

My experience as a merchant has given me great respect for the laws and regulations governing the commerce of the world, as well as for the machinery for carrying it on, that has been created to meet its necessities as they have arisen, and to facilitate its operations.

That organization is the growth of centuries, and has by universal acceptance readily adapted itself to changed conditions.

When produce, consumption, and operations were small, it was much simpler; with the increase of production and consumption, as well as enlarged intercourse brought about by steam and electricity, it has become more complicated, but has thoroughly adapted itself to the work of carrying on the enormous commerce and moving the immense crops of the world with the comparatively small cash capital in existence.

Organization, credit, and confidence have more than quadrupled the working power of the money of the world, because they are universal in their operations, ignoring nationalities and boundary lines; a partial realization of the dream of the brotherhood of mankind. I can not, therefore, look with any complacency upon the extremely unwise legislation proposed in this bill.

Its inevitable effect will be to throw us out of harmony and relations with the highly organized commercial machinery of the world; drive from us a large amount of the capital which is used and is necessary in moving our crops; and force us to stand in this day, when all mankind is seeking closer relations with one another, solitary and alone.

[Mr. SIBLEY withholds his remarks for revision. See Appendix.]

Mr. ALDRICH. Mr. Chairman, in the district which I have the honor to represent, and in which I reside, is located the Chi-

cago Board of Trade. Its members for the most part are my personal friends, and I may well regret that they have not a more eloquent champion of their cause to speak for them here to-day. For many years I was myself a member of that organization, and what I shall say now will be from personal knowledge and from information born of an experience on that board.

While I shall say nothing about "oaks," nor "flowers," nor "bullfrogs," nor indulge in any flights of eloquence such as we have just listened to, yet I hope to present for your consideration a few practical thoughts bearing directly upon this subject, and to which I most respectfully invite and crave your attention. And before entering directly upon the argument which I wish to make in opposition to this bill, I will take the present opportunity to correct some of the errors into which the chairman of the committee [Mr. HATCH] seems to have fallen, and to which he gave utterance in his opening speech of yesterday. Says the gentleman:

> Now, in every board of trade in the United States there is an obligation on the seller of these commodities named to deliver them at the designated time; there is an obligation on the part of the purchaser to receive them. And in this bill there is not another provision that does not hinge around that one great principle of the measure. The only difference in the world between this bill and the regulations of the Chicago Board of Trade, or any other board of trade in the United States, is that this bill, if enacted into law, will compel that delivery in good faith and honestly, while to-day these boards of trade, after making their own rules, have builded up a system of evading those rules by allowing the transaction to be consummated without the delivery of a single pound or ounce of what is sold under the contract.
> I again challenge any gentleman on this floor to produce the regulations or charter of any board of trade in the United States that do not contain such a provision; and then I challenge him to deny that the provision is violated in that board of trade every day and every hour.

Why, my friend can not mean this! If he is at all conversant with the principles of trading on the Chicago Board of Trade he can not mean that the rules of that body do not provide for constant settlement of trades between its members without the making of an actual delivery of the produce in every case, and if he is wrong in that particular he is in serious error to charge that the rule in question "is violated in that board of trade every day and every hour." To be sure the rules do provide for actual delivery when it is demanded by the buyer and that rule is most faithfully upheld, but another rule of the board of trade, which it seems impossible he should have overlooked, provides for offsets or settlements of the same by mutual consent of the parties to the transaction and is as follows (Rule XXII, section 6):

> In case it shall appear that the delivery of any outstanding trade or contract between members of the association may be offset by some other corresponding trade or contract made by the parties with other members of the association, and the parties to such trade or contract, or their authorized agents, consent to such offset, such trade or contract shall be deemed to have been settled, and any balance between the current market value of the property covered by such trade or contract, and the several contract prices shall be due and payable immediately by the parties from whom such balance may be due to the party entitled to receive the same under his contract, etc.

There is no occasion, therefore, for any appeal to Congress for the enforcement of this particular rule of the Chicago Board of Trade. The trouble with all these gentlemen seems to be that they seem determined to confound the trading in futures, which is the legitimate part of the business on the board, with options, which is the illegitimate species of business engaged in, it is true, by certain members of the board, but not recognized under its rules. Nor is relief granted in, nor any control exercised by the board over such transactions.

There can be no possible objection made to legislation which will prohibit this species of illegitimate trading, if national legislation to cover gambling of this nature is desirable at all, and at the proper time I shall offer an amendment to eliminate everything in this bill pertaining to futures, so that it may apply solely and only to the illegitimate dealing in what is known as "options."

But, Mr. Chairman, so much has been said upon this subject, so much has been printed in the way of testimony taken by committees of Congress and otherwise, that at first blush one is quite prepared to believe that we have had enough of it, and that the time is ripe for a vote and final disposition of the bill. I do not believe this to be so.

It is true the agitation of this question two years ago was fought with some good, inasmuch as it led to a study of the subject such as the producing classes particularly have never before given to it, and as an educator it was something of a success, so much so that I confidently expect, as the sequel of the present discussion, not an immediate result, a full and complete indorsement of the system, at present in vogue on our great exchanges, by every farming constituency represented in this House.

It is a system that can not be discussed or deliberated over too freely nor too extensively—it will stand the search-light of investigation and scrutiny, for it is founded upon principles of equity, fairness, and justice to both buyer and seller—to the producer as well as to the consumer. Legislation, therefore, such as proposed, is entirely unnecessary, uncalled for, and unjust.

Now what is this system of trading in futures which it is proposed under this bill to curtail, if not to absolutely annihilate?

Nothing more nor less than the buying and selling of products for thirty, sixty, ninety days or more, as the case may be, with the cost of storage, interest, and insurance added to the cash price—the article to be paid for when delivered.

During the interim between the time when the goods are bought or sold and when they are delivered, both buyer and seller are, under the rules of the exchanges, protected in their trades by the deposit of margins when called for, as a guarantee against any change in the market price, and the trade is thereby protected until the delivery takes place, or until the trade is closed by cancellation or settlement. This is all there is to it, and the system is not only a legitimate and healthy one, but affords the producer better prices, and was conceived in his interest and has inured to his benefit as I will endeavor to show.

Mr. Chairman, in the limited time allotted to me in this debate, I can hardly hope to do more than to reiterate well-known and well-understood principles of trade as practiced on the great exchanges of the world; principles born of experience, and as well understood by our great merchants as are the underlying foundations of advanced medical or engineering science by the great masters in those honored professions; principles as well understood by the merchant as are the principles of corn and cotton raising by the farmer and planter. Merchants, as a rule, make poor farmers, and the converse of this proposition is equally true, but that their interests lie along the same lines is undoubted.

The present Secretary of Agriculture hit it about right when he said the farmer needs protection—"protection from his so-called friends." Before taking his seat as a member of the President's Cabinet he is reported to have made the following statement:

(From a reported interview with Hon. J. Sterling Morton, early in 1893):

> While I am not a protectionist in the usual acceptation of the word, I believe the farmer needs protection; he needs protection from his so-called friends. He should be saved from some of the fallacies which seem to be believed by a large number of them. One of them is the Hatch antioption bill. It has been said that the great majority of the supporters of the bill are farmers. I think they should be its opponents. The exchanges which the bill aims to destroy are of advantage to the farmers; their daily workings tend to stimulate the prices. If there were no exchanges the big dealers would practically put their own price on the farmers' products, and the farmers would be compelled to accept them.
> The farmer has peculiar ideas, and those ideas need changing; a certain kind of education would not do him any harm at all. He needs saving from economic fallacies.

Now, Mr. Chairman, this is precisely what the farmer needs, so far as this proposed legislation is concerned. He needs "saving from economic fallacies."

The Lord knows he needs more than this, but if there is one thing that he does not need it is a further contraction of the markets of the country such as this legislation would cause. The trouble with the producer is not in the system by which and through which his products are marketed, but as is the case with all other commodities when prices decline, because of an overproduction of his product.

When through the operation of natural laws things go wrong, we are quite likely, if we be the parties interested, to hit upon something in the social or economical system that is at fault. This was the case in 1892. The people of this country, or a majority of them, thought we needed a change in the political control of the country; but it will be observed that when changes are made because everything does not seem to go right with us, the experiment is usually a failure. The present system of dealing in farm products is no more responsible for the prevailing low prices than was the Secretary of the Navy responsible for the sinking of the Kearsage a few weeks ago, or than was my friend, Mr. BOUTELLE, for the hauling down of the American flag at Hawaii last year.

If wheat gets down to 50 cents in the Chicago market it will be because there is too much of it in the country.

It would indicate that for the present at least the limit of production has been reached, and that the export demand for our surplus has ceased. We need not be told that at 50 cents per bushel in Chicago for No. 2 spring wheat the product can not be raised; indeed, it is doubtful if 60 cents a bushel in that market would cover the cost of production on many western farms. Although the report of the Senate committee, of which Senator PEFFER was chairman, and which devoted considerable time to

the investigation of the subject, has this to say among other things on that subject:

Competition among farmers affects prices just as competition in other departments of industry affects values in those departments. There is a kind of competition among grain farmers that does not affect prices locally or generally—what has been known as "bonanza" farming, as it is carried on by men who operate on large tracts of land acquired when land values were low. This method of farming has brought the cost of producing wheat down to about 35 cents a bushel on an average in North and South Dakota. When it is considered that the market price of our surplus wheat is fixed in Liverpool, and the export price to a large extent controls the price for which it is sold in the home market, it is readily seen that large quantities of 35-cent wheat thrown on the market must have a depressing effect on the general average of profits in wheat farming. In California (says the report) under the improved methods of plowing, seeding, and harvesting, the cost of producing a bushel of wheat has been reduced to about 22 cents on an average crop.

But I shall not attempt to analyze or explain the causes for the existing depression in values for farm products further than to maintain that it is not due to the system of trading employed on our exchanges.

During the panic of last year, from April to December, there was a decline in the price of wheat, corn, and cotton of 17 per cent, 13 per cent and 6 per cent respectively, but in the same time the decline in wool, print cloths, and brown sheetings amounted to 23½ per cent, 24 per cent, and 20 per cent respectively.

Surely this decline in wheat, corn, and cotton, amounting relatively to but little more than half that of the latter articles named during the same period, will not be attributed to the method of trading employed on our large exchanges. May we not rather believe the converse of this proposition to be true, and that prices for farm products may have been better sustained through the panic by reason of this very system which is now so harshly condemned by the advocates of this bill?

The testimony of those competent to judge (and I will remind the chairman of the committee of what was said by the president of the New York Cotton Exchange during the hearings on this subject) is that active speculation conduces to higher prices. More business is done on higher markets than on low ones; or to put it in another way, the more active the trading the higher are prices. As the president of the New Orleans Cotton Exchange put it: "There is very little doing on a declining market, but great activity on an advancing market."

Now, this does not mean that active speculation makes higher prices; but it does refute the idea which some people still seem to entertain, that it tends to depress prices.

It is a favorite theory—but poor argument because so easily refuted—that the selling of the crop several times over produces lower values; that from the beginning to the end of these sales for future delivery, through some legerdemain or manipulation by the traders themselves, prices are held down below their normal level, and that the farmer is thus deprived of a fair and legitimate return for his products. One needs but to exercise ordinary intelligence and study the market reports of the past to satisfy himself of the fallacy of this proposition.

This question was raised during the hearings of the committee, and I shall take occasion to refer to it later on in my remarks, for it involves the principle of short selling and all the alleged iniquities chargeable thereto.

I will simply refer here to one case of thousands that could be mentioned—the case referred to by a member of the New Orleans Cotton Exchange—where in one season future sales of cotton for November delivery were made at 6½ cents a pound, though when November came around the actual value of cotton was 10½ cents.

The fact must not be lost sight of in all this discussion that for every seller there must be a corresponding buyer. I refer to this now because in all the arguments in favor of this bill it will be noticed that the seller is the party who is always referred to while nothing is said about the buyer. As though the crop, for instance, could be sold over and over again without its being bought over and over again! So that if the seller's interest is to depreciate values there is always a corresponding buyer interested in appreciating values.

Now, from the report accompanying this bill we learn the objects sought by the proposed legislation to be: First, to obtain revenue. At this time (says the report) additional revenue is desirable and imperative. Unlike former bills reported to the House covering the subjects embraced in this measure, it will more surely and steadily provide a constant revenue to the Government, and that without an additional corps of revenue officers and at a minimum cost for its collection.

"To obtain revenue." The bill provides that for every 1,000 bushels of wheat, corn, oats, rye, and barley actually delivered—for none can be bought that is not delivered—there shall be a tax of 1 cent (1 cent for selling and 1 cent for buying). Now, let us see what that would amount to in the way of revenue. In Chicago last year the total receipts were as follows:

	Bushels.
Wheat	35,355,101
Corn	91,255,154
Oats	84,289,886
Rye	1,707,072
Barley	13,345,845
Or a total of	225,953,058

which at a tax of 2 cents per thousand bushels, and a 2 cent revenue stamp on every 5,000 bushels would have amounted to the munificent sum of $6,326.68 on grain handled at Chicago.

Let us see what this would be in New York City, at which place the total receipts of—

	Bushels.
Wheat for 1893 were	48,777,985
Corn	19,436,610
Oats	29,597,902
Rye	556,178
Barley	3,806,195
Total	102,174,870

The revenue under this bill from the city of New York would, therefore, have amounted to the fabulous sum of $2,860.88.

Now, clearly, this is just what we would come to if this bill were enforced, because speculation would cease absolutely if its provisions were regarded, and but one sale of the produce would be effected. Think of it, $6,326.68 collected in Chicago and $2,860.88 at New York as the total tax on grain that would have been paid into the United States Treasury in 1893 to recoup its depleted and vacuous condition! "Additional revenue is desirable and imperative at this time," says the committee. What statesmanship! What breadth of mind to conceive so grand a scheme for enriching the Treasury of this great country!

Why, the members of the Chicago Board of Trade contribute more to charity every year than this entire revenue would come to, and I have no doubt the same is true of the Produce Exchange merchants at New York. Thirteen thousand nine hundred and eighteen dollars was the amount raised on the Chicago Board of Trade, by voluntary subscriptions, for charitable purposes during 1893, besides large supplies of meat and of flour. (See page 39, Report of Chicago Board of Trade for 1893.)

Many a city and town throughout the West and the South, which has been stricken at some time with flame, or flood, or disease, has received its first responses for succor and help from the big-hearted, big-brained, generous men who constitute the membership of our board of trade. Appeals of this kind have never fallen upon deaf ears in the great temple of exchange at Chicago!

How consistent the bill, its provisions, and its promoters are can be best judged from the fact that it purposes first to stop speculation, and then second, to get a revenue which, to amount to anything at all, would be predicated upon the aggregate of business done before speculation had ceased. It is the great double-action project of the day! The gun may "go off," gentleman, but its "kick" will be worse than the discharge. If speculation were continued on present lines revenue would result, otherwise not; therefore, if the purpose be to obtain revenue, the other provisions of the bill must be ignored. Clearly, the bill is not a revenue bill!

The second alleged object for which this legislation is sought, viz, to enable the producer to realize higher prices for his product is, in my judgment, purely mythical, and a condition which legislation is powerless to accomplish. That section of the report reads as follows:

Second. To relieve the producer of the destructive competition to which he is now subjected by the offering, upon exchanges, of illimitable quantities of fiat or fictitious products by those who do not intend to and can not terminate the contract by actual delivery of the articles which they pretend to offer and sell.

If special legislation were needed at all it would be in the direction of broadening, not contracting, the markets of the world. What the producer wants is a large number of buyers, anywhere, everywhere, at all times, the world over. An active, ready market in which he can sell his products at whatever time and to whomsoever he pleases, whether for prompt or for future delivery. Competition in this can not in the very nature of things be destructive to his interests.

But it is charged that unlimited offerings of produce by those who do not intend to and can not terminate the contract by actual delivery tend to depress the market, and results in a lower

level of values. Why, this is the sheerest nonsense, and in both respects. There can be no unlimited amount of selling without equivalent purchases. For every pound or bushel sold there is a pound or bushel bought. The one offsets the other so far as that factor is concerned. And to talk about the sellers being unable to terminate the contract by actual deliveries is equally absurd, for the property must be delivered, and in the month specified, if it be demanded by the buyer.

It is in evidence before the committee that under the rules governing transactions in the various exchanges in the country, actual deliveries are contemplated in every contract made between trades. A seller is bound to deliver the specified quality or grade of products sold to the amount contracted for if the buyer insists upon it, and these rules are recognized in the various State courts having jurisdiction. It is only for the convenience of trade that buyer and seller alike agree to daily settlements of trade where such is possible, rather than to postpone such settlement to the month for which delivery in the contract called for, and it is this right of clearing-house settlements that is contended for by the various exchanges of the country, and which the very necessities of the trade demand!

It would be as reasonable for the banks to demand a delivery of currency on every check passed through their clearing house, as to ask for the actual delivery of commodities in every case on our exchanges!

If there be any suspicious member in this presence who does not believe that an actual delivery is contemplated in every instance let him send his order to Chicago or New York for the purchase of five or ten thousand bushels of July wheat. If he does not find it necessary to write his check on the 1st day of July for the value of that wheat it will be simply because he has ordered his broker to sell that wheat in the meantime.

The best answer, perhaps, that can be made to the charge that the producer suffers from "destructive competition caused by the offering of illimitable quantities of fiat or fictitious products upon our exchanges, etc.," is that made by the directors of the Merchants' Exchange of St. Louis, which is as follows:

Actual experience daily demonstrated in the leading markets of the country shows this point to be poorly taken. In the market of Chicago, the largest speculative grain center in the world, "destructive competition" (as it is termed) clearly shows in results. Wheat there, where "short selling" is indulged, is relatively higher than all other markets of this country (with the exception of the milling centers of Minneapolis and Duluth) by from 1 to 3 cents per bushel, and higher relatively than any foreign market by from 3 to 6 cents per bushel.

What further evidence can be needed to refute this preposterous statement? The claim was not a very ingenuous one at best, and has been readily met by the statement just quoted.

The third, fourth, fifth, sixth, and seventh enumerated objects sought by the proposed legislation are one and the same thing—each clothed in a little variation of language—as in the third and sixth sections, for example—and the whole evidently intended to be an elaborate, if not emphatic protest against that concentration of supposed iniquities, "short selling."

Those sections of the report are as follows:

Third. To restore to the law of supply and demand that free action which has been destroyed by the practice of "short selling," which practice has of recent years become the one mode of determining the price of such agricultural staples as can be graded, while the ordinary methods of commerce are found to suffice for those which can not. By the practice of "short selling," now so common upon the exchanges, where not to exceed one-tenth of the grains grown is marketed, prices are determined for the entire product, and often months in advance of sowing the seed, thus despoiling the farmer and planter of that voice in fixing the price to be received for the product of his labor and capital which is accorded to other producers.

Fourth. That market quotations, now made by the limitless offers of fiat products by the "short seller," regardless of the volume of actual products in existence, may again be determined by the offerings of real products by the owners thereof, or by those who have acquired from such owner the right to the future possession of the articles offered, or can terminate their contracts by actual delivery, and thereby limit, to the amount actually existant, the offerings of the staple products of the farm.

Fifth. To prevent the overloading of domestic markets and the breaking down of prices of farm products by "short sales" made by foreign merchants for the purpose of insuring them against possible loss on purchases of Indian, Egyptian, South American, Australian, and Russian produce, whereby the American farmer and planter are made underwriters of commercial risks of the European, by whom no bonus or premium is paid for assuming insurance risks that destroy the value of our products.

Sixth. That by restoring the functions of the law of supply and demand now inoperative by reason of the limitless offers of the "short seller," a measure of relief will be given and prosperity partially restored to the great class constituting more than 40 per cent of our population who inhabit the farms, and whose declining prosperity your committee believe is due in no inconsiderable degree to the practice of "short selling," whereby the prices of the products of the farm have been determined and fixed, during recent years, at an unremunerative level.

Seventh. To restore to the producer an honest market and such prices as will follow the unfettered operations of the law of supply and demand, which the committee believe will be sufficiently remunerative to restore, in part, the power of the farmer and planter to purchase the product of forge, factory, and mill, and thus bring prosperity to the artisan, manufacturer, distributer, and transporter.

Any suggestion to the effect that restricted legislation is desirable in the marketing of the world's products, and preferable to the ordinary and natural course of trade as a regulator to the law of supply and demand, is, I believe, wholly unsound in principle, and not justified by any law of economics.

As bearing directly upon this proposition I want, first, to call the committee's attention to the following quotation from "Denslow on the Principles of Economic Philosophy," which I borrow from the able discussion of this subject by Messrs. Latham, Alexander & Co., of New York, showing the value of exchanges to trade.

The Clerk read as follows:

A market rises into its highest efficiency and value when it concentrates into one focus so large a portion of the buyers and sellers of a certain commodity as to become, in conjunction with one or two other markets of the same kind, an authoritative standard of prices of the articles in which it deals for all buyers and sellers through the world. By aid of the quick intelligence which the telegraph supplies, and the swift transportation which steam affords, the whole world is converted into one market, having one price subject only to cost of transportation of the product between the points for which the price is quoted and all other points. Such markets are the Bourse of Paris for stocks and securities, the London Stock Exchange, as well as the London Produce Exchange, the Liverpool and New York Cotton exchanges, the New York Stock Exchange, Produce Exchange and Real Estate Exchange, and formerly the Gold Room and the boards of trade (grain and provision exchange) of Chicago, in conjunction with those of other Western cities and that of Liverpool.

In the sale of carriages, pianos, jewelry, clothing, and other things which do not admit of such an authoritative contest over the price, there is great inequality in the price at which two persons in the same city, on the same day, may buy two things of the same kind and of equal value. Hence there is great cheating in such trading. One may pay $200 for a watch which another buys for $100. There is no standard. In all these grades of goods long credits must be given, as the dealers must hold the goods until they reach consumers.

But in articles dealt in by produce exchanges the price is advanced to the producer, and his crop can always be sold if he desires even before it is harvested. Hence the authoritative manufacturer of prices confers somewhat the same benefit on the community as is conferred by the authoritative system of law, religion, manners, and ethics. It enables every man to know each moment how he stands relatively to the results of his past exertions, what they have cost and how much he can get for them.

Any advantages which can be afforded the primary grain or cotton buyer is bound to be of advantage to the producer, for the margin upon which this interior buyer can do business with the producer will necessarily be reduced thereby; and if these advantages are taken away from him, the greater the margin of difference will be in the price which he can pay the farmer. If under the system now in vogue he can telegraph to Chicago, St. Louis, New Orleans, or New York and dispose of his purchases at a moment's notice, he will do so upon a minimum of advance over what he has paid for the property purchased by him: but if he is debarred from this he will increase the margin and the producer will get just that much less for his goods; in other words, if he can hedge against his purchases by an immediate sale, he will be glad to do so and be content with the small but certain profit which is assured to him.

In the meantime, for some reason, he may not wish to ship to that market in which he has hedged his purchase, by a sale for future delivery. He may find a better trade with some local miller who desires his property, or through some advantageous special freight rate offered he may find he can do better by sending his goods elsewhere, in which event he cancels his order at the first-named market by ordering the goods purchased back for him at that point. Would there be anything wrong in that transaction? Would the farmers suffer by it?

Again, under the present system bankers loan money, and more of it, readily upon grain and the other products named in this bill, and they do so because they know they can always dispose of this collateral, and at a moment's notice. They are secured every minute, and the "ticker" which sends them the market quotations every few seconds warns them when the margin is too small, and they are thus enabled to protect themselves in their loans continuously. The system is thus too well grounded, and can not be obliterated without doing incalculable injury to every one engaged in the business.

Now concerning section 3, which requires transfers of futures to be in writing, showing time delivery and whether agents are owners or entitled to possession under contract made with actual owners—otherwise void, etc.

Why, before a commission merchant would dare make a trade or execute an order from a grain dealer in the interior he would have to investigate to know that the party owned it, and to have it inspected by some competent party to know that it would pass inspection in Chicago. If it did not grade the same as it was sold for he would be liable under this bill for a tax of 3 cents a bushel. Of course the merchant would not assume this tax and it would therefore come from the farmer. They might both act in good faith and yet this might happen.

This of itself would kill trading for future delivery, and as a result the producer would be at the mercy of the interior buyer, and margins would be larger against him. For example: A buyer of grain in Iowa sells five or ten thousand bushels for forward delivery of No. 2 spring wheat, at 60 cents, in Chicago. The buyer in Chicago is acting for an Eastern miller; prices advance 10 cents a bushel and the wheat does not grade. Under

this bill the contract is void. The miller would lose his wheat and be out the advance of 10 cents a bushel besides.

Short selling has been the nightmare of every champion of an antioption bill. It has been the war cry of every shorn lamb who has invaded the precincts of the bucket shop; of those particularly who have never known how to speculate except by taking the "long" side of the market. This class of traders is numerous and they are to be found in large numbers through the rural districts of Missouri.

The higher the markets the more they want to buy, and if they ever do sell and "go short" the market it is when the latter has "touched bottom." They do not seem to "catch on," and they never will know enough to "get in out of the rain;" but they find lots of comfort in writing to their Congressmen assailing the wicked boards of trade. Lots of these same fellows infest the larger cities too, and when they are not betting on the next blackboard quotation in a bucket shop or buying pools on the races, ten chances to one they are nursing their wrath by writing whining letters to the newspapers about the awful results of gambling on the board of trade.

Partridge, the great bear and bugaboo in the eyes of the champions of this bill, has not been the cause of low prices for farm products. Certainly you will not accord him any such distinction as that? He has been one of the shearers of the lambs, and Partridge has grown rich because he has been right in the market. During this era of depression in values he has been a consistent bear, and has gone with the natural bent of the tide. Had he attempted to stem it by taking the other course he would have been swamped—all nature would have been against him and his destruction would have been inevitable.

It is a common, though erroneous belief, that the opportunities for free and unlimited trading results in undue depression of our markets. As a matter of fact, it is the converse of this proposition that is true. Corners never depress prices. No one ever heard of an effort being made to corner the market downward; it would be impossible. Corners result from overselling the market and are due to conditions growing out of this very act. It is the short seller who gets "squeezed" in the corner, but the producer is bound to be the gainer by it. In other words, it is the purely speculative fellow who sells what he has not got to deliver that suffers from the only unnatural markets that we have.

The producer is always the gainer from an unnatural or manipulated market; prices can not be forced below their legitimate level and held there for any length of time, but they can be inflated, and paradoxical as it may seem, with benefit to the producer without any corresponding evil to the consumer, for the effort of those who run corners is to get as much of the article out of the way as possible, and into the hands of the distributers for consumption. Those who run corners are "after" the short sellers and will gladly part with the product at fair normal value if assured that it will not get back into the channels that lead to their doors. This is to their interest. So that the consumer is not the one to suffer from this unnatural effort to raise values.

When, for instance, wheat was forced to $2 a bushel in the Chicago market, no one heard that the price of bread had been advanced; it had not. The only one who suffered was the short seller. The producer had gained what he (the short seller) had lost, or at least a portion of it. So that if the objection to active speculation be because of its unnatural effect upon values, the objection does not hold, because no one suffers from it but the operator who sells what he may not be able to deliver, while our farming community is the gainer in the transaction.

But an active trading in the commodities named in this bill is beneficial to the farmer in that it admits of his marketing his crop at whatever time prices suit him best. If May wheat, corn, or cotton is bringing a better price to-day than cash wheat, corn, or cotton, and he has facilities for carrying his product until May, he wants to be in a position to sell it for future delivery; and if later, for any reason, he concludes to hold it until July he wants the privilege of "buying in" what he sold for May and reselling again for July.

Every restriction contained in the bill is a tax upon the farmer. If you tax the dealer, it comes directly from the pocket of the farmer. If you prevent a marketing of his product for future delivery, you add to the margin the local buyer must take from him, and at the same time you disturb and demoralize conditions that now prevail the world over and which are but the outgrowth of our enormous development. You seek by unnatural methods to overturn natural methods in the distribution of this great wealth of the soil, and the producer will be the first to rebel against it should this effort go unchecked.

With reference to one reason given for advocating the passage of this bill, viz, that quotations may be based upon the offerings of the real product by the owners thereof rather than upon the alleged fictitious values created through speculation, etc., I beg leave to refer to the doctrine laid down by John Stuart Mill, which is as follows:

> When speculation in a commodity proves profitable, it is because in the interval between buying and reselling the price rises from some cause independent of the speculators, their only connection with it consisting in having foreseen it.

And experience has demonstrated this over and over again.

Now, I maintain, as a matter of fact, that prices decline more rapidly when there is not what is termed a "short interest" in the market. It is fallacious to suppose that a short seller is not going to be called upon to deliver the goods at the end of the month for which he has sold, unless he has bought them back in the meantime. And this very fact adds strength and steadiness to the market, for any sale of product not already acquired is a source of strength to the market the mment the sale is consummated.

If some extraordinary influence occurs, such as bank failures, or panics of any kind, the best supporters of the market are the short sellers, who then become the buyers and take their profits; while the ordinary and regular purchasers are quite likely to keep out of the market for a time.

If, as is not infrequently the case, the producer, satisfied with the ruling market prices to-day for, say, September delivery, sells his product for that delivery in anticipation of the bountiful crop promised him, finds in a month from now that from some change in conditions that it will not be convenient for him to get his product to market in that month, is he to be deprived of the opportunity to buy back what he has contracted to deliver in September and resell it for October or November?

Is the pioneer who wishes to break a large tract of ground in the Northwest by sowing to flaxseed for the first crop, to be deprived of a method of insuring him a profit in the venture by selling that crop for fall delivery when occasion offers, and the opportunity to protect himself by a purchase in the markets at any time where, through the visitation of floods or for any other cause, his crop is threatened with destruction?

These are but some of the restrictions that it is proposed to place upon the producing classes of this country through the effort to legislate in behalf of contracted markets for the various products of our soil. And I protest against it, not only because it is contrary to the natural laws of trade, but because I believe it to be a blow aimed at the farming community of our country, such as it has never experienced in this generation.

Our boards of trade furnish the opportunity to the consumer, the producer, the manufacturer, the exporters, and to the buyers of the world. The latter are enabled to purchase for immediate shipment or for future requirements and deliveries, and oftentimes these latter contribute in no small degree to the enhancement of values, and are a natural and effective support to our markets.

This system of dealing in futures has proven to be a decided benefit to all concerned, to the farmer as well as to the consumer and exporter. Take it away and you take away a ready and easy mode which the producer now enjoys of marketing his product at any moment at fair value. Take it away and you place him at the mercy of the local buyer, who fixes the prices at which he shall sell—several points below the then cash price, at the nearest commercial center, after allowing for the cost of transportation to that point. The local buyer is compelled to do this to protect himself by proper margin against any possible decline in values while he is getting the product to market.

This margin comes out of the producer. The buyer at this commercial center fixes his price upon the last quotation from the seaboard, and the buyer at the latter point upon the last quotation from Liverpool (where our surplus finally goes), and each in turn must protect himself by a margin similar to the one exacted by the local purchaser, and the sum total of these margins must eventually come out of the farmer, the producer; from no one else. This would be the legitimate and logical result of prohibiting trading in futures, and the restrictions contained in this bill would amount to an absolute prohibition such as is named. It is claimed for the bill that such restrictions do not apply to legitimate sales where the product in question is intended for actual delivery. But in effect they do, and in this wise: The maintenance of steady and fair market quotations is largely due to active speculation; that is, to markets where transactions are large and frequent. Any operator will choose that market for business which is most active, where speculation is constant and rapid. On such a market the holder of grain or cotton or provisions may sell almost without limit, without appreciably affecting prices. On such a market the manufacturer or the consumer may buy without stint and not fear that prices will be "run up on him" to any appreciable extent. Small fluctuations may be frequent throughout a day's business, but as a rule the general level holds good to a degree that does not affect the consumer or the producer unfavorably.

The facts are that this is a great surplus producing country,

and the system which has been fostered and built up through the medium of our great exchanges is simply the outgrowth of the necessities of trade, and provide most admirably, notwithstanding the various criticisms that have been indulged in concerning them, for the disposition of not only this surplus, but of that which is taken and distributed for local consumption throughout the length and breadth of our own land.

It is the opinion of those best fitted to judge, those who from long experience and constant attention to the demands of trade and commerce, whose interests are coincident with those of the producers, in whose interests all other interests are centered, because dependent thereon, that the passage of such a measure as the one proposed would unsettle business already demoralized and sensitive, unsettle prices and become a disturbing factor in the effort at recovery from a depressed and despondent season of gloom, disaster, and ruin, such as we have but just experienced.

Mr. Chairman, a word concerning the Chicago Board of Trade—not in defense of the personnel of its membership, because defense from calumny and venomous personal attack directed from irresponsible and ignorant sources is not worthy the dignity of notice by any friend of that body, nor would that friend be thanked for any such gratuity—but of the board as an organized commercial exchange, and I refer to this particular exchange, because the concentration and quintescence of venom displayed by the advocates of this bill has been directed to and focalized upon it. Why, one would suppose from some of the loose criticism indulged—many times by those who ought to know better—that we had a veritable "Monte Carlo" set up in Chicago, for no other purpose than to extract the spare cash from our gullible country cousins as they come to our city, or to take from the laboring man the hard-earned surplus of his toil.

It is a favorite theme for the anarchist and the demagogue to decry any system that appeals to the passions of those who hate to see their neighbors prosper, particularly when that system represents energy and aggression in the development of our commercial interests and an enlightened advancement in the progress of mankind. The popular notion in some quarters seems to be that the Chicago Board of Trade is a big organized gambling fraternity, and a foe to legitimate trade and commerce. It does not seem possible that such ridiculous sentiment can be very general, and yet that it does exist there can be no question.

Its relation to the commerce of this and other countries is apparently but little understood, and in its relations to the producing classes equal ignorance is shown. Nor can it better be explained than by quoting an extract from the admirable report of a recent president of that institution, Mr. Charles D. Hamill, who shows this relationship, not only of the Chicago board, but of all the leading exchanges, to be as follows:

> The primary function of boards of trade is to bring the consumer and producer together, the buyer and the seller, so that each may be unhindered in the pursuit of his industries, and may market and purchase his goods at the smallest expense both of money and of time. Boards of trade have no private interest to promote. Their welfare depends upon the value of the services which they render to the commercial public in the interests of fairness and justice, and in providing, without expense to either, the information from all parts of the world which is essential to the profitable conduct of business.
>
> The commercial exchange stands, therefore, for equity and fair dealing and employs its facilities for the benefit of the buyer and seller, and for the unhindered distribution of products and the economical exchange of surplus commodities. This is the attitude and the only attitude which the commercial exchanges of the nineteenth century occupy. It is a nineteenth century idea of commerce that no advantage shall be enjoyed by either the buyer or the seller and that no man or section shall be permitted to take any advantage whatsoever with reference to all facts concerning supply and demand.
>
> It is the province of boards of trade to spread upon the bulletins of the world for the information of all, the facts derived from the great marts of trade, from great manufacturing industries and sections, concerning the movement of merchandise, rates of transportation, and all facts which enter into the commercial life of men. Without these facilities which boards of trade or commercial exchanges create, the commercial development of to-day would not have been possible, and notwithstanding in this great system of commerce there are some defects, these institutions have contributed in manifold ways most materially to those results which make memorable the achievements of the nineteenth century.
>
> As long as the present conditions of trade and commerce, both foreign and domestic, prevail; as long as men strive for supremacy in the markets of the world; as long as ships laden with merchandise sail the seas; as long as cars freighted with commodities fly across the continent; as long as products are exchanged and men mingle together; as long as ambition rules the mind of man, so long will boards of trade continue to exist, harmoniously and economically presiding over and directing the manifold and magnificent forces of mercantile life.

The very able exposition of the buying and selling of futures by Mr. George F. Stone, the accomplished gentleman, student, statistician, and long-time secretary of the Chicago Board of Trade, is deserving of more than passing notice in the discussion of this subject in the national House of Representatives. No intelligent consideration of this matter would be complete without a reference to his treatise on this question, published in the Annual Reviews of that body covering the last three or four years, and certainly no one is more competent to speak, by reason of long experience, familiarity with detail, and power of reasoning on this subject than is he. His reputation for integrity and conscientiousness of purpose among his friends and his standing in the commercial world are equally high; his name is a synonym in the grain trade for all that is elevating, progressive, and painstaking in the promulgation of information and suggestions for the benefit and betterment of the producer, the middleman, and the manufacturer; and I commend his writings to everyone interested in this proposed legislation. As he very aptly puts it—

> Legislation never will make high prices; never will make a market no more than it can make a currency of intrinsic value, and the greenback theory can never be successfully applied to wheat. When we raise a surplus we have got to take our chances with other surplus-producing wheat countries. That is all there is to the whole business.

The marketing of the products of this great surplus-producing country with the highest advantage to the producer, is one of the great economic problems of the day, and the present system, so completely developed for the favorable handling of our enormous crops, is simply the outgrowth of a natural demand created to meet the requirements of the times and to provide for the prompt disposal of products at their fair market valuation. It can not be obliterated without the doing of great injustice to all concerned—to the producer as well as to the middleman and consumer—and no one in his senses is asking that it shall be.

And now, Mr. Chairman, in conclusion, I wish to refute and deny the allegation purporting to have emanated from the distinguished chairman of the committee, that the exchanges of the country are satisfied with his bill in its present shape. Such, I say, is not true.

In an interview with the Washington correspondent of the Chicago Post, published on the 5th ultimo, Chairman HATCH is reported as follows:

> "It looks," he says, "as though the measure would this time succeed in getting upon the statute books. All of the objectionable features which have heretofore caused the antioption bill to be antagonized have been eliminated. The only sections which will now meet with any serious opposition are those relating to bucket shops; the regular dealers in futures are pretty well satisfied with the bill."

This was on May 5. Just how well satisfied these dealers are with the bill can best be told perhaps by the following telegram received by me from the president of the Chicago Board of Trade on May the 9, just four days later. It reads as follows:

> CHICAGO, *May 9, 1894.*
>
> It is the unqualified and decided opinion of this board that the Hatch bill if passed would result in greater injury to the producer and to the consumer, as well as to business interests generally, than anything which has threatened the industries of the country.
>
> CHAS. L. RAYMOND, *President.*
>
> Hon. J. FRANK ALDRICH,
> *Washington, D. C.*

And the secretary and representative of the Toledo Produce Exchange, Mr. Denison B. Smith, says:

> The [present] system of trading for future delivery is the outgrowth of necessity in the economical movement of the surplus product of the country, which has adapted itself in an eminent degree to the conditions which those necessities have ordained, and which, more than any other ever invented, works in complete harmony with the interests of the producers. In the strongest terms I desire to emphasize this point in opposition to the theory of the author of the bill and others who are not students of and not familiar with the operations of the system. All the proofs and precedents defend the present system of trading for future delivery as one that favors the interest of the farmer, and which is in no need of Congressional legislation.

And again:

> The Hatch bill, in every line and feature of it, is a bill for the depression of prices of agricultural products and the demand for it is unreasonable and groundless.

The directors of the Merchants' Exchange of St. Louis through their president, Mr. William G. Boyd, responds to the assertion by saying:

> This bill is in the interest of the wealthy classes, although claimed for the farmer. It is a backward step that should be revolting, abhorrent, and not acceptable to the intelligent manhood and honor of the Representatives in the Congress of this country.

And the president of the New York Cotton Exchange, Mr. James O. Bloss, has this to say:

> The claim may possibly be made that, as the present bill is different in its character from those that have preceded it, the testimony heretofore referred to is not applicable to this measure. In reply to any such claim, however, it may be said that, though the present bill is in some respects quite different from those that have preceded it, nevertheless the same spirit of prohibition and suppression of speculative transactions as thoroughly pervades the present bill as any of its predecessors, while the taxes proposed even on transactions that are conceded to be legitimate and in the line of good business are such as to hinder and obstruct business, so that taken as a whole the present bill is quite as obnoxious and objectionable as any of those that have preceded it.

And so I might go on, and in an unbroken line of testimony quote the universal protest of the great commercial bodies of the country, who appreciate and understand the serious consequences that would come to the producer through the operation of legislation such as is proposed.

I hope the bill will not pass. [Loud applause.]

[Editorial from the Chicago Tribune of March 5, last.]

WHY WHEAT IS CHEAP.

Senator PEFFER's Subcommittee on the Causes and Remedies of Agricultural Depression has prepared a much more sensible report than might have been expected by those who have watched the uneconomic vagaries of that gentleman in the past. The report admits well-known facts that lie at the basis of the discussion. In regard to wheat, which is the article that attracts greatest attention just now, it is stated that the farming area in the United States has been more than doubled in the last twenty-two years, while the population is far from being twice the thirty-eight and a half millions of 1870. There is a greater yield per unit of area, and the cost of production has been vastly reduced by the methods of bonanza farming in the Northwest, the average cost in the Dakotas being about 35 cents per bushel. In California, under the improved methods of plowing, seeding, and harvesting, the cost of producing a bushel of wheat has been reduced to about 22 cents on an average crop. The price to be paid by the consumer is further reduced by a big shrinkage in the cost of transportation. A steamer can carry 100,000 bushels across the Atlantic in ten days, where formerly thirty to forty days were required for the passage of a ship containing 10,000 bushels. Similar cuts have been made in the cost of transportation over inland routes.

Of course, these reductions have taken effect in other lands as well as here. Especially is this the case with Indian wheat, the transportation of which from Bombay and Calcutta to Liverpool has been cheapened 50 per cent by the opening of the Suez Canal. As the wages of farm hands in India are but 6 to 10 cents of our money per day, wheat costs only 13 cents per bushel on the farm. Twelve cents more puts it on board ship, and 25 cents additional places it on the wharves at Liverpool or London. The report may slightly understate the cost of laying down Indian wheat in the British Isles, but evidently the offerings of that grain are a great element in the competition which our surplus wheat meets with. And insomuch as the price of wheat we sell abroad fixes that of the wheat that is consumed at home, by just so much is the price to the American consumer kept down and the farmer obliged to sell at figures which he claims and believes do not net him a fair profit for his investment of capital and toil.

In the discussion of this subject it is important to remember that there is little real cause for complaint if the selling price of wheat declines in proportion to the cost of producing the grain. Such reduction has been submitted to without grumbling by the manufacturers of cotton and woolen cloth, iron, and other staple articles of consumption, and ought to be accepted by the producers of wheat and silver. Also, if by the introduction of new processes a large part of the demand for any article can be supplied at a great reduction of cost, those who keep on producing by old-fashioned methods are unable to control the market and have to sell at a disadvantage. This may seem cruel to those who thus suffer from the march of improvement, but there is no help for it, and the rule is so nearly universal in its operation that it is useless for those engaged in any one department to complain.

It may be hard for those who can not produce wheat or silver at the prices which yield a fair profit to the bonanza farmers and the owners of rich mines to be told that they must operate at a loss or work on different lines. But they have to do it all the same, and there is little hope for a radical improvement in either till the dropping out of the poorer paying areas permits the production to be reduced enough to lessen the offerings in proportion to the demand. The report tells a truth that is of world-wide application in the words that "large quantities of 35-cent wheat thrown on the market must have a depressing effect on the general average of profits in wheat farming."

[From a recent editorial in the Chicago Evening Journal.]

PRICE OF WHEAT IN THE '40'S.

All the talk about wheat selling now at the lowest price on record is directly in the face of the evidence furnished in the semi-centennial issue of the Journal of Monday last. In his interesting reminiscences C. M. Pendelton, of Crystal Lake, said: "We used to haul our wheat into Chicago with two pair of oxen and a cart, picking our way over the prairie before there were any established roads. We hauled about 40 bushels of wheat to a load, and the first wheat I got 47 cents a bushel for."

In the issue of the Journal of September 2, 1844, printed in fac simile on Monday, 56 cents is quoted as the top notch on wheat in Chicago. On August 31 advices by mail from Cleveland (August 26) placed the price there at 65 cents with 71 asked, 70 bid at Buffalo. The Journal of September 4 printed advices from New York of date August 27, quoting wheat at 84 to 85 cents.

In November, 1842, wheat was quoted as low as 38 to 40 cents.

A comparison of the figures in Chicago and New York, the latter being 50 per cent higher, will give the farmers of the Western States some idea of what they owe to the great lines of transportation across the continent, against which they are continually howling and attempting to legislate. Improved means of transportation have brought the prices of the seaboard almost to the barnyards of the farmers.

[Extract from an editorial in the Memphis Commercial, March 19, 1894.]

TOO MUCH LEGISLATION.

It is an old complaint that America is a political nation, and that business and general interests suffer because this is true. The American people have never had too little, but entirely too much, legislation bearing upon questions of finance and trade. For instance, in 1859 a governmental enactment forbade the flying of the American flag by the ships of individual owners. That practically annihilated American maritime commerce and gave to England nine-tenths of the tonnage on both imports and exports.

Again, the Government has again and again levied taxes, imports, and penalties. It has again and again lifted these as regarded certain businesses, and given great bonuses to favored trades. The result is that the onus of politics weighs upon every branch of trade and every artery of commerce. If men were left to transact their affairs according to natural laws of value received, according to natural laws of barter and exchange, with no penalties, with no aids of Government, there is no reason to doubt that values would naturally adjust themselves, and that distribution, demand, supply, and taste would simplify the complex economical questions of the world by a process as simple as the swapping of knives done by school boys. As it is now, business is simply legislated almost to death.

[Editorial from the Chicago Tribune of May 18 last.]

LOWEST PRICES FOR WHEAT.

Again wheat has "broken the record." The price for the standard grade in this market went down to 53¼ cents per bushel yesterday, the inside figure for July delivery being 55⅛ cents. That is 1⅛ cents below the bottom point touched during the panicky conditions of last summer which followed the announcement that the mints in India had been closed to the coinage of silver. It is 1 cent less than the 55 cents of June and July, 1861, which was the lowest record made in a third of a century preceding 1893, and the average of the market since last June is lower than for any corresponding time in this market since 1852, when spring wheat averaged about 43⅛ cents per bushel for the whole season of buying from the farmer.

It also may be noted that the purchases of wheat made in this city forty years ago were from the "prairie schooner," or farmer's wagon, so that our market of those days corresponded to that of several hundred miles farther West to-day. Putting all these facts together, it may be claimed that wheat in this market was never before so low in price as it is now.

The transportation factor thus enters unequally into the problem for comparison of prices in this city to-day with those of the long ago. It enters more equally into the price problem for different dates in the English markets. Changing English currency into American, we have the following as the average London prices per bushel for the periods named:

From 1840 to 1849, the last-named year immediately following the discovery of gold in California, $1.73; from 1850 to 1859, $1.67; from 1860 to 1865, $1.51; in the next ten years, $1.71. This week the price of No. 2 red winter wheat in Liverpool has been quoted at 4*s.* 7*d.* per 100 pounds, which is equal to little more than 68 cents per bushel after paying all charges for transportation from foreign countries.

The latest price in London is less than 10 per cent above half the 40*s.* per quarter of 8 bushels which used to be talked of as a safe figure at which to buy whenever the market dipped to that figure. The present price here is less than a tenth more than half the $1 which not a few people in the trade can remember to have been for years regarded as an equally safe buying point in this market. Of course reduced transportation charges have a great deal to do with this reduction.

Wheat can be sent from Chicago to Liverpool for little more than 9 cents per bushel, or about a quarter of what the same service cost twenty to twenty-five years ago. But after allowing for that there still is a big shrinkage from the advance due to the discovery of gold in California and Australia. Doubtless much if not all of this should be set down to the account of cheaper methods of production. The use of farming machinery enabled the grower to dispense with much human labor, and the subsequent cheapening in the the price of that machinery decreased the outlay necessary to the employment of this labor saver. Greater competition by the wheat-growers of other countries, notably those of Russia, India, Australia, and South America, has done the rest.

The accelerated decline of the last two or three years may have been made all the greater by the panic of last year, but the great inciting cause was the enormous crop of wheat raised in the United States in 1891, followed by one of much more than the average yield. It was the big surplus from those two crops that broke down prices, and that surplus appears to have been at least 100,000,000 bushels more than was officially estimated in the years named. It is fair to suppose that there will be a reaction from the depth of excessively low prices when the world finds that the accumulation has been worked off, and there is some reason to think that point is near being reached now.

The fact once established, there may be a revulsion that will carry the market as much too high as it is now too low. But, whatever other conditions may be, so long as we have a surplus that must be offered for sale in the United Kingdom the sellers here will have to accept for their wheat what it would sell for abroad after making allowance for cost of transportation and handling. That price is reckoned on the gold basis. Probably the wheat prices of the future will be reckoned on the same basis; and if, owing to free coinage, the money should be paid in depreciated silver, the money received would do the American farmer no more good than if it were paid in dollars each one equal in buying power to a gold dollar. So it is idle to talk about silver inflation as desirable because its advocates think it would enable the American farmer to realize a larger number of "dollars" per bushel.

APPENDIX.

WHEAT VALUES.

Table showing the highest and lowest prices for No. 2 wheat (cash) at Chicago during each month from 1879 to 1893, inclusive.

Year.	January.	February.	March.	April.	May.	June.
1879	$0.81¼ to $0.87½	$0.85½ to $0.94	$0.88⅜ to $0.96½	$0.83½ to $0.91½	$0.90½ to $1.02½	$1 01½ to $1.07
1880	1.14 to 1.32½	1.18½ to 1.25½	1.12 to 1.25	1.05½ to 1.14½	1.12 to 1.19	.87 to 1.02½
1881	.95½ to 1.00	.96½ to .99½	.98½ to 1.03½	.99½ to 1.05½	1.01 to 1.12½	1.06½ to 1.14½
1882	1.25½ to 1.35½	1.16½ to 1.32½	1.22 to 1.36	1.32 to 1.42	1.23 to 1.28½	1.25 to 1.35½
1883	.93½ to 1.04½	1.03½ to 1.11½	1.04 to 1.09½	.99 to 1.12½	1.07½ to 1.14½	.98½ to 1.14
1884	.88½ to .93½	.90½ to .96½	.81½ to .92½	.75½ to .94½	.85 to .95	.83½ to .90
1885	.76 to .81½	.74½ to .79½	.73½ to .79½	.77½ to .91½	.85½ to .90¾	.84½ to .89½
1886	.77 to .84½	.78½ to .81½	.75½ to .81	.72½ to .80½	.72½ to .79½	.70½ to .77½
1887	.77½ to .80½	.72½ to .78½	.71½ to .80½	.76½ to .83½	.80½ to .88½	.64½ to .94½
1888	.75½ to .78½	.74½ to .76½	.71½ to .76½	.71 to .81½	.80½ to .89½	.78½ to .86½
1889	.92 to 1.02½	.93½ to 1.08½	.96½ to 1.04½	.79½ to .98½	.77½ to .86½	.75½ to .82
1890	.74½ to .78½	.74½ to .76½	.76½ to .80½	.77½ to .90	.89½ to 1.00	.84 to .93½
1891	.87½ to .96½	.93½ to .97½	.94½ to 1.03½	1.02 to 1.12½	.99½ to 1.08	.92 to 1.01½
1892	.84½ to .90½	.84½ to .91½	.77½ to .89½	.76½ to .85½	.80 to .85½	.78 to .87½
1893	.72 to .79½	.72 to .75½	.72½ to .79¾	.70½ to .88	.68½ to .76½	.61½ to .69

Table showing the highest and lowest prices for No. 2 wheat (cash) at Chicago during each month from 1879 to 1893, inclusive.

Year.	July.	August.	September.	October.	November.	December.
1879	$0.88¼ to $1.04¼	$0.83⅞ to $0.88⅝	$0.85 to $1.06¼	$1.04½ to $1.21½	$1.10½ to $1.21⅞	$1.22 to $1.33½
1880	.86½ to .96¼	.86½ to .90⅜	.87½ to .95½	.92½ to 1.01⅞	1.01½ to 1.12½	.93¾ to 1.10½
1881	1.08½ to 1.22	1.19 to 1.38	1.20½ to 1.41	1.30 to 1.43¼	1.23¼ to 1.32	1.24½ to 1.30
1882	1.26 to 1.36	.97 to 1.09	.97⅛ to 1.08	.92½ to .97	.91¼ to .94⅝	.90 to .95
1883	.93¼ to 1.03½	1.00 to 1.03⅝	.92 to .99⅞	.89½ to .96⅜	.92 to .98½	.94⅛ to .99⅜
1884	.79½ to .84⅜	.76⅝ to .83⅜	.73½ to .80	.70½ to .74⅜	.71½ to .74½	.69⅜ to .76⅜
1885	.85½ to .90½	.78 to .89	.76½ to .86¾	.84½ to .91	.83½ to .90½	.83½ to .89
1886	.73 to .79½	.74 to .78⅞	.72½ to .77	.69⅜ to .74⅜	.72½ to .76⅜	.75⅛ to .79¼
1887	.67⅞ to .71½	.66⅜ to .69⅝	.67⅜ to .71⅝	.69½ to .72⅜	.71⅛ to .76½	75 to .79⅛
1888	.79½ to .85⅜	.81½ to .94	.90 to 1.05	1.02½ to 1.17½	1.02½ to .15	.97½ to 1.00⅜
1889	.76⅛ to .85	.75½ to .79	.75½ to .83	.77½ to .82½	.78½ to .81½	.76½ to .80
1890	.85 to .94	.89½ to 1.07¾	.95½ to 1.04¾	.96½ to 1.03¾	.87½ to 1.01½	.87½ to .93¾
1891	.84⅜ to .94⅝	.86⅜ to 1.13¼	.90½ to 1.00	.92½ to .99	.91½ to .96½	.89⅜ to .93
1892	.76 to .80	.74⅛ to .80	.71⅝ to .74⅜	.69½ to .74¾	.69½ to .73	.69½ to .72½
1893	.54⅜ to .66½	.55½ to .63½	.62⅝ to .69½	.60½ to .66½	.58⅜ to .63	.59⅛ to .64½

Daily prices for No. 2 spring wheat in Chicago for first four months of 1894.

No. 2 spring, cash.		No. 2 spring, cash.		No. 2 spring, cash.		No. 2 spring, cash.	
Date.	Price.	Date.	Price.	Date.	Price.	Date.	Price.
January 2	$0.59⅞	February 1	$0.60½	March 1	$0.58	April 2	$0.59½–$0.59½
January 3	.60	February 2	.60½	March 2	.57¾	April 4	.62
January 4	.61	February 3	.61	March 3	.57	April 5	.61¼
January 5	.62½	February 5	.60	March 5	.57½	April 6	.64
January 6	$0.62½– .63	February 6	.59½	March 6	.57½	April 7	.62½
January 8	.62½	February 7	.59	March 7	.58½	April 9	.62½
January 9	.63¼	February 8	.58½	March 8	.58½	April 10	.61½
January 10	.63¼	February 9	.58¼	March 9	.57½	April 11	.60
January 11	.63	February 10	.57	March 10	.57½	April 12	.58½
January 12	.62	February 13	.56	March 12	.57½	April 13	.59½
January 13	.61½	February 14	.57	March 13	.56½	April 14	.59½
January 15	.60½	February 15	.56	March 14	.57¼	April 16	.59½
January 16	.60½	February 16	.55	March 15	.56½	April 17	.60
January 17	.60⅜	February 17	.55½	March 16	.56¾	April 18	.60½
January 18	.61	February 19	.55	March 17	.57	April 19	.60
January 19	.60½	February 20	.55	March 19	.56½	April 20	.59½
January 20	.60½	February 21	.57⅜	March 20	.56½	April 21	.59½
January 22	.61	February 23	.58½	March 21	.57½	April 23	.58½
January 23	.60	February 24	.57⅜	March 22	.57	April 24	.57½
January 24	.60	February 26	.56⅜	March 24	.56⅜	April 25	.59
January 25	.60	February 27	.57½	March 26	.57½	April 26	.59
January 26	.60	February 28	.57¼	March 27	.57½	April 27	.58½
January 27	.60			March 28	.59½	April 28	.58 – .59
January 29	.60			March 29	.59½	April 30	.59
January 30	.61			March 30	.59½		
January 31	.60			March 31	.59		

CHICAGO ELEVATOR WAREHOUSES.

Statement showing their capacity for the storage of grain December 31, 1893.

Proprietors.	Name of elevator.	Receive from—	Capacity.
			Bushels.
Armour Elevator Company	Armour Elevator A	Chicago, Milwaukee and St. Paul Railway	1,250,000
Do	Armour Elevator B	do	1,250,000
Do	Armour Elevator B, annex	do	3,000,000
Do	Armour Elevator C	Chicago, Burlington and Quincy Railroad	1,500,000
Do	Armour Elevator D and annex	do	3,000,000
Do	Armour Elevator E	do	1,250,000
Do	Armour Elevator F	do	800,000
Central Elevator Company	Central Elevator A	Illinois Central Railroad	1,000,000
Chicago Elevator Company	Central Elevator B and annex	do	1,800,000
Chicago and Pacific Elevator Company	Pacific Elevator B	Chicago, Milwaukee and St. Paul Railway	1,000,000
Chicago Elevator Company	Wabash Elevator	Wabash, St. Louis and Pacific Railway	1,500,000
Do	Indiana Elevator	Various railroads	1,500,000
Charles Counselman & Co	Rock Island Elevator A	Chicago, Rock Island and Pacific Railway	1,100,000
A. C. Davis & Co	Rock Island Elevator B	do	800,000
Illinois Trust and Savings Bank	Neeley's Elevator	Railroads and Canal	700,000
City of Chicago Grain Elevators, Limited	Galena Elevator	Chicago and Northwestern Railway	700,000
Do	Air Line Elevator	do	700,000
Do	Fulton Elevator	Chicago, Milwaukee and St. Paul Railway and canal	400,000
Do	City Elevator	Railroad and canal	1,000,000
Do	Union Elevator	do	800,000
Do	Iowa Elevator	Chicago and Northwestern Railway	1,500,000
Do	St. Paul Elevator	Chicago, Milwaukee and St. Paul Railway	900,000
Santa Fe Elevator and Dock Company	Santa Fe Elevator A	Atchison, Topeka and Sante Fe Railroad	1,500,000
Seaverns, George A	Alton Elevator	Chicago and Alton Railroad	1,350,000
Do	Alton Elevator B	do	500,000
National Elevator and Dock Company	National Elevator	Chicago and Alton Railroad and canal	1,000,000
Do	Chicago and St. Louis Elevator	do	1,000,000
Total capacity			32,800,000

FLOUR AND GRAIN.

Aggregate annual receipts of flour, and grain of all kinds, in Chicago; also the quantity of flour manufactured in the city for each year since 1852.

	Flour manufactured in this city.	Flour received.	Wheat received.	Corn received.	Oats received.	Rye received.	Barley received.	Total receipts. Flour reduced to wheat.
	Barrels.	*Barrels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*
1853	82,833	48,297	1,687,465	2,860,339	1,875,770	86,162	192,387	6,928,459
1854	66,000	158,575	3,038,955	7,490,753	4,194,185	85,691	201,764	15,725,135
1855	79,650	240,662	7,535,097	8,532,377	2,947,188	68,166	201,895	20,367,702
1856	86,068	324,921	8,767,760	11,888,398	2,219,987	45,707	128,457	24,512,454

FLOUR AND GRAIN.

Aggregate annual receipts of flour and grain of all kinds in Chicago; also the quantity of flour manufactured in the city for each year since 1852.

	Flour manufactured in this city.	Flour received.	Wheat received.	Corn received.	Oats received.	Rye received.	Barley received.	Total receipts. Flour reduced to wheat
	Barrels.	*Barrels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*
1857	96,000	393,934	10,554,761	7,409,000	1,707,245	87,711	127,689	21,659,109
1858	140,403	522,137	9,639,614	8,252,641	2,883,597	71,012	413,812	23,610,293
1859	161,500	726,321	8,080,766	5,401,870	1,757,696	231,514	652,696	19,372,986
1860	232,000	713,348	14,927,083	15,862,394	2,198,889	318,976	617,619	37,235,027
1861	291,852	1,479,284	17,385,002	25,369,989	2,067,018	490,989	457,589	53,427,365
1862	260,980	1,666,391	13,978,116	29,574,328	4,688,722	1,038,825	872,053	57,650,804
1863	236,261	1,424,206	11,408,161	26,611,653	11,686,131	865,508	1,280,842	57,660,722
1864	255,056	1,205,698	12,184,977	13,807,745	16,351,616	1,060,116	1,018,813	49,848,908
1865	288,820	1,134,100	9,266,410	25,952,201	11,639,060	1,194,834	1,774,139	54,950,114
1866	445,522	1,847,145	11,978,753	33,543,061	11,140,264	1,679,541	1,742,652	68,396,423
1867	574,096	1,720,001	13,695,244	22,772,715	12,355,006	1,291,821	2,360,984	60,215,774
1868	732,479	2,102,413	14,772,094	25,570,494	16,032,910	1,523,820	1,915,056	69,680,233
1869	543,285	2,218,822	16,876,760	23,475,800	10,611,940	955,201	1,513,110	63,417,510
1870	443,967	1,766,037	17,394,409	20,189,775	10,472,078	1,093,493	3,335,653	60,432,574
1871	327,739	1,412,177	14,439,656	41,853,138	14,789,414	2,011,788	4,069,410	83,518,202
1872	186,968	1,532,014	12,724,141	47,366,087	15,061,715	1,129,086	5,251,750	88,426,842
1873	264,363	2,487,376	26,286,562	38,157,232	17,888,724	1,189,404	4,240,239	98,935,413
1874	244,667	2,666,679	29,764,622	35,799,638	13,901,235	791,182	3,354,981	95,611,713
1875	249,653	2,625,883	24,206,370	28,341,150	12,916,428	699,583	3,107,297	81,087,302
1876	271,074	2,955,197	16,574,058	48,668,640	13,030,121	1,447,917	4,716,360	97,735,482
1877	293,244	2,691,142	14,164,515	47,915,728	13,506,773	1,728,865	4,990,379	94,416,399
1878	308,284	3,030,562	29,713,577	63,651,518	18,339,297	2,490,615	5,754,059	134,086,595
1879	285,904	3,369,958	34,106,109	64,339,321	16,660,428	2,497,340	4,936,562	137,704,571
1880	196,041	3,215,389	23,541,607	97,272,844	23,490,915	1,869,218	5,211,536	165,355,370
1881	238,200	4,815,239	14,824,990	78,393,315	24,861,538	1,363,552	5,695,358	146,807,329
1882	300,358	4,179,912	23,008,596	49,061,755	26,802,872	1,984,516	6,488,140	126,155,483
1883	294,720	4,295,615	20,364,155	74,412,319	36,502,283	5,484,259	8,831,899	164,924,732
1884	535,841	4,960,880	26,397,587	59,580,445	40,082,362	3,327,516	7,849,329	159,561,474
1885	575,165	5,385,772	18,909,717	62,930,897	37,678,753	1,892,760	10,760,127	156,498,228
1886	494,789	4,139,165	16,771,743	62,861,594	39,976,215	956,247	12,740,953	151,932,995
1887	514,870	6,873,544	21,848,251	51,578,410	45,750,842	852,726	12,476,547	163,437,727
1888	435,110	6,133,608	13,438,069	74,208,908	52,184,878	2,767,571	12,387,526	182,588,188
1889	431,000	4,410,535	18,762,646	79,920,691	49,901,942	2,605,984	12,524,538	183,563,208
1890	430,609	4,358,058	14,248,770	91,387,754	75,150,249	3,520,508	15,133,971	219,052,513
1891	578,180	4,516,617	42,931,258	72,770,304	74,402,413	9,164,198	12,228,480	231,821,430
1892	542,000	5,919,343	50,234,556	78,510,385	79,827,985	3,633,308	16,989,278	255,832,556
1893	455,469	4,604,424	35,355,101	91,255,154	84,289,886	1,707,072	13,345,845	246,972,966

Average freight charges per bushel for the transportation of wheat and corn from Chicago to New York for a series of years.

Year.	Corn.			Wheat.		
	By lake and canal.	By lake and rail.	By all rail.	By lake and canal.	By lake and rail.	By all rail.
1858	$0.127		$0.3619	$0.1550		$0.3861
1859	.1570		.3248	.1663		.3480
1860	*a*. 0833		.3248	*a*. 095		.3480
1861	*a*. 1062		.3881	*a*. 1210		.4158
1862	*a*. 0957		.4480	*a*. 1062		.4800
1863	*a*. 063		.4592	*a*. 072		.4920
1864	*a*. 09		.5000	*a*. 0952		.60
1865	*a*. 0864		.4188	*a*. 0894		.4488
1866	*a*. 1075		.4312	*a*. 1377		.4620
1867	*a*. 0511		.4176	*a*. 08		.4475
1868	*a*. 0604		.3532	*a*. 0802		.3784
1869	*a*. 0584	.2355	.3320	*a*. 0651	$0.2520	.3557
1870	*a*. 06	.2220	.28	*a*. 0677	.2250	.30
1871	*a*. 0754	.2372	.2968	*a*. 0687	.2542	.3180
1872	*a*. 1072	.2060	.3266	*a*. 1110	.2950	.3499
1873	*a*. 0816	.2298	.2893	*a*. 0917	.2461	.3102
1874	*a*. 0382	.1388	.2450	*a*. 0400	.1709	.2625
1875	*a*. 034	.1303	.2240	*a*. 0378	.1389	.2400
1876	*b*. 0875	.1079	.1574	*b*. 0982	.1136	.1686
1877	*b*. 0959	.1406	.1890	*b*. 1109	.1546	.2050
1878	*b*. 0883	.1053	.1652	*b*. 0996	.1209	.1770
1879	*b*. 1049	.1220	.1456	*b*. 1187	.1313	.1774
1880	*b*. 1341	.1443	.1748	*b*. 1313	.1580	.1980
1881	*b*. 0777	.0942	.1340	*b*. 0867	.1049	.1440
1882	*b*. 0672	.1026	.1320	*b*. 0723	.1091	.1447
1883	*b*. 0803	.11	.1512	*b*. 0901	.1163	.1620
1884	*b*. 0655	.085	.1232	*b*. 07	.10	.1320
1885	*b*. 063	.0901	.1222	*b*. 0654	.0902	.1320
1886	*b*. 0845	.1120	.14	*b*. 0910	.12	.1800
1887	*b*. 0850	.1120	.1470	*b*. 0950	.12	.1575
1888	*b*. 0671	.1026	.1354	*b*. 0705	.1114	.1450
1889	*b*. 0632	.0819	.126	*b*. 0692	.0897	.1500
1890	*b*. 0593	.0732	.1136	*b*. 0676	.0852	.1430
1891	*b*. 0632	.0753	.1400	*b*. 0695	.0857	.1500
1892	*b*. 0595	.0721	.1296	*b*. 0645	.0759	.1380
1893	*b*. 0718	.0797	.1365	*b*. 0766	.0848	.1463

a To Buffalo only. *b* Including Buffalo charges and tolls.

FOREIGN FREIGHT RATES.

Annual average through freight rates on grain, flour, and provisions (per 100 pounds), from Chicago to European ports, by all rail to seaboard and thence by steamers.

		1893.	1892.
Liverpool	Grain	$0.3410	$0.3287
Do	Sacked flour	.3513	.3625
Do	Provisions	.4547	.4575
Glasgow	Grain	.3585	.3550
Do	Sacked flour	.3625	.3906

Annual average through freight rates on grain, flour, etc.—Continued.

		1893.	1892.
Glasgow	Provisions	.4828	.4969
London	Grain	.3760	.3462
Do	Sacked flour	.3794	.3681
Do	Provisions	.4828	.4688
Antwerp	do	.4828	.5025
Hamburg	do	.5250	.5000
Amsterdam	do	.5000	.5500
Rotterdam	do	.5000	.5500
Copenhagen	do	.5531	.6094
Stockholm	do	.6656	.7219
Stettin	do	.5531	.6094
Bordeaux	do	.6000	.6200

WINTER AND SPRING WHEAT.

Statement of the area under cultivation in the United States and the production for a series of years.

Year.	Winter wheat.		Spring wheat.	
	Acres.	Product.	Acres.	Product.
1885	22,148,543	211,845,000	12,040,703	145,227,000
1886	24,534,579	302,412,000	12,271,605	154,806,000
1887	24,223,201	292,877,000	13,418,582	163,462,000
1888	23,953,800	277,952,000	13,382,338	137,916,000
1889	25,384,702	332,243,000	12,739,157	158,317,000
1890	23,520,104	235,374,000	12,567,050	143,888,000
1891	26,581,294	392,495,000	13,335,613	219,285,000
1892	26,209,465	359,418,000	12,344,965	156,531,000
1893	23,118,336	278,469,348	11,511,082	117,662,377

GRAIN IN STORE IN CHICAGO.

Amounts of grain in store at Chicago on the dates named, as reported by the State registrar:

	May 14, 1894.	May 7, 1894.	May 15, 1893.
WHEAT.			
No. 2 white	1,689	1,689	5,540
No. 3 white	952	952	25,556
No. 4 white	412	412	2,429
No. 1 hard	38,022	44,290	41,891
No. 2 hard	534,953	670,642	895,426
No. 3 hard	313,702	283,831	299,701
No. 2 Turkish	488	488	488
No. 2 red	6,749,023	6,619,330	3,868,690
No. 3 red	460,516	533,512	1,492,338
No. 4 red	42,749	34,145	216,121
No grade	399	399	11,588
No. 1 Northern	808	808	808
No. 2 hard spring			600
No. 1 spring	691	691	691
No. 2 spring	10,961,601	11,286,578	11,701,231

Amounts of grain in store at Chicago, etc.—Continued.

	May 14, 1894.	May 7, 1894.	May 15, 1893.
WHEAT—continued.			
No. 3 spring	296,297	296,260	928,473
No. 4 spring	6,619	6,619	51,547
No grade			
No. 2 white	3,415	3,415	3,415
No. 3 white	20,231	20,231	57,769
No. 2 mixed	723	723	1,728
No. 3 mixed			12,222
Total	19,453,289	19,804,914	19,818,252
CORN.			
No. 2 yellow	88,658	136,488	150,468
No. 3 yellow	95,004	107,265	148,458
No. 2 white	36,259	56,509	83,502
No. 3 white	5,618	16,353	12,713
No. 2	2,407,470	2,815,864	1,395,747
No. 3	1,511,297	1,606,304	112,736
No. 4		559	10,153
No grade	765	765	1,310
Total	4,145,071	4,740,107	1,915,087
OATS.			
No. 2 white	64,326	65,473	119,718
No. 3 white	865	17,749	78,943
No. 2	881,469	706,158	367,328
No. 3	1,230	1,230	11,580
No. 2 white clipped	7,169	7,169	7,169
No grade	2,941	2,941	2,941
Total	958,000	800,720	587,679
RYE.			
No. 2	166,849	180,467	146,809
No. 3	7,424	7,424	18,259
Total	174,273	187,891	165,068
BARLEY.			
No. 2	39	39	39
No. 2 new			
No. 3	71	71	71
No. 3 new	29	29	
No. 4			13,089
No. 5 new			
No grade			
Total	139	139	13,199
Total of all kinds	24,730,772	25,533,771	22,499,285

EXPORTS OF BREADSTUFFS TO EUROPE.

The following statement exhibits the total exports of flour, wheat, corn and rye from the United States to Europe, annually, since 1858 (calculations being made for the years ending August 31 to 1869, and since that date for the years ending June 30):

	Flour, barrels.		Wheat, bushels.		Corn, bushels.		Rye, bushels.	
	To Great Britain and Ireland.	To Continental Europe.	To Great Britain and Ireland.	To Continental Europe.	To Great Britain and Ireland.	To Continental Europe.	To Great Britain and Ireland.	To Continental Europe.
1858	1,295,430	303,100	6,555,643	290,428	3,317,802	16,848	.....	13,100
1859	106,457	51,338	439,010	57,845	342,013	25,519	.....	.....
1860	717,156	49,243	4,738,714	178,031	2,221,857	19,358	.....	.....
1861	2,561,661	142,129	25,553,390	3,452,495	11,705,034	101,145	.....	347,258
1862	2,372,515	626,672	25,754,709	7,617,472	14,034,168	322,074	.....	1,612,926
1863	1,479,413	213,579	23,167,190	2,343,314	10,334,356	68,957	.....	435,205
1864	1,241,804	100,511	16,492,523	333,819	717,434	13,369	.....	13,965
1865	170,109	23,261	2,989,740	112,315	1,293,404	11,485	.....	97,529
1866	147,568	4,285	1,521,210	68,111	13,908,358	41,803	.....	245,651
1867	179,990	4,294	6,014,271	79,417	10,410,208	10,360	.....	160,086
1868	529,494	78,975	12,992,609	378,452	9,121,449	72,194	.....	544,916
1869	407,062	38,973	13,356,550	229,920	4,257,591	174,372	.....	.....
1870	1,188,951	57,052	27,787,609	2,069,329	40,900	42,807	.....	.....
1871	1,227,624	136,632	22,488,021	2,430,762	5,905,445	191,399	.....	.....
1872	328,544	15,315	19,017,411	3,667,327	25,779,331	973,679	.....	756,842
1873	531,801	13,115	31,790,876	986,673	29,334,759	646,181	.....	498,207
1874	1,703,984	129,682	51,833,278	10,333,726	26,299,323	1,659,437	1,214	1,520,469
1875	1,231,324	31,718	42,057,004	4,187,296	23,387,367	1,570,166	312	198,092
1876	1,335,185	51,581	42,256,052	7,254,646	42,452,240	1,906,614	.....	510,856
1877	918,283	33,902	31,302,296	4,763,349	55,406,435	5,476,641	35,380	2,026,962
1878	1,615,479	49,936	54,664,732	11,567,214	65,915,851	9,841,174	301,314	3,751,420
1879	2,629,665	226,447	57,419,292	59,383,041	64,506,311	12,431,011	135,709	4,640,212
1880	3,645,952	124,478	79,068,075	65,756,763	55,635,347	33,565,597	297,769	2,595,867
1881	4,610,415	530,476	82,550,921	59,007,799	53,014,142	28,882,344	163,589	1,754,027
1882	3,289,909	187,601	65,600,582	25,452,924	28,664,924	9,009,774	63,941	907,686
1883	5,717,429	402,596	65,266,803	34,953,609	30,010,671	6,036,099	60,558	2,064,135
1884	5,583,843	349,978	44,761,600	19,594,213	26,436,771	6,441,012	61,301	5,287,644
1885	6,897,538	374,493	56,532,002	34,691,016	32,298,606	12,812,882	.....	2,933,447
1886	4,914,782	133,036	34,926,241	13,735,674	37,871,149	17,962,971	307	195,094
1887	7,332,071	565,096	54,352,915	42,411,200	24,265,983	10,161,309	.....	351,513
1888	8,070,490	460,607	41,332,300	19,324,828	14,259,487	4,973,752	.....	5,982
1889	5,281,738	192,419	31,568,536	11,522,656	41,096,727	18,947,124	.....	.....
1890	7,423,988	218,973	38,240,523	10,829,047	54,601,034	34,692,002	450,566	1,676,771
1891	7,037,490	530,516	29,820,650	21,771,681	14,131,181	9,538,602	.....	308,607
1892	9,603,910	1,285,747	67,293,960	84,416,357	36,503,653	33,087,524	438,069	9,111,242
1893	10,361,860	1,549,009	72,513,134	38,522,108	17,124,238	13,135,779	377,025	876,886

Stocks of provisions in Chicago at close of business April 30, 1894, as reported to the Board of Trade.

	April 30, 1894.	April 30, 1893.	April 30, 1892.
Mess pork, winter packed, new ....lbs..	70,196	75,527	190,601
Mess pork, winter packed, old....do..	17,619,460	133	87,139
Mess pork, summer packed....do..	350	.....	70
Other kinds of barreled pork....do..	22,188	7,092	14,890
Prime steam lard, "contract"....do..	4,099	9,403	52,448
Other kinds of lard....do..	4,885	2,892	7,576
Short rib middles....do..	6,792,679	7,228,768	44,822,372
Short clear middles....do..	1,338,961	540,229	1,602,878
Extra short clear middles....do..	4,847,989	3,362,233	6,610,726
Long clear middles....do..	761,580	216,159	616,333
Dry salted shoulders....do..	967,734	743,087	1,839,828
Sweet pickled shoulders....do..	4,081,450	3,534,825	5,598,468
Sweet pickled hams....do..	23,385,700	23,578,476	31,435,900
Dry salted bellies....do..	10,020,375	2,136,045	9,236,821
Sweet pickled bellies....do..	6,326,750	3,425,092	4,434,305
Sweet pickled California or picnic hams, pounds	3,179,400	2,163,690	5,217,470
Sweet pickled Boston shoulders ....lbs..	900,900	580,469	1,210,407
Sweet pickled skinned hams ....do..	3,022,528	1,793,996	1,796,533
Other cuts of meats....do..	6,245,404	2,510,005	7,923,699
Total....do..	99,561,461	.....	.....

Mr. HATCH. Mr. Chairman, inasmuch as the gentleman from Pennsylvania [Mr. SIBLEY] occupied more than two hours in his address to-day, I hope the Chair will recognize, following the gentleman from Illinois [Mr. ALDRICH], who has just taken his seat, some gentleman on the same side of the question, so as to equalize the time as nearly as possible.

The CHAIRMAN. The Chair had already determined to recognize the gentleman from Illinois [Mr. GOLDZIER].

Mr. GOLDZIER. Mr. Chairman, inasmuch as I propose to occupy the attention of the committee for an hour, I would suggest to the chairman of the Committee on Agriculture, if it would be agreeable to him, to allow the committee to rise now, so that I may have the hour to which I would be entitled to-morrow.

Mr. HATCH. Mr. Chairman, the time, of course, is limited for this discussion, and must necessarily be so. We must reach a conclusion in a short time. I should be exceedingly glad to oblige the gentleman from Illinois if possible.

Mr. GOLDZIER. Of course, if the gentleman objects, I will proceed now.

Mr. HATCH. I hope the gentleman from Illinois will occupy a half hour now. I will move that the committee rise at 5 o'clock, and he can resume his remarks to-morrow.

Mr. CANNON of Illinois. Let me say to the gentleman from Missouri, if my colleague will allow me, that it is exceedingly awkward to cut a speech up in that manner. It is getting late in the afternoon, and many of the members have left the Hall. You have had the best part of the day in the discussion when the House was full, and it seems to me that it would be only fair and right if somebody on your side would take half an hour now, and let my colleague have his hour entire to-morrow.

Mr. HATCH. That would be entirely agreeable to me.

Mr. GOLDZIER. I hope that will be done.

Mr. HATCH. I will be glad if there is any gentleman present who desires to occupy a half hour on either side of the question, that the Chair would recognize him to go on now.

Mr. GOLDZIER. That would be very pleasant to me, as I should prefer to speak to-morrow.

Mr. HATCH. I am very desirous to accommodate the gentleman from Illinois in any way, and if any gentleman present on either side desires to occupy a half hour now, I hope he will signify his wishes by addressing the Chair. The gentleman from Minnesota [Mr. FLETCHER] said he desired to occupy some time.

Mr. FLETCHER. Mr. Chairman, as this subject has been under discussion I desire to be heard upon it; but was not prepared to proceed to-day with my address. I have some communications, however, on the subject, coming from actual dealers in wheat, that I would like to have read at the desk in my time, if possible. That will absorb, perhaps, twenty or twenty-five minutes this afternoon, and I can occupy the remainder of the time hereafter, if it is agreeable to the committee.

Mr. HATCH. The time, of course, to be taken out of the gentleman's hour, when he desires to address the House.

Mr. FLETCHER. All right, if I have half an hour left.

Mr. HATCH. I have no objection to that.

Mr. WALKER. Allow me to say that I object to two or three men getting in ahead of me. I have had five men ahead of me already.

The CHAIRMAN. The Chair will recognize the gentleman from Massachusetts [Mr. WALKER] now.

Mr. WALKER. I will say that I wish to speak to-morrow, after the gentleman has spoken on that side.

Mr. GOLDZIER. If the gentleman from Massachusetts [Mr.

WALKER] desires to speak now, I will yield my place, with the understanding that I am to follow him. If not, I presume the Chair has the right to recognize the gentleman from Minnesota.

Mr. WALKER. I decline to take the floor now, but I want to speak to-morrow, after the gentleman completes his speech.

Mr. ALDRICH. I wish to give notice to the House that at the proper time I shall offer an amendment to strike out the word "future" and everything that pertains to it in this bill, leaving it simply to apply to the word "option."

Mr. HATCH. We have not reached that stage yet, and it is not necessary for the gentleman to give notice.

The CHAIRMAN. The Chair will recognize the gentleman from Minnesota [Mr. FLETCHER].

Mr. GOLDZIER. With the understanding that I am entitled to the floor in the morning; because otherwise I should not yield the floor.

The CHAIRMAN. Very well. The gentleman from Minnesota [Mr. FLETCHER] is recognized.

Mr. FLETCHER. Mr. Chairman, this measure ought to be entitled "A bill to depress prices of farm products and to interfere with the freedom of contract and legitimate trade."

I have studied the bill with care and candor, and with a full desire to discover any merits that it might possess. I have failed to find in it a single feature which will benefit the farmers, while its entire effect, if it shall ever become a law, will be to heap additional burdens upon the farmer.

There is no district represented on this floor whose people have a deeper interest in the prosperity of the farming classes than the one which I represent. We buy each year the larger portion of all the marketable grain raised by the farmers of that group of Northwestern States whose productiveness is the marvel of the world.

In the year 1892 the millers and dealers living in my district handled 72,727,000 bushels of actual wheat alone, and the city which is my home is the largest primary wheat market in the world. Our people own very largely the grain elevators of Minnesota, North and South Dakota, Nebraska, Kansas, and Northern Iowa. Besides grinding 45,000,000 bushels of wheat into flour annually, we manufacture over 400,000,000 feet of lumber each year, which is mainly bought by the same farmers from whom this wheat is purchased.

I state these facts to illustrate how vitally the prosperity of the community for which I specially speak is identified with the prosperity of the farmers of the Northwest.

The report of the committee having this measure in charge states that its first object is revenue. I assert that to whatever extent it produces revenue it does so at the expense of the farmer. The speculator can usually take care of himself, and in this case particularly he would see to it that the tax levied upon him for dealing in wheat was made to come out of the original price of the grain in the hands of the producer.

The farmer, already sufficiently burdened, will pay the tax levied by this bill. The farmer asks for relief and he is given increased oppression.

That such a measure can protect the producer against low prices is a delusion. Its effect would be exactly the reverse, because such a bill would disorganize and demoralize the present admirable system of marketing and moving the crops, a system which has been built up through years of experience by the cooperation of producer, dealer, and manufacturer. It would destroy the confidence of the owners and representatives of capital in the safety of the grain business and in the security of funds advanced for the purpose of handling farm products. Of the bankers, wholesale dealers, and business men generally, who are familiar with the tenor of this bill, 90 per cent are opposed to its provisions and to its passage. Its enactment would be a turning back of the hands upon the dial, equivalent to an abandonment of the railroad and the telegraph, and a return to mule teams and stagecoaches.

Chicago is everywhere recognized as the greatest speculative wheat market of the world. If speculation, including the buying and selling of "futures," tends to depress prices, why is it that for many years, as shown by the official records, Minneapolis, Duluth, and Chicago, during the months covering the moving of the crops, have uniformly been the highest-priced markets, relatively, on the globe? This one fact demolishes at a blow the entire theory upon which this measure is based.

With a thorough knowledge of the facts, I assert that the forms of contract and dealings which are practically prohibited by the pending bill are absolutely necessary to the safe and conservative transaction of the grain business in this country and throughout the commercial world. If this measure shall be enacted and sustained by the courts, it will be in operation just long enough to show its effect, to introduce confusion where now order prevails, to substitute uncertainty and risk for certainty and safety, to demoralize markets, and bring distress most of all to the producer.

Mr. Chairman, to substantiate what I have said, I will ask the Clerk to read a few communications I have received from several of the largest legitimate grain dealers in this country, if not in the world, men whose financial standing is unquestioned, and whose business methods commend themselves to the admiration of the present generation.

MINNEAPOLIS, MINN., *May 5, 1894.*

DEAR SIR: Please do everything possible to defeat the proposed measure known as the Hatch anti option bill. It is a matter of the greatest importance to the producers and legitimate handlers of grain that the bill should not pass.

Our firm handles between 40,000,000 and 50,000,000 bushels of grain per annum, and never speculates. We simply buy and sell grain as merchants, which requires a large capital and a large credit, which latter we command on account of the safe methods now pursued in the grain trade.

Except temporarily, higher prices have prevailed in the fall when the crop is being delivered by the farmer than in the spring, when the market is being manipulated by the speculator, and the decline in prices is borne by the speculator. I attach hereto a detailed statement of prices prevailing in Minneapolis and Chicago on wheat covering the months of September, October, and November and May 1st for the past five years, which shows that the average price of May wheat for the fall months for the five years in Minneapolis was 84⅛ cents per bushel, and the average price on May 1st for the same period was 79⅜ cents; in Chicago for the fall months the average price was 85⅜, and on May 1 it was 81⅛ cents.

Now, it is conceded by all that the great bulk of the crop is marketed between September 1 and December 15, and this statement shows that the farmer got the advantage of the speculator in the Minneapolis market 5 cents, and in the Chicago market 7 cents. If there was no way to sell for future shipment the burden shown to have been borne by the speculator would have fallen upon the farmer. The Minneapolis market can not possibly take care of the grain as fast as it is marketed there during the three fall months, and the consequence is that parties buyng for future delivery must insure themselves (or, as the trade calls it, "hedge") in some other markets later on buying it back and delivering in Minneapolis or Duluth.

The present low price of wheat is not, by any means, the result of selling futures. It is not to be expected that wheat should command relatively as high prices to-day as ten years ago. All the machinery that the farmer buys costs not much more than half what it did ten years ago. Transportation from North Dakota to the seaboard this year is not over half what it was ten years ago. Wheat in North Dakota to-day is worth as much to the producer at his station as it was ten years ago, when the price in New York was 20 cents per bushel higher than now.

Prices of all commodities throughout the world are lower, and together with the unfavorable financial condition of the country contributes towards bringing about the present low prices of grain, but the chief and most important reason lies in the fact that the supply is greater than the demand. Competitors in the production of wheat are springing up in all lands, and even in our own country new territory is constantly coming in, such, for example, as Oklahoma, which, it is estimated, will produce this year 10,000,000 bushels against practically nothing five years ago.

On account of low prices the grain must be handled on close margins, and it can not be handled on close margins unless it can be handled with safety.

Yours very truly,

F. H. PEAVEY & CO.

Hon. LOREN FLETCHER,
Washington, D. C.

MINNEAPOLIS, MINN., *March 29, 1894.*

DEAR SIR: I consider the Hatch bill bad from beginning to end, and one that will have direct tendency to reduce the price of products in place of making them higher. It would place the trade in a very few hands, and make it impossible for us to hedge our wheat and protect ourselves against loss in the decline of prices. I think it will entirely destroy our system of handling grain and make us speculators in place of legitimate dealers, and when you destroy our system of protecting ourselves with our grain you destroy our grain as collateral to a very large extent.

I think if we are unfortunate enough to ever have this bill become law that my views will be fully sustained in regard to the effects of the bill, and those who take a prominent part in helping this to become a law will be known in the Northwest as being parties to getting a law passed that has done a very large amount of harm to legitimate trade.

There are a great many things done in the grain trade, as well as in all other trades, that if we could wipe out we would be glad to do so, but in attempting to do it in the way they have started in on the grain and provision trade, they do very much more harm to the legitimate trade than they do to the illegitimate trade, in my opinion.

In order to take care of the large amount of grain that is marketed and give a man all the facilities to take care of himself that he needs, he wants the privilege of selling his wheat in the best market, regardless of where he expects to ship it, and get it back into the market that he wishes to deliver in when the market is ready to take it.

We find it very necessary in the fall of the year, when large amounts of grain are being delivered in the country, to sell the wheat in Chicago or New York, or some other market aside from our own, as our market is overstocked and will not take it all, and bring it back here when our market is in better shape. If we are deprived of anything of this kind it will reduce the price of wheat very materially in the country, and so far as selling wheat "short" having a tendency to bear prices, I think it has the opposite effect. It had a direct tendency to sustain the market, as there are a great many times that the "short" sellers are the only buyers of wheat. To prove this statement you only have to refer to Chicago market, which does more of this kind of trading than any other market in the world, and is the highest, and has been for the past ten or fifteen years.

Yours, very truly,

GEO. W. VAN DUSEN.

Hon. LOREN FLETCHER,
House of Representatives, Washington, D. C.

Hon. LORIN FLETCHER, M. C.,
Washington, D. C.:

Referring to the Hatch antioption bill, we would say, there are no provisions in this bill against short selling or selling property that is not owned at the time sale is made. The original Hatch-Washburn bill it was claimed was for that purpose alone.

The framers of this bill profess to believe that there will be buyers for the commodities named in it, in any amount for future delivery under the trade restrictions they propose. I believe that to tear down a system of dealing that has taken years to build up and develop, and substitute an experiment, is a dangerous proceeding, and when we attempt to put our immense crops on the market, governed by these new conditions, buyers will hesitate to invest, not knowing what the result will be, and panic will follow in markets of all articles included in the bill.

The farmers in Minnesota, North and South Dakota, will market about 60,000,000 bushels of wheat between September 1 and December 1 on an average crop of 110,000,000 bushels. Of this amount there will be needed for shipment to the eastern mills and for export about 10,000,000. The mills in those three States will need about 20,000,000 bushels before February 1, and millers as a whole will not buy more than two months ahead of their grinding, and the speculators who have

heretofore bought will not buy if they will be obliged to take and pay for, at maturity of contract, or any other time, without the privilege of settling otherwise than actually taking and paying for it. Who will buy and carry the remaining 30,000,000 that the speculators have heretofore bought?

Nearly all debts of our farmers are due in the fall months, and it is necessary for them to sell at that season to meet obligations. It is possible that wheat will be cheap enough next fall to make it safe for elevator men to carry their houses full without sales of futures to protect them against any probable decline, but the banks will not loan them money for that purpose. The bank with largest capital in Minneapolis has a resolution on its record book, passed within the last year or two by its directors, against loaning money to elevator men who are not known to sell futures against their purchases of wheat, and I have no doubt most other banks have the same rule in force.

Farmers must have money to meet these obligations when due, to paymerchants and others who have made their paper due in the fall, or there will be more widespread distress in that section than was experienced during the last year's panic. The privilege of selling futures has enabled buyers to pay from 8 to 15 cents more per bushel in the fall months for several years than it would sell for the following spring. We speak only of wheat, as it is a business we have been engaged in for more than thirty years in Minnesota and the Dakotas—long before it was possible to sell futures. When navigation closed on the Mississippi the price of wheat would be reduced 10 or 20 cents a bushel to cover any probable decline before it opened again the following April or May.

Very truly yours,

BROOKS BROS.

Mr. Chairman, in addition to the foregoing, I desire to have read by the Clerk the views of some of our largest and most conservative bankers and financiers; men who know their business thoroughly, and who would not loan their money to speculators. Men who hold dear the prosperity and welfare of every legitimate industry of the producer as well as the dealer and manufacturer alike.

MINNEAPOLIS, MINN., *March 31, 1894.*

DEAR SIR: I am glad to learn from the public press that you are using your influence against the Hatch antioption bill. As manager of this bank, which is very heavily interested in the grain and flour business, I earnestly hope that your efforts in opposition to the bill will be crowned with success.

From the best information that I can obtain, it seems to me that the bill will very materially interfere with the business of legitimate grain dealers. By "legitimate grain dealers" I mean elevator men who buy their wheat and sell it for future delivery, and who are thus protected against fluctuations in the market. In loaning the bank's money on grain we consider it one of the greatest protections we have when we know that the borrower has already sold the wheat for a fixed price. We feel so strongly about this that we refuse to do business with people who "stand on their wheat" and do not protect themselves by selling for future delivery.

As a banker, therefore, lending not only this bank's money but very large amounts for other banks on wheat collaterals, I am very much interested in the legitimate grain-dealer having all the facilities he now enjoys for protecting himself against the fluctuation of prices.

So far as I know, my views are those which are generally entertained by the bankers in this section of the country, who are just as much opposed to wheat-gambling as anyone else, but who do not wish to see it stopped at the expense of our best customers, namely, the legitimate grain-dealers and elevator companies of this city.

Yours very truly,

J. W. RAYMOND,
Vice-President.

Hon. LORIN FLETCHER,
House of Representatives, Washington, D. C.

MINNEAPOLIS, MINN., *May 4, 1894.*

DEAR SIR: We beg you will use your best influence to defeat what is known as the "Hatch antioption bill."

In our judgment it will destroy the most complete, economical, and efficient system known in any country for the prompt handling of our immense crops. It will undoubtedly hurt the legitimate dealer in grain, but most assuredly will it be oppressive to the producers upon whose shoulders the burden will fall.

With the present system legitimate dealers can work with safety on a very small margin; and with equal safety our banks can and do make large loans at a low rate of interest to move the crops. And on account of the safety of the present system (enabling legitimate dealers to sell by wire for future delivery) competition has made the margin received for handling grain smaller than ever before known in this country.

If the bill passes, trade generally, in the rural districts especially, will be demoralized. Farmers will get a less price for their produce, for no merchant can work on so close a margin if the Hatch bill passes as he can now work under the present system, and all classes of trade, in our judgment, will suffer thereby.

You will find the grain men who most oppose the bill are among the most prominent, legitimate, grain dealers in the country.

Hon. LORIN FLETCHER,
Washington, D. C.

J. W. Raymond is vice-president and manager of the Northwestern National Bank.

Perry Harrison is cashier of the Security Bank.

T. J. Buxton is president of the City Bank.

H. G. Sidle is president of the First National Bank.

Mr. HATCH. I move that the committee rise.

The motion was agreed to.

The committee accordingly rose; and Mr. BAILEY having resumed the chair as Speaker *pro tempore*, Mr. LIVINGSTON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill H. R. 7007, had come to no resolution thereon.

REPRINT OF GENERAL DEFICIENCY BILL.

Mr. SAYERS. Mr. Speaker, the supply of copies of the bill H. R. 7477, the general deficiency bill, has been exhausted, and therefore I ask unanimous consent that the House order a reprint of the bill.

There was no objection, and it was so ordered.

LEAVE OF ABSENCE.

On motion of Mr. COOPER of Texas, by unanimous consent, Mr. HUTCHESON was granted leave of absence for one week, on account of important business.

Mr. WILLIAMS of Illinois, by unanimous consent, obtained leave of absence for five days, on personal business.

The House then, on motion of Mr. HATCH (at 4 o'clock and 56 minutes p. m.), adjourned.

REPORTS OF COMMITTEES ON PRIVATE BILLS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

By Mr. BLACK of Illinois, from the Committee on Military Affairs: A bill (H. R. 2556) for the relief of Bvt. Lieut. Col. J. Madison Cutts. (Report No. 1110.)

Also, a bill (H. R. 3005) for the relief of George Isenstein. (Report No. 1116.)

By Mr. COX, from the Committee on Claims: A bill (H. R. 859) for the relief of B. D. Greene. (Report No. 1117.)

PUBLIC BILLS AND RESOLUTIONS.

Under clause 3 of Rule XXII, bills and a resolution of the following titles were introduced and severally referred, as follows:

By Mr. HOUK: A bill (H. R. 7490) designating the natives of the Territory of Alaska as natives—to the Committee on Indian Affairs.

By Mr. HENDERSON of Iowa: A bill (H. R. 7498) to authorize the construction of a bridge across the Mississippi River from a point within the limits of the city of Dubuque, in the State of Iowa, known as Eagle Point, to the opposite bank of said river in the county of Grant and State of Wisconsin—to the Committee on Interstate and Foreign Commerce.

By Mr. WILSON of Washington: A bill (H. R. 7499) to grant to the city of Port Angeles, State of Washington, certain lands within the town site of Port Angeles, Wash., for cemetery purposes—to the Committee on the Public Lands.

By Mr. McRAE: A resolution to fix a day for the consideration of bills reported by the Committee on the Public Lands—to the Committee on Rules.

PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as follows:

By Mr. DONOVAN: A bill (H. R. 7491) granting an honorable discharge to Thomas Devine, alias William Black—to the Committee on Military Affairs.

By Mr. DUNPHY: A bill (H. R. 7492) for the relief of William Burke—to the Committee on Military Affairs.

By Mr. MEREDITH: A bill (H. R. 7493) for the relief of L. E. Bowen—to the Committee on War Claims.

By Mr. PERKINS: A bill (H. R. 7494) disposing of four condemned cannon of the Navy—to the Committee on Naval Affairs.

By Mr. SWANSON: A bill (H. R. 7495) for the relief of E. R. Stephens—to the Committee on Claims.

Also, a bill (H. R. 7496) for the relief of John T. Marcell, administrator of Samuel Marcell, deceased—to the Committee on Claims.

By Mr. SWEET: A bill (H. R. 7497) for the removal of the charge of desertion from the record of John D. Hopper—to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BAKER of New Hampshire: Petition of F. B. Hussey and others, of Greenville, N. H., praying that fraternal beneficiary orders, etc., operating upon the lodge system, and providing for life, sick, accident, and other benefits to members may be exempted from the operations of any income-tax law which may be enacted—to the Committee on Ways and Means.

By Mr. BELL of Colorado: Resolutions adopted by a mass-meeting of citizens of Durango, Colo., condemning the bill providing for repeal of State bank tax; also, asking for free coinage of silver at ratio of 16 to 1—to the Committee on Coinage, Weights, and Measures.

By Mr. CUMMINGS: Petition of Hyman Solomon and 18 other citizens of the city of New York, praying that fraternal and beneficiary societies, etc., operating on the lodge system, be exempt from the operations of any income-tax law which may be enacted—to the Committee on Ways and Means.

By Mr. DALZELL: Petition of I. K. Marhead Conclave, No.

82, Improved Order Heptasophs, Pittsburg, Pa., against income tax as affecting beneficiary societies—to the Committee on Ways and Means.

By Mr. HARTER: Petition of citizens of Shiloh and Norwalk, Ohio, to exempt fraternal beneficiary associations from the operations of the income tax—to the Committee on Ways and Means.

Also, petition of the faculty of Oberlin College against the Honduras lottery—to the Committee on the Post-Office and Post-Roads.

Also, petition of citizens of North Fairchild, Ohio, in the interest of the fraternal society and college journals—to the Committee on the Post-Office and Post-Roads.

By Mr. HARTMAN: Petition of Local Assembly No. 3928, Knights of Labor, Helena, Mont., against the employment of convict labor—to the Committee on Labor.

By Mr. HENDERSON of Iowa: Resolutions of the mayor and aldermen and Board of Trade of Dubuque, Iowa, favoring the passage of a bill for construction of a bridge across the Mississippi River at Dubuque, Iowa—to the Committee on Interstate and Foreign Commerce.

Also, certificate of the recorder of Dubuque County, Iowa, showing the filing of articles of incorporation by the Dubuque and Wisconsin Bridge Company—to the Committee on Interstate and Foreign Commerce.

By Mr. KIEFER: Petition of J. W. Natrass, J. R. Kearne, George W. Heaton, and many others, to the number of 61 citizens of the city of St. Paul, Minn., who are members of fraternal beneficiary orders, asking that such orders be exempt from the provisions of the income tax—to the Committee on Ways and Means.

Also, petition of Messrs. P. J. Bowlin & Co., and George Benz & Sons, of St. Paul, Minn., against extension of bonded period—to the Committee on Ways and Means.

By Mr. McDANNOLD: Papers to accompany House bill 7486—to the Committee on Invalid Pensions.

By Mr. MILLIKEN: Remonstrance of H. A. Heath and others, members of beneficiary societies, against the enactment of an income-tax law—to the Committee on Ways and Means.

By Mr. TURPIN: Petition of Messrs. Solomon & Levy, The Meyer Marks Company, and The J. C. Marks Liquor Company, of Birmingham, Ala., protesting against any increase of the tax on whisky—to the Committee on Ways and Means.

Also, resolutions of Y. M. H. A. Congregation Emanuel, of Birmingham, Ala., protesting against the passage of House resolution 120, proposing an amendment to the preamble of the Constitution—to the Committee on the Judiciary.

By Mr. WILSON of Washington: Two petitions of 349 citizens of Seattle, State of Washington, for the enactment of House bill No. 5246, to restrict immigration—to the Committee on Immigration and Naturalization.

By Mr. WRIGHT of Massachusetts: Petition of the faculty of Williams College, Williamstown, Mass., in favor of legislation prohibiting lottery business within our national territory—to the Committee on the Post-Office and Post-Roads.

SENATE.

WEDNESDAY, *June 20, 1894.*

The Senate met at 10 o'clock a. m.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when,

On motion of Mr. GALLINGER, and by unanimous consent, the further reading was dispensed with.

EXECUTIVE COMMUNICATIONS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of the Senate of the 12th instant, certain information relative to the extent to which the system known as the padrone system now prevails, by which immigrants from Italy and other countries fall into the hands of agents or bankers who entice or force them into contracts, etc.; which, with the accompanying papers, was referred to the Committee on Immigration, and ordered to be printed.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a memorial of the Commercial Club of Albuquerque, N. Mex., remonstrating against the removal of a portion of the Ute Indians from Colorado to New Mexico; which was referred to the Committee on Indian Affairs.

Mr. CULLOM presented a petition of sundry citizens of Chicago, Ill., praying that fraternal beneficiary societies, orders, or associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

Mr. GALLINGER presented resolutions adopted at a recent session of the New England Typographical Union, of Concord, N. H., April 2 and 3, 1894, favoring the Governmental control of the telegraph service; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented the petition of F. B. Hussey and sundry other citizens of Greenville, N. H., praying that the pending tariff bill be so amended "that fraternal beneficiary societies, orders, or associations operating upon the lodge system and providing for the payment of life, sick, accident, and other benefits to the members, and dependents of such members, shall be exempt from all the provisions of the bill requiring taxation in any form;" which was ordered to lie on the table.

Mr. MANDERSON presented sundry memorials of wholesale and retail liquor dealers of Beatrice and Fremont, in the State of Nebraska, remonstrating against an increase of the internal-revenue tax on whisky, and also against an extension of the present bonded period; which were ordered to lie on the table.

He also presented a petition of 86 citizens of Lancaster County, Nebraska, praying that in the passage of any law providing for the taxation of incomes, the funds of mutual life insurance companies and associations be exempted from taxation; which was ordered to lie on the table.

Mr. QUAY presented a petition of sundry woolgrowers of Pennsylvania and West Virginia, praying for the retention of the present duty on wool; which was ordered to lie on the table.

Mr. ALLISON presented the petition of H. G. Torbert and sundry other citizens of Dubuque, Iowa, and the petition of E. W. Weeks and sundry other citizens of Guthrie Center, Iowa, praying that in the passage of any law providing for the taxation of incomes the funds of mutual life insurance companies and associations be exempted from taxation; which were ordered to lie on the table.

Mr. HARRIS presented a petition of the Citizens' Association of Brightwood, D. C., praying that they be granted a hearing before the Senate Committee on the District of Columbia, on the subject of permitting the Brightwood Railroad Company to extend its tracks to the center of the city; which, with the accompanying paper, was referred to the Committee on the District of Columbia.

He also presented a petition of sundry citizens of Union City, Tenn., praying that fraternal beneficiary societies, orders, and associations, be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

Mr. MARTIN (for Mr. BUTLER) presented a petition of sundry citizens of Colleton, S. C., praying that in the passage of any law providing for the taxation of incomes the funds of mutual life insurance companies and associations be exempted from taxation; which was ordered to lie on the table.

Mr. JONES of Arkansas presented the petition of W. F. Slemons, ex-member of Congress from Arkansas, praying that he be allowed the sum of $500, being the balance due him in contesting his seat in the Forty-sixth Congress; which was referred to the Committee on Privileges and Elections.

Mr. SHERMAN. I present a joint resolution of the Legislature of Ohio relative to the centennial of the conquest of the Indian nations, and as it is the memorial of a State Legislature, I ask that it be read.

The memorial was read, and referred to the Committee on Appropriations, as follows:

Joint resolution relative to the centennial of the conquest of the Indian nations.

Whereas the year 1895 marks the centennial epoch of the conquest of the Indian nations and the establishment of peace in the territory now comprised in the State of Ohio and adjacent country northwest of the Ohio River; and

Whereas said conquest was made by the army under command of Gen. Anthony Wayne, a gallant and meritorious soldier in the war of the Revolution and the Indian wars, the battle of Fallen Timbers, on the Maumee River, August 20, 1794, completing the chain of victories and subduing the Indian tribes; and

Whereas the treaty of peace made on the 3d day of August, 1795, at Fort Greenville (built on the site of Greenville, Ohio) by Gen. Wayne on behalf of the United States and various Indian nations occupying the territory northwest of the Ohio River was of national importance and established peace and permitted the extension of American settlements therein: Therefore,

Be it resolved by the General Assembly of the State of Ohio, That steps be taken to properly observe the one hundredth anniversary of this important event in the history of our Western country;

That the United States Government should erect a suitable memorial structure on the site of Fort Greenville to perpetuate the memory of Gen. Anthony Wayne and his gallant army, and that our Senators and Representatives in Congress be requested, through the governor, to secure such a memorial; that to accomplish the intent of this resolution the Ohio Archæological and Historical Society is hereby authorized and directed to take the necessary steps to secure a suitable centennial celebration at Greenville, Ohio, on August 3, 1895, and to obtain, if possible, through Congress, such a

memorial as will fittingly and appropriately perpetuate the centennial of this important event and those conspicuous in its history.

That the governor of Ohio be authorized to invite, on behalf of this State, the States of Pennsylvania, Virginia, and Kentucky, which States furnished most of the soldiers in the campaign of 1794, and to send representatives to participate in such celebration; and also the States of Indiana, Illinois, Michigan, Wisconsin, and Minnesota, which States, with Ohio, comprised the territory northwest of the Ohio River, to send representatives to this centennial, and to invite said States to prepare such tablets or other mementos for such memorial structure as they may desire.

Adopted March 22, 1893.

Mr. SHERMAN presented a petition of the Chamber of Commerce of Cincinnati, Ohio, praying that an appropriation be made for a national exhibit at the Cotton States and International Exposition to be held at Atlanta, Ga., in the fall of 1895; which was referred to the Committee on Appropriations.

COURT AT MONTPELIER, VT.

Mr. PUGH. I am instructed by the Committee on the Judiciary, to whom was referred the bill (S. 2135) to provide that a term of the circuit and district court of the United States for the district of Vermont may be held at Montpelier, to report it favorably and without amendment. At the request of the senior Senator from Vermont [Mr. MORRILL] I ask for the immediate consideration of the bill.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Mr. ALLISON introduced a bill (S. 2141) granting a pension to Joseph Porter; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MANDERSON introduced a bill (S. 2142) to amend section 9 of an act entitled "An act for the relief of certain volunteer and regular soldiers of the late war and the war with Mexico," approved March 2, 1889; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2143) for the relief of Rufus Betz; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. VOORHEES introduced a bill (S. 2144) for the relief of Mrs. Sarah E. Comly; which was read twice by its title, and referred to the Committee on Pensions.

Mr. GIBSON introduced a bill (S. 2145) for the relief of the heirs of Thomas Hendrickson, deceased, late major, retired, United States Army; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. ALLISON introduced a joint resolution (S. R. 93) requesting the President to negotiate a treaty with Great Britain providing for the arbitration of disputes; which was read twice by its title, and referred to the Committee on Foreign Relations.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. HUNTON submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Claims, and ordered to be printed.

Mr. HARRIS submitted three amendments intended to be proposed by him to the river and harbor appropriation bill; which were referred to the Committee on Commerce, and ordered to be printed.

MILITARY ENGINEERING.

Mr. MANDERSON submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of War is hereby instructed to transmit to the Senate all reports, addresses, and papers in his hands pertaining to the proceedings of the World's Congress Auxiliary relating to military engineering.

STATISTICS RELATING TO WHEAT, ETC.

Mr. PEFFER submitted the following resolution; which was read:

Resolved, That the Secretary of Agriculture be, and he is hereby, directed to inform the Senate:

First. The number of bushels of old wheat, including the visible and invisible supply on hand, respectively, there is likely to be left over in this country on July 1, 1894.

Second. Any information he has regarding the condition of old wheat now held in elevators, storehouses, mills, or in farmers' hands.

Third. The number of bushels of wheat that is likely to be raised in each of the States, respectively, in 1894, based on its present per cent of condition and harvestable acreage.

Fourth. The number of acres of winter and spring wheat, respectively, that have been abandoned from the whole acreage sown for this year's crop, and whether any deduction from that cause was made, and if so, how much, in his report for June 10, 1894.

Fifth. To furnish such information as he has in relation to the quantity of old corn likely to be left over in this country on July 1, 1894, and the quantity likely to be raised in each State, respectively, in 1894, based on the weather conditions and climatic influences that have affected corn, oats, and grass, as set forth in the weekly reports of the Weather Bureau under his Department, or otherwise in his possession to this date.

Mr. PEFFER. I do not think the resolution will bring on any discussion. I therefore ask unanimous consent that it may be now considered.

The resolution was considered by unanimous consent, and agreed to.

UNEXPENDED PENSION APPROPRIATION.

Mr. CULLOM submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Interior be directed to inform the Senate what amount of the appropriation for the payment of pensions will remain unexpended at the close of the fiscal year 1894.

HARBOR AT EVERETT, WASH.

Mr. CALL (for Mr. SQUIRE) submitted the following concurrent resolution; which was considered by unanimous consent, and agreed to:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War is directed to cause a survey and estimate to be made of the cost of dredging the bar at Everett, in the State of Washington, so as to make a fresh-water harbor in or near the river with the greatest depth of water practicable: *Provided*, That if the information necessary to make such estimate is now in the possession of the Chief of Engineers it may be made without any further survey. The Secretary of War is directed to cause such estimate to be made and reported to Congress without delay.

PUBLIC SAVINGS BANKS.

The VICE-PRESIDENT. The Chair lays before the Senate a resolution coming over from a previous day, which will be read.

The Secretary read the resolution submitted yesterday by Mr. PEFFER, as follows:

Resolved, That the Committee on Post-Offices and Post-Roads be, and it is hereby, directed to prepare and report, as soon as practicable, a bill providing for the establishment of a system of public savings banks, to be conducted under the surveillance of public officers in connection with the Post-Office Department.

Mr. PEFFER. Mr. President, I do not wish to discuss the subject now nor to detain the Senate more than a moment, for I expect to avail myself at sometime in the future of a favorable opportunity to discuss the matter at length.

However, I wish to say that the matter of postal savings banks has been before Congress a great many times in one form or another during the last ten or twelve years. The late Postmaster-General was particularly active in urging the subject upon the attention of Congress. A large number of bills have been introduced into both branches of Congress upon the same subject within a few years. I have found in my cursory examination of the history of the work that one obstacle in the way of success has been the difficulty which committees of Congress have had to make up their minds that the Government could safely or properly undertake a banking business. On account of that prejudice, and I think it is only a prejudice, committees have hesitated to recommend any action.

I think in view of the history of the last two years, more especially of last year, with the failure of many of our savings banks, with the failure of many of our national banks, and now with the congestion of money in the large banks of the great cities of the country when it ought to be out doing money duty, the people can see more clearly the relation which the people's financial interests sustain to the Government as an agency of the people, and it is for the purpose of calling the attention of the Senate to that feature that I shall discuss it at length when an appropriate occasion arises.

We must, in my judgment, eventually arrive at a system of public banking. I do not care just now to use the word government, because so many people, even statesmen, learned in the law and learned in politics, have an idea, at least it so appears, that the Government is some great institution like a prince, power, or potentate, wholly disconnected from the people, whereas in the theory of our Government and the spirit of our laws and of our institutions the Government is only an agent of the people to execute the people's will.

So in this resolution I have used the word "public" instead of the word "Government," but eventually it will come to that; the people will do their own banking through rules and regulations provided by the Congress of the United States, and it will eventually take the form of what we shall then call Government banking.

I ask that the resolution may be permitted to lie on the table, and at some convenient season I shall ask the indulgence of the Senate to discuss it more at length.

Mr. COCKRELL. Let it go to the Calendar. Then it can be called up just as well.

The VICE-PRESIDENT. The resolution will be placed on the Calendar.

Mr. MANDERSON. I wish to state in this connection, not in reply to the Senator from Kansas, that following the suggestion of Postmaster-General Wanamaker some years ago I introduced a bill providing for postal savings banks. I did it be-

lieving that the English system in that regard might well be followed in this country. I do not, however, in any advocacy that I may make of that system go to the length, nor do I think I could be induced to go to the length of paternalism suggested by the Senator from Kansas, that the Government of the United States should be bankers for the people of the United States, and that all private institutions of a banking character should practically be wiped out by that sort of a paternal government.

Mr. GALLINGER. I submit an amendment in the nature of a substitute for the resolution of the Senator from Kansas. My proposed substitute reads as follows:

Resolved, That the Committee on Post-Offices and Post-Roads be, and is hereby, directed to investigate and report upon the practicability and feasibility of providing by law for the establishment, etc.

I simply desire to say in this connection that I do not agree that the Senate should adopt any resolution directing the Committee on Post-Offices and Post-Roads to do what in their judgment they may not approve of—that is, to formulate and report a bill and recommend its passage to Congress; but I think it is entirely competent for the committee to inquire into the matter and report what in their judgment is desirable to be done in the premises. I ask that my amendment may go to the Calendar likewise.

The VICE-PRESIDENT. It will be so ordered. The morning business is closed, and the Calendar under Rule VIII is in order.

OBSCENE LITERATURE, ETC.

Mr. VILAS. I ask unanimous consent to call up the bill (S. 2065) to prevent the carrying of obscene literature and articles designed for indecent and immoral use from one State or Territory into another State or Territory.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill which had been reported from the Committee on Post-Offices and Post-Roads, with amendments, in line 26, before the word "thousand," to strike out "five" and insert "one," and in line 27, after the word "than," to strike out "five years" and insert "one year;" so as to make the bill read:

Be it enacted, etc., That it shall be unlawful for any person to deposit with any express company or other common carrier for carriage from one State or Territory of the United States or the District of Columbia to any other State or Territory of the United States or the District of Columbia any obscene, lewd, or lascivious book, pamphlet, picture, paper, letter, writing, print, or other matter of an indecent character, or any article or thing designed or intended for the prevention of conception or procuring of abortion, or any article or thing intended or adapted for any indecent or immoral use, or any written or printed card, letter, circular, book, pamphlet, advertisement, or notice of any kind giving information, directly or indirectly, where, how, or of whom, or by what means any of the hereinbefore mentioned articles, matters, or things may be obtained or made, and any person who shall knowingly deposit, or cause to be deposited, with any express company or other common carrier for carriage from one State or Territory of the United States or the District of Columbia to any other State or Territory of the United States or the District of Columbia, or who shall take from such express company or other common carrier with intent to sell, distribute, or circulate any matter or thing herein forbidden to be deposited for carriage, shall for each offense, upon conviction thereof, be fined not more than $1,000 or imprisoned at hard labor not more than one year, or both, at the discretion of the court.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MISSISSIPPI RIVER BRIDGE AT HASTINGS, MINN.

Mr. WASHBURN. I ask unanimous consent for the present consideration of the bill (H. R. 5806) to authorize the city of Hastings, Minn., to construct and maintain a wagon bridge over the Mississippi River.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 2586) granting certain property to the city of Newport, Ky.;

A bill (H. R. 3291) to amend section 22 of an act to regulate commerce, as amended March 2, 1889;

A bill (H. R. 5103) to amend an act entitled "An act for the relief and civilization of the Chippewa Indians in the State of Minnesota;" and

A bill (H. R. 6078) to authorize the Pittsburg and Mansfield Railroad Company to construct and maintain a bridge across the Monongahela River.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 14th instant approved and signed the act (S. 1950) to authorize the Pennsylvania and New Jersey Railroad Companies, or either of them, to construct and maintain a bridge over the Delaware River between the States of New Jersey and Pennsylvania.

HOUSE BILLS REFERRED.

The bill (H. R. 2586) granting certain property to the city of Newport, Ky., was read twice by its title, and referred to the Committee on Military Affairs.

The bill (H. R. 3291) to amend section 22 of an act to regulate commerce, as amended March 2, 1889, was read twice by its title, and referred to the Committee on Interstate Commerce.

The bill (H. R. 5103) to amend an act entitled "An act for the relief and civilization of the Chippewa Indians in the State of Minnesota," was read twice by its title, and referred to the Committee on Indian Affairs.

The bill (H. R. 6078) to authorize the Pittsburg and Mansfield Railroad Company to construct and maintain a bridge across the Monongahela River, was read twice by its title, and referred to the Committee on Commerce.

THE REVENUE BILL.

The VICE-PRESIDENT. The hour of half past 10 o'clock having arrived, the Chair lays before the Senate the unfinished business.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4864) to reduce taxation, to provide revenue for the Government, and for other purposes.

The VICE-PRESIDENT. The pending question is on the amendment proposed by the Senator from Kansas [Mr. PEFFER], which will be stated.

The SECRETARY. In paragraph 608, page 112, line 14, after the word "packages," it is proposed to insert "5 cents per 100 pounds;" so as to read:

Salt in bulk, and salt in bags, sacks, barrels, or other packages, 5 cents per 100 pounds.

Mr. PEFFER. On that amendment I desire to be heard very briefly, Mr. President.

At the outset, I wish to say that personally I believe that salt ought to be on the free list, and have so believed for a number of years, perhaps as long as ten years, since I have been studying the subject; but, while that is true, I represent a constituency, a portion of whom are interested in very large measure in the salt industry. So far as my correspondence with the people of Kansas concerning their mechanical and manufacturing industries is concerned, this is the only one to which my attention has been called particularly and forcibly by the men who are interested in the work there.

At the city of Hutchinson, which is very near the center of the State of Kansas—and that, as Senators know, is the center of the United States and of the world—there is a substratum of salt about 350 feet in thickness. At the time that body of salt was discovered, prepared salt, ready for use, was selling in Kansas and in all the region roundabout at $2.50 a barrel, but our people, with the aid of some outside means, set to work to develop their salt mines. To-day there are three or four—I am not quite certain as to the exact number—large salt factories at work; and now they are selling salt at from 50 to 55 cents a barrel. It was only a few years ago, in 1887, if I remember correctly, that we began to work on these mines. The Hutchinson salt factories are now turning out about 1,250,000 barrels annually, in addition to over two million packages of fine dairy and table salt.

Our Kansas manufacturers tell me that their trade extends far down into Texas, southwest of us. They tell me further that in that neighborhood they come into competition with the British salt, that is salt brought in from England, and that, although the people will not be benefited in any way by a reduction of the duty upon salt or by a removal of the duty, yet these manufacturers, who are engaged in the business of furnishing the people with salt, if they have free competition with the British article, will necessarily be more or less restricted in the territory with which they trade. They say to me, if a reasonable duty is retained upon foreign salt, the Kansas industry will extend nearly to the coast line, down into and beyond Galveston, and in that region across Texas; that there the British reaches them and comes in competition with them, and that there the transportation charges about equalize each other.

That is all there is in this thing. It is simply to give our own manufacturers a larger market for salt, which they tell me candidly, and I think they are right, will not be affected at all in price although the duty should be removed, but it is so small that it would not affect the territory of the trade. When it comes to retailing salt among the people, a duty of 5 or 10 cents upon

the hundred pounds is so small as that the people who purchase it by retail would not get any benefit from the removal of the duty, and the territory of the manufacturers, who have invested large amounts in the salt establishments there would be extended to that extent. That, I think, is well worthy of the consideration of the Senate.

This bill is being conducted upon protection lines. Yesterday, by a very encouraging vote, we determined that we would protect the quicksilver industry. The persons who are particularly interested in that industry, both consumers and producers, are alike in favor of a duty upon the foreign article, with two objects in view, one to keep down the price of quicksilver in the markets generally to operate as a regulator of the world's price of the product, and the other to keep in operation the already developed manufacturing industry in the United States.

There is no question but that the more we foster and encourage and protect domestic manufacturing industries up to a reasonable line the better it is for all parties concerned. Our people are unanimous upon that point. While it was alleged in recent years that the Democratic party were a party of free traders, yet the truth is that they have not been free traders, they have been protectionists; and now, in the management of this bill, they boldly proclaim to the world that this is a protection measure. That being true, while, as I said in the earlier stages of this discussion, the people in Kansas are ready for free trade if the rest of the world is, and that I am ready for free trade if other Senators are—I leave it entirely with them—I submit, in view of the course we are taking upon the pending bill, in view of what we did yesterday, that the salt industry in Kansas is entitled to protection as much as the quicksilver industry in the State of California, or the collar and cuff industry in the State of New York, or the woolen industry in the State of Rhode Island.

When I first received suggestions from the salt manufacturers in Kansas asking me to urge a retention of at least a reasonable duty upon foreign salt, I wrote an answer substantially like this:

While, as you know, I am in favor of free salt, yet I am your representative, and if you will show me any good reason why a duty of any amount ought to be retained on foreign salt, I will present your argument to the Senate and urge that it be incorporated in the law.

In answer to that letter I received the following letter, dated Hutchinson, Kans., December 16, 1893, directed to me:

Your valued favor of the 28th ultimo was duly received, and I have delayed answering the same thinking I might be able to gather more details for your information. I presume it is useless, however, to submit statistics, as you have them at hand and much more accessible than they could possibly be to me. Inasmuch as you have a desire to know the facts as relates to this field, however, will say that there is no doubt but that free salt would have a very serious effect upon us as manufacturers. Aside from the State of Kansas, Texas comes in as our second largest consumer of salt. The cities of Galveston, Houston, San Antonio, and in fact all Southern Texas are using foreign salt, we not being able to market any in competition with the imported salt, notwithstanding the present duties.

In conversation with Wallis, Landis, & Co., prominent importers of Galveston, a few days ago, they told a representative of ours that with free salt they would be able to control the trade as far north as Fort Worth, Tex. This would have a serious effect upon our Texas trade and cut off hundreds of cars annually, and I am not so sure but what they would be able to come farther north than intimated, by these prices Armour now imports all their salt used on export meats on account of duties being refunded. In conversation with a packer in Iowa he said that they would be able to bring all the salt up the Mississippi River at less than we could freight it across by rail. There is no question in my mind but what the output of this field would be greatly decreased if salt is admitted free of duty; aside from this I do not see any good grounds for it, nor do I know of anyone demanding it. To-day we are placing salt here on cars at 57 cents per barrel. The package and packing costs 30 cents of this amount, leaving but 27 cents for 280 pounds of salt or $1.73 per ton of 2,000 pounds.

Certainly the consumer is getting salt cheap enough; you can scarcely buy sand so cheap. A reduction of the output not only affects the manufacturer, but supplants that much labor in manufacturing, as well as in the production of the salt, the latter alone amounting to thousands of cars per annum to this point for the evaporation of the salt. It goes still further and reduces the revenue of the railroad companies; you can readily see that the loss sustained is widespread. The duties collected during the decade of 1873 to 1883 was $7,765,021.73; this was under the present duty. In 1868, when the duty was 18 and 24 cents per hundred-weight, the duties collected amounted to $1,136,175.36; with the reduction of duties the revenues were decreased nearly one-half million dollars, while the amount imported amounted to practically the same. In 1889 the revenues collected from salt were nearly one-half million dollars.

With the abolishment of this duty we lose all the revenue we now gain, and at the same time supplant labor instead of increasing it. As for the State of Kansas, last year we manufactured 1,080,000 barrels. This, for a new field is certainly surprising, and supplants anything in the way of development heretofore, and to have it absolutely crippled at this time when it is about the only industry, with the exception of lead, that Kansas is interested in in the way of dutiable goods, it looks to us as placing us at an unfair advantage as compared with Eastern manufacturers. I feel quite sure that the general public does not demand the removal of duty, and especially is this true of the people of Kansas. My recent letter to you and Mr. MARTIN was given to the press. I inclose you herewith copy of letter received from a gentleman at Fort Scott, Kans., which explains itself.

I will state that the letter referred to has reference to the printed communication to which the writer alludes:

You can see other people are interested as well as ourselves. This gentleman is an entire stranger to me. If there are any other facts that I can give you I shall be pleased to furnish them. Trusting that you will see your way clear to resist a reduction of the tariff in this particular, I remain

Yours, truly,

J. M. MULKEY, *Secretary.*

Mr. GALLINGER. What is the present duty on salt?

Mr. PEFFER. Twelve cents and 8 cents per hundred pounds, depending upon whether it comes in packages or in bulk. This is the letter to which Mr. Mulkey refers:

FORT SCOTT, KANS., *November 29, 1893.*

MY DEAR SIR: I have read your letter to the tariff committee, which is published in the papers, with a good deal of interest and appreciation, but if you will pardon the assumption, I do not think you put the case as strongly as the occasion demands; the idea that anybody is going to be benefitted by the placing of salt on the free list is the veriest humbug. Who is demanding it, and who is to be benefitted by it? Not the laboring man, mechanic, store-keeper, professional man, or any housekeeper, for scarcely a family in these United States will use a dollar's worth of salt in a year.

Not the farmer either, for stock salt is delivered in the lump almost as cheap as stones; not the packing houses, who sell all the salt they use at the price of salt meat; in fact nothing that is sold as merchandise in any store is as cheap as salt, and to place it on the free list is to kill off a most important industry, which is of great value to the State of Kansas, as well as to Michigan, New York, and West Virginia, without any corresponding benefit to any class of people; it is not like sugar or wool, or other articles of necessity, of which it can be claimed that the loss of the producer is more than counterbalanced by reduced prices to consumers, for salt is so cheap now that no one feels the price that he pays for it. I have failed to find any reason given by an intelligent man for placing it on the free list, and I hope you will fully expose the humbug that the so doing is going to benefit anybody.

Sincerely yours,

F. B. RAY.

J. M. MULKEY,
Secretary, Hutchinson, Kans.

The point that is made by both of these persons and which I make in their behalf, I say to Senators, is not with the expectation of making salt any cheaper to the people whom I am proud to represent, but in order that the area of territory in which the manufacturing interest which I represent may be enlarged or that at least their present territory may be saved to them. If the duty on salt is entirely removed and the foreign article comes in without paying taxes of any kind, then the lines which our people now enjoy will be gradually withdrawn and a large part of the territory which they now supply with salt will be cut off.

Mr. President, I have presented their case plainly, fully, and sincerely, and I trust that the Senate will act favorably upon it.

Mr. ALLISON. Before the Senator from Kansas takes his seat I should like to ask him the extent of the salt deposit in Kansas. I think he has not stated that as fully as he might.

Mr. PEFFER. I stated the depth of the bed. The thickness of the salt deposit is about 350 feet. That is the average where it has been bored through in different places. As to its extent, how much territory it covers, we do not know, but I am confident that it is not less than 150 miles extending north and south, probably 30 miles east and west, and it may be more. It extends across away up into the Sullivan Valley. The Indians were making salt in that region before white men came there by simply gathering the deposits from the evaporation of the sun.

Mr. ALLISON. Then the deposit is practically inexhaustible.

Mr. PEFFER. Yes, sir; it is practically inexhaustible. My attention has just been called to the production of salt. I mentioned that we began only in 1887, and that we have now increased our production to considerably over a million barrels a year. By the kindness of the Senator from Connecticut [Mr. PLATT], I have the annual production before me. In 1888 the production was 155,000 barrels. That was the first year of our production. In 1889 the production was 450,000 barrels; in 1890 it was 822,666 barrels; in 1891 it was 855,536 barrels, and in 1892 it was 1,480,100 barrels.

Mr. HOAR. Is the Senator giving the production of the State of Kansas?

Mr. PEFFER. Of Kansas alone. In addition, we are producing a very large quantity of fine table and dairy salt, which is put up in small packages and is not included in this barreled salt at all, nor does it include the rock salt that is sold in large chunks to men who raise stock. The salt is laid down in the field or put in troughs so that the cattle may lick at it as they pass without spreading it in the grass, as we did formerly with the lower grades of salt. The product of dairy and fine salt last year amounted, as I read to you, to over 2,000,000 packages. So the development is wonderful in extent. I think it not only fair, but I think it right in every sense of the word that the territory in which my people operate shall be protected.

Mr. QUAY. Mr. President, I desire simply to supplement the argument of the Senator from Kansas [Mr. PEFFER] by a statement furnished me on behalf of the American salt industry. They say:

Until ten years ago our coast cities and towns, and those adjacent thereto, were very largely dependent upon foreign sources for their supply of salt.

In 1884 the importations of salt amounted to 454,488 tons, and the total American output 814,367 tons.

Of the latter amount New York State produced 250,000 tons, and was the main domestic source of supply of the Eastern, Middle, and South Atlantic States. Domestic common salt then sold in New York City for about $5.50 per ton and Liverpool common for about $6.50 per ton, and the same salts are now sold for $4.50 and $5, a decrease in price of 18 per cent on domestic salt and 23 per cent on imported salt. In 1884 the domestic manufacturers did not make a salt satisfactory to the salters of hides, and this trade had to pay from $8.40 to $8.96 per ton for the imported coarse salt.

In 1887 a salt was made in this country that was suitable for the hide trade and was sold for $6 per ton. When it was found that this salt gave entire satisfaction for hides the importers met the reduced figures, and prices on both grades were reduced to $5.50. It remained at this price until domestic competition further reduced the price on this grade to $4.50.

The development of the American salt industry in New York has therefore effected a saving to the beef trade of nearly 50 per cent on the cost of their coarse salt.

The large buyers of salt, even in our coast cities where the greatest saving would apparently be effected, are not asking for free salt; on the contrary, some of the largest, D. H. Sherman and Joseph Eastman, are even protesting against the removal of the duty, believing it to their interest as buyers of salt to have the American industry given adequate protection.

That free salt would effectively drive the domestic article from the seacoast is made manifest by the operation of the clause in the present tariff law, giving the deep-sea fishermen on the coast free salt. For years the American manufacturers have made every effort to sell the fish trade at Gloucester and other New England towns, as well as the Potomac Region, and although the American salt is perfectly suited for this purpose, as proved by its extended use on the Great Lakes, they have never been able to compete with the foreign product in price, and to-day not a pound of domestic salt is being used for curing fish on the Atlantic coast.

We do not allude to this fish question with any intention of advocating that a duty be charged on salt for this trade, but quote it as an example of what would surely happen with all trade on and near the coast if salt were admitted free. But why is imported salt able to drive out our domestic product?

Can the foreigner make it so much cheaper than can we? No. Our companies can, notwithstanding their higher cost of labor and fuel, produce their salt practically as cheap as it can be made in England or in any country not favored by a hot tropical sun. Then, why do they ask protection? Because the British Salt Union can ship their salt as ballast from the works near Liverpool to New York City at a total cost for transportation of 3 shillings, or 72 cents per ton, and the American producer has to pay $2.25. Salt is carried from Liverpool to New Orleans for 3 shillings, or 72 cents per ton, and the freight from the salt works within one or two hundred miles of that city is, I believe, $2 per ton. The British Salt Union can land their salt in Boston at a total freight cost of 2 shillings, or 48 cents per ton, and the freight on domestic salt is $2.69.

It is to protect them against these ballast freight rates that the domestic salt companies ask protection. They do not ask for a duty that will enable them to sell the fish trade, or secure trade that they have never before had, but simply ask for a sufficient duty to partially overcome the enormous advantage the foreign manufacturer has in freight rates, and give them some chance to retain the trade they have had for some years.

I intended to read also the statement of the Onondago Coarse Salt Association and a memorandum of the New York Salt Association, but if there be no objection I will ask that they be printed in the RECORD without reading.

The VICE-PRESIDENT. Is there objection? The Chair hears none.

The matter referred to is as follow:

REPLY TO CIRCULAR LETTER OF COMMITTEE ON FINANCE, UNITED STATES SENATE, RELATIVE TO CUSTOMS LEGISLATION.

To the honorable the Finance Committee of the United States Senate,
Hon. D. W. Voorhees, chairman:

Having been kindly furnished a copy of a "Circular Letter of Inquiry, No. 1, Manufacturers," of your honorable committee, bearing date of December 20, 1893, we beg leave to submit the following for its consideration:

We desire to answer said inquiry generally, hoping that our position may be thus the better understood. The persons and companies who compose our association are the manufacturers of what is known as "coarse salt," produced by solar evaporation on the Onondago salt springs reservation at and about Syracuse, N. Y. There is a total capital of more than $2,500,000 employed here in this industry, and many laborers.

We favor the retention of the present "specific duty" on salt, which is 8 cents per 100 pounds on salt in bulk and 12 cents on salt in packages.

The salt imported into the United States comes, in the main, from England, the Mediterranean, and the West Indies, and is sent from those countries chiefly as ballast for vessels seeking here return cargoes, being taken at nominal rates of freight. The wages of the English salt-maker are from 50 to 60 per cent lower than ours. The great bulk of the West India and Mediterranean Sea salt is obtained from the so-called lagoons, requiring no labor except that which is incurred in the harvesting of it.

Prior to 1857 the salt manufacture in the United States was almost wholly confined to the Onondaga salt springs, in the State of New York, and to the States of Virginia and Ohio. Since that time, beginning with the discovery and use of the wells at Saginaw, in Michigan, salt has been found, either in salt wells or salt rock, over most of the States and Territories of the Union, notably over almost the entire surface of Western New York, the whole peninsula of Michigan, in the northern part of Ohio south of Lake Erie, Southwestern Louisiana, Kansas, Nebraska, California, Utah, the province of Ontario, Canada, on Lake Huron, Lake St. Clair, and St. Clair River.

The struggle for a market between the producers of domestic salt has lowered the price to a point where, at the present rate of wages, the business can not continue, especially if the duties on imported salt are removed, for to-day salt can be, and actually is, landed at New York and other places from foreign ports at a freight less than it costs us, only 300 miles distant, to put our product there.

The consumption of salt in this country follows closely the population, and to-day 65,000,000 bushels, of 56 pounds, is our requirement. There are to-day in existence in this country salt works enough to make twice the above amount, if required, and the wells and mines already developed are sufficient to supply the world's demand for centuries to come without exhaustion, and at a price to the consumer far lower than it will ever be if domestic manufacture goes to the wall in its double strife with home competition and free foreign salt, as it inevitably must, unless labor is greatly cheapened.

The present duty of 8 cents per 100 pounds barely permits our salt to reach tide water and compete with the foreign article without profit.

We are utterly driven from the market of salt for use in the deep-sea fisheries and packing of meats for export, where the use of foreign salt is now free by act of Congress, although the universal testimony of the fishermen and packers is that our salt at the same price would drive out the foreign article by reason of its acknowledged superiority.

The report from Washington for 1892 gives as the export of salt from the United States, 93,000 bushels, while in the sixties, before the discovery of brine at Goderich, Canada, on Lake Huron, the annual export to Canada alone from the Onondaga salt works had reached 625,000 bushels. Now there is no export, and free salt could be brought into Central and Western New York and laid down at the very doors of its manufactories from the practically inexhaustible wells of Canada at a far cheaper rate than the present cost of labor in its production at our wells and mines.

England to-day actually forbids the manufacture of salt in her East India empire, which has not only a very extensive seacoast and numerous islands with a great number of lagoons well adapted for the manufacture of sea salt, but rock salt in inexhaustible quantities; and she excludes peremptorily the use of any salt except that made and exported in English vessels from England, or made in her East India empire for the Crown, and levies a tax on both, yielding a revenue only second to the land tax. Spain, France, and Italy, the three great producing countries of the Mediterranean Sea, exact an enormous excise on the domestic use of salt, and forbid absolutely the importation of any foreign article, while all permit and foster, without charge of excise, the exportation of this commodity. The result of the policy of these nations is that the cost of salt to the ordinary citizen consumer of their countries is largely in excess of its cost to the citizen of the United States.

But not long will it be so, when salt shall be admitted free, when our even now struggling industry shall be paralyzed or destroyed in an unequal competition with the cheaper product of foreign cheaper labor. We will then soon be made to pay to the English Salt Union the price which it exacts elsewhere.

Salt is an article of prime necessity, like the elements of air and water. Nothing can fill its place in the human economy; the supply from foreign sources is always precarious, depending on the accidents of peace and war, on blockades and other circumstances; domestic capital and industries should therefore receive at least so much encouragement in any system of commercial regulation as will secure in all circumstances the national independence in a point of such vital concern.

It ought to be considered that salt fitted for commerce and use is preeminently the result of combined labor and capital; of capital applied in the erection of expensive plants; and of labor employed in the process to which the crude material is subjected. In the commercial value of this article no appreciable estimate is made of the brine in its native condition. The cost of salt in the market is simply the cost of the capital and labor used in the production; and the protection offered to it by revenue and the tariff laws is precisely the same in principle and in fact as that afforded to any other branch of manufacturing industry. It seems necessary to state this because it is contrary to a received impression among those who have little or no acquaintance with the subject.

By many persons salt is supposed to be one of the bounties of the Creator, ready prepared for the use of man, requiring neither capital nor skill, and only labor enough to gather it up like manna in the wilderness. Their delusion has inspired no small amount of ignorant and empty declamation against the impost duty on the article. It is wholly a delusion. Salt is a bounty of the Creator in the same and only in the same sense as a thousand other things bestowed on man by a beneficent Providence, which must be transmuted by capital, labor, and skill into shapes and forms fitted for the economy of human life. More than most other things its value in commerce and its adaptation to use depend on the capital of the producer and the labor and skill which he employs. Why then, we ask, should a discrimination be made against this article in a system of commercial laws and regulations enacted, whether for protection or revenue, or for both?

The competition between our different domestic interests, and between them and foreign salt, insures the utmost moderation in the price of the article. A repeal or material reduction of the tariff would bring blight and paralysis upon this branch of industry. The duty is the precise advantage which it enables to compete with the foreign article in the great markets of the country. The loss of this advantage would be fatal, and we would be forced to retire from the competition.

The first effect of the removal of the duty might be to reduce the price of foreign salt in the competing markets; but that effect would be transitory merely. It would take place in the interest distinctly of the importer, and result in his gaining possession of the market. Domestic salt would not, perhaps, wholly disappear from the country, but the foreign product would have undisputed control on the seaboard, in the great cities and adjacent country, on the tide waters and the navigable rivers.

Domestic commerce in this article, if it existed at all, would shrink into strictly interior territory, pressed closely even there by its rival. But what then? Importers are not understood to be beings of angelic nature. Sole possessors of the chief markets, it is inconceivable that they would not accept all the advantages of the situation. Competition is the great regulator of prices and the best guaranty for moderation which the consumers of manufactured articles can possibly have. The duty once removed, domestic salt could not longer compete with the foreign in our markets, and the consumer here at home would have to submit as best he might to the exactions of the foreign producer and the importer.

We would not be understood as advocating a high protective tariff, or even a tariff for protection rather than for revenue. We are of different political parties. We assume that there must be tariff laws at least for revenue. In any revision of them some discrimination will be found expedient in order to the incidental protection of domestic industries. We contend that in all legislation upon this general subject domestic salt presents the very highest claim to a favorable consideration.

Salt is now one of the cheapest articles of commerce, especially when the relative cost of labor entering into its manufacture is considered. We by no means concede that a repeal of the duty on it would make it any cheaper to the great mass of consumers; the contrary, we think, is plainly true.

We contend for a tariff on salt because the imported article competes most injuriously with the manufacture of our own people. While tariffs are levied, whether for revenue or protection, we ought not to be singled out for sacrifice to appease the interested clamor of a particular class of foreign producers and importers. Rather, we say, give us a free-trade system, and restore to us the antewar prices of labor and of other things which enter into the cost of the article we produce. But since this can not be, let us not be made the victims of a selfish raid against one of the interests which most needs and should have the benefit of the national legislation.

The above statement is approved by and made on behalf of all the manufacturers of salt on the Onondaga salt springs reservation, Onondago County, N. Y.

Very respectfully, etc.,

THOS. MOLLOY,
Secretary of the Onondaga Coarse Salt Association.

SYRACUSE, N. Y., *February 7, 1894.*

RELATIVE TO THE DUTY ON SALT.

FEBRUARY, 1894.

The salt industry of the United States represents an invested capital of over $20,000,000.

In 1882 the domestic production was about 812,000 tons.

In 1892 the domestic production was about 1,637,000 tons, showing an increase in ten years of over 100 per cent.

In 1882 the importation was 364,000 tons.

In 1892 the importation was 176,000 tons, showing a decrease in ten years of over 50 per cent.

To demonstrate the necessity and the advisability of retaining the present duty on salt, we propose to herein briefly prove three general facts:

First. That since the establishing of a duty sufficient to enable the American manufacturer of salt to cope successfully with the foreigner, prices have dropped very materially, and that these prices will remain low as long as domestic competition continues.

Second. That the removal of the whole duty on salt, so long as the condition of freights remain as they have for the past five years, must result in the severe crippling of all and the closing up of the large majority of the salt works in the eastern part of the United States.

Third. That the existing duty is not an appreciable tax on anyone, and that its removal would not result in prices to the ordinary consumer being lowered a particle.

To take up our first statement:

In 1860 there was practically no duty on salt, and the average price was about $3 per barrel.

The Michigan salt industry was established this year, and in 1862 a duty of 18 cents per 100 pounds bulk and 24 cents in sacks was imposed.

The price steadily dropped as domestic competition increased, and in 1866 the average selling price was $1.80 per barrel.

In 1872 the duty was reduced to the present rate of 8 cents per 100 pounds in bulk and 12 cents per 100 pounds in packages.

In 1883 the selling price was reduced to 81 cents per barrel on account of the competition arising from the development of the salt fields in Western New York.

Improvement in the methods of manufacture, and the increasing competition, have steadily reduced the price until in 1893 the average selling price at the works of common salt was not over 53 cents per barrel of 280 pounds, and this price includes the barrel, which costs about 25 cents.

In 1883 England exported to this country 239,459 tons, and the selling price on common salt was 81 cents per barrel.

In 1893 England exported to this country 60,056 tons, and the selling price was 53 cents per barrel.

The selling prices on all grades of salt in this country have been reduced in direct proportion as the importations of competing grades have been decreased.

The salt works and mines in New York, Michigan, Kansas, Ohio, West Virginia, and Louisiana alone, if steadily worked ten hours per day, could produce ten times the amount of salt consumed in the United States.

This enormous capacity of production and the ease with which new works can be established make it impossible that prices can be advanced to yield more than a very moderate profit on the actual capital invested.

In confirmation of our second statement that the removal of the whole duty on salt would close up a large majority of the salt works in the eastern part of the United States:

In the year 1892 the States of New York and Louisiana, whose chief markets are the coast and tributary points, produced nearly two-fifths of the entire production of the United States.

For many years foreign producers of salt have enjoyed the benefit of having their goods brought to this country as ballast at nominal rates of freight.

Salt is imported to this country from three general sections: From England, from the West Indies, and from the Mediterranean ports.

First. Salt from England.

England exports to this country nearly all grades of salt, the principal being "rock" salt, "common" evaporated salt, and the finer grades of dairy and table salt known as "factory filled."

The principal salt works in England are in Cheshire, on the river Weaver, about 15 miles from Liverpool, and the salt is transported by water to Liverpool by the salt companies on their own lighters at very small expense.

The ninth (last) edition of the Encyclopædia Britannica, published in 1888, under heading of salt (volume 21, page 233), says, speaking of the Cheshire district:

"The price of salt at the works may be said to range from 4*s.* 6*d.* to 6*s.* per ton, the former being less than the cost price as given before the British parliamentary commission in 1881. It is there stated to be: Brine, 6*d.*; labor, 10*d.*; fuel, 3*s.*; rent, interest, etc., 1*s.*; total, 5*s.* 4*d.* Thus the margin of profit is but small, almost the only gain being said to accrue from the lightering, most of the salt manufacturers doing the carriage in their own flats."

Vessels from Liverpool for United States ports want salt for ballast, and bring it at a nominal rate of freight. The highest freight for sailing vessels we have heard of from Liverpool to New York during the last two years is 3*s.* 6*d.* per ton. Many cargoes have come for 1*s.*, and the average is about 2*s.*, or 48 cents, per ton of 2,240 pounds.

Small lots of sacked salt by steamer pay as high as 7*s.* 6*d.*, but the regular lines are generally ready to take it for 5*s.*, and the "tramp" steamers for considerably less.

Freights to Boston are much lower than to New York, steamers taking salt right along for 1*s.* per ton, and large quantities have, during the past year, been carried from Liverpool to Boston by steamer free of freight.

Sailing rates from Liverpool to Philadelphia are a little higher, averaging about 2*s.* 6*d.* per ton (60 cents).

H. E. Falk, salt merchant, of Liverpool, issues each month Falk's Salt Circular, which is accepted in all parts of the world as the authority on prices, freight rates, etc.

The rates quoted in these circulars substantially confirm our own data.

The average freight rates for the last four years were about as follows:

Steam: New York, 5*s.*; Boston, 1*s.* 6*d.*; Baltimore, 4*s.* 6*d.*; Philadelphia, 6*s.* 10*d.*; New Orleans, 3*s.*; Savannah, 4*s.* 3*d.*; Wilmington, 3*s.* 9*d.*; Norfolk, 3*s.*

Sail: New York, 2*s.*; Philadelphia, 2*s.* 6*d.*; San Francisco, 12*s.* 6*d.*; Savannah, 2*s.*

When the present rate of duty was enacted in 1872, the average sailing freight rates from Liverpool to our North Atlantic ports were 15*s.* ($3.66) per ton, and the steam rates ranged from 18*s.* to 21*s.* ($4.40 to $5.12).

These freight rates amounted to an additional protection to domestic salt.

Large quantities of salt for Chicago, Duluth, and other ports on the Great Lakes are shipped on a through bill of lading from Liverpool, are brought by steamer to Montreal, and thence via Canadian railways and lake transportation to destination.

Second. West Indies.

The second general section from which salt comes to the United States is the West Indies, including Turks Island, St. Martens, Curacoa, etc. The salt from this section is "solar-evaporated" sea salt—*i. e.*, salt made from sea water by evaporating it by the natural heat of the sun. This process of salt-making can not be profitably used in this climate, but in the hot southern latitudes, assisted by labor which costs but a few cents a day, salt can be made by this method for about 75 cents a ton.

A part of the salt coming here from the West Indies is brought by the owners of vessels to provide the vessel with ballast and sold here for "vessel's account." The difference between cost and selling prices, minus the duty, is credited as freight. This ranges from 4 to 7 cents per bushel, the average being about 6 cents per bushel, equal to $1.68 per ton.

With the duty removed the owners of vessels would venture in this direction to a much larger extent than at present, and, not finding a ready purchaser on arriving at any of our seaports, would, rather than put the salt in store, offer it at prices that would demoralize the market, to the great detriment of all depending upon it as an outlet for a constant production.

Third. Spanish and Mediterranean ports.

The third section includes Spanish and Mediterranean ports. The methods of manufacture there are the same used in the West Indies, and labor but little higher. The average freight rate from the Spanish ports is about 4*s.* per ton, and from Mediterranean ports from 1*s.* to 2*s.* higher.

Italian vessels can easily afford to bring salt from the Mediterranean freight free, as their Government pays them a handsome subsidy, which they do not receive unless they carry a merchantable cargo.

DOMESTIC SALT.

The larger part of the domestic salt used at all the seaports or tributary points on the North Atlantic coast of the United States is produced in New York State.

There are two principal salt districts in the State—the Syracuse region and the Western New York salt fields, located in Wyoming and Livingston counties.

The former have an advantage of being on the line of the Erie Canal, which enables them during the canal season (May to November) to get their product to New York City at an average freight of about $1.20 per ton; but they are at a disadvantage by having a weak brine, for which they have to pay a royalty to the State, and a high-priced fuel.

Nearly all the money invested in salt works in New York State during the past ten years has been used in developing the Western New York fields.

When canal freights are very low salt can be shipped from this district by railroad to Rochester, and thence to New York City by canal at cost of about $1.85 per ton of 2,240 pounds, but for certainly eight months of the year the companies in western New York are dependent upon railroads, and have to pay $2.25 per ton to New York, Philadelphia, and Baltimore; $2.69 per ton to New Haven, Boston, Providence, and Gloucester; $3.47 per ton to Portland, Bath, etc., and $3.25 to $6 per ton to Southern ports.

The average freight on imported salt is at least $1.50 per ton less than the average freight from the New York Salt Works to Boston, New York, Philadelphia, and Baltimore.

The average cost to the importer of foreign salts landed in New York, Boston, Philadelphia, or Savannah, duty paid, is about as follows:

Liverpool ground, $4.70 to $5 per ton, 2,240 pounds.

West Indies, $4.95 to $5.60 per ton, 2,240 pounds.

Mediterranean, $3.96 to $4.48 per ton, 2,240 pounds.

Deducting the present duty of 8 cents per 100 pounds, or $1.78 per ton, as proposed in the Wilson bill, the cost of imported salt would be reduced to, f. o. b. New York City to, say—

Liverpool ground, $2.92 to $3.47 per ton.

West Indies, $3.16 to $3.81 per ton.

Mediterranean, $2.13 to $2.69 per ton.

To meet these prices in New York City salt must be sold for less than $1 per ton f. o. b. cars at the works.

In Philadelphia and Baltimore the conditions are practically as in New York, but in Boston, Portland, and the South, domestic salt would be at a disadvantage even greater than in New York.

By comparison with the cost of manufacturing salt in England (as given before the Parliamentary Commission), where labor and fuel are much lower than here, and considering the amount of work necessary to mine, hoist, screen, and grade a ton of salt, it is self evident that this price is far below the lowest possible cost.

Salt can be brought from Liverpool to New York for, say, 48 cents per ton, and as this amount includes discharging, it can without any expense be loaded on a canal boat and during most of the canal season carried to Buffalo for 55 cents per ton. Therefore, for $1.03 per gross ton English salt can be carried from Liverpool to Buffalo. Our lowest freight to Buffalo is 59 cents per ton, and as all our Western shipments are made via this port on salt shipped to Cleveland, Chicago, St. Louis, Kansas, and all Western points, we would have an advantage in freight of only 44 cents per ton.

With domestic salt practically excluded from the seacoast the slight advantage of say 44 cents per ton, gained in shipments to Buffalo and the West, is entirely inadequate to enable us to compete successfully with the foreign producer, who will be willing to sell his surplus salt in the Western markets without profit, or even at a small loss.

The cost of producing salt being made up almost entirely of labor, a reduction in wages is the only means by which the present cost could be reduced.

The present duty of 8 cents per 100 pounds, or $1.78 per ton, is barely sufficient to enable domestic salt to compete with foreign, and with this duty removed it must result in effectively shutting out domestic salt on our coast and eventually closing most of our salt works.

There is a provision in the present tariff law that enables the deep-sea fishermen on our coast to get the salt for curing their fish free of duty, and the operation of this provision is the best proof we can offer of the inability of the domestic producer to compete with free salt.

American salt is perfectly suited for curing fish. It is used exclusively on the Great Lakes with perfect results, and when, due to some extraordinary cause, such as the wrecking of several salt-laden vessels, a shipment of domestic salt has been made to the coast fishermen, it has given perfect satisfaction.

For years the American salt companies have made every effort to sell the fish trade at Gloucester and other New England towns, as well as the Potomac region, but they have never under ordinary circumstances been able to meet the importers' price, and to-day not a pound of domestic salt is being used in this extensive industry.

The argument has been made that the greater part of the salt imported has to be stored, and 50 cents per ton is thereby added to the cost. It is true that a part of many cargoes is stored, but it is generally the case that the greater part of the cargo is sold before the vessel arrives, and is either taken by the purchaser direct from the vessel's side or stored for his account and accommodation. Storage charges are common to both importer and domestic dealer, as no salt dealer can conduct a business of any extent without constantly carrying a stock at the principal points of consumption and distribution.

Salt imported by the regular steamers is seldom, if ever, stored, but is distributed direct from the dock.

IN CONFIRMATION OF OUR THIRD STATEMENT, THAT THE PRESENT DUTY IS NOT AN APPRECIABLE TAX ON ANYONE.

Salt for commercial purposes.—For commercial purposes salt is largely used for packing meats, salting hides, curing fish, freezing ice cream, and in the manufacture of chemicals, soap, and glass. For all of these uses the cost of salt would not average more than 1 per cent of the total cost of supplies and materials used, and therefore a little higher or lower cost to the packer or manufacturer is a matter of trifling importance.

Table salt.—The argument is used that salt is a necessity of every poor man in the land.

A family of four to six persons use on the average 75 pounds of salt per year. The present duty on this amount is 6 cents; so if a family benefited by the full amount of duty proposed to be removed a saving of 6 cents per annum would be effected.

They usually buy their salt in 3-pound bags. The cost of the salt in a 3-pound bag is practically nothing, the selling price being made up almost entirely of the cost of the bag, labor of filling, weighing, and sewing same, and the handling and profit of the salt jobber (not the manufacturer), the wholesale grocer, and the retail grocer. A 3-pound bag of salt retails for 5 cents; the removal of the duty would reduce the cost one-fourth of a cent. As our currency is not of a denomination to make possible a selling price of 4¼ cents, it is quite evident that the cost of a small bag would not be reduced to the consumer.

Dairy salt.—Dairy salt is imported in packages and therefore pays a duty of 12 cents per 100 pounds. The extra 4 cents per 100 pounds is added as a duty on the fine linen sacks in which this grade of salt is imported; consequently the duty on the salt is but 8 cents per 100 pounds.

One pound of salt will salt 16 pounds of butter. A reduction of the full amount of duty would effect a saving to the farmer of 1 cent on every 200 pounds of butter salted by him, and even this trifling reduction would result to the benefit of the dealer and not the farmer, as in the case of table salt.

In the seaboard cities the dealers and large consumers, who can take their salt in quantity from the vessel, would effect a slight temporary saving on the cost of their salt.

The average selling prices for several years on the cheaper grades of domestic salt have been about $4.25 per ton for mineral salt and $4.75 per ton for evaporated salt.

If forced to sell below these prices the American works must sooner or later shut down, the time depending only upon the amount of money they are willing and able to spend in continuing a hopeless fight with the importer.

A condition would soon exist when the British Salt Union, which has already made several ineffectual attempts to gain control of the industry in this country, could buy up some of the salt works for a mere song. These they could operate, and could well afford to sell below cost at those points where the domestic salt still had a fighting chance, and by that means close all the salt works in the States adjacent to the coast.

The price would then be advanced, and we would in the Eastern, Middle, and Southern States be entirely dependent upon foreigners for our supply of that most necessary article.

If there are to be any import duties in this country, whether for protection or for revenue, we contend that the salt industries have the very highest claims for your consideration.

There is no salt trust in this country; the most moderate profits only have been made in recent years in this trade; the selling prices have never been advanced by pools, combinations, etc., and the average selling price is far cheaper than that of any other manufactured article produced in this country.

Common coal and sand are the only articles we can think of that are sold as cheap as salt.

Nearly 70 per cent in value of the dutiable salt imported to this country in 1892 was shipped by one company (the British salt trust), represented in this country by a single firm.

There is no intelligent demand for a reduction in the duty on salt, and the only beneficiaries under such an act would be the British Salt Union and the salt merchants in the West Indies and Mediterranean.

We therefore pray that the honorable Senate of the United States will give this important matter their most careful consideration before sacrificing an industry of most vital importance to the whole country.

GEO. H. SMITH,
SAM'L T. KERR,
EDWARD W. BROWN,
Representing the Salt Industry of New York State.

(Output in 1893, 485,000 tons evaporated salt, 125,000 tons mineral rock salt.)

Mr. PLATT. Mr. President, I do not think we ought to make salt free. I think we ought to have a reasonable duty on salt. I really do not know of anybody who of late has asked to have the duty removed, except the importers. If Senators will take the replies to tariff inquiries found in Bulletin No. 40 they will see that from all the States in which salt is manufactured the universal statement of the salt manufacturers is that the duty ought to be continued. In that bulletin the matter is discussed for 73 pages. If Senators will look at it they will be convinced, I think, that the importers and the manufacturers fought this matter out before the Committee on Ways and Means, and that the importers won the day. As I look at the replies to these inquiries that is just exactly all there is to this matter. The salt manufacturers of the United States united in a memorial which runs through ten or twelve pages of the bulletin. I am not going to read it or ask to have it inserted in the RECORD, but I wish to read the three propositions which they say they will demonstrate and prove. They ask to have the duty retained on salt. They say:

To demonstrate the necessity and the advisability of so doing we propose to herein briefly prove three general facts.

First. That since the establishing of a duty sufficient to enable the American manufacturer of salt to compete successfully with the foreigner prices have dropped to one-fifth of what they were in 1860; that salt is now the cheapest manufactured article we have (10 pounds for 1 cent for common salt), and these low prices will continue as long as domestic competition continues.

Second. That owing to the ballast freight rates enabling the British manufacturer to transport his salt from Liverpool to the United States for less than one-fourth the freight from any domestic works to the coast, the removal of the whole duty on salt must result in the severe crippling of all, and the closing up of the large majority, of the salt works in the Eastern part of the United States.

Third. That the existing duty is not an appreciable tax on anyone, and its removal would not result in the prices to the ordinary consumer being lowered a particle.

There are the three propositions which they set out to prove, and in reading the memorial which has been introduced and printed here as a document, I insist that they most abundantly prove and maintain the truth of those propositions.

Mr. President, another matter struck me; that is, that the salt manufacturers in Louisiana are in favor of a duty on salt. Myles & Co., of New Iberia, La., who have $500,000 capital invested, say:

Either kind of duty will do—

That is, ad valorem or specific—

but a specific or ad valorem duty is most vitally necessary to the salt industries of the United States, because they produce more salt than can be consumed, and free competition from abroad will curtail the market, and it is impossible to find a foreign market for American salt.

The Lone Star Salt Company, of Dallas, Tex., with an invested capital of $200,000, say:

A specific duty equal to the one now collected, say $2.40 per ton, is necessary to place Texas-made salt on a parity with the English article, because ships coming to Galveston from English ports for cotton bring large consignments of salt in sacks as ballast, on which little or no charge is made

Then they give the price of freights from Liverpool or England, and show that they can not compete with the foreign manufacturers; after which they say—and I wish to call attention particularly to this:

We wish to protest against the placing of manufactured salt on the free list. First, because it is already the least burden upon the "breakfast table," possibly, of any article of food; the burden is so light as not to be felt by even the poorest. So far as Texas is concerned, the increase in the cost of manufacture over Northern salt makes it impossible for us to seek a market north of the northern boundary of our State, much less at the halfway point. We are forced to seek a market towards the East, and are confined to a narrow strip of territory on each side of the Vicksburg, Shreveport and Pacific Railway in Louisiana, terminating at the Mississippi River; towards the southeast, in Louisiana, we are able to go halfway to New Orleans, on the line of the New Orleans and Texas Pacific; in our own State, 200 miles west, we strike the sparsely settled praires; towards the south, 200 miles, we go into competition with Liverpool salt, made by English workmen at wages one-half as great as paid by us, put up in bags costing less than our own, and brought to Galveston and New Orleans in ballast, at a cost of 12½ cents per sack, against a rail rate from our works of from 30 to 40 cents per sack to the same points.

Thus, you see, any advantage which is gained by manufacturing in large quantities is denied us. The comparatively recent discovery of salt in Texas and the short time since the establishment of our industry have made it impossible for us to obtain a strong foothold with our product, as against the old established and well known English article, so that competition with it is only possible under the most favorable circumstances and with the present amount of tariff.

Should the Senate vote to place salt on the free list, the result will be to destroy our industry. Interior manufacturers will not suffer, as rail freight rates will to some extent neutralize the reduction in the tariff, but with works so near the seacoast, and with the large number of cotton ships going out of Galveston and New Orleans, and loading English salt as ballast back, the situation as regards our investment is disheartening.

I call attention to the replies of these two manufacturers, one from Louisiana and the other from Texas, as showing that it is not Northern salt industries alone which are to be affected by the bill. If the sugar planters of Louisiana can obtain a duty upon sugar, why can not the salt producers of Louisiana and Texas have the duty retained upon salt? There is no duty on sugar now. The Senate places a duty of 40 per cent ad valorem upon it. There is a duty upon salt. The Senate proposes to remove it. The Louisiana Senators insist that for the sugar industry there must be a duty, whether revenue or protective. Why will they not insist that for the Louisiana salt-maker and the Texas salt-maker the duty shall be retained?

I refer only to these two replies. All the replies in this bulletin are very interesting. I will refer only to the reply of the Empire Dairy Salt Company, of Warsaw, N. Y., showing the wholesale prices:

Year.	Common fine (per barrel).	Dairy and table (per ton).
1884	$0.85	$6.00
1890	.60	5.00
1892	.55	3.50
1894	.52	3.00

That includes, for the barreled salt, the covering, the barrel, which is 28 cents, leaving salt without the covering at 22 to 24 cents a barrel.

Mr. President, salt is cheaper than sand. Astonishing as it may seem, I repeat, barreled salt is cheaper than sand. We have to use in all the cities sand which comes in barrels, and salt can be purchased cheaper than sand. If the industry in this country has succeeded in bringing salt to this low price, so

that it is cheaper than sand by the barrel, literally, to use a familiar phrase, cheaper than dirt, why should we do anything which the producers of salt insist will injure or destroy their business?

There has been no demand for the removal of the duty, as I said. I have the report of the Committee on Ways and Means of the House of Representatives, containing the views of the majority and the minority. I have been looking it over, and while the report dwells much on putting certain articles upon the free list, like wool, iron ore, lumber, and a variety of other articles of which it speaks, it does not mention the fact that the committee have put salt on the free list. It seems to cut no figure in the argument. I can not understand it upon any other theory than the one which I have named, that the importers ask for it; the producers of the United States object to it; the matter seems to have been fought out before the committee, and the importers won.

Mr. President, who is to gain by removing the duty from salt? Nobody. That is perfectly apparent. The poor men, the poor people of the country, who go to purchase their salt at the grocery store will not get one cent benefit from it in a year. That everyone knows. If they could get the entire benefit of the removal of the duty, it would not amount to 4 cents a year. The ordinary family does not consume, I imagine, more than fifty pounds of salt a year. The duty on salt is 8 cents per hundred pounds. If all of it could be given to the purchasers of salt, the family which uses salt would not get 4 cents a year benefit by the removal of the duty, while a family of five persons, if the duty which has been placed upon sugar is to be added to the cost of sugar, will be charged about $6.50 by reason of the duty. What compensation is it to that family to take the duty off salt? If they could get the entire benefit of the taking off of the duty, they might possibly get 4 cents in a year.

Mr. PEFFER. The Senator from Connecticut has been speaking about the cheapness of salt, and comparing it with sand. We are putting salt on board cars in Kansas at $1.89 a ton for the salt alone; that is, the salt exclusive of the casks in which the salt is placed. The barrel, including salt, is put upon the car at 57 cents, and the cask amounts to 30 cents. Deduct the 30 from 57, and you have 27 cents. There are 280 pounds in a barrel. Multiply it by 7, and you have $1.89 a ton as the cost of the salt alone put on the cars.

Mr. PLATT. That reënforces what I was saying, that salt is practically as cheap as dirt.

But there is another feature to which I wish to allude, and then I shall take my seat. This is purely a revenue duty. The salt which we imported last year paid a revenue of something like $400,000. I have not the exact figures before me, but that is near enough for the purposes of the argument. I have alluded over and over again to the strange desire of those who are in charge of the fashioning of the bill to get rid of our revenue. If there is any earthly reason why we should get rid of our revenue in the matter of salt, why we should relinquish the $400,000 which went into the Treasury from importations of salt last year, I am unable to discover it. I wish to confess my astonishment over and over again that the revenue derived from the duties on these articles, which, from the Democratic standpoint at least, are purely revenue duties, should be abandoned. I can understand the reason why those who are fashioning the bill should resort to an income tax and an additional tax on whisky or spirits.

That is done in order that we may not raise money from customs where the customs duties would be protective. That is the object of the income tax; that is the object of the additional tax upon spirits. It is because the party in power will not by protective duties raise the money which they ought to raise for the expenses of the Government. But I do not see exactly how that motive should lead to the abandonment of the revenue that comes to us from these articles which from the Democratic standpoint have a purely revenue duty upon them. Perhaps the reason is the same. Throw away what they call purely revenue duties, put the tax on incomes, put the additional tax on whisky, and then there will be so much less money to raise by incidentally protective duties upon our manufactured articles.

Mr. President, I hope the amendment proposed by the Senator from Kansas [Mr. PEFFER] will be adopted.

Mr. HAWLEY. Mr. President, wherever there is an opportunity for capital and enterprise you are sure to find some men from New England, New York, New Jersey, and Pennsylvania in the western parts of our great empire. I have respected constituents who are somewhat interested in the production of salt, and I will put into the RECORD a few observations and interesting facts.

Prior to 1857 the salt manufacture in the United States was almost wholly confined to the Onondaga salt springs in the State of New York and to the States of Virginia and Ohio. Since that time, beginning with the discovery and use of the wells at Saginaw, Mich., salt has been found either in wells or rocks over most of the States and Territories of the Union, notably over almost the entire surface of Western New York, the whole peninsula of Michigan, the northern part of Ohio, Southwestern Louisiana, Kansas, Nebraska, California, Utah, the province of Ontario, Canada on Lake Huron, Lake St. Clair, and St. Clair River. So the production of salt has become very general.

The competition between the makers, with the assistance of a very small duty on foreign salt, has brought the price so low in this country that many of our establishments have given up the business, and many more would do so if this duty shall be removed, especially those within easy reach of tide water, where the foreign competition would rush in. Ultimately I think it is quite probable, as the writers of a brief memorial before me prophesy, there will be an increase in the price of common salt by reason of foreign competition and a halt in domestic production.

Now, where does the salt come from that would compete with us? In the main from England, the Mediterranean, and the West Indies, sent from those countries chiefly as ballast for vessels seeking cargoes here. That is not an unusual experience. Foreigners will put down granite or sandstone in the harbor of New York from across the Atlantic cheaper than we can send it from the Connecticut River or the Sound shore to New York, and while we pay freight on it abroad the ship is glad to get it, for it is better than the ordinary ballast, which they would be obliged to carry from the New York wharf and dump in some appointed place, whereas when salt or granite serves as ballast the consignees are glad to take it at the wharf.

The English salt-maker works for from 50 to 60 per cent of the wages received by our salt-makers, and he will have his salt carried 3,000 miles for nothing. It seems ridiculous at first thought that we should have successful competitors 3,000 miles away in so cheap an article and so heavy in proportion to the money involved, but it is a fact.

Here is another extremely interesting fact in connection with this matter when considered in the light of the claim that Great Britain rejects protection, and is a successful, practical example of the free-trade doctrine. England to-day actually forbids the manufacture of salt in her East India empire, where there are near 300,000,000 people, and salt is absolutely essential to the enjoyment of their fish and rice diet. The exemplar of free trade forbids the manufacture of salt in the East India empire, which has a very extensive seacoast, as school boys know, and numerous islands, and a great number of lagoons well adapted for the manufacture of sea salt, and for rock salt in inexhaustible quantities. She excludes peremptorily the use of any salt except that made in her empire and exported in English vessels from England or made in her East India empire for the Crown, and she levies a tax on both kinds of salt second only to the land tax.

I can not imagine a more cruel and senseless form of oppressive taxation than Great Britain is imposing there on a people who work for next to nothing, struggle desperately for a livelihood, and experience an occasional famine. If there is anybody who thinks England is especially the type of political wisdom, I commend to him this attempt of England to protect her own industries in one section of the empire by the cruel torture of her people in another section.

The memorialists whose pamphlet I hold in my hand here are very reasonable men I think. They say they would not be understood as advocating a high protective tariff, or even a tariff for protection rather than for revenue. They are of different political parties. They assume that there must be tariffs at least for revenue; that in any revision of them some discrimination will be found expedient in order to the incidental protection of domestic industries; they contend that domestic salt presents a claim for favorable consideration; and they contend for a tariff because the imported article competes most injuriously with the manufacture of our own people.

I will read two of their answers to the inquiries sent out by the Finance Committee. These come from the Ohio and West Virginia Salt Association. I presume some of my constituents have stock in the association. Inquiry 18:

What component materials of your manufacture are, to you, raw materials?

Answer. Our cost is composed of labor almost entirely. No allowance is made for the salt in the earth or for the coal before it comes from the mines.

So, as near as one can calculate it, it is mathematically true that the whole of it is labor. They proceed:

The mining of the coal used is about 17 cents for a barrel of salt; the furnace labor, repairs, and expense, about 20 cents; the cooperage manufactured, about 22 cents (no allowance is made for value of timber standing uncut); making total actual cost in labor, 59 cents per barrel of 280 pounds net (and the barrel is worth 25 cents of the 59).

Inquiry 23:

How do you propose to meet any reduction of duty on the goods you manufacture?

Answer. Do not know how to meet any lower price. Wages already low. Can not be further materially reduced without scandalizing humanity and causing riots.

That, Mr. President, is true not alone of the salt industry. There are features in the bill which will exemplify this truth in due time. The common American suffers nothing from this duty. It is not perceived. It simply resembles those little bits of iron around a steam engine that serve to regulate the labor of the enormous engine itself. It is a regulator, a breakwater, a temporary check against unfair competition.

We have had no finer example of a just protection than salt furnishes, unless it be the example given yesterday when the common sense, and I might say, the humanity of the Senate refused to leave quicksilver open to an unreasonable domination from outside. Of course, beyond the comparatively trifling interest of a few in some of the Western salt-producing works, I have no personal interest in the matter, but I believe that a small duty of 6 or 8 cents a hundred pounds would be fairly a part of the general system of reasonable governmental oversight, in which, without being properly charged with undue paternalism, we may take a little care that our citizens shall not be struck under the belt. To say the least, it would afford a very pretty contrast with the practice of free-trade Great Britain in the case of British India.

Mr. ALLISON. Mr. President, I do not know that any citizen of Iowa is interested in the production of salt, nor have we salt mines in that State. Therefore it may be said that so far as our interests are concerned, they are the interests of consumers of salt.

I think the removal of the duty from salt is a kind of tradition which comes down from the ancient period when a struggle was made to repeal the salt duty, and it has been a part of the Democratic creed for a great many years. I do not remember a single instance where there has been a discussion on the tariff question that we have not been appealed to in one form or another to repeal the salt duty.

Bulletin No. 40 contains some valuable information in regard to this question. Among other things, it discloses that there has been an increase since 1883 of the production of salt equal to 50 per cent, and that the 9,000,000 barrels or 10,000,000 barrels, in round numbers, produced in 1892, cost about the same amount of money to the consumer that the 6,000,000 barrels did which were produced in 1883; showing that by this increased production and this development of the salt industry there has been a constant diminution of the price.

In the State in which I live we are fortunate as to the production and development of the salt industry in Kansas, and it has been of great value to the people of Iowa as giving us another local competitor in the production of salt for our market. Kansas salt enters into the consumption in Iowa quite largely. We also have the competition of the Michigan salt, which is a great production.

We have also the competition in a large degree of the salt manufactured in Western New York. So, whatever may become of this duty, whether salt is placed upon the free list or not, it is not probable that any foreign salt will ever reach the State of Iowa unless it shall come to New Orleans by means of cheap transportation, and thence up the Mississippi River. I doubt, however, whether much will come in that way. We, therefore, are interested in this local competition in the production of salt.

I was greatly impressed by what the Senator from Kansas [Mr. PEFFER] just told us, that if there is not a duty such at least as is proposed upon salt, the effect will be practically to drive out the production of salt in Kansas, except for a little local circle where the competition as to transportation will not interfere with it. I think that would be a misfortune. Here is an area in Kansas, a stratum of 350 feet in thickness, 30 miles in width, and from 100 or 150 to 200 miles in length, where salt can be produced, as shown by the Senator from Kansas, at 27 cents per 280 pounds. That salt has a radiation of consumption of 400 or 500 miles under existing conditions; but if salt shall come free into the ports of New Orleans and Galveston, that radius will be greatly diminished, and the production diminished correspondingly.

Why is it that we should propose here to take off this entire duty? The Senator from Kansas proposes a uniform duty of 5 cents per 100 pounds, which is a reduction on the average of one-half of the existing duty. Are we to take no account of the developments in our own country as to this article of essential consumption? for it is necessary in the preservation of meats, it is used largely in our chemical industries, and we have inexhaustible resources for its production.

I am surprised somewhat that I hear no voice from the States which are very largely interested in this production.

West Virginia has been interested more or less in the production of salt for a great many years. We hear nothing about it on this floor. The State of Louisiana has immense resources for the production of salt. Why is it that the Senators from that State have said nothing respecting the repeal of the duty, when the people who are engaged in its production, as shown by these bulletins and pamphlets, declare that their industry will be destroyed if salt is placed upon the free list, because they will come in competition wholly with salt produced in England? Is it because this salt industry, as compared with other industries, is a small one that, whilst we are giving protection and encouragement to the great industries of our country, we are to stand by here and let these small industries be stricken down in these States? For myself I do not understand why it is so.

As consumers of salt in one of the interior States in this Union far from the seaboard, we, in Iowa, are interested, and greatly interested, in the domestic competition in this production; and we are told that by the striking down of the duty the competition will be greatly arrested, if not in some respects destroyed. So I shall vote cheerfully for the amendment proposed by the Senator from Kansas, and I trust it will receive the support of those interior States and of the States which are border States, as relate to the ocean, which are interested with us in maintaining this industry in our own country as against England.

Why should we now be especially interested in allowing English salt to come in here without interference or competition? Under this amendment, as it stands, practically nothing but English salt will come in. The amendment proposed by the committee yesterday excludes everything but salt from Great Britain itself; it excludes the salt of Mexico; it excludes the salt of Spain; it excludes the salt of the Dominion of Canada. So this provision, as it stands now, is a mere gratuity to the English Government, which imposes upon its own colonies a prohibition as to salt, in order that she may find a market in India for her own product. Therefore, upon no ground can I find a reason for placing salt upon the free list at this moment.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Kansas [Mr. PEFFER].

Mr. LODGE and Mr. PEFFER called for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. MCLAURIN (when his name was called). I am paired with the junior Senator from Rhode Island [Mr. DIXON]. If he were present I should vote "nay."

Mr. PALMER (when his name was called). I transfer the pair I have with the Senator from North Dakota [Mr. HANSBROUGH] to the Senator from Texas [Mr. COKE], and vote "nay."

Mr. QUAY (when his name was called). I am paired with the Senator from Alabama [Mr. MORGAN]. If he were present I should vote "yea."

Mr. VILAS (when his name was called). I am paired with the Senator from Oregon [Mr. MITCHELL].

The roll call was concluded.

Mr. BLACKBURN. I am paired with the Senator from Nebraska [Mr. MANDERSON]. If he were here I should vote "nay."

Mr. GORDON. I am paired with the Senator from Iowa [Mr. WILSON], but the Senator from Kansas [Mr. MARTIN] is not here, and I will transfer for the present my pair with the Senator from Iowa to the Senator from Kansas, and vote "nay."

Mr. DAVIS. I am paired with the Senator from Indiana [Mr. TURPIE], and withhold my vote for the present.

Mr. PATTON. I am paired with the junior Senator from Maryland [Mr. GIBSON].

Mr. GALLINGER. I am paired with the junior Senator from Texas [Mr. MILLS]. The Senator from Mississippi [Mr. GEORGE] is paired with the Senator from Oregon [Mr. DOLPH]. If it be agreeable to the Senator from Mississippi I suggest that we transfer our pairs and vote.

Mr. GEORGE. That is agreeable to me. I vote "nay."

Mr. GALLINGER. I vote "yea."

Mr. DAVIS. It has been suggested to me to transfer the pair I have with the Senator from Indiana [Mr. TURPIE] to the Senator from Rhode Island [Mr. DIXON], so that the Senator from Mississippi [Mr. MCLAURIN] and I may vote. I vote "yea."

Mr. MCLAURIN. Under that arrangement I am at liberty to vote, and vote "nay."

The result was announced—yeas 24, nays 33; as follows:

YEAS—24.

Aldrich,	Dubois,	Hoar,	Power,
Allison,	Frye,	Lodge,	Proctor,
Carey,	Gallinger,	Morrill,	Sherman,
Chandler,	Hale,	Peffer,	Shoup,
Cullom,	Hawley,	Perkins,	Teller,
Davis,	Higgins,	Platt,	Washburn.

NAYS—33.

Allen,	Gordon,	Lindsay,	Roach,
Bate,	Gorman,	McLaurin,	Smith,
Berry,	Gray,	McPherson,	Vest,
Caffery,	Harris,	Mitchell, Wis.	Voorhees,
Call,	Hunton,	Murphy,	Walsh,
Cockrell,	Irby,	Palmer,	White.
Daniel,	Jarvis,	Pasco,	
Faulkner,	Jones, Ark.	Pugh,	
George,	Kyle,	Ransom,	

NOT VOTING—28.

Blackburn,	Dixon,	Manderson,	Quay,
Blanchard,	Dolph,	Martin,	Squire,
Brice,	Gibson,	Mills,	Stewart,
Butler,	Hansbrough,	Mitchell, Oregon	Turpie,
Camden,	Hill,	Morgan,	Vilas,
Cameron,	Jones, Nev.	Patton,	Wilson,
Coke,	McMillan,	Pettigrew,	Wolcott.

So the amendment was rejected.

The VICE-PRESIDENT. The Secretary will proceed with the reading of the bill.

The Secretary read as follows:

609. Sauerkraut.
610. Sausage skins.

The Committee on Finance reported an amendment to strike out paragraph 610.

Mr. JONES of Arkansas that amendment of the committee is withdrawn.

The VICE-PRESIDENT. The reading of the bill will proceed.

The Secretary read as follows:

611. Seeds: anise, canary, caraway, cardamom, coriander, cotton, croton, cummin, fennel, fenugreek, hemp, hoarhound, mustard, rape, St. John's bread or bene, sugar beet, mangel-wurzel, sorghum or sugar cane for seed, and all flower and grass seeds; bulbs and bulbous roots, not edible, all the foregoing not specially provided for in this act.

The Committee on Finance reported to amend paragraph 611 by striking out, after the first word "Seeds," the words "anise, canary, caraway, cardamom, coriander, cotton, croton, cummin fennel, fenugreek, hemp, hoarhound, mustard, rape, St. John's bread or bene, sugar-beet, mangel wurzel, sorghum or sugar cane for seed, and all flower or grass seeds."

Mr. JONES of Arkansas. The committee amendment to that paragraph is withdrawn.

Mr. MORRILL. I move to amend by striking out the words "and grass," before the word "seeds," in line 4, on page 113.

I do not think that the Senator from Arkansas desires to make clover and herdsgrass seed free. The seed imported would not be as good as those we raise here at home, and these are articles of considerable profit to the farmers to raise for sale. I hope the Senator from Arkansas will accept the amendment.

The VICE-PRESIDENT. The amendment of the Senator from Vermont will be stated.

The SECRETARY. In line 4, before the word "seeds," it is proposed to strike out "and grass;" so as to read "and all flower seeds."

Mr. JONES of Arkansas. I suggest that my amendment is the provision of the present law, and it has been in the law constantly. This makes no change in the law, and I can see no reason for any change being made.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Vermont.

The amendment was rejected.

The VICE-PRESIDENT. The reading of the bill will be resumed.

The Secretary read as follows:

612. Selep, or saloup.
613. Shells of all kinds, not cut, ground, or otherwise manufactured.
614. Shotgun barrels, forged, rough bored.
615. Shrimps, and other shellfish.

Mr. JONES of Arkansas. I move to amend paragraph 615 by adding, after the word "shellfish," the words "canned or otherwise."

The amendment was agreed to.

The Secretary read as follows:

616. Silk, raw, or as reeled from the cocoon.

The Committee on Finance reported an amendment to the paragraph in line 14, on page 113, after the word "cocoon," to insert "but not doubled, twisted, nor advanced in manufacture in any way;" so as to make the paragraph read:

616. Silk, raw, or as reeled from the cocoon, but not doubled, twisted, nor advanced in manufacture in any way.

The amendment was agreed to.

The Secretary read as follows:

617. Silk cocoons and silk waste.
618. Silk worm's eggs.
619. Skeletons and other preparations of anatomy.
620. Snails.
621. Soda, nitrate of, or cubic nitrate, and chlorate of.
622. Sulphate of soda, or salt cake, or niter cake.

Mr. ALLISON. I ask that paragraph 622 may be passed over for the present.

Mr. JONES of Arkansas. There is no objection to that.

The VICE-PRESIDENT. The paragraph will be passed over.

The Secretary read as follows:

623. Sodium.
624. Sparterre, suitable for making or ornamenting hats.
625. Specimens of natural history, botany, and mineralogy, when imported for cabinets or as objects of science, and not for sale.

Spices:

626. Cassia, cassia vera, and cassia buds, unground.
627. Cinnamon, and chips of, unground.
628. Cloves and clove stems, unground.
629. Ginger-root, unground and not preserved or candied.
630. Mace.
631. Nutmegs.
632. Pepper, black or white, unground.
633. Pimento, unground.
634. Seeds of all kinds not specially provided for in this act.

The Committee on Finance reported an amendment to strike out paragraph 634.

The amendment was agreed to.

The Secretary read as follows:

635. Spunk.
636. Spurs and stilts used in the manufacture of earthen, porcelain, and stone ware.

Mr. JONES of Arkansas. I move to insert as a new paragraph the following:

636½. Stamps: Foreign postage and revenue stamps, canceled or uncanceled.

The amendment was agreed to.

The Secretary read as follows:

637. Straw.
638. Stone and sand: Burr stone in blocks, rough or manufactured, or bound up into millstones; cliff stone, unmanufactured; freestone, granite, sandstone, limestone, and other building or monumental stone, except marble, unmanufactured or undressed, not specially provided for in this act; pumice stone, rotten stone, and sand, crude or manufactured.

Mr. HALE. In paragraph 638, in line 20, I move to strike out the words following the word "unmanufactured," down to and including the word "act," in line 22, in order to conform to what the Senate did upon the granite schedule.

Mr. JONES of Arkansas. The exemption is "not otherwise specially provided for in this act." It seems to me that that would save it, so that there would be no difficulty.

Mr. FRYE. It is all specially provided for.

Mr. HALE. When we came to granite, we put granite, free stone, and all the articles enumerated in the amendment I have offered, on the dutiable list, and I simply ask to strike this out to conform to that action.

Mr. JONES of Arkansas. There is no objection to that.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In paragraph 638, line 20, after the word "unmanufactured," it is proposed to strike out "freestone, granite, sandstone, limestone, and other building or monumental stone, except marble, unmanufactured or undressed, not specially provided for in this act;" so as to make the paragraph read:

638. Stone and sand: Burr stone in blocks, rough or manufactured, or bound up into millstones; cliff stone, unmanufactured pumice stone, rotten stone, and sand, crude or manufactured.

The amendment was agreed to.

The Secretary read as follows:

639. Storax, or styrax.
640. Strontia, oxide of, and protoxide of strontian, and strontianite, or mineral carbonate of strontia.
641. Sugars all: All tank bottoms, all sugar drainings and sugar sweepings, sirups of cane juice, melada, concentrated melada, and concrete and concentrated molasses, and molasses.

The Committee on Finance reported an amendment to strike out paragraph 641.

Mr. ALDRICH. I ask for the yeas and nays on the amendment. I am anxious to know who in the Senate is in favor of free sugar and who is not.

The yeas and nays were ordered.

Mr. ALLEN. I ask that the words proposed to be stricken out may be read.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. The committee report to strike out the following paragraph:

641. Sugars all: All tank bottoms, all sugar drainings and sugar sweepings, sirups of cane juice, melada, concentrated melada, and concrete and concentrated molasses, and molasses.

The VICE-PRESIDENT. The roll will be called on the amendment.

The Secretary proceeded to call the roll.

Mr. CAMERON (when his name was called). I am paired with the Senator from South Carolina [Mr. BUTLER], and make this announcement for the day.

Mr. MCLAURIN (when his name was called). I am paired with the Senator from Rhode Island [Mr. DIXON].

Mr. PALMER (when his name was called). I transfer my pair with the Senator from North Dakota [Mr. HANSBROUGH] to the Senator from Texas [Mr. COKE], and vote "yea."

Mr. QUAY (when his name was called). I have a general pair with the Senator from Alabama [Mr. MORGAN], who is not present. Believing that, if present, he would vote as I do, I vote "yea."

The roll call was concluded.

Mr. BLACKBURN. I transfer my pair with the Senator from Nebraska [Mr. MANDERSON] to the Senator from Delaware [Mr. GRAY], so as to enable the Senator from Illinois [Mr. CULLOM] and myself to vote.

Mr. CULLOM. That is agreeable to me.

Mr. BLACKBURN. I vote "yea."

Mr. CULLOM. I vote "nay."

Mr. CAMDEN. I transfer my pair with the Senator from South Dakota [Mr. PETTIGREW] to the Senator from Kansas [Mr. MARTIN], and vote "nay."

Mr. GORDON. I transfer my pair with the Senator from Iowa [Mr. WILSON] to the Senator from Kentucky [Mr. LINDSAY], and vote "yea."

Mr. GALLINGER. I am paired with the junior Senator from Texas [Mr. MILLS]. I suggest to the Senator from Mississippi [Mr. GEORGE], who is paired with the Senator from Oregon [Mr. DOLPH], that, if agreeable to him, we transfer our pairs.

Mr. GEORGE. That is satisfactory to me, and I vote "yea."

Mr. GALLINGER. I vote "nay."

Mr. MITCHELL of Oregon. I am paired with the Senator from Wisconsin [Mr. VILAS]. If he were here I should vote "nay" and he would vote "yea."

Mr. DANIEL. I suggest to the Senator from Oregon, who is paired with the Senator from Wisconsin [Mr. VILAS], I being paired with the Senator from Washington [Mr. SQUIRE], that we transfer our pairs so that the Senator from Oregon and I can vote.

Mr. MITCHELL of Oregon. That is satisfactory to me, and I vote "nay."

Mr. DANIEL. I vote "yea."

The result was announced—yeas 33, nays 22; as follows:

YEAS—33.

Allen,	Faulkner,	Kyle,	Roach,
Bate,	George,	McPherson,	Smith,
Berry,	Gordon,	Mitchell, Wis.	Vest,
Blackburn,	Gorman,	Murphy,	Voorhees,
Caffery,	Harris,	Palmer,	Walsh,
Call,	Hunton,	Pasco,	White.
Camden,	Irby,	Pugh,	
Cockrell,	Jarvis,	Quay,	
Daniel,	Jones, Ark.	Ransom,	

NAYS—22.

Aldrich,	Frye,	Lodge,	Power,
Allison,	Gallinger,	Mitchell, Oregon	Proctor,
Carey,	Hale,	Morrill,	Shoup,
Chandler,	Hawley,	Peffer,	Teller.
Cullom,	Higgins,	Perkins,	
Dubois,	Hoar,	Platt,	

NOT VOTING—30.

Blanchard,	Gibson,	Manderson,	Stewart,
Brice,	Gray,	Martin,	Turpie,
Butler,	Hansbrough,	Mills,	Vilas,
Cameron,	Hill,	Morgan,	Washburn.
Davis,	Jones, Nev.	Patton,	Wilson,
Coke,	Lindsay,	Pettigrew,	Wolcott.
Dixon,	McLaurin,	Sherman,	
Dolph,	McMillan,	Squire,	

So the amendment was agreed to.

Mr. KYLE. I wish to say that the vote which I have just now cast is not to be taken as an index of the way I may vote when we have acted on all the schedules when the bill comes out of Committee of the Whole and we are brought to a final vote upon the sugar question.

Mr. ALLEN. I desire to say in connection with the vote which has just been taken upon the subject of sugar, paragraph 641, that I have voted thus far with the committee on the subject of sugar and on many other things for the purpose of getting the bill as speedily as possible out of Committee of the Whole and into the Senate, where it can be finally shaped and speedily put upon its passage. My vote upon the question just taken is no indication whatever of what my vote will be upon the final passage of the bill.

The VICE-PRESIDENT. The Secretary will continue the reading of the bill.

The Secretary read the next paragraph, as follows:

642. Sulphur, refined, lac or precipitated, and sulphur or brimstone, crude, in bulk, sulphur ore, as pyrites, or sulphuret of iron in its natural state, containing in excess of 25 per cent of sulphur, and sulphur not otherwise provided for.

Mr. JONES of Arkansas. I move, in line 7, after the word "sulphur," to strike out the word "refined."

The amendment was agreed to.

The Secretary read the next paragraph, as follows:

643. Sulphuric acid.

Mr. JONES of Arkansas. I move to add the proviso printed in small type, leaving out the word "daily" after "levied" in line 14.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. After the word "acid," in line 12, page 115, insert the following proviso:

Provided, That upon sulphuric acid imported from any country which imposes a duty upon sulphuric acid exported from the United States, there shall be levied and collected the rate of duty existing prior to the passage of this act.

The amendment was agreed to.

Mr. ALDRICH. I suggest to the Senator from Arkansas that he use the same language in the thirteenth line that is used in the salt proviso.

Mr. JONES of Arkansas. I have no objection to the same words going in there that were used in the salt paragraph.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. After the word "country," in line 13, insert "whether independent or a dependency."

The amendment was agreed to.

The VICE-PRESIDENT. The reading of the bill will be proceeded with.

The Secretary read as follows:

644. Sweepings of silver and gold.
645. Tallow and wool grease, including that known commercially as degras or brown wool grease.
646. Tapicoa, cassava or cassada.
647. Tar and pitch of wood, and pitch of coal tar.
648. Tea and tea plants.
649. Teazles.

Mr. JONES of Arkansas. I move that the paragraph 649 be stricken out.

The amendment was agreed to.

The Secretary read as follows:

650. Teeth, natural or unmanufactured.
651. Terra alba.
652. Terra japonica.
653. Tin ore, cassiterite or black oxide of tin, and tin in bars, blocks, pigs, or grain or granulated.
654. Tinsel wire, lame, or lahn.

Mr. JONES of Arkansas. I move at the end of paragraph 654, after the word "lahn," to strike out the period and insert, "and bullions and metal threads of gold, silver, and other metals."

Mr. PLATT. It can not be possible that the Senator from Arkansas should desire to do that. It is a manufacture of my State which, as I remember, has been seriously affected by the duty which has already been placed upon those articles in the bill. I wish the Senator would withhold the amendment for a little time until I can have an opportunity to explain the matter to him.

Mr. JONES of Arkansas. I withdraw the amendment if there is objection to it.

The VICE-PRESIDENT. The amendment is withdrawn. The reading of the bill will proceed.

The Secretary read as follows:

655. Tobacco stems.
656. Tonquin, tonqua, or tonka beans.
657. Tripoli.
658. Turmeric.
659. Turpentine, Venice.
660. Turpentine, spirits of.
661. Turtles.
662. Types, old, and fit only to be remanufactured.
663. Uranium, oxide and salts of.
664. Vaccine virus.
665. Valonia.
666. Verdigris, or subacetate of copper.
667. Wafers, unmedicated.
668. Wax, vegetable or mineral.
669. Wearing apparel and other personal effects (not merchandise) of persons arriving in the United States, not residents thereof, but this exemption shall not be held to include articles not actually in use and necessary and appropriate for the use of such persons for the purposes of their journey and present comfort and convenience, or which are intended for any other person or persons, or for sale.
670. Wearing apparel and other personal effects (not merchandise) in actual use of residents of the United States returning thereto from foreign countries, not exceeding $250 in value and not intended for use of other persons nor for sale: *Provided, however*, That all the wearing apparel and other personal effects of such persons so returning as may have been by them taken out of the United States to foreign countries, and which have not been advanced in value nor improved in condition by any process of labor or manufacture in such countries, shall be admitted free of duty without regard to their value, upon their identity being established under such rules and regulations as the Secretary of the Treasury may prescribe.

Mr. JONES of Arkansas. I move to strike out paragraphs 669 and 670 and insert what I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. Strike out paragraphs 669 and 670 and insert:

669. Wearing apparel and other personal effects (not merchandise) of persons arriving in the United States, but this exemption shall not be held to include articles not actually in use and necessary and appropriate for the use of such persons for the purposes of their journey and present comfort

and convenience, or which are intended for any other person or persons, or for sale: *Provided, however,* That all wearing apparel and other personal effects of residents returning from other countries as may have been by them taken out of the United States to foreign countries, and which have not been advanced in value nor improved in condition by any process of labor or manufacture in such countries, shall be admitted free of duty without regard to their value, upon their identity being established under such rules and regulations as the Secretary of the Treasury may prescribe.

Mr. HOAR. The Senator proposes to strike out the limitation of $250. What is the significance of that proviso?

Mr. JONES of Arkansas. It is practically the present law. The two paragraphs as found in the bill make a difference between citizens of the United States and foreign persons. My amendment simply treats all persons alike, whether residents of the United States or foreigners coming into the country.

Mr. HOAR. That I understand, but the difference between the foreigner and the American, under the bill as it stands, is that the foreigner's wearing apparel and personal effects will come in without limit as to value, but the citizen of the United States has a limit in value not exceeding $250. That is stricken out by the amendment so that it is proposed to have the wearing apparel of all persons, if it be strictly wearing apparel, come in without limit as to value.

Mr. JONES of Arkansas. I think the criticism of the Senator from Massachusetts is correct, and the proviso——

Mr. HOAR. Let me complete my statement, because it will go into the RECORD and I should like to have it state the point fully for the comprehension of anyone who may read it. The proviso which the Senator retains goes on to provide that all wearing apparel not advanced or improved shall be admitted free of duty without regard to value, when it is provided that all shall come in without regard to value. It seems to me that the proviso should not be included in the Senator's amendment.

Mr. VEST. I do not exactly catch the criticism of the Senator from Massachusetts. The meaning of the amendment as it stands now is simply to do away with the $250 limit which is found in the House provision.

Mr. HOAR. If the Senator before he proceeds will allow the proviso which is included in the amendment to be read again he will see it is inappropriate. Let the Secretary read it.

Mr. VEST. The meaning of the proviso is simply to retain that portion of the House provision which says that persons visiting foreign countries can bring back their wearing apparel without paying duty, provided it has not been improved or changed while abroad. That is the provision of the bill as passed by the other House.

Mr. HOAR. But the Senator from Arkansas has previously proposed in his amendment to have it come in without limitation as to value.

Mr. HALE. The proviso applies to another class of goods.

Mr. VEST. All we propose to take off is the limitation as to value. Does the Senator want to strike out the provision, so that a person going from this country abroad can have his clothes altered or improved and bring them back free of duty without regard to the increased value?

Mr. HALE. I think the Senator from Massachusetts perhaps did not observe that the proviso applies to another class of articles entirely from the others. The proviso applies to articles taken by our citizens abroad. The other provision applies simply to clothing that may be purchased abroad.

Mr. HOAR. It is proposed, unless I misunderstood it, to make it read:

Wearing apparel and other personal effects (not merchandise) of persons arriving in the United States.

The words "not residents thereof" it is proposed to strike out, so that it is to apply to Americans returning as well as to foreign persons coming in from abroad. All wearing apparel and other personal effects, not merchandise, it is provided shall come in free, and then we have the provision:

But this exemption shall not be held to include articles not actually in use and necessary and appropriate for the use of such persons for the purposes of their journey and present comfort and convenience, or which are intended for any other person or persons, or for sale.

Then it goes on and provides that wearing apparel and other personal effects of such persons as have been taken out of the United States and not advanced in value or improved in condition shall be admitted free of duty upon establishing identity, etc. You have admitted that free of duty without regard to limit under the previous provision, unless I misunderstand it, because it is wearing apparel and other personal effects which have been admitted. I suggest to the Senator from Arkansas, as this is a very important matter, affecting the convenience of a large and rapidly growing number of travelers, that his amendment be printed so that we can see it in print, and go over until to-morrow.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Massachusetts?

Mr. VEST. It is well enough to understand each other. Paragraph 669 of the bill as it comes to the Senate provides that—

Wearing apparel and other personal effects (not merchandise) or persons arriving in the United States, not residents thereof, but this exemption shall not be held to include articles not actually in use and necessary and appropriate for the use of such persons for the purposes of their journey and present comfort and convenience, or which are intended for any other person or persons, or for sale.

That applies exclusively to foreigners who have never been in this country.

Mr. HOAR. Not as the Senator from Arkansas moves to amend the paragraph, because he strikes out the words "not residents thereof."

Mr. VEST. That is included in the other provision. Let the Secretary read the amendment.

The VICE-PRESIDENT. The amendment of the Senator from Arkansas will be again read.

The SECRETARY. Strike out paragraphs 669 and 670 and insert:

669. Wearing apparel and other personal effects (not merchandise) of persons arriving in the United States, but this exemption shall not be held to include articles not actually in use and necessary and appropriate for the use of such persons for the purposes of their journey and present comfort and convenience, or which are intended for any other person or persons, or for sale: *Provided, however,* That all wearing apparel and other personal effects of residents returning from other countries as may have been by them taken out of the United States to foreign countries, and which have not been advanced in value nor improved in condition by any process of labor or manufacture in such countries, shall be admitted free of duty without regard to their value, upon their identity being established under such rules and regulations as the Secretary of the Treasury may prescribe.

Mr. HOAR. My criticism is that everything provided for in the proviso is admitted free in the preceding proposition as the Senator from Arkansas has moved it.

Mr. VEST. Then strike out the proviso. It can be fixed afterwards in conference. To save debate, let it go out.

Mr. HOAR. If that is done we can call it up again if there is any mistake about it.

The VICE-PRESIDENT. The amendment will be so modified, if there be no objection.

Mr. ALLISON. Let the paragraph be read as it will stand without the proviso.

The VICE-PRESIDENT. The amendment will be read as it now stands.

The Secretary read as follows:

669. Wearing apparel and other personal effects (not merchandise) of persons arriving in the United States, but this exemption shall not be held to include articles not actually in use and necessary and appropriate for the use of such persons for the purposes of their journey and present comfort and convenience, or which are intended for any other person or persons, or for sale.

Mr. HOAR. That is all we need.

The amendment was agreed to.

The VICE-PRESIDENT. The reading of the bill will proceed.

The Secretary read the next paragraph, as follows:

671. Whalebone, unmanufactured.

Mr. PEFFER. Is it understood that paragraph 670 is to be passed over.

Mr. JONES of Arkansas. The motion was carried to strike out that paragraph.

Mr. COCKRELL. It is stricken out.

Mr. PEFFER. I did not know that was done. I wanted to move to amend it, but if it has been stricken out of course it can not be amended.

The VICE-PRESIDENT. That pargraph is stricken out. The reading of the bill will proceed.

Mr. KYLE. I wish to reserve the privilege for the Senator from Nebraska [Mr. ALLEN] to move to insert a paragraph to be numbered 671½. He is at present out of the Chamber but has an amendment prepared to come in at this point, and will offer it when he comes in.

The VICE-PRESIDENT. The reading of the bill will proceed.

The Secretary read as follows:

Wood:

672. Logs, and round unmanufactured timber not specially enumerated or provided for in this act.

673. Firewood, handle bolts, heading bolts, stave bolts, and shingle bolts, hop poles, fence posts, railroad ties, ship timber, and ship planking, not specially provided for in this act.

Mr. HALE. In order to save two readings, I will now move to strike out paragraph 674 and the paragraphs following to paragraph 683, inclusive.

The VICE-PRESIDENT. The amendment proposed by the Senator from Maine will be stated.

Mr. HALE. Then the paragraph can be read once, and we can save two readings.

The SECRETARY. It is proposed to strike out paragraphs 674, 675, 676, 677, 678, 679, 680, 681, 682, and 683.

The paragraphs are as follows:

674. Timber, hewn and sawed, and timber used for spars and in building wharves.
675. Timber, squared or sided.
676. Sawed boards, plank, deals, and other lumber.
677. Pine clapboards.
678. Spruce clapboards.
679. Hubs for wheels, posts, last blocks, wagon blocks, oar blocks, gun blocks, heading, and all like blocks or sticks, rough hewn or sawed only.
680. Laths.
681. Pickets and palings.
682. Shingles.
683. Staves of wood of all kinds, wood manufactured: *Provided*, That any of the articles mentioned in paragraphs 672 to 683, inclusive, when imported from any country which lays an export duty on the same or any of them, shall be subject to the duties existing prior to the passage of this act.

Mr. HALE. Since the Senate considered the first part of the lumber schedule it has put upon the dutiable list, different from the action of the other House, the articles of sugar, iron ore, and coal, and largely advanced the rate upon lead. I hope on reflection the Senate will conclude to strike the great product of lumber from the free list. That is the object of my amendment, and I call for the yeas and nays upon it.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Maine, on which he demands the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. DANIEL (when his name was called). I am paired with the Senator from Washington [Mr. SQUIRE]. I suggest to the Senator from Oregon [Mr. MITCHELL], who is paired with the Senator from Wisconsin [Mr. VILAS], that we transfer our pairs.

Mr. MITCHELL of Oregon. Very well.

Mr. DANIEL. The Senator from Washington [Mr. SQUIRE] will stand paired with the Senator from Wisconsin [Mr. VILAS]. I vote "nay."

Mr. GORDON (when his name was called). I again transfer my pair with the Senator from Iowa [Mr. WILSON] to the Senator from Kentucky [Mr. LINDSAY], and vote "nay."

Mr. McLAURIN (when his name was called). I announce for the day my pair with the junior Senator from Rhode Island [Mr. DIXON].

Mr. MITCHELL of Oregon (when his name was called). My pair with the Senator from Wisconsin [Mr. VILAS] having been transferred to the Senator from Washington [Mr. SQUIRE], I am at liberty to vote. I vote "yea."

Mr. PALMER (when his name was called). I am paired with the Senator from North Dakota [Mr. HANSBROUGH], but I transfer my pair to the Senator from Texas [Mr. COKE], and vote "nay."

Mr. QUAY (when his name was called). I am paired with the Senator from Alabama [Mr. MORGAN]. If he were present I should vote "yea."

Mr. PUGH (when his name was called). I am paired with the Senator from Massachusetts [Mr. HOAR]. I suggest to the Senator from Pennsylvania [Mr. QUAY] that we transfer pairs, so that the Senator from Massachusetts [Mr. HOAR] will be paired with my colleague [Mr. MORGAN], and he and I can vote.

Mr. QUAY. That is agreeable. I vote "yea."

Mr. PUGH. I vote "nay."

Mr. SMITH (when his name was called). I am paired with the junior Senator from Idaho [Mr. DUBOIS].

The roll call was concluded.

Mr. LODGE. I am paired with the Senator from New York [Mr. HILL], and therefore withhold my vote. I should vote "yea" if he were present.

Mr. BLACKBURN. By agreement I transfer my pair with the Senator from Nebraska [Mr. MANDERSON] to the Senator from North Carolina [Mr. RANSOM], and the Senator from Maine [Mr. HALE] and myself will vote. I vote "nay."

Mr. HALE (after having voted in the affirmative). I have already voted.

Mr. GIBSON. I am paired with the junior Senator from Michigan [Mr. PATTON].

Mr. McLAURIN. I transfer my pair with the Senator from Rhode Island [Mr. DIXON] to the Senator from Kansas [Mr. MARTIN], and vote "nay."

Mr. GEORGE. I announce for the day to save time, and I shall not repeat it any more, my pair with the Senator from Oregon [Mr. DOLPH].

Mr. GORDON (after having voted in the negative). Since I transferred my pair to the Senator from Kentucky [Mr. LINDSAY] that Senator has come into the Chamber and voted. I will therefore withdraw my vote.

The result was announced—yeas 19, nays 31; as follows:

YEAS—19.

Aldrich,	Frye,	Morrill,	Quay,
Allison,	Hale,	Perkins,	Sherman,
Carey,	Hawley,	Platt,	Shoup,
Chandler	Higgins,	Power,	Teller
Cullom,	Mitchell, Oregon	Proctor,	

NAYS—31.

Allen,	Daniel,	Jones, Ark.	Pasco,
Bate,	Faulkner,	Kyle,	Peffer,
Berry,	Gorman,	Lindsay,	Pugh,
Blackburn,	Gray,	McLaurin,	Roach,
Brice,	Harris,	McPherson,	Vest,
Caffery,	Hunton,	Mitchell, Wis,	Walsh,
Call,	Irby,	Murphy,	White.
Cockrell,	Jarvis,	Palmer,	

NOT VOTING—35.

Blanchard,	Gallinger,	McMillan,	Squire,
Butler,	George,	Manderson,	Stewart,
Camden,	Gibson,	Martin,	Turpie,
Cameron,	Gordon,	Mills,	Vilas,
Coke,	Hansbrough,	Morgan,	Voorhees,
Davis,	Hill,	Patton,	Washburn,
Dixon,	Hoar,	Pettigrew,	Wilson,
Dolph,	Jones, Nev.	Ransom,	Wolcott.
Dubois,	Lodge,	Smith,	

So the amendment was rejected.

Mr. ALLEN. I move to insert as paragraph 671½, after the word "wood," in line 14, page 117, the following:

Lumber of any sort, planed or finished.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Nebraska [Mr. ALLEN].

Mr. JONES of Arkansas. I suggest to the Senator from Nebraska that the proper place for his amendment would be as paragraph 676½ instead of the place he proposes. It can be offered at that point just as well.

Mr. ALLEN. Very well, let it come in at that place.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. Insert after paragraph 676:

676½. Lumber of any sort, planed or finished.

Mr. ALDRICH. The amendment offered by the Senator from Nebraska is a very sweeping and comprehensive one. I do not know what is lumber planed and finished. I never have heard any such phrase used as applied to lumber. I do not know whether, when finished, it means made up into houses or furniture or what. I can understand what boards planed on one side or on both sides and tongued and grooved mean; but I do not understand what finished lumber is. I should think such a provision would let in furniture and everything else that can be manufactured from wood.

Mr. ALLEN. I desire to state that this is the identical language used in paragraph 178. The language used there is, "lumber of any sort, planed or finished." I simply transfer the language from that place to page 117 as paragraph 676½.

Mr. SHERMAN. If the Senator will insert the word "unmanufactured" after "lumber" it would cover it. "Lumber, unmanufactured," would convey his idea.

Mr. ALLEN. Oh, no; I do not want to insert that word.

Mr. SHERMAN. Then you extend the provision to doors and windows.

Mr. ALDRICH. In paragraph 178 the words which follow the word "finished" modify and qualify the paragraph; but the Senator from Nebraska proposes to leave out these words, and his amendment would allow all kinds of finished lumber, I think—lumber made up into wagons, certainly into doors, and everything of that sort—to come in free of duty.

Mr. HAWLEY. Will the Senator allow me to make a suggestion? Let it read, instead of "lumber of any sort, planed or finished," "each side of the board so planed or finished." It means, clearly, each side of the plank so planed or finished.

The VICE-PRESIDENT. The question is on the amendment of the Senator from Nebraska.

Mr. ALLISON. Before the vote is taken I wish to call the attention of the Senator from Nebraska to paragraph 684, page 118, wherein there is a disposition of the fine woods known as cedar, ebony, box, granadilla, mahogany, rosewood, etc., which are to be admitted free when unmanufactured. The lumber made from those woods is very valuable, and if all this class of lumber is to come into the United States free when finished, I suggest that it will be a great boon to a great many people who are now manufacturing very expensive furniture.

Mr. ALLEN. If the Senator from Iowa will permit me, I think his suggestion is fair, and I have no objection, so far as I am concerned, to adding the words "except as otherwise provided in this act."

Mr. VEST. The Senator from Iowa would not call the woods that are mentioned in paragraph 684 lumber?

Mr. ALLISON. Certainly not; but these woods are carefully described in paragraph 684, showing that it is not intended that this class of lumber shall come in, when finished, free of duty. This lumber costs $150 and as high as $200 per thousand feet without being either planed or tongued or grooved. If it is to be brought in free not only planed, tongued, and grooved, but finished—that is, ready for the manufacture of furniture, or ready, for example, for the Pullman Car Company or the Wagner Car Company, or the fine cars that are now made of these beautiful woods—it seems to me it will greatly disturb a very valuable industry in our country which ought to be certainly cared for, and which it is not contemplated, I think, in any suggestion the Senator has made, shall be disturbed.

Mr. ALLEN. With the consent of the Senate I will withdraw my amendment and ask to have the words "rough or dressed" added to paragraph 676, so that that paragraph will read:

Sawed boards, plank, deals, and other lumber, rough or dressed.

I will present my amendment in that shape.

The VICE-PRESIDENT. The question is on the amendment as now proposed by the Senator from Nebraska.

Mr. HALE. We could not hear on this side what the Senator now proposes.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. After the word "lumber" in paragraph 676, page 117, add "rough or dressed;" so as to make the paragraph read:

Sawed boards, plank, deals, and other lumber, rough or dressed.

Mr. CHANDLER. Mr. President, I do not rise with any hope of defeating this amendment. The Senator from Nebraska some fifteen or twenty minutes ago, when voting against free sugar, took occasion to say that his final vote upon the bill had not then been determined in his own mind. Now he wishes more free lumber, and he will get it, of course, because that is the understanding. That is the reason why he is to vote in favor of the bill. I do not expect to prevent the transaction which is now going on, but I do have the curiosity to know whether the bargain is yet complete. I do desire to know whether the transaction may be now considered as closed, and whether the Senator from Nebraska has finally concluded to vote for the bill; or whether we shall see him rise in his seat again and notify the other side of the Chamber that he has not yet concluded what his final vote will be, and come in and move to put something else not a product of the State of Nebraska upon the free list and get that as a consideration for the vote which he is to give.

We are anxious—I am certainly anxious—to know when the Senator from Nebraska will be entirely foreclosed upon by the other side of the Chamber.

Mr. ALLEN. Mr. President, I desire to say in as polite language as I can to the Senator from New Hampshire that his statement or insinuation that there is any bargain between any person on this side of the Chamber or in the Chamber at all and myself is entirely untrue, and I am inclined to think that the Senator from New Hampshire knew it was untrue at the time he stated it. I have made no bargain. I propose to make no bargain. I propose to vote as I see fit upon this measure and upon every other measure that comes before the Senate. If when the pending bill is finally finished it is in my judgment a better measure than the law now in force I shall vote for it. If it is not, I shall vote against it. In that respect I desire to assure the Senator from New Hampshire that I am a free lance.

I desire to state in this connection that it is none of the Senator's business how I propose to vote upon this or upon any other measure. I am not here to represent his views upon any question. I am sent here to oppose his views upon a majority of the questions that come before this body.

Mr. CHANDLER. Mr. President, I desire to say to the Senator from Nebraska that it is my business how he votes, and that it is entirely competent for me to comment upon his vote or upon the vote of any other Senator in this Chamber, just as my own conduct and my own vote are open to be commented upon by any Senator.

The Senator says that he has had no understanding. Mr. President, what has taken place upon this floor this morning can not be mistaken by Senators and will not be mistaken by the country. The Senator rose and gave notice that he did not know how he should finally vote upon the bill. He disappears from the Chamber for fifteen minutes and comes in and moves an amendment for the destruction of the lumber industry of this country, and he is about to receive it from the hands of his Democratic associates. I propose to make it my business to call to the attention of the Senate and the country the action of the Senator from Nebraska, who comes here, as he claims, not as a Democrat, not as a Republican, but who is making himself a Democrat in substantially every vote he gives, and who is destroying an important industry of New England by his votes and his bargains with the other side of the Chamber.

If the Senator does not like that he may make the most of it.

Mr. HALE. Mr. President, I hope that the Senator from Nebraska does not represent the feeling of the other side upon this question. If there is anything in his amendment which proposes to add to the paragraph the words "dressed or undressed," it must refer to lumber that is planed or is worked upon by labor and machinery out of the rough boards. The amendment offered by the Senator from Nebraska does not carry the force of a committee amendment. No Senator is bound to vote for the amendment upon the other side of the Chamber. In fact, the majority of the committee put on the dutiable list, in paragraph 178, "lumber of any sort, planed or finished, for each side so planed or finished, 50 cents per thousand feet, board measure; and if planed on one side and tongued and grooved, $1 per thousand feet, board measure; and if planed on two sides and tongued and grooved, $1.50 per thousand feet, board measure; and in estimating board measure under this schedule no deduction shall be made on board measure on account of planing, tonguing, and grooving," thereby recognizing this advanced condition of lumber as being properly a subject for duty.

That provision was stricken out by the Senate and has been standing open for further consideration. I hope that instead of voting in the bill the amendment of the Senator from Nebraska, who wants to strike at every form of manufacture of lumber no matter how advanced, the Senate will vote it out and leave this subject for the further consideration of the committee itself, which, before the bill gets into the Senate, can consider this proposition of planed lumber. Therefore, I hope that the Senator's amendment, as it does not come with the force of a committee amendment, will not be sustained upon either side.

Mr. PROCTOR. Mr. President, it seems to me that this proposed amendment, while perhaps not so great in amount, is one of the most objectionable features which it has been proposed to introduce into the bill. It may furnish the Senator from Nebraska a text to talk about to his constituents, but it will not save them one dollar in money. The charge for dressing lumber is precisely the same in Canada that it is in the United States. The amendment would merely transfer the labor to Canadian mechanics instead of having it done at our own mills. It will not save the American consumer one dollar in money. Free rough lumber may do so; but to make the manufactured lumber free does not, as I said, save one cent in the charge, which, as everybody familiar with the interest knows, is precisely the same in Canada that it is in the United States.

Mr. ALDRICH. I suppose the object of the Senator from Nebraska in moving the amendment is to add planed, tongued, and grooved lumber to the free list, and that is his only object, I understand. It is what I presume he intends to cover by the amendment. I ask the Senator if that is true. If it is, I suggest to him that in paragraph 676 he could add after the word "sawed" the words "planed, or tongued and grooved." There are some other suggestions in regard to the paragraph which I intend to make later on; but if the Senator means to cover the articles which I have mentioned and no others, as I understand is his purpose, it can be accomplished by putting into the paragraph the words "planed, or tongued or grooved" in addition to "sawed," so that there would be a limitation upon the provision placing lumber on the free list.

Mr. ALLEN. I desire to say to the Senator from Rhode Island that I remember the old adage, "Beware of the Greeks when bearing gifts." If I thought the Senator from Rhode Island intended to benefit the prairie States——

Mr. ALDRICH. I am not for the amendment, but I am trying to find out what the Senator from Nebraska wants to accomplish; and I am trying to suggest to him some method of accomplishing that purpose and not accomplishing a great deal more.

Mr. ALLEN. If I thought the Senator from Rhode Island had the faintest consideration for the rights of the people of the prairie States, who are compelled to purchase lumber to construct homes with, I would listen with a great deal more patience to his suggestions than I do now. I certainly think that the great grain-producing States of the Union whose citizens have no timber of their own, and who are compelled to purchase their building material from the States which produce lumber, ought to have some consideration at the hands of the Senate.

The Senator from Vermont [Mr. PROCTOR] says that the consumer of lumber will get no benefit from this amendment; that taking off the tax will not result in any benefit to him. If that be true, and a duty does not protect, I can not understand why the Senator from Vermont or the Senator from New Hampshire should be so persistent in insisting that a tariff shall be placed upon lumber for protective purposes. If free lumber will not afford the consumer some advantage, then certainly taxed lumber will not afford any advantage to the manufacturer of lumber.

The Senator from New Hampshire, who has been conspicuous in this debate all the way through, and probably deservedly so, who seems to want everything in New England protected, from a mustard seed to a pine tree, and is not willing to make any concessions to any other portion of the country, carries this debate, in my judgment, a little too far, especially a little too far for a proper consideration of the truth, when he insinuates that there is any bargain between the members of the Finance Committee in charge of the bill and myself or any other representative of the Populist party in this Chamber. I know of nothing to be gained by a man performing the rôle of the baboon upon matters of this kind and putting himself in the attitude of accusing every person who fails to agree with him with some corrupt purpose or corrupt practice.

It may be funny to him. He may enjoy it. It may get into the newspapers, and people may think he is a remarkably smart man in consequence of it. It may result in his benefit in a great many ways. It may add to his campaign stock in the State from which he comes. But nevertheless, Mr. President, it is a low insinuation, an untruthful insinuation, and an insinuation that no man actuated by a high and lofty purpose would make. And I believe the Senator who made the charge knew it was a falsehood.

Mr. MITCHELL of Oregon. Will the Senator from Nebraska answer a question? Does he understand that the effect of his amendment, if adopted, would be to do more than admit free into this country lumber that is planed and grooved?

Mr. ALLEN. Such lumber as we ordinarily use in the construction of our houses, barns, and fences. That is the kind of lumber I am looking at.

Mr. SHERMAN. Mr. President, after this personal colloquy, which I was very sorry to hear, I wish to call the attention of Senators on the other side of the Chamber to one point. If they are looking for revenue, it has been a very unhappy hour to the Government of the United States, owing to the amendments which have been made to the existing law in the wood schedule. You have already surrendered—I have added up the figures—$1,041,777 of revenue, and I believe without the slightest benefit to any citizen of the United States, and with no benefit to anyone except the dealers in lumber who live on our northern border or the fewer number of persons who bring wood of various kinds to us from the South.

If the amendment first proposed by the Senator from Nebraska had been adopted I do not know what would have been the result. No one can tell the construction which would have been put upon the language. But without it, the other side of the Chamber have surrendered more than a million dollars of revenue without any beneficial effect to any human being, because the immediate effect of this repeal of revenue is to advance the the price of the lumber which comes into competition with our own, and it may be said as a rule that the advance is always made by the importer so as to meet the demand in the American market. It is true that we can by building up industries in our own country reduce the price of foreign articles, but we can never reduce the price of foreign articles by repealing a revenue. The price is always advanced to meet the demand in the home market.

We have already surrendered a million dollars of revenue this morning. I tell Senators on the other side that if they do not keep a more careful account than I fear they are doing as to the effect of these various amendments upon the revenue features of the bill, they will find at the end of the controversy that there will be a deficiency in the revenue from imported goods far below what has been estimated by the Secretary of the Treasury or by these gentlemen themselves. The propositions made already by the Senator from Nebraska [Mr. ALLEN] have lost us half a million dollars of revenue without any benefit to our people, and taking the whole classes together there has been a loss of over a million dollars of revenue, which is no small matter.

I fear the effect of the action on the bill as we go along with it is constantly to reduce the revenues of the Government. Although the Republican party is not in power and I am not to be considered a fair custodian or guardian of the present Administration, after all they are the agents of the people of the United States, and the evil results of what they do will fall upon the people of the United States. Therefore we on this side are bound to call attention to the natural effect and result of these amendments.

I do not wish to indulge in this debate further than to call the attention of Senators constantly to the effect of the amendments being made in reducing revenue which is necessary to carry on the operations of the Government. We have always thought that sufficient revenue could be collected from imported goods to pay all the ordinary expenses of the Government. That we have tried to accomplish, and I believe it would have been accomplished by the McKinley act but for the threatened change in our tariff laws. In doing this we have left excises on various domestic articles and the internal revenue to meet the extraordinary expenses of the Government growing out of pensions and the civil war. That has been the policy of the Government; but if the policy now adopted is pursued we shall not have enough revenue from imported goods to pay one-half of the ordinary current expenses of the Government, and the deficiency will have to be made up by direct taxes upon our own people, as a tax on incomes and the like.

Therefore, I always see with regret any duty on imported articles repealed, unless there is some strong reason for it. I would a great deal rather levy taxes upon foreigners than upon our own people. It is much easier to collect them at foreign ports than to collect them in our own land. Every effort to reduce rates of duty which produce handsome revenue without causing any injury naturally shocks my mind, because I have been always looking to see that enough is provided by Congress from duties on imported goods to carry on the ordinary operations of the Government.

Mr. HALE. I call the attention of the Senate and the members of the committee to the language of the amendment. I ask the Secretary to report it.

The VICE-PRESIDENT. The amendment will be again stated.

The SECRETARY. At the end of paragraph 676 add:

rough or dressed,

Mr. HALE. I call the attention of the chairman of the committee, who is present, and the Senator from Missouri to the language of the amendment of the Senator from Nebraska which I have just had read, "rough or dressed." Whether the Senator so intended or not, it goes a great deal further than either the committee or the Senate ever intended to go.

I do not know, and no Senator can tell, what under those words would be construed as lumber to be admitted free of duty. There is a very great range between rough and dressed lumber. It may include lumber so far worked upon as to become frames for houses ready to be put up; it may include sashes and blinds, all completed, unpainted, as they are produced by our own manufacturers. The amendment provides for the free admission of all lumber, including dressed lumber, and what the word "dressed" may be interpreted to mean nobody can tell. Therefore I call the attention of the committee and the Senators in the management of the bill to the fact that here is a matter going far beyond what they ever intended, or what the Senate ever intended.

For this reason I hope that few Senators will vote with the Senator from Nebraska [Mr. ALLEN] to make this amendment, which is so clearly crude and uninterpreted, and will be vague, general, and dangerous in its operation. Neither the Senator from Arkansas, nor the Senator from Missouri, nor the chairman of the committee has in any way proposed a clause so sweeping as this, and I hope they will not now sustain it.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Nebraska [Mr. ALLEN].

Mr. JONES of Arkansas. Let us have the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CAREY (when his name was called). I am paired with the junior Senator from Wisconsin [Mr. MITCHELL].

Mr. GIBSON (when his name was called). I am paired with the junior Senator from Michigan [Mr. PATTON] and therefore withhold my vote.

Mr. LODGE (when his name was called). I am paired with the Senator from New York [Mr. HILL] and therefore withhold my vote. If he were present I should vote "nay."

Mr. McLAURIN (when his name was called). I am paired with the junior Senator from Rhode Island [Mr. DIXON].

Mr. McPHERSON (when his name was called). I am paired with the Senator from Delaware [Mr. HIGGINS].

Mr. MITCHELL of Oregon (when his name was called). I transfer my pair with the senior Senator from Wisconsin [Mr. VILAS] to the senior Senator from Nevada [Mr. JONES], and vote "nay."

Mr. PALMER (when his name was called). I again transfer my pair with the Senator from North Dakota [Mr. HANSBROUGH] to the Senator from Texas [Mr. COKE], and vote "yea."

Mr. QUAY (when his name was called). I am paired with the Senator from Alabama [Mr. MORGAN] If he were present I should vote "nay."

The roll call was concluded.

Mr. McLAURIN. I transfer my pair with the junior Senator from Rhode Island [Mr. DIXON] to the Senator from Kansas [Mr. MARTIN], and vote "yea."

Mr. QUAY. I have announced my pair with the Senator from Alabama [Mr. MORGAN]. The Senator from Kentucky [Mr.

BLACKBURN] stands paired with the Senator from Nebraska [Mr. MANDERSON]. I transfer my pair to the Senator from Nebraska [Mr. MANDERSON], so that the Senator from Kentucky [Mr. BLACKBURN] and I can both vote. The Senator from Nebraska [Mr. MANDERSON] and the Senator from Alabama [Mr. MORGAN] will stand paired. I vote "nay."

Mr. BLACKBURN. I vote "yea."

Mr. CAMDEN. I announce my pair with the Senator from South Dakota [Mr. PETTIGREW].

Mr. GORDON. I am paired with the Senator from Iowa [Mr. WILSON].

The result was announced—yeas 28, nays 21, as follows:

YEAS—28.

Allen,	Daniel,	Jones, Ark.	Peffer,
Bate,	Faulkner,	Kyle,	Pugh,
Berry,	Gray,	Lindsay,	Roach,
Blackburn,	Harris,	McLaurin,	Vest,
Caffery,	Hunton,	Murphy,	Voorhees,
Call,	Irby,	Palmer,	Walsh,
Cockrell,	Jarvis,	Pasco,	White.

NAYS—21.

Aldrich,	Hale,	Platt,	Squire,
Allison,	Hawley,	Power,	Teller,
Chandler,	Hoar,	Proctor,	Washburn.
Cullom,	Mitchell, Oregon	Quay,	
Dubois,	Morrill,	Sherman,	
Frye,	Perkins,	Shoup,	

NOT VOTING—36.

Blanchard,	Dolph,	Jones, Nev.	Patton,
Brice,	Gallinger,	Lodge,	Pettigrew,
Butler,	George,	McMillan,	Ransom,
Camden,	Gibson,	McPherson,	Smith,
Cameron,	Gordon,	Manderson,	Stewart,
Carey,	Gorman,	Martin,	Turpie,
Coke,	Hansbrough	Mills,	Vilas,
Davis,	Higgins,	Mitchell, Wis.	Wilson,
Dixon,	Hill,	Morgan,	Wolcott.

So the amendment was agreed to.

Mr. GALLINGER subsequently said: I rise merely to say that I was detained in the committee room upon service of the Senate for the last half hour, and I now understand that a vote has been taken upon the lumber schedule, in which my people are very much interested. I wish to announce that I am paired with the junior Senator from Texas [Mr. MILLS], who votes opposite to the way I do on this schedule, therefore no loss came to the people of my State because I did not vote, but I wish the fact to be stated in the RECORD.

The VICE-PRESIDENT. The reading of the bill will be proceeded with.

Mr. ALLISON. I desire to ask the Chair "where we are at" in the lumber schedule.

The VICE-PRESIDENT. At paragraph 683.

Mr. ALLISON. The prior paragraphs have not been read. I wish to offer an amendment to paragraph 676.

Mr. JONES of Arkansas. I propose that the Secretary go back to where he suspended on the former reading and read each paragraph.

The VICE-PRESIDENT. The Secretary will read as indicated.

The Secretary read as follows:

674. Timber, hewn and sawed, and timber used for spars and in building wharves.
675. Timber, squared or sided.
676. Sawed boards, plank, deals, and other lumber, rough or dressed.

Mr. ALLISON. I wish to call the attention of the committee to the fact that the phraseology of paragraph 676 as it now stands will admit free of duty all lumber of every name and nature used not only in building houses, as was suggested by the Senator from Nebraska [Mr. ALLEN], but in all the finest furniture that is manufactured in the United States, the duty on which has yielded and does yield a large revenue, and which is in no sense an article of necessity, but should rather be regarded as an article of luxury. Under the existing law and under prior statutes we have always made a distinction between the fine cabinet woods and other woods. We do not produce in the United States any very large amount of cabinet woods. So in 1890, in the last revision, we provided in section 220 as follows:

Sawed boards, planks, deals, and all forms of sawed cedar, lignum vitæ, lancewood, ebony, box, granadilla, mahogany, rosewood, satinwood, and all other cabinet woods not further manufactured than sawed, 15 per cent ad valorem; veneers of wood, etc., 20 per cent ad valorem.

We drew a distinction there between the ordinary woods of our own country and the fine cabinet woods, the cabinet woods being required to pay 15 per cent ad valorem, which would amount in many instances to $15 a thousand feet, instead of one or two dollars as provided in other paragraphs of the existing law. Fifteen per cent ad valorem as computed in thousand feet as to mahogany and the other cabinet woods, such as rosewood, satinwood, etc., will amount in some instances to $20 a thousand.

The Senator from Nebraska has secured an amendment to this paragraph which allows these woods to come in free not only in the rough, but to come in in practically the finished state.

I know of no reason why we should give up the revenue which is derived from duties on an article which may be called essentially an article of high comfort, if not of luxury. Therefore, I move at the end of the paragraph to insert what I send to the Secretary's desk, and I hope the Senator from Arkansas will permit the amendment to be made without objection.

The PRESIDING OFFICER (Mr. PASCO in the chair). The amendment proposed by the Senator from Iowa will be stated.

The SECRETARY. Add at the end of paragraph 676 as amended:

Except boards, plank, deals or other lumber of cedar, lignum vitæ, lancewood, ebony, box, granadilla, mahogany, rosewood, satinwood, and all other cabinet woods.

Mr. JONES of Arkansas. Speaking for myself, without having had time to consult with other members of the committee, I am very much inclined to agree to the suggestion of the Senator from Iowa. Rough lumber is now admitted free, and it seems to me that there is no impropriety in excepting the fine cabinet woods from the operation of the paragraph.

Mr. ALLISON. All rough lumber is not admitted free. Logs not sawed are admitted free. We have a large number of mills in our country sawing the logs, one in Baltimore, two in Philadelphia, a half dozen in New York, and several in Chicago.

Mr. VEST. The only difficulty about this matter in my mind is whether these woods which are used for furniture, like mahogany and the others enumerated in paragraph 684, are classified as lumber. I wish I could ask some expert about it. That has been my difficulty in the matter.

Mr. ALLISON. I can say to the Senator that they are classified as lumber. They are sawed in this country, and also sawed very largely in Honduras and other South American countries. There are I know very large saw mills for sawing this lumber established in Honduras and in other countries where mahogany and satinwood are largely produced. Under the provision as it now stands of course all this lumber will come in free of duty, not only sawed, in the rough, but finished.

Mr. VEST. If it is lumber, of course.

Mr. JONES of Arkansas. The amendment of the Senator from Iowa will do no harm.

Mr. VEST. I see no objection to it. We can change it afterwards in conference if the bill ever gets there.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Iowa.

The amendment was agreed to.

The Secretary read as follows:

677. Pine clapboards.
678. Spruce clapboards.
679. Hubs for wheels, posts, last blocks, wagon blocks, oar blocks, gun-blocks, heading, and all like blocks or sticks, rough hewn or sawed only.
680. Laths.
681. Pickets and palings.
682. Shingles.
683. Staves of wood of all kinds, wood unmanufactured: *Provided*, That any of the articles mentioned in paragraph 672 to 683 inclusive, when imported from any country which lays an export duty on the same or any of them, shall be subject to the duties existing prior to the passage of this act.

The next amendment of the Committee on Finance was in paragraph 683, line 9, after the word "that," to strike out "any" and insert "all;" in line 10, after the word "in," to strike out "paragraph" and insert "paragraphs;" and in line 13, after the words "duty on," strike out "the same or;" so as to make the proviso read:

Provided, That all of the articles mentioned in paragraphs 672 to 683 inclusive, when imported from any country which lays an export duty on any of them, shall be subject to the duties existing prior to the passage of this act.

The amendment was agreed to.

Mr. VEST. In line 13, after the word "duty," I move to insert "or imposes discriminating stumpage dues;" so that it will read:

Which lays an export duty or imposes discriminating stumpage dues on any of them.

The amendment was agreed to.

The Secretary read as follows:

684. Woods, namely, cedar, lignum-vitæ, lancewood, ebony, box, granadilla, mahogany, rosewood, satinwood, and all forms of cabinet woods, in the log, rough or hewn; bamboo and rattan unmanufactured; briar root or briar wood, and similar wood unmanufactured, or not further manufactured than cut into blocks suitable for the articles into which they are intended to be converted; bamboo, reeds, and sticks of partridge, hair wood, pimento, orange, myrtle, and other woods, not otherwise specially provided for in this act, in the rough, or not further manufactured than cut into lengths suitable for sticks for umbrellas, parasols, sunshades, whips, or walking canes; and India malacca joints, not further manufactured than cut into suitable lengths for the manufactures into which they are intended to be converted.

The PRESIDING OFFICER. In paragraph 684, line 3, there is a misspelling in the word "umbrellas," which will be corrected if there be no objection.

Mr. MITCHELL of Oregon. I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In line 7, at the end of paragraph 684, add the following proviso:

Provided, That the thirteen preceding paragraphs shall take effect on and after January the 1st, 1895.

Mr. MITCHELL of Oregon. I will state the purpose of the amendment. If we are to have lumber of all kinds on the free list, there ought to be at least six months in which to enable parties engaged in this industry to adjust their business to the proposed change.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Oregon [Mr. MITCHELL].

Mr. MITCHELL of Oregon. On that I ask for the yeas and nays.

The yeas and were ordered, and the Secretary proceeded to call the roll.

Mr. CAMDEN (when his name was called). I am paired with the Senator from South Dakota (Mr. PETTIGREW).

Mr. GALLINGER (when his name was called). I am paired with the Senator from Texas [Mr. MILLS]. The Senator from Mississippi [Mr. GEORGE] is paired with the Senator from Oregon [Mr. DOLPH]. If agreeable to the Senator from Mississippi, we will transfer our pairs and vote.

Mr. GEORGE. Certainly.

Mr. GALLINGER. I vote "yea."

Mr. LODGE (when his name was called). I am paired with the Senator from New York [Mr. HILL]. If he were present I should vote "yea."

Mr. MITCHELL of Wisconsin (when his name was called). I am paired with the Senator from Wyoming [Mr. CAREY].

Mr. QUAY (when his name was called). I am paired with the Senator from Alabama [Mr. MORGAN].

The roll call was concluded.

Mr. QUAY. I have announced my pair with the Senator from Alabama [Mr. MORGAN]. I suggest to the Senator from Kentucky [Mr. BLACKBURN] that we again transfer our pairs and vote, so that the Senator from Nebraska [Mr. MANDERSON] will stand paired with the Senator from Alabama [Mr. MORGAN].

Mr. BLACKBURN. Very well.

Mr. QUAY. I vote "yea."

Mr. BLACKBURN. I vote "nay."

Mr. PALMER. Under the arrangement I have announced several times to-day I vote "nay."

Mr. BLANCHARD. I am paired with the Senator from Michigan [Mr. MCMILLAN]. If he were present I should vote "nay."

Mr. GORDON. I am paired with the junior Senator from Iowa [Mr. WILSON].

Mr. SMITH. I am paired with the Senator from Idaho [Mr. DUBOIS].

Mr. HALE. I suggest to the Senator from New Jersey [Mr. SMITH] that we transfer our pairs, so as to leave the Senator from Idaho [Mr. DUBOIS] paired with the Senator from North Carolina [Mr. RANSOM].

Mr. SMITH. All right. I vote "nay."

Mr. HALE. I vote "yea."

The result was announced—yeas 22, nays 32; as follows:

YEAS—22.

Aldrich,	Hale,	Perkins,	Shoup,
Allison,	Hawley,	Platt,	Squire,
Chandler,	Higgins,	Power,	Teller,
Cullom,	Mitchell, Oregon	Proctor,	Washburn.
Frye,	Morrill,	Quay,	
Gallinger,	Patton,	Sherman,	

NAYS—32.

Allen,	Faulkner,	Jarvis,	Peffer,
Bate,	George,	Jones, Ark.	Pugh,
Berry,	Gibson,	Kyle,	Roach,
Blackburn,	Gorman,	Lindsay,	Smith,
Caffery,	Gray,	McPherson,	Vest,
Call,	Harris,	Murphy,	Vilas,
Cockrell,	Hunton,	Palmer,	Voorhees,
Daniel,	Irby,	Pasco,	White.

NOT VOTING—31.

Blanchard,	Dixon,	Lodge,	Pettigrew,
Brice,	Dolph,	McLaurin,	Ransom,
Butler,	Dubois,	McMillan,	Stewart,
Camden,	Gordon,	Manderson,	Turpie,
Cameron,	Hansbrough,	Martin,	Walsh,
Carey,	Hill,	Mills,	Wilson,
Coke,	Hoar,	Mitchell, Wis.	Wolcott.
Davis,	Jones, Nev.	Morgan,	

So the amendment was rejected.

The PRESIDING OFFICER. The reading of the bill will be proceeded with.

The Secretary read as follows:

685. All wool of the sheep, hair of the camel, goat, alpaca, and other like animals, and all wool and hair on the skin, noils, yarn waste, card waste, bur waste, rags, and flocks, including all waste, or rags composed wholly or in part of wool: *Provided*, That this paragraph shall take effect on and after August 2, 1894.

Mr. JONES of Arkansas. I move to strike out the words inclosed in brackets in lines 10 and 11, and insert what follows in small type leaving out the words "carded waste."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In line 10, after the words "bur waste," it is proposed to strike out "rags, and flocks, including," and insert "slubbing waste, roving waste, ring waste, and;" and in line 12, after the word "wool," to insert "and all the foregoing not otherwise herein provided for," so as to read:

685. All wool of the sheep, hair of the camel, goat, alpaca, and other like animals, and all wool and hair on the skin, noils, yarn waste, card waste, bur waste, slubbing waste, roving waste, ring waste, and all waste or rags composed wholly or in part of wool.

Mr. ALLISON. Why not include carded waste?

Mr. JONES of Arkansas. Carded waste was put on the taxable list.

Mr. ALLISON. Should not the words "not otherwise provided for" be inserted?

Mr. ALDRICH. Yes; the words "not otherwise provided for in this act" should be inserted.

Mr. JONES of Arkansas. I shall move that amendment when the amendment which I have offered is acted upon.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Arkansas.

The amendment was agreed to.

Mr. JONES of Arkansas. I move to strike out the proviso at the end of the paragraph.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. It is proposed to strike out lines 13 and 14 of the paragraph, as follows:

Provided, That this paragraph shall take effect on and after August 2, 1894.

The amendment was agreed to.

Mr. SHERMAN. I now ask for a vote on the paragraph as it stands.

Mr. CHANDLER. The Senator means to move to strike out the paragraph?

Mr. SHERMAN. No; I ask a vote on the paragraph as it stands.

The PRESIDING OFFICER. There is no question now pending.

Mr. ALDRICH. The Senator will probably have to make the motion to accomplish his object.

Mr. SHERMAN. I think I have the right in all these paragraphs, because each paragraph is treated as a separate proposition, to call for a vote as to whether a paragraph shall be retained or stricken out. However, I will move to strike out the paragraph, which will answer the same purpose.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Ohio to strike out paragraph 685.

Mr. SHERMAN. I ask for the yeas and nays.

Mr. CHANDLER. Let the paragraph be read as it now stands.

The PRESIDING OFFICER. The paragraph as amended will be read.

The Secretary read as follows:

685. All wool of the sheep, hair of the camel, goat, alpaca, and other like animals, and all wool and hair on the skin, noils, yarn waste, card waste, bur waste, slubbing waste, roving waste, ring waste, and all waste, or rags composed wholly or in part of wool: all the foregoing not otherwise herein provided for.

Mr. SHERMAN. I submit this proposition to the Senators on the other side: As the question about wool and woolens will probably be under debate in the Senate when the bill is reported to the Senate, if it is agreeable to Senators on the other side, I am perfectly willing that the controversy about this matter shall go over until the bill is reported to the Senate.

I sincerely hope and trust that Senators on the other side will see their way clear to avoid the entire destruction of the sheep industry of the United States.

On the whole I would rather the question should go over until the entire matter is considered in the Senate.

Mr. COCKRELL. The Senator withdraws his amendment for the time being?

Mr. SHERMAN. Yes, sir; and I withdraw the call for the yeas and nays.

The PRESIDING OFFICER. The Chair understands the amendment of the Senator from Ohio is withdrawn for the present.

Mr. SHERMAN. I withdraw the amendment for the present.

The PRESIDING OFFICER. The reading of the bill will proceed.

The Secretary read as follows:

686. Works of art, the production of American artists residing temporarily abroad, or other works of art, including pictorial paintings on glass, imported expressly for presentation to a national institution, or to any State or municipal corporation, or incorporated religious society, college, or other public institution, including stained or painted window glass or stained or painted glass windows; but such exemption shall be subject to such regulations as the Secretary of the Treasury may prescribe.

The Committee on Finance reported an amendment to paragraph 686, in line 20, after the word "institution," to strike out "including stained or painted window glass or stained or painted glass windows."

Mr. JONES of Arkansas. The amendment of the committee is withdrawn.

The PRESIDING OFFICER. The amendment of the committee being withdrawn, the reading of the bill will proceed.

The Secretary read as follows:

687. Works of art, drawings, engravings, photographic pictures, and philosophical and scientific apparatus brought by professional artists, lecturers, or scientists arriving from abroad for use by them temporarily for exhibition and in illustration, promotion, and encouragement of art, science, or industry in the United States, and not for sale, and photographic pictures, paintings, and statuary imported for exhibition by any association established in good faith and duly authorized under the laws of the United States, or of any State, expressly and solely for the promotion and encouragement of science, art, or industry, and not intended for sale, shall be admitted free of duty, under such regulations as the Secretary of the Treasury shall prescribe; but bonds shall be given for the payment to the United States of such duties as may be imposed by law upon any and all such articles as shall not be exported within six months after such importation: *Provided*, That the Secretary of the Treasury may, in his discretion, extend such period for a further term of six months in cases where applications therefor shall be made.

The Committee on Finance reported an amendment to paragraph 687, on page 120, line 5, after the words "photographic pictures," to strike out "paintings, and statuary."

The amendment was agreed to.

Mr. ALDRICH. My attention was temporarily diverted at the time paragraph 686 was passed upon. I should like to inquire of the Senator from Arkansas what action was taken on the amendment reported by the committee striking out the words in lines 20 and 21 in the bill as printed?

Mr. JONES of Arkansas. The amendment was withdrawn, and those words remain in the bill.

Mr. ALDRICH. I desire to call the attention of the Senator from Arkansas to the fact that paragraph 102 imposes a duty on "all stained or painted glass windows," and those words are in the free list in two different places. I do not know what action the committee intend to take as to the paragraph we passed over yesterday, which also contains a similar provision.

Mr. JONES of Arkansas. This provision is that these articles when imported for the purpose of "presentation to a national institution, or to any State or municipal corporation, or incorporated religious society, college, or other public institution," shall be admitted free; otherwise, they are to be taxed.

Mr. ALDRICH. Paragraph 585 contains these words:

Including stained or painted window-glass or stained or painted glass windows, specially imported in good faith for the use of any society or institution incorporated or established for religious, philosophical, educational, scientific, or literary purposes, or for encouragement of the fine arts, and not intended for sale.

Mr. JONES of Arkansas. I did not hear the question of the Senator.

Mr. ALDRICH. I desire to know what action was taken on paragraph 585, which contains the words I have just read.

Mr. JONES of Arkansas. The words in italics were withdrawn, and they are stricken from the bill.

Mr. ALDRICH. I did not know that.

Mr. MITCHELL of Oregon. I desire to know what the understanding was in regard to paragraph 685, relating to wool.

Mr. SHERMAN. That goes over until the question of the duty on wool is submitted in the Senate.

Mr. MITCHELL of Oregon. As I understand, then, by common consent paragraph 685 is agreed to as in Committee of the Whole?

Mr. SHERMAN. No action was taken upon it. It goes over to be reported to the Senate.

Mr. MITCHELL of Oregon. But the effect of it is to agree to it as in Committee of the Whole.

Mr. SHERMAN. The Senator may move to strike it out if he desires.

Mr. JONES of Arkansas. That has been disposed of in the same way the other paragraphs have been.

Mr. MITCHELL of Oregon. I had intended to offer an amendment to the paragraph as in Committee of the Whole, and I give notice now that when the bill is reported to the Senate, unless some other Senator does so, I shall move, in line 14, on page 119, paragraph 685, to strike out the words "August 2, 1894," and insert in lieu thereof the words "July 1, 1895."

Mr. SHERMAN. That has already been stricken out.

Mr. JONES of Arkansas. That proviso has already been stricken out.

Mr. MITCHELL of Oregon. I understand that has not been done.

Mr. SHERMAN. It has been done on the motion of the Senator from Arkansas.

The PRESIDING OFFICER. The last two lines of paragraph 685 have been stricken out.

Mr. MITCHELL of Oregon. I ask that the paragraph may be read as it now stands.

The PRESIDING OFFICER. The paragraph will be read at the request of the Senator from Oregon, if there be no objection.

Mr. JONES of Arkansas. Let it be read; but I dislike this way of violating a unanimous consent agreement and going back to things which have been passed upon.

The Secretary read as follows:

685. All wool of the sheep, hair of the camel, goat, alpaca, and other like animals, and all wool and hair on the skin, noils, yarn waste, card waste, bur waste, slubbing waste, roving waste, ring waste, and all waste or rags composed wholly or in part of wool; all the foregoing not otherwise herein provided for.

Mr. JONES of Arkansas. I now ask for the regular order.

Mr. MITCHELL of Oregon. Let the proviso be read.

Mr. JONES of Arkansas. The proviso was sticken out.

Mr. MITCHELL of Oregon. Then, so far from the amendment that I suggested having been agreed to, the very reverse has been agreed to; and while the committee reported in favor of postponing the taking effect of these paragraphs until the 2d day of August next, they now have stricken out those words; so that the provision will take effect immediately on the passage of the bill. That is the present situation of the question.

Mr. JONES of Arkansas. Question, Mr. President.

The PRESIDING OFFICER. The reading of the bill will proceed.

The Secretary read as follow:

688. Works of art, collections in illustration of the progress of the arts, science, or manufactures, photographs, works in terra cotta, parian, pottery, or porcelain, and artistic copies of antiquities in metal or other material, hereafter imported in good faith for permanent exhibition at a fixed place by any society or institution established for the encouragement of the arts or of science, and all like articles imported in good faith by any society or association for the purpose of erecting a public monument, and not intended for sale, nor for any other purpose than herein expressed; but bonds shall be given under such rules and regulations as the Secretary of the Treasury may prescribe, for the payment of lawful duties which may accrue should any of the articles aforesaid be sold, transferred, or used contrary to this provision, and such articles shall be subject, at any time, to examination and inspection by the proper officers of the customs: *Provided*, That the privileges of this and the preceding section shall not be allowed to associations or corporations engaged in or connected with business of a private or commercial character.

689. Yams.

690. Zaffer.

SEC. 3. That there shall be levied, collected, and paid on the importation of all raw or unmanufactured articles, not enumerated or provided for in this act, a duty of 10 per cent ad valorem; and on all articles manufactured, in whole or in part, not provided for in this act, a duty of 20 per cent ad valorem.

Mr. PLATT. I had intended to offer at this stage of the bill an amendment, which was yesterday ordered to be printed, the object of which is to provide that alcohol used in manufactures and in the arts shall not pay the internal-revenue tax which is provided for in the bill, but I think it will be more proper to withhold the amendment until we reach the part of the bill which relates to the tax upon alcohol. I shall offer it at that time. The provisions of the amendment are taken from a bill which was passed by the Senate in 1889.

The PRESIDING OFFICER. The reading of the bill will be resumed.

The Secretary read as follows:

SEC. 4. That each and every imported article, not enumerated in this act, which is similar, either in material, quality, texture, or the use to which it may be applied, to any article enumerated in this act as chargeable with duty shall pay the same rate of duty which is levied on the enumerated article which it most resembles in any of the particulars before mentioned; and if any nonenumerated article equally resembles two or more enumerated articles on which different rates of duty are chargeable there shall be levied on such nonenumerated article the same rate of duty as is chargeable on the article which it resembles paying the highest rate of duty; and on articles not enumerated, manufactured of two or more materials, the duty shall be assessed at the highest rate at which the same would be chargeable if composed wholly of the component material thereof of chief value; and the words "component material of chief value," wherever used in this act, shall be held to mean that component material which shall exceed in value any other single component material of the article; and the value of each component material shall be determined by the ascertained value of such material in its condition as found in the article. If two or more rates of duty shall be applicable to any imported article it shall pay duty at the highest of such rates.

SEC. 5. That all articles of foreign manufacture, such as are usually or ordinarily marked, stamped, branded, or labeled, and all packages containing such or other imported articles, shall, respectively, be plainly marked, stamped, branded, or labeled in legible English words, so as to indicate the country of their origin; and unless so marked, stamped, branded, or labeled they shall not be delivered to the importer except under such regulations as the Secretary of the Treasury may prescribe.

The Committee on Finance reported to amend section 5, in line 23, before the words "so marked," by striking out "unless" and inserting "until;" and in line 1, on page 123, after the word

"importer," by striking out "except under such regulations as the Secretary of the Treasury may prescribe."

The amendment was agreed to.

The Secretary read as follows:

SEC. 2. That no article of imported merchandise which shall copy or simulate the name or trade-mark of any domestic manufacture or manufacturer shall be admitted to entry at any custom-house of the United States. And in order to aid the officers of the customs in enforcing this prohibition any domestic manufacturer who has adopted trade-marks may require his name and residence and a description of his trade-marks to be recorded in books which shall be kept for that purpose in the Department of the Treasury under such regulations as the Secretary of the Treasury shall prescribe, and may furnish to the Department facsimiles of such trade-marks; and thereupon the Secretary of the Treasury shall cause one or more copies of the same to be transmitted to each collector or other proper officer of the customs.

SEC. 7. That all articles of foreign production which may be necessary for the construction of vessels, including machinery and equipment, built in the United States for foreign account and ownership or for the purpose of being employed in the foreign trade, including the trade between the Atlantic and Pacific ports of the United States, after the passage of this act may be imported in bond, under such regulations as the Secretary of the Treasury may prescribe; and upon proof that such materials have been used for such purpose no duties shall be paid thereon. But vessels receiving the benefit of this section shall not be allowed to engage in the coastwise trade of the United States more than two months in any one year, except upon the payment to the United States of the duties on which a rebate is herein allowed: *Provided*, That vessels built in the United States for foreign account and ownership shall not be allowed to engage in the coastwise trade of the United States.

Mr. JONES of Arkansas. I move to strike out section 7 and insert what I send to the Secretary's desk.

The PRESIDING OFFICER. The amendment proposed by the Senator from Arkansas will be stated.

The SECRETARY. It is proposed to strike out section 7, and in lieu thereof to insert:

That all materials of foreign production which may be necessary for the construction of vessels built in the United States for foreign account and ownership, or for the purpose of being employed in the foreign trade between the Atlantic and Pacific ports of the United States, and all such materials necessary for the building of their machinery, and all articles necessary for their outfit and equipment, after the passage of this act, may be imported in bond under such regulations as the Secretary of the Treasury may prescribe; and upon proof that such materials have been used for such purposes no duties shall be paid thereon. But vessels receiving the benefit of this section shall not be allowed to engage in the coastwise trade of the United States more than two months in any one year except upon the payment to the United States of the duties of which a rebate is herein allowed: *Provided*, That vessels built in the United States for foreign account and ownership shall not be allowed to engage in the coastwise trade of the United States.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Arkansas.

Mr. PERKINS. I should like to have that amendment read once more for information.

Mr. HOAR. I think there is some mistake in the phraseology of the amendment.

Mr. ALDRICH. Let the amendment be read once more.

Mr. JONES of Arkansas. I suggest, in order to give Senators an opportunity to look into it, that the amendment be passed over informally.

Mr. HOAR. I think that had better be done.

The PRESIDING OFFICER. It will be so ordered, in the absence of objection. The reading of the bill will be resumed.

The Secretary read as follows:

SEC. 8. That all articles of foreign production needed for the repair of American vessels engaged in foreign trade, including the trade between the Atlantic and Pacific ports of the United States, may be withdrawn from bonded warehouses free of duty, under such regulations as the Secretary of the Treasury may prescribe.

SEC. 9. That all articles manufactured in whole or in part of imported materials and intended for exportation without being charged with duty and without having an internal-revenue stamp affixed thereto shall, under such regulations as the Secretary of the Treasury may prescribe, in order to be so manufactured and exported be made and manufactured in bonded warehouses similar to those known and designated in Treasury Regulations as bonded warehouses, class 2: *Provided*, That the manufacturer of such articles shall first give satisfactory bonds for the faithful observance of all the provisions of law and of such regulations as shall be prescribed by the Secretary of the Treasury.

Whenever goods manufactured in any bonded warehouse established under the provisions of the preceding paragraph shall be exported directly therefrom or shall be duly laden for transportation and immediate exportation under the supervision of the proper officer who shall be duly designated for that purpose, such goods shall be exempt from duty and from the requirements relating to revenue stamps.

Any materials used in the manufacture of such goods, and any packages, coverings, vessels, brands, and labels used in putting up the same may, under the regulations of the Secretary of the Treasury, be conveyed without the payment of revenue tax or duty into any bonded manufacturing-warehouse, and imported goods may, under the aforesaid regulations, be transferred without the exaction of duty from any bonded warehouse into any bonded manufacturing warehouse; but this privilege shall not be held to apply to implements, machinery, or apparatus to be used in the construction or repair of any bonded manufacturing warehouse or for the prosecution of the business carried on therein.

No articles or materials received into such bonded manufacturing warehouse shall be withdrawn or removed therefrom except for direct shipment and exportation or for transportation and immediate exportation in bond under the supervision of the officer duly designated therefor by the collector of the port, who shall certify to such shipment and exportation, orladening for transportation, as the case may be, describing the articles by their mark or otherwise, the quantity, the date of exportation, and the name of the vessel. All labor performed and services rendered under these provisions shall be under the supervision of a duly designated officer of the customs and at the expense of the manufacturer.

A careful account shall be kept by the collector of all merchandise delivered by him to any bonded manufacturing warehouse, and a sworn monthly return, verified by the customs officers in charge, shall be made by the manufacturers containing a detailed statement of all imported merchandise used by him in the manufacture of exported articles.

Before commencing business the proprietor of any manufacturing warehouse shall file with the Secretary of the Treasury a list of all the articles intended to be manufactured in such warehouse and state the formula of manufacture and the names and quantities of the ingredients to be used therein.

Articles manufactured under these provisions may be withdrawn under such regulations as the Secretary of the Treasury may prescribe for transportation and delivery into any bonded warehouse at an exterior port for the sole purpose of immediate export therefrom.

The provisions of Revised States 3433 shall, so far as may be practicable, apply to any bonded manufacturing warehouse established under this act and to the merchandise conveyed therein.

The Committee on Finance reported to amend section 9, in line 16, on page 124, after the words "imported material," by inserting "or of materials subject to internal-revenue tax;" so as to read:

That all articles manufactured in whole or in part of imported materials, or of materials subject to internal-revenue tax, and intended for exportation without being charged with duty and without having an internal-revenue stamp affixed thereto shall, under such regulations as the Secretary of the Treasury may prescribe, etc.

The amendment was agreed to.

Mr. ALDRICH. The provisions of this section work a great change in the existing law. This is an entirely new departure in the United States as to the methods of manufacturing goods for exportation. The Secretary of the Treasury is given vast discretionary powers, in fact the integrity of the entire revenue will depend very largely upon the vigilance and ability with which he shall execute the provisions of this section.

The object sought is undoubtedly a good one, but whether the safeguards which are thrown around the business of manufacturing for export by the provisions of the section are sufficient or not, I do not at this time undertake to say. As they stand, however, they are certainly liable to criticism. I hope that the experiment may be a successful one.

The PRESIDING OFFICER. The reading of the bill will be proceeded with.

Mr. ALLISON. I thought the Senator from Rhode Island asked for some explanation of section 9.

Mr. ALDRICH. I should be glad to have an explanation, but I did not ask for one, because I did not expect to get it.

Mr. ALLISON. I think the section is of sufficient importance to have same explanation made of it by those who are responsible for this bill.

Mr. JONES of Arkansas. With the permission of the Senator from Iowa, before he proceeds, I wish to return to section 7, which was passed over informally a few minutes ago, to allow Senators to examine the amendment which was offered. In copying there were two or three words omitted, which are now inserted, and I ask that the amendment may be acted upon.

The PRESIDING OFFICER. The amendment will be stated.

Mr. HOAR. It is not necessary to read again the entire amendment. It is sufficient to read the modification which has been made by the insertion of a few words.

The PRESIDING OFFICER. The reading of the amendment was called for sometime ago by the Senator from California [Mr. PERKINS].

Mr. FRYE. The amendment has been read in full once, and the Senator from California does not want it read again, I am sure.

The PRESIDING OFFICER. The modification of the amendment suggested by the Senator from Arkansas will be stated.

The SECRETARY. It is proposed to modify the amendment, in line 4, after the words "foreign trade," by inserting "including the trade;" so as to read:

Or for the purpose of being employed in the foreign trade, including the trade between the Atlantic and Pacific ports of the United States, etc.

Mr. FRYE. That is right.

The PRESIDING OFFICER. The amendment proposed by the Senator from Arkansas will be so modified. The question is on agreeing to the amendment as modified.

The amendment as modified was agreed to.

Mr. ALLISON. I have understood that section 9 was prepared in the Treasury Department, and that it has received the sanction of the Assistant Secretary of the Treasury, who prepared it; but it certainly is a very broad and widely extended provision. It authorizes any manufacturer who desires to do so, to have established for him a manufacturing bonded warehouse, into which he may import any article which to him is raw material, may commingle it with any product of the United States, and then send that combined product out of the United States free of duty. It may be that this can be done and will be done, without any danger of fraud on the revenue; but I am inclined to believe that the effect of it will be to transfer practically all manufactures of the United States for export to the Atlantic

seaboard, and leave the residue of the people of the United States now manufacturing articles for export, to a very large extent in a situation where they can not compete.

I think it will involve the creation of a multitude of offices and officers, to be paid by the manufacturer, and of course to be under his direction and guidance; and it will be an easy thing for great frauds to be perpetrated under this provision. Under it all manufactures of cigars and tobacco, and all manufactures for export of every name and nature can be entered free at the Atlantic seaboard, and carried on with a single man, paid for by the manufacturer, as supervisor.

I do not think it is a sufficient answer to this statement to say that in a limited way this has existed for a great many years. It has existed in regard to the manufacture of medical preparations and cosmetics for some years in two or three specially bonded warehouses; and whilst I have no knowledge that in any way the internal-revenue laws have been violated, it offers such temptation to the violation of those laws as seems to require that such a provision should be limited to the narrowest possible extent.

Mr. PLATT. May I interrupt the Senator for a moment?

Mr. ALLISON. Certainly.

Mr. PLATT. In the bill of 1888 an attempt was made to provide that alcohol used in the arts might be used free of duty, and it was provided:

That any manufacturer, after having provided, at its own expense, on the premises and connected with his manufactory, a secure storeroom, in which all spirits used in the manufactory shall be exclusively entered and stored, and to be separated by a secure wall from all other parts of such manufactory, and with one door only entering therein, and all other openings secured and fastened, and approved by the collector of the district and the Commissioner of Internal Revenue—

Then great pains were taken to provide that everything that was done in this way should be done in a way to prevent fraud. I do not see why any manufactory can not be converted into a bonded manufactory, and in a way which will not separate and make exclusive the manufacture of these articles for export. There are no safeguards thrown around the factory.

Mr. ALLISON. I remember the proposed legislation in 1888, and I remember that, even with all the safeguards thrown around it, it was supposed to be of such doubtful character that it was finally thrown out, except as respects brandy and other spirits.

Here is an express provision, and it is inserted by the Senate committee, whereby all the spirits and all the alcohol in the United States can be used in these bonded warehouses without any restrictions and restraints such as are thrown around distilled spirits under the internal-revenue laws.

I do not know what the motive or object may be by one single sweep enlarging the provisions as to bonded warehouses; but I confess that I have great apprehensions that it will result in widespread frauds upon the revenue.

Mr. PLATT. I want to call attention a little further to the fact that every manufactory which, under the provisions of this bill, shall engage in the manufacture of articles for export must have a Government officer in the factory. The increase of the official list by this means can not be estimated; it will be very large. These officials are not to be appointed under civil-service regulations, so far as I am at present advised; I think not. They will be politicians who want places; and they are to be paid by the manufacturer. I merely desire to call attention to it now, so that in the future, when frauds arise, it may not be said that attention was not called to the matter when the bill was under consideration.

Mr. JONES of Arkansas. Mr. President, I am a little surprised at the anxiety felt by Senators upon the other side about frauds to be perpetrated in manufacturing in bonded warehouses. The law already provides for a number of things of this kind to be done, and I have heard of no difficulty in their execution. The plain, simple fact, well known by everybody, is that if our manufacturers are to be handicapped by being taxed on the raw materials they use in their manufactories, it will be impossible for them to compete with other nations in the markets of the world.

This section simply provides that the manufacturer of such articles, under such regulations as the Secretary of the Treasury may prescribe, may manufacture them without paying duty upon the goods intended to be sold abroad. Section 8 of the present law provides that all lumber, timber, hemp, manilla, wire rope, and iron and steel rods, bars, spikes, nails, and numbers of other things intended to be used for building ships for foreign account may come in free. Section 9 also provides for articles to be used in the repair of American vessels coming in free. Section 10 provides that all medicines, preparations, compositions, perfumery, cosmetics, cordials, and other like things may be manufactured in a similar way.

We are simply amplifying and extending the law as it now is, and it has operated without difficulty and without fraud up to this time. We have no doubt that it can be just as well executed in the future as it has been in the past. There has been no difficulty heretofore about the execution of the law.

The PRESIDING OFFICER. The reading of the bill will proceed.

The Secretary read as follows:

SEC. 10. That all persons are prohibited from importing into the United States from any foreign country any obscene book, pamphlet, paper, writing, advertisement, circular, print, picture, drawing, or other representation, figure, or image on or of paper or other material, or any cast, instrument, or other article of an immoral nature, or any drug or medicine, or any article whatever for the prevention of conception or for causing unlawful abortion. No such articles, whether imported separately or contained in packages with other goods entitled to entry, shall be admitted to entry; and all such articles shall be proceeded against, seized, and forfeited by due course of law. All such prohibited articles and the package in which they are contained in the course of importation shall be detained by the officer of customs, and proceedings taken against the same as hereinafter prescribed, unless it appears to the satisfaction of the collector of customs that the obscene articles contained in the package were inclosed therein without the knowledge or consent of the importer, owner, agent, or consignee: *Provided*, That the drugs hereinbefore mentioned, when imported in bulk and not put up for any of the purposes hereinbefore specified, are excepted from the operation of this section.

Mr. HOAR. I ask the Senator from Arkansas to add after the word "abortion," in line 11 of section 10, the words "or any lottery ticket, or any advertisement of any lottery." That is the substance of a bill which has unanimously passed the Senate at the present session.

Mr. JONES of Arkansas. I have no objection to the amendment. The bill spoken of by the Senator has not yet become a law.

Mr. HOAR. It has not become a law.

The PRESIDING OFFICER. The amendment proposed by the Senator from Massachusetts will be stated.

The SECRETARY. After the word "abortion," in line 11, section 10, it is proposed to insert "or any lottery ticket, or any advertisement of any lottery."

Mr. HOAR. The bill which passed the Senate is much more extensive and applies to the use of the mails, but this amendment ought to be in the pending bill.

The amendment was agreed to.

The Secretary read as follows:

SEC. 11. That whoever, being an officer, agent, or employé of the Government of the United States, shall knowingly aid or abet any person engaged in any violation of any of the provisions of law prohibiting importing, advertising, dealing in, exhibiting, or sending or receiving by mail obscene or indecent publications or representations, or means for preventing conception or procuring abortion, or other articles of indecent or immoral use or tendency, shall be deemed guilty of a misdemeanor, and shall for every offense be punishable by a fine of not more than $5,000, or by imprisonment at hard labor for not more than ten years, or both.

SEC. 12. That any judge of any district or circuit court of the United States, within the proper district, before whom complaint in writing of any violation of the two preceding sections is made, to the satisfaction of such judge, and founded on knowledge or belief, and if upon belief, setting forth the grounds of such belief, and supported by oath or affirmation of the complainant, may issue, conformably to the Constitution, a warrant directed to the marshal or any deputy marshal in the proper district, directing him to search for, seize, and take possession of any such article or thing mentioned in the two preceding sections, and to make due and immediate return thereof to the end that the same may be condemned and destroyed by proceedings, which shall be conducted in the same manner as other proceedings in the case of municipal seizure, and with the same right of appeal or writ of error.

SEC. 13. That machinery for repair may be imported into the United States without payment of duty, under bond, to be given in double the appraised value thereof, to be withdrawn and exported after said machinery shall have been repaired; and the Secretary of the Treasury is authorized and directed to prescribe such rules and regulations as may be necessary to protect the revenue against fraud and secure the identity and character of all such importations when again withdrawn and exported, restricting and limiting the export and withdrawal to the same port of entry where imported, and also limiting all bonds to a period of time of not more than six months from the date of the importation.

Mr. HOAR. I desire to ask the Senator from Arkansas, who has charge of the bill, or the Chair, whether any change was made in regard to cocoanuts in paragraph 491 of the free list?

The PRESIDING OFFICER. The Chair understands that there was.

Mr. HOAR. I was called from the Chamber for a moment. I intended to call attention to the matter when it came up, but I did not do it, because a constituent of mine who was interested in the matter had received, as I understood, a communication from a member of the committee saying that cocoanuts were upon the free list. I should be glad to have unanimous consent to have that paragraph treated as still open; otherwise I shall move a reconsideration of the action taken upon it.

The PRESIDING OFFICER. The action on the paragraph will be regarded as reconsidered, if there be no objection. The Chair hears none.

Mr. HOAR. Let the paragraph be read as it stands.

The Secretary read as follows:

491. Brazil nuts, cream nuts, palm nuts, and palm nut kernels not otherwise provided for.

Mr. HOAR. Was the word "cocoanuts" stricken out?

Mr. JONES of Arkansas. For the information of the Senator from Massachusetts I will state that when paragraph 224 was reached in the reading of the bill the words "cocoanuts and" were inserted before the words "nuts of all kinds."

Mr. HOAR. When was that done?

Mr. JONES of Arkansas. When the paragraph was regularly reached in the reading of the bill.

Mr. HOAR. Perhaps the Senate, by unanimous consent, will allow me to make a statement, treating the paragraph as open for the moment, and then I shall not be charged with any want of fidelity to my constituent.

Mr. JONES of Arkansas. I have no objection.

Mr. HOAR. I have received two communications from an important firm of importers of foreign nuts and fruits in Boston, in which they state that the domestic product of this sort is exceedingly small and must necessarily, by natural causes, be confined to a very small area in the country. As everybody knows, cocoanuts are a luxury of poor people and children, so far as the fresh nuts are imported for the purposes of food; and it seems to me, therefore, an article which should come within the principle on which tariff duties are imposed. I therefore appeal to the Senator from Arkansas to allow cocoanuts to stand on the free list, where they have stood in all previous tariffs, I believe.

Mr. JONES of Arkansas. The committee, with considerable reluctance, yielded to the request and solicitation of a number of Senators to let this article be treated like other nuts, and pay the same rate of tariff. I do not think the committee would be willing now to retrace its steps and put it back.

Mr. HOAR. I shall not ask for a yea-and-nay vote, but I ask merely for a *viva voce* vote. I move to restore cocoanuts to the free list.

The PRESIDING OFFICER. If there be no objection the Chair will put the question on the amendment of the Senator from Massachusetts. The amendment will be stated.

The SECRETARY. It is proposed to insert before the word "Brazil nuts," in paragraph 49, the word "cocoanuts;" so as to read:

491. Cocoanuts, Brazil nuts, cream nuts, palm nuts, and palm-nut kernels.

The PRESIDING OFFICER. The question is on the adoption of the amendment proposed by the Senator from Massachusetts [Mr. HOAR].

The amendment was rejected.

Mr. FRYE. I desire to offer amendments to sections 14, 15, and 16. As the amendments have but one purpose, I shall offer them as one amendment after the three sections have been read.

The PRESIDING OFFICER. The reading of the bill will proceed.

The Secretary read as follows:

SEC. 14. That a discriminating duty of 10 per cent ad valorem, in addition to the duties imposed by law, shall be levied, collected, and paid on all goods, wares, or merchandise which shall be imported in vessels not of the United States; but this discriminating duty shall not apply to goods, wares, and merchandise which shall be imported in vessels not of the United States, entitled, by treaty or any act of Congress, to be entered in the ports of the United States on payment of the same duties as shall then be paid on goods, wares, and merchandise imported in vessels of the United States.

SEC. 15. That no goods, wares, or merchandise, unless in cases provided for by treaty, shall be imported into the United States from any foreign port or place, except in vessels of the United States, or in such foreign vessels as truly and wholly belong to the citizens or subjects of that country of which the goods are the growth, production, or manufacture, or from which such goods, wares, or merchandise can only be, or most usually are, first shipped for transportation. All goods, wares, or merchandise imported contrary to this section, and the vessel wherein the same shall be imported, together with her cargo, tackle, apparel, and furniture, shall be forfeited to the United States; and such goods, wares, or merchandise, ship, or vessel, and cargo shall be liable to be seized, prosecuted, and condemned in like manner, and under the same regulations, restrictions, and provisions as have been heretofore established for the recovery, collection, distribution, and remission of forfeitures to the United States by the several revenue laws.

SEC. 16. That the preceding section shall not apply to vessels or goods, wares or merchandise imported in vessels of a foreign nation which does not maintain a similar regulation against vessels of the United States.

Mr. FRYE. I desire to offer two or three amendments, but there are not Republicans enough here, or Democrats either, to get a second for a call for the yeas and nays.

Mr. ALDRICH. It can be done by unanimous consent.

Mr. ALLISON. I understand that is an intimation which requires the roll to be called.

The PRESIDING OFFICER. The Chair understands the Senator to suggest that there is not a quorum present. In the face of that suggestion, the Chair will direct the roll to be called.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich,	Brice,	Cullom,	George,
Allen,	Caffery,	Daniel,	Gibson,
Allison,	Call,	Davis,	Gordon,
Bate,	Camden,	Dubois,	Harris,
Berry,	Carey,	Faulkner,	Hawley,
Blackburn,	Chandler,	Frye,	Higgins,
Blanchard,	Cockrell,	Gallinger,	Hoar,
Jarvis,	Morrill,	Pugh,	Teller,
Jones, Ark.	Murphy,	Roach,	Vest,
Lindsay,	Pasco,	Sherman,	Vilas,
Lodge,	Patton,	Shoup,	Voorhees,
McLaurin,	Peffer,	Smith,	Walsh.
Martin,	Perkins,	Squire,	
Mitchell, Oregon	Power,	Stewart,	

The PRESIDING OFFICER. Fifty-four Senators have answered to their names. A quorum is present. The Senator from Maine will proceed.

Mr. FRYE. Mr. President, I offer the amendments which I send to the desk as one amendment, because together they effect one purpose.

The PRESIDING OFFICER. The amendments will be stated.

The SECRETARY. It is proposed to amend section 14 by adding thereto the following:

Until after January 1, 1896, and notice of this provision shall be given all nations before the 31st day of December next.

To amend section 15 by inserting after the word "treaty," in line 2, the words:

Hereafter made and ratified.

To amend section 16 by adding thereto the words:

Until after January 1, 1896, and notice of this provision shall be given all nations before the 31st day of December, 1894.

Mr. FRYE. Mr. President, section 14 of the pending bill provides for a discriminating duty of 10 per cent on certain goods which are brought in on American bottoms. It has been a provision of the law for a great many years, but is to-day of no earthly account because we have given away every advantage we ought to derive from it by reciprocal legislation and by treaties. Undoubtedly, I suppose, the Secretary of the Treasury to-dry would say that he did not know of an instance in the last five years when such provisions as those contained in this section 14 had been applicable, and there had been a discriminating duty allowed.

The pending amendments if agreed to will have this effect: To give notice to all the nations of the earth of a discriminating duty of 10 per cent in favor of all goods brought into the country in American vessels; and that notice will abrogate all treaties hitherto made which to-day stand in our way; and repeal all reciprocal legislation, and it is for the purpose of making another attempt to revive our marine on the ocean that I offer these amendments.

The fathers seemed to understand this question perfectly, and in the first tariff act ever passed in the United States, approved July 4, 1789, the following discriminating duties were imposed on teas per pound imported in American vessels:

Teas imported from China or India bore duties as follows: Bohea, 6 cents; Souchong, 10 cents; Hyson, 20 cents; other green teas, 12 cents.

Imported from Europe—Bohea, 8 cents; Souchong, 13 cents; Hyson, 26 cents; other green teas, 16 cents.

If these teas were imported in American bottoms these duties were imposed, but if they were imported in foreign-owned and foreign-built ships, then the duties were doubled, Bohea tea being 15 cents, Souchong 22 cents, Hyson 45 cents, and other green teas 27 cents, practically doubling the duties on teas imported here in foreign bottoms. On all other goods imported from China or India in foreign ships there was a 12 per cent ad valorem duty.

The same law provided a discount of 10 per cent on all duties on other goods imported in vessels built and owned in the United States as described above.

Thus there was a discrimination of 50 per cent on all teas, and a discrimination of 10 per cent on all other goods brought into the United States in American bottoms.

But that did not quite satisfy the fathers. In the act of January 29, 1795, instead of making a discount of 10 per cent of the duties, they provided for an addition of 10 per cent to all duties on goods imported in foreign vessels, except in cases where such additional duty had been before laid.

Again, the act of March 27, 1804, imposing more specific duties on certain articles, provided for 14 per cent additional ad valorem upon importations of such articles in foreign vessels. The same act also provided that a duty of 50 cents per ton, to be denominated "light money," should be levied and collected "on all ships or vessels not of the United States, which, after the aforesaid 30th day of June next, may enter the ports of the United States."

By the act of July 20, 1789, the following duties or taxes were imposed on all vessels:

On vessels built in the United States and belonging to citizens thereof, or built abroad and owned by such citizens on May 29 of that year, 6 cents per ton.

On all vessels thereafter built in the United States belonging to foreigners, 30 cents per ton.

On all other vessels, 50 cents per ton.

United States vessels in the coasting trade to pay tonnage but once a year and foreign vessels employed in our coasting trade to pay 50 cents per ton at each entry; which was an enormous duty.

What was the trouble which made the fathers provide all these discriminating duties for American ships? It was that in 1789, when the first law was passed, we had but 124,000 tons of shipping engaged in the foreign carrying trade; we carried only 17 per cent of our imports and 30 per cent of our exports; and the wise men of that day determined that we should carry our own imports and our own exports in American-built vessels. So they passed that law. What was the effect? In 1795 we had 529,500 tons of these ships, and carried 92 per cent of our imports and 88 per cent of our exports. In 1800 we had 667,000 tons. We then carried 91 per cent of our imports and 87 per cent of our exports. In 1810 our tonnage had reached 1,000,000, and we were carrying of our imports 93 per cent and of our exports 90 per cent.

The wise men of that day had done well. They had transferred from Great Britain the carrying trade of the United States, which when they entered upon this crusade was 85 per cent, and given it to us; and we carried 93 per cent of our own, and it was done by these laws discriminating in favor of American vessels and against foreign vessels; it was done by men who believed that they ought to look out for their own household first, who loved their own country more than any other and dared legislate as this love prompted.

How much tonnage have we to-day in the foreign carrying trade? In 1810 we had 1,000 000 tons, and were carrying 93 per cent of our exports and imports. To-day we have 938,000 tons, about 100,000 tons less than we had in 1810; and to-day, instead of carrying 93 per cent, we are carrying but 12 per cent of our own exports and imports, and are paying Great Britain $175,000,000 every year to do our own carrying trade for us.

Mr. LODGE. If it would not interrupt the Senator, I should like to ask him, in that connection, if Great Britain has not pursued by indirection the same methods—that is, by the rates on insurance at Lloyd's, and by premiums on iron steamships—of discriminating in favor of her own tonnage down to the present day?

Mr. FRYE. Mr. President, the most persistent, continued effort on the part of Great Britain to prevent our vessels getting any of the carrying trade has been pursued always from the very beginning down to now. The Lloyds will rate our vessels second rate when they ought to be rated even above a first-rate British ship to-day, and the Lloyds control the entire marine insurance of the world, at any rate so far as that of Great Britain and the United States are concerned. Their companies are controlling all the marine insurance in our country, and are discriminating against our vessels.

Mr. PERKINS. It has been also shown to-day in debate that England will not permit salt to be carried from England to the East Indies from her own provinces in any other vessels except those of English build and flying the English flag.

Mr. PEFFER. Will the Senator allow me a question?

Mr. FRYE. Certainly.

Mr. PEFFER. The Senator from Maine is unquestionably as well informed upon this subject as any member of this body. I wish he would give the Senate the benefit of his views as to how the United States can recover the lost carrying trade. What ought we to do?

Mr. FRYE. Mr. President, I have just offered an amendment to the pending bill which will beyond any manner of question, if it be adopted and the bill become a law, restore the American merchant marine to the old position it occupied in 1810.

Mr. PEFFER. I am to blame doubtless for not having heard the amendment.

Mr. FRYE. It provides a discriminating duty.

Mr. PEFFER. To what effect?

Mr. FRYE. In favor of all goods imported into the United States in American bottoms.

Mr. PEFFER. Another question, because this is a very important matter, and I hope the Senator will pardon me. Does the Senator believe that that policy would be sufficient to overcome the fact that ships, ship-tackle, and shipping outfits are all regarded as property taxable under State laws? Then, further, will it not be necessary in the end for the United States in some way to relieve the shipping trade of State taxation?

Mr. FRYE. Mr. President, under the Constitution the United States can not relieve ships from State taxation; but I am happy to inform the Senator from Kansas that many of the States do now relieve them from this burden. New York does.

Mr. PEFFER. Does Pennsylvania?

Mr. FRYE. I do not know about Pennsylvania, but New York, of course, is the great important owner of ships. I think Massachusetts relieves them from taxation.

Mr. PEFFER. Another point. If the Government of the United States were to relieve American shipmasters and American ships from all other burdens except those which are necessarily thrown upon them by the difference in rates of interest on money prevailing in England and the difference in the rates of wages prevailing between the English seamen and ours, would that be sufficient to overcome the difficulty, or if we were to make ships and give them as a gift to American seamen and let them run them on the seas free of duty, free of all charges, either from the State or National Government, is there not enough of difference in the rate of interest of money in Great Britain and the United States and in wages of labor to run the American ships ashore and out of business?

Mr. FRYE. Mr. President, the Senator has opened up a pretty wide subject. The rate of interest is a small matter, and would not make any great difference. The difference in wages in the running of British and American ships is very important, I admit, and also the cost of living on board a British ship as compared with that on an American ship favors greatly Great Britain, and so of all foreign nations. But the most serious thing we have to contend with is that our ships on almost every line of the carrying trade are compelled to compete with foreign ships which are subsidized by Great Britain, Germany, France, Spain, and Italy. The result is that where it costs us to-day $7 or $8 a ton to carry goods, it does not cost them over $5. They have that advantage of us, and we have no advantages to offset. We are competing openly with them, left absolutely alone and unprotected and unencouraged.

The provision which I offer is one of immense protection. I have no doubt it would revive our carrying trade upon the ocean. For twenty years I have been——

Mr. LINDSAY. I ask the Senator, with his permission, when these preferential laws in favor of American ships were repealed?

Mr. FRYE. We made treaties with Great Britain and with Sweden in 1815. We passed acts of Congress in 1817—in 1828, accepted by Great Britain in 1849—providing for reciprocity, by which all protection to our ships in the foreign trade was gradually removed and the right to again encourage by discriminating duties and tonnage taxes surrendered.

Mr. LINDSAY. I will ask the Senator, with his permission, another question, and that is, if the American shipowners did not maintain the supremacy of the American trade until about 1860?

Mr. FRYE. Just so long as the trade was carried on in wooden ships the United States could and did hold its own with the world, and that was the reason our wise fathers thought that in 1815, 1826, and 1828 they could give those privileges away, that we could compete with Great Britain even, and build ships for her. We were all right, we thought, just as Great Britain thought when she adopted free trade. She believed that she was in condition to stand it, and whether other nations could or not she did not care.

For twenty years I have been trying to restore this American shipping interest to the place to which it is entitled. We have here as powerful a nation as there is in the world, as rich a nation, and more seaboard than any other. We have as good sailors and shipbuilders and as energetic men as can be found anywhere. There is no earthly reason why our flag should not be seen in every port in the wide world, as it was fifty or sixty years ago.

I am not going into the question as to what has caused our decay, because that would necessitate a speech of two hours in length, and I do not propose to delay this bill by anything of the kind. I simply wish to get a vote on this proposition to discriminate—as section 14 recognizes the principle—against all nations in favor of American ships, and give them notice a year in advance that we intend to do so, and thus restore ourselves to our former condition.

I was remarking, when the Senator from Kentucky interrupted me, that for twenty years I have been making this fight. That we have gained immensely in that time there is no doubt, in some respects. We have relieved our ships from an enormous number of burdens, amounting to millions of dollars every year. We never have been able to go the one step further and do what other nations do, put them on an equality by subsidies or by bounties. The Democratic party is committed against bounties and subsidies, but by no vote anywhere committed against a discriminating duty. There is no Democratic vote in the whole history of the country where the party is committed against such a duty. Here is section 14, which provides for a discriminating duty, which has had the vote of every Senator on this floor.

Mr. President, I believe and have always believed that the true method of revival is through discriminating duties; that the

fathers were right; but I have always been restrained by these treaties. Many of our treaties have done us immense harm. The Nicaragua Canal would have been to-day built if it had not been for the Clayton-Bulwer treaty, and if that spook had not been shaken in our faces here in the Senate; and the American merchant marine would have been where England's is to-day if it had not been for the treaties we have made with those countries and our accepted reciprocal legislation. A treaty is no more sacred than a law, and I am in favor of one more trial and of the Democratic party voting for discriminating duties, they having entered upon the race this very day in section 14, which they knew meant practically nothing.

Mr. CAFFERY. I should like to ask the Senator from Maine a question. I understood him to say that down to 1860 the United States maintained her supremacy in the carrying trade because she had good ships, and because she could build those ships cheaper than England built theirs. If the conditions were changed, and if the United States could build ships as cheap if not cheaper than the English, could she not regain by that her supremacy on the seas?

Mr. FRYE. No; she could not. I did not mean to say that we retained supremacy down to 1860. We did not. I did not notice the question which the Senator asked me. We maintained our supremacy for a good many years, but not down to 1860. We began to lose very largely our carrying trade along in 1856, 1857, and 1858, and during those years lost more than at any other time except during the war.

Of course we lost more then, for reasons any Senator can comprehend. During the war we could do nothing for our marine, and after the war for six or seven years we were powerless, because our currency was so disturbed, Great Britian had commenced building the iron steamships and had invented the triple and compound engines, and all that sort of thing, and away she went out of our sight. We let her stay there. We never have in earnest tried to catch her from that day to this.

Mr. STEWART. Before 1860, by subsidizing her mail ships on the ocean, England drove the American lines off.

Mr. FRYE. Oh, yes; her whole history has been one of subsidy.

Mr. BLACKBURN. Will the Senator from Maine allow me to ask him a question?

Mr. FRYE. With pleasure.

Mr. BLACKBURN. Did I understand the Senator from Maine to say a moment ago that we lost more heavily in foreign commerce during the four years of war than ever before?

Mr. FRYE. In our carrying trade.

Mr. BLACKBURN. Does the Senator mean to exclude or include the coastwise trade?

Mr. FRYE. Exclude it.

Mr. BLACKBURN. I should like to have the figures in support of that statement. Whilst it is true that the foreign carrying trade of this country was not increased from 1861 to 1865, it is equally true that it was substantially as heavy in tonnage in 1865 as it was in 1861. It did not shrink; it simply failed to increase.

Mr. FRYE. The Senator from Kentucky I think does not know quite so much about this as I do. Pardon the immodesty of the remark.

Mr. BLACKBURN. I am used to that from the Senator from Maine.

Mr. FRYE. We had tonnage, but where was it? It was tied up at the wharves, because British cruisers were crossing the ocean and capturing it wherever they could lay hands on it, and we did not dare go to sea. Our ships were tonnage, but they were not carrying freight. If the Senator from Kentucky will look at the reports, he will find that we lost in the four years of war 38 per cent of the carrying trade, and we lost before the war, in from 1856 to 1860 inclusive, about 15 per cent of the carrying trade. We have been losing from that time down to last year, and last year it improved just a trifle. But the tonnage does not tell the story, as the Senator will see. We were afraid of you. We feared you would capture our ships.

Mr. BLACKBURN. There was no occasion for that.

Mr. FRYE. We were afraid you would take our men, force them into your army, and make them fight us; and so we stayed at home, at our wharves.

Mr. SQUIRE. I should like to ask the Senator from Maine a question before he yields the floor. Is it not true that one of the reasons for the failure to develop the American shipping is owing to the fact that the American people have been engaged in expending their energy and money in the great internal development of the country of the United States, by its immense railway systems? I desire to ask the Senator from Maine whether that is not a great reason for the failure to undertake exploiting the business of carrying the commerce of the world outside of the United States. Has not the enlarging of our railroad systems and methods of transportation in the United States, and the development of our far Western region been such as to occupy the capital and the energy of the people of the United States? But now, that having been done to the extent it has gone on, we are better prepared than we have been before to undertake the business of carrying foreign commerce.

Mr. FRYE. The Senator from Washington is unquestionably right. The Senate will pardon me for not undertaking to go into these questions. I did not propose to make an argument or give a history of our decline in shipping. As the Senator understands, we are very limited in time. At some other time or on some other occasion I shall be very happy to discuss the question and go into it thoroughly. It is impossible to do it now. But the principal reason why we can not compete is that wages of foreign nations are lower than ours and that under the American flag an Italian or any other foreign sailor demands American wages. Another reason is that our sailors live 40 per cent better on board ship than any sailors on the face of the earth. Another reason is that every maritime nation on earth pays bounties or subsidies to its ships and ours pays none. We have allowed this to be done year after year without undertaking to save our own vessels except to a very limited degree two years ago in establishing a postal service.

Mr. HIGGINS. Mr. President, my extreme anxiety that the amendment of the Senator from Maine [Mr. FRYE] shall be adopted leads me to say a few words. I hope that the amendment will be considered by our friends on the other side of the Chamber as a matter apart from the general policy of the bill. I wish to call the attention of the members of the Finance Committee who sit on the other side and the Senators generally to a matter that was a great surprise to me, that the discriminating duty provided in sections 14 and 15 of the bill is no novelty. I was surprised to know that there was such a provision in the bill. But it is time honored. It has come down in our tariff statutes as an inheritance from the founders of the Government.

I presume it is the very language in which such a discriminating duty was put in the first statute of this country, and which contributed so much to the building up of our merchant marine. The language of section 14, in the first four lines, is as follows:

> That a discriminating duty of 10 per cent ad valorem, in addition to the duties imposed by law, shall be levied, collected, and paid on all goods, wares, or merchandise which shall be imported in vessels not of the United States.

The remaining provisions of the section only supplement what is said there. It was under such a provision that our merchant marine was built up to its great extent before 1856 and 1857 and the disasters of the war. Great Britain finally accepted in 1849 the legislative offer which we had made them of a treaty to abandon those discriminating duties after they had in 1846 repealed the corn laws and gone to the principle of free trade. Then for the first time she abandoned her policy of holding for herself the trade of her own colonies, and also of maintaining discriminating duties in favor of her own ships. If she had done as we did, stopped there, the conditions in that respect between the two nations would have been equal, but when she and the United States together at the same time by treaty took off the discriminating duty against the ships of the other country respectively, Great Britain, if she did not then begin, at least kept up and maintained, and has maintained from that time to this her system of bounties. We have not done so. We have therefore been playing against loaded dice.

We on this side thoroughly understand that the Democratic party is committed in its policy against the principle of bounties, and that a vote in favor of such a policy could not be had.

My object in saying anything at all is to ask our friends on the other side of the Chamber whether they can not restore to the sections, 14 and 15, their original broad character and application by adopting the amendment of the Senator from Maine authorizing the Executive to terminate these treaties by notice, and thereby vivify these sections and restore these great means of support to our marine in the future.

If that is done, I think we will have taken by far the longest step toward the restoration of the American merchant marine. It can not be restored simply by the ability to build ships cheaper. That alone will not do it. It will scarcely contribute toward doing it. Neither can we hope to equalize the conditions between the merchant ships of the two countries by any expectation that the American sailor will accept as low wages and as poor living as the foreign sailor. As I have already said, we can not hope for a bounty to meet the subsidies of foreign nations; but here is this good old American remedy against which the Democratic party is not committed, and by which they can give a great boon to the people of the United States, in all parts and in all sections, and to our whole country.

Mr. HAWLEY. Mr. President, I wish to touch upon a single feature of this case, and to call attention to a single consid-

eration. I hear an implied reproach to this country in that it has not its proper numerical proportion of shipping. I am not troubled about it at all. The American nation has used its capital and put forth its power where it could be done to the very best advantage.

The Senator from Washington [Mr. SQUIRE] has referred to this. We are not upon the ocean in our numerical proportion, because in that we are following the free-trade doctrine—that is to say, we take where we can get a thing cheapest. The carrying can be done cheaper by Norwegians and Italians and other seamen, at a third of what Americans will work for, and the men who build those foreign ships are working for about one-half or two-thirds what the American shipbuilders will work for. So the ships are cheaper, the wages are cheaper, the food and clothing given sailors are cheaper, the officers are paid figures which make you ashamed when you ask them on shipboard what they get.

What have we done? Where are we using our power and our money in that general field of commerce? We have about 171,000 miles of railway. By Poore's Manual they are worth $11,000,000,000. The figures are beyond the capacity of the human intellect to properly grasp and appreciate. Say that our railways carry freight at twice the speed of a mercantile marine; I am told by Mulhall in his Dictionary of Statistics, by which I have just refreshed my memory, that British merchant steamships cost from £16 to £24 per ton. We will average it at $100 a ton. The ten thousand million dollars, then, divided by $100 gives us the money equivalent of 100,000,000 tons of shipping. Great Britain has 7,000,000 tons of shipping. Converting our railroads into shipping, we have fifteen times as much as the mercantile marine of Great Britain.

Mr. SQUIRE. In tonnage.

Mr. HAWLEY. In tonnage. Our railways represent in tonnage fifteen times as much and freight trains run twice as fast as the average merchant ships sail. Our railways represent practically thirty times the mercantile tonnage of Great Britain upon the seas. That is the reason we are not upon the sea with our ships; we are doing better. While we are worrying ourselves over the statistics of international commerce, much exploited and vastly magnified in importance, we are adding fifteen or eighteen millions of inhabitants to our population in this decade, and adding within ten years past from three to ten thousand miles of railway to our splendid system.

The United States is not fooling away its time in this country, sir. We are far and away the most powerful and magnificent nation.

Mr. SQUIRE. If the Senator from Connecticut will allow me, I will ask him whether he does not think it is about time now for us to commence to agitate the question of going into foreign commerce?

Mr. HAWLEY. I should be very glad if we had more shipping; but you can not force the American when he is making 6 per cent in one pursuit to change to another and be satisfied with 3 per cent. Our time will come, probably, to take our share of international carrying. We could have a great deal more of it now if we followed the course of other nations, notably free-trade Great Britain, and protected our shipping by bounties and otherwise. Great Britain, as I have said many times, is the most violently protective country in the world when you come to properly understand her policy. In the matter of salt, I gave an example of it in previous remarks.

Mr. LODGE. Mr. President, there always seems to be in the popular conception of this subject great confusion between the shipbuilder and the shipowner. We hear it constantly said upon the stump that we have been giving protection to our shipping for all these years and yet see the manner in which it has declined. The remedy proposed on the other side, by the free trader, is to give us free ships, to allow us to buy ships wherever we choose.

Now, the shipbuilder is one person, the shipowner is another. We have always given protection to our shipbuilders. From that follows no protection to the shipowner, and we have given no protection to the shipowner. If you were to have free ships to-morrow it would not affect the shipowner particularly, because he would still have to compete with the high protection which is given by all other countries, and particularly by England, to the shipowners of their countries. When England entered upon her policy of free ships, which was a crude and merely nominal move, most of our tonnage was in wood, and the result of her free-ship policy at that time was to transfer very largely the building of ships to this country. I think that act was passed about 1849, and by 1852 60 per cent of the new English wooden tonnage was built in this country.

The question that is involved here is a wholly different one. It has nothing to do with shipbuilding or with free ships. It is a question whether we shall give to our shipowners the same advantages that all other countries give to theirs. We do protect them in the coastwise trade, and that trade is enormous. But aside from that we give our shipowners absolutely no protection, neither subsidy, discriminating duties, nor discriminating rates of insurance as Lloyds does, nor premiums on iron ships. We give them nothing. With the higher wages which they are obliged to pay to their seamen, they are simply driven from the sea. Here in the bill is a clause giving distinctly discriminating duties in favor of the American ship and the American shipowner.

Every man in the Senate will vote for that clause, and yet I suppose the Democratic party will decline to vote for the amendment of the Senator from Maine which alone can make that clause efficient or effective in any way. In other words, all of us, Democrats and Republicans, recognize the traditional principle of the country in that clause, and we do not allow ourselves to make it effective. The question of free ship or protected shipbuilding is one thing; the question of protecting shipowning is another. This involves the question whether we shall encourage our merchant marine as it has been the traditional policy of the country always to do.

The Senator from Maine [Mr. FRYE] pointed out how we began it in the beginning of our Government, and how the tonnage rose under it. After the war of 1812, which, of course, had the effect of breaking up our merchant marine very largely and breaking up our carrying trade, we returned to our old discriminating policy, and our proportion of the carrying trade rose by leaps and bounds again, just as it did after the Revolution. We had given it away by these treaties, and other countries, while they had given us the same thing by the treaties, had been very careful to provide similar discriminations for their own merchant marine by subsidies, by bounties, or by discriminations at Lloyd's, which have already been pointed out by the Senator from Maine.

Mr. President, it seems to me that when all of us are prepared to vote for the principle, we ought also to be prepared to vote for the amendment which shall make the principle effective.

Mr. STEWART. Mr. President, I like the principle of this amendment. I believe there is no party committed against it. A similar proposition, precisely the same in effect, will be found in the acts of the first Congress of the United States. It worked well then, but we gave it away by treaties. These treaties have been substantially violated. We are under no obligation in consequence of those treaties, because all of the important nations which entered into them have subsidized their carrying trade, which is a violation of the principle, and we ought to take some notice of it at least.

I think the granting of a subsidy by foreign countries to their carrying trade is a violation of the treaties which were made to abrogate this differential duty, because it is the same in principle. They having taken another mode of reaching the same result, I think it is the duty of the United States to return to the original proposition. At all events, it ought to apply it at once, without regard to notice, to those nations which have subsidized their carrying trade and subsidized their shipping, because they have violated the treaty. It is another way of getting at it.

The carrying trade is a very important matter. It is very important to the country now. It amounts to about $200,000,000 a year, I suppose. I do not know the exact amount. We are paying now in this country a very large amount for carrying on our foreign commerce. If we are opposed to the principle of subsidies it seems to me that we ought to return to the principle established in the First Congress of the United States, which worked well, and which we have given away by treaties of which foreign countries have taken advantage by subsidizing their lines. Our passenger ships running across the ocean a half century ago were driven off the line by British subsidies. The British have obtained and maintained control of the carrying trade, which is exceedingly important. Two hundred million dollars a year is a great drain on our people, and if it can be recovered by legitimate legislation I think it ought to be done.

No one will pretend that the fathers of the Constitution, many of whom were in the First Congress, would violate the spirit of that instrument. I think to return to the teachings of the fathers is a very good thing in many cases. I think the departure from the principles which they laid down in the beginning in the legislation they started has produced most of the calamities from which we are now suffering in many respects. If the Senator from Maine will modify his amendment so that it shall apply to all countries subsidizing the vessels conducting their carrying trade it might go into effect at once. It is not in bad faith. It is bad faith in them, however, after we made treaties with them giving up the differential duty, to adopt another mode of obtaining an undue advantage. I hope the amendment will be adopted, but I it is not adopted as it is, I hope the Senator

from Maine will modify it so that it shall apply to those countries which subsidize their carrying trade.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Maine [Mr. FRYE].

Mr. CULLOM. I should be very glad to have the amendment stated again.

The PRESIDING OFFICER. The amendment will be again stated at the request of the Senator from Illinois.

The SECRETARY. At the end of section 14 add the following:

Until after January 1, 1896, and notice of this provision shall be given all nations before the 31st day of December next.

In section 15, line 2, after the word "treaty," insert:

Hereafter made and ratified.

At the end of section 16 add:

Until after January 1, 1896; and notice of this provision shall be given all nations before the 31st day of December, 1894.

Mr. SHERMAN. I should like to have the sections read as they will read if amended.

Mr. FRYE. I will state to the Senator from Ohio that the amendment simply has one effect and nothing more. It provides that the discriminating duty provided for in section 14 shall extend to all goods imported in foreign vessels, one year's notice being given for the purpose of terminating existing treaties in that regard. That is all there is to the amendment.

Mr. SHERMAN. This is an interesting and very wide-reaching proposition. It seems to me that to repeal all our commercial treaties because all our commercial treaties contain the general right to carry both imports and exports of the two countries, respectively, without studying these treaties a little further, would be rather a wide-reaching proposition. I should like to have the proposition of the Senator from Maine referred to the Committee on Foreign Relations to see precisely its effect.

The Senator from Maine is a member of the committee, and I should like to study the matter with him. At present I am not prepared, at wholesale and without further study, to repeal treaties which have many provisions in them that we deem important to our interests, because if we repeal a single clause in a treaty it abrogates the whole treaty at the will of the other party. That probably would be the effect of deranging our commercial relations with all nations. I certainly should not like to vote for a proposition as broad and sweeping as the one before us without further study than I have been able to give it now or anyone else has been able to give it now.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Maine [Mr. FRYE.] [Putting the question.] The noes appear to have it. The noes have it, and the amendment is not agreed to.

Mr. FRYE. I ask for the yeas and nays. I wish to say to the Senator from Ohio that there are very few treaties indeed to be affected; that the greater portion has been yielded by legislation. We enacted certain legislation which should become law when certain other nations accepted it. Great Britain accepted the final legislation in 1849, and the amendment provides a discriminating duty where no legislation or treaty prevents it.

The Senator from Ohio will not find many treaties to be affected. Then I think it only gives notice for repealing this particular clause. After the vote has been taken, if the amendment is not adopted, and I suppose it will not be, I shall have the amendment go before the Committee on Foreign Relations.

Mr. HOAR. I suggest to the Senator from Maine that if he is going to send the matter to the Committee on Foreign Relations, for many reasons he had better withdraw the call for the yeas and nays.

Mr. SHERMAN. I should be very glad to study out the matter with the Senator from Maine, and where treaties can be repealed without involving other interests of American citizens, I might be willing to adopt the principle. The original proposition was the correct one. It must be remembered that at that time the United States had a great many wooden ships and had the advantage of almost all other nations in the carrying trade. Our American vessels were carrying at a profit and safely and probably at as cheap rates as any other all the commerce, the exports and imports, of the United States. But it would be pretty difficult now to make provision to carry all the immense exports and imports, which to-day amount to over $1,000,000,000. Therefore we might be legislating blindly, in the dark. If the proposition is not adopted I think it will be well to refer the whole subject-matter to the Committee on Foreign Relations.

The PRESIDING OFFICER. The Senator from Maine [Mr. FRYE] demands the yeas and nays on the amendment.

Mr. FRYE. I withdraw the request for the yeas and nays.

The PRESIDING OFFICER. The demand is withdrawn. The amendment has already been declared not adopted. The reading of the bill will be proceeded with.

The Secretary read as follows:

SEC. 17. That the importation of neat cattle and the hides of neat cattle from any foreign country into the United States is prohibited: *Provided*, That the operation of this section shall be suspended as to any foreign country or countries, or any parts of such country or countries, whenever the Secretary of the Treasury shall officially determine, and give public notice thereof that such importation will not tend to the introduction or spread of contagious or infectious diseases among the cattle of the United States; and the Secretary of the Treasury is hereby authorized and empowered, and it shall be his duty, to make all necessary orders and regulations to carry this section into effect, or to suspend the same as herein provided, and to send copies thereof to the proper officers in the United States, and to such officers or agents of the United States in foreign countries as he shall judge necessary.

SEC. 18. That any person convicted of a willful violation of any of the provisions of the preceding section shall be fined not exceeding $500 or imprisoned not exceeding one year, or both, in the discretion of the court.

SEC. 19. That upon the reimportation of articles once exported of the growth, product, or manufacture of the United States, upon which no internal tax has been assessed or paid, or upon which such tax has been paid and refunded by allowance or drawback, there shall be levied, collected, and paid a duty equal to the tax imposed by the internal-revenue laws upon such articles, except articles manufactured in bonded warehouses and exported pursuant to law, which shall be subject to the same rate of duty as if originally imported.

SEC. 20. That whenever any vessel laden with merchandise in whole or in part subject to duty has been sunk in any river, harbor, bay, or waters subject to the jurisdiction of the United States, and within its limits, for the period of two years, and is abandoned by the owner thereof, any person who may raise such vessel shall be permitted to bring any merchandise recovered therefrom into the port nearest to the place where such vessel was so raised free from the payment of any duty thereupon, and without being obliged to enter the same at the custom-house, but under such regulations as the Secretary of the Treasury may prescribe.

The next amendment of the Committee on Finance was, in section 20, line 12, after the word "thereupon" to strike out the words "and without being obliged to enter the same at the custom-house."

The amendment was agreed to.

The Secretary read as follows:

SEC. 21. That the works of manufacturers engaged in smelting or refining metals, or both smelting and refining, in the United States may be designated as bonded warehouses under such regulations as the Secretary of the Treasury may prescribe: *Provided*, That such manufacturers shall first give satisfactory bonds to the Secretary of the Treasury. Ores or metals in any crude form requiring smelting or refining to make them readily available in the arts, imported into the United States to be smelted or refined and intended to be exported in a refined but unmanufactured state, shall, under such rules as the Secretary of the Treasury may prescribe, and under the direction of the proper officer, be removed in original packages or in bulk from the vessel or other vehicle on which they have been imported, or from the bonded warehouse in which the same may be, into the bonded warehouse in which such smelting or refining, or both, may be carried on, for the purpose of being smelted or refined, or both, without payment of duties thereon, and may there be smelted or refined, together with other metals of home or foreign production: *Provided*, That each day a quantity of refined metal equal to the amount of imported metal smelted or refined that day shall be set aside, and such metal so set aside shall not be taken from said works except for transportation to another bonded warehouse or for exportation, under the direction of the proper officer having charge thereof as aforesaid, whose certificate, describing the articles by their marks or otherwise, the quantity, the date of importation, and the name of vessel or other vehicle by which it was imported, with such additional particulars as may from time to time be required, shall be received by the collector of customs as sufficient evidence of the exportation of the metal, or it may be removed under such regulations as the Secretary of the Treasury may prescribe, upon entry and payment of duties, for domestic consumption. All labor performed and services rendered under these regulations shall be under the supervision of an officer of the customs, to be appointed by the Secretary of the Treasury, and at the expense of the manufacturer.

SEC. 22. That where imported materials on which duties have been paid are used in the manufacture of articles manufactured or produced in the United States, there shall be allowed on the exportation of such articles a drawback equal in amount to the duties paid on the materials used, less 1 per cent of such duties: *Provided*, That when the articles exported are made in part from domestic materials the imported materials, or the parts of the articles made from such materials, shall so appear in the completed articles that the quantity or measure thereof may be ascertained: *And provided further*, That the drawback on any article allowed under existing law shall be continued at the rate herein provided. That the imported materials used in the manufacture or production of articles entitled to drawback of customs duties when exported shall, in all cases where drawback of duties paid on such materials is claimed, be identified, the quantity of such materials used and the amount of duties paid thereon shall be ascertained, the facts of the manufacture or production of such articles in the United States and their exportation therefrom shall be determined, and the drawback due thereon shall be paid to the manufacturer, producer, or exporter, to the agent of either, or to the person to whom such manufacturer, producer, exporter, or agent shall in writing order such drawback paid, under such regulations as the Secretary of the Treasury shall prescribe: *Provided further*, That a drawback shall be allowed equal to the duty paid, less 1 per cent, upon any imported bagging made of jute butts, which shall have been used exclusively as outside covering for lint cotton when exported, the rate and amount of such drawback to be ascertained under such regulations as the Secretary of the Treasury may prescribe.

The next amendment of the Committee on Finance was, at the end of section 22, to strike out the additional proviso, in the following words:

Provided further, That a drawback shall be allowed equal to the duty paid, less 1 per cent, upon any imported bagging made of jute butts, which shall have been used exclusively as outside covering for lint cotton when exported, the rate and amount of such drawback to be ascertained under such regulations as the Secretary of the Treasury may prescribe.

The amendment was agreed to.

Mr. JONES of Arkansas. I move that the sections from section 23 down to and including section 50 be stricken out without reading.

Mr. CHANDLER. Section 50 includes the provision for custom-house brokers.

Mr. ALLISON. That section ought not to be stricken out.

Mr. ALDRICH. Section 50 is not to be stricken out, I presume.

Mr. JONES of Arkansas. Then down to and including section 49.

Mr. SHERMAN. Those are all the administrative sections?

Mr. JONES of Arkansas. Yes, sir; practically.

Mr. ALLISON. I hope the Senator from Arkansas having charge of the bill will state briefly the reasons why he proposes to strike out the sections he has indicated.

Mr. JONES of Arkansas. The principal reason with me is to save time. The administrative features of the bill can be easily enacted in a separate measure if it is the desire of Congress to do so. They have no necessary and essential connection with the tariff bill, and for the purpose of expediting the passage of the pending bill I shall make no opposition to striking out those sections.

Mr. CHANDLER. If the Senate is likely to be called upon at any time to go over all these provisions, scrutinize them and discuss the principles and measures involved in them, it would be better to do it now than to do it upon the report of a conference committee. If, however, it is probable that they are not to be found in the bill, then certainly there is no need of doing it now. I merely wish to state that it seems to me it should be understood that if the bill should happen to pass the Senate and a conference report should recommend the adoption of these provisions, it would be necessary to take the time of the Senate at great length in order to go over these items. Certainly if there is a probability even that the sections will have to be considered in detail and that the changes in existing law which they propose will have to be considered in detail, it would be better to do it now than at a later period.

Mr. HOAR. The suggestion which the Senator from New Hampshire has made might, I think, be extended a little. The Senate, if these provisions are to be presented again in the report of a conference committee, can not deal with the question presented at all, as I understand there is no motion in order to amend the report of a conference committee. We never can have any opportunity to deal with these matters unless the sections are to be abandoned.

Mr. CHANDLER. I understand the Senator's suggestion perfectly. I understand very well that if the conference report should recommend the adoption of all these provisions we could not vote upon them separately.

Mr. HOAR. Or amend them.

Mr. CHANDLER. Nor could we move any amendment to them, but the Senate could discuss them all of course from the beginning to the end. There are provisions here which need discussion before they are adopted, but if it is not likely that there will be any occasion to discuss them, I certainly do not wish to force the discussion at the present time. I do wish to give notice, however, that in case all these sections should come in review before the Senate upon the report of a conference committee there will be very extended discussion thereupon.

Mr. ALLISON. These sections are the reproduction in the main of the administrative act, so called, and many of them, I will state to the Senator from New Hampshire, as he probably already knows from examination, are simply a repetition of the existing administrative law. There are, however, in these sections perhaps four or five amendments of great importance which would lead to considerable controversy. I understand, although I am not perhaps authorized to say it, because we ought not to quote anyone outside of the Chamber unless we have absolute authority to do so, that it is rather the wish of the Secretary of the Treasury that he may be enabled to administer the new tariff law if the bill shall pass, under the administrative law as it now exists, and if defects shall be disclosed which require amendment that later on the administrative law itself may be amended, leaving it as now, a separate statute as distinguished from the mere levying of duties upon imports.

So I think the Senator from New Hampshire may feel a reasonable degree of assurance at least, as well as the Senator from Massachusetts that the proposition to strike out the administrative provisions of the bill will be acquiesced in. It may be that there may be some controverted question respecting the matter, but I see no objection to adopting the course proposed by the Senator from Arkansas. It will undoubtedly facilitate the consideration of the pending bill, and I think it will eliminate a great deal of debate in this body and elsewhere, because speaking for myself alone I could not agree to the amendments suggested in the bill to the administrative law without an opportunity of very full debate.

I, for one, can say to the Senator from New Hampshire that if they shall reappear here in the condition of a controversial question between the two Houses as respects the propriety of our striking out the sections, I shall, so far as I can, object to some of the provisions which are here proposed by the other House. I do not think there is any probability that there will be much controversy in regard to the sections.

Mr. ALDRICH. The sections proposed to be stricken out by the amendment of the Senator from Arkansas are 27 in number, covering 32 printed pages of the bill.

Mr. FRYE. Commencing with what section?

Mr. ALDRICH. Commencing with section 23 and running to section 49, although, by the way, I think section 49 should not be stricken out, as it is a new section. The sections to be stricken out should be from section 23 to section 48, inclusive.

While it is true that all these are long sections, the controverted points, that is the changes suggested in them, are not very numerous. There are some ten or twelve important questions involved, upon which the Senator from Iowa and myself have decided opinions and as to which we disagree entirely with the change proposed.

I agree with the Senator from Iowa that if these sections or these objectionable features should reappear they would form a subject of contest upon the report of the conference committee, and would be fully discussed in the Senate. But perhaps it would be well enough to cross that bridge when we get to it. I am perfectly content that the suggestion of the Senator from Arkansas shall be adopted.

The PRESIDING OFFICER. Does the Senator from Arkansas modify his amendment?

Mr. JONES of Arkansas. I accept the suggestion, and move to strike out the sections from section 23 down to and including section 48.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Arkansas that sections 23 to 48, inclusive, shall be stricken from the bill without being read. The amendment is agreed to, in the absence of objection. It is agreed to. The reading of the bill will be proceeded with.

The Secretary read the next section, as follows:

SEC. 49. That any baggage or personal effects arriving in the United States in transit to any foreign country may be delivered by the parties having it in charge to the collector of the proper district, to be by him retained without the payment or exaction of any import duty, or to be forwarded by such collector to the collector of the port of departure, and to be delivered to such parties on their departure for their foreign destination, under such rules and regulations as the Secretary of the Treasury may prescribe.

Mr. SHERMAN. I thought this section was stricken out with the others.

Mr. ALDRICH. No; it is a new provision, I think.

Mr. CHANDLER. It is a reënactment of the existing law.

Mr. ALDRICH. I think not.

Mr. SHERMAN. It is the law to-day.

Mr. CHANDLER. By looking at the red pamphlet, page 120, it will be seen that the act of June 10, 1890, includes this section 49.

Mr. ALDRICH. I find that it is the same.

Mr. JONES of Arkansas. It is a reënactment of the present tariff law.

Mr. CHANDLER. It is a part of the administrative law, I will state to the Senator from Arkansas.

Mr. JONES of Arkansas. It is in the present tariff law, I think.

Mr. CHANDLER. It is a part of the administrative law—the act of June 10, 1890.

Mr. JONES of Arkansas. Then I was in error about it. I move that section 49 be stricken out.

The PRESIDING OFFICER. Section 49 will be stricken out, in the absence of objection. The Chair hears none.

The Secretary read the next section, as follows:

SEC. 50. That the collector or chief officer of the customs at any port of entry or delivery may issue a license to any person desiring to transact business as a custom-house broker. Such license shall be granted for a period of one year, and may be revoked for cause at any time by the Secretary of the Treasury. From and after the 1st day of June, 1894, no person shall transact business as a custom-house broker without a license granted in accordance with this provision; but this act shall not be so construed as to prohibit any importer from transacting business at a custom-house pertaining to his own importations.

Mr. CHANDLER. I move to strike out section 50. I desire to say to the Senator from Arkansas that it does not seem to me to be wise to establish a corps of custom-house brokers who are subject to the discretion of the collector as to whether or not they shall exercise their vocation. I do not object to a license, but I do think that there should be some obligation imposed upon the collector of customs to give a license to any person applying, who is of good character and qualified to perform the duties of a custom-house broker. My objection to the paragraph is not so much to what it contains as to what it does not contain. If the Senator will modify it by an amendment that a license shall be issued to any reputable and competent person, then I shall make no objection to the paragraph. But as the clause

stands the Senator will see that it gives a monopoly of the business of acting as custom-house brokers to those persons to whom the collector of customs may, in his discretion, give a license.

Now, ought that to be so? Should there not be a provision, if here is to be a corps of custom-house brokers who have the exclusive right to do business as custom-house brokers, that any reputable person submitting his testimonials to the collector of customs shall be licensed to do business as a custom-house broker? Shall we undertake to make the custom-house brokers the sole creation of the collector of customs without imposing upon him any obligation whatever to give a license to persons to whom he ought to give such a license?

Mr. JONES of Arkansas. I understand the difficulty intended to be remedied by this section is that there have been a good many utterly disreputable people who have been performing this sort of duty, and it is the belief of the custom-house officers that there should be some restraint upon those men. I can not conceive it possible that a public officer discharging the duties of his office would refuse the right to any man who is reputable and competent to have a license to transact this kind of business.

Mr. CHANDLER. I can conceive that a collector of customs might be very arbitrary. He may have a dislike to a particular man and exclude him. I will modify my amendment by withdrawing the motion to strike out the whole section and move at the end of line 1, page 168, after the words "Such license shall be granted for a period of one year," to add:

To any reputable and competent person, and may be revoked for cause at any time by the Secretary of the Treasury.

Mr. HOAR. It seems to me there ought certainly to be a power of appeal from a refusal of license by the local collector. Very often resisting a collector's action in protecting a client involves pretty sharp controversy with the collector. It seems to me you are making a provision under which every collector in the country might become a petty tyrant. There certainly ought to be an appeal to the Secretary of the Treasury by the person to whom a license is refused.

Mr. ALLISON. I suggest to the Senator from Massachusetts, and also to the Senator from Arkansas, that I think there will be thorough protection afforded by striking out the word "may," in line 24, page 167, and inserting the word "shall," so as to provide that any person who desires to transact business at the custom-house shall have a license, and then, if he does not conduct himself properly, the Secretary of the Treasury may revoke it. That protects everybody.

Mr. CHANDLER. The license may be revoked for cause.

Mr. ALLISON. Revoked for cause. Here is a merchant who desires, to-day or this month, to have one of his clerks act as a broker for the purpose of transacting his business at the custom-house. Next week or next year he may want to make a change. So I think it is better to leave no discretion except in the Secretary of the Treasury.

Mr. CHANDLER. I call the attention of the Senator from Iowa to the fact that an importer may now transact his own business by the closing expression in the section, and of course if he may transact his own business he may do it by his clerk. I agree, from my personal knowledge on this subject, that this is a wise section, provided the amendment that I offer, or the one suggested by the Senator from Iowa, is adopted, which makes it obligatory upon the chief officers of customs to license a reputable and competent person.

Mr. VEST. Let me make a suggestion. Why not put in a provision at the end of the section to the effect that the number of these persons shall be prescribed at each custom-house by the Secretary of the Treasury, not to exceed a certain number.

Mr. ALLISON. I will state to the Senator from Missouri that this is an entirely new provision. Hitherto everybody has had an opportunity to go to the custom-house and transact the public business. There have been some abuses no doubt. The abuses have been chiefly in the custom-house brokers instituting suits or gathering up material for suits against the Government. I think it would be perfectly safe to say that the chief officer of customs shall issue a license to whoever desires to transact business in the custom-house, and if after receiving such authority the person does not conduct himself properly the Secretary of the Treasury can revoke his license, and that ends him.

Mr. CHANDLER. I think well of the proposition of the Senator from Iowa, but I am willing to go further myself and simply command him to give a license to a reputable and competent person. But to allow the section to stand as it is now, I say to Senators, will create an odious monoply. To say that no importer shall employ a custom-house broker unless the collector licenses that broker, and to impose no obligation upon the collector to license a competent and reputable person, and to allow the collector to gratify either personal animosity or ill will by arbitrarily refusing a license, with no appeal to anyone, would be, I think, carrying the remedy much further than the disease.

Mr. SHERMAN. Mr. President, I have had a little experience with these persons. Anyone can be a custom-house broker under the present law. A person acting as a custom-house broker may prove to be a man of bad character. It seems to me it might be proper to authorize the chief officer or collector at any port of entry or delivery to issue a license to a person of good character and standing who desires to transact business as a custom-house broker, but I do not think the chief officer of customs ought to have any power of appointment or control over these people except to pass upon their character and standing subject to revision by the Secretary of the Treasury.

I think some such provision as that might cure the present evils that grow out of the practice of anyone being a custom-house broker; and sometimes to be a custom-house broker implies bad character rather than good character.

Mr. CHANDLER. Good character will be satisfactory.

Mr. SHERMAN. I say "good character and standing."

The PRESIDING OFFICER. The amendment of the Senator from New Hampshire is in order.

Mr. CHANDLER. I withdraw my amendment again, and move——

The PRESIDING OFFICER. Then the amendment of the Senator from Iowa is in order.

Mr. CHANDLER. If the Senator from Iowa will give me his attention, I suggest another amendment in line 24, page 167. I propose to make the clause read:

Shall issue a license to any person of good character and standing desiring to transact business, etc.

Mr. JONES of Arkansas. I suggest to the Senator that the words he used before, "reputable and competent," would be better.

Mr. CHANDLER. I have changed from "reputable and competent" to accommodate the Senator from Ohio, whom I always desire to oblige in the matter of synonyms. Now I will change back again to accommodate the more potent Senator from Arkansas. Any way will suit me.

Mr. JONES of Arkansas. I am willing to accept the amendment adding those words.

The PRESIDING OFFICER. The amendment will be stated

The SECRETARY. In section 50, line 24, strike out the word "may" and insert "shall;" and after the word "person," in line 25, insert "of good character and standing."

Mr. JONES of Arkansas. I thought the Senator agreed to put in the words "reputable and competent?"

The PRESIDING OFFICER. Does the Chair understand the Senator from New Hampshire to modify his second amendment?

Mr. CHANDLER. I withdraw all objection to the words "reputable and competent," and request that they may be inserted instead of "of good character and standing."

The PRESIDING OFFICER. The amendment will be stated as modified.

The SECRETARY. Before the word "person" in line 25, section 50, insert "reputable and competent."

The PRESIDING OFFICER. The amendments will be agreed to, in the absence of objection. It is agreed to. The reading of the bill will proceed.

The Secretary read as follows:

SEC. 51. That all goods, wares, articles, and merchandise manufactured wholly or in part in any foreign country by convict labor shall not be entitled to entry at any of the ports of the United States, and the importation thereof is hereby prohibited, and the Secretary of the Treasury is authorized to prescribe such regulations as may be necessary for the enforcement of this provision.

SEC. 52. That the value of foreign coin as expressed in the money of account of the United States shall be of that of the pure metal of such coin of standard value; and the values of the standard coins in circulation of the various nations of the world shall be estimated quarterly by the Director of the Mint, and be proclaimed by the Secretary of the Treasury immediately after the passage of this act and thereafter quarterly on the 1st day of January, April, July, and October in each year.

The Committee on Finance reported to amend section 52 by adding thereto the following:

And the values so proclaimed shall be followed in estimating the value of all foreign merchandise exported to the United States during the quarter for which the value is proclaimed, and the date of the consular certification of any invoice shall, for the purposes of this section, be considered the date of exportation: *Provided*, That the Secretary of the Treasury may order the reliquidation of any entry at a different value whenever satisfactory evidence shall be produced to him showing that the value in United States currency of the foreign money specified in the invoice was, at the date of certification, at least 10 per cent more or less than the value proclaimed during the quarter in which the consular certification occurred.

The amendment was agreed to.

The PRESIDING OFFICER. The reading of the bill will proceed.

The Secretary read as follows:

SEC. 53. That section 2804 of the Revised Statutes be amended so as to read:

"SEC. 2804. No cigars shall be imported unless the same are packed in boxes of not more than 500 cigars in each box; and no entry of any imported cigars shall be allowed of less quantity than 3,000 in a single package; and all cigars on importation shall be placed in public store or bonded warehouse, and shall not be removed therefrom until the same shall have been inspected and a stamp affixed to each box indicating such inspection, and also a serial number to be recorded in the custom-house. And the Secretary of the Treasury is hereby authorized to provide the requisite stamps, and to make all necessary regulations for carrying the above provisions of law into effect."

From and after the 1st day of July, 1894, there shall be collected an internal-revenue tax on all cigarettes wrapped in paper weighing not more than 3 pounds a thousand, manufactured for sale or offered for sale in the United States, of $1 per thousand.

The Committee on Finance reported to amend section 53 by striking out the last paragraph, in the following words:

From and after the 1st day of July, 1894, there shall be collected an internal-revenue tax on all cigarettes wrapped in paper weighing not more than 3 pounds a thousand, manufactured for sale or offered for sale in the United States, of $1 per thousand.

The amendment was agreed to.

Mr. HOAR. Mr. President, I rise to suggest to the Senator from Arkansas that it is an unusually oppressive day. The heat in the Chamber is very uncomfortable. We have been in session nearly six hours. I suggest that he should either put off the consideration of the bill until to-morrow and take up the Calendar, or, if he prefers, take up some of the unobjected matters further on and skip the income-tax provisions until to-morrow unless some Senator desires to go on this evening.

Mr. HILL. Mr. President, I should like to have that course adopted. It would oblige me very much if it should be done.

Mr. HOAR. I did not suppose any Senator would prefer to go on this evening.

Mr. HILL. Can we not go on with the rest of the bill?

Mr. PLATT. I have been given several severe headaches in trying to read the provisions which relate to the income tax, and understand them with the amendments that have been proposed. I suggest that there might be a print of the provisions relating to the income tax, showing how the sections would read if the amendments of the committee were adopted. I think we would then all understand what it is that we are expected to vote for; but it is very difficult to understand the provisions as they stand at present with the amendments proposed. I do not see why there should not be a print made of the sections, as they would be if the amendments were adopted. That would enable us to have it all before our eyes in a connected form. If there is no objection, I should like to have that done.

I do not wish to embarrass the committee in any way about it, but if the committee is willing, I should like to have such a print made of the provisions relating to the income tax.

Mr. ALLISON. The Senator from Connecticut means the provisions as passed by the other House, with the corresponding sections as proposed to be amended in the Senate?

Mr. PLATT. I suggest that we have printed in a connected way the income-tax provisions as they would be if all the amendments proposed by the committee are adopted. Is that right?

Mr. ALLISON. That is right, if it is what the Senator wants. Of course, that will show the whole scheme as proposed by the Senate Finance Committee.

Mr. PLATT. And show it in a way which would be intelligible. It is scarcely intelligible now, certainly not without a great deal of study.

Mr. HALE. How would that differ from the text of the bill as we see it before us now? What change, that would enlighten Senators, is comprehended in the suggestion of the Senator from Connecticut?

Mr. PLATT. If there is any objection I do not insist on it.

Mr. HALE. I do not object. I merely make an inquiry.

Mr. PLATT. I do not insist upon it. Here are five or six sections that go out.

Mr. JONES of Arkansas. There was so much confusion in the Chamber that I could not understand the proposition of the Senator from Connecticut.

Mr. PLATT. I inquired whether it would not be well to print the provisions relating to the income tax as they would be if all the amendments proposed by the committee should be adopted, so that we could have the whole matter as the committee desires to have it adopted by the Senate before us in one connected print.

Mr. CULLOM. In that case, if the Senate should want to restore the House provisions proposed to be stricken out by the committee, they would not appear in the print.

Mr. PLATT. The House provisions would be the foundation of the print, and then the amendments of the committee.

Mr. CULLOM. That is the case now.

Mr. ALLISON. I think what confuses Senators (I will not say the Senator from Connecticut, because he usually comprehends things very readily) is the fact that the committee proposed certain amendments and then afterwards modified those amendments and put in new amendments in lieu of the amendments first proposed. My own impression is that the best way to print this provision, if we have it printed again, would be to print the original House text with the amendments now proposed by the committee, eliminating the intermediate amendments, interrogation points, etc.

Mr. COCKRELL. And print the former part of the bill with the amendments already made?

Mr. VEST. There is no necessity for doing that.

Mr. PLATT. I will withdraw any suggestion if it is not practicable.

Mr. VEST. There are a few amendments outside of those now printed in the bill, which can be printed to-night and submitted to the Senate to-morrow.

Mr. HALE. Does the Senator mean additional amendments which are not found in the text before us?

Mr. VEST. They are not found in the text before us. I propose to offer them when the text is read.

Mr. ALLISON. Why not offer them now, if the Senator has the amendments prepared?

Mr. VEST. I am prepared to offer them, and intend to do so, if it is an agreeable suggestion. We can have them printed to-night and they can be taken up to-morrow.

Mr. HALE. That is the first intimation there are to be amendments of substance offered which have not been before us at all. It seems to me that instead of waiting until we reach a paragraph, when we have no time to examine the amendment, there should be a new print including all amendments that are proposed by the committee, so that to-morrow morning we may see the whole scope of what is intended.

Mr. VEST. It is not necessary to reprint the amendments already in the bill. They are not changed. These are simply additional amendments, and there are very few of them.

Mr. HALE. They may be very important provisions.

Mr. VEST. Some of them. They are limitations upon the provisions now in the bill.

Mr. HALE. We ought to have them beforehand, and not be obliged to take them up as read at the desk.

Mr. VEST. I propose to submit them now, if agreeable, and have them printed to-night and put on the desks of Senators to-morrow morning.

Mr. HALE. And let the matter go over until to-morrow morning.

Mr. ALLISON. The Senators in charge of the bill propose to allow the income-tax provision to go over until to-morrow, I believe.

Mr. VEST. That is the understanding, I think.

Mr. ALLISON. If so, I think it might be well to have a little print of the income-tax part of the bill by itself without printing the whole bill. It will be very easy for the clerks at the desk to arrange it.

Mr. VEST. Does the Senator mean to reprint the provisions that apply to the income tax?

Mr. ALLISON. Yes, only those and the amendments now to be proposed.

Mr. VEST. If all the amendments which are to be offered shall be printed, the whole thing will be before the Senate to-morrow.

Mr. ALLISON. Very well; I do not insist on it.

The PRESIDING OFFICER. If there be no objection the Senator from Missouri will be recognized for the purpose of submitting the amendments to which he refers.

Mr. PEFFER. I wish to give notice that when we take up the income-tax provision I shall propose an amendment to be inserted after the word "tax," in line 19, on page 170——

The PRESIDING OFFICER. The Chair suggests that the amendments proposed by the committee be first read, and then the Chair will recognize the Senator from Kansas, so that he may submit any further amendments.

Mr. PEFFER. I understood the committee were to prepare their amendments.

Mr. ALLISON. They are to be submitted now.

The PRESIDING OFFICER. Is the Senator from Missouri ready to submit the amendments to which he has referred?

Mr. VEST. As soon as the Senate is ready to receive them I am ready to submit them.

The PRESIDING OFFICER. The Chair understands that unanimous consent has been given for their reception. They will be read for information and ordered printed.

Mr. VEST. Is it the understanding that the sections shall be reprinted as the Senator from Iowa suggested? It is a mere matter of printing.

The PRESIDING OFFICER. No understanding has yet been reached.

Mr. VEST. Does the Senator from Iowa make that request?

Mr. CHANDLER. It seems to me that if the amendments of the Senator from Missouri and the amendment of the Senator from Kansas and any other amendments that Senators desire to propose now shall be offered and printed that is all the new print that is necessary.

Mr. VEST. I thought so, but the Senator from Iowa suggested that these sections of the bill be printed.

Mr. ALLISON. I will make another suggestion.

The PRESIDING OFFICER. Is it the pleasure of the Senate that the amendments now offered shall be read or printed?

Mr. COCKRELL. We want to have them read.

Mr. ALLISON. I will venture once more to suggest that during the night we have the original income provisions printed as they came from the other House, and that the amendments which the committee now propose shall be printed with them.

Mr. HALE. Printed in their order?

Mr. ALLISON. In their order. It may disturb someone, but it will certainly be a great convenience to Senators in pursuing the debate upon this question to have that concrete form of printing; and I think it will not cost much.

Mr. VEST. It will simply be to take the sections from 54 to 63 as now in the bill and then print an edition with the proposed amendments.

Mr. CHANDLER. But there are various amendments now to be proposed which are to be printed. How will the Senator have them distinguished?

Mr. ALLISON. There are some of the former amendments printed and then struck out again. All those in brackets are struck out.

Mr. CHANDLER. How does the Senator want to have those disposed of in the new print?

Mr. ALLISON. I want to have them omitted. I want the scheme as the committee now propose it to appear, as compared with the House scheme, in concrete form.

Mr. VEST. I do not think there will be the slightest difficulty.

Mr. ALLISON. If the Senator objects I will withdraw the request.

The PRESIDING OFFICER. The proposition before the Senate now is the disposition of the amendments offered by the Senator from Missouri. Is it desired by the Senate that they shall be read?

Mr. PUGH. Let them be read.

Mr. PLATT. I wish to have them read. It will take only a short time.

The PRESIDING OFFICER. The proposed amendments will be read.

The SECRETARY. At the end of line 11, section 59, add the following proviso:

Provided, That mutual life insurance companies shall not be required to pay an income tax upon the sums repaid to their policyholders as dividends or interest upon the surplus premiums held by such companies.

Strike out all of section 59, after the word "purposes," in line 22, and insert the following:

Nor to the loans made by building and loan associations to their shareholders for the purpose of enabling them to provide for themselves homes.

In line 10 of section 56, page 175, strike out the words "or person," and insert the words "estate or *cestui que* trust."

In the same line, after the word "persons," insert the words "or trustees."

In line 25, section 59, page 187, after the word "associations," insert "or in the case of any foreign corporation, company, or association, the resident manager or agent."

In line 23 of the same section insert "paid" instead of "laid."

On page 188, line 3 of section 59, after the word "affirmation," insert the words:

In such form as shall be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury.

In lines 10 and 11, of section 59, page 188, strike out the words "pay penalties and," and insert in lieu thereof the words, "make return of."

At the end of line 20, section 59, page 188, add the following:

Including fraternal beneficiary societies, orders or associations, operating upon the lodge system and providing for the payment of life, sick, accident, and other benefits to the members of such societies, orders, and associations, and dependents of such members.

Add after the first line, on page 189:

Nor to such savings banks, savings institutions, or societies as shall, first, have no stockholders or members except depositors, and no capital except deposits; secondly, shall not receive deposits to an aggregate amount in any one year of more than $1,000 from the same depositor; thirdly, shall not allow an accumulation or total of deposits by any one depositor exceeding $10,000; fourthly, shall actually divide and distribute to its depositors, ratably to deposits, all the earnings over the necessary and proper expenses of such bank, institution, or society, except such as shall be applied to surplus; and fifthly, shall not possess in any form a surplus fund exceeding 10 per cent of its aggregate deposits.

The PRESIDING OFFICER. Does the Senator from Kansas desire to submit his proposed amendment now? If so, it will be read for information.

Mr. PEFFER. I send the proposed amendment to the desk.

The SECRETARY. Insert after word "tax" in line 19, page 170, section 54, the following:

On each and all such incomes exceeding $1,000, the tax shall be 1 per cent of the excess; and all incomes exceeding $10,000 shall pay an additional tax of 1 per cent of the excess; all incomes exceeding $25,000 shall pay an additional tax of 1 per cent of the excess; all incomes exceeding $50,000 shall pay an additional tax of 1 per cent of the excess; and all incomes exceeding $100,000 shall pay an additional tax of 1 per cent of the excess.

Mr. ALDRICH. The provisions of these various sections are at best very complicated, and with all the important changes suggested now at this late hour it will be utterly impossible to discuss the bill intelligently unless the amendments suggested by the committee are printed. It seems to me it is not possible to discuss them in any other way, and there is certainly ample time between now and the session to-morrow morning to have a print made of these sections as they will read when amended by the latest of the suggestions of the committee. I ask that that order may be made.

Mr. PLATT. That was my suggestion in the first place.

Mr. ALDRICH. It seems to me that such a print is absolutely necessary in view of all the complications concerning this question.

Mr. HOAR. I desire to give notice of an amendment in section 62, line 6, page 189, of the print I have in my hand. After the words "United States" I propose to insert the words "not including the judges of the courts of the United States, but;" so as to read:

That there shall be levied, collected, and paid on all salaries * * * not including the judges of the courts of the United States, but including Senators and Representatives, etc.

I ask consent that the letter of Chief Justice Taney on this subject may be printed as a document for the use of the Senate.

The PRESIDING OFFICER. What is the request of the Senator from Massachusetts?

Mr. HOAR. There is a letter of Chief Justice Taney on this subject, which is on the records of the Supreme Court of the United States. I ask consent that it be printed as a document. It is very brief.

The PRESIDING OFFICER. It is so ordered, if there be no objection.

Mr. ALLISON. May I make one further suggestion respecting the printing? The Senator from Missouri has offered amendments to section 59, and in the description of those amendments he has offered them to the substitute section 59, which is a substitution for three sections.

In suggesting the printing anew, I do not suggest that the clerks at the desk are to be obscured by the new print. Of course, in dealing with the bill at the desk of the Secretary, we must deal with it as it appears in the print now before us, and we can do it in no other way. Therefore, a print such as is now suggested should be a print for the convenience of Senators, and should not be in any way mingled with the print of the text of the bill and amendments heretofore proposed; otherwise there will be confusion.

Mr. HILL. Then, as I understand the Senator, he means that the text of the bill shall be printed, including all the amendments proposed by the Senator from Missouri, so that we shall have the complete bill so far as the income tax before us, without regard to any other amendment?

Mr. ALLISON. Yes, sir; that is what I mean.

Mr. ALDRICH. My suggestion was not to include the original text of the bill, but to include the scheme as it is now presented to the Senate.

Mr. ALLISON. Very well.

Mr. PLATT. Let it be printed just as it would read if all the amendments which have been proposed by the committee were adopted.

Mr. HILL. That is what I want.

Mr. ALDRICH. That is right.

The PRESIDING OFFICER. The Senator from Iowa suggests that the original text be also printed.

Mr. ALLISON. I will not ask that the original text as it came from the other House be printed, though I think it would be convenient.

The PRESIDING OFFICER. The Chair will state the proposition so that it may be distinctly understood and taken down by the Reporters, and then the Senate can act upon it.

Mr. ALLISON. My proposition is that there shall be a print of the income-tax provisions as they will read with the amendments proposed by the committee, eliminating the original

amendments proposed and only including those amendments which they intend to offer to-morrow morning; that they be printed as though they had been adopted, and I should be glad to have the original text printed side by side.

Mr. HOAR. Would there be any objection to follow the text by a print of all amendments of which notice has been given?

Mr. ALLISON. Certainly not.

Mr. HOAR. Amendments like the amendment of the Senator from Kansas?

Mr. ALLISON. Certainly not, as separate amendments, stating that the Senator from Kansas proposes to amend as follows, that the Senator from Massachusetts proposes to amend as follows, etc. What I want to get at is just what all Senators desire, and that is the general plan of the committee as respects the alterations to be made from the House text in regard to the income tax.

Mr. JONES of Arkansas. Would the Senator have no distinction in the print to show what is the House provision and what is the proposed amendment?

Mr. ALLISON. I would have the House text in advance and the amendments now proposed, say in italics, or in small pica, or whatever the type used. It seems to me that it would be a great convenience to all.

The PRESIDING OFFICER. The proposition is to have the text, followed by the other amendments proposed. Is there objection to the proposition made by the Senator from Iowa? The Chair hears none, and it is so ordered. Is it the pleasure of the Senate that the reading of the bill shall be continued?

Mr. HARRIS. Is it the agreement that the income-tax feature of the bill with such amendments as the committee reported shall be printed in different type, so as to show what the text is and what the amendments are?

The PRESIDING OFFICER. The Chair understands that the text as it came from the House of Representatives will be printed as proposed to be changed by the amendments which the committee now offer, and that is to be followed by the amendments submitted this afternoon by the Senator from Kansas [Mr. PEFFER] and others.

Mr. HARRIS. Is it the order that the independent amendments proposed by other Senators, or of which notice is given, shall be printed in still different type?

The PRESIDING OFFICER. They are to follow the other printing. They are not to be incorporated in the bill in any way.

Mr. PLATT. There seems to be still some confusion about this matter. I do not want to press the matter if it is not desired. What I want to get is in one print the income-tax feature as it will be if all the amendments of the committee are adopted, so that I can see what sort of an income-tax law we would have if the amendments of the committee were adopted.

Mr. ALDRICH. That is what I understood to be the order of the Senate

Mr. PLATT. Anything else may be printed, but I want to see that in print.

Mr. ALLISON. That is the understanding.

The PRESIDING OFFICER. The Chair understands that that is substantially the agreement the Senate has entered into.

Mr. HOAR. And all other amendments are to follow.

The PRESIDING OFFICER. They will follow, printed on separate sheets under the general order to print, separately.

Mr. HOAR. I understood the Senator from Iowa to agree that after this text showing the present bill and the proposed amendments of the committee in the ordinary way there should follow as part of the same document the print of all amendments of which notice has been given as the one offered by the Senator from Kansas.

Mr. ALLISON. There is certainly no objection to that course.

The PRESIDING OFFICER. That is part of the agreement as the Chair understands it.

Mr. HARRIS. The Senate having reached that agreement, I understand that until the print is before the Senate it is the wish of Senators that we shall not proceed with the consideration of these sections of the bill.

The PRESIDING OFFICER. That is the proposition, but no agreement has yet been entered into.

Mr. HARRIS. Of that I am aware, but I understand that to be the wish of Senators while the order to print is being executed.

Mr. HILL. Will the Senator from Tennessee allow me a moment?

Mr. HARRIS. Certainly.

Mr. HILL. If no other Senator desires to speak to-morrow morning, I will take the floor as soon as we take up the bill. It will be understood that I may have the floor.

Mr. HARRIS. In view of that agreement, as we can not very well proceed with these sections of the bill this evening, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After eight minutes spent in executive session, the doors were reopened, and (at 4 o'clock and 18 minutes p. m.) the Senate adjourned until to-morrow, Thursday, June 21, 1894, at 10 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate June 20, 1894.

ASSISTANT TREASURER.

William D. Bigler, of Pennsylvania, to be assistant treasurer of the United States at Philadelphia, Pa., to succeed Louis R. Walters, whose term of office will expire by limitation July 10, 1894.

SURVEYOR OF CUSTOMS.

Christian A. Schaefer, of West Virginia, to be surveyor of customs for the port of Wheeling, in the State of West Virginia, to succeed Joseph A. Faris, whose term of office has expired by limitation.

ASSISTANT APPRAISER OF MERCHANDISE.

Sheppard G. Young, of Pennsylvania, to be assistant appraiser of merchandise in the district of Philadelphia, in the State of Pennsylvania, to succeed Daniel C. Clarke, removed.

SUPERVISING INSPECTOR OF STEAM VESSELS.

William H. Murdaugh, of Virginia, to be supervising inspector of steam vessels for the third district, to succeed John W. Oast, resigned.

POSTMASTERS.

Frank McCoppin, to be postmaster at San Francisco, in the county of San Francisco and State of California, in the place of Samuel W. Backus, whose commission expired May 14, 1894.

Thomas Buckley, to be postmaster at Plantsville, in the county of Hartford and State of Connecticut, in the place of Heber S. Ives, deceased.

Sylvester S. Shoemaker, to be postmaster at Metropolis City, in the county of Massac and State of Illinois, in the place of Pete H. Norris, removed.

W. L. Brown, to be postmaster at Sterling, in the county of Rice and State of Kansas, in the place of John E. Junkin, whose commission expires July 2, 1894.

John S. Renninger, to be postmaster at Marshall, in the county of Lyon and State of Minnesota, in the place of Silas N. Harrington, whose commission expires July 1, 1894.

Richard T. Kennon, to be postmaster at Deerlodge, in the county of Deerlodge and State of Montana, in the place of Lew Coleman, whose commission will expire July 1, 1894.

Edmund W. Manolt, to be postmaster at Toms River, in the county of Ocean and State of New Jersey, in the place of W. B. Singleton, whose commission expired May 7, 1894.

Fred G. Bundy, to be postmaster at St. Johnsbury, in the county of Calendonia and State of Vermont, in the place of William W. Sprague, removed.

PROMOTIONS IN THE ARMY.

Ordnance Department.

Second Lieut. George Montgomery, Second Artillery, to be first lieutenant, June 19, 1894, to fill the vacancy in the department caused by the death of Maj. Clifton Comly, April 17, 1894.

Second Lieut. Tracy C. Dickson, Second Artillery, to be first lieutenant, June 19, 1894, to fill the vacancy in the department caused by the death of Capt. Charles C. Morrison, May 13, 1894.

CONFIRMATIONS.

Executive nominations confirmed by the Senate, June 20, 1894.

CONSUL.

John B. Gorman, of Georgia, to be consul of the United States at Matamoras, Mexico.

APPOINTMENT IN THE NAVY.

Ammen Farenholt, a resident of Massachusetts, to be an assistant surgeon in the Navy.

POSTMASTERS.

Franklin G. Holbrook, to be postmaster at Minneapolis, in the county of Hennepin and State of Minnesota.

W. H. Perry, to be postmaster at Lake City, in the county of Columbia and State of Florida.

James D. Casey, to be postmaster at Ligonier, in the county of Noble and State of Indiana.

David C. Lee, to be postmaster at Kissimmee, in the county of Osceola and State of Florida.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *June 20, 1894.*

The House met at 12 o'clock m., and was called to order by Mr. THOMAS O. TOWLES, Chief Clerk.

The following communication was read:

JUNE 20, 1894.

SIR: I hereby name the Hon. JOSEPH W. BAILEY, a Representative from the State of Texas, to perform the duties of the Chair for this day.

CHARLES F. CRISP, *Speaker.*

To Hon. JAMES KERR,
Clerk of the House of Representatives.

Mr. BAILEY took the chair as Speaker *pro tempore.*

Prayer was offered by Rev. W. H. MILBURN, D. D., Chaplain of the Senate.

The Journal of yesterday's proceedings was read and approved.

SENATE BILLS REFERRED.

The SPEAKER *pro tempore* laid before the House Senate bills of the following titles; which were severally referred as indicated below:

A bill (S. 1597) to amend an act entitled "An act for the support of the government of the District of Columbia for the fiscal year ending June 30, 1878, and for other purposes"—to the Committee on the District of Columbia.

A bill (S. 1228) for the relief of Charles W. Cronk—to the Committee on Naval Affairs.

A bill (S. 763) relieving the personal representatives of John Sherman, jr., late United States marshal for the Territory of New Mexico, from the requirements of section 833 of the Revised Statutes—to the Committee on the Judiciary.

A bill (S. 1365) to refund illegal internal-revenue tax collected of the late Alexander W. Baldwin as United States district judge for the district of Nevada—to the Committee on Claims.

SURVEY OF HARBORS OF SUPERIOR AND DULUTH.

The SPEAKER *pro tempore* also laid before the House a joint resolution (S. R. 57) directing the Secretary of War to appoint a commission of engineers to examine and report upon the cost of deepening the harbors of Superior and Duluth and their entrances to a uniform depth of 20 feet.

Mr. HAUGEN. Mr. Speaker, I ask unanimous consent that action be now taken upon that joint resolution.

The SPEAKER *pro tempore.* Is there objection to the request of the gentleman from Wisconsin for the present consideration of this joint resolution?

Mr. OUTHWAITE. Let the resolution be read.

The joint resolution was read, as follows:

Resolved by the Senate and House of Representatives, etc., That the Secretary of War be, and he is hereby, directed to appoint a commission, to consist of three engineers, to examine the harbors of Superior and Duluth and the entrances thereto, with a view of ascertaining the cost of deepening said harbors and entrances to a uniform depth of 20 feet, and to report their conclusions to the Secretary of War without delay, to be by him transmitted to Congress.

Mr. SAYERS. Mr. Speaker, my attention was called off while the joint resolution was being read, and I should like to hear some explanation of it.

Mr. CATCHINGS. It is simply an order for the survey of the harbors of Duluth and Superior City.

Mr. HAUGEN. The work is provided for in the river and harbor bill, but this would hasten it somewhat.

The joint resolution was ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. HAUGEN, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

PUBLIC BUILDINGS AT DAVENPORT, IOWA.

Mr. HAYES. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the desk, a bill (H. R. 4764) to authorize additions to and improvements in public buildings at Davenport, Iowa.

Mr. SAYERS. I object to the consideration of that measure by unanimous consent.

ARREARS OF PAY DUE TO DECEASED COLORED SOLDIERS.

Mr. HULICK. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the desk.

The resolution was read, as follows:

Whereas there is now in the Treasury of the United States money arising from arrears of pay and due the estates of deceased colored soldiers who served during the late war; and

Whereas it is deemed just and expedient that said funds be set apart and appropriated for the purpose of erecting national memorial homes for aged and infirm colored people and to aid in maintaining the inmates of the same:

Therefore be it resolved, That the Secretary of the Treasury be and is hereby requested at the earliest time practicable to report to this House as follows:

First, the amount of the unexpended balance of said fund that was turned over to the Adjutant-General's Department when the Freedmen's Bureau was discontinued in 1872;

Second, the additional money arising from said source, if any, that has been paid into the Treasury since 1872;

Third, the amount of said funds that was held for seven years and then repaid into the Treasury on the legal presumption of the death of the payees;

Fourth, a full statement of the claims paid to claimants since 1882 and the amounts thereof;

Fifth, the number and amount of claims now pending;

Sixth, the actual amount of said fund now in the Treasury claimed and the actual amount unclaimed;

Seventh, an estimate of the balance of said fund that will finally remain unclaimed.

The SPEAKER *pro tempore.* Is there objection to the present consideration of this resolution?

Mr. COOMBS. I shall object to the resolution in its present state, Mr. Speaker. It declares the desirability of making a certain use of these funds, a question which I think will necessitate a longer discussion than can be had in this morning hour. I shall not object to the resolution if that part of it be stricken out, and also the part requiring a detailed statement of each claim, because that would take too much time and labor.

Mr. OUTHWAITE. Let the resolution go to the committee.

Mr. HULICK. Let it be referred, then.

The resolution was referred to the Committee on Military Affairs.

ORDER OF BUSINESS.

Mr. HATCH. Mr. Speaker, I demand the regular order.

Mr. RICHARDSON of Tennessee. I ask the gentleman to withhold that demand for a moment while I present one or two reports from the Committee on Printing.

Mr. HATCH. Very well.

PRODUCTION OF THE PRECIOUS METALS IN THE UNITED STATES IN 1893.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I am directed by the Committee on Printing to submit the report which I send to the desk.

The Clerk read as follows:

IN THE HOUSE OF REPRESENTATIVES, *June 13, 1894.*

Mr. CATCHINGS submitted the following, which was referred to the Committee on Printing:

"*Resolved by the House of Representatives (the Senate concurring),* That the report of the Director of the Mint on the production of the precious metals in the United States for the calendar year 1893 be printed, and that 10,000 extra copies be printed, 4,000 for the use of the House of Representatives, 2,000 copies for the use of the Senate, and 4,000 copies for the use of the Director of the Mint."

The committee have considered the House concurrent resolution to print 10,000 extra copies of the report of the Director of the Mint on the product of precious metals in the United States for 1893, and direct me to report the same with the recommendation that it do pass.

The estimated cost of the same is $2,725.

The resolution was adopted.

On motion of Mr. RICHARDSON of Tennessee, a motion to reconsider the vote by which the resolution was adopted was laid on the table.

TYPHOID FEVER AND OTHER PREVENTABLE DISEASES.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I submit also another report from the Committee on Printing.

The report was read, as follows:

IN THE HOUSE OF REPRESENTATIVES, *June 14, 1894.*

Mr. RICHARDSON of Tennessee submitted the following, which was referred to the Committee on Printing:

"*Resolved by the House of Representatives,* That in addition to the "usual number," there be printed 4,000 extra copies of the special report made by the select committee of the Medical Society of the District of Columbia at its meeting of June 6, 1894, on typhoid and malarial fevers and other preventable diseases, of which 300 copies shall be for the use of the Senate, 700 copies for the use of the House of Representatives, and 3,000 copies for the use of the said Society."

The committee have considered the House resolution to print the "usual number," and 4,000 extra copies of the special report made by the select committee of the Medical Society of the District of Columbia, at its meeting June 6, 1894, on typhoid, malarial fever, and other preventable diseases in the District of Columbia, and direct me to report the same with the recommendation that it do pass. The estimated cost of the same is $52.

The resolution was adopted.

On motion of Mr. RICHARDSON of Tennessee, a motion to reconsider the vote by which the resolution was adopted, was laid on the table.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed without amendment the bill (H. R. 5806) to authorize the city of Hastings, Minn., to construct and maintain a wagon bridge over the Mississippi.

The message also announced that the Senate had passed bills of the following titles; in which the concurrence of the House was requested:

A bill (S. 1538) to ratify and confirm an agreement with the Yankton tribe of Sioux or Dacotah Indians in South Dakota, and to make appropriations for carrying the same into effect;

A bill (S. 2065) to prevent the carrying of obscene literature and articles designed for indecent and immoral use from one State or Territory into another State or Territory;

A bill (S. 2135) to provide that a term of the circuit and district court of the United States for the district of Vermont may be held at Montpelier; and

A bill (S. 1320) to provide for the punishment of certain frauds.

ENROLLED BILLS SIGNED.

Mr. PEARSON, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills and joint resolution of the following titles; when the Speaker signed the same:

A bill (H. R. 4720) to pension Lucy Brown, dependent foster mother;

A bill (S. 1995) granting to the Eastern Nebraska and Gulf Railway Company right of way through the Omaha and Winnebago Indian reservations in the State of Nebraska; and

Joint resolution (H. Res. 172) granting full permission to the State of Maryland and to the several State courts within the city of Baltimore to occupy the old United States court-house in the city of Baltimore for the period of five years.

ANTIOPTION.

Mr. HATCH. I move that the House resolve itself into Committee of the Whole on the state of the Union for the further consideration of revenue bills; and pending that motion I ask unanimous consent that all debate upon the pending bill and amendments thereto, if any, shall be considered closed at the adjournment to-morrow evening, the bill and any pending amendments to be reported to the House; the previous question to be considered as ordered upon the bill and all pending amendments thereto to final passage, and the vote to be taken immediately after the morning hour on Friday morning.

The SPEAKER *pro tempore*. The gentleman from Missouri moves that the House resolve itself into Committee of the Whole for the further consideration of bills raising revenue; and pending that, asks unanimous consent that all debate on the bill now pending in Committee of the Whole shall be considered as closed at the adjournment to-morrow (Thursday) evening; and that the vote on the bill and pending amendments shall be taken Friday after the reading of the Journal.

Mr. HATCH. No; immediately after the morning hour.

The SPEAKER *pro tempore*. That the vote shall be taken immediately after the morning hour on Friday. Is there objection to the request? The Chair hears none; and it is so ordered.

The question being taken on the motion of Mr. HATCH, it was agreed to.

The House accordingly resolved itself into Committee of the Whole on the state of the Union (Mr. LIVINGSTON in the chair), and resumed the consideration of the bill (H. R. 7007) regulating the sale of certain agricultural products, defining options and futures, and imposing taxes thereon and upon dealers therein.

Mr. GOLDZIER. Mr. Chairman, and gentlemen of the Committee, before entering upon the discussion of the question at issue, I desire to make one statement which is called forth by what several gentlemen on the other side of this question have said in regard to the position of myself and my colleagues as being representatives of the board of trade. I wish to state, in the first instance, that I do not, I never have, and I suppose I never shall represent the board of trade either upon the floor of this House or anywhere else. I have never in my life had a solitary deal upon the board of trade; I do not expect I ever shall.

I wish further to say to the members of this committee, and more especially to the gentleman from Missouri [Mr. HATCH] and the gentleman from Pennsylvania [Mr. SIBLEY], that the Board of Trade of Chicago or the Board of Trade of New York is no more in favor with the majority of the people of my district than it is with the farmers; and I am fully alive to the fact that if in doing what I do and in saying what I may say I should incidentally champion the cause of the board of trade I am doing what is very unpopular in my district. But, gentlemen, these considerations ought not, and I may say in my case that they do not bear weight.

We are elected, not as representatives of a certain city, not as representing a certain portion of the country, not even as representing our State, but we are elected to this body as representing, one and all, the whole people of the United States, and I sincerely hope that in what I may say and in what I may do, I may live up to this trust.

Mr. Chairman, legislation of the kind which is before the House now has been attempted in governments, democratic, monarchical, and aristocratic from time immemorial. From time immemorial there have been a set of mountebank politicians who believed or made the people believe that it was within their power to do something extraordinary for them, by restraining one law of nature or by accelerating the action of another law of nature. And from time immemorial—from the time of the Greeks down to this century, in England and all over the world, all such attempts have proven futile.

If I were to characterize legislation of this kind in one word, I should say it was upon the style of the "blue glass" craze—a cureall; or that it was in legislation what the so-called "faith cure" is in medicine—something which is supposed to and is held out by its authors to bring about a reform, an entire revolution of existing conditions. The key note of this sort of legislative legerdemain is given by a question which was interjected the other day, I believe, by my friend from Missouri. He takes the rostrum and asks in sonorous words, "Is it not about time that we do something for the farmer?" In answering that question I stand upon the broad basis of the Constitution of the United States, which has never authorized you or your predecessors to pick out any single class of the community for the purpose of doing something for them, good, bad, or indifferent.

It is our duty to say to the farmer, as we must say to all other classes of the population: The Constitution and the laws of this Government do not empower us to single you out and to make laws in your favor, thus discriminating against the rest of the people.

The Government of these United States was instituted to protect all its citizens alike, and to grant special privileges to no class.

Farmers, like laborers or merchants, are to be equally protected in the pursuit of their calling, but the Government can not interfere either to favor or to discriminate against any one portion of the community.

Instances of laws such as are proposed in this bill have been of frequent occurrence, and it may be instructive to cite a few of them.

In England the government attempted to do something for the wheat-growers and the producers of farm products generally. The British corn laws, which were in existence from about 1814 to 1846, were enacted. They went in the same direction in which my friend from Missouri desires to go; that is, in the direction of raising the price of cereals for the benefit of the producer; and I may be permitted to say, with all due respect to the gentleman from Missouri, in a more methodical manner, for they actually succeeded in doing what the gentleman with the present legislation will never accomplish.

According to the corn law of 1828 the normal price of 66 shillings per quarter for wheat was adopted, and, starting with this price, an import duty of 1 shilling was levied. Then for every shilling of decline in the price of wheat, that is, when the wheat threatened to become too cheap to the laboring population of England, the benevolent, paternal, and maternal government of the British Isles added an additional shilling to the import duty, so that it should not sink below the price of 66 shillings. But whenever the price inland rose, the government deducted a much larger proportion of the duty; so that the system of British laws from 1814 to 1846 was a system such as the gentlemen who favor this bill must unquestionably desire—which encouraged the highest possible price for that which is most necessary to all the people of any community, to wit, food.

This is not all, Mr. Chairman, of the follies of legislation of this kind of which history tells us. In the reign of Charles II a bill was passed which enacted:

> Whereas it is necessary to encourage the woolen industry in the United Kingdom: Therefore,
> *Be it enacted*, From this time forward that every corpse buried in the United Kingdom shall be covered with a woolen shroud.

And this law was actually enforced in Great Britain. It failed of the desired effect, because, while the inhabitant of England was bound by the law to either bury his dead in wool or go to jail himself, the effect was that the dead wore the wool and the living did without it.

The woolgrowers and wool manufacturers found that their product was no more in use when the dead wore it than when the living wore it; and, as a consequence, in the reign of George I, another act of this character, another "antioption act," was passed in England in which, by a fine of £5, every person was prohibited from wearing garments made of calico, in order to encourage the silk and woolen industry; and a fine of £25 was imposed on anybody who had the hardihood to sell a cotton garment.

None of these laws had the effect which was intended, because the natural law of which the gentleman speaks in his report, the law of supply and demand, is one against which no body of legislators can effectually legislate. It is as immutable as the sun itself; it is as unchangeable as the motion of the earth; and you may legislate from now until the crack of doom, you can no more change the law of supply and demand than you can change the laws of gravity or of hydrostatics. If this bill has any foun-

dation on the reasons advanced by the committee, I expect within a short time to see the gentleman from Missouri, or some other gentleman, propose a bill entitled "A bill to remove friction," in order that the law of gravity may have full and fair play.

Let me read to the gentlemen on this subject what a man with whose personal acquaintance I was honored, a man who, alas! within the last few months has passed to his grave, respected and honored by everyone who knew him, said upon this subject. I read from Trumbull's work, The Free Trade Struggle in England:

The English laws are full of vain and mischievous attempts to make rivers run up hill, to divert moral science from its principles, and make the beneficent streams of trade and manufactures flow the wrong way. They failed, as such attempts must ever fail. They gave to certain special classes an artificial prosperity, but this prosperity was abstracted from the community at large. The belief in witchcraft was accompanied by the kindred superstition that "government" always kept on hand a large surplus of prosperity created by itself, which it could ladle out at pleasure to help destitute people, professions, and trades. It was not then known in England, as it is not yet known in America, that "government" can create nothing; and that if it pours a cupful of prosperity upon this trade or that one, it must dip it up from the common fund of prosperity created by the labor of all the rest of the people. There is positively no bounty, help, or endowment having a money value, that government can give to one without taking it from others.

But, Mr. Chairman, look upon this subject from the broad ground of law, right, and the Constitution—and in speaking of the Constitution I disavow being one of those whom the gentleman from Pennsylvania characterized yesterday as "strict constructionists." I desire the Constitution of this country to be construed in the manner in which it shall be most beneficial to all of the people, but with a due regard to every factor in the well-balanced machinery of our Government, giving to Federal authority all necessary powers, and reserving to the States and the people all others.

Where does Congress then obtain its right to legislate for one portion of the community? Where does Congress obtain its right to single out the farmer and say to him, "We take thee under our protecting arms," leaving by the wayside all the others. I ask you gentlemen, if you concede, as is argued in the report accompanying this bill, that it is within the province of government to relieve the producer of farm products from destructive competition, why is it not equally within the province of Congress, and why is it not your bounden duty to relieve from such competition—destructive competition—other tradesmen, professional men, workingmen? And have you done it, or have you attempted to do it; or is there a question in the mind of anyone that such destructive competition exists?

Look upon the small tradesman. In the large cities of this country he has become almost an unknown factor. Why? Because the centralization of capital affords the larger merchant such facilities that the small merchant is driven out of every mart. It is because larger capital affords such enhanced power that the smaller merchant can not survive. Is this, or is it not, destructive competition; and if it is, ought you, or ought you not, to legislate in favor of the small merchant, as you attempt to do in favor of the farmer?

Take the instance of the laboring man. You speak of destructive competition. What more destructive competition can there be than has arisen within the last century in the development of labor-saving machinery, which has driven out of a thousand places the laboring man who theretofore did by the work of his hands what is now done by machinery? Take one instance, which will illustrate a thousand others. In the printing trade within a few years the introduction of typesetting machinery has displaced a countless number of printers. I need but say to you that one machine does the work of from five to twelve typesetters to show you that this machine is the most destructive competitor to labor. If you establish the principle that you may protect from competition, legislate against the use of this machine; or is labor less entitled to protection at the hands of this body than is the farmer?

If it is within your power to protect against competition, I call upon you in the interest of the laboring population in America to shield them from the ever-growing competition which makes the struggle for life severer from day to day for the workingman.

And lest I should be accused of too great an amount of disinterestedness let me plead to you for my fellow-members of the legal profession. Competition, ever growing competition, oppresses us lawyers as well as any other class of the community. The laws, however, leave us to our own merits and exertions, and in this profession, as in every other one, the law of the survival of the fittest prevails, and those who can not swim must sink.

There is but one true principle, there is but one guiding star for legislation, and it is this, that the scope of legislation must ever be confined to those matters which, by the people and by the Constitution, have been transferred to the legislators and are within their power. You must see that this Government can not enter into the business of relieving anyone from competition, because each class of the population is entitled to the same right under our laws as any other.

When the tariff question was under discussion gentlemen had arisen and again and again promised to the farmer that they would do something for him. They have shown the farmer what they would do in the future, and the promise has never been kept. The promise never can be kept under our laws and never will be kept, and I wish but to warn Democrats upon this floor from following in the footsteps of the Republican party, which has forever made empty promises to the farmer, to the laboring man, to every class of the community, and has kept those promises but to one class, to those upon whom by legislation they conferred a monopoly, to the detriment of the people at large.

But another view of the bill at issue. It is conceded by every one who has spoken in favor of this measure, and is advanced as one of the reasons for it, that the fall in prices of commodities is to be provided against, that by legislation you are to stop another natural law, which is the gradual and inevitable fall of the price of commodities.

Suppose that this were within the province of Congress, I will point out to you the way to impede the fall of prices of commodities. Destroy your agricultural machinery, lay waste one-half of the land now under cultivation. Destroy your shipping, destroy your means of transportation, and then possibly you can arrest that which by legislation in the present age you will never arrest, and which you ought not to arrest, namely, the continuous gradual decline in prices.

Can gentlemen be so blind as to fail to see that every improvement which is wrought in labor-saving machinery; that every ship which sails the waterways; that every new avenue of transportation; that everything which human genius has developed has but one single, solitary aim and object, and that is the lowering of the prices of commodities, so as to bring them within the reach of a larger number of the people. You can not stop that. You will not stop that. Legislation has not and never will stop it. It is as inevitable as the rising of the sun in the morning. It is as inevitable as the flow of the water.

And, gentlemen, upon this point let me ask you who that has paid any attention to the study of political economy will find in the gradual decline of prices aught that is not to be hailed with joy? I do not mean a fall caused by irregularities like panics, but the gradual decline which comes from improved methods of production. If I say to you to-day that the food supply of the world, as I will show in a minute, is almost triple what it was forty years ago, what does that mean? It means that your poor man is better fed, it means that your laborer has at his disposal more food than he had before. It means, in one word, that he has more of enjoyment and happiness, more of pleasure, more of life than he has with high-priced food, which means less food.

The price of food determines a number of matters of which we little dream. You speak of lack of education as influencing crime. I say to you that the price of wheat has to-day and at all times had more influence upon crime than the lack or existence of education has or ever had or ever will have.

Let me give you one proof among numbers culled from the statistics of the world. I read from Kolb's Condition of Nations, on the influence of scarcity upon the amount of crime.

THE INFLUENCE OF SCARCITY UPON THE AMOUNT OF CRIME.

In 1846 the number of persons in France arreseted for theft was	31,768
In 1847 (the year of famine) the number rose to	41,626
In 1848 the number fell to	30,000
In 1834 the number of imprisonments for crime in England was	22,451
In 1835 and 1836 a marked decrease was experienced. The price of corn fell and work and wages became at the same period more plentiful.	
In 1837 price of corn rose, and the number of prisoners amounted to	25,051
In 1837 to 1841 high prices continued and trade depressed, when the number rose to	31,309
In 1842–1846, Peel's reform in taxation. Wheat at 54 a quarter, imprisonments oscillated between	24,000 and 25,000
In 1847, a commercial crisis was accompanied by a rise to	28,838
In 1848 the commercial crisis continued and was accompanied by a further rise to	30,249

By the abolition of the corn laws and cheapness of provision the number was stationary, notwithstanding the increase of population, but in 1853 wheat, at 53*s.* per quarter, the number of prisoners fell to 27,057; 1854 wheat, at 72*s.* per quarter, the number of prisoners rose to 29,359.

Dr. Mayer found that in Bavaria during twenty-five years, that for about every rise by 2*d.* of the price of a bushel of rye there was one more theft per 100,000 inhabitants; and on the other hand, that for every fall by 2*d.* there was one theft less, in the same number of people.

In Cis-Leithania (Austria) the criminal statistics show that in 1871 the number of persons convicted were 21,620, of whom the number utterly without means were 18,820; of those in possession of small means, 2,637; of those well to do, only 163.

Although the possession of means alone may not make men better morally, yet, without doubt, want leads to the commission of acts which society ranks as criminal and must punish.

In like manner the quantity of food—in other words, its cheapness—exerts its influence on the people's health, as shown by the mortality statistics. Its influence can be traced in the morals of every people, and every symptom of the well-being or otherwise of the people of any nation will be found in the statistics to be indissolubly linked with the question of how plentiful or otherwise is its food supply.

Mr. MARSH. Will my colleague allow me to ask him a question?

Mr. GOLDZIER. With the greatest of pleasure.

Mr. MARSH. Does he think that this bill will have the effect of raising the price of food?

Mr. GOLDZIER. I do not think it will. I think it will have no effect at all. I am not speaking of raising the price of food; I am speaking of the effect which the promoters of this bill claim it will have.

Mr. MARSH. And that effect, you think, will be a bad one?

Mr. GOLDZIER. Yes, sir; and in thinking it will be a bad one, let me state to my colleague I am not alone, and that this is no new idea of mine. Throughout English legislation, upon which our laws are based, you find what? You will find that the law prevents, not combinations to lower the price of food, but at all times it prevents, or has prevented, combinations to raise the price of food.

Mr. RICHARDSON of Michigan. Except from '14 to '46?

Mr. GOLDZIER. Except from '14 to '46, when the Government raised the price of food.

Mr. RICHARDSON of Michigan. That was by legislation, of course.

Mr. MARSH. May I ask my colleague does he think this bill would reduce the price of food?

Mr. GOLDZIER. No, sir.

Mr. MARSH. Then the question of the price of food hereafter is eliminated from this discussion.

Mr. GOLDZIER. Yes, sir; except that I am meeting the arguments, the sham arguments, advanced in favor of this bill. I say it is absolutely untrue that this bill will affect the price of food, the price of grain, or the price of the articles of merchandise mentioned in it one way or the other.

I say that it is not true, and I want to prevent these arguments from going out uncontradicted to the farmer, who seems to be considered by the gentlemen who advance such arguments as the most unenlightened being extant. I wish to prevent him from being humbugged by such reasoning.

Throughout common-law legislation we have had provisions against forestalling, regrating, and engrossing—terms which are defined as follows:

> Forestalling: Buying or contracting for merchandise or victual on its way to market; dissuading persons from bringing their goods or provisions there, or persuading them to enchance the price when there; any of which practices makes the market dear to the fair dealer.

Forestalling has been prohibited and is prohibited by the law in every State in this Union, the laws of which are based on the common law system. Regrating and engrossing are similar offenses at common law aimed at the same attempts to raise price of cereals.

So the gentlemen will see that throughout the legislation, from the time when the Peruvian Government under the Incas, bought all the corn of the country and made the raising of corn a monopoly of the Government, to the present time the policy of the Government has been steadily not to raise the price for the benefit of the farmer, not to raise the price in order that the farmer might reap a larger harvest, but to keep the price at such a point where it will be most accessible to the majority of the people of all classes.

Pleas have been made to you with tearful eyes. My friend from Pennsylvania [Mr. SIBLEY] has plead to you for the poor farmer. Conceding the farmer to be suffering, conceding that the price of corn and the prices of farm products have fallen so as to make farming unprofitable, let me plead to you for the poor laborer, let me plead to you for him who is not a producer of food, but who must necessarily and at all times be the chief consumer of these farm products.

Mr. MARSH. If this bill does not affect the price of food, wherein is it necessary to plead for the laborer?

Mr. GOLDZIER. Let me say to my colleague once more that I am taking up the arguments, if they can be called arguments, which have been advanced here for this bill. I say that this bill does not and will not affect the prices of food. What I am arguing against is the intention. The gentleman from Pennsylvania [Mr. SIBLEY] yesterday, in answer to a question which I put to him directly, "Do you consider the falling of the prices of victuals as a blessing or otherwise?" said: "No; if I had my way, I would raise the prices of victuals as high as I could."

Mr. MARSH. Then, if I understand my colleague correctly, he is not talking against what is in this bill, but is simply criticising what somebody has said on this floor.

Mr. GOLDZIER. Yes, sir. If I were to attack what is in this bill I would have to take up the old fight of Don Quixote against the windmills, for there is nothing tangible in this bill: there is nothing here to fight against except the utterances of the advocates of this bill.

Mr. MARSH. Then, if the bill is so perfectly harmless that the gentleman can find nothing in it to attack, why not let it go?

Mr. GOLDZIER. The bill is perfectly harmless, but I will tell the gentleman why I will not let it go. I will not let this bill go because, when I took my seat in this House, I raised up my hand and swore to support the Constitution of the United States as I understood it. Therefore I attack this bill, although it is harmless, because to my mind, and I think to the mind of anyone who can read as he runs, this proposed legislation is unconstitutional and is an interference with the sacred rights of the States. For that reason, and for none other, I attack this bill.

Mr. MARSH. May I ask my colleague if harmless legislation is unconstitutional?

Mr. GOLDZIER. Most unquestionably it may be. This legislation is harmless from a number of points of view. It is harmless because if you get it on the statute book you will never enforce it. It is harmless because it will be a dead letter; but it is not harmless from the one point of view from which I am now regarding it, because it proposes an enlargement of the powers of the Federal Government which is not warranted by the Constitution of the United States.

Mr. MARSH. I do not want to interrupt my colleague. I am interested in his remarks and am listening to him for the purpose of gaining information. He says that this bill is perfectly harmless, because it can not be enforced.

Mr. GOLDZIER. Yes, sir.

Mr. MARSH. Now, if the law can be enforced, will it then be harmless?

Mr. GOLDZIER. It would be harmless if it could be enforced. It would hurt a few gamblers, about whom I do not care. It might close the boards of trade and drive out a few merchants, who would have to go into some other business; but, as far as the welfare of the people at large is concerned, this legislation would be perfectly harmless. I can not agree with my friend from New York or with my colleague from Chicago that the grain trade would come to an end if you should pass this bill. I think the boards of trade would be hampered in their business, and I think the farmers would find themselves worse off than they are now, because, as there would be fewer buyers, there would be a less demand for their products, and the prices of those products would be unduly lowered.

Mr. MARSH. Then my colleague thinks this legislation would do harm to the farmer?

Mr. GOLDZIER. I rather fear so; but that does not concern me. The injury done to the farmer would not be serious, if compared with the greater harm involved in the violation of the principles upon which our Government is based. But, be it harmless or otherwise, we are here for the purpose of passing such laws as the Constitution of the United States authorizes us to pass. Now, I believe that the Constitution of this Government will have to undergo changes from time to time. I think the time is coming when certain questions relating to the distribution of wealth and other matters will have to be provided for or against by the Constitution of the United States.

Those changes will come. Whether they will be inscribed on the pages of history in letters of blood and iron, as was the fourteenth amendment, or whether they will come peaceably, I can not tell. But against one method of changing the Constitution, however, I do most solemnly protest. I protest against a change of the Constitution by Congress. This House has no power to enlarge the scope of the Federal Government. To this House was never given the authority to change or enlarge the powers of the Federal Government so as to bring within those powers matters which heretofore have been foreign to them. Upon the question as to whether this proposed legislation is constitutional or otherwise, let me ask the gentleman this—and I call the attention of the chairman of the Committee on Agriculture to this point, because he may be interested in it later—suppose I were to offer this amendment to the bill:

> Whereas it is necessary to raise revenue and whereas the Congress of the United States has resolved to relieve the producer of agricultural products of the destructive competition to which he is now subject by reason of the offering of fiat products and further for the purpose of restoring to the law of supply and demand its free action, which has been destroyed by the practice of short selling, and in order that market quotations may be determined by the offerings of real products by the owners of the same, and further to prevent the overloading of the domestic markets and the breaking down of prices of farm products and to relieve the farming population and restore their prosperity and to restore an honest market for farm products: Therefore be it enacted, etc.

And then let the law follow. Do you believe that any court which might consider the constitutionality of this measure would pass upon a law framed like that, and say that the objects which you have mentioned in the report, but which you are too cowardly to mention in the bill itself, are legitimate objects of legislation. If this law is constitutional, here is the test of it. If this law is constitutional, then have the courage of your convictions, be they good or bad, and say in the law what you are saying upon this floor, what the true objects of this bill are.

But, Mr. Chairman, assume now for the sake of the argument that it is a proper object of legislation to prevent the fall of prices: let me point out to you, as far as agricultural products and food products are concerned, what brings about this fall of prices. I quote now from Mulhall's Dictionary of Statistics. In the first place, I refer to the increase of population within a given period. In 1845 the population of the world was 1,009,000,000; in 1886 the population of the world was 1,483,000,000. Thus, the population within the years mentioned—a period about forty years—and more especially the period to which these gentlemen refer when they speak of the rise of the option business, increased 474,000,000.

Now, let us see to what extent the agricultural products of the world have increased. The aggregate amount of agricultural products in 1840 was 4,119,000,000 bushels; in 1887 the aggregate amount was 9,122,000,000. Thus we see that with 474,000,000 increase of population since 1840, we have more than double the amount of agricultural products for consumption that was formerly consumed by a population of the world of 1,009,000,000.

Mr. RICHARDSON of Michigan. Have you any statements as to the wheat product?

Mr. GOLDZIER. I will come to that.

Mr. STOCKDALE. Whenever the gentleman reaches a point where it will not interrupt him, I would like to ask him a question.

Mr. GOLDZIER. I will answer the gentleman's inquiry with great pleasure.

Mr. STOCKDALE. I understood the gentleman to say awhile ago that Congress had no power to control sales in this way.

Mr. GOLDZIER. What I said was that Congress has no power to relieve the producer of agricultural products from destructive competition; and I ask the gentleman as a lawyer whether Congress has such power?

Mr. STOCKDALE. Does it not come under the same head as the bank tax?

Mr. GOLDZIER. No, sir.

Mr. STOCKDALE. Or the oleomargarine bill?

Mr. GOLDZIER. I have never considered the oleomargarine bill constitutional; and I may say that I am in good company in this position.

Mr. STOCKDALE. How as to the bank tax?

Mr. GOLDZIER. I consider the bank tax as constitutional because the Government has power to regulate the volume of the currency; and according to the construction of the Supreme Court of the United States the power exercised in imposing a bank tax is incidental to that of regulating the currency.

But I return to the question of food products. Mulhall says on page 6:

> In forty-eight years the area of tillage and planting has risen 65 per cent, but the crops have risen 120 per cent. Improved implements and machinery have made tillage more productive and grain cheaper. In 1840 each peasant produced about 73 bushels of grain; in 1860, 87 bushels, and in 1887, 114 bushels.

Need you go further in order to find the reason for the fall of prices when you find that within thirty-seven years two men can produce as much as was produced by three before? And coming to our own country, we find existing in the United States the highest development that has existed anywhere in the world so far as raising the greatest amount of products out of the soil is concerned.

Mr. RICHARDSON of Michigan. That is a mistake.

Mr. GOLDZIER. To what extent this factor has been of importance can be best shown by the fact that 9,000,000 of agriculturists in America produce in grain an amount equal to the production of 66,000,000 people in Europe and Asia.

Mr. MARSH. Does not my colleage forget that the two men he speaks of cost more money now than the three men did at the period he has referred to?

Mr. GOLDZIER. I am not speaking of that, because it cuts no figure. I am speaking of the amount produced, irrespective of price; for the amount of production compared with the possible demand influences the price almost without regard to the cost of production.

Mr. MARSH. It has something to do with the cost of production.

Mr. GOLDZIER. I am not speaking of the cost of production. I am speaking of the production itself, not the cost of it. What does it show? It shows that production has tremendously increased; that it has increased entirely out of proportion to the increase in population; and then, even if you admit, as it must be admitted, that the man of to-day, owing to the cheapness of the product, consumes a much larger proportion of it than the man of former years, even then we have manifestly a tremendous surplus as compared with that of former years.

Now, Mr. Chairman, if it is legitimate to stop the fall of prices I say to you, and I challenge contradiction of the assertion, as long as you do not stop increased production so long the fall in prices will progress. Unless you can stop the creation of a surplus the fall in prices will continue; and as long as you can not and do not legislate against better means of production, so long must the increased production continually go on and produce its legitimate result, the fall in prices. If that time shall ever arrive in the history of legislation when you can legislate an impossibility—that is, when you can legislate against the inevitable law of supply and demand, then you can raise or lower prices at will irrespective of the amount of production. But no one—no Congress—can ever do that.

It is clear that the law of supply and demand, against which you can not legislate, is a law with which you can not interfere, and which takes its course irrespective of what this or any other Congress may do. So long as that law continues you must admit that legislation of this kind has no place even if it could accomplish the object sought.

But to recur again to what I started to say. Is anyone here so bold, is anyone so blind to the facts of history and of political economy, as to announce as a doctrine that the cheapening of products of all kinds is not and always has been and always will be of benefit to mankind?

Suppose your prices of paper to-day were what they were two hundred years ago, where would be your education and civilization? Suppose your prices of other necessaries of life, suppose your prices of wool, for instance, of to-day, and of clothing, were what they were one hundred or two hundred years ago, what would be the condition of our people? What would be the condition of our workingmen were it not for the cheapening, and the continued cheapening, of prices? While I am on this point let me read to you what a distinguished statesman has said upon the question of the price of the food supply. Mr. Richard Cobden says:

> Sir, I shall leave office, I fear, with a name severely censured by many honorable gentlemen who, on pubic principle, deeply regret the severance of party ties; I shall surrender power severely censured, I fear again, by many honorable gentlemen who, from no interested motive, have adhered to the principle of protection as important to the welfare and interests of the country; I shall leave a name execrated by every monopolist who, from less honorable motives, maintains protection for his own individual benefit; but it may be that I shall leave a name sometimes remembered with expressions of good will in those places which are the abode of men whose lot it is to labor and to earn their daily bread by the sweat of their brow—a name remembered with expressions of good will when they shall recreate their exhausted strength with abundant and untaxed food, the sweeter because it is no longer leavened by a sense of injustice.

And so I say to you that if the object of this bill could be attained, if food and food products could be raised in prices to the farmer, they would be made by just so much dearer to the consumer. Every dollar you give the farmer as an enhanced price means tears, deprivation, and starvation to the man who is required to purchase those food products, and for whom a greater price means less food.

In the very outstart and beginning of his section on food, Mr. Mulhall, who is fully abreast of this question, says:

> The food supply of the civilized nations (that is, Europe, the United States, the British Colonies, etc.) has increased during the nineteenth century faster than population; which shows that the material welfare of mankind has advanced in its most important particular.

Who will deny that the man who is able to buy 4 pounds of bread is better off materially and is a happier man in every respect than the man whose means permit him to buy but 2 pounds? It may be prosaic; it may lack all of the ideal; but you can not deny the fact that the happiness of mankind is, after all, primarily dependent upon the stomach; that with an empty stomach you can educate your laborer as much as you please; you can raise your pauper mentally as much as you please, yet with an empty stomach he will be still unhappy. I believe it is Herbert Spencer who says that the man who makes two blades of grain grow where one grew before is the greatest benefactor of mankind.

From whichever standpoint you may look upon this proposed legislation it seems vicious; but whether it accomplishes its object or not, it is a violation of the Constitution and an unwarranted interference in private rights and into the sovereignty of the States.

So plain, so palpable is this violation of the Constitution, that among all the apologists for this law I have yet to find the first one with hardihood sufficient so assert its constitutionality without reserve or proviso.

In conclusion let me say that I listened devoutly and devot-

edly yesterday to my good friend from Pennsylvania [Mr. SIBLEY], and I gloried when the gentleman announced as his religion his adherence to the United States. I join you, my friend. I can worship in the same church; I can bend my knee at the same altar. But let me call your attention to one thing. The Christian church has its Bible; the Mohammedan church has its Koran; the Jewish church has its Pentateuch. The church of the United States, to which we jointly belong, has its sacred writ, and that sacred writ is the Constitution. If I worship with you within that church, I want to do so according to the dictates of that Constitution. I can not enter that church with you as some do, having first used the Constitution as a mat to wipe my feet upon. [Applause.]

Mr. WALKER. Mr. Chairman, there is but one excellent feature in this bill. That is to say, the intention of this bill, in that it proposes to prevent wrongdoing, is not to be criticised; but on every other ground this bill is open to criticism.

In the first place, our fathers in their genius and in their wisdom established a nation composed of various States, and they protected with the greatest care the rights of the States. Mr. Chairman, in the development of civilization there arise many conditions which they could not in the nature of the case anticipate, and whenever any new condition demands new legislation, and it can not by any possibility be accomplished by the States, I am in favor of stepping to the very verge of the powers conferred upon the National Government by the Constitution to accomplish a beneficent purpose.

But wherever the States can accomplish an end, as fully and as thoroughly as the United States Government, any interference by the General Government is a trenching upon one of the wisest provisions of the Constitution, that is to say, that "all powers not clearly granted to the General Government are retained by the States." And if there was no other reason, and this law was in every respect proper and desirable, but its objects could be accomplished by the States as well, I certainly would vote against it.

Again, and in objection to this bill, it is not enough that there are evils, to our imagination or to our judgment, to justify a law. It must be shown that the evils it is proposed to remedy overbalance the good. It must be shown that in plucking the tares from the field we do not injure the wheat an hundredfold more than the wheat would be injured if the tares and the wheat grew together until the harvest. This bill, in its very nature, will do incalculable damage to the business interests of this country. Why, I suppose that, if it were possible for us, we would eradicate all damage that rains may do by restricting rain, and with our limited vision we would abolish electricity from the atmosphere because of its objectionable features.

We would abolish all children's diseases by a unanimous vote here and now in the House; but who knows that it would be safe? It seems as though the moment a child was brought into the world all nature struggled to kill it, and that only the strongest and healthiest survive. Is that humane to our narrow vision?

Mr. STOCKDALE. Would not the gentleman's idea be to abolish quarantines, then?

Mr. WALKER. Well, I am talking seriously, and the gentleman must excuse me from trifling. The evils proposed to be reached and eradicated by this law are infinitesimal in proportion to the advantages that are accomplished to every man, woman, and child in the community by the excellent things which this law would suppress in attempting to destroy the bad.

I do not propose to go into and describe all the conditions of this speculative business. There is no occasion for anything further being said upon them than was said so admirably by the gentleman from New York [Mr. WARNER], who, in my judgment, made one of the clearest, most concise, and able speeches that has been made on this floor in this Congress, if, indeed, a more able one has been heard in any Congress upon subjects kindred to this.

WEALTH ACCUMULATES, BUT MEN DO NOT, THEREFORE, DECAY.

I have noticed that every gentleman who is slow and sluggish to accomplish anything in this world is familiar with and will recite to you Æsop's fable of the frog and the snail. I have noticed also that all Socialists, Communists, Nihilists, Bellamists, and Henry Georgists treasure and are ever repeating to you the lines of Goldsmith:

"Ill fares the land, to hastening ills a prey,
Where wealth accumulates and men decay."

They always have that at their tongue's end. Who ever knew men to decay because wealth accumulated? Who ever knew a country to prosper except by the accumulation of wealth? How are men to have more wealth unless it first exists that it may be divided among them?

These lines are all very acceptable in their jingle, but never were statements uttered that were in their import more utterly false and baneful. The gentleman of the Northwest [Mr. BRYAN], the "Robespierre of the Northwest," more than any man I ever before knew in public life, tells us that "speculation is gambling," and that the farmer is injured by the buying and selling of futures, and by all speculating in grain. Mr. Chairman, the average price of September, October, and November wheat in Chicago, for the five years from 1889 to 1893, inclusive, averaged 88⅜ cents per bushel.

In the same years the average for May wheat was only 81⅛ cents, so that the loss in buying wheat in the fall when the farmers sold their wheat, or would naturally sell it if they were good business men, if it had been carried by them until the next May, there would have been a loss to them of 7 cents a bushel. And this will average to be the case in any series of twenty years.

HOW THE CROPS ARE SOLD.

It is a matter of common knowledge that the farmers throughout this country sell their crops when they mature. I care not in what business it is, as it is a truth as to all business, that if you buy when you need a thing to consume rather than attempt to anticipate in speculation, you will thus average to make a considerable percentage more money. Any business man who has watched business operations for twenty years knows that to be true.

And it is also a fact that the farmers of the country have received in the last five years, for all the wheat that has been carried beyond the 1st of May, 7 cents more than its normal price.

Mr. Chairman, it is impossible to maintain a price level from year to year on agricultural products except by having a large amount of capital devoted to speculation in them. Excepting from the immense bodies of capital that are devoted wholly and exclusively to carrying those products year in and year out, prices would ruinously fluctuate. And yet it is a matter of history that in the average, taking all the men engaged in it and averaging what they make and lose, as was said by the gentleman from New York [Mr. WARNER], they average to lose in a series of years a very considerable percentage of their capital.

Not only are these crops carried for the farmers without interest charges, practically, but they are carried on a loss of capital to those who carry them. Now, if this is a fact, and it is incontestably true—if this is a fact, I say, why should there be any law hindering buying and selling in any form that men may elect to do it in.

Gentlemen, if what I have said to you thus far is true, you must give the opponents of this bill the case here and now; and if it is not true, dispute it now and prove it untrue. Ask me any question, or you may make any statement you choose here and now, if you contest the points I make. Ah, but my friend from the Northwest [Mr. BRYAN] says that "no one has any moral right to affect the prices, either up or down." Moral right to affect prices! No purchase or sale, made before the product is actually needed for consumption, can be made without "affecting the prices, either up or down." His restriction is absolutely uneconomic.

THE SPECULATORS DISTRIBUTE ACCUMULATED WEALTH.

Furthermore, as I have said, these speculators practically distribute accumulated wealth. The laws of the universe hold in the action of man, seemingly erratic though such action may be, seemingly dependent upon the man alone, without other influence, they hold as firmly as they do in geology and chemistry and electricity or anything else. All nature struggles to distribute wealth. "Verily riches take to themselves wings and fly away." In economics the office of the speculator is to distribute accumulated wealth.

I remember a man of my acquaintance who went into Wall street to speculate with $7,000,000 that he had accumulated in business. Five years afterwards he came into my office having on an old pair of rubber shoes and exceedingly poor clothes, with a cloth traveling bag in his hand to sell me machine needles, and he gratefully thanked me for a little purchase I made that he might be able to buy a dinner. I hold that not one man in a hundred who goes into Wall street comes out without there leaving his fortune, and the economic result, whatever may be the moral result, is that that property is finally distributed pro rata among the masses of the people.

In all my business life I have bought before the thing existed even as "raw material" that the man from whom I purchased could buy, and during all my business life in New England, although still in business in Chicago, all my manufacturing in New England, my sales were only once a year, and when that product of a million and a half was sold I did not own $200,000 of it at the time. Of course, I had to insure myself in "futures." You are restricting legitimate business at its very foundation in this bill.

The very foundation and fundamental principle of lowest possible economic production is struck at, because this bill strikes at all the "insurance of business," and keeps the legitimate business man of the community and all the capitalists from engaging in legitimate business. If the principle of this bill were carried out you would shut up the production of consumable wealth to those men only who are actually and personally engaged in production and to only the capital that they themselves own. Why, my friend from the Northwest [Mr. BRYAN] talks about "leaving farmers alone." "Leave my farmers alone!" he exclaims. I would like to ask him who are "my farmers?" All the famine and pestilence in India is when "farmers are left alone."

No advances on the crops to be gathered anywhere in from two to twelve months can be had, hence comes famine and pestilence in India. Whence famine and pestilence in Ireland, where the population was reduced from 8,000,000 to some over 4,000,000? Because the farmer in Ireland had no speculator to sell "futures" on his

crop not yet made, when he was short of funds. Men frequently borrow money on a crop a year ahead of its being gathered. I know, from practical experience before the civil war, that the crop gathered paid debts a year old all through the South.

We sold to Southern merchants before the war on "twelve months" with scarcely an exception, and the merchants took longer "futures" of the planters. My friend of the Northwest [Mr. BRYAN], for he represents no narrow State field, says that "the raising or the lowering of the price of farm products is burglary." This is communism, socialism, almost anarchism, when you reduce it to its last analysis. He does not "want the prices of his farmers' products increased by speculation;" he "wants nothing added to their prices and nothing taken from them by speculation." Then he wants to banish his farmers back to as miserable a condition as the farmers of the world were in two hundred years ago.

HIGHER WAGES, CHEAPER PRODUCTS.

Again, it has been said by one of the sharpest farmers on this floor, judging from what I know of him, that "it costs as much to produce a bushel of wheat, a bushel of corn, or a bushel of oats to-day as it ever cost." Then why your horse-power mowers, rakes, hoes, gang-plows, harvesters, and reapers? Why do you have them, if "it costs just as much as it ever did" to raise your crops? He says it is because they can do more with these machines. Of course they can "do more," and what does that mean? That means higher wages.

I want to say to you, Mr. Chairman, and through you to this committee, that higher wages means immensely improved appliances and they mean cheaper products. Higher wages also mean cheaper land. Higher wages cheapen everything. I know a farm which sold for $3,000 thirty years ago, the one hired man that was needed to work on it receiving $12 a month and board; but that farm is to-day not worth more than $1,200, because the one hired man who is needed upon it gets $20 a month and board, and the difference of $8 between paying $12 a month and $20 a month makes the difference between the former price of that farm and its present price. Will you stop advancing civilization for that reason? Is there any other way given among men that all men can even "tend" to faring alike?

NATURE STRUGGLES TO ENFORCE THE GOLDEN RULE.

I want to say to you again that all nature in economics struggles to make all men obey the golden rule. Whatever may be the motives that actuate the man, whether with wicked hands or with beneficent purpose he touches production, the economic result is practical obedience to the golden rule in helping his fellow to wages. It is beyond all controversy that, except cotton, all other products of the farm and field can be produced for just about half the work in hours that it took to produce them fifty years ago. No man can successfully and truthfully contradict that proposition.

Now, if men receive double or treble in higher wages and cheaper products than they received forty or fifty years ago, then it comes to this, that that great economic law which commands and controls us all has given to the man at the bottom all the advantage of these improvements. And will you Democrats change that if you can, you "superexcellent professors" of love for the dear people? We Republicans on this side of the House will not change it; will you? Again, when you raise wheat, or corn, or oats, or hay, for half the former cost you raise horses and beef and pork and sheep for half the former cost, because they are but the secondary products of those other things that can now be produced for half in hours of labor.

Whether you get out of your ground brick from its clay, coal or ore from its mines, or grain, all represent wages and wages only. It may be that it is the generation before that has furnished a fractional part of the wages, it may be the second generation back, but in its last analysis it is all wages without deduction, without subtraction.

VARY THE CROPS.

There is only one chance for higher prices of wheat and cotton than you are now getting, that is that they shall be relatively to all the crops less in amount. There is a bright future for cotton districts, because wheat and corn and oats and hogs and beeves you can raise as well as cotton, but the Northwest must be confined to some new product, sugar, wool, etc., for it can not enter upon your cotton fields.

You gentlemen of the South have been advised by your leaders and statesmen, as I have observed ever since I have read the papers or read the writings of your able leading men before my time, to vary your crops to mixed farming. Do you know that the statistics show that only 2 per cent of the farm mortgages that are foreclosed are foreclosed on those that have a variety of crops, and that 98 per cent of the mortgages foreclosed are foreclosed upon farms devoted to one crop only? In passing let me say that the statistics further show that only 20 per cent of the farm mortgages maturing have been foreclosed in the last year that were foreclosed on an average ten years preceding.

Mr. Chairman, I propose to devote the balance of my time to statistical arguments.

ARGENTINE WHEAT IS TAKING THE PLACE OF OURS.

	Cents.
May 10, its price in Liverpool, June delivery	59.4
In Chicago, June delivery	57
Freight to Liverpool	9.1
	66.1
Chicago price above Liverpool	6.7

Showing that wheat in Chicago was 6.7 cents above its normal Liverpool price. It was put above the normal price only by the speculators investing in it capital which was not the capital of those who handled it as merchants or manufacturers. This simple statement of fact, if I had begun and closed with it, would demand the vote against this bill of every man in this House.

Ah, but I am told by gentlemen here that their constituents want this bill; that the conventions that nominated them and sent them to this House passed resolutions demanding it. I say you nay, gentlemen. I tell you one and all that the man does not sit on this floor whose constituents "want this bill," or whose convention has passed resolutions commanding him to "vote for this bill" in any other than a technical sense. What your constituents demand, gentlemen, are results, and I say for myself—I do not say it for you—that I should be unworthy of a place upon this floor if, when I found that any legislation would injure my constituents, I did not vote against that legislation, whatever their technical instructions might have been, and explain my action afterwards and reconquer their good opinion in proving to them that the particular measure they demanded would defeat the end they sought.

As I have done once before, I again call attention to glorious Joe McKenna, of California, as we called him here, now Judge McKenna. The convention nominating him passed resolutions for the free coinage of silver, and his constituents were unanimous for it, but he told them he did not believe in it and that he should vote against it. I am not saying whether he was right or wrong on that question; I am merely directing attention to his conscience and honest independence, and I say to you, gentlemen, that our constituents respect us more when we are courageously wrong than when we are timidly, meanly right, and are proud of us when courageously right. Down deep in their souls they can not but have a contempt for us if we would put our hands to anything our conscience disapproves as we are given light to see it.

I prefer to have the respect of one man than of all the world besides. Convince my judgment, and you shall have my vote; failing in that you will not, if everyone of my constituents desires the action you propose. All constituencies demand results; methods they rightly leave to their representatives.

Now, let us look at this matter a little. I tell you, farmers of the United States, it behooves you to consider your position now as you have never done before since our fathers landed on these shores.

EXPORTS OF STAPLES.

By appendix A, which I will print with this speech, you will see the average shipment of 1893 of cattle, corn, cotton, fish, and fruit, as compared with the average five years before, was $55,000,000 less; and in 1893 it was less than in 1892 by $43,500,000; and including mineral oils, crude and manufactured, and dairy products, the shipments were $64,000,000 less than the average of the five previous years, and $46,000,000 less than in 1892.

EXPORTS OF WHEAT.

Now, look at wheat in Appendix B. Why, sir, in the three months of January, February, and March last we shipped 7,500,000 bushels less than we did in the same months in 1893, and the Argentine Republic, Chile, British India, Russia, and minor countries shipped 7,000,000 more.

INCREASE IN FARM PRODUCTS.

Again, look at our increase in all farm productions in Appendix C. We are producing of cotton 144 per cent more than we did in 1873, not in totals—immensely more in totals—but *per capita*. And we are shipping only 55 per cent more. What will you do with the other 90 per cent? These figures I am giving you are *per capita*. We raised of wheat 301 per cent more in 1892 than in 1873, and we shipped only 145 per cent more. What will you do with the other 150 per cent?

Mr. TERRY. Will the gentleman allow me to say that, according to the theory of his party, that would be consumed in the home market?

Mr. WALKER. Not if the Democratic party destroys the home market, my friend. [Laughter and applause.] You let our home market alone and we will take care of the wheat and cotton.

Mr. TERRY. You had your own way in fixing a Republican tariff; and now, according to your own statement, you have not furnished any home market, and you have not shown——

Mr. WALKER. I decline to yield for anything but a question. The gentleman has made that statement; and let me say that it is about as rational as it would be if when a man had been sentenced to death you should denounce him and his family for their sorrow and undertake to console his family by asking them: "What are

you sorrowing about? He has not been hanged yet." That is exactly the position of the gentleman.

Mr. TERRY. Of course it is very proper for the gentleman to answer me, while he does not permit me to argue the question with him.

Mr. WALKER. Never mind; I can not yield for an argument; you do not dispute my facts. Let me say that all the facts which I give in my address to-day are facts of public record obtained from the proper Departments of this Government. I am simply responsible for the conclusions I draw from them and the figuring I have done upon them. The basic facts are incontestable.

THE MARKET FOR GRAINS.

We raised 96 per cent more of corn and shipped only 41 per cent more, leaving 55 per cent increase on our hands. Now the highest export of wheat to Great Britain was 83,000,000 bushels; and in 1892 we shipped only 30,000,000 bushels—53,000,000 bushels less.

Our foreign market for grains is surely being captured by other countries.

Lest I should forget it, I want now to ask the privilege of publishing with my remarks the tables to which I am referring.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to publish certain statements with his remarks. Is there objection? The Chair hears none.

WHEAT, CORN, OATS AND COTTON.

Mr. WALKER. The total crop of wheat, corn, and oats per capita produced in 1873 was 35.6 bushels; and we exported a larger percentage of the crop then than we have done this year. Yet in 1892 it was 51.3 bushels—44 per cent or 15.7 bushels per capita more in 1892 than in 1873. Of cotton we produced 44 pounds per capita in 1873, and 69 pounds in 1892—56.7 per cent, or 25.3 pounds more cotton. Is it not perfectly clear that you must change your cotton crop and produce less proportionately to other crops.

In Appendix D you will see that in 1892 you produced three and a half times more cotton than in 1870 (and I have told you about your exports). We actually imported cotton to the tune of forty-three and a half times as much in 1892 as we did in 1870, the imports being 108,000 bales of 400 pounds each. If this thing keeps on increasing as it has done for the last ten or twelve years a very considerable proportion of the cotton used in the cotton mills of this country will be imported from the cheaper labor countries of India and Egypt. The freight from Liverpool to Boston is not over one-quarter of that from our cotton fields. Most of it comes in for next to nothing as "ballast."

THE PRICE OF WHEAT.

Now let us turn to the wheat fields of the world. It is said that silver is the true measure of prices. It is claimed that the silver question is so inextricably mixed up with prices which are so closely affected by the selling of "futures" that it can not be separated in this discussion. I am, therefore, compelled to deal with silver. Free-coinage advocates claim that it has been proved that silver has not depreciated or changed in price because wheat for all these years has remained at a uniform price, measuring its price in grains of silver. That is to say, if the money price of silver is given it also gives, unerringly, the price of wheat. If the price of wheat is given one will surely know from that the price of silver, as they have kept together for decades. This theory I propose to thoroughly test by the facts. The prices of wheat in London one hundred years ago, as you will see in Appendix H, were 84.4 per cent more than they are to-day in London. Are the prices to-day to be measured in silver? What were they then? For the fifteen years, from 1846 to 1860, the prices in grains of gold of wheat in London were 51.2 per cent more than they are now; and for the next ten years, from 1861 to 1870, 22.5 per cent more than now.

The price of wheat in London fell 38 per cent in that time in grains of gold, and in grains of silver wheat fell in price only 22 per cent. If, then, silver is the true measure of value, why did not the price fall in silver as much as it did in gold? And if silver has fallen in value 22 per cent as measured by wheat, will some of the free-coinage advocates on this floor tell me why it is not equally proven that gold has fallen 38 per cent? If you can prove by the price of wheat in silver that silver has fallen, why do you exclude gold from being tested by the same standard?

ECONOMIC MAN THE TRUE MEASURE OF PRICE.

The fact is that you are all wrong in using the one or the other as a test. There is only the one available test, Mr. Chairman, and that is the price of "economic man" as shown in his wages. That is the only true test of the real value of any product. What is its aggregate cost in wages is the question. Show me the average wages in the world and I will show you an invariable economic test to apply to every product from one end of the world to the other.

MR. BOISSEVAIN ON PROSPERITY.

In the Brussels convention of November, 1892, Mr. Boissevain, delegate from the Netherlands, spoke as follows:

I do not see that we have cause for rejoicing in any increase of general prosperity which has been exhibited in recent years. On the contrary I think that almost everywhere and almost continuously, in spite of certain periods of reaction, we have had a period of depression of trade and industry.

I have to say to this House that the student of economic science—the careful observer of economic movements and questions for the last fifty years who can make that statement—who does not know that it is untrue, who does not know this world has progressed in that time, tested by any test whatever, more than in the hundred years preceding, his word is not worth regarding anywhere upon such questions.

PRESIDENT ANDREWS ON THE FALL OF PRICES.

Dr. Andrews, president of Brown University, Rhode Island, and delegate of the United States in the same convention, says:

Gentlemen, the thoughtful people of the United States wish to stay that baneful, blighting, deadly fall of prices which for nearly thirty years has infected with miasma the economic life-blood of the whole world. They do not desire to debase the standard of value. They would have every debt paid in gold or its equivalent, but they do not wish gold to be arbitrarily and unjustly appreciated.

What a jaundiced vision is here revealed! "Classical economics," is it? I would like to ask any member on this floor how are the plain people to improve their relative condition? How are the poor to become relatively richer and the rich relatively poorer in this world as they have been doing in the last forty years? Is there any man here who is able to give the answer? I would most respectfully suggest to any person who gives thought to the question that it is first by higher wages, second by lower prices of products, and third by shorter hours. Is there any man in the sound of my voice who can conceive of any other method? And when they all verge to one point and double the real wages of the worker, measured in grains of gold, is not that a depreciation of gold, if gold is used to pay wages? Is it not a proof conclusive of the depreciation of gold if products are bought in gold, or at the gold measure of value, produced by and the equivalent of double wages in gold? What answer is to be given other than that?

"CLASSICAL POLITICAL ECONOMISTS."

Oh, but these men whose writings and opinions smell of the lamp, and the lamp only—and a mighty offensive lamp at that—who abhor facts, tell us otherwise, do they? Yes; but political economists since the days of and contra to Adam Smith, "classical political economists," have treated with contempt the whole body of the economic history of the world since his day. Adam Smith, because wages had not changed in a hundred years, took the "prices of products" instead of the "prices of man in his wages" for the groundwork of his discussion, and thereby produced incalculable injury to the whole world, because subsequent writers, with one exception, have adhered to his method. Only one man, Prof. George Gunton, had the patience and the wisdom to apply to economics the proper methods, taking wages for a basis and using only absolute facts, following wherever they led and drawing his conclusions by inductive reasoning and on the shortest lines.

Sir Guilford L. Molesworth, the delegate from British India, spoke as follows:

Silver is the standard of value of more than one-half the world; yet silver prices have remained stable, while gold prices have fallen forty or fifty per cent.

I want to say to the House that it is just as easy of mathematical demonstration that gold has depreciated as that silver has depreciated or that the sun shines or water runs or that two and two make four, and I propose to take up that question for a little while, further on in my remarks.

I propose to show you that silver as measured by products has varied more than gold and that it is not a measure of value of any other product, before I get through.

Mr. Allard, delegate from Belgium, spoke again as follows:

The statistics of Mr. Sauerbeck have clearly proved that the allegation of overproduction as a cause of falling prices is absolutely false.

The truth, gentlemen, was told by Mr. Goshen, in England, 1883: "The fall of prices comes from the rise of gold."

OVERPRODUCTION.

What do you think of it in the light of the figures I have given of overproduction in this country? And the same is true of overproduction all over the world, and in this way only can the plain people come into their own. Why, Mr. Chairman, when a drummer starts out with his samples to sell products, what does he offer for sale? The whole body of them offer from one-third more to twice as much of products as will be produced by the world in the next twelve months.

Every drummer offers for sale, not what is produced, but what the utmost limit of the productive capacity of the factory, the farm, and the mill is, and this world to-day, diligently employed, as the United States was employed in 1891 and 1892, can produce in any year as much as can be consumed in any year and a half. Talk to me about no overproduction! The prices are made by the cost of production of economic man. That is the basial line below which, under normal conditions, prices never go, and supply and demand make the price above that basial minimum line. If that is not true, then nothing is true in economics.

Mr. Sauerbeck says:

The truth, gentleman, was told by Mr. Goschen in 1883. The fall of prices comes from a rise of gold.

Does he? This is the "parrot talk" of affected wisdom to secure ends not warranted by the facts.

GOLD HAS DEPRECIATED.

Let us look at that for a moment. I want to say to this House that in Appendix I it is shown that gold has surely depreciated since 1840, 1860, and 1873, measured by the wages of the world. All silver countries sell their products at gold values as international money. All the prices of their product are surely measured in silver first, then in gold, before they reach the foreign market.

THE PRICE OF THE AVERAGE MAN IN DAY'S WORK.

	In grains of gold.	In grains of silver.
1840	19.14	335
1860	23.20	370
1873	34.16	535
1894	39.12	1,285

This shows that gold has depreciated since 1840 51.1 per cent; since 1860, 40.7 per cent; since 1873, 12.6 per cent. Silver has depreciated since 1840 73.9 per cent; since 1860, 71.2 per cent; since 1873, 57.6 per cent; and if you tell me that silver has not depreciated by any standard you can set up, then I say to you, try gold by precisely the same standard and you must hold that gold has not appreciated.

If you tell me that silver has not depreciated, then gold has not depreciated. You must try them by the same standard. I will try them presently by products.

Furthermore, a day's work in 1840 would buy 335 grains of silver; in 1860 it would buy 370 grains of silver at its commercial price; in 1873 it would buy 535 grains of silver, and in 1894 it would buy 1,285 grains of silver. Of gold, in those same years, it would buy in 1840 19.14 grains; in 1860, 23.2 grains; in 1873, 34.16 grains; in 1894, 39½ grains of gold.

Mr. MARSH. Will the gentleman yield?

Mr. WALKER. Yes, for a question; not for an argument.

Mr. MARSH. Are you referring to labor in this country or throughout the world?

WAGES HAVE INCREASED ALL OVER THE WORLD.

Mr. WALKER. I am using the labor in this country as a basis of my figures, but I want to tell you that while it has increased very much faster in dollars and "grains of gold" in this country, it has increased in England and all over the world just as much "in percentages" as it has here. So that while I use the wages of this country to prove it——

Mr. MARSH. If the gentleman will allow me, I had supposed that the legislation of the last thirty years was designed to increase the price of wages in this country, and that legislation, together with labor unions, had increased wages in this country.

Mr. WALKER. Of course wages have been increased in this country. The gentleman and I believe that a certain thing has assisted in doing this. The gentleman wishes to take that subject into this discussion. I never yet on this floor discussed two economic questions at once. I propose to address the members of this House, upon the floor of this House, and not the 200,000 men, 500 miles away, who have sent me here. I am here to legislate for this whole country.

Now, the increase since 1840 in the gold actually or potentially received by the men working in the field, the farm, the mine, and everywhere throughout this country, in gold is 103.9 per cent; since 1860, 68.6 per cent; since 1873, 14.5 per cent. It decreased from 1873 to 1877, 7 per cent. It has increased since 1877, 22.6 per cent. Who is the man who will arise in his place and propose to crowd the wageworker back into former conditions?

PRICE OF WHEAT IN PAST SIXTEEN MONTHS.

Now, let us look at the price of wheat for the last sixteen months, shown in Appendix J. In January, 1893, it took 65.4 per cent more grains of silver to buy a bushel of wheat than it did in April, 1894. In April, 1893, it took 57.5 per cent more grains of silver to buy a bushel of wheat than it did in April, 1894. In October, 1893, it took 23.6 per cent more grains of silver to buy a bushel of wheat than in April, 1894.

Now, if that is true, I should like to know what kind of a measure of value you have in wheat for silver or in silver for wheat. You have, all of you, claimed that silver is an unvarying measure of the value of wheat and of all other products, and it has been said all over this country, and especially in the "elsewhere" that we sometimes refer to here—in a parliamentary way—it has been so declared, but no one has taken the pains to prove it.

You men who introduce antioption bills and who talk recklessly about the free coinage of silver, I never knew of any of you taking the pains to prove anything you ever said. I have never heard you undertake to prove the correctness of any proposition you have advanced in the five years that I have been in Congress, and I have never heard arguments made in opposition to your propositions which were not, without exception, buttressed by volumes of economic records.

COTTON.

Take cotton as shown in Appendix K. Cotton sold from 1840 to 1844 for 7.9 cents a pound in New York; in the next five years for 7.8 cents a pound; for the next five years for 10.3; and the next five years for 11.6. In the last two years you have got 10.6 cents per pound in New York; and for five years before that 10.2, all in gold. What could you possibly gain by taking your pay for it in silver. This was in New York. And it does not cost you one-third as much to send your cotton from your farms to New York as it cost you in the thirty years when the country was in a normal condition, before the war of disunion and the suspension of specie payments.

Is silver the true measure of value? What is the proof of it?

WHEAT.

Then again take wheat, as shown in Appendix L. From 1840 to 1844 wheat sold in Chicago at 52.8 cents a bushel; for the next five years at 67 cents a bushel. In the last five years, ending 1891, at 89.2 cents a bushel in Chicago. It cost you 20 cents a bushel to get your wheat from Chicago to Boston in 1862, and in the last year it did not cost you over 5 cents to get it to Boston. It cost you 9 cents to get your wheat from Chicago to Liverpool in 1894; and it cost you three times that amount to get it to Liverpool in the years that I have referred to. See Apendix LL.

CORN.

The course of corn is the same, as shown by Appendix M. The price of corn in Chicago in the five years ending 1844 was 33 cents a bushel, gold. In the five years ending 1849, 33.6 cents. In the ten years ending 1859, 39.8 cents. In the five years ending 1891, gold price, 44.2 cents. It cost the farmer half the price of his corn, from 1840 to 1849, to get it to the city of Chicago. In the last five years it has not cost him over 5 cents a bushel.

There is not a word of truth in what has been talked on the stump and in this House with reference to the relationship of silver to prices of farm products.

NINE AGRICULTURAL STAPLES.

Take the nine most important staples in this country shown in Appendix N, and since 1860 they have only gone down 1.6 per cent in gold prices. I have not the figures for the last two years. It is just as plain as anything can be that they are the culmination of a period of overproduction in the few staples that are cheaper. I will show you a great many of the staples in which the prices are not cheaper, but very much higher in gold prices. In fact, it is very remarkable how very little gold prices have depreciated considering the lessened hours work it now takes to produce "products."

HOGS.

Take the matter of hogs, as shown in Appendix O. They sold in Cincinnati for the ten years from 1840 to 1850, live weight, at $2.90 a hundred pounds; from 1851 to 1860, the next ten years, at $4.87 a hundred. They have sold for the last ten years, ending 1891, at $5.42 a hundred, in gold measure.

"Is silver the true measure of value?" Where is the proof?

BEEF.

Take the matter of beef, live weight, as shown in Appendix P. In Chicago it sold at $3.11 a hundred from 1840 to 1849; from 1849 to 1859 at $3.56 a hundred, and in the ten years from 1882 to 1891 it sold for $4.12 a hundred, and that in gold prices. I will give you silver prices presently.

TOBACCO.

Tobacco, as shown in Appendix Q, sold in the five years (I have not the figures before 1865) from 1865 to 1869, good leaf, in Cincinnati at $11.83 a hundred pounds. In the five years ending 1891 it sold for $17.10, and it is higher to-day than ever known before; and that, too, in gold prices.

How is it possible that "silver is the true measure of value?"

COFFEE.

I will pass over coffee in Appendix R, because there is an export duty on coffee; but coffee sold at 7.3 cents in the ten years from 1840 to 1849, and for the ten years commencing in 1850 at 9.1 cents; and in the last five years it sold for 15.5 cents.

SUGAR.

Well, sugar! I will save the feelings of my Democratic friends by refraining from alluding any further to sugar in Appendix S. We have heard so much of "sugar," or shall have heard before we get through with it, and are so distressed by it. Poor sugar!

I want to say to this House another story that is told by silver advocates is absolutely untrue, viz: That England buys the product of silver countries at prices represented by 15½ to 1 and pays for them in silver at 33 to 1 of gold, saving the difference. It takes just as many grains of silver to buy a bushel of wheat or corn or oats, or a pound of tobacco or tea or coffee or rice in the silver measure of valuing countries as it takes here or in Liverpool or in any other country subject only to additions or subtractions because of tariffs and export duties, freights, and commissions. The price is the same in grains of silver the world over.

IMPORTS FROM SILVER COUNTRIES.

We import from the silver-measure-of-value countries, as shown by Appendix T, $65,000,000 worth of goods, mostly consumed by farmers. If you should remonetize silver to-day at 16 to 1 of gold, these goods would cost you $130,000,000, because if you should remonetize silver it would make the silver prices just the same as they are to-day, or else all the products of silver countries have got to come down one-half to meet their present gold price here. You can take either horn of the dilemma you like.

Mr. WHEELER of Alabama. Would it not make our products rise in price?

Mr. WALKER. You can make our products "rise in price" just as you can make dough rise by adding to it a batch of yeast.

Mr. WHEELER of Alabama. Would it not make it so that if we bought from them $130,000,000 we could sell to them thousands and millions worth of our products at double price?

Mr. WALKER. Ah! We can issue enough fiat money to-morrow to make all our debts go down to 5 cents on the dollar and our wages go down to 20 cents a day. There is no difficulty about that. It is as easy as it is to lie or steal.

SENATOR TELLER'S TESTIMONY.

Senator TELLER, who came before the Committee on Coinage, Weights, and Measures in 1890 (see Appendix G), and thereby brought himself within the jurisdiction of this court for cross-examination, told us that what the gentleman from Alabama [Mr. WHEELER] wants to accomplish could just as well be accomplished by reducing the weight of the gold dollar by one-third. It would now be by one-half. If you want to scale down your debts, do it in that way; issue your fiat money. Make your products more valuable nominally—of course you can. You can sell your product now for just as many more grains of bullion silver, as my table shows, if you want to; or you can send your silver to the mints of the silver countries and have it coined without passing any law on the subject.

The farmers of this country repudiate the claims made for them on this floor.

They ask for no laws under which they can repudiate half their debts. They have comparatively few debts. Farm mortgages only aggregate $1,000,000,000, maturing one-fifth each year. The annual wage roll is $6,000,000,000.

The farmers do not ask to cause a loss of $2,000,000,000 annually to wage workers that they may repudiate $200,000,000 of debts they honestly owe. They will not consent to rob wage workers of $10 that they may dishonestly gain $1.

Again we export forty millions to those countries, for which they have to pay eighty millions in silver. Of course, this would be sold to the silver-country consumer at half its present price. But of what avail is that to him with the price of his product halved? "Cheapness" has not benefited this country much in the last eighteen months.

[Here the hammer fell.]

Mr. REED. I ask unanimous consent that the time of the gentleman from Massachusetts be extended.

Mr. HATCH. Without limit? I shall object to that. Let the gentleman state how much time he wants.

Mr. WALKER. I will not bore the committee.

Mr. HATCH. There is a long list of gentlemen who desire to speak on this subject, and the House has ordered that debate shall close at the adjournment to-morrow. If the gentleman will indicate just what time he wants——

Mr. REED. Let it be an hour.

Mr. HATCH. I object. That is not fair to other gentlemen on the list.

Mr. REED. The unfairness seems to have been in the arrangement limiting the debate. The gentleman from Pennsylvania [Mr. SIBLEY] spoke three hours yesterday.

Mr. HATCH. The gentleman from Maine is mistaken. Nothing that is done in this House by unanimous consent can be said to be unfair.

Mr. REED. Well, if there is any unfairness in this case it is in limiting the time for general debate. I do not know how we can get this additional time, but I remind the committee that the gentleman from Pennsylvania was allowed to speak three hours yesterday.

The CHAIRMAN (Mr. CLARK of Missouri). The gentleman from Missouri [Mr. HATCH] objects.

Mr. HATCH. Let the gentleman from Massachusetts indicate what time he wants.

Mr. REED. He has indicated an hour and I do not see why he should not have it.

Mr. HATCH. I will not object to that, provided it is charged to that side—to those who are opposed to the bill.

Mr. REED. Of course, it will all be charged to "that side."

The CHAIRMAN. The gentleman from Maine asks unanimous consent that the gentleman from Massachusetts [Mr. WALKER] be allowed to proceed for one hour. Is there objection?

Mr. HATCH. With the understanding that the time is to be charged to the side opposing this bill, I do not object.

The CHAIRMAN. There is no objection, and the gentleman from Massachusetts will proceed.

SEVEN STAPLE PRODUCTS.

The seven items, the difference in price of which I will now give, prove as conclusively as any facts can possibly prove that silver is not the true measure of value. There is only one item where the appreciation or depreciation of price in weight of gold and weight of silver is the same in the whole range of prices for any previous decade, and that only once for the period of ten years from 1840 to 1849, as compared with the five years ending in 1891, namely, each 48.9 per cent. The exhibit is as follows.

WHEAT IN FIFTEEN MONTHS TO MAY 1, 1894.

	Per ct.
From January, 1893, to April, 1894, the gold price fell	24.9
Same period the silver price fell	39.4

COTTON.

In ten years, 1840 to 1850, to 1890 and 1891, the gold price of cotton increased	30
Same period, id silver it increased	73

WHEAT.

In ten years, 1840 to 1849, to the five years of 1887 to 1891, the gold price increased	48.9
Same period, in silver it increased	48.9

CORN.

In twenty years, 1840 to 1859, to the five years of 1887 to 1891, the gold price of corn increased	24.2
Same period, in silver it increased	65

HOGS, LIVE WEIGHT.

In twenty years, from 1841 to 1860, to the ten years of 1882 to 1891, the gold price of hogs, live weight, increased	39
Same period, in silver it increased	75

BEEVES, LIVE WEIGHT.

In the twenty years, 1840 to 1859, to the ten years of 1882 to 1891, the gold price of beeves, live weight, increased	23
Same period, in silver it increased	53

LEAF TOBACCO.

In the five years, 1865 to 1869, the gold price of leaf tobacco increased	47
Same period, in silver it increased	97

The price of economic man has not gone down. It has certainly gone up as I have shown. To readjust the proportions of products to each other is the only salvation for those two or three products that are abnormally cheap. With the exception of wheat and cotton, products are higher in gold to-day than their normal price.

Furthermore, if wages have gone up 68.7 per cent in the most important parts of the world, it is a thing inconceivable, in fact a thing impossible, that the price of products should have been reduced, excepting by three things: first, improved machinery; second, improved methods of production; third, increased number of units produced under one management. It is not possible to pay higher wages and still sell goods at a less price, unless the reduction in price is made wholly and exclusively from increased efficiency in production. If there is not an increased efficiency in production the price of the unit of product must go up by exactly the same percentage that wages go up. The only possible means of further progress for each nation is to raise money wages and to raise the price of a day's work on the farm by increased efficiency of the worker, and thus enable its own people to consume all the things that they produce.

WAGES MAKE MARKETS.

I want to impress it upon this House that it is not individuals that make markets. It is wages. If the wages in France could be raised 5 per cent, she would not need to export one dollar's worth of anything unless she chose to do so. In the making of a tariff bill this session we started out to make a tariff with reference to the whole world, but it was found after a while that we could not make a tariff with reference to any country but our own. There is no country but England that makes a tariff with reference to the world at large, and England is in as abnormal a condition in economics as New York would be were she and Kings County set off and made a nation by themselves.

New York would then be in the exact economic condition that England is in, because England produces only a small fraction of the raw products she utilizes. No man ever expresses in this House any regret that the prices of every kind of manufactured products had depreciated; all the complaint is about the depreciation of the prices of agricultural products and of silver bullion.

WORLD'S PRODUCT OF GOLD AND SILVER.

The world's product:	
Value of gold in 1892	$137,000,000
Value of silver in 1892	133,000,000
Silver in 1892 coinage would make	196,000,000

THE PRODUCT OF THE UNITED STATES.

Gold in 1892	$33,000,000
Silver in 1892 was 58,000,000 ounces; at 1893 average price, 84.37, was worth	49,000,000

This 58,000,000 ounces silver, lowest price in 1894, 59, was worth	$34,500,000
Silver 1892 at coinage value	75,000,000
In 1892 wheat 516,000,000 bushels, at export value, 63.	325,000,000
In 1892 corn 1,681,000,000 bushels, at export value, 45..	756,000,000

In 1892 oats 595,000,000 bushels and hundreds of millions of dollars in other products.

Why sacrifice hundreds of millions of agricultural products to $31,500,000 silver? Increased efficiency of coin in the last eighty years is the equivalent of increased quantity—from $1,000 to $13,000,000 in the China trade, and from $1,000 to $10,000,000 from New York to St. Louis.

Now, a word about coined money. The coin and paper money needed is all that the people will carry in their pockets and then visible coin to the amount of all that foreign commerce needs. The visible gold per capita in Great Britain is 3.71; in Germany it is 3.72; in this country the visible gold of commerce, to say nothing of silver, is 6.29 per capita. In Great Britain there is $25 in foreign commerce to every dollar of visible gold; in Germany there is $9 of foreign commerce to every dollar of visible gold; in this country there is only $2.9 of foreign commerce to every dollar of visible gold. Either England needs instruction in economic methods of commerce or we do; we can not both be right. Three dollars to 1 seems wasteful when $25 to 1 is all that England needs. This question of coinage is not a question of the greater or less number of silver dollars. If we had free coinage of silver their number would be at once reduced, instead of increased, by shipments abroad.

Mr. WHEELER of Alabama. I understand the gentleman to take the position that legislation against silver has not reduced the value of products?

Mr. WALKER. Legislation against silver has stimulated the production of every article of commerce in every silver country of the world, and those products, coming in competition with ours, have, as a secondary effect, reduced the price of products here. The demonetization of silver of itself has not reduced the price of products by one farthing, excepting in the way indicated. The stimulated production and exportation of competing products in silver-measure-of-value countries, coming in competition with our own products, has affected the price of our products. I think that answers the question completely.

Look at Mexico; look at her abundant coinage! And yet she has only $5 per capita. This is purely a question of what shall be our measure of value; not as to the quantity of money. Give us free coinage to-morrow, and our gold will be a matter of commerce, and the value of our silver dollar in products would be less than half. We would keep here every dollar that our people require for the doing of their business; and that number for which there was no economic demand here would go abroad, just as gold goes from every country where there is no economic demand for it.

OPENING THE MINTS TO FREE SILVER.

If our mints were opened to-morrow for the free coinage of silver, and if the full cost of the coinage was charged to the silver miners, it is a question difficult to answer whether a single silver dollar would be coined in twenty years. Mexico charges 4 per cent for coinage; we charge nothing. Charge 4 per cent for coinage and give us free coinage of silver, and there is not an economist in this country or any other who will say that we would coin silver dollars in any quantity, simply because we now have all the silver dollars that we can possibly use, and we have substituted paper for four-fifths of that; paper is so much cheaper and better.

An international agreement also would have precisely the same effect. Every ounce of silver or gold is potentially present here and now in this country and in every other country and at every point of commerce, as is every other product subject to the demands of commerce. When you take a sample of wheat or flour or silver or gold in your hand and show it for sale as the representative of one barrel or a million barrels of flour, the flour of the world, like all other things, is potentially present in your hands.

Mr. OGDEN. What would be the use, then, of further coinage of gold?

Mr. WALKER. Not a bit of use in it; and I would oppose as determinedly the coinage of gold if it was proposed to coin it as you do silver. I am opposed to this whole business of forcing the coinage of either gold or silver. Let the people attend to their own coinage business; let us not undertake to force it on them. Our enormous coinage for party politics, not an economic demand, is costing this country to-day 67 cents a head in indirect taxation to carry it, when such taxation need not be one farthing. What I say is just as susceptible of mathematical demonstration as that two and two make four.

GOLD COINAGE.

The gold coinage in this country from 1862 to 1879 was $555,000,000, not a dollar of which went into circulation. Every cent of it was simply merchandise. The coinage of a metal does not make it money. The store of gold in this country in 1860 was $314,000,000; in 1880 it was $300,000,000. Every dollar of it was kept here because commerce demanded it. We only lost $14,000,000 during that whole period of twenty years, when not a dollar of gold was used for money. Why? Such was the imperious demand of the trade of this country. Demonetize gold in this country and the case would be the same.

Statistics show that in seventeen years—from 1862 to 1879—there had been accumulated, even in India, $324,000,000 of gold; how much since 1879 I do not know. It is just so in every silver measure-of-value country. Merchants and commerce and manufacturing know no coinage laws or legal-tender laws. These do not have the least real effect. These matters are regulated by the inexorable laws of nature, applied to the movements of man, as thoroughly, as completely, and as everlastingly as to his physical organization.

THE PARTING OF SILVER AND GOLD.

What, then, are the remedies? Now, let me say in reference to this question of demonetizing silver that the calamities which have come to the world because of the parting of silver and gold can not be calculated by any living man. What has it done? It has embarrassed trade between the gold countries of higher civilization and lower silver-measure countries beyond all calculation, hindering trade between this country and Mexico, India, China, and all others. To-day every article of commerce costs in every silver country just double, nominally, what it would have cost had gold and silver been kept together.

It was not our actions that separated them; that was done by the Democratic party in 1834, when, under the lead of Benton, the weight of the gold dollar was reduced 6.19 per cent. The condition of things named has stimulated the products not only of agriculture but of manufacturing in every silver country. In this way they have been helped somewhat; but its influence in hindering trade is incalculable. It is the simple duty of this country to put forth every particle of its power and influence in all practical and legitimate ways to devise some scheme of again establishing a par of exchange between the silver-measure-of-value countries and the gold-measure-of-value countries, and the making of a parity between the two metals in trade between these different countries.

Universal coinage at 15½ or 16½ to 1 in all the world would have what effect in China and India, Japan and Mexico? It would have precisely the same effect as it would in this country if we should double the gold in our gold dollar. It would have an effect more disastrous than any of us can estimate.

Do we remember the long agony from 1873 to 1879 when we tried and succeeded in bringing our money from 12½ per cent discount up to par? If I had then had the responsibility I would have depreciated the value of our gold-dollar coinage to the value of the French five-franc piece, cutting it down 5 per cent, and have saved the traveling of that long distance and a part of the seven years.

We appreciate our measure of value 12½ per cent. Had we then depreciated it by cutting our gold dollar 5 per cent of its weight, making it equal to the value of the French 5-franc piece, we would have had to travel but 7½ per cent, and probably instead of those weary six or seven years we might have spanned the gulf in from two to four years and done justice more nearly. Every price in these silver countries must be cut in two—of realities as well as of products—or else we must have our prices doubled. They, not we, would suffer most. Their prices will be cut; ours can by no possibilities be so much increased.

Do you know what that means? We raise—I mean, now, the gold countries of the world—80 per cent of all the wheat in the world, and don't you know that the economic law is that the country or persons making the most expensive third of a product "fix the price" for all of it? By Appendix G it will be seen the gold countries raise 80 per cent of the wheat of the world, and it is as true as anything that can not be mathematically demonstrated in this world that they make the price of wheat. I have just proved to you that it is 6.7 higher in Chicago now than the world's price in Liverpool.

THE PRACTICAL REMEDY FOR THE SILVER SITUATION

But, Mr. Chairman, what is the remedy? I will give you the remedy, and the only one that suggests itself to my mind at this time.

The only practical remedy for the silver situation is to embody in the law of all countries the present commercial customs in the use of silver money, in both silver and gold measure countries (except England), as follows, i. e.:

1. All countries that now use silver as the "measure of value metal" to adopt gold as the international and final domestic measure of value at 30 of silver to 1 of gold.
2. Make silver the domestic legal-tender metal.
3. Make silver money redeemable in gold.
4. Withdraw and cancel all silver certificates.
5. Make paper money redeemable in silver.
6. Not to reduce the existing amount of silver coin, and not to increase the ratio of silver to gold for ten years, and as much silver to be bought and coined as can be kept in circulation among the people.
7. England to agree to increase her silver coin by £20,000,000, nominal value.

This arrangement will make the utmost use of silver that is practicable and establish an unvarying "par of exchange" between countries, which is all that has ever yet been accomplished in coinage as between countries.

It does not touch any country now using gold and silver; it only embodies in law the present universal practice of the world, making gold the measure, the ultimate not immediate measure of value in all silver countries making silver the domestic legal tender, the domestic metal, in all countries.

It would not be recognized by our people as making any change whatever. Gold would be immediately paid for all necessary uses without any intervention of silver dollars.

That is the only possible way of securing a par of exchange and not disastrously disturbing the economic conditions of the silver measure of value countries.

Mr. CANNON of Illinois. Will the gentleman permit an interruption?

Mr. WALKER. Certainly.

Mr. CANNON of Illinois. If I understand the last proposition of the gentleman it looks towards an agreement in all countries, except Great Britain, that the ratio should be fixed at 30 of silver to 1 of gold. Now if that agreement can be made, either by way of international agreement, on the one hand, or by each country making that ratio for itself on the other, I do not see why you had not just as well make it 16 or 20 of silver to 1 of gold. It seems to me it would accomplish the same end.

Mr. WALKER. What I have proposed is not to disturb present values by the smallest fraction the world over. Remonetizing at 16½ or 17, or at 15½ or 16, will halve the prices and double the debts of every person in every silver country. That is why I make these suggestions and the only reason why. What I propose is that every country shall keep its own ratio. I would not reduce the ratio by the one-millionth part of a fraction of a cent in the United States.

Why? Why, Mr. Chairman, who knows but that to-morrow we may discover gold mines which will produce gold in such abundance that we will be in the same condition as to gold that we are now in as to silver? I would not vote, I would burn my hand off first, that we should reduce the number of our silver dollars below the number of our gold dollars. My proposition leaves all countries to make their own ratio as between silver and gold, except as to international trade. The only thing necessary is to induce silver measure of value countries to make gold the international measure of value by the law of their respective countries, leaving silver in all those countries at its present commercial ratio, or three points less, in order not to disturb prices anywhere the world over, and not to have the blighting curse on the countries that now use the silver measure of value that visited us between the years 1873 and 1879, only a hundredfold more intense. That is the reason.

Silver to-day is about 33 or 34 to 1. If it is made 30 to 1 in silver countries you overvalue it three points. Then the silver of each country will remain at home. Then if silver appreciates toward gold it makes the silver countries richer and atones to them somewhat for, and restores somewhat also, the losses that we have been allowing to fall on them for the last twenty years in this growing difference between the two metals.

Do I make this clear? I do not want to put a hardship on these poorer nations. I want to take present conditions, embody them into law, and work out of and up from them. And let me say here, Mr. Chairman, that no agreement of governments, no agreement of international conferences, will affect the situation. Ratify your treaties to-morrow. Nothing will affect it but the convincing the judgment of the mercantile and manufacturing world, and this proposition would commend itself to the judgment of every business man.

Mr. PICKLER. Will the gentleman allow me right there?

Mr. WALKER. Yes; if the gentleman will be short.

Mr. PICKLER. Do you say, then, that products would remain the same as now?

Mr. WALKER. I say it would not affect prices in the smallest fraction immediately, or suddenly, but my judgment is that it would largely increase the use of silver. One-third of the world is using copper, brass, and inferior metals. I believe if we should get at a rational solution of this silver question, silver would go up; and I will touch that point a little later. Silver would go up in value, gradually, to somewhere near the old ratios of the world—would be likely to. That is to say, with the increased mining of gold, and the decreased mining of silver, silver and gold would come nearer together. But you can never bring them together at the old ratio by any violent or sudden movement, without distressing either the gold countries beyond endurance, or the silver countries beyond endurance.

THE DEMOCRATIC PARTY AT FAULT.

We tried this undervaluing of gold in 1792 and lost every dollar of our gold. In 1834 we depreciated the gold dollar 6½ per cent, taking that weight of gold out of it, and then we undervalued silver, and silver all went out of the country. Now, who is most at fault for the present perplexity? Clearly the Democratic party, and the Democratic party almost wholly are to blame. What is the record? I believe that if this country had never passed any laws to force the use of silver, we would have had a rational international agreement on silver long before silver had gone down below the point of 20 to 1.

I believe that the Democrats are almost wholly responsible in this matter. It was the Democratic majority that "fooled" with silver in 1878. On March 24, 1892, this House, by a vote, 130 Democrats voting for, and 81 against, voted for the Bland free coinage bill, and the Republicans voted 11 for it and 67 against it, or a Republican majority of 56 against it. We saved the country from it by 7 majority.

Mr. PENCE. What vote was that?

Mr. WALKER. That was the vote of the Democratic party in this House on a Bland bill for the free coinage of silver. On July 13, 1892, on the Stewart free coinage amendment, there were 23 Democratic majority for it, and 51 Republican majority against it—28 majority against.

Mr. PENCE. As I understand you, on the vote on the Stewart free coinage amendment, you are crediting the Republicans with having defeated it?

Mr. WALKER. By 51 majority, the Democrats having voted for it by 23 majority.

Mr. PENCE. Well, that is right.

Mr. WALKER. On July 1, 1892, in Senate, on Stewart free coinage amendment—

31 Democrats for and 10 against; majority for	21
14 Republicans for and 31 against; majority against	17
Majority for	4

On August 28, 1893, in House, on amendment to bill to repeal the purchase clause of the silver act of July 14, 1890, to substitute the Bland law of 1878—

112 Democrats for and 103 against; majority for	9
15 Republicans for and 110 against; majority against	95
Majority against	86

On October, 28, 1893, in Senate, for free coinage amendment—

23 Democrats for and 21 against; majority for	2
10 Republicans for and 27 against; majority against	17
Majority against	15

Silver has touched 59.4 under Bland law (46 cents in dollars)	$4,353,293
Under law repealed it would have been (100 cents in dollars)	2,673,003
Less each month	1,680,290
In a year	20,163,480

IN FIFTY-THIRD CONGRESS.

On March 1, 1894, in House, on Bland coinage of seigniorage bill—

139 Democrats for and 19 against; majority for	120
10 Populists for and 0 against; majority for	10
19 Republicans for and 80 against; majority against	61
Majority for bill	69

On March 15, 1894, in Senate, on Bland coinage of seigniorage bill—

31 Democrats for and 10 against; majority for	21
3 Populists for and 0 against; majority for	3
12 Republicans for and 23 against; majority against	11
Majority for	13

Mr. PENCE. May I ask the gentleman a question?

Mr. WALKER. How much time have I remaining?

The CHAIRMAN. The gentleman has thirty minutes left?

Mr. WALKER. I can only yield for a moment.

Mr. PENCE. I understand now that your claim is that if it had not been for the votes of the Republicans free coinage might have been accomplished.

Mr. COGSWELL. No; you do not claim that.

Mr. WALKER. I want to say that, in my judgment, if it had not been for the action of the Democratic party in this country we would have had the free coinage of silver here and the world over, if it had been within the limit of possibility. Certainly silver never would have been depreciated to its present condition. [Applause.]

That is my point exactly. It is wholly, in my judgment, because this country has not determinedly and absolutely said to England, Germany, and France, "We are not interested in silver one cent where you are interested a thousand, and that you, not us, must take care of it." If we had taken that position from the first, in 1878, when it was down only to 92 cents, we would have had free coinage of sil-

ver if it was possible, and saved this whole silver imbroglio. That is the point I have been making from the beginning up to the present time when silver has touched 59.4.

As I have shown, the Democratic party, by its majority, answered President Cleveland's demand that the purchasing clause of the law of July 14, 1890, should be repealed by reenacting, as far as their action could do so, the Bland system, and coining every year $20,163,480 more 47-cent silver dollars than we were issuing silver certificates for, under the Sherman bill, with 100 cents worth of silver behind every one of them on the day they were issued.

THE REPUBLICAN POSITION.

The Republicans yield not one whit of preeminence to the Democrats in their determination to secure again the double standard or in their determination to secure the free coinage of silver, if it can possibly be safely done [applause], and not otherwise.

Mr. PENCE. Except by voting for it. [Laughter.]

Mr. WALKER. Except by voting for it! Ah! They refused to vote to defeat it. As the Populists and the Democrats have been voting by immense majorities in this House to defeat it ever since 1878, and they only are responsible.

Mr. PENCE. Will the gentleman allow me——

Mr. WALKER. No; I can not yield any further. This was my position all through the Fifty-first Congress, and I want to say that the clearest-headed free-coinage-of-silver men of that House believed that I was right then, as I believed I was, and in the light of subsequent events I am sure of it. The course of silver has been exactly what I told them it would be if we engaged in their proposed legislation and put this country in the position of taking hold of a battle which was Europe's battle. The man is always "dumped" when he "goes before he is sent," as is any country that goes before it is sent. It was not our fight; but the Democratic party has made it our fight and against the determined protest of the Republican party, and they are responsible for the position of silver; wholly so in this country, as compared with the Republicans.

But the Republicans are determined that this country shall not throw away the advantages of its position to secure party advantage. I ask the Democrats to forget party for once and to unite with us to induce European nations to come up to their highest interests as well as our own on this silver question. Had that been done since 1878, instead of passing the Bland bill, all hope of enacting a bill for the free coinage of silver would not have vanished forever, as I fear it has at the old ratio.

The country owes to the Democratic party the fact that silver has depreciated so disastrously by putting this country in the position of attempting to do alone that which all might do, but that which no one could do alone. We will go to the people on a platform that will permit the utmost liberty for a broad settlement of this question and all others; and I ask the clerk to read what my suggestion of a platform is for the Republican party. No other Republican is responsible for it or ever had a hint of it.

Mr. TRACEY. Has the gentleman from Maine retired?

Mr. WALKER. The gentleman from Maine has retired, and I hold the floor now. [Laughter.]

The clerk read as follows:

PROPOSED REPUBLICAN PLATFORM.

We propose for the platform for 1896 these few sentences:

We hereby declare that each coined or paper dollar, paid to the farmer for his products, to the wage-worker for his labor, and to all others, shall be kept at a parity with every other dollar.

That, as enforced idleness is the most odious and cruel of all taxation, and the right of defense against it, in an opportunity to earn one's daily bread by self-respecting, honest toil, is an inalienable right and fundamental to all other rights and to all progress in civilization, the power and duty of securing a right to work, and of an honest dollar to each citizen, is a duty devolving on the legislative power of the United States in its fiscal legislation.

We hereby call upon every citizen, North, South, East, and West, to rally under the flag of our common country to preserve an honest dollar, and to secure a fair day's pay, for a fair day's work to every citizen, in the American system of protection, as indispensable to the welfare of the farmers and wage-workers of the country, and all other questions being subsidiary to these two.

We hereby relegate the decision of all other questions to the respective Congressional districts in the States.

Mr. PENCE. Will the gentleman permit a question?

Mr. WALKER. No, I can not.

Mr. Chairman, in the fight for State rights and in the intense opposition to the election laws the Democratic party has needlessly wiped them from the statute books. I believe they were mistaken in doing it; but whether mistaken or not, "that issue is laid." It stands now where the issue of the removal of the troops from the South in 1877 by President Hayes stands. Those issues as national issues are dead past resurrection. We will fight the battle, in my judgment, in 1896 on the issues which I have presented here, and by that token we will conquer. [Applause on the Republican side.]

Mr. PENCE. Now the gentleman has time to answer a question.

Mr. WALKER. I have finished my speech.

Mr. PENCE. May I ask the Chairman how much time the gentleman from Massachusetts has left?

Mr. WALKER. I have not any. I have yielded the floor.

APPENDIX A.

Farm products and oil—exports of 1893.

[Calendar year.]

	Decrease in value—	
	From average of last five years.	From 1892.
Cattle	$4,103,826	$12,411,472
Corn	3,711,212	14,481,312
Cotton	43,923,855	12,957,535
Fish	1,706,642	1,408,337
Fruit	1,606,016	2,219,418
	55,201,551	43,478,074
Mineral oils:		
Crude	1,670,572	729,568
Manufactured	4,972,834	128,206
Dairy products	2,347,107	1,605,551
	64,192,064	46,031,399

APPENDIX B.

British imports of wheat.

	Three months, 1894.	Three months, 1893.
United States:	*Bushels.*	*Bushels.*
Atlantic ports	6,023,249	10,436,864
Pacific ports	3,196,159	6,299,324
Total from United States	9,219,408	16,736,188
Other countries:		
Chile	782,809	226,085
Argentine Republic	1,206,162	455,997
British India	3,611,210	1,309,102
Russia	5,842,250	3,039,254
Minor countries	897,226	543,896
Total from other countries	12,339,657	5,574,334
Grand total	21,559,065	22,310,522

APPENDIX C.

There was 144 per cent more cotton raised in 1892 than in 1873, and only 55 per cent more exported.

There was 301 per cent more wheat raised in 1892 than in 1873, and only 145 per cent more exported.

There was 96 per cent more corn raised in 1892 than in 1873, and only 41 per cent more exported.

Range of wheat exports by us in fifteen years was as follows:

	Bushels.
Exports of wheat into Great Britain in 1881 were	82,550,000
Exports of wheat into Great Britain in 1891 were	29,820,000
Falling off of 64 per cent or	52,730,000

Per capita product in bushels and pounds.

	1873.	1892.	Increase.
Wheat	6.7	9.4	2.7 or 40 per cent.
Corn	22.4	31.7	9.3 or 41 per cent.
Oats	6.5	10.2	3.7 or 56 per cent.
Total	35.6	51.3	15.7 or 44 per cent.
Cotton	44	69.3	25.3 or 57.7 per cent.

APPENDIX D.

World's supply of cotton in bales of 400 pounds each.

[From "Cotton Movement and Fluctuations," Latham, Alexander & Co., bankers and cotton commission merchants, New York.]

Years.	Crops.			Imports of cotton.
	United States.	Supply of other countries.	Total crop.	
	Bales.	*Bales.*	*Bales.*	*Bales.*
1869–'70	3,431,000	2,113,000	5,544,000	*2,492
1872–'73	4,283,000	2,083,000	6,366,000	11,064
1879–'80	6,556,000	1,894,000	8,450,000	8,869
1884–'85	6,420,000	2,007,000	8,427,000	12,789
1892–'93	8,044,000	2,600,000	10,644,000	108,429

*In 1871.

APPENDIX E.

Statement of Hon. H. M. Teller, Senator from the State of Colorado, Monday, January 27, 1890.

I believe the present fall in prices in this country which have been continuous, as we all know, since 1873, is to be largely attributed to our treatment of the silver question. I am free to say it is not caused by increased production.

Mr. WALKER. Would it not have the same effect you are seeking, that is, the depreciation of the gold dollar, by putting less gold in a dollar? That would raise the prices; that is, nominally.

Mr. TELLER. Certainly; I have not any doubt about that. And if you put more money in circulation it would raise prices probably. I say that silver has not depreciated, because I say that compared with commodities it will buy more commodities to-day than it would fifteen years ago, when it stood at 15½.

Mr. WALKER. Do you believe there ever was a time when the country has grown more rapidly in wealth than in the last five years?

Mr. TELLER. I do not know about that. For five years we have been very prosperous, I admit.

Mr. WALKER. And that during that time the most important advances have been made?

Mr. TELLER. It is true we have had prosperity. I do not deny it.

Mr. WALKER. You spoke of gold not being money enough to do the business of the world. Is not the exchange of money for products of any kind more apparent than real? Is not it a fact that in the exchanges for products it is therefore immaterial what is the standard of value so that it is uniform and continues so? That is to say, if a product is exchanged for a product, and not money or product, is not the use of coin more apparent than real?

Mr. TELLER. Undoubtedly. The great business of the country is not done by payment of money from hand to hand.

Mr. WALKER. It is product for product?

Mr. TELLER. It is virtually product for product, but it is done by the exchange of the monetary system.

APPENDIX G.

Approximate statement of the world's wheat crop in 1892.

[Congressional Record, September 23, 1893, page 1668. Figures furnished by the Secretary of Agriculture.]

Gold countries.	Crop of 1892.	Gold countries.	Crop of 1892.
	Bushels.		*Bushels.*
United States	515,949,000	Spain	*78,395,520
Ontario	29,690,129	Sweden	†4,559,863
Manitoba	14,909,420	Norway	*412,608
Austria	†47,123,526	Switzerland	*3,300,864
Hungary	138,223,680	Turkey in Europe	*24,756,480
Belgium	20,748,362	Asia Minor	*37,134,720
Denmark	*4,538,683	Persia	*18,567,360
France	310,037,795	Algeria	19,398,797
Germany	*100,057,440	Cape Colony	2,813,460
Great Britain and Ireland	62,621,756	Egypt	*8,252,160
Greece	*3,972,500	Australia	37,096,221
Italy	†115,676,431	Syria	†12,378,240
Netherlands	*5,675,000	Argentine Republic and Chile	*47,549,418
Portugal	*6,100,625		
Roumania	*59,828,160	Total	1,734,719,519
Servia	*4,951,296		78 $\frac{3}{10}$ per cent.

Silver countries.	Crop of 1892.	Doubtful countries.	Crop of 1892.
	Bushels.		*Bushels.*
India	203,168,000	Russia	241,578,934
Japan	*13,857,802	Poland	24,440,446
Total	217,025,802	Total	266,019,380
	9 $\frac{7}{10}$ per cent.		12 per cent.

*Unofficial. †Preliminary.

Nations whose mints are open to the free and unlimited coinage of silver:

Mexico. Ecuador. Bolivia. Chile.
Peru. Japan. Columbia.

Those of India and China are now closed.

APPENDIX H.

Price per bushel of wheat, and per ounce of silver, in London.

[Whitaker's Almanac, 1894, and Director of the Mint.]

	Price of wheat.	Price of silver.	Price of of wheat in grains of silver.
1785 to 1789	$2.57	$1.392	886.65
1790 to 1794	2.57	1.364	904.64
1795 to 1799	1.99	1.326	820.38
1800 to 1804	1.50	1.338	526.50
1805 to 1809	1.36	1.311	497.76
1846 to 1850	1.57	1.307	576.19
1851 to 1855	1.69	1.340	605.02
1856 to 1860	1.65	1.350	585.75
1861 to 1865	1.43	1.341	501.93
1866 to 1870	1.66	1.329	599.26
1871 to 1875	1.66	1.294	615.86
1876 to 1880	1.44	1.155	599.04
1881 to 1885	1.21	1.112	521.51
1886 to 1890	.95	.978	466.45
1891 and 1892	.93	.929	480.81

The price of wheat in gold fell 38 per cent from the years 1871 to 1875 to the years 1891 and 1892, and only 20.3 per cent in the price of silver.

The claim is that its price does not fall "in silver."

If this proves that silver has fallen 20.3 per cent, it also proves that gold has fallen 38 per cent.

APPENDIX I.

[Senate Report 1394, Fifty-second Congress, second session, volume 1, page 13.]

Wages in gold.

Year.	Average according to importance.	In grains of gold.	Year.	Average according to importance.	In grains of gold.
1840	82.5	19.14	1866	111.1	25.78
1841	79.9	18.54	1867	121.8	20.00
1842	84.1	19.51	1868	119.1	27.63
1843	83.0	19.26	1869	123.5	28.65
1844	83.2	19.30	1870	136.9	31.76
1845	85.7	19.88	1871	150.3	34.87
1846	89.1	20.67	1872	153.2	35.54
1847	91.3	21.18	1873	147.4	34.16
1848	91.6	21.25	1874	145.9	33.85
1849	90.5	21.00	1875	140.4	32.57
1850	90.9	21.09	1876	134.2	31.93
1851	91.1	21.14	1877	135.4	31.91
1852	91.8	21.30	1878	139.0	32.25
1853	93.2	21.62	1879	139.4	32.33
1854	95.8	22.23	1880	143.0	33.18
1855	97.5	22.62	1881	150.7	34.96
1856	98.0	22.74	1882	152.9	35.47
1857	99.2	23.01	1883	159.2	36.93
1858	97.9	22.71	1884	155.1	35.98
1859	99.7	23.15	1885	155.9	36.17
1860	100.0	23.20	1886	155.8	36.15
1861	100.7	23.36	1887	156.6	36.33
1862	101.2	23.48	1888	157.9	36.63
1863	81.9	19.00	1889	162.9	37.79
1864	86.2	20.00	1890	168.2	39.02
1865	68.7	15.94	1891	168.6	39.12

In 1891 each worker received 104.39 per cent more in grains of gold than he did in 1840; 68.6 per cent more than in 1860; 14.5 per cent more than in 1873.

APPENDIX J.

Average monthly price of silver and wheat, in Chicago.

Months.	Equivalent value of a fine ounce with exchange at par ($4.8665).	Price of wheat, cash, No. 2 spring.	Price of wheat in grains of silver.
1893.			
January	$0.84026	$0.74.5	484.3
February	.84080	.74.3	482.9
March	.83537	.74.1	481.7
April	.83361	.72.5	461.3
May	.83451	.70.0	455.0
June	.81719	.65.2	405.5
July	.72471	.68.3	383.2
August	.74409	.61.1	351.9
September	.74799	.66.9	387.4
October	.73672	.63.4	362.0
November	.70673	.61.0	333.7
December	.70180	.62.0	336.7
1894.			
January	.68743	.62.0	329.8
February	.63941	.58.0	281.9
March	.59814	.58.0	268.5
April	.63138	.60.0	292.8
May	.62921		

MINT BUREAU, *June 5, 1894.*

APPENDIX K.

Coin price of cotton: Upland middle, April, in New York.

[Senate Report 1394, Fifty-second Congress, second session, volume 2, page 11.]

Year.	Price.	Price in grains of silver.	Average price for 5 years.	Year.	Price.	Price in grains of silver.	Average price for 5 years.
1840	8.5	31.45		1857	14.5	53.65	
1841	10	37.		1858	11.8	43.66	11.6
1842	7.4	27.38	7.9	1859	12.5	46.25	
1843	5.8	21.46		1860*	11	40.7	11.
1844	7.8	28.86		1880	13	54.47	
1845	6	22.2		1881	10.7	45.75	
1846	7.8	28.86		1882	12.1	51.18	11.6
1847	11.4	42.18	7.8	1883	10.6	45.9	
1848	6.8	25.16		1884	11.5	49.56	
1849	6.9	25.53		1885	11.1	50.06	
1850	12.2	45.14		1886	9.2	44.44	
1851	11.3	41.81		1887	10.6	51.94	10.2
1852	8	29.6	10.3	1888	9.8	50.08	
1853	10.5	38.85		1889	10.2	52.37	
1854	9.5	35.75		1890	11.5	52.78	
1855	9	33.3	11.6	1891	9.8	47.63	10.6
1856	10.4	38.48					

*The production of cotton was so disturbed by the civil war that its price from 1861 to 1879 is of no economic value.

APPENDIX L.

Price of wheat in Chicago.

[Senate report 1394, Fifty-second Congress, second session, volume 2, page 61.]

Year.	Price.	In grains of silver.	Year.	Price.	In grains of silver.
1840	$0.56	207.2	1866	$1.43	529.1
1841	.48	177.6	1867	1.56	577.2
1842	.50	185.0	1868	*1.36	503.2
1843	.50	185.0	1869	*.78	288.6
1844	.60	222.0	1870	*.65	240.5
1845	.78	288.6	1871	1.10	407.0
1846	.50	185.0	1872	*1.07	395.9
1847	.60	222.0	1873	*1.06	392.2
1848	.85	314.5	1874	1.05	387.3
1849	.62	229.4	1875	*.84	163.4
1850	.70	259.0	1876	.97	402.5
1851	.65	240.5	1877	.89	356.0
1852	.60	222.0	1878	.92	383.6
1853	.70	259.0	1879	1.00	428.0
1854	1.12	414.4	1880	1.16	486.0
1855	1.45	536.5	1881	1.01	426.2
1856	1.60	592.0	1882	1.36	575.3
1857	1.20	444.0	1883	1.09	471.9
1858	.70	259.0	1884	.96	413.7
1859	1.31	484.7	1885	.81	365.3
1860	1.15	425.5	1886	.83	400.9
1861	1.05	388.5	1887	.81	396.9
1862	.68	251.6	1888	.81	413.9
1863	.84	310.8	1889	1.01	518.1
1864	.61	225.7	1890	.78	358.0
1865	.78	288.6	1891	1.05	510.3

*No. 2 spring.

APPENDIX LL.

Commercial price of wheat in Chicago, less hauling and freight to Chicago.

[Equivalent to canal rates from Buffalo to Chicago.]

Year.	Price.	Hauling and freight.	Net price to farmer.	Year.	Price.	Hauling and freight.	Net price to farmer.
1862	$0.68	$0.20	$0.48	1877	$0.89	$0.11	$0.78
1863	.84	.19	.65	1878	.92	.08	.84
1864	.61	.18	.43	1879	1.00	.12	.88
1865	.78	.17	.61	1880	1.16	.09	1.07
1866	1.43	.16	1.27	1881	1.01	.07	.94
1867	1.56	.17	1.39	1882	1.36	.08	1.28
1868	1.36	.16	1.20	1883	1.09	.06.5	1.02.5
1869	.78	.16	.62	1884	.96	.05.5	.90.5
1870	.65	.14	.51	1885	.81	.06	.75
1871	1.10	.14	.96	1886	.83	.06.5	.76.5
1872	1.07	.14	1.03	1887	.81	.07	.74
1873	1.06	.13	.93	1888	.81	.04.5	.76.5
1874	1.03	.11	.92	1889	1.01	.05	.96
1875	.84	.11	.73	1890	.78	.04	.74
1876	.97	.10	.87	1891	1.05	.54.5	1.00

APPENDIX M.

Price of corn in Chicago in coin.

[Senate Report 1394, Fifty-second Congress, second session, volume 2, page 9.]

Year.	Price.	In grains of silver.	Year.	Price.	In grains of silver.
1840	$0.38	140.0	1866	$0.20	111.0
1841	.28	103.6	1867	.62	229.4
1842	.27	99.9	1868	.57	210.9
1843	.31	114.7	1869	.37	136.9
1844	.43	159.1	1870	.64	236.8
1845	.35	129.5	1871	.47	173.9
1846	.25	92.5	1872	.34	125.8
1847	.25	92.5	1873	.28	103.6
1848	.30	111.0	1874	.55	206.8
1849	.53	196.1	1875	.60	225.0
1850	.25	92.5	1876	.41	170.1
1851	.28	103.6	1877	.39	156.0
1852	.33	122.1	1878	.41	170.9
1853	.30	113.2	1879	.31	132.6
1854	.43	159.1	1880	.35	146.6
1855	.54	199.8	1881	.38	160.3
1856	.40	148.0	1882	.67	283.4
1857	.36	133.2	1883	.54	233.8
1858	.35	129.5	1884	.53	228.4
1859	.68	251.6	1885	.40	180.4
1860	.43	159.1	1886	.36	170.8
1861	.28	103.6	1887	.38	188.2
1862	.19	70.3	1888	.52	265.7
1863	.36	133.2	1889	.35	179.5
1864	.37	136.9	1890	.29	198.1
1865	.34	125.8	1891	.67	325.6

APPENDIX N.

Average prices of nine staple agricultural products in coin, 1860–1891.

[Senate report 1394, Fifty-second Congress, second session, volume 1, page 110.]

Year.	Price.	In grains of silver.	Year.	Price.	In grains of silver.
1860	100	370.0	1876	91.9	381.4
1861	104.2	385.5	1877	90.5	386.0
1862	172.4	637.8	1878	89.7	374.0
1863	170.3	630.1	1879	91.1	389.9
1864	243.7	901.7	1880	102.9	431.2
1865	97.3	270.0	1881	117.1	484.2
1866	132.5	490.2	1882	120.3	508.8
1867	135.1	499.8	1883	102.0	441.7
1868	129.3	478.4	1884	100.8	434.4
1869	120.9	446.4	1885	87.9	396.4
1870	107.7	398.5	1886	87.5	422.4
1871	115.3	426.6	1887	89.6	439.0
1872	113.7	421.4	1888	93.6	478.3
1873	106.0	392.2	1889	86.5	443.7
1874	123.5	464.4	1890	93.7	430.0
1875	116.8	449.7	1891	98.4	458.2

APPENDIX O.

Price of hogs (live weight), fair to good packing, in Cincinnati, in coin.

[Senate report, 1394, Fifty-second Congress, second session, volume 2, page 27.]

Year.	Price.	In grains of silver.	Year.	Price.	In grains of silver.
1840	.....	.....	1866	$5.60	2,072
1841	$3.40	1,258	1867	5.04	1,864.8
1842	2.00	740	1868	6.04	2,234.8
1843	2.00	740	1869	6.75	2,497.5
1844	2.62	969.4	1870	7.23	2,675.1
1845	3.75	1,387.5	1871	5.74	2,123.8
1846	2.50	925	1872	3.78	1,398.6
1847	4.00	1,480	1873	4.90	1,813
1848	2.75	1,017.5	1874	5.26	1,967.7
1849	2.75	1,017.5	1875	6.96	2,679.6
1850	3.25	1,202.5	1876	7.35	3,050.2
1851	3.50	1,295	1877	4.90	1,960
1852	5.00	1,850	1878	3.70	1,542.9
1853	5.00	1,850	1879	3.80	1,626.4
1854	4.00	1,480	1880	4.45	1,862.5
1855	4.25	1,572.5	1881	5.60	2,363.2
1856	4.60	1,702	1882	6.85	2,897.5
1857	6.25	2,312.5	1883	7.33	3,182.5
1858	4.65	1,720.5	1884	6.50	2,801.5
1859	6.50	2,405	1885	4.35	1,901.8
1860	5.00	1,850	1886	4.25	2,052.7
1861	4.85	1,794.5	1887	5.60	2,744
1862	2.77	1,024.9	1888	5.50	2,810.5
1863	2.55	953.5	1889	4.80	2,462.4
1864	3.38	1,250.6	1890	4.25	1,950.7
1865	6.05	2,238.5	1891	4.75	2,308.5

APPENDIX P.

Price per 100 pounds of meat (beeves, live weight) in Chicago, in coin.

[Senate Report 1394, Fifty-second Congress, second session, volume 2, page 26.]

Year.	Price.	In grains of silver.	Year.	Price.	In grains of silver.
1840	$4.00	1,480.0	1866	$2.89	1,069.3
1841	3.00	1,110.0	1867	3.96	1,465.2
1842	*3.00	1,110.0	1868	3.02	1,117.4
1843	*3.08	1,139.6	1869	3.91	1,446.7
1844	3.00	1,110.0	1870	4.25	1,572.5
1845	*3.50	1,295.0	1871	3.92	1,300.4
1846	*3.00	1,110.0	1872	3.79	1,402.3
1847	2.50	925.0	1873	4.02	1,487.4
1848	3.75	1,387.5	1874	4.28	1,609.2
1849	2.25	832.5	1875	3.92	1,509.2
1850	3.25	1,202.5	1876	3.92	1,626.8
1851	4.00	1,480.0	1877	4.28	1,712.0
1852	3.45	1,276.5	1878	3.92	1,634.6
1853	3.00	1,110.0	1879	4.25	1,519.0
1854	3.75	1,387.5	1880	4.00	1,676.0
1855	3.50	1,295.0	1881	5.00	2,110.0
1856	4.25	1,572.5	1882	6.25	2,643.7
1857	3.87	1,431.9	1883	5.25	2,273.2
1858	2.50	925.0	1884	4.75	2,047.2
1859	4.00	1,480.0	1885	4.25	1,910.7
1860	3.50	1,295.0	1886	3.50	1,690.5
1861	3.25	1,202.5	1887	3.50	1,715.0
1862	2.55	1,431.9	1888	3.70	1,890.7
1863	3.08	1,192.2	1889	3.00	1,539.0
1864	1.97	721.9	1890	3.25	1,401.7
1865	2.75	1,017.5	1891	3.75	1,922.5

*Estimated.

APPENDIX Q.

Price per 100 pounds of tobacco (leaf goods) in Cincinnati in coin.

[Senate report, 1394, Fifty-second Congress, second session, volume 2, page 45.]

Year.	Price.	In grains of silver.	Year.	Price.	In grains of silver.
1865	$11.83	4377.1	1879	$20.00	8560.0
1866	13.00	4810.0	1880	19.00	7961.0
1867	10.00	3700.0	1881	18.50	7807.0
1868	13.00	4810.0	1882	22.50	9517.5
1869	10.00	3700.0	1883	21.00	9093.0
1870	13.00	4800.0	1884	20.50	8835.5
1871	12.00	4440.0	1885	15.50	6990.5
1872	18.00	6660.0	1886	13.00	6279.0
1873	18.25	6752.5	1887	9.00	4410.0
1874	18.00	6768.0	1888	19.00	9709.0
1875	23.00	8755.0	1889	21.00	10773.0
1876	19.00	7885.0	1890	18.00	8262.0
1877	17.00	6800.0	1891	18.50	9011.0
1878	14.25	5942.2			

APPENDIX R.

Price of coffee (Rio, fair) in New York, in coin.

[Senate Report 1394, Fifty-second Congress, second session, Volume 2, page 75.]

Year.	Price.	In grains of silver.	Year.	Price.	In grains of silver.
1840	$0.09	33.3	1866	.12	41.4
1841	.09½	34.2	1867	.12	41.4
1842	.07½	28.6	1868	.07	25.9
1843	.06½	24.0	1869	.07	25.9
1844	.06½	25.0	1870	.08	29.6
1845	.06½	24.0	1871	.10	37.0
1846	.07½	28.6	1872	.13	48.1
1847	.07½	27.7	1873	.15	55.5
1848	.06½	25.1	1874	.20	75.2
1849	.06½	24.0	1875	.14	53.9
1850	.10	37.0	1876	.15	62.2
1851	.10	37.0	1877	.17	68.0
1852	.08½	31.4	1878	.15	62.5
1853	.08½	32.3	1879	.13½	48.8
1854	.09½	36.0	1880	.15	62.8
1855	.10	37.0	1881	.11½	49.5
1856	.10½	38.9	1882	.09½	41.2
1857	.10½	38.9	1883	.09¼	40.0
1858	.10½	38.9	1884	.11	47.4
1859	.11	40.7	1885	.08⅞	40.0
1860	.13¼	49.0	1886	.08½	42.2
1861	.12	41.4	1887	.15½	74.7
1862	.19	70.3	1888	.14½	72.8
1863	.21	77.7	1889	.18½	93.5
1864	.20	74.0	1890	.19½	90.6
1865	.10	37.0	1891	.19¼	95.9

APPENDIX S.

Price of sugar, crushed and granulated, in coin.

[Senate Report, 1394, Fifty-second Congress, second session, Volume 2, page 114.]

Year.	Price.	In grains of silver.	Year.	Price.	In grains of silver.
1840	$0.11½	42.5	1866	$0.11	40.7
1841	.10½	38.9	1867	.11	40.7
1842	.09	33.3	1868	.12	41.4
1843	.10	37.0	1869	.12	41.4
1844	.11	40.7	1870	.11	40.7
1845	.12	41.4	1871	.11	40.7
1846	.11	40.7	1872	.11	40.7
1847	.10	37.0	1873	.11	40.7
1848	.08⅜	32.3	1874	.09	33.8
1849	.09	33.3	1875	.09	33.6
1850	.08⅞	32.8	1876	.09	37.3
1851	.08½	32.3	1877	.10	40.0
1852	.07½	27.7	1878	.09	37.5
1853	.08⅜	30.3	1879	.08¾	34.7
1854	.08½	32.3	1880	.09¼	39.8
1855	.08	29.6	1881	.09¼	39.0
1856	.10½	37.9	1882	.09¾	41.2
1857	.13	48.1	1883	.08¾	37.3
1858	.11	40.7	1884	.07¼	30.7
1859	.10½	38.3	1885	.05 13/16	26.9
1860	.09½	36.0	1886	.06 7/16	30.5
1861	.08	29.6	1887	.05½	23.1
1862	.08½	31.4	1888	.06½	34.4
1863	.10	37.0	1889	.07½	39.7
1864	.09	33.3	1890	.06 7/16	27.8
1865	.09	33.3	1891	.04½	21.8

APPENDIX T.

Value of importations into the United States and exports from the United States to silver standard countries in 1893.

	Exports.	Imports.
Bolivia	$25,000	$5,000
Central America	2,762,000	6,000
China	3,900,000	206,36,000
Colombia	3,156,000	3,572,000
Ecuador	817,000	960,000
India	3,153,000	25,969,000
Mexico	19,569,000	33,555,000
Peru	637,000	819,000
Russia	2,447,000	6,117,000
Venezuela	4,208,000	3,625,000
Total	40,674,000	65,264,000

Mr. TALBERT of South Carolina. Mr. Chairman, I had not expected to make a speech upon this subject, but, being a farmer, on the request of a member of the committee I have been yielded the courtesy of the floor to say something from the farmer's standpoint upon the question before the committee. I want to say first that I have been very much entertained by the learned and lucid address of the gentleman who has just taken his seat [Mr. WALKER], as well as by that of the gentleman who preceded him, but I must say also that I fail to see where they really touch the point at issue. The speech of Mr. WARNER of New York also was a good one, but he failed to show that this bill would interfere in the least with the regular business of brokers or boards of trade in placing orders for produce of any kind actually in existence or in process of existence.

In rising to make a speech upon this subject it may be that I ought to begin by offering an apology for even attempting to speak before this august body, being only a plain, unsophisticated farmer, as there seems to be a consensus of opinion among at least a portion of the gentlemen upon this floor that the farmers should not be heard upon any of these questions; that they have a peculiar duty to perform, namely, to raise the revenue and pay the taxes of the Government, and make that which feeds and clothes the world, but that they should confine themselves to that, and not undertake to express their views upon these great questions, but always be ready to furnish fried chicken and votes for the aristocracy every election year.

I have heard a great deal about the "ignorance" of the farmer. I have heard many epithets hurled at them, and at the demands which they have made from time to time from this body. The name of farmer here seems to be regarded as a synonym of ignorance. I have heard the farmer's "ignorance" illustrated by poetry, by prose, and by anecdote. One notable anecdote which was recently told for that purpose by a distinguished gentleman upon this floor was to this effect: A man dreamt that he had died and had gone down into purgatory. He dreamt that he knocked at the door, and that Old Nick opened it and took him in and treated him very kindly, and showed him all the departments of his domain. He took him down into the bottomless pit, where the murderers and the worst sinners were to be seen; then he took him up on another floor where those who were guilty of less heinous crimes were confined, and then he took him through a long hallway, on either side of which were a lot of men hanging by the heels. The man asked: "Mr. Devil, who are those that you have there?" and the devil said: "Well, those are a lot of Alliance fellows and farmers that died and came down here, and they were so green that I had to hang them up by the heels to dry them before I could burn them." [Laughter.] That is the kind of anecdote that is told here to illustrate the greenness of the farmer; and many other ways are resorted to, pretendedly in fun, but in reality in earnest.

Now, that does not amount to anything, nor anything else they may do or say about us, for we are here to stay until relief is granted, or to know the reason why. We are a hard, rough-skinned set of fellows, and we can stand almost anything; but let me ask you, gentlemen, who has more interest in questions affecting the welfare of this country than the farmers, the men who are the bone and sinew of the land, the men who raise that which feeds and clothes the world, the men who pay 80 or 90 per cent of every dollar which your billion-dollar Congresses appropriate and spend? Say what you please about him, Mr. Chairman, the man who is honestly tilling the soil is filling the noblest vocation allotted to man. He is doing that which God Almighty created him to do; he is carrying out the Biblical injunction, "By the sweat of thy brow shalt thou eat bread."

Can the same be said about the other classes of people that we have heard so much about? Is it not true that those other classes, among whom are included these gracious boards of trade,

and the merchants and the brokers that we have heard about here, live upon the sweat of other people's brows, speculating upon the necessaries of life, raising and lowering the prices of them at will, thus burdening both producer and consumer, and carrying out, probably, the injunction of the very devil himself in the pursuit of their nefarious practices and infamous schemes, of which dealing in futures is one of the greatest and vilest? In this way they establish fictitious prices, utterly ignoring honest supply and demand, and the natural prices which this supply and demand would and ought to establish if let alone.

Now, Mr. Chairman, I have heard a good deal during this discussion from the gentleman from New York [Mr. WARNER] about what I believe they call "contango" and "acquittance," and "backwardation, and "ringing-out," and all such terms. I have been trying to study these things in this bill, but being nothing but a farmer, I do not know that I comprehend them. I want, however, to say that the whittling processes of speculation, the questionable, sharp, and wicked practices of trade and exchange, the grinding, aggressive, and impoverishing operation of trusts and combines and unholy coalitions, the chameleon deals of the law coquetting with the facile ease of the acrobat with law and justice and the liberties of the people, these and all such terms, I am glad to say, find no place in the vocabulary of the farmer's life, except as he knows, and you know, as God knows, they are used to make him the "mudsill" upon which to build up all the other great industries of the day, and in the end cheating him out of all the profits of his produce and his labor and opening up a road for himself and family to the poorhouse, whither he is going as fast as time can carry him without a change in present conditions.

While he is in fact the corner stone of all the greatness and grandeur and happiness and prosperity of the country, the effort is to deprive him of any fruits of his labor and to make him simply the implement for assisting in the accumulations of others. Yea, to make him a beast of burden for the elect.

Here let me say that these various other avocations and branches of trade have been organized far in advance of the farmer. They have organized their guilds, and their associations of various kinds for self-protection; while the farmer, isolated and secluded, leading an entirely different life, has been made the easy prey of the Shylocks of every other profession.

That perhaps is natural. But, let me tell you, the farmer has been studying; he has been educating himself; he has been watching the wicked progress of these chambers of commerce, these boards of trade, and these national bankers. He has seen them enriching themselves by organization, by banding themselves together, and he has decided to imitate their example. So that to-day the farmers, as well all other industrial people throughout the country are organized, and I tell you their power will be felt one day in the councils of the nation in no uncertain tones. If you are not willing to heed and to hear their demands to-day, there will come a time when they will have Representatives enough here to force you to listen to what they have to say. They are on the trail of these vampires who are sucking their life's blood from their bodies, and sooner or later will overtake and crush them.

I do not know that I could better illustrate my meaning than by telling you right here a homely anecdote that I once heard—not to make you laugh, but to drive home my point—to show you what I mean when I say that the farmers have found out the power there is in organization, and are fast taking the medicine which made others rich and prosperous. As the story goes, a good old farmer had loaded his one-horse wagon with his beans and potatoes and cabbages to start for market, and in the morning he hitched up his old mule Jack that had carried him to market many a time and brought him back safely, and he mounted the seat of the wagon with whip in hand. And mark you, that whip was protected, that wagon was protected, and the harness was protected. Everything was protected except the farmer himself, as is always the case. He drove on, and all went merrily until they came to a long, steep, slippery hill.

The good old faithful mule saw what was before him and stopped; he shook his head; he would not pull. The farmer was a kind-hearted fellow, as farmers generally are, so he tried to persuade the mule to go along. He coaxed him, then he plucked him, then, as he would not move, he first tickled him with the lines, and then with the whip. Still he would not go. Then he hit him harder with the whip. Finally he got down upon the ground and tried to run the wagon up on the mule. Still the mule would not pull. In his irritation he was getting out of patience, as farmers sometimes do. They have a good deal of patience in some things though not so much in others.

At last he raised a pole that lay on the road side, and was in the act of knocking poor old Jack on the head, and killing him. Just then a professional man came along—a doctor. And professional men are very good in their places; I do not make war upon any profession or class. It is necessary that we should have in this country all classes and professions. As my distinguished friend from Chicago [Mr. GOLDZIER] says, the country does not belong to one class. I am glad to reiterate that sentiment. This is not my country nor yours; it is our country. And it should be ruled for the mutual benefit of us all, for it belongs as a common heritage to all classes and professions and no one should monopolize the blessing of it.

But the blessings of government ought to be about equally divided, and not be usurped by one class, and that a very small one. I want to say that I was the more interested in the speech of the gentleman from Illinois because he introduced here a few days ago a resolution for cutting down the wages of the poor laborer in the District instead of taking the ground, as I should have done, that if such a reduction was to be made, then the salary of everybody else, including his own salary, ought to be cut down. He wanted to cut down the minnows but let the whales, go free. Let us tackle the whales and big fish as well as the little ones.

A MEMBER. What has become of the mule. [Laughter.]

Mr. TALBERT of South Carolina. I was coming to that. The doctor rode up, and said, "Hold on, I can start that mule." "Well, doctor, I wish you would; I have been here two or three hours, and I am afraid I shall never get to market." The doctor got down and took from his saddle pocket some kind of a liquid in a vial; then he took an instrument—a hypodermic syringe, I believe they call it—filled it full of the liquid and injected it right behind the mule's ears into his neck. He then wiped the syringe, and put it back into the saddle pocket, and began talking to the farmer. The farmer became interested; he dropped his lines and engaged in the conversation, paying no attention to the mule. Just as is often the case the farmer's attention is diverted from the true inwardness of the surroundings.

In the meantime the medicine had begun to act on old Jack; first he stamped one foot and then the other. Finally the medicine permeated his whole system, and worked him up so that, all at once, he shot off and went up that hill like a flash of lightning, leaving the poor farmer behind. The old mule ascended the hill with such agility that the farmer at first did not know what to do. Then he turned to the doctor and said: "Doctor, is that stuff costly?" "No; it does not cost much." "Well, shoot about two loads into my neck; I've got that d—d mule to catch." [Laughter.]

The farmers have been balked for some time at the foot of the hill, and for a long time have been unable to pull the load of debt, and the debt is still heavy, but the time is coming when perhaps they may become stimulated to such an extent that they can climb the hill. So I tell you the farmers are watching you people who have had that stimulus shot into your necks. They have had a little of it shot into their own necks, too, and they are after you closely, and they will stop you, too, from this gambling in futures to their injury and detriment. [Laughter and applause.]

But, Mr. Chairman, another fact which can not be contradicted or gainsaid is this: The Government has extended its strong arm of protection around every other industry in the whole land, from one end of the nation to the other; while agriculture, that art which existed before the flood, the art of all arts and the science of all sciences, about which Moses wrote before the flood, is ignored and neglected. While protection has been given to everything else, every other industry, agriculture has been left in the lurch to take care of itself, to protect itself, and to endeavor in the face of every other obstacle to make itself prosperous and self-sustaining under many discouragements.

The farmer must contend with climate, with an unfruitful soil, sometimes with rain, with snow, with drouth, and sun and water and weather, with every species of discouragement and under adverse circumstances; and yet the farmers are to-day willing and ready to meet and discuss all of these great questions that pertain to the welfare of the nation. And, Mr. Chairman, they have now come here and asked only the passage of this little bill that they believe will have some tendency to lighten their burden—to give them some little additional facilities for carrying on their business—a measure that will put a stop to these outrageous speculations in their products, which not only are of no benefit to them, but which are injurious; and they ask you to let the great natural law of supply and demand control the prices of what they raise, so that they and their families may have some chance to live in this world. Take from off his produce the heavy hand of the spoliator alias speculator.

Will you deny it? I say to you that you had just as well rob him, when he goes to the market with his cabbage and sells it, of the money he gets for it as to allow this speculation in their products. The man, I say, who is robbing the farmer in this manner, does not deserve any more consideration at the hands

of the people than the midnight burglar who forces his way into his house and pillages and robs it of the money which he has received as a result of his hard labor. One is just as much of a robber as the other. It may be strong language to use, Mr. Chairman, but I believe it. I do not see how one can be justified if we do not justify the other. I call a spade a spade and do not even call it an agricultural implement.

Again, it is a known fact that from prejudice, or a disposition among the other factions and classes to keep the farmer in the background, he has, as a general rule, for thirty years past been absolutely ruled out of influential positions. Hence the statesmanship of the country has been conducted mostly by other classes, mainly by the lawyers; so much so that they have come to almost claim it as a right of inheritance to the utter exclusion of the farmer class.

Now, I have no word of comment or of disparagement to say against the lawyers. Some of the best men who ever lived were lawyers; some of the best men living to-day are lawyers; but that is no reason why they should utterly control this country in legislation. I am glad to say that a number of lawyers advocate the cause of the farmer, but that should not give them a monopoly of things. I respect them generally. If I got into a pretty bad scrape, I would get the very best of them that I could. It may be that I would call on Brother REED to help me. I do not know. But at all events for the last thirty years the laws have been enacted mainly by lawyers, the farmers having been excluded until that class of men who have so long made the laws for this nation seem to claim it as their birthright.

But I want to say right here in passing that they are welcome to all the glory, and all the honor, and all the praise that can be attributed to them for the present deplorable condition of affairs in this land. I want no credit for it. I want no part in that glory which has resulted in throwing thousands and thousands of people out of employment, that has stopped the spindles in the factories throughout the land, that has caused the fires of the furnaces to die out, and has stopped the plows on the plantations. Right up in the State of the gentleman from Massachusetts who spoke so eloquently to-day we find the condition of affairs where thousands of farms are being abandoned. It is so all over the South; it is so in the West, and it is so in New England.

These farms are deserted because they can not make a living raising agricultural products, although they had diversity as far as anything could be diversified in farm labor. I repeat, you are welcome to all the praise and all the glory that emanates from such a condition as that. I make no claim to any of it, nor do I make any war on the lawyers, but will say that other classes should have more representation in Congress. Just here I will give a list of lawyers and farmers in several Congresses.

In Fiftieth Congress, out of 333 members there were 233 lawyers and 18 farmers. Here lawyers outvoted farmers thirteen times.

In Fifty-first Congress there were 335 members, of which 235 were lawyers and 12 farmers. Here lawyers outvoted farmers nineteen times.

In Fifty-second Congress, 335 members, 223 were lawyers and 14 farmers. Lawyers outvoted farmers sixteen times.

And in Fifty-third Congress, 356 members, 228 were lawyers and about 17 farmers. Lawyers outvoted farmers fourteen times; and in Senate in proportion, so you see that the farmers are not represented in proportion to population, for they constitute nearly three-fourths of the population.

But the farmers will eventually send their own representatives to Congress, and there will be a very different condition of affairs.

There is a little anecdote in point here that has a bearing upon this question and I will take your time for a few moments to relate it. It shows pretty well how the farmers fare in connection with the lawyer. A painter was asked to paint a law suit and this was his idea of it: two farmers had bought a large Jersey cow, which was represented in the foreground of the picture showing a full supply of milk. There was a farmer on each side of the cow, each one trying to get possession of it.

Each one had employed, as they sometimes do, a lawyer to take his side of the case. One farmer was represented on each side of the cow, one pulling at its horns, the other at its tail, while the two lawyers were represented, one on each side, milking the cow [laughter]. But that was not the whole of it. There was a sequel to the story. After they had gotten all the milk out of the cow, one of them irritated the animal in some way, either by sticking his finger into some tender spot, or hurting it in such a way that it started the cow and she hooked one of the farmers over the fence and kicked the other one backwards into the ditch, and then the lawyers drove the cow around back of the courthouse and sold her to pay the costs. [Laughter.] So they will soon want to sell the whole country to pay the costs, and make slaves of the agricultural people.

Now then, as I said before, Mr. Chairman, the farmers of this country are getting tired of that sort of arrangement. They have submitted long enough to being mulcted for the benefit of other classes. They are determined to take a hand in legislation themselves. But when the farmer inveighs against the established order of things and wants to take a hand in the business himself, he is called a demagogue. "Why, that fellow wants office now," they will say. "You will have to watch him." The subsidized press of the country will take hold of him. The great big bull-dog dailies of the country will bark at him and call him a demoralizer, and say he wants to break up something, and then you will hear it reëchoed all through the country.

The smaller papers will chime in like so many little fice, "That's a fact; that's a fact." And they will drive him off if he is not a man of nerve. But, sir, some of the farmers of this country have come here, and come to stay, and we are going to devil you until you do something for the farmer. The county must not be carried to the court-house steps and sold to pay the cost. This has been the case all along. I want to say that we have come here to ask for the passage of this bill, which we think is favorable to the farmers of this country, and which will hurt nobody except a few gamblers, who, if they had their rights, would be in penitentiaries to-day, or thereabout, as the fellow said.

A great many things have been said about the farmer organizations. Why, these organizations have been opposed to such an extent that anybody would suppose the farmers had no right to organize. They have been accused of incendiary purposes even in forming these organizations, and divers other evils have been attributed to them. They say the farmers can not agree, never have agreed, and never will agree. They will tell you, "They meet together; they hold conventions; they splutter, use bad English—oh, yes! can not use good English—send a great deal of smoke up the spout, pass resolutions, and adjourn, and that is the last of it." The farmer is a very good fellow if he will only stay in the field and patch and let politics alone; but, as before said, be ready every two years with the votes and fried chicken.

That is what has been said. That and similar remarks have been the shibboleth of the attacks upon the farmers through all these times of uncertainty, and doubt, and change, while they have been trying to work to keep life, and property, and home, and family, trying to adjust themselves to the changed condition of things. These remarks have been made about them, and it is a fact that they are living in a changed day. A revolution of warring sections, as you know, has been followed by a revolution of labor industries and individual responsibilities, which has left the farmer, as it were, almost in a new civilization; or, if in the old civilization, with such altered surroundings that he hardly knows whether he is in the old or new. Wandering along through the mazes of this uncertain state, he has but here and there a fingerboard of the past, pointing him in the way in which his fathers once trod, and he has sometimes almost concluded to give up; but, thank God, he is still alive, and you are going to hear from him again. He is traveling on. He has taken medicine in the neck like old Jack and will yet climb the hill of life to prosperity.

I want to say that it may be possible that we have laid ourselves liable to some of these adverse criticisms. In our vain efforts for relief, possibly we have, like drowning men, sometimes caught at straws. Possibly we have set up men of straw and knocked them down. Possibly we have looked for anchorage where the hope was delusive. But when we are being oppressed and robbed and plundered is it not natural that we should make these efforts to try to relieve ourselves? Is it strange that in their distress they may have offered some impracticable schemes or measures? Then whose duty was it to make them practical? Our Representatives in Congress, of course. But they have only derided and laughed at our schemes instead of trying to perfect them.

But I want to say that the farmers of this country have at last opened their eyes. They see you, they are watching you, they are after you, and if you do not mind, they are going to get you. I want to congratulate the farmers of this great country that they are not like a lot of pups that I heard of, that a man gave to his neighbor, an Irishman named Pat, on one occassion. Pat concluded he wanted to hunt some, and his neighbor gave him half a dozen very fine hound pups. Pat was very proud of them and took them along home. But the next morning he went out to feed them and their eyes were shut. They were very young.

Pat did not understand, so he thought his neighbor had given him a lot of blind dogs. He went out the second morning and their eyes were still closed. He was still more irritated, and it went on until the fourth morning, when he was so mad that he

took the poor little pups out and slammed their brains out on a rock. The next day he went along there. He knew they were dead, but he thought he would go and see how they looked. When he got there, lo and behold, there they were, the whole half dozen of them, their legs sticking up like overturned work-benches, their eyes wide open, gazing at the noonday sun.

Pat did not know what to make of it. He looked at them a long time, and finally he soliloquized thus. He said: "You domned little fellows, just to think you had to have your brains knocked out before you would open your eyes!" [Laughter.] So the farmers of this country have been beaten over the head tremendously; but I want to say that they have opened their eyes without having their brains knocked out, but are reasoning about their rights. "He that hath eyes let him see; he that hath ears to hear let him hear, and he that hath a brain let him use it."

Mr. GROSVENOR. Will the gentleman allow me to ask him a question?

Mr. TALBERT of South Carolina. Yes; certainly.

Mr. GROSVENOR. Do you not think the statute of limitations ought to run at some time in the history of the human race against these stories of yours? [Laughter.]

Mr. TALBERT of South Carolina. Mr. Chairman, I want to say to the gentleman that I did not tell him the story to make him laugh. I do not belong to the legal profession, and we do not plead the statute of limitations among farmers; but it is this plea that you make that has gotten this country into such a terrible condition; and one of your pleas is the statute of limitations. You give to the lawyer or manufacturer anything he wants, but when the farmer wants that which is his constitutional right you plead the statute of limitations; and that is the reason why you have got this country into such a fix. You can stretch both your conscience and the Constitution for other classes, but as soon as the farmer asks for something you say it is unconstitutional. [Laughter and applause.] Away with such stuff, my friend; let the farmer have something under the Constitution as well as other classes.

Now, then, I want to say that the education which has been given to the farmer in the Farmers' Alliance and other industrial organizations has opened his eyes. He has been taught to study and investigate for himself; and while, as the saying is, "Fools rush in where angels fear to tread," we propose to come to Congress and discuss these questions, big fools as we are, and the gentleman from Ohio can try to make fun of us if he chooses, but we will not down. We are like Banquo's ghost, "we will not down," but we will continue to fight you. I want to say that this kind of education that the farmers have been getting in the last few years is of a practical kind. They have been meeting in their country schoolhouses once or twice a month to discuss crops, etc., and a little politics. Yes; we have at last gone out of the fields into politics, and are there to stay.

That is a kind of education that is doing more good than all the education given in all the colleges that can be started up in the land. Do not understand me as being opposed to schools and colleges. God grant that we had more of them. But what I mean to say is we have no kind of use for a man who is educated at a college who has no practical sense and does not know how to make a living. That reminds me of the case of a young man who had gone to college and spent a good deal of his father's money and had graduated, but had not learned anything at all of any practical use. He had learned to smoke cigarettes, and had learned to part his hair in the middle, like the gentleman from New York [Mr. QUIGG]. [Laughter.] And to wear a leather belt around his body as a vest, and all that. [Laughter.]

All of these he had learned, but he had not learned any common sense. So one hot July day his father said to him—now, I want to ask the gentleman from Ohio to stop his ears if he does not want to hear this or plead the statute of limitations. About the last of July his father said to him, "Now, Johnnie, come here; your father wants to hear you talk some Latin. Father has spent a heap of money on you, and now I want you to come up here and talk Latin for me." The young fellow came up, and his father had a horse and plow brought out. "Now," says he, "son, I want to hear what that horse is in Latin." The young fellow said, "Horsibus." "Why, your father never would have known what that was! What's that plow?" "Plowibus." "That's very nice. Well, now, son, if you don't take that horsibus and plowibus and go and plow, I will give you hellibus." [Laughter.] So he put him to workibus. [Laughter.]

We do not want that kind of education. We want a practical education, and we want our young men to have just as much college education as they can have in addition. We want to have an education that will open the broad highway from the humblest man's door, to the summit of American citizenship and society, and have agriculture placed on a higher plane; a kind of education that will be the means of redeeming in part a lost civilization and restoring trade into more wholesome and legitimate channels, and by such education as that we want to take out of the hands of these gamblers, and chambers of commerce, and boards of trade the manipulation of the products of the farm by which they are robbing and plundering the farmer of all he has got. That very kind of teaching has caused this bill to be evolved and be introduced here in this House. And just here let me say that we do not want the young men of our country to be raised up to the belief that laurels can be won only at the bar and on the bench, styled by Alison "the charnel house of genius," while along the pathway of distinction is crowded other professions, and high up upon the pillars of the temple of fame are written the names of others, botanists, sociologists, philosophers, agriculturists, and many others too numerous to mention.

This is a bill brought about and recommended by the National Farmers' Alliance and Industrial Union, of which I am glad to be able to say I am a member. In my district, when I was on the stump, I was an Alliance man. I am an Alliance man on the floor of this House, and no blush of shame comes to me by reason of that fact; and I stand here and advocate the demands of that association. They are pure Democratic doctrines, and in them I believe; and the only thing I think that will make this country prosperous is to legislate in accordance with the demands made by the Farmers' Alliance. And let me say in passing that there is no necessity for going out of the Democratic party to obtain these demands if that party will only be wise enough to grant them to the now distressed and poverty stricken people.

Now, then, that is brought in in this bill. Let us examine the bill a little and see what it does. I am for this bill, first, because I am opposed to gambling on general principles, and especially because I believe it will be of benefit to the farmer. And here let me say that I would have preferred a bill utterly prohibiting the gambling in futures but support this one, because it is a move in the right direction and will eventually lead up to that condition. Now, then, it is said that it does not affect the price of goods and products either one way or the other. That is a singular opinion and idea for a man to take here, when millions upon the top of millions have been made both by raising and lowering the price of produce working heavily both upon the producer and consumer. The banks are hand in glove with these fellows, and when the harvest is ready they withhold the money and say to the speculator, "Go out and buy the farmer's produce," and the price goes down at once, and when it is bought up the banks turn over the money, and then the price goes up and then the consumer pays higher prices after it leaves the hands of the producer. The bulls and bears are the same. For instance, they work together. When they want the market to go down the bulls turn to bears and bear down together, and when they want the market to go up the bears turn to bulls and bull up the market, and *vice versa*.

Now, say there are seven or eight million bales of cotton made every year in the United States, there are seven or eight million bales to be put upon the market to fix the price of cotton, but you go to the exchange in New York and you see that there have been 50,000,000 bales sold. Now, is it not evident that that selling of fictitious cotton must establish a fictitious price for the real cotton? And it is the same with wheat. I do not know exactly how much wheat we raise in this country.

Mr. BOEN. In 1891 we raised 560,000,000 bushels, but the average for some years has been about 450,000,000.

Mr. TALBERT of South Carolina. Well, you go to the exchanges and you find that ten times as much wheat is sold as has any actual existence, and certainly that must affect the price of wheat. As a matter of course it must affect the price.

Now you have had enough of statistics to show a steady decline in prices of produce, but I will give an illustration here: Farmer A in 1866, borrowed $1,000 of banker B, agreeing to pay 10 per cent interest. This is $100 a year. To get this $100 at that time, farmer A had either to sell 50 bushels wheat, 165 bushels oats, 125 bushels corn, 230 pounds butter, 650 pounds pork, or 170 pounds wool. In 1890 the loan is renewed at 7 per cent interest, only $70 annually. To get this, farmer A sells either 120 bushels wheat, 400 bushels oats, 350 bushels corn, 520 pounds butter, 1,400 pounds pork, or 280 pounds wool.

Now, let every farmer make a careful study of this example. A perfect solution of it will disclose the difficulty with which the people are struggling. It is a fair statement of the power of money to oppress. Farming feeds the entire population, doing the work while the other fellow gets the pay.

To control labor in order to absorb its earnings is the problem constantly before the mind of these gambling strategists. The same problem was the one from which the centralized power of Asia grew, and later on the feudal system of other nations. Let us guard against that evil now by passing this bill.

Now, let us examine the bill which does not in the least hinder the free operation of legitimate speculation but only lays an embargo upon dealing in options and futures.

The first section of this bill defines options. The bill defines "options" and "futures." There are only five or six provisions in this bill that need to be examined, and it has never been proven here by anybody who is opposed to it that the bill interferes in a single instance with the legitimate operations of these boards of trade or chambers of commerce. It only affects persons who want to gamble, and one reason why I will vote for it is that it will prohibit and prevent that practice and bring trade back to legitimate channels.

The fifth section provides that all contracts shall be in writing.

Section 6 provides that $12 shall be paid as a license for such contract.

And section 7 provides that a stamp shall be put on each contract.

These are simple and plain provisions, and must be done in a businesslike manner, and no one can object to this.

During the discussion in the Fifty-second Congress it was frequently argued that if this antioption bill was passed cotton and wheat and all other agricultural products would go down immeasurably. Well, the bill was defeated, and cotton and wheat and everything went down, thus indicating that if the bill had passed the opposite result would probably have taken place.

Now, I do not say that the passage of this antioption bill is a panacea for the evils of the farmer. It is not. But it is a move in the right direction and it will help the farmers, and it is the only measure that the farmer has asked for since this Congress met, except such legislation as has been asked for by the whole people. Now, let us examine the report of the committee a little. The committee say the objects sought by the proposed legislation are:

First. To obtain revenue.

Well, is there anything wrong in that? Do we not need revenue? Every bill that has been introduced here for the purpose of reducing expenses or raising revenue has been killed off. The bill to coin the seigniorage was passed by Congress and was vetoed by the President. The tariff bill with the income-tax provision is hanging up in the Senate and no one can say when it may pass. What harm is there, then, in having a bill here which will bring us in a little revenue? The committee say further that other objects of the bill are:

Second. To relieve the producer of the destructive competition to which he is now subjected by the offering, upon exchanges, of illimitable quantities of fiat or fictitious products by those who do not intend to and can not terminate the contract by actual delivery of the articles which they pretend to offer and sell.

Third. To restore to the law of supply and demand that free action which has been destroyed by the practice of "short selling," which practice has, of recent years, become the one mode of determining the price of such agricultural staples as can be graded, while the ordinary methods of commerce are found to suffice for those which can not.

Fourth. That market quotations, now made by the limitless offers of fiat products by the "short seller," regardless of the volume of actual products in existence, may again be determined by the offerings of real products by the owners thereof, or by those who have acquired from such owner the right to the future possession of the articles offered, or can terminate their contracts by actual delivery, and thereby limit to the amount actually existent, the offerings of the staple products of the farm.

Fifth. To prevent the overloading of domestic markets and the breaking down of prices of farm products by "short sales" made by foreign merchants, for the purpose of insuring them against possible loss on purchases of Indian, Egyptian, South American, Australian, and Russian produce, whereby the American farmer and planter are made underwriters of commercial risks of the European, by whom no bonus or premium is paid for assuming insurance risks that destroy the value of our products.

Sixth. That by restoring the functions of the law of supply and demand, now inoperative by reason of the limitless offers of the "short seller," a measure of relief will be given and prosperity partially restored to the great class constituting more than 40 per cent of our population who inhabit the farms, and whose declining prosperity, your committee believe, is due in no inconsiderable degree to the practice of "short selling, whereby the prices of the products of the farm have been determined and fixed, during recent years, at an unremunerative level.

Seventh. To restore to the producer an honest market and such prices as will follow the unfettered operation of the law of supply and demand, which the committee believe will be sufficiently remunerative to restore in part the power of the farmer and planter to purchase the product of forge, factory, and mill, and thus bring prosperity to the artisan, manufacturer, distributer, and transporter.

Well, ought not that to be done? Do we not need to return to the condition where supply and demand control the price? Every man is willing that the legitimate demand for his goods shall fix the price, and the consumer is always willing to pay the price that is fixed in that way. So, as the report goes on to show, this is a just and equitable measure, which will hurt nobody except a few gambling sharks who ought to have been hung or put in the penitentiary long ago.

Now, I want to ask a few questions of gentlemen who are opposed to this bill. Are the transactions in "futures" on the boards of trade legal or illegal? I trust that some of these gentlemen who do not like anecdotes will answer me, but I know that the gentleman from Ohio [Mr. GROSVENOR] will say that it is legal, because he will say that anything is legal that suits his side of the case, and the lawyers always follow the money. [Laughter.]

Mr. GROSVENOR. In the first place, I answer the gentleman that the sort of contract he refers to is illegal now at common law; and, in the second place, I inform him that I am in favor of the passage of this bill and shall vote for it. [Laughter.]

Mr. TALBERT of South Carolina. Well, I am glad to hear that. When were you converted? The Scriptures says: "While the lamp holds out to burn the vilest sinner may return;" even one so vile as the gentleman from Ohio. I accept him as a convert and will baptize him to-morrow. [Laughter.]

Mr. Chairman, the next question is, can the losses inflicted by this gambling be recovered in any court of justice? If not, why not stop them by law? Let us be honest and fair, and try to enforce honesty in all business transactions. Now, what governs the selling price of farm products, the actual value of the article or the price fixed by future sales? Everybody knows that when he goes to sell his cotton the price is not governed by spot cash, but that the parties want to wait and find out what "futures" are selling for; so that the price is really controlled by the price of futures. Should this be the case, it is a plain question of common horse sense that the price of futures does control.

Now, is not that wrong; is not that robbery? I think it is.

Is it not a fact that the stronger always destroys the weaker? Have you ever heard of a farmer who was profited by any of these transactions either way? I never did except in one instance where a neighbor of mine bought a few futures and made $500 on them, and the result so turned his head that he went in and bought another lot and lost heavily, and was injured at last. But as he turned to gambling himself, I do not know that he deserved much pity in the case.

Who manipulates the cotton and the grain markets of the world? Answer that question. It is not the men who grow the products. It is the men who have never raised a bushel of grain; who have never "struck a lick" of work in their lives. These men control the prices, gambling upon the sweat and life-blood of the people who produce that which feeds and clothes the world. I say this is not right. In some instances these are men who can not even speak a word of our language. These prices are established by foreigners who can not speak our language, much less join our party and come in and vote for an honest measure, as my distinguished friend has honestly acknowledged he is going to do in voting for this bill. The man who neither produces or owns a bushel of wheat or a pound of cotton says what the farmer and owner shall get for his produce.

No one will deny that millions on millions of dollars are made in this way, upon the turn of a single trade. These parties who control brokers' offices and bucket shops and grain pits are many of them millionaires. How did they get their money? Whom did they get it out of if not out of the men who made the produce? That is a simple common-sense question. I stand here to say fearlessly that I do not believe any man in the United States is to-day in possession of his hundreds of millions of property honestly. I do not believe that such a man has an honest title. His wealth was not gotten honestly. I do not believe millions are made by honest transactions; you need not tell me the contrary.

Then let us break up this business; let us stop this system by which under our Government and laws we are making millionaires and tramps—making the gulf between Dives and Lazarus wider and wider, instead of giving every man, black, white, or red, an equal show in life. Let us stop this thing of putting the whole burden upon the farmer; let us give him a little protection. Let us protect everybody or protect nobody. Let our rule be, equal rights to all and special privileges to none. [Applause.]

Mr. Chairman, I have no prepared speech; I do not believe in reading compositions here as if this were a Sunday school. I might say a good deal more on this question, but I have a friend to whom I have agreed to yield a part of my time. Let me say only a word in conclusion. [Cries of "Go on!" "Go on!"]

Mr. TALBERT of South Carolina. I do not want to consume any more time. There is no partisanship in this measure. It is about the only measure coming before this body that my friend from Ohio [Mr. GROSVENOR], lately converted, can not jump up and make a partisan speech upon to send to his district to get votes with. Let us come together as one man, looking only to the condition of this great, grand, glorious, rich country of ours.

As my friend from Chicago has truly said, it is a rich country, but who has the wealth? It is in the hands of a few, and the history of all nations teaches that when the wealth of a nation is concentrated in the hands of a few that nation is doomed. We have a great and rich country, and I am proud of it; but beneath all this grandeur and greatness is the canker of

a disturbed and oppressed people. Let us now come together and give to those men who are the "mudsills" of all our prosperity one little measure of assistance. This is the one little thing they have asked here.

Let us join hands from the North and the South and the East and the West; let us turn our backs upon the past, and let us hope that when Father Time grows weary of his work of demolition and sits down and looks out upon the wrecks and ruins of nations and governments, he may see rising out of the débris the great temple of American liberty, built by the farmers of this country, having inscribed on its portals, "Justice and equality to every man, red, white, and black." [Loud applause.]

Mr. Chairman, I yield the residue of my time to my friend from Michigan [Mr. RICHARDSON].

The CHAIRMAN. The gentleman from South Carolina [Mr. TALBERT] has seventeen minutes remaining.

Mr. RICHARDSON of Michigan. I supposed that I should be entitled to the floor in my own right just after the gentleman from South Carolina had concluded; but perhaps I may be able to compress my remarks into these seventeen minutes.

The CHAIRMAN. The Chair will say to the gentleman that if he proceeds now, he must confine himself to the seventeen minutes.

Mr. CLARK of Missouri (to Mr. RICHARDSON of Michigan). Why not reserve your time?

Mr. RICHARDSON of Michigan. It is strange to me that I am limited in this way, when I thought I had a clear understanding that I was to have time in my own right.

Several MEMBERS. Reserve your time.

Mr. RICHARDSON of Michigan. I think I will address the committee at this time. I have had so much trouble heretofore in getting time that I think it best to take it when I can have it. [Laughter.]

The CHAIRMAN. The gentleman will proceed.

Mr. RICHARDSON of Michigan. Mr. Chairman, I desire to say a few words in support of the pending bill, and I hope they will prove as applicable to this as any other. I shall not argue the constitutional question involved; that may be disposed of by the courts, inasmuch as the lawyers disagree. Where there is any doubt, I would give the benefit of the doubt to the people, who have for years demanded legislation of this character.

I believe the bill has a very good purpose, and I think the effect will be beneficial to our agricultural, commercial, business, financial, and moral interests. As I understand it, the bill proposes a tax for the purpose of regulating certain transactions which are considered damaging to legitimate business; that make unstable our markets, being wholly of a speculative character and in the nature of gambling.

Such transactions make prices fluctuate too much for either the interest of the farmer or the miller, who is in fact the farmer's real customer. The miller buys the bulk of the wheat and is interested in an even market, for he has always on hand flour which must represent the price of the wheat purchased of the farmer, plus the cost of labor, with other expenses, and the miller's margin of profit for handling. All consumers and dealers are interested in an even market.

All dealers in flour are interested in and anxious to have steady prices. Farmers are also interested in steady prices; but few are ready to take advantage of a sudden rise in the market, which as suddenly falls again.

The dealers in puts, calls, spreads, and straddles, and the brokers on the boards of trade who secure a commission out of every transaction, are directly interested in a market that is afflicted with chills and fevers produced by bulls and bears, with all sorts of rumors of droughts and floods, short crops and good crops, railroad strikes, elevator rows, etc. They care nothing for the value of wheat or the success of those who produce it, for their profits depend entirely upon the margins and movements in the market temperature. The more frequent the fluctuations the more numerous the commissions; the more extreme the fluctuations the greater the margin of profits.

As I look at it, such speculation is a disadvantage to all legitimate business dealers in everything dealt in on exchange simply on margins. What is true of wheat is true of corn, oats, cotton, pork, and lard.

I will have the Clerk read a clipping from the Chicago Herald to show what conditions exist, and upon what pretexts and rumors these dealers in options and futures rely for a basis and cause of fluctuations in the market price of the daily necessities of the whole people.

The Clerk read as follows:

FIELD OF COMMERCE—WHEAT TRADE SEE BEAR REASONS—THE BREAKING OF THE DROUGHT, THE ELEVATOR ROW, THE NEW HARVEST AND ABSENCE OF CASH BUSINESS DEPRESSING WHEAT—CORN SHIPPERS BULLISH.

Wheat has lost half its recent advance and shows no strength at the decline. The relief from the drought has had the usual effect—caused the dry weather to be almost forgotten. The uncertainty as to the elevator situation has driven out longs and kept away buyers. There is actually nothing in the row to depress prices if outsiders and local traders would but consider the matter from a logical standpoint. The status of the wheat would not be affected for speculative purposes until January 1, even if all the brave threats now indulged in were carried out.

The only possible effect would be, by shutting out new arrivals, to lessen and not increase the amount of grain deliverable on contract. There is nothing in that to add to the depression of the price. As to a fear that the elevator people will deliver out a great lot of winter wheat, it is only necessary to remember that the whole present row grows out of a claim on the part of the elevator people that they can not under any restrictions keep their warehouses full. With their anxiety on that score it is not at all likely they will deliver out any wheat which they are not sure of getting back. The talk of deliveries of "skinned" grades on July 1 is also unnecessary.

The irritation is enough now to make the warehousemen particularly anxious not to give any real reasons for bad blood toward them. But the speculator always takes the sentimental view of things, and so, although there is nothing which could grow out of the elevator row, unless rascality is assumed, that would unfavorably affect prices, outside bulls are keeping away because of it and local bulls are waiting for the full effect of this timidity to be felt.

The local speculative situation, fully as much as the break in the drought or as the fear of the result of the elevator war, is bearish. The July liquidation is beginning and there is in existence to meet and offset it less than the usual short interest. The market is especially missing the usual Pardridge line. This would be the time, if he were interested, for him to be taking in July shorts and to be reselling for September. But Pardridge was driven out a fortnight ago and some say has even turned bull. Certain of his party surely have. There are the short sales of the elevator people to be covered, and the short sales of the cash holders generally over the country, the exporters, the shippers, and the millers. Most of these evidently want a very wide difference. Even the 2¾ cents "spread" of Saturday, which is almost extortionate, did not start but a few of them to "changing."

The failure to market any of the Chicago stock of wheat on this advance has had its effect. The trade now is making much of the fact that there is just as large a supply here as there was a month ago, with the new crop already arriving at St. Louis and Baltimore. It yet remains to be seen whether the premium here over the other winter wheat markets will attract more than the usual proportion of new grain. It will not take more than small new receipts and small local increases to cause everybody to forget about the damaged crop and the possible scarcity ahead. The one bullish feature about the wheat situation at the moment is the improvement abroad. The Argentine liquidations of bankrupt wheat is apparently over. Liverpool has not reacted much with the break here. The continental markets have been strong independently of America on wet weather at home. It looks as if this present weakness on this side and strength abroad might reëstablish after awhile a parity.

CORN SHIPPERS BULLISH.

Corn shippers are pretty nearly all of them bulls now, expecting that the remnant of the last crop will get scarcer until the new crop is made. Prospects of the growing corn are almost perfect, but the cash demand for the old has improved and the supply has kept decreasing for a month and a half until it is now small. The cheaper grades have been used up especially close, there being left at Chicago practically nothing but the contract grade. Supplies are made uncertain by the lack of the usual cribbed stock, leaving it all with the farmers whether enough corn comes along to supply demands at present prices. The shippers' theory is that the farmers will be influenced by the high price of oats and be led to hold corn for higher prices toward the end of the crop year.

The settlement of the coal strike has had the expected result—advanced provisions. June hog receipts are always relatively heavy, just as December's always are. The pit theory is that the important manufacturers have turned bulls.

The following shows the range for the week of the principal articles on the Board of Trade.

Articles.	High.	Low.	Closing.	
			June 16, 1894.	June 17, 1893.
Wheat:				
June	$0.60½	$0.56½	$0.56½	$0.65
July	.61⅛	.57½	.57⅝	.68¾
September	.63½	.59¼	.60	.71
December	.66⅜	.62⅜	.62½	.75½
Corn:				
June	.41⅞	.39	.40½	.40½
July	.42½	.39½	.40¾	.41⅝
September	.42½	.40	.40¾	.42½
Oats:				
June	.44½	.39½	.44	.30½
July	.39½	.38½	.39½	.29½
August	.32	.29	.31	
September	.31	.27¾	.30	.26½
Pork:				
June	12.65	12.05	12.45	20.07½
July	12.65	12.05	12.45	20.05
September	12.62½	12.10	12.52½	20.75
Lard:				
June	6.80	6.57½	6.70	9.95
July	6.82½	6.60	6.72½	10.95
September	6.95	6.72½	6.85	10.60
Short ribs:				
June	6.50	6.17½	6.40	9.40
July	6.52½	6.20	6.42½	9.40
September	6.52½	6.17½	6.41½	9.70

Mr. RICHARDSON of Michigan. I believe to regulate or prohibit such transactions, while it might interfere with the personal liberty of the individual, can be justified because of benefits to business and society.

I am of the opinion that such trade should be taxed and regulated, if not prohibited altogether. The written agreement required to be made of each sale to be stamped under the provisions of this bill will be the means of ascertaining the extent of the transactions of this character, and will doubtless lead to good results.

Let us analyze a couple of transactions, one actual and one option. Mr. Chairman, suppose you have $30,000 in the bank. It is to your interest and a matter of considerable concern to know how you can best employ it. You study the world's product and supply of wheat and the present market, which is at about 50 cents, and convince yourself that you can do well to buy wheat for a rise. You purchase 60,000 bushels of wheat and store it in the elevator. The farmers who brought in your wheat now have the money and you have the wheat. The transaction has been actual and you have made a market for 60,000 bushels. The wheat and the cash have changed hands.

In thirty days wheat advances 5 cents. You close out the wheat at an advance of $3,000, out of which you pay for warehouse and other expenses perhaps $1,500. You then have a net profit of $1,500, or 5 per cent for the use of your capital thirty days.

Now, Mr. Chairman, suppose you have studied the operations of the produce exchange in Chicago, St. Louis, or some other great city. Brokers have kept their daily price list before you, and have advised you to buy an option on wheat instead of buying the actual wheat. You are quoted a thirty-day call contract at 3 cents a bushel, which you take. Your $30,000 buys an option on 1,000,000 bushels. The price goes up 5 cents a bushel, and you close the contract at a profit of 2 cents a bushel, which nets you $20,000, or 66⅔ per cent on the investment, less the commission paid to your broker.

You have not created a market for one bushel of wheat. You have not transferred one dollar from the bank to the farmer's pocket. No warehouse has received a cent for storage, and no person has received a cent for honest labor. You have made as much net cash as you ought to get for ten years' use of your capital. Your capital has now increased to $50,000, and you keep it in the bank awaiting another opportunity. You will not use it to buy the farmer's wheat and hold it for a rise, although the price is low, and the farmer needs the money. You will not loan the money on a first-class mortgage to save a present foreclosure. The bank is liable to pay your deposit on call, and will not use more than 75 per cent of it, and that on strictly commercial paper. So the speculation on the farmer's product has made a large profit for you without your touching it, or even making a market or creating a demand for a single bushel of his wheat.

Now, Mr. Chairman, large sums of money are diverted from legitimate business and kept in banks for such speculation in wheat, corn, oates, cotton, pork, lard, etc. The wheat, oats, and cotton, figuratively speaking, are bought and sold while growing in the field. Mess pork, lard, and bacon are in the same way bought and sold while the lean hogs are squealing in the pastures waiting for the corn to mature upon which they are to fatten.

Can anyone doubt that such a speculative practice is injurious to legitimate business? Can anyone doubt that the uncertainty of the markets are increased by such methods? Is it not probable if capital is denied opportunities for such employment that it would practically be forced into other and legitimate employment? Surely to tax its employment would increase the revenue and furnish data from which could be determined the amount of capital thus employed, and the extent of the transactions so carried on.

If the tax operates to prohibit such business, then the capital employed in other and legitimate pursuits would be reënforced.

Far too much of the capital of the country is engaged in speculating in produce and stock margins in our markets. It has a fascination that lures many a man to his ruin, and there is scarcely a community in the country that has not felt its blighting curse. Judges, lawyers, bankers, professors of science, and church leaders have become criminals and been driven from home, society, and their country by the not unusual results of speculating in options and futures.

I believe legislation that will regulate or prohibit such business is prudent and will be well received by the great mass of our people. [Applause.]

[During the delivery of the foregoing remarks the hammer fell.]

Mr. WARNER. I ask that the gentleman from Michigan may have such additional time as he may desire.

Mr. RICHARDSON of Michigan. I shall only want about five minutes.

Mr. HATCH. I hope the time of the gentleman will be extended for ten minutes.

Mr. RICHARDSON of Michigan. I do not desire that much time. I will conclude in five minutes.

The CHAIRMAN. Without objection the gentleman will proceed.

There was no objection.

Mr. RICHARDSON of Michigan then resumed and concluded his remarks as above.

Mr. HARTER. Mr. Chairman, a very little while ago I noticed that the chairman of the Committee on Agriculture was out of his place in the House, and it was my expectation to speak from his seat and take charge of the bill for him during his absence [laughter], which will account for my delay in selecting a place to address the House from.

This measure is one which ought to give a Democrat that "tired feeling" which you read about in those books that provide remedies free of charge for bald heads and all the other ailments of life. [Laughter.] If this new exhibition of Democracy is accepted by the Democratic party on the floor of this House, the bridge which separates us from our friends on the other side, who believe in special and class legislation, will have been constructed.

This is a measure which must turn the Populists green with envy when they read it. Where in the writings of Mrs. Lease, for instance, or in the orations of Senator PEFFER, can anything comparable with this as a Populist measure be produced? I am really glad that our good friend Watson is out of the House; for if he were here, and discovered that another man was capable of so far outreaching him in his peculiar lines of legislation as this bill indicates, the result would doubtless be fatal, not to the author of this bill, but I think to Mr. Watson himself, although perhaps such an ending for Mr. Watson would be quite satisfactory to some of our brethren from Georgia this fall. [Laughter.]

But, gentlemen, to the people outside of this House, to the patient and suffering people of the United States, the discussion seriously of legislation like this and this proposal by some members of the Democratic party for increasing the price of food, for enlarging the cost of clothing—I say when the people outside of this House observe this, and also reflect that the gentlemen on the Republican side are constantly engaged in schemes for increasing the price of everything else, it will not be strange if the plain people throughout the length and breadth of the country cry out, "A plague upon both your houses!"

Now, what does this bill propose to do, sir? You might fairly divide its intent under three heads. One proposes to raise revenue; under the next head it proposes to increase the price of all agricultural products, and under the third it is proposed to reform men and wash their lives white, not with soap and water, but by an act of Congress! This is the threefold scope of the bill, and for genuine madness and utter recklessness of the proprieties of legislation it has no parallel in any scheme which has ever been presented here, unless it be in the vagaries of a young, excellent, and eloquent friend of mine, who spoke so earnestly in this House last night (Mr. BRYAN of Nebraska), proposing, as a Democratic measure to the people of the United States, that this Government shall go into the business of issuing from seventy to one hundred millions of legal-tender shinplasters in order that the United States may enter into a partnership with a lot of speculators who are thinking of digging a big ditch across the Isthmus of Nicaragua! I say that I do not know of any legislation at all comparable with this, excepting perhaps the so-called Democratic Senate tariff bill.

This may be called a Missouri bill. Missouri has the richest soil, it produces in many respects the very best of men, large in stature, great in ability, and all such things—it is indeed an incomparable State. Observe the peculiar kind of legislation which seems to be natural to the soil of Missouri. [Laughter.] For instance, let us take the three kinds of legislation that have become popular in this House—in this Populist House, I suppose it would be called, for our Populist friends say it will be Populist next time.

Mr. DAVIS. Yes; they are all coming over to us.

Mr. HARTER. My friend says they are all coming over. Yes; I begin to fear that, when I see my good friend, GROSVENOR, making his way in that direction so rapidly. But I must say that I feel the reception he has been given by the Populists is a very ungracious and undeserving one, if I understand my distinguished friend from South Carolina——

Mr. TALBERT of South Carolina. I rise to a point of order.

Mr. HARTER. I can not yield to my friend now.

Mr. TALBERT of South Carolina. I want to correct my friend. He quotes me as a Populist. I want to tell him that I am an Alliance Democrat.

Mr. HARTER. I accept the gentleman's correction. I want to say that I judged him to be a Populist by the sentiments he has just been expressing here. I must have misunderstood the tenor of his remarks. But I want to say, when he welcomes Gen. GROSVENOR as the vilest man, it is a mistake. There have been other men in Ohio who are still worse than Gen. GROSVENOR. [Laughter.] Gen. GROSVENOR had the bad grace to say that I was one of them.

Mr. GROSVENOR. If my colleague will allow me to interrupt him, I am very much obliged to him for the statement, and

I am satisfied that he testifies from the very fullest knowledge on the subject. [Laughter.]

Mr. HARTER. Since the gentleman has shown a proper appreciation for my services to him, which some gentlemen for whom I have secured offices have not, I wish to say that I think the gentleman is one of the best men in Ohio. [Laughter.] But I was speaking of Missouri and her climate and soil. There is something singular about what comes of Democratic seed, if planted in the clay of Missouri. For instance, we, as Democrats, used to believe in honest money, and we were opposed to legal-tender shinplasters of every description, and opposed to dishonest financial methods of every kind; but we discover that even a legal-tender shinplaster worth 99 or 99¾ cents on the dollar is not considered the proper caper in Missouri, for what Missouri desires above all things is that her people may raise the best kind of wheat, and grow the very best kind of pork, and then take the worst kind of money in payment for it. That is one of the idiosyncrasies of Missouri. They call it Democracy by courtesy.

Some of the Democrats of Missouri have views, yes, convictions, on the labor question. A distinguished Democrat from Missouri came very near laying me out at the last election. The Republican people in our State took ordinary precautions to do that in advance, but, not satisfied with this, my friend from Missouri brought in a bill, as you will remember, which prevented any laboring man in the United States from working more than eight hours on public works, even if he had eighteen children. The injustice of such a measure was, as a Democrat, very clear to me, and I voted against it, but I regret to say was lonesome, for only three other Democrats in the Northern States voted against this rubbish. The result was that when I went out into my Congressional district in Ohio I found that nearly every labor agitator had it in for Harter, so to speak. This is another of the idiosyncrasies and pleasing Democratic (?) freaks of Missouri. And, by the way, we will soon have this labor question settled, for I have arranged with the gentleman from Missouri [Mr. O'NEILL] that before the session closes there shall be brought in a bill which everybody will feel constrained to vote for, and which will finally put to rest the entire labor question.

The gentleman from Missouri [Mr. O'NEILL] is not present, but he has consented to bring in the bill by request. It provides that hereafter in the United States it shall be illegal for anybody whomsoever, millionaire or otherwise, to work at all between meals. [Laughter.]

Now, I say these are only a brace of the cheerful and pleasing political ideas that come from Missouri. But to-day we have another. Here is a proposition to raise revenue, to start with. We have an able Committee on Agriculture, but I discover that this committee were so pressed for time as to be utterly unable to find out how much revenue this bill would produce. You know it is a great merit to produe revenue when we are out of revenue. It is a great service to the country to pour money, by this antioption bill, into the Treasury at a time when we need it so badly. So I thought I would see how effective the bill was going to be.

I have discovered that in the event of this bill becoming a law, and putting a stop to all gambling operations, about which our undemocratic brethren are so much worried, it would probably produce, judging by the report of the committee, an annual revenue of $9,733.34. I take this report to be gospel, because the chaplain from Pennsylvania, who was addressing the camp meeting here yesterday afternoon, certified to it. [Laughter.] It must therefore be gospel, at any rate with the Populists; and inasmuch as it states that one-tenth of these products are sold upon the exchanges, applying the rate of taxation which the sapient members of this committee have put into the bill, I discover that the total income resulting from this tax will be $9,733.34 in years when the crops are large, and of course less when they are small.

This is a large sum to pour into the Treasury of the United States every year, is it not? But in order to get this into the Treasury, I discover, by application to the Internal-Revenue Department, that it would cost less than $100,000. Putting it down at $90,000, for every dollar of revenue received into the Treasury of the United States via this bill the cost would be, say, $9. This does not, of course, include the expense of a multitude of costly law suits the Government would be obliged to carry on.

Mr. PENCE. Will the gentleman permit a question?

Mr. HARTER. I can not to-day.

Mr. PENCE. I never asked you one before. I asked you one one time, and you did not get time to answer it.

Mr. HARTER. That is true. Better luck to you this time.

Mr. PENCE. I understand you to base your statement as to the cost of collection on information received from the Internal Revenue Bureau.

Mr. HARTER. That is, as to the expense of collecting.

Mr. PENCE. I think the House would like to have that made clear, because I submit that as I understand from the chairman of the committee and the gentleman from Pennsylvania [Mr. SIBLEY] the appointment of an additional officer to execute this law would not be necessary.

Mr. HARTER. The gentleman from Pennsylvania [Mr. SIBLEY] is apparently, if his quotations at the Populist seance yesterday decide, a much better authority on the Bible than he is on this subject; so you can count him out. [Laughter.]

Mr. PENCE. I know, if your statement is correct, and if this estimate is made by the Department, the House will be glad to have a few facts about it.

Mr. HARTER. I will give them, but I would rather not be interrupted, inasmuch as I have scarcely got started into the discussion of this tremendous Missouri measure. I have treated this bill with no great degree of seriousness, because it has not occurred to me that it was a bill that required that kind of treatment. When you have a tragedy on hand you carry a long and solemn face, but if it is a farce, like this antioption bill, you feel like enjoying yourself and taking your family along with you. [Laughter]. But as the information is asked I will read:

TREASURY DEPARTMENT, *June 19, 1894.*

HON. MICHAEL D. HARTER:

Impossible to estimate on short notice the increase in the annual expenses if this office has to execute the antioption bill in all parts of the United States. Expense not believed to be great, probably less than $100,000.

G. W. WILSON,
Acting Commissioner.

Therefore I estimate it at $90,000.

Mr. PENCE. Why not a dollar and a half?

Mr. HARTER. Say, then, the cost of the execution of this exceedingly meddlesome bill will be $1.50. You see I am very obliging to you Populists. The receipts over and above the expenses under the Populist view of this case, then, would be $9,731.84, about enough money to keep a Democratic Congress in toilet soap for a session.

But to come to another phase of this matter. I am not going to talk much, if at all, about the constitutionality of this bill, after the gentleman from Georgia [Mr. BLACK] has spoken on that subject in connection with the bank-tax measure; but I recommend to you, my good friends from the South, a thorough digestion of Mr. BLACK'S constitutional argument, for it applies perfectly to this case. Every syllable, word, and line applies to the bill now under discussion.

But who will pay these taxes, if they are paid? It is the unfortunate farmer. The unfortunate farmer will pay the tax under this bill, and he alone.

Mr. TALBERT of South Carolina. That is about all the use you have for him.

Mr. HARTER. Remember, I am not supporting this new plan for robbing the farmer. It is true it is only going to raise a small amount; but why select the farmer for more taxation? Our Republican friends have had him under the harrow for the last thirty years. Why should you Populists and Democratic Populists, and why should the Democratic-Prohibition-Populist candidate for governor in my adopted State come in here and make such a proposition in the name of the farmer, when the farmer is at the plow and none of them know what injury he is proposing to do them here? I am afraid if this bill passes and the effect of it is seen on prices on the produce exchanges between this and the election, there will be no chance for my reverend friend, no matter how many parties may nominate him for governor this fall. But now as to prices; as I think I have exploded the idea of revenue, for the bill, if passed, will simply help to increase the Treasury deficit.

Now, as to prices. My excellent and able and dangerously eloquent friend from Nebraska [Mr. BRYAN] stated that the effect of dealing in options, etc., was to reduce the price of the article so dealt in. Now, sir, any page upon the floor of this House would say at once, "If this is true, Mr. BRYAN, then the markets in which option trading is carried on extensively would be the lowest priced, otherwise you are mistaken." The fact is, gentlemen, that the markets of the United States in which option trading prevails are the high-priced markets of the United States of America and of the world; and when you think over the matter you can see that it could not be otherwise. What makes prices? Demand. What helps and greatly enlarges actual demand? Trading.

Now, the short seller comes in the House of Representatives of the United States for a great deal of blame. I admire the short seller. I sympathize with the short seller. I think the poor devil deserves sympathy. It is he who is always in the most dangerous position. He is like the man in a forlorn hope in time of battle. He can not often hope to be a winner. In the first place he develops a new demand for the grain he sells, and that puts up the price of it. Why? Because in the first place he can not sell unless there is a buyer, and by his own short selling he makes himself

a positive and anxious buyer; later on he must be a buyer no matter whether he wishes or not. In every time of disaster, in the hour of panic, in the midst of bank disturbances, who is it, I ask you, who maintains the prices of stocks, the price of cotton, the price of wheat, and of corn? It is the short seller, and the short seller alone.

When everybody else is panic stricken; when nobody else is able to buy; when those who have already bought are disturbed, or perhaps bankrupt, in their efforts to carry what they have bought, there is nobody to go in and stand under that market for the farmer and the planter except the short seller. We ought to sing praises to the short seller. If there is any man who deserves the thanks and the blessings of the planters and the farmers it is the man who has the courage to go on the exchange and sell their products "short." Do you know, you planters of the South, do you know that there are to-day between three and four million bales of surplus cotton in the world for which there is no market?

Mr. TALBERT of South Carolina. There is no money to buy it with.

Mr. HARTER. Destroy these exchanges and where would this cotton go now? In this country to-day we have about a hundred million bushels of wheat and a big crop coming on, and no market for the wheat in sight, and yet, as a result of buying and selling futures and options on the exchanges, wheat to-day is 3 or 4 cents above the parity of the world's value. I am going to quote from my very able and eloquent and ingenious friend the gentleman from Missouri [Mr. HATCH] as to what it is that makes markets. In his speech in May, 1892, upon the tariff he made the remarks I am about to quote, and when he stands upon ground that he is familiar with he preaches a political gospel which any man may properly use as a text, but he is a little off his beat when he gets into any commercial question of this kind. [Laughter.] I ask the Clerk to read the passage of the speech of the gentleman from Missouri which I have marked.

The Clerk read as follows:

But the wheat-growers can not be protected; it is a commercial impossibility. We raise a surplus and ship to the consuming countries of the world and we have to sell that surplus against the lowest-priced labor on earth and in the open markets of the world. The wheat-grower must compete with all the pauper labor, and the lowest pauper labor on earth, and he must sell the surplus that fixes the price on his entire crop in competition with that labor.

Mr. HARTER. There, sir, with his own lance he transfixes himself. [Laughter.]

Mr. REED. Pull it out and go ahead. [Laughter.]

Mr. HARTER. I will devote a little attention to you after awhile, if I find I can spare the time. [Laughter.]

Mr. REED. I thought you would probably slop over somewhere. [Laughter.]

Mr. HARTER. That settles the point, and ought to settle it in the minds of most people. The price of what the farmer produces is fixed by the surplus, and the price of the surplus is fixed in the market where the surplus is sold. Now, gentlemen, you will have to face your farmer friends on this question. Many of you are afraid to vote against this bill, thinking that they want you to vote for it; but you will have to face them by and by, and face them when they put such points to you as this, that the very markets that you would destroy by this legislation are the highest markets on earth. Suppose my Populist-Alliance friend from South Carolina [Mr. TALBERT] had a lot of cotton to sell, as he doubtless has, what kind of a market does he seek?

He would want to sell in a high-price market. That is the option market and no other.

Mr. TALBERT of South Carolina. Selling in that market a man does not sell his cotton at all. He goes and makes one of these transactions and then goes home and tells his wife that he has sold ten bales of cotton, when in fact he has not done any such thing, but it is sold for him by these fictitious gamblers.

Mr. HARTER. Well, I am glad to know that even the gamblers are fictitious. [Laughter.] I suffered under the dreadful suspicion that they were real, actual, bona fide devils. Some of you gentlemen here are farmers, amateur farmers, agriculturists of different degrees.

Now, if you are a wheat farmer, what kind of a market do you send your wheat to? Who sends his wheat to market in Cincinnati? Who sends his cotton to Frankfort, Ky.? Who sends his corn to Hard Scrabble, Ill.? None of you. All of you who have any agricultural products to sell seek the option markets. Why? Simply because they are the highest markets. Now, I have a fatherly, a brotherly, a filial interest in my good friend from Missouri, Gen. HATCH, and one reason why I shall vote against this bill is to prevent the stigma of its passage from falling upon his shoulders, because next year when the Populists of the South and the farmers of the West get in their cotton and their wheat and seek to make their sales in the highest markets, the answer will be, "Gen. HATCH has destroyed those markets; there are no longer any markets of that kind." Everybody knows that under such circumstances my friend from Missouri would not be a welcome guest at any county fair in the United States, and as long as I live I want to see him in a position where the farmers and the planters will greet him with, "Hail, Gen. HATCH," and not "Damn Gen. HATCH," as they would if he can make this bill law. [Laughter.] I am the best friend the gentleman from Missouri has on this floor.

And now, suppose you could do this. Suppose you could interfere with the liberty of a man in Ohio to go out and cut his corn, or to decide whether he should live in a brick house or a frame house, or whether or not he would buy at this time the wheat he wanted to use next December—suppose you could pass a bill of this kind, and that instead of it being a silly, meddlesome, mischievous boomerang, that it was wise, prudent, and constitutional, and would do what you ignorantly imagine it will, what would you accomplish? You would increase the price of bread to every man, woman, and child in this country.

What an infamous idea to present here to the members of this House, and to the country, and from a Democratic source! It is unfortunate, to say the least, that this measure emanates from the Democratic side of the House. I can understand perfectly well the consistency of my friend from Ohio, Gen. GROSVENOR. He has always believed in this kind of legislation, and he ought to vote for it. But my friend Gen. HATCH never believed in such rubbish, and he ought to do as I do with this bill—throw it into the wastebasket and say, if we forgive him this once he will never do it again. And we will forgive him, too.

Mr. PENCE. Did not the gentleman himself, in his interrogatory to the gentleman from Nebraska [Mr. BRYAN] a day or two ago, maintain that the dealings on the stock boards raised the prices?

Mr. HARTER. The gentleman admitted it.

Mr. PENCE. Did you not maintain that?

Mr. HARTER. I did and I do; and there is this difference between a Democrat like myself and a Populist like Mr. BRYAN. I say that if free, unfettered, constitutional, lawful speculation or dealing on any board naturally raises the price of an article, that article is raised, if you like, by the very law of God, because it is the law of nature. But I would not pass a law to raise the price of anything; nor would I pass a law to put down the price of anything. What clause is it, gentlemen, in the Chicago platform, that we have heard so much about, which says it is the duty of a Democratic Congress to pass laws designed to put up or put down the price of any article? I will wait a moment for some one to produce on this floor a plank or two of that mutilated unfortunate and much misunderstood platform. [Laughter.]

I am speaking of this bill as a Democrat looks at it—not as a Populist looks at it. I have great respect, you understand, for both Populists and Republicans. The view they take of it is a natural one for them.

Mr. TALBERT of South Carolina. How long since you left the Republicans?

Mr. HARTER. Probably I have been a Democrat longer than you have. I am an entirely different kind of a Democrat, you observe.

Mr. TALBERT of South Carolina. I am glad you are. If you are a Democrat, I do not want to be one. If you are a Democrat, I am not.

Mr. HARTER. In this latest expression of feeling which the gentleman has presented to the House, he and I cordially agree.

Mr. TALBERT of South Carolina. The gentleman changes too much—first a Republican, then a Democrat—first a pig, then a puppy, figuratively speaking.

Mr. HARTER. If the gentleman thinks that kind of language proper in debate here, he is welcome to his opinion. Now, sir, let me proceed with this good-humored discussion of a very foolish bill.

Mr. TALBERT of South Carolina. The gentleman will allow me to say I used that expression in a speech the other day. I did not mean it in an offensive sense. I was alluding to the Mugwumps, and I told an anecdote about an old negro who carried a pair of pups——

Mr. HARTER. My dear sir, the reason——

Mr. TALBERT of South Carolina. I think you heard my speech of the other day.

Mr. HARTER. I credit you with being too much of a gentleman to use such a term on this floor in any offensive sense. Nobody can be more conscious of the fact that the term "puppy" can ever apply to me, coming from anybody.

But, gentlemen, the world has had this kind of laws before—never passed by Democrats. Let me give you a history of this kind of legislation. I am not absolutely certain, but I think the Chinese tried it in the eleventh century; I am certain, however,

that the Dutch tried it in the year 1610, and our ancestors in England tried it in 1734. And in 1812 they had just such a law as this on the statute book in the State of New York.

And during the late war a number of our friends here—and they were good men deeply interested in the welfare of the country—decided that persons who were selling greenbacks short for gold were engaged in a criminal trade. This was in 1864.

Secretary Chase was satisfied that the thing was treasonable; and my able, learned, honorable, safe, cautious friend, Senator SHERMAN, after a while was seduced into the same belief, and you remember the law was passed, a law like this of my friend from Missouri; it was indeed the original of the Hatch bill, so far as Congress is concerned, and it provided that no man should sell greenbacks short. My friend from New York [Mr. HENDRIX] will remember it. What was the effect? It was promised that greenbacks would go up and gold would go down, just as our learned friends here to-day promise the cotton-raisers and the wheat-growers that their products shall go up if this pending bill is passed. What happened? Within two days after that law was passed gold shot up like a rocket, rising, I think, 78 cents on the dollar; and within fifteen days the law was repealed. So if you pass this antioption law you will be glad to repeal it within fifteen days; but I tell you that will not save the bacon of my friend HATCH, and I am speaking in his behalf this afternoon.

I do not want to see all the presidential timber in the Democratic party destroyed, cut up by the roots at this session of Congress if I can help it, because if all these other men are cut out, it may be possible that I myself will have to offer my carcass as a sacrifice at the next presidential election [laughter]—a fate which I very much desire to avoid if possible. You can understand, therefore, my interest in preserving for the country and for the party our great, strong, sound, safe men. If they are to be allowed to kill themselves off with free-silver, sugar-trust, anti-option, high-tariff measures, our party will, I am afraid, turn to me as the only genuine, reliable, blue-blooded Democrat on earth, and thus force me into the breach and ultimately elect me, for I give you notice that if ever I am nominated for President, nobody can prevent the country availing itself of such an unusual bargain.

I can understand, Mr. Chairman, how a man like my friend from Missouri, Gen. HATCH—an earnest man, who is right on many political subjects—should have gotten himself into the way of believing that some such measure like this (which he does not understand) would be of some practical value to somebody. But his friends ought to come to his rescue. I can excuse him, and I hope the country will, though I am sure that the very best thing that we can do for him will be to help to defeat this bill, and save him from all risks. [Laughter.]

Until this bill was introduced all legislation prohibiting speculation in food products was urged because speculation invariably advances the price of corn, of wheat and oats, and it has been reserved for the philosophers on the agricultural committee to discover that this is all a mistake and that it reduces them. They are such marvels in the line of discovery that it might be wise to authorize them to investigate the facts and report to the House the name of the man who struck Billy Patterson.

Is it possible that these men do not remember a few years ago that the workingmen of Chicago threatened to blow up the produce exchange because it raised the price of wheat and increased the cost of flour? Never in the history of the United States, except for a few days last summer, caused by the currency or bank panic, has the price of wheat, corn, or cotton on any option or future-dealing exchange been lower than its proper parity with the world's markets; on the contrary, on such markets the prices are nearly always above—to the advantage of the farmer and planter—and when "corners" come the people who reap the profits are the planters and the farmers, while the reviled "shorts" are compelled to bleed gold. The perfectly enormous advantages which these exchanges confer on the farmers Gen. HATCH would (not intentionally it is true, but actually) take from them, and thus depress the farm and the plantation still more.

Who is back of this bill? Who brought it before Congress? I will tell you. I am a miller myself and I know a little about this subject. Senator WASHBURN and some of his friends want this bill enacted. Of course they do, for the very same reason that Gen. HATCH does—over the left. I know that Gen. HATCH is sincere in his convictions, and that he would like to see wheat sell for $1 per bushel. I know, too, that the gentleman from South Carolina on my right is sincere, and he wants the price of cotton put up to 10 cents. Gen. HATCH wants wheat—the market price—put up, and so would I if the laws of God and of nature would put it up. But I am opposed to even considering here any law which the framers hope will require any poor washerwoman in this land to pay a cent a bushel more for the wheat she is compelled to use in flour, or a cent a yard more for the calico that she needs to clothe her than the laws of trade—supply and demand—require.

Senator WASHBURN and his associates have trained with Gen. HATCH, and if the general were to look around he would find a large-sized colored man in his woodpile. Is it possible that he can suppose Mr. WASHBURN *et al.*, the agents, stockholders, and friends of the great British milling syndicate, favor this legislation from the same standpoint that he does? Why, even the reverend chaplain [Mr. SIBLEY] of this new anti-option religion got mad last night because he thought that my friend WARNER was helping the British to put down the price of cotton in order to buy a woolen suit cheaper. [Laughter.]

In fact, to-day the agents of the British milling syndicate, who are interested in putting down the price of wheat, you will find, are the real friends and only intelligent well-posted advocates of this bill. I like these men very much as company at dinner; but when it comes to sleeping with them in a political bed, I say to my friend from Missouri he had better come and sleep with me, though I am in favor of a hundred-cent dollar and free trade on our exchanges and low taxes everywhere, and I say that I welcome him back to the Democratic fold, not as my friend from South Carolina welcomes Gen. GROSVENOR, as the "vilest of the vile."

But, Mr. Chairman, let me proceed. Here Senator WASHBURN and his cohorts are, and how earnestly do they desire that the price of the farmer's wheat shall be enhanced in the market; for, of course, the more they pay for wheat the less their flour costs them (?). You will do the farmer more real injury through this bill than dry weather, grasshoppers, and chinch bugs combined. Take, for instance, next August, when Gen. HATCH wants to market his grain, and the farmers generally want to market theirs. Do you suppose they could find a market for all the wheat in that time of rush at decent prices if it was not for "futures" and "option" trading? Well, yes; perhaps they could; but they would find me a buyer, they would have Mr. WASHBURN for a buyer, and many others like us, and practically at our own prices. What do you think we would pay?

The same is true, I will say to my friend from South Carolina, when you bring in your eight million bale crop, as I hope it will be. Do you suppose you will find a market for it at a fair price if only actual buyers bid on it and you exclude speculators? Just as soon as dealing in futures ceases you will find nobody wanting to buy except at combination prices. Why, as a matter of course as soon as your law goes into effect, and you stop the buying of cotton for future delivery, down goes the price of cotton like Mr. What's-his-Name to the bottom of the sea. [Laughter.]

A MEMBER. McGinty.

Mr. HARTER. Well, I hope Mr. McGinty will excuse me for connecting his name with this kind of crazy legislation. [Laughter.]

Let me speak of another thing. There are countries in this world which raise wheat and where they have no such thing as dealing in futures. There are countries blessed with the Washburn-Hatch system of trading in grain, who have not any option trading at all. Go with me to the Argentine Republic, and you will find no dealing in options there. But what will you find? Wheat goes from the Argentine Republic to the British market at less by over 6 cents per bushel (counting freights) than the farmer of Missouri can get for his wheat in the open market in Chicago, and I tell you it is due to option trading; it is due to an open market; it is due to freedom and to brains.

I should like to dwell more on these points, but I see time is going, and I wish to speak of another subject, namely, the moral aspect of the matter. When the outside public—who have not the good fortune to be members of this House, and who are quite excusable in being surprised at the kind of animals which make up this menagerie here—discover that Congress is proposing by its legislation to reform the balance of the country, do you not think at least a few of them will be unkind enough to say "Physician, heal thyself! Would it not be just as well for the members of Congress to take the beams out of their own eyes before they get ready to take the motes out of the eyes of gentlemen in New Orleans and New York and Chicago?" It occurs to me that gentlemen in this part of the country had better stop gambling on their own hook before they make laws to prevent other people from enjoying the same pleasant but costly relaxation.

This is the whole case on its moral side. What business has Congress to legislate as to the conduct of people in Illinois? Why, if you tell me gambling is wicked, I admit it; but murder is wicked. Why is not Congress engaged here in passing laws to prohibit murder in the State of Illinois? If not, why do you undertake to pass a law here to prohibit gambling in the State of Illinois? If laws of this kind are to be passed, let the States pass and execute them. Why not attempt to regulate the conduct of the citizens of Illinois in all other matters? I admit

that you have the power to pass this kind of a law for the District of Columbia and for the Indian Territory and New Mexico, and other Territories. I admit that you have this much authority. But you have no right to say what a man shall do with his money, or what he shall do with his wheat or with his cotton, in any of the States of this Union.

Gentlemen, this thing of legislating men into saints by the simple phrase "Be it enacted," has been a failure from the beginning of the world. What kind of a country did Oliver Cromwell and his puritanical, Calvanistic Ironside associates establish in Great Britain? Why, those old "Praise God Barebones" fellows were the greatest frauds and humbugs who ever walked the face of the earth. And again, look at the State of Maine, for instance, where they have been making people teetotalers by act of the Legislature. Even a man who is a total abstainer like myself can not go into the State of Maine and stay a day without feeling dizzy, or walk entirely straight until he gets over into New Hampshire. [Laughter.] Such is the result of this kind of silly legislation. As you have no right to enforce these laws, you will only make Congress contemptible in the eyes of the people if you pass them.

I am sorry I have so little time, but I will finish within the hour.

Several MEMBERS. Go on.

Mr. HARTER. No; the House has been very kind to me and I am not going to impose on it. But I want to talk to my Southern friends. Gentlemen, I am sure you must know that the men of the South have no warmer friend on the floor of this House than I am. There is no man more interested in seeing the South built up. There is no man more willing to take you to his heart than I. There is no one here who appreciates your qualities more than I do. I could not agree with you in what I believed to be your unholy effort to wreck the Republic; but, gentlemen, when I remember that you went out of this Republic under the circumstances you did, without a factory in all the South for the production of a pound of gunpowder; when there was not a percussion-cap factory south of the Ohio; when you had no stores, no artillery, or any way of making a gun or a cannon, or anything else; and when I recollect that for three or four years you kept at bay the greatest nation on the face of the earth—a nation, too, backed up by a just and upright cause, and supported by all the money which it needed—I say I am lost in admiration at the courage and ability of you men from the South; and wrong as I am sure you were, I am glad I am of the same blood that you are, and to the day I die I shall be proud to call you brothers. [Applause.]

But at the same time I want to face you fairly on this question, as friend should talk to friend. After your fathers had helped to found this Government, had cemented its foundations with their blood, and after they for seventy years in its legislation had contributed the soundest views upon human government, when they had furnished the practical application of the principles of the Constitution under which the country was prosperous, and to which we must again return if we would be as prosperous as we ought to be, why did you turn your backs upon this nation in which you had so great an interest, of which you form so honorable a part? Why did you go into rebellion or undertake to tear down the fabric of this Government? Stripped of all verbiage, you went into the rebellion because you feared that legislation of precisely the same general character as this Hatch bill would be passed.

You went into rebellion, not because Hatch bills had been passed, not because we had in any way interfered with your personal rights or your liberty to trade, in South Carolina or anywhere else, but you went into this war and impoverished yourselves, you made orphans and widows by the million, because you feared that there would be this kind of legislation. And what kind of a spectacle in the eyes of gods and men do you gentlemen from the South present, when you come here, you men who have been lieutenant-generals (and who deserve the titles you got from your government), what kind of a spectacle do you present when you vote for such legislation as this? I see about me men who, in defense of what they believed to be right, left their arms and legs upon the field of battle. I see generals here whose honesty, integrity, high character, and lofty courage all will admit. Yet I see them hobbling in here to vote for legislation so infernally and eternally opposed to the doctrines of the Constitution, so repugnant to common sense that even the most radical Republican from a Northern State is ashamed to come here and advocate the principles which you, my Southern brethren and fellow-Democrats, are supporting—legislation, too, at which the country fairly turns aghast.

Why should you justify that which a friend of mine from the West said a few days ago? He said to me, "I thought your friends from the South were most badly whipped in the last war; but I never thought they were so thoroughly beaten that they would come up here and advocate the very principle which they had fought to crush out." When I advocated the repeal of the State bank tax I voted for the repeal of it on the very ground that you did; and I have the right to demand of you, as consistent men, if you claim to be Democrats, that you stand shoulder to shoulder with me and let your elbows meet mine in resisting this legislation.

What will be thought of the Democratic party if it oppose a bill because the gentleman from Maine [Mr. REED] presents it, and then favors the same principle in another bill because the gentleman from Missouri [Mr. HATCH] presents it. I tell you, gentlemen, we must look at these things as they are, because the people will see them in their true light.

Are we to vote for this principle, or lack of principle, which will trample the Constitution of the United States under our feet, as Democrats when it serves our purpose as Democrats, and that on this particular principle, or lack of it, we will hold up the Constitution to be worshipped whenever our Republican friends offer to put a foot upon it, even if they take their shoes off first? I say that it is all wrong.

Here is the Southern view of this kind of legislation, written by that prince of South Carolina editors, Mr. Hemphill, of the News and Courier, last month:

ARE WE TO HAVE FIVE-CENT COTTON?

An overproduction of cotton, prospective as well as actual, at a time of universal inactivity and depression in trade, has brought the price of the Southern staple to a distressingly low level. But Congressman HATCH of Missouri, seems determined to force prices still lower, if agitation looking to crazy legislation can bring about that result. Just now, when spinners are so apathetic and when the Southern farmer needs to stimulate in every possible way the dormant demand for cotton, Mr. HACTH would close at once and finally the speculative markets, which offer the only hope of supporting the price of cotton until the return of better times. For it is just that, and nothing less, which would be the upshot of his antioption bill if it should become a law. The millions of bales of cotton which the South must sell in the fall would find no buyers except the agents of the spinners, who, quick to take advantage of the situation, would be likely to obtain their raw material in abundance at 5 cents a pound or less.

Mr. HATCH'S bill, ruinous as it would be, is ostensibly framed in the interest of the farmers. While it is quite as absurd and visionary as the other pet schemes of the Populists, it would certainly be, in its immediate effect upon the farmer's pocket, far more hurtful than any of them. Though there are plenty of cranks and demagogues in Congress, we have little fear that the Democratic leaders will ever allow the party to be handicapped by such a blunder as would be involved in the enactment of the bill. But the mere agitation of the scheme is a costly business for the South. The long fight over a similar bill in the last Congress had the effect of depressing the price of cotton then to an extent that must have caused a loss to the South of at least $30,000,000. It is rather too bad that Mr. HATCH should again be encouraged to indulge in so expensive a bit of Congressional fun.

Another thing occurs to me which will seriously affect those members of the House who vote for this bill, and I therefore ask What will the Hatch antioption bill, if it becomes law and is enforced, cost the farmers and planters of the United States per year? This, it will be admitted, is a practical question, and will naturally be asked by the farming element and planting population next November in every district in which those who vote for this wretched misfit Populist legislation come up for reëlection.

If this bill passes and the enforcement of it actually does destroy, as its backers say it will, all so-called "gambling" in "futures" and "options," of course the 3 cents a bushel on wheat, the 1 cent a bushel on corn and oats, and the one-half cent a pound on cotton which every planter and farmer gets in the option or future markets (like Chicago, San Francisco, St. Louis, Duluth, Detroit, Toledo, Buffalo, Galveston, New Orleans, New York, etc.) because of this class of dealings, will also disappear. He will then get the "actual sales" prices which Mr. HATCH and his friends demand, that is, the prices fixed in the world's markets, as Mr. HATCH has so clearly stated in his May, 1892, speech, and no more.

See what this means! On an average good crop the farmers of the United States will have an account to settle with the antioption candidates of $15,000,000 on wheat, $20,000,000 on corn, $7,000,000 on oats, and $20,000,000 on cotton; in all, $62,000,000.

In other words, if this bill becomes law, it will cost the farmers and planters of the United States not less than $62,000,000 each year on grain and cotton, and probably $30,000,000 more on pork and its various products, or in the end not much, if any, less than $100,000,000 a year; and yet the men who vote for it here say, "We are the friends of the farmer."

Well may the farmer at the polls this fall cry out, "From such friends deliver us!" and then proceed to unload these grasshopper, dry-weather, chinch-bug enemies of his by voting for any candidate who is opposed to antioption laws, whether he be a Republican or Democrat, white or black. Look at Mr. HATCH'S own district. If his bill passes and is enforced, and does stop trading in futures and options, and in this way robs his constituents of the blessings of the St. Louis and Chicago produce exchange markets, the loss to the farmers in his district alone will, on wheat, corn, oats, and pork, aggregate not less than $238,000 a year, or $476,000 during the Fifty-fourth Congress.

Now, I want to see Mr. HATCH reëlected, and I cheerfully certify to his good qualities, and I am always proud to count him among my friends, and will rejoice to see him reach the Presidency before he dies, but will his district consider his other services in the Fifty-fourth Congress worth to them enough to wipe out the $476,000 burden he proposes to put on the farms of the First Missouri district? I ask this about Mr. HATCH because of his great prominence in this war on the farmer, this crusade against the planter, which the supporters of this bill are carrying on, but it applies to every man on this floor who votes for this vicious measure.

How, for instance, can a man from Georgia or South Carolina hope to be sent back here by an intelligent, reading community of planters, every man of whom will realize before this fall's election that in his mistaken, ill-guided zeal his sitting member has advocated and voted for a bill which must make his lot in life as a cotton-raiser more unbearable than ever? The vote on this plantation-destroying, farm-smashing bill will, of course, be a yea-and-nay vote, so that the name of every member who supports it will be known to every intelligent farmer or planter in his district.

Messrs. HATCH and company may declare up hill and down dale that their intentions were good, and no man recognizes as I do the honorable personal character of the support the bill has but will admit all this; but the outraged farmer and wronged planter will merely remark, "Hell is paved with good intentions, gentlemen," and proceed to give them Hail Columbia at the ballot box.

My excuse, if I need an excuse for opposing this class of legislation, is that it is all wrong, and that that man is the truest Democrat and he is the truest friend when he points out the mistake of his friends, and opposes the error of his own party. You will live to see that I am a true friend and a fairly wise adviser, too, in the Congressional elections coming on this fall, and you will also live to realize it during the next Presidential election. Sometime ago I received a communication from a gentleman named Gill residing in this city, asking me to appear at a meeting that was to be held in Convention Hall, in which they would consider various questions hinging on this bill and also involving the principle of protection, in fact, involving the whole idea of paternalism, and in the course of that letter there was a kind of covert hint that it would be well (as I understood it) for a man to be extremely cautious as to what he said, as his remarks would be printed and circulated amongst the people of the United States.

Well, sir, when I believe I am right I am not only not afraid, but, on the other hand, I am exceedingly anxious, upon any important question, that my remarks may be read by the people of the United States; and as I felt that there might be some uncertainty of my ability to attend the meeting, I wrote him a letter, which has been referred to in this debate, and which I understand is the publication conplained of. In order to see whether there is any just ground for the complaint, I now ask the Clerk to be kind enough to read it, and with the reading my remarks this afternoon close.

The Clerk read as follows:

A SIMPLE REMEDY FOR THE HARD TIMES—MR. HARTER'S ADVICE TO THE COXEYITES—IT OUGHT TO BE TAKEN BY EVERY MAN AND WOMAN IN THE UNITED STATES.

WASHINGTON, D. C., *May 20, 1894.*

Representative HARTER of Ohio is one of the public men who have been invited to address a mass meeting which some of the sympathizers with the Coxey movement are getting up in this city. The question on which he was asked to express his views was, "What, if anything, can Congress do to give work to the unemployed, to increase the price of produce, and to restore to our people confidence and prosperity?" He has written to the chairman of the committee as follows:

"DEAR SIR: As I am not certain I can be at the meeting, I wish to suggest an effective remedy for hard times, which is also a very simple one. Confine the work of Congress to the limits of the Constitution. Stop levying taxes to provide profits (under the name of protection) for a portion of our people at the expense of the balance.

"Publish far and wide that it is not the business of the United States to raise prices, provide work, regulate wages, or in any way to interfere in the private business or personal affairs of the people. Declare that the control of State banks, and all other State and local affairs, like roads for instance, shall remain exclusively with the State and local governments. Prove to all the world that we intend to keep every dollar of the circulating money issued or coined by the United States at the full gold value of 100 cents. Put our civil service upon a business-like foundation. Kick out spoilsmen and bunco legislators, and prosperity will return without investing in any quack nostrums, and without putting on liver pads or porous plasters.

"A little everyday common sense, industry, economy, and hopefulness will hasten the return of good times, but avoid quack remedies, quack Congressmen, and crank Senators, and when such worthies tell you we must put up the price of silver, wheat, grindstones, tulips, or toadstools to the figures they commanded in the days of Adam, of George Washington, or even in 1873—I say when such ideas are advanced, put cotton in your ears and keep on at your calling. The troubles we are having are the outgrowth of simon pure paternalism and when these few changes are made in our present methods, and we then return to Americanism in its purity, that is, to personal, individual self-reliance, our troubles will fade away as the mist flies before the rising sun.

"If, however, we go on in the mad chase after prosperity, under the leadership of the Coxeys, McKinleys, Stewarts, Peffers, Blands, Hatches, etc., we will find harder times and greater suffering ahead of us. You may say or I may believe that all of the men named are very good fellows, first-class fathers, husbands, and neighbors, quite well-meaning and highly commendable men in every sense (and I only use their names to identify the various crazes, wild ideas, vagaries, and cranky notions they have urged and advocated), but they must injure all they lead and will bankrupt any nation.

"Men with level heads and a fair share of good, common, everyday sense, are at a discount these times; but if the country follows cranks much longer the result will be so disastrous as to create finally a very active demand and bring about a most urgent call for those who during all these times have kept the faith and constantly warned those who cared to listen of the judgment to come. Frown down, then, every charlatan politician, every long-haired, wild-eyed, social philosopher, whether he be a governor or a gravedigger, a silver-mine owner or a tramp, and advise those who are willing to listen to you to work, save, and keep sober.

"Tell them to depend upon the sweat of their faces and the labor of their hands, and not to put their trust in politicians or depend upon the bounty of the Federal Government or the soup-kitchen charity of the municipality. Our country, with all its magnificent resources, is still here; our people have not lost their skill, and we can be as prosperous and happy as ever if we demand equal laws and a sound currency from the Government, and then work out our own salvation.

"Yours, respectfully,

"MICHAEL D. HARTER."

The CHAIRMAN. The gentleman from Ohio [Mr. GROSVENOR] is recognized for thirty minutes.

Mr. HATCH. If the gentleman from Ohio will yield to me, as it is after 5 o'clock, I will move that the committee rise, with the understanding that the gentleman has the right of way to-morrow morning.

Mr. HARTER. A personal explanation. Inadvertently I said that Mr. Pillsbury favored this bill. Mr. Pillsbury personally does not favor this bill. My remark applied to Senator WASHBURN, which was strictly correct.

Mr. GROSVENOR. I yield to the gentleman from Missouri for the purpose of making the motion that the committee rise.

Mr. HATCH. I move that the committee rise.

The motion was agreed to.

The committee accordingly rose; and Mr. BAILEY having resumed the chair as Speaker *pro tempore*, Mr. LIVINGSTON, chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill H. R. 7007, had come to no resolution thereon.

Mr. HATCH. I move that the House do now adjourn.

Mr. HUNTER. I want to ask unanimous consent to publish some remarks in the RECORD.

The SPEAKER *pro tempore*. That will not be in order unless the motion to adjourn is withdrawn.

Mr. HATCH. I will withdraw it temporarily, so that the gentleman may ask unanimous consent.

Mr. HUNTER. I ask unanimous consent to publish some remarks in the RECORD upon the bank-tax bill.

The SPEAKER *pro tempore*. Is there any objection to the request? [After a pause.] The Chair hears none.

Mr. HATCH. I renew my motion.

Mr. COX. Before the discussion of that question was entered upon, the time in which gentlemen could have remarks published in the RECORD on that subject was limited to a certain number of days.

The SPEAKER *pro tempore*. Ten days.

Mr. HUNTER. I wish to say to the gentleman that in consequence of ill health I was not able to avail myself of that privilege.

Mr. COX. I make no objection.

The motion of Mr. HATCH was then agreed to.

And accordingly (at 5 o'clock and 10 minutes p. m.) the House adjourned.

REPORTS OF COMMITTEES ON PRIVATE BILLS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

By Mr. COX, from the Committee on Claims: A bill (H. R. 6582) for the relief of Anthony McAndrews, of Louisville, Ky. (Report No. 1118.)

Also, a bill (H. R. 5923) for the relief of Michael Scanlon. (Report No. 1121.)

By Mr. STONE of Kentucky, from the Committee on War Claims: A bill (H. R. 2147) for the relief of J. C. Shelby. (Report No. 1122.)

ADVERSE REPORT.

Under clause 2 of Rule XIII, private bills were adversely reported and laid on the table, as follows:

Mr. LOUD, from the Committee on Claims, reported adversely the bill (H. R. 7230) for the relief of the officers and crew of the dredge wrecked in Narragansett Bay, Rhode Island; which, with the accompanying report (No. 1123), was ordered to be printed, and to lie on the table.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Claims was discharged from the consideration of the bill (H. R. 6850) for the relief of Richmond College, located at Richmond, Va., and the same was referred to the Committee on War Claims.

PUBLIC BILLS, MEMORIALS, AND RESOLUTIONS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced, and severally referred as follows:

By Mr. RYAN: A bill (H. R. 7500) to further amend section 9 of the act for the relief of certain volunteers and regular soldiers of the late war with Mexico, passed March 2, 1889—to the Committee on Military Affairs.

By Mr. McDANNOLD: A bill (H. R. 7501) to provide for the purchase of a site and the erection of a public building thereon, at Monmouth, in the State of Illinois—to the Committee on Public Buildings and Grounds.

By Mr. McKAIG: A bill (H. R. 7502) authorizing the sale of title of United States to a tract of land in Montgomery County, in the State of Maryland, to William H. and George Bobinger—to the Committee on the District of Columbia.

By Mr. IZLAR: A bill (H. R. 7503) for the protection and repair of Fort Moultrie, on Sullivans Island, in the State of South Carolina, and to make appropriation therefor—to the Committee on Military Affairs.

By Mr. CUMMINGS: A bill (H. R. 7504) to provide an American register for the steamer Oceano, of New York, N. Y.—to the Committee on Merchant Marine and Fisheries.

By Mr. CRAIN: A bill (H. R. 7505) admitting all articles free of duty upon which trusts are in existence whereby the prices of such articles may be increased to the consumers thereof in the United States, and to place Paris green on the free list—to the Committee on Ways and Means.

By Mr. SMITH of Arizona: A bill (H. R. 7506) authorizing the County of Coconino, Ariz., to issue bonds for the construction of a county building at the county seat thereof—to the Committee on the Judiciary.

By Mr. HITT: A joint resolution (H. Res. 194) authorizing Commander C. H. Davis, United States Navy, to accept a decoration tendered him by the Government of Spain—to the Committee on Foreign Affairs.

By Mr. HULICK: A resolution calling upon the Secretary of the Treasury for information concerning the funds on hand arising from arrears of pay due the estates of deceased colored soldiers—to the Committee on Military Affairs.

By Mr. SPRINGER: A resolution authorizing the purchase of 500 copies of the report of the World's Congress of Bankers and Financiers for the use of the House—to the Committee on Accounts.

By Mr. LAYTON: A joint resolution of the General Assembly of Ohio, favoring the erection of a suitable monument or memorial structure on the site of Fort Greenville, at Greenville, Ohio, to perpetuate the memory of Gen. Anthony Wayne and his gallant army—to the Committee on the Library.

PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as follows:

By Mr. BERRY: A bill (H. R. 7507) granting a pension to Lucy B. Bryson—to the Committee on Invalid Pensions.

By Mr. HOOKER of Mississippi: A bill (H. R. 7508) for the relief of J. R. Eggleston, of Hinds County, Miss.—to the Committee on Claims.

By Mr. TALBOTT of Maryland: A bill (H. R. 7509) for the relief of Joab Brown—to the Committee on War Claims.

Also, a bill (H. R. 7510) for the relief of the heirs of Thomas Hendrickson—to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BALDWIN (by request): Petition of citizens of Wright County, Minn., against reduction of letter postage—to the Committee on the Post-Office and Post-Roads.

By Mr. CAPEHART: Evidence to accompany House bill 7480, for the relief of J. W. and J. P. Hall—to the Committee on Claims.

By Mr. CRAIN: Protest of John T. Murphy, of Laredo, Tex., against free raw wool with manufactured woolens protected—to the Committee on Ways and Means.

By Mr. DALZELL: Resolutions of the Trades' League of Philadelphia, Pa., in favor of an amendment of the interstate-commerce law—to the Committee on Interstate and Foreign Commerce.

By Mr. GILLETT of Massachusetts: Petition of A. Kenfield and 30 other citizens of Chicopee Falls, Mass., against that portion of the income-tax bill that requires taxation in any form from fraternal and beneficiary societies—to the Committee on Ways and Means.

By Mr. HAUGEN: Petition of Coal Handlers' Protective Union No. 6263, of West Superior, Wis., in favor of House bill 5207, against convict-made goods—to the Committee on Interstate and Foreign Commerce.

By Mr. HENDERSON of Iowa: Resolutions and paper of Messrs. P. C. Murray & Co., of Dubuque, and Messrs. I. Werdenbacher & Co., of Dyersville, Iowa, protesting against any increase of the tax on whisky and any extension of the bonded period—to the Committee on Ways and Means.

By Mr. HENDRIX: Petition of citizens of Brooklyn, N. Y., for exemption of fraternal and benefit orders from the income tax—to the Committee on Ways and Means.

By Mr. HOLMAN: Petition of Isidore Harry and 62 other citizens of Lawrenceburg, Ind., praying that certain benevolent associations shall be exempt from the operation of any law that may be enacted in relation to an income tax—to the Committee on Ways on Means.

By Mr. IKERT: Petition of W. A. Brandt and 20 other citizens of Wellsville, Ohio, asking that fraternal beneficiary societies be exempt from taxation—to the Committee on Ways and Means.

By Mr. KIEFER: Petition of D. L. Wilson, R. Wollsberg, James H. Barnard, E. L. Danford, and 45 citizens of St. Paul, Minn., praying that beneficiary fraternal societies, orders, or organizations shall be exempt from all the provisions of the bill requiring taxation in any form—to the Committee on Ways and Means.

By Mr. KRIBBS: Petition of citizens of St. Petersburg, Pa., in favor of amendment to the Wilson bill exempting beneficial societies from the provisions of the income tax—to the Committee on Ways and Means.

By Mr. McDEARMON (by request): Protest of Union City Commandery, No. 18, United Order of the Golden Cross, Tennessee, against taxing incomes of beneficiary orders—to the Committee on Ways and Means.

By Mr. MEREDITH: Petition of residents of Alexandria County, Va., asking the passage of House bill 9120, for building the memorial bridge across the Potomac River to Arlington—to the Committee on Interstate and Foreign Commerce.

By Mr. PICKLER: Petition of F. M. St. John and 12 others, of Alcester, S. Dak., favoring the Manderson-Hainer bill—to the Committee on the Post-Office and Post-Roads.

Also, two petitions of 119 citizens of Beadle County, S. Dak., asking for Government control of telegraphs and telephones—to the Committee on the Post-Office and Post-Roads.

By Mr. POWERS: Petition of the president and faculty of Middleburg College, Vermont, praying for more effectual legislation for the suppression of lotteries—to the Committee on the Post-Office and Post-Roads.

By Mr. REED: Petition of Capt. James Keazer and 19 others, of Portland, Me., against favorable report of Maguire's shipping bills, 5501, 5502, 5503, 5504, 5505, and 5506—to the Committee on Merchant Marine and Fisheries.

Also, petition of George P. Plaisted and others, citizens of Gorham, Me., in favor of amendment of sections relating to income tax in tariff bill—to the Committee on Ways and Means.

Also, petition of Allen C. Moulton and 92 others, citizens of Maine, that fraternal beneficiary societies, orders, or associations be exempt from income tax by amendment of the bill to that effect—to the Committee on Ways and Means.

By Mr. RICHARDS: Two petitions of citizens of Wayne County, Ohio, members of the National Fraternal Congress, for amendment to income-tax requirements—to the Committee on Ways and Means.

By Mr. CHARLES W. STONE: Petition of 9 citizens of Warren, Pa., together with memorial of Bradford Council, No. 302, Royal Arcanum, in favor of exempting fraternal beneficiary orders from national taxation—to the Committee on Ways and Means.

By Mr. WASHINGTON: Petition asking amendment to income tax so as to exclude fraternal societies, orders, etc., from citizens of Nashville, Tenn.—to the Committee on Ways and Means.

SENATE.

THURSDAY, *June 21, 1894.*

The Senate met at 10 o'clock a. m.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

On motion of Mr. CHANDLER, and by unanimous consent, the reading of the Journal of yesterday's proceedings was dispensed with.

ANTONIO MAXIMO MORA.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations, and ordered to be printed.

To the Senate:

I transmit herewith, in response to the resolution of the Senate of December 20, 1893, a report from the Acting Secretary of State, covering the desired copies of correspondence in the matter of the claim of Antonio Maximo Mora against Spain.

GROVER CLEVELAND.

EXECUTIVE MANSION, *Washington, June 20, 1894.*

PETITIONS AND MEMORIALS.

Mr. VILAS presented petitions of T. G. Martin and 35 other citizens of Chippewa, Falls; of A. F. Newman and 3 other citizens of Spring Valley; of E. S. Mason and 15 other citizens of Beaver Dam; of J. A. Decker and 11 other citizens, and of W. H. Putnam and 10 other citizens, all in the State of Wisconsin, praying that in the passage of any law providing for the taxation of incomes the funds of mutual life insurance companies and associations be exempted from taxation; which were ordered to lie on the table.

Mr. MITCHELL of Wisconsin presented a petition of sundry citizens of Wisconsin, praying that the funds of mutual life insurance companies and associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

He also presented sundry petitions of citizens of Wisconsin, praying that fraternal beneficiary societies, orders, or associations be exempted from the proposed income-tax provision of the pending tariff bill; which were ordered to lie on the table.

He also presented sundry memorials of citizens of Wisconsin, remonstrating against an increase of the internal-revenue tax on whisky, and also against an extension of the present bonded period; which were ordered to lie on the table.

He also presented a petition of Cigar-Makers' Union No. 304, of Racine, Wis., praying for an increase of the duty on imported cigars; which was ordered to lie on the table.

Mr. COCKRELL presented resolutions adopted by the Congress of the Sons of the American Revolution, held in Washington, D. C., April 30, 1894, together with a letter from J. C. Breckinridge, president of the District of Columbia Society, Sons of the American Revolution, favoring the publication of the Revolutionary records, rolls, etc.; which were referred to the Committee on Appropriations.

He also presented a petition of the Kansas City (Mo.) Life Underwriters' Association, praying that the funds of mutual life insurance companies and associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

Mr. WALSH presented a petition of the Board of Trade of Brunswick, Ga., praying that an appropriation be made for a national exhibit at the Cotton States and International Exposition to be held at Atlanta, Ga., in the fall of 1895; which was referred to the Committee on Appropriations.

He also presented the memorial of the Potts-Thompson Liquor Company, of Atlanta, Ga., remonstrating against an increase of the internal-revenue tax on whisky, and also against an extension of the present bonded period; which was ordered to lie on the table.

Mr. FRYE presented a petition of the Maine Medical Association of Portland, Me., praying for an increase of the appropriation for the library of the Surgeon-General's Office; which was referred to the Committee on Appropriations.

He also presented a petition of 13 citizens of Gorham, Me., praying that fraternal beneficiary societies, orders or associations, be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

Mr. LODGE presented a petition of Weymouth Council, Royal Arcanum, of Weymouth, Mass., and a petition of Gloucester Council, Royal Arcanum, of Gloucester, Mass., praying that fraternal beneficiary societies, orders or associations, be exempted from the proposed income-tax provision of the pending tariff bill; which were ordered to lie on the table.

He also presented a petition of 16 citizens of Middlesex County, Mass., praying that the funds of mutual life insurance companies and associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

He also presented a memorial of 60 cigar manufacturers of Union No. 51, of Holyoke, Mass., remonstrating against the adoption of the so-called Jones amendment relating to wrapper tobacco, to the Wilson tariff bill; which was ordered to lie on the table.

Mr. SQUIRE presented sundry petitions of citizens of Everett, Wash., praying that the funds of mutual life insurance companies and associations be exempted from the proposed income-tax provision of the pending tariff bill; which were ordered to lie on the table.

Mr. MITCHELL of Oregon presented a petition of sundry citizens of Multnomah County, Oregon, praying that in the passage of any law providing for the taxation of incomes the funds of mutual life insurance companies be exempted from taxation; which was ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. BATE, from the Committee on Military Affairs, to whom was referred the bill (H. R. 4961) granting certain rights over Lime Point military reservation in the State of California, reported it without amendment, and submitted a report thereon.

Mr. CAMDEN, from the Committee on Naval Affairs, to whom was referred the bill (S. 1211) for the relief of Pay Inspector John H. Stevenson, of the United States Navy, reported it without amendment, and submitted a report thereon.

BILLS INTRODUCED.

Mr. KYLE introduced a bill (S. 2146) to incorporate the National Gas and Electric Light, Heat, and Power Company of the District of Columbia; which was read twice by its title, and referred to the Commitee on the District of Columbia.

Mr. TURPIE introduced a bill (S. 2147) for the relief of Mrs. Sarah E. Comly; which was read twice by its title, and referred, with the accompanying paper, to the Committee on Pensions.

Mr. SHERMAN introduced a bill (S. 2148) granting a pension to Elizabeth A. Granger; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HUNTON introduced a bill (S. 2149) for the relief of L. E. Bowen; which was read twice by its title, and referred to the Committee on Claims.

Mr. GRAY introduced a bill (S. 2150) to provide an American register for the steamer Oceano of New York, N. Y.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Commerce.

Mr. WASHBURN introduced a bill (S. 2151) to amend "an act to authorize the construction of a steel bridge over the St. Louis River between the States of Wisconsin and Minnesota," approved April 24, 1894; which was read twice by its title, and referred to the Committee on Commerce.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. CAREY submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Public Lands, and ordered to be printed.

Mr. CAMERON submitted an amendment intended to be proposed by him to the deficiency appropriation bill; which was referred to the Committee on the Judiciary, and ordered to be printed.

Mr. GRAY submitted an amendment intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. GIBSON submitted an amendment intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

COTTON STATES INTERNATIONAL EXPOSITION.

Mr. GORDON. In order to secure prompt action, I desire to offer an amendment to the amendment to the sundry civil appriation bill appropriating money to the Cotton States International Exposition. The object is to add some words at the end of the amendment, not to alter the character of it. I will say, in a word, that the object of the amendment now offered is to enable the President to appoint one colored man upon the board in order that he may aid in getting together the exhibits to be made by the colored race. That is the only change I propose to the amendment, and I ask unanimous consent that the words may be added.

The VICE-PRESIDENT. The Chair hears no objection; and it will be so ordered. To which committee does the Senator desire to have the amendment referred?

Mr. GORDON. I desire to have the words added to the general amendment, which has already been referred to the Committee on Appropriations. The whole amendment as now proposed is to be offered to the sundry civil appropriation bill.

The VICE-PRESIDENT. That order will be made, in the absence of objection.

MRS. KATE BIRD.

Mr. BLACKBURN submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay out of the appropriation for miscellaneous items of the contingent fund of the Senate, to Mrs. Kate Bird, mother of Edward N. Davie, deceased, late a folder in the folding room of the Senate, the sum of $360, being an amount equal to six months' salary as folder aforesaid; the said sum to include all funeral or other allowances.

PUBLIC SAVINGS BANKS.

The VICE-PRESIDENT. The Chair understands that the resolution heretofore submitted by the Senator from Kansas [Mr. PEFFER] relative to public savings banks does not come over as a part of the morning business, but that it has gone to the Calendar.

Mr. PEFFER. I do not ask that the resolution be taken up this morning. I want it to lie on the table, and at some convenient time I shall call it up for the purpose of submitting some remarks.

LIQUOR TRAFFIC IN THE DISTRICT OF COLUMBIA.

The VICE-PRESIDENT. The Calendar under Rule VIII is in order.

The bill (S. 1259) to amend section 2 of an act of Congress approved March 3, 1893, entitled "An act to regulate the sale of intoxicating liquors in the District of Columbia," was announced as first in order on the Calendar, and the Senate as in Committee of the Whole proceeded to its consideration. It proposes to amend section 2 of the act of Congress approved March 3, 1893, so as to read:

That there shall be, and there is hereby, constituted an excise board of the District of Columbia, which shall consist of the three Commissioners of the District, any two of whom shall constitute a quorum for business, and the duty of which shall be to take up and consider all applications for license to sell intoxicating liquors and to take action on such applications, and the action of said board shall be final and conclusive, and only on the granting by the said board of a license to an applicant to sell intoxicating liquors shall the assessor issue a license to such applicant; and the said board shall make such rules and regulations for carrying into effect this act as they may deem requisite and proper. And said board shall make an annual report to Congress, setting forth the number of applications for license, both favorably and unfavorably acted on, the number of persons convicted for violations of this statute, and the number of fines collected and uncollected.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ESTATE OF MARK DAVIS.

Mr. HUNTON. I ask the Senate to consider the bill (S. 599) for the relief of the residuary legatees of Mark Davis, deceased. I beg to state in explanation that Mark Davis was a loyal citizen and owned property in the city of New Orleans. His property was taken possession of by Gen. Banks after an order of protection had been given to it by Gen. Butler. Gen. Banks rented out his property, collected his bonds, and received money which was turned into the Treasury. The bill proposes to pay to the legatees of Mark Davis the money that was collected by the Government and turned into the Treasury. It has passed the other House and has been twice reported favorably by the Senate Committee on Claims.

The VICE-PRESIDENT. The bill will be read.

The Secretary read the bill.

Mr. CHANDLER. I ask that the bill may go over.

The VICE-PRESIDENT. There is objection to the present consideration of the bill. The next bill on the Calendar will be proceeded with.

ALASKA CODE.

The bill (S. 1546) authorizing a commission to draft a code of laws for the District of Alaska, and for other purposes, was considered as in Committee of the Whole. It authorizes the governor of the District of Alaska to appoint a commission to consist of five persons, who shall be residents of the District, and whose duty it shall be to formulate amendments to the act of Congress approved May 17, 1884, and known as "the act providing a civil government for the District of Alaska," and to draft a code of laws, both civil and criminal, with a mode of procedure, for the government of the District.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

THE NAVAL MILITIA.

The bill (S. 1399) to promote the efficiency of the naval militia was announced as next in order on the Calendar.

Mr. COCKRELL. Let the bill be passed over without prejudice.

Mr. PERKINS. Do I understand that there is objection to the bill?

Mr. COCKRELL. There is no objection to it, but I did not notice the Senator from California here. Let the bill be considered.

Mr. SHERMAN. The Senator from Missouri withdraws his objection.

Mr. COCKRELL. I withdraw the request to have it passed over. Let the bill be considered.

The Senate, as in Committee of the Whole, proceeded to consider the bill. It authorizes the Secretary of the Navy to furnish to any State, upon the written application of the governor thereof, a vessel of the Navy, to be selected from such vessels as are not suitable or required for general service, together with such of her apparel, charts, books, and instruments of navigation as he may deem proper; the vessel to be used only by the regularly organized naval militia of the State for the purposes of drill and instruction.

The bill was reported from the Committee on Naval Affairs with an amendment, to add the following additional proviso:

And provided further, That when such loan is made to the governor of any State the Secretary of the Navy is authorized to detail from the enlisted force of the Navy a sufficient number of men, not exceeding six for any vessel, as ship keepers, the men so detailed to be additional to the number of enlisted men allowed by law for the naval establishment, and in making details for this service preference shall be given to those men who have served twenty years or more in the Navy.

Mr. COCKRELL. Let the report be read.

The VICE-PRESIDENT. The report will be read.

The Secretary read the report submitted by Mr. PERKINS February 2, 1894, as follows:

The Committee on Naval Affairs, to whom was referred the bill (S. 1399) to promote the efficiency of the Naval militia, has had the same under careful consideration and recommend its passage with an amendment.

The committee call attention to the accompanying letters from the Assistant Secretary of the Navy, which fully explain the necessity of the proposed legislation.

NAVY DEPARTMENT, OFFICE ASSISTANT SECRETARY,
Washington, January 3, 1894.

MY DEAR SIR: When we came to this office we found that it had been the practice of the Department to place certain vessels not fit for use for practical purposes, some of them about to be condemned and others requiring very extensive repairs before being fitted to go into commission, under the temporary control of some of the States for the uses of their naval militia. Matters appertaining to this branch of the service having been placed by the Secretary under my direction since coming here, I ordered one of the old-time monitors to North Carolina for the uses of the militia of that State, in addition to those already placed temporarily in control of other States.

We now have before us requests from Pennsylvania, California, Washington, and will, undoubtedly, in the near future, receive similar requests from other States, asking that such ships be loaned to them.

I have come to the conclusion, after examination, that there is no authority under existing law as to our right for the placing of these ships under State control, even for the purposes specified, while on the other hand the Department is exceedingly desirous to do so if it could be assured of its power in the premises.

The ships to be loaned would in no wise impair the efficiency of the Navy, and, indeed, in some cases are those so completely over the dead line as to repairs that we would not think, unless in the greatest emergencies, of fitting them for commission, and they can, therefore, without the slightest impairment of our force, and, indeed, with the greatest possible advantage in the way of building up a naval reserve and meeting the requirements of the thousands of volunteer sailors all over the country, be placed for the time being at the disposal of the States requesting them.

In order to avoid any possible question as to the legal right of the Department to put these vessels temporarily in the control of the State authorities, I think it best to submit the following act, and will esteem it a favor if you will introduce it and endeavor to have it acted upon as soon as possible.

I think it might be safely said that in the near future we will have requests for this class of vessels from nearly all the States bordering upon the Atlantic and Pacific coasts and Gulf waters.

Very sincerely, yours,

W. MCADOO,
Assistant Secretary of the Navy.

Hon. JOHN R. MCPHERSON,
Senate Naval Affairs Committee, Washington, D. C.

NAVY DEPARTMENT, OFFICE ASSISTANT SECRETARY,
Washington, January 30, 1894.

MY DEAR SIR: I inclose herewith an amendment to be made to the bill (S. 1399) entitled "A bill to promote the efficiency of the naval militia." We find from experience that it will be necessary for the Government, in the case of ships temporarily loaned to States for the use of the naval militia, that there be on board someone representing the Department, so as to see that proper care is taken of the property. Even were the States to whom possession is given of these vessels willing, as is not the case in every instance, to pay for their proper care taking, it would still, we think, be better that a direct representative of the Navy Department should have care of the ship and be responsible to this Government for its preservation.

By selecting these ship-keepers from men with long and honorable records in the Navy we will be able to make these positions somewhat of a reward of merit for an exceedingly deserving class of enlisted men who will perform the duty at the very small remuneration allowed sailors in the Navy.

The amendment, as you see, states the maximum number of men for each ship as not to exceed 6, but it is not intended to employ generally as many as this, and the whole number will probably not at any time exceed 20.

Trusting that the amendment will meet with your approval and can be incorporated in the bill before it is reported, I am, very respectfully.

W. MCADOO,
Assistant Secretary of the Navy.

Hon. JOHN R. MCPHERSON,
Chairman Committee on Naval Affairs, United States Senate, City.

Mr. PERKINS. I ask for the adoption of the amendment of the committee.

The amendment was agreed to.

Mr. COCKRELL. In line 4, I move to strike out "furnish" and insert "loan temporarily," so as to make it correspond with the rest of the bill. It will then read:

That the Secretary of the Navy be, and is hereby, authorized and empowered to loan temporarily to any State, etc.

Mr. PERKINS. I have no objection to the amendment.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

COURTS IN ALABAMA.

Mr. PUGH. I ask unanimous consent to call up the bill (S. 1827) to define the boundaries of the three judicial districts in the State of Alabama and to regulate therein the jurisdiction of the courts of the United States and the powers and duties of the judges thereof, and for other purposes. It is a local bill, and will take but a short time.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That the southern judicial district of the State of Alabama shall include the counties of Mobile, Washington, Baldwin, Conecuh, Escambia, Clarke, Monroe, Wilcox, Marengo, Choctaw, Sumter, Pickens, Greene, Hale, Perry, and Dallas.

SEC. 2. That the middle judicial district of said State shall include the counties of Montgomery, Lowndes, Autauga, Butler, Elmore, Chilton, Coosa, Clay, Tallapoosa, Randolph, Chambers, Lee, Macon, Bullock, Russell, Barbour, Henry, Dale, Coffee, Pike, Crenshaw, Geneva, and Covington.

SEC. 3. That the northern judicial district of said State shall include the other counties therein not mentioned as constituting the southern and middle judicial districts of said State, and shall be divided into the southern and northern divisions, and the southern division of said northern judicial district shall include the counties of Jefferson, Bibb, Tuscaloosa, Shelby, Talladega, Cleburne, Calhoun, St. Clair, Etowah, Cherokee, Dekalb, Blount, Walker, Fayette, Lamar, Marion, and Winston. And the northern division of said northern district shall include the remaining counties therein, namely, Franklin, Lauderdale, Colbert, Lawrence, Limestone, Morgan, Madison, Marshall, Jackson, and Cullman.

SEC. 4. That all offenses hereafter committed in either of said districts or divisions shall be cognizable and indictable within the district and division where committed; and all grand and petit jurors summoned for service in each district and divisions shall be inhabitants thereof; and all offenses committed within either of said districts and divisions prior to the time this act goes into operation shall be prosecuted and tried as if the act had not been passed.

SEC. 5. That all civil suits not of a local character which shall be hereafter brought in the circuit and district courts of the United States for the northern district of Alabama, in either of the districts thereof, against a single defendant, or where all the defendants reside in the same division of said district, shall be brought in the division where the defendant or defendants reside; but if there are two or more defendants residing in different divisions such suit may be brought in either division; and all mesne and final process, subject to the provisions of this act, issued in either of said divisions may be served and executed in either or both of the divisions.

SEC. 6. That all civil suits and other proceedings now pending in the circuit and district courts in said State shall not be affected by this act.

SEC. 7. That the judge of the middle and northern district of Alabama shall no longer be the judge of said northern district, but he shall hereafter be the judge of and hold the courts in and for the northern division of said northern district as the same is constituted by this act, and shall not be required to reside therein; and the courts in said northern and southern division shall each be entitled to a clerk. And the judge of the southern district of said State shall be the judge of and hold the courts in and for the southern division of said northern district as the same is constituted by this act, and shall not be required to reside therein. The judges of the said northern and southern divisions shall each have and exercise all the powers and authority they now have and exercise, respectively, as district judges in their respective districts as constituted by this act.

SEC. 8. That all laws and parts of laws inconsistent with this act are hereby repealed.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed the joint resolution (S. R. 57) directing the Secretary of War to appoint a commission of engineers to examine and report upon the cost of deepening the harbors of Superior and Duluth and their entrances to a uniform depth of 20 feet.

The message also announced that the House had passed a concurrent resolution to print 10,000 extra copies of the Report of the Director of the Mint on the production of the precious metals in the United States for the calendar year 1893; in which it requested the concurrence of the Senate.

The message further announced that the House had passed a concurrent resolution to print 4,000 extra copies of the special report made by the select committee of the Medical Society of the District of Columbia on typhoid and malarial fevers and other preventable diseases; in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following bills and joint resolution; and they were thereupon signed by the Vice-President:

A bill (S. 1995) granting to the Eastern Nebraska and Gulf Railway Company right of way through the Omaha and Winnebago Indian Reservation, in the State of Nebraska;

A bill (H. R. 4720) to pension Lucy Brown, dependent foster-mother; and

A joint resolution (H. Res. 172) granting full permission to the State of Maryland and to the several State courts within the city of Baltimore to occupy the old United States court-house in the city of Baltimore for the period of five years.

DISTRICT WATER-MAIN ASSESSMENTS.

Mr. PROCTOR. I move that the bill (H. R. 6893) to regulate water-main assessments in the District of Columbia, which is now upon the table, be referred to the Committee on the District of Columbia.

The motion was agreed to.

Mr. PROCTOR subsequently reported the bill with an amendment, and submitted a report thereon.

REPORT OF THE DIRECTOR OF THE MINT.

The VICE-PRESIDENT laid before the Senate the following concurrent resolution of the House of Representatives; which was referred to the Committee on Printing:

Resolved by the House of Representatives (the Senate concurring), That the report of the Director of the Mint on the production of the precious metals in the United States for the calendar year 1893 be printed, and that 10,000 extra copies be printed, 4,000 for the use of the House of Representatives, 2,000 copies for the use of the Senate, and 4,000 copies for the use of the Director of the Mint.

REPORT ON FEVERS, ETC.

The VICE-PRESIDENT laid before the Senate the following concurrent resolution of the House of Representatives; which was referred to the Committee on Printing:

Resolved by the House of Representatives, That in addition to the "usual number," there be printed 4,000 extra copies of the special report made by the select committee of the Medical Society of the District of Columbia at its meeting of June 6, 1894, on typhoid and malarial fevers and other preventable diseases, of which 300 copies shall be for the use of the Senate, 700 copies for the use of the House of Representatives, and 3,000 copies for the use of the said society.

THE REVENUE BILL.

The VICE-PRESIDENT. The hour of half past 10 o'clock having arrived, the Chair lays before the Senate the unfinished business.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4864) to reduce taxation, to provide revenue for the Government, and for other purposes.

The VICE-PRESIDENT. The reading of the bill will be proceeded with.

Mr. JONES of Arkansas. Before the Secretary proceeds with the reading, I ask unanimous consent to make a verbal correction. In paragraph 314 in an amendment which was made several days ago the words "seven and one-half per cent ad valorem" I see are printed when the amendment intended to be made was 7½ cents per pound, on bristles, sorted, bunched, or prepared, etc.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Arkansas? The Chair hears none, and the correction will be made as suggested.

Mr. JONES of Arkansas. I was requested by the Secretary of the Treasury to move an amendment to section 5, on page 123, which was passed over yesterday. I send the amendment to the desk, and ask that it be read.

The VICE-PRESIDENT. The amendment will be read.

The SECRETARY. After the word "importer," in line 1, page 123, at the end of section 5, add:

And if any article of imported merchandise, or the packages containing the same, shall be marked, stamped, branded, or labeled, with a quantity in excess of said merchandise, then the same shall not be delivered to the importer until the false marking thereon shall be totally removed or effaced.

The amendment was agreed to.

The VICE-PRESIDENT. The reading of the bill will be proceeded with.

The Secretary read as follows:

SEC. 54. That from and after the 1st day of January, 1895, there shall be levied, collected, and paid annually upon the gains, profits, and income of every person residing in the United States, or any citizen of the United States residing abroad, derived in each preceding calendar year, whether derived from any kind of property, rents, interest, dividends, or salaries, or from any profession, trade, employment, or vocation carried on in the United States or elsewhere, a tax of 2 per cent on the amount so derived over and above $4,000, and a like tax shall be levied, collected, and paid annually upon the gains, profits, and income from all property and of every business, trade, or profession carried on in the United States by persons residing without the United States, and not citizens thereof. And the tax herein provided for shall be assessed, collected, and paid upon the gains,

profits, and income for the year ending the 31st day of December next preceding the time for levying, collecting, and paying said tax.

Mr. HILL. Mr. President, we have now reached the consideration of one of the most important features of the pending measure; important not only because the tax which it seeks to impose equals in the aggregate about one-fifteenth of the whole Federal taxation of the United States, but because of the peculiar nature of the burden, as well as the vast and varied interests which it injuriously affects.

When this debate first opened—I do not recollect the precise date, but it was a "time whereof the memory of man runneth not to the contrary"—I had the honor of submitting to the Senate some remarks against the pending proposition, which were followed soon thereafter by a most able and eloquent speech upon the same side by the junior Senator from New Jersey [Mr. SMITH].

With all due respect to what has since been said in favor of this tax by several distinguished Senators who have endeavored to defend the same, it is confidently submitted to the Senate that the arguments presented in opposition to the necessity, justice, and advisability of any such tax have never been successfully answered. The arguments have been evaded, but not refuted.

I do not intend to reiterate what I have heretofore said, but only to amplify a few of the points then suggested, and to add some new observations rendered appropriate and necessary by the changed character of the bill contemplated by the committee's amendments.

AN UNWISE POLICY.

In the first place, considered from the mere standpoint of political expediency, it was unwise to incorporate an income tax in a tariff reform bill. There were honest differences enough already existing among party friends relating to the details of legitimate tariff legislation, which necessarily had to be reconciled without going out of our way to seek fresh causes of contention in the effort to incorporate this tax—an experimental scheme of taxation at best—upon a measure for a revision of the tariff.

The Democratic party was substantially united in favor of tariff revision—if not as to details, at least in the final result sought to be attained—but it was well known that irreconcilable differences of opinion existed in relation to the propriety of restoring a war tax in time of peace; and yet in spite of such recognized differences and in face of the protest of Democratic constituencies and against the advice of public men who have never faltered in their devotion to true Democratic principles, this income tax feature has been ingrafted upon this measure, and we are persistently asked to accept it against our better judgment as a condition of obtaining any tariff legislation. It was good politics to have avoided this unnecessary issue. A wise statesmanship would have promply eliminated this bone of contention and conciliated and united Democratic sentiment rather than have attempted to secure the support of a third party at the risk of dividing your own.

Prudence dictated that this Congress should not attempt to formulate new Democratic doctrines to which we have never been committed, but rather to carry out the pledges we had already made. It is a wise party which does those things which it ought to do and has promised to do, and leaves undone those things which it ought not to do and has not promised to do.

Perhaps I overestimate the importance of party platforms and appreciate too keenly the binding obligations of party pledges. I believe that it is the solemn duty of a political party to redeem the promises upon which it obtained power, and that repudiation thereof will sooner or later bring disaster upon it at the hands of a betrayed and indignant people. I regret the spectacle which we have recently witnessed of a Democratic Executive nominating and a Democratic Senate confirming, officials for the Territories and for the District of Columbia who were nonresidents thereof, in violation of the principle of home rule and the explicit provisions of the Chicago platform.

We have recently seen a Democratic House of Representatives refuse to repeal a Federal tax on State bank circulation, a tax imposed under the taxing power of the Constitution, ostensibly for revenue, but in fact producing no revenue whatever and a tax utterly indefensible in principle—intended to be prohibitory in effect—such repeal having been expressly favored in our national platform, while the same House went out of its way to inject a Populistic income tax in a Democratic tariff bill, and the Senate is now asked to ratify a portion of such inconsistent action. For one I protest against the repudiation of the promises of the Democratic party, in order to adopt and carry out the promises of the Populist party.

What are the conceded facts of the situation? It stands conceded that an income tax has never been adopted as a Democratic principle by any convention or body authorized to formulate party doctrines.

It is conceded that it is a plank, not of the Democratic or Republican parties, but of the newly formed Populist party. It is conceded that it is a war tax which was never imposed in the whole history of the Government except during the stress of our civil war, and was one of the first war taxes abolished when peace was restored. It is conceded that it has never been approved by a vote of the people anywhere.

It is virtually conceded that there is no genuine emergency demanding its restoration at this time.

It stands substantially admitted that the other provisions of the bill will provide ample revenues for the support of the Govment.

Yet, notwithstanding all these facts, it is urged that this tax should be retained in the pending bill because forsooth a majority of the Democrats in Congress demand it. This is no adequate reason for so unwise and unprecedented a procedure. A tariff bill should relate to the tariff, and that only. Internal-revenue taxes may properly be included therein, provided there is no substantial dispute in reference to the propriety of their imposition, but otherwise they should be embraced in a separate bill. This course is essential to orderly legislation and to a decent regard for the opinions of minorities.

A familiar form of the violation of this just rule is witnessed in the vicious practice of engrafting objectionable or questionable legislation as a rider upon appropriation bills. Such bills appropriating moneys needed for the support of the Government as a general rule meet with universal assent and should contain nothing else but appropriations, and no other or general legislation foreign thereto should be injected therein, except possibly in the rare contingency of great public emergencies when the life or liberties of the nation may be deemed at stake.

Legislation involving different subjects, theories, and purposes should be kept distinct, and each measure should stand or fall upon its own merits, and the approval of any questionable scheme should not be forced by means of injecting its provisions into an appropriation or a tariff bill when otherwise it would not be favored. It is unfair to those who might desire to support the main features of an appropriation or a tariff measure to be obliged to accept a questionable provision foreign to the principal subject-matter of the bill itself or else record themselves in opposition to the whole bill.

This just and rational rule governing legislation has been violated by the injection into the pending bill of an objectionable feature in no wise essential to the bill itself, and for which some Democratic Senators can not conscientiously vote although they desire to support any fair and reasonable measure revising the existing tariff.

The violation of this rule in this instance is utterly indefensible, unwise, and arbitrary. With more propriety a majority might have incorporated in the bill a provision repealing the State bank tax—an internal-revenue tax, because they would have had the justification that the repeal at least was required by the Democratic national platform; but here there is no such excuse.

With still greater propriety they might have injected into the bill a clause providing for the free and unlimited coinage of silver, or, if not that, at least for the coinage of the silver bullion seigniorage now in the Treasury (as a means of present governmental relief), and have insisted with great plausibility that they were merely fulfilling the obligations assumed in the national platform. But, passing over these alleged party promises, they deliberately set out, not to redeem Democratic promises, but to fulfill those of a third party, at whatever risk and at whatever sacrifice.

If a Democratic Congress is to be permitted to repudiate well-established Democratic principles and to enunciate new ones without the sanction of a national convention, and to compel their support as a test of party fealty, we may next expect to hear of the adoption in a tariff or appropriation bill of Mr. Henry George's single-tax theory, or a provision abolishing all custom-houses and resorting to direct Federal taxation instead of a tariff for revenue, or providing for the assumption of governmental control and management of all the telegraphs, railroads, and banks of the country, or the adoption of any other wild and visionary scheme of socialism, paternalism, or Populism which the majority may see fit to sanction.

Upon the point which I am now considering it is entirely immaterial whether an income tax is right or wrong, just or unjust, necessary or expedient, but it is sufficient that it is not a Democratic tax and its support can not properly be made a test of fidelity to Democratic principles. It is enough for our present purpose to know that it ought not to have encumbered, embarrassed, or delayed a tariff-reform bill, and that the true enemies of tariff reform are those who, while ostentatiously shouting for tariff reform, yet obstinately insist without reason that an income tax is part and parcel of that reform and must accom-

pany it, be the consequences what they may. Democrats, whether in or out of Congress, whether charged with official responsibilities or otherwise, have no right to supplement, confuse, or interpolate Democratic principles with Populistic or socialistic sentiments.

Neither is it essential whether this tax is popular or unpopular with the masses. If proper to be adopted at all, it should have been presented and considered in a separate and distinct measure, upon which Senators could have freely voted according to their individual judgments of its propriety and without embarrassment to themselves or damage to the cause of tariff reform.

I am tempted to suggest that the Democrats of Oregon recently sought to test the popularity of an income tax among the business men and electors of that State by inserting in their platform a clause favoring that tax; and awakening to their senses after the election, they discovered that their ticket was third in the race, that their party was demoralized, and that they had divided themselves instead of dividing their opponents. The most disastrous defeat ever experienced by the Democratic party in Oregon was the result of the effort to substitute newfangled Populistic principles for the good old principles of true Democracy. Here and now I venture the prediction that the same result will follow the same effort everywhere.

A REMARKABLE PETITION.

Mr. President, I have before me a most remarkable petition, which I propose to read here, and then present the same to the Senate for reference. In substance, it is a simple and earnest protest by eight prominent Democratic business men of New York against the enactment of an income tax in violation of the implied, even if not the expressed, plighted faith of the Democratic party in obtaining power in 1892. It expresses better than I can hope to do the sentiments of ninety-nine hundredths of all the Democratic business men of the State of New York. Let me read it:

We, the undersigned, citizens of the United States and members of the Democratic party, respectfully petition the Federal Senate to strike out the clause in the pending tariff bill which provides for an income tax.

In submitting this petition, we not only plead for the continuation of the system of taxation which has endured without interruption in times of peace since the foundation of the Government, but we claim a right to protection against the establishment of the different system proposed inuring to us through the fact of the Democratic success in 1892.

At the last general election an income tax was proposed, not by the Democratic party, but by two organizations of recent date, the Populist and Social Labor parties, each essentially communistic in its character and purposes. The combined votes of these two parties was slightly in excess of 1,000,000 in an aggregate poll of 12,000,000. The parties demanding an income tax were emphatically rejected at the polls. The party whose candidates were elected was the Democratic party, a political organization founded by Thomas Jefferson, and the habitual advocate and exponent of certain principles and methods of Government which, from the beginning, have been associated with its name by its followers and respected by its representatives when exercising official power.

The Democratic party, by its constitution and by its history, stands opposed to the principle of an income tax. The imposition of that tax at this time would violate the guaranty, involved in the late Democratic success, of the continuation of the principle of taxation which the Democratic party has invariably upheld and practiced. It represents the abandonment of the traditional Democratic policy in favor of a socialistic policy which has failed to receive popular approval. It represents a direct reversal of the treatment of ourselves by the Federal Government which we had acquired the right to expect, and introduces another manner of treatment against which we hold that we are entitled to regard ourselves as safe.

While we do not enter upon a discussion of the justice or injustice of an income tax or of its merits or demerits as a feature of our Federal Government, we submit that the proposition for its enactment at this time comes as a political surprise without warrant and without authority proper to the introduction of a policy so revolutionary.

Without making an effort to add to our number appearing before the Senate as petitioners, we submit this petition for protection against the enactment of an income tax, in the conviction that we demand only what is our moral and political right under the last national election.

Respectfully,

EVAN THOMAS.	SAMUEL D. BABCOCK.
WILLIAM STEINWAY.	W. BAYARD CUTTING.
LOUIS WINDMULLER.	JOHN H. INMAN.
J. EDWARD SIMMONS.	ALEXANDER E. ORR.

I ask for the appropriate reference of the petition.

The PRESIDING OFFICER (Mr. BLACKBURN in the chair). As the bill to which the petition refers is pending before the Senate, the petition will be laid on the table.

Mr. HILL. Let me inform you, if you do not already know, who these signers are. They are business men, not politicians; representative men of whom any party might well be proud, generous contributors to Democratic campaigns, and men of the highest character. Evan Thomas is the president of the New York Produce Exchange. William Steinway is one of the leading German citizens, the manufacturer of the world-renowned Steinway pianos, and an employer of thousands of workingmen; was the elector at large on the Democratic electoral ticket in 1892, and was for a time a member of the Democratic national committee from New York.

Louis Windmuller is an active and prominent business man, a leading tariff reformer of New York City, a gentleman of culture and high position. J. Edward Simmons is the president of the Fourth National Bank, a prominent Democrat, and one of the leaders in financial circles of the country. He was one of the men to whom your Secretary of the Treasury first applied when he went to the city of New York to raise $50,000,000 upon the bonds of your distressed country.

Samuel D. Babcock is a veteran business man, universally respected, and identified with nearly every business interest in New York. W. Bayard Cutting, John H. Inman, and Alexander E. Orr are well-known representative business men, who need no introduction anywhere. These men together represent every element of factional division which may exist in that city, and can speak substantially for a united Democracy. Sir, I do not wish to drive such men out of the Democratic party by our unwise legislation in the hope of supplying their places with Adullamites, Coxeyites, socialists, and all the "ragtag and bobtail" elements of the community who will be attracted to us by our proposed raid upon the wealth of the country.

THE ENGLISH PRECEDENT.

On every hand the advocates of an income tax with one accord and with much apparent satisfaction point to the fact that in some form or another England has maintained this tax for nearly a century, and that all efforts to repeal it have proved unavailing, and they argue from these circumstances that the tax must have proved itself reasonably acceptable to the English people, and hence would be acceptable here. We submit that the conclusion does not necessarily follow from the premises.

England's form of government is that of a limited monarchy, and not that of a free republic; her institutions are radically different from ours; she sanctions class legislation of every character which we have always heretofore endeavored to avoid; her traditions, customs, and tendencies largely differ from ours; she is slow to make changes, and notoriously submits to many abuses of government which would be abhorrent to Americans.

It would be more correct to say that she has tolerated rather than approved an income tax. Her toleration, however, or even her approval of such a monstrous abuse of governmental functions affords no justification for its adoption here.

She tolerates not only an income tax, but she submits to have a royal family rule over her. She maintains a House of Lords as a part of her legislative system, whose members derive the title to their seats, not from the suffrages of the people, but by reason of rank and hereditary privilege. A life tenure attaches to nearly every royal appointment. She arbitrarily denies home rule to Ireland and Scotland, not because such denial is right and just, but because she has the power and prefers so to do. Her suffrage is not free and equal, but restricted and exceptional in its character.

The fact, if it be true, that an income tax finds favor with such a Government and such a people so radically differing from our own, adds but little recommendation for its adoption here.

We might well insist that as a general rule our country should avoid the instrumentalities, methods, and enactments by which monarchical governments manage to extort enormous revenues from the people. It is true that there is a class of people among us who are Americans in name only, but not in interest or sympathy, who spend their winters here and their summers abroad, who are constantly holding up England as the model Government of the world, and who insist that we should pattern after her laws and institutions. They would swallow an income tax and all, if for no better reason simply because "It's English, you know."

The unfortunate tendency of the times seems to be drifting toward the adoption of English laws and ideas, no matter how antagonistic or ill adapted they may be to our free institutions.

The highest ambition of every American dude seems to be to ape English customs and manners.

Our civil-service laws were borrowed from Great Britain, and although it was loudly proclaimed that they were to renovate and purify our whole political system, and while they have tended to establish a permanent officeholding class, it is questionable whether they have been productive of any substantial or genuine reform. The political conditions of this country are so different from those of England, that the successful enforcement of English laws or laws founded upon English ideas must necessarily encounter great difficulties here, where political parties rather than royal families administer the Government, and a frequent change of parties inevitably occurs.

The public wants some better reason for the adoption of an income tax than the mere fact that England maintains one. She also maintains a monarchical government, a crowned head, an hereditary House of Lords, a restricted suffrage, an enormous national debt, an immense standing army, an established church, a colossal governmental bank, and a score of other things and institutions which conflict with our notions of liberty, justice, and equality, and which would not for a moment be tolerated in a republic like ours. Those who cite England as a precedent for us to follow forget that Gladstone himself does not attempt

to justify the English income tax and admits that he has sought to abolish it. I read his letter to that effect in my previous remarks. No English statesman of any repute has ever defended it except as a tax to be levied only in times of war or to meet subsequent deficiencies traceable to the enormous expenditures of war.

England has maintained it for so many years because she has constantly been upon a war footing, and has needed its revenues for semiwar purposes.

Patriotic Englishmen will cheerfully submit to almost any extortion when they are assured by the prime minister that the taxes are needed for the preservation of the "honor and glory" of old England.

When they sometimes become restless and discontented under the severe governmental burdens imposed upon them, the authorities have only to set afloat the rumors of a foreign war, and these tax-ridden patriots relapse into a state of loyal submission. This tax is recognized in England as class legislation, and is defended as such.

It is undoubtedly popular with the House of Commons, whose members are usually the least affected by it; and there is no disguise of the fact that it is aimed at the rich, and particularly at the House of Lords, whose members and those who sympathize with them are generally wealthy and who have for years incurred the displeasure of the Commons by their hostility to reform legislation demanded by the Commons.

An income tax is the instrument or club by which the Commons get even with the Lords. Here there exist no such classes, no such distinctions, no such rivalries, and no such reasons for class legislation.

It is not true that the English income tax is enforced without much friction, evasion, or fraud. The best information obtainable is that it is constantly and successfully evaded, the Government is largely defrauded, and perjuries are frequent. It is necessarily inquisitorial in its character and must naturally be offensive in its enforcement. These things are incident to the very nature of an income tax which pries into men's private affairs, and these features can not well be avoided.

The exemption permitted is only $750, and hence the tax is more equal and equitable in its operation than that proposed in the pending bill, which sanctions the unprecedented exemption of $4,000, and thereby stamps it as class legislation of the worst sort. An exemption of a larger sum would only make the bill so much the worse. Income taxes seem to be the necessary accompaniment of monarchical governments, but they are justly regarded as odious and unnecessary in free republics.

It is a gratifying fact that no such income tax as prevails in England or in any other monarchical government, or as is now proposed in the United States in the pending bill, is permitted to disgrace the statute books of the Republic of France. France has no income tax because she has learned to love liberty, to hate inquisitions, to detest class legislation, and to respect the rights of property.

In the year 1866 there was published in the Albany Argus, with some comments, a letter from Prof. Goldwin Smith, then of Oxford University, to Hon. John V. L. Pruyn, of Albany, chancellor of the University of New York, upon the subject of the English income tax, its history, its workings, its demoralizing influence, and principal distinguishing features. The letter, with a statement which accompanied it, together with the comments of the Argus, were published at the time by Chancellor Pruyn in pamphlet form for distribution, and I am indebted to the courtesy of a friend (Hon. Sidney Webster, of New York) for a copy which he had carefully preserved for twenty-eight years.

It is an interesting contribution to the literature of this subject, and not having been prepared to influence the pending discussion, but solely as a matter of public interest, its observations are entitled to additional weight.

I shall incorporate the document in my remarks. I do not propose to read it at this particular time. It substantitates, Mr. President, every single allegation I have heretofore made, or have made to-day, in regard to the operations of the income tax in Great Britain. That tax was instituted as a war tax and defended as a war tax; it is obnoxious to the English people, and has only been retained because of the reasons which I have presented in brief to you. I will ask that the document may be incorporated in my remarks.

The PRESIDING OFFICER. It will be so ordered, in the absence of objection.

The paper referred to is as follows:

MODES OF TAXATION—INCOMES AND OTHER INQUISITORIAL TAXES—THEIR DEMORALIZING INFLUENCE—HISTORY OF THE ENGLISH INCOME TAX.

[Letter from Prof. Goldwin Smith, of Oxford, to Hon. John V. L. Pruyn.]

The paper which we publish from Prof. Goldwin Smith was drawn out by some inquiries on the part of Hon. J. V. L. Pruyn, of this city, into the workings of the taxing system of Great Britain during the latter's recent visit there. The result of the discussion was a promise on the part of Prof. Smith to embody his views in a written form; and Mr. Pruyn has received since his return the interesting paper which we copy elsewhere.

The problem of how best to levy on our population the large body of annual taxes required by Government seriously occupies Congress and the State Legislatures. With a large number of the public Prof. Smith's name carries the force of authority; with all, his testimony and the experiences which he cites will have great weight.

Let us not make the great burden we have to bear in the way of taxation heavier by its maladjustment. A pack-horse may chafe under half his accustomed load if it is placed on his back so as to lacerate him or impede his breathing or free pace. We have had in this State a system of taxation in operation which, though confessedly imperfect, has accommodated itself to the modes of business and of thought of the people. It has from time to time been modified, but never changed in its essential character. The charge brought against it was, that while it reached over all the real property of the State, it failed to embrace the mass of personal property.

But the undervaluation of land and the full taxation of the increasing corporate capitals compensated in part for this; and still more the mode in which the whole volume of Federal taxation was collected in the shape of duties on imports. Within a few years the Federal system of taxes, multiplied a hundred fold, has assumed the additional form of stamps and licenses, and taxes on sales and incomes. State taxation, which was the subject of solicitude for many years, while Federal taxation was unfelt, is now overshadowed by the mountain height of the latter. If we attempt to conform the lesser to the larger system we will only aggravate evils which we might extenuate by leaving them alone.

The valuable paper which Prof. Smith gives us points out the evils of an inquisitorial system of taxation. If it is repugnant to English sentiment and habits, how much more so to American. Our people can hardly tolerate the visitations of the census enumerator and his interrogatories as to age, nativity, children, occupation, etc. We have found it impossible to enforce the official registration of marriages or births, or even of deaths. It is a social impertinence to inquire as to a man's religion or wealth.

An arrested prisoner is warned not to answer questions that may implicate him; and going beyond the English law in delicacy, we have abolished the interrogatory of "Guilty or not guilty?" We only demand of the arraigned if he desires to be tried.

Whatever may be said of Yankee inquisitiveness—which is but crudeness and simplicity—we all hold the question in law to be torture.

The reluctance which a mercantile people, like the English, may feel to an inquisition into their day books and ledgers, their debts and credits, is greatly enhanced in our case, where capital is small, ventures large, speculation uncertain, and credit built on so frail a foundation that a breath may upset it. We have been told by mercantile men that if, during the panic of 1852, or the panic of 1857, or the panic of 1860, or any of those intermittent crises to which our finances are subject, the leading houses of New York had been compelled to lay open their affairs to the public many would have gone into bankruptcy.

Is it a wonder that when men are called to a public confessional with such a penalty impending, they resort to falsehood? The sworn exhibits of banks, railway companies, and business corporations, which precede bankruptcy, and the falsehood of which bankruptcy reveals, are not exceptional. They grow out of a universal weakness in humanity. Let not government aggravate and extend the temptation to concealment and falsehood. A mercantile people learn finally to respect truth; for it is at the bottom of all credit and all mutual reliance. That one quality makes a people manly and sincere.

Let not the Government undo the lesson and by imposing a system of inquisition and interrogation upon our people repugnant to their customs and tone of mind make them prevaricators and cheats and drive commerce from its open paths and manly courses into illicit haunts and concealments that imply fear and shame.

OXFORD, *January 26, 1866.*

DEAR SIR: My work last term left me no leisure to look into the history of the income tax and verify the views which I had propounded in the conversation to which your letter refers; and term had scarcely ended when I was unexpectedly but unavoidably called away from Oxford to a place out of the way of political books and information.

My friend Mr. C. A. Roberts, of All Souls College, was, however, kind enough to assist me by looking into some points which I mentioned to him, and he has placed in my hands the brief sketch of the history of the tax, which I send herewith, and in which references are made to more extensive sources of information.

You will find, I believe, that the sketch in the main corresponds with the account of the matter which I gave you in our conversation.

The tax was first resorted to by Mr. Pitt in 1797, the most disastrous period of our war with the French Republic, in order to meet the exigencies of that great national emergency, without recourse to the constant loans which were subversive of public credit. It was remitted at the short peace of Amiens, and reimposed upon the renewal of the war, but considered by us, as a war measure, to terminate immediately on the conclusion of a treaty of peace. An attempt of the Government to retain it after the termination of the war was defeated, and, in the words of Mr. Wilberforce, the principle was ratified that "war and income tax were wedded together."

The tax was not again imposed till 1842, when Sir R. Peel, who had recently come into power, resorted to it to meet a special emergency, not of a military, but of a financial kind; viz, the large deficit caused by the financial miscarriages of his predecessors in the Government, and the injurious effect of that deficit on public credit. He at the same time wished to make what was then a great and somewhat perilous experiment, viz, the reduction of import duties, in the hope that the increased consumption would more than countervail to the revenue, the reduction of the duty, and he used the income tax to shore up, as it were, the fiscal system while this experiment was being made. The tax was limited to a stated period, and avowedly regarded by its author as an extraordinary measure, adopted to meet a great emergency and facilitate a critical experiment.

Its renewal by successive chancellors of the exchequer, since that time, has been partly justified by the fiscal experiment commenced by Sir Robert Peel, viz, the reduction of duties in the hope of relieving the consumer without loss to the revenue, and by the emergency of the Russian war, when the tax was temporarily increased. But the main inducement has been the dangerous facility of this fiscal engine; by means of which the minister who has it in his hand is able at any time, by a single turn of the screw, to produce an additional revenue of large and certain amount, and thus to keep up the war expenditure in time of peace, to which our Government, or rather our governing class is so incorrigibly addicted.

The tax has been opposed throughout its existence, mainly on three grounds:

I. The unfairness of its pressure on the different descriptions of incomes, those arising from labor and those not arising from labor, the certain and the precarious; to remedy which various attempts at discrimination have been made, but without success, so that the evil may be regarded as at once great and incurable.

2. Its inquisitorial character, and the arbitrary power almost inevitably given to the exchequer in assessing it.

3. Its demoralizing tendency, at least when there is no great national emergency to stimulate the patriotism of the taxpayer, and induce him from a sense of honor to make true returns. Notable instances of this tendency, even in the case of our most respectable class of citizens, are given in the historical sketch. Probably false returns to the income tax have been the easy and seductive first step in many a trader's downward path to mercantile dishonor. Nobody has admitted this more explicitly than Mr. Gladstone, though he has been to so great an extent responsible for the continuance of the tax.

There is another objection to the tax, arising from a socialistic tendency, as a tax imposed expressly on the rich, and capable of indefinite increase and class graduation, which is less felt in the country where the rich are the possessors of political power, but which, if I rightly remember a conversation which I had many years ago with a Swiss gentleman, was greatly felt in certain cantons of Switzerland, where principles bordering on socialism at that time prevailed.

The tax is attractive to our finance minister, as I imagine, not only from its facility and certainty as a source of revenue, but for the relief which it affords him from the necessity of deciding between the conflicting claims of different great interests, agricultural and commercial, in the distribution of fiscal burdens. This advantage, however, would equally belong to any impartial system of taxation, such as that of which, if I can presume to call myself an advocate of any system, I am an advocate—an equal tax on all realized property, combined with a stamp tax and an equal ad valorem duty on all imports.

I of course confine myself to the subject of the English income tax, without touching on the American question. But perhaps I may, without presumption, mention one or two points affecting, in different ways, the applicability of our experience to the case of your nation:

1. The socialistic tendency, which is here kept in check by the political power of the income-tax paying class, will perhaps in your case be equally kept in check by a different influence, viz, by the absence of any sharp class divisions among your people, the more palpable identity of interest, and the greater expectation felt by the poor man of being himself one day numbered with the rich.

2. We live under the system of free trade; you under that of protection I will not enter into the vexed and, I fear, acrimonious question as to the general merits of the two systems; but it is, of course, manifest that free trade, by encouraging the importation of articles on which duties can be levied, is the best for the customs revenue, and therefore the necessity for direct taxation may not be so great in our country as in yours.

3. On the other hand, much of the income paying the tax here is hereditary, or at least belongs to persons not engaged in any industry or trade, the curtailment of whose expenditure, especially when it is devoted to the maintenance of great domestic establishments, though it is an evil and, if carried beyond due limits, an injustice to the persons themselves, does not interfere with the production of wealth by the community; whereas in America the great incomes are generally the prizes of industry, which can not be rendered insecure without injuring industry itself and the leading shoots of commerce, which can not be lopped without stunting the growth of the whole tree.

I fear you will find nothing in this letter very new or instructive; but as you desired me to write down my thoughts, I could not refuse the request of so kind and hospitable a friend.

Believe me, dear sir, yours, very faithfully,

GOLDWIN SMITH.

Hon. JOHN V. L. PRUYN.

SKETCH OF THE HISTORY OF THE ENGLISH INCOME TAX.

When the income tax was first adopted by Mr. Pitt, in November, 1797, the finances of the country were in a desperate condition, and the annual deficiencies had for sometime past been defrayed entirely by loans. Mr. Pitt now contended for the necessity of raising part of the supplies within the year, without adding to the funded debt. The means that he proposed were the laying of the tax on income, on the visible interior of the assessed taxes on houses, windows, etc. The bill was oposed violently in every stage.

Every class declared that it had its special grievance, and it was complained that so large an increase of the tax was an excessive injustice, its basis being an assessment upon past expenditure. The measure was finally carried, although the increase of taxation so added to Mr. Pitt's unpopularity that he was mobbed on his passage to St. Paul's while the bill was still under discussion.

The next year, December, 1798, the form of the assessed taxes bill was altered, and its name changed to the income tax. Pitt described the last bill as having fallen short by three and a half millions of its estimated produce of seven millions, and proposed that the presumption of expenditure, founded upon the assessed taxes, should be laid aside; that the general tax should be laid upon all the leading branches of income, while the statement of income was to proceed from the person himself, the commissioners having power in certain cases to make arbitrary assessments.

This bill also incurred fierce opposition during its passage through both houses; the war was attacked, the evils of draining the nation of its resources were insisted upon. It was said that the bill involved the revolutionary principle that all property belongs to the state; that it led to very inconvenient disclosures of property, especially in the case of mercantile men; and it was asserted that it was gross injustice not to consider the sources of income. In the House of Lords, Lord Aukland ably contended in favor of the measure, that income is income whatever the fund from which it is derived, and that if you take it by its market value it ceases to be income and becomes capital.

After the peace of Amiens the tax was relinquished, but it was imposed again the next year (1803) as a property tax, the same system of exemptions to incomes under £60 per annum being adopted as before.

In 1806 the income duty was raised to 10 per cent, and the act contained this clause: "*Be it enacted*, That this act shall commence and take effect from April 5, 1806, and that the said act and the duties thereof shall continue in force during the present war and until April 6 next, and after the definitive signature of a treaty of peace, and no longer;" but after the war, in 1816, the Government endeavored to retain one-half of the tax. Petitions were presented and meetings held against the continuance of the tax. The petitions of the city of London argued that though a reduction be made in the amount of tax, yet its principle remaining unchanged its operation would be still more galling. The ministry endeavored to free themselves from the pledge as to the continuance of the tax only during the war, on the ground that the pledge had been differently construed at the time of and since its enactment, but they were defeated, and the principle, as Mr. Wilberforce observed, was ratified that war and income tax were wedded together.

From this period until 1842 the income tax was frequently mentioned as a means to restore the finances. Sir H. Parnell, in his tract on Financial Reform (1830) advocated the same plan of an extensive remission of duties and imposition of an income tax, which was afterwards carried out by Sir R. Peel. In his budget of 1842 Peel observed that both an increase of taxes and a remission of taxes were unavailing to procure immediate relief to the finances, and that this could only be done by the imposition of an income tax, which would afford time for duties reduced to recover their productiveness. (For an abstract of Sir R. Peel's speech on this occasion see Sir Stafford Northcote's Financial Policy, pages 13 to 21, and for the arguments on the other side pages 33 to 41.)

On March 14, 1842, Lord Brougham laid on the table of the House of Lords resolutions to the following purport:

"That a direct tax laid upon income should only be resorted to in a great emergency.

"That it should cease with the necessity which alone would justify its imposition, as its facility of being increased offers a constant temptation to the Government.

"That though a past experience had proved the impossibility of drawing further revenue from increased taxes on consumption and an income tax was thus rendered necessary, it behooved Parliament to distribute the pressure so as to make it most easily and patiently borne. That there should be no invidious exemptions as to high persons (in 1806 stocks standing in the King's name were exempted on a motion made by Mr. Fox).

"That there should be a distinction between income arising from capital of every description and income arising from labor merely.

"That it is expedient to distinguish between incomes for years or for less and incomes possessed by persons who have an interest in the capital from whence the income arises.

"That no distinctions be made in favor of persons in the civil service or of pensions.

"That it is neither consistent with justice nor with sound policy to levy a greater proportion of tax upon larger incomes than upon smaller, and that an exemption of even the smallest incomes from the operation of the tax can only be justified upon the supposition that their owners are wholly unable to pay it.

"That increased economy should be exercised and the tax removed as soon as it shall appear that the ordinary branches of revenue have recovered from their temporary depression."

These resolutions were not agreed to, the previous question being moved and carried *nem con*, but except in so far as they refer to a distinction of tax upon different incomes, they appear to collect together most of the prevalent opinions as regards the income duty.

The pressure of the income tax was not severely felt for the first few years after 1842. Credit was restored, there were good harvests, and the relief by the remission of indirect taxes was apparent. Its best effect, however, seems to have been the restoration of credit, which took place as soon as it became evident that no resort would be had to a loan.

The income tax was renewed when it expired in 1845, Lord Russell (in opposition) declaring, that although he had been always of opinion that inequality, vexation, and fraud were inherent in the nature of the tax, yet that if the question was between a perpetual income tax and the continuance of monopoly and restriction, he would declare for the income tax, and a diminution and final abolution of all monopoly. Attempts were made by other memners of the opposition, but without success, to get an alteration in the application of the tax to different incomes.

In 1848 the attempt was made by the Government to raise the income tax from 7*d.* to 1*s.* in the pound, but they were obliged to be content with obtaining a renewal of the tax as before, for three years.

In a debate on Mr. Horsman's motion, that the tax should distinguish between permanent and precarious incomes, the chancellor of the exchequer said that landed property already paid a higher rate, as no deduction was allowed for repairs, and that the only way of making taxation equal was to impose a variety of taxes.

In 1851, it being proposed to renew the income tax, Mr. Hume moved and carried by 244 to 230, that the duration of the tax should be limited for a year, and a few days afterwards he obtained the appointment of a select committee to inquire into the mode of assessing and collecting the income tax. (See Sir Stafford Northcote, pages 163, 165.)

In 1852 Mr. D'Israeli, as chancellor of the exchequer, proposed a reduction of the tax on industrial incomes, but his budget was thrown out for other reasons.

In the year 1853 the income tax question assumed another phase. When in his budget of that time, Mr. Gladstone attempted to grapple with the difficulties of the matter, he extended the tax to Ireland, and lowered the scale of exemptions from £150 to £100 and provided for the final determination of the tax in 1860. (See Sir S. Northcote, pages 185 to 193.)

A remarkable part of this speech of Mr. Gladstone is that in which he argued that our debt need not have existed if there had been resolution enough to submit to the income tax at an earlier period than 1798.

The act of 1853 provides that a certain abatement shall be made upon the assessment of the income tax on those who shall have paid so much for life insurance.

Mr. Hume's committee about this time gave in the result of their inquiries. The basis of his scheme was to adjust the tax by proportioning the value of the property, the tenure of the owner, and the age of the owner; the principle was that the interest on the capitalized value of the income should be taxed. The evidence of the actuaries was very strong upon the feasibility of the scheme, but the chief officers of the inland revenue declared that its practice would be attended with insurmountable difficulties, and in spite of the appearance of authenticated accuracy in the plan the committee decided merely to publish their evidence without making a report.

The income tax was doubled in 1856, the time of the Crimean war, Mr. Gladstone arguing that to pay for the expenditure of war by taxation at the time is a moral check upon the passion for war. (See Sir S. Northcote, pages 258, 264.)

In 1857, after the termination of the war, some excitement was caused by the fear that the income tax would be continued at the war rate, but Sir G. Lewis stated that the Government would reduce it at once to 7*d.* in the pound. Next year, however, there was a deficiency, and the question then arose whether the income tax should be suffered to fall as provided by the act of 1853, and the debt postponed, or whether war taxation should be kept up in time of peace, in order to reduce debts contracted in time of war. The former alternative was chosen, but in 1859 Mr. Gladstone imposed an additional 4*d.*, and in 1860 an additional 1*d.* in the pound. (During this latter year certain customs duties were remitted through the French treaty, etc.) In 1861 1*d.* was removed from the income tax, and this year Mr. Hubbard moved for a select committee to inquire into the mode of assessing and collecting the income tax, and carried his motion in spite of the opposition of the Chancellor of the Exchequer. (Sir S. Northcote, page 370.)

Mr. Hubbard's committee, of which he was the chairman, consisted among others of Mr. Gladstone, Mr. Lowe, and Sir S. Northcote. This committee appear to have been throughout disinclined to his scheme; but their investigation was severe and complete. The chief witnesses examined were Mr. Mill and their chairman.

Of Mill's evidence questions 3539, 3543, 3578, 3571, 3572, 3706, 3712 appear most worthy of notice. His principal objection to the existing form of the tax is that income saved and reinvested is twice taxed; once as income, another

time as interest of the income invested. In another place (Political Economy) he concludes that the tax has such objections in practice that it is better that it should be reserved for emergencies when the necessity of a large additional revenue overrules all objections. Of Mr. Hubbard's evidence questions 1189, 1190, 1196, 1211, 1213, 1214, 1215, 1243, 1245, 1266, 1249, 1299, 1352 appear to call for notice. He declined to commit himself to the expression that savings ought not to be taxed, preferring to describe the unequal incidence of the tax as the taxation of capital.

Mr. Hubbard's draft report was rejected by the committee. Its general tenor may be gathered from the following remarks of the joint report presented by the committee.

The principal features of Mr. Hubbard's scheme are:

1. A proposal to make net instead of gross income the basis of assessment to the tax, not ascertaining the net income by an account of actual outgoings, but assuming it by a deduction founded on an average from certain classes of gross income.

2. A proposal to divide all incomes into two classes, of which the one should comprise incomes called spontaneous, and the other incomes called industrial, and to tax the former upon the full amount of the net income, and to tax the latter upon two-thirds of that amount.

3. A proposal to distinguish in certain cases between the interests of invested capital and the repayment by installments of the invested capital itself, and to levy the tax upon the interest only, and not upon the repaid portion of the capital.

The committee conclude their report by declining to adopt these proposals, or to suggest any method for the reconstruction of the tax. Mr. Lowe drew up a separate draft report against Mr. Hubbard's scheme, as also did Sir Stafford Northcote. One also was drawn up by Mr. Sothern Estcourt, who remarked "that the committee had to consider whether an inequality occasioned by an artificial attempt to arrive at a perfectly correct result would not be more likely to be a subject of complaint than the admitted inequality of the existing plan, by which all are covered under one mantle of universal and impartial application which does not exactly fit anybody."

He then remarks upon the injustice of taxing professional gains, and concludes that the income tax is, in its nature, essentially an unequal and unsatisfactory source of public revenue, etc., and that true policy dictates, if the tax is to be maintained in ordinary times, it should be kept so low that the difference between the relative position of man and man, class and class, should not be of such an amount or importance as to demand the intervention of the State.

In 1862 Mr. Hubbard brought forward a motion requiring the readjustment of the incidence of the income tax upon incomes derived from industry and skill as compared with those derived from property. The motion was rejected. It was repeated in 1863, and again thrown out.

This year the tax was reduced from 9*d.* to 7*d.*, and a modified allowance was permitted to incomes between £100 and £200. In 1864 another penny was taken off, and in 1865 the tax was reduced to 4*d.* in the pound. Mr. Hubbard brought forward another motion in 1864, to this purport: "That the inequalities and injustice attending the operation of the existing income tax disqualify it from being continuously reimposed in its present form, as one of the means of levying the national revenue," but it was rejected by 67 to 39.

Thus far with the history of the income tax in England. The one thing surprising in tracing its course is, that it should be still preserved as a regular means of supplying the exchequer in time of peace, and for no great particular object. Not a statesman of eminence who has not spoken against the tax; its inequalities are glaring, and its unpopularity great, yet it still exists. The fact that direct taxation accidentally became a cry of the Liberal party in England may have, in some degree, contributed to the long continuance of this tax. The merits, indeed, of any tax are but negative, but apart altogether from the general question of direct and indirect taxation, the income tax seems to have such intrinsic faults in its nature as to prevent its regular use by a statesman almost in any case, but especially in the fitful and fluctuating way in which it has been employed since 1842.

The difficulties connected with the income tax can be ranged under four heads:

1. That of ascertaining the income of different individuals.

2. That of levying an equal tax on incomes derived from different sources, which involves the difficulties of drawing an accurate line between capital and income.

3. The encouragement it gives to careless expenditure.

4. The eminent danger of those who benefit by the exemptions using and altering the tax, either thoughtlessly or purposely, so as to press hardly on the nonexempted classes.

The first difficulty can only be met by either the adoption of the objectionable principle of self-assessment, or by the employment of annoying and inquisitorial means.

The principle of self-assessment gives such unlimited scope to fraud, that the tax was described by Mr. Gladstone in 1858 as doing more than any other tax to demoralize and corrupt the country. Instance after instance might be given of income-tax fraud, but perhaps the following are the most remarkable, and have greater authority:

1. Mr. Gladstone, in his Budget of 1853, quoted the case of the alteration of Canon street, London, when the people in the old street received compensation for their loss of business. The number of persons was twenty-eight. They claimed in all the sum of £48,159, as compensation for their profit of a single year. The amount awarded by the jury was £26,973; but the return of profits for assessment to the income tax, which they had separately made, amounted only to £9,000.

2. Mr. Stafford Northcote, in a debate on the income tax, March 23, 1850, said: "Two years ago he was employed in investigating the claims of persons connected with the ecclesiastical courts, for compensation in consequence of the abolition of their offices. Those claims were generally preferred with great fairness, and were substantiated by the production of books and accounts; but when he came to compare some of them with the returns which the claimants themselves had made to the income tax, he was astonished by the most painful disclosures. One gentlemen, who had stood very high in the profession to which he belonged, had paid income tax for some years on an average income of £3,000; but it was proved satisfactorily that his actual income had been double that amount, and in one year it had been £9,000.

That gentleman, before he applied to the treasury, had paid arrears to the income tax commissioners to the amount of £609 in order to enable himself to come into court. A very respectable firm proved that in five years they had made £31,432; but the amount they had returned to the income tax in the same period was no more than £8,800. In another case, a gentleman claiming between 3,000 and 4,000 pounds sterling a year by his profession, had assessed himself for one year at £200 per annum. Afterwards his returns rose to £1,161, and when questioned he stated that he "had fixed upon that amount because he thought that an odd figure would look better than a round sum."

The Quarterly Review, remarking upon these cases, says that in every trade alike they are the first easy lessons in lying, the first apprenticeship in cooking accounts and doctoring calculations. If the tax were reserved, as it ought to be, for rare and grave emergencies, and when every other consideration is overborne by the necessity of a speedy supply of money, there would be less fear of fraud, people's patriotism would be appealed to, and they would be ashamed at deception.

Fraudulent returns could be partly checked by the adoption of a stricter inquisition, but there are few things which excite greater antipathy to the tax than the necessity which even now traders are under of disclosing their affairs. (See papers of the Income Tax Reform Association, 1857.)

In considering the encouragement which the income tax at present gives to careless expenditure Gladstone, in 1858, said in the House of Commons: "So long as you consent, without special purpose, to levy the income tax as part of the ordinary and permanent revenue of the country, so long it will be vain to talk of economy and effective reduction of expenditure. It is a source so productive, an engine so convenient, and it is so easy to lay on 1 penny or 2 pence at a time and argue that it will not be perceived."

The result is that our national income tends to be adjusted to the expenditure, instead of our expenditure being made to adjust itself to the revenue.

Lastly. The consideration of the use likely to be made of the tax through the system of exemptions is, perhaps, more political than financial: but its importance with an extended franchise is manifest.

If the tax is retained, the danger can only be met by deliberately making the tax permanent and invariable in amount, so that it may be a steady and fixed element in the financial system of the country, yet susceptible of sudden increase in time of war.

AN UNJUST TAX.

Mr. HILL. The advocates of an income tax fail to appreciate the important and controlling fact that tariff or Federal taxation is not the only taxation in this country. They ignore a most material and essential consideration, that in addition to Federal taxation there exists State, county, and municipal taxation to which every man of property is more or less subjected, and that such State, county, and municipal taxation combined exceeds in amount the whole tariff taxation of the General Government by over $260,000,000. In other words, the statistics demonstrate the fact that the tariff taxation of the United States does not equal one-half of the other taxation to-wit, State, county, and municipal taxation, which for the purposes of this argument, I may hereafter denominate "local taxation."

Does any one dispute these figures? If so, I have them here in detail before me, and I will read them if desired. We have no right to shut our eyes to these facts. In framing a system of Federal taxation which shall justly and equitably reach the citizens and property in the respective States of the Union, it becomes our first duty to inquire as to what general system of local taxation exists in the States. Is there a tax upon consumption there or a tax upon property? These are most pertinent inquiries to which we should carefully address ourselves.

In the first place, we should endeavor to avoid a duplication of taxation. This is so plain and tenable a proposition that it needs no amplification. If by some scheme of taxation already existing in the States, there is a virtual and substantial tax upon consumption there, by which local revenues are realized for the purposes of the support of State, county, and municipal governments, then it is wisdom upon our part in framing a general system of Federal taxation to avoid as far a possible a duplication of any tax upon consumption, but to resort to some other system.

With these general principles in view, to which every intelligent citizen can readily give assent, let us see where we stand and what situation confronts us.

We find that the general system of taxation already existing in the States is a direct ad valorem tax upon the real and personal property of the citizens and corporations. This is the general rule, to which of course there are some exceptions, as a few States have peculiar and unusual systems of their own not now necessary to be specially noted.

In addition to these direct taxes upon property, some States have special taxes upon corporations and some have taxes upon incomes; but the general rule is as I have stated.

Therefore, as direct taxes upon property itself, according to its value, are imposed in the States, to secure State and local revenues, it would seem to follow that to secure Federal revenues some Federal system should be adopted, other than direct taxation upon property.

What sources of revenue—other than direct taxation upon property—remain open and accessible to the General Government?

The Constitution itself answers the question. It expressly confers upon Congress the power to raise revenues by taxation upon foreign importations. It does more than that—it goes further and declares that this field for raising Federal revenues shall be reserved exclusively to the General Government, and the States are positively prohibited from entering upon it.

The power is ample—the sources are sufficient. The General Government has no occasion to resort to any other or direct taxation to secure sufficient moneys for its support. Direct taxation may properly be left to the States as their exclusive field for raising revenue—left not because of a want of constitutional power to enter it, but as a matter of courtesy, a matter of policy, a matter of propriety.

Double taxation is thereby avoided, a clashing between State and Federal interests is prevented, the spectacle of an unseemly

scramble for revenues in the same direction by State and Federal authorities is happily averted, and two different and distinct systems of taxation—one direct, the other indirect—are seen to work harmoniously together side by side, neither encroaching upon the jurisdiction or prerogatives of the other.

This was evidently the theory of the fathers of the Republic when, instead of resorting to direct taxation, they early inaugurated the policy of a tariff for revenue to meet the needs of the General Government.

That was the policy advocated by Thomas Jefferson, the founder of Democracy, in his second inaugural address. I need not repeat what he then said, as it has been quoted several times during this debate. In substance and effect he opposed direct taxation for Federal purposes, and advocated an adherence to the policy of raising Federal revenues by means of taxation upon foreign importations. That policy left the States free to monopolize all the known systems or methods of direct taxation for local purposes, and reserved, exactly as the Constitution contemplated, all the taxation upon imports for the uses of the General Government.

That was the Democratic policy maintained from the days of Jefferson to the time of our civil war, with only a few occasional interruptions; it was the policy of a tariff for revenue; it was the policy which justly recognized and preserved the rights and prerogatives of the several States; it presented a homogeneous system or means of taxation for both the National Government and the several States. That policy was maintained during the war of 1812; it was continued during the Mexican war; and it was not until our great civil war, when tariff revenues proved insufficient for the immense drain upon our financial resources, that we were compelled to resort to income and other war taxes, both direct and internal.

It is suggested to me that no one man can read the debates upon the adoption of the Federal Constitution without coming to the conclusion that the Constitution never would have been adopted if the clauses to which I have referred were not placed in the Constitution.

Then, when "this cruel war was over," and peace once more dawned upon our fair land, by common consent, as it were, the income tax was speedily abolished, although the nation was fearfully in debt and tariff taxation was strained to the uttermost to meet the demads of the Government.

It was recognized as a war tax fit only to be maintained in war times, and necessarily to cease in times of peace. Yet now, nearly thirty years after the close of the war, and twenty-four years after the abolition of the income tax, we find men who are masquerading as Democrats, but who are Populists in heart and principle, advocating the restoration of this income tax, a relic of our civil war, and a constant reminder of all its terrible memories.

Look at the inconsistent position in which this proposed legislation will place the Democratic party. For twenty-five years we have clamored against war taxes; we have reminded the people over and over again that they were suffering from war tariff legislation; we have invoked the patriotism of our citizens to obliterate every unpleasant and unnecessary feature that remains of that great conflict which can be properly eliminated; test oaths have been abolished; general amnesty has been decreed; past differences have been so far happily discarded and forgotten that those who were conspicuous in their devotion to the lost cause in that great conflict are now our honored and trusted leaders in both Houses of Congress, largely shaping the legislation and destinies of a reunited country; Northern capital is seeking investment in Southern States, and Southern men of brains and ambition are finding homes in Northern cities where a cordial welcome always awaits them; the pacification of the country has been largely effected, and sectional animosities and jealousies are fast dying out; and yet now after a quarter of a century has passed away and the Democratic party, for the first time since the war, has been intrusted with the full control of the Government, one of our very first acts is to restore the most odious, inquisitorial, and offensive war taxes with which a free people were ever afflicted.

If this is political wisdom, it is folly to be wise. If this is true Democracy, I want none of it. If this is the best leadership which we can present in this great crisis, I, for one, must decline to follow it. I prefer to stand with Jefferson, and Jackson, and Tilden, in opposition to all income taxes, and direct Federal taxation, but in favor of a tariff for revenue for Federal purposes and direct taxation for State purposes.

SPURIOUS DEMOCRACY.

I repudiate the spurious Democracy of these modern apostles and prophets, who are part Mugwump, part Populist, and the least part Democratic, who seek to lead us astray after false gods, false theories, and false methods. I object to our restoring a war tax which the Republicans themselves rejected years ago, with our approbation.

I protest against that lack of foresight and judgment upon the part of some professed Democrats who always seem anxious to adopt whatever the Republicans and the people have repudiated. There were those who vigorously opposed the issue of greenbacks during the war, but when Republicans after the war sought to curtail and restrict their further issue, these men became the earnest champions of a greenback currency and sought to merge the Democratic party into a greenback party. They opposed the policy of a return to specie payments, and then when specie payments became an accomplished fact they clamored for paper money.

Then subsequently they espoused the cause of a metallic currency and became the earnest advocates of free silver—the free and unlimited coinage of silver; but soon thereafter, with characteristic fickleness unworthy of so good a cause, they accepted the Bland compromise measure, which provided simply for a limited coinage. Then the Republicans in 1890 passed the Sherman law, which provided, not for the free and unlimited coinage of silver the same as gold, but for a limited coinage and the purchase and storage of silver bullion, treating it as a commodity instead of a money metal, a measure which violated every correct principle of finance; and although the Democratic party opposed that measure and denounced it for three years and demanded its repeal in their national platform, the present leading advocates of an income tax when the opportunity for action came last year strenuously opposed its repeal in Congress for three long months. They are the same shortsighted men who four years ago made the air of the Capitol resound with their denunciations of ex-Speaker REED'S rules, and recently turned around and adopted the substantial principle involved in those very rules, amid the laughter and ridicule of the whole country.

Mr. President, I can not follow such leadership, which shifts and turns and temporizes upon every public question; which compromises every well-established Democratic principle for which the party contended when out of power; which stands ready to adopt every passing "ism" of the hour; which surrenders principle for expediency and pursues no consistent course from one year to another. If political success of my party is only to be purchased by such methods and such sacrifices I prefer defeat and the preservation of my self-respect.

STATE VS. NATIONAL TAXATION.

Mr. President, the national victory of 1892 meant a reduction of the tariff; it did not mean an income tax. It did not mean an invasion of State rights, a usurpation of State privileges, or the absorption of State sources of taxation.

It did not mean direct taxation on the part of the General Government. It meant a tariff for revenue, a reasonable reduction in tariff duties, the substitution of revenue duties for prohibitory duties wherever the latter existed, the placing of raw materials upon the free list, and the restriction of the revenues to be raised to the actual necessities of the Government.

This was the policy to which the party was solemnly committed.

But instead of pursuing this plain and simple course, which duty unmistakably marked out, this bill in its present shape abandons many Democratic principles and seeks to impose upon the party and the country a vicious and offensive scheme of Federal taxation for which they never voted.

But it is said in justification of this departure from Democratic precedents, that tariff taxation does not reach the wealth of the country, but that an income tax will, and hence that the latter is desirable.

A tariff duty is an indirect tax upon consumption, and wealth pays its share of whatever it consumes. There are no classes exempt from its operation, and the greater the consumption the larger is the tax.

No men and no two families consume productions equally, and hence in amount their taxation is not the same, but it is equal in the sense that each pays his pro rata share.

A poor man and a rich man do not pay exactly alike, nor do two poor men nor two rich men, but each pays proportionally to what he uses.

No one pretends that this system of tariff taxation is, of itself alone, absolutely and entirely just, neither is any other single system of taxation which the world has ever tolerated, as there will always necessarily exist some inequalities in such matters, but taken in connection with other systems which exist in the States and with which it must be considered and operated, we insist that customs duties affords the best, easiest, and least felt method of raising Federal revenues which has yet been devised, and in my judgment it will continue to be the settled policy of this Government long after those who are now so loudly complaining of its hardship and injustice shall have been forgotten.

The burdens of tariff taxation are sometimes grossly exaggerated. The whole customs duties collected last year only

amounted to about $205,000,000, which, divided among 60,000,000 of people, made a tax of scarcely $3.50 apiece.

What a tremendous sum to pay for all the blessings of a free government!

A tariff tax is an indirect tax, and is therefore the least felt by the people.

I adhere to the Democratic doctrine that the tariff is a tax, and that the consumer and not the foreigner pays the tax; but while this is true as the general rule, of course the importer alone pays the tax in the first instance and usually the consumer afterwards; but it is also equally true that sometimes it is very difficult to ascertain when and in what proportion, if at all, the consumer pays any particular tariff tax.

Tariff duties do not always increase prices, and sometimes their effect seems to be to diminish prices. Prices are largely affected by competition, the question of supply and demand, and hard times or good times. When the duty upon wool was increased by the McKinley bill in 1890, the price of wool did not rise in this country, but it diminished, and has remained lower ever since.

Under such circumstances it can not well be said that the consumers of wool paid the increased duty, except upon the possible theory that but for the duty the wool would have been still cheaper. No absolutely exact rule or principle can be laid down in such matters. The tariff subject is not an exact science. Extravagant duties invite competition, and competition usually lowers prices, but prices are not always regulated by tariffs, and hence there is no accurate method of ascertaining how much of the annual revenues realized from a tariff bill are really paid by the actual consumers. The people are not suffering so much today from indirect tariff taxation as they are from direct State and local taxation. The productions and manufactures upon which tariff duties are now imposed were never so cheap as they are at this time.

The evils of the hour from which the people are suffering arise largely from an inadequate and disordered currency and a bad financial system, dating back from that evil day in 1873 when free bimetallic coinage ceased in the United States.

It is State and local taxation from which the people are also suffering, which is double that of the Federal tariff taxation. Look at the financial condition of the States whose representatives here are especially jealous or anxious in urging the substitution of income taxes for tariff taxes.

There is Georgia, whose junior Senator I am pleased to regard as my personal as well as political friend, and who made his *debut* in this Senate in an eloquent and earnest defense of an income tax, has a State debt of $10,449,542; Tennessee, whose able representative in the House [Mr. MCMILLIN] is the real author of this income-tax provision, but whose sense of fairness and propriety for which he is noted should have led him not to insist upon inserting it in this bill, but if at all, in a separate measure, is staggering under the load of a State debt of $19,695,974; Missouri, whose senior Senator [Mr. VEST] is largely responsible, voluntarily or compulsorily, for much of the present bill, has a State debt of $11,759,832; Alabama, whose influential Senators have obtained for her a tariff duty upon iron ore, and not satisfied with that violation of Democratic pledges, now demand an income tax in order to fulfill Populist promises, has a State debt of $12,413,196; Texas, the versatile and elastic free-trade sentiments of whose junior Senator [Mr. MILLS] permit him without inconsistency to vote against free iron ore and for free lead ore, against free sugar and for free wool, but for an income tax always, has a State debt of $4,317,515; Louisiana, with a sugar tax of $43,000,000 imposed upon the whole country for the incidental benefit of her own sugar industries, can not be heard to complain of the hardship of other tariff duties or to demand an income tax in place thereof, while her own State debt amounts to $16,008,585; North Carolina, with a State debt of $7,703,100, and South Carolina, with a like debt of $6,953,582, and Indiana, with a debt of $8,538,059, and Arkansas, with a debt of $8,671,782, and last, but not least, Virginia, whose able and distinguished senior Senator sits upon my left here, and for whom I have great personal respect and friendship, and whom I am sure would not intentionally do injustice to the great Democratic Empire State of New York, where he has many warm admirers—his State has a debt amounting to the enormouse sum of $34,227,234; these States whose aggregate State debts amount to the grand total of $132,066,619, supplemented by immense county, city, and town indebtedness amounting to millions upon millions more, are suffering more from the burdens of their own local direct taxation than from any indirect Federal tariff taxation or from the absence of an income tax.

In order to relieve the people from these local burdens there is no objection to these States providing for local taxation upon incomes, or to the adoption of any other system of local taxation which they desire, whereby wealth in these States may be compelled to bear its full portion of local taxation, but we object to their insisting that New York or the General Government shall also adopt an income tax for their particular benefit.

Is there any particular complaint from these States that their men of wealth escaped taxation? If there is, and an income tax will reach them, why do they not adopt a State income tax, and at once relieve their own people? No; that is not their purpose or object. They desire a Federal income tax, not to reach the men of wealth in their own States, but to reach those in other States.

I noticed the other day that Evan P. Howell, of the Atlanta Constitution, a genial and popular Democrat of Georgia, visited New York. He met a correspondent who spoke to him and congratulated him upon the appointment to this body of the distinguished junior Senator from Georgia [Mr. WALSH], who in part represents that State here. After having done so the correspondent said to him: "I observe that Senator WALSH is advocating an income tax in the Senate. What do you say to that, Mr. Howell?" Mr. Howell replied: "That is all right. We are all for an income tax down in our part of the country; and so is Senator WALSH, who represents us, because none of us have $4,000 income, and somebody else will have to pay the tax."

They admit that such an income tax will affect their own people but little. They have taken pains to fix the exemption high enough so that their States will be compelled to contribute little or nothing. It is the great Democratic State of New York which they are after—that is the State to be punished. Its chief city, which has always been the target for every Republican attack, is now to be raided by its own party friends in Congress.

The State which has ever been friendly to the South and its people, which has ever defended their constitutional rights and prerogatives; the State which has always opposed force bills, carpet-bag governments, federal election laws, arbitrary arrests, and federal interference in State affairs; the State which is one of only three Northern States which have a full Democratic representation in this Senate, and thereby gave the Democratic party its control here, and which has Democratic Representatives in the other House; the State whose citizens are the most generous contributors of those in all other States towards Democratic campaigns in every part of the country; that State, because its business men have by their energy, ability, thrift, and industry built up their business, their industries, and their varied enterprises, so that they realize large incomes from them, is to be subjected to an odious, unnecessary, and objectionable income tax, at the instigation of their party friends from the South, as soon as we get possession of the Government; a Federal tax for which New York nor any other Democratic State ever voted; a tax which no Democratic national platform ever approved; a tax rejected and discarded by the people of all parties twenty-four years ago; a tax the imposition of which will drive New York, New Jersey, and Connecticut into the Republican column, there to permanently remain; a tax the individual feature of which has not been recommended by any Democratic President or Secretary of the Treasury or Commissioner of Internal Revenue, but a tax suggested, advocated, and now persistently pushed by a majority which is temporarily "in the saddle" in this Congress, and is driving the Democratic party with reckless and headlong speed into the abyss of political ruin.

Mr. President, the excuse for the restoration of an income tax is the avowed purpose of reaching the wealth of the country. This is the oft-repeated answer which is made to every objection raised. I assert that it is not a tax upon wealth *per se*. Wealth is property, either real or personal, and this is a tax upon neither. It is a tax upon what a man earns—upon his thrift, his industry, his capacity, his pluck, his savings, his prudence; but it is not a tax upon wealth, upon what he actually has. It is not a tax upon what a man has really acquired, but it is a tax upon what he is earning or acquiring; a tax imposed *in transitu*, while wealth is being earned or acquired.

Incomes are uncertain with men of business—they have large incomes one year and large losses the next. A tax once paid can not be restored, and there is no method of equalizing the tax for a given period of years. A man may earn $10,000 one year and invest it in business the next year, and for five years annually lose money until he has lost all and more than he earned; yet he paid the income tax, not upon the net result of five years' business, but upon the result of one year's venture.

An income tax works manifest injustice because, like all war taxes, it is founded upon no principle. That is the very nature of a war tax. It reaches out for whatever is in sight, regardless of justice, circumstances, or results. Income is not property according to the usual or proper acceptation of the term. It may be due but not realized—it may not have been reduced to possession; it can not always well be reached on a sheriff's execution.

Taxation should be imposed, not upon incomes which are usually variable and uncertain, but either upon property or upon importations. The General Government should not endeavor to monopolize both the direct and indirect methods of taxation.

The property of the country—its stable and acquired wealth—should be reached by direct taxation, while indirect taxation reaches whatever we consume.

Of course, property or wealth *per se* is not reached by a tax upon consumption, and is not intended to be. That is left to be reached by direct taxation.

The advocates of an income tax point to this or that wealthy citizen who owns houses and lands without number, and complain that he pays no more taxes to the General Government than the poor man who owns nothing at all but supports a whole family. That may be true, although usually it costs more to support the rich man's family than the poor man's, and hence the rich man pays more under a tax on consumption.

But even if that were otherwise no injustice is done anybody.

No one expects that any one system of taxation is to reach every class. We must not forget that while there is one General Government, there are also forty-four States, with local systems of taxation of their own. (Our Union is one body, united like the ocean, but divided like the waves.) The Constitution contemplated that the General Government would resort to tariff taxation for its revenues, and that the States would resort to direct taxation upon property, and together the two systems would work harmoniously together, and reach all classes and all property, and our fathers before us so construing the Constitution inaugurated the present system of tariff taxation which has been in existence from the foundation of the Government.

The rich man who owns the houses and lands pays State, county, and municipal taxes thereon according to their value, and he pays his tariff taxes besides upon whatever he consumes.

The poor man, however, who owns no property, of course pays no State, county, or municipal taxes, but simply his tariff taxes.

If income taxes should be substituted for tariff taxes, then the poor man would pay nothing, either to the State or local or national governments.

No person should be exempt from all taxation—both direct and indirect—simply because he owns no property.

The statistics show that 80 per cent of our population own no taxable real or personal property whatever, and hence they pay no direct taxes. The only way the 80 per cent are reached at all is through tariff taxes—a tax upon consumption. The Constitution imposes no property qualification as a condition of being entitled to vote, but it fully recognizes manhood suffrage.

The poor man's right to vote is strengthened and intrenched by the fact that he is not a drone in society, but that while he pays nothing for police, fire, and other local purposes, nothing for lighted streets or good roads, nothing for the maintenance of courts or justice or for schools where his children are educated, yet he does pay his share of taxes upon consumption through the imposition of customs duties.

His enemies are those who would suggest the substitution of an income tax for these tariff taxes, whereby he would pay nothing whatever for the support of his State or National Government.

The same Constitution which guarantees manhood suffrage—that is, the right of every citizen to vote whether he owns property or not—also provides for taxes upon consumption in the shape of tariff taxes and forbids the States from imposing any tariff taxes; and this is a most significant fact in my judgment, because it indicates that it was the intention of the framers of that instrument that manhood suffrage and taxes upon consumption should go hand in hand together; and when you destroy the one you undermine the security of the other.

Will some one tell us why 80 per cent of our population should escape all taxation whatever, as they would if income taxes should be substituted for tariff taxes?

It is never desirable in a free government especially, or in fact in any other government, that property should pay all the taxes.

What good reason can be urged for any such discrimination?

Are property owners the only ones interested in the maintenance of government?

Is property the only thing to be protected in the administration of public affairs?

Let us take a broad view of the situation—a nonpartisan view—a view free from demagogy and from clap-trap, and unawed by popular clamor and uninfluenced by unintelligent criticism.

PUBLIC SENTIMENT.

We hear upon every side the flimsy excuse that Senators do not personally favor an income tax and doubt the wisdom of the experiment upon which we are about to enter, but that their people want it and they must vote for what their people want.

This is a narrow and timid view of public duty. Public sentiment is fickle at the best—it comes and goes; it is unreasonable and arbitrary and pig-headed at times. There are occasions when it should not be tamely submitted to, but should be resisted and defeated.

I respect what is called public sentiment when it is right, but I detest and defy it when it is wrong, unreasonable, and arrogant. It should never be allowed to swerve us from our sense of official duty. We should not mistake a healthy and an honest public sentiment for a mere clamor, an outburst of passion, or a freak of prejudice.

It is in emergencies above all other times when public men should keep level heads, maintain their courage, and adhere to their sincere convictions. In my judgment public men should not imitate the willow and bow to every passing breeze, but stand up brave, erect, and strong like the oak of the forest, and defy the storm which always soon passes away.

OUR TWO SYSTEMS OF TAXATION.

Again I repeat the inquiry, why should accumulated wealth or property pay all the taxes of any government?

In France, where the government consists of one central power or organization from which all legislation emanates, there are direct taxes upon property, custom-house taxation, and also a capitation tax.

No one there escapes taxation except the absolute pauper. A capitation tax is imposed to reach those who own no property and may not be sufficiently reached by indirect tariff taxation.

Their system recognizes the desirability from every rational point of view, that every citizen should pay something towards the support of the government which protects his person and under which he "lives, moves, and has his being."

Here our country is divided into States and one complete system of taxation for both the nation and the States is not practicable, if for no other reason because the Constitution expressly forbids the States from entering upon one field of taxation which is regarded as exclusively belonging to the nation.

But the nation can have one system and the States another, and neither need conflict with the other. There is not so much difference between the total amount of Federal taxation and that of State taxation as to prevent substantial equality in the distribution of public burdens.

Our duplex system of taxation is not a complex one. It is simple and easily understood. The State system and the national system work harmoniously together. The merits of the one can not be weighed without considering at the same time the merits of the other.

The man of property, the rich man if you please, pays taxes upon his houses and lands and personal property, the property which he actually owns, under our State systems of taxation; while the man without property, the poor man if you please, pays his taxes upon consumption, upon what he uses, as does also the rich man; and the mere fact that the poor man may or may not pay a greater proportion of the taxes upon consumption than the rich man is no evidence of inequality in taxation, as each pays in proportion to what he owns and what he uses.

Accumulated wealth—that is, property, houses, lands, and personalty—should pay its full share of the public burdens, State and national, but it does not follow that it escapes its full share simply because it is not reached directly by tariff taxation alone.

The propriety, if not the absolute necessity, of the General Government pursuing a different system of taxation than the States, in order to not conflict with them and not to unreasonably duplicate taxation and in order to reach all classes, is so apparent that it needs no further argument.

WHICH GOVERNMENT PROTECTS PROPERTY?

Much is said about the General Government "protecting" property, and that therefore property should pay taxes directly to it. Such protection is more of a fiction than a reality, more of a theory than a practical result. In truth and in fact the property and personal liberty of the citizen is protected almost exclusively and entirely by his town, county, and State governments. The local governments are those which protect property and personal rights, which supply us with fire and police protection, with sewer privileges, with pure and wholesome water, with gas and electricity for our streets, which maintain our pavements and roads, which arrest and punish our offenders, which support our public schools and sustain our countless charitable institutions, and charter our public conveyances, protect our suffrages, and maintain public order everywhere, and which make life worth living.

The obligation of ourselves and our accumulated property is to the State and local governments and not to the General Government, except in the remotest degree.

In fact the General Government has but a very limited jurisdiction over us, which is defined in the Constitution. It can

legislate but little in regard to our domestic affairs. All the various relations of life, and our business, our occupations, our contracts, our homes, our comforts and privileges, are all regulated by the State and not the nation.

The nation can not give us honest local governments; it can not protect us from fraud, speculation, robbery, murder, fire, darkness, bad highways, ignorance, pauperism, intemperance, and crime generally, or from any of the other evils the prevention or regulation or control of which requires the expenditure of public moneys.

The very nature of our Government prevents such protection and forbids such interference with the domestic affairs of States.

The jurisdiction of the General Government is very much restricted. It can do three things under the Constitution (Constitution, Article IV, section 4): First, it can guarantee to every State a republican form of government, a comparatively easy task, usually entirely fulfilled when the State is first admitted into the Union; second, it must protect each of them from foreign invasion, a danger which no one need ever fear; third, it must protect them from domestic violence, but only when asked by the Legislature or executive of a State. The occasions for interference to discharge this last duty have been very rare in the history of the country.

It may therefore be safely asserted that the new-found theory for tolerating an income tax in time of peace, because of the protection which the General Government gives to wealth, property, and individuals, has little or nothing to support it. The same false theory has been especially invoked to justify an income tax upon corporations, and it has been urged that as corporations are invested with vast powers and privileges not enjoyed by individuals, and receive much protection in their vast undertakings, and are as a rule prosperous by reason of opportunities afforded to acquire wealth by their aggregated capital, they are fit subjects for an income tax.

The first answer to this plausible argument is that corporations already pay to the States their share of taxation. If they do not, they can be compelled to do so by the States themselves, and their failure or fulfillment of that duty is a matter of no concern to the General Government.

The next answer is that these corporations are created by the various States and not by the General Government, and their obligations are to the States and not to the nation. The corporations created by Congress are few indeed—they can be counted on the ends of your fingers. They cut no figure among the great mass of the corporations of the country.

The existence of these corporations thus created by the States may furnish a reason why the States might subject them to income or other special taxation, but not why the General Government should do so.

Many States which have created them have already subjected them to immense special taxation, from which large revenues are derived for the support of their State governments, and the General Government has no moral right to imperil or diminish those revenues by imposing double taxation.

AN UNNECESSARY TAX.

In my address to the Senate on April 9 last I made the point that this tax was not required by the necessities of the Government. I think I furnished the data which conclusively established that contention.

I have yet to hear those figures disputed. No Senator around this circle has endeavored to maintain the necessity for this tax at this time; no official has supplied any information which shows that it is needed.

I need hardly suggest that nothing but the most pressing necessity would justify the imposition of such a tax in a time of profound peace. That necessity should be proved; it should not be assumed. The great compromiser of the age—the distinguished Senator from Maryland [Mr. GORMAN]—while personally expressing his dislike of this tax and regretting its adoption, yet with that spirit of conciliation which always characterizes him reluctantly accepts it, and has seen fit to suggest that it may be denominated an "emergency" tax.

What "emergency," in any proper sense in which that term can be used, has arisen which justifies it? None whatever.

There has simply been a falling off of the usual tariff revenues, occasioned by the temporary depression in business and by the scare produced by contemplated tariff changes, and that is all.

The ordinary routine of business will soon be resumed and the usual revenues will be flowing into the Treasury. There is no "emergency" in fact; it is a mere play upon words to call the present situation such.

Whatever emergency there may have been, if any at all, is already past and been met by the issue of bonds by the Secretary of the Treasury. Such a contingency can be met again in the same way if necessary.

Besides, this tax is not intended to meet any existing emergency, because by the very terms of this bill not a dollar can be realized from the proposed income tax until July 1, next year. Besides, it is not possible that the framers of this measure regarded extraordinary revenues as desirable at this time, because they have deliberately provided that the sugar tax, which in their wisdom they have voluntarily or otherwise seen fit to impose, shall not go into effect until the 1st day of January next.

What an absurdity it is, then, to call this odious income tax an "emergency" tax in order to make it more palatable to the people.

The income tax is not required to pay the bonds recently issued, because it is impossible to pay them until they are due—thirty years from their issue.

That an income tax is not needed to meet the existing or accruing Treasury demands, is apparent not only because no income can be realized until next year, but because the other revenues already provided for in the bill will be ample.

The chairman of the Finance Committee, in his first speech in advocacy of the bill, admitted that the revenues provided for therein would realize substantially enough to meet the annual expenditures as estimated by Secretary Carlisle, without any income tax at all; and the chairman's own figures as to estimated revenues were shown to be erroneous to the extent of $3,092,732, which amount added to his figures would make $32,481,977 surplus including an income tax, and leaving $2,481,977 surplus without an income tax, the income tax being estimated at $30,000,000. Since the chairman's speech and since those estimates were made the duties in this bill have been largely increased, not, however, I assume beyond a revenue point, and if I am wrong in that particular I am ready to be corrected.

Mr. PEFFER. That is a violent construction.

Mr. HILL. The Senator from Kansas says that is a violent construction; but for the purpose of the argument I propose to assume it. If I am wrong in that respect, I am ready, as I said, to be corrected. So much larger revenues are expected to be realized than Senator VOORHEES then admitted. What is the amount required for the expenditures of the Government for the next fiscal year?

Secretary Carlisle's estimate contained in his last annual report was that $448,306,789.93 would be sufficient, but this sum included $162,631,570 for pensions, and it has since been shown by later estimates, by a comparison with the pension expenditures for the past eleven months, and by the opinions of competent experts who study such matters, that the pension expenditures for the coming year will not exceed $135,000,000, especially under the reforms and economies which have been instituted in that Department.

Deducting therefore, the difference between the amount estimated last December, to wit, $162,631,570, and the lesser amount now shown to be required, to wit, $135,000,000, amounting to $27,631,570, from the total amount of governmental expenditures first above mentioned, viz, $448,306,789.93, leaves $420,775,219.93 as the correct amount for which revenues must be provided.

There is no dispute whatever as to the following estimated receipts, to wit:

Internal revenue (under existing laws)	$160,000,000
Postal (under existing laws)	84,427,766
Miscellaneous (under existing laws)	20,000,000
	264,427,766

Soon after this bill was first reported (complete) to the Senate the Treasury experts made and published an estimate of its anticipated revenues, which was as follows:

Customs (including $41,822,631.61 for sugar duties)	$163,361,000
Additional internal revenue to pending bill as follows:	
Income tax	30,000,000
Spirits	20,000,000
Cards	3,000,000
	216,361,000
Add conceded receipts first above mentioned	264,427,766
Total	480,788,766
Since this estimate was made the sugar schedule has been rearranged and the duties somewhat increased, so that they are now estimated by the Finance Committee at $43,151,699.20, making an increase of $1,329,067.59 to be added	1,329,067
Final total	482,117,833
Deduct amount required for expenditures as above stated	420,775,219
Surplus	61,342,614
Deduct amount of proposed income tax	30,000,000
Remaining surplus	31,342,614

Was it the Democratic party which a few years ago was heard loudly declaiming against the danger of accumulating an enormous surplus in the Treasury of the United States? I think I

heard some such argument repeatedly urged in the campaign of 1888.

There is no escaping the figures I have given. They show that there is no necessity whatever for an income tax in this measure, as ample revenues will be produced without it.

Who says to the contrary? What Treasury official, what member of the Finance Committee, what competent expert, what political economist has ventured to dispute these figures?

To this large surplus there should also be added the additional revenues sure to be realized under the increased duties placed in the bill during its passage in the Senate. Besides, the fact should not be forgotten that the estimated revenues are based upon the importations of the fiscal year 1892-'93, which was largely affected—especially the latter half of it—by the financial stringency, followed by the panic of that year, and hence it may fairly be assumed that under better business conditions, which all Democrats hope for and all the people may reasonably anticipate when the tariff question is disposed of, there will be larger importations received and greater revenues realized than have been estimated, and that a huge, or at least a very respectable surplus will soon be in our Treasury.

Mr. President, it has been difficult to fathom the motives of the Finance Committee in their insistence upon deferring their proposed duty upon sugar until January, 1895. The committee, it must be admitted, did not very successfully defend the propriety of their action. Their attitude has placed them in an awkward and unpleasant position, inviting much criticism which might better have been avoided.

Sir, can it be possible that their well-known anxiety to retain the income-tax provision in this bill has led them to postpone the date for the operation of the sugar tax in order that there might be created an apparent greater necessity for this income tax?

Any other explanation seems unreasonable. It is absolutely impossible under the present condition of this measure—with the duties which have been added to this bill—with the large sugar tax provided for, which is likely to produce a revenue much greater than has been estimated by anyone—to justify the retention of an income tax therein upon any theory that the Government needs the revenues.

Some other pretext, some other excuse, some other subterfuge must be invented.

THE EXEMPTIONS.

This measure exempts all incomes less than $4,000.

There is no precedent anywhere for an exemption of such an amount, and I have already expressed my views of the outrageous character of this provision and do not care to repeat them. The larger the exemption the more emphatically the bill becomes class legislation, utterly indefensible by fair-minded and intelligent men.

If there must be an income tax, it should be substantially uniform and consistent, and should tax all incomes or none at all. If any exemption is permitted, it should be a very small amount, corresponding in some degree with other tax exemptions or with exemptions on executions. There should be no favoritism, no discriminations, no privileged classes. If a tax upon industry, thrift, and earnings is defensible at all, then all exemptions are matters of governmental charity and must necessarily be very limited and reasonable.

Some of the zealous defenders of this tax do not seem to comprehend its nature or to realize why it is objectionable.

The New York World of yesterday appealed to the friends of the tax in Congress, asking them to "listen to reason," and urging that the exemption of $4,000 is too low instead of too high, and demanding an amendment raising it to $5,000.

The suggested amendment would make the bill worse instead of better. It would render it still more objectionable as class legislation, and restrict its operation to a fewer number of people. Its present discriminations are some of the potent objections to it now. The true doctrine is that all property should be taxed, or none at all; and likewise all incomes should be taxed, or none at all.

Mr. President, there is no sense or reason in this four-thousand-dollar exemption. It bears evidence upon its face that it was fixed at that amount in order that Congressional salaries might be reached just a trifle, and thereby to demonstrate the patriotism, unselfishness, and disinterestedness of Congress, and yet not seriously diminish those salaries. It is a cheap effort to obtain unworthy credit. It bears the stamp of demagogy, hypocrisy, and insufferable pretension.

If Congress in its consideration and treatment of this subject desires to be honest, manly, and consistent, let it fix the exemption, if any, at the reasonable sum of $1,000, and much criticism which now justly pertains to the measure will then be avoided.

The bill also exempts the salaries of all State, county, and municipal officers. This is a most important and sweeping provision, worthy of the most careful consideration. It creates at once a privileged and exempt class—the office-holding class—an immense army of people, usually receiving large salaries and earning them comparatively easily. Yet this immense number of people are not to share with their less fortunate neighbors in in bearing the public burden of this particular tax. If the exemption of this powerful and numerous class is a matter of discretion with Congress, it is needless to argue that it ought not to be granted, and it fitly illustrates the injustice of this bill.

And if on the other hand this exemption is not a subject upon which a discretion can be exercised, but is made necessary by constitutional requirements or inhibitions, then it illustrates the inherent imperfections and injustice of any Federal income tax.

I am sure the committee will not attempt to justify this provision upon any ground of its inherent propriety, but will fall back upon the plea that they were powerless to prevent it and insist that it must accompany any income tax which the Federal Government can enact. No man will attempt to sustain this provision except upon constitutional grounds. It is one of the most offensive features of this bill, because of its discriminations, because it exempts whole classes of people, no matter how rich they may be, how large their salaries, how easily they earn their incomes. Whom does it exempt?

The governor of New York, the mayor of New York City, the mayors of all our large cities, the judges of all our State courts, State, county, and municipal, our regular State officers, and every State, county, and municipal officer receiving a salary of $4,000 and over.

What is applicable to New York is applicable to every other State paying such salaries. And yet this bill is urged upon the ground that its object is to equalize taxation, to aid the poor, and to reach the rich.

Is this defect incident to any Federal income tax which we can enact? Let us see. The Supreme Court of the United States in the case of The Collector *vs.* Day (11 Wallace, 113), held in December, 1870 (the case arising under the provisions of our then existing income-tax law), that it was not competent for Congress under the Constitution of the United States to impose a tax upon the salary of a judicial officer of a State.

It is significant that soon after this decision was announced the Federal income tax was repealed.

The case arose in Massachusetts, and the salary assessed was that of Judge Day, of the court of probate and insolvency for the county of Barnstable, Mass., the salary being fixed by law and payable out of the treasury of the State.

I have stated the question which was presented and actually decided, to wit, that the salary of a judicial officer of a State can not be affected or assessed under a Federal income tax.

The respect due that decision of the highest court of our land, of course justified and in fact compelled the authors of this measure to exempt judicial officers of a State. They found that this discrimination in favor of judicial State officers must be inherent in any Federal income-tax bill which can be devised. So far I make no complaint. But the authors of this bill have gone further and exempted not only judicial officers, but all other officers of the States, and not only of the States, but of the counties, and not only of the counties, but of municipalities.

They insist that they have not only exempted judicial officers because required so to do by the strict terms of the decision, but have exempted all others who, by the reasoning of the court, are entitled to the same exemption because they stand in the same situation.

The decision of the court, it must be confessed, is a very broad and sweeping one. It is true that the decision was not placed upon the narrow and technical ground that the officer was a judicial officer and therefore he was exempt, but upon the broad and general ground that he was a State officer, or rather upon the still broader ground that the officer was a part of the government of the State, and was one of the means or instrumentalities employed for carrying into effect some of the legitimate powers of the State government, and that therefore neither he nor his salary could be interfered with by taxation or otherwise on the part of the General Government.

The substance of the decision was that no instrumentality or means employed in any way by a State government to carry out its own reserved powers could be taxed or interfered with by the General Government.

It has already been previously held (Dobbins *vs.* Commissioners of Erie County, 16 Peters, 435) that it was not competent for the Legislature of a State to levy a tax upon the salary or emoluments of any officer of the United States.

It was deemed that the cases of McCulloch *vs.* Maryland (4th Wheaton, 316) and Weston *vs.* Charleston (2d Peters, 449) had settled the principle that "the State governments can not levy a tax upon the constitutional means employed by the Govern-

ment of the Union to execute its constitutional powers;" and it was declared that what the State could not do to the General Government the General Government could not do to the States.

The case (11 Wallace, 113) is authority for the broad principle that the General Government and the States are separate and distinct sovereignties, although both existing within the same territorial limits, and that each acts independently of the other within their respective spheres; and that all means or instrumentalities created or employed by a State government to carry out its own reserved powers can not be interfered with by taxation or otherwise, but that all such means and instrumentalities must be left free and unimpaired.

The authors of this bill have rightly interpreted this sweeping decision—the most important in its consequences in matters of taxation that has ever been announced—but they do not go far enough—they do not carry out its reasoning to its legitimate result.

They have correctly interpreted the decision to exempt not only the salaries of judicial, but all other officers of a State, including all its divisions of authority, because these are parts of the State, embraced within the scheme of the State government; but they have not exempted the other means or instrumentalities which State governments have created to enable them better to carry out their functions, to wit, domestic corporations.

Take, for instance, a railroad corporation, which a State has chartered for the express purpose of developing a certain section of its territory, and it has provided that a certain portion of its earnings or a share of its dividends shall be paid to the State, for the general purposes of its government; will it be said, in view of this decision of the highest court of our country, that this same railroad can be compelled by means of a Federal income tax to surrender a portion of its earnings or dividends to the General Government, and thereby exclude the State government or diminish its revenues?

What the General Government can not do directly it should not be permitted to do indirectly. In New York, as well as in other States, municipalities and towns have been permitted to aid the construction of railroads by loaning them money, and have taken as security for such loans the bonds or stock of such railroads, and for the payment of which bonds or dividends upon stock the earnings of the railroads have been pledged by law or by contract; and now, can the General Government by means of an income tax step in and monopolize those earnings and exclude those towns and municipalities from their rightful participation in those revenues?

AN IMPORTANT CONSTITUTIONAL QUESTION.

Mr. President, this is a most important question, fraught with fearful consequences. In New York, as well as in many other States, certain stock corporations created by the State, such as railroads and transportation companies, gas companies, trust companies, certain insurance companies, electric and power companies, and divers other corporations, are either by the terms of their incorporation or by law required to pay, in addition to the ordinary direct taxes upon their property, certain special taxes upon their earnings, dividends, or business, sometimes called a franchise tax or by some other name, which taxes go directly to the support of the State government.

Mr. President, as a lawyer as well as a Senator, I contend that the General Government has no constitutional power by means of an income tax to reach or disturb any of the revenues of that class of corporations. It can not absorb them, diminish them, or destroy them. It may tax other corporations who simply pay ordinary taxes upon their real estate or capital stock, the same as citizens who own real estate or personalty, but these particular corporations must be regarded as a portion of the agencies, means, or instrumentalities of the State government, which are beyond the taxing power of any other authority.

Mr. HOAR. I do not rise, of course, to interrupt the Senator from New York. But I am quite sure he will pardon me for stating at this time that the doctrine which he is now advocating has been expressly asserted by the supreme court of Massachusetts more than once—by Chief Justice Shaw in the case of the Commonwealth *vs.* Temple, and by Chief Justice Gray in the case of Richardson *vs.* Sibley, and in the case of the Central Bank *vs.* The Worcester Street Railroad Company—that is, that railroads, whether street railroads or steam railroads, and by inference such corporations as gas companies and water companies, are mere instrumentalities of the Commonwealth, having the power of eminent domain committed to them, to be regulated in their charges by the Commonwealth, their tolls being merely a mode of paying them for the performance of a public function, just as the salary of a State officer is paid for the performance of a public function.

Mr. HILL. I thank the Senator from Massachusetts for the suggestion.

The State must be regarded as having set apart and appropriated to itself, for its own purposes of administration, the revenues of these corporations, and no other power can lawfully interfere with them.

If this bill shall pass in its present shape, what a spectacle will be presented! The Federal and State governments each reaching out for a portion of the earnings or incomes of these corporations! Which is to have the preference? If the incomes earned only amount to a sum sufficient to pay 1 per cent, which sovereignty is to take it—the State or the nation?

The lawful right and power to tax largely involves the power to destroy. Can the General Government lawfully destroy these agencies or instrumentalities of the State—these corporations which virtually constitute a part of its State system of government, a part of its scheme of administration, a part of its financial system?

If it can tax them by usurping their earnings, it can virtually destroy them. It can seriously cripple the State.

The principle involved here is the principle of State rights. The policy involved is the policy of self-preservation—preservation against the aggrandizements of the General Government.

Federalists may approve an income tax—Democrats can not. It violates our notions of State sovereignty. It offends our sense of fairness. It belittles the States. It is a long step toward centralization.

Judge Bradley, in his dissenting opinion in the Day case (11 Wallace, 129), anticipated the far-reaching results of that decision. He saw the very difficulties which we are now encountering; he apprehended the very point which I am now making. He said, with almost prophetic vision:

> In my judgment, the limitation of the power of taxation in the General Government which the present decision establishes will be found very difficult of control. Where are we to stop in enumerating the functions of the State governments which will be interfered with by Federal taxation? If a State incorporates a railroad to carry out its purposes of internal improvement, or a bank to aid its financial arrangement, reserving perhaps a percentage on the stock or profits for the supply of its own treasury, will the bonds or stock of such an institution be free from Federal taxation? How can we tell what the effect of this decision will be?

Mr. President, there will necessarily ensue a conflict between the State and Federal Government in the effort to secure revenue from the corporations which I have named. One-fifth of the railroad mileage of the whole country is now in the hands of receivers, and three-fifths more may follow if this bill becomes a law in its present shape. These railroads can not bear the burden of this double taxation—either the State or the General Government will suffer. In the State of Pennsylvania, as I am advised, the corporations pay all the taxes required for the support of the State Government. Can they stand an increase of 2 per cent more to the General Government, based upon their net earnings, but allowing them to deduct nothing for fixed charges, such as interest upon their bonded debt, or for extraordinary expenses.

AN EXTRAORDINARY PROVISION.

In this connection permit me to observe that the Vest amendment, which is proposed to be incorporated in the bill, proposes that this 2 per cent tax shall be imposed upon the net earnings of corporations "above ordinary working or operating expenses." This provision allows nothing to be deducted for fixed charges, interest, or bonded debt, extraordinary expenditures incurred by reason of fire, accidents, or otherwise.

It is a most extraordinary provision, which could not be justified even in a time of war. It will cripple, embarrass, and throw into receiverships hundreds of corporations now struggling for existence.

It is cruel and wrong, because it is unnecessary. It is not a tax upon "incomes," because incomes in the proper sense of the word, when used in a tax or financial bill, means profits over and above all legitimate expenses; it is not a tax, it is a usurpation of revenues; it is official spoliation; it is virtual robbery under the form of law.

These exemptions to which I have referred, those already included in the bill and those which are necessary to be included to render it constitutional, demonstrate the unwisdom, the impracticability, and danger of this income-tax scheme.

The very numerous exemptions which are inherent to it make it class legislation. Do you expect to make this bill popular with the people, when they come to understand that the great army of officeholders are exempt from its provisions; when a vast number of corporations can not constitutionally be reached by it; when unscrupulous business men can easily evade it; when it offers temptations to perjury and fraud; when its results will be disappointing; and when at best it is doubtful whether it will not be held to be a direct tax, made upon a wrong basis, and therefore unconstitutional?

UNSATISFACTORY RESULTS.

It is difficult to estimate what revenues this income tax alone will bring into the Treasury. I have contented myself with accepting, for the purposes of the argument, the estimates of the

Government officials, who fixed the amount at $30,000,000, one-third of which is expected to be paid by the State of New York.

Much depends upon the execution of the law, upon the conditions of trade, the prosperity of the country, and the honesty of those who are compelled to yield to its inquisitions. It may realize $60,000,000; it may not exceed or even reach $30,000,000.

Considering the growth of the country, its increase in wealth since the repeal of the former law, private (but not official) experts whom I have consulted estimate that if there were no corporate or official exemptions every 1 per cent assessment ought to realize $30,000,000. But human nature is the same the world over, and oppressive or unpopular laws are usually easily evaded or frustrated where whole communities are reluctant to have them enforced. The experience of other countries and of some of the States reveals a bad situation and has produced unsatisfactory results. If that experience shall be repeated under the proposed law the revenues realized will be disappointing to the country, and the odium of the failure of the law will attach to the party that enacted it.

I have recently received a letter from that distinguished political economist, Hon. David A. Wells, of Connecticut, giving the results of the enforcement of the Massachusetts State income law in the city of Boston. Mr. Wells's views and statements are always interesting and reliable, and his letter upon this particular point which I am discussing is very timely. I will read it:

NORWICH, CONN.

SIR: I desire to ask your attention to the recent experience of the city of Boston in attempting to collect an income tax, which ought to be especially interesting and instructive at the present time, inasmuch as it affords a practical demonstration, first, of the inexpediency of the enactment of any tax which creates extraordinary opportunities and temptations for fraud and evasion; and second, of the utter impracticability of successfully administering, under a popular form of government, any form of tax like that which Congress now proposes to assess upon incomes, which any considerable portion of the people regard as unjust, arbitrary, and unnecessary.

Few States in the Union have a more illiberal, all-prevading system of taxation than Massachusetts, and in no State is the administration of tax laws more stringent and arbitrary. In respect to an income tax which is made applicable to incomes derived from property concurrently subjected to taxation, the methods of administration as exemplified in the city of Boston are as follows: Taxpayers are required to make a return annually and in detail of all their income subject to taxation, and blanks are officially furnished to citizens for such purpose. If no return is made—and few returns are made—then the board of assessors meet in secret in an upper room of the city hall, known as the "dooming chamber," and arbitrarily determine the amount of income for which each delinquent shall be assessed; and from such determination there is practically no appeal.

The amount thus assessed for income to the individual is then "lumped in" with the aggregate of his other taxes, and if a dissatisfied taxpayer wishes to discover what amount has been decided upon as his income, the assessors will not afford him any information. Under such circumstances it might naturally be supposed that the administration of an income tax in the city of Boston would be an unqualified success. But what are the facts?

The tax rate in Boston for 1892 was $12.80 per thousand, and the amount returned as actually collected in that year from all taxes was $10,782,240. The amount collected from the income tax is not specifically returned; the amount assessed for income to the individual income-tax payer being included in "the aggregate of his other taxes."

But it is understood that the assessors' estimate of the income subject to taxation in the city of Boston for the above year, arrived at by the "doomage" process, was $4,237,029, or 2 per cent on the whole amount of the personal property made subject to taxation; an absurd estimate, inasmuch as the personal property assessed for taxation was probably less than 50 per cent of a true valuation. But be this as it may, the amount of revenue that accrued to the city from the tax on the incomes of its citizens for 1892 was probably not in excess of $55,000. Well recognized local authorities on this subject further state that no one familiar with the facts believes that the amount of income returned for the purpose of taxation in the city of Boston is in excess of one-tenth of what would be taxable under the existing law if the assessors could discover it. And this is practically the tax experience that it is now proposed that the Federal Government shall make operative over the whole country.

If anyone thinks that this extraordinary tax experience is limited to one section of the country, he would do well to acquaint himself with the recent results of the State of Ohio in attempting to tax money on deposit. Ohio has even a more efficient and minute scheme of taxing all classes of property than Massachusetts. Not only is every citizen bound under oath to make a complete return of his property, but the law in addition empowers each county in the State to contract with certain so-called "tax inquisitors" for the payment of 20 per cent of all taxes collected through their agency on previously unassessed property.

How successful this scheme has been in collecting taxes on money on deposit is shown by the fact, revealed in a recent report of the State board of tax commissioners, that while the amount of money on deposit in the State, national, and private banks of Ohio in 1892, and subject to State taxation, was at least $190,000,000, the amount actually returned for taxation in the whole State during that same year was but a little over $32,000,000. There is a remark that has almost assumed the character of a proverb, that a text suitable to and illustrative of every situation may be found in the Bible. The text that is most applicable, and which ought to be full of instruction to every Congressional advocate of the enactment of an income tax by the Federal Government in time of peace, will be found in the sixth chapter of the First Epistle of Paul to the Corinthians, where the Apostle, as if he had the existing situation in view, remarks: "All things are lawful unto me, but all things are not expedient."

Very respectfully yours,

DAVID A. WELLS.

To Hon. DAVID B. HILL, *United States Senate.*

THE FIVE YEARS' LIMITATION.

But it is said that the policy of making this tax a part of the permanent financial policy of the Government has been abandoned in the Vest amendments and that this tax is now to be imposed for five years only. The amendment mitigates the wrong but little. It is another miserable compromise between principle and policy, in which principle as usual is sacrificed. This tax is either right or wrong, either justifiable or unjustifiable. If right, it should be adopted as a permanent policy of the Government; if wrong, it should not be enacted at all, even for a single year, much less for five years.

How can Senators who have honestly and earnestly opposed an income tax because they have regarded it absolutely and radically vicious in principle, accept it for five years? Why accept it at all? What party emergency demands it? Has the Democratic party become so lukewarm or disloyal towards tariff reform that it will refuse to pass a tariff-reform bill unless it contains an income tax? But it is urged that the object of the five years provision is that the law may be thoroughly tested, and if it proves unsatisfactory it may be repealed.

The law can be just as easily repealed whether the provision for an income tax is permanent or temporary. No law which is unjust and unreasonable should be enacted, even though the power of repeal always exists.

This is a discriminating, a sectional, a communistic tax; it checks enterprise and energy; it retards progress; it oppresses the honest citizen who will tell the truth as to his resources, and it will give the advantage to the sharper who will prevaricate; it is a tax aimed at one section of the country for the alleged benefit of another; and such a tax should not disgrace the statute books either permanently, for five years, or for a single moment.

This is no time to yield honest convictions in order to make dangerous experiments in revenue legislation, in the vain effort to satisfy a discontented class who always want a grievance, and who will clamor against your Government and your Administration and against property and against riches, just as loudly and persistently after this sop shall have been thrown to them as before.

The argument that every bad law should have a fair trial to determine whether it will prove acceptable to the people is a vicious one, because the tendency of such action is to encourage every scheme of a doubtful character. The recognition of one paves the way for the recognition of another.

SAVINGS BANKS.

In their mad haste to attack the rich the champions of an income tax either intentionally or inadvertently assailed the poor.

Until the amendments relating to savings banks were offered yesterday in the Senate, the programme of the majority here seemed to be to place such institutions on substantially the same level with business corporations, and to subject them to the 2 per cent tax. If there was any other intention it was not apparent.

Mr. ALDRICH. I will say to the Senator that the exemptions as applied to savings banks only relieve a limited number of those institutions.

Mr. HILL. I was going to say that I have not had time to examine those new amendments, which are for the first time printed and placed upon our desks this morning, to determine whether they contain an absolute exemption of mutual savings banks or not, but from hearing them hastily read at the Secretary's desk yesterday, I fear that they are not sufficiently broad to accomplish that purpose.

They should be made so plain and clear that there can remain no possible doubt of their intention. Argument ought not to be necessary to sustain the proposition that mutual savings banks should be absolutely exempt from any income taxation.

They represent the savings of the poor; they are not established for ordinary business purposes; the earnings—aside from those necessary for legitimate expenses—belong to the depositors, and are paid to them from time to time in the shape of interest or dividends; they ordinarily have no capital stock, and the managers are simply the agents or trustees of the depositors.

Any tax upon these institutions, directly or indirectly, would be a hardship; and a tax of 2 per cent would cause a reduction of fully one-half of their income on small savings.

There are 649 mutual savings banks in the United States, of which 454 are in the Eastern States, 183 in the Middle States, 10 in the Western States, and 2 in the Southern States. The total amount of their deposits is $1,550,820,403, the number of their depositors is 4,290,712, and the average deposit is $361.43. Two hundred and ninety-six thousand seven hundred and three depositors have less than $1,000 each.

The savings banks in the West and South (except those before mentioned) are planned on money-making lines, have a broader investment scope, and have capital stock upon which dividends are paid to the owners, and of course they are upon the same plane with other stock corporations, and are not claiming exemption.

This Government can not afford to permit the savings of the poor to be taxed through a Federal income tax. It would be the crowning infamy of this bill.

MUTUAL LIFE INSURANCE COMPANIES.

The same excellent reasons why mutual savings banks should be exempted from this tax apply with full force to mutual life insurance companies. Until the new amendments of yesterday were offered it was reasonably clear that it was the intention not to exempt this class of institutions, and I am not certain that the amendments have changed that purpose. I have not yet had an opportunity this morning to carefully examine them. Let me submit a few observations upon the general subject, suggested to me after consultation by those who have given it a special study.

Life insurance, when conducted as a business for gain, has no more claim than any other business to exemption from taxation. If the dividends and profits of other corporations are subjected to an income tax, it is admitted that the dividends and profits obtained from capital invested in the business of life insurance should be subjected to the same tax. There are corporations in the United States with considerable capital which earn dividends by conducting the life insurance business, and no one asks for any exemption of the profits of such companies.

But life insurance by the head of a family for the protection of his family ought not to be taxed. This is a fundamental principle of public economy and public policy which has not been directly questioned by any high authority. In Great Britain, the original home of both life insurance and of the income tax, an express provision of law has always exempted from the income tax moneys paid by policy-holders in premiums for the insurance of their lives, and such moneys are deducted by them up to the sixth part of their profits and gains in their returns from the amount of income held to be taxable.

In the United States the original income-tax law provided for the exemption of the return premiums of life insurance companies conducted on the mutual principle, and successive amendments perfected this policy until, in the law of 1870, it was expressly provided that nothing contained in the sections imposing an income tax should be applicable to any moneys paid by mutual life insurance companies to their policy-holders.

An attempt having been made by the revenue authorities, in spite of this exemption, to tax as profits the undistributed sums added to the contingent funds of life and health insurance companies, a special resolution entitled "a resolution to determine the construction of an act to provide internal revenue to support the Government, and for other purposes," approved June 30, 1864, was passed by both Houses and approved July 13, 1870, providing that no such tax should be imposed on any undistributable sum added to the contingent fund of any such company.

The reason of this exemption is obvious. When two men agree together that whichever of them shall first die the other will take care of his family, they form a mutual life insurance company. When one hundred thousand men make the same agreement, specifying the precise extent and manner in which the survivors shall take care of the families of those who die prematurely, the principle is the same. All the machinery of organization, collection of premiums, payment of so-called dividends or return premiums and of policies at maturity, are but the necessary incidents in order that the general plan may be carried out scientifically and effectually.

It still remains true in every such case that the amount paid for insurance is an expenditure. It is a burden assumed at present in order to avert the risk of a greater burden hereafter. It is a sacrifice made at this time to prevent indigence and misery hereafter. There is no profit in it in any case. The amounts paid by the company to policy holders in the end are but the accumulations of the amounts which they have received from policy holders in premiums. Statesmen, therefore, and political economists have wisely preferred to encourage rather than to tax the operations of such companies.

As I understand it, all that is asked in behalf of the two millions of heads of families throughout the country who have paid to such institutions a part of their savings and have pledged to them another portion, for the prevention of pauperism and the protection of their families in the future, is that the principle declared by Congress in the resolution of July 13, 1870, should be clearly embodied in the law now to be passed.

It should be remembered that the effect of the proposed income tax upon life insurance will be a serious burden even if the exemptions which are asked for are granted without qualification. The funds held in trust for policy holders by life insurance companies can only be accumulated for their benefit by being invested, and they are largely invested in the stocks and obligations of other companies doing business for profit in the United States. By taxing the dividends and profits of such companies the income of life insurance companies is diminished, and they are compelled thus to pay indirectly a large amount into the Treasury of the United States.

It should also be added that the language of section 55 of the House bill (H. R. 4864) might be so interpreted as to require the beneficiaries under a matured policy of life insurance to pay the tax upon the whole amount of the policy. But it is not believed that it is the intention of Congress to levy a specific tax upon the sums as provided for the support of widows and orphans. It is the policy of a wise statesmanship to encourage a business upon which society must largely rely for its own protection against the evils of pauperism.

OTHER OBJECTIONS.

I need not reiterate the numerous other objections to this tax which were pointed out and commented upon in my previous address. Its inquisitorial features were discussed, the annoyances to which it subjected business men were arrayed, the inevitable exposure of their private affairs, notwithstanding its weak guaranties for secrecy, was made manifest; the dangerous powers with which it invested political officials were noted; its liability to abuse was commented upon; and its elements of injustice and inequality were mentioned in detail. These objections have not been removed by any amendments which have yet been offered. They can not well be eliminated, because they are inherent in any income tax bill.

But why detain the Senate with argument, with facts, with figures, with precedents, with illustrations?

It is well understood that Senators—I trust not a majority, however—intend to vote upon this question not according to their convictions but according to the decree of a party caucus. I trust that the humiliating spectacle will never be witnessed. It is even said—aye, boasted—by some, that this income-tax feature is the best and most popular provision of this measure. If that be so, if this feature is really the most meritorious provision of this bill, I can only exclaim in the emphatic language of the junior Senator from New Jersey [Mr. SMITH], "Then God help the Democratic party."

INCOME TAX VS. TARIFF REFORM.

Mr. President, we have listened day after day to the apologies which have been offered by the Finance Committee through the distinguished Senator from Missouri [Mr. VEST] for the numerous changes which have daily been made in the bill during its progress through the Senate.

It has indeed had a hard road to travel. We have been assured that these changes—"concessions," as they have been politely termed—were extorted from an unwilling committee who want the country to understand that they only yielded under protest and against their better judgment. The bill, therefore, in its present shape does not seem to be satisfactory to them nor to anyone.

I but express the general judgment when I assert that the country was surprised at many of these changes. The people did not seem to expect any taxes to be imposed upon the necessaries of life. They did not expect a Democratic Congress to tax raw materials. They did not expect to see some of the McKinley duties increased. They have been disappointed and are cast down. They desire an explanation of all this, not simply a plausible and ingenious one, but the true one.

The secret of all these changes is—and the country should understand it—that there was serious and determined opposition to an income tax being retained in this bill, where of right it ought not to have been. But the Finance Committee above all things desired its retention. It was their pet scheme. The subcommittee, representing the great States of Arkansas, Missouri, and Texas, wanted it because their section desired it—because they were committed to it, not as Democrats, because it is not a Democratic principle, but as individuals—as representing the supposed interests of their people. They could yield everything except the income tax.

Hence it was retained, and the various changes which have been assented to were influenced by the important consideration that thereby the bill would be enabled to pass with an income tax as a part of it. Votes for an income tax in some form, either permanently or temporarily, had to be secured.

TARIFF REFORM SACRIFICED

It seems to have been regarded as more important that there should be a victory for an income tax than for tariff reform. Hence tariff reform has been sacrificed in the house of its supposed friends. Democratic principles have been bartered away for Populistic principles.

There has never been an hour when a genuine tariff-reform bill, based upon Democratic principles and framed within strict revenue lines, could not have passed this Senate, provided it had contained no income tax. Who would have refused to vote for such a measure? What Democratic Senator would have been so recreant to his party and to his principles? No one can name him. But the retention of an income tax was intensely desired, was greatly preferred; it was the ultimatum presented, and hence Populistic votes were preferred to Democratic votes. This is the "true statement," and the country is entitled to it.

Mr. President, it is immaterial to me personally whether my views upon this subject shall prevail. I am getting used to defeat in this Senate, and another one is a matter of supreme personal indifference to me.

I feel not for myself, but for my party, which I desire to preserve from the disintegration which threatens it by the unwise and destructive legislation here proposed.

Born of a Democratic ancestry, reared under Democratic teachings, a public life devoted to building up and strengthening the party whose principles I have always zealously espoused, my interests, my sympathies, my hopes, and my aspirations are all within party lines.

I believe that a most serious mistake is liable to be committed in the course which, it is said, the majority here now contemplate; a mistake which may prove fatal to Democratic success for many years to come; a mistake which fritters away all for which we have struggled in the long years past; a mistake upon the very threshold of our advent to power; a mistake which will forfeit the confidence of the people; and so believing, I should be false to my country, false to my party, and false to myself if I did not raise my warning voice and express to my fellow-Democratic Senators, with whom I reluctantly differ, and to the country at large, my conscientious and matured convictions upon this most important subject in this great crisis of our country's and our party's history. [Applause in the galleries.]

The PRESIDING OFFICER. The Sergeant-at-Arms will exclude from the galleries those who violate the rules of the Senate.

Mr. HIGGINS. Mr. President, after the very able and exhaustive speech of the Senator from New York [Mr. HILL] there seems to be little left to be said as showing sufficient reason for the defeat of the pending bill. I am led, however, to present some views upon it, in part, because of a resolution which was passed by the Board of Trade of the city of Wilmington, in my State, in the following words:

Resolved, That it is the opinion of this board that the amendment to the Wilson bill, called the income tax, is contrary to the best interests of the country and undemocratic, and the board especially requests you to use your influence to prevent its passage.

The resolution is addressed to the Senators from Delaware. The members of this board are of both political parties. It is a nonpartisan commercial organization, intended to promote the public good, and the resolution is fully expressive of the opinion and sense of the locality in which the members of the board reside.

It seems to me that almost all the reasons against an income tax may be summed up in a few words. The provision is unnecessary and unavailing to accomplish anything that its proposers intend. I wish to call the attention of the Senate especially to the fact, already dwelt upon with great force by the Senator from New York, that it will be no relief to the taxpayers of the country in respect to the burdens which weigh most severely and harshly upon them. The farmers, the merchants, the mechanics, the laborers, the owners of land, whether in large or small quantities, will find no relief in an income tax from those taxes which are hardest for them, year in and year out, to pay.

The taxes which are the hardest to pay are those imposed under the State governments which are summed up under either State, county, town, city, or municipal taxation. They include all of that large domain of taxation which, under our dual system of government, is remitted to the States and with which the Federal Government has nothing whatever to do. They include roads, causeways and bridges, schools, courts, juries and witnesses, jails and penitentiaries, and police, in the rural communities, while in cities there are included the broad domain of water supply, streets, sewers, schools, police, and in both classes interest upon the public debt. All of those subjects belong to the States and the minor political organizations under the States. The Federal Government has nothing whatever to do with them. As all of us know, they constitute a body of taxation very onerous and very hard to bear, and yet most imperative and necessary in the conduct of our affairs.

Take, for instance, the subject of a road tax. Everybody knows from his own experience how heavy the road tax is, and yet how important a tax it is. We have had only recently a further manifestation of interest on what is known as the subject of good roads, largely promoted by the wheelmen and cyclists of the country, an opportunity in which this Republic, boasting so much of its civilization, is very far behind the effete monarchies of the Old World. We know that there are in this country hardly any good roads. There are more in New Jersey possibly than in any other State.

The great difficulty that stands in the face of every promoter of good roads is, where will you raise the money; how can you increase the burden of taxation; how can you hope that the people of the city, or the county, or the township, or the municipality will be willing to pay the money by taxation that is necessary to support this burden?

Possibly Europe has been able to expend so much money upon roads and have its roads so good because it has not been called upon to pay so much for schools. America has disregarded the roads in the interest of schools. We have everywhere the common schools, and now over almost the whole country schools are graded from the lowest primary up to the ultimate high school, all under superintendents of education, State, county, or city, with teachers who are put in training and required to come up to a certain standard of attainment to fit them for teaching, all involving an expensive establishment, and it is a very large expense.

To that has to be added the important element of new schoolhouses. Take a growing city like the city of Wilmington, which passed this protest against the income tax. It has had to provide for the needs of schoolhouses for a continually increasing population. To build schoolhouses necessarily carries with it very large taxation. So, if you take causeways, bridges, courts, juries, witnesses, jails, penitentiaries, and the constabulary of the country, you have a very large and continuing and steady burden of taxation.

But it is when you come to the municipality that this burden becomes the greatest. Take the water supply of our cities. In the city of Washington to-day there is the vilest of dirty water in use because the aqueduct which it was attempted to construct a few years ago was built by fraudulent contractors and feeble engineers; and to-day Congress is unwilling to put upon the citizens of the District of Columbia the burden of a tax that will give to the District and city clear, good water by the building of proper aqueducts and reservoirs.

No more important matter faces our municipalities than the construction of sewers, and all the great expense is involved in the construction of sewers to save our people from what Horace, in his ode, called the "cohort of fevers," that rise from a lack of proper sewerage, the cost of which is very great, even when the money is properly expended.

The police of a city is a very large charge, and so is the interest upon the debt, whether State, county, or municipal. The enormous magnitude of the debts of those States from whom come particularly the demand for an income tax was presented by the Senator from New York in portentous fashion in his remarks this morning.

Mr. President, I have endeavored to summarize in this way what every citizen in this country knows in his own experience as to the extent of the domain of the States, the cities, the towns, the townships, and the counties in the management of affairs under our system.

I know that in my own county the tax which falls upon its people in the rural districts amounts to as much per annum as 50 cents upon the hundred dollars. In the city of Wilmington, where I reside, it amounts to $1.50 upon the hundred dollars, and the combined county and municipal taxes to the residents of that city amount to 2 per cent upon the hundred dollars upon a a full valuation, and that is the tremendous burden which can not be escaped.

When wheat goes down and corn goes down, and nothing is to be had for berries and nothing to be had for peaches, the price that the farmer gets for his produce falls, but the taxes remain and stand there and hold the people of this country, as in a straitjacket, with an iron grasp.

Mr. President, if this income tax were to relieve the people of the United States in city and in country from this burden, there would be strong support of it throughout the land; the farmers would be glad to be relieved from the incident of this heavy taxation. They have been striving to be relieved from it.

In the New England States great shrewdness and acuteness have been exercised in their legislation to reach by taxation all sorts of personal property and the investments of those who are wealthy and have their wealth invested in, so to speak, personal property. It is one of the difficult matters how to reach it. When such taxation is put upon the people of a State, men move out of the State to escape the burdens of that taxation and go elsewhere. I know that in Delaware a commission has been appointed with a view of readjusting the burden of taxation so that it shall not fall so heavily upon the people of the country, but, by possibility, may fall more upon the men of wealth in the cities.

This income tax, Mr. President, is projected with a like idea, but it will not help one iota the burden of the taxpayer in the States, or counties, or cities. It is only a question of the readjustment of Federal taxation, and in no respect touches the question of the readjustment of the taxation that falls under the domain of the States in our system. No citizen of the United States need think that he will escape the coming of the

State, or county, or city taxgatherer by the passage of the income tax.

Mr. President, it is equally unnecessary as a source of Federal taxation, because the Federal Government has other sources of revenue both ample and appropriate for its needs. The General Government has a monopoly of customs and excises. The States are denied the customs absolutely, and excises largely. In time of peace customs and excises furnish a revenue not only equal to the public needs, but largely in excess of them. In customs and excises the Federal Government is in possession of a great and easy source for the raising of revenue. As I took occasion to express it in some remarks that I had the honor to submit to the Senate upon the education bill in the Fifty-first Congress, the Federal Government in time of peace has a maximum of revenues and a minimum of duties; while the States and the municipalities under it have a minimum of revenues and of sources of revenue, and a maximum of duties.

No one recognized this more than the founders of Democracy, and the Senator from New York is fully justified in arraigning his party associates upon this floor this morning in going back upon every principle of his party, and upon principles never more clearly announced than by the founder of the Democratic party. When Mr. Jefferson came to pronounce his second inaugural, after he had been reëlected by an almost overwhelming majority of the electoral college and the people of the United States, he had occasion to deal with a state of affairs that brought out an utterance that bears upon this subject. The debt of the Revolutionary war had nearly been paid off. He was looking forward to a time of continuing and undisturbed peace. All the conflicts which were to grow out of the Napoleonic warfare were then wrapped in the womb of the future. Mr. Jefferson supposed, therefore, that he was dealing with a condition of excess of Federal revenue. He said:

> The remaining revenue on the consumption of foreign articles is paid cheerfully by those who can afford to add foreign luxuries to domestic comforts, being collected on our seaboards and frontiers only, and incorporated with the transactions of our merchantile citizens, it may be the pleasure and pride of an American to ask what farmer, what mechanic, what laborer, ever sees a taxgatherer of the United States?

It now becomes an issue with the Democratic party to have the face of the Federal taxgatherer known to a great many people who are to-day not troubled with him at all.

> These contributions enable us to support the current expenses of the Government, to fulfill contracts with foreign nations, to extinguish the native right of soil within our limits, to extend those limits, and to apply such a surplus to our public debts as places at a short day their final redemtion, and that redemption once effected, the revenue thereby liberated may, by a just repartition among the States and a corresponding amendment of the Constitution, be applied, in time of peace, to rivers, canals, roads, arts, manufactures, education, and other great objects within each State.
>
> In time of war, if injustice by ourselves or others must sometimes produce war, increased as the same revenue will be increased by population and consumption, and aided by other resources reserved for that crisis, it may meet within the year all the expenses of the year, without encroaching on the rights of future generations by burdening them with the debts of the past. War will then be but a suspension of useful works, and a return to a state of peace, a return to the progress of improvement.

It has never been our fortune, Mr. President, but for a short time, to realize the anticipation of Mr. Jefferson. There was a period when, in the Administration of President Jackson, there was such a surplus in the Treasury of the United States that it had to be divided among the States. The reduction of the revenue by the tariff of 1833, the tariff of 1846, and the tariff of 1857 carried us, with constantly reducing revenues, to the time of the war of the rebellion, and since that we have had enough to do to meet the public debt. But the great fact still remains that there has been, and is to-day, absolutely no necessity for an income tax to meet the exigencies of Federal expenditures.

It is not necessary, Mr. President, to deal in any great volume or body of figures; it is enough to know that this generation has paid off almost entirely the public debt incurred during the war. That debt reached its maximum upon the 31st of August, 1865, when it amounted to $2,381,530,294.96. By the last statement of the Treasury the interest-bearing debt has been reduced to the sum of $635,041,840, of which $50,000,000 constitutes an increase under this Democratic debt-paying Administration.

Mr. PLATT. Debt-contracting.

Mr. HIGGINS. I accept the suggestion of the Senator from Connecticut—debt-contracting Administration.

Mr. President, we have been the wonder, the envy, and the despair of the world. This Republic, with no monarch, no king, no imperial authority, living under the broadest of individual liberty in a widely extended confederation, has been the one power amongst all mankind that was equal to the task of reducing a vast public debt. The only criticism which has been made upon it is that it was done too rapidly for the public good, that we took too great a burden upon the generation which contracted the debt and that we should leave more for posterity, that it was well to have this debt continue as a basis for the circulation of notes and currency by our national banks.

During all of that time since the war—the income tax was repealed in 1870 or 1871—who has been saying that we needed to to reënact the income tax in order to raise revenue to pay the public debt? Nobody. We paid it despite the repeal of the income tax. It was put on us as a war tax, and under the criticism of the Democratic party as a war tax it was repealed; and the whole amount of this great burden discharged by the American people in the period which has elapsed since the beginning of the war, when this debt began to be incurred, the whole amount that was raised under the income tax was $346,967,388.12.

But, Mr. President, when you consider the magnitude of the obligations that have been discharged by other sources of Federal taxation, customs and excise, you must remember not merely the principal of the public debt, but its interest. You must bear in mind a sum which I wish I had with me—it is attainable, however—on account of claims and other indebtedness not included in the public debt *eo nomine* which has been discharged since the beginning of the war. In that is the great burden of pensions, which in the last year reached over $150,000,000. This load the nation has taken on its back and has proudly walked off with it, scarcely feeling its weight, because it could draw upon the exhaustless reservoir of customs and go to the full extent of excises or internal-revenue taxation that wise policy could dictate. Upon what plea of necessity, then, are we brought to an income tax when you have such sources of revenue?

Mr. TELLER. Will the Senator from Delaware allow me?

Mr. HIGGINS. With great pleasure.

Mr. TELLER. I should be glad if the Senator would tell us what was the amount of the revenue and expenses for the year 1893, when the conditions most of the time were supposed to be normal. How much surplus were we supposed to have?

Mr. PLATT. About $2,000,000.

Mr. HIGGINS. I wish that I had anticipated the question of the Senator from Colorado and had the figures.

Mr. TELLER. I will give the Senator from Delaware the figures, as he was treating the subject as if we had a large amount of revenue to go upon.

Mr. HIGGINS. I shall be obliged to the Senator from Colorado if he will kindly give the figures.

Mr. PLATT. I said from my seat about $2,000,000. My recollection is that the actual receipts exceeded the actual expenditures by about $2,000,000. I may be mistaken, however.

Mr. TELLER. The total revenues of the Government for the fiscal year 1893 were $461,716,561.94, and the total expenditures were $459,374,887.68, leaving the magnificent surplus of $2,341,674.26. It seems to me, with all due regard to the Senator's statement, that we were near a deficiency in 1893.

Mr. HIGGINS. I should like now to ask the Senator if he can not give us the figures for 1892.

Mr. TELLER. I could do so in a moment, but the surplus for 1892 was a very small one, as the Senator must recollect. It can not be contended now that the approaching deficiency in 1893 was the result of bad times, because the year 1893 ends with the 30th of June of last year, and I suggest to the Senator that under existing circumstances there has been a deficiency of nearly $80,000,000 since that time for 1894.

Mr. HIGGINS. I am obliged to the Senator from Colorado.

Mr. PLATT. Will the Senator from Delaware allow me?

Mr. HIGGINS. With pleasure.

Mr. PLATT. I have paid some attention to this matter, and while it is true that if the expenditures and receipts of the last half of the year had been upon the same ratio as those of the first half of the year we should not have had a large surplus, yet we should have had a great deal more than $2,000,000.

Mr. HIGGINS. I am obliged to the Senator from Colorado for directing my attention in a channel which I had intended to take hereafter, but it logically comes up at this time. Before undertaking to deal with 1893, I beg to remind him, and to call attention generally to the fact that this problem did not arise then. It was presented to the people of the United States in a way which has had grave consequences following therefrom, which has challenged the attention of the country, which has invoked the most momentous political conflict since the war, which has carried the Democratic party into a majority in this Chamber, and which is coming now to its decision by the people of the country, first in the pending tariff bill, and then what the people will say about the bill when they come to vote on it.

President Cleveland in his message in 1887 called the attention of Congress to what he said was not a theory, but a condition, a phrase which has stuck in the minds of the people. That condition was a surplus with which he had to deal, the product of laws made by the Republican party which he and the Democratic House of Representatives were unable to repeal because they had not control of the Senate. Those laws furnished

a part of the ample surplus which then overburdened the Treasury after paying off the debt at the rate of $100,000,000 a year, which was the annual discharge of our debt for so many years. It was a payment which we expected as much as the breakfast when we rise in the morning.

That challenge, cast down by President Cleveland, was met by the Republican party in the campaign of 1888 and resulted in the decisive Republican victory and Democratic defeat all along the line; and when the Republican party came to deal with the problem in 1889 and 1890 in the McKinley bill, they undertook to remove the condition and to reduce the surplus, and they began by taking fifty or sixty million dollars of taxes off of sugar at one blow. No; I will not say a blow; it was the opposite of a blow. They took off the shoulders of the people of this country per capita the burden of the sugar tax which weighed upon every man, woman, and child who used sugar. They relieved them from that amount of taxation. They largely enlarged the free list, and that was their answer to the criticism that their existing laws produced too much revenue.

Mr. President, it was quite uncertain at that time where the great step of the removal of the duties from sugar would carry us. It might possibly produce a deficiency, and it came very near it in 1893, as the Senator from Colorado [Mr. TELLER] has pointed out, when it made a surplus of only $2,300,000, in round numbers. Enough is as good as a feast, but if it had produced a deficiency and the Republicans had remained in the control of the Government, we could easily have added taxation in some respect to have eked out the revenue without resorting to an income tax.

We need not have raised so much as to pay off $100,000,000 of debt a year, but we could have continued in that unbroken career of wise legislation and administration and national prosperity to which we beg, in the language of the day, to point with pride. Not until the threat of Democratic control of this Government came before the financiers and the people of this country and the world over did our revenues begin to go down and peril thrust its horrid front before us.

I call the attention of the Senate to the fact that it did not begin with the election of the President. That was not enough. There are many conservative elements in Mr. Cleveland's repertoire of principle, shifting though at times, and elastic, evanescent, kaleidoscopic though it may be. It was not until it became apparent that the Democratic party would have a majority in the Senate that a cold chill ran down the backs of everybody; gold began to flow out, and President Harrison and Secretary Foster began to clew down their sails for a storm. They had the bonds printed and prepared to issue, if need be, to maintain the gold reserve. They did not issue the bonds. President Harrison, conservative and wise as he always was, felt his way along and said, "I shall initiate no policy which I can avoid pending the advent of Mr. Cleveland and his Administration," and the whole legacy was left for them.

I take advantage of this opportunity to state what I failed to say last summer upon the bill for the repeal of the silver-purchase law, my profound confidence that if this Administration had promptly issued those bonds and got gold to support the reserve, we should have escaped the panic of such disastrous consequences to the country, or at least we should have largely reduced and mitigated its effects. But the President of the United States then, as to-day, stood before the Populistic influences of his own party. He was afraid to issue bonds to maintain the gold reserve. He reserved his issue of bonds until he had to do it to pay current expenses. A law which was not good enough to authorize the issue of bonds to save us from the panic is good enough perforce to raise money to pay current expenses, when almost any lawyer will say that it is an abuse of a statute to use it for any such purpose.

So we have come down to the point where the public debt has been increased $50,000,000 by that cause and a deficiency of $75,000,000 for this fiscal year faces us, not because the country needs an income tax, not because the customs and internal revenue are not the ample fountain from which to draw everything that is needed for the Federal Government. The Democratic party, with an imbecility which can find no comparison except in its own antecedent history, creates this condition of things, this deficiency, and then turns around and takes this miserable, odious, and abominable remedy of an income tax with which to furnish a remedy for the wrong which it itself has created. That is the case, Mr. President.

Mr. SQUIRE. I should like to ask the Senator from Delaware a question on this subject.

The PRESIDING OFFICER. Does the Senator from Delaware yield to the Senator from Washington?

Mr. HIGGINS. With great pleasure.

Mr. SQUIRE. I should like to inquire in the first place whether it is not true that the prospect of the inauguration of a new revenue system with reference to the collection of imposts did not prevent the introduction of foreign goods into the United States, and thereby very largely reduce the revenue, and if it is not prospectively still reducing it until the new tariff legislation can be had? Also, whether it is not likely that there will be a large influx of goods, whether there is not a vast aggregation of goods even now ready to be thrown on the American market from abroad, which will be likely to give a very large increase of revenue as soon as the importations come in, and will there not be a striking contrast between the record of the Treasury Department on this subject in the past year and the conditions that are likely to succeed after this bill becomes a law? In that case there will be no lack of sufficient revenue with which to conduct the Government if we have a fair and reasonable revenue bill, and therefore there is no reasonable ground for the introduction of an income tax for the purpose of supplying the deficiency.

Mr. HIGGINS. I have no doubt the Senator is right in both respects. Of course, people are not going to export goods into this country under a high tariff when they hope to get them in under a low tariff. We are called upon to vote to-day to impose this income tax, with all its inequalities, upon one section of the people of the country, in absolute ignorance of the volume of revenue that will be produced from other sources under other branches of the bill.

Mr. TELLER. I should like to ask the Senator from Delaware if he believes there will be more revenue under this bill than under the McKinley act?

Mr. HIGGINS. That would be a pure guess. I am not an expert on these subjects, but I have always understood the economical and common-sense principle to be that a tariff that is very high and approximating to the prohibitive will necessarily produce a limited amount of revenue; whereas a tariff which is moderately high, not high enough to exclude the importations, low enough to admit them, will very greatly increase the revenue.

At the same time it seems to me that under the modifications the present bill has received at the hands of the Finance Committee, and that we have been voting on now for some weeks, we ought to expect a great volume of imports and a very heavy increase of our revenue. Therefore, when we have levied this tax that is so pertinaciously added to the bill, the Administration will find itself face to face with the old condition of more revenue than the expenditures of the country will require.

Mr. TELLER. The Senator asked me to give him the revenues and expenditures of 1892. I sent for them, and I should like to give them to him.

Mr. HIGGINS. Certainly.

Mr. TELLER. The revenues for 1892 were $425,886,260, and the expenditures were $415,953,803, leaving a surplus of $9,914,453.56, or a little less than $10,000,000. I should like also to call the attention of the Senator to the fact that the revenues for 1892 were considerably less than the revenues for 1891. The decrease of net revenue for 1892 over that of 1891 was $22,675,972.

Mr. HIGGINS. I am indebted to the Senator from Ohio [Mr. SHERMAN], who has now left the Chamber, for a statement of the receipts and expenditures for the fiscal years 1891, 1892, and 1893, which I beg leave to have printed in my remarks without reading:

Receipts and expenditures.

	Years ending June 30—			July 1, 1893, to May 1, 1894.
	1891.	1892.	1893.	
Receipts	$458,544,233.03	$425,868,260.22	$461,716,561.94	$244,111,439.95
Expenditures	421,304,470.46	415,953,806.56	459,374,887.65	310,653,646.60
Excess of receipts	37,239,762.57	9,914,453.66	2,341,674.29	*66,542,206.65

*Deficiency.

Receipts and expenditures, by months, from July 1, 1893, to May 1, 1894.

	Receipts.	Expenditures.	Deficiency.
July, 1893	$30,905,776.19	$39,675,888.60	$8,770,112.41
August, 1893	23,890,885.30	33,305,228.48	9,414,343.18
September, 1893	24,583,756.10	25,478,010.17	895,254.07
October, 1893	24,553,394.07	29,542,792.34	5,035,398.27
November, 1893	23,979,400.81	31,302,026.41	7,322,625.60
December, 1893	22,312,027.00	30,058,260.51	7,746,233.51
January, 1894	24,062,738.97	34,309,669.59	7,226,930.62
February, 1894	22,266,299.46	26,725,373.84	4,456,074.38
March, 1894	24,842,797.79	31,137,560.24	6,294,762.45
April, 1894	22,692,364.26	32,072,836.42	9,380,472.16
Total	224,111,439.95	310,653,646.60	66,542,206.65

I also submit a table of the internal-revenue receipts from the income tax;

Internal-revenue receipts from income tax.

Receipts by fiscal years.			Receipts under each act.			
In fiscal year.	Amount.	For calendar year.	Date of act.	Amount.	Rate of tax.	How estimated.
1863	$2,741,858.25	1862	July 1, 1862	$2,741,858.25	3 per cent and 5 per cent.	3 per cent on incomes over $600 and not over $10,000; over $10,000, 5 per cent.
1864	20,294,731.74	1863	July 1, 1862, and joint resolution July 4, 1864.	20,294,731.74	do	Same as above for act of 1862, and under joint resolution 5 per cent on incomes over $600.
1865	32,050,017.44	1864	March 3, 1865	105,032,176.47	5 per cent and 10 per cent.	5 per cent on incomes over $600 and not over $5,000; over $5,000, 10 per cent.
1866	72,982,159.03	1865				
1867	66,014,429.34	1866	March 2, 1867	189,037,757.16	5 per cent	On incomes over $1,000.
1868	41,455,508.36	1867				
1869	34,791,855.84	1868				
1870	37,775,873.62	1869				
1871	19,162,650.75	1870	July 14, 1870	33,061,824.15	2½ per cent	On incomes over $2,000.
1872	14,436,361.78	1871				
1873	5,062,311.02	1872				
1874	139,472.09	1862–1871	Under repealed laws	199,040.35	Various rates	On incomes over $600 as above.
1875	232.64	1862–1871				
1876	588.27	1862–1871				
1877	97.79	1862–1871				
1881	3,021.92	1862–1871				
1884	55,627.64	1862–1871				
Total	346,967,388.12			346,967,388.12		

NOTE.—After the year 1862 the collections during any given fiscal year were not confined to the preceding calendar year, but naturally include amounts due and unpaid for any previous year.

TREASURY DEPARTMENT, *Internal Revenue Office, August 23, 1893.*

Mr. PLATT. Will the Senator from Delaware allow me?

Mr. HIGGINS. With pleasure.

Mr. PLATT. The course of revenue derived from customs before and after the passage of the McKinley act is quite instructive, and I ask leave of the Senator at this point to put in a few figures.

The receipt of customs for the year ending June 30, 1889, was $223,832,741; and for the year ending June 30, 1890, it was $229,688,584. That was before the passage of the McKinley act. Then we passed the McKinley act, and in 1891, it will be remembered, we took off the sugar duty.

Mr. TELLER. The act was passed in 1890.

Mr. PLATT. It was passed in 1890 and did not affect sugar until 1891; and there was taken off during the year 1891 about $65,000,000 of revenue from sugar; that in the year 1891 affected somewhat the revenue derived from customs, so that it fell off to $219,522,205. In 1892 there was a still further falling off, the McKinley act taking full effect, when the amount derived from customs was only $177,452,964. But in 1893 the revenues derived from customs under the McKinley act began to make quite a gain, and the amount for that year was $203,355,016.

Now, I compare 1890 with 1892 in order to see the effect of the McKinley act deducting sugar upon our revenues from customs. In 1890 the customs revenue amounted to $229,688,584; in 1892, the lowest point reached, the amount was $177,452,964, the loss being $52,265,620, or about $13,000,000 less than the loss which came from taking off of sugar. So, setting that aside, there was still a gain in customs revenue under the McKinley act.

But now I compare 1890 with 1893. The revenues in 1890 were $229,688,584, as I have stated. In 1893 they were $203,355,016, the loss between 1890 and 1893 being only $26,333,568; and yet we lost the $65,000,000 of revenue from sugar in 1893.

Now, I go a little further, and I compare 1892 with 1893, both being under the McKinley act. In 1892 the amount was $177,452,964; in 1893, $203,355,016, there being a gain under the operation of the McKinley law from 1892 to 1893 in customs of $25,902,052. Now, one more comparison and I shall not detain the Senate any longer. I take the first seven months of 1893, $121,678,704, and the first seven months of 1894, $81,286,083, showing a loss between the first seven months of 1893 and the first seven months of 1894 of $50,390,621.

Mr. HIGGINS. I am much obliged to the courtesy and the industry of the Senator from Connecticut in placing these important figures in my remarks.

It was proved in the experience from 1861 to 1893 that this country is able to take care of itself. As I have before stated, and I do not intend to repeat, this country met the greatest conflict of history, military and financial, and it carried it with ease. It staggers, it totters, it falls, it alarms Europe, it appeals to Wall-street bankers only when it passes out of the hands of the party which carried it through this heroic period and goes back to the hands of the party who left it in 1860 unable to borrow money even at 8 per cent. Of course it has gone back in 1893.

Grave uncertainty has penetrated everything. The people of the country are going through an agony—the capitalist, the manufacturer, the merchant, the corner grocer, the blacksmith, the laborer, the farmer, everybody; and the revenues of the Government merely reflect the general collapse. And yet this condition of collapse, the syncope of the patient, is taken as the occasion for applying a remedy that is to continue through years as if we needed any such remedy.

Mr. President, I do not care to protract these remarks or to repeat what I have already said upon this question. I have but little more to say. I shall not undertake to go into the constitutional and judicial question as to whether this proposed statute is in violation of the fourth paragraph of section 9 of the first section of the first article of the Constitution, which says that—

No capitation or other direct tax shall be laid, unless in proportion to the census or enumeration hereinbefore directed to be taken.

The Supreme Court of the United States in time of war upheld the constitutionality of the income tax imposed during the war, but I do not know whether if this income-tax measure should be enacted and carried before the Supreme Court, as doubtless would be the case, what the decision of the Court would be. I do not know whether, bound by the effect of their previous decision, they will consider that this is not a violation of that prohibition of the Constitution. But, Mr. President, I have no question but that it is a most gross violation of the spirit and the purpose with which that provision and that prohibition was placed by our wise founders in our fundamental law, in the Constitution of the United States, that great chart for the liberties and the property of the American people.

When they said that "no capitation or other direct tax shall be laid, unless in proportion to the census or emumeration," that is of population, it was intended that the people in one section of the country should not impose taxes upon the people of another section of the country, and yet that is what is being attempted to be done in this feature of the tariff bill. People, Senators and others, who represent a population that is largely free from any one receiving incomes above $4,000 are perfectly willing to sacrifice their wives' relations in order to carry this war to a successful conclusion; they are perfectly willing that this tax shall be laid upon another part of the country.

Mr. President, this is a very serious and grave matter in our national policy. I yield to no one on this floor or in the wide domain of this country in my desire for a wide and a wider America; but if there is any one evil that it would carry with it it would be the disposition on the part of one section of the country to impose the burden of taxation upon the other, that they might thereby escape themselves. The only justification for an income tax is one not with $4,000 of exemption, but with a very limited exemption, so that its application will be general. Making the exemption as high as $4,000 will relieve the largest portion of the country in territory and in population and put it upon one corner.

Mr. President, in this composite nationality of ours I do not know how far into our pedigree enters the old English blood. It might be cruel, it might be brutal, but it was honest, it was courageous, and it was fair. It did not believe in striking below the belt; and it is contrary to English fair play for one part of this country to be undertaking to impose the burdens of that taxation which conducts the business that they get the benefit

of upon one part of this country and not upon another. Against that injustice I protest, not so much for the people whom I have the honor in part to represent, though I do not believe that this measure meets their view, as against that wider constituency in the United States who can always be relied upon in the last resort to deal fairly and justly by every man in the land.

Mr. CHANDLER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from New Hampshire suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Allen,	Gallinger,	Lindsay,	Pugh,
Allison,	George,	McMillan,	Quay,
Bate,	Gibson,	McPherson,	Roach,
Berry,	Gorman,	Martin,	Shoup,
Blackburn,	Gray,	Mitchell, Oregon	Smith,
Caffery,	Hawley,	Morgan,	Squire,
Cameron,	Higgins,	Morrill,	Stewart,
Carey,	Hill,	Murphy,	Teller,
Chandler,	Hoar,	Pasco,	Turpie,
Cockrell,	Huston,	Patton,	Vest,
Coke,	Irby,	Peffer,	Voorhees,
Daniel,	Jarvis,	Perkins,	Walsh,
Dubois,	Jones, Ark.	Platt,	Washburn,
Faulkner,	Kyle,	Proctor,	White.

The PRESIDING OFFICER. Fifty-six Senators have answered to their names; a quorum is present.

Mr. CHANDLER. Mr. President, I desire to submit a few remarks in the hearing of the Senator from Nebraska [Mr. ALLEN].

On yesterday a brief colloquy took place between me and that Senator, and I had supposed that the incident was closed, but after debate between the Senator from Maine [Mr. HALE], the Senator from Vermont [Mr. PROCTOR], the Senator from Rhode Island [Mr. ALDRICH], and the Senator from Nebraska, in which the subject of a duty on lumber was further discussed, the Senator from Nebraska referred to the subject-matter which had been considered between him and me.

The Senator spoke in an unusually low voice and not in the stentorian tones with which he sometimes addresses the Senate. I heard with difficulty. I did hear the word "insinuation" used. I did not hear the opprobrious epithet which the Senator took occasion to apply to me. In the close of the Senator's remarks he reiterated the statement that the charge I had made was false, and that he believed that I knew it was a falsehood.

Mr. President, what I had stated was not an insinuation, and I believed what I stated to be true. The charge, if any such charge can be gathered from the remarks which I made, was that the Senator had made a threat to vote against this bill unless lumber was kept upon the free list, where it had been put by a previous vote of the Senate. The facts which were the basis of that charge are here directly upon the record. After the vote was taken upon sugar, the Senator from South Dakota [Mr. KYLE] rose and gave notice that his vote must not be taken as an indication of the way he might vote upon the sugar question when the schedules of the bill should be finally completed, which, as it seemed to me, was an entirely legitimate and natural notice for the Senator to give. He was, however, followed by the Senator from Nebraska, who not only stated that it was uncertain how he might vote upon the subject of sugar, but took occasion to say that his vote upon that question, as just given, was no indication whatever what his vote would be upon the passage of the bill itself.

The Senator having thus advertised again to the Senate and the country the fact that his vote was doubtful, retired from the Senate for a few moments, and subsequently came in and moved to insert upon the free list the words "lumber of any sort, planed or finished."

Mr. President, I had understood that there had been agitation in the Senate, that there had been agitation upon the other side of the Chamber with a view to induce the Democratic managers to consent to put a duty upon planed or finished lumber; and when the Senator moved to put lumber upon the free list so soon after he had given notice that his vote was uncertain upon the bill, I inferred, and I charged that he had given that notice in order to force the Democratic side of the Chamber, with which he is in such association, to carry out the arrangement which had been previously made.

I believed it then; I believe it now. I called the attention of the Senate and the country to the fact, and I simply inquired, using no opprobrious language, whether the bargain between the Senator from Nebraska and the Senators upon the other side of the Chamber was fully complete and the Senator's vote upon this bill finally fixed. I made that inquiry. I think I was warranted in making the inquiry; and I do not conceive that anything I said then, or say now, warranted the use of any unparliamentary language proceeding from the Senator from Nebraska.

Mr. President, I can not understand the sensitiveness of the Senator from Nebraska at the charge that the Democratic Senators who are managing this bill are making bargains and arrangements in order to secure its passage. It has been stated by the Senator from Maryland [Mr. GORMAN], distinctly stated in a written speech upon this floor, that neither the bill as it came from the House of Representatives, nor the bill as it was reported by the Finance Committee could at any time have commanded a majority of the votes of Senators upon this floor, and it has been distinctly stated that in consequence of that inability to pass the bill arrangements have been made, agreements have been made, concessions have been made—call them what you will—not to Republican Senators to induce them to vote for the bill, but to Senators upon the other side of the Chamber to induce them to vote for the bill, and over and over again the Senator from Texas [Mr. MILLS] has bemoaned the dreadful state in which he found himself, and equally dolefully the Senator from Missouri [Mr. VEST] has told the Senate and the country that he was not in favor of provisions in this bill, but that he was obliged to concede them in order to secure its passage.

What does all this mean? It means simply that concessions and arrangements and bargains are being made upon the other side of the Chamber. This is not an open secret; it is no secret; it is an avowal of Senators upon the other side of the Chamber; and, as the Senator from Massachusetts has suggested to me, it seems very singular that when there is this open avowal that the bill is being carried through by bargains and arrangements made, conducted, and arranged by the Senator from Maryland and other conservative Senators with the Senator from Arkansas and the Senator from Missouri—it seems very singular that when all this is admitted and goes to the country and is not disputed, yet if you venture to allude to a specific bargain and bring it home to a Senator engaged in it, immediately he resents the insinuation or the charge as implying corruption and dishonor on his part, and forthwith proceeds to reply in terms of indignation and opprobrium to the Senator who ventures to bring home a particular bargain to the particular Senator who made it.

Why is this, Mr. President? Why is it that if this is all innocent, if it is all natural, if it is all legitimate, if it is something which Senators are not afraid to do, and not ashamed to do, and not afraid or ashamed to avow to the country, the Senator from Nebraska becomes inflamed because the inquiry is made whether the arrangement to secure his vote has been fully made, and that he is no longer free to dodge in and to dodge out, and to give notice that he has not agreed to vote for this bill, and to move amendments as a condition of voting for this bill? Why is it that the Senator gets indignant at that?

Mr. President, the whole thing is patent and open to the whole country, and the Senator, instead of getting indignant with me, should have frankly admitted the fact that at last, if this amendment was adopted, he had been landed securely in the Democratic camp to the end of the voyage in connection with this bill.

When the Senator from Nebraska was making his demonstration, the Senator from Maine called attention to the fact that this was not a committee amendment, and that there was no caucus obligation to vote for it. The Senator from Maine took pains to emphasize the fact that the Senators upon the other side, as he understood the method of proceeding, were free to vote as they saw fit, and were not bound by caucus rule upon this particular question.

So, Mr. President, when the vote was taken there was apparently a vote in the negative upon it upon the *viva voce* vote, although that fact does not appear in the RECORD; but, as I remember it, there was apparently a vote in the negative, and the Senator from Arkansas [Mr. JONES], in order to carry the amendment, was obliged to call for the yeas and nays. Thereupon, as I predicted would be the case, the other side of the Chamber rallied to its support, and under the threat of the Senator from Nebraska consummated the arrangement which, as I believe, was the consideration for the Senator's vote upon this bill—a consideration, Mr. President, which the Senator himself has not hesitated to avow; for, if I mistake not, he has stated upon the floor of this Senate that whether he voted for this bill or did not vote for it would depend upon whether he could obtain amendments which he sought to obtain in connection with the bill before it should be put upon its final passage.

I submit that under these circumstances the Senator was not justified in using the language in reference to me which is to be found in yesterday's RECORD. There was nothing unparliamentary in my language; there was nothing offensive in anything which I said, and whatever of heat I may at any time have shown in debate in this body, I have never knowingly or intentionally used an opprobrious adjective or an opprobrious

noun—certainly very seldom—and I challenge Senators to go through the debates in this body in which I have taken part, and show that I have used unparliamentary language, however severe or however pointed have been the remarks which I have made. That has been my rule in the past; it will be my rule in the future.

So far as the Senator from Nebrsaka is concerned, referring to the term which he used, I regret, Mr. President, to say that I have discovered that the surroundings of the Senator from Nebraska before he entered this body were such as not to allow him to observe those courtesies which all gentlemen regard even in the most heated partisan debate. The Senator from Nebraska, Mr. President, is to be pitied, and not censured, for that which he could not help.

Mr. ALLEN. Mr. President, I think this is probably the fourth time the senior Senator from New Hampshire [Mr. CHANDLER] has, without any provocation on my part, so far as I can discover, used the unparliamentary and ungentlemanly language of "bargain," charging me with having made a bargain with the Democratic party for my vote. He says that is not unparliamentary. I do not myself know enough about parliamentary law to know whether it is or not. I do know, howhowever, that it is untrue, and I think I know it is ungentlemanly. I think I know also that when the Senator made that charge he made it willfully, deliberately, knowing it to be false.

I have nothing to take back in that respect. The Senator has, all the way through, undertaken to put me in the attitude of a trafficker in my vote. I think I know what is due to an American citizen; I think I know some of the duties of my office, although I have not had the experience he has had; but the insinuation or the statement of the Senator from New Hampshire that I have trafficked in my vote—he says "bargain," but traffic is what it means—that I had agreed to vote for this measure in consideration of any concession which has been made to me or that may be made to me with reference to any particular interest of the West, is untrue.

I have nothing to take back. I reiterate every word I uttered yesterday, and if I were where I could speak plainer I would make it still plainer than I make it now.

Several weeks ago, Mr. President, I made a motion to strike lumber from the dutiable list. If the Senator from New Hampshire will turn back in memory to that event, he will remember it was the subject of discussion at that time. I had a right to make that motion. I propose to have some of the interests of my country taken care of if I can get them taken care of.

I am not in the attitude of being bound here to either the Republican or the Democratic party. I am the humble representative of a new party, and in a certain sense we are skirmishers between the lines here.

I am under no obligation to the Democratic party upon this side of the Chamber, nor am I under any obligation to the Republican party upon the other side; and it is not necessary, Mr. President, for me to recognize Democratic domination upon the one hand, or Republican domination upon the other. Whatever may be to the interest of the people of the section of the country that I represent in part, if I understand that interest I propose to stand for it, and I propose to stand for it in spite of the low, dirty insinuations of the senior Senator from New Hampshire, or any other man.

I reiterate with full force and with renewed energy every word I uttered yesterday upon this subject.

Mr. CHANDLER. The closing remarks of the Senator from Nebraska only emphasize the statement I made, which is that he does not comprehend the courtesies which should characterize debate in this body.

The PRESIDING OFFICER. The Secretary will state the first amendment to the section submitted by the committee.

The SECRETARY. In section 54, line 7, after the word "ninety-five," insert the words "and until the 1st day of January, 1900."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

Mr. HOAR. Mr. President, I desire at some time not to argue either as a constitutional question or a question of public policy the income-tax provision, but to put upon record, about as I should if I were making the marginal notes to a judicial opinion, a summary of what seem to me the chief objections to it. I suppose it will take a few minutes to do so, and I may as well do it now. I shall have occasion to say something about a few of the details of this scheme as they are reached.

I am opposed to the income tax, first, because it is a class of taxation which, except during the extremity of a great war, always has been and always ought to be left to the States. The States are obliged, through the threefold instrumentality of the State, county, and municipality, to search every kind of property and every faculty of the citizen for earning money, and I hold that this particular method of taxation can be best exercised for public purposes by public officials who are close to the citizens. You can not put into a national tax system proper means of dealing with an income tax.

Take the matter of abatement. A citizen suffers a misfortune. He is apparently earning an income of $50,000. There comes a tempest, and over he goes. He and his household are ruined. He becomes a pauper, and his wife and children are paupers as near as they can be made by such a misfortune. There is nobody on the face of this earth who can remit the income tax, and you could not have it done by an official at Washington. But the neighbor, the assessors of the town, or in my part of the country the town itself, by a vote in town meeting, can do it considerately and fairly.

The matter of exemption, also, is not a matter with which the United States Government can deal. In this very bill, which has reference, I suppose, to the instrumentalities of the Revised Statutes in regard to whisky and tobacco, you have not any exemption for homesteads. I presume that my honorable friend from Missouri, on that being suggested to him, will probably make an amendment, or agree to an amendment if some one else propose it. It is impossible to suppose he would not. But there ought to be, with reference to the different habits and customs of particular States, exemptions regarding the matter of tools of trade, necessary implements of professions, and the like. You do not exempt from the collection of the income tax the bed on which the citizen lies, except it is included in a certain amount of household furniture.

Mr. President, another matter seems to me to be clear. I am not at this moment going into the question whether an income tax is a direct tax. It has been dealt with by the Supreme Court of the United States so far as it affected the Springer case, and it is not profitable for us to enter very profoundly into that discussion now. But so far as the income from real estate is concerned, it is impossible to deny that such a tax is opposed to the principle and purpose and desire of the framers of the Constitution. A tax on real estate is a direct tax. The framers of the Constitution said such a tax shall only be assessed in proportion to population, for the very purpose of preventing a majority, coming from States where real estate is cheap, putting the expenses of the Government on a few States, a minority of the people, where real estate is high and of great value. You could not have secured the adoption of the Constitution either by convention or the people, but for that stipulation.

Now, in principle, how can you distinguish between the tax upon the body of the real estate and the tax upon the income from the real estate, which is everything that gives it its value? You can not tax the $100,000 or the $1,000,000 worth of land, but you come in here and say "we can tax the value of that land." You can not tax my house, but you tax everything the house produces or earns or yields. It is a distinction without a difference, I respectfully submit.

Will my honorable friend from Missouri, who is to defend this tax, tell the Senate, when he comes to do it, whether he can believe for an instant that if any member of the constitutional convention in 1787 had risen in his place and moved to insert in the prohibition of direct taxes, except according to population, "but incomes from real estate, incomes from the subject of the direct tax, may be taxed wherever they are found, without regard to State lines," such an amendment would not have been rejected by unanimous vote, and the idea that that device or distinction would ever have been resorted to scouted as an imputation upon the sincerity and honesty of the American people?

Mr. President, my third objection is that this is a tax in favor of wealth as against industry and frugality. Two men are side by side, one with $100,000 of invested property at 4 per cent, perhaps invested in Government bonds, which would take $133,000, or thereabouts, to yield the exempted income, with a future for himself as certain as anything on earth is certain in the way of investment of property for his old age, for his wife and family. He escapes. Next door to him lives an old bank teller or clerk, or a foreman in a manufacturing establishment, who has not a dollar laid up in the world. He has been promoted as the reward of a lifetime of hard work and frugality and intelligence in his profession or his business, so that he is getting $5,000 a year. You seize upon that poor man's earnings and take from him what you refuse to take from the wealthy or the rich man.

Now, I say, and I do not use the phrase with reference to anybody's motive or purpose, that this is a distinction which can not be defended. It is founded upon a vicious, objectionable, indefensible public policy. It says, in other words, what you have and own and have gathered into your own pockets from the wealth of the community, whether you inherited it, whether you got it by speculation or however, shall be exempt, and your year's wages or earnings shall pay the public burden.

Mr. President, the bill as it stands—I do not know what amend-

ments are to be had—is unjust especially to savings institutions and life insurance policies and to all the little places where the little savings of the honest and frugal poor are found. I hope and believe that the public indignation and remonstrance will extort what was not extorted from the majority in the other House—an amendment to the bill in this respect.

There is another consideration. This is a tax upon moneyed incomes, as is well settled by the definition of the word "income" both in England and in this country. Under this plan a man who consumes all he raises in luxurious living escapes altogether, while the man who earns and is paid wages which he has to expend for the honest and frugal support and education of his family is taxed. Here is a great and palatial estate, upon which hundreds and thousands and millions of dollars have been expended, in which the owner lives luxuriously and gathers his guests in the summer and has music and dancing and feasting, and where woodcock and wine are necessaries of life. That estate escapes altogether, because there is not any money income, while a man living next door, who receives his income, $5,000 or $6,000 a year in a salary which he earns, whose income goes out for the education of his sons and daughters, pays a tax on all over $4,000. A member of this body told me recently that when the Duke of Sutherland was over here a few years ago, the income of whose princely estates in Scotland and England is between one and two million dollars, he said to some gentlemen who were conversing upon that subject that the income tax did not affect him very much, for the produce of his estates was not in money, but in the products of the field and the soil and the hothouse.

Another objection I have is that the bill gives to Government officials the power of inquisition into the business of private citizens. You may talk as you please about publicity, as my distinguished and venerated friend, Mr. Sumner, used to talk about the old Roman who wanted to have his house built of glass, so that every one might see what went on inside, but it is not human nature, and the fact that it is not human nature shows that it is not justice or reason. The business man has a right to have his business faculty, his business methods, his business earnings concealed from the public and from his rival, foreign or domestic.

The competition in most of the transactions of life is keen and close. One of the greatest woolen manufacturing industries in Massachusetts sent its agent, a distinguished manufacturer, to call on me at my residence in Massachusetts a few years ago, and he told me that the only thing which had enabled him to make any profit for his concern for several years, when the other concerns engaged in the great business were losing money, was the savings which his concern made in the pasteboard boxes in which their materials were sold.

Now, Mr. President, it is a universal principle of American nature to keep your transactions concealed from the gaze and scrutiny of other men. I agree that that ought to yield to a public exigency; but in this case what do you do with it? You put this power of inquisition into the hands of public officials. I have no doubt that under the present Democratic Administration you will get on the whole as respectable and as careful and as well principled a class of men as you would get under any other, but would our friends on the other side consent to have put in doubtful political struggles in the New England States or in New York or in any other part of the country the terrible power and weapon and instrumentality into the hands of the agencies of the existing Administration of saying to every business man, if you are active or ambitious or instrumental in seeking the overthrow of the party now in power it is at the risk of having your business affairs inquired into and exposed by the political servants of the Government?

The distinguished and able Senator from New York dropped a curious expression in his argument just now. I wish to speak with great respect of that Senator, because he represents as does nobody else on this floor a class of persons who are peculiar to the New England States, chiefly to the State of Massachusetts, known as the Mugwumps or independents. He is the only Senator on either side of this Chamber who has exactly, precisely, in all respects, represented the doctrines and principles of that class of our fellow-citizens.

I thought from some expressions which have dropped from his lips heretofore that he did not quite agree with them in their great demands of civil-service reform, but Governor Russell, the favorite candidate and darling of the New England Mugwumps, said in an interview the other day that the passage of this tariff bill was an emergency which demanded the application of Democratic party discipline, which, I suppose, in his lips meant simply the power of Democratic appointment to office and removal. So I think the honorable Senator from New York may be set down as the absolute, perfect, and immaculate champion of the New England independents. He said, in commending the petition of his constituents for this legislation, that several gentlemen, whose names he read, had been generous contributors to the Democratic campaign fund.

If that is a motive for legislation which that astute and acute Senator thought might operate on the minds of his associates in this body, it would strike me that the generous contributor to the Democratic campaign fund past or future, or to the Republican campaign fund in the same cases, would be the man who might escape serious and disagreeable inquisition into his private business.

Another reason why I object to it is, it is sectional in its character, and it is so taken by a large part of the country. It will be understood by the people who pay this tax that it has been put on, as has been said freely in the press in some parts of the country, because one part of the country will escape it and another part of the country will wholly have to pay it. There is a good deal of serious truth in the jest attributed to the honorable and gallant Senator from Georgia [Mr. WALSH], that the people of Georgia like this measure, because none of them have any incomes above $4,000, though, of course, nobody will attribute for a moment to that honorable Senator that his own vote would be governed by any such consideration.

In the next case its point of exemption is unjust. The great body of the money-earning people of this country, when you get above the class which you call laborers or wage-earners, are people whose incomes are between one thousand and five thousand dollars; and why should that great body be exempt? Even in aristocratic England, as has been said heretofore, the point of exemption is less than $750—£150.

I shall have occasion to point out hereafter many defects in the details of this measure which I shall not detain the Senate with speaking of now, but there is one I will notice. Here is a premium on the separation of families. The husband and wife who live together get one exemption. The husband and wife who quarrel and separate get two. If there are five minor children who live together, with property enough to support them all, there is only one exemption. If they scatter to different households there are five or six exemptions.

Here is another objection I wish to notice. From the amount of the income you do not make the deductions which on a reasonable principle you ought to make. A loss by fire, storms, or shipwreck of property merely is deducted. The man who has an income of $50,000 a year on a property of $1,500,000, and loses $50,000 by fire, storm, or shipwreck, is entirely exempt from the income tax for that year; but the loss by gas explosion, the loss in any other manner not enumerated here, the loss of the earning power of the man who earns his income, is not counted at all.

Here is a man earning $5,000 a year without a dollar of property in the world, and he gets a blow over the head, has a paralytic shock, and his power of earning is gone, and it is not counted to him. By his side is a man worth a million and a half with his income of $50,000 a year, and the fire which destroys $50,000 worth of his property, never causing him to lose a single luxury, or a single necessity, or a single security for his future life, gets rid of the income tax on that wealth altogether.

Mr. President, there is another very grave and serious objection. We all want if we can to see a time when we can get rid of the internal-revenue system altogether. It is odious, it is a sore, it is an irritation, it is a sting in all parts of the country. The moonshiner does not like to have the revenue officer after him, and the men who is earning an honest living in his shop does not like to have the revenue officer after him. It is the one thing in which the people of the United States are agreed in wanting to get rid of; and the adoption of this policy puts an end to that hope. It is not merely the discomfort to the citizen, it is the most odious form and the most dangerous and injurious form of political patronage that we have in our entire system, and we all have hoped that the time would soon come when we could get rid of it.

The Senator from Missouri [Mr. VEST] has offered an amendment which leaves it extremely doubtful to my mind—I do not suppose that could have been his purpose—whether the American citizens of large wealth dwelling abroad is not to get rid of the income tax, as I think he will by the amendment as it is now framed. The one man who carries with him everything which is valuable to an American citizenship abroad, who can plunge this nation into war if he is insulted in the streets of Callao, Rio Janeiro, or Paris, who goes there to bring up his children in foreign fashions and to indulge himself in foreign luxuries, and carrying abroad the wealth which he or some ancestor of his has acquired, is to escape under this bill as it is now proposed to be left.

Mr. VEST. What amendment is that, if the Senator pleases?

Mr. HOAR. If the Senator will pardon me, he will find it a little later. It is an amendment which is found printed here

where you strike out the words "American citizen residing abroad," in terms. The Senator will readily find it.

Now, Mr. President, here is another very serious objection to deal with in this matter which might be cured, and perhaps will be hereafter; and that is where there is a failure by accident or illness or some other reason to make and send in the inventory of the taxed property at the time required. In case such a mistake arises from sickness or absence, thirty days more are given, and that is all, and it merely says that the collector may receive the list after that time.

Is everybody who fails to bring in his list by an accident (suppose one of his family dies and he is plunged in grief or he is insane, or suppose he has sent it, has left it to some clerk to forward, or it is miscarried in the mail) to come to Congress for relief? Yet that is what has got to be done under this bill as it stands now.

Mr. President, there is another thing which is perhaps included in what I said a little while ago. There is no homestead or other exemption provided for, no exemption in case of misfortune. The United States is to be a Shylock, demanding its pound of flesh, and without any lawful and constitutional power to relinquish it.

This proposition is a war upon honest industry, honest wages, frugal living, and moderate gains. It is a combination of aristocrat and Populist, of the millionaire and the tramp, which is forcing this policy upon us against which the honest, the simple, frugal American spirit expresses its dissent and its loathing. You put the burden upon these men, upon the savings bank, upon the life policy, upon the foreman in the mill, upon the man with a little saving which you will take off from whisky and tobacco. It is easy to get a sufficient revenue, if that be what you want, though the Senator from New York has well demonstrated that you have plenty without it by a reasonable and moderate addition to the imposition upon whisky and tobacco. The man who earns and saves his little accumulation in the savings bank is to pay a tax from which you are relieving the man who works by his side and spends his earnings in whisky and tobacco or in foreign wines and French brandies.

Mr. President, it shows how recklessly this matter has been framed that you have not even exempted the salaries of the judges of the Supreme Court; that you have not even exempted the retiring pensioner, or the President of the United States. I think Chief Justice Taney's letter which has been laid on our tables will show that the bill is faulty in that particular.

Now, I wish to make one other observation and then I shall have finished. It seems to be supposed by some of our friends, notably the Senator from Kansas [Mr. PEFFER], that in this country there is a great mass of wealth accumulated in a few hands, while at the same time the poor are growing poorer and the number of men with moderate property and moderate savings is decreasing. That is wholly untrue. There never was a time, there never was a country, there never was a generation in which the man of simple living, of honest industry, and of moderate gains has been better off or has been more completely the prevailing type and example of citizenship than in this country at this hour.

It was said here that the census returns showed that 80 per cent of the property of this country was in the hands of 20 per cent of the people; that is, that a fifth of the people own the property of this country. It sounds very plausible at the first statement, but I should like to know if that is not a sign and proof of a healthy condition? Take any American young man who starts in life at 21 and gets married at 23. A year after he starts, as a lawyer, or a physician, or a mechanic, to earn his living. Then he goes on, and by the time he has got to 33 years he has three or four children with his wife, and has accumulated two or three thousand dollars and laid it up. He constitutes a fifth of that family, and yet every dollar of his property is in his hands.

We have women in this country who have inherited large estates. Occasionally the husband conveys some of his earnings to his wife, and it is in her name, but ordinarily the earnings of the family vest legally in the husband, who is the head of the family; and it is said for every wage-earning man on an average there are five persons whom he supports. So the natural and ordinary condition of well-to-do, healthy families moderately well off would be that 80 per cent of the property would stand in the name of 20 per cent of the people.

That statement, which has gone the rounds uncontradicted and unexplained for so many years, is the merest trash. In every family the property stands in the name of its head. The youth, the men who have their money still to make, though earning money, are not counted in the census of property, though I hold that if a census could be fairly taken which would show that out of every hundred persons in this country there are twenty having an amount of property which would meet the want of the taxgatherer or the census taker, and if that appearance in our returns and statistics could be exhibited by statistical science, it is an assured proof of health and wealth and of freedom from poverty and degradation.

I have one other observation to make, and then I shall conclude. In regard to this tax upon railroads, upon gas companies, upon water companies, upon ferry companies, and upon a few turnpike companies, if there are any left—there are, of course, but few of the latter now left in the United States. As the Senator from New York well said, those companies are a part of the State Government; they are the instrumentalities through which the State exerts and exercises its great function of providing public ways of transportation for the people. The stocks, the dividends, the toll, the money paid for freight or fare, are but the modes in which the State provides a salary for the public officer who is performing that public function, which the State can not do so well by itself.

The State has an absolute control over the amount to be charged in all those cases. It delegates and it regulates the exercise of the power of eminent domain for their construction.

I am not sure that I should go, indeed I do not know that the Senator from New York committed himself as going, quite so far as to say that when the State commits to this class of corporation the power or capacity or faculty of doing business, that that business, and its income and its profit may not be taxed by the National Government.

That is a doubtful and a serious question; but whether constitutionally and in strict law we can exercise this power, the relation of these corporations to the State and to the municipality is such, is so intimate, so constant, that it seems clear to me they ought to be left to the State power of taxation. As to street railroads, the city or town gas companies, water boards, or local railroads, going from place to place in the same State, having nothing or little to do with international commerce, the Legislature of the State, the hand of the State, is on them in their every motion. These corporations are State creatures.

The politics of the State turn upon the way they shall be dealt with. The State will tax them, and it must tax them, and by coming in with the assertion of this national power simply because there is a prejudice against this class of corporations, you are embarrassing the State, the town, the county. All this class of corporations pay now in my own State to three separate public demands as large a sum as in reason and in justice they ought to be compelled to pay for public purposes. If you go beyond that, and put a burden upon these corporations, if you make them bankrupt or deprive them of what is a just, fair, and reasonable compensation, you are doing an infinite public mischief.

There is nothing so badly off in a free country as a community which is served by bankrupt or embarrassed railroads or street railways or gas companies. There is no security of compensation for injury to the private citizen; there is no insurance in the solvency of the concern against danger or loss of property; there is no liberality or generosity or enterprise in providing for the convenience of the people. You could not make a worse investment, you could not do a greater injury, especially to the new States which depend so largely upon these instrumentalities, than to cripple or embarrass the railroads.

Let Kansas tax the railroads in Kansas to their full extent, and let her regulate the railroads to the full extent of her constitutional power; and let the United States Government keep off its hands.

Mr. President, I have not been in the habit of speaking of late years in terms of strongest respect of the Democratic party or of Democratic statesmanship; but there is one thing in which I had supposed the people of the United States could depend on the Democratic party and on the statesmanship of the South and West, and that was, that if there was an attempt to interfere by the central authority with the autonomy, the sovereignty, and independence of the States, that party would immediately sound the alarm.

For the first ten or fifteen years in which I had the honor of service in this Capitol there was scarcely a measure proposed in either House in regard to which a Democratic leader did not rise in his place and say, "Mr. President"—or "Mr. Speaker"—my objection to this thing is that I think it ought to be left to the States." Yet this tariff bill and this income-tax scheme is the most conspicuous, far-going, drastic, sweeping assertion of national power against the State power, State interest, and State functions which can be found in our legislative history.

The PRESIDING OFFICER. The question is on agreeing to the first amendment offered by the committee to section 54.

Mr. SHERMAN. Let the amendment be stated.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In section 54, page 170, line 7, after the date "1895," it is proposed to insert "and until the 1st day of January, 1900."

The PRESIDING OFFICER. The question is on the amendment.

Mr. ALDRICH. I move to strike out "1900" and insert "1897."

The PRESIDING OFFICER. The amendment will be stated.

Mr. ALDRICH. At the suggestion of the Senator from Iowa [Mr. ALLISON], I modify my amendment so as to read "1898."

The PRESIDING OFFICER. The amendment proposed by the Senator from Rhode Island to the amendment of the committee will be stated.

The SECRETARY. It is proposed to amend the amendment by striking out "1900" and inserting "1898."

The PRESIDING OFFICER. The question is on agreeing to the amendment submitted by the Senator from Rhode Island to the amendment of the committee.

Mr. ALDRICH. I call for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. GORDON (when his name was called). I am paired with the junior Senator from Iowa [Mr. WILSON], and therefore withhold my vote.

Mr. PALMER (when his name was called). I am paired with the Senator from North Dakota [Mr. HANSBROUGH], and therefore withhold my vote.

The roll call was concluded.

Mr. QUAY. I desire to announce that my colleague [Mr. CAMERON] is paired with the Senator from South Carolina [Mr. BUTLER].

Mr. CAMDEN. I am paired with the Senator from South Dakota [Mr. PETTIGREW], and therefore withhold my vote.

Mr. BLACKBURN. I am paired with the senior Senator from Nebraska [Mr. MANDERSON], who is absent. If he were here I should vote "nay."

Mr. RANSOM (after having voted in the negative). I am paired with the senior Senator from Maine [Mr. HALE]. I see that he has not voted, and I withdraw my vote.

Mr. SQUIRE (after having voted in the affirmative). I am paired with the Senator from Virginia [Mr. DANIEL]. As I understand he is not present, and as I do not know how he would vote if present, I withdraw my vote.

Mr. CAREY. I am paired with the Senator from Wisconsin [Mr. MITCHELL], and therefore withhold my vote.

The result was announced—yeas 22, nays 39; as follows:

YEAS—22.

Aldrich,	Frye,	McMillan,	Quay,
Allison,	Gallinger,	Morrill,	Sherman,
Chandler,	Hawley,	Patton,	Shoup,
Cullom,	Higgins,	Perkins,	Washburn.
Davis,	Hoar,	Platt,	
Dolph,	Lodge,	Power,	

NAYS—39.

Allen,	Faulkner,	Lindsay,	Roach,
Bate,	George,	McPherson,	Smith,
Berry,	Gibson,	Martin,	Teller,
Blanchard,	Gorman,	Mills,	Turpie,
Brice,	Harris,	Mitchell, Oregon	Vest,
Caffery,	Hunton,	Morgan,	Vilas,
Call,	Irby,	Murphy,	Voorhees,
Cockrell,	Jarvis,	Pasco,	Walsh,
Coke,	Jones, Ark.	Peffer,	White.
Dubois,	Kyle,	Pugh,	

NOT VOTING—24.

Blackburn,	Dixon,	Jones, Nev.	Proctor,
Butler,	Gordon,	McLaurin,	Ransom,
Camden,	Gray,	Manderson,	Squire,
Cameron,	Hale,	Mitchell, Wis.	Stewart,
Carey,	Hansbrough,	Palmer,	Wilson,
Daniel,	Hill,	Pettigrew,	Wolcott.

So the amendment to the amendment was rejected.

Mr. HILL. I suggest to the Senators in charge of the bill whether we may not have an understanding that the various sections of the bill for the purpose of offering amendments may be considered as one section, so that we may subsequently go back to the first section of that portion of the bill relating to the income tax. I desire to submit some remarks on some particular amendments to the first section of that part of the bill, which I do not feel like doing to-day.

Mr. VEST. I do not know that I exactly understand what the Senator desires. The usual mode of proceeding is to read through the sections as originally reported, then to act on the amendments of the committee; and after they are acted upon, to consider such amendments as Senators may offer.

Mr. HILL. But when a section has been once passed we cannot return to it.

Mr. VEST. There is never any difficulty in regard to that. If the Senator wants to move an amendment, he can get leave of the Senate, and that can be done.

Mr. JONES of Arkansas. All these sections in relation to the income tax might be considered as a single proposition, it occurs to me, to be read through, and then amendments be submitted.

Mr. HILL. That is what I suggest.

Mr. ALLISON. Of course where an amendment has been inserted by the committee it can not be got out again. If the committee offers an amendment and it is agreed to, that can not be subsequently modified or changed.

Mr. VEST. I do not understand that that is the point at all.

Mr. HILL. The simple point of my suggestion is, that all the sections, so far as they relate to the income tax, may be considered as one section for the purpose of offering amendments, so that if, after having passed the first section relating to the income tax, to-morrow I should desire to offer an amendment in regard to it I may be permitted to do so.

Mr. VEST. There is no objection to that.

Mr. HARRIS. Technically the thing suggested by the Senator from New York [Mr. HILL] I do not think could be done as in Committee of the Whole, but so far as I am concerned, and I imagine so far as the Senate is concerned, there will be no objection to pursuing the course suggested by the Senator, if he desires.

In reply to the suggestion of the Senator from Iowa [Mr. ALLISON] that an amendment agreed to as in Committee of the Whole can not be modified or changed by amendment after it has been decided in Committee of the Whole, I will say it would be amendable in the Senate, but if an amendment offered in the Senate is to be modified, it must be done while that amendment is under consideration.

The VICE-PRESIDENT. The question is on the amendment reported by the committee.

Mr. ALLISON. Let the amendment be again stated.

The VICE-PRESIDENT, The amendment will be stated.

The SECRETARY. In section 54, line 7, after the date "1895," it is proposed to amend by inserting "and until the 1st day of January, 1900."

The VICE-PRESIDENT. The question is on the amendment.

The amendment was agreed to.

The VICE-PRESIDENT. The next amendment of the committee to the section will be stated.

The SECRETARY. In line 9, after the word "be," it is proposed to insert the word "assessed;" so as to read:

There shall be assessed, levied, collected, and paid annually upon the gains, profits, and income, etc.

Mr. KYLE. I desire to offer an amendment to section 54.

Mr. VEST. I hope the Senator will wait until we get through with the committee amendments.

Mr. KYLE. I will withhold the amendment for the present.

The VICE-PRESIDENT. The question is upon agreeing to the amendment which has been read.

The amendment was agreed to.

The VICE-PRESIDENT. The next amendment reported by the committee to section 54 will be stated.

The SECRETARY. After the word "income," at the end of line 10, it is proposed to strike out "of every person residing in the United States, or any citizen of the United States residing abroad, derived in each preceding calendar year," and insert "received in the preceding calendar year by every citizen of the United States, and every person residing therein."

Mr. HOAR. I should like to ask the Senator in charge of the bill whether it is his purpose to have a citizen of the United States dwelling abroad pay a tax on all his income as he would if he dwelt at home, wherever the property may be located; or whether it is his purpose only to have that citizen pay the tax on so much of his income as comes from investments in this country?

Mr. VEST. He pays upon his income in this country exactly as if he had remained here.

Mr. HOAR. But if he had remained here he would pay tax upon the income derived from property abroad.

Mr. VEST. We have nothing to do with property abroad. It is his income in the United States.

Mr. HOAR. I think we have. The Senator's answer indicates that he did not comprehend my question, or else I am afraid I did not comprehend his answer, because his answer would imply that he does not comprehend what he is doing, which is not to be supposed for a moment.

I understand the bill as it came from the House of Representatives made every person dwelling in the United States, whether a citizen or not, pay an income tax. Then it added to that the incomes of citizens residing abroad. So, if an American citizen went abroad and carried the protection of his country, of his citizenship with him, he did not escape its burdens. There are a great many people, I am sorry to say, who go abroad for that very purpose, and some of them went abroad during the late war. They lived in luxury, at the same time at less cost, in a

foreign capital; they had none of the voluntary obligations which rest upon citizens, of charity, or contributions, or supporting churches, or anything of that sort, and they escaped taxation.

That class of persons, in my judgment, ought to pay taxes on all their property at home or abroad, wherever it may be. If they remain American citizens I think the Senator from Missouri and the whole Senate will agree we have something to do with their property abroad. If that Senator has invested in a Mexican railroad or a South American or Cuban mine or in the English funds, he has to report it and pay a tax upon his investment, and he ought to.

If a citizen goes abroad under the circumstances I have stated, he ought to do that exact thing. He is the one human being we ought to tax. If there is any good in an income tax that would be the good thing if it did that. The bill as it came from the House provided for that. It said:

There shall be levied, collected, and paid annually upon the gains, profits, and income of every person residing in the United States, or any citizen of the United States residing abroad,

That language made it clear. The committee have struck out that language. It is true, in the language printed here in italics, they say "received in the preceding calendar year by every citizen of the United States," etc., which would seem, if it stood alone, to accomplish the same thing. But they go on later to provide that the tax upon persons residing out of the United States shall be only on "property owned and of every business, trade, or profession carried on in the United States," and they have struck out the words "and not citizens thereof." So, taking it altogether, it would seem to be very clear that they meant to exempt the American if dwelling abroad.

Mr. ALLISON. I take it that these clauses taken together meant, first, to provide for citizens of the United States, and, secondly, to provide for persons not citizens, who were engaged in any business, trade, or occupation in the United States. Therefore the words "and not citizens thereof," should be stricken out. If that be done, then it is practically the same provision as contained in the bill as it came from the House of Representatives.

Mr. HOAR. No; because they have made a comprehensive expression as to persons residing without the United States; it leaves it exceedingly doubtful. The language is:

A tax of 2 per cent on * * * all property owned and of every business, trade, or profession carried on in the United States by persons residing without the United States.

Now, that would seem to be a provision which the committee make for persons residing out of the United States, whether they are citizens or not. It is only what they have in the United States that is to be touched. That is proper as to foreigners.

Mr. ALLISON. But the committee say in substitution, if I understand the clause, "in the preceding calendar year by every citizen of the United States, and every person residing therein." Now, a citizen of the United States is a citizen, although residing abroad. Therefore I think they intended to cover that idea.

Mr. HOAR. I presume they may have intended to cover it, but I do not think they do.

Mr. PASCO. I suggest that the matter be corrected by inserting the word "by" after the word "and" and before the word "every," in the eighth line of the new print. That will make it clear.

Mr. HOAR. Suppose you put in after the words "United States" in italics the words "whether residing at home or abroad." That makes it absolutely certain. I move to amend the amendment by inserting after the words "United States" the words I suggest.

Mr. GRAY. What print does the Senator from Massachusetts read from? I am a little bit confused.

Mr. HOAR. I am reading from the print ordered yesterday.

Mr. GRAY. There are two prints.

The VICE-PRESIDENT. The amendment proposed by the Senator from Massachusetts will be stated.

The SECRETARY. In line 14, after the words "United States," insert the words "whether residing at home or abroad."

Mr. VEST. There is no doubt about it. That is what it means and it can not mean anything else.

Mr. HOAR. I think I can satisfy the Senator that it is very doubtful. You have first struck out what made it clear in both places, and then you have one provision that is said to be applicable to persons residing without the United States, and you do not distinguish between citizens and foreigners, so that under this clause here all persons residing without the United States come under one provision.

Mr. VEST. As the provision came from the other House it had two classes. It said "every person residing in the United States." That would cover everybody who resides here. Then it said, "or any citizen of the United States residing abroad." Now, the Finance Committee simply propose to insert in lieu of that provision:

Received in the preceding calendar year by every citizen of the United States.

That covers every citizen, whether in this country or abroad.

Mr. HOAR. It would, if you took it alone.

Mr. VEST. Of course. The first classification is "every citizen of the United States." No man divests himself of his citizenship by going abroad. Then it says, "and every person residing therein;" that is, in the United States, and that takes in everybody.

Mr. GRAY. If he shall be a citizen.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Massachusetts [Mr. HOAR] to the amendment of the committee.

The amendment to the amendment was agreed to.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the committee as amended.

The amendment as amended was agreed to.

Mr. KYLE. I rose a moment ago to say that I wish to reserve the right to move to amend section 54, in line 8 of the new print, when the bill comes into the Senate.

The next amendment of the Committee on Finance was in section 54, line 15, after the word "whether," to insert "said gains, profits, or income be;" so as to read:

Whether said gains, profits, or income be derived from any kind of property, rents, etc.

The amendment was agreed to.

The next amendment of the Committee on Finance was, in section 54, line 18, after the word "elsewhere," to insert "or from any other source whatever;" so as to read:

Whether said gains, profits, or income be derived from any kind of property, rents, interest, dividends, or salaries, or from any profession, trade, employment, or vocation carried on in the United States or elsewhere, or from any other source whatever.

The amendment was agreed to.

The VICE-PRESIDENT. The next amendment of the committee to the section will be stated.

The SECRETARY. In line 22, after the word "property," insert "owned."

Mr. PEFFER. The amendment which I gave notice I would propose comes in in line 19. I ask leave to offer it now.

The VICE-PRESIDENT. The amendment proposed by the Senator from Kansas will be stated.

The SECRETARY. After the word "tax," in line 19, section 54, insert:

On each and all such incomes exceeding $1,000 the tax shall be 1 per cent of the excess; and all incomes exceeding $10,000 shall pay an additional tax of 1 per cent of the excess; all incomes exceeding $25,000 shall pay an additional tax of 1 per cent of the excess; all incomes exceeding $50,000 shall pay an additional tax of 1 per cent of the excess, and all incomes exceeding $100,000 shall pay an additional tax of 1 per cent of the excess.

Mr. PLATT. Will the Senator from Kansas just state in figures what the tax will be upon the different incomes?

Mr. PEFFER. I will explain the amendment. The object is to allow what we Populists call a graduated income tax; that is to say, beginning with an exemption of $1,000, to levy a tax of 1 per cent upon the excess above and beyond $1,000, no matter to what extent.

Mr. PLATT. Between one thousand and ten thousand dollars?

Mr. PEFFER. Oh, no; from $1,000 to the end of the income, no matter how large it is. After the income reaches the extent of $10,000, then add 1 per cent on the excess above $10,000 to the end of that income, no matter how far it goes.

Mr. CULLOM. That makes it 2 per cent?

Mr. PEFFER. That will be 2 per cent.

Mr. ALLISON. On incomes above $10,000?

Mr. PEFFER. Above $10,000. It is 1 per cent clear through, and after we reach $10,000 then an additional 1 per cent, so that beyond $10,000 it will be 2 per cent. Then when we reach an income of $25,000 we propose to add another 1 per cent on the excess above $25,000, going to the limit of that income, which would be 3 per cent. When we reach $50,000 we propose to add 1 per cent on the excess beyond that sum. That would be 4 per cent on $50,000. After reaching $100,000 we propose to add 1 per cent additional. That would make 5 per cent upon the excess. So it will range from 1 per cent to 5 per cent, grading it at $1,000, $10,000, $25,000, $50,000, and $100,000.

While Senators smile at the idea, it is based upon exact justice. I have no doubt that the Senator from New York [Mr. HILL] who addressed us this morning, and the Senator from Massachusetts [Mr. HOAR] who addressed us a few minutes ago, will agree with me upon the starting point, at least, that we ought to begin at $1,000 instead of $4,000.

Mr. President, those of us who favor the graduated system of taxation believe that persons ought to pay for the support of

the Government in proportion to their means, that the poor man whose net income does not exceed $1,000 ought not to pay as much in proportion to his income as the man whose income exceeds $100,000 should pay, for the power and the influence of a man whose income is $100,000 is a thousand fold greater than that of the man whose income is $1,000. In the range of human life everywhere, the poorer a man is, as a general rule, the more obscure he is, the less his influence in politics, in religion, in social affairs; and the larger his income, the wider the range of his influence and the greater his power.

One of the great complaints being made among the people now who are taking part in this revolution which is in progress, is that by reason of the concentration of wealth among the people of the great cities of the country their power has increased to such an enormous extent as to become a menace and a continuing danger to the perpetuity of republican institutions, and of course, as a corollary, to the liberties of the people. We argue that in proportion to a man's ability ought he to respond to the demands of the Government. I know that Senators take some delight in insisting that the poor man ought to feel that he is bearing some of the burdens of government.

Oh, Mr. President, every poor man feels that he is doing so, and now you propose to tax him an additional 2 cents a pound upon the sugar which he uses in his family. This reform Congress is proposing to levy a tax of 50 per cent upon this poor man's clothing, a tax of 50 per cent upon women's and children's dress goods. So I suppose we shall not hear any more from the platform or in the press of the Democratic party that the poor man is being robbed by a set of barons who are located in the Eastern part of this country. The other side themselves are doing this thing.

The Senator from New York this morning went a little out of his way, and he hardly ever does that unless there is something to be gained by it, to insist that the income tax is a species of Socialism and Populism, incorporated into the impending bill for the purpose of securing votes. The Senator did not say, and he did not mean to say, that it was for the purpose of securing Populist votes, because he is right when he says it is a Populist measure. It is the offspring of the Populist party. We are the father of it, although it is not what would please us, because what I have given you now in my amendment is our ideal of an income tax.

Personally I do not believe that an income tax is the best way to raise revenue for the National Government. I think it would be much better to have a graduated land tax, that is to say, a tax levied upon large landed estates, and in proportion to their value.

Mr. HILL. Will the Senator from Kansas allow me?

Mr. PEFFER. Certainly.

Mr. HILL. Perhaps if the Senator will give the majority upon this side a little further time for reflection they may conclude to indorse that. I should not be surprised.

Mr. PEFFER. I should be very glad to give them five years, so that when the twentieth century shall come in we should have an improved system of taxation.

The income tax is spoken of as a idea of Populism and Socialism, as if the Senator would cast reproach upon Socialists and Populists. I do not know what a Socialist is. I do not know how the Senator from New York himself would define Socialism. I doubt very much whether he would be willing to stand up in the presence of the Senate and the country and undertake to define what he understands to be meant by Socialism. He understands what is meant by Populism, no doubt. It means an income tax. But it means a good deal more than that, and if there is to be any sort of dishonor attached to it or to anything that the Populists present, either in their platform or in their speeches, I am willing to shoulder it. I am willing to stand before the Senate and the country and say that I am proud of being a Populist.

If there is any great organization of men in the country of whom I think less than I do of the Republican party, it is the Democratic party. We are undertaking to do what the Democrats have promised to do and have failed to do and utterly refuse to do. We have undertaken to reform the processes of government. We have undertaken to restore the Government to the people for whom it was founded and to whom it rightfully belongs. We propose to equalize taxation as far as it is possible to do so, and we propose to make the wealth of the country bear its just and fair proportion of the taxes of the country.

It was said by the Senator from New York, and repeated by the Senator from Massachusetts, that an income tax would bear hardly upon the people of a particular section of the country. Why will it bear hardly upon them? Because they have more of the wealth of the country than the rest of the people. I called attention a few days ago to the fact that the little State of Massachusetts alone, with only 8,000 square miles, one-tenth part as large as the State of Kansas, saved more wealth in ten years than nine of the great agricultural States of the country.

The Senator from New York to-day, referring to the savings banks, took occasion to note that there were but two savings banks in the Southern States. Why is it that there are no savings banks there? Why is it that those people are not saving anything? You ask us to bear the burdens of taxation with you when you are receiving the protection of the Army and the Navy, and your coffers are being filled year by year and day by day with the labor and the profit of the people of other parts of the country.

Mr. HILL. Will the Senator from Kansas allow me a moment?

Mr. PEFFER. With great pleasure.

Mr. HILL. I did not say there are no savings banks in the Southern States. There are only two mutual savings banks. There are a large number of savings banks in the South and West, but they are conducted upon a different principle from those in the East.

Mr. PEFFER. The point to be made is that because wealth is accumulated in New York, and not because those men are more industrious than we are, not because they are wiser or better than we are, but because they trade, because they buy and sell, because they deal in usury, because they reap in what they never earn, because they take in and live off what other men earn, they shall be exempt from taxation, and that we who are hewing wood and carrying water shall continue to bear the burdens of the Government.

The time has come when we propose to stop that kind of work. We are going to make you men of the East bear your burden of taxation. We are going to do it by the ballot. We are going to do it by a change of public officers, a change of administration, a change of laws. We are going to do it peacefully and in accordance with the law, but we are going to do it. It is an outrage. I do not know how else to characterize it. Men will stand here hour after hour and defend the wealth of the Eastern portion of this country, wealth which has been accumulated by the fostering care of the Government and by reaping from the other portions of the country what those men have never earned.

The rate of interest which has been charged to all the people of the West and the South during the last ten years averages at least 8 per cent a year upon the face of the paper, and that does not include the commissions nor any of the little incidental expenses, which amount to over 2 per cent more. We are paying at least 10 per cent annually for interest.

Mr. GALLINGER. Does the Senator from Kansas know how much has been lost through loans in the West?

Mr. PEFFER. I do not know how much has been lost, but I know there has not been half so much lost as that we have been charged more than we ought to have been charged. It is not my business to watch after their interest. The fact that we are being drained; that the flow goes constantly into the coffers of those people, and that they are amassing fabulous wealth is enough for the purposes of my argument. Our people object to this sort of thing because it bears too hardly upon us.

Now, there are some men in my State whose incomes amount to more than $4,000. Poor as we are out in the West, there are many men whose incomes will go over $4,000. If you will come down to the beginning point which I suggest, $1,000, you will find a large number of such incomes there.

I see only one objection to the income tax, and it has appealed to me very strongly, especially from the remarks of the two Senators who have entertained us so eloquently to-day, the Senator from New York and the Senator from Massachusetts. That objection is, that the morals of their people are in danger. We are told here upon the floor of the Senate that men in New York and in Massachusetts will lie out of the tax.

Mr. HOAR. I do not know what the Senator from New York may have said, but I have said nothing that comes within a thousand miles of such a statement, and nothing which justifies it. It is absolutely without foundation or excuse. Does the Senator from Kansas think I said it?

Mr. PEFFER. The Senator from Massachusetts uses language well, and he can conceal his thoughts as well as any other man. The Senator spoke of human nature being very much the same in Massachusetts as it is in other parts of the world, and I know there is a great deal of human nature in Massachusetts. We are told, not in so many words——

Mr. HOAR. Will the Senator from Kansas pardon me for a moment?

Mr. PEFFER. Certainly; for two moments.

Mr. HOAR. The Senator now quotes correctly a part of what I said. What I said was that no man likes to have his private business pried into or exposed to the public or his competitors

or business rivals; that that is the universal feeling of men everywhere. I said nothing in regard to any danger of falsehood or fraud. I did not allude to that point. I spoke simply of the ordinary dislike of a man having his business methods exposed to his rivals, and that was all.

Mr. PEFFER. I may possibly have stated it a little stronger than the Senator himself did, but I knew I was quoting the meaning accurately. The Senator means to say that the wealthy people of the country will not submit to the collection of the income tax; that they will evade it one way or another; and then by——

Mr. HOAR. Mr. President——

Mr. PEFFER. Wait a moment. And then by way of getting ready to do it and making the approach easy, the Senator says that the private business of individuals may properly be kept from the gaze of public officers. He proposes in advance to shield them if they do lie a little about it.

Mr. HOAR. I thought when I rose that the Senator from Kansas did not desire to deliberately misstate what I said, and I thought, therefore, that it would be worth while to attempt to correct him. I do not continue of that opinion.

Mr. PEFFER. If the Senator from Massachusetts will say in this presence that he believes the people of Massachusetts will come up faithfully in accordance with the provisions of this law if it is enacted, and honestly return every cent they ought to return, and pay every cent they ought to pay, I will take back every word I said.

Mr. HOAR. I have no doubt that they will do so. When the income tax was enforced before, the people of New England paid it thoroughly and cheerfully. There may have been individual instances of perjury, as there are individual instances of burglary and theft. But they are a people as honest as any who live, and I am quite willing to subject them to a comparison with the people of Kansas, whether the example be taken from the persons whom Kansas sends to this or the other House, or in any way in which it can be got at.

Mr. PEFFER. We are ready, Mr. President; Kansas is always ready. If we have ever shrunk from comparison with any other portion of the world, it was when we were asleep, and we are not often asleep.

But, Mr. President, I simply make the one point. We believe that the wealth of the country ought to pay its just proportion of the taxes, and if the wealthy are not willing to do it in accordance with the law then there ought to be some means devised to compel them to do it. To undertake to shield men from this burden because they are wealthy to my mind is unmanly. For the man of wealth to stand up in the face of the poor, of the 80 per cent the Senator from New York talks about who own no property, while the 20 per cent own the wealth, for the man of wealth to stand up in the face of the great mass of working people of the country and say to them, "I am worth a hundred times as much as you, I ought not to pay any more taxes than you," I say is unmanly, and it comes from a disposition to aggrandize and concentrate wealth, and to gather means at the expense of the labor of other men.

Mr. President, I have said several times in this presence that no man ever earned a million dollars a year, and I will say no man ever earned a million dollars in a lifetime. Whenever men begin to grow rich rapidly they are doing it because they are using the wealth other men create. This sounds harsh, it sounds wild, and it sounds visionary. Take the most prosperous merchant in the country, to use him as an illustration, and see how much he can earn every year. He earns $10,000 every year. No, he does not; he makes that much; he saves that much; he gains that much; but he gains it off of the profits over and above those which are fair and just between man and man. That is where his gains come from. The man himself did not earn that.

Now, I say that no man can honestly claim that which he has not earned, and if he does no more than that, riches will come to him slowly.

The only object we have in view in presenting this amendment is to rake in where there is something to rake in, not to throw out the drag net where there is nothing to catch, but to go where there is something to catch. The West and the South have made your people rich. We have opened your harbors. We have opened your rivers. We have given you a flood tide of commerce backward and forward through your great cities, and now because you are well to do, because you have amassed fabulous fortunes and have immense wealth in store, you claim exemption from taxation, and we are treated as if we were insolent and impertinent when we ask that they bear their proper proportion.

This is all, Mr. President, that I care to say at the present time.

Mr. PERKINS. Mr. President, before the Senator from Kansas takes his seat I desire to ask him a question in relation to the graduated income amendment which he proposes to offer, and which I understand is in the interest of the plain people of the country in moderate circumstances.

In San Francisco alone, in the State which I have the honor in part to represent, we have one hundred and twenty-odd thousand depositors in the savings banks. Some of those banks have as much as $30,000,000. We will suppose that in one of those savings banks there are $25,000,000. Four per cent upon $25,000,000 is $100,000. Under this proposed amendment, if I understand it correctly, the bank would be compelled to pay 5 per cent upon that income.

The question which occurs to me is how are these wage-earners, these mechanics, these poor servant girls who have from week to week and month to month made their deposits in the bank as a profitable investment, to pay the income tax of 5 per cent, and is it not discriminating against the very class of people whom my friend wants to benefit?

Mr. PEFFER. In the first place, the object of the amendment is not specially to benefit any class of people, but it is to procure revenue for the Government from sources that are amply able to supply it.

In the second place, answering the other part of the Senator's question, if the Senator will examine the bill further along he will find that the details classifying the different grades of incomes and for the purpose of exempting the classes of savings and investments to which he refers and others are quite amply arranged; and we will come to those provisions as we go along with the bill.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Kansas [Mr. PEFFER].

Mr. HILL. Mr. President, I congratulate the majority of the Senate upon its new leadership. The Senator from Kansas has taken pains to inform the Senate and the country that the income-tax provision which we are discussing now is a doctrine which belongs peculiarly and almost exclusively to his party. There are some upon this side of the Chamber who, until that statement was made, labored under the delusion that in some form or other this is a Democratic doctrine. The Senator from Kansas insists that the majority must not take the wind out of the sails of the Populist party by adopting the doctrine. The Senator from Kansas is right. This is one of the first principles ever enunciated by the Populist party. They have adhered to that principle in season and out of season for a number of years. They have been constant in its advocacy, and I suppose they are now about to witness the triumph of that principle in the Senate of the United States.

Mr. President, in what I said in explaining my position to-day I intended to cast no improper reflection upon the Populists or Socialists as citizens of our country. The Senator says that I have not defined what constitutes a Socialist or a Populist. There are differences of opinion in the public mind as to what the Socialists believe in. If I understand it correctly, they believe in a paternal government; they believe in the redistribution of property; they believe——

Mr. ALLEN. Mr. President——

Mr. HILL. I am speaking of the Socialists now, not the Populists.

Mr. ALLEN. I should like to ask the Senator a question at this point. I understood him to say that the Populist party believes in a redistribution of property.

Mr. HILL. I said I was speaking of the Socialist party. I shall come to the Populist party in a few moments.

Mr. ALLEN. I simply wish to say to the Senator from New York——

Mr. HILL. The Senator need not reply to a suggestion I have not made.

Mr. ALLEN. I hope he will treat it with all candor. There is no more alliance between the Socialist organization of the United States and the Populist party than there is between the Democratic party or the Republican party and the Socialist party.

Mr. HILL. Will the Senator oblige the Senate and myself by giving us his idea of what the Socialist party believe in?

Mr. ALLEN. I can only state in a general way that I understand they believe in a community of interests. I know nothing about the ramifications of their doctrine. I hope the Senator from New York will be candid—I believe him to be a candid man—and frankly state to the country, if he has not known until this time that the Populist party is a distinct organization, with not the slightest connection with socialism as it is commonly understood, and that Populism simply means that this Government is a government of the people and shall be administered by the people of this country in their interest.

Mr. HILL. The Senator's illustration of what the Populist party believe in is a pretty general statement. I suppose all good citizens might indorse that portion of the doctrine.

Mr. ALLEN. I may say to the Senator from New York that I do not live among Socialists. There is not a Socialist in the State of Nebraska that I know of, and there never was. Hailing from the State of New York, where Socialism reigns to a considerable extent, the Senator from New York ought to be somewhat familiar with it. I know nothing about it myself except in a general way.

Mr. HILL. The Senator has not given us a very clear idea of what the Populist party believe in. I know something about the Socialists. I started to say that they believe in a paternal government. They believe in the limitation of the property which men may acquire. They believe in the regulation of wages. They believe in a redistribution of property. They believe in sharing property alike, as one family. They are like the Populist party in the fact that they both believe in an income tax. I do not know that I can tell the precise difference.

Mr. ALLEN. I wish to say, if the Senator will permit me, that if the Socialists believe in an income tax, in that respect they agree with the Populist party, and that is the only particular in which there is any similitude between the two organizations.

Mr. HILL. Are you entirely sure of that?

Mr. ALLEN. I am, sir.

Mr. HILL. Do not the Populist party believe in the governmental control and management and ownership of the railroads, the telegraphs, the banks, and other institutions of the country?

Mr. ALLEN. No, sir; not in that sense.

Mr. HILL. In what sense, then?

Mr. ALLEN. The Populist party does believe in the gradual reduction of the railroads and telegraphs of this country to Government ownership in the interest of the Government——

Mr. HILL. No matter in whose interest.

Mr. ALLEN. But it does not believe—and the Senator oversteps himself when he says so, no Populist on the face of the earth ever said it—that the Government should own the banks of the country or institutions of that kind. The Senator from New York simply shows that he knows nothing at all about the Populist party when he makes that statement.

Mr. HILL. We are finding out a good deal about it.

Mr. ALLEN. You will find out about it after awhile.

Mr. HILL. Do I understand that the Senator believes, like the Socialists in that respect, that the Government should control and manage and own the telegraphs of the country and the railroads of the country?

Mr. ALLEN. I have said to the Senator from New York——

Mr. HILL. Can not the Senator answer the question directly?

Mr. ALLEN. I hope the Senator will be candid enough to accept my statement. I do not know what the Socialists believe.

Mr. HILL. I have informed you to some extent.

Mr. ALLEN. I know you have informed me, but if you have informed me as correctly what the Socialists believe as you have what the Populists believe, then I am betrayed into believing that you know nothing about either one of them.

Mr. HILL. I think I have described both nearly accurately. I have shown that in a general way both believe in paternal government. I have shown in a general way that both propose to control some of the most important institutions of the country. I have shown that both agree in an income tax. You may differ in some small details, and undoubtedly you do. So do all parties. I might define the difference in this way: The Populist party is the Socialist party. The Socialist party is the Populist party, only a little more so. Once a man was asked to define the difference between rheumatism and gout, and he said "The gout is the rheumatism, only a little more so." And so I say the Socialist party is the Populist party, only a little more so. They are simply in advance of your propositions, just as undoubtedly this income-tax principle is ahead of the views of some of the people.

I have no doubt that very soon we shall have some Democrats advocating these principles. Where you once make a false step it is not easy to stop. I saw in the other House the other day, ten or twelve Democratic Representives, elected by Democratic votes, stand up in that House and seemed to be proud of the fact that they are advocates of the Henry George single-tax theory, and the next thing we shall hear will be that doctrine crowded down our throats upon some sort of an appropriation bill or tariff bill. They are simply a little ahead of us. We are coming up to them rather slowly on some principles of tariff——

Mr. ALDRICH. Will the Senator from New York allow me to ask a question?

Mr. HILL. Yes.

Mr. ALDRICH. Does he not understand that the income tax is supported by the Socialist party, by the Populist party, and by the Democratic party with a few honorable exceptions, simply as a means for the redistribution of wealth? I have heard no other argument advanced on the part of any advocate of this scheme except that it is in part a proper redistribution of the wealth of the country.

Mr. ALLEN. Will the Senator——

Mr. VEST. Did not the party of the Senator from Rhode Island originate it in this country? Did you not propose the first income-tax law?

Mr. TELLER. If the Senator from New York will yield to me, I should like to challenge the statement of the Senator from Rhode Island. I never heard that statement made by either party as to the income tax—never.

The VICE-PRESIDENT. The Senator from New York has the floor.

Mr. HILL. I had.

Mr. ALLEN. Will the Senator from New York permit me a question, or a suggestion?

Mr. HILL. Yes; a single question.

Mr. ALLEN. It is a suggestion. I wish to suggest to the Senator from Rhode Island that both the Republican and Democratic parties have committed themselves to an income tax. The senior Senator from Ohio [Mr. SHERMAN], whom I do not see in his seat at this time, in a speech delivered in this Chamber a few years ago, defended it as the most equitable and just tax that was ever laid by the Government. It has been defended by the Supreme Court of the United States as a just and equitable tax. So both the Republican and Democratic parties have been guilty of this——

Mr. HILL. If the Senator from Nebraska wants to make a speech he will have ample opportunity when I get through. If he wants to ask a question I am always glad to hear him, and will answer as best I can.

Mr. President, as there seem to be no advocates of an income tax upon this side of the Chamber who are willing to defend it, of course it is proper——

Mr. COCKRELL. It does not need any defense.

Mr. HILL. It is proper, of course, that the Senator from Kansas should assume the advocacy of it.

Mr. VOORHEES. Certainly the Senator from New York does not want to make a statement of that kind. I fairly and squarely and openly defended the income tax when this debate was opened.

Mr. COCKRELL. And nineteen out of every twenty Democrats are in favor of it.

Mr. VOORHEES. The Senator does not mean to say that nobody on this side of the Chamber is ready to defend the tax?

Mr. HILL. The Senator will understand, I suppose, that I was referring to the debate to-day.

Mr. VOORHEES. Oh, well, I did not so understand.

Mr. HILL. I will say to the Senator from Indiana that he did, in his first speech made in defense of this bill, advocate the income tax. I will go further, and state that I have looked up the Senator's record, and that years ago he advocated an income tax in a speech in the other House. I will say, however, that the income tax was dropped substantially by the common consent of nearly all of both parties.

The Senator from Kansas has referred to the fact (I do not know what relevancy it has to this discussion) that the people in Massachusetts are richer than the people of Kansas. Sir, Massachusetts is an old settled country. It would be strange, indeed, if in the short time Kansas has been in the Union, Kansas should have acquired the wealth existing in the State of Massachusetts. I do not understand from his remarks that he intends to say that Massachusetts people have acquired their wealth except under the laws of the land, honestly and fairly. He does not make any such charge.

The Senator also speaks of the high rate of interest the citizens of Kansas are compelled to pay for money. Who fixes that rate of interest? Is not that rate of interest fixed by your State government; or, if it is not fixed by your State government, has not your State government the right to fix the rate of interest, and fix it at any rate it pleases. If the people of Kansas are obliged to pay 10 per cent for money they can regulate it by the laws of their own State.

The Senator says that the West and South have made the East. He says, "We have opened up your harbors." Our harbors were opened up before your part of the country was in a state of civilization.

Sir, I am not here to cast any reflection upon any portion of our country. I am simply here to suggest that our interests are in common.

A man said to me the other day; "I do not know that I blame

you, Senator, for opposing the income tax. Of course it taxes the great State of New York; you will probably have to pay at least a third of the entire taxes of the country; but it is not specially aimed at New York. That is a mere circumstance. It is aimed at the wealth of the country, and you happen to have the wealth of the country." The suggestion which I made, and suggest now, is that then we might prepare a bill here for the purpose of taxing the prairies of the West and the plantations of the South; the tax would not be aimed at the West and South; it would tax you simply because of the fact that you have all the prairies and all the plantations.

Mr. PEFFER. The Senator knows that would be regarded as direct taxation and we could not levy such a tax except in proportion to population. We would get it then.

Mr. HILL. I am not so certain what this Government can do in the light of legislation which is now taking place. I am not so certain that some one will not come in here from Kansas or somewhere else and claim that it is constitutional. I think it would be just as constitutional, just as proper as this income tax.

I have hoped that with the Supreme Court as now constituted this income tax will be declared unconstitutional. I have never talked with a lawyer or the bench of a court who has not stated that he believes this is a direct tax, and therefore unconstitutional.

I am not talking in the face of the former decision, but when you speak of the decision made by the Supreme Court and say that it was a proper decision and really comprehends the whole situation of the time, I have only to refer you to the numerous other decisions made in those war times, at least when we Democrats did not believe in the propriety of the decisions. Sir, the times are changing; the courts are changing, and I believe that this tax will be declared unconstitutional. At least I hope so.

Mr. ALLEN. Will the Senator permit me?

Mr. HILL. Yes.

Mr. ALLEN. I desire to say that I hold in my hand the 102d of the United States Supreme Court Reports, the case of Springer *vs.* The United States, page 586, which cites the previous cases upon the subject of direct taxation; and I wish to say to the Senator from New York that I believe——

Mr. HILL. I am entirely aware of that decision, and referred to it in my previous address. The Senator can give me no information on that subject.

Mr. ALLEN. I can give you some information you have not given the Senate, and that is, that for seventy-five years the Supreme Court of the United States have held that nothing is a direct tax under the Constitution of the United States except a capitation tax and a tax upon land; and they have held that this was a capitation tax.

Mr. HILL. They have never held that doctrine, except in that Springer case.

Mr. ALLEN. They held it in——

Mr. HILL. They referred, of course, to other decisions from which they were disposed to make that decision.

Mr. ALLEN. They held——

Mr. HILL. Wait a moment; I can not yield to the Senator. You can make a speech afterwards. I yield if you desire to ask me a particular question, but I must object to the Senator, every time I take the floor, seeking to inject a speech into my remarks. I decline to yield.

Mr. ALLEN. I want to say that that was held in the Hilton case nearly seventy-five years ago.

Mr. HILL. They have not decided that particular question.

Now, Mr. President, we stand confronted with the fact that this is a tax advocated by both the Populist and the Socialist parties. That is conceded. It was suggested here in the discussion which was going on that both parties were responsible for an income tax in its original enactment. Sir, it was enacted during the war. It was enacted by both parties. It was enacted as a war tax, defended as a war tax, defended because it was necessary, and, like all war taxes, it did not proceed upon any principle; it proceeded upon the ground of absolute necessity. And yet we are told now that both parties must be regarded as having been committed as to its propriety. It was repealed by both parties and enacted by both parties. There is no reason for its enactment now.

The Senator from Indiana interrupted me to say that this income tax had advocates upon this side of the Chamber. That is true, and the last man who advocated it was the Senator himself, who showed conclusively that the tax is not necessary for the revenues of the Government. According to his own figures such a tax need not be imposed.

Mr. President, this discussion started upon the amendment of the Senator from Kansas. In so far as that amendment proposes to make the exemption $1,000 instead of $4,000 I agree with him. If we are to have an income tax, let it be a consistent one. Let it be based upon principle. Let it be something that we can defend. Let us have some precedent for it in some country somewhere on the face of the globe.

Where is your precedent for this? Has anybody cited it? Where can it be found? If you are adopting English customs and English laws, then take English exemptions. It has been shown here in the debate that $750 is the only exemption allowed in England. Here the exemption is $4,000. Why was it placed at this large amount? Has anybody explained? The Senator from Indiana did not explain in his speech.

So far as a graduated income tax is concerned, the Senator from Kansas is consistent in it. It is approved in the Populist platform. He is right in advocating it here. I do not believe in it. I believe that if incomes are to be taxed, substantially all the incomes should be taxed.

I believe that the exemption should be a small amount corresponding with exemptions as to similar matters. The property of a man is liable to execution, but a small amount, of course, is exempted for the benefit of himself and family, though never a large amount; homestead exemptions are simply for a small amount. The whole theory of exemptions is that they are matters of charity and governmental favor. To talk about exemptions below $4,000 is ridiculous and absurd, and it brings the party into public contempt that enacts it.

I can not vote for the full proposition of the Senator from Kansas. A separate amendment unquestionably will be offered for $1,000; and I shall vote for that, though not because I favor an income tax at all. Then I think it will be proper to offer another one for $2,000 and another one for $3,000. Let us line up on this question. Do Senators know who first started this proposition of $4,000? Does it meet your approval? I do not believe it. Do you think you can defend it? I do not believe Senators around me think they can.

I explained in my remarks made in April last just how much property $4,000 of income would represent. I do not care to repeat what I then said upon that question. Four thousand dollars' exemption is not for the benefit of the poor man, because a man who has $4,000 income derived from an investment in property is a man fairly well off.

The point to which I desire also to call attention (and I might as well speak of that now as any other time) is the tax of 2 per cent. I desire to move an amendment at the proper time reducing that rate to 1 per cent.

I call the attention of the Senate to the fact that the distinguished Secretary of the Treasury in his annual report (in which not this tax was recommended, but simply a limited and restricted tax upon corporations) recommended a tax of 1 per cent. The President of the United States in his annual message, in which that same kind of a tax was recommended, did not recommend 2 per cent or even 1 per cent. He simply says "a small tax." I think 2 per cent is unnecessarily large, unless there can be produced from the Treasury Department or some expert some carefully prepared statistics showing that this amount is necessary for the Government.

One per cent, in my judgment, will produce adequate revenue. I regret to differ with my friend from Kansas upon this subject. I have agreed with him frequently when I thought he was right, but I disagree with him now when I think he is wrong.

Mr. President, a graduated income tax is not necessary in this country. It is not demanded by business interests. If you are to have an income tax at all in this bill, let it be a certain rate of percentage fixed upon a given amount of income.

So far as that is concerned, I agree with the committee.

Mr. President, I did not vote upon the question as to when the income tax should go in operation. As I do not believe in a permanent income tax and I do not believe in a temporary income tax, of course I should prefer it for a shorter time than for a longer time, as Gen. Grant once said he preferred to pay a large sum to a larger sum, and so I should be in favor of the shorter term. But why is the limit fixed here that the income tax shall exist until 1900? I have already called the attention of the Senate and the country to the fact that no political party which has been approved by the people has advocated this tax. I have called your attention to the fact that the Representatives in the other House who were the first to vote for the imposition of this tax were not elected upon any such issue.

Why adopt this provision now? Why insert it in this tariff-reform bill, so called? There was no necessity for it. Why not wait until the people next fall can have a chance to pass upon the question; and if in the elections this fall it is discovered that they approve of this measure, it can then be enacted in due time.

The object is to place this tax beyond the control of the next Congress. Of course, the President, if he approves the bill, will stand committed to this tax for five years, and the members of Congress who may be returned in response to the voice of

the people will be powerless to carry into effect the demands of the people, because you have put it out of the power of the people to secure a remedy.

That is the object. You propose to extend its existence until after three Congressional elections have been held; and you do it for the very purpose of thwarting the will of the people. Therefore, I say a proper amendment would be to limit its operation for one year, and if the people next fall see fit to repudiate this income tax, then it would stand more of a chance of being repealed than if the time for its expiration had been put off for a long period.

But I am not here simply to quibble upon details of time. I am opposed to this as a system; I am opposed to it because it is un-Democratic; I am opposed to it because it is a war tax which our people did not vote for; I am opposed to it because I am opposed to the procedure of inserting such a tax in a tariff-reform bill.

As I said to-day, I repeat now, could you not pass a tariff-reform bill without this tax? Is this the *sine qua non?* Will you have nothing else? Do you mean to say that tariff reform can go to the dogs, but you must have this income tax? That is the spirit which seems to actuate those who urge this tax upon the people.

Mr. HARRIS. My anxiety to get on with the bill induces me to move to lay the amendment of the Senator from Kansas [Mr. PEFFER] on the table.

The VICE-PRESIDENT. The question is on the motion of the Senator from Tennessee.

Mr. PEFFER. On that I should like to have the yeas and nays.

Mr. HOAR. I hope the Senator from Tennessee will withdraw the motion.

Mr. HARRIS. I have every disposition not to thwart the fullest debate that may be desired by Senators; but after three months of constant discussion—and the income tax has had a very large amount of it—I regret the appeal and the necessity of yielding to it, but I must yield to it, if Senators insist upon debating this amendment. Does the Senator insist upon it?

Mr. HOAR. I hope the Senator will withdraw the motion.

Mr. HARRIS. I withdraw the motion, Mr. President.

Mr. HOAR. I desire to say to the honorable Senator from Tennessee that this is a great, far-reaching, and very difficult question of public law and constitutional law. It has only been discussed incidentally, with the exception of speeches by one or two Senators, when the other provisions of this tariff bill were up. It does not seem to me, therefore, that the fact that the tariff has been pending since the 7th of May, or whenever the modified tariff scheme was finally agreed upon, now not less than five weeks, is a reason for pressing it forward.

Of course the Senator from Tennessee knows very well that if any one desires to engage with him in a contest of parliamentary tactics, there are ways enough to secure all the debate which any Senator should desire; as, for instance, suppose when a Senator moves an amendment, he accompanies it by a motion to indefinitely postpone the bill, then debate is unlimited debate, and that can not be laid on the table. But nobody wants to go into that.

Mr. HARRIS. I hope the Senator from Massachusetts will not complain of the promptitude with which I withdrew the motion at his request.

Mr. HOAR. No; I only complain of the promptitude with which the Senator rose——

Mr. HARRIS. I am anxious to reach an end of the consideration of this bill. Of course, as the Senator from Massachusetts desired to debate the amendment, I withdrew the motion.

Mr. HOAR. I was speaking of a general policy. The Senator very courteously has withdrawn the motion.

Mr. President, I was somewhat surprised that the usually courteous Senator from Kansas [Mr. PEFFER] not only misunderstood so entirely something which I said, but that he adhered to his statement resting upon that misunderstanding after I had disclaimed the argument to which he undertook to reply.

I never said as a reason for objecting to the income tax that the men whom it reached would commit frauds to get rid of it. I never thought so. On the contrary, I am in favor of a high protective tariff, and I concede that raising money in that way presents a hundred temptations and a hundred opportunities for fraud where an income tax would present ten.

What I said very briefly was that human nature everywhere was such that men disliked to have the details of their private affairs made public, especially to their rivals and competitors, and I illustrated it by the case of a man who was engaged in a very large textile industry, and who made all his profits when his competitors were losing by the saving which he made in the cost of pasteboard boxes in which his material was delivered. That is all I said on that subject.

Mr. President, the Senator from Kansas says that the people of Massachusetts and of the East seem to be plundering his people, charging them great rates of interest, and are getting rich, while his people are getting poor. The census settles all that. The reports of the census show that during the last ten years the population of Kansas has been growing marvelously, as compared with ours, and they have gained at the rate of $148 per capita in their accumulated wealth, while we have gained only at the rate of $23 per capita—over seven times as much. They have been piling up money out in the excellent, honest State of Kansas seven times as much as we, and increasing very much faster than we have in the number of men. Where does the plunder come in if that census is to be trusted?

It is true that the rates of interest in new States are greater than in old States, and that you have to pay 6 or 8 per cent in Kansas, where you pay 4½ and 5 per cent in New England and New York. The reason of that is obvious. In the first place, the investment is at a distance, and not next door; and in the next place, the rate of interest depends on the sense of obligation of the debtor. It is a question solely of security, and the rate depends upon the condition of the laws for the collection of debts and the condition of public sentiment, which treats an obligation to pay them as an obligation of honor. Wherever in the United States the rate of interest is high, except in fairly new communities where the soil is just being broken, it is owing to some condition of the law or of public opinion.

Do you suppose any man in Wall street or in State street prefers to have his money lie idle in the bank to getting 5 or 6 per cent in Kansas? Do you suppose that any man in Wall street prefers his money to lie idle to loaning it to a town in Massachusetts or a town in Connecticut at 3 per cent? One of the Connecticut towns borrowed for thirty years at a rate averaging 2.7 per cent. I suppose those sharks in Boston or in New York would have been very willing to lend their money at 5 per cent, if there was an equal certainty of its return.

Mr. President, I do not like to be called upon to answer an attack on the State of Massachusetts from the State of Kansas. There is not a profounder feeling of affection on the part of one political community on this earth for another than that which prevails universally in the bosoms of the people of the State I and my colleague represent towards those from the State of Kansas. The history of her freedom, the history of her struggle for life, the history of the brave deeds of the men who went upon her virgin soil is a Massachusetts story.

> Who crossed the prairies, as of old
> Their fathers crossed the sea,
> To make the East, as they the West,
> The homestead of the free.

The men of Massachusetts and of other New England States helped do that thing, which is one of the noblest and proudest exploits in the history of human liberty; and nothing which the Senator from Kansas can say, whether in the heat of debate or in the coolness of reflection, can extort from me any sarcasm or gibe for the people of that glorious State, or can excite in the breast of any true son of Massachusetts anything but a feeling of affection and pride for the people of that noble Commonwealth.

I wish to say in regard to what the Senator from New York [Mr. HILL] and the Senator from Nebraska [Mr. ALLEN] said about the decision of the Supreme Court in the case of Springer *vs.* the United States, 102 United States Reports, that that decision was made by six judges; only two, Mr. Justice Hunt and Mr. Justice Clifford, then one of the two Democratic representatives upon that bench, taking no part whatever in the decision. It was a conclusion in regard to which the profession in this country was divided; and the one essential consideration in regard to that decision is that it did not appear that any part of the income tax assessed upon Mr. Springer, the plaintiff in that case, was assessed on the income from real estate. He returned an income of $50,000, but it does not appear from what source it came.

So, the great question—it being conceded that a tax upon real estate is unconstitutional, except when made in proportion to population (and whatever else a direct tax means it means that)—is still unsettled by judicial decision in this country whether, being prohibited to tax real estate as a principle, you can get around it by taxing the income of real estate, by taxing everything which gives it its value. Real estate from which an income can not be obtained is valueless, and untaxable on that account.

There being a constitutional provision adapted and designed to prohibit a tax on real estate by the General Government, except in a certain way which nobody would resort to, I hold it preposterous to say that you may say to the owners of that real estate, "we will tax you in proportion to the income which it yields." It is the same thing, not universally, but generally and in substance, and that is an open question in this country as a judicial question. I should advise a client to test it if I were consulted as counsel; and I warn gentleman in this body who are

voting for this thing in obedience to a supposed party exigency, in opposition to their individual judgment, that they are very likely to imperil the entire provision if they leave this matter of the income from real estate to be included in it.

Mr. President, whatever speech or whatever silence may prevail in this Chamber, I know too well the able lawyers on the other side of this aisle not to be sure that they agree, I do not mean in the final conclusion, but in the gravity, in the importance of every suggestion I have made. Will my honored friend from Alabama, the chairman of the Judiciary Committee [Mr. PUGH], or my honored friend from Kentucky [Mr. LINDSAY], one of the most eminent lawyers of the always able bar of that great State, or my honorable friend from Delaware [Mr. GRAY], whom his countrymen have thought of as fitted for the very highest judicial position in this country, or my honorable friend from Indiana [Mr. VOORHEES], with his long experience, rise in his seat and say here that he thinks that it is not a question of the gravest doubt whether, the Constitution prohibiting you to tax real estate, you can turn around and tax the income from real estate? The courts have said nothing about it; the question has not yet been decided, and you have either to modify this bill or to encounter the question.

Mr. HARRIS. I move to lay the amendment on the table.

Mr. GRAY. Will the Senator withdraw that motion?

Mr. HARRIS. Oh, certainly.

Mr. GRAY. No; I beg the Senator's pardon; I shall not ask it.

The VICE-PRESIDENT. The question is on the motion of the Senator from Tennessee to lay the amendment on the table.

Mr. PEFFER. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. ALDRICH (when his name was called). I am paired with the junior Senator from South Carolina [Mr. IRBY], who has been called from the Chamber. I do not know how he would vote on this question if present, and therefore I withhold my vote.

Mr. CAFFERY (when his name was called). I am paired with the Senator from Montana [Mr. POWER].

Mr. CAMERON (when his name was called). I am paired with the Senator from South Carolina [Mr. BUTLER], and make this announcement for the day.

Mr. MCPHERSON (when his name was called). I am paired with the Senator from Delaware [Mr. HIGGINS]. If he were here I should vote "yea."

Mr. BATE (when Mr. MORGAN'S name was called). I desire to say that the Senator from Alabama [Mr. MORGAN] has just received a telegram announcing the death of his brother, Irby Morgan, at Nashville, Tenn., and will not be in the Senate Chamber this evening.

Mr. PALMER (when his name was called). I have a general pair with the Senator from North Dakota [Mr. HANSBROUGH], but I have received a message from him that he favors the income tax, and therefore I take the liberty of voting. I vote "yea."

Mr. PLATT (when his name was called). I am paired with the Senator from Virginia [Mr. HUNTON], who has been called away on account of sickness in his family, and therefore I withhold my vote.

Mr. QUAY (when his name was called). I am paired with the Senator from Alabama [Mr. MORGAN].

Mr. VILAS (when his name was called). I am paired with the Senator from Oregon [Mr. MITCHELL], but I desire to state that he agrees with me on this vote, and I therefore vote "yea."

Mr. GORDON. I am paired with the Senator from Iowa [Mr. WILSON].

The roll call was concluded.

Mr. BLACKBURN. I am paired with the Senator from Nebraska [Mr. MANDERSON], but I transfer that pair to the Senator from Kansas [Mr. MARTIN], and vote "yea."

Mr. GALLINGER (after having voted in the affirmative). I am paired with the junior Senator from Texas [Mr. MILLS], and voted supposing that he was in the Chamber. I understand he has not voted, and therefore I withdraw my vote.

Mr. GEORGE. I inquire if the Senator from Oregon [Mr. DOLPH] has voted?

The VICE-PRESIDENT. The Senator from Oregon has not voted.

Mr. GEORGE. I am paired with that Senator, and withhold my vote.

The result was announced—yeas 45, nays 5; as follows:

YEAS—45.

Allison,	Blanchard,	Cockrell,	Davis,
Bate,	Brice,	Coke,	Faulkner,
Berry,	Carey,	Cullom,	Frye,
Blackburn,	Chandler,	Daniel,	Gibson,
Gray,	Lodge,	Proctor,	Vilas,
Harris,	McMillan,	Pugh,	Voorhees,
Hawley,	Mitchell, Wis.	Ransom,	Walsh,
Higgins,	Murphy,	Roach,	Washburn,
Hoar,	Palmer,	Shoup,	White.
Jarvis,	Pasco,	Smith,	
Jones, Ark.	Patton,	Turpie,	
Lindsay,	Perkins,	Vest,	

NAYS—5.

Allen,	Peffer,	Squire,	Teller.
Kyle,			

NOT VOTING—35.

Aldrich,	Gallinger,	Jones, Nev.	Pettigrew,
Butler,	George,	McLaurin,	Platt,
Caffery,	Gordon,	McPherson,	Power,
Call,	Gorman,	Manderson,	Quay,
Camden,	Hale,	Martin,	Sherman,
Cameron,	Hansbrough,	Mills,	Stewart,
Dixon,	Hill,	Mitchell, Oregon	Wilson,
Dolph,	Hunton,	Morgan,	Wolcott.
Dubois,	Irby,	Morrill,	

So the amendment was laid on the table.

CONTUMACIOUS WITNESSES.

Mr. DAVIS. I desire to make two reports from the special committee to investigate the charges of bribery, one in relation to the refusal to answer of Henry O. Havemeyer, and the other in relation to the refusal of Mr. Searles. To these reports are appended the views personally entertained by the Senator from Nebraska [Mr. ALLEN]. I move that the reports be printed in the RECORD.

The VICE-PRESIDENT. Without objection, it is so ordered. The reports referred to are as follows:

[Senate Report No. 485, Fifty-third Congress, second session.]

IN THE SENATE OF THE UNITED STATES

June 21, 1894.—Ordered to be printed.

Mr. DAVIS, from the Special Committee to Investigate Attempts at Bribery, etc., submitted the following report:

The special committee, under and in pursuance of a resolution of the Senate of May 17, A. D. 1894, as follows:

"Whereas it has been stated in the Sun, a newspaper published in New York, that bribes have been offered to certain Senators to induce them to vote against the pending tariff bill; and

"Whereas it has also been stated in a signed article in The Press, a newspaper published in Philadelphia, that the sugar schedule has been made up as it now stands in the proposed amendment in consideration of large sums of money paid for campaign purposes of the Democratic party: Therefore,

"*Resolved*, That a committee of five Senators be appointed to investigate these charges and to inquire further whether any contributions have been made by the sugar trust, or any person connected therewith, to any political party for campaign or election purposes or to secure or defeat legislation, and whether any Senator has been or is speculating in what are known as sugar stocks during the consideration of the tariff bill now before the Senate, and with power to send for persons and papers and to administer oaths.

"*Resolved further*, That said committee be authorized to investigate and report upon any charge or charges which may be filed before it alleging that the act on of any Senator has been corruptly or improperly influenced in the consideration of said bill, or that any attempt has been made to so influence legislation"—

have attended to their duties so far as they have been able, but in certain respects have been prevented by reason of the matters hereinafter stated, and ask leave to report in part as follows:

In pursuance of said resolution the said committee met in the Capitol on the 21st day of May, 1894, at 10 o'clock a. m., and after the examination of certain matters embraced in the first paragraph of the said resolution, the committee proceeded to investigate further the matters submitted to them by the said resolution, and on the 12th day of June, A. D. 1894, the committee being duly assembled, one Henry O. Havemeyer, who had been duly subpœnaed and sunmoned as a witness to appear before said committee, then and there appeared and submitted to be examined as a witness. The witness was duly sworn by the chairman of said committee.

After certain testimony had been given by him his examination was, at his request, continued until the 13th day of June, A. D. 1894, at which date he appeared, and the testimony of the said Henry O. Havemeyer having been resumed, further proceedings were had before the committee and the following testimony was taken, in the course of which he was asked certain questions, to which questions he made the following answers and refusals to answer:

Senator ALLEN. Had you or the sugar-refining company contributed any to the campaign fund in New York last year?

Mr. HAVEMEYER. The Democratic campaign fund?

Senator ALLEN. Yes.

Mr. HAVEMEYER. Do you mean the national campaign fund?

Senator ALLEN. The Democratic State campaign fund of last year?

Mr. HAVEMEYER. I will have to answer that in the affirmative.

Senator ALLEN. Relatively, to what amount?

Mr. HAVEMEYER. To a moderate amount.

Senator ALLEN. Have you any objection to stating what it was?

Mr. HAVEMEYER. I will have to look that up. I have not charged my mind with it.

Senator ALLEN. Did you also contribute something to the Republican campaign fund?

Mr. HAVEMEYER. I will have to look that up.

Senator ALLEN. What is your recollection as to the fact?

Mr. HAVEMEYER. The local fund?

Senator ALLEN. Yes; the State fund; that is, for the State campaign.

Mr. HAVEMEYER. We always do that. I have not the amount in my mind.

Senator ALLEN. So you contributed as a matter of fact to both parti s?

Mr. HAVEMEYER. I will not say I contributed to the Republican party without refreshing my memory.

Senator ALLEN. Is it to your best recollection that you did contribute to both the Republican and Democratic campaign funds in New York?

Mr. HAVEMEYER. I do not think we did contribute to the Republican.

Senator ALLEN. In 1892 did you contribute to either party?

Mr. HAVEMEYER. The local parties?

Senator ALLEN. The national parties?

Mr. HAVEMEYER. No, sir; but always to the local parties. Let that be distinct.

Senator ALLEN. You contributed to the local party, that is, the State party, in 1892?

Mr. HAVEMEYER. I would have to refresh my memory on that. I do not think we did.

Senator ALLEN. Did you contribute to either party or both parties in the State of New York in the election of 1892?

Mr. HAVEMEYER. I do not think we did.

Senator ALLEN. You do not think you did?

Mr. HAVEMEYER. No, sir.

Senator ALLEN. Have you a distinct recollection that you did not?

Mr. HAVEMEYER. My recollection of it is that we made no contributions during the year 1892.

Senator ALLEN. Did any member of the American Sugar Refining Company contribute to the campaign in New York in 1892?

Mr. HAVEMEYER. Not that I am aware of.

Senator ALLEN. Did you contribute individually?

Mr. HAVEMEYER. No, sir.

Senator ALLEN. To neither party?

Mr. HAVEMEYER. No, sir.

Senator ALLEN. And you know of no one who did contribute?

Mr. HAVEMEYER. No, sir. Contributions to local political organizations have always been made by corporations, before the trust and by the trust and the American Sugar Refining Company, and no doubt will continue to be. It is a very suitable and proper thing to do.

Senator ALLEN. You say it is a suitable and proper thing to do?

Mr. HAVEMEYER. Yes, sir.

Senator ALLEN. Why should the American Sugar Refining Company contribute to either of the political parties in the State of New York?

Mr. HAVEMEYER. We have large interests in this State; police protection and fire protection. They need everything that the city furnishes and gives, and they have to support these things. Every individual and corporation and firm, trust, or whatever you call it, do these things, and we do them.

Senator ALLEN. And you contribute to both parties with the expectation of whichever party succeeds your interests will be guarded?

Mr. HAVEMEYER. We have a good deal of protection for our contribution.

Senator ALLEN. You expect protection from whichever party succeeds?

Mr. HAVEMEYER. No, sir.

Senator ALLEN. Do you expect that simply from the Democratic party?

Mr. HAVEMEYER. We expect protection from the police and fire department, and anything that the State local organization can give.

Senator ALLEN. Therefore you feel at liberty to contribute to both parties?

Mr. HAVEMEYER. It depends. In the State of New York, where the Democratic majority is between 40,000 and 50,000, we throw it their way. In the State of Massachusetts where the Republican party is doubtful, they probably have the call.

Senator ALLEN. In the State of Massachusetts do you contribute anything?

Mr. HAVEMEYER. Very likely.

Senator ALLEN. What is your best recollection as to contributions made by your company in the State of Massachusetts?

Mr. HAVEMEYER. I could not name the amount.

Senator ALLEN. However, in the State of New York you contribute to the Democratic party, and in the Commonwealth of Massachusetts you contribute to the Republican party?

Mr. HAVEMEYER. It is my impression that wherever there is a dominant party, wherever the majority is very large, that is the party that gets the contribution, because that is the party which controls the local matters.

Senator ALLEN. Then, the sugar trust is a Democrat in a Democratic State and a Republican in a Republican State?

Mr. HAVEMEYER. As far as local matters are concerned, I think that is about it.

Senator ALLEN. In the State of Maine you control the refinery at Portland, do you not?

Mr. HAVEMEYER. That is defunct. We would not give anything to the State of Maine.

Senator ALLEN. In the State of Pennsylvania where do your contributions go?

Mr. HAVEMEYER. I will have to look that up.

Senator ALLEN. Pennsylvania is a Republican State, and your contributions probably go to the Republican party, do they not?

Mr. HAVEMEYER. It would be a local matter. If Philadelphia was——

Senator ALLEN. In the State of your nativity, or the nativity of your corporation, New Jersey, where do your contributions go?

Mr. HAVEMEYER. I will have to look that up.

Senator ALLEN. I understand New Jersey is invariably a Democratic State. It would naturally go the Democratic party.

Mr. HAVEMEYER. Under the theory I have suggested if they were there it would naturally go to them.

Senator ALLEN. What, in round numbers, is the amount annually contributed by the American Sugar Refining Company to the different political parties for campaign purposes?

Mr. HAVEMEYER. There is no fixed amount. I could not guess at it.

Senator ALLEN. Does it amount to $100,000?

Mr. HAVEMEYER. Oh, no.

Senator ALLEN. Did the American Sugar Refining Company contribute anything in 1892 towards securing the nomination of any particular individual to the office of President of the United States?

Mr. HAVEMEYER. Nothing in a national shape in any manner, shape, or form.

Senator ALLEN. Did you contribute to what is known as the "Anti-Snapper fund?"

Mr. HAVEMEYER. No, sir.

Senator ALLEN. You did not contribute to that at all?

Mr. HAVEMEYER. There is no doubt about positiveness on that point.

Senator ALLEN. In the State of California, did you contribute to the campaign fund of the Democratic or Republican party there?

Mr. HAVEMEYER. I know nothing about that.

Senator ALLEN. That is the Western Refining Company, in which you have a half-interest. Does that contribute anything?

Mr. HAVEMEYER. I know nothing about that.

Senator ALLEN. In the State of Louisiana you contribute, however, do you not?

Mr. HAVEMEYER. I know nothing about that.

Senator ALLEN. Who would know about Louisiana and California?

Mr. HAVEMEYER. I believe Mr. Spreckels is the president of the Western refinery.

Senator ALLEN. And this money that you contribute to these different parties for campaign purposes——

Mr. HAVEMEYER. Local campaign purposes.

Senator ALLEN. Certainly; local campaign purposes—that money comes out of the corporation of the sugar refining company?

Mr. HAVEMEYER. Yes, sir.

Senator ALLEN. And is a part of the expenses of the company?

Mr. HAVEMEYER. Yes, sir.

Senator ALLEN. Charged up on your books as expenses?

Mr. HAVEMEYER. Yes, sir.

Senator ALLEN. And the books of your refining company would show the amount of money which you have annually contributed to the respective political parties and the State in which it was contributed, and the party to which it was contributed, would they not?

Mr. HAVEMEYER. I don't think it shows in that form.

Senator ALLEN. How would it show—as so much money?

Mr. HAVEMEYER. It would show that a payment was made, and that payment would have to be explained by the party who made it.

Senator ALLEN. Made to some particular individual?

Mr. HEVEMEYER. Yes, sir.

Senator ALLEN. He would have to render an account, which would not go upon the books, as to the manner in which that money was expended?

Mr. HAVEMEYER. He would have to expend it in conformity with the instructions of the board.

Senator ALLEN. The manner in which he did expend it actually would not appear upon your books?

Mr. HAVEMEYER. No, sir.

Senator ALLEN. Have you been in the habit of expending any money in connection with State Legislatures?

Mr. HAVEMEYER. You mean in the campaign of the State? You do not mean in the Legislature itself?

Senator ALLEN. I mean in influencing State legislation.

Mr. HAVEMEYER. Oh, never. We have contributed to local campaign parties, but never in the way of influencing legislation, and we never contribute with any obligation.

Senator LODGE. I will ask you whether any money has been contributed by the sugar trust or any member of the sugar trust toward securing or aiding the election of any United States Senator?

Mr. HAVEMEYER. None whatever.

Senator ALLEN. Can you ascertain the amount?

Mr. HAVEMEYER. I can if I apply to the books.

Senator ALLEN. Will you do it?

Mr. HAVEMEYER. If it is the order of this committee, I will do anything.

Senator ALLEN. That is, as to each of the different States in which money has been contributed?

Mr. HAVEMEYER. If that is the order of the committee, I will get it.

Senator ALLEN. So far as I am concerned, I request of the witness, Mr. Havemeyer, to produce full data as to all money contributed by the American Sugar Refining Company, or any of its officers on its account or in its interest, in the different States of the Union, in 1892 and 1893, for political purposes of any political party, whether national, State, or local

Mr. HAVEMEYER. As to national, I will answer now, no; there is none. As to others, there is.

(The request of Senator ALLEN was granted by the committee, and Mr. Havemeyer asked an opportunity to consult his counsel before furnishing the data called for.)

WASHINGTON, D. C., *June 13, 1894.*

The committee met pursuant to adjournment.

Present: Senator GRAY (the chairman), and Senators LINDSAY, DAVIS, LODGE, and ALLEN.

SWORN STATEMENT OF H. O. HAVEMEYER—CONTINUED.

The CHAIRMAN. Now, Mr. Havemeyer, you have stated that you wish to make a statement of some kind.

Mr. HAVEMEYER. It is in relation to the answer that I am to make to that last interrogatory.

The CHAIRMAN. Have you a copy of it with you?

Mr. HAVEMEYER. Yes, sir [handing a paper to the chairman].

The CHAIRMAN. The interrogatory is as follows:

"Senator ALLEN. So far as I am concerned, I request of the witness, Mr. Havemeyer, to produce full data as to all money contributed by the American Sugar Refining Company, or any of its officers, on its account or in its interest, in the different States of the Union in 1892 or 1893, for political purposes, to any political party, whether national, State, or local."

Mr. HAVEMEYER. While I am perfectly willing to answer any material matters, under advice of counsel I decline to answer about outside matters. I decline to answer about local contributions. I know of nothing given to the national campaign. There exists no bargain of any nature, and never claimed that the company was entitled to anything except what its merits required.

The CHAIRMAN. Is that the answer you desire to make to this question?

Mr. HAVEMEYER. That is the answer.

* * * * * * * * *

Senator ALLEN. Since your examination yesterday you have consulted counsel as to the propriety of answering questions with reference to divulging the amount of money that you paid for election purposes in the different States?

Mr. HAVEMEYER. As to making any answer.

Senator ALLEN. And in declining to answer the question put to you I observed that you read your answer from a piece of paper?

Mr. HAVEMEYER. Yes, sir.

Senator ALLEN. Was that answer prepared by you or by your counsel?

Mr. HAVEMEYER. By me.

Senator ALLEN. Under the direction of your counsel?

Mr. HAVEMEYER. No, sir; under the advice of counsel.

Senator ALLEN. I do understand you, however, to say and repeat, that in States where you have a financial interest, at least where the sugar refining company has an interest as refiners, you do contribute to either the Democratic or Republican party, as one or the other may be in the ascendency in that State?

Mr. HAVEMEYER. We do for local and State purposes, but not national.

Senator ALLEN. You never contribute to the campaign fund of a party in the minority?

Mr. HAVEMEYER. We may; I will not say we do not.

Senator ALLEN. Your policy, however, is to stand in with the ruling power?

Mr. HAVEMEYER. Not to "stand in," but to contribute to the campaign expenses of that party, for the reason that they, being in power and control, it could give us the protection we should have.

Senator ALLEN. And by that means you placate——

Mr. HAVEMEYER. Oh, no; there is no placation or obligation at all; nothing more than we consider the proper thing to do; everybody does it.

Senator ALLEN. Does any other corporation in these same States do the same thing that you know?

Mr. HAVEMEYER. I understand every individual, corporation, and firm in existence do it in their respective States.

Senator ALLEN. So the American Sugar Refining Company's politics, so far as its contributions to the campaign fund is concerned, is controlled by the political complexion of the State in which it happens to have a particular refinery?

Mr. HAVEMEYER. The American Sugar Refining Company has no politics of any kind.

Senator ALLEN. Only the politics of business?

Mr. HAVEMEYER. Only the politics of business.

Senator LINDSAY. You say the company is separate and distinct from the officers and stockholders; each man has his own politics?

Mr. HAVEMEYER. We have nothing to do with politics in any shape or manner. Our business is the refining of sugar at a slight profit that is consistent with a reasonable return on the industry.

A copy of the subpœna by which said witness was commanded to appear and testify before the committee at the time and place aforesaid, together with a copy of the certificate of service thereof is hereto attached and marked Exhibit A.

EXHIBIT A.

UNITED STATES OF AMERICA,
Congress of the United States:

To Henry O. Havemeyer, greeting:

Pursuant to lawful authority, you are hereby commanded to appear before the special committee, appointed May 17, 1894, of the Senate of the United States forthwith, at the committee room Privileges and Elections, United States Senate, then and there to testify what you may know relative to the subject-matter under consideration by said committee.

Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

To Richard J. Bright, Sergeant-at-Arms of the Senate of the United States, to serve and return.

Given under my hand, by order of the committee, this 6th day of June in the year of our Lord 1894.

GEO. GRAY,
Chairman Special Committee.

SENATE OF THE UNITED STATES,
Office of the Sergeant-at-Arms.

I do appoint and hereby empower B. W. Layton to serve this subpœna, and to exercise all the authority in relation thereto with which I am vested by the within order.

R. J. BRIGHT,
Sergeant-at-Arms of the Senate of the United States.

WASHINGTON, D. C., *June 7, 1894.*

I made service of the within subpœna through my deputy, B. W. Layton, by the within-named Henry O. Havemeyer at No. 117 Wall street, New York City, at 11:30 o'clock a. m., on the 7th day of June, 1894.

R. J. BRIGHT,
Sergeant-at-Arms, Senate of the United States.

In the opinion of the committee each of the questions put to said witness was a proper question, and pertinent to the question under inquiry before the committee, and was necessary to make the examination ordered by said resolution of the Senate, and that said witness is in contempt of the Senate, and merits to be dealt with for his misconduct; and that said witness, by his various refusals to answer the questions as herein set forth, has violated the provisions of that certain act of Congress in such cases made and provided, being chapter 7 of the Revised Statutes of the United States, which chapter is as follows:

"SEC. 102, Revised Statutes. Every person who, having been summoned as a witness by the authority of either House of Congress to give testimony or to produce papers upon any matter under inquiry before either House or any committee of either House of Congress, willfully makes default, or who, having appeared, refuses to answer any question pertinent to the question under inquiry, shall be deemed guilty of a misdemeanor, punishable by a fine of not more than $1,000 nor less than $100 and imprisonment in a common jail for not less than one month nor more than twelve months.

"SEC. 103. No witness is privileged to refuse to testify to any fact or to produce any paper respecting which he shall be examined by either House of Congress or by any committee of either House, upon the ground that his testimony to such fact or his production of such paper may tend to digrace him or otherwise render him infamous.

"SEC. 104. Whenever a witness summoned, as mentioned in section 102, fails to testify, and the facts are reported to either House, the President of the Senate or the Speaker of the House, as the case may be, shall certify the fact under the seal of the Senate or House to the district attorney for the District of Columbia, whose duty it shall be to bring the matter before the grand jury for their action."

Wherefore, the committee report to the Senate to the end that the President of the Senate may certify as to said witness his aforesaid failure to testify and his aforesaid refusals to answer, and all the facts herein, under the seal of the Senate, to the United States district attorney for the District of Columbia, in order that said witness may be proceeded against in manner and form provided by law.

C. K. DAVIS.
H. C. LODGE.
WM. V. ALLEN.

ADDITIONAL REPORT OF MR. ALLEN, OF THE COMMITTEE.

In addition to the above recommendation of the committee regarding the witness, Henry O. Havemeyer, I have to say that I think he ought to be brought to the bar of the Senate and be required to there purge himself of the contempt of which he is guilty, or be summarily punished for refusing to do so.

I, therefore, recommend the adoption of the following resolution by the Senate:

"Whereas Henry O. Havemeyer, a witness, was heretofore duly summoned by a select committee of the Senate, and being lawfully required to testify before said committee has, as appears by the report of said committee, refused to answer pertinent and material questions propounded to him by said committee: Therefore,

"*Resolved*, That the President of the Senate issue his warrant in due form under his hand and the seal of the Senate, directed to the Sergeant-at-Arms of the Senate, commanding him forthwith to arrest and bring to the bar of the Senate the body of said Henry O. Havemeyer, to show cause why he should not be punished for contempt, and in the mean time to keep the said Havemeyer in custody to await the further order of the Senate."

Respectfully submitted.

WM. V. ALLEN.

[Senate Report No. 486, Fifty-third Congress, second session.]

IN THE SENATE OF THE UNITED STATES,

June 21, 1894.—Ordered to be printed.

Mr. DAVIS, from the Special Committee to Investigate Attempts at Bribery etc., submitted the following report:

The special committee, under and in pursuance of a resolution of the Senate of May 17, A. D. 1894, as follows:

"Whereas it has been stated in the Sun, a newspaper published in New York, that bribes have been offered to certain Senators to induce them to vote against the pending tariff bill; and

"Whereas it has also been stated in a signed article in The Press, a newspaper published in Philadelphia, that the sugar schedule has been made up as it now stands in the proposed amendment in consideration of large sums of money paid for campaign purposes of the Democratic party: Therefore,

"*Resolved*, That a committee of five Senators be appointed to investigate these charges and to inquire further whether any contributions have been made by the sugar trust, or any person connected therewith, to any political party for campaign or election purposes or to secure or defeat legislation, and whether any Senator has been or is speculating in what are known as sugar stocks during the consideration of the tariff bill now before the Senate and with power to send for persons and papers and to administer oaths.

"*Resolved further*, That said committee be authorized to investigate and report upon any charge or charges which may be filed before it alleging that the action of any Senator has been corruptly or improperly influenced in the consideration of said bill, or that any attempt has been made to so influence legislation"—

have attended to their duties so far as they have been able, but in certain respects have been prevented by reason of the matters hereinafter stated, and ask leave to report in part, as follows:

In pursuance of said resolution the said committee met in the Capitol on the 21st day of May, 1894, at 10 o'clock a. m., and, after the examination of certain matters embraced in the first paragraph of the said resolution, the committee proceeded to investigate further the matters submitted to them by the said resolution, and on the 13th day of June, A. D. 1894, the committee being duly assembled, one John E. Searles, who had been duly subpœnaed and summoned as a witness to appear before said committee, then and there appeared and submitted to be examined as a witness. The witness was duly sworn by the chairman of said committee.

In the course of his testimony the said witness was asked certain questions and refused to answer the same. The testimony in the course of which such questions were asked him and such refusals by him made is as follows:

Senator ALLEN. I will pass that question. I see you and I radically disagree upon that, and probably always will. The American Sugar Refining Company is in the habit of contributing money for campaign purposes to the different political parties, is it not?

Mr. SEARLES. It has done so; yes, sir.

Senator ALLEN. Has it done so each year of its existence?

Mr. SEARLES. I do not know that it has done so each year, but it has done so from time to time.

Senator ALLEN. Did it do so in 1892?

Mr. SEARLES. It did.

Senator ALLEN. In what States?

Mr. SEARLES. I can not enumerate the States.

Senator ALLEN. According to your best recollection, in what States?

Mr. SEARLES. I should not care to testify directly on that point, unless——

Senator ALLEN. The resolution embraces that inquiry.

The CHAIRMAN (to Mr. SEARLES). Unless what? Finish your sentence.

Mr. SEARLES. Unless it does come within the province of this inquiry. I do not understand that it does.

The CHAIRMAN. It does.

Mr. SEARLES. Kindly show me how it does.

The CHAIRMAN. The resolution under which we are acting reads in this way:

"*Resolved*, That a committee of five Senators be appointed to investigate these charges, and to inquire further whether any contributions have been made by the sugar trust, or any person connected therewith, to any political party for campaign or election purposes, or to secure or defeat legislation."

Mr. SEARLES. In answer to that question with reference to any contributions to secure or defeat legislation, I answer emphatically, no.

Senator ALLEN. You misapprehend the scope of the resolution.

The CHAIRMAN. That is what we want to get at, whether there has been any.

Senator ALLEN. Let me show you where you misapprehend it:

"*Resolved*, That a committee of five Senators be appointed to investigate these charges and to inquire further whether any contributions have been made by the sugar trust, or any person connected therewith, to any political party for campaign or election purposes, or to secure or defeat legislation."

There are several distinct propositions embraced in that.

Mr. SEARLES. There have been no contributions made by the company, to my knowledge, with any view to pending legislation on the sugar question.

The CHAIRMAN. Or to secure or defeat legislation?

Mr. SEARLES. Nor to secure or defeat legislation.

Senator ALLEN. I will ask you, in the language of this resolution, whether any contributions have been made by the sugar trust or any person connected therewith to any political party for campaign purposes?

Mr. SEARLES. Such contributions have been made locally, but with no application, or with no purpose to influence legislation.

Senator ALLEN. In what States have contributions of that kind been made?

Mr. SEARLES. I can not answer definitely on that point.

Senator ALLEN. Have they been made in the State of Massachusetts?

Mr. SEARLES. I am not certain as to that.

Senator ALLEN. Have they been made in the State of New York?

Mr. SEARLES. I think they have.

Senator ALLEN. Have they been made in the State of New Jersey?

Mr. SEARLES. I am not certain as to that.

Senator ALLEN. Have they been made in the State of Pennsylvania?

Mr. SEARLES. Nor am I certain as to that.

Senator ALLEN. In the State of Ohio?

Mr. SEARLES. I have no knowledge of any such.

Senator ALLEN. How are these contributions made? That is, are they made and charged up to the company, or made by some officer or member of the company on behalf of the company?

Mr. SEARLES. They have been made by some officer of the company, usually, I think, by its president.

Senator ALLEN. And are charged to the expense account of the company, are they not?

Mr. SEARLES. I think they are.

Senator ALLEN. Would your books show a contribution to the campaign fund of any party?

Mr. SEARLES. No, sir.

Senator ALLEN. How is the entry made upon the books of the company?
Mr. SEARLES. I am not certain as to that. It has been made, I think, an individual matter.
Senator ALLEN. It would be charged to some member of the company.
Mr. SEARLES. I am not certain as to these entries, how they are made.
Senator ALLEN. What officer or member of the company usually disburses the money that is appropriated to campaign purposes?
Mr. SEARLES. I think that what has been done in that direction has usually been done through the president.
Senator ALLEN. Mr. H. O. Havemeyer?
Mr. SEARLES. Yes, sir.
Senator ALLEN. Does he make an account to the board of directors?
Mr. SEARLES. He does.
Senator ALLEN. Is it explained?
Mr. SEARLES. No, sir; there is no explanation.
Senator ALLEN. Just a verbal explanation?
Mr. SEARLES. That is all.
Senator ALLEN. There is no account of that that is carried back on the books after the expenditure of the money, is there?
Mr. SEARLES. I could not say as to how that is.
Senator ALLEN. If Mr. Havemeyer was charged with $100,000, to be expended in donations to political parties for campaign purposes, how would that item be balanced on the books?
Mr. SEARLES. I could not answer that question.
Senator ALLEN. You have access to the books, have you not?
Mr. SEARLES. Yes, sir.
Senator ALLEN. You have noticed these items, have you not?
Mr. SEARLES. I am aware that there are such entries?
Senator ALLEN. You are a member of the board of directors, are you not?
Mr. SEARLES. Yes, sir.
Senator ALLEN. And these matters have come before the board of directors for adjustment, have they not?
Mr. SEARLES. My impression is that they have been reported to the board.
Senator ALLEN. Do you know as a matter of fact that they have?
Mr. SEARLES. I think they have.
Senator ALLEN. What amount was expended by your company in the campaign of 1892?
Mr. SEARLES. I must decline to answer that question.
Senator ALLEN. On what grounds do you decline?
Mr. SEARLES. On the ground that it is not within the province of this inquiry.
Senator ALLEN. Do you decline because it would lead to further inquiries that would criminate you or anybody belonging to your organization?
Mr. SEARLES. I decline simply because I am advised that inquiries as to local contributions are not within the province of the committee.
Senator ALLEN. If you contributed to the campaign fund of 1892, when there was a Presidential election, members of Congress, and members of the Legislature, whose duty it was after being elected to select Senators and that selected Senators, one in the State of New York and the State of New Jersey, and these contributions were used for general election purposes there, you would not claim, then, it was donated for merely local purposes, municipal purposes, would you?
Mr. SEARLES. I have no knowledge of any such contributions.
Senator ALLEN. You are the treasurer of the company?
Mr. SEARLES. Yes, sir.
Senator ALLEN. And have been for the last two or three years or more?
Mr. SEARLES. Yes, sir.
Senator ALLEN. All money paid out by that company is paid out by you, is it not?
Mr. SEARLES. No, sir; not necessarily. It is paid only on my order or that of the president.
Senator ALLEN. Only on your order or that of the president?
Mr. SEARLES. Yes, sir.
Senator ALLEN. Have you paid out any money for campaign purposes during the years 1892 and 1893 as treasurer of the American Sugar Refining Company?
Mr. SEARLES. Only for such as I have spoken of.
Senator ALLEN. Local purposes?
Mr. SEARLES. That is all.
Senator ALLEN. When you say local purposes, you mean contributions to the State campaign fund?
Mr. SEARLES. I think that would be included.
Senator ALLEN. And that was in 1892?
Mr. SEARLES. Yes, sir.
Senator ALLEN. When Harrison and Cleveland were candidates for the Presidency?
Mr. SEARLES. Yes, sir.
Senator ALLEN. And it was to be used in the same election where these men were candidates, was it not?
Mr. SEARLES. I should think it was to be used at that time.
Senator ALLEN. You know as a matter of fact it was. Do you not know as a matter of fact it was to be used by the political party to whom it was contributed for all general purposes connected with the election that fall?
Mr. SEARLES. I do not know that.
Senator ALLEN. You supposed at the time it was to be used that way?
Mr. SEARLES. I have no knowledge of the way it was used—as to whether it was used for general purposes or not.
Senator ALLEN. Upon the question as to how it was used, or for whom it was used, or for what purpose it was used, you know nothing?
Mr. SEARLES, Precisely.
Senator ALLEN. And did not want to know anything at the time?
Mr. SEARLES. I made no inquiry, if that is what you mean.
Senator ALLEN. What sum did you contribute to the Democratic campaign fund in the State of New York in 1892 that was used for the purpose of conducting the campaign in that State, at which time Cleveland and Harrison were candidates for President of the United States?
Mr. SEARLES. I must decline to answer that question for the reasons stated.
Senator ALLEN. You did contribute some money, did you not?
Mr. SEARLES. I think an amount was contributed. Personally, I have no knowledge what it was now.
Senator ALLEN. And it was charged to the account of the American Sugar Refining Company?
Mr. SEARLES. Charged to the account of the American Sugar Refining Company,
Senator ALLEN. And you decline now to state the amount?
Mr. SEARLES. Yes, sir.
Senator ALLEN. Was it $100,000?
Mr. SEARLES. I decline to state the amount.
Senator ALLEN. Was it over $100,000?
Mr. SEARLES. I decline to say.
Senator ALLEN. Was it less than $100,000?
Mr. SEARLES. I decline to state.
Senator ALLEN. Why do you decline to state?
Mr. SEARLES. Because I do not understand that is within the province of your inquiry.
Senator ALLEN. Do you not decline to state simply because you know it was disreputable and unlawful to contribute this money?
Mr. SEARLES. No, sir; I do not admit anything of the kind.
Senator ALLEN. You think it is perfectly laudable for the American Sugar Refining Company to contribute large sums of money, by the thousands of dollars, for the purpose of influencing elections in this country, do you?
Mr. SEARLES. I have always understood for many years that it is the custom of both parties to solicit from corporations and individuals contributions for the carrying on of their political campaigns, and that it is the custom of corporations and individuals to respond to such invitations. And with that understanding, and what I believe to be a general custom, the American Sugar Refining Company has made such contributions at times.
Senator ALLEN. Do you believe it is perfectly proper for a corporation, the value of whose stocks may be affected by national legislation, to contribute its funds to the success or defeat of one political party or the other?
Mr. SEARLES. I think as parties are now managed that is proper.
Senator ALLEN. And the American Sugar Refining Company, as a company, was actuated by a high sense of patriotic duty in contributing this money, I suppose?
Mr. SEARLES. That is a pleasant way of putting it.
Senator ALLEN. Did you contribute to the Democratic fund of New York?
Mr. SEARLES. I decline to answer that question.
Senator ALLEN. Did you contribute to the Republican fund of New York?
Mr. SEARLES. I decline to answer that also.
Senator ALLEN. Did you contribute to both of them?
Mr. SEARLES. I also decline to answer that.
Senator ALLEN. Did you contribute to the Populist fund of New York?
Mr. SEARLES. I also decline to answer that.
Senator ALLEN. Or the Prohibition fund, or any other fund?
Mr. SEARLES. I decline to answer as to any fund.
Senator ALLEN. What return did you expect the American Sugar Refining Company to receive for the immense sum of money you put into the campaign fund of 1892 in New York?
Mr. SEARLES. I am not aware of any expectation in that regard.
Senator ALLEN. You do not mean to say that you are in the habit of contributing large sums of money to any enterprise without expecting some pecuniary return, do you?
Mr. SEARLES. I have learned long since the truth of the colored man's version on that—"Blessed am dose who expect nuffin, and dey doan't get nuffin."
Senator ALLEN. I appreciate that; but you do not mean to say as a business man and as a business proposition that your corporation would contribute to either the Democratic or Republican party in the State of New York, or any other State, without expecting any return, either directly or indirectly, some pecuniary benefit, do you?
Mr. SEARLES. I mean to say this, that under the existing custom, our corporation, being a corporation which has large property interests, has been called upon to contribute by the political parties and has done so without any definite understanding as to any benefits to be received thereby, but by reason of the property interests of the corporation and of its large representation of capital——
Senator ALLEN. Now, while you had no definite contract or understanding with the managers of the political parties to whom you have contributed, is it not true that you expected favorable consideration from the party that succeeded in getting the control of the national legislation or national affairs—what you call "fair treatment" of your interest?
Mr. SEARLES. I have always believed that we would get for a proper presentation of our business industry and it needs fair protection from either party aside from any contributions or anything else.
Senator ALLEN. You realize, I suppose, as I do, that every sane man acts from some motive?
Mr. SEARLES. Yes, sir.
Senator ALLEN. The American Sugar Company's contribution to the campaign fund of 1892 must have been actuated by one of two things, either a high sense of patriotic duty to some political party or the expectation of acquiring some benefit from the contribution when it was made, some pecuniary benefit. Now, which was the motive that inspired you in making that contribution?
Mr. SEARLES. I should say the patriotic duty.
Senator ALLEN. I think that is all I want to ask you, Mr. Searles.
The CHAIRMAN. You were asked whether the contributions that were made by the sugar trust in the campaign of 1892 were actuated by certain motives?
Mr. SEARLES. Yes, sir.
The CHAIRMAN. Assuming that such contributions were made, are you referring now to the contributions which you have said were made locally?
Mr. SEARLES. Those are the only contributions made by the company.
The CHAIRMAN. In what States were they made?
Mr. SEARLES. I can not state that definitely.
The CHAIRMAN. Did you make a personal contribution?
Mr. SEARLES. I did.
The CHAIRMAN. To what party?
Mr. SEARLES. In the State of New York.
The CHAIRMAN. To what party?
Mr. SEARLES. Is it within the province of the committee to inquire into my private contributions?
The CHAIRMAN. I simply ask the question, and am not called upon to pass upon it.
Mr. SEARLES. I decline to answer, it being a private matter.
Senator LODGE. Mr. Havemeyer stated yesterday that the Sugar Refining Company contributed money in New York and in Massachusetts. Do you remember any other State in which they contributed?
Mr. SEARLES. I should not attempt to state the States in which contributions were made.
Senator ALLEN. And in New Jersey?
The CHAIRMAN. Have these contributions been made in campaigns prior to 1892, to your knowledge?
Mr. SEARLES. I think so.
Senator LODGE. Do you know whether contributions were made in any Western States?
Mr. SEARLES. I have no knowledge on that point.
The CHAIRMAN. There is a statement here in an article published in the Philadelphia Press, which article was part of the occasion for the formation of this committee, that an appeal was made to these men, meaning the sugar men, for money:
"The subscriptions may have been given as individual contributions, but such gift was a pure fiction if it was made in that way. It was a sugar-trust subscription to the national campaign committee in return for pledges which were afterwards insistently demanded to be redeemed."
Is that true, to your knowledge?
Mr. SEARLES. I know of no such subscription.
The CHAIRMAN—

"The subscription was the magnificent sum of $500,000. And at another place in this article there will be reported a distinct and emphatic admission of this subscription and pledge from one of the highest officers of the Government of the United States."

Do you know of any such subscription to the national campaign committee of either party?

Mr. SEARLES. I know of no such contribution.

The CHAIRMAN. "A part of this money bought Colorado for the Populists." Do you know of any such purchase as that?

Mr. SEARLES. No, sir.

The CHAIRMAN. "A part of it brought about Populist alliances elsewhere."

Mr. SEARLES. I know of no such.

The CHAIRMAN. "A part of it was used in Illinois." Do you know of any such purchase?

Mr. SEARLES. No, sir.

The CHAIRMAN. "There was no doubt that this great fortune was mainly instrumental in securing those alliances and influencing those purchasable or discontented elements whose action upon election day caused such astounding results in the West."

Mr. SEARLES. I have no knowledge of any such transaction as those referred to in the article read.

Senator LODGE. Do you know of any money being given for the local campaign in Colorado?

Mr. SEARLES. I do not.

Senator LODGE. Or Nebraska?

Mr. SEARLES. I do not.

* * * * * * *

Senator ALLEN. Were you approached by any person on behalf of the national Democratic or Republican central committees in 1892 to contribute to the campaign fund of that year, either individually or in behalf of the company?

Mr. SEARLES. I do not remember to have been solicited in that way.

Senator ALLEN. No one asked you as an individual to contribute, or asked you as an officer to have the company contribute?

Mr. SEARLES. I do not remember any such request.

Senator ALLEN. All the way through when you speak of local contributions I understand you to mean contributions to the State organizations of the party, whichever party it may be. For instance, if you speak of local contributions in the State of New York to the Democratic party, you mean to the Democratic organization in the State, do you not?

Mr. SEARLES. I do not know as to the organization, but for State purposes, whatever that may have been.

Senator ALLEN. Were your contributions larger in 1892 than they were in 1893?

Mr. SEARLES. I could not say as to that.

Senator ALLEN. What is your best recollection?

Mr. SEARLES. I do not remember.

* * * * * * *

Senator ALLEN. Have you any objection to producing your books, showing by that means the contributions that were made by the sugar trust for political purposes in the last few years, in 1892 and 1893?

Mr. SEARLES. I shall decline to do anything of that kind.

Senator ALLEN. You should decline to do it?

Mr. SEARLES. Yes, sir.

A copy of the subpœna by which said witness was commanded to appear and testify before the committee at the time and place aforesaid, together with a copy of the certificate of service thereof, is hereto attached and marked Exhibit A.

EXHIBIT A.

UNITED STATES OF AMERICA,
Congress of the United States:

To Hon. J. E. Searles, greeting:

Pursuant to lawful authority, you are hereby commanded to appear forthwith before the special committee of the Senate of the United States to investigate attempts at bribery, etc., at the room of the Committee on Privileges and Elections, then and there to testify what you may know relative to the subject-matter under consideration by said committee.

Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

To Richard J. Bright, Sergeant-at-Arms of the Senate of the United States, to serve and return.

Given under my hand, by order of the committee, this 13th day of June, in the year of our Lord 1894.

GEO. GRAY,
Chairman Special Committee.

SENATE OF THE UNITED STATES,
Office of the Sergeant-at-Arms.

I do appoint and hereby empower B. W. Layton to serve this subpœna, and to exercise all the authority in relation thereto with which I am vested by the within order.

R. J. BRIGHT,
Sergeant-at-Arms of the Senate of the United States.

WASHINGTON, D C., *June 13, 1894.*

I made service of the within subpœna through my deputy, B. W. Layton, by the within-named J. E. Searles at Arlington Hotel, Washington, D. C., at 1 o'clock p. m. on the 13th day of June, 1894.

R. J. BRIGHT,
Sergeant-at-Arms, Senate of the United States.

In the opinion of the committee each of the questions put to said witness was a proper question and pertinent to the question under inquiry before the committee, and was necessary to make the examination ordered by said resolution of the Senate, and that said witness is in contempt of the Senate and merits to be dealt with for his misconduct; and that said witness, by his various refusals to answer the questions as herein set forth, has violated the provisions of that certain act of Congress in such cases made and provided, being chapter 7 of the Revised Statutes of the United States, which chapter is as follows:

"SEC. 102, Revised Statutes. Every person who, having been summoned as a witness by the authority of either House of Congress to give testimony or to produce papers upon any matter under inquiry before either House or any committee of either House of Congress, willfully makes default, or who, having appeared, refuses to answer any question pertinent to the question under inquiry, shall be deemed guilty of a misdemeanor, punishable by a fine of not more than $1,000 nor less than $100, and imprisonment in a common jail for not less than one month nor more than twelve months.

"SEC. 103. No witness is privileged to refuse to testify to any fact or to produce any paper respecting which he shall be examined by either House of Congress or by any committee of either House, upon the ground that his testimony to such fact or his production of such paper may tend to disgrace him or otherwise render him infamous.

"SEC. 104. Whenever a witness summoned, as mentioned in section 102, fails to testify, and the facts are reported to either House, the President of the Senate or the Speaker of the House, as the case may be, shall certify the fact under the seal of the Senate or House to the district attorney for the District of Columbia, whose duty it shall be to bring the matter before the grand jury for their action."

Wherefore, the committee report to the Senate, to the end that the President of the Senate may certify as to said witness his aforesaid failure to testify and his aforesaid refusals to answer, and all the facts herein, under the seal of the Senate, to the United States district attorney for the District of Columbia, in order that said witness may be proceeded against in manner and form provided by law.

C. K. DAVIS,
H. C. LODGE,
WM. V. ALLEN.

ADDITIONAL REPORT OF MR. ALLEN, OF THE COMMITTEE.

In addition to the above recommendation of the committee regarding the witness, John E. Searles, I have to say that I think he ought to be brought to the bar of the Senate and be required to there purge himself of the contempt of which he is guilty, or be summarily punished for refusing to do so.

I therefore recommend the adoption of the following resolution by the Senate:

"Whereas, John E. Searles, a witness, was heretofore duly summoned by a select committee of the Senate, and being lawfully required to testify before said committee, has, as appears by the report of said committee, refused to answer pertinent and material questions propounded to him by said committee: Therefore,

"*Resolved*, That the President of the Senate issue his warrant in due form under his hand and the seal of the Senate, directed to the Sergeant-at-Arms of the Senate, commanding him forthwith to arrest and bring to the bar of the Senate the body of said John E. Searles, to show cause why he should not be punished for contempt, and in the mean time to keep the said Searles in custody to await the further order of the Senate."

Respectfully submitted,

WM. V. ALLEN.

VIEWS OF THE MINORITY.

The undersigned, members of the committee, being unable to agree with the majority in the report made by them to the Senate in the case of the witness John E. Searles, deem it proper to state that the ground of their dissent is that set forth by the undersigned in the case of the witness Henry O. Havemeyer.

GEO. GRAY,
WILLIAM LINDSAY.

Mr. GRAY subsequently said: I ask unanimous consent at this time to present, on behalf of the Senator from Kentucky [Mr. LINDSAY] and myself, as members of the special investigating committee, a report dissenting from the majority report just presented by the Senator from Minnesota [Mr. DAVIS] in the two cases of the witnesses Havemeyer and Searles.

Mr. COCKRELL. Let the views of the minority be printed in connection with the other report.

The VICE-PRESIDENT. It will be so ordered, in the absence of objection.

The report referred to is as follows:

VIEWS OF THE MINORITY.

The undersigned members of the committee, being unable to agree with the majority in the report made by them to the Senate in the case of the witness Henry O. Havemeyer, deem it proper to state the ground of their dissent.

The resolution of the Senate under which the committee has been prosecuting this investigation directs it to inquire, among other things, "whether any contributions have been made by the sugar trust, or any person connected therewith, to any political party for campaign or election purposes or to secure or defeat legislation."

The undersigned do not believe that in our system of government unlimited power is deposited by the people anywhere; but, on the other hand, that limitation of power was conspicuously kept in view by the framers of that Government. They do not feel at liberty, therefore, to impute to the Senate a purpose to pursue ends clearly beyond the scope of its power. Admitting that an inquiry as to whether certain persons have made contributions to any political party to secure or defeat Federal legislation is within the competence of the Senate to make, they deny that it is within such competence to direct an inquiry as to who has contributed to the campaign fund of any political party, without reference to the purpose for which the contribution was made.

The undersigned, therefore, in obedience to the principle of the well-established rule that where a construction is possible which brings a law within the enacting power of the Legislature, such construction shall obtain, have felt compelled to construe the resolution so as to make the instruction of the Senate to the committee one commanding it to inquire whether any contributions have been made by the sugar trust, or any person connected therewith, to any political party for campaign or election purposes to secure or defeat Federal legislation. As will appear from the evidence of Mr. Havemeyer submitted to the Senate, the question was in substance thus put to him and answered in the negative.

It will be observed, from the extracts from the testimony submitted by the majority of the committee, that the witness Havemeyer, answered freely and fully all questions as to whether or not contributions had been made by the sugar trust to the national campaign fund of any party, and that the charge of contumacy rests solely upon questions put to him as to the amounts and particulars of contributions which he had testified had been made by the trust for local and State purposes. Therefore the question presented by this report is whether or not the Senate of the United States directed this committee, or had power to direct this committee, to inquire as to what contributions a particular individual or corporation may have made to campaign funds for the conduct of elections, strictly State or local in the years 1892 and 1893.

It is the opinion of the undersigned that the resolution under which this committee is acting will not admit of the interpretation necessary to support the report of the majority of the committee, and that the said witness has not refused to answer any question that was pertinent to the inquiry with which the committee was, or could have been, properly charged.

GEO. GRAY,
WILLIAM LINDSAY.

Mr. GRAY. By the same committee, I am also directed to submit a report in the case of Mr. John Macartney, a witness who refused to answer certain questions propounded by the committee.

The report is as follows:

[Senate Report No. 487, Fifty-third Congress, second session.]

IN THE SENATE OF THE UNITED STATES.

June 21, 1894.—Ordered to be printed.

Mr. GRAY, from the special committee to investigate attempts at bribery, etc., submitted the following report:

The special committee, under and in pursuance of a resolution of the Senate of May 17, A. D. 1894, as follows:

"Whereas it has been stated in the Sun, a newspaper published in New York, that bribes have been offered to certain Senators to induce them to vote against the pending tariff bill; and

"Whereas it has also been stated in a signed article in the Press, a newspaper published in Philadelphia, that the sugar schedule has been made up as it now stands in the proposed amendment in consideration of large sums of money paid for campaign purposes of the Democratic party: Therefore, be it

"*Resolved*, That a committee of five Senators be appointed to investigate these charges, and to inquire further whether any contributions have been made by the sugar trust, or any person connected therewith, to any political party for campaign or election purposes or to secure or defeat legislation, and whether any Senator has been or is speculating in what are known as sugar stocks during the consideration of the tariff bill now before the Senate, and with power to send for persons and papers and to administer oaths.

"*Resolved further*, That said committee be authorized to investigate and report upon any charge or charges which may be filed before it alleging that the action of any Senator has been corruptly or improperly influenced in the consideration of said bill, or that any attempt has been made to so influence legislation"—

have attended to their duties so far as they have been able, but in certain respects have been prevented by reason of the matters hereinafter stated, and ask leave to report in part as follows:

In pursuance of said resolution the said committee met in the Capitol on the 21st day of May, 1894, at 10 o'clock a. m., and, after the examination of certain matters embraced in the first paragraph of the said resolution, the committe proceeded to investigate further the maters submitted to them by the said resolution, and on the 19th day of June, A. D. 1894, the committee being duly assembled, one John W. Macartney, who had been duly subpœnaed and summoned as a witness to appear before said committee, then and there appeared and submitted to be examined as a witness. The witness was duly sworn by the chairman of said committee.

In the course of his testimony the said witness was asked certain questions and refused to answer the same, as will more fully appear by the following copy of his testimony, viz:

SWORN TESTIMONY OF JOHN W. MACARTNEY.

Senator ALLEN. Mr. Macartney, where do you reside?

Mr. MACARTNEY. My house address?

Senator ALLEN. No. The city in which you reside.

Mr. MACARTNEY. Washington.

Senator ALLEN. What is your occupation?

Mr. MACARTNEY. I am in the banking and brokerage business in this city, and am a member of the New York Stock Exchange.

Senator ALLEN. Are you in partnership with any other gentlemen?

Mr. MACARTNEY. No one has any interest in my business except myself.

Senator ALLEN. What is the name, or has been the name, of your firm?

Mr. MACARTNEY. Corson & Macartney. My partner died about two years ago, and I bought his interest from his estate.

Senator ALLEN. Is the business conducted in your name?

Mr. MACARTNEY. I have never changed the firm name.

Senator ALLEN. It is just Corson & Macartney, of which you are sole owner?

Mr. MACARTNEY. I am sole owner.

Senator ALLEN. Do you know Mr. E. R. Chapman, of the firm of Moore & Schley, of New York City?

Mr. MACARTNEY. Yes.

Senator ALLEN. Have you seen him here within ten days?

Mr. MACARTNEY. Recently; I can not say whether within ten days or not.

Senator ALLEN. Did you see him after he was subpœnaed to testify before this committee?

Mr. MACARTNEY. Yes.

Senator ALLEN. After he had been on the stand and testified and been excused here, did you see him?

Mr. MACARTNEY. I did.

Senator ALLEN. At your office?

Mr. MACARTNEY. Yes.

Senator ALLEN. You are the agent of his firm?

Mr. MACARTNEY. No, sir; not agent. We are only the correspondents of Moore & Schley here. They have no interest in my business, and I have no interest in theirs.

Senator ALLEN. But you transact business on the stock exchange through them?

Mr. MACARTNEY. Through them; that is it.

Senator ALLEN. How many conversations did you have with Mr. Chapmen at that time, or about that time?

Mr. MACARTNEY. I do not recollect. He was at my office, because it was the natural place for him to go when he was in Washington, but I do not know how many times I talked with him.

Senator ALLEN. After he had first been examined and excused until the next day, did you see him that evening?

Mr. MACARTNEY. I did.

Senator ALLEN. At your office?

Mr. MACARTNEY. No; not at my office.

Senator ALLEN. At what place?

Mr. MACARTNEY. I think I saw him at the Arlington Hotel.

Senator ALLEN. And who was in company with him?

Mr. MACARTNEY. There wasn't anyone when I saw him.

Senator ALLEN. No one but you two?

Mr. MACARTNEY. That is all.

Senator ALLEN. You did, however, at that time, or about that time, have a conversation with him at your office?

Mr. MACARTNEY. He was in my office that day.

Senator ALLEN. Was any United States Senator there with him?

Mr. MACARTNEY. No.

Senator ALLEN. Did you have any conversation in the presence of any United States Senator?

Mr. MACARTNEY. No.

Senator ALLEN. Did he converse with any United States Senator in your presence?

Mr. MACARTNEY. No; not in my office nor elsewhere.

Senator ALLEN. Has any United States Senator since the 1st day of February, 1894, transacted any business on the Stock Exchange of New York through your house in purchasing or selling sugar stocks or certificates?

Mr. MACARTNEY. Now, I want to treat this committee with all respect, but I must decline to answer that question.

Senator ALLEN. On what ground do you decline, Mr. Macartney?

Mr. MACARTNEY. Because in my own opinion this committee has no right to ask such a question, and I am advised by counsel they have no such right; and by saying that I do not mean to convey inferentially to any member of the committee that any Senator has speculated in my office. I simply refuse to answer as a matter of principle, and question the right of even this honorable committee to inquire into a private business.

Senator ALLEN. Do you not think that your refusal to answer implies that a United States Senator has operated or speculated through your firm?

Mr. MACARTNEY. I do not think that is so. I would not assume to answer the question if you asked if any Government clerk had dealt through my firm.

Senator ALLEN. Has any Senator's clerk, since the 1st day of February, 1894, dealt in sugar stocks or certificates through your firm?

Mr. MACARTNEY. I decline to answer that question, not because they ever did, but simply upon the principle involved.

Senator ALLEN. You mean to say that you decline to give any information upon this subject?

Mr. MACARTNEY. I mean that I can not tell the committee who are or are not the customers of Corson & Macartney.

Senator ALLEN. Notwithstanding it may involve the integrity of men who are legislating in national affairs?

Mr. MACARTNEY. No matter who it involves, or who it does not, that is the decision I must adhere to.

Senator ALLEN. You regard your duty to your own financial interest as superior to your duty as a citizen to the country at large?

Mr. MACARTNEY. I do not quite regard it in that light.

Senator ALLEN. Do you put your refusal to answer this question or these questions, and to disclose the names of Senators and their clerks who have speculated in sugar stocks during the last ninety days through your firm, upon the ground that it will criminate you or expose you to ignominy?

Mr. MACARTNEY. I do not understand that any crime is charged against anybody.

Senator ALLEN. Upon what precise ground, and upon what ground alone, do you base your refusal to answer these questions?

Mr. MACARTNEY. On the ground that a committee such as this has not the right to inquire who are or who are not my customers in a private business such as mine is.

Senator ALLEN. Notwithstanding those customers may be United States Senators and their clerks?

Mr. MACARTNEY. Notwithstanding who they may be.

Senator DAVIS. Mr. Macartney, did I understand you to say that from your refusal to answer, no inference was to be drawn as to whether any Senator or his clerk had or had not speculated through your office?

Mr. MACARTNEY. I do not wish to create an inference in any direction by refusing to answer.

The CHAIRMAN. Whether you wish to create one or not, do you mean that your answer is justly susceptible of the inference that any Senator or his clerk has speculated through your office?

Mr. MACARTNEY. It might be susceptible of any view of mind. At the same time I would not wish to convey that inference.

The CHAIRMAN. Would you decline to answer the question put to you by Senator ALLEN just the same whether a Senator had speculated or had not speculated?

Mr. MACARTNEY. It would be just the same; I would refuse to answer, as a matter of principle.

The CHAIRMAN. You would refuse, even if no Senator had ever bought or sold sugar stock through you?

Mr. MACARTNEY. I would refuse to answer.

Senator LINDSAY. You put it upon the ground that your business is a private business, and the public has no interest in it?

Mr. MACARTNEY. That is it exactly.

Senator LINDSAY. You would have no objection to saying in an ordinary conversation, if asked, if such or such a person was or was not a customer of yours?

Mr. MACARTNEY. I would.

Senator LINDSAY. In a letter published in the Philadelphia Press of May 14, 1894, it is stated in substance that after the formulation of the present amendments to the tariff bill, which is now pending before the Senate, a copy of them was placed in the hands of the agent of Moore & Schley, at Washington, in the morning before he was out of bed. You may state if a copy of that schedule was presented to you?

Mr. MACARTNEY. It was not.

Senator LINDSAY. When did you first see that schedule?

Mr. MACARTNEY. The first accurate knowledge I had of the schedule was when it was given to the press.

Senator LINDSAY. You saw it in the press?

Mr. MACARTNEY. Yes; not in the Philadelphia Press, but in the newspapers generally.

Senator LINDSAY. And you never knew of its existence before that time?

Mr. MACARTNEY. I never did.

Senator LINDSAY. Do you know of any employé in your establishment to whom it was given before that?

Mr. MACARTNEY. I do not. I will state for the information of the committee that in an office like mine there are a great many speculators around, and a great many newspaper people come in. We hear a vast number of rumors and gossip upon a great many subjects. As pertinent to my business I talked sugar with anybody. We heard a great deal of rumor, but we had no real accurate information in regard to the amendments until everybody had it, and no employé of mine had, so far as I know.

Senator ALLEN. Along about the 15th of February, 1894, were orders sent by you or by anybody in your employment to the New York Stock Exchange for United States Senators, or any United States Senator, for the purchase of sugar stocks or certificates?

Mr. MACARTNEY. I must decline to answer that, upon the same principle involved in the other question.

Senator ALLEN. Were any such orders sent by any United States Senator's clerk or person in his employment?

Mr. MACARTNEY. I decline to answer that question.

The CHAIRMAN. For the same reason?

Mr. MACARTNEY. For the same reason.

Senator ALLEN. You are aware of the statute which makes it your duty to answer, are you?

Mr. MACARTNEY. I think so.

Senator ALLEN. You prefer to take your chances of indictment and punishment here in the district?

Mr. MACARTNEY. Yes; the ordinary consequences.

Senator ALLEN. To answering the truth?

Mr. MACARTNEY. I do not say that.
Senator ALLEN. Well, you refuse to disclose the truth, do you not, by refusing to answer?
Mr. MACARTNEY. I only refuse to answer the question.
Senator ALLEN. Don't you conceal the truth in refusing to answer?
Mr. MACARTNEY. I refuse to answer the question as to who are or who are not customers of my firm.
Senator ALLEN. And you refuse to say whether you do or do not secrete the truth by your refusal to answer?
Mr. MACARTNEY. I do not think that is a fair question.
Senator ALLEN. I desire you to answer the question. If you see fit, do so. You seem to be master of the situation.
Mr. MACARTNEY. I decline to answer that.
Senator ALLEN. Mr. Macartney, do you not know that your refusal is based upon your purpose to secrete the names of Senators who have speculated through your firm?
Mr. MACARTNEY. I do not.
Senator ALLEN. Or their clerks?
Mr. MACARTNEY. I do not.
Senator ALLEN. And that it is your intention to shield all such persons as far as possible?
Mr. MACARTNEY. That is not my intention at all.
Senator ALLEN. And because you believe that to give their names would be injurious to your business in the future?
Mr. MACARTNEY. That is not what induces my refusal at all, Senator.

A copy of the subpœna by which said witness was commanded to appear and testify before the committee at the time and place aforesaid, together with a copy of the certificate of service thereof, is hereto attached and marked Exhibit A.

EXHIBIT A.

UNITED STATES OF AMERICA,
Congress of the United States:

To John W. Macartney, of Corson & Macartney, Washington, D. C., greeting:

Pursuant to lawful authority, you are hereby commanded to appear before the special committee of the Senate of the United States, to investigate attempts at bribery, etc., on Tuesday, June 19, 1894, at 11 o'clock a. m., at the room of the Committee on Privileges and Elections, then and there to testify what you may know relative to the subject-matters under consideration by said committee.

Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

To Richard J. Bright, Sergeant-at-Arms of the Senate of the United States, to serve and return.

Given under my hand, by order of the committee, this 18th day of June, in the year of our Lord one thousand eight hundred and ninety-four.

GEO. GRAY,
Chairman Special Committee.

SENATE OF THE UNITED STATES,
Office of the Sergeant-at-Arms.

I do appoint and hereby empower B. W. Layton to serve this subpœna, and to exercise all the authority in relation thereto with which I am vested by the within order.

R. J. BRIGHT,
Sergeant-at-Arms of the Senate of the United States.

WASHINGTON, D. C., *June 19, 1893.*

I made service of the within subpœna through my deputy, B. W. Layton, by the within-named John W. Macartney, at No 1419 F st. NW., Washington D. C., at 9.40 o'clock a. m., on the 19th day of June, 1894.

R. J. BRIGHT,
Sergeant-at-Arms, Senate of the United States.

In the opinion of the committee each of the questions put to said witness was a proper question and pertinent to the question under inquiry before the committee, and was necessary to make the examination ordered by said resolution of the Senate, and that said witness is in contempt of the Senate and merits to be dealt with for his misconduct; and that said witness, by his various refusals to answer the questions as herein set forth, has violated the provisions of that certain act of Congress in such cases made and provided, being chapter 7 of the Revised Statutes of the United States, which chapter is as follows:

SEC. 102, Revised Statutes. Every person who, having been summoned as a witness by the authority of either House of Congress to give testimony or to produce papers upon any matter under inquiry before either House or any committee of either House of Congress, willfully makes default, or who, having appeared, refuses to answer any question pertinent to the question under inquiry, shall be deemed guilty of a misdemeanor, punishable by a fine of not more than $1,000 nor less than $100, and imprisonment in a common jail for not less than one month nor more than twelve months.

"SEC. 103. No witness is privileged to refuse to testify to any fact or to produce any paper respecting which he shall be examined by either House of Congress, or by any committee of either House, upon the ground that his testimony to such fact or his production of such paper may tend to disgrace him or otherwise render him infamous.

"SEC. 104. Whenever a witness summoned, as mentioned in section 102, fails to testify, and the facts are reported to either House, the President of the Senate or the Speaker of the House, as the case may be, shall certify the fact under the seal of the Senate or House to the district attorney for the District of Columbia, whose duty it shall be to bring the matter before the grand jury for their action."

Wherefore, the committee report to the Senate, to the end that the President of the Senate may certify as to said witness his aforesaid failure to testify and his aforesaid refusals to answer, and all the facts herein, under the seal of the Senate, to the United States district attorney for the District of Columbia, in order that said witness may be proceeded against in manner and form provided by law.

GEO. GRAY.
WILLIAM LINDSAY.
C. K. DAVIS.
HENRY CABOT LODGE.
WILLIAM V. ALLEN.

ADDITIONAL REPORT OF MR. ALLEN, OF THE COMMITTEE.

In addition to the above recommendation of the committee regarding the witness, John W. Macartney, I have to say that I think he ought to be brought to the bar of the Senate, and be required to there purge himself of the contempt of which he is guilty, or be summarily punished for refusing to do so.

I therefore recommend the adoption of the following resolution by the Senate:

Whereas John W. Macartney, a witness, was heretofore duly summoned by a select committee of the Senate, and being lawfully required to testify before said committee, has, as appears by the report of said committee, refused to answer pertinent and material questions propounded to him by said committee: Therefore,

Resolved, That the President of the Senate issue his warrant in due form under his hand and the seal of the Senate, directed to the Sergeant-at-Arms of the Senate, commanding him forthwith to arrest and bring to the bar of the Senate the body of said John W. Macartney, to show cause why he should not be punished for contempt, and in the meantime to keep the said Macartney in custody to await the further order of the Senate.

Respectfully submitted,

WILLIAM V. ALLEN.

Mr. GRAY. I am directed by the committee to request that the usual proceedings be taken in this case.

Mr. HILL. Mr. President——

The VICE-PRESIDENT. It will be so ordered.

Mr. HILL. Before the Chair said "it will be so ordered" I desired to be heard.

Mr. HOAR. I should like to know what the order is? I rise to a question of order.

Mr. HILL. That is the question I am going to refer to now.

Mr. HOAR. Let us have the order settled first.

The VICE-PRESIDENT. The question is upon the report of the Senator from Delaware [Mr. GRAY]. The Chair will hear the Senator from New York upon that report.

Mr. HILL. I assume that the two reports are deemed as now presented together. I suppose, as the Senator from Minnesota [Mr. DAVIS] is here, there is no objection to that being understood for the purpose of raising this question. That should have been done, of course.

Mr. GRAY. That was the understanding.

Mr. HILL. As both reports are now presented, I desire to make a motion for the purpose of raising the question. I move that the reports be not received. I do not care about discussing the motion now, but at some later day I want to discuss that question.

I took the position when the other report was presented in relation to the newspaper correspondents that the Senate was proceeding beyond its jurisdiction; that contempt proceedings would not lie; and I desire to take that same position now. I am fortified in that position by a minority report, which holds substantially, as I understand, that no contempt has been committed. The point I make is that the Senate can control these reports. I made that point before on behalf of the two newspaper men, and I make it now.

I simply desire to present my views upon that subject at some proper time. I suggest that the whole matter go over. The reports have been presented and my motion that they be not received has been presented, and I ask that we may discuss the question at some future day.

Mr. PLATT. Let the reports be printed.

Mr. HILL. Yes; let them be printed in the mean time.

Mr. ALLEN. I suppose the reports have been received and laid upon the table, where they properly belong, and that they will be taken up in their regular order and be discussed and considered. I do not think we ought to undertake to sidetrack questions such as are presented by these reports.

I desire at the proper time to be heard upon the question of the Senate's jurisdiction, not only its jurisdiction to consider these matters, but its absolute duty to do so in the interest of the country; and I desire the reports to occupy their proper position.

Mr. DAVIS. The position of the majority of the committee who signed the report now under consideration has been throughout that in reporting the contumacy of witnesses it was merely performing a ministerial duty under the statute, submitting to the Senate what had taken place in the committee, from which certain consequences followed; namely, that it became the ministerial duty of the Presiding Officer of this body to certify those transactions to the district attorney of the United States for the District of Columbia.

I do not understand that the question of whether this report shall be received or not received is at all germane to the performance of that duty by the committee, or by the Presiding Officer of the Senate, and I shall object to any concession of the position of the Senator from New York [Mr. HILL], which may be implied by consenting that this matter may go over until another day. I shall object.

Mr. HILL. The Senator can not prevent me making the motion I have made. I have talked with the Senator from Nebraska [Mr. ALLEN] and other Senators, and all sides want the matter to go over, as I understand, for discussion, and in the meantime, pending the disposition of my motion, that the papers be printed. Does the Senator think we can dispose of the question to-night?

Mr. DAVIS. The order has already been made that the report submitted by me shall be printed in the RECORD, and it will appear to-morrow morning.

Mr. HILL. That is not the printing I want.

Mr. DAVIS. They are printed under the general rule.

Mr. HARRIS. I rise to a question of order.

The VICE-PRESIDENT. The Senator from Tennessee will state his point of order.

Mr. HARRIS. A motion that a report of a committee of this body shall not be received is not in order, is my point of order. I am perfectly willing that that point of order may go over until another time, or it may be disposed of now; but I want to interpose it.

Mr. HILL. I do not want it disposed of now.

Mr. COCKRELL. Let it go over.

Mr. CHANDLER. When the Senator from Minnesota [Mr. DAVIS] made his report there was no order of the Senate made; when the Senator from Delaware [Mr. GRAY] made his report he requested that the usual proceedings take place, and the Chair said, "It will be so ordered." Now, if an order of that kind is to be entered upon the records of the Senate, I desire to object. It raises the same question which the motion of the Senator from New York raises. I have been trying to get the floor, which has been occupied all the time by two or three Senators, to say that if a certificate is to be made in the case reported by the Senator from Delaware as by order of the Senate, I wish to object for the same reason that the Senator from New York, as I understand, moves that the report be not received.

If the certificate goes as a matter of course, that is another thing. I should not be prepared, I think, to vote against a certification of this witness to the district attorney, but I am interested in the question whether or not that statute executes itself and authorizes the use of the seal of the Senate, without the authority of the Senate, or even against the direction of the Senate. There would stand upon the records of the Senate, unless I made this objection, the order of the Senate, certifying Mr. Havemeyer. I object to that, if I am allowed to make that objection or if I am in season in making that objection.

Mr. DAVIS. I understood the point made, or intended to be made, by the Senator from New York [Mr. HILL] had been settled adversely to him, in substance, by the action of the Senate, or its nonaction, in the case of the newspaper correspondents.

I want all these parties treated alike. If the action of the Senate is to stand against the newspaper correspondents, I want it to stand against these potentates of the sugar trust. I shall be prepared at any time to meet the Senator from New York in debate upon this subject if it becomes in order. But, Mr. President, the Senate having taken the action that it did, practically closed the question as to them in a debate somewhat excited and pointed.

I object now to its being reopened without the most mature previous consideration, whereby, in comparison with the attitude in which we have put the newspaper correspondents, it is proposed to exempt these magnates of this great trust.

Mr. HOAR. Mr. President——

Mr. CHANDLER. I should like to ask the Senator from Minnesota a question.

Mr. DAVIS. Very well.

Mr. CHANDLER. I ask whether he holds it would be out of order to move to recommit his report, or to move to recommit the report of the Senator from Delaware?

Mr. HOAR. I rise to a parliamentary inquiry.

The VICE-PRESIDENT. The Chair recognizes the Senator from Massachusetts.

Mr. HOAR. I desire to inquire of the Chair whether the statement the Chair made, "It will be so ordered," was understood by him to impart an order of the Senate after objection was made?

The VICE-PRESIDENT. Certainly not.

Mr. HOAR. The question was not disposed of, then?

Mr. LODGE. When this committee reported the first two cases it was then held that after the report had been introduced, the Senator from Delaware [Mr. GRAY] being recognized as making a privileged report, the mere fact of making that report closed the question. It was then settled by the Senate, and the President of the Senate acted upon that report without any further action on the part of the Senate—none whatever—and the two newspaper correspondents were thereupon certified to the district attorney. Subsequently the committee brought in another report that was recognized as a privileged report. It certified Mr. Chapman for contumacy. There was nothing done; there was no action taken by the Senate; the same ground was held; and he was certified to the district attorney.

The majority of the committee, representing for all purposes the committee, have now presented a report, certifying Mr. Havemeyer and Mr. Searles, and the committee as a whole has presented a report certifying Mr. Macartney. I can not see, Mr. President, why there should be any change in the action of the Senate, nor do I see that the matter is otherwise than complete, as has already been held, when that report is presented, as it has been.

Mr. ALLEN. Mr. President, I understood the rule to be laid down when the two correspondents were certified to the grand jury, that the Vice-President, under the statute, was charged with the duty of certifying those parties for indictment whenever the proper certificate was returned to him by the committee, and that the Vice-President did so certify in the instance of Mr. Edwards and Mr. Shriver. The same rule, I believe, was followed as to Mr. Chapman. The same rule, I suppose, applies to these persons so far as they are certified to the Vice-President, for his certificate sending them to the grand jury, to be indicted for their refusal to comply with the law.

So far as that part of the reports made in these cases is concerned, I suppose there is but one thing to do; and that is for the Presiding Officer of this body to certify these persons in accordance with the statute.

In addition to the reports which have been made by the committee, I have in each instance made an additional report, asking that these different witnesses be called before the bar of the Senate and there required to purge themselves of contempt or be punished summarily for refusing to do so. That portion of the report I suppose properly goes over and comes up for consideration by the Senate; but the other is a mere matter of ministerial duty upon the part of the Presiding Officer to certify.

Mr. GRAY. I should like the attention of the Senator from Minnesota [Mr. DAVIS] for one moment. The report which was made by the committee; that is, by a majority of the committee, which is the committee, in the case of Mr. Havemeyer and Mr. Searles for contumacy, was made this afternoon when I was called out from my desk by some one in the reception room. The Senator from Minnesota and I, having had an understanding that the report would be made from the committee about 5 o'clock, and that at the same time the dissent of two members of the committee to the report would be made as a report and filed with the report of the committee, I ask unanimous consent that the two reports may be considered as having been made at the same time.

Mr. DAVIS. Certainly; that was the understanding.

Mr. GRAY. So that the order for printing may go with both and both be treated alike?

Mr. DAVIS. Certainly.

The VICE-PRESIDENT. Without objection, that course will be taken.

Mr. GRAY. The report made by the majority of the committee is of course the report of the committee. It seems to me that the course which has been taken in previous cases is the course that will be taken in regard to these reports, for they are reports from the committee in just the same sense as the previous reports were, which happened to have been made unanimously.

The only difference is that in these two cases two members of the committee could not agree with the majority as to the jurisdiction in regard to the particular questions asked, or as to the pertinency of the questions to the inquiry then under investigation. They have filed the statement of the grounds of their dissent. That closes the matter so far as they are concerned. The committee through a majority of its members have made the report, and the law makes it incumbent upon the Vice-President to certify the cases to the district attorney.

Mr. CHANDLER. May I ask the Senator from Delaware to state what the minority report is? What is the report of the two members who dissented?

Mr. GRAY. The report just states the ground of dissent of two members of the committee as to the jurisdiction of the Senate and the committee over the questions upon which the report treats.

Mr. CHANDLER. But the Senator from Delaware holds that the report of the majority of the committee requires the Vice-President to certify the facts to the district attorney.

Mr. GRAY. Of course. The report of the majority is the report of the committee, and the status of the report and the status of the case before the Senate, so far as the Vice-President is concerned, is precisely as if the whole committee had made the report.

Mr. CHANDLER. As if the two members had not dissented?

Mr. GRAY. Yes, sir; of course.

Mr. HARRIS. The state of the case is simply this. A committee of this body has on this day made two reports, which have been received, and they are lying on the Clerk's desk. In that condition of affairs the Senator from New York [Mr. HILL] moves that the reports shall not be received. They have already been received. But if he had anticipated the report and made that motion, I should have still raised the question of order that such a motion was out of order. Having made the motion subsequently, I raise the question of order that his motion is not in order. That is a question for the Chair to decide and is not debatable, and I shall not undertake to debate it. Other suggestions are that the Chair shall consult the Senate with respect to a different branch of the case, as to whether the President of

the Senate shall obey the law or shall not obey it. That is all there is in this case.

Mr. HILL. So much is conceded, that the two reports are regarded as having been presented to the Senate at the same time. At the very same moment when they were presented I entered a motion that they be not received. The Senator from Tennessee now raises the parliamentary point that my motion is out of order. Of course that question can be discussed after it has been decided. I do not desire to do it to-night. The simple point which I desire to have the Senate decide and decide intelligently is, has not the Senate a control over the presentation of reports of committees?

The right of the committee to present the report depends upon what? Upon the point that certain witnesses have refused to answer questions material to the inquiry. Two honored members of the committee, representing this side of the Senate, have made a minority report, saying that these questions are not material to the inquiry. Now, the question which I present is whether the Senate is bound to allow the reports to go upon its records and no motion can be entertained to stop it, when upon the reading of the reports the Senate may conclude that there has been no violation of law? In other words, the Senate may agree with the two minority members of the committee, namely, that the witnesses have not refused to answer material questions. That is the point I desire to raise. I do not want to discuss it now, or to delay the consideration of the tariff bill, but I suggest that it ought to go over until some other time, when the parliamentary question can be discussed.

Mr. HOAR. I should like to ask a question of the Senator from New York or the Chair. Does either the majority or the minority report recommend the bringing of the contumacious witnesses to the bar of the Senate and exerting the authority of the Senate?

Mr. GRAY. No, sir.

Mr. HILL. No.

Mr. HOAR. I am sorry they do not.

Mr. GRAY. Allow me to state to the Senator from Massachusetts in answer to his question that the minority report signed by the Senator from Nebraska [Mr. ALLEN] did report in all cases that, in addition to being reported to the district attorney, the recalcitrant witnesses be brought before the bar of the Senate and punished.

Mr. HOAR. It seems to me, if I may be pardoned for a sentance, that the Senate is laying down its constitutional authority when it takes the view that its power to enforce obedience to its lawful order to a witness who is brought before one of its committees depends on the action or nonaction of a grand jury, or any officer whatever. If we have the constitutional right to bring the witnesses here to testify, we have the constitutional right to compel them to answer, and we are degraded if we do not do it.

Mr. PLATT. Mr. President, I trust I may be permitted to at least raise an inquiry as to what is meant by the statute. The so-called reports by the committee seem to be treated in the discussion as reports in a parliamentary sense. I do not think that what has been communicated to the Senate is necessarily the report of a committee, speaking in a parliamentary sense. The committee were created for certain purposes, to make certain inquiries, and to report the result of those inquiries to the Senate and recommend action thereon.

Now, they have made no report of that sort. I do not think that within the meaning of the word as it is used in the ordinary transactions of the Senate any committee report has been made. The committee have simply communicated to the Senate certain facts which have arisen during the progress of their inquiry as required to do by certain sections of the Revised Statutes. It is a communication of facts to the Senate rather than the report of a committee in a parliamentary sense. I shall not take up much of the time of the Senate, but I wish to read the two sections. Section 102 of the Revised Statutes provides that—

Every person who, having been summoned as a witness by the authority of either House of Congress, to give testimony or to produce papers upon any matter under inquiry before either House, or any committee of either House of Congress, willfully makes default, or who, having appeared, refuses to answer any question pertinent to the question under inquiry, shall be deemed guilty of a misdemeanor, etc.

Section 104 provides that—

Whenever a witness summoned as mentioned in section 102 fails to testify, and the facts are reported to either House, the President of the Senate or the Speaker of the House, as the case may be, shall certify the fact under the seal of the Senate or House to the district attorney for the District of Columbia, whose duty it shall be to bring the matter before the grand jury for their action.

I think the plain meaning of that section is just what it would be if the section said:

Whenever a witness summoned as mentioned in section 102 fails to testify, and the facts are brought to the attention of either House or communicated to either House.

Mr. HILL. That is right.

Mr. PLATT. When that is done it is not, strictly speaking, in the parliamentary sense, a report of a committee, but a committee which has been charged with certain duties informs the Senate that certain witnesses refuse to testify. I suggest this distinction because it seems to me that the whole matter rests upon the question, and is to be decided accordingly, whether this is the report of a committee, speaking in a parliamentary sense.

When the report of a committee is presented to the Senate something is to be done with it, and if it be conceded that this is, speaking in a parliamentary sense, the report of a committee, then something is to be done with it. But if it is simply information for the Senate as to certain facts which have occurred in the committee and that is all, I do not think it comes within what we understand when we speak of the report of a committee. I confess that I am not entirely confident of the correctness of my construction of the statute, but certainly that question arises in this case.

Mr. FAULKNER. Mr. President, simply on the parliamentary question whether the motion of the Senator from New York is in order, I will state that it strikes me Cushing is very clear on that point, and for the information of the Chair I will read section 1952 of Cushing's Law and Practice of Legislative Assemblies:

1952. On the question of bringing up the report, it is competent to any member to object to receiving the report on the ground of any irregularity, either of form, as, for example, that the report is full of erasures and interlineations, or of substance, as, for example, that it is not within the powers of the committee; or to go into a general debate of the subject-matter; but it is not in order to move to amend the report; it must either be received or rejected as it is; and no motion, except for recommitment, can be made in relation to it until it has been received.

Section 1953 is even more explicit. It is as follows:

1953. The practice in this country in making a report is somewhat different. There is no formality of going to the bar and bringing up reports from thence. Whenever the chairman or other member of the committee is ready to report, he obtains possession of the House, or is called to by the Speaker for the purpose, and announces that he has a report from such a committee. He thereupon proceeds in his place to read the report in question. If the report is objected to by anybody, either on the ground of form, as not being properly prepared, according to the orders of the House, or of substance, as not being within the jurisdiction of the committee, this raises the question of the reception.

If the objection is on the ground of order, a question is presented in the first instance for the presiding officer to decide. If the ground of order is overruled, or the report is suffered to proceed notwithstanding, or a suspension of the rules takes place, then the question of reception is to be put to the house or supposed to be so, and if decided in the affirmative, the report is accordingly received and further proceedings had thereon. If the objection is not one of order, the question of reception is to be put at once to the house.

I think the motion of the Senator from New York is clearly in order.

Mr. HILL. Mr. President, I do not care, as I said before, about discussing the question of parliamentary law. The statute provides that—

Every person who * * * refuses to answer any question pertinent to the question under inquiry shall be deemed guilty, etc.

Then it provides a certain form, which I think is essential to the prosecution, namely, that a report shall be made.

I submit that as a parliamentary question every legislative body has a control over the question of the presentation of reports from committees, and the mere fact that this is a peculiar case, the mere fact that it relates to the contempt of a witness, does not change the situation. The broad point I make is that it is at any time within the discretion of the Senate whether it will receive the report of a committee. The Senator from West Virginia [Mr. FAULKNER] has read from Cushing showing that the reception of a report is always a question for the legislative assembly to determine. How else can I raise it?

A Senator rises in his place and offers a privileged report. I present the question by an objection, by a counter motion, that it be not received. Why is it not proper within every parliamentary principle? The consideration of the question, I submit, is proper.

There has been no crime committed. If the minority report here is correct, if the questions asked the witnesses were not material questions, then I say the prosecution can not go on. If the presentation of the report is a part of a formula which must necessarily be gone through with, then the Senate can control it. The position was taken the other day that the District attorney had a right to proceed with the prosecution without the action of the Senate. That is another question. If he sees fit to do that, of course we have nothing to do with that question; he can go ahead.

But if the chain that is sought to be made here by the presentation of the report is part and parcel of the prosecution, then the Senate has a right to challenge the report, the Senate has a right to determine upon the reading of the two reports whether there has been a refusal to answer material questions. If the Senate agrees with the minority of the committee, then

the Senate has a right to say that the report shall not be received. Possibly a motion to recommit the report made at the same time of its presentation would have the same effect. That is another question.

But the point I now make, and I think I am sustained by parliamentary law, is that my motion is proper. Does the Senator from Minnesota want to preclude the discussion of this question? Is the report to be presented and he does not desire to have the question discussed as to whether the Senate has control of the report? I submit he does not. There is no time to discuss it to-night. Other Senators, I think, desire to be heard, and I do not wish to delay the consideration of the tariff bill. Set this matter down for some hour on some other day and we will bring up the question. Is there any hurry about the matter? I think not. These gentlemen are, like newspaper men, reputable gentlemen. We should make haste slowly about the matter I care nothing about the individual character of these men.

I have shown by my votes that I care nothing about the sugar trust, to which the Senator refers. I do not care whether this is John Brown or John Smith or John Anybody. I have nothing to do with these gentlemen. The point I make (and I desire to be consistent in this question) is that the Senate at all times and under all circumstances has control of its own reports. I think I am prepared to agree with the minority report that the questions which the witnesses refused to answer are not material to the inquiry. If they are, must the fact of the refusal to testify be certified to the District attorney when the Senate does not want it done? Is the Senate to be ignored? Can the prosecution go on in spite of us? That is the point which I desire to present. That is the point which I desire to hear argued.

It seems to me I am clearly right in making this inquiry. I care nothing about this matter except as a parliamentary question and as a question affecting the rights, the dignity, and the jurisdiction of the Senate. The men I care nothing about. I submit that this is a question worthy of the most serious consideration.

EXECUTIVE SESSION.

Mr. HARRIS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session, the doors were reopened, and (at 6 o'clock and 7 minutes p. m.) the Senate adjourned until to-morrow, Friday, June 22, 1894, at 10 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate June 21, 1894.

UNITED STATES MARSHAL.

Charles H. Evans, of Maryland, to be marshal of the United States for the district of Maryland, vice William F. Airey, whose term expired May 21, 1894, Buchanan Schley, who was nominated to the above-named office May 9, 1894, and confirmed by the Senate May 16, 1894, not having been commissioned.

UNITED STATES CONSUL.

Perry Bartholow, of Missouri, to be consul of the United States at Mayence, Germany, vice James H. Smith, recalled.

PENSION AGENT.

Patrick F. Walsh, of San Francisco, Cal., to be pension agent at San Francisco, Cal., vice John C. Currier, term expired.

REGISTERS OF THE LAND OFFICE.

Edwin A. Lamb, of Michigan City, N. Dak., to be register of the land office at Bismarck, N. Dak., vice Eugene S. Neal, whose term of office will expire July 28, 1894.

Reuben Noble, of Devils Lake, N. Dak., to be register of the land office at Devils Lake, N. Dak., vice Iver E. Shelley, to be removed.

RECEIVERS OF PUBLIC MONEYS.

Foster M. Kinter, of Lamoure, N. Dak., to be receiver of public moneys at Bismarck, N. Dak., vice Asa Fisher, whose term of office will expire July 28, 1894.

Adolph W. Schmidt, of Devils Lake, N. Dak., to be receiver of public moneys at Devils Lake, N. Dak., vice John A. Percival, whose term of office will expire July 25, 1894.

POSTMASTERS.

Emil Sydow, to be pastmaster at Tombstone, in the county of Cochise, Ariz., in the place of W. A. Harwood, whose commission expired January 16, 1894.

A. C. Oviatt, to be postmaster at Longmont, in the county of Boulder and State of Colorado, in the place of Charles L. Reed, whose commission expires July 1, 1894.

D. B. Usina, to be postmaster at St. Augustine, in the county of St. Johns and State of Florida, in the place of William W. Dewhurst, whose commission expired April 16, 1894.

Samuel T. Owings, to be postmaster at Moscow, in the county of Latah and State of Idaho, in the place of Robert H. Barton, removed.

James W. Edmonson, to be postmaster at Collinsville, in the county of Madison and State of Illinois, in the place of Thomas Kennedy, whose commission expired April 12, 1894.

Robert Kamm, to be postmaster at Highland, in the county of Madison and State of Illinois, in the place of Jacob Maechlen, whose commission expired April 12, 1894.

Monroe G. Sisson, to be postmaster at Greenfield, in the county of Greene and State of Illinois, in the place of Mary C. Piper, removed.

J. C. Bryant, to be postmaster at Griswold, in the county of Cass and State of Iowa, in the place of Sarah Earthman, whose commissioned expired March 21, 1889, Timothy P. Brown, appointed June 19, 1893, not commissioned.

Parley Davey, to be postmaster at Mason City, in the county of Cerro Gordo and State of Iowa, in the place of Henry Kerl, whose commissioned expired June 14, 1894.

H. L. Getz, to be postmaster at Marshalltown, in the county of Marshall and State of Iowa, in the place of Silas C. McFarland, whose commission expired December 19, 1893.

G. D. McGaw, to be postmaster at Fairfield, in the county of Jefferson and State of Iowa, in the place of Simpson J. Chester, whose commission will expire June 23, 1894.

J. T. Sherman, to be postmaster at Newton, in the county of Jasper and State of Iowa, in the place of Thomas M. Rodgers, whose commission will expire June 23, 1894.

Cameron A. Gustin, to be postmaster at Hartford, in the county of Van Buren and State of Michigan, in the place of John S. Heald, removed.

Albert F. Kishpaugh, to be postmaster at Clinton, in the county of Lenawee and State of Michigan, in the place of Charles D. Cutting, removed.

L. H. Way, to be postmaster at Luverne, in the county of Rock and State of Minnesota, in the place of Philo Hawes, whose commission expired June 10, 1894.

Richard W. Sayre, to be postmaster at Atlantic City, in the county of Atlantic and State of New Jersey, in the place of Levi B. Albertson, whose commission expired June 2, 1894.

Charles S. Bahney, to be postmaster at Socorro, in the county of Socorro and State of New Mexico, in the place of C. F. Leichman, removed.

Charles G. Storms, to be postmaster at Dobbs Ferry, in the county of Westchester and State of New York, in the place of E. K. Bradley, removed.

J. H. Weber, to be postmaster at Bellevue, in the county of Huron and State of Ohio, in the place of Albert B. Smith, removed.

Joseph H. Larwill, to be postmaster at Guthrie, in the county of Logan and Territory of Oklahoma, in the place of William H. Merten, removed.

Charles J. Nesbitt, to be postmaster at Kingfisher, in the county of Kingfisher and Territory of Oklahoma, in the place of Jacob W. Mills, whose commission will expire July 9, 1894.

Benjamin F. Bonham, to the postmaster at Salem, in the county of Marion and State of Oregon, in the place of Andrew N. Gilbert, whose commission expired December 20, 1893.

Thomas J. Craig, to be postmaster at Eugene, in the county of Lane and State of Oregon, in the place of Minnie Washburne, whose commission expires June 27, 1894.

James A. Crossen, to be postmaster at The Dalles, in the county of Wasco and State of Oregon, in the place of Michael F. Nolan, whose commission expires June 27, 1894.

Stephen R. Green, to be postmaster at Oregon City, in the county of Clackamas and State of Oregon, in the place of Edward M. Rands, removed.

Levin Perry, to be postmaster at Jefferson, in the county of Marion and State of Texas, in the place of McDonald Campbell, removed.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 21, 1894.

ASSISTANT APPRAISER OF MERCHANDISE.

Sheppard G. Young, of Pennsylvania, to be assistant appraiser of merchandise in the district of Philadelphia, in the State of Pennsylvania.

POSTMASTER.

Elliott P. Kisner, to be postmaster at Hazleton, in the county of Luzerne and State of Pennsylvania.

HOUSE OF REPRESENTATIVES.

THURSDAY, *June 21, 1894.*

The House met at 12 o'clock m., and was called to order by Mr. THOMAS O. TOWLES, Chief Clerk.

The following communication was read:

JUNE 21, 1894.

SIR: I hereby name the Hon. JOSEPH W. BAILEY, a Representative from the State of Texas, to perform the duties of the Chair for this day.

CHARLES F. CRISP, *Speaker.*

To Hon. JAMES KERR,
Clerk of the House of Representatives.

Mr. BAILEY took the chair as Speaker *pro tempore.*

Prayer was offered by Rev. W. H. MILBURN, D. D., Chaplain of the Senate.

The Journal of yesterday's proceedings was read and approved.

SANDUSKY BAY RANGE LIGHTS.

The SPEAKER *pro tempore* laid before the House a letter from the Acting Secretary of the Treasury, recommending that an appropriation be made for the repair of the Sandusky Bay range lights, which are in a state of decay; which was referred to the Committee on Appropriations, and ordered to be printed.

JUDGMENTS AGAINST THE UNITED STATES.

The SPEAKER *pro tempore* also laid before the House a letter from the Acting Attorney-General, transmitting a supplemental list of judgments rendered against the Government by the circuit and district courts of the United States; which was referred to the Committee on Appropriations, and ordered to be printed.

SENATE BILLS REFERRED.

The SPEAKER *pro tempore* also laid before the House Senate bills of the following titles, which were severally referred as below:

A bill (S. 1320) to provide for the punishment of certain frauds—to the Committee on the District of Columbia.

A bill (S. 2065) to prevent the carrying of obscene literature and articles designed for indecent and immoral use from one State or Territory into another State or Territory—to the Committee on Interstate and Foreign Commerce.

A bill (S. 2135) to provide that a term of the circuit and district court of the United States for the district of Vermont may be held at Montpelier—to the Committee on the Judiciary.

A bill (S. 1538) to ratify and confirm an agreement with the Yankton tribe of Sioux or Dacotah Indians in South Dakota, and to make appropriations for carrying the same into effect—to the Committee on Indian Affairs.

SALE OF LANDS, MONTGOMERY COUNTY, ARK.

Mr. BRECKINRIDGE of Arkansas. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the desk, being a bill (H. R. 7334) to sell certain lands in Mongomery County, Ark., to the Methodist Episcopal Church, South.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized to sell the east half of the northwest quarter of section 2, township 3 south, of range 26 west, in Montgomery County, Ark., to T. B. Vaught, B. M. Rowton, W. C. Warner, C. J. Watkins, I. T. Black, B. F. Leonard, and T. I. Bell, as trustees for the Methodist Episcopal Church South, for the use by said church as a church camp ground, for the sum of $1 per acre.

SEC. 2. That the Secretary of the Interior shall satisfy himself, upon what he may deem good and sufficient evidence, that this land is not valuable for agricultural, stone, or mineral purposes, or by reason of timber it may contain, in excess of the amount for which he is hereby authorized to sell it; and upon the determination of the value of this land, as herein required, and of the number of acres that it may contain, and upon the receipt of the price herein prescribed, he shall cause a patent to be issued to the said trustees and their successors for the use and purpose herein prescribed; and said trustees are hereby authorized to fill any vacancy that may arise in their number by death or otherwise, as the laws of the State of Arkansas may prescribe in the case of church trustees for property.

SEC. 3. That if at any time this property shall be used for any other purpose than church purposes of a religious character, waiving all acts of trespass, it shall revert to the United States without compensation therefor to the church or the trustees thereof who may hold it.

The SPEAKER *pro tempore.* Is there objection to the request of the gentleman from Arkansas for the present consideration of this bill?

Mr. COOMBS. Mr. Speaker, reserving the right to object, I wish to ask the gentleman from Arkansas what is the object of stating the price to be $1.25 an acre if the determination of the value of the land is to be left to the Secretary of the Interior?

Mr. BRECKINRIDGE of Arkansas. The Secretary is to sell it at that price provided he is satisfied that it is not worth any more. That is the price at which Government lands are usually sold in that part of the country, and I can assure the gentleman that these lands are not worth even that.

Mr. COOMBS. I do not object, Mr. Speaker.

Mr. WILSON of Washington. Mr. Speaker, the other day we had some little controversy here in regard to a bill from Arkansas, and I desire now to say that all unpleasantness has been removed; and as I understand from the gentleman from Arkansas that this is a bill in the interest of the camp meeting, I can not make any objection to it.

Mr. BRECKINRIDGE of Arkansas. We will take the gentleman into the church if he continues to act as well in the future as he does now. [Laughter.]

Amendments recommended by the Committee on the Public Lands were agreed to, as follows:

Section 1, lines 9 and 10, strike out "sum of $1 per acre" and insert "price of $1.25 cents per acre."

Strike out section 3.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. BRECKINRIDGE of Arkansas, a motion to reconsider the vote by which the bill was passed was laid on the table.

HOMESTEAD RIGHTS TO CERTAIN SETTLERS.

Mr. KEM. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 7489) to amend section 3 of an act to withdraw certain public lands from private entry, and for other purposes, approved March 2, 1889.

The bill was read, as follows:

Be it enacted, etc., That section 3 of the said act of March 2, 1889, be amended by adding thereto the following provision: "That if any such settler has heretofore forfeited, or may hereafter forfeit, his or her entry for any of said reasons, such person shall be permitted to make entry of not to exceed a quarter section on any public land subject to entry under the homestead law, and to perfect title to the same under the same conditions in every respect as if he had not made the former entry."

The SPEAKER *pro tempore.* Is there objection to the present consideration of this bill?

Mr. HOLMAN. I think there ought to be some explanation of the bill, Mr. Speaker.

Mr. KEM. I will explain it. All that this bill seeks to do is to restore the rights of entry to that class of settlers who, through drought, or through misfortunes over which they had no control, were compelled to abandon their lands and lose their homes. The bill simply gives to that class of settlers in the West another opportunity to file claims on the public lands; in other words, it gives them another chance to save their homes. It is well known that throughout the West, by reason of drought and other causes, large numbers of our very worthiest citizens were compelled to abandon their homes, were unable to make proof, and, in that way, lost every dollar they had in the world. All that this bill seeks to do is simply to give those people, as it were, one more chance for their lives, and I hope there will be no objection to its passage.

The SPEAKER *pro tempore.* Is there objection to the present consideration of this bill?

There was no objection.

The bill was ordered to be engrossed, and read a third time; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. KEM, a motion to reconsider the vote by which the bill was passed was laid on the table.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House was requested:

A bill (S. 1259) to amend section 2 of an act of Congress approved March 3, 1893, entitled, "An act regulating the sale of intoxicating liquor in the District of Columbia;"

A bill (S. 1399) to promote the efficiency of the naval malitia;

A bill (S. 1546) authorizing a commission to draft a code of laws for the district of Alaska, and for other purposes; and

A bill (S. 1827) to define the boundaries of the three judicial districts in the State of Alabama, and to regulate therein the jurisdiction of the courts of the United States and the powers and duties of the judges thereof, and for other purposes.

The message also announced that the Senate had passed the following resolution; in which the concurrence of the House was requested:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War is directed to cause a survey and estimate to be made of the cost of dredging the bar at Everett, in the State of Washington, so as to make a fresh-water harbor in or near the river with the greatest depth of water practicable: *Provided*, That if the information necessary to make such estimate is now in the possession of the Chief of Engineers it may be made without any further survey. The Secretary of War is directed to cause such estimate to be made and reported to Congress without delay.

MINING CLAIMS.

Mr. SWEET. I ask unanimous consent for the present consideration of the bill (H. R. 6558) to amend section 2324 of the Revised Statutes of the United States, relative to mining claims.

The bill was read, as follows:

Be it enacted, etc., That the provisions of section numbered 2324 of the Revised Statutes of the United States, which require that on each claim located after the 10th day of May, 1872, and until patent has been issued therefor, not less than $100 worth of labor shall be performed or improvements made during each year, be suspended for the year 1894, so that no mining claim which has been regularly located and recorded as required by the local laws and mining regulations shall be subject to forfeiture for nonperformance of the annual assessment for the year 1894: *Provided*, That the claimant or claimants of any mining location, in order to secure the benefits of this act, shall cause to be recorded in the office where the location notice or certificate is filed on or before December 31, 1894, a notice that he or they in good faith intend to hold and work said claim: *Provided, however*, That the provisions of this act shall not apply to the State of South Dakota.

SEC. 2. That this act shall take effect from and after its passage.

Mr. COOMBS. It seems to me we had this same request in the year 1893. I would like to know whether it is to be an annual request.

The SPEAKER *pro tempore*. Is there objection to the present consideration of the bill? The Chair hears none.

Mr. REED. I should like to hear what the bill is about.

Mr. BELL of Colorado. I wish to offer an amendment.

The SPEAKER *pro tempore*. Is there objection to the consideration of the bill?

Mr. COOMBS. There seems to be no objection.

The SPEAKER *pro tempore*. The Chair heard no objection. The Chair asks again, is there objection to the present consideration of the bill?

Mr. SAYERS. I wish to know whether the bill comes from the committee with a unanimous report?

Mr. SWEET. This is the same bill which was reported in the last Congress and passed. It comes before the House at this time unanimously reported by the Committee on Mines and Mining. It is a very necessary measure, and I hope there will be no objection to its passage.

Mr. REED. I did not object to the consideration of the bill; I simply wanted an explanation, if it was to be considered.

There being no objection, the House proceeded to the consideration of the bill.

Mr. BELL of Colorado. I offer the amendment which I send to the desk?

The Clerk read as follows:

Amend by adding after the words "South Dakota," at the end of section 1, the words, "and the Second Congressional district of the State of Colorado."

Mr. CURTIS of Kansas. I hope that amendment will not be pressed.

Mr. BELL of Colorado. Mr. Speaker, before this bill was introduced, or about the time of its introduction, I submitted it through the newspapers of Colorado to the people of my district. That district comprises the great gold fields of Colorado; and whatever may be said about silver, gold has not depreciated. In submitting the bill to the people of my district, I asked that they take up the subject and decide among themselves whether they wanted this measure extended to them this year or not. I have received from them numerous letters and petitions, from which I find that the great majority of the people of my district do not believe that it would be a benefit to the district or the mining interests of the district to extend the act to that district for this year.

Mr. SWEET. I have no objection to the amendment.

The question being taken, the amendment of Mr. BELL of Colorado was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. SWEET, a motion to reconsider the last vote was laid on the table.

REIMBURSEMENT OF DIRECT TAX TO WEST VIRGINIA.

Mr. ALDERSON. I ask unanimous consent for the present consideration of the joint resolution which I send to the desk.

The Clerk read the title of the joint resolution, as follows:

A joint resolution (H. Res. 119) to direct the Secretary of the Treasury to pay to the governor of the State of West Virginia the sum appropriated by the act of Congress entitled "An act to credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct tax levied by the act of Congress approved August 5, 1861."

Mr. BURROWS. This matter involves several million dollars, I believe.

Mr. ALDERSON. No, I beg the gentleman's pardon.

Mr. BURROWS. How much?

Mr. ALDERSON. Only $153,000, which has been already appropriated.

Mr. BURROWS. Well, there is a dispute in relation to the question; and I prefer the gentleman should let the matter rest until to-morrow. I should like to look into it.

Mr. ALDERSON. Does the gentleman object?

Mr. BURROWS. There has been considerable controversy about this question.

Mr. ALDERSON. I wish to state that in the Fifty-second Congress the Senate committee unanimously reported a resolution similar to this, after full investigation——

Mr. BURROWS. I understand that; I am somewhat familiar with the case.

Mr. ALDERSON. The Senate unanimously passed the resolation, and in the same Congress the Judiciary Committee of this House unanimously reported a similar resolution. In this Congress the Judiciary Committee has unanimously reported this resolution after full investigation. The resolution proposes simply to do an act of justice to the State of West Virginia. I believe that if the gentleman will read the report——

Mr. BURROWS. I am familiar with all that the gentleman has stated in relation to this matter—entirely familiar with it. But the opinion of the Attorney-General is on file to the effect that the State of Virginia is indebted to the United States in a large sum over and above this amount; and I think the matter is too important to be disposed of in this way.

The SPEAKER *pro tempore*. The gentleman from Michigan [Mr. BURROWS] objects.

Mr. ALDERSON. I believe if the gentleman will examine the report he will be satisfied about the matter. Attorney-General Miller was clearly wrong in his opinion. I will call it up again to-morrow if I can get the opportunity.

Mr. BURROWS. I will try to look into it.

Mr. ALDERSON. I shall be glad if the gentleman will do so.

BOARD OF MANAGERS NATIONAL SOLDIERS' HOME.

Mr. BLACK of Illinois. Mr. Speaker, I ask unanimous consent for the present consideration of the joint resolution (H. Res. 193) to appoint three members of the Board of Managers of the National Home for Disabled Volunteer Soldiers.

Mr. HATCH. I desire to state that immediately after this matter is disposed of I will demand the regular order.

The SPEAKER *pro tempore*. The joint resolution will be read, after which the Chair will ask for objection.

The Clerk read as follows:

Resolved, etc., that Charles M. Anderson, of Greenville, Darke County, Ohio; Sidney G. Cooke, of Herington, Dickerson County, Kans., and A. L. Pearson, of Pittsburg, Pa., be, and the same hereby are, appointed as members of the Board of Managers of the National Home for Disabled Volunteer Soldiers of the United States; Charles M. Anderson to succeed Gen. A. L. Barnett, whose term of service has expired; Sidney G. Cooke, to succeed Maj. E. N. Morroll, whose term of service has expired, and A. L. Pearson to succeed himself, his term of service having expired. All to take effect from and after the passage of this resolution.

The SPEAKER *pro tempore*. Is there objection to the present consideration of the joint resolution?

Mr. CANNON of Illinois. I will reserve objection, as I wish to ask a question or two about this. May I ask who succeeds Maj. Morroll?

Mr. BLACK of Illinois. Col. Sidney G. Cooke, of Kansas.

Mr. CANNON of Illinois. Why does not Mr. Morroll succeed himself?

Mr. BLACK of Illinois. Well, the committee did not think he ought to. Not but that we highly appreciate his worth, his sterling ability, and his honorable career; not but that we regard Maj. Morroll highly and with sincere esteem, but the situation required a readjustment of the managers.

Mr. CANNON of Illinois. What is the politics of Mr. Cooke?

Mr. BLACK of Illinois. I would much rather that you should ask him. I can, if necessary, go into that whole matter, but I see no particular reason for it. One of the gentlemen named in the joint resolution is a Republican and two are Democrats.

Mr. BRODERICK. I desire to ask time to make a statement in connection with this matter.

The SPEAKER *pro tempore*. Before submitting the request of the gentleman from Kansas, the Chair will again inquire if there is objection to the present consideration of the joint resolution?

Mr. CANNON of Illinois. It seems that there are enough gentlemen interested in this, whatever may be its meirts, on both sides of the House to make it particularly ungracious to object; and I do not know as I shall interpose objection.

The SPEAKER *pro tempore*. The Chair hears no objection.

Mr. CANNON of Illinois. I want to say, however, reserving my right of objection, that I think in former years, while the Republicans had control, if I recollect properly, my distinguished colleague himself succeeded himself upon this board.

Mr. OUTHWAITE. Permit me to call the attention of the gentleman to another fact. These three managers, selected in the Fifty-first Congress, were all Republicans. Now this Congress, a Democratic Congress, leaves one of the Republicans on the Board.

Mr. LOUD. How does it leave the board?

Mr. OUTHWAITE. With a majority of one Democrat.

Mr. DALZELL. On the old board it was one Republican.

Mr. OUTHWAITE. Yes, it leaves one of the Republicans on the board and two Democrats.

Mr. GROSVENOR. There is one Democratic majority left on the board.

The SPEAKER *pro tempore*. Is there objection?

Mr. CANNON of Illinois. Well, it seems that we have quite enough of "pork" in this to satisfy gentlemen on this side of the House in this matter, and if they are satisfied, as they know all about it, I shall not object.

The SPEAKER *pro tempore*. The Chair hears no objection.

Mr. BLACK of Illinois. I yield to the gentleman from Kansas for ten minutes.

Mr. BRODERICK. Mr. Speaker, when I objected to the immediate consideration of this resolution the other morning, I believed that more time than the House then had should be allowed for the examination of a question of so much importance. The proper conduct and efficient management of the National Home for Disabled Volunteer Soldiers are questions in which every loyal citizen feels a deep interest. The Home is what it purports to be—the abiding place of many thousands of brave men who during the late war sacrificed everything except life for the maintenance of the Government.

As the Western Branch of the Home at Leavenworth, Kans., is in the district I have the honor to represent here, I desire to reply briefly to some remarks recently made upon the government and management of that institution.

On the 20th day of last March my colleague from Kansas, Mr. SIMPSON, criticised, without justification, as I shall show, the management of the Home. The gentleman from Illinois [Mr. BLACK], who is an honored member of the Board of Managers of the Home, followed my colleague, fully answering his criticisms and ably vindicating the management.

Under these circumstances I should not deem it necessary to take the time of the House to discuss these questions, excep for the fact that my colleague printed in the RECORD statement n ot uttered upon the floor, and his speech shows this upon its face. The remarks were delivered on the 20th of March and appear in the CONGRESSIONAL RECORD of April 4, so there was no opportunity to reply to much which appears in the RECORD and which is sent out as the gentleman's speech.

I am not criticising the fact of the remarks having been extended in the RECORD, for this was done under a rule, and no objection can be urged against it as a method of argument, when the House has assented, but it is only where personal assaults are made that this method becomes reprehensible. In such cases the rule in effect allows this sort of criticism without giving fair opportunity for reply.

After examining the published speech I made inquiry as to the merit of the charges, and am satisfied that they are wholly without foundation. My colleague was, as I am informed, never at the Home, and I know not the source of his information. I am exceedingly sorry he can not be in his seat this morning and give his authority, if he should like to do so.

There were complaints made against the governor of the Leavenworth Home I admit, and so there have been against the government of every Branch. Where there are so many unfortunate people in an institution there will always be those who are discontented. Where discipline must be enforced it is unavoidable that some should have grievances. But all the charges, to which reference has been made, against the government at this Home were investigated by the Board of Managers. The Board consists of eleven members and is nonpartisan. It is composed of distinguished soldiers of the late war. Upon investigation the charges were not sustained by the Board. Both in law and good conscience the verdict of the Board should forever put at rest all the questions involved and adjudicated by that judgment.

My colleague is much disturbed because the Keeley cure has been introduced into the Leavenworth Home. It is true that the beneficence of that cure has been made manifest in that institution. I am informed that 1,066 veterans have been, through this treatment, rescued from the lamentable fate of the drunkard through the efforts of the governor. One hundred and thirty-two married men, once members of the Home and supported by the Government, have been restored to their families, and are now supporting themselves. Certainly this wonderful cure is a blessing to humanity. To condemn it is madness.

Here is the latest official report of the governor, rendered to the president of the Board of Managers, which I ask to have inserted in the RECORD as a part of my remarks. Whether or not the work is commendable and worthy of emulation, I submit to the candid judgment of all right-minded people. The incredulous can not be expected to accord it any degree of approbation. The report reads as follows:

ANNUAL REPORT OF THE KEELEY INSTITUTE AT THE WESTERN BRANCH, NATIONAL HOME FOR DISABLED VOLUNTEER SOLDIERS, RENDERED BY COL. ANDREW J. SMITH, GOVERNOR, TO GEN. WILLIAM B. FRANKLIN, PRESIDENT OF THE BOARD OF MANAGERS.

WESTERN BRANCH, NATIONAL HOME FOR DISABLED VOLUNTEER SOLDIERS,
Leavenworth County, Kans., December 31, 1893.

Gen. W. B. FRANKLIN, *President Board of Managers, N. H. D. V. S.:*

GENERAL: I have the honor to submit for your information the following report of the treatment of victims of alcoholism, opium, addiction and kindred diseases, in the Keeley Institute at this Branch Home, from its establishment, March 29 1892, to date, viz:

Treated for alcoholism	788
Treated for opium addiction	23
Treated for neurasthenia	2
Treated for tobacco habit	22
Total treated	835

Ratio of lapses per 100 for whole number treated, 8.02. Age of graduates, members of the Home, oldest 81, youngest 44 years; average age, 59 years.

The percentage of loss through relapse or return to their old habit is small. The improvement in discipline is very marked. The morale of the Home stands second to none.

An auxiliary to the institute is the Keeley League, composed of the graduates. This organization is admirably constituted to promote the interests of the cause of reform, and is doing wonders in inducing comrades who, through mistaken judgment upon the nature of the Keeley remedies, hold aloof until their excesses nearly compass their death. Men are brought in for treatment who are physical wrecks, and within a few days are restored to their manhood and health.

The largest number in line for treatment at any one period since the institute was established was 82, on December 10, 1893. An average of 37 in line has been maintained throughout the year.

The vile whisky dens which so closely hedged in the Home in former days are receiving little patronage. Many of them have been suppressed.

As shown by the records, since the Keeley remedies have been introduced there have left the Home, able to maintain themselves, 364 graduates of the institute who are believed to have been permanently cured of the disease of alcoholism and opium addiction. They are now good citizens. One hundred and thirty-two married men have been restored to families that have been neglected or deserted for years. Very few graduates have returned from furlough this year, which indicates that the object of most of those absent is to remain outside the Home. Their absence enables us to provide for an equal number of deserving men.

The per capita cost of maintenance for the fiscal year ending June 30, 1893, at this Branch, was $140.25. On that basis, the annual saving to the Government by reason of these men having been permanently restored to society, is $51,051.00.

The facts cited speak for themselves. I am encouraged by the excellent results already achieved to renewed and greater effort in the future looking to the rescue of the many in our midst who are yet unreclaimed.

I have the honor to be, very respectfully, your obedient servant,

COL. ANDREW J. SMITH,
Governor.

Official:

ROBERT HAYES,
First Lieutenant and Adjutant.

The assistant inspector-general of the National Home, Gen. W. W. Averell, United States Army, has this to say of the Keeley cure at the Western Branch, which he thoroughly investigated. The remarks are embodied in his official report rendered to the Board of Managers for the fiscal year ending June 30, 1893, and read:

LEAVENWORTH, KANS., *May 21, 1893.*

TEMPERANCE.

The most notable feature of this Branch, and that which first attracted attention at this inspection, was the Keeley League Club, now grown to nearly 600 members. It has not only created and exercised a profound influence in the direction of temperance and good conduct among the members of this Branch, but its example has been followed by the other Branches and by several State Homes.

The skepticism which it encountered in its earliest efforts has been silenced, the doubts of those who awaited evidence of a cure for alcoholism have been dispelled, and this club now receives the respectful and encouraging consideration of all candid and sensible men. This day being Sunday there was a meeting of the club, which was attended by the Board of Managers of the National Home, by whose president and members short and inspiring addresses were made. The National Home is indebted to the governor of this Branch for the successful inauguration and growth of this remarkable reformation.

In my report of this Branch last year certain positive advantages and benefits arising from this cure were set forth, but the indirect social economies and moral blessings which it has brought to the soldiers, to their families and friends, and to society at large can not be enumerated. One clew leading to an estimate of them, full of surprising satisfaction, is found in the fact that 152 reclaimed drunkards have surrendered the beneficence of the Home and are now earning their own living and making their various independent and honorable ways in life. The total cost of their cure, to themselves, in money was about $3,390; their self-support saves to the Government annually the cost of their maintenance at the Home, about $22,140.

The facts shown by these reports are entitled to great weight in the consideration of the government of this Branch of the Home. The administration of this cure costs the Government nothing. A small fee is charged for the treatment, but the governor of the Home receives no extra compensation from this source. Some few soldiers of the regular Army have been treated, but not one veteran has been turned away from the Home because of the presence of regular soldiers.

Under date of November 7, 1893, the president of the Board of Managers issued a circular directing discontinuance of admissions to all Branches of the Home, and on November 11, 1893, the president of the Board advised the governor that under no circumstances should the appropriation be exceeded. The following is an extract from a letter from the governor to the president of the Board, dated April 7, 1894:

It has been charged that I refused admission to the Home of sick and infirm soldiers eligible for membership, in order to make room for soldiers of the regular Army. This is untrue. Your circular of November 7, 1893, directed that no more admissions be granted at present, the appropriations for the maintenance of the Home being as heavily drawn as they can bear. I came to the conclusion that such direction was uttered to prevent the possibility of a deficiency in the appropriations at the close of the fiscal year. I immediately ascertained how many men could be cared for until June 30, 1894, under the current appropriations laid the matter before Maj. Morrill, the local manager, recommending that all applicants who presented themselves should be received as members, and Maj. Morrill concurred with me that all who came within the provisions of the organic act as to eligibility for membership, and who could be taken in without incurring a deficiency, should be received. I have accordingly taken in all applicants for

membership, consistent with your orders, and the available accommodations. Not one has been turned away who was eligible for membership.

It has been charged that there is a saloon in connection with the Soldiers' Home where whisky and beer are sold, and that in the same institution they have a Keeley cure for the drunkenness that is promoted by the saloon. This statement is not sustained by the facts. Never in the history of any of the Branches of the Home has there been one drop of whisky sold to members with the knowledge of the management. A beer saloon is maintained in every Branch Home, save one, where light beer is sold under restrictions. The quantity sold to any individual is limited and inebriety is discouraged. No one under the influence of liquor is even permitted to enter one of these saloons.

The gentleman from Illinois [Mr. BLACK], in the course of the remarks referred to, and which appear on page 3851 of the RECORD of March 21, said:

The saloon that the gentleman from Kansas speaks of is not a saloon where spirituous liquors are sold. It is what is called a beer hall, which is run in all the Branches of the Home, one where beer is sold to the men and paid for by them, guaranteed to be of good quality and subject to inspection. That my personal judgment has been against the establishment of that hall, is true, but the majority of the Board believed that with the habits that many of these volunteer soldiers had, with the contracted disorders of a quarter of a century, the habits of a lifetime upon them, it was better that there should be a regulated institution, a beer hall inside of the homes, where a clean, wholesome beverage could be sold, rather than that these men, driven out by their impulses, their appetites, and their passions, should seek on the outside an inferior quality of liquor. We recognized the fact that the servitude of fifty years' appetite can not be broken by the institutions themselves.

I have here on this subject an extract from the official report of M. R. Patrick, governor of the Central Branch National Home, made in 1887, which I desire to insert in the RECORD. It gives a brief history of the beer hall as connected with the Home and states the reason for establishing the same. It reads as follows:

CENTRAL BRANCH, NATIONAL HOME FOR DISABLED VOLUNTEER SOLDIERS.

[Extract from annual report, year ending June 30, 1887.]

DISCIPLINE.

Soon after the commencement of this last financial year (July 12) a beer hall was opened here in the Home for the benefit of its members.

As is well known to the Board, it was a matter that had been under discussion for years. In the Army, it has been the usage to sell beer, certainly for more than half a century, and for several years (I know not how many) at the other Branches of the National Home.

For some reason, I know not what, a terrible outcry was made through the press, through the mails, and by personal appeals to the governor, for the redress of this outrage upon the members of the Central Branch, and upon the interests of good order, good morals, and religion generally.

Possibly the fact that the governor had been known for more than fifty years as an active temperance man, both in military and civil life, may have had something to do with this onslaught upon him as a renegade. It is very true that the governor would gladly close every saloon in the land if it were in his power, but inasmuch as this Central Branch is hedged in on all sides by saloons, dives, and hells of the vilest character to entrap our men the moment they are outside of the gates, it seems wise to choose the least of two evils, either to furnish them with the best article of beer that can be purchased, in the home, at a cheap rate, and retain our men under our own control, or suffer them to go outside, get drunk on the vilest drinks of every kind, get robbed of their money, and kicked into the street, or secreted in the infamous dives that surround us until their money is exhausted, and they are turned out penniless.

The statistics and records of this Branch for the past year speak for themselves.

"The official report of Hon. Ira Crawford, mayor of Dayton, gives the number of arrests of our members from July 12, 1885, to July 1, 1886, as 486, while for the same length of time after the beer hall was opened (July 12, 1886, to July 1, 1887), as 274, a difference of 212."

The surgeon reports that the small number treated for alcoholism this year (14), as compared with 38 in 1886, and 35 in 1885, is, without doubt, in his opinion, to be credited to the less number of members who are given to protracted debauches and bad liquor, since the opening of the beer hall. Only such cases as can not with safety be treated out of hospital, are brought to hospital, for treatment after a spree, and those treated in camp, especially at the guardhouse, are not one-fifth as many this year as in former years.

That a large number of our men will drink to excess when they have the opportunity, is true, and notwithstanding the watchfulness of our employés at the beer hall, these shrewd old topers will manage to get tight; but on leaving the beer hall, if they show intoxication, they are at once sent up to the guardhouse, to remain until the next morning, without having had an opportunity to kick up a row in town, or on their way home, or along the avenues of the home.

Still another result: The beer we furnish is of the very best, and the man who gets intoxicated on it to-day, is fit to be turned out to-morrow morning at 8 o'clock, with a clear head and ready for duty, whereas a town drunk renders a man unfit for duty two, three, and four days.

Once more: The cry that less money would be sent by pensioners and employés to their families is disposed of by the showing of treasurer's report and that of the postmaster.

The discipline and good order of the Home have never been as good as now, within the last six or seven years at least, nor have the men been as contented.

I am happy to say, that candid men and women, of the most intense prohibition proclivities, who have been here at the Home and in Dayton making investigation, fairly, on the spot, have decided that, under the circumstances, it is best to leave the Home authorities to the exercise of their own judgment in this matter.

It is only theorists and fanatics, at a distance, who know nothing of the circumstances, who keep up the cry, "Down with the beer saloon at the Soldiers' Home." There are those who, for their own purposes, make statements to the effect that the men of the Home are induced to patronize the beer hall for the pecuniary benefit of somebody, presumably the Home authorities. It is true that the Home authorities, and all connected with the Home are benefited by the expenditure of money in the Home instead of outside, the profits accruing from the sale of beer within the Home going to the post fund, which, as seen by the treasurer's report, has been very largely increased, thereby enabling the council of administration, of which the governor is chairman, to greatly increase the band, to afford more frequent amusements and of a higher class, to replenish library, reading-room, etc., and in general terms, to expend a large sum of money during the last year with the sole object of giving pleasure, comfort, and enjoyment to the men, beyond what is provided for by Congressional appropriations.

It is not to be supposed that it is our object to make money, even for these purposes, at the expense of the health or morals of the men.

As we find it necessary, we place restrictions upon hundreds of our men, some being entirely debarred from the beer hall, and others being limited to one or two glasses, according to their physical, mental, or moral condition.

It is the opinion of every officer of this home, whether prohibitionist or otherwise, that under existing circumstances, the beer hall has reduced vice, crime, debauchery, sickness, and the waste of money that should go to the families of members, in a very marked degree.

Very respectfully,

M. R. PATRICK, *Governor.*

1887.		1886.	
Average present	4,284	Average present	4,249
Average present and absent	5,176	Average present and absent	5,167
Whole number cared for	6,022	Whole number cared for	6,020

Whatever differences of opinion may exist regarding the beer hall, it is clear that the Board acted advisedly and for what was believed to be for the best interests of the veterans in establishing and maintaining the same.

The SPEAKER *pro tempore*. The time of the gentleman from Kansas has expired.

Mr. BLACK of Illinois. I ask that the time of the gentleman from Kansas be extended until he can complete his remarks.

There was no objection.

Mr. BRODERICK. I desire to say a few more words. Most of the charges made against the government of the institution at Leavenworth were investigated and passed upon by the managers, and as shown by the remarks of the honored chairman of the Committee on Appropriations [Mr. SAYERS], as well as other members of that committee, made upon this floor during the discussion of March 20, the matter of the management of the Homes was investigated by that committee. At the close of the remarks of the gentleman from Illinois the gentleman from Massachusetts [Mr. COGSWELL], a member of the Committee on Appropriations, said:

"Will the gentleman from Illinois [Mr. BLACK] allow me in his time to say that the committee, after the most careful investigation, had no unkind criticisms to make of the administration of these Homes, and the Inspector-General, after a careful investigation, commended the administration as now carried on by the Board of Managers."

That the government of the Home has been efficient and the management commendable is not only evidenced by the well recognized business judgment and integrity of the managers, but by the judgment of the Inspector-General and the Committee on Appropriations. These proofs ought to be conclusive.

I have asked the indulgence of the House to present these facts because the management of the Home at Leavenworth has been unjustly criticised, and for the further reason that the retiring member of the Board of Managers, Mr. E. N. Morrill, is an honored citizen of my State and, during his service on that Board, has been a competent and conscientious official.

I have no objection to the resolution.

The joint resolution was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. BLACK of Illinois, a motion to reconsider the last vote was laid upon the table.

ORDER OF BUSINESS.

Mr. HATCH. Mr. Speaker, I demand the regular order.

The SPEAKER *pro tempore*. The regular order is the call of committees for reports.

The committees were called, when reports were severally referred as follows:

MINNEAPOLIS GASLIGHT COMPANY.

By Mr. FLETCHER: The bill (H. R. 7449) authorizing the Minneapolis Gas Light Company of Minneapolis, Minn., to lay submerged gas pipes across the Mississippi River at Minneapolis—to the House Calendar.

RIGHT OF WAY THROUGH CERTAIN INDIAN RESERVATIONS.

By Mr. ALLEN, from the Committee on Indian Affairs: The bill (S. 1694) granting to the St. Paul, Minneapolis and Manitoba Railway Company a right of way through the White Earth, Leech Lake, Chippewa, and Fond du Lac Indian Reservations in the State of Minnesota—to the Committee of the Whole House on the state of the Union.

The SPEAKER *pro tempore*. In the absence of objection the bill H. R. 6340, in lieu of which the Senate bill, the title of which has just been read, is reported, will be laid upon the table.

RIGHT OF WAY THROUGH LEECH LAKE RESERVATION.

By Mr. ALLEN: The bill (S. 2000) granting to the Brainerd and Northern Minnesota Railway Company a right of way through the Leech Lake Indian Reservation in the State of Minnesota—to the Committee of the Whole House on the state of the Union.

The bill H. R. 7167, of the same title, was ordered to lie upon the table.

CUSTOM-HOUSE, BALTIMORE, MD.

By Mr. McKAIG, from the Committee on Public Buildings and Grounds: A bill (H. R. 4164) to provide for the purchase of additional land in the square now occupied by the custom-house in the city of Baltimore, Md., and for the preparation of plans and specifications for a new custom-house building—to the Committee of the Whole House on the state of the Union.

PUBLIC BUILDING, EAST ST. LOUIS, ILL.

By Mr. BRETZ, from the Committee on Public Buildings and Grounds: A bill (H. R. 4835) for the erection of a public building in East St. Louis, Ill.—to the Committee of the Whole House on the state of the Union.

PUBLIC BUILDING, OAKLAND, CAL.

By Mr. SWEET, from the Committee on Public Buildings and Grounds: A bill (H. R. 6882) to provide for the purchase of a site, and the erection of a public building thereon, at Oakland, in the State of California—to the Committee of the Whole House on the state of the Union.

PUBLIC BUILDING, TOPEKA, KANS.

By Mr. ABBOTT, from the Committee on Public Buildings and Grounds, as a substitute for the bill H. R. 2350: A bill (H. R. 7512) for enlarging the public building at Topeka, Kans., and for other purposes—to the Committee of the Whole House on the state of the Union.

ORDER OF BUSINESS.

Mr. HATCH. I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of bills raising revenue, and pending that motion I ask unanimous consent of the House, as three-quarters of an hour have already been taken up, that the time limited for debate by the rule adopted yesterday may be so far modified that I may take the closing hour to-morrow morning immediately after the morning hour, so as to give an additional hour to gentlemen who desire to speak to-day. There are a large number on the list; and I want to say to the House that I would not make this request except for the reason that I have been very ill for two days. I ask it as a personal favor that I may have my hour reserved until to-morrow morning.

Mr. WILLIAM A. STONE. If I can be allowed an opportunity to offer an amendment to the bill I shall not object to this.

Mr. COX. I rise to a parliamentary inquiry.

The SPEAKER *pro tempore*. The gentleman from Tennessee rises to a parliamentary inquiry, which he will state.

Mr. COX. The question I desire to submit to the Chair is this: When the order was adopted, I understood that amendments were to be offered to the bill, and I desire to inquire if that is true, and if so, when will amendments be in order? When is the proper time to present amendments?

The SPEAKER *pro tempore*. The Chair would say to the gentleman from Tennessee [Mr. COX] that that question, if it arises at all, must arise in Committee of the Whole, when the attempt is made to offer an amendment, and the Chair would hesitate to pronounce an opinion upon it, because the opinion of the Speaker might not happen to be the opinion of the Chairman of the Committee of the Whole.

Mr. COX. That is quite true, Mr. Speaker; but the rule was adopted in the House, and it seems to be a question of construction of that rule, whether or not it includes the privilege of offering amendments.

The SPEAKER *pro tempore*. The Chair agrees with the gentleman from Tennessee that the question would involve the construction of a rule agreed upon in the House, but it so happens that the Chairman of the Committee of the Whole will be required to construe that rule, and the construction which the Speaker might place upon the rule might not be the same as that of the Chairman of the Committee of the Whole. Therefore, the present occupant of the Chair would hesitate to express an opinion, fearing that the opinion expressed by the Chair might be opposite to the opinion entertained by the Chairman of the Committee of the Whole, and that either the Chairman of the Committee of the Whole must then disagree with the Speaker or must find himself embarrassed by the opinion of the Speaker.

Mr. COX. Then the decision of the Chair at present is that it is a question which addresses itself to the Chairman of the Committee of the Whole?

The SPEAKER *pro tempore*. To the Chairman of the Committee of the Whole.

Mr. WILLIAM A. STONE. A parliamentary inquiry.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. WILLIAM A. STONE. The author of this bill, as I understand, is asking unanimous consent. My inquiry is, if he could not embrace in that request unanimous consent for permission to offer amendments to this bill?

The SPEAKER *pro tempore*. The Chair thinks that the House could give unanimous consent to that request.

Mr. WILLIAM A. STONE. Then I ask the author of the bill [Mr. HATCH] if he will not embrace in the request permission to offer amendments.

Mr. HATCH. I did not hear what the gentleman said. Gentlemen were interrupting me at the time.

Mr. WILLIAM A. STONE. I ask if the gentleman will not also embrace in his request for unanimous consent a request for permission for members to offer amendments to the bill who wish to do so?

Mr. HATCH. I can not do that, Mr. Speaker. I have simply made a request for my own personal comfort, and I think there ought to be no objection to it; but I will not purchase that by the disturbance of an agreement that has already been made. If any gentleman wants to object, I can not help that.

Mr. WILLIAM A. STONE. Will the gentleman yield to me while I ask unanimous consent to offer an amendment to the bill?

Mr. HATCH. I can not.

Mr. BYNUM. Under this rule there is no provision whatever by which members may offer amendments.

Mr. COX. The RECORD shows that there is none in the order.

Mr. WILLIAM A. STONE. I wish it understood that I have not objected to the request of the gentleman from Missouri.

Mr. BYNUM (continuing). Because general debate does not close until the adjournment to-night, and the vote is ordered to begin immediately after the morning hour to-morrow.

Mr. HATCH. And that was perfectly understood. I discussed it with gentlemen who were opposed to the bill. Nobody proposed to offer an amendment, and several gentlemen who oppose the bill do not desire to offer amendments. The only gentleman who mentioned an amendment was the gentleman from Illinois [Mr. ALDRICH] in his speech, in which he said he would propose to strike out the second section.

Mr. BYNUM. What serious objection is there to allowing amendments to be offered?

Mr. HATCH. If there is to be an objection to my request——

Mr. ALDRICH. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. ALDRICH. My point is that when the request was submitted by the chairman of the Committee on Agriculture yesterday morning he suggested, and I think the RECORD will bear me out, it was that the time for general debate close to-night, and that the vote be taken to-morrow immediately after the morning hour upon the bill itself and pending amendments if there were any offered.

The SPEAKER *pro tempore*. In response to the gentleman from Illinois the Chair would state that the request preferred by the gentleman from Missouri, and the request stated by the Chair, was that all debate should close to-morrow evening (that is, this evening) at the time of the adjournment of the House. Under this order it would be competent for the House to terminate the general debate before that time. If this should be done debate would then proceed according to the rules of the House under the five-minute rule until the adjournment to-day, and amendments could be offered and debated. But if general debate is not closed the Chair, while hesitating to express an opinion, feels that it can not possibly embarrass the chairman of the Committee of the Whole for the Speaker to say that so long as general debate is pending amendments are not in order.

Mr. ALDRICH. I would state that I serve notice——

Mr. HATCH. Mr. Speaker, I do not desire to longer delay the consideration of this bill, and I wish the Chair to submit the question if there be objection to my request, and if there is, let me make the motion that the House resolve itself into Committee of the Whole.

The SPEAKER *pro tempore*. The gentleman from Missouri moves that the House resolve itself into Committee of the Whole House on the state of the Union for the purpose of considering bills raising revenue; and pending that, the gentleman from Missouri asks unanimous consent that the order of the House made yesterday morning be so modified that instead of closing all debate upon the pending measure at the adjournment of the House to-day that the debate be closed in one hour after the morning hour to-morrow, that hour to be consumed by the gentleman from Missouri in closing the debate. Is there objection to the request?

Mr. BYNUM. Unless there is provision made for offering amendments I shall object.

The SPEAKER *pro tempore*. Objection is made. The question is on the motion of the gentleman from Missouri that the

House resolve itself into Committee of the Whole for the purpose of considering bills raising revenue.

The motion was agreed to.

LEAVE OF ABSENCE.

The SPEAKER *pro tempore*. Before the House resolves itself into Committee of the Whole the Chair will lay before the House the following requests for leave of absence:

By unanimous consent, leave of absence was granted:

To Mr. BLACK of Illinois, for ten days, from to-morrow.

To Mr. CURTIS of New York, indefinitely, on account of sickness.

ANTIOPTION BILL.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. LIVINGSTON in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union, for the consideration of bills raising revenue, and the Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H. R. 7007) to regulate the sale of certain agricultural products, defining "options" and "futures," and imposing taxes thereon and upon dealers therein.

Mr. CANNON of Illinois. I rise to a parliamentary inquiry.

Mr. WILLIAM A. STONE. I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman from Illinois will state his parliamentary inquiry.

Mr. CANNON of Illinois. I yield to the gentleman from Pennsylvania.

Mr. WILLIAM A. STONE. The first inquiry I make is, if amendments are in order to this bill; and secondly, when it will be in order to offer them. I desire to offer an amendment to the bill.

The CHAIRMAN. The Clerk will read the order.

The Clerk read as follows:

On motion of Mr. HATCH, by unanimous consent,

"*Ordered*, That all debate on House bill 7007 be closed at the adjournment of the House on to-morrow; that the said bill be then reported to the House, with the previous question ordered on the bill, including any amendments which may be pending, to its passage, the vote or votes thereon to be taken immediately after the morning hour on Friday next."

The CHAIRMAN. The difficulty seems to be that this order was made closing all debate this evening at 5 o'clock, the previous question to be considered as ordered not only upon the bill, but upon amendments. While there has been no special provision made for offering amendments, and while under the rule generally, perhaps, the Chair would be compelled to hold as indicated by the Speaker *pro tempore* before he vacated the Chair, that the House could not change the order, and the Committee of the Whole would have opportunity to act under the five-minute rule, the Chair will hold differently—that amendments are in order under this general order at any time, and have been at all times.

Mr. COX. I desire to offer an amendment.

Mr. WILLIAM A. STONE. Mr. Chairman, I have the floor, and I desire to offer an amendment which I have sent to the Clerk's desk.

Mr. RICHARDSON of Tennessee. I rise to a parliamentary inquiry.

Mr. GROSVENOR. I rise to a point of order, Mr. Chairman.

The CHAIRMAN. The Chair can not recognize any gentleman until order is restored. [A pause.] The gentleman from Tennessee [Mr. RICHARDSON] will state his parliamentary inquiry.

Mr. RICHARDSON of Tennessee. The parliamentary inquiry which I desire to submit is this: The Chair states that he will entertain amendments——

Mr. GROSVENOR. I rise to a point of order, Mr. Chairman.

The CHAIRMAN. The gentleman will state his point of order.

Mr. GROSVENOR. I had the floor when the committee rose yesterday, and I do not propose that any gentleman shall take the floor away from me.

The CHAIRMAN. The point of order is well taken. The gentleman from Ohio [Mr. GROSVENOR] is entitled to the floor for thirty minutes.

Mr. RICHARDSON of Tennessee. Mr. Chairman, the parliamentary inquiry I desire to make is this: Under the intimation which the Chair has just made that he will entertain amendments, I desire to ask the Chair when he will submit those amendments to the committee—when they will be voted upon? The Chair has just stated that he will entertain amendments in general debate.

The CHAIRMAN. No amendments have been introduced yet, and the order says that on to-morrow the amendments and the bill shall be voted upon.

Mr. SNODGRASS. But when is the Chair going to receive the amendments?

The CHAIRMAN. The amendments are not received now because of the fact that the gentleman from Ohio [Mr. GROSVENOR] is entitled to the floor for thirty minutes.

Mr. ALDRICH. A parliamentary inquiry, Mr. Chairman. I would like to know whether or not the amendments which I gave notice of, and which I have submitted to the Chair, will be recognized to-morrow morning after the morning hour. There are two of them, one to incorporate "flour" in the bill and the other to strike out "futures."

The CHAIRMAN. Whenever a gentleman gets the floor in his own right it will be in order for him to offer his amendment.

Mr. CANNON of Illinois. I rise to a parliamentary inquiry, Mr. Chairman. The order which has been referred to, ordering the previous question to-morrow and the vote in the House, can only operate upon such amendments as may be then pending, which would be an amendment to an amendment, a substitute and an amendment thereto (if the gentleman would accept them before he moved the previous question), unless the Committee of the Whole House should report back amendments to the House with certain recommendations.

Now, the difficulty I see in the way is this: While the Chair may admit amendments, unless some arrangement be made by which those amendments can be voted upon and adopted in the committee, they can not be voted on in the House. Now, I want to ask the Chair whether it would not be in order, when the gentleman from Ohio [Mr. GROSVENOR] shall have consumed his thirty minutes, for the Chair to recognize me, or some other member of the committee to move that all general debate on this bill be closed, and to take the sense of the committee upon that proposition? If it should be adopted, then the bill would be open to amendment and to five-minute debate, and we would get to some place this afternoon. Otherwise, we are not likely to do so.

The CHAIRMAN. That, perhaps, would be the most formal way to proceed, but there is another way to accomplish the same purpose.

Mr. HATCH. Before the Chair proceeds, let me call his attention to the fact that the rule adopted by the House can not be changed except by unanimous consent, and it is as plain as it can be that, under that rule, the Committee of the Whole can not entertain a motion to change the terms of the rule. It can only be changed by unanimous consent in the House.

Mr. CANNON of Illinois. Let me interrupt the gentleman just at that point, because it is material. This general order provides for debate during to-day. It does not say whether that debate shall be under the hour or under the five-minute rule, but it provides that we shall go into Committee of the Whole, and when we get into committee, after there has been one hour of general debate, it is in the power of the committee to close general debate and go on to discuss the bill under the five-minute rule, and that can be done under this rule.

Mr. SPRINGER. Mr. Chairman, I think this rule is perfectly consistent with the other rules of the House and should be construed in accordance with them. It prescribes a time when all debate on this bill shall be closed, which includes both general debate and five-minute debate. The debate is to close at the adjournment to-day. In the meantime it is perfectly competent for the House, if the committee should rise and we should go into the House, to close the general debate, and then to proceed to consider the bill under the five-minute rule.

Mr. CANNON of Illinois. Under the rule can not the Committee of the Whole close the debate?

Mr. SPRINGER. No. It is only the five-minute debate that can be closed by of order the committee. But if the committee should rise and we should go into the House, the House could close the general debate after a certain time or at any hour it might determine, and then amendments might be offered under the rule and five-minute debate be had on each amendment. If this order provided that general debate should be closed, then after that the bill would be open for five-minute debate, but the rule says "all debate," which includes both the general and the five-minute debate.

Mr. QUIGG. Mr. Chairman, is there anything before the committee? It seems to me that we are spending time, which ought to be devoted to debate, upon something that is not before the committee.

The CHAIRMAN. Whenever the regular order is demanded the gentleman from Ohio [Mr. GROSVENOR] will be entitled to the floor.

Mr. WILLIAM A. STONE. I demand the regular order, Mr. Chairman.

The CHAIRMAN. The regular order is demanded and the

gentleman from Ohio [Mr. GROSVENOR] is recognized for thirty minutes.

Mr. GROSVENOR. I yield three minutes of my time to the gentleman from Pennsylvania [Mr. WILLIAM A. STONE].

Mr. WILLIAM A. STONE. I offer the amendment which I send to the Clerk's desk. The gentleman from Ohio [Mr. GROSVENOR] yields to me three minutes.

The CHAIRMAN. Does the gentleman from Pennsylvania want this read for information?

Mr. WILLIAN A. STONE. No, sir; I offer it as an amendment under the ruling of the Chair.

The CHAIRMAN. Does the gentleman wish it read for information?

Mr. WILLIAM A. STONE. No; as an amendment to be pending.

The CHAIRMAN. The Chair has not decided to accept amendments until the gentleman from Ohio [Mr. GROSVENOR] is off the floor. He is on the floor for thirty minutes.

Mr. GROSVENOR. I have yielded three minutes of my time to the gentleman from Pennsylvania.

Mr. WILLIAM A. STONE. I have the floor for three minutes.

The CHAIRMAN. The amendment will be read in the time of the gentleman from Pennsylvania.

Mr. WILLIAM A. STONE. I desire it to be read in my time.

The Clerk read as follows:

At the end of line 13, page 20, add:

"*Provided*, That this act shall not apply to any contract or agreement for the future delivery of any of said articles where the time specified shall not exceed thirty days from the day of the contract; nor to any person, firm, or copartnership dealing in any of said articles who buy and sell the same for spot delivery, or to be delivered within thirty days from day of sale."

Mr. WILLIAM A. STONE. Now, I desire to know whether that amendment is pending to this bill?

The CHAIRMAN. Not yet.

Mr. WILLIAM A. STONE. Well, I offer it as an amendment to the bill.

The CHAIRMAN. The gentleman can not offer it yet.

Mr. WILLIAM A. STONE. When can I?

The CHAIRMAN. The Chair has said that when the gentleman from Ohio closes this question will be decided.

Mr. WILLIAM A. STONE. Then I ask three minutes at the end of the remarks of the gentleman from Ohio.

Mr. GROSVENOR. I agree to that.

Mr. WILLIAM A. STONE. Very well, I reserve my time. I have two minutes.

Mr. GROSVENOR. Mr. Chairman, I do not expect in the very brief time which I shall occupy to analyze the provisions of this bill. I do not share in the fear of danger to the liberties of the country which has been suggested by some of the opponents of the measure. This is, in my judgment, from a legal standpoint, simply a question of the right and power of Congress to tax the commerce of the country for the purpose of raising revenue. I do not hesitate to say that from that standpoint the proposition is a fraud. But we have established a reign of fraud, legal fraud, in this connection already in this country. The taxation of oleomargarine and the dealers in it—professedly as a matter of revenue raising—was the first, perhaps, and greatest development of this spirit of indirection by which Congress has been actuated so often in its dealings with the business of the country. If you can tax the dealer in a certain quality of butter, why can you not tax the dealer in futures and options?

Now, if I believed that the effect of this law would be that the producer of grain should not be permitted to contract for the future delivery of grain, I would not vote for this bill. If I believed that I might not contract for the future delivery of stock—ox, cattle, sheep—or of lumber, or any other commodity produced in this country, before the thing was fitted for the market and before I owned or had possession of that property, I would not vote for it. But I do not understand the provisions of this bill to have that effect, and therefore I am in favor of it for the reasons I am going to give.

I have no sympathy with the cry that is behind this bill. I have no sympathy for any man, be he a millionaire or a beggar, who having attained his wealth in Wall street or in the Bohemian oat business, or in any of the ramifications by which the farmers of this country have been defrauded by organizations in favor of thoroughbred stock of all the various kinds, by which one man has assumed and gathered together enormous wealth, to find himself giving tribute to God Almighty, and attempting to subsidize the Almighty from punishing him by now turning round and making a demagogical appeal in favor of the poor men of the country—whether it be that sort of a man or some other kind of a man, I have no sympathy for the man who raises upon this floor a cry intended and calculated, in the very nature of things, to widen the breach between classes of citizens of my country.

There is no greater enemy of the United States of America to-day than the man who attempts to breed discord and dissatisfaction among the various elements of our society. There is no man to-day so much responsible for the blood of the men who are falling under the hand of the murderous assassin as the man who, for the sake of personal aggrandizement, dares to stand up and appeal to the passions and the prejudices of men and attempt to array class against class. [Applause.]

It may be a very nice thing to be heralded throughout this country as the coming candidate of the Jacobinical clubs of the country. It may be a very nice thing to be held up as a possible candidate of the Coxeyites of this country. It may be a very nice thing to be docketed among the possibilities of the coming election as a candidate for the Presidency of the men who to-day are the enemies of this country and her Constitution. All that may be very fine for the individual engaged in it, but the man who does it holds in his hand a torch in deadly and fearful proximity to the fabric of this country's government that we depend on for our safety and protection.

Whence comes the incentive, the spirit, the purpose of these bodies of incendiaries? Whence do they draw the logic of their assaults upon free government? What is the signal waving upon the shores of the United States and calling the leading anarchists of Europe to come over to this country and take part in the disturbances now going on? It is the cry of the demagogue on the floor of Congress, in the halls of the Senate, upon the hustings of the country, who for his own purposes is seeking to array one class of individuals against another class of individuals.

I have no sympathy with them, and I undertake to say that when the time comes that agrarianism, or communism, or socialism shall sweep over this country, if ever, the question of the man who will be put to the torch or knife will be, "How much property has he?" It will not do him any good, after he has acquired enormous wealth by processes which he has been enabled to manipulate, to say, "Did not I appeal in behalf of the poor people of the country after I became rich and independent?"

Mr. Chairman, I do not support this bill from the standpoint of the cry which has been raised, that it is time at last that something should be done for the farmer of this country. I class the appeal that would array the farmers of the country against the business men of the country, that would array the miner of the country against the operator of the country, I class all such appeals as alike dangerous to the future of the country and alike unfortunate. I have as good a right to speak for an agricultural community as has the gentleman from South Carolina [Mr. TALBERT], who addressed the House on yesterday. My ancestors in this country coming from England as far back as 1660 odd, became proprietors in the hard soil of New England in farm lands in 1690, and from that day until 1838 they lived on and farmed the lands of New England, working out a living from the sterile and almost barren soil of old Windom County, and then removed to the State of Ohio when I was a mere child, my father settling on lands he had inherited from his grandfather, there being but a single title and that signed by George Washington himself.

My father with his wife and children settled on farming lands in the county of Athens, Ohio, and that land is held and farmed to-day by the same family. So for nearly three hundred years, or for more than two hundred years, I am a direct descendant, in a continuous line, of the farmers of this country, and all the property I own in this world other than the house in which I live is agricultural land which I myself operate. So there is from the standpoint of the farmer, I may be permitted to say, no necessity for this cry. Just on the eve of election we hear it, although we seldom or never hear it at any other time, but on such an occasion somebody bobs up in a legislative assembly and cries out, "Is it not about time that we were doing something for the farmer?"

I want to ask some intelligent man on this floor to answer me, in his own time, what is there that can be done by Congress for the benefit of the farmer that would not inure to the benefit of somebody else? By what line of argument can you safely here undertake to array the interest of the agricultural classes of the country against the interests of everybody else?

Mr. Chairman, agriculture in this country to-day is on a better footing than it was in former years. I am glad the time has come when the gentleman from South Carolina, who talks of my having been converted from a condition of "hardness of heart" and "blindness of mind," and all that sort of thing, over to the true gospel—I am glad to hear him talking about the interests of agriculture—and I am glad the time has come, although the gentleman and his associates did not have much to do with

its coming, that the agricultural interests of the entire country are now guarded and carried on by the men who own the lands or who pay the wages for carrying on the industry. I am glad that in that great Southern country agriculture is not the aristocratic procedure that it was before the war. I am glad that it has become respectable now for all men, and that it is respectable for an agricultural laborer to work on the plantation, although he does not stand the chance of being flogged with a whip on occasions when he does not do a full day's work.

Yes, there has been something done for the farmers in this country, and I propose before I get through to show just how it has been done. The first grand thing accomplished in behalf of agriculture was done when the Republican party, struggling into power against an adverse Democratic majority in both Houses up to that time, succeeded over the veto of one or more Democratic Presidents in passing the homestead laws, which gave to agriculture an opportunity to move West and occupy that enormous scope of magnificent country which was thus opened to it. The party to which the gentleman from South Carolina comes from or belongs to, the party with which he now associates, if he belongs to any known party on earth, voted almost solidly against that measure, which was the greatest step towards the enfranchisement and broadening of the agriculture of this country that was ever achieved by man.

From that day to this agriculture has been the child of Republican patriotism and Republican intelligence. From that day to this, and for thirty years gone by and upward, the Republican party has kept upon the agricultural productions of this country a tariff sufficient to give to the farmer of this country the home market of this country, and if there is any gentleman wants to know——

Mr. MOSES. Will my friend allow me?

Mr. GROSVENOR. I can not be interrupted; I have so short a time. Otherwise, I should be glad to be interrupted. If there is anybody anxious to know what ought to be done for the farmer I will tell him, and I will tell him what ought not to be done. If you want to know what affirmative acts should be done, let me tell you.

There is a limited market in the United States for the agricultural products of the country. We produce more than we have a market for already. If that be true—and no man can gainsay it—one thing to do for the farmer is to give him the market of this country, and do not open this enormous boundary line between us and Canada, to permit the Canadian productions of a cheaper quality of labor to come in and crowd into the markets of our country here. If you want to do something for agriculture, do something to aid the development of a greater variety of agricultural productions. If you want to do something for agriculture, continue upon the statute books a law under which the production of sugar in the United States increased 50 per cent in one year, and has almost doubled since the passage of the McKinley law. If you want to do something for agriculture, do not turn over the whole subject of sugar-raising in this country to the benefit of a great trust, organized in the city of New York, more corrupt, more wicked, more villainous than any trust that has ever cursed the United States in all its history. [Applause.] And directly, in a few days, when you are called upon to bow your subservient heads to the lash of the agents of that trust, do not do it, and you will have done something for the farmer of the United States of America. [Applause on the Republican side.] The farmer of this country does not expect, does not want, any cry of demagogy on this floor. What the farmer of this country wants is to be treated exactly as everybody else is treated.

Now, the gentleman from South Carolina [Mr. TALBERT] said something yesterday which startled me, and I want him at the proper time to answer a question. I think he said it in a moment of enthusiasm. I do not wonder that the gentleman becomes a little extravagant when he listens to the sound, to the music, to the eloquence of his own voice. The question which I wish him to answer is this: When was it, on the floor of the American Congress, amid the representatives of a great body of the best intelligence of this country—when was it that somebody denounced the farmers of the United States, as he charged yesterday? When was it that a member of Congress called the farmers of the United States "ignorant," and made fun of them and ridiculed the farmers of the United States? Who was the man? Where is it recorded?

Turn to the RECORD of Congress and let us know who he was and where he came from. Was it the predecessor of the gentleman from South Carolina, who said that the laboring people of the North were greasy mechanics? Is that what the gentleman refers to? Was it the man who called them "small-fisted farmers?" Is that the man referred to by the gentleman from South Carolina? Is he talking about Hammond, dead and gone to Heaven, I hope; or was it somebody else? I stand here with the honor of my country involved, to say that never since I have been a member of this Congress—and I have been here much longer than the gentleman from South Carolina—was there such a word used toward the farmers of this country.

Mr. GEAR. May I suggest to the gentleman from Ohio that in the formation of the so-called McKinley law the Farmers' Alliance and the National Grange sat in conference with the subcommittee and helped to frame the agricultural portion of that bill?

Mr. GROSVENOR. That is a fact.

Mr. GEAR. That should be known as a part of the history of that legislation.

Mr. GROSVENOR. I said that on every occasion the Republican party had dealt generously with agriculture, and I am now authorized by one of the gentlemen who framed the McKinley law, Governor JOHN H. GEAR, to say that a committee of the National Grange and a committee of the Farmers' Alliance sat in consultation with the Committee on Ways and Means and aided in the formation of the agricultural schedule of the McKinley bill, and confirmed and ratified their action. [Applause on the Republican side.]

Mr. GEAR. The National Grange was represented by a distinguished gentleman from Ohio, Col. John H. Brigham.

Mr. GROSVENOR. Col. John H. Brigham, the gigantic and intelligent farmer from Wauseon, whom I know very well. What is the contrast? A few days ago representatives of an agricultural interest, real farmers, not specimens like my friend from South Carolina and myself, who I fear farm the farmers more than we do the land [laughter], came to this Capitol to be heard. It is a matter of public record that they were not only refused a hearing by the gentlemen having their great interests in charge, but with insults they were ordered out of the room into which they had been shown in the Senate of the United States.

And I did not hear of the distinguished Representative from the Cleveland (Ohio) district [Mr. JOHNSON], who was so afraid that some Coxey or some Browne was being wronged, getting up in Congress and demanding an investigation as to why intelligent and respectable farmers from the State of New York were driven out of the Senate of the United States and out of the committee room and refused a hearing. So that I can tell you exactly how to do something for the farmer. Defeat Democratic legislation. [Loud applause on the Republican side.] That is the way to benefit the farmer.

Now, Mr. Chairman, there has gone forth in this country a cry that by reason of a commercial practice of buying and selling futures and options that the prices of grain have been seriously interfered with; and, in my judgment, to a very large extent that statement is true. I do not believe that in the course of a year any commodity is seriously affected, but I do believe that irregularities in the prices of agricultural products produce corners, and an opportunity is given for speculation, not by the speculators of Wall street, who are so constantly being abused in this House, but I believe the speculators all over the country do thereby get an opportunity to corner and affect the grain market.

But, Mr. Chairman, whether I am right in this or wrong, it is enough for me to know that so constantly has this cry gone out that the people of the United States believe that condition to exist; and, therefore, believing that no harm can come from the passage of this law, believing that no paralysis of business is likely to occur, for I have no sympathy with that cry; believing that business in this country will be done on a fair basis and in a fair manner regardless of any question of this sort; and inasmuch as the removal of this right, or, in other words, to put into the statute law what has ever been in my judgment the rule of the common law, I shall vote for this bill. I shall vote for it in the hope that the farmer of the country, the trader of the country, will be relieved of the impression that seems to have settled upon him that he is being oppressed by these dealers in "futures" and speculative sales of produce.

Mr. ALDRICH. Do I understand the gentleman to say that the operation of running corners on the produce market is to the injury of the farmer?

Mr. GROSVENOR. I say that is the impression abroad in the land; and inasmuch as that is the case, I am willing to vote for the bill, in the hope that it will remove that, not in the hope that it will bring about the millennium which our friends talk about, but because I am willing to make this experiment in the interest of relieving the public mind of the present prejudice which they have against these dealers in this sort of product.

Mr. ALDRICH. Then the gentleman does not believe that corners operate to the injury of the farmer?

Mr. GROSVENOR. I say that in the course of a year's time I think that things equalize themselves; but at times I do believe that corners do operate to the injury of the farmer when he has to sell at the time they are in operation.

Now, I yield the remainder of my time to the gentleman from Pennsylvania.

The CHAIRMAN. The gentleman has eight minutes of his time remaining.

Mr. WILLIAM A. STONE. Mr. Chairman, I presented an amendment which has been read. I did not understand that the Chair has yet indicated that amendment to be pending to the pending bill.

The CHAIRMAN. The Chair has not.

Mr. WILLIAM A. STONE. I desire to have that question settled before I continue my remarks upon the amendment. If the amendment is not to have any application, then certainly I do not want to take up the time of the House in discussing an amendment that can not be pending.

The CHAIRMAN. The gentleman from Missouri will please give the Chair his attention for a moment. The general order adopted by the House is in this language:

That all debate upon the pending bill and amendments thereto, if any, shall be considered closed at the adjournment to-morrow evening—

That is, this evening—

the bill and any pending amendments to be reported to the House, the previous question to be considered as ordered upon the bill and all pending amendments thereto to final passage, and the vote to be taken immediately after the morning hour on Friday morning.

The general order contemplated the offering of amendments. Members upon the floor and friends of the bill expected an opportunity to offer amendments, and the general understanding on the floor of the House for the last two days has been that there would a time come before the closing of this debate, and before the operation of the previous question, when amendments could be offered. The Chair is of the opinion now that the only way, and perhaps the better way, at least an orderly way, to do business would be to have the committee rise and let the House restrict debate, closing general debate, and let the remainder of the debate be under the five-minute rule and under Rule XXIII. After general debate is closed, then amendments will be in order. The Chair thinks that is the better way out of it; and the matter is in the hands of the committee, which can do as it pleases.

Mr. WILLIAM A. STONE. Do I understand the Chair——

The CHAIRMAN. Unless the Committee of the Whole takes that course, the Chair will not entertain amendments for the present.

Mr. FLETCHER. I move that the committee rise.

Mr. WILLIAM A. STONE. I have the floor. I would like to know——

The CHAIRMAN. The gentleman from Pennsylvania has the floor for eight minutes.

Mr. WILLIAM A. STONE. Is this to be taken out of my time?

The CHAIRMAN. Not at all.

Mr. WILLIAM A. STONE. I move that the committee rise, Mr. Chairman.

The motion was agreed to.

The committee accordingly rose; and Mr. DOCKERY having taken the chair as Speaker *pro tempore*, Mr. LIVINGSTON, from the Committee of the Whole, reported that they had had under consideration a bill (H. R. 7007) and had come to no resolution thereon.

Mr. HATCH. Mr. Speaker, it has been suggested by quite a number of gentlemen on the floor that they have amendments which they regard as germane and proper to certain sections of this bill, and which they desire to present to the Committee of the Whole or to the House, and I have told gentlemen having such amendments that I would ask consent to-morrow, before taking the vote, that those amendments should be voted upon. I want to keep faith with the gentlemen whose names are on the list of the Chairman of the Committee of the Whole and who expect to debate this bill. It has been my purpose all the time, if no opportunity arose after the close of general debate, that such of these amendments as were germane and pertinent to the bill should be tested by a vote in the House. I told the gentleman from Tennessee [Mr. COX] that on yesterday, and I intend to make that request, and I am sure it will be agreed to.

Mr. MCMILLIN. I would suggest to the gentleman from Missouri that the course he proposes leaves his proposition subject to be defeated by the dissent of any one of the three hundred and odd members here. I submit to him that he can accomplish the same result by moving to reconsider the order that was made on yesterday fixing the limit of debate, and adding to it a proposition to devote a certain time, beginning now or at any hour he may indicate, to debate under the five-minute rule.

Mr. HATCH. Mr. Speaker, I was simply stating what my own position had been; and then I was going on to say that, in deference to the wishes of so many gentlemen who have expressed a desire to offer amendments, I will now ask consent that immediately after the morning hour to-morrow one hour shall be devoted to offering amendments under the five-minute rule in the House——

Mr. COX. Make it two hours.

Mr. HATCH. I am doing the very best I can, and some gentlemen have told me that if I propose any longer time objection would be made in the interest of other measures that are to come before the House. I am trying to be just as liberal as possible. In one hour every proper amendment can be offered under the five-minute rule, even if it can not be fully debated. I wish to have the remainder of this day devoted to debate by gentlemen who have expected to address the committee, and I now ask unanimous consent that the first hour to-morrow, after the morning hour, shall be devoted to offering amendments to the bill under the five-minute rule, that I may have my hour to close the debate, and that then the vote may be taken.

Mr. COX. I suggest that the gentleman ask that in offering amendments under the five-minute rule it shall not be necessary to read the bill in detail.

Mr. HATCH. I will accept that suggestion, that amendments may be offered to any section of the bill and voted upon in the order in which they are presented, so that the time will not all be consumed upon any one section of the bill.

Mr. WARNER. If the gentleman will permit a suggestion, would it not be equally agreeable to him to provide that general debate close with the session of to-day and that amendments under the five-minute rule shall be then in order?

Mr. HATCH. For one hour; that is just what I have stated.

Mr. WARNER. But I suggest that the request be made without the limitation. The House can make the limitation to-morrow as well as to-day. Several gentlemen desire to offer amendments, and they have a right to present them and certainly to discuss them for five minutes.

Mr. HATCH. They do not have to be voted upon in the hour?

Mr. WARNER. No; but they have to be discussed in the hour.

Mr. MCMILLIN. And only two amendments can be pending at one time.

Mr. HATCH. That is not so under this order.

Mr. MCMILLIN. Not if you make the exception, but you will have to include that in the exception, because the rules themselves prohibit the pendency of more than two amendments at a time.

Mr. BOATNER. I understood that the request of the gentleman from Missouri was that the amendments should be considered as pending and that they should be voted on in the order in which they were offered.

Mr. WARNER. That would cut off the possibility of discussing the amendments. I have no amendments that I wish to present or to discuss, but I do want to hear discussion on some amendment that may be presented in order that I may vote intelligently. Now, I shall not object to a proposition to change the order so that general debate shall close with this day's session and that the bill shall then be considered under the five-minute rule. In that case I shall offer no objection if the House chooses to dispense with the reading of the bill, or to make any other order in that regard; but I do object to a proposition that will cut off the presentation and explanation of amendments under the five-minute rule, or limit it to one hour.

The SPEAKER *pro tempore*. The Chair is indulging this as a matter of unanimous consent. There is nothing before the House.

Mr. HATCH. Except the statement that I would ask unanimous consent. Now, Mr. Speaker, the rule which was adopted was perfectly understood by the House; and it received the unanimous consent of the House. It was the desire of nearly every gentleman on the floor to fix a reasonable time within which debate should be closed and a vote taken on the bill. I am now going to the farthest limit of what I feel to be right and fair to other measures——

Mr. COX. There will not be a single objection if two hours be allowed.

Mr. HATCH. Well, I will compromise on that, and say two hours for amendments under the five-minute rule.

Mr. WARNER. With the understanding that as many as are offered can be pending at once.

Mr. HATCH. Do not let us have so many understandings in this matter. Two hours under the five-minute rule for the offering of amendments, and coupled with that the understanding that I shall have my hour to close the debate at the expiration of those two hours.

Mr. BURROWS. And that the consideration of the bill for those two hours under the five-minute rule shall be in the Committee of the Whole?

Mr. WARNER. And with the understanding that any number of amendments may be pending at once.

Mr. HATCH. No; not in Committee of the Whole. I would not violate the rules of the House in that way.

The SPEAKER *pro tempore*. The gentleman from Missouri

asks unanimous consent that the order heretofore made by the House closing all debate on this bill this evening at the adjournment of the House, be so far modified that to-morrow, instead of taking the vote immediately after the morning hour, the bill shall be considered in Committee of the Whole for two hours under the five-minute rule, and that the gentleman from Missouri shall then have one hour to conclude his discussion of the measure.

Mr. HATCH. In the House.

The SPEAKER *pro tempore*. In the House. Is there objection to that?

Mr. CANNON of Illinois. I would ask the gentleman whether he would not be willing to have the bill considered in the House as in Committee of the Whole under the five-minute rule, so that we can make some headway with amendments——

Mr. HATCH. I have no objection to that; that was what I proposed to ask in the first place.

Mr. CANNON of Illinois. And then let the previous question operate——

Mr. HATCH. The previous question will operate under the order already adopted.

Mr. CANNON of Illinois. On all amendments pending that are germane.

Mr. MCMILLIN. I will suggest to the gentleman from Illinois [Mr. CANNON] that one of the troubles which might arise from that arrangement would be that four votes by yeas and nays in the House while considering the bill as in Committee of the Whole, would consume the whole time.

Mr. HATCH. I hope the gentleman from Illinois will not insist on his proposition.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from Missouri?

Mr. BYNUM. I think it would be well for the gentleman from Missouri to stipulate that there shall be but ten minutes' debate on each amendment.

Several MEMBERS. That is right.

Mr. HATCH. Under the rule there can only be two five-minute speeches on each amendment.

Mr. BYNUM. I know, but——

Mr. HATCH. I will do my best to have the rule enforced.

The SPEAKER *pro tempore*. The Chair hears no objection; and it is so ordered. The gentleman from Missouri now moves that the House resolve into Committee of the Whole for the further consideration of revenue measures.

The motion was agreed to; and the House accordingly resolved itself into Committee of the Whole (Mr. LIVINGSTON in the chair), and resumed the consideration of the bill (H. R. 7007) regulating the sale of certain agricultural products, defining "options" and "futures," and imposing taxes thereon and upon dealers therein.

The CHAIRMAN. The gentleman from Pennsylvania (Mr STONE) has eight minutes remaining.

Mr. WILLIAM A. STONE. As I understand the order as now amended, it would not be proper for me to offer an amendment until to-morrow.

The CHAIRMAN. Amendments will be in order to-morrow as soon as the House goes into Committee of the Whole.

Mr. WILLIAM A. STONE. Then I desire to reserve my time and will withdraw the amendment I offered.

The CHAIRMAN. The gentleman from New York [Mr. COVERT] is now entitled to the floor for thirty minutes. The Chair suggests that there are about sixteen or eighteen gentlemen who want to speak on this question. The Chair has no right or disposition to dictate the time that any member shall occupy; but he would be glad if members could reach some agreement among themselves so that speeches should be limited to about twenty minutes each.

Mr. COVERT. Do I understand that the limit now operating is twenty minutes?

Mr. COBB of Missouri. I suggest that we make the limit to-day half an hour. I think most of the gentlemen will be able to get through in that time.

The CHAIRMAN. If there be no objection, the Chair will so hold. The gentleman from New York [Mr. COVERT] is recognized for thirty minutes.

MESSAGE FROM THE PRESIDENT.

The committee informally rose; and Mr. BAILEY having taken the chair as Speaker *pro tempore*, a message from the President, by Mr. PRUDEN, one of his secretaries, informed the House that the President had approved and signed bills and joint resolutions of the following titles:

On June 8, 1894:

An act (H. R. 82) to authorize the Missouri River Power Company of Montana to construct a dam across the Missouri River.

On June 14, 1894:

An act (H. R. 3715) granting to the village of Dearborn certain land for village purposes.

On June 19, 1894:

An act (H. R. 7458) making appropriations to supply a deficiency in the appropriation for public printing and binding for the fiscal year 1894, and for other purposes;

An act (H. R. 6126) to amend an act to authorize construction of a bridge at Burlington, Iowa, approved August 6, 1888, and amended by act approved February 21, 1890; and

An act (H. R. 6576) to provide for the closing of part of an alley in square 622, in the city of Washington, D. C., and for the relief of the president and directors of Gonzaga College.

On June 20, 1894:

An act (H. R. 2710) for the relief of the heirs of Edward Morrison and Nellie Morrison, now deceased;

An act (H. R. 5778) to supply a deficiency in the grant of public lands to the State of Mississippi for the use of the State University; and

An act (H. R. 1127) for the relief of Francis M. Tomlin.

ANTIOPTION BILL.

The committee again resumed its session, Mr. LIVINGSTON in the chair.

Mr. COVERT. Mr. Chairman, I can not resist the conclusion that the title of the pending measure is a misnomer. I submit that it should be "A bill to amend the Unabridged Dictionary, to restrain trade, and to restrict the rights of the American citizen."

The strictly "educational" feature of the bill seeks to instruct the House and the country as to the real meaning of the terms "options" and "futures;" it relegates us to the dictionaries for the significance of the words "contango" and "backwardation," but it is significantly silent as to the ordinary or legal meaning to be attached to the term "ringing out."

Lexicographers had, before the introduction of the pending measure, told us the full significance of all the other singular and unique terms employed in this bill; and there would seem to be no absolute and urgent necessity that they should be redefined in the measure now presented to us. While this has been done with great care by the author of the pending measure, absolute silence has been observed regarding the term "ringing out." Ponderous dictionaries have been asked to open their leathern lips for information in this regard, but the appeal has been made in vain. No definition of the term can be found in their musty pages, and the pending bill is equally silent in this particular. The anxious citizen of Hannibal, Mo., and the wondering resident of Iola, Kans., are alike left in Egyptian darkness as to the significance to be attached to the mystic term "ringing out," as it occurs in the several sections of the bill under consideration.

But the benighted denizens of the localities mentioned will, I venture to affirm, in the event of the final passage of this measure, realize sooner or later that the real meaning of this last-mentioned term in its true connection, is the beginning, perhaps, of the end—the "ringing out" of the reserved rights of the States and the reserved rights of individual citizens as secured to them by the Constitution of our fathers.

While it is difficult for me, sir, to discuss this matter in any serious spirit, yet I can discuss it from an entirely impartial and disinterested standpoint. There is not a single stock or produce exchange in the whole length and breadth of the district I have the honor to represent, nor do I know of the existence in it of one single, solitary person who is engaged in the business of buying or selling options. But, sir, I represent a broad, Democratic constituency, whose claim and whose plea is presented to-day at the bar of this House, that no such narrow and un-Democratic measure as this—a measure seeking to chain up trade and to fetter commerce—shall find its place upon the statute books of this land.

Any man who has known my esteemed friend from Missouri [Mr. HATCH] as long as I have known him, will be slow to accuse him of any lack of frankness, and he has been entirely frank and outspoken in his opening speech made in behalf of the pending proposition. He has told us in so many words that this bill is to some extent a new departure in revenue legislation. He has told us that he does not believe the taxing power should ever be used except for the primary purpose of raising revenue. "Raising revenue," Mr. Chairman, is not the object and not the intent or the purpose of this bill. Its object is not even thinly disguised, either in the title or in the text of the measure itself now under consideration. We have done what we could to raise revenue in the passage of a tariff bill, imperfect as that measure may have been.

If this bill were really a revenue measure, why was it not offered and inserted as a part of the internal-revenue feature of

the Wilson bill when that measure was on its passage through this House? There is scarcely a pretense anywhere on the part of any of the advocates of this bill that its purpose and object are the raising of necessary revenues for the support of the Government. Such being the case, what is its purpose? I submit that its object is apparent on the surface, and that "he who runs may read." What is the object of the bill? My esteemed friend from Missouri says that if the courts are called upon to pass on the constitutionality of this measure they will not stop to inquire into the motives of legislators in the adoption of such provisions as are embodied in this bill.

Why, Mr. Chairman, there is no dictum of the courts better established than this: That the courts will seek, and seek earnestly, in discovering the purpose and object of a measure under discussion before them, the probable and reasonable consequences and effects of the measure under consideration. Mr. Chief Justice Marshall, certainly an undoubted authority, says this in regard to a similar proposition:

> It is of the first importance that the end which Congress has in view in enacting any law must be one for which the power was bestowed.

He says further:

> Let the end be legitimate, let it be within the scope of the Constitution, and all means which are proper, which are plainly adapted to that end, and which are not prohibited, but consistent with the spirit of the Constitution, are constitutional.

"Let the end be legitimate," says Chief Justice Marshall, laying that down as the primal requisite in this attempt to discover the object of any proposed legislation or of established legislation. What is the object of this measure now under discussion? If it be anything it is not only to restrict, but by vicious processes to absolutely prohibit a trade established by long custom, and which is and for years has been recognized by the laws of many of the sovereign States of this Union.

And further, on this constitutional point, I quote from Mr. Justice Miller in rendering the opinion of the court in the case of Morgan against Louisiana, 118 United States Reports, page 462:

> In all cases of this kind it has been repeatedly held that when the question was raised whether the State statute was a just exercise of State power or is intended as a roundabout means of invading the domain of Federal authority this court will look to the operation and effect of the act to discover its purpose.

If this bill now before the House is anything, it is a roundabout and unjustifiable effort to accomplish a result which under the Constitution could not be reached by direct means; and I, for one, can not avoid the conclusion that it was with this knowledge and with this purpose that this bill was framed by its supporters, and in this spirit the passage of the measure is being urged through the House.

Now, Mr. Chairman, upon the remote supposition that this bill should be enacted into law; upon the remote supposition that it should receive Executive approval and be brought to the Supreme Court of the United States for a determination upon the question of its constitutionalty, and assuming that the court, looking into the object and purpose of this act, should say, "We are satisfied that the primary purpose of the bill was not to raise revenue; but we sustain it upon the theory that the trade of buying and selling options has been declared by Congress to have a tendency to keep down prices, and is therefore an obstruction to commerce; we sustain it under the power given to Congress by the Federal Constitution to enact laws for the regulation of commerce."

Upon the remote assumption that all these things may occur, and that that might be the solemn judgment of that august tribunal, the Supreme Court of the United States, I beg to submit that the duty devolving upon us now is all the more onerous, all the more difficult, all the more delicate; because in that event we are sitting here not only as representatives in Congress but we are here in the capacity of sworn jurors, to pass, by our verdict, upon a stated question of fact. Each man is upon his oath in this matter, not alone as a member of Congress but as a juror, to try a disputed question of fact which has been presented to us through the medium of this bill.

Is it true—has it been proven, Mr. Chairman, by anything like a preponderance of testimony, that this business of buying and selling options lessens the prices of the products covered by this bill? Is the testimony sufficient to convince us as jurors, upon our oaths, that this practice of buying and selling options and futures is an interruption of or any unjust or improper interference with the interstate commerce of this country? I, for one, fail to be convinced by the proof that has been adduced before us. Have all my fellow-jurors heard or even read the testimony in this regard as adduced before the committee? Have you whom I address analyzed that testimony and separated the small grain of fact testified to from the mere opinions furnished by witnesses who have been summoned before that committee?

Mr. COBB of Missouri. That testimony has not been published.

Mr. COVERT. As is suggested by my friend from Missouri, this testimony has not even been presented to this jury, who upon their oaths are to determine this question of fact. And yet upon this lack of testimony we are called upon to declare on oath that this business is a detriment to the agricultural interests of the country, and therefore an unjust and improper interference with our interstate commerce.

In the absence of specific proof in this regard, I submit, sir, that it may be well for us to consider what may be regarded as fixed laws and established principles.

To my own mind this plain business rule seems certain and unalterable: That active trading in any article, I care not what it is, enhances rather than decreases the price of the article; that when restrictions are imposed upon trade, the risk to the purchaser will be greater and the profit to the producer will be decreased. Witnesses may be examined before committees, and committees may adopt more opinions as having the force of established facts, but this plain, absolute law of business can not, I submit, be modified or altered.

This system of dealing is one of the results of the growth of the country, and has become a necessary and important part of the business methods of our day and generation.

To fetter it with the restrictions sought to be imposed here, restrictions which amount to absolute prohibition, would in my judgment result in infinite wrong to producers and purchasers alike, and would strike a deadly blow at our interstate commercial interests.

But, sir, I must go on rapidly, because by a usurpation of authority, if I may so call it, to which I have in no sense agreed, my time has been limited.

I must pass on to the consideration of other features of the measure.

My friend from Missouri [Mr. HATCH] in opening the discussion on this bill, said that there were only a half dozen sections that this House needed to consider, because an inspection of those half dozen sections would reveal the whole spirit and scope of the bill, and that the other sections were merely added to carry the primary provisions of the measure into operation and effect.

Mr. Chairman, I invite the consideration of the members of this committee to these other sections of this bill. To my mind, sir, they are more important than any of the others, because these sections thus glossed over are the penal provisions of this measure. They provide the means and machinery by and through which any disobedience of this law may be met and punished by the courts of the land.

I shall not stop in this connection to criticise some of the intermediate sections of the measure, sections infinitely worse, in my humble judgment, than any provision of the income-tax feature of the tariff bill, no matter how vexatious or inquisitorial that act may be.

I refer to the sections requiring a special application and license fee, and the giving of a bond as prerequisites for engaging in this business; the affixing of revenue stamps at every stage of the most trivial transaction in the course of ordinary trade; the making of an entry in the books of the dealer, of the most trifling incident or transaction; the making of reports to the collector of internal revenue; the supervision by the collector and his underlings over the private books and papers of the citizen, and the inspection of those private books and papers at the office of the internal-revenue collector; and their subjection to the examination of any inquisitive person, whoever he may be. I denounce these provisions of this bill as undemocratic, Mr. Chairman. I denounce them as infamous in this age and in this land. I deplore the fact that a bill loaded down with iniquities like these could emanate from a Democratic source, under a Democratic Administration, in this year of grace 1894. I stand with liberty-loving citizens everywhere when I regret that a measure such as this should have even decent consideration in the halls of legislation in free America.

But as to the penalty clauses of this bill, Mr. Chairman. There is to-day pending in this House a measure introduced by my esteemed colleague [Mr. CUMMINGS], looking to the protection of native authors of dramatic compositions. Our native dramatic authors have added luster to our civilization by the production of some of the most finished and admired plays known to the stage of the civilized world.

They have vainly sought under the copyright law as it stands on the statute book for any adequate protection to their literary property. They have found by sad experience that the law as it stands is entirely inadequate to afford them relief. Their plays are pirated, and the pirates laugh at court injunctions and successfully evade the service of judicial papers forbidding their larcenous acts.

The offenders can not be punished through any method of civil procedure. They are irresponsible: they have no fixed

habitat; they can not respond in money damages which may be obtained against them in a suit at law. These authors have come to the doors of this Congress asking that the work of their brains, literary property which in its own right ought to be hedged in and surrounded by all the provisions that can be made to guard and protect it, shall be shielded from bald and open larceny. They have asked us to make the unlawful piracy of their plays a misdemeanor, subjecting the offender to the possibility at the utmost, of one year's imprisonment or the payment of a moderate fine. What they ask, I submit, is only reasonable and proper. It is absolutely necessary for the protection of their property; it is but a measure of simple justice.

Mr. Chairman, that bill has been fought; it has been resisted, and will be fought to the end, upon the expressed declaration of its opponents that they do not want to add to the catalogue of crimes; they do not want to establish a new criminal offense; they do not want to have any addition made to the penal powers of the Federal courts. Think of it! Owners of literary property denied the protection that is accorded to the owner of a woodpile or the possessor of a yellow dog, for the reason that the list of offenses under the Federal law must not be increased! I ask the attention of these gentlemen who have opposed the American dramatists' copyright bill, I ask the attention of this House, to the penalties imposed by a section of the pending measure, which my friend from Missouri has intimated need not necessarily occupy the consideration of this body.

Mr. Chairman, for the slightest misdirection, for the slightest inadvertence on the part of a dealer in futures or options, for a single omission to make one single trifling entry pertaining to a trivial business transaction in his books, a man may be arrested and taken before the court, tried, convicted, and sentenced to a term of imprisonment not exceeding two years or to a fine not exceeding $2,000, or both such fine and imprisonment. Surely the punishment more than fits the crime. What do you say to this, opponents of the measure seeking to afford some means of protection to the brain workers of this land? Shall you let the piracy of literary property go unpunished, and yet condemn the defendants in proceedings under this bill in advance? For what defense has the business man here? None that I can see. Suppose he shall stand before his accuser and shall say: "I am guilty of no crime. I have not unjustly or in any way obstructed commerce; I have rather added to it by the conduct of my business; and I ask to prove that fact by witnesses. My proof is here, and I offer to present it." The court will say, "No; we can not receive your proof. A jury made up of the Federal Congress has already tried your case and has already found you guilty." And we are the jurors to-day. We are asked to convict this man in advance upon the flimsy, upon the absolute lack of proof which has been presented in support of this bill. I, as one of these jurors, will not join in this verdict of conviction. There is no sufficient evidence to warrant or sustain so vicious a verdict, so unjust a judgment.

Now, Mr. Chairman, in conclusion I ask the members of this committee and of this House to rise above mere local clamor. I ask them to vote upon this matter and to determine it, not only as legislators, but as sworn jurors. I ask them not by any act of theirs, in this century, in this age of civilization, to tear down, to cripple, or to jeopardize the commercial prosperity of this land. I ask them to join with us in what we are seeking to do to-day. This is no time for dangerous experiment in any other direction. Let us give vitality rather than weakness. Let us build up rather than destroy. Let us take no backward step so far as the commercial interests of this country are concerned. Above all and beyond all, let us have no "ringing out" of the reserved rights of the States or of the individual citizen, as pledged to us and provided for us under the Federal Constitution. [Loud applause.]

[Mr. STOCKDALE withholds his remarks for revision. See Appendix.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. STOCKDALE. How does that rule apply to me when it does not apply to anybody else?

The CHAIRMAN. By unanimous consent, after the House went into Committee of the Whole, speakers were limited to thirty minutes.

Mr. STOCKDALE. I did not hear that unanimous consent. It was not unanimous.

Mr. COBB of Missouri. I have just seen the chairman of the Committee on Agriculture, and he said that was his understanding.

Mr. STOCKDALE. I should like to see the Reporter's notes on that.

The CHAIRMAN. The statement was made that there were sixteen gentlemen on the list to speak, and I asked if there could not be an agreement made by which the time could be limited to twenty minutes. Some gentleman on the floor moved to limit the time to thirty minutes, and by unanimous consent it was so ordered.

Mr. COBB of Missouri. I made that motion.

Mr. STOCKDALE. I was asked by the present chairman, at the instance of the chairman of the Committee on Agriculture, for his convenience, to change with the gentleman from Ohio [Mr. GROSVENOR]. I did so to accommodate the situation, and this is the result.

Mr. WAUGH. Under the circumstances, I ask that the gentleman from Mississippi [Mr. STOCKDALE] be allowed twenty minutes more. He did not understand the proposition, or there would have been objection.

The CHAIRMAN. The gentleman from Indiana asks that the gentleman from Mississippi [Mr. STOCKDALE] have twenty minutes more. Is there objection?

Mr. FLETCHER. I object.

The CHAIRMAN. Objection is made.

Mr. STOCKDALE. Who makes the objection?

The CHAIRMAN. The gentleman from Minnesota [Mr. FLETCHER].

Mr. STOCKDALE. Since my friend is so patriotic, I will ask permission to extend my remarks.

The CHAIRMAN. Without objection, the gentleman from Mississippi will be allowed to extend his remarks in the RECORD. The Chair hears no objection.

Mr. BARTLETT. Mr. Chairman, on Monday last I listened with a great deal of interest to the speech of the father and author of this antifuture or antioption bill, and since that day I have read very carefully his remarks as printed in the RECORD; but I am sorry to say that I have been unable to find in his speech any statement of fact or any logical argument going to show that the system of dealing in contracts for future delivery or for forward delivery in reality tends to depreciate prices to the producer. We have simply the assertion of the gentleman from Missouri that the dealing in these enormous masses of pretended commodities tends to depreciate and does depreciate prices to the planter and to the farmer. But we have no facts whatever given to show that such is the case. We have merely the gentleman's assertion. I trust that in his closing argument he will be able to give us some facts and some logical arguments based on those facts.

It seems to me it is a new proposition to be advanced by a Democrat, or by any part of the Democratic party, that it is for the interest of the Democracy that the cost of commodities, that the cost of living should be enhanced to the consumer. I have heard it said repeatedly by the leaders of my party, that we must regard the consumer, that we have nothing to do with the manufacturer or with the producer, but that the consumer is the great person to be cared for in all our legislation. That is advanced as one of the tenets of my party, and yet we have this measure proposed by a leading Democrat, avowedly designed for the protection of two classes in the community, the planter and the farmer. We have a measure proposed, the alleged purpose of which is to enhance the cost of bread to every person in the United States, to every man, woman, and child; to advance the cost of cotton shirts, to enhance the price of every glass of beer and every pound of pork. We have a measure designed to tax, for the benefit of the producer only and against the interests of 60 per cent of the population of the United States, according to their own estimate. Is that Democracy? Is that consistent with any principle of any Democratic platform?

I do not intend to weary you, gentlemen, in the limited time which is assigned to me, with estimates of the wheat acreage in the United States, or in the Argentine Republic, or in India, or with calculations as to the cotton crop and its variations in different years. But before proceeding to discuss the law question, the great question of the constitutionality of this measure, I shall allude to three or four facts which I think are undoubtedly susceptible of proof, and which I think have been proven to the satisfaction of every intelligent man.

I have read with great care the testimony taken in 1892 in regard to other antioption and antifuture measures, the testimony taken in the Senate by the subcommittee of the Committee on the Judiciary, also the testimony which was taken before the Committee on Agriculture of this House; and I say that this testimony, and the evidence then adduced, and other familiar facts which we have for our guidance, show three or four salient facts. One is that this system of dealing in futures, of dealing in articles for forward delivery or future delivery, this system of short selling, instead of tending to lower prices actually tends to enhance prices. Where a man sells an article to be delivered at a future time, and he is not in possession of the article contracted to be sold, necessarily, when the time of delivery comes, he will have to become a buyer of the article; and that fact

tends to enhance the price of the commodity, be it wheat, cotton, rye, corn, or any other article.

Another fact is this, and it is shown by the records, that since the adoption of this system of selling for future or forward delivery, the fluctuation in price is much less than in the antifuture period. Take thirty-five years before the adoption of that system in New Orleans and New York, and there was an average fluctuation of 4.16 cents; whereas the average fluctuation since, as shown by the records of the cotton exchanges at New Orleans and at New York, is only 1.28 cents. Now, it is a familiar fact that the stability of value and the absence of fluctuation is for the best interests of the producer and of everyone throughout the country. Another fact which has been shown by the evidence is that the cost to the producer is lessened by this system of sales for future delivery. Middlemen are enabled to do their work for a very small charge, a fractional charge, say half of 1 per cent, far less than that which obtained in former times, when it was something like 5 per cent.

What is the grand truth? It is this, that you can not legislate in any way to control the law of supply and demand. The price corresponds to the supply. That is an undoubted axiom and undoubted truth. I cite Mr. David A. Wells, the great student and political economist, on that point. Mr. Wells, after drawing attention to the fact that this phenomenal decline in the price of wheat has obtained for many years past, concludes by saying:

During all the years in which the decline in wheat has been phenomenal the law of supply and demand has not been violated, and the price in the world's market has conformed strictly to the supply of the world.

This is the reason. It is overproduction which has reduced the price of cotton, and overproduction which has lowered the market price of wheat. With cotton at 7½ cents a pound and wheat at 61 or 62 cents a bushel, it is impossible by any legislation to enhance the price. The truth is that the immense acreage devoted to cotton and devoted to wheat and the improvements of machinery have tended to lower the price, and I cite the tariff speech of the distinguished Senator from Texas, the Hon. ROGER Q. MILLS, delivered on April 25. In that speech and in the tariff discussion it was always assumed by the members of my party that low prices are good things—that it is for the benefit of the citizen and for the whole country to have the staples of life cheap; but when we discuss this antioption bill, we say to the planter and to the farmer that it is a principle of our party to advocate this measure on the ground that the commodity should be enhanced in price.

Now, when the Senator from Texas delivered his speech he was in favor of reducing the price, and he submitted a table of thirty articles showing how from the year 1873 to the year 1891 there had been a decline in a free-trade country like Great Britain in the price of those commodities. One of these articles is wheat and another is cotton yarn; and he addresses these words to the Senate of the United States:

Sir, prices have been brought down by improved production, by machinery, by invention, increasing the amount of product in a given time, and lowering the cost of the product.

He said nothing about dealing in futures. It never occurred at that time to the Senator from Texas to say anything about dealing in futures. It never occurred at that time to the Senator from Texas that it would be alleged that dealing in futures or contracts for forward delivery had caused the reduction of the cost of commodities.

Now, as to the law. This antifuture and antioption law is unconstitutional. It is unconstitutional because it is a perversion and violation of the taxing power; and it is no answer to say that Congress can enact it with the approval of the Executive.

It is no answer to say that the courts can not go behind the statute and inquire into the motives of the lawmakers. I say that is no answer either in constitutional law or in ethics. Are we to take the position that because our action can not be inquired into we are going to perpetrate that which we know to be wrong? We admit that any abuse of the taxing power is wrong. That is one of the fundamental principles of the Democratic party. That principle was laid down in that favorite case which has been so often cited on the stump in election campaigns in this country, the case of the Loan Association against Topeka, which will be found in 20 Wallace, and which we cite day after day and week after week to show that the doctrine of protection is a perversion of the taxing power.

Now, if the Democratic party relies on that case, if that case is sound law, what you are asked to do to-day is a grosser perversion of the taxing power than any which has ever yet been perpetrated by the Federal Legislature. What does the distinguished gentleman from Missouri [Mr. HATCH] say? He says that this proposed law is not anarchistic, because anarchy means the absence of law. The gentleman is right. This proposed law is not anarchistic, but it is socialistic; it is the extension of the system of paternalism or centralization in its worst form; the extension of that direful and dangerous doctrine of socialism; the extension of that principle which would have the claws and the hands of government laid on every citizen; which would invade the home of every man and force him to do that which a majority in the Legislature may dictate, whether it be right or whether it be wrong. The real purpose of this act is shown by the remark of the gentleman from Missouri:

When this species of gambling goes on—

Gambling he terms it, although it is legitimate business speculation, sanctioned by the laws of every State of the Federal Union. The gentleman says:

When this species of gambling goes on it is time for Congress to step in and protect the people.

Protect the people by an act ostensibly—only ostensibly, not plausibly or speciously—framed to obtain revenue! You have listened for days, gentlemen, to this debate, and have you heard one argument advanced by the advocates of this bill as to the amount of revenue which will be derived if it shall become a law? The revenue feature is not, as the gentleman from Missouri terms it, a secondary effect, or as he says in another part of his speech, "the primary basis of this bill." The revenue feature has nothing to do with it. The object of this act is to suppress, to prohibit, to kill, to annihilate the legitimate business vocation of large classes in this country; to deceive the planter and the farmer and make them imagine that such legislation is for their benefit.

The question of the constitutionality of this law was brushed aside by the gentleman from Missouri. He cited two cases, the case of the State bank tax, Veazie Bank *vs.* Fenno, reported in 8 Wallace, and the oleomargarine cases of Powell against Pennsylvania, reported in 127 United States Reports.

Those are his two cases. Let me dispose of the last case first. The case of Powell against Pennsylvania was an oleomargarine case, and the only question before the Supreme Court of the United States, as is clearly shown by the report, was whether the oleomargarine statute of the State of Pennsylvania was a valid exercise of the police power or not. In that decision there is not a word going to uphold the passage of any such bill as that which is under consideration.

Let us take the other case, the State bank tax case. The question there was whether the State bank tax imposed by the act of 1866, amendatory of the act of 1864, was constitutional or not. Is this tax a direct tax or not? For if a direct tax it should be apportioned. That was the first question before the court. The other question was: Is this a tax on property, or a tax on the faculties and the powers of a State to incorporate banks? Those were the two questions argued, and it is stated by Chief Justice Chase, in his opinion, that those are the two great questions in the case. The other important question was as to the power of the United States to pass measures restraining the States from interfering with the currency of the United States. The only question argued or considered in the minority opinion, which was rendered by Mr. Justice Nelson, and concurred in by Mr. Justice Miller, was: Is the State bank tax a tax on property, or a tax on the faculties and powers of a State to grant a charter or incorporate a bank? And the minority judges held that it was not a tax on property, but was a tax on the faculties and powers of a State, and was therefore unconstitutional.

Chief Justice Chase in his opinion states that it had been argued that the State bank tax in question was so excessive as to divulge the legislative intention to prohibit banking; and he says we will not inquire into that, but he goes on to argue elaborately that for another and a stronger reason the tax could be levied, because it was a tax levied for a lawful purpose, which lawful purpose was to restrain a State from interfering with the Federal control of the currency and the right of the National Government to emit bills of credit, and it was upon that point that the decision of the Supreme Court was in fact rendered. Now, here we have a marked distinction. It is conceded that there is no power in Congress to directly prohibit dealing in futures; that there exists no right in the Federal Legislature to prohibit these transactions or "short" selling.

So we have the taxing power here perverted, or sought to be perverted, to carry out a purpose illegal and unconstitutional in itself, instead of the power being exerted in furtherance of an undoubted constitutional right of the Federal Legislature.

Now, let us see as to the cases on the other side. We have first that great case of the Bank of Maryland *vs.* McCulloch, reported in 4 Wheaton, where as far back as 1819 the decision was rendered by Chief Justice Marshall, who uses this remarkable language:

Should Congress under the pretext of executing its power, pass laws for the accomplishment of objects not intrusted to the Government, it would become the painful duty of this tribunal, should a case requiring such a decision come before it, to say that such an act was not the law of the land.

I submit, gentlemen, that ever since 1819 there has always existed that power in the Supreme Court of the United States to go behind a statute and pronounce it unconstitutional where it is clearly on its face a perversion of the taxing power and an attempt to destroy certain classes in the community for the benefit of other classes.

You are all familiar with the passenger cases reported in 7th Howard and with those cases in 118 and 136 United States Reports, where the passenger cases are cited and approved, where the principle is laid down that if a State seeks to invade by roundabout means the domain of Federal legislation, the Supreme Court of the United States will not hesitate to declare that act of the State Legislature unconstitutional, invalid, and void. I say that the converse of the proposition also applies—that the Supreme Court will not hesitate in a proper case to pronounce an act of Congress unconstitutional when it seeks under the guise of the taxing power, or in any other manner, to invade the domain of State rights, to interfere with the control of those matters which belong only to the State government.

I call your attention to the language of the Supreme Court in the case reported in 118 United States Reports—Morgan *vs.* The State Board of Health of Louisiana. There it was sought to have an act of the Legislature of Louisiana declared unconstitutional on the ground that it invaded the right of the Federal Government to impose a tonnage tax; and the Supreme Court of the United States held that quarantine fee, if exacted, was really a compensation for the examination of the vessel, and was not in its character a tonnage tax. But there the Supreme Court in its opinion expressed its view as to this roundabout legislation—an effort to do something other than that which appears in the title of the act. What does Mr. Justice Miller say?

In all cases of this kind it has been repeatedly held that when the question is raised whether the State statute is a just exercise of State power or is intended as a roundabout means to invade the domain of Federal authority, this court will look into the operation and effect of the act to discern its purpose.

Now, to show further that this view of the law is absolutely correct, I call the attention of the committee to this famous case of the Loan Association *vs.* Topeka, where it is held that all the functions of government, be it State or national, are limited; that there is no such thing as unlimited power, and that the taxing power is not unlimited. This great Democratic case lays down the law on this subject. What is said there?

The theory of our governments, State and national, is opposed to the deposit of unlimited power anywhere.

The theory of government thus announced by the Supreme Court does not agree with the theory of government advanced by the gentleman from Missouri, who says:

Do wrong, pass this act, pervert the taxing power, because no one can check us, because we are omnipotent; we, the Congress of the United States, when we receive the Executive approval have the power to pervert the right of taxation and to do that which is inherently wrong.

The executive, the legislative, and the judicial branches of these governments are all of limited and defined powers.

Then, going on to cite the instance of the effect and operation of the State bank tax, Mr. Justice Miller uses this language:

The power to tax is therefore the strongest, the most pervading of all the powers of government, reaching directly or indirectly to all classes of the people. This power can as readily be employed against one class of individuals and in favor of another so as to ruin the one class and give unlimited wealth and prosperity to the other, if there is no implied limitation of the uses for which the power may be exercised.

And the court holds that where the power is perverted the law is unconstitutional. In the first part of the opinion it is declared:

The proposition is that the act authorizes towns and other municipalities to take the property of the citizen under the guise of taxation to pay these bonds, and use it in aid of the enterprises of others, thus perverting the right of taxation.

[Here the hammer fell.]

Mr. BARTLETT. I should like to have five minutes more.

Mr. PENCE. I ask that the gentleman be allowed five minutes more.

There was no objection.

Mr. BARTLETT. In the limited time allowed me I shall not be able to call attention to many of the lesser faults of this bill. But I wish to call attention to one or two provisions—one for instance which shifts the burden of proof of innocence upon the criminal, changing the whole criminal law in this respect. The presumption is in this country that a man is innocent until he be found guilty. This act provides that—

If any person shall knowingly and without lawful excuse (the proof whereof shall lie on the person accused) have in his possession any washed, restored, or altered stamps.

That is, the burden of proof is thrown in that case on the man to show that he has some lawful excuse; and further, it provides that having a stamp in one's possession is prima facie evidence of the fact that the stamp has been used once by the man in whose possession it has been found. Could there be a more monstrous provision of law than that?

But in conclusion, Mr. Chairman, it seems to me that the right to make a contract to sell wheat, or cotton, or lard, or pork, or any of the commodities referred to in this bill, in the future; should be just as free as the right which every citizen has in reference to every other executory contract. He should have the right to sell wheat and cotton just as much as you have the right to sell the leather before it is tanned or to sell the wood before it is hewn. You can not take that right, thus held under the Constitution, from any citizen. You may as well pass an act providing that no man shall make a promise to pay money unless he has the money in the bank at the time he makes the promise; and if he makes a note which matures in three months he shall not be permitted to have power to make a settlement with his creditor. You may as well deprive him of that right, and deprive all citizens of their rights, just as well as to undertake to prevent any citizen from trading in these great commodities as he pleases.

What has the court of last resort in my State said?

The right to liberty embraces the right of man to exercise his faculties and to follow a lawful avocation for the support of life.

Liberty means also the right of one to use his faculties in all lawful ways, to live and work where he will, to earn his livelihood in any lawful calling, or to pursue any lawful trade or avocation.

If you pass this measure you will prevent many citizens from following avocations which are permissible by the laws of the various States, and which are held by all the States to be entirely legal. What will be the effect of the passage of such an act? The great exchanges of cotton in New Orleans and New York, the produce exchanges of New York and Chicago, will be closed, and your cotton market will be ruled by Bremen, Havre, and Liverpool, and the farmers will have the prices of their grain regulated at will by the big millers of the great Northwest.

Mr. PENCE. Mr. Chairman, it is not strange that in the discussion of this bill (the antioption bill) the question of silver coinage should cut a very important figure. It was inevitable that the chief matter of concern should be that of rising and falling prices. In the nature of things that brought on the discussion of the supply of money in the country, and that, in the nature of things, in turn brought on a review of the question of silver coinage.

The question of silver coinage has been discussed quite as fully as any other question since Congress met in August of last year. About as many opportunities as we could ask have been given us to make our record on that question; but some of us still linger in the hope that before the dog-days come and final adjournment is taken, at least one more opportunity will be given to Congress and to the members thereof to make a record upon which finally they can go before the people this fall.

There have been some striking conversions since the discussion of last fall and the votes of last August, October, and November. The most striking conversion has been that of the Republican leader of this House, the eminent gentleman from Maine [Mr. REED]. In behalf of the silver forces, so far as I may be permitted to speak, I want to welcome him to the silver ranks. I am sorry he declines to take but one degree. Still, one degree is better than none.

Mr. GEAR. How many degrees are there?

Mr. PENCE. There are many, but there is but one entire and perfect degree that makes a man a master, and that is the degree of 16 to 1. [Applause.]

We are glad, Mr. Chairman, to welcome one like the leader from Maine. What cause would not be glad to welcome him, big as he is in every way, generous in physical proportions, big of intellect, and big of heart, a fit leader for a great party! And it is because, Mr. Chairman, throughout the country many entertain a belief, because of his last utterances, that he stands really and honestly for the coinage of silver, that a renewed hope and courage has been taken on by the masses of the people.

What troubles me is a lingering doubt as to just exactly how far he is willing to go and where he stands to-day. I secured this morning a publication that came in by the last mail, the Fortnightly Review, published in London, the number for June, which contains an article on silver and the tariff at Washington, which I find is the full report of the interview of the representative of this magazine with the eminent leader from Maine [Mr. REED] held in this city during the last month, or at a late date. The time of the interview is not stated. While the first report of that interview as published in the Republican papers of the West led me, with others, to believe that after all the mistakes of last August were recognized by the Republican leader, yet after reading the article I can hardly accept that conclusion as the proper one. The article says:

The Republican party in the United States, the party of protection, has hitherto been regarded as the party unfriendly to silver.

That is true.

During the conflict last autumn in Congress over the repeal of the Sherman act, Mr. REED of Maine, the Speaker of the House during President Harrison's Administration, was the leader of the repeal party on his side of the Chamber.

Of course, we all know that is true.

The recent great gains of the Republican party point strongly to the probability that the next Administration will be Republican, and Mr. REED'S popularity, great services, and strong individuality distinguish him as the candidate of his party for the Presidency.

I do not know but that is true.

Mr. REED'S views, as outlined only a fortnight since in the following conversation with an English visitor to Washington, are of such interest and indicate such an important development in the economic policy of his party that we publish them in a manner so unusual as an "interview."

Now, Mr. Chairman, there are two pages of this interview, but as I understand the limitation of time is now thirty minutes instead of an hour, although I dislike to quote a part of the utterances of the gentleman from Maine, because I can not forget the fact that the gentleman from Indiana [Mr. BYNUM], who at one time quoted but a fraction of the utterances of the gentleman from Maine, was called to account for it, yet I will hazard the risk this time, and, skipping that portion which refers to the tariff, will call attention to some of his most pointed utterances applicable to this discussion:

"Mr. REED," said the visitor, "I want you, if you will, to give me a glimpse of the future policy of the Republican party. Your party, with the flowing tide behind you, is likely to control the House after the next election, and probably the country three years hence. We, in England, are infinitely concerned by the two great issues here—silver and the tariff; what are we to expect of your party when you return to power?"

Let me quote his answer. Says Mr. REED, among other things:

* * * * * * *

One thing at least I have learned since the cessation of silver purchases last year.

I hope my friend from Massachusetts [Mr. WALKER] will give his attention to this. I see him present in the Hall. Says the leader on your side:

"One thing at least I have learned since the cessation of silver purchases last year, that cheap silver is an effective stimulus to Asiatic exports. * * *
"But," asked the Englishman—

I quote again—

"what do you propose to do? If cheap silver assists Asiatic exports, and no doubt this is the case, then by no tariff corrective here can you help your agriculturists. The stimulus of cheapening silver must continue to reduce the prices at which Asia can afford to sell wheat and cotton in the markets of Europe?"
"Yes, I agree," said Mr. REED; "that is the aspect of the silver question which I am frank to confess has only since last year attracted our notice in the Eastern States. The fall in silver, its value to pay wages and to buy products in India and China being as great as ever—

I hope again the gentleman from Massachusetts [Mr. WALKER] hears the quotation as I read it.

Mr. WALKER. Will the gentleman allow me——

Mr. PENCE. Let me continue the quotation from Mr. REED—

this it is that makes of the silver issue an issue we are forced to face. You recognize, of course, that the position has entirely changed in the past six months. Before that time the enormous compulsory monthly purchase of silver—a most vicious proceeding—had gone far to confuse men's minds and to disguise the fact that there really is in the background a serious currency problem to be solved."
"And do you regard it as soluble?" asked the Englishman.

Mr. REED replied:

"Certainly I do. I understand that England is the only difficulty. * * * We recognize that falling silver, by lowering the Eastern exchanges, favors our competitors in Asia who sell similar produce—wheat, cotton, and other staples—in the markets of Europe; it is evidently important for debtor nations, on which list we stand first, to raise the price of silver, and thereby reduce that bounty on exports which Asia now enjoys."

To this he now adds:

"This can be best done by a monetary agreement with other nations favorable to silver."

Mr. Chairman, this is the utterance of the gentleman who gave the interview, and who is altogether the bright and shining light of the Republican party, and I do not wonder at the acclaim and praise you accord every utterance delivered by him here. The Democratic party would be in great luck if it had a man here like him, or his equal in ability. In the Western country these utterances have been quoted as indicating that the Republican party intends to stand for the remonetization of silver.

This interview is a step in advance of Harrison. Harrison wants an international agreement with all nations. Mr. REED'S last language, which I quoted, indicates that he might be willing to act upon an agreement with those nations which are using silver.

Mr. Chairman, the important question now to our minds and in the minds of the voters of the country is, What is to be the performance by vote in Congress of men who talk this way? I have no doubt that the Republican party will some day come to the support of silver coinage, but not until they are driven to it, in my humble judgment

The gentleman from Massachusetts [Mr. WALKER] in his argument here on yesterday gave some figures as to the number of Republicans who had voted for and against silver at different dates in this House and in the Senate. I have a table of figures, Mr. Chairman, covering other dates than those covered by him. I have not time to read them now, but I desire to state to the House that I have here a carefully prepared and revised table showing the number of Republicans, Democrats, and Populists who have voted for and against silver upon the various votes since 1878. At this time, Mr. Chairman, I will ask unanimous consent, without reading these figures, to incorporate them, as well as the figures given by Mr. WALKER yesterday, in my remarks. There are two columns of them in the paper. I would like to have that request submitted now, so that if it be not granted I may read the figures.

There was no objection.

Mr. PENCE. These figures are correct. They first appeared in the Rocky Mountain News, and were prepared, I think, by Hon. Thomas M. Patterson, the editor of that paper. They have been carefully compared with the record by Mr. N. A. Dunning, editor of the National Watchman, and I now, by your consent just granted, incorporate them as published in the Watchman.

The table is as follows:

The first vote we will give was on the Bland bill of 1878. These several votes are taken from the records and verified by Edward McPherson's Hand-book.

BLAND ACT OF 1878.

The vote on its passage:

HOUSE.

Yeas—Democrats	71
Republicans	129
Total	203
Nays—Democrats	68
Republicans	4
Total	72

SENATE.

Yeas—Democrats	24
Republicans	24
Total	48
Nays—Democrats	7
Republicans	14
Total	21

This bill was vetoed by President Hayes and passed over his veto by the following vote:

HOUSE.

Yeas—Democrats	118
Republicans	78
Total	196
Nays—Democrats	21
Republicans	52
Total	73

SENATE.

Yeas—Democrats	25
Republicans	21
Total	46
Nays—Democrats	9
Republicans	10
Total	19

On June 27, 1879, Senator VEST offered the following resolution: "That the complete remonetization of silver, its full restoration as a money metal, and its free coinage by the mints of the United States, are demanded alike by the dictates of justice and wise statesmanship."

On motion of Senator ALLISON to refer the resolution to the Committee on Finance, the following vote was taken.

Those voting in the affirmative were against silver, those voting in the negative being in favor:

SENATE.

Yeas—Democrats	4
Republicans	19
Total	23
Nays—Democrats	22
Republicans	0
Total	22

May 24, 1879, a free coinage bill passed the House by the following vote:

HOUSE.

Yeas—Democrats	99
Republicans	5
Greenbackers	10
Total	114
Nays—Democrats	8
Republicans	89
Total	97

February 3, 1880, this bill was reported from the Senate Finance Committee adversely by Senator Bayard. No further attention was paid to it during that session.

April 8, 1886, the following vote was taken on a bill for the free coinage of silver, being House bill 5690. It was defeated by the following vote:

HOUSE.

Yeas—Democrats	98
Republicans	26
Greenbackers	2
Total	126
Nays—Democrats	71
Republicans	92
Total	163

There was no action taken by the Senate from which a statement could be made of the friends and foes of silver that would be satisfactory.

What is known as the Sherman law of 1890, by which 4,500,000 ounces of silver were bought each month and paid for in United States notes, passed the Senate July 10, 1890, by the following vote:

SENATE.

Yeas—Democrats	00
Republicans	39
Total	39
Nays—Democrats	36
Republicans	00
Total	36

HOUSE.

Yeas—Democrats	00
Republicans	121
Alliance	1
Total	122
Nays—Democrats	90
Republicans	00
Total	90

Previous to this, on a motion of Mr. BLAND to recommit the Windom bill to the Committee on Coinage with instructions to report a free coinage bill, the following vote was taken. This vote discloses the real status of the House on free coinage:

HOUSE.

Yeas—Democrats	101
Republicans	14
Alliance	1
Total	116
Nays—Democrats	13
Republicans	127
Total	140

On June 25th, the House voted again on a square free-coinage amendment as follows:

HOUSE.

Yeas—Democrats	112
Republicans	22
Alliance	1
Total	135
Nays—Democrats	22
Republicans	130
Total	152

In the Senate the most pronounced vote on free coinage was on a motion of Senator Plumb, which is as follows:

SENATE.

Yeas—Democrats	28
Republicans	15
Total	43
Nays—Democrats	3
Republicans	21
Total	24

It must be remembered that the Sherman law originated in the Senate as a compromise measure.

The next clear-cut vote upon free coinage was taken March 24, 1892, on a motion to table the free coinage bill then pending:

HOUSE.

Yeas—Democrats	78
Republicans	67
Total	145
Nays—Democrats	130
Republicans	11
Populists	8
Total	149

It must be remembered that the vote in the affirmative was a vote against silver, while the vote in the negative was a vote for silver.

The Senate voted on the 1st of July, 1892, on Senator STEWART'S substitute:

SENATE.

Yeas—Democrats	16
Republicans	11
Populists	2
Total	29
Nays—Democrats	7
Republicans	18
Total	25

This substitute went to the House and was voted on July 13, 1892. The following is the vote:

HOUSE.

Yeas—Democrats	118
Republicans	8
Populists	10
Total	136
Nays—Democrats	93
Republicans	61
Total	154

The last show of hands was made during the extra session of Congress in 1893. The following succinct statement is taken from the Rocky Mountain News. It has been authenticated:

	For.	Against.
Free coinage, 16 to 1	124	220
Free coinage, 17 to 1	100	240
Free coinage, 18 to 1	102	239
Free coinage, 19 to 1	104	238
Free coinage, 20 to 1	121	222
The Bland law	136	213
Unconditional repeal	240	110
Vote on 16 to 1:		
Free coinage, 16 to 1	124	226
Democrats	100	115
Republicans	13	112
Populists	11	
Majority		102
Vote on 17 to 1:		
Free coinage, 17 to 1	100	240
Democrats	84	128
Republicans	15	110
Populists	1	2
Majority		140
Vote on 18 to 1:		
Free coinage, 18 to 1	102	239
Majority		137
Vote on 19 to 1:		
Free coinage, 19 to 1	105	239
Majority		132
Vote on 20 to 1:		
Free coinage, 20 to 1	119	222
Majority		103
The Bland bill:		
To substitute the Bland act	126	313
Majority		77
The Wilson bill:		
Unconditional repeal	240	110
Democrats	138	77
Republicans	102	22
Populists		10
Majority	130	

The vote in the Senate was as follows:

For unconditional repeal	43
Against	32
Politically divided as follows:	
Republicans for unconditional repeal	24
Republicans against unconditional repeal	9
Democrats for unconditional repeal	16
Democrats against unconditional repeal	19
Populists, all against repeal	4
Paired in favor of repeal, Republicans	3
Paired in favor of repeal, Democrats	2
Paired against repeal, Republicans	2
Paired against repeal, Democrats	3
Total Republican Senators for repeal	27
Total Democratic Senators for repeal	21
Total Republicans against repeal	11
Total Democrats against repeal	22

We will let the reader make the comparison as regards the love for silver, as shown by the two old parties.

The slight discrepancy appearing between these figures and those given by Mr. WALKER of Massachusetts in his speech in the House yesterday arises, I think, from his having included in his figures some Members and Senators who were paired and did not vote, but whose positions were known. In my tables only the actual vote is stated.

On yesterday the Republican convention was held in California. No man doubts the position of the Republicans of California upon the question of the coinage of silver any more than he doubts the position of my friend from Montana [Mr. HARTMAN], or his Republicans at home, or the Republicans of Colorado. They are all for the free coinage of silver, and for its coinage at a ratio of 16 to 1. The Republicans of California on yesterday, I see by to-day's paper, have copied the national platform of the People's party and made an unequivocal declaration for the free coinage of silver at the ratio of 16 to 1. Let me read the platform:

We favor the free and unlimited coinage of silver at the ratio of 16 to 1, and the making of silver, as well as gold, a legal tender in payment of all debts, both public and private, and we pledge our Congressional nominees to the support of principles contained in this resolution.

Mr. Chairman, if the interview of the gentleman from Maine [Mr. REED] meant that the Republicans of this House—not a handful of them, but all of them—were ready to act now and upon every occasion, upon that pledge made in California yesterday, they would have no difficulty in sweeping the Western country; but in my judgment they do not mean that. That speaks for

California only. When Montana shall say the same thing, it will speak for Montana only; and when Colorado says the same thing, it will speak for Senator TELLER'S position and Colorado Republicans only. I honestly and sincerely wish it were otherwise.

I wish the calendar could be moved forward and the inevitable day of silver restoration be hastened. If the Republican party is indeed ready and willing to give sincere and honest support to the free coinage of silver, it could be reached this week. Why can not it be reached this week? Why can not it be reached to-morrow, if the claim of the Western Republicans be true, that now, under the new departure, under Mr. REED'S leadership, that party is to vote candidly, openly, and honestly for the free coinage of silver—why can we not do so to-morrow and give the proof of it. On to-morrow amendments will be in order to this bill. The Democrat who sits in the chair of this House at this moment has before him an opportunity to rise to a higher measure in the esteem of his people at home and throughout the country than has been presented to any man in this present Congress.

I do not know whether a free coinage amendment is in order in a parliamentary sense to the antioption bill or not. I do know that the doubt might be solved by a true friend of silver coinage in that way, and that on to-morrow, on the offering of such an amendment, an opportunity would be given to the Republicans in this House to prove their genuine and sincere friendship for silver by withholding any point of order, and voting for the amendment. Mr. Chairman, it was my purpose originally——

Mr. CRAWFORD. May I ask the gentleman a question?

Mr. PENCE. I can hardly yield for a question, having only five minutes to go upon.

Mr. CRAWFORD. I would like to ask the gentleman one question.

Mr. PENCE. Go on with your question, then.

Mr. CRAWFORD. I would like to ask the gentleman what he thinks of the free coinage of gold and silver at their commercial ratio?

Mr. PENCE. What is to be regarded as their commercial ratio? I am willing to accept coinage at the commercial value after silver has been restored to the position it occupied prior to 1873. [Applause.]

Mr. BOWERS of California. Why not take paper also at its commercial value?

Mr. PENCE. It has not any. Mr. Chairman, I am very glad that my time is for thirty minutes instead of an hour, for I do not think I have voice enough to occupy even the thirty minutes. If my present hoarseness, however, will permit I want in the few minutes left to call attention to some of the promises that were made to the country and to Congress last fall when the silver repeal bill was passed.

Mr. BOATNER [alluding to Mr. PENCE'S hoarseness]. Perhaps the proposition of the gentleman from Maine was too much for the gentleman from Colorado. [Laughter.]

Mr. PENCE. Well, maybe that is true; but I did not think it would go to my larynx. [Laughter.] It was my purpose, Mr. Chairman, to call attention to the language of the Senator from Indiana [Mr. VOORHEES], the chairman of the Committee on Finance in the Senate, in his speech in the Senate last August, and also to his utterances when he stated to the country and to Congress that the passage of the repeal bill meant merely the clearing of the deck for action; that his party would stand ready then to take some steps toward the recoinage of silver. His utterances at that time were familiar to us all and familiar to the country, but it is worth while to call attention to them again. In his speech on the 22d of August, 1893, he used this language:

> Must we not at once and without delay get back of all makeshifts, subterfuges, insincere compromises, to place ourselves, after the financial decks have been cleared, on the plain constitutional right to coin gold and silver into money?

In his later speech, on the 9th day of October, 1893, as we understood his language then and understand it now, many pledges were made and repeated that in the immediate future the Democratic party, under this Administration and in this Congress, would take some steps looking toward the remonetization of silver. I read from page 8 of the pamphlet edition of his speech of October 9, where he says:

> I say that we have offered something better. We have offered the high pledge of the Government for the continued use and the continued coinage of the two metals. It is well known, the Senator from Colorado is not in doubt about my position, that when the pending measure is out of the way, when the Sherman law no longer disgraces the statute books of the nation, I am ready to act promptly and with all the energy and force that I can bring to bear to carry out the pledge which the bill contains.

Mr. Chairman, I want to call attention also to the utterance of one man who is known to be one of the strongest and ablest champions of silver coinage in the world. Probably if anyone conversant with the facts were called upon to name to-day the three strongest advocates of silver coinage in the world, he would name JOHN P. JONES of Nevada, HENRY M. TELLER of Colorado, and Senator MORGAN of Alabama. In contrast with the utterances of others, of different political parties, who claim that we can not go to silver coinage without an international agreement, I want to quote a few words from one of these three gentlemen, the one who in my judgment is the strongest, clearest, and ablest of them all—Senator TELLER of Colorado. He was interviewed a few days ago respecting the late Berlin silver commission meeting, and with respect to its failure to take action. Passing over his comment as to what had taken place in the commission, I quote from him this sentence:

> I don't think the work of the commission will have any effect, unless it be to increase the conviction, which is already growing in this country, that the United States will have to take this question in hand and act independently of other nations.

Mr. Chairman, this is the position of the People's party. It sees no reason for waiting for the consent of Great Britain or any other nation on the globe. Silver coinage is going to be accomplished, Mr. Chairman, and without any great delay. It may be under this Administration. I confess that it will take two-thirds of each House, or a change of Presidents—a radical change.

The President is in excellent good health I am informed by this morning's paper, and I have no doubt that he will live out his term. I fear the chance for silver coinage is indeed small under this Administration, but I have no doubt in the world of its being accomplished under the next. It is going to be accomplished, not by those men who tarry and wait upon the consent of any other nation. It is going to be accomplished by the American voters of the different political parties who stand favorable to an American policy for America upon this question of greatest importance to all the people, men of all parties who stand ready to restore silver to its coinage at 16 to 1 as it was before 1873. [Applause.]

Mr. Chairman, it makes no difference what party shall be most active in accomplishing it. The People's party stands ready to assist in that effort. It stands ready to deliver 100 per cent of its membership to coinage at that ratio. In every section of the country its members stand for that. It hopes to be able in the near future to find allies enough to accomplish it. Indeed, Mr. Chairman, if the ruling that I hope for can be had to-morrow, I hope to see 100 per cent of the membership of the People's party here, with a majority of the Republicans and a majority of the Democrats (the latter of which is sure, as their votes in all the years have proved), carry free coinage through this House to-morrow. I will reserve my time, if I have any, for the purpose of offering an amendment to-morrow. [Applause.]

APPENDIX.

Mr. PENCE. The gentleman from Massachusetts [Mr. WALKER] is one of the bold, candid leaders amongst those Republicans who oppose the passage by Congress of a free-coinage law. He sincerely believes, and never fails to claim, that his party—the Republican party—is entitled to praise for having repeatedly defeated the efforts to remonetize silver.

In his speech yesterday he gave the following figures:

> Mr. WALKER. On March 24, 1892, this House, by a vote, 130 Democrats voting for and 81 against, voted for the Bland free-coinage bill, and the Republicans voted 11 for it and 67 against it, or a Republican majority of 56 against it. We saved the country from it by 7 majority.
>
> Mr. PENCE. What vote was that?
>
> Mr. WALKER. That was the vote of the Democratic party in this House on a Bland bill for the free coinage of silver. On July 13, 1892, on the Stewart free-coinage amendment, there were 23 Democratic majority voted for it and 51 Republican majority against it—28 majority against it.
>
> Mr. PENCE. As I understand you, on the vote on the Stewart free-coinage amendment, you are accrediting the Republicans with having defeated it.
>
> Mr. WALKER. By 51 majority, the Democrats having voted for it by 23 majority.
>
> Mr. PENCE. Well, that is right.
>
> Mr. WALKER. On July 1, 1892, in the Senate, on the Stewart free-coinage amendment, there were 31 Democrats for it and 10 against it; majority for, 21. Fourteen Republicans voted for and 31 against; majority against, 17. On August 28, 1893, in this House, on the amendment to the bill to repeal the purchasing clause of the Sherman act of July 14, 1890, to substitute the Bland law of 1878, there were 112 Democrats for it and 103 against it, a Democratic majority of 9 to reinstate that bill. Fifteen Republicans voted for it and 110 against, a majority of 95 Republicans against, making the majority against it 86.
>
> On October 28, 1893, in the Senate, on the free-coinage amendment, 23 Democrats voted for it and 21 against it, a majority of 2. Ten Republicans voted for it and 27 against it, a majority of 17 Republicans against it, making the total majority against it 15.

IN FIFTY-THIRD CONGRESS.

On March 1, 1894, in House, on Bland coinage of seigniorage bill—	
139 Democrats for and 19 against; majority for	120
10 Populists for and 0 against; majority for	10
19 Republicans for and 80 against; majority against	61
Majority for bill	69

On March 15, 1894, in Senate, on Bland coinage of seigniorage bill—	
31 Democrats for and 10 against; majority for	21
3 Populists for and 0 against; majority for	3
12 Republicans for and 23 against; majority against	11
Majority for	13

Mr. QUIGG. Mr. Chairman, I should certainly think that the amendment which the gentleman from Colorado [Mr. PENCE] says he is going to propose to the House to-morrow would be ruled to be in order; for I can conceive of no proposition which any gentleman could possibly advance on any subject of legislation whatever that would not be germane to the bill now being considered in this committee.

The observations that have been addressed to the committee by the clever and interesting gentleman from Colorado on the subject of the free coinage of silver lead me to recur to the suggestion which I ventured to make to the responsible party in power here when the State bank tax was being considered, that in view of the record which they have already made with regard to values, and in view of the numerous records they are proposing to make, it would be a good thing for them to get together in caucus or elsewhere and come to a decision as to what kind of values the country is suffering from.

They have passed a bill here, the bill presented by the gentleman from West Virginia [Mr. WILSON], which is based upon the theory that values are too high and ought to be lowered; for there can be no possible excuse for turning thousands of people out of employment and making war on the industries of the country, unless they think that prices should be reduced.

But the Wilson bill had scarcely got out of the House before the gentleman from Missouri—and of course I mean *the* gentleman from Missouri; that gentleman from Missouri beside whom all other gentlemen from Missouri on the other side of the House since the last Democratic State convention of Missouri was held must consider themselves stars of lesser magnitude—the gentleman from Missouri came here with a bill based on the theory that values were too low and ought to be raised; and he committed the entire Democratic party to that proposition.

He knew not only what was the matter with us, but, fortunately for his peace of mind, if not for anybody else's, he knew just how to cure it. "Here," he said, "is a dollar; that is to say, it is not really a dollar, but let us all pretend to agree that it is a dollar and we shall be just as happy as if it were. And somehow or other, if we all pretend together, values will rise and dollars will multiply, and thus we shall all be prosperous and content."

The scheme of that gentleman from Missouri was interesting and fascinating, and it might have been worth while to consider but for the fact that his colleague from Missouri, who is also something of a star, comes forward with another explanation of the cause of low values and another plan to raise them. He says that we are suffering, not from lack of money, but because of a nefarious system of trading by means of which a man is permitted to sell what he has not got in the hope of being able to get it before he has to deliver it, at a lower price than the price for which he has sold it.

There is an idea running through that gentleman's mind that it takes only one to make a bargain; that you can sell something without anybody ever buying it; and he calls sales for future delivery fictitious sales, sales of wind, and claims that if they can be abolished an era of high values will straightway arise.

Now, I confess my total inability, Mr. Chairman, to follow any of these gentlemen from any of their premises to any of their conclusions. I do not believe that you will make the people prosperous and happy by taking away their means of employment and by reducing their wages.

I do not believe that you will contribute to the welfare of society in any considerable degree by compelling a man to accept 50 cents' worth of money for 100 cents' worth of labor; nor do I believe it will be of any great advantage to human society if you interfere with a system of trading which has existed in this world ever since—well, since Jacob "sold short" for the future delivery of the well-favored daughters of Laban—a system which is going to exist in despite of this bill, in despite of any bill that anybody could possibly propose or that any Legislature could possibly enact to the end of time.

But these are not the questions yet—or at least they ought not to be. The first question you ought to settle is as to values, and whether they are too high or too low.

Mr. GROSVENOR. Will the gentleman allow me a question?

Mr. QUIGG. Well, I will; but I do not want to.

Mr. GROSVENOR. You do not propose to indorse here on this floor the conduct of old Jacob in his cattle-dealing performances, do you?

Mr. QUIGG. Well, I think that Jacob's performance in this particular instance—which I do not regard as a "cattle-dealing performance," for I do not think the well-favored daughters of Laban can be suitably described——

Mr. GROSVENOR. But then he was trading in cattle after getting the daughters.

Mr. QUIGG. No, he served seven years for the young women. Before my friend interrupts to question me he needs to refresh his recollection of the Scriptures.

The question is not yet what you are going to do about values, but whether they are too high and ought to be lowered or are too low and ought to be raised; because if they are too low we do not want a tariff bill to lower them still further, and if they are too high we do not want currency inflation and schemes of interference with trading to raise them.

Mr. Chairman, I share with the gentleman from Missouri his regret at the fact, if it be a fact, that his bill is so imperfectly understood by this House. I do not think, for my own part, that this charge is true. It may possibly be found when the vote is taken on the bill that the gentleman will have occasion to regret, not that it is understood so little, but that it is understood so well.

He says that it is a "simple bill;" and it is. The bill itself is a simple proposition to tax certain people who trade in certain things, in a certain way, under certain conditions. That is, on the face of it, a simple proposition. But in order to understand the bill it is necessary first to understand the system of trade with which the bill proposes to interfere.

Incidentally, Mr. Chairman, I should like to remark, in view of all that has been said in this debate with regard to the "robber barons" and "gamblers" and "monopolists" and things, that denunciation is not argument, and that to call people hard names does not greatly inform the House nor benefit the country; nor do I believe that the distress which gentlemen suffer so acutely here on behalf of the farmer is by him much appreciated; for believe me, gentlemen, the farmer and the Wall street man have one gift in common—they both understand the demagogue.

This bill is said to be a bill directed against gambling, and gentlemen have told me that although they did not think very much of the bill in itself, yet that they were going to vote for it because they were opposed to gambling. Now, I do not intend to be forced into a defense of gambling by reason of the pretense, and a mere pretense it is, that this bill in some way or another interferes with it.

If anybody wants to prevent gambling, he will vote for the proposition, for which I shall certainly vote, that my friend from Illinois proposes to introduce to-morrow, in the shape of an amendment, striking out of this bill the word "futures" wherever it occurs. Because there is no doubt at all—it is admitted by all of us—that the first section of this bill, namely, the section defining options, does describe a gambling contract and nothing else.

There is no pretense that in an options contract the seller is called upon to produce any goods or the buyer to produce the money for the goods. The options contract is forbidden by the rules of all of the exchanges; it is forbidden by the laws of all the States, and in so far as it ever can be reached, in my judgment, it is now being reached by State law.

Nevertheless, if gentlemen believe that the exercise of police powers is a function of Federal Government, if gentlemen believe that it is any part of the duty of the Federal Government to exercise supervision over the morals of the people, they may strike out of this bill all reference to the word "futures," and leave this bill operative against options contracts, and they will have a bill which does undertake, to some extent, to deal with gambling.

I am free to say that I do not think much of the bill even in that form, because I do not believe that the great Government of the United States, like the Tammany police of New York City, ought to go into partnership with gamblers. That is not, in my judgment, admirable. But if gentlemen differ with me as to that by voting for the amendment of the gentleman from Illinois to strike from the bill all reference to the word "futures," they can make this a gambling or antigambling bill, as they choose to look at it.

Now, gentlemen, I hope you will understand what the word "futures" means as used in this bill. It is not a gambling contract at all that is described by the word "futures." I shall indulge in no subterfuges; I shall acknowledge at the very outset that gambling is possible under the futures contract; and if there were any means by which gambling alone could be reached, without interfering with the system of legitimate trade by which the produce of the country is marketed and which certainly is in the interest of the farmer; if ever a good scheme of marketing his crops could be devised, other than the old scheme of selling by samples; if there were a way of reaching gambling without reaching trade, we might consider it. Understand that under a "futures" contract the man who sells is bound to produce the

goods; the man who buys, on the other hand, is bound to produce the money for the goods, and neither can escape his necessity except by the consent of the other.

If the two agree, the one that he does not want to produce the goods, the other that he does not want to produce the money for the goods, they can settle by the one giving to the other the difference between the value of the goods to-day and the value when the contract was made. Now, of course, that may be gambling. But the gamble is not the fault of the contract, nor of the law.

It is the fault of human nature. It happens because away from the contract, away from the law, deep seated in the human heart, where the constable can not see it and the taxgatherer can not reach it, is a perverse disposition. You can not prevent that. If you think you can, you go against the experience of centuries. People are going to gamble whether this bill passes or not, and they are going to gamble the old way and in the same shop where they are gambling now. There is nothing in this bill that prevents it.

If you are voting for it on the idea that it does, you are mistaken. Why, in the very same bucket shops where deals in grain go on, they go on in stocks. In every broker's office where deals in grain go on, they go on in stocks, and it will be just as easy as can be to conduct these gambling trades and tricks under the operation of this law as it is now. This law is the easiest thing in the world to get around.

Mr. DANIELS. I should like to make a suggestion to the gentleman.

Mr. QUIGG. Certainly.

Mr. DANIELS. If this bill becomes a law, does it not then legalize all these gambling transactions that the gentleman refers to, and supersede all the State laws forbidding that kind of gambling?

Mr. QUIGG. The gentleman asks me whether, if this bill is passed, it does not legalize the gambling proceedings that now go on without law, and undertake to supersede the State laws forbidding them. Everybody knows that it will have that effect. Everybody knows that just as soon as the Government of the United States says, "Gentlemen, you can gamble if you consent to share the profits with us," it legalizes gambling.

Now, the gentleman from Missouri [Mr. HATCH], in introducing this bill, said that the present form in which it appeared obviated all the old objections, because the taxes were no longer prohibitive, but were revenue taxes. If that is true, if the dealer can afford to pay the taxes and at the same time make money, the United States Government has gone into partnership with him on all these gambling contracts, and the gentleman from Missouri [Mr. HATCH] accomplishes nothing whatever towards the prevention of gambling. He dose nothing whatever to affect values.

All these trades go on if this is a revenue bill. Is not that as plain as day? All the volume of this business, all the millions on millions of sales which he says occur on wind, will go right along. There will be no stoppage of them, if this is really a revenue bill. And if it is a revenue bill, who is going to pay the taxes? You know very well that in no business does the middleman pay the taxes.

You know perfectly well that the importer does not pay the tariff taxes. He only hands them in to the custom-house, but he collects them either out of the producer or out of the consumer, or out of them both, according to the character of the tax. And you know very well that if this bill passes, and if it is, as the gentleman from Missouri [Mr. HATCH] says it is, a revenue bill, then either one of two persons, or both, will pay the revenue. Either the farmer who produces these articles has got to pay it, or the consumer who buys them has got to pay it, and these are agricultural products that the gentleman is thus going to tax. Now, is there anybody in this House who wants to do a thing of that kind? Is there anybody in this House who wants to make the burdens of the farmers greater than they are? My friend from Alabama jumped up the other day in a very excited, or apparently excited humor, and demanded to know whether it was not time that something was done for the poor farmer?

I think it is, and the thing to do for him is to defeat this bill. For if you pass this bill, and it is, as the gentleman from Missouri [Mr. HATCH] says it is, a revenue bill, then the farmer has got to pay the tax or the consumer has got to pay it. That point can not be too often made. Either the farmer must pay it or the man who eats the bread and beef has got to pay it. The middleman does not pay it and you know it. You can freeze out the middleman, but you can not make him pay taxes.

The gentleman from Missouri knows that. When he presented a prohibitive bill, when he made this tax a thousand dollars, when he made a man pay $10 or $50 or $100, I do not know which and it does not matter which, for every transaction that went on in the exchange, when he made him give a bond of $20,000 to pay the penalties, then he presented a prohibitive bill; and that prohibitive bill would undoubtedly have broken up this system of trading. If it had passed there would have been no produce exchanges, and the system of selling for future delivery would have been abolished.

There is no doubt about that. But he has been converted. He says to-day that he would not do anything like that, that he does not believe in prohibitive taxes, if I understood him correctly. At all events he says he would not exercise the taxing power in an unconstitutional way, and whatever his views on the Constitution may be, he knows that Senator MILLS, and a great many other authorities on the Constitution at the other end of the Capitol, stand ready to knock out this bill just as soon as it comes over there, if it is a prohibitive bill.

And so, in order to meet their objections, he has taken out the prohibitive features, and he comes here and tells us that he is converted, and that he has found out that the thing to do is to make it a real revenue bill. I confess I do not believe that it is a revenue tax. I do not believe that in the present state of trade the exchanges of the country can afford to pay even the tax that is levied in this bill; but if they can, there is no getting away from the fact—and you have got to explain it to your constituents—there is no getting away from the simple proposition that the farmers are going to pay this tax, or that the consumers are going to pay it, and I want to get that clear, if it must be said over a hundred times.

The gentleman from Missouri [Mr. HATCH] has told us that at a convenient season he will say some hard things about those of us who have ventured to say hard things about his bill. And as he has an hour to-morrow in which to close debate we can all of us look out for him. I shall myself be duly expectant.

Now, I say to the gentleman from Missouri that, instead of saying hard things of those of us who have ventured to express our opinions of this bill, which he thinks altogether unsuitable, he would better spare himself and save his breath for that occasion when he must go back to his constituents in Missouri and explain why he has put a tax on farm products; why he has endeavored to render it more difficult for them to sell their goods than it was before; why he endeavored unnecessarily to increase their burdens and diminish their opportunities.

He says it is a tax on gambling. He says that a few years ago, in the exercise of his rights as a Representative here and in the performance of his duties, he looked about him for something to tax, and he discovered oleomargarine. Elated at his success in taxing oleomargarine, delighted at what he had accomplished, he looked about him again, and he discovered gambling. Such was the origin of his bill.

Now, gentlemen, I submit to your rational intelligence—and there are two kinds of intelligence, rational and irrational—I submit to your rational intelligence that it is not a suitable thing for the United States of America to tax gambling. I suggest that if we have any function to perform in regard to gambling it is to extirpate it and not to share its proceeds, not to go into a partnership with gamblers. But it is not a tax upon gamblers; and mark it, it is a tax on farm products; and there I think we can all afford to leave the gentleman from Missouri and his bill. [Loud applause on the Republican side.]

Mr. WHEELER of Alabama. Mr. Chairman, under the rule we have adopted there is only an hour and a half left for debate, and as my time is too limited for me to deliver all I have prepared, including the reading of the tables which form a part of my speech, I ask unanimous consent to print in the RECORD that portion of my remarks I shall fail to deliver.

The request was submitted, and there was no objection.

Mr. WHEELER of Alabama. Mr. Chairman, the gentleman from New York [Mr. BARTLETT] who preceded his colleague [Mr. QUIGG], and the gentleman from Ohio [Mr. HARTER] who spoke yesterday, argued that the States' rights principles of the people of the South should prevent any Southern Representative from advocating this bill. That argument could have been well put to our friends of the North during the recent discussion of the bill to repeal the unconstitutional law which taxed out of existence the circulation of all banks chartered by States, a law more odious to the Constitution, more destructive to the rights of the people, and more directly opposed to the fundamental rights of the States than any other law upon the statute books of our country.

We of the South made that argument to our Northern friends, and when the roll was called the solid votes of the Representatives from the South were recorded in favor of the people, the Constitution, and the explicit and positive pledge of the Chicago platform under which we won the victory of 1892 [applause], and were opposed by an almost solid phalanx of the people's Representatives from the North, the Northeast, and Northwest.

The gentleman from New York [Mr. QUIGG], who has just taken his seat, alluded to my championship of the rights of the farm-

ers, and on yesterday the gentleman from Illinois [Mr. GOLDZIER] devoted much of his time to a criticism of my suggestion that it was about time for the rights of farmers to be considered in Congressional legislation.

FARMERS ONLY ASK THAT UNJUST LAWS BE REPEALED.

I did not mean that farmers should have laws passed specially for their benefit and protection; they only ask for the repeal of the vicious class legislation by which during the last thirty years the Republican party have enriched bankers, manufacturers, and monopolists of all kinds at the expense of farmers, and which is rapidly dividing American citizens into two classes, a few millionaires and multimillionaires on the one side and the great mass of the people, including all the farmers, who are struggling for existence, on the other.

The farmer only asks that the laws of our country be equal and just, and that the burdens and the bounties incident thereto, like the dews of heaven, fall equally upon all people and all vocations. [Applause.] The farmer is the creator of nearly all the wealth of our land, and the welfare of all other vocations is largely dependent upon his prosperity. When the farmer is prosperous the manufacturer has the best market for his wares, the merchant collects his debts, the educator, the minister, the lawyer, the physician, and the followers of all other vocations are well paid.

The farmers only ask a repeal of Republican laws which have reduced them from the position of lordly independence which they enjoyed under Democratic rule; laws which have reduced the price of farm products to less than the cost of production. They ask a repeal of the bank legislation, which for thirty years has denied to farmers the right to use their lands as a basis of credit, and which, together with other adverse laws, has reduced farm lands to one-tenth their value when the laws were equal, just, and Democratic.

Mr. BOATNER. Will the gentleman allow me to ask him one question?

Mr. WHEELER of Alabama. I will yield to one question.

Mr. BOATNER. I want to know of the gentleman, considering that he has recently so zealously supported the repeal of a law which abused the taxing power to accomplish a purpose not within the purview of the Federal Constitution, how he gets his consent to vote for a measure of exactly the same character?

Mr. WHEELER of Alabama. It is not of the same character. The law I voted for was demanded by the platform of 1892. It was a measure for the repeal of a law which, when brought up in Congress on April 18, 1864, was voted against by every Democrat in Congress. The law we voted on two weeks ago was a law to restore to sovereign States their sovereign God-given rights. We then sought to repeal a law which took from the people of sovereign States all authority to manage their own financial affairs, and deprived them of a most valued and cherished constitutional right.

Mr. BOATNER. Now, you propose to vote for a bill that takes another away?

Mr. WHEELER of Alabama. The law we seek now to enact will not take away any legitimate right from the people. Gentlemen who oppose the bill have insisted that the law can not be enforced and can not have any effect whatever. The friends of the bill think it will add to our revenues and help to fill our depleted Treasury, and all admit that the revenue which will be realized from the law will be paid by those who are most able to bear the tax.

Others who oppose the bill insist that its purpose is to crush out gambling operations. If this should happily be one of the incidental results, and I trust it will be, it will certainly be a very strong argument in favor of the bill. The report which accompanies the bill tells us "that thousands of representative men in the United States urge its passage," and it also tells us that—

Not a protest has ever been filed with the committee against this legislation except from that class of persons who are interested in "speculative gambling" or in upholding the system of evading actual delivery upon contracts made as members of the different boards of trade in the United States.

It is my hope that one effect will be to crush out the gambling operations which for the last fifteen years have done so much to detrimentally affect the price of farm products.

Mr. WARNER. Is the gentleman aware that under the express provision of this bill actual proof that a transaction is a gambling transaction will exempt it from the operation and the penalties of the bill?

Mr. WHEELER of Alabama. I admit that difficulties will be encountered in enforcing the law, but that is one good reason why we should commence this character of legislation. After a little experience with the law we can amend it so as to make it effective. It is very possible that at first it will be difficult to obtain evidence sufficient to collect the tax in many of the transactions referred to in the bill, and it is therefore possible that at first the law will not have any very special effect.

Mr. WARNER. No special effect upon the gambling transaction—that is correct. [Laughter.]

Mr. WHEELER of Alabama. Now, sir, I was very glad to hear the brilliant young gentleman from Colorado [Mr. PENCE] express his devotion to silver and his devotion to the farmers of our country, because it was only ten months ago that he and his Populist brethren voted against the coinage of silver at the ratio of 17 to 1, at the ratio of 18 to 1, at the ratio of 19 to 1, and at the ratio of 20 to 1, and voted for it only at a ratio which he knew and they knew would not be adopted by this House. And the gentleman's brethren who preceded him in the Fifty-second Congress by their votes did that which they knew would make the coinage of silver impossible in that Congress.

When we brought the bill before the House to reduce the tariff tax burdens under which the 30,000,000 of people dependent upon farming were suffering, I felt confident that my young friend from Colorado would be found fighting in the front rank in this great effort of the Democracy to emancipate the people of our land from the wrongs inflicted upon them by the odious tax laws which were condemned at the polls in the great victory of 1892; but what was my surprise, regret, and pain to see him lead his entire party, bag and baggage, into the camp of our enemies and place himself under the leadership of the gentlemen from Maine, Mr. REED and Mr. BOUTELLE, and use his best efforts to prevent Democrats from even considering a bill to lift burdens from the farmers and other oppressed people of our land.

The history of our country shows that the Democratic party has always been the farmer's friend, and is the only party which has not done the farmer the grossest wrong and injustice. To sustain this assertion I will read from the records of Congress, which show that not only has the Republican party legislated against the farmer, but they have been joined and aided in inflicting this great wrong by the Greenbackers, Populists, or Third-party men, no matter under what name they appear, and notwithstanding the pretended devotion of these parties to the farming interests of the country.

BUT TWO POLITICAL PARTIES IN THIS COUNTRY.

I think no one will question but that there never was, and in the nature of things there never can be, but two political parties in this country—the one contending for laws which give the greatest power possible to the central Government, and the other demanding laws which give the greatest power possible to the people.

From the earliest history of man there has been an almost irresistible struggle for power by the few and a never-ending strife for liberty by the great body of the people.

Our forefathers fled from the intolerance and oppression of the centralized powers of the Old World, and after overcoming dangers and privations, established a democratic republic in this land.

Democracy has its origin from the two Greek words, *demos*, the people, and *cratea*, to possess, to govern. The essence of democracy is to seek in its utmost purity the voice of the people—to have laws to express the wishes of the people, and which are enacted solely for the people's good.

Such a government attains the most prosperity, the purest virtue, the highest culture, and the noblest manhood.

JACKSON AND THE DEMOCRATIC PARTY DENOUNCED NATIONAL BANKS.

Under the guidance of such men as Jefferson and Jackson we had a happy and prosperous land. There were no laws to rob the many and enrich the few; poverty and want were hardly known, and plutocracy and monopoly were unheard-of words to free American people. Jackson's great mind saw that a national bank, which virtually makes a favored few the financial partners of the Government Treasury, would become a nursery of evil. He said that such a bank would concentrate the moneyed power of the Union, make the rich richer, and the potent more powerful, while the humbler members of society, the farmers, mechanics, and laborers, would be the victims of the injustice.

The Democratic platforms of 1840, 1844, 1848, 1852, 1856, and 1860 denounced such an institution as—

of deadly hostility to the best interest of the country, dangerous to our republican institutions and the liberties of the people, and calculated to place the business of the country within the control of a concentrated money power and above the laws and will of the people.

The Republican party came into power in 1861, the avowed champion of a strong centralized Government.

And no one will deny but that the laws enacted by that party have all tended to benefit the few at the expense of the many.

The laws enacted by this party have favored banks and bondholders. They have given privileges to the rich and powerful at the expense of the humbler people of our land. Financial laws, tariff laws, and tax laws have all tended in the same way and have all attained the same purpose, but it is gratifying to see the evidence that the Democratic party had always opposed

every encroachment upon the rights and liberties of the great mass of the people.

REPUBLICANS CREATE NATIONAL BANKS.

On February 13, 1863 (Globe, page 897), the Senate voted upon the bill to charter national banks, called the national currency bill. Twenty-one Republicans and 2 Democrats voted for the bill, and 16 Democrats and 5 Republicans voted against it. This bill was voted upon in the House on February 20, 1863 (Globe, pages 1147 and 1148). On the vote for the previous question 73 Republicans voted for it and 51 Democrats voted against it. On the vote to lay the bill on the table 49 Democrats voted for the resolution and 79 Republicans against it.

On the vote ordering the bill to a third reading 79 Republicans voted for it and 53 Democrats voted against it. On the final passage of the bill 76 Republicans voted for it and 47 Democrats voted against it. This law has already cost the people more than $400,000,000. All these votes were practically upon strict party lines. Of the 78 affirmative votes by which the national-bank bill was finally passed 76 were Republicans and 2 were Democrats.

The negative vote was composed of Democrats and a few Republicans, some of whom were interested in banks chartered by States.

The law was approved February 25, 1863, and is found in Statutes at Large, volume 12, pages 665 to 682.

In April, 1864, the law which sought to perpetuate national banks was before Congress. Every Democrat in both Houses voted against the bill, while the radicals and independents, with the exception of one in the lower House and two in the Senate, voted for it.

On April 6, 1864 (Globe, page 1451), upon an amendment favorable to national banks, 75 Republicans voted for the amendment and 54 Democrats voted against.

On April 16, 1864 (Globe, page 1682), on Mr. Felton's amendment to greatly relieve national banks from taxation, 70 Republicans voted for the amendment and 59 Democrats voted against it.

On April 18, 1864 (Globe, page 1695), a vote was had upon a resolution—

That the expansion of the bank circulation of the country, producing general and ruinous speculation, should be repressed by taxing the issues of the State banks.

A solid phalanx of Democrats, including such men as Francis Kernan, George H. Pendleton, J. V. L. Pruyn, Samuel J. Randall, and Fernando Wood, voted against the resolution, and it was passed by a solid vote of Republicans.

Upon the final passage of the bill there were three yea-and-nay votes in the House; a motion to reconsider, a motion to lay on the table, and a vote on the passage of the bill.

On April 18, 1864 (Globe, page 1697), on Mr. Rollins's motion to lay Mr. Brooks' motion on the table to reconsider the vote by which the national currency or national bank bill was ordered to be engrossed and read a third time, 75 Republicans voted for the motion and 57 Democrats voted against it.

On April 18, 1864 (Globe, page 1697), on Mr. HOLMAN'S motion to lay the national-bank bill on the table, 56 Democrats voted for the motion and 75 Republicans voted against it.

On April 18, 1864 (Globe, page 1697), on passage of the national-bank or currency bill, 77 Republicans voted for the bill and 63 Democrats voted against it.

On May 24, 1864 (Globe, page 2448), on Mr. HOLMAN'S motion to table objectionable amendments to the bank bill, 56 Democrats voted for the motion and 78 Republicans voted against it. The various amendments to the bill were voted on in the Senate April 28, 1864 (Globe, pages 1957 and 1959), May 5 (page 2123), May 6 (pages 2142, 2143, and 2145), May 9 (pages 2174, 2180, and 2183), and May 10 (pages 2200, 2202, 2203, 2204, 2205, and 2206), and the bill was passed on May 10 (page 2207). In nearly all the numerous votes the Democrats voted almost solidly against the establishment of the system, and the Republicans voted almost solidly in favor of the system.

The bill was approved June 3, 1864. (See Statutes at Large volume 13, pages 99 to 118.) It will therefore be seen that the objectionable national-bank law was solidly and untiringly opposed from first to last by the Democrats in Congress, and was passed by the votes, speeches, and efforts of the Republicans.

REPUBLICANS LEGISLATE FOR THE BOND-HOLDER AND AGAINST THE PEOPLE.

On February 28, 1865, the House passed the bill to provide ways and means for the support of the Government. The bill provided that all bonds or other obligations issued under this act should be exempt from taxation by or under State or municipal authority. The vote was taken *viva voce* and Mr. Hooper moved to reconsider and to lay the motion on the table. Upon this 85 Republicans voted affirmatively, and 43 Democrats voted in the negative.

The original contract was to pay the principal of the United States bonds in currency, and the obligation to so pay them was recited upon the face of every bond.

In March, 1869, a Congress largely composed and under the entire control of bank officers and bondholders enacted a law that these bonds should be paid in coin, and thus embezzled $1,000,000,000 of the hard earnings of an honest people. Every Democrat but 1 voted against this iniquity, and all the Republicans but 12 voted for it. In the Senate 42 Republicans voted for it and nearly every Democratic Senator voted against it.

The bill declaring that currency bonds should be paid in coin was voted on in the Senate March 11, 1869. (See pages 46, 53, and 56 of the Globe), and on March 15, 1869 (page 70).

In the House it was voted upon on March 12, 1869 (pages 60-61).

In March, 1869, a resolution was offered to lighten the burdens of the people by placing a tax on the bonds, and exempting from taxation such necessaries as salt, tea, coffee, sugar, matches, and tobacco. The Democrats voted solid for and the Radicals solid against it.

In 1870 a funding law was passed by which $500,000,000 was taken from the people and given to the bondholders. The Democrats in both the House and Senate voted solid against it, and all but two Republicans voted for it.

The funding bill of July, 1870, was voted for, upon pages 5026, 5059, 5064, and 5070.

The Senate bill was voted upon, page 5467, and was finally passed on July 13, 1870 (page 5523).

In July, 1870, Congress passed the Sherman bill to increase the national-bank circulation $54,000,000. All but four Democrats voted against the bill, and it was passed by the almost solid vote of the Republicans.

REPUBLICANS ADVOCATE CURRENCY CONTRACTION AND OPPOSE SILVER COINAGE.

On June 14, 1870 (Globe, page 4434), Mr. Randall's bill to substitute $300,000,000 United States currency for national-bank notes was defeated; all the Republicans but 10 voted against it, and every Democrat but 6 voted for it. The failure of this measure has already cost us $260,000,000.

Soon after, Mr. MORGAN'S bill (Globe, page 4435), which sought the same relief, but extended the substitution to $400,000,000, was defeated by 116 Radicals, while it was supported by the almost solid vote of the Democracy.

On June 15, 1870 (Globe, page 4471), Mr. Ingersoll moved to authorize additional legal tender notes; 35 Democrats voted for it and 88 Republicans voted against it.

In 1872 a resolution was introduced indorsing and approving the ruinous Radical financial policy. Every Democrat voted against and every Republican voted for the resolution.

This system was a flagrant robbery of the people for the purpose of further increasing the wealth of bankers and bondholders. In 1872 the Secretary of the Treasury adopted a ruling which recognized the 5-20 currency bonds as coin bonds, which robbed the people of hundreds of millions of dollars. This was denounced by the people; but the Republican House of Representatives, in order to sustain the Secretary in this robbery, passed the following resolution:

Resolved, That in the opinion of this House the Secretary of the Treasury, in negotiating the loan authorized by the act of July 14, 1870, has neither increased the bonded debt nor incurred an expenditure contrary to law.

The vote stood 110 Republicans for the resolution and 86 Democrats against it. It was a strict party vote, every Republican voting to rob the people and every Democrat voting in their defense.

The bondholders and bankers, not satisfied with stealing $1,000,000,000 by the law of March, 1869, which made the bonds payable in coin, now finding an increase in the production of silver, they in 1873 demonetized that metal, and thus required the taxed people to pay them gold for their untaxed bonds.

This law of necessity increased the purchasing power of gold, which still further added to the wealth of the rich and to the distress of the mass of the people.

This bill was rushed through under a suspension of the rules by a strict party vote.

In 1875, by the same rule, the resumption act, "that great king of destroyers," was passed by Republican dishonesty. In the House every Democrat voted against it, and nine-tenths of the Republicans sustained and voted for this law, which has already caused so much bankruptcy, ruin, and distress.

This, Mr. Speaker, was the record of the financial legislation of the Republican party, which I portrayed in a speech on July 10, 1878. I only included the record up to the end of the Forty-third Congress, which ended its existence on March 3, 1875.

STRUGGLES OF DEMOCRATS FOR THE PEOPLE.

The beginning of the year 1876 found the Forty-fourth Congress in working order and determined to do something for our oppressed people.

This was the first Democratic House of Representatives which had been elected since 1860. The resumption act was bankrupting and destroying the people. This Democratic House passed a law repealing the "resumption act," although resisted in every possible way by the Republicans.

On August 5, 1876 (CONGRESSIONAL RECORD, page 5232), Mr. Cox's bill to repeal the resumption act was voted upon; 96 Democrats voted for it and 59 Republicans against it.

On December 13, 1876 (RECORD, page 172), the House voted upon a bill for the free coinage of silver; 124 Democrats voted for it and 36 Republicans voted against it.

On November 5, 1877 (RECORD, page 241), another bill for free coinage of silver was brought before the House; 97 Democrats voted for the bill and 24 Republicans voted against it.

On November 23, 1877 (RECORD, page 632), another bill was considered and voted upon to repeal the resumption act; 109 Democrats voted for the measure and 92 Republicans voted against it.

On February 28, 1878 (RECORD, page 1420), the House passed the silver bill over the President's veto; 122 Democrats voted for it and 52 Republicans voted against it.

On May 31, 1878, the bill was considered and passed to forbid any further retirement of legal-tender notes; 106 Democrats voted for it and 28 Republicans voted against it.

June 6, 1878 (RECORD, page 4204), upon Mr. Tucker's amendment to reduce taxes, in the interest of the people, 133 Democrats voted for the amendment and 101 Republicans voted against it.

On January 15, 1879 (RECORD, page 473), Mr. Fernando Wood, chairman of the Committee on Ways and Means, reported a bill to make United States notes receivable for duties on imports. This was a measure clearly in the interest of the people and against banks and monopolies. The bill passed the House, 108 Democrats voting for it and 31 Republicans voting against it.

Pending its passage, Mr. Garfield, in the interest of banks, sought to amend the bill and limit its operation. Mr. Garfield's amendment provided that the bill should only hold good "so long as said notes shall be exchangeable at par with coin." Garfield's amendment was voted for by 67 Republicans, and was voted against by 94 Democrats, and was defeated. On April 5, 1880 (RECORD, pages 27, 42), the following resolution was voted upon:

Resolved, That in the judgment of this House, that portion of the interest-bearing debt of the United States which shall become redeemable in the year 1881, or prior thereto, being in amount $782,000,000, should not be refunded beyond the power of the Government to call in said obligations and pay them at any time, but should be paid as rapidly as possible, and according to contract. To enable the Government to meet these obligations, the mints of the United States should be operated to their full capacity in the coinage of standard silver dollars, and such other coinage as the business interests of the country may require.

Seventy-three Democrats voted for the resolution and 90 Republicans voted against it.

GREENBACKERS FALSE TO THEIR PLEDGES AND TO THE PEOPLE.

In January, 1881, the bill was under consideration to facilitate the refunding of the national debt. It was a blow at the national-bank system, and was bitterly opposed by bankers and moneyed men. On January 19 (RECORD, page 769) the vote was taken; 125 Democrats voted for the bill, and 109 Republicans and 8 Greenbackers voted with the Republicans against the bill. These Greenbackers were elected to Congress with a pledge of undying hostility to national banks. The bill passed the Senate on February 18. Every Democrat, 38 in number, voted for the bill, and it was opposed by Republicans, not a single Democrat voting against it. On March 3 President Hayes vetoed the bill, and in his veto measure used these words:

I should not deem it my duty to interpose my constitutional objection to the passage of the present bill if it did not contain in its fifth section provisions which, in my judgment, seriously impair the value and tend to the destruction of the present national banking system of the country.

It should be observed that 8 Greenbacks voted with 109 Republicans against the bill which President Hayes vetoed solely because it tended to the destruction of the national-bank system.

On February 17, 1882 (RECORD, page 1246), upon a vote favorable to Republicans and against Democrats and against Democratic principles, 5 Greenbackers voted with 120 Republicans against 95 Democrats.

REPUBLICANS AND GREENBACKERS EXTEND CHARTERS OF NATIONAL BANKS.

On April 3, 1882 (RECORD, page 2536), the bill was voted upon to extend the charter of national banks; 103 Republicans voted for it, and not a single Republican voted against it. The bill was opposed by 69 Democrats. On May 18 (RECORD, page 4076), Mr. BLAND moved to amend the bill to extend charters of national banks by providing for the retirement of national-bank currency and substituting United States Treasury notes. This would have saved the people $20,000,000 a year. Sixty-five Democrats, 2 Republicans, 2 Readjusters, and 2 Greenbackers voted for this just and proper bill, while it was opposed by 114 Republicans and 5 Greenbackers, and I repeat that every one of these 5 Greenbackers was elected by pledging extreme and unrelenting hostility to national banks.

It is astounding to the last degree that these Greenbackers elected to the 46th and 47th Congresses so utterly violated their pledges to their people and voted with the Republican enemies of the people and against such beneficent Democratic measures. It tends to show that these Greenbackers were controlled by Republican leaders and voted with the Republicans when required to do so by the leaders of the Republican party.

On the same day Mr. Randall and Mr. CULBERSON moved to amend the bill by provisions which restricted the contraction of the currency; 76 Democrats voted for the amendment, while 105 Republicans voted solid against it.

On May 19, 1882 (RECORD, page 4121), Mr. JONES of Arkansas made another motion to prevent contraction of the currency; 76 Democrats voted for the measure, and 94 Republicans voted solid against it.

On May 19, 1882, a bill was voted upon in the Senate to extend national-bank charters; 26 Republicans voted for it and 12 Democrats voted against it.

On June 21, 1882 (RECORD, page 5177), Senator Beck's measure against national banks was voted on in the Senate; 20 Democrats voted for it and 29 Republicans voted against it. In the House, upon the final passage of the bill which extended national-bank charters, 103 Republicans voted for the bill and but 2 voted against it, while 57 Democrats voted against and opposed the bill.

On June 21, 1882, while the bill was before the Senate, Senator Beck offered an amendment which was in the line of free coinage of silver and expansion of the currency; 20 Democrats voted for Senator Beck's amendment, while 26 Republicans voted against the amendment and not a single one voted for it.

On June 22 (RECORD, page 5224) the bill to extend the charters of the national banks passed the Senate; 26 Republicans voted for the bill, and 12 Democrats and 1 Republican voted against it.

On July 10, 1882 (RECORD, page 5852) the conference report extending the charters of national banks was voted upon in the House; 99 Republicans voted for the report and 69 Democrats voted against it.

On June 27, 1882 (RECORD, page 5415), on Mr. SPRINGER'S amendment to recommit pending bill, with instructions to abolish many of the most oppressive internal-revenue taxes, the Democrats all voted for it; the Republicans and 1 Greenbacker voted against it, and 10 Greenbackers refrained from voting.

On June 27, 1882, upon passage of the internal-revenue bill, the Republicans and 1 Greenbacker voted for it; the Democrats voted against it, and 7 Greenbackers refrained from voting. (See RECORD, page 5422.)

On April 15, 1884, the Morrison tariff bill was voted upon in the House; 151 Democrats voted for it and 124 Republicans voted against it.

On June 17, 1886 (RECORD, page 5830), the Morrison tariff bill was voted upon in the House; 135 Democrats voted for it and 121 Republicans voted against it.

On July 21, 1888 (RECORD, page 6660), a vote was had in the House on the Mills tariff bill; 161 Democrats voted for it and 146 Republicans voted against it.

On January 22, 1889, a vote was had in the Senate on the Republican substitute for the Mills tariff bill; 32 Republicans voted for it and 30 Democrats voted against it.

DEMOCRATS VOTE FOR FREE COINAGE OF SILVER.

On April 8, 1886 (RECORD, page 3300), a bill was voted upon in the House for the free coinage of silver; 96 Democrats voted for the bill in the interests of the people and 93 Republicans voted against the bill and against the interests of the people.

On the same day (RECORD, page 3300) an amendment was offered to suspend the coinage of silver; 51 Republicans voted for this amendment and 130 Democrats voted against it.

On June 7, 1890 (RECORD, page 5813) a motion was made to recommit the bullion bill and report back a bill for the free coinage of silver; 101 Democrats voted for the motion and 27 Republicans voted against it.

On the same day (RECORD, page 5814) the bullion bill passed the House; 134 Republicans voted for it and 112 Democrats voted against it. Mr. Featherstone, a Farmers' Alliance man from Arkansas, voted with the 134 Republicans in favor of this bill, which was in favor of banks and monopolies and against the people.

On June 25, 1890 (RECORD, page 6510) Mr. BLAND offered an amendment in favor of free coinage of silver; 112 Democrats voted for it and 130 Republicans voted against it.

On July 12, 1890 (RECORD, page 7218), the conference report

on the bullion bill was voted upon in the House; 121 Republicans voted for it and 90 Democrats voted against it. Mr. Featherstone, a Farmers' Alliance man, voted with the 121 Republicans and against the 90 Democrats.

It will be seen that this Farmers' Alliance man was so anxious to aid the Republicans in their vicious legislation, that he even voted with them for the pernicious Sherman bullion law which stopped the coinage of silver.

On July 12, 1890 (RECORD, page 7188), the conference report on the bullion bill was voted upon in the Senate; 39 Republicans voted for the bill and 26 Democrats voted against it.

On May 21, 1890 (RECORD, page 5112), a vote was had on the passage of the McKinley tariff bill in the House; 164 Republicans voted for it and 142 Democrats voted against it. On September 10, 1890 (RECORD, page 9943), the McKinley tariff bill passed the Senate; 40 Republicans voted for it and 29 Democrats voted against it. On September 27, 1890 (RECORD, page 10641), the vote was had in the House on the conference report on the McKinley tariff bill; 151 Republicans voted for it and 80 Democrats voted against it.

On September 30, 1890 (RECORD, page 10740), a vote was had in the Senate on the conference report on the McKinley tariff bill; 33 Republicans voted for it and 27 Democrats voted against it. On July 1, 1892 (RECORD, page 5719), a bill for the free coinage of silver passed the Senate; 19 Democrats voted for it and 18 Republicans voted against it.

On October 28, 1893 (RECORD, page 2920), the Senate voted upon the amendment to require the coinage of not less than 2,000,000 ounces of silver per month. Twenty-three Democrats, including Mr. ALLEN of Nebraska and Mr. KYLE of South Dakota, voted for it and 20 Republicans voted against it.

On October 30, 1893 (RECORD, page 2958), the Senate voted upon the House bill for unconditional repeal of the purchasing clause in the Sherman act; 24 Republicans voted for the bill and in favor of money contraction and 21 Democrats voted against the bill and in favor of an increase of circulation.

On February 1, 1894 (RECORD, page 2041), on the passage of the Wilson tariff bill in the House, which greatly reduced the tariff on clothing and other articles used by the laboring people and taxed the incomes of people of wealth, 196 Democrats voted for the bill and 122 Republicans voted against it, and not even one single Republican voted for this beneficent measure.

In order to show at a glance that Democrats have voted upon all financial measures in the interests of the people, I have prepared four tables showing how Democrats and Republicans have voted on these questions during the last thirty years.

First. Table No. 1, showing votes in the House of Representatives upon Republican measures in the interests of banks and monopolies and against the people.

Second. Table No. 2, showing the same character of votes in the Senate.

Third. Table No. 3, showing votes in the House of Representatives upon Democratic measures against banks and monopolies and in the interest of the people.

Fourth. Table No. 4, showing the same character of votes in the Senate.

I think, Mr. Speaker, that all Democrats who examine these tables will hesitate a long time before deserting a party which has always been true to the best interests of the people and which through years of oppression voted in a solid phalanx against the enactment of the oppressive laws which have created the great moneyed monopolies and gone so far towards dividing our country into two great classes, a few millionaires on one side and the struggling mass of the people on the other.

TABLE 1.—*Votes in the House of Representatives upon Republican measures in the interest of banks and monopolies and against the people.*

Date.	Character of measure.	Republican votes for monopoly and against the people.	Democratic votes for the people and against monopoly.
Feb. 20, 1863	Vote on previous question to charter national banks.	73	51
Do.	Vote ordering national bank bill to third reading.	79	53
Do.	On final passage of bill chartering national banks.	76	47
Apr. 6, 1864	On amendment favorable to national banks...	75	54
Apr. 16, 1864	On Felton's amendment to greatly relieve national banks from taxation.	70	59
Apr. 18, 1864	On resolution to prevent issues of bills by State banks.	62	46
Do.	On Rollins's motion favorable to national banks.	75	57

TABLE 1—Continued.

Date.	Character of measure.	Republican votes for monopoly and against the people.	Democratic votes for the people and against monopoly.
Apr. 18, 1864	On passage of national bank or currency bill in the House.	77	63
June 3, 1864	Bill to perpetuate national banks	80	65
Feb. 28, 1865	Hooper's motion to reconsider and to lay motion on the table	85	43
Mar. 3, 1865	Authorizing the issuance of nontaxable bonds.	85	43
Mar. 18, 1869	Bill to pay off greenback bonds in gold (act of March 18, 1869).	96	35
July 13, 1870	Bill for exchanging greenback bonds for gold bonds and in favor of national banks.	*139	52
July 7, 1870	Sherman's bill to increase national-bank circulation by $54,000,000.	96	44
July, 1872	Bill indorsing Republican financial legislation.	110	86
Jan. 14, 1875	Bill for the resumption of specie payment	136	71
Jan. 15, 1879	Garfield's amendment restricting the use of greenbacks to pay import dues.	67	94
Apr. 3, 1882	Bill to extend national-bank charters	103	69
May 10, 1882	The national-bank bill was passed	103	57
July 10, 1882	Adoption of conference report	99	60
Apr. 8, 1886	Motion to suspend the coinage of silver	51	130
May 21, 1890	Vote on passage of McKinley tariff bill in the House.	164	142
June 7, 1890	Bullion bill as it passed the House	†134	112
July 12, 1890	On conference report on bullion bill	†121	90
Sept. 27, 1890	Vote on the conference report on the McKinley tariff bill in the House.	151	80
Mar. 24, 1892	On Mr. Burrow's motion to lay the bill for free coinage on the table	66	129
Do.	On Mr. Johnson's motion to reconsider the above vote	66	129
Mar. 1, 1894	Vote to recommit bill for coining the silver in the Treasury.	85	137

*Solid. †Featherstone, Farmers' Alliance, voted with Republicans.

TABLE 2.—*Votes in the Senate upon Republican financial measures in the interest of banks and monopoly and against the people.*

Date.	Character of measure.	Republican votes for monopoly and against the people.	Democratic votes against monopoly and for the people.
Feb. 13, 1863	To establish national bank	21	16
June 3, 1864	Act to perpetuate national banks	30	7
Mar. 16, 1869	Bill providing that greenback bonds shall be paid in gold.	42	6
Jan. 14, 1875	Bill for the resumption of specie payment	32	11
June 27, 1879	Mr. Allison's motion to refer and defeat Vest's motion for free-silver coinage.	19	32
June 22, 1882	Bill extending national-bank charters	26	12
Jan. 22, 1889	Vote in the Senate on Republican substitute for Mills tariff bill.	32	30
July 12, 1890	On conference report on bullion bill	39	26
Sept. 1, 1890	Mr. Aldrich's motion to increase duty on wools, yarns, etc.	26	18
Do	Mr. Aldrich moved to increase duty on woolen cloths, etc.	28	17
Sept. 5, 1890	Mr. Aldrich's motion to tax farmers on their leaf tobacco.	24	21
Sept. 8, 1890	Mr. Aldrich, to increase tariff tax on sugar in interest of sugar trust.	25	16
Do	Mr. Aldrich, to give bounty of 2 cents to produces of maple sugar.	30	25
Sept. 9, 1890	On ordering the McKinley bill to be read the third time.	38	28
Sept. 10, 1890	Vote in the Senate on the McKinley tariff bill.	40	29
Sept. 30, 1890	Vote on passage of McKinley tariff bill in the Senate.	33	27

TABLE 3.—*Votes in the House of Representatives upon Democratic measures against banks and monopolies and in the interests of the people.*

Date.	Character of measure.	Democratic votes against monopoly and for the people.	Republican votes for monopoly and against the people.
Feb. 20, 1863	On motion to lay national-bank bill on table	49	79
Apr. 18, 1864	On Holman's motion to lay national-bank or currency bill on the table.	56	75

TABLE No. 3—Continued.

Date.	Character of measure.	Democratic votes against monopoly and for the people.	Republican votes for monopoly and against the people.
May 24, 1864	On Holman's motion to table objectionable amendments to bank bill.	56	78
June 28, 1864	Mr. Holman's amendment permitting taxation of bonds.	63	77
Mar. 29, 1869	Mr. Morgan's bill taxing bonds, and exempting from tax salt, tea, coffee, sugar, matches, and tobacco.	39	104
Jan. 17, 1870	Mr. McNeely proposed to substitute greenbacks for national-bank currency.	53	112
Jan. 31, 1870	Mr. McNeely proposed that the national debt should be paid in strict compliance with the contract, and that bonds payable in greenbacks should not be paid in gold.	40	120
June 1, 1870	To place tax of 10 per cent on incomes from bonds.	46	130
Do	To place tax of 5 per cent on incomes from bonds.	58	109
June 14, 1870	Mr. Randall proposed to substitute $300,000,000 for national-bank notes.	41	105
	On the same day Mr. Morgan extended the same relief to the extent of $400,000,000.	34	116
June 15, 1870	Mr. Ingersoll moved to authorize the additional legal-tender notes.	35	88
Mar. 13, 1871	Vote to repeal tax on tea and coffee	89	39
Mar. 27, 1871	Vote to refer and defeat resolution that the tariff should be so reformed as to be a tax for revenue only, and not for the protection of class interests at the general expense.	75	91
Aug. 5, 1876	Mr. Cox's bill to repeal the resumption act	96	59
Dec. 13, 1876	Bill for free coinage of silver	124	36
Nov. 5, 1877	do	97	24
Nov. 23, 1877	Bill to repeal the resumption act	109	92
Jan. 21, 1878	Vote on bill to allow payment of customs duties in legal-tender notes.	127	76
Feb. 28, 1878	Silver bill over the President's veto	122	52
Mar. 25, 1878	Vote on motion to suspend for five years payments for sinking fund.	105	91
May 31, 1878	To forbid further retirement of legal-tender notes.	106	28
June 6, 1878	Tucker's amendment to reduce taxes in the interest of the people.	133	101
June 19, 1878	Vote to substitute United States currency for national-bank notes.	98	98
Jan. 15, 1879	To make Treasury notes receivable for duties and imports.	108	31
May 24, 1879	RECORD, page 1600—On vote for free coinage of silver.	100	89
Apr. 5, 1880	That the $782,000,000 in bonds which were redeemable should not be funded beyond the power of the Government to call in such obligations, and that the mints should coin standard silver dollars to their full capacity.	73	90
Jan. 17, 1881	On a refunding bill which sought to destroy national-bank system.*	125	†109
May 18, 1882	On motion of Randall, Holman, and Bland to restrict national banks.	65	‡114
May 18, 1882	On Randall's and Culberson's motion in the interest of the people and against national banks.	76	105
May 19, 1882	Mr. Jones's motion to restrict national banks.	76	94
June 27, 1882	Springer's amendment to abolish excessive taxes.	56	119
Apr. 15, 1884	Vote on Morrison tariff bill in the House	151	124
Apr. 8, 1886	Bill for free coinage of silver	96	93
June 17, 1886	Vote on Morrison tariff bill in the House	135	121
July 21, 1888	Vote on Mills' tariff bill in the House	161	146
June 7, 1890	Motion to recommit bullion bill and report back free-coinage bill.	101	27
June 25, 1890	Mr. Bland's amendment in favor of free coinage of silver.	112	130
Mar. 24, 1892	Vote for free coinage of silver	129	66
Do	Mr. Bland's motion to table Johnson's motion against silver.	128	66
Apr. 9, 1892	On vote to make bagging, machinery, and cotton ties and cotton gins free.	159	44
May 2, 1892	On vote to make binding-twine for farmers free.	176	44
July 8, 1892	On vote to reduce tax on tin-plate in the interest of farmers.	199	61
July 13, 1892	On resolution to consider Senate bill for free coinage of silver.	118	61
Aug. 28, 1893	Vote for free coinage of silver at 16 to 1	100	112
Do	Vote to coin 2,000,000 ounces of silver per month at 16 to 1.	111	110
Do	Vote to repeal purchasing clause of Sherman act.	74	100
Feb. 1, 1894	Vote on Wilson bill to reduce tariff taxes on wool clothing, etc., and impose a tax on large incomes.	196	122
Mar. 1, 1894	Vote to coin the silver in the Treasury	143	64
Do	Vote upon passage of the bill	135	82
Apr. 4, 1894	Vote to pass silver bill over veto	119	61

*This bill was vetoed by President Hayes, March 3, 1881.
†Eight Greenbackers voted with the Republicans.
‡Five Greenbackers voted with the Republicans.

TABLE 4.—*Votes in the Senate upon Democratic financial measures against banks and monopolies and in the interest of the people.*

Date.	Character of measure.	Democratic votes against monopoly and for the people.	Republican votes for monopoly and against the people.
May 10, 1864	Senator Powell's measure to repeal national-bank law.	5	31
Mar. 11, 1870	Senator Bayard's measure to tax bonds	7	38
Feb. 15, 1878	Bland act for coinage of silver	24	14
Feb. 28, 1878	Bland act over President's veto	35	10
June 21, 1882	Senator Beck's measure against national banks.	20	26
Aug. 19, 1890	Vote to reduce tariff on many descriptions of steel and iron to 35 per cent.	19	26
Do	Vote to reduce tax on wire for fences	21	25
Do	Mr. Vest's motion to reduce tariff on wire for fences.	21	27
Do	McPherson's motion to reduce tariff on wire not less than 10 wire gauge.	17	27
Do	McPherson's motion to reduce tariff on iron or steel wire of certain classes 25 per cent.	19	27
Do	Vance's motion to reduce tax on trace chains and other chains.	18	26
Aug. 20, 1890	McPherson's motion to reduce tax on cheap knives, razors, etc.	24	32
Aug. 22, 1890	Vest's motion to reduce tax on files and other tools.	19	27
Do	To reduce tax on iron or steel sheets, plates, wares, etc.	19	24
Do	To reduce tax on cut nails, spikes, etc	18	27
Do	To reduce tax on horseshoe nails and all iron and steel nails.	20	29
Do	To reduce tax on saws	19	25
Do	To reduce tax on wood screws	15	29
Aug. 26, 1890	To reduce tax on lead ore	17	28
Aug. 27, 1890	To reduce tax on tobacco	20	29
Aug. 28, 1890	To make sugar of milk free	21	24
Aug. 29, 1890	To make salt free of tax	15	29
Do	To make wool free	17	27
Sept. 1, 1890	To reduce tax on woolen worsted, yarns, etc	16	27
Do	To reduce tax on knit fabrics, etc	18	25
Do	To reduce tax on blankets, flannels, wool hats, etc.	16	27
Do	To reduce tax on women's and children's dress goods, etc.	19	26
Sept. 4, 1890	To reduce tax on stockings, hose, etc	19	27
Do	To reduce tax on burlaps and bagging for cotton.	24	31
Do	To make bagging of cotton free	24	31
Do	To reduce tax on collars and cuffs	17	29
Sept. 5, 1890	To reduce tax upon men's gloves	21	30
Do	To reduce tax on fashion plates engraved on steel.	17	26
Do	To reduce tax on bagging of jute, manila, sisal, or other fiber, except hemp or flax.	19	26
Do	To reduce tax on burlaps and bags for grain	23	28
Do	To make lumber, sawed boards, etc., free	17	31
Sept. 6, 1890	Vest's motion to put salt on the free list	25	34
Do	To reduce tariff tax on all imports which are exchanged for farm products grown in United States.	23	30
Do	To make all articles necessary for the construction of vessels free.	22	29
Sept. 9, 1890	To strike out bounty on sugar	23	34
Do	That McKinley tariff tax shall not affect bonded goods for one year.	28	34
Do	To admit goods free from nations which admit our farm and other products free.	26	38
Do	To levy a tax of 3 per cent upon dividend, including interest on bonds of corporations.	24	30
Do	Mr. Butler moved to make bagging, etc., free	24	32
Do	To prohibit any tax duty exceeding 100 per cent.	25	33
July 1, 1892	On passage of bill in the Senate for free coinage of silver.	19	18
Oct. 28, 1893	On vote to require the coinage of not less than 2,000,000 ounces of silver per month.	23	20
Oct. 30, 1893	On vote for unconditional repeal of purchasing clause in Sherman act.*	21	24

*This vote was not regarded as partisan or political.

Having given some facts regarding the financial record of the Republican party, I will now proceed to make some further allusions to the financial history of that period, and will make some reference to the political organizations called the Greenback party, Populist party, or third party.

The elections of 1874 and 1876 were very favorable to the Democrats, and the Republican party clearly saw that unless the Democracy could be divided the Republicans would be overwhelmingly defeated. The Greenback party sprung into existence, and elected some dozen Greenback members to the Forty-sixth and Forty-seventh Congresses. In some cases it was contended that these Greenback members were aided in their elections by money furnished by the Republican executive committee. By artful and deceptive promises many men who had been

good Democrats were deceived and enticed into casting their votes for Greenback candidates, thus detracting from the power and strength of the Democratic party.

Many of the Greenback candidates in part won their elections by denouncing Democrats whom they were trying to defeat as not sufficiently Democratic, but after securing their elections they voted in Congress with the Republicans and against the Democrats upon many matters of vital importance to the interests of the people. To such an extent was this carried that it was openly charged that these Greenbackers were pledged to vote with Republicans at all times when their votes were demanded by Republican leaders and managers. If there was no bargain or pledge of this sort, then these Greenbackers voted from choice against the people and in favor of monopoly.

GREENBACKERS VOTE AGAINST THE PEOPLE.

Most of these votes against the people and in favor of monopoly were *viva voce*, or upon division, or upon votes by tellers, of which of course there is no record; and sometimes, when the yeas and nays were demanded, they voted with the Republicans, but frequently, when votes were taken by yeas and nays, they refrained from voting. But notwithstanding this, a glance at the Journal and the CONGRESSIONAL RECORD shows that the Greenbackers were often recorded as opposed to Democratic measures, and to measures which they had promised their constituents to support. To illustrate:

On April 5, 1879, RECORD, page 257, a Greenbacker, who was elected protesting that he was a better Democrat than his opponent, moved to strike out the sixth section of the army bill, viz, that part of the bill which prohibited the use of soldiers and marshals at the polls. The same Greenbacker on June 26, 1879, RECORD, page 2365, sought by amendment to defeat the bill which required nonpartisan jurors in Federal courts. He also made a speech for the amendment, which is on page 2365, Forty-sixth Congress.

On June 10, 1879 (RECORD, page 1908), on the vote in the House to prevent marshals and soldiers from controlling elections in the South, when the yeas and nays were called 102 Democrats voted for the bill, 84 Republicans voted against it, and 13 Greenbackers refrained from voting.

The Greenbackers therefore showed they were clearly in favor of having elections controlled by soldiers and marshals.

On another vote on the same bill 13 Greenbackers refrained from voting upon the call of the yeas and nays.

On June 27, 1879 (RECORD, page 2397), the House voted upon a bill which prohibited the use of marshals and soldiers at the polls; 13 Greenbackers refrained from voting.

June 30, 1879 (RECORD, page 2443), the bill was vetoed, and the same day it was voted upon in the House 14 Greenbackers refrained from voting.

In December, a bill was voted upon to prevent officers of the Government from intermeddling in elections by threats or menaces, or contributions of money, or the use of official patronage. The Republicans voted against this, and when the yeas and nays were ordered 13 Greenbackers refrained from voting.

On January 12, 1880 (RECORD, page 289), 4 Greenbackers voted with 99 Republicans against free trade on salt, and 6 Greenbackers refused to vote, and thus aided the Republicans in defeating this effort of the Democrats to give the people free salt; and on March 8, 1880, upon the same subject, 7 Greenbackers voted with 97 Republicans.

March 8, 1880 (RECORD, page 1385), on Mr. Samford's bill to reduce the tariff on articles used by the poor 50 per cent, 8 Greenbackers voted with 102 Republicans against the measure.

March 23, 1880, on Mr. Townshend's bill to put salt and many other articles on the free list, 5 Greenbackers voted with 100 Republicans. On a second vote regarding the subject 8 Greenbackers voted with 108 Republicans, and on a third vote on this subject 7 Greenbackers voted with 105 Republicans.

In the Forty-sixth and Forty-seventh Congresses there was a great struggle on the part of the Republicans to obtain an unfair apportionment of representation in Congress, which was unduly favorable to Republicans and did great injustice to Democrats.

March 3, 1881 (RECORD, page 2434), on this question 6 Greenbackers voted with the 110 Republicans on the bill favorable to Republicans.

On the same day, on another vote favorable to Republicans, 11 Greenbackers voted with 116 Republicans, and on the passage of the bill, which was favorable to Republicans, 12 Greenbackers voted with 114 Republicans, and on the passage of the bill in the Forty-seventh Congress 6 Greenbackers voted with 136 Republicans. On Mr. BELTZHOOVER'S amendment, which was favorable to Democrats, 3 Greenbackers voted against it with 129 Republicans.

June 27, 1882 (RECORD, page 5415), on Mr. SPRINGER'S amendment to repeal all internal revenue taxes except taxes on whisky, Democrats all voted for it, Republicans all voted against it, and the Greenbackers refrained from voting.

March, 1882, upon the vote to increase the powers and privileges of national banks, which was favorable to monopoly, 2 Greenbackers voted with 99 Republicans, and against the people.

On motion to reconsider the vote, 4 Greenbackers voted with 105 Republicans.

On Bayne's amendment in favor of monopoly, 7 Greenbackers voted with 95 Republicans.

On Buckner's amendment favorable to the people, 8 Greenbackers joined 105 Republicans in voting against the people.

February 17, 1882 (RECORD, page 1251), on Mr. Colerick's amendment favorable to Democrats, 6 Greenbackers voted against it with 128 Republicans. On Mr. Colerick's motion to reconsider, 4 Greenbackers voted with 124 Republicans.

GREENBACKERS VOTE IN FAVOR OF NATIONAL BANKS.

In 1881 Mr. Wood reported a bill to refund the debt in 3 per cent bonds, payable at the pleasure of the United States after five years and payable in ten years. The bill also authorized the issuance of $300,000,000 of small certificates to be used as currency, which issues could be redeemed after one year. The bill also provided that these bonds and certificates should be used for the redemption of bonds bearing a higher rate of interest, and that after May 1, 1881, these bonds alone should be received from national banks as security for circulation. This would have made 3 per cent bonds sell for at least 115. On this measure, which was very favorable to the people and against the banks, the Greenbackers arrayed themselves side by side with the Republicans in favor of banks and against the people.

On January 19, 1881 (RECORD, page 783), the vote was taken upon the passage of the bill; 8 Greenbackers together with 109 Republicans voted against the bill and 125 Democrats voted for the bill. Upon another vote 10 Greenbackers voted against it together with 104 Republicans. Upon the return of the bill from the Senate 7 Greenbackers voted against it together with 86 Republicans.

The Greenbackers who voted against this bill were De La Matyr, Ford, Forsythe, Gillette, Jones, Lowe, Murch, Weaver, Wright, Yocum.

To show that this bill was favorable to the people and against national banks, and that the Greenbackers voted against the bill with the full knowledge of this, I will read from a speech delivered by Gen. Weaver January 19, 1881 (RECORD, page 766). In speaking of this bill he says:

> First. By the law as it now stands national banks may use any and all kinds of Government bonds to secure their circulation.
>
> Second. They may deposit in pledge bonds upon which all interest has ceased.
>
> Third. These banks may, whenever and as often as they see proper, retire and in turn increase their circulation by depositing lawful money with the Secretary of the Treasury. Now, all three of these privileges are taken away by the provisions of this bill.

It showed that President Hayes fully understood the bill was against national banks when he vetoed it on March 3, 1881 (RECORD, page 2433). The veto message says:

> I should not deem it my duty to interpose my constitutional objection to the passage of the present bill if it did not contain, in its fifth section, provisions which in my judgment seriously impair the value and tend to the destruction of the present national banking system of the country. This system has now been in operation almost twenty years. No safer or more beneficial banking system was ever established.

Now, the bill passed the House by only 10 majority, and the Democrats saw clearly they could not pass the bill over the President's veto by a two-thirds vote. Therefore, Mr. TUCKER (RECORD, page 2434) moved that the veto message lie on the table, to be called up hereafter, and on this 5 Greenbackers voted with the Republicans and against about 125 Democrats, including such men as Carlisle, BLACKBURN, Blount, CULBERSON, Forney, HATCH, HOOKER, Kenna, MCMILLIN, MILLS, Morrison, Reagan, SPRINGER, and Stevenson. It seemed very strange to see Greenbackers, who were elected on a pledge to oppose national banks, vote against this measure. In reply to an inquiry asking why they voted with the Republicans against the bill, a prominent politician said that if the Democrats should succeed in enacting such a bill into law it would so increase the popularity of the Democratic party as to enable it to overcome the combined efforts of the Republicans and Greenbackers.

March 26, 1882, on the Chinese question, 3 Greenbackers voted with 94 Republicans.

GREENBACKERS AID REPUBLICANS TO VIOLATE THE CONSTITUTION.

March 29, 1882, on the vote to violate the Constitution and destroy time-honored rules of the House of Representatives and give unbridled authority to the Republicans, all the Greenbackers present voted with 144 Republicans.

This vote is recorded in the CONGRESSIONAL RECORD, page 4329. Had these Greenbackers refrained from voting, the Republicans would not have been able to commit this outrage upon the Constitution.

In their efforts to prevent this outrage the Democrats exhausted every effort possible, and they would have succeeded had not the Greenbackers joined hands with the Republicans.

On the morning of May 29, 1882, before the Republicans were able to reach the vote to which I have referred, the Democrats succeeded in forcing four yea-and-nay votes. The first is recorded on page 4305 of the CONGRESSIONAL RECORD, and every Greenbacker present and voting is recorded as voting with the Republicans.

The second is on page 4325, the third is on page 4327, and the fourth is on page 4328, and in each case the RECORD shows that every Greenbacker present and voting cast his vote with the Republicans.

On a vote in the House to seat a negro, Lynch, in place of a white Democrat 5 Greenbackers voted with 120 Republicans.

On vote to unseat a Democrat, Dibble, and seat Mackey, a Republican, 7 Greenbackers voted with 140 Republicans.

On vote to unseat Tillman, a Democrat, and seat a negro, Smalls, 4 Greenbackers voted with 140 Republicans.

On vote on the previous question of unseating Gen. Shelly, a Democrat, 5 Greenbackers voted with 138 Republicans.

On vote to unseat Gen. Shelly, 5 Greenbackers voted with 140 Republicans.

The Greenbackers commenced their career of joining their votes to the votes of Republicans and against Democrats at the beginning of the Forty-sixth Congress. On March 19, 1879, page 27 of the RECORD, and before that Congress had been in session two hours, Mr. FRYE, a Republican from Maine, made a motion to prevent Mr. Hull, a Democrat, from being sworn in as a member, the purpose being, if possible, to seat Mr. Hull's opponent, who was an extreme radical Republican. This was an insult to a sovereign State, the governor and secretary of state of said Commonwealth having certified to the member's election. Eleven Greenbackers voted with 126 Republicans for this outrage, and 140 Democrats voted against it. Mr. Harris, a Democrat from Virginia, then moved that Mr. Hull be sworn in as a member. Mr. Garfield called for the yeas and nays, and 12 Greenbackers and 124 Republicans voted against it, and 140 Democrats voted for the motion.

The 12 Greenbackers who voted against seating Mr. Hull were: Messrs. Barlow, De La Martyr, Ford, Forsythe, Gillette, Jones, Kelley, Lowe, Murch, Daniel L. Russell, Weaver, and Yocum. This vote is recorded in the RECORD, March 19, 1879, page 28.

The Greenbackers continued their support of the Republican party during their entire career of four years in the House of Representatives, and including the last night of the session, March 3, 1882, when they repeatedly voted with Republicans to unseat Governor Richardson, of South Carolina, and seat a negro named Samuel Lee, said negro Lee having no claim to the seat whatever, even a Republican election committee having made a report that he was not elected. On this vote 4 Greenbackers voted with 119 Republicans to seat the negro and 114 Democrats voted against it. (See CONGRESSIONAL RECORD, second session Forty-seventh Congress, page 3752.) The Republicans, assisted more or less by the Greenbackers, continued their efforts to unseat Governor Richardson and seat the negro Samuel Lee. Several yea-and- nay votes were had. They are recorded in the RECORD, pages 3753, 3754, 3855, 3759, 3760, 3764, 3772, second session Forty-seventh Congress. The Democrats broke a quorum twice during the contest, and on both occasions the Republicans demanded a call of the House.

March 2, 1883, in the case of Sessinghaus *vs.* Frost, 7 Greenbackers voted with 119 Republicans and against 110 Democrats to unseat a Democrat, R. Graham Frost, and seat a Republican, Sessinghaus. (See CONGRESSIONAL RECORD, second session Forty-seventh Congress, page 3631.)

GREENBACKERS VOTE WITH REPUBLICANS FOR HIGH-TARIFF TAX.

But worse than all that, in the great struggle made by Democrats to defeat the iniquitous tariff act of March 3, 1883, many of the Greenbackers voted with the Republicans and against the people. On the vote to establish the Tariff Commission, 6 Greenbackers voted with the 117 Republicans and against 58 Democrats, and on the vote on the bill 4 Greenbackers voted with 136 Republicans against 112 Democrats.

On vote to reduce the tariff tax the Greenbackers very generally voted with the Republicans against the Democrats, and on vote to increase the tariff tax the Greenbackers again voted with the Republicans and against the Democrats.

June 6, 1882, on bill to more than double tariff tax upon woolen goods all the Greenbackers who voted, cast their vote with the Republicans for this iniquity.

March 30, 1882, on Tariff Commission, 4 Greenbackers voted with 113 Republicans. On second vote, 6 Greenbackers voted with 124 Republicans. When the bill passed, 7 Greenbackers voted with 116 Republicans.

On June 6, 1882, 5 Greenbackers voted with 99 Republicans against abolishing the tariff tax on trace chains.

On December 16, 1881, on the election of officers of the House of Representatives, upon the vote whether the officers of the House should be Democratic or Republican, 8 Greenbackers voted with 147 Republicans for the Republican officers and against Democratic officers.

DEMOCRATS SOLIDLY FOR—REPUBLICANS SOLIDLY AGAINST FARMERS.

On April 7, 1892, RECORD, page 3057, on a vote "to place wool on the free list and to reduce the duties on woolen goods," such as are worn by farmers and laboring people, 187 Democrats voted for it, and 57 Republicans and 1 Populist [Mr. OTIS of Kansas] voted against it.

On April 9, 1892, RECORD, page 3141, upon a vote to admit free of duty bagging for cotton, machinery for manufacturing bagging, cotton ties, cotton gins, and parts thereof, 159 Democrats voted for it, and 44 Republicans voted against it.

On May 2, 1892, RECORD, page 3842, on a vote to put binding-twine for farmers on the free list, 176 Democrats voted for it, and 44 Republicans voted against it.

On July 8, 1892, RECORD, page 5906, on vote to reduce duty on tin plate and make it free after October 1, 1894, all for the benefit of farmers and laboring men, 199 Democrats voted for it, and 61 Republicans voted against it.

All these measures were specially in favor of farmers. With one or two exceptions the Democrats voted solidly for these bills, and the Republicans voted solidly against them.

POPULISTS AID REPUBLICANS TO DEFEAT FREE COINAGE OF SILVER IN 1892.

On March 24, 1892, the House voted upon a bill for free silver coinage. Upon Mr. BURROWS'S motion to lay the bill on the table the vote (RECORD, page 2544) was 148 yeas and 148 nays. The Speaker then added his name to the negative vote. Every Democrat south of the Ohio River except two voted in favor of silver.

Mr. Johnson, a gold-standard man, moved to reconsider the above vote, which motion Mr. BLAND moved to lay on the table. The motion was lost by one vote, page 2545. Mr. Johnson's motion was then voted on and was carried by two votes, page 2546.

The Southern Democrats immediately commenced a struggle to get the one additional vote necessary to secure free silver coinage, and the gold-standard Democrats combined with the Republican party to get one vote to defeat free silver coinage. Hon. Hosea H. Rockwell was the only man from New York or New England who voted with the Democrats for free silver coinage.

He had been a brave soldier in a white regiment during the war and had been regularly and fairly elected to Congress, but notwithstanding this the Republicans and gold-standard Democrats combined to drive him from Congress and put in his place Henry F. Noyes, who was not elected and who was a colonel of a negro regiment during the war, but was an extreme gold-standard Republican. After a long struggle they succeeded in getting a vote on this contest on April 22, 1892, less than a month from the date of the vote for free coinage of silver.

This was the supreme struggle for silver and for the people, and every member of Congress fully realized that a vote against Mr. Rockwell was a vote for the gold standard and against the people, and yet with that knowledge every People's party man or third party man in this supreme moment deserted their pretended principles and the people and voted with the Republicans against silver and in favor of a gold standard Republican.

The Populists or third party men who thus voted against the coinage of silver were Messrs. BAKER, Clover, DAVIS, Halvorson, KEM, Otis, SIMPSON, Watson and Winn. They all voted with the gold-standard Republicans and gold-standard Democrats in the numerous votes, by *viva voce*, by divisions, and by tellers, and also in three separate yea-and-nay votes. The first of these yea-and-nay votes is recorded on page 3539; the second, page 3540, and the third, page 3541, of the RECORD, all on April 22, 1892. Mr. MCKEIGHAN withheld his vote twice but otherwise voted with the gold-standard men.

POPULISTS VOTED AGAINST AND OPPOSED SILVER COINAGE IN 1893.

On a vote for a free and unlimited coinage of silver at the ratio of 17 to 1 (RECORD, August 28, 1893, page 1004), Mr. HARRIS, Mr. MCKEIGHAN, and Mr. TALBERT of South Carolina, Populists, Farmers' Alliance, or third party men, voted against 88 Democrats and voted with 111 Republicans against silver coinage at 17 to 1, and Mr. BAKER, Mr. BOEN, Mr. CANNON of California, Mr. DAVIS, Mr. HUDSON, Mr. KEM, Mr. PENCE, and Mr. SIMPSON sat in their seats and declined to vote.

On the vote for free and unlimited coinage of silver at the ratio of 18 to 1 (CONGRESSIONAL RECORD, August 28, 1893, pages 1005 and 1006), Messrs. HARRIS, KEM, MCKEIGHAN, and TALBERT of South Carolina voted against 88 Democrats and voted

with 110 Republicans against silver coinage, and Messrs. BAKER, BOEN, DAVIS, HUDSON, PENCE, and SIMPSON sat in their seats and declined to vote.

On the vote for free and unlimited coinage of silver at the ratio of 19 to 1 (see CONGRESSIONAL RECORD, August 28, 1893, pages 1005 and 1006), the vote and action of the Populists, or Third Party men, with the exception of Mr. CANNON of California, was the same as it was upon the vote for free unlimited coinage at the ratio of 17 to 1.

On the vote for free and unlimited coinage of silver at 20 to 1 (see CONGRESSIONAL RECORD, August 28, 1893, page 1006) the vote and action of the Populists or third-party men was the same as the vote for free and unlimited coinage of silver at 18 to 1.

On a vote for the coinage of silver at 16 to 1, under the Bland-Allison act, Mr. NEWLANDS declined to vote. (See CONGRESSIONAL RECORD, August 28, 1893, page 1007.)

POPULISTS AIDED REPUBLICANS UNDER MR. REED IN OPPOSING REDUCTION OF TARIFF TAXATION.

On a vote January 5, 1894 (CONGRESSIONAL RECORD, page 537), for taking up a bill for reducing tariff taxation and lightening the burdens upon the people, Messrs. BAKER, BOEN, DAVIS, HARRIS, HUDSON, KEM, NEWLANDS, PENCE, and SIMPSON, Populists, or third-party men, joined the solid Republican party under the leadership of the arch protectionists, Mr. REED and Mr. BOUTELLE, and refused to vote upon the bill, and in this manner made seven less than a quorum, and thus aided the Republican party in continuing oppressions upon the people.

On another vote, January 5, 1894 (CONGRESSIONAL RECORD, page 538), by which the Democrats again sought to take up and consider the bill to reduce tariff taxation and lighten the burdens upon the people, the same 9 Populists or third-party men again placed themselves under the leadership of those arch-protectionists, THOMAS B. REED and Mr. BOUTELLE, and joined the solid Republican party, and thus defeated action upon the bill.

Again on January 5, 1894 (RECORD, page 538), on another vote and third effort by which the Democrats again sought to take up and consider the bill to reduce tariff taxation and lessen the burdens of the people, the same 9 Populists or third-party men again placed themselves under the leadership of the arch protectionists, THOMAS B. REED and Mr. BOUTELLE, and joined the solid Republican party, and thus defeated action upon the bill.

Again, on January 5, 1894 (RECORD, page 539), on another vote and fourth effort by which the Democrats again sought to take up and consider the bill to reduce tariff taxation and lessen the burdens upon the people, the same 9 Populists or third party men again placed themselves under the leadership of the arch protectionists, THOMAS B. REED and Mr. BOUTELLE, and joined the solid Republican party, and thus defeated action upon the bill.

Again, on January 6, 1894 (RECORD, page 544), on another vote and fifth effort by which the Democrats again sought to take up and consider the bill to reduce tariff taxation and lessen the burdens upon the people, the same 9 Populists or third party men again placed themselves under the leadership of the arch protectionists, THOMAS B. REED and Mr. BOUTELLE, and joined the solid Republican party, and thus defeated action on the bill.

Again, on January 6, 1894 (RECORD, page 545), when the vote was had by which the Democrats again for the sixth time sought to take up and consider the bill to reduce tariff taxation and lighten the burdens upon the people, the same 9 third party men or Populists again placed themselves under the leadership of the arch protectionists, Messrs. REED and BOUTELLE, and joined the solid Republican party, and thus defeated action on the bill.

Again, on January 6, 1894 (RECORD, page 546), when the vote was had by which the Democrats again and for the seventh time sought to take up and consider the bill to reduce tariff taxation and lighten the burdens upon the people, the same 9 Populists or third party men again placed themselves under the leadership of the arch protectionists, Messrs. REED and BOUTELLE, and joined the solid Republican party, and thus defeated the action upon the bill.

On January 8, 1894 (RECORD, page 565), when the eighth vote was had to take up the bill to reduce tariff taxation and lighten the burdens upon the people, every one of the Populists or third party men again placed themselves under the leadership of the arch protectionists, THOMAS B. REED and Mr. BOUTELLE, and joined the solid Republican party, and thus defeated action upon the bill.

On January 8, 1894 (RECORD, page 570), on Mr. REED'S motion to recommit the order for the consideration of the bill to reduce tariff taxation and lessen the burdens upon the people, Messrs. BAKER, BOEN, DAVIS, HARRIS, KEM, NEWLANDS, PENCE, and SIMPSON refused to vote, and thus for the ninth time joined the solid Republican party under the leadership of Mr. REED and Mr. BOUTELLE, and thus sought to prevent legislation for reducing tariff taxation and lessening the burdens upon the people.

On January 8, 1894 (RECORD, page 571), on the order for the consideration of the bill to reduce tariff taxation and lighten the burdens upon the people, Messrs. BAKER, BOEN, DAVIS, HARRIS, KEM, NEWLANDS, PENCE, and SIMPSON refused to vote, and thus joined the solid Republican party under the leadership of Mr. REED and BOUTELLE, and thus sought to prevent legislation for reducing tariff taxation and lessening the burdens upon the people.

The RECORD shows that none of these gentlemen were paired upon any of these votes; and the RECORD shows that Mr. BAKER, Mr. BOEN, Mr. DAVIS, Mr. HUDSON, Mr. KEM, Mr. PENCE, and Mr. SIMPSON were present at other roll calls during days that these votes were had.

Mr. HARRIS was absent with leave, but was not paired; but the RECORD does not show that Mr. NEWLANDS had any leave of absence. If Mr. HARRIS would have voted, I hope that he will make that statement to the House.

SOUTHERN DEMOCRATS VOTED SOLIDLY FOR SILVER COINAGE.

On March 1, 1894, the House voted on the bill to coin the silver bullion in the Treasury. Upon the vote offered by a gold-standard man to strike out the second section of the bill, so as only to permit the coinage of $55,156,681, 120 Democrats voted against the amendment and 59 Republicans backed by gold-standard Democrats voted for the amendment.

Upon Mr. BLAND'S substitute 172, nearly all Democrats, voted for it, and only 94, mostly Republicans, voted against it, and only two members of Congress south of the banks of the Ohio voted against it.

On the vote to recommit, nearly all the Republicans and the Northeastern Democrats, in all 132 in number, voted to recommit the bill, and only 1 Democrat from south of the banks of the Ohio voted with them. The vote against the recommittal was 168, including every Democrat but one from the South.

Upon the passage of the bill 168 votes were cast in its favor, including every Democrat but one from the South. There were 129 votes cast against the bill, including nearly every Republican and all the gold-standard Democrats from the Northeast.

Upon the vote to pass the bill over the President's veto on April 4, 1894, 119 Democrats, 7 Populists, and 18 Republicans from the silver and Western States voted in favor of its passage. The vote against its passage was 114, including almost the solid Republican party aided by gold-standard Democrats, mostly from the North and East. Only two members of Congress from south of the banks of the Ohio River voted against the bill.

POPULISTS VOTED WITH THE REPUBLICANS TO PREVENT AN INCREASE OF CURRENCY.

On June 6, 1894, the Populists in a body joined the Republicans and voted against the Democrats on the measure to repeal the 10 per cent tax on State bank issues. There were 102 votes for the bill, all of them by Democrats and including every Democrat south of the Ohio River. The vote against the bill was 88 Republicans, 9 Populists, and 75 Democrats from the Northeast and North. The votes against the bill included every Republican and every Populist.

Courtesy to the Senate only allows me to state without criticism that Senator PEFFER, who claims to be a friend of the people, was the only Senator or Representative of any party who had the heart to offer an amendment to the tariff bill placing a tariff tax of over 60 per cent upon salt, an article which is used more extensively by farmers than by any other class of people. This amendment was offered by him June 18, page 7667 of RECORD, and again on the same day, page 7668, and again on June 20, page 7752, at which time he made a labored argument all in behalf of a salt monopoly against the interests of the people of the United States. On page 7758, the Senate voted upon this effort of Senator PEFFER to take salt from the free list and put on it a tax equal to 60 per cent. Senator PEFFER and 23 Republicans voted for the amendment, and 31 Democrats voted against it.

I will also mention that Senator PEFFER advocated taxing the people of the United States some $14,000,000 a year to pay a bounty to sugar-raisers. He even insisted, April 12, page 4597, that the McKinley bill bound the United States to continue this bounty. He continued this argument April 13, page 4603, in favor of making the people pay a

POPULISTS VOTE TO TAX SALT AND PAY BOUNTIES.

On June 5, 1894, the Senate voted upon the proposition to abolish paying bounty on sugar. Senator PEFFER and 30 Republicans voted against this amendment, and 38 Democrats voted for it. Upon another amendment, page 6835, to extend the

bounty eleven years Mr. PEFFER and 31 Republicans voted for the amendment and 38 Democrats voted against it.

Senator PEFFER'S method of remedying evils was expressed by him June 18, page 7648, when he said:

Let the National Legislature take charge of this subject; let it take pose session of all the coal beds and all the coal mines in the country, and let th coal be given to the people freely. Senators smile.

Of course Senators smile. They all know that ninety-nine out of a hundred farmers burn wood and have nothing to do with coal, and they smile to see a Populist, who professes to be a friend of the farmers, proposing that these farmers shall be taxed some $300,000,000 a year to donate 150,000,000 tons of coal to persons who are not farmers.

Upon another amendment to retain graduated bounty until July 1, 1905, Senators PEFFER, ALLEN, and KYLE, all Populists, and 31 Republicans voted for it, and 37 Democrats voted against it. Senator ALLEN, as an excuse for advocating a tax on sugar, said, June 5, 1894, page 6841:

If the $100,000,000 that were found in the Treasury when Mr. Harrison came into the Presidential office had been judiciously used there would be no necessity to-day for the levying of a tax upon sugar.

Over $26,000,000 of that surplus was taken out of the Treasury and paid as a premium upon bonds, and through that and other means equally vicious the Treasury was rendered bankrupt on the 4th day of March, 1893. The country was bankrupt. The $100,000,000 had disappeared; the national debt increased; the expenses of the Government were pressing upon us.

I will now present a table showing the recorded vote on thirty-three measures introduced by Republicans, in which Greenbackers, Populists, or third party men voted with Republicans in favor of these measures, all of which were to benefit banks and monopoly, and against the interests of the people. I also present a table which shows the recorded vote upon thirty-five measures introduced by Democrats, in which Greenbackers, Populists, or third party men voted with Republicans and against these measures, and in favor of banks and monopoly, and against the people.

In these tables I have included some votes which are purely political in which Greenbackers, Populists, or Third party men voted with Republicans.

I say these votes were political, because they were efforts to unseat Democrats and seat Republicans in their places, so as to give increased strength to the Republican party.

Votes in the House of Representatives upon Republican measures in the interests of banks and monopolies and against the interests of the people.

Date.	Character of measure.	Democratic votes against banks and monopolies and in the interests of the people.	Republicans and Greenbackers or Populists in favor of banks and monopolies and against interests of the people.	
			Republicans.	Greenbackers or Populists.
Mar. 8, 1880	On referring a bill to reduce taxes to a committee to prevent its passage.	84	97	7
Mar. 23, 1880	Vote to delay and defeat Mr. Townshend's bill to place salt, printing type, printing paper, chemicals, and materials used in making paper upon the free list.	94	108	8
Do	On Garfield's motion to defeat Townshend's bill by referring it to committee.	84	105	7
Mar. 3, 1881	On apportionment of representation at 322, which was favorable to Republicans.	127	110	6
Do	On motion to fix representation at 319, which was also favorable to Republicans.	120	116	11
Do	On passage of the bill favorable to Republicans.	113	114	13
Feb. 17, 1882	Mr. Anderson moved to fix the House of Representatives at 325 members.	100	136	6
Do	On vote favorable to Republicans and against Democratic principles.	95	120	5
Mar. 17, 1882	On Mr. Cameron's amendment favorable to national banks and to Republicans.	86	99	2
Do	On reconsidering the above vote	87	105	4
Mar. 20, 1882	Mr. Kelley's motion to consider the Tariff Commission.	55	113	4
Mar. 23, 1882	Mr. Kasson's amendment favorable to Chinese.	90	94	3
May 6, 1882	Tariff Commission bill passed	75	116	7
May 29, 1882	Page 4325 of the RECORD Mr. REED'S motion to lay Mr. Randall's motion on the table.	.....	142	8
Do	Page 4328 of RECORD Mr. REED'S demand for previous question on unconstitutional rule.	.....	142	9
Do	On vote to give Republicans unlimited and unbridled authority.	.....	141	9

Votes in the House of Representatives upon Republican measures, etc.—Cont'd.

Date.	Character of measure.	Democratic votes against banks and monopolies and in the interests of the people.	Republicans and Greenbackers or Populists in favor of banks and monopolies and against interests of the people.	
			Republicans.	Greenbackers or Populists.
May 29, 1882	To seat a negro (Lynch) in place of a white Democrat.	93	120	5
Do	In unseating Dibble and seating Mackey.	.....	140	7
Do	In unseating Tillman and seating a negro (Smalls).	.....	140	4
Do	On the previous question of unseating Shelly.	.....	138	5
Do	On the vote to unseat Shelly	.....	140	5
Mar. 19, 1879	On Frye's motion against Hull and in favor of a Republican.	140	126	11
Mar. 20, 1882	On Tariff Commission	58	117	6
June 27, 1882	On passage of internal revenue bill	77	119	*7
July 3, 1882	Mr. Kelley's motion to increase tariff on knit goods from 35 per cent to 100 per cent.	46	108	4
July 26, 1882	Motion to recommit Mr. Tucker's bill in favor of free American ships.	71	96	3
Mar. 2, 1883	To unseat a Democrat (Frost) and seat a Republican.	110	119	7
Mar. 3, 1883	Vote on tariff bill	112	136	4
Do	On vote to seat a negro and unseat a Democrat.	114	119	4
Apr. 22, 1892	To unseat a silver Democrat and seat a gold-standard Republican colonel of a negro regiment.	140	72	9
Do	do	128	74	9
Do	Motion having the same ultimate purpose.	124	78	10
Jan. 8, 1894	On Mr. REED'S motion to recommit order for consideration of tariff bill.	181	114	8
June 5, 1894	Vote in Senate to continue the bounty on sugar for 11 years.	38	31	1
Do	Vote in Senate to retain graduated bounty on sugar for 11 years.	37	31	3
June 20, 1894	Vote in Senate on Peffer's amendment to tax salt.	31	23	1

Votes in the House of Representatives upon Democratic measures against banks and monopolies and in the interests of the people.

Mar. 19, 1879	On Mr. Harris's motion to seat a Democrat.	140	124	12
June 10, 1879	On vote to prohibit marshals and soldiers at the polls.	102	84	12
June 27, 1879	On another vote to prohibit marshals and soldiers at the polls.	89	69	13
June 30, 1879	Vote on same bill after President's veto.	85	63	13
Jan. 12, 1880	Bill to make salt free of duty	99	99	*9
Mar. 8, 1880	On motion on Mr. Samford's bill to reduce tariff 50 per cent on many articles used by laboring people, and to make printing paper, type, and material free.	81	102	8
Mar. 23, 1880	Mr. Nicholls's motion favorable to bill to place salt, printing type, printing paper, chemicals, and materials used in making paper upon the free list.	110	100	5
1881	Mr. Wood's bill to refund in 3 per cent bonds, redeemable at the pleasure of the United States after one year.	124	104	10
	When the same bill came back to the House.	113	86	7
Jan. 19, 1881	Funding debt and destruction of national-bank system.	125	109	8
Dec. 6, 1881	On motion to elect Democratic officers of the House.	121	147	8
May 18, 1882	Mr. Bland's bill for substituting United States currency for national-bank notes.	66	114	5
May 6, 1882	Mr. Mills in favor of resolution that no more money shall be collected than is necessary for the wants of the Government economically administered; that the maximum revenue duty should be imposed on all luxuries; that duties should be ad valorem, and fraudulent invoices prevented, and that duty should be imposed so as to operate equally throughout the Union.	74	124	6
May 18, 1882	Mr. Buckner's amendment restricting national banks and favoring people.	56	150	3
Do	Mr. Beltzhoover's amendment to prevent gerrymandering.	109	129	3
Do	Mr. Colerick moved to fix the House of Representatives at 316, favorable to the Democrats.	94	128	6
Do	Mr. Colerick moved to reconsider	99	124	4

Votes in the House of Representatives upon Democratic measures, etc.—Cont'd.

Date.	Character of measure.	Democratic votes against banks and monopolies and in the interests of the people.	Republicans and Greenbackers or Populists in favor of banks and monopolies and against interests of the people.	
			Republicans.	Greenbackers or Populists.
May 29, 1882	On Mr. Blackburn's motion to delay vote on rule, page 4305.	.....	138	8
Do	On Mr. Kenna's motion, page 4327	.....	143	9
June 6, 1882	On bill to abolish duty on trace chains.	67	99	5
June 27, 1882	On Springer's amendment to abolish excessive internal taxes.	56	119	*10
Apr. 7, 1892	On vote to reduce tariff tax on woolen clothing used by laboring people.	187	57	1
Aug. 28, 1893	On vote for free and unlimited coinage of silver at 17 to 1.	88	111	*8
Do	On vote for free and unlimited coinage of silver at 18 to 1.	88	110	*10
Do	On vote for free and unlimited coinage of silver at 19 to 1.	87	109	*10
Do	On vote for free and unlimited coinage of silver at 20 to 1.	73	105	*10
Jan. 5, 1894	On vote to take up bill to reduce taxation.	169	*119	9*
Do	do	167	*118	*9
Do	do	168	*116	*9
Do	do	166	*115	*9
Jan. 6, 1894	do	168	*112	*9
Do	do	168	*114	*9
Do	do	168	*115	*9
Jan. 8, 1894	do	190	*112	*9
Do	do	184	*114	*9
June 6, 1894	On vote to repeal 10 per cent tax on State bank issues.	102	88	9
June 5, 1894	Vote in Senate to abolish bounty on sugar.	38	30	1

*In votes thus marked a portion and sometimes all of the Populists and Republicans refused to vote; I therefore classify the Populists as joining the Republicans against the measures.

DEMOCRATS THE ONLY TRUE FRIENDS OF THE PEOPLE.

This record gives abundant proof that Populists, Greenbackers, or third-party men, under whatever name they may appear, have repeatedly aided the Republicans in thwarting the efforts of Democrats to legislate in the interests of the people. It shows clearly they have aided the Republicans in perpetuating the national-bank system, in perpetuating the gold standard, in maintaining high tariffs, in force bills, and in controlling elections by soldiers and marshals, and all other obnoxious and pernicious legislation by which the Republicans have added wealth to the rich and increased the poverty and suffering of the great mass of people, and the evidence is clear beyond question that the leaders of the Greenback, Populist, and other third-party movements in the South seek and receive financial aid from the Republican party, and the proof is also abundant that their leaders promise in return to support tariff and other legislation which they must know is destructive to the farmers and other laboring people of the Southern States.

We all remember how Mr. HENDERSON, a Republican member of Congress from Iowa, showed that in 1880 Gen. Weaver ran for President to aid Gen. Garfield, or, as Gen. HENDERSON expressed it, as the tail of the Republican kite.

The proof is unquestioned that Chris Magee, of the Republican committee, came to Alabama, and that the Weaver electors were pledged to vote for Harrison, provided by so doing they could defeat the Democratic party and reëlect Harrison President of the United States; and now comes the exposure that the leaders of the opposition to the Democratic party in Alabama are secretly in conference with such leaders in the cause of high-tariff Republican protection as Senators HOAR and LODGE, and Congressmen WALKER and COGSWELL, and several other Republican members of the House and Senate and the Home Market Club of Boston, and that these Republicans are now engaged in raising money to aid in the defeat of the Democratic party of Alabama.

Senator HOAR, in speaking for himself and Republican associates of Capt. Kolb, says:

We all believe that this movement is of the utmost importance; that it is the most promising fact that has taken place in the history of the South for many years.

Senator HOAR also says:

That if he succeeds the solid South is broken and that the success of the cause of protection is assured.

Senator HOAR also says to his Republican associates:

I have no doubt that the forces that he leads will be found acting with us in all great essentials in the future.

The New York Sun says:

The Home Market Club has sent out circulars marked "In confidence," seeking to raise this money.

The circular closes in these words:

Prudence requires that strict privacy should be observed in raising the money. There is so much prejudice in the South that it might be fatal to the cause to have it become known the Kolb party receives any aid from New England. We pray you therefore to avoid seeing any but discreet men and to impress upon them the importance of secrecy.

This exposure is only corroborative of the evidence furnished by the records of Congress which I have given in this speech. Here we have positive proof that the leaders of the opposition to the Democratic party in Alabama have convinced the authors of the force bill and arch protectionists, Senators HOAR and LODGE, that they and their followers will be found acting with these Republican leaders in the future.

This record should admonish every true lover of his country that there is but one way on earth to restore our country to peace and prosperity; that there is but one way to reëstablish the South and the rural sections upon the principles which governed when we were happy and prosperous, and that one way is to place every Department of the Government under the control of true and unquestioned Democrats.

POPULISTS BILLS INJURIOUS TO THE SOUTH.

I have before me four bills, introduced in this Congress by Populists, which I respectfully submit would, if enacted into law, do more harm to the people of the South than any measures ever proposed in Congress, unless we except the force bill and confiscation bills which were introduced soon after the close of the war.

House bill 3186 by Representative HUDSON, a Populist, provided—

That all pensioners for service in the Federal Army and Navy during the war may receive in one payment ten times the annual amount of the pension.

This would cost the Government this year $1,500,000,000.

House bill 3436, introduced by Representative DAVIS, Populist from Kansas, provides—

That the mortgage debt of any mortgagor of real estate used as a home or for support, shall be paid by the United States where an appraisement board finds the estate to be worth the full amount of the mortgage, and the debtor shall be allowed to redeem his property from the United States within twenty years by paying an interest of 1 per cent per annum.

It is estimated that this would enable persons to get money of the United States for twenty years at 1 per cent interest to an amount exceeding $12,000,000,000.

The rich and influential owners of real estate in cities would be the first beneficiaries, and the Government would become bankrupt before the farmers could get any benefit from the act.

House bill 3437, introduced by Representative DAVIS, Populist from Kansas, provides for—

Granting a pension of $10 to $25 per month to all soldiers or sailors of the Union Army and Navy in the late war, and also to widows and minors; this to be in addition to disability pensions granted under present laws.

The Commissioner of Pensions estimates that this bill would increase our annual disbursements for pensions to $460,000,000 for the coming year and the Commissioner also says that—

Death will but slowly lighten this national burden.

House bill 6767, introduced by Representative DAVIS, Populist member from Kansas—

directs the immediate enlistment of 500,000 men to be fed, clothed, paid, and provided for the same as the regular Army; said army to be employed on works of public improvement, canals, rivers, and harbors, irrigation works, public highways, etc.

As the present Army of 25,000 men costs over $23,700,000 a year, the cost of simply the clothing, food, pay, etc., of this proposed army of 500,000 men would probably exceed $474,000,000.

If these bills should go into effect it would require the disbursement this year by the United States Government of $14,434,000,000, which is more than forty times the entire income of the United States, and as the entire amount of gold, silver, and paper money circulation of the world is only $10,037,568,000, the proposed expenditure this year by these four Populist bills would be one-half greater than all the money in the world. And yet these bills are only a few of the many impracticable measures which the Populists in Congress have prepared to have enacted into law.

The only possible way to raise this stupendous sum would be by a direct tax, and as the Constitution provides that direct taxes be apportioned according to population the amount Alabama would be required to pay this year would be $350,000,000. This would be about double the assessed value of all the property in that State. It is very clear that the passage and enforcement of these bills would bring bankruptcy and ruin upon all the people in the South.

Mr. NEILL. Mr. Chairman, the bill under consideration is one of very great interest and, as I believe, of great importance to the million and a half of people of the State of Arkansas, whom I have the honor in part to represent on this floor.

A large majority of the people of my State are producers of farm products—corn, wheat, pork, and cotton. Of the latter product we raised and marketed in 1892-'93 615,000 bales, and in 1891-'92 900,000 bales, being fifth in the rank of cotton-producing States.

It has been impossible for me, Mr. Chairman, amid the press of other duties crowding upon me, to give as much time to the consideration of the pending measure as I needed, and I shall therefore not be able to present my views in as concise and orderly a manner as I could wish, but the subject is too vast and far-reaching in its effect upon the people I represent as well as many millions of other American citizens for me to forbear entering a plea in behalf of the passage of the bill by the present House at this session.

Upon this floor are many ostensible friends of the farmer, and of the men, women, and children who must earn their living by manual labor.

We have also many, very many constitutional lawyers, some of whom can always, when hard pressed for reasons for opposing a measure looking to the relief of the toiling masses, be depended upon to fortify themselves behind some generalization of the Constitution.

In saying this, I yield to no man on this floor or elsewhere in my respect for the great organic law of the land and in a deep sense of my obligation to support it in all its plain behests as well as in its true intent and spirit.

In the time I shall occupy before your committee I shall try, as befits a representative of the people in the greatest law-making body in the world, to discuss the measure under consideration dispassionately; and yet, Mr. Chairman, it is hard to restrain a feeling of impatience and indignation at some of the arguments, subterfuges, and devices which have been invoked to discredit and destroy the bill and to prevent any legislation upon the subject it treats of.

The practice of gambling in futures has been too often denounced and condemned both by many of the State courts of last resort, as well as by the Supreme Court of the Union, to require at my hands further animadversion to brand it as being an evil which the legislative department of the State governments may take hold of, regulate and suppress.

In my own State of Arkansas, ever in the van with wholesome, conservative legislation, looking to the interests of the people, eleven years ago in March last this business was made a misdemeanor punishable by fine of not less than $250 nor more than $500, with thirty days' imprisonment in the county jail for a second offense. This statute was construed in the case of Fortenberry *vs.* State, 47 Arkansas, 188, from which I read some extracts:

Smith, J. The plaintiff in error was convicted of gambling in grain futures, and was fined $250. Motions in arrest of judgment and for a new trial were denied. * * *

It is argued that this act is void as being in restraint of trade, and it may be conceded that it is loosely drawn.

* * * * * * *

Certainly the Legislature did not intend to impose any restrictions upon legitimate commerce, but only to destroy the parasite that infests it. Contracts for future delivery, if entered into in good faith and with an actual intention of fulfillment, are as valid as any other species of contract. A farmer may sell and agree to deliver his wheat or his cotton for a stipulated price before it is harvested. Nay, one may sell goods to be delivered at a future day which he has not in actual or potential possession, but which he intends to go into the market and buy.

But this is not what is commonly known as dealing in futures.

This phrase has acquired the signification of a mere speculation upon chances, where the grain, cotton, or stocks dealt in exist only in imagination, and where no delivery is contemplated, but the parties expect to settle upon the difference in the market.

* * * * * * *

It will be seen by this opinion that the produce gamblers of the stock and cotton exchanges of New York, and of the Board of Trade of Chicago, through their agent at Little Rock, proposed to continue their nefarious business in the teeth of the statute, until he was arrested by the mandate of the criminal court of Pulaski County. The opinion is also somewhat instructive as to the methods of this very legitimate and beneficent business of which some of our friends are so enamored.

This fellow was selling wheat in Little Rock, and had in the six months previous to his indictment sold 250,000 to 300,000 bushels per day. At that time there was not a grain elevator in Little Rock, nor is there now except in a small way as an attachment to some flouring mill. There was not 200,000 bushels of wheat raised annually in a radius of 100 miles from Little Rock, and never a bushel brought there for sale.

Now, it is the concensus of opinion among the cotton planters of my State that this speculating, that is, gambling on the price of this great staple, has a tendency to render prices fluctuating, uncertain, and in the end lower to the producer, and I am of opinion that the wheat, corn, and pork growers of the North and West have a like belief as to the effect of "futures" dealing as to these products.

If they are correct in this, it seems to me that all honest minds will concur that they should have relief, if relief may be had by legislation.

Perhaps these farmers can not demonstrate with mathematical precision the correctness of their belief in this regard, but they can easily come nearer to it than can the advocates of this sort of gambling do in support of their theory, that futures and options dealing augment prices.

A great army of people live off their gains in this sort of gambling—called by courtesy speculating. They do not add a pound of pork or cotton, or a peck of corn or wheat, to the amounts annually produced, nor do they find or create a market for any actual tangible quantities of these products. They simply engage in the business of wagering from day to day and week to week as to what prices will be at a given day in the future. They go through the form and pretense of buying billions of bushels of wheat, and millions of bales of cotton, which have no more real existence in bulk, form, and weight than do the shadows of the trees cast by the morning sun on the pavements surrounding this Capitol.

The immense volume of this phantom buying and selling is well illustrated by the transactions on the New York Cotton Exchange.

I hold in my hand a volume on the subject of cotton issued annually by Latham, Alexander & Co., brokers and cotton commission merchants of New York. Now, I want to say that I have very considerable regard for Latham, Alexander & Co. They are very clever people, or were about fifteen years ago, when they sent their agent down to Arkansas and lent that State money with which to pay the current expenses of her government immediately after the time when the carpet-baggers had robbed her so that her scrip was not worth but 20 cents on the dollar.

I quote these gentlemen now as very good authority on the facts of this matter. I do not agree with their conclusions. According to statistics furnished by them the cotton crop of 1891-'92 was 9,035,000 bales, and the crop of 1892-'93 was 6,700,000 bales; and in those same years there were sold on the New York Cotton Exchange, in 1891-'92, 33,230,600 bales, and in 1892-'93, 52,656,400 bales.

I understood a gentleman upon this floor to-day [Mr. QUIGG] to say that this practice of making fictitious sales, this dealing in "futures" was centuries old. Sir, it did not begin in New York until 1870, according to Latham, Alexander & Co.

It is a modern device. These gentlemen who publish this book, Latham, Alexander & Co., say:

Settlements of cotton contracts can be made only by purchases and sales of like contracts. "Puts," "calls," and "options," which are privileges, are not, and never were recognized by the New York Cotton Exchange, and are not traded in on the floor of that exchange.

The high-toned gentlemen of the New York Cotton Exchange do not deal in these things on the floor of the exchange; they have a basement there where that sort of dealing is done. These gentlemen—Latham, Alexander & Co.—go on further and say:

A ready means of disposing of cotton is thus afforded; when the market is dull it is difficult to sell cotton from table, except at a sacrifice, but a contract can at any time be sold against it.

They are made at "seller's option;" that is, the seller has the option of delivering the cotton on any day during the contract month: he can, if he choose, wait till the end of the month; but the buyer must receive it any day it is tendered during the contract month, unless he sells out or closes the contract, which can always be promptly done. * * *

As already stated, contracts can always be promptly settled; that is, bought in or sold out; yet on every one actual cotton can be obtained if desired.

Of course, those fellows do not desire it.

Mr. BOATNER. May I ask the gentleman a question?

Mr. NEILL. Certainly.

Mr. BOATNER. Do I understand that the gentleman is supporting this bill because he is opposed to dealings in futures or because he wants to raise revenue?

Mr. NEILL. Well, I will get to that question later on. I will be frank, however, with the gentleman, and say that so far as I am concerned I am opposed to this sort of business, and I will fight it as I would the devil—with fire.

Mr. BOATNER. If this bill would not break up the business, but would, on the contrary, encourage it, and in doing so bring revenue to the Government, would the gentleman then support it?

Mr. NEILL. Well, I think the bill will circumscribe the evil and eventually kill it. It is like building a fire around a copperhead snake; you may not kill him at once, but if you get him en-

circled with the flames after a while you will kill him, if you have fire enough.

Mr. Chairman, I read further from this statement of Latham, Alexander & Co.:

To merchants and operators, cotton contracts for future delivery afford great advantages.

These gentlemen do not pretend, they are too honest to say, that these cotton speculations inure to the benefit of the farmer.

This is evidenced not only by the large business in New York—

I have shown you that it is a very large business—

but also by the extensive business done in them in Liverpool.

Now, mark the language that follows:

They fluctuate more widely and frequently than cotton, though governed in general by the course of actual cotton on which they are based.

Here are men arguing in behalf of this system and telling you that the prices of the cotton which these fictitious sales pretend to cover fluctuate more widely and frequently than the price of actual cotton, though, as they say, the price is "governed in general by the course of actual cotton, on which the sales are based." Of course they must have a few bales of cotton to make the shadow, and then they proceed to speculate on the shadow.

How is it possible that the gambling of these men can add a farthing to the price of the farmer's cotton or wheat? The assertion has been made, but no man has proved it or even offered respectable evidence in support of it, that this gambling, this betting upon the price of these products can enhance and does enhance their value.

The prices of these things if governed by legitimate trade alone would inevitably be regulated by the law of supply and demand. But the aggregation of capital and of brains and cunning engaged in this devious business is so great that by their combinations and gambler's tricks the price of produce is sometimes forced up unnaturally, and as often artificially depressed. It so occurs that the producer never gets any benefit of the artificial rise, but is dead sure to be a sufferer from unnatural and forced depression.

Mr. Chairman, and gentlemen of the committee, the absurdity of the claim that this species of gambling can add to the price of the farmer's products or be a benefit to him is unsurpassed. It is only equaled in my judgment by that other monstrous absurdity, the claim of our friends of the Republican party in behalf of a protective tariff, that we can make ourselves rich as a nation by taxing ourselves.

But we are told that this legislation is unconstitutional, is inimical to the Constitution. That is the difficulty that my distinguished friend from Louisiana [Mr. BOATNER], a member of the Judiciary Committee, wants to get me in. In the language of the learned gentleman from Massachusetts [Mr. EVERETT], he [Mr. BOATNER] thought perhaps he would "deposit me in a cavity;" but I think I see a hole at the other end to come out at. [Laughter.]

Let us examine this cry of unconstitutionality, and test it in the light of a judicial exposition of a very similar statute of Congress, rendered by the Supreme Court in 1866, and reaffirmed and approved in 1876, and never overruled or challenged to this day, so far as I can ascertain.

Mr. Chairman, in 1864 and 1866 there was legislation placed upon the statute books of the United States in the form of an internal-revenue act, passed originally in 1864 and subsequently amended in 1866. It enacted that no persons should be engaged in certain trades or business, including those of selling lottery tickets and retail dealing in liquors, until they should have obtained a license. By the amendatory act of 1866 the words "special tax" were inserted in the place of the word "license" in the former acts.

Congress at that time really provided in effect for licensing lotteries. I presume there is hardly any member of this House who would have the hardihood to get up on this floor to-day and say that lotteries are a legitimate business. In the great State of my honorable and honored friend from Louisiana there was a fight made by the gallant people of that State upon this question, and to my great joy and that of most of the honest people of the United States I believe, the hydra-headed monster, the Louisiana Lottery, was crushed. Yet Congress licensed the selling of lottery tickets in 1864, and the Supreme Court of the United States in a well-considered decision rendered in 1866 sustained the constitutionality of that law.

Now, I am going to take up the time of the committee only a little while on this branch of the subject, for it is a question at this point which few but the lawyers will pay much attention to; but they know that in the license-tax cases decided by Chief Justice Chase in 1866 it was held that the power of the Government to license or tax these things (lotteries and retailing of liquors) was unquestioned, and that right was fully recognized. The cases are reported in 5 Wallace, United States Supreme Court Reports, pages 462 and following. Something had been said in the brief of counsel for defendants about the policy and immorality of the statute. Chief Justice Chase disposed of that in short order when he said:

Congress, by an internal-revenue act of 1864, subsequently amended, enacted that no persons should be engaged in certain trades or businesses, including those of selling lottery tickets and retail dealing in liquors, until they should have obtained a "license" from the United States.

In New York and New Jersey, selling lottery tickets, as in Massachusetts retailing liquors (except in special cases not important to be noted) is, by statute, wholly forbidden.

Such selling or dealing is treated as an offense against public morals, made subject to indictment, fine, and imprisonment, and in one or more of the States named high vigilance is enjoined on all magistrates to discover and to bring offenders to justice, and grand juries are to be specially charged to present them.

There are cases, it is true, in which arguments drawn from public policy must have large influence; but these are cases in which the course of legislation and administration do not leave any doubt upon the question what the public policy is, and in which what would otherwise be obscure or of doubtful interpretation, may be cleared and resolved by reference to what is already received and established.

The cases before us are not of this sort. The Legislature has thought fit, by enactments clear of all ambiguity, to impose penalties for unlicensed dealing in lottery tickets and in liquors. These enactments, so long as they stand unrepealed and unmodified, express the public policy in regard to the subjects of them.

But it is not necessary to regard these laws as giving such authority. So far as they relate to trade within State limits they give none and can give none. They simply express the purpose of the Government not to interfere by penal proceedings with the trade nominally licensed if the required taxes are paid. The power to tax is not questioned, nor the power to impose penalties for nonpayment of taxes. The granting of a license, therefore, must be regarded as nothing more than a mere form of imposing a tax, and of implying nothing except that the licensee shall be subject to no penalties under national law if he pays it.

I say to you frankly if I had power I would dispose of all this business at once. The States ought to do it, but they will not; and the people of this country invoke therefore the power of Congress for their protection, and insist that it shall be done. I have read this decision to show that there is nothing unconstitutional in this bill; that is, as to the spirit and purport of it. As to the details of my friend's bill I am not well posted, for I have really not had time to study it. If, however, there are objectionable features in it they can be remedied to-morrow by amendment.

In short, Mr. Chairman, the Supreme Court of the United States, in an opinion by Chief Justice Chase, which was reaffirmed in a later case in 1876, reported in the Supreme Court Reports, volume 93, declares as to the constitutionality of such legislation as is embraced in the pending bill. That is sufficient for me. I maintain that Congress has complete power to tax these occupations—you may call them occupations—and to impose a stamp tax upon them.

It boots not what may be my motive or the motive of gentlemen in supporting the bill. I have dealt frankly with you and have told you my opinions in regard to it. I am supporting the bill because we have the decision of the Supreme Court of the United States that the bill is not obnoxious to the Constitution; and many of us recognize the importance of some measure that will deal with this evil.

Mr. Chairman, there is a sort of remarkable coincidence about this bill and those who support and those who oppose it. I venture the opinion—and in what I may say following this I mean no disrespect to any gentleman on this floor, I disclaim any such intention; but I venture the opinion that every gold monometallist on this floor, every man who voted against the repeal of the State bank tax, and every devotee of the national banking system, as well as every representative of the boards of trade in the great commercial centers of this country are opposed to this bill.

These things, let me tell you, commend the bill to me. I support it in part for the enemies it has. The solicitude of the gentleman from New York [Mr. QUIGG] who immediately preceded me, that the farmer would have to pay this tax, is a marvel of human charity; that solicitude would indeed be painful if it were not so absolutely ridiculous. [Laughter.] The gentleman from the purlieus of Wall street sympathizing with the farmer! I could make a quotation in this connection and comment thereon, but I will not—I forbear. [Laughter.]

Now, I have but little more to say on this subject. It is reported as having been said on yesterday by the gentleman from Illinois [Mr. GOLDZIER] "that Congress should do nothing for the farmer." I did not hear that speech. It is not printed in the RECORD, and I have derived what information I have on the subject from an extract in the Washington Post of this morning. Well, Mr. Chairman, that is just about what Congress has done for the farmer heretofore—nothing.

It remains to be seen, however, whether Congress will now take a new departure, and climb to a higher plane of statesmanship, and mete out justice and the equal protection of the laws

to that class of our population on the products of whose labor our national prosperity so largely rests. The farmer is not a mendicant. He is not asking your charity, but only the equal protection of the law, and for that legislation which may inure to his benefit without harm to any other honest industry throughout the country.

The gentleman from Illinois on yesterday, as I understand it, inveighed against selecting any class of citizens and doing something for them. He must have forgotten that his own colleague who sits here [Mr. DURBOROW], two days ago proposed for consideration and secured the passage through this House of a bill which, it was stated on this floor, inured largely and especially and particularly to the benefit of that large and respectable class of citizens known as commercial travelers.

I voted for the bill, and it was right in my judgment, and yet the gentleman says we ought not to have any legislation for any particular class. Why, it has not been long since we passed a bill to enable them to build a big bridge down there by New York City, across the Hudson River or the East River, somewhere there. I have never been there, and do not know exactly where it is.

Why, the time of Congress is largely taken up by the passage of bills which inure to the benefit of only a part of our fellow-citizens, and it is the first time I have heard an objection to it. I will vote for that kind of a bill as cheerfully as any other, if it is right.

Mr. Chairman and gentlemen of the committee, who fought the battles of the Union in the late war between the States? Was it the stock gamblers and money-changers of New York City, Chicago, and Philadelphia? Who poured out the best and bravest blood of the youth and manhood of the South in that battle of giants? Was it the Shylocks of New Orleans, St. Louis, and Memphis, and Mobile? History will say, No. Are the producers of farm products in this country, the stalwart men, the comely matrons, the rollicking plowboys, and the rosy-cheeked maidens of the farm houses never to have a hearing and never to receive consideration by the American Congress?

Must they remain hewers of wood and drawers of water, they and their children, forever and forever? They are asking you, appealing to you, to give the country legislation which will relieve them from being longer the prey and the victims of a set of cormorants and vampires, who, under the false pretense of commerce and trade, have by organized capital and effort placed the products of the farm at the mercy of common gamblers.

The CHAIRMAN. The gentleman's time has expired.

Mr. NEILL. I should like a minute or two more.

Mr. HATCH. I hope the committee will give the gentleman from Arkansas two minutes in which to complete his remarks.

Mr. COBB of Missouri. I am perfectly willing, provided my time may be extended also.

The CHAIRMAN. In the absence of objection, the gentleman's time will be extended two minutes.

There was no objection.

Mr. NEILL. Mr. Chairman, and gentlemen of the House, you alone can give relief. The States of New York, Pennsylvania, Missouri, and Louisiana, dominated by the boards of trade and various exchanges in New York City, Philadelphia, Pittsburg, Chicago, St. Louis, Kansas City, and New Orleans, will not act, as they might, to suppress this species of gambling by legislative enactment making it penal.

You have the power, complete, ample, and plenary, and that without injury to a single human being in America who is engaged in a business not under the ban of the law, as construed by the courts of the States and of your Federal Union. Millions of honest people who earn their bread literally in the sweat of their brows, are asking you and begging you for this measure of relief. I join with them in asking you for it. But we shall not always be beggars, mark you. Let me entreat you to yield to us the benefit of your doubts and give this legislation a trial.

You will at least have the consciousness of having attempted something in the interest of the toiling masses without the slightest fear of having injured any honest industry. You will represent the views and wishes of an honest people who, though they may not have the money to employ eminent lawyers to give learned opinions to you, as have done those opposing this bill, are yet the pillars of this Republic, its shield and buckler in war, and its crowning glory in peace. [Applause.]

Mr. COBB of Missouri. Mr. Chairman, I had intended in my time to treat of the commercial features of this bill, and especially one portion that I desire to refer to, and that is the absolute impossibility of doing business under the system of this bill, by absolute sales and actual deliveries. But as that matter has been gone over, and desiring to hear something more about the legal aspects of the bill, I surrender my time to the gentleman from Louisiana [Mr. BOATNER].

[Mr. BOATNER withholds his remarks for revision. See Appendix.]

Mr. HATCH. I move that the committee do now rise.

Mr. CANNON of Illinois. May I ask the indulgence of the committee for five minutes?

Mr. HATCH. I move that the committee rise, Mr. Chairman.

Mr. MARSH. I hope that the gentleman from Missouri [Mr. HATCH] will allow my colleague five minutes.

Mr. CANNON of Illinois. I want to make a suggestion to my friend from Missouri [Mr. HATCH] for his consideration.

Mr. HATCH. Then I will listen to the gentleman for five minutes with great pleasure.

Mr. CANNON of Illinois. Now, Mr. Chairman, this bill, if I understand it, and I want the attention of the gentleman from Missouri when I am speaking, is framed to correct certain alleged evils and not to embarrass legitimate business. If in point of fact his constituent or mine, who was engaged in the corn trade, in good faith, to protect himself, as most contracts are made with the farmers, had made a contract to sell on the board of trade for future delivery, if his transaction is in good faith and not gambling, the gentleman if he had the power would not prohibit that contract.

But the gentleman says he will prohibit that contract if he can, by taxing it so that it can not be compromised or annulled without paying the tax, because there are a good many men who take that form of contract who merely bet on the price, and this sort of transaction is harmful to the public. Therefore, a man who makes a transaction in good faith would be prevented from canceling his contract without paying the tax, so that we may get at this great army of people who gamble. I think I have stated it fairly.

Let me state what I fear. If you pass this bill, you will catch the man and embarrass him who has tried to protect himself, and the man who merely gambles will change the form of his contract, and instead of making a contract that "I will sell you so much wheat deliverable in six months," or any other period, neither party having any intention that it is to be delivered, he will change the form of the contract and say "I will sell you a spread, that it goes up or down," without any contract or sale, because this is the transaction he is trying to get at, namely, the fictitious transaction that is clothed in legal form. Am I right in that? If I am right about that, then the gentleman embarrasses the genuine trader, and the gambler changes his former contract and goes on, and is happy forever after.

That is all I wanted to say. I tried to say it to the gentleman who last was addressing the committee, but I was talking in his time. It seems to me that this legislation is subject to the criticism I have made, and in good faith I suggest to the gentleman from Missouri, if he can answer the proposition I have made, that he owes it to me and he owes it to the House to do so to-morrow when he comes to make his speech.

Mr. HATCH. I will not fail to do it either. I move that the committee rise.

The motion was agreed to.

The committee accordingly rose; and Mr. BAILEY having resumed the chair as Speaker *pro tempore*, Mr. LIVINGSTON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill H. R. 7007, had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. DURBOROW, indefinitely, on account of sickness in family.

To Mr. LEFEVER, indefinitely, on account of sickness.

To Mr. WHITING, indefinitely, on account of sickness.

To Mr. MARVIN of New York, for two weeks, on account of important business.

LEAVE TO PRINT.

Mr. HATCH. Mr. Speaker, I ask unanimous consent that all gentlemen who have addressed the committee or the House upon the pending bill may have leave to extend their remarks in the RECORD.

The SPEAKER *pro tempore*. The gentleman from Missouri asks unanimous consent that all gentlemen who have addressed the committee may have leave to extend their remarks in the RECORD. Is there objection?

Mr. WARNER. Or who may be recognized upon this bill.

Mr. HATCH. Of course, I meant those who have addressed the committee or may address it.

Mr. MEYER. I will have to object unless——

Mr. LIVINGSTON. I hope the gentleman from Louisiana will not object to that proposition. There are several gentle-

men on the list who have not had an opportunity to speak at all, and if they are recognized under the five-minute rule they ought to have the same privilege extended to them as gentlemen who have addressed the committee.

Mr. HATCH. I move that the House do now adjourn.

The motion was agreed to.

And accordingly (at 5 o'clock and 45 minutes p. m.) the House adjourned.

REPORTS OF COMMITTEES ON PRIVATE BILLS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

By Mr. LYNCH, from the Committee on Indian Affairs: The bill (H. R. 5363) for the relief of Henry W. Lee. (Report No. 1124.)

By Mr. BOWER of North Carolina, from the same committee: The bill (H. R. 6656) for the relief of P. W. Mitchell, N. C. Filmet, T. C. Bowen, and others. (Report No. 1125.)

By Mr. WHEELER of Alabama, from the Committee on Military Affairs: In lieu of the bill H. R. 5479 a bill (H. R. 7511) for the relief of the legal representatives of Orsemus B. Boyd. (Report No. 1126.)

PUBLIC BILLS.

Under clause 3 of Rule XXII, bills of the following titles were introduced, and severally referred as follows:

By Mr. CURTIS of Kansas: A bill (H. R. 7513) authorizing allotments of lands in severalty to certain members of the Sac and Fox of Missouri, a tribe of Indians in Kansas and Nebraska, and the sale of the surplus lands of said tribe—to the Committee on Indian Affairs.

By Mr. HEARD (by request): A bill (H. R. 7514) to amend an act entitled "An act to incorporate the Washington and Georgetown Railroad Company," approved May 17, 1862—to the Committee on the District of Columbia.

By Mr. MEREDITH: A bill (H. R. 7515) granting the right of way through the Arlington reservation for electric railway purposes—to the Committee on Military Affairs.

By Mr. SMITH of Arizona: A bill (H. R. 7516) granting to the Gila Valley, Globe and Northern Railway Company the right to enter upon the White Mountain Indian Reservation and the Camp Thomas military reservation, in the Territory of Arizona, for the purpose of making a survey of its line—to the Committee on the Public Lands.

By Mr. PAGE: A bill (H. R. 7519) authorizing the establishment of a free port at Point Judith, R. I.—to the Committee on Interstate and Foreign Commerce.

By Mr. BALDWIN: A bill (H. R. 7518) to amend an act to authorize the construction of a steel bridge over the St. Louis River, between the States of Minnesota and Wisconsin—to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as follows:

By Mr. LAPHAM: A bill (H. R. 7519) for the relief of Capt. Thomas F. Tobey—to the Committee on Military Affairs.

Also, a bill (H. R. 7520) to increase the pension of Mrs. Eunice Rhoades—to the Committee on Pensions.

By Mr. LUCAS: A bill (H. R. 7521) to remove the charge of desertion from Richard Ferguson—to the Committee on Military Affairs.

By Mr. MADDOX: A bill (H. R. 7522) for the relief of the estate of Charles Coulter—to the Committee on War Claims.

Also, a bill (H. R. 7523) for the relief of C. M. Hall, Walker County, Ga.—to the Committee on War Claims.

By Mr. MOSES: A bill (H. R. 7524) granting an increase of pension to William M. Shipp—to the Committee on Pensions.

By Mr. WHEELER of Alabama: A bill (H. R. 7525) for the relief of Robert D. Nelson—to the Committee on War Claims.

By Mr. PRICE: A bill (H. R. 7526) for the relief of Mrs. Celina Landry, of Vermilion Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7527) for the relief of the estate of Ozeme Viator, deceased, late of Vermilion Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7528) for the relief of the estate of Francois Feray, deceased, late of Vermilion Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7529) for the relief of the estate of Joseph Ursin Broussard, deceased, late of Vermilion Parish, La.—to the Committee on War Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ADAMS of Kentucky: Papers to accompany House bill 7191—to the Committee on Invalid Pensions.

By Mr. BARWIG: Petition of citizens of Beaver Dam, Wis., in favor of amendment to the Wilson bill exempting beneficiary fraternal societies, etc., from the provisions of the income tax—to the Committee on Ways and Means.

By Mr. BOEN: Petition of citizens of Otter Tail County, Minn., for a special election to decide the question of money, tariff, and income tax by a direct vote of the people—to the Committee on the Judiciary.

By Mr. COOMBS: Petition of citizens of Brooklyn, against income tax and proposed amendment to the bill now before the Senate—to the Committee on Ways and Means.

By Mr. DALZELL: Petition of sundry citizens of Pittsburg, Pa., against an income tax as affecting beneficiary societies—to the Committee on Ways and Means.

By Mr. DANIELS: Petition of citizens of Buffalo, N. Y., in favor of exempting from the income tax all fraternal beneficiary societies, orders, etc.—to the Committee on Ways and Means.

By Mr. DAVIS: Petition of 470 citizens of Dickinson County, 60 of Washington County, 502 of Marshall County, and 100 of Riley and Clay Counties, all of Kansas, opposing a religious amendment to the Constitution of the United States—to the Committee on the Judiciary.

By Mr. DURBOROW: Petition of members of Shipping Clerks' Council, No. 22, Royal League of Chicago, in favor of exempting beneficiary fraternal societies, etc., from the provisions of the income-tax law—to the Committee on Ways and Means.

By Mr. ERDMAN: Petition of citizens of Reading, Pa., and vicinity for passage of an act recognizing the services of military telegraph operators—to the Committee on Military Affairs.

Also, petition of citizens of Allentown, Pa., for suppression of lottery business—to the Committee on the Post-Office and Post-Roads.

By Mr. FLETCHER: Petition of citizens of the State of Minnesota and members of certain beneficiary associations, praying that said associations may be exempt from income tax—to the Committee on Ways and Means.

By Mr. HARTER: Petition of the cigar-makers of Mansfield, Ohio, protesting against an increase of duty on leaf tobacco, known as wrappers, and in favor of a higher tariff on cigars—to the Committee on Ways and Means.

By Mr. HOOKER of Mississippi: Papers to accompany House bill 7508—to the Committee on Claims.

By Mr. HUDSON: Petition of 186 persons of Girard, Kans., against lotteries in general, and against those in Kansas City, Kans., in particular—to the Committee on the Judiciary.

By Mr. LANE: Petition of citizens of Fillmore, Ill., in the interest of fraternal society and college journals—to the Committee on the Post-Office and Post-Roads.

By Mr. LAYTON: Resolution of the board of managers of the Trades League of Philadelphia, advocating amendment of the interstate-commerce law in its fifth section, so as to in effect reverse the provision of said section under suitable safeguards, as provided in House bill 7273—to the Committee on Interstate and Foreign Commerce.

By Mr. MADDOX: Petition of David Orr, of Tunnel Hill, Ga., for relief—to the Committee on War Claims.

Also, petition of Thomas Russell, Catoosa County, Ga., for relief—to the Committee on War Claims.

Also, petition of Benton Freeman, of Gordon County, Ga., for relief—to the Committee on War Claims.

Also, petition of Isom C. King, of Gordon County, Ga., for relief—to the Committee on War Claims.

Also, petition of William D. Law, of Chattanooga County, Ga., asking reference of his claim to the Court of Claims—to the Committee on War Claims.

Also, petition of Horace G. Mooney, of Floyd, Ga., praying that his claim be referred to the Court of Claims—to the Committee on War Claims.

Also, petition of Dennis H. Hunt, heir of Sarah A. Hunt, deceased, asking reference of case to Court of Claims—to the Committee on War Claims.

By Mr. PAGE: Petition of William Smith and 10 other citizens of Valley Falls, R. I., asking for amendment to the Wilson tariff bill—to the Committee on Ways and Means.

By Mr. PAYNTER (by request): Petition of Silas Barley, for damages sustained by United States soldiers during the war of 1861-1865—to the Committee on War Claims.

By Mr. REYBURN: Petition of citizens of Pennsylvania,

praying that beneficial societies be exempted from the income tax—to the Committee on Ways and Means.

By Mr. RICHARDSON of Tennessee: Petition of James K. P. Bowman, asking passage of bill (H. R. 4839) for his relief—to the Committee on Invalid Pensions.

By Mr. SMITH of Arizona: Protest of board of supervisors of Yavapai County, Ariz., against passage of a bill granting 1,000,000 acres of desert lands to several States and Territories—to the Committee on Irrigation of Arid Lands.

By the SPEAKER (by request): Memorial from the Commercial Club of Albuquerque, N. Mex., protesting against a removal of the Ute Indians from California to New Mexico—to the Committee on Indian Affairs.

By Mr. WILLIAM A. STONE: Petition of citizens of Haverford, Pa., for passage of a law prohibiting circulation of matter pertaining to lotteries in this or any other country through the mails—to the Committee on the Post-Office and Post-Roads.

SENATE.

FRIDAY, *June 22, 1894.*

The Senate met at 10 o'clock a. m.

Prayer by the Chaplin, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on the motion of Mr. TELLER, and by unanimous consent, the further reading was dispensed with.

PETITIONS AND MEMORIALS.

Mr. VILAS presented the petition of Hans C. Anderson and 27 other citizens of Eau Claire, Wis., praying that the funds of mutual life insurance companies and associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

Mr. CAMERON presented sundry memorials of wholesale and retail liquor dealers of various cities of Pennsylvania, remonstrating against an increase of the internal-revenue tax on whisky, and also against an extension of the present bonded period; which were ordered to lie on the table.

He also presented a petition of the Col. Fred Taylor Council No. 762, Junior Order of American Mechanics, of Philadelphia, Pa., praying that the Secretary of the Treasury be authorized to issue Treasury notes in payment of noninterest-bearing twenty-five year bonds deposited in the Treasury for public improvements, etc., in any State, Territory, town, county, etc., whenever it shall be necessary for such improvements; which was referred to the Committee on Finance.

He also presented a petition of Encampment No. 62, Union Veteran Legion, of Kittanning, Pa., praying for the passage of a per diem service-pension bill; which was referred to the Committee on Pensions.

He also presented a memorial of the Workingmen's Protective Tariff League, of Philadelphia, Pa., remonstrating against the passage of the pending tariff bill; which was ordered to lie on the table.

He also presented a petition of sundry citizens of Columbus, Pa., and a petition of sundry citizens of Pennsylvania, praying that fraternal beneficiary societies, orders, or associations be exempted from the proposed income-tax provision of the pending tariff bill; which were ordered to lie on the table.

Mr. TURPIE presented a petition of sundry citizens of Noble County, Ind., praying that the funds of mutual life-insurance companies and associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

He also presented the memorial of M. Toepp & Co., of South Bend, Ind., remonstrating against an increase of the internal-revenue tax on whisky, and also against an extension of the present bonded period; which was ordered to lie on the table.

Mr. SHERMAN presented a petition of sundry citizens of Clark County, Ohio, praying that the funds of mutual life-insurance companies and associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

He also presented a petition of the Builders' Exchange of Cincinnati, Ohio, praying that an appropriation of $25,000 be made to survey routes to determine the most practical and efficient one for a ship canal between Lake Erie and the Ohio River; which was referred to the Committee on Commerce.

Mr. MITCHELL of Oregon. I present resolutions adopted by the Oregon State Grange of the Patrons of Husbandry at the twenty-first annual session, held at Eugene, Oregon, May 22 to 24, 1894. The resolutions memoralize Congress for legislation on various subjects; among others in favor of a bill providing for the free coinage of both silver and gold on equal terms and at the present ratio of 16 to 1, and that the Government use the coins of both metals without discrimination. Also that the metallic currency be supplemented by the issue of United States notes in sufficient amount to prevent the necessity of issuing any more interest-bearing bonds. The memorialists also recommend the passage of a constitutional amendment providing for the election of United States Senators by the people; and "whereas the Government has already guaranteed the payment of bonds almost sufficient to build the transcontinental lines and also has donated vast tracts of valuable lands, more than sufficient to build them, which have not been paid for nor rightfully earned," they demand the absolute ownership on the part of the Government of those railroads.

I move the reference of the resolutions to the Committee on Finance.

The motion was agreed to.

Mr. McMILLAN presented a petition of the Trades and Labor Council and of 25,000 citizens of Detroit, Mich., praying for the passage of the bill incorporating the telegraph with the postal service; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. POWER presented a petition of Local Assembly No. 3298, Knights of Labor, of Helena, Mont., praying for the enactment of legislation to protect free labor against convict labor as employed in some of the several States; which was referred to the Committee on Education and Labor.

He also presented the petition of A. Cullen and 10 other citizens of Helena, Mont., praying that fraternal beneficiary societies, orders, or associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

Mr. LODGE presented the petition of Joseph J. Stewart and 18 other citizens of Malden, Mass., praying that fraternal beneficiary societies, orders, or associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

He also presented the petition of Miner Beal & Co., and 25 other business firms of Boston, Mass., praying that a higher duty of 5 per cent be placed upon clothing than upon the woolen material from which such clothing is made.

Mr. GALLINGER presented additional papers to accompany the bill (S. 2156) to remove the charge of desertion from the military record of Joseph Blanchard, heretofore introduced by him; which were referred to the Committee on Military Affairs.

REPORTS OF COMMITTEES.

Mr. HARRIS, from the Committee on the District of Columbia, to whom was referred the amendment submitted by Mr. STEWART, April 30, 1894, intended to be proposed to the District appropriation bill, reported it favorably, and moved that it be printed, and, with the accompanying letter from the Commissioners of the District of Columbia, referred to the Committee on Appropriations; which was agreed to.

He also, from the same committee, to whom was referred the amendment submitted by Mr. GALLINGER on the 16th instant, intended to be proposed to the District appropriation bill, reported favorably thereon, and moved that it be printed, and, with the accompanying letter from the Commissioners of the District of Columbia, referred to the Committee on Appropriations; which was agreed to.

Mr. TURPIE, from the Committee on Foreign Relations to whom was referred the bill (H. R. 6500) to define and establish the units of electrical measure, reported it with amendments.

SUPREME LODGE OF KNIGHTS OF PYTHIAS.

Mr. FAULKNER. I am directed by the Committee on the District of Columbia, to whom was referred the bill (H. R. 4701) to incorporate the Supreme Lodge of the Knights of Pythias, to report it with an amendment. I ask unanimous consent for its present consideration.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendment of the Committee on the District of Columbia was in section 2, line 2, after the word "estate," to insert "not exceeding in value $100,000;" so as to read:

That the said corporation shall have the power to take and hold real and personal estate, not exceeding in value $100,000, etc.

The amendment was agreed to.

Mr. FAULKNER. I move to add to the bill as an additional section:

SEC. —. That Congress may at any time amend, alter, or repeal this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

BILLS INTRODUCED.

Mr. HARRIS (at the request of the Commissioners of the District of Columbia) introduced a bill (S. 2152) to amend sections 720, 721, 722, and 723 of the Revised Statutes of the United States relating to the District of Columbia in relation to marriages; which was read twice by its title, and, with the accompanying letter of the Commissioners of the District of Columbia, referred to the Committee on the District of Columbia.

Mr. ROACH introduced a bill (S. 2153) for the relief of certain Winnebago Indians in Minnesota; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. BRICE introduced a bill (S. 2154) to authorize a survey and estimates of cost of deepening and widening the Miami and Erie Canal, in the State of Ohio; which was read twice by its title, and referred to the Committee on Commerce.

Mr. MORGAN introduced a bill (S. 2155) to secure to the public the benefit of improvements on patented articles: which was read twice by its title, and referred to the Committee on Patents.

Mr. GALLINGER introduced a bill (S. 2156) to remove the charge of desertion from the military record of Joseph Blanchard; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. BLANCHARD introduced a bill (S. 2157) providing for the relief of George Baldey, of Louisiana, late Captain Thirty-ninth Infantry, United States Army; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2158) for the relief of Jacob A. Wolfson; which was read twice by its title, and referred to the Committee on Claims.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. ROACH submitted an amendment intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. MCPHERSON submitted an amendment intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. MORGAN submitted an amendment intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. POWER submitted an amendment intended to be proposed by him to the river and harbor appropriation bill: which was referred to the Committee on Commerce, and ordered to be printed.

Mr. SQUIRE submitted an amendment intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. ALLEN (by request) submitted an amendment intended to be proposed by him to the deficiency appropriation bill; which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Indian Affairs.

ANTONIO MAXIMO MORA.

Mr. DOLPH. Some correspondence came in yesterday from the Department of State concerning the Antonio Maximo Mora case. There was previous correspondence, but the publication has been exhausted. There are only two copies remaining, I am informed. The previous correspondence ought to be printed in connection with that which came in yesterday. I move that it be so printed.

The motion was agreed to.

REPRINT OF DOCUMENTS.

Mr. KYLE submitted the following resolution; which was referred to the Committee on Printing:

Resolved, That there be printed for the use of the Committee to Establish the University of the United States 2,000 copies of Senator HUNTON'S Report No. 433, on Senate bill 1708, to establish a national university; also 2,000 copies of Miscellaneous Document No. 95, entitled "A Solution of the Labor Problem," for the use of the Committee on Education and Labor.

EMMA A. RIPLEY.

Mr. MCMILLAN. I ask unanimous consent to call up the bill (S. 447) to authorize the Secretary of the Interior to issue a duplicate of a certain land warrant to Emma A. Ripley. The Senator from Florida [Mr. CALL] objected to this bill some days ago, but afterwards looked into it very carefully and came to me and said he would withdraw his objection.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Secretary of the Interior to issue to Emma A. Ripley duplicate of one Porterfield land warrant issued in pursuance of the act of Congress approved April 11, 1860, for 40 acres, upon satisfactory proof of ownership and loss of same, and the execution of a bond, with good and sufficient sureties, in double the market value of the warrant so to be issued, to be approved by the Secretary of the Interior, conditioned to indemnify the United States against the presentation by an innocent holder of the alleged lost warrant; and the duplicate shall have all the legal force and effect as had the original.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ST. CHARLES COLLEGE.

Mr. COCKRELL. I ask for the present consideration of the bill (S. 211) for the relief of St. Charles College.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It authorizes the Secretary of War to cause to be investigated by the Quartermaster's Department of the United States Army the circumstances, character, and extent of the alleged use and occupation, by the United States military authorities, for Government purposes, during the late war, of the college buildings and grounds of St. Charles College in St. Charles County, Mo.; the actual value of such use and occupation, and certify to the Secretary of the Treasury what amount, if any, is equitably due to St. Charles College from the United States as the reasonable value of such use and occupation.

The bill was reported from the Committee on Claims with an amendment, in line 13, after the word "occupation," to strike out the remainder of the bill in the following words:

And that the Secrerary of the Treasury is hereby authorized and directed to pay to said St. Charles College, out of any money in the Treasury not otherwise appropriated, the amount, if any, so found to be due from the United States; and the acceptance by said St. Charles College of any sum paid under the provisions of this act shall be in full satisfaction of all claims of every kind and nature for said use and occupation, and all damages resulting therefrom.

Mr. COCKRELL. The amendment proposed by the committee was made doubtless supposing that the same bill was before the committee which was first before it, and not the bill passed at the last Congress. I suggest therefore that the amendment be disagreed to, in order that the bill may be passed just as it has passed Congress twice before.

The amendment was rejected.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

DISTRICT WATER-MAIN ASSESSMENTS.

Mr. PROCTOR. I ask the Senate to proceed to the consideration of the bill (H. R. 6893) to regulate water-main assessments in the District of Columbia.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on the District of Columbia with an mendment, after the word "assessment," in line 10, to strike out the remainder of the bill in the following words:

And provided further, That in all cases now pending where assessments have been regularly made, and where there has not been paid a sum equal to $1.25 per linear foot, as estimated above, then only so much shall be collected as will make the whole sum paid equal to $1.25 per linear foot. But this act is not intended to give any ground of action for the refunding of any sum already paid in excess of $1.25 per linear foot.

So as to make the bill read:

Be it enacted, etc., That hereafter assessments levied for laying water mains in the District of Columbia shall be at the rate of $1.25 per linear front foot against all lots or land abutting upon the street, road, or alley in which a water main shall be laid: *Provided*, That corner lots shall be taxed only on their front, with a depth of not exceeding 100 feet; any excess of the other front over 100 feet shall be subject to above rate of assessment.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. PROCTOR. I move that the Senate request a conference with the House of Representatives on the bill and amendment.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate, and Mr. PROCTOR, Mr. FAULKNER, and Mr. MARTIN were appointed.

TIMBER INVESTIGATIONS.

Mr. ROACH. I ask unanimous consent to call up the bill (S 313) appropriating funds for investigations and tests of American timber.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to appropriate $40,000 for the continuance of the timber investigations and the speedy publication of results, to be expended under the direction of the Secretary of Agriculture through the Forestry Division.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

LABOR DAY.

The VICE-PRESIDENT. The Calendar, under Rule VIII, is in order.

Mr. KYLE. We are on the Calendar just about down to Order of Business No. 245, which is Senate bill 730. I ask that the Senate proceed to the consideration of the bill (S. 730) making Labor Day a legal holiday.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill; which was read, as follows:

Be it enacted, ect., That the first Monday in September in each year, being the day celebrated and known as labor's holiday, is hereby made a legal public holiday, to all intents and purposes, in the same manner as Christmas, the 1st day of January, the 22d day of February, the 30th day of May, and the 4th day of July are now made by law public holidays.

Mr. KYLE. I should like to say for the information of those who do not know, that something like twenty-five States of the United States have now settled upon the first Monday of September or the 1st day of October. In order to make the observance uniform, that all may enjoy vacation privileges upon the same day, the labor organizations of the country have united in asking that the first Monday of September be set apart as a holiday.

Mr. ALLISON. Is the day mentioned in the bill the 1st day of September?

Mr. COCKRELL. The first Monday of September. It ought to be the 1st day of September. I move to strike out "Monday" and insert "day;" so as to read, "the 1st day of September."

Mr. MITCHELL of Oregon. Then it would come on Sunday once every few years.

Mr. COCKRELL. So does the 4th of July, and so does any fixed holiday fall upon Sunday occasionally.

Mr. MITCHELL of Oregon. It should be fixed on a week day.

Mr. SHERMAN. I think if the labor organizations have fixed their own time, as it is said twenty-three States have done, we had better let them have a week day. I do not myself like to encourage holidays on Sunday. There is too much old Presbyterianism in me for that.

Mr. COCKRELL. Neither do I like to encourage holidays on Sunday; but if there is to be any symmetry in our holidays this one ought to be fixed on the first day of the month, just as we have the 4th of July, the 25th of December, the 30th of May, and so on, for public holidays. However, I have no objection to letting it go; and I withdraw my amendment if there is any objection to it.

Mr. SHERMAN. We had better leave it the first Monday, as we now create the holiday. The 4th of July was created by a great event, and could not be changed.

The VICE-PRESIDENT. The amendment proposed by the Senator from Missouri is withdrawn.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LIME POINT MILITARY RESERVATION.

Mr. PERKINS. I ask unanimous consent to call up the bill (H. R. 4961) granting certain rights over Lime Point military reservation in the State of California.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to grant to the citizens of the town or city of Sausalito, Marin County, Cal., the right to occupy and improve for the purpose of a road only for the use and benefit of the citizens of the United States, and for no other purpose whatever, a portion of the tract of land owned by the United States in the State of California, known as the Lime Point military reservation.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MOLLIE CRANDALL.

Mr. MITCHELL of Oregon. I should like to call up a little pension bill. I ask the Senate to proceed to the consideration of the bill (S. 1490) to pension Mollie Crandall.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension roll the name of Mollie Crandall, widow of Clark P. Crandall, deceased, and late captain of Company C, First Regiment Oregon Volunteer Infantry, and to pay her at the rate of $20 per month.

The bill was reported to the Senate without amendment.

Mr. GALLINGER. I suppose Mrs. Crandall is now receiving some pension.

Mr. MITCHELL of Oregon. She is.

Mr. GALLINGER. I suggest that the words be added—

In lieu of the pension she is now receiving.

Mr. MITCHELL of Oregon. I have no objection to that amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, and was read the third time, and passed.

E. R. SHIPLEY.

Mr. COCKRELL. I ask for the present consideration of the bill (S. 199) for the relief of E. R. Shipley. A similar bill has passed Congress three times heretofore without objection.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to appropriate $450 for the payment in full to E. R. Shipley for moneys paid, by direction of Post-Office Inspector Edgerton, to parties having money in registered packages stolen from the post-office in Springfield, Mo., on the 23d day of June, 1884.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOSEPH G. UTTER.

The VICE-PRESIDENT. The Calendar, under Rule VIII, will be proceeded with.

The bill (S. 1343) to remove the charge of desertion standing against the name of Joseph G. Utter was announced as first in order on the Calendar; and the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed the following bills and joint resolution; in which the concurrence of the Senate was requested:

A bill (H. R. 6558) to amend section numbered 2324 of the Revised Statutes of the United States relating to mining claims;

A bill (H. R. 7334) to sell certain lands in Montgomery County, Ark., to the Methodist Episcopal Church South;

A bill (H. R. 7489) to amend section 3 of an act to withdraw certain public lands from private entry, and for other purposes, approved March 2, 1889; and

A joint resolution (H. Res. 193) to appoint three members of the Board of Managers of the Home for Disabled Volunteer Soldiers.

CORPORATE INTERFERENCE IN ELECTIONS.

Mr. CALL. I desire to give notice that to-morrow morning at the conclusion of the regular morning business I shall ask the privilege of calling up the resolution I introduced some days ago relative to the appointment of a special committee to investigate the organized efforts of corporations to control elections of members of State Legislatures and members of Congress.

THE REVENUE BILL.

The VICE-PRESIDENT. The hour of half past 10 o'clock having arrived, the Chair lays before the Senate the unfinished business.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4864) to reduce taxation, to provide revenue for the Government, and for other purposes.

THE INCOME TAX.

Mr. KYLE. Mr. President, the subject of taxation has puzzled statesmen and economists long before this body came into existence. It is as old as organized society. Government is for the people and they must contribute to the support of national organization and public institutions. All agree to this; but how to raise the revenue most easily and distribute the burden equally and justly is the problem that puzzles and which now confronts us. Whether on land or chattels, on neccessaries or luxuries consumed, or on annual incomes, taxation is a burden, and the province of legislation should be to administer public affairs in an economical manner, causing the burden to fall lightly on the shoulders of all, especially the poor. The toiler whose life is spent in the yoke—almost like the beast of burden—gives of his lifeblood to add to the material wealth of the nation and knows little of ease or luxury. The rich are often the children of fortune, living on the fruits of others' labor, and it is right economically and morally that they should bear the larger share of public expense.

There is no better law than the Biblical laws on which to found a prosperous government. The sum of all those teachings

is that the rich or favored should not oppress the poor, and that all citizens should recognize government and contribute to its support as they are prospered. Adam Smith, one of the fathers of political economy, says:

The subjects of every state ought to contribute towards the support of the government as nearly as possible in proportion to their respective abilities; that is, in proportion to the revenue which they respectively enjoy under the protection of the state. The expense of government to the individuals of a great nation is like the expense of management to the joint tenants of a great estate, who are all obliged to contribute in proportion to their respective interests in the estate. In the observation or neglect of this maxim consists what is called the equality or inequality of taxation.

It is common law and common sense that

PROPERTY HOLDERS SHOULD CONTRIBUTE THE LARGE SHARE

to the support of government. The Constitution guarantees to all alike protection to life and property; but nine-tenths of our laws concern the protection of property. Our Federal, State, and county courts, our police power, the militia, and national Army are for the protection of people in their rights to property, not primarily to protect the life of individuals. In barbarous countries where no government exists people look out for their lives. Quarrels between tribes, when such occur, are largely caused by violation of customs as to property rights.

When civilization appears and individuals begin to acquire personal and real property, governments are formed to protect the weak against the strong, and insure justice between man and man as to property. The well-to-do citizens of our country own our factories, palatial residences, mercantile institutions, our railroads, banks, etc., to the amount of three-fourths of the nation's wealth; and it is for the protection of such property that taxes are levied. The annual income of the nation is a little over $7,000,000,000, but 10 per cent of the people absorb the large part of it. Why should they not contribute of their abundance to support the Government which makes their wealth secure? Ninety per cent are small property holders with small incomes, and under present economical arrangements pay a larger portion per capita of tax on property than the rich for the support of the Government.

On this point the Senator from Ohio [Mr. SHERMAN] in his speech of March 15, 1892, used these words:

The public mind is not yet prepared to apply the key of a genuine revenue reform. A few years of further experience will convince the whole body of our people that a system of national taxes which rests the whole burden of taxation on consumption and not one cent on property and income is intrinsically unjust.

While the expenses of the National Government are largely caused by the protection of property, it is but right to call property to contribute to its payment. It will not do to say that each person consumes in proportion to his means. That is not true. Everyone must see that the consumption of the rich does not bear the same relation to the consumption of the poor as the income of the rich does to the wages of the poor. As wealth accumulates this injustice in the fundamental basis of our system will be felt and forced upon the attention of Congress.

IT IS A JUST TAX.

Many objections may be raised against this system, but few can be found to question its justness. It compels those who receive the protection of law to pay the bills incurred by such protection. The system has commended itself to the wisdom and judgment of nearly all civilized nations, and prominent political economists have pronounced it the best and most just method of raising revenue. Prof. Ely, our freshest writer on modern economics, says of the income tax:

The central and variable tax in a proper system of state taxation ought to be an income tax. This should vary from year to year according to the needs of the state government, and its rate should be calculated after the revenues from other sources have been estimated,

Again he remarks:

First. It is universally, or almost universally, admitted that no tax is so just provided it can be assessed fairly and collected without difficulty. More nearly than any other tax does it answer the requirements of that canon of taxation which prescribes equality of sacrifice. Furthermore, it is of moment that the income tax, unlike license charges, does not make it more difficult for a poor man to begin business or to continue business. Its social effects, to the contrary, are beneficial, because it places a heavy load only on strong shoulders.

Even for men of large means engaged in business it is a tax to be strongly recommended, for such men will in some years make little or nothing, or even lose money. Now, our property tax is merciless, it exacts as much in a year when a business man is struggling to keep his head above water as in a year of rare prosperity; whereas the income tax exacts much only when much can be given without financial embarrassment. If it were practicable to substitute an income tax for the whole of the property tax it would save many a man from bankruptcy.

Referring to annuitants and others who escape taxation, he says:

Again, why should the man with a large income but with no property escape all share in the common burdens? There is a considerable and increasing class living in great comfort on incomes of large proportions, say five, ten, twenty, thirty, or forty, or even fifty thousand dollars, who by insurance and various devices, protect themselves and their families for the future, and yet pay no taxes. This is an injustice to other classes and a harm to the commonwealth, because these men are often careless and indifferent about their public duties, knowing that their income is not affected by high or low taxation. They appear to pay nothing to Government, and as it seems to cost them nothing, they too often care little for it.

Touching the apathy of professional men as to public affairs of government, he says:

One of the reasons of poor government in our States and cities is to be found in the failure of large and influential classes to concern themselves about practical politics. They often speak of politics with an affectation of superiority, as if they were above anything so base and common. This attitude is not uncommon among professional people, as lawyers, physicians, and teachers. These men have opportunities for personal cultivation and for gathering knowledge which are better than those enjoyed by other members of the community, and their influence ought to be large and beneficial. They must pay taxes, because indirect Federal taxes form a part of the price of commodities which they purchase, and because a considerable portion of our direct taxes, like the tax on house property, is shifted, and reaches them indirectly.

This, however, is not noticed. What is needed is a tax varying with public needs, and with the integrity and efficiency of administration, which will reach the great mass of citizens—a tax which will directly and immediately rest upon the tax-bearer. We have too few payers of direct taxes in our States and cities; but the income tax is a tax which is felt and which must be paid by the tax-bearer. It is precisely the kind of tax needed, and it is beyond question that it would change the attitude of a large portion of the community towards government.

The incomes enjoyed by the professional and salaried classes and some others are frequently the results of large expenditures in cultivating one's powers, and they create what can be called personal wealth. One man spends $10,000 in preparing himself for some lucrative position and derives therefrom an income, but pays no taxes, while the man who spends $10,000 on a farm must contribute every year a sum large in proportion to his income for the support of government.

Prof. Wayland, the distinguished economist of Brown University, says:

Theoretically, this is the most equitable of all taxes, since it touches men exactly according to their abilities. But, as we have seen, if the percentage is uniform for all incomes, it involves an inequality which bears heavily on those whose incomes are small. To relieve this two measures are employed. The first is to exempt all income below a specified amount. The other is to establish two or three grades of income and make the percentage greater on the larger incomes. The chief objection to an income tax is the difficulty, almost impossibility, of ascertaining men's real incomes; partly because many keep no accurate accounts, and partly because few comparatively will make truthful report of their incomes.

Inquisitorial measures to discover actual incomes are exceedingly offensive. * * * Actual experience under the law tended to relieve difficulties and objections. When most efficiently carried out, concealment and dishonesty were not probably greater under this form of tax than are practiced continually under the attempts of the States to levy taxes on miscellaneous personal property. In both cases the needed relief must come from the moral culture which forms good consciences.

Prof. Thompson, of the chair of social science in the University of Pennsylvania, commends the system in these strong terms:

The most modern, and theoretically the fairest, form of taxation is the income tax. It seems to make everyone contribute to the wants of the State in proportion to the revenue which he enjoys under its protection; while, "by falling equally on all, it occasions no change in the distribution of capital, or in the material direction of industry, and has no influence on prices."—(McCulloch). No other is so cheaply assessed and collected; no other brings home to the people so forcibly the fact that it is their interest to insist on a wise economy of the national revenue.

Mr. N. A. Dunning, who is as well posted in economics as any journalist in the country to-day, says in a recent editorial in the National Watchman:

This whole objection is founded on a desire to shift the burdens of taxation upon other shoulders, and thereby avoid the payment of a proper share of the expenses of government, and at the same time keep the common people in ignorance of the vast incomes that are now being received by the plutocratic and wealth-absorbing classes.

A graduated income tax, which increases with the amount of income, is the most equitable form of taxation. We should favor beginning with incomes of $1,000, so as to reach a large class of annuitants and professions. It is capable of being demonstrated that with this tax placed on incomes of $1,000 and over, fully 50,000,000 out of our 65,000,000 of people would not be taxed. Such are the inequalities of the distribution of the fruits of industry that full 50 per cent of the families of this country live on yearly incomes of less than $500. Indirect taxation reaches this class in far greater proportion than it does the wealthy. And while they have nothing for government to protect, they are compelled to pay for protecting the property of the rich. This is manifestly unfair, and can only be remedied through a graduated income tax rigidly administered.

Prof. Levi, of Kings College, London, comments on the income tax favorably in the Statistical Journal of 1874:

Ever since Sir Robert Peel, in a moment of financial perplexity, hit upon the happy expedient of appealing to the wealthy class of people to contribute in a direct manner such a sum as might enable him to establish a proper equilibrium between the revenue and expenditure, and to induce wholesome and radical reform in the custom and excise revenue, every chancellor of the exchequer has clung to the income tax as the main prop of all his budget, in peace or war; with a wholesome surplus or with a deficiency to meet this tax has always been found most welcome, and notwithstanding all the grumbling and objections urged against it at its first imposition, and at every subsequent revival of the same, the income tax still brings a handsome contingent to the national revenue.

The taxation of the country is now very much simplified. In 1873 70 per cent of the whole amount of governmental revenue was derived from the sources, namely: Of spirits, malt, tobacco, sugar, and tea, and the income tax; but none of these branches of taxation is less objectionable in relation to the production of wealth, expensiveness of collection, or certainty of result than the income tax, and I do not wonder that with perfect machinery at work, with the assessment, and with the national mind accustomed to the burden, the chancellor of the exchequer is unwilling to relinquish so good a contributor to his "ways and means."

Prof. Cossa, of the University of Pavia, Italy, says in his recent work on taxation, its principles and methods:

In the year 1776 Adam Smith stated four rules of taxation which have been accepted by the whole civilized world and by all governments in it as the maxims of justice applied to that matter. The first of these rules says that the subjects of every state ought to contribute as nearly as possible according to their respective abilities. This means, of course, that a man whose income is $5,000 ought to pay ten times as much as the one whose income is $500. Nobody denies the truth of this maxim, except some writers who contend that the man whose income is $500 or less ought not to pay any taxes.

Lastly, John Stuart Mill, in his Political Economy, says:

We now pass from taxes on the separate kinds of income to a tax admitted to be assessed fairly upon all kinds—in other words, an income tax. This tax, and the conditions necessary to make this tax consistent with justice, has been investigated in the last chapter. We shall suppose, therefore, that these conditions have been complied with, and they are, first, that incomes below a certain amount should be altogether untaxed. This minimum should not be higher than the amount which suffices for the necessaries of the existing population. The exemption from the present income tax of all incomes under £100, and the lower percentage levied on all those between £100 and £150, are based upon the ground that almost all indirect taxation bears more heavily on incomes between fifty and one hundred and fifty than on any others whatever.

The second condition is, that incomes above the limit should be taxed only in proportion to the surplus by which they exceed the limit. All sums saved from the income and invested should be exempt from tax, or if this should be found impracticable that the live incomes and incomes from business professions should be less heavily taxed than such inheritable incomes and in a degree as nearly as possible equivalent to the increased need of economy arising from their termable character, allowance being also made in the case of available incomes for their vicariousness.

Mr. President, an income tax is right and just because

WEALTH HAS BEEN FAVORED.

Discriminations have been practiced, and geographical sections have been favored until to-day classes of society are as clearly marked as they are in almost any country of Europe. Our national condition is dark and threatening; the ranks of the ignorant poor are fast being swelled, while the ranks of the *élite* four hundred is to be found in every important city—a thing utterly undemocratic, un-American, and nationally suicidal. To refuse to see the suppressed wrath of a country full of honest laborers is unstatesmanlike; nay, more, it is criminally wrong.

Revolutions have occured with less ferment than we see in the United States to-day. Nero fiddled while Rome was burning, and the capitalistic press of the United States to-day jeer and taunt the efforts of the bond-burdened serfs on the farms and in the workshops who attempt to rise from their pitiful condition. It is a sorrowful sight to see an army of penniless laborers marching from every quarter of our bountiful country to the nation's capital to petition for deliverance from bondage. It is a sadder thought that the country has so far fallen into the hands of the oppressor as to make an uprising of the people necessary. Sitting in our comfortable homes, surrounded with happy families who are free from the burdens and the cares of poverty, we little know the sufferings that fall to the lot of the toil stained, poorly clothed and poorly fed laborer.

The papers of our great cities have contained heartrending stories during the past winter and spring of the famished condition of 3,000,000 of people out of employment, ready for riot and plunder. The Master Workman of the Knights of Labor has spent his time in trying to curb the mad haste of thousands of strong men who vowed vengeance upon capital. He tells me we do not know the condition of the people. Mr. President, I think I do understand the feeling among workingmen, but I am powerless to help matters. All this is happening in our prosperous Government—the flower of the civilization of the nineteenth century, and at the close of thirty years of Republican rule! Only the ignorant and unsophisticated can be made to believe that the present ills are the result of the incumbency of the Democratic party just come into power.

The fact is, Mr. President, that thirty years with Shylock in power has left the country burdened with indebtedness, exaggerated in all lines of business; and worst of all, with the wealth of the nation centralized in a small area and in few hands. A few have become immensely rich, while the millions have grown poorer. The middle classes of society, consisting of farmers, mechanics, and small tradesmen, are rapidly disappearing. Under the present order of things the end will not come until the American farmer is on a level with the Irish tenant, and mechanics and tradesmen are made the servants of the rich.

PRINCELY FORTUNES.

We are living in a day of princely fortunes. By hook or crook—possibly in both ways—the United States have outstripped the world in less than half a century. The fortunes of single individuals in the United States have scarcely been equaled in the world's history. Authorities place the wealth of the Marquis of Bute at $30,000,000, the Duke of Westminster at $50,000,000, and the Duke of Norfolk at $40,000,000.

In the United States several men in a single city surpass the highest. The Rockafellers are rated at $200,000,000. The Goulds at between $100,000,000 and $200,000,000, and the late Vanderbilt at $200,000,000. A simple problem in arithmetic will reveal to any interested person the threatening evil of such enormous fortunes and of concentrated wealth. Sixty-three billion dollars of national wealth do not represent that degree of prosperity. The large bulk of it is congested in a few money centers, while more than 40,000,000 of people have practically nothing. Let me read from the New York World some striking facts comparing our condition and showing our drift:

A CENSUS STUDY.

In 1860 our total wealth per capita was $993. The assessed value was $383, or .3873 of the true wealth—51 per cent escaping taxation, and 49 per cent being assessed at an average of 75 per cent of its value. In 1890 the per capita wealth was $999 and the assessed value $384. In other words:

Year.	Assessed value.	Actual wealth.
1860	$12,084,500,005	$31,201,000,000
1890	24,249,589,804	62,000,000,000

Year.	Population.	Per capita.
1860	31,443,321	$993
1890	62,622,250	999

There had been no increase practically in the wealth in thirty years, although in the ten years between 1850 and 1860 the per capita wealth nearly doubled, rising from $591 to $993, of which only $21 was from the discovery of gold.

In 1860 the wealth of this country was very evenly distributed; there were no multi-millionaires, very few millionaires, few large fortunes. No special wealth statistics were collected, but the census of 1860 shows half the wealth in possession of half the people. There were no bonanza farms and no tenant farmers. One-half the male workers were on farms they owned, and the average land value of each farm was $3,251, while few went much over or under. Poverty was confined to the cities, and to small sections of them. It is perfectly safe to assert that 91 per cent of the people held in fair and even measure 91 per cent of the wealth, while 4 per cent of the people owned the remaining 9 per cent, leaving not more than 5 per cent practically paupers.

The per capita wealth is the same to-day as in 1860. Each man eats and drinks, and any great change that has come must of necessity have been by a redistribution of wealth—by taking from many and giving it to one.

The census of 1890 shows that the conditions of 1860 have been reversed; that 91 per cent of the people of the United States are to-day practically paupers, living from hand to mouth, dependent upon their daily labor for their daily bread, while 9 per cent are capitalistic employers, owning 84 per cent of the wealth. It divides the wealth among three classes of families in 1890—(1) multi-millionaires, (2) employing capitalists, (3) wage-workers, as follows:

Class.	Families.	Total wealth.	Per family.
1	4,074	$12,400,000,000	$3,000,000
2	1,092,218	31,620,000,000	28,000
3	12,010,000	17,980,000,000	1,497
Total	13,102,292	62,000,000,000	4,732

In the wage-working class are included all families worth $5,000 or less, or all having their share of the wealth. Now, remember that the wealth that must be created and consumed yearly in order to live—$800 the census says for each family of five, $140 for each person—is included by the census in this. It is a small matter to the multi-millionaire, but a great one to the wage-worker. The actual wealth, omitting our daily bread, is as follows:

Class.	Families.	Wealth.	Wealth per family.
1	4,074	$12,396,768,800	$3,000,000
2	1,092,218	30,746,225,600	28,000
3	12,010,000	8,272,000,000	697
Total	13,102,292	51,414,994,400	3,932

Think what this means. While the average wealth is $3,932 per family, 1,096,292 families (all worth over $5,000) hold an average of $40,000 each, and 12,010,000 families (worth under $5,000) hold an average of only $697 each.

The 4,074 multi-millionaires have 50 per cent more wealth than the 55,000,000 members of the 12,010,000 families belonging to the wage-working class, or 24 per cent of it all. The capitalist employers have 60 per cent, and the masses of the people (91 per cent of them) have only 16 per cent of the wealth.

In 1840 England had been for eight centuries the strongest of protection countries. According to the legacy and succession returns of that year the wealth of the United Kingdom was distributed as follows:

Class.	Families.	Per family.
Rich	26,833	£28,820
Middle	782,100	1,436
Working	4,341,067	44

An almost incredible diffusion of wealth followed the adoption of freer trade in 1848 and finally of free trade in 1860, as shown by the same returns for 1877.

Class.	Families.	Per family.
Rich	122,500	£25,803
Middle	1,824,400	1,005
Working	4,629,100	86

(Mulhall's Dictionary of Statistics, page 473.)

Over one million families of the working class had joined the middle class. The average wealth of every working family had doubled. The average wealth of the rich families had declined. The rich were getting poorer and the poor were getting richer.

Now suppose we tabulate our American returns in the same way:

Class.	Families.	Per family.
Rich	4,074	£600,000
Middle	1,092,218	5,500
Working	12,010,000	138

Our census has not divided our population properly for comparison, but a little figuring will show.

The "working class" in the United States numbered less than 50 per cent in 1860; now numbers 91 per cent, and is rapidly increasing in proportion to the others.

The "working class" in England in 1840 numbered 83 per cent; in 1877 numbered 70 per cent, and is decreasing in proportion so rapidly that it will not now number much over 60 per cent. It absorbed nearly all the increase in wealth between 1840 and 1877, while in the United States nearly all the increase in wealth was absorbed by the rich and middle classes between 1860 and 1890.

In 1860 50 per cent of the families of the United States held 50 per cent of wealth; in 1890 we find 91 per cent of the families holding only 16 per cent.

What has brought about this redistribution?

T. E. W.

Along the same line the Dawn, of Boston, remarks upon the distribution of wealth as given by Mr. Holmes, a statistician of the Census Bureau:

In the last number of the Political Science Quarterly there is an article by George K. Holmes. The Political Science Quarterly is as high economic authority as there is in this country. Mr. Holmes is a specialist of the Census Bureau on statistics of wealth. In his article Mr. Holmes treats of the concentration of wealth, and after carefully examining the facts, comes to this result. He says (Political Science Quarterly, page 593): "We are now prepared to characterize the concentration of wealth in the United States by stating that 29 per cent of it (of the wealth of the United States) is owned by three-hundredths of 1 per cent of the families; 51 per cent by 9 per cent of the families (not including millionaires); 71 per cent by 9 per cent of the families (including the millionaires); and 29 per cent of the wealth by 91 per cent of the families." That is, according to Mr. Holmes, 9 per cent of the families of the United States own 71 per cent, or nearly three-quarters, of our wealth, and 91 per cent of our families together own only 29 per cent of our wealth.

Now, do we not begin to see why there is poverty? Mr. Thomas G. Shearman published four years ago similar figures, but they were not credited by many. Here is practically the same result published by the wealth expert of the Eleventh Census. Do we not see now why there are the unemployed? If 91 per cent of our families own only a little over one-quarter of our wealth, that means that they are poor. They do not have the money to buy what they want. They wear old hats, turned clothes, worn shoes. I heard of a number of girls the other day wearing papers under their jackets because they could not afford winter clothing. People are economizing in harsher ways than these. I know of one girl who has lived on one meal a day since November because she does not wish to accept alms. There are many who drop a meal several times a week, and have poor meals the rest of the time, in order to keep out of pauperism. This is what the statistics I have read come to. Now, do we not see how it affects the unemployed? But it is hard to convince people that our workingmen are poor.—*The Dawn.*

What has brought about this "redistribution"? The Senator from New York [Mr. HILL] yesterday, in his long argument on this question, took occasion to refer to the Populists and the socialists of this country as those who were demanding a new distribution of the wealth of the country. I ask, in the face of the figures I have just read, who has been responsible for the "redistribution" of the national wealth during the past thirty years? It must be laid at the door of national legislation in the two Halls of Congress; there the responsibility must lie. If the Populists to-day are demanding in their platforms legislation for the redistribution of the wealth of the United States, it is only to be by lawful means, by the enactment of just and humane laws.

The per capita wealth of the United States was about the same in 1860, according to these figures, as it was in the year 1890. But then the wealth was more evenly distributed amongst the people of our country than it is to-day, when a very large proportion of it in the hands of a very few persons. The "redistribution," as it is termed, has been brought about by the pernicious laws which have been put into effect by the Congress of the United States during this period.

This is a startling disclosure, Mr. President, and confirms the calculations of Thomas G. Shearman, frequently quoted heretofore by Senators. A few men own our Republic.

I do not believe such vast wealth, Mr. President, has been honestly accumulated. No man is able by the greatest exertion to start with nothing and amass $100,000,000 during a single lifetime. It can only be done by the methods of gambling carried on in great commercial centers. Cold-blooded, heartless men stand to-day in the wheat pit and toy with the bread of the poor as though it were the chips on the gambling table. In railroad stock transactions the small savings of farmers, widows, and orphans are swallowed up in a day to swell the vast fortunes of railroad kings. And yet these men, with their wealth protected by the laws of the United States, refuse to accede to a tax of 2 per cent to be used for their specific benefit.

THE RICH WILLING TO COMMIT PERJURY.

They even go so far as to say that such a tax could never be collected; that the rich would commit perjury before they would pay it. This, Mr. President, is a sad comment on the honesty and integrity of this favored class of citizens. Men of wealth should repudiate such statements, and their representatives in Congress who volunteer to make them.

This tax can be collected at less expense than other internal-revenue taxes, and our people will be slow to conceal their actual incomes if public officers are as faithful as the ordinary tax assessor.

In England a fine of $100 and a triple tax on the income is levied for false swearing. The result is that little trouble is experienced in the collection of income taxes. In Prussia if false returns are made the matter is fully investigated and heavy fines or imprisonment or both are imposed. Some millionaires in that country, as in the United States, are opposed to the income tax and sometimes commit perjury to avoid it. But if any citizen fails to make returns for ten years the bill is charged up to the heirs of the estate and on the death of the defrauder the Government collects the amount from his estate with fine and a legacy tax.

NOT MORE INQUISITORIAL THAN OTHER TAXES.

The charge that such a tax is inquisitorial is not true unless the work of all tax collectors is inquisitorial. The city and county assessor comes into our houses and examines and lists one by one your books, pianos, stoves, carpets, clocks, and chairs. He goes on to your farm and appraises your horses and cows, your farming implements and grain. At every custom-house, also, the most inquisitorial process is gone through with on the arrival of every steamer. Your trunks and boxes are opened and the contents examined one by one. The fact is that the collection of any tax is in a sense inquisitorial, and the income tax will be as acceptable to the people as any other tax.

THE RICH ESCAPE TAXATION.

It is a common belief, Mr. President, that the rich do not contribute their fair share of taxes to the support of our public institutions. Whereas they should pay correspondingly more than the poor, they pay less considering the amount of property. Hundreds of millions of Government bonds are owned by millionaires on which they draw quarterly interest in gold, but on which they do not pay a dollar of tax. This exemption was made by the act of 1871, and is as unjust as the score or more laws enacted during the past thirty years for the benefit of the rich.

I have lately read in the Chicago Times a series of editorials charging the assessor in that city with favoring the rich in the appraisement of property. It was a courageous work on the part of the Times, which should commend the paper to fair-minded people. Here is the result of the investigation, which will show you, as you run your eye over the columns of per cents, just where and upon whom the burden of taxation rests.

First. Property of the rich.

Owner.	Real value.	Assessed.	Per cent.*
Title and trust building	$1,500,000	$158,000	10
Woman's building	1,800,000	230,000	12
Chamber of Commerce	2,250,000	225,000	10
Security	750,000	75,800	10
Hartford	1,000,000	110,000	11
Rand & McNally	1,000,000	100,000	10
Manhattan building	1,800,000	90,000	5
Monon	800,000	37,700	4
Monadnock	3,000,000	311,500	10
Masonic Temple	1,500,000	230,000	16
Schiller building	1,500,000	160,000	10
Columbus Memorial building	2,100,000	190,000	9
Phenix building	1,500,000	195,000	13
Haymarket Theater	600,000	41,700	6
Virginia Hotel	800,000	53,330	6
Potter Palmer's residence	1,250,000	71,900	5
Franklin MacVeigh	175,000	16,750	9
Plaza building	600,000	30,000	5
J. V. Farwell residence	125,000	9,260	7
Hiram Sibley's warehouse	800,000	73,300	9
Average			7+

*In round numbers.

Second. Property of the poor.

Residences and stores.	Real value.	Assessed.	Per cent.
C. E. Carlström	$1,600	$600	40
P. D. Lynch	2,000	500	25
F. A. Rucks	7,200	1,800	25
M. McNulty	2,000	517	25
Fred. G. Libkes	2,200	1,100	50
D. Kahn	8,000	2,000	25
C. E. Young	4,000	1,600	40
Robert Berndt	2,000	1,050	52
A. L. Thies	12,500	2,500	20
Wm. Sanderson	8,000	1,300	16
H. Seeberger	7,000	1,526	21
P. Blickhahn	7,000	1,300	18
H. Heyns	5,000	1,100	22
F. A. Feder	6,000	1,050	17
J. F. Sullivan	1,500	300	20
R. W. Peters	9,500	2,384	25
C. A. Richters	3,500	637	18
E. Anderson	3,500	791	22
H. C. Herodt	2,500	400	16
W. A. Hendrie	7,000	1,450	20
Average			21

The Senator from Florida [Mr. CALL] wishes a little more explicit information in regard to these facts. I have taken from the Chicago Times a list of twenty pieces of property owned by the rich. In the first column the real value is given, in the second the assessed value, and in the third the per cent of assessment as related to the real value of the property. The assessment for the first is 10 per cent, for the second 12 per cent, and for the third 10 per cent, and so on, making an average of 7 per cent for the list of twenty pieces of property.

The second list is of twenty pieces of property, mostly residences of poor people, ranging in value from $1,600 to $12,500; and we find there the average is 21 per cent.

Startling facts are revealed in Mr. Stead's new book on Chicago under the heading of Dives, the Tax Dodger. I wish that I could take the time to read the whole book here for the benefit of the Senate, but I shall content myself by reading a short editorial from the New York World upon the book. The World says:

RICH MEN AND TAXES.

One of the most startling facts brought to light in Mr. Stead's book on Chicago is the way in which the rich men of that city escape their just share of taxation. Twenty years ago the assessment for taxation of the property of Chicago, real and personal, was $312,072,995. In 1893 it was but $245,790,351.

When, according to the estimate of the people of that city, it is more than two thousand million dollars.

Here is a shrinkage in twenty years of about $70,000,000 in the assessed property, while, as everybody knows, the wealth of the city has enormously increased. The rich have found ways of concealing it from the assessors.

The assessors under oath make the following returns of the personal property of the richest citizens: Marshall Field, $20,000; Marshall Field, jr., $2,000; P. D. Armour, $5,000; George M. Pullman, $12,000; J. W. Doane, $12,000; H. H. Kohlsaat, $1,500; C. T. Yerkes, $4,000.

This man is the owner of the street railway system, I believe.

Potter Palmer, $15,000. None of these men makes out or swears to his own account. The swearing is all done by the assessors, who are allowed by the Crœsuses grossly to undervalue their possessions for taxation. It is not without reason that Mr. Stead says: "There is a heavier sum in solid dollars pocketed every year by the official perjurers of Chicago than is paid to any other officials in the service of the city."

An income tax enforced by the National Government would fetch some millionaire tax-dodgers in Chicago and elsewhere to book. Now they escape doing their proper share in maintaining the institutions of Government under which they fatten by the false swearing of others, connived at if not suborned by bribes. Many of them would not swear falsely themselves. Those who are willing to do it might not be able to buy off the nation's assessors as easily as they corrupt their local officials.

Such facts as these revealed of Chicago show why the rich are, as a rule, against an income tax. Without it they can escape doing their duty. They fear they may not be able to do so any more. Their talk about the evil of false swearing that it will promote means nothing more than that they doubt their own ability to be more honest than they have been in this particular. But they do not relish becoming liable to the pains and penalties of perjury in their own persons.

But so far from this being a reason against an income tax it is a strong reason for it. Too long and too heavily have taxes been imposed upon that part of the earnings of the people which is necessarily spent for shelter, food, and clothing instead of upon the surplus which is saved.

But coming nearer home, Mr. President, look at some facts in the city of Washington. The House committee two years ago, Hon. TOM JOHNSON, of Ohio, chairman, made some discoveries here which furnish very interesting reading for those who are accustomed to make honest returns of property to the assessor. Mr. JOHNSON says in the preamble of his resolution:

Whereas said old assessment on the land values alone in the District is $76,000,000, when it should be more than $300,000,000, this shows an extraordinary undervaluation, and, what is still worse, the greatest injustice between the valuation of the land used for business purposes, which in many cases is assessed at less than 14 per cent of its true value, and land used for residence purposes, especially where the small homes are situated, is assessed at from 70 to 80 per cent of its true value, while in many cases land held for speculation is assessed at less than 10 per cent of its true value. The foregoing facts were brought our by an expert valuation on enough land in the District to furnish an average. A public hearing was held by the Commissioners in which this subject was thoroughly discussed, and after a careful examination they say "the figures embraced in these showings seem to have been carefully and conservatively prepared."

These statements are verified by tables showing exact assessments.

Again, the committee say:

LACK OF CONSCIENCE IN TAXATION.

In the last report of the assessor for the District of Columbia it is intimated that "the public conscience is becoming somewhat elastic on the subject of taxation." This is putting an obvious fact very mildly indeed. So far as our investigation goes, it would be a better expression of the truth to say that in matters of taxation there seems to be very little public conscience left, and that the general sentiment is that no one is bound in honor or honesty to pay any tax that he can by any device escape from, and men whose word is as good as their bond, who would feel themselves disgraced in depriving a private creditor of a penny of his due, make no scruple whatever in defrauding the government of its claim and shirking their responsibility for what is held to be their due to society in return for the benefits which they receive from society.

These discriminations in favor of the rich, Mr. President, do not happen by mistake. It is open, everyday fraud, and is as bad as theft or highway robbery. The poor respect and fear the law. The rich ride over all laws if they are obnoxious to them. The power of money is to-day greater than law; and it is time we were coming back to pure Democratic principles, that all men are equal and entitled to equal protection under the law.

A tax on incomes, Mr. President, would prove to be

A POPULAR TAX.

I feel confident in making this assertion, despite the statement of the Senator from New Jersey [Mr. SMITH] and the Senator from New York [Mr. HILL], that it is both unpopular and undemocratic. That it was borrowed from the Populist platform, or that it was adopted by the Populist convention, does not, I grant, necessarily make it popular. But the Populists represent only a small portion of public sentiment in favor of the income tax. The agricultural and laboring classes, representing 60 per cent of our population, are, regardless of party, almost unanimous in favor of an income tax.

The vote recently taken in the House on this question would indicate that the West and South are almost a unit in favor of this feature of the bill. The following table shows the population of Congressional districts represented by the affirmative votes:

SOUTHERN STATES.

West Virginia	762,794
North Carolina	1,440,410
Mississippi	1,289,600
Missouri	2,318,935
Alabama	1,513,017
Kentucky	1,671,154
Georgia	1,837,353
Louisiana	566,964
Arkansas	1,128,179
Virginia	1,500,783
Tennessee	1,570,936
Florida	391,422
South Carolina	800,268
Texas	2,235,523

WESTERN STATES.

Kansas	1,046,238
Minnesota	742,429
Wisconsin	1,032,132
Illinois	1,560,234
Nebraska	543,070
Indiana	1,870,701
Wyoming	60,705
Michigan	896,707
Ohio	1,918,342
Iowa	172,990
South Dakota	328,808
Colorado	412,198
Montana	132,159
Idaho	84,385
California	816,663
Total, twenty-nine States	30,839,505

Total population of these States, 42,398,841.

Here is a table showing population of Congressional districts represented by the negative vote on this proposition. There are given in the table twelve States and forty-eight Congressional districts. The population of these districts was only 8,000,000; in other words, 8,000,000 and a fraction against nearly 31,000,000 of population.

States.	Districts.	Population.
New York	16	2,652,004
Pennsylvania	6	897,420
New Jersey	6	1,063,420
Maryland	5	884,150
Massachusetts	4	691,780
Louisiana	3	521,720
Connecticut	2	375,880
Rhode Island	2	376,530
Vermont	1	169,940
Ohio	1	178,260
Delaware	1	168,490
South Carlonia	1	134,376
Total twelve States	48	8,113,960

In these New England States, represented as opposed to the income tax, are to be found large bodies of organized labor, like the Knights of Labor, who for years have embodied the income tax in their platforms. From New York, New Jersey, and Massachusetts I get some of the strongest letters in favor of this feature of the revenue bill. Many go so far as to declare that Eastern Representatives do not express the views of a majority of their constituents, but rather the views of the capitalistic class.

I would not go to the length of saying that the income tax is un-Democratic. Will the Senator from New Jersey kindly give me a definition of Democracy? The country to-day is waiting breathless for an answer. Five million five hundred and fifty-one thousand one hundred and forty-three voters who stood by the party in 1892 wish to know, and now look to the daily action of this Chamber. And mark you, they understand the meaning of Democracy. They still stand by the teachings of Jefferson and Jackson, and will suffer no twisting of the term Democracy to suit the whims of a few who have lost their love for the old principles and are willing to vote with Republicans when private interests are involved.

The Senator from New York yesterday took occasion to use the whip and to scourge the balance of the Democrats on this side of the Chamber because he said they were masquerading as Democrats, when at heart they were Populists. I ask whether nine-tenths of the Democrats on this side of the Chamber are not in favor of the income tax, and whether it is not one-tenth, upon the other hand, who are voting and masquerading as Democrats who are at heart not Democrats, but rather Republicans or representatives of the money power?

I clip from the Washington Post editorial an extract showing Democratic sentiment:

NORTH LOUISIANA POPULISTS.

In common with many other newspapers, the Philadelphia Inquirer is greatly interested in the result of a certain sentimental census recently taken in the Fourth Congressional district of Louisiana, and referred to by our esteemed contemporary thus:

"The people of Louisiana are on record as to certain burning questions of the day. At the recent primaries to select a successor to Congressman BLANCHARD, promoted to the Senate, a sort of referendum was held, with the following result:

For income tax	3,446
Against	151
The tariff for revenue	3,156
Against	161
For antioption bill	3,250
Against	173
For repeal of the 10 per cent tax on State banks	3,369
Against	239
For free coinage of silver	3,270
Against	226

"The majority in these cases is so overwhelming as to leave no doubt as to where the people of Northwest Louisiana stand. We run no risk in saying that the income-tax collections from that section will never swell the Treasury coffers to bursting."

This is the average sentiment of the South and West to-day on this and many important questions. Ignore it if you will, these people will yet demonstrate at the ballot box the meaning of Democracy.

If I had time I might analyze the sentiment of the Republicans of the same sections with like results. The Senator from New Jersey [Mr. SMITH] and the Senator from New York [Mr. HILL] succeeded in proving that the income tax was unpopular among capitalists, but they have not yet caught the sound from the masses.

The enemies of this proposition also say that such a tax is unpopular in England. Note the following from the Chicago Times of April 18, 1894:

VICTORY FOR THE INCOME TAX.

An answer to the assertion that the income tax is so unpopular in England that the Government is about to abolish it came yesterday in the news from London that the new budget increases this tax by 1 penny in the pound. The increase in revenue by this action is estimated at about $8,500,000. This is a significant act on the part of the British Government, for it gives the lie to the assertion that the income tax is odious and unpopular. A government in the ticklish position which Lord Rosebery's ministry now occupies would catch at the opportunity to win favor by reducing an unpopular tax. It certainly would not put its existence further in jeopardy by increasing such an impost.

The fact is that in England the income tax is accepted as a matter of course, enjoying rather more popularity than most devices for raising revenue because of the obvious equity in it. In the United States it will be even more popular than in England, because under our system of raising the bulk of our revenues by tariff duties the inequalities of taxation are more glaring.

That the income-tax clause in the Wilson bill now before the Senate will become a law the Times does not doubt. The bitter assault upon it of the privileged classes, led by the political mercenary, DAVID B. HILL, only goes to prove its justice and to increase its strength. It is characteristic that the attack upon the income tax was coupled with an attack upon free trade. It is significant, too, that the agencies which antagonize the taxation of great incomes are the agencies which oppose any attempt to break down the monopoly of money by a proper increase of the circulating medium. The beneficiaries of privilege are alarmed, and have rallied to each other's defense. (They are so used to having other people taxed for their benefit that they look on a proposition involving their taxation for the people's benefit as revolutionary.) They will make the people pay them for the use of money, yet will they not pay the people—that is, the State—for the protection under which they have amassed their riches?

The income tax is a vital plank in the platform of the people's emancipation. It must be riveted there and made a part of the national structure.

The Senator from New Jersey says that the income tax is un-American. I grant it, Mr. President. It is also undemocratic for the same reason. But neither statement is based upon good logic. All good things are neither American nor democratic. For the United States to refuse to adopt ideas from other nations is like the case of a man who would refuse to use certain products because they were not produced in this country. Let me inform the Senator that his State ballot law—also those of many other States—was borrowed from Australia. The wisest men of our nation to-day say that we would do well to borrow the government ownership of the telegraph from England, and railroad ideas from Hungary, Germany, and Australia. Yes; the income tax is European, but it is good, nevertheless; as good as any economic principle that has been framed into a nation's laws.

England, Italy, and the states of Germany adopted the idea years ago.

Prussia has had an income tax since 1851, and it has worked to the entire satisfaction of the Government and the people.

The minimum of exemptions is 900 marks ($214.20), and the tax on this is about two-thirds of 1 per cent. On incomes ranging from 1,050 to 1,200 marks, about three-fourths of 1 per cent; from 1,200 to 1,350, 1 per cent. The rate increases up to 9,500, where between that amount and 10,000 marks the rate is 3 per cent. Between 10,000 and 100,000 the rate is 5 per cent. Last year the Government collected $31,210,712.

Wurtemburg has had an income tax since 1820, and the present rate is 6 per cent. Baden has a tax of 2 per cent on incomes above $150 and raised last year $1,425,000. Bremen taxes at 4 per cent incomes above $150. Austria's income tax ranges from 7½ to 20 per cent and raises annually $10,000,000. Italy's rate on incomes is 12 per cent, and she raised last year $15,000,000.

Switzerland's tax ranges from 1 to 8 per cent.

England through Mr. Pitt introduced the income tax as early as 1798, and taxes all incomes above $750. Our millionaires want to be English in all but the method of taxation. England long since discovered that capitalists and landed proprietors were the beneficiaries of taxation and adopted the income tax as a matter of justice.

As long ago as 1850 objections were raised by certain capitalists against the income tax, but after two committees, one in 1852 and another in 1861, had made full investigation in elaborate reports they declared it to be the best system that could be devised, and it stands to-day as an example for American statesmen to follow. American capital may court justice when it is too late.

The proposed income tax, Mr. President, is

NOT ENTIRELY SATISFACTORY.

Many changes could be made so as to make it more acceptable. The maximum of exemptions should be placed as low as $1,000, an amount supposed to represent the average living expense of a family in moderate circumstances. But the House bill, in placing the maximum at $4,000, have not gone below the average family expense when the moderately rich are averaged with the poor.

Again, the only proper income tax is a graduated one, beginning with small incomes and increasing the percentage of tax on all sums above $5,000. After long experience foreign nations have adopted the graduated plan, and find it works to the entire satisfaction of the majority of the people.

THE UNITED STATES HAS TRIED THE INCOME TAX.

In the United States many people remember having paid an income tax from 1862 to 1872. Under the war income tax the maximum exemption was $600 at first. On sums from $600 to $1,000 the rate was 3 per cent during the first three years. On incomes above $1,000 the rate was 5 per cent. In 1865 a tax of 7½ per cent was levied on all incomes between $600 and $5,000. In 1868 the maximum exemption was placed at $1,000. The average yearly income from this measure was more than $30,000,000.

It was then a war measure, but was willingly paid by all those who hoped for the perpetuity of the Union.

The Senator from New Jersey quotes the revenues derived each year from 1862 to 1873, to show that the tax was unsuccessful. The receipts gradually diminished:

1863	$22,741,358.25	1869	$34,791,855.84
1864	20,294,731.74	1870	37,775,873.62
1865	32,050,017.44	1871	19,162,650.75
1866	72,982,159.63	1872	14,436,861.78
1867	66,014,429.34	1873	5,062,311.62
1868	41,455,598.36		

The receipts increased till 1866, and then, as the Senator says, "as soon as it became certain that the Union was saved and that extraordinary, inquisitorial, and hateful methods of taxation were no longer necessary, they refused to pay." A confession, Mr. President, that the rich refuse to obey a law when it is distasteful to them. The fall in income was caused partly by the refusal of the rich to pay; but partly also by the change in the law as to rate of tax and exemptions. The rich can be made to respect any law if proper penalties are attached; and if the Government were as diligent in collecting the income tax from the wealthy as the Internal Revenue Department are in hunting moonshiners or violaters of the tobacco tax, we should have an end of petted and pampered criminals.

The law of 1863, Mr. President, should not have been repealed, for a just law is as good in time of peace as in time of war. But after the war was over and a surplus began to accumulate in the Treasury a continuation of the income tax would have endangered the protective tariff system which had proved a veritable bonanza to New England manufacturers under the war tariff of 1867. If the war tariff was to be retained the income tax must go, and it went.

The abolition of the latter and the retention of the former were alike agreeable and beneficial to the American millionaire. The repeal of the income tax was done at the request of the money power, and is one of the long series of enactments by which during thirty years the people have been converted from freemen into serfs.

We are now hoping to retrace our steps by relieving the masses from the burden of oppressve taxation, but at every step we are confronted by greedy capital which prates about "vested rights" and "legislation aimed at the East." Mr. President, stolen rights are not vested rights; and in the future the people are determined that one section of the country shall be no more sacred than another. No class shall be allowed to become arrogant and oppressive merely because "might makes right." Woe to our country if capital inculcates that doctrine in the minds of 40,000,000 hungry, proud spirited Americans. The people who have slaved in the mines and factories of this country and have produced the vast fortunes now enjoyed by a few feel they have a right to life and the comforts guaranteed by the framers of the Constitution. Capital may go one step too far in their attempt to wrest from the laboring man the fruits of his honest toil.

Considering these facts, Mr. President, can the Senator from New Jersey argue that an income tax is unwise? Will he or other Senators deny the people this small request in the line of justice? It is always wise to throw around the Republic those safeguards of legislation which will insure contentment and happiness to the people and perpetuate our institutions to coming generations. We are here as representatives, and not as individuals; as statesmen, not as local politicians; as patriots, and not as promoters of selfish interests. Let us legislate in the interests of all the people.

Mr. VEST. I attempted yesterday, but did not care to interrupt the Senator from New York [Mr. HILL] when he was speaking, to give notice of some amendments which are not printed, which I propose to submit on the part of the committee in lieu of the amendment in regard to the tax upon mutual life insurance companies. I send the amendment proposed by the committee as a substitute to the desk to be read.

The VICE-PRESIDENT. The Secretary will read the amendment.

The SECRETARY. At the end of line 11, section 59, it is proposed to strike out the following amendment:

Provided, That mutual life insurance companies shall not be required to pay an income tax upon the sums repaid to their policy holders as dividends or interest upon the surplus premiums held by such companies.

And insert at the end of the section:

Nor to any insurance company or association which conducts all its business solely upon the mutual plan and only for the benefit of its policy holders or members, and having no capital stock and no stock or shareholders, and holding all its property in trust and in reserve for its policy holders or members; nor to that part of the business of any insurance company having a capital stock and stock and shareholders, which is conducted on the mutual plan, separate from its stock plan of insurance company and solely for the benefit of the policy holders and members insured on said mutual plan, and holding all the property belonging to and derived from said mutual part of its business in trust and reserved for the benefit of its policy holders and members insured on said mutual plan.

Mr. HOAR. I was unable to catch the reading from the desk. Does the Senator mean to include all insurance companies, whether marine, life, or fire?

Mr. VEST. All insurance companies conducted on the mutual plan.

Mr. SHERMAN. Does the Senator intend to propose an amendment in regard to building and loan associations?

Mr. VEST. I am about to state the other amendment.

Mr. SHERMAN. Very well.

Mr. ALLISON. I suggest to the Senator from Missouri—I have just now had the opportunity of looking at the amendments—that he offer all the amendments and have them sent immediately to the Printer to be printed.

Mr. VEST. I am doing that. I want everybody to have full notice of what these amendments are, so that the debate may be conducted intelligently.

In line 20, section 54, the committee propose to strike out "four" and insert "three," and so all through the bill, thereby making the exemption $3,000 instead of $4,000.

In regard to building and loan associations, the committee propose to modify the amendment so as not to apply to building and loan associations which make loans only to their shareholders.

Upon page 187 of the print of the bill which I hold in my hand, section 59, line 14, the committee propose to insert after the word "collected" the words "except as herein otherwise provided;" and in lines 15 and 16 to strike out the words "ordinary working or" and insert "actual;" after the word "expenses," in line 16, to insert "losses and interest on their bonded debt;" so that with this amendment the section would commence:

That there shall be levied and collected, except as herein otherwise provided, a tax of 2 per cent per annum on the net profits or income above actual operating expenses, losses, and interest on their bonded debt, etc.

This exempts from taxation the losses of these corporations and interest on their bonded debt or fixed charges.

Mr. HALE. It is difficult, listening to the Senator, to know to what section or sections of the bill these provisions apply.

Mr. VEST. The new section.

Mr. HALE. I wish to ask the Senator whether this covers that portion of the bill which refers to railroad corporations and which emphasizes what is known as the surrender to the railroad corporations, or does it only apply to banks?

Mr. VEST. It covers the corporation section, 59.

Mr. HALE. Does it include railroad corporations?

Mr. VEST. Of course, it includes all corporations.

Mr. HALE. There has been a large assembly of railroad people here for the last few days, and there has been a good deal of interest to know what would come out of it; and therefore I wanted to know what these provisions covered.

Mr. VEST. I know nothing of any railroad people being assembled here. I have not seen any of them, except as I have seen people here every day for the last four months; but this amendment has not been made at the instigation of any corporation. I am under the influence of no corporation, and have no connection with any corporation; but we are endeavoring to make this bill upon just and equitable principles, and this was the result of consultation amongst the members of the committee.

In line 17, section 56, strike out the word "three" and insert "two;" in line 11, page 175, strike out "three" and insert "two;" and in line 8, section 65, page 196, strike out the words "collector of its collection district" and insert "Commissioner of Internal Revenue."

Mr. ALDRICH. Has the Senator from Missouri presented all the amendments he intends to present?

Mr. VEST. All I intend to present now. The other amendments are printed in the bill.

Mr. ALDRICH. Was an order entered to have these amendments printed immediately, so that we can have an opportunity to examine them?

The VICE-PRESIDENT. Their printing will be ordered in the absence of objection.

Mr. TELLER. Mr. President, I do not intend to discuss the details of this bill. The amendments proposed by the Senator from Missouri I had understood would be offered. I think, so far as I have been able to catch them, and so far as I can understand them from the reading at the desk, that they probably improve the details of the bill.

I only desire to say a few words about the principle of collecting revenue from the income tax. Such a tax has been grievously assailed, not only on this floor, but in the public press of a certain section of the country. It has been assailed as a sectional method, a sectional principle, as one belonging to monarchical government, and having no place in a republic. The Senator from Massachusetts [Mr. HOAR] yesterday made a very violent attack, not upon the bill, but upon the proposition to collect money by means of an income tax. He said:

This proposition is a war upon industry, honest wages, frugal living, and moderate gains. It is a combination of aristocrat and Populist, of the millionaire and the tramp, which is forcing this policy upon us against which the honest, the simple, frugal American spirit expresses its dissent and its loathing. You put the burden upon these men, upon the savings bank, upon the life policy, upon the foreman in the mill, upon the man with a little saving which you will take off from whisky and tobacco. It is easy to get a sufficient revenue, if that be what you want, though the Senator from New York has well demonstrated that you have plenty without it by a reasonable and moderate addition to the imposition upon whisky and tobacco.

Mr. President, that is in keeping with the arguments which have been made, I believe, on this floor, not only now but here-

tofore, with reference to the income tax. In 1871, when there was a proposition before the Senate to repeal the then existing tax, an examination of the RECORD will disclose the fact that the same class of arguments, if arguments they may be called, were then invoked as are now made. I desire to call the attention of the Senate to a few remarks made by the then distinguished Senator from Indiana, the old war governor, Senator Morton, touching this very method of proceeding. This was in 1870, when the question was before the Senate. He said:

Mr. President, we have had the argument by epithet in this case. This has been called an inquisitorial, an infamous, and an iniquitous tax. I will meet the argument by epithet with the argument of opinion, and I will give my opinion on the other side, that it is the most equitable and just of all taxes.

But it is said that some rich men will make false returns, and therefore all ought to be exempted. Many rich men make false returns in regard to State taxes, and my opinion is there is just as much fraud committed in regard to State taxes as there is in regard to national taxes, and I think the cases are far more frequent, in fact.

After continuing some time in defense of the principle of the income tax, he further said:

But I shall now speak of the general operation of the law; and I say, taking the country through, taking the general condition of the community, that the income tax is the best expression and exponent of the productive property of this country. Sometimes a man pays a tax on an income that is far above his productive property. It may be on a fictitious income; it may be what may be called an occasional income resulting from peculiar circumstances that may not happen again during his life. I do not argue from those cases; I argue from the great mass of cases; I will say four hundred and ninety-nine cases out of every five hundred; and, take the country through, the income is a true expression of a man's productive property.

Later, he said:

I started out with the declaration that it was the most just and equitable of all taxes. I have compared it now to the system of State taxation of property according to its value, real and personal, and the experience of every Senator who hears me proves to him that there is more hardship from taxing a man according to the assessed value of his property than in any other way.

Then he goes on and speaks of some hardships such as the Senator from Massachusetts brought against the law, and says:

The law can not avoid that. I know we can not meet these exceptions. The law has to deal in generalities; and when gentlemen complain of the hard cases growing out of the income tax I refer them to the fact that there are more hard cases growing out of every other system of taxation, because no other system represents half so well a man's productive property.

* * * * * * *

The argument is against a tax that falls upon the productive property according to its quantity, and upon its consumption; that falls upon the country according to population and not according to wealth. It is an argument in favor of an unequal and unjust tax and against a just and equal tax in its principles.

There is very much more here which might be read, and I think it would be instructive and would be a full answer to the epithets which are hurled against the proposed law.

I have another quotation I should like to make. The distinguished Senator from Ohio [Mr. SHERMAN] addressed the Senate on the 25th of January, 1871, upon this question:

It is the only tax—

Speaking of the income tax—

levied by the United States that falls upon property or office, or on brains that yield property, and in this respect is distinguished from all other taxes levied by the United States, all of which are upon consumption, the consumption of the rich and the poor, the old and the young. I make this the simplest division of taxes—taxes upon possessions and taxes upon consumption. As the income tax now stands, it is estimated that it will yield $12,833,000 out of an aggregate revenue of $320,000,000, or about 4 per cent or one twenty-sixth part of our aggregate revenue.

The Senator from Ohio was then resisting the repeal of the income tax. As to the objection against it that it interferes with private business, the Senator said:

The first objection is that it authorizes espionage into a man's business. Well, sir, so do all taxes. Your whisky tax authorizes the most searching espionage, and assumes that fraud is inevitable in the production of whisky.

Then the Senator proceeded to show that in all the collection of revenue duties of every kind and character there was the same objection to be made, and said:

But no custom-house laws can be enforced unless this espionage is allowed. It is not allowed for the purpose of interfering with men or women engaged in ordinary travel, but the espionage must extend to them in order to reach the fraudulent importer or the smuggler.

* * * * * * *

There is not a State in this Union which does not authorize more espionage into a man's private affairs than the income-tax law of the United States.

Again he said:

We are told that this is an odious and unpopular tax. I never knew a tax that was not odious and unpopular with the people who paid it. I think if the Senator from Pennsylvania would go into some places in Philadelphia he would find that the whisky tax which is so popular with us is unpopular there.

Later, after arguing to show that it was a fair tax, he said:

That is the only answer, and it is a complete answer; because if you leave your system of taxation to rest solely upon consumption without any tax upon property or income, you do make an unequal and unjust system.

Then the Senator went on to show that the income tax was collected at less expense and at about half the expense required to collect other taxes.

I speak only by recollection, not having looked at it recently; but the Senator from Vermont [Mr. MORRILL], who introduced the income-tax proposition in the House of Representatives and advocated it, declared then from his place in the House that it was a just and equitable system of taxation. When the question came before the Senate for final vote——

Mr. MORRILL. The Senator from Colorado will see that the committee then introduced it with great reluctance and as a necessary war measure.

Mr. TELLER. They did not introduce an unjust and inequitable tax, I think, even for a war measure. It was regarded, and the debate in the Senate will show that a majority of the Republicans of this body at that time so declared both by their voice and by their vote, as an equitable and just system of taxation without reference to the question of war or peace. The most distinguished members of this body, at least a great number of very distinguished members of this body defended the income tax by speeches and by their votes. There were 26 votes in favor of its repeal and 25 against it, and every Senator who voted against it was a member of the Republican party. There were 5 Democrats who voted with the 26 for the repeal. So in 1871 the Republican party in this Chamber put themselves upon record in favor of the justice and the righteousness of the abused income tax.

I shall not read the vote of the Senate, but there were in the Senate at that time a good many men of national reputation who favored the retention of the act, and who defended it not upon the ground that it was a war measure, for in all that debate which I have gone over I do not find a single defender of it, not even the Senator from Vermont, in defending it putting it upon the ground that it was a necessary war tax. Some of them did say that we could not afford in the state of our finances to dispense with the revenue, and perhaps made that the reason. All who expressed themselves on the subject, I think without exception, declared that it was an equitable and just tax.

The then colleague of the senior Senator from Vermont, not being present at the time of the vote, was paired in favor of the retention of the act. Various other Senators of national reputation, and, I repeat, more than half of the Republican members of the Senate, voted for the retention of this tax, at a time when there was no pressing necessity for revenue, any more than there is to-day, or as much, and when there was every year and every month of the year a surplus of revenue.

Mr. President, yesterday the Senator from Rhode Island [Mr. ALDRICH] declared from his seat here that it was admitted by the defenders of this proposition that it was the purpose to distribute the property of the United States by means of an income tax. I challenged the Senator then, and I challenge him now, and I challenge everyone who is opposed to this feature of the bill to show that any one of the advocates of the proposition has ever made any such statement here or elsewhere.

Mr. ALDRICH. If the Senator from Colorado will read the debates in the House of Representatives upon this very measure, he will find that the principal advocates of the proposition there stated that this was the first step in taking away from the rich property which did not belong to them for the purpose of paying the expenses of the Government, which they ought to pay. Of course no person in the House of Representatives or elsewhere, so far as I know, has stated directly that this is a method for the redistribution of wealth; but the logical result of their arguments and statements was exactly in the line which I have now stated, that it is for the purpose of reaching practically a redistribution of wealth.

Mr. TELLER. I am not allowed by the rules of the Senate to comment upon what occurred in the other House, but as it has been referred to, I will state that after a fairly careful examination of the debate I do not think there is anything in it which will justify that inference, and the Senator himself admits it is an inference and not a statement.

Mr. ALDRICH. I am told by a Senator near me that the Senator from South Dakota [Mr. KYLE] in his speech this morning discussed the proposition along that line.

Mr. TELLER. It has been discussed along the line that the rich people of the country are not paying their part of the taxes. That is a very different thing from the distribution of the property. No Socialist, no anarchist can possibly hope to derive any personal gain by taking money out of the coffers of the rich and putting it in the Treasury.

Mr. ALDRICH. As I understand the argument, it is that at present the poor people of the country pay all the taxes and the rich people pay none, and the idea is to have the rich people pay the taxes and the poor people relieved from paying them. It strikes me it is only an indirect method of doing the same thing.

Mr. TELLER. There is no such assumption made on the part

of anybody who defends this feature of the bill. The Senator from Rhode Island may make the argument for his side; he has no right to make it for the other. The argument has been from the beginning, it has been defended upon that principle, it was so defended when it was passed here, it was so defended when it was maintained here, upon the ground that it was an equitable distribution of the taxes, and that the men who had the wealth of the country should pay in proportion as they call upon the Government for their protection and preservation. It has been asserted here and it has been asserted elsewhere that a tax upon consumption and consumption alone does not properly distribute the burdens of taxation among the people.

The man who holds millions of dollars' worth of property pays no more, perhaps, under the general taxes levied upon consumption than the man who has not any property. The man who buys foreign clothes and foreign wines and foreign cigars or who buys cigars which are manufactured here under the internal-revenue system of taxation pays a tax; and we know that in every community there are men of moderate means and moderate fortune who pay just as much tax to the General Government in that way as the richest of all. That is the claim; not that it is proposed that the rich men shall pay the taxes, but that they shall pay an equitable and just proportion of the taxes, and no more and no less.

There is no party in this country which ever has insisted in its platform or by its representative men that any class of people in this country should pay more than a just and equitable share of the burden of maintaining our Government. No party could live which would put itself upon such a platform. The common sense of the American people and their sense of justice would prevent a party from coming into power upon such principles, but there has been a feeling amongst the people of the United States, and rightfully, too, that the wealth of this country does not bear its fair proportion of the burdens.

It is said that this is a sectional tax. It is sectional because in one section of the country the people will pay more than the people in another section will pay. That is true. The great State of New York and the State of Massachusetts, all the New England States and the Middle States, will pay more in proportion to their population, perhaps, than will be paid by the Western States and the Southern States, but they will not pay as much under this proposed act in proportion to their wealth as the Southern and Western States will pay. There is not the slightest excuse for the statement that an income tax is sectional. There is not the slightest excuse for the statement that anybody who advocates this proposition proposes to take from any man that which he is not under obligations equitably and justly to surrender to the Government of the United States for the preservation and maintenance of order and the preservation and protection of his property.

Is this tax an inquisitorial tax to such an extent that we ought not to adopt it? The Senator from Massachusetts [Mr. HOAR] yesterday took offense at something the Senator from Kansas [Mr. PEFFER] said in plain Western language, that the objection to this tax is that the rich men of the country are going to lie about it and not pay. That has been the stock argument against this proposition. It is not put in that way; nobody says it exactly as the Senator from Kansas said it, but it has been repeated *ad nauseam* that we can not collect this tax because the people will not render to the Government a just and truthful account of their incomes.

Mr. HOAR. Will the Senator from Colorado allow me?

Mr. TELLER. Certainly.

Mr. HOAR. I did not take offense at that. I took offense because the Senator from Kansas insisted I had said it. I never said it, and never thought it.

Mr. TELLER. I did not so understand. I thought he charged it had been said generally.

Mr. HOAR. I pointed out that all I said was that the people like to have privacy in their affairs, but the Senator from Kansas still persisted, and I did not further insist on correcting him.

Mr. TELLER. I misunderstood the Senator's cause of complaint against the Senator from Kansas.

Mr. HOAR. I thought the Senator did.

Mr. TELLER. I supposed the Senator from Massachusetts was objecting because the Senator from Kansas had made a general charge that that is the argument against the proposition. The Senator from Massachusetts will admit, I suppose, that that is perhaps the most frequently adduced argument against such a tax, that you can not honestly collect it.

Mr. HOAR. I do think I should go so far as to say that it is the most frequently used argument. It is undoubtedly an argument, but it never seemed to be an argument with the slightest weight. As I said yesterday, the objection to the income tax on that ground is not a tenth part equal to that which would apply to a tariff. There never would be a tenth part as much objection to an income tax law on that ground as to a law taxing importations.

Mr. TELLER. I am coming to that point.

Now, is it an inquisitorial tax? Is it any more so than the State taxes under the laws of Massachusetts or any other State, because the laws are practically the same on that subject? Every citizen of the State of Massachusetts and other States is required, at least that is the law in the West, and I suppose it is the law in the East, to give in under oath a statement of all his personal and real property. If he has bonds, not United States bonds, and not excepted from taxation, he must list them.

If the authorities think the party does not properly list his bond, they bring him before them and then they make a proper list themselves. They inquire into a man's business; they send for his books; they subpœna witnesses, if they choose, and they take all the steps which may be necessary to compel him to pay his just and proper share of Government burdens. If an importer ships goods to the city of New York he is compelled to furnish a properly certified and sworn invoice. If the authorities believe that it is not correct, they take testimony and examine into his affairs to determine whether he is making a proper return.

When a person lands at the New York wharf some whippersnapper comes up and says, "Have you any diamonds or any contraband goods on your person?" No matter who it may be, no matter what his reputation at home may be, unless he happens to occupy an official position for the time being he is liable to be taken into a room and searched and compelled to disrobe. And that is true whether the person be a male or female; yet nobody will allege that against the collection of import duties that you can not collect them honestly, because occasionally there is a villain who will bring in things upon which he ought to pay a duty with a view of not paying a duty. So honest men have to submit to indignities, and no man ever was searched at a station who did not feel indignant. He can not help it, although he knows it is proper and right that that should be the law. He feels that an insult has been put upon him, and yet no thinking man feels it so severely that he brings that as a charge against the system of collecting import duties. Under the ad valorem system of collecting import duties there are, in my judgment, three or four times as many opportunities for fraud as there are in the collection of the income tax.

Now, why should not the man who has an income of more than $3,000 (as I understand that is to be the limit now) pay upon that income? Is it not a fairer system of levying taxes than to levy them upon property? The man who has broad acres in Kansas or Colorado that are worth to him nothing as a revenue-producing agent, pays taxes to his State, and he might pay taxes to the Government under a system properly arranged; but is it not infinitely more just that the man who has money coming to him should pay a pittance of 2 per cent upon his income? Is there any hardship in it? Is there any inequality in it? Is the statute when it shall be enacted liable to the charge that was brought against it by the Senator from Massachusets [Mr. HOAR] yesterday, that it is a tax upon industry, a tax upon thrift, a tax upon honesty?

The Senator says that some man with a great estate will take and absorb all the income from it in riotous living. So men in every department of life will waste their substance. When you tax the mechanic's house under the State law of Massachusetts (and I think they tax them all), it is a tax upon industry; it is a tax upon saving; it is a tax upon thrift. All taxes bear hard upon the people who pay them, unless it be the very rich. But you can not maintain governments without taxation. When governmental societies were organized every man agreed that he would pay his part of the burden, and he agreed that that should be in proportion to the property that he owned; that is, determined by the income that he gets.

Mr. President, let us see whether this is a severe provision upon the men who have incomes. I do not suppose that the foremen of very many mills spoken of by the Senator from Massachusetts get more than $3,000 a year. Perhaps occasionally in the great establishments making iron (and I do not know but that it is the same case with extremely skilled people in the manufacture of cotton cloths and woolen goods) they get more than $3,000, but they are the exception and they are envied by all the rest. If such a person gets $5,000 he will pay how much? He will pay on $2,000, and he will pay $40. The mechanic and the clerk, and the man whose income is so small that he lives up to it every day, escapes this taxation. Does the Senator object to that? Does anybody object to it? He has little property, and probably escapes State taxes as he escapes national taxes. The true principle is that the property of the country shall maintain the government of the country.

I presume it is safe to say that the interest upon the invest-

ments of this country will not now exceed 4½ to 5 per cent. If the citizen gets his income from fortunate investments in railroad securities or other things which are excepted, although he may have $50,000 invested, from which he draws 4, 5, or 6 per cent, he will not pay a single dollar on that income. I think no man who has an income above $3,000 a year ought to complain.

Is it true, as stated by the Senator from New York and the Senator from Massachusetts yesterday, that we do not need this revenue? We needed it in 1862, 1863, 1864, and 1865. We need it to-day, I repeat, as much as we needed it then.

Up to the 1st day of April the revenues had fallen behind $66,000,000, and since then they have fallen behind until certainly there will be a deficiency of seventy-five or eighty million dollars this year. How is it to be met? Senators tell us there is abundance of revenue.

The Senator from Delaware [Mr. HIGGINS] said there is abundance of revenue from import duties. In 1892 the revenue duties were within $10,000,000 of the expenditures of the Government; in 1893 they were within less than two and a half million dollars; and for the year 1894, I repeat, they will be undoubtedly somewhere in the neighborhood of from sixty-six to seventy-five million dollars less, and perhaps the amount of deficiency will be less. Month by month the deficiency is increasing.

Now, pray tell me, some one who is opposed to this income tax, how are we to pay the national obligations; how are we to maintain the high credit this Government has maintained unless we resort to some other method? I asked the Senator from Delaware what is to be the revenue under this bill? I had asked the committee. I know that no one can tell, no one who has studied this question has any reason to suppose that the revenues for the next year will be any more than they are now or than they have been for the last year.

Mr. HILL. Will the Senator from Colorado permit me for a moment?

Mr. TELLER. Certainly.

Mr. HILL. I regret very much, of course, to interrupt the Senator during what may be called a set speech——

Mr. TELLER. It is not a set speech. The Senator is quite at liberty to interrupt me.

Mr. HILL. I wish simply to make one suggestion. Does the Senator say that the condition of [illegible]ces of the country is such that it is impossible to mak[illegible]tion of tariff duties without providing some other syst[illegible]evenue?

Mr. TELLER. I believe that there might have been a revision of the tariff in a way that might have brought more revenue than the McKinley act brought. If the revision of the tariff was solely for the purpose of securing revenue, I believe that it might have been done in a way that there might have been an increased revenue over that of the year 1893.

Mr. HILL. Will the Senator allow me?

Mr. TELLER. Certainly.

Mr. HILL. Then are we to understand that the tariff-reform bill that is proposed to be passed will not of itself alone bring sufficient revenues to support the Government?

Mr. TELLER. I do not believe it will.

Mr. HILL. I commend that to the consideration of the gentlemen who are engaged in supporting it on this side of the Chamber.

Mr. TELLER. I do not believe the pending bill would bring sufficient revenue without the income tax. It may be that it would bring sufficient revenue to run the Government, but we must have more. We owe $600,000,000, some of which will become due very soon. We shall have to provide for the payment of our national debt. The American people have willed and determined long since that the national debt should be wiped out and not continued, and therefore any revenue system which does not provide more than is necessary to run the Government each year is not a proper one.

Mr. HILL. If the Senator will allow me, the estimates which have been made by the Secretary of the Treasury include sufficient to pay all the interest on the public debt.

Mr. TELLER. The estimates may do that. The Secretary of the Treasury estimated last year that the deficiency in the revenues would be $28,000,000. They will be $50,000,000 more. Is it wise for any government to run so close to the wind that a little disturbance in the financial affairs of the country will destroy its revenue, so that there will be a deficiency?

Mr. President, we want a revenue tariff, if we obtain our revenue by a tariff, that shall not only yield sufficient to run the Government, but leave a surplus in the Treasury to apply to the payment of our debts, and if we do not get it from that source we must get it somewhere else.

I need not say here what I have said before, that the American people were displeased with the McKinley act of 1890. They believed, as very many men on this floor who voted for it believed, that in it we had gone to excess, and had put upon the statute book larger import duties than ought to have been imposed. The people of the United States were not satisfied, and if the Republican party had come into power public sentiment would have required of us that we should revise the tariff in very many particulars.

In my judgment, I repeat, not only is an income tax an equitable and just and proper method, but it is absolutely necessary at this time that we should have it. Our finances are not in good condition; the financial world is not in good condition; and while you put down the duties upon imports, and it should be presumed that the imports will increase, the amount of imports that come to this country will depend upon our ability to buy. If we are not able to buy they will not come in. Consumption in the United States, by the best authorities and by all who have given attention to it for the last year, has been reduced one-third. There is nothing in the financial sky that justifies any man in believing that increased consumption will cause a greater demand for imports. If the people can not buy the importer will not import.

Our gold goes abroad every month, some months at the rate of $25,000,000. Twenty-five million dollars went last month and $15,000,000 already in this month, or in the neighborhood of that amount. There is no prospect of a revival of business. There is no prospect that the people of the United States will be able to consume the additional millions and many millions of imports that will be required to make up this deficiency; and, as I said months ago, we are met with the proposition squarely, shall we create further indebtedness to maintain the current expenses of the Government, or shall we by an income tax collect from the wealth of the country that which it can easily bear?

There is no country in the world whose citizens feel the hand of the national government as lightly as they feel it here. Nobody has felt its burden, whether it was a tax upon consumption or a tax upon incomes; and a tax upon incomes of 2 per cent is infinitesimal, and ought not to excite the ire of the fortunate possessors of great wealth and of great incomes. But whether it does or does not, I want to predict that the income tax has come not to stay for five years, but to stay as a permanent system in this Government for the collection of revenue, as a system that has been demonstrated in another country (where there is as much love of justice and law as there is here) to be after all the most equitable method of compelling property to pay the burdens of Government. I speak of the Kingdom of Great Britain.

I know the Senator from New York thought that that did not commend itself to us because it was an English aristocratic system. Mr. President, there is no aristocracy in taxes. There is no democracy in taxes. The law puts its hands, if it is an equitable and just law, upon the property, and not upon the individual. In Great Britain they have been compelled by their necessities, by their enormous debt, and tremendous expenses to acquire in every way that they could taxes on an equitable and just plane, and this tax, which went into effect in 1798 and continued until 1816, and then went into effect again in 1842, finds no opponents in that great Kingdom. It is admitted by all, Liberal and Tory, that it is a proper and just way of distributing the burdens of government on the people of that country. It was a just and equitable tax in this country, and found no opponents outside of the few people bordering on the Atlantic Ocean, and very few of those.

Mr. HILL. I assume the Senator did not intend to misrepresent the position of public men in England. I read in my remarks on April 9 last, and simply incidentally referred to it yesterday, a letter from Mr. Gladstone, who for many long years has had a little to do with the Government of Great Britain, in which he said he was not in favor of the continuance of that tax, and gave his reasons.

Mr. TELLER. I did not mean that somebody did not complain about it. I meant to say what the Senator will not deny, that no political party in that country has ever made that one of its articles of faith. There, whenever they want any money, they do not go to Parliament; some authority that they have adds 2 pence to the pound, or 3 pence, or whatever may be necessary. It is a more burdensome tax there than it is here. It is collected in Italy; it is collected in Austria; it is collected in Germany; it has become one of the features of administration the world over as equitable and just.

Mr. HILL. Is it collected in any republic on the face of the globe?

Mr. TELLER. Oh, Mr. President, there are not many republics. I do not know whether it is collected in any republic, and I do not know any republic on the face of the earth outside of ours that any financier would point to as an exemplar in financial administration. Whatever we may have done as republics in taking care of the liberty of the person and of speech and all that, the republics of the world outside of our own have not

shown any extraordinary wisdom in finance. I do not know whether any other republic except ours ever tried it. We tried it, and I repeat, when that act was repealed there was no sentiment for its repeal outside of a small fringe of settlements on the Atlantic coast and California on the Pacific. Senators on this floor from the great States of Iowa and other inland States declared that it was a popular law.

I believe it may be said that there is no other feature in this bill that will commend itself so thoroughly to the people of the United States as this feature, not because the people of the United States are socialists, not because the people of the United States want to take unduly from any man that which the law does not require to be done in equity and justice; but because there is a prevalent idea everywhere that it is an equitable and just system of distributing the burdens. The Senator from New York talks about its shipwrecking the Democratic party. Mr. President, I have not much interest as to whether it does or does not; but if there is anything that will give the Democratic party a hold upon the votes of this country it is the assertion in the bill of this principle of equitable and just taxation.

Mr. SHERMAN. Mr. President, I do not intend to detain the Senate more than a short time to express my opinions in regard to the income tax.

On the 25th of January, 1871, in a speech made in the Senate, I gave my opinion as to the constitutionality and justice of the income tax. I have read that speech within a day or two, and do not find anything in it that I do not concur in. I believe, under the circumstances in which we were then placed, the repeal of the income tax was a bad measure of public policy. It was carried mainly not by party divisions so much as by sectional divisions. The majority of the Senate voted for its repeal mainly upon the ground that there was a surplus revenue at that time to a considerable amount, and they claimed that the income tax was not therefore necessary. I was opposed to the repeal of the income tax for the reasons I gave in that speech. Those reasons still stand as my justification.

If the circumstances in which we are now placed were the same as then, or anything like it, I would insist upon a renewal of the income tax. I believe that an income tax is a fair and just mode of revenue, whether enforced by the nation or the State; and if the circumstances demanded it and there was any necessity for it, I should not hesitate for a moment to vote for an income tax as proposed in this bill. I do not think there is any such necessity. I do not believe it is a wise thing at this time to renew this exceptional tax—the income tax—which was never before assessed since the Government of the United States was formed, except during the civil war.

In 1871, when it was proposed to repeal the tax, the Government of the United States was in debt over $2,000,000,000. The permanent appropriations growing out of the war, including the interest on the public debt and the sinking fund, amounted to $160,000,000. The great payments of the debt have been made since that time. The conditions then existing demanded, as I thought and as I urged throughout the length and breadth of that speech, that the current income tax should be continued at least until it expired by its own limitation. According to the law as it stood in January, 1871, the income tax would have expired in two years, I believe, the 1st of January, 1873.

Yet the proposition to repeal the income tax was carried by the majority of one vote at a time when this heavy burden rested upon the shoulders of the American people. The result was that in two years from that time the income of the Government fell so greatly that there was a deficiency in the revenues in 1874, very much the same condition of affairs that we are having now. Indeed, the United States is passing through one of those peculiar financial stringencies that occur among all nations and all people in all times, when the fluctuation of trade, which no man can foresee, causes a great disturbance in business affairs and a sudden loss of confidence, a reduction of revenue, and enormous loss to the people.

In 1873 there was just such a condition as we have now, twenty years afterwards. In 1873 the panic was precipitated by the failure of a great banking house interested in building the Northern Pacific Railroad, but the want of confidence growing out of that one fact spread to all other industries, so that in two years after that time all kinds of industries became stagnated, and the people were passing through a period of most severe stringency, far greater than they are passing through to-day.

The same condition, the same stringency, has again come upon the people. Hardly any man can give a reason why. No man can say there is anything peculiar in the condition of affairs in the United States that does not apply to all the other nations of the world. We know that the same stringency that exists here exists also in other parts of the commercial world. Under these circumstances I do not think it is wise for us to renew a tax that was never put in force except once, when the United States had over $160,000,000 of permanent appropriations to meet, interest on the public debt and the sinking fund. At that time we were feeling all the resulting burdens of the war, and the public debt had not been materially reduced. Under these circumstances to repeal any form of a taxation seemed to me unwise and improper.

I do not deny that on general principles of equality and justice the incomes of the rich should contribute their full share of taxes. Their incomes ought to bear a fair share of the public burden, but it seems to me that it should only be imposed by the Government of the United States in a time of severe and vital necessity. The States ought to have the power of taxing incomes, and they have it unless they have denied that power to their Legislatures by their constitutions. They ought to have the power of levying all direct taxes; and this income tax, whatever may be said by the Supreme Court, and however nice the distinctions may be made between direct and indirect taxation, is in effect a direct tax upon each individual or upon a corporation representing individuals. This tax ought to be left to the people of the States.

The other day in speaking upon this bill I showed that the local taxes of the people of the several States amount to $200,000,000 more than the taxes imposed by the General Government. Therefore, public policy demands that we should leave to the States all forms of taxation that are not specifically and exclusively levied by the United States. We have in duties on imported goods a sure and ample reliance for all that is necessary to carry on the operations of the Government.

It is not necessary to pass this income tax provision to provide sufficient revenues for the support of the National Government. We are now daily repealing and reducing taxes which fall lightly upon the people, which can not be levied by the State governments, which can be levied only by the National Government in the form of duties on imported goods. Day by day we have by this bill sacrificed by the million dollars a day the revenue that would come into the Treasury with but little cost from duties on imported goods which can not be levied for State taxes.

There are ample resources in this form of tax for all the expenses of the Government, whatever may be their name or nature. There is no di[illegible]whatever in the honorable gentlemen who have char[illegible] bill putting enough taxes on imported goods to coll[illegible]h and even more than enough revenue to carry on the [illegible]ary operations of the National Government, leaving to excises for ample means for the necessary payment of the interest on the public debt and the pensions to the Union soldiers of the war. The pretext for this measure is that some faults are found in the McKinley act. Some dissatisfaction was created two years ago when that act was not understood any more than the pending bill is now understood by the people of the United States.

On account of the changes made, the alarm that was created, and the loud outcry made by our Democratic friends, there was a gross misunderstanding in regard to the terms and provisions of the McKinley act. It was a far better measure than they represented it. It largely reduced taxation. It was a measure of relief and wise protection to domestic industries; but a feeling was created that some of the duties were too high, and we may concede that some of the rates were too high. On the other hand the McKinley act repealed many taxes, some of which ought to have been retained.

If I were called upon to designate one or two items that ought to have been preserved in the McKinley act, I would say at once promptly that the tax on sugar ought never to have been disturbed. It is the best subject of taxation, because it not only gives a sure and certain revenue and is but a slight burden upon the consumer, yet it protects an industry vital to our country, and which will be more important to us in the future when the sugar beet shall supply the great body of the sugar consumed by our people. Slight changes in the McKinley law, additions here and deductions there, without any radical change of its provisions, would have been amply sufficient to have furnished all the necessary expenses of the Government without resorting to an income tax.

Therefore I shall vote against this income tax simply because it is unnecessary. It is unnecessary because we have ample sources of revenue without resorting to this expedient.

Then, besides, to levy an income tax is an invasion of the rights of the States. The States have only direct taxes upon property, including incomes, licenses, and franchises by which to carry on the operations of the State and local government. We ought to keep our hands off of every kind of taxation the States may properly levy. There is nothing in the Constitution to prevent any kind of property tax being levied by a State upon any of the property, real or personal, of the citizens of that State. They could levy income taxes as well as we, and we

have other and better sources of revenue which tend to protect and foster our industries.

We ought not to invade the domain of State taxation or cripple them in the exercise of their local powers of taxation, which now requires more than $560,000,000 to meet the growing wants of States, counties, cities, and townships extending over our vast country. If it were not for that, and if there was some absolute necessity to secure a greater sum of money than can be collected from imports and excises, I would not hesitate in levying it in the form of an income tax.

But there is another thing. The terms and conditions of this income-tax provision it seems to me are utterly indefensible. Why should we levy a tax upon the incomes above $4,000 a year and not levy upon the great mass of the incomes from $1,000 up to $4,000?

Mr. CULLOM. It is proposed to reduce it to three.

Mr. SHERMAN. Is it proposed to reduce it to three? Well, that is an improvement. I will ask the Senator in charge of the bill if it is proposed to reduce the minimum income to $3,000.

Mr. CULLOM. I so understood the Senator from Missouri.

Mr. VEST. Yes; to $3,000.

Mr. SHERMAN. That helps somewhat. Why take $3,000 as the standard? There is only one line of demarcation which has been generally observed by any nation, including our own, and that is to exempt from income taxation enough to cover all the necessaries of life of a man's family in the ordinary condition of human society.

In the beginning of our civil war, when our circumstances were stringent and we had to get money, we exempted $600, on the ground that $600 would supply at least the wants of the ordinary family, merely exempting enough to supply the absolute wants of a family in the ordinary condition of the people of our country. All above that was taxed. We collected over $300,000,000 in less than ten years on this tax. We made no discrimination. This bill does make the discrimination of $3,000 a year. If the tax is levied on all above $1,000 a year—which I would regard as about the line of demarcation of income—and there was any necessity for the use of that money for the support of the Government, I would vote for it with great pleasure.

I feel precisely as I expressed myself twenty years ago, that it was a tax no man should complain of. If the circumstances and exigencies demanded it, or the interests of our people, the need of revenue, or the public credit, or any public interest demanded it, I would vote for it without hesitation. I do not by any means regard the income tax as the worst feature of this bill, and I should have no objection to it, as I say, if there was any real demand for it. But there is not.

Mr. President, this making a line of demarcation on incomes of $4,000 or $3,000 it seems to me is a low and mean form of socialism. Why should a man who has been prosperous, who is a property holder, be aimed at, struck at for special taxation? Why should ordinary success, the result of care and prudence in the management of his affairs, reduce him below or beyond the sympathy of the mass of our people, and subject him to special and discriminating taxes?

Any man who thinks that this doctrine of socialism can poison the minds of the native people of the United States, and especially of the farmers of the United States, is greatly mistaken. The ideas that are now permeating society in many countries of the world will not have a strong foothold among the yeomanry, the plain people of the United States, because they know that whatever may be the advantage of wealth and however may be the condition of prosperity in life between men, our institutions are founded upon the equality of all, and there is no man, however poor and humble, who can not demand and secure the same rights and privileges and enjoyments as the richest man in our country.

In a republic like ours, where all men are equal, this attempt to array the rich against the poor or the poor against the rich is socialism, communism, devilism; it is the foundation of all the fears that now disturb many of the European governments. I have no sympathy with it whatever. I know something about how it was to be poor, how it was to struggle one's way in life, and how to be independent. All that I can perceive, and every person in the United States can perceive it as well as I.

There is a complaint made against the accumulation and distribution of wealth in this country. I do not think there has been any accumulation of wealth for two or three years in our country. There have arisen conditions out of our civil war that have made great changes in the condition of individuals. Probably the most important tendency since the war is the concentration of men and women in cities at the expense of the country. The cities have grown enormously, the most remarkable growth being that of Chicago.

I was in Chicago when its population was less than 50,000, and now it is rivaling New York in the magnitude of its population. Look at the vast wealth created by that aggregation of people, settling upon a treeless plain, because it was as level as the sea when it was first occupied, and unattractive in every way. Yet more than a million and a half people have settled there, and most of them since the war. The vast increase of city property in the United States, and the vast increase of its value by the increased population, has been the chief source of wealth and the foundation of great industrial interests and great property in this country. Who could object to that? It was the natural advance and growth of our country, and it ought to be the pride of our country instead of being the cause of remark and complaint.

Another thing, the inventions of our country in the last thirty or forty years have been wonderful beyond all precedent in ancient or in modern times. Look at the condition of things fifty years ago in the State of Ohio, when we had no railroads, no modes of transportation except the old stage coach and the farm wagon. In former times property was invested in building turnpikes and bridges, and tolls were levied upon all who passed over the bridge or along the turnpike every eight or ten miles. The whole condition of society is changed, not only in Ohio, but in all parts of our country.

Now 170,000 miles of railroad traverse our land, more than all the railroads of Europe. Those railroads have been the source of great wealth, largely increased by very improper means, by watering stock, by selling to the people certificates of stock or bonds that do not represent anything. But this fancied wealth is disappearing. The time I think is not far distant when much of the railroad property in the United States, like the turnpike property and the bridge property, will disappear. Even now many of the stocks except of a very few lines of railroads are of scarcely any value whatever; and many of the fortunes built upon these great works are disappearing like snow before the summer sun. The railroads of the United States could be duplicated for one-third of their cost, and one-fifth of their paper cost as represented by bonds, etc. So these things will cure themselves.

All the wonderful inventions in electricity and all the innumerable and amazing inventions of machinery for farming yielded enormous profits to inventors and capitalists and laid the foundations of great fortunes, but these become the property of the people. The amount that has been realized by the brief monopoly given for patents soon disappears, and then all this vast property becomes the common property of the people of the country and can no longer be made the basis of untold fortunes and untold wealth. The added wealth by invention lessens the labor and toil of the people and reduces the cost of living and adds to the comforts of all.

A farmer in Ohio will take his sulky plow, and riding along he may in an easy way turn the sod and prepare the soil. The labor is comparatively slight. He has the benefit of machinery, but not at its cost twenty or thirty years ago when an ordinary mowing machine would cost $100. Now it costs $30 or $40, all the great establishments competing at low prices to construct the machines. A vast aggregation of wealth has been added to the people of the United States by these inventions. In every condition the life of man and woman is improving, so that although the people of the United States may be suffering from a temporary disability they are really far richer than their fathers and mothers were before them.

Sir, I could draw pictures here by the hour of comparison between the former condition of our people in Ohio and their condition now. It is all beneficial. They are inheriting all these inventions and all the great improvements of the age. Most of the men who are scoffed at as millionaires are self-made men who commenced life in poverty and availing themselves of industry, intelligence, and opportunity, have been successful. Many of them are of the highest standing and character, some have devoted their lives to the public good, and have given freely for all good purposes. They have made themselves rich by their intelligence, their integrity, their capacity, and their ability; and the people, at least of the State in which I live, have respect for men of that character.

There are some things in our country that we ought to break down. We have inherited all the benefit of invention. On all the railroads of our country freight is carried cheaper than in any other. But we have in modern times a new invention that is devilish in all its aims and ends, and that is the invention of trusts and combinations by which a few people get together forming an incorporation in some remote State, and throwing into a mass all the property in a particular line of industry under a single ownership or control; they control it so as to prevent any benefit to the people of the United States. A vast amount of watered stock is added to the value of the property involved; stocks and bonds are issued; and then men are supposed to be created millionaires.

Take the stocks of the sugar trust that we had here before us only a few days ago, where upon the basis of $9,000,000 they issued $75,000,000 of stock and $10,000,000 of bonds, and paid upon it, watered stock and all, from 6 to 12 per cent interest every year, every dollar of which was at the cost of the people of the United States.

If the Senators here who have charge of this bill will take as much pains in striking at the combinations and trusts which interfere not only with our foreign but with our domestic trade, they will do a duty to their country more important, indeed, than any they have attempted in the bill. I am sorry to say that instead of that they have gone, I think, to the other extreme.

It may be said truly that in the McKinley act some of the combinations were greatly favored. At that time these combinations were not fully understood; they were not well formed. If the Senators on the other side had only put sugar upon the dutiable list without any discrimination for or against the trust at a particular rate they would have had all the revenue that is required for the Government without invading the domain of State sovereignty with the income tax. There would have been no trouble at all. A dozen amendments made in the McKinley act would have changed everything that was complained of in that act without all this long delay, this codification of a new law, this assessment of an income tax, a war tax justified by the necessity of a former time, but not justified now by any circumstances whatever.

Mr. President, I have said about all I care to say on this feature of the bill. There are some features of the bill that may be changed by amendment, but I do not know whether that will be done or not.

I wish to call the attention of the Senator having the bill in charge to one or two subjects-matter. I find here in the bill as it originally came to us a tax on all individual incomes of over $4,000; and if the income was again taxed in the form of corporate property, no deduction was to be made from it. But the Senate committee have inserted the following provision:

Provided, also, That in computing the income of any person, corporation, company, or association there shall not be included the amount received from any corporation, company, or association as interest or dividends upon the bonds or stock of such corporation, company, or association if the tax of 2 per cent has been paid upon its net profits by said corporation, company, or association as required by this act.

If this means that the individual person who is called upon to pay an income tax has a right to deduct from his rendering all the capital invested in corporations, it will very greatly reduce the amount that can be collected from the tax. Capitalists as a rule do not invest very large sums in corporations, generally managing their own affairs in their own way. The great body of the owners of the corporations are comparatively poor men. You may say in regard to the national banking system, as shown by their statistics, that more than three-fourths of all the stock held by national banks is owned by persons holding stock to a less amount than $3,000. The great fortunes of the country are not involved in these corporations. Therefore when you extend the income tax to the corporations you extend it mainly to the income of the poor and to the income of the thrifty poor.

Mr. PLATT. If the Senator will allow me, unless persons have $4,000 or $3,000 income, it is no benefit to them to deduct from the income anything that they have received upon stock while the corporation has paid it. It makes persons who have less than $3,000 income invested in corporations pay without any deduction.

Mr. SHERMAN. That is precisely what I intended to say. The result of the tax levied upon corporations, and not upon individuals, is that if levied upon individuals the deduction may be made, but if levied upon corporations there is no deduction whatever, and all the tax on the profit made by the corporations is deducted from their stockholders.

Who are they? Are they wealthy men who are fortunate in having a large income? Not at all. The most of our corporations, State and national, are composed of small stockholders; the only exceptions are such organizations as the sugar trust, the gas trust, and the Pacific corporations, where three or four men hold the entire stock of the companies. As a rule, however, in our railroads, in our manufactories, and in the various corporations connected with the active business life of the people, most of the stock is owned by small stockholders, and yet we propose to levy upon these small stockholders the great mass of the income tax imposed by this bill.

I have no hesitation in saying that the amount levied upon corporations will be far more than that which will be levied upon individuals under the operations of the bill. Therefore the greater part of the income tax thus levied will be upon the very best people of our country, the men who have been poor but who are trying to improve their condition, men who, whenever they can save a little money, put it into one of these organizations, many of which are organized for the benefit of people of that class; or they put their savings into bank stock or something of that kind, in the hope that they are laying by a nest-egg which will make them rich.

This is the condition. How to change it is difficult to tell, and I do not exactly know, but if you reduce the limit to the individual taxpayer to $1,000, then this discrimination will not be so great; so that a person having a total income of a thousand dollars from any source whatever, as an attorney, as a physician, or as a mechanic, or a laboring man, would have the benefit of this reduction. If the income tax is only applied to large property-holders, none of these people will pay the full income tax.

The people are to be taxed on all their incomes, without any reservation whatever, and there will be no exemption for the mass of the people who are interested in these corporations. They will have no benefit of a limit of $1,000 or any other sum, and will have to pay upon the whole income the tax levied by this bill. I am not prepared to say how this can be changed; but I think it is an important feature of the bill.

I do not say that an income tax is not a proper and desirable tax to be levied, but only that it is not a proper and desirable tax to be levied now by the United States. It should be left to the States as a source of revenue, to be used by them whenever they choose to do so.

I do not put my opposition to the income tax, therefore, upon any ground such as has been named by other Senators as being an unjust tax under all circumstances. I think, under other circumstances, as a State tax, it would be just and proper.

There is another thing in this bill which I do not think is right. It is proposed by it in express terms to levy a succession tax. A man will be required to pay a tax on all property he gets by way of inheritance, although it may be by inheritance from the father to the son or from the husband to the wife. If property is acquired by legacy or by descent, those receiving it in any year are bound to return the whole value of that legacy for the purpose of taxation. That is not the form of a legacy tax usually imposed, and it ought not to be imposed in this form at any time; but certainly we ought to leave to the States the duty of regulating the disposition of property after the death of a testator. We ought to leave all these matters to the States, and not take them under the control of the General Government.

In most of the States, as in Ohio, there is a tax somewhat similar to this; but if you provide a double tax upon the inheritance of property proceeding from the father to the son, or from the husband to the wife, you would then subject the property which came to them as the result of the labors and the savings of a lifetime of the husband or the father to double-loaded taxes, by the United States and by the State. It seems to me that provision ought to be entirely stricken out. There is no necessity for that form of tax.

There are many other features and items of the income-tax provision of this bill which I think are wrong, but the proper time to discuss them, I suppose, will be when they regularly come up for action; and therefore I shall not debate the subject longer now.

I believe, however, it is unwise to insert the income-tax clauses in this bill, not because I am opposed to an income tax, but because it is not necessary to the National Government to levy such a tax now. I hope and trust it may be stricken out—I can hardly say "I trust," because, from the vote which has been taken, I assume, as a matter of course, in spite of all the observations which have been made or anything which can be said about it, it is the sense and determination of the Senate to risk this experiment.

Mr. PATTON. Mr. President, in obedience to the commands of a great State, at whose industries the pending tariff bill aims a deadly blow, and emboldened by the example of other Senators who have addressed this body, and whose terms of service here have been but little longer than my own; with the cry of distress coming from every quarter, I feel that I should be guilty of neglect of duty did I not enter the protest of Michigan against this bill, which means only destruction to those interests which have made it great and powerful. There is no State in the Union, Mr. President, more vitally, more seriously affected by the proposed bill than the one which I have the honor in part to represent here, and there is no part of our country, sir, which is a more shining example of the beneficent influences of a protective tariff.

Admitted into the Union in 1837, as the twenty-third State in population, with 176,000 people, it now ranks as ninth, with over two million people, who were as happy, as prosperous, as well employed as any the globe contained until the threat of free trade paralyzed their industries and left a record of want and suffering unknown before to the generation in which we live. Our interests are great, and in many instances greater than those of any other State affected, for Michigan stands first, ac-

cording to the census of 1890, in the production of lumber, iron ore, charcoal iron, salt, furniture, peppermint oil; second in copper, and third in value of sheep and wool.

The income-tax provisions of this bill are full of interest to my constituents, and in common with other Senators, I have presented many petitions, largely signed, from members of fraternal orders and from policy holders in mutual life insurance companies, asking that they be exempted from its provisions. It is gratifying to be assured that the Finance Committee has been impressed by the flood of opposition, and has agreed to permit an amendment exempting fraternal orders, but there is no reason why policy holders in mutual life insurance companies should not also be freed from the operations of this measure. An income tax which grasps at a portion of that fund, which, in too many instances, is all that is left to the family for support in the severest trial which comes to humanity, should have no place in our system.

Such a plan of taxation as is proposed by this bill will increase the cost of insurance in many ways, and will meet with universal opposition, as it ought to. It confiscates not only the widow's mite, but greedily reaches for a portion of the earnings of savings banks, thus diminishing the already small dividends which by skillful management they are enabled to pay. There is no one thing of which we boast more frequently than the number of small depositors in our savings banks, and the amount of their deposits. In my own State they have grown enormously, and they furnish the highest evidence of that prosperity which has come from protection, for by reason of the high wages paid our people are enabled to save their money. Taxation of this kind must result in their receiving less interest for their deposits.

In the United States, according to the last report of the Comptroller, in 1892-'93 the total number of depositors in these institutions was 4,830,599; the amount of deposits was $1,785,150,957, an average to each depositor of $369.95.

The income tax was a war measure, necessitated by the exigencies of that great struggle, in order to meet the enormous drain upon the revenues of the Government. It was admitted to be simply a war measure, enacted against the protest of the Democratic party, and there is no excuse for its existence in a time of peace. It produced revenues which dwindled steadily. The table printed with my remarks will show this:

1863	$22,741,358.25	1869	$34,791,855.84
1864	20,294,731.74	1870	37,775,873.62
1865	32,050,017.44	1871	19,162,650.75
1866	72,982,159.08	1872	14,436,861.78
1867	66,014,429.34	1873	5,062,311.62
1868	41,455,598.36		

To be sure there were some changes in the law, but these do not account in any sense for the remarkable decrease in the revenue. Probably there never was a more offensive tax than this inaugurated. It put a premium on perjury, and exercised the most demoralizing influence upon our national life. The system of espionage and the scrutiny of private books and papers which is contemplated is one which Americans will not bear. It is hard enough even now to enforce the provisions of our own State tax laws, and the written declarations of property which are expected to be furnished to the tax assessors are, in most cases, a dead letter.

It has been the Republican contention always, against the denial of our friends on the other side, that direct taxation would have to be instituted if their theories were ever carried into effect and custom-house taxation abolished. We have now reached that point, and this party which voted I believe almost solidly for the repeal of the war income tax, is now found occupying the other ground. Instead of requiring foreigners to contribute to the support of our Government, it pursues our own people and renounces its former principles by advocating class legislation. It is not an American tax, but is copied from foreign statute books, and that too at a time when the best minds of those countries recognize the inequality and injustice of such a system.

It was a wise man, Mr. President, who said:

> Few political conditions can be more perilous than that of the long exile in opposition of a great political party. Extravagant and impracticable theories of politics are apt to be adopted by such parties—theories they could not maintain in power with credit to themselves or safety to the public.

It is very easy for a party in opposition, which gathers together all the dissatisfied elements, to attack and try to tear down when it has no responsibility of power. Such a party has been the Democratic party. In the last Presidential campaign its candidates in many sections of our country stood both upon the Populist and Democratic platform. It was willing to embrace any notion, and go to any length to obtain the power which it sought. But when once in power it finds that the habits and tendencies of its statesmen have been so long iconoclastic that it must still continue to attack and tear down, and it has proven utterly incapable of constructive statesmanship. It is one thing to destroy, but it is quite another to construct a great tariff bill, which has to do with the diversified industries of 65,000,000 of people. The Democratic party now realizes, as it has not realized before, how impossible it is to combine the conflicting elements of Populists and Democrats into a majority agreed on any one measure representing the party principles. And to-day we behold it supporting a bill which does not in any sense represent either the platform of the party, the teachings of its leaders, or the hopes or wishes of its rank and file. The chief and central feature of the pending bill, the income tax, on which it hopes to win popular support in the West and South, is not Democratic doctrine, but is a demand of the Populist allies as part of the Populist platform by which it is hoped to win their votes for this bill.

The statement that Michigan is more vitally affected than any other State is corroborated by the report of its industries. The census of 1890 shows that Michigan is first in lumber products, with $68,141,189—one-fifth of the total domestic product—an increase over 1880 of $15,691,261. It is the first in iron ore, producing $15,800,524—more than one-third of the total product of the country, and one-half its value. For 1892 it produced 7,267,874 tons—an increase over 1890 census of 1,411,609 tons.

It is second in the production of copper. In 1891 it produced 54,685 tons. The United States produced one-half the world's copper, and Michigan one-third of the output of the United States.

It is first in the production of charcoal iron, producing $3,982,278 worth in 1890, as shown by the census of that year.

It is first in the production of salt, the output of the State being nearly one-half that of the United States in amount and value—$2,302,579 in 1890—making 3,927,671 barrels.

It is first in the yield of wheat per acre—18½ bushels in 1891—in the front rank of wheat States, producing 27,900,148 bushels.

First in the value of farm crops generally per acre, leading Ohio, Indiana, Illinois, and all the great Northwest. For the ten years ending 1890 Michigan not only led all of these States in yield per acre of wheat, but also in value of product per acre of wheat, corn, barley, buckwheat, and hay crops.

It is first in furniture—178 factories in 60 cities, with a capital of $9,855,000, the city of Grand Rapids alone having 45 factories, with an aggregate capital of $5,000,000, employing 5,000 hands. Detroit has 20 factories, with capital of $750,000.

It is first in peppermint oil, producing more than all the rest of the States combined, with a product for 1892 of 88,000 pounds, of the value of $176,000 at the still. In 1890 and 1891 the United States exported 45,321 pounds of peppermint oil, valued at $2.66 per pound, while Japan, the only other surplus producer, exported the same year 39,149 pounds, valued at 85 cents a pound.

It stands third in the value of sheep and wool, only Ohio and California leading her: Michigan, $8,552,679; California, $9,559,475; Ohio, $13,900,263. Michigan wool clip, 1891, 11,732,395 pounds; average per fleece, 6½ pounds. Total domestic product, census of 1890, 258,757,101 pounds.

It is first in the extent of coast line, Lakes Superior, Michigan, Huron, St. Clair, and Erie forming over 2,000 miles of coast. It is first in lake commerce, and second in vessel tonnage of all kinds—the center of commerce in the Great Lakes. The tonnage of these lakes in 1891, 1,063,063; vessels, 2,945; value, $75,590,950. Total ton mileage on the lakes in 1890 was 25 per cent of the total United States railway ton mileage. The freight tonnage passing the "Soo" Canal in 1890 was 8,554,434, or 1,664,341 more than the Suez Canal. Through the Detroit River, 21,684,000 tons, about the same as London and Liverpool combined, or the entire Atlantic coast foreign trade tonnage.

Ex-United States Statistician Dodge says about one-quarter of our entire merchant marine is on the northern lakes, and the large steam tonnage of the Great Lakes (1,000 tons and upwards), exceeds the total similar tonnage of the rest of the country by 131,093 tons. Michigan leads in this commerce, and our vessel tonnage is surpassed only by New York, the great ocean carrier. Vessel tonnage for the year ending June 30, 1892: Michigan, 390,920; Massachusetts, 389,942; Pennsylvania, 353,057; Maine, 352,574; California, 316,872; Ohio, 315,849; Maryland, 143,536; New York, 1,339,937; total for the United States, 4,764,961. Since 1886 Michigan's tonnage has increased 164,529, and New York's 121,824 tons. (Statistics of the United States Bureau of Navigation.)

It is first in shipbuilding. Total tonnage built in 1890—northern lakes, 108,526. The whole seaboard, 169,091. Western rivers, 16,506 Grand total, 294,123. Of this 108,526 lake tonnage, Michigan yards at Bay City, Detroit, and Grand Haven, 45,733 tons; 65 vessels, including two 4,000 tons steel steamers for the ocean trade. The steam tonnage built on the Great Lakes in 1890 was 40 per cent greater than the entire seaboard. The lakes, 86,023 tons; the entire seaboard, 61,137 tons. (Statistician Dodge.)

It is first in inland commercial fisheries. The catch in 1892

was valued at $1,058,028 in first hands. The Michigan fish-freezing industry alone employed 4,000 hands.

It is not my purpose at this stage of the debate to make an extended speech upon the tariff, or even the schedule under consideration, although each of these great industries should be treated separately, for this debate, long and exhaustive, has been illuminated by learned and splendid presentations of protection from this side of the Chamber, showing great research, and which fully cover the subject. The question has been so much discussed before our people from the beginning of our Government, that it is difficult to say anything new about it. Neither can I be expected to participate in the close discussion of schedules with Senators of long experience who are acknowledged experts in such matters, but I do desire to emphasize the fact that the marvelous growth and prosperity which our country enjoys has come largely because of the tariff shield which has developed our industries, enabled us to pay high wages, and given us a contented and happy people in a land of liberty and law, until the success of the Democratic party brought the blight of the past year.

In this measure we are offered practically no protection. The men who have by skill and enterprise developed our great lumber industries until they outrank all the States are told that lumber must be free, which means that Canadian lands are to be enhanced in price, and the Canadian logs now taken across the lakes must hereafter be manufactured on Canadian soil. The great mills which employ hundreds of workmen at good wages must be moved across the lakes, and the Michigan mill hands must work for wages which are estimated at 35 per cent less than those paid in the States. All this must take place because certain Senators from the prairie States, under the delusion that lumber will be cheaper to their citizens, make free lumber, it is charged, one of the conditions of their support of this bill.

Our great salt industry was not a profitable one until it was allied to the lumber mills, and the refuse from the logs was used in its manufacture. It has been the slow growth of years, and is now to be stricken down by the Democratic party.

The theory of the free traders, that protection enhances the price to the consumer, and that he invariably pays the duty, has been shown to be false many times, but there is no illustration of it more apparent than in the history of the salt industry of my State. The average price per barrel each year since 1866 is shown by the following table:

Year.	Price.	Year.	Price.
1866	$1.80	1880	$0.75
1867	1.77	1881	.82½
1868	1.85	1882	.70
1869	1.58	1883	.81
1870	1.32	1884	.75½
1871	1.46	1885	.70
1872	1.46	1886	.66
1873	1.37	1887	.574
1874	1.19	1888	.585
1875	1.10	1889	.543
1876	1.05	1890	.547
1877	.85	1891	.55
1878	.85	1893	.53
1879	1.02		

Competition has brought the price down steadily from $1.80 in 1866, based on a barrel of 280 pounds, with a 20-cent package included, to the price of to-day, showing the theory of the protectionists to be correct, that given a duty which will stimulate and perfect the industry, and the competition invariably reduces the price of the product to the consumer.

This is a remarkable illustration of the falsity of the Democratic war cry that the consumer pays the tax.

Inadequate protection to copper and iron means only the crippling of these splendid industries which have helped to make the northern part of our State known throughout the world; and which has given us prosperity, higher wages, and comfort for our working people.

I hold in my hand the advance sheets of Consular Reports from the Department of State, dated June 20, 1894 (only two days ago), which give a letter from Hon. Jacob T. Child, consul of the United States at Hankow, China, dated March 19, 1894, which is most significant. I would that this statement could reach the ears of every American workingman, and particularly those who are engaged in the iron industries, for it corroborates, as nothing else has done, the assertion that the attempt to break down the industries of America is done for the benefit of those across the sea, and that England is deeply interested in the destruction of the American tariff. This letter is a most portentous cloud on the horizon, and it tells the American laborer in terms that can not be misunderstood, that if the present bill is to become a law he must take his chances with English capital, backed by the cheap labor of China. The letter is as follows:

THE HANYAN ROLLING MILLS.

One of the marvels of this marvelous country is the vast rolling mills and arsenals now approaching completion in Hanyan, a city opposite Hankow, on the Han side, erected under the auspices of Chang-Taz-Tung, a viceroy of Hupeh and Hunan. The plant covers about 70 acres, with a railroad 1½ miles in length from the Yangtze River to the works, and thence to the Han River, with an incline from the top of the Yangtze bank to the water, where powerful machinery is located to draw the cars up a steep incline of about 200 feet to the level. The works were designed by an English engineer on a most gigantic scale, and in their fitting up nothing but the most modern and improved machinery has been imported, mainly from England.

The buildings are, unfortunately, located in a valley liable to overflow, and their foundations have been raised 15 feet, consisting of a bed of concrete made of brick, stone, and Portland cement, covered with a layer of earth, the whole of which was carried by baskets by coolies—the labor of thousands of men. The work was commenced in 1891, and is yet far from completion, as much of the machinery is still in boxes.

The buildings are of brick, with stone foundations, handsomely designed, and most elaborately and solidly constructed. The brick used in the construction of the work was made on the ground by machinery, the clay being moistened and ground, then passed through a press, forming a continuous slab which is automatically cut in pieces a yard in length. The piece is forced against the frame, interlaced with wires that severs it into ten perfect, hard-pressed bricks, which are then conveyed by hand to the furnaces and burned. All the fire brick for lining the furnaces, casing, etc., were also made in these yards.

There are four immense hot-air blast furnaces, two large steam hammer, and innumerable rollers, with all their appendages, for manufacturing railroad iron, which is the main object for the erection of the plant. Large quantities of Chinese iron are now in the yard, with some English iron for blending purposes, and coke is being imported from Wales to be used temporarily in the construction of rails, as soon as the machinery can be put in operation, as a test of what the foundry can do. The sheds, covered with corrugated roofing, cover an area of 20 acres. The smelters are of a most improved pattern, and a large furnace is nearly completed for the manufacture of Bessemer steel. The molding and pattern shops are as complete as they can be, and large elevators are placed in various buildings for hoisting materials. In fact, if ever finished, it will be one of the most complete rolling mills in the world, as expense seems to have been a secondary consideration in the erection of this immense establishment. It is estimated by experts in such matters to have cost so far not less than $3,500,000, and it will cost at least $1,000,000 more to complete it.

Once in operation, it is the intention of the viceroy to manufacture everything in the iron line—ordnance, rails, machinery, small arms, etc. The arsenals are about complete, and machinery will soon be set up for the manufacture of arms and munitions. A number of skilled workmen are now en route here for the purpose of instructing the native artisans and of arranging everything in working order.

The two buildings, covering an area of about 4 acres, are substantially constructed, and display great skill on the part of the architect and builder. They are fitted up with large engines and the most improved machinery, and everything that the ingenuity of the machinist can conceive to be necessary in such an establishment has been purchased in order to make it a success. The average Chinaman looks on these modern wonders with stolid countenance, and turns away with the idea that the viceroy must be hypnotized by the foreigner to put so much cash into an undertaking from which he can see no outcome, and this view is taken by some of the foreigners that have visited the works.

So far nothing but the best material has been used; nothing of a shoddy character has been allowed in its construction. The railroad is laid with heavy steel rails. The two traction locomotives are of the latest designs, and the iron cars are similar to those used in England for the transportation of coal and iron, and will be used for carrying coal, iron, and other material from the river to the works.

The mines from which the metals for the manufacture of rails is to be obtained are near Wang-Shih-King, about 76 miles below Hankow, 16 miles inland at Tayeh, connecting with the river by a well constructed railroad and dock at a landing 3 miles below Wang-Shih-King. The ore is reported to be of good quality and inexhaustible.

Coal, both hard and soft, is mined in this neighborhood in the crudest manner, no effort being made to drain the mines of water; and once flooded, they are abandoned and new ones opened. This coal has been pronounced by experts as not suitable for smelting, containing too much sulphur, but it is thought that a good quality can be obtained hereabouts from mines now undeveloped. Mines of iron and coal are numerous in this section and can be made to furnish all the material needed, if mined systematically, and owing to the cheap labor obtainable they can do work economically.

Should the means of the viceroy hold out and the plant be successfully operated, it will prove a revelation to the natives of this portion of China, and do much to disabuse their minds of their own infallibility, and convince them of the benefits to be derived from the genius and skill of the foreigner. It will stand Chang-Taz-Tung as a public benefactor and one of the most progressive mandarins of the Imperial Empire.

The rails to be manufactured here will be used to construct a road to start some distance above Hankow, so as to get beyond the marshy ground of the lake country and the annual overflow, to connect with roads projected for the interior. It is asserted that work will commence on the contemplated road as soon as it is definitely settled that the Hanyan mill can supply the rails.

Taken all in all, it is the most progressive movement so far made in China for the purpose of manufacturing arms, steel rails, and machinery, as the plant is a perfect one and of a magnitude sufficient to require several hours to inspect it even hastily.

JACOB T. CHILD, *Consul.*

HANKOW, *March 19, 1894.*

The election of 1890 was no sooner declared in favor of the Democratic party than the work was begun of erecting this immense plant, costing $4,500,000, in China for the purpose of manufacturing iron, steel rails, or machinery, and I would ask the American laborer if the cheap labor of China is to produce arms and steel rails and machinery as cheaply as they can be produced by a servile and degraded laborer, what can he expect with a largely reduced protection for him in this bill? The bars are to be taken down, and this is a significant illustration of what may be expected in case this alleged revenue tariff bill of the Democratic party shall succeed.

In short, Mr. President, as I have previously stated, all of our products, both of the field and of the mine, will suffer incalculable loss if this iniquitous measure shall find its way to our statute books and be enacted into law. It is not my purpose at this late stage of the discussion to enter on an argument as to the merits of protection or the policy of a revenue tariff, which I believe is now the alleged doctrine of the Senators on the other side of the Chamber. But, sir, the great fact remains, which can not be denied, which is enforced by experience, which is illustrated in a thousand ways just now, that the chief glory of the system we advocate is in furnishing better wages to the laboring man and more of the comforts of life and more opportunities for development in every way than can be obtained elsewhere in all the world.

This bill absolutely abandons now and for all time the claim that protection is unconstitutional. After the spectacle which has been witnessed in this contest that issue ought not to be raised again. And this statement should be forever folded away as one of the exhibits in the unique collection of the mistakes of the Democratic party.

The junior Senator from Georgia in his late speech in this Chamber said:

> The Democratic party is bound to make good its pledges. To fail in the policy of tariff reform would be to betray the interests of the people who placed it in power. To fail in this great dominating issue, upon which the last Presidential campaign was fought and won, would be to confess the inability of the party to administer the Government.
>
> The Democratic party will be false to its high mission and neglectful of its great opportunity if, in addition to tariff reform, it fails to carry out by effective legislation its solemn pledges of financial relief as embodied in the demand for free silver coinage and the recommendation for the repeal of the 10 per cent tax on State bank circulation.

Tariff reform is a very elastic term as illustrated in this bill, and whether he means the tariff reform of the sincere though mistaken ideas of the junior Senator from Texas, or those of the junior Senator from Ohio, does not appear. And yet there is a yawning gulf between them which even the skillful manipulations of the senior Senator from Maryland has not been able to bridge.

The vote of the House of Representatives of 172 to 102, 79 members not voting, by which it refused to repeal the 10 per cent tax on State bank circulation a few days ago, shows also that the party is still, in the words of the distinguished gentleman, "False to its high mission and neglectful of its great opportunities."

There is no class of people who will suffer more by the passage of this bill than the farmers, and nowhere will it bear more heavily than in Michigan. With a coast line of over 800 miles on Lakes Superior and Huron, the competition with Canada in hay, vegetables, eggs, apples, and farm products generally, is sharp and severe.

This bill offers no adequate protection to our farmers in any of these articles, and we can only believe that this attack on the agricultural interests of the country has been made in favor of the Canadian farmers and not of our own.

The American Farmer of January 11, 1894, in quoting from the Philadelphia Times, a Democratic paper, has the following:

> "There is no more fertile region than the Canadian provinces. They produce wheat, rye, barley, fowls, eggs, butter, apples, horses, and cattle in great abundance, and of superior quality. By placing these farm products upon the free list, the Committee on Ways and Means will give to barren New England those products which have heretofore been largely brought from New York, Pennsylvania, and the prairie States of the Mississippi Valley. The Canadians can produce them all and sell them cheaper than the product of our own country."
>
> To such a feast the Committee on Finance invite the already depressed agricultural industry.

With a large overproduction at home, the American farmer is not only offered sharp competition with a foreign government, which can undersell him because of cheap land and cheap labor, and with the fences of a sufficient protection broken down the prospect is indeed disheartening.

For more than fifty years our national policy has been to put a tariff upon the importation of woolen goods. This has built up great industries at home, employing thousands of people, with millions of dollars of capital invested. The testimony before the House Committee on Ways and Means in the Fifty-third Congress was that "American manufacturers are able to make every kind of grade of woolen goods at least just as good as they are made in Europe."

Decreased duties and the abrogation of the McKinley rate strikes a serious blow at a great industry, which, under the act of 1890, was developing at marvelous speed. But the feature of this bill which deserves the most severe condemnation is the treatment of the American farmer as a woolgrower. It is the determination of the other side to force free wool, and while now the American woolgrower has to compete directly with Australasia, the Argentine Republic, South Africa, and Uruguay, where they are able to increase their sheep almost without limit, to this colossal industry no protection whatever is offered.

The number of sheep in the world in 1892 outside of the United States is estimated by a well-known authority, North's Wool Book, at 539,787,332, and the product of the wool outside of the United States in 1891 at 2,149,673,600 pounds. The sheep of the United States in 1892 were only 44,038,365, and our production of wool in 1891 only 307,100,000 pounds. Australasia with 114,628,301 sheep in 1891 and in 1893 125,000,000, the Argentine Republic with 103,413,817 in 1887, and South Africa with immense flocks, could supply all the wool required at prices even lower than they are now. If this bill should become a law, this means the practical destruction of this great American industry.

The minimum value on the Michigan farm before March, 1893, when the McKinley law was in full force, of Michigan fine washed wool, was 23 cents a pound. In June, 1894, with a threat of free wool impending, it was sold for 9½ cents, and if the fear of free wool brings such an enormous reduction, what will the act itself do? My colleague has pointed out in detail, and has cited in letters from our citizens, the feeling in my State and the great and present ruin which has come upon this industry.

I will content myself with quoting from one letter from among those received on this subject. Judge F. I. Russell, of Hart, Mich., who is largely interested in sheep-raising, writes:

> With unwashed wool selling at 8 and 10 cents, it is out of the question for the industry to survive. It is now worth 8 cents, but they do not care to purchase even at that. I would give a man a commission of 10 per cent to sell my entire flock at one-half of what I could have sold them for immediately before Cleveland's election. If this duty is removed, we must quit raising sheep in Michigan; there is no mistake about that.

There is no justice in giving protection to the manufacturer and the miner and denying it to the farmer, and this bill which grants a 40 per cent duty on sugar and 80 per cent on rice for the benefit of the planters of Louisiana offers only ruin to the people of Michigan. The woolgrowing interest of our country, Mr. President, should be protected above all others, because it represents one of the very greatest of our industries in the amount of capital invested, the amount of wages paid to labor, and in the amount of its production, and the demand for pasturage, hay, corn, oats, etc.

We witness to-day a situation almost phenomenal in American politics. The Wilson bill, when it passed the House of Representatives, was hailed with loud acclaim by the Democratic party as a realization at last of their fondest hopes for what they called tariff reform. The author of that bill was congratulated and cheered, and some of his devoted adherents went to the length of carrying him on their shoulders as an evidence of their joy. It has run its weary course in this Chamber; and if it goes back at all to the other end of the Capitol, will go so disfigured as to be unrecognizable even by its fond parent. It is neither one thing nor the other.

A large portion of the Democratic press of the country has denounced and repudiated it. Even such a blind adherent of Mr. Cleveland as Harper's Weekly says "the Democratic party has had its chance and failed." It calls the Administration a failure; and Democratic meetings of tariff reformers in New York and Massachusetts, in their bitterness of soul, have expressed themselves as willing that the McKinley law, which to them has been the abomination of all abominations, should remain on the statute books rather than this monstrosity should become a law. It is covered with the stain of a great scandal, by which the sugar trust gets a concession of some $30,000,000; it has brought a lasting disrepute on the Senate itself, and is discredited and denounced in the house of its friends. It is a series of bargains and deals unequaled in American politics, and it can not but receive the just condemnation of the people of the country if they should ever pass judgment upon it.

The speech of my friend, the distinguished junior Senator from Georgia, was an earnest effort to refute the charge that this bill is not sectional, but he was surrounded with unfortunate concessions which can not be explained on any other theory. The spectacle of a duty of 80 per cent on the rice of Louisiana and 40 per cent on sugar, while the Northern farmer in competition with Canada is not given adequate protection to his eggs, hay, and vegetables, and is offered free wool, is one which taxes the best energies of his mind to explain. It is difficult to harmonize the action of the Finance Committee on cotton ties and cotton machinery with placing barbed wire on the free list—barbed wire, which employs 20,000 men in Illinois, I am told, while the billets from which it is made are dutiable for the benefit of foreign labor.

I listened to the glowing picture he presented of the undeveloped resources of his State; I also heard the junior Senator from Louisiana describing the virgin pine forests in Louisiana. Senators have grown eloquent picturing the coal and iron and marble now awaiting the capital and skill and enterprise necessary to develop those marvelous resources. Let me say to these

Senators, if they would listen to the voices from the New South; if they would point to the smoke signals which have waved in the sky from Atlanta and Birmingham and Sheffield; if they would come out of the mists and fogs of the past and denounce the mumbling over dead issues, and get away from the doctrine of free trade, which was the corner stone of that Confederate constitution which was shot to death by the invincible armies of the Union, and perished at Appomattox, their resources will not remain undeveloped. Let them listen to the voice of the New South which is surely coming with the triumph of protection, already heralded by the ground swell of popular approval at every opportunity the people have had to apologize for the great mistake of 1892.

The doctrine this side of the Chamber advocates is as broad as our country. It will do for Alabama, the Virginias, Louisiana, and Georgia what it has already done for Ohio and Michigan.

Let them denounce and disclaim the Gen. Rossers and Rev. Caves, who are still falsifying history and fanning the almost extinct embers of past bitterness, and welcome the Northern immigrant into great States which only require the magic touch of capital and labor to become hives of industry, surrounded by a people enjoying the comforts and luxuries of life inseparable from the high wages the protected American workman has heretofore received.

The South had a gifted son who passed away in "youth's bright morning," lamented by the entire nation, whose grave is still covered with the immortelles of our affectionate admiration. In his brief life he had accomplished great things for his country, and was as eloquent in speech as he was great-souled and tender-hearted. A true lover of his country, he saw the future and the needs of the South with unclouded vision. He believed in protection and sought to build up his section. He turned his back on the bitterness and mistakes of the sad past, and with beautiful word-pictures, painted a future of industrial development for the States of the South which is an inspiration to better things. He had an all-embracing patriotism, which reached out the hand of friendship to the North and has done much to bring us all together. Mr. President, the national calamity of the untimely death of Henry W. Grady is universally recognized. In a speech at the Texas State Fair at Dallas, seven years ago, among other things he said:

Texas produces a million and a half bales of cotton, which yield her $60,000,000. That cotton, woven into common goods, would add $75,000,000 to Texas's income from this crop, and employ 220,000 operatives, who would spend within her borders more than $30,000,000 in wages. Massachusetts manufactures 575,000 bales of cotton, for which she pays $31,000,000, and sells for $72,000,000, adding a value nearly equal to Texas's gross revenue from cotton, and yet Texas has a clean advantage for manufacturing this cotton of 1 cent per pound over Massachusetts. The little village of Grand Rapids began manufacturing furniture simply because it was set in a timber district. It is now a great city, and sells $10,000,000 worth of furniture every year, in making which a population of 40,000 people is supported.

* * * * * * *

The best pine districts of the world are in Eastern Texas. With less competition and wider markets than Grand Rapids has, will she ship her forests at prices that barely support the wood-chopper and sawyer, to be returned in the making of which great cities are built or maintained? When her farmers and herdsmen draw from her cities $126,000,000 as the price of their annual produce, shall this enormous wealth be scattered through distant shops and factories, leaving in the hands of Texas no more than the sustenance, support, and the narrow brokerage between buyer and seller? As one-crop farming can not support the country, neither can a resource of commercial exchange support a city. Texas wants immigrants; she needs them; for if every human being in Texas were placed at equidistant points through the State, no Texan could hear the sound of a human voice in your broad areas.

So how can you best attract immigration? By furnishing work for the artisan and mechanic if you meet the demand of your population for cheaper and essential manufactured articles. One-half million workers would be needed for this, and with their families would double the population of your State. In these mechanics and their dependents farmers would find a market for not only their staple crops, but for the truck that they now despise to raise or sell, but is at least the cream of the farm.

The most prosperous section of this world is that known as the Middle States of this Republic. With agriculture and manufacturers in the balance, and their shops and factories set amid rich and ample acres, the result is such deep and diffuse prosperity as no other section can show. Suppose those States had a monopoly of cotton and coal so disposed as to command the world's markets and the treasury of the world's timber, I suppose the mind is staggered in contemplating the majesty of the wealth and power they would attain.

Another cause that has prospered New England and the Middle States, while the South languished, is the system of tariff taxes levied on the unmixed agriculture of those States for the protection of industries to our neighbors to the north, a system on which the Hon. ROGER Q. MILLS—that lion of the Tribe of Judah—has at last laid his mighty paw, and under the indignant touch of which it trembles to its center. That system is to be revised and its duties reduced, as we all agree it should be, though I should say in perfect frankness I do not agree with Mr. MILLS in it.

My own home city, to which he refers, has more than doubled in population since he made this statement. Our industrial system has again felt the heavy hand of the junior Senator from Texas, and indeed "trembles to its center;" but if this clear voice from Grady's grave could be heard again; if the smokeless furnaces of Birmingham and Sheffield, in Alabama, could influence and direct this bill, is there any question as to what message would be wafted to us?

Since I have sat in this Chamber I have heard the leaders of Democracy, with the record and the speeches of long years in the interest of free trade behind them, arise in their places one by one and announce their dissatisfaction with this bill. The junior Senator from Texas, Mr. MILLS, on April 24, 1894, said:

The bill we are now considering does not meet my entire approval. I doubt if in all its provisions it meets the approval of any Senator on this side of the Chamber; but as it is it shall have my cordial support.

They have admitted that it is not what they want; it is not what they approve. Instead of being brave men, they have practically admitted that they were forced to accept it at the dictation of so-called Democrats who have made them do their bidding. The senior Senator from Maryland has exultingly announced that the Wilson bill, embodying as it does the ideas of Democracy for free raw materials, could not pass this body, and as I have heard these utterances, Mr. President, I have recalled the early days of the Republic, when statesmen were consistent and did not advocate measures which they did not believe in, but stood fast to their principles and sought for the approval which comes from the consciousness of duty well performed.

I recalled, and I refer the Senators on the other side to the example of one who was as great as he was patriotic, and who believed in the principle of protection and commercial independence. Compare for one moment the utterances of these latter-day statesmen with those of George Washington at the Constitutional Convention in Philadelphia, when he is reported to have said: "If to please the people we offer what we ourselves disapprove, how can we afterwards defend our work? Let us raise a standard to which the wise and honest can repair; the event is in the hand of God."

We on this side of the Chamber, Mr. President, will confidently raise such a standard and appeal again to the great tribunal which stands ready and anxiously waiting to give an enlightened verdict. It is a banner which has led the American people in the past to material triumphs, which have blest our toiling millions, and won the admiration of the world. It marks the highest development in the progress of civilization, and carries hope and joy to the poorest and humblest citizen. It will still point the way to conquests yet unknown, and the light of peace and plenty will again shine upon the happy and contented homes of a free and prosperous people, where the laborer shall receive a just reward for toil, and the Republic will move grandly and steadily and serenely forward to that great future which, under a wise policy, awaits the American name.

Mr. GALLINGER. Mr. President, in the strong and eloquent speech to which we have just listened from the junior Senator from the State of Michigan [Mr. PATTON], one thing in particular impressed me, and that was the recital concerning the great industrial plant for the manufacture of iron and steel which is now being constructed in China. In connection with that matter, I have risen to ask the courtesy of the Senate for a moment to put into the RECORD a very remarkable communication, which I cut from a recent number of the New York Sun, from the pen of one of their trusted correspondents, Mr. C. Wood Davis, which gives a very elaborate and interesting account of the industrial progress of Japan, which Mr. Davis aptly calls "the new member of the industrial commonwealth."

It is shown that in the manufacture of woolen goods, cotton goods, friction matches, soap, rope, machinery, clocks and watches, umbrellas, glass, brick, fireproof safes, leather, cement, electrical supplies, boots and shoes, hats and foreign styles of clothing, saddlery, coaches, paints, upholstery, passenger and freight cars, commercial fertilizers, and many other things, Japan is making most marvelous progress at the present time.

This correspondent, in the closing paragraph, calls the attention of the United States to the fact of this great industrial movement in Japan in these significant words:

The Western world must face the competition of this new member of the industrial commonwealth, soon to be fully armed with the best of modern appliances and processes, that is favored by the lowest of all wage scales, that has an abundance of most efficient labor, and that is not handicapped by excessive taxation.

Mr. President, this communication is one of great interest, to which I call the attention of Senators on both sides of the Chamber, showing as it does that in the industrial race of the present day we are seriously confronted by Japan, and that if we are to sustain our present industrial supremacy we must be wise in the matter of economic legislation in this country. Any law that will admit to our markets, without adequate tariff duties, the products of Japan and China, where labor is probably cheaper than in any other part of the world, will inevitably destroy the manufacturing industries and degrade the labor of this country.

I do not wish to detain the Senate a moment longer, but I will ask consent that the communication be printed in the RECORD without further reading.

The PRESIDING OFFICER (Mr. BLANCHARD in the chair).

The request of the Senator from New Hampshire will be granted in the absence of objection.

The communication is as follows:

JAPAN—THE NEW MEMBER OF THE INDUSTRIAL COMMONWEALTH.

When, after centuries of exclusion, the doors of Japan were opened to the Western nations, it was believed that an outlet had been found for immense quantities of European and American commodities, no thought being entertained that the Western peoples were but taking an apprentice to train and instruct in modern industrial processes, or that this apprentice would soon supply all the requirements of the newly opened market and compete sharply, with every advantage except an abundance of capital, for the possession of all the markets of the Eastern world, and become a menace to the possession of even the home markets of the older industrial nations.

Prior to the revolution of 1868 Japan was a nation of priests, feudal nobles, armed retainers, cultivating peasants that were but serfs of the nobles, and a great body of artist artisans, the social system being one of inexorable caste.

The revolution changed all this most completely and made a nation of merchants, peasant cultivators with a secure and favorable land tenure, and an active and skilled body of artisans who were no less artistic than under the old régime. The world has never witnessed more rapid and radical social and political changes than occurred in Japan during the last half of the seventh decade. No more radical industrial changes ever occurred than those now progressing in the Empire of the Rising Sun.

Prior to 1876, when the Mikado established a woolen mill at Tokio for the manufacture of cloth wherewith to cloth the army, Japan had little practical knowledge of modern industrial appliances and processes, as there existed but one establishmet in the Empire where such processes were applied to the production of textiles or other wares. At that time foreign machine-made goods were rapidly driving the domestic hand-made textiles and other wares out of the home market. Although the stupendous industrial change wrought since 1880 will not restore the supremacy of the hand loom and other primitive industries of the nation, but rather aid in their extinction, it has practically restored Japanese control of the home market for textiles and other manufactures, and is not unlikely to prove a potent factor in excluding American and European wares from other Eastern markets.

The first cotton spinning mill was erected at Kagoshima in 1865, and for fifteen years it was the only attempt made to introduce modern methods in textile industries other than the Government woolen mill at Tokio. In 1880 three other spinning mills were built and eleven more followed before 1886. Before 1890 twenty-three others were added, and since 1890 the increase of productive power has been very great; not so much from the multiplication of establishments as from the greater capacity of such as have been built.

The major part of the mills built prior to 1890 were of small capacity, and the cost of operation relatively great. This condition, combined with the inexperience of owner and operative, rendered the experiment unprofitable; so much so that British representatives were felicitating their countrymen upon the inability of the Japanese to conduct industrial corporations, the probability that the experiment would end in utter failure, and that Great Britain would long continue to control the textile trade of Japan. The Japan capitalist, however, seems to have soon penetrated the mysteries of corporate management, and, profiting by observation, has built larger mills, while the operative has learned the art of manipulating the machinery. That is, experience has added so much to the efficiency of managers and operatives as to result in complete success, if success can be measured by returns from investments. During the last three years shares of six of the cotton spinning corporations have been dealt in on the Osaka Exchange, the average value of the $100 shares having been $55.28, 15th of December, 1890, and $137.76, 15th of July, 1892.

This advance of 149 per cent in nineteen months followed the payment of dividends, those of December, 1891, ranging from $8 to $20 per share, or an average of $14.33. Dividends were not, however, confined to the six corporations named; indeed, those were much below the average of $17.63 a share paid at the same time by the twenty-one companies whose reports are at hand. The earnings per spindle in the twenty-one mills was something phenomenal, having averaged 84.27 cents in 1891. Aside from a wage scale of 16.2 cents a day for male operatives and one of 8 cents a day for females, this extraordinary spindle power to earn was largely due, as was the output per spindle, to the fact that under Japanese management a given capital and a given plant are twice as effective in production as among the Western nations, as the mills, aided by the electric light, run night and day in shifts of eleven hours. The operatives alternate weekly from day to night. In this way the sagacious Jap makes his capital do twice the duty of that of his Occidental competitor.

The impulse which the cotton industry has received of late is best shown by the imports of raw cotton in recent years. In 1886 the raw cotton imported aggregated 4,400,000 pounds; in 1887 it was 7,400,000 pounds, rising to 104,900,000 pounds in 1892, the imports of the latter year being fourteen times those of six years earlier. Marvelous as was this increase, by far the greater part of it was obtained in the last two years, as the imports of 1890 were less than a third of those of 1892.

Not only have the Japanese mills succeeded in securing control of the home markets for the lower counts of yarn used in household weaving, but in 1892 they began the exportation of yarn to China. As the cost of production in Japan is authoritatively stated to be 18 per cent less than in the Indian mills, it is not impossible that the yarns of Japan will drive both those of Bombay and Manchester from the East Asian markets at an early day. When the Japanese shall take to weaving as well as spinning cotton by machinery, there seems little to prevent their taking possession of a large part of the textile trade of the Eastern world, as they have exhibited a special facility of adapting their wares to the requirements of any given market. This has been exemplified in the methods employed to drive the European match out of the Chinese market and the manner in which they have secured the umbrella trade of the East.

Only recently have any attempts been made to weave cotton by machinery, but two such mills are now in operation, as are two silk-weaving mills of small capacity, and there is reason to believe that the progress will be quite as rapid as that obtaining in the spinning industry.

The manufacture of friction matches by European machinery is the oldest and most successful application of modern processes, and affords ample evidence of the adaptability of the Japanese to new modes of operation. So great has been their success in the match manufacture that the importation of European matches has wholly ceased; they have monopolized the markets of China, and make shipments to Russia, Korea, and San Francisco.

Soap factories are supplying most of the home demand, and large quantities of soap are exported.

Rope is made so successfully by modern machinery that the domestic demand is met, and shipments are made to the Asiatic continent and California.

Until 1888 the imports of machinery increased yearly, but since that time they have constantly declined, and are now confined largely to industrial equipments, the ordinary forms of machinery being of home make. So remarkable has been the progress in this direction that recently shipments of ordnance have been made to Portugal.

Breweries have been established, the importation of beer nearly extinguished, and the Japanese beverage is largely exported.

Clocks and watches were formerly imported; later the parts were imported and put together by Japanese workmen. While this still continues, the manufacture of timepieces outright has been commenced under the supervision of Japs who have learned the business in Switzerland, and so successful the venture that since the new year Japanese agents have been in the West buying the most approved watchmaking machinery, with the avowed purpose of engaging in the manufacture of watches for the Western markets. The deftness, intelligence, industry, and adaptability of Japanese metal-workers assure a mechanical success, and combined with an exceedingly low wage scale will render them formidable competitors whenever the output of timekeepers shall be in excess of home requirements

A few years since Europe shipped great numbers of umbrellas to Japan. Now the Japanese have taken complete possession of the home market, and in 1892 exported more than 1,000,000 umbrellas to China, Korea, and Asiatic Russia.

The glass factories of Japan are turning out great quantities of cheap ware that is displacing the European product both at home and abroad, markets being found in China, Korea, Vladivostock, and San Francisco.

Brick was formerly imported, as was coal. In recent years brick have been exported to England and coal to the Western coast of America.

In addition to the articles named Japanese manufacturers now nearly or quite meet the demand for fireproof safes, leather, cement, electric supplies, boots and shoes, hats and foreign styles of clothing, so dear to the heart of the Europeanized Jap, saddlery, coaches, paints, upholstery, passenger and freight cars, commercial fertilizers, and a vast array of small wares that were formerly imported. Progress is shown in the manufacture, use, and exportation of cigarettes.

During the last five years exports of the hand-woven silks of Japan have increased 375 per cent; those of paper, much of it made by the best American and European machinery, some 77 per cent; matches, 170 per cent; glassware, 600 per cent; leather, 700 per cent; boots and shoes 127 per cent, and sulphuric acid, 64 per cent.

The substitution of machine-made wares of domestic manufacture for those formerly imported, and the exportation of the surplus of machine-made goods have resulted in turning the balance of trade in Japan's favor, and the foreign debt of the nation being less than $5,000,000, the drain of specie has wholly ceased, leaving the Japanese in excellent condition to contest the markets of the far East with America, Europe, and India.

So progressive is this old-young nation, and so much inclined to adopt any obvious improvement, that its intention is to use the metric system of weights and measures.

The Western world must face the competition of this new member of the industrial commonwealth, soon to be fully armed with the best of modern appliances and processes, that is favored by the lowest of all wage scales, that has an abundance of most efficient labor, and that is not handicapped by excessive taxation.

C. WOOD DAVIS.

Mr. CHANDLER. Mr. President, the clear and forcible presentation by the junior Senator from Michigan [Mr. PATTON] of the danger to the iron industry of his State and the United States from the great works which are being constructed in China under the supervision and patronage of that Government reminds me of a story which came to me lately in reference to a remark made by the viceroy of China, Li Hung Chang, to Gen. Grant on the occasion of the latter's tour around the world.

Gen. Grant was reported to have said to Li Hung Chang, "Why is it that your people do not seem to adapt themselves to modern inventions and modern machinery? Why do they not make more progress in those directions?" The viceroy significantly said, "The people of China are making progress in these directions fast enough for the welfare of the United States." That remark is illustrated by recent events. It has been well shown, to a limited extent in this debate, that the labor of this country is not alone in danger from the underpaid labor of Europe, but that in the future our greatest danger may be from the cheap labor of India, China, and Japan.

The revelations which are being daily made to us from those quarters of the globe should remind us that in a very short time instead of talking about 30, 40, and 50 per cent duties as sufficient to allow the industries of this country to survive, it will be necessary, if we are to protect our labor against the pauper hoards of Asia, to have duties of 100, 200 and 300 per cent, or our industries, maintained by highly paid American labor, will receive a fatal blow.

Mr. HALE. I wish to withdraw the amendment which I offered to paragraph 481 of the bill, on page 100.

The PRESIDING OFFICER. Without objection, that will be the order of the Senate.

Mr. PLATT. Mr. President, I desire to submit only a few observations on the income tax proposed in the pending bill. My objections to it are twofold. First, that it is unnecessary for the purpose of raising sufficient revenue, and is resorted to as a means of breaking down the system of protective custom duties; and, secondly, that its provisions are extremely faulty, inequitable, unjust, and, by their complication, difficult of execution.

It is unnecessary. That has been shown by the senior Senator from New York [Mr. HILL], by the Senator from Iowa [Mr. ALLISON], by the Senator from Rhode Island [Mr. ALDRICH], by the Senator from Ohio [Mr. SHERMAN], and even, when fully considered, by the chairman of the Finance Committee, the Senator from Indiana [Mr. VOORHEES].

The bill as it stands to-day will raise all the revenue which the Government needs without the income tax. Some Senator whose name I can not now recall—I think it was the Senator from

Texas [Mr. MILLS]—in answering this admitted that it would; but said we should have bonds to pay by and by, and therefore it was proper enough to raise a surplus.

I take it for granted, then, that this is an unnecessary tax. It is not even an emergency tax, as it was said to be by some Senator, I think by the Senator from Maryland [Mr. GORMAN]. If there is any emergency which requires the imposition of this tax, it is a party emergency which makes it necessary for the Democratic party to conciliate its assistants, the Populists. But so far as the Government is concerned, so far as the revenues of the Government and the needs of its Treasury are concerned, it is an utterly unnecessary tax. If there is any revival of business after the passage of the bill we shall certainly have revenue enough without it.

It is claimed upon the other side, I think without much reason, that if we will only pass some kind of a bill there is to be a revival of business. If that claim is true, there will be raised from the customs duties and the excise duties all the money which will be required to support the Government during the next year. If it be not true, if the depression is to continue, there will be little or nothing derived from a tax on incomes. A policy which is to strike down business and destroy incomes should not have an income tax incorporated with it. I shall not speak further of the fact that the tax is unnecessary for the purpose of raising revenue.

Why, then, is the tax resorted to? As the bill came from the House of Representatives it might have been justified on the ground of necessity. The bill, as constructed in the House of Representatives, struck down a large portion of the duties derived from customs; for instance, the duty upon sugar. The bill came from the other House with free sugar and an income tax. We have added to the bill a duty on sugar which will produce in the near future at least $50,000,000. By that one act we did away with all necessity for the income tax. Upon the admitted statements of the Committee on Ways and Means in the House of Representatives we add more to the bill by the sugar duty than it is expected the income tax will raise. Then we in the Senate have largely increased the revenue from other sources over the bill as it came from the other House.

Why was the income tax originally incorporated in the bill? It was because of the proposed change in our system of raising revenue. It was because the House of Representatives proposed to strike down protective duties and go to revenue duties as a rule for the raising of revenue. In other words, it undertook to adapt our system to the English system, and the English system includes and necessitates an income tax.

England will not raise customs by duties which are protective either incidentally or *per se*. Therefore England is obliged to resort to other forms of taxation. So she adopts the income tax, the stamp tax, the excise tax and a variety of miscellaneous taxes to make up for the duties which she will not impose and the revenues which she will not raise by customs duties. That is the only excuse for the income tax in the pending bill, an excuse and a reason which have now been taken away because we have added enough to our customs list, together with our excise taxes upon tobacco and spirits, to meet the expenditures of the Government.

I have heard for years and years one universal cry from the Democratic party that we ought to abolish war taxes, and yet I find here in the pending bill the most odious of all war taxes, that which has been universally conceded to have been the most odious of what were called war taxes. Indeed, if, when the election of Mr. Cleveland was known to have been effected, if last August, when we came here to the Senate and to the other House, anyone had proposed or suggested that it was possible that an income tax would be resorted to, the suggestion would not have been entertained for a moment.

I know that in certain sections of this country where the Populist sentiment prevails there was some talk about resorting to an income tax, but all over the country elsewhere, embracing the Eastern, the Middle, the Northwestern States, and way down below the old Mason and Dixon line, the idea was considered to be impossible. When I said to my friends in my own home that "what the Democratic party will finally do is to resort to the income tax," I was regarded as little better than a slanderer of the Democratic party. So it seems to me to come with ill grace from the people who have been inveighing against war taxes that they now adopt this most odious war tax and that they should follow directly as to our system of taxation the English system.

I wish to say right here that if this were a necessary tax and were justly and fairly constructed, I should not make any opposition to it. If the necessities of the Government required the imposition of some tax to raise revenue over and beyond what might be raised from customs duties and duties upon tobacco and spirits, I should regard the income tax as the next best method of taxation. Therefore, in what I have to say against the tax now proposed, I do not wish to be understood that I oppose an income tax whenever the necessities of the Government may require one.

What I do say is that it should not be resorted to when the necessities of the Government do not require it, simply for the purpose of breaking down the protective system in this country, or for the purpose of conciliating or pleasing any body of men who have such an apparent objection to the accumulation of money that if anyone has acquired any they are willing that the Government should attempt to take it away from them. I do not know that I shall say more upon this idea in these remarks.

I wish to state that the rights of property are just as sacred as the rights of life and liberty, and that no country which has not a just regard for the right of private property can go on progressively as a republic. I do not understand the prejudice against the accumulation of wealth. I can understand why it is that there should be a prejudice against people getting wealth by improper means.

I can understand why it should be thought to be a great evil that people should be able in a country to acquire large fortunes by illegitimate methods, by methods which the common judgment of mankind does not approve; but how it is possible that there should be a prejudice against any man, who by industry, enterprise, fragrality, economy, and good judgment in investment has accumulated property, I can not understand. I do not believe there is any such real prejudice existing.

I believe that demagogues appeal to prejudice, appeal to a sentiment which is perhaps to be found in almost every human breast, when they appeal to people to take such action, political or legislative, as will in some way interfere with and cripple people who are better off than they are. There never can be an equal distribution of wealth. If there were to be an equal distribution of wealth, its holding would soon be unequal. The history of civilization shows that there never will be and there never can be any equal holding of wealth.

Even if the wild idea of having everything owned by the State could be adopted there would soon be found ways in which certain individuals would acquire substantially great wealth, while others would be in a state of comparative poverty. There is no better illustration of this than what is now existing in the Indian Territory among the five civilized tribes. There the tribes own the fee to the land in common.

In theory the nation or tribe holds it as trustee for the benefit of all the individuals of the tribes, and yet that land, its occupation, its benefit, its income, its profit have been practically monopolized by probably not more than 2,500 people belonging to those Indian tribes; one-twentieth of the Indians have taken most of the land into possession. There is a great possession, with great landed proprietors of immense wealth controlling legislatures, controlling courts, all in the interest of their landed holdings. No, Mr. President, this beautiful idea of everything in common and everyone having just as much as anyone else is impracticable in this world.

Now, I say nothing in defense of those who acquire fortunes improperly, and yet there seems to be a prevailing idea that because some people acquire fortunes improperly, therefore the cry should be raised, "Down with every man who owns anything." All the ideas of the past, the acquisition of property and the accumulation of wealth by means which everybody says is legitimate, which the common judgment of mankind approves, are to be thrown to the winds, and if anybody has any money he is to be mulcted in some way and his property taken away from him.

I have no sympathy with that kind of an idea, whether it comes from one party or another or from one section or another. The right of property lies at the foundation of government; the idea of the protection of property lies at the foundation of all just governments. The Democratic party will make nothing by attempting to favor the wild notions about the inequality which exists in the country, and the wild notions which seem to make it criminal almost for anybody by industry, enterprise, earnestness, and good fortune to have acquired some property.

I wish to say right here that the Democratic party has to face that issue, and as it faces it wisely or unwisely much of the future of this country is to be fashioned. They succeeded in the last Presidential campaign by fusing with that class of our fellow-citizens who in some way have a prejudice against all wealth, no matter how acquired. That is the way in which they got the votes by which they came into power, by a tacit promise to the Populists, and, if I may be permitted to say it, notwithstanding the suggestion which was made here yesterday, the Socialists, that if they would vote with the Democratic party and put them in power the Democrats would carry out their ideas.

Now comes the time of performance. We have come to the parting of the ways. The Democratic party has to be all Pop-

ulist or all conservative. It can not be a conservative Democratic party when it fuses with the Populist party. If it believes in the doctrines of the Populist party, then let it join hands and make one party. If it does not believe in the doctrines of the Populist party, it has to stand up for its own beliefs or go down. This matter of fusion will not do between parties who represent different ideas.

Mr. President, a large portion of this inveighing against anybody who has, by proper means, acquired some property comes, after all, from the passion of envy and covetousness. A farmer upon his farm in the West, having a hard time to get along, finding that his crops do not bring him enough to yield what he considers a fair return to enable him to live as he thinks he is entitled to live, draws his load of corn into town. He finds there a man who was a farmer, but has owned some lots where a city has grown up. He finds that his old-time farmer friend, who was in the same situation with himself financially, has sold out his city lots and has now become a nabob, a millionaire; and immediately he begins to be envious of his former associate.

He is not willing that he shall have the benefit of his fortunate situation and fortunate trade. He begins to think that in some way or other he should have been the man to enjoy that fortune. Then he begins to envy the man who has acquired the fortune.

Then, we all have been living extravagantly. The idea of making money, of acquiring without labor a fortune, according to our ideas of what a fortune should be, seems to have taken possession of everybody.

Everybody fixes his own standard of wealth, and then he wants to make that wealth within a twelvemonth, and live all the while during the twelvemonth as if he had it on hand on the 1st day of January. That is the foundation of this Populistic sentiment in this country. It is not that they complain so much of the improper and unequal distribution of wealth as it is the feeling of jealousy that they have not been able to acquire as much wealth as they desire.

Mr. President, you can not conduct a government successfully by giving way to that sort of feeling; and it is not statesmanlike to appeal to that sort of feeling.

Mr. ALLEN. Will the Senator from Connecticut allow me?

The PRESIDING OFFICER (Mr. KYLE in the chair). Does the Senator from Connecticut yield to the Senator from Nebraska?

Mr. PLATT. Certainly.

Mr. ALLEN. I do not like to hear the Senator from Connecticut make a statement that is not borne out by the truth. I infer that he intends to state the case exactly as it is. The Senator states that the Populist party is envious of the wealthy and wishes to live without labor. I desire to state to the Senator from Connecticut that there is nothing of that kind in the Populist party; and there is nothing of the kind in its platform, nothing in the public utterances of its newspapers, nothing in the utterances of any of its leaders or members; and it is simply, in my judgment, a chimerical phrase.

Mr. PLATT. It was with great difficulty that I heard the Senator from Nebraska, and I do not know that I correctly heard what he had to say. I look not at platforms. I look at what I see going on in the country. I see men, who either belong to the Populist party or sympathize with the Populist party, are continually railing against wealth and making no discrimination in their denunciations as to the mode in which wealth has been acquired. It is natural enough that they should not make those discriminations——

Mr. ALLEN. Will the Senator from Connecticut permit me to make another suggestion?

Mr. PLATT. Certainly.

Mr. ALLEN. The Populist party does discriminate, and the Senator from Connecticut is in error there again.

Mr. PLATT. I am very glad if it does.

Mr. ALLEN. The Populist party, if the Senator will permit me, looks upon the constitutional right of property in all its forms with as much sacredness as the Senator himself looks upon it. It believes that any man who acquires an honest fortune is entitled to enjoy it and be protected in it.

It does not believe in encouraging the accumulation of fraudulent fortunes and a failure to properly legislate or enforce the law. It desires to destroy the opportunity of the extremely, fraudulently rich, if I may so express it, to constantly rob the producers of the country of their equitable and just proportion of the property they produce. If that is wrong, it is Populist sentiment.

Mr. PLATT. As stated by the Senator from Nebraska, he and I should not much disagree, but the truth is that in practice they assume that everybody who has anything has come by it improperly.

Mr. ALLEN. Will the Senator permit me to make another remark? I desire to dispute that statement and to state that there are a great many Populists to-day—men who are leaders in the Populist party—who are themselves quite wealthy.

Mr. PLATT. That is the astonishing thing about the Populist party which I have observed, that people who have acquired their fortunes by these methods, which the common judgment of mankind would condemn, get into the Populist party and some of them become its leaders.

Mr. ALLEN. Will the Senator permit me again? That is not the class of men who get into the Populist party. It is the class of men who have earned their fortunes honestly who get into that party. The dishonest fellows are in the other parties.

Mr. PLATT. We can not go into personal specifications in regard to that, but I have some men in my mind who are leaders, or think they are, who assume to be spokesmen, at any rate, for the Populist party, who are men of large wealth, and who did not acquire it by brawny work in the field or in the shop, or anywhere else.

But I have been diverted from what I intended to say when I rose. I assert that the income-tax provision is unnecessary. As the bill has now been amended in the Senate it is unnecessary even to the scheme of the Democratic party, if we assume that the Senate acts for the Democratic party. We will have money enough without it; there will be plenty of revenue. It is not only unnecessary, but in some features it seems to me to be very wrong. I know that I am going to take an unpopular position in what I now say, yet I think it needs to be said.

There is no reason why this tax should apply to a corporation as a corporation. It is no part of any income scheme that has ever been put in operation or devised in the world. It is no part of the English income scheme, or if so, such an inconsiderable part that it cuts no figure whatever. It is entirely unjust, as I shall endeavor to show a little further on.

Now, this element which I have spoken of (and I call it the Populist element not in any disparagement of the Populist party at all, but this sentiment which has been so widely disseminated among the people, largely by politicians who sought to make them uneasy in order to get their votes) embraces the idea that all corporations are iniquitous associations and ought to be struck down.

You see that here every day in the Senate. To prejudice the Senate against the passage of a bill it is only thought necessary to say that a corporation desires it. A railroad corporation, of all things, is to be legislated against. If it desires anything, it is not to be granted; if it gets it, it must get it in some secret way. When anybody desires anything against a railroad corporation, that goes, as a matter of course.

Mr. President, corporations are just like individuals.

Mr. ALLEN. I do not like to interrupt the Senator so much.

Mr. PLATT. I have scarcely heard any interruption by the Senator yet.

Mr. ALLEN. I do not desire to trespass upon the Senator's time, but let me ask him in what section of the country the idea prevails of which he speaks, that everything is to be done against railroad corporations, that a great jealousy exists against them? Where is that the case?

Mr. PLATT. It is not long since the people of Washington, who had made great efforts to get railroads extended into their country, finally conceived such a prejudice against railroads that each political party in a certain portion of that State not desiring to be outdone by the other, passed resolutions to the effect that the tracks of the railroads ought to be torn up.

Mr. ALLEN. Will the Senator permit me to suggest that the Populist party has not passed resolutions of that kind in Washington, and since that time the Populist party has so grown that it has almost wiped out of existence the other parties?

Mr. PLATT. I am not talking about the Populist party. I am talking about the sentiment in the country which we hear everywhere, which we hear in the public press, which we hear in speeches of Senators, that in some way corporations are to be denounced because they are corporations, that in some way they are detrimental to the best interests of the Government.

I will not allude to what is said over and over again about their power in legislation. This allegation needs no bill of particulars, no specifications; everybody understands what I mean. Denunciation of corporations forms the stock in trade of nearly half the politicians of the country, and they make no distinction apparently when they denounce corporations.

It is the sentiment that in some way or other the Legislature must get at the corporations, which accounts for the tax upon the incomes of corporations in this bill. It has been a remark made more than once in the Senate, and so publicly that I may refer to it during the consideration of this tariff bill, that the persons trying to pass it desire to "get at the rich men," and

that is why this tax is laid on corporations. They wish some way or other to get at corporations.

As I said, this taxing of corporations by an income tax has no precedent to sustain it. It has never been advocated by any political economists in any scheme of income taxation. There is no more reason why we should tax the income of a corporation because it is a corporation than why we shall tax the income of a partnership because it is a partnership.

The truth about this matter of corporations is just this: A corporation should be treated as an individual. If it behaves itself it should be respected; if it undertakes to do wrong it should be restrained. A corporation properly conducted, conducted on principles of equity and fair dealing, is a benefit to the country and our civilization.

More than that, it is an indispensable agent of our civilization. Its advent marks progress. If it goes into unfair dealing, inequitable doing, then it is a disgrace and a shame. But that is true of the individual just as it is of the corporation. Take the merchant. The merchant who conducts business upon fair principles, upon principles of equity, of fair dealing, man with man, and does not attempt to trample upon anybody's rights, is respected. He ought to be respected. Take another who has no regard for the rights of others, who cheats and swindles and oppresses—that man deserves censure, condemnation. Just so is it with corporations.

But, Mr. President, if some individual merchant does wicked things, things which we condemn, things which we would like to prevent, we do not for that reason attack the whole class of merchants. Take money-lending. There is nothing wrong about money-lending. The world can not get along without credit or borrowing and lending, and there must be in every community people whose business it is to lend money.

Now, so long as they lend money at proper rates, the rates which are justified by the common consent of mankind, so long as they resort to no means to oppose the debtor, they are not to be condemned. But here is a usurer found. Here is a man found who takes too much; he lends money at 1 per cent a month—has a pawnbroker's shop, perhaps. What do we do by law? Do we immediately pass laws against money-lending? No. Do we attack money-lenders? Not at all. We pass laws against usury. We pass laws to regulate pawnbroking.

I trust the Senator from Nebraska will excuse me, I speak only about the Populist party as representing the sentiment or as having crystallized in some way a sentiment which prevails in the country. That sentiment seems to be that if a corporation does anything wrong, strike at all corporations, tax them. Now, why not tax a partnership? This bill does not tax the income of a partnership; and the corporations of this country, when you step outside of those which are continually in the mind of the people and which are exciting the criticism of people, are nothing more than commercial partnerships.

That is the law. The law treats them so. I found in one of the decisions of my own State, in the opinion of one of the judges, the following:

> Indeed, joint stock corporations in modern times are nothing but commercial partnerships which have taken the form of corporations for the greater facility of transacting business, and to prevent a dissolution of the concern by those numerous events which are so liable to work a dissolution in a partnership composed of a great number of individuals. (Pratt *vs.* Pratt, 33 Conn.)

Mr. HAWLEY. If my colleague will permit me, we remember, both of us very well, that some thirty years ago when our joint stock corporations laws were enacted in Connecticut, it was then supposed, and even is now, that it is an enormous advantage to the men of limited means, three, four, or five in number, who, with a thousand dollars apiece, can organize and safely conduct business. It is a special blessing to the poor man.

Mr. PLATT. I am going to get to that a little later on. In New York the manufacturing corporations are no longer created by special, but by general law. In the case of the Diamond Match Company *vs.* Roeber, in 106 New York, 473, the court of appeals says:

> The laws no longer favor the granting of exclusive privileges, and, to a great extent, business corporations are practically partnerships, and may be organized by any persons who desire to unite their capital or skill in business, leaving a free field to all others who desire for the same or similar purpose to clothe themselves with a corporate character.

If you will read the writings of John Stuart Mill you will find that he refers to this method of carrying on business by commercial joint stock corporations as one of the greatest blessings of our civilization.

My colleague has already alluded to the establishment of joint stock corporations in the State of Connecticut.

The general idea which one has when he hears about taxing the income of a corporation is that it refers to railroad, telegraph companies, banks, and that class of corporations, and great corporations like the sugar trust or the Standard Oil Company, the great corporations, with great aggregations of wealth, who have concentrated business in their hands, and who are supposed to be more or less monopolistic in their character and in their dealings. That is the idea which seems to be evoked when we talk about taxing the income of corporations.

That I insist, with all deference to my friend from Nebraska, is where the popularity of the income tax comes from, that it is based on the idea that it is taxing very wealthy people and taxing corporations because they possess great wealth.

Mr. President, when it comes to my own State it strikes an entirely different class of people and an entirely different class of corporations—corporations engaged in as honest and legitimate business as the merchant who has a retail store or the individual who is printing a country paper, or the mechanic who has been enabled to get a small shop and carry on a small manufacturing business.

As my colleague [Mr. HAWLEY] has well said, back in 1851 we introduced into our State the system of encouraging joint stock corporations—I think it was in 1851—and they were, when established, and to-day still are, actual coöperative associations, as much as any reformer ever longed for.

We have this law?

> "Any three or more persons who shall associate by written articles, which shall express their agreement to constitute a corporation, the name by which it shall be known, the purpose for which it is constituted, the town in this State in which it is to be located, the amount of its capital stock, and the number of shares each person is to take, which shares shall each be of the par value of $100, $50, or $25, as may be prescribed in said articles, under any name commencing with 'The' and ending with 'company' or 'corporation,' which name is not then in use by an existing corporation in this State, for the purpose of carrying on any lawful business in this State and out of this State, whatever lawful business may be incidental to the business within it, such business not to be either trust, insurance, buying and selling real estate, banking, issuing or trading in bonds, notes, or other evidences of indebtedness, or trafficking in letters patent or patent rights, shall, when so associated, and when a certificate shall have been filed with the secretary of this State as hereinafter provided, become and remain a joint stock corporation under this act; and corporations may in like manner be formed under this act for the purpose of carrying on, out of this State, any lawful business not herein forbidden: *Provided*, That in such cases the secretary and treasurer and a majority of the directors shall always be residents of this State."

The very essential idea of that is a coöperative association, and it has been upon that fortunate idea that the business of Connecticut has been developed. A few skillful men who have been able to acquire by economy and savings from their wages a little capital come together, joining their capital, or perhaps they get some man with money who is willing to help them along, and they start thereby a little manufacturing or a mercantile business or joint stock corporation. That is the way in which the industrial condition of Connecticut has been built up. Why should those institutions be taxed, Mr. President, any more than men who enter into partnership should be taxed as partners?

I do not know how many of these concerns we have in Connecticut, not only manufacturing concerns, but business concerns; but I do know that as a general thing they have not large capital; that when a great industry has been established they have gone to the Legislature and secured a special charter.

These joint stock companies in Connecticut are just as much entitled to the consideration of Congress in this matter of taxation as savings banks, as mutual life insurance companies, or as fraternal beneficial associations.

I said I did not know how many of these organizations we have in Connecticut, but I know the rate at which they have been formed of late years. From September 1, 1880, to May 1, 1889, 865 of them were established in the State. I have not the amount of their capital, but from my knowledge of the subject I venture to say that the average capital of these 900 establishments which have been incorporated under our joint stock law within the last ten years, does not exceed $25,000 or $30,000, and probably it is very much under that. My colleague thinks that estimate is too high.

Why should these concerns be taxed directly as corporations? If you are going to have an income tax I do not object to having the money which the individual stockholder may derive from such corporations included within his income; it ought to be; but why tax the corporation as a corporation and not tax a partnership as a partnership? Why tax this business when you do not tax all business?

Mr. ALDRICH. Will the Senator allow me to ask him a question?

Mr. PLATT. Certainly.

Mr. ALDRICH. I do not know whether it is true in Connecticut, as it is in Rhode Island, that mercantile business is now quite largely conducted in the form of corporations rather than of partnerships, for the convenience of the parties interested, and to carry out still further the idea of coöperation among the employés and employers in these mercantile establishments.

Mr. PLATT. Almost the only way in which young men can get ahead in this country now is through the agency of these joint stock commercial companies. I appeal to every business man as to what is the common everyday experience.

For instance, there has been a partnership of merchants, and they have been very successful; those who have been long in the business are quite willing to retire, but they have some bookkeepers and agents and clerks to whom they desire to give a start in the world, and so, withdrawing a part of their capital, perhaps, they turn their mercantile establishments or their trading business into a joint stock company, and they let the bookkeeper and the cashier, and the commercial travelers and the clerks take some stock and manage the concern thereafter, leaving a portion of the funds which they have acquired by trade remain in the establishment. That is the foundation of a new business. From that it begins to grow and thus the young men who used to be received into partnership in the old times, or used to find some way of getting ahead in the world, have the opportunity to grow up with the business which they themselves managed. That is the history of these corporations for which I am pleading.

What does the bill do? It says, first, that the income of all individuals is to be taxed, and, then, that the income of these corporations is to have a tax of 2 per cent imposed annually.

It will be observed when you go to impose the income tax on an individual, you allow him an exemption. If his income does not amount to $4,000, or, as the bill is proposed to be amended, to $3,000, he pays nothing. But here three or four young men who have established a joint stock corporation store, if they have a joint income of $3,000 profit from the business, have to pay a 2 per cent income tax on all the profits of the business. Why should they be compelled to do that any more than if they were in a partnership? There is no reason for it; it is unjust; it is inequitable.

It will stop the development of my State to tax these corporations. Nobody is going hereafter to form a joint stock corporation to carry on business if the net profits of that corporation are to have an income tax of 2 per cent imposed upon them, when business carried on in another way is not required to pay a tax as a business and when a partnership business is not taxed. We shall have no more of these most beneficent corporations scattered all over my State, the hum of whose wheels and of whose industry can be heard the moment you enter the State, as you pass through it, and until you leave it, no matter in what direction you may go.

We shall have no more joint stock corporations formed in the State of Connecticut if business carried on in other forms is to be discriminated in favor of and they are to be discriminated against. If on one side of a street three persons carry on business as partners, making a joint profit of $6,000, no income tax is to be paid upon such income or profit unless the partners have other sources of income which, added to their share of the partnership gains, makes their individual income exceed $4,000. If on the opposite side of the street three persons, having formed a corporation, carry on the same kind of business and make the same amount of profit, the $6,000 profit made by the corporation is to pay an income tax of $120. Is this equal taxation?

Mr. ALDRICH. I hope the Senator before he gets through with this line of argument will allude to the fact that there are numerous and annoying exactions aside from the taxes imposed upon people who do business in this form, in favor of those who do business in some other form.

Mr. PLATT. Exactly. They are subject to every inquisitorial feature of this bill, whereas those who do business as a partnership are exempt from very many of them.

But speaking of the tax on corporations generally, it works an injustice in this way: Take the case of a bank. Senators will say: "Well, the income of a bank ought to be taxed 2 per cent; that is all right; these terrible institutions, these national banks which are against the spirit of our institutions, if we can get at them and put a tax on them of 2 per cent we are doing something; we are striking at the banks." Let us see how that operates.

Every individual is taxed under this bill according to the income which he derives from all sources, with the exemption of $4,000, or $3,000, as the case may be; and, if I understand the bill, the individual in reckoning up his income can leave out of it the bank dividend which he has received, because the bank has been compelled to pay a 2 per cent corporation tax. How does that affect the small holder of bank stock? That is true with reference to all corporations.

Take a bank as an illustration. Three-quarters of the stockholders in the national banks in my State are persons who do not have an income of $3,000. They have moderate incomes, perhaps all derived from bank stock; it may be one thousand, or two thousand, or two thousand five hundred dollars; and it will be seen that, whereas the person whose income is over three or four thousand dollars, as the case may be, may deduct the dividends from his bank stock, the person who does not have an annual income of $3,000 has in effect to pay a 2 per cent tax upon his entire income, because when it is taken out by the bank, the bank is so much the less able to declare the dividend, and the loss falls on the stockholders. That is the way all through with regard to these corporations.

This is a scheme by which a person of small means can get no deductions, no exemptions, from the income tax if he happens to have his funds invested in the stocks or bonds of a corporation, while a person of a large income can deduct all this because the corporation has paid the tax. But there is no exemption for the person of small means. Thus the effect of this provision will be to put an income tax as a punishment upon everybody who happens to have any stock in a corporation and who does not have an income equal to $3,000.

Mr. President, I think I have made my plea good that this tax upon corporations is inequitable.

There are very many other matters to which I might refer in this connection. I do not wish to discuss the details of the bill generally; but right along in connection with what I have been saying there seems to be another thing which is wrong and glaringly unjust. I do not know but that it is following the English system; perhaps it is. I refer to the tax upon the income acquired by inheritance or gift of personal property. We have those taxes in the States, Mr. President.

Mr. CAFFERY. Will the Senator from Connecticut permit an inquiry?

Mr. PLATT. Certainly.

Mr. CAFFERY. I desire to be informed by the Senator as to whether or not this feature of taxing the incomes of corporations is peculiar to this bill, and whether or not it obtains in the English law?

Mr. PLATT. It does not obtain in the English law. I said that when I started.

I ought perhaps to make an explanation, that with a very large tax derived from incomes there are certain features of a corporation tax which yield a very small amount, not more than three or four or five hundred thousand dollars for the entire Kingdom of Great Britain, but I exclude that.

Mr. CAFFERY. May I ask the Senator another question?

Mr. PLATT. Yes.

Mr. CAFFERY. I ask whether or not the business of the country now is largely carried on under the system of limited liability corporations?

Mr. PLATT. I think it is.

Mr. CAFFERY. And whether that system has not to a great extent taken the place of partnerships?

Mr. PLATT. It has.

Mr. CAFFERY. I ask further whether or not this tax would operate very severely upon the holders of shares in all those limited liability corporations?

Mr. PLATT. I think it would. It is not necessary to tax these corporations.

What should be the scheme of an income tax? It should be to tax the personal incomes of individuals which exceed the amount exempted, and in that way you get all the income of the country. But here you will observe that confusion is created by trying to tax the corporation. There is no necessity for it, because, if you put the income tax upon personal incomes, you reach all the earnings of the corporation in the hands of the individuals whose incomes exceed the exemption, but see into what difficulty you are carried the moment you put the tax on the corporations.

There is a provision here that if the tax is paid by the corporation, the individual, or another corporation who holds its securities, need not return them in the income account. Why go through all that? You reach the earnings of the corporation when you put the tax upon the individual, and when you put the tax upon the corporation you get nothing more, but you throw the whole matter into confusion and inexplicable difficulty.

Mr. President, I was speaking, when interrupted, about the feature of the bill which requires a person in making up his income to put in all that he has acquired by gift or inheritance during the year, and I was saying we had that in our State laws for taxing inheritance. They do not, however, undertake to tax an inheritance which descends lineally, or which goes from the husband to the wife; but only the collateral inheritance, generally drawing the line at cousins. If a cousin takes an inheritance, then there is a collateral inheritance tax imposed. But this goes further. This puts a 2 per cent tax upon all gifts and all inheritances of personal property. See how that is likely to operate.

Our people are not all millionaires in Connecticut. Indeed,

we have very few millionaires, but a good many well-to-do people, most of whom have but a small competence. Take the case of a mechanic. I have one in mind who never earned more than $2 a day in his life, and he saved by small deposits in the savings banks and the accumulation of interest until he has just under $10,000—nine thousand and some dollars. He has a daughter. I know the man and I know his family. That sum is all he has. He is in feeble health, and when he dies what takes place? A person who has an income of over $3,000 a year is to pay a tax upon the excess of 2 per cent. His daughter, when she takes the $9,000 out in the savings bank as an inheritance, will have to pay $120 to the Government, 2 per cent on the excess over $3,000. Is that right?

This bill is so crude in all its details, Mr. President, that time fails to speak of the provisions which ought to be corrected if we are going to have an income tax.

That is the class of people who are to be largely affected by this legislation in the State of Connecticut. I tell you when this bill comes to be understood among the people, the income-tax feature will be the most unpopular feature of the bill. It is wholly and absolutely unnecessary.

All property acquired by gift is to be taken into account in making up the income. If a young man with a salary of $3,000 happens to get married during the year, his father may wish to set him up in housekeeping. So he makes him a present of the furniture with which to go to housekeeping. Somebody else brings in some wedding presents.

In making up his accounts he has to include all those gifts of furniture and wedding presents. If the bride happens to be the daughter of some wealthy person and has an income of $3,000, she must include in her income the diamond ring with which she was betrothed, and to pay a tax of 2 per cent on its value.

Mr. PERKINS. If I do not interrupt the Senator from Connecticut, there is another feature which suggests itself to me, and one which comes home directly to many of us. There are those who are struggling along to pay premiums on their life insurance policies for the purpose of providing for their children if removed by death. There is no provision made for deducting the amount of this premium from the income during the year. That is an onerous tax imposed on one who is working for his wife and his children, and yet there is no provision made for deducting it.

Mr. PLATT. That is true. The bill is full of such features. It makes a man pay a tax not only on the premiums which he pays to keep up his life insurance for the benefit of his family, but upon all that he gives to charitable objects. But I shall not pursue this matter further. If we must have an income tax, the honest, just, equitable way is to make a small exemption and tax whatever income the individual has above that exemption. By that way you reach everything and make everybody pay in proportion to what he is worth. The whole matter of going outside of it to reach corporations is founded on the idea—I had almost called it an insane idea—that because a business is conducted under an association which is called a corporation it deserves to be struck at by legislation.

Mr. HOAR. If I may be allowed, I should like to ask the Senator a question before he sits down. This is merely a thought suggested by what he has said, and he has said it more emphatically, perhaps, that I can put it. Take the case of the gift of a husband, a young workingman, who wants to put a little property in his wife's name. If the property is over $3,000 in value, it can only go to the wife with the incident of a 2 per cent tax to the National Government, and the same would be the case, as I understand, where a widow came into possession of property left by her husband.

Mr. PLATT. That would depend on whether the entire family had an income outside of that of over $3,000.

Mr. HOAR. I understand, then, that would be exempted in any case?

Mr. PLATT. Exactly.

Mr. HOAR. But suppose the workingman has made $3,000. He is, say, an engineer on a railroad, engaged in a hazardous business, and he wants to give a dwelling-house worth $3,000 as a gift to his wife, for the benefit of herself and her children. All over that he has to pay tax upon.

Mr. PLATT. It does not apply to real estate. It applies only to personal property.

Mr. HOAR. But the inheritance of a widow from her husband is taxed?

Mr. PLATT. Exactly. All personal property acquired by gift or inheritance is to be counted in making up the individual income, and if the whole income exceeds $3,000 the excess is to be taxed. Only one exemption of $3,000 is to be made from the aggregate income of all the members of any family. But I do not desire to discuss in detail all the crude, unjust, and inequitable details of the bill.

Mr. ALLEN. Mr. President, although many speeches have been made by Senators on this floor against the adoption of the income tax, but few arguments have been employed against it, and I desire to refer to them briefly.

The speech just concluded by the Senator from Connecticut [Mr. PLATT] is remarkable for its candor and for its exposition of what he believes the Populist party, which I suppose he considers a very radical party, is trying to accomplish in this country.

I was very glad indeed to hear the Senator express himself so fully, not because his statements contain what I regard as facts, but because they contain what he looks upon as the truth regarding the Populist party, and doubtless what many other people, ignorant of the purposes of that party, believe to be the truth as to those purposes.

The Senator from Connecticut makes one remarkable statement—a statement to which I can not agree at any time or place. He says that in this country property is just as sacred as human life. I do not believe this. I do not believe that there is a government in the civilized world where property is looked upon as sacred as human life. However sacred property may be regarded, the right to live is supreme over all things. The desire to live is the ruling law of our nature. The necessity of preserving human life is a necessarily implied condition-precedent to the enjoyment of property and the enjoyment of all things incident to existence itself.

I do not agree with the Senator from Connecticut that property is equally sacred with human life. I do not by that mean to say that I do not regard the right of property highly, nor do I desire any Senator to infer from what I say on this subject that the Populist party has not full regard for the rights of property.

It has been argued here frequently, perhaps I ought to say that it has been inferred rather than expressed in plain language, that the Populist party desires to destroy all protection to property; that it desires to annul constitutional and statutory guarantees of property.

I do not know whether or not the Senators who have made that statement were sincere and believed it to be true, but I presume they were sincere or they would not have made it. As matter of fact, however, such a statement is entirely unfounded.

There is not a Populist from the Atlantic to the Pacific Ocean, nor from the Lake of the Woods to the Gulf of Mexico, who does not understand and realize as fully as any Senator in this Chamber that the right of property under our Constitution and form of government is absolutely sacred, and there is not one of all the great number of American people belonging to that party who would impair the right of property in the slightest degree. So that insinuations or statements made here that the Populist party desires to destroy the right of property in this country, that its members do not rise to the dignity of patriotic citizenship, or understand our form of government and its constitutional guarantees, are entirely unwarranted on the part of those who make them.

Mr. President, the Senator from Connecticut says, with admirable frankness, that those composing the Populist party—and everything that is not Democratic or Republican, of course, must in his view necessarily be Populistic—are jealous of those who have accumulated wealth, if I remember his statement correctly. There never was a grosser mistake made by any man than this statement by that distinguished Senator.

There is not a member of that party anywhere to-day who has in his breast the slightest degree of jealousy of those who have honestly accumulated wealth. There is not one throughout the length and breadth of the land who would impair in the slightest degree the honestly acquired fortune of any man or any corporation. There is no jealousy upon their part of wealthy men or wealthy corporations.

There is no desire on their part to check any honest man, in the slightest degree, in acquiring an honest fortune to any extent that may be within his power; but, Mr. President, there is a strong desire upon the part of the Populist party that every man who enjoys a fortune in this country shall enjoy it as the result of honest labor upon his part, and that he shall not be permitted, through vicious legislation, to reap the fruits of the labors of others, or to amass a fortune which is the result of fraudulent and dishonest practices upon his part. If that is wrong, then the Populist party is wrong. If that is right, then the Populist party is right.

The Populist party believes that it is the duty of the Government to legislate in the interest of all the people of the country and not in the interest of the few alone. It believes that the rights of the humblest citizen of the land are as sacred in our form of government as the rights of the most gigantic corporation. Is there anything wrong in this belief? Are there any class distinctions in this country recognized by statute, that would exclude any class of our people from the beneficent operation of our laws?

Are we to say that the mass of the people of this country must struggle without the assistance of beneficial legislation, while the very few dominate the action of Congress and make money out of Congressional legislation or by circumstances are suffered to accumulate wealth for the want of proper Congressional legislation? If it be visionary to believe in a doctrine of this kind, if it be criminal to believe in such a doctrine, then the Populist party is both visionary and criminal. If, on the other hand, it be patriotic to so believe, if it be in accordance with the teachings and traditions of our Government so to believe, then the Populist party stands to-day closer to the true history, traditions, and teachings of this nation than any other political party in this country.

Every Senator that has spoken against the income tax has taken occasion to say that it was Populistic. My distinguished friend, the senior Senator from New York [Mr. HILL] yesterday said that it was not Democratic, but that it was Populistic. I suppose he intended to leave the impression upon the minds of his hearers that if it were Populistic it was so odious that no respectable man ought to believe in it or advocate it.

Mr. President, the income tax is a Democratic measure. The first income tax that was enacted and enforced in this country was a Democratic measure. The second, third, and fourth were Democratic measures, while the last income tax was a Republican measure.

July 14, 1789, a statute was enacted which imposed a tax upon real estate and a capitation tax upon slaves. August 2, 1813, an act was passed by Congress which imposed a tax upon real estate and slaves according to their respective values in money. January 19, 1815, another act of Congress was passed which imposed the same kind of a tax upon the same descriptions of property—that is, upon real estate and slaves. The act of February 27, 1815, applied the provisions of the act of June 19, 1815, to the District of Columbia. The act of March 5, 1816, repealed the former laws and enacted other provisions to enforce the collection of the small amount of taxes prescribed by that act.

Mr. ALLISON. May I ask the Senator a question? Were those income taxes or in the nature of taxes under that clause of the Constitution which are called direct taxes, and apportioned according to population?

Mr. ALLEN. I think perhaps the Senator is right, and the majority of them were of the character he states, at least two of them.

Mr. ALLISON. I mention it for the purpose of calling his attention to the fact that I know of no income tax having been imposed in the United States until 1861.

Mr. ALLEN. On the 5th of August, 1861, an act was passed by Congress which authorized a tax to be levied wholly upon real estate, and both the act of June 17, 1862, and the act of February 6, 1863, authorized the collection in insurrectionary districts of the direct tax imposed by the act of August 5, 1861, and were a part and parcel of the system of direct tax imposed in the early part of the war. I speak of this not for the purpose of entering into a lengthy discussion of the history of the income tax in this country, but for the purpose of showing that when Senators assert that the income tax is peculiarly Populistic, although I wish that were true, it is not historically true. The measure is both a Democratic and a Republican measure, and Populistic to-day.

Mr. President, the income tax is the only respectable inheritance that the Populist party receives from the past. It ill becomes the Senator from New York or the Senator from Connecticut, or any other Senator, then, to stand in his place in this Chamber and denounce the income tax as communistic, as unjust, as inquisitorial, as Populistic, because it was one of the first systems of taxation introduced into the country after the formation of the Constitution in 1787. It has been resorted to from time to time throughout the history of the country when Congress deemed it necessary for the purpose of raising revenue. Senators say that it is a war tax, and I suppose pretty soon we will hear the cry raised from every stump throughout the country by the Republican party that the Democratic party, aided by the Populists, resurrected and put into the law the odious income tax of war times.

Mr. President, that statement is false. The income tax is not a war tax peculiarly and solely. It has been enacted and enforced in this country when there was absolute and profound peace, when this country was not even threatened with war. It was a popular system of taxation in the early days of the Republic. So the statement that Senators make upon this question that it is an odious war tax is not in accordance with the history of this system of taxation in this country.

The Senator from New York [Mr. HILL] on yesterday and on one other occasion informed the Senate and the country that possibly the Supreme Court as now constituted would not look upon the provisions of the Constitution as their predecessors looked upon it. Mr. President, in 1796 the Supreme Court of the United States decided this kind of a tax constitutional, in the Hilton case. Ninety-eight years ago the question was settled in this country.

It was settled by one of the strongest benches that ever existed in the country that a tax of this character is a constitutional tax; that it was not a direct tax and therefore in violation of the Constitution. The Supreme Court then held that the only two taxes that could be imposed by this Government which were properly characterized as direct taxation were the capitation or poll tax of the Constitution and a direct tax upon real estate. For ninety-eight years of the existence of this Government that has been the law, and it is the law to-day. Notwithstanding over twenty judges—I think I may safely double that, and say nearly forty judges—have occupied the Supreme Bench of the nation from the time that decision was rendered until this moment, no one of them has ever questioned the correctness of that decision.

It has been reaffirmed on three or four different occasions. It was reaffirmed in the Springer case, a lengthily argued and closely considered case, without a dissenting voice upon the part of any justice of the court. Yet the Senator from New York lets drop the significant remark, and it is significant to the people of this country, that possibly the Supreme Court of the United States as now constituted will not look upon this question as its predecessors have looked upon it. Are we to understand that the Supreme Court of the United States is packed upon this question? Are we to understand that any man before he went upon the bench of the Supreme Court of the United States prejudged this question and that his prejudging it was a condition-precedent to his promotion? Do 70,000,000 people of the United States hold their constitutional and property and personal rights by a tenure so uncertain as this?

Mr. HILL. Mr. President, I do not know that the suggestion of the Senator from Nebraska calls for any answer, but I would simply say that I do not think it is probable at all that any member of the Supreme Court has been polled upon this legal question. I simply desire to call the Senator's attention to what we find in history, that the Supreme Court has repeatedly reversed itself.

Mr. ALLEN. The Supreme Court may have repeatedly reversed itself, but I want to say to the Senator from New York that the Supreme Court has never reversed itself upon this question. There have never been two opinions emanating from that great tribunal upon this question. Their decision has been yea, yea, in every instance in favor of the constitutionality of the tax and its enforcement. No one ever doubted that the question was settled and put at rest until the Senator from New York a few weeks ago interjected into the debate a suspicion at least that a different opinion might be expected from the Supreme Court as it is now constituted, and that, too, notwithstanding the rule which exists in our jurisprudence and has existed throughout the history of the common law, that a constitutional and property question once settled must be held for prudential and just purposes to be settled forever.

Mark you, it is not a question of court practice that can be changed at will without doing injury to anyone or any interest, but it is a settlement of the constitutional right that for nearly one hundred years has become imbedded in the very foundation of our Republic. It is a part of the warp and woof of the rights of American citizens. Yet we are gravely informed that the Supreme Court of the United States, as now constituted, may possibly overturn a constitutional ruling that has been so frequently made.

Mr. President, I do not believe it. I do not believe there is any man worthy of wearing the ermine, I do not believe any man placed upon the supreme tribunal of this nation would so far forget himself as to pledge himself in advance and as a condition to his promotion that he would render a decision overruling well-established rules of his predecessor.

Yet, Mr. President, the remark has significance. It has this significance, sir: It shows that the power which is dominating legislation to-day, the power which shows its hand in the Senate every once in a while and in the other branch of Congress, is not satisfied with reaching out its long bony fingers through the legislation of Congress, but that it is seeking to fasten itself upon the supreme tribunal of the land.

The Supreme Court of the United States is the only department of the National Government left to the people. The legislative department of the Government has been under the control of the corporations and of the money power for more than a quarter of a century. No law can pass this body, no important measure has passed this body in twenty-five years that did not first secure the sanction of the great corporate interests of the nation; not one. Senators may indignantly deny it; they may say the statement is untrue; but I challenge any Senator in this

Chamber this moment to point out a measure of great importance to the people that has not first secured the sanction of these influences.

It will not do, sir, to denounce me. It will not do to denounce the Populist party. It will not do to make some person a scapegoat. The people believe that Congress is dominated by the money power of this nation to-day. They believe it, and they have a right to believe it when they see iniquitous measures passed here that enable a few men to build up at the expense of the people fabulous and dishonest fortunes.

Mr. HILL. Will the Senator oblige the Senate by specifying those acts of legislation passed by Congress which have enabled people to build up vast fortunes?

Mr. ALLEN. I shall be very glad to do it at some future time.

Mr. HILL. Now is the accepted time.

Mr. ALLEN. It may be to the Senator from New York. I think it is; but it is not the Populist's time. Our life is a little longer.

Mr. HILL. The gentleman may take all the time he pleases.

Mr. ALLEN. Mr. President, I can enumerate a few. The refunding act took out of the pockets of the people of the United States $700,000,000 wrongfully. That is one.

Mr. HILL. What year was that?

Mr. ALLEN. Since the war; I do not recall the year; along in 1869.

Mr. HILL. At that time the Senator belonged to the Republican party.

Mr. ALLEN. The Senator never belonged to any party. I was a member of the Republican party, but not responsible for its legislation. I will not, however, get into any controversy with the Senator upon that point. The refunding act, the resumption act, the constant refunding of the indebtedness of the United States into interest-bearing bonds, the change of law by which bonds payable in lawful money became payable in coin and the Executive interpretation—not disavowed by Congress—by which the word "coin" was unlawfully construed to signify gold coin have cost the people of this country hundreds of millions of dollars. The demonetization of silver in 1873 is another, and the crowning villainy of 1893, by which silver was entirely stricken down, has cost the country directly and indirectly many hundreds of millions of dollars.

Mr. President, when there went up from this country a universal cry to retain the purchasing clause of the Sherman act until such time as the silver question could be settled, to the end that the people might have more money with which to transact their business, I did not hear the eloquent voice of the Senator from New York raised in their behalf. Why was not that act retained? Simply because it was giving to the people of this country about $50,000,000 of money annually, adding that much to the total volume of their money. It was necessary to answer the purpose of the men in Wall street to strike down that money.

It was necessary to do it without condition. It was necessary to do it so that Wall street could take its money and invest in more Government bonds. Now, they have something like $100,000,000 surplus lying in their banks unused and again the cry goes forth to the country that the gold reserve is being trenched upon, and that there is necessity for the Government to issue more bonds, and pretty soon to please the Shylocks of Wall street and Lombard street more bonds under some subterfuge or some pretense will be issued as a burden upon the industries of this country.

No, Mr. President, I am right when I say that no measure of any considerable importance has passed Congress in twenty-five years that did not first meet the approval of this class of people.

The Senator from New York proposes to have these decisions of the Supreme Court overturned by a new tribunal. He proposes to have the Supreme Court as now constituted, or possibly as constituted at some time in the future, overturn these decisions and hold this kind of taxation unconstitutional.

Mr. President, it is sad indeed to suppose that any man can imagine the time coming when the Supreme Court of the United States will be in the grasp of these corporations and this money power; when there will be no civil power in this country to protect the right of the individual citizen; when every branch of the Government shall have passed over to and be dominated by the baneful influences of the money power and the corporate greed of the nation.

The Populist party stands for the rights of the American people. It would not harm one legitimate interest that any legitimate corporation has in the country. It would not destroy proper corporations, as the Senator from Connecticut seems to infer it would if in power, but it would treat all corporations and all individuals alike, so far as the nature of the two admits of their being treated alike, restraining corporations from invading legislative halls, restraining them from purchasing members of the Legislatures of some of the States, preventing them from using money in corrupting State and national legislation. Sir, if that is wrong, if the Populist party is to be condemned because it condemns conduct of that character, because it would restrain corporations from purchasing legislation, then that party should be condemned; not otherwise.

Mr. HILL. Will the Senator allow me for a moment? Does not the Senator know that years before the Populist party was ever thought of, there were laws upon the statute books of the respective States against the bribery of State legislators on the question of the election of United States Senators and all other propositions?

Mr. ALLEN. Oh, Mr. President, I knew that quite well, but I do not see its pertinency.

Mr. HILL. I think it is very pertinent.

Mr. ALLEN. I discovered that quite as early as the Senator from New York discovered it.

Mr. HILL. I understood the Senator to say that one of the great missions of the Populist party is to prevent those things being done, by the enactment of laws which would prevent it, and I simply pointed out the pertinent fact that laws sufficient for that purpose were upon the statute books long before your party was ever thought of.

Mr. ALLEN. Then you misunderstood me if you understood anything of that kind. I said that the corporations of which I am speaking have beaten down laws of that kind and disregarded them; that the laws have become inefficient; that they have been overridden by these corporations and that legislative bodies have been bought up and corrupted. I repeat, sir, that the people of this country believe this to be true. How long ago has it been since it was reported in the newspapers of this country that in a certain legislative hall in a certain State of this Union where a United States Senator was being elected by a joint convention of the Legislature express envelopes in which money came were found opened and lying upon the floor after adjournment, thereby leaving the inference that money had been taken literally into that legislative body, and members of the Legislature corrupted with it.

Mr. HILL. Will the Senator allow me to inquire where was that?

Mr. ALLEN. Now, I do not think I will tell the Senator exactly where it was at this time.

Mr. HILL. If there was any such scheme enacted anywhere in this country, and any United States Senator sits here who was elected by any such means, the Senator from Nebraska instead of making complaint should have an inquiry and let the thing be investigated, and not indulge the country these vague insinuations, and when asked to point it out decline to do so.

Mr. ALLEN. The man who was elected by that Legislature is not in the Senate of the United States to-day. The Senator from New York has no occasion to grow so apparently indignant about this matter. If he were reading the newspapers at that time he saw the statement. This is not a revelation, made for the first time. It was published throughout the length and breadth of the country at the time it was said to have happened.

Mr. HILL. I do not know to whom the Senator refers.

Mr. ALLEN. The New York papers and papers of the West and South gave a full account of the transaction at the time.

Mr. HILL. Will the Senator allow me? I do not know to whom the Senator refers. I do not recollect any such circumstance. It seems to me that if any such reports were spread broadcast they were investigated at the time and unquestionably exploded. I do not believe that there has been any period in our history when the Senate has permitted any such men to occupy seats on this floor. If the Senator can oblige the country and oblige the Senate by naming such an instance possibly I can name the answer to it.

Mr. ALLEN. The Senator from New York understands as well as I do that charges of that kind were made throughout the press. If he does not he is ignorant of the newspaper literature of four years ago. It was charged in the press of the country throughout the length and breadth of the nation. Now, whether it was true or not the Senator from New York will not get me to state, for personally I do not know. I only know that the charge was made at the time and is quite generally believed.

Mr. HILL. Does the Senator think it fair to the Senate and to the people of this country to make a statement of that kind, to spread it broadcast before the land, and then not himself, if he has any confidence in those charges, proceed to investigate them?

Mr. ALLEN. Why, Mr. President, the Senator from New York certainly must look upon me in a peculiar light. I am not plastic material to be molded by him.

Mr. HILL. I do—in rather a peculiar light.

Mr. ALLEN. The Senator can not get me to make a statement that some particular member had purchased a place in the

Senate when I do not absolutely know it to be true, and if he were fair in his treatment he would not attempt to do so.

Mr. HILL. That is precisely what you intended by your insinuation.

Mr. ALLEN. The Senator will never get me to do so; and I have not made an insinuation.

Mr. HILL. I do object to the Senator doing by insinuation what he does not seem to dare do directly.

Mr. ALLEN. I have not charged what the Senator from New York says I have charged.

Mr. HILL. But you have said——

Mr. ALLEN. Wait a moment. I had not charged that any man has purchased a seat in this Chamber. I say the newspapers at the time said a certain Senator had purchased his seat in this Chamber. I say so now.

Mr. HILL. The newspapers say a great deal that is not true.

The PRESIDING OFFICER (Mr. BLANCHARD in the chair). Senators must address the Chair.

Mr. ALLEN. I say so now, and I say if the Senator from New York did not read or hear that report, which was published from one end of the land to another, he is the only man in the Chamber who did not. I have nothing to take back. I stand by what I have said.

Mr. President, if I had the evidence in my possession I would not hesitate to make the charges against any man alive. I do not care who he is, but I speak of this case in this manner because it was current throughout the nation at the time, and because, I say, that thousands of people in this country believe the charge to be true, and I may add that I believe it to be true also. That, sir, is what I am speaking of when I say the people of this country look upon Congress with some degree of suspicion, and they have a right to do so.

Now, I will make a charge for the benefit of the Senator from New York that I am prepared to prove, and I will go into court and prove it if need be. At the very day, or the day after Coxey and his unfortunate followers were taken to the common jail of this District, for tresspassing on the grass of these Capitol grounds a certain railroad magnate of the United States was in a committee room at the other end of the Capitol, guarded by an officer of this Government, and sending into the House of Representatives to get Representatives to come to see him that he might tell them what he would do with reference to certain of the Pacific roads.

That, sir, occurred in a committee room of this Capitol. He sat there as an autocrat. He sat there with a guard over him, a guard in the committee room, and in the pay of the Government. No man was permitted to enter that room at that time except as he was sent for by this man, and they were members of Congress. Now, if you want proof of that I will give it to you. What was he there for, Mr. President? He was there to procure legislation regarding the Pacific roads by which this Government is to be buncoed out of a hundred million dollars if the scheme can be passed through Congress. The same day you sent these poor friendless devils to the jail for trespassing upon the grass, in a disgraced and shamed condition, that lordly railroad autocrat sat at the other end of this building, in one of the committee rooms of the national Capitol, undertaking to dictate terms to a committee of Congress.

Mr. WALSH. Will the Senator from Nebraska name him?

Mr. ALLEN. I will name him to a committee if it is necessary.

Mr. President, I have no desire to indulge in matters of this kind to an unnecessary or improper extent, but the situation calls for the truth. I could name other instances, but I speak of this simply for the purpose of proving that a great many of the people of this country believe, and I think they rightly believe, that these great moneyed institutions are reaching their hands imperceptibly but surely into the Senate and House of Representatives, and smothering, enacting, or defeating legislation at their own will.

Now, the revelation goes out to the people of this country that the onward march of this power is to be taken up into the Supreme Court room to seize the Chief Justice and associate justices, that the court is to be reconstructed and overturn the holdings of a century, and that the great principle of constitutional law which met the approval of Marshall and the long line of illustrious jurists who have occupied the Supreme Bench is to be overturned and revolutionized and changed by a court either now constructed or to be constructed. That is what we are told.

I hold in my hand the cases to which I have referred, but I will not now do more than give the dates and pages where the decisions may be found. The case of Hylton, plaintiff in error, against the United States, defendant in error, was decided at the February term, 1796, and will be found on page 171 of 3 Dallas, United States Supreme Court Reports. It is a decision that stands to-day, and that has been the law throughout the history of this country to this time. Yet we are gravely told that it is to be overturned by the court. Then I call attention to the case of Springer *vs.* The United States, 102 United States Supreme Court Reports, page 586. Now, let us see what the court decided upon the question of a tax of this character, it being charged to be a direct tax, and therefore a violation of the Constitution:

> Direct taxes, within the meaning of the Constitution—

says the court—

> are only capitation taxes as expressed in that instrument, and taxes on real estate.

The tax that was levied upon Mr. Springer's income under the law of 1861 or 1862 was levied under the Morrill tariff act, and was held to be constitutional, and the law was enforced against the property of Mr. Springer, and his property was sold in payment of it and the title sustained in the purchaser. The point was made there, and argued at great length, that the tax was a direct tax, and therefore in violation of the Constitution; and the court held, Mr. Justice Swayne delivering the opinion, without dissent, in accordance with the Hylton case and three preceding cases where the rule had not been questioned, that the tax was lawful and the act not in violation of the Constitution. It was held that the law was not a violation of the Constitution inhibiting direct taxation, and therefore requiring apportionment among the States.

So, Mr. President, when the Senator from New York intimates that there is any question about the constitutionality of the income tax, when the Senator from Massachusetts intimates that there is question about these decisions covering the point of all income-tax laws, I say that if the Supreme Court of the United States are to be believed, the question was settled nearly one hundred years ago, and has not been disputed in this Chamber until within the last few days.

But, Mr. President, the tax is iniquitous and inquisitorial, it is said; that it compels the man who is taxed to tell the truth, and that is objected to. I saw a short time ago in one of the leading papers of New York City an article written by Ward McAllister upon the subject of the income tax. Mr. McAllister's occupation seems to be that of telling the ultra fashionable ladies of the city of New York whether they should put barnyard fowl or roast beef on their tables first, and he draws a large salary, I am told, for it. Ward McAllister gravely informed the Populist ragtag and bobtail element of this country, as he calls them, that if the income tax is imposed upon the people of New York they will leave the country. They will not pay it; they will go over to Europe, where their surroundings are more congenial, to escape taxation. They will leave the country.

Ward McAllister himself, I suppose, will leave us. He will take to his heels and flee the country because the demands of the nation require him to contribute a little of his own income to support the Government. If there is any citizen of the United States whose sense of obligation to his country is so small, who sees in its noblest history nothing to challenge his admiration, who sees nothing in the story of the Stars and Stripes to inspire patriotism in his breast, and who prefers to flee the country rather than to pay his honest taxes, then as one citizen of this country I say, may his flight from the United States be speedy and his stay be perpetual. We do not need men of that kind in this country. We do not want them here. They are a curse to the country, and the sooner they leave and the longer they stay the better off we shall be.

It is said that some persons will lie if we pass a law of this kind. I suppose some Senators will say that the income law ought to be entitled, "An act to encourage liars," that we will make some man commit perjury to save his property, in escaping his just proportion of the burdens of this nation. Is it possible that there is any American citizen to-day whose sense of manhood is so small, whose sense of obligation to his country is so infinitesimal that he would commit perjury in the sight of his God to escape his just portion of taxation? Sir, I do not believe it.

Suppose a man predisposed to larceny should say, "You ought not to pass a law against larceny, because I have to commit larceny, and therefore I will break the law; you ought not to put any temptation in my road; you should permit me to steal without inflicting any penalty upon me. If you pass a law against larceny, the result will be that I will have to violate it, and therefore I will have to suffer in consequence." What man would listen to an argument of that kind?

It can be said with reference to every law, State and national, that you should not pass it because some man will violate it and be punished as a violator, and that therefore it should not be enacted. The reverse of this is true. You pass laws for the express purpose of restraining men from the commission of crime, and you prescribe penalties for the purpose of restrain-

ing violations of acts of Congress and of State Legislatures. This is the purpose of the enactment of a statute.

Now, we are told that this proposed act, if it is passed and becomes a law, will cause many men in this country to violate it by secreting the truth from the assessors of revenue. It is said that it is inquisitorial; that it inquires into a man's business too closely. Let me read to you how they get at taxes in the city of New York. I have some of the official schedules of New York State and New York City. The first one I propose to read is an affidavit which a shareholder in a bank is required to make when assessed for taxation.

STATE OF NEW YORK,
City of New York, ss:

——— ——— being duly sworn, deposes and says, that on the second Monday of January, 189—, he resided in ———, and was the owner of the following described shares of stock:

Shares.	Banks.	Assessed value.
	Shares in all, assessed at a total value of	$

That the full value of all the personal property, exclusive of said bank shares owned by deponent (and not exempt by law from taxation) on the second Monday of January, 189—, did not exceed $———; that the just debts owing by deponent on said date amounted to $———, and that no portion of such debts has been deducted from the assessment of any personal property of the deponent other than said bank shares, or has been used as an offset in the adjustment of any assessment for personal property, whether in this or in any other county or State, for the year 189—, or incurred in the purchase of nontaxable property or securities, or for the purpose of evading taxation.

The affidavit is to be signed by the holder of stock, and he is required to swear to it.

Subscribed and sworn to before me this — day of ———, 189—.

——— ———,
Commissioner of Taxes and Assessments.

Now, it strikes me that that is a little inquisitorial, and yet it is the State law of New York. The holder is required to take that oath. That blank comes from the city of New York, from the office of the City Chamberlain. There the holder of the shares in a bank is required to state the number of his shares in the bank and their value, and is required to take an oath which reveals the true state of affairs. I read another, being the statement to be made by officers of resident corporations.

CITY OF NEW YORK.

DEPARTMENT OF TAXES AND ASSESSMENTS,
Commissioners' Office, Stewart Building, 280 Broadway.

Please state the full name of the corporation.

Statement made and delivered to the commissioners of taxes and assessments of the city and county of New York, for and in behalf of the ———, showing its condition for the purpose of assessment, on the second Monday of January, 1894:

Total gross assets	$
Capital stock actually paid in, or secured to be paid in	
Amount of surplus earnings	
Rate of dividend for last year, or last annual dividend	

Indebtedness in detail, as follows: ———.

Has any portion of above indebtedness been contracted or incurred in the purchase of nontaxable property or securities, or for the purpose of evading taxation?

Assessed value of real estate, describing particularly by ward and ward map numbers: ———.

Amount invested in the stocks of other corporations which are taxed upon their capital	$
Amount invested in United States securities	

[If the stock of the company is worth less than par, state the actual value, and give the facts under oath which will justify such estimate of its value]: ———

The principal office or the place of transacting the financial business of the said corporation is situated in the —— ward of the city of New York, at No. —— ——— street.

CITY OF NEW YORK, *ss:*

I, ——— ———, the ——— of said corporation, being duly sworn, do hereby certify and declare that the foregoing statement is in all respects just and true.

——— ———.

Sworn to before me this —— day of ———, 1894.

The Commissioners are empowered to examine, under oath, the person representing the corporation, if they deem it necessary, to obtain any fuller or further particulars as to its property or condition.

That also is required to be sworn to.

Mr. President, the income tax now under consideration, it is said, will be inquisitorial; that it will require the people who are properly taxable to disclose their business, and that, therefore, it will work injury and injustice to that class of people. What can be more inquisitorial than a law which requires the swearing to a schedule of the character I have read? It is inconceivable for any revenue officer of this Government, acting properly under the statute under the proposed income tax, to construct schedules which will be as inquisitorial as these. Yet we are told by every Senator who has spoken on this question in opposition to the income tax that it is perfectly proper for the States to tax these corporations and ndividuals, and require of them schedules such as are in common use. The corporation must give its total assets.

By the returns I have read, corporations are required to give the capital stock actually paid or secured to be paid in. The law which we propose to enact does not require anything of that kind. Again, under the returns which I have quoted, the amount of surplus earnings must be stated, the rate of dividend for the last year, or the last annual dividend, and the indebtedness in detail of the corporation.

Mr. President, every corporation in the city of New York and the State of New York is required to return a schedule of this kind annually. So, sir, if the corporations tell the truth, the assessor of revenue under the proposed act can go to the proper officer and get the schedule and make his assessment against them without ever exacting an oath or without ever making a personal inquiry of one of them. The argument that an income tax is inquisitorial, that it inquires into the private business of the citizen, disappears under the fact that this very information itself in an intensified degree is brought out under the State law.

Mr. President, that is not all. In the city of New York they have a statement to be made by a nonresident corporation, which I will read:

CITY OF NEW YORK.

DEPARTMENT OF TAXES AND ASSESSMENTS,
Commissioners' Office, Stewart Building, 280 Broadway.

Please state the full name of the corporation.

Statement made and delivered to the commissioners of taxes and assessments of the city and county of New York, for and in behalf of the ——— showing its condition for the purpose of assessment, on the second Monday of January, 189—.

The company named in this statement is an organization under the laws of the State of ———, having its principal office at ———. The amount of the capital it has invested in business in the city of New York, including the value of its office furniture, safe, samples, fixtures, money in bank and otherwise used in business, will not exceed the sum of $———.

Has any indebtedness been contracted or incurred in the purchase of nontaxable property or securities, or for the purpose of evading taxation? ———

Office in the city of New York, ——— street.

Is the company assessed by the State comptroller; and, if so, for what amount? ———.

CITY OF NEW YORK, *ss:*

I, ——— ———, the ——— of the said corporation, being duly sworn, say that the foregoing statement is in all respects just and true.

Sworn before me, this —— day of ———, 189—.

The commissioners are empowered to examine, under oath, the person representing the corporation, if they deem it necessary, to obtain any fuller or further particulars as to its property or condition.

The oath, it will be seen, requires the nonresident corporation to show what property and assets it has in the city of New York subject to taxation under the laws of the State, and to do so with much more fullness than any schedule would require which could be named under the proposed act. Still, that is not all. I come now to the personal property blank used in the State of Connecticut in the matter of the assessment of taxes.

Write your name and address on line below.

Taxable list of ——— ——— for 1892.

Number.	Dwelling house (giving street and number, front and depth of lot).	Owner's valuation.	Assessors' valuation.
Acres. Qrs. Rods.	(Describe fully each separate lot or tract of land.)		
	Store, street, and number		
	Building used for manufactory		
	Horses, asses, and mules		
	Oxen, cows, sheep, and other neat cattle		
	Coaches, barouches, chariots, wagons, and all other carriages		
	Farming utensils (exceeding in value $200)		
	Mechanics' tools (exceeding in value $200)		
	Gold watch, silver watch, or jewelry (exceeding in value $25)		
	Other timepieces		
	Pianofortes and other musical instruments (exceeding in value $25)		
	Household furniture (exceeding in value $500)		
	Libraries (exceeding in value $200)		
	Average amount of goods on hand for the year, including balance of good debts due me		

Write your name and address on line below.

Taxable list of —— —— *for 1892*—Continued.

Number.	Dwelling house (giving street and number, front and depth of lot).	Owner's valuation.	Assessors' valuation.
	Invested in mechanical and manufacturing operations		
	Invested in commerce		
	Earnings of vessels		
	Bank and insurance stocks (please insert the number of shares of each kind)		
	State stock, manufacturing stock		
	Turnpike and wharf stock		
	All other stocks (except United States and railroads in this State)		
	Railroad bonds (except those of this State)		
	City, town, and other corporation bonds		
	Money on interest in this or any State (except in savings banks, or mortgages in this State to an amount equal to the assessed value of the property)		
	Money on deposit, on hand and elsewhere (exceeding $100)		
	All other taxable property not specifically mentioned		
	Poll —— years of age. If exempt, state from what cause		
	Military —— years of age. If exempt, state from what cause		
	Exemption by reason of the service in the United States Army or Navy of —— in time of war		

I do hereby declare under oath that the foregoing list, according to the best of my knowledge, remembrance, and belief, is a true statement of all —— property liable to taxation, and that —— have included in said tax list all bonds, notes, and other evidences of indebtedness, except such as are by statute exempted from taxation or are endorsed by the State treasurer as not at present liable to taxation in Connecticut, and which are now owned by —— or held by —— in trust, or which —— required by law to put into —— said tax list; and also all bonds, notes, or other evidences of indebtedness, and all shares of the capital stock of any corporation, the stock of which is taxable, which —— have transferred as collateral security to any corporation. I also declare under oath that —— have not conveyed or temporarily disposed of any estate for the purpose of evading the laws relating to the assessment and collection of taxes.

Dated at New Haven, this —— day of ——, 1892.

—— ——
—— ——, *Assessor.*

Sworn to before me,

—— ——, { *Notary Public.* / *Com. Superior Court.* / *Justice of the Peace.*

Remember that the law requires that every taxpayer shall hand in a sworn list of all property owned on the 1st day of October, 1892; said return to be made on or before the 1st day of November, 1892, after which the assessors will, according to the requirements of law, make a list of all so neglecting or refusing, and add thereto the sum of 10 per cent, from which no appeal can be made or deductions for indebtedness.

GEORGE W. NEAL,
WILLIAM SHANNON,
CHARLES SPREYER,
CHARLES A. BALDWIN,
EDWARD F. MERRILL,
Assessors.

Watches, diamonds, jewelry, and pianos are taxable.

The blank goes through the entire list of taxable property, and requires the citizen to make oath to everything he has upon the face of the earth which is taxable, revealing every solitary fact which would be essential to be revealed in enforcing the income tax which is proposed by the pending bill. When it is declared that the income tax is inquisitorial, the statement is refuted completely by the system of taxing in the States. I cite these schedules from the States of New York and Connecticut because it is said that a large portion of the money derived from the income tax, or the most of it, will come from the Eastern States.

I do not cite them because they are exceptional, for I assert there is not a State or a Territory in this Union where a schedule substantially of the same kind is not required of the citizen. He is required to list his property, that which is exempt as well as that which is not exempt. He is required to list the stocks and bonds in corporations and banks which he owns. He is required to list his mortgages and his money. He is required to list all these things under the State law. Now, is it any greater strain upon his conscience to disclose the truth in behalf of the nation than in behalf of the State?

Sir, such an argument is a mere pretext, a subterfuge to escape honest taxation. If any one is inquisitorial, the State authorities are inquisitorial. This is in substance the same process which is employed in every State and Territory in this Union.

I will here insert the notices sent to residents of New York and to nonresident property owners of that State:

Notice sent residents.

Hours for correction of assessment, 10 a. m. to 2 p. m., except Saturdays; then 10 a. m. to 12 m.

The department is not required by law to send this notice. It is sent for the information and benefit only of the party assessed.

Please bring this notice with you.

R. Book, line ...., page .....

No. ——.

DEPARTMENT OF TAXES AND ASSESSMENTS,
Stewart Building, 280 Broadway, New York, January 8, 1894.

You are hereby notified that your personal estate for 1894 is assessed at $——, exclusive of bank stock, and that the same, if erroneous, must be corrected before the commissioners on or before the 30th day of April next, or it will be confirmed at that amount, from which there will be no appeal.

By order of the commissioners of taxes and assessments,

FLOYD T. SMITH, *Secretary.*

NOTICE.—No deduction allowed for or on account of debts contracted in purchase of nontaxable securities, or incurred for the purpose of evading taxation. Chap. 202, Laws of 1892.

Notice sent to nonresidents.

Hours for correction of assessment, 10 a. m. to 2 p. m., except Saturday: then 10 a. m. to 12 m.

Please bring this notice with you.

The department is not required by law to send this notice. It is sent for the information and benefit only of the party assessed.

N. R. Book, line...., page.....

No. ——.

DEPARTMENT OF TAXES AND ASSESSMENTS,
Stewart Building, 280 Broadway, New York, January 8, 1894.

You are hereby notified that under the provisions of an act passed February 27, 1855, you have been assessed for personal estate for the year 1894 at $——, being the amount invested in your business in the city and county of New York, and that the same, if erroneous, must be corrected before the commissioners on or before the 30th day of April next, or it will be confirmed at that amount, from which there will be no appeal, and the tax for the same will be collected from the property of the firm or association to which you belong.

By order of the commissioners of taxes and assessments.

FLOYD T. SMITH, *Secretary.*

NOTICE.—No deduction allowed for or on account of debts contracted in purchase of nontaxable securities, or incurred for the purpose of evading taxation. Chap. 202, Laws of 1892.

Mr. President, it is said that an income tax is unjust and sectional. It is sectional because the people of a certain section of this country have the greatest number of incomes which are taxable or the greatest aggregate amount of taxable incomes. It is not sectional to make a man perform his duty to his country, wherever he may be. A man who lives in the State of Maine is not entitled to any more consideration than a man who lives in Louisiana or Texas. He is entitled to the same consideration, and to no more. He is an American citizen; no more, and no less. He is entitled to the same measure of protection and no more; and it will not do for him, when he is called upon to pay his portion of the public burden, to raise the cry that the law is sectional.

I am aware of the fact that I am consuming considerable time, but I propose to put some things in the RECORD which the country ought to know. The tariff bill can afford to lose one more day, if necessary, for the truth to be known to the country. The New York World is a pretty fair Democratic authority, I suppose. The Senator from New York will know more about that than I do.

Mr. HILL. The World is good Democratic authority on some things, and on some things it is the organ of the Populists. It does not seem to have very great weight with the Senate, because I observed that on Tuesday last it appealed to the friends of the income tax to listen to reason, and then it proceeded to advocate an increase of the exemption to $5,000. And the Senate turns right around this morning and proposes to reduce it to $3,000.

Mr. ALLEN. If the New York World is a Populist paper, I thank God that the lamp of light is being carried into the darkest part of this country on the question of Populism. It is really a hopeful sign to know that a great metropolitan journal like the New York World is carrying the living truth of Populism into Wall street, where it ought to be known for the benefit of the entire country. I welcome to the ranks of enlightened Populism the New York World. It is a sign to me that this doctrine, which will leaven the whole lump and which will take this country and administer to it in the next decade in the interest of the people and in a more enlightened and just manner than it has been administered for forty years, is gaining strength. I welcome this great journal to the Populist ranks. We are gaining strength daily.

But, Mr. President, the New York World, before it became a Populist paper, told the truth, too. Before it ever became a Populist paper it published a list of the men in the city of New York who possess fabulous fortunes. I suppose it got its infor-

mation from the return of these schedules I have read. I will ask the Secretary to read the article I send up.

Mr. HILL. What is the date of the article?

Mr. ALLEN. I ask the secretary to read from a reprint in the National Watchman. The article is taken from the New York World of date February 11, 1894.

Mr. HILL. Does the Senator know what is the date of the article from the World?

Mr. ALLEN. February 11, 1894.

The PRESIDING OFFICER. If there be no objection the Secretary will read as indicated.

The Secretary read as follows:

A few of New York's millionaires.	Annual income.	Annual tax due under the proposed income-tax law.
	$	
J. D. Rockefeller	77,611,250	$152,225
William W. Astor	8,900,000	178,000
Russell Sage	4,500,000	90,000
George J. Gould	4,040,000	80,800
Cornelius Vanderbilt	4,048,000	80,960
William K. Vanderbilt	3,795,000	75,900
Henry M. Flagler	3,000,000	60,000
F. W. Vanderbilt	1,750,000	35,000
John J. Astor	2,500,000	50,000
Louis C. Tiffany	1,750,000	35,000
C. P. Huntington	1,000,000	20,000
William Rockefeller	3,000,000	60,000
Mrs. E. F. Shepard	1,000,000	20,000
Mrs. Hetty Green	3,000,000	60,000
Moses Taylor estate	2,500,000	50,000
Robert Goelet	1,250,000	25,000
Ogden Goelet	1,000,000	20,000
J. M. Singer estate	1,500,000	30,000
J. P. Morgan	1,250,000	25,000
Davis Dows estate	1,000,000	20,000
Mrs. E. T. Gerry	1,000,000	20,000
Schermerhorn estate	1,250,000	25,000
Jabez A. Bostwick	1,000,000	20,000
The. A. Havemeyer	1,000,000	20,000
H. O. Havemeyer	1,500,000	30,000
W. Sloane	1,000,000	20,000
Mrs. W. D. Sloane	1,000,000	20,000
Henry Hilton	1,000,000	20,000
Andrew Carnegie	1,000,000	20,000
H. V. Newcombe	750,000	15,000
Mrs. Twombley	1,000,000	20,000
G. W. Vanderbilt	1,500,000	30,000
William C. Whitney	1,000,000	20,000
William P. Furniss	1,000,000	20,000
Darius O. Mills	1,000,000	20,000
P. R. and Mrs. Pyne	1,500,000	30,000
Andrien Iselin	600,000	12,000
Andrien Iselin, jr	300,000	6,000
William E. Iselin	150,000	3,000
Mrs. P. Martin	500,000	10,000
Eugene Kelly	500,000	10,000
George Bliss	500,000	10,000
Levi P. Morton	500,000	10,000
Cornelius N. Bliss	300,000	6,000
Mrs. R. Winthrop	500,000	10,000
Dr. W. S. Webb	500,000	10,000
Mrs. W. S. Webb	1,000,000	20,000
Mrs. Mary R. Rhinelander Stewart	250,000	5,000
F. S. and Mrs. Wetherbee	250,000	5,000
J. M. Constable	500,000	10,000
F. A. Constable	250,000	5,000
Hicks Arnold	500,000	10,000
Anson P. Stokes	500,000	10,000
Mrs. A. P. Stokes	500,000	10,000
Thomas Stokes	250,000	5,000
James Stokes	250,000	5,000
W. E. D. Stokes	250,000	5,000
Arthur M. Dodge	250,000	5,000
C. H. Dodge	250,000	5,000
N. W. Dodge	250,000	5,000
Geo. E. Dodge	250,000	5,000
Mrs. G. E. Dodge	75,000	1,500
W. E. Dodge, jr	375,000	7,500
Rev. D. S. Dodge	50,000	1,000
Charles C. Dodge	50,000	1,000
Henry Hart	500,000	10,000
Robert Bonner	150,000	3,000
Sidney Dillon estate	500,000	10,000
Samuel D. Babcock	500,000	10,000
Mrs. H. A. Garner	250,000	5,000
Lady Gordon Cumming	100,000	2,000
Hiram Hitchcock	100,000	2,000
Brayton Ives	100,000	2,000
John M. Inman	250,000	5,000
Col. Delancy Kane	125,000	2,500
Frederick Bronson	125,000	2,500
George F. Baker	500,000	10,000
Herman Clark	125,000	2,500
Henry Clews	250,000	5,000
B. M. Chesebrough	125,000	2,500
Austin Corbin	500,000	10,000
Abram S. Hewitt	250,000	5,000
Mrs. A. S. Hewitt	100,000	2,000
Edward Cooper	250,000	5,000
C. M. Depew	125,000	2,500
Countess Francisca De Roda	500,000	10,000
Duchess of Marlborough	250,000	5,000
John C. Moore	253,000	5,000
Richard Mortimer	125,000	2,500
Stanley Mortimer	$125,000	$2,500
W. Yates Mortimer	125,000	2,500
Newbold Morris	125,000	2,500
O. B. Potter estate	250,000	5,000
Emanuel Lehman	250,000	5,000
Mayer Lehman	250,000	5,000
Francis H. Leggett	100,000	2,000
Charles A. Bandourne	125,000	2,500
Rev. C. F. Hoffman	250,000	5,000
Rev. E. F. Hoffman	250,000	5,000
D. Willis James	125,000	2,500
Robert Hoe	150,000	3,000
Mrs. Mary M. Jones's estate	200,000	4,000
Mary M. Jones's estate	100,000	2,000
George Jones's estate	100,000	2,000
Oliver L. Jones	75,000	1,500
Mason K. Jones	75,000	1,500
Mary S. Jones's estate	125,000	2,500
Isaac Ickelheim	125,000	2,500
E. J. Jermanoniske	100,000	2,000
Edward S. Jaffray	150,000	3,000
Aug. D. Julliard	150,000	3,000
Mrs. A. D. Julliard	75,000	3,000
James R. Keene	125,000	2,500
A. S. Heidelbach	125,000	2,500
Marcellus Hartley	250,000	5,000
Henry B. Hyde	250,000	5,000
John Greenough	125,000	2,500
Amos R. Eno	1,000,000	20,000
Morris K. Jessup	125,000	2,500
Grand totals	97,744,250	1,954,885

Mr. ALLEN. Mr. President, I have had this list read for the purpose of showing that in one city of the United States alone where the income tax operates to some extent there are fabulous fortunes, fortunes which, in my judgment, should bear their equitable and just proportion of taxation. I would not enact a law which would despoil these fortunes at all, nor would I by any kind of legislation take one cent from the persons holding these fortunes which they ought not to contribute to the Government. I repeat my denial of the assertion made upon this floor from time to time that there is a citizen of the United States belonging to the Populist party who would disturb or menace one dollar of these fortunes, whether they were honestly or dishonestly gained.

But I wish to assert at the same time and as a part of the same sentence that the Populist party would, if it had power, prevent the accumulation of these enormous fortunes, by hook and by crook, which to-day defy the Government and menace the peace and prosperity if not the permanency of the Government itself. I am not a socialist, sir. I have no sympathy with any class of people in this country who want to live without honest work for everything they get. I have not the slightest sympathy with any man who wants to confiscate fortunes, great or small. I have not the slightest sympathy with any man who goes through the world upon the supposition that the world owes him a living, regardless of whether he works for it or not.

I believe that every man who enjoys anything on this earth, who is in good health and who is *compos mentis*, ought to be able to say that it is the result of his honest energy and his honest work. If there is any law in this country, State or national, which permits a man to sit in his office in New York or Boston and take from the farmer of the State of Nebraska or the laboring man of the State of Nebraska a portion of his hard-earned money which the New York man or the Boston man is not entitled to, it is a law of confiscation and spoliation and is unjust; and I am against it and want it repealed.

Mr. HILL. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from New York?

Mr. ALLEN. I always yield to the Senator from New York.

Mr. HILL. What particular law would the Senator from Nebraska repeal?

Mr. ALLEN. The Senator from New York wants to know what particular law I would repeal. I think our trouble to-day is due as much to a failure to legislate properly as it is to improper legislation.

Mr. HILL. What particular law would the Senator enact, then?

Mr. ALLEN. I will tell the Senator of one law I should very quickly enact, and then I should like to hear from him. I should enact a law, for instance, by which Mr. Collis P. Huntington should not within twenty-five or thirty years make a colossal fortune out of the people of this country, through crooked legislation, regarding the Pacific Railroad systems. That is one law

I should enact. I should quit donating the public lands of this country to corporations. That is another law I should enact.

Mr. HILL. If the Senator will allow me, I will ask whether anybody is doing it now?

Mr. ALLEN. Within the last thirty years, or since the railroad grant to the Illinois Central Railroad in 1855, possibly 1853.

Mr. ALLISON. Eighteen hundred and fifty.

Mr. ALLEN. I think it was May, 1853, if I recollect correctly, but I will stand corrected. Since that time there has been given away more of the public domain to corporations of that kind than is embraced in all New England, New York, Pennsylvania, and Ohio together.

Mr. HILL. Will the Senator from Nebraska allow me?

Mr. ALLEN. Certainly.

Mr. HILL. If I understand it correctly that was the legislation mainly of the Republican party, of which the Senator was an honored member and in which he remained a member fifteen or twenty years after that legislation was enacted.

Mr. ALLEN. The Senator from New York is unfortunate in his history. He would make a remarkable strong argument upon any question if the facts would bear him out. But this giving away of the public domain occurred under the Democratic party or started under the Democratic party. The Democratic party was in power when the Illinois Central Railroad grant was passed, by which hundreds of thousands of acres were given away. The mania seized the Democratic party to give away the public domain. The Democratic party started it, but the Republican party continued it; and they have given away millions and millions of acres of the finest land in this country.

Mr. HILL. In 1853 was the land given to the railroad companies or to the States?

Mr. ALLEN. A great portion of it was given to the States for the purpose of granting it to the railroads; and some was given direct to the railroads themselves.

Mr. HILL. The States could do as they pleased with it.

Mr. GEORGE. If the Senator from Nebraska will allow me, I will state that no land grant ever passed by a Democratic Congress was made to a corporation. The grants were always made to the States.

Mr. ALLISON. Will the Senator from Nebraska allow me?

Mr. ALLEN. Certainly.

Mr. ALLISON. I do not wish to interfere in this adjustment, but I desire to state my recollection as respects these land grants. They were begun in 1850, I think, by the Democratic party, or the party then in power, and were continued in 1856——

Mr. HOAR. If the Senator from Iowa will pardon me, they were begun a little later than 1850, because Mr. Sumner came into public life on the 4th of March, 1851, and he made his first speech in favor of the first land grant.

Mr. HARRIS. I hope the Senator from Nebraska and the Senator from Iowa will allow me to correct a little bit of the history of the Senator from Iowa.

Mr. ALLISON. If I can have an opportunity of stating my little bit of history, I shall be glad to be corrected if I am mistaken.

Mr. HARRIS. I simply wish to correct one statement. Gen. Taylor was elected President in 1848 and was inaugurated in 1849, and for four years thereafter it was not the Democratic party, but the opposing party which administered the affairs of this country. In 1850 I chanced to have been a member of the House of Representatives, and so far as the Democratic party and the opposing party were concerned, that House was composed of 115 to 115, with a Whig Senate.

Mr. ALLISON. I thank my venerable friend for correcting me as to that.

Mr. HARRIS. Emphasize the "venerable."

Mr. ALLISON. I ask the Senator from Nebraska to yield to me just a moment further.

Mr. ALLEN. Certainly.

Mr. ALLISON. Perhaps I was misled for the moment, for I remembered that the Illinois Central land grant was championed by Mr. Stephen A. Douglas and received the united support of every Southern Senator, whether Whig or Democrat. It extended from a place opposite where I now reside to the city of Mobile, in Alabama. During the period between 1850 and 1860 the Southern States were gridironed with land grants, which received the support of every Southern Senator and most of the Northern Senators.

The policy of the land-grant system at that time (and I do not wish either to commend it or to disapprove of it at this moment; I only speak of it historically) was to grant alternate sections on the part of the Government and charge the settlers or occupants of the other alternate sections double minimum price for the land. The whole argument and theory upon which those grants were made was that it was for the benefit of those who occupied the distant prairie regions, and the Government was not expected to lose one dollar by giving away the alternate sections and receiving double minimum price for the other alternate sections.

If the Senator from Nebraska will allow me a word more, I will state, in response to my friend from Mississippi, that it is true when the Union Pacific Railroad land grant was made in 1862 the territory over which the grant was made, including the State in which the Senator from Nebraska now resides, was practically a wilderness. There was no State organization and very little Territorial organization embracing that whole region, so that the grants had to be made to the corporations or not be made at all.

Mr. GEORGE. By the courtesy of the Senator from Nebraska I desire to make a statement in reference to these land grants. It may be of some use to the Senate. From the foundation of the Government up to the year 1860 about 30,000,000 acres of land were granted by Congress for the purpose of internal improvements, railroads, and canals. In every instance the grant was made to the State. After 1860, when the Democratic party was no longer in control of the Government, up to a time embracing, I believe, a period of about fourteen years, the Republican party granted 180,000,000 acres of the public domain for railroads, or an area about five or six times as large as the State of Indiana. The Democrats granted six sections per mile; the Republicans granted ten and twenty sections per mile. In addition, I may say that they granted about $60,000,000 of bonds of the United States for two railroads across the continent.

Mr. MITCHELL of Oregon. Will the Senator from Nebraska allow me to ask the Senator from Mississippi a question?

Mr. ALLEN. Certainly.

Mr. MITCHELL of Oregon. The Senator from Mississippi states, as I understand, that the Democratic party always made grants of land to the States and not to the railroad companies.

Mr. GEORGE. Always.

Mr. MITCHELL of Oregon. Where is the Republican party, as he states, made the grants direct to the corporations or the companies. I wish the Senator from Mississippi to state whether he knows of a single instance in which, through the influence of the Democratic party, a grant was made to a State where a corporation did not eventually get the benefit of it.

Mr. GEORGE. I will answer the question. I understand that the grant by Congress to the State of Illinois for the Illinois Central Railroad was so disposed of by the State of Illinois to that railroad that the State gets a certain percentage of the gross earnings of the road. The Senator from Iowa can state whether or not that is right. I understand, in addition to that, and the Senator can correct me if I am wrong, that a very large sum is paid into the State treasury of Illinois every year by virtue of the reservation by the State of a portion of the gross proceeds of their land grant to the Illinois Central Railroad.

Mr. MITCHELL of Oregon. I should like to ask one other question, if the Senator from Nebraska will allow me.

Mr. GEORGE. Let the Senator from Iowa answer and see whether I am correct.

Mr. ALLISON. If the Senator from Nebraska will allow me, I will state that the State of Illinois, having this grant, granted it in turn to the Illinois Central Railroad Company on the condition that 7 per cent of the gross earnings for all future time should be paid into the treasury of the State of Illinois.

Mr. GEORGE. That is right.

Mr. ALLISON. And the people of the State of Iowa have been paying a large portion of that income for the last twenty-five years.

Mr. GEORGE. I am sorry for the people of Iowa.

Mr. MITCHELL of Oregon. I think the Senator from Nebraska will allow me to ask one more question.

Mr. ALLEN. No; I can not do it. I can not have my remarks interrupted further by this colloquy.

Mr. MITCHELL of Oregon. Certainly I should be permitted to ask one more question after the statement of the Senator from Mississippi.

The PRESIDING OFFICER. The Senator from Nebraska declines to yield the floor.

Mr. MITCHELL of Oregon. I should like to ask merely one question.

Mr. ALLEN. I did not yield to the Senators to go into the question they desire to discuss.

Mr. CULLOM. I believe I have not interrupted the Senator from Nebraska in any of his remarks——

Mr. ALLEN. It would interrupt me to have the Senator from Illinois talk now.

Mr. CULLOM. And I only wish to make a statement of the exact facts with relation to the State of Illinos and the Illinois Central Railroad, so far as concerns the land grant.

Mr. ALLEN. This matter can come up at some other time.

Mr. CULLOM. The Senator from Nebraska declines to yield?

Mr. ALLEN. I do. I did not yield for the purpose of discussing the entire history of the land-grant system in this country. I simply said that one of the laws which I should pass would be one to prohibit granting any more of the public domain in the nature of subsidies to railroads or other corporations. I should have every acre of the public domain held sacred for actual settlement by actual settlers in this country. That is one thing I should do; that is one law I should pass. Then, to answer the Senator from New York further, I should pass a law by which no corporation doing an interstate business, as many of these great railroads are, should overcapitalize or recapitalize itself and issue watered stocks and bonds to drain the fields and mines of this country of their wealth, as they have been doing for a quarter of a century past. I should pass and rigidly enforce a law of that kind.

Mr. ALLISON. May I interrupt the Senator just to correct a little statement, or rather to enforce the statement he is making? What he says he would do now was done by Congress in 1872, and since that time no lands have been granted to any railway company or to any State for any railway company.

Mr. ALLEN. I am speaking now of the question of capitalization. I will make this statement, and it is capable of proof, that at least three of the great transcontinental railroad companies, which are doing an interstate business in this country, I might say five of them, the greatest railroads in the United States, are capitalized at 50 per cent more than the actual money paid in.

Now, what does that mean to the people of this country? It means that the farmers and producers of this country are compelled to pay interest and earnings upon the capital stock of these corporations at 3 or 4 per cent per annum upon pure, absolute water. By that means these corporations are reaching out into the wheat fields and corn fields in my State and Kansas and all the great grain-growing States and robbing the people of a portion of their money. That is another law I should pass. I wish to see if there is a Senator in this Chamber who will stand up here and undertake to justify that kind of business, who will say that it is not perfectly proper for this Government to take the commerce clause of the Constitution and upon it base a proper law prohibiting the overcapitalization of corporations, thus preventing them from robbing the people of the country. I should pass that kind of a law.

I would by that means save to the people of this country millions upon millions of dollars annually, which are now taken from them by this system of legalized robbery. But the moment you do that, the moment any Senator stands in this Chamber and raises his voice in behalf of the producers of this country and against that system of spoliation and robbery, that moment some Senator gravely rises in his place and says, "Oh, that is Populism," and therefore unpopular. Or, if he does not do that, he classifies every Populist as an agitator and himself as a conservative statesman!

This country is suffering more to-day from the so-called conservatism in business circles—which means simply the do-nothing policy, for that is all it is—than it is from any form of agitation. Conservatism, as these so-called "conservatives" interpret it, means rust; it means decay; it means stagnation; it means let things go as they will regardless of the consequences. Agitation, rightly interpreted, means life, energy, progress, justice eventually, if pursued in the proper spirit and with the proper motives and intelligence. I have no patience with these self-asserting conservative persons who hide injustice and cupidity under assumed conservatism.

Mr. President, I did not have the list of millionaires in the city of New York read for the purpose of saying one harsh word of them. They have their fortunes, whether they were honestly earned or not, and I care not, so far as I am concerned, how they were obtained. But I should pass another law which would prohibit the building up of fortunes like those in the manner some of them were made by their owners. I would have every man who earns a fortune be able to face the world and say: "This fortune is the result of my own industry, honesty, and labor, and is not the accumulated earnings of thousands of my fellow-citizens throughout the land, which I have been able to reap by vicious or rotten legislation, or in consequence of an overconservative Congress failing to legislate in the public interest."

I say let every one of those fortunes be held sacred, whether they were earned honestly or not; let every piece of property in this country be held sacred which is gained by honest means, but do not let us, under this cry of conservatism, suffer 20 per cent of the people of this country to own 80 per cent of the property and total wealth of the nation.

A few years ago—I think it was in 1890, or possibly in 1891—Mr. Blaine, in an article published in the North American Review in his discussion with Mr. Gladstone—made the assertion that less than 50,000 people of the United States owned over one-half of the total wealth of the nation. Less than 50,000 people own $30,000,000,000 of the $60,000,000,000 of property in this country, according to that great leader of the Republican party. The same year Mr. Thomas G. Shearman, in an article published in the Forum, declared that 30,000 people owned over one-half of the total wealth of the United States.

From many a stump ex-Senator Ingalls, of Kansas, reiterated the statement of Shearman that 30,000 people owned over one-half of the total wealth of this nation. Will any Senator stand at his desk in this Chamber and assert to the world that 30,000 men could, in a lifetime, by honest means accumulate one-half of the total wealth of a great nation of continental magnitude and proportions?

How many years will it be until the total wealth of this nation shall have passed into the hands of a very few thousand men, and the great masses of the people, male and female, become a vast agricultural and mining peasantry, practically slaves?

How long will it be until that deplorable event shall occur, if things are to go on as they are going on to-day? Yet, sir, if a Senator stands in the Senate of the United States and asserts these great truths, the batteries of the corporations, the batteries of the money power, are opened upon him, he is characterized as a Socialist, as a Populist, an anarchist perhaps, because he preaches the doctrine of the rights of the humble and the poor of his nation. No, sir, we would not disturb one of these fortunes. We would hold them sacred, but let no fortunes be accumulated after this which are not honestly accumulated.

Why do Senators refuse to have a reasonable tax put upon incomes? I see in this list two preachers of the gospel who have about $250,000 a year income. They are preaching the gospel of Christ; they are preaching the doctrine of peace on earth and good will to men, and yet they enjoy princely fortunes. Should they not pay an income tax? If the Senator from New York is a fair representative of their interests, they do not wish to be taxed upon their incomes.

Mr. CULLOM. How did the ministers referred to get those incomes?

Mr. ALLEN. I do not know. I hope properly. They may have inherited them; they may have earned them in the pulpit; they may have earned them by speculation upon the stock exchange for aught I know—in sugar stock, or something of the kind.

Mr. CULLOM. I thought from the tone of the Senator's voice that he was attacking those two ministers because they had such incomes. I simply wanted to know how they got them.

Mr. ALLEN. The Senator from Illinois did not think anything of the kind. He did not think I was attacking these men. I have distinctly told the Senate that I did not attack them or any other persons. The assertion is entirely gratuitous, when the Senator rises here and says I am attacking them.

Mr. CULLOM. I did not happen to have the honor of hearing the preliminary remark. I just chanced to hear the Senator talk about the enormous sums of which those two preachers had gotten possession. There seemed to be some feeling about it on his part, and I therefore very innocently asked him how they got the money.

Mr. ALLEN. How did the Senator come to think that I was attacking them if he did not hear?

Mr. CULLOM. The manner of the honorable Senator indicated that.

Mr. ALLEN. Not at all. I have seen the Senator from Illinois much more earnest at times than I am at this moment, and I never thought anything bad of him for it.

Mr. HILL. The Senator from Nebraska was only attacking the ministers in a Pickwickian sense.

Mr. ALLEN. No. It is part and parcel of the policy of the Republican party to cast odium upon the Populist party and every man who represents it. It is a part and parcel of a systematic policy to bring that party and its representatives into disrepute. That was the inspiring motive of the Senator from Illinois.

Mr. CULLOM. If the Senator from Nebraska will allow me, I will state that I had not the slightest disposition or feeling to attack the Populist party, or the Senator either. I hope the Senator will not do me the injustice to say that I was attempting to cast a slur upon him or upon the party he represents.

Mr. ALLEN. Let the incident pass. It is of no consequence, anyway.

Mr. CULLOM. I think not.

Mr. ALLEN. But I wish to know why these great fortunes should not bear their portion of taxation. It is said that they are compelled to bear heavy taxes in the States. Is that not true of every citizen of the nation who has property? Does not the man who uses the plow in the field pay taxes upon his prop-

erty and bear his ratable proportion of the public burden as well as these great fortune holders?

Every State and Territory in the Union recognizes the rule that equality of taxation consists in the taxing of property according to its value, and the contribution of property to the public tax fund according to its value, and nobody complains; and yet, sir, when we undertake to invoke this universal rule of the States and Territories, and the rule that exists in the District of Columbia itself, if I am correctly informed, and enforce it in national taxation, then this cry comes up that the tax is unjust, iniquitous, and inquisitorial.

Senators say they favor indirect taxation—indirect taxation to let these great fortunes go scotfree. They have been earned, it is true, in this country and under the laws of the country; the law has protected these individuals in the accumulation of their fortunes, protected their persons, protected their homes, protected their property, and it is protecting them to-day; and yet it is said that these tremendous fortunes should be permitted to escape national taxation because it is unjust and burdensome. The Senator from New York used that argument yesterday, and he used it a few months ago. Is it not perfectly proper and just that every man should pay according to the value of his property, according to the interest he has in the preservation of the Government, State and national?

Is it not perfectly proper that the same rule we recognize as just and right in State taxation, should be applied to national taxation? Certainly the rule is as just in the one case as in the other; but there must be some subterfuge invented by which these tremendous fortunes may escape taxation; and, therefore it is said, that the taxation that is levied in this country outside of war times should be the indirect customs tax of the Constitution.

But, Mr. President, what does that mean? It means simply that a poor man with an annual income of perhaps not to exceed $1,000 or $1,500, who has a family of five—a wife and three children—is compelled to pay through the operation of that indirect tax, as much to support the National Government as the man whose annual income is $7,000,000. Upon every article which that poor man and his family consume he is compelled to pay as much to support the National Government as the man with that tremendous fortune; and that, sir, according to the argument of the Senator from New York and the Senator from Connecticut, is equal and just taxation!

No, sir; it is the law of selfishness that prompts this argument. If these men can escape with their tremendous fortunes from bearing their portion of the national burden of taxation, they are perfectly willing that that burden shall rest upon the tax-ridden and upon the poverty stricken people of this country.

I heard a Senator say the other day in the discussion of this question that it was placing a tax upon prosperity to impose an income tax. Mr. President, where should you place it? If you do not place the burden of taxation ratably upon the prosperous, in God's name where would you rest it? Would you rest it upon the poverty stricken people of the nation, and make them bear the burden of taxation? Sir, for one I will not be guilty of such an act.

Mr. HILL. Will the Senator allow me a moment?

Mr. ALLEN. I will hear the Senator.

Mr. HILL. The Senator a moment ago spoke very feelingly of the poor man with three small children, and I understood that he expressed the desire to aid that poor man in his struggle in life. I could point out to the Senator one way by which he might aid that poor man; and that is to give him free sugar, and yet the Senator voted to put a duty upon sugar.

Mr. ALLEN. Mr. President, if that should occur in a court room it would be called pettifogging. You can not put down a great question by a remark of that kind.

Mr. HILL. Whether it is pettifogging or not, I should like to hear the Senator's answer to it.

Mr. ALLEN. When the Senator from New York stands in this Chamber and says that the sugar tax is the only thing to be considered, I am sorry for him. He betrays more ignorance than I supposed he possessed.

Mr. HILL. I do not say that the sugar tax is the only thing to be considered, but I say it is one of the things to be considered.

Mr. ALLEN. I say it is surprising to me that the Senator should stand here wanting to know what the poor people of this country are going to do without sugar.

Mr. HILL. Of course, they can not live entirely upon sugar.

Mr. ALLEN. No; of course, they can not live entirely upon sugar. Then, why talk about the sugar question when it has no pertinency to the question under consideration?

Mr. HILL. Because sugar is one of the several articles that go to make up what a man lives on.

Mr. ALLEN. Why talk about free sugar for the poor man when he never has had free sugar since the day George Washington was made President? When Senators talk about giving the poor man free sugar, a thing that has never been, why not give him something else free that is equally, if not more important to him? If necessary, a man can get along without sugar. There are some of us in this Chamber who remember the days of the civil war when we had to get along without sugar, sometimes for months and sometimes for almost a year.

You can get along without sugar, but you can not catch the poor people of this country with that taffy argument much longer. They can not get along without clothing, fuel, shelter, and money. They must have something to shelter them from the blasts of winter, they must have homes; they must have clothing. The little bodies and the little hands and feet in this country must be clothed.

Mr. MITCHELL of Oregon. Will the Senator allow me?

Mr. ALLEN. Certainly.

Mr. MITCHELL of Oregon. If the poor man were not compelled to pay an extra cent a pound on sugar, he might be enabled to buy clothing.

Mr. ALLEN. The Senator does not want to tax sugar, and yet he is in favor of taxing the flannels and shoes that cover the little bodies, hands and feet of the children of this nation; and then the Senator talks about free sugar for people of that kind. Out upon such nonsense!

Mr. President, the people must have the absolute necessaries of life; they must have shoes and clothes, cheap they may be, and cheap they are, in consequence of their poverty, but they must have these things, yet the persons who talk about giving them free sugar, which is a falsity in its statement, tax these absolute necessaries of personal consumption almost 100 per cent when they have taxed the lumber that goes into the construction of the homes of the people, when they have taxed everything that they consume, everything that is to shelter them, everything that is to warm them, and the few pitiful coals which go into their stoves and their ranges, but we must give the poor people free sugar!

Now, the Senator wants to know why I voted for a tax on sugar, and I will tell him why I did it. I voted for a tax on sugar because when Benjamin Harrison left the Presidential chair he left a practically bankrupt nation; the $100,000,000 which had been accumulated under the previous Administration of the distinguished friend of the Senator from New York [laughter] had been absolutely depleted, and the Secretary of the Treasury, Mr. Foster, had gone to New York for the purpose of issuing bonds just a few days before the close of the Harrison Administration. Every prop that could be used was put under the recent Administration to hold it up until Cleveland and his party came into power, that the crumbling structure might not fall upon Harrison, and it was held by sheer force until Harrison went out and Cleveland came in.

I say this, and I am not a very strong friend of the present Administration, either.

What became of the $100,000,000 that Mr. Cleveland left in Treasury when he went out? In some form it disappeared, and all the tax money that was acumulated during the Administration of Mr. Harrison was paid out.

Mr. PLATT. Surely the Senator can not be in earnest in asking what became of the $100,000,000 which was in the Treasury when Mr. Cleveland went out, when the Senator must know the fact that during the Harrison Administration bonds of the Government were paid to the amount of $259,000,000.

Mr. ALLEN. Oh, yes, I know that quite well; but I know that about one-fourth of that amount consisted of premiums paid upon those bonds; that nearly $25,000,000 of the $100,000,000 surplus went out in premiums upon the bonds.

Mr. PLATT. But I thought the Senator was inquiring where the money went. There was more than $200,000,000 paid upon the principal of the public debt.

Mr. ALLEN. I am not talking about the $200,000,000, but about the $100,000,000 surplus. I say that that was practically gone, and all of the proceeds of the taxes accumulated during the Cleveland Administration were practically wiped out, and about $25,000,000 of the sum was paid out in premiums upon bonds.

"We have got a little surplus in the Treasury of the United States," it was said, "and we can reduce the taxes upon the people. Will we do it? No. When we get rid of this surplus, what will we do? We will go down to New York City, and pay to the Shylocks there a premium upon their bonds and will take the money out of the Treasury, and pretty soon we shall have to issue more bonds."

Mr. HAWLEY. I should like to put in a fact of history just there. The famous, or what I suppose the Senator would say the "infamous," but what I call the glorious McKinley law reduced taxation about $60,000,000, and perhaps overdid it a little.

Mr. ALLEN. It may have done so, but I do not believe it did.

Why was not that surplus money placed in a sinking fund and applied to the discharge of the national indebtedness as rapidly as it matured, and not to pay the fictitious prices fixed by Wall street as premiums upon these bonds?

I propose at the proper time to offer this proviso to the bill under consideration and to see how many Senators will vote for it:

Provided, That all surplus revenues derived by the Government under the provisions of this act shall be held as a sacred fund with which to pay the national indebtedness as rapidly as it matures.

Do you suppose that this amendment will get a majority of the votes here? Not at all. It will get a few, but it never will be permitted to pass the Senate; it will never be permitted to become the law of this land. Why? That would shut off the opportunity of Wall street to invade and loot the Treasury of any surplus that may arise under the operations of this bill. If you will take that surplus and put it in the Treasury Department as a sacred fund with which to discharge the national indebtedness as fast as it matures, you will cut off the possibility of the money sharks invading the Treasury Department and looting it again, and therefore this proviso will never be permitted to pass this body and become a law.

Mr. President, I insist that the argument made by the Senator from New York and the Senator from Connecticut that the income tax is unjust and inquisitorial is an argument which finds no support in logic or in reason. It is the argument of the man whose love of fortune is greater than his love of country. I would regard it as a glorious thing if I had an income to be taxed to enable me to contribute more to the support of this Government. I do contribute anyhow so far as I have anything on which to pay.

I should like to be able to say, if I had an honest income sufficiently large, that I pay my just proportion of the expenses of the Government burden of taxation, and instead of taking my money and fleeing the country, and deserting the flag of my nativity and my obligation to my country, in preference to discharging an honest obligation to the Government that fostered and protected me, I could contribute to the common fund of taxation.

No, sir; it is the argument of avarice; it is the argument of cupidity; it is the argument of the man who loves his lucre better than he loves his country, who wants to escape with his whole fortune, who wants to shirk his responsibility as a citizen, who wants to cast the burden of conducting the Government upon the poor and distressed and those least able to bear it.

That is the argument used here. True, it is not put in that language; it is not so prominently stated; but that is where all this subterfuge and rot that we hear about the income tax being inquisitorial and unjust leads to. It leads to the road by which the man who has a fortune may escape bearing his just proportion of the national burdens.

Mr. President, I propose to call the attention of the Senate a moment to a few significant facts. I will read an extract from an article in the Political Science Quarterly of December, 1893, entitled "The Concentration of Wealth," by Mr. George K. Holmes, of the Census Bureau.

Wealth distribution by classes.

1.	
1,440,000 farm-hiring families, worth $150 above debts of indefinite amount	$216,000,000
2.	
752,760 families owning incumbered farms worth less than $5,000, deducting incumbrance and other debts of indefinite amount, and allowing $500 for additional wealth	1,359,741,600
3.	
1,756,440 families owning free farms worth less than $5,000, allowing $1,000 for additional wealth above debts of indefinite amount	5,309,589,600
4.	
5,159,796 home-hiring families, worth $500 above debts of indefinite amount	2,579,898,000

That refers to those who hire their homes, who rent them.

5.	
720,618 families owning incumbered homes worth less than $5,000, deducting incumbrance and other debts of indefinite amount, and allowing $500 for additional wealth	1,142,531,550
6.	
1,764,273 families owning free homes worth less than $500, allowing $2,000 for additional wealth above debts of indefinite amount	6,749,076,593
11,593,887 families worth	17,356,837,343

In other words and stated in other language, 91 per cent—just think of it—of the 12,000,000 families of the country own no more than about 29 per cent of the wealth and 9 per cent of the families own about 71 per cent of the wealth.

That is a startling statement. I believe it to be a true statement. It comes from an authentic source that 91 per cent of 12,000,000 families in the United States own only about 29 per per cent of the total wealth of the nation.

Mr. President, it can not be said that this is the result of improvidence upon the part of the great mass of the people, and excessive business acuteness, prosperity, and honesty upon the part of a few. It will not do to make that argument. It is untrue. The people will not believe it. Sir, it is in consequence of vicious legislation of the nation and the failure to legislate in the respects that will bring prosperity and justice to the homes of our people. I am not a believer in the doctrine that legislation will supply the necessity of brains or the necessity of labor; but I will say that it is the duty of this Government to keep the opportunities of life open to every American citizen equally with every other American citizen, and not suffer them to be foreclosed by legislation or by the accumulated circumstances which legislation ought, in the interest of justice, to remove.

Mr. President, the income tax is just; it is honest. No man is crying out against it in this country, except the man who is compelled to pay it. No other person says it is unjust. It is held to be a just system of taxation by our courts; it has been the law of every one of the States of the Union from its organization down to this moment, and no man has ever charged that it has worked unjustly in the States and Territories.

There is no other form of taxation there, and no one complains of it; but the moment the General Government says to certain citizens, "You must perform your part in bearing the national burdens as well as other American citizens," that moment, sir, they cry out that the tax is unjust, iniquitous, inquisitorial, and the like, and their advocates stand in this Chamber to re-echo the sentiments which echo in their offices in Wall street and elsewhere.

The American people are not asking anything that is unjust; the American people, and especially that portion of them who belong to the Populist party, which has been spoken of by the Senator from Connecticut, do not believe in putting a tax upon a corporation simply because it is a corporation. No man advocates that. When the Senator from Connecticut charges that to the Populist party he makes a grave mistake. No one believes in it. I would not put upon an honest corporation doing an honest business a burden that I would not put upon an individual under like circumstances—not one. When the honest corporations of this country perform an honest business, they need have no fear of the Populist party.

Mr. HILL. Will the Senator allow me a moment?

Mr. ALLEN. I can not yield further. I am about through with my remarks.

When the corporations conduct their enterprises as pure business enterprises, when they keep their hands out of the politics of the State and of the nation, they need have no fear of any honest American citizen. They will be treated with perfect fairness and propriety. There is no prejudice against corporations *per se* in my section of the country or in any section of this Union of which I know anything.

It is only when these corporations undertake to control the legislative branches of the State or National Government that the people cry out against them. No, sir. Any business enterprise that is honest, whether it be associated capital in the form of a corporation, or in any of their various forms, will always meet with fair treatment on the part of the American people.

But, Mr. President, the great reason why these men and these corporations do not want to see the Populist party come into power is that the power which they use and abuse against the American people will be wrested from them and restored to the people where it rightfully belongs.

Mr. JARVIS. Mr. President, I dislike at this late hour of the evening to participate in this discussion, yet I shall ask the indulgence of the Senate for a few moments while I express some thoughts in favor of this system of taxation.

I believe, sir, since the days of Horace to the present, in poetry and prose, by male and female, it has been sung that "It is sweet to die for one's country." Panegyrics have been pronounced upon those who have died for their country; monuments have been erected to them, and their memory held sacred; but I have never yet heard it said by anybody that it is sweet to be taxed for one's country. That seems to be a duty that men and sections feel at liberty to evade if possible. Men will go to war at their country's call, and risk and sacrifice their lives; but when it comes to meeting this duty and obligation of national taxation they and their property are ready to hide away.

The question that we are now discussing is simply and purely a question of taxation. There is, as every Senator knows, a certain amount of money to be raised for the support of the National Government, and I believe each year, as time rolls on, the amount to be raised increases rather than diminishes. Where and how shall that money be raised is the question.

The Senator from Ohio says put the burden on sugar. The Senators from New England say put it on manufactured goods. The Senator from New York, I believe, would say put at least a reasonable portion of it upon the cuffs and collars that the poor people wear.

Mr. President, my idea is that, in imposing these burdens of taxation, the heaviest burdens should be put upon those best able to bear them, and the least burdens upon those least able to bear them. If you are going to make any distinction in imposing these burdens upon any class of our people, those who strive and toil in the shop and in the field, the 80 per cent of people who, the Senator from New York says, own neither real nor personal property—I say if any class of our people are to be favored in our system of taxation, it does seem to me that they ought to be the favored class, because of their inability to bear the burdens.

Then they ought to be the favored class, because I believe it is this 80 per cent of people in this country, who have been delving in the mine and working in the shop and in the field, on the farm and in the factory, who are creating the wealth of the country. I know when the honor of our country is threatened it is from this 80 per cent of people without property that the soldiery will come which is to defend the honor and the glory of the country. So, I say, if any class of our fellow-citizens are to be favored, it does seem to me that they ought to be the favored class.

But we are told that this proposition to tax incomes is a sectional proposition. I will admit that it has been made sectional, and it has been made sectional by one little section of our common country. It is from one section of our country from which we see this opposition come, and I can properly describe that section by saying that it lies east of the Alleghany Mountains and north of the Potomac River. I do not mean to say that every man in that territory is opposed to this proposition to tax incomes, nor do I mean to say that everybody outside of that territory is favoring this proposition; but I say that the advocates of that proposition living within that territory are few, and the opposition, so far as I know, of people living outside of that territory is feeble. All the great newspapers in that territory are thundering against it. The Senator from New York, as the mouthpiece of that sentiment, occupied hours of the time of this Senate thundering against it.

That section of the country, Mr. President, occupies a unique and peculiar position. It embraces, I believe, only about 6 per cent of our entire territory, and yet it contains 35 per cent of all the wealth of this entire country. It embraces 47 per cent of all the banking capital of this country; and I heard the Senator from Massachusetts tell us that in his own State even the laborers, the common laboring people, had in the savings banks hundreds of millions of dollars. How comes it that this little section of our country, embracing only about 6 per cent of the area of our country, has within it so much of the wealth and so much of the capital of this country?

I want to give the people living in that territory credit for being intelligent, economical, industrious, full of energy, full of perseverance, and setting up a helpful and proper example to the balance of the country in these respects. Yet they are no more industrious and hard-working than the people of other sections. But it comes about, in my opinion, because they have enjoyed in a peculiar degree the advantages of class legislation. With a great tariff wall behind them, they have sent their manufactured products out over all this great country of ours, all the merchants of the country have been instrumental in gathering up here and there, little by little it may be, but for thirty years under this legislation they have been gathering and bringing this wealth home into their territory.

Mr. HOAR. Will the Senator allow me to ask him a question?

Mr. JARVIS. Certainly.

Mr. HOAR. I ask the Senator whether, during all that time, North Carolina has not had greater advantages for doing the same thing?

Mr. JARVIS. No, sir.

Mr. HOAR. They have raised the cotton close at hand, they have their streams and their abundant water power, and they are very much nearer iron and coal than we are. What advantage have we had that they have not had?

Mr. JARVIS. Mr. President, I shall answer that question very briefly. We were complete wrecks at the close of the war. You had your splendid factories then open and in progress. In natural advantages North Carolina, and Georgia, and Alabama are not only equal but are far superior to Massachusetts and the other New England States. The day may come by and by when North Carolina, and Georgia, and the other Southern States, and the Western States will be the equal of those other States in prosperity and in property. I trust that it soon may come.

I would not, Mr. President, take from New England or New York one dollar of their prosperity or rob them of one ray of their glory; but what I stand here and ask for is that the people who are thus fortunately situated and have these great accumulated fortunes shall bear their just proportions of the burdens of the Government, under whose laws they have been able to accumulate these great fortunes.

Mr. HOAR. Will the Senator allow me? I do not wish to interrupt the Senator's argument, and I shall endeavor not to do so again?

Mr. JARVIS. I yield to the Senator.

Mr. HOAR. The Senator cited what either I or my colleague or both of us said about the $400,000,000 in the savings banks of Massachusetts. Those $400,000,000 are the property of 1,260,000 depositors, or thereabouts, I have not the fractions. So they represent deposits of $360 apiece by the depositors. They are not the great fortunes of which the Senator speaks. The framers of this income-tax provision have respected the suggestion made by my colleague and myself, because they propose to exempt incomes under $5,000 when they are not in corporate hands, and I think the committee themselves have agreed to exempt the savings banks where they are banks merely of deposit.

So the argument which the Senator is making of this accumulation of $400,000,000 by the working people of Massachusetts, 1,260,000 of them having $360 apiece in the savings banks, is an argument which nobody is now adhering to, unless the Senator still adheres to it.

Mr. JARVIS. But here is the fact: The Senator himself admits that he lives in a country and in a section which is so fortunately situated, and which has had the enjoyment of a peculiar kind of legislation, that the laborers of that State alone have a bank account of $400,000,000.

Mr. President, in the section of country from which I come not only the laborers have no bank account, but if the farmers at the end of the year can possibly get both ends together they are peculiarly fortunate; yet on every proposition which has been made here during the progress of this bill to take some of the burdens from those people of North Carolina and the other agricultural States who have no bank account, and to leave in their pockets a little of the money which has been gathered up year by year, and month by month, and day by day, and which has been carried into the banks of New England, the Senator has stood here with all his might and energy and fought.

Mr. President, it has been my fortune to stand upon the deck of a great ship as it ascended the great Amazon River. When we entered that river, looking far to the south, no land could be seen, looking far to the north no land could be seen; yet if you pursued it 3,000 miles up you came to the source of that great river. All along for 3,000 miles on the eastern slope of the Andes, in Peru and Brazil and Bolivia, little streams were coming up from the mountain sides and from the earth, that flowed on and on, each converging and directing its course to the other, until by and by they united in the waters of that great river and formed a great sea upon which the navies of the civilized world might meet, maneuver, and fight out ther battles and have room to spare.

So, for twenty-five years, North Carolina and South Carolina and all the Southern States and all the Western States have been flowing their money steadily for the purchase of manufactured goods from this favored territory. On and on the stream has flowed, until we see in this little corner of our great country, having only about 6 per cent of its area, nearly one-half of the accumulated wealth of the country.

When we come and ask our friends in that section to tear down, or at least to lower this wall of protection, so that the people living in other sections may have their goods cheaper, they say "nay;" when we come and ask them to unloose the tight strings of the money purse, they say "nay;" when we come and ask them to shoulder a fair proportion of the burdens of taxation, they say "nay;" when we come and ask the Senators representing that section to take from the farmer and the laborer some of the burdens of taxation and put it upon the accumulated wealth of the country, the Senator from New York rises in his place and says that is an iniquitous proposition; it is an inquisitorial proposition.

Mr. President, it may be inquisitorial, or it may not. I undertake to say that it will never be inquisitorial to those who honestly comply with the law. If there is any inquisition instituted, it will only be for those who seek to evade the law; and I submit that they are not entitled to the sympathies of the Senate.

Ah; but, says the Senator from New York, this is undemocratic, and he warns us that we are incorporating into the pending bill a provision which will sound the death knell of the Democratic party. Mr. President, after fifty-eight years of life in that party, and after thirty years of faithful service in that party, I undertake to say that if it has no higher mission than to bow at the footstool and worship at the shrine of the accumulated wealth of this country, the sooner it dies the better. [Applause in the galleries,]

The Vice-President rapped with his gavel.

Mr. JARVIS. Mr. President, as I understand Democracy it means sympathy with the struggling people of this country; as I understand Democracy it undertakes to protect the property of the country; but at the same time it goes out into the highways and into the byways, and puts its great arms around the laboring people, who create the wealth of the country, and undertakes to lift them up into a higher and a better life.

I thank God, for one, that the Democratic party to-day is in the hands of those who have the courage to take some of the burdens from the people and put them upon the accumulated wealth of the country, and instead of this bill sounding the death knell of the Democratic party, I believe it is but the first step onward to a higher prosperity and a more glorious career. If it shall only have the courage to move farther on the line which has been selected, I believe, instead of our Republican friends in 1897 seeing a Republican President inaugurated, that the standard of Democracy will be advanced still higher, and that our banners will again float over the House of Representatives, the Senate, and the White House when the next President shall be inaugurated.

Mr. HILL. Mr. President, I desire to inquire what is the pleasure of the Senator from Tennessee?

Mr. HARRIS rose.

Mr. HILL. I desire to reply at some length to the speeches which have been made in support of the income tax.

Mr. HARRIS. Mr. President, we have been nearly three months debating the merits of this bill, and the income tax has consumed a large proportion, or at least its reasonable share, of that debate. For two days we have been considering the income-tax features, and we have had read but five or six, possibly eight lines of that part of the bill. So far as I am concerned, I beg to appeal to Senators that we had better subject ourselves to some degree of personal inconvenience, go on with the consideration of the bill, and allow the business of the country to know what the tariff taxation of the country is to be in the future, than to consult our personal comfort and prolong indefinitely the consideration of the bill. So long as I can keep a quorum here, up to a reasonable hour, I am in favor of going on.

Mr. CHANDLER. Mr. President, I suggest the absence of a quorum.

Mr. HARRIS. Very well. Let the Senator test the question. He has been delaying invariably when he could, and as he could.

The PRESIDING OFFICER (Mr. WHITE in the chair.) The Senator from New Hampshire having suggested the absence of a quorum, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich,	Coke,	Jones, Ark.	Pugh,
Allen,	Daniel,	Kyle,	Quay,
Bate,	Dubois,	Lindsay,	Ransom,
Berry,	Faulkner,	McLaurin,	Shoup,
Blackburn,	George,	Martin,	Turpie,
Brice,	Gibson,	Mills,	Vest,
Caffery,	Gray,	Morgan,	Vilas,
Call,	Harris,	Pasco,	Voorhees,
Carey,	Hill,	Peffer,	Walsh,
Chandler,	Irby,	Perkins,	White.
Cockrell,	Jarvis,	Proctor,	

The PRESIDING OFFICER. Forty-three Senators having answered to the call, a quorum is present, and the Senator from New York will proceed.

Mr. HILL. Mr. President, I hope the Senator from Tennessee will not insist upon going on to-night. Nearly all the debate to-day has been addressed towards answering the argument I made yesterday and in presenting some additional arguments in favor of the adoption of the income-tax provisions of the bill. New points have been brought out especially aimed at New York and aimed at myself. I addressed the Senate yesterday at considerable length. Other matters have been brought up in which I was interested, and I was obliged to participate in the discussion, although I had not in the first place intended to do so.

I am interested in this question, and my State is interested in it. On the 9th day of April last I spoke two hours and twenty-five minutes on the income-tax question and upon the tariff generally. With the exception of a brief debate on placing raw material on the free list, I have not opened my mouth in the Senate. I am not responsible for the delay of the bill. I represent a pretty large constituency affected by this bill, and I desire to answer to-morrow, as briefly as I may under the circumstances, the arguments which have been addressed to the Senate to-day. The thermometer marks 85° in this Chamber; we have been here since 10 o'clock this morning, and I have not participated in the debate to-day to any extent except to ask a few questions.

I certainly hope that our friend from Tennessee, who has conducted this parliamentary fight so admirably during these long three months, will at least give me this additional indulgence nearly at the close of this debate.

Mr. CHANDLER. The Senator from Tennessee just before I suggested the absence of a quorum honored me by the remark that I had been delaying the business of the Senate, as I understood him. I think the Senator did me an injustice. I have, I believe, not spoken upon the income tax.

It is several days since I have spoken upon the bill. I have upon my desk a few memoranda in connection with the income tax, but I have refrained from speaking, and think I shall refrain from speaking upon that subject. I have not at any time since the debate upon this bill began purposely delayed the Senate, unless it may have been on one evening when the Senator from Tennessee was not in his usual gracious mood and undertook to force an unreasonable session of the Senate.

I have not even exhibited to the Senate, as I have been tempted to do, and have been at all times ready to do, the record of the Senate at the executive session in the spring of 1881, when I find that there were one hundred and forty-three dilatory motions made, which were voted down by the majority of the Senate, and of those motions the Senator from Tennessee made nine to adjourn, seven to table, six to postpone, and twenty-two that the Senate proceed to the consideration of executive business, making forty-four, out of one hundred and forty-three motions, which stand credited to the Senator from Tennessee. Now, he criticises me simply because at ten minutes past 6 o'clock I ventured, not having the fear of the Senator from Tennessee or anybody else before my eyes, to suggest the absence of a quorum. I think the Senator did me a great injustice, and I look for a generous apology from him. [Laughter.]

Mr. HARRIS. Mr. President, I regret exceedingly that I can not make the apology the Senator expects. There is no Senator on this floor who is more opposed to the passage of the pending bill than the Senator from New Hampshire, and while he may not have consumed very much time, if any, upon the income-tax phases of it, the RECORD will show that he has unnecessarily consumed about as much time as any other Senator, if not more. I adhere to the remark I made awhile ago, that he has habitually and continuously delayed the passage of the bill in every reasonable and sometimes every unreasonable way.

Mr. CHANDLER. I accept the qualification.

Mr. HARRIS. Therefore I can not make the apology. I should be glad to do it if it were due the Senator, but it is not, and I decline.

Now, Mr. President, since the 2d day of April this bill has been under consideration. The income tax, with other phases of the bill, had been elaborately and extensively debated prior to the last two days. The so-called debate has been upon the income tax for the last two days, but perhaps the greater part of the time has been spent upon everything else rather than that. The country has some rights as well as Senators.

I am a little scrupulous for the rights of Senators, but I feel that the country has a right to know at the earliest day we can inform it what the fate of the bill is to be. The waste of the time (and much of to-day and yesterday have been wasted) is hardly excusable. For that reason, inconvenient as it is to Senators, inconvenient and uncomfortable as it is to myself, and with extreme regret that I can not with my sense of duty yield to the appeal of the Senator from New York (whom I would gladly oblige if I could consistently do so with my sense of duty, and I can not), I think we ought to go on. We have not read a dozen lines of the bill in the last two days. We ought to go on to an approximate completion.

We ought to find an end; and the only way to find it is to stay here and give every Senator his opportunity, his day in court. Let him exhibit his learning and his rhetoric to any extent he desires. Let us stay with him, and let him do it. As far as I am concerned I shall not move to adjourn as long as there is a quorum here or I can find any means of getting a quorum here to go on with the business of the Senate up to a reasonable hour. I do not ask Senators to stay here always, or all night even, but I do ask them to stay here longer.

Mr. HILL. Mr. President, I regret very much that the distinguished Senator from Tennessee, who has charge of the bill, has seen fit to refuse my request. Possibly in some way or other he holds me responsible for the delay which has occurred in the passage of the bill. I decline, sir, to accept any responsibility in that regard.

I have been anxious since the bill was first brought in to bring it to a speedy conclusion. I have not sought to delay it for a single moment. I have not voted upon some of the propositions the majority have seen fit to propose, although some of them did not meet my approval.

I have been willing, so far as the details of the bill were concerned, with a few exceptions, to allow the majority to prepare the bill and pass it exactly as they pleased. As I said a few moments ago, I had not spoken a single word upon the bill since the 9th day of April last, except a few moments on the subject of free raw materials. I trust I was not raising my voice in vain when I struggled for a few brief moments to hold this Democratic majority to Democratic principles. I think that the country will not hold me responsible for the delay of those few moments when I sought to put upon the bill a few Democratic principles that might save it; and I am to be told now that I am in some way responsible for the delay in the passage of this measure.

Mr. President, I have attended the sessions whenever I could. I was called away, and during a portion of the time I have been away you have proceeded in your own way. You have made your amendments substantially without much opposition. Some of them affected my State considerably. I have made no suggestion to you to save those interests. You have placed upon the free list manufactured articles of my State that affected the people of my State, as they think, considerably. I have offered no protest. I have made no suggestion. I believed that in those respects you were following a part of the Democratic policy and I acquiesced.

Now, at this time, after three long months, when the delay is nearly terminated and you keep your patience and your temper, it is proposed to be exercised against me because, forsooth—I can interpret it in no other way—I see fit to antagonize this portion of your scheme, an income tax. When I pleaded for free raw materials you seemed to be nervous and anxious about it. You could not listen patiently to me. Have I delayed this bill an hour since the 9th day of April? Not at all. Sir, I decline to be held responsible for this delay. It was last fall that other men were filibustering here to prevent the passage of a bill which would relieve somewhat the business interests of the country, a bill we were pledged to pass—not like this bill.

That bill we were pledged to pass. It was contained in the Democratic national platform. It was a bill for the repeal of the Sherman silver law. Then many gentlemen upon this side of the Chamber were engaged in a determined and bitter contest at filibustering against that bill, a bill recommended by the President, a bill recommended by the Secretary of the Treasury, a bill that the Democratic party was in honor bound to pass. I sat here doing my duty to my party, my State, and my country in endeavoring to pass it; and I met with opposition from the men who now, after nearly half past 6 o'clock, want to crowd me to reply to the half a dozen speeches which have been directed at me and my State and the argument I made yesterday.

Mr. HARRIS. Will the Senator from New York allow me?

Mr. HILL. Certainly, sir.

Mr. HARRIS. I desire to say to the Senator that I was one of the most determined opponents of the repeal of the purchasing clause of the Sherman act, but I deny in the most emphatic terms that I have ever made a motion or ever was guilty of an act that can be truthfully characterized as filibustering against it; neither have I charged the Senator from New York with filibustering in respect to this matter. I do not quite see why the Senator assumes that he is charged here, by my declining to move to adjourn at 6 o'clock, with having sought delay.

Mr. HILL. Inferentially, sir, the charge is made. You spoke when I made the request, simply a request that ordinarily would have been granted, having a desire to reply. We were told then that the business of the country had been delayed. We were told that I could not be granted this privilege.

Mr. HARRIS. Will the Senator allow me again?

Mr. HILL. Yes.

Mr. HARRIS. If we had made anything like decent progress to-day the Senator would have been answered differently.

Mr. HILL. Who is the judge, sir?

Mr. HARRIS. When we have spent two whole days in worse than waste, when the country suffers, neither my regard for nor my desire to accommodate that Senator or any other Senator would control me for the millionth part of a second.

Mr. HILL. The Senator says that the day has been wasted.

Mr. HARRIS. It has.

Mr. HILL. There are some Senators who think that when they themselves do not participate in a debate all the time is wasted. I say time has not been wasted. I do not say that every argument adduced here to-day has been exactly pertinent to this portion of the bill, but mostly the time has been consumed in the argument of other questions by gentlemen who favor the income tax, and not by those who oppose it. I think that the argument of the past two days has not been wasted. Yesterday I presented an argument to show that your $4,000 exemption was wrong, unjust, founded upon no principle, but every thousand dollars that you put on it made it worse and more iniquitous.

You sat here ready to vote the $4,000 in the bill yesterday, if the roll had been called. To-day a change has come over the spirit of your dreams. The clouds are breaking. To-day the Senator comes in and says $3,000 is a proper exemption. We know not what you will do to-morrow. We can not tell what other changes you may make in the bill to-morrow.

Yesterday I pleaded for the entire and complete exemption of your savings banks. You have introduced an amendment which I think covers it. I pleaded for an absolute exemption of mutual life-insurance companies. To-day or yesterday the Senator from Missouri introduced an amendment which I think substantially covers those points, if I am advised rightly.

We are making progress, sir. We are making great progress, I think, with this matter. This is an important matter. As I said yesterday, it involves one-fifteenth of the whole Federal taxation of the United States. It is conceded here upon all hands that 30 per cent of this tax is to be paid by the State that I represent. And after the argument I made then and the argument made yesterday, I am to be cut off now and compelled to go on with my argument to-night. I say it is cruel; I say it is unjust under the circumstances; I say it is unworthy of the Senator from Tennessee.

Mr. HARRIS. The Senator from Tennessee takes the responsibility most cheerfully and gladly.

Mr. HILL. Because he can not avoid it.

Mr. HARRIS. Because he chooses to do it.

Mr. HILL. I will place some other responsibility upon the Senator.

Mr. HARRIS. Proceed.

Mr. HILL. I will, but I shall not be ordered around about it. I shall not have plantation manners exhibited here in regard to it. I shall take my time in my own way.

Mr. HARRIS. Perhaps the manners of the slums of New York would suit the Senator better.

Mr. HILL. That may be, sir; but they are better than those from the plantations of Tennessee.

Mr. President, I said that I had desired to facilitate the disposition of the pending bill. I was honest and sincere in that desire. What did I do? I saw this debate coming last December; I had an experience upon the question of endeavoring to get a bill passed last fall. We had an important election in the country coming on. I felt as though it was necessary for the salvation of our party that we should pass that bill. I criticised nobody's motive who differed from me. I spoke respectfully of those who were upon the other side.

Yet I saw delay after delay, and month after month until the last few days before the election the bill was permitted to pass. It had lost its effect. Democrats in the North had become disgusted with our party. It did not have the effect that it was supposed it would likely have. The long delay had frittered away the good effect. The country had gradually recovered from the panic to some extent.

Therefore, with that experience in view placed before me, I introduced, I think, on the first or second day of the December session propositions for the amendment of the rules of the Senate. What were those amendments? Those amendments were to provide, first, that there should be given to a majority of this body (of which I have heretofore been proud to constitute myself a member) the right to determine when a bill shall be brought to a vote. It was a principle that had been discussed at the September session, because the bold announcement was then made that a majority had no right to change the rules of this body.

I introduced another amendment, which was that when a Senator rose in his place and announced a pair he should be counted for the purpose of constituting a quorum—a proper rule which I did not think ought to have met with any objection. It was a part and parcel of a course of procedure that I hoped the Senate might adopt for the very purpose of having the majority control the date when this bill might be put upon its passage. I desired to avoid honestly and sincerely all the delay which has been occasioned.

But, sir, what was done? I introduced those amendments to the rule which would have facilitated the disposition of this measure. They went to a committee of which the distinguished Senator from Tennessee was a member. Where are they now? In the hands of that committee, sleeping the death that knows no waking. They have been kept there from that day to this. The Senator desired, I suppose, to smother them in some way or other. Mr. President, they could have been presented. They

could have been passed. The constitutional right of the majority to make rules to suit themselves exists. The power to make implies the power to amend, and that prior power implies the right to stop debate on the very subject of the amendment.

Those simple rules, I think, would not have met with serious opposition upon the other, side because they were substantially committed to them last fall. They were substantially committed to them in 1890 when the force bill was here. They could not seriously have opposed them. Those rules, in my judgment, were necessary for the proper procedure in facilitating the business of the Senate.

Now, sir, with that record before the Senate, with those proposed rules there before them, smothered in the committee of which the Senator is a distinguished and controlling member, he rises here to-night in his place and refuses me the little courtesy of an adjournment until to-morrow that I might have a little time to prepare myself to answer the gentlemen whose argument has been aimed at me to-day.

Mr. President, it does not lie in his mouth to say or to insinuate or to have an inference drawn from anything that I have done that I am seeking to delay the passage of this bill. I am ready at any moment to fix a day. I shall be glad when this contest is over. This proposed income tax, as I said, affects the people of my State peculiarly. I am ready now to adopt those rules. I will go as far as any Senator here in procuring their adoption.

Mr. President, I ask unanimous consent to present a petition of policy holders and others in the city of New York in favor of the exemption entirely of the funds, etc., of life insurance companies. I simply desire to call attention to the fact that the first name upon the list is William B. Hornblower, of 45 Williams street, New York.

I present a similar petition, numerously signed by many distinguished gentleman of New York, among others, Governor Hoadley, formerly of Ohio, Clarence A. Seward, Judge Dillon, and last but not least Wheeler H. Peckham.

The PRESIDING OFFICER. The petitions will lie on the table.

Mr. HILL. Mr. President, sooner or later the Senate will be obliged to change its rules for the purpose of avoiding the very procedure that we are encountering to-night. Yet I am not here to blame those upon the other side who have discussed possibly at too much length the issues involved in this bill. I do not say that they have done so. Aside from one evening at a time when I was not here, when the session extended, as I am informed, to some late hour, there has been no filibustering, I understand, and I do not think that the charge can properly be made against the gentlemen upon the other side.

Mr. HAWLEY. Will the Senator allow me?

Mr. HILL. Yes.

Mr. HAWLEY. There has been no speech made to-day upon this question that was not made directly to the merits of it, without a waste word.

Mr. HILL. That, of course, is a question of judgment. I think so. I agree with the Senator that in the main——

Mr. HAWLEY. I speak of the speeches on the Republican side.

Mr. HILL. Yes; I think that is so. The Senator from Nebraska [Mr. ALLEN] represents, with two or three others, the Populist party. It being a very small party, of course it requires a great deal of argument; and he went out of his way possibly, in discussing the income tax, to talk about the principles of the Populist party.

There are many very wonderfully and fearfully made, and of course they require a great deal of explanation. He went into the question of the giving away of the public lands, and endeavored to show that it was the Republican party and the Democratic party that had given away the public lands. I am free to say that was rather foreign to the subject under discussion, and in that respect possibly the criticism of the Senator from Tennessee was well taken. But aside from that it strikes me that the argument has been addressed very properly to the discussion of the income-tax feature of the bill. I think so, Mr. President.

Nevertheless, whether it has or not, I am free to concede the necessity of an amendment of the rules of the Senate so that when a great question like a tariff shall come before the American Senate it can be disposed of earlier than three or four months. I think that is so. I think it would have been better if at the outset of this discussion there could have been some time fixed by common consent whereby some day in advance could have been set down for a disposition of the bill.

I saw an interview with some Senator published in Western and Southwestern papers, in which it was said that the Senator was in favor of an amendment of the rules; that he was not in favor of it now, but that at some other time when there was no great measure pending before the Senate he would then be in favor of an amendment of the rules. In my humble judgment the time to amend the rules is upon the threshhold of the presentation of a bill. The statement that these amendments can not be made during the pendency of an important bill reminds me of the story of a man who was asked why he did not put new shingles upon his roof. He said that when it rained he could not do it, and when it did not rain he did not need them. [Laughter.]

So it is with the Senate. When we have no important bill pending, when there is no attempt to delay any measure, then of course there is no necessity for an amendment of the rules. But we need such an amendment when an important measure is before the Senate.

I know it is said that if the rules are amended a majority may act arbitrarily. I think the proposed rule which I submitted to the Senate carefully guarded the rights of the minority. It provided that no time should be set earlier than thirty days, and then only by the votes of a majority of all the Senators elected to this body. That sufficiently protected all the rights of a minority. It gave no undue advantage to the majority. In my judgment, as we move along together we shall find that some such rule is essential to the progress of the business of this body.

I know there are some Senators here who seem to object to this policy of an amendment. Some of my Democratic friends, I regret to say, seem to think that we should keep the rules as they are because, forsooth, we are always going to be in a minority. I think, sir, we should not proceed upon any such basis. We should proceed upon the theory that we are the majority party; that the people intend to stand by the Democratic party; and as we expect and hope to be the majority party, that we need this power to make our legislation effective.

Speedy legislation is what we want—not hasty, it is true, in one sense, but legislation which can be closed in due time and in due season. How much better it would have been for the country last fall if the repeal of the Sherman law could have been passed within thirty days after we had assembled. Our distinguished President pleaded with us in a special message asking us to pass that measure, but there were those who were deaf to his appeals. The Secretary of the Treasury came up to the Capitol day after day and had interviews with us, in which he desired the prompt passage of that bill to relieve the Treasury, and yet, sir, it was not passed. That simply illustrates the point I am making, namely, that sooner or later, and the sooner the better, we must make the amendments which have been suggested.

Mr. President, I do not like to belong to a party that always proceeds upon the assumption that it is going to be the minority party. Let us proceed upon the other assumption, namely, that our measures will commend themselves to the American people and will keep us in power in the Senate. I know the specter of the force bill is always held up to us. I know it is always said, "If you had had those rules you might have had the force bill." Yes, and we could have repealed it afterwards.

Sir, if a majority of the American people, with the President and both Houses of Congress, fairly and honestly elected, wanted that bill they were entitled to it. The truth about it is they did not want it. There never was a time when a majority in the Senate wanted that bill. There never was a time that it would have received the votes of a majority of the Senate. The good sense of some Senators upon the other side always prevented its passage. Therefore we are simply unduly and unnecessarily alarmed.

I say that the American people have a right to have the measures which they desire passed in reasonably good time. You can not pass them under the rules of the Senate. What did the House of Representatives do? They drifted along. The public business was delayed. They could not keep a quorum. Finally, what did they do? They put away all questions of pride, after having fought against it for three straight years. They found themselves powerless to pass the very measures which the people of the country wanted, and then they turned around and adopted rules to facilitate the passage of bills.

Mr. President, we might take the House of Representatives as a model for us. I desire to say that they are dispatching their business promptly under their new rules. No injustice is done to anybody. The Democratic party is not placed in a false position. On the contrary, I think—I may be mistaken, the distinguished Senator from Missouri [Mr. COCKRELL] will correct me—nearly all the appropriation bills have been passed by the other House and sent to this body.

Mr. COCKRELL. All with one or two exceptions.

Mr. HILL. With one or two exceptions the Senator says they are here, ready for action, so that as soon as this contest is over we can proceed to dispose of them and adjourn for the relief of the country.

Mr. ALDRICH. Will the Senator from New York allow me to make a suggestion?

Mr. HILL. Certainly.

Mr. ALDRICH. I suggest that we go on and vote upon some of the amendments. We would not reach the important ones to-night probably, and he can proceed with his speech to-morrow when those amendments are reached.

Mr. HILL. The only point about that is that several Senators spoke to me and asked me whether there was going to be a vote to-night. I told them no. They wanted to see me before the vote should be had upon these amendments.

Mr. ALDRICH. I suggest that the amendments now pending and soon to be reached are not of such importance that I think the Senators who are absent would desire particularly to be present when they are disposed of.

Mr. CHANDLER. The Senators who are absent will find no fault.

Mr. ALDRICH. I think the Senators who are absent will find no fault.

Mr. HILL. What amendments would the Senator like to have disposed of?

Mr. ALDRICH. We can take up the pending amendments, whatever they are.

Mr. HILL. I wish to move an amendment. I will move an amendment by striking out "1895"—and it is an amendment which I desire to offer also for the information of the Senate—and inserting "1896." I will explain it for a moment.

The PRESIDING OFFICER. Will the Senator from New York kindly state the line and page of his amendment?

Mr. HILL. It is in section 54, line 7; strike out "1895" and insert "1896."

The PRESIDING OFFICER. The Secretary will state the amendment.

Mr. HILL. Now, just a word of explanation of the amendment.

The PRESIDING OFFICER. The Secretary will state the amendment for the information of the Senate, and then the Senator from New York will proceed.

The SECRETARY. In line 7, section 54, strike out "1895" and insert "1896," so as to read:

That from and after the 1st day of January, 1895, until the 1st day of January, 1900, etc.

Mr. HILL. My amendment, of course, if adopted would have to be followed by another amendment making it 1901, so as to complete the five years. The point to that amendment is simply this: By the terms of the bill the tax is to be based upon this year's income. The bill is to go into effect, it is supposed, about the middle of July or the 1st of August of this year.

Mr. HARRIS. The time has not yet been fixed when the bill is to take effect.

Mr. HILL. I presume it will be the middle of July or the 1st of August, so that we are substantially making a bill with a retroactive effect. The income next year, starting with the 1st of of January, payable in July, is to be based not from July to July, giving a year, but from January to January. So by the terms of the bill corporations and individuals are to pay next year upon the income which they began to receive on the 1st day of January last. Therefore this is virtually a retroactive bill. It is unprecedented in the history of legislation, in my judgment.

I do not propose to detain the Senate any further upon the question. I move the amendment for the purpose of honestly and in good faith preventing, as I think, a manifest wrong, that we should be obliged to pay next year's tax upon the whole year's income, including six months before the bill was passed. Books are to be kept, by the terms of the bill; other things are to be done by the people who are to pay the taxes. They do not know what to do now. It is utterly inoperative for a portion of the time.

Mr. FAULKNER. I suggest to the Senator from New York, as that is rather an important amendment, whether it would not be better to withhold it until to-morrow and vote on some of the amendments that propose mere verbal changes in the bill?

Mr. HARRIS. The committee amendments, anyway, are first in order. The Senator will have his opportunity as soon as the committee amendments are disposed of.

Mr. HILL. May we not then vote on the question of striking out "2 per cent" and inserting "1 per cent?"

Mr. ALDRICH. I suggest that the pending amendment of the committee be voted on.

Mr. CHANDLER. I move to lay the bill on the table.

The PRESIDING OFFICER. The Senator from New Hampshire moves to lay the bill on the table.

Mr. HILL. I trust the Senator from New Hampshire will withdraw that motion.

The PRESIDING OFFICER. Does the Senator from New Hampshire insist upon the motion?

Mr. HILL. Nobody wants to kill the bill.

The PRESIDING OFFICER. The question before the Senate is on the motion of the Senator from New Hampshire.

Mr. HILL. I trust the Senator will withdraw that motion.

Mr. HARRIS. I did not hear the motion of the Senator from New Hampshire.

The PRESIDING OFFICER. The motion is to lay the bill on the table.

Mr. HILL. I trust the Senator will withdraw the motion.

Mr. CHANDLER. Mr. President, if we can have a vote I will withdraw the motion.

The PRESIDING OFFICER. The motion is withdrawn.

Mr. HILL. I ask for the yeas and nays on the amendment which is near the close of the fifty-fourth section, namely, to insert after "assessed" the words "by the Commissioner of Internal Revenue and"

Mr. FAULKNER. What is the pending amendment?

Mr. HILL. That is the amendment, I understand.

Mr. ALDRICH. What is the pending amendment?

The PRESIDING OFFICER. The Chair is informed that two amendments of the committee precede the amendment the Senator from New York has indicated.

Mr. ALDRICH. I ask that the pending amendment be read.

The PRESIDING OFFICER. The pending amendment will be read.

The SECRETARY. In section 54, line 22, after the word "property" insert "owned," so as to read:

And income from all property owned and of every business, trade, etc.

Mr. ALDRICH. I ask that the question be taken on that amendment.

Mr. GRAY and others. Question.

Mr. HILL and Mr. ALDRICH called for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BLACKBURN (when his name was called). I am paired with the Senator from Nebraska [Mr. MANDERSON]; I have a right to vote to make a quorum, and as it is evidently necessary, I shall vote. I vote "yea."

Mr. BLANCHARD (when his name was called). I am paired with the senior Senator from Michigan [Mr. MCMILLAN], with a reservation of the right to vote to make a quorum. As it is apparent that a quorum is not present, I exercise my right to vote, and vote "yea."

Mr. BRICE (when his name was called). I am paired with the Senator from Colorado [Mr. WOLCOTT], with the right to vote to make a quorum. I vote "yea."

Mr. CAFFERY (when his name was called). I am paired with the Senator from Montana [Mr. POWER], but under the terms of the pair I have a right to vote to make a quorum. I vote "yea."

Mr. CALL (when his named was called). I am paired with the Senator from Massachusetts [Mr. LODGE], my pair with the Senator from Vermont [Mr. MORRILL] having been transferred by agreement to the Senator from Massachusetts [Mr. LODGE]. I have the privilege of voting to make a quorum, and I vote "yea."

Mr. CHANDLER (when his name was called). I am paired on all political questions with the junior Senator from New York [Mr. MURPHY]. He reserved the right to vote to make a quorum. I suppose there can be no doubt that that gives me the right to vote to make a quorum. So I shall vote. I vote "yea."

Mr. GIBSON (when his name was called). I am paired with the junior Senator from Michigan [Mr. PATTON]. I have reserved the right to vote whenever it is necessary to make a quorum, and consequently I will vote "yea."

Mr. MCLAURIN (when his name was called). I am paired with the junior Senator from Rhode Island [Mr. DIXON]. I have reserved the right to vote to make a quorum. I vote "yea." If my vote shall prove not necessary to make a quorum I will withdraw it.

Mr. MITCHELL of Wisconsin (when his name was called). I am paired with the Senator from Delaware [Mr. HIGGINS], who is absent from the city, but I have reserved the right to vote to make a quorum, and I vote "yea."

Mr. PALMER (when his name was called). The senior Senator from North Dakota [Mr. HANSBROUGH], with whom I have a general pair, favors that part of the bill which proposes an income tax. I shall therefore vote. I vote "yea."

Mr. PERKINS (when his name was called). I am paired with the junior Senator from North Dakota [Mr. ROACH]. As he is absent I withhold my vote.

Mr. VILAS (when his name was called). I have a general pair with the Senator from Oregon [Mr. MITCHELL], but we are agreed upon this question. He desired me to have him paired in favor of the amendments of the committee. I therefore announce his pair with the Senator from New Jersey [Mr. MCPHERSON]. I vote "yea."

The roll call was concluded.

Mr. TURPIE. I will vote for the purpose of making a quorum. I vote "yea."

Mr. MILLS. I will vote to make a quorum. I vote "yea."

Mr. QUAY. Is the Senator from Alabama [Mr. MORGAN] recorded as voting?

The PRESIDING OFFICER. The Chair will state that the Senator from Alabama [Mr. MORGAN] is not recorded.

Mr. QUAY. As I am paired with that Senator, I withhold my vote unless it is necessary to make a quorum.

Mr. DUBOIS. I inquire if the junior Senator from New Jersey [Mr. SMITH] has voted?

The PRESIDING OFFICER. He has not voted.

Mr. DUBOIS. I will withhold my vote.

Mr. ALDRICH (after having voted in the affirmative). I have been informed that the Senator from Colorado [Mr. TELLER] is absent without a pair. I will announce a pair with that Senator and withdraw my vote.

Mr. DUBOIS. I am at liberty to vote to make a quorum. I vote "yea."

Mr. QUAY. I am allowed to vote to make a quorum. I vote "yea."

Mr. PERKINS. I will vote to make a quorum if necessary. I vote "yea."

The result was announced—yeas 42, nays 0; as follows.

YEAS—42.

Bate,	Daniel,	Jones, Ark.	Ransom,
Berry,	Dubois,	Lindsay,	Shoup,
Blackburn,	Faulkner,	McLaurin,	Squire,
Blanchard,	George,	Martin,	Turpie,
Brice,	Gibson,	Mills,	Vest,
Caffery,	Gray,	Mitchell, Wis.	Vilas,
Call,	Harris,	Palmer,	Voorhees,
Carey,	Hawley,	Pasco,	Walsh,
Chandler,	Hill,	Peffer,	White.
Cockrell,	Irby,	Perkins,	
Coke,	Jarvis,	Quay,	

NAYS—0.

NOT VOTING—43.

Aldrich,	Gallinger,	McMillan,	Proctor,
Allen,	Gordon,	McPherson,	Pugh,
Allison,	Gorman,	Manderson,	Roach,
Butler,	Hale,	Mitchell, Oregon	Sherman,
Camden,	Hansbrough,	Morgan,	Smith,
Cameron,	Higgins,	Morrill,	Stewart,
Cullom,	Hoar,	Murphy,	Teller,
Davis,	Hunton,	Patton,	Washburn,
Dixon,	Jones, Nev.	Pettigrew,	Wilson,
Dolph,	Kyle,	Platt,	Wolcott.
Frye,	Lodge,	Power,	

The PRESIDING OFFICER. A quorum has failed to vote.

Mr. HARRIS. Let the roll be called.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich,	Daniel,	Lindsay,	Shoup,
Bate,	Dubois,	McLaurin,	Squire,
Berry,	Faulkner,	Martin,	Turpie,
Blackburn,	George,	Mills,	Vest,
Blanchard,	Gibson,	Mitchell, Wis.	Vilas,
Brice,	Gray,	Palmer,	Voorhees,
Caffery,	Harris,	Pasco,	Walsh,
Call,	Hawley,	Peffer,	White.
Carey,	Hill,	Perkins,	
Cockrell,	Jarvis,	Quay,	
Coke,	Jones, Ark.	Ransom,	

The PRESIDING OFFICER. Forty-one Senators have responded to their names. There is not a quorum present.

Mr. HARRIS. I ask that the absentees be called. Let us see who are not here.

The PRESIDING OFFICER. The Secretary will call the absentees.

The Secretary called the names of the absent Senators, as follows:

Allen,	Gallinger,	Lodge,	Power,
Allison,	Gordon,	McMillan,	Proctor,
Butler,	Gorman,	McPherson,	Pugh,
Camden,	Hale,	Manderson,	Roach,
Cameron,	Hansbrough,	Mitchell, Oregon	Sherman,
Chandler,	Higgins,	Morgan,	Smith,
Cullom,	Hoar,	Morrill,	Stewart,
Davis,	Hunton,	Murphy,	Teller,
Dixon,	Irby,	Patton,	Washburn,
Dolph,	Jones, Nev.	Pettigrew,	Wilson,
Frye,	Kyle,	Platt,	Wolcott.

Mr. HARRIS. I shall not move to send for absent Senators to-night, but I give notice that to-morrow I shall appeal to the Senate to stay here until we can report the bill into the Senate, whether it be early or late. I give the notice, and I hope Senators will not say to-morrow evening that notice had not been given. In view of the present condition of the Senate, I move that the Senate adjourn.

The motion was agreed to; and (at 7 o'clock and 5 minutes p. m.) the Senate adjourned until to-morrow, Saturday, June 23, 1894, at 10 o'clock a. m.

HOUSE OF REPRESENTATIVES.

FRIDAY, *June 22, 1894.*

The House met at 12 o'clock m., and was called to order by Mr. THOMAS O. TOWLES, Chief Clerk.

The following communication was read:

JUNE 22, 1894.

SIR: I hereby name the Hon. JOSEPH W. BAILEY, a Representative from the State of Texas, to perform the duties of the Chair for this day.

CHARLES F. CRISP, *Speaker.*

To Hon. JAMES KERR,
Clerk of the House of Representatives.

Mr. BAILEY took the chair as Speaker *pro tempore.*

Prayer was offered by Rev. W. H. MILBURN, D. D., Chaplain of the Senate.

The Journal of yesterday's proceedings was read and approved.

SPECIAL AGENTS OF DEPARTMENT OF AGRICULTURE.

The SPEAKER *pro tempore* laid before the House a letter from the Secretary of Agriculture, transmitting, pursuant to the resolution of the House of Representatives, January 22, 1894, a list of the special agents of the Department, together with a statement of their work and the salaries received for the four years and six months ending December 31, 1893; which was referred to the Committee on Agriculture, and ordered to be printed.

WILLIAM M'ADAMS VS. THE UNITED STATES.

The SPEAKER *pro tempore* laid before the House a copy of the findings of the Court of Claims in the case of William McAdams *vs.* The United States; which was referred to the Committee on War Claims, and ordered to be printed.

SENATE BILLS REFERRED.

Senate bills of the following titles were severally laid before the House by the Speaker *pro tempore*, and referred as below:

An act (S. 1546) authorizing a commission to draft a code of laws for the district of Alaska, and for other purposes; to the Committee on the Territories.

A bill (S. 1399) to promote the efficiency of the naval militia—to the Committee on Naval Affairs.

A bill (S. 1827) to define the boundaries of the three judicial districts in the State of Alabama and to regulate therein the jurisdiction of the courts of the United States and the powers and duties of the judges thereof, and for other purposes—to the Committee on the Judiciary.

A bill (S. 1259) to amend section 2 of an act of Congress approved March 3, 1893, entitled "An act regulating the sale of intoxicating liquors in the District of Columbia"—to the Committee on the District of Columbia.

ORDER OF BUSINESS.

Mr. HATCH. Mr. Speaker, I demand the regular order.

The SPEAKER *pro tempore.* The regular order is demanded. The regular order is the call of committees.

BRIDGE ACROSS THE ST. CROIX RIVER.

Mr. BARTLETT, from the Committee on Interstate and Foreign Commerce, reported back with a favorable recommendation a bill (H. R. 6529) to authorize the construction of a bridge across the St. Croix River between the States of Wisconsin and Minnesota; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

MILITARY PARK AT SHILOH.

Mr. OUTHWAITE, from the Committee on Military Affairs, reported back with a favorable recommendation a bill (H. R. 6499) to establish a national military park at the battlefield of Shiloh; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

ASSISTANT PAYMASTERS IN THE NAVY.

Mr. MONEY, from the Committee on Naval Affairs, reported back with a favorable recommendation a bill (S. 1954) to amend section 1379, chapter 1, Title XV, of the Revised Statutes of the United States, in relation to the appointment of assistant paymasters in the Navy; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

The House bill on the same subject was laid on the table.

PUBLIC BUILDING, ANN ARBOR, MICH.

Mr. BRETZ, from the Committee on Public Buildings and Grounds, reported back with a favorable recommendation a bill (H. R. 3439) providing for a public building at Ann Arbor, Mich.; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

MEXICAN AND INDIAN WARS PENSIONS.

Mr. STALLINGS, from the Committee on Pensions, reported back with a favorable recommendation the bill (H. R. 7414) grant-

ing an increase of pension to survivors of the Mexican and Indian wars and to their widows; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

REAL-ESTATE ASSESSMENTS IN DISTRICT OF COLUMBIA.

Mr. COBB of Alabama, from the Committee on the District of Columbia, reported back with a favorable recommendation a bill (H. R. 6415) to provide an immediate revision and equalization of real-estate values in the District of Columbia; also to provide an assessment of real estate in said District in the year 1896 and every third year thereafter; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

RECOMMITTAL OF A BILL.

On motion of Mr. OUTHWAITE, by unanimous consent, the bill (H. R. 2371) was recommitted to the Committee on Military Affairs for the correction of the report.

FEDERAL COURTS IN MISSISSIPPI.

Mr. STOCKDALE, from the Committee on the Judiciary, reported back with a favorable recommendation a bill (H. R. 6447) to fix a term of the Federal district court of the southern judicial district of Mississippi, to be held at Meridian, Miss., to include the counties named.

The SPEAKER *pro tempore*. Does this bill provide for the appointment of any officers?

Mr. STOCKDALE. Only a deputy clerk and a deputy marshal.

The bill was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

AGREEMENT WITH YUMA INDIANS, CALIFORNIA.

Mr. HUNTER, from the Committee on Indian Affairs, reported back with an amendment (as a substitute for the bill H. R. 1651) a bill (S. 1919) to ratify and confirm an agreement with the Yuma Indians in California for the cession of their surplus lands, and for other purposes; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

The House bill (H. R. 1651) for the same purpose was laid on the table.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed without amendment the bill (H. R. 4961) granting certain rights over Lime Point military reservation, in the State of California.

The message also announced that the Senate had passed with amendments the bill (H. R. 4701) to incorporate the Supreme Lodge of the Knights of Pythias; in which the concurrence of the House was requested.

The message also announced that the Senate had passed with amendments the bill (H. R. 6893) to regulate water-main assessments in the District of Columbia; asked a conference with the House on the bill and amendments, and had appointed Mr. PROCTOR, Mr. FAULKNER, and Mr. MARTIN as the conferees on the part of the Senate.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House was requested:

A bill (S. 1490) to pension Mollie Crandall;

A bill (S. 1343) to remove the charge of desertion standing against the name of Joseph G. Utter;

A bill (S. 730) making Labor Day a legal holiday;

A bill (S. 447) to authorize the Secretary of the Interior to issue a duplicate of a certain land warrant to Emma A. Ripley;

A bill (S. 313) appropriating funds for investigations and tests of American timber;

A bill (S. 211) for the relief of St. Charles College; and

A bill (S. 199) for the relief of E. R. Shipley.

ANTIOPTION.

Mr. HATCH. I move that the House resolve itself into Committee of the Whole for the further consideration of bills raising revenue; and pending that motion I ask unanimous consent that all gentlemen who have addressed the committee, or may do so till this bill is finally disposed of, may have leave to extend their remarks in the RECORD.

Mr. COBB of Alabama. Why not ask leave to print for all members?

Mr. HATCH. I would very gladly do so; but I have been told it would be objected to. [A pause.] Well, Mr. Speaker, I will modify my request, and will ask that all gentlemen who desire to print remarks in the RECORD, or to extend remarks actually delivered, have leave to do so, provided that such remarks are furnished to the Printer within ten days from to-day.

The SPEAKER *pro tempore*. The gentleman from Missouri asks unanimous consent that those gentlemen who have submitted or may submit remarks be permitted to extend them in the RECORD, and that all gentlemen desiring to print remarks in the RECORD may have the privilege of doing so, provided that remarks printed under this leave be furnished to the Public Printer within ten days from the termination of this debate. Is there objection? The Chair hears none, and it is so ordered.

The question being taken on the motion of Mr. HATCH, that the House resolve itself into Committee of the Whole on the state of the Union for the further consideration of bills raising revenue, it was agreed to.

The House accordingly resolved itself into Committee of the Whole on the state of the Union [Mr. LIVINGSTON in the chair], and resumed the consideration of the bill (H. R. 7007) regulating the sale of certain agricultural products, defining options and futures, and imposing taxes thereon and upon dealers therein.

Mr. HATCH. I ask that the special order adopted yesterday may be read.

The Clerk read as follows:

Ordered, That the order of yesterday limiting debate on House bill No. 7007 be so modified as to permit amendments and debate in Committee of the Whole under the five-minute rule for two hours immediately after the morning hour on to-morrow; the bill to be then reported to the House, the previous question to be then ordered on the bill to its passage; the chairman of the Committee on Agriculture thereupon to have one hour in which to close debate in the House, and the vote or votes then to be taken: that so much of the order of yesterday as was inconsistent herewith be rescinded; the remainder thereof to remain in full force.

Mr. HATCH. Now, I ask that the bill may be read under the five-minute rule.

The Clerk proceeded to read the first section of the bill.

Mr. WILLIAM A. STONE (interrupting the reading). Mr. Chairman, I desire to ask if the time to be consumed in the reading of this bill will be taken out of the two hours allowed for debate and amendment under the five-minute rule?

Mr. HATCH. The bill, under the order of the House, must be read by sections, that amendments may be offered.

Mr. BURROWS. But it is in order now to offer amendments as the sections are read.

Mr. HATCH. Of course; as soon as a section is read an amendment can be offered to it.

Mr. COX. I wish to make this inquiry: Two hours were allotted for the consideration of amendments to the bill. Now, is any part of these two hours to be consumed in the reading of the paragraphs of the bill?

Mr. HATCH. Why, of course, Mr. Chairman; it can not be otherwise, because the order expressly states that the bill is to be considered under the five-minute rule. There is no other orderly way of proceeding. It will take but a few minutes to read first one paragraph and then another.

Mr. COX. It will take about an hour to read the bill; and that leaves but an hour for the offering and consideration of amendments.

The CHAIRMAN. The Clerk will proceed with the reading of the bill.

The first section was read, as follows:

Be it enacted, etc., That for the purposes of this act the word "options" shall be understood to mean any contract whereby a party thereto, or any person for whom or in whose behalf such contract is made, acquires the right or privilege, but is not thereby obligated, to sell and deliver to another at a future time, or within a designated month or other period, or any contract whereby, as vendee, a party thereto, or any person as vendee, for whom or in whose behalf such contract is made, acquires the right or privilege of demanding and receiving from another, at a stipulated price, at a future time, or within a designated month or other period, but is not thereby obligated to receive and pay for any of the following articles, namely: Raw or unmanufactured cotton, hops, wheat, corn, oats, rye, barley, pork, lard, bacon, dry-salted meat, or pickled meat.

Mr. ALDRICH. Mr. Chairman, I offer the amendment which I send to the desk.

The Clerk read as follows:

In section 1, after the word "hops," in line 15, add the word "flour."

Mr. ALDRICH. Mr. Chairman, I do not know that there will be any objection to the insertion of the word "flour" in this bill, and therefore, in order to avoid if possible the necessity for debate, I ask unanimous consent that the amendment be agreed to.

Mr. HATCH. I object, Mr. Chairman.

Mr. ALDRICH. Then, Mr. Chairman, I should like to ask why, if it was thought best to include the term "flour" in the bill of two years ago, it should not be done now? I have prepared no special argument in favor of this amendment; but as the time for debate is very limited, I will ask the Clerk to read a letter bearing upon this subject for the information of the committee, and then I will ask what good reason may exist why the amendment should not be adopted.

The Clerk read as follows:

CHICAGO, *June 2, 1894.*

MY DEAR MR. ALDRICH: I am in receipt this morning of your esteemed communication of the 31st ultimo, inclosing a letter from Mr. Bloss, president of the New York Cotton Exchange, upon the antioption bill, with special reference to the flour feature of that document. To my mind this feature of the bill and its elimination after having been inserted therein is very significant. I think the whole subject may be stated in a few words.

The antioption measure, from its inception, had the enthusiastic and studied support, founded, as I believe, in absolute selfishness, of Mr. WASHBURN and the great flour interests which he represents, interests which were identified more particularly with Englishmen to whom the Minneapolis Washburns *et al.* sold out. The motive was very potent on the part of those who sold the immense flour interests in Minneapolis, to show to the foreign capitalists that the investment, at least for a time, was a good one, and to justify the presumably large salaries paid to those who conduct the enterprise on the part of stockholders in Great Britain. The flour interests of those immense mills in Minneapolis depend almost entirely upon foreign markets.

The sales of flour in these great milling corporations are made for future delivery, so that it will easily be perceived that the interest of the great flour syndicate is preëminently to have the wheat market for itself, and to be perfectly untrammeled in the sales of flour to English and other foreign markets for future delivery. Their sales, of course, are based upon the cash price for wheat, and they are substantially without competitors for selling their product for future delivery. The price for future delivery being based, of course, upon the cash value of wheat, upon the cost of manufacture, upon allowing a large margin for profit to English stockholders, and upon expenses for transportation, etc.

In this field the flour mills of Minneapolis have little or no interference or competition. Were the Hatch bill to prohibit the sales of flour for future delivery it would be a disastrous blow to the great flour syndicate owned by foreign capitalists, and presided over by the Washburns in America. To be sure, Mr. WASHBURN occupies the honorable position of Senator of the United States of America, but we may safely infer that his personal interests are exceedingly great and ever present in all his activities, in his deliberations, in his speeches, and in his views. He can not escape the obligations under which the vast foreign syndicate has placed him, and he is bound by legislation and by personal effort to further the enterprise committed mainly to his control and conduct.

Were the Hatch bill passed, restricting the market for the purchase of wheat, and leaving the same substantially under the control of the syndicate, and no interference with negotiating sales of flour in immense quantities for future delivery, the interest of the great foreign syndicate presided over in America by Mr. WASHBURN, would be promoted vastly to the benefit of that great syndicate. Legislation would be made to subserve the interests of the syndicate, and the agricultural interests in this country would be subordinated to the prosecution of the enterprise, and all things connected with the agricultural and industrial interests of this country would be secondary to the success of this immense milling—I was about to say—conspiracy.

We may certainly be justified in designating it as an immense monopoly. HATCH has evidently coöperated with WASHBURN in the prosecution of this great enterprise, antagonistic in all its features and in every respect to the interests of the agriculturist and to the facilities which boards of trade and chambers of commerce, etc., have provided for the accommodation and for the profit of the agriculturist, and for the economical marketing of the agricultural products of the West. I need not further elaborate the argument

I think that I have sufficiently indicated the controlling features of the elimination of flour from the Hatch bill. Its insertion in the bill in the Senate was made in view of consistency, and in view of exposing the real animus and essence of the bill, and afterwards eliminated to secure the unremitting diligence of Mr. WASHBURN in its promotion in the Senate.

I take this occasion to express the obligation of this board and of kindred commercial exchanges of this country to yourself for your studious persistence, and for thorough examination of this bill, and your arraignment of the policy and methods and aims of its originators and promoters. You will have rendered great service not only to the agricultural interests of the country, but to its commercial exchanges.

Very truly, yours,

GEORGE F. STONE, *Secretary.*

Hon. J. FRANK ALDRICH,
House of Representatives, Washington, D. C.

Extract from letter received from Mr. J. O. Bloss, president of the New York Cotton Exchange.

NEW YORK, *March 29, 1894.*

DEAR SIR: Your esteemed favor of the 28th instant at hand and contents noted.

By this mail I send you a copy of the Carter and Choate opinions, as requested. I also send you a copy of the protest of this exchange, which may be of service to you, in that it contains the volume and page of the CONGRESSIONAL RECORD in which the various speeches against the bill in the previous Congress can be found. The speech of ex-Senator White contains a great deal of statistical matter, more particularly in reference to cotton, but is also a strong constitutional argument. The speech of Senator VILAS, as I remember it, deals more particularly with grain, but is chiefly a constitutional argument.

You of course are aware that in the bill as originally prepared the article of flour was included. It has now been eliminated. This was brought about, as I understand it, at the special instance of Senator WASHBURN in an interview had with Mr. HATCH. In the fights that have been had on antioption in the past Senator WASHBURN has insisted that there was no objection to the incorporation of flour in the bill, and accepted an amendment whereby it was included, his contention being that there was no trading in flour that the bill affected, their business being all legitimate. It seems, however, now that this bill is objectionable enough even to his legitimate flour business to lead him to quietly take Mr. HATCH aside and have his own article stricken out. This undoubtedly was done in order to secure WASHBURN'S support of the measure in the Senate.

Hon. J. FRANK ALDRICH, *Chicago, Ill.*

Before the conclusion of the reading of the above the hammer fell.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ALDRICH. Let the remainder of the letter be printed in the RECORD.

Mr. SPRINGER. That letter ought not to go into the RECORD.

Mr. HATCH. I desire to oppose the amendment.

The CHAIRMAN. The Chair will recognize the gentleman from Minnesota [Mr. FLETCHER] in opposition.

Mr. SPRINGER. Mr. Chairman, but that letter which has just been read, or a portion of it, I submit should not be printed in the RECORD. I object to printing the letter. We have no right to put into the record assertions of that character impeaching the action of the members of another branch of Congress.

The CHAIRMAN. You are too late. Leave has already been granted not only to those who may make remarks, but to those who have not made remarks to extend them in the RECORD.

Mr. SPRINGER. My objection was not on that ground. I object because it is out of order under the rules of the House.

The CHAIRMAN. The Chair overrules the point of order. The letter will go into the RECORD.

The letter is published above.

Mr. HATCH. I desire, Mr. Chairman, to take the floor to state why it was that flour was left out of this section and out of this bill. Gentlemen have stated on the floor of the House, in Committee of the Whole, that the word "flour" was in the bill of the last Congress. It was not in the bill as it passed the House of Representatives.

Mr. WARNER. Was it not in the original bill as presented by the gentleman himself at this Congress?

Mr. HATCH. Now, if the getleman will be still for a moment, I can make a five-minutes statement that even the gentleman from New York can understand; and I am going a long way when I say that.

Mr. WILLIAM A. STONE. Mr. Chairman, I insist upon order on the floor. I can not hear a single word the gentleman from Missouri has said.

The CHAIRMAN. Neither can the Chair. [Laughter.] The Chair will endeavor, with the aid of the officers of the House, to preserve order on the floor, and hopes it will not be necessary to appeal to the committee again for that purpose.

Mr. HATCH. Mr. Chairman, this amendment was inserted by the Senate, and the bill came back to the House in the Fifty-second Congress in that form. When I introduced the bill in the beginning of this session, I simply took the bill that was last printed, being the House bill with the Senate amendment, and introduced it for consideration by the committee to whom it was referred by the House.

That bill contained the amendment of the Senate. I stated to the committee my reasons for a motion to strike out the word "flour" from the bill, simply because flour is not gambled in on the boards of trade by option sales as these other commodities are, which are specified in the bill.

Mr. ALDRICH. Will the gentleman permit an inquiry?

Mr. HATCH. I can not yield.

The CHAIRMAN. The gentleman from Missouri declines to yield.

Mr. HATCH. Flour being a manufactured article made of wheat there was no good reason why the principle upon which these farm products are placed under this system should include the article of flour.

Now, I have no interest in the world except simply as a matter of principle in opposing the amendment. You may take any other manufactured article, made of cotton or anything else, named in the bill, and insert it with the same propriety that you could the word flour. I have never heard a complaint of any commercial body in the United States, or any miller in the United States, or any manufacturer of flour, or any grower of wheat, that flour was the subject of ordinary option sales on the boards of trade such as wheat and these other commodities are. That is why the committee struck it out from the bill.

Mr. HEARD. Will my colleague allow an interruption?

The CHAIRMAN. The gentleman has declined to be interrupted.

Mr. HEARD. I do not understand my colleague as objecting. If the Chair will submit the request, I ask if he will yield for an inquiry?

Mr. HATCH. I will.

The CHAIRMAN. The time of the gentleman has expired and debate is exhausted on this amendment.

Mr. CRAIN. I offer a substitute for the pending amendment.

Mr. FLETCHER. Mr. Chairman, I rise for the purpose of opposing the amendment.

The CHAIRMAN. The gentleman is not in order now. The gentleman from Texas has the floor to offer an amendment.

The Clerk read as follows:

Strike out all after the first word of the pending amendment.

Mr. CRAIN. Mr. Chairman, I deem it to be the duty of a Representative in this House to vote in accordance with the sentiment of those who sent him here, whenever any question is under consideration which has been publicly debated and discussed before the country and upon which his constituents have

expressed their desires by public declarations, and to vote according to the dictates of his own judgment, after a full investigation of their merits, upon all measures submitted to the House upon which those whom he represents have not expressed their opinion. I have carefully read this bill, which I am sure has not been seen by fifty men in my entire district, and have given to its provisions a great deal of thought and investigation.

Lack of time will not admit of any discussion of the constitutional questions involved in regard to the power of Congress to interfere with contracts entered into by citizens of a State, and to be carried out within the territorial limits of the same State, or to invade the police jurisdiction of the States over the subject of the suppression of anything which may be deemed immoral, either in practice or tendency; and therefore I shall content myself with calling attention to the objects sought to be obtained by the framers and supporters of this bill. In order to act intelligently in casting my vote I consulted, after reading this complex and intricate bill, the report of its framer, the chairman of the Committee on Agriculture, knowing very well that after the patient investigation, exhaustive study, and laborious research bestowed by him upon the subject of the bill for so many years, he would be able to shed more light upon it than any other member of the House upon his side of the question.

I read in that report that the first object of this bill is "to obtain revenue." The report states one of its objects to be—I am reading from Mr. HATCH'S report—"to obtain revenue:"

At this time additional revenue is desirable and imperative. Unlike former bills reported to the House covering the subjects embraced in this measure, it will more surely and steadily provide a constant revenue to the Government, and that without an additional corps of revenue officers, and at a minimum cost for its collection.

Now, Mr. Chairman, I need go no further in the reading of the report or the investigation of this subject in order to vote intelligently. The bill seeks "to obtain revenue." This being admitted by the chairman of the committee, it is confessedly a legalizing, by the Government of the United States through its Representatives, of a system of gambling if passed by this House. My people know that we need revenue; my people may be willing that I should vote for a revenue reform measure, which will produce revenue, although all of its features may not commend themselves to their judgment.

But I believe that my people are unwilling that I should vote for any measure which will tolerate gambling, which will license gambling, which will legalize gambling, and which will produce revenue by gambling, which the contracts covered by the bill are denounced to be by its framers and supporters.

Mr. SNODGRASS. Mr. Chairman——

Mr. CRAIN. I can not be interrupted. Now, Mr. Chairman, if these gentleman really desire to suppress this species of gambling, why do they not follow the declaration of the platform which I shall proceed to read:

2. We demand that Congress shall pass such laws as will effectually prevent the dealing in futures of all agricultural and mechanical productions; providing a stringent system of procedure in trials that will secure prompt conviction, and imposing such penalties as shall secure the most perfect compliance with the law.

Mr. SNODGRASS. Mr. Chairman——

The CHAIRMAN. The gentleman from Texas [Mr. CRAIN] declines to yield.

A MEMBER. What platform is that?

Mr. CRAIN. I have read from the original Ocala platform, as contained in the National Economist of June 9, 1894. Now we, as Democrats, are called upon, at the behest of the Committee on Agriculture, led on by their distinguished chairman, to half way try to do what the Populists say ought to be done, namely, to suppress gambling in futures in the States of the United States and in the Territories thereof.

But this bill confessedly does not do that. It raises revenue, because the report of the committee says that the raising of revenue is an object of the bill, that revenue is needed just now, and that the bill will produce a large amount of revenue at very little expense to the Government. The report denounces "future contracts" and "options" as gambling devices which injure the farmers of the country, but in order to put money into the Treasury of the United States the supporters of the measure are willing to let them go on, for they say the taxing of them will produce revenue.

If these future and option contracts are simply gambling upon the products and misfortunes of the farmers of the country, they ought to be suppressed if Congress has the power to suppress them. But this bill does not suppress gambling, for the report declares that it will produce revenue; and it is plain that that which produces revenue is not suppressed. In other words, the framers and supporters of the bill assert that gambling in futures and options lowers the prices of agricultural products, but that as the Government needs revenues the gambling must be permitted to go on if the gamblers pay the license dues and other taxes provided for in the bill. The bill simply says, according to the committee's report, that although the gamblers in wheat, beef products, and cotton futures injure the producers of these commodities, still they must be allowed to continue to ply their vocation because the Government needs revenue, and by licensing the gamblers the Government will obtain revenue. Tax the gamblers and let the farmers suffer, says the bill. I say suppress the gambling if we have the power, but do not let the Government go into partnership with gamblers, first, from a moral standpoint; and, secondly, because not even "to obtain revenue" ought the Government to license a business which is said to lower prices to the real producers of the country. Save the farmers. Do not license the gamblers. [Applause.]

[Here the hammer fell.]

Mr. FLETCHER. Mr. Chairman——

Mr. TERRY. I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. TERRY. I understand that under the general rule, when a bill is taken up by sections, an amendment can only be offered to a section after it has been read, but if I recollect correctly it was stated or agreed the other day that when we came to amend the bill amendments might be offered to any part of the bill—because we may not reach the last sections of this bill at all.

The CHAIRMAN. That was not included in the order as finally agreed upon.

Mr. COOMBS. That was agreed upon.

The CHAIRMAN. It was merely a suggestion previous to the agreement.

Mr. TERRY. I understood that it was agreed upon. Some of these sections of the bill may never be reached.

Mr. BURROWS. We can get to them if the committee will vote on the amendments as they are offered.

The CHAIRMAN. The gentleman from Tennessee [Mr. COX] is recognized.

Mr. BURROWS. Let us have a vote on these amendments, and then we can go on.

Mr. CRAIN. I withdraw my substitute.

Mr. TERRY. I wish to read from the RECORD, page 7804, to show what the agreement was:

Mr. COX. I suggest that the gentleman ask that in offering amendments under the five-minute rule it shall not be necessary to read the bill in detail.

Mr. HATCH. I will accept that suggestion, that amendments may be offered to any section of the bill and voted upon in the order in which they are presented, so that the time will not all be consumed upon any one section of the bill.

Mr. McMILLIN. That was clearly the understanding.

Mr. HATCH. That was distinctly my proposition when I asked to close this matter in one hour, but after that it was suggested that I make it two hours, under the five-minute rule.

Mr. COBB of Missouri. But you did not withdraw this proposition.

Mr. McMILLIN. My friend from Missouri [Mr. HATCH] did not suggest that he was going to exhaust one-half the time in reading the bill.

Mr. HATCH. I am not going to exhaust one-half or one-tenth of the time. The time is being exhausted in offering amendments and debate.

Mr. McMILLIN. I suggest that it was clearly the understanding of all gentlemen here that any part of the bill would be subject to amendment during the two hours.

Mr. COX. Mr. Chairman——

Mr. TERRY. In order to have a direct ruling on the subject, I offer an amendment to section 14.

The CHAIRMAN. The Chair can not recognize the gentleman now, having agreed to recognize another gentleman. The gentleman from Texas [Mr. CRAIN] asks permission to withdraw his substitute. Is there objection? The Chair hears none, and leave is granted, and the gentleman from Tennessee [Mr. COX] is recognized.

Mr. COX. I desire to offer an amendment to the second section of the bill.

Mr. BOATNER. Has the second section of the bill been reached?

The CHAIRMAN. There is an amendment pending to the first section, offered by the gentleman from Illinois [Mr. ALDRICH]. The question is on the amendment of the gentleman from Illinois.

Mr. ALDRICH. Mr. Chairman——

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. COOMBS demanded a division.

Mr. ALDRICH. A parliamentary inquiry. Members do not understand what they are voting on.

The CHAIRMAN. The Clerk will again report the amendment.

Mr. FLETCHER. Mr. Chairman, I understood that I was to be recognized in opposition to this amendment.

The CHAIRMAN. The Chair can not recognize the gentleman now. The Chair will recognize the gentleman on the next amendment.

Mr. HOPKINS of Illinois. I renew the amendment of the gentleman from Texas. [Cries of "Too late!"]

Mr. COOMBS. I called for a division.

The CHAIRMAN. The committee was dividing.

Mr. HOPKINS of Illinois. But, Mr. Chairman, the members did not understand it. This matter is not to be driven through in this manner without debate.

The CHAIRMAN. The gentleman from Illinois will state what his proposition is.

Mr. HOPKINS of Illinois. My proposition is to renew the substitute which has been withdrawn by the gentleman from Texas [Mr. CRAIN].

The CHAIRMAN. The gentleman from Minnesota will be recognized in due time. Debate is exhausted on this amendment, and the committee is dividing.

Mr. BURROWS. Report the amendment.

The CHAIRMAN. The Clerk will report the amendment.

The amendment was again reported.

Mr. HOPKINS of Illinois. Now, Mr. Chairman, is that the amendment that the vote has been had on?

The CHAIRMAN. That is the amendment that the vote is now being taken on.

Mr. HOPKINS of Illinois. I move to strike out the last word, and I want to be heard on that a minute or two.

Mr. RICHARDSON of Michigan. I rise to a point of order.

Mr. HOPKINS of Illinois. If I understand correctly the position of the gentleman in charge of the bill——

Mr. ALDRICH. A point of order, Mr. Chairman.

Mr. HOPKINS of Illinois. I hope I can have order, Mr. Chairman.

The CHAIRMAN. Gentlemen will please take their seats and cease conversation on the floor.

Mr. COX. I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. COX. If I can get just one minute I think we can get out of this trouble.

The CHAIRMAN. We are not in any trouble. [Laughter.]

Mr. COX. Do I understand the Chair to rule that upon a motion to strike out the last word the two hours' debate on amendments can be consumed?

Mr. HOPKINS of Illinois. Mr. Chairman, I can not be taken off the floor this way.

The CHAIRMAN. There is nothing in the rules contrary to that.

Mr. HOPKINS of Illinois. Mr. Chairman, I trust the members of this committee will not hastily force a vote upon this matter. I think the amendment offered by my colleague ought to be adopted. If there is any reason for legislation of this kind affecting wheat, the same arguments and the same reasons will apply to flour. In the letter which was read from the Clerk's desk the charge is made that the reason flour was left out of the bill was to enable a British syndicate that has purchased the Washburn and Pillsbury mills to control the wheat markets of America, bear the price of wheat, and thus make profits on the flour they manufacture.

Now, I am not prepared to say that the charge in that letter is true, but I do state that the writer, Mr. Stone, is a man of integrity and standing in the city of Chicago. He states unequivocally that this whole scheme is for the purpose of depressing the price of wheat that is raised in America for the benefit of an English syndicate. I happen to know, Mr. Chairman, that these great Washburn and Pillsburry mills that are operated in Minneapolis, in the State of Minnesota——

Mr. COX. I rise to a point of order.

Mr. HOPKINS of Illinois (continuing). Are to-day under the control of and operated——

The CHAIRMAN. The gentleman will state his point of order.

Mr. HOPKINS of Illinois (continuing). By English capital.

Mr. COX. If I can get the gentleman to stop I will state my point of order.

The CHAIRMAN. The gentleman will state the point of order.

Mr. COX. When the gentleman took the floor we were dividing upon a question; and of course when the committee was dividing on an amendment the gentleman can not take the floor and address the committee on that amendment.

The CHAIRMAN. No one made the point of order against the gentleman from Illinois.

Mr. COX. I make it now.

The CHAIRMAN. It is too late. The Chair suggests to the gentleman from Tennessee that when the gentleman from Illinois gets off the floor the Chair will hear the point of order. [Laughter.]

Mr. HOPKINS of Illinois. Now, Mr. Chairman, I hope these interruptions will not be taken out of my time.

If the charges made in this letter are true, the members of this House ought to incorporate this amendment in this bill. Whether the charge is true or not, there is no reason upon earth why flour should not be included in the bill the same as wheat, rye, barley, or other products raised upon the farm. If there have been no dealings in futures on flour, that is no reason why there may not be in the future; and if the argument presented by the chairman of the Committee on Agriculture relating to the articles included in the bill be correct, then I say that the same reason would require that flour be placed in the bill.

Now, Mr. Chairman, the gentleman from Minnesota says that these mills are not operated and controlled by an English syndicate. I say the gentleman is mistaken; and I will give my reason. Within six weeks I have defended a flour operator who resides in my State from a suit that was brought by this same English syndicate, attempting to control the flour market of the city of Aurora and various portions of the State of Illinois.

It was alleged in the bill, and the attorneys who appeared in the United States courts charged, that those mills were owned and operated by an English syndicate who are not only attempting to "bear" the wheat market of this country, but also to control the flour trade throughout every section of the country.

[Here the hammer fell.]

The CHAIRMAN. Does the gentleman from Illinois withdraw his pro forma amendment?

Mr. HOPKINS of Illinois. Mr. Chairman, I withdraw my amendment.

The CHAIRMAN. The Clerk will again report the pending amendment.

The amendment was again read, as above.

Mr. FLETCHER. I move to strike out the last word.

Mr. DOCKERY. I make the point of order that no further amendment is in order.

[Cries of "Vote!" "Vote!"]

The CHAIRMAN. The Chair can not recognize the gentleman from Minnesota. Debate on this amendment is exhausted.

The question was taken, and there were—yeas 93, nays 33; so the amendment was adopted. [Applause.]

Mr. COX. Mr. Chairman, I offer an amendment to section 2 of the bill.

Mr. BOATNER. I make the point that section 2 has not yet been read.

The CHAIRMAN. Section 2 has not yet been read. The Clerk will read it.

The Clerk read as follows:

SEC. 2. That for the purposes of this act the word "futures" shall be understood to mean any contract whereby a party thereto, or any party for whom or in whose behalf such contract is made, contracts to sell and deliver to another, at a future time, or within a designated month or other period, any raw or unmanufactured cotton, hops, wheat, corn, oats, rye, barley, pork, lard, bacon, dry-salted meat, or pickled meat.

Mr. ALDRICH. I move to strike out section 2. The purpose of my motion, Mr. Chairman, is to eliminate from the bill all reference to the term "futures," so that the bill, should it become a law, will deal with trading in "options," and "options" only. There should be no objections to the bill as it would then read, and there ought to be no objections to the amendment by the authors of the bill.

Speculation in "options" is the purely gambling feature of trade in these products indulged in, I regret to say, by some members of our boards of trade. It is the canker sore or wart upon legitimate trade, and speculation and the element which has brought down so much condemnation upon these commercial organizations. These two terms, "options" and "futures," are thoroughly explained in sections 1 and 2 of the bill.

The latter term is employed to denote the actual buying and selling of commodities for delivery at some time beyond the moment at which the trade is made.

I will not take the time now to go into a further argument of this proposition, nor to reiterate the advantages which this system brings to our producing classes, but that it is legitimate there can be no doubt, and the mere fact that speculation in these goods happens to be active is no reason why it is not only legitimate but rational. Why, there is hardly any article of manufacture to-day that is not bought and sold when in large quantities for future delivery.

The great harvester companies purchase their lumber, their steel and wire and their cotton duck and binding twine months in advance of their actual needs for these articles, and the trade is a rational and a beneficial one to both seller and buyer, and the same is true of other lines of goods. The mere idea, therefore, of trading in futures, should cut no figure nor be any ele-

ment of consideration by those who favor a bill for the suppression of option trading.

As I have said before, all trading in options by members of the Board of Trade at Chicago, such as Mr. HATCH has referred to, and so justly condemned, has occurred after the hours of the board, and outside of its Exchange hall. The rules of the board do not countenance such transactions nor recognize them in any way, and the violators are subject to the operations of the State laws, and should be prosecuted for their offenses. But while trading in options is prohibited by the laws of our State, trading in futures is not, and the rules of the Chicago Board of Trade are upheld and recognized by our courts in every case brought before them.

This amendment, therefore, is a most reasonable one and should be adopted.

First. Because it has been clearly shown in this discussion that whatever the evils which may exist through this system of buying and selling of the products named for future delivery, they do not begin to overbalance the advantages derived therefrom.

Second. Because the market in which the greatest trading in futures takes place, viz., Chicago, the average price of wheat is from 1 to 3 cents above New York and from 3 to 6 cents above Liverpool, thus indicating that this system, so far as it affects values, is at least not inimical to the interests of the great farming community tributary to Chicago.

Third. Because speculative gambling is for the most part confined to the vicious practice of trading in privileges, and is completely covered in those provisions of the bill which refer to options.

I can only say in conclusion that I regret that the chairman of the committee which has reported this bill has not seen fit to publish the testimony taken before his honorable committee. Rumor has it that this testimony was so unanimously against the bill, and so little was said in favor of it, that prudence dictated that the evidence should not be published. However this may be, I make the prediction now that the bill will never become a law, regardless of the vote taken here to-day.

Mr. COX. Now, Mr. Chairman, I offer the amendment which I send to the desk.

The amendment was read as follows:

Insert after the word "meat," on page 2, line 8, the following:

"*Provided*, That nothing herein shall be construed to apply to contracts entered into for future delivery of the aforesaid articles if at the time of contract of sale of any of said articles the vendor is the actual bona fide owner of the article to be delivered in the future, or has the power and authority to sell and deliver the same as agent for another, the principal owning the property at the time the contract is made by the agent."

Mr. WILLIAM A. STONE. Mr. Chairman, I desire to offer a substitute for that amendment.

Mr. COX. I believe I have the floor, Mr. Chairman. Now, if I can have the attention of the committee for a few moments I feel satisfied that I can explain the amendment so that it will meet general approval. The main idea of this bill is to prevent men from selling property which they do not own or control. The second section of the bill as it stands undertakes to define futures, and, taking that in connection with the section which exempts farmers from the operation of the bill, another class of legitimate business transactions is brought within the range of the bill, so that instead of punishing fictitious sales, or compelling such sales to pay revenue, you really embarrass and retard a large class of transactions which belong to legitimate business—transactions in which thousands of men throughout the country are engaged.

Let me put the case so that it can be understood.

Say that my friend here [Mr. COOMBS] is a merchant and I am a farmer. I owe him $500. I say to him, "I will give you 500 bushels of wheat for my debt." He accepts the proposition and I turn the wheat over to him. Next day he goes to the miller to sell the wheat, and the miller requires him to deliver it within three days. Now, in those transactions contracts arise such as are covered by the provisions of this bill, and I submit that to have the bill operate upon transactions of that kind is a hardship and tends to retard legitimate business.

I am in favor of this bill, but my object is to strike the men who sell what they have not got, not to retard the operations of men who sell what they have got; and the amendment I have proposed to section 2 provides for such cases as that which I have stated. Where a man has what he sells, it is an outrage to place such restrictions upon his business as this bill does. While the bill permits the farmer to deliver his wheat exempt from this tax, yet whenever the merchant, the lawyer, or anybody else gets hold of that wheat, even though he has to deliver it within three or four days, he is subject to the tax under the provisions of this bill.

Mr. CANNON of Illinois. I wish to suggest to the gentleman that on page 17 you let the farmer sell the growing crop——

Mr. COX. Mr. Chairman, I have only five minutes in which to present this amendment, and I can not yield to interruptions. I will read the amendment again, so that members may understand it exactly.

Mr. COX again read the amendment, as above.

[Here the hammer fell.]

[Cries of "Vote!" "Vote!"]

Mr. HATCH. Mr. Chairman, if the committee will indulge me just a moment I think I can save time by a very brief statement. I do not agree with the gentleman from Tennessee as to the importance which he attaches to this amendment, but I am satisfied that he earnestly believes it is necessary to cover a class of cases that occur occasionally in his section of the country, if not throughout the land.

Mr. COX. Such things occur a thousand times every month.

Mr. HATCH. I believe the gentleman thinks the amendment necessary. I am not willing myself to reject any fair amendment of this bill, any amendment which, in my judgment, will not destroy its efficacy. Therefore, so far as I am concerned, I shall not object to the gentleman's amendment.

Mr. COX. Thank you. [Cries of "Vote! "Vote!"]

Mr. FLETCHER was recognized.

Mr. BOATNER. Mr. Chairman——

The CHAIRMAN. The gentleman from Louisiana is not in order.

Mr. BOATNER. I am in order. I desire to move an amendment to the amendment which is now pending, and that is strictly a parliamentary motion.

The CHAIRMAN. There is an amendment to the amendment already pending, and therefore the gentleman is not in order.

Mr. BOATNER. Does the Chair say that I am not in order in moving to amend an amendment?

The CHAIRMAN. The gentleman from Minnesota is recognized.

Mr. FLETCHER. Mr. Chairman, I wish to state to the members of this House that the letter which has been read here and the statements which have been made by the gentleman from Illinois are entirely unwarranted by the facts of the case.

About 35,000 barrels of flour are made per day in Minneapolis. Of this quantity the Pillsbury-Washburn syndicate, as it is termed, or the great English syndicate, does not produce over 10,000 barrels. A few agents of the English syndicate have been put as their representatives into the Pillsbury-Washburn concern in order that they may have a better market for their flour on the other side. But the English syndicate does not control and never did control the majority of the stock of the Pillsbury-Washburn concern.

I have been a miller in the city of Minneapolis for fifteen years and I know whereof I speak. I make the assertion right here, without fear of contradiction by any man on this floor, that there is not a miller in the city of Minneapolis, or Winona, or Duluth, or West Superior, or Mankato, and in this statement are included all the large mills of the Northwest—not one of those men, unless it be Mr. Pillsbury or Senator WASHBURN, is in favor of the passage of this bill in any sense of the word. I was at a meeting of the millers of Minnesota week before last, and every miller there except Mr. Pillsbury condemned this bill from beginning to end.

Now, when men get up here and undertake to tell us about this great syndicate of millers controlled in Minneapolis, and that Minneapolis is controlled by England and the English syndicate, there is not a word of foundation for the statement. There are some parties in England connected directly or indirectly with the Pillsbury and Washburn concern; but it is altogether a mistake to suppose that the Pillsbury-Washburn men are the only millers in that section. They have not a capacity of over 10,000 or 10,500 barrels a day out of the 35,000 barrels manufactured. The Washburn, of Washburn, Crosby & Co., is another Washburn entirely, and represents the estate of the late C. C. Washburn.

I repeat, that every miller in the great mills at Duluth, West Superior, Mankato, and Winona is opposed to this bill. As for Mr. Pillsbury, the chairman of the committee who has this bill in charge, will bear out my statement when I say that Mr. Pillsbury himself did not favor this bill, but in company with another gentleman wanted amendments put upon it to eliminate some of its bad features. And now to come here with this mass of misstatement and that misleading letter which Mr. ALDRICH had read from the board of trade is simply a trick to fool the members of this House.

I represent the milling interests of Minneapolis; I know every man in the Northwest who is engaged in the milling business; and I know that there is not one of them, unless it may be some man with a small mill, producing two or three hundred barrels

a day—there is not one important miller in all that section of the country who favors the passage of this bill or ever did.

Let me say further that the millers have never made any money on low priced wheat. You can not make money in the milling business on low-priced wheat. Low-priced wheat produces low-priced flour. Flour has not netted within the last two years on the average more than 5 to 7½ cents a barrel net profit. When wheat is worth a dollar or a dollar and twenty-five cents a bushel, there is a demand for flour throughout the country and the miller makes more money. I repeat, that more money is made by millers on high-priced wheat than on low-priced wheat.

[Here the hammer fell.]

[Mr. FLETCHER took his seat amid applause.]

The CHAIRMAN. The substitute offered by the gentleman from Pennsylvania [Mr. WILLIAM A. STONE] for the proposition of the gentleman from Tennessee [Mr. COX] will be read.

Mr. BOATNER. I rise to a question of order. My point is that a motion to amend the amendment takes precedence of a substitute. In other words, we have a right to perfect the original amendment before the substitute is in order. I therefore insist upon my right to offer an amendment to the pending amendment.

The CHAIRMAN. The Chair understood the gentleman's amendment to be a substitute.

Mr. BOATNER. No, sir. My proposition is an amendment to the amendment of the gentleman from Tennessee, and I insist on my right to offer it.

The CHAIRMAN. They are both amendments; but the amendment of the gentleman from Pennsylvania [Mr. WILLIAM A. STONE] is first in order.

Mr. BOATNER. I understood that was a substitute for the pending amendment.

The CHAIRMAN. A substitute is nothing but an amendment.

Mr. MCMILLIN. Any gentleman desiring to offer an amendment to perfect the text has the right to do so before a substitute is in order. The gentleman from Louisiana, I submit, is clearly right in the point he has made.

The CHAIRMAN. The Chair will say to the gentleman from Tennessee that he has directed the proposition of the gentleman from Pennsylvania [Mr. WILLIAM A. STONE] to be read, in order to ascertain whether it is a substitute or not.

Mr. SPRINGER. Let it be read, so that we may know what it is.

The Clerk read as follows:

Add at the end of section 2:

"*Provided*, That any contract or agreement for the future delivery of any of said articles where the time specified shall not exceed thirty days from day of contract; and that any person, firm, or copartnership dealing in any of said articles who buy and sell the same for spot delivery, or to be delivered within thirty days from day of sale, shall not come under the provisions of this act."

Mr. BOATNER. That is clearly a substitute for the original proposition.

The CHAIRMAN. The Chair will say to the gentleman from Louisiana, after the reading of the amendment, that it is clearly an amendment and in order.

Mr. SNODGRASS. I desire to offer a substitute for the pending propositions.

The CHAIRMAN. The Chair can not take the gentleman from Pennsylvania off the floor now. He is entitled to five minutes, and is recognized for that purpose.

Mr. WILLIAM A. STONE. Mr. Chairman, as I understand the provisions of this bill they would compel a person dealing at a small station on a railroad, for instance, who buys up the grain and produce of the neighborhood for the convenience and accommodation of the farmers themselves, to pay this tax and take out a license as a broker under this bill.

I have in my hand a letter sent to me by a person living in my district, Mr. John Hood, a dealer in produce of all kinds, and who is very competent to judge of what the effect of the bill will be on this trade in the event of its enactment into law. I desire to have this letter read in my time in support of the amendment which I offer.

The Clerk read as follows:

PITTSBURG, PA., *June 20, 1894.*

DEAR SIR: I notice the Hatch antioption bill is before your body and I inclose an amendment I wish you to offer to section 14, line 45, as the bill was reported March 23, 1894.

There may be some amendments incorporated in the bill since then that would change the sections, but we wish to have all contracts or agreements made for future delivery within thirty days from day of sale, and all persons who confine their business to selling spot goods or to goods they agree to deliver within thirty days shall be entirely exempt from the provisions of the bill, same as persons who contract to deliver to persons engaged in manufacturing, as provided for in section 14, commencing line 21 and ending line 45.

I had made some suggestions similar to this amendment to Mr. SIBLEY and he suggested some time ago that we have our representative offer amendments in accordance with our wishes and they would receive favorable consideration.

With this amendment incorporated in the bill all dealers at country stations or in cities that are buying and shipping the goods enumerated could make contracts for spot delivery or ten-day or thirty-day delivery and not be required to take out a license and be annoyed with the many provisions contained in the bill, and all who wish to speculate and sell goods for two, six, or twelve months' delivery can take out their license and transact business in conformity to the law. I consider it a gross outrage to inflict the provisions of the bill on bona fide dealers who do not want to speculate.

Please confer with Mr. HATCH and Mr. SIBLEY and they may join with you on this amendment.

Truly,

JNO. HOOD.

Hon. W. A. STONE, *Washington, D. C.*

Mr. WILLIAM A. STONE. This amendment that I have offered was drawn by Mr. Hood.

I now desire to ask the chairman of the committee whether or not this bill, without that amendment, does not affect that class of people as suggested by Mr. Hood? It seems to me that the amendment will do away with the objection which he makes; and that it is entirely proper that this class of people, who do a small business at the railway stations, and pick up a little grain for the accommodation of the farming community, ought to be exempted from the operations of the bill. The bill without the amendment, in my judgment, will do a great deal more harm than good; and the real friends of the farmer on this floor will vote for the amendment I have offered.

[Here the hammer fell].

Mr. HATCH. I desire to be heard on the amendment.

Mr. SNODGRASS. I wish to offer a substitute.

The CHAIRMAN. If the gentleman from Tennessee will listen, the Chair will state that there is an amendment now pending to an amendment.

Mr. SNODGRASS. But I want to offer a substitute to the amendment.

The CHAIRMAN. The gentleman from Missouri has the floor.

Mr. COX. I rise to a parliamentary inquiry. On my amendment being proposed to the committee, I understood the chairman of the Committee on Agriculture to say—he having charge of the bill—that he would accept the amendment; and no one made objection. Now, is not that amendment a part of the bill at this time?

The CHAIRMAN. The gentleman from Missouri could not accept the amendment without a vote of the House. It is for the committee to accept the amendment.

Mr. SNODGRASS. I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SNODGRASS. I understand the gentleman from Pennsylvania offered an amendment to the bill, and to that amendment the gentleman from Illinois offered an amendment.

The CHAIRMAN. That is correct.

Mr. SNODGRASS. Now, I want to ask if I have not the right to offer a substitute for both of these amendments.

The CHAIRMAN. The gentleman has a right to offer a substitute for the entire section.

Mr. BOATNER. Not for the entire section, but a substitute for the amendment to the amendment. I desire to offer a substitute.

The CHAIRMAN. The gentleman from Missouri has the floor.

Mr. SNODGRASS. I ask if I have not a right to offer the substitute?

The CHAIRMAN. The gentleman has not the right now.

Mr. SNODGRASS. When will I have the right?

The CHAIRMAN. The Chair will indicate when. The gentleman from Missouri is recognized.

Mr. HATCH. Mr. Chairman, if I can have the attention of the Committee for a moment, I desire to say that the amendment offered by the gentleman from Pennsylvania [Mr. WILLIAM A. STONE] has been suggested by a very prominent banker of the city of New York, who sent out this suggestion not only to the members of the committee, but to other members of the House, and it has gone all over the country. It is a very ingenious scheme to rob this bill, if it becomes a law, of all force and effect, and I hope every friend of the bill on the floor will vote against the amendment.

I desire to read what a very prominent merchant of St. Louis wrote me on this subject on the 24th day of May. He says:

Referring to the communication on options from the exchange of this city, published in this day's Republic, I wish to call your attention to the effort now being made by Henry Clews & Co., of New York, to get the consent of the different exchanges of this country to restrict the sale of options to sixty days. He gives the reasons for this change, but not the true one. The true reason is that business, during and since the panic, has been so small together with the custom of regular speculators to deal in the far-off options, that he makes this effort to force the renewal of deals every sixty days—every ten days would be better from his standpoint, so far as his commissions are concerned—and this is all the interest he has in the custom.

This proposition if carried out would knock into a cocked hat the position that this article assumes, namely, that this custom is in the interest of

legitimate business. Clews's effort defines the custom to be strictly a gamble, purely in the interest of the dealers for the commission only, and as a matter of fact this custom would die out, and shortly at that, if the people would refuse in future to gamble in options, while legitimate buying and selling would continue as long as the world lasts.

Now, Mr. Chairman, this is not a new proposition. It is perfectly understood by the committee that framed this bill, and if it is adopted, you might just as well defeat the bill. It would destroy the force and effect of the entire measure. It would simply redouble these sales from day to day and month to month, and I hope every friend of the measure will vote against the amendment.

Mr. SNODGRASS. Mr. Chairman——

The CHAIRMAN. There is already an amendment pending. We will take a vote on that.

Mr. SNODGRASS. I propose to offer a substitute for the amendment.

The CHAIRMAN. It is not in order now.

Mr. SNODGRASS. Well, I want to read the Chair this rule.

The CHAIRMAN. It makes no difference how many rules you read. The Chair has ruled that it is not in order. Those who favor the amendment of the gentleman from Pennsylvania [Mr. WILLIAM A. STONE] will say "aye."

The question was taken; and the Chairman announced that the noes seemed to have it.

Mr. WILLIAM A. STONE. Division.

The committee divided; and there were—ayes 81, noes 74.

The CHAIRMAN. The ayes have it, and the amendment is adopted.

Mr. HATCH. No quorum has voted. I demand tellers.

Several MEMBERS. Too late.

Mr. HATCH. I have been trying to get the attention of the Chair.

The CHAIRMAN. Does the gentleman make the point of no quorum?

Mr. HATCH. I do.

Mr. SNODGRASS. He is too late. The result has been announced.

The CHAIRMAN. The Chair will recognize any gentleman who states that he endeavored to get the attention of the Chair. The gentleman from Missouri [Mr. HATCH] makes the point of no quorum. The Chair will appoint as tellers the gentleman from Pennsylvania [Mr. WILLIAM A. STONE] and the gentleman from Missouri [Mr. HATCH].

The committee again divided, and the tellers reported—ayes 92, noes 92.

Accordingly the amendment was rejected.

Mr. ALDRICH. Mr. Chairman——

The CHAIRMAN. The gentleman from Tennessee [Mr. SNODGRASS] is recognized to offer an amendment, which the Clerk will report.

The Clerk read as follows:

Amend section 14——

Mr. SNODGRASS. I ask the Clerk to strike out the words "amend section 14." I wish the amendment to come in at this point.

Mr. FUNK. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. FUNK. I rise for the purpose of offering an amendment to section 2.

The CHAIRMAN. It is not in order now.

Mr. FUNK. When will it be in order?

The CHAIRMAN. When we get some of these others out of the way the gentleman's amendment will be in order. The Clerk will report the amendment of the gentleman from Tennessee [Mr. SNODGRASS].

The Clerk read as follows:

Amend section 14 as follows:

Mr. SNODGRASS. Strike out the reference to section 14 and insert the words "amend by adding."

Mr. COX. Is this offered as an amendment to my amendment?

The CHAIRMAN. The Chair can not tell until it is read. The Clerk will report the amendment offered by the gentleman from Tennessee [Mr. SNODGRASS].

The Clerk read as follows:

Amend by adding the words:
"And none of the provisions of this act shall apply to any person making a sale of said commodities for future delivery, who is the owner of the property sold at the time of the sale, or the agent of such owner."

The CHAIRMAN. Where does the gentleman propose that that amendment shall come into the bill?

Mr. SNODGRASS. Right at the end of the amendment of the gentleman from Tennessee [Mr. COX].

The CHAIRMAN. It is in order, if it is intended as an amendment to the amendment of the gentleman from Tennessee [Mr. COX].

Mr. COX. Mr. Chairman, the amendment offered by my colleague——

Mr. SNODGRASS. I believe I have the floor.

The CHAIRMAN. The Chair supposed the gentleman [Mr. COX] wished to make a point of order. The gentleman from Tennessee [Mr. SNODGRASS] has the floor, unless a point of order is made.

Mr. COX. I am trying to raise a point of order.

The CHAIRMAN. What is it?

Mr. COX. This amendment, offered by my colleague——

The CHAIRMAN. The gentleman is not in order now.

Mr. COX. I wish to make a point of order. I will make it if the Chair will hear me. The Chair can not tell whether it is a point of order until he hears it.

Mr. FUNK. I wish to offer an amendment.

The CHAIRMAN. It is not in order at this time.

Mr. ALDRICH. I desire to know if it is now in order to make the motion to strike out section 2?

The CHAIRMAN. It is not in order at this time.

Mr. SNODGRASS. Mr. Chairman, I understand I have the floor.

The CHAIRMAN. If the gentleman from Tennessee desires to make a point of order the Chair will hear him.

Mr. COX. Mr. Chairman, the very terms of the amendment offered to the amendment which I proposed to the bill by my colleague, is a repetition precisely of the amendment I have already offered. How can an amendment to an amendment be offered when it is the same thing?

The CHAIRMAN. The amendment will be read.

Mr. COX. Read them both and you will see they are the same.

The amendment offered by Mr. SNODGRASS was read, as follows:

Amend by adding the following at the end of the said section: "And none of the provisions of this act shall apply to any person making a sale of said commodities for future delivery who is the owner of the property sold at the time of sale, or the agent of such owner."

Mr. COX. Now read my amendment. It is exactly the same.

The CHAIRMAN. The Clerk will report the amendment of the gentleman from Tennessee.

The Clerk read as follows:

Insert after the word "meat" on page 2, line 8:
"*Provided*, That nothing herein shall be construed to apply to contracts entered into for future delivery of the aforesaid articles, if at the time of the contract and sale of any of said articles the vendor is the actual bona fide owner of the article to be delivered in the future, or has the power and authority to deliver the same as the agent of another, the principal owing the property at the time the contract is made by the agent."

Mr. COX. That is just the same.

The CHAIRMAN. The Chair desires to state to the gentleman from Tennessee that the House alone has the right to determine which of these amendments it prefers, and whether both mean the same thing it is not the province of the Chair to decide. The Chair will recogize the gentlemen from Illinois to move to strike out this section after the section is perfected. The gentleman from Tennessee [Mr. SNODGRASS] is recognized.

Mr. SNODGRASS. Mr. Chairman, I believe in the largest liberty and least government compatible with the preservation of life, liberty, and property. I do not concede that this Congress has the power to say to the citizens of my State, in their domestic trade, whether their contracts shall be oral or in writing. I believe that a proposition of this kind is paternal in the extreme. I believe that my constituents have the right to buy their neighbor's crop and to sell that when it becomes their property for future delivery without being shackled, without being trammeled by an assumption of power by this House that they shall reduce that contract to writing and put a stamp upon every package of their produce and upon every hog they purchase and deliver upon a future contract.

I do not agree with my distinguished friend from Pennsylvania [Mr. SIBLEY] that whenever a supposed emergency or expediency or necessity arises that this Congress has a right to tear apart the Constitution and to trample it under its foot for the purpose of relieving what he or any other member of this House may suppose is a necessity. If a public necessity arises the framers of the Constitution have provided a remedy; and we may amend the Constitution, but we have no right to stultify ourselves by tearing off parts of the parchment and consoling our consciences on the ground that an emergency existed.

I say, Mr. Chairman, that if we have the right to say that every contract between the citizens of a State shall be reduced to writing, we have the right to say that they shall make no contract unless they pay it in cash, or unless they pay a specific currency, pay in gold, or pay in silver, or pay in greenbacks, or in any other currency they may please to specify as a consideration.

It is a power that is unauthorized. It is a usurpation on the part of this House that every member who understands the organic law ought to be ashamed of. If it is conceded there are no restrictions or limitations upon Congress, then we have not a republican form of government, but a despotism of the worst order.

Mr. BOATNER. Will the gentleman allow me to interrupt him with a suggestion?

Mr. SNODGRASS. Certainly.

Mr. BOATNER. Is the gentleman aware of any possible construction of the Constitution by which Congress is authorized to interfere between citizens of the State of Tennessee in their contract relations with each other?

Mr. SNODGRASS. No, sir; and Congress has no such power. I state that without fear of successful contradiction; and not only that, but if Congress has the power to do this, why then it has the power to destroy every reserved right of the people of the States, and it has the right to take charge of their domestic relations and regulate them according to its own will.

If this provision of the bill is retained it will force our farmers, if they buy their neighbors' crops and sell for the future delivery of the same, to reduce two contracts to writing and pay stamp duties on the two contracts.

This would be an unwarranted assumption of power on the part of Congress, and an infringement of the right of the States and the people thereof. I am opposed to the sales of options. It is in my judgment a wrong, but it is a proper subject for the States. If this amendment is adopted, as the bill purports to be for the purpose of raising revenue, I shall vote for it; and if it is not adopted I shall waive my opinion and support it, trusting future legislation to correct it.

The CHAIRMAN. The time of the gentleman has expired. Debate on this amendment is exhausted.

Mr. SNODGRASS. I withdraw my amendment.

Mr. COX. I demand a vote.

Mr. BOATNER. I offer an amendment to the amendment offered by the gentleman from Tennessee [Mr. COX], to be added to the amendment.

The Clerk read as follows:

Provided, That none of the provisions of this bill shall apply to a bona fide sale for actual delivery of any product in due course of business.

Mr. BOATNER. Mr. Chairman, if I can get the attention of the committee for a few moments I want to point out how the far-reaching provisions of this bill affect everyday business and commerce.

The committee will find by looking at the bill that the second section defines what constitutes a contract for future delivery. The ninth section says that those contracts shall be recorded in the office of the contractor on the day they are entered into; that the contracts shall be stamped then and there, and that in default of recording and stamping the contracts according to the provisions of this act certain penalties shall be incurred.

It is further provided that if, for any reason whatever, there should not be an actual delivery of the articles which have been sold, then the additional taxes shall accrue. Now, it will occur to anyone who knows anything about actual business that commercial houses, under the present system of doing business, send out their drummers or agents, who sell their goods far in advance of delivery—corn, pork, lard, oats, meat, almost all the articles mentioned in this bill, especially corn, oats, pork, lard, bacon, dry-salted meats, or pickled meats.

Under the provisions of this bill no drummer could sell a carload of any of the goods mentioned in the bill, unless he was able to telegraph to the merchants whom he represented, on the day he made the sale, giving all the terms and conditions of the contract; and if, for any reason, the goods should not be delievered within the time stipulated in the contract it would be necessary that a written agreement of extension should be entered into, otherwise the tax would accrue. Now, I apprehend that it is not the object of the gentleman from Missouri [Mr. HATCH], or of the the other friends of this bill, to interfere with the legitimate operations of commerce.

I apprehend that all they want to accomplish by the bill is to destroy gambling, and the amendment which I have offered provides that the provisions of this bill shall in no case apply to contracts for sales for actual delivery in the due course of business. I can not see any possible objection to that. If the bill is to become a law it ought not to accomplish any more than its object, which, as I understand, is to destroy gambling. It certainly ought not in any event to prevent the conduct of legitimate trade between the large cities and the country that is tributary to them.

It is a common custom and practice where I live for merchants of the city of St. Louis (from which city we get most of our supplies) to send out advance agents to sell corn, pork, flour, lard, all these articles, the contracts being made long in advance of delivery. The orders are taken and are sent to St. Louis and the goods are shipped down by steamboat, to be delivered to the parties for whom they are intended and paid for on delivery. Now, under the provisions of this bill, that business can not be conducted except under such restrictions as will make it almost impossible.

Mr. TERRY. Is it not claimed by the New Orleans Board of Trade that all their future contracts contemplate actual delivery?

Mr. BOATNER. I do not know whether they make that claim or not. I think they do. I think the contracts are all drawn in that way. But if the gentleman will observe the language of the amendment which I offer he will see that it would not apply to cases of that sort. A sale in due course of business is a sale by one who is engaged in the handling of the commodity in question.

Mr. TERRY. But a sale by a man who conducted the bucket shop would be a sale "in due course of business" in a bucket shop.

Mr. BOATNER. Oh, no; because such a man does not pretend to own or deliver anything.

Mr. HATCH was recognized.

Mr. FUNK. Mr. Chairman——

The CHAIRMAN. The gentleman from Missouri is recognized. The Chair will recognize the gentleman from Illinois later.

Mr. HATCH. The members of this committee may as well understand now as at any future time in the consideration of this bill, that the amendment offered by the gentleman from Louisiana is very adroitly drawn for the purpose of killing the bill. The gentleman might as well make a motion to strike out the enacting clause of the bill. This is not an amendment in good faith. It is not an amendment to perfect the amendment offered by the gentleman from Tennessee [Mr. COX] and adopted.

Mr. BOATNER. Do I understand the gentleman to say that my amendment is not offered in good faith?

Mr. HATCH. I say it is not an amendment in good faith to perfect the bill; it is in good faith to kill it.

Mr. BOATNER. I can assure the gentleman that it is just the contrary. The amendment was offered for the purpose of at least preventing this bill from interfering with the legitimate operations of commerce.

Mr. HATCH. Oh, the gentleman is too good a lawyer and knows too well the effect of this bill not to know that every single contract made upon a cotton board or a board of trade of any kind in the United States would be claimed to be made "in due course of business."

Mr. BOATNER. Mr. Chairman——

Mr. HATCH. I can not yield to the gentleman. I did not take up any of his time.

Mr. BOATNER. Just one moment.

Mr. HATCH. I can not yield. I have promised three minutes of my time to another gentleman. Now, Mr. Chairman, I have said all that I can say about this amendment. If it is adopted by the committee and by a yea-and-nay vote in the House, I would just as lief that gentlemen would vote against the bill and kill it in a direct and reasonable manner, and not do it by indirection by putting on such an amendment as this. I do not think it possible that the committee will adopt this amendment; but if they do, I shall certainly ask for a yea-and-nay vote on it in the House.

Mr. BOATNER. And I will demand a yea-and-nay vote in the House if the committee do not adopt it.

Mr. HATCH. I yield the remainder of my time to the gentleman from Tennessee [Mr. COX].

Mr. COX. Mr. Chairman, I do not desire to consume more than a moment's time. The Committee of the Whole has now before it a straightforward proposition that wherever a man is the owner of any property—whether he be a farmer, a lawyer, a doctor, or what not—he shall have the right to make a contract as to when he will sell it and when he will deliver it. The only legitimate object of this bill or of any legislation of this kind is to prevent men from selling what they have not. Whenever you open the door so that a man may sell what he does not own—when you call that "legitimate business" or "due course of trade"—you will never be able to stop these gamblers from undertaking to sell something when they have nothing.

What fairer proposition can be submitted than the one now before the committee? If a man has property, let him sell it without any restriction and deliver it without any restriction; but when he has nothing to sell, then tax him and thus throw obstruction in the way of such speculation and gambling. There can be no objection to an honest proposition like that. I do not want to attack any legitimate business or interfere with it. But when a man undertakes to sell that which he has not, I think it proper he should pay for the privilege of thus speculating upon

the ups and downs of the market, and thus imposing upon honest men who own property. The amendment I have offered absolutely allows anyone to sell what he has and deliver it whenever he may please. And this is all that we ought to be expected to sanction in this matter.

Mr. BOATNER. I move to strike out the last word.

Mr. COX. I do not think the gentleman can get an additional five minutes by a motion of that kind.

The CHAIRMAN. The gentleman from Tennessee [Mr. COX] has half a minute remaining.

Mr. COX. Well, Mr. Chairman, if the gentleman from Louisiana [Mr. BOATNER] wants to make another speech on a motion to strike out the last word, I believe I will move to strike out the last two words and so double my time.

Mr. BOATNER. You can not do that.

Mr. COX. How are you going to do it, then?

Mr. BOATNER. Mr. Chairman, I move to strike out the last word. The gentleman from Tennessee [Mr. COX] recognizes the injustice of those provisions of the bill which prohibit the owner of property from selling it for future delivery. Acknowledging the injustice of any such provision, he seeks to correct it by an amendment; and the chairman of the Committee on Agriculture has stated that he will accept the amendment. In adopting such an amendment, gentlemen overlook another class of cases and another system of dealing, just as much entitled to consideration at the hands of this House as the class of cases referred to in the amendment of the gentleman from Tennessee.

Do the chairman of the committee and the gentleman from Tennessee know that under the provisions of this bill the wholesale merchant who sends an agent to sell goods for him must have at the time of the sale the wheat, the flour, the corn, the oats in his warehouse, otherwise the agent can not sell them without incurring the penalties provided by this act? I say that such provisions will impose unnecessary, burdensome, and vexatious restrictions upon legitimate commerce, unless the amendment I have suggested be adopted.

Now, the gentleman from Tennessee says that under the amendment which I have proposed the very system of business which he and his friends are seeking to destroy must continue to exist. I say such is not the case. How will this amendment operate? Why, sir, if I undertake to sell to the gentleman a thousand bales of cotton to be delivered in the future I would be subject to the tax, because I am no cotton dealer or cotton raiser; I have no cotton to deliver; I am not in the habit of selling cotton for actual delivery, and that fact could be made to appear. If, on the contrary, I am a cotton-planter or am in the habit of dealing in any one of these commodities—if I make my living by buying and selling them to the actual consumer—the law ought not to, and if my amendment be adopted will not, interfere with this class of business.

It is perfectly clear that such business would have no analogy to "bucket-shop" transactions. Could the keeper of the bucket shop or the man who makes the offer to sell through a bucket shop testify that he had in his possession or expected to have in his possession or intended to deliver the property involved in the transactions? Could the person buying at such an establishment say he expected the goods to be delivered to him? It is perfectly apparent in the nature of their business that a settlement based on the mere difference of price is to be the outcome of the transaction.

You can not pass this bill in its present shape without breaking up a legitimate class of business which prevails in this country—the making of contracts in advance of the ownership of the products which are sold. If you go now to the South you will find the advance agents of the manufacturers, the wholesale dealers of the East, selling goods for next winter's consumption.

The men for whom they are selling do not yet own the goods; the goods are not yet in existence; they are to be manufactured and are to be delivered in accordance with the terms of the contract. So an agent goes out and sells corn, or wheat, or lard, or products of any kind, which at the time of the sale are not in possession of the seller or owned by the person he represents, but are to be bought in the markets and be delivered at the maturity of the contract. I say, sir, the amendment is absolutely necessary to protect legitimate commerce of the country from the obstructions which would otherwise be thrown around it.

[Here the hammer fell.]

Mr. FITHIAN. I desire to offer an amendment.

The CHAIRMAN. It is not now in order.

The question is on agreeing to the amendment of the gentleman from Louisiana to the amendment of the gentleman from Tennessee.

The question was taken, and the Chairman announced that the "noes" seemed to have in.

Mr. BOATNER. I demand a division.

The question was taken; and on a division there were—ayes 75, noes 75.

Mr. BOATNER. Let us have tellers.

The CHAIRMAN announced the appointment of Mr. BOATNER and Mr. COX as tellers.

The committee again divided; and the tellers reported—ayes 97, noes 82.

So the amendment was agreed to. [Applause.]

Mr. FUNK. I now offer an amendment.

Mr. COX. Is it not first in order to take the vote on the amendment as amended?

The CHAIRMAN. The Chair understands the amendment of the gentleman from Illinois is to the amendment of the gentleman from Tennessee.

Mr. BOATNER. But more than one amendment to an amendment is not in order. I make the point of order that one amendment has been adopted.

The CHAIRMAN. It can be amended if necessary. Your amendment has become a part of the amendment of the gentleman from Tennessee, and the amendment of the gentleman from Illinois, the Chair thinks, is in order. The Clerk will report the amendment.

The Clerk read as follows:

Amend section 2, line 6, page 2, by inserting after the word "hops" the words "sugar, refined or unrefined."

Mr. HATCH. I make the point of order against that amendment.

The CHAIRMAN. The amendment is not an amendment to the pending amendment and will be disposed of after the amendment of the gentleman from Tennessee is disposed of.

Mr. SPRINGER. It is not in order as an amendment.

The CHAIRMAN. The Chair will consider the question of order hereafter. The question is on the amendment of the gentleman from Tennessee as amended.

Mr. LACEY. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. LACEY. I understand the Chair to hold that the amendment of the gentleman from Illinois is not now in order?

The CHAIRMAN. That is correct.

Mr. LACEY. I will offer an amendment which is in order now, to perfect the amendment of the gentleman from Tennessee.

Mr. MCMILLIN. I make the point of order that the Chair had begun to submit the question to the House.

The CHAIRMAN. But the gentleman from Iowa had proposed his amendment before the Chair did so. The gentleman was on his feet to offer an amendment, and the Clerk will report the amendment.

The Clerk read as follows:

Provided, That in case a seller, described in the act, shall in fact be the owner of the property contracted to be sold, at the time of the sale, or at the time of time fixed in the contract for delivery, the failure to deliver the same, when caused by delay in transportation or fault of the carrier, shall be sufficient excuse for nonpayment of the final stamp tax provided for in this act.

Mr. COX. I make the point of order on that amendment. It relates to a different section of the bill.

Mr. LACEY. Mr. Chairman——

The CHAIRMAN. The Chair can not recognize the gentleman now. There is a point of order pending.

The Chair thinks the amendment is in order as an amendment to the amendment of the gentleman from Tennessee.

Mr. LACEY. I desire to explain the amendment, Mr. Chairman. It is the position of the framers of this bill that this matter is provided for in section 14, but it is not; and a provision of this kind ought to be inserted to govern cases of the kind referred to in the amendment.

An elevator man, for instance, in one of the grain-producing States sells his grain for future delivery. At the time of the sale he may have the grain in stock, or he may not have it. If he goes out and buys the grain afterwards—that is, if he has the grain on hand by purchase or otherwise at the time fixed by the contract for the delivery, and the delivery is prevented by a failure to get cars, or by a delay in transportation, he ought to be excused from paying the tax.

There is a provision in section 14 that if the delay is caused by an accident, such as a washout, or a casualty, such as fire, he will be excused; but there is no provision covering cases where the mere delay in the carriage of the goods causes a failure to comply with the contract, and where such failure is not the fault of the party making the contract, but the fault of the common carrier whose duty it is to transport the goods.

That is the reason I offer the amendment, and I ask for a vote.

Mr. HATCH. I yield to the gentleman from Pennsylvania

[Mr. SIBLEY], who will oppose the amendment of the gentleman from Iowa.

Mr. SIBLEY. Mr. Chairman, there is not a condition stated by the proposition of the gentleman from Iowa that this bill does not provide for. If a case of the kind suggested by the gentleman should arise the bill makes provision for it. There can be (in the event suggested by the gentleman and which he proposes to cover by his amendment) ample provision found in the bill to afford relief. There may be delays, of course, without penalty, where such delays arise because of flood or fire or other unavoidable cause.

Mr. WARNER. Will the gentleman tell us if he has got "contango" in there——

The CHAIRMAN. The gentleman from New York [Mr. WARNER] is not in order. The gentleman from Pennsylvania [Mr. SIBLEY] has the floor.

Mr. SIBLEY. Mr. Chairman, if the friends of the farmers want to pass an antioption bill protecting their interests from the gamblers in futures, or if they do not wish to protect them, let them say so when this bill comes to a vote; but I ask gentlemen not to emasculate the bill, and make it something that is unworthy either of the committee or of the judgment of this House. Some of the gentlemen who offer these amendments evidently have not read this bill through. If they have, they have not read it with sufficient care to comprehend its provisions.

We have had amendment after amendment, offered or suggested to the committee, and we have been able to turn to the page and the line and show that the proposed amendments were already provided for. The committee took months in the preparation of this bill, heard the representatives of boards of trade, and I will submit the case to my friend from Missouri [Mr. COBB], who opposes this bill, and ask him if this very feature, now proposed as an amendment, is not provided for in the present bill?

Mr. COBB. I think so.

Mr. COX. There is no doubt about it at all.

Mr. COBB. I think it is entirely covered.

Mr. SIBLEY. There is not a reasonable doubt in the matter.

The CHAIRMAN. The question is on the amendment to the amendment.

Mr. WASHINGTON. Mr. Chairman——

The CHAIRMAN. Debate is not in order.

Mr. LACEY. I move to strike out the last word.

The CHAIRMAN. It is not in order to move to strike out the last word when there is an amendment to an amendment pending. This is an amendment to an amendment now pending.

Mr. WASHINGTON. I ask that the amendment offered by the gentlemen from Tennessee be reported.

The CHAIRMAN. The amendment of the gentleman from Tennessee is not now before the committee. The amendment of the gentleman from Iowa [Mr. LACEY] is before the committee.

Mr. COOMBS. Read that.

The CHAIRMAN. The Clerk will report the amendment to the amendment offered by the gentleman from Iowa [Mr. LACEY].

The amendment was read, as follows:

Provided, That in case a seller, described in this act, shall be the owner of the property contracted to be sold at the time of the sale, or at the time fixed in the contract for the delivery, the failure to deliver the same, when caused by delay in transportation or fault of the carrier, shall be sufficient excuse for nonpayment of the final stamp tax provided for in this act.

Mr. WASHINGTON. That is not the amendment which I wished to have read.

The CHAIRMAN. That is the amendment now before the committee. When the other amendment comes before the committee it will be read. The proposition of the gentleman from Iowa, which has just been read, is now before the House.

The question was taken on the amendment to the amendment offered by Mr. LACEY, and the Chairman announced that the "noes" seemed to have it.

Mr. LACEY. Division.

The committee divided, and there were—ayes 68, noes 78.

Mr. LACEY. I call for tellers on that vote.

Mr. FUNK. Is an amendment now in order?

The CHAIRMAN. Not until the pending amendment is disposed of.

Mr. LACEY. I call for tellers.

Several MEMBERS. Too late.

Mr. LACEY. I make the point of no quorum, then.

Several MEMBERS. Too late.

The CHAIRMAN. The gentleman was on the floor, and the Chair will appoint as tellers the gentleman from Iowa [Mr. LACEY] and the gentleman from Illinois [Mr. FITHIAN].

The committee again divided, and the tellers reported—ayes 91, noes 87.

Accordingly, the amendment to the amendment was agreed to.

Mr. PENCE. Mr. Chairman——

Mr. COX. I ask for a vote on my amendment.

The CHAIRMAN. The question now recurs on the proposition of the gentleman from Tennessee [Mr. COX] as amended.

Mr. PENCE. Mr. Chairman——

The CHAIRMAN. The question is on the amendment of the gentleman from Tennessee [Mr. COX] as amended.

The question was taken, and the Chairman announced that the ayes seemed to have it.

Mr. HATCH. Division.

The committeee divided, and there were—ayes 107, noes 24.

Mr. HATCH. Mr. Chairman, I desire to give notice that I shall ask a division on this amendment in the House, and a yea-and-nay vote on the amendment to the amendment.

The CHAIRMAN. Gentlemen of the committee, under the order adopted, the time for the consideration of this bill under the five-minute rule has expired, and the committee will now rise and report the bill back to the House.

Mr. HATCH. I desire to submit a proposition for unanimous consent. The gentleman from Arkansas [Mr. TERRY] has an amendment, simply to perfect the text of section 14, and I ask unanimous consent that he may present these amendments, to be voted on without debate.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

Objection was made.

The CHAIRMAN. Objection is made.

Mr. HATCH. Then I demand the regular order.

Mr. DENSON. I ask unanimous consent to offer an amendment.

Mr. FUNK. Mr. Chairman——

Mr. HARTMAN. I ask unanimous consent to offer an amendment.

The CHAIRMAN. The regular order has been demanded. The regular order is that the committee shall now rise and report the bill back to the House.

The committee accordingly rose; and Mr. BAILEY having resumed the Chair as Speaker *pro tempore*, Mr. LIVINGSTON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 7007, and had directed him to report the same back to the House, with certain amendments, favorably.

The SPEAKER *pro tempore*. The Chair now recognizes the gentleman from Missouri for one hour, to close the discussion.

Mr. WARNER. A parliamentary inquiry, Mr. Speaker.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. WARNER. Does this report, made by the Chairman of the Committee of the Whole House, include pending amendments?

The SPEAKER *pro tempore*. It included only amendments, as the Chair understood, which the committee had adopted.

Mr. WARNER. I understood that under the unanimous consent given by the House pending amendments were also to be included.

The SPEAKER *pro tempore*. The Chair will submit the general order to the House.

Mr. LIVINGSTON. The general order did not include pending amendments.

Mr. FUNK. Mr. Speaker——

The SPEAKER *pro tempore*. For what purpose does the gentleman rise?

Mr. FUNK. I rise for this purpose: I understand the amendment I offered was pending when the committee rose. It was so stated by the then Chairman. I understand, then, it comes up when the bill is being passed upon in the House.

The SPEAKER *pro tempore*. That is the precise point involved in the parliamentary inquiry which the gentleman from New York [Mr. WARNER] now makes, before deciding which the Chair will inspect the order adopted by the House.

Mr. SPRINGER. That can be decided after the gentleman from Missouri has concluded his remarks.

Mr. LIVINGSTON. I suggest that that point remain in abeyance until the gentleman from Missouri consumes his hour, as he is quite unwell. I hope the House will extend that favor to him.

The SPEAKER *pro tempore*. The Chair would state that the order presented to him by the Clerk does not provide for pending amendments; but the Chair will withhold a decision on the point until the gentleman from Missouri concludes.

Mr. MCMILLIN. Mr. Speaker, pending that, I call the attention of the Chair to page 7747 of the RECORD, where the request of the gentleman from Missouri is recorded, in which he suggests that the debate shall be considered as closed at the adjournment to-morrow evening on the bill and any pending amendments, to be reported to the House.

The SPEAKER *pro tempore*. The Chair will inspect the RECORD carefully in the mean time.

Mr. McMILLIN. I simply desire to call the attention of the Chair to the matter.

Mr. HARTMAN. Mr. Speaker, I desire to know whether an amendment which was attempted to be offered in the Committee of the Whole may now be submitted to the House, by unanimous consent, and considered as pending?

The SPEAKER *pro tempore*. Of course the House can by unanimous consent permit an amendment to be submitted at this time.

Mr. TRACEY. Regular order.

Mr. HARTMAN. I ask unanimous consent to submit an amendment.

The SPEAKER *pro tempore*. The regular order is demanded, which is equivalent to an objection. The gentleman from Missouri.

[Mr. SIMPSON appeared on the floor of the House, after a long and serious illness, and was loudly applauded.]

Mr. HATCH. Mr. Speaker, I regret exceedingly that I am not physically in a condition to-day to occupy the hour allotted to me, by the courtesy and unanimous consent of the House, in such a manner as I had desired to do in closing this debate.

No measure that has been presented to the House of Representatives in the past twenty-five years has elicited a keener interest or been more universally discussed throughout the public press and through public gatherings than the bill now about to be determined by the vote of this House.

As I stated in my opening remarks on Monday, it was to some extent a new departure in legislation, but for the past ten years, during the last five terms of Congress, the Committee on Agriculture have been receiving communications from every section of the land, North and South, East and West, invoking the aid of Congress in the passage of some measure that would give relief to the producers of the commodities named in this bill from a system of trading that was deemed by them exceedingly detrimental to their interests.

The gentleman from New York [Mr. QUIGG] does me too much honor in stating that I am the originator of this legislation. I want to say very frankly to the House that for several years after this proposition was first submitted to the Committee on Agriculture I was in grave doubt as to the propriety of any legislation upon this subject, and not until I had studied it carefully and earnestly, and with all the ability I possessed, did I bring myself to the position of being willing to report such a bill from that committee to the House.

And I want to correct another exaggerated statement that has been made by more than one gentleman on the floor of this House, namely, that I believe this bill is to become the panacea for all the ills of the agriculturists of the United States. I have never made such a statement. I do not believe it; nor am I authorized by any body of agriculturists in the United States to make any such claim upon this floor. This is simply an invention of the enemy. It is an exaggerated statement without any legitimate foundation, that the intelligent farmers of the United States believe that in the passage of this bill there is to be found a panacea for the low prices of farm products.

But the farmers do claim and do believe that in the passage of this bill there is to be found a remedy for one of the potential causes of depressed prices on the markets of the United States, which control to a large extent the markets throughout the world. I wish that in the provisions of this bill there was contained an adequate remedy for the depressed and unhappy condition of the agriculturists generally throughout the United States. I wish I could say that I believed there was any such remedy in this measure. My friends, in my judgment, we are simply enacting a law that will not only do some good in the interest of the farmers of the United States, but will do still more good in the restoration of that honest and honorable system of trade upon the great marts of the country which prevailed down to the hour when this system of gabbling in fictitious commodities was recognized and adopted by the boards of trade.

It has been suggested to me by several friends on this side of the House since I made my opening remarks on Monday that there was a probability, or at least a bare possibility, that this measure, if it should be placed on the statute books, would be declared unconstitutional, for the reason that it requires every contract made for the future delivery of the products mentioned in the bill to be in writing; these critics assuming that the Congress of the United States has not the power to say that a certain contract or contracts of a certain kind shall be in writing; that if a contract is made verbally and under the law of the State in which it is made it is a valid one, then the Congress of the United States can not by a Federal enactment change that State law.

For my own part, I am perfectly satisfied with my own position on this question, and every intelligent lawyer in this House must determine his position upon it for himself, but I pity the intelligence or the ignorance of that gentleman here who has had the opportunity, since this bill has been under discussion during the last five or six years, and who, if he has investigated the subject at all, has not found that the Supreme Court of the United States, in every single case that has ever been determined involving the power and the right of taxation by the Federal Government, has declared that when that power was fixed in the Constitution the power to provide all needful rules and regulations for carrying it into effect went with it.

Gentlemen might just as well claim that the law which provided that within the State of Alabama, or within the State of Missouri, a State bank should not accept and pay over its counter a check of one of its own depositors unless that check had a 2 cent stamp upon it, was an interference with the law of the State, and therefore void. Where did Congress get the power to say that the officers of a State bank in the State of Missouri should not pay to a depositor having money in its vaults a dollar of his own money upon a written order unless that order bore an internal-revenue stamp on its face? It got it from the power given by the Constitution to levy taxes, and in no other way.

Not only is every single provision of this bill in accord with existing law as far as the present revenue laws are concerned, but there is not a provision in it that has not been carefully drawn and tested with reference to the decisions of the Supreme Court. My friends, I have had this contention over and over again. I have worn out about fifteen years of the best part of my life upon the floor of this House in advocating legislation, not in the interest of a class—because I have never advocated class legislation on this floor as I understood it——

Mr. BOATNER. Mr. Speaker——

Mr. HATCH. I hope the gentleman will not interrupt me. I have never interrupted a gentleman during this entire debate, extending from Monday down to the present hour. Mr. Chairman, I do not plead guilty to the charge made here so flippantly by gentlemen whose only knowledge of an agricultural district or of a farm has been obtained in passing through the country in a Pullman palace car and looking out of the window—I do not, I say, admit the justice of the charge which such gentlemen make that any legislation by the Congress of the United States which benefits the farmer is class legislation.

When the Congress of the United States enacts any law that helps in the slightest degree that class of men who lay the foundation for every other business in the country, they are helping all the people. What has built up the city of New York? What has made her the great commercial emporium of this great nation? Have her lawyers done it, or her doctors, or her preachers? Aye, have her commercial men done it? Have you got in that city to-day, gentlemen, a dollar which has been accumulated from any honest business that did not come primarily from handling the commodities produced by the farmers of the United States?

Let the blight of one season destroy the crops of this country and the grass would grow on Broadway in the city of New York. Agriculture is the foundation of all your trade and of all your prosperity. Can you have cotton mills without cotton? Can you have flouring mills without wheat? Can you have tobacco factories without tobacco? Can you have any of your great manufacturing industries or any of your great commercial houses to handle these products unless somebody first raises the raw materials? Agriculture, I repeat, is the foundation of all the business and all the welfare of the nation, and it has been recognized as such by every writer on political economy for the last three hundred years.

Every now and then some gentleman breaks into Congress whose presence here is like that of the Senator that we read about some years ago. Coming upon the floor of the Senate, he was asked whether he had ever been in a legislative body before. He replied to his inquiring Senatorial friend that he had not. "Well," asked the other, "how in the world did you ever happen to be sent to the Senate?" "Well," was the reply, "I thought a great deal about that until I came to the Senate; now I am inquiring how some of the rest of you fellows got here." [Laughter.]

But every now and then some man breaks into Congress who will get up on this floor and say that any legislation which benefits this great industrial class is simply "class legislation" and un-Democratic; and such declarations usually come from the Republican side of the House, although I am sorry to say that occasionally a gentleman on this side takes the same position, and he is simply the subject of my supremest pity.

"Class legislation!" Class legislation in the interest of more than one-half of the people of the United States, and two-thirds of all the rest being directly interested in the productions of this vast class! Why, sir, every day I get letters from the retail country merchants in my district—the merchants of the little towns and villages, and at the cross-roads. These men

write to me that no such season of absolute paralysis and stagnation in business was ever known in the Mississippi Valley as during the last six months.

And let me propound a single thought to my honored friend [Mr. HENDRIX], who honors me by listening to me now. You may wear your brain out and that of all the bright men in your city in attempting to start the great manufactures of the East and through them to infuse prosperity into your great commercial houses down to the retail merchant; but unless you do something that will give to the consumers of those goods the ability to purchase them when they reach the retail merchants throughout the length and breadth of the land, your efforts are absolutely futile. If you would give prosperity to the country you must commence with the consumers and give them the ability to buy.

Our retail merchants are not inactive and paralyzed because of any want of energy on their part or any inability to supply the demands upon them. They will not buy of the merchant in St. Louis, in Chicago, and New York, simply because they can not sell goods to the consumers as in times past. Your wholesale merchant in these great Eastern cities can not buy of the importer and the manufacturer, because he can not sell to the retail merchant. You can not pile the shelves of the retail merchants throughout the length and breadth of the land with goods that can not be sold. This legislation, as I have before stated, is in my judgment in the interest of the buyers and consumers of these goods.

We have heard a good deal since this discussion commenced on Monday last, and we heard a good deal more when the tariff bill was before the House, iterated and reiterated by the gentleman from Massachusetts [Mr. WALKER], to the effect that the farmer can produce his bushel of wheat now for so much less money because of improved machinery, and that thus he can afford to sell his wheat at half the former price.

Notwithstanding all the vagaries of the gentleman from Massachusetts, I have a very high personal regard for him; I would not say anything personally offensive to him. If he should make a statement about manufactured goods in Massachusetts—the cost of manufacturing cotton goods, for instance—I would have to accept his statement, because I know he knows more about such matters than I do. But he knows as little about what it costs the average farmer in Illinois or Missouri to raise a bushel of wheat as he knows about what is going on in this new valley in the moon that the astronomers have recently discovered. Laughter.]

Now, what are the facts in regard to the cost of raising wheat now as compared with the cost of raising it twenty-five or thirty years ago? I admit that upon great farms like those the gentleman from South Dakota has in his State and like those in portions of Minnesota and California—wheat farms measured by thousands and tens of thousands of acres—this improved machinery, steam plows, steam harrows, and various steam appliances, enable the farmer upon such a vast tract to produce his wheat crop for less than the average farmer can do with his farm of forty or fifty or a hundred acres in Kansas or Missouri. But the great wheat crop of the world, and especially of the United States, is raised by farmers who sow and reap farms of less than 40 acres each. Forty acres is above the average of the wheat farms of Missouri; certainly 50 would be, and I have seen it stated that it is even a fraction below 40.

Now, Mr. Speaker, for less than 80 or 100 acres the farmer, you know, can not buy the improved machinery of to-day. His business will not justify it; and consequently wheat, to produce it all through that great middle wheat belt of the United States, costs almost or just about as much to raise it and put it on the market now as it did twenty-five or thirty years ago. I do not know about cotton, and therefore I will not undertake to make any statement about it.

Mr. ALEXANDER. It costs just as much.

Mr. HATCH. The gentleman from North Carolina says it costs just as much, and I know he is a cotton-raiser, and accept his statement as accurate. My friend, who is a large wheat-grower, a larger wheat-grower than I am, knows how much it costs him to put his wheat on the St. Louis or the Chicago market even after he has raised it. I have a hundred acres of wheat in Pike County, Ill., now being harvested, as my foreman wrote me on the 18th that he would commence harvesting either on the 20th or the 21st. This land is situated on the east side of the Mississippi River, with no bridge toll to pay, situated almost as close to the market as my friend from Illinois with his wheat farm, about 60 miles north of me.

With a branch of the Chicago, Burlington and Quincy Railroad running right through my farm, and being able with my own teams, at a mere nominal cost, to take my wheat from the thresher and put it in the cars, yet it costs me 7.1 cents a bushel to send that wheat to Chicago and sell it on that market. Therefore when you see wheat quoted, spot wheat, in Chicago at 57 and a fraction, it means 50 cents to the farmer of Pike County, Ill., and you can not send your wheat to the Chicago market for less than probably within a cent of that price.

If I should send my wheat to my colleague in St. Louis and have him to sell the wheat for me, I could deliver it in the market for four and a fraction cents, making a difference of 3 cents a bushel to me, but the Chicago market as a rule is about 2 or 3 cents higher than the St. Louis market, and so whether I ship to the one market or the other, the price is about the same. Or again, I may take it across the bridge in my own wagons, or ferry it across the Mississippi River and sell it to the millers in my town and get nearly the Chicago price for it, less the seven and a fraction cents that I pay for freight, or less the four and a fraction cents that I pay in St. Louis.

They will not pay any more for the wheat than that, because they know I can not get any more for it in the great central markets than that price.

Now, my friends, the farmers throughout the length and breadth of the wheat-growing districts of the United States, and the cotton-producers as well, are brought down to this simple proposition, that one of two things must come and that in the near future, either that there shall be an absolute cessation of the attempt to raise wheat or cotton or, at present prices, there will come absolute bankruptcy. I will make a proposition now to any of these New York gentlemen and furnish him the facts and the figures, the bills of sale and all that: On these magnificent bottom farm lands—as good as any in the world—these rich Illinois bottom lands, I have grown three crops of wheat in the last three years, including the one which I have not seen, and which is just now being harvested. I do not know what it will yield. The one last year was a miserable failure; the one the year before that was less than half a crop; but without regard to what the present crop is, I will sell this year's crop and the last two years' together, and give him $500 if he will pay for me the amount I have paid out of my salary for labor to the farmers in my absence there to produce these three crops.

Mr. QUIGG. You want to sell it before the bill passes.

A MEMBER. And make the contract in writing and put a stamp on it.

Mr. HATCH. If this bill passes, let me say to the gentleman from New York, I am just as sure that when the conditions of trading in the United States conform themselves to the honest and honorable methods provided for in this bill, that every farmer's product named in the bill will be enhanced.

Mr. FUNK. Will the gentleman allow a question?

Mr. HATCH. I decline to yield.

Mr. CANNON of Illinois. I hope my friend will allow a gentleman who is so thoroughly familiar with this subject, to ask a question for information.

Mr. HATCH. I can not yield to one gentleman without making a discrimination, and that I will not do on this floor. I am tired now, as it is, without any interruptions, and my time is limited. I have a duty here to perform to-day that is higher than any matter of mere personal consideration.

Nothing in the world but the sense of duty I feel to the committee that has intrusted me with this bill, and the interests of the people of the United States, would induce me to take the floor at all to-day, feeling as I do.

Now, it has been said that this bill would so interfere with legitimate trading throughout the country that the farmer and planter would be injured. Why, friends have come to me in the last hour and asked me if the farmers and planters were exempted from the provisions of this bill.

I have replied to them by asking them to go and read for themselves the fourteenth section of the bill. I doubt if any bill was ever presented to this House that had one section in it that had closer scrutiny in the committee reporting the bill than this section had in the Committee on Agriculture. There are the two gentlemen from Illinois, one upon this side [Mr. FORMAN] and the other upon the other side [Mr. FUNK]. There is the gentleman from North Carolina [Mr. ALEXANDER]. There is the gentleman from Mississippi [Mr. WILLIAMS]. There is the gentleman from South Carolina [Mr. SHELL]. There is the gentleman from Georgia [Mr. MOSES].

That committee embraces all these great agricultural States, and every single one of those representatives was alive to every word and every punctuation mark in that section; and when it was agreed upon, they were satisfied with its provisions, that it would protect every farmer and every planter in the ordinary business of his farm from any charge, or regulation, or restriction of this measure.

But these gentlemen tell us that there is no need for this legislation; that nobody has demanded it. Well, I have answered that time and time again; but I want to repeat it once more,

that it may go to every cabin and to every farmhouse in this land, from the Canadian border to the Gulf, that every single farmer's organization in the United States, of any name or description; every single agricultural paper, weekly or monthly, in the United States; every single semiagricultural paper in the United States, has advocated for years the passage of this measure, and begged and prayed Congress to adopt and pass it.

Every single association that has represented the farmers of the United States has pleaded for its passage. And, my friends, do not think because these farmers are not coming here in squads and in committees to lobby Congress that they are not alive to this legislation. They will be heard from as soon as the telegraph carries back to the three hundred and fifty-six districts in the United States the names of those members on this floor who voted for and those who voted against the bill. And for fear I forget it, I want to state now, for I want it to go on record, that the only two votes in the Committee on Agriculture against the passage of this bill came from New England, from the two greatest manufacturing States of New England, Massachusetts and New Hampshire. I only make that statement because the gentlemen themselves have made it. Not one single vote was cast against it in the committee from the broad prairies——

Mr. BAKER of New Hampshire. Mr. Chairman——

Mr. HATCH. I decline to yield.

The SPEAKER. The gentleman from Missouri declines to yield.

Mr. HATCH. There was not a vote against it from Illinois. The gentleman from Illinois [Mr. FUNK] was not present when the vote was taken, but he has had the opportunity during this entire discussion, and he will have an opportunity in a very few moments, to record his vote upon the bill. It was not recorded in the committee. I am talking about the votes that were actually recorded, on the last yea-and-nay vote on the passage of that bill by the committee, authorizing the chairman to report it to the House. I am not mistaken in any statement I make to this House, for I would not purposely mislead the House for my own life.

No protest has ever come to that committee against the passage of this bill, except from the boards of trade of the United States and their representatives. Never, since I have been chairman of that committee, has an agricultural community or any number of agriculturists protested against the passage of the bill. The protests have come from the men who are to be regulated in this system of option gambling, and not from the farmers and the great body of the people of the United States.

I wish I had time to read one one-hundredth part of the letters I have received from every State in this Union from representative men, praying and begging for the passage of this measure; but in reply to that burst of eloquence on the part of the distinguished gentleman from Texas [Mr. CRAIN] I want to read a letter from a Texan farmer. It is on very plain paper. It has no embossing marks or great monogram distinctions upon it. It comes from the home of a plain farmer, and it is even written in pencil.

Mr. HUDSON. It is not perfumed?

Mr. HATCH. No, my friend; there is no perfume on it. The only odor there is about this letter is that it comes from an honorable and honest hard-working Texas farmer. Let his letter answer the speech of the gentleman from Texas [Mr. CRAIN]. As I read the heading it is from Quanah. I will ask the gentleman from Texas [Mr. CRAIN] if that is in his district?

Mr. CRAIN. No; it is not.

Mr. HATCH. Well, it is in Texas, and the gentleman ought to be glad it is not in his district, for after his speech he would have one manly farmer on his pathway to future success in the great Lone Star State.

Mr. CRAIN. And my district would have a dead Representative, I suppose.

Mr. HATCH. Not by any means. That district will never send anybody but a live Representative to Congress. I may differ with the gentleman, but I honor him for his great ability. This was written in March. I will read it:

QUANAH, TEX., *March 19, 1891.*

DEAR SIR: Inclosed find clipping from Journal of Agriculture.

I beg leave to state that this expresses our sentiment. For my own part, I have no more confidence in the statements of the market manipulators than in any blackleg you might select. The farmers are too poor and too much scattered to send lobbyists to Washington. Aside from this, when men are sent to Washington to enact laws for the whole people, we can see no place for lobbying. The very idea has a bad savor.

The only plea they have made which seems to catch the Congressman's ear, is that they can not handle the grain, etc., unless they deal in futures. Well, is it a law that the "boards of trade" MUST—

And "must" is underscored three times—

handle farmers' products? Shall a few men huddled together in the large cities (who follow tricks that are vile) have their own way against the millions? Why, sir, the farmers believe that they would fare incomparably better if there was not a board of trade in existence. Whose business is it if the farmers suffer for the want of boards of trade? They only ask to be allowed to suffer. Shall the boards of trade tell the farmer what he needs? Or shall the farmer be allowed to speak for himself? They have spoken by every mode of conveying thought. Are they now asked to speak again?

* * * * * * *

The farmers know what they need, but if they did not they would have sense enough not to ask their enemies to become their guardians. But to return to the point mentioned. How a sensible man can be honest and claim that dealing in "wind wheat" helps the handling of the real product is hard to understand.

I think it is.

It is about the same as the claim that the foreigner pays the tariff tax. Now every sensible man knows that if there were no real product there would be no wind product, and that the real product is handled independent of wind. It is, however, an established fact of the history of "pit" trading, that the real product can not be sold on its merit when ten times as much of the wind product is put on the market. There has been so much said on the subject that one feels that patience is about threadbare. No one need to be informed how Texas farmers stand. Their instructions through the Legislature is enough to show that they are a unit, so to speak.

Your own Legislature indorsed and approved the provisions of a similar bill to this, but not so good a one.

Every argument of these gamblers has been answered. If they have anything new will the committee please publish the same in some of the leading agricultural papers so that farmers may answer the new also?

It is sincerely hoped that the bill as published in the papers will pass, and if the boards of trade can not deal in real articles let them dissolve and go into some other business. Let demand and supply come in vogue again. The farmers are not afraid. Some of us know something of this way of doing business, and we know that there will always be a way to carry it on.

Very truly, but plainly,

——— ———,

Congressman HATCH,
Chairman Agricultural Committee.

Now, Mr. Speaker, there is my reply, not only to the statement of the gentleman from Texas [Mr. CRAIN], but to many others that have been made on this floor. How much time have I remaining, Mr. Speaker?

The SPEAKER *pro tempore*. The gentleman has eleven minutes. The gentleman began at twenty minutes after 2, the Chair understands.

Mr. WHEELER of Alabama. Give him all the time he wants.

Mr. HATCH. I will not speak much longer. I thank the gentleman from Alabama for his courtesy.

The SPEAKER *pro tempore*. The Chair is informed by the Clerk that the gentleman has five minutes remaining.

Mr. HATCH. Now, Mr. Chairman, I believe I simply have vanity enough to think I am the only gentleman upon the floor who could have conducted this bill from the beginning of this struggle down to this hour without losing not only his patience but getting mad enough to say some of the hardest things that ever were said upon this floor in reply to what has been said about this bill.

I told my distinguished friend from Louisiana [Mr. BOATNER] just a short time before I began this address, that if he had been in charge of this bill since last Monday morning, with all the mean things that have been said against it, absolutely without warrant and outside of any parliamentary struggle or bearings, that he would have had an "affair of honor" at Bladensburg every morning during the week in spite of all the laws on the statute books. [Laughter.] But I do not intend to be "roped into" saying anything half as bad as those gentlemen have said about the bill.

I regret it very much that the young gentleman from New York [Mr. QUIGG] had to rush into print far in advance of the consideration of this measure and stigmatize it, if he was properly reported, as a combination of "ignorance and anarchy." Well, now, I am very sorry that he said it. I have been expecting him to get up here and withdraw it, because I happened to be in the Chair——

Mr. QUIGG. Will you give me the time to do so? It will only be a moment.

Mr. HATCH. No, sir; I can not yield. The gentleman had opportunity when he made his speech. If the gentleman will simply state to me that he never used that language I will have nothing further to say.

Mr. QUIGG. I never used that language, nor used that language attributed to me.

Mr. HATCH. Then that is an end of it. I accept the gentleman's statement.

Mr. QUIGG. I do not indorse either of those terms, whatever I may say about the bill.

Mr. HATCH. Now, my distinguished friend from New York [Mr. WARNER] made one of his characteristic speeches, which I always listen to, because no man inside of the Capitol can get beyond the sound of his voice when he gets started, and especially on an antioption bill. [Laughter.] But he so far forgot himself in this matter during debate that he went away outside of the bill and undertook to conjure up men of straw to fight, as if he had not enough in the real meat and provisions of the bill to occupy one man's attention for an hour and a half. In dis-

cussing this bill on the floor he built up houses in New York that are built by future contracts.

I felt sorry for that gentleman; sorry for him because he had underestimated the intelligence of the audience that he was addressing—the House of Representatives. That speech must have been made for circulation in the Five Points of New York. I know of no other place in the United States where it would get a respectful hearing. Everybody knows that there is not a single thing that enters into the construction of a house that is embraced in the provisions of the bill.

Failing to answer my opening statement, he or any of those gentlemen, they get off into the lane of their fancy or misrepresentation and undertake to fight it in that way. But you can not escape it. You have got to vote in a few moments upon this measure as a whole, and you have got to record your votes as representative of your people one way or the other.

My distinguished friend, who always tries to be amiable, always tries to be witty, and never, never makes anything but a failure at the last, my friend, the gentleman from Ohio——

Mr. HARTER. Hear, hear! [Laughter.]

Mr. HATCH. The gentleman from Ohio tramps around his seat and in the aisles and takes this bill and crushes it in his hand and slings it, as he says, into the wastebasket of the literature of legislation, and then proclaims that nobody in the world knows anything about this but him. [Laughter.] The gentleman thinks that there is a great deal of ignorance in this bill. That gentleman's greatest misfortune is his own egotism. [Laughter and applause, in which Mr. HARTER joined.]

I have never heard him before speak otherwise of any proposition that he did not indorse and approve. Nobody has any common sense but the gentleman from Ohio. [Laughter and applause.]

Mr. HARTER. That is right.

Mr. HATCH. When that gentleman leaves this House, as I understand he has elected to do of his own volition on the 4th of next March, there will be a bigger void in the House than has ever been in it in the fifteen years I have been a member of it; more egotism and less ability will go out of it then than ever went out before in the person of one man. [Laughter.]

When a man comes here and claims that nobody has any sense but himself, that nobody knows anything about the farmers of the United States but himself, and in fact, that nobody knows anything about anything in the world but HARTER, it is too much. That is the gentleman's platform. He gets up with it in the morning and goes to bed with it at night, and then he invites a moderate and modest man like myself, an old-fashioned Democrat, to go and lie down in his political bed. My friends, I would rather go to bed with a rail-fence. [Laughter.] I would rather lie down politically with any Populist, or any Greenbacker, or anybody else that ever held a seat on this floor, than with the gentleman from Ohio. [Laughter.]

Of all the abominations of policy and of principle that I abhor the worst are those which the gentleman advocates, which would bring ruin and disaster to the great body of my people and would build up more and more millionaires in the United States. I would trudge in the heat from here to Georgia to sleep in the same political bed with Tom Watson before I would stretch my limbs in the political bed where the gentleman from Ohio lies. [Laughter.]

I indorse and reiterate what my friend from Pennsylvania [Mr. SIBLEY] said the other day. If I had to choose between the harmless vagaries of Coxey and his followers, between tramping the balance of this season through the land under Coxey's banner, eating small rations of dry bread and Potomac or other river water—if I had to choose between that and indorsing the doctrines of the gentleman from Ohio, which, in their operation, would produce more followers of Coxey in one lump than all the followers of Coxey can breed in a hundred years, I would go in the ranks and tramp with the commonwealers rather than follow the banner on which is inscribed: "Ruin to nine-tenths of the people! Down with the industrious workingman, and up with the golden calf of single gold monometalism." [Prolonged applause on the Democratic side.]

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. HATCH. Mr. Speaker, I ask for just a moment more in which to thank the House for its very polite attention, and to ask unanimous consent that the gentleman from Arkansas [Mr. TERRY] may be permitted to offer two amendments to the fourteenth section of the bill simply to improve the verbiage. There is nothing substantial in the amendments, in my judgment, and the gentleman thinks so himself, but he believes that they will make the meaning a little plainer, and I beg the House to give unanimous consent that they may be offered.

Mr. TRACEY. Let them be read.

The amendments were read, as follows:

Amend section 14, page 17, by adding after the word "by," in line 26, the words "or with," and in line 27, by adding after the word "delivery" the words "or purchase."

Amend section 14, on page 17, by striking out all after the word "or," in line 30, down to and including the word "productive," in line 31, and inserting the following: "are to be grown or produced within fifteen months from time of such contract."

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from Missouri [Mr. HATCH] that the gentleman from Arkansas be allowed to offer these amendments?

Mr. QUIGG. I object.

The SPEAKER *pro tempore*. Objection is made. Before submitting the question upon the amendments, the Chair, in response to the parliamentary inquiry of the gentleman from New York [Mr. WARNER], as well as by the gentleman from Illinois [Mr. FUNK], would state that the original agreement made in the House on Tuesday provided that on yesterday evening the previous question should be ordered on the bill and pending amendments, but that order did not provide that amendments could be offered, and under the order no amendment could have been offered unless the House had previously terminated general debate. Therefore, under that order, unless the House had terminated general debate, no amendment could have been pending.

The next day there was an agreement to terminate general debate, and in modification of the other agreement it was provided that the general debate should close with the adjournment on yesterday, and the House, after the expiration of the morning hour to-day, should proceed to the consideration of the bill under the five-minute rule. In the effort to reach that agreement it was suggested by the gentleman from New York himself that permission should be given to offer as many amendments as members might desire, and that those amendments should be considered as pending.

To that suggestion the gentleman from Missouri objected, and after some discussion in which several members participated, an order was finally adopted to proceed for two hours this morning under the five-minute rule. The Chair is therefore of opinion that no amendment could have been pending under the order that would not have been pending in the absence of the agreement and under the regular rules of the House.

Mr. WARNER. I have no question as to the entire correctness of the ruling of the Speaker. I had understood that to the amendment of the gentleman from Tennessee [Mr. COX] there was an amendment pending proposed by the gentleman from Illinois [Mr. FUNK]. I may have been mistaken in that assumption; but it was upon that assumption—that such an amendment was regularly in order under the five-minute rule, and was pending at the time the Committee of the Whole rose—that the parliamentary inquiry was made by me.

The SPEAKER *pro tempore*. The Chair understands. The question, then, is on agreeing to the amendments reported from the Committee of the Whole.

Mr. HATCH. I demand a division of the question so that the amendment offered in Committee of the Whole by the gentleman from Tennessee [Mr. COX], and the amendment to that amendment offered by the gentleman from Louisiana [Mr. BOATNER], may be voted upon separately.

Mr. TRACEY. Is that in order?

The SPEAKER *pro tempore*. The Chair, upon the suggestion of the gentleman from New York [Mr. TRACEY] that this demand is not in order must rule that an amendment reported from the Committee of the Whole as an entirety is not divisible.

Mr. HATCH. What is the statement of the Chair?

The SPEAKER *pro tempore*. In support of the ruling just stated the Chair would refer the gentleman from Missouri to the decision which has been made not once, but several times. On page 362 of the Digest the gentleman will find the ruling stated in this language:

On an amendment reported as a single amendment from the Committee of the Whole a division of the question can not be had.

This was decided in the Twenty-eighth, the Twenty-ninth, the Thirtieth, and the Thirty-seventh Congresses.

Mr. HATCH. But the amendment coming to the House from the Committee of the Whole is in the nature of two amendments.

The SPEAKER *pro tempore*. But they have been reported to the House as a single amendment.

Mr. HATCH. Then I demand a separate vote on the whole amendment, which includes that of the gentleman from Louisiana, and on that I ask the yeas and nays.

The SPEAKER *pro tempore*. The gentleman from Missouri demands a separate vote on the amendments reported from the Committee of the Whole.

Mr. COX. I rise to a parliamentary inquiry.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. COX. As I understand the position of the matter is this: I offered an amendment; to that an amendment was offered by the gentleman from Louisiana [Mr. BOATNER], and another by the gentleman from Iowa [Mr. LACEY]. Both of those amendments to my amendment were adopted.

Mr. BOATNER. No; the amendment of the gentleman from Iowa [Mr. LACEY] was rejected.

Mr. COX. Oh, no; it was adopted. Now, the point I am trying to get at is this, that upon both those amendments to the amendment a yea-and-nay vote was demanded, and notice was given——

The SPEAKER *pro tempore*. The gentleman from Tennessee will perceive upon a moment's reflection that in the House the question will be on the adoption of the amendment as a whole—not as in Committee of the Whole, first upon the amendment to the amendment and then upon the amendment as amended. The whole amendment is reported to the House as a single proposition.

Mr. COX. I see. That is exactly right.

Mr. HARTMAN. I rise to a parliamentary inquiry. At what time will a motion to recommit this bill be in order?

The SPEAKER *pro tempore*. After the third reading.

Mr. HARTMAN. I give notice, then, that after the third reading I will make that motion.

The SPEAKER *pro tempore*. The question is on the first amendment reported from the Committee of the Whole.

The amendment was read, as follows:

In line 15, section 1, after the word "hops," add the word "flour;" so as to read:

"Raw or unmanufactured cotton, hops, flour, wheat, corn, oats, rye, barley, pork, lard, bacon, dry-salted meat, or pickled meat."

The amendment was agreed to.

The SPEAKER *pro tempore*. The Clerk will now read the second amendment reported from the Committee of the Whole.

The Clerk read as follows:

Insert after word "meat," on page 2, line 8: "*Provided*, That nothing herein shall be construed to apply to contracts entered into for future delivery of the aforesaid articles, if at the time of the contract of sale of any of said articles the vender is the actual bona fide owner of the article to be delivered in the future, or has the power and authority to sell and deliver the same as agent of another, the principal owning the property at the time the contract is made by the agent: *Provided*, That none of the provisions of this act shall apply to the bona fide sale, for actual delivery, of any product in due course of business: *Provided*, That in case a seller described in this act shall in fact be the owner of the property contracted to be sold at the time of the sale or at the time fixed in the contract for the delivery the failure to deliver the same, when caused by delay in transportation or fault of the carrier, shall be sufficient excuse for nonpayment of the final stamp tax provided for in this act."

Mr. HATCH. On that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER *pro tempore* announced the appointment of Mr. ALEXANDER and Mr. LACEY to act as tellers at the desk.

The question was taken; and there were—yeas 111, nays 129, answered "present" 1, not voting 111; as follows:

YEAS—111.

Adams, Ky.	Daniels,	Lacey,	Reyburn,
Aldrich,	De Forest,	Lapham,	Ritchie,
Baker, N. H.	Draper,	Lawson,	Russell, Conn.
Baldwin,	Dunn,	Lester,	Russell, Ga.
Bartholdt,	English, Cal.	Loudenslager,	Ryan,
Bartlett,	English, N. J.	Lynch,	Settle,
Barwig,	Erdman,	Maddox,	Shaw
Bell, Tex.	Everett,	Magner,	Snodgrass,
Black, Ga.	Fletcher,	Maguire,	Somers,
Boatner,	Funk,	Mallory,	Sorg,
Brickner,	Gardner,	McAleer,	Sperry,
Bundy,	Gear,	McEttrick,	Springer,
Bynum,	Geissenhainer,	McGann,	Stephenson.
Cabaniss,	Graham,	McMillin,	Stone, W. A.
Cadmus,	Griffin,	Mercer,	Storer,
Campbell,	Grow,	Meyer,	Talbott, Md.
Clancy,	Hager,	Money,	Tarsney
Clarke, Ala.	Haines,	O'Neil, Mass.	Tracey,
Cobb, Mo.	Hall, Minn.	Outhwaite,	Turner, Ga.
Cogswell,	Harter,	Page,	Updegraff.
Coombs,	Hartman,	Paschal,	Wadsworth,
Cooper, Fla.	Hayes,	Patterson,	Walker,
Cooper, Tex.	Hendrix,	Pendleton, Tex.	Warner,
Cornish,	Houk,	Perkins,	Washington,
Covert,	Hulick,	Pigott,	Weadock,
Crain,	Hunter,	Price,	Wolverton,
Cummings,	Johnson, N. Dak.	Quigg,	Wright, Mass.
Dalzell,	Kyle,	Reed.	

NAYS—129.

Abbott,	Bell, Colo.	Brookshire,	Clark, Mo.
Aitken,	Berry,	Brown,	Cobb, Ala.
Alderson,	Boen,	Bunn,	Cockrell,
Alexander,	Bower, N. C.	Burrows,	Coffeen,
Allen,	Bowers, Cal.	Caminetti,	Conn,
Arnold,	Branch,	Cannon, Cal.	Cooper, Wis.
Baker, Kans.	Bretz,	Capehart,	Cousins,
Bankhead,	Broderick,	Chickering,	Cox,
Crawford,	Henderson, Iowa	McKaig,	Stallings,
Curtis, Kans.	Henderson, N. C.	McKeighan,	Stockdale,
Davis,	Hermann,	McLaurin,	Stone, C. W.
De Armond,	Hines,	McNagny,	Strong,
Denson,	Hitt,	McRae,	Sweet,
Dinsmore,	Holman,	Meredith,	Talbert, S. C.
Dockery,	Hooker, Miss.	Montgomery,	Tate,
Dolliver,	Hopkins, Pa.	Morgan,	Tawney,
Doolittle,	Hudson,	Moses,	Taylor, Ind.
Enloe,	Hull,	Murray,	Terry,
Epes,	Ikirt,	Neill,	Thomas,
Fithian,	Izlar,	Ogden,	Turpin,
Funston,	Johnson, Ind.	Paynter,	Tyler,
Fyan,	Kem,	Pearson,	Wanger,
Gorman,	Kribbs,	Pence,	Waugh,
Grady,	Lane,	Pendleton, W. Va.	Wheeler, Ala.
Hainer,	Latimer,	Pickler,	Wheeler, Ill.
Hall, Mo.	Livingston,	Richardson, Mich.	Williams, Miss.
Hammond,	Lucas,	Richardson, Tenn.	Wilson, Ohio
Hare,	Marsh,	Robbins,	Woodard,
Harris,	Martin, Ind.	Sayers,	Woomer,
Hatch,	McCreary, Ky.	Shell,	Wright, Pa.
Haugen,	McCulloch,	Sibley,	
Heard,	McDannold,	Simpson,	
Henderson, Ill.	McDearmon,	Smith,	

ANSWERED "PRESENT"—1.

Kiefer.

NOT VOTING—111.

Adams, Pa.	Dingley,	Lefever,	Richards, Ohio
Apsley,	Donovan,	Linton,	Robertson, La.
Avery,	Dunphy,	Lisle,	Robinson, Pa.
Babcock,	Durborow,	Lockwood,	Rusk,
Bailey,	Edmunds,	Loud,	Schermerhorn,
Barnes,	Ellis, Ky.	Mahon,	Scranton,
Belden,	Ellis, Oregon	Marshall,	Sherman,
Beltzhoover,	Fielder,	Marvin, N. Y.	Sickles,
Bingham,	Forman,	McCall,	Sipe,
Black, Ill.	Geary,	McCleary, Minn.	Stevens,
Blair,	Gillet, N. Y.	McDowell,	Stone, Ky.
Bland,	Gillett, Mass.	Meiklejohn,	Strait,
Boutelle,	Goldzier,	Milliken,	Straus,
Breckinridge, Ark.	Goodnight,	Moon,	Swanson,
Breckinridge, Ky.	Gresham,	Morse,	Taylor, Tenn.
Broslus,	Grosvenor,	Mutchler,	Tucker,
Bryan,	Grout,	Newlands,	Turner, Va.
Burnes,	Harmer,	Northway,	Van Voorhis, N. Y.
Cannon, Ill.	Heiner,	Oates,	Van Voorhis, Ohio
Caruth,	Hepburn,	O'Neill, Mo.	Wells,
Catchings,	Hicks,	Payne,	Wever,
Causey,	Hooker, N. Y.	Phillips,	White,
Childs,	Hopkins, Ill.	Post,	Whiting,
Cockran,	Hutcheson,	Powers,	Williams, Ill.
Cooper, Ind.	Johnson, Ohio	Randall,	Wilson, Wash.
Culberson,	Jones,	Ray,	Wilson, W. Va.
Curtis, N. Y.	Kilgore,	Rayner,	Wise.
Davey,	Layton,	Reilly,	

So the amendment was rejected.

The following pairs were announced:

Until further notice:

Mr. CULBERSON with Mr. GROUT.

Mr. BLAND with Mr. MORSE.

Mr. STONE of Kentucky with Mr. DINGLEY.

Mr. OATES with Mr. RANDALL.

Mr. KILGORE with Mr. CANNON of Illinois.

Mr. O'NEILL of Missouri with Mr. TAYLOR of Tennessee.

Mr. BLACK of Illinois with Mr. CURTIS of New York.

Mr. BRECKINRIDGE of Arkansas with Mr. HOPKINS of Illinois.

Mr. RICHARDS with Mr. HARMER.

Mr. DURBOROW with Mr. MARVIN of New York.

Mr. GOODNIGHT with Mr. ROBINSON of Pennsylvania.

Mr. MUTCHLER with Mr. WHITE.

Mr. SCHERMERHORN with Mr. BELDEN.

Mr. JONES with Mr. MCCALL.

Mr. CAUSEY with Mr. PAYNE.

Mr. CARUTH with Mr. AVERY.

Mr. SICKLES with Mr. BOUTELLE.

Mr. LOCKWOOD with Mr. VAN VOORHIS of Ohio.

Mr. HUTCHESON with Mr. KIEFER.

Mr. GRESHAM with Mr. VAN VOORHIS of New York.

Mr. ROBERTSON of Louisiana with Mr. PHILLIPS.

Mr. TUCKER with Mr. POWERS.

Mr. STRAIT with Mr. ELLIS of Oregon.

Mr. ELLIS of Kentucky with Mr. SCRANTON.

For this day:

Mr. TURNER of Virginia with Mr. GILLET of New York.

Mr. REILLY with Mr. GILLETT of Massachusetts.

Mr. WELLS with HEINER of Pennsylvania.

Mr. DAVEY with Mr. SHERMAN.

Mr. BELTZHOOVER with Mr. MEIKLEJOHN.

On this question:

Mr. STRAUS with Mr. WILLIAMS of Illinois.

Mr. FORMAN with Mr. DONOVAN.

Mr. SWANSON with Mr. RAYNER.

Mr. JOHNSON of Ohio with Mr. POST.

Mr. CATCHINGS with Mr. COCKRAN.
Mr. APSLEY with Mr. BABCOCK.
On the antioption bill:
Mr. RUSK with Mr. WHITING.
Mr. EDMUNDS with Mr. BARNES.
Mr. GEARY with Mr. MCDOWELL.
Mr. STEVENS with Mr. WEVER on the Hatch bill. Mr. WEVER would vote for, Mr. STEVENS against.
Mr. BRYAN with Mr. BINGHAM, until further notice; also on the antioption bill. If present Mr. BRYAN would vote for and Mr. BINGHAM would vote against the bill.
Mr. GROSVENOR with Mr. DANIELS, on the passage of the Hatch antioption bill. Mr. DANIELS may vote on all amendments. If present, Mr. GROSVENOR would vote for the bill.
Mr. LAYTON with Mr. RAY, on the antioption bill. Mr. LAYTON if present would vote for the bill, and Mr. RAY against it.
Mr. BROSIUS with Mr. ADAMS of Pennsylvania, on the antioption bill. Mr. BROSIUS would vote for the bill, and Mr. ADAMS against it.
Mr. COOPER of Indiana with Mr. DUNPHY, on the antioption bill. Mr. COOPER would vote for it, and Mr. DUNPHY would vote against it.
Mr. KEIFER. Mr. Speaker, I ask unanimous consent that my colleague, Mr. MCCLEARY, be excused from attendance, as he is sick.
Mr. MCCREARY of Kentucky. Mr. Speaker, I desire to make the same request in behalf of my colleague, Mr. STONE, who is confined to his room by sickness.
The SPEAKER *pro tempore*. In the absence of objection, these requests will be granted.
There was no objection.
The SPEAKER *pro tempore*. The question is on the engrossment and third reading of the amended bill.
Mr. BLACK of Georgia. Would it be in order now to move to recommit?
The SPEAKER *pro tempore*. That might be in order now, but it will be equally in order after the engrossment and third reading of the bill.
The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time.
The question being upon the passage of the bill——
Mr. BLACK of Georgia. I submit this motion to recommit the bill with instructions.
Mr. HATCH. I desire to raise the point of order that under the special rule adopted by the House a vote on the final passage of the bill must be taken under that order, and it prohibits the consideration of a motion to recommit. The rule itself specifically provides that the vote shall be taken on the passage of the bill without intervening motions.
The SPEAKER *pro tempore*. The Chair would suggest that the special rule could operate with no more force than does the previous question, and under the previous question a motion to recommit with instructions is in order.
The Clerk will report the motion offered by the gentleman from Georgia.
The Clerk read as follows:

Recommit to the Judiciary Committee with instructions to report a bill prohibiting interstate dealing in what is commonly known as "futures," and which have been held by the courts to be gambling contracts.

The SPEAKER *pro tempore*. The Chair would suggest to the gentleman that the motion should be to commit, inasmuch as this bill has never been before the Judiciary Committee. It comes from the Committee on Agriculture.
Mr. HATCH. I want to raise another point of order on the motion that the instructions are not in order, and would not have been as an amendment to the bill. You can not do by indirection what can not be done directly.
I make the point of order that the instructions are not germane to the bill and would not have been germane as an amendment to any section of the bill.
The SPEAKER *pro tempore*. The Chair thinks the gentleman from Missouri is correct thus far, that a motion to recommit with instructions would not be in order if it embraced a proposition which would not be in order as an amendment. The Chair is of opinion, too, that the motion would not be in order as an amendment to the bill.
Mr. BLACK of Georgia. Would it not be in order to amend the bill to confine its operation to interstate transactions?
The SPEAKER *pro tempore*. The Chair would suggest to the gentleman from Georgia that this has been considered and treated as a bill to raise revenue. Similar bills have been held by the regular occupant of the chair, as well as his predecessors, to be revenue bills. The Chair thinks it would not be in order to commit a bill raising revenue to the Judiciary Committee for the purpose of making it a penal statute.
Mr. HARTMAN. I rise to a parliamentary inquiry.
The SPEAKER *pro tempore*. The gentleman will state it.
Mr. HARTMAN. If the Chair has sustained the point of order made against the motion of the gentleman from Georgia, will another motion to recommit with instructions be in order?
The SPEAKER *pro tempore*. This motion having been ruled out, the Chair would treat it as no motion.
Mr. HARTMAN. I now offer the motion to recommit with instructions which I send up and ask to have read.
Mr. WARNER. Mr. Speaker——
The SPEAKER *pro tempore*. For what purpose does the gentleman rise?
Mr. WARNER. I wish to speak upon the former motion.
The SPEAKER *pro tempore*. The Chair has ruled upon the question, but will hear the gentleman from New York.
Mr. WARNER. I wish to suggest, with the permission of the Speaker, that though the suggestion of the Chair may be in every respect correct, I think it does not affect this point, that whatever might have been the natural course of this bill, yet the House itself, by virtue of a power which is frequently asserted, and has been on this very bill, has the undoubted right to commit it to any committee which it may see fit to put in charge of the measure.
The SPEAKER *pro tempore*. The Chair would suggest to the gentleman from New York——
Mr. HATCH. That can only be done under the rules of the House.
The SPEAKER *pro tempore* (continuing). That in the Digest, on page 501, he will find this ruling:

A motion to recommit with instructions to report a certain amendment is not in order if the proposed amendment is not in order as an amendment to the bill.

Mr. WARNER. It may be, Mr. Speaker, I have misunderstood the instructions as read, but the bill under consideration does make penal provisions; and therefore unless I am mistaken in the nature of the instructions the point can not lie against them.
The SPEAKER *pro tempore*. The present bill imposes cumulative taxes. This motion to recommit is to report a bill prohibiting dealings.
Mr. WARNER. Certainly; and inasmuch as this bill prohibits absolutely these dealings except upon certain conditions, then I respectfully submit that the amendment would have been perfectly in order to strike out the conditions and leave the prohibition.
The SPEAKER *pro tempore*. The Chair adheres to his opinion that the motion to recommit with that instruction is not in order.
Mr. HARTMAN. I ask that my motion to recommit be reported, and that a vote be taken upon it.
The SPEAKER *pro tempore*. The Clerk will report the motion of the gentleman from Montana.
The Clerk read as follows:

A motion to recommit with instructions, by Mr. HARTMAN:
"I move to recommit this bill, 7097, to the Committee on Agriculture, with instructions to report it back to the House with an amendment providing for the free coinage of gold and silver at a ratio of 16 to 1."

[Laughter and applause.]
Mr. TRACEY. I raise the point of order against that instruction.
The SPEAKER *pro tempore*. The motion is clearly not in order.
Mr. HARTMAN. Mr. Speaker, I would like to take an appeal from the ruling of the Chair that that motion is not in order at this time.
The SPEAKER *pro tempore*. The Chair assumes that the gentleman is not earnest in appealing from that decision.
Mr. HARTMAN. Mr. Speaker, I should like very much to say that upon the question of the free coinage of silver I should like to have a vote——
The SPEAKER *pro tempore*. The question is, Shall the decision of the Chair stand as the judgment of the House?
Mr. SPRINGER. I move to lay the appeal on the table.
Mr. HARTMAN. I withdraw the appeal.
The SPEAKER *pro tempore*. The appeal is withdrawn.
Mr. BOATNER. Mr. Speaker, I move to recommit this bill to the Committee on Agriculture with instructions to report a substitute for it, limiting the taxation which is proposed by the bill to transactions between citizens of different States; in other words, to limit it to interstate transactions.
Mr. HATCH. I make the same point of order against the instruction.

Mr. BOATNER. So as not to interfere with or invade the rights of the citizens of the several States.

The SPEAKER *pro tempore*. The gentleman from Louisiana will reduce his motion to writing. [Cries of "Vote!"]

Mr. BOATNER. I will read it for the benefit of the House.

Resolved, That this bill be recommitted to the Committee on Agriculture with instructions to report a similar bill limiting its provisions to transactions between citizens of different States.

Mr. HATCH. I make the point of order that the instruction is not in order, as it changes the entire theory of the bill.

The SPEAKER *pro tempore*. The Chair thinks that it is in order. The House may limit the operations of the bill within the lines already laid down in it, and the Chair thinks the motion is in order.

Mr. BOATNER. I move the adoption of that resolution, and on that I demand the previous question.

The SPEAKER *pro tempore*. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, That this bill be recommitted to the Committee on Agriculture with instructions to report a similar bill limiting its provisions to transactions between citizens of different States.

The SPEAKER *pro tempore*. The question is on ordering the previous question.

The previous question was ordered.

The SPEAKER *pro tempore*. The question is on agreeing to the resolution proposed by the gentleman from Louisiana.

The question was taken, and the Speaker *pro tempore* announced that the noes seemed to have it.

Mr. BOATNER. I demand the yeas and nays on that. [Cries of "Oh, no!" and "It is too hot!"]

The question was taken on ordering the yeas and nays.

The SPEAKER *pro tempore*. Forty-four gentleman have arisen—not a sufficient number.

Mr. BOATNER. The other side, Mr. Speaker.

The other side was counted.

The SPEAKER *pro tempore*. On this question the ayes are 44, the noes are 178—not a sufficient number, and the yeas and nays are refused.

Mr. BOATNER. I demand tellers on ordering the yeas and nays.

Mr. HATCH. I make the point of order that that has already been voted down.

Mr. FUNK. Mr. Speaker, I rise to move to recommit the bill with instructions to report a bill including sugar, refined and unrefined.

Mr. HATCH. But one motion to recommit can be offered.

The SPEAKER *pro tempore*. The Chair will state the parliamentary situation. The gentleman from Louisiana [Mr. BOATNER] moved to recommit the bill with instructions, and upon that he demanded the previous question. The question was taken on ordering the previous question, and there was no division. The previous question was ordered, and the Chair stated the question to be upon agreeing to the resolution proposed by the gentleman from Louisiana. Upon that vote the Chair announced that the noes seemed to have it, and the gentleman from Louisiana demanded a division——

Mr. BOATNER demanded the yeas and nays.

The SPEAKER *pro tempore*. The Chair proceeded to take that vote, and then the gentleman from Louisiana, before the Chair had concluded the vote, demanded the yeas and nays. The Chair requested as many as favored taking the vote by yeas and nays to rise and be counted. Forty-four gentlemen rose to be counted, as seconding the demand for the yeas and nays; then the Chair announced that not a sufficient number had arisen, because that was not one-fifth of the previous vote. Then the gentleman demanded the other side. The Chair requested those opposed to taking the vote by yeas and nays to rise and be counted.

Thereupon 178 gentlemen arose in opposition to the demand for the yeas and nays. That being more than four times as many as had arisen to demand the yeas and nays, the Chair declared that a sufficient number had not arisen to second the demand for the yeas and nays, and that the yeas and nays were refused.

Mr. BOATNER. I then asked for tellers upon the demand for the yeas and nays.

The SPEAKER *pro tempore*. The gentleman then demanded tellers on the demand for the yeas and nays. As many as favor ordering tellers on the demand for the yeas and nays will rise and be counted.

Tellers were refused, 26 members, not a sufficient number, seconding the demand.

Mr. FUNK. I now move to recommit, with instructions to include sugar, refined and unrefined.

The SPEAKER *pro tempore*. The Chair will say to the gentleman from Illinois [Mr. FUNK] that only one motion to recommit is in order. One such motion has already been made and rejected by the House.

Mr. HATCH. I demand the yeas and nays on the final passage of the bill.

Mr. ALDRICH. Mr. Speaker——

The SPEAKER *pro tempore*. For what purpose does the gentleman from Illinois [Mr. FUNK] rise?

Mr. ALDRICH. I rise to a parliamentary inquiry.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. ALDRICH. Will it be in order to move to recommit the bill to the Committee on Agriculture, with instructions to eliminate the word "futures" wherever it occurs, and report the bill back.

Mr. HATCH. The Chair has just decided that question.

The SPEAKER *pro tempore*. It would not be in order. Only one motion to recommit is in order.

Mr. HATCH. I now demand the yeas and nays on the final passage of the bill.

Mr. FUNK. I rise to a parliamentary inquiry.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. FUNK. Do I understand that my motion is ruled out of order, and that there is only one motion to recommit in order, when there is another motion on an entirely different subject-matter?

The SPEAKER *pro tempore*. Only one motion to recommit is in order, and a difference in the subject-matter does not alter the rule. The gentleman from Louisiana [Mr. BOATNER] was permitted to submit his motion, because the motion first submitted by the gentleman from Georgia [Mr. BLACK] was ruled to be out of order, as was also the motion of the gentleman from Montana. These two motions having been held not germane, it was as though they had not been made. The Chair, then, in accordance with the rules, entertained one motion to recommit the bill. That motion having been rejected, the question now is, Shall the bill pass?

Mr. HATCH. And on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER *pro tempore* appointed as tellers Mr. ALEXANDER and Mr. WILLIAM A. STONE.

The question was taken on the passage of the bill; and there were—yeas 150, nays 89, answered "present" 1, not voting 114; as follows:

YEAS—150.

Abbott,	Denson,	Hull,	Pendleton, W. Va.
Aitken,	Dinsmore,	Hunter,	Perkins,
Alderson,	Dockery,	Ikirt,	Pickler,
Alexander,	Dolliver,	Johnson, Ind.	Richardson, Mich.
Allen,	Doolittle,	Kem,	Richardson, Tenn.
Arnold,	English, Cal.	Kribbs,	Robbins,
Baker, Kans.	Enloe,	Kyle,	Sayers,
Bankhead,	Epes,	Lacey,	Shell,
Bell, Colo.	Fithian,	Lane,	Sibley,
Boen,	Forman,	Latimer,	Simpson,
Bower, N. C.	Funston,	Linton,	Smith,
Bowers, Cal.	Fyan,	Livingston,	Snodgrass,
Branch,	Gear,	Lucas,	Sorg,
Bretz,	Gorman,	Maddox,	Stallings,
Broderick,	Grady,	Mallory,	Stockdale,
Brookshire,	Grow,	Marsh,	Stone, C. W.
Brown,	Hager,	Martin, Ind.	Strong,
Bundy,	Hainer,	McCreary, Ky.	Sweet,
Bunn,	Hall, Mo.	McCulloch,	Talbert, S. C.
Burrows,	Hammond,	McDannold,	Tate,
Caminetti,	Hare,	McDearmon,	Tawney,
Cannon, Cal.	Harris,	McKaig,	Taylor, Ind.
Capehart,	Hatch,	McKeighan,	Terry,
Chickering,	Haugen,	McLaurin,	Thomas,
Clark, Mo.	Heard,	McNagny,	Turpin,
Cobb, Ala.	Henderson, Ill.	McRae,	Tyler,
Cockrell,	Henderson, Iowa	Milliken,	Updegraff,
Coffeen,	Henderson, N. C.	Money,	Wanger,
Conn.	Hermann,	Montgomery,	Waugh,
Cooper, Wis.	Hines,	Morgan,	Wheeler, Ala.
Cornish,	Hitt,	Moses,	Wheeler, Ill.
Cousins,	Holman,	Murray,	Williams, Miss.
Cox,	Hooker, Miss.	Neill,	Wilson, Ohio
Crawford,	Hopkins, Pa.	Ogden,	Wise.
Curtis, Kans.	Houk,	Paynter,	Woodard,
Davis,	Hudson,	Pearson,	Woomer,
De Armond,	Hulick.	Pence,	Wright, Pa.

NAYS—89.

Adams, Ky.	Campbell,	Dunn,	Hartman,
Aldrich,	Clancy,	English, N. J.	Hendrix,
Baker, N. H.	Clarke, Ala.	Erdman,	Johnson, N. Dak.
Baldwin,	Cobb, Mo.	Everett,	Lapham,
Bartholdt,	Cogswell,	Fletcher,	Lester,
Bartlett,	Coombs,	Funk,	Loud,
Barwig,	Cooper, Fla.	Gardner,	Loudenslager,
Bell, Tex.	Cooper, Tex.	Geissenhainer,	Lynch,
Black, Ga.	Covert,	Goldzier,	Magner,
Boatner,	Crain,	Graham,	Maguire,
Brickner,	Cummings,	Griffin,	McAleer,
Bynum,	Dalzell,	Haines,	McEttrick,
Cabaniss,	De Forest,	Hall, Minn.	McGann,
Cadmus,	Draper,	Harter,	McMillin,

Mercer,	Quigg,	Sperry,	Walker,
Meyer,	Reed,	Springer,	Warner,
O'Neil, Mass.	Reyburn,	Stephenson,	Washington,
Page,	Ritchie,	Stone, W. A.	Weadock,
Paschal,	Russell, Conn.	Storer.	Wolverton,
Patterson,	Russell, Ga.	Tarsney,	Wright, Mass.
Pendleton, Tex.	Ryan,	Tracey,	
Pigott,	Shaw,	Turner, Ga.	
Price,	Somers,	Wadsworth,	

ANSWERED "PRESENT"—1.

Jones.

NOT VOTING—114.

Adams, Pa.	Davey,	Layton,	Robertson, La.
Apsley,	Dingley,	Lefever,	Robinson, Pa.
Avery,	Donovan,	Lisle,	Rusk,
Babcock,	Dunphy,	Lockwood,	Schermerhorn,
Bailey,	Durborow,	Mahon,	Scranton,
Barnes,	Edmunds,	Marshall,	Settle,
Belden,	Ellis, Ky.	Marvin, N. Y.	Sherman,
Beltzhoover,	Ellis, Oregon	McCall,	Sickles,
Berry,	Fielder,	McCleary, Minn.	Sipe,
Bingham,	Geary,	McDowell,	Stevens,
Black, Ill.	Gillet, N. Y.	Meiklejohn,	Stone, Ky.
Blair,	Gillett, Mass.	Meredith,	Strait,
Bland,	Goodnight,	Moon,	Straus,
Boutelle,	Gresham.	Morse,	Swanson,
Breckinridge, Ark.	Grosvenor,	Mutchler,	Talbott, Md.
Breckinridge, Ky.	Grout,	Newlands,	Taylor, Tenn.
Brosius,	Harmer,	Northway,	Tucker,
Bryan,	Hayes,	Oates,	Turner, Va.
Burnes,	Heiner,	O'Neil, Mo.	Van Voorhis, N. Y.
Cannon, Ill.	Hepburn,	Outhwaite,	Van Voorhis, Ohio
Caruth,	Hicks,	Payne,	Wells,
Catchings,	Hooker, N. Y.	Phillips,	Wever,
Causey,	Hopkins, Ill.	Post,	White,
Childs,	Hutcheson,	Powers,	Whiting,
Cockran,	Izlar,	Randall,	Williams, Ill.
Cooper, Ind.	Johnson, Ohio	Ray,	Wilson, Wash.
Culberson,	Kiefer,	Rayner,	Wilson, W. Va.
Curtis, N. Y.	Kilgore,	Reilly,	
Daniels,	Lawson,	Richards, Ohio	

So the bill was passed.

The following additional pairs were announced:

Mr. OUTHWAITE with Mr. MOON.

Mr. TALBOTT of Maryland with Mr. MEREDITH on the anti-option bill. Mr. TALBOTT, if present, would vote against the bill, and Mr. MEREDITH for it.

Mr. DANIELS. Mr. Speaker, I am paired with the gentleman from Ohio [Mr. GROSVENOR]. If he were present he would vote for the bill, and I should vote against it.

Mr. SETTLE. Mr. Speaker, on the final passage of the bill I am paired with the gentleman from Pennsylvania [Mr. MCDOWELL]. If he were present, I should vote "aye."

Mr. LAYTON. Mr. Speaker, I desire the RECORD to show that on this bill I am paired with the gentleman from New York [Mr. RAY]. If he were present I should vote "aye," and he would vote "no."

Mr. BURROWS. Mr. Speaker, my colleague, Mr. MOON, is absent on account of sickness in his family, and I ask that he be excused.

There was no objection, and it was so ordered.

Mr. LYNCH. Mr. Speaker, I desire to announce that the gentleman from Wisconsin, Mr. BARNES, is necessarily absent; if present he would vote "no."

Mr. TYLER. I desire to state, Mr. Speaker, that my colleague, Mr. TURNER, is absent on account of sickness.

The result of the vote was then announced as above recorded.

Mr. HATCH moved to reconsider the vote by which the bill was passed, and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. HATCH. Now, Mr. Speaker, I move that the title of the bill stand as reported to the House, and on that I demand the previous question.

Mr. REED. That seems to be unnecessary under the present rules.

Mr. HATCH. It is a proper parliamentary motion, Mr. Speaker.

The SPEAKER *pro tempore*. Does the gentleman move to amend the title of the bill?

Mr. HATCH. I do not. I move that the title stand as reported.

The SPEAKER *pro tempore*. As a matter of course that requires no motion, because the passage of the bill adopts the title. But a motion to amend the title is in order.

Mr. HATCH. That is the very reason why I make my motion. My motion is a parliamentary one and is in order, and it is intended to prevent a motion to amend the title.

The SPEAKER *pro tempore*. The Chair was at first inclined to think that the only motion that would be in order after the passage of the bill would be to amend the title, but on further reflection the Chair believes the motion of the gentleman from Missouri is in order.

Mr. BURROWS. I call the attention of the Chair to page 553 of the Digest, where I find this:

Unless a separate vote is finally called for, however, the preamble and title as reported to the House are considered adopted on the passage of the bill or resolution.

The SPEAKER *pro tempore*. Without objection the title of the bill as reported from the Committee of the Whole will stand adopted.

There was no objection, and it was so ordered.

GENERAL DEFICIENCY BILL.

Mr. SAYERS. Mr. Speaker, I move that the House resolve itself into Committee of the Whole for the purpose of considering general appropriation bills.

The motion was agreed to; the House accordingly resolved itself into Committee of the Whole, Mr. BYNUM in the chair.

The CHAIRMAN. The House is in Committee of the Whole for the consideration of appropriation bills. The Clerk will report the title of the first bill on the Calendar.

The Clerk read as follows:

A bill (H. R. 10477) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1894, and for prior years, and for other purposes.

Mr. SAYERS. Mr. Chairman, I will ask the gentleman from Illinois [Mr. CANNON] whether he desires to have the bill read the first time, and also whether he desires general debate. I will say to him that if, during the progress of the bill, he desires more time than can be had under the five-minute rule, we can readily arrange so as to give him sufficient time for discussion.

Mr. CANNON of Illinois. So far as I am personally concerned, Mr. Chairman, I have no desire to call for the first reading of the bill, nor have I, personally, any desire to consume time at present in general debate. It is possible that as we progress in the consideration of the bill we may reach a point where general debate will be desirable. If so, I am inclined to think that the committee will grant it on the recommendation of the gentleman from Texas.

Mr. SAYERS. I will say to the gentleman that whenever he may think it necessary to have general debate, I shall be more than willing to agree to it.

Mr. REED. I suggest to the gentleman from Illinois, in the interest of our side, whether it would not be well to have the bill read, or else to have a general explanation of it by the gentleman from Texas.

Mr. CANNON of Illinois. I take it for granted that the gentleman will explain the bill.

Mr. SAYERS. Oh, yes; I will explain it. I ask consent, Mr. Chairman, that the first reading of the bill be dispensed with, and that general debate be closed.

Mr. ENGLISH of New Jersey. I object.

Mr. SAYERS. Then, Mr. Chairman, I ask that the reading of the bill be proceeded with.

The Clerk began to read the bill.

Mr. ENGLISH of New Jersey. Mr. Chairman, I did not understand that debate was to be allowed. Understanding now that it is, I withdraw the objection.

The CHAIRMAN. Does the gentleman from New Jersey withdraw his objection?

Mr. ENGLISH of New Jersey. I have withdrawn it, under the pledge of the chairman of the Committee on Appropriations.

Mr. SAYERS. Mr. Chairman, I will state to the committee that this bill carries $4,890,593.78. Leaving out the appropriations for pensions in previous years, it carries about the same amount of deficiencies that was carried in the bill passed at the first session of the Fifty-first Congress, and also about the amount carried in the deficiency bill of the first session of the Fifty-second Congress, except that the number and amount of judgments of the Court of Claims is considerably larger, as are also the appropriations for the support of the judicial department.

On account of the troubles which have occurred in the Western and Northwestern States where railroads have been seized and United States marshals have been compelled to interfere and restore possession of the trains, the appropriation for the Department of Justice has been greater than for previous years. We have in the bill appropriations for the State Department; and I might say here that such appropriations have been required under every Administration for the State Department in order to enable that Department to settle its accounts with consuls whose terms have expired. We also have appropriations for the Navy Department, the object of which is to enable the different bureaus to settle one with another and with the accounting officers of the Treasury without additional expenditure. In other words, the bulk of the appropriations which the bill carries for the State and Navy Departments involve no expenditure, and they have been made only for the purpose of settling accounts in the Treasury Department.

There is a large appropriation in the bill to pay a judgment of the Supreme Court of the United States rendered in favor of the old settlers, and amounting to near a million of dollars. In accordance with the recommendation of the Department of Justice, the committee has unanimously decided not to make any appropriation for the payment of judgments for Indian depredations; but instead of such an appropriation there is in the bill a clause appropriating some $3,000 to enable the Department of Justice to inquire into the judgments already rendered against the United States in favor of claimants under this law.

From information which has been gathered by a Senate committee we are led to believe that gross frauds have been committed upon the Government in the obtaining of some of these judgments; and under the circumstances, and with the statements and evidence before us, we did not think it prudent to appropriate to pay these judgments, amounting to about $450,000; but, as I have said, we have recommended an appropriation of $6,000 to enable the Attorney-General to inquire into these judgments, and report his findings at the next session of this Congress.

I will say again that this bill contains those ordinary and usual appropriations which appear in all deficiency bills under every Administration and in every Congress. They are neither less nor greater upon the average than the deficiencies which have been reported to and provided for by previous Congresses, saving and excepting only the increases which I have mentioned.

Mr. REED. I presume there is nothing in this bill which shows the malign influence of the Fifty-first Congress. [Laughter.]

Mr. SAYERS. Not at all, although there are appropriations for deficiencies that have accrued during the present and prior years.

Mr. SPRINGER. Allow me to suggest that if this bill is in the usual form and has been agreed to by the Appropriations Committee, we might, by unanimous consent, report it back to the House and pass it this evening, and then have an adjournment until Monday next.

Mr. CLARK of Missouri. I object.

Mr. McCREARY of Kentucky. I do not think that would be proper.

Mr. SAYERS. With the explanation I have made, as the hour of 5 o'clock is now at hand, I move that the committee rise.

The motion was agreed to.

The committee accordingly rose; and Mr. BAILEY having resumed the chair as Speaker *pro tempore*, Mr. BYNUM reported that the Committee of the Whole on the state of the Union had had under consideration the bill (H. R. 7477) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1894, and for prior years, and for other purposes, and had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. ROBINSON of Pennsylvania, indefinitely, on account of sickness in his family.

To Mr. TURNER of Virginia, indefinitely, on account of sickness.

Mr. MARTIN of Indiana. I ask unanimous consent that we now take a recess until 8 o'clock this evening.

There was no objection.

The House accordingly (at 4 o'clock and 58 minutes p. m.) took a recess.

EVENING SESSION.

The recess having expired, the House reassembled at 8 o'clock p. m., and was called to order by Mr. BAILEY, Speaker *pro tempore*.

ORDER OF BUSINESS.

The SPEAKER *pro tempore*. The House is in session under an order which the Clerk will read.

The Clerk read as follows:

The House shall, on each Friday, at 5 o'clock p. m., take a recess until 8 o'clock, which evening session shall be devoted to the consideration of private bills reported from the Committee on Pensions, and the Committee on Invalid Pensions, to bills for the removal of political disabilities, and bills removing charges of desertion only; said evening session not to extend beyond 10 o'clock and 30 minutes. (Rule XXVI, paragraph 3.)

Mr. MARTIN of Indiana. I move that the House resolve itself into Committee of the Whole for the purpose of considering bills on the Private Calendar, pending which motion I ask unanimous consent that all bills considered this evening shall be considered under the five-minute rule only as to debate.

Mr. LANE. I object to that.

The question being taken on the motion that the House resolve itself into Committee of the Whole for the purpose of considering bills on the Private Calendar there were, on a division (called for by Mr. TALBERT of South Carolina)—ayes 31, noes 0.

Mr. TALBERT of South Carolina. I simply want to call attion to one fact. I notice that all the "objectors" are here, and very few of the "friends of the soldier."

Mr. PICKLER. Regular order!

The SPEAKER *pro tempore*. The motion of the gentleman from Indiana [Mr. MARTIN] is agreed to.

The House accordingly resolved itself into Committee of the Whole, Mr. DOCKERY in the chair.

Mr. MARTIN of Indiana. I ask unanimous consent to make a statement prior to submitting a proposition.

The CHAIRMAN. Is there objection? The Chair hears none.

Mr. MARTIN of Indiana. Mr. Chairman, at a meeting of the Committee on Invalid Pensions to-day, at which there was more than a quorum present, I was directed by the unanimous voice of the committee to ask as to all the bills which may be considered to-night, reported by the Committee on Invalid Pensions, they may be called up in the order in which they stand on the Calendar, the suggestion coming from myself as to which bill shall first be taken up.

Mr. STALLINGS. Let me understand the gentleman's proposition. You do not mean to cut out bills reported from the Committee on Pensions?

Mr. MARTIN of Indiana. Not at all.

The CHAIRMAN. Will the gentleman again state his proposition?

Mr. MARTIN of Indiana. I ask unanimous consent that so far as the consideration of bills favorably reported by the Committee on Invalid Pensions is concerned, that they may be taken up in the order as they appear on the Calendar, and such bills as I may choose to ask consideration of shall be considered, and the others may be passed over without prejudice. I do this by direction of the unanimous vote of the committee.

The CHAIRMAN. That will not disturb the Calendar as to the consideration of other bills in order under this rule.

Mr. MARTIN of Indiana. Not at all.

Mr. HULL. This applies only to pension bills?

Mr. LIVINGSTON. Those which the chairman of the Committee on Invalid Pensions may designate.

Mr. MARTIN of Indiana. It only applies to the bills reported by the Committee on Invalid Pensions as we reach them.

Mr. HULL. And if bills are reached on the list from the other committees, for instance the Military Committee, they are not interfered with?

Mr. MARTIN of Indiana. Not at all.

Mr. LACEY. I wish to suggest to my colleague on the committee that I think his construction of the order is not exactly as understood by the balance of the committee. The effect of the order, as I understand it, was that those bills when reached on the Calendar could be laid over at the suggestion of the gentleman without prejudice.

Mr. MARTIN of Indiana. That is substantially the suggestion I made.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

Mr. MARSH. This is allowing one man to determine what the committee shall consider, if I understand it.

Mr. MARTIN of Indiana. Not at all; only at the suggestion of the Committee on Invalid Pensions to indicate those bills that should be considered at this session to-night. I will state that this arrangement was adopted at the suggestion of the gentleman from Iowa [Mr. LACEY].

Mr. MARSH. I would ask what is the purpose of the arrangement?

Mr. BRETZ. To avoid the scenes that we have had heretofore at evening sessions.

Mr. MARSH. Is it the purpose of this suggestion to allow the chairman of the Committee on Invalid Pensions to select those bills only that members of the Committee on Invalid Pensions are interested in particularly?

Mr. MARTIN of Indiana. Not at all. It applies to all bills reported from the committee.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The CHAIRMAN. The Clerk will report the first bill upon the Calendar.

The Clerk read as follows:

A bill (H. R. 3693) for the relief of Louisa B. Hull.

Mr. MARTIN of Indiana. I suggest that under the order just adopted this bill be laid aside without prejudice.

The CHAIRMAN. This bill, under the order, will be passed over; and the Clerk will report the next bill.

The Clerk read as follows:

A bill (H. R. 2156) for a pension to Cornelia de Peyster Black, widow of Henry M. Black, late colonel of the United States Army, deceased.

Mr. STALLINGS. I ask that the bill be passed over under the order.

There was no objection, and it was so ordered.

The CHAIRMAN. The Clerk will report the title of the next bill.

The Clerk read as follows:

A bill (H. R. 811) for the relief of Harriett Woodbury.

Mr. MARTIN of Indiana. Let that be passed over under the order.

MARGARET A. WOODS.

The CHAIRMAN. The Clerk will report the title of the next bill.

The Clerk read as follows:

A bill (H. R. 6050) to pension Margaret A. Woods, widow of William W. Woods, late of Company E, Sixteenth Illinois Volunteer Infantry.

The CHAIRMAN. The Clerk will report the bill.

The bill was read, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension rolls, subject to the provisions and limitations of the pension laws, the name of Margaret A. Woods, widow of William W. Woods, late a member of Company E, Sixteenth Illinois Volunteer Infantry, and allow her a pension of $12 per month.

Mr. MARTIN of Indiana. I ask that the report in that case be read, and I invite the careful attention of the committee to the reading.

The report, by Mr. MCDANNOLD, was read as follows:

The Committee on Invalid Pensions have considered the bill (H. R. 6050) to pension Margaret A. Woods, and submit the following report:

The petitioner was the wife, and believes herself to be the widow, of William W. Woods, who served in Company E, Sixteenth Illinois Infantry, from May 24, 1861, to June 12, 1864. The petitioner was married to the soldier July 12, 1857; her claim was rejected by the Pension Bureau for the reason that she is unable to prove positively that the soldier is dead. She is 71 years of age, and very poor.

The petitioner, in her testimony on file in the Pension Bureau, states that soldier came to Ripley, Ill., about a year before she married him, a perfect stranger, and she never knew his people; that he came home from the Army June 20, 1864, and left June 28, 1864, and she has never seen him since; that they parted on very friendly terms, and he said he was going to Tennessee to get work in a Government bakery; but she never heard from him again; he never wrote to her; she has done all in her power to trace him, and believes him dead, for he was fond of his family. She further states that he was home on furlough for a time in the fall after the surrender of Vicksburg (1863). She states that he claimed to be a few years younger than herself.

William B. Dennis, of Ripley, Ill., a brother of the petitioner, testifies to the same effect, and says that the soldier told him he had been a sailor from New York to Liverpool, and he judged him to be an Englishman; that he was a baker by trade when he came to Illinois, and affiant never knew where he came from; he was industrious, and took good care of his family; attended strictly to his business. Affiant has never heard a word from him since June 1, 1864, and believes him to be dead.

William H. H. Hardin, of Ripley, Ill., testifies that soldier's age was given at 38 years when he enlisted, but he looked older than that.

There is nothing to indicate that the soldier has been seen or heard of by his old friends since 1864, and there is abundant proof of the extreme poverty of the petitioner.

In view of these facts, the absence of thirty years, his failure to file a claim for pension, and the fact of his advanced age, the conviction that the soldier is dead seems inevitable, and your committee therefore recommend that the bill do pass after being amended as follows:

Strike out the words "pension laws" in line 5, and insert in lieu thereof the words "act approved June 27, 1890."

Strike out all after the word "infantry" in line 8.

The CHAIRMAN. The question is on agreeing to the amendments recommended by the committee.

The amendments were adopted.

Mr. MARTIN of Indiana. Mr. Chairman, I desire to submit to the consideration of the committee another amendment, which I think should have been adopted, and which has been adopted in similar cases. I move to add to the amendments, "*Provided*, That in the event the soldier is found to be alive the pension herein granted shall cease."

The amendment was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with the recommendation that it do pass.

EARNEST C. EMERSON.

The next bill on the Calendar was the bill (S. 307) granting a pension to Earnest C. Emerson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Earnest C. Emerson, dependent and imbecile child of Orrin M. Emerson, late a private in Company H, First Rhode Island Cavalry, at the rate of $12 per month, payable to his legally constituted guardian.

Mr. STALLINGS. Let us have the report in that case.

The report (by Mr. MCETTRICK) was read, as follows:

The Committee on Invalid Pensions have considered the bill (S. 307) granting a pension to Earnest C. Emerson, and submit the following report:

A similar bill passed the Senate and was favorably reported by the House committee in the Fifty-second Congress. This bill passed the Senate March 5, 1891, and the facts bearing on the case are as follows:

Orrin M. Emerson served in Company H, First Rhode Island Cavalry, from September 6, 1862, to June 6, 1865, and died September 25, 1875, having never applied for a pension. His widow died August 3, 1889, having never applied for pension.

The beneficiary of this bill is the son of the soldier and is now 32 years of age, and a hopeless and helpless imbecile as shown by the testimony of physicians. These facts appear from the papers on file in the Pension Bureau. A claim filed by his guardian was rejected on the ground that he could not be pensioned under the act of June 27, 1890, because over 16 years of age at the passage of the act. It is not alleged that the soldier's death was in any way due to his military service. The son is dependent entirely on a maiden aunt who has been appointed his guardian, and who is little able to care for him.

Your committee recommend the passage of the bill after being amended as follows:

"Strike out the words 'at the rate of twelve dollars per month,' in line 7, and insert in lieu thereof the words, 'subject to the limitations and provisions of the act of June 27, 1890.'"

The amendments recommended by the committee were agreed to.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

EDWARD J. BUTLER.

The next business on the Private Calendar was the bill (H. R. 2726) to remove the charge of desertion standing against the name of Edward J. Butler.

The Clerk read the title of the bill.

Mr. HULL. Unless there is some gentleman here in charge of that bill who desires it to be considered, I ask that it be laid aside without prejudice.

Mr. CHARLES W. STONE. I should like to have the bill considered. I think it will commend itself to the approval of every gentleman here.

Mr. TALBERT of South Carolina. I hope that bill will be laid aside, and not considered this evening.

Mr. PICKLER. If I understand the proceedings had, when these bills are passed over, the Calendar will be gone through with before these bills can again come before the committee.

The CHAIRMAN. Oh, no; the order which was adopted relates only to this evening's session. The bills will retain their places on the Calendar, and will come up for consideration at the next Friday evening session.

Mr. HULL. I see that the gentleman who made the report [Mr. BOWERS of California] is present, and I will withdraw my request that the bill be passed over.

Mr. TALBERT of South Carolina. I hope such a bill as this will not be brought forward to-night. My understanding was that we were to consider meritorious bills; that bills removing charges of desertion, and bills to pension widows who had married the second time, and such bills, were to be laid aside and not considered to-night. Let us pass some bills that are meritorious, and against which there will be no objection. That is my idea. I told some gentlemen this afternoon that I would have no objection to that. I hope these desertion bills will not be brought up. There will certainly be objection to them. My understanding was that bills that would block business were to be passed over.

Mr. WAUGH. The order adopted to-night applies simply to bills reported from the Committee on Invalid Pensions. This is a bill from the Committee on Military Affairs, and it is no violation of the agreement made this evening.

Mr. TALBERT of South Carolina. I have no objection to the bill being read, but I have stated my understanding of the matter.

Mr. CHARLES W. STONE. I think if the gentleman will give attention to the reading of the report, he will have no objection to the bill.

The bill was read as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to remove the charge of desertion standing against Edward J. Butler, late a musician in the Seventeenth Indiana Volunteers, and issue to him an honorable discharge: *Provided*, That no pay or emoluments shall become due by reason of the passage of this act.

The report (by Mr. BOWERS of California) was read as follows:

The Committee on Military Affairs, to which was referred House bill 2726, report the same back and recommend that it do pass.

The facts of this case are briefly as follows: Shortly before the beginning of the war Edward J. Butler was a homeless waif in the streets of New York. About that time a charitable society took charge of him and found a home for him in the State of Indiana. In June, 1861, when the Seventeenth Regiment Indiana Volunteers was mustered into the service, they needed a drummer, and as young Butler was an excellent drummer for a boy, they arranged with the farmer with whom he was living, and who had paid his fare from New York, to let him go with the regiment, the colonel refunding to the farmer the fare which he had paid from New York.

Young Butler was enlisted as a drummer boy and his age given as 13 years, although he was really but 11 years old. He remained with the regiment something over a year, until August, 1862, when the regimental band was mustered out of service. He had no home to go to, and having attached the officers of the regiment to him, he was allowed to remain with the regiment and transferred to Company F of that regiment and entered on the rolls as a member thereof.

In the latter part of August, 1862, at the request of Col. Moore, of the Fifty-eighth Indiana Volunteers, who desired a drummer, young Butler was loaned to that regiment by an understanding between the colonel of it and Lieut. Col. Gorman, then commanding the Seventeenth Indiana Volunteers, and reported for duty to the Fifty-eighth Regiment and served with them.

This arrangement, made by the commanding officer of the Seventeenth Regiment, does not seem to have been participated in by the captain of Company F, with which young Butler was enrolled, and the relations between this captain and the regimental commander not being of the most cordial kind, he seems to have taken offense at the action of the colonel transferring young Butler, and manifested it by having him entered upon the company rolls as a deserter.

At the time that this entry was made the Fifty-eighth Indiana and the Seventeenth were brigaded together and camped side by side, and young Butler was daily mingling with his old comrades of the Seventeenth Regiment and known by all to be still in the service, although temporarily assigned to the Fifty-eighth Regiment. He was a great pet with the men, who had come to call him "Johnny," which was his middle name, instead of Edward, which was his first name, and hence he gradually obtained the name of Johnny Butler, and the name continued as his ordinary designation from that time on, and he gradually, as he grew up, came to write his name John E. Butler instead of Edward J. Butler.

He remained on duty regularly and faithfully until some time in October, 1862, when the Seventeenth Regiment was being paid off at Louisville, and his first knowledge that he was not still on the rolls of the company came when he presented himself with the company to receive his pay at that time, and then first found that his name had been dropped from the rolls. He was thus left, a boy of only 12 years of age, with no home to go to, and no friends except as he had formed them in the regiment.

In some way he made his way back to Indiana, and he embraced the first opportunity to return to the service, which occurred when Lieut. Col. Gorman, who was in command of the Seventeenth Regiment when he was temporarily transferred to the Fifty-eighth, returned to Indiana and raised the One hundred and twentieth Indiana Regiment. Knowing young Butler, Col. Gorman readily took him into his new regiment as a drummer boy, and had him duly enlisted, and he served faithfully until honorably discharged with his regiment January, 1866, having been promoted meantime to the position of principal musician of the regiment.

These facts are fully substantiated by the statement of Col. Wilder, the colonel of the Seventeenth Indiana Regiment, and Col. Moore, of the Fifty-eighth Indiana Regiment, whose affidavits are hereto attached, and by the records of the War Department. There was no possible motive for young Butler to desert, as he had no home except the regiment, and no friends except the officers and members thereof. They were so much attached to him that they had determined, when the regimental band was abolished, that a fund of $1,000, which they had raised to buy new instruments for the band of the Fifty-eighth Regiment, should be set apart for young Butler's education, and the fund at this time was in the hands of the lieutenant-colonel of the regiment for his benefit, which, however, was never paid over or used for his benefit.

Having no particular use for money, he had not drawn his pay, which was also really drawn for him and supervised by the lieutenant-colonel of the regiment. He was at the time he is charged with being a deserter a boy really but 12 years of age, and could hardly be driven from the regiment, where all his friends were, and embraced the earliest opportunity to get back into the Army, which was the only home he knew.

The act of Capt. Thompson in entering him upon the rolls of his company as a deserter was a cruel and unjust one, and the wrong done to this boy, who was faithful in the service and who has grown up to be an honored and respected citizen, ought to be rectified speedily by the passage of this bill.

Mr. CHARLES W. STONE. That report states all the facts. The remainder of the documents attached to the report are simply the affidavits in support of the statements contained in the report.

Mr. STALLINGS. I move that the bill be laid aside, to be reported to the House with a favorable recommendation.

The CHAIRMAN. Without objection this bill will be laid aside, unanimously, with a favorable recommendation. [Applause.]

There was no objection.

MARY E. COLE.

The next business on the Private Calendar was the bill (H. R. 5112) for the relief of Mary E. Cole.

The Clerk read the title of the bill.

Mr. MARTIN of Indiana. I ask that that bill be passed over under the order which has been adopted.

The CHAIRMAN. It will be passed over under the order.

JULIA BEWS.

The next business on the Private Calendar was the bill (H. R. 3992) to increase the pension of Julia Bews.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to increase the pension of Julia Bews, under certificate, 48261, by allowing a rate of $6 per month in addition to her present rate as widow of Alexander Bews, late of Company A, Sixteenth Regiment New York Volunteers, and Company H, Eighty-third Regiment New York Volunteers, said increase being on account of Margaret Bews, the permanently helpless daughter of the above-named soldier, and said increase of $6 per month to continue only for and during the life of said Margaret Bews.

The amendments recommended by the Committee on Invalid Pensions, as stated in the report, were read.

The report (by Mr. MARTIN of Indiana) was read, as follows:

The Committee on Invalid Pensions have considered the bill H. R. 3992, the intent of which is to increase the pension now paid to Julia Bews by $6 per month on account of a permanently helpless daughter of herself and the soldier.

The following facts appear:

Alexander Bews enlisted in Company A, Sixteenth New York Volunteers, and served two years. He afterward enlisted in the Eighty-third New York Volunteers. He was wounded in action at Spottsylvania Court House, Va., May, 1864, and died from the effect thereof in field hospital May 11. His widow is pensioned at $12 per month.

His dependent daughter, Margaret Bews, was born September 23, 1858. Dr. H. F. Sherman, a reputable physician of fifty-two years' practice, testifies that this daughter has been feeble-minded from infancy, the result of hydrocephalus; that said disease from its nature is of a permanent character, rendering her both helpless and dependent; that her mother, upon whom she relies for support, Mrs. Julia Bews, depends upon her labor for her own and her dependent daughter's support.

The provisions of the act of June 27, 1890, are such that if this daughter had been under 16 years of age at the date of the passage of said act, instead of 32 years, an additional pension of $2 per month would have been continued to her mother, the widow, during the life of said daughter.

Your committee recommend that the bill do pass after being amended as follows:

Strike out the word "six" in line 6 and line 12 and insert in lieu thereof in each place the word "two."

Strike out all after the word "continue" in line 12 and insert in lieu thereof the following:

"To the widow only so long as said Margaret Bews shall be in whole or in part supported by her, and in case of death or remarriage of the widow the entire pension of $14 per month shall be continued and paid to said Margaret Bews or her legal guardian."

Mr. STALLINGS. I should like to have the chairman of the committee make a statement of the facts in that case.

Mr. MARTIN of Indiana. Mr. Chairman, the gentleman from New York [Mr. CURTIS], who introduced the bill, is not here. This bill was reported favorably in the Fifty-second Congress, but there was not time to reach it for consideration, and therefore it failed. It was not defeated. The facts are simply these, that the father served one term and was honorably discharged, and reënlisted and was wounded in action at Spottsylvania in May, 1864.

He died a few days later, in the same month. His widow is pensioned at $12 a month. They have a child who, from infancy has been feeble-minded, as the result of hydrocephalus, water on the brain. She has been an infant all these years, although she is now past 32. Had the widow had minor children in good health they would have been pensioned under the act of June 27, 1890, until they were 16 years of age; but this child being over 16 years of age, can not receive anything under that act.

Mr. STALLINGS. The gentleman means that she was over 16 years of age when the law was passed?

Mr. MARTIN of Indiana. Yes. The committee have thought that in accordance with precedent it was only right, this child being much more of a care than a healthy infant, being a constant charge on the mother, that a small allowence should be made to the mother in the way of an increase of $2 a month.

Mr. JONES. I would like to ask the gentleman what is the character of the testimony in this case?

Mr. STALLINGS. I would like the gentleman, before he proceeds to state what the character of the evidence was, to inform me whether this is only $2 a month additional pension for this child.

Mr. McNAGNY. She would have been entitled to this if the child had been under 16 years of age.

Mr. MARTIN of Indiana. It is only $2 additional. The testimony in favor of this claim was given by Dr. H. F. Sherman, a reputable physician. I want to say to the gentleman from Virginia that the gentleman from New York [Mr. CURTIS], a member of this House, and also the last, said to the committee that this gentleman was a reputable citizen, and his testimony was entirely creditable; and it is on the testimony of the physician as to her condition that we make the recommendation so far as the disease goes.

Mr. JONES. Was the physician before your committee?

Mr. MARTIN of Indiana. No, sir; we simply have his affidavit.

Mr. JONES. Were any other witnesses examined?

Mr. MARTIN of Indiana. There were no other witnesses except this one; but we had the additional fact that the gentleman from New York [Mr. CURTIS] stated to us that this gentleman who testified was entirely reputable, and his affidavit was as to the character of the disease.

Mr. BRETZ. Did not he state that he knew the facts?

Mr. MARTIN of Indiana. I do not remember that he did.

The CHAIRMAN. Without objection, the amendment will be agreed to, and the bill as amended will be laid aside with a favorable recommendation.

There was no objection.

ALLIE DILL BROUGHTON.

The next business on the Private Calendar was the bill (H. R. 953) to grant a pension to Allie Dill Broughton.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Allie Dill Broughton, invalid and feeble-minded daughter of Wilbur F. Broughton, late a corporal of Company I, One hundred and twelfth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert the following:

"That the Secretary of the Interior be, and he hereby is, authorized and di-

rected to increase the pension of Mary P. Broughton by allowing her a rate of $2 per month in addition to her present rate as widow of Wilbur F. Broughton, late of Company I, One hundred and twelfth Illinois Infantry, said increase being on account of Alliedell Broughton, the permanently helpless daughter of the above-named soldier, and said increase of $2 per month to continue to the widow only so long as said Alliedell Broughton shall be in whole or in part supported by her; and in case of the death or remarriage of the widow, the entire pension of $14 per month shall be continued and paid to said Alliedell Broughton, or her legal guardian."

Mr. JONES. Mr. Chairman, I would like to have the report read.

Mr. HENDERSON of Illinois. Mr. Chairman, this case is exactly like the one which has just been passed by the committee. I want to offer an amendment to the amendment proposed by the Committee on Invalid Pensions, which is simply to change the name "Alliedell," wherever it occurs, to "Allie Dill." It should be two words. The name occurs in lines 8, 11, and 15. I will simply state that I know the facts in the case myself; I know the witnesses who testified as to the helpless condition of this imbecile, and that the facts as stated are true. The soldier served in my own regiment, and I am well acquainted with the family.

The amendment to the amendment offered by Mr. HENDERSON of Illinois was agreed to, and the committee amendment as amended was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MRS. MARY A. MENEFEE.

The next business on the Private Calendar was the bill (H. R. 6103) for the relief of Mrs. Mary A. Menefee.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll, subject to the provisions and limitations of the pension laws, the name of Mrs. Mary A. Menefee, widow of Richard Menefee, captain Company E, Eighth Regiment Missouri State Militia Cavalry, in the late war, as well as a private in Company K, Extra Battalion Missouri Volunteers, in the war with Mexico.

The amendment recommended by the committee was read, as follows:

Strike out the words "place upon," in line 4, and substitute in lieu thereof the words "restore to;" add after the word "Mexico," in line 9, the words "and allow her a pension at $8 per month from the date of the passage of this act."

Mr. HEARD. Mr. Chairman, I do not desire to submit any remarks upon this case, but if any gentleman wants an explanation of it I would ask that the report of the committee be read, as it gives a full statement of the case.

Mr. JONES. I would like to have the report read.

The report (by Mr. CLARK of Missouri) was read, as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 6103) for the relief of Mrs. Mary A. Menefee, have considered the same and respectfully report as follows:

Capt. Menefee died March 22, 1863, and after the passage of the Mexican war service pension act of January 28, 1887, Mrs. Menefee made application for pension thereunder as his widow, and her claim, after due investigation, was allowed by the Pension Office by certificate No. 2562.

Subsequently, Mrs. Menefee in order to secure the $2 additional pension provided by the act of June 27, 1890, for minor children, made an application under that act, basing the same upon Capt. Menefee's service in the war of the rebellion.

The proof submitted in this last case developed the fact that prior to her marriage to Menefee the claimant was the wife of one Charles Henry Brink, and pending inquiry into the question as to whether Brink had died or she had been divorced from him prior to her marriage to Menefee her said Mexican war pension was suspended.

In his report of his investigation of the case Special Examiner Wiley Britton makes the following statement:

"She (the claimant) testifies to her marriage with Menefee on April 23, 1865; that her first husband, Charles Henry Brink, went to California before the war and she heard he was dead before she married her second husband; that she was married to Brink May 5, 1857, and that about two and a half years after the war a man came to Bolivar (the place of her residence in Missouri), and claimed to be Brink, her first husband; that she saw this man and does not think he was Brink; that he drove the stage between Bolivar and Springfield part of one summer, and then left, and she has never heard of him since; that she was never divorced from him by law, but by time, as she thought; that the question of the legality of her second marriage came up when she made application for her last husband's arrears of pay, and was decided in her favor; that her second husband's children by his first and second wives brought suit against her for possession of the home place on the ground of her second marriage being illegal, but that the decision of the court was in her favor."

The special examiner adds that the evidence obtained in the investigation shows that Brink went to California about 1858, and was reported to be and was supposed to be dead; that she remarried April 23, 1865, and Brink turned up again about 1867, remained a short time, then left again, and has never been heard of since. It further appears that Mrs. Menefee raised a large family by her second husband, and that she bears a good reputation as the widow of Capt. Menefee, with whom she lived for more than twenty years. The recommendation of the special examiner was that the claimant's name be continued on the pension roll, but the Bureau dropped her name from the list of pensioners and has since refused to restore the pension, notwithstanding the filing of a mass of testimony in full corroboration of her statements.

A bill for the relief of this claimant was unanimously reported to the House with a favorable recommendation by your committee in the Fifty-second Congress, but the bill failed of passage because Congress adjourned before it could be finally disposed of.

After full consideration of all the facts your committee believe that the relief prayed for should be granted, and the passage of the bill is therefore recommended with the following amendments:

Strike out the words "place upon," in line 4, and substitute in lieu thereof the words "restore to;" add after the word "Mexico," in line 9, the words "and allow her a pension at $8 per month from the date of the passage of this act."

The amendment recommended by the committee was agreed to, and the bill as amended was ordered to be laid aside with a favorable recommendation.

MARY ANN DONOGHUE.

The next business on the Private Calendar was the bill (H. R. 5816) granting a pension to Mary Ann Donoghue.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension roll, subject to the limitations and provisions of the pension laws, the name of Mary Ann Donoghue, widow of Timothy Donoghue, late of Company F, Fourth Regiment United States Infantry.

The amendment recommended by the committee was read, as follows:

Add after the word "infantry," in line 7, the words, "and allow her a pension rated at $8 per month."

The report (by Mr. BAKER of Kansas) was read, as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 5816) granting a pension to Mary Ann Donoghue, have considered the same, and respectfully report as follows:

The claimant is the widow of Timothy Donoghue, who enlisted January 10, 1849, in Company F, Fourth United States Infantry, and was discharged November 14, 1852, because of disability arising from abscess of both hips, caused by the kick of a horse while in the discharge of his duty.

At the time of his death, which occurred July 24, 1893, the soldier was receiving a pension rated at $17 per month on account of the above-named injury, and it is shown by the testimony on file at the Pension Bureau that he died from hemiplegia, which was the direct result of the injury received in the service.

Mrs. Donoghue filed a claim July 31, 1893, at the Pension Office, but the same was disallowed September 22, 1893, on the ground that the disease from which the soldier died was incurred in time of peace, and hence there was no provision of law by which she could be allowed a pension.

The general pension laws permit the granting of pensions to soldiers who incurred their disabilities in time of peace prior to March 4, 1861, but make no provision for widows whose husbands die of disability originating under such circumstances. If, however, this claimant's husband had died of disease or injuries arising in the line of duty while serving in the regular Army at any time since March 4, 1861, she would have been pensionable under the law.

In this case the claimant is shown by record and other evidence to be the lawful widow of the soldier. The records of the War Department show the service as above stated, and that the soldier received in line of duty the injury on account of which he was discharged and for which he was on the pension roll at the time of his death, and medical and other evidence shows that his death was finally caused by the injury and its direct results.

Mrs. Donoghue is now about 63 years old, and stands in need of the pension prayed for. She married the soldier October 5, 1850.

Your committee are unanimously of the opinion that the bill is a meritorious one, and its passage is therefore recommended with an amendment adding after the word "infantry," in line 7, the words, "and allow her a pension rated at $8 per month."

Mr. JONES. Mr. Chairman, I would like to hear a statement of that case from the chairman of the committee or somebody who knows something about the facts.

Mr. MARTIN of Indiana. Mr. Chairman, that bill comes from the Committee on Pensions, and not from the Committee on Invalid Pensions.

Mr. JONES. I see that the chairman of the Committee on Pensions is present.

Mr. MOSES. The report just read gives a full statement of the facts. All that the committee know is that this soldier died in the fall of 1893. He had been upon the pension roll, being discharged on account of being severely wounded while in the line of duty. Under the pension laws his widow cannot receive the pension that he was receiving at the time of his death, and the committee thought that it was a meritorious case. The widow is very poor and dependent, and the soldier died from an injury received in line of duty. He was accidentally killed.

Mr. JONES. What amount of pension is recommended in this bill?

Mr. MOSES. Eight dollars per month.

Mr. JONES. How did the gentleman say he received his wound?

Mr. MOSES. He was kicked by a horse or a mule—kicked by a mule. [Laughter.]

Mr. JONES. When was he kicked by the mule?

Mr. MOSES. In 1853.

Mr. JONES. In 1853? Was he a soldier in the late war?

Mr. MOSES. He was not.

Mr. JONES. You say that he enjoyed a pension as long as he lived?

Mr. MOSES. He received a pension up to the time of his death; he was totally helpless nearly all of the time and finally died.

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with the recommendation that it do pass.

JAMES LANE.

The CHAIRMAN (Mr. WEADOCK). The Clerk will report the title of the next bill.

The Clerk read as follows:

A bill (H. R. 3065) to increase the pension of James Lane.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to increase the pension of James Lane, late a member of Company I, Third Regiment of Illinois Volunteers, in the war of the United States with Mexico, from $8 to $30 per month.

Mr. JONES. Let the report be read.

The report (by Mr. MOSES) was read, as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 3065) granting an increase of pension to James Lane, have considered the same and respectfully report as follows:

Mr. Lane served as a sergeant in Company I, Third Illinois Volunteers, in the war with Mexico, and he is now receiving the service pension of $12 per month allowed by law to the destitute and wholly disabled survivors of that war.

This soldier is now about 80 years old and almost totally blind. He has no property, either real or personal, and no income except his pension.

The facts are shown by the testimony of Dr. H. E. Hale, Leonard Bond, and other neighbors and acquaintances of the claimant.

Your committee believe the bill to be meritorious, and therefore recommend its passage with an amendment striking out the word "eight," in line 7, and substituting in lieu thereof the word "twelve," and striking out the word "thirty," in the same line, and inserting in lieu thereof the word "twenty."

The amendments recommended in the last paragraph of the report were agreed to.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

EDWIN OVERMAN.

The next business on the Private Calendar was a bill (H. R. 6634) to grant a pension to Edwin Overman, an insane child.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and hereby is, authorized and directed to place on the pension roll the name of Edwin Overman, permanently helpless and insane child of Joseph Overman, deceased, late a private in Company K, One hundred and eighteenth Regiment of Indiana Volunteers in the war of the rebellion, subject to the provisions and limitations of the act of Congress on the subject of pensions approved June 27, 1890, which pension shall be paid to the legally constituted guardian of said beneficiary.

Mr. JONES. I ask that the report be read.

The report (by Mr. MARTIN of Indiana) was read, as follows:

The Committee on Invalid Pensions, to which was referred the bill (H. R. 6634) to pension Edwin Overman, an insane child, makes the following report, to wit:

Joseph Overman was the father of the beneficiary, and enlisted July 21, 1863, in Company K, One hundred and eighteenth Indiana Volunteers in the war of the rebellion. His service was honorable, and he was discharged honorably March 3, 1864. When he was thus discharged he was sick with some trouble which finally resulted in his death with lung disease on February 19, 1880, near Marion, Ind.

The soldier was married on November 15, 1866, to the mother of this beneficiary, Elmira, who bore him four children, the youngest of which arrived at the age of 16 on November 11, 1889.

Edwin, the beneficiary, was born May 1, 1868, arrived at the age of 16 on May 1, 1884, and has been an idiot since his birth, and is now not only an idiot, but perfectly helpless, and requires the constant aid and attendance of another person.

Thomas Overman, father of the soldier, and paternal grandfather of the beneficiary, was the lawful guardian of the beneficiary until he became 21 years old, is a man 79 years of age, and is supporting the latter.

The mother of Edwin died on the 12th day of May, 1879, near Marion, Ind.

Claims for pensions on behalf of the children of the soldier were filed under both the general law and the act of June 27, 1890, but both were rejected on the grounds that said children had all arrived at the age of 16 before the filing of such claims and prior to enactment of the latter law. The claimant's post-office address is Marion, Ind.

The beneficiary has no means of support, and is wholly dependent upon his grandfather, whose age and means are such as to render such support a burden he is not able to bear.

Your committee therefore recommend the pasage of the bill, amended, however, by adding at the close of the bill the words "at the rate of $10 per month."

Mr. CABANISS. I will ask the gentleman from Indiana upon what evidence that report is based?

Mr. MARTIN of Indiana. The evidence in this case consisted of the affidavits of at least two, and my present impression is three or four, neighbors of the guardian of this child. While I do not know them personally, I know them by reputation to be good people, and I believe there is no question whatever as to the facts stated in the report. I drew the report myself, after having carefully read and examined all of the affidavits.

The amendment recommended in the last paragraph of the report was agreed to.

The bill as amended was ordered to be laid aside and reported to the House with the recommendation that it do pass.

MARY TUTTLE.

The next business on the Private Calendar was a bill (H. R. 5616) granting a pension to Mary Tuttle.

Mr. MARTIN of Indiana. Mr. Chairman, I ask unanimous consent that that bill be passed over.

The CHAIRMAN. It will be passed over under the order made this evening.

DRUZILLA J. RIGG.

The next pension business on the Private Calendar was a bill (H. R. 4290) for the relief of Druzilla J. Rigg, of Macomb, Ill.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and hereby is, authorized and directed to cause to be paid to Druzilla J. Rigg, of Macomb, Ill., who is the daughter and only heir of James Depoy (who was second lieutenant in Company A in the Fifty-fourth Regiment of Ohio Infantry in the war of the rebellion, to whom pension certificate numbered 158723 was issued, and who died previous to the receipt by him of said certificate), the amount due upon said certificate at the time of the death of said James Depoy.

Mr. JONES. I ask that the report be read.

The report (by Mr. MCDANNOLD) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 4290) for the relief of Druzilla J. Rigg, having considered the same, submit the following report:

This is a bill to pay Druzilla J. Rigg, the daughter and sole heir of James Depoy, the amount of the pension allowed said soldier by certificate No. 158723, which he did not receive because he died before the certificate reached him. The pension allowed by such certificate was $7.50 per month from February 20, 1863, and $15 per month from October 21, 1878, to December 7, 1878, when he died, amounting to about $1,400.

This bill proposes to pay to Druzilla J. Rigg, his daughter and sole heir, the amount of the pension which had been allowed him. The evidence shows that this daughter had, since she was 12 years old, kept house for her father, and was thereby deprived of proper advantages for education. During the last six years of his life the soldier was bedridden, and his devoted daughter was his constant attendant. During his prolonged illness all the soldier's property had been expended in doctors' bills and other expenses and at his death the daughter was left without means of support. This pension had been adjudged due the soldier, and in view of the fact that the daughter and not the soldier suffered most from the delay in the adjudication, your committee believes that it is only just that she should receive the amount which had been ascertained to be due. Nothing has been paid as reimbursement.

These facts are clearly shown by the papers in the Pension Bureau and by evidence filed with the committee.

Your committee therefore recommend that the bill do pass.

Mr. JONES. I think there ought to be some explanation of that bill.

Mr. MARTIN of Indiana. Mr Chairman, I observe that the gentleman from Illinois [Mr. POST] is not present; and while the committee felt justified, not only by the facts but by the precedents, in reporting this bill favorably, I think the gentleman from Illinois would prefer to be present when the bill is being considered, as he has personal knowledge of the case. I therefore ask that it be passed over without prejudice.

There was no objection, and it was so ordered.

PAULINE J. SMITH.

The next business on the Private Calendar was a bill (H. R. 6361) to grant a pension to Pauline J. Smith.

The bill was read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Pauline J. Smith, permanently helpless daughter of Lewis C. Smith, late a private of Company G, Eighty-fifth Illinois Volunteers, and pay her a pension of $12 per month.

Mr. JONES. I ask that the report be read.

The report (Mr. MCDANNOLD) was read, as follows:

The Committee on Invalid Pensions have considered the bill (H. R. 6361) to grant a pension to Pauline J. Smith, and submit the following report:

The petitioner is the daughter of Lewis C. Smith, who served in Company G, Eighty-fifth Illinois Volunteers, from August 16, 1862, to January 15, 1863, when he was discharged on account of disease of lungs; he was pensioned at $8 on account of disease of lungs, a claim for increase being rejected in July, 1882.

On August 29, 1890, this petitioner filed a claim under act June 27, 1890, which was rejected in July, 1892, on the ground that she was over 16 years of age at the date of approval of said act. In this application she stated that the soldier died in October, 1883, but did not state the cause of death; she also stated that the soldier left a widow, who soon after remarried, and that he left no children under 16 years of age. Proof was furnished that Lewis Smith and Sarah Dillon were married June 27, 1846, and that Pauline J. Smith was born October 16, 1859. She alleged, also, that for twenty-four years she had suffered from paralysis of left side, rendering left arm and leg almost useless.

In evidence filed with Congress it is shown that the petitioner's mother, Sarah Smith, died October 10, 1873, and it is clearly shown that the petitioner is the daughter of the soldier.

Dr. J. C. Westervelt, af Shelbyville, Ill., testifies that he examined the petitioner in 1892:

"She was then 33 years old; she has spinal affection, causing paralysis of left side, face, arm, and leg. As a result the left leg is about 4 inches shorter than the right, and the left arm badly twisted out of shape; she is incurable, and unable to perform manual labor."

Dr. W. J. Eddy testifies to the same and adds that "her speech is affected, also her mental faculties, and that she is not able to do housework or other work."

Two other witnesses testify that she is without means of support and is dependent on relatives.

Your committee recommend that the bill do pass after being amended as follows: Strike out the words "pension laws," in line 5, and insert in lieu thereof the words "act of June 27, 1890." Strike out all after the word "Volunteers," in line 8.

Mr. LANE. What pension will this child draw? Does the law make no difference between a case where the man died in the service and a case where he did not die in the service?

Mr. MARTIN of Indiana. Had this soldier's widow survived him, and his death resulted from the service, and had this child

been under 16, the widow would have drawn $12 a month and $2 additional on account of the child. There is no pretense, however, that the death of the soldier was due to the service, and his widow also had died.

The application was made under the act of June 27, 1890, the effect of which would have been, had the widow made the application, to give her $8 per month and $2 a month for a child under 16; but the widow being dead and the application being made in the first place in the Pension Office and now through Congress under the act of June 27, 1890, the effect would be to give the child what the mother would have received had she been pensioned under that act. That is the reason why the committee propose to amend the bill by striking out "pension laws" and inserting "the act of June 27, 1890."

Mr. CABANISS. How far back will this pension go?

Mr. MARTIN of Indiana. It will begin with the approval of the act by the President; not before.

Mr. LANE. I wish to ask the chairman of the committee whether it would make any difference in the amount of this pension whether this soldier died from the effect of his army service or from other causes?

Mr. MARTIN of Indiana. Yes, sir.

Mr. LANE. That is the reason I sought the floor. I wish to state that I personally knew this soldier, and I know this girl. I myself brought testimony here bearing upon the case. I know the doctors who gave affidavits that this soldier died from the effect of his army service. He was drawing a pension, and his death was due to his service in the Army. In the report made last year on this bill that statement will be found.

The report can be obtained at the document room. This year when I saw the report, I inquired of my colleague [Mr. MCDANNOLD] who reported the case, why the report did not make tha statement. He informed me that he had sent to the Pension Office and got the papers from there. But the trouble proved to be that three or four affidavits filed by me, in addition to the papers in the Pension Office, were not put in the case; and therefore my colleague did not see them.

Now, it would appear under these circumstances that the pension in this case ought to be $12 a month, just as the bill is drawn. We are doing this child a wrong by fixing the pension at a less amount. She is absolutely helpless; she has to be wheeled about; she is incapable of doing anything. I move, therefore, that the amount of the pension be fixed at $12.

Mr. JONES. May I ask the gentleman a question?

Mr. LANE. Yes, sir.

Mr. JONES. The gentleman states, as I understand, that we would be doing this applicant an injustice if we gave her a pension of only $10.

Mr. LANE. Yes, sir.

Mr. JONES. I do not so understand the matter. Accepting the gentleman's statement as to the cause of this soldier's death, this child would not be entitled under the law to anything at all.

Mr. LANE. The chairman of the committee [Mr. MARTIN] tells me that if the death of the soldier was due to his army service she would be entitled to $12 a month.

Mr. JONES. No, that is a mistake; because she is over 16 years of age. On that account she is not entitled to anything.

Mr. LANE. But it was the intention of the law to cover this class of cases; and it is only through a misconstruction of the law at the Pension Office that a case like this is excluded.

Mr. JONES. But, as I understand, the mother of this applicant died before the death of the soldier.

Mr. LANE. Yes, sir.

Mr. JONES. Under these circumstances, even if the soldier had been killed in the line of duty, this daughter would not be entitled to a dime under the general law. That is my understanding; and I would be glad if the chairman of the Committee on Invalid Pensions would correct me if I have misstated the law.

Mr. TAYLOR of Indiana. As an invalid daughter under 16 years of age she would be entitled to a pension.

Mr. JONES. Of course, if she were under 16 years of age. But she is over 16. The gentleman from Illinois [Mr. LANE] states that it would be doing her an injustice to give her but $10. I can not see that she has a right to anything.

Mr. LANE. I say it would be doing her an injustice to give her only $10, if she is entitled to $12.

Mr. JONES. But she is not entitled under the law to anything.

Mr. LANE. It was the intention of the law of 1890 to cover this class of cases—not merely to include children under 16 years of age.

Mr. JONES. Why, then, is not this case covered?

Mr. LANE. Because of the construction in the Pension Office—Mr. Bussey's construction—which defeated the intention of the law. I was on the committee myself when the bill was reported; and it was understood that such was the intention of the law.

Mr. JONES. The gentleman is too good a lawyer to believe that the understanding of the members of his committee would have anything to do, or ought to have anything to do, with the construction of the law. I suppose the officer who made the construction is the person properly authorized to do so; and whether his construction be correct or not, it must stand until reviewed and reversed.

Mr. LANE. And we are the proper body to review it. If the gentleman will read the law he will see that the intention of the lawmakers was as I state. I was on the committee when the matter was discussed and the bill reported; and I know the intention was to cover this class of invalids.

Mr. JONES. Is there not an appeal from this officer who made this decision?

Mr. LANE. None at all; there is no appeal that I ever heard of.

Mr. JONES. And the law is so plain that anybody would see that such was the intent?

Mr. LANE. I think so; anybody who examines the law.

Mr. MCNAGNY. The fact is, there have been two rulings on the question; one one way and one the other.

Mr. LANE. That is correct.

Mr. JONES. I think the gentleman had better accept the amendment recommended by the committee.

Mr. LANE. No; I ask a vote on the amendment.

The question was taken; and on a division (demanded by Mr. MARTIN of Indiana) there were—ayes 32, noes 17.

So the amendment was agreed to.

The amendments recommended by the committee were adopted, and the bill as amended was ordered to be laid aside, to be reported to the House with the recommendation that it do pass.

SARAH BECK.

The next business on the Private Calendar was the bill (H. R. 4962) to restore to the pension roll Sarah Beck, widow.

Mr. MARTIN of Indiana. I ask that that bill be passed over under the order.

There was no objection, and it was so ordered.

THOMAS CORIGAN.

The next business on the Private Calendar was the bill (H. R. 5260) granting an increase of pension to Thomas Corigan.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and empowered to place on the invalid pension roll of the United States the name of Thomas Corigan, late a member of Company B of the Eighty-eighth Illinois Volunteer Infantry, at the rate of $72 per month, from and after the passage of this act.

The committee recommend the adoption of the following amendment:

Strike out in line 7 the word "seventy-two," and insert "fifty;" so that it will read "$50 per month."

Mr. STALLINGS. I ask for the reading of the report in that case, the majority and the minority.

The report (by Mr. LACEY) was read, as follows:

The Committee on Invalid Pensions have considered the bill (H. R. 5260) to increase the pension of Thomas Corigan from $30 to $72 per month, and submit the following report:

Thomas Corigan was a corporal in Company B, Eighty-eighth Illinois Infantry, enlisted July 28, 1862, and was discharged on January 24, 1864.

At the battle of Chickamauga, September 20, 1863, he was severely wounded in the left hand and is now drawing a pension of $30 per month for that injury, the arm being rendered wholly useless by the wound. At the same time he was wounded by a buckshot in the neck, and the soldier claims that this wound has affected his spine and has produced epilepsy.

The medical evidence shows that the wound in the neck produces distinct crepitus on movement of the neck. The epileptic fits have gradually increased until the soldier is totally helpless and requires constant aid and attendance and has become almost imbecile mentally.

The Pension Bureau in 1892 holds that it can not accept the "fits" as a result of the wound in the back of the neck, but no other cause is evident and medical evidence has been furnished to show that the wound in the neck is the cause of his present condition.

The soldier's condition is helpless in the extreme, and if the wound in the neck is the cause of his injury he would be entitled to $72 per month under the general law. We are not disposed to criticise the action of the Pension Bureau in rejecting this portion of the soldier's claim, but we think that it might have very fairly decided the other way under the evidence and examination of the medical boards.

Your committee think that the soldier should be given the benefit of the doubt to the extent of being raised to the second grade or $50 a month. The committee is adverse to reporting bills changing the rate of pension as fixed by the Pension Bureau, but in a case of extreme helplessness like the present, where the wound has been followed by such helplessness, and there is much evidence to show that the soldier's condition is due to his wound, we are inclined to relax the rule.

Your committee recommend that the bill be amended by striking out "seventy-two," in line 7, and inserting "fifty."

If the case were before us as an original question we would probably have come to a different conclusion from that arrived at by the Pension Bureau, but in the doubt raised in the case we think that the second grade would re-

lieve the wants of the soldier and ought to be granted, especially as the claimant was an excellent soldier, highly commended by Gen. F. T. Sherman, and his severe wounds received in the battle of Chickamauga are clearly shown.

The letter of Col. Sherman is as follows:

"HEADQUARTERS FIRST BRIGADE,
"SECOND DIVISION, FOURTH ARMY CORPS,
"*Camp near Blains Cross Roads, East Tennessee, January 10, 1864.*

"To whom it may concern:

"This is to certify that Thomas Corigan, an enlisted man of the Eighty-eighth Regiment Infantry, Illinois Volunteers, and corporal of Company B, same regiment, is a soldier good and true; ever faithful in the discharge of duty, never absent without leave, brave as a lion in action, and always at his post. He won the confidence and esteem of his commanding officers by his uniform good conduct and soldierly bearing. I therefore take great pleasure and bear willing testimony to his merit, and request that his wishes may be consulted, inasmuch as he is disabled from active field service by reason of wounds received on the hard-fought and bloody field of Chickamauga on the 20th of September, 1863.

"F. T. SHERMAN,
"*Colonel Eighty-eighth Infantry, Illinois Volunteers.*"

Your committee recommend that the bill do pass after being amended by striking out the word "seventy-two," in line 7, and inserting in lieu thereof the word "fifty."

The views of the minority (by Mr. MCDANNOLD) were read, as follows:

The minority of the Committee on Invalid Pensions have considered the bill (H. R. 5260) to increase the pension of Thomas Corigan, and submit the following statement of their views:

The records of the War Department show that this soldier served from July 25, 1862, to January 29, 1864, in Company B, Eighty-eighth Illinois Infantry. He was discharged on account of disability from gunshot wound of hand received at Chickamauga. He has been pensioned for this wound ever since discharged, and now receives $30 per month since August 4, 1886. His application, filed February 12, 1864, alleged only this wound. A later application, filed September 11, 1866, states that he also "suffers pain in the neck from the effects of a wound there received." In 1887 he claimed that deafness had resulted from that wound, and states that the ball was removed in the field hospital; in April, 1888, he alleged resulting impairment of vision and of hearing; in September, 1888, he refers to "buckshot wound in back of neck;" in February, 1892, he alleged affection of sight and hearing and epilepsy as a result of said wound.

In September, 1892, the Pension Bureau accepted the fact that he had received this wound in the neck, but rejected the claim for additional pension on the ground that he had suffered no ratable disability from it at any time since the war, and none of the alleged results were accepted as sequences of such wound. This action was taken after a careful special examination of the claim, and was affirmed by Secretary Bussey on appeal January 3, 1893.

In his deposition before the special examiner in June, 1892, the pensioner stated that he received the wound of neck at Chickamauga; that the doctor who took the bullet out put a sticking plaster over the wound and it remained until it fell off.

"The first time I felt any serious disability from the wound of my neck was about fourteen years ago (1878). I was flagging at a railroad crossing * * * in Chicago. I felt a cloud come over me and I fell down right in the track. * * * It was a hot day just like this. * * * I have had convulsions for the past fourteen years but not so much until the last eight years. I saw the shot that was extracted from my neck. I had it a long time. I lost it. It was a buckshot, and went as far as the point of my ear. The doctor said to me when he extracted it, 'Pat, if the shot had gone a quarter of an inch farther you would never eat any more potatoes.' * * * I was not bothered with the wound of my neck in 1873, but I knew I had been shot in the neck. In 1875 I was not suffering with the wound in my neck much."

His wife, Rosetta Corigan, corroborates his statement as to the first convulsion or fit about fourteen years previously.

An examination by medical officers of the Pension Bureau September 6, 1873, reports: "Flesh wound of the neck, not rated;" September 7, 1875, "slight flesh wound on the back of neck, not rated;" September 4, 1877, "slight wound of neck, not rated;" June 22, 1892, "wound on posterior surface of neck, size of a nickel, white in color, nonadherent, nondragging, nondepressed, the vertebræ do not seem to have been injured, but there is thickening of soft tissues beneath the integument."

From the facts stated it seems reasonably clear that the pensioner's present condition as to epilepsy is not chargeable to the slight wound of the neck, but rather originated in 1878 in the manner described by himself and wife.

Moreover, he is in receipt of a pension of $1 a day and the question involved is purely one for the determination of the Pension Office, and the committee has repeatedly refused to interfere in the individual adjudications of the Pension Bureau in matters clearly within their jurisdiction and presenting no technical hardship. To pass this bill is squarely in violation of the principle enunciated in several adverse reports on bills of this character, and the minority do earnestly recommend that the bill do lie on the table.

JOHN J. MCDANNOLD.
M. R. BALDWIN.
C. J. ERDMAN.

Mr. HULL. Mr. Chairman, I desire to submit to the committee a word or two in regard to this case, because I am very well acquainted with the pensioner. This is an old Irishman, living in my town, and has been there, I think, for at least twelve years past. The minority of the committee might have inserted in their report the statement that in the examination of 1867 by the medical board, immediately after the war, they reported that the rotary motion of the claimant's head was destroyed, by reason of the wound in the neck, and that he is unable to raise his arm above his shoulder. That was the report of the examining board which made the first examination.

He was examined at various times at Des Moines by the boards there during the last five or six years—boards which have been composed of different parties—and in each report it will be found that the facts as set forth in the report of the committee are embodied, that the effect of the wound in the spine was the cause of the attacks of epilepsy with which he was suffering. Not only that, but he has been examined by almost every physician in Des Moines; and they, without exception, have found that the wound in the neck was the final cause of the disease from which he is suffering.

He is entirely helpless. He gets a pension now of $30 a month because of the entire destruction of one of his hands. He is unable to do any work or to perform any manual labor whatever and requires attendance most of the time. If he goes out on the street and falls down, as is frequently the case, he has got to be picked up by a passer-by before he can go ahead, being practically helpless. But, in my opinion, I confess I do not see how a member of the committee could have reported against the claim. I believe that the Pension Office and Gen. Bussey made a mistake in regard to this matter; for I think it will be admitted by all that the reputable physicians of Des Moines who examined him and the examining boards who have investigated this case are better qualified to judge of the condition of this pensioner than some men who are sitting in their offices here in Washington.

I hope the amendment submitted by the committee will be adopted for $50 a month, which will provide support for the old man and his family, and that the bill as amended will be laid aside with a favorable recommendation.

Mr. STALLINGS. Mr. Chairman, it is not my purpose to-night to raise any disturbance over any of these cases, and thereby prevent the passage of meritorious bills. I am very desirous, in other words, that we may get through with all cases that ought to be passed. But I do not feel that, in view of the record in this case and the report of the minority of the committee, signed as it is by two Federal soldiers of the late war, this case ought to be passed to-night.

The facts, as I understand them from a brief and hasty examination of the report, are that this man is now drawing a pension of $30 a month for disability on account of a wound in the hand. The bill, as originally presented, asked for an increase of this pension to $72 a month, which is the amount allowed for total disability. Now, at the time he made the first application, and when he was allowed $30 a month for the gunshot wound in the hand, it appears from the record that he did not say a word about having been wounded in the neck. There was no pretense whatever of it; and there is no evidence to show that he ever suffered from that wound at all, or in fact that he was wounded at Chickamauga in his neck. I repeat there is no evidence of it.

Mr. HULL. The gentleman is mistaken. There is absolute evidence as to the wound in the neck; but he did not claim anything in the application for pension on that account. The evidence, however, is conclusive.

Mr. STALLINGS. The minority report does not bear out the opinion expressed by the gentleman from Iowa as to the statement I have made. Now, this man is already getting $30 a month.

Mr. HULL. I know the gentleman does not want to misrepresent. The special examiner's report, if you will go through the papers, shows that there is no controversy as to the wound in the neck. Gen. Bussey, in his decision refusing to grant $72 a month, says there is no controversy as to the wound in the neck. It is only a question as to the result of that wound. Whether the report embodies it or not, that is the truth.

Mr. STALLINGS. In 1892 the Pension Bureau accepted the fact that he had received the wound in the neck. They accept that as a fact, not as having been proven by anybody; but they rejected the claim for additional pension on the ground that he had suffered no ratable disability from it at any time since the war, and none of the alleged results were accepted as sequences of such wound. Now, you see when they come to examine into this case in the Pension Office, they do not give him any rating at all on account of this wound in the neck, showing that the examiners did not believe that he had received the wound in the line of duty or was not disabled by the wound. Then they say:

In his deposition before the special examiner in June, 1892, the pensioner stated that he received the wound of neck at Chickamauga; that the doctor who took the bullet out put a sticking plaster over the wound and it remained until it fell off.

Now, he asks this House to-night, when he is already drawing the bounty of the Government to the amount of $30 a month—which is a good living—he asks this House for a wound that simply had a piece of sticking plaster put on it, to give him $20 more per month; in other words, to give him $50, taking both wounds into consideration. I do not believe that ought to be allowed.

It is exorbitant, and there is no reason for it, nor evidence to support the claim. We must bear in mind the fact that this money from which pensions are to be paid comes out of the tax-

been under 16, the widow would have drawn $12 a month and $2 additional on account of the child. There is no pretense, however, that the death of the soldier was due to the service, and his widow also had died.

The application was made under the act of June 27, 1890, the effect of which would have been, had the widow made the application, to give her $8 per month and $2 a month for a child under 16; but the widow being dead and the application being made in the first place in the Pension Office and now through Congress under the act of June 27, 1890, the effect would be to give the child what the mother would have received had she been pensioned under that act. That is the reason why the committee propose to amend the bill by striking out "pension laws" and inserting "the act of June 27, 1890."

Mr. CABANISS. How far back will this pension go?

Mr. MARTIN of Indiana. It will begin with the approval of the act by the President; not before.

Mr. LANE. I wish to ask the chairman of the committee whether it would make any difference in the amount of this pension whether this soldier died from the effect of his army service or from other causes?

Mr. MARTIN of Indiana. Yes, sir.

Mr. LANE. That is the reason I sought the floor. I wish to state that I personally knew this soldier, and I know this girl. I myself brought testimony here bearing upon the case. I know the doctors who gave affidavits that this soldier died from the effect of his army service. He was drawing a pension, and his death was due to his service in the Army. In the report made last year on this bill that statement will be found.

The report can be obtained at the document room. This year when I saw the report, I inquired of my colleague [Mr. MCDANNOLD] who reported the case, why the report did not make tha statement. He informed me that he had sent to the Pension Office and got the papers from there. But the trouble proved to be that three or four affidavits filed by me, in addition to the papers in the Pension Office, were not put in the case; and therefore my colleague did not see them.

Now, it would appear under these circumstances that the pension in this case ought to be $12 a month, just as the bill is drawn. We are doing this child a wrong by fixing the pension at a less amount. She is absolutely helpless; she has to be wheeled about; she is incapable of doing anything. I move, therefore, that the amount of the pension be fixed at $12.

Mr. JONES. May I ask the gentleman a question?

Mr. LANE. Yes, sir.

Mr. JONES. The gentleman states, as I understand, that we would be doing this applicant an injustice if we gave her a pension of only $10.

Mr. LANE. Yes, sir.

Mr. JONES. I do not so understand the matter. Accepting the gentleman's statement as to the cause of this soldier's death, this child would not be entitled under the law to anything at all.

Mr. LANE. The chairman of the committee [Mr. MARTIN] tells me that if the death of the soldier was due to his army service she would be entitled to $12 a month.

Mr. JONES. No, that is a mistake; because she is over 16 years of age. On that account she is not entitled to anything.

Mr. LANE. But it was the intention of the law to cover this class of cases; and it is only through a misconstruction of the law at the Pension Office that a case like this is excluded.

Mr. JONES. But, as I understand, the mother of this applicant died before the death of the soldier.

Mr. LANE. Yes, sir.

Mr. JONES. Under these circumstances, even if the soldier had been killed in the line of duty, this daughter would not be entitled to a dime under the general law. That is my understanding; and I would be glad if the chairman of the Committee on Invalid Pensions would correct me if I have misstated the law.

Mr. TAYLOR of Indiana. As an invalid daughter under 16 years of age she would be entitled to a pension.

Mr. JONES. Of course, if she were under 16 years of age. But she is over 16. The gentleman from Illinois [Mr. LANE] states that it would be doing her an injustice to give her but $10. I can not see that she has a right to anything.

Mr. LANE. I say it would be doing her an injustice to give her only $10, if she is entitled to $12.

Mr. JONES. But she is not entitled under the law to anything.

Mr. LANE. It was the intention of the law of 1890 to cover this class of cases—not merely to include children under 16 years of age.

Mr. JONES. Why, then, is not this case covered?

Mr. LANE. Because of the construction in the Pension Office—Mr. Bussey's construction—which defeated the intention of the law. I was on the committee myself when the bill was reported; and it was understood that such was the intention of the law.

Mr. JONES. The gentleman is too good a lawyer to believe that the understanding of the members of his committee would have anything to do, or ought to have anything to do, with the construction of the law. I suppose the officer who made the construction is the person properly authorized to do so; and whether his construction be correct or not, it must stand until reviewed and reversed.

Mr. LANE. And we are the proper body to review it. If the gentleman will read the law he will see that the intention of the lawmakers was as I state. I was on the committee when the matter was discussed and the bill reported; and I know the intention was to cover this class of invalids.

Mr. JONES. Is there not an appeal from this officer who made this decision?

Mr. LANE. None at all; there is no appeal that I ever heard of.

Mr. JONES. And the law is so plain that anybody would see that such was the intent?

Mr. LANE. I think so; anybody who examines the law.

Mr. MCNAGNY. The fact is, there have been two rulings on the question; one one way and one the other.

Mr. LANE. That is correct.

Mr. JONES. I think the gentleman had better accept the amendment recommended by the committee.

Mr. LANE. No; I ask a vote on the amendment.

The question was taken; and on a division (demanded by Mr. MARTIN of Indiana) there were—ayes 32, noes 17.

So the amendment was agreed to.

The amendments recommended by the committee were adopted, and the bill as amended was ordered to be laid aside, to be reported to the House with the recommendation that it do pass.

SARAH BECK.

The next business on the Private Calendar was the bill (H. R. 4962) to restore to the pension roll Sarah Beck, widow.

Mr. MARTIN of Indiana. I ask that that bill be passed over under the order.

There was no objection, and it was so ordered.

THOMAS CORIGAN.

The next business on the Private Calendar was the bill (H. R. 5260) granting an increase of pension to Thomas Corigan.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and empowered to place on the invalid pension roll of the United States the name of Thomas Corigan, late a member of Company B of the Eighty-eighth Illinois Volunteer Infantry, at the rate of $72 per month, from and after the passage of this act.

The committee recommend the adoption of the following amendment:

Strike out in line 7 the word "seventy-two," and insert "fifty;" so that it will read "$50 per month."

Mr. STALLINGS. I ask for the reading of the report in that case, the majority and the minority.

The report (by Mr. LACEY) was read, as follows:

The Committee on Invalid Pensions have considered the bill (H. R. 5260) to increase the pension of Thomas Corigan from $30 to $72 per month, and submit the following report:

Thomas Corigan was a corporal in Company B, Eighty-eighth Illinois Infantry, enlisted July 28, 1862, and was discharged on January 24, 1864.

At the battle of Chickamauga, September 20, 1863, he was severely wounded in the left hand and is now drawing a pension of $30 per month for that injury, the arm being rendered wholly useless by the wound. At the same time he was wounded by a buckshot in the neck, and the soldier claims that this wound has affected his spine and has produced epilepsy.

The medical evidence shows that the wound in the neck produces distinct crepitus on movement of the neck. The epileptic fits have gradually increased until the soldier is totally helpless and requires constant aid and attendance and has become almost imbecile mentally.

The Pension Bureau in 1892 holds that it can not accept the "fits" as a result of the wound in the back of the neck, but no other cause is evident and medical evidence has been furnished to show that the wound in the neck is the cause of his present condition.

The soldier's condition is helpless in the extreme, and if the wound in the neck is the cause of his injury he would be entitled to $72 per month under the general law. We are not disposed to criticise the action of the Pension Bureau in rejecting this portion of the soldier's claim, but we think that it might have very fairly decided the other way under the evidence and examination of the medical boards.

Your committee think that the soldier should be given the benefit of the doubt to the extent of being raised to the second grade or $50 a month. The committee is adverse to reporting bills changing the rate of pension as fixed by the Pension Bureau, but in a case of extreme helplessness like the present, where the wound has been followed by such helplessness, and there is much evidence to show that the soldier's condition is due to his wound, we are inclined to relax the rule.

Your committee recommend that the bill be amended by striking out "seventy-two," in line 7, and inserting "fifty."

If the case were before us as an original question we would probably have come to a different conclusion from that arrived at by the Pension Bureau, but in the doubt raised in the case we think that the second grade would re-

ieve the wants of the soldier and ought to be granted, especially as the claimant was an excellent soldier, highly commended by Gen. F. T. Sherman, and his severe wounds received in the battle of Chickamauga are clearly shown.

The letter of Col. Sherman is as follows:

"HEADQUARTERS FIRST BRIGADE,
"SECOND DIVISION, FOURTH ARMY CORPS,
"*Camp near Blains Cross Roads, East Tennessee, January 10, 1864.*

"To whom it may concern:

"This is to certify that Thomas Corigan, an enlisted man of the Eighty-eighth Regiment Infantry, Illinois Volunteers, and corporal of Company B, same regiment, is a soldier good and true; ever faithful in the discharge of duty, never absent without leave, brave as a lion in action, and always at his post. He won the confidence and esteem of his commanding officers by his uniform good conduct and soldierly bearing. I therefore take great pleasure and bear willing testimony to his merit, and request that his wishes may be consulted, inasmuch as he is disabled from active field service by reason of wounds received on the hard-fought and bloody field of Chickamauga on the 20th of September, 1863.

"F. T. SHERMAN,
"*Colonel Eighty-eighth Infantry, Illinois Volunteers.*"

Your committee recommend that the bill do pass after being amended by striking out the word "seventy-two," in line 7, and inserting in lieu thereof the word "fifty."

The views of the minority (by Mr. MCDANNOLD) were read, as follows:

The minority of the Committee on Invalid Pensions have considered the bill (H. R. 5260) to increase the pension of Thomas Corigan, and submit the following statement of their views:

The records of the War Department show that this soldier served from July 25, 1862, to January 29, 1864, in Company B, Eighty-eighth Illinois Infantry. He was discharged on account of disability from gunshot wound of hand received at Chickamauga. He has been pensioned for this wound ever since discharged, and now receives $30 per month since August 4, 1886. His application, filed February 12, 1864, alleged only this wound. A later application, filed September 11, 1866, states that he also "suffers pain in the neck from the effects of a wound there received." In 1887 he claimed that deafness had resulted from that wound, and states that the ball was removed in the field hospital; in April, 1888, he alleged resulting impairment of vision and of hearing; in September, 1888, he refers to "buckshot wound in back of neck;" in February, 1892, he alleged affection of sight and hearing and epilepsy as a result of said wound.

In September, 1892, the Pension Bureau accepted the fact that he had received this wound in the neck, but rejected the claim for additional pension on the ground that he had suffered no ratable disability from it at any time since the war, and none of the alleged results were accepted as sequences of such wound. This action was taken after a careful special examination of the claim, and was affirmed by Secretary Bussey on appeal January 3, 1893.

In his deposition before the special examiner in June, 1892, the pensioner stated that he received the wound of neck at Chickamauga; that the doctor who took the bullet out put a sticking plaster over the wound and it remained until it fell off.

"The first time I felt any serious disability from the wound of my neck was about fourteen years ago (1878). I was flagging at a railroad crossing * * * in Chicago. I felt a cloud come over me and I fell down right in the track. * * * It was a hot day just like this. * * * I have had convulsions for the past fourteen years but not so much until the last eight years. I saw the shot that was extracted from my neck. I had it a long time. I lost it. It was a buckshot, and went as far as the point of my ear. The doctor said to me when he extracted it, 'Pat, if the shot had gone a quarter of an inch farther you would never eat any more potatoes.' * * * I was not bothered with the wound of my neck in 1873, but I knew I had been shot in the neck. In 1875 I was not suffering with the wound in my neck much."

His wife, Rosetta Corigan, corroborates his statement as to the first convulsion or fit about fourteen years previously.

An examination by medical officers of the Pension Bureau September 6, 1873, reports: "Flesh wound of the neck, not rated;" September 7, 1875, "slight flesh wound on the back of neck, not rated;" September 4, 1877, "slight wound of neck, not rated;" June 22, 1892, "wound on posterior surface of neck, size of a nickel, white in color, nonadherent, nondragging, nondepressed, the vertebræ do not seem to have been injured, but there is thickening of soft tissues beneath the integument."

From the facts stated it seems reasonably clear that the pensioner's present condition as to epilepsy is not chargeable to the slight wound of the neck, but rather originated in 1878 in the manner described by himself and wife.

Moreover, he is in receipt of a pension of $1 a day and the question involved is purely one for the determination of the Pension Office, and the committee has repeatedly refused to interfere in the individual adjudications of the Pension Bureau in matters clearly within their jurisdiction and presenting no technical hardship. To pass this bill is squarely in violation of the principle enunciated in several adverse reports on bills of this character, and the minority do earnestly recommend that the bill do lie on the table.

JOHN J. MCDANNOLD.
M. R. BALDWIN.
C. J. ERDMAN.

Mr. HULL. Mr. Chairman, I desire to submit to the committee a word or two in regard to this case, because I am very well acquainted with the pensioner. This is an old Irishman, living in my town, and has been there, I think, for at least twelve years past. The minority of the committee might have inserted in their report the statement that in the examination of 1867 by the medical board, immediately after the war, they reported that the rotary motion of the claimant's head was destroyed, by reason of the wound in the neck, and that he is unable to raise his arm above his shoulder. That was the report of the examining board which made the first examination.

He was examined at various times at Des Moines by the boards there during the last five or six years—boards which have been composed of different parties—and in each report it will be found that the facts as set forth in the report of the committee are embodied, that the effect of the wound in the spine was the cause of the attacks of epilepsy with which he was suffering. Not only that, but he has been examined by almost every physician in Des Moines; and they, without exception, have found that the wound in the neck was the final cause of the disease from which he is suffering.

He is entirely helpless. He gets a pension now of $30 a month because of the entire destruction of one of his hands. He is unable to do any work or to perform any manual labor whatever and requires attendance most of the time. If he goes out on the street and falls down, as is frequently the case, he has got to be picked up by a passer-by before he can go ahead, being practically helpless. But, in my opinion, I confess I do not see how a member of the committee could have reported against the claim. I believe that the Pension Office and Gen. Bussey made a mistake in regard to this matter; for I think it will be admitted by all that the reputable physicians of Des Moines who examined him and the examining boards who have investigated this case are better qualified to judge of the condition of this pensioner than some men who are sitting in their offices here in Washington.

I hope the amendment submitted by the committee will be adopted for $50 a month, which will provide support for the old man and his family, and that the bill as amended will be laid aside with a favorable recommendation.

Mr. STALLINGS. Mr. Chairman, it is not my purpose to-night to raise any disturbance over any of these cases, and thereby prevent the passage of meritorious bills. I am very desirous, in other words, that we may get through with all cases that ought to be passed. But I do not feel that, in view of the record in this case and the report of the minority of the committee, signed as it is by two Federal soldiers of the late war, this case ought to be passed to-night.

The facts, as I understand them from a brief and hasty examination of the report, are that this man is now drawing a pension of $30 a month for disability on account of a wound in the hand. The bill, as originally presented, asked for an increase of this pension to $72 a month, which is the amount allowed for total disability. Now, at the time he made the first application, and when he was allowed $30 a month for the gunshot wound in the hand, it appears from the record that he did not say a word about having been wounded in the neck. There was no pretense whatever of it; and there is no evidence to show that he ever suffered from that wound at all, or in fact that he was wounded at Chickamauga in his neck. I repeat there is no evidence of it.

Mr. HULL. The gentleman is mistaken. There is absolute evidence as to the wound in the neck; but he did not claim anything in the application for pension on that account. The evidence, however, is conclusive.

Mr. STALLINGS. The minority report does not bear out the opinion expressed by the gentleman from Iowa as to the statement I have made. Now, this man is already getting $30 a month.

Mr. HULL. I know the gentleman does not want to misrepresent. The special examiner's report, if you will go through the papers, shows that there is no controversy as to the wound in the neck. Gen. Bussey, in his decision refusing to grant $72 a month, says there is no controversy as to the wound in the neck. It is only a question as to the result of that wound. Whether the report embodies it or not, that is the truth.

Mr. STALLINGS. In 1892 the Pension Bureau accepted the fact that he had received the wound in the neck. They accept that as a fact, not as having been proven by anybody; but they rejected the claim for additional pension on the ground that he had suffered no ratable disability from it at any time since the war, and none of the alleged results were accepted as sequences of such wound. Now, you see when they come to examine into this case in the Pension Office, they do not give him any rating at all on account of this wound in the neck, showing that the examiners did not believe that he had received the wound in the line of duty or was not disabled by the wound. Then they say:

In his deposition before the special examiner in June, 1892, the pensioner stated that he received the wound of neck at Chickamauga; that the doctor who took the bullet out put a sticking plaster over the wound and it remained until it fell off.

Now, he asks this House to-night, when he is already drawing the bounty of the Government to the amount of $30 a month—which is a good living—he asks this House for a wound that simply had a piece of sticking plaster put on it, to give him $20 more per month; in other words, to give him $50, taking both wounds into consideration. I do not believe that ought to be allowed.

It is exorbitant, and there is no reason for it, nor evidence to support the claim. We must bear in mind the fact that this money from which pensions are to be paid comes out of the tax-

payers of the country, and you will not find, in any one district in the United States, more than 2,000 people who draw pensions, and you will find in the same district 40,000 who pay taxes, who do not draw pensions at all, and we ought to be fair to the 40,000 at least as far as we are to the 2,000.

Mr. HULL. The 40,000 in my district are anxious for this to be granted.

Mr. STALLINGS. There are 440,000 in other districts in the country who are anxious that just such bills shall not be passed and they taxed to pay it, and I do not think it is right to pass this claim without evidence on a pure sentiment. I ask the chairman of the committee to withdraw this bill.

Mr. HULL. Oh, no; let us have a vote on it.

Mr. STALLINGS. I ask that it be laid aside under the rule.

Mr. HULL. I object to that. We may just as well vote on it now as at any time.

The CHAIRMAN. Unless the gentleman makes some motion, the question is on the amendment recommended by the committee.

Mr. BRETZ. What is the amendment?

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Strike out "seventy-two" and insert "fifty."

Mr. JONES. Mr. Chairman, I hope the committee will not pass this bill over, but that the bill will be unfavorably reported. It seems to me this is one of those bills which ought to be defeated. If any importance can be attached to the testimony in this case, it is as clear as noonday that the affliction from which this man is suffering was not and is not the result of the wound which he says he received in his neck. This is the language of the minority report upon this subject; and the evidence upon which that is founded is the man's own statement, corroborated by his wife's; and I think it is a perfectly fair deduction from that statement:

From the facts stated it seems reasonably clear that the pensioner's present condition as to epilepsy is not chargeable to the slight wound of the neck, but rather originated in 1878 in the manner described by himself and wife.

Now he says that in 1878 he was flagging at a railroad crossing in Chicago, and that he felt a cloud come over him, and he fell down on the track, and since that time he has been troubled with this epilepsy.

Mr. TAYLOR of Indiana. It may have been a case of sunstroke.

Mr. JONES. Something of that sort. He says the weather was extremely hot, like the day upon which he gave his testimony, and probably like this day. Now, from 1864 to 1878 was fourteen years. It was that length of time after he received this slight wound, so slight that he did not even mention it when he applied for his pension, before he was stricken with epilepsy.

Mr. CURTIS of Kansas. Will the gentleman allow me?

Mr. JONES. Yes.

Mr. CURTIS of Kansas. Does not the report say that he had a prior attack of the same kind?

Mr. JONES. He himself says that in 1873, which was nine years after the wound, he did not feel it at all, although he knew he had been wounded in the neck.

That is his own statement.

Mr. HULL. And the majority say in their report he had an attack on the year before.

Mr. JONES. I give you what the man himself says. I find it in the report of the minority and I accept it as absolutely true.

Mr. CURTIS of Kansas. You are reading from the minority report.

Mr. JONES. I am reading the minority report; and the minority report gives the statement on which the claimant's claim is based, and the report of the committee does not give it.

Mr. HULL. Will the gentleman allow me to ask him a question there?

Mr. JONES. The minority report gives this man's own statement, which is corroborated by his wife, and it is the only testimony bearing on the point.

Mr. HULL. The examination before the board in 1867 stated that the rotary motion of the head was destroyed by the wound in the neck, and that he was then unable to raise his arm except to a certain height.

Mr. JONES. But did the examining board state that was the result of the wound? On the contrary, they found that the wound was not serious, and if epilepsy, in the opinion of the examining medical board, had resulted from that wound, a pension would have been granted long ago by the Pension Bureau.

Mr. HULL. No; because he did not set up any claim for pension on that account, and the Department never gives a pension on what is not set out by the claimant; but it shows that he suffered from the effects of this wound in 1867.

Mr. JONES. It appears from the statement made that Gen. Bussey sustained the views of this examining board.

Mr. HULL. That is true.

Mr. JONES. And that the medical examiners stated that there was no evidence to show that this disease resulted from this wound.

Mr. HULL. Gen. Bussey did sustain the rejection of the claim.

Mr. JONES. What claim?

Mr. HULL. This claim for $72 a month on account of disability from the wound in the neck. He did it on the decision of the medical board of the Pension Office. The medical referee states that there is no question as to the wound in the neck having been received in the battle, but the medical referee held that that was not of sufficient severity to cause epilepsy. That was the ground on which the claim was rejected.

Mr. JONES. Was not that a pretty good ground?

Mr. HULL. But the gentleman says that there is nothing in the papers to show what was the severity of the wound in the neck. I simply wanted to call his attention to this report of the board which examined him.

Mr. JONES. I have not seen the report of the board. I simply know that Gen. Bussey, to whom this case was appealed, refused to allow this claim because the evidence did not satisfy him, as it had not satisfied the medical examiners. They had all the evidence before them, and surely they were more competent to decide such a question than this House could possibly be.

Mr. HULL. Let me ask the gentleman one further question right there. All the boards of medical examiners at Des Moines for the past ten years have recommended the full amount on account of the wound in the neck, where they have examined the party himself—this old Irishman—and I can say, too, that I am not advocating this from political reasons, because his people as a rule are against me right along. Every physician in Des Moines who has examined him, and at least a dozen have testified here, have stated that in their opinion this wound in the neck caused epilepsy.

Mr. BRETZ. Then why can not he get a pension in the Department?

Mr. HULL. The medical board, through the lapse of time and the slightness of the wound on the surface, do not seem to think it of such a serious character as to have caused epilepsy.

Mr. JONES. I will ask the gentleman if the medical board here has not had all the evidence before it, that we are now told has been taken in the past ten years?

Mr. HULL. They have had the reports of the examining boards, and this man has been examined by all the examining boards, and there have been several examinations made of him by private physicians, but it would seem that if they have them they have not accepted their statements.

Mr. TAYLOR of Indiana. Have you made any effort with the Department as now constituted to have the case reconsidered.

Mr. HULL. No; I have not, because it would require a reversal of the decision by the Secretary.

Mr. TAYLOR of Indiana. I have been successful in similar cases, and that is why I asked you if you had made any effort before the Department as now constituted, because I imagine that the gentleman might secure a like decision to that which I have secured.

Mr. HULL. I talked to Commissioner Bell about it and he said he thought the case was a good one and suggested that I try to get Judge Reynolds to reverse Mr. Bussey's finding, but as the bill was here it seemed to me that if this man could get $50 a month it would be enough to tide him over. Now, when gentlemen talk about $30 being ample, I want to say that a large proportion of that pension is used up for attendance and medical treatment because of his great suffering, so that the amount which strikes gentlemen as so large is nothing in view of the expense this old man is put to and the suffering that he endures.

Mr. JONES. I will say a word presently as to the amount of the pension, but the point I am making is based upon this man's own statements, in the only evidence that I find bearing on this subject. Of course I do not question what the gentleman says about certain affidavits having been furnished to the Department, but I take this case upon the statements in the record, and those are the statements of the man himself, corroborated only by his wife. He says that he was not bothered by this wound in his neck in 1873, but he says:

I knew I had been shot in the neck. In 1875 I was not suffering with the wound in my neck.

So that he was not suffering from this wound, or from any disease which resulted from this wound, until after he had had a sunstroke in the street in Chicago, and I take it that the medical bureau here, charged with the examination of these

cases, is far better qualified to decide upon the question of this man's disability and the cause of it than this committee here to-night can possibly be. The case has been presented before that board and has been passed upon. An appeal has been taken, as I understand, to Gen. Bussey, and the finding of the board has been sustained.

I understand from the gentleman that since that time, during the past ten years, a number of affidavits have been sent here, a part of which only, the gentleman thinks, have gone before the Pension Bureau, but those affidavits have not had sufficient effect upon this medical board to change their minds, and it does seem to me that this committee, simply upon the meager statements contained in this report, ought not hastily to say that this man's epilepsy is the result of a wound which was so slight that he himself says he scarcely felt it, so slight that he did not mention it when he put in his application for a pension. It appears from his own statement that he did not feel the wound until nine years after the time he says he received it, although he knew he had been wounded; in fact he did not feel it at all until after the sunstroke. It seems to me from this report that the case is perfectly plain.

Other gentlemen may draw different inferences from the facts and circumstances set forth, but to my mind it is plain that the medical board acted wisely in deciding that there was no evidence before it to justify the belief that the epilepsy was the result of this slight wound, on account of which the man had not been pensioned at all.

Now, as to the statement that the $30 a month which he is receiving is not sufficient to support him. I know of my own knowledge that there are nice boarding houses and hotels within easy reach of this city where he could board for $20 a month, and I understand that all these pensioners are entitled to medical attendance at the hands of the Government entirely free of charge. Therefore, even if we admit that this disease is the result of the wound which this man says he received, still this is not a case which would justify this committee in giving him a pension of $50 a month; because it is apparent to me, perfectly so, that this man can live comfortably upon the $30 a month which he is now receiving.

The CHAIRMAN. The question is on the amendment.

Mr. LACEY. A word by way of explanation of the report. In this case there is a conflict of opinion between the doctors, and a larger number of medical men have sworn that this injury produced the epilepsy than have expressed the contrary opinion. But about certain things there is no dispute. There is no doubt that this old soldier's mind has been affected by epilepsy, and that he has made statements both ways—that the ball has been taken out and also that it is still in. However that may be, the evidence shows that when his neck is moved backwards and forwards a squeaking sound is heard, which is produced either by the bone where it has been injured by the ball or else by the ball itself being still there.

Mr. JONES. Does not the report show that the ball has been taken out?

Mr. LACEY. It shows both ways.

Mr. JONES. I call attention to the man's own statement on that point:

Not so much until the last eight years. I saw the shot that was extracted from my neck. I had it a long time. I lost it.

Mr. LACEY. If the gentleman had listened to the sound of my voice instead of his own he would have heard me say just now that the soldier had testified both ways about that, had stated that the ball had been taken out, and at another time had said that it had not been taken out. I stated that his mind had been affected by his disease and that he had testified both ways. The fact is, no one knows whether the ball has really been taken out or not.

We do know that his spine was affected in such a way as to produce epilepsy, and that he is perfectly helpless, requiring constant attendance of some person to take care of him. If it were absolutely clear that this disability was produced by the wound he would be entitled to a pension of $72 a month under the law; but there being some controversy on that point, the committee decided to report in favor of granting $50 a month.

Mr. STALLINGS. I understand the gentleman to say that when this man turns his neck there is heard a creaking or crackling sound like broken bones?

Mr. LACEY. Yes, there is a crepitus, resulting either from the fractured bone or from the presence of the ball.

Mr. STALLINGS. And that makes a crackling noise?

Mr. LACEY. Yes, sir. There is no controversy about that.

Mr. STALLINGS. And the man is still living. Now, I notice in the report the following:

An examination by medical officers of the Pension Bureau, September 6, 1873, reports: "Flesh wound of the neck, not rated;" September 7, 1875, "slight flesh wound on the back of neck, not rated;" September 4, 1877, "slight wound of neck, not rated;" June 22, 1892, "wound on posterior surface of neck, size of a nickel, white in color, etc."

Now, here are the reports of four or five different examinations by surgeons appointed by the Government and presumed to be experts; and on none of these examinations do these surgeons report this man as entitled to any rating at all on account of wound in neck. These examinations were held under various Administrations—Democratic and Republican—so that it can not be alleged that political bias had anything to do with these reports.

Mr. LACEY. What the gentleman states shows simply that this paralysis had not occurred up to this time; the cause was there, but it had not produced at that time the serious results which came later; and the soldier was honest enough not to make a claim until he actually became paralyzed.

The question being taken on the amendment reported by the committee, it was agreed to.

The CHAIRMAN. The question is now on laying aside the bill as amended, to be reported to the House with a favorable recommendation.

The question being taken, there were on a division—ayes 32, noes 14.

Mr. STALLINGS. No quorum.

The CHAIRMAN. The Chair will appoint tellers.

Mr. MARTIN of Indiana. I ask that the gentleman from Alabama [Mr. STALLINGS] withdraw that point and allow the bill to be passed over under the order.

The CHAIRMAN. Without objection the point of no quorum will be withdrawn——

Mr. STALLINGS. No, sir; the point is not withdrawn. I was willing earlier in the session that the bill be passed over.

Mr. WEADOCK. The reason this action could not be taken then was that by the terms of the order the power to make the request was limited to the chairman of the committee.

The CHAIRMAN. The order does not apply to a request made at this time. It was to the effect that the chairman should have the right to have a bill passed over before its consideration was entered upon. This bill can not now be passed over except by unanimous consent.

Mr. STALLINGS. I have no objection to the bill going over; but I will not withdraw the point of no quorum to allow it to be passed.

Mr. HULL. This same question will come up again next Friday night; and we might as well meet the question right here.

Mr. STALLINGS. All right.

The CHAIRMAN The Chair will appoint as tellers the gentleman from Alabama [Mr. STALLINGS] and the gentleman from Iowa [Mr. LACEY].

Mr. HULL. At the request of some of my colleagues, I will not object to the bill being passed over without prejudice, retaining its place on the Calendar.

The CHAIRMAN. Without objection, the point of no quorum will be withdrawn and the bill will be passed over without prejudice, retaining its place on the Calendar. The Chair hears no objection; and it is so ordered.

OLIVER O'BRIEN.

The next business on the Calendar was the bill (H. R. 650) to remove the charge of desertion standing against Oliver O'Brien.

Mr. BRETZ. For the purpose of reserving all points in this matter, I wish first to raise the question of consideration on this bill.

The CHAIRMAN. The bill has not yet been read.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Navy of the United States be, and he is hereby, directed to so amend the record of Oliver O'Brien as to remove the charge of desertion.

Mr. BRETZ. I make the point further that the committee to-night, under the rule, has no right to consider this bill. It is reported by Mr. MCALEER, who is not a member of the Military Committee at all. The bill upon its face shows it was introduced and referred to the Committee on Military Affairs, but the report shows that it was made by Mr. MCALEER.

The CHAIRMAN. This bill is not in order under the special rule, and the Clerk will report the next bill on the Calendar.

MARLIN PARKS.

The next business on the Private Calendar was the bill (H. R. 562) for the relief of Marlin Parks.

Mr. BRETZ. I ask that that bill be passed over.

Mr. BOWERS of California. Why?

Mr. CAPEHART. That bill is in order.

Mr. BRETZ. I did not know that the gentleman from California who made the report was present, and I withdraw the request.

Mr. BOWERS of California. I would like to have the report read in that case, although I can explain it in two minutes. But the report shows all the facts.

The Clerk proceeded to read the report.

Mr. BOWERS of California. This bill is perhaps subject to the point of order, according to the Calendar.

Mr. TAYLOR of Indiana. Then I make the point of order upon it. Let us get to other business.

The CHAIRMAN. The Chair sustains the point of order.

Mr. CAPEHART. This bill is undoubtedly in order, Mr. Chairman.

Mr. BOWERS of California. I do not want to take up the time of the committee. This is simply a bill for the relief of an officer who was summarily discharged under a mistake from the service.

Mr. CAPEHART. It is a bill to remove the charge of desertion.

Mr. BOWERS of California. Oh, no; it is simply to correct a record of dismissal. If it is in order under the rule I want it to go through, because it is right and proper and just that it should; but if it is not in order, I hope the Chair will determine the matter so that we can proceed with other business.

Mr. JONES. I submit that the gentleman who introduced the bill ought to know the nature of it.

Mr. BOWERS of California. It is to issue an honorable discharge to an officer who was dishonorably dismissed under a misapprehension of the facts.

The CHAIRMAN. It is not a bill to remove the charge of desertion?

Mr. CAPEHART. Oh, yes.

Mr. JONES. I ask unanimous consent that the gentleman from West Virginia be permitted to state the character of the bill.

Mr. TAYLOR of Indiana. Let us have the regular order.

The CHAIRMAN. The Chair thinks this bill can not be considered under the rule.

Mr. JONES. Let the gentleman from West Virginia state the facts. There seems to be some misapprehension about this case.

Mr. TAYLOR of Indiana. Very well. I withdraw the demand for the regular order.

Mr. CAPEHART. This man was dismissed on the charge of desertion. He was in the battle of Cedar Creek, having up to that time had a service of three years in the Army. In that battle his regiment was scattered in all directions, and he failed to report on the next day. He joined another army corps, and it was three days before he reached his regiment, when he found he was dismissed.

Mr. BOWERS of California. Oh, no; it was only twenty-four hours. It is a good bill. The facts are all here.

Mr. CAPEHART. The gentleman is mistaken, I think, in that. I confess I do not understand the point of order that is raised.

The CHAIRMAN. The Chair will state to the gentleman that under the special order bills removing charges of desertion from the Military Committee only are in order. Now, I understand it to be conceded by the members of the Military Committee present that this is not a bill for the removal of the charge of desertion.

Mr. BOWERS of California. Oh, no; there was no desertion.

Mr. CAPEHART. He is seeking an honorable discharge because of the fact that he was charged with desertion. I claim that it is in order.

Mr. BRETZ. Can we have the bill read, reserving the right of objection?

Mr. JONES. Mr. Chairman, unanimous consent was given to the gentleman from West Virginia to make a statement, but he has been interrupted. I insist that he shall have that right.

Mr. CAPEHART. The bill provides that the Secretary of War be, and he is hereby, authorized and directed to revoke the order of dismissal of Marlin Parks, late first lieutenant Company B, Eleventh West Virginia Volunteers, and issue to him an honorable discharge from the service of the United States.

Now, why does he want a discharge? Because he was charged with desertion and dismissed on that charge.

The CHAIRMAN. Where does that fact appear? The Chair has been looking over the report, hurriedly, it is true, but he has not been able to find it. The bill does not indicate a charge of desertion.

Mr. CAPEHART. "They were summarily dismissed without charge or trial," as the report shows, referring to several officers. Why? Because they were deserters. They were not dismissed for any other cause.

The CHAIRMAN. The Chair understands the gentleman from California to state that it was not a charge of desertion.

Mr. BOWERS of California. If the chairman and the committee will hear me for three minutes I will make it perfectly plain to the chairman, so that he can rule properly on the question.

Mr. CAPEHART. What report has the chairman got? Perhaps you have the wrong case.

Mr. BOWERS of California. Mr. Chairman, the case is simply this: At the fight at Cedar Creek, which, as everyone knows, was pretty hot for a while, many of the regiments were scattered. The report states that—

At the battle of Cedar Creek, Virginia, October 19, 1864, his regiment, the Eleventh West Virginia Volunteers, attached to Gen. Crook's command, received the first attack of the Confederate forces, was driven back and the whole command thrown into disorder and became broken and scattered, and the regiment did duty during the day with other commands, and the command with which Lieut. Marlin Parks was attached did not reorganize until the next day.

It appears that when driven back the lieutenant collected as many of the men as possible, and served during the day with the Sixth and Nineteenth Army Corps, and the following morning searched out his regiment and joined it with the men he had gathered.

So great had been the disorganization that a commission of officers were appointed to investigate the matter, and a number of officers were notified to appear, and all, except three—Capt. John W. Myers, Capt. R. King, and Lieut. Parks—appeared and were exonerated. Those who did not appear claim that they did not receive the notice until it was too late and the inquiry was finished. They were summarily dismissed without charge or trial.

The statements of the colonel of the regiment, and of the lieutenant-colonel, and of eight members of the regiment, all of whom except the colonel, were with Lieut. Parks during the day, prove conclusively that he was doing his full duty the entire day; that he was a brave soldier, always with his regiment in all the battles for three years.

And he reported to his regiment the next morning. Now, this is an application for an honorable discharge to be issued to him. He was dismissed because, when he was cited to appear and answer to the charge of being separated from his regiment that day, he did not appear. While all those who appeared there were exonerated, he, not getting his notification in time to appear before that committee, was dismissed. I wish to say in regard to the facts, they are testified to by all the officers of his regiment and by a good many of the men. The only point is whether this bill is in order. I think perhaps it might be, under the circumstances.

The CHAIRMAN. The Chair will state that from the brief examination he has been able to give to the report, although there does not seem to be any very direct statement, it seems that the charge appeared to involve the question of cowardice, not of desertion. There does not seem to be a direct statement, but that is the inference from one or two of the paragraphs.

Mr. CAPEHART. The plain inference is that he was dismissed on the charge of desertion.

Mr. BOWERS of California. He was dismissed because he did not appear when he was cited to appear.

Mr. STALLINGS. When a man deserts he leaves the service. In this case this man did not do it. This is not a case of desertion.

The CHAIRMAN. The Chair thinks this bill is not in order, under the special rule. The Clerk will report the next bill.

MARY B. HULINGS.

The next business on the Private Calendar was the bill (H. R. 3354) for the relief of Mrs. Mary B. Hulings.

The Clerk read the title of the bill.

Mr. MARTIN of Indiana. I ask that that bill be passed over.

The CHAIRMAN. It will be passed over, under the order adopted this evening.

HARRIET R. TATE.

The next business on the Private Calendar was the bill (H. R. 6213) to pension Harriet R. Tate.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the limitations and provisoins of the act approved June 27, 1890, the name of Harriet R. Tate, widow of William S. Tate, late a private in Company L, Thirteenth Regiment Indiana Cavalry.

The amendments recommended by the Committee on Invalid Pensions, as contained in the report, were read.

Mr. JONES. Let the report be read.

The report (by Mr. MARTIN) was read, as follows:

The Committee on Invalid Pensions, having considered the bill (H. R. 6213) to pension Harriet R. Tate, report:

On an examination of the evidence on file in the Pension Bureau and other evidence on file with this committee, we find that said Harriet R. was married to one William S. Tate on the 21st of June, 1855, in Perry County, Ind.; that said William S. enlisted in Company L, Thirteenth Indiana Cavalry, and served therein from December 14, 1863, until July 30, 1865, when he was killed while he was still a member of said military organization, under the following circumstances, to wit: Edward Boultinghouse, of Perry County, Ind., as he testifies, says:

"The above-named William S. Tate came to his death as follows, to wit: I was a sergeant in the soldier's company. On or about the 30th day of July, 1865, we were in camp at Houston, Miss.; the captain of the company,

then commanding at Houston, Miss., told the affiant that there were some bales of cotton secreted in a camp near Siloam, Miss., and that if he, the sergeant, would go and get them he would give him half. Said captain told affiant that he should detail as many men as he thought necessary to go with him after the cotton, and affiant took said William S. Tate with him.

"Affiant further says that they had orders to take any property belonging to the United States that they could find, such as Government saddles or arms. When they got to Siloam, Miss., they found a citizen with a Government saddle. Affiant and said William S. Tate making inquiries as to whether said citizen had a permit or protection to possess or use said saddle, said citizen pulled a revolver, remarking that this was his protection, and commenced firing, two shots taking effect and striking said William S. Tate near the small of the back, from which said Tate died. Affiant further says that said William S. Tate was a good soldier and always ready for duty."

Said soldier, when he parted from his wife to enter the service, left with her 4 minor children, the fruit of said marriage, and at his death such widow and children survived him, but he left them no means of support. She, nevertheless, as certified by a petition signed by about 50 of her neighbors, raised said children to manhood and womanhood by means of doing washing, sewing, and such other work as she could find. She has no other means of support than manual labor, has no home, is feeble in health, and is quite old.

The affidavit of Andrew J. Earle, of Perry County, Ind., is also on file dated March 21, 1894, and states that he was well acquainted with said William S. Tate, and that they both were members of said military organization; that said deceased—

"was at all times ready for military duty and never failed to obey the command of his officers. Affiant further says that it was a general order, and so understood by all soldiers at Houston, Miss., that if soldiers found any property belonging to the United States, or branded, 'U. S.,' for the soldier to take the same and bring it to where they were camped. And affiant says that he is also acquainted with said Harriet R. Tate, and that she has not remarried since the death of said William S. Tate, and that she has no property of any kind from which she can make a living."

An affidavit by the adjutant of the soldier's command testifies pointedly that at and prior to July 30, 1865, a general order had been issued to said command to seize all property bearing the brand of the United States.

This case was examined by a special examiner, who examined many witnesses, including the applicant, the captain, and some comrades of the deceased, and he recommended that her claim for pension be allowed, under the general law on the ground that the soldier, when killed, was obeying orders of his officers and therefore in line of duty, but this view was overruled by both the Pension Office and by the Assistant Secretary of the Interior, Cyrus S. Bussey, on appeal. Another special examination resulted in a similar recommendation by another special examiner.

These examinations were made under an application made by the widow in 1865 in the Pension Office, under the general law, for a pension, but was rejected April 7, 1888, on the ground that the Bureau did not feel justified in holding that the soldier had been killed in line of duty.

She then filed a claim under the act of June 27, 1890, for pension, but as that act requires that to entitle the widow to relief the husband must not only have served for ninety days or more, but must have had an honorable discharge from the military service of the United States, the Pension Bureau was powerless to aid her, and necessarily rejected her claim.

Your committee feel that this bill should be favorably reported, for the soldier when killed had honorably served nineteen months and sixteen days, dying from pistol shots inflicted upon him in a hostile country by a presumably hostile citizen thereof. Many widows have been pensioned under the act of June 27, 1890, whose husbands had rendered military service for a much shorter period than this soldier had served. Had this soldier been discharged honorably and then been killed, no matter under what circumstances, she would be entitled thereunder.

Your committee likewise feel that the ruling of the Pension Bureau, that the soldier was not killed in line of duty, though perhaps technically correct, works a hardship upon the widow that Congress can properly relieve her from.

On all the facts, we therefore report the bill favorably and recommend that it do pass, amended, however, by striking out of lines 5 and 6 the words "Act approved June 27, 1890," and insert in lieu thereof the words "general pension laws at the rate of $12 per month."

The CHAIRMAN. If there be no objection, the amendments recommended by the committee will be agreed to, and the bill as amended will be laid aside, to be reported to the House with a favorable recommendation.

Mr. JONES. I should like to hear some one who is familiar with the circumstances of this case make a statement about it. As I understand this matter, this soldier went out to steal cotton and came across a saddle which somebody had, and undertook to take it, and he was shot. It also appears that the evidence bearing upon the question as to whether or not he was killed in the line of duty was all submitted to the Pension Department, and Gen. Bussey decided that he was not in the line of duty on the evidence submitted. I think this a bill that needs to be explained.

Mr. MARTIN of Indiana. Mr. Chairman, a few words will, I think, probably be sufficient. The bill as drawn, introduced by my colleague [Mr. TAYLOR of Indiana], proposed to put this widow on the pension roll under the act of June 27, 1890. The woman was married to the soldier in 1855. He enlisted in 1863. He was killed in June, 1865, and simply because he never had an honorable discharge her claim under the pension law of June 27, 1890, was rejected. If he had received an honorable discharge and come home, and had been killed under almost any circumstances that you can conceive of, she would long since have been on the pension roll.

Now, Mr. Chairman, under all the precedents adopted by this House, and without objection as I remember, there is no question but what this bill would pass easily, putting her on the pension roll at the rate of $8 a month, because the soldier served more than nineteen months instead of ninety days, and was killed in the service.

Mr. JONES. Well, my question is this: Suppose this soldier had been killed in battle, in line of duty, he would not of course have had any discharge but that furnished by the bullet that killed him. Would not his widow then have been entitled to a pension under the general law?

Mr. MARTIN of Indiana. She would not have been entitled to a pension under the act of June 27, 1890, but she would under the general law. She is not entitled under the general law now.

Mr. CAPEHART. Why not?

Mr. MARTIN of Indiana. I will explain that to you. A widow whose husband was killed in the service—in line of duty, for instance—in battle, or who dies of a disease years afterwards, or of wounds received in the service, is entitled under the general law to $12 a month; but under the law of June 27, 1890, it makes no difference if he was killed, or what the circumstances were, she can not be pensioned, because her husband had not received an honorable discharge. The Pension Bureau has refused to hold that the fact that a soldier was killed during the time he was in the service is equivalent to a discharge.

Now, Mr. Chairman, in examining this case I found that this widow, who was married in 1855, was left with four small children; that this man was a private soldier, and that he was killed while obeying orders. As testified to by the adjutant of the regiment, there was a general order issued for the retaking of all property branded "U. S." The captain of this company, as is shown clearly, ordered the sergeant, and the sergeant testifies in this case, a few years afterwards, that the captain ordered him to detail men and take them out for the purpose of finding some cotton that was alleged to have been secreted. Now, the soldier obeyed the orders. He obeyed the orders of the orderly sergeant, and the orderly sergeant was obeying the orders of the captain. The soldier in every particular was obeying orders.

Mr. JONES. May I interrupt the gentleman?

Mr. MARTIN of Indiana. Just wait a moment. They proceeded under the order of the captain in search of that cotton; but before the cotton was ever reached—I do not know whether there was any cotton there at all or not—they came across property of the Government which it was the duty of these soldiers to take. They came across a man with a horse, and upon the saddle was branded "U. S.' The sergeant and this soldier went to the man and asked him for his protection in having this saddle, which plainly seemed to be the property of the Government. The man, in place of giving an answer at all indicating the character of his possession of the property, said, "This is my protection." He drew his revolver, and although not assaulted by this soldier, he shot him and he died there in his tracks.

Now, Mr. Chairman and gentlemen, under the act of June 27, 1890, there is no question but that this widow should have this $8; but I felt that it was my duty to bring it, as a member of that committee, before Congress and ask whether it is not true, as it seemed to me, because this soldier had not broken any law, but was obeying orders and without the slightest fault upon his part lost his life, that his widow, married to him years before the war, with four small small children left upon her hands, should now, having lived all these years without any pension and without a particle of help from the Government, be allowed $12 a month in place of $8?

Mr. JONES. The gentleman does not mean to say that she has four small children dependent upon her now?

Mr. TAYLOR of Indiana. She had when he died. She has raised them all, and raised them creditably.

Mr. CABANISS. What was the date he was killed?

Mr. MARTIN of Indiana. June, 1865.

Mr. CABANISS. Was not the war over at that time?

Mr. MARTIN of Indiana. Well, practically; but the soldier, you know, would have been a deserter had he left the service.

Mr. CABANISS. Were not men entitled to saddles at that time without having them taken away from them violently?

Mr. MARTIN of Indiana. The gentleman will recollect this fact—that a private soldier must obey the order of his superior officer.

Mr. CABANISS. I understood from the reading of the report that the order given to that detachment was to seize some cotton.

Mr. MARTIN of Indiana. There were two orders. The order that he was proceeding under at that particular time was to go with this sergeant in search of cotton; but before that there was a general order issued to the whole regiment that wherever they found property that seemed from the brand upon it to be the property of the United States they should take it and bring it to camp.

Mr. STALLINGS. You have stated that this man was obeying orders.

Mr. MARTIN of Indiana. He was.

Mr. STALLINGS. Then he must have been in the line of duty?

Mr. MARTIN of Indiana. Yes, sir.

Mr. STALLINGS. The report says:

The captain of the company, then commanding at Houston, Miss., told affiant that there were some bales of cotton secreted in a camp near Saloam, Miss., and that the sergeant told him that if he would go and get them he would give him half.

Now, does not the gentleman know that that was a regular stealing expedition? Does he not know that the Government did not have any cotton in Mississippi at that time—in June at that? But if it was the Government's cotton, why was this officer going to give this other man half of it? If it was the Government's property, he had no right to do that.

Mr. MARTIN of Indiana. That very question was discussed in the committee, as to whether it was necessary to state that fact in the report, and it was determined, on my own insistence that the Committee of the Whole House and the House of Representatives ought to have knowledge of all the facts. Therefore that was stated in the report because it seemed to be a fact.

Mr. STALLINGS. It is a fact.

Mr. MARTIN of Indiana. But I call the gentleman's attention to this point, that this bargain, if there was a bargain, to give half the cotton was not a transaction in which the soldier had any participation. It was a bargain, wrong as it may be held to be, between the officer commanding the company and the orderly sergeant, and the soldier had nothing to do with it at all.

Mr. TALBERT of South Carolina. Of course it is possible that the officer transcended his rights, but certainly the soldier ought not to be held accountable for the conduct of his officer.

Mr. MARTIN of Indiana. That is the point exactly.

Mr. JONES. I want to ask the gentleman from Indiana a question, in line with what he has just stated. I do not ask him to divulge any committee secrets, but I understood him to say a moment ago that the question came up in his committee as to whether or not the fact that the officer had directed this dead soldier to take possession of the cotton mentioned in the report, and that he should receive one half of it as his share, should be set forth in the report, and that the gentleman himself insisted that that was one of the facts that ought to go into the report. Now, that was a damaging fact.

Mr. MARTIN of Indiana. No, sir.

Mr. PICKLER. It is an entirely immaterial fact.

Mr. JONES. The question was discussed in the committee, as I understand, whether that fact should be stated in the report, because it was a damaging fact. Now, the gentleman from Indiana does not, I hope, mean to state that there was any objection on the part of any member of the committee to that fact going into the report. Because, if I am to understand it that way, I, for one, will certainly look into these reports a little more closely than I have done heretofore. I understood the gentleman from Indiana to say that he had to insist that that fact should be put in the report.

Mr. MARTIN of Indiana. I do not want to be understood as intimating that any member of the Committee on Invalid Pensions desires to suppress any fact in any case. But the question here is this: Where a private soldier was obeying the order of his superior officer, was the fact upon which the gentleman comments a material fact, so far as the death of the soldier or his obedience is concerned.

Mr. PICKLER. It is an entirely immaterial fact.

Mr. MARTIN of Indiana. That is the point, and the only question that arose on it in the committee was whether this fact was material or not; but I preferred, under all the circumstances, to have the whole case, material and immaterial, come before this committee and the House, in order that members might use their own judgment upon it. Of course, a private soldier is bound, under pain of punishment, to obey the orders of his superior officer; and I believe that the question of the alleged bargain between this soldier's superior officers is one that does not affect the soldier at all.

Mr. TALBERT of South Carolina. One other suggestion. The bargain or arrangement as to the division of the spoils applied only to the cotton. There was nothing of that kind in connection with the saddle; so that that case was an entirely different one.

Mr. WILLIAMS of Mississippi. Mr. Chairman, it seems to me that this is a very material point in this case, instead of being immaterial as some gentlemen contend. The question as to whether this soldier was in the line of duty at that time depends upon whether his superior officer was in the line of duty at that time.

Mr. PICKLER. Not at all.

Mr. WILLIAMS of Mississippi. The only excuse for the soldier is that he was obeying orders; that he was about business of the United States under the order of his superior officer. Clearly it was not the United States business for these men to run about searching for cotton to be divided between the sergeant and the captain.

Mr. PICKLER. Suppose the soldier had not obeyed orders, would he not have been subject to court-martial?

Mr. WILLIAMS of Mississippi. I do not know whether he would or not. I venture to say, however, that those particular officers would not have undertaken to courtmartial him on that occasion, because there would have been danger of the facts coming out, and they would have been liable to be courtmartialed themselves. I do not think there is anything in the point made that the war was not over, because I know that the war against cotton was not over until about a year after the surrender. But I do not think this man can be said to have been in the line of duty at the time he was killed.

Mr. STALLINGS. Mr. Chairman, I differ with some gentlemen here in regard to the legal proposition involved in this case. No officer, civil or military, has such control over any citizen or soldier of this country as to have a right to make him commit a crime. Go over to Fort Myer where there are soldiers. If one of those soldiers should kill a man here in Washington he could not justify the homicide on the ground that he had been authorized, directed, or commanded by his superior officer to do the killing.

Of course not. Here is a man who was ordered to go and steal cotton. Now, gentlemen say, "We will justify the act of this man in going after that cotton because he was ordered to do so by his superior officer." No such justification as that can ever be pleaded in law. Take the facts as we have them here.

Mr. TAYLOR of Indiana. Let me correct the gentleman.

Mr. STALLINGS. One moment. I want to read from this report—

On or about the 30th day of July we were in camp at Houston, Miss.

This is the sergeant giving his testimony:

The captain of the company, then commanding at Houston, Miss., told the affiant that there were some bales of cotton secreted in a camp near Siloam, Miss., and that if he, the sergeant, would go and get them he would give him half.

Now, sir, what did this sergeant do on that kind of a statement or order, if you choose to call it such, from the officer?

Said captain told affiant that he should detail as many men as he thought necessary to go with him after the cotton, and affiant took said William S. Tate with him.

Now, here are men who start out to take property that does not belong to the Government. The Government had no claim to this property whatever; it was the property of private citizens; and if it were taken in that way then or to-day, you would have a claim brought here for the value of the property, and the Government would have to pay it. Those men go out and take that property in this way with this pretended authority. Gentlemen contend that this officer had the right to tell these men to commit a crime—the crime of theft. He had no right to make any such order. They were only justified in obeying legal orders, not illegal orders directing them to commit a crime.

Mr. PICKLER. Nobody contends that; but we do contend that no private soldier could set himself up to disobey the orders of his officer without subjecting himself to court-martial.

Mr. STALLINGS. Now, these men had orders—illegal orders—to go and get this cotton that they thought was secreted, and should not have obeyed such order, and could not have been punished for a refusal.

Mr. PICKLER. That was legitimate.

Mr. STALLINGS. That is stated to have been the purpose of their going; but they do not stop at that; they do not obey the illegal instructions of the officer who sent them or agreed to divide the stolen property. It was stealing on shares. What do they do? They meet a private citizen with a saddle. This was in June, 1865, when the war was over. Lee had surrendered in April, and Johnston a little later. There was no war going on in this country at that time; the war had closed two or three months before. This soldier goes up and attempts to take the property of that private citizen, who in defending his property, takes the life of the soldier.

Now, here is a man going out on a stealing expedition. Let us call things by their right names. He meets a man on the road having a saddle, his private property. The soldier attempts to take it, and gets killed. Now, how can the Government of the United States be asked to pay to that soldier's widow a pension? There is not a man in this Hall to-night who does not know that no just claim to a pension can arise in such a case? Let me tell gentlemen here is the trouble to-day with these pension claims. You report claims of this kind from your committees; and you abuse some of us because we will not let them pass, when you know the claims are fraudulent and ought not to be brought here. You put us in the position of being compelled to object to such claims, while men representing Eastern and Western districts have not the moral courage to stand here and do it. That is the truth; and gentlemen know it.

In this case you ask me to vote to tax the citizens of my dis-

trict to pay a pension to the widow of a man who was killed while out on a stealing expedition, endeavoring to take the property of a private citizen after the war was over. I will never vote for any such claim. There is not a man here who does not know that such a claim is absolutely unfounded and unjust, and can not give rise to any fair charge or claim against this Government. This widow to-day has no claim upon the bounty of the United States, because her husband was killed while engaged in such an illegal and criminal expedition.

Mr. BAKER of New Hampshire. Is not the gentleman aware that there is nothing in this case to show that the cotton was the property of any private individual? Does not the gentleman know as a matter of fact that the cotton which was sought for by the Army after the close of the war was only cotton which belonged to the Confederate Government, and which was a just spoil of the war? This being so, it seems to me the ground of the gentleman's argument is destroyed.

Mr. STALLINGS. I will answer the gentleman. Who is making the application is this case? Is the Congress of the United States asking the citizen to give the Government something? No, sir; it is this widow asking a pension from the Government; and the burden of proof is on her to show that this cotton belonged to the Confederate government and not to private citizens. I am asked here to-night to vote for this pension, and I say the burden rests on this applicant to show that she is entitled to it; she must make that proof before I can ever consent to the passage of this bill.

Mr. CURTIS of Kansas. Does not the gentleman admit that if this soldier had served, as he did, over three months his widow would be entitled to a pension under the new law if he had a discharge?

Mr. STALLINGS. If he had a discharge; but that is a thing he did not have. He could not get a discharge, because the Pension Bureau, when it came to pass on the question, held that he was not entitled to a discharge because——

Mr. BAKER of New Hampshire. Because he was discharged by death.

Mr. STALLINGS. How could it be otherwise if he attempted, by force, to take the property of a private citizen and the citizen took his life in defending his property, as he had a right to do?

Mr. MARTIN of Indiana. What right has the gentleman to say that he tried to take the property of a private citizen?

Mr. STALLINGS. Because the report says so.

Mr. MARTIN of Indiana. No, sir; the gentleman is mistaken.

Mr. STALLINGS. I so understand it.

Mr. MARTIN of Indiana. Now, Mr. Chairman, the gentleman from Alabama has chosen to say that he does not believe there is a member of this House who believes that bill to be just.

Mr. STALLINGS. I do not know that I made that remark in just those words.

Mr. MARTIN of Indiana. I so understood you.

Mr. STALLINGS. Not in the words the gentleman has used.

Mr. BAKER of New Hampshire. The gentleman said that members from the North and East did not dare to vote their views upon these questions. Now, let us take a vote and see whether we do or not.

Mr. STALLINGS. All right; but I want it to be understood that I am not willing to vote for the passage of any such bill as this.

Mr. CABANISS. Mr. Chairman, this matter strikes me, from the reading of the evidence before the House, as I understood it, that this soldier did not receive his death wound in the discharge of duty, obeying the order of his sergeant.

Admit for the sake of argument that the captain had a right to order the sergeant to detail a number of men to go with him on this expedition, and take possession of cotton which he said belonged to the United States.

The detail was made; but while going to take the cotton the evidence discloses the fact that this man, whose widow this bill seeks to pension, met a citizen with a saddle, with the mark of "U. S." on it, during the month of June, some months after the war ended, and tried to take possession of it. That, I believe, is the proof set forth in the report. Now, does not the gentleman know that there were scarcely any other saddles at that time in the Southern States, except the saddles that were carried home after the war by the returning soldiers by permission of Gen. Grant after the surrender at Appomattox and of General Sherman in North Carolina?

Mr. BAKER of New Hampshire. But the saddles to which the gentleman refers were not branded "U. S."

Mr. CABANISS. They were permitted, as a matter of fact, to take the saddles home after the surrender at Appomattox, because I know that Gen. Grant in his magnanimous consideration for the Confederate army, allowed the officers and soldiers to carry with them their personal property, side arms, private property of all kinds to their homes after the surrender, and a number of the men had McClellan saddles which were captured by them during the war.

Mr. WILLIAMS of Mississippi. You had one yourself, I suppose?

Mr. CABANISS. I had, and a soldier tried to take it away from a servant of mine, and I rescued it and not a word was said as to my right of possession.

Now, this soldier was ordered out on this detail with a part of the force, and the fact was that he saw this saddle and tried to take it away from the citizen, and the result was that he lost his life.

Mr. CURTIS of Kansas. I think the gentleman is mistaken. That part of his statement is not borne out by the report.

Mr. CABANISS. What are the facts? This man saw the saddle, and endeavored to take it from the citizen. Does anyone suppose that this citizen, unless he knew he had a perfect right to the property, would have fired the shot in the defense of his property that unfortunately killed this soldier, when he knew that this man was surrounded by other soldiers, and that his own life would not have been worth a cent if he had not been acting, as they must have recognized, with a perfect right to protect his property?

Mr. CURTIS of Kansas. Does not the report show simply that this soldier asked the question "where the man got the saddle," or what right he had to it, and he immediately began firing?

Mr. CABANISS. I do not remember the exact text of the report in that regard.

Mr. BRETZ. That is what the report sets out.

Mr. CABANISS. He must have been a violent man if he acted in that way unless he was defending his property, which, of course, he had a perfect right to do. The war was over. He had a right to the saddle. It was his property by purchase or gift.

Mr. STALLINGS. With the consent of the gentleman, I will read the report on that point; or will hand to the gentleman, Mr. CURTIS of Kansas. I understand the evidence will show just what I have stated.

Mr. CABANISS. I will read from the report:

> When they got to Siloam, Miss., they found a citizen with a Government saddle. Affiant and said William S. Tate making inquiries as to whether said citizen had a permit or protection to possess or use said saddle, said citizen pulled a revolver, remarking that this was his protection, and commenced firing; two shots taking effect, and striking said William S. Tate near the small of the back, from which said Tate died.

I believe the gentleman is correct according to the report of the committee.

Mr. NEILL. Mr. Chairman, I do not want to take up the time of the committee but for a few moments. It does seem to me, however, according to the facts stated in this report, if they are true, that this is a meritorious case. I am constrained to differ with some of my brother members about the logic of the situation under which this man was placed at that time.

I know, as a matter of fact, as the history of the times will show, that orders were issued by the Federal commanders to seize the property in the possession of citizens which belongs to the United States at any time or place.

In my own State and county the commander of a force of regulars, immediately after the close of the war up to August or perhaps September, went over the county and took possession of everything he saw, horses and other property, wherever he found it in the possession of private citizens, on the claim that it was property of the United States.

Now, the fact that these men were sent out on perhaps a marauding expedition cuts no figure with me in regard to the disposition of this case, as I view it.

The captain of that company may have intended to steal some cotton. I do not know whether he did or not. I do not make any charge. It may have been that the cotton was supposed to be Government cotton, that is, cotton supposed to have belonged to the Confederacy. That may have been the fact, but whether that be so or not, I agree with gentlemen here who say that as a matter of military law it was the duty of the soldier to obey orders. I believe my distinguished friend here will say that is the case, that a soldier must obey orders.

Mr. WHEELER of Alabama. Any legal order.

Mr. NEILL. Well, a private soldier did not have much time to inquire into the legality of an order. Of course he had no right to go out and murder anybody; but if he was sent out on a detail to seize cotton he could not be expected to make any inquiry whether it was my cotton, or yours, or whose it was. He would be expected to obey orders.

Mr. STALLINGS. But he certainly knew when he was sent to take the cotton, under this proposition to divide it, that that was not legal.

Mr. NEILL. There is no evidence that he knew anything

about that. The understanding was that the sergeant should have half of it, as I understand it.

Mr. MARTIN of Indiana. That is the fact.

Mr. NEILL. This soldier probably was not told anything about that.

Mr. BRETZ. There was no collusion on the part of the soldier.

Mr. NEILL. If there was any stealing the officers were going to get it, and they were not going to divide with the privates. There is only one thing that puzzles me in this matter. You have made out a good *prima facie* case to my mind, and one that I shall vote for, but I have misgivings about it, on this ground: Why is it that this woman did not get a pension years ago?

Mr. MARTIN of Indiana. I will tell the gentleman the reason. She applied in 1866, within a year after her husband's death, and has been prosecuting the claim until within a year or two, when it has been finally decided against her, although two special examiners who went out and examined the witnesses face to face, came back and recommended that it be allowed, on the ground that the soldier's death was in the line of duty; but the Bureau here took a different view, and held that his death was not in the line of duty. Now, under the act of June 27, 1890, the only reason why she can not get a pension of $8 a month is because the soldier received no discharge.

Mr. NEILL. I understand that. Now, under the liberal construction given by the Pension Bureau years ago, it is a little curious to me that she did not get the pension.

A MEMBER. The construction was not liberal years ago.

Mr. NEILL. But on the evidence that the committee brings here, I believe this bill ought to pass. I believe this is a thoroughly conscientious committee.

Now, about the saddle. I disagree with my brethren here about that. I know in my country those men had orders to take everything of that kind unless we could show title to it. And if this citizen had a McClellan saddle there, I doubt not that this soldier had orders to take such property wherever found. Those were the orders in my country, and we had to live under them, and there was nobody killed there on that account. This man may have been a very desperate man. There were some desperate fellows in Mississippi and there were some in Arkansas.

Mr. WILLIAMS of Mississippi. More in Arkansas than in Mississippi. [Laughter.]

Mr. NEILL. I do not know about that. I think this is a meritorious bill.

Mr. CAPEHART. The only thing that prevents this lady from getting a pension is that her husband had no discharge. That was all that was the matter with my man, in the case that was just ruled out on a point of order. He had no discharge, and that is what he was trying to get, and what I was trying to get for him.

Mr. MARTIN of Indiana. But that man is living yet.

The CHAIRMAN. The question is on the amendment reported by the committee.

The question was taken, and the Chairman announced that the ayes seemed to have it.

Mr. STALLINGS. Division, Mr. Chairman.

The committee divided; and there were—ayes 42, noes 5.

Mr. CAPEHART. No quorum.

The CHAIRMAN. Without objection, in order to allow the other bills that have been considered to be reported to the House, this bill might be laid aside informally, retaining its place on the Calendar. Is there objection to that?

Mr. CAPEHART. I object.

The CHAIRMAN. The hour of 10:30 having arrived, the Speaker will resume the chair.

The committee accordingly rose; and Mr. BAILEY having resumed the chair, Mr. DOCKERY, Chairman of the Committee of the Whole on the Private Calendar, reported that the committee had had under consideration various bills, and the hour of 10:30 o'clock p. m. having arrived, the committee rose.

The SPEAKER *pro tempore*. The gentleman from Missouri [Mr. DOCKERY], Chairman of the Committee of the Whole, reports that that committee have had under consideration sundry bills, and the hour of 10:30 having arrived, the committee rose. The hour for the adjournment of the House having arrived, the Chair, in pursuance of the rule, now declares the House adjourned until to-morrow at 12 o'clock.

REPORTS OF COMMITTEES ON PRIVATE BILLS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

By Mr. LACEY, from the Committee on Invalid Pensions: A bill (H. R. 6531) to pension Nancy Gabrilla Anderson. (Report No. 1134.)

By Mr. McDANNOLD, from the same committee: A bill (H. R. 3356) for the relief of Herbert Catton. (Report No. 1135.)

By Mr. MARTIN of Indiana, from the same committee: A bill (H. R. 2942) granting a pension to Mrs. Margaret Weathers. (Report No. 1136.)

By Mr. HULL, from the Committee on Military Affairs: A bill (H. R. 868) for the relief of Charles B. Stivers. (Report No. 1137.)

By Mr. LACEY, from the Committee on Invalid Pensions: A bill (H. R. 6646) for the relief of Albert Munson. (Report No. 1146).

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 5154) to pension John Morris, and the same was referred to the Committee on Pensions.

PUBLIC BILLS.

Under clause 3 of Rule XXII, bills of the following titles were introduced, and severally referred as follows:

By Mr. GROW: A bill (H. R. 7530) to provide a uniform national currency, and to provide for the circulation and redemption thereof—to the Committee on Banking and Currency.

By Mr. LAYTON: A bill (H. R. 7531) for the erection of a monument at Greenville, Ohio, to commemorate the treaty of peace made on the 3d day of August, A. D. 1795, at Fort Greenville (built on the site of said Greenville, Ohio), by Gen. Anthony Wayne, on behalf of the United States and various Indian tribes occupying the territory northwest of the Ohio River, and to perpetuate the memory of Gen. Wayne and his gallant army—to the Committee on the Library.

By Mr. RICHARDSON of Tennessee: A joint resolution (H. Res. 195) to print Agricultural Report for 1894—to the Committee on Printing.

By Mr. SPRINGER: A resolution to allow the Committee on Banking and Currency a clerk at $2,000 per annum—to the Committee on Accounts.

PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as follows:

By Mr. CATCHINGS: A bill (H. R. 7532) for the relief of the estate of W. S. Hyland, deceased, late of Warren County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 7533) for the relief of the estate of Charles Denia, deceased, late of Warren County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 7534) for the relief of the estate of Mary Oliver, deceased, late of Warren County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 7535) for the relief of the estate of William Redden, deceased, late of Warren County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 7536) for the relief of the estate of John Crawford, deceased, late of Warren County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 7537) for the relief of the estate of Alex. Russell, deceased, late of Warren County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 7538) for the relief of the estate of Augustus Strong, deceased, late of Warren County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 7539) for the relief of Ann E. Saddler, Warren County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 7540) for the relief of the estate of Mary M. Steed, deceased, late of Warren County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 7541) for the relief of the estate of J. J. Whittington, deceased, late of Warren County, Miss.—to the Committee on War Claims.

By Mr. CRAWFORD: A bill (H. R. 7542) for the relief of the widow and heirs of Nimrod J. Smith, ex-chief of the Eastern Cherokee band of Cherokee Indians—to the Committee on Indian Affairs.

By Mr. HAYES: A bill (H. R. 7543) granting a pension to Elizabeth Beesley—to the Committee on Invalid Pensions.

By Mr. HUDSON: A bill (H. R. 7544) for the relief of William H. H. McArthur, Arkansas City, Kans., late of Company K, Thirty-first Regiment Ohio Infantry—to the Committee on Invalid Pensions.

By Mr. McCREARY of Kentucky: A bill (H. R. 7545) for the

relief of W. N. Stokes, administrator of Jefferson M. Potts, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7546) granting a pension to Joshua S. Dye, of Lincoln County, Ky.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7547) for the benefit of Joshua S. Dye, of Lincoln County, Ky.—to the Committee on Claims.

Also, a bill (H. R. 7548) for the relief of Simeon Hobbs—to the Committee on Military Affairs.

By Mr. McDANNOLD: A bill (H. R. 7549) for the relief of Derias Bond—to the Committee on Invalid Pensions.

By Mr. PAGE: A bill (H. R. 7550) for the relief of Patrick J. Malony, of Newport, R. I.—to the Committee on Claims.

By Mr. PICKLER: A bill (H. R. 7551) granting a pension to Harry L. Graham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7552) granting a pension to Caleb May—to the Committee on Invalid Pensions.

By Mr. RICHARDSON of Michigan: A bill (H. R. 7553) to award a medal of honor to John S. Carpenter—to the Committee on Naval Affairs.

By Mr. REYBURN: A bill (H. R. 7554) to pension Hannah M. L. Walker, of the city of Philadelphia, Pa.—to the Committee on Invalid Pensions.

By Mr. SPERRY: A bill (H. R. 7555) to remove the charge of desertion from the record of Edward Tatro—to the Committee on Military Affairs.

By Mr. TYLER: A bill (H. R. 7556) for the relief of Pleasant Bailey—to the Committee on War Claims.

By Mr. COOMBS: A bill (H. R. 7557) to remove the charge of desertion against James Fay—to the Committee on Naval Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. COCKRELL: Petition of citizens of Greer County, asking for the opening of the Fort Sill country—to the Committee on Indian Affairs.

By Mr. DALZELL: Two petitions of sundry citizens of Pittsburg, Pa., against an income tax as affecting beneficiary societies—to the Committee on Ways and Means.

By Mr. DURBOROW: Petition of citizens of Chicago, in favor of exempting beneficiary societies from the operations of the income tax—to the Committee on Ways and Means.

By Mr. EVERETT: Petition of Joseph T. Stewart and others, of Malden, Mass., in favor of exempting all fraternal benevolent associations from a tax on incomes—to the Committee on Ways and Means.

By Mr. GORMAN: Petition and papers to accompany House bill 6759—to the Committee on Pensions.

By Mr. GRAHAM: Petition of various fraternal orders, against the income tax—to the Committee on Ways and Means.

By Mr. HAUGEN: Petition of the Coopers' Machine Workers' Union of the American Federation of Labor, of Superior, Wis., in favor of the passage of the bill in regard to convict-made goods—to the Committee on Labor.

By Mr. KRIBBS: Petition of citizens of Phillipsburg, Pa., in favor of exempting beneficiary societies from provisions of the income tax—to the Committee on Ways and Means.

By Mr. LUCAS: Papers to accompany House bill 7521—to the Committee on Military Affairs.

By Mr. McCLEARY of Minnesota: Protest of St. John's Lutheran Evangelical Church, signed by Rev. E. Stroelin, pastor; W. Vacks, H. Tolzmann, and Robert Degner, trustees, of Danville, Minn., against any change in the preamble to the Constitution—to the Committee on the Judiciary.

By Mr. MORSE: Petition of Nathan Robbins and 37 other citizens of Brocton, and of A. A. Gilmore and 4 other citizens of North Easton, Mass., praying that fraternal beneficiary societies be exempt from the provisions of the proposed income tax—to the Committee on Ways and Means.

By Mr. RUSSELL of Connecticut: Protest of Willimantic, Conn., against the income-tax provision of the Wilson tariff bill as applied to fraternal beneficiary orders—to the Committee on Ways and Means.

By Mr. TRACEY: Petition of F. O'Boyd & Co., of New York, against increase of tax on whisky or extension of bonded period—to the Committee on Ways and Means.

Also, petition of the William Clark Company, the E. Jenches Manufacturing Company, and 12 other companies, urging that alizarin dyes and coal-tar dyes be put on an equal footing—to the Committee on Ways and Means.

By Mr. WHEELER of Alabama: Petition of Robert D. Nelson, agent, Hillsboro, Laurence County, Ala., praying for reference of his claim to the Court of Claims—to the Committee on War Claims.

SENATE.

SATURDAY, *June 23, 1894.*

The Senate met at 10 o'clock a. m.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. CULLOM, and by unanimous consent, the further reading was dispensed with.

HOUSE BILLS REFERRED.

The bill (H. R. 6558) to amend section numbered 2324 of the Revised Statutes of the United States relating to mining claims was read twice by its title, and referred to the Committee on Mines and Mining.

The joint resolution (H. Res. 193) to appoint three members of the Board of Managers of the National Home for Disabled Volunteer Soldiers was read twice by its title, and referred to the Committee on Military Affairs.

The following bills were severally read twice by their titles, and referred to the Committee on Public Lands:

A bill (H. R. 7334) to sell certain lands in Montgomery County, Ark., to the Methodist Episcopal Church, South; and

A bill (H. R. 7489) to amend section 3 of an act to withdraw certain public lands from private entry, and for other purposes, approved March 2, 1889.

HAWAIIAN AFFAIRS.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations, and ordered to be printed:

To the Congress:

I herewith transmit a communication covering dispatches from the United States minister at Honolulu.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, June 23, 1894.

PETITIONS AND MEMORIALS.

Mr. CULLOM presented petitions of E. O. Haven Council, No. 626, Royal Arcanum, of Bloomington; of sundry citizens of Chicago, and of sundry citizens of Cook and Jo Daviess Counties, all in the State of Illinois, praying that fraternal beneficiary societies, orders, or associations, be exempted from the proposed income-tax provision of the pending tariff bill; which were ordered to lie on the table.

Mr. WALSH presented a petition of representative business men from the Southern States and sundry citizens of New York, praying that an appropriation be made for a national exhibit at the Cotton States and International Exposition, to be held at Atlanta, Ga., in the fall of 1895; which was referred to the Committee on Appropriations.

Mr. VOORHEES presented a memorial of the Ministerial Association of Marion, Ind., remonstrating against the appropriation of Government funds to be used for sectarian purposes in the matter of education; which was referred to the Committee on Education and Labor.

He also presented a petition of the Ministers' Association of Marion, Ind., praying for the ratification of the proposed Chinese treaty; which was referred to the Committee on Foreign Relations.

He also presented a petition of Goodwill Commandery, No. 21, United Order of the Golden Cross, of Washington, D. C., praying that fraternal beneficiary societies, orders, or associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

Mr. BLANCHARD presented sundry memorials of wholesale and retail liquor dealers of New Orleans, Baton Rouge, Monroe, and Opelousas, all in the State of Louisiana, remonstrating against an increase of the internal-revenue tax on whisky, and also against an extension of the present bonded period; which were ordered to lie on the table.

Mr. LODGE presented petitions of 38 citizens of Brockton; of 14 citizens of Boston; of 5 citizens of North Easton; of 10 citizens of Holyoke; of 13 members of Roslindale Council, Royal Arcanum, of Roslindale, and of Council No. 835, Royal Arcanum, of Jamaica Plain, all in the State of Massachusetts, remonstrating against the passage of the proposed income-tax provision of the pending tariff bill; which were ordered to lie on the table.

Mr. SHERMAN presented a petition of 21 citizens of Painesville, Ohio, and a petition of 34 citizens of New Philadelphia, Ohio, praying that fraternal beneficiary societies, orders, or associations be exempted from the proposed income-tax provision of the pending tariff bill; which were ordered to lie on the table.

Mr. PLATT presented a petition of sundry citizens of Boston, Mass., praying for the abrogation of the Russian extradi-

tion treaty; which was referred to the Committee on Foreign Relations.

He also presented petitions of sundry citizens of New Haven, Meriden, and Wallingford, all in the State of Connecticut, praying that fraternal beneficiary societies, orders, or associations be exempted from the proposed income-tax provision of the pending tariff bill; which were ordered to lie on the table.

Mr. QUAY presented a petition of the Board of Trade of Philadelphia, Pa., praying for the enactment of legislation to legalize pooling by railroads; which was referred to the Committee on Interstate Commerce.

He also presented a memorial of Cigar Makers' Union, No. 100, of Philadelphia, Pa., remonstrating against an increase of the internal-revenue tax on tobacco; which was ordered to lie on the table.

He also presented a petition of the Board of Trade of Philadelphia, Pa., praying that Zante currants be placed on the free list; which was ordered to lie on the table.

He also presented petitions of H. M. Meyers and 19 other citizens of Beaver County; of D. Watson and 18 other citizens of New Castle; of Samuel Lynn and 27 other citizens of McKee's Rocks; of James L. Luke and 33 other citizens of Indiana; of David H. McKinley and 16 other citizens of Philadelphia; of Martin Schroeder and 36 other citizens of Pittsburg; of James W. Kitchen and 61 other citizens of Warren; of Wilfred S. Bailey and 22 other citizens of Allegheny; of J. M. Fontryinger and 32 other citizens of Carbon; of John W. Shetter and 90 other citizens of York County; of Thomas M. Wood and 14 other citizens of Pittsburg; of William Miller and 15 other citizens of Phillipsburg; of S. F. Jones and 17 other citizens of Belle Vernon, and of Bradford Council, No. 302, Royal Arcanum, of Bradford, all in the State of Pennsylvania, praying that the funds of mutual life insurance companies and associations be exempted from the proposed income-tax provision of the pending tariff bill; which were ordered to lie on the table.

Mr. BRICE presented a petition of the Board of Trade of Springfield, Ohio, praying that an appropriation be made for the Ohio Ship Canal; which was referred to the Committee on Commerce.

He also presented a petition of the Chamber of Commerce of Cincinnati, Ohio, praying that an appropriation be made for a national exhibit at the Cotton States and International Exposition to be held at Atlanta, Ga., in the fall of 1895; which was referred to the Committee on Appropriations.

He also presented a petition of the Builders' Exchange of Cincinnati, Ohio, praying that an appropriation of $25,000 be made for the purpose of determining the most practical and efficient route for a ship canal between Lake Erie and the Ohio River; which was referred to the Committee on Commerce.

He also presented a petition of the Chamber of Commerce of Cincinnati, Ohio, praying that an appropriation be made to establish fast mail privileges for communication to and from Cincinnati, corresponding with the service now had between New York and Florida; which was referred to the Committee on Appropriations.

He also presented a petition of Cigar Makers' Union of Mansfield, Ohio, praying for a reduction of the duty on wrapper leaf tobacco to $1 per pound, and also to increase the import duty on cigars from $3 to $4 per pound; which was ordered to lie on the table.

He also presented petitions of 37 citizens of Urbana; of 12 citizens of Delaware; of 34 citizens of Doylestown; of 32 citizens of Sterling; of 17 citizens of Steubenville; of 34 citizens of Geneva, and of Council No. 21, Royal Arcanum, of Toledo, all in the State of Ohio, praying that fraternal beneficiary societies, orders, or associations be exempted from the proposed income-tax provision of the pending tariff bill; which were ordered to lie on the table.

He also presented petitions of 47 citizens of Fremont; of 25 citizens of Crawford County; of 50 citizens of Crawford County, and of 50 citizens of Lucas County, all in the State of Ohio, praying that the funds of mutual life-insurance companies and associations be exempted from the proposed income-tax provision of the pending tariff bill; which were ordered to lie on the table.

He also presented memorials of 82 wholesale and retail liquor-dealers of various cities of Ohio, remonstrating against an increase of the internal-revenue tax on whisky, and also against an extension of the bonded period; which were ordered to lie on the table.

REPORT OF A COMMITTEE.

Mr. BATE, from the Committee on Military Affairs, to whom was referred the amendment submitted by himself, May 26, 1894, intended to be proposed to the legislative, executive, and judicial appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations, and printed; which was agreed to.

BILLS INTRODUCED.

Mr. VOORHEES introduced a bill (S. 2159) for the relief of Samuel B. Robertson; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BLANCHARD introduced a bill (S. 2160) for the relief of Flora A. Darling; which was read twice by its title, and referred to the Committee on Claims.

DISTRICT WATER MAIN ASSESSMENTS.

Mr. PROCTOR. I move that the bill (S. 970) to regulate water-main assessments in the District of Columbia be indefinitely postponed, as a House bill in precisely the same terms was passed yesterday.

The motion was agreed to.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. PERKINS submitted an amendment, intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

Mr. PEFFER submitted an amendment intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. TELLER submitted an amendment intended to be proposed by him to the deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. LINDSAY submitted an amendment intended to be proposed by him to the Post-Office appropriation bill; which was ordered to lie on the table and be printed.

CORPORATE INTERFERENCE IN ELECTIONS.

Mr. CALL. Mr. President, I gave notice yesterday that I would ask the Senate to take up for consideration this morning the resolution submitted by me some days ago relative to the appointment of a special committee to investigate the organized efforts of corporations to control elections of members of State Legislatures and members of Congress. It is by mistake on the Calendar as Order of Business 479. It is not properly upon the Calendar. When the resolution was previously called I asked that it be passed over retaining its place without prejudice, and I now ask unanimous consent for its present consideration.

The VICE-PRESIDENT. The morning business is closed. The Senator from Florida asks unanimous consent for the present consideration of a resolution which will be read.

The Secretary read the resolution submitted by Mr. CALL June 1, 1894, as follows:

Resolved, That a special committee of five Senators be appointed by the President of the Senate, who shall be charged with the duty of investigating the subject of organized efforts of corporations to control the election of members of the State Legislatures and of members of Congress, and to influence the legislation of Congress; also to investigate and report to the Senate whether corrupt means, such as bribery, free transportation, the subsidizing of newspapers, or the establishment of newspapers to be published in their interest, and distributed gratuitously through the mails for the purpose of affecting public opinion in respect to the official actions of Senators and Representatives; also to inquire and report to the Senate whether the existence of corporate organization for the purposes of influencing and controlling the election of members of the Senate and House of Representatives is consistent with the preservation of the Republic of the United States and the rights and liberties of the people.

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. CALL. Mr. President, this resolution is not intended to induce or advocate any extreme measures in relation to the policies or the economies connected with railway or other corporations. It is intended to develop such legislation as may be necessary to prevent the control of the government of the States and the United States by the great corporations of this country.

We are at this time face to face with some great social and economical problems which affect the perpetuity of our institutions, and menace more or less the existing industrial and political condition of the country. Amongst them none is more powerful than that system by which a few persons, largely the subjects of foreign States, under forms of incorporation, hold as their property a franchise for the distribution of all the products of labor and of land.

I am not one of those who favor a change in the shape of the nationalization of the private property right in this franchise for the distribution of all the products of labor and of land, and of the transportation of all the people from one part of the country to another, until it shall be imperatively demanded for the safety of the Republic, and all means of reasonable and wise control and regulations shall prove a failure; but I maintain that there is no possibility of preserving that private ownership except by the judicious and the reasonable exercise of legislative

power by the Congress of the United States, controlling, for the purposes for which those franchises were granted, the exercise of the right and power conferred in them.

The railway corporations of this country collect a greater gross amount of revenue than the national and the State governments. Mr. Edward Atkinson, in his address to the New York Chamber of Commerce, says:

An approximate estimate of the dealings in goods, wares, and merchandise of all kinds in a year of the present decade comes to $42,000,000,000, and it is evident that in all this volume of trade the railway corporations levy a tax also.

The requirements of States, cities, and towns for local self-government are greater than those of the nation. The revenue collected and substantially expended for local self-government in the several States in the census year amounted to $470,000,000. The expenditures of the National Government for its support, for the deficiency in postal revenues, and for the interest and pensions of the same year, was a fraction under $297,736,487. The proportionate expenditure, per capita, in 1890 was as follows:

For State and municipal purposes, secured almost wholly by direct taxation of property, $7.50 per capita. For national purposes, collected by indirect taxation, and therefore falling upon the consumers, $4.69.

These two sums combined amount to $12.19 per capita.

They control an army of 1,000,000 employés who depend for their daily bread upon the arbitrary will of the few persons who control this great property franchise. In no respect can there be a reasonable discrimination between the despotic governments of the world in the power of organization and in the power of maintenance of large bodies of men and the small number of persons who in the exercise of this right of private property possess a function equal to that of government, equal to that of any of the despots of Europe. None of those governments control an army of more than 1,000,000 men. None of them collect and disburse revenue in their own discretion sufficient for the support and maintenance of this great body of people.

Not less than 5,000,000 people, men, women, and children, depend for their daily bread upon the arbitrary will and power of the owners of this franchise, which practically holds the power of distribution of all the products of the land and the labor of this country.

It is obvious that this great power must be the subject of reasonable and judicious control if it is to be preserved. It is obvious that if it be permitted to control the electoral power of this country there is an end of private ownership of these franchises, unless we assume that the people of the United States are content to see the power of government lodged in a syndicate, an aristocracy of a few men, largely residing in and subjects of foreign governments, obtaining by chance or by the accidents of trade, or by successes in speculation, or by great ability for organization and administration, the control of this great franchise.

Mr. President, we have been spending months upon the subject of the methods by which there shall be an adjustment of the levy of tax upon eight or nine hundred or a thousand million dollars of the productions of this country exchanged into imports from foreign countries. The effect of this levy, its incidents, its immediate and direct influence, have been the subject of profound discussion and long debate.

But by what comparison shall we measure the importance of adjusting the levy of tribute or taxation upon a thousand millions of imports with that of levying a tax upon $42,000,000,000 on all internal trade and transportation vested in the arbitrary will and power of a few individuals, largely foreigners? It is obvious that the power of taxation, whether exercised by one person or another, the power of exacting tribute from production is the same in its effect.

Therefore, there can be to the reasoning mind no kind of question that here is a power which requires the exercise of profound statesmanship and control and regulation, reasonably and justly, if government by the representatives of the people is to be preserved. This form of government must unquestionably pass away if the power of taxation in any form or in any shape is permitted to exist without control and supervision by the Goverment.

I want the question investigated whether legislation is necessary to prevent the control of the elections by the railway corporations? In my personal knowledge within one State of this Union there is a combination on the part of the railway corporations to control the electoral power of the country. I state here in my place in the Senate of the United States that the owners of the stock and bonds of the corporations in the State of Florida are combined to control the electoral power of that State, and to control it by improper methods. I hold it to be my duty to the people of Florida and of the United States to ask for this investigation and to submit the proof which I have here before me, of an openly organized party of the employés of the corporations as a party organized to control the elections and the legislation of the State.

I have no reason to doubt that it is true of other States. There is a general outcry of the people in all parts of the country. If it is not true it ought to be disproved in a fair investigation now by this body.

The evidence of this attempt to control the political power of the Government will be found in the following publication:

THE RAILROADS ORGANIZING—EVERY EMPLOYE IN THE STATE TO BE IN IT—ALL MUST VOTE AGAINST A RAILROAD COMMISSION—MUST SUPPORT MEN OPPOSED TO ANTIRAILROAD LEGISLATION—THE BIG OFFICIALS ARE NOT IN THE PLAN—THEY ARE BEHIND THE SCENES.

During the next month every railroad employé in the State of Florida will be called upon to join a political organization to fight the movement looking toward the establishment of a railroad commission.

The first step in that direction was made Tuesday night. In the office of H. C. McFadden, chief clerk of the passenger department of the Savannah, Florida, and Western Railway, a score of young men met and temporarily organized. The young men present represented all of the railroads centering in Jacksonville, namely, the S., F. and W., F. C. and P., J., T. and K. W., and the East Coast line.

H. C. McFadden was chosen temporary chairman and Charles Acosta temporary secretary. A committee of five was appointed to draft constitution and by-laws. The committee was given a copy of the constitution and by-laws of the Railway and Employés Protective Association of the United States, which was organized in Savannah November 10, 1893. This organization will likely be under the same rules.

The officials of the railroads will not be admitted as members. They will remain in the background, as it were, and pull the wires. A resolution was introduced asking for the indorsement of the officials, but the resolution was voted down, for the reason that the officials do not care to stand up and be made targets of if they can help it.

The particular purpose of the organization in the State of Florida is to oppose the movement toward the establishment of a railroad commission.

The constitution of the Savannah organization, under which the Florida organization is to be perfected, says, under the head of "Objects," the following:

"The object of the association shall be to create, establish, and maintain harmonious relations between railway companies and their employés. To seek the influence of the press in behalf of a fair and equitable administration of the laws governing railroads and affecting their employés. To prepare and cause to be published, for the information of the people, articles soliciting their coöperation. To draft petitions and other documents for presentation to legislative bodies—national, State, and municipal—praying their earnest and impartial consideration of all subjects wherein the interests of railroads and their employés are affected. To exercise, as far as is practicable, an influence with such representative bodies or individual representatives, or those aspiring to represent, soliciting their coöperation in the interests of railways and their employés; urging that their deliberations on questions affecting railways be harmonious and not antagonistic to the railways and their employés."

"To restrain by our influence as much as possible legislation granting any committee, commission, or appointed body absolute control of railroads. To endeavor to have reduced, as far as practicable, the power of the railroad commission to make rules which unjustly discriminate against railroads and their employés. To encourage the enactment of laws that tend to lower taxation on railroads, and by which they will be allowed to earn a fair and equitable consideration for the service performed; thereby increasing their earnings and enabling them to pay their employés better wages, and to establish a basis of pay and working hours equally as satisfactory to the employés of the railroads."

"To exert our influence and support and to exercise our rights of franchise in favor of persons seeking public suffrage who will agree to support, encourage, and maintain these principles. A rule of the association provides that when a man leaves the employ of a railroad he ceases to be a member of the association."

I submit the question is or is it not a proper subject of investigation, whether Senators are to be elected here not by the influences which may properly be exercised by men of wealth, not by the reputation which they may justly acquire by the liberal and public-spirited use of their fortune, but by corrupt methods, by suppressing votes, by counting votes improperly and unlawfully, by controlling or influencing the judiciary of the country.

In the State of Florida a profound belief exists that methods are used to influence one of the Federal judicial tribunals of that State. I ask that this charge be investigated. It is due to those against whom the charge is made, and it is due to the officials upon whom such an imputation rests. If it be true, there should be such legislation as will preserve the right of the people to control and exercise the political power which is vested in them under our organic laws and our form of republican institutions.

I have here before me a book published upon the subject of railways in Europe. It deals with the subject of railway corporations. The book contains a statement which I will not take time to read, for it is not my purpose to consume a great portion of the time. This book is ably edited and published, and not with prejudice against corporations, recognizing their utility, as the reasonable mind will do, for they are nothing but individuals vested with certain powers constituting them persons in the law like natural persons and vested with certain rights and powers. They remain simply so many citizens of the United States or of foreign countries.

But in the interest of preserving in its efficiency the charter of the associations called incorporations for beneficent ends, here is a book which recognizes the fact that the political power of the country, even in the arbitrary countries of Europe, is dependent upon the proper regulation and control of this vast power which has changed the relations of commerce, which has rendered of no effect the customs and usages of trade and commerce, which has exalted one country and one region of country into a

position of prosperity and comfort and depressed another into poverty.

I quote the following extract from Railway Problems, a work by J. L. Jeans:

It is within the powers of railway boards to exalt one district and depress another at will. The prosperity of a district is not now, as formerly, to be measured by the equability of its climate, the fertility of its soil, and the laborious industry of its people, so much as by the high or low rates under which the railways by whom it is served allow it to reach the markets of the world. The same remarkable power can, and often does, stimulate the growth of industries in localities that are not naturally suited for their development, and tends to the destruction of once flourishing industries in localities which it fails to favor.

It comes then to this, that, next after land and house property, the railway interest is the largest and most important in the country. But it is superior to both of these rival interests in its profit-earning capabilities, yielding, as it does more than 4 per cent on the capital expended, against a possible average of 2½ to 3 per cent in respect of the others. The agricultural value of the land of the United Kingdom has been variously calculated. If it is assumed at an average of 20*s.* per acre, at the present time, it would be worth, at twenty years' purchase a gross sum of £1,000,000,000, being an average of about £26 10*s.* per head of the population. But the railways of the United Kingdom are now nearly worth the same figure.

At the end of 1885, about eight hundred and twenty million pounds had been raised and invested in our railway system, being within one hundred and eighty millions of the calculated total agricultural value of the land of the country as a whole, and averaging more than £23 per head of the population.

Russia is furnished with a larger proportion of private or companies' lines than almost any other European country. Out of a total of 19,348 kilometers of railway open in 1883, no less than 18,298 kilometers were the property of private concerns, leaving only 1,050 kilometers owned and exploited by the state.

The provisions made with a view to securing the proper construction and working of Russian lines are not greatly different to those that are enacted in other European countries. Concessions are granted by the government for the building of projected lines for a certain term of years, at the end of which period the lines revert to the state. There is a railway department carried on as a governmental bureau, in which the regulations and enactments under which Russian railways are administered are framed.

We have now seen that in all the leading countries of Europe alike the necessity of exercising more or less control over railways has been appreciated and provided for. In the United Kingdom the control so exercised is probably less strict—it is assuredly less irksome and inquisitorial—than in most other countries.

The supervision exercised by the board of trade in England applies mainly to seeing that the permanent way is in good order before being opened, that adequate provision is made against the occurrence of accidents, and that when accidents unhappily do occur, in spite of all precautions to the contrary, they shall be fully and fairly inquired into. But on the continent state control over even private lines generally goes a great deal further than this. The commissioners, inspectors, superintendents, police authorities, and others charged with the duty of keeping railway companies up to their duty and enforcing compliance with the laws relative thereto are continually pursuing their inquisitorial functions, watching over the persons in charge of the several departments, making frequent inspections of the permanent way and works, drawing up reports on defects of working or breaches of the law; and they are even authorized in some cases to call meetings of boards of directors, and in others to stop a railway that does not appear to them to have adequate provision for the safety of those who use or are employed on it.

We have also seen that the railways of England occupy almost an unique position, so far as Europe is concerned—so much so as almost still to justify the criticism made exactly forty years ago, that this is "the only country in the world whose Legislature has committed the singular imprudence of surrendering, without available conditions and for an indefinite time, its public communications into private hands." Has the evil become too deep-seated to be incapable of remedy? If not, how and from what source is the remedy to be applied? We shall consider this point more fully when we come to deal with some allied questions.

That is the power which holds the distribution of all products and of locomotion, or the power of removal from place to place of the whole of the population of the country, where they exist.

While I shall not detain the Senate to read extracts from this book, which I ask the liberty of publishing with my remarks if there be no objection, I am sustained in the proposition which this resolution contains by all the enlightened writers and reasoners upon these subjects of political economy and of governmental regulation which are to be found in these later days.

It seems to me an obvious proposition that something should be done, that railroad employés should not be permitted to organize themselves as separate organizations, not for their own protection, not for the regulation of their own wages, of which I heartily approve, but as a separate political power. If it be inconsistent with our public institutions and public policies to legislate in any respect directly against such organizations, it is certainly entirely within the reach and within the scope of our duties and our power to see that such laws shall be passed that those who own and control these great powers and these great corporations shall not be conspirators against the permanency of the Republic and the perpetuity of our institutions.

I shall ask the Senate to be allowed to print with my remarks in the RECORD such portions of the book which is before me, not abusing the privilege, and parts of the letters and evidence which I have here and portions of an address by me to the people of Florida, which is pertinent to this subject.

The value of these franchises increases with the increase of the population, and their power of taxation increases with the increase of population. They collect and disburse a revenue annually greater than the aggregate of the revenues of all the States and of the National Government, and control an army greater than the greatest of the military powers of Europe. If they should be permitted to add to this vast power the control of the elections in the States and to control the members of the Senate and the House, the Government will be an oligarchy, and its democratic and republican features will disappear.

That I may not occupy too much of the time of the Senate, I will print, under the consent granted to me, as a part of these remarks an address prepared by me to the people of Florida, containing statements of fact and expressions of my views on this subject in relation to the present attempts to control the elections of that State and the Democratic, Republican, and Populist parties in the interest of a corporation-rule party.

To the people of Florida:

The election for the Legislature in our State this year, and for a justice of the supreme court, are of unusual importance.

The senators elected will vote for my reëlection, or for the election of some other person to be Senator at the expiration of my term, three years from the 4th of March last.

The justice of the supreme court elected will sit in judgment upon the rights of the people to reasonable rates of transportation and to just and fair laws for their protection against extortion, the corrupt use of corporate power in elections by free transportation and bribery, and the important question whether there is any lawful authority for the gift of almost the entire soil of the State of Florida to citizens and subjects of other States and countries, depriving the people of free homes under the laws of the United States, and imposing without their consent a burden of taxation amounting to twenty and perhaps as much as thirty millions of dollars upon the people who now cultivate the soil and those who shall succeed them, as the purchase price of the land which the laws of our country give to them for free homes, subject only to the condition of their occupying and cultivating them.

The Legislature to be chosen this year will also be charged with the duty of deciding whether the people of Florida shall govern the State, elect their own officers, and be represented by men of their choice, or whether the citizens and subjects of other States, owning the great lines of corporations, shall through political conventions, constituted by the suppression of the votes of the people in primary elections and by false counts, nominate and, through the influence of party feeling and sympathy, elect them.

All these are subjects of the greatest importance. I have a right to have, and do have, a great personal interest in them, not only as a citizen of the State from my infancy to the present time, but also because the question of the approval or disapproval of my public action in defending the people against the corrupt use of corporate power and accumulated wealth will be made either by the election of Democrats who stand firm and incorruptible upon the people's side in this great contest or men pretending to be Democrats, but really the servants and instruments of the corporations and of the men who have accumulated great wealth by means of their power of taxing the people, who are seeking to control the State government and to overthrow the Democratic party and the principle of government by the people and for the people on which it is founded.

Our State will be the battle ground this year between the people on one side and on the other those who are seeking to subvert the people's government and Democracy and convert it into a government of privileged classes, in which the great body of the people are to stand "with saddles on their backs and bridles in their mouths," as Mr. Jefferson said, "for the privileged class to ride them with boots and spurs."

In every county in the State the land grant advocates and servants of the few men who own these great corporations will appear as candidates for nomination for delegates to nominating conventions and in primary elections, and for election to the Legislature. They will be supported very largely by the local newspapers of the State, which to a great extent are and will be in the control of this corporate power. Free transportation and advertisements to newspapers, and all the influences by which the people are sought to be overcome by bribes and corrupt methods, will be used.

I advise and recommend you, and all others, to make the issue plain and broad and unmistakable; to allow no man to receive your suffrage, either as a delegate or candidate, unless he is a man whose record is clear and beyond suspicion on the people's side; who is a man who can not be secretly bought or misled into betraying the people; who is a Democrat in fact, and not in appearance and by pretense.

I think it is due to the people and to me that my public conduct should be approved or disapproved, and the issue should be made in the election of Senators who will vote in the election of my successor. I am in favor of the people determining who shall be the Senator of the United States, and have the men who shall be elected to the Senate pledged and instructed

as to the person the people desire them to vote for. Let us have this understood and settled in the elections of this and the next two years.

"Be not deceived;" the political power of the State of Florida is an important factor for the people's protection, both in our State and our National Government. It may be used by the oppressors of the people to make them poor, to take away from their earnings, to make their families live in want and misery, to deprive their children of education, and to make the lines of their lives hard and miserable, or it may be so used that there will be abundance and contentment and brightness and joy in every household.

It must be made known to every intelligent voter in Florida and in the United States that to-day we stand confronted with a demand, and with an earnest and persistent effort, that the people of the State shall be deprived of the power of choosing their own officers and imposing taxes on themselves through representatives chosen by them, and that this power shall be exercised through bribery and corruption by the men who control and own the great corporations of the State.

The contest over the confirmation of Mr. George Wilson for internal-revenue collector of the State of Florida and Mr. H. W. Long for register of public lands, is distinctively a demand made by the owners of the great railroad corporations that they shall choose the officers who are to exercise and represent the Federal authority over the people of the State. A gentleman representing the power and accumulated wealth of the Standard Oil Company has been exerting all the influence arising from his great wealth with the Senators of the United States to confirm his demand for the confirmation of Mr. Wilson against the wishes of a great majority of the Democratic people of Florida and against the constitutional right and authority of a Senator chosen by the people of the State. He has been sustained in this demand by the representatives of the Louisville and Nashville corporations and of the Florida Central and Peninsular Railroad Company and of the Plant Investment Company. The records of the Treasury Department contain evidence of this fact, and besides it is otherwise known to Senators by the appeals which have been made to them.

These persons—if the conversion of the dry land of the State into swamp and overflowed land by the untruthful statements of agents of the Interior Department and the unlawful exercise of authority by the Secretaries of the Interior, in the approval of lists of lands under obsolete, antiquated, and expired land grants, be valid—own the soil of the State of Florida and have nullified the homestead laws of the United States, which grant free homes on the public lands to the people, and they now demand, not openly and boldly, but by secret and improper methods, by personal appeals through their agents and others, the appointment of Federal officers and the control of the political power of the State.

Of two of these great personages, who exercise as great dominion over the lives and fortunes of the people as a Roman proconsul of former days, I have spoken, from my place in the Senate, in terms of commendation and respect for their enterprise, and their leadership in the construction of public works, which might be made under proper administration useful to the people of the State. I still entertain for these persons sentiments of personal respect and consideration, and I shall do in future, as I have done in the past, all that is properly in my power to aid their enterprises and protect their just rights, but I shall oppose every effort which they or their agents and attorneys may make to demand more than their chartered rights as transportation companies.

Their demand for the overthrow of popular government and the denial of all the principles of the Democratic party I have thought it my duty to the people to oppose with all the influence and by every means which I could command. The wisdom and justice of my action in this respect should be approved or disapproved by the people of the State. Without their emphatic approval and their earnest and indignant condemnation of those who seek this overthrow of the people's government and of Democratic principles, all my efforts will have been unavailing and worthless.

The agents of this corporate power will claim to be Democrats; they will insist that free homes for the people on the public lands and reasonable rates of transportation are my hobbies, and that I have failed to accomplish them; they will claim they must be chosen for the Legislature without any avowal or pledge as to who they are to choose or vote for; they will declare that they will do whatever they ascertain the people desire them to do, and as to this they must be the judges; but all the time and always they will be the hired servants and agents of corporate power. "Ye must judge the tree by its fruits." "Men do not gather grapes of thistles, nor figs of thorns." "Eternal vigilance is the price of liberty."

I wish it known to the people that I am not the advocate or friend of extreme opinions. I am not the enemy of those who by fair and honest means have accumulated great properties. When they use them wisely and for the people's good I commend and respect them as faithful stewards of a great trust, but they must be subject to the laws and to the people's will. They must not seek to lay unholy hands upon "the ark of the covenant" of the people's liberties. They are only men, as we all are, equal under the laws each to the other and all to each.

In respect to the unlawful deprival of the people of their free homes on the public lands and to the unwise, wild, and reckless grant of dominion over the entire soil of the State to a few men, citizens of other States and largely foreigners, I have asked and do still insist that the question of the lawfulness and validity of their grants shall be submitted, at the public expense, to the decision of the Supreme Court of the United States, whose decision and mandate they as well as the poorest and humblest of the people must obey. It was to prevent and resist this submission to lawful authority that caused the corrupt methods to prevent my election, when the people demanded it by a great majority, three years ago.

It is to prevent this submission by the State of the rights of the men who own these great corporations of the State to take away from the people their free homes to the decree of the Supreme Court of the United States that the Democracy of Duval County were by fraud deprived of a vote in the pretended Democratic convention two years ago. It is to prevent this decision that a corporation newspaper has been established and is now published in Jacksonville. It is to prevent this that the enemies of Democracy and the people's government are already bringing out their candidates for the State senate; men who are known by their record to be in the interest of corporation rule over the people of the State; Democrats only in name, in truth enemies and traitors to the people and to Democracy. Let the real Democrats, the friends of the people, oppose them with candidates whom they know to be true Democrats in the sense of fidelity to the people and the people's right to rule; men who will respect the people's will in the election of a Senator and in respect to the public policies which the election this year in our State involves and represents.

More than this, these franchises being the subject of private ownership and deriving their value from their power of arbitrary taxation in the discretion of the owner, whether a native or foreigner, will draw to themselves, as they have already done to a large extent, the products of all the labor and the ownership of all the land. We shall have then the government of a privileged class, holding in their hands and in their ownership not only all the power of government, but also the ownership of land and the products of labor.

Land and labor and human energy are the sole factors of all social and political life. Whoever controls them, whoever can establish ownership over all land and labor, whether by the methods of war or its results of subjugation and slavery, or by commercial tyranny, or by financial policy, or by tariffs, imports, excises, embargoes, or restraints upon trade will be a Cæsar or despot and hold absolute power over a people in a condition of industrial slavery.

It is an immaterial or unimportant question whether this despot be one or many persons, whether the power be vested in a supreme and single head or in a class, it is the power of absolutism over the people, and it is not important how this result has been reached, whether by military power, by statecraft, by the tyranny of commerce and commercial and financial methods the condition of subjugation and depression will be reached.

All government institutions, policies, and political condition exist in idea, are founded upon thought. Invention and art are the creatures of science. Traditions, books, painting, and sculpture are but the methods by which thoughts are born and communicated from one man to another, and one generation to another.

The economies and institutions of our Republic are founded upon the idea that government is created for the protection of all men in the enjoyment and possession of life, liberty, and property—not upon the idea of the protection and preservation of the life, liberty, and property of a few, a part, a privileged class. Therefore, our organic laws declare that all power is vested in the people (all the people) for the protection of all in the possession and enjoyment of life, liberty, and property, and the later amendment of our organic law declares that "all persons born in the United States and subject to its jurisdiction, are citizens, and no State shall abridge their privileges nor deny them the equal protection of the laws."

That is, the institutions, policies and conditions, which power or law in our Government shall establish are subject to these supreme limitations and conditions for the exercise of all power under our institutions.

Our public policies have been centered upon the thought or idea of protecting each individual in his independence, in his opportunities, in his life, his property, his right and opportunity to acquire property, and in his ownership of land. The opposite of this principle, or condition, or policy, is the concentration of wealth and the opportunities of acquiring wealth and the ownership of land in a small number of the people. This has been sought to be avoided in all our declared public policies, but the individual ownership of franchises, combinations of individuals for associated ends, invested with corporate rights and powers, has been and is the established policy of our laws.

Under it the corporate ownership of public franchises has become the prevailing feature of our industrial and productive economies. A vast and wonderful increase of facilities for travel, trade, and commerce has been developed, and a concentration of wealth in individuals in the form of taxes drawn from the people and from the credit which rests on the right to impose future taxation, greater than has ever existed in the history of nations, has been created.

Under it the distribution of the means of subsistence on which the life of the 70,000,000 of our people depend has become the subject of private property by a few persons under forms of incorporation or association. A franchise for the distribution of all the products of the land and labor of the people is the private property of a few persons.

I do not seek to disturb this private property. This franchise, whether wisely or unwisely given, is not now under consideration.

The purpose of this inquiry is to seek for the means by which the ownership of this great franchise may be retained in private hands for the preservation of our institutions and for free government.

You ask me whether it is possible for the Democrats who are sincere and zealous followers of the party and loyal believers in its principles to succeed against the railway corporate power and its candidates, when all the election machinery and the execution of the laws relating to elections and returns is in their hands and subject to their control. I reply, yes. Success is neither doubtful nor difficult when the people are aroused and conscious of an attempt to deprive them of their liberties and their right to control their own Government.

The American people and their free ancestors, for many centuries have asserted their right to control the Government whenever they have become conscious of a determined effort to deprive them of it by tyrants or tyranny of any kind.

No man or set of men, however appointed, will be brave enough to encounter the swift and just punishment which an outraged people, observant of their conduct, will visit on those who seek by fraud to deprive them of their rightful power to control their own Government.

The means to be adopted to protect the people against such wrongs are to select everywhere committees of intelligent and unpurchasable Democrats, who will personally see that the votes of the people are correctly returned and counted, both in primaries and elections, and will further see that those who seek to carry elections by corruption and bribery shall be punished.

The Democratic party must be redeemed this year from the control of conventions constituted by the fraudulent suppression of the votes of the Democrats in primaries and by delegates selected by a few persons in the different counties, without the knowledge and consent of the majority of the Democrats in their respective precincts and counties, and from candidates nominated and elected by such methods; men who are not Democrats but are secretly advocates and supporters of corporation rule in the State and in the United States.

The State government and all the officers of the State, and her political power and influence, must be placed in the hands of Democratic people, and exercised and used for the benefit of the people, and not of the foreign owners of the transportation corporations of the State.

In the coming elections the greatest vigilance should be exercised. The people should attend their primaries and nominating conventions; they should require all delegates and candidates to make open and public declarations of their principles and opinions, and to pledge themselves faithfully to carry out the people's will and their pledges.

The person to be voted for as Senator by the State senators elected this year should be named by the people, and the delegates and candidates pledged to support such person and the issue made in the election before the people.

The following copies of letters on file in the Treasury Department in relation to the appointment of a collector of customs at Tampa, Fla., show the demand of three of the great owners of corporation franchises in the State for the control of the appointment of Federal officers in the State of Florida.

The fact that the same persons have been represented here by persons actively demanding the confirmation of Mr. George Wilson for collector of internal revenue, and the fact that the chairman of the so-called State Democratic executive committee is the attorney of the Plant Coast Line System, and also the fact that another and a proxy member of the so-called State Democratic executive committee is an official of the Louisville and Nashville Railroad Company, through its branch road, the Pensacola and Atlantic Railroad Company, all show the demand of these corporation owners for the possession and control of the political power of the State of Florida.

I have great respect for the President of the United States, and do not mean by the publication of the following letters to impute to him any kind of participation or any connection with this scheme of creating a corporation-rule party, but I wish to bring before the Senate and the people the mad and wild folly of a few men who seek, through agents as foolish as themselves, to array an army of employés in a corporation-rule party to attempt to dominate over the people of the State of Florida and of the United States, control their electoral power, and prescribe for them their legislative and executive policies. I acquit the great body of men of wealth of any participation in this scheme, but the torch may be applied by a single madman and the conflagration and explosion will be none the less certain and destructive. I would guard against and prevent it.

If it should succeed in the State of Florida, as it will not, and corporation rule over the people of that State be established, carrying with it ownership of all the land and all the labor, and the right of taxation, the object lesson will be too plain, and the political and social ruin inevitable and speedy. It is in the power of the people to control and direct our public policies in the paths of a safe, wise, conservative remedial legislation.

JACKSONVILLE, FLA., *June 12, 1893.*

DEAR SIR: I am informed that there is very considerable excitement prevailing in Tampa in regard to collectorship. Am now on my way there and shall probably remain a week. I expect to be in Washington in about ten or twelve days, and should be gratified if the appointment can be deferred until I have an opportunity to see the President in person.

Very respectfully,

H. B. PLANT.

Hon. HENRY T. THURBER,
Executive Mansion, Washington, D. C.

DECEMBER 24, 1893.

DEAR SIR: I took the liberty of wiring you last night, asking if it was necessary for our State executive committee to come to Washington again in reference to G. B. Sparkman's application for the position of collector of customs here and George W. Wilson's application for the position of collector of internal revenue. This I did because of information just received that Mr. COOPER, of the Second Congressional district, had indorsed Mr. Thomas Stockton for the latter position, and that Senators CALL and PASCO and Representative MALLORY had centered upon John T. Lesley for the former position.

We had anticipated the uniting of Senators CALL and PASCO and Representative MALLORY upon Lesley, but really supposed that Mr. COOPER would support Wilson. We did not know that it was really necessary, after our talk with Mr. Carlisle in November last; but you doubtless know whether we can accomplish any good by going. We really have no one else to whom we can go for advice, and if you will kindly write me on the subject it will be greatly appreciated.

As our committee had only asked recognition as against Senators and Congressmen in the appointments to fill those two places, and as neither Senator nor Congressman resides in the southern part of the State, nor within 200 miles of Tampa, and as both persons, as their recommendations will show, are eminently fitted for the places, respectively, we cherish the hope that this concession will be made to our committee. Any advice that you can give me will be highly appreciated and treated as personal.

Yours, truly,

S. M. SPARKMAN, *Chairman.*

Hon. HENRY T. THURBER,
Executive Mansion, Washington, D. C.

NOVEMBER 13, 1893.

DEAR SIR: Since meeting you last week I have had a talk with Mr. H. B. Plant in relation to the office of collettor of customs at Tampa, Fla., who expressed himself as being favorable to the appointment of Mr. G. B. Sparkman, and authorized me to say that his appointment would be perfectly satisfactory to him. He will, should it become necessary, make the same statement, and may call sometime during the present week to see you in regard to the matter. I have not had an opportunity, as yet, of communicating with Col. Duvall, of the F. C. and P. R. R. Company, but I feel confident that the management of that company is friendly to Mr. Sparkman.

In fact the attorneys for that company, Judge D. S. Wall and P. O. Knight, indorsed him, as the papers on file with the Secretary of the Treasury will show.

I thought it best to communicate the above to you, as in my conversation last week you mentioned a desire to know how they (C. M. Plant and Col. Duvall) stood with reference to their application of Mr. Sparkman.

Yours, very respectfully,

S. M. SPARKMAN,
Chairman Democratic Executive Committee.

Hon. HENRY T. THURBER,
Executive Mansion, Washington, D. C.

DECEMBER 4, 1893.

DEAR SIR: Since my last conversation with, and letter to, you in Washington, the Hon. John A. Henderson, vice-president and general counsel for the Florida Central and Pensacola Railroad, has indorsed in very strong language Judge G. B. Sparkman for the position of collector of the port here, and as the Plant Investment Company is also friendly to his appoint-

ment, of which I myself am personally cognizant, the two largest interests in Tampa are thus united in his behalf. Governor Mitchell, who had at first indorsed John T. Lesley, not knowing that the name of Judge Sparkman would be presented, has since written a letter very strongly indorsing Judge Sparkman in case Capt. Lesley's name is not considered.

From what the Secretary of the Treasury told us we presume the appointment will be made within the next few days; and that Capt. Lesley's name will hardly be considered. But it is rumored in South Florida that Senators CALL and PASCO may unite in recommending some one whose name has not yet been prominently mentioned in connection with that position. I have no means of ascertaining the truth of this, but if this is done I would like to have an opportunity of being heard on behalf of the State committee, provided, of course, the President desires further information.

Thanking you for your kindness and courtesy in the past, I remain,

Very truly, yours,

S. M. SPARKMAN,
Chairman State Executive Committee.

Hon. HENRY T. THURBER, *Washington, D. C.*

NOVEMBER 23, 1893.

DEAR SIR: When I wrote indorsing John T. Lesley for the position of collector of customs at Tampa, Fla., I did not know that the Hon. G. B. Sparkman would be a candidate. Having indorsed Mr. Lesley, I have felt that I could not with propriety write as I have wished to in behalf of Mr. Sparkman to your excellency. I am now informed that Mr. Lesley will not be appointed to the position. Under these circumstances I feel free to say that Mr. Sparkman's appointment to the position will give the greatest satisfaction to the business men at Tampa and to our people generally.

He is well qualified to discharge the duties of the office, and I do most cheerfully recommend and indorse him as being, in my opinion, worthy of public trust with marked ability and credit, and recently as judge of the sixth judicial circuit court his record was one both he and his friends have reason to be proud of. He has faithfully served the party in the capacity of chairman of the county executive committee and in every campaign he has championed the cause of Democracy and responded to every call of the party.

Mr. Sparkman has always been a strong supporter of your Excellency, and at the State Democratic convention held at Tampa in June of last year warmly supported by a very able speech a resolution indorsing you, and through him and his friends his county is now the banner Democratic county of this State. I have intimately known him from his childhood. He is a native Floridian, and there is no one in the State who is estimated more highly.

If your excellency sees proper to appoint Mr. Sparkman you will reward a true, deserving man, capable and willing to discharge his every duty, and by his appointment you will give a merited reward to him and his friends, who have steadfastly and loyally supported you both before and at the Chicago convention.

Very respectfully, your obedient servant,

HENRY L. MITCHELL,
Governor of Florida.

His Excellency GROVER CLEVELAND,
President of the United States.

DECEMBER 4, 1893.

DEAR SIR: Since my conversation with you in connection with other members of the State executive committee of Florida a few weeks ago in regard to the position of collector of the port of Tampa, Judge Sparkmen, whom a majority of our committee recommended, has the indorsement of the Hon. John A. Henderson, vice-president and general counsel of the F. C. & P. R. R. system, and also a letter from Governor Mitchell indorsing Mr. Sparkman in case Capt. John T. Lesley's nomination is out of the way. He had indorsed Capt. Lesley, not knowing that Judge Sparkman's name would be brought forth.

The governor, however, afterwards appointed Capt. Lesley to the office of clerk of the circuit court for this county, really for the purpose of putting himself in a situation that he might indorse Judge Sparkman. He also, about the same time, appointed Capt. Lesley's son to the clerkship of the criminal court of this county, both of which positions are very lucrative.

There is still another applicant for the collectorship, whose name we did not mention at our conference with you, viz, that of the Hon. J. W. Trammell; but he is also holding an important and lucrative position in the State, to which he has been appointed by Governor Mitchell.

Supposing that the appointment would be made within a few days, I thought best to mention the above matters.

Very respectfully, yours,

S. M. SPARKMAN,
Chairman of the State Executive Committee.

Hon. JOHN G. CARLISLE,
Washington, D. C.

[John A. Henderson telegram.]

MARCH 15, 1893.

Hon. JOHN G. CARLISLE,
Washington, D. C.:

I lived at Tampa thirty years, and know the personal and political standing of the candidates for appointment for collector. Sparkman is a Democrat, and the only one of them who has always supported your Administration. His appointment would be justifiable because of his personal fitness and long party services, and would be acceptable to the business interests and would strengthen the Democrats locally and all over the State of Florida where he is known and highly appreciated.

Yours, truly, JNO. A. HENDERSON.

JUNE 8, 1893.

DEAR SPARKMAN: I inclose you a letter for the President, which you will please present to him. It is my desire to be in perfect accord with your committee, because I feel that any steps taken by the committee in relation to any Federal appointments will be in the interest of the Democratic party of this State.

I hope you will protest against the appointment of Frank Clark for United States district attorney, Southern district of Florida. I join you in this matter.

Truly yours, H. L. MITCHELL.

Col. S. M. SPARKMAN,
Chairman Democratic Executive Committee of Florida,
Washington, D. C.

JUNE 8, 1894.

SIR: I take pleasure in saying that I am in perfect accord with the Democratic executive committee of this State in reference to Florida appointments.

The members of this committee, as a rule, are Democrats, and gentlemen of high character, and I hope that the recommendation of the committee may have due consideration at the hands of your Excellency.

Very respectfully,

HENRY L. MITCHELL,
Governor of Florida.

His Excellency GROVER CLEVELAND,
President, Washington, D. C.

JUNE 9, 1893.

DEAR SIR: I have just heard that you had been informed that I was unfavorable to the appointment of G. B. Sparkman to the collectorship at Tampa.

Now, I place but little reliance in such reports, and especially is this true in regard to Judge Sparkman. When I appointed Capt. Lesley to the clerkship of Hillsboro County I thought he would not after that be an applicant for the collectorship, and I so stated to him and at the same time stated I was a friend of Judge Sparkman and he a friend of mine.

That I felt a deep interest in the welfare of Tampa; that Sparkman would make a good collector and that his appointment would be satisfactory to the business interests of Tampa and if Lesley got out of the way, I should expect your assistance in pressing Judge Sparkman's appointment. Since that time I have had no occasion to change my mind, and sincerely hope that in case Capt. Lesley is out of the race, you will use your influence in pressing Judge Sparkman's appointment.

Yours truly,

H. L. MITCHELL.

Hon. S. PASCO, *United States Senator.*

H. B. Plant, president railroad company; H. M. Flagler, railroad company and Standard Oil Company; Col. Duval, representing Florida Central and Pensacola Railroad Company; Charles Dougherty, Thomas M. Shackelford, John A. Henderson, W. D. Chipley, and S. A. Jones all recommend Sparkman.

T. K. Spencer recommends Sparkman, and writes:

* * * Anybody WILK. CALL recommends will not give satisfaction. All recommended by CALL have been independents and disorganizers.

T. K. SPENCER,
Former Deputy Collector of Customs.

When we examine the representation which the five corporation rule persons, who control the majority of the so-called Democratic committee which met at Tampa, propose to allow the several counties, it is too plain for contradiction or even doubt that the means by which this is proposed to be done is by a packed convention, like that of 1892, in which the Democrats of the white counties are to be disfranchised by a suppression of their votes and by an unfair and exaggerated representation of selected counties, the control of which may be affected by a concentrated effort and by fraudulent means such as were made use of in Duval County in 1892, and against which the people revolted.

Thus it will be seen that the county of Hillsboro, with a population of 14,941, of which 6,502 are white males, and 1,645 are colored males, is allowed 28 votes: and the county of Jefferson, with a population of 15,767, of which 12,190 are colored, and 3,558 are white, of which 1,791 are white males and 5,922 are colored males, is allowed 24 votes, and the county of Duval 16 votes.

Duval County has been in the last several State elections a Democratic county, and by the census of 1890 has a population of 26,800, of which 11,970 are white and 14,830 are colored, of which 6,089 are white males, and 7,641 are colored males.

It requires the voters out of 1,700 white males to make Jefferson County Democratic and it requires voters out of 6,089 white Democratic males to make Duval County Democratic, but Jefferson County, where the colored people do not vote to any great extent, is allowed 8 more votes, or one-third more votes than Duval; that is, a voter in Jefferson is three times a voter in Duval. The county of Hillsboro by the census of 1890 has a population of 14,941, a little more than one-half of the population of Duval, yet she is allowed 26 votes in the so-called Democratic convention.

Thus the Democratic convention is to be constituted not on the basis of registered Democrats whose party relations are known and certified by the Democrats of each county, but by the count of the votes as returned at the last election. If such returns, for any reason of mistake or design, because of the interest of local candidates, or as in the Duval primaries in 1892, because of a concerted design of corporate power and interest to control the State through fraud in Democratic primary elections and county and State elections, then by this plan of the corporation-rule party mistakes, interest, or fraud are to be made the controlling factor of Democratic party power.

The Republicans sought to control the people by the colored vote and by a suppression of the white vote.

The design of the corporation rule people seems to be to control the Democratic party by a suppression of the white Democratic vote, and by an exaggerated count of the vote in the counties where there is a large colored vote and a small white vote. The proposition, therefore, of the corporation rule party is to seize the power of the Democratic people and the Democratic party by a suppression of the white Democratic voters. When we remember that two of the most active, aggressive, and wealthy Republicans of the United States are the instigating power of this corporation rule movement, it is easy to see that it has not

in view the success of the Democratic party and the perpetuation of its power, neither has it in view the success of the Republican party nor the Populist party, but is a railway corporation rule party alone.

The whole apportionment for the Democrats of the State is like this, and exhibits clearly the continued attempts of the same persons to establish corporation rule in the State by the suppression of the white Democratic vote and the count of the entire colored male population as Democratic voters. When we connect all these facts together and bear in mind that three of the great railroad corporation owners of the State are active, aggressive, and leading Republicans, and that a railroad and land grant official under whose manipulations nearly all of the land in West Florida and a great part of that in Middle, East, and South Florida has been taken away from the operation of the homestead laws, and the right of the people to their free homes upon it denied to them to the end that they might be forced to labor for years to pay the purchasers from the railroad companies such price as they might choose to demand, is a candidate for the State senate in one county, and another railroad official in Nassau County is also a candidate for the State senate, the people can no longer doubt that the public policies which are founded on the Democratic principle that government must be for the people, for the preservation of the people's lives, liberty, and property, and not for the preservation of the lives, liberty, and property of a small part of the people, and to this end, that all power must be in the people, and their will, expressed in the proper forms of law, must be supreme, is now being attacked and sought to be overthrown in our State.

The organization, secretly, of a railroad-corporation-rule party, claiming to be Democrats; the establishment of the Citizen, a corporation-rule newspaper, published at a great pecuniary loss in Jacksonville, and distributed gratuitously, under the name of a Democratic journal and professedly in the interest of Democratic rule, by three active, aggressive, and extreme Republicans, who own the great railway corporations in Middle, East, and South Florida; the publication of The News, another corporation-rule newspaper in Pensacola, under the name of a Democratic newspaper; the candidacy in several counties of persons known to be and to have been for some years not only in the employment of the railroad corporations, but devoted to their interests, and active agents in all things for the establishment of their rule over the people and over the Democratic party, prove conclusively the truth of this statement and the purpose to create a corporation-rule party and to use either and all political parties as they may be in power for their own personal ends.

All over the State we find, with few exceptions, the newspaper press subject to their control, and opposing every effort to emancipate the people from bondage to them, and compel from them reasonable rates of transportation, and to abstain from attempting by bribery, corruption, and fraud to deprive the people of their right to govern the Democratic party and the State.

I hope every voter in the State of Florida will read the following record of the disposal of the public lands of the United States in the State of Florida in denial and deprival of the people's right to free homes upon them, and when they read it remember that all this has been accomplished not by any legislation of our own State, for the Legislature has never granted any land to any railroad corporation except swamp and overflowed land.

The process of converting dry, arable land suitable for free homes for the people into "swamp and overflowed land unfit for cultivation" has been accomplished by the corporation agents through the Interior Department in Washington, and largely by some men now proposing to represent the people as a corporation rule party in the Legislature of Florida, and to perpetuate upon the people of Florida the burden of a great debt of many millions of dollars for the payment of purchase money for the homes which by the laws of the country are their own without money and without price.

This is the corporation rule party, which is intended to control the Democrats with a convention constituted of 24 votes for Jefferson County with 1,700 white males, and 16 votes for Duval County with 6,400 white males, and with a Legislature of corporation employés, attorneys, agents, sympathizers, and supporters in the name of the Democratic party.

The following list of lands does not include the land on the Atlantic coast, nearly all of which is claimed to be the property of the owners of certain railroad and canal corporations, to the exclusion of all settlers under the homestead laws:

DEPARTMENT OF THE INTERIOR, GENERAL LAND OFFICE,
Washington, D. C., April 28, 1890.

SIR: In compliance with your request of the 26th instant, relative to lands listed or approved to the State of Florida on account of the grant made by the act of May 17, 1856 (11 Stat., 15), for the Pensacola and Georgia Railroad Company, I submit herewith a statement, by counties, showing approximately the amount so listed.

Very respectfully,
W. M. STONE,
Assistant Commissioner.

Hon. WILKINSON CALL,
United States Senate, Washington, D. C.

Lands listed or approved to the State of Florida on account of the act of May 17, 1856, for the Pensacola and Georgia Railroad Company.

Name of county.	Acres.	Name of county.	Acres.
Calhoun	55,665.80	Liberty	11,050.35
Columbia	29,077.39	Madison	72,113.36
Gadsden	24,149.32	Santa Rosa	214,502.02
Hamilton	46,707.59	Suwannee	122,128.45
Holmes	74,245.69	Taylor	1,717.53
Jackson	117,776.02	Walton	316,068.17
Jefferson	9,902.43	Washington	166,960.24
Lafayette	5,814.28		
Leon	14,006.35	Total	1,273,890.99

The following table will show the land claimed by the Florida Central and Peninsular Railroad Company, represented by Mr. John A. Henderson in Florida and Mr. S. I. Wailes in Washington City, and now by Mr. Cuttings of New York, as principal owner, and Mr. Duval, president of the railroad company:

DEPARTMENT OF THE INTERIOR, GENERAL LAND OFFICE,
Washington, D. C., May 2.

SIR: Referring to your request of this day relative to the quantity of land reserved in certain counties under the act of May 17, 1856, making a grant of lands to the State of Florida to aid in the construction of a railroad from Amelia Island (Fernandina) on the Atlantic to the waters of Tampa Bay, with a branch to Cedar Keys, on the Gulf of Mexico, you are advised that an approximate estimate shows as follows:

	Primary limits.	Indemnity limits.
	Acres.	*Acres.*
Marion County	138,240	207,360
Hernando County	46,080	120,960
Sumter County	153,240	157,440
Polk County	39,360	84,480
Hillsboro County	80,240	104,800
Alachua County	37,440	126,720

These figures represent in the aggregate the actual quantities covered by the withdrawal made for the benefit of said grant within the counties mentioned without deducting therefrom the lands expected or in anywise lost to the grant.

Respectfully,
W. M. STONE,
Assistant Commissioner.

Hon. WILKINSON CALL,
United States Senate.

REPORT OF TREASURER INTERNAL-IMPROVEMENT FUND.

JANUARY 1, 1883

S. I. Wailes	$2,122.09
Do	829.94
Do	1,016.50
Do	2,855.45
Do	16,913.66
Do	10,096.52
Do	5,642.34
Do	240.00
Do	1,703.93
Do	126.48
Do	43.20
Do	209.14
Do	983.41
Do	25.00
Do	88.08
Do	148.28
Do	76.80
Do	228.00
	43,452.00

Page 155 of P. W. White's report as commissioner of immigration, 1881–'82:

INDEMNITY CERTIFICATES ASSIGNED S. I. WAILES FOR SERVICES IN ADJUSTING INDEMNITY CLAIMS.

	Acres.
No. 2	4,656.71
No. 5	5,102.07
No. 6	1,214.76
No. 8	1,677.92
No. 11	1,276.61
Special No. 1	1,013.96
	15,002.03
To which add	60,008.19
Total	75,010.22

$35,004.90.

Of the lands reported above as sold 70,782.97 acres were sold to Sidney I. Wailes for $47,601, on his account as agent of the State at Washington in adjusting land.

Page 156:

Three thousand six hundred and fourteen and sixty-six hundredths acres were sold to Williams, Swan & Earley for $4,518.91.

Page 154:

Entered by S. I. Wailes during years 1881 and 1882 under his contract with trustees for April 13, 1878, 21,604.03.

Note: For selecting lands.

On page 132:

Certificate No. 1, for 1,013.96 acres, being 20 per cent of the whole amount, was ordered to be assigned to S. I. Walles in consideration of procuring said certificate, he being entitled to 20 per cent thereof under his contract with the board of trustees.

On page 131:

November 1, 1881, the governor laid before board following patents for swamp lands received from the General Land Office, 24,461.50 acres. Said patents having been obtained through the agency of Sidney I. Walles, who under his contract with the board is entitled to 8 per cent upon all lands patented of selections made by the State prior to 1861, the said Walles is allowed to select the quantity of 1,956.92 acres, being 8 per cent of the lands so patented, in compensation for his services.

That the lands selected by Charles Pomeroy (clerk and agent of L. G. Dennis) in compensation for his services in procuring patents for 58,454.01 acres of swamp lands, which have not already been entered, be reserved from sale until the question at issue between said Pomeroy and L. G. Dennis shall be decided or until the further order of the board.

Note: Elsewhere it appears that 5,800 acres were so conveyed July 25, 1881.

Page 130:

That Sydney I. Walles be appointed agent of the board to select any further swamp lands to which the State may be entitled under the act of September 28, 1850, and that in compensation he shall receive 2 cents per acre for all lands selected by him and patented to the State, to be paid in lands at current prices.

Under this authority it is believed 7,000,000 acres have been selected at Washington, and this, at 2 cents an acre, would be $140,000 in land at current prices.

Page 130:

May 31. Governor laid before board swamp-land indemnity certificates, etc. Certificate No. 8, embracing 1,677.92 acres, assigned to said Walles for his services.

[129. Patent No. 21, Tampa district.]

Two hundred and fourteen thousand two hundred and seventy-one and seventy-six hundredths acres, selected prior to 1861, obtained through the agency of S. I. Walles; 17,141.76 acres Mr. Walles entitled to locate as his percentage, embraced in Tampa patent, No. 21.

Twenty-five thousand eight hundred and ten dollars and thirty-six cents, 20 per cent to S. I. Walles for his services, or 5,162.07 acres.

April 23, 4,639.51 acres to S. I. Walles for services.

Report of C. L. Mitchell, commissioner in 1885–'86, states:

Of lands reported above as sold, 32,546.76 acres were sold to S. I. Walles for $21,465.80 on his account as agent for the State, at Washington, in adjusting land claims under his contract with the trustees of October 16, 1878, and 29,547.53 acres were sold to John H. Henderson for $20,580.21 on his account as agent of the State for selecting swamp lands under his contract with board of trustees of internal-improvement fund.

Let us now add to this the private and personal interest of a few men in the alleged grant to the State under act of May 17, 1856, for the construction of railroads:

Mr. S. I. Walles, swamp and overflowed lands, 214,909.34 acres, at $1 an acre	$214,909.34
In money	140,000.00
Grant of May 17, 1856, for a railroad between Waldo and Tampa, 83,000 acres, valued at $3 per acre	249,000.00
	603,909.34
Walles	603,909.34
Johnson, of New York, 85,000 acres, $3 per acre	255,000.00
Edwin N. Dickinson, esq., 350,000, at $3 per acre	1,050,000.00
S. I. Walles, 1881–'82:	Acres.
Indemnity certificates assigned for services	75,010.22
Sold S. I. Walles, on his account as State agent at Washington in adjusting land	70,782.97
1881–'82. Entered by S. I. Walles, under his contract with trustees of April 13, 1878	21,664.03
Certificate No. 1, being 20 per cent of whole amount for recovering same under his contract with trustees	1,073.96
	168,531.19
Nov. 1, 1881. Eight per cent of patents	1,956.92
July 25, 1881	5,800.00
	176,288.11
May 31. Indemnity certificates assigned S. I. Walles, agent at Washington	1,677.92
Assigned Mr. Walles for services	17,141.76
To Mr. Walles, $25,810.36, in land	5,162.07
April 23. Mr. Walles, for services	4,639.51
Total	214,909.37
	Acres.
The total area of Florida is	35,713,600
There has been granted by the United States:	
The internal-improvement act, 1845	500,000
Swamp lands surveyed	18,131,345
Swamp lands unsurveyed (estimated)	7,000,000
School purposes, act 1845	908,503
University grant, 1845	92,000
Railroad grants, 1856	2,275,570
	28,907,418
Balance for settlers under the United States	6,806,182

Only about one-sixth of the State, which was practically all Government land when this policy began!

The approximate amount saved by this bill is 695,040 acres on the Pensacola line, and 576,000 acres on the Waldo-Tampa line.

I appeal to all good Democrats, all good citizens, all true men, who believe in free government, and the people's right to happiness and comfort, and to the protection of their lives, liberties, and property, to arouse themselves, to organize, to be wide awake, to consider carefully the men who ask them for their suffrages, and to vote for no man, for delegate to conventions or for candidate for any office, who is not known to be opposed to corporation rule, who is not faithful to Democracy and to the people, and who is not incorruptible.

The weapon with which your enemies will assail you is money in all the insidious forms of corruption and bribery. The power of the newspaper press will be hired to defame, disparage, and belittle all your true friends, and all who value the Democratic party and its principles above corporation rule and the monopoly of all the sources of wealth and property, through land grants and rates of freight and transportation, by a few men, having no acquaintance with the people and no interest in their advancement and happiness.

Let me bid you, then, awake, organize, and send men to your Legislature and to all public offices who, like the fifty-two true Democrats and faithful friends of the people in the Legislature of 1891, will pass through the temptations and wiles of the enemies of Democracy and republican government harmless, unscathed, and unsuspected.

I ask, if there be no objection to its consideration, that the resolution may be now voted upon.

The VICE-PRESIDENT. The question is on agreeing to the resolution.

Mr. SHERMAN. I should like to have the resolution again read.

The Secretary again read the resolution.

Mr. HILL. What is the proposition, Mr. President.

The VICE-PRESIDENT. The question is on agreeing to the resolution submitted by the Senator from Florida which has just been read.

Mr. HILL. I have no objection, of course, to the consideration of the resolution if the Senator desires to have it considered now.

The VICE-PRESIDENT. That is the request of the Senator from Florida.

Mr. SHERMAN. Mr. President, I do not intend to object to any inquiry relating to fraud in the election of Senators or Representatives, but I appeal to the Senator from Florida whether a sufficient foundation has been laid for a broad and general investigation into the conduct of the Legislatures of the several States in the election of Senators. It seems to me that no such foundation has been laid.

If the Senator wishes to examine into anything which has occurred, or is alleged to have occurred, in Florida I should not at all object; but it seems to me the resolution is too broad in making a general declaration of this kind, or in making a particular declaration as to fraud extending over the whole United States.

I do not think, so far as the State where I live and the States surrounding that region are concerned, that there is any influence exercised by corporations directly or indirectly in the elections of Senators or Representatives. If there is such an influence exercised in the State of Florida, and the Senator says so, I should be willing to vote for an investigation with great pleasure, and should be willing to punish corporations or individuals for any misconduct done in respect to elections of Senators and Representatives.

I do not like to see these broad and sweeping declarations made against the whole people of the United States, as if our people were using corrupt means in their elections. If such was the case, it would subvert our republican form of government. It is a bad sign when such sweeping and broad allegations are made, and they should never be made unless there is some foundation for such accusations.

If anything has been done in the State of Florida by corporations or others which is wrong and improper, and if the Senator will confine his resolution to an inquiry into that subject, I should be very glad to vote for such a proposition, and if any foundation can be shown for it, I should be willing to make it even broader than that. Still, the power of the Senate is on the other side of the Chamber, and if they desire to examine into elections all over the United States, I do not know that I care much about it; but it seems like making accusations against ourselves, as if in some way or other we held our seats here by fraud. That could not occur except perhaps in a particular case, and when that case is presented it ought to be examined into.

As I have said, if there has been anything wrong in the Florida elections at any time and the Senator from Florida says so, his word is enough for me; and I should vote for a committee to investigate that particular offense; but to order, without specific allegations, a broad and general inquiry of this character, I do not think is proper.

Mr. CALL. I desire to say, in reply to the Senator from Ohio, that there is no charge of fraud against anybody in this resolution. There is an allegation that there is ground for inquiry in respect to organized efforts of the railroad corporations to control the State of Florida. I said in my remarks that

one reason was that corporations were organizing there, not because of what had been done, not as to fraud which had been committed, but as to remedial legislation, to prevent the influence upon elections of corporate bodies, organized for that purpose, and acting in that direction.

I make no charge of fraud in any State Legislature; nor do I desire to investigate any State election that has occurred or any legislative election. The resolution raises the question whether it is to the interest of any political party and to the perpetuity of our institutions that there should be a corporation-rule party, organized at the instance and with the money and power of corporations, which are chartered for business purposes and for business purposes alone, not in the interests of one party or the other.

Mr. President, the time has now expired in which we agreed to discuss the resolution, and I ask that it may go over, retaining its place.

The VICE-PRESIDENT. Is there objection? The Chair hears none, and it will be so ordered.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 21st instant approved and signed the act (S. 513) granting the use of certain lands in the Hot Springs Reservation, in the State of Arkansas, to the Barry Hospital.

THE REVENUE BILL.

The VICE-PRESIDENT. The hour of half past 10 o'clock having arrived, the Chair lays before the Senate the unfinished business.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4864) to reduce taxation, to provide revenue for the Government, and for other purposes.

Mr. ALLISON. I offer an amendment to the pending bill, and ask that it may be printed.

The VICE-PRESIDENT. It will be so ordered.

Mr. HILL. Mr. President——

The VICE-PRESIDENT. The Chair will first state the pending question, which is on the amendment proposed by the Committee on Finance, which will be stated.

The SECRETARY. In section 54, line 22, after the word "property," it is proposed to insert "owned;" so as to read:

And income from all property owned and of every business, trade, or profession carried on in the United States by persons residing without the United States.

The VICE-PRESIDENT. The yeas and nays have been ordered on the amendment. The Secretary will call the roll.

Mr. HILL. Mr. President, there is no objection to that amendment. I ask unanimous consent that the call for the yeas and nays may be withdrawn.

The VICE-PRESIDENT. Is there objection to the request of the Senator from New York? The Chair hears none. The amendment will be considered as agreed to, in the absence of objection. The next amendment reported by the Committee on Finance will be stated.

The SECRETARY. In section 54, line 24, after the words "United States," it is proposed to strike out "and not citizens thereof."

Mr. HILL. Mr. President, yesterday may well be known in the future history of this country as Populist day. The distinguished Senator from South Dakota [Mr. KYLE], recognizing the fact that one of the leading principles of his new party was at stake, led off in an elaborate speech in favor of the principle of a graduated income tax, and the distinguished Senator from Nebraska [Mr. ALLEN] brought up the rear in defense of the same principle. It was entirely fitting that the beginning and substantially the end of the debate should have been had by those distinguished Senators, who peculiarly and especially represented that principle now proposed to be adopted by an American Congress.

The time, in my judgment, was not wasted, especially from their point of view. Their platform had been attacked, not ours; their particular principle was at stake, not ours. It was their peculiar province to vigorously and zealously defend that principle, and they did so ably. I listened to them with great attention. It was therefore, I say, proper that they should have monopolized a large portion of the time yesterday.

Mr. President, there may never be such an opportunity for them again. It was right to improve it. There may never occur again a time in the history of this Government when one of their principles will occupy so much of the public attention and attract so much of interest as it did yesterday.

They have succeeded in doing what? By manipulation, by negotiation, by argument, by entreaty, by something, possibly by reason of its own intrinsic merits, they have managed to incorporate in a Democratic reform tariff bill one of the essential principles of their party. They undoubtedly naturally feel proud of the success of their efforts. I do not begrudge them their victory. I differ with them in regard to the propriety of the tax itself, but I am willing that they shall have all the glory which attaches to the triumph.

It was suggested to me by one of the friends of the Populist party the other day as a reason why this principle was interpolated in the bill that he was afraid that if it had been placed here upon its own merits it might either have been abandoned by its Democratic friends, or else if it did pass it would meet with the President's veto. That may or may not be the true reason why it was attached to this measure. Certainly the friends of free coinage, the friends of those who believe in the coinage of the seigniorage, the friends of the repeal of the State bank tax have not seen fit to adopt any such tactics. Those principles have been allowed to pass by, those principles have been sacrificed. There has been no attempt to place them upon the pending bill in order that they might compel the President to approve the bill with those principles in it, but it has simply been adopted so far as this one Populistic principle is concerned.

But before commenting further upon the speeches of those distinguished representatives of the Populist party made on the great Populist day of yesterday, especially devoted to their interest, I desire to speak a few words in regard to other remarks which were made yesterday in favor of the income-tax proposition. I always like to hear the speeches of the distinguished Senator from Colorado [Mr. TELLER]. He always speaks ably, earnestly, and I think sincerely; and I do him the credit and justice to say that he endeavors to present those arguments which will convince his hearers. He wastes no time in claptrap; he proceeds directly to the point involved. He did not resort to the subterfuge of claiming that this is intended simply as a temporary policy of the Government.

He repudiates the suggestion made by the distinguished Senator from Maryland [Mr. GORMAN] that it is intended simply as a temporary expedient. True to his nature and his course in the Senate in the past, he boldly says he favors it as a permanent policy of this Government, and not simply to meet an existing emergency, although he says it is necessary for that purpose. But he goes further, and says that it is a just tax; that it is an equitable tax; that it is a tax which ought to be incorporated in the fiscal system of this great Republic of ours.

Mr. President, the Senator from Colorado has assumed to do what no one upon this side of the Chamber has endeavored to do. He has endeavored to convince us and to convince the country that these moneys are actually needed for the benefit of our Treasury. I do not so regard it. I believe—at least that is the Democratic hope—that the tariff bill, as soon as it may go into operation, will produce almost sufficient revenue from the tariff articles alone, aside from the income tax, to produce enough money to run the Government. That is the Democratic theory of the bill. Of course the Senator from Colorado attacks it. He has submitted to you a statement which of course attacks the policy of our side.

In defense of the scheme of income taxation he has to say that you have reduced the rates so much or have not reduced them sufficiently to produce revenues enough to support the Government. It was the Democratic theory when the bill was first suggested that there should be a sufficient reduction of tariff duties in order to realize enough money to support the Government economically administered. It was believed and predicted that that reduction could be so effected that by reason of increased importations there would be more than enough realized to support the Government. But, according to the argument of the Senator from Colorado, made sincerely here, we are shown this is to be the fact, that the Democratic party has not reduced the duties sufficiently or has framed the bill in such a form and such a way that you have simply substituted for revenue duties income-tax duties.

We have labored for years, in season and out of season, to convince the country that the tariff is a tax, and now we have convinced them not only that the tariff is a tax, but that it is an income tax which we are after. What good is it to the country to substitute simply one form of taxation for another? I thought there was to be a reduction of tariff taxation of some account. I supposed that by reason of the reduction there would be such increased importations that a sufficient amount of money to meet the needs of the Government would be realized. But it seems I was mistaken; it seems that this side of the Chamber was mistaken; it seems we have been making false appeals to the country, and now we are asked to accept the explanation of the distinguished Senator from Colorado. It may or may not be accepted by our friends upon this side of the Chamber.

Mr. President, I hold in my hand a statement of the condition of the Treasury on the 31st day of May, it being the last statement which has been presented to the public. It shows that

there was a cash balance in the Treasury on the 31st day of May, 1894, of $117,854,355.85. I am not prepared here now to point out particularly how much of this is intended for gold reserve. I am here simply to say that the Treasury is not bankrupt. I am here to say that you have a surplus in your Treasury to-day. I am here to say that if your tariff bill is worth anything at all it ought to bring, by reason of revived conditions of trade and by reason of increased importations, sufficient money into the Treasury to support the Government.

When the five years shall have elapsed and your income tax expires by its own limitation, how are you then to support the Government? From the argument of the Senator from Colorado you will have nothing to support it; you will be running in debt. Is that the feast to which we are invited; is that the spectacle we are to witness? Are we not making a tariff bill which we will expect to last for a long number of years? In making such a bill, is it not our duty toward our country to make not only a tariff bill which will be acceptable to-day, but which will be acceptable and satisfactory five years from now, aye, ten years?

The bill which we ought to pass here should not be disturbed for many long years to come. We should realize the important fact that we are legislating not only for to-day, but for to-morrow and for many years to come. As I said a few days ago, I am opposed to this temporary policy. Let us make a bill which will last, which can stand criticism, and which will meet the demands and needs of the Treasury for years to come.

There is nothing in the argument that the needs of the Treasury require an income tax. No one has ventured here to dispute the statement of the distinguished chairman of the Finance Committee in his first speech, when he showed that there was about $3,000,000 surplus, even according to his own figures, and without the income tax. These figures were based upon the importations of 1892-'93, when trade was depressed, when prosperity did not abound in the country; and it is our hope, it is our belief, it is the Democratic creed, at least, that by reason of revived trade and the prosperous conditions of the country the law will produce more than sufficient revenues for the support of the Government, throwing the income tax aside.

Mr. President, the same distinguished Senator entered an emphatic denial that many features of the proposed law are inquisitorial, or said that at least they are not any more inquisitorial than the statute laws of many of the States. Mr. Carlisle, the Secretary of the Treasury, in a recent interview admitted the inquisitorial features of the tax. It is claimed now that they have been somewhat modified. In his annual report he suggested a certain income-tax measure which was intended to avoid inquisitorial features. He did not recommend an individual income tax. He recommended simply a tax upon corporate investments.

In one form you might consider it a corporate tax; in another it is an individual tax, but a tax upon investments made in corporations. His argument is that a man's investments in corporations are inevitably more or less public. All corporations publish annual or quarterly statements of their affairs, and they do so voluntarily or are required to do so by law. The theory of the measure which the Secretary recommended is, that if a business man should be required to exhibit his investments in corporations, there would be no unusual or undue publicity. There is force in that suggestion. There is some reason why there should be, in that view of the case, simply a tax upon corporate investments. The Secretary, in his annual report, says:

> The assessments or returns need not be based upon information extorted by the law from the persons charged with their payment, but upon the public records and the regular and authentic accounts of the corporations and companies in which the investments have been made; and they have the additional merit of being imposed entirely upon that part of the citizen's income which is not earned by his labor or skill, but which, in the cases of legacies and successions, is acquired by mere operation of law or by gratuitous bequest, and in the case of incomes from investments in corporations and joint stock companies, by the simple earning capacity of his capital as such, without personal effort upon his part.

Secretary Carlisle, the distinguished financier of the Democratic party in its great crisis, a gentleman in whom we all profess to have implicit confidence, did not venture to recommend this individual income tax; he did not venture to recommend a tax upon labor or the skill of man. He simply recommended a tax which would not be inquisitorial in its features. He simply recommended a tax whereby whatever moneys should be invested in corporations might be taxed, and as those investments were more or less a matter of public concern and were open more or less to the public eye, there could be no harm in taxing those. That was the argument. That was the tax that the President of the United States recommended. It is not this tax. It bears no comparison to it.

The same distinguished Senator spoke of the custom-house inquisition. Mr. President, in the first place the custom-house inquisition is more or less a matter of absolute necessity. It was of course established many long years ago, and related only to foreigners or passengers coming into our country. Those were the good old days before half of America went to Europe and then returned again, and it was a procedure imposed upon foreigners coming to this country. The Senator has been abroad unquestionably and has come back into the country, and he knows, as he must know, that these investigations are more or less a mere matter of form. There is the most casual examination possible as a rule.

Mr. TELLER. Will the Senator from New York allow me to say that I made no complaint of the customs laws in that particular?

Mr. HILL. It was an illustration.

Mr. TELLER. I merely mentioned it as an illustration that while they are objectionable and offensive to a great many people, they are absolutely necessary for the collection of the revenue, and on that ground defensible.

Mr. HILL. I am not seeking to defend them especially upon the ground of absolute necessity.

Mr. TELLER. They are necessary.

Mr. HILL. But they are more or less a matter of form. They are not so bad as they are called, because in nine cases out of ten the customs officials can tell who are honest and genuine bona fide passengers coming to our country, and a hasty examination of the trunks is all there is to do usually.

Mr. President, the necessary inquiries which must be made at the custom-house do not furnish, it seems to me, a sufficient argument why an income tax should be placed upon the statute books of the country whereby every person who pays the tax can be at almost any season of the year summoned before a collector or a deputy collector and put through a series of questions.

Mr. President, a great deal has been said about the enormity of tariff taxation. I call attention to the remark made by the Senator from Colorado [Mr. TELLER] when he said—and I agree with him in that particular—

> There is no government in the world whose citizens feel the hand of the National Government as lightly as they feel it here. Nobody has felt its burden.

That is substantially true. That is because your taxation has been indirect. That was the taxation recommended by Thomas Jefferson. That is because it has been unseen substantially, and unfelt for a long number of years. Yet the proposition is (and to a certain extent the Senator from Colorado joins in the demand) that you substitute for this unseen, almost unfelt, taxation, direct, inquisitorial income taxes.

Mr. PEFFER. A tax that is felt.

Mr. HILL. It is proposed to substitute it for a tax that is felt. I accept that suggestion.

Mr. President, I do not see the logic of that argument. I think it convicts itself of inconsistency. If tariff taxes have been unfelt for so many years, if nobody has felt their burden, if they have been paid almost cheerfully by the people of the country, then I see no reason why you should turn around and substitute other taxes in their place which will be felt.

But, it is said that the citizens of my State and of other States will evade this tax, will possibly perjure themselves to avoid its payment. I do not claim that the citizens of New York State are any more honest or more anxious to pay taxes than the citizens of any other State in the Union. Human nature is the same everywhere. The history of the world proves that oppressive and odious taxes will be evaded. History proves that men will take questionable means to avoid their payment, especially if the whole community sympathizes with them in their effort to evade the taxes. My people will do no more than the people of North Dakota and the people of Nebraska or the people of Colorado. They will pay them as honestly and cheerfully as the people of those States, although they will pay ten, twenty, thirty times as much. There will be some perjuries. There will be some evasions. There will be some efforts, of course, to avoid these taxes.

Mr. President, there need not necessarily be perjury *per se*. This tax can be evaded—evaded in what manner? Let me call your attention to certain provisions of the bill. In estimating the gains and profits of a person these are the things which must be included:

> The amount of sales of live stock, sugar, cotton, wool, butter, cheese, pork, beef, mutton, etc., * * * being the growth or produce of the estate of such person, less the amount expended in the purchase or production of said stock or produce, and not including any part thereof consumed directly by the family.

Then it provides that—

> In computing incomes the necessary expenses actually incurred in carrying on any business, occupation, or profession shall be deducted.

What field does this leave open to every man engaged in a large producing business, in the raising of live stock, in the raising of sugar, in the making of butter, and in operating large farms—to men engaged in these extensive industries? He has a

right to deduct all his expenses, the amount expended in the production of these articles, and the amount expended in his business. Who is to judge of the propriety of this expense except largely himself?

Is there any reason why a gentleman of wealth with a great stock farm, having a large family of boys coming up between 18 and 25 years of age, shall not give them a large salary upon the ground of services rendered in the raising of cattle, in the raising of wool, in the raising of cotton? Can he not give his wife a salary, too? Can he not give it to his hired man, his nephew, living with him? Can he not have an arrangement with those people whereby he has some drawbacks?

You may say these are dishonest practices. They are practices that can not be detected. Are you to summon a jury to have it determine in every case of an income tax whether these charges and expenses are excessive or not? Is the question of the good faith of the man to be determined by a jury or by some other form? Are you not obliged to accept his statement, substantially, as to the amount of those expenses? Otherwise, sir, you will be engaged in litigation all the while.

It opens a door to fraud. Men can make their expenses what they please, and they will make them large if thereby they can escape this tax. No other form of taxation opens up this field, unless it is some of this infamous ad valorem custom-house taxation, where the business men are in the hands of the experts, and the experts differ, of course, greatly, honestly or unintentionally, and sometimes intentionally. But aside from that there is no field of taxation that can be devised which opens up such opportunities for fraud and evasion, and it is fraud and evasion for which there is no proper remedy.

Mr. President, you will pardon me for suggesting that I notice the word "cotton" is in italics. It seems that the other House in framing this measure omitted to provide for any income tax upon the profits raised from cotton. Of course it was an inadvertence. Of course there was no effort made to make the bill sectional, and our fair-minded Finance Committee here, embracing the interests of the whole country, with patriotic ardor seized the opportunity to put in this great product of the South.

Therefore, we find inserted in the bill in italics "cotton." Possibly it may have been omitted because our planters in years past have not been making any money, but when we shall have this bill in complete and full operation everybody is expected to get rich, cotton planters and all; everybody is expected to have large incomes; and, therefore, it was very proper that cotton should be enumerated with sugar, and wool, and butter, and cheese, and all the other products of the country. It came a little late, though, that suggestion about cotton. Cotton almost got left out.

Mr. President, right here let me speak a word about the exemptions of this bill. We are not starting out upon a new experiment in one view, and in another we are. There are income-tax statutes in other countries. It is true there are none in a republic. That is just simply a little circumstance that has happened, that a republic never had an income tax except during a war. But Prussia has one, Denmark has one, Austria has one, and England has one. All monarchical governments have one to extort moneys from an unwilling people. Prussia's exemption is $225, Germany's from $70 to $600, Denmark's $215, Austria's $113, England's $750, and ours here as now proposed is $3,000.

Mr. President, why is there this distinction maintained so zealously and earnestly in the bill? What ground exists why there should be this exemption? Senators who have discussed this question have evaded it. There is not one of them who has addressed the Senate who has endeavored to defend this exemption or to point out why it should exist. Can it be possible that it is intended to represent the difference in wages, the difference in the cost of living between this country and England and those other countries? It has been denied over and over again that there was very much difference in the cost of living and very much difference in wages; and yet it is proposed to make a difference between the amount of $750 and $3,000.

It is true that what $750 will answer for an Englishman in England it requires $3,000 in America to purchase the same comforts, to live in the same manner, to enjoy the same privileges? I say this large exemption is a "give away" upon all we have been claiming and clamoring for during so many years. We have been saying, of course, that the expenses of living in this country were somewhat larger. We have been contending, and properly so, that wages were higher in this country, and I am very glad to know that fact; that our workingmen live better in this country than they do in England and those other countries, and that there are many hundreds of dollars difference in the expenses of living; but, sir, there is no such difference as $750 and $3,000; $750 and $1,000 would represent the true difference.

Mr. President, if this bill passes it has got to be defended before the people, it has got to be defended by Democrats everywhere; and I suggest to your own good judgment, in the interests of honest legislation against class legislation, in the interest of the party that enacts it, that you shall make this bill the least objectionable possible. The higher you make your exemption the harder it will be to defend the bill. It represents more than the mere cost of living. Three thousand dollars exemption, what a large amount this is!

Let me quote from what a distinguished gentleman, who has given his lifetime to the study of these economic questions, says upon this subject:

> The authors of the proposed income tax now before Congress especially proclaim that the chief object sought by them in this measure is to transfer the burdens of the State from the shoulders of the poor to those of the rich. It is, therefore, interesting to note where they propose to draw the line in respect to charity and as to the amount of property the possession or enjoyment of which, in their opinion, constitutes riches.
>
> If we assume 5 per cent as about the present annual average profit on money, land, or other property in the United States over and above all charges and taxes, then an exemption of $3,000, in an assessment under an income tax, would represent an accumulation, or business, or profession of the value of $60,000.

Sixty thousand dollars put out at interest at 5 per cent brings $3,000, and yet it is proposed to reach the rich by the bill and exclude the poor. It has been said that New York is built up of wealthy men. We have millionaires there; we have men in moderate circumstances, but, sir, a man with $60,000 invested at 5 per cent is considered fairly well off in New York or in any other State of this Union. He is a rich man out in Kansas, is he not, I ask the Senator from Kansas? I say to you right here that it is hard to find now good investments at 5 per cent. I but speak the sentiment of the business community when I say that good investments at 5 per cent are rare. They are difficult to find.

If we take—

The same gentleman from whom I am quoting says—

> the rate at which the United States can borrow money, namely, 3 per cent, then an exemption of $3,000 would represent an accumulation of a citizen invested in United States securities of $100,000. And according to any fair interpretation of the action of the committee reporting a $3,000 exemption, a citizen who is worth less than $50,000 of ordinary property yielding income, or $100,000 of property invested in United States bonds, is a legitimate object of national charity.

In other words, if a citizen of this country invests his money in Government bonds at 3 per cent, he realizes $3,000, and he has an investment of $100,000; and yet that man is proposed to be exempted. A man worth $100,000 is pretty well off in any part of the country. That is the difficulty with this high exemption. It is utterly indefensible. As I said the other day, the matter of exemption is a matter of governmental favor or charity.

A man must pay his just debts, yet when you issue an execution against his property the law in its mercy, wisdom, and charity steps in and saves a few paltry hundred dollars, which shall be exempt. You have a homestead exemption of a thousand dollars, but here in the pending bill, intended to reach the rich men of the country, you absolutely exempt men worth $60,000, where they have an investment of 5 per cent, and $100,000 where they invest it in bonds of the country, drawing 3 per cent interest.

In my humble judgment it will be a most serious mistake for the friends of the bill not to accept the amendments which may be offered to perfect it, to make it a bill which can be somewhat defended upon the stump and in the press and before the people of this country. If those in charge of the bill do not wish to do it they are at liberty, of course, to refuse. I was pleased that yesterday an amendment was offered to fix the exemption at $3,000. An amendment to fix it at $1,000 of course would greatly perfect the bill and make it more acceptable to the people of the country who want to do what is just and right. Of course, it would not be acceptable to those who simply desire to reach a certain class and who want to make the bill as objectionable as they can to the charge of class legislation.

To the latter class I have nothing to say, but I appeal to those who want to perfect the bill, who want to make it an honest bill, who want to make it a bill which can be defended, who want to make it a bill which, after full and fair discussion before the people, will stand the test of criticism to at least make it as unobjectionable as it is possible to make an income-tax law.

Take a case where a State has direct taxation and where real estate as a rule is required to be taxed. What would you think of a State which, having a system of direct taxation whereby all real estate is taxed according to its value, exempts all real estate which does not produce a rental of $3,000?

Would not that be an unusual exemption? Would it not be unheard of, unjustifiable, indefensible anywhere?

If it were proposed to levy a tax of 2 per cent on annual incomes below $3,000 in amount and exempt all incomes above this sum, the unequal and

discriminating character of the exemption would be at once apparent: and yet an income tax exempting all incomes below $3,000 is equally unjust and discriminating. In either case the exemption can not be founded or defended on any sound principles of free constitutional government, and is simply a manifestation of tyrannical power under whatever form of government it may be enforced. The great republican principle of equality before the law and constitutional law itself alike preclude any exemption of income derived from like property.

We should take no narrow view of this question. It is impossible to discuss the question of Federal taxation without considering at the same time the question of all taxation. Of course the Federal taxation, namely, customs taxation, does not of itself distribute burdens equally, but when taken in connection with a still greater amount of taxation, namely, your State, your county, and local taxation, then the whole tax is distributed substantially equally. If you must have an income tax, then abolish all your tariff taxes and have income taxation to raise all your Federal revenues. Do not have parts of two systems. Do not let the General Government take and monopolize the tariff system of taxation, the indirect system, and then turn around and take from the States the other systems of taxation which were intended peculiarly for their benefit. There is ample room in the tariff field. Let the States have the other fields which are open to them.

Has anyone here discussed the question of the effect of what this taxation will be upon the States of this Union? I hold in my hand a volume containing the collateral inheritance laws of the various States. They have such laws in Maryland; they have them in Connecticut; they have them in New York; they have them in divers other States, whereby there is assessed a certain sum upon all inheritances of personal property or gifts made in view of death.

Mr. HOAR. What is the date of the book the Senator from New York has?

Mr. HILL. Eighteen hundred and ninety-two.

Mr. HOAR. Such a law has very recently been passed in Massachusetts. I do not know whether it is included in the volume the Senator has.

Mr. HILL. I do not see the Massachusetts law here. In substance this tax is 5 per cent upon all inheritances and gifts. This tax raises a large amount of money for the governments of New York, of Maryland, and Connecticut, and now of Massachusetts and other States. In addition to this tax, so necessary for the relief of the State governments, the General Government, when it has the whole field of tariff taxation open to it, this indirect means of taxation, steps in and says "we shall monopolize these inheritance taxes and you shall not have them." How long do you think that the States can stand this double taxation? It amounts to 7 per cent upon the amount of these inheritances and gifts, a most enormous taxation, not justifiable even in a time of war. What must be the ultimate effect? The ultimate effect of the enforcement of the new statute will be that either the General Government must give way or the States must give way. These estates can not stand this enormous taxation.

The result will be that probably the States must give way, and then the States must resort to direct taxation upon land, upon the farmers of the country, upon the owners of small houses and lots. This burden, then, instead of being transferred from the poor real estate owner is really put upon him. You simply jump out of the frying pan into the fire. I therefore say it is unjust to the States of this country which have collateral inheritance laws; it is unjust to the owners of real estate in the various States who, now relieved by these collateral inheritance taxes, will have other and additional burdens put upon them. This is a most serious question, one of the most serious questions involved in the enactment of this measure.

It has been proclaimed over and over again that the object of an income tax is to reach the wealth of the country. I have already pointed out, in the remarks which I have had the honor of submitting heretofore, that the wealth of the country pays its proportion of your State, your county, and municipal taxes, which are twice as much as your Federal tariff taxation. If there is any complaint that wealth does not pay its proportion of the State taxes, then I plead for the cause of home rule and the right of each State to determine that question for itself. The question of States rights is involved; the question of State rule is involved here; the question whether the States shall deliver over to the General Government these fields of revenue.

But, are you sure that your bill has been framed in such a way that the poor man is not to be taxed? I invite the attention of the friends of the measure to this point: Here is a poor man. All he possesses is a thousand dollars invested in a corporation. His whole income from the thousand dollars and from any money which he otherwise earns will not exceed $3,000. The theory of the bill, and it is a nice theory, is that that poor man ought not to pay any income tax. Will he not pay any in fact? I say it is not true that he will not, because the poor man gets his dividend on his thousand-dollar investment, but before he gets the dividend the corporation has taken out his proportionate share of the 2 per cent and paid it to the General Government, and his dividend is just so much less. Is not that true?

Is there any man here prepared to deny it? Is it right? Is it just? Is it in accordance with the proclaimed principle upon which you have endeavored to frame this bill? Under the bill as it came from the House this was not the result intended, or was not the result of the bill itself, but you have changed the theory of the bill, you have changed its language, you have reconstructed it, and the reconstruction is worse than the "reconstruction" in days gone by, because it will produce greater hardship.

There is no answer to that proposition—none whatever. In other words, the poor man, who may possibly have been a soldier and served under his country's flag, gets a thousand dollars as salary; that is all he gets, and properly it is not taxable, but if the poor man is a cripple, if he is in bad health, if he can not get around, and has taken his money and invested it in a corporation in which he had confidence, and it pays fair dividends from which he ekes out a living, in that very case, according to the terms of this bill, unless you adopt an amendment which changes it before it passes, that poor man, owning but a thousand dollars, will have to pay his proportion of that 2 per cent tax. There is no escape from it. And yet this is said to be a bill to help the poor man, this is a bill to tax the rich!

But, Mr. President, I have drawn an amendment which will probably be voted down, if for no other reason, simply because I offer it. I shall read it, and at the proper time I expect to submit it to the Senate.

It is as follows:

The amount of any dividend paid to a single stockholder, not exceeding $1,000 annually, may be deducted by corporations, companies, or associations from any amount upon which they would otherwise be compelled to pay the tax herein provided for; but the amount of such dividend so received by such single stockholder shall be included in making up an income of $3,000 upon which the tax shall be paid.

In other words, this amendment allows the man who has a thousand dollars invested in a corporation to receive all the dividends from that thousand dollars, provided, of course, if he has other sources of revenue, what he receives shall go to make up the $3,000, but if it does not exceed $3,000, of course he pays no tax upon it, and he ought not to pay. This amendment will cover the very point raised yesterday so well and ably by the distinguished Senator from Connecticut [Mr. PLATT], which is absolutely unanswerable.

Mr. President, the friends of the income tax do not quite agree on what are the grounds upon which it is based. They indulge in glittering generalities that it is a just and equitable tax, that it is designed to reach the wealth of the country; and they indulge in praise of it in that line; but I notice in a Washington newspaper this morning—the Washington Times, which is a zealous defender of the income tax—that this novel defense of it is made. They do not say that it is a tax upon wealth; they do not attempt any such defense as that, but they say:

It is a tax on brain energy and not on the wages of labor, and will be welcomed by a majority of the people as a means of relieving in part the burden of tariff taxation.

That tariff taxation which one Senator said was scarcely felt in this country. Then we have it from this new defense that it is a tax upon brain energy; that it is wrong for one man to have more brains than another. That is but another argument for the redistribution of property; it is another reason why property should be divided, and why all should start in again upon the same basis.

Mr. President, this attempt to control the brain, the resources, the exertions, the thrift, the prudence, and the industry of the people will fail, miserably fail. Men are not constituted alike; members of the same family differ from one another. One boy will be strong and vigorous and another will be puny and weak; one boy will be bright, and another boy will be dull; but this new argument is that they must share all their resources alike. One boy will start out in the morning with a pin, and, by judicious trading with his paymates, will come back with a jackknife at night; another boy will start out on the same day with a jackknife, and he will come back with a pin. There is no regulating the brains, the industry, the prudence, and the thrift of mankind, and there should not be.

I believe in organization, I believe in labor organizations, farmers' organizations, and organizations of all kinds; but every organization, every system, every tax, every institution of this country which seeks to place men upon an equality in regard to what they shall earn and what they shall eat and what they shall have is against the spirit of our free institutions, and can not survive. Who is to place the limits upon what a man shall earn?

Mr. President, the distinguished Senator from Nebraska entered into a vigorous defense of the principles of the Populist party; and a defense, as he called it, of radicalism and an attack upon conservatism. He seems to labor under the delusion that this new-born Populist party has a great mission to perform in this world, and he is its great prime minister.

I do not think that there is any room in this country for any large third party. Men are at liberty to form one if they please. That is a question of judgment and discretion. Third parties come to the front like rubbish and dirt in a boiling pot of water. They breed and subsist upon hard times. They are incident to all countries now, because all countries are depressed. There have been depressing periods in all history. These third parties come to the front when there are panics, when there are hard times, when there are civil wars, just the same as guerrillas who hang upon the skirts of two great armies contending one against the other. They are instituted to secure temporary results. Then these outside coalitions come to the front.

In the good times which are coming the third party will be driven out of sight. It occupies a prominent place in the country just now because of the closeness of the Senate. A coalition was made in certain States of the Union two years ago between the Democratic party and the Populist party which resulted in some victories.

In my judgment the Populist party, for which the Senator from Nebraska has marked out so glorious and great a career, can not survive under clear skies and plain sailing. It flourishes now; it rallies with it the discontented of every class; it appeals to class prejudices; it demands a change merely for the sake of a change—a wonderful party indeed! It has confidence in its self-sufficiency. The great financial questions which puzzled an Albert Gallatin and a Salmon P. Chase, our Populist friends can easily solve; they present no difficulty to them. They could run this Government easily without encountering any snag; they have no doubt about it.

The Senator from Nebraska says that everything has been going to the dogs for years. Sir, we are experiencing now a season of depression; yet, after all, the country for a great number of years got along without the Populist party.

The Senator from Nebraska has confidence in his party. That is creditable to him. What has it accomplished by its victories? What measures has it introduced here which can possibly meet the approval of the American people? It has secured the important concession of barbed wire.

Tremendous accomplishment! Glorious result! Barbed wire is prohibited in some of the States of this Union as a nuisance and dangerous to the people. Barbed wire antagonizes everybody; its sharp points stick out on every hand; it rasps everything with which it comes in contact; it attacks everybody who runs up against it. Barbed wire is the proper emblem for the Populist party. [Laughter.] You Populists have not even secured free sugar; you have not secured free coal; you have not secured free lead: you have not secured free iron ore; but you have secured barbed wire, and you are going to vote for this great reform measure!

Mr. President, I know the defense will be made that the Populist party is young. That reminds me of the story of a Russian. He was praising the Czar of Russia, telling what a great man he was, how nobody in the history of the world, sacred or profane, was equal to him. The gentleman talking to the Russian said, "You do not mean to say the Czar is greater than Alexander the Great?" "Yes, I do." "Greater than Napoleon?" "Yes." "Greater than Wellington?" "Yes." "Greater than Washington?" "Yes." "Greater than Christ?" "No; but the Czar is young yet," he said. [Laughter.] So this new party is young yet, and of course it has not accomplished great things.

The Senator from Nebraska says that for years and years corporations have been running the country. My dear good friend—and I respect him—every time he goes to bed at night prays God to deliver him from the corporations, and when he gets up in the morning, he thanks the Almighty because he has been delivered; and all through the day he has the fear of corporations before his eyes. I see no such danger to the country.

The Senator says the corporations have been controlling all the legislation of both parties for years. Most wonderful discovery upon the part of the Senator! I asked him to specify these tremendous evils which have been brought about by the two great parties of the country. First, he goes away back to the resumption act, a great number of years ago—all ancient history—and now he wants us to understand that the Populist party has been organized in some way or other for correcting that wrong. I do not know how it is to be corrected. They want to go back, I suppose, to paper currency, and not have specie payments. What is the use of trying to prevent what has already occurred?

Sir, there was some injustice possibly in the resumption act, yet it was a wonderful achievement for finance at the time, for which the distinguished Senator from Ohio [Mr. SHERMAN] will always have considerable credit at the hands of his countrymen. There was some friction undoubtedly in bringing the country out of the distress of paper money into specie payments, some waste, some wrong, and possibly some injustice, but, nevertheless, it was a grand result, and, as a whole, was worthy of the commendation of the American people, and it is a pretty poor party which starts out with the idea that it is going to attack the resumption act of many years ago.

Then the Senator says the Populist party is formed for the purpose of stopping the giving away of public lands, when it should be known that the giving away of public lands was stopped away back in 1872, when the honorable gentleman unquestionably belonged to a different party from that to which he does now. Undoubtedly there were mistakes made in the giving away of public lands, undoubtedly there was some prodigality in regard to it, but, nevertheless, the land was worth but little then and the country was hardly civilized then where the lands were. What was the effect of it—I mean the net result? It was to build up this great country of ours, to encircle it with railroads.

It increased our population; it added to the prosperity of our land; it increased the property subject to taxation. As a whole, I think, it can be said that it was great wisdom to thus give away large portions of the public land. Of course, our hindsight is better than our foresight, but I say now it does no good to rail because both parties years and years ago, perhaps with a little too much prodigality, gave away the public land. But how are you going to remedy it now? What are you going to do to remedy it? What was the necessity for organizing this new party, with its new-found principles, at this time, to prevent a wrong consummated years ago, probably before the Senator was born?

Then the Senator says the next great enormity enacted by both parties, for which he proposes to have this great and formidable Populist party hold both parties responsible, was the repeal of the Sherman law. I do not propose to thresh over old straw again; I simply desire to say that this new party professes to believe in the free and unlimited coinage of silver. Every line and every section of the Sherman law was against that true theory. The Sherman law was for the accumulation of silver bullion; the Sherman law treated silver bullion as a commodity; and your Populists profess to desire it as a money metal, and to regard it as such.

No true silver man, in my humble judgment, should have refused to allow that law to be repealed, and scarcely anyone defended it as a principle. Some thought it was wise to wait until further legislation should be perfected; but no one stood up for the Sherman law as a true, correct financial principle. Therefore it ought to have been repealed.

My friend, indeed, will not quarrel with me on the subject of the free coinage of silver. Representing as I do the great State of New York, one of my first votes in this Chamber was for the free coinage of silver, and in casting that vote I took my political life in my very hands. The Sherman law violated every principle involved in the free coinage of silver. Therefore, Mr. President, no very great outrage was done any body by the repeal of that law, and it does not afford a sufficient basis or excuse for the building up of the Populist party.

The Senator says corporations control the Senate, and then, waxing eloquent and impressive, he gives us the exclusive information that four or five years ago some Senator was elected to this body on account of money spent by corporations. I asked the Senator who it was, and he claimed his privilege and declined to answer. Then he said it was somebody who does not now sit in the Senate, somebody who has gone and passed; and his excuse for the statement is that he saw it in the newspapers; and he says that I do not keep very well posted if I did not see it at the time.

Mr. President, I read the newspapers as steadily, I think, as any other public man, but I do not believe every tale I read in the newspapers. Usually they give correct information, but sometimes they give very poor information. Sometimes they set afloat a scandal for which there is no foundation.

I can thus speak fairly of the newspapers, because, as Senators well know, I have never been the subject of their attacks; I have never been attacked during my whole political life, or misrepresented by the newspapers of the country, and therefore I can afford to be generous with them. [Laughter.]

The Senator says these were newspaper charges, and unable to substantiate what he charged he falls back upon the poor newspapers. I do not think he would want to have us believe all that appears in the newspapers. I hold in my hand a portion of the article known as the Edwards article, of which the Senate well knows. It is stated in that article that a portion of the

money which was improperly used in 1892 was sent to Colorado to buy up the Populist vote.

That was an article which appeared in the newspapers, but of course that can not be true. Populists can not be bought, and no portion of that money was used for any such purpose. The statement is simply an idle newspaper charge, having no foundation in fact, and liable to be exploded in a moment. It is to such charges that the Senator from Nebraska refers here to prove the fact that the seat of some Senator or other was procured in this body years ago by bribery or corruption.

Mr. President, I need not fear to stand here to defend the integrity of the United States Senate from these loose and silly scandals and vain charges. The great majority of the Senate is composed of poor men, men who live upon their salaries and what little they can earn during the recesses of Congress in their business and professions. As a rule, they are poor men, I say, and the millionaires, about whom we have heard so much, are scarce. They are men of honesty, men of integrity, men, in my judgment—although I differ with them in many things—who are endeavoring to discharge their duty, who act according to their consciences, and who are serving their country as best they can.

The Senator says the great mission of the Populist party is to defend the rights of the people. What rights have the Populist party defended which have been imperiled? What have they proposed? What have they suggested? What scheme do they present here which has not been presented before?

Sir, the Democratic party is the party of the people. It came into power with Jefferson, who enunciated the principles of human rights. The Democratic party before that Senator was born stood up for the right of habeas corpus, for the freedom of the press. It has resisted arbitrary arrests, and away back, under the leadership of the gallant old Henry A. Wise of Virginia, it stood up for the rights of the naturalized citizens of this country.

The Democratic party, sir, has never been recreant to the rights and privileges of the common people. There need not come into the arena any new defenders, who ostentatiously say that they are the champions of the people. They assume all the virtue of the country; they are going to rebuke fraud. Both the old parties in this country, in my judgment, have honorable histories. I desire to say to the Senator that upon the great question of opposition to fraud, of opposition to peculation, of opposition to bribery, of devotion to law and order, of opposition to cranks, and of fealty to the Constitution, there is no division between the two great parties of the country; and I am glad that it is so. Both are just as much opposed to corruption as is the new-born Populist party.

We, of the Democratic party, differ from the Republican party upon the financial question; we differ upon this great economic question of the tariff, but they are honest and sincere differences about which honest and intelligent men may well differ, but neither of the two old parties is open to this vile and indefinite charge made against them of the wholesale corruption of public men or that the Senate of the United States is itself a corrupt body.

I have not seen and witnessed corporations trying to influence this body. I have not gone out of my way looking for them. I have not been around, perhaps, as some Senators have. I have seen no such influences, and I think none such exist. I think it is pandering to a false public sentiment when men try to set such stories afloat.

The Democratic party gave to the country a Jefferson, a Jackson, a Monroe, who established the Monroe doctrine; a Tilden, whose name was a synonym of reform; and a Douglas. The other party gave us a Hamilton, an Adams, a Lincoln, and a Grant. Both parties are proud of their public men and proud of their history.

Mr. President, Populist government, good government, honest government, can be seen where it is administered by the Populist governor of Colorado and the Populist governor of Kansas.

Mr. PEFFER. We are getting along very nicely in Kansas, thank you.

Mr. HILL. They are getting along just now; but a short time ago they had State troops surrounding the statehouse and the civil authorities arrayed against the military—almost a state of anarchy—and that is Populist government.

Mr. PEFFER. Within two years the State of New York was under martial law at Buffalo.

Mr. HILL. Not at all. It was never under martial law.

Mr. PEFFER. It was the same thing. I saw the soldiers there when I passed through.

Mr. HILL. A few people connected with the railroads, laboring men, mistaking their rights, undertook to keep possession of some of the railroad property in the city of Buffalo, egged on, possibly, by men who informed them that they had a right, when they struck, to keep peaceable possession of the property of the railroads. They were honest men, but they mistook their rights. For the preservation of the peace, the State military was called out, and in a few days peace reigned again. That is not the turmoil, that is not the discord, that is not the chaos, that is not the miserable contention which has disgraced the administration of the Populist governors of Colorado and Kansas.

Mr. PEFFER. The attack upon Kansas is altogether gratuitous and unnecessary.

Mr. HILL. I am not attacking Kansas.

Mr. PEFFER. If the gentleman says so, I have nothing further to say.

Mr. HILL. I was simply speaking of the public record there of men well known. Need I repeat what I read that the distinguished Senator from Colorado said about the administration of the Populist governor of Colorado? No doubt every word is true. I am not attacking your people. You have a brave and generous and honest people. I am attacking simply some of the things that have taken place which exemplify good, honest, square government under Populist administration.

The Senator from Nebraska [Mr. ALLEN] said that he had witnessed a terrible spectacle. The Government of the United States, through the District of Columbia officials, had seized a lot of poor, friendless devils, as he called them, and arrested them because of the violation of the police laws of the District of Columbia. The Senator, you will recollect, ventured to defend those men and to raise the constitutional question that they had a right to come here in a body and had a right to march almost into this Capitol in a body to make known their grievances. He went before the police court of this District, and there he made his constitutional argument in their behalf. The court very promptly overruled the points, and he has not had very much confidence in the courts ever since.

He is afraid that in some way or other, because I made the harmless suggestion, that possibly the Supreme Court of the United States, as constituted now, might not take the same view of a great, important, underlying principle of the Government which it took twenty or thirty years ago, therefore somebody was going to pack the Supreme Court. My friend need not fear for that court. The court will take care of its own dignity; it will take care of its own integrity; it will expound the laws of this country according to its best judgment, and it ought not to be influenced by anything that he says or that I say upon any question about which lawyers and jurists may disagree.

The other day my friend asked me to define the principles of the Populist party. I am not able to define them any better than I did. One of the chief exemplars of that party was here only a short time ago in the person of Gen. Coxey, who is now, if I am informed rightly, the Populist candidate for Congress in a district in Ohio. Gen. Coxey came here, and he gathered people around him according to the Scriptures, "Every one that was in distress, and every one that was in debt, and every one that was discontented, gathered themselves unto him." Mr. President, I assume that the men who until a very short time ago were gathered within sight of the Dome of this Capitol were here lured on by some one, I do not know whom. They came here, they said, to demand their rights. No one was denying them their rights. They seem to have a pretty good time of it. I want to read what a morning paper says:

COXEYITES AT CONVENTION HALL.

An elaborate programme, comprising athletics, minstrelsy, and comedies, has been issued for an entertainment to be given Saturday evening, June 30, at Convention Hall. The talent for making up the combination is all to be drawn from the Coxey, Galvin, and other industrial armies, the commonwealers having determined to interest the public with new features and in a new role. Dick Arlington, Tom Hagen, George Marcy, Robert McPherson, Ed Smith, and Tom Green are billed as comedians, while Gen. Galvin will appear as a vocalist. A farce, entitled "Keep off the Grass," is among the attractions. The proceeds of the entertainment will be used to aid the unemployed to leave Washington and travel as missionaries. J. D. Gill is business manager.

That is in this morning's paper, and I have no doubt our Populist friends will have reserved seats in boxes. They ought at least to distribute a few tickets throughout the Senate Chamber that we may see how these hard-working (!) men are being oppressed by this miserable Government of ours.

The gentleman also attacked the millionaires of New York. He spent so much time in reading a list of them that he evidently labors under the impression that nearly everybody in New York is a millionaire.

I desire to inform him that there are a few of us who are not. I am one of those who started in this world without anything, and I have held my own ever since. Our people are not millionaires. We have rich men; we have poor men; we have men in moderate circumstances. We have, thank God, few cranks among our people. They are a law-abiding people as a rule.

They want good government. They stand up for their public men, usually; they do not always and constantly denounce them.

I have not one word to say in apology for millionaires generally. They must be permitted to exist. I had some doubts about it before, but yesterday my friend from Nebraska kindly consented that they might live. He consented that they might enjoy all their property, with this statement, no matter whether they obtained it honestly or dishonestly. I thank him for that concession. They will now feel relieved when they hear that he has consented to let them live and enjoy their own gains.

He spoke of some of those millionaires, and then he started out and announced the broad doctrine that no man has a right to sit in his office in New York—he limited it to New York; he might sit in his office in Nebraska, of course, or Kansas, but he has no right to sit in his office in New York—and be permitted to make the enormous sum of $1,000,000 a year. It is not possible, he says, that they could earn these moneys. I point him to the great inventor, Thomas A. Edison, who sat in his laboratory and by his genius and brains made himself a fortune, and made a name for his country in the matter of electricity.

That man, as great an inventor as ever lived on the face of the globe, a modest citizen, made his millions of dollars, which he has honestly, by the result of his genius and brains; and I should be the last one—and I hope citizens generally would be the last ones—to take a single penny from his pocket. You will recollect the great Singer, who invented the Singer sewing machine in his place in New York. He left a fortune of millions.

Sir, these fortunes are not all made simply by issuing stock. They are made by men of genius, and brains, and capacity, and prudence; made by indomitable energy. They are entitled to them under the laws of their land, and they are asking for no particular exemptions. They are asking simply that they shall have uniform laws and that you shall pass them upon correct principles, and that is all.

Mr. President, I concede that the Populist party is growing somewhat now in these peculiar and distressing times. I think the adoption of this income tax is a mistake. I think we are pandering to Populistic doctrines that are not sound. We shall have some desertions. The ranks of the Populists undoubtedly will be filled up for a year or so by those who are discontented in our own party, those disconted through the distribution of patronage, discontented from any other cause. I read in the morning paper this morning the following statement, and I commend it because it shows that the Populist party is to have some recruits, and I congratulate the gentlemen upon them.

Here it is:

ALLIANCE, OHIO, *June 22.*

J. V. Lewis, ex-chairman of the Democratic county committee, caused a political sensation this morning by indorsing Gen. Coxey's candidacy for Congress in this district. He says the Democrats generally will support Coxey, and that the regular Democratic convention will indorse him.

Mr. President, I am sorry for my party if that is true. I think that they do injustice to themselves and their record thus to indorse this man who came upon his silly and fruitless mission to the capital for notoriety's sake, pretending that he wanted to do something for the relief of labor, in the name of labor, and brought with him a nondescript crowd, and now he goes home to Ohio and raises the standard of the Populist party. I am sorry to see that the Democrats of that district seem to be rallying to his support.

Mr. President, that course is not true Democracy. We have fallen upon evil times if that is so. For one, I decline to yield to the storm, because I concede there is something of a storm at this time. I decline to do it. Let the other candidate against Coxey be elected if he is an honorable, upright, square man, no matter what his principles may be upon the subject of the tariff or the finances. I do not think and I do not believe that Coxey will be elected.

Mr. PEFFER. Will the Senator permit me a moment?

Mr. HILL. Certainly.

Mr. PEFFER. The Senator is referring to the fact that Democrats are coming to the Populist party. He knows, I suppose, that in addition to that there are Republicans coming to the Populist party, and I want to give the Senator a reason for it. It may have escaped his attention. A few years ago his party adopted a certain resolution which I want to read and call the Senator's attention to it. It is the opinion of the Democratic party of its old-time enemy, the Republican party. I wish to state what the Democratic opinion was, and I suppose still is, of the Republican party, unless it has been changed by the eloquence of the Senator this morning. I read from the Democratic platform of 1884:

The Republican party, so far as principle is concerned, is a reminiscence. In practice it is an organization for enriching those who control its machinery. The frauds and jobbery which have been brought to light in every department of the Government are sufficient to have called for reform within the Republican party; yet those in authority, made reckless by the long possession of power, have succumbed to its corrupting influence, and have placed in nomination a ticket against which the independent portion of the party are in open revolt. Therefore a change is demanded.

It may be, Mr. President, that the change has come, and that may account for the recent tenderness of the Senator from New York for the present condition and future prospects of the Republican party.

Such a change was alike necessary in 1876, but the will of the people was then defeated by a fraud which can never be forgotten nor condoned. Again, in 1880, the change demanded by the people was defeated by the lavish use of money contributed by unscrupulous contractors and shameless jobbers who had bargained for unlawful profits or high office. The Republican party, during its legal, its stolen, and its bought tenures of power, has steadily decayed in moral character and political capacity. Its platform promises are now a list of its past failures.

It demands the restoration of our Navy—it has squandered hundreds of millions to create a navy that does not exist. It calls upon Congress to remove the burdens under which American shipping has been depressed; it imposed and has continued those burdens. It professes a policy of reserving the public lands for small holdings by actual settlers—it has given away the people's heritage till now a few railroads and nonresident aliens, individual and corporate, possess a larger area than that of all our farms between the two seas.

I have the Republican opinion of the Democratic party, which is about as complimentary as that.

Mr. TELLER. What platform is the Senator reading?

Mr. PEFFER. The Democratic platform of 1884, adopted at Chicago.

Mr. TELLER. The national platform?

Mr. PEFFER. It is in their national platform. If the Senator from New York will bear with me a moment longer I will find the Republican platform. Then, in the next paragraph, the Democratic national platform proceeds:

The Democracy pledges itself to purify the Administration from corruption, to restore economy, to revive respect for law, and to reduce taxation to the lowest limit consistent with due regard to the preservation of the faith of the nation to its creditors and pensioners.

Here is what the Republican people have to say of their neighbors, the Democrats. It is in their national platform of 1880, paragraph 8:

8. We charge upon the Democratic party the habitual sacrifice of patriotism and justice to a supreme and insatiable lust for office and patronage; that to obtain possession of the National Government and control of the place, they have obstructed all efforts to promote the purity and to conserve the freedom of the suffrage, and have devised fraudulent ballots, and invented fraudulent certification of returns; have labored to unseat lawfully elected members of Congress to secure at all hazards the vote of a majority of States in the House of Representatives; have endeavored to occupy by force and fraud the places of trust given to others by the people of Maine, rescued by the courage and action of Maine's patriotic sons; have, by methods vicious in principle and tyrannical in practice, attached partisan legislation to appropriation bills upon whose passage the very movement of the Government depended; have crushed the rights of the individual; have advocated the principles and sought the favor of the rebellion against the nation, and have endeavored to obliterate the sacred memories and to overcome its inestimably valuable results of nationality, personal freedom, and individual equality.

If there is anything harder, uglier, dirtier, and meaner than that in the Populist preamble to the Populist platform I am entirely willing the Senator from New York shall read it.

Mr. HILL. Mr. President, unquestionably the political parties in their platforms have exaggerated the evils that pertain to each other. Platforms in such matters always have to be accepted in a sort of Pickwickian sense. I am not here to defend the shortcomings of the Republican party.

I disagree with many of the things which pertain to its history, but on the general question of the honesty and sincerity of its public men, and so far as regards the question of corruption and corrupt legislation, I say that its open and their actions will compare favorably (and so will the Democratic public men) with those in the early days of our Republic. I am not called upon to defend the extravagant language of every platform adopted in the heat of political campaigns; and I desire to say right here that for each and every one of the members of the Populist party in the Senate I have the greatest respect.

I do not, of course, like their principles; I do not like some of those who are their followers; I do not like the candidate who has been nominated in Ohio, who is, it seems, according to the dispatch, to be adopted by the Democrats.

Mr. President, I have said all that I desire to say upon the general features of this bill. When the amendments shall be offered I shall take a few moments of time in explaining those amendments, but I will not now further trespass upon the indulgence of the Senate.

Mr. GALLINGER. Mr. President, I am aware that the distinguished Senator from Tennessee [Mr. HARRIS] is exceedingly anxious to reach the final vote on this remarkable and extraordinary bill. I am also aware of the fact that the cool breezes and ozone from the mountains of the Old Granite State are more alluring than the torridity of this legislative furnace; but notwithstanding these facts I am constrained to occupy a few additional minutes in discussing the income-tax feature of the proposed legislation.

On the 16th day of January last I made an analysis of the income tax features of this bill. That was while the measure was under

consideration in the other branch of Congress. I then said that the bill was "unjust, iniquitous, inquisitorial, offensive, and sectional," and, Mr. President, I stand to-day on that declaration made five months ago. In that discussion I said that it appears that the grand total collected during the eleven years of the income tax law was $347,220,887.86. Of this amount the sixteen Southern States, including the border States of Delaware, Kentucky, Maryland, Missouri, and West Virginia, paid $36,624,819.69, while the Northern States and Territories paid $296,706,524.28, the unaccounted balance (about $13,000,000) having been paid by United States officers and employés.

While the entire South paid $36,624,819.69, the eleven distinctively Southern States of Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas and Virginia, paid only $10,651,061.30, or about 3 per cent of the entire amount.

The Northern States paid over eight times as much as the South, and nearly thirty times as much as the eleven distinctively Southern States.

The six New England States paid $61,584,093.29, or 70 per cent more than the entire South, and six times as much as the eleven distinctively Southern States.

Massachusetts paid $41,162,496.35, being four millions and a half more than the entire South. Pennsylvania paid $47,748,326.82, being eleven millions more than the South, while New York paid $104,499,939.45, neary one-third of the entire tax, and almost three times as much as the entire South.

That the tax was an unpopular one, and exceedingly difficult of collection, is shown by the fact that in 1873, the last year the law was in force, Pennsylvania paid 59 per cent as much as in 1872, New Hampshire 55 per cent, Massachusetts 24 per cent, Virginia 23 per cent, Louisiana 8 per cent, and Tennessee and Rhode Island only 6 per cent.

That is the record, and if the Democratic majority persists in foisting upon the country another income-tax law they will be held to a strict accountability by the people.

Mr. President, the Senator from Nebraska [Mr. ALLEN], whose speech of yesterday has been reviewed this morning at great length and with much ability by the Senator from New York [Mr. HILL], made some statements to which I desire to call attention. He inquired very dramatically what became of the surplus of $100,000,000 left by Mr. Cleveland to Mr. Harrison when Mr. Harrison assumed the reins of Government in March, 1889, strongly intimating that it had been squandered. The Senator from Connecticut [Mr. PLATT] very properly and promptly called the attention of the Senator from Nebraska to the fact that during the Administration of Mr. Harrison $259,000,000 of bonds of the Government were canceled, and the public debt was reduced that amount.

The Senator from Nebraska replied that $25,000,000 of the amount had been paid in premiums on those bonds. I suppose that is true; but admitting it to be true, was it not good financiering for the Harrison Administration to call in those bonds and cancel them, paying out money that was lying idle in the Treasury, thus greatly reducing the interest obligations of the Government? It seems to me that there is no point worthy of serious consideration in the suggestion of the Senator from Nebraska.

I want to declare with as much emphasis as I can command that in the entire history of this Government there never has been a financial operation that reflected greater credit upon an Administration than the cancellation of those bonds during the four years' term of Mr. Harrison as President. Every prudent business man reduces his debts as rapidly as he can, and President Harrison was acting the part of prudence and of good business sense when he did the very thing that prudent business men do in this country.

Mr. ALLEN. Will the Senator from New Hampshire permit me a question?

Mr. GALLINGER. Yes, I will yield for a question.

Mr. ALLEN. Does the Senator from New Hampshire regard it as good business policy to pay out surplus money in the Treasury in premiums upon bonds when that money is needed to pay current expenses and when we have to bond the Government again to get money for current expenses?

Mr. GALLINGER. The difficulty with the Senator from Nebraska is that he rarely ever fairly states a proposition. That money was not needed at that time to pay current expenses of the Government. The Senator from Nebraska knows that fact and every other citizen of the United States knows it.

Mr. President, we have heard a great deal in this discussion from our Populist friends in regard to the accumulation of wealth and the necessity for distributing the wealth of the country. I should like to ask the question, if the wealth of this country were equally distributed to-day how could we possibly keep it distributed? A loafer in my town not many months ago said to me that he was in favor of an equal distribution of the wealth of the country, and he added very significantly, "I think that when one fellow spends his share it ought to be distributed again." That seems to be the Populist doctrine, and it certainly is the only way in which the wealth of the country could be kept equally distributed.

It is an absurdity for any Senator or any citizen of the United States to contend that the accumulation of wealth in the hands of a comparatively few men in this or any other country can be prevented by acts of legislation or otherwise, and it is equally absurd and untruthful to claim that the tariff laws of the Republican party have brought about the condition against which Populist Senators are constantly inveighing. If they will take the trouble to look up the facts they will find that a large majority of the rich men of the United States have gained their wealth in industries which are not in the least protected by Federal legislation.

The Senator from Nebraska severely criticised the Administration of Mr. Harrison, especially as regards its fiscal policy. Mr. President, I am not here as a defender of the last Republican President of the United States; I have no especial reason for championing him, but I call the attention of the Senator from Nebraska and Senators on both sides of the Chamber to the remarkable message Mr. Harrison sent to the two Houses of Congress when he was about to relinquish the reins of Government and pass the scepter of power back into the hands of the great Democratic party. That message is full of instructive lessons to the American people.

I shall not occupy the time of the Senate in calling attention to more than one or two paragraphs of that message. One significant fact pointed out is that in 1880 the number of employés in manufacturing establishments in the United States was 1,301,388, while in 1890 it had increased to 2,251,134, or an increase of 78 per cent in ten years. The wages paid in 1880 to these employés were $501,955,778, while in 1890 the wages were $1,221,170,454, or an increase of 148 per cent. During that decade, one of the most remarkable decades of this most remarkable country, the number of employés in manufacturing establishments increased 78 per cent, while the increase in the wages of those employed was 148 per cent. If the Senator from Nebraska can point to a period in the entire history of this country when the laboring men, for whom he constantly appeals, fared better than they did from 1880 to 1890, I should like to have my attention called to that period in our history.

Certain Senators talk about the rapid increase of wealth in the Eastern States and intimate that it has been obtained dishonestly. I do not believe that the record will bear out the statement that the increase in the Eastern States is greater than in other parts of the country. Indeed, from information I have obtained from the Eleventh Census I am led to the irresistible conclusion that wealth has been increasing more rapidly in the West and in the South for the past few years than in the East. We are older States and older communities in the East. We have had a longer time to accumulate a competence; but during the ten years, from 1880 to 1890, I say the records bear out the statement I make to-day, that the per capita of wealth has been increasing more rapidly in the great agricultural States of the West and in the South than in the manufacturing States of New York, Pennsylvania, and New England.

The Senator from Kansas [Mr. PEFFER], a day or two ago, not for the first time in this debate, made the charge that the money-lenders of the East had been exacting exorbitant rates of interest from the agricultural people of the Western States. Why, Mr. President, if the people of Kansas could have borrowed money nearer home than New England I apprehend that they would not have asked our people to have loaned it to them. There has been no compulsion in the matter that I am aware of. The laws of Kansas permit money to be borrowed at a rate not greater than 10 per cent, and the people of Kansas have doubtless borrowed their money where they could borrow it upon the best terms. They came to New England. They have taken from our State millions of dollars; and I stand here to say (and I say it not because I make any attack upon the people of Kansas or upon the people of any other of the Western agricultural States, but simply because the truth of history demands that it shall be said) that millions of dollars of New England capital invested in the West have been absolutely lost to our people during the last three or four years.

Millions of dollars have gone out of my little State never to return. A few months ago a great loan agency in Concord, that has sent millions of dollars to those States, secured upon farm mortgages, suspended operations, and the men who loaned their money are now looking for a percentage upon the investment that they made.

Savings banks in New Hampshire have recently closed their doors because they could not collect either the interest or the

principal upon the investments they had made in the great West.

Let me call the attention of the Senator from Kansas to a telegram just received from the chairman of the New Hampshire board of bank commissioners, in response to an inquiry from me:

CONCORD, N. H., *June 23, 1894.*

Lost to New Hampshire through Western investments approximately ten millions, including individuals and banks. People of Nashua alone have lost over a million, and Keene an equal amount. Half our savings-bank investments are in Western loans, stocks, and bonds.

JAMES O. LYFORD,
Chairman Bank Commissioners.

So it seems that New Hampshire has recently lost ten millions in the West, and that two cities—one of 20,000 inhabitants, and the other of about 8,000—have recently lost $2,000,000 in Western investments. In the face of such facts, Senators talk about the greed and extortion of Eastern capitalists, and the terrible wrongs they inflict upon the people of the West in the matter of interest.

Mr. President, there are millions of dollars of Western securities to-day in the savings banks of New Hampshire that the Senator from Kansas can have at a very large depreciation if he will take them off the hands of our people who have loaned good money and taken those securities in return.

I suppose the Senator from Kansas has been in the town of Wichita in his State—that suburban village that grew up there like a mushroom, and upon which the people of New England foolishly loaned their money. He will find the houses occupied by bats. He will find there scarcely a human being, where a year or so ago there were thousands of men and women.

Citizens of New Hampshire have their money planted in Wichita and many other such places in the West. It is planted there never to return to them, and when the Senator from Kansas and the Senator from Nebraska attack the people of the East because they have loaned their money at what they are pleased to call exorbitant rates of interest, they should take into account, and not forget to state the fact, that Eastern people have met with losses in the West almost incalculable in amount.

And what is true of the great States of the West is equally true of the South. New Hampshire has sent millions into the South during the last ten years, and it is there, Mr. President, with a very small prospect of any considerable amount of it ever returning to our people. New England capital has done its full share toward building up the waste places of the great West and the sunny South, but I submit that it is a poor return to be constantly taunted and charged with dishonesty. To-day it is much more difficult for Kansas to get money in New England than it was five years ago, and if these attacks continue the time may come when it will be impossible to do so on any terms that she may offer.

We have loaned our money abroad because we could not use it all at home. We have taken such interest as we could get for it, and we have tried to deal fairly with the people with whom we have traded. The Senator from Kansas says the West has built up and made New England what she is. I do not know exactly what he means by that, but New England has certainly reciprocated in full measure, and I can see no good results that can possibly be reached by attacks of this kind, or by throwing stones at either East or the West so far as their business transactions are concerned.

The savings banks in my State have been in the practice of loaning money to the great West in large amounts. Of the $78,000,000 of deposits, probably one half of it has been loaned upon real estate outside of our borders. Those banks have been recently compelled to reduce the rate of interest to their depositors from 4 per cent to 3½ per cent, and in the near future they will be compelled to reduce it to 3 per cent. Their losses have been so enormous as to compel them to reduce the rate of interest, with a certainty that the depositors will soon have to content themselves with the low rate of 3 per cent.

In view of these facts I think I can stand here to-day and truthfully say that our people have not grown rich at the expense of the West; that they have not been extortionate; that they have not practiced usury, and that they have not wronged the people of the West or the South, to whom their money has flown in an abundant stream these many years.

Mr. President, the junior Senator from North Carolina [Mr. JARVIS] yesterday, in his maiden speech in this body, in exuberant and lurid language closed his appeal for an income tax by electing a Democratic President and a Democratic Congress in the year 1896. I think it is proper that I should use an expression which perhaps might be denominated slang, and say to the junior Senator from North Carolina that it strikes me he is a "little previous" in his political prophecies. The weather is rather warm for that kind of business. The people will take care of the election of 1896 a little later on; and I suggest to the Senator that the political horizon portends a storm for the Democratic party in this country.

We have in New Hampshire a very remarkable editor. Until a few years ago he edited a Democratic daily newspaper with great ability. His editorials were read by everybody. He defended the Democratic party in season and out of season. But free trade and Clevelandism compelled him to leave that organization and join the Republican party, and his paper is now an advocate of the principles of the Rebublican party. A few days ago I found an editorial item in his paper which I commend to the Senator from North Carolina, as follows:

A western astronomer says that he has examined that spot on the sun and finds it to be a storm 86,000 miles long by about 30,000 wide, and having a twisting motion.

Then this former Democratic editor adds:

Thas is about the size of the storm which will overtake the Democratic party next November.

[Laughter.]

If I am not mistaken the tail, at least, of that storm threatens to strike the good old State of North Carolina, and I warn the junior Senator from that State to lose no time in building a political cyclone cellar, into which he can retreat from the fury of the elements in the campaign of 1896.

Mr. President, I am glad that the Senator from Missouri has indicated his purpose to offer amendments to the bill designed to do justice to fraternal orders, savings banks, and corporations generally. The original bill dealt very harshly and unjustly with corporations. I am not sure that the proposed amendments cover the ground completely. On that point I propose to suggest five objections to the original draft, and I hope the amendments will be made to cover, if they do not already cover, the propositions I submit.

In this connection I desire to say that the denunciations of corporations which we are in the habit of listening to in this Chamber do not commend themselves to me. I am under no obligations to corporations in my State or elsewhere, but I want to say to the Populist Senators and to some Democratic Senators that if they will examine the record of this country they will find that the great corporations, while they doubtless have many things to answer for to the American people, have contributed a great deal to the glory, the welfare, the progress, and the prosperity of this great country of ours. Let us criticise their shortcomings, but not blindly or unjustly denounce them, or make them the victim of unfair legislative action.

The criticisms to which I desire to call the attention of the Finance Committee, in so far as the original draft of the bill relates to corporations, are as follows:

First. It is unjust in that when there are no net profits the proposed law construes and defines current interest on bonds and certificates of indebtedness of any kind to be net profits, and subjects the same to the 2 per cent tax to the injury of individual shareholders or bondholders, while similar interest payments are deducted as part of the necessary expenses of business in computing the net profits subject to the tax to be paid by all other individuals.

Second. It is unjust in that when there are net profits all the individual shareholders are subjected to a deduction of 2 per cent on the aggregate of such net profits before a dividend can be paid, and this without regard to the question whether the individual shareholder has an annual income approaching the amount exempted to all other individuals.

Third. It is unjust in that by declaring interest to the extent earned to be net profits and subject to tax. The proposed law would make the insolvent corporations of the country now in the hands of receivers and operated by the courts liable for an income tax on net profits to the extent that interest is earned, and if enough is earned to pay full interest on the first mortgage then this so-called tax on net earnings would be borne entirely by the holders of the junior securities upon which interest might otherwise have been paid.

Fourth. If a corporation is solvent—earning its operating expenses, rentals, and interest, and nothing more—the proposed law, by construing interest as net profits and requiring the payment of 2 per cent thereon by the corporation, would necessarily render that corporation insolvent.

Fifth. Besides the evident and absolute injustice of these discriminations against individuals who have already associated their capital in industrial or other business enterprises, the proposed law must, if enacted, become a powerful deterrent from all further investments in associations of capital by which so great industrial progress has been made, and the present abundance and cheapness of products secured.

As I said, I hope that the proposed amendments to be offered by the Senator from Missouri cover all the objections which I have raised to that feature of the bill, but if they do not I commend to the Finance Committee the criticisms I have offered,

in the hope and belief that they will so amend the bill that no injustice to the corporations of the country will be done.

Mr. President, a few moments ago I referred to the last message of President Harrison, when he was about to retire to the quiet of his home and give up the cares and responsibilities of office to his successor. Now, I wish in a single sentence to give his concluding suggestion to the American people in that great message. He said:

> And this brief exhibit of the growth and prosperity of the country will give us a level from which to note the increase or decadence that new legislative policies may bring to us. There is no reason why the national influence, power, and prosperity should not observe the same rates of increase that have characterized the past thirty years. We carry the great impulse and increase of these years into the future. There is no reason why in many lines of production we should not surpass all other nations, as we have already done in some. There are no near frontiers to our possible development. Retrogression would be a crime.

Mr. President, for one I stand here ready by voice and vote to give my support to all laws which tend to the upbuilding, the happiness, and the progress of this great country, but I am not willing to be a partner to the enactment into law of any legislative schemes of spoliation or which tend to discriminate against the people of one section of the country and in favor of those of another section. For that reason I am opposed to the income, tax feature of the proposed law; for that reason I am opposed to the measure itself. I hope that before the final vote is taken still further modifications may be made in the direction of greater justice and greater equity to all classes of our people and to all sections of our common country, so that if the proposed law shall become an accomplished fact, which Heaven forbid, it at least may be shorn of some of its most objectionable features.

In saying this I have said all I care to say. Under existing conditions I have no disposition to prolong the discussion. If all the Senators on this side of the Chamber felt as I feel, the pending bill never would be enacted into law, unless the Democractic majority compelled a vote by some extraordinary means. But many of my political associates do not so feel. The vote is to be taken. I shall esteem it a great privilege to be permitted to cast a negative vote on the income-tax proposition, as well as upon the final propoposition to enact the measure into law. The fact is, this bill ought not to be enacted into law. It is a wicked and sectional measure.

It strikes down the interests of the people whom I am endeavoring to represent, and it will bring greater disasters to the American people than are upon them to-day. For many long years, amid trial and turbulence, sorrow and suffering, our people will struggle to escape from the influence and the injury that this legislation will necessarily impose upon them. I have confidence, however, that the good sense and the patriotism of the American people will in due time right this wrong, and that before many years elapse we will again have a tariff law on the statute book of this nation which will bring prosperity, peace, and happiness to the people of all sections of our common country, and which will in due time repair the disasters that will necessarily result from this legislation.

Believing this, it is the duty of all to make the best of existing conditions, and to trust the future to heal the wounds that Democratic incompetency and economic false theories have brought upon our land. We have had similar trials in the years that have gone, and in due time the people have always applied the remedy. They will do so again, and under the benign influence of the doctrine of protection our country will achieve greater triumphs and make greater progress than at any time in the history of the past. For that "good time coming" we will patiently wait, with confidence in our principles and reliance upon an awakened and enlightened popular will.

Mr. HOAR. I wish to give notice of an amendment, if the Secretary will take it down. In section 55 of the print which I have here, the separate print, in the 8th line, on page 3, after the words "all personal property acquired by gift or inheritance," I wish to insert the words "except from lineal ancestors or descendants, or between husband and wife."

The bill as now proposed includes in the income to be taxed the value of all personal property acquired by gift or inheritance, and my amendment excludes gifts or inheritances from a lineal ancestor or a lineal descendant, and also gifts from husband to wife or from wife to husband, which can hardly be called a transfer of property. I desire to call the attention of the Senator from Arkansas and the Senator from Missouri to the amendment. I hope they will consider it before that section is reached, and that it will meet their general acceptance. I ask that the amendment may be printed.

Mr. ALLEN obtained the floor.

Mr. PLATT. Will the Senator from Nebraska allow me a moment?

Mr. ALLEN. Certainly.

Mr. PLATT. I wish to call the attention of the committee to the fact that by one of the amendments proposed yesterday relating to the corporation tax, the income of the corporation is to be made up by deducting, among other things, interest paid on bonds and losses. That relieves to a certain extent corporations whose indebtedness is a bonded indebtedness, but in a great many States joint stock corporations have no bonds. Their indebtedness would consist of the mortgage indebtedness; the interest which they pay would be upon mortgage indebtedness and not upon bonds, and perhaps upon a line of discounts at the banks. I wish to suggest whether all the money which is paid by way of interest should not be deducted. I have not prepared any specific amendment. I simply wish to call attention to the point at this time.

Mr. ALLEN. Mr. President, the remarks of the junior Senator from New Hampshire [Mr. GALLINGER], which have just been concluded, ought not to be passed over in silence either by the Senator from Kansas [Mr. PEFFER] or myself. The Senator from New Hampshire takes me to task somewhat for what I said yesterday regarding the closing days of the Harrison Administration. I do not propose to offer any unnecessary criticism upon that Administration. It has passed into history. The facts connected with it are well known by the people of this country.

Its history can be found in the financial and other reports which were made by officers of the Government during its existence. But I do call attention to and reaffirm what I said yesterday, that it was the poorest policy imaginable for that or any other Administration to take the surplus money which was in the Treasury of the United States, and which was liable to be called for at any time, to pay the current expenses of the Government, and go into the bond market of the nation and become a bidder upon its own bonds, which were of short limitation and would be paid off in the ordinary course of business.

That, too, is more obvious when we consider that it was made apparent to those who at that time were in charge of the financial affairs of the nation that the time would shortly come when this Government would either be required to borrow money to discharge the current expenses or be compelled to issue bonds and place them upon the market, and borrow money for that purpose. I do not say that there was any method in this procedure; that there was any peculiar design upon the part of Mr. Harrison or his Administration in pursuing that course; but I do say that if it had been the purpose of that Administration to cause the issuance of more bonds, to rest as a blight and a curse upon the industries of this country, a more successful way of bringing about that state of affairs than was pursued could not have been chosen.

There was a surplus in the Treasury of the United States. It was known or must have been known that within a few months or a year or so that money would be needed to discharge the current expenses of the Government. Yet in the face of that fact one-quarter of the great surplus, or $100,000,000, was absolutely wasted in being expended for premiums upon bonds. Senators may say it was good financial policy to do so. I do not believe it, regardless of who may say it. I do not believe the people of this country, who pay the expenses of this Government, believe, or can ever be induced to believe, that it was good financial policy.

Mr. ALLISON. Mr. President——

The PRESIDING OFFICER (Mr. MARTIN in the chair). Does the Senator from Nebraska yield to the Senator from Iowa?

Mr. ALLEN. Certainly.

Mr. ALLISON. From what is now stated by the Senator from Nebraska I infer that he approves the restoration of the sums then used to pay the principal of the public debt by Secretary Carlisle in reissuing substantially the bonds taken up by the Harrison Administration?

Mr. ALLEN. I do not approve the course of Secretary Carlisle at all in that respect. I took occasion to say in this Chamber and to introduce a resolution to the effect that the action of Secretary Carlisle in issuing interest-bearing obligations of this Government was absolutely void.

I say more than that, that I can go into any honest court of the United States of America and demonstrate the fact that it was void. I can not go into a court which is controlled by political machinery, a political court and do it, but I can go where there is an honest administration of the statutes of this nation and demonstrate it against any man alive, because the statute under which these bonds were issued in February, the authority by which they were pretended to be issued, was repealed, and it was repealed years before these bonds were issued by the present Administration. It was not only repealed, but the statute had become exhausted and was a dead letter.

Mr. GALLINGER. Would it disturb the Senator from Nebraska if I should propound a very simple question to him?

Mr. ALLEN. Certainly not.

Mr. GALLINGER. I understand the Senator from Nebraska to be now, as he has been during the present session of Congress, opposed to the issuance of bonds by the National Government. Is that correct?

Mr. ALLEN. I am, sir; that is correct.

Mr. GALLINGER. If President Harrison had not cancelled $259,000,000 of bonds, what would be the condition of the Treasury at the present time so far as bonds are concerned? Would there not be more bonds in circulation than there are now? Hence, what greater trouble or danger is to come to the Government by the issuance of bonds at the present time than if the old bonds had remained in circulation among the people?

Mr. ALLEN. If President Harrison had followed the teachings of the Constitution of this country and had divorced himself and his Administration from the ruling power of Wall street; if he had coined the silver bullion in the Treasury and caused it to be issued and put out among the people of this country, there never would have been a time during the history of his Administration when there would have been any occasion for the issuance of bonds.

Mr. GALLINGER. I understand; but the Senator does not answer my question. If those bonds had not been cancelled there would have been $259,000,000 more of bonds in circulation to-day or thereabouts than there are at the present time. Would that have distressed the Senator from Nebraska as much as the issuance of $50,000,000 of bonds did a few months ago?

Mr. ALLEN. I do not at all concede that any such state of affairs as is mentioned by the Senator from New Hampshire could have existed. There was no occasion whatever for taking that money and going into the bond market and purchasing the bonds of this Government at a premium of 22, 23, 24, or 25 per cent, and in some instances more than that. It was a sheer waste of the money of the Government. If that money had been held until the proper time, and if the Harrison Administration had divorced itself from Wall street and had coined the silver bullion in the Treasury and lived up in good faith to the requirements of the Sherman act, there never would have been a moment in the history of that Administration when there would have been the slightest necessity for the issuance of bonds. But if you take the position of the Senator from New Hampshire——

Mr. GALLINGER rose.

Mr. ALLEN. I must decline to yield any further. If you take the position of the Senator from New Hampshire and say gold is the standard, and that all other forms of money must conform to the gold standard, then I can readily see that the time might have come in the history of that Administration when there would have been an occasion for the issuance of additional bonds. But if there had been good faith—that is, if the Harrison Administration had lived up to the requirements of our form of Government, and had administered the Government in the interests of all the people and not a portion of the people—the time never would have come in the history of the Administration when there would have been the slightest occasion for increasing the bonded debt of the nation.

The Senator from New Hampshire says that the people of his State have lost in the States of Nebraska and Kansas—and he singled out those two States—a great many million dollars which they had invested there. If the State of New Hampshire has lost a dollar in the State of Nebraska it is news to me. I have never heard of it yet, and I think I know something about the State of Nebraska and its growth, and something about its people and their disposition and their capability for paying their debts. If the State of New Hampshire has ever lost a dollar in the State of Nebraska it has not been in consequence of any dishonesty upon the part of the people of Nebraska. It has not been because the people of the State of Nebraska are not a law-abiding and law-observing, honest, high-minded people. If it has occurred it has been through the tricks and dishonesty of their own agents whom they employed to loan their money.

Mr. GALLINGER. I know the Senator from Nebraska will yield to me just here to correct a misapprehension on his part. I did not say that we had lost anything in the State of Nebraska, as the RECORD will show to-morrow morning, but I did say in Kansas and other great agricultural States of the West, and I I did not enumerate the other States. I could have done so if I chose, and I would not mention Nebraska.

Mr. ALLEN. I desire to repeat that there is no section of this country where the people are more rigidly honest in observing their obligation than in the State of Nebraska. They are a high-minded class of people, an intelligent class, and whatever may be within their power in the way of discharging their debts will be executed to the full measure. Our industries are to-day paralyzed to some extent.

They are paralyzed in consequence of the pernicious policy which has been pursued in this country for the last quarter of a century of contracting the volume of money. Their industries will be impaired to some extent in the future so long as this policy is pursued. But as far as they have any power to discharge their obligations, the people of Nebraska discharge them cheerfully, and are discharging them to-day, and in the course of events they will be able to pay to New Hampshire and the East every dollar which may be due them.

Mr. President, there is no occasion for making charges of this kind. There is not the slightest occasion for it. There is as high a standard of morality and honesty existing in the States of Nebraska and Kansas as there is in Massachusetts or New Hampshire; there is as high an order of intelligence, as high an order of civilization, and insinuations of this kind come with poor grace from that section of the country, which has been made rich in the last century by draining the fields of the West and South.

The junior Senator from New Hampshire this morning repeats the stale remark which has been denied in this Chamber twenty times, that the Populist party is arrayed against corporations. I am at a loss to understand the reason why such remarks should be reiterated in this Chamber so frequently when they have been so frequently denied. There is not a word in the Populist platform, which was promulgated in July, 1892, at Omaha, there is not a word in any State Populist platform in this Union which looks to undue bitterness upon the part of the Populist party against corporations of any character. The statement is untrue.

There is no bitterness. There is no unnecessary hostility upon the part of that party to any corporation exercising legitimate corporate functions. The members of that party desire to treat legitimate corporations as they would individuals exercising a legitimate business function. But when corporations undertake to control the entire policy of the States and the nation, when they undertake to rob the producers of the country through overcapitalization and methods of that kind, then the Populist party rises up and protests against such conduct and calls upon the corporations and those in charge of them to cease conduct of that kind. That is not undue hostility; it is not undue hostility to the exercise of legitimate corporate powers. It is a hostility to the abuse of this power by corporations which endangers the rights of the people and the permanency of the Government itself.

The PRESIDING OFFICER. The Secretary will state the pending amendment of the Committee on Finance.

The SECRETARY. In section 54, line 24, page 170, after the words "United States," strike out "and not citizens thereof;" so as to read:

> And a like tax shall be levied, collected, and paid annually upon the gains, profits, and income from all property owned and of every business, trade, or profession carried on in the United States by persons residing without the United States.

The amendment was agreed to.

The next amendment of the Committee on Finance was, in section 54, after the word "accept," in line 25, page 170, to insert "by the Commissioner of Internal Revenue and," so as to read:

> And the tax herein provided for shall be assessed by the Commissioner of Internal Revenue and collected, and paid upon the gains, profits, and income for the year ending the 31st day of December next preceding the time for levying, collecting, and paying said tax.

The amendment was agreed to.

Mr. HILL. Have all the amendments to section 54 which have been presented by the committee been disposed of?

The PRESIDING OFFICER. All the committee amendments have been disposed of, the Chair is advised.

Mr. HILL. And nothing else?

The PRESIDING OFFICER. Nothing else. The Secretary will state the next amendment.

Mr. ALLISON. What became of the amendment proposed in line 20, reducing the exemption from $4,000 to $3,000?

Mr. VEST. That amendment is not offered. I will state frankly that when I offered that amendment yesterday I did it under a misapprehension in regard to the views of one of my colleagues upon the committee. I was under the impression that he had agreed to change "four" to "three" before "thousand."

I wish to say, now, that our action yesterday was not induced by any argument made in the Senate, because I did not hear the Senator from New York, as I was called out on committee work; nor did I read his speech. One of my colleagues came to me this morning and said that we misunderstood him, and therefore that amendment is not offered. I take the full responsibility of withdrawing it. It is my fault.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. HILL. I will offer an amendment. In section 54, line 20, page 170, before "thousand," I move to strike out "four" and insert "one."

The PRESIDING OFFICER. The amendment proposed by the Senator from New York will be stated.

The SECRETARY. In section 54, line 20, page 170, before the word "thousand" strike out "four" and insert "one;" so as to read:

A tax of 2 per cent on the amount so derived over and above $1,000.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from New York.

Mr. HILL. On that I call for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. DIXON (when his name was called). I am paired with the Senator from Mississippi [Mr. MCLAURIN].

Mr. MCMILLAN (when his name was called). I am paired with the Senator from Louisiana [Mr. BLANCHARD].

Mr. PATTON (when his name was called). I am paired with the Senator from Maryland [Mr. GIBSON], and withhold my vote.

The roll call was concluded.

Mr. CAMDEN. I am paired with the senior Senator from South Dakota [Mr. PETTIGREW].

Mr. CAMERON. I will announce for the day that I am paired with the Senator from South Carolina [Mr. BUTLER], who is absent.

Mr. RANSOM. Has the Senator from Maine [Mr. HALE] voted?

The VICE-PRESIDENT. He has not.

Mr. RANSOM. I am paired with the Senator from Maine [Mr. HALE]. I should vote "nay" if he were here.

Mr. DANIEL (after having voted in the negative). I do not see the Senator from Washington [Mr. SQUIRE] in the Chamber. I beg leave to withdraw my vote, as I have a general pair with that Senator.

Mr. GORDON. I am paired with the Senator from Iowa [Mr. WILSON]. I do not know how he would vote if he were present, and I therefore withhold my vote.

The result was announced—yeas 18, nays 42; as follows:

YEAS—18.

Aldrich,	Gallinger,	Lodge,	Proctor,
Carey,	Higgins,	Manderson,	Quay,
Chandler,	Hill,	Peffer,	Washburn.
Davis,	Hoar,	Perkins,	
Frye,	Irby,	Platt,	

NAYS—42.

Allen,	George,	McPherson,	Roach,
Bate,	Gorman,	Martin,	Smith,
Berry,	Gray,	Mills,	Teller,
Blackburn,	Hansbrough,	Mitchell, Oregon	Turpie,
Caffery,	Harris,	Mitchell, Wis.	Vest,
Call,	Hawley,	Morgan,	Vilas,
Cockrell,	Hunton,	Murphy,	Voorhees,
Coke,	Jarvis,	Palmer,	Walsh,
Dolph,	Jones, Ark.	Pasco,	White.
Dubois,	Kyle,	Power,	
Faulkner,	Lindsay,	Pugh,	

NOT VOTING—25.

Allison,	Daniel,	McMillan,	Squire,
Blanchard,	Dixon,	Morrill,	Stewart,
Brice,	Gibson,	Patton,	Wilson,
Butler,	Gordon,	Pettigrew,	Wolcott.
Camden,	Hale,	Ransom,	
Cameron,	Jones, Nev.	Sherman,	
Cullom,	McLaurin,	Shoup,	

So the amendment was rejected.

Mr. HILL. I move a further amendment. In section 54, line 20, page 170, I move to strike out "four" and insert "two."

The VICE-PRESIDENT. The amendment proposed by the Senator from New York will be stated.

The SECRETARY. In line 20, before the word "thousand," strike out "four" and insert "two;" so as to read:

A tax of 2 per cent on the amount so derived over and above $2,000.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from New York.

Mr. HILL. On that I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. DANIEL (when his name was called). I am paired with the Senator from Washington [Mr. SQUIRE], and withhold my vote.

Mr. DIXON (when his name was called). I am paired with the junior Senator from Mississippi [Mr. MCLAURIN].

Mr. MCMILLAN (when his name was called). I again announce my pair with the Senator from Louisiana [Mr. BLANCHARD].

Mr. RANSOM (when his name was called). I am paired with the senior Senator from Maine [Mr. HALE].

The roll call was concluded.

Mr. CAMDEN. I desire again to announce my pair with the Senator from South Dakota [Mr. PETTIGREW].

Mr. DIXON. As I before announced, I have a general pair with the Senator from Mississippi [Mr. MCLAURIN]. I understand that the Senator from Ohio [Mr. SHERMAN] is absent without a pair. I therefore transfer my pair to the Senator from Ohio [Mr. SHERMAN]. I vote "yea."

The result was announced—yeas 26, nays 38; as follows:

YEAS—26.

Aldrich,	Frye,	Lodge,	Power,
Allison,	Gallinger,	Manderson,	Quay,
Carey,	Hansbrough,	Mitchell, Oregon	Shoup,
Chandler,	Higgins,	Patton,	Teller,
Cullom,	Hill,	Peffer,	Washburn.
Dixon,	Hoar,	Perkins,	
Dubois,	Irby,	Platt	

NAYS—38.

Allen,	George,	Lindsay,	Roach,
Bate,	Gibson,	McPherson,	Smith,
Berry,	Gorman,	Martin,	Turpie,
Blackburn,	Gray,	Mills,	Vest,
Caffery,	Harris,	Mitchell, Wis.	Vilas,
Call,	Hawley,	Morgan,	Voorhees,
Cockrell,	Hunton,	Murphy,	Walsh,
Coke,	Jarvis,	Palmer,	White.
Dolph,	Jones, Ark.	Pasco,	
Faulkner,	Kyle,	Pugh,	

NOT VOTING—21.

Blanchard,	Davis,	Morrill,	Stewart,
Brice,	Gordon,	Pettigrew,	Wilson,
Butler,	Hale,	Proctor,	Wolcott.
Camden,	Jones, Nev.	Ransom,	
Cameron,	McLaurin,	Sherman,	
Daniel,	McMillan,	Squire,	

So the amendment was rejected.

Mr. HILL. In line 20 I now move to strike out "$4,000," and insert "$2,500."

Mr. KYLE. I suggest to the Senator from New York that if he would graduate the tax he would get more votes for the amendment.

Mr. HILL. The graduating system was voted down. Those points were voted down yesterday by a pretty large vote, and this is the only practical way, it strikes me, to reach the same view.

The VICE-PRESIDENT. The amendment proposed by the Senator from New York will be stated.

The SECRETARY. In section 54, line 20, page 170, before the word "dollars," strike out "four thousand" and insert "twenty-five hundred;" so as to read:

Over and above $2,500.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from New York.

Mr. HILL. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. DIXON (when his name was called). The junior Senator from Mississippi [Mr. MCLAURIN] being paired with the Senator from Ohio [Mr. SHERMAN], I vote "yea."

Mr. MCMILLAN (when his name was called). I am paired with the Senator from Louisiana [Mr. BLANCHARD].

Mr. VILAS (when his name was called). I am paired with the Senator from Oregon [Mr. MITCHELL], and I therefore withhold my vote.

The roll call having been concluded, the result was announced—yeas 25, nays 38; as follows:

YEAS—25.

Aldrich,	Dubois,	Manderson,	Quay,
Allison,	Gallinger,	Morrill,	Shoup,
Carey,	Hansbrough,	Patton,	Teller,
Chandler,	Higgins,	Peffer,	Washburn.
Cullom,	Hill,	Perkins,	
Davis,	Irby,	Platt,	
Dixon,	Lodge,	Power,	

NAYS—38.

Allen,	George,	Lindsay,	Ransom,
Bate,	Gibson,	McPherson,	Roach,
Berry,	Gorman,	Martin,	Smith,
Blackburn,	Gray,	Mills,	Turpie,
Caffery,	Harris,	Mitchell, Wis.	Vest,
Call,	Hawley,	Morgan,	Voorhees,
Cockrell,	Hunton,	Murphy,	Walsh,
Coke,	Jarvis,	Palmer,	White.
Dolph,	Jones, Ark.	Pasco,	
Faulkner,	Kyle,	Pugh,	

NOT VOTING—22.

Blanchard,	Frye,	McMillan,	Stewart,
Brice,	Gordon,	Mitchell, Oregon	Vilas,
Butler,	Hale,	Pettigrew,	Wilson,
Camden,	Hoar,	Proctor,	Wolcott.
Cameron,	Jones, Nev.	Sherman,	
Daniel,	McLaurin,	Squire,	

So the amendment was rejected.

Mr. HILL. I now reoffer the amendment offered yesterday by the Senator from Missouri [Mr. VEST] and withdrawn this morning fixing the exemption at $3,000. I desire to say that I

thought the amendment was universally approved. From the conversation of Senators, and from the statement made when it was offered by the Senator from Missouri, the amendment seemed to meet with universal approbation.

Mr. ALLEN. I should like to ask the Senator from New York if the amendment has the graduated feature of taxation in it?

Mr. HILL. It is one simple amendment, making the exemption $3,000.

Mr. ALLEN. Without any graduated tax?

Mr. HILL. Precisely.

Mr. PALMER. I should like to ask the Senator from New York if he himself approved the amendment? He says it meets with universal approval. Does he approve it?

Mr. HILL. Yes, sir; I approve of it as an amendment to the bill. It tends to make the bill better. Each one of these amendments tends to make the bill better, more justifiable, and more defensible.

Mr. PALMER. The Senator then thinks it is an improvement?

Mr. HILL. I think it was so regarded yesterday when the amendment was offered.

Mr. PALMER. The bill in its present form I think is satisfactory to its friends. The proposition of the Senator from New York to amend meets the views of the avowed enemies of the bill; and it is hardly fair that he should champion this particular amendment.

Mr. HILL. I suppose that perhaps the easiest way to defeat the amendment would be to champion it; but I assumed that Senators around this circle would vote for an amendment upon its merits, and not upon the question as to who championed it. I think an amendment offered here should be determined not upon the question who offers it, whether it is offered by a friend of the measure or an enemy, but upon its merits. I do not propose to thrash this straw over again; I have said all that I desire to say upon that question; but I think it is a mighty poor argument to say that Senators will vote against an amendment fixing the exemption at $3,000 because I offer it and would heartily approve of it if offered by somebody else.

Mr. PALMER. I merely meant to challenge the statement that the amendment was universally approved. I prefer $4,000, and therefore can not assent to this amendment, and never did approve of the proposition.

The VICE-PRESIDENT. The amendment proposed by the Senator from New York will be stated.

The SECRETARY. In section 54, line 20, page 170, before the word "thousand," strike out "four" and insert "three;" so as to read:

Over and above $3,000.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from New York.

Mr. HILL. I call for the yeas and nays on agreeing to the amendment.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. DIXON (when his name was called). I again announce the pair of the junior Senator from Mississippi [Mr. MCLAURIN] with the senior Senator from Ohio [Mr. SHERMAN]. I vote "yea."

Mr. MCMILLAN (when his name was called). I am paired with the Senator from Louisiana [Mr. BLANCHARD].

The roll call was concluded.

Mr. MITCHELL of Oregon. I was suddenly called from the Chamber, at the door, when the previous vote was taken, and therefore was unable to vote. Had I been in the Chamber I should have voted for the amendment. I vote "yea."

Mr. DIXON (after having voted in the affirmative). As the Senator from Ohio [Mr. SHERMAN] has come into the Chamber and voted, I again announce my pair with the junior Senator from Mississippi [Mr. MCLAURIN], which I had transferred to the Senator from Ohio. I withdraw my vote.

Mr. BRICE. I desire to announce my pair with the junior Senator from Colorado [Mr. WOLCOTT].

The result was announced—yeas 30, nays 38; as follows:

YEAS—30.

Aldrich,	Gallinger,	Manderson,	Proctor,
Allison,	Hale,	Mitchell, Oregon	Quay,
Carey,	Hansbrough	Morrill,	Sherman,
Chandler,	Higgins,	Patton,	Shoup,
Cullom,	Hill,	Peffer,	Teller,
Davis,	Hoar,	Perkins,	Washburn,
Dubois,	Irby,	Platt,	
Frye,	Lodge,	Power,	

NAYS—38.

Allen,	Cockrell,	Gorman,	Jones, Ark.
Bate,	Coke,	Gray,	Kyle,
Berry,	Dolph,	Harris,	Lindsay,
Blackburn,	Faulkner,	Hawley,	McPherson,
Caffery,	George,	Hunton,	Martin,
Call,	Gibson,	Jarvis,	Mills,
Mitchell, Wis.	Pasco,	Turpie,	Walsh,
Morgan,	Pugh,	Vest,	White.
Murphy,	Roach,	Vilas,	
Palmer,	Smith,	Voorhees,	

NOT VOTING—17.

Blanchard,	Daniel,	McMillan,	Wilson,
Brice,	Dixon,	Pettigrew,	Wolcott.
Butler,	Gordon,	Ransom,	
Camden,	Jones, Nev.	Squire,	
Cameron,	McLaurin,	Stewart,	

So the amendment was rejected.

Mr. HILL. I now renew the amendment which I offered last evening, but which was temporarily withdrawn. I will state what it is. It is in section 54, line 7, page 170, to strike out "1895" and insert "1896," and also in line 8 to strike out "1900" and insert "1901."

The VICE-PRESIDENT. The amendment proposed by the Senator from New York will be stated.

The SECRETARY. In section 54, line 7, page 170, strike out "1895" and insert "1896," and in line 8 strike out "1900" and insert "1901;" so as to read:

That from and after the 1st day of January, 1896, and until the 1st day of January, 1901, there shall be assessed, levied, collected, and paid annually, etc.

Mr. HILL. Mr. President, I desire simply to explain the object and effect of this amendment for the benefit of those who were not here last evening when I briefly stated its purpose. The terms of the bill in this respect, as they stand at present, will be retroactive in their effect. The law, if the bill passes, is to take effect on the 1st of July, the middle of July, or the 1st of August. The precise date has not been yet fixed. But by the terms of the bill the tax is to be paid, not upon the income which shall accrue after the passage of the bill, but for six months prior to its passage. The tax is to be paid next July. By the terms of the bill its operations for certain purposes begin in January. The effect of the bill will be that people affected by it must pay not only what income they earn from now until the 1st of January, but upon what they have earned since January last. It makes the bill retroactive in its effect, as I have said.

I see no occasion for so doing, especially in the light of the suggestion made by the Senator from Indiana [Mr. VOORHEES] in his opening speech, which has never been disputed by anybody, that the bill would bring $25,000,000 more revenue than the necessities of the Government required.

I can see no reason why the whole of this year should be included in the period in which the income is to be computed. By the terms of the bill books are to be kept and other things are to be done, by corporations and otherwise, which ought not to be required to be done before the passage of the bill. Therefore, in my humble judgment, this amendment is a very proper one to perfect the bill. A bill ought not by any of its terms to be retroactive, so as to include a period six months prior to its passage, because it does affect transactions which occur prior to the passage of the bill.

It seems to me that the amendment is a very proper one, and ought to be adopted. Of course, when the bill was reported last December, it was expected that early in the spring it would probably be passed. Some persons thought it would be passed by the 1st of March. There was therefore more propriety in keeping that provision in, because then it would be retroactive for only a very brief period. But now the bill will not pass before the 1st of July. I do not know what day is to be fixed; possibly the 1st of August may be determined upon, and then we will have five months before the income-tax provision goes into effect, although the tax will have to be paid upon moneys earned during that period. It seems to me it would perfect the bill, and in that interest I offer the amendment.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from New York [Mr. HILL].

Mr. HILL. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CAMDEN (when his name was called). I am paired with the Senator from South Dakota [Mr. PETTIGREW].

Mr. DIXON (when his name was called). I am paired with the junior Senator from Mississippi [Mr. MCLAURIN]. I transfer my pair to the Senator from Minnesota [Mr. WASHBURN], who is absent, and vote "yea."

Mr. HALE (when his name was called). I am paired with the Senator from North Carolina [Mr. RANSOM].

The roll call having been concluded, the result was announced—yeas 26, nays 41; as follows:

YEAS—26.

Aldrich,	Dolph,	Lodge,	Power,
Allison,	Frye,	McPherson,	Proctor,
Carey,	Gallinger,	Manderson,	Quay,
Chandler,	Hawley,	Morrill,	Sherman,
Cullom,	Higgins,	Patton,	Smith.
Davis,	Hill,	Perkins,	
Dixon,	Hoar,	Platt,	

NAYS—41.

Allen,	George,	Lindsay,	Roach,
Bate,	Gibson,	Martin,	Teller,
Berry,	Gorman,	Mills,	Turpie,
Blackburn,	Gray,	Mitchell, Oregon.	Vest,
Brice,	Hansbrough,	Mitchell, Wis.	Vilas,
Caffery,	Harris,	Morgan,	Voorhees,
Call,	Hunton,	Murphy,	Walsh,
Cockrell,	Irby,	Palmer,	White.
Coke,	Jarvis,	Pasco,	
Dubois,	Jones, Ark.	Peffer,	
Faulkner,	Kyle,	Pugh,	

NOT VOTING—18.

Blanchard,	Gordon,	Pettigrew,	Washburn,
Butler,	Hale,	Ransom,	Wilson,
Camden,	Jones, Nev.	Shoup,	Wolcott.
Cameron,	McLaurin,	Squire,	
Daniel,	McMillan,	Stewart,	

So the amendment was rejected.

Mr. HILL. Those are all the amendments I desire to offer at present to section 54. I now ask unanimous consent that I may be permitted to reserve the right to submit a motion to strike out section 54, in accordance with the understanding I think I had with the Senator from Tennessee [Mr. HARRIS].

Mr. HARRIS. I suppose there will be no objection to that.

The VICE-PRESIDENT. Without objection, it will be so ordered.

Mr. HILL. Simply to save the trouble of calling the roll, I give notice that, when we get through with the sections relating to the income tax, I shall make one motion to strike them all out.

Mr. PLATT. Before we pass from section 54, I should like to inquire what is understood by the words "and a like tax," in line 20? I inquire whether it is meant by that language to tax the 2 per cent on the amount of income over and above $4,000, or whether it is meant that a tax of 2 per cent shall be imposed upon all "the gains, profits, and income" derived from "every business, trade, or profession carried on by persons residing without the United States"? Are the persons who reside without the United States, and carry on business, to have an exemption of $4,000, or are they to be taxed on all their incomes derived in this way?

Mr. VEST. The same provision applies to them as to persons in the United States.

Mr. PLATT. Then, they would have the exemption the same as persons residing in the United States?

Mr. VEST. Yes.

Mr. PLATT. I do not think it is entirely clear from the language which is used.

The VICE-PRESIDENT. The reading of the bill will proceed.

The Secretary read section 55, as follows:

SEC. 55. That in estimating the gains, profits, and income of any person there shall be included all income derived from interest upon notes, bonds, and other securities, except such bonds of the United States as are by the law of their issuance exempt from all Federal taxation; profits realized within the year from sales of real estate purchased within the year or within two years previous to the year for which income is estimated; interest received or accrued upon all notes, bonds, mortgages, or other forms of indebtedness bearing interest, whether paid or not, if good and collectible, less the interest which has become due from said person during the year; the amount of all premium on bonds, notes, or coupons; the amount of sales of live stock, sugar, wool, butter, cheese, pork, beef, mutton, or other meats, hay, and grain, or other vegetable or other productions, being the growth or produce of the estate of such person, less the amount expended in the purchase or production of said stock or produce, and not including any part thereof consumed directly by the family; the amount of money, notes, bonds, choses in action and the value of any personal property received by gift, devise or inheritance; all other gains, profits, and income derived from any source whatever and the share of any person of the gains or profits of all companies, whether incorporated or partnership, who would be entitled to the same if divided, whether divided or otherwise, except the amount of income received from institutions or corporations, whose officers, as required by law, withhold a per cent of the dividends, interest, gains, profits, and income made by such institutions, and pay the same to the officer authorized to receive the same; and except that portion of the salary or pay received for services in the civil, military, naval, or other service of the United States, including Senators, Representatives, and Delegates in Congress, from which the tax has been deducted, and except that portion of any salary upon which the employer is required by law to, and does, withhold the tax and pays the same to the officer authorized to receive it. In computing incomes the necessary expenses actually incurred in carrying on any business, occupation, or profession may be deducted and also all interest actually due and paid within the year by such person on existing indebtedness. And in addition to $4,000 exempt from income tax, as hereinbefore provided, all national, State, county, school, and municipal taxes, not including those assessed against local benefits, paid within the year shall be deducted from the gains, profits, or income of the person who has actually paid the same, whether such person be owner, tenant, or mortgagor; losses actually sustained during the year arising from fires, shipwreck, or incurred in trade, and not covered by insurance or otherwise, and compensated for, and debts ascertained to be worthless, but excluding all estimated depreciation of values and losses within the year on sales of real estate purchased two years previous to the year for which income is estimated: *Provided*, That no deduction shall be made for any amount paid out for new buildings, permanent improvements, or betterments, made to increase the value of any property or estate: *Provided further*, That only one deduction of $4,000 shall be made from the aggregate income of all the members of any family, composed of one or both parents, and one or more minor children, or husband and wife; that guardians shall be allowed to make a deduction in favor of each and every ward, except that in case where two or more wards are comprised in one family, and have joint property interest, the aggregate deduction in their favor shall not exceed $4,000: *And provided further*, That in cases where the salary or other compensation paid to any person in the employment or service of the United States shall not exceed the rate of $4,000 per annum, or shall be by fees, or uncertain or irregular in the amount or in the time during which the same shall have accrued or been earned, such salary or other compensation shall be included in estimating the annual gains, profits, or income of the person to whom the same shall have been paid, and shall include that portion of any income or salary upon which a tax has not been paid by the employer, where the employer is required by law to pay on the excess over $4,000.

The Committee on Finance reported amendments to the section, in line 10, on page 171, after the word "purchased," to strike out "within the year or;" in line 11, before the word "year," to insert "close of the;" in line 16, after the word "person," to insert "or which has been paid by him;" in line 18, after the word "sugar," to insert "cotton;" in line 24, after the word "family," to strike out "the amount of money, notes, bonds, choses in action," and insert "money;" in line 25, before the word "personal," to strike out "any," and insert "all;" in the same line, after the word "property," to strike out "received," and insert "acquired;" on page 172, line 1, after the word "gift," to strik out "devise;" in line 2, after the word "whatever," to strike out "and the share of any person of the gains or profits of all companies, whether incorporated or partnership, who would be entitled to the same if divided, whether divided or otherwise, except the amount of income received from institutions or corporations whose officers, as required by law, withhold a per cent of the dividends, interest, gains, profits, and income made by such institutions, and pay the same to the officer authorized to receive the same; and" in line 11, after the word "salary," to insert "compensation;" in line 16, after the words "by law to," to insert "withhold;" after the word "profession," at the end of line 19, to strike out "may," and insert "shall;" in line 20, after the word "interest," to strike out "actually;" in the same line, after the word "due," to strike out "and," and insert "or;" in line 22, after the word "and," to strike out "in addition to $4,000 exempt from income tax, as hereinbefore provided;" on page 173, line 2, after the word "mortgagor," to insert "also;" in line 3, after the word "year," to insert "incurred in trade or;" in line 4, after the word "fires," to insert "storms or;" in the same line, after the word "shipwreck," to strike out "or incurred in trade;" in line 5, after the word "not," to strike out "covered," and insert "compensated for;" in the same line, after the word "otherwise," to strike out "and compensated for;" in line 8, after the word "purchased," to insert "within," and in line 20, after the words "joint property," to strike out "interest," and insert "interests;" so as to read:

SEC. 55. That in estimating the gains, profits, and income of any person there shall be included all income derived from interest upon notes, bonds, and other securities, except such bonds of the United States as are by the law of their issuance exempt from all Federal taxation; profits realized within the year from sales of real estate purchased within two years previous to the close of the year for which income is estimated; interest received or accrued upon all notes, bonds, mortgages, or other forms of indebtedness bearing interest, whether paid or not, if good and collectible, less the interest which has become due from said person or which has been paid by him during the year; the amount of all premium on bonds, notes, or coupons; the amount of sales of live stock, sugar, cotton, wool, butter, cheese, pork, beef, mutton, or other meats, hay, and grain, or other vegetable or other productions, being the growth or produce of the estate of such person, less the amount expended in the purchase or production of said stock or produce, and not including any part thereof consumed directly by the family; money and the value of all personal property acquired by gift, or inheritance; all other gains, profits, and income derived from any source whatever, except that portion of the salary, compensation, or pay received for services in the civil, military, naval, or other service of the United States, including Senators, Representatives, and Delegates in Congress, from which the tax has been deducted, and except that portion of any salary upon which the employer is required by law to withhold, and does withhold, the tax and pays the same to the officer authorized to receive it. In computing incomes the necessary expenses actually incurred in carrying on any business, occupation, or profession shall be deducted and also all interest due or paid within the year by such person on existing indebtedness. And all national, State, county, school, and municipal taxes, not including those assessed against local benefits, paid within the year shall be deducted from the gains, profits, or income of the person who has actually paid the same, whether such person be owner, tenant, or mortgagor; also losses actually sustained during the year, incurred in trade or arising from fires, storms, or shipwreck, and not compensated for by insurance or otherwise, and debts ascertained to be worthless, but excluding all estimated depreciation of values and losses within the year on sales of real estate purchased within two years previous to the year for which income is estimated: *Provided*, That no deduction shall be made for any amount paid out for new buildings, permanent improvements, or betterments, made to increase the value of any property or estate: *Provided further*, That only one deduction of $4,000 shall be made from the aggregate income of all the members of any family, composed of one or both parents, and one or more minor children, or husband and wife; that guardians shall be allowed to make a deduction in favor of each and every ward, except that in case where two or more wards are comprised in one family, and have joint property interests, the aggregate deduction in their favor shall not exceed $4,000: *And provided further*, That in cases where the salary or other compensation paid to any person in the employment or service of the United States shall not exceed the rate of $4,000 per annum, or shall be by fees, or uncertain or irregular in the amount or in the time during which the same shall have accrued or been earned, such salary or other compensation shall be included in estimating the annual gains, profits, or income of the person to whom the same shall have been paid, and shall include that portion of any income or salary upon which a

tax has not been paid by the employer, where the employer is required by law to pay on the excess over $4,000.

The amendments were agreed to.

The next amendment of the Committee on Finance was, to add to the section the following proviso:

Provided, also, That in computing the income of any person, corporation, company, or association there shall not be included the amount received from any corporation, company, or association as interest or dividends upon the bonds or stock of such corporation, company, or association if the tax of 2 per cent per annum has been paid upon its net profits by said corporation, company, or association as required by this act.

Mr. PLATT. I desire to suggest that the amendment would more properly come after the section which provides for corporation taxes. Standing where it does, it might leave a question, as it seems to me, whether it applied to corporation taxes or only to personal incomes, which have been provided for by the section to which it is proposed as an amendment.

Mr. ALLISON. I hope the proviso will be passed over, because I think it will require some changes after we have discussed and acted upon section 59.

Mr. VEST. I propose to modify the amendment in line 11, before the word "dividends," by striking out the words "interest or;" and in the same line, after the words "upon the," by striking out "bonds or." This is made necessary by another amendment.

The VICE-PRESIDENT. The modification of the amendment proposed by the Senator from Missouri will be stated.

The SECRETARY. In the proviso in line 11, on page 174, before the word "dividends," it is proposed to strike out "interest or;" and in the same line, after the words "upon the," to strike out "bonds or;" so as to read:

Provided, also, That in computing the income of any person, corporation, company, or association there shall not be included the amount received from any corporation, company, or association as dividends upon the stock of such corporation, company, or association if the tax of 2 per cent has been paid upon its net profits by said corporation, company, or association as required by this act.

The VICE-PRESIDENT. The amendment will be so modified. The question is on agreeing to the amendment as modified.

Mr. PLATT. That is all right; but it will be observed that up to this time in sections 54 and 55 nothing has been said about the tax on corporations.

Mr. VEST. As a matter of course, if the provisions in regard to corporations in a subsequent part of the bill are not agreed to, this becomes unnecessary, but this is the proper place for this amendment at this time, because we are now defining the exemptions and liabilities as to the income of individuals; and in order to prevent double assessments, this amendment simply provides that where the corporation pays the tax the individual shall not pay it.

Mr. PLATT. It provides more than that. It provides that in computing the income of any person, corporation, company, or association there shall not be included the amount received from other corporations, etc. However, I am not particular about it.

Mr. VEST. It is intended to apply to the case where a corporation or association receives a dividend from another corporation or association, which frequently happens.

Mr. ALLISON. There is no objection to this phraseology, as I understand the substance of it, if all the provisions respecting corporations are hereafter inserted.

Mr. PLATT. No.

Mr. ALLISON. Therefore I should be glad if the Senator from Missouri would allow this amendment to pass over *pro forma* until we have disposed of section 59.

Mr. VEST. If section 59 shall not be agreed to, this falls to the ground.

Mr. ALLISON. It may be agreed to or it may be modified.

Mr. VEST. I have no objection. Let the proviso be passed over.

The PRESIDING OFFICER (Mr. FAULKNER in the chair). The Chair understands that the amendment of the committee has been modified as requested by the Senator from Missouri.

Mr. ALLISON and Mr. PLATT. There is no objection to that.

The PRESIDING OFFICER. And that by unanimous consent the proviso, as modified, is to be passed over until after the consideration of section 59 of the bill.

Mr. HOAR. I move to amend in line 1, on page 172, by inserting the words which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In line 1, on page 172, after the word "inheritance," it is proposed to insert "except from lineal ancestors and descendants or between husband and wife."

Mr. HOAR. As the bill now reads, if a man die, leaving $5,000, which passes to his widow or to his minor children, that is counted as part of the year's income, or if the husband gives $5,000 of personal property to his wife, which he and she have gained together, for the purpose of buying a house in her name, or because he desires, as a protection against a rainy day, that the property shall stand in her name instead of his, it is to be treated and taxed as an income for that year.

Certainly, we are really in no such stress in this country as to rake such a thing into the drag net of any tax system, whatever it may be. I do not think there is a State in the Union that ever would tax such a transfer of property, which is merely technical, and I do not think any foreign country would do it. I do not know, however, about that.

I hope the amendment will receive the assent of the Senate without any question.

Mr. VEST. We are unable to agree to that amendment as we understand it.

The Senator puts a plausible illustration of his side of the case by saying if a father leaves to a son or a daughter $5,000, or if a husband gives a wife $5,000, the tax in that case would be $100. We can see no reason why the income tax should not be collected in a case of that sort as in any other. Now, let us take another illustration. Suppose a father leaves to a child $50,000,000, or that a husband gives to his wife a million dollars, is there any reason why a party who receives the protection of the Government to that extent upon so large an amount of property should not bear a just proportion of the taxation of the country?

In fact, the argument is a great deal stronger in such a case because the recipient in the case the Senator puts does not work to acquire this amount by actual labor, but it is a gratuity; he spends nothing, and it comes to him by a sort of blind fortune, and yet the Government gives equal protection to it.

If the amendment of the Senator from Massachusetts should prevail, then the multimillionaire could give his whole estate to his lineal descendants or to his wife and escape this tax.

Mr. HOAR. Then let there be a limit of $10,000 or some reasonable limit fixed, so as to exempt small property.

Mr. VEST. It is unquestionably that sort of income that should not be exempt from taxation. It is not acquired, as the Bible says, by the sweat of the face, but it comes simply by virtue of relationship or good feeling. We can not agree to the amendment.

Mr. HOAR. The point in this case is that it is not a transfer of property in any substantial sense. My property is my wife's; my wife's property is mine, and my father's property was mine when he got through with it, except as he chose to give it to other children or to other persons. The community of effort in the household which gains the little accumulation of property is a thing which the instinct of all humanity recognizes, and it is not in any sense for the purpose of taxation a new acquisition to the person to whom it passes. That is the answer to the suggestion of the Senator from Missouri.

Certainly the United States does not need any such thing. The multimillionaire is a rare bird in this country. I do not think we need to be oppressing all the frugal and honest people in this country because there are said to be some multimillionaires in the city of New York. I do not wish to say anything to disturb the sensibilities of the honorable senior Senator from that State [Mr. HILL], but I am afraid the American people will at some time get to wish that there was not any city of New York, if all our ordinary transactions of life are to be cast into confusion and to be regulated on an unjust and unreasonable principle because somebody—generally somebody who lives 2,000 miles from that city—imagines some wonderfully dishonest things are going on there.

By the law of the State to which I belong, and I suppose by the law of nearly every other State—perhaps the civil law of the State of Louisiana is an exception—the gain, the toil, the service of the minor child is the property of the father. When the boy and the girl get to be 16 years of age, if they work, their wages belong to the father. The services of the wife are the legal property of the husband even in many States where separate property is recognized. The husband has a right to make contracts for the services of the wife if he sees fit.

At any rate, it is a joint affair. The wife has as much merit as the husband in laying up the $10,000 or whatever the sum may be. The economy, the frugality, the prudent management is hers as much as it is his; and while he may earn money for which he may work outside, she works in the home without wages. I say it is a foul, a base injustice—and I do not believe any Senator on this floor will deny it—when the husband dies to put an inheritance tax on the widow.

I call for the yeas and nays on the amendment.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. ALDRICH responded in the affirmative.

Mr. HOAR. I want to call attention to what is to become of the United States Senate under this Democratic policy. Here

is an income-tax provision. It was crude, unjust, indefensible in many of its details by the admission of the persons who framed it. There have been forty amendments proposed, amendments of substance, amendments of serious principle, and every Senator who proposed or voted for those amendments confessed in so doing that the bill was wrong. Now, there is taken from the Senate of the United States in the introduction of this new policy, whether right or wrong, its capacity as a legislative body.

Here on the question whether a widow shall in her hour of distress pay an inheritance tax on the five or ten thousand dollars which she and her husband have gained together, a majority of the Senate are expected to record their votes, not because they believe in the thing, not because they consider it even decent or tolerable, but simply because they put their judgment and their conscience into the hands of one or two men, who, however respectable and however able they may be, have been burdened and weighed down by having their time taken up by the consideration of this enormous bill covering all the industries of the country.

Mr. President, legislation enacted in that way is not legislation; it is conspiracy, and nothing else; it is tyranny, and nothing else.

Mr. VEST. I want to say a single word. The Senator from Massachusetts has repeated this lecture of his from time to time in regard to coercion by two or three men. I want to say, Mr. President, once for all, that we are endeavoring honestly to make a just and equitable bill, and it is not in his mouth nor within his jurisdiction to denounce everything which does not meet his judgment here as an act of tyranny and an outrage upon the people.

Mr. HOAR. I should like to ask the Senator a question, if he will permit me. Does not the Senator expect to record against this amendment 43 votes, simply because Senators on that side have engaged to follow him without the slightest regard to their individual opinions?

Mr. VEST. No, Mr. President, and it is an insult almost to ask me such a question in regard to my colleagues. I hope that the amendment we have offered will prevail. I believe it is right.

I am somewhat of a lawyer, and I do not think that hard cases should make the law. If so, we should never have a statute enacted at all. The imagination of the Senator from Massachusetts can always conjure a case which, in his judgment, operates most unjustly and inequitably under any law. I have put my side of this question in a case which he does not pretend to say does not sustain my contention here entirely, but he chooses to put the case of a woman who has worked with her husband for the acquisition of property. Many of them who have not worked in the acquisition of property have received millions upon millions of dollars simply as a gratuity, or by way of descent, as in the case of the child.

I do not admit that all the arguments are upon the Senator's side of this question. The inheritance or succession tax has been adopted in all civilized countries where an income tax has prevailed, or if not in all, in a large majority of them, and it prevails now in a great many States of the Union. In the State of New York there is such a tax. It is considered an equitable and just tax; and I consider it so, because when the child or widow receives from the father or husband an estate, there is no reason, if the income of the child or of the widow is increased to that extent, that the new estate should not bear an equal and just portion of the common taxation of the Government. That is the whole question.

Mr. HILL. Mr. President——

Mr. ALDRICH. I answered to my name on the roll call. I do not like to interrupt this discussion, however.

The PRESIDING OFFICER. The Chair will state that, the Senator from Rhode Island having answered to his name, without unanimous consent the debate can not proceed.

Mr. HILL. I do not know that I care about speaking upon this particular amendment, but I shall reserve what I was going to say on an amendment which I shall offer later.

Mr. PEFFER. Let the amendment be stated.

The PRESIDING OFFICER. The amendment will be stated.

The Secretary read the amendment proposed by Mr. HOAR.

The Secretary resumed the calling of the roll.

Mr. GORMAN (when his name was called). I am paired with the Senator from Maine [Mr. FRYE].

Mr. MCMILLAN (when his name was called). I am paired with the Senator from Louisiana [Mr. BLANCHARD].

Mr. WHITE (when his name was called). I am paired with the Senator from Idaho [Mr. SHOUP]. I do not see him in the Chamber at present, and therefore withhold my vote.

The roll call was concluded.

Mr. COKE. I am paired with the Senator from Minnesota [Mr. WASHBURN] and withhold my vote.

Mr. GORDON. I transfer my pair with the Senator from Iowa [Mr. WILSON] to the Senator from South Dakota [Mr. KYLE] and vote "nay."

Mr. CULLOM. I have a general pair with the senior Senator from Delaware [Mr. GRAY] and therefore withhold my vote.

Mr. MILLS (after having voted in the negative). I am paired with the senator from New Hampshire [Mr. GALLINGER] and withdraw my vote.

Mr. SQUIRE (after having voted in the affirmative). I learn that the Senator from Virginia [Mr. DANIEL], with whom I am paired, has not voted. I therefore withdraw my vote.

The result was announced—yeas 22, nays 33; as follows:

YEAS—22.

Aldrich,	Dubois,	Lodge,	Platt,
Allison,	Hansbrough,	Manderson,	Proctor,
Carey,	Hawley,	Mitchell, Oregon	Sherman,
Davis,	Higgins,	Morrill,	Teller.
Dixon,	Hill,	Patton,	
Dolph.	Hoar,	Perkins,	

NAYS—33.

Allen,	Gibson,	McPherson,	Smith,
Bate,	Gordon,	Martin,	Turpie,
Berry,	Harris,	Mitchell, Wis.	Vest,
Blackburn,	Hunton,	Morgan,	Vilas,
Caffery,	Irby,	Palmer,	Voorhees,
Call,	Jarvis,	Pasco,	Walsh.
Cockrell,	Jones, Ark.	Peffer,	
Faulkner,	Lindsay,	Pugh,	
George,	McLaurin,	Roach,	

NOT VOTING—30.

Blanchard,	Daniel,	McMillan,	Squire,
Brice,	Frye,	Mills,	Stewart,
Butler,	Gallinger,	Murphy,	Washburn,
Camden,	Gorman,	Pettigrew,	White,
Cameron,	Gray,	Power,	Wilson,
Chandler,	Hale,	Quay,	Wolcott.
Coke,	Jones, Nev.	Ransom,	
Cullom,	Kyle,	Shoup,	

So the amendment was rejected.

Mr. HOAR. I move an amendment in the same language, with the addition of the words "to an amount not exceeding $5,000." I ask that the amendment be stated.

The PRESIDING OFFICER. The amendment proposed by the Senator from Massachusetts will be stated.

The SECRETARY. After the word "inheritance," in line 1, page 172, it is proposed to insert:

Except from lineal ancestors and descendants, or between husband and wife, to an amount not exceeding $5,000.

Mr. HOAR. The effect of this amendment is to dispose of the millionaire argument and confine it exclusively to little transfers between husband and wife in poor families of sums not exceeding $5,000.

Mr. VEST. Four thousand dollars would be exempted anyhow under the bill.

Mr. HOAR. I know, but I want this to be especially exempted. I want to have this particular thing not counted to be taxed, where otherwise it might be.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Massachusetts.

Mr. HOAR. I call for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CAFFERY (when his name was called). I am paired with the Senator from Montana [Mr. POWER].

Mr. MCMILLAN (when his name was called). I again announce my pair with the Senator from Louisiana [Mr. BLANCHARD].

Mr. SQUIRE (when his name was called). I announce my pair with the Senator from Virginia [Mr. DANIEL], and withhold my vote.

Mr. WHITE (when his name was called). I am paired with the Senator from Idaho [Mr. SHOUP].

The roll call was concluded.

Mr. GORMAN. I am paired with the Senator from Maine [Mr. FRYE].

Mr. DANIEL. I desire to state that I am paired with the Senator from Washington [Mr. SQUIRE].

Mr. MORGAN. I am paired with the Senator from Pennsylvania [Mr. QUAY], and withhold my vote.

Mr. SHOUP. I am paired with the Senator from California [Mr. WHITE], and withhold my vote.

The result was announced—yeas 21, nays 29; as follows:

YEAS—21.

Allison,	Hansbrough,	Manderson,	Sherman,
Carey,	Hawley,	Mitchell, Oregon	Teller,
Davis,	Higgins,	Patton,	Washburn.
Dixon,	Hill,	Perkins,	
Dubois,	Hoar,	Platt,	
Gallinger,	Lodge,	Proctor,	

NAYS—29.

Allen,	Gibson,	Mills,	Turpie,
Bate,	Harris,	Mitchell, Wis.	Vest,
Berry,	Hunton,	Palmer,	Vilas,
Blackburn,	Jarvis,	Pasco,	Voorhees,
Call,	Jones, Ark.	Peffer,	Walsh.
Cockrell,	Lindsay,	Pugh,	
Coke,	McLaurin,	Roach,	
Faulkner,	McPherson,	Smith,	

NOT VOTING—35.

Aldrich,	Daniel,	Jones, Nev.	Quay,
Blanchard,	Dolph,	Kyle,	Ransom,
Brice,	Frye,	McMillan,	Shoup,
Butler,	George,	Martin,	Squire,
Caffery,	Gordon,	Morgan,	Stewart,
Camden,	Gorman,	Morrill,	White,
Cameron,	Gray,	Murphy,	Wilson,
Chandler,	Hale,	Pettigrew,	Wolcott.
Cullom,	Irby,	Power,	

So the amendment was rejected.

Mr. PLATT. I did desire, and do desire, to offer an amendment in line 13, on page 173, but I understand that the Senator from Massachusetts [Mr. HOAR] still wishes to offer amendments with reference to the part of the bill we are now considering, and so I shall wait.

Mr. HOAR. I move to amend in line 13, on page 172, after the words "United States," by inserting "not including the judges of the courts of the United States, but." If that amendment shall be accepted I have nothing to say about it.

Mr. VEST. That is all right.

Mr. HOAR. Let the amendment be accepted.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. After the words "United States," in line 13, page 172, it is proposee to insert:

Not including the judges of the courts of the United States, but.

Mr. HILL. All the judges of the courts of the United States?

Mr. HOAR. All the judges of the courts of the United States are life officers under the Constitution and have a constitutional right to their salaries during life.

Mr. PEFFER. Has this matter been disposed of?

The PRESIDING OFFICER. Not yet. If there be no objection, the amendment submitted by the Senator from Massachusetts will be considered as agreed to.

Mr. MILLS. Let us hear what it is.

Mr. HILL. It is to except the judges of all the United States courts throughout the country from the operations of this section.

Mr. MILLS. Why should they be excepted?

Mr. HILL. I do not know. The Senator from Missouri says it is right, and whatever he says goes.

Mr. VEST. Whether it goes or not, the Senator from Missouri thinks the amendment is right.

The amendment was agreed to.

Mr. HOAR. I should like, before passing from that, to have printed in the RECORD the letter of Chief Justice Taney, which I presented on the 20th instant.

The PRESIDING OFFICER. In the absence of objection, it will be so ordered.

The communication referred to is as follows:

LETTER FROM CHIEF JUSTICE TANEY TO THE SECRETARY OF THE TREASURY RELATIVE TO AN ACT TAXING THE SALARIES OF THE JUDGES OF THE COURTS OF THE UNITED STATES.

WASHINGTON, *February 15, 1863.*

SIR: I find that the act of Congress of the last session, imposing a tax of 3 per cent on the salaries of all officers in the employment of the United States, has been construed, in your Department, to embrace judicial officers, and the amount of the tax has been deducted from the salaries of the judges.

The first section of the third article of the Constitution provides that—

"The judicial power of the United States shall be vested in one Supreme Court and such inferior courts as Congress may from time to time ordain and establish. The judges of both the Supreme and inferior courts shall hold their offices during good behavior, and shall at stated times receive for their services a compensation which shall not be diminished during their continuance in office."

The act in question, as you interpret it, diminishes the compensation of every judge 3 per cent, and if it can be diminished to that extent by the name of a tax, it may, in the same way, be reduced from time to time at the pleasure of the Legislature.

The judiciary is one of the three great departments of the Government created and established by the Constitution. Its duties and powers are specifically set forth, and are of a character that requires it to be perfectly independent of the other departments; and in order to place it beyond the reach, and above even the suspicion, of any such influence, the power to reduce their compensation is expressly withheld from Congress and excepted from their powers of legislation.

Language could not be more plain than that used in the Constitution. It is moreover one of the most important and essential provisions; for the article which limits the power of the legislative and executive branches of the Government, and those which provide safeguards for the protection of the citizen in his person and property would be of little value without a judiciary to uphold and maintain them which was free from every influence, direct or indirect, that might by possibility, in times of political excitement, warp their judgments.

Upon these ground I regard an act of Congress retaining in the Treasury a portion of the compensation of the judges as unconstitutional and void, and I should not have troubled you with this letter if there was any mode by which the question could be decided in a judicial proceeding. But all the judges of the courts of the United States have an interest in the question, and could not therefore with propriety undertake to hear and decide it.

I am, however, not willing to leave it to be inferred from my silence that I admit the right of the Legislature to diminish, in this or any other mode, the compensation of the judges when once fixed by law, and my silence would naturally, perhaps necessarily, be looked upon as acquiescence on my part in the power claimed and exercised under this act of Congress, and would be regarded as a precedent establishing the principle that the Legislature may, at its pleasure, regulate the salaries of the judges of the courts of the United States, and may reduce their compensation whenever Congress may think proper.

Having been honored with the highest judicial station under the Constitution, I feel it to be more especially my duty to uphold and maintain the constitutional rights of that Department of the Government, and not by any act or word of mine have it to be supppsed that I acquiesce in a measure that displaces it from the independent position assigned to it by the statesmen who framed the Constitution. And in order to guard against any such inference I present to you this respectful, but firm and decided, remonstrance against the authority you have exercised under this act of Congress, and request you to place this protest upon the public files of your office as the evidence that I have done everything in my power to preserve and maintain the judicial department in the position and rank in the Government which the Constitution assigned to it.

I am, sir, very respectfully, yours,

R. B. TANEY.

Hon. S. P. CHASE,
Secretary of the Treasury.

Mr. PEFFER. I wish to attend the funeral of my late colleague in this Chamber, Mr. Perkins, which takes place at 4 o'clock this evening. I wish, before I go, to call the attention of the Senate to two amendments which I should like to offer at the present time. The part of the bill to which one of the amendments, at least, applies will probably be reached before I return, and I ask unanimous consent that they may be acted upon now. I shall not ask anything more than a simple *viva voce* vote.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kansas? The Chair hears none.

Mr. PEFFER. On page 176, in line 10, after the word "return," I move to insert what I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. After the word "return," in line 10, on page 176, it is proposed to insert:

The rendering of such willfully false or fraudulent return is hereby declared to be a felony, and on conviction thereof the person or persons so found guilty, shall be punished by imprisonment at hard labor for a period of not less than one year nor more than five years, in the discretion of the court; and it is hereby made the duty of the collectors of internal revenue to report all cases of such willfully false or fraudulent returns to the district attorney of the particular district, who shall forthwith institute criminal proceedings against such persons.

Mr. VEST. I simply want to say that the law already provides for an offense like this. The general statute covers the case, and I will say to the Senator from Kansas, with great respect, that I do not think there is any necessity for the amendment.

Mr. PEFFER. I should like to have a vote upon it, anyway.

Mr. HOAR. I hope the Senator from Kansas will strike out of that amendment the phrase "is hereby declared to be a felony." We have a statute definition of felony, which is comprehensive and applies to all cases which are or may be in the power of the court punishable by hard labor. It makes an exceedingly an noying condition of things to undertake to add to that comprehensive definition an enumeration of particular offenses, making them felonies in terms. The Senator is aware, I suppose—certainly the lawyers in the Senate who have had experience are aware—that a very different rule of pleading applies to felonies than to misdemeanors.

For instance, you can not join in the same indictment the count of a felony and the count of a misdemeanor; and there are some other distinctions which it is not necessary to mention. I do not recall all of them now. So it seems to me we had better adhere to our ordinary rule of letting the definition of felony be comprehensive and universal in all cases.

Mr. PEFFER. I do not wish to engage in this discussion. I simply ask for a vote.

Mr. HOAR. I move to strike out the words "is hereby declared to be a felony."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. It is proposed to amend the amendment by striking out in lines 3 and 4 the words, "is hereby declared to be a felony."

Mr. HOAR. The word "and" should be stricken out in addition. I move to strike out the words, "hereby declared to be a felony, and."

The PRESIDING OFFICER. The question is on the amendment of the Senator from Massachusetts. [Putting the question.] The noes seem to have it.

Mr. HOAR. I ask for a division.

Mr. MITCHELL of Oregon. I should like to hear the amendment proposed by the Senator from Kansas read, and then I

should like to hear it read as it will stand if the motion of the Senator from Massachusetts should prevail.

The PRESIDING OFFICER. The amendment to the amendment will be reported.

The Secretary read the amendment proposed by Mr. PEFFER and the amendment as proposed to be amended.

Mr. ALLEN. Mr. President——

Mr. HOAR. Before the Senator from Nebraska proceeds I will withdraw my amendment. I shall not take up the time of the Senate this hot day.

Mr. ALLEN. I suggest to the Senator from Kansas to strike out the word "felony" and substitute the word "offense." That will comply with the wishes of the Senator from Massachusetts.

Mr. PEFFER. I prefer a vote on the amendment as it stands.

The PRESIDING OFFICER. The Chair understands the Senator from Massachusetts to have withdrawn his amendment. The question recurs, therefore, on the amendment proposed by the Senator from Kansas.

Mr. ALLEN. I move to strike out the word "felony" and insert the word "offense."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In line 4 of the amendment it is proposed to strike out the word "felony" and insert "offense."

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Nebraska [Mr. ALLEN] to the amendment of the Senator from Kansas [Mr. PEFFER].

The amendment to the amendment was rejected.

The PRESIDING OFFICER. The question recurs on the amendment proposed by the Senator from Kansas.

The amendment was rejected.

Mr. PEFFER. On page 207, line 7, after the word "taxes," I move to insert as a new section what I send to the desk.

The PRESIDING OFFICER. The amendment proposed by the Senator from Kansas will be stated.

The SECRETARY. It is proposed to add after section 81, on page 207, as a new section the following:

That section 3339 of the Revised Statutes, and all sections amendatory thereof, be amended so as to provide that the tax on beer, lager beer, ale, porter, and other similar fermented liquors shall be $2 per barrel, and the said section shall be and remain in force as part of this act, together with any and all laws and parts of laws made to carry into effect the provisions of this section.

Mr. PLATT. Will not the Senator from Kansas be likely to return before we reach that part of the bill? The question of the beer tax is a pretty important question, and I should hope there would be a little time for the discussion of it.

Mr. PEFFER. I am quite willing that this matter may be taken up during my absence.

I now ask that I may be excused during the remainder of the day from attendance on the Senate.

The PRESIDING OFFICER. In the absence of objection, the request of the Senator from Kansas will be granted. The reading of the bill will proceed.

Mr. HILL. Before that is done, I inquire if the Senator from Connecticut [Mr. PLATT] has offered his amendment?

Mr. PLATT. No; but I desire to offer an amendment.

Mr. HILL. I have some amendments to offer when the Senator from Connecticut finishes his.

Mr. PLATT. I desire to offer an amendment on page 173, to strike out the second proviso, commencing in line 13 and ending in line 21. Let it be stated by the Secretary.

The PRESIDING OFFICER. The Secretary will state the amendment proposed by the Senator from Connecticut.

The SECRETARY. On page 173, section 55, it is proposed to strike out the second proviso, as follows:

Provided further, That only one deduction of $4,000 shall be made from the aggregate income of all the members of any family, composed of one or both parents, and one or more minor children, or husband and wife; that guardians shall be allowed to make a deduction in favor of each and every ward, except that in case where two or more wards are comprised in one family and have joint property interests, the aggregate deduction in their favor shall not exceed $4,000.

Mr. PLATT. This seems to me to be an important matter, and if it were not so excessively warm to-day, I should like to occupy the attention of the Senate for a few minutes; but as it is, I shall only state in the most concise way I can the reason why I think this proviso should be stricken out.

It will be observed that incomes are assessed upon individuals. The tax is paid by the individual upon his or her individual income, with an exemption of $4,000.

Now comes this proviso, that there is to be only one exemption where the combined income of different members of a family amounts to more than $4,000. That is not right, Mr. President; it is not consistent with the scheme of the bill, and I trust that this question will not be decided by a party vote.

That only one deduction of $4,000 shall be made from the aggregate income of all the members of any family, composed of one or both parents, and one or more minor children, or husband or wife.

That is the first clause, but they have all got to be assessed to the individual; they are not assessed to the family. Each individual member of the family has to have his income assessed and levied under the provisions of the fifty-fourth and fifty-fifth sections.

Take it merely in the case of husband and wife. If the husband has an income of $4,000 and his wife has an income of $4,000 each income would be exempt if it were not for this proviso; but here comes in the proviso and says there is to be only one exemption of $4,000. Is that right? Suppose the minor children in a family by inheritance from their grandfather or from other sources have individual incomes, the combined amount of which exceeds $4,000, and the parents have incomes, there is no deduction for the income of the minor children under those circumstances.

The same reasoning holds true with regard to the next provision, where there are two or more wards comprised in one family who have a joint property interest, the aggregate deduction in their favor shall not exceed $4,000. If the incomes are large in a family, this is not practically of any great importance; but if they are small, it is going to work a decided hardship. Any one can see that.

I can see no reason why the income should be assessed on the individual and on all the individual members of a family, and then the deduction should be made for the family alone. It seems to be an inconsistency.

I do not know where this provision came from. It was not, unless I am very much mistaken, in any of our former income laws. The suggestion was made to me this morning that it was taken from an old income law, but I have looked at all of them I could find and I did not find this provision in them. I may be mistaken about it, but whether it is in other income tax laws or not, it is not right.

Mr. VEST. This provision is taken from the income law which was formerly enacted by Congress.

Mr. PLATT. The law of what year?

Mr. VEST. In the laws enacted in 1864 and 1867; and it is the provision in the bill as it came from the House, which is now pending.

Mr. PLATT. I could not find it in the Statutes at Large.

Mr. VEST. It is identical word for word, except as to the amount, and it was based upon the idea, I suppose—that was the theory upon which we adopted it—that where the parties were living together and the family expenses were in common, there should not be this separate exemption, but only one exemption for the entire family; and the same way in regard to wards where they had a joint interest, which could not be separated, and lived together, the theory of this income tax being that the amount of necessary expenses to a family, which is fixed by this bill at $4,000, should be exempt from taxation. Where they may have separate estates, yet if they are living together as one family, and sharing expenses as a household, the old law made this exemption, and we have adopted the identical language.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Connecticut [Mr. PLATT].

Mr. PLATT. I find that the provision was in the old income law, but I could not find it in the Statutes at Large, although I looked for it, but I am sure it was not in all of them. We have had several such laws. It does not matter, however, whether it is the old law or not, it is not right, and it ought to be stricken out. I ask for the yeas and nays on the amendment.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. GORDON (when his name was called). I do not see the Senator from South Dakota [Mr. KYLE] in his seat, and I make the same transfer of pairs I made on the previous vote, so that the Senator from Iowa [Mr. WILSON] will stand paired with the Senator from South Dakota, and I vote "nay."

Mr. McMILLAN (when his name was called). I announce my pair with the Senator from Louisiana [Mr. BLANCHARD].

The roll call was concluded.

Mr. CAMDEN. I desire to again announce my pair with the Senator from South Dakota [Mr. PETTIGREW].

Mr. CAFFERY. I announce my pair with the Senator from Montana [Mr. POWER].

The result was announced—yeas 30, nays 31; as follows:

YEAS—30.

Aldrich,	Frye,	Hoar,	Quay,
Carey,	Gallinger,	Lodge,	Sherman,
Chandler,	Gray,	Mitchell, Oregon	Shoup,
Cullom,	Hale,	Morgan,	Squire,
Davis,	Hansbrough,	Patton,	Teller,
Dixon,	Hawley,	Perkins,	Washburn.
Dolph,	Higgins,	Platt,	
Dubois,	Hill,	Proctor,	

NAYS—31.

Allen,	Gibson,	Lindsay,	Roach,
Bate,	Gordon,	McLaurin,	Smith,
Berry,	Gorman,	Martin,	Turpie,
Blackburn,	Harris,	Mills,	Vest,
Coke,	Hunton,	Mitchell, Wis.	Vilas,
Daniel,	Irby,	Murphy,	Walsh,
Faulkner,	Jarvis,	Pasco,	White.
George,	Jones, Ark.	Pugh,	

NOT VOTING—24.

Allison,	Camden,	McPherson,	Power,
Blanchard,	Cameron,	Manderson,	Ransom,
Brice,	Cockrell,	Morrill,	Stewart,
Butler,	Jones, Nev.	Palmer,	Voorhees,
Caffery,	Kyle,	Peffer,	Wilson,
Call,	McMillan,	Pettigrew,	Wolcott.

So the amendment was rejected.

Mr. SHERMAN. I desire to inquire of the Senator in charge of the bill whether he has an estimate from the Treasury Department, or whether he has made any estimate himself as to the amount which the income tax will probably yield?

Mr. VEST. There never has been any estimate from the Treasury Department, except one made in an informal way by the Commissioner of Internal Revenue as to the result of the tax upon corporations.

I will say very frankly to the Senator from Ohio, that the general estimate has been at $30,000,000, but I have never been able to find any reliable data on which to base an estimate, and I do not think anybody knows or can state what it will be.

Mr. SHERMAN. I wish to call the attention of the Senate to some statistics upon that point. It is very important if we pass an income tax that we should have an income tax which will yield a considerable revenue.

Mr. HILL. I think the Senator labors under a delusion. It is not apparently of the slightest consequence how much it yields in revenue.

Mr. SHERMAN. I think it is of very great consequence how much it yields.

I have endeavored to procure statistics from the Census Bureau as to the probable number of persons who will pay the income tax under the provisions of this bill, but I can find no data given by the Census Office which will even enable me to form an opinion upon the subject.

I have found, however, in one of the statements of the Census Bureau, important facts which may throw some light on the subject. I find that the total valuation of property in the United States was estimated by the Census Bureau in 1890 at $65,037,091,197. The estimated value of real estate, with improvements thereon, was $39,544,544,333; of live stock on farms and ranges, farm implements, and machinery, $2,703,015,040; of mines and quarries, including product on hand, $1,291,291,579; gold and silver, coin and bullion, $1,158,774,948; machinery of mills and product on hand, raw and manufactured, $3,058,593,441; railroads and equipments, including street railroads, $8,685,407,323; telegraphs, telephones, shipping and canals, $701,755,712; miscellaneous, $7,893,708,821.

So it will be seen that nearly two-thirds of the property of the United States is in lands with the improvements thereon, and the balance is divided among the number of items which I have given, the largest of them being $8,685,407,323 in railroads.

Mr. President, when you come to the homes and the farms of all the people of the United States, included in the term real estate, of course they are practically exempt from taxation; because there is no provision here which would make the home fall under the income tax, provided it is occupied by the owner. It is only where real estate is rented that it furnishes what is called an income.

The house in which a man lives, however expensive it may be, would not contribute anything towards this fund. So it will be at least safe to say that two-thirds of the real estate held by the people of the United States can not be embraced in the income schedule because it is occupied by the owners, and there is no provision in this law which would require the return of such property when so occupied.

It is true if a man makes money out of his farm, after deducting a great many things, he will be taxed on the overplus, but there is probably not one in a thousand of the farmers of the United States who would come within the limit of $4,000. All the farms, therefore, would be practically exempt from the income tax.

Mr. President, let us go a little further. The bill as it now stands eliminates from taxation all debts and credits of the country, amounting to untold billions of dollars. The reason of that is that the creditors are as numerous as the debtors. Every debt represents a creditor as well as a debtor, and where a debtor owes to his creditor the debtor is authorized to deduct from his income, however much it may be, all the interest he has to pay and the other expenses attending it, and the creditor will be to a large extent exempt, because the large creditors in this country are also generally very heavy debtors, and one will balance the other.

I doubt very much whether, under the operations of this bill, you will derive any revenue from debts and credits. The greatest debtors in our country are the largest business operators, all the interest they pay will be deducted from their income, and for the last year, I think, it will exceed in almost every case the income, and the creditor also is apt to be a debtor. Therefore, if he should honestly return his income, it would probably not be more than has already been deducted from the assets of the debtor, or from his possible income if he is not in debt. Therefore we must eliminate from the computation the property of the debtor and the creditor. In all our returns no notice is taken of the amount of debts and the amount of credits, and only fixed property, real and personal, can be estimated in this list.

If you take the entire aggregate of $65,037,091,197 and make the reduction from real estate and the improvements thereon, when it is occupied by the owner and yields no rent, Senators must perceive, as well as I, that the amount of this property which is occupied and free from the income tax will probably amount to nine-tenths of all the real estate in the country. Probably not one-tenth of the real estate in this country is rented so as to yield an income under the provisions of this bill.

Further, the old law, which has been referred to as having yielded $30,000,000, and one year during the war, I think, yielded $80,000,000, was based upon the idea of a deduction of only $600. This exemption was increased after the war was over, and finally it was placed at $2,000, when the income tax diminished rapidly, owing to the increase of the limit of exemption. When the exemption on incomes was only $600, the tax yielded some forty or fifty million dollars a year, and when the exemption was raised, first, to $1,000, then to $1,200, and finally to $2,000 (after which the income tax was repealed), the amount of income fell off very rapidly, and was reduced to less than one-half.

It is also true, and it is a fact known by every Senator here, that the great body of the property of the people of the United States is held not in great masses such as will be taxed under this bill, but is held in small amounts. A man would be considered quite rich in Ohio who had $50,000 of property; but he would not count as part of his property for taxable purposes the house in which he lives, or the land, because that would probably be balanced by the expense of conducting the farm. So that a man must have at least $100,000 in active operation, yielding a rental, a profit, or an interest, in order to have an income going beyond the exemption of $4,000.

Indeed the wealth of some of the wealthiest States in this country rests upon unimproved real estate, which yields no income whatever. Under this bill the taxes upon such property paid the State, city, and county authorities may be deducted, and that may exceed all the rents, and yet the owner may be worth a quarter of a million dollars. A tax thus levied upon incomes above $4,000 implies that the tax shall extend to only a few. In our country it is not common, especially in the country, to find men worth more than $100,000. A man is considered quite rich who is worth that amount; and yet he would be entirely exempt from the tax.

If Senators on the other side of the Chamber, who are responsible for the conduct of the Government, for the payment of the interest on the public debt, and the payment of our current expenses, desire to provide measures for revenue, they must provide revenue measures that will yield money. If you would apply a general income tax of 2 per cent on all incomes above $1,000, I venture to say you would get three times and perhaps four times as much revenue as when you confine the levy of the income tax to men who are very wealthy, and all who would be considered very wealthy who were called upon to pay this tax.

It is to be remembered that this tax is not levied upon the value of the property; it is only levied upon its income producing value after all the other exemptions and limitations are drawn from it. So it would be confined to comparatively few, and upon those it would not be very severe. The probable result of such a tax no man can tell. I suppose the Secretary of the Treasury would not undertake to estimate the amount which will be derived from it. No man can tell. I believe it is simply a blow aimed at comparatively few people and it will not cause any sensible increase of the revenues of the Government. That is the view I take of it. I may be mistaken. If it yields ten or twenty million dollars it would be far beyond my expectation.

It seems to me when we are now seeking to provide revenue for the support of the Government we ought to take those sources of revenue which are sure and potent, and that will be sufficient to meet the exigencies of the nation. In my judgment this income tax as it is now provided for, the Senate having refused to lower the limit so as to reach a larger number of

persons, is a delusion and a snare. If it yields $10,000,000 or $15,000,000 at the most, it is a discriminating tax against a few persons and it would be of but little advantage. There are a thousand taxes that might be named which would furnish several times as much revenue and would not be felt in the slightest degree by the people of the United States.

A tax of two mills on a pound of sugar would yield more revenue than this boasted income tax. It will be looked upon as a discrimination against the few, as a blow aimed at people who have been industrious, vigilant, and careful, who have husbanded their resources, and it will not yield you the revenue you demand. In my judgment it will be the most unpopular and the most unproductive tax that has ever been levied in the United States of America.

Mr. HILL. Is there an amendment now pending?

The PRESIDING OFFICER. There is no amendment pending at this time.

Mr. HILL. I desire to ask the Senator in charge of the bill on what principle or theory it is that the judges of the United Srtes courts are to be exempted from taxation under this proposed act?

Mr. VEST. Does the Senator from New York want an answer now?

Mr. HILL. Yes.

Mr. VEST. This question was brought into the debate by an amendment proposed by the Senator from Massachusetts [Mr. HOAR] several days ago. The Senator from Massachusetts caused a letter addressed by Chief Justice Taney to the Secretary of the Treasury to be printed and laid upon our desks. In that letter the contention was made that the provision of the Constitution that the salaries of the judges of the United States courts should not be diminished during their tenure of office applies to an income tax, which creates a burden upon those salaries. I say, with the greatest respect for that great lawyer, Chief Justice Taney, that I do not think the legal argument is a sound one. At the same time, the amount involved in the tax is so inconsiderable, that in order to economize time and prevent discussion, we concluded to waive any objection to the amendment and leave it to the Senate to determine, without the committee taking any part, except as Senators personally, in regard to it.

I am frank to say that I would have no feeling about it if the matter were decided either way. There is great plausibility in the contention made by Chief Justice Taney in the document I have referred to. At the same time it can be said that there is no very conclusive reason why officers holding their positions for life and receiving salaries, and considerable salaries, from the Government should not bear their proportion of the common burden imposed upon all the people receiving incomes throughout the country. We have no feeling about it, and do not propose to take any part in it except individually.

Mr. HILL. I do not propose to criticise the action of the committee in accepting so readily and without debate the suggestion of the Senator from Massachusetts. Still, I do not suppose it can fairly be said that it was accepted in order to prevent a few moments' consideration. I can hardly suppose that because it was a heated afternoon, therefore it was wiser to accept it than to antagonize it. I supposed that in making up a bill it should be framed upon some principle, and not simply with a desire to gratify the distinguished Senator from Massachusetts, much as the Senator from Missouri would like to do so. I supposed an exemption of such an important character as that of the judges of the Supreme Court, of the judges of the circuit courts, of the judges of the district courts, should be made upon some principle and some reason, and that those who are responsible for the bill had investigated the subject and come to some mature determination.

I assume that the ground upon which it may be said that the judges of the United States courts should be exempted from this tax is because of that provision of the Constitution of the United States which provides that these judges "shall, at stated times, receive for their services a compensation which shall not be diminished during their continuance in office;" that it would probably be held that Congress could not by the passage of a statute take away from them any portion of their stipulated salary; and that what it could not do directly it could not do indirectly by means of an income tax. That is the plausible theory if not the strict legal ground upon which the exemption should be made. It can stand upon that ground, or it can not stand at all. Therefore, if that be so, the committee should go further, and the amendment which I now propose to submit for the consideration of the Senate, it seems to me, is one which should be adopted.

I offer as an amendment a provision that the salary of the President of the United States shall be exempted from the provisions of this act. The Constitution provides that "the President shall * * * receive for his services a compensation which shall be neither increased nor diminished during the period for which he shall have been elected, and he shall not receive within that period any other emolument from the United States," etc. If you exempt the judges of the courts because of that constitutional provision—and I assume that it must be done, not because of a mere freak, not because somebody asks it, but because of some principle, some solid ground upon which we can stand—then why ought not this amendment to be made?

The President of the United States happens to be a resident of the State of New York. This income tax bears pretty heavily upon the State of New York, and I think the Senator from Missouri in the kindness of his heart will agree to exempt at least one resident of that State and not allow his official salary to be tampered with. It seems to me under the provisions of the Constitution he is entitled to it, if the judges are. The President does not ask for it. I am not authorized to speak for him in this or any other matter, but I think if you exempt the judges at the personal request of the Senator from Massachusetts you might at least grant this in behalf of a resident of my State who now occupies the place of President.

Mr. VEST. As this is probably the last President we shall have from New York, the appeal is almost irresistible. [Laughter.]

Mr. HILL. I am afraid if you keep on with this kind of taxation it will be the last Democratic President from any State in the Union for a long number of years. [Laughter on the floor and in the galleries.]

The PRESIDING OFFICER. Order must be preserved in the galleries. The officers of the Senate will see that the rules of the Senate are not violated.

Mr. HILL. I think my good-natured friend from Missouri now sees the propriety of the amendment, and without calling the roll I hope it may be adopted unanimously.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. It is proposed to insert:

The salary of the President of the United States shall be exempted from the provisions of this act.

Mr. HALE (at 3 o'clock and fifteen minutes p. m.). Mr. President, I wish to make an appeal to the Senator from Tennessee, who is in charge of the bill. The Senator knows and appreciates the fact, as I and all of us do, that we are at the end of a hard-worked week. The weather is almost insupportable; the air of the Chamber is very bad; and as a matter of safety and common sense in consulting the health of Senators, it seems to me that the session to-day should not be greatly prolonged. Besides—I know the Senator will appreciate this consideration—the funeral of an associate of ours, a former member of this body, is fixed for 4 o'clock to-day. A number of Senators desire to be present and will leave the Chamber for that purpose.

Under these circumstances, and in view of the fact, which I think we all appreciate, that the debate upon this portion of the bill has run itself about out, and that we can probably on Monday, after the rest we shall get over Sunday, come in here and proceed to vote upon the provisions of this part of the bill, and that we shall make more progress in that way than to keep an unwilling Senate here, I suggest to the Senator from Tennessee that it be the understanding that at 4 o'clock he will move either to adjourn or go into executive session. Then Senators who desire to attend upon the sad services to which I have referred will be enabled to do so, and yet not depart from the Senate without its will and wish.

Mr. HARRIS. Mr. President, I have pressed from time to time, and continuously, the consideration of the bill, and I feel a very earnest and a very great anxiety to press it to a conclusion at the earliest moment possible. I have been appealed to, however, after the notice I gave yesterday evening, by a number of Senators on both sides of the Chamber, for the reasons assigned by the Senator from Maine, to consent to the suggestion now submitted. However great my anxiety to make progress, I have quite as great, if not a greater anxiety to oblige a majority of this body whenever it may choose to express itself. Believing as I do, from the suggestions made to me both publicly and privately, that the Senate really desires to abandon work at the hour named, much as I personally regret it, I will consent to the suggestion made by the Senator from Maine.

Mr. ALDRICH. What is the pending question?

Mr. HILL. It is on my amendment, I understand.

The PRESIDING OFFICER (Mr. PASCO in the chair). The question is on the amendment of the Senator from New York [Mr. HILL], which will be stated.

The SECRETARY. It is proposed to insert:

That the salary of the President of the United States shall be exempted from the provisions of this act.

Mr. VEST. The same argument applies in favor of that amendment as to that in regard to the judiciary. I have not

had time to refer to an act of Congress in regard to the salaries of the judges, and I can not recall from memory the provisions of the act. I know that during my service in the Senate we have from one session to another been passing special acts refunding to judges of the Supreme Court the income tax which was paid by them. Possibly some older member of the Senate can recall the provisions of that act, but I know we have been engaged in that sort of legislation.

Mr. SHERMAN. My impression is that in consequence of the decision of the courts in some of the States that Congress has no right to levy a tax upon an officer, a servant of the State, usually all such persons have been exempted.

Mr. VEST. There is no doubt about that.

Mr. SHERMAN. Therefore there ought to be a provision to exempt all officers of a State.

Mr. HOAR. That is in the bill now.

Mr. VEST. It is in the bill now.

Mr. SHERMAN. The President of the United States is protected by the Constitution just as much as the judges of the Supreme Court. We have no right to lower his salary by a tax. Therefore I shall vote for the proposition to amend without any hesitation. I think the same provision has been in all the income measures, that the act shall not extend to judges of the courts of the United States, nor to the President of the United States, whose salary, by express provision of the Constitution, can not be reduced.

Mr. VEST. I have no objections to the amendment of the Senator from New York.

The amendment was agreed to.

The PRESIDING OFFICER. The Chair will call the attention of the Senator from New York as to the place where his amendment should be inserted. The Chair presumes it will come in at the end of section 55, and if there is no objection it will be placed there.

Mr. HILL. I suggest to the Chair that it be placed immediately before the amendment of the Senator from Massachusetts, which exempts the judges. The President should be exempted first, of course, and then the judges.

The PRESIDING OFFICER. By unanimous consent, the wording of the amendment will be changed, so as to insert the amendment after the words "United States," in line 13, section 55, and the clause will then read:

Not including the salary of the President of the United States and the judges of the courts of the United States, but.

Does the Senator from New York wish to offer another amendment?

Mr. HILL. Yes, sir; I move to amend section 155, by striking out, after the word "securities," in line 7, page 171, the words:

except such bonds of the United States as are by the law of their issuance exempt from all Federal taxation.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from New York.

Mr. HILL. Mr. President, the point I desire to make is that while it is competent, while it is proper, that bonds themselves should be exempted, because the contract so provided, and as a matter of propriety, there is no reason why the interest upon exempted bonds should not be included in the amount to make up an income. There is no reason why the interest should be exempted.

I hold in my hand the statute under which these bonds were issued, and the provision is simply that the bonds shall be exempt from taxation. The interest upon the bonds is an entirely different matter, foreign to the bonds themselves. The United States has the right to say, and properly, that its bonds may be exempt from taxation, but the income from them is properly subject to this tax.

It is a part of a man's income. Of course bonds of the United States are not subject to State, county, or local taxation. They are exempt from all that class of taxation, but when it comes to income taxation instituted by the Federal Government the interest upon bonds is no more sacred than any other species of income from property. By keeping this provision in the bill you again make another discrimination which ought not to exist in the bill.

This brings up the point suggested the other day by the distinguished Senator from Massachusetts [Mr. HOAR], namely, that under a direct tax whereby land is to be taxed you can not tax land directly except upon a basis of population; and by virtue of an income tax you do not increase the tax upon land but you tax the income from the land. Yet you refuse to tax the interest upon bonds simply because there is a statute of the United States which provides that the bonds shall be exempt.

The Constitution says in substance and legal effect that real estate shall be exempt from all Federal taxation, except taxation imposed upon a basis of population. This proposed act provides not that real estate shall be taxed, but that you shall tax what arises out of the real estate—the income from it. I doubt very much the constitutional power of Congress to do that. I agree with the Senator from Massachusetts upon that legal proposition; but it being a debatable question, I do not offer an amendment to exclude the income from real estate. That question will be left to the courts. But there is no reason under heaven, simply because there is a statute of the United States which provides that the principal of the bond shall be exempt from taxation, why you can not include the interest upon the bonds in making up an income tax.

For this reason, Mr. President, I propose this amendment.

Mr. HOAR. Mr. President, I hope the amendment of the Senator from New York will not be adopted. If it is his desire to show the consistency of the framers of the bill, or to bring out in sharp relief before the country with how little care or sense of legislative responsibility it has been framed, or with how much less care and sense of legislative responsibility Senators have voted upon it, I sympathize very much with him in that purpose, but this is a matter which affects the public faith. To my mind it is a breach of the public faith when the United States has promised to pay a certain sum of money at a certain time with interest to withhold a part of that promised sum under the guise of taxation.

Mr. President, this question affects what is one of the brightest jewels in the diadem of this Republic. There never was a nation on the face of the earth exposed to such a temptation as were the people of the United States at the close of the war with the burden of an enormous debt on their shoulders. There were a hundred devices, fiat money, and other similar devices, proposed to the people of the United States as a mode of breaking their plighted faith. The people saw through them, resisted the temptation, and took upon their shoulders manfully the burden of a public debt of upwards of $4,000,000,000,000. They have paid that debt off until the interest upon the public money, which was 7 per cent, the bonds selling at a discount, has become 3 per cent, and the bonds selling at a premium. There never was another nation on the face of the earth, a monarchy, oligarchy, or republic, which would have met that temptation with the heroic and splendid public faith with which it was met by the self-governing people of the United States.

Even Great Britain, who has been in the habit of taunting us and of volunteering her advice to us as to our financial management, took out the interest on her Spanish loan made during the great war with Napoleon. We stand preëminent, conspicuous, and alone in the scruple with which we have adhered to our plighted public faith. I like to keep this thing to tell an Englishman who undertakes to talk to me about the comparative sense of honor of republics and monarchies, that we have paid every sixpence of this enormous debt, principal and interest, and then remind him that England deducted her taxes from the interest on her Spanish loan. It is a thing which he does not like to hear any more than I like to hear his patronizing and presumptuous criticism.

I hope this is a matter which no party necessity, no political temptation will cause us to trifle with or to tamper with for a moment. If you can issue a promise to pay and pay it in thirty years with 6 per cent interest and deduct 2 per cent in the guise of taxation, you may deduct the whole of the 6 per cent interest under the guise of taxation.

Mr. President, I hope we shall expose the folly, as I think it is, of our Democratic party managers in some other way than by adopting this proposition.

Mr. VEST. Mr. President, it would require no declarations on the part of the Senator from Massachusetts to show that he and the Senator from New York are actuated by the same motive. They both desire to defeat this bill and they are both engaged in a raid upon it from the smallest to the largest provision that can be found within its limits. The committee in charge of the bill ask no favors from either of those gentlemen, and expect nothing except attack. We are ready to meet them anywhere in regard to any provision of the bill and do the best we can to show that it is not only an equitable and just measure, but as carefully prepared as any other bill that has been presented to Congress.

I do not claim that this measure is perfect. That would be an assumption which would be absurd upon the face of the statement. But I do claim that it has been carefully prepared, considering the subject-matter, and that it is defensible; and I stand here to-day ready to defend it. But, Mr. President——

Mr. ALDRICH. Does the Senator from Missouri claim that they have adopted the precedents which have been followed in other cases in this particular paragraph?

Mr. VEST. There is very little precedent in regard to an income tax; but if the Senator means in regard to the bond question which is now before us, I say yes.

Mr. ALDRICH. Has this been the course followed heretofore?

Mr. VEST. As a matter of course, Congress has never attempted repudiation, if that is what the Senator means.

Mr. ALDRICH. I simply want to find out whether the previous statutes upon this subject used the phraseology of this particular provision.

Mr. VEST. When the first income tax was created I think the same language was contained in the act, or equivalent words; but whether that was the case or not, I can state that the Congress of the United States would do nothing which would be in the nature of a repudiation of its solemn contracts.

Mr. ALLISON. I have here the act of 1864.

Mr. ALDRICH. I suggest to the Senator from Missouri that he had better let the Senator from Iowa read the former act.

Mr. VEST. Certainly.

Mr. ALLISON. I find the following proviso in the act of 1864, which was not changed, I believe, until the income expired:

Provided, That income derived from interest upon notes, bonds, and other securities of the United States shall be included in estimating incomes under this section.

Mr. HILL. It was very unkind, I think, for the Senator from Iowa to read that provision.

Mr. VEST. I see nothing unkind in it. It is a provision contained here in the present bill.

Mr. ALDRICH. There is only one slight difference. In one case interest is included, and in the other case it is not included.

Mr. VEST. The language here used, "except such bonds of the United States as are by the law of their issuance exempt from all Federal taxation," might not have been in the old law, although I think I can find words equivalent to it in another part of the act. Whether that is the case or not, does the Senator from Rhode Island, who seems to enjoy this criticism, indorse the proposition of the Senator from New York to tax the interest upon these bonds?

Mr. ALDRICH. I am not talking about that. I am talking about what has been done heretofore.

Mr. VEST. That is what we are talking about in the Senate, and everything else is simply leather and prunella. This alliance between the Senator from New York and the Senator from Rhode Island seems liable to a little breaking up occasionally when it comes to legitimate results. Does he indorse this amendment, and is he willing to go before the people of Rhode Island and say that notwithstanding the statute under which the bonds of the United States were issued declares that those bonds shall be exempt from taxation, he is willing now to put an income tax upon the interest?

Mr. ALDRICH. No; I stand by the committee in this particular case.

Mr. VEST. Then the Senator stands by the committee for a partisan reason. I want to know what he would do as a Senator of the United States in regard to it.

Mr. ALDRICH. I will tell the Senator. I would stand by the committee as a Senator.

Mr. VEST. The Senator from Massachusetts talks about recklessness in legislation. What must any Senator think of an amendment like this, which would strike down the credit of the United States Government like an ox in the shambles? What would become of the credit of this Government if, in the face of a statute under which a bond was issued to an honest bona fide purchaser, whether foreign or citizen, which provides that that bond shall be exempt from taxation, we proceed to put a burden upon it, and to put taxation upon it under the quibble that we have got a right to do something with the interest that we can not do with the principal?

Mr. HALE. What interpretation does the Senator put upon the provision of the act of 1864?

Mr. VEST. As it was read by the Senator from Iowa, it simply applies to bonds of individuals, without saying anything about Government bonds.

Mr. HALE. Now, let us see what the language is. It is more sweeping than I supposed it was:

Provided, That income derived from interest upon notes, bonds, and other securities of the United States shall be included in estimating incomes under this section.

It does not seem as if language could be selected that would more clearly include all interest upon United States securities of every form as a part of a man's income to be taxed than the language which I have just read.

As I have said, it is stronger than I supposed it was. It has no exception like the clause which the Senator has in the bill, but it is sweeping. It applies to securities which had been issued before and to all securities, and it declares in terms that they shall be reckoned as a part of the income which shall be taxed. Is not that the fair construction of the language?

Mr. VEST. What is the date of that provision?

Mr. HALE. It is the act of 1864.

Mr. VEST. I have sent for the statute which——

Mr. CHANDLER. Will the Senator from Missouri allow me to give him the language of the act of 1862, to which I thought he alluded?

Mr. VEST. If the Senator will allow me to make one remark, I will hear him with pleasure. I have sent for the statute we had in our committee room when this matter was under consideration, which provides that interest upon the bonds of the United States shall not be taxed.

Mr. HALE. To what act does the Senator refer?

Mr. VEST. I refer to the act for which I have sent and which I shall produce here. I do not recollect it, but it was in our committee room when we were considering this question.

Mr. HALE. This is the act of 1864.

Mr. CHANDLER. Let me read the act of 1862.

Mr. HALE. Let us hear that act read.

Mr. VEST. Perhaps the Senator from New Hampshire has the act to which I referred.

Mr. CHANDLER. The act of 1862 made a discrimination. It imposed a graduating income tax of 3 per cent and 5 per cent, and then came this provision:

Provided, That upon such portion of said gains, profits, or income, whether subject to a duty as provided in this act of 3 per cent or of 5 per cent, which shall be derived from interest upon notes, bonds, or other securities of the United States, there shall be levied, collected, and paid a duty not exceeding 1½ per cent, anything in this act to the contrary notwithstanding.

So it appears that Congress started out with a 3 per cent and a 5 per cent income tax, graduated and reduced, but provided for a duty of only one and one-half of one per cent upon the interest of United States securities in the act of 1862.

Mr. HALE. I doubt whether the Senator from Missouri will find anything in the act that contravenes or takes from or qualifies the provision which I have read, which is so clear and explicit, from the act of 1864. I am confident that that remained the law and was executed as such. It in general terms applies to everybody, and everybody who was subject to the drag net of the income law, I think the Senator will find, paid his tax upon all avails of United States securities until the tax was repealed.

Mr. VEST. Will the Senator from Maine permit me to ask him a question? At the time the act of 1864 was passed, what bonds were in existence issued by the Government which had the provision in them that they should not be taxed? I ask the question as a matter of fact.

Mr. HALE. I suppose that would raise the principle that is familiar to lawyers. The last act would be the controlling act. An act after the act of 1864 issuing bonds and declaring that they should not be subject to taxation would countervail that act undoubtedly; but there is no general act limiting or controlling or changing the income tax law of 1864. I think if anyone will examine the debates it will be found that it was claimed as one of the merits of the income tax that, while the bonds were excluded from taxation by States, the large holders of bonds, drawing large sums of interest from the Government, were by this provision made to stand their part of the tax, and that it was considered not as a weakness of the law, but as a merit and a strength.

Mr. VEST. This provision of the bill declares that where the law of issuance of the bonds provides that they shall be exempt from taxation then this income tax shall not apply. The broad question presented to the Senate is whether we shall, in view of such a provision and with the acknowledged intention, as I assume, that there should be no taxation upon the bonds, principal or interest (for I have no doubt that was the meaning of it), take the responsibility of impairing the credit of the Government and creating a suspicion in regard to the national honor by adopting the amendment proposed by the Senator from New York.

Mr. HALE. Are we taking any more responsibility than our predecessors took in 1864, which was after issue upon issue of bonds had been made, and when the same considerations applied that apply now? Then Congress, and the President approving, did not hesitate to lay a tax upon the avails of these bonds as upon the avails upon every other kind of investment. It is no worse now than it was then. There are no considerations now that did not appertain then; and they did not seem to hesitate; they did not seem to consider that they were guilty of bad faith.

Mr. VEST. I will now call attention, as I have found the provision, to the act authorizing the refunding of the national debt, which was passed in 1870, and, as the Senator from Wisconsin

[Mr. VILAS] reminds me, the bonds that are now outstanding were issued under that act. Here is the provision:

Be it enacted, etc., That * * * after fifteen years from the date of their issue, and bearing interest at the rate of 4½ per cent per annum; also a sum or sums not exceeding in the aggregate one thousand million dollars of like bonds——

Mr. HALE. What page is the Senator reading from?

Mr. VEST. Page 177 of this volume, "Laws of the United States relating to Loans and the Currency"—

and bearing interest at the rate of 4½ per cent per annum; all of which said several classes of bonds and the interest thereon shall be exempted from the payment of all taxes or duties of the United States, as well as from taxation in any form by or under State, municipal, or local authority——

Mr. HALE. That is it.

Mr. VEST—

and the said bonds shall have set forth and expressed upon their face the above specified conditions, and shall, with their coupons, be made payable at the Treasury of the United States. But nothing in this act, or in any other law now in force, shall be construed to authorize any increase whatever of the bonded debt of the United States.

Mr. HALE. That provision of course is familiar. It has been recognized and never questioned in the States. It applies to State, local, or municipal taxation. I think the Senator will find, as I suggested a few moments ago, that there is nothing in any general law which countervails the proposition and policy embodied in the act of 1864, that these bonds should pay their part, take their share of the burden; that the holders of them should contribute like other investors.

Mr. VEST. The Senator from Maine is a valuable auxiliary in any debate, but his zeal overruns the letter and spirit of the law. Here is the language, if he pleases:

All of which said several classes of bonds and the interest thereon shall be exempt from the payment of all taxes or duties of the United States, as well as from taxation in any form by or under State, municipal, or local authority.

Mr. HALE. Where does the Senator find that?

Mr. VEST. I find that here in this statute.

Mr. MILLS. It is the act of 1870—the refunding act.

Mr. VEST. This is the law refunding of the national debt, the act of July 14, 1870, under which these bonds were issued.

Mr. MILLS. And under that act every bond now in existence has been issued.

Mr. VEST. There is not a bond of the United States to-day that is not subject to that provision. Yet the Senator from New York proposes in the face of that enactment that we shall put a tax upon the interest on these bonds. It is a question for the Senate to determine.

Mr. SHERMAN. I had almost forgotten that during the war we did subject United States securities to the income tax, but I was quite sure in my own mind, though I could not turn my hand to it, that subsequently Congress declared expressly that no tax whatever should be put on Government securities. It is found in the funding act, a very proper place for the provision. Indeed, I would not vote for such a tax, whether the provision was there or not. I do not think as a moral question we have any right to tax the agencies and means of the Government of the United States to borrow money. It seems to me it is a dishonest thing for the Government to issue its notes and then levy a tax upon them. I should not vote for any provision imposing such a tax, whatever might be the law; but as the law is explicit that no tax shall be levied, that ends it.

Mr. HOAR. The Senator from Missouri seems to be in a very extraordinary frame of mind. He repels with great indignation my undertaking to stand by the committee.

Mr. VEST. The Senator from Massachusetts is mistaken.

Mr. HOAR. What I said was that I am not in any degree willing to support this amendment, or, for the sake of exhibiting the infirmities of this legislation or the carelessness with which it has been prepared, do something which seems to me to be a violation of the public faith.

The Senator, however, does me no more than justice in one respect when he says that I heartily agree with the Senator from New York (if that be the opinion of the Senator from New York, an opinion which has not yet been disclosed); and at any rate when he says that I desire to defeat the bill. I do. I think that the advent of the Democratic party into power, with the Senator from Missouri, and the Senator from Texas, and the Senator from Arkansas as its financial representatives, has been a greater calamity to this country pecuniarly than the rebellion itself.

Mr. VEST. I am much obliged to the Senator.

Mr. HOAR. I do not speak, of course, of the infinite woe and wretchedness and suffering occasioned by the loss of life and health on both sides in that great struggle; I do not speak of the danger to the last hope of public liberty on the face of the earth which was occasioned by the attack on it in which the Senator from Missouri and his associates took part; I have nothing to say about that; that has gone by; but so far as the cost in money, in the destruction of property, in the destruction of credit, in the misery of poor and honest households, in the starvation of men who have been accustomed to the comforts and the pleasures and the delights of human life, this year's work of the Democratic party has been twofold worse than the four years of the rebellion itself. I hope the bill will be defeated. Whether it is defeated or not, I not only hope, but I know, that its authors will be hurled from power whenever the American people can get at them.

The Senator says he is prepared to stand by the work of his hands anywhere. One would think that the place to stand by it would be in debate in the Senate of the United States, when the other side are attempting to pass the bill, but the Senator and his followers and his associates have stood here for six weeks, when the great details of the bill have been under discussion, dumb as if they were practicing for a deaf and dumb asylum, or as if they lived all their days in a deaf and dumb asylum. There has been no defense of the work of the committee.

The Senator from Indiana [Mr. VOORHEES], who brought in the bill, denounced as wicked and flagitious almost everything which the bill now contains as you have amended it. The Democratic platform of 1892 denounced as wicked and flagitious the things you are attempting to do by the bill, and if that be sound doctrine, you have done the things you ought not to have done, and you have left undone the things which you ought to have done. The defense of the bill has come so far not from the Democratic leaders, but from the Populist Senator from Nebraska and from nobody else.

Mr. PALMER. Mr. President, the urgency produced by the condition of business affairs in the country has imposed upon the Democratic portion of the Senate immense difficulties. We have been enduring punishment for which we ought to have large credit. One of the inflictions which we have borne has been the necessity of submitting to the assaults, unjustifiable, malignant assaults, coming from the Senator from Massachusetts. The Senator seems to forget that all the members of this body are his equals. The Senator has said that the pending bill will bring upon the country greater inflictions than did the war of the rebellion.

Mr. ALDRICH. The Senator from Massachusetts said the Democratic party would do so.

Mr. PALMER. The Democratic party. That does not come well from men who, when the war of the rebellion was flagrant, never raised a hand in defense of the integrity of the country. I have listened to these affectations of patriotism and fervent love of country, and I look on the other side and see gray-haired men who, when the hour of peril came upon the country, were quietly at home pursuing their own vocation, making money when they could. Now they are as arrogant and overbearing as if they themselves had taken part in the contest and had done their whole duty as citizens and as soldiers.

Mr. President, these things have been exceedingly hard to bear. The Democratic party here is engaged in an honest effort at adjusting these great economic questions in such manner as will best promote the interest of our common country. We have felt the necessity for urgency, for action. We have sat quietly and borne more than men ought to be required to bear, not for want of earnestness, not for want of ability to defend the policies we maintain, but simply because the urgent demands of the country require acts and require votes. The country is suffering as the result of policies which have been in progress in this country for twenty-five years; and shall we be taunted for our silence when we have been silent because the country is suffering and practical legislation is demanded?

Mr. HOAR. Will the Senator from Illinois allow me for one moment? No human being ever thought of taunting the Senator from Illinois for silence.

Mr. PALMER. I ask pardon of the Senator.

Mr. HOAR. I say no human being ever thought of taunting the Senator for silence.

Mr. PALMER. If the Senator is witty, it is lost upon me, for I have not heard it. I have no doubt the remark was a witty one.

Mr. HOAR. What I said was that no human being ever thought of taunting the Senator for silence.

Mr. PALMER. For silence?

Mr. HOAR. He has contributed his full share to the debate.

Mr. PALMER. Loquacity is an indication of age, and if the Senator's loquacity and mine are tested, he is much the older man. Old men are garrulous, but my venerable friend from Massachusetts is far older than I if garrulity is to be regarded as the test of age. I am glad the Senator did not expect me to be silent. I have borne very much. I have been silent because my desire that this legislation shall be placed upon the statute

book has overcome my desire to speak, which is almost as strong as that of my distinguished friend from Massachusetts. I have restrained myself, but he has not.

Mr. HOAR. The Senator from Illinois has undertaken to make a suggestion as to who did and who did not take arms on the side of the country in the late war. It was my misfortune to labor under an infirmity of vision which made it impossible for me to have been accepted as a soldier or to have rendered any efficient service anywhere. I do not think anybody in Massachusetts, certainly no soldier in Massachusetts, thinks that I failed to perform to the full extent of my power, physical or mental, in any way, the services of a good citizen during the rebellion. The whole war was not fought out by the brigadiers-general.

Mr. PALMER. Mr. President, I most heartily apologize for any language which may have amounted to an imputation upon the patriotic men who remained at home during the war and did their duty there. But I must confess that in the face of these frequent allusions to the war and to the part taken in that struggle by gentlemen with whom I politically act, I become impatient, especially when I feel that the imputations ought not to come from those who took no part in the controversy. I detest, I say I detest, I deprecate, these allusions to the past. We are now one country and one people.

The past ought to be forgotten. I ask pardon of the Senator for even supposing that his age is equal to mine. When we gray-haired men pass away from this sphere of action I trust no other recollections will be left than those of fraternity and love between the people of this country; and I trust the time will come when we can discuss a great public question and dispose of it without allusions to sectionalism and to past controversies which have been happily settled, controversies which were brought upon the country by the mysterious dispensation of Divine Providence, terrible at the moment, but grand in the result.

Mr. HOAR. Will the Senator from Illinois, before he sits down—he seems to be adopting somewhat amicable forms of expression—allow me to remind him that I did not make any attack on the conduct of anybody in the war. On the contrary, if I said anything, it would seem to be an extenuation, for I said that the mischief which the Democratic party is doing now was pecuniarily a great deal worse than that of the war.

Mr. PALMER. Extenuation is sometimes an assault. The sort of extenuation which is earnest, sincere, kind, and gentle may be received kindly, but the extenuations which carry with them the sting of an apology are much worse than a direct blow.

Mr. President, I did not mean to interrupt the progress of this bill. I most earnestly desire that this work shall be closed. It may be wrong; it may be bad; the country will determine.

Mr. HARRIS. Agreeing with the Senator from Maine [Mr. HALE] in the opinion that we can and will finally dispose of the bill in the next one or two days, in accordance with the agreement which I made with him a short time since, and with what I understand to be the wish of a very large number of Senators on both sides of the Chamber, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After thirteen minutes spent in executive session the doors were reopened, and (at 4 o'clock and 25 minutes p. m.) the Senate adjourned until Monday, June 25, 1894, at 10 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate June 23, 1894.

POSTMASTERS.

William A. Griffin, to be postmaster at Oakdale, in the county of Stanislaus and State of California, in the place of Albert S. Dingley, removed.

Conrad G. Bacon, to be postmaster at Middletown, in the county of Middlesex and State of Connecticut, in the place of S. Harris Warner, whose commission expired February 14, 1894.

William H. Malone, to be postmaster at Norwalk, in the county of Fairfield and State of Connecticut, in the place of Carmi G. Hubbell, whose commission expires July 9, 1894.

Thomas G. Fitch, to be postmaster at Wichita, in the county of Sedgwick and State of Kansas, in the place of Edward B. Jewett, whose commission expires June 23, 1894.

Isaac R. McElroy, to be postmaster at Meridian, in the county of Lauderdale and State of Mississippi, in the place of Mary J. Hancock, removed.

W. H. Korns, to be postmaster at Tekamah, in the county of Burt and State of Nebraska, in the place of Charles E. Bardwell, whose commission expires July 9, 1894.

Albert M. Ensminger, to be postmaster at Bucyrus, in the county of Crawford and State of Ohio, in the place of John Hopley, whose commission expires July 9, 1894.

William Redder, to be postmaster at El Reno, in the county of Canadian and Territory of Oklahoma, in the place of Reuben R. Hickox, removed.

A. C. Beckwith, to be postmaster at Elkhorn, in the county of Walworth and State of Wisconsin, in the place of Henry Bradley, whose commission expires July 9, 1894.

CORPS OF ENGINEERS.

To be additional second lieutenants.

1. Cadet William B. Ladue.
2. Cadet William J. Barden.

ARTILLERY ARM.

To be second lieutenants.

3. Cadet William P. Pence, vice Miley, Fifth Artillery, promoted.
4. Cadet Clarence C. Williams, vice Hunter, Fourth Artillery, promoted.
5. Cadet James M. Williams, vice Straub, First Artillery, promoted.
6. Cadet John W. Joyes, vice Gallup, Fifth Artillery, promoted.
7. Cadet Edward P. O'Hern, vice Ruggles, Third Artillery, appointed first lieutenant in the Ordnance Department.
9. Cadet Clarence E. Lang, vice Schumm, Second Artillery, promoted.

To be additional second lieutenant.

11. Cadet Warren H. Mitchell.

CAVALRY ARM.

To be second lieutenants.

8. Cadet Samuel Hof, vice Daniel, Sixth Cavalry, deceased.
12. Cadet Francis Le J. Parker, vice Blunt, Fifth Cavalry, promoted.
13. Cadet George F. Hamilton, vice Alexander, Ninth Cavalry, deceased.
14. Cadet Dwight E. Aultman, vice Slavens, Fourth Cavalry, promoted.
15. Cadet William H. Paine, vice Lochridge, Second Cavalry, promoted.
16. Cadet Alston Hamilton, vice Elliott, Fifth Cavalry, promoted.
18. Cadet John W. Craig, vice Jenkins, Fifth Cavalry, promoted.
19. Cadet John C. Gilmore, jr., vice McClure, Fourth Cavalry, promoted.

To be additional second lieutenants.

22. Cadet Hugh D. Berkeley.
23. Cadet Albert E. Saxton.
24. Cadet Hamilton S. Hawkins.

INFANTRY ARM.

To be second lieutenants.

10. Cadet Charles W. Castle, vice Hart, Sixteenth Infantry, transferred to the Seventeenth Infantry.
17. Cadet Paul B. Malone, vice Penn, Thirteenth Infantry, promoted.
20. Cadet Rogers F. Gardner, vice Hackney, Sixteenth Infantry, promoted.
21. Cadet John F. Preston, jr., vice Gregg, Sixteenth Infantry, promoted.
25. Cadet Butler Ames, vice Lewis, Eleventh Infantry, promoted.
26. Cadet Frederick G. Lawton, vice Hanson, Nineteenth Infantry, promoted.
27. Cadet Charles F. Crain, vice Fox, Tenth Infantry, dropped for desertion.
28. Cadet Frank S. Cocheu, vice Gordon, Twelfth Infantry, promoted.
29. Cadet Ora E. Hunt, vice Martin, Fourteenth Infantry, promoted.
30. Cadet Frank Parker, vice Maxwell, Fifteenth Infantry, promoted.
31. Cadet John C. McArthur, vice Whitman, Second Infantry, transferred to the First Cavalry.
32. Cadet Thomas G. Carson, vice French, Fourth Infantry, promoted.
33. Cadet Frank D. Ely, vice Shattuck, Sixth Infantry, promoted.
34. Cadet William A. Sater, vice Koops, Thirteenth Infantry, promoted.

35. Cadet Edwin Bell, vice Jones, Eighth Infantry, promoted.
36. Cadet Otho B. Rosenbaum, vice Horney, Seventh Infantry, appointed first lieutenant in the Ordnance Department.
37. Cadet George H. Estes, jr., vice Humphrey, Twentieth Infantry, promoted.
38. Cadet George Vidmer, vice Harison, Tenth Infantry, deceased.
39. Cadet Dana W. Kilburn, vice Holley, First Infantry, promoted.
40. Cadet Oliver Edwards, jr., vice Johnson, Eleventh Infantry, promoted.
41. Cadet Thomas W. Connell, vice Bassette, Fifth Infantry, resigned.
42. Cadet John S. Battle, vice Gurovits, Eleventh Infantry, promoted.
43. Cadet Charles L. Bent, vice Roach, First Infantry, retired from active service.
44. Cadet William E. Welsh, vice Owen, Eighth Infantry, promoted.
42. Cadet Frederick G. Stritzinger, jr., vice Swain, Twenty-third Infantry, resigned.
46. Cadet Charles C. Smith, vice Saville, Twenty-second Infantry, transferred to the Thirteenth Infantry.
47. Cadet Frank L. Wells, vice Weigel, Eleventh Infantry, promoted.
48. Cadet Briant H. Wells, vice Wilkins, Second Infantry, promoted.
49. Cadet John W. Barker, vice Elliott, Ninth Infantry, promoted.
50. Cadet Ralph R. Stogsdall, vice Hall, Fourth Infantry, promoted.
51. Cadet James P. Harbeson, vice Godfrey, Twelfth Infantry, promoted.
52. Cadet Hugh D. Wise, vice Moriarty, Ninth Infantry, retired from active service.
53. Cadet Pegram Whitworth, vice Martin, Eighteenth Infantry, promoted.
54. Cadet James A. Moss, vice Voorhies, Twenty-fifth Infantry, transferred to the Fourth Cavalry.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 23, 1894.

CONSUL.

Perry Bartholow, of Missouri, to be consul of the United States at Mayence, Germany.

SUPERVISING INSPECTOR OF STEAM VESSELS.

William H. Murdaugh, of Virginia, to be supervising inspector of steam vessels for the third district.

POSTMASTERS.

John S. Renninger, to be postmaster at Marshall, in the county of Lyon and State of Minnesota.

Frank McCoppin, to be postmaster at San Francisco, in the county of San Francisco and State of California.

Fred G. Bundy, to be postmaster at St. Johnsbury, in the county of Caledonia and State of Vermont.

W. L. Brown, to be postmaster at Sterling, in the county of Rice and State of Kansas.

G. D. McGaw, to be postmaster at Fairfield, in the county of Jefferson and State of Iowa.

D. B. Usina, to be postmaster at St. Augustine, in the county of St. Johns and State of Florida.

Charles G. Storms, to be postmaster at Dobbs Ferry, in the county of Westchester and State of New York.

Robert Kamm, to be postmaster at Highland, in the county of Madison and State of Illinois.

A. C. Oviatt, to be postmaster at Longmont, in the county of Boulder and State of Colorado.

Levin Perry, to be postmaster at Jefferson, in the county of Marion and State of Texas.

Emil Sydow, to be postmaster at Tombstone, in the county of Cochise, Ariz.

Richard T. Kennon, to be postmaster at Deerlodge, in the county of Deerlodge and State of Montana.

L. H. Way, to be postmaster at Luverne, in the county of Rock and State of Minnesota.

Charles J. Nesbitt, to be postmaster at Kingfisher, in the county of Kingfisher and Territory of Oklahoma.

Joseph H. Larwill, to be postmaster at Guthrie, in the county of Logan and Territory of Oklahoma.

Charles S. Bahney, to be postmaster at Socorro, in the county of Socorro and Territory of New Mexico.

HOUSE OF REPRESENTATIVES.

SATURDAY, *June 23, 1894.*

The House was called to order at 12 o'clock m. by the Speaker, who was greeted with applause.

Prayer by the Rev. W. H. MILBURN, D. D., Chaplain of the Senate.

The Journal of yesterday's proceedings was read and approved.

SUPREME LODGE, KNIGHTS OF PYTHIAS.

The SPEAKER laid before the House H. R. 4701, to incorporate the Supreme Lodge of the Knights of Pythias, with Senate amendments.

The Senate amendments were read.

Mr. RICHARDSON of Tennessee. Mr. Speaker, these amendments are acceptable to the friends of the measure; and I move to concur in the Senate amendments.

The Senate amendments were concurred in.

WATER MAIN ASSESSMENTS IN DISTRICT OF COLUMBIA.

The SPEAKER laid before the House the bill (H. R. 6893) to regulate water-main assessments in the District of Columbia, with Senate amendment.

The Senate amendment was read.

Mr. HEARD. Mr. Speaker, I move to nonconcur in the Senate amendment and agree to the conference asked by the Senate.

The SPEAKER. The gentleman from Missouri moves to nonconcur in the Senate amendment and agree to the conference asked by the Senate. Without objection that order will be made.

There was no objection, and it was so ordered.

The SPEAKER. The Chair will appoint as conferees on the part of the House the gentleman from Missouri, Mr. HEARD, the gentleman from Tennessee, Mr. RICHARDSON, and the gentleman from Pennsylvania, Mr. HARMER.

LABOR DAY A LEGAL HOLIDAY.

The SPEAKER laid before the House the bill (S. 730) making Labor Day a legal holiday.

Mr. McGANN. Mr. Speaker, I ask that that bill lie on the Speaker's table for the present.

There was no objection, and it was so ordered.

RECLASSIFICATION OF SALARIES OF RAILWAY POSTAL CLERKS.

The SPEAKER laid before the House the bill (S. 544) to reclassify and prescribe the salaries of railway postal clerks.

Mr. HOPKINS of Illinois. Mr. Speaker, that bill is identically the same as the bill (H. R. 5064) which has been favorably reported by the Committee on Post-Offices and Post-Roads at the present session, and I move that this bill be put upon its passage.

Mr. SAYERS. Mr. Speaker, to that I will have to object. I understand that the bill involves an additional annual expenditure of from $600,000 to $700,000, and it is too large and important a bill to be considered in this way.

Mr. HOPKINS of Illinois. Let me be heard just a moment. I would state, Mr. Speaker, that the bill carries no appropriation with it whatever. The present classification of the railway postal clerks was formed when there were but 100,000 miles of service in this country, and when the number of postal clerks was 3,500.

Mr. SAYERS. I must object to the present consideration of this bill.

Mr. HOPKINS of Illinois. I trust that the gentleman will not object to the consideration of this bill.

Mr. SAYERS. I do object to it being considered just now.

Mr. HOPKINS of Illinois. It has been carefully considered by the Committee on the Post-Office and Post-Roads of the House; it has passed the Senate: it has been presented to every member of the House; and I trust the gentleman from Texas will allow this bill to pass.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. SAYERS. Mr. Speaker, I do object to the present consideration of the bill.

The SPEAKER. The bill will be referred to the Committee on the Post-Office and Post-Roads.

Mr. HOPKINS of Illinois. I ask that it be allowed to remain on the Speaker's table for the present. The gentleman will not object to that.

Mr. HOLMAN. I call for the regular order.

The SPEAKER. The regular order is demanded, which is equivalent to an objection. The bill will be referred to the Committee on the Post-Office and Post-Roads.

SENATE BILLS REFERRED.

The SPEAKER laid the following Senate bills before the

House; which were severally read a first and second time, and referred as indicated below:

A bill (S. 447) to authorize the Secretary of the Interior to issue a duplicate of a certain land warrant to Emma A. Ripley—to the Committee on Public Lands.

A bill (S. 1490) to pension Mollie Crandall—to the Committee on Invalid Pensions.

A bill (S. 1343) to remove the charge of desertion standing against the name of Joseph G. Utter—to the Committee on Military Affairs.

A bill (S. 199) for the relief of E. R. Shipley—to the Committee on Claims.

A bill (S. 313) appropriating funds for investigations and tests of American timber—to the Committee on Agriculture.

A bill (S. 211) for the relief of St. Charles College—to the Committee on War Claims.

LEAVES OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. WRIGHT of Pennsylvania, indefinitely, on account of sickness.

To Mr. HATCH, indefinitely, on account of sickness.

EULOGIES ON THE LATE HON. GEORGE W. HOUK.

Mr. OUTHWAITE. Mr. Speaker, I ask unanimous consent that the order heretofore made, setting apart this day, from the hour of 2 o'clock, for eulogies on the late Hon. George W. Houk be changed, so that Saturday, the 7th day of July, at the same hour, shall be set apart for the same purpose.

The SPEAKER. The gentleman from Ohio asks unanimous consent that the special order setting apart this day, from 2 o'clock, for eulogies on the late Representative Houk be vacated, and that Saturday, the 7th day of July, beginning at 2 o'clock, shall be set apart for the same purpose. Is there objection? [After a pause.] The Chair hears none.

Mr. PICKLER. I ask unanimous consent for the present consideration of a bill——

The SPEAKER. The regular order has been demanded by the gentleman from Indiana.

WILLIAM H. AND GEORGE BOBINGER.

Mr. HEARD. Mr. Speaker, I desire to have a bill re-referred, which has been improperly referred to the Committee on the District of Columbia.

The SPEAKER. That is in order.

Mr. HEARD. I desire to return the bill to the House, and suggest that it be referred to the Committee on Military Affairs, as it relates to a matter entirely within the jurisdiction of that committee.

The SPEAKER. Without objection the Committee on the District of Columbia will be discharged from the further consideration of the bill, and it will be referred to the Committee on Military Affairs.

The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H. R. 7502) authorizing the sale of title of United States to a tract of land in Montgomery County, in the State of Maryland, to William H. and George Bobinger.

Mr. HEARD. It relates to a piece of land attached to the Government reservoir, which is under the control of the engineers of the Army.

The SPEAKER. The Clerk will call the committees for reports.

WATSON VS. BLACK.

Mr. LAWSON, from the Committee on Elections, submitted a report in the contested-election case of Watson *vs.* Black, from the Tenth Congressional district of Georgia; which was referred to the House Calendar, and ordered to be printed.

PUBLIC BUILDING, EAU CLAIRE, WIS.

Mr. BRETZ, from the Committee on Public Buildings and Grounds, reported back with amendments a bill (H. R. 1929) to provide for the erection of a public building at the city of Eau Claire, State of Wisconsin; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

PUBLIC BUILDING, OMAHA, NEBR.

Mr. MERCER, from the Committee on Public Buildings and Grounds, reported back with amendment a bill (H. R. 106) to increase the appropriation for the purchase of a site and the erection of a public building at Omaha, Nebr.; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

PUBLIC BUILDING, ELIZABETH CITY, N. C.

Mr. MCKAIG, from the Committee on Public Buildings and Grounds, reported back with amendments a bill (H. R. 3756) to provide for the erection of a public building at Elizabeth City, N. C.; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

PUBLIC BUILDING AT AMERICUS, GA.

Mr. MCKAIG also, from the Committee on Public Buildings and Grounds, reported back with an amendment a bill (H. R. 52) to provide for the purchase of a site and the erection of a public building thereon at Americus, in the State of Georgia; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

IRRIGATION OF ARID LANDS.

Mr. SWEET, from the Committee on Irrigation of Arid Lands, reported as a substitute for the bill H. R. 7151 a bill (H. R. 7558) to provide for surveying and estimating the cost of canals and the location and cost of reservoirs for the reclamation of arid lands in certain States and Territories, and for other purposes; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

The SPEAKER. This completes the call of committees.

Mr. SAYERS. Mr. Speaker, I move that the House resolve itself into Committee of the Whole on the state of the Union for the consideration of general appropriation bills.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole, Mr. BYNUM in the chair.

GENERAL DEFICIENCY BILL.

The CHAIRMAN. The House is in Committee of the Whole for the purpose of considering general appropriation bills. The Clerk will report the title of the pending bill.

The Clerk read as follows:

A bill (H. R. 7477) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1894, and for prior years, and for other purposes.

Mr. CANNON of Illinois. Mr. Chairman, the gentleman from Texas, in charge of this bill, spoke yesterday of having general debate at various points in the bill where it might be desired. The gentleman from South Dakota [Mr. PICKLER] informs me that when the subject of deficiencies in the Department of Justice is reached he would be glad to occupy thirty minutes.

Mr. SAYERS. There will be no difficulty about that.

Mr. PICKLER. I desire to ask the chairman of the Committee on Appropriations [Mr. SAYERS] something further about these Indian depredations judgments. I understand that no appropriation is made here for the payment of any of those judgments.

Mr. SAYERS. No appropriation is made. When we reach the judiciary clause of the bill that question can be considered.

Mr. BOWERS of California. I give notice that I shall want ten minutes when that matter is reached.

Mr. SAYERS. There will be no trouble about getting time for reasonable discussion.

Mr. PICKLER. There are several judgments of that kind for depredations in my State, about which, as I understand, there is no question whatever, and I think we ought to have the appropriations to pay them.

Mr. SAYERS. When the proper place in the bill is reached the gentleman will have an opportunity to present any amendment that he desires relating to that matter. The question will not be reached until toward the close of the bill.

Mr. PICKLER. But when it is reached we shall have an opportunity?

Mr. SAYERS. Yes, sir.

Mr. BOWERS of California. Will the chairman of the committee indicate the part of the bill in which it will be proper to offer these amendments? There are some of these judgments that are absolutely just and ought to be provided for.

Mr. SAYERS. When we reach page 61 of the bill that question will come up for consideration.

Mr. BOWERS of California. I give notice that I shall want some time when that point is reached.

Mr. SAYERS. I ask that the Clerk proceed with the reading of the bill, Mr. Chairman.

The Clerk, reading the bill by paragraphs, read as follows:

Intercontinental Railway Commission: To pay the salaries of the three United States commissioners of the Intercontinental Railway Commission in full for all services heretofore rendered or that may hereafter be rendered, $22,929.67.

Mr. SAYERS. I offer the amendment which I send to the desk:

Page 2, lines 8, 9, and 10, strike out $22,929.67 and insert in lieu thereof the following:

"And to reimburse them for expenses incurred or to be incurred, $12,000."

The amendment was agreed to.

The Clerk read as follows:

INTERNAL REVENUE.

For salaries and expenses of agents and surveyors, fees and expenses of gaugers, salaries of storekeepers, and for miscellaneous expenses, being a deficiency for the fiscal year 1893, $4,000.

Mr. MCCREARY of Kentucky. There is an amendment to that paragraph?

Mr. SAYERS. Yes, sir. I offer the amendment which I send to the desk.

The amendment was read, as follows:

Page 7, after line 9, insert: "To pay C. H. Rhodes, collector of internal revenue for the eighth district of Kentucky, his salary for the period from November 4 to November 5, 1893, inclusive, $35.68."

The amendment was agreed to

The Clerk read as follows:

Expenses of buoyage: To pay amounts set forth in House Executive Document No. 103, of this session, for expenses of buoyage, excluding Pacific railroads, for the fiscal year 1892, $2,414.43.

Mr. CANNON of Illinois. Mr. Chairman, I move to strike out the last word in order to call attention to the policy of the Committee on Appropriations touching the payment for transportation and services rendered by the nonaided branches of the Pacific Railroad. Gentlemen are aware that the Pacific Railroad was built by two corporations, one the Union Pacific Company and the other the Central Pacific Company, whose roads met at Ogden, making substantially a continuous line from the Missouri River to San Francisco. Since that time a great many thousand miles of railway have been built and leased to these roads respectively.

I think perhaps that the Southern Pacific Railroad, with its many branches running through the southern portion of the country, leased the Central Pacific. But let that be as it may, gentlemen understand the difference between the Pacific railroads proper and what are called the nonaided lines of the Pacific railroads.

Now, the nonaided lines in mileage, in value, in business exceed many times the original Central and Union Pacific roads. There came up a question, as gentlemen may recollect, whether or not the compensation for services performed by these nonaided lines, so-called, for the Government in transportation and otherwise should under the Thurman act be carried into what is known as the sinking fund or should be counted in ascertaining that fund.

There was contention on that subject between the Government and these nonaided lines. The question was litigated in the Court of Claims, and finally in the Supreme Court of the United States, where several years ago it was fully discussed, and judgment rendered against the United States for the amount due for such services. Those judgments have never been appropriated for, although they were rendered against the Government and have been bearing interest.

I only desired, however, to call attention to the fact that this deficiency bill providing for deficiencies of this year excludes any appropriation for the remainder of this year for transportation or other services performed by the nonaided lines of those roads, and this, too, notwithstanding the fact that for many years Congress has in the Army and Navy appropriation bills and in the Post-Office appropriation bill appropriated for such services, and that the companies are receiving, and have for many years received, their pay under such appropriations. But the Committee on Appropriations in this bill, following the policy, I believe, heretofore adopted, has refused to recommend the appropriation of a small balance necessary to pay those nonaided lines in full for the service for the present year.

Mr. OUTHWAITE. Which one of the nonaided lines?

Mr. CANNON of Illinois. The Southern Pacific. It is proper enough for me to say that the nonaided lines of the Union Pacific are paid. It would take some time to explain how and why; but in the settlement with the Government they are fully paid; at least they were the last time I investigated the matter a couple of years ago, and I am satisfied that such is the case.

Mr. GEARY. Are we to understand that the nonaided portion of the Union Pacific receives this money while the nonaided portion of the Central Pacific does not?

Mr. CANNON of Illinois. Precisely.

Mr. GEARY. Why is that?

Mr. CANNON of Illinois. Merely because we have the power. In other words, the Thurman act is so administered as to allow, in making up the sinking fund under that act, the earnings of the nonaided lines of the Union Pacific to be treated as money; and they are so credited.

Mr. DALZELL. But is it not the fact that the nonaided lines and the aided lines belong to the same corporation?

Mr. CANNON of Illinois. Yes, I suppose that is true; I understand it is.

Mr. OUTHWAITE. Really the Southern Pacific has absorbed the Central Pacific. The lease is the other way.

Mr. CANNON of Illinois. Oh, yes; the lease is the other way; but the gentleman from California was asking me why there had been this discrimination by reason of which the Union Pacific in its settlement gets full pay for services on nonaided lines, whereas there is no payment for services to the Southern Pacific on its nonaided lines.

Mr. DALZELL. But what I am seeking——

Mr. CANNON of Illinois. I was answering the question of the gentleman from California. The question of the gentleman from Pennsylvania [Mr. DALZELL] relates to another matter.

But all I desire to say at this time is that this Congress and the last Congress and the Congress before—and I was going to say the one before that, for I believe the remark should include the Fiftieth Congress—have appropriated in the regular annual bills for pay to the nonaided lines of these two roads for services performed for the Government, while we are refusing to pay the small sum which may be left, known as a deficiency.

Mr. OUTHWAITE. Is there any such direct appropriation in the Army appropriation bill?

Mr. CANNON of Illinois. Oh, certainly.

Mr. OUTHWAITE. I do not know of any such appropriation; and I have had charge of that bill. It is true that the Quartermaster-General, in his settlement with the companies, may pay them; but there is no direct appropriation.

Mr. CANNON of Illinois. Well, there is an appropriation for transportation.

Mr. OUTHWAITE. Yes; an appropriation for transportation.

Mr. CANNON of Illinois. I am speaking——

Mr. OUTHWAITE. Then this is not a question of legislation——

Mr. CANNON of Illinois. Oh, no; the law so provides—the law as settled by the Supreme Court. But the Committee on Appropriations follows a different rule. Our committee prohibits by a provision in the bill the payment of any of this money for services to the Pacific railroads on the nonaided branches.

Mr. OUTHWAITE. Your notion is that the other bills ought to make the same prohibition?

Mr. CANNON of Illinois. Oh, no; not at all; I am merely calling the attention of the House to the fact that the law as adjudicated by the Supreme Court of the United States gives pay for services performed for the Government by the nonaided lines of these railroads; and this pay has been allowed to the other roads; they are being paid.

The Union Pacific always has been paid even before the Supreme Court of the United States settled the law. The Central Pacific has never been paid until that decision was made; since which time it has been paid for current service, except the small amount that may be left by way of a deficiency from year to year. This is all I wanted the House to understand.

The CHAIRMAN. The pro forma amendment will be regarded as withdrawn.

The Clerk read as follows:

To pay amounts found due by the accounting officers on account of freight and transportation of officers traveling under orders under the appropriation "Pay, miscellaneous" (except for service over Pacific railroads), being for the service of the fiscal year 1893, $4,110.47; in all, $5,110.47.

Mr. SAYERS. Mr. Chairman, I offer the amendment which I send to the desk.

The Clerk read as follows:

On page 26, line 21, strike out "forty-seven" and insert "thirty-seven," and in line 22 strike out "forty" and insert "thirty."

The amendment was agreed to.

The Clerk read as follows:

To pay accounts on file for burial expenses of marines, freight, straw, express charges, gas, and water, being a deficiency to the appropriation "Contingent, Marine Corps," 1893, and prior years, $472.50.

Mr. COGSWELL. Mr. Chairman, I move to strike out the last word.

I ask to have read what I now send to the desk.

The Clerk read as follows:

DEPARTMENT OF THE INTERIOR, BUREAU OF PENSIONS,
Washington, D. C., June 4, 1894.

MADAM: Relative to the above-cited claim, I have to advise you that it is inadmissible upon the evidence now on file, and that it has been deemed advisable to have a special examination of the same.

Owing, however, to the limited appropriation by Congress to cover the expenses of special examiners for the next fiscal year, and the large number of cases now awaiting special examination, it is impossible to state definitely when it will be reached for investigation, but it will be placed in the pending files of this Bureau and taken up in its regular order.

It is proper to add that unless Congress shall appropriate an additional amount for the expenses of this branch of the service, it is not believed that the above cited claim can be disposed of within the fiscal year ending June 30, 1895.

Very respectfully,

WM. LOCHREN, *Commissioner.*

Mr. COGSWELL. This is a letter which is being sent out by the Pension Bureau direct to the applicants themselves, stating

that because of an insufficient appropriation for the pay of special examiners' cases needing such examination will have to wait a year or two before they are reached.

I now send to the desk to be read a letter which is sent to claimants through Congressmen, in answer to Congressional calls for information.

The Clerk read as follows:

DEPARTMENT OF THE INTERIOR, BUREAU OF PENSIONS,
Washington, D. C. June 13, 1894.

MADAM: Relative to the above cited claim, I have to advise you that it is inadmissible upon the evidence now on file, and that it has been deemed advisable to have a special examination of the same.

Owing, however, to the large number of cases now awaiting special examination, it is impossible to state definitely when it will be reached for investigation, but it will be placed in the pending files of this Bureau and taken up in its regular order.

This information is furnished in response to the request of the Hon. WILLIAM COGSWELL, to be advised as to the status of your claim.

Very respectfully,

D. I. MURPHY, *Acting Commissioner.*

Mr. COGSWELL. Mr. Chairman, it would seem that when the Pension Bureau answers the claimant directly, it sends a letter like the one first read by the Clerk, intimating dereliction of duty on the part of Congress in making appropriation of the necessary funds. But when it sends a letter to the same claimant, which goes through our hands, it omits the reflection which it casts, or seemingly casts, on Congress of making insufficient appropriations. I would like to ask the gentleman from Missouri [Mr. DOCKERY], who had charge of the legislative bill which carried this appropriation, a gentleman who I know would not for a moment advise an appropriation less than required, if it be true that in the legislative bill appropriating money for these special examiners a totally insufficient amount was recommended by his subcommittee?

I should be glad to ascertain if it be true, as alleged in this communication that I have caused to be read, that this House has passed a bill which has not given the money necessary to take care of the special examination claims, or whether the suggestion is an unfair reflection upon the liberality of Congress towards the Pension Bureau.

Mr. DOCKERY. Mr. Chairman, the Commissioner of Pensions submitted an estimate for the special examination force for the ensuing fiscal year of $500,000.

The appropriations for the current fiscal year, including the deficiency allowed at this session, if I am not incorrectly informed, amounted in the aggregate to $400,000. The subcommittee in charge of the legislative appropriation bill gave the whole question a very thorough and exhaustive examination, and reached the unanimous conclusion, as I remember, that $200,000 would be sufficient for that service for the ensuing fiscal year.

Mr. HOLMAN. Next year.

Mr. DOCKERY. Yes; for the next year. I have just sent to the committee room to get the exact appropriations which have been made for this service for the fiscal years which have preceded, and perhaps in a moment will have them at hand. But I am able to state, in advance of the exact figures, that the appropriations for this service for the last three years have averaged about $200,000 per annum, as I now remember.

Mr. COGSWELL. Will the gentleman allow me——

Mr. DOCKERY. In a moment.

The committee investigated the whole question quite thoroughly, and thought the appropriation carried by the legislative bill of this session would be sufficient for the next year.

I may say, however, in justice to the Bureau, that the Commissioner insists that the amount should be $500,000. The subcommittee, however, did not concur in that view.

I now yield to the gentleman.

Mr. COGSWELL. I want to ask the gentleman if I am to understand that the committee are of the opinion that the amount carried in the legislative bill is sufficient for the purposes of special examination of pension claims, and if from that I can draw the inference that the Pension Bureau is unjustly reflecting upon Congress and the Committee on Appropriations, when it writes to a claimant that, owing to the insufficiency of the appropriation, his or her claim can not be touched or looked into during the year 1895.

Mr. DOCKERY. I want to say in reply to the gentleman from Massachusetts that the question involved is a difference of opinion between the Committee on Appropriations and the Pension Bureau; and in reaching the judgment we did, which so far as I remember was an unanimous conclusion, the committee consulted the appropriations that have been made for prior years, a statement of which has just been handed to me by the clerk of the Committee on Appropriations. I find that in 1887 the appropriation for this service amounted to $320,000; in 1888, $225,000; in 1889, $225,000; in 1890, $225,000; in 1891, $225,000; in 1892, $215,000; in 1893, $200,000, with a deficiency of $25,000; for the fiscal year 1894, $200,000, with a deficiency allowed at this session of $200,000, or $400,000 altogether for the present fiscal year.

Mr. SAYERS. As against how much for the past two years?

Mr. DOCKERY. As against one appropriation of $215,000 for 1892, and an appropriation of $225,000 for 1893. Of course, the issue involved here is simply one of opinion. The Census Bureau insists that it should have $500,000. The committee thought that $200,000 would be sufficient.

Mr. HOLMAN. An increase of $200,000?

Mr. DOCKERY. No; $200,000 altogether. That is $25,000 less than the last fiscal year, including a deficiency of $25,000 for the last fiscal year and $15,000 less than for the fiscal year 1892.

Of course, the matter is now pending in the other body, and until action is had there in connection with the conference, or further action on the part of the House, it can not be said what appropriation will be made for this service for the next year; but the committee felt that $200,000 would be ample for the service, and so reported.

Mr. COGSWELL. Mr. Chairman, it is true that the bill is pending in the other branch of Congress, and has not become a law, and no one can fairly say what the appropriation for 1895 will be on this particular subject. Yet I desire to have it go upon record that the Pension Bureau, since the action of the House, has been sending out to the claimants for pensions in this country the statement that, because of the insufficiency of the appropriation for the year 1895, these claims can not be handled or reached or touched during the fiscal year 1895.

Now, if the statement of the gentleman in charge of the legislative bill is correct—and every gentleman will take his statement as correct, and I have stated heretofore that nobody believes he would intentionally report an item of appropriation for this matter that was insufficient—we have the fact that this information is being sent out to claimants, that this House has been derelict in its duty, that it has not provided money enough, when the statement of the gentleman in charge of the bill is that the amount which this House appropriated in the bill sent over to the Senate is sufficient.

I desire it also to go upon record that when the Pension Bureau answers this same call of this same widow, through a communication which passes through my hands, it sends a different wording, which I am supposed to read, than it sends direct to the claimant herself, which is a reflection upon Congress, while the letter that goes through my hands to the same claimant contains no such reflection. Now, there is trouble somewhere. Either the Pension Office is giving wrong information, unjustly reflecting upon this House, or else we have failed to make a sufficient appropriation for these claims for 1895.

Mr. DOCKERY. I should be glad to have the gentleman state in that connection, what I believe to be the fact, that the minority of the Committee on Appropriations concurred in the view that $200,000 would be sufficient.

Mr. HOPKINS of Illinois. I desire to say that there is not a Republican in this House but will vote to make that $500,000, if the Pension Commissioner says it is necessary to have that amount in order to carefully conduct this branch of the service.

Mr. TAYLOR of Indiana. Mr. Chairman——

Mr. DOCKERY. I yield to the gentleman from Indiana [Mr. TAYLOR].

Mr. TAYLOR of Indiana. I want to ask the gentleman if the Pension Bureau did not inform the gentleman that it would require $500,000?

Mr. DOCKERY. Certainly.

Mr. TAYLOR of Indiana. Were there any members of the committee who insisted that it should be $500,000?

Mr. DOCKERY. Not to my knowledge or recollection.

Mr. CANNON of Illinois. Now, let me make a statement in this connection. I happen to be a member of that committee, and in the minority; and I crave the attention of the committee while I state that for the present year the appropriation was $200,000. The Commissioner of Pensions by the 1st of January had spent the whole of that $200,000, namely at the rate of $400,000 a year, and came and asked a deficiency for $200,000 for this year, not for the next year, but this year. Congress voted it, and the Committee on Appropriations recommended it.

Mr. BRETZ. That is, $600,000?

Mr. CANNON of Illinois. No; that is $400,000 for this year. Now, then, my recollection is that it was referred to in the committee, and it was understood at the beginning of the coming fiscal year this same Commissioner of Pensions could take $200,000 and expend every cent of it by the time Congress meets next December——

Mr. DOCKERY. He could, if there is no limitation.

Mr. CANNON of Illinois (continuing). As he did this year; and if he comes for a deficiency for this service of $200,000 or $300,-

000 on the 1st day of next December for the remainder of the fiscal year, I have no doubt that he will get it.

Mr. HOLMAN. What is your motion?

Mr. CANNON of Illinois. Now, just wait a minute. Believing that fact, I have, as one member of the minority, knowing the great desire of the majority of the committee not to have its bills larger than was necessary——

Mr. DOCKERY. No, no.

Mr. CANNON of Illinois. Yes; knowing the great desire of the committee, perhaps not in this exact item, but all along the line, not to have its bills larger than necessary, and believing that the Commissioner of Pensions, following his own example, could use all this sum between this and next December, I made no question about it. And let me say further, that I stand ready here and now, or at any other time, to meet the estimates of the Commissioner of Pensions for this service in connection with the administration of his office; believing, however, that that fund is not properly used by him, in good faith, to dispose of claims pending, but in the main to use it to harrass those who are already on the pension roll and then to posture before the country, constantly thundering about frauds upon the pension roll.

Mr. DOCKERY. The gentleman from Illinois is correct in the general statement that the committee did not desire to make appropriations in excess of the needs of the public service. That is absolutely correct.

Mr. HOLMAN. The gentleman has not proposed to increase the amount. Why do not you propose to increase the amount?

Mr. CANNON of Illinois. This is the deficiency bill, I will say to my sagacious friend from Indiana, providing for the services of this year, and not for the service of next year.

Mr. TAYLOR of Indiana. Why did you not move in the committee to increase the amount? Why did you not report it here?

Mr. CANNON of Illinois. Because I am in the minority upon that committee, and because I knew that this Commissioner of Pensions could make this expenditure at the rate of $400,000 for the coming fiscal year as he has for the present year.

Mr. HOLMAN. Mr. Chairman, if the gentleman from Illinois thinks the amount is not sufficient, why does he not move to increase the amount?

Mr. TAYLOR of Indiana. I will say to the gentleman from Illinois that a short time ago you stated that you were willing to allow $500,000, the estimate made by the Commissioner. Why were you not willing to vote for it when it was in the committee?

Mr. CANNON of Illinois. Why did you not move to increase the appropriation to that amount in Committee of the Whole?

Mr. TAYLOR of Indiana. I was not a member of the Committee on Appropriations.

Mr. CANNON of Illinois. The Committee of the Whole House, where these bills are to have consideration, can amend them; and the very object of consideration of appropriation bills in Committee of the Whole is to allow gentlemen like my honorable friend an opportunity to offer amendments.

Mr. TAYLOR of Indiana. The information was not then in my possession.

Mr. CANNON of Illinois. Oh!

Mr. TAYLOR of Indiana. You had the estimates made by the Commissioner, and I did not know what they were.

Mr. CANNON of Illinois. The estimates are here in the public offices and have been since last November.

Mr. TAYLOR of Indiana. After awhile I will become as conversant with these matters as you gentlemen who have been here so many years.

Mr. CANNON of Illinois. The gentleman states that he lacked knowledge.

Mr. TAYLOR of Indiana. I do, sir, or I would have made the motion in the committee.

Mr. CANNON of Illinois. I hope the gentleman's knowledge hereafter will equal his zeal now.

Mr. TAYLOR of Indiana. I trust so.

Mr. CANNON of Illinois. I want to say one thing further to the gentleman from Indiana [Mr. HOLMAN]. The bill that we are now considering is a bill making deficiency appropriations for the remainder of this year, which expires on the 30th day of June instant. The appropriation he referred to comes on the legislative bill for the service of the next year. Therefore, why do not you, who in over thirty years have grown gray and almost bald in the service and know more about the estimates of the public service than any of us, rise in your place and move to amend this bill.

Mr. SAYERS. Mr. Chairman, I desire to say a word or two upon this subject, though it is entirely foreign to the bill. The entire discussion arises upon a motion to strike out the last word. There is no necessity for any appropriation whatever for the present year, from the most liberal standpoint, for this service, or for the feeling indicated by the speeches of the gentlemen. The Commissioner of Pensions for the present fiscal year has every dollar that he has asked for.

Mr. HOLMAN. Four hundred thousand dollars.

Mr. SAYERS. We might as well be fair to one another and be honest with one another. The Committee on Appropriations in this matter followed the example set by the gentleman from Indiana in the last Congress, when he was chairman of the Committee on Appropriations.

Mr. HOLMAN. The appropriations were not $400,000.

Mr. SAYERS. You appropriated only $200,000.

Mr. TAYLOR of Indiana. And there were deficiencies of $200,000.

Mr. SAYERS. There was no deficiency last year. Now, let us look into this business. We all stand alike in the committee. There was no diversity of opinion in the Committee on Appropriations about the appropriation that was carried in the legislative, executive, and judicial appropriation bill of $200,000.

Mr. COGSWELL. Because we were informed that it was sufficient; and now we find the Pension Office sending out to our constituents letters in which there is a statement that we have failed to appropriate enough.

Mr. SAYERS. Let us see. For the fiscal year 1892 only $215,000 was appropriated, and that was sufficient for the purpose. For the fiscal year 1893, when my friend Judge HOLMAN was chairman of the committee, an appropriation of only $200,000 was made and $25,000 as deficiency, which makes $225,000; and for the years 1893 and 1894 the estimate of the Commissioner for this purpose was only $215,000 for each year.

Inasmuch as the expenditure for 1892 had been only $215,000, and as the expenditure for 1893 was $225,000, and as the Commissioner of Pensions did not hesitate during the fiscal year of 1893 to ask for a deficiency, we thought that instead of appropriating the round sum of $500,000 we would appropriate, as has been done during the past two years, $200,000, and if it became absolutely necessary to appropriate more in the way of a deficiency we could do it.

As has been said, I believe, by the gentleman from Illinois, this is a fund which may be very large, which may be very small, or which may be medium in amount. It is within the discretion of the Commissioner of Pensions to expend this money either by wholesale or by retail, and the Committee on Appropriations, sustained by the House, and following the precedents established in the two former years, recommended the appropriation of $200,000.

Mr. COGSWELL. What does the gentleman say to the Commissioner of Pensions sending broadcast over the country a letter such as I have had read from the Clerk's desk stating that we were derelict in our duty, when he and I, as members of the Committee on Appropriations, supposed we were appropriating a sufficient amount?

Mr. SAYERS. In reply to that, Mr. Chairman, I simply say that the executive branch of the Government and the legislative branch of the Government in many of these matters of appropriation stand opposed to each other, the one wanting to have as much money as possible, and the other anxious to appropriate just as little as the Executive Departments can get on with.

A MEMBER. Has not that contention between the executive and the legislative departments always existed?

Mr. SAYERS. I believe so.

Mr. COGSWELL. One more question. Will the gentleman from Texas or the gentleman from Missouri authorize me to write to this widow and state that they are of the opinion that this letter of the Commissioner of Pensions is wrong, and that the amount appropriated is sufficient? [Laughter.]

Mr. SAYERS. Certainly not.

Mr. DOCKERY. And I would be quite unwilling to undertake to revise the correspondence of the gentleman from Massachusetts. [Laughter.]

Mr. CANNON of Illinois. If you will send her this debate she will see that the Commissioner is not correct in his statements.

Mr. DOCKERY. It is well to be absolutely frank and fair about these matters, and yet I am restrained by the rules and care not to tell the whole truth.

Mr. HOOKER of Mississippi. Why not?

Mr. DOCKERY. The situation has been outlined somewhat by the remark made awhile ago by the gentleman from Illinois—if I misquote him he will correct me—that he did not believe this money was being properly expended.

Mr. CANNON of Illinois. I did say that. That is my opinion.

Mr. HOLMAN. Why not?

Mr. CANNON of Illinois. Ask me something easy.

Mr. DOCKERY. In the light of remarks which were made

on the floor—I am not referring to committee matters—by the leading Republican member of the subcommittee that reported this bill, the gentleman from Maine [Mr. DINGLEY], criticism can not properly come from that side of the House.

The gentleman from Illinois will recall the remarks of the distinguished gentleman from Maine in reference to this very item. We made the suggestion that perhaps there ought to be a limitation on this appropriation so as to avoid a deficiency for the coming fiscal year, but upon reflection the gentleman from Maine very properly concluded that he would not offer an amendment that would place a limitation on the amount so as to restrict the entire expenditure to $200,000, as it might interfere with the proper administration of the office.

Mr. CANNON of Illinois. As the gentleman has appealed to me in regard to what I have said about the expenditure of this sum, will he allow me to interrupt him right there? I remember what the gentleman from Maine [Mr. DINGLEY] said about this on the floor of the House, and the Committee on Appropriations, I am satisfied, did not undertake to hedge around this expenditure because of the power of the chief of this Pension Office to make this, that, and the other claim that he has not had money enough, or that his notions of sound administration have been interfered with. And now let me explain my remark.

When I said I did not believe that this money was being properly expended I ought to have added—I will add it now—that in my judgment all through the present fiscal year, in the expenditure of this great sum of $400,000, almost twice as much as what has been expended heretofore, and to be followed by a like expenditure for the coming year, the trouble is that the Commissioner of Pensions, instead of disposing of claims and seeking to aid worthy claimants to establish their cases, as the law and as this appropriation originally contemplated, has been hunting for alleged frauds and expending this money in trying to find somebody that was on the pension roll that he could put off the roll.

Mr. DOCKERY. Now, without entering at all into the question of the accuracy of the statements made by the gentleman from Illinois [Mr. CANNON] I think it is apparent to the committee that for some reason there was no consuming desire on the other side of this Chamber to increase this amount. And I am glad the gentleman from Illinois has made his statement, because it fully answers the somewhat impetuous observation made by his colleague [Mr. HOPKINS] when he started out in this debate with the statement that no member on that side would refuse to vote $500,000 if demanded by the Commissioner of Pensions.

Mr. CANNON of Illinois. Just at this point let me say, in justice to my colleague and in justice to myself, that the Commissioner of Pensions can between this time and the next session of Congress expend every cent of this money, which will be at the rate of almost $500,000; and Congress will no doubt make an additional appropriation for the coming year, as it has done for this year. And making the criticism that I do upon the Commissioner of Pensions, I stand ready here, if the House believes it ought to be done, to vote for an appropriation of $500,000 for the coming year so as to give this man no illegitimate excuse. He has no legitimate one.

Mr. COGSWELL. The gentleman from Missouri no doubt quoted the remarks of Governor DINGLEY as he thought correctly; but upon receipt of this letter—the first letter read—I took it to Governor DINGLEY, who read it, and said, "It is just what I expected; and it is just what I told the House when the legislative bill was up."

Mr. DOCKERY. Now, I want to say just one word and then I will dismiss the subject. In my judgment the amount is sufficient, and I would not add anything more but for the observations of some gentlemen on the other side of the Chamber. I simply wanted to establish the "truth of history," and that is, that there was no desire on the other side to increase this amount beyond $200,000.

Mr. COGSWELL. But Governor DINGLEY says he gave notice to the House just what would happen.

Mr. HOPKINS of Illinois. Mr. Chairman, this discussion has been profitable only to the extent of showing that there is a wide disagreement between the Democratic members of the Committee on Appropriations of this House and the Commissioner of Pensions as to the amount of money necessary to take care of the claims of the old soldiers who are waiting to have justice done them by this Government.

Now, one of two things is true: either the Commissioner of Pensions is correct in his statement to the old soldiers that the appropriations are inadequate to enable him to properly consider their claims or he is not. If he is correct, then this Committee on Appropriations should make this appropriation $500,000 as recommended by the Commissioner, instead of $200,000.

Mr. DOCKERY. Will the gentleman allow me?

Mr. HOPKINS of Illinois. I will.

Mr. DOCKERY. There is nothing involved here except a difference of opinion; and the gentleman's colleague [Mr. CANNON of Illinois] has stated the position correctly—that if $200,000 should not be sufficient, Congress, when it reconvenes, will make the amount good by a deficiency appropriation, which has been the usual course heretofore.

Mr. HOPKINS of Illinois. But, Mr. Chairman, it is because of this "difference of opinion" that thousands of letters are being received by the old soldiers in response to their inquiries at the Pension Office, that their claims can not be considered in the Pension Office until after 1895 because of the deficiency in the appropriations made by this Democratic committee of this House.

Now, the gentleman says, if I understand him correctly, that the appropriations already made are sufficient. If that is true, and the Commissioner of Pensions is falsely making the statement which has been read from the Clerk's desk in the letter sent up by the gentleman from Massachusetts, then I say that he should be denounced, not only upon the floor of this House, but in every section of the country where there is an old soldier, for the fraud that he is perpetrating upon the members of the Grand Army of the Republic. These men who have filed their claims are notified in such letters as I have referred to that their claims will not receive consideration for a year and a half; and the Commissioner gives as excuse that it is because of inadequate appropriations by this House.

Mr. MARSH. The language the Commissioner uses is "inadequate force."

Mr. HOPKINS of Illinois. Inadequate force and inadequate appropriations.

Mr. MARSH. And allow me to say that there are 22,000 of these claims that are hung up because of this inadequacy of force.

Mr. HOPKINS of Illinois. If this Commissioner of Pensions is making false and fraudulent statements to the old soldiers, as the gentleman from Missouri and the other gentlemen in charge of this bill indicate, then I say our reprobation of such conduct should be emphasized by a resolution of this House denouncing him for the false statements he is making to the old soldiers; but, on the contrary, if the Commissioner of Pensions is correct, if in order to provide for these claims and do justice to the old soldier he should have an appropriation of $500,000 instead of $200,000, that it is the duty of this House to increase this appropriation from $200,000 to $500,000.

And I repeat what I said a few moments ago that if the gentleman in charge of this bill will make it $500,000 for that service I will guarantee him here and now on behalf of the Republicans of this House that there will not be a Republican vote against that increased appropriation.

Mr. ENLOE. Is that provision in this bill?

Mr. HOPKINS of Illinois. Why, Mr. Chairman, look at this matter a moment; while the Committee on Appropriations of this House and the Commissioner are quarreling over the amount of appropriations what is the condition of the soldier?

Mr. PICKLER. He is dying.

Mr. HOPKINS of Illinois. Yes, he is dying, as my colleague from South Dakota says, in want and poverty, because he can not get what is justly due him from the Government. His claim is pending here, and this Commissioner says he must wait months and years before it can be considered; that it can not be reached even for consideration until after 1895.

Now, you should take some action one way or the other. You should either denounce, by a proper resolution of the House, the conduct of this Commissioner in making these charges against one of the leading committees of the House, or we should give him additional appropriations to enable him to care for the old soldier and avoid further delay.

Mr. HOLMAN. Does my friend propose to increase the amount for the current year?

Mr. HOPKINS of Illinois. I propose whatever is necessary to accomplish that end.

[Here the hammer fell.]

Mr. ENLOE. I move to strike out the last two words.

Mr. SAYERS. I ask that all debate be closed on this amendment in five minutes.

There was no objection.

Mr. ENLOE. Mr. Chairman, I have been looking for the clause in this bill on which this debate has occurred.

Mr. DOCKERY. It is on the letters of the gentleman from Massachusetts.

Mr. ENLOE. I understood from the speech of the gentleman from Illinois [Mr. HOPKINS] that there was perhaps a paragraph in the bill appropriating $200,000 for the purpose of permitting the special examiners to investigate these claims, and that he wanted the gentleman in charge of the bill to increase that amount to $500,000.

But when I come to the examination of the bill I do not find any such proposition in it. This whole debate is entirely irrelevant, and if it has any connection whatever with the pending bill it is simply a proposition to instruct the Commissioner of Pensions as to the performance of his duty.

The gentleman from Massachusetts [Mr. COGSWELL] introduces letters here from the Pension Office to a claimant stating that unless Congress shall appropriate more money the claim will not probably be reached until 1895.

Mr. COGSWELL. Oh, no; not until 1896.

Mr. ENLOE. I understood the gentleman to say 1895.

Mr. COGSWELL. That it will not be reached for consideration until 1895, but it will be 1896 before it is determined.

Mr. ENLOE. That it would not be reached before 1895, but that that was the outside limit.

Mr. COGSWELL. Not at all.

Mr. ENLOE. Well, however that may be, it is immaterial for the purpose of argument. I take it to be the duty of the Commissioner of Pensions to go forward now and expend the money that has been appropriated in the proper investigation of the claims, and look to Congress at the next session for any deficiency that may arise.

Mr. O'NEIL of Massachusetts. And he will do it.

Mr. ENLOE. I have no doubt that he will.

Mr. HOPKINS of Illinois. How does the gentleman from Massachusetts know that?

Mr. COGSWELL. Will my colleague from Massachusetts vouch for that statement?

Mr. O'NEIL of Massachusetts. Yes, sir.

Mr. COGSWELL. That the Commissioner of Pensions will go ahead, and if the appropriation is inadequate to take care of all these cases, nevertheless he will proceed with them and look to Congress in the future, and that therefore his letter to the claimants is false and misleading?

Mr. O'NEIL of Massachusetts. Not at all.

Mr. COGSWELL. Then I would like to know how the gentleman can make the statement he has made in view of that letter.

Mr. ENLOE. I believe I have the floor, and only a few moments remaining.

The CHAIRMAN. The gentleman from Tennessee is entitled to the floor and declines to yield for an interruption.

Mr. ENLOE. I want to say to the gentleman from Massachusetts——

Mr. HOPKINS of Illinois. Let me interrupt the gentleman for a question.

Mr. ENLOE. I can not yield for an interruption. I have but a few moments remaining.

Mr. HOPKINS of Illinois. I will give you more time.

Mr. ENLOE. The House might not consent.

I wish to say to the gentleman from Massachusetts that I have the utmost confidence in the integrity of the Commissioner of Pensions, but I do not concur with him in all things about the administration of his office. If I had the administration of it I would administer it somewhat differently from what he does.

Mr. MILLIKEN. How would the pensioners come out if you had the management of the office?

Mr. ENLOE. I can tell the gentleman that the honest pensioners would get their money, and the frauds would get none if I could possibly prevent it.

Mr. MILLIKEN. How many efforts would the gentleman make to find any honest pensioners in the country? Does the gentleman think that he would find any?

Mr. ENLOE. Yes; a very large number of them, and a very large number of fraudulent ones, too.

Mr. MILLIKEN. I think the gentleman would look much sharper for the dishonest ones than for the honest ones.

Mr. ENLOE. That is entirely a gratuitous inference on the part of the gentleman.

Mr. MILLIKEN. Well, I do not ask the gentleman anything for the information.

Mr. ENLOE. I have never, since I have been in Congress, opposed the payment of a pension to a man who was honestly entitled to it, and my record will bear me out in the assertion, and there is no soldier in the country who will assert that I ever have occupied any other position, and there is no man who can justly make complaint against my position unless he is a fraud himself and urging a fraudulent claim upon the Government, or unless he has constituents who are claiming fraudulent pensions.

Mr. MILLIKEN. If the gentleman means to make a personal insinuation, I will give him such a reply as he deserves.

The CHAIRMAN. Debate on this amendment is exhauted.

Mr. ENLOE. I mean to say that if the gentleman puts me in the attitude of trying to prevent any man who is honestly entitled to a pension from receiving it, then I wish to put him in an attitude that he will not want to occupy.

The CHAIRMAN. Debate is exhausted. The committee will be in order.

Mr. MILLIKEN. Mr. Chairman, the gentleman made his own attitude. I put him in no attitude.

Mr. PICKLER. Why does not the Commissioner find some of these frauds?

Mr. ENLOE. He is finding them.

Mr. PICKLER. Oh, no.

Mr. ENLOE. I hope the Commissioner of Pensions will look to the law for his instructions in the performance of his duties, and not to what is said here.

The CHAIRMAN. This debate is not in order. If members have no respect for themselves, the Chair hopes and trusts that they will have some respect for the rules of the House. Gentlemen will take their seats. The Chair will treat the formal amendment as withdrawn, if there be no objection, and the Clerk will resume the reading of the bill.

There was no objection.

The Clerk, resuming the reading of the bill, read as follows:

Transportation of Indian supplies: For this amount for necessary expenses of transportation of such goods, provisions, and other articles for the various tribes of Indians provided for by act approved July 13, 1892, including pay and expenses of transportation agents and rent of warehouses, being a deficiency for the fiscal year ending June 30, 1893, $3,000.

Mr. PENDLETON of Texas. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The amendment was read, as follows:

On page 34, after line 5, insert the following:

"For the amounts authorized to be allowed Ely Moore and Daniel Woodson by joint resolution approved April 2, 1894, and found due and certified for appropriation by the accounting officers of the Treasury, $7,355.84."

Mr. SAYERS. I desire to raise the point of order on the amendment, that there is no law authorizing the appropriation, and therefore such an appropriation can not be carried on this bill.

Mr. PENDLETON of Texas. Mr. Chairman, I desire to speak to that point of order; and in order to do so it will be necessary to go somewhat into the history of this claim. A resolution passed through both Houses, and was approved by the President, on the 2d day of April of this year, directing the payment of this amount to these parties. It was referred to the Secretary of the Interior and the Secretary of the Treasury, and it was then ascertained that the fund from which the payment should be made had heretofore been paid out and exhausted.

In other words, it was an Indian trust fund. Now, under the law of 1837, which was embodied in sections 2093 and 2094, it is provided that before trust funds shall be paid to Indians, all necessary expenses in connection with the sale of those lands shall first be paid. In violation of that general law and of the Revised Statutes, the appropriation bill of March, 1893, paid out all the money belonging to the Delaware and other tribes, leaving this account still unpaid.

Now, the Supreme Court, in another case of just the same character, to be found in volume 110 of the Reports, page 688, decided that this was a claim against the United States, and that if the United States paid out trust funds, they were responsible for the same. Now, on investigation it is found that the money was due to these men; that Congress by an appropriation contrary to the Revised Statutes had paid out the money, leaving these men still unpaid, and therefore the Government is responsible for the amount.

The Secretary of the Treasury submitted this resolution to the Speaker of the House, notifying him of the fact that there was no money in that appropriation to pay it. The Speaker transmitted it to the Committee on Appropriations. The Committee on Appropriations referred it to the Committee on Indian Affairs, and the first time it was directed to our attention was on Thursday last, after the Indian appropriation bill had passed. Besides, I do not believe that the Indian appropriation bill ought to carry deficiencies; but the Indian appropriation bill had passed, and we respectfully referred the resolution back to the House, by instruction of the committee, and asked that this amount be made an item in the deficiency bill. I contend, Mr. Chairman, that it is a part of the existing law of the land. It passed on the 2d day of April, 1894.

Mr. SAYERS. Mr. Chairman, the jurisdiction of the several committees of this House is well established, not only by the letter of the rule, but also by precedents that have been made from time to time. Now, this is in no sense a deficiency. If it had been a deficiency, Congress, instead of making an appropriation to pay it out of a trust fund, would have made an appropriation out of the general revenue. The resolution to which the gentleman refers, and which I have before me, directs that a certain sum of money be paid out of certain trust funds belonging to certain tribes of Indians.

It was found after the resolution had become law that there were not funds sufficient out of which to pay the amount specified in the resolution. These facts being admitted, and having been stated by the gentleman who proposes the amendment, it occurs to me that the appropriation, if it should be made at all, should come upon the Indian appropriation bill, or from the Committee on Claims.

Mr. PENDLETON of Texas. Mr. Chairman, if the appropriation out of which this money was to be paid is exhausted, as the gentleman says it is, it seems to me it is clearly a deficiency.

Mr. SAYERS. I stated what you say. I am making your statement and not mine.

Mr. PENDLETON of Texas. I accept the statement. I say it is true. The gentleman repeats that the fund is exhausted. I say that it is exhausted; and if it is exhausted, what does constitute a deficiency if this does not? If it is a deficiency, then it ought to be a part of the deficiency appropriation bill.

Mr. SAYERS. Rule.

The CHAIRMAN. Has the gentleman a copy of the joint resolution referred to?

Mr. SAYERS. Yes, sir; I send up the resolution.

The CHAIRMAN (Mr. MCCREARY of Kentucky). This amendment appears to be "for the amount authorized to be allowed Ely Moore and Daniel Woodson by joint resolution, approved April 2, 1894, and found due and certified for appropriation by the accounting officer of the Treasury, $7,355.84." It is admitted, the Chair understands, that no funds——

Mr. SAYERS. The Chair will understand that the payment was to be made out of a trust fund belonging to the Indians, and not out of the general funds in the Treasury.

The CHAIRMAN. The Chair understands it to be admitted that this money is to come out of a trust fund, which trust fund is exhausted. Under the circumstances, therefore, the Chair will sustain the point of order, believing that under the rule the item ought not to be in this bill.

The Clerk read as follows:

For miscellaneous expenditures, including telegraphing, fuel, lights, foreign postage, labor, repairs of building and care of grounds, and other necessaries, directly ordered by the Attorney-General, on account of the fiscal years 1890 to 1893, inclusive, $4,500.

Mr. JOHNSON of North Dakota. Mr. Chairman——

Mr. SAYERS. Does the gentleman from North Dakota desire to offer an amendment to the bill?

Mr. JOHNSON of North Dakota. I do not care to offer an amendment, but I desire to be heard upon this part of the bill.

Mr. SAYERS. Will the gentleman allow us to proceed with the consideration of the bill, with the assurance that he shall have an opportunity to speak before the bill is finally reported to the House?

Mr. JOHNSON of North Dakota. With pleasure.

The Clerk read as follows.

To pay the fees and expenses of the deputies of O. P. Fitzsimons, marshal of Georgia, 1879, 1880, and 1881, $4,370.38. Said sum to be paid direct from the Treasury to said deputies now holding claims against said marshal's office, in the following manner, namely: First, $1,000 to James B. Gaston, and the balance to be pro rated among all said deputies, according to the amounts found due said deputies, by Hon. W. R. Hammond, auditor of the United States circuit court, northern district of Georgia, in the suit of United States *vs.* O. P. Fitzsimons and others.

Mr. HARTMAN. Mr. Chairman, I offer the amendment which I send to the desk.

The amendment was read, as follows:

Page 47, after line 7, add: "*Provided*, That the United States marshals, district attorneys, and clerks of the United States courts in the States of Montana and Washington, shall hereafter receive the same fees, compensation and expenses for their official services and disbursements as are now allowed by law to the United States marshals, district attorneys, and clerks of United States courts of the State of Oregon.

Mr. SAYERS. Mr. Chairman, I desire to raise the point of order against the amendment that it changes existing law.

The CHAIRMAN. The Chair will hear the gentleman from Montana on the point of order.

Mr. HARTMAN. I hope the gentleman will not press that point of order. I frankly admit that the amendment is subject to the point of order, and the only question is whether I can convince the gentleman that he ought in justice to withdraw it. The situation is this: In all of the intermountain States and States lying west of the Missouri River and east of the Pacific coast these officers receive certain fees for their compensation. The fees received by the officers there are exactly double the fees that are received by similar officers in Montana and Washington.

Now, the same distances exist in those two States between the stations where the marshals have to travel, the same distances exist between the points where the district attorney has to go in the performance of his official duties, and the expenses are even greater in Montana and Washington than in California and the other Western States, and it does seem to me that the gentleman ought to be willing to place us upon the same basis as the other States that present similar conditions. It is true that there is now a bill pending for the purpose of paying these officers by salaries, but that bill is not a law and may not become a law, and if it does not become a law then we shall continue to be discriminated against by our officers receiving only one-half the amounts that like officers receive in the other States. I therefore ask the gentleman to withdraw his point of order.

Mr. SAYERS. Mr. Chairman, I think that the fees of the officers of the United States courts in California and the other States named by the gentleman ought to be reduced to the same footing as the fees of like officers of the courts in other parts of the country, and therefore I can not withdraw the point of order.

Mr. LOUD. I suggest to the gentleman that California does not come in that category. Oregon and Washington may, but California does not. The officers of our courts do not receive those double fees.

The Clerk read as follows:

To pay to the widow of R. F. Brattan, late a Representative in Congress from the State of Maryland, $4,255.75.

Mr. TERRY. Mr. Chairman, I offer the amendment which I send to the desk.

The amendment was read, as follows:

Amend by adding at the end of line 9, page 51, the following, to wit: "And to pay to W. Jasper Blackburn, formerly a Representative in the Fortieth Congress from the State of Louisiana, $5,597.23."

Mr. SAYERS. Mr. Chairman, I reserve the point of order upon the amendment, and ask the gentleman to consent that we may go on through the bill and return to the amendment later.

Mr. HENDERSON of North Carolina. I have a similar amendment that I would like to submit.

Mr. MEREDITH. I have a like amendment. When shall we reach the consideration of these amendments?

Mr. SAYERS. The gentleman may offer his amendment now, and I will reserve the point of order.

Mr. MEREDITH. I offer the amendment which I send to the desk.

The Clerk read as follows:

On page 51, after line 13, add the following:
"To Louis McKensie, $2,098."

Mr. SAYERS. I reserve a point of order on that amendment.

Mr. MEREDITH. This amendment, it seems to me, ought properly to be adopted.

The CHAIRMAN. Points of order will be reserved on these amendments, and they will be returned to, to be considered together.

Mr. MEREDITH. When shall we have an opportunity to return to them?

Mr. SAYERS. As soon as we get through with the bill we will then go back to these amendments.

Mr. MEREDITH. I can not be here all the time, and if this question is to be discussed I would like to have it discussed while I am here. This is Saturday afternoon, and I am compelled to leave between 4 and 5 o'clock. I would be glad if this amendment could be passed on now.

Mr. SAYERS. Well, we will take up the first amendment. I presume the whole of the evening will be consumed on it.

Mr. HENDERSON of North Carolina. I would like to have my amendment read, so that it may be pending with the others.

The Clerk read as follows:

Amend by inserting between lines 9 and 10, or page 51, the following:
"To pay to the executor of Nathaniel Boyden, late a member of the House of Representatives of the United States for the Fortieth Congress, the sum of $5,652.78, the remainder of salary due and unpaid said Nathaniel Boyden as a member of the House of Representatives for the Fortieth Congress."

Mr. SAYERS. A point of order is reserved on that amendment also. It is understood that I reserve points of order on all three of these amendments.

Mr. TERRY. I would like the gentleman to state what the point of order is against my amendment.

Mr. SAYERS. I will state it when the question comes up.

Mr. TERRY. I would be glad to know what the point is.

Mr. SAYERS. Let the Clerk proceed with the reading of the bill.

Mr. TERRY. I desire to state, in this connection, that I reserve points of order on these provisions which the committee has incorporated in this bill.

Mr. SAYERS. The point comes too late.

Mr. TERRY. I think it is not too late. If a point of order is to be made against my amendment which provides for payment to a man now living, I reserve a point of order on these provisions for the widows of deceased members.

Mr. SAYERS. They have all been passed.

The CHAIRMAN. It is too late to reserve a point of order on the text of the bill after amendments have been offered.

The Chair understands the gentleman from Texas desires that these three amendments be passed over with points of order reserved upon them.

Mr. SAYERS. I do. Now, let the Clerk read.

The Clerk resumed the reading of the bill, and read as follows:

To pay to James Kerr, Clerk of the House of Representatives of the Fifty-second Congress, for services in compiling and arranging for the printer and indexing testimony used in contested-election cases, as authorized by an act entitled "An act relating to contested elections," approved March 2, 1887, the sum of $500, and an additional sum of $900 to such employés as were actually engaged in the work designated by the said James Kerr, and in such proportion as he may deem just, for assistance rendered in the work; in all, $1,400.

Mr. SAYERS. I offer the amendment which I send to the desk.

The Clerk read as follows.

On page 53, after line 8, insert:

"To pay the following employés who were necessarily employed by the Doorkeeper during the period from November 4 to December 3, 1893, namely: Two session folders, at $69.66 each; ten laborers, at $59.79 each; one riding page, $75; and one page in the folding room, $75; in all, $887.22.

"To pay the following employés who were necessarily employed by the Postmaster during the period from November 4 to December 3, 1893, namely: Three messengers, at $114.60 each; and four messengers, at $99.67 each; in all, $742.48.

"To pay J. F. Snyder, disbursing clerk, and Thomas G. Kalbfus, assistant disbursing clerk, for extra services rendered, $300 each; in all, $600.

"To pay F. T. Dennis as extra compensation for services rendered as assistant clerk to the Committee on Invalid Pensions during the first and second sessions of the Fifty-third Congress, $500."

The amendment was agreed to.

The Clerk read as follows:

To pay William J. Assman the difference between the pay of a laborer and that of a messenger in the Hall Library at the rate of $3.60 per day from July 1, 1893, to June 30, 1894, inclusive, $594.

Mr. SAYERS. Another amendment, Mr. Chairman.

The Clerk read as follows:

On page 53, after line 16, insert:

"To pay George L. Browning and Alphonso Gibbs, for extra services rendered in the folding room, $300 each, $600.

"To pay M. M. Robinson the difference between the amount of his salary of $1,200 per annum, for extra services rendered as assistant to the Sergeant-at-Arms, $300.

"To pay Joseph Y. Brattan, for services rendered as clerk to the late Robert F. Brattan, from April 1 to May 10, 1894, inclusive, $132.25.

"To reimburse Augustus Hall for amount expended for assistance in caring for the annex folding room to June 30, 1894, $213.

"To pay J. Martin McKay for extra services as foreman of the folding room, $171.36.

"To pay Isaac F. Smith for services rendered as messenger to the Committee on Indian Affairs, $200.

"To pay Peter J. McDonald the difference between his salary as folder and that of acting assistant foreman of the folding room, at $1,200 per annum, from January 20, 1893, to January 20, 1894, $300."

The amendment was agreed to.

The Clerk read as follows:

To Nathaniel W. White, $240.37; in all, $1,038,698.12: *Provided*, That none of the judgments herein provided for shall be paid until the right of appeal shall have expired.

Mr. PICKLER. Mr. Chairman, I have an amendment to offer to this paragraph.

The Clerk read as follows:

Add after the word "cents," in line 1, page 61:

"For payment of judgments rendered by the Court of Claims in Indian depredation cases since June 30, 1891, as certified by the Attorney-General April 19, 1894, in response to the Senate resolution of April 14, 1894, and in amount in accordance with the act of March 3, 1891, amounting to a total of $514,924.93, as follows.

Mr. PICKLER. It is not necessary now to read the list of names following.

Mr. SAYERS. Mr. Chairman, I would ask the gentleman from South Dakota to reserve his amendment until we get to the next clause in the bill.

Mr. PICKLER. I did not suppose it would be in order under the next section, inasmuch as we are now under the head of "Judgments of the Court of Claims." I am not particular, of course, where the amendment is inserted.

Mr. HERMANN. If the gentleman will permit me a moment, I desire to offer a general amendment to this provision at the proper time, covering all of the cases embraced under the act of March 3, 1891. Then I propose to discuss the matter fully, and the gentleman can offer his amendment at that time.

Mr. BOWERS of California. I wish to offer an amendment under that heading also—a judgment of the Court of Claims.

Mr. SAYERS. Does it embrace the same subject-matter?

Mr. BOWERS of California. It embraces one of the Indian depredation claims reported from the Court of Claims.

Mr. SAYERS. Mr. Chairman, in order that the bill may be symmetrical appropriations should be made in the following order: For the payment of judgments of the Court of Claims, next for the payment of judgments of the United States courts, and then follow the judgments in Indian depredation claims.

Mr. PICKLER. The amendment I have offered relates to the judgments in the Court of Claims.

Mr. HERMANN. I shall move to strike out the amount in that paragraph, and insert the additional amount necessary to embrace the judgments in Indian depredation claims rendered by the Court of Claims.

Mr. SAYERS. I was about to state, Mr. Chairman, that I will not raise the point of order on account of the gentleman's amendment not being presented in its proper place.

Mr. PICKLER. That is right.

Mr. BOWERS of California. Then the amendment will come in in the next section?

Mr. SAYERS. Under the head of "judgments in Indian depredation claims."

Mr. HERMANN. And at that time we can discuss the entire question.

Mr. SAYERS. Certainly.

Mr. PICKLER. I understand the gentleman from Kansas [Mr. BRODERICK], who is much interested in this subject, wishes to be heard upon it, and I think it will be more satisfactory to all concerned if the gentleman from Texas will consent to let this whole matter—this part of the bill covering these claims—go over until Monday.

Mr. SAYERS. I have no objection.

Mr. BOWERS of California. With the understanding, of course, that general debate shall then be had?

Mr. SAYERS. Certainly.

Mr. PICKLER. That we are to have ample time?

Mr. SAYERS. Of course.

Mr. HERMANN. It is further understood, Mr. Chairman, and I want to see that there is no misunderstanding, that when this question comes up again it will all be considered—the amendments that are proposed and all—under the head of "Indian depredation claims."

Mr. HARTMAN. Without any right being waived?

Mr. SAYERS. Of course.

Mr. Chairman, I ask unanimous consent that the clause beginning on page 61 with line 21, and ending with line 4 on page 62, be passed over until Monday, with the understanding that gentlemen may have an opportunity to offer amendments as indicated to this particular clause, making appropriations for the payment of judgments that have been already rendered in what are known as Indian depredation cases by the Court of Claims.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. HERMANN. Meanwhile, I give notice that I will offer an amendment when that particular clause is reached.

Mr. BOWERS of California. I would like to have a word in explanation of this matter. I have noticed heretofore in making these agreements to let a particular section go over, that after we have got through with the reading of the bill amendments have been stopped on the other clauses by bringing in a rule, or something of the kind, that shuts them out.

Mr. SAYERS. The gentleman knows that I have never done anything of the kind. He knows that I will carry out in good faith any understanding that may be had.

Mr. BOWERS of California. I know the chairman will. I am satisfied that will be the case.

Mr. TAWNEY. It gives to any member the right to offer amendments here, as I understand it?

Mr. SAYERS. To that particular clause, of course, it does.

Mr. BAKER of New Hampshire. I wish to give notice that I intend to offer an amendment, in the event of the failure to insert certain amendments in this clause, to strike out the paragraph. I wish that right to be reserved.

Mr. SAYERS. Certainly.

Mr. BAKER of New Hampshire. And at that time I shall give my reasons for the motion.

Mr. PICKLER. Is it understood that we are to offer amendments to page 61, the paragraph under the head of "Judgments in Indian depredation claims," rather than under the head "Judgments of the Court of Claims?"

Mr. SAYERS. That is the understanding—that is, beginning with line 21 on page 61 and ending with line 4 on page 62.

Mr. PICKLER. Then, at the proper time I will reoffer the amendment which has been read in part by the Clerk.

Mr. BRODERICK. Mr. Chairman, just one word. Is it understood that these amendments must all be offered at this time?

Mr. SAYERS. Not at all. They can be offered on Monday.

The CHAIRMAN. The gentleman from Texas [Mr. SAYERS] asks unanimous consent to pass over the portion of the bill beginning with line 21, on page 61, and ending with line 4, on page 62, and that all gentlemen having amendments proposing to pay judgments of the Court of Claims in Indian depredation cases, be permitted to offer those amendments to that section. Is there objection?

There was no objection.

Mr. TERRY. I should like to ask the gentleman from Texas [Mr. SAYERS] for information, if the item in regard to United States judgments covers a judgment in favor of Thomas Fletcher, marshal of the eastern district of Arkansas, for $3,207.16 and $8.10 costs?

Mr. SAYERS. I am informed that it does, Mr. Chairman.

Mr. TERRY. It was duly certified to you by the Attorney-General, was it not?

Mr. SAYERS. Yes.

Mr. TERRY. And is included in this?

Mr. SAYERS. I am so informed by the clerk of the committee.

Mr. TERRY. With that understanding I will offer no amendment.

The Clerk resumed and completed the reading of the bill.

Mr. SAYERS. I ask unanimous consent to return to page 9, for the purpose of offering an amendment.

The CHAIRMAN. The Clerk will report the amendment, after which the Chair will ask if there be objection to its consideration.

The Clerk read as follows:

Amend page 9, after line 22, by inserting:
"For post-office and court-house at Bay City, Mich., for completion of brick walk, $1,100."

The CHAIRMAN. The gentleman from Texas asks unanimous consent to return to page 9, to insert the amendment reported by the Clerk. Is there objection?

There was no objection.

The amendment was agreed to.

Mr. SAYERS. I wish to offer another amendment, to come in on page 53.

The CHAIRMAN. The Clerk will report the amendment.

The amendment was read, as follows:

On page 53, before line 9, insert:
"To pay Clifford Lucas, for additional compensation for services as messenger under the Clerk during first and second sessions of the Fifty-third Congress, $100."

The CHAIRMAN. If there be no objection——

Mr. TAWNEY. I object, unless the chairman of the committee will also include an amendment which I have, providing for the payment of $500 to Mr. L. M. Olson, of Winona, Minn., and a messenger in the Fifty-second Congress.

Mr. SAYERS. If the gentleman raises a point of order it must prevail.

The CHAIRMAN. The amendment is objected to.

Mr. SAYERS. Mr. Chairman, I believe the entire bill has been completed, with the exception of three amendments which have been offered, one by the gentleman from Arkansas [Mr. TERRY], one by the gentleman from Virginia [Mr. MEREDITH], and one by the gentleman from North Carolina [Mr. HENDERSON]; and also the clause known as the Indian depredation clause. The bill has been completed with the exception of those four matters, three amendments and one clause of the bill. Now, inasmuch as gentlemen who are interested in those amendments and that clause are desirous that they shall be considered on Monday, or on Tuesday if the bill should not come up before then, I move that the committee rise.

Mr. PICKLER. Mr. Chairman, the gentleman's statement will not preclude other amendments to that section, will it?

Mr. SAYERS. No, all amendments to pay judgments on Indian depredation claims will be in order.

Mr. BOWERS of California. That matter is open for amendment.

Mr. PICKLER. We may offer all the amendments we like to that clause?

Mr. SAYERS. To pay Indian depredation claims. Of course this understanding does not include amendments for other purposes, except those which are strictly germane to those judgments. Does the gentleman from Minnesota [Mr. TAWNEY] insist on his point of order?

Mr. TAWNEY. If the gentleman will include my amendment, I will not.

Mr. SAYERS. I can not do that. The committee has not examined that matter yet, and the amendment which I wish to offer is meritorious.

Mr. TAWNEY. This has been before the Committee on Accounts, and would have been reported to the committee——

Mr. SAYERS. I will state to the gentleman the difficulty under which he labors, and I do not think he ought to insist upon his proposition. The trouble is that the gentleman's amendment should have gone to the Committee on Accounts and have been reported to the Committee on Appropriations for action. Now, the gentleman has failed to get any action on his amendment by the Committee on Accounts, and I do not think it is quite fair to the other amendment that he should insist upon an amendment which ought to have first gone to the Committee on Accounts.

Mr. TAWNEY. Will the gentleman permit me to make a statement in regard to this proposed amendment of mine?

Mr. SAYERS. Certainly.

Mr. TAWNEY. I introduced a resolution at the beginning of the extra session of this Congress which went to the Committee on Accounts. The Committee on Accounts has had it under consideration. The subcommittee, to which it was referred, made a favorable report to the committee and the committee was to have disposed of it last week, but the chairman of the subcommittee that had it under consideration was not present. He is out of the city and they could not dispose of it at that meeting in time to have it referred to the Committee on Appropriations.

Mr. SAYERS. I will say this to my friend, that if the Committee on Accounts will report the matter favorably to the Committee on Appropriations when the next general deficiency bill comes up, we will consider it.

Mr. TAWNEY. Will the gentleman do that, and have it put on the deficiency bill?

Mr. SAYERS. I can not control the committee, but we will consider it.

Mr. TAWNEY. This gentleman was a messenger in the Fifty-first and Fifty-second Congresses. He had the misfortune to lose both his hands. Immediately after the adjournment of the Fifty-second Congress, on the 4th of March, the Doorkeeper of the House discharged this man and paid the salary due him from the 4th of March to the 7th of August to a man who never saw the Capitol or performed a day's service for the Government. Now, the subcommittee for that reason decided to report the resolution favorable to the Committee of Accounts.

Mr. SAYERS. I will say to the gentleman if the matter is reported to the Committee on Appropriations it shall receive fair consideration.

Mr. TAWNEY. With that understanding, I withdraw the objection.

There being no further objection, the amendment of Mr. SAYERS was agreed to.

Mr. SAYERS. I move that the committee rise.

The motion was agreed to.

The committee accordingly rose; and Mr. BAILEY having resumed the chair as Speaker *pro tempore*, Mr. BYNUM, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill (H. R. 7477) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1894, and for prior years, and for other purposes, had come to no resolution thereon.

AGREEMENT WITH YUMA INDIANS.

Mr. HUNTER. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

The Clerk read as follows:

Resolved, That the Senate be requested to transmit to the House a duly attested copy of the Senate bill 1919, entitled "An act to ratify and confirm an agreement with the Yuma Indians in California for the cession of their surplus lands and for other purposes," to take the place of the original copy, which has been accidentally misplaced.

The resolution was agreed to.

VENTILATION.

Mr. WALKER. Mr. Speaker, I have a privileged report, which will take but five minutes. I do not propose to ask any action, but there is a report and resolution from the Committee on Ventilation and Acoustics that I desire to submit. I would like to have it read from the desk and then printed in the RECORD; and I give notice that it will be called up by the chairman of the committee in a few days after it shall have appeared in the RECORD, after members shall have had an opportunity to read it.

Mr. PAYNE. I desire to ask the gentleman from Massachusetts if the committee have reported and had printed the evidence alleged to have been taken by the committee in this matter.

Mr. WALKER. The evidence is not concluded, and it was not thought advisable to print it at the present time.

Mr. PAYNE. It seems to me it would give more information to the House if we could have the evidence than it would to have the resolution and report of the committee. If that is not to be done, I shall have to object to receiving the report at this time.

The SPEAKER *pro tempore*. Does the gentleman object to printing this resolution and report in the RECORD?

Mr. PAYNE. I do.

Mr. WALKER. I hope the gentleman will let it go over until Monday. This is a privileged report, and I wanted to have it printed in the RECORD?

Mr. PAYNE. How is it a privileged report?

The SPEAKER *pro tempore*. The Chair thinks that if it presents a privileged matter it would come up for immediate consideration. The gentleman from Massachusetts, however, asks unanimous consent that the report and resolution be read and printed in the RECORD.

Mr. WALKER. The chairman will call it up at some subsequent time; in a week or ten days from now.

Mr. PAYNE. I object, unless we can have the evidence.

Mr. WALKER. I ask, then, that the report and resolution be printed in the RECORD, and that it be recommitted to the Committee on Ventilation and Acoustics.

Mr. PAYNE. But members desire to know what this committee is doing, and what is meant by these comments in relation to the ventilation of this House, and they especially desire to have the evidence.

Mr. WAKLER. The evidence is incomplete, but when it is completed, at the proper time it will be printed. At present the committee is not prepared to print it, and they think it would be an injustice to the parties interested to print the evidence until the whole case is made up. It is *ex parte* evidence thus far, and I do not think it would be fair to the Architect of the Capitol to print it in an incomplete form. The committee desire to do him no injustice, but wish to treat him fairly in every respect.

Mr. PAYNE. It seems to me that it would be a great deal fairer to the Architect to have the evidence printed as it is, so as to show what has taken place before the committee and to enable members to make their own comments on it.

What I desire is to have the evidence come in with this report, and then, if the evidence is not complete, this committee is certainly not prepared to make this report.

Mr. WALKER. Then I shall amend that by moving that the evidence be printed with the report.

The SPEAKER *pro tempore*. The gentleman modifies his motion so as to include an order to print the testimony.

Mr. WALKER. I move to recommit the resolution, and that the report be printed in the usual form, and that the testimony be printed with it.

The SPEAKER *pro tempore*. Without objection, that motion will be agreed to. The Chair hears no objection, and it is so ordered.

ENROLLED BILLS SIGNED.

Mr. PEARSON, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

A bill (H. R. 5806) to authorize the city of Hastings, Minn., to construct and maintain a wagon bridge over the Mississippi River; and

A bill (S. 57) directing the Secretary of War to appoint a commission of engineers to examine and report upon the cost of deepening the harbors of Superior and Duluth and their entrances to a uniform depth of 20 feet.

LEAVE OF ABSENCE.

Mr. EVERETT, by unanimous consent, obtained leave of absence from Monday to Wednesday inclusive, on grounds of health.

Mr. CAMPBELL, on motion of Mr. TRACEY, by unanimous consent, obtained leave of absence indefinitely, on account of illness in his family.

The House then, on motion of Mr. SAYERS, (at 3 o'clock and 15 minutes p. m.), adjourned.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on the District of Columbia was discharged from the consideration of the bill (H. R. 7502) authorizing the sale of title of United States to a tract of land in Montgomery County, in the State of Maryland, to William H. and George Bobinger, and the same was referred to the Committee on Military Affairs.

PUBLIC BILLS.

Under clause 3 of Rule XXII, bills of the following titles were introduced, and severally referred as follows:

By Mr. COBB of Missouri: A bill (H. R. 7559) to amend sections 2401 and 2403 of the Revised Statutes—to the Committee on the Public Lands.

By Mr. GRADY: A bill (H. R. 7560) to fix the standard and regulate the quality and price of gas within the District of Columbia—to the Committee on the District of Columbia.

PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as follows:

By Mr. HALL of Minnesota: A bill (H. R. 7561) to remove from the rolls of the Army the charge of desertion against Neil Patton, late of Battery F, Second United States Artillery, and to grant him an honorable discharge—to the Committee on Military Affairs.

By Mr. MOSES: A bill (H. R. 7562) granting a pension to Tenderson Smith—to the Committee on Pensions.

By Mr. REYBURN: A bill (H. R. 7563) for the relief of Lepine C. Rice, assignee of Robert Erwin, of Savannah, Ga.—to the Committee on War Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BALDWIN: Protest of citizens of Duluth, Minn., against the passage of House bill 7125—to the Committee on Agriculture.

By Mr. BOEN: Protest of Lutheran Church, by H. Johnson, pastor, of Norman County, Minn., against changing the preamble of the Constitution—to the Committee on the Judiciary.

By Mr. DAVIS: Petition of 150 citizens of Salina, Kans., for the suppression of lotteries in Kansas City, Kans.—to the Committee on the Post-Office and Post-Roads.

By Mr. ENLOE: Petition of N. A. Farnsworth, administrator of Ebenezer Barkley, deceased—to the Committee on War Claims.

By Mr. HERMANN: Resolutions of Oregon State Grange, for election of Senators by the people and for free coinage of silver—to the Committee on Coinage, Weights, and Measures.

By Mr. REYBURN: Petition of citizens of Pennsylvania, in favor of the Manderson-Hainer bill—to the Committee on the Post-Office and Post-Roads.

Also, papers to accompany House bill 7554—to the Committee on Invalid Pensions.

By Mr. TAWNEY: Petition of George J. Hillyer and other citizens of Winona, Minn., and officers and members of Pioneer Council, No. 300, Royal Arcanum, praying for certain amendments to the tariff bill relative to fraternal beneficiary organizations—to the Committee on Ways and Means.

By Mr. TYLER: Papers to accompany House bill 7556—to the Committee on War Claims.

SENATE.

MONDAY, *June 25, 1894.*

The Senate met at 10 o'clock a. m.

Rev. W. H. MILBURN, D. D., the Chaplain of the Senate, offered the following prayer:

O Thou, who art King of kings and Lord of lords, we pray that Thy blessing may rest upon our sister Republic, bound to us by strong ties of gratitude and affection, which at this moment is stirred to its very depths by a heinous crime, almost unparalleled in history. Grant unto the people of that nation wisdom, intelligence, self-control, submission to authority; and may those who are in charge of the state have the guidance and direction of Thy Holy Spirit, that they may be led into wise counsels and prompt action in the adoption of most salutary and admirable expedients.

We pray, O Lord, that Thy heavenly consolation may be vouchsafed to the widow and children who are bereft by this frightful calamity; and grant, O Lord, that the enemies of mankind who are inflicting atrocities upon the nations may be restrained by Thy Providence, helping the good men of every nation to act in such a way as that this enormity shall be stamped out from the face of the earth.

Keep, we beseech Thee, O Lord, our rulers and our people from the dangers to which they are exposed, and may we return in quietness and peace to dwell in conservatism, and in accordance with the laws of the land and the laws of God.

May the grace of our Father in Heaven rest upon us, upon our afflicted sister country, and upon all lands, in this extremity, so that we may come at last to the unity and brotherhood intended by Thy Son, the Ruler of the world. We pray through His hallowed name, our Saviour Jesus Christ. Amen.

On motion of Mr. TELLER, and by unanimous consent, the reading of the Journal of the proceedings of Saturday last was dispensed with.

DEATH OF PRESIDENT CARNOT.

Mr. MORGAN. Mr. President, the duty devolves upon me as chairman of the Committee on Foreign Relations of the Senate to make the saddest announcement that can be made to the American people in respect of any event outside of their own borders. It is the death by assassination of President Carnot, of the Republic of France. In view of that very impressive and

alarming event, at which the nations of the earth will feel a serious shock, I present for the consideration of the Senate the resolution which I send to the desk.

The VICE-PRESIDENT. The resolution submitted by the Senator from Alabama will be read.

The Secretary read the resolution, as follows:

Resolved, That the Senate of the United States unites with the American people in expressing to the people of France their sorrow and sympathy in the national bereavement they are suffering from the cruel blow of an assassin, which was aimed at the peace of France and fell upon the heart of President Carnot; and, as a mark of respect due to the memory of the wise, virtuous, and patriotic President of the Republic of France the Senate will, at the close of this proceeding, stand adjourned until to-morrow at 10 o'clock a. m.

2. That the President of the United States is requested to communicate this expression of national sorrow to the Government of the Republic of France and to Madame Carnot.

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. MORGAN. Mr. President, the grief of a national bereavement never falls upon France without exciting the sympathies of the American people. In the earliest days of this Republic France won the gratitude of the people of the United States and created a sentiment of the deepest and most sincere regard which has united the names of Washington and Lafayette in a sacred memory that is imperishable.

In the progress of both nations towards the highest attainments of civilization and government France and the United States of America have moved abreast and in the front rank of the great powers of the world without controversy or jealousy. In the noble purpose of securing to their people the blessings of liberty regulated by law and founded upon the sovereignty of the people France and the United States have achieved a common result and established immutably the true and just basis of human government.

It is not to be expected that ungrateful and vicious men will not find a pretext for license and anarchy in their daring efforts to abolish all restraints that interfere with their wicked passions and indulgences, or that they will not appeal to the sacred name of liberty as a shelter for their mischievous designs. Under forms of government less liberal towards their subjects and more repressive of the common liberties of mankind, the same pretexts for crime are found by such persons in their fierce denunciations of tyranny. But in each case government owes the duty to the people of stern and summary repression of crime, and especially all crimes that threaten the integrity of the state and the peace of the country.

President Carnot, the honest friend of liberty, regulated and supported by law, was marked as a victim by men who, being criminally insane, hold society and law in contempt and cruise through the world in the propagation of political piracy and murder. Because he loved the liberty of law he was selected for violent and brutal sacrifice, and has perished at the hands of an assassin.

Carnot came from a family of heroic men, who never faltered in their love of liberty established in justice and regulated by law. His grandfather so loved the liberty of France that he was the one senator who alone voted in the French Assembly that the First Consul was not an emperor; that France was a republic; and that imperial power was not the legitimate offspring of the French revolution. He had voted to execute Louis XVI, and he refused to restore the powers of royalty in the person of Napoleon Bonaparte.

In casting his vote against the elevation of Napoleon to imperial titles and powers, he declared "that he would vote against an empire for the same reason that he had voted against a life consulship, but without any personal animosity, and that he was quite prepared to render obedience to the Emperor should he be elected. He spoke in high praise of the American form of government, and added that Bonaparte might have adopted it at the time of the treaty of Amiens; that the abuses of despotism led to worse results than the abuses of liberty, and that, before smoothing the way to this despotism, which would be all the more dangerous because it was reared on military success, it would have been advisable to create institutions for its due repression. Notwithstanding Carnot's opposition, the motion was put to the vote and adopted." When he voted in the National Convention for the execution of Louis XVI he said: "In my opinion both justice and good policy require the death of Louis; but I must confess that never a duty weighed so heavily upon me."

The son of this great war minister of France was the father of the stricken President of the Republic. He was a pronounced republican, so pronounced, indeed, that he refused to take the oath of allegiance to Louis Napoleon as Emperor of the French, and declined a seat in the French Assembly to which he was elected during a period of voluntary exile. In the Second Empire he was classed as a socialist, but his patriotism was recognized as being devoutly sincere even by Napoleon the Third.

No man in France has inherited greater honors or a better title to the love of the French people than Marie François Sadi Carnot, and no man's life has better justified his right to the distinguished tribute to his worth bestowed upon him by France in his election to the Presidency of the Republic. His administration of the Government has been that of peace, attended with great prosperity. There is no stain of innocent blood upon his historic record. That which flowed from his pure and generous heart to appease a thirst for revenge upon society and upon government, because they reprobate the crimes of anarchists, is sacred to every human being in the world who is in harmony with the purposes of republican institutions and the desire to establish personal and national liberty on foundations, laid by the people, of the right to make their own laws and the duty of unqualified obedience to their authority. It was the highest aspiration of Carnot thus to establish justice and thus to secure liberty to France, and his death is a sacrifice to the cause he so worthily supported. America deplores the severe cost, alike to France, to Carnot, and to the cause of self-government of this noble effort.

I ask for the adoption of the resolution.

Mr. SHERMAN. Mr. President, I heartily approve the resolution which has been offered by the Senator from Alabama, and all that he has said in favor of its passage. The people of France and the people of the United States have been bound together by a tie of sympathy and fraternity ever since the period of our Revolution. France then created an obligation which has never been forgotten by the people of the United States. When the French people meet a great disaster such as the one which has just befallen them so suddenly in the death of President Carnot the people of the United States sympathize with them, share in their sorrow, and denounce with horror the crime which has been committed—a crime so causeless, so cruel, so merciless, that we can not express it in language. When under like circumstances a similar misfortune fell upon the people of the United States the Republic of France expressed and emphasized its sympathy. We follow its example with the confident hope and belief that unnatural crimes like this can not weaken the faith of the French people in republican institutions or impair the strength of their Republic.

I therefore heartily second the resolution.

The VICE-PRESIDENT. The question is on agreeing to the resolution submitted by the Senator from Alabama.

The resolution was unanimously agreed to; and (at 10 o'clock and 20 minutes a. m.) the Senate adjourned until to-morrow, Tuesday, June 26, 1894, at 10 o'clock a. m.

HOUSE OF REPRESENTATIVES.

MONDAY, *June 25, 1894.*

The House met at 12 o'clock m., the Speaker in the chair.

The Chaplain, Rev. E. B. BAGBY, offered the following prayer:

O Lord, our God, our Father and our Friend, in life we are in the midst of death. Man that is born of woman is of few days and full of trouble. In the morning we are like the grass which groweth up. In the morning it flourisheth and groweth up; in the evening it is cut down and withereth; but Thou, O God, art the same yesterday and to-day and forever, and Thine eye shall never fail. We lift up our hearts to Thee this morning to thank Thee for the preservation of our lives, for the temporal blessings conferred upon us, and for the rich provisions of Thy grace.

O Lord, may Thy blessings descend upon the people of our land, especially upon all in high places of power and authority. O Lord, defend them from all evils and keep them from the hands of the assassin. Preserve them from sickness, from danger, and from sudden death. May Thy mercy extend to our sister nations. Suppress all anarchy. Subdue all wrongdoing. Give to the people a love of order and a reverence for authority, and grant that the Prince of Peace may soon reign in every heart, to Thy name's honor and glory. Amen.

The Journal of the proceedings of Saturday was read and approved.

ASSASSINATION OF THE PRESIDENT OF THE FRENCH REPUBLIC.

The SPEAKER. The House will receive a message from the President.

A message in writing from the President of the United States was delivered to the House by Mr. PRUDEN, one of his secretaries.

The SPEAKER. The Clerk will report the message.

The Clerk read as follows:

To the Senate and House of Representatives:

The shocking intelligence has been received that the President of the French Republic met his death yesterday at the hands of an assassin. This terrible event which has overtaken a sister republic can not fail to deeply arouse the sympathies of the American nation, while the violent termination of a career promising so much in aid of liberty and advancing civilization should be mourned as an affliction to mankind.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 25, 1894.*

Mr. McCREARY of Kentucky. Mr. Speaker, the civilized world is shocked and sorrow-stricken by the announcement of the assassination of the President of the French Republic. He was in many respects an ideal President, and was loved and respected in his own country and regarded with confidence and admiration in other countries. His death is a serious calamity for France and for Europe, and all over our country the people are filled with sympathy and sorrow.

France is one of the great republics of the world. The relations of our country with that country are peaceful and cordial, and we should show in a marked and conspicuous manner our sorrow for the sad affliction which has fallen upon our sister republic. I therefore ask that the resolution which I now offer be adopted.

The resolution was read, as follows:

Resolved, That the House of Representatives of the United States of America has heard with profound sorrow of the assassination of President Carnot, and tenders the people of France sincere sympathy in their national bereavement.

That the President of the United States be requested to communicate this expression of sorrow to the government of the Republic of France and to Madame Cornot; and that, as a further mark of respect to the memory of the President of the French Republic, the House of Representatives do now adjourn.

Mr. HITT. Mr. Speaker, all the people of the United States to-day share in the grief and horror of the French nation at the great calamity which has fallen upon them, and this House but expresses the universal feeling of the American people in the resolution that is proposed. It is a calamity not alone to the French people that President Carnot has been stricken down, for nations are so interdependent in this time in which we live that it is a blow felt by every lover of liberty and order in the world.

President Carnot, at the present time of critical questions pending in Europe, was a man whose personality was of grave and great importance aside from and above his political position. He was chosen in 1887, at a time when there were other and far more brilliant names presented for the Presidency—Mr. Brisson, Mr. Floquet, M. De Freycinet, and Jules Ferry—names that were known far more widely than his, but the reputation he had earned in the Chamber of Deputies (a body which exactly corresponds to the House of Representatives of the United States), by his temperate, moderate, sensible, and laborious course through years of patriotic service, had built up for him a strong name and won the confidence of all, so that he was chosen President; and it was a most hopeful sign, in this our day, that a nation believed to be the one most easily charmed with and led aside by brilliant qualities should have, in a moment of grave trial, selected as chief ruler a man who was the very embodiment of saving common sense.

He was about to be reëlected President of the republic; and at this time, when social disorder is threatened in so many places, when the interests of great nations are liable to come in conflict and plunge the world into tumult and strife, we can feel not merely personal grief and anxiety for the wanton murder of a good man fallen by the red hand of crime, but a wider sorrow for the loss of a wise statesman in such high responsible position that the whole of mankind suffered a blow when he fell.

I join with my colleague [Mr. McCREARY of Kentucky] in the expression of the sympathy which I believe every individual in this House and in the nation shares with the French people.

The SPEAKER. The question is upon agreeing to the resolution.

The resolution was unanimously adopted; and, in accordance therewith (at 12 o'clock and 10 minutes p. m.), the House adjourned.

REPORTS OF COMMITTEES ON PRIVATE BILLS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

By Mr. HUTCHESON, from the Committee on Claims: A bill (S. 345) for the relief of Horace A. W. Tabor. (Report No. 1154.)

By Mr. KIEFER, from the Committee on Claims: A bill (H. R. 4574) for the relief of Thomas H. Presswell. (Report No. 1155.)

PUBLIC BILLS.

Under clause 3 of Rule XXII, bills of the following titles were introduced and severally referred, as follows:

By Mr. WILLIAM A. STONE: A bill (H. R. 7564) defining the term "anarchist" and fixing and providing penalties for crimes attempted by anarchists—to the Committee on the Judiciary.

By Mr. BRICKNER: A bill (H. R. 7565) to further regulate commerce—to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, a private bill of the following title was presented and referred, as follows:

By Mr. STRONG: A bill (H. R. 7566) to correct the military record of John Boon, late of Company C, Eighty-second Ohio Volunteer Infantry—to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BRICKNER: Two petitions from citizens of Sheboygan and one from Milwaukee, Wis., against any increase of the tax on whisky and against any extension of the bonded period—to the Committee on Ways and Means.

By Mr. GEISSENHAINER: Petition of citizens of Freehold, N. J., in favor of exempting fraternal beneficiary societies, orders, or associations from the income tax—to the Committee on Ways and Means.

By Mr. GRAHAM: Petition of 18 citizens of Brooklyn, N. Y., against the taxation of beneficiary and fraternal societies—to the Committee on Ways and Means.

By Mr. HAINER of Nebraska: Memorial of Hon. James A. Canfield and others, chancellor and faculty of Nebraska State University, praying for more efficient legislation against lotteries—to the Committee on the Judiciary.

By Mr. HITT: Memorial and resolutions of Illinois Building Association League, adopted at Galesburg, Ill., representing 200,000 shareholders, to amend income-tax bill so as to exempt building and loan associations—to the Committee on Ways and Means.

By Mr. KIEFER: Petition of Charles Wolf, John Leipke, Andrew G. Johnson, J. W. Murphy, R. H. Downing, James Bittner, J. A. Frees, G. Anderson, M. L. McIntire, Charles Hoffman, C. B. Wilcox, D. D., William V. McKinley, Silas J. Knittel, Lewis I. Wood, Henry J. Hansen, J. V. M. Davis, Phillip Gilbert, F. R. McManigal, Henry C. Capser, W. R. Hawthorne, Henry L. Gray, P. H. Kidd, W. Stegnet, R. M. Miller, C. L. Coleman, P. D. Codfrey, Christ. Lindhl, William Sundberg, T. F. Ramberg, A. Anderson, Charles H. Boostrom, Charles A. Malenberg, A. P. J. Colberg, John L. Johnson, and also a resolution of Washington Camp No. 4, Patriotic Order Sons of America, and many others, all of Minnesota, against appropriation for Indian sectarian schools—to the Committee on Indian Affairs.

By Mr. McCALL: Resolutions of the General Court of Massachusetts concerning the extermination of the gypsy moth—to the Committee on Agriculture.

Also, resolutions of the General Court of Massachusetts relative to the appointment and removal of veterans in the national civil service—to the Committee on Civil Service Reform.

Also, resolutions of the General Court of Massachusetts relative to national legislation against the lottery traffic—to the Committee on the Post-Office and Post-Roads.

By Mr. RITCHIE: Petition of Toledo (Ohio) Council, No. 21, Royal Arcanum, favoring exemption of fraternal beneficiary societies from the operation of the income-tax law—to the Committee on Ways and Means.

SENATE.

TUESDAY, *June 26, 1894.*

The Senate met at 10 o'clock a. m.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of yesterday's proceedings was read and approved.

EXECUTIVE COMMUNICATIONS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of February 27, 1894, directing the proper accounting officers of the Treasury to reëxamine Treasury settlement No. 5441 of January 22, 1885, a report of the Second Comptroller in the matter; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of the Senate of the 20th instant, the original report of Maj. Clifton Comly, Ordnance Department, United States Army, dated February 17, 1894, "On the operations of the division of military engineering of the international congress of engineers, held in Chicago last August under the auspices of the World's Congress Auxiliary of the Columbian Exposition," together with the papers referred to in the report and list of contents of the same; which, on motion of Mr. MANDERSON, was, with the accompanying papers, referred to the Committee on Military Affairs, and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. McMILLAN presented a memorial of the Pharmaceutical Society, of Detroit, Mich., remonstrating rgainst an increase of the internal revenue tax on alcohol; which was ordered to lie on the table.

He also presented a petition of the Michigan State Assembly, Knights of Labor, praying for the passage of the so-called Gresham bill, in regard to claims arising under the eight-hour law; which was referred to the Committee on Education and Labor.

He also presented the petition of Dan J. Wilson and sundry other citizens of Jackson, Mich., praying that fraternal beneficiary societies, orders, or associations be exempted from the proposed income tax provision of the pending tariff bill; which was ordered to lie on the table.

He also presented the memorial of J. S. Meier and sundry other citizens of Flint, Mich., remonstrating against an increase of the duty on wrapper tobacco beyond that provided for in the so-called Wilson tariff bill; which was ordered to lie on the table.

He also presented the petition of J. L. Allen and sundry other citizens of Kalamazoo, Mich., and the petition of David Inglis and sundry other citizens of Wayne County, Mich., praying that the funds of mutual life insurance companies and associations be exempted from the proposed income tax of the pending tariff bill; which were ordered to lie on the table.

Mr. MARTIN presented the petition of J. T. Moore, A. A. McGrew, H. B. Sparks, and sundry other citizens of Crawford County, Kans., praying that the funds of mutual life insurance companies and associations be exempted from the proposed income tax provision of the pending tariff bill; which was ordered to lie on the table.

Mr. DAVIS presented memorials of W. E. West and 158 other citizens of Jasper; of F. Reese and 148 other citizens of Lake Crystal, and of Washington Camp No. 4, Patriotic Order Sons of America, and 743 citizens of St. Paul, all in the State of Minnesota, remonstrating against the appropriation of public moneys for the maintenance of sectarian Indian schools; which were referred to the Committee on Appropriations.

He also presented petitions of J. W. Watross and 90 other citizens of St. Paul; of C. K. P. Crockett and sundry other citizens of Winona, and of J. F. Dean and 50 other citizens of St. Paul, all in the State of Minnesota, praying that fraternal beneficiary societies, orders, or associations be exempted from the proposed income tax provision of the pending tariff bill; which were ordered to lie on the table.

He also presented the petition of H. M. Hodgman and W. H. Yardley, of St. Paul, Minn., praying that the funds of mutual life insurance companies and associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

Mr. MORRILL presented a petition of sundry citizens of Caledonia County, Vt., praying that the funds of mutual life insurance companies and associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

Mr. MANDERSON presented a petition of 38 citizens of Weeping Water, Nebr., praying that fraternal beneficiary societies, orders, or associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

Mr. BLANCHARD presented a concurrent resolution of the Legislature of the State of Louisiana, praying for the passage of a bill now pending before the Congress of the United States, providing for a permanent exhibit at the Cotton States and International Exposition, to be held at Atlanta, Ga., in 1895; which was referred to the Committee on Appropriations, and ordered to be printed in the RECORD, as follows:

Concurrent resolution requesting Senators and Members of Congress to vote for and aid in the passage of a bill now pending before the Congress of the United States, providing for a Government exhibit at the Cotton States and International Exposition to be held at Atlanta, Ga., in 1895.

Whereas the Cotton States and International Expositon to be held in Atlanta, Ga., during September, October, November, and December, 1895, is to be in no sense local, but is for the purpose of bringing about closer commercial relations between this country and Mexico, Central, and South America, and the West Indies, which would result in largely increasing the trade between the United States and the said countries; and

Whereas the holding of such an exposition will do great good to the entire country, and especially to the Southern States and the State of Louisiana, and such a movement should be encouraged by all persons; and

Whereas a bill has been introduced in the Congress of the United States providing for a Government exhibit at said exposition: Therefore

Be it resolved by the senate (the house concurring), That said exposition is strongly indorsed, and the objects sought to be accomplished are worthy the active and earnest support of every Southern State.

Be it further resolved, That the Senators and Representatives in Congress from this State are urgently requested to vote for and aid in every possible way to secure the passage of the said bill in Congress providing for said Government exhibit at said exposition.

Be it further resolved, That a copy of this preamble and of these resolutions be duly certified and forwarded to our Senators and Representatives in Congress.

G. W. BOLTON,
Speaker of the House of Representatives.
H. R. LOTT,
President pro tempore of the Senate.

Approved June 22, 1894.

MURPHY J. FOSTER,
Governor of the State of Louisiana.

A true copy:
[SEAL.]

T. S. ADAM, *Secretary of State.*

Mr. PROCTOR presented the petition of H. R. Conger and sundry other citizens of Burlington, Vt., praying that the funds of mutual life insurance companies and associations be exempted from the proposed income tax provision of the pending tariff bill; which was ordered to lie on the table.

Mr. HANSBROUGH presented a petition of sundry citizens of Walsh County, N. Dak., praying that the funds of mutual life insurance companies and associations be exempted from the proposed income tax provision of the pending tariff bill; which was ordered to lie on the table.

Mr. PETTIGREW presented sundry petitions of citizens of Hughes County, S. Dak., praying for the enactment of legislation to provide for a substantial protective tariff rate on wool; which were ordered to lie on the table.

Mr. HOAR. I present sundry resolutions adopted by the senate and house of representatives of the State of Massachusetts, copies of which have been furnished to the Chair. I ask that the resolutions may be printed in the RECORD, and referred to the appropriate committee.

The VICE-PRESIDENT. The Chair will state that he has copies of the resolutions before him and intended to lay them before the Senate.

Mr. HOAR presented the following resolutions of the Legislature of Massachusetts; which were referred to the Committee on Civil Service and Retrenchment, and ordered to be printed in the RECORD:

COMMONWEALTH OF MASSACHUSETTS, *in the year 1894.*

Resolutions relative to the appointment and removal of veterans in the national civil service.

Whereas a bill is now pending before Congress "to insure preference in appointment, employment, and retention in the public service of the United States to veterans of the late war;"

Resolved, That the senate and house of representatives of the Commonwealth of Massachusetts, in General Court assembled, believe it is expedient that Union veterans should be preferred to other applicants for positions in the national public service where they present equal qualifications for the discharge of their duties; and that they should be protected from removal for causes disconnected with their efficiency and faithfulness in the performance of such duties.

Resolved, That copies of these resolutions be transmitted to the Senators and Representatives from this Commonwealth in the Congress of the United States.

HOUSE OF REPRESENTATIVES, *June 5, 1894.*

Adopted. Sent up for concurrence.

EDWARD A. McLAUGHLIN, *Clerk.*

SENATE, *June 8, 1894.*

Adopted, in concurrence.

HENRY D. COOLIDGE, *Clerk.*

A true copy. Attest:

EDWARD A. McLAUGHLIN,
Clerk of the House of Representatives.

Mr. HOAR presented the following resolutions of the Legislature of Massachusetts; which were ordered to lie on the table, and to be printed in the RECORD:

COMMONWEALTH OF MASSACHUSETTS, *in the year 1894.*

Resolutions relative to national legislation for the suppression of the lottery traffic.

Whereas the lottery until recently established in the State of Louisiana has been transferred to the Republic of Honduras, where its managers propose to continue its business and to export tickets and circulars to the United States;

Resolved, That the senate and house of representatives of Massachusetts, in General Court assembled, respectfully urge upon Congress the enactment of legislation which will prevent so far as possible the introduction of lottery matter into the United States from foreign countries, and its transportation from State to State.

Resolved, That copies of these resolutions be sent to the presiding officers of both branches of Congress, and also to the Senators and Representatives in Congress from this Commonwealth.

HOUSE OF REPRESENTATIVES, *May 17, 1894.*

Adopted. Sent up for concurrence.

EDWARD A. McLAUGHLIN, *Clerk.*

SENATE, *May 21, 1894.*

Adopted, in concurrence.

HENRY D. COOLIDGE, *Clerk.*

A true copy. Attest:

EDWARD A. McLAUGHLIN,
Clerk of the House of Representatives.

Mr. HOAR presented the following resolution of the Legislature of Massachusetts; which was referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD:

COMMONWEALTH OF MASSACHUSETTS *in the year 1894.*

Resolution concerning the extermination of the gypsy moth.

Whereas the *Ocneria dispar*, or gypsy moth, an insect pest, has found a lodgment in this Commonwealth, and careful and persistent work is necessary to prevent its spread over other territory of the United States, and this Commonwealth has appropriated and expended under the direction of the State Board of Agriculture large sums in the work of exterminating said pest; and said board believes that the sum of $100,000 appropriated for the year ending on the 1st day of March, in the year 1894, is insufficient to complete the extermination of said pest;

Resolved, That the senate and house of representatives of the Commonwealth of Massachusetts, in General Court assembled, request the Senators and Representatives from this Commonwealth in the Congress of the United States to urge upon Congress the necessity of prompt and vigorous action to exterminate said pest, and to use their influence to secure from Congress an appropriation of $100,000 to assist this Commonwealth in defraying the necessary expenses of the work.

HOUSE OF REPRESENTATIVES, *May 17, 1894.*

Adopted. Sent up for concurrence.

EDWARD A. McLAUGHLIN, *Clerk.*

SENATE, *May 21, 1894.*

Adopted, in concurrence.

HENRY D. COOLIDGE, *Clerk.*

A true copy. Attest:

EDWARD A. McLAUGHLIN,
Clerk of the House of Representatives.

The VICE-PRESIDENT presented a petition of the Legislature of the State of Massachusetts, praying for the enactment of legislation to suppress the lottery traffic; which was ordered to lie on the table.

He also presented a petition of the Legislature of the State of Massachusetts praying that an appropriation of $100,000 be made for the extermination of the gypsy moth; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Legislature of the State of Massachusetts, praying that preference in appointment, employment, and retention in the public service of the United States be given to veterans of the late war; which was referred to the Committee on Civil Service and Retrenchment.

REPORTS OF COMMITTEES.

Mr. HAWLEY, from the Committee on Military Affairs, to whom was referred the bill (S. 2070) to provide for the restoration to the State of Michigan two flags carried by the Twenty-second Michigan Infantry Volunteers and now in the War Department, reported it without amendment, and submitted a report thereon.

Mr. HARRIS, from the Committee on the District of Columbia, to whom was referred the amendment submitted by Mr. MORGAN on the 14th instant, intended to be proposed to the District of Columbia appropriation bill, reported favorably thereon, and moved that it be printed, and, with the accompanying papers, referred to the Committee on Appropriations; which was agreed to.

Mr. WALSH, from the Committee on the Quadro-Centennial, to whom was referred the amendment submitted by Mr. VILAS on the 11th instant, intended to be proposed to the sundry civil appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

LOUIS A. YORKE.

Mr. HALE. I am directed by the Committee on Naval Affairs, to whom was referred the bill (S. 1438) for the relief of Louis A. Yorke, to report it favorably, and I ask that it be acted upon. A similar bill has heretofore passed the Senate, and I desire to get it to the House of Representatives.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill; which was read, as follows:

Be it enacted, etc., That the action of the board by which Passed Assistant Paymaster Louis A. Yorke was examined for promotion be set aside and declared null and void; and the President is hereby authorized to appoint him to the office to which he would have been promoted but for said action, and to retire him in that grade as of the date he was wholly retired, charging him with all extra pay and allowances paid him at that time: *Provided*, That he shall not receive or be entitled to any pay, compensation, or allowance whatever prior to appointment under this act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILL INTRODUCED.

Mr. TELLER introduced a bill (S. 2161) to increase the pension of Graham McClossen; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. PERKINS submitted an amendment intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. HUNTON submitted an amendment intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

Mr. PEFFER submitted an amendment intended to be proposed by him to the deficiency appropriation bill; which was referred to the Committee on Printing, and ordered to be printed.

COLUMBIA RIVER QUARANTINE HOSPITAL.

Mr. DOLPH submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Treasury be directed to transmit to the Senate copies of all correspondence and reports in the Department, and all information he may possess concerning the importance of and urgency for the establishment of a quarantine hospital at or near the mouth of the Columbia River, and to inform the Senate whether any Congressional action is necessary concerning the same.

PERSONS ENGAGED IN PROTECTED INDUSTRIES.

Mr. ALLEN. I ask unanimous consent to call up Order of Business 448 on the Calendar.

The VICE-PRESIDENT. The business will be stated.

The SECRETARY. A resolution directing the Secretary of the Treasury to inform the Senate of the total number of persons engaged in protected industries in the United States whose wages are, or may be claimed to be, affected by tariff legislation.

Mr. GALLINGER. I should like to hear the resolution read for information.

The VICE-PRESIDENT. The resolution will be read.

The Secretary read the resolution submitted by Mr. ALLEN May 15, 1894, as follows:

Resolved, That the Secretary of the Treasury be, and he is hereby, directed to inform the Senate of the total number of persons engaged in protected industries in the United States whose wages are, or may be claimed to be, affected by tariff legislation; the total number of persons engaged in such industries whose wages are not or will not be affected by tariff legislation, and the proportion of the population of the United States who depend upon the foreign market for the sale of their products, classifying such industries respectively; such information to be based on the census of 1890. Also, that the Secretary of the Treasury be, and he is hereby, directed and required to inform the Senate of the total number of such persons who are native-born citizens of the United States of America, the total number who are naturalized citizens, and the total number of such persons who are aliens; and at what ratio, if any, alien mechanics and laborers have been taking the place of native and naturalized citizens of the United States in the protected industries of the United States.

Mr. GALLINGER. I do not know that I object to the consideration of the resolution, but it seems to me that it asks for information which it would be absolutely impossible for any officer of the Government to furnish. As was suggested by some Senator on a former occasion when the resolution was before the Senate, if anyone is to supply the information it ought to be the Superintendent of the Census rather than the Secretary of the Treasury.

As I said a moment ago, I do not know that I object to the consideration of the resolution, but my present inclination is to move to refer it to the Committee on Finance. If the resolution is considered I give notice that I shall make that motion.

Mr. ALLEN. I ask that the resolution be considered. I do not understand the Senator from New Hampshire to object to its consideration.

The Senate, by unanimous consent, resumed the consideration of the resolution.

The VICE-PRESIDENT. The Chair is advised that there is a motion pending to refer the resolution to the Committee on Finance.

Mr. ALLEN. I hope Senators on the other side of the Chamber will permit the resolution to go through. I understand the information to be in the Treasury Department. If it is not there, the resolution does no harm. If it is there, it strikes me that the Senate and the country ought to know it. This is the fourth or fifth time that I have undertaken to get consideration of the resolution. I am not pressing it for any partisan purpose; I am pressing it for the desired information. I trust the Senator from New Hampshire will not undertake to bury the resolution in a committee, and by that means stifle the inquiry.

Mr. GALLINGER. I will say that I have no disposition to do that. I call the attention of the Senator from Nebraska to the fact that he proposes to ask for information to how many

people will be affected by tariff legislation. I also call his attention to the significant fact that we have not yet passed the tariff bill. In the nature of things we do not know what the tariff legislation will be. I hope it wi'l be very different from the kind the Senator from Nebraska w ll probably vote for.

I did not know that there was a motion pending to refer the resolution to the Committee on Finance. I should have made such a motion myself if it had not been pending. I hope the resolution will be referred to that committee for consideration and report.

Mr. ALLEN. Information of this kind was furnished by the Secretary of the Treasury in 1886, and it is information that I look upon as very valuable. There is a precedent for a resolution of this kind, and I can not see why Senators should object to its consideration at this time and not permit it to go through.

Mr. MORRILL. The resolution really requires amendment. I made the motion on a former occasion to refer it to the Committee on Finance with no purpose of burying the resolution in the Committee on Finance, but it really deserves to be amended. For instance, take the question where one man in a family of five is employed in a manufactory that has received protection; should he and his family be included, or only one? There are a great many other points in the resolution. Anyone who will examine it will see that it would be certainly proper to have it amended.

Take some villages that are supported by and dependent entirely upon a manufacture of some article of commerce, the question arises, how many are there affected by it? Then the question arises, what will you call protected manufactures? Are they agricultural products or manufactured products, and what products are receiving protection?

Certainly the resolution should be amended by the Committee on Finance, where both parties are represented. The Senator from Nebraska has drawn the resolution so that it suits him, of course, but I do not think it will be regarded as a fair proposition by anyone on either side of the question of protection or nonprotection. The resolution surely ought to be considered and amended by the proper committee.

Mr. ALLEN. I could not hear what the Senator from Vermont said. I do not know what he did say, and therefore I do not know whether his remarks call for reply from me. But I do want to say to Senators on the other side that this is the fourth time, I think, I have undertaken to call up the resolution and get some action of the Senate upon it, and each time there has been a dilatory motion of some kind made or an objection interposed. While I have no desire whatever to employ any law of retaliation, I do propose, if this resolution can not go through, that the business which is done here in the morning hour shall be done in its order if I am in the Chamber—that nothing shall be taken up by unanimous consent when I am here.

The VICE-PRESIDENT. The question is on the motion of the Senator from Vermont [Mr. MORRILL], to refer the pending resolution to the Committee on Finance.

Mr. MORRILL. On that I ask for the yeas and nays; but first, as there appears to be a lack of a quorum, I suggest the absence of a quorum.

The VICE-PRESIDENT. The Secretary will call the roll.

Mr. VEST. I should like to hear the resolution read.

Mr. HARRIS. Let the roll be called first.

The VICE-PRESIDENT. The Chair will state to the Senator from Missouri that the lack of a quorum is suggested. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Allen,	Faulkner,	Manderson,	Shoup,
Bate,	Frye,	Martin,	Teller,
Berry,	Gallinger,	Mills,	Vest,
Blackburn,	George,	Mitchell, Oregon	Voorhees,
Call,	Hale,	Morrill,	Walsh,
Cockrell,	Harris,	Pasco,	Washburn,
Coke,	Irby,	Patton,	White.
Cullom,	Jones, Ark.	Peffer,	
Davis,	Lindsay,	Perkins,	
Dolph,	McLaurin.	Platt,	

The VICE-PRESIDENT. Thirty-seven Senators have answered to their names. No quorum is present. What is the pleasure of the Senate?

Mr. HARRIS. I move that the Sergeant-at-Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The VICE-PRESIDENT. The Sergeant-at-Arms will execute the order of the Senate.

Mr. BLANCHARD, Mr. PROCTOR, Mr. ALLISON, Mr. PETTIGREW, Mr. HUNTON, and Mr. HILL entered the Chamber and answered to their names.

The VICE-PRESIDENT. Forty-three Senators have answered to their names. A quorum is present.

Mr. HARRIS. I move to dispense with further proceedings under the call.

The VICE-PRESIDENT. Without objection, it is so ordered. The question is on the motion of the Senator from Vermont to refer the resolution to the Committee on Finance. The resolution will be again read.

The Secretary again read the resolution.

The VICE-PRESIDENT. The question is on the motion of the Senator from Vermont to refer the resolution to the Committee on Finance, on which the yeas and nays are demanded.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. BLANCHARD (when his name was called). I am paired with the Senator from Michigan [Mr. MCMILLAN], with the liberty of voting to make a quorum. For the present I withhold my vote.

Mr. CALL (when his name was called). I am paired with the Senator from Massachusetts [Mr. LODGE], with the privilege of voting to make a quorum. I withhold my vote for the present.

Mr. CULLOM (when his name was called). I have a general pair with the senior Senator from Delaware [Mr. GRAY]. If he were present, I should vote "yea."

Mr. MCLAURIN (when his name was called). I am paired with the junior Senator from Rhode Island [Mr. DIXON]. If he were present, I should vote "nay."

Mr. MITCHELL of Wisconsin (when his name was called). I am paired with the Senator from Wyoming [Mr. CAREY], and therefore withhold my vote.

Mr. MORRILL (when his name was called). I am paired with the senior Senator from New Jersey [Mr. MCPHERSON], and therefore withhold my vote.

Mr. PATTON (when his name was called). I am paired with the junior Senator from Maryland [Mr. GIBSON], and therefore withhold my vote. If he were present I should vote "yea."

Mr. POWER (when his name was called). I am paired with the Senator from Louisiana [Mr. CAFFERY]. If he were here I should vote "yea."

The roll call was concluded.

Mr. MITCHELL of Oregon (after having voted in the affirmative). I inquire if the senior Senator from Wisconsin [Mr. VILAS] has voted?

The VICE-PRESIDENT. He has not voted.

Mr. MITCHELL of Oregon. Then I withdraw my vote, as I am paired with that Senator.

Mr. CALL. I transfer my pair with the Senator from Massachusetts [Mr. LODGE] to the Senator from South Dakota [Mr. KYLE], and vote "nay."

Mr. BLANCHARD. I understand that there is no quorum voting. Under my pair I am entitled to vote to make a quorum, and I vote "nay."

Mr. MITCHELL of Wisconsin. Having reserved the right to vote to make a quorum, I vote "nay."

Mr. MCLAURIN. I understand there is no quorum, and as I reserved the right to vote to make a quorum, I vote "nay."

Mr. CULLOM. If necessary to make a quorum I have the liberty of voting. I vote "yea."

Mr. MITCHELL of Oregon. I have a right to vote to make a quorum. I vote "yea."

The result was announced—yeas 16, nays 27; as follows:

YEAS—16.

Allison,	Gallinger,	Mitchell, Oregon	Sherman,
Cullom,	Hale,	Perkins,	Shoup,
Dolph,	Higgins,	Platt,	Teller,
Frye,	Manderson,	Proctor,	Washburn.

NAYS—27.

Allen,	Coke,	Jarvis,	Pasco,
Bate,	Faulkner,	Jones, Ark.	Peffer,
Berry,	George,	Lindsay,	Pugh,
Blackburn,	Harris,	McLaurin,	Voorhees,
Blanchard,	Hill,	Martin,	Walsh,
Call,	Hunton,	Mills,	White.
Cockrell,	Irby,	Mitchell, Wis.	

NOT VOTING—42.

Aldrich,	Dubois,	McMillan,	Roach,
Brice,	Gibson,	McPherson,	Smith,
Butler,	Gordon,	Morgan,	Squire,
Caffery,	Gorman,	Morrill,	Stewart,
Camden,	Gray,	Murphy,	Turpie,
Cameron,	Hansbrough,	Palmer,	Vest,
Carey,	Hawley,	Patton,	Vilas,
Chandler,	Hoar,	Pettigrew,	Wilson,
Daniel,	Jones, Nev.	Power,	Wolcott.
Davis,	Kyle,	Quay,	
Dixon.	Lodge,	Ransom.	

So the motion to refer was not agreed to.

The VICE-PRESIDENT. The hour of half past 10 o'clock having arrived, the Chair lays before the Senate the unfinished business.

CLAIMS FOR INSURANCE PAID ON VESSELS.

Mr. MITCHELL of Oregon. I am authorized by the Committee on Claims to report a resolution, for which I ask present consideration.

The VICE-PRESIDENT. The Senator from Oregon asks unanimous consent for the present consideration of the resolution reported by him, which will be read for information.

The Secretary read as follows:

Resolved, That the Secretary of the Treasury be, and he is hereby, requested to cause the proper accounting officers of the Treasury to reëxamine the Treasury settlements made in 1884 and 1885 and numbered 5000, 5085, 5201, 5300, 5303, 5363, and 5368, heretofore certified to Congress for appropriation in favor of the respective claimants for insurance paid by them on vessels, and to submit the reasons for the certification, together with a detailed statement of the facts upon which each originated; and report the same to Congress in a manner similar to the report submitted by the Secretary of the Treasury, January 31, 1891 (printed in Senate Executive Document No. 98, second session Fifty-third Congress), in regard to certain other Treasury settlements certified to Congress for appropriation at the same time.

Mr. ALLEN. I understand the Senator asks unanimous consent for the present consideration of the resolution?

The VICE-PRESIDENT. That is the request.

Mr. ALLEN. I object.

The VICE-PRESIDENT. Objection being made, the resolution will go over.

Mr. MITCHELL of Oregon. Then I ask that the resolution may be laid before the Senate to-morrow morning.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 23d instant approved and signed the following acts:

An act (S. 210) for the relief of Wetmore & Bro., of St. Louis, Mo.; and

An act (S. 499) to provide for the adjustment and payment of the claim of Thomas Rhys Smith for work done and materials furnished for the breakwater at Bar Harbor, Me.

THE REVENUE BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4864) to reduce taxation, to provide revenue for the Government, and for other purposes.

The VICE-PRESIDENT. The pending question is on the amendment proposed by the Senator from New York [Mr. HILL], which will be stated.

The SECRETARY. In section 55, line 7, on page 171, after the word "securities," it is proposed to strike out "except such bonds of the United States as are by the law of their issuance exempt from all Federal taxation."

Mr. HILL. I suggest to the Senator from Missouri [Mr. VEST], in charge of this portion of the bill, an amendment on page 171, line 8, after the words "United States," to strike out the word "as," and insert the words "the principal and interest of which;" so as to read, "except such bonds of the United States, the principal and interest of which are by the law of their issuance exempt from all Federal taxation," the object being that the bill, if it shall become a law, will show on its face that both the principal and the interest are exempt from Federal taxation.

Mr. VEST. There is no objection to that.

The amendment was agreed to.

Mr. HILL. I withdraw the amendment which I offered on Saturday last.

The VICE-PRESIDENT. The amendment proposed by the Senator from New York is withdrawn.

Mr. HILL. Mr. President, I desire to say in withdrawing the amendment that one of my objects in offering it was to call the attention of the country to the fact that this exemption, which seems to be a necessary one under the law, at least I am disposed to conceive it to be necessary at this time, takes out from the operation of the act $635,000,000 worth of property represented in Government bonds, the point being that it is claimed that this income-tax provision is designed for the purpose of reaching the wealth of the country and equalizing taxation. It is said that the wealthy men of the country have their money so invested that they can not be reached by other methods or systems of taxation, and that the object of the income-tax provision is to reach that class of people; but as it stands, it is impotent for that purpose, and $365,000,000 are necessarily exempt from its provisions.

I move to amend in the same section by adding, after the word "taxation," in line 9, the words "and except the bonds of any State, county, municipality, or town."

Mr. SHERMAN. I wish to say to the Senator from New York that the bonds issued by the United States in aid of the Pacific railroads are not exempt by the provisions of this bill.

Mr. HILL. I so understand.

Mr. SHERMAN. And therefore I think the amount of those bonds ought to be included. I understand the amount of the bonds of the Pacific railroads is included in this six hundred and some odd millions.

Mr. HILL. No, sir; they are not.

Mr. SHERMAN. The only bonds exempt from the income tax are those issued under the funding act of 1861.

Mr. HILL. There are some $64,000,000 of bonds issued in aid of the several Pacific railroads, and those are open to taxation as the bill now stands, and properly so, I think.

The VICE-PRESIDENT. The amendment proposed by the Senator from New York will be stated.

The SECRETARY. After the word "taxation," in line 9, section 55, it is proposed to add, "and except the bonds of any State, municipality, or town."

Mr. HILL. The object of the amendment appears from a bare statement of the amendment itself. It was stated in the brief debate had upon this question last Saturday that one of the reasons why the Government ought not to tax Government bonds is that it necessarily decreases the value of those bonds, aside from any other question which might arise in regard to repudiation. The propriety of exempting the bonds of any State, county, municipality, or town, it seems to me, is clear. In the first place, such a taxation necessarily decreases and diminishes the value of those bonds. It is a direct attack by the General Government against the States and against the administration of the States.

When I say "States" I mean to include the subdivisions of the States, namely, counties, municipalities, and towns. The right of the State to float its own bonds, and thereby I mean to include all these county, municipality, and town bonds, ought to be clear. In the first place, nearly all the Government bonds of the country—in fact, all the Government bonds which can strictly be called such, because the Pacific railroad bonds are not distinctly such—are exempt from taxation by the terms of the pending bill and by law. It seems to me that in justice to the States the same privilege should be accorded to them, namely, that the States should have the right to float their bonds without any governmental taxation.

I am not here prepared to say that technically the power of the Federal Government to tax the income from such bonds may not exist. It has not been decided by any express authority. I think there is considerable doubt about the constitutional right of the Federal Government to tax the income from those bonds. As it has been said before, the right to tax involves the right to destroy, and the Federal Government has no power, either directly or indirectly, to destroy the bonds of a State. If it can diminish their value, then it can destroy them.

Mr. MITCHELL of Oregon. Will the Senator from New York allow me?

Mr. HILL. Certainly.

Mr. MITCHELL of Oregon. Do I understand the Senator from New York to say that there has been no direct decision by the Supreme Court of the United States, as far as he is advised, to the effect that Congress has no power to impose a tax upon State or municipal securities?

Mr. HILL. Yes.

Mr. MITCHELL of Oregon. I am under the impression that there have been several decisions directly in point upon this question, against the power. I think I can find them.

Mr. HILL. Of course, it was held that the General Government had a right to impose a 10 per cent bank tax, which was a tax upon the institutions of the States. Indirectly it was a tax upon the banks of the States, being a tax upon their circulation. That, however, was held not upon the ground we are now discussing, but upon the broad ground that the General Government under the Constitution being vested with the power to create a uniform currency, therefore, by virtue of that power, which superseded all others, Congress had the right in its discretion to tax the circulation of State banks.

But the decision is not placed upon the particular ground of the right to tax the bonds themselves as the creatures of the State government. It was simply upon the ground that the General Government, being vested with the power to create a national currency, and as the State currency more or less conflicted with it, therefore the General Government had the right to do it. That is the case of Veazie Bank *vs.* Fenno, 8 Wallace, 533. That is not an authority for this power.

Now, aside from the question of the exercise of a doubtful power, it strikes me that in justice to the States, which we all represent here upon this floor, as we are representatives of the States as well as of the nation, and the proposed law will bear harshly upon the States, we ought to leave to the States and to the subdivisions of the States also the right to issue bonds, and that they should not be subjected to Federal taxation. As a matter

of propriety, I do not think it wise in framing a bill of this character that we should seek to fill it full of doubtful questions, which must go to the courts to be disposed of.

This is all I propose to say at present upon the propriety of the amendment.

Mr. VEST. Mr. President, the question which was before the Senate when we adjourned Saturday was a very different one from that now presented. It was then contended by the Senator from New York that United States bonds should be taxed by the bill.

Mr. HILL. No; that the income from United States bonds should be taxed, where the law, as I then understood it, only specified that the bonds themselves shall be exempt.

Mr. VEST. Very good; I will take it as the Senator has modified it, that the income on United States bonds should be taxed.

Mr. HILL. Yes; where only the bonds themselves are exempt by statute.

Mr. VEST. The contention then was that no law could be found which exempted from taxation principal and interest of United States bonds.

Mr. HILL. I made no such contention.

Mr. VEST. It was made upon the other side of the Chamber. That law was found, and that question was disposed of. I take it for granted that no Senator here wishes to put a tax upon bonds, the principal and interest of which, by the law of their issuance, are exempt from taxation. That is settled.

Now, the Senator from New York proposes to exempt, in the pretended interest of States and muncipalities, the immense amount of indebtedness in this country which is represented by the bonds of cities, towns, and States. It is apparent on the statement of the question that that is not in the interest of the States or municipalities. They issue bonds; they are sold upon the market; they go into the hands of holders.

The uestion now before the Senate is whether those holders shall not pay their proportion of the burden imposed by the proposed law. Upon page 188, in section 54, which is put in as a substitute for sections 59, 60, and 61, it will be found that States, counties, and municipalities are exempt from the 2 per cent tax upon their net profits with other corporations; and there is also a pending amendment, which I suppose will be adopted——

Mr. HILL. I should like to ask the Senator from Missouri, if he will permit me, what are the net profits of States, counties, and municipalities?

Mr. VEST. I do not know that there would be any net profits, unless it should be said that what they had in their treasuries over and above their operating expenses would be considered as profits. But whether there be any profits or not, that question is removed from all doubt and discussion by the absolute provision of the proposed law. An amendment is pending, as I was proceeding to observe, which exempts the profits of all corporations, their bonded or other indebtedness. So we are remitted to the simple question whether the holders of bonds of cities, towns, and States should not pay the 2 per cent tax with the rest of their fellow-citizens.

There is no good reason why they should be exempt. Take a millionaire, who invests his immense fortune, fifty or a hundred million dollars, in State or municipal securities; shall he be exempt? What would be the result of such legislation? It would be to place an enormous premium upon these securities in contradistinction with other securities of the country. I take it if the income tax is to be defended at all, it should be defended upon the ground of placing an equal burden upon all the people of this country; in other words, that the protection given by the Government to the property of the citizen should be met by a tax upon the citizen, no matter what property he may hold, unless it be within the exemptions of the bill for benevolent, charitable, or educational purposes.

Now, what argument can be made that the holder of State or city bonds, which have been put upon the market and sold and the money received by the State or municipality, and expended by it, should be exempt from taxation? Is that not an investment? Is that not as much an investment as any other which can be made by the citizen? I can not conceive where there is anything in the shape of an equity which should prevent such securities from sharing the common fate under this measure given to all others.

Mr. PEFFER. I submit an amendment intended to be proposed to the pending bill, which I ask may be printed, and lie on the table.

The VICE-PRESIDENT. It will be so ordered.

Mr. HILL. Mr. President, I think the Senator from Missouri begs the question. He refers to that clause in the proposed amendment which provides that "nothing herein contained shall apply to States, counties, or municipalities," and seems to desire us to infer from that clause that some special favor has been granted to the States, counties, and municipalities by reason of it. None has been accorded. What have the States, counties, and municipalities, which they themselves own, which could be taxed?

Their property consists simply of their real estate; it consists of the revenues which they derive by taxation for the support of their respective localities; and you can not under the Constitution tax their real estate, in this way at least. They have nothing else to tax. Therefore this exemption adds nothing to their constitutional rights and takes nothing away. It confers no special privileges upon them. But the attack upon the States is made in this indirect way by providing that their bonds shall be subject to taxation.

Mr. President, we are not only legislating for bonds which have already been issued by States, counties, and municipalities, but we are now legislating in regard to the income derived from future bonds. Will the Senator tell me that the clause in the bill which virtually allows the income from that class of securities to be taxed will not greatly diminish the value of those bonds when they are sought to be put upon the market? If it be fair and right that the General Government's bonds should be exempt from this provision (and I am not now discussing the question of the original fairness or the propriety of that proceeding; it is so denominated in the bonds, and I am not quarreling with that provision), it seems to me, even though there may be a constitutional right to tax, which the Senator from Oregon [Mr. MITCHELL] very much doubts, yet that as a matter of propriety, State, county, and municipal bonds should also be exempted.

Mr. President, the mere fact that a millionaire may own a large number of bonds and that he ought to be taxed is no argument upon this question. A millionaire may own a large number of Government bonds and he ought to be taxed.

Mr. VEST. There is a contract in that case.

Mr. HILL. But we are now making a new contract substantially, because we are now making a law which is to apply to the future issue of State bonds. When, for instance, A bought a year ago $10,000 worth of State bonds of New York, of course he bought them under the idea and theory that they would not be subject to Federal taxation of this character. It is true there is no contract which prevents the Government doing so, but how will it be in regard to future bonds which the State governments may seek to negotiate?

With this provision staring them in the face, will not the States find great difficulty, except with increased rates of interest, in floating their bonds? I submit that in justice to the States, where you are taking away from them these vast fields of revenue, you ought to leave them something, and the right to float their own bonds, free and exempt from this species of governmental taxation, ought to exist.

I submit it will make but very little difference to the parties who own the bonds. I answer the Senator's argument in this way: that it will make but very little difference to those who hereafter purchase such bonds; but when the States, counties, and municipalities proceed to negotiate their bonds in the future they will find that the bonds have fallen in value just by reason of this very provision. The people who buy the bonds will insist upon higher rates of interest to overcome the tax which we are imposing by the terms of the bill.

Mr. HIGGINS. I suggest to the Senator from New York that thereby it will increase the State taxation to meet the interest upon the bonds.

Mr. HILL. Of course that is so. State taxation and county taxation and municipal taxation will be increased, because they all stand upon the same basis. In the first place, it is a doubtful constitutional power. But I am not disposed to press that question. In the second place, as a matter of propriety it ought not to be done, when all your Government bonds are exempt under a contract made years ago, with which I am not quarreling; let bygones be bygones. All the bonds which may be issued in the next six months, as it is anticipated by some that bonds will be issued, will be exempt from this class of taxation. If any Senator's own State wants to negotiate some bonds, your own town or municipality, what reason is there for subjecting those bonds to this new taxation, which will more or less diminish the value of the bonds and increase the rate of interest?

Mr. President, the true theory of the Government is that the States, whether they are limited in the contract or not, can not tax a Government bond. I am not now speaking of the question of interest; that is a different question; but the broad principle is asserted by the General Government, regardless of the question of contract, regardless of what the statute is under which they were issued, is that the States can not tax Government securities. The principle is what I am speaking of. I say a broad reciprocity on the other hand ought to exist, namely,

that when the Federal Government is framing a system of Federal taxation it ought to exempt State, county, and municipal bonds and place them upon an equality, so that the States will not be compelled in the markets of the world or the markets of the country to negotiate their bonds at a higher interest. It seems to me this is fair and right; and whether it did or did not occur to the Finance Committee in the original framing of the bill, is a matter of no consequence. The question now is, Does it not meet the judgment of the Senate?

Mr. PLATT. Will the Senator from New York permit me?

Mr. HILL. Certainly.

Mr. PLATT. Has the Senator examined the question whether the United States can tax the income of a bond which by the statute has been made exempt from taxation; in other words, whether the State can exempt its bonds from all taxation?

Mr. HILL. I have no doubt the State can do it, and that if the State has done it in any particular instance it is beyond the constitutional power of the Government to tax it directly or indirectly.

Mr. PLATT. The States when they issue bonds——

Mr. HILL. Sometimes do that.

Mr. PLATT. Exempt them from taxation as a usual thing, but whether they go so far as to say in the statute "all taxation, State and Federal," I doubt. I understand that it is conceded that you can not oblige an individual to incorporate in his taxable income the salary which he derives from a State. Now, the States in some respect are independent and sovereign. As to their management, as to their autonomy they are independent and sovereign. For some purpose a State deems it necessary to issue a loan. How far can it go in exempting that loan from taxation by the Federal authority? I have not investigated the question; I thought perhaps the Senator from New York had done so.

Mr. HILL. Yes, sir; I have investigated it, allow me to say right here, in my own State. I know numerous instances where bonds have been issued under the authority of the State by municipalities. I know in the city of Brooklyn for the erection of armories several hundred thousand dollars of bonds were issued, and by the terms of their issue they were declared to be exempt from all taxation. Of course I am free to say they did not have in view at that time any Federal taxation. But I submit that where by the terms of the act under which the bonds are issued the Federal Government has no right to tax those bonds where it is provided they shall be exempt from taxation. In other words, we do not tax the salaries of State officers, county officers, municipal officers. Why? Because it is held expressly by the Supreme Court that they are a part of the means or instrumentality of a State government by which to conduct its affairs, and as each State has the right to borrow money, as each municipality is invested with power to borrow money, and therefore the power to issue bonds, the right to protect those bonds from Federal taxation, it seems to me, is a power that must clearly exist.

Mr. HIGGINS. I should like to suggest to the Senator from New York that in one sense it is true the power to tax is a power to destroy. There is no limit upon the discretion as to the amount of tax, which could be laid as heavily as you please, and therefore the power of the State to borrow, which may be indispensable for the proper conduct of business and affairs, is thus subject to this measure. It seems to me under our Federal system an impairment of sovereignty is contrary to our theory and system of government, and it might prove destructive of the ability of the States to conduct their affairs.

Mr. PEFFER. I wish to inquire of the Senator from New York whether in his opinion the law which exempts Government bonds from taxation was intended to include or does include taxation of the interest derived from the bonds? I have here the statute of February 25, 1862, providing for the issuance of a large number of 5-20 bonds and the first issue of greenbacks, and I will read the language of the act.

Mr. HILL. Will the Senator allow me right there? The original act under which bonds were issued and the acts usually, prior to about 1870, specified that the bonds themselves should be exempt from taxation, but they said nothing in regard to the interest. In 1870 and about that time, as was explained by the Senator from Missouri [Mr. VEST] on Saturday, all the bonds were refunded, and it was then provided in the refunding act that both the principal and the interest should be exempted, and all the bonds now outstanding, with the exception of the Pacific Railroad bonds, have been issued under those refunding acts, the bonds amounting to $635,000,000. So there is no escape, it strikes me, from the exemption which has already been placed in exempting that class of Government bonds; in fact, exempting of Government bonds except the bonds issued in aid of the Pacific railroads, which, of course, are not technically Government bonds.

Mr. PEFFER. I think it is important that we have this matter disposed of now, and I will read the language of the original act of February 25, 1862:

> And all stocks, bonds, and other securities of the United States held by individuals, corporations, or associations within the United States, shall be exempt from taxation by or under State authority.

I understand the Senator from New York to claim that the funding act of 1870 provides that there shall be no taxation of the interest. I will see in a moment how that is.

Mr. SHERMAN. It is in the act of 1870, which the Senator has before him.

Mr. PEFFER. I have the act, but I have not yet found the exemption.

Mr. CHANDLER. Does the Senator want the exemption in the act of 1870?

Mr. PEFFER. I have the act of 1870, but I do not find the exemption.

Mr. CHANDLER. It is in the middle of the first section of the act of July 14, 1870. Shall I read it to the Senator?

Mr. SHERMAN. He has it.

Mr. PEFFER. It is as follows:

> All of which several classes of bonds and the interest thereon shall be exempted from the payment——

Mr. CHANDLER. That is it.

Mr. PEFFER—

> Shall be exempted from the payment of all taxes or duties of the United States, as well as from taxation in any form by or under State, municipal, or local authority, and the said bonds shall have set forth and expressed upon their face the above specific conditions, and shall, with their coupons, be made payable at the Treasury of the United States.

That, I see, covers the whole case. It had not occurred to me that the interest was exempted under the funding act, but I see that I was mistaken.

Mr. CHANDLER. Mr. President, I do not know that I have any interest in making this absolutely bad bill any better, and yet I can not help saying that I hope the Senator from Missouri upon reflection will not place the States and municipalities of this country in a worse condition when they are borrowing money in the future than the United States will find itself when borrowing money. I remember very well when the act of 1870 was passed. I had forgotten about it the other day when the Senator from Missouri was speaking and I read the original income-tax law of 1862. Now it all comes to my mind that when the funding act of 1870 was passed it contained these words:

> All of which said several classes of bonds and the interest thereon shall be exempted from the payment of all taxes or duties of the United States, as well as from taxation in any for m by or under State, municipal, or local authority.

It was distinctly understood that this exemption of the interest upon United States securities excluded a United States income tax. I suppose the Senator contends now that a United States income tax upon Government bonds would be a breach of the promise contained in the act of July 14, 1870. At any rate, I so contend, and I know that was the contention of the framers of the act.

I think the distinguished members of the Finance Committee now on the floor upon this side of the Senate will confirm my statement that the idea of an income tax was distinctly in mind and there was to be no income tax hereafter imposed upon the interest due and payable by the United States upon any of its funded loan.

That being the case, I certainly believe the Senator from Missouri upon reflection will see that it is wise to grant the same exemption from a United States income tax to State and municipal loans. The Government of the United States has the best credit of any known institution upon the face of the globe. The Government of the United States can borrow money cheaper than any State, corporation, or individual; and in order that it may borrow money cheaply it certainly does not need any exemption of this kind (which it has put in its statute book as a solemn pledge of the public faith) so much as do the States and the municipalities of this country.

Many of those municipalities, States, counties, cities, and towns find it difficult to borrow money, and they ought to be assisted as well as the Government of the United States can assist them to obtain good credit to borrow money cheaply.

It has been well shown by the Senator from New York that if this proposed income-tax law passes as applicable to future loans of municipalities, whenever hereafter a municipal loan is made the rate of interest thereon will have to be greater or the premium which will be obtained upon the sale of the securities will be less, by reason of the enactment of this income-tax law than would be the case if this income-tax law were not enacted, or if the exemption which is put into this proposed statute with reference to the income from the Government bonds were applied to the income from city, county, and other municipal securities.

Mr. President, we do not want to put this burden upon the local governments of this country. The Senator will find his bill unpopular enough, and the income tax will be odious enough under any condition. He certainly ought to desire, and I believe does desire, to make the imposition of this tax as light as possible upon the persons and corporations on whom it is to be imposed. Therefore, for the sake of the municipalities in his own State, which are borrowers of money and will hereafter be borrowers of money, for the sake of the municipalities of all the States, and for the sake of the States themselves, I hope he will see that it is no more than fair and just and equitable that if the income derived from the interest on United States certificates shall not be taxed, the income derived from State, county, and other municipal securities shall not be taxed.

Mr. MITCHELL of Oregon. Mr. President, this section proposes a tax of 2 per cent upon incomes of any person arising from interest derived from bonds or stocks and notes. There is no limitation. It applies to the bonds of municipal corporations as well as the bonds of private corporations. It relates to the bonds issued by a county, by a city, and by a State. Even were there no constitutional inhibition I would entirely agree with the contention of the Senator from New York [Mr. HILL] and the Senator from New Hampshire [Mr. CHANDLER]; but I do not believe there is any constitutional power in Congress to impose this tax, and for the reason I shall state. A municipal corporation is, according to the decisions of the Supreme Court of the United State, a portion of the sovereign power of the State, and according to the same decisions is not subject to taxation by Congress upon its municipal revenues.

That was decided first in the case of the United States *vs.* The Railroad Company (17 Wallace, page 322), reaffirmed in the case of Stockdale *vs.* Insurance Company (20 Wallace, page 330), and since then in several other cases. It has been followed up and supported by the opinions of the Attorney-General to the same effect, 13th Opinions, 67, by Attorney-General Hoar; 12th Opinions, 282, by Attorney-General Stanbery, and also in 12th Opinions, 176 and 276.

If the revenues of a municipal corporation are not subject to Federal taxation directly, then they can not be impaired indirectly by levying a tax upon incomes growing out of those revenues or growing out of bonds issued by the municipal corporations.

Away back some twenty-five years ago four counties in the State of Kentucky, two counties in the State of Tennessee, the State of Kentucky itself, and the city of Louisville all became subscribers to the bonds of the Louisville and Nashville Railroad Company and furnished money in order to enable that company to build its road. The internal-revenue law of 1864 levied a tax of 5 per cent upon the income of the Louisville and Nashville Railroad Company. The company declined to pay the tax on the ground that although the tax was levied upon the corporation it was really a tax upon the revenues of the holders of the bonds, and they being State, county, and municipal corporations were not subject to taxation, either directly or indirectly.

The Supreme Court of the United States sustained the company in that contention, holding that it was indirectly a tax upon the revenues of a State, county, and municipal corporation.

Mr. HOAR. I was called out for a moment when the Senator was speaking and lost the first part of his statement of the case. Will he be good enough to repeat it?

Mr. MITCHELL of Oregon. Two counties, I think, in the State of Kentucky, perhaps four in Kentucky and two in Tennessee, or vice versa, the State of Kentucky itself and the city of Louisville each and all subscribed for the bonds of the Louisville and Nashville Railroad Company, and furnished money to enable that company to build its road. Subsequently the United States in the internal-revenue act of 1864 levied a tax of 5 per cent against the Louisville and Nashville Railroad Company. The company declined to pay the tax upon the ground, as contended, that it was a tax not on the company, but really upon the revenues of the State, counties, and municipalities. The Supreme Court of the United States in the case of The United States *vs.* The Railroad Company (17 Wallace, 322), and again in Stockdale *vs.* Insurance Company (20 Wallace, 330), sustained that contention, holding that municipal corporations are portions of the sovereign power of the States and therefore their revenue is not subject to taxation by Congress.

I admit that case is not directly in point, but I contend all the same that the principle enunciated in that case to the effect that Congress has not the constitutional power which is proposed to be invoked by this provision of the bill, and for this reason: If there is no constitutional power in Congress to impose a tax directly upon the revenues of a State, county, or municipal corporation, then there is no power to do anything in the way of taxation indirectly which would in the slightest manner or to any extent whatever impair the value of the securities of that State, or county, or municipality.

As to taxation, as suggested a few moments ago by the Senator from Delaware who sits in front of me [Mr. HIGGINS], if the constitutional power exists to impose taxation it exists to the fullest extent, even to the extent of destroying the thing taxed. If Congress can levy a tax of 2 per cent, or 5 per cent, or any other per cent upon the income that grows out of bonds issued by a State or a county or a municipality, then Congress, I submit, is to that extent impairing the value of those securities, and is therefore imposing a tax which the Supreme Court of the United States has declared over and over again can not be imposed by Congress upon the revenues of a State, a county, or a municipality; and, as suggested by the Senator from Massachusetts [Mr. HOAR], it can make the borrowing of money by a municipality absolutely impossible, and there would be no limit to the power of Federal taxation.

Here is the city of Philadelphia, which is, as I understand, about to issue some ten or twelve million dollars of bonds. It has not yet been done. If this bill becomes a law, will anyone contend for a moment that those bonds can go into the money market at the same money value, the same salable value, that they would go into the money market if no such act existed? Certainly not. What, then, is the result of the proposed legislation? It is to indirectly tax the revenues of the municipalities.

I insist, therefore, that the decisions to which I have attracted attention, although not made in cases directly in point, are of that character which leads inevitably to the conclusion that there is no power to impose a tax upon the bonds of municipalities or the income arising out of them, as proposed by this section. Nor would it make any difference, in my mind, even if there were a provision in the act authorizing the issuance of the bonds that they might be subject to taxation. That would have nothing to do with the power or the lack of power on the part of the Federal Government.

Personally, I should be very glad to vote for this provision as it stands, and compel all who are able to hold the bonds of a State, or a county, or a municipality to pay taxes upon the income derived therefrom; but as I look at it, I do not believe there is any such power existing in the Congress of the United States.

Mr. HILL. I realize, Mr. President, the natural anxiety of the friends of this measure for its early disposition, and I concur in the propriety of a speedy disposition of the bill. Notwithstanding all that, this is a very important question to the several States of this Union. Its importance will be apparent as time rolls on. Therefore, I must ask the indulgence of the Senate for a few moments longer while I refer to a decision in 17 Wallace Reports, in the case of the United States *vs.* The Railroad Company, page 322, which was substantially this case. The case arose under the internal-revenue act of 1864, which was one of those amendments applying to the income tax.

Mr. MITCHELL of Oregon. That is one of the cases to which I referred.

Mr. GRAY. The Senator from Oregon read it.

Mr. HILL. I was not aware of that.

Mr. MITCHELL of Oregon. I did not read from the case.

Mr. HILL. Did the Senator state what the case was?

Mr. MITCHELL of Oregon. Yes, I stated it was the case of the United States *vs.* The Railroad Company, 17 Wallace, 322.

Mr. HILL. My attention was diverted for the moment, and I did not know that.

Mr. MITCHELL of Oregon. That is one of the cases to which I called attention.

Mr. HILL. Mr. President, it strikes me there is no answer to this proposition and that it is so just and so fair that it ought to be adopted by the friends of the pending measure. It would improve the income-tax provision. I have no question about it, and I certainly think the bill ought not to be loaded up with provisions of doubtful constitutionality.

I shall not, however, trespass upon the indulgence of the Senate further at this time.

Mr. HIGGINS. I want to say just a word. The pending bill in many respects and in its income-tax provision invades the domain of the States by imposing a tax upon them, rather than relying upon customs and excises as their appropriate and adequate means of revenue, but this proposed tax on the incomes of the bonds of States, counties, and municipalities actually becomes an instrument of levying a tax through State taxation. It requires a State to raise a heavier tax by the extent of this imposition than it otherwise would in order to meet a Federal exaction. It not only invades the domain of the States, which ought to be left entirely and exclusively to the States, but it makes the States themselves, through taxation, the instrument for the collection of Federal taxation.

Mr. SHERMAN. Mr. President, I wish to say a word about this question. The more I think about it the more I become

satisfied that it will be ineffective to levy an income tax upon either the officers of the State or upon the State itself, whether the bonds be issued by the State or by the municipal authorities of the State. I think from the decisions of the Supreme Court before me the tax will be invalid.

It seems to me that it would be better to insert at once in this bill an exemption of all taxes on the salaries of officers of a State or upon the bonds issued by a State. It seems to me that the necessary agencies of a State in the conduct of its business, the management of its municipal affairs, the government of counties and townships, the power to borrow money, are indispensable, and without them local government could not be conducted, and the State government could not be conducted, as shown by the fact that every State in the Union has at one time or another borrowed money.

The right and the power in the United States to borrow money exists also among the States and the municipal corporations, and the Government of the United States has no power to cripple their right to borrow money by imposing an income tax or any other kind of tax upon them.

I am supported in my view by two decisions which I have before me, which, although not directly in point, on the whole, I think, raise a question of such doubt that we ought not to impose this tax, but should relieve the States and municipalities from it, and not assert the power to levy it.

Mr. ALLISON. I think the Senator from Missouri ought to accept this amendment. Why was it that in all our loans during the war we provided that our bonds should be exempt from all forms of taxation under State or municipal authority? It was the assertion of the sovereignty of our Government as to its creditors. That exemption runs through all our loan laws. We went further in the act of 1870 and provided that they should be exempt from Federal taxation.

Therefore, it seems to me that as to the power of borrowing money the States are as supreme and independent as the Government of the United States; and if we are to assert the power for ourselves, whether we assert it or not as to the States, that comity which should exist between this great Government of ours, and its several parts, the States, would require that when we are dealing with taxation, unless we are in great stress, we should say to the State, "We accord to you what we exacted from you and do exact from you when we are required to borrow money." That is all.

It can not be claimed for a moment but that this exemption as to our own bonds immensely strengthens them, and it can not be contended for a moment that the assertion of a power to tax State and municipal bonds will weaken them. Why should we do that? If we are under such great stress that we are to get into trouble with the States and municipalities, so be it, but I see no necessity for it. Therefore, I hope the Senator from Missouri will yield the point suggested by the Senator from New York.

Mr. VEST. I have yielded too many points.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from New York.

Mr. HILL. Upon that question I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. HOAR. Mr. President, the more this matter has been discussed the graver this objection to the bill as it now stands seems. I should be very sorry, indeed, for the sake of any mere present exigency in the contest over the pending bill, to have the Senate do anything which would seem to deprive for all time the United States of any particular resources of taxation, unless it has already been done by the Constitution. I hope for that very reason, without having the question absolutely determined now, the Senators in charge of the bill will allow this amendment to be adopted and the matter postponed for the judicial consideration of the future.

Of course we are shutting the United States out from a very large source of revenue, which we may need in some great public emergency, like that through which we passed in the time of the late war, if we adopt an inflexible principle that we can not tax these salaries under any circumstances.

I should like to hear from the Senator from Missouri [Mr. VEST], who is a trained and profound lawyer, what is the difference in principle, in his mind, if there be any, between this case and the case of Buffington *vs.* Day? In Buffington *vs.* Day it was held by the Supreme Court of the United States that where the State had contracted with a certain person to perform a certain public function, the sum of money which the State had promised to pay him for that service could not be taxed by the General Government on the ground that it would deprive the State of the power to contract for such service, and so the service could not be accomplished.

What difference in principle is there between that case and the case of the State or the county borrowing money to be paid to obtain for itself that service? If we can tax the one, we can prohibit the other, and if we can tax the other, we can prohibit it; if we can make it inconvenient or expensive, we can make it impossible. The State and the United States are equal, each within its own sovereign sphere, and the Constitution points it out.

Under what authority can the United States tax the right or the power to borrow money by the State of Missouri, and deny to the State of Missouri the right to tax the money borrowed by the United States of America? We have an officer known as the highway commissioner in many of our cities and towns, and, for a salary, he undertakes the duty of keeping the roads in repair; which is an agreed and admitted function of sovereignty.

You can not under the decision in the case of Buffington and Day tax the salary which is paid to that man for doing that thing; but if the town borrows the money and does the thing itself, it is claimed you can tax the money borrowed for this same purpose; in other words, you can not tax the expenditures for performing public services if they are performed by a hired and salaried agent of the public, but you can tax the precise expenditures made for precisely the same service if the public does it itself and takes the expenditure in its own hands. I can not at this moment think of any sound distinction between the two cases. I should be very glad to hear any lawyer or any Senator on the other side point it out.

Mr. VEST. Mr. President, I am so anxious to dispose of this bill, which has been hanging here for three months, that I have refrained, so far as my duty would permit, from making even any statement or argument, although very much provoked at times to trespass on the patience and time of the Senate. While the Senator from Massachusetts [Mr. HOAR] was absent from the Chamber, I made a brief reply to the Senator from New York [Mr. HILL], and did not intend to say anything more in regard to the matter.

It seems to me that the decisions of the Supreme Court do not affect this question at all. Every lawyer worthy of the name will admit that the Federal Government can not destroy the official functions of the State either by taxing the salaries of its officers, or by using the taxing or any other power in order to cripple the constitutional duties imposed upon the State governments in the autonomy of our General Government upon the whole government of the country. That is a proposition about which there will be no dispute.

But Senators, it seems to me, run that argument into absurdity, with great respect to them. They now say that you can not indirectly diminish the resources of the States by putting a tax upon bonds which they issue, or that their municipalities may issue. What is the logical and inevitable result of that statement? It is that the supreme power—I use the word "supreme" advisedly—of the General Government to carry on the General Government and raise the money necessary for the General Government, gives that Government the right to use all the property of all the citizens in all the States for that purpose.

If it be held here that we can not constitutionally tax the sureties issued by a State, the same argument will apply to other property within the State; and you must admit that the primary right to use the property of the State by the State government must first be made before the General Government can tax it. For instance, take whisky, which is taxed by the State. According to this argument, we must first wait and see what the extent of the tax put upon it by the State government will be, and let the State have a first lien, so to speak, upon all this property before the General Government can exercise what I say is its primary power of taxation without limitation.

Mr. MITCHELL of Oregon. If the Senator will allow me, nobody disputes the double power of taxation, so far as Federal or State taxation is concerned.

Mr. HOAR. If I may be permitted, I wish to ask the Senator one question, which may put the point exactly as it is in my mind. Is not the money that the State pays me for a service, for instance, as treasurer or governor or judge, just as much my property as the money that the State pays me for the use of money that I let it have for its public purposes?

Is there any distinction in that respect? If there be none, and if it is my property, the interest on my debt, or the salary of my office, it is just the same. The United States can not tax the salary, because it would make the State's performance of its public functions more expensive or more inconvenient, which is clear and is settled in the case of Buffington and Day; and you can tax the interest on money they lend. What is the distinction?

Mr. VEST. It seems to me the difference is this: You can not tax out of existence an office by taking away all of its emoluments, as would be done by the General Government if it taxed the salary of a State officer to the full extent of that salary, because then you invoke the doctrine, which I admit and every

other lawyer must admit, that the Government can not tax out of existence the functions of the States, even in the exercise of its supreme power of taxing them. That would revolutionize the Government and destroy absolutely one portion of it. That goes without saying. But that argument does not apply in this case, because here are simply bonds which are not connected with official functions, bonds which are sold by the State or the municipality and the money taken into their treasury.

The question here is simply, shall these bonds, like other property belonging to individuals, bear their proportion of the common taxation which the Government, through Congress, deems necessary for the purposes of the General Government?

What does the Supreme Court say in the celebrated decision in regard to the taxation upon State banks? The court held that that tax was constitutional. Why? Because the General Government in the exercise of its power to control the finances of the United States had the right to impose that tax in order to strengthen the financial system of the General Government; in other words, the power of the General Government as to its functions was absolute and supreme. If you carry the argument which is made here to-day to its full and logical extent you would cripple the General Government and eliminate that distinctive feature as to its power, and say that the States can issue securities that are not available at all for the purposes of the General Government. What would be the result? Any State could issue securities in which its citizens might invest all their money and thus escape the burden that is imposed upon the balance of the people of the United States.

If this income tax be constitutional it ought to be equal in its terms, and it ought to operate upon all securities alike. If we should do now what we are asked to do, what would be the inevitable result? All the State and municipal securities would immediately go to an immense premium, and all the capitalists of this country would invest in them, because we should make them by act of Congress more valuable than any other investment.

I am not authorized, though Senators appeal to me, to accept this amendment. This provision was deliberately adopted in the House of Representatives and by the Finance Committee of the Senate, and I am unable to find under the old income law where it was proposed to do anything else than what we propose to do now. I am not authorized upon the appeal of anybody to give up one of the most important features of this bill, and destroy the equality which I think ought to pervade all its provisions. If the Senate see proper to overrule the committee and amend the bill as it came from the House by this radical change, of course I am bound to submit, but in any event, Mr. President, let us vote.

Mr. SHERMAN. I shall not delay the Senate more than a few minutes in calling attention to the decision of the Supreme Court of the United States, made by a judge whose authority is well recognized.

I had a great deal of trouble myself in regard to this matter. During the war, as a matter of course, we extended the taxing power probably far beyond what we should have done in time of peace, and we imposed an income tax upon the salaries of the judges of the State courts and other officers of the State governments. The Supreme Court of the United States in 1870 was called upon to consider the question as to whether it was within the power of Congress to make this levy. The general head of the decision in the case of Collector *vs.* Day is as follows:

> It is not competent for Congress under the Constitution of the United States to impose a tax upon the salary of a judicial officer of a State.

This was decided in 1870, and the decision was rendered by a gentleman of great reputation in this country, Mr. Justice Nelson. The particular case of the taxing of bonds issued by a State government was not before the court, but the identical subject-matter, the power to interfere with the government of a State in establishing a judicial tribunal or in collecting money for the support of the State government, or imposing taxes by issuing bonds, was necessarily involved. Here is what Judge Nelson says, and it applies just as strongly to the case before us as it did to the case then before the Supreme Court:

> The General Government and the States, although both exist within the same territorial limits, are separate and distinct sovereignties, acting separately and independently of each other, within their respective spheres. The former in its appropriate sphere is supreme: but the States within the limits of their powers not granted, or, in the language of the tenth amendment, "reserved," are as independent of the General Government as that Government within its sphere is independent of the States.

Again, he says:

> Two of the great departments of the Government, the executive and the legislative, depend upon the exercises of the powers, or upon the people of the States. The Constitution guarantees to the States a republican form of government, and protects each against invasion or domestic violence. Such being the separate and independent condition of the States in our complex system, as recognized by the Constitution, and the existence of which is so indispensable that without them the General Government itself would disappear from the family of nations, it would seem to follow, as a reasonable if not a necessary consequence, that the means and instrumentalities employed for carrying on the operations of their governments, for preserving their existence and fulfilling the high and responsible duties assigned to them in the Constitution, should be left free and unimpaired, should not be liable to be crippled, much less defeated by the taxing power of another government, which power acknowledges no limits but the will of the legislative body imposing the tax.

Then he proceeds in the same line of argument to show that the judicial power exercised by the State courts was absolutely, and must be absolutely, free and independent from the control of the General Government as any other function of government. It seems to me this principle covers this case.

The case to which the Senator from Missouri [Mr. VEST] refers does not apply at all. There the Supreme Court decided that the tax of 10 per cent upon State bank notes was valid; but the State banks were not agencies of the governments of the States in any sense of the word, and they did not perform any of the functions of government. They were mere creations for a certain purpose, which might be controlled and taxed by the Government of the United States. Therefore they did not stand in the same position as the power to borrow money or the power to organize courts, or the power to administer justice, or the power to arrest offenders and punish them. Those are distinct State powers.

We have no authority, it seems to me, to levy a tax upon the bonds or securities issued by State or municipal authority. It strikes me so, and therefore I shall vote for the amendment, because I believe that under the circumstances we have no power to levy this tax and ought not now to attempt to exercise it, even if we had the power. We ought not to interfere with the ordinary functions of the State governments in any way whatever; and while I do not suppose I would be regarded as a State's rights man, in the old-fashioned sense of that term, yet I do believe that we should respect all proper rights of the States, and that the General Government should not undertake to tax the securities of the States and municipal organizations so as to interfere with the proper exercise of their powers.

Mr. TELLER. Mr. President, I do not desire to discuss the question whether Congress has the power to enact a statute of this kind. I agree with the Senator from Missouri that in matters within the jurisdiction of Congress, of course Congress is absolutely supreme. But each State is as much a sovereign power in its sphere as the General Government.

I intend to vote for this amendment without reference to our power, upon the theory that as an act of courtesy we should not tax the securities of a State unless there is an absolute necessity for the revenue. That nobody will claim, and because there is no such necessity we ought not to raise the question whether we have a right to levy such a tax.

I repeat that as an act of courtesy to the States, State securities should be exempt. For that reason I shall vote for the amendment, but I do not wish to be so committed by that vote that I may not say at another time under different circumstances that the Government of the United States may go to the extent of taxing securities of the States.

Mr. HOAR. I put a question to the Senator from Missouri and his answer has not removed and indeed has not tended to remove the difficulties which were in my own mind. But I desire to say that I wish to confine myself in voting for this amendment to the reason stated by the Senator from Colorado [Mr. TELLER], that it is not expedient to raise this question or to interfere with the money-borrowing powers of the State and municipal instrumentalities, there being no public urgency which requires it. I leave the question of absolute power to future consideration.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from New York [Mr. HILL], upon which the yeas and nays have been ordered.

The Secretary proceeded to call the roll.

Mr. GORDON (when his name was called). I am paired with the Senator from Iowa [Mr. WILSON].

Mr. MITCHELL of Oregon (when his name was called). I am paired with the senior Senator from Wisconsin [Mr. VILAS]. If he were here I should vote "yea" and he would vote "nay" I presume.

Mr. MITCHELL of Wisconsin (when his name was called). Once for all for the day I wish to announce my pair with the Senator from Wyoming [Mr. CAREY].

Mr. MORRILL (when his name was called). I am paired with the senior Senator from New Jersey [Mr. MCPHERSON], and therefore withhold my vote.

Mr. PATTON (when his name was called). I again announce my pair with the junior Senator from Maryland [Mr. GIBSON]. If he were present I should vote "yea."

Mr. PETTIGREW (when his name was called). I should like

to know if the junior Senator from West Virginia [Mr. CAMDEN] has voted.

The VICE-PRESIDENT. He has not voted.

Mr. PETTIGREW. I am paired with the Senator from West Virginia [Mr. CAMDEN]. If he were present I should vote "nay."

Mr. DAVIS (when Mr. QUAY'S name was called). I was requested to announce for the day the pair of the Senator from Pennsylvania [Mr. QUAY] with the Senator from Alabama [Mr. MORGAN].

Mr. SMITH (when his name was called). I desire to announce for the day my pair with the junior Senator from Idaho [Mr. DUBOIS], who is absent from the city.

The roll call was concluded.

Mr. PETTIGREW. I ask that my vote be recorded, as the junior Senator from West Virginia [Mr. CAMDEN] I am informed would vote "nay." I vote "nay."

Mr. MORGAN. Is the junior Senator from Pennsylvania [Mr. QUAY] recorded as voting?

The VICE-PRESIDENT. He has not voted.

Mr. MORGAN. I am paired with the Senator from Pennsylvania [Mr. QUAY].

Mr. CALL. I am paired with the Senator from Massachusetts [Mr. LODGE]. I transfer my pair to the Senator from South Dakota [Mr. KYLE] and vote "nay."

Mr. GORDON. I transfer my pair with the Senator from Iowa [Mr. WILSON] to the Senator from West Virginia [Mr. CAMDEN] and vote "nay."

Mr. WHITE (after having voted in the negative). I observe that the Senator from Idaho [Mr. SHOUP] is not in the Chamber. I therefore withdraw my vote.

The result was announced—yeas 25, nays 30; as follows:

YEAS—25.

Aldrich,	Frye,	Hoar,	Sherman,
Allison,	Gallinger,	McMillan,	Squire,
Chandler,	Gray,	Manderson,	Teller,
Cullom,	Hale,	Perkins,	Washburn.
Davis,	Hawley,	Platt,	
Dixon,	Higgins,	Proctor,	
Dolph,	Hill,	Pugh,	

NAYS—30.

Allen,	Daniel,	Jones, Ark.	Ransom,
Bate,	Faulkner,	Lindsay,	Roach,
Berry,	George,	McLaurin,	Turpie,
Blackburn,	Gordon,	Martin,	Vest,
Blanchard,	Harris,	Mills,	Voorhees,
Call,	Hunton,	Pasco,	Walsh.
Cockrell,	Irby,	Peffer,	
Coke,	Jarvis,	Pettigrew,	

NOT VOTING—39.

Brice,	Gorman,	Morgan,	Smith,
Butler,	Hansbrough,	Morrill,	Stewart,
Caffery,	Jones, Nev.	Murphy,	Vilas,
Camden,	Kyle,	Palmer,	White,
Cameron,	Lodge,	Patton,	Wilson,
Carey,	McPherson,	Power,	Wolcott.
Dubois,	Mitchell, Oregon	Quay,	
Gibson,	Mitchell, Wis.	Shoup,	

So the amendment was rejected.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had agreed to the amendment of the Senate to the bill (H. R. 4701) to incorporate the Supreme Lodge of the Knights of Pythias.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 6893) to regulate water-main assessments in the District of Columbia, agreed to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. HEARD, Mr. RICHARDSON of Tennessee, and Mr. HARMER managers at the conference on the part of the House.

The message further announced that the House had passed a bill (H. R. 7007) regulating the sale of certain agricultural products, defining "options" and "futures," and imposing taxes thereon and upon dealers therein; in which it requested the concurrence of the Senate.

The message also announced that the House requested the Senate to furnish a duplicate copy of the bill (S. 1919) to ratify and confirm an agreement with the Yuma Indians in California, for the cession of their surplus lands, and for other purposes, the original having been mislaid.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bill and joint resolution, and they were thereupon signed by the Vice-President:

A bill (H. R. 5806) to authorize the city of Hastings, Minn., to construct and maintain a wagon bridge over the Mississippi River; and

A joint resolution (S. R. 57) directing the Secretary of War to appoint a commission of engineers to examine and report upon the cost of opening the harbors of Superior and Duluth and their entrances to a uniform depth of 20 feet.

DEALING IN OPTIONS AND FUTURES.

Mr. WASHBURN. I ask that the antioption bill be laid before the Senate and referred to the Committee on Agriculture and Forestry.

Mr. HOAR. I think that measure went to the Judiciary Committee in the last Congress.

The VICE-PRESIDENT. The Chair lays before the Senate a bill from the House of Representatives.

The bill (H. R. 7007) regulating the sale of certain agricultural products, defining "options" and "futures," and imposing taxes thereon and upon dealers therein, was read twice by its title.

Mr. HOAR. Is it in order to deal with this bill now and to displace the pending measure, except by unanimous consent?

The VICE-PRESIDENT. The Chair thinks not.

Mr. HOAR. If it is to be considered I wish to address the Senate on the question of reference.

Mr. HARRIS. The regular order, Mr. President.

The VICE-PRESIDENT. The Chair was not apprised as to the purpose of the Senator from Minnesota, and in order that the matter might be brought before the Senate, he laid the bill before the Senate.

Mr. HOAR. Very well; it will go over for the present.

DUPLICATE BILL.

The VICE-PRESIDENT. The Chair lays before the Senate the request of the House of Representatives to transmit to it a duplicate copy of the bill (S. 1919) to ratify and confirm an agreement with the Yuma Indians in California for the cession of their surplus lands, and for other purposes, to take the place of the original copy, which has been accidentally mislaid. The request of the House of Representatives will be complied with in the absence of objection.

THE REVENUE BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4864) to reduce taxation, to provide revenue for the Government, and for other purposes.

Mr. HILL. I move to amend section 55, page 171, in line 9, by inserting after the word "taxation," the words "and except the bonds of any State;" so as to read:

Except such bonds of the United States as are by the law of their issuance exempt from all Federal taxation and except the bonds of any State.

Mr. President, whatever may be said in regard to the propriety of exempting municipal, town, or county bonds, it appears to me that there can be no sort of doubt about the propriety of the exemption of State bonds. For every conceivable purpose the State should be placed upon an equality with the General Government. If the General Government can exempt its bonds from Federal taxation and can exempt its bonds from State taxation, the State sovereignty should have the same right and the same power, especially under a tax like the one now proposed. It strikes me that no reason can be urged why that power should not be allowed to remain in the State government if it does not already remain there under the Constitution.

I do not care to repeat what I have already said, first, that under the Federal Constitution it is a matter of grave doubt whether any right of taxation such as this exists. Whether that be true or not, the propriety of the State having a right to have its bonds exempted is manifest. I need not reiterate the argument that it affects the value of the bonds. That was the very reason why the General Government in its original act and in the funding act provided that its bonds should be free from taxation, both State and Federal. It was not simply to guard against the aggrandizement of the States. That was not it. It was to give those bonds a value, to give them a market, to make them easily negotiable in the markets of the country and the world. It is conceded that the Government can not tax these bonds directly, and what it can not do directly, it can not do indirectly. It can not tax the income of these bonds, because from the very nature of things it affects the value of the security.

Mr. President, the sovereignty of the State is equal, within its sphere, to the sovereignty of the National Government. The General Government has by law and by contract exempted from taxation $635,000,000 of its bonds, being technically all the Government bonds in existence. That very exemption, which is continued in the pending bill, gives a value to Government securities. It is a right which it seems the General Government has always exercised, a right depending upon the discretion of Congress. It strikes me that as a matter of propriety this exemption ought to be allowed, as a question of State rights, placing the two sovereignties side by side with the right of each one to make its securities equal before the law and equal before the world on a question of negotiation.

It is idle to say that this legislation does not strike at the value of State securities. It does. I have changed the amendment which before included towns, municipalities and counties. Now the broad question is presented, State rights *vs.* National rights. Shall the National Government step in here and be allowed to tax the incomes upon State securities?

It is said that the tax in form is against the individuals who own the bonds. So in the case in 17th Wallace the tax in form was against the railroad company, but it was held that the tax was virtually against the city of Baltimore, and that those revenues could not be diminished by Federal taxation.

The same principle, sir, exempts these bonds from governmental taxation. There will be enough legal questions arising under the bill to keep our courts busy during its term of five years without adding any more to them. I fail to see the force of the suggestion made that we ought not to tax income from these bonds because the income belongs to individuals. The Senator from Missouri made the suggestion that we have a double taxation upon whisky, and asked whether anybody raised the point that that can not be done.

Whisky is not one of the instrumentalities of a State government that I know anything about. It may be one of the instrumentalities of the State of Missouri, but it is not of my State or of any other State, I think. I do not believe the Senator thinks it is one of the instrumentalities of his State. The right of internal-revenue taxation upon a manufactured article like whisky of course exists. Nobody has disputed it. That is an entirely different question from this. Of course, there can not be a taxation upon land directly except through the forms prescribed by the Constitution. It can not be done, of course, by an income tax.

The Federal Government is now seeking through the means of an income tax to reach property which can not otherwise be reached under the existing methods or systems of taxation. As a question of propriety or justice to the States, of their rights under the Constitution, having equal sovereignty with the National Government over the question of taxation, it strikes me that there is no answer to this proposition. I know the Senator from Missouri, having charge of the bill, dislikes to accept amendments. He seems to regard it as his duty—I do not question his situation in that respect—to oppose all the amendments offered. He, of course, thinks that they are made to obstruct the bill.

I assure him this amendment is moved to perfect the bill. Will it not tend to make the bill fairer and better to defend before the people? When we go back to our constituents and tell them, "Yes; we were obliged to exempt from taxation Government bonds; we could not help ourselves; it was necessary to do it, because years ago it was so provided; besides, as a matter of propriety, it might be said that ought to be done," I think that the very first question that the zealous States-right Democrat will ask us is, "Why did you not treat your State bonds, then, in the same way?"

Our State is now about to sell certain bonds, and we are met with the allegation that the Congress at Washington has provided a tax of 2 per cent additional upon its income. That affects the value of these bonds, We can not negotiate them except at a higher rate of interest.

That higher rate of interest becomes a direct tax upon the people of the respective States on their real and personal property. So we only cut off our noses to spite our faces, because this very attempt to save here something for the General Government and thereby to a certain extent save something for the people, only reacts upon the State governments and imposes more taxation upon the people of the respective States, where there is direct taxation.

I dislike to reiterate these arguments over and over again, because I am as anxious as is any Senator here to expedite the disposition of this measure. But, sir, I present them in this brief, crude way, and if the Senate understands the question, I I have said all I care to say.

Mr. VEST. Mr. President, I do not propose, if I can avoid it and retain my self-respect, to discuss anything but what is legitimately before the Senate. No sort of personal fling at me or my State will deter me from my object, which is to get rid of tariff legislation and give relief to the country.

Mr. HILL. I trust the Senator will not think I made any personal allusion to himself.

Mr. VEST. In regard to the instrumentalities of the State of Missouri, I think they will bear examination as compared with the instrumentalities of the slums of New York. If the pending bill were disposed of, I should be ready to pay my part of the expense in hiring a hall and discussing this question with the Senator from New York if it will afford him any pleasure whatever. I alluded to the tax on whisky because I thought the argument of the other side, legitimately carried out, as to impairing the resources of a State government, went to all property taxed in the domain or upon the soil of any State; and I think yet that it was a proper application of that argument.

I do not believe that there is any constitutional objection to the provisions of the bill to make every citizen give in that portion of his income which comes from an investment in State bonds when, together with his other income, it exceeds $4,000.

The Senator from New York appeals to me to make the bill more popular. I am not questioning the sincerity of that appeal; let it go; but if I wanted to murder the bill with the people of the United States I should put his amendment upon it. There is not a feature of the legislation of the United States to-day more odious to the people of this country than that which exempts United States bonds from taxation. If I had been in Congress I should never have supported that legislation, even under any appeal to maintain the national credit.

The idea that men can go into market overt and buy the bonds of this country, payable in gold, at 60 and 70 cents on the dollar, and then be exempt from Federal taxation, is a monstrous one, and the people of the whole country have long since repudiated it. If I wanted to damn the pending bill I should extend that principle. When every Senator who votes for this amendment goes back to his people they will not say to him, as the imagination of the Senator from New York conjures up, "Why have you taxed your State bonds and thereby diminished their value," but instead the question put by the average American citizen to the Senator who votes for the amendment will be: "Why did you, pretending to put a 2 per cent tax upon the incomes of the people of the United States over $4,000, exempt the capitalists who buy the State bonds of New York or Missouri?" That will be the question. It will be, "Why did you undertake to extend to your State bonds the odious feature, now upon the statute book, which exempts the capitalist of the United States from all taxation upon United States bonds?" And it will be a proper question.

Who make investments in these bonds? Is it the man dependent upon his everyday labor for subsistence? Is it the man living upon a salary even of five or six thousand dollars? It is the capitalist. It is the man who desires to make an investment which will pay him such a per cent certainly and surely upon his investment. Yet, we are asked here deliberately, in levying an income tax, which we are endeavoring honestly to make equal and just in all its operations upon the people of the United States, to exempt the capitalist in the name of State rights.

Mr. President, I give way to no one in my zealous support of the doctrine of State rights under the Constitution, as I understand it. I have been devoted to that doctrine during my whole life, and I stand here to-day to defend it. But if State rights shall lead me to exempt the capitalists of this country from their just proportion of the common burdens of the people, then State rights must give way to all the instincts and teachings of common justice.

Mr. HIGGINS. Mr. President, I think there is a great deal happening to seriously impair our confidence in the fidelity of the Democratic party to the doctrine of State rights. It is not the first time it has happened in the history of the Government either. While they were out they got up the Kentucky and Virginia resolutions of 1798. Then, when Mr. Jefferson and Mr. Madison came in, they got as far as the embargo act, by which the Federal authority laid its strong hand upon the freedom of commerce of the United States. Mr. Jefferson said he was unable under the Constitution to buy Louisiana, but he swallowed his scruples and with the Democratic party, then in charge of the Government, took the greatest step of his life.

Now, when the Democratic party are in possession of the three branches of this Government, they come in with a Federal income tax, and not content with invading the sphere of the States and taking from the States what is the legitimate subject-matter of taxation and revenue for the States and appropriating it to the General Government, giving up to that extent the Federal Government's peculiar sphere of customs and excise taxation, they must now come in here and put a tax upon the State bonds themselves, all the time pretending to be a party for State rights.

The only good thing I can see in it is that they see the folly of the doctrine of State rights in its extreme extent, and that when they are brought face to face with the exigency of carrying on the Federal Government they will stretch the power of the Federal Government quite as far or farther than anybody else.

The Senator from Missouri speaks of investing in bonds at 60 and 70 cents on the dollar. That happened during the war. The credit of the General Government was seriously impaired at that time by circumstances which I should not undertake to speak of if the Senator from Missouri had not referred to them in this way.

To-day, however, nobody invests in Federal bonds at a discount but at a premium, and when you seek to place taxes upon the investments of capitalists you are really putting them upon the taxpayer, for just to the extent of this income tax upon those bonds will their price in the market be affected, and will there be requirement of larger interest to be imposed. That larger interest will result in increased taxation, and while you are seeking vainly and foolishly to get at the capitalist, you are striking down on the back of the taxpayer and taking that much revenue from the sphere of the States; and that is being done by this great party of State rights.

Mr. HILL. Mr. President, I regret that the Senator from Missouri seemed to think that the only way he could answer my argument was by some personal fling at myself. It makes no difference, sir, whether this amendment was offered by a gentlemen who represents the slums of New York or represents Missouri. I shall not imitate him by descending into any personal reflection upon him or his State.

Mr. VEST. You commenced it.

Mr. HILL. I did not commence it. The Senator had chosen to illustrate the point of his argument by referring to a double taxation upon whisky. The point of the whole argument upon the side I was arguing was that you could not tax the instrumentalities of a State government, and I naturally retorted that whisky was not one of the instrumentalities of my State. I good-humoredly said I supposed it was not one of those of Missouri, and my friend from Missouri seems to regard that I have insulted him and his State.

Mr. VEST. Oh, no.

Mr. HILL. It was farthest from my intention so to do. I simply thought that when he gives thrusts he could accept them in a good-humored way. That was all that I intended to say; and then he goes out of his way to fling the taunt at me that I represent the slums of New York. The other day the charge against me was that I represent the millionaires of New York, and now it is the slums of New York.

Mr. President, I represent all classes of my people, and those who reside in the lower districts of New York have just as many rights as those who reside along the Mississippi in the State of Missouri. All are interested in this legislation, those who have property and those who have not; and no fling of the Senator, no unjust or unnecessary taunt upon his part will lead me to imitate his example, but I shall continue right to the point which I have undertaken to discuss. He says at some other time we can hire a hall together and discuss this question, but he does not seem to like to discuss it very much here now. He will be called upon over and over again to defend this bill. He announced the other day, as I understood him, that he was ready to defend it here and now and not wait to hire a hall on some other occasion.

Mr. President, he will not only have to defend this provision, but he has stated here that his object was to make this bill equal, that if you are going to tax incomes you must tax all incomes. He said that a few moments ago; and yet by his vote and the votes of the gentlemen associated with him he deliberately made an exemption of $4,000 in this very bill whereby citizens worth from sixty to one hundred thousand dollars are exempt from the provisions of the bill, and yet he is going before the people to tell them he has endeavored to make an equal and exact bill to all the people, and all the incomes of the country are taxed or none at all. It will be harder work for him to defend that exemption than to defend the necessary and reasonable one which I have offered.

The Senator slurs State rights, as I understand him from his argument. He says he is as good a State-right man as anyone else. The test as to whether a man is a friend of State rights depends not upon his assertions, but upon his votes. Here is the question presented. It never can be presented plainer or in a more direct way than here and now. We are legislating in a Federal legislature upon the subject of Federal taxation. We have already recognized the fact that under the Constitution or the law, one or the other, all governmental bonds are exempt. This gives a value, as I said, to national securities; and I turn around and simply ask you to give the same privilege, the same exemption, the same right to our State securities, and then Senators who vote against it talk to me about State rights.

Mr. President, State rights are sacrificed by defeating this amendment. State rights are surrendered by the very vote that has been given. Sir, I think Senators would do better in the preservation of State rights by voting for this amendment.

There is nothing in this question to get excited about. The Senator, I believe, says that he thinks that I may possibly be sincere in offering this amendment. Thanks for that admission. He did not hardly mean that. He may take that back. Mr. President, it matters not what my motive may be. My motives are to be judged by the propositions that I make here. On that very proposition, notwithstanding the crack of the whip of the Senator from Missouri, Senators who sat right near him, just as earnest friends of the bill as he is, voted with me. Why? Because the proposition commended itself to their honest judgment. That is the reason why they voted for it, not because they have any sympathy for me in this fight that I am making against this provision of the bill. I care not whether they agree with me or not. The question is not what my motives are or what are anybody's motives. The question is, is this amendment a sound one; is it a just one; can it be defended; does it make the bill better or worse? That is the question, and personalities should be avoided as far as possible in the discussion of a neat, clean, legal question and a question of propriety of legislation.

Mr. President, if Senators would vote upon this question according to their judgment, it strikes me that this would be granted. I concede that exemptions should be few and far between; but States have some rights, especially when you have provided certain exemptions for national securities. Is it any more than right that we ask the same exemption for State securities? Does not that place them both upon an equality? Can we not tell our constituents that fact and impress it upon them? There will be no difficulty about it. If this amendment shall be adopted it can be easily defended in Missouri, or in any other State of the Union. It can be defended anywhere, because it is a proper exemption.

The Senator says he regrets that national bonds were ever exempted from taxation. It originally started during the war. It was one of the things that seemed to be regarded as necessary to be done. There may or may not have been a necessity for it in 1870, when the refunding acts were passed, but when my attention was called to the fact that it not only exempted the bonds themselves, but the interest, I waived the amendment on that point.

The Senator was so zealous in behalf of the National Government against State rights that he was entirely willing to argue that if the bonds themselves were exempted and there was no express provision for the exemption of interest, still, nevertheless, the interest ought to be exempted, I suppose upon the principle that the tail ought to go with the hide, if upon no other doctrine. I stood here to say that if there was simply an exemption of bonds *per se* and nothing else we might tax the income. I anticipated this point that was coming, and I wanted to see what could be said upon the other side.

Mr. President, it strikes me there is no answer to the proposition, and the simple fact that we ought to keep this bill as free from exemptions as possible is no answer to it, because the amendment I have offered stands upon a better and broader basis than any other amendment that can be suggested.

I am opposed to the income feature of the bill. I desire to see that feature of the bill eliminated. I am pursuing, as I think, a proper and honorable course to amend the bill by striking out provisions which I think will make the bill better. These amendments are to be judged upon their merits and not upon the question as to who offers them. This is all I have to say upon the question.

Mr. HOAR. I hope the Senator from Missouri and all Senators on the other side of the Chamber, without regard to the general desirableness of keeping the bill without amendment, will allow the pending amendment to be adopted. I desire to make a suggestion on which I should like to have the consideration of the Senator from Missouri. I think the Senator from Missouri will see that this is going to be a very serious matter for the new States—States that are having, as they come into the Union, great expenditures—and for the old States, who are now struggling to refund their State debts on better terms. Some of them may have been unable to keep their interest paid, and others have been at great labor to keep their interest paid.

This income tax policy, since the policy was abolished after the war, is a novel one. It is a policy which we never have established as a permanent policy in this country. Whether it is going to be extended and enlarged after the trial which the bill proposes, or whether it is going to be popular and satisfactory, no man can tell. Every State which puts a loan upon the market, if the bill passes in its present shape, has to expose that loan to the objection that no man can tell how much of it in the future policies of the Government will be taken away from the creditor by taxation. It will hurt the credit of a new and young State, or of an old State that is trying to reëstablish its credit, as some of our States are, tenfold, twentyfold the good it will be to the Treasury of the United States to have us assert this principle.

Whether we have a constitutional right to do it or not, will not every one of the States gain (and the people of the States and the people of the nation are the same) by the assertion in the matter of ordinary policy in time of peace by the United

States Government of a purpose not to tax State loans? In my opinion, wherever you have uncertainty you have speculation. Wherever you have speculation you have loss of credit. No State can make a loan in the market except of foreign citizens entirely; but, shutting out foreign citizens, if the creditor lends his money to the State of Massachusetts or the State of Missouri or the State of Tennessee on a thirty-years bond, he can not tell whether the United States Government will be coming in to tax the bond 2 per cent, or, if it is found a convenient and agreeable thing to do, 10 per cent or 20 per cent hereafter, and the State has got to suffer by the doubt.

That is the reason why this amendment is urged. It is not for the sake of protecting capitalists, not for the sake of protecting investors. These investments are largely, made by savings institutions and banks and such things, where people in moderate circumstances are the persons interested. The amendment is urged for the sake of the credit of the State itself.

Suppose we were to send a foreign loan abroad, or were in a condition where we needed the aid of foreign capital, and we should accompany that loan with an advertisement that the United States reserved to itself the power to put an income tax on the interest in the hands of every holder of the loan? That would cost the United States ten times what it would get. The State loans we hope and believe will be taken up largely by the people of the United States themselves. It has been regarded as a sound, safe investment on very moderate terms. How can you justify the declaration of a policy under which every State loan hereafter proposed is accompanied by the declaration, whatever may be the rate of interest you fix, that the United States Government has asserted its right and its purpose to tax the interest on the loan at its discretion?

Mr. GEORGE. Mr. President——

Mr. HOAR. I will let the constitutional argument all go. I have some doubt about that myself, but I think it is a bad thing to do, and that nothing in our present condition makes this little scrap of a 2 per cent important to the Treasury of the United States in comparison with the great mischief which it is proposed to do. Now I will hear the Senator from Mississippi.

Mr. GEORGE. I desire to ask the Senator from Massachusetts if it is not well settled that so far as the foreign holders of any State securities are concerned, there can be no power in this country to tax them for the income derived from the bonds.

Mr. HOAR. No, sir; it is not.

Mr. GEORGE. In other words, they would be taxable within their own countries for the income which they would receive from the bonds, and they would not be taxable by this country on account of any income which they might derive from the bonds. Is not that well settled law?

Mr. HOAR. I see the point the Senator makes. It is not well settled that there is no power in this country. We have the constitutional power to levy this tax. We can make it effective by compelling the treasurers of the States to withhold it. But I have carefully avoided that point.

I put that merely as an illustration. I said if you went abroad with a national loan and advertised to the lender that we were proposing to put an income tax upon the interest it would destroy the loan or make it a mere speculative loan; that we hope and expect that our State loans will be taken up by the American people at home and not go abroad; that this argument would not apply to foreigners, but that it would have precisely the same effect on State credit if the State of Alabama proposes a loan on the 1st day of next January she will have to pay four times over in her rate of interest the amount which will be received by the United States Treasury under this provision, because the United States has asserted the policy of taxing the interest on State debts, and nobody can tell, the policy being asserted, how far the Government will incline to go in the future.

So, if Alabama advertises a State thirty-year loan, or Massachusetts, or any other State, a loan which she could get at 3 per cent, or at 4 per cent, or at 5 per cent, she would have to pay an additional 1 per cent or an additional half per cent because of the assertion of this power. It is not the amount of the tax; it is the amount of the possibility of the tax for which she will have to pay; and if we do not enlarge the provision the result will be that the creditor, the speculator, the purseproud and wicked men who dwell somewhere in the neighborhood of Labrador, or in that direction, and who are perpetually plundering the good men of Missouri and Alabama and the new Western States out of their hard earnings will make the profit, and the Government will not benefit by it, the borrowing States will not benefit by it, the people will not benefit by it. By asserting this policy you are putting an element of speculation and uncertainty and doubt into every State's hope of borrowing money.

Mr. MORGAN. Mr. President, the Senator with whom I am paired is absent this morning and I have not the opportunity by my vote of expressing my opinion on this question; I feel compelled by a conscientious conviction of duty to oppose the exercise by the Government of the United States of any power of taxation over the property of any State, or the governmental facilities of any State. I do that upon grounds which I understand involve the question of the constitutional authority of the Government of the United States and the States respectively, and of their proper balance in our system of government.

When the Senator from Missouri was discussing the question of the exemption of incomes derived from the bonds of the United States he took the ground, which is entirely just and correct, that we had entered into an engagement with the bondholders at the time of the issue of the bonds that we would not tax them, and therefore it would be a breach of public faith now to tax those bonds either directly or indirectly.

However, I think the constitutional power of the Government of the United States to tax its own bonds was not brought into question, or if it was I suppose that there are very few who would be disposed to doubt that it has the power. But the question in our form of government is entirely a different one when we come to consider whether the Government of the United States has the power to tax the bonds of a State.

The State governments are given a sovereignty within the constitutional limits prescribed to them by the Government of the United States, which for a great many purposes are paramount to that of the sovereignty of the United States Government. I said the States were given a sovereignty. I should have said that they possess a sovereignty which has never been taken away from them; which is reserved to them for the purpose of executing the powers and functions of local government. If we break down the powers of the State governments to administer their proper functions in local government we simply destroy the fabric of this Union, and we do it at a single blow.

There is nothing wanting after you have passed the bill in the form in which it is presented now to the Senate to make a perfect merger of all State power, influence, and authority into the powers of the Government of the United States; for if the Government of the United States can prevent the States from borrowing money to carry on their legitimate functions, then it is useless to say that the States are not completely within the legislative authority of the Government for any and every purpose that the Government sees proper to exercise that authority to promote.

I therefore feel constrained by my duty to my own convictions and to the Constitution of the United States and the sovereignty of the States, particularly the State that I have the honor to represent with my colleague here, to protest against this invasion of the rights of Alabama. I do it with as much solemnity, with as much feeling, with as deep-seated an interest as if a bill were now pending here to tax the Statehouse in Montgomery, or to tax the public bridges, ferries, roads, or any other property owned by the State of Alabama and from which it derives revenue.

It is a power that is beyond the reach of Congress. Congress is excluded from that power over the States if it is excluded from any power whatever. You could not touch the States in a more vital point. You might just as well take the annual tax lists of the State of Alabama and confiscate them for the purposes of the Federal Government as to take her power to issue bonds upon her credit and to raise money for carrying on her government.

I will illustrate this point. At the close of the civil war Alabama owed about four and a half million dollars, payable in London and Liverpool, upon which she had paid the interest in gold promptly, as it was due and every time it fell due during the whole of the civil war. She had put her gold, which she collected from her people while the war was flagrant, upon the ships, and ran the blockade in order to get an opportunity to pay her debts and save her credit, and she did so. After about four years of Republican administration in Alabama that debt was raised nominally to $32,000,000, not more than 10 per cent of which ever found its way into any public institution of that State.

Alabama was forced to the necessity of making a settlement with her creditors, and under the leadership of George S. Houston, who was then governor and afterwards became a member of this body, she arranged with her creditors for the assumption of a very large portion of the debt thus imposed upon her, at rates of interest which would increase as time elapsed. She commenced with the rate of 2 per cent, which was all that her people could bear in the way of taxation then to meet it. Then she went to 2½, 3, and 4. I think the rate is now 4 per cent, and the bonds of Alabama are now at par and have recently—I do not know how it is to-day—commanded a premium.

That State, by the use of her credit, had the power to relieve herself from a condition which would otherwise have made it necessary for her to have gone into political bankruptcy; that

is to say, into an act of repudiation which would have fastened a stain upon our State that we never would have gotten rid of. Using that power of issuing bonds free from taxation, Federal and State, she induced her creditors to accept the situation, to relieve her from the incubus of a part of her fraudulent debt, and to put herself upon a footing where she could have prosperity, or at least life.

She had life given to her in that way, and it has been followed by a very remarkable, I might almost say a marvelous prosperity. It was solely by the use of that power that Alabama was able to extricate herself from that desperate situation.

Now, if Congress had ever supposed that it possessed and had chosen to exercise the power of taxation upon the credits issued by the State of Alabama, there would have been an end of her prosperity. There would have been an end of her political life. She would have been compelled to go into the grave of bankruptcy, because she could not have had any possible chance of taking a step towards advancement in prosperity.

Under these circumstances, Mr. President, this matter is called to my mind with a great deal of force. The recollection startles and alarms me, and I can not subscribe to the doctrine that the Government of the United States can tax the bonds of Alabama, directly or indirectly, when they are issued as facilities and instrumentalities of the State government of Alabama.

If you can tax them at all you can tax them out of existence, for the Supreme Court has said (and we all know it is true) that there is no limit upon the rate of taxation when Congress has the constitutional power to levy a tax; there is no limitation upon the rate, and nothing would be easier than for an aggressive party in the Congress of the United States to demolish entirely the credit of the States and usurp to itself the entire money credit and power of the Government.

Congress has money power enough, and I do not choose to augment it by my vote, even as a matter of policy; but I solemnly believe that we have no constitutional right to impose this tax upon the bonds of the State of Alabama.

I understand it to be conceded that if you can impose it at all upon the income from the bonds you can equally well impose it upon the bonds. No discrimination can be made as to the exercise of your powers upon the lines as to whether you tax the income or whether you tax the bonds. You can tax the bonds of the State of Alabama 10 per cent; you can tax her credit out of existence; and you deprive her of that power of government which after all is more essential to the preservation of the American Union and the preservation of the just balance of powers between Congress and the States than any other power which you can mention. It is more essential to the Federal Government that it should abstain from the exercise of this power than it is even to the States that they should possess it. The moment that you put the States under surveillance, under subjection to the Federal Government to the extent that the Federal Government may tax out of existence the power of the State to issue bonds to borrow money to carry on its government, that moment, you have subjugated the States, and not only that, but you have exterminated them.

Mr. LINDSAY. Mr. President, it seems to me this discussion rests upon an assumption that the bill contains a provision taxing the securities of a State and of subordinate State municipalities. The bill contains no such provision, and by no rule of constitutional interpretation can it be held to contain any such provision.

Mr. MORGAN. I will say to the Senator from Kentucky that I have not asserted it did. I assumed that it did because it had been argued that way, and I should be very glad to find that it does not.

Mr. LINDSAY. The bill provides in a general way for the taxation of incomes, but it nowhere denominates as a portion of the income to be taxed the interest arising from State bonds, bonds of municipalities, or of cities. There is nothing in the bill that indicates an intention upon the part of the Congress of the United States to tax the State agencies, or the State bonds, or the bonds of any subordinate municipality. There is a rule of universal acceptance in the interpretation of a statute that the general language of the statute is to be read in connection with the constitutional limitations imposed upon the body enacting the statute. The bill contains this exception:

That nothing herein contained shall apply to States, counties, or municipalities; nor to corporations, companies, or associations organized and conducted solely for charitable, religious, or educational purposes, etc.

The difficulty about excepting in terms the bonds of the State, the bonds of a county, or the bonds of a city grows out of the further rule that whenever you attempt to enumerate the exceptions you are to be taken to intend to include all you do not in terms except. Now, then, if in attempting to enumerate those things which the Constitution of its own force excepts, we fail in the enumeration to include any character of securities that may not be taxed, it will be taken that we intended to violate the Constitution by taxing that particular security.

I take it that the courts will construe this law if passed as it now stands as evidence of an intention on the part of the Congress of the United States to tax such incomes, and such only, as may be constitutionally reached by the powers of taxation residing in the Federal Government; and it is better to let the courts settle this question than by attempting to enumerate fail to include the whole scope of the constitutional limitation and put ourselves in the attitude of intending to do that which we have no constitutional power to do.

Mr. ALLISON. May I call the attention of the Senator from Kentucky to the beginning of section 55? The language is as follows:

That in estimating the gains, profits, and income of any person there shall be included all income derived from interest upon notes, bonds, and other securities, except such bonds of the United States as are by the law of their issuance exempt from all Federal taxation.

Mr. LINDSAY. That is a proper provision. As explained by the Senator from Alabama, that is exactly proper. We tax all bonds and the incomes from all bonds that we may constitutionally tax, and we except the income upon the bonds of the United States, not because we have not the constitutional power to tax them, but because the bonds contain a pledge upon their face that they will not be taxed by the Government of the United States. So that exception rather strengthens than weakens the position I have taken, that this proposed act is to be read in consonance with the Constitution and subject to its limitations; and the courts are the proper tribunals in which those questions are to be settled.

Mr. MITCHELL of Oregon. May I ask the Senator from Kentucky a question?

Mr. LINDSAY. Certainly.

Mr. MITCHELL of Oregon. Does the Senator hold that Congress has not the power to impose this proposed tax upon the incomes arising from a State, county, or municipal bond?

Mr. LINDSAY. The inclination of my mind is to agree with the Senator from Alabama. If the clause provided that the incomes upon State bonds or county bonds or municipal bonds should be taxed I would hesitate to vote for the bill without striking out that express provision.

Mr. MITCHELL of Oregon. Now, another question. Inasmuch as the only exception contained in the beginning of this section is "such bonds of the United States as are by the law of their issuance exempt from all Federal taxation," how in the name of sense does the Senator come to the conclusion that there is any exception in favor of State, municipal, or county bonds?

Mr. LINDSAY. Because we might tax the bonds of the United States without violating any provision of the Constitution of the United States.

Mr. MITCHELL of Oregon. That is begging the whole question. That is simply stating that this is a good law, provided it is not unconstitutional. If it is unconstitutional then it does not apply.

Mr. LINDSAY. I do not think the Senator has exactly caught the point that I attempted to state. My point is that whenever there is a constitutional limitation upon the power of taxation there is no necessity for an exception *eo nomine*, as in the case of a State bond, a county bond, or a municipal bond, but where we may lawfully tax the income of a United States bond, in harmony with the provisions of the Constitution of the United States, then it is necessary to except that bond in terms; otherwise we will be taken to have attempted to tax it.

Mr. HOAR. Will the Senator permit me a question? As he stated very frankly in answer to the Senator from Oregon his opinion as concurring with the Senator from Alabama, let me ask the Senator whether he thinks that if we have the constitutional power to tax the income from State bonds, it is a good plan to do it?

Mr. LINDSAY. I am coming to that identical point now. The argument of the Senator from Massachusetts that if the income on State bonds, county bonds, or municipal bonds may be lawfully taxed it would tend to depreciate the value of the bonds, is an argument against any income tax at all, but it is not an argument why the bonds should be excepted from the general scope of taxation upon incomes. If a tax upon the income arising out of a State bond or a county bond will depreciate its market value, so will a tax upon the income from the bond of a private corporation or the bond of an individual depreciate its value. That is a legitimate and, I admit, a plausible argument against the imposition of an income tax; but there is no line of policy clear to me why we shall not tax incomes arising from all securities that may be constitutionally taxed.

Mr. MITCHELL of Oregon. Will the Senator from Kentucky allow me one question further?

Mr. LINDSAY. Certainly.

Mr. MITCHELL of Oregon. If this bill becomes a law just as it stands and the Supreme Court of the United States should ultimately hold that Congress had the power to impose a tax such as is proposed here on incomes arising out of State, county, or municipal bonds, does the Senator admit that this language is broad enough to impose a tax upon those bonds?

Mr. LINDSAY. I admitted that at the outset, and now, speaking to the Senator from Oregon, who favors an income tax, let me ask him, is there any reason why the speculator who receives an income from a State or a county bond should be exempted from a taxation that the speculator has to pay who holds the bonds of a private corporation?

Mr. MITCHELL of Oregon. I think there are very strong reasons arising out of public policy, but in addition to those I think there is no constitutional power to do it.

Mr. LINDSAY. There we agree, and there being no constitutional power to do it, I hold that there is no attempt in this bill to do it, and that is a sufficient answer.

Mr. GRAY. Mr. President, I have arrived at a point in the discussion of this proposed income tax where I find it is impossible to make any compromise with my convictions in regard to the provision under discussion. I may submit my views as to expediency and propriety to the greater wisdom of my fellows, but I can not so submit my views as to the fundamental questions which lie at the very foundation, of the exercise of the taxing power of the Federal Government. In all matters that regard taxation I find it impossible to ignore now, any more than at any other time, the existence of the States.

I believe it is the duty of each one of us intrusted with the high responsibility of legislation to keep in mind at all times our dual scheme of government. We can not lose sight for one moment of the great underlying fact that to the States, of which this Government is in one sense the general agent, belong perhaps the most important and largest function of taxation; that in creating the burdens that taxation always imposes, burdens never to be borne except they are accompanied by a public exigency, the States are in the largest degree interested.

I think it is not to be denied that so far as amounts go by far the largest amount of taxation springs directly from the power and the necessities of the States—State taxation, county taxation, municipal taxation, in their aggregate enormous and exceeding by many millions the aggregate of national taxation. That in the exercise of the legislative power with which we are intrusted and which we are now attempting to exercise we should keep in mind this double source from which the burden of taxation springs seems to me to go without saying.

There is another view to be taken of this question. Undeniably the Federal Government has the right, which it has often exercised, and, I take it, will exercise whenever the exigency arises, of exempting from taxation all the bonds that are issued by its authority. It has been found necessary, in order to market those bonds to the greatest advantage, that that exemption should be created by law. It is true we may either exempt them from taxation or we may impose the taxation, but our discretion is influenced entirely by the advantage accruing to, and the needs of, the Federal Government, and it has been found in the past that it was necessary to create that exemption.

Now, then, the States have found that the necessity of exemption of State credit was also one that was exigent and important to them, and they have exercised it in most cases in so far as to exempt the bonds issued by authority of the State and the interest thereon from taxation by the State. But the State can not exempt the holders of such bonds from taxation by the Federal Government unless the Constitution contemplates that exemption.

Now, without regard to the constitutional question, whether it may be decided one way or the other by the Supreme Court, I hold that it is our duty as legislators of the Federal Government to pay that respect to the autonomy of the States that we find is obliged to be paid to the autonomy of the Federal Government by the States. I do not believe that we should ever in this matter of imposing burdens take such a view of our duty as would permit us to degrade the States to the position of inferiority to which this discrimination would reduce them. I mean of being obliged to submit to Federal taxation upon their power to borrow money, while the Federal Government can take from the States all power to tax the income derived from Federal bonds.

Therefore, I do not think it can ever be for the advantage of the Federal Government to adopt such a course in this matter of taxation as puts the States in a position inferior to the Federal Government, or in one which tends to degrade them in this great dual system of ours.

Mr. PUGH. I fully agree with the Senator from Delaware and with my colleague in reference to this amendment; and I rose simply to suggest to the Senator from Delaware, in the line of his argument and in support of his opinion, that the power of a State to borrow money to carry on its own local government, to meet its own necessities, is a reserved power. It never has been delegated. If the power of taxation has been vested by the States in the Federal Government of what value is the reserved power of the State to borrow money when the States themselves, by delegating the taxing power to the Federal Government, have impaired its value? The Federal Government, by exempting from taxation its own bonds and the income arising from the interest on its bonds, is committed to the proposition. This bill itself recognizes that for this Government to levy a tax upon the interest of these bonds impairs their value as securities; that it impairs their value in the market when the Government undertakes to borrow money on its own credit.

Now, if the State has reserved the right of borrowing money and of issuing bonds to put upon the market to sell to raise money, it is to do it at a rate of interest; and it is the interest of the people of the State to get money at the lowest rate of interest possible. To say that the State in reserving the right to borrow money has parted with the power of protecting itself against the power of the Federal Government to tax the income arising from the interest upon the bonds, renders the power to borrow money utterly nugatory and puts it in the power of the Federal Government to destroy this reserved right of the States.

I agree with my colleague. I look upon the recognition of the exercise of this power as a blow at the credit of the States and the rights of the States from which they could not recover in a century. It would be far better for us not to derive a dollar by levying an income tax rather than have it done by exercising the power of destroying the reserved right of the States to borrow money to carry on their own local government. It centralizes the power of controlling the credit of the States in the Federal Government.

Mr. GRAY. I wish to interrupt the Senator from Alabama for a moment to suggest that in what I have said I have assumed, for the purpose of argument, that the Federal Government has the constitutional right to tax the incomes derived from State bonds or bonds issued under State authority, and that I feel myself even under such a proposition obliged to vote, for the reasons I have given, against the exercise of such a right. But I agree with the Senator from Kentucky, I agree with the Senator from Alabama, that there is no constitutional right to tax the instrumentality of borrowing money so necessary to State autonomy. However, I do not agree with my friend, the Senator from Kentucky, that because I so believe it is unnecessary in this bill to state what we think ought to be exempted from the universality of the language used. The language of the bill taxes incomes from all sources, from all bonds, and from all investments, without exempting or particularizing any.

It is quite true, as the Senator from Kentucky says, that if it be unconstitutional the Supreme Court of the United States will so decide. But whether the Supreme Court should so decide or not, I want to write into this provision my own protest against the constitutionality of such a power. I conceive it to be the duty of legislators here to take their own views of the Constitution of the United States when they are framing legislation and to so construct the bill as that it shall conform to their views on the constitutional question.

Mr. LINDSAY. Will it interrupt the Senator to ask him a question?

The PRESIDING OFFICER (Mr. MARTIN in the chair). Does the Senator from Delaware yield to the Senator from Kentucky?

Mr. GRAY. Certainly.

Mr. LINDSAY. The Senate has voted down the amendment which exempted State, municipal, and county taxation. Now, if the Senate incorporates an exemption of the taxation of State bonds alone, will it not follow as a reasonable interpretation that it did not intend to exempt county and municipal bonds?

Mr. GRAY. It will not, so for as I am concerned; nor do I think it will have any effect upon the Supreme Court of the United States when it comes to pass, if it should come to pass upon the constitutionality of this provision of the bill. But I still believe there is nothing inconsistent with the proper framing of a bill of this kind in exempting these incomes which are derived from a source that are beyond the reach of Federal taxation. I think that ought to be put in, in order that the people of the States need not be embarrassed by the necessity of appealing to the Supreme Court of the United States from the action of the collectors, who would undoubtedly, by the language of the bill, be compelled to put incomes derived from such bonds among the taxable incomes.

Mr. PUGH. I thought I would have nothing to say upon this bill at any stage of its progress, because I consider the time more valuable in voting than to be consumed in speaking. I

rose simply to express my condemnation of this attempt on the part of the Federal Government to levy a tax, an income tax or otherwise, upon the credit of the State and to undertake to distinguish between money in the hands of the holder of a State bond paid to him out of the State treasury on a State bond, and money paid out of the State treasury to the officials of the State.

I can not see any foundation for any such distinction. It is conceded that money in the hands of a State official can not be reached that was paid as his salary out of the State treasury. How is it that you can, by the exercise of the taxing power on the part of the Federal Government, reach the interest payable to the holder of a State bond out of the State treasury?

It is a plain proposition. You can not impair the official agencies of the State indispensable to its own administration by taking away the power or refusing to recognize it; you can not tax the money paid out of the State treasury to the State officials because it would impair that agency. Why is it that if you can reach the interest paid on State bonds to the holders of State bonds out of the State treasury you do not impair the power of borrowing money on the State bonds? It is perfectly preposterous to undertake to assert such a proposition.

Mr. GRAY. May I again interrupt the Senator from Alabama for a moment?

Mr. PUGH. I yield the floor.

Mr. GRAY. I do not want the Senator to yield the floor. I want him to go on with the very excellent argument he is making.

Mr. PUGH. I am through. I have put myself on record, and there I will stand.

Mr. GRAY. It is conceded on all hands that the States are inhibited impliedly from taxing the instrumentalities of the Federal Government in the way of borrowing money, because by so doing they would impair its sovereignty within its appropriate sphere. The State against the will of the Federal Goverument can not tax the income from a Federal bond. That reason must apply to the State and the State bonds with exactly the same force that it does to the Federal Government.

Mr. ALLEN. I should like to ask the Senator a question at this point. The Senator contends, as I understand him, that the power of the General Government to tax State bonds is questionable, because the power to issue State bonds is a necessary incident of its political existence. In view of the fact that each municipality or county is but a subdivision of the State, and therefore the agency of the State in carrying on the State government, would not the reasoning of the Senator from Delaware apply to municipal and county bonds equally with State bonds?

Mr. GRAY. I think it would, if I may answer frankly. The amendment we are concerned with here is a declaration (I will not say exemption, because if the Constitution exempts it we can not increase that exemption) that we do not intend to include within the catalogue of securities whose income is to be taxed bonds issued directly by the State.

Mr. ALLEN. Then, as I understand the Senator from Delaware, the logic of his argument is that all bonds issued by the State, by counties and municipalities——

Mr. GRAY. By its authority.

Mr. ALLEN. Or by its authority, by any subdivision, would also be exempt from taxation by the Federal Government, and that would eliminate every bond issued in the United States by authority. Now, let me make this suggestion——

Mr. GRAY. Let me just state my position. I said the inclination of my mind is to answer the Senator affirmatively to include all bonds issued by authority of the State. I can not say that I am exactly as clear upon that point as I am as to bonds directly issued for State purpose and in order to carry out and execute the functions of State government.

Mr. ALLEN. I wish to suggest to the Senator from Delaware that the States tax the bonds of counties, municipalities, townships, etc. It is not held by the State courts that that is any impairment of the power of the State to issue bonds through one of its instrumentalities or any impairment of the statutory right of one of the municipal corporations to issue bonds.

I desire to suggest to the Senator from Delaware this thought, that a Federal tax upon a State bond in the hand of the holder of that bond does not in any manner impair the power or the sovereignty of the State to issue bonds, and it does not in the slightest impair it any more than the tax of the State upon the bond that is issued by the country or municipality. When the bond of the State is issued and placed in the hand of the purchaser, it is private property from that time on, and the tax rests upon the holder of the bond, and in no manner impairs the power or the sovereignty of the State to issue the bond.

Mr. CAFFERY. I desire to ask the Senator from Nebraska whether or not, if a State has the power to issue a bond, it is not for the purpose of that bond being sold and being taken up by private parties or corporations, as the case may be, and whether or not, if you tax the holder of that bond, you are not impairing the State security just to the amount of the tax?

Mr. ALLEN. I do not think so at all. I think the same logic that is used by the Senator from Louisiana would apply to every promissory note, every mortgage, and every form of contract issued by a private individual. I think that it does not impair the power or the sovereignty of the State that issues the bond any more than it impairs the ability of the individual to issue his promissory note or his mortgage.

I was going to say—and that is all I want to say—it strikes me that the income tax as it now exists in this bill is impaired so that there is practically nothing to it. Everything has been exempted that could possibly be exempted upon any conceivable theory, and it is a mere eggshell to-day, without any meat in it. Here is an attempt to exempt from the income tax millions of dollars of State obligations and bonds which are held by the people of this country, and possibly by nonresidents. The income tax as originally framed could not be recognized by its author as it now exists in this bill.

Mr. CAFFERY. I understood from the statement made by the Senator from Delaware [Mr. GRAY] that the amendment offered by the Senator from New York [Mr. HILL] to exempt from the income tax municipal and county bonds and bonds of the States was voted down. I was not in the Chamber at that period, and being paired with the Senator from Montana [Mr. POWER] I could not vote upon it if here.

I desire to say, Mr. President, that I have heard no satisfactory answer no answer which to my mind brings any kind of conviction, to the interrogatory propounded by the Senator from Massachusetts [Mr. HOAR], whether, if the Federal power of taxation could not extend to the salaries of officials of a State, it could extend to the bonds of a State. There has no answer been given, and, in my opinion, none can be given to that interrogatory. There is much more reason why the United States can not tax or should not tax State agencies, particularly those agencies which raise revenue for the State, than that the United States can not tax salaries of State officials. There has no sufficient answer been given to that question and none, in my opinion, can be given to it.

What, Mr. President, is the purpose of the State issuing a bond? It is for the purpose of raising revenue and other matters of public moment; and a vital part of the sovereignty of the State would be attacked by any tax upon its power to raise revenue.

There is no sort of similarity between the power of the Federal Government to tax a State bond and the case presented by the Senator from Nebraska [Mr. ALLEN] as to the power of the Federal Government to tax the promissory note of the individual. It is all important to maintain in perfect integrity the power of the State government to carry on its fiscal operations. There lies the very essence of its sovereignty. If you destroy in any particular the power of the State to raise revenue, you strike a death blow at its sovereignty, for that sovereignty can only be maintained and the State government can only be run by the power of taxation.

In my State there was a legacy of a very considerable debt left from the reconstruction period. That debt has been funded into consolidated bonds, and by a wise and judicious management of State finances those bonds are now nearly at par. From about 47½ per cent, they have gone up to nearly 100 in the last fifteen years.

Our State has to provide against the annual overflow of the Mississippi River. The State has been divided into levee districts; they are subordinate municipal corporations of the State, and there have been transferred to them, in very large measure, all lands belonging to the State under the swamp land acts of 1849 and 1850. These levee districts have raised money by issuing bonds predicated upon a mortgage of these State lands thus donated to them. If this bill, with this particular feature passes, a very serious blow will be struck at the power of that State to prevent the annual overflow of the Mississippi River, to the great destruction of our people.

I think the constitutional point is well taken. If you can tax the instrumentalities of the State, particularly in this vital matter of raising revenue, you can destroy the State. There is no answer to that; there can be none. The constitutional barrier presents itself as an insuperable obstacle to the validity of this proposed income tax on State bonds.

Mr. President, I am told by the Senator from Kentucky that wherever there is a constitutional limitation, the words of the statute must be considered with reference to that limitation, but I will call his attention to the fact that this bill has very carefully excluded United States bonds from its operations, and another principle of construction will come in; that the exclusion of United States bonds is pregnant with the affirmative that all other bonds are included.

Mr. LINDSAY. I ask the Senator if in his opinion United States bonds may not be constitutionally taxed?

Mr. CAFFERY. By the United States Government; not by the State governments.

Mr. LINDSAY. That is, the bonds would be taxed if we had not been excluded from this bill?

Mr. CAFFERY. But the exclusion is in general terms. There is a general wording of the statute that embraces all bonds.

Mr. LINDSAY. All United States bonds.

Mr. CAFFERY. Here is a special exclusion, a special exemption, and the general rule of construction will apply, that everything not exempted is included. The tax collectors of the States will not pay particular attention to these constitutional objections, but as the Senator from Delaware [Mr. GRAY] well remarked, here is the place to settle this constitutional question, and not in the Supreme Court. Why embarass the Supreme Court with a question which the Senate of the United States can as well decide for itself here and now?

I shall be constrained, with my view of the unconstitutionality of this income tax on State bonds, to vote for the amendment proposed by the Senator from New York.

Mr. HOAR. I wish to say a word only in reply to the Senator from Kentucky [Mr. LINDSAY]. The Senator says that conceding that it would be unconstitutional to tax the bonds of the State, still we may make a general phrase, and leave it to the courts hereafter to settle.

Mr. President, I think that experienced Senator will not himself adhere to that argument. If it were true in any other kind of legislation, how is it possible that any careful lawmaker can act on that principle in a tax bill? A tax bill has to be carried into effect by hundreds of local officers all over the country, assessors formerly, and now collectors, and probably we shall require the United States assessor again before we get through with it.

The bill is to be carried out, first, by the assessment, then by the demand, and then, if the tax is not paid, by a distraint. The collector is to enter the household of the citizen, of the widow, or the unmarried woman, if she is a housekeeper, or a poor man or a rich man, or the man who lives 250 miles away from the United States court in the vast spaces of some of our Western States, and, according to the Senator from Kentucky, it is gravely proposed that, in regard to this question about which the Senate of the United States is pretty nearly evenly divided, whether this tax on State bonds or municipal, or town, or county indebtedness is constitutional, this law is to be enforced in the several districts, in the first instance, according to the opinion of the tax collector. So that in Western Missouri, or in Eastern Oregon, or in Southern Arkansas, anybody who happens to have a bond of this class is to be taxed for it according to the constitutional opinion of the local collector, and to have his household furniture seized in order to collect the tax, with a remedy to go by appeal if he chooses, by a series of suits to the Supreme Court of the United States, according to the opinion of the local officer on the constitutional question, in regard to which constitutional lawyers, like the Senator from Delaware and the Senator from Alabama on one side and the Senator from Missouri on the other, are divided. It does not strike me that that is sound policy in legislation. I think we should be derelict to our constitutional duty if we were to let loose on the country a law of that kind.

In the next place, I do not think this is a question for the Supreme Court of the United States, still less for the tax collector. I do not mean, of course, to say or to expose myself to the suggestion that I do not think we should bow to the Supreme Court if it should hold this tax to be unconstitutional; but if the nine gentlemen who sit, with so much honor to themselves and to the country, in that illustrious tribunal happen to think an affirmative exercise constitutional, which I believe unconstitutional, I think the State of Kentucky is the last place in this country from which the suggestion would come that I am bound to yield my opinion to them. We are bound to write in this tax law all such constitutional limitations as may seem in our judgment, as constitutional lawyers, to be sound and to be requisite.

The other suggestion of the Senator from Kentucky [Mr. LINDSAY]—for he contributed two to this argument—that when it is suggested that by this action you are to impair the credit in the market of every State in this country, you are going to do what was so well illustrated by the Senator from Louisiana [Mr. CAFFERY] in regard to his own State. The Senator from Kentucky said that is no more than you would do if you would put an income tax on any private contract. The answer to that seems to me to be one which can be made in a sentence. The whole private property of the citizen, with the exception of a few narrow constitutional limitations, is primarily at the service of the Government.

The preservation of the country is the supreme law; it is the bottom mortgage; it is the first and most sacred obligation, and therefore, of course, every private contract in this country must be subject to the supreme necessities of the State. The preservation of the State within its constitutional limits and for its constitutional functions is the supreme obligation, and therefore it is an essentially different thing to make a State contract uncertain in the matter of speculation, and so impair its value, the value of the public credit, upon which everything else in a time of danger is dependent, and to exercise the authority of the Government over private property, whether it depends on a private contract or whether it is property personal or real in the ordinary sense.

Mr. HAWLEY. Mr. President, I think it a wasteful process to tax State bonds either by an definite tax, and it is an equally wasteful thing to have it well understood by declaration, or by inevitable inference, that we have a right to tax them and are liable to tax them at any time. There is no financial benefit in it, but there is an injury. If a State desires to borrow money and publishes the fact that it will issue ten-year bonds at 3 per cent interest, the elements of the problem are very certain. The elements, excepting the condition of the public credit and business, are fixed.

The State knows precisely what it can do, and the bankers will bid with this knowledge; but if the Government puts a tax of a quarter of a cent upon those bonds, and it is understood and established that it will always be one-quarter of a cent, the States will lose something, to be sure; but they could borrow with some fixity and some certainty; but if a 3 per cent bond is issued, with the liability of having a mill or a quarter of a cent taken out of it, the bankers will take out more than a proportionate sum from their bid because of this uncertain element which enters into the contract.

So that you or the State will certainly lose by it; the upshot of it between the State and the General Government is a loss; a greater tax will come later on, and, instead of getting the bankers to bid 100 for a hundred-dollar bond, with this uncertainty of taxing the bonds hanging over them, they will not be likely to give over 96, for they will say "we do not know what Congress will do;" and there is where they are right. The tax may be a mill or 2 mills, or, if the Government is in great need, a quarter of a cent or half a cent. In fact, it is to a certain percentage a destruction of the State's right to borrow money. Leaving the constitutional question entirely out, and taking the pure financial question, you are wasting money by this proposition.

Mr. MITCHELL of Oregon. In some remarks I made this morning I referred to the Kentucky case, and I think I stated the decision of the Supreme Court in that case. The principle that was adopted subsequently by Congress was applied first in what is known as the Baltimore case—the United States *vs.* The Railroad Company, (17 Wallace, 322). That was a case where the city of Baltimore had subscribed for $5,000,000 of bonds of the Baltimore and Ohio Railroad Company, and the tax provided for by the internal-revenue act of 1864 was imposed upon the company. The company declined to pay, on the ground that it was a tax upon an integral part of the sovereignty of the State, namely the city of Baltimore.

The Supreme Court in that case held the contention to be good. Subsequently, in the case of Stockdale *vs.* Insurance Company, in 20 Wallace, 330, the same principle was recognized and adopted. Then the Congress of the United States, in the Fifty-second Congress, refunded to certain counties in Kentucky, to the city of Louisville in that State, and to the State of Tennessee taxes which they had paid, the refund by Congress being based upon the two cases to which I referred.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from New York [Mr. HILL].

Mr. HILL. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. GEORGE. Mr. President, I have some difficulty about this case, and I want to submit to the constitutional lawyers in this body a question, and especially do I desire to call the attention of the Senator from Delaware [Mr. GRAY] to a difficulty which I have, and I hope he may be able to remove it.

It seems to me, Mr. President—I may be mistaken about it—that a fundamental fallacy underlies all the arguments which I have heard here this morning urged against the constitutionality of the income tax so far as any part of that income might come from the interest upon State bonds. The case has been argued as if the proposition were to tax the State bonds *eo nomine* as so much property; as if this were an excise tax levied under the Constitution, under which the bonds issued by States are made subject to taxation for the benefit of the Federal Government. If that were the question before the Senate, it would be a very different one from the one really before it. If I am not

mistaken—I call the attention of the Senator from Delaware to that point—there is a vast difference, as it appears to me, between taxing incomes derivable from a nontaxable thing, and a tax upon the thing itself.

Under the Federal Constitution real estate or land can not be taxed except by the rule of apportionment, there being two rules for the levy of internal taxes under the Constitution, one the rule of apportionment, and the other the rule of uniformity. It was argued by the Senator from Massachusetts [Mr. HOAR] with some plausibility—but I think the Senate decided against him by a very large majority—that that provision of this income-tax law which taxes as incomes the rent coming from real estate was unconstitutional, because it was in effect taxing real estate, and real estate or land could only be taxed by the rule of apportionment, and this tax is by the rule of uniformity.

I should like to call the attention of the Senator from Delaware to that, and ask him if the Senate decided right then, if that decision can be maintained upon any other ground than that there is substantially and really, as matter of constitutional law, a difference between taxing a thing which the Constitution prohibits to be taxed and taxing the income of an individual, and including within that income the proceeds of the nontaxable property. That now is the position which Senators must take in order to make a good ground against the constitutionality of this income tax.

I want to call the attention of the Senator from Delaware and the attention of other Senators to some other troubles we shall have if we forget the plain and, as I think, the manifest constitutional distinction between a thing and that which might by some use of the thing produce an income. The Constitution of the United States prohibits the imposition of a tax upon exports. Is it now to be provided in this bill that any income derived by an exporter from dealing in exports is also to be exempt? The Constitution of the United States prohibits States—I mention that simply as an analogous argument—from taxing imports as well as exports. Is it to be argued that a State may not levy these taxes and impose an income tax upon an importer or include within the taxes which it imposes upon one of its citizens an income derived from imposts?

I present this to show that there must be a very plain and fundamental distinction between taxing a nontaxable thing under the Constitution and taxing the income of an individual, and including within it not the nontaxable thing, but some income or profit which might come from the use of this nontaxable thing.

Here is another trouble to which I desire to call the attention of the Senate.

Mr. GRAY. Will the Senator allow me, right there?

Mr. GEORGE. Let me get through. I shall only occupy a few moments.

Mr. GRAY. Allow me to suggest to the Senator, so that he may have it before him, what my distinction would be.

Mr. GEORGE. Very well.

Mr. GRAY. I submit to him, with great deference, as I always do when I differ with the Senator on a matter of constitutional or other law, that the reason why the State can not tax an import is because there is an express prohibition in the Constitution of the United States upon the States doing that thing.

Mr. GEORGE. I agree to that.

Mr. GRAY. But for that express inhibition, imports, like all other property, would be within the domain of State taxation. But the reason why, as I conceive, that a State should not tax either the bond or the income from a bond of the United States, does not rest upon any express inhibition, for there is none; but because both the bond and the interest paid upon it are an exercise of the essentially inherent sovereignty of the Government that does issue the bond.

So of the State. Its sovereignty within its appropriate sphere is complete. The reason why the power of the State to borrow money should not be impaired by the taxing power of the United States is not on account of any express inhibition in the Constitution of the United States, for there is none; but because in our scheme of government it has been deemed essential that neither the General Government on the one hand or the State government on the other should interfere with or should be conceived as having the power to interfere with those essential instrumentalities of government of either.

Mr. GEORGE. Mr. President, there is a very easy answer to the argument of the Senator from Delaware. There can be no more force in an implied prohibition in the Constitution than there is in an express prohibition in the Constitution. The question in either case is not how the thing is unconstitutional, but whether the thing itself be constitutional or not. So the Senator makes nothing, I humbly conceive, in drawing a distinction between an express prohibition in the Constitution of the United States against taxation and an implied prohibition in the Constitution, because in both the utmost force and effect which can be attributed to them means simply prohibition and no more.

Lest the Senator might think he was not sufficiently answered by reason of his allegation that the nontaxability of an income derived from State bonds comes from the fact that, if that were allowable, it would put it in the power of another agency, another sovereignty, to destroy or impair the operations of the State government. Am I correct in so translating the Senator's views?

If that be so, then would it not be the most singular thing that we should have forty-four States united under a common Constitution, and that each one of those forty-four States should have the power to tax these instrumentalities of its co-States and thereby destroy them?

If the Senator contends that it would, I ask him this question: Will he contend that the interest on a bond issued by the State of Louisiana, and held by a citizen of the State of Mississippi, could not be taxed in the State of Mississippi by her Legislature, in the possession of one of her own citizens, for the purpose of raising revenue?

Mr. GRAY. It can not be done. Let me say a word further, that the Senator may understand the position I take. The State of Louisiana, it is true, can not prevent the State of Mississippi from taxing the income of a citizen of Mississippi derived from a bond of the State of Louisiana. That is because there is no extra-territorial jurisdiction of the State; but the State of Mississippi can protect its own sovereignty within its own limits as to the conduct and obligation of its own citizens within its own borders, and when it permits those bonds to be taxed the power of the State goes with it, and therefore that does not interfere with the free agency of the State.

Mr. GEORGE. The Senator has unwittingly, forced by the circumstances of his argument, thrown away his whole case by the illustration. On what are we proceeding? We are proceeding, as the Senator himself admits, on an implied prohibition contained in the Constitution of the United States to tax incomes. That is his argument. His last position is that the Constitution of the United States can not protect a citizen of Mississippi against an unjust taxation imposed by the State of Louisiana, unless the State of Mississippi should interpose directly to do it? That surrenders the whole case. If it is unconstitutional to make that taxation, that is, unconstitutional as being a violation of the Constitution of the United States, it requires no interposition of the State in which the taxed man resides. He can go to any Federal court and have it enjoined.

Mr. President, I had these difficulties. I have listened with great attention to the very learned arguments made by Senators, and when I asked them to explain the ablest one among them—no; I shall not say that——

Mr. GRAY. That would be saying a great deal.

Mr. GEORGE. But I shall say a clear-headed constitutional lawyer undertakes to remove my first trouble by a distinction which never before, I suppose, existed in the mind of a constitutional lawyer, and could only have existed in his by being forced into it by the stress of his position, that there is a distinction between an express prohibition of the Constitution of the United States and an implied prohibition.

There is none. If a thing be unconstitutional and in violation of the Constitution of the United States, it is just as bad whether it comes from an express prohibition or from an implied prohibition. The only difference is that the man who argues in favor of the unconstitutionality of a certain provision has an easier task to perform to prove his proposition when he can put his finger upon an express prohibition. That is all. The Constitution is just as vigorous, just as efficient, just as strong to throw down and tear down and beat down everything which is in contravention of it, whether that thing be in contravention of an express prohibition or of an implied prohibition. It is all the same.

Here is another thing I should like the Senator from Delaware to explain. When this $500, or any other sum which comes to a taxpayer by reason of a payment to him of a debt due by the government of a State or the Government of the United States, when does that money cease to be interest?

Mr. GRAY. I refer the Senator to the case of Brown against the State of Maryland.

Mr. GEORGE. The Senator calls my attention to a case which I had in mind, of Brown against the State of Maryland. There the court held—without going into the specific details of the opinion—that when the thing ceased to be an import, it became taxable. So when this debt due by the Government ceased to be a debt, it became taxable. Is there any answer to that?

Mr. GRAY. I want to ask the Senator when the salary of a

State judge ceases to be a part of the treasury of the State, an instrumentality of the State, and becomes a part of the common property of the judge?

Mr. GEORGE. I shall answer that when I reach that point in the discussion. I am talking now about income. The Senator must remember that an income is something which comes to the man who owns it; it is his property; it is his income, let it come from what source it may. Can it be said that after the interest has been paid to the creditor that there is any debt then left?

By the way, Mr. President, if you look at the nontaxability of the Federal bonds, the argument goes upon the idea that you can not tax a debt due by the United States. It is the obligation that you can not tax. When the interest has accrued and been paid over, the debt is extinguished. What interest——

Mr. HILL. Will the Senator allow me?

Mr. GEORGE. Not now.

What interest has any human being, other than the person to whom the interest has been paid, in that particular money? Money has no ear-marks, Mr. President. A dollar is a dollar. You can not distinguish one from another. Will the Senator from Delaware or any other Senator say that the payment of the interest, when it goes into the man's general fund, still carries with it a sanctity of constitutional law which prohibits it from being taxed? Will they please note the time when it loses that sanctity? When does it end? If he mingles it with his other funds, as everybody else does, or if he deposits it in a bank to his general account with his other funds, has it then lost its identity, or will he have, in order to preserve the specific identity of the very dollars which have upon them the sacred baptism of having been paid by the Government of the United States as interest on his bond, to keep them all separate and apart?

I want the Senator to explain that. How does it happen that this money thus paid becomes liable to taxation? Will the Senator say when he parts with it to somebody else? That is a very curious kind of sanctity, an exemption to a dollar that happens to have the honor of having been paid by the Treasurer of the United States to a debtor of the United States, and that shall be all banished the very first moment that the man who got the money should see proper to use it.

The Senator from Delaware forgets, and all the Senators who adopt the same view forget, that money is worthless to a man until he parts with it. That is one of the singular things about money. So long as a man will not part with it, it is of no value to him. Then, I suppose, according to the argument of the Senators, that as long as a man keeps it as his own you can not tax it, but just the moment he undertakes to make it of some value to himself then it becomes taxable.

Mr. MITCHELL of Oregon. May I ask the Senator a question?

Mr. GEORGE. Not now.

That is the argument, that is the position to which Senators are driven who maintain the proposition which I humbly conceive—and I speak of it with some little diffidence, as I have not perhaps given this matter the study I should like to have given it, as I did not know it was coming up—but that is the position, I will not say the absurdity, but the inconsistency to which they are driven, unless they have a better explanation for it than they have given for it here to-day.

Mr. President, the Senator says the power to tax incomes is going to ruin the credit of the States; and the Senator from Alabama and the Senator from Louisiana seemed to think that if the world did not come to an end just the very day the tax was levied, certainly constitutional liberty would expire at that time, and we should have no more of the old system of constitutional government in this country.

Let us get out of all of that fine talk and come down to the very thing in the bill. Let us see what it is. A tax of 2 per cent upon an income, that is $2 in the hundred on the income—not $2 in the hundred on the principal which produces the income. That principal probably produces a hundred dollars at the rate of 3 per cent interest.

Have Senators considered how much a tax of 2 per cent upon the income of a bond-bearing 3 per cent interest would decrease the value of that bond? It is infinitesimal; I can not make the calculation. I believe some Senator said—I forget who it was—that if this thing were done bonds would go down and interest would go up to 10 or 12 per cent. If that is so, it is not because that is the legitimate logical result of this legislation, but it is because the men who deal in bonds speculate upon the misfortunes of their fellow-citizens. I say if this be so, it is because that class of men, without justification in the business aspect of the case, undertake to tax by increased interest the people of the United States, to punish them for an attempt on their part to levy a legitimate tax upon them.

Mr. President, I am not in favor of yielding to that kind of a menace. The Senator from Missouri [Mr. VEST] said a very true thing when he addressed the Senate upon this subject; that is, in all the exemption from taxation in the United States, the most unjustifiable was the exemption of bonds held by that class of men from taxation.

If they want to punish the people of this country by levying a tax which does not amount to prohibition as much as one-tenth of 1 per cent interest, by charging 4 or 5 per cent additional interest, all I have to say to them is, let them come and we shall try them on that. If they propose to raid the American people for the exercise of a common, fair, just right by extortion and pillage, we shall find some means of counteracting them.

So, Mr. President, to conclude the whole thing, to sum it all up, here is a Government tax to be levied for the support of the Government. I have a right to say that. We believe it is so, and Senators who argue for this exemption have no right to dispute that proposition. We decide that it is right and just and make this levy.

Sir, who are to be exempted? That class of our people who, of all others, ought to pay taxes. Those are all. I do not want to say anything to excite prejudice against bondholders, against millionaires, against rich people. That is a very cheap line of demagogy. I think a man has a right to fair and equal protection, whether he be worth a million dollars or whether he be worth $10; but I do not think he has any right to any more protection. I think a man who has made his million dollars by fair and honest and legitimate work is as much entitled to protection as a man who has made $10 by legitimate work: but he has not any more. If the humble are to be taxed for Federal purposes, as they are in the tax on consumption in all that they eat, in all that they wear, in all that they consume, it does seem to me, Mr. President, that the wealthy people of this country ought not to stand before the American people and claim an exemption from a tax so light as this.

That kind of claiming of exemption, that kind of claiming of special privileges, is the very thing which in these times men of wealth ought to avoid. If they will not avoid it upon a principle of honor, of decency, and of right, they ought to avoid it upon the more ignoble and selfish principle of self-preservation. That kind of claim has produced and is producing a prejudice against wealth and wealthy men which may, I fear, end in some attack upon the right of private property itself.

Mr. HILL. I desire to ask the Senator from Mississippi a question. I suppose he will answer me now.

Mr. GEORGE. I will answer any question I can.

Mr. HILL. I understood the Senator to say—I do not wish to misrepresent him—that in case Government bonds were exempted and nothing said about it, we should probably tax the interest?

Mr. GEORGE. That is my opinion, and I understood it to be the opinion of the Senator himself on last Saturday.

Mr. HILL. I suggested that point, but I call attention to the fact that I was antagonized in that very strongly by the distinguished Senator from Missouri, who held that that was rank repudiation.

Mr. GEORGE. Let me make a statement right there. The Senator said that when the bond itself was exempted the interest also was exempted.

Mr. HILL. Did I say that?

Mr. GEORGE. Is that the question put to me?

Mr. HILL. Yes.

Mr. GEORGE. I answer that in this way: The unpaid part which still remains a debt due by the Government to the holder of the bond stands on the same footing as the bond itself. As soon as the interest is paid the Government is no longer debtor and the money becomes the property of the individual. Then I think the rule is different.

Mr. HOAR. I desire to ask the Senator from Mississippi, when he gets through, whether he has made or does make in his own mind any distinction between the case of Buffington and Day, the case of the salary and the case of the interest received on Government bonds as an income. I do not know but that the Senator has spoken of this point when I was out of the Chamber.

Mr. GEORGE. I have not spoken of it.

Mr. HOAR. I should like to hear the Senator on that point.

Mr. GEORGE. I do not like to talk on that subject because it is not before the Senate. Whenever there is a proposition before the Senate to tax the salaries of State officers, then I shall answer the Senator's question. I do not care to discuss it now. I am glad the Senator from Tennessee is not here, for I should feel as if I were incurring his everlasting hostility if I were to discuss a pure abstract question now. I shall not do it.

Mr. HOAR. If the Senator from Mississippi will pardon me—he is a great constitutional lawyer, as we all know; he has been

a great chief justice of one of the States—I will state that I think that in the case of Buffington and Day——

Mr. GEORGE. Whether great or small, I have the right and the power of expressing opinions here if I wish.

Mr. HOAR. Certainly. The case of Buffington and Day is by some minds regarded as an authority on the question we are discussing. The court have held that you can not tax the salary of a State officer, because it is a tax on a State function.

Now they say, by the same reasoning exactly, that you can not tax the interest on State bonds because it is a tax on a State function. My suggestion to the Senator from Mississippi was not sarcastic or ironical, but with entire and most absolute respect. I do not think it is asking the Senator to discuss a question not before the Senate. It is asking him if he can tell us why that argument is not an authority deciding the question before the Senate. That is what I ask.

Mr. GEORGE. I can answer that.

Mr. HOAR. That is all. I did not say the Senator has been a chief justice or ask the question in any spirit of derision or in jest, but in absolute respect and good faith.

Mr. GEORGE. I will answer that question. It is a presumption upon which all salary laws are passed, though I regret to say that in reference to the salaries of Federal officials it is not always a just and fair presumption that the amount fixed for the salary is that sum which is necessary to secure to the State or the United States the services of a competent man to perform the duties of the office. I think I am right that far.

Now, if we allow an extra authority to come in and tax that compensation which the State has adjudged by its laws (and the State is the only competent authority upon that subject) is the sum which is sufficient to get a competent man to perform the functions of government intrusted to that officer, then we allow an outside authority to destroy the power of the State to have a competent officer. That is the plea for him which does not apply to business men who hold these bonds.

Mr. HOAR. Who buy them in the market.

Mr. GEORGE. Who purchase them in the market and hold them.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New York [Mr. HILL], on which the yeas and nays have been ordered.

The Secretary proceeded to call the roll.

Mr. CALL (when his name was called). I am paired with the Senator from Massachusetts [Mr. LODGE]. If he were present I should vote "nay."

Mr. MITCHELL of Oregon (when his name was called). I transfer my pair with the senior Senator from Wisconsin [Mr. VILAS] to the senior Senator from Nevada [Mr. JONES], and vote "yea."

Mr. MORGAN (when his name was called). I am paired with the Senator from Pennsylvania [Mr. QUAY].

The roll call was concluded.

Mr. CALL. I transfer my pair with the Senator from Massachusetts [Mr. LODGE] to the Senator from South Dakota [Mr. KYLE], and vote "nay."

Mr. FRYE. I am paired with the senior Senator from Maryland [Mr. GORMAN].

Mr. PATTON (after having voted in the affirmative). Has the junior Senator from Maryland [Mr. GIBSON] voted?

The VICE-PRESIDENT. He has not voted, the Chair is advised.

Mr. PATTON. I am paired with the junior Senator from Maryland, and therefore withdraw my vote.

The VICE-PRESIDENT. The Senator from Michigan withdraws his vote.

Mr. ALLISON (after having voted in the affirmative). I am paired generally with the Senator from Missouri [Mr. COCKRELL]. I understand he is necessarily absent for a portion of the day. Therefore I withdraw my vote, not knowing how he would vote on this question.

The result was announced—yeas 27, nays 30; as follows:

YEAS—27.

Aldrich,	Gallinger,	McMillan,	Pugh,
Caffery,	Gray,	Manderson,	Sherman,
Chandler,	Hale,	Mitchell, Oregon	Shoup,
Callom,	Hawley,	Perkins,	Squire,
Davis,	Higgins,	Platt,	Teller,
Dixon,	Hill,	Power,	Washburn.
Dolph,	Hoar,	Proctor,	

NAYS—30.

Allen,	Daniel,	Lindsay,	Roach,
Bate,	Faulkner,	McLaurin,	Turpie,
Berry,	George,	Martin,	Vest,
Blackburn,	Harris,	Mills,	Voorhees,
Blanchard,	Hunton,	Pasco,	Walsh,
Call,	Irby,	Peffer,	White.
Camden,	Jarvis,	Pettigrew,	
Coke,	Jones, Ark.	Ransom,	

NOT VOTING—28.

Allison,	Frye,	Lodge,	Patton,
Brice,	Gibson,	McPherson,	Quay,
Butler,	Gordon,	Mitchell, Wis.	Smith,
Cameron,	Gorman,	Morgan,	Stewart,
Carey,	Hansbrough,	Morrill,	Vilas,
Cockrell,	Jones, Nev.	Murphy,	Wilson,
Dubois,	Kyle,	Palmer,	Wolcott.

So the amendment was rejected.

Mr. HILL. I call the attention of the Senator from Missouri to the wording of that portion of section 55 which relates to what is called the inheritance and gift tax. The bill as it came to us from the other House provided for a tax upon all personal property received by gift, devise, and inheritance. The word "devise" was stricken out, because it relates only to real property. I suppose that is the point to the amendment.

Before making any motion in this regard I call the attention of the Senate to this omission. It has been said over and over again in the debate that the object is to have a perfect bill, to have as few exemptions as possible, so that the bill can be more easily defended. The bill purports to require every gift of personal property and all inheritances of personal property to be taxed 2 per cent, the same as all other items of taxation.

Mr. HOAR. I should like to ask the Senator from New York if the word "inheritance" is any more applicable to personal property than the word "devise"?

Mr. HILL. Yes, it is. "Inheritance" includes both real and personal property, and "devise" includes real estate alone under the technical legal definition.

The pending bill, then, in its present shape excludes all gifts of real estate, although made in contemplation of death, and all real estate which is inherited. There is no dispute about that fact. I call attention to the peculiar situation of the bill. The collateral-inheritance statutes in the various States, now known more properly as inheritance and gift acts, because they have been enlarged so as to affect not only collateral relatives, but direct relatives to a very large extent, affect, for the main part in the respective States, only personal property.

In preparing the proposed law the parties who drew the bill have seen fit to tax that same personal property. Real estate is not taxed under these gift and inheritance acts. The very property which the States themselves have not assumed to tax the General Government steps in and does not tax, but the General Government steps in and assumes to tax just precisely what the States in the main assume to tax. There are some States, of course, where real estate is taxed, but in the main throughout the country those statutes relate simply to personal property. I call the attention of the Senate and the country to the fact that here is an omission, plain and distinct, placed in the bill for some good purpose or some bad purpose or for some purpose or other, whereby this species of property is entirely exempt.

I listened Saturday last to the distinguished Senator from Missouri, who argued very eloquently and ably that if a millionaire has $5,000,000 of personal property—he made the illustration in bonds then; the bond part is not essential now—or $5,000,000 in money, which he wants to give to a child, that that personal property should be taxed. It is said that if he dies without a will and leaves the property to his children it ought to be taxed. The Senator said there might be $5,000,000 of property, and argued eloquently and ably that the Government had protected this property and that when the party, in view of death or by will, makes the gift, or the child receives the inheritance, it ought to be taxed.

I simply suggest for the consideration of the Senate what about a gift of real estate worth $5,000,000? What about receiving $5,000,000 worth of real estate by inheritance? It is exempted by the terms of the bill. Now, I desire to know from the distinguished Senator from Missouri what are the grounds of that exemption. Are they legal, constitutional, or is it deemed best as a matter of discretion to exclude this class of property?

Mr. VEST. This is an income tax, and that is the answer to the Senator from New York. This section, a part of which he now proposes to amend in section 54, provides that the income tax shall be laid upon any kind of property, rents, interests, dividends, salaries, etc.

Mr. HILL. Where is that provision?

Mr. VEST. On page 170, lines 15, 16, and 17. If we exempted the rents of real estate, then the argument of the Senator from New York would be entirely pertinent and proper; but we do nothing of the kind.

We tax all incomes from any source whatever, and we specify the income coming from real estate. This portion of the bill which the Senator proposes to amend refers to personal property that comes by gift or inheritance. If the Senator could

find any way to put real estate in the shape of an income derived by inheritance or gift, I should wonder at his ingenuity and ability, for I can not conceive how it could be done.

Mr. ALLISON. May I call the attention of the Senator from Missouri to line 25, page 171, which says, "the value of all personal property." Therefore personal property must be valued under the inheritance tax. I do not see any more difficulty in valuing real estate than personalty.

Mr. VEST. We put a tax immediately upon the income derived from real estate after it goes into the hands of the person to whom it descends. You can not, in my judgment, call it an income, when real estate is given to a party and you immediately put a tax upon the income derived from it.

Mr. ALLISON. Let me suggest an instance to the Senator. A person has $100,000 in realty and $100,000 in personal property, both acquired by inheritance. The tax-gatherer must value the personal property and collect 2 per cent upon it at once; not upon the income of it afterward, but upon the actual property. What greater difficulty is there in valuing realty and collecting 2 per cent upon it than upon personal property? I do not see it myself.

Mr. VEST. The law of 1864, and the bill as it came over to us from the other House, disposed of real estate by putting a tax upon the income derived from it. Now, when personal property on the other hand comes to a party, it is treated as money, and the language of the bill as it came from the other House, which is copied, I think, from the act of 1864, is:

> The amount of money, notes, bonds, choses in action, and the value of any personal property received by gift, devise, or inheritance.

Mr. ALLISON. That value must be appraised. Otherwise the officers would not know what it is.

Mr. VEST. As a matter of course.

Mr. ALLISON. So I do not see the difficulty in appraising real estate. I only call the attention of the Senate to it.

Mr. VEST. The proposed law here was dealing with personal property alone and money, which is personal property. The amendment which we made to the bill was simply to strike out the words "the amount of money, notes, bonds, choses in action," which are personal property, and say "money and the value of all personal property acquired by gift or inheritance."

In other words, the terms of the law originally in 1864 and in the bill as it came from the other House recognized the difference between perishable property or personal property and real estate, and put a tax upon the income of real estate and upon the personal property itself. As soon as a party receives from any one a piece of land, the income from the land becomes taxable under the proposed law, and therefore you can not say that the real estate is exempt from taxation.

Mr. HILL. The moment a party receives any personal property, does not the income thereafter become subject to the tax?

Mr. VEST. Yes. The phrase came to us in the bill originally and is found in the act of 1864. I suppose the assumption was that personal property could be used immediately and become a part of the income; that it was not like real estate, which is represented by its rent. The first part of the section to which I have alluded deals with real estate. The latter part of it deals with personal property. To increase the amount of liability to taxation by including in anybody's income not only the value of the real estate, but then proceed also to tax the rents of the real estate, it seems to me is a monstrous proposition, for it would be in the nature of double taxation and would be oppressive; but if the Senate upon argument thinks that is fair and proper, I have no pride of opinion about it.

Mr. PLATT. I do not think there ought to be included in the yearly income which is to be taxed, either the real estate which may be received by devise or personal property which is received by inheritance or gift.

Mr. HILL. I am going to make a motion also in regard to that provision.

Mr. PLATT. I do not think it is any part of the yearly income. I think it is entirely foreign to the scheme of the bill.

I wish to state, while I am up, that there is no feature of the English income tax which is so odious in England as what they call the death duties. That is the name which they have given this sort of taxation in England. The death duties are very odious, and they ought to be odious in this country. They are no part of a person's real income.

Mr. CHANDLER. There seems to be no doubt at all that the bill adopts an inheritance tax right into the body of it.

Mr. HILL. And calls it an income tax.

Mr. CHANDLER. It purports to be an income tax, but it is an inheritance tax upon personal property. There is no doubt about that. It is an inheritance tax upon personal property only.

I believe that the State of New York has within a very few years adopted an inheritance tax, and that it realizes from taxes on inheritances within the State a very large sum of money, $2,000,000 or $3,000,000 annually.

Now, the income-tax provision which in theory is intended to tax the income for one year and another year, and so on year by year, proceeds to take 2 per cent out of every inheritance of personal property, no matter how large it is. There can be no escape, as it seems to me, from the assertion that here is an inheritance tax upon personal property and not an inheritance tax upon real estate. It seems to me that the distinction which has been drawn by Senators here is absolutely good, and that you have adopted the most astonishing feature of putting into an income tax an inheritance tax.

You have discriminated against the person who inherits personal property and in favor of the person who inherits real estate. I do not see that the distinction which the Senator from Missouri makes can possibly be good, that it is justifiable to make this distinction because after you have imposed this income and inheritance tax you continue to tax the income from real estate.

Mr. VEST. Let me ask the Senator from New Hampshire a question before he takes his seat. How could you put this tax upon real estate unless you conform to the Constitution, which only permits the imposition of a direct tax on the basis of population?

Mr. CHANDLER. The Senator from Missouri is only arguing against a theory which I shall not defend. I think it is a fundamental error to undertake to put an inheritance tax into an income-tax bill, and I hope the Senator from New York——

Mr. VEST, The Senator from New Hampshire does not answer my question.

Mr. CHANDLER. Wait a moment. I hope the Senator from New York, instead of moving to add to the bill a provision that there shall be a tax of 2 per cent upon all real estate, will move to strike out the 2 per cent tax upon personal property. Now, I will hear the Senator from Missouri again.

Mr. VEST. The bill, if the Senator will permit me, only provides a tax of 2 per cent upon the income derived from real estate. The Senator does not answer my question. The Constitution of the United States provides that no direct tax upon real estate shall be levied unless it be according to population. How could we have put this tax upon real estate itself under that provision of the Constitution?

Mr. CHANDLER. I am happy to agree with the Senator from Missouri. I do not think he could have levied such a tax, but I think that therefore he had better strike from the bill the inheritance tax upon personal property. The Senator always convinces me when he is right.

Mr. VEST. I am glad to hear it.

Mr. CHANDLER. I always give careful and candid attention to the views which the Senator submits to the Senate. I think he is right in maintaining that you can not in the pending bill constitutionally tax an inheritance of real estate; but if you are dealing with incomes it is no reason for taxing an inheritance of personal property 2 per cent, once for all, by saying that as to real estate the annual income from it will be taxed in future years, because, as the Senator from New York has said, so will the income of the personal property be taxed in future years.

If you tax it 2 per cent as the inheritance tax and the person retains it in his possession when another year comes around, then of course you take the income derived from it and tax the income 2 per cent again. The proposition in the bill to add an inheritance tax is an anomaly which I am quite sure the Senator from Missouri, now that he has convinced himself that he can not constitutionally put an income tax on an inheritance of real estate, will strike out of the bill.

Mr. HILL. Mr. President, I wish to say a few words before I move an amendment to the bill. It is difficult, allow me to say, for me to defend any sort of these gift and inheritance taxes. They are taxes which are easily collected, but it always appeared to me as if they were imposed without regard to any fixed principle of taxation for the reason that if A is the owner of a large amount of real and personal property upon which he pays to his Government and State all taxes which can be properly imposed upon it while he owns it, simply because he wants to transfer the property by deed or will or bill of sale to his nephew, his protégé, or whoever he pleases, the Government or State steps in, and because of the mere act of transfer, takes some portion of that property, because the moment the property vests in the transferee the State and the Government can step in and still tax the property, both real and personal.

In other words, it is a tax upon the property *in transitu*. While A owned the property he paid the just demands of government and when he transferred it the transferee pays the just demands of government, State and national. Therefore I do not take much stock in the theory that the collateral inheritance or the

direct inheritance is founded upon any just principle. It is very difficult to defend it.

The first point which I am now making is that you have assumed to place in this tariff-reform bill first an income tax, and now you have endeavored to place in the income tax an inheritance. What a man receives by gift, that which he does not earn, is not an income within a proper sense of the term. That which my father leaves me by inheritance or by will is not an income within the proper, strict definition of the term. It is an inheritance. It is a gift which in my judgment ought not to be taxed by the General Government. At least there can be no sound reasons advanced why such a tax ought to be placed in the bill.

When the Senator from Missouri and the Senator from New Hampshire both agree upon the proposition that the income tax was withheld from real estate because of the want of constitutional power to impose it the matter needs a little further investigation. I am suspicious of the law when they both agree upon it.

Mr. CHANDLER. Will the Senator from New York allow me. A farm, a piece of real estate, passes from father to son to-day, and the Government by the bill would take, if such a clause were in the bill, 2 per cent of its value. Is not that a tax upon real estate? I agree with the Senator from New York that it is in no sense an income tax; it is an inheritance tax. But is there any possibility that when the Senator from Missouri and I agree upon that proposition, and the proposition itself is stated to the Senator from New York, he can get rid of the fact that it is a tax upon real estate if you take 2 per cent of it by the bill.

Mr. HILL. The chances are that both the Senator from New Hampshire and the Senator from Missouri are wrong, and the difficulty is simply that the income tax law of 1864 or some of the various provisions of the laws of 1861, 1862, 1863, or 1864 did contain just such a tax.

Mr. CHANDLER. Is the Senator from New York sure of that?

Mr. HILL. Yes, sir.

Mr. ALLISON. An inheritance tax is not an income tax.

Mr. HILL. Call it what you please; it matters not what you call it, the Supreme Court of the United States decided that the imposition of that tax was not a tax upon real estate, but that it was a tax upon what they called the devolution of real estate.

The court upheld the tax, making the distinction that Congress could not tax land directly except in the manner pointed out by the Senator from Missouri, but that it had a right to step in and make this devolution tax, which was a tax not upon the land itself, but a tax upon the transfer, and that made it constitutional. Therefore, much as I regret to disagree, there is no prohibition upon Congress constitutionally placing in the bill an inheritance tax or a tax upon devolutions, because we must bow with respect to the decision of the Supreme Court upon that subject.

It is of no consequence whether the committee misapprehended the law or whether they proceeded upon the ground that it is not constitutional to do it. It has been omitted, and the fact remains that they do not propose to tax real estate or the devolution of real estate. They do not propose, under the provisions of the bill, to tax an inheritance or a gift of real estate. I call attention to the fact that here is a large class of property which by the terms of the bill is omitted from taxation.

Now, shall we amend the bill by including this large amount of real estate? With some propriety that might be done, because, as I said a moment or two moments ago, you do not then conflict to any extent with the State governments, because nearly all the inheritance and gift taxes of the State governments are taxed upon personal property just as this is, and are not taxed upon real estate. But the pending bill seems to desire double legislation and taxes the very same gifts and the very same inheritances which the States tax, instead of taking real estate inheritances and the real estate gifts which the States as a usual rule do not tax.

I make no motion to include real estate, especially not now. I do not know, of course, how much revenue is expected or desired under the pending bill. I heard the colloquy which took place Saturday last between the distinguished Senator from Ohio [Mr. SHERMAN] and the distinguished Senator from Missouri [Mr. VEST], which ought to be repeated to and impressed upon the country. It is as follows:

Mr. SHERMAN. I desire to inquire of the Senator in charge of the bill whether he has an estimate from the Treasury Department, or whether he has made any estimate himself as to the amount which the income tax will probably yield?

Mr. VEST. There never has been any estimate from the Treasury Department, except one made in an informal way by the Commissioner of Internal Revenue as to the result of the tax upon corporations.

I will say very frankly to the Senator from Ohio, that the general estimate has been at $30,000,000, but I have never been able to find any reliable data on which to base an estimate, and I do not think anybody knows or can state what it will be.

I admire the frankness of the Senator from Missouri, but what a basis this is on which to frame a bill! Nobody knows what income is going to be produced.

Mr. ALDRICH. Will the Senator from New York allow me?

Mr. HILL. Certainly.

Mr. ALDRICH. It must have been extremely difficult for the Senator from Missouri or any other Senator to have made an estimate at any particular time as to the revenue to be derived from this tax, because the terms of the bill have been changed very frequently. The amendments which were offered very recently by the committee changed the revenue to be derived from the income tax very greatly. For instance, take the tax upon corporations. The tax upon corporations in the original Vest amendment, so called, would have been at least ten times as great as it is in the amendment as it now stands.

So, until the Senate shall determine to some extent at least what the provision of the income-tax part of the bill is to be, I think no intelligent estimate can be made as to the revenue. It may be $5,000,000, and it may be $50,000,000. I think, as it came from the House of Representatives, the revenue would have been nearer $50,000,000 than $30,000,000, and I am not sure but that as it stands now $30,000,000 would be a fair estimate of the revenue. But the terms of these various sections are so uncertain and indefinite that it is entirely impossible for any man, whether he be an expert or not, to make an estimate of its effect upon the revenues.

Mr. HILL. I know the difficulties which any expert must encounter, yet I think that by taking the census returns of wealth, and the House bill as it was presented here, or the Senate bill in substantially the shape in which it was originally reported, it would have been possible to have produced some estimate whereby we might have had some reasonably accurate information as to what we were doing. But now we are going it blind. It is conceded that we are. We are putting in not only an income tax without knowing what it will produce, but in addition to an income tax we are now putting in an inheritance and gift tax.

Mr. VEST. Will the Senator from New York answer me a question?

Mr. HILL. Yes.

Mr. VEST. I understand the Senator now to be attacking the committee because they are not able——

Mr. HILL. I am not attacking the committee.

Mr. VEST. Attacking the bill, then. There is no choice between the words.

Mr. HILL. I am making suggestions in regard to it.

Mr. VEST. The Senator is antagonizing the measure upon the ground that there is no estimate of the amount of revenue to be derived. Now, if I am not mistaken, here is a succession and inheritance bill, sent me by the chairman of the Ways and Means Committee, which I think was drawn by the Senator from New York. [Exhibiting.]

Mr. HILL (examining). I do not know where this bill came from.

Mr. VEST. I have understood—the Senator is entitled to have the question put frankly—that he is the author of the bill; that he could not introduce it in the Senate on account of the constitutional provision as to raising taxes, and it was sent by him to the Ways and Means Committee. I propose to ask him whether that is his bill?

Mr. HILL. It is a printed bill. It is not in my handwriting. I can not identify it.

Mr. VEST. The Senator can look at it and see whether the provisions in it were in the bill he drew.

Mr. HILL. I will answer the question in just a moment. When the tariff bill was first proposed and an income tax was suggested as a part of it, certain members of Congress, whose names I need not give, talked with me in regard to the income tax; and they suggested why would it not be proper to have such a tax as exists in the State of New York. I neither concurred in the propriety of that suggestion, nor did I oppose it. They asked me whether I was familiar with this subject, and I said that I was; that I had been interested in some very large litigations in the State of New York growing out of this question, which arose subsequent to my ceasing to be the chief executive of the State of New York.

I was entirely familiar with it. I was asked to prepare a bill for the taxation of collateral inheritances, which I did. I never introduced the bill; I never intended to introduce the bill. I could not, in fact, introduce it in the Senate, but at the personal request of the chairman of the Ways and Means Committee I gave him a bill, which was drawn after consultation with a distinguished lawyer of the city of New York, with whom I was associated in a somewhat famous litigation. In just so far, and so far alone, I was in part responsible for some bill which was passed over to the Ways and Means Committee.

Allow me further to say that it was intended as a substitute

for the income-tax provision and not as a part of it; but the Committee on Ways and Means seemed to grab both the income tax and then this tax, too, and made provision for both of them. I have never desired the General Government to pass either of these bills: but I was willing so far as I could, to assist the Ways and Means Committee, or certain other members of Congress who first spoke to me about it. Whether the Ways and Means Committee have incorporated it in here I am not prepared to say. I have thus answered the Senator's question very frankly.

I do not propose now to make a motion to tax real estate, or rather the devolution of real estate, which is the term used by the Supreme Court of the United States; but I do desire to call attention to the fact that the committee have omitted by the bill to tax real estate at all, directly or indirectly. They have framed a bill whereby the same property is taxed that the States themselves tax, and thereby there will be double taxation.

The first motion which I desire to make is to strike out the words at the bottom of page 171, in section 55, line 25:

Money and the value of all personal property acquired by gift or inheritance.

This motion does not involve now any question, constitutional or otherwise, relating to real estate. It involves simply the question of the propriety of keeping in the bill, which provides, first, for a tariff, and, second, for an income tax, the provision for a gift or inheritance tax. That this portion of the bill will realize a large amount of money there can be no doubt. It is a 2 per cent tax. Nearly all of the States which have this sort of taxation already tax the same class of property 5 per cent. This will make 7 per cent taxation, a burden which the estates can not very well bear.

As I said a moment ago, let your income tax be kept distinct and separate. I see no necessity for adding an inheritance and gift tax to the provisions for an income tax, because, as has been well said, it is not an income in the proper acceptation of the term. A gift is a matter of good fortune simply. A man makes a gift a half dozen times during his lifetime, and a person acquires property by the death of a relative but very few times in a lifetime. It is not an income in the proper sense of the term. Should the Federal Government step in and simply tax the charities of this world, simply tax the generosities of this world, simply tax the accidents of fortune, simply tax what a party leaves by his death in the way of personal property? I think not. Bear in mind, then, we will have double taxation—taxation of the State and Federal Governments.

I am making no question of the constitutional power of the General Government to impose this tax now. I simply say, that as a matter of propriety, as a matter of good legislation, it ought not to be done. I reiterate for the twentieth time that I stand here to protect the rights of the States in their proper field of taxation. You are taking away from the State governments large amounts of their revenues. These estates can not well pay these large sums. Let us leave something for the State governments. Tax the incomes of their citizens, tax their business if you please, but leave this inheritance and gift tax for the action of the State governments.

It seems to me that is proper and right, especially in view of the consideration that, in my judgment, there is no inherent justice in these taxes anyhow. I, owning property, pay my just taxes upon $10,000 worth of personal property all my life, and I desire simply to hand it over to my friend or any relative; I do not see the reason why for the mere act of the transfer the property should be taxed or the person should be taxed, and my transferee then pays his or her proportion of the tax after the property reaches him or her.

Mr. HARRIS. I move to lay the amendment of the Senator from New York on the table.

Mr. VEST. Will the Senator from Tennessee permit me to make a single statement?

Mr. CHANDLER. Will the Senator from Tennessee permit me to make a single statement?

Mr. VEST. I yield to the Senator from New Hampshire.

Mr. CHANDLER. I do not wish the Senator from Missouri to yield to me but I wish the, Senator from Tennessee to yield to both of us.

Mr. VEST. The Senator from Tennessee yields, and I yield to the Senator from New Hampshire.

Mr. HARRIS. These appeals overwhelm me.

Mr. CHANDLER. I knew they would. I desire to ask the Senator from New York whether he understands the Supreme Court of the United States decided that the succession tax of 1864 was constitutional?

Mr. HILL. I have been so informed.

Mr. CHANDLER. If that is true, while I shall make the best distinction I can on this joint proposition of the Senator from Missouri and myself, I shall be obliged to admit that the Senator from New York in his contention has the Supreme Court of the United States on his side. I do not know whether a little matter of that kind will trouble the Senator from Missouri or not. It does not trouble me a great deal as a matter of original opinion, and yet I suppose we should be obliged to submit, if the bill becomes a law, to a like decision which might be made by the Supreme Court of the United States if the Supreme Court should adhere to the decision formerly rendered.

In the act of 1864 there is included, not as an income tax proper, not in the body of the income-tax portions of the act, but as a separate part of the act, a tax upon the succession to personal property and a tax upon the succession to real estate and the same rates of taxation are fixed upon a lineal descent, as from father to son, 1 per cent on the value; where the descent is through a brother, 2 per cent, and 4 per cent, 5 per cent, and 6 per cent on different kinds of inheritances. There is also a similar rate of imposition upon the succession to real estate, as the Senator from New York has stated; the succession is termed a devolution:

The term succession shall denote the devolution of title to any real estate.

As I understand the Senator from New York, the Supreme Court in sustaining a war tax held that taxing the devolution of real estate was not taxing real estate within the meaning of any supposed prohibition of a tax upon real estate, a direct tax, unless it was made in proportion to the population of the United States. Upon that ground it does appear that the succession to real estate or the devolution of real estate was taxed in the act of 1864, and the constitutionality of that tax was affirmed by the Supreme Court of the United States.

So we stand here to-day in this condition, that contrary to the opinion of the Senator from Missouri and myself, so far as the Supreme Court of the United States is concerned, there may be a constitutional inheritance tax upon real estate as well as a constitutional inheritance tax upon personal property, and that being the case I continue to argue to the Senator from Missouri that either this inheritance tax ought to be stricken out of the bill and no attempt be made to inflict an inheritance tax, a succession tax, at the same time with the imposition of an income tax, or else that, to be consistent and to do equity, the inheritance tax ought to be imposed not alone upon the inheritance of personal property but it ought also to be imposed upon the succession to real estate.

I can not myself see any difference equitably between the two classes of inheritances. If you tax the amount of each, after you have taxed the two, the income in future years from both these classes of property will be taxable under an income tax, and there is no justice or equity in taking 2 per cent every year that an inheritance falls in from an inheritance of personal property alone and carefully refrain from taking it upon an inheritance of real estate.

Mr. VEST. Mr. President, I have but a single word to say in reply to the Senator from New York. As a matter of course I would not occupy the floor for a single second simply to convict the Senator of any inconsistency, if there should be any, as to his action in regard to this succession and inheritance tax; but I am glad to be able to reënforce the position of the committee in regard to this question by producing here the bill which the Senator from New York says he prepared at the instance of his colleagues in the other House.

I understand the Senator, in the first place, to declare great reluctance as to any succession or inheritance tax at all, and he has given his reasons for that reluctance. Then, in the second place, he insists that, if there is a tax upon inheritance, so to speak, or more properly the descent and distribution of personal property, it should also be upon the value of real estate which descends to an heir or is given to any person. Then he moves to strike out that language in the pending bill which puts the tax upon the value of personal property which comes by descent or distribution to any person.

It is entirely fair to assume—it would be an outrage to assume otherwise—that when the Senator from New York prepared this bill which he sent to his colleagues in the other House, and which I obtained from the Ways and Means Committee, he put into it suggestively at any rate what he considered fair and proper legislation, he says now, as a substitute for this income tax provision. Whether it be a substitute or an original measure does not matter. I state that as a matter of course he would not have suggested even what he denounces now as false and vicious legislation.

Now, this bill (which I propose to put in the RECORD, because I say it reënforces the position of the committee in regard to this legislation) puts an inheritance and succession tax upon all per-

sonal property or real estate of more than $5,000 in value; but the clause to which I ask attentions is as follows:

First. Where the person or persons entitled to any personal property, income, or beneficial interest therein shall be the lineal issue or lineal ancestor to the person who died seized or possessed of such property as aforesaid, at the rate of $1 for each and every hundred dollars of the clear market value of such personal property or interest therein: *Provided*, That real estate passing to the persons referred to in this subdivision shall be exempt from taxation under this act.

In other words, the bill drawn by the Senator from New York exempts the real estate, although he now attacks the bill pending in the Senate because it does not include real estate as taxable when going by devise to any person whatever.

Mr. President, this bill, which I propose to put in the RECORD, certainly shows what the Senator thought was good legislation upon this subject at that time. He says it was intended as a substitute for the provisions of the pending bill, and it contains substantially, if not identically, the same provision of which such great and strenuous complaint is now being made.

The bill referred to is as follows:

An act to impose a collateral inheritance, legacy, or succession tax.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That after the passage of this act all property, real and personal, whatsoever, which shall pass by will or by the intestate laws of any State or Territory from any person who shall die seized or possessed of the same, or any interest therein or income therefrom which shall be transferred by deed, grant, bargain, sale, or gift made or intended to take effect in possession or enjoyment after the death of the grantor or bargainer, to any person or persons, or to any body politic or corporate, in trust or otherwise, or by reason whereof any person or body politic or corporate shall become beneficially entitled in possession or expectancy to any property or to the income thereof (where the whole of such property shall exceed the sum of $5,000 in fair market value) shall be, and hereby is, subject to a tax or duty, to be paid to the United States as follows, that is to say:

First. Where the person or persons entitled to any personal property, income, or beneficial interest therein shall be the lineal issue or lineal ancestor to the person who died seized or possessed of such property as aforesaid, at the rate of $1 for each and every hundred dollars of the clear market value of such personal property or interest therein: *Provided*, That real estate passing to the persons referred to in this subdivision shall be exempt from taxation under this act.

Second. Where the person or persons entitled to any property, real or personal, or to any beneficial interest therein, shall be the brother or sister of the person who died seized or possessed, as aforesaid, or a descendant of such brother or sister, at the rate of $2 for each and every hundred dollars of the clear market value of such property or interest.

Third. Where the person or persons entitled to any real or personal property or to any beneficial interest therein shall be a brother or sister of the father or mother, or a descendant of a brother or sister of the father or mother, or the person who died seized or possessed, as aforesaid, at the rate of $4 for each of every hundred dollars of the clear market value of such property or interest.

Fourth. Where the person or persons entitled to any real or personal property or to any beneficial interest therein shall be a brother or sister of the grandfather or grandmother, or a decendant of a brother or sister of the grandfather or grandmother, of the person who died seized or possessed, as aforesaid, at the rate of $5 for each and every hundred dollars of the clear market value of such property or interest.

Fifth. Where the person or persons entitled to any property real or personal or to any beneficial interest therein shall be in any other degree of collateral consanguinity than is hereinbefore stated, or shall be a stranger in blood to the person who died seized or possessed, as aforesaid, or shall be a body politic or corporate, at the rate of $10 for each and every hundred dollars of the clear market value of such property or interest:

Provided, That all property real or personal or any interest therein passing by will, or by the laws of any State or Territory, or by deed, grant, bargain, and sale, or other conveyance, to husband or wife of the person who died seized or possessed, as aforesaid, shall be exempt from tax or duty, unless such interest shall exceed the clear market value of $50,000, in which case the excess only over and above that sum shall be liable to taxation at the rate of $1 for each and every $100 of the clear market value of such excess:

Provided further, That any personal property or legacy or interest therein passing, as aforesaid, to a minor child of the person who died possessed, as aforesaid, shall be exempt from taxation under this section, unless such property, legacy, or interest therein shall exceed the sum of $10,000, in which case the excess only above that sum shall be liable to such taxation at the rate of $1 for each and every $100 of the clear market value of such excess. The word "child" or "children" shall also include a child or children adopted as such, by the person who died seized or possessed, under and pursuant to the laws of any State or Territory; and the words "person" or "persons" in this act shall also include any body politic or corporate, organized under the laws of the United States or under the laws of any State, Territory, or foreign state or power.

SEC. 2. If a testator bequeathes or devises property to one or more executors or trustees in lieu of their lawful commissions or allowances, or makes them his legatees to an amount exceeding the commissions or allowances prescribed by law for an executor or trustee, the excess in value of the property so bequeathed or devised, above the amount of commissions or allowances prescribed by law in similar cases, shall be taxable under this act.

SEC. 3. *And be it further enacted*, That the tax or duty aforesaid shall be due and payable whenever the party interested in such property, real or personal, shall become entitled to the possession or enjoyment thereof, or to the beneficial interest in the profits accruing therefrom, and the same shall be a lien and charge upon the property of every person who may die seized or possessed thereof, as aforesaid, for ten years, or until the same shall, within that period, be fully paid to and discharged by the United States. It shall be the duty of every administrator, executor, or trustee having in charge or trust any property, real or personal, or interest therein, as aforesaid, to give notice thereof, in writing, to the collector or deputy collector of internal revenue of the district where the deceased testator, intestate, grantor, or bargainer last resided, within thirty days after he shall have taken charge of such trust, property, or interest.

SEC. 4. Every executor, administrator, or trustee shall be personally liable for said tax until the same is paid, and before payment or distribution to the heirs, legatees, devisees, or any parties entitled to said property or any beneficial interest therein, such executor, administrator, or trustee shall pay to the collector or deputy collector of the district of which the deceased was a resident the amount of tax or duty assessed upon such property, and shall also make and render to the said collector or deputy collector of internal revenue of said district a schedule, list, or statement of the amount and character of such property, together with the amount of duty which has accrued, or shall accrue, thereon, verified by his oath or affirmation, to be administered and certified thereon by some magistrate or officer having lawful power to administer such oaths, in such form and manner as may be prescribed by the Commissioner of Internal Revenue.

SEC. 5. The schedule, list, or statement referred to in section 4 shall contain the names of each and every person entitled to any beneficial interests therein, together with the clear market value of such interest; and upon such payment and delivery of such schedule, list, or statement said collector or deputy collector shall make out and deliver to such persons paying such duty or tax a receipt or receipts for the same, which shall be prepared as hereinafter provided. Such receipt or receipts, duly signed and delivered by such collector or deputy collector, shall be sufficient evidence to entitle such executor, administrator, or trustee to be credited and allowed such payment by every tribunal which, by the laws of any State or Territory, is or may be empowered to decide upon and settle the accounts of executors, administrators, and trustees.

SEC. 6. In case such executor, administrator, or trustee shall refuse or neglect to pay the aforesaid duty or tax to the collector or deputy collector, as aforesaid, within the time hereinbefore provided, or shall neglect or refuse to deliver to said collector or deputy collector the schedule, list, or statement of such property, real or personal, under oath, as aforesaid, or shall deliver to said collector or deputy collector a false schedule or statement of such property, or give the names and relationship of the person entitled to beneficial interest therein untruly, or shall not truly and correctly set forth and state therein the clear market value of such property or interest, and in case of willful neglect, refusal, or false statement by such executor, administrator, or trustee, as aforesaid, he shall be liable to a penalty of not exceeding $1,000, to be recovered with costs of suit.

SEC. 7. Any executor, administrator, or trustee on paying said tax to the collector or deputy collector within sixty days from the time of the death of the testator, intestate, grantor, or bargainer shall receive and be entitled to a discount of 5 per cent, which shall be allowed and deducted from said tax.

SEC. 8. Whenever the collector shall be dissatisfied with any statement, list, or schedule delivered to him as provided in the last section, or in case none shall be so delivered, or the tax shall not be duly paid, he shall commence appropriate proceedings, in the name of the United States, before any circuit or district court of the United States against any executor, administrator, trustee, or against such person or persons as may have the actual or constructive custody or possession of such property, real or personal, or any part thereof, and shall subject such property or any portion of the same, to be sold upon the judgment or decree of such court for the amount of said tax and costs, and from the proceeds of such sale the amount of such tax or duty, together with all costs and expenses of every description to be allowed by such court, shall be first paid, and the balance, if any, deposited according to the order of such court, to be paid under its direction to such person or persons as shall establish title thereto. Such decree or judgment shall likewise enforce the personal liability for said tax against any executor, administrator, or trustee. Upon the application of the collector or deputy collector, said circuit or district court shall, as often as and whenever occasion may require, appoint a competent person as appraiser to fix and ascertain the fair market value, at the time of the death of said testator, intestate, grantor, or bargainer, of the property of persons whose estates shall be subject to taxation under this act. If the property upon the passing of which a tax is imposed shall be an estate, income, or interest for a term of years, or for life, or determinable upon any future or contingent event, or shall be a remainder or reversion, or other expectancy, real or personal, the entire property or fund by which such estate, income, or interest is supported, or of which it is a part, shall be appraised immediately after the death of the testator, grantor, or bargainer, or as soon thereafter as may be practicable, at the fair, clear, market value thereof at that time: *Provided, however*, That when such estate, income, or interest shall be of such a nature that its fair and clear market value can not be ascertained at such a time, it shall be appraised in like manner at the time when such value first becomes ascertainable.

SEC. 9. Such appraiser shall forthwith give notice by mail to all persons known to have an interest in the property to be appraised, including the collector or deputy collector, of the time and place when he will appraise such property. He shall at such time and place appraise the same at its fair market value, as herein prescribed; and for that purpose the said appraiser is authorized to issue subpœnas to and compel the attendance of witnesses before him, and to take the evidence of such witnesses under oath concerning such property and the fair market value thereof, and he shall make report thereof and of such value in writing to such court, together with the depositions of the witnesses examined, and such other facts in relation thereto as the court may require.

SEC. 10. Every such appraiser shall be paid, on the certificate of the clerk of the United Stares circuit court in the district in which said proceedings shall be pending, a fair and reasonable compensation not exceeding dollars per day, together with the actual and necessary traveling expenses and fees of witnesses, which sum shall be paid by the collector out of any funds he may have in his hands on account of any tax imposed under the provisions of this act.

SEC. 11. The report of such appraiser shall be filed with the clerk of the circuit or district court in which said proceeding is pending, and from said report and other proof before the court, after hearing the parties, said court shall determine the cash value of all property and estates and the amount of tax to which the same are liable. Said court shall also have jurisdiction to hear and determine all questions arising under the provisions of this act. Upon such determination a decree or judgment for the amount of such tax shall be entered and may be enforced in the manner provided in section 7 of this act. Any person dissatisfied with or aggrieved by any determination, decree, or judgment under this act, including the collector, may appeal therefrom in the same manner and with the same effect as appeals are now taken from judgments or decrees under and pursuant to the laws of the United States in civil causes, providing that said appeal shall be taken within thirty days after the entry in said court of said judgment or decree.

SEC. 12. In any proceeding under this act, any collector is authorized to designate and retain such counsel as he shall deem necessary and proper to represent the United States therein, and to pay the expenses thereby incurred out of any funds which may be in his hands on account of this tax.

SEC. 13. The deed or deeds, or any proper conveyance of such property, personal or real, or any portion thereof, so sold under such judgment or decree, as hereinbefore provided, executed by the officer lawfully charged with carrying the same into effect, shall vest in the purchaser thereof, all the title of the delinquent to the property real or personal sold under and by virtue of such judgment or decree, and shall release every other portion of such property from the lien or charge thereon created by this act.

SEC. 14. Every person, or persons, body politic or corporate, who shall have in his or its possession, charge, or custody, any record, file or paper contain-

ing, or supposed to contain, any information concerning any property passing from any person who may die seized or possessed, as aforesaid, shall exhibit the same at the request of the collector or deputy collector of internal revenue in the district, and to any law officer of the United States, in the performance of his duty under this act, his deputy or agent, who may desire to examine the same. And if any such person having in his or its possession, charge, or custody any such records, files, or papers shall refuse or neglect to exhibit the same on request, as aforesaid, he or it so refusing shall forfeit and pay the sum of $500: *Provided*, that in all legal controversies where such deed or title shall be the subject of judicial investigation, the recital in said deed shall be prima facie evidence of its truth, and that the requirements of the law had been complied with by the officers of the Government.

SEC. 15. Any tax paid under the provisions of this act shall be deducted by the executor, administrator, or trustee from the particular property, legacy, distributive share, or interest on account of which the same is charged.

Mr. HILL. Mr. President, if the Senator from Missouri should come into my office and want me to draw his will and tell me that he wanted to give his property in a certain peculiar way, and wanted me to draw it that way, preserving all the legal forms, I would draw it that way, and I would not be held responsible except for the legality of the will itself. The propriety of the will is a matter that he would have to shoulder. So, when a client comes into my office and asks me to draw a lease, the terms of the lease are his own. I simply prepare the paper so that it shall be in terms constitutional and legal.

I decline to be held responsible for any bill which I drew at the instance of any members of Congress simply as a matter of favor. It did not even embody my own views and was substantially a copy, so far as it could be framed, of the laws of the State of New York, with a few alterations which were suggested. That is all there was of it. The bill did not meet my assent, except I am free to say if we were to choose between the income tax on the one side and that bill upon the other, I would prefer that. That is all there is of it, Mr. President. I have introduced and drawn bills for other people before, and I do not propose to be held responsible for their terms, except so far as the legality of the bills is concerned; I presume it would be constitutional and drawn in proper shape, but the merits is entirely a different question.

Mr. President, the inheritance laws of New York tax personal property. My present recollection is they also provide for a tax upon real estate where the real estate goes to collateral relatives. I think you will find that is the distinction. There was no effort here I think to provide for the collateral relatives especially by a higher tax. Still there may have been. It is some time ago, and the precise details of the bill have, of course, gone out of my mind. Never at any time have I favored identifying an inheritance or gift tax proposition with an income tax. Take out your income tax to-day and substitute that measure, and I should certainly favor the substitution of one for the other. I do not think that the country needs either of them, and I think that either of these propositions does injustice to the States of the Union.

The State of New York realizes some $3,000,000 annually from the inheritance tax. When this question was first suggested, the Legislature of New York passed a joint resolution substantially unanimously protesting against any tax being imposed by the Federal Government upon gifts or inheritances, on the ground that it was invading the province of the States. I have in my desk somewhere, or possibly I submitted them here, the joint resolutions of the Legislature of my State, by Republicans and Democrats alike, protesting against this tax.

Mr. President, this tax is to be defended not because somebody at any time drew a bill in regard to it. Place that tax bill as a separate proposition, and it will be defended upon its merits or condemned for its demerits. The question is, Do you not only need an income tax proper, but do you need the revenues which are to be derived from this inheritance and gift tax? I think not. I think it is wiser in framing our legislation to leave these revenues to the State governments. They will have but little left after this bill passes except real and personal property upon which they can impose taxation. For these reasons I think my motion to amend ought to prevail.

Mr. HARRIS. I move to lay the amendment on the table.

Mr. HILL. There will be no further debate. Will not the Senator allow a direct vote?

Mr. HARRIS. If I could be sure of that, I would quite as soon take the question on the amendment.

The VICE-PRESIDENT. Does the Senator from Tennessee withdraw his motion?

Mr. HARRIS. I do not.

Mr. HILL. I ask unanimous consent that a vote may be had upon the amendment now.

Mr. HARRIS. If unanimous consent is given, I will withdraw it, but not otherwise.

Mr. HILL. It seems to be given.

The VICE-PRESIDENT. Is there objection to the request of the Senator from New York? The Chair hears none. The question is on agreeing to the amendment of the Senator from New York.

Mr. HILL. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. GALLINGER (when his name was called). I am paired with the junior Senator from Texas [Mr. MILLS], who has been called from the Chamber, and I withhold my vote. I should vote "yea" if he were present.

Mr. HANSBROUGH (when his name was called). I am paired with the junior Senator from Illinois [Mr. PALMER], and withhold my vote.

Mr. SMITH (when Mr. MCPHERSON'S name was called). I desire to state that my colleague [Mr. MCPHERSON] is absent from the Senate owing to illness. He is paired with the Senator from Vermont [Mr. MORRILL].

Mr. SMITH (when his name was called). I have a general pair with the junior Senator from Idaho [Mr. DUBOIS], who is absent.

The roll call was concluded.

Mr. CALL. I transfer my pair with the Senator from Massachusetts [Mr. LODGE] to the Senator from South Dakota [Mr. KYLE], and vote "nay."

Mr. MITCHELL of Oregon. I transfer my pair with the Senator from Wisconsin [Mr. VILAS] to the Senator from Nevada [Mr. JONES], and vote "yea."

Mr. MORGAN. I wish to announce my pair with the Senator from Pennsylvania [Mr. QUAY].

The result was announced—yeas 26, nays 34; as follows:

YEAS—26.

Aldrich,	Frye,	Manderson,	Sherman,
Allison,	Hale,	Mitchell, Oregon	Shoup,
Chandler,	Hawley,	Patton,	Squire,
Cullom,	Higgins,	Perkins,	Teller,
Davis,	Hill,	Platt,	Washburn.
Dixon,	Hoar,	Power,	
Dolph,	McMillan,	Proctor,	

NAYS—34.

Allen,	Coke,	Irby,	Ransom,
Bate,	Daniel,	Jarvis,	Roach,
Berry,	Faulkner,	Jones, Ark.	Turpie,
Blackburn,	George,	Lindsay,	Vest,
Blanchard,	Gibson,	McLaurin,	Voorhees,
Caffery,	Gorman,	Martin,	Walsh,
Call,	Gray,	Pasco,	White.
Camden,	Harris,	Peffer,	
Cockrell,	Hunton,	Pugh.	

NOT VOTING—25.

Brice,	Hansbrough,	Morgan,	Stewart,
Butler,	Jones, Nev.	Morrill,	Vilas,
Cameron,	Kyle,	Murphy,	Wilson,
Carey,	Lodge,	Palmer,	Wolcott.
Dubois,	McPherson,	Pettigrew,	
Gallinger,	Mills,	Quay,	
Gordon,	Mitchell, Wis.	Smith,	

So the amendment was rejected.

SENATORS FROM LOUISIANA.

Mr. BLANCHARD. Mr. President, I rise to a question of high privilege. I present the credentials of Hon. DONELSON CAFFERY, elected a Senator from the State of Louisiana by the General Assembly of that State now in session, for the unexpired term of the late Hon. Randall L. Gibson, ending March 3, 1895. I ask that the credentials may be read and that the Senator-elect be sworn in.

The credentials were read, and ordered to be filed.

Mr. CAFFERY. Mr. President, I rise to a question of privilege. I present the credentials of Hon. NEWTON C. BLANCHARD, elected by the Legislature of Louisiana a Senator from that State to fill the vacancy occasioned by the resignation of Hon. E. D. White, in the term ending March 3, 1897. I ask that the credentials be read.

The credentials were read and ordered to be filed.

The VICE-PRESIDENT. The Senators-elect will please come forward and receive the oath of office.

Mr. HOAR. I understand the paper which was last read was presented by Mr. CAFFERY of Louisiana, whose term of office under the appointment of the governor had expired as soon as the Senate was lawfully notified of the action of the State Legislature. So I suppose the gentleman who presented the paper is not now a member of the Senate. However, I am disposed to waive the objection in consequence of my high personal respect for the Senator-elect.

Mr. CAFFERY and Mr. BLANCHARD were escorted to the Vice-President's desk by Mr. PASCO and Mr. CAMDEN, and the oath prescribed by law having been administered to them they took their seats in the Senate.

VENTILATION OF SENATE CHAMBER.

Mr. HALE. Mr. President, I wish to call the attention of Senators to the most intolerable condition this Chamber has been in during the day from the intense heat in the room.

There has been a good breeze out of doors all the afternoon. It has penetrated the corridors; they are cool and comfortable; but no matter what beneficent influences reign outside, none of them ever get into this Chamber. Somebody is at fault; I do not know who, but somebody, and the Senate ought to find out who it is.

I have had some experience and some service in this Chamber, and I have never before known the distressing conditions which have prevailed at the present session. There is gross carelessness and a wanton disregard of the health of everyone in this Chamber at the hands of somebody who is responsible. Without saying anything further, having called attention to what I know must have occupied the mind of almost every other Senator, I leave the matter there, trusting that it will be looked into. We are entitled to some system by which we may obtain some good fresh air in this Chamber and we do not get it.

THE REVENUE BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4864) to reduce taxation, to provide revenue for the Government, and for other purposes.

The VICE-PRESIDENT. The reading of the bill will be proceeded with.

Mr. McLAURIN. Last Saturday there were two amendments to the bill under consideration and adopted by the Senate, and as this is the last day on which a motion to reconsider can be entered, I desire to enter a motion to reconsider in each case. I do not desire that the motion shall be passed upon now by the Senate, because I do not wish to delay the reading of the bill, but I should like at this time to enter a motion to reconsider and have it acted on at the end of the reading of the bill. The first is a motion to reconsider the action of the Senate whereby the amendment was agreed to in line 13, page 172, by inserting after the words "United States" the words "not including the judges of the courts of the United States, but."

The next is a motion to reconsider the action of the Senate whereby it inserted in line 13, section 55, the follwing words, to wit:

Not including the salary of the President of the United States and the judges of the courts of the United States, but.

I desire to enter these motions.

Mr. HILL. Will the Senator from Mississippi allow me a moment?

Mr. McLAURIN. Certainly.

Mr. HILL. As far as the motion to reconsider the amendment excepting the President's salary is concerned, I desire to know whether the Senator voted in the affirmative?

Mr. McLAURIN. I will state candidly that I did not vote in the affirmative in either case, but as the yeas and nays were not taken, I have understood it to be the rule of all deliberative bodies (certainly in all deliberative bodies of which I have been a member) that that requirement does not apply. I am glad to say that I did not vote in the affirmative in either case.

Mr. HILL. It might be impossible to ascertain if the Senator stood upon his question of privilege and declined to answer as to whether he had or had not supported the affirmative or prevailing side, but the Senator frankly acknowledges that he voted against both amendments. I therefore raise the point of order that the motion to reconsider can not be entertained at this time. The Senator himself has no power to make the motion.

Mr. McLAURIN. After my frank avowal that I voted against the amendments? I suppose in any case a Senator would frankly avow his vote when he made a motion to reconsider.

Mr. HILL. Very well. I was going to suggest to the Senator, it is not a matter of very much consequence, because when the bill gets into the Senate those amendments can be reserved for a separate vote.

Mr. McLAURIN. I understand that, but I prefer to raise the question by a motion to reconsider for reasons that I do not feel it necessary to give.

As I was saying, any Senator will avow his vote on any motion to reconsider, but it has been the rule of all deliberative bodies of which I have any knowledge that the question can not be raised and is never raised where there was no record of the vote by yeas and nays. I do not think the point of order is well taken. I prefer to raise the question in this way. If the point of order is well taken I shall raise it in another way.

Mr. HILL. The Senator prefers to resort to the technical way, and of course he must be governed and adjudged by technicalities. I submit the question to the Senate that where a Senator acknowledges that he voted against a prevailing amendment he has no right to move to reconsider.

Mr. McLAURIN. I did not state that I preferred to raise the question in a technical way. I stated that I preferred to raise it in this way, by a motion to reconsider.

Mr. ALDRICH. I rise to a question of order.

The VICE-PRESIDENT. The Senator from Rhode Island will state his point of order.

Mr. ALDRICH. By the unanimous consent agreement under which we are proceeding the paragraphs and sections of the bill are to be taken up in their order, and certainly it is not in order for a Senator to move to reconsider a question which was acted upon at any time in the past. If that were the case there would be no end to this discussion; we would have questions of reconsideration pending all the time. I suggest to the Senator from Tennessee that this method of procedure would destroy absolutely the unanimous consent agreement upon which we are proceeding.

Mr. McLAURIN. If there is a unanimous consent agreement of that kind I shall not enter the motion, because I would be not only unwilling, but I would absolutely decline to violate any unanimous agreement that had been made by the Senate. If there is an agreement of that kind I was not aware of it.

Mr. HARRIS. There was a unanimous consent agreement that the bill should be read by paragraphs and the committee amendments disposed of first; that after that such amendments as Senators chose to offer should be received; and that we should proceed in that order. I did not hear the motion or suggestion of the Senator from Mississippi; but the Senator can avail himself of his opportunity hereafter, which will be just as ample as now. I hope he will not insist on going back to a part of the bill which has been passed upon as in Committee of the Whole.

Mr. McLAURIN. I ask the Senator from Tennessee if the unanimous consent agreement included an agreement not to enter any motions to reconsider. Is that his understanding of the agreement?

Mr. HARRIS. My understanding of it is that we shall proceed in regular order, reading paragraph after paragraph, and disposing of the committee amendments first and then such amendments as may be offered by Senators.

Mr. McLAURIN. I did not ask for the consideration of the motions to reconsider at this time. I merely wished to enter the motions.

Mr. HARRIS. The effect of going back to some past vote and asking to reconsider it now I think is hardly in keeping with the spirit and intent and purpose of the agreement that was made at the beginning.

Mr. McLAURIN. If that is the spirit of the unanimous consent agreement, I withdraw the motions to reconsider.

Mr. HILL. I move to amend section 55, on page 172, the second line, by inserting, after the word "whatever," the words:

Except rents from real estate.

Mr. President, I desire to say a few words upon this most important amendment. In the first place, I desire to ask the distinguished Senator from Missouri whether it is intended that rents from real estate shall be taxed under the provisions of the bill?

Mr. VEST. Unquestionably. There is a specific provision in the bill to that effect.

Mr. HILL. Where?

Mr. VEST. On page 170:

Whether said gains, profits, or income be derived from any kind of property, rents, interest, dividends, or salaries.

Mr. HILL. This brings up the question as to whether the method of taxation proposed by the terms of the bill is constitutional or not. A few moments ago it was said that real estate proper could not be taxed under an income tax; that if real estate is desired to be taxed it can only be done under a tax levied upon the respective States in proportion to their population, as required by the Constitution of the United States.

The point was suggested the other day that if real estate *per se* could not be taxed, the rental therefrom could not be taxed. I submit to the consideration of the Senate that a tax upon rentals of real estate is a tax of the use of real estate, that it is in substance a tax upon land, and is therefore within the prohibition of the Constitution.

This presents an entirely different question from that embraced in other portions of this section, whereby any income tax must be paid upon articles raised on the real estate. That must proceed upon the principle that the articles which are raised upon the real estate by being severed from the land become personal property and not a part and parcel of the real estate, and that it is to some extent immaterial where the articles were raised, so long as they belong to the party sought to be taxed. I am not clear that you have a right even to tax what is raised from real estate, the productions of real estate. I have, however, not seen fit to raise that question, but prefer to raise the clean, neat, legal question, whether you can tax the rental of real estate.

Mr. President, I need not reiterate the well-understood doctrine that the General Government can not do indirectly what

it can not do directly. A few moments ago the Senator from Missouri and the Senator from New Hampshire were disposed to acquiesce in the suggestion that real estate could not be included in a succession tax, because it was real estate, and although there was no tax *per se* upon real estate, yet there was a tax upon its transfer, which was virtually a tax upon real estate. I should have been prepared to say that their reasoning was sound and that they were right except for the fact that the Supreme Court of the United States had decided expressly the very point involved, and of course we must bow with all due respect to that decision.

But as an original proposition, I would be prepared to say that I think their position was the correct one, that it was virtually a tax upon real estate, and simply saying that it was a tax upon the transfer was an evasion of the real question involved.

But acquiescing in the decision of the Supreme Court, we are now presented with another question. Real estate can not be taxed directly by the General Government except upon a basis of population. Therefore a citizen owning some real estate, not using it himself, rents that property out. He derives not a certain proportion of its production. That would raise the other question. But he receives certain money rent; he receives certain sums for the use of that real estate.

Taxation of the use of real estate is taxation upon real estate. It is impossible to draw a distinction between the two. It seems to me this brings up the general question suggested so well and ably by the Senator from Massachusetts a few days ago. The rents of real estate issuing out of the land for money purposes being a part of the land, considered in some respects as personal property, in other respects in law regarded as realty, it strikes me are just as much protected as the real estate itself. The owner, instead of occupying it himself, leases out his property. The income that is derived from it arises out of the real estate. If the principal is exempt, the interest should be exempt.

You heard the argument made here the other day. I do not say that I entirely concurred in it. I simply suggested it, knowing what points would arise later in the discussion. If the bonds of the Government were simply themselves exempt, it was argued here with great force that whether the statute said that the interest should be exempt or not, the interest should be exempt upon the ground that it was so connected with the principal and so identified with it that the interest was to be exempted as a part of it.

I invoke that same argument, made here by several distinguished Senators, upon this point, and insist that the interest, or use, or rentals of real estate (and my amendment confines it to the single point of rentals) are exempt provided the real estate itself is exempt. This question is easily solved. Starting out with the position clear and distinct that the real estate can not be taxed directly, then that portion of the rents received from the real estate must be exempt also.

Mr. President, I do not propose to detain the Senate with any lengthy discussion of this question. It is a legal question. If we pursue the course suggested by the Senator from Kentucky, that we should leave all these constitutional questions to the court, then of course there should not be substantially any exemption. But it seems to me that the rentals of real estate should be treated upon the same plane and the same basis as real estate itself. While the States have the exclusive power to tax real estate, except under a particular form of taxation which is not this, the rentals should also go with that real estate and be entitled to the same privileges and the same exemptions.

I trust I have made myself clear on the point which I desired to make, and that is, of course, all I desire to do in the premises.

The PRESIDING OFFICER (Mr. MARTIN in the chair). The question is on the amendment of the Senator from New York [Mr. HILL].

Mr. HARRIS. If we can come to a vote upon the amendment without further debate, let the vote be taken. I rose to move to lay the amendment on the table.

Mr. HILL. I do not see that anyone desires to debate the question.

Mr. HARRIS. If we can come to a vote I shall not move to lay the amendment on the table.

Mr. HILL. I simply call for the yeas and nays on the amendment.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. GALLINGER (when his name was called). I announce my pair with the junior Senator from Texas [Mr. MILLS]. If he were present I should vote "yea."

Mr. MITCHELL of Oregon (when his name was called). I transfer my pair with the Senator from Wisconsin [Mr. VILAS] to the Senator from Nevada [Mr. JONES]. I vote "nay."

Mr. MITCHELL of Wisconsin (when his name was called). I have a general pair with the Senator from Wyoming [Mr. CAREY], but I have reserved the right to vote to make a quorum. If there is not a quorum voting, I vote "nay."

Mr. PUGH (when Mr. MORGAN'S name was called). My colleague [Mr. MORGAN] is paired with the Senator from Pennsylvania [Mr. QUAY]. Both Senators are absent.

The roll call was concluded.

Mr. CALL. I transfer my pair with the Senator from Massachusetts [Mr. LODGE] to the Senator from South Dakota [Mr. KYLE], and vote "nay."

Mr. GORDON. The Senator from Washington [Mr. SQUIRE] is paired with the Senator from Virginia [Mr. DANIEL]. I transfer my pair with the Senator from Iowa [Mr. WILSON] to the Senator from Virginia [Mr. DANIEL]. I vote "nay."

Mr. SQUIRE. I vote "nay."

Mr. WHITE (after having voted in the negative). I observe that the Senator from Idaho [Mr. SHOUP] is not present; and I therefore withdraw my vote.

Mr. ALLEN. I desire to state that the Senator from South Dakota [Mr. KYLE] is necessarily detained from the Chamber to-day. He is paired with the Senator from Massachusetts [Mr. LODGE].

Mr. GEORGE (after having voted in the negative). I inquire if the Senator from Oregon [Mr. DOLPH] has voted?

The PRESIDING OFFICER. The Senator from Oregon has not voted.

Mr. GEORGE. I withdraw my vote.

The result was announced—yeas 19, nays 36; as follows:

YEAS—19.

Aldrich,	Dixon,	Hoar,	Platt,
Allison,	Frye,	McMillan,	Power,
Chandler,	Hale,	Manderson,	Proctor,
Cullom,	Hawley,	Patton,	Washburn.
Davis,	Hill,	Perkins,	

NAYS—36.

Allen,	Coke,	Jarvis,	Pettigrew,
Bate,	Faulkner,	Jones, Ark.	Pugh,
Berry,	Gibson,	Lindsay,	Roach,
Blackburn,	Gordon,	McLaurin,	Squire,
Blanchard,	Gorman,	Martin,	Teller,
Caffery,	Gray,	Mitchell, Oregon	Turpie,
Call,	Harris,	Mitchell, Wis.	Vest,
Camden,	Hunton,	Pasco,	Voorhees,
Cockrell,	Irby,	Peffer,	Walsh.

NOT VOTING—30.

Brice,	George,	Morgan,	Smith,
Butler,	Hansbrough,	Morrill,	Stewart,
Cameron,	Higgins,	Murphy,	Vilas,
Carey,	Jones, Nev.	Palmer,	White.
Daniel,	Kyle,	Quay,	Wilson,
Dolph,	Lodge,	Ransom,	Wolcott.
Dubois,	McPherson,	Sherman,	
Gallinger,	Mills.	Shoup,	

So the amendment was rejected.

The PRESIDING OFFICER. The Secretary will read the next section.

Mr. ALLISON. What has become of all the amendments following in section 55? Have they all been agreed to?

The PRESIDING OFFICER. The Chair is advised that all have been agreed to, except the proviso at the end of the section, which was temporarily passed over.

Mr. ALLISON. Does the Chair state that all the other committee amendments have been agreed to in section 55?

The PRESIDING OFFICER. The Chair is so advised.

Mr. ALLISON. The last amendment to the section was passed over, according to my recollection.

Mr. VEST. I think that was passed over at the suggestion of the Senator from Rhode Island [Mr. ALDRICH]. Can not we dispose of that now?

Mr. ALDRICH. I think the suggestion was made by the Senator from Iowa [Mr. ALLISON], that we should pass it over until we disposed of the corporation features of the bill.

Mr. VEST. Of course, if the subsequent provisions of the bill are defeated this will fall with them.

Mr. ALDRICH. Let the amendment be adopted pro forma.

Mr. ALLISON. The Senator from Missouri offered an amendment, I understood.

Mr. VEST. I modified the amendment, and that was agreed to.

Mr. ALLISON. I ask the Secretary to read the proviso as it now stands.

The Secretary read as follows:

Provided, also, That in computing the income of any person, corporation, company, or association there shall not be included the amount received from any corporation, company, or association as dividends upon the stock of such corporation, company, or association if the tax of 2 per cent has been paid upon its net profits by said corporation, company, or association as required by this act.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the committee, as modified.

The amendment as modified was agreed to.

The PRESIDING OFFICER. The reading of the bill will be proceeded with.

The Secretary read as follows:

SEC. 56. That it shall be the duty of all persons of lawful age having an income of more than $3,500 for the taxable year, computed on the basis herein prescribed, to make and render a list or return, on or before the day prescribed by law, in such form and manner as may be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, to the deputy collector of the district in which they reside, or to such officer or agent as the Commissioner of Internal Revenue may designate, of the amount of their income, gains, and profits, as aforesaid; and all guardians and trustees, executors, administrators, agents, receivers, and all persons acting in any other fiduciary capacity, shall make and render a list or return, as aforesaid, to the deputy collector of the district in which such person acting in a fiduciary capacity resides, or to such officer or agent as the Commissioner of Internal Revenue may designate, of the amount of income, gains, and profits of any minor or person for whom they act, but persons having less than $3,500 income are not required to make such report; and the deputy collector, or officer or agent designated by the Commissioner of Internal Revenue, shall require every list or return to be verified by the oath or affirmation of the party rendering it, and may increase the amount of any list or return if he has reason to believe that the same is understated; and in case any such person having a taxable income shall neglect or refuse to make and render such list and return, or shall render a false or fraudulent list or return, it shall be the duty of the deputy collector, or officer or agent designated by the Commissioner of Internal Revenue, to make such list, according to the best information he can obtain, by the examination of such person, or his books or accounts, or any other evidence, and to add 50 per cent as a penalty to the amount of the tax due on such list in all cases of willful neglect or refusal to make and render a list or return; and in all cases of a false or fraudulent list or return having been rendered to add 100 per cent as a penalty to the amount of tax ascertained to be due, the tax and the additions thereto as a penalty to be assessed and collected in the manner provided for in other cases of willful neglect or refusal to render a list or return or of rendering a false or fraudulent return: *Provided*, That any party, in his or her own behalf, or as such fiduciary, shall be permitted to declare, under oath or affirmation, the form and manner of which shall be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, that he or she, or his or her ward or beneficiary, was not possessed of an income of $4,000, liable to be assessed according to the provisions of this act; or may declare that he or she has been assessed and paid an income tax elsewhere in the same year, under authority of the United States, upon his or her income, gains, or profits, as prescribed by law; and if the deputy collector, or other designated officer or agent, shall be satisfied of the truth of the declaration, shall thereupon be exempt from income tax in the said district for that year; or if the list or return of any party shall have been increased by the deputy collector, or other designated officer or agent, such party may exhibit his books and accounts, and be permitted to prove and declare, under oath or affirmation, the amount of income liable to be assessed; but such oaths and evidence shall not be considered as conclusive of the facts, and no deductions claimed in such cases shall be made or allowed until approved by the deputy collector, or other designated officer or agent. Any person feeling aggrieved by the decision of the deputy collector, or other designated officer or agent, in such cases may appeal to the collector of the district, and his decision thereon, unless reversed by the Commissioner of Internal Revenue, shall be final. If the person is dissatisfied with the decision of the collector he may submit his case, with all the papers, to the Commissioner of Internal Revenue for his decision, and if he desires to furnish the testimony of witnesses to prove any relevant facts he will also serve notice to that effect upon the Commissioner of Internal Revenue, as herein prescribed.

Such notice must state the time and place at which, and the officer before whom, the testimony will be taken; the name, age, residence, and business of the proposed witness, with the questions to be propounded to the witness, or a brief statement of the substance of the testimony he is expected to give.

The notice shall be delivered or mailed to the Commissioner a sufficient number of days previous to the day fixed for taking the testimony, to allow him, after its receipt, at least five days, exclusive of the period required for mail communication with the place at which the testimony is to be taken, in which to give, should he so desire, instructions as to the cross-examination of the proposed witness.

Whenever practicable, the affidavit or deposition shall be taken before a collector or deputy collector of internal revenue, in which case reasonable notice shall be given to the collector or deputy collector of the time fixed for taking the deposition or affidavit:

Provided further, That no penalty shall be assessed upon any person for such neglect or refusal or for making or rendering a false or fraudulent return, except after reasonable notice of the time and place of hearing, to be regulated by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, so as to give the person charged an opportunity to be heard.

The Committee on Finance reported to amend the section, on page 174, in line 20, after the word "day," to strike out "prescribed" and insert "provided;" in line 21, after the words "may be," to strike out "prescribed" and insert "directed;" in line 23, before the word "deputy," to insert "collector or a;" in line 3, on page 175, after the word "persons," to insert "or corporations;" in the same line, before the word "fiduciary," to strike out "other;" in line 5, before the words "deputy collector," to insert "collector or a;" in line 6, after the word "person," to insert "or corporation;" in line 7, after the word "resides," to insert "or does business;" in line 12, before the words "deputy collector," to insert "collector;" in line 19, after the words "render a," to insert "willfully;" in line 21, before the word "deputy," to insert "collector;" in line 24, after the word "person," to strike out "or his books or accounts;" on page 176, line 4, after the words "cases of a," to insert "willfully;" in line 11, before the words "in his," to strike out "party" and insert "person, or corporation;" in the same line, after the word "his," to strike out "or;" in the same line, after the word "her," to insert "or its;" in line 15, after the word "he," to strike out "or;" in line 16, before the word "ward," to insert "or its;" in line 19, after the word "he," to strike out "or;" in the same line, after the word "she," to insert "or it, or his, her, or its ward or benificiary"——

Mr. VEST. There is a misprint there in the spelling. The word "benificiary" should be "beneficiary."

The PRESIDING OFFICER. That verbal correction will be made. The reading of the amendments will proceed.

The SECRETARY. In line 20, before the word "pay," to insert "has;" after the word "upon," at the end of line 21, to insert "all;" in the same line, before the word "her," to strike out "or," and after the word "her" to insert "or its;" in the same line, after the word "profits," to insert "and upon all the income, gains, or profits for which he, she, or it is liable as such fiduciary;" in line 25, before the word "deputy," to insert "collector;" on page 177, line 1, after the word "declaration," to insert "such person or corporation;" after the word "any," at the end of line 3, to strike out "party" and insert "person or corporation, company, or association;" in line 5, after the words "increased by the," to insert "collector;" after the word "such," at the end of line 6, to strike out "party" and insert "person or corporation, company or association;" in line 8, after the word "may," to strike out "exhibit his books and accounts, and;" in the same line, after the word "prove," to strike out "and declare, under oath or affirmation:" in line 11, before the word "shall, to strike out "oaths and evidence" and insert "proof;" in line 13, before the word "deputy," to insert "collector;" in line 14, after the word "person," to insert "or company, corporation, or association;" in line 17, before the word "officer," to strike out "other designated" and insert "any;" in the same line, after the word "agent," to insert "other than the collector;" in line 20, after the word "if," to strike out "the person is;" in line 21, after the word "collector," to strike out "he may" and insert "such person or corporation, company or association;" in line 23, before the word "submit," to insert "may," and after "submit," to strike out "his" and insert "the;" on page 178, line 1, before the word "furnish," to strike out "if he desires to" and insert "may;" in line 2, after the word "facts," to strike out "he will also serve" and insert "having served;" in line 5, after the word "notice," to strike out "must" and insert "shall;" in line 12, after the word "Commissioner," to insert "of Internal Revenue;" in line 24, after the word "person," to insert "or corporation, company, or association;" on page 179, line 1, after the words "rendering a," to insert "willfully;" in line 3, after the words "to be," to strike out "regulated" and insert "prescribed;" and in line 4, after the words "internal Revenue," to strike out "with the approval of the Secretary of the Treasury, so as to give the person charged an opportunity to be heard;" so as to make the section read:

SEC. 56. That it shall be the duty of all persons of lawful age having an income of more than $3,500 for the taxable year, computed on the basis herein prescribed, to make and render a list or return, on or before the day provided by law, in such form and manner as may be directed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, to the collector or a deputy collector of the district in which they reside, or to such officer or agent as the Commissioner of Internal Revenue may designate, of the amount of their income, gains, and profits, as aforesaid; and all guardians and trustees, executors, administrators, agents, receivers, and all persons or corporations acting in any fiduciary capacity, shall make and render a list or return, as aforesaid, to the collector or a deputy collector of the district in which such person or corporation acting in a fiduciary capacity resides or does business, or to such officer or agent as the Commissioner of Internal Revenue may designate, of the amount of income, gains, and profits of any minor or person for whom they act, but persons having less than $3,500 income are not required to make such report; and the collector, deputy collector, or officer or agent designated by the Commissioner of Internal Revenue, shall require every list or return to be verified by the oath or affirmation of the party rendering it, and may increase the amount of any list or return if he has reason to believe that the same is understated; and in case any such person having a taxable income shall neglect or refuse to make and render such list and return, or shall render a willfully false or fraudulent list or return, it shall be the duty of the collector, deputy collector, or officer or agent designated by the Commissioner of Internal Revenue, to make such list, according to the best information he can obtain, by the examination of such person, or any other evidence, and to add 50 per cent as a penalty to the amount of the tax due on such list in all cases of willful neglect or refusal to make and render a list or return; and in all cases of a willfully false or fraudulent list or return having been rendered to add 100 per cent as a penalty to the amount of tax ascertained to be due, the tax and the additions thereto as a penalty to be assessed and collected in the manner provided for in other cases of willful neglect or refusal to render a list or return, or of rendering a false or fraudulent return: *Provided*, That any person or corporation, in his, her, or its own behalf, or as such fiduciary, shall be permitted to declare, under oath or affirmation, the form and manner of which shall be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, that he, she, or his or her or its ward or beneficiary, was not possessed of an income of $4,000, liable to be assessed according to the provisions of this act; or may declare that he, she, or it, or his, her, or its ward or beneficiary has been assessed and has paid an income tax elsewhere in the same year under authority of the United States, upon all his, her, or its income, gains, or profits, and upon all the income, gains, or profits for which he, she, or it is liable as such fiduciary, as prescribed by law; and if the collector, deputy collector, or other designated officer or agent shall be satisfied of the truth of the declaration, such person or corporation shall thereupon be exempt from income tax in the said district for that year; or if the list or return of any person or corporation, company, or association shall have been increased by the collector, deputy collector, or other desig-

nated officer or agent, such person or corporation, company, or association may be permitted to prove the amount of income liable to be assessed; but such proof shall not be considered as conclusive of the facts, and no deductions claimed in such cases shall be made or allowed until approved by the collector, deputy collector, or other designated officer or agent. Any person or company, corporation, or association feeling aggrieved by the decision of the deputy collector, or any officer or agent other than the collector, in such cases may appeal to the collector of the district, and his decision thereon, unless reversed by the Commissioner of Internal Revenue, shall be final. If dissatisfied with the decision of the collector, such person or corporation, company, or association may submit the case, with all the papers, to the Commissioner of Internal Revenue for his decision, and may furnish the testimony of witnesses to prove any relevant facts, having served notice to that effect upon the Commissioner of Internal Revenue, as herein prescribed.

Such notice shall state the time and place at which, and the officer before whom, the testimony will be taken; the name, age, residence, and business of the proposed witness, with the questions to be propounded to the witness, or a brief statement of the substance of the testimony he is expected to give.

The notice shall be delivered or mailed to the Commissioner of Internal Revenue a sufficient number of days previous to the day fixed for taking the testimony, to allow him, after its receipt, at least five days, exclusive of the period required for mail communication with the place at which the testimony is to be taken, in which to give, should he so desire, instructions as to the cross-examination of the proposed witness.

Whenever practicable, the affidavit or deposition shall be taken before a collector or deputy collector of internal revenue, in which case reasonable notice shall be given to the collector or deputy collector of the time fixed for taking the deposition or affidavit:

Provided, further, That no penalty shall be assessed upon any person or corporation, company, or association, for such neglect or refusal or for making or rendering a willfully false or fraudulent return, except after reasonable notice of the time and place of hearing, to be prescribed by the Commissioner of Internal Revenue.

Mr. ALLISON. Before we pass from this section, I suggest to the Senator from Missouri that in line 5, on page 179, the words he proposes to strike out, "with the approval of the Secretary of the Treasury," are the important ones that I suppose the Senator desires to strike out, and I ask him to allow the remaining words to stand.

Mr. VEST. I have no objection to that.

The PRESIDING OFFICER. The amendment to the amendment will be agreed to in the absence of objection. The question recurs on agreeing to the amendment as amended.

The amendment as amended was agreed to.

Mr. HOAR. I should like to ask the Senator from Missouri whether the Democratic agreement to take this bill as it is, no matter what anybody may think of it, extends to the spelling in line 19, on page 176, where the word "beneficiary" is spelled "b-e-n-i-fi-c-i-a-r-y."

Mr. VEST. That has been corrected. We knew the Senator from Massachusetts would object, and so we corrected it in advance.

Mr. HOAR. I supposed the Democratic caucus had probably adopted this spelling of the word.

Mr. VEST. Oh, no; we knew the Senator would find it out, and so we corrected it.

Mr. ALLEN. I offer an amendment to the section after line 10, on page 178.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. At the end of line 10, on page 178, it is proposed to insert:

Provided, That the Government may at the same time and place take testimony to rebut the testimony of the witnesses examined by the person taxed.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Nebraska.

Mr. HOAR. Why should not the Government be at liberty to take testimony at some other place, if it be more convenient?

Mr. ALLEN. I simply offered the amendment because this part of the section providing for the taking of testimony provides for the taking of evidence of witnesses on behalf of the person who is delinquent. I think the Government ought at the same time and place and before the same person have the right to take testimony to rebut the evidence taken by the tax debtor.

Mr. HOAR. I have not considered this question and it is not, I suppose, a very important matter, but it is hardly just to the Government to put it into the power of the taxed person to select the magistrate, to fix the time, and to fix the place where not only his own testimony shall be taken, but the Government testimony shall be taken. There is nothing that requires it to be done in the district. Suppose some taxpayer in the city of New Orleans should notify the Government official to go down there and take testimony about his property in Massachusetts; thereupon not only the testimony has to be taken there, but all the rebutting testimony. I leave it to the Senator from Missouri to look after this matter; but it strikes me that it is hardly a just arrangement.

Mr. ALLEN. I realize the force of the suggestion of the Senator from Massachusetts; but I think this statute ought to be broad enough to permit the Government to take testimony in rebuttal of the testimony of the tax delinquent at any time. I am perfectly willing to have this amendment so broadened that the Government may take the testimony before the same person at the same time and place, or before any other qualified officer at any proper time and place, upon five days' notice.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Nebraska.

Mr. HALE. I suggest to the Senator from Missouri that if he proposes to agree to this amendment he have it carefully prepared, so that if there is to be an examination, with counsel upon each side and at more than one place, it shall be so provided that at any hearing or examination due notice may be given to the other side; otherwise it would be a disadvantage, perhaps, at one time to the Government and at another time to the party taxed, if the testimony should be taken without due notice. The Senator from Missouri and the Senator from Nebraska can prepare the phraseology, and see that it is adapted to the subsequent sections.

Mr. VEST. The bill sufficiently provides for the protection of the citizen. As I understand the Senator from Nebraska, he is under the impression that the Government ought to be permitted to take testimony at the same time and place. The provision in the bill now requires that a sufficient notice shall be given to the officials of the Government so that they can be there and subject the witnesses to cross-examination. I have no objection to the amendment.

Mr. HALE. The Senator from Massachusetts proposes that the Government may have an opportunity to take testimony at some other time and place. If that be granted, clearly, therefore, it ought to be included that the other side shall have notice of that examination. My suggestion is only to the effect that the provision be carefully examined by the Senator from Missouri before he agrees to it becoming part of the proposed law.

Mr. CHANDLER. Mr. President, I desire to fortify the suggestion of the Senator from Maine [Mr. HALE] by calling attention to the fact that the amendment of the Senator from Nebraska [Mr. ALLEN] says that depositions may be taken by the Government at the same time and place, but it does not appear to require that notice shall be given of the names of witnesses. The provision as to the taxpayer requires him to state the time and place, "the name, age, residence, and business of the proposed witness." That is, of course, so that the Government may know what it is to meet. If the Government is to take testimony at the same time, it ought to give a like notice.

Mr. HALE. And under like restrictions.

Mr. CHANDLER. And there should be the same restrictions upon the Government.

While I think the provision moved by the Senator from Nebraska is well enough, it should certainly not give the Government the right to appear at the time of the taking of the deposition of any witness, or any number of witnesses, and take their testimony, without having previously given to the taxpayer the same notice which the taxpayer was compelled to give the Government.

Mr. ALLEN. I drew this amendment very hastily while sitting at my desk when the Secretary was reading the bill. I did not take the time to draw it with as much care as I should have done if this matter had come to my attention before. I introduced it more for the purpose of putting the committee on notice of the fact that this proposed law might be evaded, and that it would work a practical injustice to the Government.

It strikes me that it is absurd to say that a person who is assessed under this law and who is dissatisfied with the assessment, might appeal to the collector of internal revenue and take testimony in support of his appeal, and at the same time the Government be powerless to rebut the testimony taken or to introduce any new facts which might be essential to establish the truth. I take it for granted that, while my amendment is imperfect, having been drawn so hastily, the committee are put upon their notice, and that they will draft the proper amendment and submit it to us.

Mr. VEST. We considered these provisions of the bill very carefully, and I want to say now that I think if the Senator from Nebraska will examine the whole section carefully he will be satisfied that it is in very good shape as it now stands.

These provisions apply to a case where the collector increases the amount of the return made by any taxpayer, and if the taxpayer is dissatisfied with the action of the collector, he can then give notice, fix a day, and bring his witnesses to convince the collector that he has not diminished the amount of his return, but has made it correctly.

It is a question for the collector to be satisfied in regard to what has been done by himself. It is brought before him. It is not a proceeding in court of a plaintiff and defendant in the strict sense or in the proper signification of the term. It simply applies to a case where the collector for some reason comes to

the conclusion that the return is not a proper one and he increases it.

This practice obtains in a great many States. In my own State, for instance, where a taxpayer has not made a proper return of his property the officer, if satisfied that such is the case, that there has been some suppression of the truth or even some mistake, increases the amount of the assessment; and then we have a day there for correcting assessments, upon which the party may appear, bring his witnesses, and be sworn himself, and convince the officer, if he can, that the assessment is correct both as to quantity and as to value. That is all of it. I think there are sufficient safeguards here for the Government. The material point is to guard the citizen. He will have under the provisions of this proposed law every right that can possibly be conceived of under the circumstances.

Mr. ALLEN. I do not propose to be captious about this matter at all. I am well satisfied that the amendment I offered, or one similar to it, but probably broader, ought to be adopted if this bill becomes a law. As I understand the bill, any person who refuses to make a proper return to the assessor, or who willfully neglects to make that return, the assessor is authorized to assess him, and to make a list of his property from the best information he may be able to obtain. Then the delinquent is permitted to appeal from that assessment to the collector of internal revenue, and take evidence in support of his appeal.

I take it for granted that the man who will not make an honest return, or who will not make any return at all, proposes to defraud the Government. If he has an opportunity to make a return and will not make it, or if he has an opportunity to make a return and makes a fraudulent return, and compels the assessor of internal revenue to rely upon his own judgment and independent sources of information, I take it for granted that that kind of a man will pursue his fraudulent purposes further, and undertake to defeat the Government in getting a corrected return of his property and his assessable income.

If he is permitted to take testimony before some officer, and then appeal from that officer to the Bureau of Internal Revenue at Washington, I take it for granted that the Government may be defeated and will be defeated in a majority of instances in the collection of the proper revenue from that man by that merely *ex parte* method of doing business, and that fairness to this Government and good faith in the execution of this proposed law requires that the Government should have ample power to show that that man has made a fraudulent or an unjust return, and ample power to rebut all testimony that he may have produced; and, Mr. President, more than that, ample power on the part of the Government to introduce independent testimony showing the fact, independent of this evidence, that the assessment ought to be raised.

This proposed law, in my judgment, is absolutely harmless against a man who intends to defraud the Government with these provisions standing in it alone. It strikes me that there can be no glossing over of this matter. Every man who has had experience as a lawyer or who has had experience in the assessment of revenue understands full well how these laws can be evaded.

Mr. VEST. Let the amendment be read.

The PRESIDING OFFICER. The amendment proposed by the Senator from Nebraska will be stated.

The SECRETARY. At the end of line 10, on page 178, it is proposed to insert:

Provided, That the Government may at the same time and place take testimony to rebut the testimony of the witnesses examined by the person taxed.

Mr. VEST. I have no objection to that.

Mr. CHANDLER. I move to amend the amendment by inserting the words "upon like notice" after the words "take testimony."

Mr. HARRIS. I do not think there can be any objection to that.

The PRESIDING OFFICER. The amendment of the Senator from New Hampshire to the amendment of the Senator from Nebraska will be stated.

The SECRETARY. After the words "take testimony," in line 3 of the amendment, it is proposed to insert "upon like notice;" so as to read:

Provided, That the Government may at the same time and place take testimony, upon like notice, to rebut the testimony of the witnesses examined by the person taxed.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The PRESIDING OFFICER. The Secretary will proceed with the reading of the bill.

Mr. HILL. Mr. President, of course the same understanding exists with reference to all these sections, that at the end I may move to strike them all out.

Mr. VEST. Certainly.

Mr. HARRIS. That has been understood from the beginning.

The Secretary read as follows:

SEC. 57. The taxes on incomes herein imposed shall be due and payable on or before the 1st day of July in each year; and to any sum or sums annually due and unpaid after the 1st day of July as aforesaid, and for ten days after notice and demand thereof by the collector, there shall be levied, in addition thereto, the sum of 5 per cent on the amount of taxes unpaid, and interest at the rate of 1 per cent per month upon said tax from the time the same became due, as a penalty, except from the estates of deceased, insane, or insolvent persons.

The Committee on Finance reported an amendment to the section, in line 14, after the word "same," to strike out "became" and insert "becomes;" so as to read:

And interest at the rate of 1 per cent per month upon said tax from the time the same becomes due as a penalty, etc.

The amendment was agreed to.

Mr. HOAR. Is there anywhere in this bill a provision for exemption in the case of accident or mistake from this heavy penalty of 12 per cent, and, in addition, 5 per cent?

Mr. VEST. Oh, yes; there is a provision here which gives the Secretary of the Treasury ample power to correct any mistake or to remit any penalty.

Mr. HOAR. I supposed there would be such a provision somewhere.

Mr. VEST. The last provision at the close of the income tax.

The PRESIDING OFFICER. The reading of the bill will be resumed.

The Secretary read as follows:

SEC. 58. That every nonresident person owning property in the United States or receiving income from the United States shall pay a tax on the income received as if resident in the United States. Any such nonresident may also receive the benefit of the exemption by filing with the deputy collector of any district a true list of all his property in the United States, or sources of income, in the same manner as a resident is required to do. In computing income for purpose of exemptions he shall include all income from every source, but shall only pay on that part of the income which is derived from any source in the United States. In case such nonresident fails to file such statement, then the deputy of each district shall collect the tax on the income derived from his district, making no allowance for exemptions, and all property belonging to such nonresident shall be liable to distraint for tax: *Provided*, That nonresident corporations shall be subject to same laws as to tax as resident corporations, and the collection of the tax shall be made in same manner as provided for collections of taxes against nonresident persons.

The Committee on Finance reported an amendment after the words "Sec. 58," to strike out "that every nonresident person owning property in the United States or receiving income from the United States shall pay a tax on the income received as if resident in the United States;" in line 20, after the word "any," to strike out "such;" in the same line, after the word "nay," to strike out "also;" in line 21, after the words "benefit of the," to strike out "exemption" and insert "exemptions hereinbefore provided for;" in line 23, after the word "property," to strike out "in the United States or" and insert "and;" in line 24, after the word "income," to insert "in the United States;" in the same line, after the words "United States," to strike out "in the same manner as" and insert "and complying with the provisions of section 56 of this act as if;" on page 180, line 1, after the word "residents," to strike out "is required to do;" in line 2, after the word "income," to strike out "for purpose of exemptions;" in line 6, after the word "statement," to strike out "then;" in the same line, before the words "of each district," to strike out "deputy" and insert "collector;" in line 7, after the word "from," to insert "property situated in;" in line 8, after the word "district," to insert "subject to income tax;" in line 11, before the word "same," to insert "the;" and in line 12, before the word "same," to insert "the;" so as to make the section read:

SEC. 58. Any nonresident may receive the benefit of the exemptions hereinbefore provided for by filing with the deputy collector of any district a true list of all his property and sources of income in the United States, and complying with the provisions of section 56 of this act as if a resident. In computing income he shall include all income from every source, but shall only pay on that part of the income which is derived from any source in the United States. In case such nonresident fails to file such statement, the collector of each district shall collect the tax on the income derived from property situated in his district, subject to income tax, making no allowance for exemptions, and all property belonging to such nonresident shall be liable to distraint for tax: *Provided*, That nonresident corporations shall be subject to the same laws as to tax as resident corporations, and the collection of the tax shall be made in the same manner as provided for collections of taxes against nonresident persons.

Mr. HOAR. Should not the section be amended by inserting after the word "nonresident," in line 20, the words "but not a citizen of the United States," so as to make it conform to what has previously been done?

Mr. ALLISON. Should not the amendment come in on the next page?

Mr. HOAR. Yes; in line 3, on page 180, after the word "but," I move to insert "unless he be a citizen of the United States, he."

Mr. VEST. That is the meaning of it as it stands.

Mr. HOAR. These words should be inserted.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 180, line 3, after the word "but," it is proposed to insert "unless he be a citizen of the United States, he;" so as to read:

In computing income he shall include all income from every source, but, unless he be a citizen of the United States, he shall only pay on that part of his income which is derived from any source in the United States.

The amendment was agreed to.

The PRESIDING OFFICER. The reading of the bill will be resumed.

The SECRETARY. The Committee on Finance propose to strike out sections 59, 60, and 61, as follows:

SEC. 59. That there shall be levied and collected a tax of 2 per cent on all dividends in scrip or money thereafter declared due, wherever and whenever the same be declared payable to stockholders, policy holders, or depositors or parties whatsoever, including nonresidents, whether citizens or aliens, as part of the earnings, income, or gains of any bank, trust company, savings institution, and of any fire, marine, life, inland insurance company, either stock or mutual, under whatever name or style known or called in the United States or Territories, whether specially incorporated or existing under general laws, and on all undistributed sums, or sums made or added during the year to their surplus or contingent funds; on all dividends, annuities, or interest paid by corporations or associations organized for profit by virtue of the laws of the United States or of any State or Territory, by means of which the liability of the individual stockholders is in anywise limited, in cash, scrip, or otherwise; and the net income of all such corporations in excess of such dividends, annuities, and interest, or from any other sources whatever; and said banks, trust companies, savings institutions, and insurance companies, and other companies, and all other corporations, shall pay the said tax, and are hereby authorized and required to deduct and withhold from all payments made on account of any dividends or sums of money that may be due and payable as aforesaid, the said tax of 2 per cent. And a list or return shall be made and rendered to the deputy collector, or other officer or agent designated by the Commissioner of Internal Revenue, within thirty days after any dividends or sums of money become due or payable as aforesaid; and said list or return shall contain a true and faithful account of the amount of taxes as aforesaid; and there shall be annexed thereto a declaration of the president, cashier, or treasurer, or the principal accounting officer of the bank, trust company, savings institution, or insurance company, or other corporation, under oath or affirmation, in form and manner as may be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, that the same contains a true and faithful account of the taxes as aforesaid. And for any default in the making or rendering of such list or return, with such declaration annexed, the bank, trust company, savings institution, or insurance company, or other corporation making such default, shall forfeit as a penalty the sum of $1,000; and in case of any default in making or rendering said list or return, or of any default in the payment of the tax as required, or any part thereof, the assessment and collection of the tax and penalty shall be in accordance with the general provisions of law in other cases of neglect and refusal: *Provided*, That the tax upon the dividends of life insurance companies shall not be deemed due until such dividends are payable; nor shall the portion of premiums returned by mutual life insurance companies to their policy holders, nor the interest allowed or paid to the depositors in savings banks or savings institutions, be considered a dividends: *And provided further*, That this act shall not apply to the income or dividends received or paid by such building and loan associations as are organized under the laws of any State or Territory, and which do not make loans except to shareholders within the State where such associations have been organized. For the purposes of this act "dividend" shall include every payment in the way of division among the owners of the stock or capital of a corporation, or persons entitled to a share of its profits or income, whether such dividends are paid out of profits or not, or are paid in cash or otherwise.

SEC. 60. That any bank, building association, or other banking institution which shall neglect or omit to make dividends or additions to its surplus or contingent fund as often as once in six months shall make a list or return in duplicate, under oath or affirmation of the president or cashier, or principal accounting officer, to the deputy collector of the district in which it is located, or to the officer or agent designated by the Commissioner of Internal Revenue, on the 1st day of January and July in each year, or within thirty days thereafter, of the amount of profits which have accrued or been earned or received by said bank during the six months next preceding said 1st day of January and July; and shall present one of said lists or returns and pay to the collector of the district a duty of 2 per cent on such profits, and in case of default to make such list or return and payment within the thirty days, as aforesaid, shall be subject to the provisions of the foregoing section of this act: *Provided*, That when any dividend is made which includes any part of the surplus or contingent fund of any bank, trust company, savings institution, insurance or railroad company, which has been assessed and the duty paid thereon, the amount of duty so paid on that portion of the surplus or contingent fund may be deducted from the duty on such dividend.

SEC. 61. That any railroad, canal, turnpike, canal navigation or slackwater company, and any telephone, telegraph, electric light and gas company, water company, and any street railway company, or other corporation, indebted for any money for which bonds or other evidence of indebtedness have been issued, payable in one or more years after date, upon which interest is stipulated to be paid, or coupons representing the interest, or any such company or other corporation that may have declared any dividend in scrip or money due or payable to its stockholders, including nonresidents, whether citizens or aliens, as part of the earnings, profits, income, or gains of such company, and all profits of such company or corporation carried to the account of any fund, or used for construction, shall be subject to and pay a tax of 2 per cent on the amount of all such interest, or coupons, dividends, or profits, whenever and wherever the same shall be payable, and to whatsoever party or person the same may be payable, including nonresidents, whether citizens or aliens, and said companies are hereby authorized to deduct and withhold from all payments on account of any interest, or coupons and dividends, due and payable as aforesaid, the tax of 2 per cent; and the payment of the amount of said tax so deducted from the interest or coupons or dividends, and certified by the president or treasurer or other principal accounting officer of said company or corporation, shall discharge said company or corporation from that amount of the dividend or interest or coupon on the bonds or other evidences of their indebtedness so held by any person or party whatever, except where said companies or corporations may have contracted otherwise. And a list or return shall be made and rendered to the deputy collector, or other officer or agent designated by the Commissioner of Internal Revenue, on or before the 10th day of the month following that in which said interest, coupons, or dividends become due and payable, and as often as every six months; and said list or return shall contain a true and faithful account of the amount of tax, and there shall be annexed thereto a declaration of the president or treasurer or other principal accounting officer of the company or corporation under oath or affirmation, in form or manner as may be prescribed by the Commissioner of Internal Revenue, that the same contains a true and faithful account of said tax. And for any default in making or rendering such list or return, with the declaration annexed, or of the payment of the tax as aforesaid, the company or corporation making such default shall forfeit as a penalty the sum of $500 and double the amount of the tax; and in case of any default in making or rendering said list or return, or of the payment of the tax or any part thereof, as aforesaid, the assessment and collection of the tax and penalty shall be made according to the provisions of law in other cases of neglect or refusal: *Provided*, That whenever any of the companies or corporations mentioned in this section shall be unable to pay all of the interest on their indebtedness, and shall in fact fail to pay all of such interest, that in such cases the tax levied by this section shall be paid to the United States only on the amount of interest which the company pays or is able to pay.

And in lieu thereof to insert:

SEC. 59. That there shall be assessed, levied, and collected except as herein otherwise provided, a tax of 2 per cent annually on the net profits or income above actual operating and business expenses, losses, and interest on bonded and other indebtedness of all banks, banking institutions, trust companies, saving institutions, fire, marine, life, and other insurance companies, railroad, canal, turnpike, canal navigation, slack water, telephone, telegraph, express, electric light, gas, water, street railway companies, and all other corporations, companies, or associations doing business for profit in the United States, no matter how created and organized.

That said tax shall be paid on or before the 1st day of July in each year; and if the president or other chief officer of any corporation, company, or association, or in the case of any foreign corporation, company, or association the resident manager or agent, shall neglect or refuse to file with the collector of the internal-revenue district in which said corporation, company, or association shall be located or be engaged in business, a statement verified by his oath or affirmation, in such form as shall be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, showing the amount of net profits or income received by said corporation, company, or association during the whole calendar year last preceding the date of filing said statement as hereinafter required, the corporation, company, or association making default shall forfeit as a penalty the sum of $1,000, and 2 per cent on the amount of taxes due, for each month until the same is paid, the payment of said penalty to be enforced as provided in other cases of neglect and refusal to make return of taxes under the internal-revenue laws.

The net profits or income of all corporations, companies, or associations shall include the amounts paid to shareholders, or carried to the account of any fund, or used for construction, enlargement of plant, or any other expenditure or investment representing the net annual profits made or acquired by said corporations, companies, or associations.

That nothing herein contained shall apply to States, counties, or municipalities; nor to corporations, companies, or associations organized and conducted solely for charitable, religious, or educational purposes, including fraternal beneficiary societies, orders, or associations, operating upon the lodge system and providing for the payment of life, sick, accident, and other benefits to the members of such societies, orders, and associations, and dependents of such members; nor to the stocks, shares, funds, or securities held by any fiduciary or trustee of charitable, religious, or educational purposes; nor to building and loan associations or companies which make loans only to their shareholders; nor to such savings banks, savings institutions, or societies as shall, first, have no stockholders or members except depositors and no capital except deposits; secondly, shall not receive deposits to an aggregate amount in any one year of more than $1,000 from the same depositor; thirdly, shall not allow an accumulation or total of deposits by any one depositor exceeding $10,000; fourthly, shall actually divide and distribute to its depositors, ratably to deposits, all the earnings over the necessary and proper expenses of such bank, institution, or society, except such as shall be applied to surplus; and fifthly, shall not possess in any form a surplus fund exceeding 10 per cent of its aggregate deposits.

Nor to any insurance company or association which conducts all its business solely upon the mutual plan, and only for the benefit of its policy holders or members, and having no capital stock and no stock or shareholders, and holding all its property in trust and in reserve for its policy holders or members; nor to that part of the business of any insurance company having a capital stock and stock and shareholders, which is conducted on the mutual plan, separate from its stock plan of insurance, and solely for the benefit of the policy holders and members insured on said mutual plan, and holding all the property belonging to and derived from said mutual part of its business in trust and reserve for the benefit of its policy holders and members insured on said mutual plan.

Mr. VEST. I offer the amendment which I send to the desk to the first part of the section.

The PRESIDING OFFICER. The amendment will be stated.

Mr. VEST. I move to strike out the words down to the words "expenses of," in line 16 of the print I have, beginning "That there shall be." I desire to have the words I propose to insert read.

The Secretary read as follows:

That there shall be assessed, levied, and collected, except as herein otherwise provided, a tax of 2 per cent annually on the net profits or income above actual operating and business expenses, losses, and interest on bonded and other indebtedness.

The PRESIDING OFFICER. The Chair will state to the Senator from Missouri that the amendment proposed by him is embodied in the amendment which has just been read by the Secretary.

Mr. HILL. Have these amendments been printed?

Mr. VEST. Substantially the amendment which has just been read has been printed. I have changed one or two words in it, and the Secretary read the amendment as if a part of the text of the bill, which has created confusion. If he had read the text of the bill as it was, and then taken up the amendments, we could have proceeded regularly with them, but he has read the amendments as an original part of the text.

Mr. ALLISON. Has this amendment been agreed to?

Mr. ALDRICH. I suggest to the Senator that the paragraph in relation to bondholders or holders of certificates of indebtedness ought to be stricken out. Its object is provided for in other ways.

Mr. VEST. I had rather not strike out the whole paragraph, because it is entirely consistent now with other provisions of the bill.

Mr. ALDRICH. They can only be explanatory and might be confusing. It is entirely covered by the first of these paragraphs.

Mr. VEST. It does no harm in the bill.

Mr. ALDRICH. It might do a great deal of harm.

Mr. VEST. I now desire to offer an amendment which I did not hear the Secretary read, to insert at the end of line 11, of section 59, what I send to the desk.

The PRESIDING OFFICER. The Secretary advises the Chair that the same amendment was read at the end of the section.

Mr. VEST. That is what created the confusion. That was not a part of the text of the bill. It is an amendment proposed by the committee, and ought to have been read as an amendment. However, as it has all been read it may as well be acted on.

The PRESIDING OFFICER. The Chair understood the amendment proposed by the Senator from Missouri was in the nature of a substitute for sections 59, 60, and 61, and it was so read by the Secretary, embodying all the amendments which the Senator from Missouri has indicated.

Mr. PLATT. The Secretary read all the amendments which have been proposed?

Mr. VEST. As part of the text, and that has created confusion.

Mr. PLATT. I ask unanimous consent that the section as first read by the Secretary be considered as adopted.

Mr. ALLISON. Before that is done, I desire to amend some portions of it.

Mr. PLATT. Unless that can be carried out, I think the amendment regarding savings banks had better be read and adopted, and also the amendment regarding insurance companies.

Mr. JONES of Arkansas. That was read as a part of the amendment as submitted from the desk.

Mr. FRYE. And it has been adopted.

Mr. PLATT. It has not been adopted yet.

Mr. ALDRICH. But it is all open to amendment, as I understand.

Mr. VEST. If we had read the text of the bill as originally offered and taken up the amendments offered *seriatim*, there would not have been any trouble, and the amendments would be as if they were in the bill. I do not go by the new print, which is simply confusing, but I take the original bill and proposed to offer the amendments at their proper places.

Mr. ALDRICH. I suggest that the amendment as read by the Secretary at first be considered as the amendment of the committee and open to amendment.

Mr. VEST. I have no objection to that.

Mr. PLATT. That is what I suggested.

The PRESIDING OFFICER. If there be no objection, it will be so ordered.

Mr. HARRIS. That is exactly what has been done, and I do not think there is any censure to the clerk.

Mr. PLATT. Not at all.

Mr. HARRIS. The clerk announced that what he then proposed to read was in lieu of three sections which the committee recommended to be stricken out, and the substitute followed.

The PRESIDING OFFICER. The Chair was of opinion, and so announced, that the amendment proposed by the Senator from Missouri was in the nature of a substitute for sections 59, 60, and 61.

Mr. GRAY. Has the unanimous consent asked by the Senator from Rhode Island [Mr. ALDRICH] been acted upon?

The PRESIDING OFFICER. It has.

Mr. GRAY. That fixes it.

The PRESIDING OFFICER. It is considered as agreed to; and now the question is upon the amendment as a whole.

The amendment was agreed to.

Mr. ALDRICH. It is open to amendment now.

Mr. ALLISON. I move to amend on page 187, line 20, after the word "companies," by striking out the remainder of the paragraph.

The PRESIDING OFFICER. The Secretary will state the amendment proposed by the Senator from Iowa.

The SECRETARY. In line 19, on page 187, it is proposed to strike out all after the word "companies," as follows:

> And all other corporations, companies, or associations doing business for profit in the United States, no matter how created and organized.

Mr. ALLISON. Mr. President, I move this amendment for the purpose of ascertaining a little more fully the scope of the amendment as now proposed by the committee. Thus far it has been the purpose of the committee and of the Senate in dealing with amendments to liberalize these provisions. The amendment of the Senator from Missouri [Mr. VEST] on behalf of the committee strikes out three sections inserted by the House of Representatives, and in effect changes the scope of the original provision of these three sections. The three sections in the bill are taken principally from the old laws respecting incomes.

Those provisions were intended to make more certain the collection of the income tax, and were inserted in the law of 1862, the law of 1864, and the laws passed in subsequent years for that purpose. It was said then, as we have heard it said two or three times during this debate, that the income tax would be evaded by those who ought to pay it, and the object of inserting these provisions in the income-tax law during the war and after the war was to require the great corporations of the United States to pay the incomes for the beneficiaries, deducting the amount of the income from the interest on bonds and dividends paid and the money carried to surplus.

That was the original object, as I understand, of the sections relating to corporations, but in the sections of the original acts and the amendments every corporation was named; that is, the character of the corporation was named, and there were but two kinds of corporations in our income-tax law originally. Those were moneyed corporations, such as banks, trust companies, and quasi money corporations, such as insurance companies, building associations, etc. That was one class of corporations.

Another class consisted of transportation companies, which carried for hire. During all the period of the income tax from 1862 to 1871 no other class of corporations was included. All the small corporations of the country were left to the original operation of the income tax; their dividends were paid, if dividends were declared, and carried in the income statements and returns of the individual members of those corporations.

The House of Representatives in those three sections changed entirely—although they adopted substantially many features of the old laws—the character of the income tax by sweeping in not only the corporations named here and named in the old laws, but by sweeping in every corporation of every name and nature, no matter how created or how organized, or how small or how great. Thus it is, that we have in the pending bill a provision which not only applies to the great money corporations of the country and to the great transportation companies of the country, but which applies to every corporation, however small, in every State in the Union. That perhaps would not be so objectionable if it were not for the fact that by the terms of the bill there is a discrimination made against these people, which is an unjust discrimination.

We have decided here by several votes in this Chamber that every person who is liable to the income tax is authorized to exclude from his return his taxes upon that income; first, $4,000, and then he is allowed to exclude from it all the taxes which he pays, State, national, and municipal; thus swelling the exemption of each individual in many cases many thousands of dollars more. If, however, a man or a woman or a minor child holds ten shares in the smallest corporation in the United States, which yields only $50 upon those ten shares, that person is compelled to pay an income tax of 2 per cent upon those shares in that corporation.

Mr. President, I have waited to see whether the committee could not in some form, by some provision, provide for this great injustice which will apply to thousands and hundreds of thousands of people in every State of the Union.

Mr. HILL. If the Senator will allow me, I will suggest that at the proper time, on the conclusion of his remarks, I have three amendments to cover the very point which he suggests, which I propose to offer.

Mr. ALLISON. I do not, of course, know what amendments are to be proposed by the Senator from New York.

Mr. HILL. The Senator's criticism of the bill as it stands is perfectly well taken.

Mr. ALLISON. What I want to do now is to see if we can not do exact justice to these small investors. I want this bill, when it shall go from the Senate, to do as nearly equal justice as we can do to the small investors in the United States.

Mr. HALE. Let me ask the Senator whether he conceives that the language he seeks to strike out, "and all other corporations, companies, or associations doing business for profit in the United States, no matter how created and organized," would include any large corporations, or are all the large corporations, which he seeks to reach by this provision, provided for in the explicit clause which precedes these words?

Mr. ALLISON. There may be some large manufacturing corporations which would be excluded by the amendment I propose.

Mr. HALE. Would the Senator desire to exclude these, or could he frame his amendment by a limitation as to the amount of capital stock or something of that kind, so that these small concerns, which I think everybody wishes to encourage, would not be subject to the provision?

Mr. GRAY. As I read the language in the section, if you struck that out there would be nothing to apply to the sugar trust corporation, so called, the great industrial corporation.

Mr. HALE. The small concerns would be saved by inserting a limitation as to the amount of capital.

Mr. ALLISON. I do not wish to include in the amendment I have proposed any of the large corporations. I only move to strike these out for the purpose of reaching the point which I am making, and that is, that this section as it stands applies to the small corporations which are scattered throughout the United States. It may be limited, as the Senator from Maine proposes, by fixing the amount of bona fide capital paid in.

Mr. HALE. Let me suggest to the Senator whether it would not be better, lest this may exclude something which we all wish to have provided for, instead of striking out the words "all corporations, companies, or associations doing business for profit in the United States, no matter how created and organized," to add to them "whenever such corporation, company, or association shall not exceed in the amount of its capital stock paid in $100,000."

Would not that cover the thought which the Senator has in mind?

Mr. ALLISON. That covers practically one thought I have in mind, but there is still another thought to which I wish to refer before I take my seat.

Mr. President, there are in my State, I have no doubt, 500 corporations which are engaged in manufacture, in trade, and in business of various kinds, every one of which will be compelled, under this provision as it stands, to pay 2 per cent upon the profits which they make, practically the gross profits, upon the amount of money they have invested in the corporation. It would be an injustice to these people that this should be done. I desire that this shall be done either by excluding every corporation not named—and I am willing to name the great industrial corporations of the country, in order that there may be no mistake about that—or in any proper way; but I do not want to include the smaller corporations I have described.

Mr. FRYE. Will the Senator allow me a word?

Mr. ALLISON. Yes, sir.

Mr. FRYE. I presume it is true of the Senator's State, as it is of mine, that in every county in the State there is to-day a portion of the farmers who utilize their milk in making it into butter and cheese. I presume in my State there are one hundred of these associations where the capital stock would be twenty-five thousand or fifty thousand dollars, and all paid in by the farmers. Then they carry their milk and manufacture it into cheese or into butter or something of that kind, and divide the profits. Is it possible that the committee desire to impose a tax of 2 per cent on the net profits of those little concerns? They are hardly entitled to be called corporations, but they are. It is true all over the North that to-day the farmers work in that way in disposing of their milk. It is equally true in my State, and I suppose that it is in others, that there are little corporations which can fish and lobsters, and things of that kind with perhaps a capital of only $25,000.

Mr. HALE. It applies to almost every form of human industry. It is the fashion now instead of making a partnership to form these little associations and put in twenty-five, forty, or fifty thousand dollars. They ought to be encouraged rather than discouraged.

Mr. HOAR. This does not include partnerships. It applies only to companies, corporations, or associations, not partnerships.

Mr. HILL. It makes a discrimination against corporate investments.

Mr. ALDRICH. I should be glad to have the Senator from Missouri state whether the interpretation given to this bill by the Senator from Massachusetts in his opinion is a correct one, because if the word "association" here includes partnerships, as the Senator from Massachusetts stated, as I understand——

Mr. HOAR. I did not say that.

Mr. ALDRICH. That is what I understood the Senator to say.

Mr. HOAR. I said "companies."

Mr. ALLISON. I do not understand, and I should be glad to have the Senator from Missouri state, whether he understands that this section and the subsequent sections regulating this subject are intended to deal with anything but associated corporations?

Mr. VEST. That is the meaning of it. I have not had any doubt about it. If I had intended to use the word "partnerships," I should have said "partnerships." For instance, take building and loan associations. That is the way they style themselves. They are not called "companies;" they are not called "corporations" *eo nomine*, but they are called "associations." Two or more individuals associate themselves, and we have a chapter in the Revised Statutes of Missouri which provides for these associations. They are quasi corporations.

Mr. HALE. That is not a private business partnership.

Mr. VEST. No; that is not a partnership.

Mr. ALLISON. The amendment suggested by the Senator from Maine of a limitation upon the capital and another amendment which I shall be glad to offer later on, cover the point I desire to make as to this subject especially, but I do not see why it is that we should not be absolutely careful to exclude from the operations of this act all these small corporations. We have just liberalized this very provision by excluding from the calculation bonded indebtedness of every kind, and other indebtedness, and we have remanded to the individual person who receives an income from bonds the question of making his return of that income in this very provision as now amended by the Finance Committee.

We have thus eliminated every suggestion that the corporation itself shall deduct the income from its bonds and charge it over to the bondholders, as the original income tax law did. There is nothing now to be taken from the great body of these corporations except the dividends, and they are to be deducted and the receiver of the dividend can then put in with his exemption the amount paid by the corporation on his behalf. So I shall modify my amendment by providing that this shall not apply to any corporation, company, or association having bona fide paid-up capital of not exceeding $100,000.

Mr. HALE. Let those words come in at the end.

Mr. ALLISON. It is a purely arbitrary distinction; but you must make this distinction at some point, unless you strike out all these private industrial corporations.

Mr. HOAR. I have drawn an amendment which should come in as an addition to the language of the original text before it is struck out, to which I should like to have the Senator from Iowa listen, if he will. I do not want to take him off the floor.

Mr. ALLISON. I will listen to the Senator.

Mr. HOAR. There are in my State, and I suppose in nearly all the States now, an enormous number of persons who form themselves into what are called joint stock companies, but which are corporations in the law for two purposes, first, to escape the personal liability for debt beyond the limit fixed, whatever it may be, and, next, so that whenever a single partner goes out or dies or becomes insolvent on his private account, or anything else which would dissolve the corporation, there is not to be a legal liquidation of the whole concern. These two latter are quite as important as the former.

Some of these companies never divide. One instance came to my knowledge the other day which was founded with a capital of about $80,000, and had a very profitable business, and increased to an investment of $800,000, I suppose without any debts at all, the original capital stock of which company would come within the Senator's amendment. At the same time this corporation, if it is to be taxed at all, should have an exemption of a sum equal to the aggregate of the exemption of the men who compose it. Suppose they are not allowed the exemption on their other property. Here are two men who go into partnership; they put in their whole property and their whole labor, and they do not divide anything except what is necessary for a frugal support.

Mr. ALLISON. That reaches another point with which I did not intend to deal.

Mr. HOAR. Is not that an absolutely just principle universally comprehended, that such an institution shall pay on its receipts, it having the benefit only of the exemptions which the men who compose it are entitled to?

Mr. ALLISON. Very well; but suppose there are a hundred stockholders and each one of them is entitled to an exemption of $4,000? Certainly they should be, but that is only an argument against including corporations at all.

Mr. HOAR. If the Senator will allow me I will read my proposition. It is as follows:

Provided, That there shall be allowed to said corporation, company, or association an exemption equal to the aggregate of the exemptions to which such stockholders would be entitled in estimating their individual taxes, not including, however, any exemption which may be allowed such stockholders as individuals.

Why does not that cover the whole thing?

Mr. ALLISON. That may be a very good provision, but what I desire is that the small corporations shall not be disturbed at all by this army of taxgatherers. I do not suppose that it is the intent and purpose of those who propose to pass this law that we shall immensely increase the working force of the Commissioner of Internal Revenue, and yet, unless modifications and ex-

clusions are inserted here there will have to be an army of collectors and deputy collectors equal to that army which we found at the close of the war when everything that was produced and everything that was sold was taxed, and the taxgatherer was found in every household in the land.

We are liberalizing in this bill, I say frankly, the income-tax law as compared with any law that was on our statute books during the war. We have exempted $4,000. That means an exemption of a man who may be worth $150,000 in my State. If he is a large landholder and has no income from it he pays no tax. He may have one-half of an estate of $200,000 in land which yields him no income and another $100,000 of property that does yield an income, and still he is exempt from taxation under this proposed law. Therefore it is to be a liberal law to every individual who has property and earnings as respects the exemption.

When we have done that, then we propose to reach all the people in every State who, not caring to take care of their own property, invest small sums in small corporations. I know in the city in which I live some years ago a manufacturer of furniture failed. The twenty skilled mechanics who were employed by him united into a corporation in my city, and for ten years they have been conducting the business. They now conduct a business of $150,000 a year, yielding to them probably an annual income of $10,000. There is not a man in the corporation who is worth $5,000, and yet the taxgatherer will come under this bill and sweep in, as against those mechanics, 2 per cent upon their entire earnings.

I know of farmers in my State who have contributed—some $100, some $200, and others $500—to what we call creameries, producing the vast amount of butter produced in that State, the amount last year amounting to $33,000,000 in value. Those little creameries are conducted in all the villages in my State by small corporations, the largest capital in any of them probably not exceeding $20,000. The taxgatherer is to go over the farms and in the villages and find out how much those creameries have produced, whereas perhaps the total profits of any one of them would not exceed $4,000.

Yet because those men have invested their small earnings in these little corporations in their own village, they are to be visited by the taxgatherer and they are to have wrenched from them 2 per cent; whilst other great corporations, with thousands in money, are to have an exemptinn of $4,000 or $6,000 or $7,000, perhaps, if they are paying a large amount of taxes upon unoccupied and unproductive land.

Mr. VEST. My friend from Iowa is drawing an appalling picture here of enormous taxation on an association of mechanics in his own town. Let me call his attention to what he, in the vehemence of his eloquence, has overlooked. He says there are twenty of them, and they make $10,000 a year, according to the language of the bill, over and above all their operating and business expenses, excluding their losses and interest upon their bonded and other indebtedness. The tax would be $200, and that would be $10 to the man.

Mr. ALLISON. It is not the amount of the tax; it is the smallness of the provision that I object to.

Mr. VEST. Oh, I thought it was the amount.

Mr. ALLISON. I do not object to the amount.

Mr. ALDRICH. If the same product was produced by them as individuals they would be saved the tax. Why should they pay a tax of $10 because they work together?

Mr. HALE. Or suppose it was a technical partnership, and nothing more.

Mr. ALLISON. They would be exempt.

Mr. HALE. Such little companies and corporations take the place of small partnerships. The partnership would be excluded. Every member of the partnership would have to make a return on his private income and there alone would he be touched. I do not believe when the committee itself considers the desirability of encouraging all of these small concerns it will insist upon rejecting the amendment of the Senator from Iowa. One thing that is lamentable in this country is the general scope and swing and aggressive nature of great corporations. They monopolize every form of human enterprise.

The men who fifty years ago began in a small way and increased and became larger in their enterprises and passed into prosperous, thrifty, and wealthy citizens are few; they go into the great corporations in which individual enterprise is stifled. There is no provision in the bill that tends more to stifle and destroy the small fruits of human enterprise than the provision unamended by the amendment of the Senator from Iowa.

Mr. ALLISON. All I desire is to exempt from the operation of the bill the people who have small incomes and under it have no way of securing exemption. I had hoped that before we reached this point the committee would devise some way whereby the exemption could be made, but I see no suggestion of that character.

Mr. VEST. This is a most liberal bill to corporations.

Mr. ALLISON. I know it is liberal to corporations, and that is what I complain of.

Mr. LINDSAY. As I understand the position of the Senator from Iowa, he wishes the bill so reformed as that the stockholder who receives a small dividend from a large corporation shall be taxed——

Mr. ALLISON. No, sir.

Mr. LINDSAY. And the stockholder who receives a small dividend from a small corporation shall not be taxed. Is that the logic of the Senator's position?

Mr. ALLISON. I shall endeavor to state the case. I have already said that as we have liberal provisions in the bill as to individuals, exempting them to the extent of $4,000, and many thousands more if their property is not invested in a corporation. We have made that exemption. I say that is an injustice to a man who has invested his money in a corporation unless we mean to punish him for doing that thing. I shall be glad to draw to my side the Senator from Kentucky. I will sit down with him with as much patience as I can on a hot evening and try to do justice to a small stockholder in a big corporation, and if he will not help me to do that, and the committee can not do it, then I should be glad to have him help me reach a small stockholder in a small corporation so as to do as little injustice as possible under the bill. If he will not do that, then I must offer the amendment which was kindly written for me by the Senator from Maine, while I was speaking, exempting wholly from the operation of this proposed law corporations not having a capital exceeding $100,000. I want the Senator from Kentucky to tell me what will be the injustice of doing that thing. Already the Senator from Kentucky has voted for a proposition which excludes all the bonds of all the corporations in the United States from this bill. The people who receive incomes upon the bonds are relegated to their integrity in making a return.

Mr. VEST. Does the Senator from Iowa think it is wrong to keep out those bonds?

Mr. ALLISON. Certainly not. I am not complaining of it; I am endeavoring now to bring the Senator from Kentucky to our side of the question. If that be true, why can not the small people, why can not these mechanics in my town, about whom the Senator from Missouri is disturbed, be trusted to make a proper return of their income if it is over $4,000? Why can not the stockholders in the little corporation I have spoken of be trusted to make as honest returns as other people make honest returns?

For myself, not being under the stringency that we were during the war, and in the years immediately following the war, I should be willing to follow the suggestion of the Senator from Connecticut the other day and make this a bill as against every person who has an income, making them pay the same amount, and thus by that sweeping method do justice to all citizens of the United States. But it seems the committee has decided otherwise, by sweeping in all the stocks of all stockholders in all the great corporations. If the Senator from Kentucky can devise a method by which that will be excluded I will join him in it. If he can not I hope he will join me in the amendment which I have offered.

Mr. HALE. The Senator from Iowa withdraws his first amendment?

Mr. ALLISON. I withdraw the first amendment.

Mr. HOAR. Of course there never before has been any income tax on corporations. In 1864 corporations were taxed in another way.

Mr. ALLISON. There has been no tax on corporations, as such, I agree. There was no tax except upon their surplus.

Mr. CHANDLER. The war taxes upon incomes were taxes upon individuals. If every individual in the United States pays an income tax why should there be an income tax imposed upon corporations? Is not every dollar made by a corporation and declared as a dividend of profit taxed to the individual?

Mr. ALLISON. There would be one reason for it. It may be necessary in the great corporation to reach a surplus each year which is not carried to dividends, and that is provided for in the bill. It was provided for in all the income-tax laws during the war. It was done to reach a surplus that was carried to what is called the surplus fund, and I see no inequity, if we are to have an income tax, in taxing a surplus if we are to tax the individual.

Mr. CHANDLER. I ask the Senator if the bill does not provide, first, to tax the individual and then to tax the corporation, and does it not also provide that in taxing the individual you shall deduct the amount which the corporation is taxed? So it would be just as well and bring in exactly as much money to tax the individuals and not tax the corporations.

Mr. ALLISON. That is true. You would get less from dividends; but you would not reach the surplus.

Mr. CHANDLER. Very good. Then have the surplus taxed.

Mr. ALDRICH. If the Senator from New Hampshire will allow me, I will state that there is another very important distinction. If all the people in the United States who receive income from either the bonds or the stock of corporations had $4,000 per annum, then the statement of the Senator from New Hampshire would be correct and there would be no exemptions in one case that did not exist in the other. But there is a very large class of stockholders or holders of bonds in corporations who receive less than $4,000, and those people are taxed by the provisions of the bill.

Mr. ALLISON. The bondholders are exempted by the provision.

Mr. GRAY. The bondholders pay on their income.

Mr. ALLISON. They pay on their income if it is above $4,000.

Mr. ALDRICH. If a man receives an income of $50,000 from the bonds of a corporation he is exempted; if he receives an income of $50 from the stock of a corporation he is taxed by the provisions of the bill, without reference to the fact whether his income reaches $4,000 or not.

Mr. HOAR. I should like to inquire of the committee, in order to make clear what I understand they say is their meaning, whether there is any objection to adding after the word "organized" the words "but not including partnerships?" I am afraid that the phrase "companies or associations" * * * "no matter how created and organized," does include partnerships.

Mr. VEST. This language is taken from the act of 1864. That act uses the words "corporations or associations."

Mr. HOAR. Not "companies?"

Mr. VEST. Yes, "companies, corporations, or associations."

Mr. HOAR. If the Senator has that clause in the act before him I should like to have him read it.

Mr. CHANDLER. The act of 1864 did not tax the incomes of corporations. It taxed corporations another way,

Mr. ALDRICH. It taxed a certain class of corporations.

Mr. CHANDLER. But not by an income tax.

Mr. ALDRICH. Not corporations generally.

Mr. VEST. I referred to what was called the excise tax, which was in force when the income-tax law of 1864 was enacted.

Mr. ALLISON. The tax of 1864 was a tax on individuals with an exemption of $600, and in order to secure that tax it made the corporations the agents of the Government to collect it, and that is all there was of it, except dividends upon sums carried to the surplus.

Mr. VEST. Here is the language to which I referred. It is in the act of the Thirty-eighth Congress, first session, chapter 173, "manufactures, articles, and products." This is not the income-tax law, but it is what is call the excise law, the manufactures law:

SEC. 82. *Be it further enacted*, That every individual, partnership, firm, association, or corporation——

Mr. HOAR. Exactly.

Mr. VEST. That was the language.

Mr. CHANDLER. That is the manufactures tax.

Mr. ALLISON. It is the tax on cotton.

Mr. HOAR. That act uses the word "partnership," and in terms it includes individuals.

Mr. VEST. The words were "every individual, partnership, firm, association, or corporation."

Mr. HOAR. It does not say "company." It is not the purpose of this section to include partnerships. They are dealt with in another way, and the exemption belonging to the individual partner is to be secured in another way.

I should like to ask my friend from Missouri, who is a good lawyer and does not want to draw a bill and be responsible for an act that has doubt in its meaning, whether it is not better to make his meaning clear, and whether it is not, to say the least, a doubtful question whether the clause "corporations, companies, or associations doing business for profit in the United States, no matter how created and organized," does not include partnerships?

I say on my responsibility as a lawyer that I think it does. I should give that opinion as at present advised to a client or to an officer of the Government. I can not conceive a more apt description of a partnership than "companies or associations doing business for profit." If a partnership is not a company or association of men doing business for profit, what in the world is it, however established or organized? The clause is made clear to everybody by simply adding the words, "and not including partnerships," and that is what I suggest to the consideration of the Senate. I gave notice of that amendment. I shall not offer it at this moment because I want to offer another

Mr. FRYE. But if it should be offered and voted down, then it would be an instruction to the internal-revenue collector that the clause does include partnerships.

Mr. VEST. Let the amendment go over.

Mr. HOAR. The Secretary will take down the amendment. I propose to add after the word "organized," in line 22, page 187, "but not including partnerships."

Now, I wish to move as an addition, to which I also ask the attention of the Senator from Missouri and the Senator from Iowa, the following proviso:

Provided, That there shall be allowed to said corporation, company, or association, an exemption equal to the aggregate of the exemption to which such stockholders would be entitled in estimating their individual tax, not including, however, any exemption which may have been allowed to such stockholders as individuals.

If we are going to have an income tax and if it is going to include business corporations, I do not think it is just to draw the line merely at a certain amount of capital stock, because, as I said just now, that does not fairly estimate either the investment or the earnings. I know a corporation the capital stock of which, I think, is a million and a half, which has an investment of several millions now. I know another corporation which began business about 1864 with a capital of seventy or eighty thousand dollars (I do not know but that it was $60,000), and which, continuing the same capital, has an investment of over $800,000.

The men who own that corporation have received dividends barely equal to a frugal living, and I suppose they have had salaries or something of that kind, which they have been paid, and they have not divided their earnings or accumulations; they have let them stand as a surplus.

Mr. HALE. Now, if the Senator from Massachusetts desires to have that company taxed we can find a way in phraseology by which it can be taxed. The general proposition is good, but if the Senator has a corporation which he thinks under this provision is going to escape and he wants it taxed, we can find some language to cover it, of course.

Mr. HOAR. I dare say. If this provision is to pass it should pass on a principle which is just to some human being who will have some justice under it.

Mr. ALLISON. Will the Senator from Massachusetts allow me, as he seems to be arguing against the amendment which I offered? I stated to the Senator from Kentucky [Mr. LINDSAY] that I should be glad to follow any Senator in dealing with this whole question of exemption, but even if that were done I do not see why the small corporations of small incomes should have the taxgatherer about them twice a year.

Mr. HOAR. If what the Senator means is not only to protect them from their exemption, but also to protect them from returns, of course I shall be glad to follow him in that respect.

Mr. PEFFER. I wish to suggest to the Senator from Massachusetts and to the Senator from Iowa whether we could not get out of this difficulty by simply exempting $4,000 of the net income of these corporations. Four thousand dollars is the usual exemption to individuals. Would not that be just all around?

Mr. HOAR. The answer to that suggestion is, here are three or four young mechanics who form a corporation for reasons which have been stated. All they have in the world is their earnings from that stock. Now, ought not each of them have as much exemption as the man who is doing business alone by their side? Here are four men who are doing business separately. Each gets his $4,000 exemption. Here are four men who do exactly the same thing together, and there is but one $4,000 exemption for the whole four.

Mr. PEFFER. Would not that relieve the situation, however, from the embarrassment?

Mr. HOAR. Not in the least. It would be unjust, as I understand it.

Mr. HARRIS. Mr. President——

Mr. HOAR. Let the amendment of which notice has been given be printed.

The PRESIDING OFFICER. The amendment suggested by the Senator from Massachusetts will be printed.

Mr. HARRIS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened and (at 6 o'clock and 18 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, June 27, 1894, at 10 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate June 26, 1894.

UNITED STATES CONSUL-GENERAL.

Charles de Kay, of New York, to be consul-general of the United States at Berlin, Germany, vice William Hayden Edwards, deceased.

UNITED STATES CONSUL.

William Myers Little, of North Carolina, to be consul of the United States at Tegucigalpa, Honduras, vice James J. Peterson, recalled.

ASSISTANT SURGEON MARINE HOSPITAL SERVICE.

Assistant Surgeon Benjamin W. Brown, of California, to be passed assistant surgeon in the Marine Hospital Service of the United States.

POSTMASTERS.

Enoch Moore, to be postmaster at Wilmington, in the county of Newcastle and State of Delaware, in the place of Daniel F. Stewart, whose commission expires June 26, 1894.

Will E. Newman, to be postmaster at Lancaster, in the county of Fairfield and State of Ohio, in the place of Charles B. Martin, whose commission will expire July 9, 1894.

Peter B. Davis, to be postmaster at Narragansett Pier, in the county of Washington and State of Rhode Island, in the place of James D. Caswell, whose commission will expire July 9, 1894.

Henry Vits, to be postmaster at Manitowoc, in the county of Manitowoc and State of Wisconsin, in the place of Nancy Smart, whose commission expired June 23, 1894.

PROMOTIONS IN THE NAVY.

Lieut. Commander Charles S. Sperry, to be a commander in the Navy, from June 22, 1894, vice Commander George R. Durand, retired.

Lieut. Francis H. Delano, to be a lieutenant-commander in the Navy, from June 22, 1894, vice Lieut. Commander C. S. Sperry, promoted.

Lieut. (junior grade) Edward Lloyd, jr., to be a lieutenant in the Navy, from April 16, 1894, vice Lieut. William J. Barnette, promoted.

Lieut. (junior grade) Harry P. Huse, to be a lieutenant in the Navy, from May 13, 1894, vice Lieut. John Garvin, retired.

Lieut. (junior grade) Richard M. Hughes, to be a lieutenant in the Navy, from June 22, 1894, vice Lieut. F. H. Delano, promoted.

Ensign Guy W. Brown, to be a lieutenant (junior grade) in the Navy, from April 16, 1894, vice Lieut. (junior grade) Edward Lloyd, jr., promoted. Subject to the examination required by law.

Ensign William B. Fletcher, to be a lieutenant (junior grade) in the Navy, from May 13, 1894, vice Lieut. (junior grade) H. P. Huse, promoted.

Ensign Marbury Johnston, to be a lieutenant (junior grade) in the Navy, from June 22, 1894, vice Lieut. (junior grade) R. M. Hughes, promoted. Subject to the examination required by law.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 26, 1894.

REGISTERS OF THE LAND OFFICE.

Edwin A. Lamb, of Michigan City, N. Dak., to be register of the land office at Bismarck, N. Dak.

Reuben Noble, of Devils Lake, N. Dak., to be register of the land office at Devils Lake, N. Dak.

RECEIVERS OF PUBLIC MONEYS.

Adolph W. Schmidt, of Devils Lake, N. Dak., to be receiver of public moneys at Devils Lake, N. Dak.

Foster M. Kinter, of Lamoure, N. Dak., to be receiver of public moneys at Bismarck, N. Dak.

POSTMASTERS.

Monroe G. Sisson, to be postmaster at Greenfield, in the county of Greene and State of Illinois.

Sylvester S. Shoemaker, to be postmaster at Metropolis City, in the county of Massac and State of Illinois.

HOUSE OF REPRESENTATIVES.

TUESDAY, *June 26, 1894.*

The House met at 12 o'clock m. Prayer by the Rev. W. H. MILBURN, D. D., Chaplain of the Senate.

The Journal of the proceedings of yesterday was read and approved.

EMPLOYÉS POSTAL RAILWAY SERVICE.

The SPEAKER laid before the House a letter from the Postmaster-General, transmitting, pursuant to a resolution dated May 29, 1894, information relative to the removal of clerks in the Railway Mail Service between the 4th day of March and the 1st day of May, 1889; which was referred to the Committee on the Post-Office and Post-Roads.

FINDINGS OF COURT OF CLAIMS.

The SPEAKER also laid before the House findings of the Court of Claims in the following cases *vs.* The United States, namely: D. T. Wood and John W. Rowlett; which were severally referred to the Committee on War Claims.

LABOR DAY A LEGAL HOLIDAY.

The SPEAKER also laid before the House the bill (S. 730) making Labor Day a legal holiday.

Mr. MCGANN. Mr. Speaker, I would like to ask present consideration for this bill.

The SPEAKER. The bill will be read, after which the Chair will ask for objections.

The bill was read, as follows:

Be it enacted, etc., That the first Monday of September in each year, being the day celebrated and known as Labor's Holiday, is hereby made a legal public holiday, to all intents and purposes, in the same manner as Christmas, the 1st day of January, the 22d day of February, the 30th day of May, and the 4th day of July are now made by law public holidays.

There being no objection, the bill was considered, ordered to a third reading; and being read the third time, was passed.

On motion of Mr. MCGANN, a motion to reconsider the last vote was laid upon the table.

CHANGE OF REFERENCE.

Mr. DE ARMOND. Mr. Speaker, by direction of the Judiciary Committee I wish to suggest that the bill (H. R. 143) for the relief of the heirs of D. Fletcher, heretofore referred to the Judiciary Committee, be referred to the Committee on Claims.

The SPEAKER. In the absence of objection the change of reference indicated by the gentleman from Missouri will be made.

MESSAGE FROM THE PRESIDENT.

A message in writing from the President of the United States was communicated to the House of Representatives by Mr. PRUDEN, one of his secretaries; who also informed the House that the President had approved and signed bill and joint resolution of the following titles.

On June 23 1894: An act (H. R. 4720) to pension Lucy Brown, dependent foster mother

On June 26, 1894: Joint resolution (H. Res. 192) granting full permission to the State of Maryland and to the several State courts within the city of Baltimore to occupy the old United States court-house in the city of Baltimore for the period of five years.

PUBLIC BUILDING, LITTLE ROCK, ARK.

Mr. TERRY. Mr. Speaker, I ask present consideration of the bill (H. R. 1934) to provide for the improvement of the building and grounds of the United States court and post-office at Little Rock, Ark.

The SPEAKER. The bill will be read, after which the Chair will ask for objection.

The bill was read at length.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. HOLMAN. I hope there will be at least some explanation of the measure.

Mr. SAYERS. I am unwilling, Mr. Speaker, that a bill of that character should be passed by unanimous consent.

Mr. TERRY. I hope the gentleman will withhold his objection, at least until I can make a brief statement and have the report read.

Mr. SAYERS. I have no objection to the gentleman making a statement in reference to the matter.

Mr. TERRY. This is a case of urgency, as shown by the letter of the Hon. Henry C. Caldwell, the circuit judge of the eighth circuit, which is appended to the report. The committee have carefully considered the matter, and report unanimously in favor of the bill. I ask that the report be read in my time.

The SPEAKER. The report will be read, if there is no objection.

The report (by Mr. BANKHEAD) was read, as follows:

The Committee on Public Buildings and Grounds, to whom was referred the bill (H. R. 1934) to provide for the improvement of the building and grounds of the United States court and post-office at Little Rock, Ark., having considered the same, report as follows:

The site of the building referred to in this bill was purchased May, 1873, and the building thereon was afterwards erected at a cost of about $221,000. It was intended for the use and purposes of the United States court-house, post-office, land office, revenue collector, and other Government offices at Little Rock, Ark.

From the evidence before the committee it appears that the building never was sufficient for the purposes indicated, and that on that account it was objected to in the very beginning by the United States district (now the United States circuit) judge in that circuit, as appears in his letter herewith submitted. Since its erection the city of Little Rock and the State of Arkansas have largely increased in population, and there has been a corresponding increase in the business of the post-office, the United States court, and other departments in the Government service at that point, so as

to render necessary the improvements referred to in the bill. A partial statement of the necessities is set forth in the letter above referred to.

After careful consideration of the whole matter the committee recommend the passage of the bill with the following amendments:

In lines 11 and 12 strike out "seventy-five" and insert "fifty-four."

Also strike out lines 15, 16, 17, 18, and 19.

—

DEPARTMENT OF JUSTICE, EIGHTH CIRCUIT,
Little Rock, March 28, 1893.

MY DEAR SIR: I have just seen a copy of your bill relating to the United States building in this city.

I have said and written so much about this building in the past that I have grown weary of the subject. My letters are on file in Washington protesting against laying the foundations of the building under the limitations and restrictions of the act making the first appropriation.

I said then, and time has verified the correctness of my judgment, that the building which it was proposed to erect would be found totally inadequate to accommodate the public officers and business expected to be provided for within its walls. I knew this was so so far as it related to the United States courts.

I pleaded for two court rooms, or a judge's chambers large enough for a chambers court room, but all in vain. There is but one court room and the judge's chambers is barely large enough to contain my bookcases, a table, and two or three chairs.

The result is that when there are two judges here and it is desirable to hold two courts at the same time, as it frequently is, we are unable to do so except when the county court-house is not in use and is loaned to us, or we can get in the State house.

The want of another court room is a source of expense to the Government and of delay and costs to parties and witnesses.

The circuit court of appeals ought to hold its winter sessions at this place, and doubtless would do so if we had a court room, but under existing conditions it is out of the question.

I know nothing about the wants of the other departments. I only know that the present building does not furnish adequate accommodations for the United States courts.

Yours, truly,

HENRY C. CALDWELL, *Circuit Judge.*

Hon. W. L. TERRY, M. C.,
Washington, D. C.

Mr. TERRY. I desire to make a brief statement in connection with the report which has just been read. It will be seen that the report suggests an amendment to strike out in lines 11 and 12 of the bill "seventy-five," and insert "fifty-four;" so that it will read, "$54,000."

Now, Mr. Speaker, that building, from the very inception of it, was totally inadequate for the purposes for which it was contemplated, and the Hon. H. C. Caldwell wrote his protest at that time, which is on file with the Secretary of the Treasury.

The chambers provided for the judge in that building, as he states in this communication, are barley sufficient to contain a little table, a desk, and two or three chairs for him, and the result is that whenever it is necessary to hold the district and circuit court there, as is frequently the case, the United States Government has to depend upon the courtesy of Pulaski County for a place to hold its court in. I think that is a fine commentary on the existing condition, and a sufficient reason, if there were no others, for prompt action upon this bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. TERRY. It is a case of real urgency.

Mr. SAYERS. I must object to the consideration of bills of this character under the circumstances. Bills making such large appropriations ought not to pass by unanimous consent. There ought to be two or three days set apart for the consideration of such measures. I must object and ask for the regular order.

Mr. TERRY. I agree with the gentleman fully. But this is a case of extreme urgency as plainly shown in the report.

The SPEAKER. The gentleman from Texas objects.

IMPROVING SAUGATUCK HARBOR, MICHIGAN.

Mr. THOMAS. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution I send to the desk.

The Clerk read as follows:

Resolved, etc., That the Secretary of War be requested to furnish the House of Representatives with an estimate of the probable cost of completing the improvements of Saugatuck Harbor, Michigan, under the projects of 1867 as modified in 1869, 1870, 1875, and 1882, and the improvements recommended in the Report of the Chief of Engineers for the year 1893. (Appendix M M.)

The SPEAKER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

GAS PIPE ACROSS THE MISSISSIPPI RIVER AT MINNEAPOLIS.

Mr. FLETCHER. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 7449) authorizing the Minneapolis Gaslight Company, of Minneapolis, Minn., to lay submerged gas pipes across the Mississippi River at Minneapolis.

The bill was read as follows:

Be it enacted, etc. That the consent of Congress is hereby granted to the Minneapolis Gaslight Company, of Minneapolis, Minn., to lay a submerged gas main across the Mississippi River, under the bed thereof, to conduct gas from its gas works on the west side of said river to the east division of Minneapolis, on the east side of said river, at some point between the foot of the Falls of St. Anthony and the Washington avenue bridge across said river, the location and manner of laying said gas main to be approved by the United States Government engineer at St. Paul.

The Committee on Interstate and Foreign Commerce recommended the following amendment:

Amend by striking out in lines 11 and 12 the words "United States Government engineer at St. Paul," and substituting therefor the words "Secretary of War before the work is commenced."

The SPEAKER. Is there objection to the request for the present consideration of this bill?

There was no objection.

The amendment recommended by the Committee on Interstate and Foreign Commerce was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, was accordingly read the third time, and passed.

On motion of Mr. FLETCHER, a motion to reconsider the last vote was laid on the table.

BRIDGES ACROSS CERTAIN RIVERS, TENNESSEE.

Mr. SNODGRASS. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 4611) to amend an act approved January 26, 1893, to authorize the construction of bridges across the Hiwassee, the Tennessee, and Clinch Rivers, in the State of Tennessee.

The bill was read, as follows:

Be it enacted, etc., That the act approved January 26, 1893, entitled, "An act to authorize the construction of bridges across the Hiawassee, the Tennessee, and the Clinch Rivers, in the State of Tennessee," be, and is hereby, amended so that the time within which the actual construction of such bridges may be commenced is hereby extended for the period of one year from the date of the approval of this act.

The SPEAKER. Is there objection to the present consideration of this bill?

There was no objection.

The bill was ordered to be engrossed and read a third time; and being engrossed, was accordingly read the third time, and passed.

On motion of Mr. SNODGRASS, a motion to reconsider the last vote was laid on the table.

WITHERBY & GAFFNEY.

Mr. CHICKERING. I ask unanimous consent for the present consideration of the bill (H. R. 4507) for the relief of Witherby & Gaffney.

The bill was read, as follows:

Whereas Witherby & Gaffney entered into a contract with the United States September 9, 1889, to construct quarters at Madison Barracks, Sackets Harbor, N. Y., for the sum of $18,166.38; and

Whereas the said contractors were from time to time requested by the army officers stationed at that post to modify the plans so as to conform to the views of said officers, thereby requiring an extension of time for the completion of their contract, which the United States granted, as well as a greatly increased expense in the cost of construction; and

Whereas the said contractors at the time understood and believed they would be allowed and paid for the additional cost of construction incurred by these modifications of plans, but, being inexperienced in such matters, did not, in advance of such modification of plans and expenditures, obtain the proper authority therefor required to bind the disbursing officers of the Government and enable them to pay to said contractors a just and full compensation for the work and material performed and furnished by them: Therefore,

Be it enacted, etc., That the Secretary of War be authorized, and he is hereby authorized and directed, to pay to contractors Witherby & Gaffney, such sums as may be found, on examination of their accounts, to be necessary to meet the difference between the same already paid them, and the actual cost and expense incurred by them in constructing the barracks at Sacketts Harbor, N. Y., under the agreement made September 9, 1889; and that the sum of $8,000, or so much thereof as may be necessary to reimburse them for expenditures actually incurred in excess of the sum already received by them in constructing said barracks, be appropriated out of any moneys in the Treasury not otherwise appropriated.

The Committee on Claims recommended the following amendment:

Strike out all after the word "that," in line 3, and insert the following: "The Secretary of the Treasury be, and is hereby, authorized and directed to pay to Witherby & Gaffney $5,414.28 out of any moneys in the Treasury not otherwise appropriated."

The SPEAKER. Is there objection to the request for the present consideration of this bill?

Mr. CANNON of Illinois. I should be glad to have somebody state what this bill is, and I will state the reason why I ask. The clerk who is now reading is one of the best reading clerks I know. He has a voice that fills the hall, but the trouble is, either my hearing is growing thick, or he reads so fast I can not catch on. I do not know what the bill is about.

Mr. CHICKERING. The bill is all right. There is no possible objection to it.

Mr. CANNON of Illinois. What is it for?

Mr. CHICKERING. This bill simply provides an appropriation to pay a balance for additional work on a contract for repairs on Madison Barracks, in my district.

Mr. COOMBS. Did the Secretary of War pass upon this claim?

Mr. CHICKERING. This bill is approved by the Assistant Secretary of War, and is approved by the Committee on Claims.

It has had the careful consideration of my friend, the gentleman from Tennessee [Mr. COX], who reports it. We have an hundred affidavits in the case, showing that these people have performed this work, and have received no pay for it. The contract provided that they should do additional work under the direction of the officer in charge, which they did, and the officer in charge approves of this bill, and the Assistant Secretary of War approves of it. I can have the report of the Secretary read.

Mr. CANNON of Illinois. I am content to take the gentleman's statement.

Mr. COOMBS. Let us take the report of the Secretary of War.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The amendment recommended by the Committee on Claims was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, was accordingly read the third time, and passed.

On motion of Mr. CHICKERING, a motion to reconsider the last vote was laid on the table.

AMERICAN REGISTRY, STEAMER MARGARITA.

Mr. PIGOTT. I ask unanimous consent for the present consideration of the bill (H. R. 6986) to provide for the American registry of the steamer Margarita.

The bill was read at length.

The SPEAKER. Is there objection to the present consideration of this bill.

Mr. BAKER of New Hampshire. I object.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed the following resolution:

Resolved, That the Secretary be directed to furnish to the House of Representatives, in compliance with its request, a duplicate engrossed copy of the bill (S. 1919) to ratify and confirm an agreement with the Yuma Indians in California for the cession of their surplus lands, and for other purposes.

ENROLLED BILL SIGNED.

Mr. PEARSON, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the bill (H. R. 4961) granting certain rights over Lime Point military reservation, in the State of California; when the Speaker signed the same.

PROOF IN PENSION CASES.

Mr. PICKLER. I ask unanimous consent for the present consideration of the bill which I send to the desk.

The Clerk read as follows:

A bill (H. R. 3511) providing that in the establishment of claims under the pension laws of the United States the oath of a private or noncommissioned officer shall have same weight and effect as the oath of a commissioned officer.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter, in all applications for pension and in all proofs and evidence submitted in support of any claim under the pension laws of the United States, the oath of a person who has served as a private or noncommissioned officer shall have the same weight, force, and effect in establishing said claim as the oath of a person who has served as a commissioned officer.

The amendments reported by the Committee on Invalid Pensions were read, as follows:

Strike out the word "hereafter" in line 3; insert the word "not" after the word "shall," in line 6; strike out the words "the same," in line 7, and insert in lieu thereof the words "any less;" strike out the words "force and effect in establishing said claim as the oath of a person who has," in lines 7 and 8, and insert in lieu thereof the words "than if such witness had;" add to the bill the words "*Provided*, That nothing herein contained shall be construed to require a greater number of witnesses than heretofore for the establishment of any fact in relation to such claim."

Amend the title to read, "A bill concerning the weight of evidence in pension claims."

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. COOMBS. I should like to hear some explanation.

Mr. VAN VOORHIS of New York. We want to know what it is about.

Mr. PICKLER. This bill, which is in its terms similar to one which was passed by the House in the Fifty-second Congress, provides simply that in pension cases the oath of a private or a noncommissioned officer shall have the same force and effect as the oath of a commissioned officer.

Mr. COOMBS. As to what matters of fact? As to a matter of service?

Mr. PICKLER. Well, the service has nothing to do with the matter. The provision of the bill is simply that the oath of a private or a noncommissioned officer shall have the same weight and effect under like circumstances as the oath of a commissioned officer.

Mr. COOMBS. There are so many amendments that the matter is somewhat confused.

Mr. PICKLER. The amendments simply make effectual the proposition which I have stated. The report, which is very short, can be read.

The SPEAKER. Perhaps the Clerk had better read the bill as it will stand if amended.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in all applications for pension and in all proofs and evidence submitted in support of any claim under the pension laws of the United States, the oath of a person who has served as a private or noncommissioned officer shall not have any less weight than if such witness had served as a commissioned officer: *Provided*, That nothing herein contained shall be construed to require a greater number of witnesses than heretofore for the establishment of any fact in relation to such claim.

Mr. PICKLER. This bill has been unanimously reported by the Committee on Invalid Pensions, and, as I have stated, it is similar in terms to a bill passed by the House in the Fifty-second Congress.

Mr. VAN VOORHIS of New York. I should like to inquire whether the oath of a private soldier is not just as good anywhere and as much entitled to belief as that of an officer?

Mr. PICKLER. It has not been heretofore in pension matters.

Mr. VAN VOORHIS of New York. Is there any reason why it should not be so?

Mr. PICKLER. I think not, and therefore the bill ought to pass.

There being no objection the House proceeded to the consideration of the bill.

The amendments reported by the committee were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read a third time, and passed.

The SPEAKER. In the absence of objection, the title of the bill will be amended in accordance with the recommendation of the committee.

On motion of Mr. PICKLER, a motion to reconsider the vote by which the bill was passed was laid on the table.

ENROLLED BILL SIGNED.

Mr. PEARSON, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the bill (H. R. 4701) to incorporate the Supreme Lodge of the Knights of Pythias; when the Speaker signed the same.

HYPOLITE FILHIOL ET AL.

Mr. BOATNER. I ask unanimous consent for the present consideration of the resolution I send to the desk.

The Clerk read as follows:

Resolved, That the bill (H. R. 2380) entitled "A bill for the relief of Hypolite Filhiol and others," now pending in the House of Representatives, together with all the accompanying papers, be, and the same is hereby, referred to the Court of Claims, in pursuance of the provisions of an act of March 3, 1883, and an act entitled "An act to provide for the bringing of suits against the United States," approved March 3, 1887, to find and report to the House of Representatives the facts bearing upon the merits of the claim, including the loyalty of the claimant, and all other facts contemplated by the provisions of said act.

Mr. COOMBS. I would like to hear some explanation of this resolution.

Mr. BOATNER. This is the same resolution for the adoption of which I asked unanimous consent a few days ago, when objection was made by the gentleman from Michigan. I stated then, and will now repeat for the information of the gentleman from New York [Mr. COOMBS], that, as I understand, this claim was several years ago referred to the Court of Claims, under the name of Hypolite Filhiol.

The fact developed that two other parties, who were minors at that time, owned interests in this claim. This resolution is only for the purpose of referring all the interests to the Court of Claims, so that they may have jurisdiction to pass on the whole claim.

Mr. HOLMAN. I hope the report will be read.

The report (by Mr. COOPER of Texas) was read, as follows:

This claim was presented in the Fifty-second Congress and was favorably reported upon by the House Committee on War Claims, to whom it was referred.

After a careful investigation of the facts involved your committee adopt the report of the Fifty-second Congress, a copy thereof being hereto attached and made a part of this report, and recommend the passage of the bill, and report herewith a resolution referring the claim to the Court of Claims under the provisions of the acts of March 3, 1883, and of March 3, 1887.

[House Report No. 45, Fifty-second Congress, first session.]

The Committee on War Claims, to whom was referred the bill (H. R. 782) for the relief of Hypolite Filhiol *et al.*, of Louisiana, report as follows:

On the 27th and 28th of August, 1863, the Army of the United States took from the claimant's plantation, in Ouachita Parish, La., stores and supplies of the alleged value of $4,825, all then owned in equal shares by Hypolite Filhiol, Edward L. Betin, and Charles D. Betin. The said Betins had been, the one wholly the other almost wholly, blind from birth, in consequence of which their education and knowledge were very limited. They lived in the family of said Filhiol, on said plantation, and were taken care of by him and their business affairs managed by him.

The said Filhiol filed a claim, with the knowledge and consent of said

Charles D. Betin, before the Southern Claims Commission for pay for all of said property, which claim was rejected for alleged disloyalty of said Filhiol. No other action has been taken on said claim, except to refer it to the Court of Claims under the provisions of the Bowman act, but such reference, it has been decided, took to the court only the one-third that Mr. Filhiol owned, and that a reference of the whole claim under the provisions of the act of March 3, 1887, commonly known as the Tucker act, is necessary to give the court jurisdiction of the two-thirds owned by the Betins.

Your committee therefore report herewith a resolution referring the claim to the Court of Claims under the provisions of the Tucker act, and recommend its passage.

Mr. BURROWS. Mr. Speaker, when this claim was presented by the gentleman from Louisiana, a short time ago, I objected to its consideration at the time. Since then I have examined the case, and there are peculiarities about it that I think ought to be referred.

The SPEAKER. Is there objection to the present consideration of the resolution? [After a pause.] The Chair hears none.

The resolution was agreed to.

On motion of Mr. BOATNER, a motion to reconsider the vote by which the resolution was agreed to was laid on the table.

Mr. SAYERS. I demand the regular order, Mr. Speaker.

The SPEAKER. The gentleman from Texas demands the regular order.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. RICHARDSON of Michigan, indefinitely, on account of sickness.

To Mr. WEADOCK, for one week, on account of sickness in his family.

To Mr. BARTLETT, for three days, on account of important business.

REPORT OF FISH COMMISSIONER.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I submit a report from the Committee on Printing.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That the report of the Commissioner of Fish and Fisheries, covering the operations of the Commissioner for the fiscal year ending June 30, 1893, be printed; and that there be printed 8,000 extra copies, of which 2,000 shall be for the use of the Senate, 4,000 for the use House of Representatives, and 2,000 for the use of the Commissioner of Fish and Fisheries; the illustrations to be obtained by the Public Printer under the direction of the Joint Committee on Printing.

The report (by Mr. RICHARDSON of Tennessee) was read, as follows:

The committee having considered House concurrent resolution to print 8,000 extra copies of the report of the Commissioner of Fish and Fisheries for 1893, direct me to report the same with the recommendation that it do pass.

The estimated cost of same is $3,000.

The resolution was agreed to.

On motion of Mr. RICHARDSON of Tennessee, a motion to reconsider the vote by which the concurrent resolution was agreed to was laid on the table.

The SPEAKER. The Clerk will call the committees for reports.

TERMS OF UNITED STATES CIRCUIT AND DISTRICT COURTS AT QUINCY, ILL.

Mr. LANE, from the Committee on the Judiciary, reported back favorably the bill (H. R. 5627) to provide for terms of the United States district and circuit courts at Quincy, Ill.; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

COUNTY BUILDING AT COCONINO, ARIZ.

Mr. TERRY, from the Committee on the Judiciary, reported back favorably the bill (H. R. 7506) authorizing the county of Coconino, Territory of Arizona, to issue bonds for the construction of a county building at the county seat thereof; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

TERM OF CIRCUIT AND DISTRICT COURT OF UNITED STATES AT MONTPELIER, VT.

Mr. POWERS, from the Committee on the Judiciary, reported back favorably the bill (S. 2135) to provide that a term of circuit and district court of the United States for the district of Vermont may be held at Montpelier; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

PUBLIC BUILDING IN CAMDEN, N. J.

Mr. CADMUS, from the Committee on Public Buildings and Grounds, reported back favorably the bill (H. R. 401) to increase the limit of cost for the erection of a public building in Camden, N. J.; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

CUSTOM-HOUSE, POST-OFFICE, ETC., AT BRIDGEPORT, CONN.

Mr. CADMUS, from the Committee on Public Buildings and Grounds, reported back favorably the bill (H. R. 335) to provide for the acquisition of additional land and the erection of an addition to the custom-house, post-office, etc., at Bridgeport, Conn.; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

PUBLIC BUILDING AT ELIZABETH, N. J.

Mr. CADMUS, from the Committee on Public Buildings and Grounds, reported back favorably the bill (H. R. 5854) for the purchase of a site and the erection of a public building thereon at Elizabeth, N. J.; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

PUBLIC BUILDING AT RICHMOND, KY.

Mr. BRETZ, from the Committee on Public Buildings and Grounds, reported back favorably the bill (H. R. 7081) to increase the limit of cost of the public building at Richmond, Ky.; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

PUBLIC BUILDING AT CLARKSVILLE, TENN.

Mr. MCKAIG, from the Committee on Public Buildings and Grounds, reported back favorably the bill (H. R. 6393) to increase the appropriation for the erection of the public building at Clarksville, Tenn.; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

CONTESTED-ELECTION CASE OF MOORE VS. FUNSTON.

Mr. HAYES. Mr. Speaker, in the absence of the gentleman from Virginia [Mr. JONES], from the Committee on Elections, I desire to submit for him a report on the contested-election case of Moore against Funston. I suppose there is a minority report.

The SPEAKER. The gentleman from Iowa presents a report from the Committee on Elections.

The Clerk read as follows:

Report of Committee on Elections in the case of H. L. Moore *vs.* Edward H. Funston.

Mr. MCCALL. Mr. Speaker, I present the views of the minority.

The SPEAKER. The report of the committee and the views of the minority will be printed together and referred to the House Calendar.

REPRINT.

Mr. WILLIAM A. STONE. Mr. Speaker, I desire to ask unanimous consent for the reprint of the bill for the salaries of marshals, district attorneys, and clerks, which has been exhausted, together with the report, being the bill (H. R. 6952) relating to the compensation and duties of United States attorneys, clerks, marshals, and other court officials, and for other purposes.

The SPEAKER. Without objection the reprint will be ordered.

There was no objection, and it was so ordered.

ORDER OF BUSINESS.

Mr. SAYERS. I move that the House resolve itself into Committee of the Whole House on the state of the Union, for the purpose of considering general appropriation bills.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. BYNUM in the chair.

GENERAL DEFICIENCY APPROPRIATION BILL.

The CHAIRMAN. The House is in Committee of the Whole for the purpose of considering general appropriation bills, and the Clerk will read the title of the pending bill.

The Clerk read as follows:

A bill (H. R. 7479) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1894, and for prior years, and for other purposes.

Mr. HERMANN. Mr. Chairman, I desire to ask the gentleman in charge of this bill whether the amendments will be considered in the order in which they were presented, or whether at the present time the committee can entertain amendments with reference to Indian depredation claims?

Mr. SAYERS. I prefer that the amendments in relation to other matters should be taken up first, as heretofore agreed upon.

Mr. Chairman, when the Committee on Appropriations were considering the payment of the United States judgments which are provided for on page 61 of the bill, several judgments were omitted because of the fact that they were not reported to the committee until after the bill was reported to the House. I ask that the amendment which I send to the desk be adopted, so as to include those judgments.

The amendment was read, as follows:

On page 61 strike out all after the word "Executive," in line 12, down to and including the word "cents," in line 14, and insert in lieu thereof the following:

"Documents numbered 59 and 242, and which have not been appealed, $47,120.52."

The CHAIRMAN. If there be no objection, this amendment will be considered as agreed to.

Mr. VAN VOORHIS of New York. I object. I want to understand what it is for.

Mr. SAYERS. There are judgments of United States courts that have been certified to Congress. These particular judgments came to the Committee on Appropriations after the bill had been reported to the House, and I offer this amendment to include them.

Mr. PICKLER. What are those judgments for?

Mr. SAYERS. They are judgments of the United States courts, eight of them, amounting to about $13,364.83. If those judgments had been presented to the Committee on Appropriations before the bill was reported they would have been included in it.

Mr. VAN VOORHIS of New York. And you know they are all right?

Mr. SAYERS. Of course they are all right.

Mr. VAN VOORHIS of New York. I understood the amendment, as it was read at the Clerk's desk, to state the amount at $47,000 and upward.

Mr. SAYERS. That amount embraces the judgments already in the bill and these also. All of the judgments amount to $47,000.

Mr. VAN VOORHIS of New York. I withdraw the objection, Mr. Chairman.

The amendment was agreed to.

Mr. PICKLER. Mr. Chairman, I now desire to reoffer the amendment that I offered on Saturday.

Mr. SAYERS. Mr. Chairman, under the order the committee should return to the amendments offered by the gentlemen from Virginia, North Carolina, and Arkansas.

The CHAIRMAN. The Chair supposes it is not material which provision the committee returns to first, but he will call the attention of the gentleman from Texas to the fact that the provision in regard to Indian depredation claims comes first in the bill.

Mr. SAYERS. I would ask the gentleman interested in those claims to permit the committee to consider the other amendments first, because they can be disposed of, I think, on points of order.

Mr. PICKLER. All right.

Mr. HERMANN. I think it would be better to permit these amendments to be offered and pending, so that the House may understand what they are.

Mr. SAYERS. The House of Representatives amendments come first. They come on page 51.

The CHAIRMAN. The Chair begs pardon of the gentleman from Texas. The amendments offered by the gentleman from Arkansas [Mr. TERRY], the gentleman from Virginia [Mr. MEREDITH], and others take precedence.

Mr. MEREDITH. I ask consent then, Mr. Chairman, to take up the amendment that I offered on Saturday.

The CHAIRMAN. The amendment offered by the gentleman from Arkansas [Mr. TERRY] is the first pending, and the Clerk will report it.

The Clerk read as follows:

Amend by adding at the end of line 9, page 51, the following, to wit: And to pay to W. Jasper Blackburn, formerly a Representative in the Fortieth Congress from the State of Louisiana, $5,597.23.

The CHAIRMAN. Upon this a point of order has been made, and the Chair will hear the gentleman from Arkansas on the point of order.

Mr. TERRY. I understand that the gentleman in charge of the bill desires to submit some considerations first.

Mr. SAYERS. Mr. Chairman, my information respecting the amendment is that the party affected by it was elected a Representative to this House on the 4th day of March, 1867, but was not admitted to a seat until sometime in July, 1868, for the reason that until that time the State of Louisiana had not put herself in a condition to be entitled to representation in Congress.

It appears that from the time the State of Louisiana became entitled to representation in this House the party in interest in this amendment was paid, and the object of this amendment is to go behind that date and pay him from the 4th day of March, 1867. Now, I raise the point of order that there is no law authorizing the payment of this claim.

Mr. VAN VOORHIS of New York. Has the claim slept all the time until now?

Mr. SAYERS. Until now.

Mr. VAN VOORHIS of New York. And it has never been presented before?

Mr. SAYERS. Never, to the Committee on Appropriations.

Mr. CANNON of Illinois. Let me see if I understand this matter. The gentleman from Texas, I understand, says that this man, Mr. Blackburn, was elected on or before the 4th day of March, 1867?

Mr. SAYERS. Such is my understanding.

Mr. CANNON of Illinois. But Louisiana was not admitted to representation on the floor of the House until somewhere in 1868?

Mr. SAYERS. June 25, 1868, is the exact date of the act to admit the States of North Carolina, South Carolina, Louisiana, Georgia, Alabama, and Florida to representation in Congress.

Mr. CANNON of Illinois. And at the date of the passage of that act this claimant was admitted as a member?

Mr. SAYERS. I believe so.

Mr. CANNON of Illinois. And was paid from that date until the end of the Congress?

Mr. SAYERS. Yes.

Mr. CANNON of Illinois. And this is an effort to pay him for almost or quite a year prior to the passage of the act referred to?

Mr. SAYERS. More than a year.

Mr. WILSON of Washington. I wish to ask the chairman of the committee [Mr. SAYERS] a question. The State I have the honor to represent in part was not admitted into the Union by proclamation until November 8, 1889. I had been elected previously. The Delegate who had represented the Territory was out. When I came into Congress I received pay only from the date of the proclamation of the President admitting our State into the Union. Now, if the present claimant is entitled to pay back to the 4th of March when that term of Congress began, would not I be entitled to pay back to the beginning of the Congress in which I took my seat?

Mr. TERRY. That is what you had better be considering. [Laughter.]

Mr. WILSON of Washington. It seems to me that following the same line of argument, I would be entitled to such payment, although I never thought I was entitled to any pay except from the date when my State was admitted into the Union. It may be that I am richer than I thought I was.

Mr. TERRY. Mr. Chairman, the gentleman from Texas [Mr. SAYERS] has stated, I think correctly, the date when Louisiana was permitted to send a Representative to Congress; but before coming to what strictly relates to the point of order I wish to show the standing which this claimant occupies. The gentleman from Texas is mistaken in one thing, as to the date of this claimant's election. He was elected April 17, 1868, and was admitted here July 18 of the same year.

Mr. SAYERS. I did not so understand. That fact supports still more strongly my point of order.

Mr. TERRY. Well, we will either survive or perish by the truth.

Now, Mr. Chairman, the term of Congress to which this man was elected began March 4, 1867; and according to the uniform practice of this body for nearly twenty years, members have been paid not from the date of their election, not from the time when they took their seats, but from the beginning of the term of the Congress to which they were elected.

Mr. WILSON of Washington. They did not pay me in that way.

Mr. TERRY. Well, it may be they had some special grounds of objection to you. [Laughter.]

Mr. WILSON of Washington. They did not pay in that way any members elected from the new States.

Mr. TERRY. You came from a State that had been a Territory, did you not?

Mr. WILSON of Washington. Yes, sir.

Mr. TERRY. This claimant came from what had been a province, in point of treatment.

Mr. WILSON of Washington. "A rose by any other name would smell as sweet."

Mr. TERRY. I must proceed with my argument.

Now, to show what has been the practice of Congress in this respect, let me state that the members from the State of Virginia, another community that was in the attitude of a province, were sworn in June 23, 1868, and were paid from March 4, 1867. The members from Tennessee were sworn in July 28, 1866, and were paid from March 4, 1865.

Mr. SAYERS. Was Tennessee ever considered out of the Union?

Mr. TERRY. Well, about half of it was considerably out.

Mr. HENDERSON of North Carolina. Was any State ever considered out of the Union?

Mr. SAYERS. Practically so.

Mr. HENDERSON of North Carolina. Not according to law.

Mr. SAYERS. Practically so.

Mr. TERRY. It was the proposition of President Lincoln that none of the States were ever out of the Union; and I think that was correct according to what was the final decision. That was the contention of the party governing the United States all the way through while the war was going on. But I will not go back to discuss that proposition.

At any rate, that having been the contention through the four years of the war, when these members from the reconstructed States afterward came in, they were paid back to the beginning of the term of the Congress to which they were elected. This was done in the case of the members from Virginia, from Tennessee, from Georgia, and from Alabama.

Now, as to this claim never having been presented before, let me say it has been repeatedly presented to Congress. It was presented in 1877. I do not know why no action was ever taken on it.

Mr. HUDSON. Was this gentleman here during all the time attending on Congress and seeking to be admitted? Was he here asking for his seat during the whole time?

Mr. TERRY. I can not inform my friend in regard to that.

Mr. HUDSON. If he was, it seems to me there would be some justice in his claim.

Mr. TERRY. My understanding of current history is that every man elected to Congress from any reconstructed State came here and tried to get his seat. I do not think there was any exception to that.

Mr. CANNON of Illinois. Will the gentleman allow a question for information?

Mr. TERRY. Certainly.

Mr. CANNON of Illinois. I understand, in the case the gentleman is now advocating, that the claimant was paid at the time that he was admitted.

Mr. TERRY. From the time that he was elected?

Mr. CANNON of Illinois. No, in the Louisiana claim; but in the Blackburn case, from the date that his State was declared to be entitled to representation in Congress by act of Congress. Now, the gentleman speaks of the Virginia and Tennessee cases being admitted subsequent to the 4th of March, but paid from that date. As a matter of fact, when were these States declared to be entitled by act of Congress to representation?

Mr. TERRY. I will state, as I understand it, that it was from the date of the act—you may call it the enabling act, or whatever it was—which entitled these States to representation.

But the point I wish to call particular attention to is this: that they did not pay the members merely from the date of election, or from the date of taking the seat, or from the time the State was admitted, but back to the beginning of the Congress to which they were elected.

Mr. CANNON of Illinois. What I wish to get at is whether in the Tennessee and Virginia cases there was an act declaring these States entitled to admission prior to the time that the Representatives of such States were paid. They were not admitted, in point of fact, until after March 4. But was the enabling act—and I call it an enabling act—passed prior to that?

Mr. TERRY. I think not. The act, however—you may call it enabling act or otherwise—was passed in 1868, and some of these parties were paid back to 1867, perhaps to 1865 in case of Tennessee members.

Mr. HUDSON. Is it not true that some of these parties were not admitted because of the fact that they would not take the test oath?

Mr. TERRY. That may be true in some cases, but it does not apply to the Blackburn case.

But, Mr. Chairman, I come to the law under which they acted. Senators Rice and McDonald of Arkansas were paid back of the time that the State was admitted. Sawyer of South Carolina was paid back of that date. Spencer of Alabama and Senators Foster and Patterson of Tennessee were all paid back of that time. I read now an extract from the report of Senator TELLER, in which he says:

> Your committee finds that the Senators and Representatives from Arkansas were seated in the Senate and House on the 23d of June, 1868, and that the Representatives were paid from the 4th day of March, 1867.

This report shows that the Senators and Representatives from Virginia were seated in the Senate and House on the 27th day of January, 1870, and the Representatives were paid from the 4th day of March, 1869, and the Senators were paid from the 27th of January, 1870. "Hon. G. S. Patterson and John S. Fowler, the United States Senators from Tennessee, were seated July 27, 1866, and were paid from the 4th day of March, 1865." (See official letters of Secretary Windom of late date certifying to these facts on file with the committee.) "The Representatives from Tennessee, Hon. W. B. Stokes and others, were seated July 28, 1866, and paid from March 4, 1865, on a report of the Hon. Henry L. Dawes, now Senator Dawes. Sergeant-at-Arms asked for instructions as to when their pay should commence. The House decided without division that their pay should begin with the term."

That has been the practice all along; and Mr. Stevens and Mr. Dawes said there could be no doubt of the fact that members' pay should commence with the term and was for the term. These were the men who had been here, and were experienced in the usage and law. The report of Mr TELLER states:

> Your committee find many precedents both in the Senate and House sustaining this fact.

Now, I have given a long list of cases paid in that manner.

The CHAIRMAN. Can the gentleman from Arkansas cite a specific case where the question is raised and a decision rendered as to the real point of controversy here?

Mr. TERRY. They are cited in the CONGRESSIONAL RECORD, which I had here the other day, where the resolution was passed to pay them. But it was all predicated on the ground that it was according to law to pay these men from the beginning.

The CHAIRMAN. Was it predicated upon the idea that that was an equitable or a legal construction?

Mr. TERRY. I will read the resolution, Mr. Chairman, showing that they were legally paid. I read from the act approved July 12, 1862. I thought it was 1863:

> *Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That in all cases of vacancy, in either House of Congress, by death or otherwise, of any member elected or appointed thereto after the commencement of the Congress to which he shall have been elected, each person afterwards elected or appointed to fill such vacancy shall be compensated and paid from the time the compensation of his predecessor ceased.

Now, sir, that is the act which has been generally referred to in the matter of these payments. Of course, it is a little difficult of construction, but I presume they have come under the "otherwise." It was considered that there was a vacancy in those seats, not because those States had ever been out of the Union, but because certain regulations had to be complied with before those vacancies could be filled. That has been the idea upon which this thing had to proceed. There was a vacancy from the Fifth district of Louisiana on account of the fact that certain requisites had not been complied with. This man was elected to fill that, and under this resolution should be entitled to pay from the beginning of the term of the Congress to which he was elected.

Now, I want to call attention to another matter. It is a little remarkable to me, Mr. Chairman, that this old man, now tottering almost upon the verge of the grave, who has been knocking at the door of Congress for years for what is due him, has not been paid, when nearly everybody else has been paid, and that when his claim is presented a point of order is raised against it; that, too, upon a bill containing more than half a dozen provisions for the payment of $5,000 to the widows of different members of Congress, and yet the chairman of the committee reporting that bill stands here to-day and objects to the payment of the Congressman himself! I fail to see any consistency or anything else that savors of justice or fair play in such action as that.

This claim is, according to all precedents, a just claim. Under the act of July, 1862, as heretofore declared by Congress itself, it is a legal claim; and I think in a bill where we are paying the widows and executors of members of Congress, if there is any doubt at all on the proposition, it should be given in favor of the member of Congress himself who had been claiming for years what is due him from his Government.

Mr. HENDERSON of North Carolina. Mr. Chairman, I merely want to make one remark, and that is, there were quite a number of Representatives in the Fortieth Congress who were in exactly the same position as Mr. Blackburn, and all except three or four of them have been paid, according to the rule that the pay begins with the beginning of the term.

Mr. TERRY. If the Chair will permit me, I should like to read from the report of the Treasury Department in regard to this case:

> TREASURY DEPARTMENT, FIRST AUDITOR'S OFFICE,
> *Washington, D. C., February 18, 1892.*
>
> SIR: In reply to your letter of 13th instant to the Secretary of the Treasury, asking for information in regard to the compensation of Hon. W. Jasper Blackburn, M. C., from Louisiana, referred to this office, it appears from the records of this Department that Mr. Blackburn received mileage for both terms of the Fortieth Congress, amounting to $1,865.60, and the salary for ten months and seventeen days, viz, from April 17, 1868, to March 3, 1869, inclusive, amounting to $4,402.77. For the full period of the Congress he would have been entitled, in addition to what he received as set forth above, to salary from March 4, 1867, to April 16, 1868, or thirteen months and thirteen days, amounting to $5,597.23.
>
> Respectfully, yours,
>
> GEO. P. FISHER, *First Auditor.*
>
> Hon. B. H. BUNN,
> *Chairman Committee on Claims, House of Representatives.*

That is the report from the Treasury Department.

Mr. HUDSON. Mr. Chairman——

The CHAIRMAN. The Chair is ready to rule upon the question. The amendment of the gentleman from Arkansas [Mr. TERRY] upon its face does not provide for an appropriation for the payment of salary for any term. It simply allows five thousand five hundred and some odd dollars to pay a party who was at one time a member of Congress. Technically speaking, the amendment on its face is clearly out of order, and that is all the Chair can look to.

Mr. TERRY. The point I was speaking to was that this is provided for by existing law.

The CHAIRMAN. The Chair calls attention to the fact that the amendment upon its face does not provide for the payment of salary.

Mr. TERRY. I ask to make that verbal correction.

Mr. SAYERS. Mr. Chairman, before the gentleman is permitted to do that——

Mr. TERRY. O, certainly I ought to be allowed to perfect the amendment.

Mr. SAYERS. I call the attention of the Chair to the fact that under the ruling made on the sundry civil bill it was held that an amendment that was fatally defective could not be cured by an amendment to it.

Mr. CANNON of Illinois. While I have no fixed opinion as to whether this ought to be paid or not, is it not proper enough that if, in fact, this can be made in order by apt amendment, the Committee of the Whole should, in equity and justice, have the right to pass upon it?

Mr. SAYERS. In answer to the gentleman from Illinois, I will say that this amendment has been sprung upon the committee. No attempt has been made to investigate into the merits of it, and while possibly it may have merit, my information is that the Committee on Claims have reported a bill in favor of the payment of the person interested, and when it comes up the facts can be investigated, and if it is in keeping with precedents already established, then the bill can be passed.

But I rest my objection upon the pure and naked question of law and upon the rules of the House that this amendment ought not to be put upon the general deficiency bill.

The CHAIRMAN. The Chair is ready to rule on the whole question. The Chair will hold the amendment as covered by the act of March, 1867.

Mr. TERRY. I will state that in preparing the amendment I followed the language in the appropriation bill itself. That did not mention anything about the salary, and I spoke of him as a member of Congress, thought that was sufficient, and that it would be understood. There was no question as to what it was for.

The CHAIRMAN. There is no question that under the act of 1863 a member elected to fill a vacancy is entitled to salary from the beginning of the vacancy of the term; but the question in this case is whether that statute is modified by the act of 1868, which admitted Representatives from Louisiana on certain conditions. The act of 1868 provided that Representatives from Louisiana and other States should be admitted from those States upon the acceptance of the provisions of the fourteenth amendment, etc. The Chair is of the opinion that the act of 1863 is modified by the act of 1868.

That is, while the act of 1863 entitles, under ordinary circumstances, a Representative elected to draw the salary from the beginning of the vacancy, that that act is not applicable to this case. The question here is whether there was a vacancy prior to the election of Mr. Blackburn in 1868. The Chair does not desire to go outside of the act and to express an opinion upon the legality of the act, or anything of that kind. The Chair accepts the act as it finds it, and as construed by the Congress at that time. Under that construction the State was not entitled to representation until the proclamation was issued by the President in July, 1868; and on examining the record the Chair finds that this member was sworn in on the day of the proclamation by the President.

The Chair is inclined to think that the act of 1863 is modified so far as the State of Louisiana is concerned by the act of 1868, and that the term of the gentleman really began on the date this member was sworn in, and that, under the rules affecting amendments on appropriation bills, no law exists authorizing payment of salary prior to his admission. Further, there is no question but what this claim is an equitable claim to be presented to Congress. The question here as to whether, under the rules as affecting appropriation bills, there is any clear authority of law for the payment of the same, the Chair is of the opinion that that is a somewhat doubtful question; and at least the Chair gives the benefit of the doubt to the Committee on Appropriations.

Mr. TERRY. With all due deference to the judgment of the Chair, inasmuch as this man is very old and may die before Congress acts in the case, I respectfully appeal from the decision of the Chair.

The CHAIRMAN. The gentleman from Arkansas appeals from the decision of the Chair. The question is, Shall the decision of the Chair stand as the judgment of the committee?

Mr. COBB of Alabama. Mr. Chairman, I would like to inquire whether or not, at the present stage of proceedings, an amendment would be allowed to that amendment, to pay another case of precisely the same character. If so I would like to offer it, and have it pending; and I ask unanimous consent to simply insert this amendment, because it is precisely similar to these other cases.

Mr. SAYERS. I object, because there are forty cases right here of the same kind. [Cries of "Oh, no!"]

The CHAIRMAN. The question is, Shall the decision of the Chair stand as the judgment of the committee?

Mr. HENDERSON of North Carolina. I wish to call the attention of the Chair to the fact that Mr. Blackburn, according to what the Chair stated, was admitted to his seat in Congress on the 24th day of July.

The CHAIRMAN. On the 18th day of July, the day of the President's proclamation.

Mr. HENDERSON of North Carolina. In the opinion of the Chair, his pay began from that date. I want to call the attention of the Chair to the fact that as a matter of fact he was paid from the date of the election, on the 11th day of April, 1868, so that the Chair is evidently wrong in regard to that part of his decision.

The CHAIRMAN. The pay by Congress was allowed from the date of his election. The Chair did not state that fact. The question is, Shall the decision of the Chair stand as the judgment of the committee?

The question was taken, and the decision of the Chair was sustained.

The CHAIRMAN. The next amendment is that offered by the gentleman from Virginia [Mr. MEREDITH].

The Clerk read as follows:

In page 51, after line 13, add?
"To Louis McKenzie $2,098."

Mr. MEREDITH. Now, Mr. Chairman, let me state the case.

Mr. SAYERS. Mr. Chairman, I will first state my point of order. If the amendment be admissible at all to this bill, it is not admissible at the point where it is offered by the gentleman from Virginia, for the reason that the heading of that paragraph is:

For allowance to the following contestants and contestees, audited and recommended by the Committee on Elections, for expenses incurred by them in contested-election cases.

Now, the law as I understand it to be is that no claim of this kind shall be paid until it shall have been first presented to the Committee on Privileges and Elections and audited by that committee. I do not think that this claim has ever been presented to the Committee on Privileges and Elections, audited by them, and referred to the Committee on Appropriations.

Mr. MEREDITH. I do not contend, Mr. Chairman, that this claim has been audited; but if my friend from Texas will remember, this claim was presented to his committee while it was pending before the Committee on Claims. The Committee on Claims has passed upon this question and has recommended the passage of a bill refunding to Mr. McKenzie the sums of money which he expended in two contests, one when he was a member of the Forty-first Congress in a contest made against Mr. Whittlesey and another sum expended in another contest, the two aggregating the amount set forth in the amendment which I have offered.

Now, if this claim is admissible at all, I do not see why it should not come in at this point as well as at any other point in the bill. It is an entirely just claim, for the refunding of money absolutely expended by Mr. McKenzie in those two contests.

Mr. SAYERS. Let me read the law to the gentleman:

And before any sum whatever shall be paid to any contestant or contestee for expenses of election contest, he shall file with the clerk of the Committee on Elections a full and detailed account of his expenses, accompanied by the vouchers and receipts for each item, which account and vouchers shall be sworn to by the party presenting the same; and no charge for witness fees shall be allowed in said accounts unless made in strict conformity to section 128, Revised Statutes of the United States.

Now, I submit in connection with this provision of the statute that the gentleman himself has stated that no such account in this case has been filed with the Committee on Elections, and I am quite certain that no such account has ever been transmitted by the Committee on Elections to the Committee on Appropriations.

Mr. MEREDITH. My friend is entirely mistaken. I went to see the very excellent chairman of the Committee on Appropriations about this matter and he referred me to his clerk

and directed him to make a memorandum. I went there with the report of the Committee on Claims and asked whether that furnished all the information that was necessary, and the only objection urged then, and the only one that I have heard since, the only one ever urged so far as my knowledge goes, is that these are stale claims and that Mr. McKenzie has slept upon his rights for such a long period. He expended this money, every dollar of it; the Committee on Claims have so reported, and it has never been repaid. Mr. McKenzie, like the gentleman described by my friend from Arkansas, is now a very old man. This claim has been before the Committee on Claims through several Congresses, and if he has to wait until we can get a day and get a special bill passed I am afraid he will never receive this money. You pay other claims of this kind, now why not pay this old man and do equal justice to all?

Mr. COOMBS. Why has this claim lain dormant ever since the Fortieth Congress?

Mr. MEREDITH. Because the old man was in pretty good circumstances and did not ask for the money; but now he has become poor, like so many other Virginians, and he comes here and asks merely an act of justice, asks you to do only what you do for other people in every Congress. I think it is a great hardship that this claim should not be paid. It is a just claim, and Mr. McKenzie is entitled to every dollar of it.

The CHAIRMAN. The Chair has looked into this question somewhat since Saturday. The act to which the gentleman from Texas has called attention is wholly an act of restriction. It does not require Congress to pay a dollar in these cases, but simply says that no appropriation shall be made except under certain conditions and limitations. If there is any statute at all authorizing Congress to pay these claims the Chair is wholly unadvised as to where it can be found. The Chair, therefore, is clearly of opinion that this claim is not one authorized by any law. It does not even come within the restrictive statute. The statute which authorizes Congress to pay claims up to $2,000 is wholly restrictive.

Mr. MEREDITH. Is there not just as much reason for paying this as for paying any of these other claims?

The CHAIRMAN. That is not the question before the Chair. The question is whether there is any law authorizing this appropriation?

Mr. MEREDITH. My friend from Texas ought not to ask a technical ruling in a case of common justice.

The CHAIRMAN. That is a question for the gentleman from Texas and not for the Chair.

Mr. MEREDITH [to Mr. SAYERS]. Withdraw your point of order.

Mr. SAYERS. I can not withdraw it, Mr. Chairman.

The CHAIRMAN. The Chair sustains the point of order. The Clerk will report the next amendment.

The Clerk read as follows:

Amend by inserting between lines 9 and 10 on page 51 the following: "To pay to the executor of Nathaniel Boyden, late a member of the House of Representatives of the United States for the Fortieth Congress, the sum of $5,652.78, the remainder of salary due and unpaid said Nathaniel Boyden as a member of the House of Representatives for the Fortieth Congress."

Mr. HENDERSON of North Carolina. After the ruling which the Chair has just made in the case of the amendment offered by the gentleman from Arkansas [Mr. TERRY] I know that the Chair will rule the same way in this case. I think it is a great hardship, however, that these gentlemen are not paid. Payment has been made in many cases of the same sort; quite a number of such claims were paid in the Fifty-first Congress, and I think these ought to be paid now. But in view of the ruling of the Chair I will not contend further for the amendment. I ask leave, however, to have printed in the RECORD as a part of my remarks the report of the Committee on Claims relating to the cases of Mr. Blackburn and Mr. Boyden.

There was no objection.

The report is as follows:

The Committee on Claims, to whom was referred the bill (H. R. 4198) for the relief of W. Jasper Blackburn, report:

Your committee have carefully considered the same and find that W. Jasper Blackburn was a member of the Fortieth Congress and as such was entitled to the sum of $10,000 salary, and that he has only received the sum of $4,402.77 and is therefore entitled to the balance, to wit, the sum of $5,597.23. It also appears in evidence before the committee that Nathaniel Boyden was a member of the same Congress and was entitled to the same sum, and that he only received the sum of $4,347.22 and is entitled to the further sum of $5,652.78.

The said Nathaniel Boyden is dead.

Your committee found the law to be clearly in favor of the payment of these sums (see resolutions, July 12, 1862, 12 Statutes at Large, page 624) and so far as your committee have been able to ascertain these are the only cases since the passage of this resolution where the law has not been followed.

The instances where it has been followed are numerous, some of which we refer to as follows: CONGRESSIONAL RECORD, February 12, 1891, page 2537; February 28, 1891, page 3522; February 27, 1891, page 3472, and March 2, 1891, page 3919.

Your committee therefore recommend that the bill be amended by striking out the words "four hundred and seventeen dollars," in line 6, inserting in lieu thereof the words "five hundred and ninety-seven dollars and twenty-three cents;" that the title of the bill be amended by adding thereto the following words: "and the legal representatives of Nathaniel Boyden," and after the word "dollars," in line 6, "and to the legal representatives of Nathaniel Boyden the sum of $5,652.78;" strike out "salary," in line 7, and insert "salaries;" strike out the word "him," in line 7, and insert "them;" and as so amended it do pass.

TREASURY DEPARTMENT, FIRST AUDITOR'S OFFICE,
Washington, D. C., February 18, 1892.

SIR: In reply to your letter of 13th instant to the Secretary of the Treasury, asking for information in regard to the compensation of Hon. W. Jasper Blackburn, M. C. from Louisiana, referred to this office, it appears, from the records of this Department, that Mr. Blackburn received mileage for both terms of the Fortieth Congress, amounting to $1,865.60, and salary for ten months and seventeen days, viz, from April 17, 1868, to March 3, 1869, inclusive, amounting to $4,402.77.

For the full period of the Congress he would have been entitled, in addition to what he received as set forth above, to salary from March 4, 1867, to April 16, 1868, or thirteen months and thirteen days, amounting to $5,597.23.

Respectfully, yours,

GEO. P. FISHER,
First Auditor.

Hon. B. H. BUNN,
Chairman Committee on Claims, House of Representatives.

TREASURY DEPARTMENT, *April 24, 1894.*

Hon. JOHN S. HENDERSON, *House of Representatives:*

Nathaniel Boyden received pay from April 21, 1868, to March 4, 1869, amounting to—salary, $4,347.22; mileage, $295.20; total, $4,642.42.

J. F. MELINE,
Assistant Treasurer United States.

Mr. SAYERS. Mr. Chairman, I have just received a communication from the chairman of the Committee on Elections in regard to the contested-election case of English *vs.* Hilborn. This letter transmits an account of $2,000 to be allowed to Mr. English. Mr. Hilborn's allowance is already in the bill. I ask unanimous consent for the adoption of the amendment which the Clerk will read.

The Clerk read as follows:

On page 52, after line 4, insert:
"To W. B. English, $2,000."

There being no objection, the amendment was agreed to.

Mr. SAYERS. I move to amend in line 6 by striking out "twenty-two," and inserting "twenty-four," so as to make the total correct.

There being no objection, the amendment was agreed to.

Mr. SAYERS. In order to perfect the clause on page 61, under the head of "Judgments in Indian depredation claims," I desire to offer the amendment which I ask the Clerk to read.

The Clerk read as follows:

Strike out lines 22, 23, 24, and 25 on page 61, and lines 1, 2, 3, and 4 on page 62, and insert in lieu thereof the following:

"For the defense of Indian depredation claims, which shall include the investigation and examination, under the direction of the Attorney-General, of judgments of the Court of Claims rendered under the act approved March 3, 1891, entitled 'An act to provide for the adjustment and payment of claims arising from Indian depredations,' which have not been appropriated for, $10,000, which sum shall continue available until expended, and the Attorney-General shall report to Congress at its next regular session all of said judgments concerning which, in his opinion, after such investigation and examination, there is no evidence, cumulative or otherwise, that any fraud, wrong, or injustice has been done to the United States."

Mr. HERMANN. Now, Mr. Chairman, I desire to offer a substitute.

The CHAIRMAN. The gentleman from Oregon [Mr. HERMANN] offers a substitute, which the Clerk will read, for the amendment of the gentleman from Texas.

The Clerk read as follows:

Strike out from and including line 22, page 61, to and including line 4, on page 62, and insert the following:

"For payment of the judgments of the Court of Claims in the Indian depredation cases, $514,924.93, or so much thereof as may be necessary to pay and discharge such judgments as have been rendered against the United States, as reported in Senate Executive Document, No. 82, Fifty-third Congress, second session, after the deductions required to be made under the provisions of section 6 of the act approved March 3, 1891, entitled, 'An act to provide for the adjustment and payment of claims arising from Indian depredations,' shall have been ascertained and duly certified by the Secretary of the Interior to the Secretary of the Treasury, which certification shall be made as soon as practicable after the passage of this act, and the proceedings hereinafter required."

Mr. PICKLER. Now, Mr. Chairman, I desire to reoffer an amendment which I offered on Saturday.

The CHAIRMAN. The Chair is inclined to think that the amendment offered by the gentleman from Oregon [Mr. HERMANN] as a substitute is not germane to the amendment of the gentleman from Texas, but would more properly come in as an independent proposition.

Mr. HERMANN. I do not quite understand what is the view of the Chair.

The CHAIRMAN. The Chair thinks that the gentleman's substitute is not germane to the amendment of the gentleman from Texas.

Mr. HERMANN. The Chair will allow me to say that in my judgment my substitute is especially germane because it applies

to the same subject-matter, the investigation already had; and, further, it applies particularly to the payment of those judgments which have been rendered upon investigation.

The CHAIRMAN. The Chair does not assert that the amendment is not a proper one, but simply that it is not germane as a substitute for the amendment of the gentleman from Texas.

Mr. SAYERS. I do not wish to take any advantage of these gentlemen, because it was clearly understood that they should have an opportunity to take the sense of the committee and of the House upon the direct proposition to pay these judgments without qualification.

Now, I suggest to the Chair and to the committee, that this amendment of mine be adopted, and then let the motion be made to strike out the clause as amended and insert in lieu thereof the proposition of the gentleman from Oregon [Mr. HERMANN]. That would bring the House to a direct vote upon the question.

Mr. HERMANN. In order to bring the matter squarely before the House, I will agree to that. With that view, let the Clerk eliminate so much of my substitute as appertains to striking out the lines included in the amendment of the gentleman from Texas, permitting the rest of my amendment to remain, which proposes to make a direct appropriation.

Mr. REED. Why not offer your amendment as a substitute for the original text?

Mr. HERMANN. I think we have arranged it satisfactorily now.

The CHAIRMAN. Is it agreed that the amendment offered by the gentleman from Texas [Mr. SAYERS] be considered as adopted?

Mr. PICKLER and others. Oh, no; not yet.

Mr. SAYERS. I merely offered that suggestion.

Mr. PICKLER. We want to hear the matter discussed.

Mr. SAYERS. Let my amendment be pending and the amendment of the gentleman from Oregon be considered as a substitute for it.

The CHAIRMAN. The Chair will entertain the substitute, if there be no objection.

Mr. PICKLER. I desire to offer an amendment to the text.

The CHAIRMAN. The gentleman from Texas has offered an amendment, and the gentleman from Oregon has offered a substitute for it.

Mr. PICKLER. But I desire to amend the text. This is an amendment which I offered on Saturday.

The CHAIRMAN. All the amendments offered on Saturday were considered to be withdrawn, to be offered subsequently.

Mr. PICKLER. Certainly; but an amendment to the text is in order

The CHAIRMAN. An amendment to the text does not take priority of any other amendment to the section.

Mr. SAYERS. I would suggest that the proposition of the gentleman from Oregon and that proposed by the gentleman from South Dakota are the same.

Mr. HERMANN. Just the same substantially.

Mr. PICKLER. I differ with the gentleman in that regard. It is not just the same as that proposed by the gentleman from Oregon. The question was reserved, as the Chair will observe, on Saturday as to the right to offer these amendments.

The CHAIRMAN. But the gentleman from South Dakota understands that two amendments can not be pending at the same time. Either his amendment must be an amendment to the amendment, or an amendment to the substitute.

Mr. PICKLER. This is an amendment to the text. I understand the gentleman from Texas offers a substitute for the provisions of the bill. Now, I propose to amend the original text.

The CHAIRMAN. That would be in order, of course.

Mr. HERMANN. The amendment I offer is a general proposition embracing all of these claims, and including that of the gentleman from South Dakota.

The CHAIRMAN. The gentleman from South Dakota offers an amendment to the original text, which is in order, and which the Clerk will report.

The Clerk read as follows:

Amend by adding after line 4, page 62, as follows:

"For payment of judgments rendered by the Court of Claims in Indian depredation cases since June 30, 1891, as certified by the Attorney-General April 19, 1894, in response to the Senate resolution of April 14, 1894, and in amount in accordance with the act of March 3, 1891, amounting to a total of $514,924.93, as follows:"

Mr. PICKLER. And then follows the list of judgments that have been reported by the Attorney-General.

Now, Mr. Chairman, I would be glad to hear from the gentleman from Texas as to his proposition; the one he sets forth, and the reasons the committee have for not making the appropriation for the claims as reported by the Attorney-General.

Mr. SAYERS. I would say this in response to the gentleman from South Dakota.

In the first place, the committee have evinced no disposition to object to the payment of these judgments as judgments *per se;* that is to say, simply because they are judgments obtained for losses sustained in consequence of Indian depredations. But we have been advised, Mr. Chairman, that these judgments have not been found to be entirely correct, that is, altogether just to the Government of the United States, by reason of the fact that certain questions important to be considered were not taken into consideration.

No question, we are informed, arose in the trial of these cases as to "whether the Indians, at the time of the committing of the depredations, were in amity with the United States." No question was had as to "whether the claimants were, at the time the depredations were committed, citizens of the United States."

Gentlemen will remember that the statute expressly provides that no other than citizens of the United States shall be permitted to invoke the aid of the statute for the recovery of such losses, either against the trust funds of the Indians or against the Government of the United States. Another question, "whether the claimants were mixed-blood Indians, or whether they were white men incorporated into the Indian tribes, drawing annuities and entitled to all the privileges of Indians," was not inquired into.

Since the rendition of some of the judgments it has been ascertained that white men have gone among the Indians and married wives, and become what are known as "squaw men," entitled to all of the rights of the Indians, and have recovered judgments against the Government and against the very tribes of which they were members and through which they were receiving annuities from the Government.

The committee believe, Mr. Chairman, that all of these questions should have been thoroughly and fully investigated, and that no one who does not bring himself strictly within the provisions of the law should be heard to enforce his claims in the court under this statute.

Again, there is a fourth question involved. Were these people who have instituted suits against the Government of the United States, "citizens of the United States at the time of bringing suit"? Gentleman familiar with the provisions of the act will remember as one of the provisions, that where claims have been allowed by the Interior Department such claims were to be transmitted to the Court of Claims and judgments rendered, without the necessity of further proof.

Mr. COCKRELL. I should like to know what your information is as to the number of these fraudulent claims, and whether you are going to discard all that have been properly presented and passed upon by the court in order to reach a few that seem to be doubtful?

Mr. SAYERS. I will say to my colleague that the proposition is simply this: We direct the Attorney-General to investigate these judgments, and ascertain whether or not any facts are to be had which, under the law, would authorize the Attorney-General to reopen these judgments. Under the general statute the Government may within two years reopen a case where fraud or injustice appears to have been done the Government.

Mr. PICKLER. Will the gentleman allow me, right there?

Mr. SAYERS. Certainly.

Mr. PICKLER. Does your amendment contemplate the enlargement of that section which you quote—section 1088 of the Revised Statutes?

Mr. SAYERS. Not at all.

Mr. PICKLER. Do you mean to give him the same power to investigate these judgments that section 1088 of the Revised Statutes gives him?

Mr. SAYERS. Yes; just the same.

Mr. PICKLER. No more?

Mr. SAYERS. No more; and we further propose to allow him enough money to do this work, so that he may be able to report to this Congress at its next session what judgments should, in the opinion of the Department of Justice, be paid.

Mr. COOMBS. Without further contest.

Mr. HERMANN. There are about 325 judgments certified to Congress, involving a sum equal to about $515,000?

Mr. SAYERS. Yes.

Mr. HERMANN. I will ask the gentleman whether it is his purpose that the Department of Justice shall go behind each and all of these judgments, or only such particular judgments as to which it is thought there should be investigation?

Mr. SAYERS. I propose to throw upon the Department of Justice the responsibility of inquiring into these judgments, and reporting to Congress what judgments should be paid.

Mr. BRODERICK. Is the gentleman informed as to the number, as to the per cent, of these judgments that are probably fraudulent?

Mr. SAYERS. We have been informed as to only a few of them, because, as the Attorney-General has informed us, he has not been able to inquire into all of the judgments.

Mr. BRODERICK. There are only a small per cent of them that will be questioned, probably?

Mr. COCKRELL. I should like to ask whether you have any information at all as to the fraudulent acquisition of any of these judgments, except those reported by that committee?

Mr. SAYERS. None at all; but the Attorney-General——

Mr. COCKRELL. Then you propose to close out men who have had judgments, and who are entitled to be paid, on account of a few fraudulent ones. We have no squaw men in Texas.

Mr. SAYERS. Let me tell my colleague that as chairman of the Committee on Appropriations I do not look to see whether a claimant lives in Texas or not.

Mr. COCKRELL. I understand all that, but you have selected out a few squaw men whom you claim have obtained fraudulent judgments and you propose to go behind all these judgments that have been rendered by a court of competent jurisdiction and to give the Attorney-General authority to go behind these judgments and shut out all these claimants, as to whom there is not a particle of proof to show any fraud, and there is no telling when this investigation will end.

Mr. SAYERS. Let me answer my colleague——

Mr. PICKLER. I suppose it will not be considered an interruption, if we get at this understanding?

Mr. SAYERS. Not at all. Let me answer my colleague [Mr. COCKRELL]. In the first place our committee have not been hunting out a few of these claims at all. They have been reported to us from the outside. A committee of the Senate have been investigating this matter. In the second place, we are only proposing to do in regard to these judgments what the Attorney-General has the authority to do under the general statutes; and also to give him enough money to prosecute his inquiries thoroughly and rapidly.

Mr. BAILEY. If my colleague will permit me just there, I think it is very probable that some of these judgments ought not to be paid. But I agree with the suggestion of my colleague [Mr. COCKRELL], that a man who has an honest claim, and has reduced it to a judgment, ought not to be delayed on account of the existence of some dishonest claim. I therefore suggest to my colleague [Mr. SAYERS], the chairman of the Committee on Appropriations, that an easy way out of this would be to make an appropriation, not as large as all the judgments call for, for that probably would not be necessary, but sufficient to cover what are supposed to be the honest claims, and provide that no claim shall be paid except upon the certificate of the Assistant Attorney-General in charge of these claims.

Mr. SAYERS. This gives the Attorney-General the power to protect the Government from the payment of dishonest claims.

Mr. PICKLER. We all agree to that proposition.

Mr. HERMANN. I wish to say this to my friend from Texas, that I hold in my hand a recent letter from the Department of Justice, from the Assistant Attorney-General, who distinctly asserts that there is no evidence whatever on file in that Department tending to show that any one of these 325 judgments have been fraudulently obtained; and secondly, as to this investigation, to which reference has been made, and which was taken by one member of the other body in the States of Nebraska and South Dakota, that as to that entire investigation under which these judgments have been held up as objectionable, the only point, and the single point of that investigation was as to whether the party making a claim was a citizen of the United States.

Now, in order to present to the committee, and especially to the chairman of the committee, the character of that investigation which clouded a few fragments of the Department of Justice, I want to quote for the gentleman from the first page of the investigation, and let him see the character of the investigation which was carried on by that committee; and then I submit to him that if a subordinate officer had submitted such a stupid and unjust report as this, he would have been expelled from the public service.

Mr. SAYERS. The gentleman can submit that in his own remarks.

Mr. HERMANN. Now, as to this report in pursuance of the Senate resolution, here is an instance of the truth of what I say. I desire to submit it, so that gentlemen may see the character of the investigation upon which $515,000, involved in three hundred and twenty-five judgments, is to be held up and these claims virtually repudiated for the time being. Now, here is the instance——

Mr. SAYERS. You can read that in your own time.

Mr. HERMANN. I want to make that illustration, if the gentleman will permit me to finish my sentence.

Mr. SAYERS. Certainly, I will permit you to finish your sentence.

Mr. HERMANN. Louis Bordeau has a claim against the Government of the United States for property destroyed belonging to him, by Indians belonging to the Sioux tribe. The claim amounted to $1,300. It was claimed by this committee that that individual was a "squaw man;" that he had abandoned his status as a citizen of the United States; that he had become incorporated in the Indian tribe and had lost his citizenship, and therefore he could not claim to be a citizen of the United States and obtain any indemnity from the Government.

Now, let us see, for here is the evidence how very indefinite, how careless, and how stupid has been that investigation. Here is the testimony.

Claimant's son, 45 years of age, was upon the witness stand, and he was asked:

What was your father's name?
A. James Bordeau.
Q. Where was he born?
A. At St. Charles, Mo.
Q. When did he die?
A. He died sixteen years ago.
Q. When did he first become a member of the tribe of Brule Sioux?
A. My father was 22 years old when he married my mother and came among the Indians.
Q. Was he adopted into the tribe?
A. No, sir; my father had his own place on the North Platte River and every winter went out and traded among the Indians.

He wss a native-born citizen of the United States; and he was not a member of an Indian tribe, but conducted his own affairs as a citizen of the United States, living at his own home, holding land in severalty, having the fee-simple title to it, and owning the property which was destroyed. And yet this man's claim is held up here to-day on the charge that he is not a citizen of the United States, but that he had lost his citizenship and had become incorporated with a tribe of Indians, and that there is no law in the United States under which he can be paid, and, therefore, he has no remedy.

Mr. SAYERS. I will say to the gentleman that there has never been in the history of the Court of Claims—the gentleman wishes to know the truth and the whole truth—a series of judgments so rapidly railroaded through that court as these judgments which the gentleman now desires to be paid. Bundles and bundles of *ex parte* testimony have been dragged from the files of the Indian Office, and under the operation of this statute, been made the predicate and basis of judgments against the Government.

Mr. PICKLER. The law authorized the taking of those papers for that purpose.

Mr. SAYERS. But, if these questions had been raised at the time some of these judgments probably would not have been rendered.

Mr. PICKLER. Where was the Government's attorney?

Mr. HERMANN. I wish to say right here that these questions were raised at the time.

Mr. SAYERS. Not at all.

Mr. HERMANN. In every hearing before the Department of the Interior the question of citizenship was the first one that was raised, the first interrogatory that was put.

Mr. SAYERS. Now, let me tell the gentleman what I have heard as to one case alone. I have heard that after the present Assistant Attorney-General had been appointed but had not yet qualified, his predecessor, who was more than a thousand miles distant at the time, telegraphed an agreement.

Mr. PICKLER. That ought to be investigated.

Mr. SAYERS. Of course; and that is what we desire to do.

Mr. PICKLER. What is the gentleman willing to do now?

Mr. SAYERS. I for one am willing to accept the proposition of my colleague [Mr. BAILEY].

Mr. COCKRELL. That is all we want.

Mr. SAYERS. No; you want all the judgments paid immediately.

Mr. COCKRELL. No, sir; we want only what is just and right.

Mr. HERMANN. We do not go to the extent of asking that every dollar of these judgments be appropriated; but we do say that in justice to the honest claimants who are involved here the gentleman should permit the appropriation of a sufficient amount to cover their claims and should exclude a sufficient amount to cover the other claims which may be doubtful and which the Departments say are only about ten in number.

Mr. SAYERS. Speaking only for myself, and not undertaking to bind or to influence any member of the Committee on Appropriations, because I have no authority to do so, I am willing to make an appropriation of $100,000, coupled with a provision directing the Attorney-General to investigate and inquire into these judgments, and providing that no judgment shall be paid out of the $100,000 unless upon a certificate from the Attorney-

General to the Secretary of the Treasury that he has examined the same, and that there has been no fraud or injustice against the Government.

Mr. HERMANN. Then what will you do with the other four hundred and fourteen odd thousand dollars?

Mr. SAYERS. Let him investigate those cases in the meantime, and make a report at the next session.

Mr. HERMANN. Why does not the gentleman, on the same principle, proceed to go behind all the other judgments that are provided for in this bill? Why single out Indian depredation claims, which belong to the people of the West?

Mr. SAYERS. Which belong to the people of the West! The West has been about as well taken care of in these appropriations bills as any other part of the country.

Mr. HERMANN. It does not seem to be so at the present moment.

Mr. GROUT. I think that most of the people who are interested in these claims are in Washington.

Mr. SMITH of Arizona. I would suggest, in order to settle this matter fairly and in line with the suggestion of the gentleman from Texas [Mr. BAILEY], that, in my judgment, the Government would be fully protected against the payment of any fraudulent claims—and I am certain that none of us from the West desire any fraudulent Indian depredation claims paid—in my judgment the Government would be fully protected if half the amount included in these judgments, say $250,000, should be appropriated under the conditions stated by the chairman of the Committee on Appropriations, that no money shall be paid out upon any judgment, except upon the certificate of the Attorney General or of the acting attorney, in the case that no fraud has been perpetrated.

Appropriate that amount and let it be applied either pro rata, or to satisfy in full these just judgments when they are shown to be so. That would at least give an assurance that these judgments would be paid, and it seems to me that it is about the fairest compromise.

Mr. HERMANN. That is not fair, but it is fairer than the proposition the gentleman from Texas has made.

Mr. PICKLER. What does the gentleman from Texas say to that?

Mr. SAYERS. The amount is too large.

Mr. KEM. I wish to ask the chairman of the Committee on Appropriations whether he thinks it at all probable that any considerable number of these claims are fraudulent?

Mr. SAYERS. I will answer the question frankly. We do not know whether that be true or not. We do not know whether they are fraudulent, nor do we know that they are just claims, but there is a suspicion, founded upon some facts which the Assistant Attorney-General has been able to gather, that some of these judgments have been improperly obtained.

Mr. PICKLER. At this point let me give the gentleman the Attorney-General's own language on that point. He says:

> I beg to state, in reply, that although upon taking charge of this office in 1893 and reorganizing the force within a month thereafter, opportunity was not afforded me under the rules of the court, with respect to work in the field and the causes on the trial calendar, to examine as closely the cases as under other circumstances I should have done; yet I have no reason to believe that any of the judgments obtained contained in the said Executive Document No. 7 are irregular except as hereinafter stated.
>
> Sometime in the month of February last information came to me to the effect that the following judgments in the list were of doubtful regularity because of the requisite condition of citizenship being wanting.

And then there are nine judgments set out. That is the language of the Attorney-General. Out of 325 judgments, these are all that he could say there was any irregularity about; and these only as to citizenship.

Mr. COOMBS. If the gentleman will read the remainder of the statement——

Mr. PICKLER. I think that every particle——

Mr. SAYERS. I believe that I have the floor. The last question, Mr. Chairman, which I propounded, with the answer, was as follows:

> Is it your opinion that appropriation should be suspended until you can lay your finger on those that ought to be paid and those which ought not to be paid?
>
> Mr. HOWRY. Yes, sir.

Mr. VAN VOORHIS of New York. How do you expect Congress to get rid of judgments of the Court of Claims? Even if those judgments are wrong we can not reverse them or set them aside. If they are irregular the court itself can ascertain that fact; we can not.

Mr. HERMANN. That is just the position that we take.

Mr. SAYERS. We propose to provide for an investigation.

Mr. VAN VOORHIS of New York. If any judgment has been obtained by fraud, is not the remedy for the Attorney-General to apply to the court?

Mr. HERMANN. And he already has that remedy within his power.

Mr. SAYERS. That is what we direct him to do.

Mr. HERMANN. He does not require to be directed; the law already directs him.

Mr. SAYERS. I yield to the gentleman from Illinois [Mr. CANNON].

Mr. CANNON of Illinois. Mr. Chairman, I can say in a very few minutes all that I wish to say on this matter. There has been certified here in round numbers half a million dollars of these judgments known as Indian depredation judgments for the consideration of Congress. They were referred to the Committee on Appropriations. After consideration that committee was satisfied that a part of these judgments had not been properly defended—some of them that can be named and are named—with well-grounded suspicion against other judgments that the Attorney-General was not able to name, and we are not able to name.

Now, the Committee on Appropriations had no desire—I think I speak not only for the minority, but for the whole committee when I say they had no desire to recommend anything to this House except that which is right. I have an opinion about this matter, and I will state it; and then, so far as I am concerned, my connection with it is done.

Gentlemen are familiar with the law under which the Court of Claims took jurisdiction of these matters. What were known as Indian depredation claims had been kicked from pillar to post for many years; many cases were passed upon by the Secretary of the Interior; but the action taken upon them amounted to nothing, except that occasionally Congress might appropriate for a particular claim. So that a few years ago we passed an act referring these claims to the Court of Claims. Now, listen and see what that court under that act was to do. We conferred jurisdiction upon the court to inquire and finally adjudicate—

> First, all claims for property of citizens of the United States taken or destroyed by Indians belonging to any band, tribe, or nation in amity with the United States, without just cause or provocation on the part of the owner or agent in charge, and not returned or paid for.

Thus it was provided in the very first clause of the act that the claim must inure to a citizen of the United States; and it must be for property taken or destroyed by some tribe of Indians "in amity with the United States." Those two things must exist.

Then a third question arises: where a citizen of the United States whose property has been destroyed by Indians in amity or at peace with the United States, has ceased to be a citizen at the time he brings his suit, has he any status? The Court of Claims went on to hear these cases; and after inquiry from the Attorney-General, it appears—I will not take time to read but will state the substance of the communication—that of these three or four hundred cases, in no case where judgment was rendered was the question of citizenship raised before the court.

Mr. VAN VOORHIS of New York. It was conceded.

Mr. CANNON of Illinois. It was not raised, as I understand it.

Mr. VAN VOORHIS of New York rose.

Mr. CANNON of Illinois. I will make my statement, and I think it will be satisfactory to my friend from New York.

Again in these cases, the inquiry as to what constituted a tribe at peace with the United States does not seem to have been passed upon.

Mr. VAN VOORHIS of New York. May I ask the gentleman a question?

Mr. CANNON of Illinois. In a moment. I think I can state this matter succinctly, and then I will answer questions.

Now, these judgments come to us; and the report is made that in a number of these cases the claimants were not citizens of the United States; that some were Canadians, some Mexicans, some "squaw men" who practically had been adopted into the tribe—not by legislation of the United States unless the treaty constitutes legislation, but adopted in point of fact—married into the tribes and drawing rations through their families from the Government.

Now, then, the court decided that citizenship is a matter that is jurisdictional. Now, it seems that in certain named cases of these judgments citizenship did not exist, that in some instances the tribe was not in amity with the United States; we said as to these cases there is no doubt that the United States ought not to make the appropriation unless we have had our day in court.

Mr. PICKLER. Will the gentleman allow me?

Mr. CANNON of Illinois. Not now. In two or three minutes I will yield, first to the gentleman from New York for a question, and then to any other gentleman.

Then the question occurred to the committee, Has the United States had its day in court? Has the Attorney-General in charge of these cases been ignorant or careless; and if so, are we bound the same as any other party would be? Much can be said in favor of that position. As we began to inquire we turned to section 1088 of the Revised Statutes and found—and I ask the particular attention of gentlemen—this provision of the law:

The Court of Claims, at any time while any claim is pending before it, or on appeal from it, or within two years next after the final disposition of such claim, may, on motion on behalf of the United States, grant a new trial and stay the payment of any judgment therein, upon such evidence, cumulative or otherwise, as shall satisfy the court that any fraud, wrong, or injustice in the premises has been done to the United States.

Mr. HERMANN. Hence there is no necessity for this legislation.

Mr. CANNON of Illinois. Ah! the gentleman says that there is no necessity for this legislation. There is the language of the Revised Statutes; that is the law, and there is not one of these judgments, if the cause exists, that can not be opened on motion for a fraud or wrong or for injustice in the premises done to the United States.

Mr. PICKLER. That is right.

Mr. HERMANN. They can do that now under the statute the gentleman has just read, without this legislation.

Mr. CANNON of Illinois. Oh, the gentleman is swift. He says we can do that now. When it has come to the knowledge of this House in the last ten days that there are a number of these judgments, which are named, that ought to be opened and can be opened, when a well-founded suspicion comes to this House that there are others that can not be named that can be opened and ought to be opened, then the question is whether you will appropriate this money before you ascertain which of these judgments are subject to a motion for a new trial under section 1088 of the Revised Statutes.

The Committee on Appropriations did not believe it to be good policy, and therefore we report an amendment to this bill that I think will commend itself to the judgment of this House; that is to say, we appropriate $10,000 to the Attorney-General, and it shall be his duty to vigorously inquire from this time until the first Monday of next December as to the facts in each case, and if there be a case among the mass that ought to be reopened or that in his judgment should not be paid until the well-grounded suspicion as to some of them is laid at rest, he is to so report to Congress; so that when it is paid we can say that money is due.

That is all there is of it. If gentlemen think under this state of facts that they want to rush in and pay anyhow on this statement, well and good; they will so vote. It is not intended to tie the matter up permanently. It is not intended to confer any new power on the Attorney-General or on the court, but under the rights of the United States under the law it is proposed to give the Attorney-General $10,000 in money and five months in time to investigate cases, make motions for new trials if cause exists, and report to Congress.

Mr. PICKLER. Under section 1088.

Mr. CANNON of Illinois (continuing). And if there be any cases found under this statute, 1088, which ought not to be paid, which ought to be reopened and in which the United States should have a new hearing, under the law, those facts will be reported to Congress, and in all other cases where no defense exists the money will be paid.

Mr. PICKLER. That is all right; I agree to that.

Mr. CANNON of Illinois. If there be just doubts as to the legality of any of these claims, if such a condition exists in regard to them we ought to know it, and in my opinion—and that is the judgment of the Committee on Appropriations—we should withhold the appropriation and pay none of the judgments until this investigation has been completed.

Mr. VAN VOORHIS of New York. Mr. Chairman——

The CHAIRMAN. The gentleman from Illinois has the floor.

Mr. BROOKSHIRE. Will my colleague yield to me for a suggestion?

Mr. VAN VOORHIS of New York. The gentleman from Illinois promised to yield to me. I want about five minutes. This has been a pretty general discussion.

Mr. CANNON of Illinois. My colleague from Indiana wanted to ask me a question.

Mr. BROOKSHIRE. The first judgment rendered is on the 11th of October, 1892, in these Indian depredation cases; so that under the law now, the two years will not expire until next October.

Mr. HERMANN. That is correct.

Mr. CANNON of Illinois. Certainly, the two years is not up yet.

Mr. HERMANN. Hence there is no necessity for this legislation.

Mr. CANNON of Illinois. Does my friend from New York wish to ask a question?

Mr. VAN VOORHIS of New York. I want to ask a question, but I want several minutes' time.

Mr. CANNON of Illinois. I am talking in the time of the gentleman from Texas. I yield the floor back to the gentleman from Texas.

Mr. SAYERS. I yield five minutes to the gentleman from New York [Mr. VAN VOORHIS], and the remainder of the time to the gentleman from Indiana [Mr. BROOKSHIRE].

Mr. VAN VOORHIS of New York. Mr. Chairman, I am opposed to paying the Attorney-General a bonus of $10,000 for neglecting his duty. What is his duty? When an action is commenced against the Government it is his duty to appear in defense of the United States, and see that the court has jurisdiction. Now, if the plaintiff is not a citizen, or any other jurisdictional fact does not exist, he should set up a plea to the jurisdiction. When the case goes to judgment, the judgment establishes beyond question and beyond dispute all the facts that confer jurisdiction.

If on the pleadings it appears that the court had no jurisdiction, then the judgment is a nullity; but you can not go outside of the record and say now that a plaintiff is not a citizen, when the complaint alleges that he is, and the answer admits it. The remedy is with the court, and the duty is upon the Attorney-General, and he should not come here and ask us for $10,000 to compensate him for performing his duty. He can apply to the court to open every fraudulent judgment that he has permitted to be entered against the Government. Congress can not reverse the judgments. Congress can not set them aside. Congress, by any action, can not affect the question of jurisdiction. It all lies with the Attorney-General and with the court, and are we to give him $10,000 for performing his duty? Do we not pay him already for that? That is all I have to say.

Mr. SAYERS. He must send men out to these places to investigate. The money that the Department of Justice receives for this purpose is a mere bagatelle.

Mr. VAN VOORHIS of New York. It was the duty of the Attorney-General to attend to it in the time of it.

Mr. BROOKSHIRE. If the committee will bear with me patiently, I will attempt to make a brief statement of some facts involved in this controversy.

From October 11, 1892, to January 22, 1893, judgments were rendered by the Court of Claims under the Indian depredation act of March 3, 1891, which in the aggregate amounted to $452,000 in round numbers. There are, I think, 211 of these judgments. From November 13, 1893, to April 9, 1894, there were some 29 other judgments rendered, which in the aggregate amounted to $62,000 in round numbers.

It is believed that many of these judgments are fraudulent because they were allowed upon insufficient evidence.

On March 27, 1894, a special agent was sent out to the Pine Ridge and Rosebud Agencies in South Dakota with instructions to investigate ten judgments, aggregating in round numbers $10,000. It was discovered by this investigation that such judgment had been rendered for depredations of Sioux Indians, and that the claimants themselves were Sioux Indians, or were incorporated into the tribe as such, and were drawing annuities and supplies from the Government under treaties of the Sioux Indians.

Mr. PICKLER. What is the gentleman reading from?

Mr. BROOKSHIRE. I am reading from a carefully prepared statement drawn from these official documents.

Mr. PICKLER. The gentleman is clear off on that.

Mr. BROOKSHIRE. I think not. It is now contended by the Department of Justice that certain jurisdictional facts should be established and should affirmatively appear before the Court of Claims should render judgments in these depredation cases.

Mr. PICKLER. They did appear.

Mr. BROOKSHIRE. It is contended by the Department of Justice that under the act of March 3, 1891, both citizenship and amity are jurisdictional, and should be affirmatively shown before any recovery can be had in this class of cases.

In a word, that it should be affirmatively shown, first, Whether the Indians committing the depredations were in amity with the United States; second, whether the claimants were, at the time the depredations were committed, citizens of the United States.

It has recently been decided by the Court of Claims that a person must show citizenship at the time of the depredations. This decision, I think, was rendered May 21, 1894. The decision of May 21, 1894, by the Court of Claims, was in favor of the contention of the defense that the same defenses could be made to an allowed case as to cases which had not gone to an allowance in the Interior Department. If that decision had been made when the allowed cases contained in Senate Executive Document No. 7, were presented, it is possible some of them could have been defended on the jurisdictional question of amity or citizenship, but how many, if any, can not be stated until the former judgments are examined. It is contended that such as have become Indians to all intents and purposes ought to be estopped from suing their own people and the Government for acts of the other members of their tribe, even though such persons had not lost

their citizenship with the United States while acquiring tribal rights appertaining to treaty-making Indians.

It seems that the act of March 3, 1891, transferred to the Court of Claims the claims for depredations pending in the Interior Department which were allowed as well as those not allowed by the Secretary of the Interior.

Mr. PICKLER. After 1866.

Mr. BROOKSHIRE. In the cases allowed by the Secretary of the Interior it does not appear that the jurisdictional question of citizenship was properly raised by the defense, and therefore there was no adjudication of citizenship, it would seem, in the allowed cases under said act in the Court of Claims.

Mr. PICKLER. Will the gentleman allow me right there?

Mr. BROOKSHIRE. Wait until I get through, please.

Mr. PICKLER. It relates to that point.

Mr. BROOKSHIRE. I am making a plain statement of the facts involved in this proposition as I understand them.

Mr. PICKLER. It is a wrong statement

Mr. BROOKSHIRE. I am trying to make a correct statement.

In order to have warranted a recovery in these depredation cases the proof should have affirmatively shown whether the claimants were mixed-blood Indians or whether they were white men incorporated with the Indian tribes, drawing annuities and entitled to all the privileges of Indians.

The question is now before the Supreme Court—and will doubtless be settled soon—whether, a portion of the tribe being in open hostility, the tribe as a whole may be considered as sustaining amicable relations to the United States.

It has been twice held by the Court of Claims in recent decisions that a tribe of Indians which is partly friendly and partly hostile with the United States are not in amity with the United States. In other words, it is incumbent upon a tribe to preserve peace and to see that all of its people bear amicable relations with the United States.

A subcommittee of the Committee on Indian Depredations of the Senate has recently submitted a report concerning several of these judgments; and that committee, after taking evidence at considerable length, reports that "the judgments to which we call your attention ought not to be paid until they have been further examined into."

Mr. PICKLER. Who says that?

Mr. BROOKSHIRE. That is the report made by the Senate subcommittee. Mr. Chairman, a very brief investigation of the information that has come to Congress concerning these depredation claims leads me to believe that the jurisdictional facts were not satisfactorily proven. It shows that many of these claims are fraudulent, and instead of the jurisdictional facts affirmatively appearing, there seems to have been no evidence introduced to warrant these judgments, and as my colleague from Illinois [Mr. CANNON] upon the committee has stated, the Government has two years in which to open up these judgments, and since the two years do not expire, even on the first judgment, until next October, it seems that it is unnecessary that Congress at this time should be called upon to make a large appriation for the purpose of paying these depredation judgments.

Mr. PICKLER. Will the gentleman now allow me to ask him a question?

Mr. BROOKSHIRE. The gentleman can speak in his own time.

Mr. SMITH of Arizona. Mr. Chairman, I have seen no suggestion of fraud except as to this jurisdictional fact on the question of citizenship. Now, it seems highly probable that in these cases the jurisdictional facts are proven, and it strikes me that a careful attorney of the United States, or any attorney, trying any case where the law itself lays down as a condition-precedent to recovery that citizenship shall be proven; that the record in every one of these cases must have disclosed the fact that citizenship was proven or else the record must fail to disclose that fact. Now, this investigation is asked, it seems to me, on a simple notice to Congress that in a few of these cases these necessary facts stand unproved, and it is demanded that the appropriation shall be postponed until an investigation of all those cases can be had.

I for one think it is not just, and I think that the least that can be done here is that half of this amount should be made available now, to be paid to just claimants, proportionately, where there is no showing in the record from one end to the other that there is even a suggestion of fraud. In some of these cases the two years have already gone, and there is not one suggestion made here that the Attorney-General could not take advantage of the law as it now exists. Take that old claim of Tully, of Tucson, Ariz. It is a claim that is known to many people in my district. They know that more than $25,000 worth of property was destroyed. The judgment in that case was rendered nearly two years ago, and there was no suggestion of fraud in the case.

The claimant is very old, and almost ready to die. The old man has met with reverses in his late years, and yet the payment of the judgment he has obtained is to be postponed because some man in South Dakota had married a squaw and had ceased to be a citizen of the United States. These judgments are to be postponed until the next Congress without even a partial payment to anyone of his or their just judgments.

I suggest, then, as was suggested by the gentleman from Texas, Mr. BAILEY, and also by the gentleman from Texas, Mr. COCKRELL, that at least a portion of the judgments should be met, and at least $250,000 should be appropriated now; that $250,000 to be paid by the Secretary of the Treasury on the certification of the Attorney-General that in each particular case he sees no reason to question the judgment. Thus, before the next session of Congress many of these people who are now standing in need of the money on these judgments may be partially relieved.

Mr. BRODERICK. Will the gentleman allow me to interrupt him?

Mr. SMITH of Arizona. Certainly.

Mr. BRODERICK. I see by section 7 of the act that—

All judgments of said court shall be a final determination of the case, a decision of the rights and obligations of the parties thereto, and shall not thereafter be questioned, unless a new trial or rehearing shall be granted and the judgment reversed or modified or an appeal taken as hereinbefore provided.

Now, if no appeal has been taken, is it enough to pass these judgments on a mere suggestion of fraud? Ought not there to be some evidence?

Mr. SMITH of Arizona. I am thankful to my friend for reading that particular section of the law. That law says that these judgments shall be paid, except where a new trial is granted or where an appeal is taken. There is no new trial asked for in any of these cases by the United States. There is no new trial granted in any one of these cases, and if an appeal was made, and if a new trial were granted to-morrow——

Mr. BRODERICK. And nothing but a bare suspicion of fraud.

Mr. SMITH of Arizona. And even if a new trial were granted, they could make their application and again postpone the payment of these judgments and leave unpaid all these other judgments that ought to be paid now.

Mr. PICKLER. The gentleman makes the point that this question of amity and citizenship ought to be investigated. Has it not been stipulated how that matter should be determined in the first place?

Mr. SMITH of Arizona. They are precluded now by the judgment, which can not be upset unless there is some proof of fraud; and what right has the United States now to raise that question on the jurisdictional fact as to whether the claimant was a citizen. Before the judgment was rendered it was necessary that that point should be proved.

Mr. BROOKSHIRE. The suggestion I want to make is that the assistant attorney-general having the matter specially in charge states that in his judgment there should be evidence to show these jurisdictional facts affirmatively.

Mr. SMITH of Arizona. Why did not he take it affirmatively then?

Mr. PICKLER. He stipulated in the record that these facts were so. He did that in every case.

Mr. BROOKSHIRE. Can the Government admit a jurisdictional fact in a court of limited and special jurisdiction?

Mr. SMITH of Arizona. It is done every day.

Mr. PICKLER. You can stipulate facts, can not you? He did that in these cases, and that is the reason he says he can find but eight cases which are questionable.

Mr. COOMBS. Oh, he has not gone through the cases yet.

Mr. PICKLER. Yes, he has.

Mr. SMITH of Arizona. I beg my friends not to interrupt me. I say that the judgment in each case is a presumption that these facts existed. I think no one will deny that. But I do not want, and I am not here to ask, that any claim where fraud is manifest, or where there is even a plausible suggestion of fraud, shall be paid until Congress has investigated it. I think it is the duty of Congress to see such cases investigated before the judgments are paid, because I think that rests in the power of the House before it makes an appropriation in any case, no matter what the law otherwise may be.

Let us have every one of these cases where there is even a suggestion of fraud investigated—for I do not think there is any gentleman on this floor who wants any fraudulent claims paid; but I do not want any constituent of mine, or of any other gentleman, any claimant whose record is plain and open, whose name is honored in the community in which he lives, to have his judgment against the United States hung up and payment postponed simply because some other gentleman somewhere else has perpetrated, or is charged with having perpetrated, some fraud against the Government.

Mr. BROOKSHIRE. Do you think that in a special proceeding such as obtaining a judgment in the Court of Claims for depredations——

Mr. SMITH of Arizona. What do you mean by a "special proceeding," please?

Mr. BROOKSHIRE. Well, it is provided by statute that certain jurisdictional facts shall be proven in establishing a depredation claim.

Mr. SMITH of Arizona. I do not know any case that is not provided for somewhere.

Mr. BROOKSHIRE. But do you think that the Attorney-General in such a proceeding has a right to admit those jurisdictional facts without demanding evidence to establish them, or that a judgment should be taken in the absence of such affirmative evidence?

Mr. SMITH of Arizona. Suppose it was taken, who can complain?

Mr. BROOKSHIRE. An examination of the records in those cases would show whether such evidence was produced or not.

Mr. SMITH of Arizona. Well, confine your examination and your objection to those cases where there was no such evidence.

Mr. BROOKSHIRE. The Assistant Attorney-General states that the business of the court is such that he has not had time to investigate these judgments.

Mr. SMITH of Arizona. He has had time to have judgments rendered, and investigation should precede judgment. The Secretary of the Interior had time to take proofs of citizenship, for it never was alleged in the Department or anywhere else that any of these claims would be paid to persons who were not citizens.

Mr. BROOKSHIRE. The Assistant Attorney-General states that in the cases coming from the Secretary of the Interior those questions of jurisdiction do not seem to have been passed upon.

Mr. SMITH of Arizona. They may not have been raised in the Court of Claims; but does your Assistant Attorney-General dare to say that they were not raised before the Secretary of the Interior?

Mr. BROOKSHIRE. In some cases it would appear that there was no question raised as to amity or citizenship. At least this would seem to be true from the information before us.

Mr. SMITH of Arizona. Then, are you ready, as a member of the Committee on Appropriations, to say that wherever the record discloses that those facts were established the judgments shall be paid, and that wherever the record does not so show payment shall be postponed?

Mr. MCCULLOCH. Does not the act provide that the judgment of the court shall be final?

Mr. SMITH of Arizona. It provides that the judgment of the court shall be final except where an appeal is taken or a new trial is granted. In all other cases the judgment of the court is final and binding upon Congress. Now, we are not willing that on a mere suggestion of fraud emanating from the other end of this building, to the effect that seven or eight men who have obtained judgments had married squaws, thereby abandoning their allegiance as citizens of the United States and becoming members of an Indian tribe—we are not willing that on such a suggestion, whether it be well founded or not, the honest claims of citizens of Arizona, of Oregon, of Minnesota, of Texas, of New Mexico, shall be postponed for years.

Mr. HERMANN. The gentleman from Indiana [Mr. BROOKSHIRE] states that the Attorney-General of the United States did not specifically examine every one of these claims in order to ascertain whether the jurisdictional facts were presented and established or not. In answer to that I remind him that the law itself provides that the Attorney-General shall take the allowances of the Secretary of the Interior as *prima facie* correct, unless it be discovered that there has been fraud perpetrated.

Mr. SMITH of Arizona. My friend from Oregon will pardon me for insisting on proceeding, but I am in a hurry. Mr. Chairman, I am not blaming the Attorney-General; I am not here to say one word against him. I have no doubt that he has done all that he could do in view of the amount of official business on his hands.

I do not expect and nobody else expects the Attorney-General to go into an investigation of Indian depredation claims. That thing is left, as every similar question is left, to trusted men of the proper Department. It may be that it has been left to men who are incompetent; but I know it will not conduce to fairness or justice if every judgment with every fact proven shall be submitted now to a year's delay or two years' delay because in certain specified cases there is a suggestion of fraud.

I say the Committee of the Whole can certainly do no less than appropriate at least $250,000 or $300,000 (and I shall at the proper time offer such an amendment) to be immediately available, on the certificate of the Attorney-General, for the payment of judgments as to which there is no suggestion of fraud. Let other cases as to which fraud is suggested be investigated. But I hope Congress will do justice to these men who have had their money withheld from them for twenty years past. By such an amendment as I suggest, the Government is perfectly protected.

If these claims are examined it will be found that the amounts are cut below the actual loss. Articles are put in, not at prices as they existed twenty years ago, but at the prices prevailing when the claims were presented. I trust, then, that this Committee of the Whole, in recognition of the justice of most of these claims, will make an appropriation immediately available which shall cover at least 50 per cent of the amount of these claims.

Mr. BOWERS of California. Mr. Chairman, preliminary to the brief remarks I shall make on this question, I desire to read a letter, and I trust it will be listened to attentively. It is dated at Hanford, Cal., May 16, 1894, and is addressed to myself. The writer says:

I write this to you to ask your assistance in getting an appropriation made by the present Congress to pay an Indian depredation claim which I have had before Congress since the sessions of 1885 and 1886. Judgment was rendered in my favor February 27, 1893, for the sum of $3,212.90.

The original claim was for $31,353; but the Attorney-General wrote me a year ago that he had allowed me the sum of $3,212.90, and that an appropriation therefor would be made by Congress.

I would be grateful to you for any assistance you could give in having this appropriation made, as my circumstances are such that I need the money very much. My husband was murdered by the Southern Ute Indians, our home and everything we possessed burned by them, and I shot in the right shoulder——

Now, gentlemen, I would like you to give attention to this letter. It presents a live matter. It is not a recital of technical cobweb precedents. It is a recital of the facts of one of these Indian depredations:

This occurred at 11 o'clock at night, June 20, 1885, in La Plata County, Colo. We were living on a preëmption claim, and making of it a genuine, comfortable home; had never had any trouble, nor had anything to do with the Indians in any way. 'Twas an unprovoked, cold-blooded murder. I was left with four small children (the youngest, an infant of 10 months, afterwards died from the effects of exposure), naked and homeless, and I with my right arm hanging useless at my side. We made our escape, and I have struggled with poverty ever since, trying to rear my children intelligently. This winter and spring have been unusually hard for us, owing to the financial and labor troubles. As I am an old woman—will soon be 50 years of age—I don't feel as if it is right to deprive me of my money any longer, if I am to have any good of it.

This $3,212 does not pay me for what the flames destroyed, yet it would be a small portion of what my husband and I had labored faithfully for years to accumulate, and was so ruthlessly destroyed by the Government's wards, whom that Government is so careful to keep comfortably clothed and fed.

If you will kindly help me in this matter I and my children will be extremely grateful to you.

The letter is signed "Mrs. M. A. Genthner," of Hanford, Cal., which is in my Congressional district.

The claim was certified to the committee this year, and judgment has been rendered by the court and is due to this woman, whose husband as well as one of her children was murdered by the Government's pets and herself crippled. Now, I wish to read for the sake of comparison one little item in this bill, on page 6:

Payment to Sam Yuen: To pay Sam Yuen the value of certain opium destroyed by order of the Treasury Department in 1887, $2,400.

The Chinaman must be paid; but the woman whose husband was murdered and herself wounded by your pets must wait, because, forsooth, there is a general charge of fraud entered in regard to some of these judgments! I suppose there could be no charge of fraud entered where there is a Chinaman at one end of the business; because, if I understand the signs of the times, and if I read correctly the votes that are taken in this House, if there is one thing sacred with this Administration it is a Chinaman. He is more sacred than the white elephant of Siam to the Siamese.

Mr. Chairman, no man in the House, I think, has more sincere respect for the chairman of this committee than I have; but I can not help thinking that he and his committee have been very unfortunate in the excuse they have given for not doing their plain duty in this matter and not including in their bill an appropriation for the judgments certified to the House and Senate by the Attorney-General in the matter of Indian depredation claims. It seems to me, with all due respect to the committee, that the excuse presented by them for not doing their duty in this matter is the flimsiest ever offered by any committee to this House.

There is a general charge of fraud. What is the evidence? Of the three hundred and twenty-five claims which have been approved by the court it would appear from the statements of the committee that perhaps ten need some looking after. But charges of this kind, if they are to receive any consideration, should be so definite and precise that they can be connected with particular named claims; unless they take this shape they should not be regarded. A general charge against these claims is a charge against your courts and against your Attorney-General,

who has certified the claims to Congress for payment. Are our courts so corrupt, is the Attorney-General so corrupt as this charge would imply? If they are why appropriate $10,000 more to enable the Attorney-General to investigate claims which he has already once certified? Will he be any more honest the second time than the first?

My friend, the chairman of the committee, in answering the gentleman from New York, referred to this $10,000 appropriated for the use of the Attorney-General for a second investigation of these judgments as a mere bagatelle. But the judgment rendered in the particular case to which I am asking attention—a judgment of $3,200 in payment of a just claim—is, in the opinion of the committee, to be assumed as a gigantic fraud.

Mr. Chairman, I believe every member of this House believes that the next House of Representatives will be Republican. [Applause on the Republican side.] I believe that the refusal of the committee to do its plain duty in these cases is simply following in the line of the insufficient appropriations which have been made for other purposes, the object being to throw them over to that next House, which you acknowledge must be Republican, that you may charge it with extravagant appropriations.

Mr. HUDSON. I want to correct the gentleman. The next House will be Populist. [Laughter.]

Mr. CURTIS of Kansas. There will not be any Populists in the next House.

Mr. BOWERS of California. I hope the gentleman from Kansas [Mr. HUDSON] will live until the House of Representatives is controlled by the Populists. There will be fewer Populists in the next House than in this. You may write that down. And I want to tell my friend that when that Republican House meets here I hope it will be large-minded enough and honest enough and courageous enough to do right and justice, even though it has to make an appropriation for a white woman or a white man instead of an appropriation for an Indian or an Indian agent.

I believe that it will be big enough and honest enough to do that. I believe it will be big enough and honest enough to pay the honest debts, and debts due to its poorest citizens, even if the great trusts and corporations of the country have to wait in the anteroom for a few minutes longer before coming in and taking their millions.

You talk about "fraud" in these 220 small claims, claims growing out of murder, robbery, pillage, and arson committed by your wards that you are supporting and caring for, and yet in a few days—and I want you to remember this—in a few days you propose to ratify by your votes the gift, not to say the steal, of $40,000,000 given to one of the biggest, most arrogant, and most shameless trusts that exists or ever existed in the United States! That is what you are going to do. But here you cry "fraud," "fraud," on these little honest claims! Oh, gentlemen, you strain at a gnat and swallow a camel—yes, you swallow two or a dozen of them at a meal. [Laughter.]

Now, I desire to call the attention of the committee also to page 39 of the bill and page 38:

For payment to the Eastern Band of Cherokee Indians, $68,000.

No fraud about that, I suppose. Oh, no; you could not raise the question about that. Now, let us look at another:

Judgments of Court of Claims:—

That is the same "corrupt Court of Claims," mind you, whose judgment in the Indian depredation cases was of no value. It is on a different subject here, however, and it is all right—

For the Pottowatomie Indians of Michigan and Indiana, $104,000.

Mr. Chairman, that is only a bagatelle, of course, because it goes to the Indians. There is no fraud connected with that.

Mr. SAYERS. I do not wish, of course, to say anything that will probably interfere with the gentleman's remarks, but I desire to inform him that before we recommended that appropriation we inquired into all of the facts, and had before us the decision of the Supreme Court of the United States. We went to the General Land Office and also went to the Commissioner of Indian Affairs, and did not put the provision into the bill until every one had earnestly recommended it.

Mr. BOWERS of California. But there was no "fraud" there. Now, I want to answer the gentleman. It has been suggested near me that there is not much commission in these Indian depredation cases anyway. But I wish to ask if the gentleman inquired so particularly in regard to the claims of the Indians, did you have any special interest in inquiring into this Indian depredation claim of Margaret Guenther? You did not look at that at all, did you?

Mr. SAYERS. I will answer the gentleman's question and make my remarks afterwards. The reason we inquired into that judgment of $104,000 was because it was a considerable amount, and we wanted to strike it from the bill if we could.

Mr. BOWERS of California. Oh, yes; I understand all that, but I suppose nobody charged fraud in that case. I suppose they did charge fraud though against this little claim that I have presented here?

Mr. SAYERS. I do not know the particular claim to which the gentleman refers.

Mr. BOWERS of California. You found three or four charges of fraud had been made, and because a few of them had been then you throw out all the judgments of the Court of Claims in these honest cases and make no investigation or examination of them, and I charge now that the committee took no pains to inquire into these 320 claims. You never investigated them. You do not know whether they are fraudulent or not.

Mr. COOMBS. We are asking the permission of Congress now to do that very thing.

Mr. BOWERS of California. Ah, but did you ask Congress to give you power to investigate these other claims that you put into the bill?

Mr. COOMBS. There was no charge of fraud in those cases.

Mr. BOWERS of California. No charge of fraud? Why, there is no evidence of fraud connected with these claims except what comes from the committee. I defy you to present a charge of fraud in any one of these three hundred and twenty cases which comes from anybody except from the committee. And yet you pass other claims, make no investigation of them, but in these cases, these Indian depredation claims, you are quick to find a flaw or to make one. You confess by your very silence that you have not investigated them.

Mr. COOMBS. But I will not if you put it on that ground. I deny that. I will answer the gentleman if he makes a charge of that kind.

Mr. BOWERS of California. Where were the charges of fraud?

Mr. COOMBS. The gentleman from California must have been blind indeed if he has not seen the charges of fraud in the Senate investigation and in the reports generally on the subject.

Mr. BOWERS of California. No charges of that kind have been presented, and I defy you to make a charge of fraud in this case. Now, there may be in a few of these cases, but that does not apply to the other 320. But you knew that you might by this means avoid making an appropriation and send the claim over to another Congress, and then tell the people when the Republicans pay the just debts of the Government, "See how extravagant these fellows are!" Well, I tell you, they will be extravagant enough to do what is right. You are not appealing to the best sense of the people, but appealing to the worst, when you go before them with such a claim as this for economy and when you try to avoid doing your duty and paying the honest debts of the Government.

I repeat, you are not appealing to the good sense and the justice of the American people, and you are making a political mistake and a business mistake.

On page 57 we find another of these same specimens:

The "Old Settlers," or Western Cherokee Indians, $800,385.31.

Nearly a million dollars. Is there any fraud about that claim? How many claims are included in that lump sum? These Indian depredation cases are itemized, but here you bring in an appropriation for nearly a million dollars, all in a single item. You just bunch the whole thing. I think if you wanted to find some fraud, perhaps you could find it there, and you could save more than you can on this item of Indian depredations.

Mr. SAYERS. Let me state to the gentleman that we inquired into all that, and it has the sanction of the Supreme Court of the United States and the Commissioner of Indian Affairs; and if the gentleman thinks he can discover anything wrong with it, he is at liberty to try.

Mr. BOWERS of California. I will give the gentleman five minutes' time if he will tell me the particulars and items which are included in this amount of $800,000 to which I have referred.

Mr. SAYERS. I do not want the time. I would rather hear the gentleman talk. [Laughter.]

Mr. HERMANN. I should like to say a word.

Mr. BOWERS of California. I yield to the gentleman from Oregon [Mr. HERMANN] three minutes.

Mr. HERMANN. In confirmation of what the gentleman from California has stated, I will say no person has made any charges here except the Committee on Appropriations with regard to frauds pertaining to these claims, and that committee have not proved so far, nor can they prove, that anyone connected with the Department has submitted to this Congress or to the Committee on Appropriations any evidence whatever to substantiate the rumor as to fraud.

Upon that subject I hold in my hand a letter from the Department of Justice, dated June 25, which was yesterday, calling attention to the fact that the letter of the Assistant Attorney-General charged with the defense of the claims, dated April 20, 1894, in answer to an official request from the chairman of the

House Committee on Appropriations of date April 19, for an opinion as to whether all of the judgments reported to Congress for payment were regular and should be appropriated for, showed that—

Without the opportunity, on account of the current business and the state of the trial calendar, to give the judgment cases (meaning those judgments not subject to motion for new trial under the rules of the court) that attention which under other circumstances might be given, yet there was no reason to believe that any of said judgments were irregular, except the ten judgments against the Sioux then under investigation, and that as to these, alleged to be irregular because the requisite conditions of citizenship were wanting, the Department was unable to say whether they should be appropriated for for want of further information.

Mr. PICKLER. That is found on page 132 of the committee hearings.

Mr. HERMANN. So you see there is nothing on file in the Department affecting the integrity of any one of these claims.

Mr. BOWERS of California. Mr. Chairman, it is possible, it is highly probable that some of these claims may be tainted with fraud. It would be strange if, out of the whole three hundred and twenty-five different cases, there was not something of that kind. Now, wherever there is a reasonable belief or suspicion that any one of those claims is fraudulent, do not pay it. But make an appropriation to pay the others, and to pay this poor woman what is justly due her, with her little children to care for. You claim you can not make an appropriation to pay her, but you can pay a Chinaman upon a claim reported from the same court.

Although you can do that, you refuse to pay a claim which has been here since 1885 for money due to the wife of one of your own citizens, one of the old settlers on the frontier. I say it is a shame to the American Congress that it does not act in a businesslike manner, as men would do under any other circumstances. I claim that there is as much or more fraud in this lump sum of $800,000—more than in all these Indian depredation claims. But if you find one single claim here that is fraudulent, does it make the whole of them fraudulent? Is your whole bill a fraud on that account? According to your argument, your whole bill is a fraud if there is a single fraud in it. That is taking you upon your own grounds. Now, I appeal to this House to do right, to do justice. Tell your Secretary of the Treasury to pay those bills and those judgments found by your courts. Pay those judgments that have not been questioned, cases in which no appeal has been taken, and to the payment of which there ought to be no opposition. Is not that business? Is not that the sensible, manly way to do business? I do not know whether you can do it. I do not know that the present strait in which the Democratic party finds itself will permit it. But I tell you you are making a mistake, and a big mistake, when you deny justice to your poor people and shovel out millions to your trusts.

Mr. SAYERS. I ask unanimous consent that debate upon the clause and pending amendments be closed at 4 o'clock, and that the gentleman from South Dakota [Mr. PICKLER] and the gentleman from Oregon [Mr. HERMANN] may control the time——

Mr. HOPKINS of Illinois. I trust the chairman of the committee will take sufficient time to defend his own committee.

Mr. CANNON of Illinois. I wish the chairman would give me a little time to reply, if we are to have the multitude of words that we have had for an hour.

Mr. BOWERS of California. I do not know who has used any greater multitude of words than my friend in various matters. The gentleman may have gained some information. I would like to have an amendment presented and considered as pending.

The CHAIRMAN. There is an amendment already pending.

Mr. BOWERS of California. I can offer it, then, when this is disposed of.

Mr. SAYERS. Mr. Chairman, I ask unanimous consent that gentlemen in favor of these claims may have forty minutes, and that those who are opposed to the claims may have twenty minutes.

Mr. HERMANN. I desire to state that I wish twenty minutes of that time, and that possibly the gentleman from South Dakota requires twenty minutes.

Mr. PICKLER. I think I can get along with twenty minutes, and I want to carry out the understanding made with the chairman of the committee.

Mr. SAYERS. I will act in good faith with the gentleman.

Mr. PICKLER. I want to yield three minutes to the gentleman from Washington.

Mr. SAYERS. Then I ask unanimous consent, Mr. Chairman, that this debate be closed in sixty-three minutes; that the gentlemen favoring these claims may have forty-three minutes, and those opposed may have twenty minutes of the time; twenty minutes to be given to the gentleman from Oregon [Mr. HERMANN], twenty minutes to the gentleman from South Dakota [Mr. PICKLER], and three minutes to the gentleman from Washington [Mr. WILSON].

Mr. PICKLER. I want three minutes more for the gentleman from Kansas, making sixty-six minutes.

The CHAIRMAN. The gentleman from Texas asks unanimous consent that debate on the clause and pending amendments be closed in sixty-six minutes, forty-six minutes to be given to the gentlemen named by him, and twenty minutes to the members of the committee opposed to the proposition. Is there objection? [After a pause.] The Chair hears none.

Mr. PICKLER. I yield three minutes to the gentleman from Washington [Mr. WILSON].

Mr. WILSON of Washington. Mr. Chairman, in the three minutes yielded to me I only desire to ask the gentleman in charge of the bill a question, if I can have his attention. Heretofore upon a general deficiency bill it has been customary to make appropriations to pay certain attorneys fees for services rendered and that have been ordered by the Attorney-General. In the act of March 3, 1893, an appropriation was made for legal services rendered to the United States. There is no other way in which they can pay for a certain kind of services, and it has been the custom to make appropriations in this manner for that purpose.

Mr. SAYERS. Does the gentleman refer to claims of lawyers who have been appointed by the courts to defend prisoners who were too poor to employ counsel.

Mr. WILSON of Washington. No; not at all. The law is against them. I refer to a case like that of an attorney in my State who was ordered to aproceed to Tacoma, a distance of 400 miles, and there defend the Puyallup Indians against the construction of a railroad across their reservations without authority of Congress.

The attorney was to be allowed $600, and he paid his traveling expenses. It has been certified to by the court, and Congress has provided in the deficiency act of March 3 for similar appropriations. Now, I was sick on Saturday, and for the first time since the 1st of January was absent from the House and not able to present this matter at the proper time. I would like to have the chairman of the committee look into it fully and completely; and that is all I desire to say.

Mr. SAYERS. I will look into it.

Mr. PICKLER. Mr. Chairman, I only want to give some of the facts that surround this case. I have no attack to make upon the Committee on Appropriations. I think they have been overcareful about making this appropriation. I think that these appropriations ought to be made, and they ought to be made now; but the Committee on Appropriations seem to think that there should be a further investigation. I desire to call attention to the history of this case, so far as the Sioux Indians are concerned, as they are largely interested in these claims, for these claims largely arise in the Sioux Indian country. I want to call the attention of the committee, in the first place, to the condition these people were in, and how these depredations came to be committed; and I read from the statement of Assistant Attorney-General Colby when before the Senate committee:

There was a drought in Nebraska, Wyoming, and Western Dakota. The white people lost all their crops. The Indians lost all they had, and they had raised considerable. Congress did not make the appropriation of about one-third which the treaty provided for. They not only were short of their crops, but they had to have supplies sent out to them to supply their wants, and they had their rations cut down. In some instances they were actually starving. Teachers had been among them and they had the idea of a Saviour and a Messiah in their minds, and they thought it was time for the Messiah to come and help them. There was a religious revival on that subject. It frightened the agents and contractors, those who had probably been making something out of their beef contract, and they thought they were getting hostile, and they got the soldiers in there, and by bad whisky and accident down on Wounded Knee a fight was precipitated and two or three hundred killed, and they struck for the Bad Lands, and Gen. Miles came in and by sensible work got the Indians quieted and got them back.

Now, these are some of the circumstances; and I want to refer also to the language of Agent Cooper.

Now, I want to call attention to the testimony of Agent Cooper. These gentlemen here are claiming that there was no amity among these Indians, that there was a state of war, and I want to call attention to the facts as testified to by Agent Cooper:

Senator CHANDLER. Describe what destruction of property there was and what loss of life.

Mr. COOPER. There was an Indian chief by the name of Big Foot, who, I believe, lived at the Cheyenne River Agency in South Dakota, who had the reputation of being rather a warrior. He surrendered to Maj. Whitside, of the Seventh Cavalry, on Sunday, December 28, 1890—I believe that is the date—within 12 or 14 miles of the Pine Ridge Agency. On Monday morning, December 29, 1890, they called the Indians from the tepees, as they are called out there, the tents, that is, the male portion of them, the men, for the purpose of disarming them, and during the process of disarming them one excited Indian opened fire on the troops, when it became almost an instantaneous fire on the part of everybody armed on the ground. Most of the Indian men were killed and quite a number of women and children. I never knew exactly how many were killed.

Senator CHANDLER. Can you give the statistics of mortality during that winter?

Mr. COOPER. Amongst the Indians?

Senator CHANDLER. Both sides.

Mr. COOPER. It would only be guesswork for me to do that.

Senator CHANDLER. Was there a state of war there, practically?

Mr. COOPER. No, sir; I could not say it was. It is a very delicate thing for a man to criticise.

Senator CHANDLER. I will ask you, then, to state who committed these depredations.

Mr. COOPER. They were supposed to have been committed by these Indians over the reservation, such as Big Foot's band, and a fellow by the name of Two Strikes, He Dog, Kicking Bear, and Short Bull. They seemed to be the principal leaders of the disaffected Indians.

Senator CHANDLER. Who did the mischief?

Mr. COOPER. I do not know; it was confined to 2,000 Indians under these different leaders.

Senator CHANDLER. From what tribes were they?

Mr. COOPER. A portion of the Sioux known as the Brule Sioux, and a disaffected part of the Ogalallas.

Senator CHANDLER. Had they before this outbreak been at peace and in amity with the Government?

Mr. COOPER. I think so.

Senator CHANDLER. Were they living on the reservation?

Mr. COOPER. They were living on their reservation at Rosebud, as I understand.

Senator CHANDLER. Did you understand that these depredating Indians all came from the Rosebud Agency?

Mr. COOPER. No, sir.

Senator CHANDLER. From various agencies?

Mr. COOPER. That is my understanding.

Senator CHANDLER. And had been living in amity with and in receipt of annuities from the Government?

Mr. COOPER. Yes, sir.

Senator CHANDLER. The complaint was that the outbreak took place because the Indians did not get their rations?

Mr. COOPER. That was the complaint of some; others claimed differently.

Senator CHANDLER. That was one of the complaints?

Mr. COOPER. Yes, sir.

Senator CHANDLER. You seem to think that if I ask you for a fact I expect you to give me an opinion. I do not.

Mr. COOPER. There was so much talk and such a variety of opinions.

Senator CHANDLER. What was your test by which you allowed a claim; did you undertake to ascertain who had done the mischief when you examined and allowed a claim?

Mr. COOPER. Only in a general way.

Senator CHANDLER. You did undertake to do that?

Mr. COOPER. These Indians swore that it was done by the Indians who were hostile to the Government.

Senator CHANDLER. Did you undertake to locate upon any particular band or tribe of Indians the responsibility for the damage for which the Government was going to pay?

Mr. COOPER. No, sir; I could not do that.

Senator CHANDLER. Are there any means of ascertaining which Indians ought to repay the Government this $100,000?

Mr. COOPER. It would be a very difficult matter to tell. These Indians would not give the others away.

Senator CHANDLER. What evidence did you take that the Indians had done the mischief?

Mr. COOPER. The circumstances surrounding the case. The friendly Indians left their property at their homes and came to the agency to camp. The others, the hostile Indians, roamed over the reservation.

Senator CHANDLER. The Indians went back home and found their property stolen or destroyed; they proved to your satisfaction that they had possessed the property and it was gone, and you inferred that the Indians had done it?

Mr. COOPER. Yes, sir; because there were no white men right around there?

Senator CHANDLER. Did you record the testimony or transmit the testimony upon which you made your findings?

Mr. COOPER. I did.

Senator CHANDLER. There is to be found in the Interior Department the statement of the case of each one of these Indians?

Mr. COOPER. Yes, sir; with the testimony attached to it.

Senator CHANDLER. The Indians presented their claims and with them certain affidavits of two others?

Mr. COOPER. Yes, sir.

Senator CHANDLER. Did you take additional testimony?

Mr. COOPER. Yes, sir.

Senator CHANDLER. In writing?

Mr. COOPER. I did in a great many cases.

Senator CHANDLER. In the shape of affidavits?

Mr. COOPER. Yes, sir.

Senator CHANDLER. And those you have put with the testimony?

Mr. COOPER. Yes, sir.

Senator CHANDLER. So the whole basis of your allowance in each case would be found at the Interior Department?

Mr. COOPER. Yes, sir; everything was sent here, and I suppose they made a thorough examination before they approved it.

During that disturbance out there, which was not an Indian war, but which arose from the accidental discharging of a gun of one Indian while they were being disarmed—during that disturbance those Indians who were friendly were persuaded to come into the agency. That is the testimony of Mr. Cooper. Also the white men who had married squaws and were living among the Indians, but were citizens of the United States, were invited to come in. They came in, and gave their advice in favor of friendship and amity, and sent out word to those who were hostile to come in and submit to the Government. Those men assisted Gen. Miles and the agent to restore peace, and while they were in camp their horses and their cattle were taken and their houses were burned.

It is for that property that they now ask compensation, and I want it understood that there are no juster claims anywhere than those that are put in here by these Sioux Indians in the State of South Dakota. What is the condition of this matter as it now stands? Let me call attention to the care that is taken in the investigation and trial of these cases. Gentlemen talk here as if these claims were "railroaded" through, but I beg to call attention to the care that is exercised in all these cases. Assistant Attorney-General Colby says:

There are stipulations of facts—not for a judgment—stipulations of facts which appear in the record. For instance, stipulations that the record shows that he was a citizen.

But I would like to ask the gentleman from Indiana [Mr. BROOKSHIRE], who addressed the committee a while ago, to let us know how, after the Attorney-General of the United States, defending all of these claims, has stipulated that these parties were citizens of the United States and that this tribe was at amity with the whites—I want to know how the gentleman is going to get back of that stipulation and of the judgment of the court? The Assistant Attorney-General himself says that he can not go back of those stipulations. The gentleman from Indiana talks as if this question of citizenship had not been passed upon at the time the cases were tried.

That is a mistake. Here in the report of the committee you will find several petitions, and every one of them alleges, as one of the material allegations under the law, that the claimant was a citizen of the United States, and then they further allege that the tribe was at amity with the people of the United States. Those facts were in the case, those facts were stipulated by the Attorney-General, acting for the United States, and there is no way that I know of to go back of these stipulations and judgments.

Now, it is so easy to prejudice just claims, especially these Indian depredation claims, that I wish to join with the gentleman from Illinois and the gentleman from Texas, the Chairman of the Committee on Appropriations, in providing for further investigation to section 1088 of the Revised Statutes, but I protest against their making any new law for these cases now. If there is any irregularity in those judgments as rendered, although the greatest care is taken in the trial of cases, let such irregularities be corrected if they can be reached under existing law.

But, Mr. Chairman, even if these judgments could be upset upon the question of citizenship, I contend that it would be an outrage to seek to disturb them in reference to those white men who had Indian wives, men whom the officers of this Government persuaded to come into the agency to exert their influence with the Indians for peace, and whose houses were burned and cattle taken while they were trying to help out the Government officers. I contend that it would be an outrage to attempt to disturb the judgments in their cases, especially after the stipulations that were made on the part of the Government. I say it would be the worst kind of bad faith to overturn those judgments on the question of citizenship, even if you could do it. The fact is these claims have all been very thoroughly examined. Listen to what the Attorney-General says:

Senator FAULKNER. I understand from you that you base all this information, which is involved in the stipulation of agreement between counsel, upon the report of the Secretary of the Interior?

Assistant Attorney-General COLBY. Not all of it.

Senator FAULKNER. And not upon an examination of the original papers?

Assistant Attorney-General COLBY. No. In the first place, I will state this, that every case is carefully examined. The original papers and every paper are carefully examined and a report in writing—most of it is printed—showing these different points, is submitted to me, examined sometimes by myself, usually by the assistants and signed by them. Then from that a stipulation is made. If it appears that it is all right and that the examination of the Secretary of the Interior or the allowance corresponds with the evidence, then the stipulation is prepared. Very often that original record does not contain all. In the case of the death of the original claimant, in addition an examination must be shown of the letters of administration. If a subsequent deposition is taken in regard to heirship, that must appear. Then the power of the attorney to enter into the stipulation or the authority of the claimant to accept the amount must appear.

Senator CHANDLER. Before deciding whether the United States will elect to reopen the case you make a thorough examination of the facts wherever they may be found?

Assistant Attorney-General COLBY. Not a single case has gone to judgment without a thorough and complete examination of the whole business, sometimes twice. If there is any question the examiner will say he is in doubt. In all those cases I personally examine them myself. Sometimes I give them to another examiner, and then examine both reports together. In each case an examination is made upon the return of all the facts in the record.

After this careful examination and after stipulating that these claimants were citizens and that the tribe was at amity with the people of the United States, I want to ask any lawyer on this floor how we are going to get around these judgments?

Mr. BOWERS of California. By not making the appropriation.

Mr. PICKLER. Yes, that is the only way. It will be seen that the Secretary of the Interior tries these cases first. He sends them to the Attorney-General, who also tries them. Then the cases go into the Court of Claims and the court tries them, so you have three separate considerations of these cases.

Now, it is not fair to these constituents of mine who have prosecuted these judgments at great expense, who lost their cattle and their houses while they were trying to promote peace in the interest of the Government, it is not fair to them, it is very poor comfort to those men, to tell them that although they have recovered judgment they can not get paid. What I desire to impress upon the committee is this. I want gentlemen to rid

their minds of all prejudice. As Mr. Cooper, who went up there to examine these claims says, they are chiefly for stock that was lost. The cases have been tried, and the Government of the United States has contested all the claims, but judgments have been rendered, and those judgments ought to be paid in good faith.

I want to say in corroboration of what the gentleman from Oregon has said that there is not, as to any one of these judgments, one syllable from the Attorney-General or any law officer of the Government charging fraud. Let that fact be remembered. Not even the Committee on Appropriations makes such a charge. They merely say that there is some suspicion raised by the Department, and they want further examination to be made. I repeat that in all these examinations neither Mr. Howry, the Assistant Attorney-General, who has been so often before the Committee on Appropriations, nor any other law officer of the Government, has made any charge of fraud.

On the contrary, they have declared that they could find no irregularity in any of the cases except eight or nine in which the question of citizenship might arise. That is all they talk about; they do not assert fraud. It has never been claimed that there is fraud. If these cases were reeking with fraud, how did they get through the Interior Department—how did they pass the Secretary of the Interior? And how did they pass through the office of the Attorney-General? And when the law officers of the Government appeared in the Court of Claims defending the interests of the Government, why did they not discover before judgment was recovered that these cases were reeking with fraud? Gentlemen, fraud does not exist in these cases. But I am perfectly willing that every opportunity shall be offered for inquiry, so that all grounds of suspicion may be removed, if there are such grounds.

Let it be remembered that the time for the filing of these Indian depredation claims has expired. The act of March 3, 1891, allowed three years for the filing of such claims, and all claims not filed by March 3, 1894, are already barred. The amount of these claims, therefore, can not be very large; but the claimants who have availed themselves of their rights under the law are entitled to a fair hearing. These men have lost their property; they have submitted their claims to the different branches of the Government, and now they ought not to be charged with fraud.

I am willing to vote for this $10,000 for the examination of this matter if it is conceded, as I understand it is, that report shall be made by December next. I am willing to agree to this, although the law says that these judgments shall be final. Section 7 of the act would seem to dispose of this whole contention. Let me call attention to its language:

> That all judgments of said court shall be a final determination of the causes described and of the rights and obligations of the parties thereto, and shall not thereafter be questioned, unless a new trial or rehearing shall be granted by said court or the judgment reversed or modified upon appeal as hereinafter provided.

That would seem to dispose of this debate. The language of the statute is that these judgments shall be final.

Before taking my seat, I wish to make one inquiry of the chairman of the committee [Mr. SAYERS]. I understand that the amendment which he has offered authorizes the opening up of these judgments, so far as it can be done, under section 1088 of the Revised Statutes. The amendment, I believe, uses the exact language of that statute.

Mr. SAYERS. The exact language.

Mr. PICKLER. And you mean to have the matter investigated under the terms of the act.

Mr. SAYERS. Under the terms of the law.

Mr. PICKLER. Which is the language of section 1088.

Mr. SAYERS. That is it.

Mr. PICKLER. I now yield to the gentleman from Kansas [Mr. BRODERICK].

Mr. BRODERICK. Mr. Chairman, some of the citizens of the State which I in part represent are interested in these claims and I desire to refer to one or two points in connection with them.

Section 3 of the act under which these claims are prosecuted provides what the petition shall state. I have had occasion to examine the pleadings in two cases filed in the Court of Claims, and each of the petitions states the jurisdictional facts, among them the fact of citizenship. This fact, like all the other facts, was denied. That was then one of the issues in the case. Whether evidence was offered on that particular issue or not I can not say, not having been present at the trial; but I presume there was such evidence in most of these cases.

Section 7 provides that the judgment when rendered shall be final unless appealed from or unless opened on account of fraud or mistake. If these judgments are not appealed from they are presumed to be conclusive, unless there is fraud. Of course it is conceded that if there is fraud or any well-grounded suspicion of fraud, payment should be deferred until that matter can be investigated. But I say that payment should not be passed over on mere suspicion of fraud; and according to the evidence in the case and the contention that has been made here, that is all that exists in a great majority of cases. In but a few cases there has been even a suggestion of fraud.

There has been a bare suspicion of fraud possibly in a few more cases. Then the committee asks to have all of the cases passed over this session and no appropriation made for the payment of any of them because of this mere suggestion of fraud as to some few and the bare suspicion of fraud as to a few others. Now, we say that is wrong. We claim that there ought to be at least a sufficient amount appropriated to pay the judgments the Attorney-General may certify as he goes along in the investigation, if he finds them to be correct. This question of fraud can not exist in many of the cases.

Mr. CANNON of Illinois. Will the gentleman allow me an interruption?

Mr. BRODERICK. Certainly.

Mr. CANNON of Illinois. I am perfectly willing, whether you appropriate fifty thousand, a hundred thousand, or five hundred thousand dollars to meet these claims, to pay that sum; but under all of the circumstances I say the money should not be paid—none of it should be paid—at this time; that a proviso should be enacted to the provision and the inquiry made by the Attorney-General, and payment withheld until that is completed, and the committee and Court of Claims have found that there is no ground for a new trial under section 1088.

Mr. BRODERICK. I say if there is well-grounded suspicion that ought to be done and the claim investigated; but if there is only a bare suspicion, it is wrong to withhold the money and force the honest claimants to wait until the suspected claims are examined. Now, one of the suggestions of the gentleman from Texas [Mr. BAILEY] and others, I think, meets the case very clearly, that at least one-half of the money should be appropriated, and the claims found to be correct in all particulars should be certified and paid as the investigation proceeds. There is no reason why these parties should be kept waiting after their claims shall have been ascertained a second time to be correct.

Mr. LIVINGSTON. If the claim is fraudulent, why pay any part of it? If it is not fraudulent, why not pay all?

Mr. BRODERICK. That will be done finally when the investigation is made of all the cases. But what I am claiming now is that there ought to be one-half of the money appropriated to meet these claims; so that those that are found to be correct may be paid at once as the investigation progresses. That, I think, will be satisfactory to the claimants and to the representatives of the claimants upon this floor, and is only a matter of right and justice to the claims that are not fraudulent or suspected.

Mr. HERMANN. Mr. Chairman, on the 19th day of May, 1796, nearly one hundred years ago, the Congress of the United States enacted a law which provided, that citizens or other persons suffering loss of property by Indian depredation should have indemnification; but in the mean while they should refrain from seeking vengeance through their own hand, and that as a penalty if they should pursue the despoiler of their property and seek redress by force, in that event all compensation should be cut off by the General Government.

That was done in order to preserve harmony and peace between the earlier settlers and the Indians. For nearly seventy-five years that provision remained as the law of the United States; and for every dollar of property depredated upon by Indians, the Treasury of the United States paid without any recourse to Congress at all.

There was no question then raised, such as had been raised here in these latter days, as to quibbling and quarreling in regard to honest claimants, whether they should be paid their just dues after their claims had been adjudicated by the proper tribunal. That continued to be the law until 1859, when an amendment was enacted which provided that as to further payments from the Treasury of the United States, none should be made except from annuities due the Indians, and that continued to be the law until 1870, when the entire law was repealed except as to the guaranties of final indemnification by the Government of the United States to the claimant or loser of property, and that indemnification is still found at this time on the statute books of the United States.

In 1885, coming down to a later date, Congress provided that the Secretary of the Interior should make an examination as to all claims on file in his Department, and for the first time in the history of the Government an appropriation was made in order that he might carry out the spirit as well as the letter of the law. From that day, to March 3, 1891, the Interior Department has investigated these claims.

Now, upon the question as to the rigid examination that was made at that time, and in answer particularly to the gentleman from Illinois, who speaks with regard to these claims being "kicked from pillar to post" during the past years, let me say that under the practice of the Department and under the law these claims were, when filed, all submitted to the Indian agent of the Indians charged with the depredation. They were especially committed to the council of the Indians, and the Indian testimony was taken in the investigation, the Indians being asked if they had any special knowledge of any facts going to show whether the depredation was committed, or know of any facts connected with the depredation, and the value or amount of property as charged by the claimant.

The result of that investigation was returned to the Commissioner of Indian Affairs. Subsequently he submitted the case to a special agent, who was under a salary or a per diem, and that agent went to the community and ascertained as to the veracity of the claimant, as to his general standing in the community, as to the value of property of like character to that destroyed at that particular time and place. He went around among the community. He was more than anything else a detective on the part of the Government of the United States; and if he found a man who was more willing to testify adversely to the claimant than otherwise, that was the individual whom he preferred as against others more impartial. So that the result was that the claim as filed by the claimant was as a general thing cut down from 50 to 75 per cent below the amount claimed.

Then the Commissioner passed upon his report. Not only that, but the Secretary of the Interior revised or reviewed the findings and recommendations of the Commissioner of Indian Affairs. The late Secretary of the Interior, Gen. Noble, has told me that often he sat in his room until the hour of midnight examining questions involved and facts as to the value or amount of property in controversy in these Indian depredation claims; and often he too would cut down or reduce the allowance of the Commissioner.

Now, these allowances were all prepared, and under the act of March 3, 1885, they were sent to this Congress, year after year, by the Secretary of the Interior.

The Committee on Indian Depredation Claims was formed, and that committee, when it met, found confronting it over 4,000 Indian depredation claims, submitted to it by the Secretary of the Interior. That committee found that it was utterly impossible for any single committee during any one session, or during many sessions, to do justice to these claims; and the result was that the Secretary of the Interior, as well as the committee, recommended that Congress should adopt such a system for the final adjudication of these claims as would forever end this question.

In the Forty-ninth Congress the Committee on Indian Affairs submitted to the House a proposition involving the final settlement of these claims, which I think was a recommendation for the formation of a commission to sit and finally determine the amounts between the Indians, the Government, and the claimants. In the Fiftieth Congress the Committee on Indian Depredation Claims submitted another proposition. The chairman of the committee at that time was the late Senator from Tennessee, Gen. Whitthorne, a very careful gentleman, a man of the highest integrity, painstaking, able, and industrious. That committee came in with a unanimous report proposing the establishment of a court of Indian depredation claims.

Then the final culmination of this proceeding was in the Fifty-first Congress, that able, that patriotic, that Republican and public-spirited Congress, which had the courage of its convictions, which was ready to take issues as it found them, and to settle them regardless of the consequences—a Congress whose acts will be a monument for future ages with pleasure to gaze upon. By a vote of 133 to 24 a bill passed this House providing for a court of Indian depredation claims. It went to the other Chamber, and there it was amended so as to submit all these claims to the Court of Claims. In that other body the word "amity" was inserted against the protest of the House conferees. Property destroyed by Indians in amity or at war should be paid for.

A provision was inserted in the bill, which is now the law, that as to all those claims which had been so industriously adjudicated by the Department of the Interior, through the machinery which I have described, through the council of Indians, in consultation with the Indian agents, and all the way through to the elaborate examination given by the Secretary himself, that as to those findings they should be regarded as prima facie correct, and that unless either the claimant or the United States by its Attorney-General should elect to reopen such allowance, that that judgment based upon it should be final. And in order that these claims might not be shuttlecocked from Congress to the Departments, and from the Departments back again, as was usually the history of these claims, there was inserted in the law this provision:

SEC. 7. That all judgments of said court shall be a final determination of the causes decided and of the rights and obligations of the parties thereto, and shall not thereafter be questioned—

as is being done so often with judgments from the Court of Claims—

unless a new trial or rehearing shall be granted by said court, or the judgment reversed or modified upon appeal as hereafter provided.

And furthermore, as an additional precaution, in order that these judgments should not come to Congress and undergo another series of delays, it was provided that they should be transmitted direct to the committee room and placed in the hands of the chairman of the committee, in order that they might have immediate consideration.

This was the clause in regard to that:

SEC. 8. That immediately after the beginning of each session of Congress the Attorney-General of the United States shall transmit to the Congress of the United States a list of all final judgments rendered in pursuance of this act in favor of claimants and against the United States, and not paid as hereinbefore provided, which shall thereupon be appropriated for in the proper appropriation bill.

Now, sir, all that was done, and it was hoped and believed by the expectant claimants that at last justice would be done them. Many of them have become octogenarians, bent over and gray-headed, and many more have passed beyond the vale, never to return. I say it was expected and they confidently believed that at last the Government would be honest toward these long-deferred claims, and that justice would be done after the elaborate machinery of the Government, such as I have described, had performed its functions and after the aggregate due from the Government on these claims had been reported.

Now, again, particularly in reply to the remarks of my genial friend, the former chairman of the Committee on Appropriations [Mr. CANNON of Illinois], as well as the present chairman of the committee, who referred to these claims as being "railroaded through," I desire to say this, with all due deference to each of those gentlemen and to their high standing in our esteem as men of discretion, and I challenge them to a denial, that none of them have ever examined the facts upon which the Secretary of the Interior finally reached his conclusion and which was the basis of the judgment of the Court of Claims.

You talk about these claims being "railroaded through." I say that that very assertion itself shows upon its face that the gentlemen who make that assertion do not know what they are talking about. Why,, sir it is provided by the act of March 3, as I said before, that these allowances of the Secretary of the Interior, so carefully considered, should be final unless the claimant or the Government of the United States should elect to reopen them. Now, sir, the claimants did not elect to reopen them; but the evidence is all there.

I want to say again, in reply to the main objection made by the gentleman, that these claims were founded on evidence that established the jurisdictional facts. I want to make this statement without fear of contradiction, because I say to you, my associates upon this floor, that that is the whole question upon which the Committee on Appropriations propose to reduce this appropriation $544,000—that only those persons were permitted to have allowances who were citizens of the United States. I want to say, gentlemen, being somewhat familiar with the details of these rigid investigations, that among the very first questions suggested on the part of the Government agents, by the special agent or the ordinary Indian agent, was: "Are you a citizen of the United States?"

If the party answered that he was a naturalized citizen, the proof of naturalization was required to be submitted. Then the next proposition was that these parties were required to prove that the Indians were not in "amity with the United States." One of the main questions submitted on the examination was as to whether the tribe was in treaty relations with the Government. "Treaty relations with the Indians" has been used as a synonymous term with "in amity," and that has been the case ever since 1796, or for nearly a hundred years, in Department practice upon this question.

Now, gentlemen, talk again about "fraud!" I desire to make a third assertion; and I wait for a reply if I am not correct in my statement, and that is this: That in no court of any State of this Union, not even in the Federal courts, are claims so minutely examined, I may say so unjustly examined for the claimants, as are the claims filed in the Court of Claims. If there is any gentleman who proposes to deny this, let him speak now, for I have the evidence here. Nothing speaks so strongly as the percentage of judgments rendered as compared with original claims sued for. Go into the records of jury trials, go into the records of any of the nisi prius courts of any State, and go into the records of judgments rendered by the United States courts, and you will not find in any of them a greater percentage of disal-

lowances and reductions and judgments against the claimants than you will find in the records of the Court of Claims.

Why, in order to convince you gentlemen, take the records of the Interior Department, look at the figures, and then reflect a moment. Of the $4,832,861 of claims examined by the Interior Department do you know what have been allowed? Look at those figures, and then you will have the answer hereafter to any charges as to whether or not there was any indiscretion or any indifference on the part of the Interior Department. Four million eight hundred and thirty-two thousand eight hundred and sixty-one dollars of claims were reduced to $1,441,927. I can place myself on the witness stand and say that I know of my own knowledge of property destroyed by the Indians, and one case of property belonging to one of my neighbors, cut down to 50 per cent of its just and meritorious value; but in order that he might get something on his loss of property he was willing to take the beggarly sum the Secretary of the Interior allowed, and which the Court of Claims has passed to judgment.

Mr. COCKRELL. I want to state in that connection that I understand that a number of claims from Texas have been cut down in the same proportion without any proof being offered on the part of the Government to show that the claims as originally presented were not just.

Mr. HERMANN. I am familiar with some such cases myself.

Mr. TAWNEY. The same is true as to cases in Minnesota.

Mr. HERMANN. Now, Mr. Chairman, of the original sum claimed in 895 cases, involving $3,396,007, there was passed to judgment in favor of the claimants only $1,030,000. Is not that most striking evidence of the great care and discretion exercised in the examination of these claims when only 27.88 per cent of the claims presented are allowed?

I have referred heretofore to the cases allowed by the Secretary of the Interior and upon which judgments were rendered. The aggregate coming from the Secretary of the Interior was $1,514,000. Those were cut down by the Court of Claims to $914,000. They are called preferred claims; but as to the nonpreferred claims, which had not passed the scrutiny of the Department of the Interior, and of which the Court of Claims took original jurisdiction, and an examination of which was entered into by their special agents and by the Attorney-General on the one part and by the claimants on the other, what are the facts? Those cases presented a face value of $470,817.

Now look at the reductions which have been made on these nonpreferred claims. They were reduced to $97,749, or only 20.76 per cent of the face value of the claims presented. Do you want the court to cut these claims any lower than that? If you were disposed to be honest, generous, and just to the public creditors, you certainly would not demand that the court should give these claimants less than they have given them. We appropriated about half a million dollars two years ago on such judgments. Congress has paid over $1,315,000 by various special acts since 1860 and over $448,000 have been paid from annuities. A bill to pay all the allowances of the Interior Department passed this House in the Fiftieth Congress. The highest obligation exists to pay these claims. It is the duty of Government to protect the property of the citizen. The United States invited these claimants to go upon the frontier; it extinguished the Indian title; it sold to the settler the lands; it erected fortifications to protect him, but it failed; it withdrew the Indians into reservations, which were places of refuge for the savage. Then it undertook to guard the settler and to protect him. If any victim of the Indian's depredation had pursued him for the recovery of the stolen property or to punish him or to obtain indemnity, the law forbade pursuit within the reservation refuge. All remedy was cut off. His despoiler could laugh defiance at him. The Government did not come to his relief. The test now is: Will the Government, through us, the Representatives of the people, vindicate the law of indemnity to these claimants and compensate them? or, should we confirm the general belief that this law is a delusion and a fraud, and that it is on the statute books merely to deceive and to please and then to disappoint and betray? I enter my earnest protest here and now against such an outrage. Have we forgotten who are these people? They were the pioneers of this nation, the last of their race. The pioneer has performed his mission, and we shall only read of him hereafter in history. He blazed out the way for civilization and empire to follow. He it was who first planted the flag of his country in the remotest places. He subdued the forest and reclaimed the desert places. He overcame the hostile and resisting savage, and he introduced social order, peace, and mutual confidence. In his struggle with these fierce obstacles he often carried his life in his hands. Self-sacrifice, deprivation, and suffering were most often his lot. He was the advanced guard of his nation. Often in our history were we indebted to his stubborn occupancy, for the acquisition of rich and expansive territory which now forms great States and which contributes to the public Treasury enormous wealth. Especially is this credit due the pioneers of the Pacific coast, not only of California but especially of Oregon, Washington, and Idaho. Under the treaty of joint occupancy the rapid emigration of American settlers there soon determined a question fraught with war, and which all over the nation inspired the patriotic cry of "Fifty-four-forty, or fight!" Now, you are asked to say whether these deserving people, whose very sacrifices led to your greatness and wealth as a nation, shall be ignored in their demands or whether our plighted faith and our repeated promises in the law shall be redeemed.

[Here the hammer fell.]

Mr. HERMANN asked and obtained unanimous consent to occupy three minutes more.

Mr. HERMANN. Now, Mr. Chairman, permit me, in conclusion, to say that there is too much disposition on the part of representatives of the people of this country when they reach this Hall to consider every claim that comes before Congress as dishonest. Sir, it is an unjust and a discreditable view to take. Look at the appropriations that we have been making! Look at the reductions that have been coming into this House. Everything has to be cut down for political effect in order that the chairman of the committee——

Mr. SAYERS. Mr. Chairman, I should not have given consent to extend the gentleman's time if I had understood that he would use it to make a statement of that kind. It is absolutely untrue that I or the Committee on Appropriations have cut down appropriations for purposes of political effect.

Mr. HERMANN. Permit me to say this, then that an outsider, looking at the justice of these claims and the critical care with which they have been examined and passed upon, would naturally conclude that there must be some motive for leaving them out of an appropriation bill, and it would look to an outsider as if you were all aiming and striving to get through a small appropriation bill with which to go before the country, leaving behind us and ignoring our just obligations to people to whom the Government is indebted.

Look at the river and harbor bill; $38,000,000 recommended by the Secretary of War as indispensably necessary for the water ways of this country, and the amount cut down to $9,500,000! Look at the Pension Office, where the Commissioner recommends an appropriation of $500,000 to expedite the examination of pension claims in order that those gray-headed veterans may receive something of what is due them before they sink to their final rest, and then look at the exhibit which this Appropriations Committee make before the country! You do not find this demagogic cheese-paring policy under a Republican Administration.

I say that we ought to rise above these considerations. We should seek to find what is due to the creditors of the Government and we should pay them, and if there is not money enough in the Treasury to pay them, this country is rich and able enough to find the money to pay its debts. As to these claimants, I fear that only a few of them will remain on earth long enough to receive the beggarly pittance which has been awarded them upon their claims. In the meantime let us rise, sir, to the dignity of real representatives of the people and look to justice and justice alone, and let policy take care of itself.

Mr. SAYERS. I yield five minutes to the gentleman from New York [Mr. COOMBS].

Mr. COOMBS. Mr. Chairman, the discussion here this afternoon has certainly disclosed the fact that the position of a member of the Committee on Appropriations of this House is no sinecure. According to the rules of the House, to that committee is assigned the duty of recommending the appropriations that are necessary for the support of the various Departments of the Government. It is a committee composed of gentlemen of both political parties; and I believe from my observation of the action of those gentlemen that they have not been controlled by politics, but that there has been an earnest attempt on their part to bring honest bills before this House; and this item is recommended by gentlemen of both parties on that committee, without a dissenting voice.

The gentleman from Oregon has said that it is the duty of the Attorney-General to certify to the Committee on Appropriations what appropriations should be made for these judgments rendered by the court. I say to him that in certifying these judgments the certification was accompanied with certain recommendations which excited the caution of the committee; and any gentleman who will read the hearings before the committee must come to the conclusion that this caution was justified. Let me read from Mr. Howry's testimony. The gentleman from Texas [Mr. SAYERS] puts to him this question:

Is it your opinion that the appropriation should be suspended until you

can lay your finger on those which ought to be paid and those which ought not to be paid?

Mr. HOWRY. Yes, sir.

If gentlemen will read this statement through they will find that this gentleman stood in a very peculiar position, such as to indicate that the committee ought to be cautious. As a lawyer he could not speak against his brother lawyers; as an officer of the court, he could not point suspicion to the court. But he said enough to convince men of both sides on the committee that it was their duty to investigate these judgments to the full extent of the law before making appropriations for their payment.

The committee does not come before this House saying that these judgments are fraudulent. They say that the indications which have been made to them show it is necessary that they should have more light upon this subject before recommending to the House an appropriation. What they ask is that $10,000 be appropriated so that the investigation can be made.

And how much additional time is required for this investigation? Simply the interval between now and the next session of Congress. I do not believe that gentlemen who advocate overriding the Committee on Appropriations mean to go before the country and insist that this House should make an appropriation where there is a shadow of doubt as to its propriety.

In the action we propose we are only taking advantage of the two years given us by the statute. And I claim that the Attorney-General should be placed in such a position as will enable him to make a proper examination, so that all doubt may be removed when the question next comes before the Committee on Appropriations. It is not a pleasant thing for the committee to stand in their present position. They should be sustained, I submit, in the attitude of caution they have assumed. We know that there are attempted raids upon the Treasury in all directions; and this committee stands as a bulwark against such attacks and in defense of the public interests. We should be sustained.

Our motives should not be impugned. We should not be told that our action is intended for political effect. It would be easier politics for us to admit every claim coming before us. It would be easier for us personally to do so. But I ask gentlemen of the House to accept this amendment which our chairman offers, whereby $100,000 can be appropriated to meet such claims as may be found not to be tainted in any respect; and when this matter comes before Congress again at the next session, I hope it will be found that every one of these claims is correct, so that the money can be appropriated without violence to our duty as members of the committee or of the House.

Mr. SAYERS. I have prepared an amendment which I believe will be satisfactory to most of the members. I have spoken with gentlemen representing these claimants, and they express themselves as satisfied with it.

The CHAIRMAN. There is one amendment pending.

Mr. SAYERS. I withdraw the amendment which I first offered, and move this as a substitute for the original clause.

The CHAIRMAN. If there be no objection, the Chair will submit this amendment before submitting that of the gentleman from South Dakota.

The Clerk read as follows:

For payment of judgments of the Court of Claims in Indian depredation cases in the order in which they are certified to Congress in Senate Executive Document No. 7 of this session, Parts I and II, $100,000, or so much as may be necessary to pay and discharge such judgments as have been rendered against the United States after the deductions required to be made under the provisions of section 6 of the act approved March 3, 1891, entitled "An act to provide for the adjustment and payment of claims arising from Indian depredations" shall have been ascertained and duly certified by the Secretary of the Interior to the Secretary of the Treasury, which certification shall be made as soon as practicable after the passage of this act; and such deductions shall be made according to the discretion of the Secretary of the Interior, having due regard to the educational and other necessary requirements of the tribe or tribes affected; and the amounts paid shall be reimbursed to the United States at such times and in such proportions as the Secretary of the Interior may decide to be for the interests of the Indian service: *Provided*, That no one of said judgments shall be paid until the Attorney-General shall have certified to the Secretary of the Treasury that he has caused to be examined the evidence heretofore presented to the Court of Claims in support of said judgment and such other pertinent evidence as he shall be able to procure as to whether fraud, wrong, or injustice has been done to the United States, and finds upon such evidence no grounds sufficient, in his opinion, to support a new trial of said case, or until there shall have been filed with said Secretary of the Interior a duly certified transcript of the proceedings of the Court of Claims denying the motion made by the Attorney-General for a new trial in any one of said judgments.

For the defense of Indian depredation claims, which shall include the investigation and examination under the direction of the Attorney-General, of judgments of the Court of Claims rendered under the act approved March 3, 1891, entitled "An act to provide for the adjustment and payment of claims arising from Indian depredations" which have not been appropriated for, $10,000, which sum shall continue available until expended. And the Attorney-General shall report to Congress at its next regular session all of said judgments concerning which, in his opinion, after such investigation and examination there is no evidence, cumulative or otherwise, that any fraud, wrong, or injustice has been done to the United States.

Mr. SAYERS. I trust that this amendment may be accepted by the committee. It is fair to both sides. It protects the Government and at the same time it enables the Treasury Department to pay such of these judgments as may be found to have been obtained without fraud or injustice to the Government. It provides also that the judgments remaining unpaid shall be reported to the next session of this Congress.

My opposition to the payment of these judgments at this time does not arise from any hostility to the judgments themselves *per se;* but inasmuch as a good deal has been said, coming from reliable sources, to the effect that some of these judgments are tainted with fraud and injustice to the Government, the Committee on Appropriations unanimously concurred in reporting the clause which appears in the bill.

Now, I have offered the amendment as a compromise between those who claim the entire amount of the judgments and those who think no appropriation should be made at the present time or in the future until the judgments have been carefully examined and reported upon.

Mr. QUIGG. What is the entire amount involved?

Mr. SAYERS. Something over $500,000.

Mr. McCULLOCH. Let me ask the gentleman from Texas whether fraud is alleged against the claim of Cyrus F. Goddard, one of the cases referred to in this report of the Attorney-General?

Mr. SAYERS. In reply to the gentleman from Arkansas, I will say that I know nothing of any special cases. We have not had time to examine them in detail except in one or two instances.

Mr. PICKLER. Will the gentleman allow me a question?

Mr. SAYERS. Certainly.

Mr. PICKLER. The Attorney-General certifies these claims for an appropriation. Now, we send them back to the same official. Suppose he certifies that they should not be paid, where would it leave us?

Mr. SAYERS. The Attorney-General only reported the judgments as having been rendered; he has expressed no opinion as to their validity.

Mr. McMILLIN. He has not examined them.

Mr. SAYERS. I presume not.

Mr. PICKLER. I beg the gentleman's pardon; he goes over every case.

Mr. SAYERS. I am speaking of those who administer the affairs of the Department of Justice now.

Mr. McMILLIN. I would suggest to the gentleman that it is the duty of the Attorney-General to certify these cases for payment under the law, as I understand, irrespective of what he himself may believe of them, or irrespective of what he may believe after the judgment has been rendered by the court.

Mr. SAYERS. That is correct.

Mr. McCULLOCH. Has not the Attorney-General a right under the law to file a bill in equity to purge them of fraud or set aside a judgment in cases where fraud is proved?

Mr. SAYERS. He can do so under the statute.

Mr. McCULLOCH. Has he taken such steps in these cases?

Mr. SAYERS. My information is that he has not.

Mr. McCULLOCH. Why?

Mr. SAYERS. He has not done it because he has had neither the time nor the money to ascertain the facts on which to authorize the Court of Claims to reopen the case.

Mr. SMITH of Arizona. I think that is correct.

Mr. SAYERS. That is the reason we propose now to appropriate $10,000 to ascertain whether there are any facts which would justify the reopening of the cases.

Mr. PICKLER. Then you furnish him under this appropriation with sufficient force to make the investigation?

Mr. SAYERS. Yes, as he himself estimates.

Mr. HERMANN. Has the gentleman provided that such claims as are certified back to the next Congress are to be certified in the order in which they are reviewed?

Mr. SAYERS. That certification applies to the payment of the $100,000——

Mr. HERMANN. I understand that; but in what order?

Mr. SAYERS. And, speaking for myself only, if the Attorney-General should certify the judgments back to Congress in the next session, saying that he has no fault to find with them, then I should be in favor of paying them at once.

Mr. HERMANN. But the gentleman does not catch my point. Suppose he certifies back two hundred thousand of these judgments and you appropriate only one hundred thousand to pay them. I submit it would be unfair to pick up here and there some favorite claimant and pay him, and let the others wait.

Mr. SAYERS. But he will certify all the judgments which he believes to be untainted.

Mr. HERMANN. Certainly.

Mr. SAYERS. And when they are certified the appropriation will be made.

Mr. HERMANN. But how will they be certified, in the order in which they are reviewed?

Mr. SAYERS. I presume so.

Mr. PICKLER. You offer this as a substitute for all the pending amendments?

Mr. SAYERS. Yes; and I ask the committee to adopt it.

Mr. PICKLER. All right, let us have a vote.

Mr. RICHARDSON of Tennessee. Before that, let me ask the gentleman from Texas a question. Is this examination to be made by the Attorney-General of the United States and his assistants?

Mr. SAYERS. Yes.

Mr. RICHARDSON of Tennessee. Was it not the duty of the Attorney-General and his assistants to defend the United States before the Court of Claims in these judgments?

Mr. SAYERS. That was the case, but——

Mr. RICHARDSON of Tennessee (continuing). Now, do you not provide for a certification of these judgments by the same officer whose duty it was to defend the United States in the rendition of the original judgments?

Mr. BAILEY. The same office, but different officers.

Mr. RICHARDSON of Tennessee. But it is the same office.

Mr. SAYERS. Yes; and after certain occurrences took place which cast a suspicion——

Mr. WILLIAM A. STONE. I should like to ask if these facts, upon which the information is based, developed since the judgments were rendered?

Mr. SAYERS. Since the judgments were rendered.

Mr. CANNON of Illinois. I ask the gentleman to yield to me for a moment.

Mr. SAYERS. I yield to the gentleman from Illinois such time as he wants.

Mr. CANNON of Illinois. I should not have said anything if it had not been for the query of the gentleman from Tennessee. I want to say again, as I said before, that I am in harmony with the chairman of the Committee on Appropriations upon this proposition, and the amendment now proposed, which appropriates $100,000—and I do not care whether it is $100,000 or whether it is $500,000—contains in it a provision that not a cent of money shall be paid until the Attorney-General, utilizing the $10,000 provided for that purpose, had made inquiry as to whether he can find facts that will warrant a motion for a new trial under section 1088 of the Revised Statutes.

Mr. RICHARDSON of Tennessee. Will the gentleman allow me to ask him a question?

Mr. CANNON of Illinois. In a minute. I do not know whether any of these judgments can be reopened on a motion for a new trial, but I do know that after an investigation made by a committee at the other end of this Capitol they report such facts and circumstances as cast suspicion on eight or ten of these judgments and suggest other facts as tending to cast suspicion upon some of the others, they do not know which, and I do not know which; and upon that bare statement, as a member of Congress, without casting blame upon any official of this Government, I say it brings me to suggest a halt, and I am ready to say there should be an investigation before the money goes out of the Treasury. This amendment does it. All else that has been said by way of allegation against the action of the Committee on Appropriations, all of declamation, all of accusation that is outside of this exact point, is mere leather and prunella.

Mr. RICHARDSON of Tennessee. The question I want to ask the gentleman is this—I have no interest in this except to do right in the matter as nearly as I can. I want to know if it was not the duty of the Department of Justice to have done exactly what the gentleman now wants them to do before these cases went to judgment?

Mr. CANNON of Illinois. Oh, certainly; but Congress in its wisdom years ago, almost before the gentleman and I came into public life, enacted section 1088 of the Revised Statutes, knowing how frail human testimony is, how prone to fraud and mistake and injustice even the proceedings of the court are when based upon testimony where proper defense from any cause has not been made, and providing that at any time within two years the Court of Claims may grant a new trial where injustice or fraud or wrong operates, in that particular judgment, against the United States. Now, in an abundance of caution, this $10,000 enables the Attorney-General to investigate, touching each case, and to make his motion, if a motion will lie and the facts exist, to sustain it.

Mr. SMITH of Arizona. Mr. Chairman——

The CHAIRMAN. The gentleman from Texas [Mr. SAYERS] is entitled to the floor.

Mr. SAYERS. Does the gentleman wish to offer a substitute?

Mr. SMITH of Arizona. Just a substitute, and to have a vote on it. I do not wish to consume a moment's time. This substitute expresses my idea of what ought to be done.

The CHAIRMAN. Amendments have been offered so promiscuously that it is almost impossible for the Chair to keep the run of them. The amendment of the gentleman from South Dakota is the pending amendment.

Mr. SMITH of Arizona. I suggest to the gentleman from South Dakota that he withdraw his amendment. Mine covers the point.

The CHAIRMAN. If there be no objection, the Chair will consider all amendments prior to the last one offered by the gentleman from Texas [Mr. SAYERS] as withdrawn. The Clerk will report the amendment of the gentleman from Arizona.

The Clerk read as follows:

At the end of section 1, on page 62, add the words:

"And $300,000 is hereby appropriated, to be applied in payment, as far as it may go, on the judgments rendered by the Court of Claims, as set out in Senate Executive Document No. 82, as follows: The Secretary of the Treasury is authorized and directed to pay, if said sum be sufficient, all judgments of said court, in such cases, within six months after the passage of this act, unless before that time the Attorney-General shall have certified to the Secretary of the Treasury that certain judgments, naming them, are probably fraudulent, and that the same are under investigation by the Judiciary Department. If said sum be not sufficient to satisfy in full the judgments not so certified by the Attorney-General, the sum shall be applied pro rata on such judgments."

Mr. SAYERS. I yield a minute to the gentleman from Wyoming [Mr. COFFEEN].

Mr. COFFEEN. Mr. Chairman, I am convinced that the proposition now offered in the amendment of the chairman of the committee [Mr. SAYERS] is not only well designed and calculated to do justice to all interests involved, but is eminently fair, and under the circumstances I shall support it.

Mr. SAYERS. You are referring to the amendment offered by me.

Mr. COFFEEN. I refer to the amendment offered by the chairman of the committee [Mr. SAYERS], and I shall support that amendment. I believe we must at all times have in view not only the interests of our constituents, but, above all, the interests of the Government. But notwithstanding the statement I have just made, I wish it understood—and have asked this brief time in order that it may be understood—that our people in Wyoming have a deep interest in this question, and can not yet come to the conclusion that there is such a large proportion of fraud as such a reduction of the appropriation from the entire amount would seem to indicate.

Mr. SAYERS. I yield two minutes to the gentleman from Nevada [Mr. NEWLANDS].

Mr. NEWLANDS. Mr. Chairman, and gentlemen, I know nothing about the character of these claims; I know nothing about the character of any of these claimants. I am told that some of these claims pertain to citizens of the State which I represent. I am also informed that in contested cases arising between citizens of the United States the matter has been referred to the Court of Claims, organized by the National Legislature for the purpose of determining controversies of that kind; that judgments have been rendered in favor of the claimants, and that the counsel for the defendant, the United States, has been the Attorney-General.

I never yet knew a lawyer who was worsted in a case who believed that he was rightly worsted; and I attach no importance whatever to the individual opinion of the attorney for the defense who comes before the committee, or before any other body, and says that the judgment in the case which he unsuccessfully defended was wrongfully rendered. I would now ask what tribunal we are going to constitute to revise the judgment of the tribunal we have already constituted? Is the Assistant Attorney-General, the attorney for the defendant, a proper court of appeals against a judgment rendered by the Court of Claims in which he was the attorney for the defendant?

I say there is no right, no justice, in this kind of procedure, and there is no termination of such proceedings. There should be good faith, which is too often denied by the United States to claimants. It is against its justice and its liberality of judgment. I think that a claim once ripened into judgment should be promptly and honestly paid; and I am opposed to any of these amendments which propose anything whatever beyond a final and ultimate payment in full of every judgment by the Court of Claims, and with equal earnestness I shall stand and vote that they shall be paid as rendered in this case.

Mr. SAYERS. I ask for a vote.

The CHAIRMAN. The Chair understands that the amendment of the gentleman from South Dakota, the amendment of the gentleman from Oregon, and the original amendment of the gentleman from Texas will be considered as withdrawn, and the question will be stated upon the amendment now proposed by the gentleman from Texas.

Mr. PICKLER. With a chance to vote on the amendment offered by the gentleman from Arizona.

The CHAIRMAN. The vote will first be taken on that, as a substitute for the amendment of the gentleman from Texas.

Mr. PICKLER. I withdraw my amendment, then.

Mr. HERMANN. A parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HERMANN. As the gentleman has withdrawn his point of order, is not the whole open for amendment, and would not my amendment first be in order to be voted upon?

The CHAIRMAN. The amendment of the gentleman from Oregon was offered as a substitute for the original amendment offered by the gentleman from Texas.

Mr. HERMANN. So far as my amendment is concerned, that being the construction of the Chair, I withdraw it.

The CHAIRMAN. All amendments will be considered as withdrawn except the one offered by the gentleman from Texas, for which a substitute is offered by the gentleman from Arizona. The question is on the substitute offered by the gentleman from Arizona.

The question was taken, and the substitute was rejected.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from Texas.

The amendment was agreed to.

Mr. SAYERS. Mr. Chairman, I believe the bill has been completed, and I am under promise to the gentleman from South Dakota that I will yield twenty minutes to him, and at the end of which time I will move that the committee rise.

The CHAIRMAN. The gentleman from Texas asks unanimous consent that the gentleman from North Dakota shall be granted twenty minutes. Is there objection?

Mr. SMITH of Arizona. I would like to say to the chairman of the committee, before that is put, that I do not wish to interfere with the arrangement, but I will say to the chairman of the committee that, in justice to my people, whom I am attempting to represent here, that sickness in my family kept me away from this House on Saturday, and I think my fellow-members will bear me out in the statement that I am usually here, but I was kept away by a very important matter, and I wish to ask, before the final passage of this bill, for unanimous consent to offer one amendment. For no other reason than that which I have given would I trespass upon the time of the committee or upon this House. I would rather that I should have an opportunity to do that now, before the gentleman proceeds.

Mr. SAYERS. The gentleman asks unanimous consent that he may have an opportunity to offer an amendment. I will say to the gentleman that I recognize the position in which he is placed, and do not wish to prevent him from offering his amendment if I can have unanimous consent that he will offer his amendment and let the committee vote upon it. The Committee on Appropriations have carefully examined the matter and they have reported the clause about which he complains.

Mr. SMITH of Arizona. I wish to say in this connection, Mr. Chairman, that I am perfectly willing. I only want the committee to know the facts. I ask that the debate be limited so far as I am concerned to four minutes.

The CHAIRMAN. The gentleman will send his amendment to the Clerk's desk.

The amendment was read, as follows:

Strike out all on page 37 after line 18, and insert:
"To pay to the Territory of Arizona for keep of Indian convicts sentenced to the Territorial penitentiary by the courts of that Territory under the acts of March 3, 1885, and March 3, 1889, $29,729."

Mr. SMITH of Arizona. Mr. Chairman, when I explain that amendment I am sure that no gentleman here will oppose it. By an appropriation bill passed in 1885, at the date of the first act mentioned in the amendment, it was provided—for so the Supreme Court held in construing it—that the Territories of the United States had to take cognizance in their own courts of offenses committed by Indians charged with crime, even though the crime were committed on the Indian reservations. That threw on the struggling people of the Territories the entire expense of dealing with these Indian offenders.

There was no law permitting the Government, there is no law now permitting the Government, to confine these offenders anywhere except in the Territorial prisons. Under the law we have tried various Indians for murder and for other crimes committed on the Indian reservations. Our sheriffs did the arresting; our counties paid for their incarceration and for their trial, although the offenses were purely Federal offenses, so that if they had been committed by white men the United States would have borne the expenses of the arrest, trial, and conviction of the offenders.

If I had killed a man on a reservation I would have been a Federal prisoner, and the United States would have had to pay the expense of my incarceration and trial; and by the appropriation bill last mentioned in the amendment it was provided that thereafter the expense of these trials should be audited by the accounting officers of the Treasury and paid out of the money for similar expenses in the trial of criminal cases in the courts of the United States which made it a direct claim against the Government. I am unable to approve these bills, as well as those which must periodically follow them, and to recommend their payment from the Treasury, in the absence of some provision in the statutes more clear and specific than any which has yet been pointed out to me.

I have asked this House time and time again to change the jurisdiction of these trials to the Federal courts. I have before me a statement certified by the courts of the actual expense of keeping all these Indian prisoners incarcerated in the Territorial prisons, which expense the citizens of the Territory are taxed to pay. The amount certified is the amount stated in the amendment, $29,729.

The reason that amount seems large is because it costs more to keep prisoners there than it does elsewhere. The amount certified is exactly the amount that we have paid out for the keep of those Indians, the amount that has been taken from our taxpayers and applied to that purpose.

Now, these offenses are matters over which we have no control. They are committed on the reservations of which the United States has entire control, over which we have no jurisdiction, where our officers are not allowed to go, but the offenders are brought and tried in our Territorial courts and sent to our Territorial prisons and kept there at our expense, and then we are told that the Federal Government can not refund the money that we have been taxed to pay year after year for this purpose. I am sure that no member of this committee, now that he knows the facts as I have stated them, can say, from any idea of economy or upon any other ground, that this money is not due and ought not to be paid in this appropriation bill. Without taking up more time, though still desiring to say a good deal more on this subject, I ask this committee to adopt this amendment, because the United States Government certainly owes the Territory this money.

Mr. SAYERS. Mr. Chairman, this matter was before the Committee on Appropriations. It did not come to us in the way of a certification from the Department of Justice or from the Treasury Department. It reached us only, I believe, through a bill introduced by the gentleman from Arizona.

Mr. SMITH of Arizona. These accounts were transmitted from the Attorney-General.

Mr. SAYERS. It reached us only through a bill which was introduced by the gentleman from Arizona, and referred to our committee. The committee thought that the charges made by the Territory of Arizona were very large and ought to be inquired into before Congress should make an appropriation to pay them, and therefore, instead of reporting an appropriation for the amount called for, the committee reported to the House the following provision:

Territory of Arizona: The Attorney-General is authorized and directed to ascertain and report to Congress at its next regular session what amount is equitably due to the Territory of Arizona for maintenance of Indian convicts sentenced to the penitentiary by the courts of that Territory under the acts of March 3, 1885, and of March 3, 1889.

Now, I will say to the gentleman from Arizona and to this committee that after the account is examined and reported to Congress by the Attorney-General an appropriation will be made upon the next general deficiency bill. I can say with absolute certainty that there will be no hesitancy on the part of the committee in reporting an appropriation for such an amount as may be found by the Attorney-General, after careful examination into the account, to be due to the Territory of Arizona, and it does seem to me that sound policy demands that such claims should be investigated before payment is made.

Mr. SMITH of Arizona. These claims are certified in the manner required by the law—in the same manner as any other account ever rendered to the Attorney-General of the United States for the keep of Federal prisoners. Every account is accompanied with the certification of the chief justice of the Territory. The only issue in the present case is this: If it happens that prisoners have to be kept at a higher price than ordinary, shall the Attorney-General of the United States dictate to this committee or to Congress what amount should equitably be paid when it is shown that not a prisoner can be kept for less than the amount charged, and when every safeguard has been adopted to protect the interests of the Government?

Mr. SAYERS. Mr. Chairman, I do not propose to go into the merits of this claim. I have no doubt that something ought to be paid to the Territory of Arizona by the Government of the United States——

Mr. SMITH of Arizona. What ought to be paid? I put this question to the gentleman from Texas as a lawyer and a fair-minded man: if the law forces us to keep these prisoners, and

we can not help it, and the United States can not help it under the decision which the Supreme Court has put upon the appropriation bill—we do not want the prisoners and are trying to get rid of them, and the Government does not want us to keep them, because it is too expensive—in such a case what is a fair measure of remuneration to us? Is it not exactly what we have to pay for the maintenance of these prisoners?

Mr. SAYERS. I think so.

Mr. SMITH of Arizona. Then there is no question left for discussion.

Mr. SAYERS. There is not an account of a United States marshal, or of a district clerk, or of a commissioner but, before it is paid by Congress, must be sent to the proper officer of the Treasury Department, must be duly passed upon, and certified to Congress.

Mr. SMITH of Arizona. The gentleman is making a mistake.

Mr. SAYERS. I do not make a mistake in this statement.

Mr. SMITH of Arizona. I say this is a different matter. For keep of prisoners, the marshal does not certify.

Mr. SAYERS. I did not mention the keep of prisoners, but I will do so now. Before any appropriation is made by Congress for the maintenance of prisoners, the claimant must go to the Treasury Department or to the Attorney-General, I have forgotten which——

Mr. SMITH of Arizona. To the Attorney-General.

Mr. SAYERS. And by the Department of Justice the amount required to be appropriated by Congress in order to meet the expenditure is certified. That is all I am asking in this case. Under the law the Department of Justice can take action in the matter. It has not taken action heretofore. But whenever the Department shall take action and certify this amount to be due to the Territory of Arizona, I think I can say for the Committee on Appropriations that they will not hesitate to recommend its payment.

Mr. SMITH of Arizona. I have here a letter from the Attorney-General, in which he says that he does not pay this account because of the extreme expense.

Mr. SAYERS. I will make to the gentleman what I consider a fair proposition. If he desires these accounts to be put in a condition to be paid promptly, I will agree to an amendment that the Attorney-General shall, out of the appropriations made for the maintenance of prisoners, pay such accounts as may be found equitably due to the Territory of Arizona. But I do not wish Congress to make a direct appropriation for a claim which comes to us in such a manner as this.

Mr. SMITH of Arizona. This claim comes here squarely and regularly.

Mr. SAYERS. I am not reflecting on the gentleman.

Mr. SMITH of Arizona. This claim comes here as regularly certified as any claim for the keep of prisoners that was ever allowed.

Mr. SAYERS. If the gentleman will accept the amendment I have proposed, our difference can be quickly settled.

Mr. SMITH of Arizona. I will accept an amendment providing that the Attorney-General pay whatever may be found equitably due.

The CHAIRMAN. The gentleman will prepare the amendment.

The Clerk (after a pause) read the amendment of Mr. SMITH of Arizona as modified, as follows:

And that the Attorney-General shall pay out of the appropriation for the maintenance and keep of prisoners, such sums as may be found equitably due upon examination to the Territory of Arizona for maintenance of Indian convicts in the Territorial prison.

The CHAIRMAN. If there be no objection, the amendment of the gentleman from Arizona as modified will be agreed to.

There was no objection.

The CHAIRMAN. The gentleman from Texas [Mr. SAYERS] now asks unanimous consent that the gentleman from North Dakota [Mr. JOHNSON] be allowed to address the committee for twenty minutes. The Chair hears no objection.

Mr. JOHNSON of North Dakota. Mr. Chairman, the honorable chairman of the Committee on Appropriations stated last Friday, when he called up this bill, that—

On account of the troubles which have occurred in the Western and Northwestern States, where railroads have been seized and United States marshals have been compelled to interfere and restore possession of the trains, the appropriation for the Department of Justice has been greater than for previous years.

I have no desire to criticise the committee for reporting a bill appropriating a larger amount of money than for previous years for the support of the Department of Justice.

Neither do I care to offer an amendment.

I am fully persuaded that many of these extraordinary expenditures referred to by the chairman have been needlessly, not to say oppressively and wickedly, incurred; but they have nevertheless been incurred under the forms of law by coördinate branches of the Government, and I do not see as we of the legislative branch can do anything else than to foot the bills with the best grace assumable, however extravagant and oppressive they may seem.

I am unwilling, however, to go on record as voting for this extravagant appropriation without giving some explanation other and entirely different from that given by the honorable chairman of the Committee on Appropriations.

That explanation unexplained might leave the impression upon the country that the unlawful conduct of my constituents had caused the increased burdens of taxation which the Administration has imposed upon the taxpayers of the country.

I admit that some expenses have been necessarily and legitimately incurred along the line of the Northern Pacific in North Dakota in caring for Coxeyites from Montana and the Pacific coast while in transit over the State; but I have yet to hear of a citizen of North Dakota in those so-called "armies." The soil of North Dakota is not congenial, nor is the climate conducive to idleness—organized or unorganized.

We have no room for either loafers or drones of any kind who are always hunting for a place or a condition where they can get something for nothing. But to the laboring man who is willing to give a just equivalent, who is willing to practice temperance and self-denial, who is willing to earn his daily bread by the sweat of his brow, we offer an abundance of the best bread in the world.

When the Coxeyites from the Pacific coast, who lately refused work at $1.50 a day in North Dakota, reach Washington, let them pose as statesmen and philosophers out of a job, but not as laboring men seeking employment.

On this subject I send to the Clerk's desk and ask to have read a clipping from the Herald-Advertiser, a newspaper published by Shelby Smith, at Hyattsville, Md.:

The Clerk read as follows:

FROM THE ROWDY WEST.

Here is the way they manage the commonwealers in the wild and wooly West, according to the Fargo (N. Dak.) Forum:

"When the Coxeyites here last week were ordered out, Sheriff Barnes went down among them. He talked like a father and expressed sympathy for men who could not get work. The men felt they had a friend in O. G. and coddled to him. After securing the attention of the weary wanderers the sheriff said to them—being assured they wanted work—that a number of brick blocks were going up in Fargo, and he believed he could get work for every man that wanted it, and he would return in the morning and see what could be done after he had seen the contractors. The men seemed pleased and he left them for the night.

"The next morning Mr. Barnes visited the camp and said he had work at $1.50 per day for every man that would work, and called upon the entire party to come with him. Whereupon they would not come. Some said they were under obligations to unite with their brother commonwealers in the East, and others said 'the wages were too low, and $3 was the least they would work for per day.' Whereupon the sheriff said, 'If you won't work you must git. I will give you until 6 o'clock to-night to get out of the State of North Dakota, and every mother's son I catch here after that will be arrested and put in the chain gang to work on the streets.' This was different from previous interviews, and startled the tramping warriors.

"At 5 o'clock the sheriff went down to the camp and no move had been made by the itinerants. Mr. Barnes stood up on a convenient stump and addressed the multitude to the effect that every man caught on this side of the river after 6 o'clock was destined for the chain gang.

"At 5:30 there was not a man in sight. Men who were offered work and would not have it are not the kind wanted, and the sheriff did right to make them move on. Willing to keep the needy, Fargo has no use for men who refuse work when tendered."

Mr. JOHNSON of North Dakota. That is all I care to say on the general subject of the Coxeyites, or the expenses incurred along the Northern Pacific Railroad. But on account of the similarity of names and the nearness of geographical location there has been confusion in the public mind between the Northern Pacific Railroad and the Great Northern Railroad Company. These expenses incurred for marshals and deputies on the Northern Pacific Railroad were but a mere drop in the bucket as compared to the vast expense incurred on the railroad systems this spring in the Northwest.

The great bulk of the expense was not incurred, however, on account of the Coxeyites, had no connection whatever with them, and was on a road that had no trouble with them. The main expenses for marshals and Federal troops were incurred by the Government of the United States in aid of the Great Northern Railroad in endeavoring to compel the employés of that road to sign a wage scale to reduce their earnings below living wages, and it is to that subject that I desire particularly to address myself.

Like all other enterprises, the earnings of the railroads naturally felt the depression and hard times and fell off. So, last August they very considerably reduced the wage scale of their employés. The employés submitted to the reduction, notwithstanding the fact that the rates for passengers and freights were not reduced.

While a few of the best men had the same amount of employment as before, yet it is true there, as of railroading everywhere, that the trainmen on their trains are paid by the run—by the

mile. The trains during this year have been just as long and as heavy and as full of freight as last year, but fewer trains were run and they were not usually started until there was enough for a load; so the earnings to the company for each train were as much as usual.

But the number of hours and the days of labor given to the employés were reduced at least one-half. Nevertheless they submitted to the reduction.

In April an order was issued for a further reduction of wages, and then the men struck. They did it manfully and successfully. It was one of the most remarkable strikes on record in this country, especially remarkable for the law-abiding character and conduct of the men engaged in it. They simply quit work because they could not afford to work at the wages offered. They offered no obstruction to any other laboring men desiring to take their places; and so fair and so honorable was their conduct, and so just their cause, that it appealed to the sense of justice of every business community through which the road passes for 3,000 miles, including loops.

Not only the business men in every town where they took action on the subject, but even the farmers showed their sympathy and their material assistance to these men. At Devils Lake, the storm center of the strike, one farmer brought in three fat beeves and gave them to the strikers. Another hauled 100 bushels of potatoes and gave them to the strikers to live upon until the strike was over.

To illustrate the inconvenience to which the business men were subjected in getting their mails for eighteen days, I will send to the Clerk's desk and have read a couple of messages, one from the Board of Trade of Michigan City and another from leading business men at Lakota.

The Clerk read as follows:

MICHIGAN CITY, N. DAK., *April 18, 1894.*

Hon. M. N. JOHNSON, *Washington:*

Please take some measure to compel Great Northern Railway to furnish mail service. No mail since 14th on account of strike. Employés understand no objections offered by strikers to running of mail trains. Request of Michigan City Board of Trade,

C. B. C. DOHERTY, *Secretary.*

LAKOTA, N. DAK., *April 17, 1894.*

Hon. M. N. JOHNSON,
Member Congress, Washington, D. C.:

Can't you take some steps to compel James J. Hill to comply with his Government contract for carrying mails? Have not had mail since last Saturday owing to strike. Although strikers offer to run mail car he refuses unless they will run full trains.

KENT METCALF.
COYLE HARTING.
STERETT BAIRD.
HAGLER KELLEY.
STEARNS JOHNSRUD.
E. T. HUTCHINSON,
Postmaster.

Mr. JOHNSON of North Dakota. In this condition of affairs, when laboring men on that road refused to work because they could not live at those wages, and men could not be found who were willing to take their places; when men could not be found who were willing to work at those wages; when men could not be found who were willing to unman themselve and do so disgraceful a thing as to assist the company in their struggle against these men, Mr. Cronin, the United States marshal of that district, swore in a lot of deputies, and went there to Devils Lake to perform the labor of section hands on the railroad, to lay tracks, to spike down rails, and to put in bridges and frogs.

In support of my statement on that point, I send to the Clerk's desk two messages sent by the United States marshal to the attorney for the railroad, reporting the condition of affairs that he found at Devils Lake, and reporting to the attorney for the railroad instead of to the court, stating the conditions of the frogs and the tools at the section house, and all that.

The Clerk read as follows:

DEVILS LAKE, N. DAK., *April 20, 1894.*

W. E. DODGE,
Grand Forks:

Found one frog torn out and taken away, one flat car off tracks, four switches spiked, rods taken away, and 30-foot rail torn from under coach on Driscoll's train and taken away; the section house broken into and all tools taken away. Very few railway men showed up around depot since our arrival. Leave for the West at 9 a. m. Nearly all who have done acts of violence are known.

J. E. CRONAN,
United States Marshal.

DEVILS LAKE, N. DAK., *April 20, 1894.*

W. E. DODGE,
Grand Forks, N. Dak.:

Regan will inform you of my wishes in regard to men coming out on next train. Try to have Hennessy in charge, with a full supply of injunctions.

Don't send less than ten men under any circumstances. Should be fifteen men, if they can be run.

CRONAN.

Mr. JOHNSON of North Dakota. On that same subject, showing that the marshals and deputy marshals went there to do the work of section hands, I ask the Clerk to read a clipping from the Minneapolis Tribune, which I send to the desk, the emphasis being on the last line.

The Clerk read as follows:

IN CHARGE OF MARSHALS—THE TRAIN BLOCKADE SUCCESSFULLY RAISED AT DEVILS LAKE.

DEVILS LAKE, N. DAK., *April 21.*

The passengers who have been here since the 14th instant left to-day on the mail train in charge of United States Marshal Cronan and ten deputies. There was no excitement. With one engine pulling and another pushing, Cronan takes the train to the Montana State line. No other trains were moved. The tracks were opened and frogs replaced yesterday by the marshals.

Mr. JOHNSON of North Dakota. But this was not enough. The marshals were not sufficient to man the trains and do the work of the railway company, and so the Federal Army had to be sent there. On that subject I ask to have read a telegram from J. M. Schofield, the commander of the Army, to Col. P. T. Swaine, the commander of the Department of Dakota, in which he states that by direction of the President the entire troops at Fort Snelling are instructed to support Marshal Cronan.

Mr. LIVINGSTON. Who pays these marshals?

Mr. JOHNSON of North Dakota. We pay them, in this bill. That is the reason I am complaining. The railroad company ought to have paid them.

The Clerk read as follows:

[Telegram.]

HEADQUARTERS OF THE ARMY,
Washington, D. C., April 28, 1894.

Col. P. T. SWAINE,
Commanding Department of Dakota, St. Paul, Minn.:

By direction of the President, you are hereby instructed to aid United States Marshal Cronan with such military force as may be necessary to enable him to execute process of United States courts now obstructed by forcible resistance beyond the power of United States marshal and deputies to overcome. Put yourself in communication with Marshal Cronan, who will be instructed by the Attorney-General to communicate to you.

J. M. SCHOFIELD,
Major-General Commanding.

Mr. JOHNSON of North Dakota. I also ask the Clerk to read two telegrams from Col. Swaine to the General commanding the Army.

The Clerk read as follows:

[Telegram.]

ST. PAUL, *April 28, 1894.*

Gen. SCHOFIELD, *Washington, D. C.:*

Your dispatch of this date directing that military aid be given United States Marshal Cronan is received. I am endeavoring to open communication with him. In the mean time troops at Fort Snelling are being held in readiness.

P. T. SWAINE, *Commanding.*

[Telegram.]

ST. PAUL, MINN., *April 29, 1894.*

Gen. SCHOFIELD, *Washington, D. C.:*

At 10 o'clock last night I received from Grand Forks, N. Dak., a request from United States Marshal Cronan for the district of North Dakota, for at least one hundred and fifty men to aid him, as directed by your instructions of yesterday, so I ordered four companies of the Third Infantry, under command of Maj. Patterson, from Fort Snelling to proceed to Grand Forks for the purpose indicated by your instructions. These troops left this city at 8 o'clock this morning in good shape.

P. T. SWAINE, *Commanding.*

Official copy:

H. C. CORBIN,
Assistant Adjutant-General.

ADJUTANT-GENERAL'S OFFICE, *June 23, 1894.*

Mr. JOHNSON of North Dakota. I also ask the Clerk to read another telegram from Gen. Schofield.

The Clerk read as follows:

[Telegram.]

HEADQUARTERS OF THE ARMY,
Washington, D. C., April 30, 1894.

Col. P. T. SWAINE,
Commanding Department of Dakota, St. Paul, Minn.:

From information received here it appears that the only process United States marshal has in his hands in connection with the strike on the Great Northern Railroad, consists of warrants of arrest against certain individuals charged with obstructing the carrying of the United States mails. The troops ought not to be employed merely as constables to help chase and arrest particular persons charged with crime, but only in the case of combinations too powerful to be overcome by a marshal's posse and engaged in resisting the mandates of United States courts.

Instruct your commanding officer to exercise the utmost discretion in this regard, so as not to employ the troops except in such an emergency as that contemplated in your original instructions. Direct the commanding officer of the troops to report frequently the condition of affairs and all action taken by him, which reports you will please forward without delay. It is especially desired that no action of the troops shall tend to aggravate the difficulty or prevent an amicable adjustment between the contending parties.

J. M. SCHOFIELD,
Major-General, Commanding.

Official copy:

H. C. CORBIN,
Assistant Adjutant-General.

ADJUTANT-GENERAL'S OFFICE, *June 23, 1894.*

The CHAIRMAN. The time of the gentleman has expired.

Mr. JOHNSON of North Dakota. Mr. Chairman, I ask unan-

imous consent of the House to be allowed to have five minutes in which to conclude what I have to say.

Mr. SAYERS. I ask that the gentleman be allowed five minutes.

There was no objection.

Mr. JOHNSON of North Dakota, These dispatches from the War Department state the history of the hostile expedition sent against the people of North Dakota, until the troops arrived and went into camp, four companies of regulars, in the city of Grand Forks.

From that on there is no official report of their doings. I applied repeatedly to the War Department and asked for the report of Maj. Patterson, who commanded those troops, to show how long they stayed there, what they did, what conditions they found; but there is no such report on file, and none of Gen. Schofield's, the Commander of the Army.

But Mr. Cronan, the Democratic United States marshal, indicated his purpose, as you will see both by his official and unofficial report. I have not time to have both read, and so I ask unanimous consent to have the official report printed, without being read, and his unofficial report, as given in the Minneapolis Tribune, I will read myself.

The official report is as follows:

DEAR SIR: I have the honor to advise you that the strike on the Great Northern Railway has been ended and the employés will return to their posts at once.

This being the case, I am confident the marshal will not meet with any further difficulty or resistance in the service of process issued by the United States courts, as the men will be engaged in the performance of their duties, and the gathering of a mob to resist the marshal is practically impossible.

I desire to extend my earnest thanks to the War Department for their prompt action, and I sincerely believe that this action has been the means of saving bloodshed in the execution of the process of the courts.

Respectfully, J. E. CRONAN,
United States Marshal.

Maj. J. H. PATTERSON,
Commanding First Battalion, Third Regiment,
United States Army, Grand Forks, N. Dak.

Official copy respectfully furnished assistant adjutant-general Department of Dakota, for information of the department commander.

J. H. PATTERSON,
Major, Third Infantry, Commanding Battalion.

[Note in Adjutant-General's Office, June 25, 1894.]

There is no record in this office of any report made by Maj. J. H. Patterson, Third Infantry, of the part taken by his command at Grand Forks, N. Dak., in aiding United States Marshal Cronan. Neither is such a report found to be of record at Headquarters of the Army.

H. C. CORBIN.
Assistant Adjutant-General.

ADJUTANT-GENERAL'S OFFICE, *June 25, 1894.*

"Devils Lake," said Marshal Cronan to the Minneapolis Tribune in an interview yesterday, "was the hotbed of the strike in North Dakota. It was the centering place for the disturbing elements from Minot east, and many of them from Grand Forks west. I sent twenty-five deputies there to make arrests. The strikers were armed and declared that no arrests could be made. They ended by running the deputies out of town. The next day I started for Devils Lake with—

With what? Simply—

a determination to arrest the Cavanaugh boys. I walked into a mob of the strikers and announced that I was there for business, and that if they chose to make gun plays they could not do more than to tie me. This had the desired effect, and I arrested the boys without further trouble."

That is all the force that was necessary. He sent twenty-five deputies there the day before, and they ran away because, perhaps, they were afraid of the bad-sounding name of the lake; but he went there without any force and without protection, arrested the Cavanaugh boys, and they were brought to Grand Forks and put in jail, and were tried before the United States commissioner. He reported that he found no wrong in these men. I also ask, without reading, to print the account of the trial in the RECORD.

The account is as follows:

[Grand Forks Herald.]

COULDN'T PROVE IT—THE CASE OF JOHN CAVANAUGH, THE DEVILS LAKE STRIKER, HEARD YESTERDAY BY UNITED STATES COMMISSIONER CAROTHERS, WHO PROMPTLY DISMISSES IT—CASE AGAINST MIKE CAVANAUGH ALSO DISMISSED.

The hearing of the cases against John and Mike Cavanaugh, the Devils Lake strikers brought here by Marshal Cronan, attracted quite an audience at United States Commissioner Carothers's office yesterday. T. R. Bangs, although not yet qualified as United States attorney, took charge of the prosecution at the request of District Attorney Camp. Judge Cochrane appeared for the defendants. The case of John Cavanaugh came up for hearing first. The charge was hindering the carrying of United States mails by disconnecting a car at Devils Lake on April 23.

The first witness was Conductor Sands, who testified that the train was disconnected and that he saw the defendant stand with his hand on the coupling lever, but was unable to see whether he was the one who disconnected the train. Sheriff Barton, of Ramsey County, testified as to the arrest of the two men. When the evidence for the prosecution had been completed Judge Cochrane moved that the case be dismissed, and the commissioner promptly dismissed it. On motion of Mr. Bangs, the case against Mike Cavanaugh was also dismissed. The defendants received many congratulations on the outcome of their case. They return to Devils Lake this morning.

Now, I do not object to large expenditures *per se*. This is a large country, and it is necessary to have large expenditures; but I do object, without any explanation of the fact, when these expenditures for the Department of Justice are larger than ever, that they shall be laid at our doors, when as a matter of fact, whether it was intended for political effect or not, it had political effect. It is generally understood that James J. Hill, the president of the Great Northern Railroad, contributed $50,000 to the Democratic campaign fund, "at a time when calls were many and friends were few," as Mr. Whitney said, at the same time when Mr. J. J. Van Alen contributed his $50,000, which I think they had a perfect right to do.

Mr. Hill is a consistent, lifelong Democrat, and I honor him for giving $50,000. I do not think that it was corrupt or a bargain that he should get help whenever he needed it. But he did get help when he needed it. Now, we are called upon to appropriate $150,000 for pay of marshals and the expenses of sending troops there for the purpose of frightening and intimidating these men into signing a wage schedule below what they could live on. The whole matter in dispute was finally left to the arbitration of the boards of trade of Minneapolis and St. Paul, and they not only decided that the schedule proposed by the company in April should not be made, but that the wage scale of last August should be restored.

Mr. Hill, in accepting the decision of the arbitrators, admitted that he was wrong, and he was trying to perpetrate an outrage upon these laboring men, for their cause was just. Those deputies who ran away at Devils Lake did so because they knew that they were not engaged in a righteous pursuit, and as "The wicked flee when no man pursueth, but the righteous are bold as a lion," so the strikers were bold because they were righteous, and these deputies fled when nobody pursued because they were engaged in a wicked cause. [Laughter and applause.]

Mr. SAYERS. I move that the committee rise and report the bill with amendments to the House.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. BYNUM, chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill (H. R. 7477) making appropriations to supply deficiences in the appropriations for the fiscal year ending June 30, 1894, and for prior years, and for other purposes, had directed him to report the same to the House with sundry amendments, and with the recommendation that as amended the bill do pass.

Mr. SAYERS. Mr. Speaker, I would like to ask the Clerk if the amendment which I proposed in regard to the Indian depredation claims is shown to have been adopted by the committee?

The Clerk reported that it had been adopted by the committee.

Mr. SAYERS. I move the previous question on the bill and amendments to its final passage.

The previous question was ordered.

The SPEAKER. If a separate vote is not demanded on any amendment, the Chair will put them in gross.

A separate vote was not demanded.

The amendments were agreed to in gross.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. SAYERS, a motion to reconsider the vote by which the bill was passed was laid on the table.

LEAVE TO WITHDRAW PAPERS.

Mr. HEARD obtained unanimous consent to withdraw from the files of the House papers in the case of J. E. Brown, Fifty-second Congress, there being no adverse report.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. STOCKDALE, indefinitely, on account of important business.

Mr. SAYERS. I move that the House do now adjourn.

The motion was agreed to.

And accordingly (at 5 o'clock and 10 minutes p. m.) the House adjourned.

REPORT OF COMMITTEE ON PRIVATE BILL.

Under clause 2 of Rule XIII, a private bill was reported, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

By Mr. WILSON of Ohio, from the Committee on War Claims: A bill (H. R. 5527) to authorize and direct the Secretary of War to investigate the claim of James and Emma S. Cameron, made for occupation and damage to property and for fuel taken and used by the United States Army during the war. (Report No. 1166.)

PUBLIC BILLS, MEMORIALS, AND RESOLUTIONS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced, and severally referrred as follows:

By Mr. CATCHINGS: A bill (H. R. 7567) to incorporate the National Rapid Transit Railway Company—to the Committee on the Judiciary.

By Mr. RAWLINS: A bill (H. R. 7568) granting certain real estate in Salt Lake City, Utah, to the board of education of said city for high-school purposes—to the Committee on Public Buildings and Grounds.

By Mr. FIELDER: A bill (H. R. 7569) for the protection of the property of passengers carried in sleeping cars, and limiting the responsibility for the same of individuals or corporations owning or operating said cars, and fixing a penalty for the violation of the same, and regulating the fare thereof—to the Committee on Interstate and Foreign Commerce.

By Mr. BAKER of Kansas (by request): A bill (H. R. 7570) to provide for the establishment of a Government banking system—to the Committee on Banking and Currency.

By Mr. HEARD: A bill (H. R. 7571) to authorize the construction of a bridge across the Osage River in the State of Missouri—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 7572) to authorize the construction of a bridge across the Missouri River at De Witt, Carroll County, Mo., and to establish it as a post road—to the Committee on Interstate and Foreign Commerce.

By Mr. CURTIS of Kansas (by request): A bill (H. R. 7573) authorizing allotments of lands in severalty to certain members of the Sac and Fox of Missouri tribe of Indians in Kansas and Nebraska and the sale of the surplus lands of said tribe—to the Committee on Indian Affairs.

By Mr. WRIGHT of Pennsylvania: A bill (H. R. 7574) to amend section 3 of an act entitled "An act granting pension to soldiers and sailors who are incapacitated for the performance of manual labor, and providing for pensions to widows, minor children, and dependent parents," approved June 27, 1890—to the Committee on Invalid Pensions.

By Mr. IKIRT: A bill (H. R. 7575) to provide for the free coinage of the standard silver dollar, and for other purposes—to the Committee on Coinage, Weights, and Measures.

By Mr. CRISP (by request): Memorial from the Legislature of Massachusetts, asking the passage of a law prohibiting the carrying of lottery matter in the United States mail—to the Committee on the Post-Office and Post-Roads.

By Mr. MORSE: Resolution by the Legislature of Massachusetts, asking Congress to appropriate $100,000 to assist the Commonwealth in exterminating the *Ocneria dispar*, or gypsy moth—to the Committee on Agriculture.

Also, a resolution by the Legislature of Massachusetts, recommending legislation to prevent the introduction into the United States of lottery matter from foreign countries—to the Committee on the Post-Office and Post-Roads.

Also, a resolution by the Legislature of Massachusetts, recommending that Union veterans should be preferred to other applicants for positions in the national public service—to the Committee on Reform in the Civil Service.

PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as follows:

By Mr. COX (by request): A bill (H. R. 7576) for the relief of the estate of Mrs. F. M. Harris, deceased, late of Williamson County, Tenn.—to the Committee on War Claims.

By Mr. SNODGRASS: A bill (H. R. 7577) for the relief of Hugh J. Brady—to the Committee on Claims.

By Mr. STRONG: A bill (H. R. 7578) to correct the military record of Theodore Werner, late a private in Company E, Forty-ninth Ohio Volunteer Infantry—to the Committee on Military Affairs.

By Mr. SMITH of Arizona: A bill (H. R. 7579) for the relief of Michael McKenna, alias David Dunton—to the Committee on Military Affairs.

By Mr. WOODARD: A bill (H. R. 7580) for the relief of Nancy Smith, Wayne County, N. C.—to the Committee on War Claims.

Also, a bill (H. R. 7581) for the relief of Jesse Flythe, Northampton County, N. C.—to the Committee on War Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ADAMS of Pennsylvania: Memorial *in re* the interstate commerce law, from Philadelphia Board of Trade—to the Committee on Interstate and Foreign Commerce.

Also, preamble and resolution from Philadelphia Board of Trade in relation to the duty on Zante currants—to the Committee on Ways and Means.

Also, preamble and resolution from Philadelphia Board of Trade *in re* the Nicaragua Canal—to the Committee on Interstate and Foreign Commerce.

By Mr. AITKEN: Petition of J. S. Meier and 30 others, against the Jones compromise amendment to the tobacco schedule—to the Committee on Ways and Means.

By Mr. BALDWIN: Petition of citizens of Duluth, members of National Fraternal Congress, for exemption from provisions of income tax—to the Committee on Ways and Means.

By Mr. BRODERICK: Petition of 100 citizens of Kansas, for the suppression of lotteries—to the Committee on the Post-Office and Post-Roads.

By Mr. CRISP (by request): Petition of Dr. W. Von Swartwout, for redress of grievances, etc.—to the Committee on Revision of Laws.

By Mr. HARTER: Petition of President Sterling, of Kenyon College, and others, against gambling—to the Committee on the Post-Office and Post-Roads.

By Mr. HARMER: Memorial of the president and faculty of Bryn Mawr College, of Pennsylvania, in favor of legislation prohibiting under severe penalties the introduction of lottery matters within our national territory—to the Committee on the Post-Office and Post-Roads.

By Mr. HEINER of Pennsylvania: Petition of sundry citizens of Kittanning, Creekridge, Indiana, West Newton, Scottdale, Manor, Punxsutawney, and Mount Pleasant, all of Pennsylvania, in favor of exempting beneficiary societies from the provision of the income tax—to the Committee on Ways and Means.

Also, petition of the Union Veteran Legion Encampment, No. 62, of Kittanning, Pa., praying for the passage of the per diem service pension bill—to the Committee on Invalid Pensions.

By Mr. HEARD: Petition of B. W. Zimmerman and others, to exempt fraternal societies from the imposition of income tax—to the Committee on Ways and Means.

By Mr. HENDRIX: Petition of citizens of Brooklyn, N. Y., asking exemption of beneficiary and fraternal societies from income tax—to the Committee on Ways and Means.

By Mr. HOPKINS of Pennsylvania: Petition of 43 citizens of Muncy, Pa., praying that fraternal organizations be exempt from tax as proposed by tariff bill—to the Committee on Ways and Means.

By Mr. HEPBURN: Petition of C. P. Moise and 50 other citizens of Page County, Iowa, praying that accident insurance companies on the mutual plan may be exempt from the proposed income tax—to the Committee on Ways and Means.

By Mr. KIEFER: Petition of Thomas J. Lawson, J. H. Simon, Edw. H. Devine, J. H. Cadow, Arthur Caines, O. S. Derlinger, P. J. Bailey, William Martin, E. Bader, Howard Young, and many other citizens of St. Paul, Minn., against appropriations for sectarian schools—to the Committee on Indian Affairs.

By Mr. LAYTON: Resolution of the Board of Trade and Transportation of Cincinnati, Ohio, favoring resolution for a national exhibit at Atlanta, Ga., in September, 1895—to the Committee on the Judiciary.

By Mr. MORSE: A petition by William E. Payson and 29 other citizens of Norton, Mass., praying that fraternal beneficiary societies be exempted from the provisions of the proposed income tax—to the Committee on Ways and Means.

By Mr. OGDEN. Resolution of the Legislature of Louisiana, favoring the bill to provide for a Government exhibit at the Cotton States and Industrial Exposition at Atlanta, Ga.—to the Committee on Appropriations.

By Mr. POWERS: Petition of citizens of Sheldon, Highgate, and Fairfield, Vt., praying for legislation enabling States to enforce laws regulating the sale of dairy products—to the Committee on Agriculture.

By Mr. PHILLIPS: A petition signed by 20 citizens of New Castle, Pa., asking that members of the fraternal beneficiary societies, orders, or associations shall be exempt from taxation in any form—to the Committee on Ways and Means.

Also, a petition signed by 26 citizens of Petrolia, Pa., asking that the members of the fraternal beneficiary societies, orders, or associations shall be exempt from taxation in any form—to the Committee on Ways and Means.

By Mr. REED: Petition of G. F. Saunders and other citizens of York Beach, in favor of amendment of tariff bill to exempt from income duty fraternal societies—to the Committee on Ways and Means.

By Mr. RYAN: Petition of W. B. Smith (regent R. A.), John Shire, C. D. Camp, Alexander Gourly, George Henderson, A. M. Abbott, Edwin C. Thomas, Wilbur M. Ballis, S. M. Jemner-

son, Robert Wilson, Donald J. McCullom, J. A. Purdy, William H. Renehan, W. A. Breene, James A. Logan, and F. C. G. Craft, citizens of West Chester County, N. Y., favoring exemption of fraternal societies from the operations of the income tax—to the Committee on Ways and Means.

By Mr. SIPE: Memorials of citizens of California, Washington County, Pa., and of 30 members of beneficial societies, residents of Western Pennsylvania, together with petition of 17 members of fraternal beneficiary societies, residents of Belle Vernon, Pa., praying that the accumulations of such societies and associations be exempted from the tax levied on incomes of corporations by the pending tariff bill—to the Committee on Ways and Means.

Also, petition of 84 citizens of McKeesport, Pa., praying for the passage of House bill 4478, providing for Government telegraph—to the Committee on the Post-Office and Post-Roads.

By Mr. WILLIAM A. STONE: Petition of citizens of Etna, Pa., for exemption of fraternal societies from income tax—to the Committee on Ways and Means.

By Mr. STRONG: Petition of Lyman P. Lewis and 11 other members of fraternal beneficiary societies of Delaware, Ohio; and of J. M. Anderson and 19 other citizens of Urbana, Ohio, in favor of exempting fraternal beneficial societies, etc., from the income tax—to the Committee on Ways and Means.

Also, petition of C. W. Wiles, J. F. Crernen, S. B. Robinson, and 13 other ex-Union soldiers of Delaware, Ohio, praying for a service pension law—to the Committee on Invalid Pensions.

By Mr. WILSON of Ohio: Petition of S. Altschul, jr., & Co., and 5 others, of Springfield, Ohio, and of J. D. Holtzemann & Co., of Piqua, Ohio, against increase of whisky tax and extension of bonded period—to the Committee on Ways and Means.

SENATE.

WEDNESDAY, *June 27, 1894.*

The Senate met at 10 o'clock a. m.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The VICE-PRESIDENT. The Journal of yesterday's proceedings will be read by the Secretary.

Mr. TELLER. It seems to be a waste of the time of the Senate to read the Journal. Corrections are never made when it is read. I ask unanimous consent that the reading be dispensed with.

The VICE-PRESIDENT. Without objection it is so ordered.

DEATH OF PRESIDENT CARNOT.

The VICE-PRESIDENT laid before the Senate the following cablegram; which was referred to the Committee on Foreign Relations, and ordered to be printed.

PARIS, *June 26, 1894.*

The President of the Council and the Minister of Foreign Affairs, to the President of the Senate, Washington:

The Government of the Republic will communicate to the Senate and to the Chamber of Deputies at their next session the expressions of fraternal sympathy which it has received from the Senate and from the House of Representatives of the great American Republic, but it will not delay until that moment to communicate to you the expression of all its thanks and to make known to you the consolation which the resolutions of the Senate and of the House of Representatives have brought to it in the great grief which has stricken this country.

EXECUTIVE COMMUNICATIONS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Attorney-General, increasing his estimate of deficiency in the appropriation for fees and expenses of marshals of United States courts for the current fiscal year from $50,000 to $125,000; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of the Senate of April 14, 1894, calling for information as to the number of pensioners whose pensions have been suspended or canceled since the 4th day of March, 1893, etc., a copy of a letter and accompanying inclosures from the Commissioner of Pensions, to whom the matter was referred for report, containing the information desired; which, with the accompanying papers, was referred to the Committee on Pensions, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Interior, transmitting a report of the disbursements for the fiscal year ending June 30, 1894, made in the States and Territories under the provisions of "An act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts, established under the provisions of an act of Congress approved July 2, 1862," approved August 30, 1890, as required by section 5 of that act; which, with the accompanying paper, was referred to the Committee on Agriculture and Forestry, and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. DIXON presented a petition of sundry citizens of Washington County, R. I., praying that in the passage of any law providing for the taxation of incomes, the funds of mutual life insurance companies and associations be exempted from taxation; which was ordered to lie on the table.

Mr. ALLEN presented a petition of sundry citizens of Lincoln County, Nebr., praying that the funds of mutual life insurance companies and associations be exempted from the proposed income tax provision of the pending tariff bill; which was ordered to lie on the table.

Mr. BATE presented memorials of Sobel & Co., Connor & Brady, and J. Cooney & Co., of Nashville; of W. H. Wilkerson & Co., Goodman Brothers, Jacobs & Garrett, Kettman & Montedonico, and Emil Nathan & Co., of Memphis; of N. C. Ford & Co., and E. R. Betterton & Co., of Chattanooga; of Fitzgerald & Ashe, Perry & Co., and Betterton & Co., of Knoxville; of Ragsdale & Peck, of Springfield, and of Young & Nobles, of Paris, wholesale and retail liquor dealers of Tennessee, remonstrating against any increase of the tax on whisky, and also against an extension of the present bonded period; which were ordered to lie on the table.

Mr. WALSH presented sundry memorials of wholesale and retail liquor dealers of Savannah and Atlanta, in the State of Georgia, remonstrating against an increase of the internal-revenue tax on whisky, and also against an extension of the present bonded period; which were ordered to lie on the table.

Mr. SHERMAN presented a petition of 15 citizens of Norton, Ohio, praying that a duty of at least 5 cents per pound be placed upon wool; which was ordered to lie on the table.

He also presented a petition of the Board of Trade and Transportation of Cincinnati, Ohio, praying that an appropriation be made for a national exhibit at the Cotton States and International Exposition to be held at Atlanta, Ga., in the fall of 1895; which was referred to the Committee on Appropriations.

TARIFF BULLETINS.

Mr. VOORHEES. I report from the Committee on Finance Tariff Bulletins Nos. 48, 49, 50, and 51 inclusive, being replies to tariff inquiries in regard to wool and manufactures of wool. I ask that the bulletins be printed.

The VICE-PRESIDENT. It will be so ordered.

BILLS INTRODUCED.

Mr. ALLEN introduced a bill (S. 2162) to prevent the appointment of cadets to the Naval or Military Academy of the United States from States, Territories, or districts in which such cadets do not reside, and for other purposes; which was read twice by its title and referred to the Committee on Military Affairs.

Mr. SMITH. At the request of my colleague [Mr. MCPHERSON], who is absent from the Chamber owing to illness, I introduce a bill.

The bill (S. 2163) to remove the charge of desertion against James Fay was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. WHITE introduced a bill (S. 2164) authorizing the county of Coconino, Territory of Arizona, to issue bonds for the construction of a county building at the county seat thereof; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. QUAY introduced a bill (S. 2165) to amend an act entitled "An act to provide for the settlement of all outstanding claims against the District of Columbia, and conferring jurisdiction on the Court of Claims to hear the same, and for other purposes," approved June 16, 1880; which was read twice by its title, and referred to the Committee on the District of Columbia.

AMENDMENT TO LEGISLATIVE, ETC., APPROPRIATION BILL.

Mr. PROCTOR submitted an amendment intended to be proposed by him to the legislative, executive, and judicial appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

PERSONS ENGAGED IN PROTECTED INDUSTRIES.

The VICE-PRESIDENT. The morning business is closed.

Mr. ALLEN. I ask unanimous consent to call up Order of Business 448.

The VICE-PRESIDENT. The resolution will be stated.

The SECRETARY. A resolution directing the Secretary of the Treasury to inform the Senate of the total number of persons engaged in protected industries in the United States whose wages are or may be claimed to be affected by tariff legislation, etc.

The VICE-PRESIDENT. Is there objection to the present consideration of the resolution? The Chair hears none.

Mr. CULLOM. This is the resolution that was up yesterday?

Mr. ALLEN. It is the resolution on which we took a vote yesterday morning.

Mr. CULLOM. We can scarcely act on anything with only half a dozen Senators present.

The VICE-PRESIDENT. The question is on agreeing to the resolution.

Mr. CULLOM. I think I shall have to suggest the want of a quorum before any vote is taken on the resolution.

The VICE-PRESIDENT. The Secretary will call the roll.

Mr. ALLEN. I hope the Senator from Illinois will withdraw the demand.

Mr. HARRIS. It is a suggestion that can not be withdrawn when made.

Mr. ALLEN. It has been withdrawn here several times to my certain knowledge.

Mr. HARRIS. I do not remember a single instance since I have been in the Senate when the suggestion has been made and it has been withdrawn.

Mr. COCKRELL. It has never been withdrawn.

The VICE-PRESIDENT. The Chair considers the rule imperative that when a Senator suggests the want of a quorum the roll shall be called. That will have to be done.

Mr. CULLOM. I would not have made the suggestion, but as I remember the yeas and nays were taken on the reference of the resolution, and if they are desired on the adoption of the resolution we can hardly ignore the situation as we see it here.

The VICE-PRESIDENT. The roll will be called.

The Secretary called the roll, and the following Senators answered to their names:

Allen,	Hale,	Mitchell, Wis.	Shoup,
Bate,	Harris,	Pasco,	Smith,
Berry,	Hill,	Patton,	Teller.
Blackburn,	Hoar,	Peffer,	Vest,
Cockrell,	Jones, Ark.	Proctor,	Voorhees,
Cullom,	Lindsay,	Pugh,	Walsh,
Dixon,	McMillan,	Quay,	Washburn,
Gordon,	Mills,	Sherman,	White.

Mr. CULLOM. I wish to state that my colleague [Mr. PALMER] is absent from the Senate on account of illness, and he will probably be absent during the day.

The VICE-PRESIDENT. Thirty-two Senators have answered to their names. There is no quorum present. What is the pleasure of the Senate?

Mr. HARRIS. I move that the Sergeant-at-Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The VICE-PRESIDENT. The Sergeant-at-Arms will execute the order of the Senate.

Mr. PETTIGREW, Mr. IRBY, Mr. MITCHELL of Oregon, Mr. TURPIE, Mr. MORGAN, Mr. ALLISON, Mr. CALL, Mr. DOLPH, Mr. MANDERSON, Mr. MCLAURIN, and Mr. CHANDLER entered the Chamber and answered to their names.

The VICE-PRESIDENT (a 10 o'clock and 20 minutes a. m.) Forty-three Senators have answered to their names. A quorum is present.

Mr. HOAR. I move that all further proceedings under the call be dispensed with.

The VICE-PRESIDENT. Without objection, it is so ordered. The question is upon agreeing to the resolution of the Senator from Nebraska [Mr. ALLEN].

Mr. ALLISON. Let it be read.

The VICE-PRESIDENT. The resolution will be again stated.

The SECRETARY. A resolution directing the Secretary of the Treasury to inform the Senate of the total number of persons engaged in protected industries in the United States whose wages are or may be claimed to be affected by tariff legislation, etc.

Mr. HOAR. I ask unanimous consent that the resolution may go over until to-morrow without losing its place. Only seven or eight minutes remain until the unfinished business comes up. The Senator from Vermont [Mr. MORRILL] desires to include in the resolution some other matters, and he is not here at this moment.

Mr. ALLEN. Very well.

The VICE-PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

ADDITIONAL PETITIONS AND MEMORIALS.

Mr. MCMILLAN presented the petition of J. A. Herrick and sundry other citizens of Ypsilanti, Mich., praying that fraternal beneficiary societies, orders, or associations, be exempted from the proposed income tax provision of the pending tariff bill; which was ordered to lie on the table.

Mr. TURPIE presented a petition of the Millers' National Association of the United States, of Milwaukee, Wis., praying for the adoption of the proposed amendment to the pending tariff bill, to establish reciprocity with foreign countries; which was ordered to lie on the table.

He also presented a petition of sundry citizens of Indianapolis, Ind., praying that fraternal beneficiary societies, orders, or associations be exempted from the proposed income tax provision of the pending tariff bill; which was ordered to lie on the table.

Mr. CULLOM presented the petition of A. Y. Trogdon, of Paris, Ill., praying that the claim of Jachariah Jewell, Company D, One hundred and twenty-second Ohio Volunteers, for rerate of pension be inquired into; which was referred to the Committee on Pensions.

He also presented a petition of sundry cigar-makers of Blue Island, Ill., praying for the passage of the so-called Jones amendment increasing the import duty on cigars from $3 to $4 per pound and 25 per cent ad valorem; which was ordered to lie on the table.

He also presented a petition of Amity Council, No. 13, Royal League, of Chicago, Ill., praying that fraternal beneficiary societies, orders, or associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

Mr. GALLINGER presented a petition of sundry citizens of Grafton County, N. H., praying for the enactment of legislation to enable the States to enforce State laws regulating the sale of substitutes for dairy products; which was referred to the Committee on Interstate Commerce.

Mr. CHANDLER presented the petition of Charles Winch and 1 other citizen of Langdon, N. H., and of Clifton A. Metcalf and 6 other citizens of Alstead, N. H., praying that fraternal beneficiary societies, orders, or associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. TURPIE, from the Committee on Foreign Relations, to whom was referred the bill (S. 2034) authorizing the persons herein named to accept of certain decorations and testimonials from the Hawaiian Government, reported it without amendment.

Mr. MCMILLAN, from the Committee on Naval Affairs, to whom was referred the amendment submitted by Mr. GRAY May 25, 1894, intended to be proposed to the naval appropriation bill, reported favorably thereon, and moved that it be printed, and, with the accompanying paper, referred to the Committee on Appropriations; which was agreed to.

Mr. MANDERSON, from the Committee on Rules, reported two amendments intended to be proposed to the sundry civil appropriation bill; which were referred to the Committee on Appropriations, and ordered to be printed.

Mr. PEFFER (for Mr. PALMER), from the Committee on Pensions, to whom was referred the bill (H. R. 5459) to pension the minor children of Alfred Phipps, reported it without amendment, and submitted a report thereon.

Mr. GIBSON, from the Committee on Naval Affairs, to whom was referred the amendment submitted on the 21st instant, intended to be proposed by him to the naval appropriation bill, reported favorably thereon and moved that it be referred to the Committee on Appropriations and be printed; which was agreed to.

AMENDMENT TO DEFICIENCY APPROPRIATION BILL.

Mr. TURPIE submitted an amendment intended to be proposed by him to the deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

CLAIMS FOR INSURANCE PAID ON VESSELS.

The VICE-PRESIDENT. The Chair lays before the Senate as part of the morning business the resolution of the Senator from Oregon [Mr. MITCHELL].

The Secretary read the resolution submitted yesterday by Mr. MITCHELL of Oregon, as follows:

Resolved, That the Secretary of the Treasury be, and he is hereby, requested to cause the proper accounting officers of the Treasury to reëxamine the Treasury settlements made in 1884 and 1885 and numbered 5000, 5085, 5201, 5300, 5303, 5363, and 5368, heretofore certified to Congress for appropriation in favor of the respective claimants for insurance paid by them on vessels, and to submit the reasons for the certification, together with a detailed statement of the facts upon which each originated; and report the same to Congress in a manner similar to the report submitted by the Secretary of the Treasury, January 31, 1894 (printed in Senate Executive Document No. 98, second session Fifty-third Congress), in regard to certain other Treasury settlements certified to Congress for appropriation at the same time.

The VICE-PRESIDENT. The question is on agreeing to the resolution.

Mr. MITCHELL of Oregon. I wish to correct a date in the resolution. I ask leave to modify it by striking out in line 14 the words "January thirty-first" and inserting in lieu thereof the words "May sixteenth."

The VICE-PRESIDENT. The resolution will be so modified. The question is on agreeing to the resolution as modified.

The resolution as modified was agreed to.

COURTS IN STATE OF WASHINGTON.

Mr. PUGH. I ask unanimous consent to call up the bill (S. 1252) to amend an act entitled "An act to provide for the times and places to hold terms of the United States courts in the State of Washington."

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on the Judiciary with an amendment in line 82, after the word "had," to strike out "had the said existing statute not been passed," and insert "as if the same were returnable to or pending in the terms of said courts provided for by this act;" so as to read:

And the provisions of statute now existing for the holding of said courts on the first Monday of April and November in each year is hereby repealed, and all suits, prosecutions, processes, recognizances, bail bonds, and other things pending in or returnable to said court on the days last named are hereby transferred to, and shall be made returnable to, and have force in the said respective terms in this act provided, in the same manner and with the same effect as they would have had as if the same were returnable to or pending in the terms of said courts provided for by this act.

The amendment was agreed to.

Mr. MITCHELL of Oregon. The bill was reported from the Committee on the Judiciary?

Mr. PUGH. It was reported from the Committee on the Judiciary by the Senator from Iowa [Mr. WILSON], who is now absent on account of ill health.

Mr. MITCHELL of Oregon. It relates to the courts in the district of Washington?

Mr. PUGH. Yes, sir.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed the bill (S. 730) making Labor Day a legal holiday.

The message also announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 3511) concerning the weight of evidence in pension claims;

A bill (H. R. 4507) for the relief of Witherby & Gaffney;

A bill (H. R. 4611) to amend an act approved January 26, 1893, to authorize the construction of bridges across the Hiwassee, the Tennessee, and Clinch Rivers, in the State of Tennessee; and

A bill (H. R. 7449) authorizing the Minneapolis Gaslight Company, of Minneapolis, Minn., to lay submerged gas pipes across the Mississippi River at Minneapolis.

The message further announced that the House had passed a concurrent resolution to print 8,000 extra copies of the report of the Commissioner of Fish and Fisheries; in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (H. R. 4701) to incorporate the Supreme Lodge of the Knights of Pythias; and

A bill (H. R. 4961) granting certain rights over Lime Point military reservation in the State of California.

THE REVENUE BILL.

The VICE-PRESIDENT. The hour of half past 10 o'clock having arrived, the Chair lays before the Senate the unfinished business.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4864) to reduce taxation, to provide revenue for the Government, and for other purposes.

The VICE-PRESIDENT. The pending question is on the amendment proposed by the Senator from Iowa [Mr. ALLISON].

Mr. HILL. Mr. President, this bill proceeds upon the theory that the income which a person receives from individual investments ought not to be taxed, unless the amount thereof exceeds $4,000; it also, from the way in which it is now worded, proceeds upon the other theory, which I think must be regarded as an inadvertent one, that corporate investments should be compelled to pay an income tax upon the income therefrom without any reference to the $4,000 exemption. It strikes me that that discrimination was not intended by the authors of the bill, and that with great propriety it might be amended so as to do away with that discrimination. It seems to me some amendment can be easily framed, whereby a person who invests in corporate securities, so far as his individual dividends are concerned, should be entitled to the same exemption as though he had made the investment in a corporation, in a farm, or in any other property aside from investments in a corporation.

I can see no reason for the distinction sought to be made. It may have occurred in just this way: The first suggestion of an income tax came from the President's message and the annual report of the Secretary of the Treasury, and, as I have stated before, there was no suggestion of an individual income tax, except in a most restricted form. There was a recommendation, a mild one, in favor of taxation of incomes from certain corporate investments, according to the language of the recommendation. It was argued that corporate investments were more or less a matter of public concern, and that if they were taxed there would be no undue publicity given other than that which now exists.

The theory was that these investments might properly be taxed without injustice to individuals, avoiding all inquisitorial features and other hardships; and it was claimed that such a taxation upon corporate investments avoided all questions of taxation upon thrift, upon industry, upon labor, or upon brains; that it was simply a tax upon money accumulated upon investments already made, and did not tax the labor, or activity, or brains of a citizen.

That was a theory, of course, upon which the bill might have been framed, but the Ways and Means Committee of the House of Representatives and the Finance Committee of the Senate have proceeded partly upon one theory and partly upon the other. They have proceeded to tax the individual incomes, and now they have proceeded in another form to tax corporations, but in the system which they have provided for the taxation of incomes they unintentionally, in my judgment, do injustice to individuals.

For instance, I have $5,000, and I invest it in a partnership for carrying on a dry goods store. If my profit is $3,000, if I may assume that by an investment of $5,000 I could make a profit of $3,000, of course that profit of $3,000 is not taxed, as the individual is entitled to an exemption of $4,000, but if I place that $5,000 as an investment in a corporation, before a dividend comes to me from that corporation the tax is already taken out in advance. It of course makes no difference to a man whose income exceeds $4,000, for he has to pay the tax on his income in excess of that amount; but this injustice is upon those people who have incomes of less than $4,000, the poor people of the country, the widows and orphans, and the men of infirm health, who rely upon the little accumulations which have been given to them or which they have worked for and laid up. Some amendment ought to be suggested here which will make this tax less burdensome to that class of people. The man who has an income of over $4,000 is amply protected in either form of this bill; but it is the man whose income does not exceed $4,000, but whose investment is in a corporation, who is unjustly affected.

Mr. President, I see no answer to this proposition anywhere. I think that some amendment ought to be prepared to reach that difficulty.

There is one suggestion I wish to make in reference to the amendment proposed by the Senator from Iowa [Mr. ALLISON]. I shall vote for it cheerfully if that is the only one we can get which will afford any relief, and that does afford some relief. Still, I can see that it possibly might do some injustice. There are corporations whose capital stock is less than $100,000, the stock of which is very valuable, and there might be very large dividends made to individual stockholders. If we were to exempt them all as a class I think it would give rise to criticism, but I shall vote for the Senator's amendment, if that is the best we can get.

Mr. ALLISON. If we can get anything better, I should prefer it; but I suggest to the Senator that as to all the corporations with a capital of less than $100,000 the stockholders will be relegated to the situation of individuals if they have incomes of $4,000, including the dividends from these small corporations. They will be required to pay the tax, and they ought in such cases to pay it.

Mr. HILL. Perhaps that is so, and in that view the amendment might be proper; but it strikes me that instead of exempting any class of corporations and specifying the corporations which have $100,000 capital or less than $100,000 capital it would be better to proceed directly upon the individual and frame our legislation so as to affect the individual.

I ask the Senator from Missouri whether he has any suggestion to make which would cover this point? All my motive in regard to it is to cover this point if we can. I think it would be better to do that than to proceed by the wholesale exemption to which I have referred.

Mr. President, some such amendment will not injure the bill.

It will perfect it; it will relieve it from the charge of inconsistency; it will relieve it from the charge of inequality; it will say that we make no unjust discrimination against corporate investments. There is nothing so particularly obnoxious about a corporate investment that it should be discriminated against.

The investment in any private business should not be placed upon any better or higher plane than an investment in a small corporation. The Senator from Iowa [Mr. ALLISON] instanced the corporations for dairy purposes in his own State. There are plenty of them in New York State and elsewhere, small corporations in their way, in which farmers have invested a very few thousand dollars, and from which they may derive an income of three, four, five, or six hundred dollars; and they ought to have the benefit of the whole income if of course it does not exceed $4,000; but they are discriminated against by the present situation of the bill. My object is to do away with that injustice and make the bill defensible so far as we can in that particular.

Mr. VEST. Mr. President, the question that meets us on the threshold of this debate with regard to corporations is whether the same rule should be applied to corporations as to exemptions that is applied to individuals.

The theory of the income-tax law, as I understand it, is that the citizen pays upon consumption under the present system of taxation in the United States. In my judgment it is an unjust and unequal taxation. The poor man pays as much as the rich man, the man worth $5,000 pays as much as the man worth $100,000,000 and in some instances he pays a great deal more, because he buys possibly better clothing and better food. That is a question of taste and of habit. Experience teaches us that the very rich men, if we are to believe the stories that are told about them, are the men most devoted to rigid economy, denying themselves in many instances the ordinary comforts of life.

Under the tariff system, the system of consumption, the poor man, then, as I say, frequently pays more than the rich man. In my opinion, this is not right. If I believed as the Senator from New York [Mr. HILL] said in his speech the other day, that the indirect system of taxation represented by the tariff is the best system, I should most unquestionably take his side of this proposition and argue in favor of a tax based upon consumption. I do not believe so. My idea of taxation is that it should be upon property, upon incomes, and in proportion to the protection which the Government actually gives to the citizen.

Why should a man pay not upon his property but upon his wants, his consumption? What argument can be made for a system which ignores the fact that $100,000,000 is protected by the strong arm of the Government instead of $5,000, and imposes the same tax upon both, or the larger tax upon the man with $5,000 worth of property with the exemption of $4,000 in this bill? Why? Because, right or wrong, it was assumed in the House of Representatives, and we adopt now the same exemption, that the consumption of a man, say, with six or seven in his family in the course of the year will amount to about the sum which we have exempted. Does that rule apply to corporations? Does the corporation eat anything? Does it drink anything? In addition to this, does not the corporation receive extraordinary corporate privileges as a gift from the Government?

Mr. HILL. A gift from what Government?

Mr. VEST. From the Government of the United States and from the States, because, while the powers of the corporation may come from the State, it is protected by the strong arm of the General Government, as is every other person. If you ignore the fact that any protection is given by the General Government to the citizens of the United States, you eliminate all the functions of the General Government itself. If the property of the individual is protected under the Constitution by the General Government, the property of the corporation is also protected; but the corporation pays no taxes in the way of consumption, as does the individual. What does it pay to the General Government for the protection that is given to it and its franchises and property? Under the tariff system it pays nothing, and therefore there should be no exemption to the corporation as to the individual.

Mr. President, the House of Representatives adopted the system as to its details which was in the old law of 1864 and which is found in the law of Pennsylvania to-day. It required the corporation to retain out of the dividend upon its stock and bonds, which were paid to the stockholder and the bondholder by the corporation, 2 per cent tax, and to pay that over to the General Government. In other words, it made every corporation a collector simply for the Government and nothing else. That is the law of the State of Pennsylvania to-day, where they tax both stock and bonds.

The bill as it came from the House of Representatives taxed the bonded indebtedness of every corporation, and we have stricken that out, and still there is complaint in regard to the pending bill. Under the law of Michigan I believe a tax is put upon corporations in the same way. Instead of making the corporation a collector simply for the Government, we have endeavored to simplify the bill and, in my judgment, we have strengthened it, by putting the tax directly upon the corporation and then allowing the corporation to adjust its relations with its own stockholders as it sees proper.

We treat a corporation as a legal entity, just as we treat the individual. We say to every corporation in the United States, "You pay no tariff tax, as does the individual citizen, but you shall pay the 2 per cent which we put upon the citizen on account of the protection given to his property." We apply the same rule to corporations, leaving out the exemption, because of course there is no consumption by the corporation as there is by the individual. This is the theory of the bill.

Now, of course (I say of course, because it is apparent upon the face of it), there are hard cases. It is complained that small stockholders in these corporations are made to pay. We do not deal with the stockholders. We deal with a corporation as a legal being, doing business, artificially created, receiving protection upon its property from the General Government like citizens receive protection upon theirs. If it consumed clothing and food and paid the internal-revenue tax and the tariff import tax as does the individual, then the exemption should apply.

Are we to be told now that these corporations, with their enormous corporate privileges, with their enormous surplus funds, with their control of the capital of this country, are to be entirely exempt from the income tax? I hardly think that any Senator will stand here and make any such claim. If we are to apply the theory in the bill to corporations, then the bill as it stands is, in my judgment, correct.

Mr. HOAR. I should like at some time in the Senator's argument to have him state, in regard to one particular class, whether he does not think the bill should be amended to meet the case. I quite agree with everything the Senator has said in regard to what are popularly called corporations, the great aggregations of wealth and capital in the country. What I am about to say may be a repetition of what was said yesterday by others, but still I should like to have the Senator's views.

In my State it is the almost universal practice, and it is a practice which has grown up in England under what they call corporations or associations of limited liability, to go into a joint stock company. Two or three youngsters just out of their apprenticeship go into partnership together and do some little portion of the work of a machine shop. I could name several such establishments in my own city. One is a concern manufacturing particular kinds of toys, and another engaged in the manufacture of bicycles in a small way. And so it is in business of all sorts and kinds, partly, I suppose, because it involves legal safeguards, but the chief reason is that when one of the partners dies or goes out of the company for any reason, the survivors in the corporation do not have to liquidate the concern, and wait a year or two and go through a process of law before they can go on with the business.

That has become, I say, the almost universal mode of doing every kind of little business. There will sometimes be salaries. There will be a frugal salary for the president and the vice-president and the treasurer, but they leave in the concern all they make and go on with it except to derive from it sufficient for a frugal living.

Now, it does seem to me that those who engage in business in this way should not be wholly deprived of the exemption of $4,000 which you give to the individual.

That is the point to which I wish to ask the attention of the Senator, because if he thinks it is not reasonable that such persons should be considered in making an income-tax provision, of course there is no use in drawing an amendment to cover it. But if he thinks it is reasonable that that class of people should have the benefit of this exemption as if they were engaged in business as individuals, then it seems to me an amendment could be submitted which would meet with his approval.

Mr. VEST. It is not a question for me individually to determine. It is in the hands of the majority of the Finance Committee, of whom I am only a single member, and of the Senate. I express my individual opinion and what I suppose to be the opinions of the committee, although I may not be correct in regard to the latter statement. It is true that you can find hard cases under the proposed law as under every other tax law.

Mr. HOAR. This is a whole commonwealth doing business and not an individual case.

Mr. VEST. I have no doubt that the statement made by the Senator from Massachusetts is correct, but if you apply the principle which I have endeavored to enunciate—that corporations, in consideration of their corporate privileges and the protection given to their property, should bear their proportion of this

common tax placed upon all the people of the United States, then I do not see why the amount invested in the corporation should affect the principle at all.

Let me state a fact which I know personally. In my own State and I take it for granted that the same is true in the other States of the Union, the power of incorporation has created great hardship and in many cases has been accessory to great wrong. Men go in and make up a corporation in order to escape individual liability. Under the laws of my State they can create a corporation, and if there should be a judgment for damages against it, if it should become bankrupt, so long as the stock has been fully paid up the stockholders are not individually liable. In many instances this fact is made avail of by persons in order to escape the individual liability which would otherwise be put upon them.

Why are corporations created? Why have they increased so marvelously in this country with the increase of wealth? It is because corporate powers and privileges are peculiarly favored by capital. Corporations to-day are thicker almost, I was about to say, than individual investors. The vast body of the wealth of the country is in their hands, and it is because of the peculiar privileges given them by the terms of their creation which are favored as I have said especially by capitalists. Now, if we undertake to discriminate between the large and the small corporations we enter into a labyrinth out of which I see no escape whatever. Senators may talk about citizens, about widows, for instance, who have their all in these corporations. We do not deal with them. We deal with corporations as artificial beings, whether large or small. We deal with the individual, and give him an exemption on account of consumption over $4,000.

Mr. President, I can not state this matter better than it was stated by the Senator from Ohio [Mr. SHERMAN], a distinguished leader of the Republican party, when he argued the question of an income tax in 1870. I ask the Secretary to read one of the arguments of the Senator from Ohio in regard to this very point.

The VICE-PRESIDENT. The Secretary will read as indicated.

The Secretary read as follows:

Now, the question is whether we shall repeal what is left of the income tax by this bill, yielding $17,700,000, the only property tax now levied by the United States of America. Sir, this is a republican Government, where, if we discriminate at all, we ought to discriminate in favor of the poor, in favor of the great mass of the people. "The greatest good to the greatest number" has been a favorite theme of demagogism for a hundred years. Here we have in New York Mr. Astor, with an income of millions derived from real estate, accumulated year after year by the mere family pride of accumulation; and we have alongside of him a poor man receiving $1,000 a year. What is the discrimination of our law in that case? It is altogether against the poor man; we tax his clothing, we tax his consumption.

By the laws of nature, the laws of heat and cold, of hunger and thirst, it requires as much to feed the poor man as it does the rich man. No more dollars need be drawn from the coffers of Mr. Astor to supply his natural wants than are needed to supply the wants of the poorest laboring man in New York, except as to quality; and yet all our national taxes are thrown upon consumption and not upon property. We tax the tea, the coffee, the sugar, the spices the poor man uses. We tax every little thing that is imported from abroad, together with the whisky that makes him drunk and the beer that cheers him and the tobacco that consoles him. Everything that he consumes we call a luxury and tax it; and yet we are afraid to touch the income of Mr. Astor. Is there any justice in that? Is there any propriety in it? Why, sir, the income tax is the only one that tends to equalize these burdens between the rich and the poor.

Mr. VEST. That is the argument of the Senator from Ohio, and in my judgment upon principles of equity it is unanswerable. It is much better stated than I could possibly place it before the Senate.

A great deal is said here about the exemption of $4,000 to individuals. What does it amount to? It amounts to $80 a year in the shape of taxation—2 per cent upon $4,000. We are told now that liberty lies bleeding in the streets unless this exemption of $4,000, amounting to a tax of $80 a year, is given to corporations, who eat nothing, drink nothing, buy no clothes, and who are under the protection of the Government and receive peculiar corporate privileges, which the Government also protects.

Mr. President, analogies have been drawn here between the conditions of corporations under the old law and at this time. During the war, when the excise taxes were levied upon corporations, what did they pay? They paid upon all their output, using the language of the statute, nearly 6 per cent. If a manufacturing corporation turned out manufactured goods, they paid from 4 to 6 per cent without regard to the fact whether they made or lost in the course of their business during the year.

Mr. ALDRICH. Will the Senator from Missouri permit me?

Mr. VEST. Certainly.

Mr. ALDRICH. The Senator knows as well as I do that the taxes imposed upon corporations were excise taxes and were levied for the purpose of raising money to carry on the Government.

Mr. VEST. Of course, I know that.

Mr. ALDRICH. Every conceivable industry and every conceivable employment in the United States was taxed at that time, and it was not an income tax at all. The argument the Senator is using in regard to the excise tax imposed upon manufacturing corporations and other corporations at that time has no sort of application to the provisions of an income tax.

Mr. VEST. Will the Senator from Rhode Island allow me to make the application of my own facts, instead of making an argument?

Mr. ALDRICH. The Senator from Missouri will do that, as a matter of course.

Mr. VEST. The Senator from Rhode Island asks no question. He simply gets up and makes his own argument, which, with all respect, I must protest against as a custom of the Senate.

Mr. ALDRICH. I was fearful the Senator from Missouri might not understand the matter.

Mr. VEST. I think I am a man of ordinary intelligence and know the condition of things during the war and why that law was made. I referred to the fact that allusions had been made to the tax upon corporations during the war, in contrast, or in analogy, at any rate, with the tax which we now propose to put upon corporations; and a great outcry is made here that we are treating these corporations unjustly and harshly. I was proceeding to show, when the Senator from Rhode Island enlightened me as to the history of this country, that between 1860 and 1865 those excise taxes were imposed (I do not care for what purpose; that is not the question) amounting to nearly 6 per cent upon the output of the corporations.

What do we propose to do now? We propose to put a tax of 2 per cent upon their net profits over business and operating expenses. If they have lost in the course of their business they pay nothing. If they have made money they pay 2 per cent. Is there anything wrong in that? Is there any hardship in it?

If the provision in the bill as it came from the other House had been retained, which put a 2 per cent tax upon the bonded indebtedness of corporations, we should have heard from the other side of this Chamber and from this side such a protest as never was heard before in Congress in regard to a tax law.

But that provision has been changed, and the Senator from Iowa [Mr. ALLISON] indirectly, if not directly, taunted us with the fact that we had now exempted the bondholders and relied simply upon their consciences as to whether they pay any tax at all. We concluded deliberately, without regard to the votes which might be received upon the bill, to strike out the tax upon the indebtedness of corporations. Yet that amendment is made one of the instruments now for taunting us with the charge that we have weakened the bill. I said yesterday, and I repeat now, that the bill is far more favorable to corporations than anyone could have supposed it would have been made by the Senate.

Mr. ALLISON. I hope the Senator from Missouri will not do me the injustice to say that I criticised adversely the amendment made by the committee. On the contrary, I stated distinctly in response to a question that I favored it. But certainly I have a right to draw an analogy between that amendment and the refusal to make others of a kindred character.

Mr. VEST. I object to no legitimate conclusion. I am simply pursuing my general line of remark in saying that the bill is as just to corporations as it can be made, upon the theory that the income tax is imposed.

An amendment has been submitted to the committee by the Senator from New Jersey [Mr. SMITH], which exempts the small stockholders. I ask the Secretary to read it, because I desire to comment upon it.

The VICE-PRESIDENT. The amendment will be stated.

The Secretary read as follows:

The amount of any dividends paid to a single stockholder not exceeding $4,000 annually may be deducted by corporations, companies, or associations, not including partnerships, from any amounts upon which they would otherwise be compelled to pay, the tax herein provided for; but the amount of such dividends so received by such single stockholder shall be included in estimating any income he may have in excess of $4,000, and in that event it shall bear its proportion of the tax herein provided for.

Mr. ALDRICH. Is that an amendment proposed by the committee?

Mr. VEST. No; it is an amendment suggested by the Senator from New Jersey. It has not been adopted by the committee. It seems to me evident if that amendment or one similar to it should be adopted that it would be almost impossible of execution.

Here is a corporation which by the bill as it stands is required to pay 2 per cent upon its net profits over and above its business and operating expenses, deducting all losses and the interest upon its bonded or other indebtedness. How is the corporation to settle with each individual stockholder in making up its net profits for the year? It does its business as an entirety. It makes so much money or it loses so much money. It is to pay the tax upon its net profits. Now, if that amendment should be adopted it would be requisite for the corporation, before it ascertains what its net profits are, to set aside certain amounts of

money, not to be taken any account of in its business at all. How is this to be done?

Mr. HILL. Will the Senator from Missouri allow me just a moment? Would it not be easy in this way? Of course every corporation keeps books ordinarily, and by the terms of the pending bill it is required to keep books. Necessarily a corporation can not declare a dividend to one stockholder and not to another. The stockholder can go into the court and compel an equal distribution of the profits. At a certain date the corporation desires to declare a dividend. It simply declares a dividend to its various stockholders, and then when on the 1st of March it makes this declaration as to the amount of its income, it deducts simply the dividend paid to its stockholders. Is there any real practical difficulty about it. The individual stockholder of course can enforce his rights and see that all the stockholders are equally protected in the corporation.

Mr. VEST. It seems to me it makes intricate and complex the business of all these corporations, and opens the door to great indirection, if not to fraud. But, so far as I am concerned, I have stated the reasons why I do not believe any corporation should have an exemption of $4,000. I believe the bill is right as it is now, and that the corporations ought to be made to pay, as they pay no tax upon consumption, without the exemptions. I have no other interest in it except that of a Senator generally in facilitating business and arriving at results; but if the Senate comes to the conclusion that the same rule should be applied to corporations as to individuals, the direct and proper way, it seems to me, would be to apply to corporations without regard to size the exemption of $4,000, which is now given to individuals, because we all know that some of the largest corporations in this country in the amount of business have the smallest amount of capital stock.

I know banks in my own State with $50,000 capital and three or four million dollars of deposits. There are institutions in New England which have very small amounts of capital stock and which handle millions upon millions of dollars in the way of business each year.

The amendment of the Senator from Iowa is dangerous in that regard, because it does not do what I have no doubt he wishes to do. It is not the amount of capital stock which determines the size of the corporation. A corporation is based upon the character and credit of its directors and stockholders.

The largest banks in this country have the smallest amount of capital stock, and that is not a criterion. But when you enter into this maze and labyrinth of details and undertake to go into the counting house of a corporation and examine into all their business in order to frame a statute, you are simply piling up perplexity, and doubt, and difficulty. As legislators for 70,000,000 people we must deal with principles, systems, and general laws, and in my judgment the proposed law, imperfect as it is and as it must necessarily be, is in all its details as accurate, and fair, and just as we can make it.

Mr. ALLISON. I have modified the amendment I offered last evening.

The VICE-PRESIDENT. The amendment will be stated as modified.

The SECRETARY. At the end of line 22, section 59, add the following:

Having a capital, including surplus, exceeding $100,000: *Provided*, That expenditures for materials or articles purchased for use in manufacture or for resale, and for insurance, taxes, and other incidental expenses paid by any manufacturing or trading corporation, company, or association, shall be considered as operating and business expenses in estimating the profits or income of any such corporation, company, or association.

Mr. ALLISON. Mr. President, when I offered the amendment yesterday I stated distinctly my object in submitting it. It was not in any sense to exempt corporations from their just contribution to any income tax that might be properly imposed upon the people of the United States. The Senator from Missouri does not touch in his argument the point of my amendment. It is that inasmuch as individuals who own no stock in any corporation, but who have an income of $4,000 and who may pay taxes to the extent of $4,000 more upon their property yielding no income, are exempted by the income tax, and at the same time there are in the United States hundreds of thousands of individuals who have small earnings invested in the form of stock in corporations and have no exemption at all, we should make some provision whereby these honest poor men of the country may be placed in a condition of equality with those who have at least an income of $4,000 per annum, and are in comfortable circumstances as evidenced by such income.

If the amendment the Senator from Missouri had read, prepared by the Senator from New Jersey [Mr. SMITH], shall be adopted, it will reach what I have proposed, and my amendment, so far as the exemption of small corporations is concerned, will be unnecessary. It was because I feared that this general injustice would prevail by the rejection of any amendment relieving all small stockholders that I sought to minimize that injustice so far as I could by limiting the corporations that are to be taxed under the bill by exempting all small corporations.

The Senator from Missouri says that the object of the committee in changing the House provision is to tax a corporation directly. Mr. President, that is not proposed to be done by the Senator's own amendment. What is the proposition as to taxing these corporations? They are entities in one sense, but they are composed of individuals who own the shares, and who would be taxed on these shares without this corporate provision, and who are now exempted if their income exceeds $4,000. The Senator says a corporation does not eat and is not clothed. But as respects all the great materials that are embraced within our tariff laws a corporation does consume all the raw materials necessary in manufacturing, if it be a manufacturing corporation, or if it be a railroad in operating that railroad. So a corporation is a consumer except that it does not consume food and clothing and has no shelter.

Mr. VEST. Under the terms of the bill all the materials used by a corporation are taken into the account when it makes up its expenses and its profits. Its usual and operating expenses are exempt anyhow.

Mr. ALLISON. In that sense it is true, but what are the arrangements which have been made by the committee? I hope the Senator will not accuse me of adverse criticism when I speak of them. The Senator in his amendment has exempted the bonded debt of all corporations and all other debts of corporations. Why? He has done that because the individual who holds the bonds and the debts must account for them in his individual statement as respects incomes, and if he has over $4,000 thus invested he pays 2 per cent upon the excess. But if his investment in these bonds and indebtedness does not yield an income of $4,000 he stands exempted.

Therefore the great corporations and little corporations, if you please, as respects their indebtedness, have been relegated to the income statement of the individuals who compose them, or who hold the indebtedness of the corporations. My amendment only relegates the stockholders of the small corporations to the situation of bondholders in large corporations and compels them to account for dividends, as holders of bonds of these corporations now account for the income upon said bonds.

Mr. CULLOM. It ought to apply to all corporations and to the small holders of stock.

Mr. ALLISON. So it seems to me. I stated yesterday that if any Senator would prepare an amendment which would embrace all, I would gladly waive, as I will now, the amendment which I propose.

The Senator from Missouri says they are taxing these corporations. How are they taxing them? They expressly provide in section 59 that where a corporation has paid a 2 per cent tax upon dividends the owner of shares in that corporation may deduct that dividend from his general statement as to income; but the difficulty with that provision is that it only takes care of the individual stockholders who have an income in excess of $4,000. I want the Senator from Missouri to so modify the bill as not to do injustice to the small holders as they do not do injustice to the large holders of stock.

How can we defend ourselves, if it is possible for us to provide a just amendment? I know that we can not make a perfect bill or a bill that in some respects may not do injustice; but how can we justify ourselves in making an arrangement here that does exempt the holders of stock in every corporation having an income of $4,000, and mulcting every stockholder who has stock in a corporation that does not yield him $4,000? To say that we can not do that in some form is to say that we are not able to do justice and equality to the people of the United States in imposing taxes upon them. I have not quarreled with the Senator as respects what corporations ought to do or ought not to do. There is no tax practically upon corporations in the bill that does not make full and final exemption to every man who holds bonds or stocks if his income from such corporation is over $4,000.

Mr. CULLOM. Will the Senator from Iowa allow me to make a suggestion?

Mr. ALLISON. Certainly.

Mr. CULLOM. I have received a letter from Mr. Blackstone, president of the Chicago and Alton Railroad Company, begging me to secure if I could an exemption in the income-tax provision of the bill for the small stockholders, such as widows and minor children, etc., holding stock in their corporation. He states that in very many instances the small sums of stock that these persons have is all they have in the world to live upon. I understand the bill does not exempt that class of people in connection with either a large corporation or a small one.

Mr. ALLISON. It does not.

Mr. CULLOM. That seems to me to be an outrage.

Mr. ALLISON. That is all I am struggling for, and it is for that reason, in the absence of a provision which would exempt stockholders in all corporations, that I have undertaken to provide a limited exemption as respects the corporate property held, believing that if we are to do injustice we should do the minimum of injustice in enacting a law like this. If the amendment proposed by the Senator from New Jersey shall be adopted it will cure the evil as regards large and small corporations, but if that can not be done I want to cure the injustice and wrong imposed upon the small stockholders in the small corporations of the country.

I do not agree with the Senator from Missouri that the small corporations, as a rule, are organized for the purpose of invasion. It is true that most of the small corporations are organized with a view of escaping individual liability. For example, a farmer in my State owns 160 acres of land (a small farm, or what would be a small farm in some portions of our country), worth $6,000 or $8,000. He has upon his farm the stock. There are half a dozen other farmers about him. He can not risk all his little six or eight thousand dollars in building up a creamery, if you please. I merely give this as an illustration. Therefore a dozen farmers and one or two men in town, who also have small capital, unite, knowing that if they lose their stock by adverse situations as to trade or business they will only lose the money they have put in, and they will not be houseless and homeless. Therefore it is no wrong on the part of those men to take a small interest in such a corporation, with a view of not being mulcted as respects their whole fortunes by engaging in enterprises which might consume their fortunes.

Mr. GRAY. Will the Senator from Iowa indicate by what amendment he would bring about the exemption of those small stockholders? I can see the force of his position, but the difficulty seems to be in a mode of accomplishing what he desires.

Mr. ALLISON. The Senator from Missouri a few moments ago, I think in the absence of the Senator from Delaware from the Chamber, read an amendment proposed by the Senator from New Jersey. That amendment does reach exactly the provision as respects these small stockholders.

Mr. CULLOM. That is not a long amendment, and I ask the Senator to have the amendment of the Senator from New Jersey read again.

Mr. ALLISON. Very well; I ask that the amendment be again read.

The VICE-PRESIDENT. The amendment will be again stated.

The Secretary read as follows:

The amount of any dividends paid to a single stockholder not exceeding $4,000 annually, may be deducted by corporations, companies, or associations, not including partnerships from any amounts upon which they would otherwise be compelled to pay the tax herein provided for; but the amount of such dividends so received by such single stockholder shall be included in estimating any income he may have in excess of $4,000, and in that event it shall bear its proportion of the tax herein provided for.

Mr. ALLISON. There perhaps may be some difficulties in administering that provision, but I do not think there will be the difficulty in administering it suggested by the Senator from Missouri. A corporation makes up a list of its stockholders and a list of its earnings after it has paid the interest upon its bonded and other indebtedness, and after paying its operating and business expenses. I understand those are to be taken out first. If there is anything left, of course, whatever is left is applicable to dividends unless it be a small reserve fund each year for accidents, etc.

Upon that residuary sum the corporation pays 2 per cent to the Government, but it is entitled to charge that over, and if it chooses to do so, against the dividends of every stockholder, little and great, and it would be obliged to do so practically, unless some amendment kindred to this is adopted. If so, and the corporation finds a stockholder who has a dividend amounting to less that $4,000 that is deducted from the 2 per cent and he does not pay it.

Mr. CULLOM. Suppose a stockholder having an amount less than $4,000, so far as the stock is concerned, has a large income outside, what would be done then?

Mr. ALLISON. It provides that the stockholders then must include that in his estimate or return of income, and that stockholder is placed exactly in the relation the committee has placed the bondholder. In other words, we relegate this question, so far as he is concerned, to the integrity and honesty of the man who holds the stock and makes the return. With an income tax of only 2 per cent, I think the men in our country who will seek to defraud and evade will be much smaller than they were when we imposed an income-tax of 5 per cent.

Now, the Senator from Missouri undertakes to say that he has provided a different provision from those contained in the laws of 1864 and 1868. In a shade they are different, but in essence they are the same. We did not undertake to tax corporations as respects their income in 1864 or 1868. We simply used the corporations as instrumentalities on behalf of the Government to gather in the money. Instead of utilizing and using the collectors and deputy collectors of the country we required them to make return and pay the tax, and they in turn turned on their stockholders, and were authorized to deduct from bonds and from stock as well.

The Senator from Missouri adopts precisely that rule except he provides that these corporations shall also pay a tax upon surplus earned during the year, which will be an infinitesimal amount as respects all the great corporations and the little corporations of our country, because there is nothing carried to the surplus account except in the case of national banks, where they are obliged to carry a certain portion of their earnings to surplus from year to year and perhaps other banks and insurance companies. But as to the great body of the corporations of our country they make dividends covering practically their earnings each year.

Mr. President, some amendment may be made which is better than the one I propose, and I agree that my amendment is only partial in its results; it only reaches a portion of the people who have injustice done them here. It will not do for us to say that in making up this bill no inaccuracies or injustice will occur, but shall we do intentional injustice to a great body of our people, amounting to thousands of people beyond all those who are now included and would pay an income tax under this proposed law? It is the small people, after all, who feel this injustice. What matter does it make to a man who has an income of a hundred thousand dollars per annum if he pays $2,000?

It does amount to something to a mechanic, or a laborer, or a farmer who has a thousand or two thousand dollars of stock in some of these corporations and receives two hundred or three hundred dollars from it, that he is obliged to seek the taxgatherer and pay 2 per cent on those small earnings. Therefore we are doing injustice to the very people to whom we ought deal exact justice. It is for the correction of that evil and injustice that I have sought to have amendments made; and I hope the Senator from Missouri and other Senators will agree that if it is possible for us to deal with this question we shall deal with it.

Mr. HARRIS rose.

Mr. ALLISON. If the Senator from Tennessee rises to move to lay my amendment on the table I withdraw it, and I shall offer it again.

Mr. HARRIS. The Senator anticipates my object. I rose for that purpose.

Mr. ALLISON. I withdraw the amendment.

Mr. TELLER. Mr. President, I do not want to delay action on the bill, but this talk about the protection of the small stockholders strikes me as hardly warranted by the fact. Nobody desires to put any income tax upon an association of farmers who are running a creamery or a cheese factory. That class of enterprises nobody cares about embarrassing. I think, as a general thing, they are not of a character to be touched by this bill. They are not corporations, so far as my experience goes, but associations. There are very few people, after all, who are interested in these corporations.

Mr. ALDRICH. The bill covers associations.

Mr. TELLER. If the bill covers associations, then they may be included. In this talk about the poor people of the country owning the railroads and the poor people of the country owning the banks, there is a good deal of nonsense.

Mr. ALLISON. Who did talk about that?

Mr. TELLER. I do not say the Senator did, but that has been talked about a good deal during the debate.

Mr. ALLISON. I certainly have not done so.

Mr. CULLOM. If the Senator from Colorado will allow me, I stated what the president of a railroad company told me, that a great many poor people own a very small amount of stock in that railroad; and he asked me, if I could, to secure their exemption from an income tax. I have no doubt of the truth of that statement, and I think we ought to exempt them if we can do so.

Mr. TELLER. Mr. Blackstone's idea of a poor man is very different from the idea some of the rest of us may have in that respect. A man who owns a thousand dollars or ten shares in a railroad would be a nonentity in the operation of the road, and he would not come in for any particular care on the part of any official of the road, judging from the little experience I have had in those matters heretofore. If he owned one hundred thousand shares, or fifty thousand, or something of that kind, he might then be considered; but a man owning $5,000 is of no account, and if he owns $5,000 and receives 4 per cent he gets $200, and out of that $200 he pays $4 to the Government. Is that anything so dreadful and so burdensome? If there are any mechanics, if there are any laboring people who are fortunate enough in this country to have a little railroad stock that pays

a couple of hundred dollars a year they are not broken up or distressed very much by the payment to the Government of $4 every year.

Mr. President, there is a good deal more interest just now in the people who own small interests in corporations than I have been in the habit of seeing expressed in the Senate for that class of people heretofore. As a general rule their interests have not been considered worthy of a great deal of attention, and the impression will go abroad in the country that after all, the effort which is being made for these corporations is not in the interest of the little stockholders, but the big stockholders.

It seems to me that a corporation is a proper subject for an income tax. I do not know any way by which you can tax the great corporations that are aggregating to themselves the business of the country and the wealth of the country, unless you tax the man who owns $500, or $50, or any other sum in the corporation. It is incidental to the system. Then if the people who have but little money choose to put it in that sort of business they must take their chances and pay their proportion of the tax. No man in these days with $5,000 or $10,000, who is at all wise, puts it in railroad corporation stock. He knows that he is one of those to be ground out whenever the interests of the great stockholders of the country require that he shall disappear.

He is a nonentity, I repeat, with ten or twenty thousand dollars or fifty thousand dollars of such stock in these days. The stocks of railroads in this country are not for investment, they are for management. The other day one of the leading financial papers had a list of $738,000,000 of stock that had been on the market in this country, the most of it at par, not because it was worth par, but because the manipulators put it there, and undoubtedly unloaded some of it upon people of moderate means, but not very much; and that whole $738,000,000 of stock can be bought for about 10 cents on a dollar to-day, and intrinsically it is not worth 4 cents on a dollar, nor 2 cents on a dollar.

Mr. President, I do not believe there is very much in the argument which has been made. If the provision covers or includes a firm or association that makes cheese or butter, I should like to see it stricken out, and that can be done.

Mr. LINDSAY. I should like to ask the Senator from Colorado a question, with his permission. Has he heard of any farmer who opposes this bill or any provision of it?

Mr. TELLER. I believe that the farmers of the United States without exception are in favor of this income-tax principle. I do not want to see it made objectionable to the farmers. I said the other day, and repeat now, I hope the income tax will become a permanent policy in the monetary system of this country, as it is fast becoming a part of the monetary systems of the world.

It is the most equitable and just system for the collection of revenue that can be devised by man, and I should dislike to see anything put in the provision that would bring no money to the Government and at the same time bring odium upon it. But it is not to be brought into disrepute because a man who gets a hundred dollars of income out of some corporation pays two of it to the Government. One of the common, plain people of the country who is so fortunate as to have an income of $50 a year from a corporation will think he is lucky if he gets out with the payment of a dollar tax. The chances are 40 to 1 that the association will rob him out of the whole of it.

Mr. PERKINS. I desire to offer an amendment. I move to amend section 59 by adding after the word "depositors," at the end of the section, the following proviso:

Provided, however, That nothing herein contained shall apply to savings banks which do not do a general commercial banking business, but which have a paid up capital stock that is a special guaranty fund to all the depositors of the bank.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from California.

Mr. PERKINS. Mr. President, I send up to the desk a telegram received from San Francisco yesterday, which induced me to offer the amendment, and I ask the attention of the Senator from Missouri [Mr. VEST], if he will kindly give it, to the reading of the telegram.

The VICE-PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

SAN FRANCISCO, CAL., *June 26, 1894.*

To Hon. GEORGE C. PERKINS,
Washington, D. C.:

Income taxes should not be collected from savings banks of California. They are mutual so far that none pay fixed rate of interest, and rates of dividends of all are determined by net earnings after payment of expenses and taxes. Four-fifths of deposits are funds of parties not liable for income tax. Such parties exempt directly will pay indirectly. Most of them from meager incomes, while those liable to tax will pay twice, once through the bank and later directly. Permit not this injustice.

San Francisco Savings Union, German Savings and Loan Society, Hibernia Savings and Loan Society, California Savings and Loan Society, French Savings and Loan Society, Humboldt Savings and Loan Society, Mutual Savings Bank, Savings and Loan Society; Security Savings Bank, of San Francisco; Alameda Savings Bank, of Alameda; Home Savings Bank; Savings Bank of Humboldt County, of Eureka; Fresno Loan and Savings Bank, of Fresno; German American Savings Bank, Los Angeles Savings Bank, Main Street Savings Bank and Trust Company, Savings Bank of Southern California, Security Savings Bank and Trust Company, of Los Angeles; Northern California Bank of Savings, of Marysville; Merced Security Savings Bank, of Merced; Union Savings Bank, of Modesto; Oakland Bank of Savings, Union Savings Bank, of Oakland; Farmers and Mechanics' Savings Bank, People's Savings Bank, Sacramento Bank, of Sacramento; Bank of Savings and Loan, City Savings Bank, of Santa Cruz; San Diego Savings Bank, Savings Bank of San Diego County, of San Diego; Safe Deposit Bank of Savings, Union Savings Bank, of San Jose; California Mortgage and Savings Bank, of San Luis Obispo; Pajaro Valley Savings and Loan Society, of Watsonville.

Mr. PERKINS. Mr. President, this telegram is signed by thirty-three savings banks of California, representing over $100,000,000 deposited in those savings banks. My colleague [Mr. WHITE] will bear testimony to the financial standing of those banks. He received a similar telegram, and I feel sure he will corroborate all that I say in relation to those savings banks.

We have in California two classes of savings banks, one purely mutual savings associations, for which the Committee on Finance have already provided; and there is another class of savings banks which have a paid-up capital stock, and the capital stock which has been paid up can not be distributed, can not be participated in by the stockholders, until every depositor in the bank has received his money. It is a special guaranty that those who deposit money in the savings banks shall receive every dollar of it back.

We have these capital savings banks. They are far more popular with our people, especially in our large cities, for the reason that those who live in the country, the miner, the farmer, the lumberman, the mechanic, the sailor, who deposit their earnings in them, want some guaranty besides the mutual association of men who have gathered together and organized a savings bank, perhaps because they are men of pleasing address, with considerable assurance, and have formed an association to receive the funds of those who are willing to deposit with them.

In the early history of our State several of those savings banks went down in the maelstrom of financial disaster. Now we have a bank commission appointed by the State, whose duty it is to annually scrutinize and examine the books of these banks, and when the commission report to the public that a million dollars has been paid into a savings bank as a guarantee fund, it gives assurance to the depositors that their funds will be well cared for.

There is deposited to-day in the different savings banks of California $126,781,530. This sum is distributed amongst 175,672 depositors, making an average deposit of $886 to the depositor. This is a much larger average, I think, than the records will show to-day. I think these figures are taken from the bank commissioner's report made a year ago. At that time idle capital in large sums was placed in the savings banks, which increased their deposits; but to-day the banks in California are refusing to take any very large sums, and the result is that, I think, the average has been reduced below the amount I have named.

I find by a review of the reports of the different savings banks in California that there are 157,745 depositors of less than $1,000 each.

I will give you, Mr. President, a list of four of the largest savings banks in San Francisco, and their average of deposits:

German	$1,016.97
Hibernia	906.04
Savings Union	1,249.12
Savings and Loan Society	1,144.32
The lowest average deposit in all the banks is	87.67
The highest average deposit in all the banks is	1,760.00

We have already exempted in this bill those who have an income of $4,000; that is, a man may have $100,000 and place it in the savings banks, and it brings him in 4 per cent. Under the provisions of the bill he is exempt from taxation; but if an amendment such as I propose is not adopted, the poor widow, the clergyman, the poor mechanic, the clerk, the sailor, the lumberman, the farmer, the working girl, who after years of toil has saved up $1,000, as 157,745 of them have done in California, that person must pay 2 per cent upon his $40 per year. True, 2 per cent upon $40 is not much; but is it just, is it right for this great Government to come to the mechanic, to the lumberman, to the domestic, and say to them, "give us of this," and then exempt the man who has $100,000 or $200,000 or $300,000 from paying anything?

I believe that the income tax is, perhaps, the most just and most equitable tax which can be imposed; but let the States impose the tax, as Massachusetts has done, and as other States have done, if it is necessary to have revenue from this source. Let the revenue which is to support this great Federal Government come from imposing excise duties, levying internal-revenue taxes or from any other source rather than to go with

the taxgatherer into the home, into the office, or into the machine shop of the mechanics of the country.

I bow, however, in submission to the will of the majority. This bill will become a law; but to be just, to be equitable, I ask the Senator from Missouri, I ask the committee on the other side of the Senate, to listen to the petition which has been read from the desk representing 157,745 people, who have deposited in the savings banks of California less than $1,000 each, and to accept the amendment which I have offered. I ask my colleague to use his intercession and his influence with the committee for the adoption of the amendment or something which will carry out the object we have in view.

Mr. SMITH. I offer an amendment which I send to the desk to be read, and after it shall have been read I desire to make a few remarks upon it.

The VICE-PRESIDENT. The Chair will state to the Senator from New Jersey that the amendment proposed by the Senator from California [Mr. PERKINS] is now pending.

Mr. HARRIS. The Senate is quite as well prepared to test the merit of that question now as hereafter, and I move to lay the amendment of the Senator from California on the table.

Mr. ALDRICH. I have an amendment which I think is satisfactory to the committee, and which covers substantially the ground that the amendment of the Senator from California does. I ask that it be read for the information of Senators.

Mr. HARRIS. I have no objection to the amendment being read.

Mr. PERKINS. The Senator from Tennessee is certainly a just man, and I do not believe that he will be so unjust as to move to lay this amendment upon the table and deny the petition which has been read, signed by those representing nearly two hundred thousand people, without at least hearing from the committee why the amendment should not be adopted.

Mr. HARRIS. Mr. President, the Senator from Tennessee has already heard from the Senator from California, and is satisfied to lay the amendment on the table.

Mr. PERKINS. There is another Senator from California here to speak, and the Senator from Tennessee has no right to refuse to give the Senators from California a hearing upon this question.

Mr. HARRIS. The Senator from Tennessee asserts his right, and makes the motion.

The VICE-PRESIDENT. The Senator from Rhode Island asks unanimous consent to have an amendment proposed by him read for information.

Mr. ALDRICH. I send the amendment to the desk, so that it may be read.

Mr. HARRIS. I have no objection to letting the amendment be read.

Mr. ALDRICH. I propose to add the amendment to the provisions in regard to savings banks.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to add:

Nor to that part of the business of any savings bank, institution, or other similar association, having a capital stock that is conducted on a mutual plan solely for the benefit of its depositors, on such plan, and which shall keep its accounts of its business conducted on such mutual plan separate and apart from its other accounts.

Mr. PERKINS. I am willing to accept that as a substitute for my amendment.

Mr. ALDRICH. The amendment as I have offered it makes the same rule apply to savings banks which has been applied to insurance companies by the committee, and at the proper time I shall offer the amendment. I think there will be no objection to it, as I have shown it to different members of the committee.

Mr. WHITE. I understand the Senator from Rhode Island does not offer the amendment now?

Mr. ALDRICH. Not now; but I shall offer it at the proper time.

Mr. PERKINS. Then I withdraw my amendment.

The VICE-PRESIDENT. The amendment of the Senator from California is withdrawn.

Mr. SMITH. I now ask that the amendment proposed by me may be read.

The VICE-PRESIDENT. The amendment proposed by the Senator from New Jersey will be stated.

The SECRETARY. At the end of line 22, in section 59, after the word "organized," it is proposed to insert:

The amount of any dividends paid to a single stockholder not exceeding $4,000 annually may be deducted by corporations, companies, or associations, not including partnerships, from any amounts upon which they would otherwise be compelled to pay the tax herein provided for; but the amount of such dividends so received by such single stockholder shall not be included in estimating any income he may have in excess of $4,000, and in that event, it shall bear its proportion of the tax herein provided for.

Mr. SMITH. Mr. President, I have neither the desire nor do I feel that under existing circumstances it would be right for me to detain the Senate on a question of this character longer than is absolutely necessary for its proper presentation and debate.

Considerable time has been consumed in the discussion of the questions connected with the income tax, and particularly in relation to those concerning corporations and their relation to their stockholders.

I desire to say that while my position on this particular section of the bill is pronounced and known to the members of this body, I have refrained from taking up the time of the Senate in debate. I have voted in a number of instances against amendments which have been offered on this floor, without attempting to express my views regarding them, because I felt that it was not proper to take up time which we might perhaps use in furthering the passage of the bill. But, Mr. President, I should feel that I was not doing justice to the constituents whom I have the honor in part to represent if I did not call the attention of Senators, particularly of those who sit on this side of the Chamber, to the fact that in passing this bill without some such amendment as I have proposed, they would be discriminating against the widow, the orphan, and the man of moderate means. After I have done that, sir, if it shall be their wish to pass the bill in the shape it stands, I shall at least have felt that I have performed my duty.

The question with me, Mr. President, is not that of corporations, it is not that of the manufacturer, it is not whether the corporation is made up of the men who manufacture butter or cheese or any other commodity, or whether they be associations such as we have in the East and in the North, formed by workingmen combining together, each with a few hundred or a few thousand dollars, as the case may be, and thus forming useful and beneficent industrial corporations.

It is not the question of corporations with which we have now particularly to deal, Mr. President, but the question is whether we are going to sit here as legislators and vote for a bill which discriminates against the widow and the orphan if, perchance, their estate should be invested in corporate stocks, from which they derive their income.

I say that this is not a question of corporations, but it is a question of simple justice. When this bill was made up, with $4,000 as the limit of exemption, that limit should be for everybody, without respect to the question of the source from which the income was derived; and when we say to these people, because they may have inherited property from those who came before them and who have passed away, or because they have accumulated property by their savings which have been invested in these corporate companies, manufacturing, railroad, or of any other character, we shall single them out as against everybody else and tax them 2 per cent. I appeal to the sense of fairness and of justice of the Senate to accept the amendment which I have offered which will rectify what I think to be a great wrong. I do not believe that the Senate is ready or that it will be willing to sustain the provision as it now stands in the bill.

Mr. HUNTON. Will the Senator from New Jersey permit me to ask him a question?

Mr. SMITH. Certainly.

Mr. HUNTON. As I understand the object of the amendment of the Senator from New Jersey, it is to exempt from the payment of the income tax all corporations, so far as the small stockholders are concerned?

Mr. SMITH. That is correct.

Mr. HUNTON. Now, I desire the Senator to say, if his amendment prevails, whether in his opinion there will be any large stockholders in stock companies? The very moment the law is passed to exempt small stockholders they will all be small stockholders; the large stockholders will divide their stock between the wife and the children, the uncles and the aunts, and the nephews and the nieces, so that there will be no stockholders of a large character left in any corporation. It seems to me, if the Senator's amendment prevails, it will be practically annulling the income tax on corporations.

Mr. SMITH. In answer to the Senator, I will say that I do not see that his question really affects this amendment. There is nothing now to prevent a man from giving his property to anybody he pleases or transferring his investments in such manner as he may see fit, and thereby escape the payment of the income tax. So I can not see how the proposition of my honored friend from Virginia has practically anything to do with this question.

Mr. President, we, as the representatives of the people, must determine for ourselves whether we are willing to select any particular class of people and say to them, "Because you or those who came before you have invested in certain corporations or industrial organizations, we shall punish you to the extent of 2 per cent." That is the question to be voted on.

So far as corporations are concerned, I desire to say in response to the argument of my respected friend from Missouri

[Mr. VEST] that the great bulk of the organizations in the State in which I reside are made up largely of workingmen and manufacturers of small means who have combined their capital and have grown to be large concerns. This is the case in my State, as it is in other States. My attention was forcibly called to it by a Senator on this floor, who stated to me the other day that his means were small and that he thought the proper thing for him to do was to put what he had in a stock company, so that he might divide what little he had of this world's goods while he lived instead of doing it by will.

For that reason, Mr. President, as much as any other, the majority of the corporations of to-day are formed, particularly the smaller ones. What lawyer is there on this floor who, if one of his clients who had a large business of any kind or character, with a growing family of sons and daughters about him, asked what advice he would give in such a case, would not reply "Place your business in a corporate company, and distribute either by will after your death or while you are living the stock to your family?"

I have taken up more time, Mr. President, upon this question than I feel I have any right to do under the pressure that is upon the Senate for prompt action. I beg pardon of the Senators on a warm day like this for asking them to give me their time and attention, but the necessity of some such action as I have proposed, the justice, the fairness of it appeal to me so strongly that I should feel I was not doing justice to those about me without giving them at least the benefit of my views on this question.

Mr. HARRIS. I move to lay the amendment proposed by the Senator from New Jersey on the table.

The VICE-PRESIDENT. The question is on the motion of the Senator from Tennessee.

Mr. HILL. I trust the Senator from Tennessee will withdraw his motion for a moment.

Mr. HIGGINS. I desire to submit a few remarks.

Mr. HARRIS. The very object I had in view in making the motion was to cut off further debate. I must adhere to the motion.

The VICE-PRESIDENT. The question is on the motion of the Senator from Tennessee [Mr. HARRIS] to lay upon the table the amendment proposed by the Senator from New Jersey [Mr. SMITH].

Mr. HILL. I call for the yeas and nays upon that motion.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CALL (when his name was called). I announce my pair with the Senator from Massachusetts [Mr. LODGE]. If he were present I should vote "yea."

Mr. HANSBROUGH (when his name was called). I am paired with the junior Senator from Illinois [Mr. PALMER], and withhold my vote.

Mr. MCLAURIN (when his name was called). I transfer my pair with the junior Senator from Rhode Island [Mr. DIXON] to the junior Senator from North Carolina [Mr. JARVIS], and vote "yea."

Mr. MITCHELL of Oregon (when his name was called). The pair I have had with the Senator from Wisconsin [Mr. VILAS] has been transferred to the junior Senator from Connecticut [Mr. HAWLEY], and I vote "nay."

Mr. MORRILL (when his name was called). I am paired with the senior Senator from New Jersey [Mr. MCPHERSON]; otherwise I should vote "nay."

Mr. PATTON (when his name was called). I am paired with the junior Senator from Maryland [Mr. GIBSON]. If he were present I should vote "yea."

Mr. SMITH (when his name was called). I am paired with the junior Senator from Idaho [Mr. DUBOIS].

The roll call was concluded.

Mr. DIXON. I am paired with the Senator from North Carolina [Mr. JARVIS]. If he were present I should vote "nay."

Mr. MCMILLAN (after having voted in the negative). I am paired with the Senator from Louisiana [Mr. BLANCHARD], and withdraw my vote.

The result was announced—yeas 31, nays 24; as follows:

YEAS—31.

Allen,	Faulkner,	Lindsay,	Pugh,
Bate,	George,	McLaurin,	Ransom,
Berry,	Gorman,	Martin,	Roach,
Blackburn,	Harris,	Mills,	Turpie,
Camden,	Hunton,	Morgan,	Vest,
Cockrell,	Irby,	Pasco,	Voorhees,
Coke,	Jones, Ark.	Peffer,	Walsh.
Daniel,	Kyle,	Pettigrew,	

NAYS—24.

Aldrich,	Frye,	Manderson,	Quay,
Allison,	Gallinger,	Mitchell, Oregon	Sherman,
Caffery,	Gray,	Perkins,	Shoup,
Cullom,	Hale,	Platt,	Squire,
Davis,	Higgins,	Power,	Teller,
Dolph,	Hill,	Proctor,	Washburn.

NOT VOTING—30.

Blanchard,	Dubois,	Lodge,	Smith,
Brice,	Gibson,	McMillan,	Stewart,
Butler,	Gordon,	McPherson,	Vilas,
Call,	Hansbrough,	Mitchell, Wis.	White,
Cameron,	Hawley,	Morrill,	Wilson,
Carey,	Hoar,	Murphy,	Wolcott.
Chandler,	Jarvis,	Palmer,	
Dixon,	Jones, Nev.	Patton.	

So the amendment was laid on the table.

Mr. HILL. I offer the amendment which I send to the desk.

The VICE-PRESIDENT. The amendment proposed by the Senator from New York will be stated.

The SECRETARY. After the words "organized," in line 22, section 59, page 187, it is proposed to insert:

The amount of any dividends paid to a single stockholder, not exceeding $3,000 annually, may be deducted by corporations, companies, or associations, not including partnerships, from any amounts upon which they would otherwise be compelled to pay the tax herein provided for; but the amount of such dividends so received by such single stockholder shall be included in estimating any income he may have in excess of $4,000, and in that event it shall bear its proportion of the tax herein provided for.

Mr. HILL. Mr. President, the amendment which I have offered is the same amendment which was offered by the Senator from New Jersey [Mr. SMITH], except in regard to the amount. The amount named in my amendment being $3,000 instead of $4,000. Upon the amendment I desire to submit a few remarks for the consideration of the Senate.

I decline to allow the Senator from Missouri [Mr. VEST], or any other Senator upon this floor speaking against this proposition, to place me in a false position. I am not contending for this proposition or urging it upon any basis of justice to corporations. I have made no such suggestion. I am maintaining the proposition that no discrimination shall be made in the bill against corporate investments, not because corporations do or do not want it, but because it is right and just to individuals.

Mr. President, I do not now care for the purposes of this argument whether the bill is liberal or not liberal to corporations. That was a strange and peculiar admission made yesterday when the Senator from Missouri, in charge of this portion of the bill, announced to the country and to the Senate, for the purpose, I suppose, of making his bill popular with the people, that this was a most liberal bill to the corporations of the country. I do not defend this bill, neither do I attack it upon any such untenable ground as that. This bill will not commend itself to the people of the country simply because, if it be true, as the Senator from Missouri says, it is the most liberal bill to corporations which can be framed.

Mr. President, it ought to be the object of the framers of the bill to relieve it from just criticism. It ought to be their object to do away with as many discriminations as possible in the framing of an income-tax bill. I concede that some discriminations are unavoidable; I concede that in the very nature of an income-tax bill there must be great wrong done; I concede that you must exempt $635,000,000 of Government bonds from the income tax; I concede that you must do many things which you can not well defend, but which in justice are incident to and inherent in an income-tax bill; but we ought to strive in framing legislation for the country to avoid as many of these discriminations as possible.

Senators the other day defended the exemption of $4,000 to individuals. It is contained in this bill; it is an exemption for which I thought there was no justification. Senators had voted in the past for $1,000 exemption, and I supposed they at least would be willing to stand by their own record in that regard, but they did not do it. I need not point to a vote not very many years ago taken in the Senate, when Senators stood here and voted to make the exemption simply $1,000.

That limited and small exemption had their approval but a few short years ago, but now they come here in this day and age of the world and defend a $4,000 exemption, an exemption which relieves a person who owns $60,000 worth of property, aye, if it be invested in Government bonds it will relieve a man owning $100,000 of Government bonds from income taxation; yet these things are contained in the bill, and Senators swallow them; they take them with one gulp; but when we ask that corporate investments for the benefit of men of limited means shall be placed upon an equality with other investments in property, we are told we are pleading for the cause of the great corporations of the country.

Mr. President, I care little or nothing about the corporations of the country. They have grown up in every State and all over the country. They are so intimately connected with the business of the country that it is impossible to eradicate them, and in framing your legislation you must recognize their existence, and must recognize the propriety of their existence. They develop the country; they combine capital; they induce people to make investments which would not otherwise be made. They

have some privileges which indivduals do not have, but, nevertheless, what State has seen fit to annihilate them? What State has seen fit to restrict them? Are not the laws of Missouri very liberal for the forming of corporations? Do not some States make their laws liberal for the very purpose of attracting the organization of capital therein? The States increase to some extent their revenue from taxation by so doing.

It does no good upon a question of this character to get up here and rail against the corporations of the country. They are with us; they are organized; they have their stockholders who have invested in them in good faith under the sanction of the laws of your States and of the Government; and it becomes us as legislators to legislate intelligently in regard to them and their interests.

Sir, as I have said, I am not here to plead for the corporations of the country. This amendment makes no sort of difference to the corporation itself. The corporation is simply made the instrument or means for the collection of this revenue. It is for the benefit of the individual that I am speaking now.

A great deal has been said about the General Government protecting these corporations. A word upon that subject—although in my remarks the other day I had said upon that subject all which I then desired to say.

These corporations are not created by the General Government. Very few corporations in this country derive their existence from the General Government. Ninety-eight per cent of the whole are organized under the State governments. In the main their property is protected by State laws. The General Government has little or nothing to do with the protection of life, liberty, or property.

I have pointed out from the provisions of the Constitution, that there are only three instances in which the General Government can interfere with the domestic affairs of the States. One, to protect them in a republican form of government—a mere declaration of policy; another, to protect them from foreign invasion—not likely ever to occur; the third, to protect them from domestic violence in case the governor or the Legislature shall call upon the Government to do so—a very rare thing in the one hundred years' history of this Government. The theory that the General Government protects your life, that the General Government protects corporations, that the General Government gives them powers and privileges, is a mere fiction. The General Government can not punish crime in the State; it can not interfere with the local government, because it has no jurisdiction.

Have we forgotten that great message of James G. Blaine sent to the Italian Government, when he pointed out the peculiar institutions of our country; that the General Government had no power to punish criminals in the city of New Orleans; that by reason of the nature of our free institutions the State of Louisiana, and that State alone, was competent to try and to convict its criminals; that life, liberty, and property were to be protected by the authorities of New Orleans? It is only when some great riot or some great domestic violence occurs that, upon the application of the governor or the Legislature of a State, the General Government may interfere.

In all other respects and in all other ways the State governments are supreme. The State governments, therefore, are the authorities to regulate corporations; are in the main the proper authorities to tax them, are in the main the proper authorities to determine their exemption.

Mr. President, nobody objects to the bill taxing the undivided surplus of corporations. If a corporation sees fit to accumulate a large surplus instead of dividing it among its stockholders, it can be reached by the bill and nobody objects to it. I simply desire to protect those dividends which in fact the corporation makes to individual owners of stock who do not themselves have an income in excess of $4,000.

No sort of reason which can stand the test of analogy for a single moment has been presented to show why corporate investments should be treated differently from other investments. Are we going to allow some prejudice against corporations to creep in here and to influence our legislation? Can we not proceed upon some broader and higher plane than that?

What is a corporation? It is a creature of State government in the main, created by investments furnished by citizens, having certain corporate powers, enabled to perform business like individuals. A corporation does not subsist merely for the benefit of the ideal corporation; it subsists for the benefit of its stockholders. A corporation which pays no amount of money to its stockholders is a peculiar and sometimes an unusual corporation, although nowadays, in these hard times, perhaps it is the general rule that corporations do not pay dividends.

But in the main corporations are created for the benefit of their stockholders, and the theory of the bill should be to treat all citizens alike and not discriminate against those having corporate investments. If corporations are injurious to the country, if corporations have violated their charters, then the law can proceed against them and abolish them; but so long as they are permitted to exist, so long as people are allowed to make corporate investments, they should be treated like citizens.

Mr. President, it has been said that a corporation is not given the $4,000 exemption for the reason that it does not eat, does not consume anything, requires no clothes, and that the $4,000 exemption is given to the individual because of what he consumes and what he requires for his individual wants. I am not pleading here for any $4,000 exemption to the corporation itself. Bear that distinction in mind. No amendment has been offered here to give a corporation the same exemption as an individual, but I am simply contending that after the dividends are declared and are received by an individual, the individual shall be placed upon the same plane as his next-door neighbor who has received an income from some private business. That is all I claim.

I see no answer to this proposition. You can not answer it by railing against corporations. You can not answer it by complaining of their hardships. You can not answer it by pointing to their wealth. When a stockholder receives more than $4,000 he is eliminated from this controversy. The whole controversy this morning arises, not over the lack of exemption *per se* of a corporation, but over the exemption which is claimed for individuals who do not have more than $4,000 income. That is the only point involved in the matter.

The Senator from Missouri and some others claim that it is absurd to say the railroad corporations of the country are largely owned by people of moderate means. There are thousands and thousands of shareholders in the New York Central Railroad who are people of moderate means, although the Vanderbilts, it is true, own a majority of the stock. But we are not here especially defending railroads. We are defending the rights and equal privileges of individual stockholders. But are railroad companies the only corporations involved here?

The bill applies to "banks, banking institutions, trust companies, saving institutions, fire, marine, life, and other insurance companies, railroad, canal, turnpike, canal navigation, slack water, telephone, telegraph, express, electric light." Let me comment right here before going further.

In how many towns and small villages in the States have the people of the respective villages formed local electric-light companies and invested their little means and their little savings, from $500 to $1,000, in local electric-light companies, desiring to aid their local villages? It is not so much a matter of investment as it is a matter of pride, and yet they are entitled to their dividends upon those little investments. The proposed law is also to apply to all gas companies, water companies, "street railway companies, and all other corporations, companies, or associations doing business for profit in the United States, no matter how created and organized."

The bill affects every conceivable corporation in the United States. I am not complaining because it affects corporations, but I am simply complaining that you make a discrimination against the poor man, because I have a right to say under the very exemption you have already made in the bill in regard to individuals, that a man who has an income of only $4,000 is regarded as a poor man for the purposes of the bill.

I accept your own argument upon that point. Therefore, when the poor man, instead of putting his money in a certain store, or in a certain factory, takes and places it in the street-car corporations of his own native town, actuated by a matter of pride to help his village, or when he puts it into any other corporation, why should not that investment be treated just the same as if he had made an investment in any other species of property? I tell you there is no answer to that proposition. There has been none submitted here to-day worthy of the name of an argument.

A good deal has been said about Mr. Astor escaping taxes. I am not pleading for Mr. Astor. Mr. Astor's property, allow me to say right here, in the main consists of real estate in the city of New York. Whether he lives in New York or in London he pays State, county, and municipal taxes upon all his real estate. We do not object to your taxing under the provisions of the bill all the rents Mr. Astor receives from this property. We are not pleading for any exemption for Mr. Astor, so far as this particular question is now concerned. We are not pleading for any man whose income exceeds $4,000. We are pleading simply for the man who has corporate investments and whose income does not exceed $4,000. That is the point.

Mr. President, this amendment which has been offered covers the point involved. The Senator from Delaware [Mr. GRAY], having heard only a part of the argument, came in here and seemed to be rather astonished that anyone should argue against this proposition. He seemed to think that the only question in-

volved was as to whether the amendment covered the point. He seemed to think, and it was a fair consideration, that the only point involved was how to prevent this injustice, whereas on the other hand the committee are not trying to prevent it. The committee, or the portion represented here, are justifying it and attempting to defend the injustice. If the amendment first offered by the Senator from New Jersey [Mr. SMITH], so far as $4,000 is concerned, does not reach it, and if this one does not reach it, let them suggest some other amendment. It is only this injustice we desire to remedy.

I assure the Senator from Missouri there is no endeavor, so far as this amendment is concerned, to make the bill objectionable. If the bill shall pass, sir, it will have to be defended all over the country. Make our burden as light as possible. I expect as a Democrat to address my fellow-citizens for many years to come, so far as I can conveniently do so, in behalf of the measures of my party. Leave me a few meritorious provisions in the bill which I can justify to my people at home.

Do not close my mouth entirely in regard to all the features and provisions of the measure. Some Senators here who have examined the amendment seem to think it ought to be adopted, and certainly they are friends of the bill and friends of an income tax.

The $3,000 exemption involves the same principle, it is true, as the $4,000 exemption, but nevertheless it is more limited as to amount. It may be said, if the object of it is to help the man with a small investment then $3,000 is of course a better amendment than $4,000. I know of no reason, though, why we should not have the $4,000 exemption.

Bear in mind, Senators, that while upon the face of the amendment it assumes to give a sort of exemption to the corporation by saying the corporation may deduct the dividends so declared, not exceeding $4,000, it is a mere form, a phraseology made necessary by the terms of the bill. But notwithstanding that phraseology, in truth and in fact the exemption is for the benefit of the individual stockholders. No one can deny that point.

I have thus said all I desire to say upon the merits of the amendment. It is an important question, and I say again it is important to the men of small means scattered all over the country. Some Senator in addressing the Senate said, "Well, they" the poor men "only have to pay $50 a year." Sir, that is a severe burden upon a poor man. If you want to do something for him relieve him from the exaction of even $20 or $50 a year. Equality of right, equality of privilege, and equality of exemption are just as sacred to the man who has only $50 to pay as to the man who has $3,000 or $4,000 to pay. Make the bill equal and exact in its terms, and you will relieve it from much of the criticism which properly and justly attaches to it.

Mr. HIGGINS. Mr. President, I wish to make a very few remarks on this subject. The income tax feature of the bill which gives an exemption to $4,000 shows that this provision is aimed at the rich people of the country, the people so well off at least as to have $4,000 of clear income over all losses and expenses. Now, in the same breath it is proposed to put the same tax upon corporations, thereby catching in the net every shareholder of those corporations whether their income amounts to $3,999 or whether they only get $10 a year out of it. They are all brought in under the burden of this tax. Therein there is a grave and serious departure from the general idea of the bill. What I want to ask is why this is done, upon what ground can it be justified.

It must be borne in mind that every shareholder in a corporation, like every other individual in the country, will be required by the statute, if enacted into law, to hand his return to the proper internal revenue officials. He will have to make this return under oath, and if he gets dividends from any corporation as a shareholder therein he must return such dividends in the amount of his yearly income and profit. So the shareholders of the corporations will be reached by the law anyhow, whether the tax is put directly upon the corporations or not.

The fact is that corporations are but aggregations of the capital of individuals for joint profit, with joint liability and joint loss, conveniently divided into shares for the purposes of distribution and management; and the income tax will reach every shareholder in the country who has an income of over $4,000. Then why levy this tax upon this class of citizens having an income less than $4,000 who happen to be shareholders in corporations? I have thought the reason might be that the attempt is made thereby to make sure of getting a true return from shareholders in corporations who have an income of over $4,000. They may make a fraudulent return; they may make a false return; but if you can get the books and papers and returns of the corporation, disclosing who are its stockholders and what dividends are paid to them, you have something by which to test the truthfulness and the reliability of the return of the individual shareholder.

Now, if that is the reason for imposing this tax, what does it amount to? Just this, that in order to provide against the fraud of the citizen having an income of over $4,000 you are imposing this tax on each shareholder in corporations who have incomes less than $4,000. If that is not absurd I do not know what is. Or, is it because of the general cry against corporations, who have been so anathematized in many directions? I think it is true that corporate management merits much of the criticism which is delivered against it. Corporations are said to have no souls.

The action of some corporations in their dealings with employés and with the public is harsh, and they are treated in like way when such issues are brought before the juries of the country. But are you to tax the income of the thrifty poor, of the moderately well-to-do people, of those who have some small competence, something laid up against a rainy day, some provision made for wife or daughter or child, simply because you want to make a general raid of punishment against corporations?

A great deal of feeling against railway corporations has been excited in the country at one time or another. I do not know but that they are becoming the objects of commiseration and pity rather than of attack. I do not know how large is the proportion of them to-day in the hands of receivers. I do not know what proportion of their stock does not pay dividends. I do not know how many of them are hanging upon the verge of bankruptcy or how near the railroad corporate interests of this country have approached to a condition of bankruptcy, if not of confiscation.

There are corporations which merit the animosity of the Senators in charge of the bill, and those Senators will have the hearty support of the country if they engage in some sound and legitimate policy as to them. One is the sugar trust. Let them go for it by taking away from it the advantages they have given to it in the bill. Another one is the great octopus, the Standard Oil Company, if it came within their purview.

But because certain overgrown, bloated corporations, which make an unfair and unjust use of the quality of corporate power exist in the country, is that the reason why all the owners in small corporations and all the small owners in large corporations in the country are to be brought under the income tax, contrary to the policy and the reason for which the tax is inaugurated, namely, to get at the rich. This is the combination and accumulation of absurdity which is involved in this proposition. There may be one other reason why it is to be passed, and that is that this illogical and absurd idea found its first recommendation in the message of the President of the United States.

Mr. CULLOM. Mr. President, I shall consume but a few minutes of the time of the Senate. I should not occupy the attention of the Senate at all on this subject but for the fact that, perhaps inadvertently on my part, I referred to a citizen of my State who has written to me on the question of the income tax. I desire to read, from the communication which I have received from that gentleman, what he says with reference to the effect of the bill. I ask the attention of the distinguished Senator from Missouri to what the gentleman says, as I think the Senator knows him.

I do it in perfect good faith, not having any disposition on my part to be regarded as the champion of corporations or of any other organizations in this country. What I desire is that the income tax provision, if we are to have an income tax, shall be as fair to the whole body of the people as it can be made. When I referred to what seems to me to be the unfairness of the provision of the bill as it stands, against the poorer classes of people having an interest in corporations, I made the statement with reference to the Chicago and Alton Railroad, as I remembered it from the communication which I now hold in my hand. The gentleman to whom I refer says:

> From a cursory examination of that part relating to the proposed income tax—

Referring to the portion of the bill we are now considering—

> it appears to be the intent of the bill to exempt from liability to pay an income tax persons whose annual income is less than $4,000.

That is the theory of the bill, that a person who has an income of not over $4,000 shall not be taxed the 2 per cent.

Mr. HILL. No matter how the income is derived.

Mr. CULLOM. No matter how it is procured. But when it comes to the matter of taxing corporations, then the proposition to exempt $4,000 from the operation of the income-tax law seems to be set aside. It is to that point that I have had my attention called by this gentleman. The provision of the bill

seems to be unfair, and I think it ought to be remedied in some way. This gentleman goes on to say:

But as it is made the duty of corporations to pay 2 per cent of their net earnings to the Government and withhold the same from their creditors and shareholders when such net earnings are paid out as interest and dividends, should the bill become a law, many thousands of persons whose annual income from all sources is much less than $4,000 will through the agency of such corporations be subjected to the tax.

There are probably at least eighteen hundred Chicago and Alton shareholders, each of whose income from all sources is less than $2,000 per annum, and by far the greater part of their income is from Chicago and Alton dividends. I know quite a large number of women whose entire income is from Chicago and Alton dividends, except such as they earn by their own labor, and in such cases their income is from $300 to $600 per annum. Under this bill 2 per cent of these sums must be paid to the Government. Is not this unjust discrimination?

That is a plain statement of the case as to the Chicago and Alton Railroad. Mr. Blackstone, as the Senator from Missouri knows very well, is an honorable man. He has been president of this corporation for a great many years, I do not know how many, and he ought to know whereof he speaks when he says there are not less than one thousand eight hundred stockholders of that road whose incomes are less than $2,000 and who get nothing but what they earn, from $300 to $600 a year, except the income which they get from the stock they own in this road. When I refer to Chicago and Alton Railroad, I assume that it is a sample of almost every other corporation in the country, whether it be a railroad corporation or a manufacturing establishment or whatever it may be.

As I said I do not stand upon my feet here at this late day in the consideration of the question whether we shall have an income tax or not to combat it by argument, but I do say that while we are forming the income-tax provision we ought, it seems to me, without any reference to the interest of the corporation itself, look after the poor people who derive these little incomes from the stock they hold in corporations. I insist that the proposition of the Senator from New Jersey [Mr. SMITH], or, if that can not be adopted, the suggestion made by the Senator from Missouri himself, will be of some service in the protection of this class of poor people who have these small incomes.

The honorable Senator from Colorado [Mr. TELLER] seems to sneer at the proposition that anybody has any stock in a railroad company whom we ought to look after, or that any president of a railroad company would regard the poor stockholders in his corporation. If the Senator wishes to do exact justice to the poor people of the country—I care nothing about the corporation itself—let us form this provision so as to protect the poor people who own stock in corporations, of whatever nature or kind they may be. The Senator represents himself as a friend of the poor people; I believe he is, and I appeal to him to know whether those eighteen hundred people, having these little sums of not over $2,000 derived from their earnings and from stock in this corporation, should not be cared for, if it can be done by the bill, as well as the man outside who does not have an income over $4,000.

The Senator certainly does not desire to discriminate against a poor widow or a poor mechanic who has an income of $2,000, partly derived from stock which he may happen to have in a corporation, when he is willing to exempt $4,000 to the party who gets it from other sources. That is what I am contending for. When the Senator insists that because these persons happen to have stock in a corporation they ought not to be looked after, I think he not only misrepresents himself, but does an injustice to the great body of these poor people.

I have voted against the income-tax provision, and did it because I believe there is no occasion for an income tax now. But if we are to have an income tax I believe it would be nearer exact justice, and we would have none of these unjust discriminations, if every one who has an income of over $4,000 were taxed, whether he or she be a stockholder in a corporation or not.

Mr. HARRIS. I move to lay the amendment of the Senator from New York on the table.

Mr. HILL. I ask unanimous consent that the debate shall cease upon the amendment, and that we may take a direct vote upon it.

Mr. HARRIS. If that can be done I am willing that we shall have a vote on the amendment.

The PRESIDING OFFICER (Mr. FAULKNER in the chair). The Senator from New York asks unanimous consent that debate shall cease and that the vote may be taken on the amendment.

Mr. TELLER. Let the amendment be stated.

Mr. HILL. It is the same as the previous amendment, with the exception of inserting "$3,000" instead of "$4,000."

The PRESIDING OFFICER. Is there objection to the request of the Senator from New York? The Chair hears none.

Mr. HARRIS. Then I withdraw the motion to lay the amendment on the table. Let us have the vote on the amendmennt.

The PRESIDING OFFICER. The Senator from Tennessee withdraws the motion to lay the amendment on the table. The question is on agreeing to the amendment of the Senator from New York. The amendment will again be stated.

The SECRETARY. After the word "organized" in section 59, line 22, page 187, insert:

The amount of any dividends paid to a single stockholder not exceeding $3,000 annually, may be deducted by corporations, companies, or associations, not including partnerships, from any amounts upon which they would otherwise be compelled to pay the tax herein provided for; but the amount of such dividends so received by such single stockholder shall be included in estimating any income he may have in excess of $4,000, and in that event it shall bear its proportion of the tax herein provided for.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New York.

Mr. HILL. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CALL (when his name was called). I am paired with the Senator from Massachusetts [Mr. LODGE]. If he were present I should vote "nay."

Mr. DIXON (when his name was called). I am paired with the Senator from North Carolina [Mr. JARVIS]. If he were present I should vote "yea."

Mr. GORDON (when his name was called). I am paired with the Senator from Iowa [Mr. WILSON].

Mr. HANSBROUGH (when his name was called). I am paired with the junior Senator from Illinois [Mr. PALMER], who is absent from the Chamber on account of illness.

Mr. MORRILL (when his name was called). I am paired with the Senator from New Jersey [Mr. MCPHERSON], and therefore withhold my vote.

The roll call was concluded.

Mr. GORDON. I transfer my pair with the Senator from Iowa [Mr. WILSON] to the Senator from South Dakota [Mr. KYLE], and vote "nay."

Mr. BLANCHARD (after having voted in the negative). I inquire if the senior Senator from Michigan [Mr. MCMILLAN] has voted?

The PRESIDING OFFICER. The senior Senator from Michigan has not voted.

Mr. BLANCHARD. I desire to withdraw my vote, as I am paired with the senior Senator from Michigan.

Mr. BLACKBURN (after having voted in the negative). I am informed that the senior Senator from Nebraska [Mr. MANDERSON] has not voted. I am paired with that Senator, and ask leave to withdraw my vote.

Mr. PEFFER. Is the junior Senator from South Dakota [Mr. KYLE] recorded as voting?

The PRESIDING OFFICER. The Senator from South Dakota [Mr. KYLE] is not recorded. His pair with the Senator from Massachusetts [Mr. LODGE] has been announced.

The result was announced—yeas 20, nays 33; as follows:

YEAS—20.

Aldrich,	Dolph,	Hoar,	Quay,
Caffery,	Frye,	Mitchell, Oregon	Sherman,
Chandler,	Gallinger,	Patton,	Shoup,
Cullom,	Higgins,	Perkins,	Squire,
Davis,	Hill,	Platt,	Washburn.

NAYS—33.

Bate,	Gordon,	Martin,	Teller,
Berry,	Gorman,	Mills,	Turpie,
Camden,	Gray,	Morgan,	Vest,
Cockrell,	Harris,	Pasco,	Voorhees,
Coke,	Hunton,	Peffer,	Walsh,
Daniel,	Irby,	Pettigrew,	White.
Faulkner,	Jones, Ark.	Pugh,	
George,	Lindsay,	Ransom,	
Gibson,	McLaurin,	Roach.	

NOT VOTING—32.

Allen,	Carey,	Kyle,	Palmer,
Allison,	Dixon,	Lodge,	Power,
Blackburn,	Dubois,	McMillan,	Proctor,
Blanchard,	Hale,	McPherson,	Smith,
Brice,	Hansbrough,	Manderson,	Stewart
Butler,	Hawley,	Mitchell, Wis.	Vilas,
Call,	Jarvis,	Morrill,	Wilson,
Cameron,	Jones, Nev.	Murphy,	Wolcott

So the amendment was rejected.

Mr. ALDRICH obtained the floor.

Mr. HILL. I desire to offer an amendment.

Mr. ALDRICH. I yield for the purpose of having the amendment read.

Mr. HILL. If Senators will remain in their seats for just a moment, I desire yea-and-nay votes on two amendments without any debate. I make this statement so as to save them the trouble of going out and coming in.

The PRESIDING OFFICER. The amendment proposed by the Senator from New York will be stated.

The SECRETARY. And at the end of line 22, page 187, section 59:

The amount of any dividends paid to a single stockholder not exceeding $2,000 annually, may be deducted by corporations, companies, or associations, not including partnerships from any amounts upon which they would otherwise be compelled to pay the tax herein provided for; but the amount of such dividends so received by such single stockholder shall be included in estimating any income he may have in excess of $4,000, and in that event it shall bear its proportion of the tax herein provided for.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from New York.

Mr. DOLPH. Mr. President, I hardly see the propriety of an amendment permitting corporations to deduct the amount of dividends paid to individual stockholders up to $2,000. If I understand the effect of the bill, if it should become a law, as it stands now it would in effect tax stockholders as individuals upon dividends received up to $4,000 per annum, although they might not otherwise be subject to pay an income tax.

As individuals, if their income was derived from some other source to the amount of $4,000, they would not be taxed, but if the income happen to be derived from dividends on stocks, then they are to be taxed. The corporation is required to pay an income tax on their dividends. So there is one class of persons, those whose incomes are derived from dividends on stock, who are taxed upon their entire incomes, while individuals having the same amount of incomes from other sources are exempt.

Then on dividends over $4,000, if I understand the bill, as it stands now there is to be double taxation; first, the dividends are taxed as the income of corporations, and then they are taxed when they reach the stockholders.

Mr. HILL. That is not the case, because where it exceeds $4,000 there is another provision that covers it, which is as follows:

Provided also, That in computing the income of any person, corporation company, or association there shall not be included the amount received from any corporation, company, or association as interest or dividends upon the bonds or stock of such corporation, company, or association if the tax of 2 per cent has been paid upon its net profits by said corporation, company, or association as required by this act.

Mr. DOLPH. Then the discrimination in the bill is confined to persons whose income from dividends is less than $4,000.

Mr. HILL. Exactly.

Mr. DOLPH. What is the idea of dividing it and of excepting the tax on dividends up to $2,000? Is it a compromise?

Mr. HILL. I must refer the Senator to those on this side of the Chamber. I do not propose to debate the amendment. The Senator from Oregon probably has not been in the Chamber during the whole debate. I of course claim that the small shareholders are entitled to an exemption to the amount of $4,000. As a matter of principle and policy I say that should be so; but $4,000 has been voted down, $3,000 has been voted down, and I desire to make the injustice as little as possible. I now ask for a vote on the $2,000 amendment without further debate unless some other Senator desires to discuss the amendment.

Mr. ALDRICH. Mr. President, the attitude of the committee and a majority of the Senate in regard to the income of small shareholders in corporations is remarkable. It is proposed by the general features of this income-tax provision to exempt incomes up to $4,000, but any citizen of the United States who has an investment in the shares of any corporation (except certain corporations that are specially exempted) of any size, of fifty, one hundred, five hundred, or a thousand dollars, must pay the tax. There is no escape for him. This seems to me to be very unjust. The committee, by their amendment suggested the other day, exempt incomes which are derived from the bonds of corporations, but they seem to be unwilling to modify in any form the provision of the bill which exacts from small shareholders an income tax, whatever may be the amount of the income. With the tendencies of our modern civilization to the employment of corporate form in conducting all kinds of business this injustice becomes very great and very marked.

The Senator from Missouri has alluded to the fact that the loss to such shareholders is not very great, that the sums which they will be obliged to pay may not be more than $10 and can not exceed in any event $80. The average earnings of all the people of the United States engaged in useful employment is only a little over $300, and $80 to a man who only earns $300 or a little more, is 25 per cent of his entire earnings. So, while these small sums may not seem very large to the Senator from Missouri, they will certainly seem very large to the men of small and limited incomes to which the bill will apply.

The Senator from Missouri, in justification of the action of the committee, has stated that during the war corporations were taxed. It is true that during the exigencies of the civil war all kinds of manufacturing corporations were taxed, but corporations were taxed as individuals were taxed. There was no discrimination made at that time between a tax levied upon a corporation doing a manufacturing business and an individual doing a manufacturing business; both were alike taxable. But by the provisions of this bill, an individual who carries on a manufacture of any kind is exempted from the burdensome and annoying exactions of the bill in other respects; a partnership that carries on a business of this kind would be exempt from taxation and from these annoyances, while a corporation is subjected to them all.

It is very difficult to understand by the application of any of the principles which should be applied to government or to taxation why these discriminations are made. A corporation is certainly no more vicious than an individual or a partnership that is doing the same business and carrying it on in the same way. A corporation is simply an aggregation of individuals. Many of the corporations that have been chartered under the various State governments are simply coöperative associations.

The various amendments suggested the other day by the Senator from Missouri have recognized the necessity or the justice of exempting mutual insurance companies, fire or life insurance companies, mutual savings banks, and a large class of corporations doing business for the benefit solely of their shareholders.

Now, a large portion of the corporations which will be obliged to pay this tax are of the same character as those various mutual organizations. The Senator from Iowa has alluded to the fact in his State, the Senator from Maine has made the same statement in regard to his State, and I know that in my own State there are a vast number of organizations chartered by the State government and having the form of corporations. They are simply coöperative societies, and if a man is unfortunate enough to have an investment of $50 or $100 or $500 in an organization of this kind, he is required by the provisions of the bill to pay 2 per cent on his income, while the vast corporations of the United States, all the great railroads and other organizations, are by the provisions of the amendment suggested by the Senator from Missouri the other day exempted from paying this tax.

Mr. HARRIS. I move to lay the amendment on the table.

Mr. ALDRICH. I think there will be no further discussion.

Mr. HARRIS. I thought there was to be no further debate a good while ago.

Mr. HILL. I ask unanimous consent that debate shall stop, and that a vote may be taken upon the amendment.

The PRESIDING OFFICER. The Senator from New York asks unanimous consent that debate shall cease on the amendment, and that a vote may be taken at once. Is there objection? The Chair hears none.

Mr. HARRIS. I withdraw the motion to lay the amendment on the table.

The VICE-PRESIDENT. The Senator from Tennessee withdraws the motion to lay on the table. The question is on the amendment of the Senator from New York.

Mr. HILL. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CALL (when his name was called). I am paired with the Senator from Massachusetts [Mr. LODGE]. I transfer my pair to the Senator from South Dakota [Mr. KYLE], and vote "nay."

Mr. GORDON (when his name was called). I again announce my pair with the Senator from Iowa [Mr. WILSON].

Mr. MITCHELL of Wisconsin (when his name was called). I am paired with the Senator from Wyoming [Mr. CAREY].

Mr. SMITH (when his name was called). I have a general pair with the junior Senator from Idaho [Mr. DUBOIS], who is absent from his seat and will not be here for some days. I desire to make the announcement for the day.

The roll call was concluded.

Mr. DIXON. Has the Senator from North Carolina [Mr. JARVIS] voted?

The PRESIDING OFFICER. The Senator from North Carolina has not voted.

Mr. DIXON. I am paired with that Senator, and withhold my my vote.

Mr. PASCO. I have agreed on this vote to pair with the Senator from Connecticut [Mr. HAWLEY], but by an arrangement with the Senator from Rhode Island [Mr. DIXON], we will transfer our pairs, so that the Senator from Connecticut [Mr. HAWLEY] will stand paired with the Senator from North Carolina [Mr. JARVIS], and the Senator from Rhode Island and I will vote. I vote "nay."

Mr. DIXON. I vote "yea."

The result was announced—yeas 23, nays 34; as follows:

YEAS—23.

Aldrich,	Frye,	McMillan,	Proctor,
Allison,	Gallinger,	Manderson,	Quay,
Caffery,	Hale,	Patton,	Sherman,
Davis,	Higgins,	Perkins,	Squire,
Dixon,	Hill,	Platt,	Washburn.
Dolph,	Hoar,	Power,	

NAYS—34.

Allen,	Daniel,	Jones, Ark.	Ransom,
Bate,	Faulkner,	Lindsay,	Roach,
Berry,	George,	McLaurin,	Turpie,
Blackburn,	Gibson,	Martin,	Vest,
Blanchard,	Gorman,	Mills,	Voorhees,
Call,	Gray,	Morgan,	Walsh,
Camden,	Harris,	Pasco,	White.
Cockrell,	Hunton,	Peffer,	
Coke,	Irby,	Pugh,	

NOT VOTING—28.

Brice,	Gordon,	McPherson,	Shoup,
Butler,	Hansbrough,	Mitchell, Oregon	Smith,
Cameron,	Hawley,	Mitchell, Wis.	Stewart,
Carey,	Jarvis,	Morrill,	Teller,
Chandler,	Jones, Nev.	Murphy,	Vilas,
Cullom,	Kyle,	Palmer,	Wilson,
Dubois,	Lodge,	Pettigrew,	Wolcott.

So the amendment was rejected.

Mr. HOAR. I move to amend, at the end of line 22, page 187, by adding the words "but not including partnerships." That is the meaning of the committee, I understand.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. After the word "organized" at the end of line 22, page 187, section 59, add:

But not including partnerships.

Mr. HOAR. The phrase of the bill now is companies, associations however constituted or established. Certainly there is very great danger that that will be construed to include partnerships.

Mr. VEST. There is no objection to the amendment. That is the meaning of the provision.

The amendment was agreed to.

Mr. HOAR. I move to add at the end of line 22, page 187, the following proviso:

Provided, That there shall be allowed to said corporation, company, or association an exemption equal to the aggregate of the exemptions to which such stockholders would be entitled in estimating their individual tax, not including, however, any exemption which may have been allowed to such stockholders as individuals.

Mr. President, I do not propose to discuss this amendment at any length, because I see that my friend from Tennessee [Mr. HARRIS] is looking at me—

> With such ferret and such fiery eyes,
> As we have seen him in the Capitol
> When crossed in conference by some Senator.

But I think a word or two of explanation will satisfy every Senator who feels himself at liberty to vote upon this question on its merits that it ought to be adopted.

The purpose of the amendment is that where a man's whole income, and a small income, comes from a joint stock company he shall have the precise exemption, and no more and no less, out of the income which he gets from the joint stock company that he would get if it came from an ordinary individual business. The largest part of the business of Massachusetts—manufacturing, mechanical, mercantile—is now conducted by joint stock companies. Two young mechanics or five young mechanics do a part of the business of their machine shop—make a particular wheel, a particular lever, a particular small part of the mechanism, and they associate themselves together under our law as a joint stock company.

That saves them, if they comply with the strict requirements of the law, from individual liability for the debt; but that is not the main purpose. The main purpose is to get the benefit of the united action. If one of them dies, or becomes sick, or insane, or is insolvent in his private transactions, that the business has not got to stop by reason of the withdrawal from it of one man, and go into liquidation, and be held up for a year or two. I am stating not an extreme case; I am stating an everyday case, and a case where I am sure every Senator on both sides of the Chamber will agree that this exemption ought to be allowed.

Here are five little grocers—although there would not be likely to be so many in a firm in that business, or five mechanics, and they make $5,000 a year. Each of them gives his individual work, hard day's work, and the profit of the concern is $5,000. That is a thousand dollars apiece. That thousand dollars ought to be exempted from the income tax upon the principle of the bill, and upon every principle of justice and fairness. It is $20 apiece, as the Senator from Missouri said in regard to the amendment of the Senator from New York. The tax will be only $80, I think he said.

I do not suppose gentlemen who are bred on Southern plantations understand what that $20 means to a mechanic or a man working with his own hands. He has a wife and five children to support and the children to bring up and clothe decently and to send to school. He belongs to a church. The $20 taken out of that man's thousand for the support of his family means the great things of the year to his life. It means the ability to go once in twelve months with his hard-working wife to spend a Sunday at the seashore in such weather as we have just been going through.

It means the sending one of the children to a little better school, if the child has some peculiarity and can not be exposed to the roughness of the common school. It means a new dress for the girl who can not have one new dress a year. If a child has a physical deformity, a turned ankle, or a distorted eye, it means the possibility, which those parents will meditate over for six months, of taking the child to a city surgeon and having competent medical skill. It means, perhaps, another picture to hang on the wall, or a single picture to hang on the wall to give a little ornament to the mechanic's home. It means a few books. It means putting the works of Whittier, of Joel Chandler Harris, the great genius of the South, estimated at the North as he is there, on the table, to give to the grown children a little taste of the sweets and delights of literature.

Mr. President, this is not a fanciful, far-fetched notion. Every Senator who lives in a city where there are mechanics and a manufacturing population knows what I say is true. It is a question of the comforts of life to thousands upon thousands of American homes, and it is a question of the homes that make up whatever there is entitled to honor, whatever there is, at any rate, that requires care in a Government which is benevolent and just, and looks out for the people.

I should like to hear any reason why this thing should not be done. It is easy enough. The collector for the district will have the name and residence of every stockholder of the big corporation. He will account with the corporation in a mass, and he will have the name of the little corporation such as I have described, and when that corporation returns to him its income of $5,000, and says, "we are made up of five men who are getting a thousand dollars apiece out of it, and that is all we get," and they have done the labor and the work of the corporation with their own hands, it is an easy problem to dispose of.

I hope my honorable friend from Missouri will let this amendment be adopted and let it go into conference, and then if he finds on further reflection that it needs changing, or if he finds for some reason which does not occur to me that it will not work, let it go. It is a very important practical question.

I know these men. I was brought up in a humble town where there were no great fortunes and no aristocrats, where everybody earned his living. I went when I grew up to a manufacturing city, made up of mechanics who were bred at the bench or at the loom, and who started in this little way themselves. I know what this business of an extra twenty-dollar bill means to men who in their whole lives from the time they begin work until the time they go to their graves never make an expenditure for self-indulgence or for fashion or for luxury or for profligacy. This $20 to them is more than $20,000 to the millionaire or the aristocrat; and I think it deserves the care of Congress that we protect it, especially of a Congress whose dominant party takes to itself the title of Democracy.

Mr. CAFFERY. Mr. President, I do not desire to occupy the time of the Senate in discussing this amendment, and shall be very brief.

I do not willingly vote for a bill which in my opinion unjustly discriminates against any class of the citizens of this country. I take it that nobody in this Chamber desires to crush out the small corporations which are now doing a very large portion of the business of the United States. The laws of my State are peculiarly favorable to the formation of joint-stock companies and small corporations with limited liability.

Those corporations have largely taken the place of partnerships. I consider that in the effort to strike at the overgrown corporations, so called, the corporations which have abused their corporate powers, a deadly blow may be struck at deserving corporations, at corporations which have for their object the aggregation of small capital, of men of moderate means, in order to place within their power and compass the accomplishment of works that they could not otherwise undertake or accomplish.

Mr. President, what reason is there, what reason can there be, for a discrimination of the kind that this bill strikes at? The Senator from Iowa made a very wise suggestion in placing the surplus dividend not divided under the operation of the 2 per cent tax, and excluding the dividends divided among the stockholders. It does not occur to me that would meet all the difficulties of the case, if difficulties there be. I can not willingly vote for a bill that will discriminate in this particular against a very honest set of our fellow-citizens. There is no reason for it.

Mr. President, the trend of the times is for small capital to aggregate. It grows out of the industrial condition of the country. Does the Senate of the United States want to strike down the effort of men of small means to combine together in order to facilitate works that they could not undertake singly?

I have given my reasons in brief for the votes that I have given upon the amendments offered by the Senator from New York.

Mr. HARRIS. I move to lay the amendment on the table.

The PRESIDING OFFICER. The Senator from Tennessee moves to lay the amendment of the Senator from Massachusetts on the table.

Mr. HOAR. I hope the Senator from Tennessee will allow a vote to be taken. I think the debate is over.

Mr. HARRIS. I am perfectly content to do so if the vote can be taken without further debate.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Massachusetts.

Mr. HOAR. And I hope the Senator from Tennessee will vote for it. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. GORDON (when his name was called). I am paired with the Senator from Iowa [Mr. WILSON].

Mr. HANSBROUGH (when his named was called). I am paired with the junior Senator from Illinois [Mr. PALMER].

Mr. McLAURIN (when his name was called). I transfer my general pair with the junior Senator from Rhode Island [Mr. DIXON] to the Senator from North Carolina [Mr. JARVIS], and vote "nay."

Mr. MILLS (when his name was called). Has the Senator from New Hampshire [Mr. GALLINGER] voted?

The PRESIDING OFFICER. The Senator from New Hampshire has not voted.

Mr. MILLS. I withhold my vote, being paired with that Senator.

Mr. MITCHELL of Wisconsin (when his name was called). I announce once for all for the day my pair with the Senator from Wyoming [Mr. CAREY].

The roll call was concluded.

Mr. GEORGE. I desire to announce the pair of the Senator from Florida [Mr. CALL] with the Senator from Massachusetts [Mr. LODGE].

Mr. MITCHELL of Oregon. I desire to announce once for all that the Senator from Wisconsin [Mr. VILAS] is paired for the day with the Senator from Connecticut [Mr. HAWLEY]. I vote "yea."

Mr. McMILLAN (after having voted in the affirmative). Has the Senator from Louisiana [Mr. BLANCHARD] voted?

The PRESIDING OFFICER. He has not voted.

Mr. McMILLAN. I withdraw my vote.

Mr. SQUIRE (after having voted in the affirmative). I observe that the Senator from Virginia [Mr. DANIEL] has not voted. I desire to withdraw my vote.

Mr. GORDON. By an arrangement with the Senator from Michigan [Mr. McMILLAN] I will transfer my pair with the Senator from Iowa [Mr. WILSON] to the Senator from Louisiana [Mr. BLANCHARD], so that the Senator from Michigan and myself can vote. I vote "nay."

Mr. McMILLAN. I vote "yea."

Mr. WHITE (after having voted in the negative). I desire to inquire whether the Senator from Idaho [Mr. SHOUP] has voted.

The PRESIDING OFFICER. He has not voted.

Mr. WHITE. I withdraw my vote, as I am paired with that Senator.

The result was announced—yeas 20, nays 30; as follows:

YEAS—20.

Aldrich,	Dolph,	McMillan,	Platt,
Allison,	Frye,	Manderson,	Power,
Caffery,	Hale,	Mitchell, Oregon	Quay,
Cullom,	Hill,	Patton,	Sherman,
Davis,	Hoar,	Perkins,	Washburn.

NAYS—30.

Bate,	Gibson,	Kyle,	Ransom,
Berry,	Gordon,	Lindsay,	Roach,
Blackburn,	Gorman,	McLaurin,	Turpie,
Camden,	Gray,	Martin,	Vest,
Cockrell,	Harris,	Morgan,	Voorhees,
Coke,	Hunton,	Pasco,	Walsh.
Faulkner,	Irby,	Peffer,	
George,	Jones, Ark.	Pugh,	

NOT VOTING—35.

Allen,	Dixon,	McPherson,	Smith,
Blanchard,	Dubois,	Mills,	Squire,
Brice,	Gallinger,	Mitchell, Wis.	Stewart,
Butler,	Hansbrough,	Morrill,	Teller,
Call,	Hawley,	Murphy,	Vilas,
Cameron,	Higgins,	Palmer,	White,
Carey,	Jarvis,	Pettigrew,	Wilson,
Chandler,	Jones, Nev.	Proctor,	Wolcott.
Daniel,	Lodge,	Shoup,	

So the amendment was rejected.

Mr. KYLE subsequently said: I wish to state that upon the vote taken a few moments ago on the amendment offered by the Senator from Massachusetts [Mr. HOAR] the Senator from Nebraska [Mr. ALLEN], had he been present, would have voted "nay." He is temporarily absent from the Chamber.

Mr. HILL. I move to insert at the end of line 22, page 187, what I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. It is proposed to add after line 22, page 187:

The amount of any dividends paid to a single stockholder not exceeding $1,000 annually may be deducted by corporations, companies, or associations, not including partnerships, from any amounts upon which they would otherwise be compelled to pay the taxes herein provided for; but the amount of such dividends so received by such single stockholder shall be included in estimating any income he may have in excess of $4,000, and in that event it shall bear its proportion of the tax herein provided for.

Mr. DOLPH. Mr. President, I have not discussed this provision of the pending measure, not because I was not interested in it, but because I believed that nothing that I could say would induce the majority of the Senate to adopt any amendments I might offer for the improvement of the bill, and because I have been engaged elsewhere in the public business a good portion of the time as a member of a committee of the Senate. If the condition of the Treasury was such, and the probable revenues of the Government to be derived from a protective tariff were likely to be such that further revenue was required, I would not oppose a just and equitable income tax.

My principal objection to the provision of the bill providing for an income tax is that it is proposed to raise revenue by an income tax, which I think should be raised by duties upon imports and which could be raised by such duties as would protect and stimulate American industries and protect American labor. I repeat, I am opposed to this provision for an income tax, because it is intended by it to provide revenue which should be raised by reasonable duties upon imports, and which would be raised by a law which would tax foreigners in large part instead of American citizens, and by a law which at least would incidentally protect American capital and American labor. But, as I said, I despair of being able to say anything that will influence the majority or change the provisions of the bill.

In regard to the particular question under discussion I desire to say that in Oregon, as in Louisiana, we have practically free trade in corporations. Any three persons may make, subscribe, and acknowledge articles of incorporation, stating the name of the corporation, its duration, the object of the incorporation, the amount of its capital stock, and the number of shares, and, filing one copy with the county clerk and another copy with the secretary of state, the corporation is formed.

These corporations may be formed for any purposes. They may be transportation companies, banks, manufacturing establishments, merchandising establishments, real estate associations, and hall associations. I do not know but the corporations of Oregon are more numerous than the copartnerships. There are hundreds and perhaps thousands of corporations formed to carry on ordinary business, engaged in a small manufacturing business, the members of which under this proposed law would not be liable to an income tax at all. No one of them receives a revenue to the amount of $4,000 per annum. But if the bill should become a law it would tax every stockholder in those small corporations carrying on a manufacturing and other business, virtually copartnerships, upon his entire income. It would tax every stockholder upon every dollar of his earnings when he would not otherwise be taxed.

I can not understand why the majority of the Senate insist that stockholders in a corporation, who derive their only income from their stock or from their membership in the corporation and do not have an income to exceed $4,000, shall pay an income tax, while persons who may receive the same amount of income from other investments are to pay no income tax at all.

We heard a moment ago from the Senator from Illinois [Mr. CULLOM] of a single corporation that had 1,800 small stockholders, each of whose incomes from their stock in the corporation was less than $2,000; and I undertake to say, from such knowledge as I have had in regard to the character of stockholders in corporations, that the corporation referred to by the Senator from Illinois is not an exceptional one, and that there are thousands and tens of thousands, and I do not know but hundreds of thousands, of stockholders in corporations in the United States who would be required to pay an income tax upon income derived from corporations who, if they derived their income from other sources, would not be taxed. Why it is proposed to make such a discrimination I can not understand.

But when you come to consider the corporations in a State like Oregon or Louisiana, where any three persons may, of their own volition, form a corporation for any business purpose whatever, where there is no monopoly, because a half dozen corporations may be organized to build a railroad between two points and over the same line, and no persons are given a monopoly or

any preference by becoming first incorporated. I say when you come to consider the character of corporations in such States, the great injustice of the provision of the present bill is shown.

Laboring men, who not only own the stock in the corporation, but who do the work, who, instead of forming a copartnership, have formed a corporation and taken the stock themselves, the stock being owned by three or four persons who labor with their hands—those are the men it is proposed to discriminate against and to tax by the provisions of this bill. Why the committee or the majority of the Senate will not consent to some amendment or modification of the bill by which this great injustice will be prevented, I can not understand.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from New York.

Mr. HILL. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CALL (when his name was called). I am paired with the Senator from Massachusetts [Mr. LODGE].

Mr. GORDON (when his name was called). I transfer my pair with the Senator from Iowa [Mr. WILSON] to the Senator from Nebraska [Mr. ALLEN] and vote "nay."

Mr. HANSBROUGH (when his name was called). I am paired with the junior Senator from Illinois [Mr. PALMER], and therefore withhold my vote.

Mr. McLAURIN (when his name was called). I transfer my pair with the junior Senator from Rhode Island [Mr. DIXON] to the Senator from North Carolina [Mr. JARVIS] and vote "nay."

The roll call was concluded.

Mr. MORRILL. I am paired with the Senator from New Jersey [Mr. MCPHERSON], and therefore withhold my vote.

Mr. GALLINGER. I was requested by the Senator from Massachusetts [Mr. HOAR] to announce his pair with the Senator from Alabama [Mr. PUGH].

Mr. DIXON. I am paired with the Senator from North Carolina [Mr. JARVIS]. If he were present I should vote "yea."

Mr. CULLOM (after having voted in the affirmative). I voted without noticing that the Senator from Delaware [Mr. GRAY] was absent. I am paired with that Senator and withdraw my vote.

The result was announced—yeas 23, nays 29; as follows:

YEAS—23.

Aldrich,	Gallinger,	Mitchell, Oregon	Quay,
Allison,	Hale,	Patton,	Sherman,
Chandler,	Higgins,	Perkins,	Shoup,
Davis,	Hill,	Platt,	Squire,
Dolph,	McMillan,	Power,	Washburn.
Frye,	Manderson,	Proctor,	

NAYS—29.

Bate,	George,	Kyle,	Turpie,
Berry,	Gibson,	Lindsay,	Vest,
Blackburn,	Gordon,	McLaurin,	Voorhees,
Blanchard,	Gorman,	Martin,	Walsh,
Cockrell,	Harris,	Murphy,	White.
Coke,	Hunton,	Pasco,	
Daniel,	Irby,	Peffer,	
Faulkner,	Jones, Ark.	Roach,	

NOT VOTING—33.

Allen,	Dixon,	McPherson,	Smith,
Brice,	Dubois,	Mills,	Stewart,
Butler,	Gray,	Mitchell, Wis.	Teller,
Caffery,	Hansbrough,	Morgan,	Vilas,
Call,	Hawley,	Morrill,	Wilson,
Camden,	Hoar,	Palmer,	Wolcott.
Cameron,	Jarvis,	Pettigrew,	
Carey,	Jones, Nev.	Pugh,	
Cullom,	Lodge,	Ransom,	

So the amendment was rejected.

Mr. ALLISON. I offered an amendment early in this debate relating to exemptions and afterwards withdrew it, partly in fear of my friend the Senator from Tennessee [Mr. HARRIS], but more largely in the hope and expectation that with all the wisdom of this body and under the leadership of some one, we might be able to solve this problem of injustice without the limitation which I propose in my amendment; but that seems to have failed. All the Senators who have so far spoken on the other side agree that it is an injustice, and I have not heard a Senator on this side of the Chamber agree that this provision is in accordance with exact justice to the taxpayers of the country.

Even the Senator from Missouri [Mr. VEST] answers our objections by saying that in an income tax there must be some little irregularities and that it is impossible to cure all the little difficulties that may occur respecting individuals.

So, Mr. President, I now offer the amendment which I offered a while ago, modifying the amendment, first, by withdrawing the proviso, and, secondly, by inserting "$80,000," instead of "$100,000;" so that the amendment will exempt from the operation of this paragraph all corporations having a capital, including surplus, of $80,000.

I have fixed this sum in order to exempt small corporations which, in the aggregate, allowing them to have an average income of 5 per cent upon their investments, will place them in the same position with an individual who has $4,000 exemption. If they shall have an average income of 6 per cent they will still be below the average person who has a $4,000 exemption, and also an exemption of all taxes, State, municipal, etc.

I hope now the Senator from Missouri will accept the amendment, inasmuch as this is a practical provision, really allowing the same exemption to a corporation which is allowed to an individual, although the corporation is necessarily composed of three or more individuals, as is the case in Oregon, and will spread over what would be otherwise an exemption of $12,000, allowing only an exemption of $4,000.

I certainly think, after all the exposure and elucidation of this subject by Senators on both sides of the Chamber, all agreeing that here is a great injustice that ought to be corrected, that the Senator from Missouri ought to allow the amendment to go, and I appeal to him, as the Senator from Massachusetts [Mr. HOAR] did, to accept the amendment, and if he finds on further examination that here is a great wrong, there will be an opportunity to correct it in the conference.

Mr. VEST. Mr. President, I have nothing whatever to do with this question more than any other Senator. I am here to defend this bill. I believe it is right. I have never admitted, as the Senator says, that great injustice is being done anybody by the present provision.

Mr. ALLISON. I have not heard the Senator—I may have been absent when he has spoken on that subject—say that it would be just to exempt $4,000 to an individual who had his property invested in various enterprises, not including corporations, and not make any exemption to a person who happens to have the little property he owns invested in some small corporation. If the Senator has said that is equality and that that is justice, I have not heard it from his lips.

Mr. VEST. I gave my reasons to the extent of my ability as well as I could this morning, that I thought corporations were not entitled to the exemption given to individuals.

Mr. ALLISON. Will the Senator yield to me for a question?

Mr. VEST. Certainly.

Mr. ALLISON. Does the Senator believe that it is right to exempt a man who holds property earning an income of $4,000 a year, and, in addition to that, exempting all the taxes that he pays, State, county, and municipal, also the interest upon his debts and upon all property which does not yield an income; and then, if another man has property to the extent of $5,000 in a local corporation, that that man shall be required to pay 2 per cent upon that investment? If the Senator says that is justice, I shall be glad to hear him say so.

Mr. VEST. That is the same old question which we have been debating all the morning.

Mr. ALLISON. I know it is; but can the Senator answer it and say whether it is just or unjust?

Mr. VEST. The Senator can not put me into a corner about it by putting the question in a different form.

Mr. ALLISON. I have no desire to put the Senator in a corner.

Mr. VEST. My argument this morning was to show that we treated a corporation as a legal entity, that we had nothing to do with stockholders, that we treated corporations exactly as we treated individuals, except that we give them no exemptions; and I gave the reasons why we do not give them any exemptions. Whether those reasons were good or bad, I do not think any injustice is done to stockholders because they put their money into corporations knowing that they take the chances of whether they may make any money or not.

We have exempted the bonded indebtedness of corporations; we have given them credit for all their losses; we have taken out all their business expenses and operating expenses, and Senators talk to me now about the stockholder being different from a corporation. We know nothing about the stockholder. We deal with the corporation as an entity, and that is the whole of the argument, whether good or bad.

Mr. ALLISON. Does not the Senator allow a stockholder who has an interest in a corporation and who has an income of over $4,000 a part of the amount paid by the corporation?

Mr. VEST. That has nothing to do with the corporation. He does that as an individual citizen, and he takes all his income subject to the exemption that the bill gives him, whether that income comes from a corporation or from other sources. We deal with the individual in that case, and we deal with the corporation in the other. That is the whole of it; and it goes back to the old question of whether a corporation should have the exemption the individual has, and logically that is the full extent to which our friends on the other side of the Chamber can go. I did say this morning that if they should adopt that

principle as to corporations, I thought they would be still logical from their standpoint, not from mine.

Mr. ALDRICH. The fault we find with the Senator from Missouri is that he deals with the individual and gives him an exemption in an income of $4,000 and refuses to deal with the individual who has an income less than that and makes him pay the tax.

Mr. VEST. That is the old argument again and again rehashed, and changed in words, but it comes back to exactly the same thing.

I do not expect to please Senators on the other side about it, because they are opposed to the whole income tax, and I am in favor of it. I believe it is a just system; I believe with the Senator from Ohio [Mr. SHERMAN] that it is based upon equity and sound principle; and no man living has ever answered the arguments made by the Senator from Ohio and by ex-Governor Morton, of Indiana, in this Chamber in favor of an income tax. I have read that whole debate from beginning to end, and those speeches were never answered; but I do not expect to convince Senators that I am right, as they can not convince me. I have examined the question for myself.

The PRESIDING OFFICER. The amendment submitted by the Senator from Iowa [Mr. ALLISON] will be stated.

The SECRETARY. After the word "organized," at the end of line 22, in section 59, on page 187, it is proposed to insert: "having a capital, including surplus, exceeding $80,000."

Mr. CHANDLER. Mr. President, the Senator from Missouri speaks about the argument of the Senator from Ohio in behalf of an income tax on some former occasion. I should like to ask the Senator from Missouri where there ever was an income tax before in this country, or, for all that I know, in any other country, upon corporations? I never heard of any. There never was any in this country. This income tax upon corporations is the invention, and the fearful and wonderful invention of the Senator from Missouri. It was not in the act of 1862; it was not in the act of 1864; and it is not in the Wilson bill as it came from the House of Representatives.

There has been a tax upon the income of all individuals, and that is all; but there never has been, as I have said, any income tax upon corporations until now; the Senator from Missouri has undertaken to condense one into the substitute section 59 of this bill. I should like to ask him where he got it, where he found it, who helped him invent it, or did he invent it out of his own head, for the like of it was never seen before either in the heavens above or in the earth beneath?

The Senator has gone on here talking about a tax upon the incomes of corporations, and there is no Senator upon this floor who ever saw or heard of one before. If any Senator ever did, I wait for a reply. [A pause.] I do not expect one from the Senator from Missouri.

Mr. VEST. I am not going to waste time.

Mr. CHANDLER. You can not make him talk unless he chooses.

Mr. VEST. No, you can not.

Mr. CHANDLER. When he chooses to talk, he talks volubly enough at times, but you can not start him unless he wants to talk. So I shall not imply anything against him because he sits still. I shall go on and make my assertion that an income tax upon corporations was unknown up to the hour when the Senator from Missouri brought in this amendment to the pending bill. The act of 1862 had none, the act of 1864 had none, and the Wilson bill had none. This is a device of the Senator from Missouri to make this bill, I think, as unpopular as the wit of man can make it.

I do not regret that; no; I hear what the Senator says. I do not regret the unpopularity of this damnable bill, but I do not see how Senators can sit still here day after day and see such an atrocious, illy-constructed, and badly-ventilated bill go through without trying to do their duty as Senators, and trying to induce Senators upon the other side to make a bill which has some sort of symmetry and some sort of decency about it. It is a vain hope, I know, but still we keep trying and I suppose out of mercy and kindness to the Senator from Missouri we shall keep on trying to the end of the chapter.

In 1862 and in 1864 a tax was imposed upon the incomes of individuals. That was the only income tax in either of those laws. The House of Representatives in passing the Wilson bill put a tax upon the incomes of individuals; and that is all the income tax there is in the Wilson bill. Yes, corporations are taxed. Corporations were taxed in the act of 1862 and the act of 1864, and they are taxed in the Wilson bill; but special taxes are imposed upon them, and not an income tax.

The Senator from Missouri will find, if his scheme of imposing an income tax upon corporations, which he has undertaken to embody in these 9 lines of section 59, so fearfully and wonderfully made by him, ever becomes a law, there will be in the courts of this country four-horse teams driven through it in every direction.

Mr. President, how did we tax corporations in 1864? We taxed manufacturing corporations 5 per cent upon the amount of their product; we taxed railroad corporations 3 or 5 per cent upon the amount of their gross receipts, and so we went on taxing by special excise taxes all the corporations of the country.

Mr. ALDRICH. Will the Senator from New Hampshire allow me?

Mr. CHANDLER. Certainly.

Mr. ALDRICH. The tax was upon the business of manufacturing, whether it was carried on by a corporation or by an individual or by an association. Congress did not tax manufacturing corporations as manufacturing corporations, but taxed the product of the business of manufacturing. It was an excise tax.

Mr. CHANDLER. The Senator is right; but I come back all the time to my proposition, and the Senator will either deny or confirm what I say, that there never was a tax upon the income of a corporation.

Mr. ALDRICH. There never was, so far as I know, in the history of this or any other country.

Mr. CHANDLER. Is the English tax upon the income of individuals or corporations?

Mr. ALDRICH. Upon the incomes of individuals.

Mr. CHANDLER. But all taxes upon corporations in every system of internal taxation which was ever known among men, down to this hour, have been taxes upon corporations and special excise taxes upon the business of corporations, and never, until the Senator from Missouri undertook the task, has there been any attempt to roll an income tax upon individuals and an income tax upon corporations into the same paragraph of the same bill of legislation. The Senator from Missouri has undertaken to do it.

The clause is a fearful bungle, and it ought to have, if it passes, a special title to it, and that is "A clause to increase the fees of lawyers," because there will be more litigation and more large fees in connection with this wonderful discovery, invention, contrivance, and construction of the Senator from Missouri than ever have been known before in connection with any tax law passed by this Government.

Here is the act of 1864. It taxed a manufacturing corporation by compelling it to pay 5 per cent upon all manufactures of cotton, wool, silk, worsted, etc. It imposed a tax upon a manufactured product. It taxed iron at $5 a ton and at other rates per ton. It taxed express companies on their gross receipts, insurance companies on their gross receipts, and telegraph companies on their gross receipts. It taxed banks upon their deposits; it taxed lotteries upon their gross receipts. It had the succession and legacy taxation to which allusion has been made in this debate, both taxes upon the devolution of real estate and upon succession to personal property.

It also taxed corporations upon their dividends, and it taxed corporations upon their surplus profits. That has been the scheme of taxation in this country when it was under great stress to raise money. When the war exigencies required a taxation law that should tax everything, there was a tax put upon individual incomes, and there were all these special taxes put upon corporations, but there never was an attempt before, as I have said, to include in an income tax the income of corporations; but when corporations were to be taxed, when double and treble and quadruple taxation was deemed necessary as to corporations, those special taxes were put upon corporations, and the House of Representatives when it passed the Wilson bill undertook to do the same thing.

Look at the clause in this bill as it came from the House of Representatives. Perhaps I had better have let the subject alone and have allowed those clauses to be stricken out and this nondescript and astonishing and illogical and destructive clause of the Senator from Missouri to take its place; but, Mr. President, I do not refrain. I call attention to the fact that the House of Representatives, in imposing the taxes provided for by this bill, did undertake to conform in some degree to former precedents. In section 56 they provided for a tax upon the income of individuals; in section 59 they provided for a tax on the dividends of banks and insurance companies; in section 60 they provided, where there were no dividends, or additions to the surplus fund, for a tax on annual profits; and in section 61 they provided for dividends and interest on bonds paid or profits carried to the account of any fund.

I do not think those taxes were needed; I do not think they were advisable; but they were at least logical and the system was intelligible, but the Senator from Missouri seems to have thought that he could roll all those sections into one, and could

provide for doing what never has been done before in the history of the world, and place a tax upon the incomes of corporations embraced in the same system with a tax upon the incomes of individuals. So the Senator provides in his amendment:

SEC. 59. That there shall be levied and collected a tax of 2 per cent per annum on the net profits or income above ordinary working or operating expenses of all banks, banking institutions, trust companies, saving institutions, fire, marine, life, and other insurance companies, railroad, canal, turnpike, canal navigation, slack water, telephone, telegraph, express, electric light, gas, water, street railway companies, and all other corporations, companies, or associations doing business for profit in the United States, no matter how created and organized.

Mr. President, I wonder if the Senator from Missouri comprehended the length and breadth and height and depth of the words, "all other corporations?" The Senator undertook to sweep in here into a dozen lines provisions for taxing the incomes and the business of corporations that every other legislator who ever undertook to frame a bill required twenty or thirty pages to cover. "Other corporations." That includes manufacturing corporations. What did the Senator mean when he referred to the "working or operating expenses" of manufacturing corporations?

The manufacturing corporations of this country spend millions of dollars for the materials which they work up into their manufactures. Did the Senator from Missouri mean when he said "operating expenses," that there should be included in those operating expenses the expenditures made for material worked up into manufactures? If he did, it was a very awkward and insufficient way of expressing the idea which the Senator meant to convey by this clause—

All other corporations, companies, or associations doing business for profit.

The Senator includes in that clause all trading corporations. The profits of a trading corporation are only those which they make after deducting the amounts which they pay for merchandise which they buy to sell again. Did the Senator from Missouri mean to include under the words "operating expenses," the expenditures made by trading corporations who buy merchandise to sell over again?

If he did, I take the liberty of saying to him that he should have included in it the deductions which he proposed to have made before assessing the incomes of those companies; but, no; the Senator from Missouri in this impossible work which he attempted, of including all kinds of taxation in a nine-line paragraph, wholly omitted to say that the manufacturing corporations should have credit for the expenditures made by them for materials worked up into manufactures, and he wholly omitted to say that trading corporations should have credit for the expenditures made by them for merchandise which they bought to sell again, and the Senator from Missouri, presenting a tax clause which involves millions of money to the business people of the country, describes all those expenditures as "working or operating expenses."

Mr. President, there never was a more loosely drawn, inaccurate, and, I was about to say, impotent taxation clause submitted to a legislative body than that by means of which the Senator from Missouri proposes to sweep away the whole substance of the bill as it came from the House, and to substitute his own clause for it.

I see no reason why there should be any special clause taxing the incomes of corporations. The tax upon individual incomes includes all the receipts of those individuals from the corporations in which they own stock; the tax upon individual incomes includes all the receipts of those individuals from interest upon the bonds of all corporations; and, therefore, unless there is an evasion by the individual of his honest dues under an income tax, everything that is income and the profit of a corporation is taxed by an individual income tax, unless it be such exemption as a corporation may carry to the credit of surplus or to the construction account, or to the account of some other fund.

If the Senator from Missouri had wished to provide a symmetrical and logical and a decent tax upon incomes, he would have provided simply that the incomes of individuals should be taxed, with a suitable exemption, not $4,000, nor $3,000, nor $2,000, nor $1,000, but an income exempted somewhat below $1,000. Having thus taxed according to equity and justice, if an income tax is required by the exigencies of the country, the income of individuals, then a simple tax upon the surplus profits of the corporations of the country, a simple tax upon such portion of the profits of a corporation as should not be paid out to its stockholders or its bondholders either as dividend or interest, would have made a tax which could have been defended, if the necessities of the country required such a tax, but when the Senator from Missouri undertakes to impose a tax upon corporations, and undertakes, for the first time in the history of this country, to impose an income tax upon corporations, and proposes to sweep out of the system of taxation all the special taxes by which the legislators of this country have undertaken to tax the corporations when it was necessary to tax them—the Senator from Missouri, I say, in doing this does a most unwise act, and is constructing a legislative taxation system which will not bear examination.

So I hold that this provision should not be in this bill at all. If it is to remain here, the amendment proposed by the Senator from Iowa [Mr. ALLISON] is absolutely necessary to make it a working statute. But there is no occasion for any such statute in my judgment. The income tax as it is proposed by this bill, not only the tax upon individuals, but the tax upon corporations, will be an odious tax. The moneys to be raised thereby in all human probability will not be necessary for the service of the Government. It is an attempt to revive an odious system of taxation, a system of war taxation, and, moreover, a system of double taxation, of which the people of this country, if I am not mistaken, are not in favor.

Mr. President, an income tax is either a tax upon the personal earnings of an individual or else it is double taxation. I believe that I can challenge successful dispute of that proposition. Analyze a tax upon the incomes of individuals, and it is either a tax upon the personal earnings of an individual or else it is double taxation. Nothing is more offensive to the people of this country than to tax their personal earnings; nothing is more offensive to the individual than to tax his wages, than to tax his professional income, than to tax his personal earnings which he gets either by the sweat of his brow, by the skill of his hand, or by the acuteness of his brain. Individuals do not like to be taxed upon those earnings; and I say to the Senator from Missouri that any taxes of that kind will be unpopular in this country; they will be condemned by the people and will never be willingly submitted to except as such a tax was submitted to in 1864, because it was necessary in order to raise money from all sources and by all means to put down the slaveholders' rebellion.

I say that in addition to the unpopular taxation of the personal income of individuals the remainder of every income tax is double taxation.

What is a man's income? If he gets it from rents upon real estate the real estate is taxed by the State and by the town or by the city in which he lives. If the income of an individual is the profit made in a store, in trade, the merchandise which constitutes the stock in trade of the individual is taxed. If the income of the individual is from dividends from corporations or interest upon bonded securities, the corporation property is taxed and the bonded securities upon which the individual gets an income are taxed by the State.

Without going further into this analysis, I assert, without fear of successful contradiction, that the items which go to make up an income tax under this bill, and under any income tax which can be devised, which are not items of personal labor and services of an individual, are items of income from property, every dollar of which property has been already taxed by the local authorities of the community where the individual lives.

Here, Mr. President, is the fundamental vice of this whole system of an income tax, that it taxes the personal earnings of individuals who are sensitive about such a tax, who are not willing to pay such a tax, and who will not pay such a tax if they can overthrow the legislation which imposes it upon them.

In addition, the income tax is an imposition upon property or the receipts from property, every dollar of which has been already taxed by local authorities. Therefore, the income tax is deliberate and willful and unjustifiable double taxation.

Mr. President, for these reasons I am utterly opposed to every word and every line of this income tax. I did not think at first that the income tax, which it is assumed will be popular in the West and South, would be an absolutely condemnatory feature of the pending bill. But the more it has been discussed the more apparent to me is it that it is a tax not required by any exigency of the Government, not justified upon any sound principle of taxation, and that it is especially objectionable in this new form in which it has been placed by the Senator from Missouri, a form of income tax which never has been heard of in any country from the time when the taxation of the human race began down to this hour.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Iowa [Mr. ALLISON].

Mr. HARRIS. I ask unanimous consent that we come to a vote upon this amendment without further debate. If I can get that agreement I shall be quite content to vote on the amendment; but if not I want to make another motion.

Mr. HILL. If the Senator will allow me a moment, I simply want to offer an amendment to the amendment of the Senator from Iowa.

Mr. HARRIS. Let the Senator's amendment be stated.

Mr. HILL. I do not desire to discuss it. I move to add at

the end of the amendment proposed by the Senator from Iowa the following:

But this provision shall not be construed to permit an exemption of over $4,000 to any individual stockholder, including all his income not otherwise exempted.

Mr. ALLISON. I agree to that.

The PRESIDING OFFICER. The Chair understands that the Senator from Iowa modifies his amendment by accepting the amendment proposed by the Senator from New York. The question is on the amendment of the Senator from Iowa as modified.

Mr. HARRIS. I ask unanimous consent that the amendment be voted on without further debate.

Mr. HILL. I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. GORDON (when his name was called). I transfer my pair with the Senator from Iowa [Mr. WILSON] to the Senator from Nebraska [Mr. ALLEN], and vote "nay."

Mr. MORRILL (when his name was called). I am paired with the Senator from New Jersey [Mr. MCPHERSON], and therefore withhold my vote.

The roll call having been concluded, the result was announced—yeas 24, nays 31; as follows:

YEAS—24.

Aldrich,	Dolph,	Hoar,	Platt,
Allison,	Frye,	McMillan,	Power,
Chandler,	Gallinger,	Manderson,	Proctor,
Cullom,	Hale,	Mitchell, Oregon	Quay,
Davis,	Higgins,	Patton,	Squire,
Dixon,	Hill,	Perkins,	Washburn.

NAYS—31.

Bate,	George,	Jones, Ark.	Peffer,
Berry,	Gibson,	Kyle,	Pugh,
Blackburn,	Gordon,	Lindsay,	Roach,
Blanchard,	Gorman,	McLaurin,	Turpie,
Camden,	Gray,	Martin,	Vest,
Cockrell,	Harris,	Mills,	Voorhees,
Coke,	Hunton,	Morgan,	White.
Faulkner,	Jarvis,	Pasco,	

NOT VOTING—30.

Allen,	Dubois,	Morrill,	Stewart,
Brice,	Hansbrough,	Murphy,	Teller,
Butler,	Hawley,	Palmer,	Vilas,
Caffery,	Irby,	Pettigrew,	Walsh,
Call,	Jones, Nev.	Ransom,	Wilson,
Cameron,	Lodge,	Sherman,	Wolcott.
Carey,	McPherson,	Shoup,	
Daniel,	Mitchell, Wis.	Smith,	

So the amendment was rejected.

The PRESIDING OFFICER. The question recurs upon the amendment of the committee.

Mr. HOAR. I move to amend by adding in line 22, section 59, after the amendment already adopted, the following:

Except joint stock companies whose income does not exceed $4,000 in the year, and in which the beneficial interest is not held in shares which are assignable without the consent of the other associates authorizing such transfer.

The PRESIDING OFFICER. The question is on the amendment submitted by the Senator from Massachusetts.

Mr. HOAR. Mr. President, this bill has already developed that it does not apply to partnerships. What I have moved is a description of partnerships and nothing else, except, as I have stated the case, where there is an exemption from personal liability from debt. This merely applies to small joint stock companies which do not have in all an income of over $4,000 a year. No reason can be stated why they should not be exempted.

I hope this amendment will be adopted. It will be of very great importance to very many poor, hard-working people. It carries out the intent of the law as declared on its face. It does not except a partnership of four times $4,000, but only excepts the case of a joint stock company whose stock is not divided into shares, and can not be assigned without the consent of the others. I should like, for one, though I do not expect to live to see it, when the monument to my honorable friend from Missouri [Mr. VEST] is erected by his sorrowing countrymen, that there might be inscribed upon it that he consented to one just and humane provision for the benefit of men who work hard for their living and who are poor. There are plenty of provisions here for the hundred thousand dollar fellow. He is excepted. Everybody who has $130,000 of real estate at 4 per cent, gets an exemption of his entire income and even of the principal, and here is a man who is starting in a little business, one of four who may earn a thousand dollars apiece, and this $20 apiece is to be taken out of them. As I said, the $20 means the whole luxury of a hard working year. It means buying a schoolbook for the child or a dress for the daughter or a thousand things, some of which I suggested before.

Mr. President, I appeal to the Senators on the other side of the Chamber. They deny indignantly that they have put voting in the Senate into a trust, which has two or three managers. I thought the objection to trusts, which we have been striking at, was that the capitalists, small and large, put into the hands of two or three managers their business activities and powers, surrendering and stifling emulation, difference of opinion, independence, separate enterprise. If that is a bad thing in business, and to be condemned, to be struck at, to be legislated against, what is it in the action of the Senate?

Here is a proposition against which I challenge the most ingenious Senator on the other side to state an argument. It is a proposition affecting a large number of American citizens. I challenge any Senator on the other side to stand up in his place and say that he does not think it is right as an individual; and yet if it is voted down it is to be voted down because Senators so feeling and so thinking, after a judgment upon it, have put their votes in trust.

Mr. PEFFER. Before the Senator resumes his seat I wish to inquire of him in what respect his proposed amendment differs from the suggestion I made last evening about excepting incomes of $4,000?

Mr. HOAR. I did not hear the Senator's remark last evening.

Mr. PEFFER. When the Senator from Massachusetts and the Senator from Iowa were discussing one of their propositions last evening, I asked them whether it would not relieve the situation of some embarrassment if we would simply treat the coporations the same as individual persons, excepting $4,000 from the operations of this proposed law, so that where the income did not exceed $4,000 there would be no tax.

Mr. HOAR. If the Senator will pardon me, it does not go so far as that.

Mr. PEFFER. What is the difference? That is what I wish to inquire.

Mr. HOAR. It does not exempt anything from an income above $4,000.

Mr. PEFFER. So I understand.

Mr. HOAR. Let me repeat once more for the benefit of the Senator from Kansas and other Senators, that it describes corporations which in the first place have an income of less than $4,000, all told. Next the corporation, in order to get the benefit of it, must be a corporation whose property is not divided into stock and where the beneficial interest can not be assigned without the consent of all the associates. In other words, it is nothing but a partnership that I am describing, with the single exception that there is the corporate arrangement, which in certain cases screens the man from individual liability for debt, and which can go on if the party dies. That is all there is of it.

Mr. PEFFER. I suggest to the Senator to strike out all of his amendment after the word "year."

Mr. HOAR. Certainly, I will strike that out; but I supposed it would make it more satisfactory to the Senators to put it in. It does not extend the amendment.

Mr. PEFFER. Then the amendment would contain the words "except joint stock companies whose income does not exceed $4,000 in the year."

Mr. HOAR. Very well; I will modify the amendment accordingly.

Mr. ALLISON. I wish to suggest to the Senator from Kansas and the Senator from Massachusetts that that should not only apply to joint stock companies, but it should apply to all corporations, companies, or associations.

Mr. PEFFER. Very well; let it be so applied.

Mr. ALLISON. That I think certainly the Senator from Missouri will agree to.

Mr. HOAR. I used the words "joint stock companies," because that is the popular phrase for these little partnerships in my State. However, I will accept the suggestion.

Mr. ALLISON. I understand the Senator from Kansas believes as I believe that it is wise to give these corporations the same exemption that we give individuals.

Mr. PEFFER. I think so.

Mr. ALLISON. Therefore that can be done.

Mr. HOAR. I will modify the amendment in that way.

The PRESIDING OFFICER. The amendment as modified will be read.

Mr. ALLISON. I had intended to offer such an amendment, and I suggest that the amendment shall come in immediately after the word "above," on the second line of the first paragraph of section 59; so as to read:

Two per cent per annum on the net profits or income above $4,000, and above ordinary actual expenses, etc.

Mr. HOAR. Very well; I will accept that, and modify my amendment accordingly.

Mr. ALLISON. I ask the Senator from Missouri to just relent enough to exempt the small corporations below $4,000.

Mr. VEST. I can not accept the amendment. I am not authorized to do it.

Mr. HOAR. The Senator from Missouri said just now that he was authorized to do anything he saw it his duty to do as a Senator, and that nobody has any power to prevent him.

Mr. VEST. I do not hear the Senator.

Mr. HOAR. I understood the Senator to say a little while ago that he was authorized to do anything he thought right.

Mr. VEST. I never made any such statement as that.

The PRESIDING OFFICER. The amendment as modified will be read.

Mr. VEST. I never made any such statement. I am here as the organ of the committee. I have no personal discretion in the matter.

Mr. HOAR. I wish to disavow any imputation that the Senator in the management of the bill is authorized to do what he thinks is right. I am not aware that I said it.

Mr. VEST. If the majority of the Finance Committee instruct me to accept the amendment I shall do so. Unless so instructed I shall not do so. That is all of it.

The PRESIDING OFFICER. The amendment will be read as modified.

The SECRETARY. After the word "above," in the second line of section 59, insert:

Except joint stock companies whose income does not exceed $4,000 in the year.

Mr. ALLISON. What I want is that this exemption shall apply to all these corporations.

Mr. VEST. I will say to the Senator from Iowa that no one knows better than he does that all this matter can be adjusted in conference. It does not facilitate the passage of the bill to accept any amendment, because the amendments seem to increase and feed upon what is given.

Mr. HOAR. "We shall not be there to see," as Cowper says of John Gilpin.

Mr. VEST. The Senator will be represented, I suppose.

Mr. HOAR. I am afraid not much.

Mr. VEST. The Senator from Iowa and the Senator from Rhode Island will be there.

Mr. HOAR. It seems to me that the Senate has something—it used to have something—to do with the national legislation as well as conference committees. I am very much disturbed by the last suggestion of the Senator from Missouri, that he will only accept in all of this legislation, going over weeks and weeks and affecting the whole business of the country, such amendments as are authorized by the majority of the Finance Committee. The Finance Committee has not had a meeting for six weeks, and probably will have but one until this bill is disposed of, and it is utterly impossible that there can be any amendments considered by that committee.

The Senator himself brought in 400 amendments, when the Finance Committee had not even had a meeting and never heard of them. How the Senator is to say that a thing just and right, and just and honest can not be done in this great body because somebody will not let him do what he thinks is right, I can not understand.

Mr. VEST. I have not said that I thought it right. I do not think it right, and I shall not consent to it as far as I am concerned under any state of the case whatever.

Mr. ALLEN and Mr. PEFFER addressed the Chair.

The PRESIDING OFFICER. The Chair declines to recognize any one further until the Secretary obtains the proper amendment as accepted by the Senator from Massachusetts.

Mr. ALLISON. If I can have the ear of the Senator from Massachusetts——

Mr. PEFFER. Allow me to make a suggestion.

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Kansas to make a suggestion?

Mr. ALLISON. I was just about to make one myself, but I will yield.

Mr. PEFFER. I think we can simplify the proceeding by inserting the words "exceeding $4,000" after the word "income" in line 15, page 187.

Mr. ALLISON. I suggest, if the Senator will allow me, that the best place to insert it is in line 3 of section 59. Insert after the word "above" the words "$4,000 and above."

Mr. HOAR. On what page?

Mr. ALLISON. On page 187, section 59. I will say to the Senator from Missouri that this amendment had been suggested to me by several Senators on both sides of the Chamber, and I intended to offer it.

Mr. HOAR. We have different prints of the bill. Will the Senator indicate the point in section 59 where it comes in? There are three or four different prints here.

Mr. ALLISON. It is on page 187 of the print of May 7, the print that is used at the desk.

The PRESIDING OFFICER. The amendment as modified will be read.

The SECRETARY. Insert after the word "above," line 15, page 187:

Four thousand dollars and above.

So as to read:

That there shall be levied and collected, except as herein otherwise provided, a tax of 2 per cent annually on the net profits or income above $4,000 and above actual operating and business expenses.

Mr. HOAR. I will either accept that or will let the Senator move it as his amendment. He had better move it as his amendment.

Mr. ALLISON. Oh, no; that is a matter of no moment.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Massachusetts as modified by the Senator from Iowa.

Mr. HOAR. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. KYLE (when Mr. ALLEN'S name was called). The Senator from Nebraska [Mr. ALLEN] is temporarily absent from the Chamber, but I think if he were present he would vote "yea."

Mr. GORDON (when his name was called). I am paired with the Senator from Iowa [Mr. WILSON].

Mr. WHITE (when his name was called). I am paired with the Senator from Idaho [Mr. SHOUP]. I withhold my vote, as he is not in the Chamber.

The roll call was concluded.

Mr. BATE. I am paired with the Senator from Nebraska [Mr. ALLEN]. I would vote "nay," and he would vote "yea."

Mr. MORRILL. I am paired with the Senator from New Jersey [Mr. MCPHERSON], and therefore withhold my vote.

Mr. PASCO. I wish to announce that the Senator from Wisconsin [Mr. VILAS] is paired with the Senator from Connecticut [Mr. HAWLEY].

Mr. GORDON. By an arrangement with the Senator from Vermont [Mr. MORRILL], I transfer my pair with the Senator from Iowa [Mr. WILSON] to the Senator from New Jersey [Mr. MCPHERSON], and vote "nay." The Senator from Vermont will also vote.

Mr. MORRILL. I vote "yea."

Mr. PASCO (after having voted in the negative). I have been requested to announce a pair with the Senator from Rhode Island [Mr. ALDRICH], who has been summoned from the Chamber temporarily. I therefore withdraw my vote.

The result was announced—yeas 28, nays 30; as follows:

YEAS—28.

Allison,	Gallinger,	Manderson,	Power,
Chandler,	Gray,	Mitchell, Oregon	Proctor,
Cullom,	Hale,	Morrill,	Quay,
Davis,	Higgins,	Patton,	Sherman,
Dixon,	Jones, Nev.	Peffer,	Squire,
Dolph,	Kyle,	Perkins,	Teller,
Frye,	McMillan,	Platt,	Washburn.

NAYS—30.

Berry,	Faulkner,	Jones, Ark.	Ransom,
Blackburn,	George,	Lindsay,	Roach,
Blanchard,	Gibson,	McLaurin,	Turpie,
Caffery,	Gordon,	Martin,	Vest,
Camden,	Gorman,	Mills,	Voorhees,
Cockrell,	Harris,	Morgan,	Walsh.
Coke,	Hunton,	Murphy,	
Daniel,	Jarvis,	Pugh,	

NOT VOTING—27.

Aldrich,	Carey,	Lodge,	Smith,
Allen,	Dubois,	McPherson,	Stewart,
Bate,	Hansbrough,	Mitchell, Wis.	Vilas,
Brice,	Hawley,	Palmer,	White,
Butler,	Hill,	Pasco,	Wilson,
Call,	Hoar,	Pettigrew,	Wolcott.
Cameron,	Irby,	Shoup,	

So the amendment was rejected.

Mr. HILL. I move to insert at the end of section 59:

Corporations created by any State, and which by the terms of their incorporation or by the laws of the State creating them, are required to pay a special tax to the State upon their earnings, dividends, or franchises, or to pay a portion of their earnings as such to such State for the uses of the State government (being other than a general tax paid in common with individuals) are exempted from the tax herein provided for.

Mr. President, the object of this amendment is to present for the consideration of the Senate one of the most important questions that can possibly arise under this income tax provision. The exemption herein provided for is one that certainly ought to be made. As a lawyer as well as a Senator, I maintain the broad proposition that the Federal Government has no right to tax any of the means or instrumentalities adopted by a State government to secure revenues to conduct its affairs. I referred to this question in the set speech, if I may call it such, which I made a few days ago. I simply desire to call the attention of the Senate and the country to the exact situation of affairs.

It has been held by the highest court of the land, to whose decision we must bow with respect, that Congress can not tax the salaries of State officials and, in accordance with that decision, there is included a provision herein, namely, that salaries due to State, county, or municipal officers shall be exempt from the income tax herein levied. Of course, if the suggestion of the Senator from Kentucky [Mr. LINDSAY] had been carried out, that there is no necessity for putting in any amendments to the bill where the Constitution exempts officials, then of course this provision which I have just quoted would not have been inserted. But the committee has proceeded upon a different basis. The committee, and very properly I think, has proceeded upon the theory that it is proper to put in the bill every constitutional exemption; that is, every exemption required by the Constitution of the United States. It has not included them all, in my judgment, but I mean those exemptions which are conceded properly to be protected by the Constitution.

Mr. President, there is no dispute about the general proposition that Congress can not tax the means or instrumentalities of a State government. The decision is a broad one. It includes everything that can be called the means or the instrumentalities of the State government. The authors of the pending bill go further than that. They take the broad position that a State government includes county government; that it includes municipal government; that all the subdivisions of the State are included in the definition of a State; and they have provided by the terms of the bill that the salaries of those officials shall be exempt.

The point which I present here is that whatever can be justly regarded as the means or instrumentalities of a State government created, organized, or used even, for the purpose of a State government are exempted. We had a debate yesterday upon the general proposition that Congress can not tax State bonds. Many Senators who disagree with me on other propositions, came to my support upon that proposition, and it lacked, I think, but three votes of being carried, with a comparatively light vote in the Senate. All the arguments made by those who came to my support were well taken. I invoke them in the support of this proposition. If you can not tax State bonds, as they very well argue, and it is the truth, neither can you tax the salaries of the State officials, because it is an interference with the means or instrumentalities for carrying on the State government. So you can not tax these corporations to which I refer.

What does the amendment provide? Before speaking of that allow me to say that I have endeavored to present this question fairly to the good sense of the Senate, and I have excluded all those corporations which pay simply the same share of taxation which an individual pays, namely, all corporations paying a tax upon their real estate and paying taxes upon the personal property which they own in all the States of the Union in some form or another. That taxation they pay, not because they are corporations, but they pay it because for certain purposes they are deemed citizens of the State. They are owners of property, and, in common with the rest of the State, they pay their share of real and personal taxation. That includes a large number of corporations in each and all the States.

I say I have purposely excluded from the operation of the amendment all this large class of corporations. But I have endeavored to include what corporations? In the first place, before answering that question, allow me to say (and I need not spend any time in making the point) that a corporation is the creature of the State government. Corporations are incorporated by the State. The corporations here referred to, and specifically mentioned in the amendment, are the creature of the State, the means of the State, the instrumentalities of the State to carry out its purposes.

Now, what does the amendment provide? It provides that the corporations thus created by a State government and by the terms of their incorporation originally or by law required to pay a special tax upon their earnings, dividends, or franchises, or are obliged to pay a portion of their earnings to the State government for the uses of the State government, are exempted under the Constitution of the United States, and should be exempt under the provisions of the bill.

A State under its constitution and having a separate sovereignty as distinct within its sphere as that of the General Government sees fit to carry out a system of internal improvements. For instance, the State of New York might desire to authorize a railroad to be constructed to the wilderness known as its North Woods. It grants a charter to a corporation composed of private citizens. The State may take some stock itself in the corporation. The State authorizes citizens to invest. The State, in creating the corporation, provides that it shall reserve to itself for the uses of its State government a certain portion of the net earnings or revenues which shall be realized from the maintenance and operation of that road.

Do you tell me that the General Government has a right to step in and say when it has no power to destroy that corporation directly by your legislation, when it did not create that corporation, when it has no control over it, when it can not destroy it, that it can turn around by means of this income tax, so called, and virtually destroy it; that it can take away from the State government the very revenues which in its wisdom it has seen fit to provide for the operation of its own independent sovereignty? The bare statement of the proposition carries with it the legal argument necessary to sustain it.

Such corporations have been created in divers States of the Union. They exist to-day. Pennsylvania, by virtue of the laws of that State, imposes taxes upon its corporations, and I think I state correctly when I state that the tax upon the earnings, etc., of the corporations of Pennsylvania pays its entire State tax. I ask the Senator from Pennsylvania whether that is not the case.

Mr. QUAY. It does not pay it in its entirety, but a very large proportion of it.

Mr. HILL. Therefore, we have the question presented where a State either for the purpose of carrying out its system of internal improvements or for any other legitimate, honorable, and legal purpose has created a railroad corporation, or any other corporation, and has reserved to itself a portion of its earnings for the uses, not of a municipality, not of a town even, but I put it in the amendment directly for the uses of the State government. Last year, in my own State, there were nearly $2,000,000 received from this class of corporations because of the taxes imposed and by virtue of law.

This question does involve more than that of yesterday the question of State rights. It involves the question as to whether the Federal Government can usurp the functions of State governments. If the Government can step in and thus virtually control by the indirect levy of an income tax, it can tax the corporation directly; it can destroy the State governments; it can discredit their resources; it can limit them, restrict them. For instance, suppose that what would amount to 1 per cent would be the net earnings. Here comes the General Government and says we want 2 per cent. Here comes the State government and exercises its right and says we want that 1 per cent. Here is a conflict immediately. It is a question between State and Federal authority, and is it to be said that in a Democratic Senate, made up of believers in State rights, this doctrine is to receive its death blow by the hands of Senators?

Mr. President, I trust that we shall never witness that spectacle. And is this a pure speculation of mine? Has it never been suggested before? I say not. I have sent for the volume where this question was explicitly referred to. I can state it. Senators will recollect that the case of the Collector *vs.* Day, or Buffington *vs.* Day, was the case which decided that the General Government could not tax the salaries of State officials.

The broad ground was laid down that the State government could not tax any of the property of the General Government. The State government can not tax the mail; it can not tax the mint; it can not tax patent rights; it can not tax judicial process of the Federal courts; it can not tax any of the means or instrumentalities employed by the Federal Government with which to operate the Federal Government. It is laid down by Justice Nelson that, on the other hand, the National Government can not tax any of the means or instrumentalities of the State government whereby the State government would be crippled, interfered with, or its revenues diminished.

The case is familiar to every lawyer around this circle. It was an important case. Judge Bradley, who was an able lawyer, dissented from the opinion upon the ground that he thought the inherent power, as he called it, of the Federal Government to raise revenues ought not to be thus restricted. He thought that the announcement of this decision was a most important one, which would return to plague the courts and the legislation of our country. Judge Bradley, while dissenting from the prevailing opinion in the case, fully comprehended and appreciated the nature of that decision and the tremendous consequences which would ensue from it. He said in his dissenting opinion:

> In my judgment, the limitation of the power of taxation in the General Government, which the present decision establishes, will be found very difficult of control. Where are we to stop in enumerating the functions of the State governments which will be interfered with by Federal taxation? If a State incorporates a railroad to carry out its purposes of internal improvement, or a bank to aid its financial arrangements, reserving, perhaps, a percentage on the stock or profits for the supply of its own treasury, will the bonds or stock of such an institution be free from Federal taxation? How can we now tell what the effect of this decision will be?

He saw the effect of that decision, but that is the law to-day. It has been adhered to as the law from the time it was announced until this very hour. In my judgment that decision was a correct one. I care nothing about the criticism which Justice Bradley made of its consequences. It was a decision made by

able judges, and lays down the broad doctrine essential in my judgment to the preservation of the rights, the liberties, and the revenues of State governments as well as the National Government.

It declares, first, that the State can not tax the Federal functions; it can not tax patent rights; it can not tax judicial process; it can not tax the mails; it can not tax Federal property; it can not tax national banks. It can not tax them, why? Because they are the instrumentalities. It can not put a tax upon mail wagons belonging to the General Government. Why? Because these are the means and the instrumentalities employed by the National Government for the purpose of carrying out the great object of the Federal Constitution and Federal Union. All this is proper enough, legitimate enough, well founded enough, and to which there can be no possible objection.

On the other hand, what does the court decide? It decides that the State is also supreme within its sovereignty. We have two jurisdictions. Yet, so far as property is concerned in the States, corporations, created by the States, the State government is supreme. Could Congress pass a law abrogating the charter of a State corporation created by the laws of the State? Could we pass a law here which virtually wiped out these creatures of the State government? I do not think it could be done in reference to any State corporation.

But, Mr. President, much less can it be done with this class of corporations to which I refer, namely, this limited class of corporations whereby the State has taken the precaution to reserve to itself, for the benefit of its own State treasury, a certain portion of its income on earnings.

In the case that I illustrated which jurisdiction is to have precedence? Who can be permitted to usurp these functions, taxes, funds, revenues, created by the very law of the State under which these corporations have their existence and live and move and have their being?

Mr. President, there is no answer to this proposition, in my judgment. I contended yesterday unsuccessfully, but I think rightfully, after all, with all due respect to the majority of the Senate, which outvoted me, that Congress could not tax the State bonds. If that be so, and I think it is clearly so, because the State bonds are the methods of floating your State debt, are the very means of supplying your treasury with its money, I ask is not this simply another scheme of State government?

The State government creates a corporation. By the very terms of the enactments it provides that the corporation shall pay into the State treasury a certain portion of its funds, and why is not that scheme a part and parcel of the State administration and of its government the same as the municipality?

Mr. CULLOM. As the Senator is discussing that subject, I should like to refer to the case of the Illinois Central Railroad.

Mr. HILL. I will yield to an interruption.

Mr. CULLOM. By the Senator's consent I will read to him the provision of the constitution of our State with reference to the land grant and the return for it to the State that was agreed to by the Illinois Central. The provision is as follows:

> No contract, obligation, or liability whatever of the Illinois Central Railroad Company to pay any money into the State treasury, nor any lien of the State upon, or right to tax property of said company in accordance with the provisions of the charter of said company, approved February 10, in the year of our Lord 1851, shall ever be released, suspended, modified, altered, remitted, or in any manner diminished or impaired by legislative or other authority; and all the moneys derived from said company after the payment of the State debt shall be appropriated and set apart for the payment of the ordinary expenses of the State government, and for no other purposes whatever.

The contract was that the Illinois Central Railroad should pay into the State treasury 7 per cent of its gross earnings for the amount that it got in the original charter.

Mr. HILL. My amendment ought to be amended by providing "whether created by law or authorized by the State constitution." We can frame that afterwards, and I think reference should be made to it. Of course, if under State law they can not be taxed, so much less could they be taxed under the State constitutional provision, and my amendment should be made so as to cover that. For instance, I will take this very illustration. That provision was in the original constitution?

Mr. CULLOM. It has been continued from one constitution to another.

Mr. HILL. Was it in the original constitution of Illinois?

Mr. CULLOM. I think so. It was the law, in the first place. There was an act of Congress passed authorizing the construction of the road and the giving of alternate sections of land for that purpose to the State of Illinois.

Mr. HILL. The argument upon the other side would be that, although in the original State constitution of Illinois there was contained this very exemption substantially of the railroad, that is, that no other sovereignty could tax those earnings except the State sovereignty, nevertheless the Federal Government could step in and by means of an income tax usurp and take away from the State government the very funds that possibly the State may have relied upon to run its government. Possibly the State had provided no other means or system except that, and if the Federal Government stepped in by means of an income tax and usurped those funds the State government was broken down.

Mr. President, there is no answer to that proposition.

Mr. CULLOM. I will state as a matter of fact that under the provision of the contract and the law and this constitution the railroad company has put into the State treasury from four to five hundred thousand dollars a year, and while that is a small part of the expenses of the State government it helps that much.

Mr. HILL. It illustrates the point involved, because if you can take away four or five hundred thousand dollars of the revenues reserved under your Constitution from this very corporation which you created, you can take away millions, and you can take away the whole of them. If your State government had relied upon these revenues exclusively for the operation of the State government it would be seriously crippled by this action of the Federal Government.

Mr. President, I insist, as a question of constitutional law, you can not tax this class of corporations. The power to tax includes the power to destroy. You can not destroy them. You can not vacate their charters by Federal legislation. What you can not do directly you can not do indirectly by this system of taxation. You can not tax their State bonds, because they need their State bonds for the purposes of their State government. You can not tax the income of the corporations where the State government has provided that that very income shall be used for the purposes of the State government.

Mr. President, if this scheme shall be adopted in its present phrase, if this amendment shall be repudiated, there is an end of State rights so far as the questions of taxation are concerned. There is nothing reserved. Talk about your Federal limitations; they do not exist. Talk about the reservations of the State governments; they have none; they are simply at the beck and will of the Federal Government if this principle is not established.

The very doctrine laid down here by the highest court was in my judgment essential to the preservation of State rights, State sovereignty, State jurisdiction, State revenues, and essential to the very maintenance of the State government. What is the answer to that? Is it necessary in this day and age of the world, at this very time—are our Federal finances so desperate that it is necessary to take not only the collateral-inheritance tax away from the State governments, the taxation of the incomes of individuals, but we shall now seek to aggrandize to the General Government all the revenues provided from this class of corporations which the States have created? As a question of policy, aside from a question of constitutional law, I doubt the propriety of any such procedure.

I doubt the wisdom of this class of legislation. I can not for the life of me see how Senators, disciples of Calhoun, disciples of Jefferson, men who served under Jackson or followed the old Democratic party in all the glorious days of its previous history—I say previous history—can come here and now vote against an amendment like this, which recognizes the very sovereignty of the States.

Is it to be said that our means and sources of revenue are subject to the caprice of Congress; that when we can create a bank in a State, when we can provide that a portion of these profits shall go to the State government as a means or as a part of the conduct of its fiscal business, the General Government can annihilate that bank? Can the General Government put such a tax upon it? I am not now speaking of the question of taxing its circulation; that involves another and distinct question; but can it by virtue of an income tax take away from a State the very funds which they have provided shall be realized from that bank?

Mr. President, this attack upon the State governments is an attack upon the essential principles upon which our Government is founded. The theory of our Government is that the States are independent of the General Government to a large extent. They are independent so far as their sovereignty extends. It is one Union, but composed of forty-four States. The States can not touch the Federal Government in its scheme of taxation within the jurisdiction which it has; but certain things are left to the States, and these are the matters left to the States, namely, everything that can be said to be essential, the means, the instrumentalities, the corporations, the banks, the railroads, whatever the State has seen fit to provide revenue from.

As I said before, I have excluded from my amendment the corporations that do not pay any share of their earnings as such to the Federal Government. I concede for the purposes of the argument that the corporation which pays simply its tax upon its real estate or upon its personal property is not included

within this amendment. I might go further. I think you can not tax those, but I do not wish to complicate the question involved: I desire to simplify it.

Mr. President, this is an important question to my State. One-fifth of the railroad mileage of the country is now in the hands of receivers. If you attack them by this sort of taxation more of the railroads must be placed in the hands of receivers. This legislation is not necessary for the needs of the Government. It is not necessary to trample down the barriers which the Constitution has erected for the preservation of the State governments.

Mr. President, I fail to see the answer; and I will pause to allow the gentlemen who are expected to defend the provision, that we may see what they have to say.

Mr. CULLOM. The Senator suggested he was going to make a change in the amendment. I suggest a modification by adding instead of the last words—

May deduct such special tax which is provided for by the States in addition to the other exemptions herein provided for.

Mr. HILL. What is the Senator's suggestion?

Mr. CULLOM. That the railroad company, for instance, "may deduct such special tax which is provided for by the State in addition to the other exemptions herein provided for." Take the case of the Illinois Central Railroad, for instance, that pays into the treasury of the State of Illinois say $500,000 a year. That amount ought to be deducted from the income tax that they pay in addition to other deductions that are made as provided in the bill under consideration.

Mr. HILL. I think we had better give a little more care to that and draw it up as a separate proposition. I think one could be carefully drawn, of course, which would cover it. I am afraid that does not. If the Senator will take his time this evening and draw one up it can be presented hereafter.

Mr. CULLOM. All right.

The PRESIDING OFFICER (Mr. ROACH in the chair). The question is on agreeing to the amendment offered by the Senator from New York.

Mr. PEFFER. Let the amendment be read again.

The PRESIDING OFFICER. The amendment will be again read.

The SECRETARY. Add at the end of section 59, on page 188:

Corporations created by any State, and which, by the terms of their incorporation or by the laws of the State creating them, are required to pay a special tax to the State upon their earnings, dividends, or franchises, or to pay a portion of their earnings as such to such State for the uses of the State government (being other than a general tax paid in common with individuals), are exempted from the tax herein provided for.

Mr. HILL. Is it possible that the proposition of the bill is so clearly wrong that nothing is to be said against it? I do not care about reiterating the arguments which I have already presented, but it strikes me that something should be said if anything can be said in defense of this tax. If not, I will call for the yeas and nays on my amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from New York.

Mr. HILL. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. DANIEL (when his name was called). I am paired with the Senator from Washington [Mr. SQUIRE].

Mr. MILLS (when his name was called). I desire to ask whether the Senator from New Hampshire [Mr. GALLINGER] has voted?

The PRESIDING OFFICER. He has not voted.

Mr. MILLS. I am paired with the Senator from New Hampshire [Mr. GALLINGER], and withhold my vote.

Mr. QUAY (when his name was called). I am paired with the Senator from Alabama [Mr. MORGAN]. If the Senator from Alabama were present I should vote "yea."

The roll call was concluded.

Mr. CULLOM (after having voted in the affirmative). I voted, but I observe that the senior Senator from Delaware [Mr. GRAY], with whom I am paired, is not present. I therefore withdraw my vote.

Mr. GORDON. I announce my pair with the Senator from Iowa [Mr. WILSON].

Mr. GORMAN (after having voted in the negative). I am paired with the Senator from Maine [Mr. FRYE], and therefore withdraw my vote.

The result was announced—yeas 19, nays 29; as follows:

YEAS—19.

Aldrich,	Hale,	Manderson,	Sherman,
Allison,	Higgins,	Mitchell, Oregon	Shoup,
Chandler,	Hill,	Patton,	Teller.
Davis,	Hoar,	Perkins,	Washburn.
Dixon,	McMillan,	Platt,	

NAYS—29.

Allen,	Faulkner,	Lindsay,	Turpie,
Bate,	George,	McLaurin,	Vest,
Berry,	Gibson,	Martin,	Voorhees,
Blackburn,	Harris,	Pasco,	Walsh,
Blanchard,	Hunton,	Peffer,	White.
Camden,	Jarvis,	Pettigrew,	
Cockrell,	Jones, Ark.	Pugh,	
Coke,	Kyle,	Roach,	

NOT VOTING—37.

Brice,	Frye,	McPherson,	Ransom,
Butler,	Gallinger,	Mills,	Smith,
Caffery,	Gordon,	Mitchell, Wis.	Squire,
Call,	Gorman,	Morgan,	Stewart,
Cameron,	Gray,	Morrill,	Vilas,
Carey,	Hansbrough,	Murphy,	Wilson,
Cullom,	Hawley,	Palmer,	Wolcott.
Daniel,	Irby,	Power,	
Dolph,	Jones, Nev.	Proctor,	
Dubois,	Lodge,	Quay,	

So the amendment was rejected.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed the bill (S. 2000) granting to the Brainerd and Northern Minnesota Railway Company a right of way through the Leech Lake Indian Reservation in the State of Minnesota.

The message also announced that the House had agreed to the concurrent resolution of the Senate calling upon the Secretary of War for an estimate of the cost of dredging the bar at Everett, in the State of Washington.

The message further announced that the House had passed a bill (H. R. 7477) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1894, and for prior years, and for other purposes; in which it requested the concurrence of the Senate.

The message also announced that the House had passed a joint resolution (H. Res. 196) to provide temporarily for the expenditures of the Government; in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (S. 730) making Labor Day a legal holiday; and it was thereupon signed by the Vice-President.

EXTENSION OF APPROPRIATIONS.

The VICE-PRESIDENT. The Chair lays before the Senate a joint resolution from the House of Representatives.

The joint resolution (H. Res. 196) to provide temporarily for the expenditures of the Government, was read twice by its title.

Mr. COCKRELL. I ask that the joint resolution be referred to the Committee on Appropriations.

Mr. HOAR. Let the joint resolution be read for information.

The VICE-PRESIDENT. The joint resolution will be read at length.

The Secretary read as follows:

Resolved, etc., That all appropriations for the necessary operations of the Government and of the District of Columbia and for the payment of pensions under existing laws, which shall remain unprovided for on the 30th day of June, 1894, be, and they are hereby, continued and made available for a period of thirty days from and after that date, unless the regular appropriations provided therefor in bills now pending in Congress shall have been previously made for the service of the fiscal year ending June 30, 1895; and a sufficient amount is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to carry on the same: *Provided*, That no greater amount shall be expended for such operations than will be in the same proportion to the appropriations for the fiscal year 1894 as thirty days' time bears to the whole of said fiscal year: *Provided further*, That the total expenditures for the whole of the fiscal year 1895, under the several appropriations hereby continued and under the several appropriation bills now pending shall not exceed in the aggregate the amounts finally appropriated therefor in the several bills now pending, except in cases where a change is made in the annual, monthly, or per diem compensation, or in the numbers of officers, clerks, or other persons authorized to be employed by the several appropriations hereby continued, in which cases the amounts authorized to be expended shall equal thirty three-hundred-and-sixty-fifths of the appropriations for the fiscal year 1894, and three hundred and thirty-five three-hundred-and-sixty-fifths of the appropriations contained in the several bills now pending when the same shall have been finally passed, unless the salary or compensation of any office shall be increased or diminished without changing the grade or the duties thereof, in which case such salary or compensation shall relate to the entire fiscal year and run from the beginning thereof: *Provided further*, That the session employés of the Senate and House of Representatives now authorized by law shall be continued upon the rolls until the end of the present session of Congress and paid at the rate per diem or month at which they are now paid; and a sufficient amount is hereby appropriated out of any money in the Treasury not otherwise appropriated to pay the same: *Provided further*, That there be, and is hereby, appropriated out of any money in the Treasury not otherwise appropriated a sum sufficient to enable the Clerk of the House to pay to Members and Delegates the amount which they certify they have paid or agreed to pay for clerk hire necessarily employed by them in the discharge of their official and representative duties, as provided in the joint resolution approved March 3, 1893, until the end of the present session of Congress.

Mr. HOAR. I object to the question being put on the reference of the joint resolution.

Mr. HILL. The Senator from Missouri [Mr. COCKRELL] asked to have the joint resolution referred to the Committee on Appropriations.

Mr. HOAR. I object.

Mr. COCKRELL. My motion was to refer it to the Committee on Appropriations.

Mr. HOAR. I object to the present consideration of the joint resolution.

The VICE-PRESIDENT. Being objected to, the joint resolution will go over under the rule.

Mr. PLATT subsequently said: Mr. President, with reference to the joint resolution coming from the House of Representatives which was laid before the Senate, I wish to say that I have no objection in the world to its going over until to-morrow, but I do not wish, by my silence, to assent to the proposition that, a joint resolution being in that stage, one objection carries it over to the next day. It might make us some trouble hereafter.

Mr. HOAR. My objection was to the consideration of the joint resolution when another matter was before the Senate. If some Senator had moved to lay aside the tariff bill the consideration of the joint resolution would be another question; then the question suggested by the Senator from Connecticut would arise; but I suppose it is enough at present to say that there is no provision under the rules of the Senate for putting the motion to refer a House joint resolution when a bill is under consideration.

THE REVENUE BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4864) to reduce taxation, to provide revenue for the Government, and for other purposes.

Mr. ALDRICH. I gave notice of an amendment which I understand is satisfactory to the committee or to certain members with whom I have talked. It is an amendment to the provision in regard to savings banks.

The VICE-PRESIDENT. The amendment proposed by the Senator from Rhode Island will be stated.

The SECRETARY. Add at the end of the amendment relating to savings banks:

Nor to that part of the business of any savings bank, institution, or other similar association having a capital stock, that is conducted on the mutual plan solely for the benefit of its depositors on such plan, and which shall keep its accounts of its business conducted on such mutual plan separate and apart from its other accounts.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Rhode Island.

Mr. VEST. As I understand the amendment, it simply applies the same provision to mutual companies which we have applied to other companies.

Mr. ALDRICH. It follows the language exactly of the other amendment.

Mr. VEST. I have no objection to the amendment. We did not intend to put any tax upon mutual companies.

The amendment was agreed to.

Mr. HOAR. Has the Senator from Missouri the authority of the Finance Committee to agree to that amendment?

Mr. VEST. I will attend to that, Mr. President. I am not consulting the Senator from Massachusetts just now.

The attention of the committee has been called to the fact that there is a peculiar sort of savings bank in the State of Delaware run by the Quakers, in which the incorporators are not members and receive no profit or salary, where the interest is paid only to the depositors. The Senators from that State are afraid that the bill as now constructed, or amended, does not cover that case. We do not want to put any tax upon these mutual savings institutions, and I therefore offer an amendment to make the matter clear beyond any question.

The VICE-PRESIDENT. The amendment proposed by the Senator from Missouri will be stated.

The SECRETARY. Amend by adding after line 19 of the amendment proposed by Mr. VEST:

Sixth. Nor to such savings banks, savings institutions, or societies composed of members who do not participate in the profits thereof, and which pay interest or dividends only to their depositors.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Missouri.

The amendment was agreed to.

Mr. ALLISON. I desire to call the attention of the Senator from Missouri to the phraseology which is in the beginning of section 59. I believe as now amended the provision in the third line of the section is the profits or income above actual operating and business expenses. I do not propose to offer any amendment to that phraseology at this time, but I should be glad to know from the Senator from Missouri whether that phraseology will include, say, in the case of a manufacturing corporation, the materials purchased in conducting the management, and in the case of a trading corporation, whether it will include the articles purchased for resale.

Unless the words inserted by the Senator will embrace raw materials purchased by manufacturers, and will embrace purchases made by trading corporations, it seems to me there should be some further phraseology added which will exclude from the income or profits the purchases made by manufacturers in their manufacture and the purchases made by trading corporations in their business. I should be glad to have the Senator state his understanding of what the word "expenses" as added there will include.

Mr. VEST. I was under the impression that the word "operating" would cover such expenses as the Senator from Iowa has alluded to. I do not see how a manufacturing establishment could be operated unless it bought its raw materials, or how a business corporation could be run unless it bought goods which it resold. But out of an abundance of caution the word "business" was added, which seems to me would clearly cover all the legitimate expenses attending the business. I understood from the Senator from Iowa, for we consulted about the matter, that that language was sufficient.

Mr. ALLISON. I am afraid, after looking into it carefully, that it will not be quite sufficient. The term "operating expenses" is applied to transportation companies more especially. I offered a proviso to another amendment a while ago, which, without taking up time, I should be glad to have read. The proviso I offered would make it clear, and I should be glad to have the Senator from Missouri listen to it.

The VICE-PRESIDENT. The Secretary will read as indicated.

The Secretary read as follows:

Provided, That expenditures for materials or articles purchased for use in manufacture or for resale, and for insurance, taxes, and other incidental expenses, paid by any manufacturing or trading corporation, company, or association, shall be considered as operating and business expenses in estimating the profits or income of any such corporation, company, or association.

Mr. ALLISON. I submit that to the Senator so as to make it absolutely clear.

Mr. VEST. I do not think there is any doubt about it.

Mr. ALLISON. If the Senator thinks that those words are implied in the words "operating and business expenses," I shall not offer the amendment.

Mr. VEST. I think so, unquestionably.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The Secretary read the next section, as follows:

SEC. 62. That there shall be levied, collected, and paid on all salaries of officers, or payments for services to persons in the civil, military, naval, or other employment or service of the United States, including Senators and Representatives and Delegates in Congress, when exceeding the rate of $4,000 per annum, a tax of 2 per cent on the excess above the said $4,000; and it shall be the duty of all paymasters and all disbursing officers under the Government of the United States, or persons in the employ thereof, when making any payment to any officers or persons as aforesaid, whose compensation is determined by a fixed salary, or upon settling or adjusting the accounts of such officers or persons, to deduct and withhold the aforesaid tax of 2 per cent; and the pay roll, receipts, or account of officers or persons paying such tax as aforesaid shall be made to exhibit the fact of such payment. And it shall be the duty of the accounting officers of the Treasury Department, when auditing the accounts of any paymaster or disbursing officer, or any officer withholding his salary from moneys received by him, or when settling or adjusting the accounts of any such officer, to require evidence that the taxes mentioned in this section have been deducted and paid over to the Treasurer of the United States, or other officer authorized to receive the same. Every corporation which pays to any employé a salary or compensation exceeding $4,000 per annum shall report the same to the deputy collector of his district and pay the tax hereinbefore provided to the deputy collector of his district, and such payment shall be charged against the amount due such employé. And the same rules and penalties prescribed for the individual making his own return shall apply to such corporation employé: *Provided*, That payments of prize money shall be regarded as income from salaries, and the tax thereon shall be adjusted and collected in like manner: *And provided further*, That in case it should become necessary for showing the true receipts of the Government under the operations of this section upon the books of the Treasury Department, the requisite amount may be carried from unappropriated moneys in the Treasury to the credit of said account.

The Committee on Finance reported an amendment to section 62, page 190, after the words "to the," in line 3, to insert "collector or"; in line 4, after the word "and," to strike out down to and including the word "account," in line 16, in the following words:

Pay the tax hereinbefore provided to the deputy collector of his district, and such payment shall be charged against the amount due such employé. And the same rules and penalties prescribed for the individual making his own return shall apply to such corporation employé: *Provided*, That payments of prize money shall be regarded as income from salaries, and the tax thereon shall be adjusted and collected in like manner: *And provided further*, That in case it should become necessary for showing the true receipts of the Government under the operations of this section upon the books of the Treasury Department, the requisite amount may be carried from unappropriated moneys in the Treasury to the credit of said account.

and to insert:

Said employé shall pay thereon, subject to the exemptions herein provided

for, the tax of 2 per cent on the excess of his salary over $4,000: *Provided*, That salaries due to State, county, or municipal officers shall be exempt from the income tax herein levied.

So as to read:

Every corporation which pays to any employé a salary or compensation exceeding $4,000 per annum shall report the same to the collector or deputy collector of his district, and said employé shall pay thereon, subject to the exemptions herein provided for, the tax of 2 per cent on the excess of his salary over $4,000: *Provided*, That salaries due to State, county, or municipal officers shall be exempt from the income tax herein levied.

Mr. ALDRICH. I was called from the Chamber a few minutes ago and was not aware that section 59 had been disposed of. I desire to offer an amendment to that section, which I hope the Senator from Missouri will allow me to offer now, as I do not intend to discuss it at all, but simply wish to point out what I think is a defect in the language. I wish to move to strike out, on page 188, the matter contained in line 12 to line 17, inclusive.

The VICE-PRESIDENT. The amendment proposed by the Senator from Rhode Island will be stated.

The SECRETARY. In section 59, page 188, strike out:

The net profits or income of all corporations, companies, or associations shall include the amounts paid to shareholders and bondholders or holders of certificates of indebtedness of any kind, or carried to the account of any fund, or used for construction, enlargement of plant, or any other expenditure or investment representing the net annual profits made or acquired by said corporations, companies, or associations.

Mr. ALDRICH. The reason why I desire to have this action taken is because I think the question of net profits and income is sufficiently covered by the language which has been used by the committee in the preceding part of this section. If it is allowed to stay in the form in which it now is, after having been amended by the committee, it will certainly be liable to misconstruction. The language used, the Senator from Missouri will notice, is:

The net profits or income of all corporations, * * * shall include the amounts * * * used for construction, enlargement of plant, or any other expenditure or investment representing the net annual profits made or acquired by said corporations.

Now, the expense of the construction of the plant can not represent the actual profits of a corporation in any sense, and other expenditures can not represent the annual profits of a corporation. One is an income, the other is an expenditure. A manufacturing company might expend a half million dollars for the construction of a new mill. Under the provisions of this paragraph as it stands it will be required to pay 2 per cent upon it, although it might be built with new capital.

It seems to me that the language used by the committee in the first part of the section, defining what are net profits and what is the net income of a corporation, sufficiently guards the Government in the collection of these taxes. Certainly if the language I have pointed out is allowed to remain in the bill it will give rise, according to my notion, to a great amount of litigation; and it must be nugatory, as no court would ever hold that money used for construction or for enlargement of plant is necessarily a part of the net profits of a corporation.

Mr. VEST. It seems to me the Senator from Rhode Island is mistaken in regard to his contention. Suppose that a corporation, after paying all its operating and business expenses and what is due to its shareholders, invests its surplus over and above these amounts in the improvement of its plant, or carries it to a surplus fund, or uses any of the various modes which corporations employ for the purpose of entering upon their books the amount of net profits, ought not that to be included and taxed? As I understand the view of the Senator from Rhode Island, it is that nothing except money should be taxed; that as soon as they make their profit and change the form of it, then it is not subject to taxation. Our object was to make it subject to taxation and to put it beyond any doubt.

Mr. ALDRICH. Any construction which was paid for from net earnings should undoubtedly be taxed, but this section does not provide that construction from net earnings shall be taxed. It says all amounts used for construction.

Mr. VEST. It does so provide, if the Senator will read it as carefully as he has assumed to read it:

Or used for construction, enlargement of plant, or any other expenditure or investment representing the net annual profits.

Mr. ALDRICH. But all those are in the alternative.

Mr. VEST. Of course they are in the alternative.

Mr. ALDRICH. The word "or" is used in every case. It is money used for the construction or enlargement of plant, or any other expenditure or investment. Those are alternative propositions.

Mr. VEST. Of course it is in the alternative, and it ought to be that way.

Mr. ALDRICH. I do not see how the Senator can say that, because the construction of plant, unless it was paid from the net profits, certainly should not be taxed.

Mr. VEST. It is paid from the net profits, for it represents the net profits.

Mr. ALDRICH. If it were paid from net profits I should not object to it.

Mr. VEST. That is the meaning of it, unquestionably. It can not be any plainer. Here is the language, and it seems to me it is past all argument:

The net profits or income of all corporations, companies, or associations shall include the amount paid to shareholders and——

Mr. ALDRICH. If the Senator from Missouri will consent to have the word "representing" in the sixteenth line changed to "paid from," it will be satisfactory to me.

Mr. VEST. I have no objection to that; but if the Senator will permit me to go on, he will see, as everyone else does, that there can be but one construction given to it.

In the first place it says, "the amounts paid to shareholders." There can not be any doubt about that. Then it says, "or carried to the account of any fund, or used for construction, enlargement of plant, or any other expenditure or investment representing the net annual profits." Now, as a matter of course it can not represent the profits unless it comes out of them.

Mr. ALDRICH. I shall be perfectly content if the Senator will insert the words "paid from."

Mr. VEST. I have no objection to saying "paid from."

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In section 59, page 188, line 16, strike out "representing" and insert "paid from."

The VICE-PRESIDENT. Without objection, the amendment will be agreed to. The question recurs on agreeing to the amendment of the committee in section 62, which has been read.

Mr. PEFFER. I wish to propose an amendment to the committee amendment. On page 190, line 19, section 62, after the word "dollars," I move to strike out the proviso.

The VICE-PRESIDENT. The amendment of the Senator from Kansas to the committee amendment will be stated.

The SECRETARY. In section 62, page 190, line 19, after the word "dollars," strike out the proviso in the following words:

Provided, That salaries due to State, county, or municipal officers shall be exempt from the income tax herein levied.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Kansas to the committee amendment.

The amendment to the amendment was rejected.

The VICE-PRESIDENT. The question recurs on agreeing to the amendment of the committee.

Mr. HILL. I desire to call the attention of the Senator from Missouri to an omission to allow the corporations to deduct State, county, or municipal taxes. Ought not that to be done?

Mr. VEST. If there is any doubt in regard to the meaning of the words "business expenses and operating expenses" I have no objection to such an amendment. My idea was that it would be absolutely necessary for them in order to operate to pay their taxes, because that is a first lien upon them——

Mr. HILL. Hardly a first lien.

Mr. ALLISON. I included taxes and insurance, etc., in the amendment which I offered as a new proviso. If you include taxes you should also include insurance, unless you rely wholly on the phrase "business expenses" to cover all these.

Mr. VEST. I supposed it was covered by that phrase.

Mr. ALLISON. You ought to insert more than simply taxes.

Mr. HILL. I should very much doubt, allow me to suggest, whether operating and business expenses would include insurance paid, and yet it might. I think it ought to be made explicit. I merely suggest the point to the Senator from Missouri. It seems to be intended that insurance should be included as a part of the expenses, and that State, county, municipal, or town taxes should also be inserted. He can frame it in his own way.

Mr. CHANDLER. The provision exists as to individuals at the bottom of page 172.

Mr. HILL. Individuals, of course, are allowed to deduct their taxes.

Mr. CHANDLER. Certainly it ought to be expressed as to corporations. Otherwise the expression in one place will be construed to be an exclusion in the other place.

Mr. PLATT. I do not propose at this time to submit any amendment to section 62, but I desire to call the attention of the committee to what seems to me to be an inconsistency. Perhaps before the bill comes to the Senate this matter may be considered by the committee. I should like to have the attention of the committee or some member of the committee.

Mr. VEST. I am listening to the Senator.

Mr. PLATT. I do not wish to propose any amendment to section 62 now, but I want to state what seems to me to be an inconsistency. In section 54 all gains and income of everybody, derived from any kind of property, rents, dividends, or salaries, or from any profession, trade, employment, or vocation carried

on in the United States or elsewhere, or from any other source whatever, are subject to the tax. Now, when we come to section 62 it provides that as to the salaries of Government officers or officials, including Senators and Representatives, the tax of 2 per cent shall be taken out by the Government. Where the individual renders an account he gets certain deductions for interest and other things which he pays during the year, but apparently there are no deductions to be made from $4,000 of salary derived from the Government. All the income above $4,000 is to be taxed.

Now, take the case of a Senator. I think the exemption is altogether too great, but suppose a Senator has simply an income of $5,000 and has payments to make in the way of interest. He must pay the tax on $1,000, or the Government is to deduct it on the $1,000 of his salary exceeding $4,000, and he can get no deduction as an individual.

Mr. ALLISON. He may have a tax on his home, if he owns one.

Mr. PLATT. There may be taxes on his homestead, or, if he has a house, which brings him no rent and there is a mortgage upon it, the individual may deduct the interest. The point is that a Government official, under section 62, can get no deduction whatever for any of the matters which are specified in section 55.

Then, when it comes to salaries of persons employed by corporations, they seem to be treated differently. The corporation must report the amount of salary to the collector, and then the employé must pay tax thereon subject to the exemptions as herein provided for. So in such salaries the persons receiving them get the exemption, and in the case of Government salaries there is no exemption allowed. I simply call attention to it now, so that it may be considered before the bill comes into the Senate.

Mr. VEST. This is a copy of the old law of 1864. The only change we made was in regard to the payment of the tax by employés of corporations. We put them upon the same footing with other individuals. If the Senator asks me why these exemptions are not applied to members of Congress and United States officers, I can only answer him that I suppose it was done in the old law and the House of Representatives followed it because of the certainty of the payment, the honor attached to the position, and the difficulty of finding a way in which to fix the exemption. The Government officer who collects the tax would have to make the exemption or else rely upon the statement made by the party who paid the tax.

Mr. PLATT. Of course, there is no difficulty in finding the Government official and compelling him to render his own income account. Everybody who receives a salary from the Government would be known, and if that person were treated like everybody else, obliged to include the salary in his income account, there could be no question that the income tax would be paid. I am not particular about it, however.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the committee to section 62.

The amendment was agreed to.

The VICE-PRESIDENT. The reading of the bill will be proceeded with.

The Secretary read as follows:

SEC. 63. That sections 3167, 3172, 3173, and 3176 of the Revised Statutes of the United States as amended are hereby amended so as to read as follows:

"SEC. 3167. That if any collector or deputy collector, or other officer or internal-revenue agent acting under the authority of any revenue law of the United States, divulges to any party, or makes known in any other manner than may be provided by law, the operations, style of work, or apparatus of any manufacturer or producer visited by him in the discharge of his official duties, or the amount or source of income, profits, losses, expenditures, or any information obtained by him in the discharge of such duties, he shall be subject to a fine of not exceeding $1,000, or to be imprisoned for not exceeding one year, or both, at the discretion of the court, or shall be dismissed from office and be forever thereafter incapable of holding any office under the Government."

"SEC. 3172. That every collector shall, from time to time, cause his deputies to proceed through every part of his district and inquire after and concerning all persons therein who are liable to pay any internal-revenue tax, and all persons owning or having the care and management of any objects liable to pay any tax, and to make a list of such persons and enumerate said objects.

"SEC. 3173. That it shall be the duty of any person, partnership, firm, association, or corporation, made liable to any duty, special tax, or other tax imposed by law, when not otherwise provided for, in case of a special tax, on or before the 31st day of July in each year, in case of income tax on or before the 1st day of March in each year, and in other cases before the day on which the taxes accrue, to make a list or return, verified by oath or affirmation, to the deputy collector of the district where located, of the articles or objects, including the amount of annual income, charged with a duty or tax, the quantity of goods, wares, and merchandise made or sold, and charged with a tax, the several rates and aggregate amount, according to the forms and regulations to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, for which such person, partnership, firm, association, or corporation is liable: *Provided*, That if any person liable to pay any duty or tax, or owing, possessing, or having the care or management of property, goods, wares, and merchandise, articles or objects liable to pay any duty, tax, or license, shall fail to make and exhibit a list or return required by law, but shall consent to disclose the particulars of any and all the property, goods, wares, and merchandise, articles and objects liable to pay any duty or tax, or any business or occupation liable to pay any tax as aforesaid, then, and in that case, it shall be the duty of the deputy collector to make such list or return, which, being distinctly read, consented to, and signed and verified by oath or affirmation by the person so owning, possessing, or having the care and management as aforesaid, may be received as the list of such person: *Provided further*, That in case no annual list or return has been rendered by such person to the deputy collector as required by law, and the person shall be absent from his or her residence or place of business at the time a deputy collector shall call for the annual list or return, it shall be the duty of such deputy collector to leave at such place of residence or business, with some one of suitable age and discretion, if such be present, otherwise to deposit in the nearest post-office a note or memorandum addressed to such person, requiring him or her to render to such deputy collector the list or return required by law, within ten days from the date of such note or memorandum, verified by oath or affirmation. And if any person on being notified or required as aforesaid shall refuse or neglect to render such list or return within the time required as aforesaid or whenever any person who is required to deliver a monthly or other return of objects subject to tax fails to do so at the time required, or delivers any return which, in the opinion of the collector, is false or fraudulent, or contains any undervaluation or understatement, it shall be lawful for the collector to summon such person, or any other person having possession, custody, or care of books of account containing entries relating to the business of such person, or any other person he may deem proper, to appear before him and produce such books, at a time and place named in the summons, and to give testimony or answer interrogatories, under oath, respecting any objects liable to tax or the returns thereof. The collector may summon any person residing or found within the State in which his district lies; and when the person intended to be summoned does not reside and can not be found within such State, he may enter any collection district where such person may be found, and there make the examination herein authorized. And to this end he may there exercise all the authority which he might lawfully exercise in the district for which he was commissioned.

The next amendment of the Committee on Finance was, in section 63, page 192, line 3, after the word "first," to strike out "day" and insert "Monday," and in line 5, before the word "deputy" to insert "collector or a;" so as to read:

SEC. 3173. That it shall be the duty of any person, partnership, firm, association, or corporation, made liable to any duty, special tax, or other tax imposed by law, when not otherwise provided for, in case of a special tax, on or before the 31st day of July in each year, in case of income tax on or before the first Monday of March in each year, and in other cases before the day on which the taxes accrue, to make a list or return, verified by oath or affirmation, to the collector or a deputy collector of the district where located.

The amendment was agreed to.

The next amendment of the Committee on Finance was, in section 63, page 192, line 23, before the word "deputy," to insert "collector or;" on page 193, line 4, before the word "deputy," to insert "collector or;" in line 6, after the word "time," to insert "the collector or;" in line 12, before the word "deputy," to insert "collector or;" so as to read:

It shall be the duty of the collector or deputy collector to make such list or return, which, being distinctly read, consented to, and signed and verified by oath or affirmation by the person so owning, possessing, or having the care and management as aforesaid, may be received as the list of such person: *Provided further*, That in case no annual list or return has been rendered by such person to the collector or deputy collector as required by law, and the person shall be absent from his or her residence or place of business at the time the collector or a deputy collector shall call for the annual list or return, it shall be the duty of such collector or deputy collector to leave at such place of residence or business, with someone of suitable age and discretion, if such be present, otherwise to deposit in the nearest post-office a note or memorandum addressed to such person, requiring him or her to render to such collector or deputy collector the list or return required by law, within ten days from the date of such note or memorandum, verified by oath or affirmation.

The amendment was agreed to.

Mr. ALLISON. I do not see really why it is necessary to reënact section 3173. I take it that that section would apply to the income tax without inserting the word "income" where it occurs on page 192. This section is one which was incorporated in the law of 1864 at a time when a manufacturers' tax, so called, and a transportation tax, or a tax upon gross earnings was imposed, and every provision relates really to taxes which were then in force and have been since repealed. I see no real objection to it, although it seems to me to be rather awkward to carry into the proposed law a long section which applies to lists and returns for manufacturers and transportation companies respecting matters which are not at all embodied in the proposed act, though I make no point in respect to it.

Mr. GRAY. The income tax is only incidental.

Mr. ALLISON. The income tax is merely inserted as an incidental matter. It has the appearance of making a rigid statute here respecting a matter which requires nothing of the kind.

Mr. VEST. It is absolutely necessary to change some of the dates. If the Senator will look at line 3, page 192, he will see that the date there in regard to the income tax had to be inserted, the 1st day of March. We could not allow the old statute to stand unless we made a new enactment. The Commissioner of Internal Revenue suggested this, with the approval of the Secretary of the Treasury, and we thought it was the easiest and best way to put the whole law together.

Mr. ALLISON. The criticism I make is that we are carrying into a new law an old statute which was made for an entirely different purpose, and which was intended to cover a manufacturers' tax. On page 192 the following language appears:

On or before the 31st day of July in each year, in case of income tax on or before the first Monday of March in each year, and in other cases before the day on which the taxes accrue, to make a list or return, etc.

Then it goes on, and in line 6 says:

Of the articles or objects, including the amount of annual income—

There is the second place where "income" is inserted—

charged with a duty or tax, the quantity of goods, wares, and merchandise made or sold, and charged with a tax.

Mr. VEST. It can not possibly do any harm.

Mr. ALLISON. My point is that by implication it may seem that as we impose here an income tax, a deputy collector or a collector can go to a merchant or to a small corporation, if you please, and insist upon an exposé of all the goods, wares, and merchandise sold. In other words, this long section is applicable to an entirely different measure. In the old law the income tax provided for itself, and I think a short section covering this matter would be immensely better than to reënact the whole section. With due deference to the Commissioner of Internal Revenue, if he made this suggestion, I think it was as a way to avoid a short, brief section covering the point intended. I do not propose to move any amendment, but I think it is exceedingly awkward to be reinserting this whole section in the proposed law, especially when there are a large number of sections of the Revised Statutes which are applicable to the income tax that are not inserted here at all.

Mr. VEST. It can not possibly do any harm.

Mr. ALLISON. My attention is called by the Senator from Delaware [Mr. GRAY] and the Senator from Illinois [Mr. CULLOM] to the following language:

That if any person liable to pay any duty or tax, or owning, possessing, or having the care or management of property, goods, wares, and merchandise, articles or objects liable to pay any duty, tax, or license, shall fail to make and exhibit a list or return required by law, but shall consent to disclose the particulars of any and all the property, goods, wares, and merchandise.

In other words, this is a long and complicated section, which it seems to me ought to be eliminated from the bill and some short, brief section inserted which would cover the question of income. That is the criticism I make upon it. I think it is misleading, because there is not a thing in it which is applicable to income except the date. I make no point upon it, however.

Mr. VEST. Let the reading of the bill be proceeded with.

The Secretary continued the reading of section 63, as follows:

SEC. 3176. That the collector or any deputy collector in every district shall enter into and upon the premises, if it be necessary, of every person therein who has taxable property and who refuses or neglects to render any return or list required by law, or who renders a false or fraudulent return or list, and make, according to the best information which he can obtain, including that derived from the evidence elicited by the examination of the collector, and on his own view and information, such list or return, according to the form prescribed, of the income, property, and objects liable to tax owned or possessed or under the care or management of such person, and the Commissioner of Internal Revenue shall assess the tax thereon, including the amount, if any, due for special income or other tax, and in case of any return of a false or fraudulent list or valuation intentionally, he shall add 100 per cent to such tax; and in case of a refusal or neglect, except in cases of sickness or absence, to make a list or return, or to verify the same as aforesaid, he shall add 50 per cent to such tax. In case of neglect occasioned by sickness or absence as aforesaid the collector may allow such further time for making and delivering such list or return as he may deem necessary, not exceeding thirty days. The amount so added to the tax shall be collected at the same time and in the same manner as the tax unless the neglect or falsity is discovered after the tax has been paid, in which case the amount so added shall be collected in the same manner as the tax; and the list or return so made and subscribed by such collector or deputy collector shall be held good and sufficient for all legal purposes.

The next amendment of the Committee on Finance was, on page 194, after the figures "3176," in line 10, to strike out down to and including the word "who," in line 13, in the following words:

That the collector or any deputy collector in every district shall enter into and upon the premises, if it be necessary, of every person therein who has taxable property and who—

And to insert—

When any person, corporation, company, or association.

The amendment was agreed to.

The next amendment of the Committee on Finance was, in section 63, page 194, line 15, after the word "or," to strike out "who;" in line 17, strike out the word "and" and insert "the collector or any deputy collector shall;" in line 24, after the word "person," to insert "or corporation, company, or association;" in line 26, after the word "assess," to strike out "the tax thereon" and insert "all taxes not paid by stamps;" on page 195, line 1, after the word "special," insert "tax;" and in line 17, before the word "good," to insert "prima facie;" so as to make the paragraph read:

"SEC. 3176. When any person, corporation, company, or association refuses or neglects to render any return or list required by law, or renders a false or fraudulent return or list, the collector or any deputy collector shall make, according to the best information which he can obtain, including that derived from the evidence elicited by the examination of the collector, and on his own view and information, such list or return, according to the form prescribed, of the income, property, and objects liable to tax owned or possessed or under the care or management of such person, or corporation, company, or association, and the Commissioner of Internal Revenue shall assess all taxes not paid by stamps, including the amount, if any, due for special tax, income or other tax, and in case of any return of a false or fraudulent list or valuation intentionally he shall add 100 per cent to such tax; and in case of a refusal or neglect, except in cases of sickness or absence, to make a list or return, or to verify the same as aforesaid, he shall add 50 per cent to such tax. In case of neglect occasioned by sickness or absence as aforesaid, the collector may allow such further time for making and delivering such list or return as he may deem necessary, not exceeding thirty days. The amount so added to the tax shall be collected at the same time and in the same manner as the tax unless the neglect or falsity is discovered after the tax has been paid, in which case the amount so added shall be collected in the same manner as the tax; and the list or return so made and subscribed by such collector or deputy collector shall be held prima facie good and sufficient for all legal purposes."

The amendment was agreed to.

Mr. ALLISON. I wish to call the attention of the Senator from Missouri to section 3176, which makes certain penalties applicable to the income tax. This has been taken bodily from an old statute relating to distilled spirits. On the top of page 176 there are penalties provided for.

To make such list, according to the best information he can obtain, by the examination of such person, or any other evidence, and to add 50 per cent as a penalty to the amount of the tax due on such list in all cases of willful neglect or refusal to make and render a list or return; and in all cases of a willfully false or fraudulent list or return having been rendered to add 100 per cent as a penalty to the amount of tax ascertained to be due, etc.

There is a penalty provided. The provision in section 3176 provides for an addition.

In case of any return of a false or fraudulent list or valuation intentionally, he shall add 100 per cent to such tax; and in case of a refusal or neglect, except in cases of sickness or absence, to make a list or return, or to verify the same as aforesaid, he shall add 50 per cent to such tax.

There is a duplication of these penalties in the proposed law. This section applied to distilled spirits originally. One of the amendments just agreed to provides that the Commissioner of Internal Revenue shall assess all taxes not paid by stamps, and that makes section 3176 exclude the distillers, it seems to me. I have not had time to examine it, but section 3176 applied to taxes chiefly upon distilled spirits. Now, there is excluded from this the taxes where they are paid by stamps. I do not see why this section of the Revised Statutes should be carried in here and create confusion as respects sections of the Revised Statutes which now apply and have applied for many years only to taxes upon distilled spirits and tobacco.

I only call attention to it. I have no amendment to offer. It is certainly, however, a most confusing procedure to insert anew these provisions of the Revised Statutes merely for the purpose of including the income and making necessary the amendments which the committee have already added by excluding in the section taxes collected from distilled spirits.

Mr. VEST. The words "all taxes not paid by stamps" form an amendment sent to us by the Commissioner of Internal Revenue which he thought absolutely necessary.

Now, in regard to the provision of section 56, page 174, that refers to a specific case. It refers to the persons who have an income over $3,500 and not $4,000. It was the doubtful and debatable ground between $3,500 and $4,000 which it was deemed necessary to cover by that provision, and the penalties which are prescribed there, all the enactments in that section, apply to that state of case. Section 3176 is a different state of case; it is in regard to other false and fraudulent returns.

Mr. ALLISON. I can not turn my hand to the provision, but the Senator will remember that he changed this morning one provision from 10 per cent a month to 2 per cent a month.

Mr. VEST. Yes; but that is different.

Mr. ALLISON. The provisions respecting penalties run through, and now we have an *omnium gatherum* provision, 50 per cent in one case and 100 per cent in another.

Mr. VEST. Of course, if it applies to the same thing it ought to be changed, but I do not think it does, because it specifies the case where it applies; that is, where a party has $3,500 income and not $4,000. The penalty is provided specifically as to that case, but I do not think that conflicts with the provision in section 3176. We can examine it, however, and if the criticism is correct it can be changed. I confess very frankly that these provisions were adopted by the House of Representatives and revised by the Commissioner of Internal Revenue. A good deal of it does not apply to the income tax, as the Senator from Iowa says. I deferred largely to the opinion of the Treasury Department, as they are not original propositions, but come from existing statutes.

Mr. ALLISON. I make no complaint of the committee, but I merely call attention to the fact that here are modifications of existing statutes making them apply to the income tax, and leaving out a number of sections of the Revised Statutes which are absolutely necessary to the enforcement of the income tax and which are not included here at all.

Mr. VEST. I shall take great pleasure in going over the matter with the Senator from Iowa, and if there is any such discrepancy as he claims we can correct it without any trouble.

Mr. ALLISON. Very well; I offer no amendment.

The PRESIDING OFFICER (Mr. BERRY in the chair). The reading of the bill will be proceeded with.

The Secretary read the next section, as follows:

SEC. 64. That every corporation doing business for profit shall make and render to the collector of its collection district, on or before the 10th day of the month after that in which any dividends or shares of profit, annuities, interest, or coupons become due and payable, a full return thereof, containing a true and faithful account of the amount so due or payable and of the amount of the tax thereon; and to such return there shall be annexed a declaration of the president, treasurer, cashier, or other principal officer of such corporation, under oath or affirmation, to the effect that the same contains a true and faithful account of all the amounts so due or payable and of the tax thereon, as aforesaid, such return and declaration thereto annexed to be made in such form and manner as may be prescribed by the Commissioner of Internal Revenue.

The next amendment of the Committee on Finance was to strike out section 64.

The amendment was agreed to.

The Secretary read the next section, as follows:

SEC. 65. That every corporation doing business for profit shall make and render to the collector of its collection district, on or before the first Monday of February in every year, beginning with the year 1895, a full return, verified by oath or affirmation, as provided in the last section, in such form as the Commissioner of Internal Revenue may prescribe, of all the following matters for the whole calendar year last preceding the date of such return:

First. The gross profits of such corporation, from all kinds of business of every name and nature.

Second. The expenses of such corporation, exclusive of interest, annuities, and dividends.

Third. The net profits of such corporation, without allowance for interest, annuities, or dividends.

Fourth. The amount paid on account of interest, annuities, and dividends, stated separately.

Fifth. The amount paid in salaries of $4,000 or less to each person employed.

Sixth. The amount paid in salaries of more than $4,000 to each person employed.

The next amendment of the Committee on Finance was in section 65, page 196, after the word "corporation," in line 6, to insert "company, and association;" in line 12, after the words "Monday of," strike out "February" and insert "March;" and in line 15, before the words "in such form," to strike out "as provided in the last section;" so as to read:

SEC. 65. That every corporation, company, and association doing business for profit shall make and render to the collector of its collection district on or before the first Monday of March in every year, beginning with the year 1895, a full return, verified by oath or affirmation, in such form as the Commissioner of Internal Revenue may prescribe.

The amendment was agreed to.

The next amendment of the Committee on Finance was in section 65, page 196, line 19, after the word "corporation," to insert "company, and association;" in line 22, after the word "corporation," to insert "company, and association;" in line 25, after the word "corporation," to insert "company, and association;" so as to read:

First. The gross profits of such corporation, company, and association from all kinds of business of every name and nature.

Second. The expenses of such corporation, company, and association, exclusive of interest, annuities, and dividends.

Third. The net profits of such corporation, company, and association, without allowance for interest, annuities, or dividends.

The amendment was agreed to.

The next amendment of the Committee on Finance was in section 65, page 197, line 8, after the word "employed" to insert, "and the name and address of each of such persons and the amount paid to each;" so as to read:

Sixth. The amount paid in salaries of more than $4,000 to each person employed, and the name and address of each of such persons and the amount paid to each.

The amendment was agreed to.

Mr. ALLISON. I suggest to the Senator that where the words "company and association" are inserted it should be "company or association." I think "and" must be a mistake. It reads "such corporation, company, and association." I merely make the suggestion. It seems to me it would be better to insert "or" than "and."

Mr. VEST. Let "or" be inserted.

The PRESIDING OFFICER. The amendment will be agreed to, in the absence of objection.

Mr. ALLISON. Mr. President, I hope the Senator from Missouri, in charge of this bill, will not insist upon the amendment proposed in the sixth clause of section 65, requiring corporations to furnish "the name and address of each of such persons and the amount paid to each."

I think that would create confusion and is wholly unnecessary in a statute of this kind. I do not desire to argue it at all, but I do not think there is any great necessity for that provision, and I should be glad if the Senator in charge of the bill would consent to strike out the entire section.

It has never been in any bill of this character of which I am aware at any time. It imposes upon small and large corporations an amount of work which I do not believe will be beneficial in any way to the Government. It requires that these statements shall be made to the collector of internal revenue in each collection district. There will be piled up statements, and the provision does not state what the collector of internal revenue shall do with them, but I suppose they are to be transmitted to the Commissioner of Internal Revenue.

Mr. HILL. Let me suggest to the Senator, are they not the statements from which the collector is to ascertain the amount of the tax?

Mr. ALLISON. I do not understand them to be so. The corporations have to render an account of their incomes, but such a provision as this has never been in any preceding act.

Mr. HILL. I suppose that these are the statements from which the collector is to find out the amount of the tax to be paid.

Mr. ALLISON. No; but such statements are made by railroad companies to the Interstate Commerce Commission, so that it would not be difficult for railroad companies to furnish this information, and I am told that they have already crowded the small space of the Interstate Commerce Commission with these statements.

If such statements are to be made annually to the Commissioner of Internal Revenue, unless we get our building for the collection and storage of documents constructed soon, there will not be room enough in any of the public buildings to contain all the statements required. I see no necessity for having them, but I shall not move to strike out that provision. I should be glad to know why all this detail is required to be furnished to the collector?

Mr. VEST. It seems to me that it is evident why this provision is put in the bill. It came from the House of Representatives in this form, and is one of the most necessary portions of the enactment. It is like all excise laws; it is stringent and harsh, but it is absolutely necessary that these provisions should be inserted here. Every facility should be given to the Government and to the Government officials to find out what is the actual condition of a corporation so as to collect what is due upon the profits.

I submit that it is no hardship upon a corporation that is doing a legitimate business to furnish these statements. Individuals are made to expose what their income is, and they are put under penalty unless they do it truthfully and correctly, and why should a corporation object to this? It is not made public.

Mr. GRAY. May I ask the Senator a question?

Mr. VEST. Certainly.

Mr. GRAY. It is all right, perhaps, under the idea the Senator has, to require that corporations should return to the collector "the amount paid in salaries of more than $4,000 to each person employed and the name and address of each of such persons and the amount paid to each," to help them discover whether that is added to taxable incomes; but why should a corporation be required, as in the fifth clause, to return "the amount paid in salaries of $4,000 or less to each person employed"?

That would include in any great corporation like the Baltimore and Ohio, the Pennsylvania, or the New York Central Railroad Company every track laborer and every man who receives a monthly stipend, and the corporation would have to return this. It would accomplish no good whatever, as it seems to me. What good would it do to have statements of the amount paid in wages to ten or twenty or forty thousand laborers who work for thirty or forty dollars a month piled up in the archives of the revenue collector's office?

Mr. VEST. That is a pertinent illustration of the Senator's side of the question. Now, take the other side. Here are employés of these corporations who get three thousand, or three thousand five hundred dollars a year. Why not return them in order that the Government officers may see whether that salary is added to the other income so as to make over $4,000.

Besides that, these corporations publish a list of their employés, the number of men that they have upon their pay rolls, and I saw one the other day of the Pennsylvania Railroad Company.

Mr. GRAY. That may be, but just think of piling up in the revenue collector's office ten or twenty thousand names of track laborers, men who receive thirty or forty dollars a month. Why not make a limit and say, "of $2,000"?

Mr. VEST. For the very reason that a person might be receiving $2,000 or $2,500 from other sources, which, added to the salary, would make up $4,000 income.

Mr. GRAY. Why not, then, require the Senator to return the wages of every household servant he has in order to ascertain whether that stipend, with other sources of income, might not be equal to $4,000? That would be just as likely as it would be in the case of the track laborer.

Mr. VEST. The Senator does not get any exemption. He pays without any exemption.

Mr. GRAY. No; but why not require the return of the domestics in the Senator's house and what wages he pays them, in order that the tax collector may find out whether that payment, with other sources of revenue, may bring the amount up to a

taxable income, which is just as likely in such a case as it would be in the case of the track laborer?

Mr. VEST. Every individual makes his statement in regard to the amount of his income, and if the officer believes it false or fraudulent he can take steps under this bill to find out what is the real truth. If there were any way we could facilitate the operations of this law on the part of the officials, without being entirely too inquisitorial, I should be in favor of it, because when we get into a matter of this kind we want it to be effective and to get at the real state of facts in the case. All these corporations keep their books, and it will not be a great hardship to them to make an exposure of their business, if it is legitimate.

Mr. GRAY. It is not exposing their business, but the business of ten, twenty, or thirty thousand poor men, who are laboring for a small stipend, and who it can not be supposed would, with their small wages, have other sources of income amounting in all to $4,000.

Mr. VEST. I do not see how they could object to that. I do not see how it would lacerate their feelings in that regard. It is merely a question of manual labor on the part of these corporations. As to the piling up of these documents, I take it the officers of the Government will find room enough for them.

Mr. ALLISON. I desire to call the attention of the Senator from Missouri to the fact that provision has already been made in section 59 for these returns, and a penalty imposed if the chief officer of the corporation does not make them. The entire administration of this law is under such rules and regulations as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may make; and it is to be supposed that he will make such rules and regulations as will secure honest and correct returns.

So that, aside from what I regard as unnecessary, here we lay down certain things which must be furnished. That is always an unwise thing to do in a statute. Where we give to the administrative authority, like the Secretary of the Treasury, the power to make rules and regulations and then make these rules and regulations part of the statute, as we do here, why shall we insist that whatever else is done, these six things must be done? I think the entire provision is wholly unnecessary.

Mr. VEST. Mr. President, recurring to what was said by the Senator from Delaware [Mr. GRAY], in looking at the bill I find that, according to its language, it is simply required that these corporations shall give the amount paid in salaries, and it is not necessary for them to give their pay rolls or the names of employés. It is "the amount paid in salaries of $4,000 or less to each person employed." The fourth clause provides that the companies shall return "the amount paid on account of interest, annuities, and dividends, stated separately." The sixth clause says:

The amount paid in salaries of more than $4,000 to each person employed, and the name and address of each of such persons, and the amount paid to each.

That is as to those receiving salaries of more than $4,000; but it does not apply to the others. So it does not go down to the laborers, the trackmen, etc.

Mr. GRAY. The Senator may be right as to that. I ask if the interpretation he puts upon the language, "the amount paid in salaries of $4,000 or less to each person employed," is that there is only to be given the amount paid in salaries in cases where the salary is $4,000?

Mr. VEST. Yes.

Mr. GRAY. If that be so, that obviates the objection I made.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

Mr. ALLISON. What amendment is that, Mr. President?

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In section 65, on page 197, line 8, after the word "employed," it is proposed to insert "and the name and address of each of such persons and the amount paid to each;" so as to read:

Sixth. The amount paid in salaries of more than $4,000 to each person employed, and the name and address of each of such persons and the amount paid to each.

The PRESIDING OFFICER. The question is on the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The reading of the bill will be proceeded with.

The Secretary read as follows:

SEC. 66. That it shall be the duty of every corporation doing business for profit to keep full, regular, and accurate books of account, upon which all its transactions shall be entered from day to day, in regular order, which books shall, at all reasonable times, be open to the inspection of the assessors and inspectors appointed in pursuance of this act; but such inspection shall only be had for the purpose of verifying the returns made by such corporations, as in this act provided for.

The Committee on Finance reported to amend the section in line 11, after the word "corporation," by inserting "company, and association;" and in line 16, after the words "inspection of," to strike out "the assessors and inspectors appointed in pursuance of this act; but such inspection shall only be had for the purpose of verifying the returns made by such corporations, as in this act provided for," and insert, "any internal-revenue officer or agent;" so as to make the section read:

SEC. 66. That it shall be the duty of every corporation, company, and association doing business for profit to keep full, regular, and accurate books of account, upon which all its transactions shall be entered from day to day, in regular order, which books shall, at all reasonable times, be open to the inspection of any internal-revenue officer or agent.

Mr. CHANDLER. I inquire of the Senators in charge of the bill whether they can possibly mean that all the books of every corporation in the United States shall be at all reasonable times—that means all reasonable hours during the day—open to inspection of any internal-revenue officer or agent?

Mr. ALDRICH. That is what the section says.

Mr. CHANDLER. That any man who can show a commission or appointment from the Commissioner of Internal Revenue——

Mr. VEST. In order to save time I will withdraw the amendment.

Mr. CHANDLER. Let me finish the sentence.

Mr. VEST. Anything now to get a vote.

Mr. ALLISON. What becomes of the part which is proposed to be stricken out?

Mr. VEST. I do not strike it out. I merely propose that there shall be stricken out "any internal-revenue officer or agent," the words printed in italics in line 20, and restore the words "the assessors and inspectors appointed in pursuance to this act; but such inspection shall only be had for the purpose of verifying the returns made by such corporations, as in this act provided for."

Mr. ALDRICH. I move to strike out the section.

Mr. HILL. I desire, first, to offer an amendment, if the Senator will permit me.

Mr. ALDRICH. I suppose that would be in order pending my motion.

The PRESIDING OFFICER. The Senator from Missouri has withdrawn the amendment and restored the words which were proposed to be stricken out, as he had a right to do.

Mr. HILL. I do not think that helps the bill very much.

The PRESIDING OFFICER. The Chair understands the Senator from Rhode Island [Mr. ALDRICH] to move to strike out the entire section.

Mr. HILL. Before that motion is put I desire to amend the section, which of course has precedence.

The PRESIDING OFFICER. The Senator from New York.

Mr. HILL. In line 16, I move to strike out the word "times" and insert the words "hours, between March 1 and August 1 in each year."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In section 66, line 16, after the word "reasonable," it is proposed to strike out "times," and insert "hours between March 1 and August 1, in each year;" so as to read:

Which books shall, at all reasonable hours, between March 1 and August 1 in each year, be open to the inspection of the assessors and inspectors, etc.

Mr. HILL. A word of explanation. I do not see any necessity for permitting a constant inspection and surveillance of the books of a corporation for the entire year. I do not know that the power would be abused, but it is a power likely to be abused. These taxes are to be imposed about the month of March. In the month of March the returns are to be made, and it is proper during that period that some authority should have access to the books. I am not certain that the internal-revenue officer or agent is not a better authority than the various assessors and inspectors appointed, these special men. I should prefer to have left this as it was originally before the amendment was proposed. Some officer might very properly examine the books of a corporation between the 1st of March and the 1st of August.

The reason I fix the 1st of August is, that by the 1st of July the taxes are to be paid, and during that month, while they are being paid, and possibly before the collector has ascertained the correctness of the returns, some officer should have the right to inspect the books of the corporation; bet there is no occasion for having the authority the year round, in my judgment. During the period when the taxes are assessed and are paid, I think there is a necessity for it; but I submit to the good sense of the Senator from Missouri whether an amendment would not be acceptable limiting it to five months in the year, from March to August, in which some official may have complete authority at all reasonable hours to examine the books of the corporation. For the remainder of the year it seems to me that corporations ought to be exempt from such inspection. The amendment makes the bill less inquisitorial, and it seems to me to perfect it.

The Senator from Delaware [Mr. GRAY] suggests to me that there ought to be some days in the year when one should be relieved from the inspection of the taxgatherer, State, Federal, county, or any other, and have a few days of peace. In that interest I appeal to the Senator from Missouri to allow the amendment to be adopted.

Mr. VEST. Except in excise laws such provisions could not be defended, I grant you; but this is an extraordinary enactment, and I can not see where there will be any great danger of any violation of private rights.

Of course these corporations keep their accounts anyhow, and it is not to be presumed that the officers of the Government would harass them from day to day or week to week. This law, I take it, will be honestly and fairly administered, and I do not think that public sentiment would permit such an administration of it as to inflict upon any citizen the outrages which seem to be anticipated. I do not think there is a great deal in the question; but I think the bill as it came to us from the House of Representatives is substantially correct.

Mr. ALLISON. This section is evidently taken from the law in reference to distilled spirits, and that relating to manufactures at a time when we taxed every person who produced anything, and therefore it was deemed a necessary thing to examine the books of those people to see what they were producing and whether they made correct returns.

To show the accuracy with which this section has been framed, I call attention to the fact that in line 17 it is stated that these books shall "be open to the inspection of the assessors and inspectors appointed in pursuance to this act."

We have had no assessors since 1870, and there is not a provision of law on our statute books which authorizes the appointment of such an officer as an assessor or an inspector. I do not know but that there are some persons who are called inspectors, who receive $3 or $4 a day. So this section has been taken bodily by someone from an old statute and applied to an entirely different use. Merely for the purpose of verifying the return of the income of a corporation of 2 per cent we are to have assessors, if the Senator withdraws his amendment. Assessors are officers who were provided for in the original act of 1862, but the office was abolished in 1870, and there are no such officers now.

Mr. VEST. The amendment of the committee, then, ought to have stood

Mr. ALLISON. Very well. I am only calling attention to the accuracy and care with which this provision has been proposed.

Now, merely for the purpose of getting 2 per cent and verifying the return of the corporation, an officer, without defining him—he may not be a responsible officer; I should not object to the local collector making this investigation, who would be a responsible officer in the neighborhood, or even a deputy collector—roving people, assessors and inspectors, who are unknown to the law, and who must be created if this provision stands, are to be allowed to go into the office of any business corporation and inspect their books and papers.

Not only that, but this section requires that corporations shall keep from day to day accurate books and enter in them the transactions of each day. That was applied heretofore to distilled spirits alone, and the manufacturer of distilled spirits was required to enter from day to day the amount of corn, or rye, or malt, in order to verify the amount of distilled spirits produced from day to day. That provision has been injected into this section from an old law, and assessors and inspectors are provided for.

I would be glad to have the whole section struck out; but if it is not, I think we ought to amend it by requiring the books to be kept in such form as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may provide, in order that we may know that the books are accurate rom day to day.

Of course, in stating that the books ought to be under the surveillance of the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, I only made the statement to show the absurdity of it. I do not see how it is possible to comply with this section, nor do I see any necessity for it. I hope the Senator from Missouri will consent, at least for the present, to have the words striken out which the committee proposed to strike out.

Mr. VEST. I move, beginning in line 16, section 66, on page 197, after the words "inspection of," to strike out the words "the assessors and inspectors appointed in pursuance to this act; but such inspection shall only be had for the purpose of verifying the returns made by such corporations, as in this act provided for," and insert "the collector of internal revenue or any deputy collector for the district in which said corporation, company, or association is located and doing business."

Mr. ALDRICH. Mr. President, there are many provisions in the pending bill which should secure for it the emphatic condemnation of the American people; but there is no one paragraph or section in the entire measure which is so outrageous in its character as that now under consideration. There is no free people on the face of the earth who would submit to the indignities proposed to be imposed upon the free citizens of the United States by this paragraph. There is no government in existence, monarchical or other, that would ever dare to enact provisions of this nature controlling the business of its people. In no act which has passed the American Congress, or any other, has there been found any provision analogous to this.

This section proposes to open all the books of every corporation doing business in the United States to an unnumbered army of revenue agents. If places were offered for sale an applicant could afford to pay any amount of money to be selected for the position of making these examinations. The secrets of the business of every corporation in the United States are practically to be made known to competitors or made public by this provision. Nearly every corporation engaged in manufacturing has some secret method or formula which constitutes, perhaps, the great value of the business itself, and these are to be turned over to the tender mercies of poorly paid revenue agents.

If a man should happen to be elected President of the United States who was desirous of perpetuating his administration indefinitely, he could have no instrument so powerful as that which is placed in his hands by the terms of the section now under consideration. He could send his chosen agents into the countingroom of every corporation in the United States to examine the secret books and papers and to demand tribute or support.

It is true that another section forbids revenue agents to disclose business secrets, but that prohibition is valueless. The Supreme Court of the United States has decided that the Congress has no right to give to Government officers the right to seize and examine the private books and papers of a citizen of the United States except upon the order of some court of competent jurisdiction in some criminal proceeding. In the face of this decision, and in violation of the spirit of our Government, this provision is inserted in this bill.

You have provided in another part of the bill that if a person or corporation with a taxable income does not make a return to the collector of internal revenue, or to the proper officer of the Government, or makes a return that is not satisfactory to this officer, then the officer fixes the income, or the supposed income, of the person or corporation neglecting to make the return, and a penalty of 100 per cent is added to the tax thus assessed.

There is no reason, therefore, why the private accounts and books of all corporations and associations should be opened to an indefinite number of revenue agents which some irresponsible man in Washington may send on a roving commission throughout the country. Has it come to this, that he must not only submit to a war tax upon incomes but consent to the adoption of these odious inquisitorial provisions that should never be tolerated by any free people and which no free people have ever submitted to? The acts of 1862 and 1864, passed in the time of war, contained no provisions analogous to this. If it was not necessary in the time of our country's peril to submit the American people to these indignities, why in a time of peace are we called upon to vote for these provisions?

I should be glad if any Senator on the other side of the Chamber, belonging to a party which has always pretended to be in favor of maintaining intact the liberties of the American people, would arise in his place and defend this proposition if he can. The Senator from Delaware [Mr. GRAY] expresses his dissent.

Mr. HILL. Will the Senator allow me to say a word?

Mr. ALDRICH. I hope the Senator from New York is not to respond to my suggestion.

Mr. HILL. I am not authorized to respond for this side of the Chamber; that is true. Perhaps I need not state that, as it is already evident. I was, however, simply going to suggest that the theory of the bill seems to be to extend to all sorts of business throughout the country provisions which heretofore have been confined to the whisky business. That is the theory of the bill.

Mr. ALDRICH. But similar provisions have been applied to the whisky business only as to the amount and character of the materials used and what disposition was made of them. The books and private accounts of distillers or of wholesale liquor dealers have never been by any provision of law open to the inspection of officers of the Government, and never should be. It will damn any political party forever that is responsible for this legislation, and it ought to.

Mr. HOAR. I want to call the Senator's attention to a broad

distinction of principle. The supervision of the business of distilling is the supervision of a business always regulated by law or prohibited by law in many cases. It is the condition upon which a man carries on his business, just as the regulations regarding the importations of merchandise. A man is at liberty to import merchandise or not, on condition of paying the duty according to law, and no government, as the Senator from Rhode Island [Mr. ALDRICH] says, ever undertook to say that its officers should have the right to enter the premises of individuals or corporations and seize their books and papers. It is a most odious, tyrannical, and unprecedented proposition.

Mr. CHANDLER. Mr. President, I suppose there is no doubt that under the war taxes of 1862 and 1864 the Government officers were given the right to inspect the books of corporations and of individuals for the purpose of ascertaining whether their returns were correct or not; but I think history may be searched in vain for a legislative provision declaring that every corporation shall keep books in a particular manner. If the Senator from Missouri can point to any such provision I should like to see it.

Senators are to bear in mind that all these corporations are State corporations; that they are corporations created by the laws of the several States—the whole of them. There will not be one of them created by national law; and I call the especial attention of the Senator from Delaware [Mr. GRAY], who is a State-rights man, to the proposition that here is a provision by which, without exception—it excepts no corporation which does business for profit, however large or however small—the National Government comes in and says that every corporation which does business for profit in the State of Delaware shall keep full, regular, and accurate books of account, upon which all its transactions shall be entered from day to day in regular order.

Did anyone ever before hear of a national law of that kind applicable to every corporation in every State of the Union? Senators on the other side, if they were in the frame of mind they ordinarily have been when the Republicans have been in power in this country, would denounce that clause as an infamous invasion of State rights. Here is a a provision requiring the keeping of books in a particular way, and that requirement is made a provision of national law, and is put upon every little State corporation, so that a Federal officer can march into into the office of that corporation and say: "Here, you are bound by this Federal law to keep your books in a particular way; I demand that you shall keep them in that way, so that if, forsooth, you may make a return of your income under this Federal law, we may look at the books in order to see whether your return is correct."

I say, Mr. President, although there has been a provision that books may be examined, there never was seen such a provision as this from the dawn of creation down to this hour.

Mr. HILL. The suggestion I was going to make was that under the terms of the pending bill, as it now stands, the income is to be collected for the year 1894, during six or seven months of which period there are to be no books of account whatever kept; and the Government expects to realize its full amount of revenue from these corporations from January last until the time that this proposed law goes into effect. The income is to be paid according to the terms of the bill, because it is retroactive, and of course the corporations can not keep books *nunc pro tunc;* they can not make these books up to order; and if they can properly collect revenue from the 1st of January last until this bill goes into operation, they can collect the revenue for the balance of the year without those books.

Mr. CHANDLER. What the Senator says is true, but it seems to me there is no penalty for not keeping the books. The bill simply says that it shall be the duty of the corporation to keep the books.

Mr. HILL. Is there not some general statute—I am not familiar enough with Federal law to know—that where a duty is imposed by a statute, a failure to perform that duty constitutes a crime?

Mr. CHANDLER. It may be so, but I have looked this wonderfully and fearfully made and amended document through within the last half hour, and I can not find any penalty for not keeping the books. But there it stands, a declaration of national law, applicable to every State corporation, and it is the most extraordinary provision I ever saw in any law.

Mr. GRAY. Mr. President, only a word. As is known—and if it is not known I wish it to go on record—I am opposed to the income-tax feature of this bill. I shall only vote for it because it is in this revenue bill, which includes very many provisions of which I do approve, and which I am anxious to see become the law. That is the only reason that will control my vote in favor of the income-tax provision of this bill.

It would have been better, I think, and fairer to all concerned, not to have put that sort of pressure upon those who are in favor of revenue reform, but have introduced this measure as a separate bill, and allowed it to be discussed upon its merits. I do not believe in this way of putting a "cinch," as they say out in the State of the Senator from Kansas [Mr. PEFFER], I believe, on a man when he is trying to perform honestly his public duty.

But, Mr. President, my intention to vote for the bill with this provision in it, if it is not voted out, can not compel me to vote for a measure so absolutely violative of the instincts of American freemen as, in my opinion, is this last section which has just been read.

Mr. President, if I understand the object of free governments at all, they were instituted to secure to the individual the greatest amount of liberty consistent with public safety and with the rights of his fellows, and all the burdens imposed by taxation, all the civic duties that come to a man as a member of society, are limited by the necessity for their performance and the necessity of enduring the burden imposed.

No tax is good for itself; no tax in a free government was ever imposed for the sake of imposing a tax; and yet here is a tax attached to this bill, accompanied with administrative features which seem to have no other reasonable purpose except to harass, annoy, irritate, and exasperate free American citizens, who live under the ægis and protection of our institutions, with the same guaranty of security that the poorest farmer on the Western plains has.

Mr. President, equality before the law is the absolute necessity, the safeguard of free institutions—equality for the rich as well as for the poor, equality for those who have enterprise and industry and thrift, as well as for those who possess none of these qualities.

I recollect that by one of the first amendments to the Constitution of the United States our fathers, imbued with the principles of individual liberty and the desire to protect the rights of the individual, incorporated in that sacred instrument a provision that the right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures should not be violated.

It was thought a right great enough and dear enough to be protected by a special amendment to the Constitution of the United States; and I hold it no less important now than it was one hundred years ago. It was a blood-bought right. Brave men gave up their lives to secure that right among others, and I am not here to surrender it now upon any demand or upon any pretext, however specious or however plausible it may be.

There is no necessity for this harsh provision—none whatever. It seems to have been put in here for the sake, as I said, of directing the fulminations of this law against a class of our fellow-citizens.

What are corporations? They are aggregations of individuals. Who are the officers of corporations? They are your fellow-citizens, your peers, and your equals. Why do corporations exist? Not for the purpose of the intangible, invisible, and artificial being that the law contemplates for certain purposes. They exist for their stockholders, for the men and the women, the widows and the orphans, who have the right to participate in that mode of human enterprise and in that mode of carrying on the business of life. Why should these aggregations of individuals be attacked in their property or in their rights by a method of taxation that we do not dare to apply to the individual when separated from these artificial existences?

Mr. President, I hope, as this provision is absolutely unnecessary, as it is drawn from a law intended for another purpose, as it is not just, as it is out of joint, as it is incongruous, as it does not contain apt language, that it may at least be omitted from this category of provisions that in so many other respects are more than harsh enough.

Mr. VEST. Mr. President, I can not account for this extraordinary eruption of vivid eloquence upon any other ground except that it is near the approach of our national anniversary, when the American eagle is presumed to scream at his loudest and his best.

I was not aware, Mr. President, that we were invading sacred rights of the citizen, that we were indulging in unreasonable search and seizure, and that the ghosts of our Revolutionary sires were to be invoked again to stalk through these Halls to affright us at what we were doing.

This alliance between the Senator from Rhode Island [Mr. ALDRICH], and the Senator from New York [Mr. HILL], and the Senator from Delaware [Mr. GRAY], supplemented by the Senator from New Hampshire [Mr. CHANDLER], would certainly frighten a man much bolder than I. Therefore I approach this vast and stupendous pile of oratory with much trepidation upon this warm afternoon.

Why, Mr. President, even the commercial instincts of the Senator from Rhode Island have been stirred; his mercantile conscience is lacerated and torn; his silken and velvety perceptions, ordinarily devoted to duties upon imports and to details

of manufacturing, have been all swept away before a fervid gush of American patriotism, the like of which I have not heard since I was a boy. [Laughter.]

I am astounded at the result of this simple enactment in this bill, and I am more astonished, considering the fact that day after day the officers of the Federal Government go into the national banks whenever they please, under order of the Comptroller of the Currency, and examine every book and every paper without protest or question.

Mr. HILL. Not for the purpose of collecting a tax.

Mr. VEST. For the purpose of seeing how the accounts of that bank stand, and collecting a tax, too.

Mr. HOAR. They are public institutions.

Mr. VEST. The banks are put under espionage from day to day; and where are these orators who now tear passion into tatters and pierce this warm and moisty atmosphere with their epithets and adjurations?

Mr. President, in the McKinley act there were provisions harsher than even this, but in different form, where for the slightest violation of law whole casks and cargoes and bales of merchandise were appropriated, taken from private citizens, without trial, sold, and the proceeds put into the Treasury. The Senator from Rhode Island, in the interest of that legislation, not only voted for that bill, but added his arguments and his eloquence to its passage.

I repeat, that I did not suspect that I was perpetrating this great outrage upon anybody by adopting this enactment as it came from the House of Representatives. I was simple enough to believe that a corporation that was honestly conducting its business would have no objection to its books being examined; I was innocent enough to think that every corporation fairly and honestly conducted upon business methods, would enter its transactions from day to day; and I am innocent enough to believe so now, and that if the business of that corporation is fairly conducted it would not object to its books being examined by an officer of the Government, the collector of the district, for instance, in order to see what was the condition of its affairs and how much it honestly owed under this tax law to the Government of the United States.

Unreasonable search and seizure! What is unreasonable? There is not a State in this Union in which similar provisions are not found in their tax laws; not one in which the citizen is not made to submit to personal investigation and made to swear and to stand cross-examination, and where his premises even are entered upon for the purpose of finding the objects of taxation under the revenue laws of the respective States.

Mr. HOAR. If the Senator will allow me, I can contradict that statement for one State.

Mr. VEST. I have not examined the law of the State of Massachusetts, but if it has no provision for enforcing the collection of taxes, then it is in an anomalous condition, and one which would deprive it of all revenue for the purposes of carrying on the State government.

Mr. HOAR. I did not say that Massachusetts has no provision for the collection of taxes; but that she has no provision for examining and searching the books of citizens.

Mr. VEST. I made no such statement as that this identical provision was found there; but I say that similar provisions are found in the laws of every State in the Union to coerce people to pay taxes. No man pays taxes without reluctance.

Look at the custom-houses of the country, look at the provisions of law which have remained on the statute book year after year without these outbursts of fervid eloquence, which make me open my trunk, give up my personal property to be inspected, and that of my family, and yet the Senator from Delaware and the Senator from Rhode Island are not found here tearing passion into tatters over outrages like that.

There never has been an excise law, and there never can be one, susceptible of being carried out without such provisions. It is easy enough for Senators to conjure up this phantom of violated personal rights by brutal officers invading the counting room of a corporation and looking into their books and papers; but there are provisions upon the statute book overlooked by the Senators, which they do not care to see, which they submit to, and which their constituents submit to, and yet they make no effort to repeal them, and have no word of denunciation for them on this floor.

No, Mr. President, this sensibility to personal liberty, this delicate and refined appreciation of personal rights, comes from something else—opposition to this income tax from beginning to the end; the determination to tear this bill to pieces, because they do not propose, if they can help it, that this enactment shall go upon the statute book.

It is not a matter of life and death, Mr. President, but I shall not submit to this denunciation here, when the Committee on Finance of the Senate and the House of Representatives and the Treasury Department are all as innocent of the outrage charged upon them as an unborn babe.

Mr. HOAR. Mr. President, the Senator from Missouri says the objection which he heard made to this search and seizure of the citizens' papers reminds him of the Fourth of July orations on public liberty that he had heard from his boyhood. Of course I accept that honorable Senator's statement; but when I heard his speech, I should not think he had ever heard such an oration in his life; I should not think he had ever heard the principles of constitutional or civil liberty, or that he had given any reflection or study to what they mean.

Mr. President, does not that Senator see, has he undertaken to make a tariff bill for this country without knowing, that a national bank is a public institution, to which is committed a part of the functions of the Government, for whose exclusive monopoly the functions of State banks have been permitted, so far as their circulation is concerned, to be taxed out of existence, and that the visiting of the United States banks by United States officers depends on precisely the same principle as an inspection of the concerns of the Treasury Department itself?

Has that Senator undertaken to make a tariff bill without knowing that it is well settled that the importation of goods into one country from another is to be made on such conditions as that country may prescribe, as a matter of course? Therefore, if a person voluntarily elect to go abroad, or, being a foreigner, to come here from abroad and bring articles of merchandise with him, he does it on conditions, to which he is presumed to have assented, that that particular merchandise may be examined and inspected at the port of entry.

That disposes of the whole of the Senator's argument; and the bill remains, as has been stated, but not overstated, by the Senator from Delaware and the Senator from New York, a bold, bare, gross, coarse, and most unnecessary attempt by a government to enter the private premises of a citizen and search his private books in direct defiance of the Constitution of the United States, which says that such searches and seizures shall not be permitted.

Mr. CHANDLER. Mr. President, I understood the Senator from Missouri to say he would not submit much longer to have this bill pounded in debate. I therefore speak with trepidation, but I have taken occasion to look at the provisions of the law of 1864, and I continue to maintain that no provision of this kind ever was made before and inserted in any revenue law in the United States. There are two provisions in the law of 1864.

There is a provision that every person bound to pay a tax under that law shall make a return, and there is a provision that if the assessor of internal revenue is dissatisfied with that return he may see the books of account of the person or the corporation; but mark, Mr. President, how carefully the statute has protected the individual and the corporation in that case. The provision is in section 14 of the act of June 30, 1864:

> It shall be lawful for the assessor to summon such person, his agent, or other person having possession, custody, or care of books of account containing entries relating to the trade or business of such person, or any other persons as he may deem proper, to appear before such assessor and produce such book, at a time and place therein named, and to give testimony.

Mr. President, that summons can be issued, and if the person summoned refuses to produce his books for inspection, what then can the assessor do? He is obliged to go to a judge or a commissioner and to resort to judicial proceedings to see the books of the person who is to be taxed; and he can only do this in case he has reason to believe the return of the individual is false and fraudulent. At every step in the proceeding the individual whose private business is to be exhibited is to be protected by all the safeguards of the law.

There is one other provision, and that is that for the purpose of ascertaining the correctness of the return an agent of the internal-revenue department may examine the books of certain corporations. Those corporations are corporations which are in a certain sense public corporations, being railroad and other transportation companies. I shall read that provision, in order that the whole case may be before the Senate.

In the case of transportation companies, express companies, insurance companies, telegraph companies, or persons having the care and management of a circus, theater, opera, or museum, it was provided as follows:

> And for the purpose of making such assessment, or of ascertaining the correctness of any such return, the books of any such person, firm, company, or corporation shall be subject to the inspection of the assessor or assistant assessor on his demand or request therefor.

This is section 109 of the act previously quoted.

That was as far as the legislators who laid war taxes dared to go. They did provide for an inspection of the books of transportation companies, and they provided that, as to private individuals and all private corporations, the books might be called for, and, if they were not forthcoming, the owner of the books or the manager of the corporation might be required to produce

them to a commissioner or a judge, and the commissioner or the judge would, of course, protect the owner of the books or the manager of the company from any unnecessary exhibition of the contents of their books.

That was all that we did in the case of war taxes, and yet in this bill we have a provision that every corporation in every State shall keep books in a particular way, and that any internal-revenue officer at any time, within reasonable hours of the business day, may march into the office of the corporation and inspect all its books and papers.

I say, Mr. President, that there is no such provision as this in any statute which ever was enacted in a time of peace, and no provision in any degree resembling it in severity placed in any statute enacted in time of war.

Mr. HILL. What is the precise proposition now before the Senate, Mr. President?

Mr. ALDRICH. I rise for the purpose of saying that it is very evident that we can not dispose of this question to-night, and I suggest to the Senator from Tennessee that we shall probably be able to dispose of it very promptly in the morning. The usual hour of adjournment has been reached.

The VICE-PRESIDENT. The Chair will state, in response to the parliamentary inquiry of the Senator from New York, that the pending amendment is the amendment proposed by the Senator from New York.

Mr. HILL. What has become of the amendment of the Senator from Missouri [Mr. VEST], which I assume might be called the committee's amendment?

Mr. CHANDLER. I should like to have it read.

Mr. BERRY. The amendment of the Senator from Missouri was withdrawn, leaving the provision of the bill as it came from the House.

Mr. HILL. The Senator from Missouri offered another amendment.

Mr. VEST. I moved another amendment, to strike out beginning in line 16 of section 66, on page 197, with the words "the assessors and inspectors" and going to the end of the section, and inserting in lieu thereof:

> The collector of internal revenue or any deputy collector for the district in which said corporation, company, or association is located and doing business.

Mr. HILL. I should like to have the amendment read in full.

The VICE-PRESIDENT. The amendment proposed by the Senator from New York is first in order. His amendment will be again stated.

The SECRETARY. In line 16, of section 66, it is proposed to strike out "times" and insert "hours, between March 1 and August 1, in each year."

The VICE-PRESIDENT. The question is on the amendment of the Senator from New York.

Mr. HILL. Mr. President, I have listened to what the Senator from Missouri said in regard to my amendment. I do not refer to the last speech which he made, because he did not then speak of the amendment which I offered. I do not intend now to detain the Senate with any lengthy remarks upon the general features of this section, or as to the necessity or the propriety of it.

For the purposes of this amendment, I am disposed to recognize the propriety of some such provision, namely, a provision which requires these corporations to keep regular books, that all their transactions shall be entered each day and in regular order; but the point of my amendment is, that because a corporation is to pay a tax based upon its income for the full year, and the corporation is to make a return in March and the tax is be paid in July, therefore the company's books for the whole year should be open to the inspection of any collector or deputy collector of the district. I do not think that is necessary.

I have provided by the amendment that they may have this right of inspection between the time that the return is to be made and the whole month during which the tax is to be paid. For five months of the year all the corporations, companies, and associations of the United States are to be subject to the supervision and inspection of these collectors and deputy collectors, and I submit that is enough. For the remainder of the year they should be exempt from it.

What particular reason can exist during the whole year that corporations should be subjected to such an inspection? Will it be claimed that you can not collect the revenue without it? Simply because in the collection of tariff where the goods come from another country there must be more or less obnoxious features retained is no reason why they should be extended to your own citizens, and that every individual in the United States having his money invested in corporations should be subjected, so far as the corporation is concerned, to this inquisition and inspection.

Concede for the purposes of the argument that in every tariff bill and in the collection of all tariff duties there must be more or less inquisitorial and harsh features, and that the right of inspection must exist; concede for the purposes of the argument that where you have a national bank which is more or less identified with the fiscal affairs of your Government, whereby money of third parties is deposited in the bank, for the security of the public there must be more or less inspection; concede that all these things must be done, because they adhere to the nature of the transaction; still, merely because you desire to collect a tax from all the corporations in the country, I do not think for the whole period of a year they ought to be subjected to this inquisition. Five months, it seems to me, are amply sufficient.

This section provides also that these transactions are to be entered from day to day in regular order. The Senator from New Hampshire [Mr. CHANDLER] has suggested the point that there is no penalty if these books are not kept exactly in this form. I am not quite so certain of that. I am not familiar enough with certain provisions of the Federal statutes to say, but in every State there is usually a provision whereby, when a duty is enjoined upon a corporation or an individual, the nonperformance of that duty is made sometimes a crime, but usually a misdemeanor.

I do not believe that there is any use of imposing upon a corporation duties which can not be enforced by law. Then why take that position? Why provide that the corporations shall keep their full, regular, and accurate books of account? Why provide that they shall be kept in regular order? Why provide that they shall be open to the inspection of all these officials when we are met by the statement that the provision amounts to nothing; that they need not comply with it if they do not want to? It does not enforce itself; it is no crime to refuse. That, then, presents the point that it is wholly unnecessary to put such a feature in the bill.

It will be cited against this measure on the stump by our friends upon the other side of the Chamber, and my desire is to make the bill as defensible as possible. If no good can come from putting this provision in the bill, why insert it? Under it an official may retaliate against corporations and he may retaliate against you by putting a tax of 100 per cent or 50 per cent. He has that power

Why place all the corporations of the country within the power of those political officials, more or less interested in political squabbles in their respective districts? The political hostility of many of these Federal collectors in the State of New York I may incur. I do not mean to insinuate that I fear that they will retaliate upon myself, for I have very little income and if this session keeps on I shall have very little to pay the tax with; neither do I fear that they will retaliate upon my friends; but nevertheless they would feel rather offended if they should go to one of these corporations and ask to look at their books and be refused, and they might retaliate.

By keeping in this unnecessary provision, which there is no way to enforce, you simply add an unnecessary hardship and an unnecessarily offensive provision to the bill. The Senator from Delaware was certainly indignant, and properly and righteously so, in the denunciation of this provision. If these things are necessary that is another reason for their existence, but if they are unnecessary so much the more ought they to be stricken out

Mr. CHANDLER. Will the Senator allow me to make a suggestion at this point?

Mr. HILL. Certainly.

Mr. CHANDLER. Up to ten years ago, as the Senator is aware, there was a provision in the customs laws for searching and seizing books and papers for frauds upon the customs revenue. That law was repealed, I think, ten years ago, and to-day there exists no law upon the statute book which authorizes the inspection of books and papers. The Senator's amendment, it seems to me, instead of limiting and regulating the times when there may be an inspection of the books and papers, should be a motion to adopt the provision of the 1864 law in some form by which if the books of a corporation are not exhibited they may be called for under the order and direction of a court and we should not go back to the discarded system (discarded as to the customs revenue years ago) of allowing any officer with his commission in his hand to march into the office of a corporation at any time of the year and demand to see all its books.

Mr. HILL. The very reason I suppose that it was discarded a good many years ago perhaps may be the very reasons why it is adopted now. That course seems to have been pursued with reference to a good deal that is contained in this bill.

Mr. President, I want first to perfect the bill before any motion is made to strike out. I do not think the whole provision is necessary. I think it is unreasonable in its terms. There is no way of enforcing it. It strikes me it would help the bill.

But such a motion might not prevail, and so I thought it was my duty, in the first place, to move to amend so as to limit the periods of its operation.

Mr. HOAR. I should like to ask the Senator from New York if his amendment proceeds upon the ground that we shall live under the Constitution of the United States seven months of the year and then there will be five months of the year when we shall not have any?

Mr. HILL. There is a good deal of criticism, but I am doing the best I can with a pretty tough bill. I am trying to modify it as best I can. I am in favor of that portion of the amendment which the Senator from Missouri proposes whereby the collector and deputy collector of the district are substituted for the inspector. I think that improves the bill.

Mr. President, the usual hour of adjournment has arrived, and we can not dispose of this matter to-night. I shall reserve further remarks until to-morrow.

Mr. HARRIS. I realize the fact that we can not dispose of the matter to-night, and I regret very much that we can not do so.

The VICE-PRESIDENT. The Chair lays before the Senate bills from the House of Representatives for reference.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on Commerce:

A bill (H. R. 4611) to amend an act approved January 26, 1893, to authorize the construction of bridges across the Hiwasse, the Tennessee, and Clinch Rivers, in the State of Tennessee; and

A bill (H. R. 7449) authorizing the Minneapolis Gaslight Company, of Minneapolis, Minn., to lay submerged iron gas-pipes across the Mississippi River, at Minneapolis.

The bill (H. R. 3511) concerning the weight of evidence in pension claims, was read twice by its title, and referred to the Committee on Pensions.

The bill (H. R. 4507) for the relief of Witherby & Gaffney, was read twice by its title, and referred to the Committee on Claims.

The bill (H. R. 7477) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1895, and for prior years, and for other purposes, was read twice by its title, and referred to the Committee on Appropriations.

REPORT OF COMMISSIONER OF FISH AND FISHERIES.

The VICE-PRESIDENT laid before the Senate the following concurrent resolution of the House of Representatives; which was referred to the Committee on Printing:

Resolved by the House of Representatives (the Senate concurring), That the report of the Commissioner of Fish and Fisheries, covering the operations of the Commissioner for the fiscal year ending June 30, 1893, be printed; and that there be printed 8,000 extra copies, of which 2,000 shall be for the use of the Senate, 4,000 for the use of the House of Representatives, and 2,000 for the use of the Commissioner of Fish and Fisheries; the illustrations to be obtained by the Public Printer under the direction of the Joint Committee on Printing.

Mr. HARRIS. I move that the Senate adjourn.

The motion was agreed to; and (at 6 o'clock and 25 minutes p. m.) the Senate adjourned until to-morrow, Thursday, June 28, 1894, at 10 o'clock a. m.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *June 27, 1894.*

The House met at 12 o'clock m. Prayer by Rev. WILLIAM H. MILBURN, D.D., Chaplain of the Senate.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT.

The SPEAKER laid before the House the following message from the President of the United States; which was referred to the Committee on Foreign Affairs, and ordered to be printed.

To the Congress:

I herewith transmit a communication covering dispatches from the United States minister at Honolulu.

GROVER CLEVELAND.

EXECUTIVE MANSION, *Washington, June 23, 1894.*

ASSASSINATION OF THE PRESIDENT OF THE FRENCH REPUBLIC.

The SPEAKER also laid before the House a translation of a cable dispatch received from the French Government:

PARIS, *June 26, 1894.*

The President of the Council and the Minister of Foreign Affairs to the Speaker of the House of Representatives, Washington:

The Government of the Republic will communicate to the Senate and the Chamber of Deputies at their next session the expressions of fraternal sympathy which it has received from the Senate and from the House of Representatives of the great American Republic; but it will not delay until that moment a communication to you of the expression of all its thanks, and to make known to you the consolation which the resolutions of the Senate and of the House of Representatives have brought to it in the great grief which strikes the country.

HARBOR OF EVERETT, WASH.

The SPEAKER also laid before the House the following Senate concurrent resolution:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War is directed to cause a survey and estimate to be made of the cost of dredging the bar at Everett, in the State of Washington, so as to make a fresh-water harbor in or near the river with the greatest depth of water practicable: *Provided*, That if the information necessary to make such estimate is now in the possession of the Chief of Engineers it may be made without any further survey. The Secretary of War is directed to cause such estimate to be made and reported to Congress without delay.

Mr. WILSON of Washington. Mr. Chairman, I ask unanimous consent for the present consideration of that resolution.

There was no objection.

The concurrent resolution was adopted.

On motion of Mr. WILSON of Washington, a motion to reconsider the vote by which the concurrent resolution was adopted was laid on the table.

EXTENSION OF APPROPRIATIONS.

Mr. SAYERS. Mr. Speaker, I am directed by the Committee on Appropriations to report the accompanying resolution and to ask its immediate consideration.

The resolution was read, as follows:

Joint resolution (H. Res. 196) to provide temporarily for the expenditures of the Government.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That all appropriations for the necessary operations of the Government, and of the District of Columbia, and for the payment of pensions under existing laws, which shall remain unprovided for on the 30th day of June, 1894, be, and they are hereby, continued and made available for a period of thirty days from and after that date, unless the regular appropriations provided therefor in bills now pending in Congress shall have been previously made for the service of the fiscal year ending June 30, 1895; and a sufficient amount is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to carry on the same: *Provided*, That no greater amount shall be expended for such operations than will be in the same proportion to the appropriations for the fiscal year 1894 as thirty days' time bears to the whole of said fiscal year: *Provided further*, That the total expenditures for the whole of the fiscal year 1895 (under the several appropriations hereby continued, and under the several appropriation bills now pending) shall not exceed in the aggregate the amounts finally appropriated therefor in the several bills now pending, except in cases where a change is made in the annual, monthly, or per diem compensation, or in the numbers of officers, clerks, or other persons authorized to be employed by the several appropriations hereby continued, in which cases the amounts authorized to be expended shall equal thirty three-hundred-and-sixty-fifths of the appropriations for the fiscal year 1894, and three hundred and thirty-five three-hundred-and-sixty-fifths of the appropriations contained in the several bills now pending when the same shall have been finally passed, unless the salary or compensation of any office shall be increased or diminished without changing the grade or the duties thereof, in which case such salary or compensation shall relate to the entire fiscal year and run from the beginning thereof: *Provided further*, That the session employés of the Senate and House of Representatives now authorized by law shall be continued upon the rolls until the end of the present session of Congress and paid at the rate per diem or month at which they are now paid; and a sufficient amount is hereby appropriated out of any money in the Treasury not otherwise appropriated to pay the same: *Provided further*, That there be, and is hereby, appropriated out of any money in the Treasury not otherwise appropriated, a sum sufficient to enable the Clerk of the House to pay to Members and Delegates the amount which they certify they have paid, or agree to pay, for clerical hire necessarily employed by them in the discharge of their official and representative duties, as provided in the joint resolution approved March 3, 1893, until the end of the present session of Congress.

The SPEAKER. Is there objection to the request for the present consideration of this joint resolution?

Mr. SAYERS. Mr. Speaker, I will say that the joint resolution has been prepared after consultation with the Treasury Department. I desire to submit in connection with it a statement which shows the dates at which the several appropriation bills have passed the House in the last four or five Congresses.

The statement submitted by Mr. SAYERS is as follows:

Bill.	Passed House—				
	First session Forty-ninth Congress.	First session Fiftieth Congress.	First session Fifty-first Congress.	First session Fifty-second Congress.	First session Fifty-third Congress.
Agricultural	Apr. 14	June 2	June 12	June 8	May 17
Army	May 12	July 16	Mar. 31	Mar. 21	Apr. 30
Diplomatic and consular	May 13	May 21	May 3	May 3	Apr. 26
Deficiency	July 10	Aug. 27	Aug. 8	June 27	June 26
District of Columbia	Apr. 12	May 21	Jan. 8	Mar. 3	Mar. 10
Fortification	July 19	Aug. 16	Apr. 1	June 15	Mar. 2
Indian	Mar. 24	Apr. 20	June 18	Mar. 1	June 16
Legislative, executive, and judicial.	June 16	June 1	Apr. 23	June 6	May 24
Military Academy	May 8	Mar. 29	Apr. 16	Feb. 12	Mar. 22
Navy	June 21	June 22	Apr. 15	Apr. 18	May 15
Pension	Mar. 4	Apr. 20	Mar. 21	Mar. 7	Mar. 17
Post-Office	Apr. 6	May 24	June 10	June 4	Apr. 24
River and harbor	May 6	May 7	May 28	May 9	May 4
Sundry civil	July 1	June 22	June 17	May 27	Mar. 20

Mr. REED. Has any single appropriation bill yet passed both Houses of this Congress?

Mr. SAYERS. Not one of the general bills.

Mr. REED. Is not that unusual?

Mr. SAYERS. I think so; but I will say to the gentleman from Maine that if he will examine the statement which I submit he will see that there has been no fault of the House. The bills have been sent over to the Senate in ample time for some of them at least to become law.

Mr. REED. I do not think it likely to be the fault of the present chairman of the Committee on Appropriations of the House, and I think I may claim that we on this side have aided him in every reasonable way.

Mr. SAYERS. I think so.

Mr. REED. Then this spectacle of extending all the appropriation bills is unique?

Mr. SAYERS. It is unusual. I believe—though I speak subject to correction—that this is the only instance where Congress has been compelled to extend all the appropriation bills in this way. It may have also occurred during the last Congress. I think that generally heretofore some of these bills have been passed by both Houses before the 1st of July.

Mr. REED. And we have practically been in session a year less one month.

Mr. SAYERS. That is so.

Mr. REED. Well, I think people understand where the difficulty is.

The joint resolution (H. Res. 196) was ordered to be engrossed for a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. SAYERS, a motion to reconsider the last vote was laid on the table.

SITTING OF APPROPRIATIONS COMMITTEE DURING RECESS.

Mr. SAYERS. I am directed by the Committee on Appropriations to report to the House another resolution, and ask its immediate adoption.

The SPEAKER. The resolution will be read.

The Clerk read as follows:

Resolved, That the Committee on Appropriations, or such subcommittees as they may designate, are hereby authorized to sit during the vacation for the purpose of considering and facilitating the business of the committee, in advance of the next regular session; to be convened at such time as the chairman of said committee may order.

Mr. SAYERS. This is word for word the resolution that has always been passed at the first session of every Congress.

Mr. PAYNE (to Mr. SAYERS). How do you know we shall have a "vacation"?

Mr. SAYERS. I hope so. [Laughter].

The resolution was adopted.

FORFEITURE OF RAILROAD LAND GRANTS

Mr. McRAE. I rise to make a privileged report. I am directed by the Committee on Public Lands to report back, with an amendment, the bill (H. R. 121) to amend an act to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes, approved September 29, 1890. I ask that this report be printed and lie on the table, subject to be called up, without losing any of its privileges.

The SPEAKER. The bill, together with the report, will be printed and will lie on the table, subject to be called up under the rule.

Mr. McRAE. I also report back another bill on the same subject and of similar character, and ask that it lie on the table.

There being no objection, the bill (H. R. 3325) to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads and for other purposes, was laid on the table.

FUNDS OF FREEDMEN'S BUREAU.

Mr. OUTHWAITE. I rise to a privileged report. I am directed by the Committee on Military Affairs to report back a substitute for the resolution of inquiry introduced by the gentleman from Ohio [Mr. HULICK].

The Clerk read as follows:

IN THE HOUSE OF REPRESENTATIVES, *June 20, 1894.*

Mr. HULICK submitted the following, which was referred to the Committee on Military Affairs:

"Whereas there is now in the Treasury of the United States money arising from arrears of pay and due the estates of deceased colored soldiers who served during the late war; and

"Whereas it is deemed just and expedient that said funds be set apart and appropriated for the purpose of erecting a national memorial home for aged and infirm colored people and to aid in maintaining the inmates of the same: Therefore, be it

"*Resolved*, That the Secretary of the Treasury is hereby requested, at the earliest time practicable, to report to this House as follows:

"First. The amount of unexpended balance of said funds that was turned over to the Adjutant-General's Department for disbursement when the Freedmen's Bureau was discontinued in 1872.

"Second. The additional money arising from said source, if any, that has been paid into the Treasury since 1872.

"Third. The amount of said funds that was held for seven years and then repaid into the Treasury on the legal presumption of the death of the payees.

"Fourth. A full statement of the claims paid to claimants since 1882 out of said fund and the amount thereof.

"Fifth. The number and amount of claims now pending.

"Sixth. The actual amount of said fund now in the Treasury claimed and the actual amount unclaimed.

"Seventh. An estimate of the balance of said fund that will finally remain unclaimed."

The substitute reported by the Committee on Military Affairs was read, as follows:

Whereas there is now in the Treasury of the United States money arising from arrears of pay, bounty, and prize money due the estates of deceased colored soldiers who served during the late war: Therefore,

Be it resolved, That the Secretary of the Treasury is hereby requested, at the earliest time practicable, to report to this House, as follows:

First. The amount of unexpended balance of said funds that was turned over to the Adjutant-General's Department for disbursement when the Freedmen's Bureau was discontinued in 1872.

Second. The additional money arising from said source, if any, that has been paid into the Treasury since 1872.

Third. The amount of said funds that was held for seven years and then repaid into the Treasury on the legal presumption of the death of the payees.

Fourth. A statement of the amount paid to claimants out of said funds since 1882.

Fifth. The number and amount of claims now pending.

Sixth. The actual amount of said funds now in the Treasury claimed and the actual amount unclaimed.

Seventh. An estimate of the balance of said fund that will finally remain unclaimed and also an estimate of the amount that will finally remain unproven.

The question being taken on agreeing to the substitute resolution reported by the committee, it was agreed to.

BRAINERD AND NORTHERN MINNESOTA RAILWAY.

Mr. TAWNEY. I ask unanimous consent for the present consideration of the bill (S. 2000) granting to the Brainerd and Northern Minnesota Railway Company a right of way through the Leech Lake Indian Reservation in the State of Minnesota.

The bill was read, as follows:

Be it enacted, etc., That there is hereby granted to the Brainerd and Northern Minnesota Railway Company, a corporation organized and existing under the laws of the State of Minnesota, and to its assigns, the right of way for the extension of its railroad, with necessary side tracks and switch tracks, and for a telegraph and telephone line, through the Leech Lake Indian Reservation in said State, commencing at a point in the south line of said Indian reservation and extending northwesterly through sections 13, 12, 1, and 2, of township 141, range 31, to a point in the west line of said reservation in said section 2, with the right to load logs on said railroad at the points in said reservation where the same may run adjacent or contiguous to the waters of Leech Lake. Such right of way shall be 50 feet in width on each side of the central line of said railroad, and said company shall also have the right to take from the lands adjacent to the line of said road material, stone, and earth necessary for the construction of said railroad; also grounds adjacent to such right of way for station buildings, depots, machine shops, side tracks, turn-outs, and water stations, not to exceed in amount 200 feet in width and 3,000 feet in length for each station, and to an extent not exceeding one station within the limits of said reservation: *Provided*, That no part of such lands herein granted shall be used except in such manner and for such purposes only as are necessary for the construction and convenient operation of said railroad line, and when any portion thereof shall cease to be used, such portion shall revert to the nation or tribe of Indians from which the same shall be taken.

SEC. 2. That before said railroad shall be constructed through any land, claim, or improvement held by individual occupants according to any treaties or laws of the United States, compensation shall be made such occupant or claimant for all property to be taken or damage done by reason of the construction of said railroad. In case of failure to make satisfactory settlement with any such claimant, the United States district court at St. Paul or Duluth, Minn., shall have jurisdiction upon petition of either party to determine such just compensation in accordance with the laws of Minnesota provided for determining the damage when property is taken for railroad purposes; and the amount of damages resulting to the tribe or tribes of Indians pertaining to said reservation in their tribal capacity, by reason of the construction of said railroad through such lands of the reservation as are not occupied in severalty, shall be ascertained and determined in such manner as the Secretary of the Interior may direct, and be subject to his final approval: *Provided, however*, That said railroad company may file with the Secretary of the Interior a bond, in such amount and with such sureties as the Secretary shall approve, conditioned for the payment of just compensation for said right of way to said individual occupants and to said tribe or tribes, as hereinbefore provided, and said company may thereupon proceed to construct and operate its railroad across said reservation.

SEC. 3. That said company shall cause maps, showing the route of its line through said reservation, and including the grounds for station buildings, depots, machine shops, side tracks, turn-outs, and water stations, to be filed in the office of the Secretary of the Interior before constructing any portion of said railroad.

SEC. 4. That said company is hereby authorized to enter upon said reservation for the purpose of surveying and locating its line of railroad: *Provided*, That said railroad shall be located and constructed with due regard to the rights of the Indians, and under such rules and regulations as the Secretary of the Interior shall prescribe.

SEC. 5. That the right herein granted shall be forfeited by said company unless the road shall be constructed through the said reservation within three years after the passage of this act.

Passed the Senate June 6, 1894.

Attest:

WM. R. COX, *Secretary.*

Mr. COOMBS. Mr. Speaker, reserving the right to object, I desire to ask a few questions. In the first place, does the Secretary of the Interior approve of this bill?

Mr. TAWNEY. He does.

Mr. COOMBS. I observe there is a provision that this com-

pany "may" give bonds. Should not the bill provide that they must give bonds?

Mr. TAWNEY. I think the provision in regard to giving bonds is mandatory upon the company.

Mr. COOMBS. The language is "may."

Mr. TAWNEY. Well, may in certain cases may be a mandatory expression. I will explain that the right of way asked for crosses the southwest corner of Leech Lake Reservation, running through only three sections right along the corner. On account of the conformation of the lake the road must cross the corner of this reservation in order to get to the lands beyond.

Mr. COOMBS. Is this a solvent railroad, or one that has failed?

Mr. TAWNEY. It is a solvent railroad, and solvent men are connected with it.

Mr. COOMBS. I have no objection to the consideration of the bill.

There being no objection, the House proceeded to the consideration of the bill; which was ordered to a third reading, read the third time, and passed.

On motion of Mr. TAWNEY, a motion to reconsider the last vote was laid on the table.

ENROLLED BILL SIGNED.

Mr. PEARSON, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the bill (S. 730) making Labor Day a legal holiday; when the Speaker signed the same.

COUNTY ROADS, ETC., DISTRICT OF COLUMBIA.

Mr. DOCKERY. Mr. Speaker, I ask that the bill (H. R. 5102) making appropriations to provide for the construction of county roads and suburban streets in the District of Columbia, Calendar number 45, be laid on the table, inasmuch as the provisions of the bill have been already incorporated into the general bill for the support of the government of the District of Columbia.

The SPEAKER. Without objection that order will be made.

BRIDGE ACROSS THE ST. CROIX RIVER.

Mr. HAUGEN. Mr. Speaker, I ask unanimous consent to consider the bill (H. R. 6529) to authorize the construction of a bridge across the St. Croix River between Wisconsin and Minnesota.

The SPEAKER. The bill will be read, after which the Chair will ask for objection.

The bill was read at length.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. HAUGEN. There are a number of amendments recommended by the Committee on Interstate and Foreign Commerce.

The amendments were severally considered and agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. HAUGEN, a motion to reconsider the last vote was laid on the table.

TERMS OF COURTS, MISSISSIPPI.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 6447) to fix a term of the Federal district court of the southern judicial district of Mississippi, to be held at Meridian, Miss., to include the counties named.

The SPEAKER. The bill will be read subject to objection.

The bill was read, as follows:

Be it enacted, etc., That the southern judicial district of the State of Mississippi be so constituted as to embrace the counties of Kemper, Noxubee, and Neshoba, and that the counties of Lauderdale, Kemper, Noxubee, Winston, Leake, Neshoba, Newton, Scott, Jasper, Clarke, Wayne, Jones, Perry, Smith, and Covington shall be known as the eastern division of said southern district, and circuit and district courts for the transaction of business pertaining to the persons and property in said eastern division shall be held at the city of Meridian on the second Mondays of March and September of each year and shall continue for three weeks, or so long as business may require.

SEC. 2. That said courts held in Meridian as provided in section 1 of this act shall be possessed of, and exercise all the powers and jurisdiction now possessed or exercised, or which may hereafter be granted to or exercised by the circuit and district courts now held at Jackson, and all laws regulating and defining how suits against persons or property located or found in judicial districts shall be brought shall be applicable to and govern the bringing of suits in said division, and all laws touching the removal of causes from State courts to United States courts shall apply to said courts hereby established. All prosecutions for crimes and offenses heretofore committed shall be commenced and carried on as if this act had not been passed.

SEC. 3. That all civil causes now pending in the circuit or district courts at Jackson, or Aberdeen, or Mississippi City, or Vicksburg, or Oxford, in which a citizen of any county of said eastern division is a defendant, shall remain as they now stand and be tried and determined as if this act had not been passed, unless by the consent of all the parties such causes shall be removed to the courts held at Meridian, to be tried there.

SEC. 4. That if there be more than one defendant in a cause and the defendants reside in different divisions of the said southern district, or any of the defendants reside in the northern district, the plaintiff may sue in either division where any defendant resides, and send duplicate writs for the other defendant or defendants, the other division or district where such defendant or defendants reside, and said writs when executed and returned into the court from which they issued shall constitute one suit and be proceeded in accordingly.

SEC. 5. That all processes issued out of said courts at Meridian against defendants residing in the counties of Lauderdale, Kemper, Noxubee, Winston, Leake, Neshoba, Newton, Scott, Smith, Covington, Jasper, Clarke, Wayne, Jones, and Perry, or any other county, shall be returned to the courts hereby provided to be held in Meridian.

SEC. 6. That all grand and petit jurors summoned for service in said eastern division of said southern district created by this act shall be residents of said division.

SEC. 7. That the marshal and clerk of said southern district of Mississippi, as constituted before the passage of this act, shall appoint deputies who shall reside at Meridian and act as marshal and clerk of said circuit and district courts held there in place of their principals.

SEC. 8. That the district attorney of the southern district of Mississippi shall be district attorney for said eastern division, and shall be allowed the same fees and required to perform the same duties and be subject to the same liabilities as now provided by law.

SEC. 9. That when a defendant is sued out of a division of his residence, and is not joined with a codefendant whose residence is in the division where the suit is brought, he may on motion, supported by affidavit, change the venue to the division of his residence.

SEC. 10. That the United States shall not be at any expense in providing for a building or room for holding of the terms of said courts at Meridian.

The SPEAKER. Is there objection to the request to consider the bill?

There was no objection.

Mr. WILLIAMS of Mississippi. There are several amendments recommended by the Committee on the Judiciary.

The SPEAKER. The Clerk will report the amendments.

The Clerk read as follows:

Strike out the words "Winston" and "Perry" wherever they occur in the bill.

Also that the word "and," in line 3, section 7, page 3, and all of lines 4 and 5 of the same section be stricken out.

Amend the title so as to read: "A bill to fix a term of the Federal district and circuit courts of the southern judicial district of Mississippi, to be held at Meridian, Miss., to include the counties named."

The amendments recommended by the committee were agreed to.

Mr. WILLIAMS of Mississippi. By an agreement with my colleagues I offer the amendment I send to the desk.

The Clerk read as follows:

Strike out the word "Covington" wherever it appears in the bill.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and was accordingly read the third time.

The question recurred on the passage of the bill.

Mr. REED. What report is there in this case?

Mr. WILLIAMS of Mississippi. The report is simply this:

The Committee on the Judiciary reports back the House bill 6447, with the recommendation that the title thereof be amended—

And then follows the other amendments which have been read:

The committee recommend that the bill as amended do pass.

It is a short report.

Mr. REED. What is the nature of the bill?

Mr. WILLIAMS of Mississippi. That I can explain very briefly. The bill proposes to fix a term of court for the southern district of Mississippi—a term of the district and circuit courts—to be held at the city of Meridian, in the State of Mississippi. The bill prescribes which of the counties of the State shall constitute that division of the southern judicial district, to be held at Meridian.

It is a bill which is unanimously reported by the Judiciary Committee; it involves no new offices or officers, and no expense. The counties are all satisfied with the arrangement, and have petitioned Congress for the enactment of this law.

Mr. REED. This is an additional term of the district court?

Mr. WILLIAMS of Mississippi. An additional term.

Mr. REED. Of the district court alone?

Mr. WILLIAMS of Mississippi. No; the district and circuit courts.

Mr. REED. The district court and also the circuit court?

Mr. WILLIAMS of Mississippi. Yes, sir.

Mr. REED. How many terms have you now?

Mr. WILLIAMS of Mississippi. For the southern district we have only two.

Mr. REED. How many districts have you?

Mr. WILLIAMS of Mississippi. Two.

Mr. REED. Two judges?

Mr. WILLIAMS of Mississippi. No, only one; two marshals, two district attorneys, two courts, but one judge.

Mr. REED. This does not change the divisions?

Mr. WILLIAMS of Mississippi. No. This merely includes certain counties in this subdivision of the court to be held at Meridian.

Mr. KYLE. And provides for the holding of the court at three places instead of two?

Mr. WILLIAMS of Mississippi. That is all.

Mr. REED. And the same judge?

Mr. WILLIAMS of Mississippi. Yes; it provides for no new judge.

The bill was passed.

On motion of Mr. WILLIAMS of Mississippi, a motion to reconsider the last vote was laid on the table.

The title of the bill was amended in accordance with the recommendation of the committee.

JOHN NELSON.

Mr. WILLIAM A. STONE. Mr. Speaker, I desire to ask unanimous consent for the present consideration of the bill H. R. 6069.

Mr. WHEELER of Alabama. I shall have to call for the regular order to enable the House to consider the bill for the admission of New Mexico.

Mr. WILLIAM A. STONE. Do not do that until this bill is considered.

Mr. WHEELER of Alabama. I will withdraw the demand for the purpose of allowing the gentleman to make his request. I regret the necessity of interfering with any gentleman who has a matter which he wishes considered.

The SPEAKER. The gentleman from Pennsylvania [Mr. WILLIAM A. STONE] asks unanimous consent to consider a bill which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 6069) to reimburse John Nelson for money paid in 1863 to avoid a draft.

Be it enacted, etc., That the Treasurer of the United States is hereby authorized and directed to pay John Nelson, of Talley Cavey, Allegheny County, Pa., the sum of $300, to reimburse him for moneys paid the United States in 1863 in order to become exempt from a draft of soldiers made by the United States, he being at the time of the draft and payment of said moneys doing duty as a soldier of the United States in the State of Ohio as a member of the Fifty-eighth Pennsylvania Militia.

Mr. OUTHWAITE. I should like to have the report read, or a statement of the circumstances which will justify such a bill.

The SPEAKER. Is there objection to the request to consider the bill?

Mr. MCMILLIN. Let us have the report read.

The SPEAKER. Without objection, the report will be read.

The report (by Mr. MAHON) was read, as follows:

The Committee on War Claims, to whom was referred the bill (H. R. 6069) for the relief of John Nelson, beg leave to make the following report:

The evidence submitted on behalf of the claimant, John Nelson, shows that while still a minor he volunteered, in April, 1861, but was rejected for physical disability. Subsequently, in August, 1861, he enlisted in Company B, Sixty-first Pennsylvania Volunteers, and served until February, 1863, when he was discharged on account of illness. In July, 1863, he enlisted in Company H, Fifty-eighth Pennsylvania Volunteers, and while serving in that regiment was drafted for service by the provost-marshal at Allegheny City, Pa., and to avoid service under this draft he paid $300 commutation money, although at the time he was not liable to said draft.

The claim for relief in this case seems to your committee a proper one, and they recommend the passage of the bill.

Mr. WARNER. I should like to ask the gentleman how many cases of this kind there are?

Mr. WILLIAM A. STONE. This is the only case of the kind of which I have any knowledge.

Mr. WARNER. Has the committee made any investigation?

Mr. WILLIAM A. STONE. Yes; and various members of the House have investigated the matter. It has been up once, and was objected to, but those who have investigated it have withdrawn their objections. It is a case of real merit, where a man actually paid the money while he was in the service. I know of no other such case.

Mr. MCMILLIN. I should like to ask the gentleman in charge of the bill why it was that this man was drafted when he was already in the service?

Mr. WILLIAM A. STONE. Well, that was a mistake.

Mr. MCMILLIN. Why could he not have pleaded that fact in opposition to the draft?

Mr. WILLIAM A. STONE. It might have been pleaded, but at the time he was a mere boy, and his people were ignorant. They did not understand it, and they simply paid the money—his family paid the money while he was in the service. I have examined a number of cases, but there is none that comes in the same line as this, and I do not think there is another such case—at least not in my district—where the money was actually paid while the man was in the service. The chairman of the Committee on Appropriations [Mr. SAYERS] objected to this bill when it first came up, but afterwards he withdrew his objection.

Mr. MCMILLIN. It strikes me that this was a very strange proceeding.

Mr. OUTHWAITE. There were many strange proceedings in connection with the draft.

Mr. WILLIAM A. STONE. I have seen the receipt that was obtained for the payment of this money.

Mr. MCMILLIN. Did he continue in the service?

Mr. WILLIAM A. STONE. Yes.

Mr. MCMILLIN. Until the close of the war?

Mr. WILLIAM A. STONE. He continued in the service until his term of service expired, and he had previously served a term.

Mr. WARNER. When did his term of service expire?

Mr. WILLIAM A. STONE. Some time in 1864.

Mr. MCMILLIN. And this draft was when?

Mr. WILLIAM A. STONE. In 1863.

Mr. WARNER. Do I understand the chairman of the Committee on Military Affairs to approve of this bill?

Mr. OUTHWAITE. I have no objection to it, on the statement that is made.

The SPEAKER. Is there objection to the request for the present consideration of this bill?

Mr. BYNUM. I do not know that I fully understand all the facts in this case. I know there were a great many cases of merit that arose during the war by reason of very improper if not fraudulent practices in the way of drafts.

I know that in Indiana two men were drafted and put in substitutes, and they were afterward again drafted and compelled to go and serve out their time. There are a great many cases of that kind; and considering the very remarkable way in which drafts were conducted, and in which men were compelled to serve, I am inclined to think it would be better to leave the matter settled as it is without undertaking to stir it up, because you will open up an endless number of claims, of probably equal merit.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The bill was ordered to be engrossed and read a third time; and being engrossed, was accordingly read the third time.

The SPEAKER. Shall the bill pass?

Mr. MCMILLIN. Mr. Speaker, I have only this to say concerning this bill: It seems to me that a hardship has been inflicted upon this man; and yet it was a hardship for which he was personally responsible. If he was in the service at the time he was not subject to be drafted, and could have escaped this payment by pleading the fact or making the fact known.

It is a strange thing, a very strange thing, that a man should be required to pay any money for being drafted into service in which he was already engaged. I suppose we have had the facts, but it is a most peculiar case. I would like to ask the gentleman to whom this money was paid?

Mr. WILLIAM A. STONE. It was paid to the provost-marshal of Allegheny City, Pa.

Mr. MCMILLIN. To whom did it go?

Mr. WILLIAM A. STONE. To the Government.

The question was taken on the passage of the bill, and the Speaker announced that the ayes seemed to have it.

Mr. WARNER and Mr. BYNUM. Division.

The House divided: and there were—ayes 76, noes 54.

So the bill was passed.

On motion of Mr. WILLIAM A. STONE, a motion to reconsider the vote by which the bill was passed was laid on the table:

LEAVE OF ABSENCE.

Leave of absence was granted as follows:

To Mr. SIPE, for one week, on account of sickness in his family.

To Mr. GORMAN, for ten days, on account of sickness in his family.

MASSACHUSETTS AVENUE THROUGH NAVAL OBSERVATORY GROUNDS.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I submit a report in the nature of a privileged report, and ask for a committee of conference. The House has heretofore passed a joint resolution (H. Res. 32) declaring Massachusetts avenue through the grounds of the Naval Observatory a public street. The Senate has amended that resolution, and I move to nonconcur on behalf of the Committee on the District of Columbia in the Senate amendment, and agree to the conference asked.

The SPEAKER. The gentleman from Tennessee, by direction of the Committee on the District of Columbia, moves to nonconcur in the Senate amendment to a House joint resolution and agree to the conference asked by the Senate. The Clerk will report the title of the joint resolution.

The Clerk read as follows:

A joint resolution (H. Res. 32) declaring Massachusetts avenue through the grounds of the Naval Observatory a public street.

The SPEAKER. This is a House resolution with Senate amendment. The Senate asks for a conference, and the gentleman from Tennessee moves to nonconcur in the Senate amendment and agree to the conference asked by the Senate. With-

out objection that order will be made. [After a pause.] The Chair hears none.

The Chair will appoint as managers of the conference on the part of the House, the gentleman from Missouri [Mr. HEARD], the gentleman from Tennessee [Mr. RICHARDSON], and the gentleman from Illinois [Mr. POST].

The Clerk will call the committees for reports.

PUBLIC BUILDING AT DEADWOOD, S. DAK.

Mr. BRETZ, from the Committee on Public Buildings and Grounds, reported with amendments the bill (H. R. 320) to provide for the purchase of a site and the erection of a public building thereon at Deadwood, in the State of South Dakota; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

PUBLIC BUILDING AT SANTA ROSA, CAL.

Mr. ABBOTT, from the Committee on Public Buildings and Grounds, reported favorably the bill (H. R. 317) for a public building at Santa Rosa, Cal.; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

PUBLIC BUILDING AT EUREKA, CAL.

Mr. ABBOTT, from the Committee on Public Buildings and Grounds, reported back favorably the bill (H. R. 318) for a public building at Eureka, Cal.; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

PUBLIC BUILDING AT TROY, ALA.

Mr. ABBOTT, from the Committee on Public Buildings and Grounds, reported back favorably the bill (H. R. 7380) providing for the erection of a public building at Troy, in Pike County, Ala.; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

BRIGHTWOOD RAILWAY, DISTRICT OF COLUMBIA.

Mr. RICHARDSON of Tennessee, from the Committee on the District of Columbia, reported back favorably the bill (H. R. 4474) to amend the charter of the Brightwood Railway Company of the District of Columbia; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

The SPEAKER. This completes the call of committees for reports. The morning hour begins at seven minutes to 1 o'clock and the call rests with the Committee on Military Affairs.

BOARD OF REVIEW.

Mr. OUTHWAITE. Mr. Speaker, when the Committee on Military Affairs had the hour before, House bill 199 was pending. A motion had been insisted upon that the House resolve itself into Committee of the Whole for the purpose of considering this bill. I did not object to it at that time; but I am of the opinion that the bill should be considered in the House.

The SPEAKER. The Clerk will report the bill in order that that may be determined.

The Clerk read as follows:

A bill (H. R. 199) to authorize the Secretary of War to appoint a board of review in certain cases.

Mr. OUTHWAITE. Mr. Speaker, there is one amendment in the bill which may possibly require that it be considered in Committee of the Whole, and I therefore move that the House resolve itself into Committee of the Whole for the purpose of considering the bill.

The motion was agreed to.

The SPEAKER. The gentleman from Kentucky [Mr. MCCREARY] will please resume the chair, as the gentleman was in the chair when the bill was up before.

The CHAIRMAN. The House is in Committee of the Whole for the purpose of considering the bill, which the Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of War is hereby authorized to appoint a board of review, to consist of three members and a recorder, from officers of the Army on the active or retired list, to review the proceedings, findings, and sentence of any court-martial for the trial of a commissioned officer or enlisted man, either of the regular Army or volunteer forces, where the accused has been dishonorably discharged from the military service of the United States, or to review the proceedings, findings, and decision of a retiring board, when an officer has been wholly retired from the Army.

SEC. 2. That the said board of review shall have jurisdiction of all such cases as shall be ordered before it by the Secretary of War, and its members shall serve without compensation, except such as they are now receiving, and may be relieved from time to time as the exigencies of the service may require: *Provided*, That when officers of the retired list serve upon such board they shall receive the same pay as officers of their grade upon the active list.

SEC. 3. That it shall be lawful for said board of review to hear and consider any additional evidence in each case as may properly be brought before it, under such rules and regulations as may be established by the Secretary of War, and it is hereby authorized to subpœna witnesses and to administer oaths when necessary; and the proceedings and findings, with the recommendations of said board, shall be forwarded to the Secretary of War for his consideration and action: *Provided*, That the Government shall be put to no expense on account of witnesses summoned on the part of the applicant.

SEC. 4. That the board shall have the power to compel the attendance of witnesses, and to make them testify, and punish for contempt.

SEC. 5. That the recorder shall act as judge-advocate and be empowered to introduce witnesses to contradict the evidence of the applicant.

SEC. 6. That in case of disagreement of the board the views may be expressed in both majority and minority reports.

SEC. 7. That in all cases where the relief prayed for is recommended by the said board of review, in whole or in part, and approved by the Secretary of War, it shall be his duty to refer to Congress, for such action as it may deem proper, the findings of the board of review, together with the evidence upon which the findings are based, and he shall also report to Congress what action by Congress is deemed by him as necessary in order that justice may be done in the case: *Provided*, That no right to any pay or allowances shall accrue or be revived from such amendment of the records in any case.

Mr. BAILEY. I desire to inquire whether this bill was not pending when the Committee on Military Affairs last occupied an hour?

The CHAIRMAN. It was. This is the second morning hour in which the bill has been up.

Mr. BAILEY. This is the second hour in which the Committee on Military Affairs have occupied the attention of the House with this bill.

Mr. OUTHWAITE. Not exactly. It was taken up in the latter part of the hour on that occasion. A bill was pending to which objection was made, and, no quorum voting, that bill was withdrawn and this one was taken up and considered for perhaps ten or fifteen minutes.

Mr. BAILEY. But if this bill should not be disposed of in this hour it could not come up under the next call.

The CHAIRMAN. It could not.

Mr. BAILEY. I believe that when the bill was up before I resisted its passage. On further examination, I think that it is possibly free from objection if the gentleman will agree to strike out the first proviso. On section 2, page 2, the bill provides that officers on the retired list who serve on this proposed board shall receive the same pay as officers of the same grade on the active list. I think that as little as a retired officer might do would be to render such a service as this without extra compensation. The Government is paying him already 75 per cent of what he would receive if he were on the active list, and he is doing nothing in return, and if he can render this service I think he should be glad to do it. If the gentleman from Ohio will agree to strike out that provision I shall make no further objection to the bill.

Mr. OUTHWAITE. When we come to the consideration of the bill I shall be inclined to accept that proposition; but I desire now to make a brief explanation to the committee to show the necessity for some such measure as this. About one-sixth of the bills that are introduced into the House are referred to the Committee on Military Affairs. Probably sixteen hundred bills were referred to that committee during the last Congress. Several hundred of those are bills which require the committee to investigate military records, to investigate the action of courts-martial, courts of inquiry, or retiring boards. Officers and men come before the committee claiming that they have been wronged by the action of the War Department through those respective boards or courts, and they seek to present their cases supported in some instances by a mass of testimony.

Now, the Committee on Military Affairs has not the time or the opportunity to investigate these cases properly, and the result generally is that but one side is presented to the committee. I recall one case now in which an officer was summarily dismissed from the Army some years ago for having in his possession stolen goods. He did not ask for a court of inquiry or a court-martial at the time, but accepted his fate. Another officer who was similarly charged demanded a court of inquiry, or a court-martial, I do not remember which, and upon investigation he was acquitted. Now, the former one who has been resting under this stain for lo! these many years, comes before Congress and has a bill introduced for his relief, to reinstate him in the Army, sustains his case by affidavits, and attempts to upset the report of the officer of the Army who investigated the case at the time and to upset the results of that investigation.

Now, how can the Committee on Military Affairs properly try such a case as that? This bill provides that an officer so situated shall go to the War Department and shall make his showing there, and if that showing is sufficient to justify the Secretary of War in ordering a court, it shall be ordered as provided in this bill. That court shall investigate the case, shall call and examine witnesses, shall go to the bottom of the subject and shall make a report. The report need not be unanimous; there may be majority and minority reports. Upon such report as made the case shall be again reviewed at the War Department. If the Secretary of War adopts the report he shall refer it to

Congress, and it will be for Congress, with all the testimony before it and all the investigation that can possibly be made of the subject, to determine whether the man shall have the relief he seeks or not. Obviously that will be better for the individual as well as for the War Department, and it will certainly be better for the Committee on Military Affairs and for Congress to be relieved of the investigation, or the partial investigation, that is demanded of it under the present system.

Mr. MCMILLIN. Mr. Chairman, I wish to call the attention of the chairman of the Committee on Military Affairs to this declaration, which I find in the letter of Maj. Gen. Schofield in relation to this bill:

> But the bill in question undoubtedly requires careful revision. In the first place, since the dismissal of an officer is by the President's order, the board of review should be appointed by the President, rather than by the Secretary of War. And in order that justice may certainly be done, the board should have power not only to summon witnesses, but to compel their attendance and to compel them to testify.

The point to which I specially desire to call attention is that, over the suggestion of the General in command of the Army, this bill proposes to give the Secretary of War authority to appoint a board of review to review what the President has done in the exercise of his authority as commander-in-chief of the Army and Navy. It strikes me that if the bill is to go through at all the suggestion of Gen. Schofield ought to be adopted.

Mr. OUTHWAITE. Very well; we will accept that.

Mr. BAILEY. Mr. Chairman, I am rather inclined to object to that for this reason. The President dismisses the man, and the question for this proposed tribunal is as to the propriety of that dismissal. Now, I do not think that the President ought to appoint the board that is to pass upon the propriety of his own action. It is true that the bill proposes that the board of review shall be appointed by the Secretary of War, and the Secretary of War is appointed by the President, but still the bill removes the organization of the board which is to pass upon the propriety of the President's action one degree farther from the President, which, I think, is entirely proper.

Mr. OUTHWAITE. Let me remind the gentleman that although the President approves the dismissal, he does not take the initiative. The initiative is taken below.

Mr. MCMILLIN. Mr. Chairman, I desire to say, in reply to the gentleman from Texas, that the chief command of the Army and Navy can not be taken out of the hands of the President. The Constitution invests him with it. If the Constitution invests him with this power, it is wrong for us to take it from him if we could. I do not sympathize with the suggestion that it is important to strip the President of this function and lodge it with a subaltern of his—one of his appointees. If the President has the discretion to appoint the Secretary of War, certainly he is equally competent with that Secretary to deal with questions of this kind.

Mr. BAILEY. No provision of the Constitution contemplates a retired list; and I undertake to say that the men who made that instrument would never have consented to one. And inasmuch as in this bill we are dealing with the retired list, I submit that the suggestion of my friend from Tennessee is scarcely pertinent.

Mr. MCMILLIN. My friend is in error about the bill. The bill, if I understand it correctly, does not deal entirely with the retired list. Am I correct [addressing Mr. OUTHWAITE]?

Mr. OUTHWAITE. You are correct.

Mr. MCMILLIN. The bill deals with persons who are dishonorably dismissed from the service; and in the report, so far as I have been able to read it, stress has been laid principally on that class of cases, not upon the retired list. I have no more anxiety than my friend from Texas [Mr. BAILEY] has to increase the retired list.

Mr. BAILEY. As a matter of fact, the bill does deal with the retired list, and with courts-martial also.

Mr. MCMILLIN. That is correct.

Mr. OUTHWAITE. But most of the cases to which the bill has reference are cases coming from courts-martial and courts of inquiry, and cases of summary dismissal.

I yield five minutes to the gentleman from Alabama [Mr. WHEELER].

Mr. VAN VOORHIS of New York. Before the gentleman from Alabama proceeds I would like to ask whether this bill gives power to correct the military record of a man who by some mistake or other has been charged on the records with desertion?

Mr. OUTHWAITE. It does not give power to correct such a record, but it gives power to investigate the matter and then refer the results of the investigation, the findings, to Congress for its action.

Mr. VAN VOORHIS of New York. Where there has been no court-martial?

Mr. OUTHWAITE. Where there has been no court-martial.

I now yield five minutes to the gentleman from Alabama [Mr. WHEELER].

Mr. WHEELER of Alabama. Mr. Speaker, I do not deem it material whether the Secretary of War or the President be designated in the first line of this bill, because it has been decided that the action of the Secretary of War in such as is specified in this is really the action of the President. I should have no objection therefore to providing that this board shall be appointed by the President, though I presume in point of fact the appointments would actually be made by the Secretary of War.

I do not think it necessary to add anything to what the chairman of the committee [Mr. OUTHWAITE] has said on this subject. For many years I have regarded a measure of this kind as one of great importance, one that I considered very essential to be brought to the attention of Congress for the purpose of preventing injustice to officers of the Army. The Committee on Military Affairs in every Congress is overwhelmed with bills to restore Army officers. But that committee is not in an attitude to do judicial fairness in such cases. It can not investigate these matters so as to mete out exact justice in reporting the most meritorious bills and rejecting those that are less meritorious.

The history of our proceedings, I regret to say, is that we have failed in many cases to act favorably upon cases of real merit, which all will admit is doing injustice, and then *ex parte* evidence brought before the committee has sometimes caused favorable action upon cases where upon judicial investigation it was afterward shown favorable action should not have been taken; and after such errors have been discovered—errors, of course, in the direction of clemency—the committee has sometimes been unduly conservative and careful, and with an anxiety to avoid error has refused to favorably consider cases which involved a great deal of merit.

The only purpose of this bill is to have judicial investigation in cases of this kind by military men so situated as to be able to avail themselves of all information. The report of this board to the Secretary of War will be transmitted to Congress, and the hope is that we shall thus be enabled to do absolute justice in every case. The establishment of a board of this character has been recommended to Congress on many occasions; and great injustice has been done on account of the failure to pass such a bill.

I hope, therefore, there will be no objection to this measure. I shall not oppose the suggestion with regard to retired officers of the Army. It would probably be as well to let them serve with the same pay that they would have on the retired list. That provision was put in pursuant to a suggestion of the Secretary of War in a previous Congress. This is all I desire to say on the subject, except to ask for a vote, as under the rules the bill will be lost if we allow the morning hour to expire before finally disposing of the bill.

Mr. CANNON of Illinois. I would like to ask the gentleman a question or two about this bill. I am very slow to antagonize any bill touching the Army which the gentleman introduces. I say this on account of my own want of knowledge and the gentleman's very great amount of knowledge touching especially the Army.

Mr. WHEELER of Alabama. Thank you.

Mr. CANNON of Illinois. But I read in the gentleman's report the statement:

> There can be no doubt but that the courts-martial in nearly all cases render a just verdict, which ought not to be disturbed.

Now, as I understand the gentleman's remarks and the tenor of this bill, it happens in many cases that a party under sentence of a military court comes to Congress to be relieved from that sentence.

Mr. WHEELER of Alabama. Yes, sir; very many such cases come before Congress.

Mr. CANNON of Illinois. And the matter is referred to the Committee on Military Affairs, which committee, after making the best investigation it can, reports favorably or unfavorably. To relieve the Committee on Military Affairs of this responsible duty and to secure a better result as the gentleman hopes in such cases, he proposes now the establishment of a court of review which shall reconsider the action in such cases without limitation.

Mr. WHEELER of Alabama. Which shall review the proceedings.

Mr. CANNON of Illinois. In other words, although an officer may have been convicted by court-martial twenty years ago, he can under this bill come in as a matter of right and have his case reconsidered by this board of review.

Mr. MCMILLIN. If the gentleman from Illinois will permit me a moment, I wish to ask the gentleman from Alabama in charge of the bill, as it seems to be a little obscure on that point, whether this accrues to the officer dismissed as a matter

of right, or whether it is in the discretion of the Secretary of War?

Mr. WHEELER of Alabama. The bill says in the discretion of the Secretary of War.

Mr. McMILLIN. Where?

Mr. WHEELER of Alabama. The officer is compelled to make his application——

Mr. McMILLIN. If the gentleman will permit me, the first line of the bill provides:

That the Secretary of War is hereby authorized to appoint a board of review.

But I do not see anything in the bill that makes it the duty of the Secretary of War, or whether it leaves it to him as a matter of discretion and right.

Mr. WHEELER of Alabama. If the gentleman will refer to section 3, page 2——

Mr. HULL. Section 3 clearly fixes it as the duty of the Secretary of War. That section provides for the rules and regulations to be established by him.

Mr. WHEELER of Alabama (continuing). Section 3 provides:

SEC. 3. That it shall be lawful for said board of review to hear and consider any additional evidence in each case as may properly be brought before it under such rules and regulations as may be established by the Secretary of War.

Mr. McMILLIN. But that still does not say whether it is the duty of the Secretary of War to organize this board on the application of any soldier or not. That probably would be the construction, but the question is whether it is a duty or a discretion as the bill is drawn.

Mr. BAILEY. I think the second section of the bill is clear on that point. It provides that the board of review shall have jurisdiction of all cases which shall be ordered before it by the Secretary of War. It provides, as will be seen, for the jurisdiction of such cases as "shall be ordered" before it.

Mr. OUTHWAITE. There is no question that the Secretary of War must order the board.

Mr. McMILLIN. Then the construction of it—and the construction here would have weight in determining the matter—the construction you place on it is that it is not the right of the soldier to demand this board, but the Secretary of War has discretion to order the investigation if he believes it necessary.

Mr. WHEELER of Alabama. That is clearly the proper construction of the bill.

Mr. CANNON of Illinois. Now, if the gentleman will permit me, as I was interrupted before. When the board of review reverses the action twenty years after the court has convicted the party, that fact is certified to Congress.

Mr. WHEELER of Alabama. Yes, with the proceedings, findings, and recommendation of the board.

Mr. CANNON of Illinois. If the board of review confirms the action of the court-martial the party still is not estopped from coming to Congress.

Mr. WHEELER of Alabama. Under such circumstances the party coming to Congress would come with little chance of relief. The board would have given the matter a full and fair investigation and would have had the benefit of the additional evidence, and I do not see that anything additional could be presented to Congress.

Mr. CANNON of Illinois. Now, in view of the statement made in the report that substantially all of these convictions by courts-martial are just——

Mr. WHEELER of Alabama. Substantially all; but in many cases there is a failure of justice, and it is such cases which will be met by this bill.

Mr. CANNON of Illinois. Well, the report says:

There can be no doubt but that courts-martial in nearly all cases render a just verdict which ought not to be disturbed.

I say in view of that statement—I ask whether you think it wise in section 3, twenty years after, when the parties nearly all of them may be dead——

Mr. VAN VOORHIS of New York. Thirty years after.

Mr. CANNON of Illinois. Yes; thirty years after. I ask the gentleman from Alabama if he thinks it wise to provide as this section does—

That it shall be lawful for said board of review to hear and consider any additional evidence in each case as may properly be brought before it.

Now, then, after the lapse of a quarter of a century, for instance, taking a case of that kind, a man twenty-five years ago, with all the parties living, when the offense was committed, having had his day in court, with a full and fair trial, and being convicted, sleeps on that conviction for a quarter of a century, and after that lapse of time comes in with this new evidence, that may be correct evidence or may not be—it may be suborned evidence, being impossible if suborned, in consequence of the death of the parties or the loss of interest in the case, to combat it—and opens up the case and reverses the verdict made after the party had a full chance for hearing. I ask if that is a wise suggestion?

Now, it may be wise in connection with the Army. I do not know as to that; but I do undertake to say that it would be wonderfully unwise in connection with any other body of men on earth.

Mr. OUTHWAITE. But this court has no authority to reverse any case. It simply makes a finding and reports it to Congress. It is for Congress to determine on the showing made what should be done.

Mr. CANNON of Illinois. Oh, I understand that.

Mr. OUTHWAITE. Now, there ought to be some means of reviewing these proceedings as new evidence is discovered. How much wiser is it for a man coming with that kind of a claim to Congress to submit such testimony than to come asking relief, as many do, without any evidence whatever to sustain the claim?

Mr. CANNON of Illinois. It is true there is no authority to reverse a decision, as the gentleman says; but if it does not amount to a reversal, practically the whole proceedings as a court of review is of no importance, except that the man comes back with the approval of the court of review upon new evidence, all the parties dead who can or who probably would rebut the testimony and show its unreliability, yet he comes with the new case before Congress, and I ask the gentleman how any defense is to be made in Congress against such a claim?

Unless there is some peculiar necessity in connection with the Army that does not apply to any other individual or body of men on earth, I very much doubt the wisdom of the provisions of the bill.

Mr. WHEELER of Alabama. I will say to the gentleman that the difficulty is that our military jurisprudence has been faulty in not having a board of review before. I admit that difficulty will arise, but do not let us continue to perpetuate a wrong. Let us commence now to correct that wrong and do justice to military men, just as you do justice in civil cases, by having a court of appeal or review.

Mr. CANNON of Illinois. Let me say to my friend that if there is no court of appeal from the judgment of a court-martial, and if it is wise to have one, I stand ready to provide one, but let it be in this line: If there ought to be an appeal, constitute your tribunal and let your appeal be prosecuted, and prosecuted at once, as it is in other matters.

Mr. McMILLIN. I will state to the gentleman from Illinois——

Mr. CANNON of Illinois. Just one word. Do not make a rule for the Army that would allow one generation to die before this board of review passes on a case.

Mr. COX. Let the board of review pass on cases which arise after it is constituted.

Mr. OUTHWAITE. We want to get rid of these cases, in which the attention of Congress is constantly being called to alleged injustice on the part of courts-martial.

Mr. CANNON of Illinois. I want to say to my friend that while I believe in standing by the regular Army, and while I recognize the justice and importance of standing by it, constituting as it does the arm of force of the Government; while I would be more than just, and while I would be liberal to it, yet I want to say to my friend that the bare fact of the Army being set apart from other citizens begets more or less of suspicion and more or less of criticism; and I want to submit to the gentleman whether it is wise to enact this legislation. I speak now as a friend of the Army. Establish your court of review or appeal from the findings of courts-martial, if that ought to be done. But let the appeal be prosecuted just as it is now prosecuted in civil cases. Do not let a generation die before some man who is rightfully convicted takes his appeal when the circumstances are forgotten and the men are all dead who might contradict suborned testimony. In such a case a man might come in and ask for a court of review and get it, and, backed up by its recommendations after everybody has lost interest in the case, appeal to Congress to correct an alleged wrong, when in fact there was no wrong done him.

Mr. COX. Let the board of review consider cases that arise after the court is created. That I understand to be the gentleman's proposition, while this proposition is to go back behind that.

Mr. McMILLIN. I want to state that while this is called a board of review, it is not in fact a board of review. It is an original board, because it has authority to summon new witnesses, to bring in new testimony, and to determine a case upon new facts that were not before the old board. Therefore, it is not in any correct sense of the word a board of review. It is an original board to retry new cases and may rely on new evidence.

Mr. VAN VOORHIS of New York. I should like to ask the chairman of the committee whether, in his judgment, Congress has the power to set aside the judgment of a court-martial?

Mr. OUTHWAITE. No, and this bill does not propose to do anything of the kind. This simply provides what may be termed an auxiliary court, to assist Congress in getting at the facts.

Mr. VAN VOORHIS of New York. If Congress has not the power to set aside the judgment of a court-martial, what is the use of creating this board of review?

Mr. WHEELER of Alabama. Congress is all the time doing it. It has set aside many verdicts.

Mr. OUTHWAITE. Congress is all the while called upon in these cases. There are many cases before the Committee on Military Affairs, and gentlemen are continually insisting that we should investigate cases which occurred thirty years ago.

Mr. VAN VOORHIS of New York. Will this bill relieve a private soldier who finds himself on the record as a deserter when for twenty years he never knew he was on the record as a deserter? There are cases of that kind, where men apply for pensions and the record shows them to be deserters, when in fact they had no knowledge of any such record. Will this bill afford relief in such cases?

Mr. MARSH. No; it will not.

Mr. WHEELER of Alabama. It does cover all such cases, when a soldier has been adjudged a deserter by a court-martial.

Mr. MARSH. Not unless a man was tried by a court-martial.

Mr. PICKLER. Suppose he is reported on the rolls as a deserter, and dishonorably discharged. Can he come before this board?

Mr. MARSH. No.

Mr. OUTHWAITE. The provisions of the general laws for the discharge of deserters are very liberal. There may be cases in which men situated as pointed out by the gentleman from New York might have the benefit of this law.

Mr. PICKLER. Why should he not be allowed?

Mr. OUTHWAITE. They may be allowed the benefit of this law.

Mr. WHEELER of Alabama. And it is for the benefit of commissioned officers and enlisted men.

Mr. PICKLER. That is where there is a court-martial.

Mr. MARSH. That is where he is declared a deserter by court-martial.

Mr. OUTHWAITE. I now yield five minutes to the gentleman from Iowa [Mr. HEPBURN].

Mr. HEPBURN. Mr. Chairman, I would like to ask the chairman of the committee if he has any information as to the number of court-martials ordered in the cases of commissioned officers, say, during the last twelve months, or for any stated period?

Mr. OUTHWAITE. I have no information as to that fact; and let me give you the reason for not being informed on that fact. It is because this bill is not intended so much to meet cases of that kind as to meet cases that occurred twenty-five or thirty years ago.

Mr. HEPBURN. Is it not true that the number of officers ordered before court-martials, in proportion to their numbers, is very much larger than persons upon indictments?

Mr. OUTHWAITE. I can not answer that question. I have not the figures, but I think it likely there are.

Mr. WHEELER of Alabama. I desire to say that it is so because of the strict discipline which must be maintained in the Army. An army is a body of disciplined men who surrender much of their liberty, while civil law restrains other persons or citizens the least possible, leaving them the greatest possible liberty.

Mr. HEPBURN. Mr. Chairman, I am glad to have this information, for it aids me in the point I desire to make. Let the peculiar character of the tribunal be remembered before which army officers are tried. Almost invariably they are their friends. They come from the same school. They have the pride of profession. They have the purpose to preserve the honor of the guild, if I may use the phrase. I undertake to say that as a rule no tribunals that try men charged with offenses come together so favorably disposed towards the accused as do these courts-martial when they are brought together to try their brother officers.

Mr. WHEELER of Alabama. My friend is mistaken. It is because of this desire and determination on the part of officers to maintain the honor of the guild that they are so very severe in their judgments.

Mr. HEPBURN. They may be disposed to be just, but in this leaning of men to men of common interest, the men are alive to the case of the brother officer who is to be tried. Now, if this is true, why is it necessary that we should not have laws analogous to those that are always observed in the trial of all other persons? A man charged under an indictment has a right to an appeal, but it is to an appellate court. It is for a review of the laws that they can appeal. Here you do more than that. You constitute this appellate court a *nisi prius* court, and you not only allow a review of the law, but you allow a review of the facts in the case; and that too under the extraordinary circumstance of having no statute of limitations.

Mr. MARSH. Not only a review of the facts, but the introduction of new, and entirely new, facts in addition.

Mr. HEPBURN. Certainly.

Now, I think that is unjust, unfair, and unnecessary. I believe myself that in time of peace that courts-martial should not exist. I believe officers of the Army should be tried just as all citizens are tried, tried upon indictment, tried in the same way, subject to the same tribunal; but if that is not to be the policy, I can see no reason for still enlarging their rights.

Then, again, Mr. Chairman, in some provisions of this bill I think there is fault. Here, for example, as to the payment of witnesses. They must serve without pay; but there is a compulsory process to compel their attendance. They must go whether they are paid or not. Why should this innovation in the law take place in the interest of these men; and mind you, it is only men who have been dishonorably discharged by what I will characterize, and I believe justly, a court composed of their friends. I do not believe this legislation is necessary or ought to be indulged in. Another objection I find to this bill is the uses to which it may be put. This privilege of review is not given to all men alike. It is only given to such as the Secretary of War chooses to favor. If some favorite of his meets disaster at the hands of a court-martial, that man may have his case reviewed; but not so with all other men. If we are to have this legislation, let us have it fair, and let us apply it to all men alike, and the analogies of law in regard to all other criminals be observed and maintained.

Mr. OUTHWAITE. I ask unanimous consent that general debate on the bill be closed.

There was no objection, and it was so ordered.

The CHAIRMAN. The Clerk will report the bill by paragraphs.

The Clerk read as follows:

That the Secretary of War is hereby authorized to appoint a board of review, to consist of three members and a recorder, from officers of the Army on the active or retired list, to review the proceedings, findings, and sentence of any court-martial for the trial of a commissioned officer or enlisted man, either of the regular Army or volunteer forces, where the accused has been dishonorably discharged from the military service of the United States, or to review the proceedings, findings, and decision of a retiring board, when an officer has been wholly retired from the Army.

Mr. WHEELER of Alabama. Mr. Chairman, in line 9, between the word "been" and the word "dishonorably," there should be inserted the words "cashiered or."

The amendment was agreed to.

Mr. HEPBURN. Mr. Chairman, I move to amend on line 12, page 1, by inserting after the word "Army" the words "or such as have been summarily dismissed from the Army."

Mr. WHEELER of Alabama. That is a good amendment; I hope it will be adopted.

Mr. OUTHWAITE. That is acceptable to the committee.

The amendment was agreed to.

The Clerk read as follows:

SEC. 2. That the said board of review shall have jurisdiction of all such cases as shall be ordered before it by the Secretary of War, and its members shall serve without compensation, except such as they are now receiving, and may be relieved from time to time as the exigencies of the service may require: *Provided*, That when officers of the retired list serve upon such board they shall receive the same pay as officers of their grade upon the active list.

Mr. BAILEY. Mr. Chairman, I move to strike out the provision in section 2, beginning with the word "provided," in line 6, and ending with the paragraph. The effect of that amendment would be to leave retired officers serving on this board to receive the same pay when thus serving that they receive when not serving.

Mr. OUTHWAITE. That is acceptable.

Mr. HEPBURN. Mr. Chairman, I move to amend lines 2 and 3 of section 2 by striking out the words "as shall be ordered before it by the Secretary of War" and inserting "referred to in section 1;" so that the provision will read "that the said board of review shall have jurisdiction of all such cases as are referred to in section 1."

Mr. OUTHWAITE. Does the gentleman think that that is a wise amendment? Of course, the Secretary of War might refuse in any given case to order a review by the board, but the purpose of the committee in reporting that provision was to have officers who feel aggrieved and who desire a review, to present their cases in the first instance to the War Department. In many cases these gentlemen claim that they have had no hearing at all, in others that they have since discovered testimony in their favor, and in some cases they say that they were not present at all, and have since discovered that testimony was given against them which they knew nothing about at the time. Now, it was the opinion of the committee that it would be wise

to let all these officers make their application in the first instance to the Secretary of War or to the President. I do not wish, however, to contest the amendment if the gentleman still thinks it is a wise one.

Mr. HEPBURN. The only purpose of the amendment is to take away this power of discrimination from the Secretary of War, so that all men who want to appear before this board of review may have the privilege of doing so, and not have the privilege confined to those who can get the ear of the Secretary of War.

Mr. OUTHWAITE. Well, if the gentleman thinks the amendment is wise, I shall not contest it.

Mr. BINGHAM. Would not the adoption of the amendment proposed by the gentleman from Iowa result in sending every case that is tried by court-martial before this board?

Mr. WHEELER of Alabama. It would. I think the Secretary of War can be trusted to do absolute justice and to order a case before the board wherever there is a scintilla of reason for doing so. The kind of men we have in that position will do justice. The present Secretary of War could not do any injustice.

Mr. HULL. I think my colleague [Mr. HEPBURN] will recognize the fact that if his amendment should be adopted, it will be twenty years before the board of review can catch up with its work. It seems to me that some showing ought to be made before a case can go before the board.

Mr. HEPBURN. I do not know how many cases there may be to go before the board, but I do know that we should regard it as a very great hardship if there was some censor placed over each litigant who wanted to appeal to a court of review in a criminal case. We would not submit to that for a moment, and I do not see why we should submit to it in this case. If it is a wise thing, if it is necessary to effectuate justice in these cases, to have this review, then let it apply to every case and not merely to those which may happen to meet the approval of the Secretary of War. The Secretary will not act in these matters personally. He will remand them to some inferior, possibly to a clerk in some division, so that really you are not intrusting this power to a high functionary but possibly to some clerk.

I am not willing that this censorship shall be exercised in that way. If it is right to provide for this appeal at all, let us extend the privilege freely to all persons who may claim that injustice has been done them and that they ought to have a second day in court.

Mr. HULL. Mr. Chairman, the proposition of this bill is not to create a tribunal in the nature of a final court of appeal to decide these cases; it is simply, for the convenience of Congress, to establish a tribunal before which evidence can be submitted and the cases fully investigated, and then referred to Congress for action. This is not, as my colleague seems to assume, a proposition to establish a final court of appeal.

Mr. PENDLETON of West Virginia. I suggest to the gentleman from Iowa that even if a man does not get a hearing before this board of review, that does not shut him off from appealing to Congress. He has still left the same rights that he has now.

Mr. HULL. Certainly. The idea of the Committee on Military Affairs was this: We are overloaded with work in the line of reviewing the decisions of courts-martial. Our hearings in such cases are purely *ex parte*, and we are able to devote only a few minutes to each case. A large number of cases are clearly meritorious, while on the other hand many of them are not; and our idea was to provide some tribunal by which the facts could be investigated and submitted to Congress for action. It seems to me that the bill as originally submitted was a good one.

Mr. WHEELER of Alabama. If we do not find that it is broad enough, we can make it broader in another Congress. Let us pass this bill and make a good start in the right direction.

Mr. HULL. Take another point. Gentlemen talk about these reviews going back twenty or thirty years. Why, sir, nearly all our bills relating to these matters go back for that number of years. Immediately after the war there were retiring boards which discriminated against volunteer officers who had been promoted to the regular Army. If such cases were submitted to the Congress of the United States authoritatively, Congress would in many cases reinstate officers who had been arbitrarily retired by the action of boards composed of regular army officers. But the report of the Military Committee, hastily prepared, does not carry the weight it should have.

It has been suggested that these military men have trials before their friends. Let me say that in many cases of courts-martial of army officers that have been before the Military Committee there has been shown the most absolute and direct prejudice influencing the action of such courts; the findings were the result of jealousies and petty bickerings among officers of the Army. I think that the great benefit of this bill will be that we shall have an authoritative sifting of facts which will enable us to do justice in the action taken by Congress, whereas at present the findings of the Military Committee in many cases do not result in securing justice because of our inability to get our bills passed.

Mr. CANNON of Illinois. Does not my friend know that neither the Judiciary Committee nor Congress is loaded down with bills introduced for the purpose of reversing the action of the courts in criminal cases?

Mr. HULL. And does not my friend from Illinois know that in criminal cases the law provides for appeals from one court to another, so that the parties concerned may have an adjudication to determine whether the law has not been wrongly applied and injustice done? In such cases there is a jury of twelve men, not selected with the idea that they are either friends or enemies of the accused—disinterested men, his peers. Such men try him and ascertain the facts. And then if the court has erred in regard to the law, as some courts-martial do, an appeal can be taken to a higher court, where the question of law can be adjudicated and the case sent back for retrial if error or wrong has been committed.

Mr. CANNON of Illinois. And yet, notwithstanding that, I have no doubt more persons are wrongly convicted in cases tried on the criminal side of our courts than are wrongly convicted by courts-martial—I mean more in proportion to the number of cases tried. Now, Congress is not bothered in the one class of cases, because it is the policy of the law and of Congress that there shall be a finality in the determination of such cases. If in such cases as the gentleman has put, cases tried before courts-martial, there ought to be an appellate court I am ready to vote for such a court.

Mr. HULL. I think my friend from Illinois misinterprets this bill in the statement he has made. The court here provided is not an appellate court. It is simply a court of review. It has no power to reach a final decision; it can only submit the facts to Congress, which is the body to decide finally upon the question. The bill does not propose to take from Congress one particle of its power. The findings of this court of review are not absolutely conclusive. The court will simply submit to the proper officers of the Government a finding as to the facts which must be acted upon by Congress before the findings of the court can have any effect whatever.

Mr. OUTHWAITE. Mr. Chairman, this bill has been very carefully considered by the Committee on Military Affairs, on which there are ten ex-soldiers and ex-officers of the Union Army and one ex-officer of the Confederate army. The members of the committee have had the opportunity to become acquainted with this class of cases and to see the necessity for a bill of this character.

Mr. HEPBURN. My colleague [Mr. HULL] suggests that one of the functions of this court of review would be to transmit the evidence it may take to Congress for its advisement.

Mr. BINGHAM. After approval by the Secretary of War.

Mr. HEPBURN. There is nothing in the bill with regard to transmitting the evidence. The bill simply provides that the proceedings of this court of review, its findings and recommendations, shall be sent up—not the record of the testimony.

Mr. OUTHWAITE. Well, we will put in a provision in regard to the testimony.

Mr. HEPBURN. Again, the gentleman from West Virginia suggests that this bill in its present form does not change in any manner the rights of the individual who may appeal to the justice of Congress. I submit that it does. Suppose that this individual happens not to be among those favored by the Secretary of War; suppose the Secretary refuses to send his case to the court of review. Then the individual comes to Congress handicapped by that fact, and his condition is made so much worse; because it will be said that he has had an opportunity to seek a reëxamination of his case by the court of review, that he has appealed to the Secretary of War, that the Secretary has examined his case and has refused to transmit it.

Thus there is substantially an additional finding against him; and he is not in the same status that he otherwise would be. His case is in a worse condition than if this bill had never passed.

Mr. OUTHWAITE. The committee is willing to accept the amendment of the gentleman from Iowa.

The question being taken on the amendment of Mr. HEPBURN, it was agreed to.

The Clerk read as follows:

SEC. 3. That it shall be lawful for said board of review to hear and consider any additional evidence in each case as may properly be brought before it, under such rules and regulations as may be established by the Secretary of War, and it is hereby authorized to subpœna witnesses and to administer oaths when necessary; and the proceedings and findings, with the recommendations of said board, shall be forwarded to the Secretary of War for his consideration and action: *Provided*, That the Government shall be put to no expense on account of witnesses summoned on the part of the applicant.

Mr. OUTHWAITE. I move to amend by inserting after the word "findings," in line 6 of the section just read, these words: "Together with the evidence upon which the findings are based."

The amendment was agreed to.

Mr. HEPBURN. Mr. Chairman, I move to amend section 3 by striking out the word "provided" and the following words in that section:

Provided, That the Government shall be put to no expense on account of witnesses summoned on the part of the applicant.

Mr. OUTHWAITE. There is no objection to that amendment.

The amendment was adopted.

The Clerk resumed and concluded the reading of the bill.

Mr. OUTHWAITE. I move that the committee rise and report the bill to the House as amended favorably.

Mr. CANNON of Illinois. I desire to make a motion that is privileged before that. In order to test the sense of the committee I move to strike out the enacting clause of the bill.

The CHAIRMAN. That motion takes precedence.

Mr. RICHARDSON of Tennessee. Should not the motion be that the bill be reported to the House with the recommendation that the enacting clause be stricken out?

Mr. CANNON of Illinois. That is the correct form, and I modify the motion.

The question was taken on the motion of Mr. CANNON of Illinois, and it was rejected.

Mr. OUTHWAITE. I now renew my motion that the committee rise and report the bill favorably as amended.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. MCCREARY of Kentucky reported that the Committee of the Whole House on the state of the Union, having had under consideration the bill H. R. 199, had directed him to report the same to the House with amendments, and with the recommendation that as so amended it do pass.

Mr. OUTHWAITE. I demand the previous question on the bill and amendments.

The previous question was ordered, under the operation of which the amendments were agreed to, and the bill as amended ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time.

The question being taken on the passage of the bill, on a division (demanded by Mr. CANNON of Illinois) there were—ayes 77, noes 5.

So the bill was passed.

On motion of Mr. OUTHWAITE, a motion to reconsider the last vote was laid on the table.

The SPEAKER. The morning hour has expired.

ADMISSION OF NEW MEXICO.

Mr. OUTHWAITE. Mr. Speaker, I am directed by the Committee on Rules to submit the report I send to the desk.

The Clerk read as follows:

Resolved, That immediately upon the adoption of this order the Committee of the Whole House on the state of the Union be discharged from the further consideration of the bill (H. R. 353) "to enable the people of New Mexico to form a constitution and State government and be admitted into the Union on an equal footing with the original States," and that said bill be considered in the House; that after three hours' consideration thereof, if so much be necessary, the previous question shall be considered as ordered on pending amendments and the engrossment and third reading and final passage of the bill; and then, without intervening motion, the vote shall be taken upon the third reading thereof, and upon the final passage of the bill; and, should a motion to reconsider be made, upon a motion to lay the latter motion on the table.

Mr. OUTHWAITE. I demand the previous question upon the adoption of the resolution.

The previous question was ordered.

Mr. REED. Mr. Speaker, I desire to ask the gentleman from Ohio if he will allow an amendment in regard to the Territory of Oklahoma?

Mr. OUTHWAITE. That amendment would hardly be in order on this bill. Besides, it would hardly be the province of myself, having charge of this rule, to permit an amendment of that kind. The previous question has been ordered.

Mr. REED. There will be no difficulty in getting at it by unanimous consent.

Mr. OUTHWAITE. I would not guarantee unanimous consent upon any proposition; and besides, if the gentleman will observe, there is a limited time. This bill having already been debated for a day in the House, this rule provides for three hours more. Now the bill for the admission of Oklahoma may need as much time as has been given to the bill to admit New Mexico.

Mr. REED. That can be arranged. Will the gentleman inform the House whether the Committee on Rules have had a petition addressed to them by the Committee on Territories for time for consideration of the Oklahoma bill?

Mr. OUTHWAITE. I could not inform the House upon that subject, for the reason that I have not gone over all the resolutions and petitions that have been sent to the Committee on Rules. I observe that there are quite a number of them, perhaps twenty-five or thirty.

Mr. REED. You have no knowledge of any such thing?

Mr. OUTHWAITE. I have no knowledge of any such resolution.

Mr. REED. I am informed that such a petition was presented to the Committee on Rules.

Mr. OUTHWAITE. That may be so. It was proper that this bill, having been considered under a previous order for one day, should be disposed of by itself.

Mr. SMITH of Arizona. Just as was done in the admission of the other Territories in the Fifty-first Congress.

Mr. REED. Mr. Speaker, it seems to me rather a singular transaction that the people of a Territory which, if I am correctly informed, has 300,000 inhabitants, 95 per cent of them born in this country, citizens of the United States, have not been able to secure time for the consideration of their case, while this bill, which has been rejected time out of mind by various Congresses, should receive the support of the Committee on Rules.

Mr. OUTHWAITE. Will the gentleman permit me to say that at the time the rule was reported authorizing the consideration of the bill to admit the Territory of New Mexico as a State, the bill concerning the Territory of Oklahoma had not yet been reported. Now, with that the Committee on Rules has nothing to do, and it is in nowise responsible for it.

Mr. REED. But the bill is reported to-day.

Mr. OUTHWAITE. There are a great many other measures reported.

Mr. WHEELER of Alabama. Will the gentleman permit me?

Mr. REED. I should be very sorry not to permit the gentleman from Alabama to participate in the debate.

Mr. WHEELER of Alabama. The gentleman says it is strange that the Committee on Rules should report a resolution for the consideration of the bill to admit New Mexico. Let me ask the gentleman if it is not very strange that the Republican party has stood here in power for thirty years refusing a civilization older than Maine can boast of, older than New York can boast of, older than the civilization of any of our States, admission into the sisterhood of States? [Applause and laughter.]

Mr. REED. Does it not occur to the gentleman from Alabama that he has put into that question something in the nature of what would be personal vehemence if the momentum had had more weight attached to it?

Mr. WHEELER of Alabama. It was the truth, and truth always has momentum.

Mr. REED. Does it not strike him that he has been bringing into this discussion, which concerns a constitutional question largely, some little element of partisanship? And when we consider how free the Southern gentleman always is from partisanship, is he not a little ashamed that he has broken over the invariable rule of his section of the country upon a topic like this? [Laughter.] I must say that it saddens me so much that I can not proceed. [Laughter.]

Mr. PERKINS. I should like to have the rule reported again.

The SPEAKER. It will be again reported.

Mr. REED. I reserve my time.

The SPEAKER. The Clerk will again report the rule.

The resolution was again read.

The SPEAKER. The question is upon agreeing to the resolution.

Mr. BURROWS. Mr. Speaker, I desire to ask the gentleman from Ohio [Mr. OUTHWAITE] if under that order as it is framed the bill would be open to amendment?

Mr. OUTHWAITE. I think it would be open to amendment. The usual amendments which may be offered to a bill in the House may be offered to this bill.

Mr. BURROWS. But this is to be considered for three hours under general debate in the House, and a gentleman might take the floor and occupy it an hour, and somebody else might occupy it for another hour. There is no proposition for the offering of amendments. If it was to be considered in the House as in Committee of the Whole there would be no difficulty about it. We simply want to avoid any controversy about amendments.

Mr. PERKINS. Is it not the same question that was involved the other day, when we had to amend a rule?

Mr. OUTHWAITE. No; the same question is not involved.

Mr. BURROWS. I think there ought to be some under-

standing about that. There ought to be an opportunity to amend, in other words.

Mr. OUTHWAITE. If there is any question as to that——

The SPEAKER. The Chair supposes there will be no objection to adding that it be considered in the House as in Committee of the Whole under the five-minute rule.

Mr. BURROWS. Let it be amended so as to read, that it be considered in the House as in Committee of the Whole under the five-minute rule.

Mr. OUTHWAITE. I have no objection to that modification.

The SPEAKER. The Clerk will report the rule as modified.

The Clerk read as follows:

That after three hours' consideration in the House as in Committee of the Whole under the five-minutes rule, or so much thereof, etc.

The SPEAKER. The question is on agreeing to the resolution.

Mr. LACEY. Mr. Speaker——

The SPEAKER. The Chair can not recognize the gentleman.

Mr. REED. I reserve my time, and yield such portion as needed to the gentleman from Oklahoma.

The SPEAKER. The Chair can not recognize the gentleman from Iowa.

Mr. REED. Mr. Speaker——

The SPEAKER. The gentleman from Iowa rose, and the Chair stated that he could not recognize the gentleman.

Mr. REED. I stated that I reserved the remainder of my time.

The SPEAKER. The Chair so understood.

Mr. REED (continuing). With the intention of yielding it to the gentleman from Oklahoma.

The SPEAKER. The Chair will recognize the gentleman. The gentleman from Iowa rose and addressed the Chair, and the Chair stated that he could not recognize him, the gentleman from Maine having control of the time. The gentleman has nine minutes.

Mr. FLYNN. Mr. Speaker, it is not my purpose in rising now to throw any obstruction whatever in the way of the passage of the bill for the admission of New Mexico to statehood. No man who has lived in a Territory will protest or object to a people residing in a Territory coming to Congress and petitioning to be relieved from the thraldom which we have had to undergo in the last two years in my Territory. I have been somewhat surprised, however, at the course of the gentleman from Ohio who presented this rule. The first proposition which I submitted to this House upon taking my seat here last August, was an amendment to the rules authorizing an increase in the membership of the Committees on Public Lands and Indian Affairs, so that two Delegates could serve on those committees instead of one.

The gentleman from Ohio, who was then in charge of the report of the Committee on Rules of this House, opposed my proposition, and said that the Territories were about to be admitted to statehood; that we had only four Territories, and there were ten committees at our disposal, and that should be sufficient. It was the first time in my recollection that an effort had ever been made to curtail or reduce the representation of Territories in Congress upon a committee in which the Delegates were interested.

Mr. OUTHWAITE. Will the gentleman point out any Congress in which two Delegates were authorized to be put upon the same committee?

Mr. FLYNN. If the gentleman will refer to the records of the Fifty-second Congress and of the Fifty-third Congress, he will find that there were two Delegates upon the Committee on Territories, and are now acting upon it. I asked for the same right of representation upon the Committee on Public Lands and the Committee on Indian Affairs, because I was more interested in the matters pending before that committee than any other gentleman upon the floor of this House. The gentleman from Ohio opposed it then, as the representative of the Committee on Rules, claiming that we were about to be admitted into statehood and did not need that representation.

Do not misapprehend me. I have no stone to throw in the way of the admission of the Territory of New Mexico. If my vote could decide the proposition, and would take it beyond the White House, New Mexico would be a State to-morrow; but I do have some interest in the Committee on Territories. The other day that committee signed a request to the chairman to present to the Committee on Rules asking them to set aside a day for the consideration of and a vote on the proposition for the admission into the Union of Oklahoma. Nothing has been done with that petition by the Committee on Rules, and the gentleman in charge of this resolution states that if such a resolution or request ever was presented to the Committee on Rules he does not know anything about it.

There is no political party in my Territory—and we have three of them there—that has not resolved at all their conventions in favor of statehood. I do not see what objection can be made to allowing us to have a day to discuss the Oklahoma bill and to have us treated in the same manner as the other Territories are. I want to state frankly now, either for the edification of this House or the country, that I do not believe a single Territory will be admitted while Grover Cleveland is in the White House. My Territory is somewhat different from the others. Those of you in the East who seem to be afraid of "silver Senators," as you have styled them, and who talk about "rotten boroughs," need have no fear of Oklahoma. We have to-day in my Territory more school children attending school than the entire citizenship in one of the Territories whose bill has passed this House.

Mr. OUTHWAITE. Why do you not state that about Nevada?

Mr. FLYNN. I know nothing about Nevada.

Mr. OUTHWAITE. You can read something about it in the census reports.

Mr. FLYNN. I was not in Nevada when it was admitted; but I am confident that in the State of Nevada every vote cast there is counted; and I trust the gentleman from Ohio can say the same thing for his side of the House. [Applause.] Our Territory to-day has more inhabitants than any other Territory in the Union, and we have the proud record that ours is a Territory of people of American birth, as our inhabitants are 95 per cent native-born Americans.

In the Territory of Oklahoma the words "anarchist" and "socialist" are unknown. You taught us to vote in your districts before we went to Oklahoma. You were glad to receive our votes before we went to reside there, whether in the States of North and East or South even, when you were candidates for Congress; and why will you not now allow us Statehood and enjoy the same privileges we had before we went there?

You then allowed us to vote for President. Every letter they wrote you then was promptly answered, because the writer was a constituent. But because these people have seen fit to go out there into the grandest new country that has ever been opened up in the history of this nation, and perhaps because through a misfortune—probably it will be so regarded on the other side of this House—the people of Oklahoma have seen fit to vote the Republican ticket—you are going to stand here and say that the other three Territories which elect Democratic delegates shall be entitled to Statehood regardless of qualification or anything else, and that Oklahoma, because she is Republican, shall not be admitted.

I do not deny that the other Territories are entitled to admission to Statehood. But if you lived in my Territory and saw fifty or sixty "carpet-baggers" sent in there in defiance of the plank in your platform which guaranteed us "home rule," you would be standing here just as I am, and asking at the hands of Congress relief from that yoke. You would ask that you and your neighbors should be treated as you had been in the States from which you had come.

[Here the hammer fell.]

Mr. OUTHWAITE. I yield five minutes to the gentleman from Arkansas [Mr. McRAE].

Mr. McRAE. Mr. Speaker, the gentleman from Oklahoma [Mr FLYNN] complains that his Territory has not been given representation on the Committee on Public Lands. I submit that with the record of this Congress and the action of that committee toward the Territory of Oklahoma he is the last man who ought to complain that his Territory has not been fairly treated. I do not believe that he has submitted to that committee a solitary measure demanded by his people which has not been favorably reported or a substitute for it; and I believe that all his propositions in one shape or another have been passed by the House, and most of them by both Houses.

Mr. FLYNN. Allow me a word. I find no fault whatever with the Committee on Public Lands. I was referring to the gentleman from Ohio in his opposition to the motion which I had made for additional representation. Let me say that nobody has treated the Territory of Oklahoma more fairly than the Speaker of this House and the gentleman who is now on the floor [Mr. McRAE] representing the Committee on Public Lands. I have no fault to find in that regard. But we are demanding statehood; that is what we are asking now.

Mr. McRAE. Then, Mr. Speaker, I will dismiss that matter with a single remark. The gentleman admits that he can not justly complain of any action of the Committee on Public Lands, nor of this Congress, so far as legislation is concerned. He has gotten all his people have asked for, although he has repeatedly assailed the Democratic Administration. The Territory has

been treated as fairly by a Democratic Congress as if it was Democratic.

Now, as to the statehood proposition. I hold in my hand his own bill for the admission of Oklahoma, and it is entirely different from that reported by the Committee on Territories. It provides for incorporating into the new State the Five Civilized Tribes, still recognizing and preserving the Indian tribal governments.

I know something of the Oklahoma people, and I say to this House that I do not believe that one-third of the people of Oklahoma, including Republicans, Democrats, and Populists, are in favor of the admission of Oklahoma until the future status of the Indian country as regards the General Government has been settled. I do not believe that the bill which has been reported to this House meets the approval of any political party in Oklahoma. All parties demand, if it can be had, single statehood for Oklahoma and the Indian Territory. There is no man who will go further than myself in promoting the interest and prosperity of that honest, courageous, patriotic body of citizens who inhabit that Territory.

I do not believe that they want or need statehood until the Indian problem is finally settled. They are not now prepared for admission with the present lines; they do desire and have asked for it with the Indian country, and they are entitled to this. Whenever they have made expression they have almost with one voice declared a preference for single statehood, that is, statehood of the Territory of Oklahoma and the Indian country. Now, Mr. Speaker, until the Dawes Commission has reported upon the propositions submitted to the Indians, or until Congress is ready to take hold of the question, as I am almost certain it will do this at the next session of this Congress, no enabling act should be passed for the Territory of Oklahoma.

When that has been done it can be made one of the greatest and grandest States in the Union. They have as many whites in the Indian country as in Oklahoma, and are as well prepared for statehood. It is to the interest of all concerned to delay the consideration until it can all come in together upon equal terms. We can not safely take up the question of Statehood for the Indian Territory until the Commission has made a report. But when that is done I shall insist upon single Statehood.

I do not undertake to say whether the State will be Democratic or Republican; but, without regard to that, I say when that time comes I will go as far as anyone in advocating the admission of all that country as one State; but until that green spot is wiped from the map of the United States and the Indian governments prohibited the people of Oklahoma do not want admission and we do not want it. Let us, like patriotic legislators, like men who have the interest of Oklahoma and the whole country at heart, insist that the Indian problem shall be settled before we undertake to make a State out of Oklahoma, leaving as large a body of white people and as large an area of better land by its side unprovided for. I ask you, gentlemen, to remember that this can not be admitted into the Union except as a separate State. It can not be attached to another State without the consent of that State and if we dispose of Oklahoma now we must perpetuate the tribal governments of the Indians indefinitely. They are un-American, and can not stand much longer.

Now, the gentleman from Oklahoma knows, his bill shows that he knew when he began, that his people wanted single Statehood, not dual Statehood. His people earnestly desire single Statehood; and when the proper time comes they will join one and all in support of such a proposition. So far as I am concerned, I want it understood here and in Oklahoma that this Democratic Congress, if you please, is in favor of the proposition to make one State out of the two Territories, and that it is not afraid to go to the people of Oklahoma upon the idea that the admission of Oklahoma shall be postponed until the question of single Statehood can be rationally and honestly considered. I believe that I can safely promise that this will be accomplished at the next session.

[Here the hammer fell.]

Mr. OUTHWAITE. I ask a vote on the adoption of the resolution.

Mr. LACEY. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. LACEY. I make the following motion, to recommit this resolution with instructions.

Mr. OUTHWAITE. I think a motion to recommit would not be in order, Mr. Speaker.

The SPEAKER. The Clerk will report the motion of the gentleman from Iowa.

The Clerk read as follows:

Recommit with instructions to provide also for the consideration of the bill to admit Oklahoma.

Mr. OUTHWAITE. I make the point of order against that motion.

Mr. LACEY. What is the point of order?

Mr. OUTHWAITE. This is a proposition to do indirectly what can not be done directly. The proposition of the gentleman is equivalent to an amendment which would not be in order——

The SPEAKER. The Chair wishes to hear from the other side.

Mr. LACEY. Mr. Speaker, the rule brought in by the Committee on Rules is one fixing a certain order of business—providing a certain order in which the House shall transact business for a given number of hours on this day. Now, the Committee on Rules may provide in that order that the morning hour shall first be dispensed with, or that the call of committees should be first dispensed with and that this bill should be taken up, and after its consideration other matters should then be taken up and considered by the House during the number of hours set apart by the committee in the rule which we are considering.

Now, we go into the question of the admission of Territories. The rule deals with that question. Here are two Territories clamoring for admission; the question involved is the admission of the Territory of New Mexico, and the same rule therefore ought to provide, and may properly provide, that the debate upon both of these bills, one after the other, shall be permitted to run a given length of time, and that the vote should then be taken upon each separate bill. This House may be willing to vote for the admission of a Democratic State, provided equally fair treatment is accorded to this side of the House on the same question.

This amendment or motion to recommit provides that action shall be taken on the admission of both the States, one with a population of 250,000 of that "ancient civilization" the gentleman from Alabama referred to—the Aztec civilization—and the other with a population of 300,000 Anglo-Saxons, ready for admission to State citizenship in the Territory of Oklahoma. I see no reason, therefore, why the two can not be considered during the same number of hours. The motion to recommit makes no other change in the order except to provide for the consideration of the admission of Oklahoma. The propositions are of the same character. They relate to the same subject-matter.

Now, the Committee on Rules may bring in a resolution, and it is no unusual thing, providing for instance that the Army appropriation bill shall be considered for a given number of hours, and then a vote shall be taken upon the bill; and immediately following that, that the consideration of the Naval appropriation bill shall be entered upon, and that the vote shall be taken after a certain number of hours, the time for both bills being disposed of in one single rule. It is in the power of the House to do so, and it has been done in fixing the order of business over and over again on reports from the Committee on Rules providing for the transaction of the public business.

In the Fifty-first Congress, first session, page 2012, a rule was adopted giving two days for the consideration of a number of public building bills, and thus giving time for a large number of the same class of bills in a single order.

The SPEAKER. The gentleman from Iowa will observe that this rule does not deal with an order of business as suggested by the gentleman, such as it sometimes does, to wit, that certain days shall be devoted to the consideration of measures reported from one particular committee, and certain days devoted to the consideration of measures reported from another committee. Nor could it be regarded as dealing with the question of the assignment of time for the consideration of reports of committees. This rule specifically provides for the consideration of a particular bill—for the admission of the Territory of New Mexico—prescribes the time that the bill may be considered by the House as in Committee of the Whole, and fixes the limit of time within which the vote shall be taken.

Therefore the Chair does not think it would be in order to amend that rule to embrace the consideration of the Territory of Oklahoma, because it is a different subject-matter. If it would not be in order to amend the resolution by embracing that question, then it would not be in order to do the same thing by a motion to recommit, because that is but another method of amendment, and we can not do by indirection what the rules forbid to be done directly.

Therefore the Chair thinks that the motion to recommit with instructions, suggested by the gentleman from Iowa, is not in order, and the question is on the adoption of the resolution reported from the Committee on Rules.

The resolution was agreed to.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H. R. 353) to enable the people of New Mexico to form a constitution and State government, and to be admitted into the Union on an equal footing with the original States.

The SPEAKER. The Clerk will read the bill.

Mr. WHEELER of Alabama. This bill has been read to the House when previously considered, and I suppose it is not necessary to read it again.

The SPEAKER. Under this order the bill is to be considered in the House as in Committee of the Whole, under the five-minute rule, and general debate under that order is exhausted, so that the bill will be read by sections for amendment and discussion under the five-minute rule.

The Clerk read as follows:

Be it enacted, etc., That the inhabitants of all that part of the area of the United States now constituting the Territory of New Mexico, as at present described, may become the State of New Mexico, as hereinafter provided.

SEC. 2. That all persons who shall have resided within the limits of said proposed State for sixty days, and are otherwise qualified by the laws of said Territory to vote for representatives to the Legislative Assembly thereof, are hereby authorized to vote for and choose delegates to form a convention in said Territory; and the qualifications for delegates to such convention shall be such as by the laws of said Territory persons are required to possess to be eligible to the Legislative Assembly thereof; and the aforesaid delegates to form said convention shall be apportioned among the several counties within the limits of the proposed State in proportion to the population of each county by the census of 1890, exclusive of all Indians, upon a basis of one delegate for each two thousand inhabitants in each county, and one additional delegate for a fraction of over one thousand inhabitants therein, the same to be apportioned as follows: Bernalillo County, 9 delegates; Chaves County, 1 delegate; Colfax County, 3 delegates; Dona Ana County, 5 delegates; Eddy County, 1 delegate; Grant County, 5 delegates; Lincoln County, 2 delegates; Mora County, 5 delegates; Rio Arriba County, 6 delegates; San Juan County, 1 delegate; Union County, 1 delegate; San Miguel County, 12 delegates; Santa Fe County, 7 delegates; Sierra County, 2 delegates; Socorro County, 5 delegates; Taos County, 5 delegates, and Valencia County, 5 delegates; 75 delegates in all; and the governor of said Territory shall by proclamation order an election of the delegates aforesaid in said Territory, to be held on the Tuesday after the first Monday in November, 1894, which proclamation shall be issued within ninety days after the passage of this act; and such election shall be conducted, the returns made, the result ascertained, and the certificates to persons elected to such convention issued in the same manner as is prescribed by the laws of the said Territory regulating elections therein for Delegate to Congress. All persons resident in said proposed State, who are qualified voters of said Territory, as herein provided, shall be entitled to vote upon the election of delegates and upon the ratification or rejection of the constitution, under such rules and regulations as said convention may prescribe, not in conflict with this act.

Mr. PERKINS. I desire to offer an amendment to that section.

The SPEAKER *pro tempore* (Mr. OUTHWAITE). There are certain committee amendments to that section. According to the print of the bill as read, in line 21, page 2, there is an amendment, and also in line 23, just below it.

Mr. WHEELER of Alabama. I move that the committee amendment in line 21, to insert the words "Guadalupe County, two delegates," be agreed to.

The SPEAKER *pro tempore*. If there be no objection, the amendment will be considered as agreed to.

There was no objection.

Mr. WHEELER of Alabama. Also in line 23 there is an amendment to strike out the word "twelve" and insert the word "ten;" so as to read: "San Miguel County, ten delegates.'

The amendment was agreed to.

Mr. PERKINS. I desire to amend line 29, page 2, by striking out the word "first" and inserting the word "third;" also in line 36, page 3, to amend by striking out the words "delegate to Congress" and inserting the words "members of the Legislature."

Now, Mr. Speaker, I desire to say, in support of these amendments, that this bill differs in this respect from either of the other bills reported for the admission of Territories as States into the Union. The election for delegates to the constitutional convention is called at the time of the regular election in November. In my judgment this election ought to be held separately from the annual election, into which partisan politics so largely enter. That would secure a better class of delegates to this convention and free it from the partisan politics which must largely dominate at that time.

With reference to the second amendment, in line 36, on page 3, let me say that I desire to make this bill conform to like bills this House has passed hitherto, and make the regulations therein the same as for members of the Legislature, so that the returns shall be canvassed the same as in the case of members of the Legislature. I can see no reason why this bill should differ from the bill for the admission of Utah and the bill for the admission of Arizona, and other bills that we have passed for the admission of Territories to statehood. Certainly when you elect these delegates to your constitutional convention, the same machinery employed as in the case of the election of members of the Legislature ought to be employed.

If it be desired to eliminate partisanship from the consideration of this bill, to bring the people of the Territory to a judgment upon the one question of their admission to the Union, and the formation of a constitution that they will approve, then certainly the same machinery should be employed that you employ in the election of members of the Legislature. I know of no good reason why these returns should be canvassed by the Secretary of State.

For my own part, Mr. Speaker, I am not here concerned as to the future politics of New Mexico. I believe that the Republicans of that Territory are willing to take their chances with the Democrats in the future elections that may be held there. I understand that it is the unanimous sentiment of both political parties in the Territory of New Mexico that they should be promptly admitted to statehood. I read in this report, setting forth the advantages of New Mexico, that the people of that Territory are largely occupied in the sheep and cattle industries.

If that be the case, I think if we can provide for the early admission of New Mexico, that the Republicans do not need to hesitate about taking their chances with the Democrats of that Territory. So I desire here on this occasion to raise no partisan question; and if we here on this side of the Chamber are willing to eliminate that, I desire to know from the gentleman from New Mexico [Mr. JOSEPH] why he is not willing, in the construction of the bill, to eliminate that question also?

[Here the hammer fell.]

Mr. JOSEPH. Mr. Speaker, I will say for the information of the gentleman from Iowa [Mr. PERKINS] that all the citizens of New Mexico, irrespective of political parties, have been in favor of the immediate admission of that Territory into the Union as a State; but during the session of the Thirtieth Territorial Assembly that Assembly appointed a commission to audit and investigate what is commonly known in New Mexico as the floating militia debt of that Territory, a militia debt which was largely incurred during the war of the rebellion, in defense of the Union. This investigation was promulgated for the purpose of ascertaining what the legal status of that debt was, preparatory to the admission of New Mexico into statehood.

That commission, I am informed, reported, after due deliberation and investigation into the matter, that there were more of these militia warrants in circulation in the Territory of New Mexico than there were vouchers for them in the hands of the adjutant general of the militia of that Territory.

And it is for that reason that every citizen and taxpayer in the Territory of New Mexico is now anxious for a postponement of admission until New Mexico can have another legislative assembly meet, and act, and upon a legal and fair basis fund this militia debt of the Territory.

The new State will not only assume but be called upon to pay this militia debt that the Territory has incurred; and it was for that reason that the Committee on Territories saw proper or deemed it proper to postpone the admission until New Mexico could have another legislative assembly, so as to fund this militia debt upon a fair and equitable basis. I ask this House to sustain the action of the Committee on Territories, who have passed upon the question, on the reasons I have given.

Mr. PERKINS. I would like to have the gentleman from New Mexico make some explanation of the change in this bill from that for the admission of Arizona and Utah in the matter I have pointed out on page 3, line 36.

Mr. JOSEPH. I have tried to explain to the gentleman the motive of this postponement of admission.

Mr. PERKINS. It is not the matter of postponement that I speak of. If you will look at your bill you will see.

Mr. JOSEPH. Where does the gentleman's amendment come in.

Mr. PERKINS. I move to strike out "Delegate to Congress" and insert in lieu thereof "members of the Legislature."

Mr. JOSEPH. Oh, I do not object to that. That is acceptable.

The CHAIRMAN. The first amendment of the gentleman from Iowa was to strike out the word "first," on page 2.

Mr. PERKINS. My first amendment was to cause the election to be held at a time separate from your political election. Now, I am not particular as to what the time shall be. Any date that the gentleman may name would be acceptable, but I do not think that the elections ought to be held at the same time as the regular election.

Mr. SMITH of Arizona. Is it not better from the fact that at the time of the regular election you get a fuller expression of the people's sentiment on the question. You get a fuller expression from the voters.

Mr. PERKINS. I think, if the gentleman from Arizona will allow me, that the questions entering into that partisan election will largely control the action in this election of delegates to the constitutional convention; and therefore you will not get as high class or order of men in this constitutional convention as you would if the election were held at a separate date.

Mr. SMITH of Arizona. I think that is going rather too far. I will say to my friend I do not think it would be shown to be the fact.

Mr. PERKINS. I think that is the rule that has been followed. I think that was the rule with reference to the gentleman's own Territory.

Mr. SMITH of Arizona. Yes, it was; and that was because we had no chance of a general election. We had already adopted our constitution, and it would have been an unnecessary expense both to the Government and to the State.

Mr. PERKINS. I think it has been the uniform rule of Congress to provide for these separate elections.

Mr. SMITH of Arizona. It may be the case; but it may not have been possible to have had it in all cases when there was to be a general election.

Mr. PERKINS. That rule has been established for reasons I have now adduced by every Congress. I think there ought to be no departure in this case. I am willing to cooperate with the gentleman from New Mexico in getting favorable action on this bill, but I think, in justice to those interests which I in part myself represent, that these purely partisan features of the bill should be eliminated. I only ask for all interests in New Mexico an equal opportunity, and I desire when that constitutional convention shall be held that it may be representative of the very best sentiment of your Territory and secure the very best possible results. I feel confident that the amendment that I propose will conduce to that end. [Cries of "Vote!"] Now, I am not particular, as I have said, as to the date. The gentleman can name any date in lieu of that I have suggested.

Mr. JOSEPH. Mr. Chairman, I will say for the information of the gentleman that the committee saw proper to fix this date for the election of delegates to the constitutional convention, because on that day the people of New Mexico will elect a Delegate to the Fifty-fourth Congress of the United States, and members to the Thirty-first Legislative Assembly of the Territory of New Mexico; and it is thought that that would bring out a full expression of all the legal voters in that Territory, and the committee saw proper to have these delegates to this constitutional convention elected upon the same day that the Delegate and territorial officers are elected. And it is so much less expensive, as my friend from Arizona suggests.

Mr. SMITH of Arizona. It costs as much to elect these delegates to the constitutional convention as it does to hold a general election.

Mr. GEAR. Are the voters in the Territory of New Mexico different in their interests from the voters in any other Territory in this country in the past?

Mr. JOSEPH. I think not.

Mr. GEAR. Then why do this committee bring in a bill here for the admission of New Mexico, violating the precedents in the cases of all the other Territories that have been admitted for fifty years past, the precedent of having a nonpartisan election for a constitutional convention?

Mr. SMITH of Arizona. There has been no precedent such as the gentleman suggests. The gentleman can not find the case of a Territory that has been admitted when the election for the constitutional convention came near the time for the general election that the elections were not held together.

Mr. GEAR. The State that I in part represent had three or perhaps four different elections held at times different from the general election.

Mr. SMITH of Arizona. Yes, but they were at periods quite remote from the general election. I wish that in the case of Arizona the election for the constitutional convention could be held at the same time as the general election, so that there might be a full expression of the sentiment of the people, and at the same time a saving of expense. It costs thirty or forty thousand dollars to hold one of these elections.

Mr. GEAR. Well, $30,000 is of no account in a result which is to last for all remaining time.

Mr. SMITH of Arizona. I do not think the expression of the people's will is likely to be different on one day from what it is on another.

Mr. PERKINS. Not if it can be concentrated on the question at issue; but if it can be scattered over the questions of the election of members of the Legislature and of a Representative in Congress, and if there can be trading back and forth, accompanied by indifference as to the character of the delegates to the constitutional convention, it may make a great difference.

Mr. SMITH of Arizona. But the two parties hold their conventions to nominate candidates, and does not the gentleman think that when it comes to the great question of a constitutional convention the personnel of the delegates will be carefully looked after by each party, and that they will select the very best men they have in the Territory to act in that capacity, so that whichever party succeeds in the election there will at least be a good representation in that convention?

Mr. PERKINS. This bill draws the partisan line very taut. If the delegates alone were to be chosen at the election, Populists and Republicans, in a measure, might vote for Democrats, and Democrats and Populists might in part vote for Republicans, but when you place the election on this partisan basis there is no opportunity for a fair expression of popular opinion in the election of delegates.

Mr. SMITH of Arizona. Oh, the gentleman does not know the people of that part of the country.

The SPEAKER *pro tempore*. Debate is exhausted. The question is on the amendment of the gentleman from Iowa.

The question being taken, the amendment was rejected.

Mr. PERKINS. I understood the gentleman from New Mexico to accept my second amendment.

Mr. JOSEPH. The amendment on line 36; yes, I have accepted that.

The SPEAKER *pro tempore*. In the absence of objection the amendment will be agreed to.

The Clerk read the last paragraph of section 3, as follows:

Fourth. That provision shall be made for the establishment and maintenance of a system of public schools which shall be open to all the children of said State and free from sectarian control.

Mr. SMITH of Illinois. Mr. Speaker, I move to amend by inserting, on page 5, in line 52, after the word "control," the following: "And in all of which public schools the English language shall be taught."

Mr. Speaker, I believe that in the consideration of this bill in the Fifty-first Congress the Delegate from New Mexico accepted the amendment which was offered by me at that time. From this testimony then taken before the Committee on Territories, it appeared that in many of the public schools of New Mexico only the Spanish language was taught, and that there was quite a number of the schools in which the English language was not taught at all. If the Delegate remembers, I offered this amendment to the bill in the Committee on Territories and it was accepted by him, and I presume that it will not be objected to now.

If the Territory is to be admitted as a State of the Union, and I hope it may be, we certainly should have in every public school in that State the English language taught. Many of the citizens of the present Territory do not speak English, and in a large percentage of their schools the English language is not taught. Now, if the Congress of the United States is to vote to admit the Territory as a State among the States of this Union we certainly ought to provide that in all of the public schools there the English language shall be taught. I am satisfied that the German, the French, the Spanish, or any other language may be taught in the schools, but I am especially anxious, and I believe the people of this country are, that in this and in all of the States the English language shall be taught in all the public schools. I hope the amendment will be accepted by the Delegate from New Mexico.

Mr. JOSEPH. Mr. Speaker, in reply to the gentleman from Illinois, I will say that I did at one time consent to have that provision inserted in this bill, but that was seven or eight years ago, when we had not yet established in New Mexico what is called the American public school system. We have that system there to-day, and I say now that in New Mexico we have as good a public school system as there is in any State or Territory in the Union, and that the English language is taught in every public school within the Territory.

Mr. SMITH of Illinois. It was not so at the time I speak of, and if it is now taught in all the schools of your Territory, where is the objection to the adoption of the amendment which I have offered? It does not take from you any of the privileges you now have; it does not prohibit nor prevent you from teaching any and all languages in your schools which you may desire to have taught there, but simply requires that in all of your schools the English language must be taught as one of the branches of education. Where is the American citizen who will object to this reasonable provision?

Mr. JOSEPH. No, English was not then taught in all the schools, although it was taught in most of them. There were, however, schools in the rural districts where it was not taught, but to-day, by the report of the superintendent of public instruction of New Mexico, which I have copied into the report on this bill, it will be seen that in the 619 public schools in the Territory of New Mexico the only language that is taught is the English language, and that by authority of existing law. The only Spanish book that is permitted to be be used in our schools is a Spanish and English primer.

Mr. SMITH of Illinois. If the English language is taught now in all your public schools, is there any objection to inserting a provision in this bill that the English language must be taught in all those schools, but not prohibiting the teaching of any other language?

Mr. JOSEPH. Mr. Speaker, I do not object to that provision in itself; but if the people of New Mexico are to be proscribed and discriminated against in this way, they will not enter this Union on an equal footing with the people of the other States,

and for that reason I shall insist that the rights of the American citizens of New Mexico shall be respected.

Mr. SMITH of Illinois. Do you decline to accept the amendment?

Mr. JOSEPH. I decline to accept it.

Mr. SMITH of Illinois. Then you will have to have a quorum to pass your bill.

Mr. HOPKINS of Illinois. Mr. Speaker, I trust the gentleman from New Mexico will not object to so reasonable an amendment as this. It does not prohibit the teaching of the Spanish or any other language in the public schools if the Legislature chooses to provide for it. All the amendment does is to provide that the English language shall be taught. Now, it seems to me that the gentleman is standing in his own light and reflecting upon the intelligence and character of the citizens of his Territory in objecting to so reasonable, so just, so proper an amendment as that which has been offered by my colleague.

Mr. JOSEPH. That restriction has never been inserted in the bills for the admission of other Territories, and for that reason I object.

Mr. HOPKINS of Illinois. Granting for argument's sake that it has not been inserted in any other bill in the history of the legislation respecting the admission of Territories, this is the first Territory where the Spanish language was taught in its schools and was the prevailing language of the Territory that has ever asked for admission into the Union as a State.

Mr. JOSEPH. The gentleman is mistaken. California, Texas, Colorado were in the same situation. Their people spoke Spanish.

Mr. HOPKINS of Illinois. But they taught English in their schools, and more people of those Territories could speak the English language than any other language.

Mr. O'NEIL of Massachusetts. So they do now in the six hundred and ninety public schools in New Mexico.

Mr. HOPKINS of Illinois. It seems to me that the gentleman from New Mexico is standing in his own light and in the way of the interests of his constituents when he objects to an amendment of this character. Does the gentleman upon reflection still insist upon his objection?

Mr. JOSEPH. I do, most emphatically.

Mr. HOPKINS of Illinois. Well, I trust that there is patriotism enough in the Democratic party in this House to decline to admit New Mexico into the Union as a State unless so just and so proper an amendment as this be adopted. As my colleague [Mr. SMITH of Illinois] has stated, when the bill for the admission of this Territory was before the committee in the last Congress, the Delegate from New Mexico admitted that in many of the schools English was not taught.

Mr. SMITH of Illinois. In a majority of them.

Mr. BROWN. May I ask the gentleman from Illinois [Mr. HOPKINS] a question?

Mr. HOPKINS of Illinois. Yes, sir.

Mr. BROWN. I will ask the gentleman if it is not right and proper that where a State maintains its own public schools and makes all the provision that is made for their support, it ought to have exclusive jurisdiction of what is taught in those schools?

Mr. HOPKINS of Illinois. No, sir; I deny that proposition under the circumstances of this case. I say that when any section of the country that is governed by Territorial laws seeks admission into the sisterhood of States, regulations should be prescribed which will make that Territory a part of the Republic a credit and not a disgrace. The English language is the language of our common country. Upon the use of that language, in my judgment, depends largely the perpetuity of our Union, and to admit a Territory like New Mexico as a State and permit her to provide by laws or regulations that the English language shall not be taught in her schools is a disgrace to the American nation.

Mr. O'NEIL of Massachusetts. There is no such provision in the bill.

Mr. HOPKINS of Illinois. And I say now, as I was saying when interrupted by the gentleman from Indiana, that I trust there is patriotism enough among the members of the Democratic party in this House to decline to permit this Territory to become a State unless the amendment proposed by my colleague be adopted.

Mr. GEAR. Mr. Speaker, I earnestly hope that the gentleman in charge of this bill will accept this amendment. It is a well-known fact, I believe, and one which can not be disputed, that 70 per cent of the population of New Mexico are either Spanish or of Indian descent; that the laws there are published in alternate columns of English and Spanish; that the instructions of the courts to the juries are in English and interpreted into Spanish; that the arguments of the counsel to the jury are interpreted into Spanish from the English. And it seems to me it is only a proper precaution when these people come here and ask Statehood in the American Union to require that their children shall be taught the language of the United States, the language that we have been taught.

I want to say here and now, that while I advocate the admission of this Territory and stand prepared by letters from my personal friends out in that country to vote for this bill, I never can and never will vote for it unless the English language can be taught in the common schools of that country by law.

Mr. O'NEIL of Massachusetts. It is taught there now.

Mr. GEAR. It is no argument to say that this bill with such an amendment would differ from former Territorial bills. There have been no corresponding or similar conditions heretofore. No Territory has ever been admitted into the Union with 70 or 80 per cent of its population who do not understand and speak the English language; and under these circumstances no Territory should be, or by my vote can be, admitted without such a requirement as this amendment proposes.

Mr. HALL of Missouri. Does not the gentleman know that the English language is now taught in every public school in the Territory of New Mexico?

Mr. GEAR. I will take that for granted. I will accept the statement of the Committee on Territories and the Delegate from New Mexico on that question. But we have a right, and not merely a right, but it is a trust confided to us, to see that the children of that Territory are educated in the language of the Government under which they live.

Mr. WHEELER of Alabama. Mr. Speaker, I am disposed to criticise very severely the statement of the gentleman from Iowa [Mr. GEAR] that we have a right or that it is our duty to interfere in the domestic affairs of the people of a State——

Mr. GEAR. The gentleman's position may doubtless be true from his standpoint, but this is not a State; this is a ward of the Government.

Mr. WHEELER of Alabama. I am not at all surprised at the gentleman's views. The party to which the gentleman belongs, and of which he is a very distinguished member, has always evinced a disposition to interfere with everything in the States, to enter into the domestic affairs of States, and control State governments as far as it is possible for them to do so.

Mr. GEAR. The gentleman standing right there in his place denied the right of the Territory of Oklahoma to cast a vote on the location of a county seat. I do not wonder that he is now advocating this kind of a policy.

Mr. WHEELER of Alabama. I took exactly the contrary position; the gentleman is mistaken.

Mr. GEAR. I beg the gentleman's pardon. You refused to concur in an amendment which proposed to give the people of Oklahoma that right.

Mr. WHEELER of Alabama. No, the gentleman is mistaken. I took the position that Congress should not pass a law regulating the time or manner of elections in Oklahoma. I contended that the Legislature of that Territory was the proper tribunal to attend to such matters. I stood on the same principle on that matter that I stand on here now.

Mr. GEAR. My friend will permit me a single remark. He is to-day chairman on the part of the House of a committee of conference on a bill pending between the two Houses; and he is standing out against a Senate amendment to that bill giving the people of the Territory of Oklahoma the right to locate their own county seat by an election.

Mr. WHEELER of Alabama. I have stood here successfully opposing the gentleman from Iowa and his party associates who sought to violate State rights by having Congress enact laws to regulate purely local affairs in the Territory of Oklahoma, which should be left to the Legislature of Oklahoma.

The action of the gentleman in regard to the Oklahoma case I regard as very high-handed.

The law as enacted by the people of Oklahoma provided that there should be no election for five years for changing county sites, and now in the interest of a great railroad corporation a bill is brought into Congress which seeks to override the action of the people.

The contention of myself and Democratic friends is that this matter should be left to the Legislature of Oklahoma.

Mr. GEAR. The gentleman makes this one mistake: A Territory is not a State "clothed with sovereign power to determine all questions concerning its own domestic affairs;" it is a ward of the Government; and we are legislating for it. When the State is admitted it can attend to all its own matters; but in the present position of the case we have the right to make conditions precedent to its admission.

Mr. WHEELER of Alabama. Mr. Speaker, who is entitled to the floor.

The SPEAKER *pro tempore*. The gentleman from Alabama [Mr. WHEELER] is entitled to the floor.

Mr. WHEELER of Alabama. But the gentleman from Iowa has seized it. [Laughter.] I insist that the principles for which I contended upon the town-site bill were exactly the same as those I contend for here—that Territories shall regulate their domestic concerns.

I insist that the people of New Mexico shall have the same privilege that Pennsylvania exercises in allowing the German language to be taught and not prohibited; that the people of Wisconsin exercise in allowing the Norwegian language to be taught and not prohibited; that the people of Louisiana exercise in allowing the French language to be taught and not prohibited; that the people of Colorado and California exercise in allowing the Spanish language to be taught and not prohibited.

Mr. HOPKINS of Illinois. The gentleman will allow me to say right there that this amendment does not prohibit the teaching of the Spanish language in the public schools of New Mexico; but it does require that the English language shall be taught.

Mr. WHEELER of Alabama. You propose to invade a State and direct what the people shall teach in their schools. Such legislation by Congress is obnoxious. It is establishing a dangerous precedent system. I say let that matter be arranged like any other domestic question.

The fact that this legislation is obnoxious to the people of New Mexico ought to control our action in this matter.

The Democratic party has sought to prepare a bill for the admission of New Mexico so that it will be satisfactory and pleasing to the good people of that Territory.

I read from a recent work on New Mexico:

> The New Mexicans of Spanish decent are among the most honest-dealing people of the world. They have not to be sued for a debt, but will pay it to the last cent either in money or service.

And as I have been in the Territory I speak from personal knowledge in my assertion that the people of New Mexico, whether of Spanish or American descent, compare most favorably with the people of any Territories we have admitted. They are people of intelligence, pluck, endurance, and progressive spirit, and I am in favor of leaving this matter entirely to their judgment.

Mr. PERKINS. What is this entire act? Why do you come here with an enabling act, if the whole business in regard to questions of this kind is to be turned over to New Mexico?

Mr. WHEELER of Alabama. We propose simply to admit these people as a State, and let them arrange their own domestic concerns.

ANCIENT CIVILIZATION OF NEW MEXICO.

When New York City was a forest inhabited by wild beasts, when Boston was a barren waste, and Philadelphia was unknown, there was a high civilization in that part of our common country known as New Mexico. A high order of architecture, painting, music, and arts of all kinds flourished. Of the territory acquired from France in 1803, of Spain in 1819, and of Mexico in 1848, the country comprised within the limits of what is now New Mexico was by far the most advanced in all that is called modern civilization.

From the less civilized country surrounding this territory we have carved out States, each of which, at the date of admission, had less than half the population of the Territory which this bill proposes to admit into the sisterhood of States. From the original boundaries of New Mexico, as it was acquired in 1846, we have cut off and created the States of California, Nevada, Colorado, and, so far as this House is concerned, we have also formed and admitted Arizona and Utah.

As many members seem to be misinformed as regards the civilization and history of New Mexico, I beg to give some facts in regard to this interesting subject.

NEW MEXICO THREE HUNDRED AND SIXTY YEARS AGO.

In 1527 De Narvaez was sent out to conquer and colonize the mainland of Florida and subject it to the crown of Spain. His expedition was unfortunate, and becoming dismembered achieved nothing of importance. The treasurer of the expedition, Cabeza de Vaca, was shipwrecked on the coast, captured by the Indians, and worked his way westward from tribe to tribe in the capacity of a slave.

When in the neighborhood of the Mississippi he met with three of his comrades in arms who had also been wrecked, and they became the companions of his journeys and adventures, of which he afterwards made a report to his sovereign. His knowledge of medicine and surgery soon earned for him a great reputation among the savages and his amiable character soon won their affection.

CABEZA DE VACA IN NEW MEXICO.

He found the Indians of New Mexico a peaceful and hospitable people. Prince, in his history of New Mexico, quoting from de Vaca's report, says:

> The land of plenty when reached was one where the natives had permanent structures for houses. Through this good land they traveled, finding everywhere settled habitations and plenty of corn and beans. The people gave them cotton shawls, better than those of New Spain, many beads and certain corals found on the South Sea, and fine turquoises that came from the north.

They presented de Vaca with some valuable emeralds which they said were brought from some lofty mountains toward the north, where there were populous towns and very large houses. Indeed, the architecture of some of the cities was such as to excite the wonder and admiration of the European. In some of the large settlements there were communal houses built around a large open square into which they opened. They were several stories high and of solid masonry that could withstand the wear and tear of ages.

Then there were the cliff cities, built upon the faces of sheer precipices and invulnerable to the attacks of enemies. The architecture of these strange dwelling places is unique and wonderful, and the secrets of their construction are buried with the ancient tribes who built them.

AZTECS AND NEW MEXICAN CIVILIZATION.

There has been much discussion as to the origin and history of the early inhabitants. Bancroft does not admit that they were identical with the ancient Aztecs, but he says, page 4 of his History of New Mexico:

> It is also still the custom of most writers to refer to the ruins and relics of this region as undoubtedly of Aztec origin, and to adopt more or less fully the theory that the ancestors of the Pueblo tribes were Aztecs.

And in a footnote, same page, he quotes from his Native Races:

> I do not mean to express a decided opinion that the Aztecs were not, some hundreds or thousands of centuries ago, or even at a somewhat less remote period, identical with the natives of New Mexico, for I have great faith in the power of time and environment to work unlimited changes in people. * * *

History speaks of the Aztecs as a proud, noble-hearted, ambitious race. At the time of the Spanish conquest they were in an advanced stage of civilization. Arts and industries were encouraged, and faithfulness and patriotism were common qualities among them. Their heroes compare favorably with those of any nation at any time, and Guatemozin, the last Aztec king, far surpassed any who have succeeded him in Mexico, both in patriotism and nobility of heart and purpose.

There is no doubt they degenerated, but nevertheless when Columbus discovered America there was as much civilization in New Mexico as was found in many localities in Europe during the Dark Ages.

As de Vaca and his companions pressed forward they heard rumors of the passage of a marauding band of Spaniards, and seven years from the date of leaving Spain they met a body of their own countrymen under the command of Diego de Alcaraz. These men had abused and pillaged the peaceful inhabitants, who in may places had entirely abandoned their homes and ceased to cultivate the ground.

Da Vaca says that everywhere he went he tried to restore peace and that he left the natives happily engaged in their usual occupations. Proceeding to Sonora, in Mexico, he obtained transportation to the City of Mexico, where he made a report to the viceroy, and was then sent on to Spain. His name has ever been revered in New Mexico as the kindly, generous-hearted Christian who practiced faithfully the teachings of the golden rule.

FRIAR MARCUS IN NEW MEXICO.

Da Vaca finds a rival for the title of discoverer of New Mexico in the person of Friar Marcus, who first visited the Zuni Pueblos in 1539, but as this missionary was accompanied by Estavanico, the negro guide and interpreter of Da Vaca, it is probable he followed in the path of the latter. The Indians gave him a warm welcome and at every place brought him food and ornaments, and everywhere he endeavored to conciliate them. He then sent the negro ahead of him and arranged a code of signals between them.

The negro was taken prisoner by the governor of Cibola and put to death, and the Friar returned without having accomplished much, but bringing back fabulous stories he had heard of the great and populous cities in the interior. The following year he returned accompanied by Coronado with two hundred and fifty men at arms and occupied the city of Cibola. He did not make a permanent settlement, but returned, leaving three priests to convert the savages. These priests, though liked by the young people, were hated by the old people, and were by

them put to death. A similar fate overtook three zealous Franciscans who undertook to evangelize these savages.

DON JUAN DE ONATE IN NEW MEXICO.

In 1597 Don Juan de Onate entered New Mexico with 700 soldiers and 130 families for colonization, and was successful in overcoming the natives and establishing colonies. The Indians were impressed as slaves to work in the mines, until, maddened, by the oppressions of their masters, they revolted and expelled the Spaniards in 1680, retaining possession of the country until 1692.

In this year De Vargas was appointed governor and reconquered the province. From his time to the beginning of the present century there were twenty-four governors in Santa Fe.

THE BRAVEST AND MOST HARDY SUBJECTS OF NEW SPAIN.

In 1806 Lieut. Zebulon Montgomery Pike entered New Mexico. He speaks of the New Mexicans as "the bravest and most hardy subjects of New Spain." He adds:

Their isolated and remote situation causes them to exhibit in a superior degree the heaven-like qualities of hospitality and kindness, in which they appear to endeavor to fulfill the injunction of the Scripture which enjoins to feed the hungry, clothe the naked, and give comfort to the oppressed of spirit; and I shall always take pleasure in expressing my gratitude for their noble reception of myself and the men under my command.

IN 1882 NEW MEXICO A DEPOT OF TRADE.

The road from St. Louis to Santa Fe was traveled occasionally early in this century, but was not permanently open until 1822, when Santa Fe commenced to figure as the great depot of Western trade.

In 1837 the New Mexicans rebelled against the selection of a colonel in the Mexican army for their governor, and insisted upon their right to a native governor. Perez was defeated and executed, and was succeeded by Gonzales, a Pueblo Indian, who was in turn superceded by Armijo, who proved to be their last Mexican governor.

It is surprising that New Mexico has maintained the enterprise and progress which we see there to-day, when we consider the ill treatment and bad faith these people have experienced at the hands of the Government of the United States.

From 1545 to 1821 New Mexico was one of the provinces of Mexico, with rights and representation in all respects equal and similar to any of the provinces of Mexico, or any of the provinces of Spain.

A SOVEREIGN STATE OF MEXICO FROM 1821 TO 1846.

From 1821 to the date of its cession to the United States it was a state of the Republic of Mexico, with representation in the Mexican Congress the same as all the other states of Mexico.

After the declaration of war between the United States and Mexico, and while Taylor was victoriously following up the enemy in the south, Col. Kearny was sent from Fort Leavenworth to New Mexico to accomplish its conquest. He dispatched Capt. Cook as an ambassador to treat with Governor Armijo at Santa Fe.

Meanwhile Kearny received his commission of brigadier general, and at the same time private instructions from the Secretary of War authorizing him to offer to these people the friendship and protection of the United States, and in case of their wishing to become a part of our Government, prompt admission to the privileges of statehood. This he actually did in his addresses to the people at Las Vegas and other places.

Armijo determined to make a stand against the invaders and took up a strong position of defense, but his army gradually melted away before the advance of the United States army, not because the people lacked the courage to resist, but because they were not in sympathy with Mexico and were friendly to the Government of the United States. Thus the government of New Mexico was transferred from Armijo to Gen. Kearny without bloodshed or violence. This took place August 19, 1846.

STATEHOOD PROMISED TO NEW MEXICO.

Bancroft, in his History of New Mexico, page 417, says that—

Gen. Kearny made an address to the people in the plaza, giving them assurances of full protection "as subjects of the United States."

As stated by Prince, in his History, page 302, Kearny used these words:

I do hereby proclaim my intention to establish in the department a civil government, on a republican basis, similar to those of our own States.

Thereupon all the officers of the Mexican Government then present took the oath of allegiance to the Government of the United States, and the American flag was unfurled above the city.

Bancroft, pages 417 and 418, says:

Three days later Kearny's position was fully explained in the formal proclamation which is appended.

The proclamation, dated August 22, 1846 (I read from Bancroft, page 418), says:

It is the wish and intention of the United States to provide for New Mexico a free government, with the least possible delay, similar to those in the United States.

It is true that Gen. Kearny's proclamation also contained these words:

The people of New Mexico will then be called upon to exercise the rights of freemen in electing their own representatives to the Territorial Legislature.

But the people fully understood that their position in relation to the United States was to be fully equal in dignity to that they had so long occupied in the Mexican Republic, and this was made more manifest by this expression in Gen. Kearny's proclamation:

The undersigned hereby absolves all persons residing within the boundary of New Mexico from further allegiance to the Republic of Mexico, and hereby claims them as citizens of the United States.

These promises were certainly sufficient to entitle the people of New Mexico to immediate statehood; but to make the case stronger the treaty of peace by which New Mexico became part of the United States gave an additional pledge of the same character.

Article IX of this treaty, dated February 2, 1848, and officially promulgated July 4, 1848, was in these words:

Mexicans who, in the Territories aforesaid, shall not preserve the character of citizens of the Mexican Republic, conformably with what is stipulated in the preceding article, shall be incorporated into the Union of the United States, and be admitted at the proper time (to be judged of by the Congress of the United States) to the enjoyment of all the rights of citizens of the United States, according to the principles of the Constitution. * * *

The people, relying on this promise from the Government which they regarded as the greatest and most honorable in the world, immediately proceeded to hold a convention and adopt a constitution which was submitted to the people, who almost unanimously adopted it. In June, 1850, they elected a Congressman, and in July they elected two United States Senators.

The Senators and Representatives proceeded to Washington and to their surprise were refused admission. Congress, however, passed an organic law declaring New Mexico a Territory and admitted a Territorial delegate as her representative.

STATEHOOD DEMANDED FOR FORTY SIX YEARS.

From that time the demands that this great Government should redeem its promises to the people of New Mexico have been unceasing. More than half the Legislatures of the Territory have petitioned Congress for admission to the sisterhood of States.

In 1871 the Legislature passed a law authorizing the assembling of a constitutional convention, which prepared and submitted a broad and liberal constitution. At the election following more than 20,000 votes were cast for the Delegate to Congress, and only between 3,000 and 4,000 were cast against the constitution. Notwithstanding this, Congress adjourned without taking favorable action.

On May 21, 1874, House bill 2418, for admission of New Mexico, was acted upon in the House; 160 votes were cast for it and only 54 against it. The bill was slightly amended in the Senate and on February 24, 1875, the bill passed that body; 32 Senators voted for it, and there were but 11 votes against it.

On March 3, 1875, a motion was made to suspend the rules and pass the bill as amended by the Senate. There was 154 votes for the bill and 87 against it, a few less than a two-thirds vote, and it therefore failed.

In the Forty-fourth Congress a bill to admit New Mexico passed the Senate by an overwhelming majority, but failed in the House. Bills to admit New Mexico were introduced into the Forty-fifth, Forty-sixth, Forty-seventh, Forty-eighth, Forty-ninth, Fiftieth, and Fifty-first Congress, and the Fifty-second Congress by a vote of 177 to 3 passed an enabling act, but it was not voted on in the Senate.

It is singular that one of the arguments against admitting New Mexico in 1850 was, the people were too far advanced in some of their views.

In the Forty-fourth Congress the bill was opposed by some upon the ground that the people were not sufficiently American, and in the Fifty-first Congress the Republican party opposed the admission of New Mexico for no reason, so far as I could observe, except that they feared that the new State would be Democratic.

This unjust action is emphasized from the fact that New Mexico has now more population than was possessed by any of our Territories, with one exception, at the census immediately preceding their admission into the Union as States. In order that this may be fully understood, I have prepared the following table, which gives very full information on this subject. It is as follows:

Table showing date of admission of each State, the representative ratio at date of admission, the population by the census taken next preceding the admission, the population by the census next following the admission, and the ratio of increase during decade of admission.

State.	Date of admission.	Representative ratio on previous census.	Population by census next previous to admission.			Population by following census.			Per cent of increase.
			White.	Colored.*	Total.	White.	Colored.*	Total.	
Vermont	Mar. 4, 1791	33,000	85,154	271	85,425	153,908	557	154,465	80
Kentucky	June 1, 1792	33,000	61,133	12,544	73,667	179,873	41,082	220,955	200
Tennessee	June 1, 1796	33,000	31,913	3,778	35,691	91,709	13,893	105,602	195
Ohio	Nov. 29, 1802	31,000	45,028	337	45,365	228,861	1,899	230,760	408
Louisiana	Apr. 30, 1812	35,000	34,311	42,245	76,556	73,383	79,540	152,923	100
Indiana	Dec. 11, 1816	35,000	23,890	298	24,188	145,758	630	146,388	500
Mississippi	Dec. 10, 1817	35,000	23,024	17,338	40,362	42,176	33,272	75,448	409
Alabama	Dec. 14, 1819	35,000				85,451	42,450	127,901	
Illinois	Dec. 3, 1818	35,000	11,501	781	12,282	53,788	1,374	55,162	350
Maine	Mar. 15, 1820	35,000	227,736	929	228,865	297,340	1,192	298,532	33
Missouri	Aug. 10, 1821	40,000	55,988	10,569	66,557	114,795	25,660	140,456	111
Arkansas	June 15, 1836	47,700	25,671	4,717	30,388	77,174	20,400	97,574	221
Michigan	Jan. 26, 1837	47,700	31,346	293	31,679	211,560	707	212,267	570
Florida	Mar. 3, 1845	70,680	27,943	35,534	54,477	47,203	40,242	87,445	60
Texas	Dec. 29, 1845	70,680				154,034	58,558	212,592	
Iowa	Dec. 28, 1846	70,680	42,924	188	43,112	191,881	333	192,214	345
Wisconsin	May 29, 1848	70,680	30,749	196	30,945	304,756	635	305,391	886
California	Sept. 9, 1850	93,423	91,635	962	101,597	323,177	4,086	327,263	310
Minnesota	May 11, 1858	93,423	6,038	39	6,077	169,396	259	169,654	2,720
Oregon	Feb. 14, 1859	93,423	13,087	207	13,294	52,160	128	52,288	294
Kansas	Jan. 29, 1861	127,381	106,390	627	107,017	346,377	17,108	363,485	240
West Virginia	June 19, 1863	127,381				424,033	17,980	442,013	
Nevada	Oct. 31, 1864	127,381	6,812	45	6,857	38,959	357	39,316	520
Nebraska	Mar. 1, 1867	127,381	28,696	82	28,778	122,117	789	122,906	322
Colorado	Aug. 1, 1876	131,425	39,221	456	39,677	191,126	2,435	194,327	388
North Dakota	Nov. 2, 1889	131,435	36,094	†815	36,909	182,123	373	182,496	20
South Dakota	....do	131,435	97,053	†1,215	98,268	327,290	1,518	328,808	20
Washington	Nov. 11, 1889	131,425	67,199	7,917	75,116	340,513	8,377	349,390	406
Idaho	July 3, 1890	151,912	29,013	3,597	32,610	82,018	2,367	84,219	182
Wyoming	July 11, 1890	151,912	19,437	1,352	20,789	59,275	1,425	60,700	

*Including all except whites. †Estimated.

New Mexico has an area of 122,580 square miles, which is greater than any State that was ever admitted except Texas and California.

MINERAL RESOURCES OF NEW MEXICO.

I would like to explain to the House the vast resources and wealth of New Mexico, but will only state that precious and useful minerals abound, and that commoner precious stone are plentiful. Coal is found in every county, but is exceptionally abundant in the two northern tiers. In variety it runs from anthracite to bituminous; from the glistening peacock to the brown lignite. The deposits now being worked show 80 per cent of fixed carbon and only 5 per cent of ash.

That gold and silver abounds in this Territory has been known to the world for hundreds of years.

Mr. GEAR. The State I live in permits the German to be taught in the public schools, but it requires the English to be taught.

Mr. HOPKINS of Illinois. That is also the case in Illinois.

Mr. WILLIAMS of Mississippi. If you can require a language to be taught, then you can prohibit another from being taught, I suppose.

The SPEAKER *pro tempore*. The time of the gentleman has expired.

Mr. JOSEPH was recognized.

Mr. BOATNER. I move that the time of the gentleman be extended.

The SPEAKER *pro tempore*. The Chair has recognized the gentleman from New Mexico [Mr. JOSEPH].

Mr. JOSEPH. Mr. Speaker, the gentleman from Iowa [Mr. GEAR] made a statement to the House a few moments ago that I can not afford to let go to the country unchallenged. He has stated here that from 70 to 80 per cent of the people of the Territory of New Mexico do not speak or write the English language. That, Mr. Speaker, is not the fact. I wish to state here now in the presence of this House that we have in New Mexico over 200,000 people, and that only about 50 per cent of them are Spanish-Americans, and that 75 per cent of that 100,000 Spanish-Americans not only speak but write the English language.

For the gentleman, therefore, to make a statement here that 70 or 80 per cent of the 200,000 people in that Territory are unable to speak the English language, would be a slander on the intelligent hundred thousand Americans who have recently settled in that fair Territory.

The gentleman further stated that all of our records of the courts are kept in the Spanish language. The gentleman has been misinformed as to that. If he has been informed that that is the case, his informant was mistaken. All of the records of all the courts, down to the county courts and the justices of the peace even, are required to be kept in the English language.

Mr. GEAR. That is the statute.

Mr. JOSEPH. And such slanders can only come from people who never visited New Mexico and know nothing of the condition of affairs there.

Mr. GEAR. I beg the gentleman's pardon, I have been there.

Mr. JOSEPH. Slanders such as these, have been made over and over again in former Congresses to destroy the good reputation of the people of that Territory and delay the time of its admission into the Union. The newspapers of the East have also enlisted in the cause for the purpose of defeating the admission of the Territory into the Union, for fear, I presume, that the representation from that Territory will be opposed to some of the legislation which has been so strongly favored by the people of the East.

Mr. GEAR. Will the gentleman yield for an interruption?

Mr. JOSEPH. Certainly, with pleasure.

Mr. GEAR. Does not the gentleman from New Mexico know that the law of government requires the statutes and the proceedings of the courts to be published in the English language? Does not the gentleman know that to convey the information to juries, as set forth in the evidence, that the testimony and the charge to the juries must be translated?

Does not the gentleman know that even in your ballots you have the two languages, "*una republicana ballita*" and "*una democratica ballita*," in your elections for the benefit of those people who do not speak the English language? And if I overstated the percentage of the population who do not speak the English language I will take it back; but from personal knowledge I should judge that about three-fourths of the population do not speak English. I have a number of friends out there who have written to me upon this very question, and I wish to state that I am friendly to the admission of the Territory and am prepared to vote for the bill under proper conditions. I have letters received from friends there within the past twenty-four hours asking me to support and vote for this bill. I feel an interest in the Territory and I am glad to vote for its admission in a properly prepared bill.

Mr. JOSEPH. Well, for the information of the gentleman from Iowa, it is true as he states that interpreters are appointed for the district courts and for the juries and also for the Legislative Assemblies. This was done in 1846, because at that time almost the entire population spoke only the Spanish language. That custom which was then inaugurated still prevails in the Territory, because it was a custom and not because it is really necessary.

Mr. CRAIN. The same things happen in my State.

Mr. GEARY. In California also.

Mr. JOSEPH. Exactly the same condition prevails in other States—in California and Texas, and wherever there is a large portion of Spanish-speaking Americans. No such provision as the gentleman seeks to incorporate in this bill was ever placed in any other bill admitting any of these States; and I want to protect the people of my Territory from being proscribed by such a condition as this. I want them to be protected within their constitutional limits.

The SPEAKER *pro tempore*. The time of the gentleman has expired.

Mr. BOATNER. I move to strike out the last word.

It occurs to me, Mr. Speaker, that the gentleman from Iowa [Mr. GEAR] and others who favor this amendment are taking unnecessary trouble upon themselves by seeking to provide against an evil which in all human probability will never occur.

Now, I represent in part a State which at the time of its admission into the Union was inhabited very largely by people whose mother tongue was the French language. In many parts of that State the French tongue was spoken exclusively. A great many of the people did not understand a word of English. They spoke the French language habitually in their families. They were a large majority of the voters of the State, and for many years controlled the State government. There was no provision of this sort in the act admitting Louisiana into the Union, and yet among the first acts adopted by the Legislature after the State was organized was one adopting the English language as the language of the courts, requiring all records and all court proceedings to be had in English.

It is very true that a great many juries would be empanelled upon which probably there would not be one man who understood English. The lawyers argued their cases in French. The pleadings, while they were written in English, were read in French. The actual language of the courts was French, that is, in the French parts of the State. Yet the very great desire of the people was to acquire the English language.

Mr. GEAR. The provision to which the gentleman refers was contained in the Federal statutes.

Mr. BOATNER. No, it was not. There was no such provision in the act admitting Louisiana.

Mr. GEAR. I think you will find there was a provision of that kind in the general statutes.

Mr. BOATNER. In the statutes of Louisiana, yes.

Mr. GEAR. No, in the Federal statutes.

Mr. BOATNER. But no Federal statutes could control the proceedings in the State courts of Louisiana after it was admitted as a State.

Mr. GEAR. In the Federal courts.

Mr. BOATNER. Well, we did not have much use for Federal courts in those days. What I want to impress on the gentleman from Iowa is that there has always been a very general desire on the part of the people to acquire the English language. Their children were taught English, and the English language rapidly came into general use; and for many years the English language has been in general use in every part of the State.

Mr. GEAR. But the population of the old Territory of Louisiana was of a rather different class from that coming down from the Aztec races, which we find in the Territory of New Mexico to-day—not intending in any way to say anything disparaging to the people of New Mexico.

Mr. BOATNER. I take it that the Anglo-Saxon element in the Territory of New Mexico will dominate. They have done it everywhere else and they will do it there.

Mr. GEAR. I agree with the gentleman as to that.

Mr. BOATNER. These people, whom you say do not speak the English language, will want to speak it as soon as they can. They will insist that their children be taught the English language in the public schools.

Mr. GEAR. Admitting that to be true, which I believe to be true, what objection can be made to putting this clause into the organic law, the enabling act?

Mr. BOATNER. Because whenever a Territory is entitled to admission into the Union, it is entitled to admission upon the same terms as all the other Territories have been admitted.

Mr. GEAR. Not necessarily.

Mr. BOATNER. And Congress ought not to cast a stigma upon the people of any Territory, by assuming that the people of that Territory, when admitted to statehood, will adopt a policy which will not be in harmony with American institutions.

Mr. GEAR. The gentleman is too good a lawyer to stand on this floor and say that Congress has not the right to dictate whatever it may deem to be just to the people of any incoming proposed State.

Mr. BOATNER. No; I will not make that admission at all. I will admit that Congress has the power, but I do not admit that it has the right. I say that if the Territory of New Mexico is not inhabited by a class of people who are entitled to be invested with the rights of American citizenship, if that Territory is not in a fit condition to be admitted into the Union upon terms of equality with other the States as they were admitted, why then that Territory ought not to be admitted. If she is in that condition, then we ought not to cast a stigma upon that Territory by putting into the act which admits her to the Union provisions which would seem to indicate that we had not confidence in the State government to be organized under the enabling act.

[Here the hammer fell.]

Mr. SMITH of Illinois. Mr. Speaker, I desire to say, in conclusion, in reference to this amendment offered by myself, that I can not understand why it can be believed by anyone that the adoption of this amendment would cast a stigma upon the Territory of New Mexico. We are an English-speaking people. All our proceedings in courts and otherwise must be in the English language.

Here is a Territory seeking admission into the Union as one of the States, and that Territory has a large preponderance of people who speak not the English language but a language foreign to ours. As I stated before, while on the Committee on Territories and when a bill for the admission of this Territory was under consideration, I raised the same question there, and and it was stated by the Delegate from New Mexico [Mr. JOSEPH] at that time, that in a majority of the schools of that Territory the English language was not taught.

Mr. JOSEPH. That is a mistake of the gentleman.

Mr. SMITH of Illinois. No, sir; that is not a mistake.

Mr. JOSEPH. I never made such a statement.

Mr. SMITH of Illinois. You agreed to the amendment, and every member of that committee will bear me out in the truthfulness of the statement. But to-day we are told that in all the schools the English language is taught. Possibly the question raised in the Committee on Territories may have induced the people of that Territory to commence teaching the English language, and I believe, Mr. Speaker and gentlemen of the House, that if we admit New Mexico, as I hope we will, that when admitted it shall be with the understanding that although you may now teach the English language, that hereafter you must teach it as well as any other language which you may care to teach. I have a great respect for the Spanish language and for the German language. Of course, I do not know anything about the Spanish language, but of the German language I do know something. I have also a great respect for the French language and all other languages; but above them all I have a greater and higher respect for the English language, the language of the American people, and of all our country. [Applause on the floor and in the galleries.] I shall never give my vote to admit any Territory into the United States which through its Delegate will insist upon prohibiting an amendment of this character, which is simply to require the teaching of the English language in the common schools, but does not prohibit the teaching in the public schools of any other language or languages which the people of that Territory may desire to have taught in such schools.

The SPEAKER *pro tempore*. The Chair will admonish the occupants of the galleries that they are here by permission and courtesy of the House, and they are not to make any demonstration of applause or disapproval, and if it should occur again the Chair will instruct the Doorkeeper to clear the galleries.

The pro forma amendment will be withdrawn. The question is on the amendment offered by the gentleman from Illinois, which the Clerk will again report.

The amendment was again reported.

Mr. BINGHAM. I move to strike out the last word.

The SPEAKER *pro tempore*. Debate has been exhausted on that motion.

Mr. BINGHAM. Then I move to strike out the last four words. Mr. Speaker, I am not sure, so far as any information has been offered or presented in this debate, how I shall vote upon the proposition of admission; but in reading the paragraphs of the bill, the sections which appeal to me as they have appealed in all previous bills relating to the admission of Territories into statehood, are the paragraphs directing the benefactions or gifts of the General Government to the Territory coming into statehood for educational purposes.

No feature of the bill appeals to me so strongly as the several paragraphs with reference to these benefactions; not alone the vast extent of 100,000 acres to the State for the use and support of an agricultural college, or the lands to the extent of two townships in quantity for the establishment of a university in New Mexico, but section 9, which declares so generously for the support of the common schools within said State. I submit the several sections of the bill covering the lands and acreage for educational purposes:

SEC. 6. That upon the admission of said State into the Union sections numbered 2, 16, 32, and 36 in every township of said proposed State, and where such sections, or any parts thereof, have been sold or otherwise disposed of, by or under the authority of any act of Congress, other lands equivalent thereto in legal subdivisions of not less than one-quarter section, and as contiguous as may be to the section in lieu of which the same is taken, are hereby granted to said State for the support of common schools, such indemnity lands to be selected within said State in such manner as the Legislature may provide, with the approval of the Secretary of the Interior: *Provided*, That the second, sixteenth, thirty-second, and thirty-sixth sections embraced in permanent reservations for national purposes shall not at any time be subject to the grants nor to the indemnity provisions of this act, nor shall any lands embraced in Indian, military, or other reservations of any character be subject to the grants or to the indemnity provisions of this act un-

til the reservations shall have been extinguished and such lands be restored to and become a part of the public domain.

SEC. 8. That 100,000 acres of land, to be selected and located as provided in the foregoing section of this act, are hereby granted to said State for the use and support of an agricultural college in said State, as provided in the act of Congress making donations of land for such purposes.

SEC. 9. That 10 per cent of the proceeds of the sales of public lands lying within said State, which shall be sold by the United States subsequent to the admission of said State into the Union, after deducting all the expenses incident to the same, shall be paid to the said State, to be used as a permanent fund, the interest of which only shall be expended for the support of the common schools within said State.

SEC. 10. That all lands herein granted for educational purposes, except as hereinafter otherwise provided, shall be disposed of only at public sale, and at a price not less than $5 per acre, the proceeds to constitute a permanent school fund, the interest of which only shall be expended in the support of said schools. But said lands may, after such regulations as the Legislature shall prescribe, be leased for periods of not more than five years, in quantities not exceeding one section to any one person or company; and such land shall not be subject to preëmption, homestead entry, or any other entry under the land laws of the United States, whether surveyed or unsurveyed, but shall be reserved for school purposes only.

SEC. 11. That the lands, to the extent of two townships in quantity, authorized by the sixth section of the act of July 22, 1854, to be reserved for the establishment of a university in New Mexico, are hereby granted to the State of New Mexico for university purposes, to be held and used in accordance with the provisions of this section; and any portion of said lands that may not have been selected by said Territory may be selected by said State. But said act is hereby so amended that none of said lands shall be sold for less than $5 per acre, and the proceeds shall constitute a permanent fund, to be safely invested and held by said State, and the income thereof be used exclusively for university purposes. But said lands may be leased in the same manner as provided in section 10 of this act. The schools, colleges, and universities provided for in this act shall forever remain under the exclusive control of said State, and no part of the proceeds arising from the sale or disposal of any lands herein granted for educational purposes shall be used for the support of any sectarian or denominational school, college, or university.

This vast acreage is the gift of the people to the new State. I assert it is clearly the function and province of Congress in giving or donating this vast amount of land not to exclude the teaching of any other language, but to incorporate in this bill with this gift a designation or a direction that the language of the people of the United States, our people, our nation, the language of our laws, shall be a part of the instruction, not necessarily of the university education, not necessarily of the agricultural education, but of the common-school teaching, the education of all the young men who in the future are to dominate and control that State. [Applause.] Therefore I say to the gentleman the great future we all hope for his people can be best aided and secured by an early instruction of the youth in the common language of our Republic. The amendment will do this.

We can not control the basis which you will make for your citizenship or your voters in the election of members of Congress or of the Legislature who will make your laws in the future. You can make it the basis of a month's citizenship as against the citizenship of my State with its number of years. I take no exception to that right. It belongs to Statehood. But I do believe that the English language, with no exclusion of other languages, as the language of the nation and its laws, should be prescribed peremptorily, and should be the basis of the education of the young men of your State.

Mr. CRAIN. The amendment does not cover that.

Mr. BINGHAM. Yes.

Mr. CRAIN. Not at all.

The question was taken on the amendment of Mr. SMITH of of Illinois, and the Speaker *pro tempore* declared that the ayes seemed to have it.

Mr. JOSEPH. I ask for a division.

Mr. HOPKINS of Illinois. Now let every friend of the American public stand up. [Laughter.]

The House divided; and there were—ayes 63, noes 69.

Several MEMBERS. No quorum.

The SPEAKER *pro tempore*. The point of no quorum is made, and the Chair will appoint to act as tellers the gentleman from Illinois, Mr. SMITH, and the gentleman from Alabama, Mr. WHEELER.

The House again divided; and the tellers reported—ayes 72, noes 81, the division still continuing.

Mr. BURROWS (during the count by tellers). What is the vote, Mr. Speaker?

Mr. O'NEIL of Massachusetts. Do not announce the vote yet Mr. Speaker. It is not completed.

The SPEAKER *pro tempore*. No quorum has yet voted. Gentlemen desiring to vote will please come forward and pass between the tellers.

Mr. BURROWS. Has a quorum voted?

The SPEAKER *pro tempore*. No quorum has yet voted.

Mr. BURROWS. No quorum has voted; then I demand the yeas and nays.

The SPEAKER *pro tempore*. Gentlemen are still passing between the tellers every few seconds.

Mr. BURROWS. All right.

The division being completed, the tellers reported—ayes 76, noes 94.

Mr. BURROWS. I call for the yeas and nays.

The yeas and nays were ordered; and the Clerk began to call the roll.

Mr. BURROWS. Mr. Speaker, some gentlemen, I am informed, do not understand just what the amendment is. I therefore ask that it be again read so that it may be fully understood, and I ask that we may have order while it is read.

The SPEAKER *pro tempore*. The House will be in order. The Clerk will again report the amendment offered by the gentleman from Illinois [Mr. SMITH].

The amendment was again read.

The question was taken; and there were—yeas 84, nays 117, answered "present" 3, not voting 148; as follows:

YEAS—84.

Adams, Ky.	Daniels,	Ikirt,	Ray,
Aitken,	Dolliver,	Johnson, Ind.	Reed,
Aldrich,	English, N. J.	Johnson, N. Dak.	Reyburn,
Apsley,	Fletcher,	Kem,	Ritchie,
Babcock,	Funk,	Lacey,	Russell, Conn.
Baker, Kans.	Gear,	Linton,	Settle,
Baker, N. H.	Goldzier,	Loud,	Smith,
Bartholdt,	Hager,	Loudenslager,	Sperry,
Bingham,	Hainer	Lucas,	Stephenson,
Boutelle,	Harmer,	Mahon,	Stone, W. A.
Bowers, Cal.	Harris,	Marsh,	Strong,
Broderick,	Harter,	McCall,	Tawney,
Brosius,	Haugen,	McKeighan,	Updegraff,
Bundy,	Heiner,	McNagny,	Van Voorhis, N. Y.
Burrows,	Henderson, Ill.	Meiklejohn,	Van Voorhis, Ohio
Cannon, Ill.	Hermann,	Mercer,	Waugh,
Chickering,	Hitt,	Milliken,	Wever,
Cooper, Wis.	Hopkins, Pa.	Northway,	Wilson, Ohio
Cousins,	Houk,	Payne,	Wilson, Wash.
Curtis, Kans.	Hudson,	Perkins,	Woomer,
Dalzell,	Hull.	Pickler.	Wright, Mass.

NAYS—117.

Alderson,	Cox,	Lester,	Richardson, Tenn.
Alexander,	Crain,	Maddox,	Robbins,
Arnold,	Crawford,	Maguire,	Rusk,
Bailey,	Cummings,	Mallory,	Russell, Ga.
Bankhead,	De Armond,	McAleer,	Ryan.
Bell, Colo.	De Forest,	McCreary, Ky.	Sayers,
Bell, Tex.	Dinsmore,	McCulloch,	Shell,
Berry,	Dockery,	McDannold,	Snodgrass,
Black, Ga.	Donovan,	McDearmon,	Sorg,
Boatner,	Dunphy,	McEttrick,	Stallings,
Bower, N. C.	Enloe,	McGann,	Swanson,
Branch,	Epes,	McKaig,	Talbert, S. C.
Brookshire,	Erdman,	McLaurin,	Talbott, Md.
Brown,	Fyan,	McMillin,	Tarsney,
Bryan,	Geary,	McRae,	Tate,
Bunn,	Geissenhainer,	Meredith,	Taylor, Ind.
Bynum,	Grady,	Meyer,	Tracey,
Cabaniss,	Hall, Mo.	Money,	Tucker,
Cadmus,	Hare,	Montgomery,	Turner, Ga.
Caminetti,	Hayes,	Morgan,	Tyler,
Capehart,	Heard,	Moses,	Warner,
Caruth,	Hepburn,	Ogden,	Washington,
Catchings,	Hooker, Miss.	O'Neil, Mass.	Wells,
Causey,	Hunter,	O'Neill, Mo.	Wheeler, Ala.
Clark, Mo.	Jones,	Paschal,	Williams, Miss.
Clarke, Ala.	Kyle,	Patterson,	Wise,
Cobb, Ala.	Lapham,	Pearson,	Woodard.
Cobb, Mo.	Latimer,	Pendleton, Tex.	
Cockrell,	Lawson,	Pendleton, W. Va.	
Cooper, Fla.	Layton,	Pigott,	

ANSWERED "PRESENT"—3.

Bretz,	McCleary, Minn.	Outhwaite.

NOT VOTING—148.

Abbott,	Curtis, N. Y.	Hartman.	Neill,
Adams, Pa.	Davey.	Hatch,	Newlands,
Allen,	Davis,	Henderson, Iowa	Oates,
Avery,	Denson,	Henderson, N. C.	Page,
Baldwin,	Dingley,	Hendrix,	Paynter,
Barnes,	Doolittle,	Hicks,	Pence,
Bartlett,	Draper,	Hines,	Phillips,
Barwig,	Dunn,	Holman,	Post,
Belden,	Durborow,	Hooker, N. Y.	Powers,
Beltzhoover,	Edmunds,	Hopkins, Ill.	Price,
Black, Ill.	Ellis, Ky.	Hulick,	Quigg,
Blair,	Ellis, Oregon	Hutcheson,	Randall,
Bland.	English, Cal.	Izlar,	Rayner,
Boen,	Everett,	Johnson, Ohio	Reilly,
Breckinridge, Ark.	Fielder,	Kiefer,	Richards, Ohio
Breckinridge, Ky.	Fithian,	Kilgore,	Richardson, Mich.
Brickner,	Forman,	Kribbs,	Robertson, La.
Burnes,	Funston,	Lane,	Robinson, Pa.
Campbell,	Gardner,	Lefever,	Schermerhorn,
Cannon, Cal.	Gillet, N. Y.	Lisle,	Scranton.
Childs,	Gillett, Mass.	Livingston,	Shaw.
Clancy,	Goodnight,	Lockwood,	Sherman,
Cockran,	Gorman,	Lynch,	Sibley,
Coffeen,	Graham,	Magner,	Sickles,
Cogswell,	Gresham,	Marshall,	Simpson,
Conn,	Griffin,	Martin, Ind.	Sipe.
Coombs,	Grosvenor,	Marvin, N. Y.	Somers,
Cooper, Ind.	Grout,	McDowell,	Springer.
Cooper, Tex.	Grow,	Moon,	Stevens,
Cornish,	Haines,	Morse,	Stockdale,
Covert,	Hall, Minn.	Murray,	Stone, C. W.
Culberson,	Hammond,	Mutchler,	Stone, Ky.

Storer,	Terry,	Walker,	Whiting,
Strait,	Thomas,	Wanger,	Williams, Ill.
Straus,	Turner, Va.	Weadock,	Wilson, W. Va.
Sweet,	Turpin,	Wheeler, Ill.	Wolverton,
Taylor, Tenn.	Wadsworth,	White,	Wright, Pa.

So the amendment was rejected.

Mr. ELLIS of Oregon. I have voted "aye" on this question, but I desire to withdraw my vote, as I am paired with the gentleman from South Carolina, Mr. STRAIT. I do not know how he would vote if present.

The following pairs were announced:

Until further notice:

Mr. COOPER of Texas with Mr. WRIGHT of Pennsylvania.
Mr. ELLIS of Kentucky with Mr. SCRANTON.
Mr. STRAIT with Mr. ELLIS of Oregon.
Mr. ROBERTSON of Louisiana with Mr. PHILLIPS.
Mr. HUTCHESON with Mr. KIEFER.
Mr. SCHERMERHORN with Mr. BELDEN.
Mr. FORMAN with Mr. WHEELER of Illinois.
Mr. HAINES with Mr. HARTMAN.
Mr. SICKLES with Mr. DANIELS.
Mr. NEILL with Mr. CHILDS.
Mr. OATES with Mr. SHERMAN.
Mr. BARNES with Mr. MCCLEARY of Minnesota.
Mr. STRAUS with Mr. QUIGG.
Mr. STOCKDALE with Mr. AVERY.
Mr. TURPIN with Mr. DRAPER.
Mr. GOODNIGHT with Mr. ROBINSON of Pennsylvania.
Mr. DURBOROW with Mr MARVIN of New York.
Mr. KILGORE with Mr. WHITE.
Mr. CAMPBELL with Mr. TAYLOR of Tennessee.
Mr. GRESHAM with Mr. DOOLITTLE.
Mr. BLACK of Illinois with Mr. CURTIS of New York.
Mr. STONE of Kentucky with Mr. DINGLEY.
Mr. SPRINGER with Mr. GROSVENOR.
Mr. BLAND with Mr. MORSE.
Mr. CULBERSON with Mr. GROUT.
Mr. HATCH with Mr. HARMER.

For this day:

Mr. ABBOTT with Mr. SWEET.
Mr. RICHARDS with Mr. WADSWORTH.
Mr. PAYNTER with Mr. GROW.
Mr. DENSON with Mr. COGSWELL.
Mr. MUTCHLER with Mr. WANGER.
Mr. REILLY with Mr. GILLETT of Massachusetts.
Mr. TURNER of Virginia with Mr. GILLET of New York.

Mr. DANIELS. I desire to say that on this vote I am not paired with the gentleman from New York, Mr. SICKLES.

The result of the vote was announced as above stated.

Mr. WILSON of Ohio. I offer the amendment which I send to the desk.

The Clerk read as follows:

At the end of line 52, on page 5, add the following:
"And for teaching in the English language such studies as are taught in the public schools, but not to the exclusion of other languages."

Mr. WILSON of Ohio. The proposed amendment differs from the one just voted on—the amendment offered by the gentleman from Illinois [Mr. SMITH].

Mr. WHEELER of Alabama. I make a point of order that this amendment is substantially the same as the amendment just voted upon.

Several MEMBERS. Too late.

Mr. WILSON of Ohio. The amendment is not the same at all.

The SPEAKER *pro tempore* (Mr. OUTHWAITE). The point of order does not come too late. What is the point?

Mr. WHEELER of Alabama. That this amendment is a repetition of that which has been voted on; it simply puts the same proposition in different language.

Several MEMBERS. Oh, no.

The SPEAKER *pro tempore*. The Chair overrules the point of order.

Mr. WILSON of Ohio. Mr. Speaker, I was about to say this amendment differs from the one just voted on in this, that amendment provided that the English language itself should be taught. I do not think it was intended to be exclusive, but this expressly provides that every branch of study shall be taught in the English language, but not to the exclusion of teaching in any other language. It provides that all studies shall be taught in the language which is the language of this country, but permits the same studies to be pursued in other languages.

The pupils of the public schools should have an opportunity to pursue their studies in the English language, while at the same time this amendment does not preclude the Territory of New Mexico (or the State, if admitted), in which the Spanish language is spoken, from teaching these same studies in that or any other language. It would not prevent teaching these branches in the German language, or the French, or any other language which the State might choose to sanction.

In various States of the Union there are provisions for teaching in different languages. I understand the State of Illinois undertook to limit the teaching of the different branches in the schools of that State to the English language. It has been said that the Republicans lost the State of Illinois on that question; that the Germans of that State resisted such legislation.

This amendment does not go that far. It would leave the Legislature of New Mexico to decide in what languages all branches may be taught in the public schools, but provision must be made that in every public school an opportunity shall be afforded to learn the English language. I submit, Mr. Speaker and gentlemen of the House, that we can not afford in this country to refuse to adopt the proposition expressed in this amendment.

Mr. BARTHOLDT. May I ask the gentleman a question?

Mr. WILSON of Ohio. Yes, sir.

Mr. BARTHOLDT. Does the gentleman understand his amendment to provide that the Spanish language should be taught in the English language?

Mr. WILSON of Ohio. No, sir.

Mr. BARTHOLDT. That is the effect of it.

Mr. WILSON of Ohio. The amendment simply means this, that if the grammar of the Spanish language is taught, it will be taught according to the Spanish language; if the grammar of the English language is taught it will be taught according to the English language. The grammar of the particular language will control the language in which that grammar is taught. There is no provision of the proposed amendment which prevents the teaching of any branch in the language which the children are accustomed to speak. The purpose is to open the way for those who can use the English language to do so, and afford others an opportunity to learn it.

Mr. BARTHOLDT. The amendment reads, if I understand it, that all branches shall be taught in English. Now, if you say that "all branches" shall be taught, that certainly embraces Spanish. Consequently, according to the language of the amendment, you provide that the Spanish language shall be taught in English. That would seem to be an absurdity.

Mr. BURROWS. Let the proposed substitute of the gentleman from Illinois be read.

Mr. SMITH of Illinois. I offer the substitute I send to the desk.

The Clerk read as follows:

On page 5, line 52, after the word "control," insert:
"And in all of such schools the English language shall be taught as one of the branches of education."

Mr. WHEELER of Alabama. I claim that that is subject to the point of order. It is using different language to attain the same purpose which was sought to be accomplished by the amendment just voted down.

The SPEAKER *pro tempore*. The Chair will hear the gentleman from Illinois on the point of order.

Mr. SMITH of Illinois. This is different from what the other amendment offered by myself provided. I understand a number of gentlemen on the floor considered the amendment I offered before would exclude the teaching of any other language than the English language. That was the objection urged against the amendment——

Mr. HOPKINS of Illinois. No one could have understood it in that way.

Mr. WHEELER of Alabama. The statement of the gentleman himself makes the point of order good against this amendment.

Mr. WILSON of Ohio. I would like to know how the substitute gets in?

The SPEAKER *pro tempore*. The gentleman from Illinois offers it. The time of the gentleman from Ohio had expired.

Mr. WILSON of Ohio. Then the amendment is offered as a substitute for mine?

The SPEAKER *pro tempore*. The point of order has been made against it, and the Chair sustains the point of order.

Mr. SMITH of Illinois. But I had not concluded my remarks.

Mr. WILSON of Ohio. The amendment of the gentleman being ruled out, then my amendment is before the House?

The SPEAKER *pro tempore*. It is.

Mr. MAHON. I offer an amendment to the amendment.

The Clerk read as follows:

The English language shall be taught in said schools: *Provided*, That all other languages may also be taught.

The SPEAKER *pro tempore*. This is offered as a substitute.

Mr. WHEELER of Alabama. I wish to call the attention of gentlemen to the fact that Willick's brigade of the Federal Army, a body of brave German soldiers, who were considered as

among the best and the bravest, did all their fighting pursuant to commands given in the German language. The commands were given to them in German; and I venture to assert that no member of Congress would have insisted that they should not take part in the service of the Government unless they could speak the English language and receive their commands in English.

Mr. PERKINS. I ask that the amendment and the substitute be reported together.

The amendment of Mr. WILSON of Ohio and the substitute of Mr. MAHON were again reported.

Mr. PERKINS. I should think, Mr. Speaker, that the gentleman in charge of this bill might well afford to accept the amendment offered by the gentleman from Ohio.

I find in the report which the majority of the Committee on the Territories have submitted to the House, this statement:

It is true that a large portion of the population in New Mexico speak the Spanish language, and that among the older persons, descended from the original settlers of the country, some still remain ignorant of English.

I also understand that New Mexico has been an applicant for admission to the Union for something like forty-seven years, and in each instance this question of alienation has been presented.

Now, the chief objection raised by the Delegate from New Mexico to the amendment is that it is a discrimination against his people, and upon that point the contention on the other side is based. But, sir, I hold in my hand a copy of the bill for the admission of Utah and I find this proviso:

Provided, That polygamous or plural marriages are forever prohibited.

That amendment, I believe, was accepted on the other side of the House, and certainly it points more of a discrimination against the people of Utah than this provision that the English language shall be taught in the public schools of the State.

Now, when we consider that during this long period of nearly half a century the people of that Territory have adhered to the Spanish language, and that during a large portion of that time the Spanish language has been that which was taught in the schools, it occurs to me that it is not an unreasonable provision to ask, in the enabling act which we contemplate passing here, and which we desire shall guard the many thousand acres of public land that we grant for the support of public education in that State, that this safeguard should be provided, and that it should afford some additional incentive to the people of that State to separate themselves from their ancient customs and come in fact into the Union of the United States.

I repeat, I think it is not at all an unreasonable provision; and I shall be glad if the gentleman from New Mexico will signify his acceptance of the amendment.

[Here the hammer fell.]

The SPEAKER *pro tempore*. The question is on agreeing to the substitute proposed by the gentleman from Pennsylvania.

The substitute was rejected.

The SPEAKER *pro tempore*. The question now is on the amendment of the gentleman from Ohio.

Mr. WILSON of Ohio. I desire to modify that amendment, Mr. Speaker.

The SPEAKER *pro tempore*. Will the gentleman send the modification to the Clerk's desk?

Mr. WILSON of Ohio. I will modify the amendment, and hand it to the Clerk as modified.

The SPEAKER *pro tempore*. The gentleman from Ohio wishes to modify his amendment, and if there be no objection this paragraph will be passed over, with permission to the gentleman to return to it.

There was no objection.

The Clerk, proceeding with the reading of the bill, read as follows:

SEC. 4. That in case a constitution and State government shall be formed in compliance with the provisions of this act, the convention forming the same shall provide by ordinance for submitting said constitution to the people of said State for their ratification or rejection, at an election to be held in said Territory on the Tuesday after the first Monday of March, 1895, at which election the qualified voters of said proposed State shall vote directly for or against the proposed constitution, and for or against any provisions separately submitted. The returns of said election shall be made to the secretary of said Territory, who, with the governor and chief justice thereof, or any two of them, shall canvass the same; and if a majority of the legal votes cast on that question shall be for the constitution, the governor shall certify the result to the President of the United States, together with a statement of the votes cast thereon and upon separate articles or propositions, and a copy of said constitution, articles, propositions, and ordinances. And if the constitution and government of said proposed State are republican in form, and if all the provisions of this act have been complied with in the formation thereof, it shall be the duty of the President of the United States to issue his proclamation announcing the result of said election, and thereupon the proposed State of New Mexico shall be deemed admitted by Congress into the Union under and by virtue of this act on an equal footing with the original States from and after the date of said proclamation.

Mr. BOWERS of California. I move to strike out lines 24, 25, 26, and 27 of section 4.

I do this at this time simply to indulge in two minutes of explanation. I had intended always to vote for the admission of every Territory; but when the question has been brought before the Congress of the United States, and the gentlemen who propose to admit this Territory vote against the English language, or at least what is equivalent to it, when an amendment is offered that it shall be taught, and that the studies in the schools shall be in the English language, and when that proposition is voted down, I can not vote for the admission of that Territory, and never will, under those circumstances.

Mr. VAN VOORHIS of New York. When 70 per cent of the people can not read the English language, what are you going to do?

Mr. BOWERS of California. Teach them the English language, the language of the nation to which they seek admission as a State. You can teach the children of that Territory the English language just as quickly as you can teach them any other language, and teach them to be citizens of the Union.

Mr. VAN VOORHIS of New York. In what language are you going to print the ballots upon which they vote for or against the Constitution?

Mr. BOWERS of California. That is not the question at issue. I do not care about that. The question is a question of the public schools.

Mr. VAN VOORHIS of New York. If you print the ballots in English not more than 30 per cent can read them.

Mr. BOWERS of California. I am not going to discuss that question at all. I am not discussing the question of ballots. I am discussing the question of the public schools.

Mr. VAN VOORHIS of New York. Do not you think it is utterly absurd to try to bring this nation of greasers in as a State?

Mr. BOWERS of California. No, I think just as much of a Californian as any other person in the world. They are just as good men, whether born in Mexico, New Mexico, in California, or anywhere else, and they make just as good American citizens. My point is that when you admit a Territory into the Union as a State, I want the studies in the public schools to be in the language of the country. And when that question is made an issue here, I will not vote to admit any Territory unless that provision is inserted in the enabling act.

The SPEAKER *pro tempore*. Does the gentleman from California withdraw his amendment?

Mr. BOWERS of California. I withdraw the amendment.

The SPEAKER *pro tempore*. The question is on the amendment of the gentleman from Ohio [Mr. WILSON] as modified. The Clerk will report the amendment in the form in which it is now offered.

The Clerk read as follows:

On page 5, after line 52, insert the following:

"And for teaching the English language as a branch of study in all public schools, but not to the exclusion of other languages."

The question was taken.

The SPEAKER *pro tempore*. The ayes seem to have it; the ayes have it, and the amendment is agreed to.

Mr. WHEELER of Alabama. I call for a division.

The SPEAKER *pro tempore*. The Chair did not hear the gentleman make the demand for a division. The gentleman from Alabama asks for a division. As many as favor the amendment of the gentleman from Ohio [Mr. WILSON] will rise and be counted.

The House divided; and there were—ayes 69, noes 75.

Mr. GEAR and Mr. HOPKINS of Illinois demanded the yeas and nays.

Mr. WILSON of Ohio. Mr. Speaker, a parliamentary inquiry. Are we voting now on the amendment to the amendment?

The SPEAKER *pro tempore*. We are voting upon the amendment as modified by the gentleman from Ohio [Mr. WILSON].

Mr. WILSON of Ohio. I understood that my amendment was adopted.

The SPEAKER *pro tempore*. No; the gentleman's amendment was not adopted. A division was demanded. The question is now being taken on the amendment of the gentleman from Ohio as modified.

The yeas and nays were ordered, and the Speaker *pro tempore* appointed as tellers Mr. WILSON of Ohio and Mr. TRACEY.

Mr. BARTHOLDT. Mr. Speaker, I ask for the reading of the amendment.

The amendment of Mr. WILSON of Ohio was again reported.

Mr. BOUTELLE. Mr. Speaker, I should like to have the Clerk read the paragraph of the bill to which this amendment is proposed, so that we may see the connection in which the amendment comes.

The SPEAKER *pro tempore*. Is there objection to the reading of the preceding words?

Mr. CLARK of Missouri. I object.

Mr. BOUTELLE. I should think you would.

The SPEAKER *pro tempore*. Objection is made.

The question was taken; and there were—yeas 81, nays 115, answered "present" 4, not voting 152; as follows:

YEAS—81.

Adams, Ky.	Davis,	Kem,	Reed,
Aitken,	Dolliver,	Kiefer,	Reyburn,
Aldrich,	Fletcher	Lacey,	Russell, Conn.
Baker, Kans.	Funk,	Lapham,	Smith,
Baker, N. H.	Gear,	Lester,	Sperry,
Bartholdt,	Hager,	Linton,	Stephenson,
Bingham,	Hainer,	Loudenslager,	Stone, C. W.
Boen,	Harmer,	Lucas,	Stone, W. A.
Boutelle,	Hartman,	Mahon,	Strong,
Bowers, Cal.	Haugen,	Marsh,	Tawney.
Broderick,	Heard,	McCall,	Updegraff,
Brosius,	Heiner,	McKeighan,	Van Voorhis, N. Y.
Bundy,	Henderson, Ill.	McNagny,	Van Voorhis, Ohio
Burrows,	Hepburn,	Meiklejohn,	Wanger,
Cannon, Ill.	Hermann,	Mercer,	Wever,
Chickering,	Hitt,	Milliken,	Wilson, Ohio
Cooper, Wis.	Hopkins, Ill.	Payne,	Woomer,
Cousins,	Hudson,	Perkins,	Wright, Mass.
Curtis, Kans.	Hull,	Pickler,	
Dalzell,	Johnson, Ind.	Randall,	
Daniels,	Johnson, N. Dak	Ray,	

NAYS—115.

Alderson,	Cockrell,	Latimer,	Pendleton, W. Va
Alexander,	Cooper, Fla.	Lawson,	Pigott,
Allen,	Cooper, Ind.	Layton,	Richardson, Tenn.
Arnold,	Covert,	Livingston,	Robbins,
Bailey,	Cox,	Lynch,	Russell, Ga.
Bankhead,	Crain,	Maddox,	Ryan,
Bell, Colo.	Crawford,	Maguire,	Sayers,
Bell, Tex.	Cummings,	McAleer,	Shell,
Berry,	De Armond,	McCreary, Ky.	Snodgrass,
Black, Ga.	De Forest,	McCulloch,	Somers,
Boatner,	Dinsmore,	McDannold,	Sorg,
Bower, N. C.	Dockery,	McDearmon,	Stallings,
Branch,	Enloe,	McEttrick,	Swanson,
Brookshire,	Epes,	McGann,	Talbert, S. C.
Brown,	Erdman,	McLaurin,	Tarsney,
Bryan,	Fyan,	McMillin,	Tate,
Bunn,	Geissenhainer,	McRae,	Taylor, Ind.
Bynum,	Grady,	Meyer,	Tracey,
Cabaniss,	Graham,	Money,	Tucker,
Cadmus,	Hall, Mo.	Montgomery,	Turner, Ga.
Caminetti,	Hare,	Morgan,	Tyler,
Capehart,	Hayes,	Moses,	Warner,
Caruth,	Henderson, N. C.	Ogden,	Washington,
Catchings,	Holman,	O'Neill, Mass,	Wells,
Clancy,	Hooker, Miss.	Page,	Wheeler, Ala.
Clark, Mo.	Hunter,	Paschal,	Williams, Miss.
Clarke, Ala.	Izlar,	Patterson,	Wise,
Cobb, Ala.	Jones,	Pearson,	Woodard.
Cobb, Mo.	Kyle,	Pendleton, Tex.	

ANSWERED "PRESENT"—4.

Bretz,	Ellis, Oregon	Goldzier,	Outhwaite.

NOT VOTING—152.

Abbott,	Dunphy,	Johnson, Ohio	Robertson, La.
Adams, Pa.	Durborow,	Kilgore,	Robinson, Pa.
Apsley,	Edmunds,	Kribbs,	Rusk,
Avery,	Ellis, Ky.	Lane,	Schermerhorn,
Babcock,	English, Cal.	Lefever,	Scranton,
Baldwin,	English, N. J.	Lisle,	Settle,
Barnes,	Everett,	Lockwood,	Shaw,
Bartlett,	Fielder,	Loud,	Sherman,
Barwig,	Fithian,	Magner,	Sibley,
Belden,	Forman,	Mallory,	Sickles,
Beltzhoover,	Funston,	Marshall,	Simpson,
Black, Ill.	Gardner,	Martin, Ind.	Sipe,
Blair,	Geary,	Marvin, N. Y.	Springer,
Bland,	Gillet, N. Y.	McCleary, Minn.	Stevens,
Breckinridge, Ark.	Gillett, Mass.	McDowell,	Stockdale,
Breckinridge, Ky.	Goodnight,	McKaig,	Stone, Ky.
Brickner,	Gorman,	Meredith,	Storer,
Burnes,	Gresham,	Moon,	Strait,
Campbell,	Griffin,	Morse,	Straus,
Cannon, Cal.	Grosvenor,	Murray,	Sweet,
Causey,	Grout,	Mutchler,	Talbott, Md.
Childs,	Grow	Neill,	Taylor, Tenn.
Cockran,	Haines,	Newlands,	Terry,
Coffeen,	Hall, Minn.	Northway,	Thomas,
Cogswell,	Hammond,	Oates,	Turner, Va.
Conn.	Harris,	O'Neill, Mo.	Turpin,
Coombs,	Harter,	Paynter,	Wadsworth,
Cooper, Tex.	Hatch,	Pence,	Walker,
Cornish,	Henderson, Iowa	Phillips,	Waugh,
Culberson,	Hendrix,	Post,	Weadock,
Curtis, N. Y.	Hicks,	Powers,	Wheeler, Ill.
Davey,	Hines,	Price,	White,
Denson,	Hooker, N. Y.	Quigg,	Whiting,
Dingley,	Hopkins, Pa.	Rayner,	Williams, Ill.
Donovan,	Houk,	Reilly,	Wilson, Wash.
Doolittle,	Hulick,	Richards, Ohio	Wilson, W. Va.
Draper,	Hutcheson,	Richardson, Mich.	Wolverton,
Dunn,	Ikirt,	Ritchie,	Wright, Pa.

So the amendment was rejected.

Mr. BROOKSHIRE. Mr. Speaker, my colleague, Mr. MARTIN, left the House two hours ago on account of sickness, and I ask that he be excused.

There was no objection, and it was so ordered.

Mr. TUCKER. Mr. Speaker, my colleague, Mr. TURNER, is detained from the House on account of sickness, and I ask that he be excused.

There was no objection, and it was so ordered.

The following additional pairs were announced:

Mr. WILSON of West Virginia with Mr. HENDERSON of Iowa, until further notice.

For this day:

Mr. O'NEILL of Missouri with Mr. HOUK.

Mr. MEREDITH with Mr. WAUGH.

Mr. TALBOTT of Maryland with Mr. ADAMS of Pennsylvania.

Mr. WEADOCK with Mr. FUNSTON.

Mr. GORMAN with Mr. HOOKER of New York.

Mr. BARTLETT with Mr. NORTHWAY.

The result of the vote was then announced as above recorded.

Mr. HOPKINS of Illinois. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER *pro tempore*. The Chair can not entertain that motion at this time, under the order.

Mr. HOPKINS of Illinois. Well, one moment. Has the Speaker examined the order. A number of gentlemen think that under the interpretation of that order an adjournment can now be had, but as I understand the Speaker has examined the order and thinks differently.

The SPEAKER *pro tempore*. The Chair has examined the order and is of the opinion that he can not entertain such a motion.

The Clerk read as follows:

SEC. 9. That 10 per cent of the proceeds of the sales of public lands lying within said State, which shall be sold by the United States subsequent to the admission of said State into the Union, after deducting all the expenses incident to the same, shall be paid to the said State, to be used as a permanent fund, the interest of which only shall be expended for the support of the common schools within said state.

Mr. BAKER of New Hampshire. Mr. Speaker, I move to strike out the word "ten," which is the second word in section 9, and insert the word "five."

Mr. WHEELER of Alabama. That was done in December last.

Mr. BAKER of New Hampshire. I thought it was read as ten.

Mr. WHEELER of Alabama. It was read as five.

The SPEAKER *pro tempore*. The amendment will be considered as agreed to.

The Clerk read as follows:

SEC. 10. That all lands herein granted for educational purposes, except as hereinafter otherwise provided, shall be disposed of only at public sale, and at a price not less than $5 per acre, the proceeds to constitute a permanent school fund, the interest of which only shall be expended in the support of said schools. But said lands may, after such regulations as the Legislature shall prescribe, be leased for periods of not more than five years, in quantities not exceeding one section to any one person or company; and such land shall not be subject to preëmption, homestead entry, or any other entry under the land laws of the United States, whether surveyed or unsurveyed, but shall be reserved for school purposes only.

Mr. FUNK. Mr. Speaker, I move to strike out the words in lines 3 and 4, "at a price not less than $5 per acre," and insert "to the highest bidder, subject to the approval of the governor, secretary of state, and State treasurer."

The SPEAKER *pro tempore*. The gentleman will send up his amendment.

Mr. FUNK. I do this, Mr. Speaker, for the purpose of stating that in my opinion a great deal of this land can not be sold at $5 per acre for years to come, and that if it was left to the discretion of the State officers, or some commission, they might sell it at some price and get something out of it. If you put a restriction upon the price and say that it shall not be sold for less than $5 per acre, it will be years before it can be sold; but if you leave it without restriction, and leave it to the people of the Territory, the people who live there, they can sell it and get something out of it.

I have traveled over that Territory, and I know that there are hundreds of thousands of acres that are not worth 10 cents an acre, and can not be for years; but if they can take and sell them at their own discretion, with the approval of a commission of their State officers, they can be sold for something, and it would be of some benefit to them.

Mr. WHEELER of Alabama. Mr. Speaker, this matter was fully canvassed by the committee when other bills relative to other States were being considered, and it was thought that it was better to retain the provision as it is in the bill, so that these lands might be held until they should rise in value. If they are sold now at public outcry they would necessarily have to be sold to syndicates who would hold them for speculation, because if offered in small tracts they would not bring any price at all. I think it a great deal better to let this provision stand as it is. The Senate took the same view, and a like view was taken in all the hearings before the House committee.

Mr. WARNER. Mr. Speaker, I am profoundly surprised at the suggestion of my friend from Illinois [Mr. FUNK]. There are some matters as to which we may not have had enough opportunity to try experiments, and as to which therefore we may be justified in having different opinions. But, sir, as to the question of the disposal by the several States of the lands which

have been appropriated for their benefit, to the use of, or the foundation of, educational institutions within their borders, we have had an almost endless series of experiments. There are, I believe, but two cases in which the liberty has been left to the State that is now proposed by my friend from Illinois in this case where liberty has not been so misused as to fritter away the public benefaction.

There has not, I believe, been a single case where the lands have been withheld from sale until a substantial price could be obtained where such withholding has not inured to the benefit of the State and of the institutions for whose benefit the lands were set aside. It seems to me, sir, that the result of the experiments on this question ought to convince this Congress that the limitation in the bill is a most reasonable one, and that the only question is, not whether it should be weakened, but whether it should not be strengthened and the figures raised at which any sale of these lands should be permitted.

Mr. FUNK. Mr. Speaker, it seems to me that there can be no objection whatever to letting the people who live in New Mexico control this matter. I have faith in the people who live there, and I would have faith in any set of men who might be elected to the offices named in my amendment to control the matter honestly and judiciously in the interest of the State and of the people. I believe it would be to the interest of all concerned in that new State if they were permitted to control this matter.

Sir, in my opinion there are thousands of acres of land there that can not be sold for $5 an acre within fifty years of this time, but if no limit was put upon the price, then those lands could be sold for some price and the State would get something out of them, and the lands would probably be improved.

Mr. BOEN. Mr. Speaker, I rise to a point of order. Gentlemen are discussing an amendment that has not been reported to the House.

The SPEAKER *pro tempore*. The gentleman is in error. The amendment was read, but the Clerk will report it again.

The amendment was again read as above.

Mr. JOHNSON of North Dakota. Mr. Speaker, this is a question as to which experience is surely one of the most useful guides. The State which I represent here was admitted into the Union less than five years ago under an enabling act somewhat similar to this, only in that act the minimum price fixed for school lands was $10 an acre instead of $5 as here proposed. Now, let me tell you our experience. In that short time, less than five years, we have sold about 89,000 acres of those lands at an average price of $19.53. The interest on the money that we have received from the sale of that small fraction—only about 4 per cent—of our school lands is now sufficient to pay the entire tuition expenses of our schools. It amounts this year to $8 per capita for the school children of the State, and constitutes an ample fund to pay the expenses of tuition.

We can well afford to hold the remaining 96 per cent of those lands for higher prices. Great fortunes have been made in this country by private individuals buying lands and holding them for an advance, but no individual is so well situated as a State for an operation in that way. The individual must realize on the investment within his lifetime in order to make a success of the speculation, but the State will be to all intents and purposes as young a thousand years from now as it is to-day. The amendment of the gentleman from Illinois ought not to prevail.

The question being taken on the amendment of Mr. FUNK, it was rejected.

Mr. WHEELER of Alabama. Mr. Speaker, I now ask unanimous consent that the special order in respect to this bill be postponed and continued until to-morrow after the second morning hour.

Mr. BURROWS. The balance of the time under the order to be taken after the second morning hour to-morrow?

Mr. WHEELER of Alabama. Yes, sir.

Mr. BURROWS. That request is made, I understand, with a view to adjourning now?

Mr. WHEELER of Alabama. With a view to adjourning now.

The SPEAKER *pro tempore*. The gentleman from Alabama [Mr. WHEELER] asks unanimous consent that the completion of the special order be postponed until to-morrow after the expiration of the second morning hour. Is there objection?

A MEMBER. What time would it take to complete it now?

The SPEAKER *pro tempore*. There are twenty minutes remaining before taking the vote. Is there objection to the request of the gentleman from Alabama?

Several members objected.

The Clerk resumed the reading of the bill.

Mr. CANNON of Illinois (interrupting the reading). Mr. Speaker, I move that the House do now adjourn.

The SPEAKER *pro tempore* (Mr. OUTHWAITE). The Chair can not entertain that motion.

Mr. CANNON of Illinois. I think the Chair misapprehends the special rule. I have just read it.

The SPEAKER *pro tempore*. The Chair has carefully considered the terms of the special rule; and although he regrets to so hold, he is of opinion that a motion to adjourn can not be entertained at this time.

Mr. CANNON of Illinois. I will ask the Chair as a question of order what there is in the special rule that prevents an adjournment. We must have three hours of consideration; but the rule does not say when; and at the expiration of the three hours——

The SPEAKER *pro tempore*. In reply to the gentleman from Illinois [Mr. CANNON] the Chair will read the language which in his opinion governs this question:

That after three hours' consideration thereof, if so much be necessary, the previous question shall be considered as ordered on pending amendments, and the engrossment and third reading and final passage of the bill; and then, without intervening motion——

Mr. CANNON of Illinois. Precisely.

Mr. REED. "And then, without intervening motion."

The SPEAKER *pro tempore* (reading):

The vote shall be taken upon the third reading thereof and upon the final passage of the bill.

Mr. BURROWS. That is, after the previous question is ordered.

Mr. REED. The word "then" comes in there. "Then without intervening motion."

Mr. CANNON of Illinois. As I construe the order, there may be two hours of debate to-day and one hour of debate to-morrow.

Mr. REED. This is certainly carrying the construction of the phrase "without intervening motion," to what might be called an extreme, even after the wildest exhibitions we have had heretofore.

The SPEAKER *pro tempore*. The Chair will now have the Clerk proceed with the reading of the bill.

Mr. CANNON of Illinois. I am satisfied, Mr. Speaker, that if the Chair will indulge me for a moment, he will see that he is in error as to my motion being out of order. I call the attention of the Chair particularly to the language of the order. It says that, "after three hours' consideration * * * the previous question shall be considered as ordered."

The SPEAKER *pro tempore*. And it says also that "immediately upon the adoption of this order" the three hours' consideration shall be had.

Mr. CANNON of Illinois. Certainly.

The SPEAKER *pro tempore*. Now it will take but fifteen minutes to conclude the three hours.

Mr. CANNON of Illinois. I understand that perfectly. [Cries of "Regular order!"] Gentlemen will make nothing by calling the "Regular order." I submit to the Chair, the order says that immediately after the adoption of the order——. [Renewed cries of "Regular order!"]

Mr. CANNON of Illinois. I will not undertake to speak against the confusion which gentlemen are creating.

The SPEAKER *pro tempore*. The Chair submits to the gentleman that there are but fourteen minutes left of the time——

Mr. CANNON of Illinois. Certainly.

The SPEAKER *pro tempore*. And the Chair has considered this question carefully, and is inclined to adhere to his opinion. Without any personal feeling in the matter but simply from a careful consideration of the rule, and believing that to adjourn at this time would leave this rule unexecuted and leave the subject open to another rule, the Chair declines to entertain the motion to adjourn.

Mr. WHEELER of Alabama. I renew my request for unanimous consent that the completion of this order be postponed until after the expiration of the second morning hour to-morrow.

The SPEAKER *pro tempore*. The gentleman from Alabama asks unanimous consent that the completion of this order be postponed until the expiration of the second morning hour to-morrow.

Mr. COCKRELL. I object.

The Clerk was proceeding to resume the reading of the bill when—

Mr. CANNON of Illinois. Wait one moment. The Chair has ruled that my motion to adjourn is not in order. From that decision of the Chair I respectfully appeal.

Mr. BURROWS. That is right.

The SPEAKER *pro tempore*. That appeal, the Chair holds, is out of order; it can not be entertained at this time. The Clerk will proceed with the reading of the bill.

The Clerk resumed the reading of the bill.

Mr. CANNON of Illinois (during the reading). That, Mr. Speaker, is an exhibition of arbitrariness that is without precedent.

The Clerk read section 14, as follows:

SEC. 14. That all lands granted in quantity or as indemnity by this act shall be selected under the direction of the Secretary of the Interior from the surveyed, unreserved, and unappropriated public lands of the United States within the limits of said State of New Mexico. And there shall be deducted from the number of acres of land donated by this act for specific objects to said State the number of acres therein heretofore donated by Congress to said Territory for similar objects.

Mr. BURROWS. Mr. Speaker, my motion is in order. I move to strike out the last clause read by the Clerk.

The CHAIRMAN. The Clerk will read the clause of the section proposed to be stricken out.

The Clerk read as follows:

And there shall be deducted from the number of acres of land donated by this act for specific objects to said State the number of acres therein heretofore donated by Congress to said Territory for similar objects.

Mr. BURROWS. Now, Mr. Speaker, I move to strike out what the Clerk has just read.

Mr. CANNON of Illinois. I rise to debate the motion of the gentleman from Michigan.

The gentleman moves to strike out the clause just read by the Clerk. Before proceeding I wish a page to bring me the special order or rule under which we are operating.

Mr. TRACEY. Mr. Speaker, before the gentleman proceeds, as far as I am concerned, I withdraw the objection to the arrangement proposed. [Laughter.]

The SPEAKER *pro tempore*. The Chair understands the gentleman from Texas and others to have objected.

Mr. HOPKINS of Illinois. Can we not have unanimous consent to let this matter go over until to-morrow?

Mr. WHEELER of Alabama. I hope that will be done.

Mr. WELLS. I object.

The SPEAKER *pro tempore*. The Chair will first submit the request of the gentleman again.

The gentleman from Alabama asks unanimous consent that the continuation and completion of this order be postponed until to-morrow immediately after the expiration of the second morning hour. Is there objection?

Mr. COCKRELL. I object.

Mr. BURROWS. Will the Chair indulge me for a moment? I had a consultation with the gentleman from Alabama [Mr. WHEELER], and also with the Chair, and it was agreed, as the gentleman from Alabama will bear me out, that at 5 o'clock, if the House did not object, we should adjourn, with the understanding that the time remaining of the three hours fixed by the rule would be taken to-morrow morning after the second morning hour. Upon that agreement, supposing of course it would be carried out by the House, I notified several gentlemen on this side that the vote would not be taken to-day, and they consequently left the Hall. I submit that it would not be proper to push this to a conclusion, under the circumstances, to-night.

Mr. DOCKERY. Mr. Speaker, I think the agreement between these gentlemen ought to be carried out.

The SPEAKER *pro tempore*. Does the gentleman from Texas withdraw the objection?

Mr. WHEELER of Alabama. At the request of several gentlemen, I stated I would ask unanimous consent for this postponement when the hour of 5 o'clock arrived, but I took pains in more than one case to remind the gentlemen that one objection would defeat the proposition; but it has been so universal to accede to such arrangements, when made by gentlemen who have charge of bills, that some gentlemen have left the House, supposing that no vote would be had to-night.

I am very sorry that objection is made on this side to the arrangement.

Mr. COCKRELL. If there was an agreement, I of course withdraw the objection.

The SPEAKER *pro tempore*. Then, by unanimous consent, the continuation of this order, there being now eight minutes of the three hours remaining before the time for taking a vote, will be postponed until to-morrow morning after the expiration of the second morning hour, and that the House do now adjourn. Is there objection?

There was no objection.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. WOLVERTON, for three days, on account of important business.

And then, on motion of Mr. WHEELER of Alabama, by unanimous consent (at 5 o'clock and 12 minutes p. m.), the House adjourned.

REPORTS OF COMMITTEES ON PRIVATE BILLS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

By Mr. LUCAS, from the Committee on Pensions: A bill (H. R. 3264) granting a pension to Jesse R. K. Lamb, alias Fred. P. McCadden, Company D, Seventh United States Infantry. (Report No. 1174.)

By Mr. MOSES, from the same committee: A bill (H. R. 6659) to increase the pension of Capt. Isaac D. Toll. (Report No. 1175.)

Also, the bill (H. R. 5621) to increase the pension of Ann Catherine Hull. (Report No. 1176.)

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 9546) granting a pension to Joshua S. Dye, of Lincoln County, Ky., and the same was referred to the Committee on Pensions.

PUBLIC BILLS AND RESOLUTIONS.

Under clause 3 of Rule XXII, bills and a resolution of the following titles were introduced, and severally referred as follows:

By Mr. RUSK: A bill (H. R. 7582) providing for reconveyance by District Commissioners of certain lands to Andrew J. and Mary E. Curtis—to the Committee on the District of Columbia.

By Mr. CHICKERING: A bill (H. R. 7583) making an appropriation for the completion of the United States fish-culture station on or near the St. Lawrence River, New York, authorized by the act of Congress approved March 3, 1891—to the Committee on Appropriations.

By Mr. HAYES: A resolution to provide for clerk hire of members of the House during vacation of Congress—to the Committee on Accounts.

PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as follows:

By Mr. BRODERICK: A bill (H. R. 7584) granting a pension to Caroline Felix—to the Committee on Pensions.

By Mr. KEM (by request): A bill (H. R. 7585) for the relief of Joel M. Bryan—to the Committee on Indian Affairs.

By Mr. MEYER (by request): A bill (H. R. 7586) for the relief of the estate of Eliza A. Carradine, deceased, late of Orleans Parish, La.—to the Committee on War Claims.

By Mr. MORGAN: A bill (H. R. 7587) for the relief of Josiah McCary—to the Committee on War Claims.

Also, a bill (H. R. 7588) for the relief of Addison Baker—to the Committee on War Claims.

Also, a bill (H. R. 7589) for the relief of Newton Boughn—to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ALDRICH: Petition of D. W. Wilson and 18 others, of La Grange, Ill., members of fraternal orders, asking for an amendment to income-tax bill which will exclude such organizations—to the Committee on Ways and Means.

Also, resolution of the Chicago Board of Trade, approving the plan for a national exhibit at the Cotton States and International Exhibition—to the Committee on Appropriations.

By Mr. ARNOLD: Two petitions of citizens of Billings and Millersville, Mo., praying the passage of the Manderson-Hainer bill—to the Committee on the Post-Office and Post-Roads.

By Mr. BELL of Colorado: Resolutions of Washington Camp, No. 1, Patriotic Order Sons of America, and of Silver State Council, No. 3, Junior Order United American Mechanics, favoring passage of House bill 5246—to the Committee on Immigration and Naturalization.

By Mr. BELTZHOOVER: Petition of William B. Kaufman and others, of New Cumberland, Pa., against taxing incomes of beneficiary societies—to the Committee on Ways and Means.

By Mr. BOEN: Protest of the Evangelical Lutheran Immanuel Church of the town of Polk Center, county of Polk and State of Minnesota, by A. Kuhring, pastor, Herman Schmitz, Daniel Gerlach, and Nick Echstein, trustees, against changing the preamble of the Constitution of the United States—to the Committee on the Judiciary.

By Mr. BROOKSHIRE: Resolution of Lodge No. 188 of the American Railway Union, of Brazil, Ind., against House bill 7382, the Tawney arbitration bill—to the Committee on the Judiciary.

By Mr. BYNUM: Petition of 41 citizens of Indianapolis, Ind., for passage of an act recognizing the services of military telegraph operators—to the Committee on Military Affairs.

By Mr. COGSWELL: Petition of Andrew J. Wilson and oth-

ers, of Salem, Mass., against taxing incomes of beneficiary societies—to the Committee on Ways and Means.

By Mr. DALZELL: Resolutions of the Philadelphia Board of Trade in favor of amending the interstate-commerce law so as to permit pooling under certain conditions—to the Committee on Interstate and Foreign Commerce.

By Mr. DRAPER: Petition of 85 citizens of Jamaica Plain, 13 of Norwood, 14 of Boston and Brookline, and of David F. Hays and other citizens of Roslindale, Mass., that the pending tariff bill may be so amended as to exempt fraternal beneficiary societies, etc., from the income-tax provisions—to the Committee on Ways and Means.

Also, petition of Rev. George Bullen and other citizens of Newton, Mass., that legislation may be passed preventing the introduction of any lottery matter, etc., within the limits of the United States—to the Committee on the Post-Office and Post-Roads.

By Mr. GRADY: Petition of Jacob West, of Harnett County, N. C., for relief—to the Committee on War Claims.

By Mr. HUDSON: Petition of A. I. Campbell, asking to be paid money due him under treaty with the Sioux Indians—to the Committee on Indian Affairs.

By Mr. SIPE: Three petitions of citizens of Pennsylvania, praying for the passage of a law by Congress placing the telegraph service under control of the United States Government—to the Committee on the Post-Office and Post-Roads.

By Mr. SNODGRASS: Papers to accompany House bill 7577—to the Committee on Claims.

By Mr. STORER: Memorial of Cincinnati Builders' Exchange in favor of passage of House bill 7402—to the Committee on Railroads and Canals.

By Mr. WILSON of Washington: Petition of Davies & Graus, of New Whatcom, Wash., in opposition to the passage of House bill 5746—to the Committee on Agriculture.

Also, petition of 87 citizens of the State of Washington, favoring House bill 5746—to the Committee on Agriculture.

Also, resolutions of the ministers and delegates of the Tacoma Association of Southwestern Washington, and a petition of 22 citizens of Pullman, Wash., for the destruction of all lottery schemes and enterprises—to the Committee on the Post-Office and Post-Roads.

Also, petition of 13 citizens of Port Townsend, Wash., protesting against the income tax on whisky—to the Committee on Ways and Means.

SENATE.

THURSDAY, *June 28, 1894.*

The Senate met at 10 o'clock a. m.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when,

On motion of Mr. TELLER, and by unanimous consent, the further reading was dispensed with.

EXECUTIVE COMMUNICATIONS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting estimates of appropriations, as submitted by the Commissioner of Fish and Fisheries, to complete sundry fish-cultural stations; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Treasury, recommending certain alterations in that portion of the legislative, executive, and judicial appropriation bill which relates to the office of the Supervising Surgeon-General of the Marine Hospital Service; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

EXTENSION OF APPROPRIATIONS.

Mr. COCKRELL. I ask that the joint resolution (H. Res. 196) to provide temporarily for the expenditures of the Government be read the second time and referred to the Committee on Appropriations.

Mr. HOAR. I suggest the absence of a quorum.

The VICE-PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Allen,	Hale,	Patton,	Teller,
Berry,	Harris,	Peffer,	Vest,
Blackburn,	Hoar,	Pettigrew,	Vilas,
Cockrell,	Jones, Ark.	Proctor,	Voorhees,
Faulkner,	Kyle,	Quay,	Walsh,
Gallinger,	Mitchell, Oregon	Sherman,	White.
George,	Mitchell, Wis.	Sloup,	

The VICE-PRESIDENT. Twenty-seven Senators have answered to their names. There is no quorum present. What is the pleasure of the Senate?

Mr. HARRIS. I move that the Sergeant-at-Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The VICE-PRESIDENT. The Sergeant-at-Arms will execute the order of the Senate.

Mr. ALLISON, Mr. BATE, Mr. IRBY, Mr. TURPIE, Mr. PALMER, Mr. CALL, Mr. PASCO, Mr. MANDERSON, Mr. PERKINS, Mr. PLATT, Mr. PUGH, Mr. MCLAURIN, Mr. DOLPH, Mr. DIXON, Mr. MILLS, and Mr. COKE entered the Chamber and answered to their names.

The VICE-PRESIDENT (at 10 o'clock and 22 minutes a. m.). Forty-three Senators have answered to their names. A quorum is present.

Mr. COCKRELL. I move that the joint resolution be read a second time, and referred to the Committee on Appropriations.

Mr. HARRIS. I move to dispense with further proceedings under the call.

The VICE-PRESIDENT. Without objection, it is so ordered.

Mr. HOAR. I rise to object.

The VICE-PRESIDENT. The question is on the motion of the Senator from Tennessee.

Mr. HOAR. Will the Chair be kind enough to state the motion?

The VICE-PRESIDENT. The question is on the motion of the Senator from Tennessee, to dispense with further proceedings under the order of the Senate to secure a quorum.

The motion was agreed to.

Mr. COCKRELL. I move that the joint resolution be read the second time and referred to the Committee on Appropriations.

The VICE-PRESIDENT. The question is on the motion of the Senator from Missouri.

Mr. HOAR. I move that the joint resolution be committed with instructions to the committee to report as an amendment thereto what I hold in my hand, the sundry civil appropriation bill for the coming fiscal year, as it has passed the other House.

I do not propose to ask, and I suppose no one will insist that it shall be done, to have the proposed joint resolution read at the desk, because it would take several hours. I suppose the statement of it will be enough. I move that the joint resolution be committed with instructions.

The VICE-PRESIDENT. The joint resolution will be read the second time by its title, and the Chair will entertain the motion of the Senator from Massachusetts.

The SECRETARY. A joint resolution (H. Res. 196) to provide temporarily for the expenditures of the Government.

Mr. HOAR. I object to the third reading.

The VICE-PRESIDENT. The Chair was unable to hear the remark of the Senator from Massachusetts.

Mr. HOAR. Is it proposed to read the joint resolution again to-day?

Mr. COCKRELL. The question is not on the third reading of the joint resolution. The question is on its reference.

Mr. HOAR. I move to commit with instructions.

The VICE-PRESIDENT. The Senator from Massachusetts moves that the joint resolution be referred to the Committee on Appropriations with instructions to report the same with the sundry civil appropriation bill as an amendment.

Mr. HOAR. I suppose it is not necessary to have that bill read at length.

The VICE-PRESIDENT. The question is on the motion of the Senator from Massachusetts.

Mr. HOAR. Mr. President, I give notice that if the joint resolution shall be reported, I shall move to amend it by substituting the proper and ordinary appropriation bills for the fiscal year beginning July 1. I do not see any reasons why the majority should ask the minority to dispense with all the ordinary methods of making appropriations for the support of the Government in order that they may pass a tariff bill which we suppose is contrary to the opinion and desire of the country and contrary to its true interests, and we are confirmed in that position by the statement of many eminent Democrats on the other side of the Chamber that certain provisions of the bill are liable to very much stronger objections than I have stated.

Two eminent Senators on the other side have declared that a provision which is still in the measure wipes out the sovereignty and autonomy of the States. Other Senators have declared (one of them at least, if not more, a member of the Committee on Finance) that one of the principal provisions in the bill not only does not meet their personal approval, but that it is socialistic, that it is sectional, that it is a blow at property itself. Another Senator who has acted upon the Committee on Finance during a part of the present session, has declared that certain duties

which the bill contains not only violate the pledges he has personally made and the pledges his party has made, but the sound construction and interpretation of the Constitution of the United States itself.

Mr. President, we are asked not merely to submit the question whether the tariff bill shall pass after suitable discussion and debate in the judgment of a majority of the Senate—that is one thing; we are asked not merely not to filibuster, as it is called—that is one thing; but with a measure before us so offensive to the men whose votes are essential to its passage, so offensive to us who are nearly a majority of the whole body, and so offensive to the people of the United States if any inference can be drawn from their recent expressions of political opinion, we are asked, in order that the Senate may devote its entire time to the exclusion of all other public business whatever to, I will not say the perfection, but the finishing, the getting through of that measure, to depart from the ordinary, time-honored, uniform, and essential mode of providing for carrying on the Government and to pass at one swoop a joint resolution which continues for thirty days from the 30th of June all the appropriations of the Government for the current fiscal year.

Mr. President, the other side of the Chamber have this matter in their own power. Lay aside the tariff bill, take up your appropriation bills, and devote yourselves to them to-day. We can readily pass the appropriation bills. The Committee on Appropriations has had them in its possession for weeks, some of them for months. There are six appropriation bills, I am told, already before the Senate reported from that committee. The true way is to take up the most important of those bills and pass them, giving to-day to them; sit this evening, if it is necessary, until a reasonable hour, and then take up the next one.

The VICE-PRESIDENT. The Senator from Massachusetts will please suspend. The hour of half-past 10 o'clock having arrived, the Chair lays before the Senate the unfinished business.

PETITION.

Mr. HOAR presented the petition of W. F. Beaman and 26 other citizens of Massachusetts, praying that fraternal beneficiary societies, orders, or associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

AMENDMENT TO SUNDRY CIVIL APPROPRIATION BILL.

Mr. MILLS submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on the Library, and ordered to be printed.

USE OF RENTED CARS.

Mr. SHERMAN. I submit a resolution, which I ask may be read, printed, and lie over until to-morrow.

The resolution was read, and ordered to lie over and to be printed, as follows:

Resolved, That the Committee on Interstate Commerce is hereby instructed to inquire into the expediency of regulating by law the employment and use of sleeping and parlor cars, not owned by railroad companies engaged in interstate commerce, the cost of operating them, the charges made for their use, and what would be a reasonable charge for the seats, berths, and sections therein.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had disagreed to the amendments of the Senate to the joint resolution (H. Res. 32) declaring Massachusetts avenue through the grounds of the Naval Observatory a public street; agreed to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. HEARD, Mr. RICHARDSON of Tennessee, and Mr. POST managers at the conference on the part of the House.

The message also announced that the House had passed the following bills:

A bill (S. 1954) to amend section 1379, chapter 1, Title XVI, Revised Statutes of the United States, in relation to appointments of assistant paymasters in the Navy; and

A bill (S. 2135) to provide that a term of the circuit and district court of the United States for the district of Vermont may be held at Montpelier.

The message further announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 199) to authorize the Secretary of War to appoint a board of review in certain cases;

A bill (H. R. 6069) to reimburse John Nelson for money paid in 1863 to avoid a draft; and

A bill (H. R. 6447) to fix a term of the Federal district and circuit courts of the southern judicial district of Mississippi, to be held at Meridian, Miss., to include the counties named.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 27th instant approved and signed the act (S. 1995) granting to the Eastern Nebraska and Gulf Railway Company right of way through the Omaha and Winnebago Indian Reservation, in the State of Nebraska.

THE REVENUE BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4864) to reduce taxation, to provide revenue for the Government, and for other purposes.

The VICE-PRESIDENT. The pending question is on the amendment proposed by the Senator from New York [Mr. HILL], which will be stated.

The SECRETARY. In section 66, line 16, page 197, after the word "reasonable," to strike out "times" and insert "hours, between March 1 and August 1, in each year;" so as to read:

Which books shall, at all reasonable hours, between March 1 and August 1 in each year, be open to the assessors and inspectors, etc.

The VICE-PRESIDENT. Is the Senate ready for the question on agreeing to the amendment?

Mr. CHANDLER. On that I ask for a division.

The VICE-PRESIDENT. A division is called for on agreeing to the amendment of the Senator from New York.

Mr. VEST. We may as well have the yeas and nays.

The yeas and nays were ordered.

Mr. TELLER. Mr. President, it seems to me that the pending section, section 66, is somewhat objectionable, and I suggest to the Senator from Missouri [Mr. VEST] that it certainly ought to be reformed. If the committee will allow the section to be now stricken out, when the bill goes into conference it can be then put in proper form. I think everybody must admit that it is not now in such form as that it ought to pass.

I do not deny the right of the Government, in a matter of this kind, to require corporations to keep books, and that those books, under proper methods, shall be subject to examination by the Government or its agents; it seems that that is necessary in the collection of taxes, but the provision ought to be as inoffensive as possible.

To say that a great corporation like the Pennsylvania Central Railroad Company, or any of the other great railroads, shall be at the mercy of every official of the Government, it seems to me is going entirely too far.

This is not a trifling question. The Senator from Delaware [Mr. GRAY] yesterday, it was said, exhibited more heat upon it than he had a right to do. I am in favor of the provision of this bill for an income tax; but this income tax is not to be made odious in the beginning, is it? Is the Senator from Missouri and are the other members of the committee anxious to go to the country with a provision touching this subject which will make the bill odious to every lover of liberty in this country and throughout the world?

Mr. President, there are certain fundamental principles of government which can not be sneered at, which can not be laughed down, which can not be treated as trifles. The Senator from Missouri yesterday was inclined to be sarcastic and severe upon the Senator from Delaware, who had in warm language denounced the provisions of this section. He did not denounce them any more than he should have done; he did not denounce them any more than the Senator from Missouri would have done if he were not in charge of this bill.

I repeat, there are certain fundamental principles which underlie a free government. One of them is that every man's house is his castle. I know that will be sneered at by a great many people, but it means more than the words would seem to imply; it means that his house is not to be invaded; it means that there are certain things in the course of his business that he has a right to hide within himself, and that he has a right to keep within his own breast.

There are certain other fundamental principles. One is that there shall be no invasion of a man's premises without a warrant; another is the right of habeas corpus. A great writer upon English law declared that the three principles I have mentioned lie at the foundation of a free government, and that any invasion of them is an invasion of the fundamental principles of liberty.

To say that every corporation which pays an income tax shall open its books to the examination of every revenue officer is a palpable and plain violation of the first two propositions I have named. It is equivalent to proceeding by general warrant, or, as it is termed in France and some other countries, by an administrative warrant.

I am making no factious opposition to this provision. I think

there is a fundamental principle in it which can not be violated, and which ought not to be violated; and I agree with the Senator from Delaware, who in substance declared, as I understood him, that anxious as he was to vote for the bill, even that anxiety would not induce him to vote for a principle of this kind.

There is not any sense in it; there is not any propriety in it. There is no earthly reason why the very purpose which is sought to be accomplished can not be accomplished in a constitutional and legal manner. If the committee are to be so determined to have this provision just as they want it, then, in my my judgment, they must take the consequences of it.

I admit the right exists in the Government to require corporations to keep books, and that the Government through its officers, has the right in a proper way to have access to the books; but how are they to have access.

Are the books to be kept open every day for the idle curiosity of a revenue officer, or worse than that, for the purpose of obtaining information upon which the speculator may operate?

There is no need of the Government having access to such books more than once a year, and that is when the revenue returns are made, and when the officer shall come to make his report, if the Government thinks the return has not been a fair one, there should be a provision in this bill that the Government may examine the books. How should it be done? In accordance with the principles which have been applied in all cases, at all times, amongst English-speaking liberty-loving people.

I repeat, Mr. President, that this is an important question, and one which the committee ought to carefully consider. Do the committee propose to violate a tradition and a principle which are dear to every lover of liberty throughout the world simply because such a provision got into this bill in improper shape? Do the committee intend to say that they will not amend it? They have provided in the first part of the section down to the word "order," in line 15, that corporations shall keep books, and that they shall enter the transactions that may be conducted from day to day, so that when the time comes, if the Government official desires, he may have access to truthfully kept books.

How shall the Government get access to such books? How does any well-established government invade the premises of a private citizen for proof of a crime? In the first instance, by the allegation on the part of somebody, supported by affidavit, that there is a necessity for such an examination, then ask the corporation to see its books, and if it declines, go into court and compel their production. Then they are under all the safeguards of the law.

I do not undertake to say to the committee how this thing should be done, but I know it ought to be done in a different way from that proposed. The committee know that, and everybody knows that.

I want to vote for the income tax, but I do not want to vote for it if it is put in an odious and offensive form, and I shall not vote for it if it is put in such form.

If it were absolutely essential that the Government should have access to the books of corporations to preserve equality of taxation, that might be another thing; but that is not necessary. These returns are made once a year, and should be prima facie evidence of their correctness in the first instance. If anyone should think they are not correct, proper provision should be made so that question can be tested according to law. That is all I ask of the committee.

That is all, I understand, the Senator from Delaware asks of the committee. It is not an unreasonable suggestion, and is one, I insist, that the committee ought to examine. If the committee have not the time to properly arrange the matter now, let the whole section go out, so that in conference it may be fixed in accordance with the established principles of a free people and a free government.

Mr. CHANDLER. I offer an amendment to the amendment proposed by the Senator from New York [Mr. HILL].

The VICE-PRESIDENT. The amendment proposed by the Senator from New Hampshire will be stated.

The SECRETARY. It is proposed to amend the amendment after the word "year" by inserting "upon the due order of some judge of a United States court."

Mr. MANDERSON. Mr. President, I think no one can read section 66 without having it excite his special wonder as to how and why it came into this tariff bill and into the income clause of it. It provides, as it came from the House of Representatives, for an examination by assessors and inspectors, yet these officials do not exist and their appointment is not provided for in this bill; and until the Senator from Iowa [Mr. ALLISON] yesterday suggested that this clause was almost identical with the internal-revenue law providing for the collection of the tax upon distillers of whisky and brewers of beer, I certainly was at sea as to how the provision could have been inserted here, and I am fully satisfied that it should have no place in this bill.

I am not like the Senator from Colorado [Mr. TELLER], for I am not in favor of an income tax either upon individuals or corporations. By any vote which I can give I shall endeavor to make the income provision of the bill as objectionable as possible, in the hope that the Senate may ultimately strike out the entire provision relating to the income tax, believing, as I do, that it is unjustifiable as a method of producing the revenues needed for the support of the Government, except in case of dire and exceptional necessity, in fact, as a war necessity; and that in time of peace it is a most dangerous step leading to socialism, on the one hand, and in the direction, on the other hand, of the creation in this country of a moneyed aristocracy, which, paying the expenses of the Government, will ultimately seek, and probably obtain, its entire control. I think the latter danger is the one more greatly to be dreaded. The greatest disaster that can befall the great Republic is that it should pass under the rule of men of great wealth, and this is the first direct invitation to them to assume that control.

But this particular section is extremely novel in some of its terms. By the amendment proposed by the Senator from Missouri it is required not only of corporations, but of companies and associations, that they shall keep books that shall be open to the most exceptional and dangerous character of inspection. If companies and associations—by which I take it partnerships may be intended——

Mr. ALLISON. Partnerships are excluded by an amendment already adopted.

Mr. MANDERSON. I am pleased to hear it, but that does not appear in the printed bill. If companies and associations, if partnerships or not, are included to be subjected to this sort of objectionable espionage, this character of unwarranted inspection, upon what principle is it that private individuals or partnerships are excluded from the same inspection and espionage? If it is proper for the one it should certainly be imposed on the other. No reason, no logical excuse can be given for this constant inspection of the books and the business of corporations, companies, and associations which will not apply with just as much force to the business, the books, and the accounts of individuals and partnerships. Such inspection if it has any legitimate use is for the purpose of preventing fraud. Are companies, associations, or corporations more apt to attempt fraud when it comes to the matter of the collection of taxes than are private individuals? No such general proposition can be insisted upon.

Mr. President, there is another novel feature about this section. Within the clause and nowhere within the limits of the bill can be found any punishment for the violation of the provisions of the section. It is without a punitive section. Unquestionably in the internal-revenue act, from which this section was probably taken, there was a general provision for the punishment of distillers and brewers who might violate any of the provisions of the bill, but there is nothing of that sort in this bill. There is in the general statutes, so far as can be ascertained, no general provision of law which will reach the man, the corporation, the company, or the association that shall violate this section; that shall refuse to keep full, regular, and accurate books of account, or, keeping such books of account, shall say to the assessor, the inspector, the internal-revenue officer or agent, or the collector, in short any Government official: "These books are not open to your inspection; you shall not see them." They can shut their doors against the Government officer and prevent him from entering the counting room of the corporation or company for the purpose of making such inspection; and where in the bill is the penalty for such disobedience of the statute?

There is no more foolish, I think I might say there is no more unsafe, sort of legislation than that which simply announces a principle or proclaims a duty and affixes no penalty for disobedience of the law, and does not provide for its enforcement. It is a worthless provision, a useless thing, one of parade and not of service, and for that reason alone, it seems to me, should be stricken from the bill.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from New Hampshire [Mr. CHANDLER] to the amendment of the Senator from New York [Mr. HILL].

Mr. HALE. Let it be read.

The SECRETARY. Add at the end of the amendment after the word "year:"

Upon the due order of some judge of a United States court.

Mr. PEFFER. Let the amendment as proposed to be amended be read.

The VICE-PRESIDENT. The amendment as proposed to be amended will be stated.

The SECRETARY. The amendment if amended as proposed will read:

Which books shall, at all reasonable hours, between March 1 and August 1 in each year, upon the due order of some judge of a United States court, be open to the assessors and inspectors, etc.

Mr. ALLISON. Mr. President, I hope the Senator from Missouri will yield to the suggestion made by the Senator from Colorado [Mr. TELLER] and strike out this section. It would save a great deal of time, because numerous amendments will be offered to it undoubtedly unless it be stricken out.

The Government is thoroughly protected by provisions already in the bill as respects the income tax. In the first place, if a corporation or an individual shall fail to make a return, it is the duty of the collector or deputy collector, upon the best information he can ascertain, to make a return; and when that return is made there is a penalty of 50 per cent added, and in case a false or fraudulent return is made in the opinion of the collector, because it must rest in the opinion of the collector, then a penalty of 100 per cent is added.

That puts the corporation or company upon the defense, unless it yields to the severe penalty proposed. So I think there is ample and safe protection without this section. I doubt very much whether it is a wise thing for us to undertake to say just how all the books of all the corporations organized wholly under State authority, about which we have no jurisdiction except that of the collection of taxes, shall be kept, merely for the purpose of securing 2 per cent upon the earnings of those corporations.

I agree with the Senator from Nebraska [Mr. MANDERSON] that no reason can apply for searching the books of corporations which will not also apply to the searching of the books of individuals. Indeed, a corporation is less liable to tamper with its books, because in the nature of things there must be a large number of people surrounding a corporation.

Mr. CULLOM. Who have a right to investigate?

Mr. ALLISON. A board of directors, a president, a bookkeeper, a cashier, or what not, have a right to investigate and do investigate, whereas a private individual can keep his own books as he chooses to keep them and his own secrets as he chooses to keep them. Thus if an individual desires to evade the tax the opportunity for such evasion is greater in the nature of things than in regard to books where a great number of people have the right of inspection, and ordinarily do inspect them.

So I hope that without taking a vote on the various amendments, the Senator from Missouri will consent to strike out this section wholly. No harm can result from it.

Mr. CHANDLER. Mr. President, I think the suggestion of the Senator from Iowa is sound. I call the attention of the Senator from Missouri to the provisions of the Revised Statutes, title "Internal Revenue, chapter 2, Of Assessments and Collections," where section 3173 provides:

It shall be the duty of any person, partnership, firm, association, or corporation, made liable to any duty, special tax, stamp, or tax imposed by law, when not otherwise provided for.

The section proceeds to require a return of the amount of tax which any person owes. Then, at the bottom of the section, follows this provision:

And if any person on being notified or required as aforesaid shall refuse or neglect to render such list or return within the time required as aforesaid, or whenever any person who is required to deliver a monthly or other return of objects subject to tax fails to do so at the time required, or delivers any return which, in the opinion of the collector, is false or fraudulent or contains any undervaluation or understatement, it shall be lawful for the collector to summon such person or any other person, having possession, custody, or care of books of account containing entries relating to the business of such person, or any other person he may deem proper, to appear before him and produce such books, at a time and place named in the summons, and to give testimony or answer interrogatories, under oath, respecting any objects liable to tax or the returns thereof.

Then there follows, in section 3175, a provision as follows:

Whenever any person summoned under the two preceding sections neglects or refuses to obey such summons, or to give testimony, or to answer interrogatories as required, the collectors may apply to the judge of the district court or to a commissioner of the circuit court of the United States for the district within which the person so summoned resides for an attachment against him as for a contempt. It shall be the duty of the judge or commissioner to hear the application, and, if satisfactory proof is made, to issue an attachment, directed to some proper officer, for the arrest of such person, and upon his being brought before him to proceed to a hearing of the case; and upon such hearing the judge or commissioner shall have power to make such order as he shall deem proper, not inconsistent with existing laws for the punishment of contempts, to enforce obedience to the requirements of the summons and to punish such person for his default or disobedience.

I think those provisions will apply to the income tax if the present bill passes. They are ample to secure all the testimony which collectors of internal revenue may need, and the rights of the citizen and the rights of the corporation are protected, because if any undue attempt is made to inspect the books of any person or corporation, that person or corporation can refuse to allow the inspection, and can only be made to submit to the inspection by the order of a court; which, of course, will protect the rights of the person or the corporation against any undue interference.

There is a further provision imposing a penalty upon persons refusing to appear and testify. It is section 3179:

SEC. 3179. Whenever any person delivers or discloses to the collector or deputy any false or fraudulent list, return, account, or statement, with intent to defeat or evade the valuation, enumeration, or assessment intended to be made, or, being duly summoned to appear to testify, or to appear and produce such books as aforesaid, neglects to appear or to produce said books, he shall be fined not exceeding $1,000, or be imprisoned not exceeding one year, or both, at the discretion of the court, with costs of prosecution.

So this clause stands absolutely without justification unless it is intended to create a new, cruel, wicked, and uncontrollable right of the internal-revenue officers to invade the premises and examine the books and records of every corporation in the country. As I understand the proposed law, if there is a corporation whose net profits amount to $100 a year, it must pay $2 to the United States Government; and in order that it may be compelled to pay that $2 it must keep books exactly as provided in this section, and it is subject to have all its books inspected at any time by any internal-revenue collector or deputy collector.

I submit that the Senator from Missouri can not avoid abating somewhat the obstinacy with which he clings to the provisions of the bill as it has come from the committee or from the Democratic caucus, creating it as a perfect and sacred instrument, and allow this clause to go out.

Mr. VEST. Mr. President, I can not assent to the request that all of this section shall be stricken out. I have no pride of opinion about it, for I am not the author of it. It came to us from the House of Representatives, approved by the Treasury Department. The Commissioner of Internal Revenue thought it was a necessary enactment. At the same time I recognize the force of what was said by the Senator from Colorado [Mr. TELLER] in regard to the seemingly harsh features of this transaction. As to the rhetoric about outraging rights and trampling upon liberty and the palladium of the Constitution, I pay very little attention to it.

Mr. HILL. The Senator from Missouri approves the legal points but doubts the propriety of the rhetoric?

Mr. VEST. I do not choose to let the Senator from New York make any part of my speech, whether it is a good one or a bad one. I simply wish to say that this is an excise provision and not so harsh as a great many excise provisions which have not excited any rhetoric in this Chamber that I am aware of. When we submit to having a lady examined by customs officers and made to take off even her clothing in order that the excise laws or the import laws, as you choose to term them, may not be violated, we should not be so extremely critical of an enactment like this in regard to corporations.

The Senator from Mississippi [Mr. GEORGE] has prepared an amendment which I have changed in certain regards and which I present to the Senate as a substitute, in the hope that it may terminate the debate, which is my principal object. I move to strike out all of section 66 after the word "order" in line 15, and substitute for the part stricken out what I send to the desk.

The VICE-PRESIDENT. The amendment proposed by the Senator from Missouri will be stated.

The SECRETARY. After the word "order" in line 15, section 66, page 197, insert:

And whenever a collector or deputy collector of the district in which any corporation, company, or association is assessable, shall believe that a true and correct return of the income of such corporation, company, or association has not been made, he shall make an affidavit of such belief and of the grounds on which it is founded, and file the same with the Commissioner of Internal Revenue; and if said Commissioner shall, on examination thereof, conclude there is good ground for such belief, he shall issue a request in writing to such corporation, company, or association to permit such inspection to be made; and if such corporation, company, or association shall refuse to comply with such request, then the collector or deputy collector of the district shall make from such information as he can obtain an estimate of the amount of such income, and then add 50 per cent thereto, which said assessment, so made, shall then be the lawful assessment of such income.

The VICE-PRESIDENT. The Senator from Missouri offers the amendment as a substitute. The first question is on agreeing to the amendment proposed by the Senator from New Hampshire to the amendment of the Senator from New York. The substitute will be in order after amendments to perfect the text have been disposed of.

Mr. MITCHELL of Oregon. Does the Senator from Missouri wish to be understood as saying that the affidavit made by the deputy collector shall be filed with the Commissioner of Internal Revenue or with the collector of internal revenue?

Mr. VEST. With the Commissioner.

Mr. HILL. The amendment just proposed by the Senator from Missouri goes further than the point we were discussing. It is more than an amendment to the subject-matter of the sec-

tion. The section only relates to the keeping of books and the inspection of books.

I am inclined to doubt the legality of this whole proceeding, and it strikes me that not only should this section be reconstructed, but that the preceding section of the bill must also be reconstructed.

My theory of this matter is that you can authorize by statute a collector to impose a tax in any way he sees fit, by investigation, by inquiry, from his personal knowledge, or in any other manner that the statute may authorize; and if a citizen, doubting the propriety of his assessment, makes an application to the collector, who for this purpose is to be the assessor, and submits to his jurisdiction, the citizen can then be sworn, and he can be required to produce his books and papers. But I submit, as a question of constitutional law, that no power can be conferred upon the collector in the first instance to compel an examination of the assessed party nor an inspection of his books and papers, and that an order of the court would not confer any such jurisdiction. Therefore the amendment of the Senator from New Hampshire, while well intended, and in that respect would help the bill if it were constitutional, does not reach the point involved.

Now, it is that distinction which must be observed. The voluntary application of an assessed party for a reduction of the taxation, whereby he presents himself to the officer and gives jurisdiction to an officer to make an inquiry, and whereby the collector may be vested with the jurisdiction not only to swear the assessed party, but also to inspect the books, is one thing. The other is where the party stands back upon his reserved right, and simply says to the collector, "Do as you please, sir; you may make up my taxes as you please. You can not examine me; you can not examine my books." I submit that when he places himself upon his reserved rights, when he stands upon his constitutional privileges, he can not be compelled either by the order of a court or by any statute first to be sworn himself, and second to submit his papers for examination.

The Senator from Colorado I think has been studying this question, and I should like to hear his views upon this particular point before I go any further, if he would oblige me with them.

Mr. TELLER. I have been reading the report referred to, but I have not read very much of it. I prefer not to express an opinion at this time.

Mr. HILL. I cite a case upon this point, the case of Boyd *vs.* The United States (116 United States Reports, 616), which was argued in December, 1885, and decided in February, 1886. I will read the whole of the headnotes:

The fifth section of the act of June 22, 1874, entitled "An act to amend the customs-revenue laws," etc., which section authorizes a court of the United States, in revenue cases, on motion of the Government attorney, to require the defendant or claimant to produce in court his private books, invoices, and papers, or else the allegations of the attorney to be taken as confessed, held to be unconstitutional and void as applied to suits for penalties or to establish a forfeiture of the party's goods, as being repugnant to the fourth and fifth amendments of the Constitution.

Where proceedings were *in rem* to establish a forfeiture of certain goods alleged to have been fraudulently imported without paying the duties thereon, pursuant to the twelfth section of said act: Held, that an order of the court made under said fifth section, requiring the claimants of the goods to produce a certain invoice in court for the inspection of the Government attorney, and to be offered in evidence by him, was an unconstitutional exercise of authority, and that the inspection of the invoice by the attorney and its admission in evidence were erroneous and unconstitutional proceedings.

It does not require actual entry upon premises and search for and seizure of papers to constitute an unreasonable search, and seizure within the meaning of the fourth amendment; a compulsory production of a party's private books and papers to be used against himself or his property in a criminal or penal proceeding, or for a forfeiture, is within the spirit and meaning of the amendment.

It is equivalent to a compulsory production of papers, to make the nonproduction of them a confession of the allegations which it is pretended they will prove, etc.

* * * * * * * *

A proceeding to forfeit a person's goods for an offense against the laws, though civil in form, and whether *in rem* or *in personam*, is a "criminal case" within the meaning of that part of the fifth amendment which declares that no person "shall be compelled, in any criminal case, to be a witness against himself."

I call attention right here to the fact that this is a proceeding whereby the collector is enabled to double the amount of the assessment, which for every purpose is an effectual judgment against the assessed party. It is a forfeiture; it is an increase of his taxes; a penalty within the meaning of the law. Then the syllabus says:

The seizure or compulsory production of a man's private papers to be used in evidence against him—

It is the broad doctrine enunciated—

is equivalent to compelling him to be a witness against himself, and, in a prosecution for a crime, penalty or forfeiture, is equally within the prohibition of the fifth amendment.

Both amendments relate to the personal security of the citizen. They nearly run into and mutually throw light upon each other. When the thing forbidden in the fifth amendment, namely, compelling a man to be a witness against himself, is the object of a search and seizure of his private papers, it is an "unreasonable search and seizure" within the fourth amendment.

Search and seizure of a man's private papers to be used in evidence for the purpose of convicting him of a crime, recovering a penalty, or of forfeiting his property, is totally different from the search and seizure of stolen goods, dutiable articles on which the duties have not been paid, and the like, which rightfully belong to the custody of the law.

Constitutional provisions for the security of person and property should be liberally construed.

In the light of this authority it strikes me that not only this whole section should be eradicated, that it can not be amended so that it will not violate these constitutional provisions, because the whole effect of the inquiry is to do what? To enable an assessment to be made, to enable a forfeiture possibly to be had, a penalty to be inflicted—it is called a penalty—and a penalty perhaps double the amount of the taxation. All these are semijudicial proceedings. They result in a forfeiture of property. They result in a tax being duly levied.

Therefore it seems to me that this section should go out; that it should not be amended in the form specified, because that does not help the case any under the authority cited; but that the previous section should be amended so that the collector should not have the right, if a party does not appear before him to ask for a reduction, to summon that party, to compel him to go upon the stand and compel the production of his books and papers.

Senators recollect the situation in the Tilden case. Mr. Tilden declined to make any return. He allowed the Government to make his return. They claimed this very right of inquisition against them. The case went to the courts, in some phases; I do not recollect now the precise form. Finally the whole question came to the Supreme Court of the United States, although the preliminary and intermediate proceeding did not.

Mr. President, I have stated what I think is the situation and the law. The citizen can stand upon his reserved rights. "Yes, you may assess me. You have that power. I may decline to make a return if I have a mind to do so. You may assess me any amount you please. All right. I may pay it or appeal or do something else, but if I do not submit myself to his jurisdiction, he can not summon me to go before someone and be sworn. He can not summon me to produce my books and papers to make me give evidence against myself."

Where is the constitutional protection here which usually accompanies every statute of this character, namely, that the answers of the witness shall not be used against him in any civil or criminal proceeding? It has been held over and over again that a statute which omits these necessary guarantees to the witness is unconstitutional.

Mr. President, we are treading upon most dangerous ground in these very enactments, and the provisions do not seem to have been prepared with that care which ought to accompany a statute of this character.

Mr. VEST. Waiving the criticism and the comment of the Senator from New York—it is greatly to be regretted that he or someone else did not have the duty assigned him of drafting these provisions—I should like to ask the Senator if there is not a provision upon the statute book of New York to-day that gives the collector the power to make a taxpayer answer questions under oath?

Mr. HILL. None whatever.

Mr. VEST. That is, he is compelled to declare himself in the event that there is a question as to his assessment?

Mr. HILL. No; I will explain what there is, if the Senator will allow me.

Mr. VEST. Very good.

Mr. HILL. It is the very case I cited. If he appears before them and asks for a reduction, then the party can be sworn. He makes an application to the assessor.

Mr. VEST. Granting all that the Senator says to be true, which I do not admit—for I can not for an instant contemplate a condition of the collection of revenue in any State where the party can stand silent and refuse to give information or make any return and still be held innocent of any penalty; that, it seems to me, is destructive of the collection of all revenue; but waiving that, under the amendment which was drawn by the Senator from Mississippi and amended by myself, the provision is simply that if the collector of internal revenue believes that a corporation is concealing its assets to avoid a tax he shall make an affidavit of the fact and send it to the Commissioner of Internal Revenue.

If he believes there is ground for the statement, he requests in writing the corporation to make a return, and if the corporation refuses to make the return he can then do what the Senator from New York concedes any collector has a right to do—make up the return according to the best information he can get.

Mr. HILL. However, he must make it not from the sworn examination of the party, but——

Mr. VEST. There is nothing about a sworn examination in this amendment. You can not force the party to come up and swear.

Mr. HILL. What is the point, then? I do not see any——

Mr. VEST. The point is you collect the revenue upon the assessment made by the collector from the best information he can obtain, which is the provision in regard to individuals in the bill. We put corporations on the same footing with individuals.

Mr. HALE. That is what I wanted to ask the Senator, because I have some trouble in getting at just what his amendment does cover. Has the Senator any doubt, if the amendment is adopted, that corporations, in submitting to the income tax imposed here, will have the same rights of appeal and hearing upon all of the processes of collecting the revenue that individuals have?

Mr. VEST. The right of appeal is given to everybody under the bill.

Mr. HALE. The Senator thinks the general provisions found in the preceding section which provide for appeal and hearing are not cut off by the rather drastic provisions of his amendment. He will notice that this amendment, which it seems to me has great merit as far as it goes, does not in any way refer to any question being tried or tested before a tribunal except the Commissioner of Internal Revenue, who, from all the facts which he may gather, may at once resort to what is called the dooming features of the bill. I did not find in the amendment as it was read anything that gives the right to the associated persons forming a corporation of the same appeal and hearing provided in the previous section for individuals.

Mr. CHANDLER. If the Senator from Maine will allow me, I think the amendment the Senator has offered provides that the dooming shall be final. I think there is such language in the amendment.

Mr. HALE. That I do not remember.

Mr. CHANDLER. Let it be again read.

Mr. VEST. It simply says that they shall be held to be the assessment.

Mr. CHANDLER. Then, how can the Senator say the cor po ration has an appeal to the Commissioner of Internal Revenue the same as an individual when it shall be final?

Mr. VEST. I suppose when judgment is rendered, unless there is an appeal, it is a finality. It is like the judgment of a court, which may be reversed in the appellant jurisdiction above. It does not say that it shall be final.

Mr. CHANDLER. But here as to personal incomes are very elaborate provisions, giving the right of appeal, first, from the assistant collector to the collector, then from the collector to the Commissioner of Internal Revenue, and testimony is to be taken on notice, and then there is a finality. We discussed that yesterday. Now, as to corporations, the Senator seems to provide that the collector of internal revenue can assess a tax and add 50 per cent to it, and that shall be final without any appeal; and yet he says to the Senator from Maine that he thinks the right of appeal exists. I want the Senator to reconcile his statement with the clause in the amendment he offers.

Mr. VEST. I have not any trouble myself in regard to it, I confess, for the simple reason that when a corporation refuses on the request of the Commissioner of Internal Revenue to make any statement I do not think it ought to have an appeal.

Mr. HALE. And the individual has an appeal?

Mr. VEST. An individual does not refuse at the request of the Commissioner of Internal Revenue. There is no such provision as to individuals. Here is a specific provision that when the Commissioner of Internal Revenue makes requests in writing and the corporation declines to accede to it and stands boldly and defiantly against the law and says, "We do not propose to assist you at all in the collection of this tax"——

Mr. HALE. Right there, even after there has been brought to the attention of the Commissioner by the collector the refusal to render tax or submit books, does the Senator think upon that the corporation should be doomed at once without any hearing, when the dooming feature is not applied in any case to the individual without a hearing? Of course the Senator understands that this feature, which has been always known as the dooming feature, is a very drastic provision; it is very punitive; in many cases it is destructive of business, and it is not intended that it shall be applied. It seems to me it ought to be subject to the common wisdom exercised in all legislation that an extreme penalty shall not be inflicted without due hearing. I will say, further, that as I listened to the amendment of the Senator that part had not been looked out for. The amendment, of course, may have been drawn in some haste. I do not think the Senator would want to submit corporations to any different procedure from individuals.

Mr. CULLOM. If the Senator will allow me, it seems to me in most of the States the law prescribes a provision in relation to the return of schedules of taxes in the first place, and then a penalty attaches for a false return. For instance, in my State, the provision is as follows:

> If any person or corporation shall give a false or fraudulent list, schedule, or statement required by this act, or shall fail or refuse to deliver to the assessor, when called on for that purpose, a list of the taxable personal property which he is required to list under this act, he or it shall be liable to a penalty of not less than $10 nor more than $3,000, to be recovered in any proper form of action, in the name of the people of the State of Illinois, on the complaint of any person.

It seems to me that when the Government officer comes to make up the amount that is to be paid, if the corporation or individual is called upon to make a report and fails to do it in a way satisfactory to the Government officer, there ought to be a penalty for it, and we should not give him authority to dig into the private business of either a person or a corporation.

Mr. HAWLEY. The Senator from Missouri is seeking a perfectly legitimate object. There must be abundant precedents in all the States for what he is trying to do; that is to say, all the States I think have a process of getting at a true assessment of taxable property. I will state very briefly the process in my own State. All our work of making lists, assessments, and collections of taxes, etc., is done by the unit of our government, the town. We have a board of assessors and a board of relief. Early in October notice is given to every citizen who has taxable property that he must make out a list and swear to it.

If he does not make out his list within a certain time the assessors make it out to the best of their ability for him, giving him notice that he may appear in January before the board of relief and show that the assessors have done him injustice. Upon that hearing they have a right to strike out any item or to add any item that they please. Nothing is said about his bringing his books. I suppose they might honestly ask him, having some doubt of him, "Are you willing to submit your books to our examination?" But there is no compulsory process. If he thinks it is a little more than it ought to be, and yet does not wish to go into any further hearing, he will pay it.

In short, the process is this: The officers of the town assess the property if a man does not bring in his own list. They give him a chance to be heard. They will reduce it, and after hearing him they may add to it, but he goes before them and states his case, and shows why there ought to be a reduction and why there ought not to be an increase. There is no offensive process about the matter, but it is thrown upon the citizen himself. He has a fair hearing before a board of respectable neighbors.

Mr. HARRIS. I move to lay the amendment of the Senator from New Hampshire to the amendment of the Senator from New York on the table.

The VICE-PRESIDENT. The question is on the motion of the Senator from Tennessee.

Mr. CHANDLER. On that I ask for a division.

Mr. HARRIS. Let us have the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CALL (when his name was called). I am paired with the Senator from Massachusetts [Mr. LODGE]. If he were present I should vote "yea."

Mr. FRYE (when his name was called). I am paired with the senior Senator from Maryland [Mr. GORMAN].

Mr. SMITH (when Mr. MCPHERSON'S name was called). My colleague [Mr. MCPHERSON] is absent from the Chamber on account of illness. He is paired with the Senator from Vermont [Mr. MORRILL].

Mr. PALMER (when his name was called). I am paired with the Senator from North Dakota [Mr. HANSBROUGH].

Mr. PATTON (when his name was called). I am paired with the Senator from Maryland [Mr. GIBSON].

Mr. QUAY (when his name was called). I am paired with the Senator from Alabama [Mr. MORGAN]. If he were present I should vote "nay."

Mr. SMITH (when his name was called). I am paired with the junior Senator from Idaho [Mr. DUBOIS], who is absent from the city and will be away for some days. I announce the pair for the day.

The roll call was concluded.

Mr. MANDERSON (after having voted in the negative). I withdraw my vote. I find the Senator from Kentucky [Mr. BLACKBURN] is absent.

Mr. DANIEL (after having voted in the affirmative). I see that the Senator from Washington [Mr. SQUIRE], with whom I have a general pair, is not present. I will transfer my pair to the Senator from Kansas [Mr. MARTIN], and let my vote stand.

Mr. CAMDEN (after having voted in the affirmative). I am paired with the Senator from South Dakota [Mr. PETTIGREW], whom I do not see in the Chamber. I withdraw my vote.

Mr. CULLOM. I inquire whether the senior Senator from Delaware [Mr. GRAY] has voted?

The VICE-PRESIDENT. He has not voted.

Mr. CULLOM. I stand paired with that Senator. I should vote "nay" if he were present.

The result was announced—yeas 32, nays 17; as follows:

YEAS—32.

Allen,	Daniel,	Kyle,	Pugh,
Bate,	Faulkner,	Lindsay,	Ransom,
Berry,	George,	McLaurin,	Roach,
Blanchard,	Harris,	Mills,	Vest,
Brice,	Hunton,	Mitchell, Oregon	Vilas,
Caffery,	Irby,	Murphy,	Voorhees,
Cockrell,	Jarvis,	Pasco,	Walsh,
Coke,	Jones, Ark.	Peffer,	White.

NAYS—17.

Aldrich,	Gallinger,	Hoar,	Sherman,
Allison,	Hale,	McMillan,	Shoup.
Chandler,	Hawley,	Perkins,	
Dixon,	Higgins,	Platt,	
Dolph,	Hill,	Proctor,	

NOT VOTING—36.

Blackburn,	Frye,	Manderson,	Quay,
Butler,	Gibson	Martin,	Smith,
Call,	Gordon,	Mitchell, Wis.	Squire,
Camden,	Gorman,	Morgan,	Stewart,
Cameron,	Gray.	Morrill,	Teller,
Carey,	Hansbrough,	Palmer,	Turpie,
Cullom,	Jones, Nev.	Patton,	Washburn,
Davis,	Lodge,	Pettigrew,	Wilson,
Dubois,	McPherson,	Power,	Wolcott.

So the amendment to the amendment was laid on the table.

The VICE-PRESIDENT. The question recurs on the amendment proposed by the Senator from New York [Mr. HILL], upon which the yeas and nays have been ordered.

Mr. HALE. Although it is not upon that amendment, while the roll call was being taken I found the general provisions with reference to imposing penalties after full hearing.

If the Senator from Missouri will turn to page 178, if it is not already clear in his mind, he will find that, following the general provisions for a return by a list of property assessable, for refusing to return such list or neglecting to do so, upon the matter being certified by the deputy collector to the collector and by the collector to the Commissioner of Internal Revenue, as the Senator provides in his amendment, certain penalties of 50 per cent may be assessed, it being the execution or invocation of the dooming power. The proviso at the end of page 178 declares "that no penalty shall be assessed upon any person," and the words follow, as the Senator will see, in smaller letters, "or corporation, company, or association." Are those words included?

Mr. ALDRICH. They are in.

Mr. HALE. Then it will read:

That no penalty shall be assessed upon any person or corporation, company, or association for such neglect or refusal or for making or rendering a false or fraudulent return, except after reasonable notice of the time and place of hearing, to be prescribed by the Commissioner of Internal Revenue.

My only question is, with the words "corporation, company, or association" in the provision declaring that this penalty shall not be assessed upon such except upon a hearing, as that applies distinctly to returns or lists for income or neglect or refusal to make returns, whether upon this new feature of dooming a man because he will not let his books be seen, which is another and distinct matter from either returning or neglecting or refusing to return income lists, the general proposition that no penalty shall be laid without a hearing would apply.

The provision is "that no penalty shall be assessed upon any person or corporation, company, or association for such neglect or refusal;" and such neglect or refusal is found in the pages preceding, which cover only returns of lists. Therefore, I am afraid that the general provisions which apply to hearings being given before this great penalty is imposed would not apply to this new and distinctive feature where the doom is put on and 50 or 100 per cent added for refusing to open the books. In that view, if that doubt is properly a subject of consideration, I ask the Senator whether he would have on this distinct subject-matter penalties imposed without a hearing?

Mr. VEST. Mr. President, a single word in reply to the Senator from Maine. No rule of law is better established among civilized nations than that every litigant shall have his day in court. The provision which we are considering now differs from the House provisions of the bill in this, that here is a case under the amendment as proposed, in which the Commissioner of Internal Revenue addresses a request in writing to a corporation to make a return. There is notice of the fullest sort. There is a request from the Commissioner. It seems to me that the corporation to which it is addressed has its day in court.

If it declines to accept the invitation or request, then nothing else is better established in law and equity than that the party is estopped afterwards from complaining that due notice was not given. No principle can be better established than that, and it ought to apply in an excise law above all others. It seems to me that in what the Senator has stated none of the facts are applicable.

Mr. HALE. Then the Senator holds that the proviso at the bottom of page 178, which provides for a list and making returns, does not apply here because the circumstances are different, and it ought not to apply?

Mr. VEST. Yes; I think this is a specific provision.

Mr. HOAR. I should like to ask the Senator whether his theory of this additional 50 per cent, or whatever it is, is that it is a fine or penalty?

Mr. VEST. I think it is a penalty upon the parties, so called.

Mr. HOAR. Has it not been expressly asserted by the courts, and is it not the settled constitutional law of this country, that no fine or penalty can be assessed except by a judicial tribunal?

Mr. VEST. I think the Commissioner of Internal Revenue could assess it as a penalty for the refusal to make a return or pay the tax. It is done in all the excise laws. Under the State laws you do not have to go into a court and institute a regular suit in order to inflict a penalty.

Mr. HOAR. In my own State, speaking for one State only, they have always carefully avoided asserting any such power. When the man fails to bring in his list on due notice, public or personal, the assessor proceeds to make up as best he can his own judgment as to the extent of the man's property, called dooming in popular language; but it is the assessor's judgment of the amount of tax the man ought to pay in the getting at which he is under the constraint of his official oath as in all his duties; and if a man has without reason failed to bring in his list he is not at liberty to appeal from that judgment or to get an abatement. The man is not entitled to complain of a judgment which he has not done all that in him lies to instruct in due time.

But the State of Massachusetts (and I suppose it is true of all the other States; the Senator from Illinois read a similar provision from the law in his State) has never undertaken to say that a nonjudical officer might impose a penalty based upon certain proceedings of which he takes notice or finds resisted. I see the Senator from Tennessee standing at his place. I suppose he is waiting to lay the Constitution of the United States on the table if he can get at it in any way.

Mr. HARRIS. I should like to lay the Senator from Massachusetts on the table just now, if I could do so. [Laughter.]

Mr. HOAR. It seems to me that it is beyond the legislative power to authorize a nonjudicial officer to impose a fine or penalty; that it has to be ascertained by the courts and fixed by the courts.

I have a case here, to which I will refer, where that doctrine is asserted. The decision was given by Chief Justice Gray, then chief justice of the State of Massachusetts, now a distinguished member of the Supreme Court of the United States. That was a case where the Legislature had undertaken to vest in the common council of a city the authority to imprison and punish for contempt. That case applied to imprisonment; but certainly a fine is exactly the same in principle as imprisonment. Chief Justice Gray said:

The Legislature may also provide for the punishment, upon indictment and trial in the courts of justice, of any person who, being duly summoned, refuses to appear and testify before any board or tribunal upon a matter which it is authorized by law to investigate or decide. But the Legislature can not delegate to or confer upon municipal boards or officers that are not courts of justice, and whose proceedings are not an exercise of judicial power, the authority to imprison or punish without right of appeal or trial by jury.

That doctrine was reaffirmed in the decision rendered by Mr. Justice Harlan in the case of the Interstate Commerce Commission, recently published. The court say:

Such a body—

The court is speaking of the Interstate Commerce Commission—

could not, under our system of government and consistently with due process of law, be invested with authority to compel obedience to its orders by a judgment of fine or imprisonment. Except in the particular instances enumerated in the Constitution, and considered in Anderson *vs.* Dunn (6 Wheat., 204), and in Kilbourn *vs.* Thompson (103 United States, 168, 190), of the exercise by either House of Congress of its right to punish.

* * * * * * *

The power to impose fine or imprisonment in order to compel the performance of a legal duty imposed by the United States, can only be exerted under the law of the land, by a competent judicial tribunal having jurisdiction in the premises.

The vital and fundamental objection to this whole scheme is, that it undertakes to vest in the collector or Commissioner, a nonjudicial tribunal, the power to impose a fine and collect it.

Mr. President, if our lively and wide-awake Senator from Tennessee [Mr. HARRIS], who seems to be the Mentor of all of us, desires to make his motion, I yield the floor for that purpose.

Mr. HARRIS. I avail myself of the kindly suggestion of the Senator from Massachusetts, and move to lay the amendment of the Senator from New York on the table.

Mr. HILL. I ask to have the amendment read for the information of the Senate.

The VICE-PRESIDENT. The amendment proposed by the Senator from New York will be stated.

The SECRETARY. In line 16, section 66, after the word "reasonable," it is proposed to strike out the word "times" and insert "hours, between March 1 and August 1, in each year."

The VICE-PRESIDENT. The question is on the motion of the Senator from Tennessee to lay the amendment on the table.

The motion was agreed to.

Mr. ALDRICH. I ask that the amendment of the committee be again stated.

The VICE-PRESIDENT. The amendment proposed by the Senator from Missouri from the committee will be again stated.

The SECRETARY. After the word "order," in line 15, section 66, it is proposed to strike out the remainder of the section and insert:

And whenever a collector or deputy collector of the district in which any corporation, company, or association is assessable shall believe that a true and correct return of the income of such corporation, company, or association has not been made, he shall make an affidavit of such belief, and of the grounds on which it is founded, and file the same with the Commissioner of Internal Revenue, and if said Commissioner shall, on examination thereof, conclude there is good ground for such belief, he shall issue a request in writing to such corporation, company, or association to permit such inspection to be made. And if such corporation, company, or association shall refuse to comply with such request, then the collector or deputy collector of the district shall make, from such information as he can obtain, an estimate of the amount of said income, and then add 50 per cent thereto, which said assessment, so made, shall then be the lawful assessment of such income.

Mr. ALDRICH. There is a reference made in the amendment to an inspection, but there is nothing left in the section in regard to the inspection, and there is nothing in the section as it would read if amended that will give any information as to what kind of inspection is authorized.

Mr. HALE. I ask the Secretary to read that part of the amendment submitted by the Senator from Missouri which refers to the action of the Commissioner after the certification has been made to him by the collector.

The VICE-PRESIDENT. The Secretary will read as requested.

The Secretary again read the amendment.

Mr. HALE. I propose to offer an amendment——

Mr. VEST. Will the Senator allow me to modify the amendment so as to correct a verbal inaccuracy in it?

Mr. HALE. Certainly.

Mr. VEST. I modify the amendment by striking out the word "such," before the word "inspection;" and after the word "inspection," by inserting "of the books of such corporation, company, or association."

The VICE-PRESIDENT. The amendment will be so modified.

Mr. ALDRICH. I ask to have it read as it will appear with the modification.

The VICE-PRESIDENT. The amendment will be read as modified.

Mr. CHANDLER. Let it be read in connection with the rest of section 66, so that we may have the whole thing before us.

Mr. ALDRICH. I think it is necessary in order to make it intelligible.

The VICE-PRESIDENT. It will be so read.

The SECRETARY. It is proposed to amend the amendment by striking out the word "such," before the word "inspection" and after the word "inspection," by inserting "of the books of such corporation, company, or association;" so as to read:

SEC. 66. That it shall be the duty of every corporation, company, or association, doing business for profit, to keep full, regular, and accurate books of account, upon which all its transactions shall be entered from day to day in regular order, and whenever a collector or deputy collector of the district in which any corporation, company or association is assessable shall believe that a true and correct return of the income of such corporation, company, or association has not been made, he shall make an affidavit of such belief and of the grounds on which it is founded, and file the same with the Commissioner of Internal Revenue, and if said Commissioner shall, on examination thereof, conclude there is good ground for such belief he shall issue a request in writing to such corporation, company, or association to permit an inspection of the books of such corporation, company, or association to be made; and if such corporation, company, or association shall refuse to comply with such request, then the collector or deputy collector of the district shall make from such information as he can obtain an estimate of the amount of such income, and then add 50 per cent thereto, which said assessment so made shall then be the lawful assessment of such income.

Mr. HALE. After the words "examination thereof," I move to insert "and after full hearing upon notice given to all parties."

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. After the word "thereof," it is proposed to insert, "and after full hearing upon notice given to all parties;" so as to read:

And if said Commissioner shall, on examination thereof, and after full hearing upon notice given to all parties, conclude there is good ground for such belief, etc.

Mr. HALE. Is that amendment accepted by the Senator from Missouri?

Mr. VEST. Yes, I accept it.

Mr. HOAR. I move to strike out the words "and then add 50 per cent thereto."

The VICE-PRESIDENT. The amendment proposed by the Senator from Massachusetts will be stated.

The SECRETARY. It is proposed to strike out in the fifth line from the bottom the words "and then add 50 per cent thereto."

Mr. HOAR. The amendment of the Senator from Missouri being so amended will make the Internal Revenue Commissioner the final judge of the amount to be assessed. The other is a mere penalty, which the Supreme Court of the United States and the State courts have decided over and over again, if I can understand their decisions, can not be enforced unless by a judicial officer.

If a penalty—and the Senator himself has said he understands it as a penalty—is expedient, and if it is a matter of sound public legislative policy that the penalty should be imposed in addition to the taxes upon the persons who unreasonably refuse to bring in their lists, it seems to me what the Senator from Missouri ought to do is to provide that the certificate should be sent by the internal-revenue officer to the proper circuit court of the circuit where the defendant is domiciled, that there should be a complaint, and that the penalty should be imposed upon that complaint. That is the only constitutional way, in my judgment, to reach it.

Mr. ALDRICH. I am glad the Senator from Missouri has finally decided to abandon the indefensible and unconstitutional provisions of this section as it was originally reported by the committee. His action this morning does credit certainly to his intelligence and judgment.

I think I ought to say a single word in answer to his suggestions made this morning and yesterday in regard to the stringent provisions of the act of 1890. He says that we put into the act of 1890 provisions which were as objectionable as those contained in this section, and he cites the case of the examination of merchandise imported into the United States. I do not think the Senator intends really to make comparison between that provision and this. Of course Congress has the power to determine, as was said yesterday by the Senator from Massachusetts [Mr. HOAR], the terms upon which any merchandise shall be imported into the United States, and any provision, however stringent as to the examination of such merchandise, certainly has no analogy to this provision as originally inserted by the committee.

The Senator from Missouri yesterday cited the case of the examination of national banks. National banks are public institutions, dependent for their existence upon a charter by Congress, which is granted upon condition that there shall be an examination by Government inspectors, and in that case there is no analogy to this.

In order that Senators may be advised as to the various aspects of this question, if it should reappear here upon the report of the conference committee or otherwise, I beg to call attention to certain speeches and arguments which were made in the year 1874 when the question of the repeal of the moiety law, so called, was before Congress; and I would especially call the attention to a speech made by the late Senator from Kentucky, Mr. Beck, to be found upon page 4035 and subsequent pages of volume 2, part 5, CONGRESSIONAL RECORD, first session Forty-third Congress.

I refer also to an argument made by Mr. S. B. Eaton, of New York, before a committee appointed to consider moieties to informers and seizers of mercantile papers, etc., on page 66 of the report of that committee. The argument is a long one, but I believe is entirely conclusive and unanswerable in the premises.

The PRESIDING OFFICER (Mr. BRICE in the chair). Does the Chair understand the Senator from Missouri [Mr. VEST] as accepting the amendment offered by the Senator from Massachusetts [Mr. HOAR]?

Mr. VEST. No, sir; I do not accept that amendment.

The PRESIDING OFFICER. The question, then, is on the amendment of the Senator from Massachusetts.

The amendment was rejected.

The PRESIDING OFFICER. The question recurs on the amendment proposed by the Senator from Missouri [Mr. VEST].

The amendment was agreed to.

Mr. HILL. Mr. President, I now move to strike out the whole section, and I wish to say just a word on the motion.

I concede that the amendment of the Senator from Missouri,

just adopted, improves to the bill and is, I think, beneficial to it. I do not quite comprehend, however, the principle upon which it is based. The right of a collector to make up an assessment where a corporation refuses to file a return exists clearly enough. I do not see why the authority of the collector to make that assessment and to add a penalty, should depend upon an exhibition of the books. That is where it is left now. I think that it is a useless and unnecessary form.

I take the position also that it is wholly improper to ask a party assessed, in an adverse proceeding to him, to produce his books and papers, and then give an authority to the collector to add a certain penalty because the party does not pay the tax. That has nothing to do with the question of his refusal to exhibit his books. There is an intermixture of remedy which I do not appreciate. That is all I have to say upon that motion.

I think the whole section is unnecessary. I think the right of the collector to make the tax is given in the preceding sections; and this serving of notice upon the party and asking him to produce his books, when there is no authority to compel their production, is an entirely unusual proceeding to put in a statute.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from New York to strike out section 66.

The amendment was rejected; there being, on a division—ayes 19, noes 24.

Mr. HILL. While we are upon this same question of the right of the examination of persons and books, I ask unanimous consent that I may be permitted to make a motion to amend section 56, which will save the trouble of reverting to it hereafter.

Mr. HARRIS. I suppose there will be no objection to that, Mr. President.

Mr. HILL. I move to strike out the words in section 56, page 175, line 24, "by the examination of such person."

The committee have already stricken out the words, "or his books or accounts." I see no reason for leaving in the words "by the examination of such person," because there is no provision made for compelling his attendance; there is no scheme provided whereby he can be examined. It simply provides that if he does not make a return, although he has a taxable income, the collector may make a list according to the best information he can obtain "by the examination of such person." It formerly stood, "or his books or accounts," but that has been stricken out. I think it seems to be conceded from the argument that there can not be a compulsory examination of the party assessed.

Mr. VEST. I should like, if the Senator from New York will permit me, to ask him a question. Why should not the collector give the party the opportunity to make a statement, a voluntary statement? He can ask the person, and if he does not choose to answer, let it go. I would not object to that.

Mr. HILL. It is simply the implied power conferred here that the collector may obtain such information by an examination of the person. I know some of the collectors who have been appointed. They are not the most intelligent people in the world; many of them know nothing at all about law; and they are to construe one of the most important statutes which any legislative body in the world could enact. If you say that the collector may make up the list "by the examination of such person with his consent," I have no doubt that would cover it.

Mr. VEST. If the Senator from New York will permit me, the collector could not imprison the person, he could not fine him for contempt, he could not use any coercive process whatever. All he could do would be to say "Mr. Smith," or "Mr. Jones, I should like to know if you have any objection to give me the amount of your income." If the man says "I will not give it," that is the end of it. Then the collector must make up the list from some other evidence.

Mr. HILL. If that be so, then there is no earthly necessity for giving this officer an implied power which he is not to have in fact.

Mr. VEST. There is no implied power given.

Mr. HILL. If he is to make the list from the best information he can obtain, that means including the examination of such person, when he has no power to make such examination.

Mr. VEST. I do not see how the provision can do any harm. I should consent to it being stricken out if I thought it would do any harm; but I do not see how it can.

Mr. HILL. Will the Senator add the words "with his consent"?

Mr. VEST. That is implied. If there is no coercive process applied, of course the collector could not force the party to do it.

Mr. HILL. I renew the suggestion made by the Senator from Colorado [Mr. TELLER] this morning, that there seems to be a disposition to retain every line of this bill simply because it was put in originally.

There is no sense to that provision; it has no utility in it. The Senator concedes as much as that. It gives a wrong construction to the proposed law. You have stricken out the words "or his books or accounts." Why were those words stricken out? I suppose because of the interview with Mr. Carlisle, when he said the bill should be amended by striking out those features which might be regarded as inquisitorial. Why are these books and accounts there then? What was the motive for that? I do not know of any.

I do not believe in framing a statute that it is wise to leave in words, whereby a collector—who is not a lawyer, and very few of them are—may assume that he has power to make an examination. It does not say with the consent of the taxpayer. That would have covered it. In some way it should be distinctly shown by the statute, so that every person who reads it may understand it, that it is not by an examination of the person that the collector can make up this list on the personal inspection of the man. Is that what is desired? No. I can see no sort of reason why it should remain there. There is no sense in striking out "books or accounts." They did not help the matter in any way, and yet the committee saw fit in its wisdom to strike those words out. Having done so much, it seems to me now the other words should go out.

Mr. VEST. A single word. I do not propose to enter into a debate about it. I never heard of any interview with Mr. Carlisle, and never saw it. I have been too busy a man to get information from newspapers as to what other people have said about this bill.

The words "books or accounts" were stricken out to get rid of the idea that we were invading the privacy of the individual in making him give up his private papers. That was the reason it was done; and it is one that would suggest itself to almost any legislator.

I do not consider myself bound to adopt any amendment which is offered by the Senator from New York, or anybody else. He says he repeats what the Senator from Colorado said, that there is a disposition here to make this bill as odious and oppressive as possible. Of course, we have done that to-day when we adopted an amendment here voluntarily, which went even beyond what the Senator from New York says he asks in regard to this section, although now he proposes to strike it out.

This provision in the bill simply says that the collector may go to the party whose income is to be assessed and ask him what his income is, if he is willing to give it. Is not that right? Is there objection to a provision of that kind? Can the collector then arrest him; can he punish him in any way? It seems to me eminently proper that he should first go to the party and say to him, "Mr. Smith, it is my duty as an officer of the Government to assess your income tax. Have you any objection to stating to me what your income is? You have not made a return, and I come to you as the person best informed in the first instance from whom to get the information." Where is the objection to that? Is it right? Is it not respectful? Can there be any criticism upon it?

Suppose that there were no such provision here. Then we should doubtless hear it said, "Why do you not have a provision here to go to the party first who has all the information and give him a chance to put in his income? Why do you resort to coercive measures without any notice to him in regard to it?"

It does seem to me that this is in the interest of the citizen. I can not contemplate that any officer of the Government would be so utterly ignorant that he would undertake to exercise the powers of a court and punish for contempt by assessing a party without right when the law gives him no such authority.

In one breath we hear it is coercive and that you can not force the man to answer, and in the next breath we hear it said, "Some officer might undertake to do it." I think it is a fair presumption that the officers will obey the law as it is written, plainly and distinctly.

I am not captious about this. I do not object to the amendment because the Senator from New York has offered it. I have no pride of opinion about it. I did not make this statute. I took it as it came from the House of Representatives, and tried to amend it as best I could; and I do not think the amendment proposed by the Senator from New York ought to be adopted.

Mr. HILL. I have not made the suggestion that I feared the party would be arrested. I made the suggestion that I feared the average collector of internal revenue would think that he had some power of examination by reason of allowing this provision to remain in the bill. You have already given him the power to make such lists according to the best information he can obtain. That is a broad phrase. But whoever framed this bill can not escape the responsibility for endeavoring in the first place to leave at least an implied power, that it was intended to be done by the compulsory examination of such person and of his books or papers.

The interview to which I referred was the famous interview with Mr. Carlisle, when he announced to the world that there was to be a change of the sugar tax, and that there was to be a change in this tax in some of its inquisitorial features and a limitation of its existence to five years. That was the first I heard of the suggestion. It was called the Carlisle interview. In that interview with Secretary Carlisle, in which the suggestion of the sugar tax and the suggestion of the five years' limitation was made, it was also said that some of the inquisitorial features of the bill ought to be changed.

Mr. President, the committee then, acting in pursuance of some suggestion, which possibly they never saw, have stricken out the words "or his books or accounts," but they have left in the words "to make such lists, according to the best information he can obtain, by the examination of such person or any other evidence." The Senator suggests that which does not appear on the face of the proposed statute, that the object of having these words in the provision was to allow the collector to ask permission to examine. To suggest that to the collector is a useless formality. He can do that anyhow.

I want to make this statute plain. In my judgment, if the bill is passed it will be fruitful during the entire five years of litigation, fruitful of misunderstandings, and will lead to the harassing of the citizen and the injury of corporations.

Mr. VEST. In order to save time, of which I think more just now than of anything else, let me make this suggestion to the Senator: As he seems to think that there is some coercion in this matter, suppose we strike out "by the examination" and say "by inquiry of such person."

Mr. HILL. Add "with his consent."

Mr. VEST. With his consent or not. I suppose you can inquire of a man without his consent.

Mr. HILL. Let me explain my point. If a citizen desires to raise the question of the constitutionality of this provision if it shall be passed—and that question will be raised—in the first place, he may say, "I have not an income of $3,500 per annum." The collector says, "You have." The citizen says, "I decline to make a return;" he puts himself on his reserved rights and lets the collector do as he pleases; he does not want anything to do with the collector; he does not want any conversation with him; he does not want to have any interview with him for fear the collector may say that he admitted something, and he does not want to bother with the collector in any way.

Why should he be asked the question? This imposition is left to the discretion of the collector, and so much depends upon his good sense and judgment that there ought not to be left an opportunity for a quibble, there ought not to be left an opportunity for a misunderstanding whereby the collector may get into a wrangle with the man and have a dispute with him. Let each stand upon his reserved rights. That is my point. The collector of course may ask questions if he desires to do so, but there should be nothing in the statute which implies that the inquiry is to be made immediately of the person himself.

If the best information the collector can obtain or any other evidence is sufficient to enable him to make the assessment, and, if he has all the information he needs, especially when he can make up that tax in any form and to any amount he pleases, he certainly has power and discretion sufficient for any Federal official to have.

I think the amendment I have offered is a very proper amendment. I think it would help perfect this bill and relieve it from a criticism which the Senator says does not properly attach to it, but a criticism from which it certainly will be relieved if this provision is taken out. Therefore, Mr. President, I insist upon my amendment, and ask for the yeas and nays upon it.

Mr. HARRIS. In order to test the sense of the Senate upon the merit of the amendment, I move to lay it on the table.

Mr. HILL. I ask unanimous consent that debate cease and that the vote be taken directly on the amendment.

Mr. HARRIS. If we can come to a vote without further debate I shall withdraw the motion to lay the amendment on the table.

The PRESIDING OFFICER. The motion is withdrawn; and the question recurs on the amendment proposed by the Senator from New York, on which the yeas and nays are demanded.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. FRYE (when his name was called). I am paired with the Senator from Maryland [Mr. GORMAN].

Mr. MITCHELL of Wisconsin (when his name was called). I announce once for all, for the remainder of the day, that I am paired with the Senator from Wyoming [Mr. CAREY].

Mr. MORRILL (when his name was called). I am paired with the Senator from New Jersey [Mr. MCPHERSON]. I announce the pair for the day.

Mr. QUAY (when his name was called). I am paired with the Senator from Alabama [Mr. MORGAN].

The roll call was concluded.

Mr. GORDON. I am paired with the Senator from Iowa [Mr. WILSON]. I transfer my pair to the Senator from Maryland [Mr. GORMAN], so that both the Senator from Maine [Mr. FRYE] and myself may vote. I vote "nay."

Mr. FRYE. I vote "yea."

Mr. PASCO. I was requested to announce that the Senator from Illinois [Mr. PALMER] is paired with the Senator from North Dakota [Mr. HANSBROUGH].

Mr. DANIEL. I am paired with the Senator from Washington [Mr. SQUIRE].

Mr. GEORGE. I announce the pair of the Senator from Florida [Mr. CALL] with the Senator from Massachusetts [Mr. LODGE].

Mr. HANSBROUGH. I am paired with the junior Senator from Illinois [Mr. PALMER]. If he were present I should vote "yea."

The result was announced—yeas 23, nays 35; as follows:

YEAS—23.

Allison,	Gallinger,	McMillan,	Power,
Chandler,	Hale,	Manderson,	Proctor,
Cullom,	Hawley,	Mitchell, Oregon	Pugh,
Dixon,	Higgins,	Patton,	Shoup,
Dolph,	Hill,	Perkins,	Washburn.
Frye,	Hoar,	Platt,	

NAYS—35.

Allen,	Coke,	Jarvis,	Peffer,
Bate,	Faulkner,	Jones, Ark.	Ransom,
Berry,	George,	Kyle,	Roach,
Blackburn,	Gibson,	Lindsay,	Vest,
Blanchard,	Gordon,	McLaurin,	Vilas,
Brice,	Gray,	Martin,	Voorhees,
Caffery,	Harris,	Mills,	Walsh,
Camden,	Hunton,	Murphy,	White,
Cockrell,	Irby,	Pasco,	

NOT VOTING—27.

Aldrich,	Dubois,	Morgan,	Squire,
Butler,	Gorman,	Morrill,	Stewart,
Call,	Hansbrough,	Palmer,	Teller,
Cameron,	Jones, Nev.	Pettigrew,	Turpie,
Carey,	Lodge,	Quay,	Wilson,
Daniel,	McPherson,	Sherman,	Wolcott.
Davis,	Mitchell, Wis.	Smith,	

So the amendment was rejected.

Mr. VEST. I neglected yesterday to make a motion in regard to section 56. I move to strike out in line 24, page 174, the words "or to such officer or agent as the Commissioner of Internal Revenue may designate." The same words occur in line 6, in line 22, and in line 7 on page 175. I move to strike them out wherever they occur in the bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Missouri.

The amendment was agreed to.

The next amendment of the Committee on Finance was to strike out section 67, in the following words:

SEC. 67. That the taxes imposed by this act upon dividends, interest, coupons, and annuities shall be levied upon and collected from all such dividends, coupons, interest, and annuities whenever and wherever the same may be payable to all parties whatsoever, including nonresidents, whether citizens or aliens, except as hereinafter provided; and every corporation paying any tax on such dividends, coupons, interest, or annuities may deduct and retain from all payments made on account thereof a proportionate amount of the tax so paid: *Provided*, That dividends, interest, or annuities accruing to corporations not doing business for profit or to States, counties, and municipalities, or to individuals on funds or securities held for charitable or educational purposes shall not be subject to such deduction.

The amendment was agreed to.

The PRESIDING OFFICER. The reading of the bill will be proceeded with.

The Secretary read the next section, as follows:

SEC. 68. That it shall be the duty of every collector of internal revenue, to whom any payment is made under the provisions of this act, to give to the person making such payment a full written or printed receipt, expressing the amount paid and the particular account for which such payment was made; and whenever such payment is made otherwise than by a corporation, such collector shall, if required, give a separate receipt for each tax paid by any debtor, on account of payments made to or to be made by him to separate creditors in such form that such debtor can conveniently produce the same separately to his several creditors in satisfaction of their respective demands to the amounts specified in such receipts; and such receipts shall be sufficient evidence in favor of such debtor, to justify him in withholding the amount therein expressed from its next payment to his creditor; but such creditor may, upon giving to his debtor a full written receipt, acknowledging the payment to him of whatever sum may be actually paid, and accepting the amount of tax paid as aforesaid (specifying the same) as a further satisfaction of the debt to that amount, require the surrender to him of such collector's receipt.

The next amendment of the Committee on Finance was, in section 68, line 11, page 198, after the word "payment," to insert "of any taxes other than the tax represented by an adhesive stamp or other engraved stamp;" so as to read:

SEC. 68. That it shall be the duty of every collector of internal revenue, to whom any payment of any taxes other than the tax represented by an ad-

hesive stamp or other engraved stamp is made under the provisions of this act, to give to the person making such payment a full written or printed receipt.

The amendment was agreed to.

The next amendment of the Committee on Finance was, in section 68, page 198, line 17, after the word "made," to strike out "otherwise than by a corporation;" so as to read:

And whenever such payment is made such collector shall, if required, give a separate receipt for each tax paid by any debtor.

The amendment was agreed to.

The next amendment of the Committee on Finance was to strike out section 69, in the following words:

SEC. 69. That no rule or regulation established by the Commissioner of Internal Revenue under this act shall be valid without the approval of the Secretary of the Treasury in writing; nor shall the same be binding upon any corporation, nor upon any person not an internal-revenue officer, until it has been printed and conspicuously posted in the offices of the Commissioner and the collector of the collection district in which such person or corporation has an office or residence.

The amendment was agreed to.

The next amendment of the Committee on Finance was to strike out section 70 in the following words:

SEC. 70. That if any person, in any case, matter, hearing, or other proceeding in which an oath or affirmation shall be required to be taken or administered, under or by virtue of this act, shall, upon the taking of such oath or affirmation, knowingly and willfully swear or affirm falsely, every person so offending shall be deemed guilty of perjury, and shall, on conviction thereof, be subject to the like punishment and penalties now provided by the laws of the United States for the crime of perjury.

The amendment was agreed to.

The next section was read, as follows:

SEC. 71. That the Secretary of the Treasury shall have power to relieve and release from all forfeitures and penalties imposed by this act, in such cases as he may deem proper; but this shall not apply to any penalties imposed by law as the punishment of a misdemeanor or other crime.

Mr. VEST. There is no necessity for section 71. The Secretary of the Treasury already has that power, and the Commissioner of Internal Revenue has it in certain instances with the approval of the Secretary of the Treasury. I therefore move to strike out section 71.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Missouri to strike out section 71.

The amendment was agreed to.

Mr. HILL. We have now finished the sections which relate to the income tax, and I make the motion which was reserved during the discussion. I move to strike out all the sections which relate to the income tax, so that they shall be eliminated from the bill if my amendment is sustained.

Mr. President, having very fully debated the various provisions of the bill as we proceeded with its consideration, I do not desire to delay the disposition of the bill to make any elaborate remarks at this time. I have endeavored to make myself understood upon the objections which I have presented to this feature of the tariff reform measure, and I shall content myself with simply stating briefly my objections to this measure, which I desire to go upon the record.

My objections to the retention of the income-tax provision in the bill may be epitomized as follows:

First. An income tax has no legitimate place in a tariff reform bill. It is unjust to those who desire to support a revision of the tariff but who can not consistently or conscientiously favor an income tax. If admissible at all, it should have been embraced in a separate measure. The effort to retain it in this bill has hindered, delayed, and sacrificed the cause of tariff reform, and compelled the surrender of many essential principles which should have accompanied a genuine tariff revision.

Second. An income tax is neither a Democratic nor a Republican principle and has never been approved by the people at the polls, but is one of the doctrines of the Populist party, the votes of whose Senators in the Senate are expected to be the means of fastening it upon the bill and upon the people.

Mr. ALLEN. Will the Senator from New York allow me?

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Nebraska?

Mr. HILL. Not now. Let me conclude this statement of my objections to the income-tax provisions:

Third. It is an unnecessary tax. The debate has conclusively demonstrated the fact that the needs of the Treasury will not require the proceeds of this tax, but that sufficient revenues will be realized under the other provisions of the measure. No proper estimate has been furnished of the revenues expected to be realized from this tax, but it is blindly urged, without regard to anticipated revenue or consequences.

Fourth. It is a direct tax within the true intent and meaning of the Constitution, and not being laid in proportion to population, it is unconstitutional, and can not be enforced.

Fifth. It is unequal, unjust, and sectional in its design and operation, and is principally urged by the representatives of those States which will be least affected by its provisions. It is an attack upon the thrift, the energy, and the enterprise of the North rather than an honest effort to reach the accumulated wealth of the country by constitutional and just means.

Sixth. It is the revival of an odious war tax in a time of profound peace.

Seventh. The exemption of all incomes not exceeding $4,000 is an exemption unprecedented in the history of income-tax legislation here or anywhere in the world, and stamps the measure as the most offensive species of class legislation. While ostensibly aimed at the rich it permits one having an investment of $80,000, drawing interest at 5 per cent, to escape all taxation under it. Whether it injures the very rich or not, it clearly does not help the poor. It is not based upon any consistent theory. Either substantially all incomes should be taxed or none at all.

Eighth. It is unjust and indefensible in its discriminations. It necessarily exempts the income from six hundred and thirty-five millions of Government bonds, but denies the same exemption to State bonds. It exempts $4,000 from the individual income of a citizen derived from his general business, but denies him the same exemption if his income is derived from a corporate investment. It unnecessarily and injuriously discriminates against corporate investments by individuals, especially small investments.

Ninth. It is retroactive in its operation. It compels the payment of a tax upon incomes realized since January 1, 1894, being at least six months before the passage of the act, which should only apply to future incomes, if at all.

Tenth. It usurps those fields of revenue which properly belong to the States. Tariff taxation being exclusively under the Constitution the province of the Federal Government, it should mainly confine itself to that method of raising its necessary revenues without encroaching upon the rights, prerogatives, and revenues of the States. This measure not only provides for income taxation proper, but includes an inheritance and gift tax, thereby trespassing upon a field already occupied by many of the States. Incomes, if taxed at all, should be taxed by State rather than Federal authority. The States are suffering more from lack of sufficient and proper revenues than is the General Government. What are essentially local revenues should be reserved for local purposes.

Eleventh. Its provisions are inquisitorial and offensive in their character. A citizen is compelled to give evidence against himself, and to submit to the production and inspection of his books and papers. The political agents of the Government are invested with vast powers which are liable to abuse. Taxation may be increased 100 per cent, and other severe penalties may be imposed. It is a system of taxation adopted for a monarchical government, but unsuited for a free republic.

Twelfth. It violates the Constitution because it usurps those revenues derived from certain domestic corporations which the States have themselves created and the revenues of which corporations the States have set apart for the uses of their own State governments. Those revenues can not constitutionally be destroyed, diminished, or interfered with by the General Government. The proposed tax is an attack upon the sovereignty of the States, their reserved rights, the doctrine of home rule, and every just principle of government for which we have ever heretofore contended.

Thirteenth. The absorption of these legitimate State revenues by the General Government as here proposed will necessarily lead to increased direct taxation by the States, and add to the existing direct burdens of the people.

Fourteenth. The tax proposed is double that recommended by Secretary Carlisle.

Fifteenth. It will duplicate taxation, create friction, and provoke conflict or contention between the General Government and the States, is contrary to the established policy of the Government, is a step toward socialism, and is unwise from every point of political expediency.

Mr. ALLISON. Do I understand the Senator from New York to say that Secretary Carlisle recommended 1 per cent?

Mr. HILL. I do.

The PRESIDING OFFICER (Mr. MARTIN in the chair). The question is on agreeing to the amendment of the Senator from New York.

Mr. HILL. On that I ask for the yeas and nays.

Mr. MANDERSON. I was unfortunately absent when the Senator from New York commenced the reading of the paper he held in hand. Do I understand that it is an indictment drawn by him against the features of the income tax?

Mr. HILL. It partakes of that nature.

Mr. MANDERSON. I wish to add, then, another count. I do not know what its number may be.

Mr. ALLISON. It would be No. 16.

Mr. HILL. There is ample opportunity for a large number more, but in my great desire to be brief I left a great many out.

Mr. MANDERSON. This one is very brief. I add this count to the indictment.

It creates a class who are selected from their fellow-citizens to pay a part of the expenses of the Government, and is the first step towards the creation of a privileged few, constituting a moneyed aristocracy, who, contributing from their abundant revenues or incomes to the support of the Government, will rule it.

Mr. HILL. I accept the amendment.

Mr. PLATT. Will the Senator from New York give me his attention for a moment? Did the Senator make any allusion to the great increase of officeholders the bill will inevitably make?

Mr. HILL. I did not for the reason, and frankness requires me to say it, that the bill possibly does not propose any increase of officeholders. While I am free to say that I think when the bill goes into operation it will require additional officeholders, yet I would not be justified, of course, in making that allegation, because the bill does not provide for any increase of officials.

Mr. HALE. Has the Senator any doubt whatever that all the various and involved provisions of the bill, covering so much new data and new labor, will result in a very large increase of the officials of the Treasury Department in the collection of the tax?

Mr. HILL. If the income tax provided by the bill is to be honestly and efficiently collected, I am inclined to think that in the course of a year or so, there must be an increase of Federal officials.

Mr. HALE. And a very considerable increase.

Mr. HILL. I should judge so.

Mr. HALE. I have no doubt of it.

Mr. HILL. But there are none provided for in the bill now.

Mr. HARRIS. The Commissioner of Internal Revenue thinks, as he expressed to me in a very recent interview, that a very small increase of the internal-revenue force will be necessary to the execution of the law; but perhaps a small increase will be necessary. Let the facts be understood. Has the Senator from New York yielded the floor?

Mr. HILL. Yes.

Mr. HARRIS. Then, if we can come to a vote upon this proposition, I shall be very glad to do so, and if we can not I move to lay the amendment on the table.

Mr. HALE. Let us have a vote.

Mr. ALLISON. After the observation that the Senator from Tennessee has made——

Mr. HARRIS. Very well; I withdraw it, when the Senator from Iowa refers to the observation.

Mr. HOAR. Does the Senator from Tennessee withdraw the observation or the motion?

Mr. HARRIS. I withdraw the motion, and not the observation.

Mr. ALLISON. The Senator from Tennessee says that he has information from the Commissioner of Internal Revenue that a very few additional employés will be required. I venture to say, without knowing, that the Commissioner of Internal Revenue has not examined in detail, as we have here, the provisions of the bill. I yesterday called attention to the fact that the execution of one paragraph of the bill alone, requiring that each corporation, however little or however great, shall make a specific return each year to the collector of the district, will necessitate in each collection district certainly an additional force of four or five persons. When you spread it over the United States that single provision will require a large additional force.

Mr. HARRIS. I move to lay the amendment on the table.

Mr. ALDRICH. This is a very important amendment, and I hope the Senator from Tennessee will withdraw the motion to lay on the table in order that a vote may be taken direct upon the amendment.

Mr. HARRIS. It is important to the extent of determining the question whether we shall have an income tax or not, and it is important in no other point of view. We have debated the question for three months. I adhere to my motion.

Mr. HALE. Let us take a vote on the amendment of the Senator from New York.

Mr. ALDRICH. Let us have a direct vote on the amendment of the Senator from New York. That course is very much better.

Mr. HARRIS. If we can do so without further debate I am ready to vote on the question.

Mr. HALE. We can.

Mr. CHANDLER. I desire to submit some remarks on this proposition.

Mr. HARRIS. I adhere to my motion to lay the amendment on the table, so as to exclude the Senator from New Hampshire and other Senators from submitting remarks.

Mr. CHANDLER. With the permission of the Senator from Tennessee, I will submit my remarks at a later period in the discussion of the bill.

Mr. ALDRICH. Then I hope the Senator from Tennessee will withdraw the motion and let the vote be taken on the amendment.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Tennessee to lay on the table the amendment of the Senator from New York.

Mr. HILL. I ask unanimous consent that debate shall cease, at least temporarily, and that the vote be taken on the amendment.

Mr. ALLISON. That debate shall cease on this question.

Mr. HILL. That it shall cease on this question, and that we have a vote.

Mr. CHANDLER. I suggest to the Senator from New York that the difficulty is that if anyone debates the income-tax provision of the bill, or any other provision, it will be offensive to the Senator from Tennessee. Therefore, it will be a great deal better——

Mr. ALLISON. I ask unanimous consent that the vote be taken on the amendment of the Senator from New York.

The PRESIDING OFFICER. The Chair announces that debate is entirely out of order. The question is on the motion of the Senator from Tennessee.

Mr. VEST. Regular order.

Mr. HOAR. I hope the request of the Senator from New York will be put. I think it is an exceedingly wise one—that debate shall cease, at least temporarily.

Mr. HILL. Under the liberal rules of this body, of course a Senator at some future time can discuss the income tax or any other provision. I simply ask that the debate shall cease and that we may have a direct vote on the amendment.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New York that debate shall cease and the vote may be taken on this amendment?

Mr. CHANDLER. It hurts one's feeling——

Mr. VEST. I ask for the regular order.

Mr. CHANDLER. I wish to respond to the appeal of the Senator from New York.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Tennessee to lay the amendment on the table.

Mr. HILL. On that I demand the yeas and nays.

The yeas and nays were ordered.

Mr. CHANDLER. Will the Chair recognize me?

The PRESIDING OFFICER. The Chair is of opinion that nothing is in order but to call the roll.

Mr. CHANDLER. Would it be in order to have the motion withdrawn? I am willing rather than to put any obstacle to a direct vote to assent to the request for unanimous consent.

The PRESIDING OFFICER. The Chair thinks discussion is not in order. The yeas and nays have been ordered. The Secretary will call the roll.

Mr. HILL. What is the question?

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Tennessee to lay the amendment of the Senator from New York on the table.

Mr. HARRIS. If unanimous consent can be given to take a direct vote on the amendment of the Senator from New York I ask unanimous consent (the yeas and nays having been ordered I can not withdraw it without unanimous consent) to withdraw my motion to lay the amendment on the table, but unless unanimous consent can be given, I adhere to my motion.

Mr. CHANDLER. Is it in order for me to say that I have no objection?

The PRESIDING OFFICER. It is hardly in order for the Senator to state that he has no objection.

Mr. CHANDLER. I have no objection.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Tennessee? The Chair hears none, and it is so ordered. Is there any objection to the withdrawal of the call for the yeas and nays? The Chair hears no objection.

Mr. ALLISON. Now, let us have the yeas and nays on the amendment of the Senator from New York.

Mr. HARRIS. Let the yeas and nays be taken on that question.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New York to strike out the sections relating to the income tax, on which the yeas and nays are demanded.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. DANIEL (when his name was called). I am paired with the Senator from Washington [Mr. SQUIRE].

Mr. SHOUP (when the name of Mr. DUBOIS was called). My

colleague [Mr. DUBOIS] is paired with the junior Senator from New Jersey [Mr. SMITH]. If my colleague were present he would vote "nay."

Mr. GORDON (when his name was called). By an arrangement with the Senator from Maine [Mr. FRYE] I transfer my pair with the Senator from Iowa [Mr. WILSON] to the Senator from Maryland [Mr. GORMAN] and vote "nay."

Mr. MITCHELL of Wisconsin (when his name was called). I am paired with the Senator from Wyoming [Mr. CAREY]. If he were present I should vote "nay."

Mr. MORRILL (when his name was called). I am paired with the Senator from New Jersey [Mr. MCPHERSON], but as we would vote the same way on this question, I shall vote. I vote "yea."

Mr. QUAY (when his name was called). I am paired with the Senator from Alabama [Mr. MORGAN]. If he were present I should vote "yea."

Mr. SMITH (when his name was called). I have a general pair with the junior Senator from Idaho [Mr. DUBOIS]. I transfer my pair to my colleague [Mr. MCPHERSON], who is absent because of illness, and who would vote "yea" if he were present. I vote "yea."

The roll call was concluded.

Mr. CULLOM. I have a general pair with the senior Senator from Delaware [Mr. GRAY]. If he were present I should vote "yea."

Mr. DANIEL. I am paired with the Senator from Washington [Mr. SQUIRE]. I understand I am at liberty to transfer my pair to the Senator from Illinois [Mr. PALMER], and I therefore vote. I vote "nay."

Mr. CULLOM. I am informed that I am at liberty to vote. I vote "yea."

Mr. HOAR. My colleague [Mr. LODGE] is absent to fulfill an important public engagement in Massachusetts. He is paired with the Senator from Florida [Mr. CALL]. If my colleague were present he would vote "yea."

Mr. GEORGE. The Senator from Florida [Mr. CALL] would vote "nay" if he were present.

The result was announced—yeas 24, nays 40; as follows:

YEAS—24.

Aldrich,	Frye,	Hoar,	Perkins,
Allison,	Gallinger,	McMillan,	Platt,
Chandler,	Hale,	Manderson,	Proctor,
Cullom,	Hawley,	Morrill,	Sherman,
Dixon,	Higgins,	Murphy,	Smith,
Dolph,	Hill,	Patton,	Washburn.

NAYS—40.

Allen,	Daniel,	Jones, Ark.	Power,
Bate,	Faulkner,	Kyle,	Ransom,
Berry,	George,	Lindsay,	Roach,
Blackburn,	Gibson,	McLaurin,	Shoup,
Blanchard,	Gordon,	Martin,	Teller,
Brice,	Hansbrough,	Mills,	Vest,
Caffery,	Harris,	Mitchell, Oregon	Vilas,
Camden,	Hunton,	Pasco,	Voorhees,
Cockrell,	Irby,	Peffer,	Walsh,
Coke,	Jarvis,	Pettigrew,	White.

NOT VOTING—21.

Butler,	Gorman,	Morgan,	Turpie,
Call,	Gray,	Palmer,	Wilson,
Cameron,	Jones, Nev.	Pugh,	Wolcott.
Carey,	Lodge,	Quay,	
Davis,	McPherson,	Squire,	
Dubois,	Mitchell, Wis.	Stewart,	

So the amendment was rejected.

Mr. PUGH subsequently said: I was called from the Senate temporarily, and in my absence the vote was taken on the amendment of the Senator from New York to strike out all the sections relating to the income tax from the tariff bill pending before the Senate. I have a general pair with the senior Senator from Massachusetts [Mr. HOAR], and I see that he voted upon that amendment. I simply desire to state that if I had been present I should have voted against the amendment.

Mr. GALLINGER. Inasmuch as I was charged with the duty of caring for the pairs on this side of the Chamber, I desire to state that the fact of the Senator's absence was overlooked by me. Otherwise I should have called the attention of the Senator from Massachusetts to the fact, he having doubtless voted inadvertently.

Mr. PUGH. All right.

Mr. TELLER. I desire to state that my colleague [Mr. WOLCOTT] is detained from the Senate by sickness. If he had been here he would have voted against the motion of the Senator from New York to strike out the provisions of the bill for an income tax.

Mr. HOAR subsequently said: I ask unanimous consent, under the rules, to withdraw my vote on the amendment proposing to strike out the income tax provisions of the bill. I was paired with the honorable Senator from Alabama [Mr. PUGH], and as that Senator has been about the Chamber during the morning, and as he votes after I do on the alphabetical call of the roll, I did not think of looking to see whether he was in his seat. I believe the rule allows the withdrawal of a vote by unanimous consent.

The PRESIDING OFFICER (Mr. PASCO in the chair). The Senator from Massachusetts asks unanimous consent that his vote on the question referred to by him may be withdrawn under the circumstances he has stated. Is there objection? The Chair hears none, and it is so ordered.

The reading of the bill will be proceeded with.

The Secretary read the next section, as follows:

SEC. 72. That on and after the 1st day of July, 1894, there shall be levied, collected, and paid, by adhesive stamps, a tax of 2 cents for and upon every pack of playing cards manufactured and sold or removed, and also upon every pack in the stock of any dealer on and after that date; and the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall make regulations as to dies and adhesive stamps.

The Committee on Finance reported an amendment in section 72, page 200, in line 9, after the word "cards," to insert "containing not more than fifty-four cards;" so as to read:

A tax of 2 cents for and upon every pack of playing cards containing not more than fifty-four cards.

The amendment was agreed to.

The Secretary continued the reading of the bill to the end of section 81, page 207.

Mr. PEFFER. At this point comes in the amendment which I proposed last Saturday evening in relation to the tax upon beer. It was proposed at that time in order to accommodate me, as I was about to be absent from the Chamber, but upon the request of Senators its consideration was passed over until we should reach this point in the bill.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. After section 81, add as a new section:

SEC. —. That section 3339 of the Revised Statutes and all sections amendatory thereof be amended so as to provide that the tax on beer, lager beer, ale, porter, and other similar fermented liquors shall be $2 per barrel, and the said sections shall be and remain in force as part of this act, together with any and all laws and parts of laws made to carry into effect the provisions of this section.

Mr. PEFFER. Mr. President, I desire to say but a very few words in explanation of the amendment and in favor of it. As the Senate knows, I am very much opposed to a tax upon sugar. It is estimated by, I believe, all those who have taken the trouble to make an estimate that between $40,000,000 and $50,000,000 will be raised by a 40 per cent levy upon imported sugar. The last report of the Commissioner of Internal Revenue shows that something over 32,000,000 barrels of beer were produced in the United States, and as that is an article which does not lie long in bond, nor any where else, it is presumable that in subsequent years the quantity produced will not be any less.

If we levy a tax of $1 a barrel more than is now laid upon beer it will produce an additional revenue of between thirty-two and thirty-three million dollars for the year 1894, and in a few years a still larger amount.

In presenting the amendment I wish to call the attention of Senators to the fact that this additional tax upon the consumption of beer would not in any way increase the cost of it to the consumer, or at any rate if there should be any increase it would be in such form as that the consumer would not feel it. It could not be placed upon the price of beer per glass, for the difference in price would be so small that it could not be estimated. It would be a very small portion of 1 cent, practically infinitesimal.

If there were any difference at all between the present price and the price under this proposed amendment it would be in the quantity of beer given for a glass, and that would be so small as that even the beer drinker himself could not possibly detect it. That also would be infinitesimal. There is no question now about the income tax. That is going to remain in the bill. Here is an opportunity for the committee to remove the sugar duty entirely and replace it with a tax upon beer.

This is all I care to say upon my amendment.

The PRESIDING OFFICER. The question is on the adoption of the amendment of the Senator from Kansas.

The amendment was rejected.

Mr. PLATT. I suppose sections 82 to 84 are stricken out. Is it necessary to read those sections?

The PRESIDING OFFICER. They will be omitted unless specially requested to be read.

Mr. JONES of Arkansas. I was going to ask unanimous consent that the reading be omitted and that the proposed substitute for those sections be read, beginning on page 207, section 82.

Mr. PLATT. Before we come to that I desire to propose an amendment. I regret that it is so long, but it is not much longer than the section which relate to playing cards.

Mr. HARRIS. The amendment is to come in where?

Mr. PLATT. It is to come in at the end of section 81. I

will state before the amendment is read that the object is to allow alcohol which is used in manufactures and in the arts to be used without the payment of tax. The provisions of the amendment are taken from a bill which was passed by the Senate in 1888, drafted, I understand, by the Treasury Department as embodying a scheme which would prevent frauds upon the Treasury if that measure should be adopted.

The PRESIDING OFFICER. The amendment will be read.

The SECRETARY. After section 81, page 207, after line 7, add the following additional sections:

SEC. —. That the Commissioner of Internal Revenue be, and hereby is, authorized, with the approval of the Secretary of the Treasury, upon the filing of such bond as he may prescribe, to establish warehouses, to be designated as bonded alcohol warehouses, to be used exclusively for the storing of distilled spirits of an alcoholic strength of not less than 180 per cent of proof spirit, as defined by section 3249 of the Revised Statutes of the United States, and in the distillers' original casks or packages, each of which warehouses shall be in the charge of a storekeeper, or storekeeper and gauger, to be appointed, assigned, transferred, and paid in the same manner that storekeepers and storekeepers and gaugers for distillery warehouses are now appointed, assigned, transferred, and paid. Every such warehouse shall be under the control of the collector of internal revenue of the district in which such warehouse is located, shall be in the joint custody of the storekeeper, or storekeeper and gauger, and the proprietor thereof, and kept securely locked, and shall at no time be unlocked or opened, or remain open, except in the presence of such storekeeper or storekeeper and gauger, or other person who may be designated to act for him, as provided in the case of distillery warehouses. And such warehouses shall be under such further regulations as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may prescribe.

SEC. —. That distilled spirits of an alcoholic strength of not less than 180 per cent of proof spirit, as defined by section 3249 of the Revised Statutes of the United States, may, after having been properly gauged, marked, stamped, and branded in distillery warehouses, under regulations to be prescribed by the Commissioner of Internal Revenue, and approved by the Secretary of the Treasury, and also stamped as hereinafter provided, be removed in bond from distillery bonded warehouses to a bonded alcohol warehouse, under such regulations and after making such entries, and executing and filing with the collector of the district in which such spirits were manufactured such bonds and bills of lading, and giving such other additional security as may be prescribed by the Commissioner of Internal Revenue and approved by the Secretary of the Treasury.

SEC. —. That such distilled spirits, after being deposited in such bonded alcohol warehouse, may, under such regulations as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall prescribe, be removed to secure storerooms, and used in manufacturing establishments, as hereinafter provided, without payment of the internal-revenue tax, in the industrial arts, and in the manufacture of articles, preparations, compounds, acetic and other acids, and medicinal drugs, or chemicals made according to the directions of the United States or other national pharmacopœia or according to formulas, as published in any of the dispensatories in common use among physicians or apothecaries in the United States. But nothing herein contained shall be held or construed as authorizing the use of any distilled spirits upon which the internal-revenue tax has not been paid, in the manufacture of tinctures, proprietary articles, wines, liquors, cordials, bitters, or other alcoholic compounds which are used or sold as beverages, or which, in the opinion of the Commissioner of Internal Revenue, may be so used or sold. All articles excluded from the provisions of this act, manufactured or stored on any premises to which distilled spirits have been removed free of tax under the provisions of this act, and all articles manufactured or stored in violation of this act shall be forfeited to the United States.

Every person desiring to have a bonded alcohol warehouse or storeroom established, intending to commence or continue business therein, shall file with the collector of internal revenue of the district in which the building or room to be used as such warehouse or storeroom is located a notice in duplicate of his desire and intention, stating the location of the building or room, and such other information as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may require; and at the time of the filing of such notice shall execute a bond in duplicate in the form prescribed by the Commissioner of Internal Revenue, conditioned that he will comply with all the provisions of law and regulations made in pursuance thereof pertaining to the business to be carried on by him, and that he will not use, or allow to be used, any distilled spirits entered into or removed from his warehouse or storeroom, by any person or persons whatsoever for any of the uses not authorized by this act, and that in case any such spirits shall be so used he shall pay, or cause to be paid, to the United States a sum double the amount of the tax on all such spirits so used, and shall pay all penalties incurred or fines imposed on him for violation of any of the provisions of this act.

Said bonds shall each be with at least two sureties, approved by the collector of the district, and for the penal sum of not less than double the amount of the tax on the estimated quantity of such spirits that are intended to be entered in such warehouse or storeroom, as the case may be, during a period of sixty days, but in no case shall the penal sum of said warehouse bond be less than $100,000, nor that of the storeroom bond be less than $5,000, and the said bonds shall be strengthened and renewed at such times, and shall contain such other conditions as the Commissioner of Internal Revenue may require. The collector may refuse to approve said bond when, in his judgment, the situation of the warehouse or storeroom is such as will enable the warehouse proprietor or the manufacturer to defraud the United States; and in case of such refusal the proprietor or manufacturer may appeal to the Commissioner of Internal Revenue, whose decision in the matter shall be final. One copy of the notice and application and bond will be forwarded to the Commissioner of Internal Revenue and one of each will be retained by the collector

SEC. —. That all distilled spirits intended to be entered for deposit in a bonded alcohol warehouse, before being removed from the distillery warehouse, shall have affixed to each cask or package an engraved stamp indicative of such intention, to be provided and furnished to the several collectors as in the case of other stamps; and to be charged to them and accounted for in the same manner; and for the expense attending the providing and affixing such stamps 10 cents for each stamp shall be paid to the collector of the district on making the entry for such removal.

SEC. —. That any manufacturer, after having provided, at his own expense, on the premises, and connected with his manufactory, a secure storeroom, in which all spirits used in the manufactory shall be exclusively entered and stored, and to be separated by a secure wall from all other parts of such manufactory, and with one door only entering therein, and all other openings secured and fastened, and approved by the collector of the district and the Commissioner of Internal Revenue, after the filing of the notice and bond as required by this act, may, under such bonds and securities as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may prescribe, remove distilled spirits of an alcoholic strength of not less than 180 per cent of proof spirit as defined by section 3249 of the Revised Statutes of the United States, in distillers' original casks or packages, without payment of the internal-revenue tax, from a bonded alcohol warehouse, as defined in this act, to his storeroom for use in his manufactory as hereinbefore provided. But such spirits shall remain in the original packages until withdrawn for immediate use. Every such storeroom shall be under the control of the collector of internal revenue of the district in which such manufactory is located, and shall be in the charge of a storekeeper, or storekeeper and gauger, and in the joint custody of the storekeeper, or storekeeper and gauger, and the proprietor thereof, and kept securely locked, and shall at no time be unlocked or opened, or remain open, except in the presence of such storekeeper, or storekeeper and gauger, or other person who may be designated to act for him, as provided in the case of distillery warehouses, and such storekeeper, or storekeeper and gauger, shall be appointed, assigned, transferred, and paid in the same manner that storekeepers, or storekeepers and gaugers, for distillery warehouses are now appointed, assigned, transferred, and paid. And in case the official bond of the storekeeper, or storekeeper and gauger, has been approved before the passage of this act, such officer shall file a new official bond, which must be approved by the Commissioner of Internal Revenue before he is assigned to duty under the provisions of this act.

SEC. —. That the storekeeper, or storekeeper and gauger, assigned to such storeroom shall, in addition to keeping such books and making such reports concerning spirits entered in and delivered and removed from such storeroom as may be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, have access to every part of such manufactory in which such distilled spirits are used, and make a report each month to the Commissioner of Internal Revenue, stating the kind and quantity of distilled spirits used during the month, the purpose for which used, and furnish such other information as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may require and prescribe; and such storerooms shall be under such further regulations as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may prescribe.

SEC. —. That under such regulations as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may prescribe, any proprietor of a bonded alcohol warehouse, who has filed with the collector a bond with at least two sureties, and in the form and sum specified in this act, may admix with the distilled spirits entered in his warehouse, in the presence of the storekeeper, methylic alcohol, wood alcohol, wood naphtha, or other substances approved by the Commissioner of Internal Revenue and the Secretary of the Treasury, which shall cause such distilled spirits to be unfit for use as a beverage; and such distilled spirits, after being so methylated or admixed and drawn off in the presence of the storekeeper, or storekeeper and gauger, and under the supervision of a gauger to be designated by the collector, into packages of a form and material to be prescribed by the Commissioner of Internal Revenue, and different from those of casks in which distilled spirits are usually contained, such packages to be gauged, marked, stamped, and branded by the gauger as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may prescribe, may be sold and removed from such warehouse without the payment of the internal-revenue tax.

But distilled spirits produced in different months shall not be drawn into the same package, and each package shall not be of less capacity than 5 wine gallons, nor of greater capacity than 25 wine gallons, nor contain more than 39 proof gallons of spirits. Methylated spirits may be used in the arts and manufactures, and for burning, and in the manufacture of articles and compounds, except wines, liquors, cordials, bitters, and other alcoholic compounds used and sold as beverages, or in the opinion of the Commissioner of Internal Revenue calculated or intended to be so used or sold. And the methylation of such spirits shall be by the addition of methylic alcohol, wood alcohol, or wood naphtha, in such quantities and in such manner, in the presence of the storekeeper, or storekeeper and gauger, as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may prescribe. And no such methylated spirits shall be permitted on any premises in which the business of a distiller, rectifier, wholesale liquor dealer, or retail liquor dealer is carried on, or in premises connected therewith by any private or internal communication.

Every person intending to withdraw methylated spirits from any bonded alcohol warehouse shall file with the collector of the district in which the spirits are to be used an application, under oath, setting forth the purpose for which the spirits are to be withdrawn, the estimated quantity to be so withdrawn and used during a period of one year, the place where the spirits are to be stored, and a full description of the premises on which the spirits are to be used; also, the name and residence of every person interested, or to be interested, in the business to be carried on at said premises; and the application shall be in such form, and shall contain such further information as the Commissioner of Internal Revenue may, by regulation, require.

Upon the receipt of such application and after making such inquiries as will satisfy him that the statements therein contained are true, the collector shall, upon the applicant filing with him a bond with satisfactory sureties and in a penal sum of not less than double the amount of the tax on the spirits intended to be withdrawn during the period of one year, issue a permit, under seal, for the withdrawal of said spirits for the purpose or purposes to be therein specified; said bond and permit shall be in such form as the Commissioner of Internal Revenue may prescribe, and may be renewed, and shall be canceled, or revoked, at his discretion.

And the Commissioner of Internal Revenue is authorized to have such permits printed from engraved plates and with serial numbers, as in the case of special-tax stamps.

No methylated or admixed spirits shall be withdrawn from any bonded alcohol warehouse except upon a permit issued as aforesaid, which permit shall, at the time each withdrawal of spirits is made thereunder, be presented by the person to whom it is issued, or by his duly authorized agent, to the storekeeper in charge of the warehouse, who shall indorse upon the permit the quantity of spirits withdrawn, giving the number of packages, the serial number of packages and stamps, the number of proof gallons, the date when tax is due by three years' limit, and the date of withdrawal in each case. But in no case shall the quantity of spirits withdrawn under any permit during the period for which the permit is issued exceed the quantity of spirits specified therein. And the sale, removal, and use of such methylated spirits shall be under such regulations and restrictions as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may prescribe. And said Commissioner may, in his discretion, exact bonds and returns of persons who purchase or receive, use, or transport methylated spirits. And any internal-revenue officer shall, at all times, have right of access to all premises on which such methylated spirits are received, stored, or used. And the provisions of sections 3276 and 3277 of the Revised Statutes of the United States, so far as applicable, are hereby made to apply to such premises and to the proprietors or occupants thereof. And any person who shall demethylate or separate methylic

alcohol, wood alcohol, or wood naphtha or other substance from any such distilled spirits, or use, or by willful neglect cause to be used, any such methylated or admixed spirits for any of the uses not authorized by this act, or who shall separate or recover, or cause the separation or recovery of any alcohol permitted to be used in the manufacture of any of the articles by the provisions of this act free of tax, shall on conviction pay a penalty of not less than $500 nor more than $5,000, and be imprisoned not less than six months nor more than three years.

SEC. —. That every proprietor of any such bonded alcohol warehouse who shall have filed the application and bond, and every manufacturer who shall have provided a suitable storeroom, which have been approved by the collector of the district and the Commissioner of Internal Revenue, shall provide a book to be prepared and kept in such form as the Commissioner of Internal Revenue may prescribe, and shall make daily entries therein of all spirits received, with the name of the person from whom the spirits were purchased, and the name of the distiller by whom and the district in which the spirits were produced, the serial number of each cask or package, and the actual contents of each when received by him. He shall also, in like manner, enter in said book the quantity of spirits removed each day, and the name, occupation, and address of the person to whom the spirits are sold; and if a manufacturer, he shall enter in said book the quantity removed from the storeroom, and if less than a cask or package, the actual quantity removed from any cask or package; and he shall also enter the name of all articles, in the manufacture of which such spirits have been used, as authorized in this act. And every person keeping the book herein required shall, on or before the 10th day of each month, make a full and accurate transcript of all entries made during the preceding month, and shall, after verifying the same by oath, forward the same, through the collector of the district, to the Commissioner of Internal Revenue. The book herein required shall be kept on the premises described in the application, and shall at all times be open for the inspection of any revenue officer; and such officers shall at all times have access to said premises for the purpose of inspecting the same, or any stock, utensil, apparatus, or appliances therein, where such spirits are used, and the owner or occupant of said premises shall, on demand of such officer, furnish needful assistance to enable the said officer to make such examination and report. And any person who shall willfully use, or by neglect cause to be used, any distilled spirits, entered in his bonded alcohol warehouse or storeroom established under this act, in any manner except as expressly provided and permitted in this act, shall, on conviction, pay a penalty of not less than $1,000 nor more than $5,000, and be imprisoned not less than six months nor more than three years.

SEC. —. That any person who, under the provisions of this act, or under any regulation issued in pursuance hereof, shall neglect or refuse to make or render any entry, bond, or account, or shall make or render any false or fraudulent entry, bond, or account, or shall, in qualifying as a surety to any bond required by this act, make any false or fraudulent statement or representation as to the property owned by him, and any person who shall fail to use any stamp, label, tag, mark, caution notice, or any other device prescribed by this act, or by any regulation issued in pursuance of this act, or shall fraudulently use or reuse the same, shall for any such offense, on conviction had, be fined not less than $500, nor more than $5,000, and be imprisoned not less than six months, nor more than three years; and any vessel, package, or other inclosure not stamped, marked, or branded as required by law and this act, all spirits or other materials contained in such vessel, cask, or package, or inclosure, shall be forfeited to the United States.

Nothing in this act shall be construed as extending the time within which the tax on distilled spirits shall be paid beyond the limit fixed by law within which such spirits must be withdrawn from distillery warehouses upon payment of the tax. And, in case any spirits withdrawn from a distillery warehouse under the provisions of this act are not used as authorized by this act within the time fixed by the distiller's warehousing bond for the payment of the tax, the Commissioner of Internal Revenue shall assess the tax against the person liable, under bond as warehouse proprietor or manufacturer at the time, for the proper use and custody of the spirits, and such tax shall be collected as in the case of other assessed taxes.

It shall not be lawful for any person to receive, use, or store any methylated distilled spirits free of internal-revenue tax under the provisions of this act on any premises within 600 feet in a direct line from any premises used as a distillery or for rectifying distilled spirits.

Any person who shall receive or use distilled spirits, free of tax, under the provisions of this act, and shall knowingly or willfully omit, neglect, or refuse to do, or cause to be done, any of the things required to be done by this act, or any regulation made pursuant thereto, or shall do anything by this act prohibited, or declared thereby to be unlawful, if there be no specific penalty or punishment imposed by this act for the neglecting, omitting, or refusing to do the thing required, or for the doing, or causing to be done, the thing prohibited, or declared unlawful, he shall, on conviction, pay a penalty, at the discretion of the court, not exceeding $5,000. And the Commissioner of Internal Revenue is authorized to determine the quality and strength of the methylic alcohol, wood alcohol, wood naphtha, or other substance that may be used in methylating or admixing spirits. And the Commissioner of Internal Revenue may also, at his discretion, require the maker of methylated or admixed spirit to provide a separate storeroom and vats, with suitable locks and fastenings, for keeping and storing methylic alcohol, wood alcohol, wood naphtha, or other substance used in methylating or admixing, and may require samples to be furnished from such vats, or other receptacles, for chemical analysis and for his approval.

Change numbers of subsequent sections to correspond.

Mr. PLATT. Mr. President, I fear it is hopeless to attempt to secure the passage of any amendment to the bill, but there is no possible reason why this amendment should not be adopted. The bill is going to raise revenue enough even if the revenue should be diminished by making alcohol used in the manufactures and arts free from the tax. It is a very hard burden upon manufacturers. I do not speak now so much for the manufacturers who buy alcohol and transform it into proprietary medicines and other liquid forms as those manufacturers who have to use it in the direct processes of manufacture.

I think it is not understood to what extent alcohol has to be used in the manufacture of almost all kinds of goods—metals as well as textiles. It has been always admitted, I understand, that it is a hardship upon the manufacturers to compel them to pay this tax.

The only objection that I have ever heard to making alcohol used in the mechanical arts and in manufactures free was that fraud would be committed under it.

In 1888 the Treasury Department prepared the sections which I have introduced here as an amendment, and they were adopted by the Senate. I think that there can be no great danger of fraud if all the provisions against frauds contained in the sections are thrown around the use of alcohol for such purposes.

We sometimes talk about high tariff taxes, and when a duty amounts to 100 or 200 or 300 per cent it is thought to be an extortion. If we raise the tax on alcohol from 90 cents a gallon to $1.10 a gallon the per cent of tax, as estimated by a letter which I have received within a day or two, would be 732 per cent.

It has been said that there is a desire to give manufacturers raw materials. Alcohol is one of the raw materials used by manufacturers. Putting a tax upon it of over 700 per cent, it seems to me, can only be justified on the plea of necessity, and there is no necessity for it.

Alcohol, before the tax is imposed upon it, is about 30 cents a gallon. I suppose that is a high figure for it. The tax is imposed upon a certain degree of proof, so that on commercial alcohol the tax is very much larger than appears when I speak of a tax of $1.10 per gallon. On commercial alcohol the tax is about $1.69 and a fraction per gallon, and if the tax is raised to $1.10 it will then be $2.08 per gallon on commercial alcohol.

So, if a manufacturer buys a barrel of commercial alcohol, for which without a tax he would pay not to exceed $15 per barrel of 50 gallons, he will be compelled to pay $120 for that barrel of alcohol. Senators have no idea how many barrels of alcohol have to go into some of our manufactories during a year, or how severe the tax is upon manufacturers.

I think I have stated this matter fully, Mr. President. It is all I can do. I do not wish to take up the time of the Senate.

We have provided that where anybody desires to remanufacture alcohol for the purpose of export he may have a bonded warehouse and use the alcohol without paying a tax, and there is no earthly reason why this tax should be imposed upon the alcohol which is necessarily used by manufacturers.

The letter which I hold in my hand is from a manufacturer of silver-plated ware. They have to use a large number of barrels. He does not state the exact amount, but I have no doubt that this tax costs that establishment $2,000 or $2,500 a year, which is entirely unnecessary.

Mr. JONES of Arkansas. Mr. President, I think there is no doubt that every member of the Senate sympathizes with the purpose the Senator from Connecticut has in view in offering the amendment. It is an old question. It has been discussed frequently in both branches of Congress, and the physical impossibility of making a provision of this sort which will not lead to the greatest frauds has prevented the adoption of any measure of this kind. A good many devices have been resorted to. Efforts have been made to render alcohol unfit for any purpose except for use in the arts, but it has been ascertained, after careful examination on the part of the Internal Revenue Department, that it is impossible to get anything like protection against fraud whenever this system is entered upon in any way, and there has been nothing yet presented that has been satisfactory to protect the Government. Under these circumstances we are unwilling to adopt any amendment which will open this gateway to fraud.

Mr. PLATT. Mr. President, one single word in reply. I would not rely so much upon the admixture of some other substance with alcohol in order to prevent fraud as I would upon the supervision of the internal revenue officers. If frauds can be prevented when persons desire to use alcohol in manufactures to be exported, surely it can be done when they desire to use alcohol in the manufacture of articles which are not to be exported. The committee have provided a way in which they think it can be used in the manufacture of articles for export without fraud, and if they can do that these provisions will prevent fraud in case the articles are not to be exported.

The PRESIDING OFFICER. The question is on the adoption of the amendment offered by the Senator from Connecticut.

The amendment was rejected.

The next amendment of the Committee on Finance was to strike out sections 82, 83, and 84, in the following words:

SEC. 82. That on and after the 1st day of the second calendar month after the passage of this act there shall be levied and collected on all distilled spirits in bond at that time, or that may be produced in the United States, on which the tax is not paid before that day, a tax of $1 on each proof gallon, or wine gallon when below proof, to be paid by the distiller, owner, or person having possession thereof, on or before removal from the warehouse, and within three years from the date of the original entry for deposit in any distillery or special bonded warehouse, except in cases of withdrawals therefrom without payment of tax as now authorized by law; warehousing bonds, covering the taxes on all distilled spirits entered for deposit into distillery or special bonded warehouse on and after the date named in this section and remaining therein on the 5th day of the following month, shall be given by the distiller or owner of said spirits as required by existing laws, conditioned, however, for payment of taxes at the rate imposed by this act and before removal from warehouse and within three years, as to fruit brandy, from the date of the original gauge, and as to all other spirits from the date of the original entry for deposit.

SEC. 83. That warehousing bonds or transportation and warehousing

bonds covering the taxes on distilled spirits entered for deposit into distillery or special bonded warehouses prior to the date named in the eighty-second section of this act, and on which taxes have not been paid prior to that date, shall continue in full force and effect for the time named in said bonds. Whenever the tax is paid on and after the aforesaid date, pursuant to the provisions of the warehousing, or transportation and warehousing bonds aforesaid, there shall be added to the 90 cents per taxable gallon an additional tax sufficient to make the tax paid equal to that imposed by section 82 of this act. The Commissioner of Internal Revenue may require the distillers or owners of the spirits to give bonds for the additional tax, and before the expiration of the original bonds shall prescribe rules and regulations for reentry for deposit and for new bonds, as provided in the eighty-second section of this act, and conditioned for payment of tax at the rate imposed by this act and before removal of spirits from warehouse, and within three years, as to fruit brandy, from the date of the original gauge, and as to all other spirits from the date of the original entry for deposit. The distiller or owner of the spirits may request regauge of same prior to the expiration of three years from the date of the original entry or original gauge. If the distiller or owner of the spirits fails or refuses to give the bonds for the additional tax or to reënter and rebond the same, the Commissioner of Internal Revenue may proceed as now provided by law for failure or refusal to give warehousing bonds or original entry into distillery or special bonded warehouse.

SEC. 84. That whenever the owner of any distilled spirits shall desire to withdraw the same from the distillery warehouse, or from a special bonded warehouse, he may file with the collector a notice giving a description of the packages to be withdrawn and request that the distilled spirits be regauged; and thereupon the collector shall direct the gauger to regauge the same, and mark upon the package so regauged the number of gauge or wine gallons and proof gallons therein contained. If upon such regauging it shall appear that there has been a loss of distilled spirits from any cask or package, without the fault or negligence of the distiller or owner thereof, taxes shall be collected only on the quantity of distilled spirits contained in such cask or package at the time of the withdrawal thereof from the distillery warehouse or special bonded warehouse: *Provided, however*, That the allowance which shall be made for such loss of spirits as aforesaid shall not exceed 1 proof gallon for two months, or part thereof; 1½ gallons for three and four months; 2 gallons for five and six months; 2½ gallons for seven and eight months; 3 gallons for nine and ten months; 3½ gallons for eleven and twelve months; 4 gallons for thirteen, fourteen, and fifteen months; 4½ gallons for sixteen, seventeen, and eighteen months; 5 gallons for nineteen, twenty, and twenty-one months; 5½ gallons for twenty-two, twenty-three, and twenty-four months; 6 gallons for twenty-five, twenty-six, and twenty-seven months; 6½ gallons for twenty-eight, twenty-nine, and thirty months; 7 gallons for thirty-one, thirty-two, and thirty-three months; 7½ gallons for thirty-four, thirty-five, and thirty-six months; and no further allowance shall be made: *And provided further*, That taxes may be collected on the quantity contained in each cask or package as shown by the original entry for deposit into the warehouse, or, as to fruit brandy, by the original gauge for which the owner or distiller does not request a regauge before the expiration of three years from the date of original entry or gauge: *Provided also*, That the foregoing allowance of loss shall apply only to casks or packages of a capacity of 40 or more wine gallons, and that the allowance for loss on casks or packages of less capacity than 40 gallons shall not exceed one-half the amount allowed on said 40-gallon cask or package; but no allowance shall be made on casks or packages of less capacity than 20 gallons: *And provided further*, That the proof of such distilled spirits shall not in any case be computed at the time of withdrawal at less than 100 per cent.

And to insert:

SEC. 82. That on and after the first day of the second calendar month after the passage of this act there shall be levied and collected on all distilled spirits in bond at that time, or that have been or may be then or thereafter produced in the United States, on which the tax is not paid before that day, a tax of $1.10 on each proof gallon, or wine gallon when below proof, and a proportionate tax at a like rate on all fractional parts of such proof or wine gallon: *Provided*, That in computing the tax on any package of spirits all fractional parts of a gallon, less than one-tenth, shall be excluded.

The Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall prescribe and furnish suitable stamps denoting the payment of the internal-revenue tax imposed by this section; and until such stamps are prepared and furnished, the stamps now used to denote the payment of the internal-revenue tax on distilled spirits shall be affixed to all packages containing distilled spirits on which the tax imposed by this section is paid; and the Commissioner of Internal Revenue shall, by assessment or otherwise, cause to be collected the tax on any fractional gallon contained in each of such packages as ascertained by the original gauge, or regauge when made, before or at the time of removal of such packages from warehouse for other place of storage; and all provisions of existing laws relating to stamps denoting the payment of internal-revenue tax on distilled spirits, so far as applicable, are hereby extended to the stamps provided for in this section.

That the tax herein imposed shall be paid by the distiller of the spirits, on or before their removal from the distillery or place of storage, except in case the removal therefrom without payment of tax is authorized by law; and (upon spirits lawfully deposited in any distillery warehouse, or other bonded warehouse, established under internal-revenue laws) within eight years from the date of the original entry for deposit in any distillery warehouse, or from the date of original gauge of fruit brandy deposited in special-bonded warehouse, except in case of withdrawal therefrom without payment of tax as authorized by law.

Mr. SHERMAN. Mr. President, there are but two questions in the series of sections proposed to be inserted that I wish to present to the Senate, representing, as I do, a very large interest in the State of Ohio that will be seriously affected by the sections. Those two questions are: First, whether we should increase the duty on ordinary spirits, whiskies as they are commonly called, from 90 cents a gallon to $1.10 a gallon; and, second, whether we will extend the period for the deposit of spirits in designated warehouses to eight years from three years.

I have a large number of papers here on the subject, mostly from men who are engaged in the business. As a matter of course, whisky or spirits in any form has always been held to be a proper and legitimate subject of taxation. Indeed, I know no article that ought to be taxed higher than whisky, and none that people could do better without. If it was a mere question of dollars and cents, a mere question of revenue, I would say place not only $1.10 a gallon on whisky, but I would be willing to impose what was imposed at one time during the war, the very high rate of $2.50 a gallon. However, experience has demonstrated that in regard to whisky, like everything else, there is a limit beyond which it is not safe to tax it.

It was shown by the experience during our civil war that the efforts to raise a very large sum on whisky utterly failed. The first duty which was levied was 50 cents a gallon. Then it was raised to $1.50 a gallon, and finally to $2 and $2.50; but it was found that the higher the rate of duty the less the income derived, as a general result.

I have very grave and serious doubts whether raising the rate of taxation from 90 cents to $1.10 will add to our income, at any rate not for probably two years. We have now in Government warehouse over 130,000,000 gallons. All of that whisky is only subject to the tax of 90 cents a gallon, and it will continue to be for two months hereafter. The phraseology here used is that on the 1st of the second calendar month after the passage of the bill the new rate of $1.10 shall be imposed. In the meantime all the distilleries of the country will have been full and active in increasing the quantity.

The amount nearly a year ago was 130,000,000 gallons. What it is now I do not know, nor is it possible to ascertain the amount now produced; but certainly it is in the neighborhood of 200,000,000 gallons, and probably much more, including the whisky in bond. It is very certain that no whisky will pay any tax at the rate of $1.10 a gallon until after the amount on hand or in the market is exhausted.

It is a matter rather of conjecture, and partly founded on experience, but I submit to Senators there are now 200,000,000 gallons on the market, in the hands of dealers or in Government warehouses. We know that there were 130,000,000 gallons in Government warehouses on June last. That was a year ago. We know that the quantity has been largely increasing, not only in the warehouses, but in stock in hand, and it is probably held now to the amount of at least 200,000,000 gallons. I am far, I think, within the limit of the stock of whisky on hand in the Government warehouses and among the people. That whisky is in the market paying a tax of 90 cents a gallon, and as a matter of course no tax of $1.10 a gallon will be paid until all this stock is exhausted.

Within the next sixty days after the passage of the bill every gallon of whisky will be withdrawn for consumption at the rate of 90 cents a gallon, and before the increased rate of $1.10 shall apply. We may therefore expect that at least two years' consumption of whisky on hand will pay 90 cents a gallon according to existing law. In view of the probable passage of the bill money is being gathered together to pay off the 90 cents a gallon and hold the whisky in bond in various forms throughout the United States.

I do not consider that my judgment is worth more than any other man's upon this matter, but I think the proposed increased tax on whisky will be evaded and avoided by the very terms of the law itself, and owing to the large amount on hand, on account of the notice that has been given to all distillers in the country, and the vast amount held by the Government in bond, no whisky paying $1.10 a gallon will appear upon the market for two years, and during that time, therefore, there will be no increase of the revenue. In all human probability before two years have rolled around the hardships and stringency that now prevail among our people will pass away. There will be no real necessity then for the increase of this tax on spirits, and therefore the whole object will be defeated.

I have every reason to believe, from the experience of our country and the experience of other countries, that after two or three years stringency and panic will pass away and good times come. There is no doubt good times will come in a little while, whatever may be the terms of the tariff law or whatever may be the tax imposed upon whisky. If this tax is imposed for the purpose of increasing the public revenue in the next two years, it will be a failure; but of that every man can judge.

In regard to the other provision of the bill the people of Ohio, and I think so far as I know the great body of those who deal in spirits all over the Northwest, excluding Kentucky, are opposed to the extension of the spirits in bond for the term of eight years. That is a question, too, about which there may be some doubt. Some classes of spirits may be now deposited in bonded warehouses and be held there for a period of three years. That applies mainly to what are called drinking whiskies, whiskies that are manufactured purely for drinking. They are a better quality of whiskies, Kentucky whiskies, as they are commonly known. Nearly all of them are produced in Kentucky. They are held in Government warehouses. They have a right to keep them there for three years without any increased interest, with a constant diminution by leakage and lowering of quantity, for

even in the best of barrels it will become somewhat vaporized and lost.

Mr. HARRIS. Will the Senator from Ohio allow me to ask him a question? Does the Senator propose to impose this tax upon consumption, or upon production?

Mr. SHERMAN. It is neither. It is a tax that is imposed when the whisky is taken out of the Government warehouse. It may have been made three years ago, and therefore it is not a tax paid upon time.

Mr. HARRIS. Then I ask the Senator——

Mr. SHERMAN. Let me answer the question. It is not paid at the time when it is manufactured, nor is it paid at the time when it is consumed, because the Kentucky whisky and the other best whiskies, as perhaps the Senate knows, which sell high, are usually not consumed until a long time after they are withdrawn from the warehouse; but the tax is paid when the goods are withdrawn from the Government custody.

Mr. HARRIS. May I ask the Senator if the bonded period was not provided for in order that the tax might be levied upon consumption rather than upon production?

Mr. SHERMAN. Three years were allowed to give the whisky an opportunity to age, because all spirits of this kind are improved by age; the older they are the more valuable they are to those who consume them. That was a privilege given to the particular class of whiskies manufactured in Kentucky, and it was given for three years. It is an enormous advantage to them, because it gives the distillers a longer time in which to pay the tax, for until the three years expire they need not pay the tax.

Now, to extend that to eight years it seems to me is not just or fair. At the end of eight years this whisky is more than doubled or trebled in value. It is worth more in the market. Some of it has evaporated, some of it has gone by leakage, and it is only the amount that comes to the warehouse at the end of the period when it is taken out for consumption that is counted. The result is that a discrimination has been made in favor of these whiskies, and now it is proposed instead of three years to extend the period to eight.

I feel very friendly to Kentucky, especially from the early associations and intimate connections between its people and the people of Ohio, but it seems to me we are giving them an undue advantage in this matter. There is no reason why, after these articles have been held for a reasonable time in a Government warehouse, when they are taken out of that custody, they should not pay the tax, and the idea of extending the bonded period eight years it seems to me is wrong.

In order to show the Senate that I am not speaking without authority on this matter, I ask to have read a letter from the president of the American Warehousemen's Association, residing in Chicago, Ill., in which he very well discusses this point, and very briefly and tersely.

The PRESIDING OFFICER. The Secretary will read as requested, in the absence of objection.

The Secretary read as follows:

AMERICAN WAREHOUSEMEN'S ASSOCIATION,
OFFICE OF PRESIDENT, 2 TO 8 NORTH CLARK STREET,
Chicago, Ill., June 25, 1894.

DEAR SIR: The American Warehousemen's Association, composed of all the leading warehouses throughout the United States, hereby earnestly protest against the extension of the bonded period for the storage of whisky in distillery bonded warehouses.

The entire direct trade interests involved, excepting a few distillers, are opposed to this measure, likewise the banking and insurance interests of the country, and it is only favored by the distillers, who now have a complete monopoly for three years and ask to have this monopoly extended five years more—eight years in all—simply because it will be a great benefit to them and will also at the same time relieve a somewhat distressing situation to them, due entirely to an unwise overproduction of their product on the part of the distillers.

The storage of bonded whisky on distillery premises is a complete monopoly in the hands of the distillers and a purchaser or a bank compelled to take possession of forfeited collateral in the way of bonded whisky is compelled to continue the storage of this whisky on the distillery premises in the hands of the distiller without any relief of any kind excepting by the payment of the tax, which is about five times the original cost of the article.

This class of merchandise must remain on the distillery premises, exposed to the hazards of a close proximity to the distillery and consequent danger of fire, in the hands of parties who are not in every instance reliable and alive to their duty as warehousemen, and often and generally located at remote interior points inaccessible at certain times of the year for the purpose of prompt shipment and delivery.

This situation the distiller now has the temerity to ask to be extended five years more as against all the interests above set forth, and simply for their own pecuniary benefit.

To overcome this uncommercial and unfair state of affairs it has for years been advocated by everyone excepting the distillers directly benefited by preserving their most complete monopoly, that special bonded warehouses be provided for at large centers, similar to those enjoyed by like interests in other countries, and by the brandy distilleries of this country (who have since 1877 had the privilege of special bonded warehouses) and to which under certain emergencies whisky might be removed in bond under such regulations as the Government may choose to prescribe, and there stored under Government supervision.

This measure has had the approval of several Secretaries of the Treasury and Commissioners of Internal Revenue, and has been repeatedly approved by the Ways and Means Committee, but has been repeatedly and successfully defeated by the distilling interests. It is, however, now embraced in the report of the Senate Finance Committee, but in such way as to be practically inoperative and, it is believed, especially drawn up in this way through the influences of the powerful distilling interests. Special bonded warehouses are provided for in your Senate committee's report, but to which whisky can only be removed by the distiller and with his consent. Naturally this consent will not be secured where the storage will be taken away from him and where it will interfere with his complete monopoly.

We most respectfully petition that the Senate Finance Committee's report be corrected in this respect, and that if the bonded period be extended, that special bonded warehouses be provided for, to which whisky can be removed at the option of owner of the goods upon his filing and executing such bond as the Secretary of the Treasury and Commissioner of Internal Revenue may see fit to require.

Very respectfully, yours,

F. A. WARNER, *President.*

By order Advisory Committee.

I have a number of papers, but I shall not trouble the Senate by duplicating substantially the same statements. I shall, however, ask to have read a letter from a firm of wholesale liquor dealers doing a large business in Kentucky Bourbon and rye whiskies in Cincinnati, showing the view they take of the extension of the bonded period.

The PRESIDING OFFICER. The letter will be read as requested, in the absence of objection.

The Secretary read as follows:

CINCINNATI, *June 18, 1894.*

DEAR SIR: We write to respectfully urge you to vote against any increase of the whisky tax and against any extension of the bonded period. The demand for the latter comes only from a few overloaded distillers and speculators. It is a repetition of the days of '83 and '84. Men depart from wise and conservative business methods and then come to Congress to lift them out of their difficulties. Ninety-five per cent of the dealers of your State would be damaged by an increased tax and especially by an extension of the bonded period.

It may seem bold to make any comment on the revenue features of the case to one so highly regarded as an authority upon such subjects as yourself. But we are unable to see where any increase of revenue could be derived by the Government for a year at least. The whisky trust, which has been urging an increased tax, will free several millions of gallons of spirits at the old rate of 90 cents. Great quantities of '91 whiskies now due are being tax paid, and every dealer in the land will tax pay largely at the 90-cent rate before the advanced tax could go into effect. For months after the passage of the act little, if anything, will be tax paid. The vast stocks on hand must first pass into consumption. It is an increased premium on illicit distillation, and a burden and a grievous one on the dealers who are your constituents.

Respectfully,

J. DEBAR & CO.

Hon. JOHN SHERMAN,
Washington, D. C.

Mr. SHERMAN. The two letters which I have caused to be read demonstrate conclusively that the trade, as it is called, in whiskies, etc., is against this bill except in certain limited localities. It is clear also from the demonstration which has been made there, that the amount of whisky on hand which will be withdrawn before the taking effect of this act, that is before the increased rate is applied, will be enormous, and the manufacture of whisky will suddenly cease. Two months after the passage of this bill no distiller will be able to conduct any large business, and no whisky will be produced except to be stored in warehouses.

All the whisky that will be produced after the taking effect of the law will be for consumption in the far distant future, and the stock on hand will have paid the tax of 90 cents a gallon. Whether it will be consumed in three years or not, no one can tell. According to the opinion of the writer, whose letter has been read to you, it will be several years before there will be any substantial demand for the whisky which has paid the tax of $1.10 a gallon. Therefore, you will be defeated in the object you have of gaining an increased revenue from this source, and the distillery industries will be suspended in all parts of our country. They will be compelled to stop because they will not, of course, be able to manufacture whisky to be held one, two, or three years, to be stored in warehouse at their expense. It will suspend the business of manufacturing whisky in all the Northwestern States, except probably the manufacture of that kind of whisky which is produced in Kentucky, which may have the benefit of the eight years' storage in warehouse.

Under these circumstances, without delaying the Senate further, with a keen sensibility that this will be of no use to the public at large and of no use to the revenue for some time to come, and probably not until a time when we shall not need it, I feel that it is a bad thing to do what is here proposed.

It pretends to do what it does not do. If the new rate could be applied to whisky which has been manufactured since the time the discussion of the question commenced, it would be different; but that would be unjust and unfair; indeed it would be an *ex post facto* law, which it would not be fair or right to attempt to apply. If you make the increased tax apply to the future, as is done by the terms of this bill, you stop the industry and there will be no demand for corn next fall in Illinois and other States where corn is largely used for this purpose. It will interfere very much with business at a time when business is dull, and it will not give you the revenue you desire.

That is what I believe will be the result of this proposed legislation, and therefore I shall vote against both features of this bill, against an increase of the tax and an extension of the bonded period.

I have a table here which I shall not read, which shows the effect of different rates of taxation on distilled spirits at different periods. The first tax that was levied was 50 cents a gallon; the second tax was $1; then it was raised to $2, when the manufacture ceased, until it was finally reduced, first, to 60 cents and now to 90 cents a gallon.

I believe that a tax of a dollar a gallon, maintained for a period of years without change, would yield us from whisky alone more than $100,000,000 of revenue. I have not recently looked at the reports of the Department, but I think the amount is now more than a hundred million dollars.

Mr. ALLISON. About $100,000,000.

Mr. SHERMAN. About $100,000,000, the Senator from Iowa says. It will go on increasing regularly, provided the rate of taxation is kept uniform; but a change in the rate of taxation at once disturbs the trade, stops the industry, and affects the revenue.

Therefore, I think it would be a wise matter of public policy to leave the tax as it is, or, if it is raised at all, to place it at a round dollar, and let it stand at that, and let the warehouse privilege expire at the end of three years. That is long enough to hold even Kentucky whisky, and if whisky is ever good at all it will be good at the end of three years, and those who want to keep it ten or fifteen years ought to pay the interest that accrues.

Mr. BLACKBURN. Mr. President, the Senator from Ohio has stated the two questions that are involved in the schedule now under consideration, and, as he always does, has stated those issues very clearly and very fairly; but I ask the attention of the Senate for a few minutes to some matters connected with those two issues to which the Senator has not drawn attention.

The two questions presented are: First, the increase of the tax on whisky from 90 cents, as it stands to-day under the law, to $1.10 as proposed by this schedule. The House of Representatives in the bill sent over to us proposed to raise that tax from 90 cents to a dollar. The Committee on Finance of the Senate has reported the bill back to us with an additional increase of 10 cents per gallon, making the proposed tax $1.10, as against 90 cents, as it stands to-day. That is one proposition involved here.

The other proposition is an extension of the bonded period; that is, an extension of the time in which the maker of whisky may be permitted to pay to the Government this tax, whatever amount it may be. Those are the only two questions presented here.

The Senator from Ohio has stated that he objects to the raising of the tax to $1.10. So far as I am concerned I never wanted it. I was entirely content to leave that tax, as the Senator has suggested, undisturbed at 90 cents per gallon. I was entirely content, and am entirely content now, to accept the proposition of the House of Representatives, which is an even dollar, instead of a dollar and ten cents, as recommended by our committee. There is no disagreement between the Senator and me on that issue.

But when we come to the other, the extension of the bonded period, I beg to call the attention of the Senate and the country to the fact that the public is in error. I doubt not that most of the Senators upon this floor believe this day and this hour, when dealing with this question, that all of the whisky made in this country is to be affected by this extension of the bonded period. If so, they are woefully mistaken. What are known as high wines are not at all affected by this extension of the bonded period. No value is added to that whisky by any length of time that you may give it storage in the warehouse. High wines are as valuable and command as high a price in the market when they run warm and fresh from the worm as they do when they are forty years old.

Less than one-third of the whisky made in this country is to be affected by the extension of the bonded period; none is to be affected that is used in the arts; none is to be affected except those high-grade whiskies which are aged for use as a beverage.

Mr. VOORHEES. Will the Senator state what proportion of the entire product that is?

Mr. BLACKBURN. I have not the tables before me, but I am sure I am within the mark when I say less than 33⅓ per cent.

Mr. ALLISON. About 30 per cent.

Mr. VOORHEES. That is right.

Mr. BLACKBURN. I thank the Senator from Iowa—about 30 per cent of the whiskies made in this country are to be affected by this provision, and no more.

The Senator from Ohio is mistaken, I am sure, when he says that three years is sufficient. I want every Senator to vote intelligently upon this question. The law as it stands to-day allows to the manufacturer or maker of whisky three years in which to pay the tax. If withdrawn before the expiration of three years, if withdrawn in one year or within one month from the making of the goods, the tax of 90 cents a gallon must be paid; but at the end of three years the goods must be withdrawn; it is a compulsory law, they must be withdrawn from the warehouse and the tax must be paid as the law stands to-day.

Mr. SHERMAN. As the bill stands?

Mr. BLACKBURN. No, sir; under the existing law.

Mr. SHERMAN. The period is three years now.

Mr. BLACKBURN. I say under the law the whisky maker has three years in which to withdraw the goods, but whether he has found a purchaser for his product or not, whenever the three years expire, under the law as it stands to-day, he must withdraw that product and pay the tax.

The Committee on Ways and Means of the House of Representatives reported in favor of the extension of that bonded period. The House struck out that portion of the bill as reported by its Committee on Ways and Means, and left the law as it stood before.

Mr. STEWART. I should like to know from the Senator what time it takes for whiskies and brandies to mature and get to their best condition?

Mr. BLACKBURN. I am obliged to the Senator for putting the question, and I shall answer it.

Mr. STEWART. I asked the question because the answer to it may have some influence on my vote. It seems to me spirits should remain in warehouse until they mature, for if the owners are compelled to withdraw them before maturity it might destroy the production.

Mr. BLACKBURN. That is precisely the gist of the argument upon which we stand on this matter.

I appeal to Senators who sit around me, and who know. The Senator from Ohio says that three years are long enough to perfect even the Bourbon whiskies made in Kentucky. The Senator is mistaken. I am sure he does not claim to testify from the standpoint of an expert in this matter, and the Senate knows that that is not enough time.

Mr. President, it is the united testimony of every man who has made this a specialty, or dealt in it, that of these high-grade whiskies more than 50 per cent of the product is manufactured and made within the State of Kentucky. They will agree that three years does not age these high-grade Bourbon whiskies to a point where they are fit to be put upon the market. They vary in their estimates from five to eight years.

I know the prejudice that is cherished by many of the good people of this land against the manufacture of ardent spirits. I have no quarrel with those convictions.

Mr. PEFFER. Will the Senator allow me to ask him a question at that point?

Mr. BLACKBURN. Certainly.

Mr. PEFFER. I wish to ask the Senator from Kentucky whether, as the aging process proceeds, the value of the liquor increases?

Mr. BLACKBURN. I will answer the Senator, and say yes; and in further answer I will say, that as these high-grade whiskies age from year to year, the value per gallon does increase, but they shrink in quantity in the packages, and the maker loses the shrinkage, whilst he makes upon the other hand the increase of value attaching to the goods.

Mr. PEFFER. I ask the Senator if the increased value is not greater proportionately than the diminution by leakage?

Mr. BLACKBURN. It is impossible to answer that, because under the present law, which forces the manufacturer to take his goods out of bond before the end of three years, before they have matured, before they have ripened, before they are ready for market, it is impossible to tell what the comparative loss and gain of the manufacturer may be.

But what I wanted to say was, that no matter how well founded the prejudice or the opposition of any portion of our people may be to the manufacture of brandy or whisky or intoxicants of any sort, as fair-minded men we must deal with these subjects of taxation on equitable principles. You make them the subject of taxation; you pour into the coffers of your Treasury, according to the statement correctly made by the Senator from Ohio, $100,000,000 of money every year that you gather from the men who make these goods.

Now, if you wish to deal fairly with them, I beg that you will bear in mind that, of all the articles subjected to taxation in this country, this is the only one which is taxed upon the theory of production instead of upon the theory of consumption. You put a tax upon tobacco, but the grower and owner of that tobacco is not required to pay that tax until the product is put upon the market for sale. There is not upon your tax list a single article to be found, except whisky and brandy, that you tax upon the theory of production instead of upon the theory of consumption.

It is true of cigars; it is true of everything upon which the taxgatherer lays his hands. You are taxing whisky to-day 400 per cent upon the value of the raw product; you are taxing it, according to the proposition of the House of Representatives, $1 per gallon; you are taxing it, according to the proposition of the schedule in the bill as reported by the Committee on Finance in the Senate, $1.10 a gallon.

The makers of these high-grade whiskies make no complaint that on whisky worth from 20 to 25 cents a gallon, as it runs from the still, you are levying a tax of from 400 to 500 per cent upon the value of the product. They make no complaint of that; they are perfectly willing to stand at 90 cents, which the law puts upon it now; they are perfectly willing to accept the House rate of $1; they are perfectly willing to accept the Senate substitute of $1.10 a gallon. It is not that they are paying 400 and 500 per cent upon the value of their product that they complain; but they simply ask in common fairness that you will so extend this bonded period as to give them the same rate that you accord to every other producer of every other product; and that is, the right to pay their taxes when their property is ready for sale.

Mr. SHERMAN. Let me call the attention of my friend to the fact that the leakage is to be deducted.

Mr. BLACKBURN. For only four years. It provides an extension of eight years, but gives no shrinkage for the last four years, when the owner of the whisky is to lose all of it.

Mr. SHERMAN. But the rule of deduction applied here is very liberal to the distillers. I will read it:

Provided, however, That the allowance which shall be made for such loss of spirits as aforesaid shall not exceed 1 proof gallon for two months or part thereof; 1½ gallons for three and four months; 2 gallons for five and six months, etc.

Mr. BLACKBURN. But it stops at the end of four years.

Mr. SHERMAN. The deductions are made at any time during the four years.

Mr. BLACKBURN. The Senator will allow me. This loss is not arbitrary. The owner of the whisky is not to be allowed this deduction from the package or cask; he is to be allowed only such shrinkage as actually occurs; but in no event to exceed an amount stated in the bill.

Mr. SHERMAN. But the scale of loss is very different. I shall read it.

Mr. BLACKBURN. Certainly; but if it has not leaked out of the barrel he does not get an allowance.

Mr. SHERMAN. That may be; that is an important element. The provision is:

Provided, however, That the allowance which shall be made for such loss of spirits as aforesaid shall not exceed one proof gallon for two months or part thereof.

A cask, I suppose, contains about 40 gallons.

Mr. BLACKBURN. About 40 gallons; just the same as the law is to-day.

Mr. SHERMAN. The provision continues:

One and one-half gallons for three and four months; 2 gallons for five and six months; 2½ gallons for seven and eight months; 3 gallons for nine and ten months; 3½ gallons for eleven and twelve months; 4 gallons for thirteen, fourteen, and fifteen months; 4½ gallons for sixteen, seventeen, and eighteen months; 5 gallons for nineteen, twenty, and twenty-one months; 5½ gallons for twenty-two, twenty-three, and twenty-four months; 6 gallons for twenty-five, twenty-six, and twenty-seven months; 6½ gallons for twenty-eight, twenty-nine, and thirty months; 7 gallons for thirty-one, thirty-two, and thirty-three months; 7½ gallons for thirty-four, thirty-five, and thirty-six months; 8 gallons for thirty-seven, thirty-eight, thirty-nine, and forty months; 8½ gallons for forty-one, forty-two, forty-three, and forty-four months.

Mr. BLACKBURN. But there it ends.

Mr. SHERMAN. I know; but that makes a very liberal allowance.

Mr. BLACKBURN. I grant it; but I beg the Senator's attention to the fact that the owner of the whisky is allowed here not exceeding eight and a half gallons for shrinkage or leakage or loss for the whole period of eight years, provided the barrel shows he has lost that much. He is not allowed under this bill one drop of shrinkage, evaporation, or leakage except what the actual gauge of the package shows he has lost.

If that barrel is empty, if the 44 gallons have all run out, he can not be allowed more than 8½ gallons, and he loses the balance. So this is not an arbitrary allowance of shrinkage. It is the maximum allowance which can be made for shrinkage, but in no case shall he be allowed one drop more of shrinkage than the gauge shows he has actually sustained.

One proposition more, and I shall be done. The Senator says that for two years, probably, if this bill is passed, it will not tend to increase the revenues of the Government. That is a matter of speculation; at best that is a matter of opinion, upon which well-informed Senators upon this subject, as is the Senator from Ohio, may very well differ.

I say that this bill is predicated upon the recommendation of the Treasury Department and of the Commissioner of Internal Revenue, looking to the best interests of the Treasury and the revenues of the Government. Those officials, charged with this specific duty, are mistaken in their calculations and they have misled the Committee on Finance of the Senate and have misled us all, if this bill, when enacted into law, proves detrimental to the Treasury of the Government or reduces its resources. The Government's revenue from this article, in the opinion of the Treasury Department, will suffer no diminution; but, upon the contrary, will be increased, and you can see why.

The Senator from Ohio says that he is afraid to give these people eight years. Practically considered, under the law as it stands to-day, the makers and owners of these high-grade whiskies have eight years and eight times eight years in which to pay this tax, if they see fit and choose to avail themselves of their advantage. Under laws, wise laws, which the Senator from Ohio helped to frame, he knows that the holders of these whiskies, unaged at the end of three years, unfit for market, without the money with which to meet the demands of the Government to pay the tax of 90 cents per gallon, did last year, and did the year before last, ship out of this country, export from the United States, millions upon millions of gallons of these goods, paying freight both ways, storing them in foreign warehouses, paying warehouse charges to foreigners instead of to our own people. They can let these goods lie there abroad for eight years, or for forty years, or one hundred years; and, what is more, they are doing it; they are forced to do it.

By reason of your short limit of time, you have driven them to the policy of exportation. More than that, the Government is the loser by the shipping of this whisky abroad and storing it in foreign warehouses for one year or ten years. When it is brought back to the custom-house in New York, what is paid? Not 90 cents a gallon upon the original contents of that cask or package, but when it comes back to the custom-house in New York it pays 90 cents per gallon on what is in the barrel, and no more. The Government has lost its tax of four hundred times the value of the product upon every drop which has wasted, evaporated, or leaked during its foreign voyage and foreign stay.

Mr. VOORHEES. Will the Senator from Kentucky yield to me?

Mr. BLACKBURN. With pleasure.

Mr. VOORHEES. I was going to ask the Senator to allow me a moment, in connection with the statement which he is making so strong and so well. I want a sort of verification from him upon a statement of my own, with which I opened this discussion on the 2d of April. I made this statement then, and it has not been contradicted since or called in question, and I reproduce it now to challenge the attention of the Senator from Kentucky, and also the attention of the Senator from Ohio:

As to the extension of the period during which distilled spirits may remain in bond before being required to pay the Government tax, it is proper to say that there is no new privilege given by such a provision in the bill before us. The owner of distilled spirits has the right now, and at all times, to export his goods to foreign countries for an indefinite period, hold them there as long as he pleases and until they acquire the age he wants them to have, or until a profitable market revives here at home, then import them back to his own country for sale, paying a customs duty equal to the revenue tax, and securing a still further delay in making payment, if he so desires, by placing his spirits in a customs bonded warehouse on their return.

The customs duty on such reimported spirits is, of course, collected only on the quantity actually contained in the casks or packages when they start back, the owner being subjected to loss on account of the inevitable leakage and waste of an ocean voyage and storage in a foreign warehouse and the Government being at considerable expense in connection with the exportation of that portion of the spirits which is never returned to this country and consequently never tax-paid. Here is a loss to the Government which I am authorized by the Commissioner of Internal Revenue to say will not occur under the extension provided for in the pending bill, and that such extension, with the safeguards provided for in this bill, will not increase the cost of collecting the revenue from distilled spirits.

That statement was made on the 2d day of April on this floor. I have never heard its accuracy challenged or questioned.

Mr. BLACKBURN. No; and I apprehend it will not be challenged, because it is supported by the Treasury Department, and is true in every detail.

I have never heard of a whisky maker, I have never known of a whisky dealer, who will assert that at the expiration of three years these high-grade products of my State, and other States, Pennsylvania and Tennessee, is fit for consumption. It goes into the hands of the middleman. The manufacturer of whisky must have capital enough to build or buy his plant and conduct and carry on his business as in any other vocation. Then, if he is to pay taxes upon that product before it is ready for market, he must have money enough to pay 300 or 400 or 500 times the cost of the product of his labor before he has a right to go into the market and offer it for sale.

The consequence is that this high-grade whisky at the end of three years is driven into the hands of the middleman, the jobber, the dealer, the whisky trust of this country, and they are

the men who stand here to-day protesting against an extension of the bonded period.

Mr. PLATT. Why?

Mr. BLACKBURN. For the best reason in the world. When you, as a distiller, find at the end of three years that your goods must come out of bond and you have not money to pay the tax, you are forced to sell to the middleman, the whisky dealer, and the whisky jobber. He has you in his power and holds you at his mercy, and dictates the price. He fixes the market, and you are powerless to avoid it.

The consequence is that the rectifier, the doctor, the juggler with these goods comes into possession, and a mixture is put upon the market and sold to the consumer, which would be avoided if we extended the bonded period and allowed the maker to hold his goods until they were ready for the market. If we allow him time to hold those goods until they are ready for consumption, then the manufacturer undertakes to sell to the consumer direct, and the middleman, the dealer, has lost his employment.

I hold in my hand and send to the Secretary's desk a telegram, which is but a sample of hundreds of telegrams and letters I have received in the last few days, warning the Senate that the whisky trust is the party which is opposing this extension, for it does away with their business, it strips them of their privileges. Did any man ever hear of a manufacturer of whisky being a member of the whisky trust? I apprehend not. It is the dealer, it is the jobber, it is the middleman who opposes the extension because, as long as the law is as it is to-day, it forces the maker to sell to him before it can go to the use of the consumer——

Mr. PLATT. This is the case, then: The whisky trust, as I understand, sells raw spirits to the rectifiers and compounders and jugglers, as the Senator says; and if the rectifiers and compounders can buy these whiskies before they are properly aged, then the whisky trust will have so much less trade, will they?

Mr. BLACKBURN. No, sir; it is exactly the other way. I say, under the law as it stands to-day, if you do not give the extension of the bonded period, assuming, as I do, that the high-grade whiskies are not ready for the consumer, for consumption, when they are three years old, the manufacturer has not the money to pay 400 or 500 per cent in the way of tax, and he is forced into the hands of the dealer. The dealer buys whisky that is too young for use. He knows that. He compounds it, he rectifies it, he medicates it, and in quasi fashion by these processes he ages it and puts it on the market.

A diluted, a doctored, and an inferior article is what is thrust upon the market, bearing upon it the brand that is found upon the other, which is as good and as pure a high-grade whisky as was ever made upon the earth. He buys probably one of the best brands made in the land; he rectifies and doctors it, and then puts it on the market under that brand. If you had allowed additional time to the owner of the article, until age had done what this rectification can never do, the result would have been that at the end of five or six or eight years a pure, developed, ripened article would be put on the market, instead of a miserable, doctored, medicated stuff that has been aged thus prematurely.

Now, I ask the Secretary to read the telegram, signed as it is, I believe, by every one of the leading whisky men of the city of Louisville.

The PRESIDING OFFICER. The Secretary will read as requested, in the absence of objection.

The Secretary read as follows:

LOUISVILLE, KY., *June 11, 1894.*

Hon. J. C. S. BLACKBURN:

We believe the whisky trust and their followers are doing all they can to defeat the extension of the bonding period. We, as wholesale liquor dealers, urge you to stand firm for the extension, especially if tax is increased.

Brown, Forman & Co.; J. T. S. Brown & Sons; E. H. Chase & Co.; C. P. Mooreman & Co.; Paul Jones & Co.; The Belle of Bourbon Company; Schwabacher & Co.; Greenbrier Distilling Company, by G. McGowan, secretary and treasurer; William M. Collins & Co.; Bartley, Johnson & Co.; Rosenbaum & Dreifus; The H. A. Thierman Company.

Mr. BLACKBURN. I have had the telegram read in order that it may be printed, and that it may be seen in the RECORD by whom it is signed. The names attached to it represent several of the largest whisky manufacturers and the biggest distilleries in the State of Kentucky. They tell me, what I have seen with my own eyes, that the representatives of the jobbers, the dealers, those in the employ of the whisky trust, are around the corridors of this Capitol this day, and have been every day for the last two weeks, opposing the extension of the bonded period.

Look at it for yourselves, and you will see that it is utterly impossible that anybody should be opposed to this extension, except it be those very men who make up and constitute the whisky trust of this country.

The Treasury Department tells you that your revenues are not going to be diminished, but that they are going to be increased. The Treasury Department recommend the very schedule that is now under consideration.

Remembering that of all the taxed articles in this country, this is the only one, whether it be a vicious article, like tobacco, or spirits, or what not, that you tax in advance of its maturity, that you tax upon the theory of production instead of consumption, I appeal to the Senate, in a sense of common fairness, to deal justly by this interest bringing into the Treasury every year, as you are told by the Senator from Ohio, a hundred millions of money with which to defray your expenses and pay your debts. Deal with it fairly; do not force it to enter the market when it is not fit for the market; do not force it into the hands of the middleman and the Shylock who stand there collecting commissions and tolls at both ways of the gate; do not force the holder to do as he has been doing for the last three years, to evade the payment of taxes temporarily by shipping it, millions and millions of gallons a year, to foreign ports and paying storage to foreign warehouses, and paying ocean freights both ways, and bringing it back when it suits him to put it upon the market. Let him keep his goods at home; let him pay the warehouse charges to our own citizens; let him hold his product until the law of supply and demand shall call for its consumption, whether that be one year or seven years.

When there is a demand for this product it will come out of that warehouse and seek its market; but you fix your limit, and at the expiration of that time you force him to take it out. I only ask that you put that limit at such a period as will give to him what the owner of every other species of property in this country has, a right to hold his property until it is fit to be sold.

Mr. ALLISON. Mr. President, I regard this as a very important question, inasmuch as it involves a very large amount of revenue; and, although not an expert in the manufacture or in the use of this article, I venture to suggest a few observations respecting it.

Distilled spirits are recognized and have been recognized in our laws as a proper subject of taxation, and we tax them and have taxed them in the past at what might be called the revenue point, that is, levying such taxes as would yield the largest revenue. I remember very well when in 1866 we taxed distilled spirits $2 a gallon, that under that law in 1868 we received in revenue about $14,000,000 only.

In 1868 we changed the entire system of levying taxes upon distilled spirits, first, by providing the system of stamps which now prevails; and, secondly, by providing a certain amount of tax to be paid at the distillery, and also an additional amount of tax to be paid as the distilled spirits were distributed and finally reached the consumer. If I recollect aright, the tax at the distillery was 50 cents a gallon; then we taxed the wholesale and the retail dealer; and we taxed the rectifier of spirits so much a gallon. Thus, by this combination of taxes, we provided about 75 cents a gallon as the totality of tax to be paid by the consumers of the country. In the first year, when the tax was $2 a gallon, we only raised $14,000,000, and under the law, with the tax lowered and distributed in the way I have stated, we were able to secure, I think, about $42,000,000.

From 1868 up to the present moment distilled spirits have formed one of the principal sources of revenue in our country, and perhaps the largest single source of revenue since that time.

In 1875, under the recommendation of the Secretary of the Treasury, there being supposed at that time to be a stress for additional revenue, at a short session of Congress, and without very much discussion, we increased the tax upon distilled spirits from 75 cents to 90 cents a gallon, and relieving the distributive taxes, which I have described, except only the special tax upon retail and wholesale dealers.

Mr. President, from that time to the present, under the system of laws which we passed in 1878, without any material change, we have collected a continuously increasing revenue from distilled spirits.

In 1879, I believe—I may be mistaken, and if so, Senators familiar with the bonded period will correct me—we authorized distillers to hold distilled spirits in bonded warehouse for the period of three years, under the control of the Government of the United States, having an officer in charge of the warehouse, and that officer and the distiller each having a key to it, the Government paying the cost of the storekeeper having the care of that warehouse.

It is true, as was stated by the Senator from Kentucky, that under a law which was not originally intended to be applied to distilled spirits, but under a general law which authorized the exportation of American products and their reimportation upon the payment of the internal tax, if an internal tax had been col-

lected, they were entitled to reëntry in the United States. That is the situation at this moment.

Now, it is proposed to increase this tax from 90 cents to $1.10 a gallon. As I think I said in the beginning of this debate, if it were necessary for the purpose of raising revenue to carry on the Government, I should be willing to enter upon the experiment of increasing the tax upon distilled spirits in order to raise additional revenue, because I think distilled spirits a proper subject of tax up to the point of the highest revenue.

I should myself prefer that this tax should not now be raised beyond $1 a gallon, and I object to its being so raised, for two reasons: First, if we raise the tax to $1.10, thus raising it 20 cents a gallon, we hold out an inducement to those who have distilled spirits now in bond to abnormally withdraw those spirits from bond before the tax takes effect, thereby throwing upon the market an amount of distilled spirits which it may not be able to take, and thus depress the price of an article in which the Government has a great interest through its taxes.

But I have still another reason why I should not increase the tax beyond $1. For the last ten or twenty years, at least at every recurring period when we were providing for taxation, we have endeavored to follow the example of England and one or two European countries by providing for the methylation of spirits, in order that that great body of American industries which are compelled to use alcohol might not be subjected to the tax. I believe the Senator from Connecticut, whom I do not see in his seat, has offered to this bill a long amendment looking to the methylation of spirits, whereby our own consumers of alcohol in the arts may secure those spirits without the payment of any duty.

It must be remembered that in this great country of ours we now consume in the arts 24,000,000 proof gallons of distilled spirits. Therefore, of the total consumption in the United States of distilled spirits, it may be safe to say that 24,000,000 gallons of proof spirits on which the tax is paid do not enter into consumption as a luxury, or as a beverage, but enter into consumption in our thousand and one varied arts and industries. I would not, if I could avoid it, impose upon these industries an additional burden in the form of taxes, because I do not believe we are likely to secure any legislation which will relieve them from the taxes by allowing them the use of spirits in bond.

Therefore, unless it is considered by those managing the pending bill that the condition of the Treasury requires a tax of $1.10 a gallon, I should prefer that the tax should be $1. If this bill passes as it now stands, I venture the prediction that there will be an enormous amount of revenue received under the bill when it shall fairly come into play, if it ever does, beyond the necessities of the Government, and any reasonable administration of its affairs.

Mr. GRAY. The Senator from Iowa has had great experience in all fiscal matters and matters of revenue, and I should like to ask him whether, in his judgment, from such study as he has given this subject, there is not a point at which the tax may be placed so high as to defeat the object of increasing revenue; that is, whether it is not pretty well ascertained that the revenue point has been about reached at the present tax, and whether there is not danger by increasing the tax of decreasing the revenue by magnifying the temptations to illicit distilling and illicit marketing of whisky?

Mr. ALLISON. The 90 cents a gallon tax which has prevailed since 1875, I think it may be said, has been fairly and pretty fully collected, although in certain regions of our country, on the mountain slopes and in the narrow valleys of some States of this Union, there are to be found large numbers of what are called illicit distilleries, where men still believe that it is an outrage to impose a tax upon one of the necessaries of life [laughter], and where, in various ways, they do evade, and have evaded all these laws. I have not referred to the report of the Commissioner of Internal Revenue, but I think he states in his report that last year there were illicit stills destroyed to the number of about 800 in certain States of this Union, principally in the mountain regions of our country. It is important to the Government that its revenue should be preserved at least to the point where it is now.

Mr. GRAY. The revenue point.

Mr. ALLISON. The revenue point.

Therefore, I do not like for myself an increase of the tax upon this article beyond $1.

Mr. VOORHEES. Will the Senator allow me?

Mr. ALLISON. Yes.

Mr. VOORHEES. In response to the inquiry of the Senator from Delaware [Mr. GRAY] I will say that the present Commissioner of Internal Revenue, a man of very large experience and a very practical officer, with whom I conferred very fully at every step of this subject, expresses no doubt whatever of the successful collection of the amount fixed in the pending bill. He thinks it will be quite as successful as the 90 cents a gallon tax, and states that there are none of the dangers connected with it which are suggested by the Senator from Delaware.

I will state further that the Secretary of the Treasury himself, a great authority upon questions of this kind, entertains similar views. Had they entertained different views this bill would not have been here as it is.

I am not tenacious about this amount, but so far as I am responsible for it I acted in harmony with those wiser in these things than I am.

Mr. ALLISON. I ought to say that I have had a conversation with the Commissioner of Internal Revenue, and he expressed the opinion that $1.10 per gallon could be collected under the machinery as now in existence with reference to distilled spirits. Of course, with my lack of knowledge and experience, I should not run counter to a well-matured opinion of an officer experienced in the collection of such taxes.

Mr. VEST. I should like to ask the Senator from Iowa a question for information. There is one matter which has given me a good deal of trouble. The Senator spoke about the inducement that would be given to these parties who have whisky in bond, if the tax were increased, to take it out of the bonded warehouse in order to get the increased price in the retail or wholesale market. Is it not a fact that the consumption of whisky in the United States, both in the arts and for drinking purposes, is pretty well fixed in proportion to population? In other words, can not the Commissioner of Internal Revenue make a fair estimate as to the amount that is or will be consumed in the United States each year?

If that be true, and I am so informed by the Revenue Bureau, any man having whisky in a bonded warehouse, who would take it out, unless there was a demand for it, would take it out at a loss to himself, because the inevitable result of overstocking the market would be to put down the price. It seems to me it would not operate as the Senator from Iowa suggests.

Mr. ALLISON. I think I did suggest that an abnormal withdrawal of a large amount of distilled spirits would have the effect to put down the price.

Mr. VEST. It would unquestionably put the price down if the market were overstocked.

Mr. ALLISON. Of course, each man who withdraws his spirits will hope that the prices will not go down until he sells it to the next man. But I spoke of the inducement of an increase of 20 cents a gallon on distilled spirits as likely to produce an abnormal withdrawal of spirits, if I may use that term.

Mr. VEST. What I meant to suggest, if the Senator from Iowa will permit me, is that I think this matter regulates itself.

Mr. ALLISON. It does very largely, I agree.

Mr. VEST. I have never had any particular interest in the matter, and I only get my information from the Treasury Department and the statements in the newspapers. For instance, it was stated that the trust, as it is called, with headquarters at Peoria, Ill., had about 8,000,000 gallons of whisky in bond when Congress met, and that when the bill was reported which put the increased tax upon it, they had taken out all, or the larger portion of it, and put it upon the market, and thatt he effect of their doing so was to put down the price of whisky, and that stopped other persons from taking out their whisky from bonded warehouses.

I was told by the Commissioner of Internal Revenue that the prospect of an increased tax upon whisky had increased the duties collected by the Government one-third, by parties undertaking to get it out in order to obtain the increased price. But when they struck that point where the demand in the market was satisfied, whisky commenced falling, and they were forced to stop.

Mr. ALLISON. I have no doubt that matter would regulate itself in a great measure. It is also true that if you will take the internal revenue reports for a series of years they will disclose a small decrease per capita of the consumption of distilled spirits in the United States, although a constantly increasing consumption of course by the increase in population. The reports will also show an increase in the consumption of fermented liquors per capita.

Now we come to the point as to what we ought to do here as respects this question, leaving aside for the moment the question of a tax. In the first place, I intend at the proper time to offer an amendment which will look to the doubling of the special taxes upon distilled spirits, and by that process we can reduce at least to the extent of 10 cents a gallon the cost of alcohol to the consumers of alcohol in the arts. As to the extension of the bonded period, whilst it is true that under the general laws now the producers of distilled spirits may export them at the end of three years and return them when they will, yet it is inconvenient and it is done only to a small extent.

I made inquiry at the office of the Commissioner of Internal

revenue some weeks ago as to the amount of distilled spirits now abroad under this process, and although I received no written communication from him, my recollection now is that he stated that the total amount of spirits abroad at this time is about 4,000,000 gallons. So there is a very small portion of whisky abroad compared with the amount existing in our own country.

Mr. LINDSAY. I should like to ask the Senator from Iowa whether he is not mistaken? Were not 4,000,000 gallons withdrawn for export during the past year?

Mr. ALLISON. If the Senator has the statement there, I should be glad to have him read it.

Mr. LINDSAY. In 1893 there were withdrawn for export 3,762,231 gallons, and in 1892 there were withdrawn for export 3,218,787 gallons. I can not remember where I got the information, but it is a fact that there are over 10,000,000 gallons now abroad.

Mr. ALLISON. I am subject to correction as to that matter. Of course we find that information in the reports. I asked the Commissioner what was the amount of distilled spirits now abroad and likely to be returned under the provisions of the proposed act, because I called his attention to the fact that under the provisions of the proposed law sixty days were to be given after the passage of the act to withdraw the spirits before the tax of $1.10 went into effect. Although I have no authority to quote the Commissioner, I asked him the question whether the proposed act should not go into effect on its passage, and whether it could not be enforced if it went into effect on its passage.

Mr. LINDSAY. If it will not disturb the Senator from Iowa——

Mr. ALLISON. No, it will not.

Mr. LINDSAY. I think I can state a reason why, if the bill becomes a law, whisky will not be withdrawn for the purpose of getting the benefit of the 20 cents tax. The bill gives an extension of one more year for the loss of spirits of 2 gallons. By keeping it at home the owner of the whisky would save those 2 gallons and the tax that he pays upon it, and he would also save the interest which he pays on the money expended in the payment of the tax on the 2 gallons, and that is more than he would gain by exportation.

Mr. ALLISON. I am obliged to the Senator for calling my attention to that because it did occur to me at the moment that the proposed law gave this great additional advantage to those who have spirits now in bond. But my own impression is that the proposed law can take effect immediately and be enforced, although it shall take effect immediately.

Mr. LINDSAY. I do not object to that.

Mr. ALLISON. Very well. Now, that is the situation.

We have been told, and I have no doubt it is practically true, that, to use an outside estimate, not more than one-third of all the distilled spirits that pay taxes are embraced within this bonded provision, and two-thirds of them are not embraced within the provision. It was said by the Senator from Kentucky that these lobbies and corridors are surrounded by people who are interested against the extension of the bonded period. I have not been so fortunate as to encounter any of them, and therefore I may be in ignorance of a great many things I ought to know with respect to these details.

But it strikes me that if two-thirds of the distilled spirits produced in the United States are compelled to pay the tax immediately, it must be a boon to the other one-third, which are given eight years' credit to pay the same thing. It seems to me so, but I may be mistaken.

Mr. LINDSAY. The Senator does not mean to say that the other two-thirds could not have the advantage of the bonded period if they choose to avail themselves of it?

Mr. ALLISON. I mean to say that there are two ways, as I understand it, of manufacturing distilled spirits. One is the Kentucky way, and if neither Senator will be offended I will say the other is the Illinois way. One is through the process of high wines and continuous distillation to the point of alcohol. Our Kentucky distillers make no alcohol. Therefore it is that all the alcohol which pays tax pays it, as it were, at the mouth of the still. Who would think of putting alcohol in bond? Alcohol is not put in bond. It is manufactured and used as it is manufactured, and therefore every particle of distilled spirits which is resolved into alcohol pays the tax immediately.

I have stated that it is a burden upon the consumers of alcohol in the arts. Therefore, we require the people of the United States, who consume alcohol to the extent of 24,000,000 gallons of proof spirits annually, to pay immediately, and yet we give what are called table whiskies, if you please, luxurious whiskies, eight years; for what purpose? For the purpose of maturing, as the senior Senator from Kentucky [Mr. BLACKBURN] says; that is, that a table whisky is not fit for consumption until it has arrived at the mature age of eight years.

Mr. VEST. I do not ask the Senator from Iowa as an expert, but as a matter of information, is that true? Is it not four years? Is there any improvement in the Bourbon whiskys as they are called after four or five years?

Mr. ALLISON. I have been told by experts——

Mr. VEST. The Senator from Kentucky can tell us. I am a Kentuckian by birth, but I have been so long away from the State that I have lost my interest in whisky.

Mr. ALLISON. The Senator from Kentucky talked about doctoring awhile ago. I know about one process of doctoring, which is a familiar one; that is, to take ten barrels of the Illinois brand (if I may use that distinction merely to show the difference) and mingle it with one barrel of the Kentucky brand, and you get a Bourbon whisky very good to the taste, I have been told.

Mr. LINDSAY. No, you do not get the Kentucky flavor.

Mr. ALLISON. The Senator from Kentucky says no. I only know that I have been told that such a process is going on.

Now, if the bonded period is to be extended to eight years, or if it is extended certainly beyond four years—it is three years now, and I do not myself wish to disturb existing relations as respects our tax upon distilled spirits—whisky should be taxed certainly 5 cents a gallon for each year beyond four years. If the distillers do not want to pay it, then they can withdraw the whisky for consumption.

The senior Senator from Kentucky [Mr. BLACKBURN] dwelt largely upon the fact that this is the only article which is taxed at the point of production, and that therefore it is an exception. With the exception of the bonded period of three years, which we now allow to articles imported into the United States, which includes brandies and all distilled spirits, wines (articles which have been reduced in tax in the bill), so that they have three years to mature in the New York custom-house, there is no such exemption given anywhere as is given to Kentucky bourbon whiskies. The Senator says the tax upon tobacco is paid when the tobacco is sold. So it is; but who would ever think of retaining tobacco in order to improve it by age?

I never knew of but one instance of that kind, where a gentleman, who said he never smoked a cigar, offered me one after dinner and said he knew it was good, because it had been in his house twenty years. [Laughter.] All tobaccos must be consumed when they are new and fresh, and so of all the other articles which come within the range of our taxation. So, if we are to give this class of whiskies exemption from tax for eight years, then they should pay at least 5 cents a gallon for each additional year they are in bond. But I am afraid of the extension of the bonded period.

Mr. VEST. After what period?

Mr. ALLISON. After four years. I am afraid of the extension of the bonded period, and I will say so frankly to the Senator from Kentucky. I will ask the Senator from Kentucky what number of gallons are now in bond in the United States? I have not the Commissioner's report before me, but I venture the statement that there are 140,000,000 gallons, or at least 130,000,000 gallons.

Mr. ALDRICH. There were 134,000,000 gallons at the time the Commissioner's report was made.

Mr. LINDSAY. That is about the quantity—134,000,000 gallons.

Mr. ALLISON. There are about 134,000,000 gallons of whiskies in bond, and if they comprise one-third of the consumption, there is now four years' supply of this class of whiskies in bond, because, although it was said a moment ago——

Mr. LINDSAY. The largest amount of that, however, is neutral spirits, not straight whisky.

Mr. ALDRICH. The Senator from Kentucky is mistaken about that.

Mr. ALLISON. Neutral spirits do not go in bond.

Mr. ALDRICH. At the time there were 134,000,000 gallons in bond in all, there were only 4,755,000 gallons of neutral spirits.

Mr. ALLISON. I did not know there was so much. I know that neutral spirits do not go into bond. So what I am afraid of is, that if we extend the bonded period to eight years without providing some inducement, by additional tax, which will take the spirits out of bond, we shall have, at the end of five or six years, such an overproduction of this class of goods that it will break down the tax and destroy the revenue. Therefore there is a double element of danger, in my mind, as respects the extension of the bonded period.

These are all the observations I desire to make as to the general policy of the bill. I should be glad if the provision for an extension of the bonded period could be eliminated, and I think it could be very safely left out of the bill entirely. If it is to remain, however, I shall at the proper time offer an amendment

which will be a relief, at least, to the users of alcohol in the arts.

Mr. VEST. I should like to ask the Senator from Iowa one question. If we increase the revenue duty upon whisky at all ought we not to extend the bonded period?

Mr. ALLISON. I think I see the force of the Senator's question. It is that if we do not extend the period we will break down the system because of such a large amount of spirits being held in bond which must immediately be taken out of bond. It may be that a small extension may be necessary on that account. I know of no other reason.

Mr. VEST. I wish to state what I had principally in mind. We have permitted owners of whisky to put it into bonded warehouses at 90 cents a gallon. If it was not a contract in the fullest signification of the term, it was certainly a quasi contract, as it has been termed, between the Government and the persons who put the whisky in the warehouse. Take the case of a small owner who has 500 or 1,000 barrels, and who has put it into a bonded warehouse under the contract, or quasi contract, that he can take it out in three years by paying 90 cents tax upon the gallon.

If we, then, in the exercise of our power of sovereignty, for it is nothing else, disregard this contract or quasi contract and undertake to make him pay 10 cents more on the gallon, ought we not, especially in times of great financial and business depression, to give him an additional period of time in which to raise the money to pay the additional tax? I grant that as to the large dealers, who are presumed to be capitalists, with a great interest like the whisky trust, which has put its shares upon the market and sold them openly, and which is said to have had 8,000,000 gallons of Bourbon whiskies in bonded warehouses, which they do not manufacture——

Mr. ALLISON. They purchase them.

Mr. VEST. They purchase and put them in bonded warehouses because they do not manufacture the Bourbon whiskies, as they are called, the Kentucky whiskies—with a trust like that, an addition of 10 cents a gallon amounts to nothing, in view of their power to manipulate the market and to affect prices. But take the small dealers. Take a man with a hundred barrels or two hundred or five hundred barrels, and you see the injustice and hardship which are wrought upon him when you impose an additional tax without increasing the bonded period.

Mr. ALDRICH. If this small dealer is to borrow money of the United States instead of borrowing it from some bank for this extended period, why should he not pay interest, in the shape of the additional tax, as he would be obliged to do if he borrowed the money from someone else?

Mr. VEST. I will say to the Senator that it seems to me the direct and inevitable result of the increased tax upon whisky is that you force him to raise the money at 90 cents to take the whisky out of the bonded warehouse, or else he must leave it there and pay the additional tax after the proposed legislation shall have gone into effect.

Mr. ALDRICH. He would have to do it some time.

Mr. VEST. As a matter of course he is bound to do one of two things, to put it plainly. He has 100 barrels in bond, and we put 10 cents more a gallon upon it in the shape of tax. He has two roads before him and no other. He must either immediately raise his 90 cents tax upon the whisky then in the bonded warehouse and take it out, or else he must leave it there, to become subject to the new law, when he raises the 10 cents more per gallon upon it. That is the alternative.

Mr. ALDRICH. Would it not be more direct and better understood if the Government were to allow him to take it out at the end of three years and pay the original tax, rather than to give him concessions in some indirect method which the people of the country might not understand?

Mr. VEST. That is another question. The question I put to the Senator from Rhode Island was whether justice did not demand, if we did conclude to put on the additional tax, that the bonded period should be extended? Do not the two things go together?

Mr. ALDRICH. There are three points in this scheme in regard to distilled spirits which require the attention of the Senate. The first to which I wish to call attention is the provision in regard to giving two months in which the whiskies may be withdrawn upon payment of the original tax. Now, leaving out of the question entirely the bourbon whiskies and rye whiskies which are now in bond, let us see what the effect of that provision will be upon the producers of neutral and cologne spirits, as they are called, and upon alcohol.

The average monthly production of these articles, of alcohol and neutral and cologne spirits, amounts to about 4,000,000 gallons. I do not know what the capacity of the distilleries owned by the trust and by other distillers is, but I assume that it is considerably in excess of the average monthly production. But assuming it to be just the average monthly production, we should have then for two months 8,000,000 gallons to be produced.

If we add to that the average amount in bond, we shall have at least sixteen to twenty million gallons of this class of spirits which can be taken out of bond under this sixty-days extension provision upon the payment of the original tax, with a saving to the distillers of from three to four million dollars. I should be glad if some member of the committee would show why it is important to donate to these gentlemen three or four million dollars in this way. Why should not the provision of the bill increasing the tax upon distilled spirits go into effect at once, or when the other provisions of the bill shall become operative? I hope that at some time in the course of this discussion we shall have some enlightenment upon this subject, because I myself see no reason whatever why the time should be extended.

The next provision of the bill which has been under consideration is that which applies to the increase of the tax.

Mr. VOORHEES. Before the Senator from Rhode Island passes from the point about the extension of the bonded period, I should like to be enlightened upon this subject. I care nothing about the extension. It has been vastly misunderstood. It has not the most agreeable sound in the world. But is it not true, as I stated before and as I myself stated this afternoon, that there is no limit on the power of the producers of this peculiar kind of whisky to extend the time for the payment of the tax under existing law as long as they please?

Mr. ALDRICH. I am not now talking, if the Senator from Indiana will pardon me, about the extension of the bonded period, but as to the provision of the section under consideration, which gives the distillers two months' time within which they can remove their spirits from bond upon the payment of the old tax.

Mr. VOORHEES. I beg pardon. I thought the gentleman was on the bonded period.

Mr. ALDRICH. I was trying to find out what governed the committee in making this extension.

Mr. SHERMAN. Will the Senator from Rhode Island allow me? In two months' time they can double or triple the production.

Mr. ALDRICH. I have no doubt they can with the capacity of the distilleries.

Mr. LINDSAY. Will the Senator from Rhode Island permit me?

Mr. ALDRICH. Certainly.

Mr. LINDSAY. I wish to say that the manufacturers of straight whisky have no interest in that length of time.

Mr. ALDRICH. I understand that.

Mr. LINDSAY. They care nothing about it and prefer that it should go into effect immediately, I understand. The reason why the time has been fixed as it has been is to enable the internal-revenue officers to get up a new stamp which will be necessary, and to make the preparations for carrying the new law into effect.

Mr. ALDRICH. It seems to me that the internal-revenue officers have had a sufficient length of time, and are likely to have a sufficient length of time, from the time the bill passes until the other provisions go into effect, to accomplish that purpose. There is no question about that. Nobody expects the bill to go into effect on the day of its passage. Some appreciable length of time will elapse between the passage of the bill and its going into effect. It seems to me that the internal-revenue officers certainly ought to be able to have the stamp engraved within that time, and the Government surely ought not to lose three or four million dollars of revenue on account of any such excuse.

Now, as to the next point with reference to the amount of revenue to be derived from the internal-revenue taxes upon distilled spirits; if I believed it were necessary to secure a larger revenue, I certainly should vote for a moderate increase of the tax upon distilled spirits. But I do not believe it. By the bill, if the tax on sugar is to be retained, and that seems to be the disposition of the Senate, and if the income tax is to be retained, there certainly is no reason why there should be an increase of the tax upon distilled spirits.

Mr. VOORHEES. Will the Senator from Rhode Island allow me for a moment?

Mr. ALDRICH. Certainly.

Mr. VOORHEES. Suppose a surplus were raised under the bill, and I will be perfectly frank with the Senate and the country. I never intended there should be any deficiency. I state here that what I said in committee was that so far as I was concerned I was not at all alarmed at the idea of there being a surplus in the Treasury of the United States.

Forty millions of surplus would not alarm me nearly so much as forty millions of deficiency, especially if the surplus is to arise

in large part from taxes on distilled spirits. If we found ourselves troubled with too much money arising from such a source, I could be reconciled into seeing it used in erecting public buildings and useful enterprises of that kind, giving employment to people; I could be reconciled into seeing it used to pay off some of the interest-bearing bonds.

In other words, Mr. President, the revenue raised upon distilled spirits is more acceptable, in my judgment, to the popular mind than anything else, and if it should result in leaving some over in the Treasury at the end of the year I would be glad of it. The old farmer in the country is glad to know at the end of the year that he has a little surplus laid away in his bureau drawer, and I would be glad to see this Government out of all danger of a deficiency. I have had it in mind to say for some time that these items in the bill do not trouble me on account of their raising more money than we may need from day to day.

My position in regard to the sugar tax is well known. Had I had my way (as none of you ever had your way exactly, any more than I have had), it would not have been there at all. I have heard a great deal of taunt from the other side of the Chamber because we have had to compromise among ourselves over here. Why, the framers of the Constitution had to compromise among themselves or there never would have been a Constitution. You have had to compromise among yourselves or you never would have got the McKinley bill and a thousand other measures through. The Sherman act, that we spent three or four long months last fall in getting rid of, was the result, as was stated over and over again, of a compromise; that is to say, it was passed to get clear of something worse.

Yet the other side of the Chamber has been taunting us as though, because we compare views and get together and do the very best we can for the public, therefore we are in a state of horrible inconsistency. We are in absolute harmony with human nature, in absolute harmony with the events of the world.

So I repeat, Mr. President, on the subject of sugar, on the subject of whisky, and some other questions we intend to make sure of a sufficient revenue, and to do it in an honorable and satisfactory manner.

Mr. ALDRICH. I am glad to find myself in accord with my distinguished friend from Indiana in preferring a tax on whisky to a tax on sugar.

Mr. VOORHEES. Yes.

Mr. ALDRICH. I think there can be no question about where the public interests lie on that question. What I object to is that we are putting a tax upon both whisky and sugar. I think the public revenue does not require it.

I understand the Senator from Indiana fixes the surplus in round numbers or approximately at $40,000,000. I myself believe that the bill, if it becomes a law, will produce a very much larger surplus. I believe it will be in the neighborhood of a hundred million dollars.

Mr. VOORHEES. I have not thought so. Of course an estimate of this kind can not be exact.

Mr. ALDRICH. It is more or less a guess.

Mr. VOORHEES. It is a mere guess.

Mr. ALDRICH. The Senator will recall unquestionably that in the beginning of Mr. Cleveland's first Administration, when we had a surplus in the Treasury of nearly a hundred million dollars, the distinguished Democratic President called the attention of Congress to the great evils of that surplus, and the campaigns in behalf of tariff reform were fought under the leadership of that distinguished Democrat on the ground that a surplus revenue produced by excessive taxation, and which was unnecessary, was a great evil.

Mr. HILL. If the Senator will allow me, that was a Republican surplus they were speaking about then.

Mr. ALDRICH. I can understand the distinction. They said, as I remember it, that unnecessary taxation was unjust taxation. The Senator from Indiana will agree with me that a surplus extorted from the people in the way of taxation and held in the Treasury, through the evils which may result from a contraction of the currency, is really very serious, and that we should not deliberately provide for a surplus unless we know exactly what is to be done with that surplus.

Mr. VOORHEES. The Senator will do me the justice to recall the fact that I did not speak of its being an idle surplus there. It would be very useful to the credit of the country and useful for great public purposes.

Mr. ALDRICH. I can understand that a surplus of a reasonable sum might be used to pay the bonds which have just been issued and the bonds which are likely to be issued in the near future for the payment of current expenses.

I have no doubt to that extent it would be useful to have a surplus, but we do not know what the surplus is to be. If we increase the tax upon spirits—an increase which in itself is not, perhaps, undesirable except as it imposes a tax upon alcohol used in the arts—we do not need, from my standpoint, the revenue to be derived from a tax upon sugar, and I shall try as hard as I can to eliminate that feature from the bill.

But now to come to the other point, in regard to the extension of the bonded period, I have no sympathy with the line of argument which was adopted by the Senator from Kentucky in behalf of its extension. The acts which have been passed levying taxes upon distilled spirits in the past, up to 1880 at least, have been upon the theory that distilled spirits should be taxed from the moment of their production.

The act of 1868, which was the principal act providing for the taxation and warehousing of spirits, provided in terms that the tax shall attach to this substance as soon as it is in existence as such. It was the intention and purpose and spirit of all the original acts upon this subject that the taxation of distilled spirits should be upon the amount originally produced. The act of 1868 allowed spirits to be deposited in warehouse and their removal within one year upon payment of the tax upon the originally produced. That remained the law until 1878, when a joint resolution was passed by both Houses providing that distilled spirits then in bond might be withdrawn within three years.

Mr. LINDSAY. If the Senator will pardon me, the act of 1868 imposed a tax of 50 cents a gallon on all that was produced, and gave an indefinite bonded period.

Mr. ALDRICH. Oh, no; it did not; the Senator is mistaken about that. It gave one year within which the tax might be paid, but it must be paid on the amount originally produced. There was no allowance at all for leakage or for anything else. That remained the law until 1878, as I have said, when a joint resolution was passed providing that distilled spirits then in bond might be withdrawn within three years upon the payment of the original tax and 5 per cent interest on the excess of time between one year and three years.

In 1880 what is known as the Carlisle act was passed, which extended the bonded period to three years and made certain allowances for leakage.

The act of 1880 was the first departure from the policy of the Government of taxing distilled spirits upon production. The reason for the adoption of this policy must be obvious to the Senate. It is very much easier to collect taxes at the time of production and upon the amount of production than to keep the spirits in bonded warehouse subject to loss from all other causes, subject to being stolen, subject to all sorts of frauds upon the Government. So the Government adopted the policy deliberately of taxing the production of distilled spirits.

Now, it is proposed by the Senator from Kentucky and other Senators to change that policy entirely and tax the consumption, and they say it is the rule which has been applied in other cases.

As the Senator from Iowa has very well said, it does not apply in any other case under the internal-revenue law from the fact that the character of the other articles upon which taxes are imposed is such that they must be sold immediately or very near the time of production. So the same rule does not apply to any of these articles. It does not apply either to any articles taxed by our customs laws. Suppose an importer of silks would insist that he should be allowed to import his silks and not pay the duties upon them until they should go into consumption, would any Senator seriously suggest that that was or could be a safe rule to apply to the collection of customs dues? I think not.

Mr. LINDSAY. If the Senator will pardon me, when the silks come to New York they are ready for immediate consumption. Yet you give three years in which they may be kept in the bonded warehouse, notwithstanding the fact that they are ready for immediate use.

Mr. ALDRICH. But suppose it were true that silks improve by age.

Mr. LINDSAY. But they do not.

Mr. ALDRICH. I am supposing a case. Take any article in the whole list of customs importation that does improve by age. Take brandies, for instance. Take French brandies that might be just made, and where fifteen years might be necessary——

Mr. LINDSAY. But the French brandies have been matured across the water before coming here.

Mr. ALDRICH. Not necessarily.

Mr. LINDSAY. That is the rule, however.

Mr. ALDRICH. It may be the rule, but it is not necessary, I suppose. Suppose an importer of French brandy should say to the customs authorities or the Congress of the United States we desire fifteen years after these goods are imported to mature them and make them ready for use; what would you say to those gentlemen? "You can take fifteen or fifty years if you want, but it must be done at your own expense and in your own way." The Government of the United States says that goods which are admitted to a custom-house of the United States may remain in

bond a certain time under certain conditions; but at the end of that period you must pay your duties and take them out. What becomes of them after that is not a matter of concern to the people of the United States.

The question of the extension of the bonded period is largely an arithmetical question for the Government and for the owners of bourbon and rye whiskies. The proposition contained in the bill is to allow leakage to the extent of 9 gallons in 40, covering a period of eight years, and to allow the payment of $1.10 at the end of eight years instead of at the time of production. I present a plain arithmetical proposition to my friend from Kentucky.

If the distiller of bourbon and rye whisky in his State should pay 48 cents a gallon to the Government of the United States at the time of production the Government would be better off in every way as it is if he pays $1.10 with the allowance for leakage at the end of eight years. This is a proposition not to increase the taxes but rather to decrease the taxes and to decrease the revenue by the extension of eight years.

Mr. LINDSAY. If it will not interrupt the Senator, I will show him, I think, that exactly the converse is the truth.

Mr. ALDRICH. I should be very glad to be convinced of it.

Mr. LINDSAY. The Government can, under no circumstances, in the end collect a greater revenue than the consumption of the country will warrant.

Mr. ALDRICH. I do not admit that, to begin with.

Mr. LINDSAY. We will neither manufacture nor import into this country more of any article than this country can consume.

Mr. ALDRICH. I do not admit that, but I am willing to grant it for the sake of the Senator's argument.

Mr. LINDSAY. If the Government collects at the time of production 48 cents a gallon, the Government will collect only so much as at the end of ten years would go into consumption, and so it will be $1.10 at last on the quantity of whisky that is manufactured in this country and consumed in this country. Otherwise you would have the state of case of a banking up of whiskies in this country that are not to be consumed at all.

Mr. ALDRICH. As I understand the argument of the Senator from Kentucky it is that there is necessarily a fixed amount of whisky consumed in the United States, and that it does not make any difference when the Government collects the tax upon that whisky. That, of course, is equivalent to saying that the payment of $1.10 to-day is, so far as the Government is concerned, equivalent to paying $1.10 eight years from now.

Mr. LINDSAY. Oh, no.

Mr. ALDRICH. It certainly is. If we are to collect $1.10 a gallon on all the whisky consumed in the United States, and that amount of whisky is a fixed quantity, the Senator's argument is that it is just as well for the Government to collect that tax eight years from now as it is to collect it now. This is a proposition that the Government of the United States shall go into partnership with the distillers of Bourbon and rye whiskies in this country; that the Government shall furnish four-fifths of the capital and bear all the losses and risks of carrying the immense stock of whisky, furnish storage, and take all the risks of insurance, because we have another provision of law that a tax shall not be collected upon whisky that is destroyed from any natural causes. In this partnership the Government is not to have any share of the profits but is to furnish the money from the Treasury of the United States without receiving a single cent of remuneration.

If I were to engage in a business of this kind and owed the Government $1.10 a gallon on whisky at the time of its production, I should be very glad to have the period extended for eight years without interest. If I were obliged to pay $1.10 on 40 gallons of whisky produced to-day, I should be very glad to have the Government agree to collect the tax on 31 gallons eight years from now. As a business proposition it is simply giving to the distillers of Bourbon and rye whiskies the use of $1.10 per gallon for eight years without any interest, and collecting the tax on 31 gallons at the end of that time instead of on 40 gallons.

I am not surprised that my friend from Kentucky should be earnestly in favor of this provision. His friends and constituents have 134,000,000 gallons in distillery warehouses throughout the United States to-day, and that amount will be extended indefinitely. I should be very glad from a selfish standpoint if I were representing Kentucky to have this great allowance made; but how can we, representing the Government of the United States, consent to a provision of this kind? I am quite willing to allow the distillers of Bourbon and rye whiskies the privilege of retaining their whiskies in bonded warehouse, but I say that the Government of the United States ought to collect interest or be paid a higher tax. Why should we furnish this large amount of capital to these gentlemen without the payment of any interest whatever? That is the suggestion I should like to have somebody answer.

Mr. MITCHELL of Oregon. Will the Senator allow me to interrupt him?

Mr. ALDRICH. Certainly.

Mr. MITCHELL of Oregon. Suppose this extension is not given, what benefit will the rectifier gain by the operation?

Mr. ALDRICH. I do not see that it makes very much difference to the rectifier.

Mr. LINDSAY. Then, why has the Senate been flooded with circulars that were printed at Cincinnati and forwarded all over the country to be sent here by every retail whisky dealer in the United States?

Mr. ALDRICH. I am not specially interested in that question. I do not know any of the rectifiers.

Mr. LINDSAY. You read their circulars?

Mr. ALDRICH. I have received a number of circulars in regard to this matter, but I can not see for my life what particular interest they have in the matter.

Mr. LINDSAY. I shall try to show the Senator.

Mr. ALDRICH. I suppose my friend from Kentucky will agree that we are to discuss this question and consider it with reference to revenue and with reference to the interests of the Government of the United States. My argument has been entirely from that standpoint. Whatever the interest of the rectifiers may be or may appear to be, I have no interest in it whatever. I desire to have the Senator from Kentucky or somebody else to give me a reason, while we are pretending to increase the tax upon whisky from 90 cents to $1.10 per gallon, why we should reduce it to 48 cents by various provisions of the act.

I would very much prefer to vote here and now in the interest of the Government for a tax of 50 cents a gallon levied on production, which was the act of 1868, than to vote for a provision to collect $1.10 at the end of eight years without interest and with an allowance of a fourth for leakage. The Government would be better off.

If there is any question of public policy which requires that this help shall be given to the distillers of Kentucky I should be glad to have it stated, but I submit to my friend from Kentucky that it is no answer to the argument to say that some fellow in Kentucky or in Ohio or in Illinois is to be benefited if this change does not take place.

Mr. LINDSAY. Mr. President, I confess it is rather a novel presentation of the case to say that when the Government comes to decide when it will impose a tax, and how much tax it will impose, and when it will collect that tax upon a particular article of American manufacture, the Government is going into partnership with, and making a loan to, the manufacturer. I take it, the Government does not impose specific taxes with any other view than the purpose of securing revenue.

Mr. ALDRICH. If the Senator will allow me, I will say that it seems the Government does in this case. It seems that it has an ulterior purpose which the Senator himself says is a controlling one.

Mr. LINDSAY. In levying a tax to secure revenue it is never the policy of the Government to oppress the taxpayer or to unnecessarily injure the particular industry towards which the tax is directed.

It costs 20 cents per gallon to manufacture whisky, and upon that whisky 450 per cent in the way of taxation is now levied. Is there any other article taxed by the Federal Government or by a State government to such an extent? That tax is imposed because distilled spirits are to be treated as luxuries, and therefore the questions are how much taxation will they bear, what is the proper method of levying that tax, and when and how ought the tax to be collected?

When you come to withdraw protection from an American industry we are told that if you reduce the protection you kill the industry. For three months I have heard each day the prediction made that this industry and that industry and the other industry was being killed, not because it was being taxed beyond its capacity to pay, but because the American people have concluded they would no longer give it the amount of protection it has heretofore had. But when you come to an industry that gets no protection, and asks none, that is paying a tax under existing law of 450 per cent upon the cost of its product, and the Government is asked not to enforce the collection of that tax until the process of manufacture has been completed, until the product is ready to go upon the market, we are told that the Government can not do this without going into partnership with the manufacturer; in other words, that the tax the Government does not collect immediately is money loaned to the manufacturer.

It seems to me you have but to state such a proposition to show the utter fallacy of the claim that the Government is loaning anything to a manufacturer who pays the entire expense of

the manufacture and then furnishes the warehouse in which the Government compels him to keep the product until the tax is paid.

Mr. ALDRICH. Will the Senator allow me a moment?

Mr. LINDSAY. Certainly.

Mr. ALDRICH. Let us suppose a case which, I think, is analogous to this one. A person living in Louisville owns unimproved real estate worth $100,000 which is taxed, say, $2,000. The owner of that property goes to the city council of Louisville and says: "I intend to improve this property. I am not getting anything for it now; it is not in a fit condition to use; it is no benefit to me at all. At the end of eight years I expect the property will be in a condition to bring me in revenue. I ask you to defer the taxes of $2,000 a year upon that property until I can improve it, as I shall have done at the end of eight years." Now, if the city council of Louisville grant the request and give him an extension of eight years without interest, would the Senator consider that was not going into partnership to a certain extent with the gentleman in his real-estate speculation?

Mr. LINDSAY. If it were not for the fact that real estate is taxed in proportion to its present value, and not four or five times that value, and is always ready for market, and that time does not improve its inherent qualities——

Mr. ALDRICH. Does the Senator mean to say that there is ever a time when Bourbon whisky from the day it is produced can not be sold at some price or other?

Mr. LINDSAY. I say that Bourbon whisky is never ready to sell as a perfected article until sufficient time has elapsed for the work of purification to be completed.

Mr. GALLINGER. How long is that?

Mr. LINDSAY. From six to ten years. The Senator from Ohio says that a bonded period of three years is long enough. I venture to say that the Senator from Ohio has never had used under his supervision whisky as young as three years. The best test of the proper age at which it can be properly used is the invariable statement made by the host, "I wish you to understand this whisky is thirteen years old."

Mr. ALDRICH. Will the Senator permit me to ask him a question in that connection?

Mr. LINDSAY. Certainly.

Mr. ALDRICH. The Senator has stated that whisky, as it comes from the still, is worth 40 cents a gallon. What is the thirteen-year-old whisky worth in the market?

Mr. LINDSAY. I say the cost of manufacture is 20 cents per gallon.

Mr. ALDRICH. What is thirteen-year-old whisky worth in the market?

Mr. LINDSAY. Before the panic the McKinley act brought on us it was worth, tax paid, $6 a gallon. It can be had now for $4.

Mr. CULLOM. Before the Democrats came in.

Mr. LINDSAY. In this connection, since the remark of the Senator from Illinois, I will state that in reading a speech made by the Senator from Ohio [Mr. SHERMAN] the other day, I find he has abandoned the claim that the panic came upon us in 1893 because of Mr. Cleveland's election.

Mr. ALDRICH. If the Senator will permit me a moment, I want to suggest to him another mathematical proposition. He says that whisky fresh from the still is worth 40 cents a gallon. At the end of thirteen years, with interest on it at 6 per cent, which I think is granted as a fair rate of interest in Kentucky, we have 78 per cent. Seventy-eight per cent of 40 is 31 cents a gallon; 40 and 31 make 71 cents a gallon; which is the cost of carrying the whisky without any tax. Now, if the Government of the United States is to carry the taxes and to lose the leakage, why should not the Government share the increase of value from 78 cents to $6?

Mr. LINDSAY. There are numerous reasons independent of merely 6 per cent interest to account for the increase in the course of ten years of the value of a gallon of whisky. In the first place, one-fourth of the whisky will have evaporated before ten years have gone.

Mr. ALDRICH. You allow 9 gallons in 40 for that, which is about one-fourth.

Mr. LINDSAY. You are not taxed on 9 gallons in 40, but you have, nevertheless, lost the 9 gallons out of the 40, or 10 gallons out of the 46. It has, nevertheless, evaporated, and the remaining 31 or 35 gallons represent the 40 or 46, as the case may be. So that is one reason why it increases in value. Then the Government kindly steps in and requires the distiller, in addition to his distillery, to erect a bonded warehouse in which all the product of his distillery shall be stored during the time it is thus ripening for the market. The expense of keeping up the warehouse, the insurance, State and local taxes, and all other incidental expenses, are to be added to the expense of the distillation.

Let us see whether the Government loses anything by allowing the distiller the benefit of the evaporation. Statistics show that about 100,000,000 gallons per year of distilled spirits are consumed in the United States. If you this year take out of bond and pay the tax on the 200,000,000 gallons the Government will get twice the tax this year it would get if it had waited for the tax to be paid upon consumption. But next year the Government gets nothing because no business is conducted by men who have so little business judgment as that they will continue to manufacture and pay taxes in the face of the fact that there is a year's supply of tax-paid spirits on hand.

So that at the end of five years the Government will have collected $1.10 upon every gallon of whisky that has been consumed and will have realized the last dollar of taxation which could be wrung from the taxpayers under any process of collection. If the distillers undertake to make whisky and pay the tax in advance of consumption, bankruptcy inevitably follows; and when the Government levies 450 or 550 per cent tax upon a particular article, it ought not to be the policy of the Government to force the owner to sell the property before people are ready to buy it.

What is the consequence of compelling the withdrawal of whisky at the end of three years? It is not ready for the markets unless it be neutral spirits. It can not be sold to consumers. It must be sold to speculators or wholesale dealers who can hold it, and they hold the product of the manufacturer and make the profit out of it, because they are able to advance the money to pay the tax. It is a case in which, because of the operation of the taxing laws of the Government, the manufacturer is compelled to sell his product in advance of the natural demand created by consumption.

Mr. ALDRICH. Will the Senator from Kentucky allow me?

Mr. LINDSAY. Certainly.

Mr. ALDRICH. If the Government of the United States steps in and prevents a man from selling his whisky and allows him to carry it, ought not the Government to have the usual commercial rates of interest which he would have to pay to banks or other commercial institutions for the loan?

Mr. LINDSAY. The Government has loaned the man nothing. The Government does not propose to loan the man anything. The product is unfinished. It is not ready for the market. It can not be put upon the market and sold at its fair value. It is a case of the Government stepping in and levying the tax and enforcing the collection, and thereby compelling the producer to sell to a speculator instead of holding it for his own benefit. That is the logic of the situation.

The proposed extension will benefit other States than Kentucky. The great amount of whiskey now in bond was not all manufactured in Kentucky. All the rye whiskies made in Pennsylvania and West Virginia demand the same relief at the hands of the Government in order that they may be perfected. Straight whisky is also made in Maryland and in Tennessee. Five or six States are interested. It is the whisky trust, which has its headquarters at Peoria, Ill., that is interfering with the demand for relief by people who ask not for protection, not for the reduction of taxes, but that they shall not be compelled to pay until their product is ready for the market.

Mr. HOAR. Will the Senator from Kentucky pardon me? He refers to the whisky trust. If it is a corporation what is the name of the president?

Mr. LINDSAY. Greenhut, I think, is his name.

Mr. HOAR. Has the Senator a list of the officers?

Mr. LINDSAY. I have not a list of them here.

Mr. HOAR. I think that list ought to be put in the RECORD.

Mr. LINDSAY. Greenhut is the president. It was originally a combination of distillers and rectifiers. I understand that Mr. Greenhut is the president of the trust.

Mr. HOAR. Will the Senator put in the RECORD in connection with his remarks the list of officers?

Mr. LINDSAY. I will put it in if I can obtain it.

Mr. HILL. Will the Senator from Kentucky inform me who is the first vice-president?

Mr. LINDSAY. I can not.

Mr. HILL. I think it is J. Beggs, who resides at Terre Haute, Ind.

Mr. LINDSAY. Possibly that is true. The whisky trust is not engaged in the manufacture of straight whisky at all, although it seems to be the owner of ten or twelve million gallons of straight whisky, as is shown by the returns from the Internal Revenue Bureau. The whisky trust makes what are called neutral spirits; in other words one-half water and one-half pure alcohol. Instead of allowing those spirits to ripen with age, to mature by lapse of time, they are put through a process of rectification. It is not the case now as it was fifteen or twenty years ago, of the distiller of high wines being at one place and the rectifier at another.

Under the rulings of the Internal Revenue Bureau the rectifying is now done in the distillery and is regarded as a necessary part of the process of distillation. The high wines are filtered through charcoal and other substances supposed to take out all the poisons which are in the raw whisky when it leaves the distillery; and it comes out purified, so far as the fusel oil and these other poisons are concerned, but without the desired flavor and aroma. It is as ready for sale that day as it ever will be. Age does not improve it. It will not be held because the evaporation is a dead loss to the holder. The whisky thus made does not increase in price by lapse of time. Therefore it is always ready to be sold. It can only be sold for drinking purposes by having its flavor and aroma improved by subsidiary and artificial means.

Mr. GALLINGER. Are drugs added to it?

Mr. LINDSAY. I do not suppose they add drugs of harmful character. I do not think it is necessary to add such drugs; but they can blend with three or four barrels of neutral spirits a barrel of straight whisky, and thereby give it somewhat the flavor of good whisky, give it somewhat the taste of straight whisky, and impose it upon the public as straight whisky. Three-fourths of the whiskies sold at the bars to-day are compounded or blended whiskies.

Mr. SQUIRE. Are those what are called blended goods?

Mr. LINDSAY. Those are blended goods.

Mr. CULLOM. Now, tell us about Kentucky whisky. How is it made?

Mr. LINDSAY. Kentucky whisky is put in barrels——

Mr. ALDRICH. How much water is used?

Mr. LINDSAY. Kentucky whisky has just one-half alcohol and one-half water when it leaves the distillery; and we do not add water to it, as the whisky-trust men may do. We suffer the diminution in quantity, and make it up in the increase in price. The whisky-trust people can not increase the price of their whisky, because age adds nothing to its quality. Now, why is it that the whisky trust desires to force the straight whisky out of bond and into use before it has matured?

Mr. PALMER. I hope the Senator from Kentucky will allow me to interrupt him for a moment.

Mr. LINDSAY. Certainly.

Mr. PALMER. I have waited with the greatest patience for the senior Senator from Illinois [Mr. CULLOM] to defend Illinois whisky. He has not done so. I think that duty devolves upon me. I protest against this assault upon Illinois whisky.

Mr. CULLOM. I was waiting for the senior Senator in age to make the suggestion, he being better informed on that subject than I.

Mr. LINDSAY. I will read a letter written by a constituent of the senior Senator from Ohio [Mr. SHERMAN].

Mr. SHERMAN. Before the Senator does that I should like to have a little information in relation to Kentucky whisky. What is the cost of Kentucky whisky when it is made?

Mr. LINDSAY. Twenty to twenty-five cents per gallon is the actual cost of production. That, of course, does not include interest upon the plant, etc.

Mr. SHERMAN. I wish to put an interrogatory to my honorable friend. I believe it costs about 20 cents. That is what I understand. Then, when the whisky goes into the Government warehouse, into a Government building, under charge of Government officers, without cost to any person, the Kentucky distiller has 20 cents in a gallon of whisky. The Government of the United States has now 90 cents. We keep that whisky under heavy expense, because we have to have very bright officers in charge of the warehouses. The Kentucky distiller never pays any more than the 20 cents. It is cared for for him, while the Government loses every day. It loses 8 gallons in three years. When the whisky comes out, the Government only puts a tax on four-fifths of the whisky at the most. So the Government is losing all the time while it has the custody of the whisky and the care of it, and all that.

The distiller, on the other hand, makes a great deal of money, and instead of 20 cents he wants a dollar and a half for his whisky, with the tax added. It is the most profitable industry that I know of, unless it is the sugar trust, the refining industry, which gets the advantage of having the sugar refined at the expense of the Government practically under the operations of the pending bill. Of course they do not lose anything. But the Kentucky distiller in the manufacture of whisky has a larger margin of profit than any other business in the country yields.

Mr. LINDSAY. The difference between the sugar refiner and the whisky manufacturer is that there is a tax levied upon the product of the whisky manufacturer, while the Senator and his party gave a bonus of 60 cents a hundred pounds to the refiner of sugar and taxed him not one cent.

The second objection to the Senator's theory is, that the Government has no interest in whisky when it goes into the warehouse, which is not the Government's warehouse at all.

Mr. SHERMAN. The warehouses, I understand, are built by the Government.

Mr. LINDSAY. The Government does not build the warehouses, but requires the distillers to build them.

Mr. SHERMAN. The bill expressly provides that the Commissioner of Internal Revenue shall see that the storehouses are built, and then they are at once put in possession of the Government officers, who get four or five dollars a day.

Mr. LINDSAY. Certainly.

Mr. SHERMAN. The Government is at constant expense covering attendance and on account of the large supervision necessary. The Government's investment is constantly decreasing, and the investment of the whisky distiller is constantly increasing in a geometrical ratio.

Mr. LINDSAY. I undertook, in answer to a suggestion of the Senator from Rhode Island, to reply to that point. There is a constant diminution of the quantity of whisky put in by the distiller.

Mr. SHERMAN. The residuum that is left is worth four or or five times as much.

Mr. LINDSAY. The loss in quantity is one reason why the residuum is worth more.

Mr. SHERMAN. The distiller gets that. The Government ought to have a portion of the benefit arising from that.

Mr. LINDSAY. Why?

Mr. SHERMAN. Because the Government is interested in four-fifths of the whisky when it goes into the warehouse.

Mr. LINDSAY. Is the Government interested in it?

Mr. SHERMAN. It has a tax upon it; it has a lien upon it. The quantity of whisky is constantly diminishing, and consequently the tax to be collected is consequently growing less from the day the whisky is put in the warehouse.

Mr. LINDSAY. Is it not a fact that none of the whisky which evaporates ever goes into consumption at all?

Mr. SHERMAN. What is left is so much more valuable that it makes up for the loss by evaporation.

Mr. LINDSAY. Why is it more valuable? When it goes into the warehouse the work of manufacture has been but one-third completed.

Mr. SHERMAN. All the balance of the work is done by nature. It is done by age. It does not cost the distiller a cent, while it costs the Government a good deal of money to care for the property.

Mr. LINDSAY. Is there any reason why the distiller, the owner of the whisky, should not have the benefit of the work of improvement done by nature? Is there any reason why the Government should not only tax the thing itself, but should also tax the beneficent processes of nature? Is it the argument of the Senator from Ohio, that the Government has some sort of proprietary interest in the very forces of nature, and that therefore the Government shall share in the profits of the product upon which those forces operate?

Mr. SHERMAN. The Government owns four-fifths of the whisky when it goes into the warehouse. It has a lien upon it. It can not be taken out of the possession of the Government without paying whatever tax is due and reimbursing the Government. Our interest is constantly diminishing by leakage, wastage, and evaporation, while the distiller is compounding his interest over and over again.

Mr. LINDSAY. The Government puts up the rates to cover all that. The Government put 50 cents a gallon upon distilled spirits, and required it to be paid at the time of production. Afterwards the Government extended the time and increased the tax.

Mr. ALDRICH. Not at the same time, and there was no connection between the two.

Mr. LINDSAY. Afterwards; but no matter about that. The Government suddenly discovered that it had some sort of interest in the forces of nature and that the distiller could not conscientiously claim all the benefit. Then the Government put up the rate. But the Government never had any proprietary interest in the thing itself. The Government holds possession, as the pledgee holds possession of the pledge, to insure the ultimate payment of the tax. When? When the whisky is withdrawn from the warehouse for the purpose of being put upon the market. Experience has proved that three years do not ripen straight whiskies, and that they can not, at the end of that period, properly go upon the market, and the Government is only asked to hold its hand from the collection of this great tax of 550 per cent until consumption, or the demands of those who consume will justify the owner in paying the taxes and offering his goods for sale.

But if you force the whisky out of bond before it is ready for the market, before it is matured for use, you compel the payment of the tax upon an immature article, and nine times out of ten you compel the owner to sell it for such price as he can get, or

else send it out of the country where a more liberal system is in force.

Mr. ALDRICH. Before the Senator from Kentucky sits down I desire to ask him a practical question in this connection which presents my view of this question. There are now in bonded warehouses about 134,000,000 gallons of bourbon and rye whisky, a large portion of which is in the State of Kentucky, 90,000,000 gallons, as I remember, of the 134,000,000 gallons.

Mr. BRICE. Bourbon and rye?

Mr. ALDRICH. Bourbon and rye.

Mr. LINDSAY. Bourbon and rye.

Mr. ALDRICH. That whisky is in bonded warehouses, subject to the bond of the distillers to pay a tax of a certain rate on it within three years. Now, it is proposed to extend that period to eight years. The Senator from Kentucky says that the whisky is not ready for use at the end of three years.

Without stopping to consider what are the beneficent effects of nature upon whisky, which is aside from the practical question we are considering, I think the Senator from Kentucky will agree with me that the distiller who has the time extended from three years to eight years, after having made a contract with the Government, gets the benefit of the interest on that tax for the additional five years. I think there can be no question about that. I think the Senator will be willing to admit that. And the Government loses the benefit of the interest on that sum for the additional five years from the extension of the time when the bond is to be taken. That is my contention.

Mr. LINDSAY. The Senator says the Government has a contract with the distiller that he shall take the whisky out of bond and pay 90 cents a gallon tax upon it when he does take it out of bond at the end of three years.

Mr. ALDRICH. The contract is to pay whatever tax the Government of the United States levies upon it.

Mr. LINDSAY. But is that the contract?

Mr. ALDRICH. It is the contract.

Mr. LINDSAY. If the Senator ever reads the bond given by the distiller——

Mr. ALDRICH. I have a copy of the bond here.

Mr. LINDSAY. He will see that 90 cents is the contract.

Mr. ALDRICH. Oh, no; I have the bond here. I will find it in a minute.

Mr. LINDSAY. But whatever that may be, the distiller had no reason to suppose that an increased tax would be applied to whisky in bond. The tax on whisky has been raised two or three times by Republican legislation, and always so as to operate upon whisky thereafter made, and not upon whisky in bond. Did the distillers have any reason to suppose that when the Government should conclude to raise the tax the precedents your party had set would be disregarded and the increased tax applied to whisky in bond as well as that to be made thereafter?

Mr. ALDRICH. I suggest to the Senator that he is not answering my question. The question was susceptible of a categorical answer or an answer yes or no, with modifications. My question was simply whether if the time is extended five years the distiller does not get the benefit of the extension?

Mr. LINDSAY. The owner of the whisky in bond, whether he be a distiller or not, gets the benefit of the extension, of course.

Mr. ALDRICH. To the extent of the interest for five years of the extension upon the sum paid.

Mr. LINDSAY. Let us see what benefit he gets. Suppose you compel him to sell for what he can get. You have thus enforced the letter of your contract and he has no legal right to complain, because no legal right has been disregarded; but is it the policy of the Government to exact the letter of the law to the sacrifice of the interest of the citizen? Is it not a fair thing for the Government when it discovers that the bonded period should be longer in order to mature the whisky held in bond—is it anything more than proper to extend the bonded period until the taxed property is ready to go upon the market? Can the Government say that any extraordinary liberality has been exercised when it adds to the tax of the whisky already in bond 20 cents a gallon?

Mr. ALDRICH. Suppose a party is under obligations to pay the Government of the United States a certain sum for taxes, either customs taxes or other taxes, at a certain time, and that he comes in and says his financial affairs are not in such a condition that he can afford to pay then, and the Government, by an act of Congress, gives an extension for five years; is it unfair that he should pay interest upon those taxes which he had agreed to pay at a certain time?

Mr. LINDSAY. Does not the pending bill propose to add an additional tax of 20 cents a gallon?

Mr. ALDRICH. There is absolutely no connection at all between the two.

Mr. LINDSAY. They are in the same connection.

Mr. ALDRICH. Oh, no.

Mr. LINDSAY. Yes; they are both provided for in the same section, connected together all the way through. They stand together, and an additional tax is to be imposed by the very section of the bill which gives the extension.

Mr. ALDRICH. Suppose Congress should go back to the old law; would the Senator then be willing to leave out these provisions?

Mr. LINDSAY. If you were to go back to the old law I would still insist that as a question of public policy extension ought to be given, not for the mere benefit of the distiller, but because it is inherently just and proper.

I will now read a letter from a constituent of the Senator from Ohio [Mr. SHERMAN] as to the reason why the manufacturers of neutral spirits, the people who rectify and blend bad whiskies with good, are opposed to the extension of the bonded period. This letter is written from Cincinnati, dated June 20. It is not on a form prepared by the whisky trust and sent out for distribution:

DEAR SIR: The "whisky trust" of odorous memory, bitterly opposes any extension of the bonded period.

Because it would tend to disrupt the trust, by greatly increasing the sale of properly aged and ripened "straight" whisky.

The longer the bonded period the greater the decrease in the sale and use of the whisky trust's product, to wit: rectified, compounded, and vilely adulterated spirits.

Under the one-year bonded period the production of straight, fine whisky was 5,000,000 gallons per annum. Under the present three-year bonded period the consumption is now over 30,000,000 gallons per annum.

The per capita consumption of whisky the past thirty years has decreased proportionately to the increase of population during the same period; consequently the three years bonded period has increased the consumption of 25,000,000 gallons of ripened straight whisky, and decreased the consumption of 25,000,000 gallons of rectified stuff.

Respectfully,

JAMES LEVY & BRO.

If time shall be given by the Government for the complete ripening of the whisky, the straight or Bourbon whisky, free from adulteration, will take the place of the rectified whisky, and ten years hence one-half of the whiskies that go into the market will be straight whiskies, and the rectified whiskies or neutral spirits will go where they ought to go, into the arts and sciences, and not into consumption as a beverage.

I wish to read and comment upon a letter put in evidence by the Senator from Ohio [Mr. SHERMAN] to show another motive for the opposition to this extended bonded period. This letter is from the American Warehousemen's Association. It commences:

The American Warehousemen's Association, composed of all the leading warehouses throughout the United States, hereby earnestly protest against the extension of the bonded period for the storage of whisky in distillery bonded warehouses.

What interest can these warehousemen have in this matter? It is a question between the Government and the taxpayer. It is a question between the owner of the whisky in bond and the Government. Yet the warehousemen, who do not deal in whisky, and have no interest in whisky, are here protesting against the extension of the bonded period.

They say:

The entire direct trade interests involved, excepting a few distillers, are opposed to this measure, likewise the banking and insurance interests of the country, and it is only favored by the distillers, who now have a complete monopoly for three years and ask to have this monopoly extended five years more, eight years in all, simply because it will be a great benefit to them and will also at the same time relieve a somewhat distressing situation to them, due entirely to an unwise overproduction of their product on the part of the distillers.

A monopoly of the warehouse business. As I said, the Government compels the distiller to build warehouses; it compels the distiller to put the product of his distillery in the warehouse, and then places the warehouse in the custody of an internal-revenue officer and the distiller never has possession of the whisky until he pays the taxes and withdraws it. These warehousemen merely wish to promote their own business. In other words, these warehousemen are seeking custom for their warehouses, and they have intervened here, in a matter in which they have no interest, in order that the Government may assist in forcing whisky out of the bonded warehouses, because taxed whisky can not remain in a bonded warehouse, and that custom may in this way be brought to them. They undertake to represent the bankers and the insurance people. Not a letter has come here from a banker or an insurance man. The banks at home take care of the holders of the whisky. The insurance men at home take care of the insurance upon whisky. These people in Chicago and St. Louis and other great cities, who own warehouses and who desire patronage therefor, are intervening here to prevent the Government from allowing the distiller or the manufacturer additional time in which to use his own warehouse.

There is another view of this case. Whenever the produc-

tion of whisky is so great that consumption will not justify the owner in paying the tax and taking it out of bond, and the Government insists on having the tax, what follows? There is a door open under the construction put upon the existing law, as it will be put upon this bill, by the Internal Revenue Bureau and by the Treasury Department. The whisky forced out of bond, instead of paying the tax, will be taken out under bond for exportation and sent across the water in German ships, to German warehouses, to be insured by German insurance companies, and kept there at the will of the owner. He can keep it in the German warehouse one year, five years, or ten years at will, and when he brings it back, under our laws, it comes in through our custom-house by paying the internal-revenue tax and not the import duty.

Mr. ALDRICH. Will the Senator from Kentucky allow me? I did not make any allusion to that point in the course of my remarks, but I intended to do so before I was through discussing this question. I have been in Congress ever since this question was first agitated, and I believe that the exportation and reimportation of whiskies in the manner suggested by the Senator from Kentucky is a clear evasion of the law; that it has no legality and should not be permitted. I suggest to the Senator from Kentucky that every gallon of whisky exported under the provisions of this act must be in cases where a certificate has been made and sworn to by the distiller in the form which I will read to the Senate:

The undersigned, owner of —— packages of —— the serial numbers of which are —— deposit in distillery bonded warehouse No. —— of —— desire to withdraw the same under —— for export to —— without any purpose, after landing said spirits, of shipping them back to this country, requests that such spirits be regauged.

—— ——.

If any spirits have been exported they have been exported under this condition. The Treasury Department requires the certificate to be made and sworn to, because it was clearly the purpose of such exportation, or became clearly the purpose of such exportation, to evade and nullify the provision of the law.

Mr. LINDSAY. I might not undertake to say the Senator is wrong if this were an original proposition; but I can say that under every Republican Secretary of the Treasury and under the Democratic Secretaries of the Treasury whiskies have been exported upon just such affidavits, and reimported by the payment of the internal-revenue tax, and nobody has questioned the validity of the act.

Mr. SHERMAN. Would it not be very proper now to guard against the exportation and reimportation of whisky? It seems to me that has grown out of the construction of the existing law, and undoubtedly it is correct. Every person has a right to export American products abroad, and he can bring such products back. It applies to all kinds of goods, to whisky as well as everything else. When they are returned and shown to be of American production they are only subject to the internal-revenue tax imposed upon them. All kinds of goods may be exported and imported in the same way. There may be some error to be corrected. When the American products are exported, and when they are imported, there ought to be some kind of duty placed upon them, but there is none. It seems to me, however, that that would be a good thing for the Senators on the other side of the Chamber who have charge of the tariff bill to provide against.

Mr. LINDSAY. I am a little surprised that that view did not occur to my honorable friend when he was Secretary of the Treasury.

Mr. SHERMAN. This question did not arise until after I had ceased to hold that office.

Mr. ALDRICH. I suppose the Senator from Kentucky is as well aware as I am of the fact that the Kentucky distillers came to Congress in 1881, 1882, and 1883, and asked for the passage of an act which would give them an extended bonded period. In fact the various acts introduced were substantially the same as that now under consideration. The Senate of the United States refused by an overwhelming vote to pass any measure of this kind.

Mr. HARRIS. I should like to ask the Senator from Kentucky if he will allow me to ask a question of the Senator from Rhode Island?

Mr. LINDSAY. I will.

Mr. HARRIS. Does the Senator from Rhode Island propose to change the amendment pending by an amendment?

Mr. ALDRICH. I propose to offer an amendment to strike out the section.

Mr. HARRIS. I should be glad to have the Senator do so as soon as possible and let us deal with it.

Mr. ALDRICH. The Senator from Kentucky has the floor, and I can not move an amendment until he has concluded.

Mr. LINDSAY. I read from a letter written by a distiller at Memphis, Tenn., which I think will answer the question of the Senator from Rhode Island. He says:

Our product is a fine rye whisky, which is not ready for market until it is six to eight years old. We never sell it until it is four years old. Our product, on this account, is limited because of the long time we have to hold out whisky, tax paid, to ripen, so we never produce each year over 2,500 barrels or less than 600 barrels; this year none.

* * * * * * *

Owing to depression in business and the recent financial panic we shut down both for 1893 and 1894, and have not made a barrel. We had to export 500 barrels of 1890 Yannissee to Germany to keep from being swamped by the Government during the panic, for the tax of $20,000 had to be paid in currency at $7.50 (minimum) per $1,000 premium, and on goods not marketable for three or more years.

All this could have been obviated if this Government would do like Europe—give American manufacturers an unlimited bonded period. We ship our product abroad at great expense on foreign ships, store and insure with foreign companies, and after arduous labor to sell to foreign customers are confronted with the Chinese wall argument that we have no show. Why?

"That we Europeans can beat your price because we have unlimited bonded period and no ocean freight to pay upon our product;" hence, now we have to bring back the lot upon foreign ships and try to sell to the American people. We have about 1,300 barrels abroad, most of which cost us $100 per barrel.

The American manufacturer compelled to go abroad can not compete in the foreign market because of our peculiar and unnecessarily oppressive laws, and if he carries his goods abroad with the intention of selling, he finds himself so undersold in the market abroad that he must bring them back.

The writer continues:

But the Government has to be supported, particularly on account of the pensions, and hence a tax on imported wines and liquors per gallon—not ad valorem—is necessary to make up the deficit.

There is no increase or decrease either in the cost of importing, nor does any one but a "sole agent" at New York obtain commissions, which are not more than 2½ to 7½ per cent. The freight rates from Europe to America on foreign vessels are very low, in fact, cheaper than from New York to Memphis.

In our line of business, if we had an unlimited bonded period like Europe, we think we could distribute the product of American distilleries all over the globe, just as our merchants are distributing the product of our wheat and corn fields now, in the shape of meal and flour, besides cotton and the cattle product, also through the new cold-storage facilities of the foreign steamers plying between this and other countries.

The Eastern manufacturer asks for protection that he may be enabled to manufacture his goods and compete with the foreign manufacturer, and gentlemen on the other side say he is entitled to it, that it is good policy, that he should be given it; but when the manufacturers of whisky say, "We want no protection, we care not how you tax us; give us only the same bonded period given to like manufacturers across the water and we will not only supply the American public, but we will compete in Europe with European manufacturers," we are told that that amounts to the Government going into partnership with the American manufacturer, and that the tax is not to be deferred unless it shall bear interest.

Let us see the reason why goods will go abroad. The cost of transportation on a barrel of whisky across to Europe is $1.90, storage and insurance for one year 72 cents, return freight to Kentucky $2.37, or $4.99 as the entire expense to export and keep whisky away the first year.

Now, if the distiller pays the tax and keeps it at home a year the loss on tax outs is $1.80, storage and insurance $1.92, interest on tax $2.80, or $5.52, or nearly $1.50 more upon the barrel than if he had exported it. If he keeps it abroad four years the foreign cost is $7.15 a barrel, and the home cost is $26.08 a barrel. It is to be relieved against these hardships that distillers ship their goods abroad instead of keeping them at home. They ship the goods abroad, pay the freight to the owners of German vessels both ways, pay the German insurance companies and German warehousemen, and then bring the goods back, saving nearly $20 a barrel by the exportation. I say a system of taxation like that is an outrage.

My friend from Rhode Island said the other day in a most dramatic way that if a certain provision of the income-tax law was not modified there would be insurrection at home; that no free people would endure the indignity and the outrage of having the books of a corporation exhibited to a tax assessor. That outrage, if it be one, bears no comparison to the system of taxation which brings about such unwholesome results as these. Therefore, as a mere matter of justice and sound public policy, it being impossible for the Government to lose anything, and without regard to the claims of the distiller, and whether the tax be increased or lowered, the bonded period ought to be extended.

Mr. WHITE. Mr. President, there is one aspect of this feature of the bill upon which no one has yet touched, and I shall add a very few words to the already protracted discussion.

In the State of California according to the report of the Commissioner of Internal Revenue for 1893, there were operated during the last fiscal year in the first district fruit distilleries numbering 149, in the fourth district 138.

We manufacture in that State grape brandy of good quality and in considerable quantity. The statistics show that quite an export trade has developed. In one instance—that of the estate of the late Senator Stanford—some $190,000 worth was recently exported to Germany and sold. The owners were enabled to do this because they had sufficient means to keep the liquor on hand until it was reasonably matured, and hence salable.

Mr. President, there has been something said about the whisky trust; there has been some talk about the Kentucky distillers; but the establishments shown by the record to which I have adverted to exist in my State must demonstrate to Senators that in attempting to aid in extending the bonded period I am acting in direct line with the interest of those of my constituents who are producing grapes and making brandy therefrom. Unless the period is extended these law-abiding and industrious citizens will practically go out of business. They represent small concerns all the more valuable for that reason. A very large number are vitally concerned. Upon these distilleries our vineyardists largely rely and must rely. Without an opportunity to bond the products thus made it is doubtful, as I have said, whether we can continue in business at all.

My colleague [Mr. PERKINS] and myself have received telegrams representing almost every interest in California connected with viticulture urging the extension of the bonded period. Among others I present a telegram which is a duplicate of one which came to me personally, which I request the Secretary to read.

The PRESIDING OFFICER. The telegram will be read if there be no objection. The Chair hears none.

The Secretary read as follows:

SAN FRANCISCO, CAL., *June 23, 1894.*

GEORGE C. PERKINS,
United States Senate, Washington, D. C.:

The State viticultural commission, speaking for many thousand grape-growers, wine makers, and distillers, urgently requests you to use your best efforts to have the bonding period extended to eight years, as provided in the Senate Finance Committee bill.

JOHN T. DOYLE,
President State Viticultural Commission.

Mr. WHITE. Mr. Doyle is one of the most prominent men in our State. In fact, he is a gentleman who has devoted his energies of late years to agricultural and viticultural and horticultural pursuits as well as to the advancement of the public generally, rather than to mere personal affairs. Fortunately he is so circumstanced that he can afford to do this. Let me attract your notice to the proposition that it takes about five gallons of wine to make a gallon of brandy.

There is on hand to-day in California, owing to the exceedingly depreciated value of wine in the market, a large quantity of that commodity, and it will relieve our grape-growers not a little if they are able to turn some of this product, say one-fifth, into brandy and hold it until it is marketable.

I shall not discuss the features of this issue which have been already presented, but it is idle for Senators to assert that these goods can not be shipped abroad. The fact is otherwise. Can it be possible that the distinguished Senators upon the other side of the Chamber who have been in control of this Government for so long have been unaware of that system of exportation and reimportation which they now style illegal?

I heard it stated the other day that the reason why many Senators voted for extravagant advantages to a certain trust when the McKinley bill was passed, was because they were innocent of knowledge on the subject. Mr. President, had I been searching for uncommon and superlative innocence I would not have gone in quest of some of the parties who claim to have been thus deceived. But conceding the absence of wrong, I can hardly imagine that Senators upon the other side who have discussed this subject can claim sincerely that it is impossible to ship spirits out of this country and bring them back, and thus postpone the revenue payments.

My colleague, who is at the head of a very large steamship company on the Pacific coast, can certify that his company has taken these articles from the State of California to British Columbia, unloaded the cargo there, and subsequently transported the same back again to the United States.

Why should we deprive our people of the right to store their own product here? Why should we chase them out of this country and compel them to go to the Bermuda Islands or somewhere else, to house and keep their goods, all manufactured at home?

Mr. President, we have all received, I think, circulars asking us to oppose the extension of the bonded period. From whom have these come? Not from the men in my State who manufacture brandies; not from those persons engaged in viticultural callings; not from the men in Kentucky and elsewhere who make straight goods. Who forwarded these circulars? Manifestly those whose employment in the manufacture of another class of alleged whiskies makes it to their advantage to impose under the name of law an unjust burden upon manufacturers of straight goods—the design being to make that pursuit if not impossible at least extremely risky and unprofitable.

There is not an individual in my State engaged in grape-growing and wine-making who does not feel that the defeat of this provision extending the bonded period will be utterly destructive of his industry, and whoever may be represented by the distinguished Senator from Ohio, who made an address here to-day upon this topic, it is plain he represents neither those who are the producers of straight whisky or those who in my part of the country are legitimately engaged in the manufacture of brandy.

His proposition means the utter annihilation of wine property in California. His proposition means practically that it is a crime to keep within this country these manufactured products, and yet that it is all right to send them abroad, pay warehouse charges to the foreigner, and bring them back and place them upon our market.

Why can not those of my constituents who are thus occupied hold these goods in bond even for an indefinite period? Generally they are persons of moderate means. The brandy that they manufacture is really not marketable until after this three-year period has passed. They come to you and say that if you will give them this opportunity, which every nation that pretends to be conversant with economic conditions confers upon its people, they will be able to get along.

The brandy producers of my State have submitted to a tariff reduction in the pending bill from two and a half to one dollar and eighty cents per gallon, and now we are threatened by Senators upon the other side with destruction. It is not true that this brandy must be considered manufactured when it reaches the warehouse. It is the truth, as my friend from Kentucky has stated, that the processes of nature working even after three years are essential to the completion of a commercial article.

Yet we are told that we must take this brandy and throw it upon the market before it is ripened and when it will bring but a trifling price, and that we must make this sacrifice to an interest ably represented here, powerful in this country—an interest able to reach every little cross-roads groggery in the land, strong enough to make all engaged in illicit liquor business in the palming off of spurious articles, enthusiastic against the proposed extension of the bonded period. Are we legislating for such a combination?

There is no emissary, no one connected with the whisky trust, who is in favor of the extension of the bonded period, or if he is he has kept his views severely to himself. And yet there is no influence allied to that whisky trust that is not engaged in attempting to defeat this measure. I do not pretend to assert that Senators whose views are at variance with mine are not in absolute integrity in their utterances, but I do say that many of those who indorse their views are not entitled to any protracted hearing before any representative body of the American people.

Mr. President, the amendment proposed by the committee is in the interest of a legitimate industry sanctioned by statute, an industry that pays much money into the Treasury, and this avocation can not in one breath be said to be proper and the next instant condemned as criminal. We have recognized this production as something upon which people have a right to depend. The manufacture of whisky as represented and explained by the Senators from Kentucky in their arguments, is undeniably lawful and entitled to consideration.

No one has claimed that it is against public policy for the man who raises grapes to continue in that business. Hence I have a right to appeal to every Senator, whatever may be his political faith, to join with us in this effort to do simple justice to men who are paying heavy taxes to the Government, and honestly toiling for their own and their country's interest.

Mr. President, there should be no party lines upon this question. There are certainly none in California among wine producers. There is no Republican wine-grower, no Republican politician, no Republican business man who will not tell you that the ground upon which I stand is the true ground and that the interests of the people of my State are obviously in this direction. Therefore, not only upon principle, but because it is the wish of those whom I deem entitled to the laws of legitimate protection, that I favor this extension.

I concede that parties engaged in the production of whisky ought, perhaps, to pay something in consideration of the additional bonded period, and hence I will vote for the higher tax. Mr. President, I have heard Senators who have been loud in their condemnation of this side of the Chamber because upon some of the luxuries, or so-called luxuries, of life the rates have been reduced.

Now that it is proposed to put an additional tax upon whisky

we hear exclamations that such action is wrong and against public policy. One Senator learned upon these subjects solemnly declared that he does not believe such an onerous tariff law will produce as much revenue as a smaller charge, and another Senator, equally wise and sincere, solemnly assures us that the plan will produce too much money.

Mr. President, between this clashing, uncertain, conflicting, and hence, unreliable testimony, I am forced to adopt the familiar rule that the whole must go out of court. We will justify ourselves when we stand before the American people by saying we have increased the price of whisky, if you will; that we have placed an additional revenue tax upon liquor, but that we have allowed our fellow-citizens to retain in the warehouses of this country their products instead of compelling them to send the same abroad.

If you argue that it is better to abolish the whisky business and that no man shall drink of it, I may admit the assertion. Let it be granted for the sake of argument. Nevertheless it is clearly less injurious to health and less injurious to the public and more profitable to honest citizens who depend upon the industry that this liquor should be retained long enough to permit it to go into consumption in the least harmful state and to justify a physician in placing it in the hands of patients.

In conclusion, Mr. President, I trust that the amendment proposed by the committee will be adopted, and that at least in one case our friends on the other side will join us in levying an increased impost upon a luxury and in giving to the American producer those facilities which heretofore he has not had at home, but which he has had to seek under a foreign flag and in an alien land.

Mr. MILLS. Mr. President, it seems to me that this debate has drifted away from the main question. As I understand the subject, the purpose of our Government in adopting the warehouse system was to aid and facilitate commerce. That was the purpose the English Government had in view when they adopted the warehousing system. If I am not misinformed, there is no limit of time in which the importers or producers in Great Britain are required to take their products from the warehouse. It is by the warehousing system adopted by her in connection with her other commercial policies that have enabled her almost to monopolize the foreign trade of the world.

We began the warehousing system in 1846. Its purpose was to enable our people to import goods and hold them until there was a market for them, to stimulate trade and stimulate production. The purpose of the Government in establishing the warehouses for alcoholic spirits was to enable the manufacturer to keep it until he could find a market for it. It would be impossible for the Government to derive the enormous revenue which it gets from alcoholic spirits if it was impossible to produce the spirits, and it is impossible to produce whiskies when it is impossible to sell them. Therefore the Government was put in a position where, in order to carry out the policy of bringing to her coffers this enormous revenue, she must make the production of whisky profitable to the producer, and take care of that.

As it has been argued here, the Government has discovered that in order to carry this policy into effect it has to extend the policy, and has been forced to change the taxation from production to consumption, because you could not maintain the tax on the production of the goods and compel them to go directly into consumption when they were unfit for consumption. Therefore the great policy of our Government has been to tax articles going into consumption and to put the tax on them as they do go into consumption.

Mr. President, it has been argued very adroitly that the Government has some interest in the whisky when it is in bond; that the Government is keeping the whisky for six or eight years; that the whisky is increasing in value; that the Government is in partnership with the distiller, and yet the Government is getting no benefit. The Government has not a particle of interest in the whisky, any more than it has in the amount that the farmer pays taxes on to his State. Has the State government an interest in the amount that it taxes? Has the State government an interest in the bank account of the man when it taxes him, as it does in my State and perhaps in every State in the Union, on the amount of the money he has?

Is it right that the Government should demand from this man that he should pay interest to the Government in accordance with the amount of money on which he pays the taxes? The whole thing is a fallacy. The Government has no interest at all in any of this property. The only interest the Government has attaches the moment the whisky is in bond for consumption, and that interest of the Government is perfected and closed the very instant when the tax of 90 cents is to be paid on the gallon of whisky. It never has a particle of interest, any moment whatever, any more than it has in the yard of goods imported from Great Britain or Germany and left in the warehouse in New York or Boston.

The warehouses are created for the purpose of securing the property to the producer and holding it to stimulate production, to stimulate trade, and enable the taxpayer to pay the taxes to support the Government.

I can not see, and I was going to say I never could see, why there should be any limit; but I remember when this question was first presented and brought up in the other House. My friend from Rhode Island called attention to the subject awhile ago. It was about 1880, or 1881, or 1882. I was upon the Committee on Ways and Means, and I believe my friend from Maine [Mr. FRYE] was on the committee at the same time. I then opposed the extension.

I felt then it was wrong. But a more general and more extended investigation of the subject led me to conclude that I was wrong in the conclusions that I reached then, and that the policy of this Government should be to have its warehouses without limit, as Great Britain has them. The Government has no right to compel a citizen to sell his property at any time. The only interest that the Government has in it at all is that when consumption demands that it shall come out of the warehouse the tax shall be paid on it.

The Government has no earthly interest in the four hundred and fifty or five hundred million dollars' worth of goods imported into this country, but the Government sees there is a certain amount of exchange going on between our people and other people; and by virtue of that exchange we are taking from them $450,000,000 or $500,000,000 of things that they do not want and we do want, and the Government established its policy of raising revenue by that means. It sees that the wants of our people furnish the safe basis on which to predicate a policy of raising revenue.

The Government does it, but it has no interest in these goods when they are moved. Its interest attaches the moment they touch our shores and start into consumption, and not even the moment they come to our shores unless they are withdrawn for immediate consumption. If they go to a warehouse, the Government has no interest in them in a pecuniary sense, for they are the property of the importer. The interest, the right, and the title of the Government to have any connection with them at all arises at the very moment when they are withdrawn for consumption; and they can not be withdrawn, for the Government officers are in charge, until the tax is paid. That is all there is about this.

I am ready to-day, and shall be so long as I remain in public life, to vote an unlimited period in the warehouses of this country both for importations and for the production of such things as the Government finds it necessary to impose taxes upon. The only way the Government can carry on this business successfully, the only way it can have its taxes collected upon these articles, is to have such accommodations as will enable business to be carried on successfully and profitably by the producer.

Mr. HILL. Let me ask the Senator for how many years the present bonded period has existed?

Mr. ALDRICH. Since 1880.

Mr. LINDSAY. A joint resolution was passed in 1878, and then again an act was passed in 1880, but the system commenced in 1878.

Mr. ALDRICH. The joint resolution provided for a different period.

Mr. LINDSAY. Yes; it gave three years.

Mr. HILL. Has anything unusual occurred in the whisky business from that day to this that now, at this particular time, requires a change?

Mr. MILLS. I do not know whether there has or not. I am not familiar with the whisky business. I am discussing the general policy of the Government.

Mr. HILL. I have only heard part of this discussion, and I do not know what particular thing has occurred, why, the bonded period having for so long a time been continued at three years, and I suppose with some satisfaction to those interested, it should now be changed.

Mr. LINDSAY. If the Senator from New York will pardon me, the House of Representatives raised the tax on distilled spirits in this bill to $1 a gallon, and the Senate has raised it 10 cents additional. That applies to whisky heretofore manufactured and now in bond.

Mr. HILL. That changes the question, does it not?

Mr. LINDSAY. It changes the condition of affairs.

Mr. HILL. Has there not been any increase since 1878?

Mr. LINDSAY. In the manufacture?

Mr. HILL. No; in the tax.

Mr. LINDSAY. The tax has been reduced.

Mr. MILLS. At one time the tax was $2.50 a gallon.

Mr. HILL. The change in the tax, then, if I understand it,

is the sole consideration for the claim for the extension of the bonded period.

Mr. MILLS. I do not know what the Senator from New York understands. I certainly said no such thing. I say that when an unwise law is made, when it has been tried by experience and found to be inadequate, it is proper to change it. The Government started out, I believe, with one year in bonded warehouse for whisky, and I believe we did the same thing with our imports. It was found after awhile that that was not a wise condition of things, and the period was lengthened; and I venture to say that the American Congress will, before many years, make the bonded-warehouse period without limit, and permit importers to import their goods and hold them until they can export them or put them on the market for sale.

If the Government intends to collect a large revenue of $100,000,000 or $150,000,000, as it is now doing from whisky, it will find that it will be a wise policy to make that business as profitable as possible to the producer, so that the Government can rely safely at every moment upon getting every dollar of that revenue from the whisky business. When that business is relieved from unnecessary embarrassments, unloaded of its burdens, and permitted to live and continue in such a condition as that the distillers will find it profitable to continue their business, the Government can rely safely upon that revenue.

Mr. STEWART. I have often heard it said that there was no such thing as bad whisky. [Laughter.] I do not indorse that remark. I think there is a great deal of difference in the effect upon the health of the country of alcoholic drinks.

This is a contest between pure and adulterated alcoholic drinks. If the producers are allowed to hold the liquor in bond until nature has matured it, it will be very much less deleterious when used; and, besides, the business will be very much more profitable to the honest producer, for in that case much of it would be exported. If, on the contrary, a heavy tax is put upon it and it is forced into the market before maturity, the producers, if they produce at all, must produce at a loss; but their loss, I admit, will be the gain of those who make money in a way which I have always regarded as very questionable, that is, manipulating spirituous liquors.

In such manipulation almost invariably drugs which are poisonous are used. I have seen in my experience whole communities impoverished and many destroyed by drinking drugged whisky. In the country where I live drugged liquors have been the cause of great calamity, and have been the great bane of the people. Such liquors make drunkards with a rapidity that is marvelous.

Spirituous liquors are so manipulated in many sections of the country that one drink will make a man crazy, and he will go on and spend all his money and ruin himself and his family. If whisky and brandy were allowed to remain in bond until they matured, and then be sold by the producer, the liquors consumed in the country would be vastly less injurious. If they are forced out of bond in an immature state, they go into the hands of manipulators, who can make gallons out of quarts, and fill the land with drunkards.

The manipulation and doctoring of liquors is one of the most potent agencies in producing drunkards. That has been my observation for many years; but I do not speak from my own personal experience, because I have been rather particular about the kind of liquor I have bought. I have bought from producers when I have used, but it has not been a very large quantity, and has not enriched them. But I dare not drink and I would not drink the liquor that is produced by the trusts who are engaged in that kind of manufacture. If they pursue that line of business they will illustrate all the horrors which are described by temperance lecturers.

If we can not abolish strong drink—and that seems impossible—we ought to do what we can to mitigate the evils, and we ought not to encourage an industry which is engaged in mixing liquors that will poison the community. If the business of producing alcohol is to be tolerated do not offer a bounty to those who drug it.

The contest is between the producers and the manipulators, as has been well known for years. The manipulators desire to secure the liquor in its raw state. They will take it and doctor it in their own way, so as to make it palatable; and in doing so they will use drugs and materials which will make it taste well, but it will be deadly in its effects. That is what they are constantly doing. They will take raw whisky and manipulate it, and then tell you that it is ten or fifteen years old; and it is so drugged that by the taste you can not determine the difference; but the next morning you will find it out [laughter], and you will continue to find it out, but then it comes too late, for the harm has been done.

Mr. LINDSAY. Has the Senator found that out by observation?

Mr. STEWART. I am not speaking from any personal experience of my own, and I will not say that I have observed any of my friends in that condition, because that would be personal. [Laughter.]

But this is a plain proposition. The contest to get whisky out of bond quickly is for the purpose of manipulating and selling it for old whisky, and it is by this means that vast sums of money are made. It ought to be allowed to remain in bond until it is fit to be put upon the market, and then you would take away the motive for drugging it; there would be more pure whisky and brandy in the market, and the business of manipulating would be done away with. I think it important to accomplish that if it can be done.

Take California. I am somewhat familiar with the conditions there. They have a large amount of grapes there which can not be converted into salable wine. Something else must be done with them. The raising of grapes in that section of the country is an industry that ought not to be destroyed, because the Pacific coast is capable of furnishing enough wine and grapes to supply this country, and perhaps half or all of Europe, but a large portion of these must be utilized in making brandy. That industry can only be made successful by having a sufficiently long bonded period. At the end of three years the brandy will not sell for more than the amount of the tax; but if it is kept eight years it will sell in any part of the world, as is well known, the Government will get a great deal more revenue, and this great industry will be able to flourish on that coast.

It is a very essential thing for maintaining the grape industry in California that they shall utilize the grapes which they can not convert into wine that is salable. Unless they can utilize that product, that industry will be practically destroyed. If they are allowed to keep the spirits in bond until they mature and are salable, they can get on with that industry, that section of the country will flourish, and the Government will get much more revenue, because there will be much more brandy produced, and it will be of a better kind.

It will not be produced to such an extent by these manipulators. Probably there will not be any more brandy or whisky produced in the country than there is now; but there will be a great deal more pure whisky and pure brandy upon which the Government will get its tax. The amount of revenue will double in a few years, and the production of doctored whisky and doctored brandy, upon which the Government gets no tax, will be correspondingly diminished, which will be a blessing to the people and will prevent the sapping of their constitutions and the destruction of their health.

We should do what we can to mitigate the evil of intoxicating drinks, and this can be done by an extended bonded period. While the aggregate amount of intoxicating liquors produced will not be diminished, the production of the adulterated article will be diminished and the pure article substituted for it.

Mr. HARRIS. Mr. President——

Mr. PEFFER. I desire to offer an amendment.

Mr. HARRIS. I trust that Senators will excuse me for suggesting that in my opinion the pending amendment would have been agreed to two hours ago but for the arguments which have been made in its favor. [Laughter.] I trust again that Senators will excuse me when I suggest my surprise that when the Senate strikes whisky it lingers for two hours. [Laughter.]

Mr. FRYE. And the Democratic side breaks loose. [Laughter.]

Mr. HARRIS. And the Republican side lingers with equal avidity. [Laughter.]

Mr. HOAR. Do I understand that the Senator from Tennessee sets his face against it?

Mr. HARRIS. I did not hear the Senator from Massachusetts, and I deem it always very important to hear what the Senator says.

Mr. HOAR. I asked the Senator if he set his face against it?

Mr. HARRIS. Again I did not hear the Senator.

Mr. HOAR. I shall not repeat it.

Mr. HARRIS. The Senator's voice is weak. Has he been lingering? [Laughter.] Mr. President, I only desire to add that I think I shall vote for this amendment, notwithstanding the voluminous arguments which have been made in its favor. [Laughter.] I hope, and earnestly hope that we may come to a vote.

Mr. HOAR. The Senator from Tennessee, who has been engaged in this business of murdering the industries of the country for the last three months by this tariff bill, seems to have got into a very excited and nervous condition of mind. It seems that nobody can make a motion or argument without exciting his angry indignation and expostulation. He seems to be very much in the condition of Macbeth when he fancied he saw Banquo's ghost at the feast.

I suppose he sees the specter of some murdered New England

industry which had been getting an honest living for its owner, and the guilt of his own action rests upon him. All I have to say to him is what Lady Macbeth said to the guests:

> Sit, worthy friends, my lord is often thus,
> And hath been from his youth; pray you, keep seated,
> The fit is momentary; upon a thought
> He will again be well. If much you note him,
> You shall offend him, and extend his passion.

[Laughter.]

Mr. HARRIS. If the Senator from Massachusetts could forget, or omit to inflict upon the Senate, his classics he would render this country a more important service than he has ever rendered it in any other way. [Laughter.]

Mr. PEFFER. I desire to propose an amendment as a new section to be inserted immediately before section 82.

The VICE-PRESIDENT. The amendment proposed by the Senator from Kansas will be stated.

The SECRETARY. It is proposed to insert before section 82 the following:

SEC. 81½. That section 3339 of the Revised Statutes and all sections amendatory thereof be amended so as to provide that the tax on beer, lager beer, ale, porter, and other similar fermented liquors shall be $1.50 per barrel, and the said section shall be and remain in force as part of this act, together with any and all laws and parts of laws made to carry into effect the provisions of this section,

Mr. PEFFER. I wish to say only at this time that this afternoon, when the Senate was not as full as it is now, most of the Senators being at lunch, I presume, I proposed an amendment similar to this, proposing a tax of $2 a barrel on beer. This amendment is for the imposition of a tax of $1.50. My only reason at that time for not asking a yea-and-nay vote upon the amendment was that so few Senators were present that I did not feel it was appropriate or courteous that I should call them away from their luncheon at that time.

With that statement of my reason for not asking a vote at that time, I wish to repeat summarily the argument I then made. No increased cost of collection will be entailed by this amendment. The machinery of the Revenue Bureau now is amply sufficient to collect all the revenues under existing laws, and this is merely an additional tax which can be collected without incurring any additional labor or expense of any kind.

Second. There will be no appreciable loss to the consumer by reason of adding 50 cents a barrel on beer. I am told that there are 31 gallons in a barrel of beer, making 124 quarts, which, allowing three glasses to the quart, would make nearly four hundred glasses. This would be a tariff so small that it would be an infinitesmal fraction of a cent upon a glass of beer.

Third. There will be an additional revenue amounting to at least $16,000,000 immediately the first year, something which we need; and if we have this $16,000,000 from beer and $50,000,000 from the income tax—although its friends estimate $30,000,000—we shall have enough to allow us to do away with all taxes upon sugar.

I ask for a yea-and-nay vote upon the amendment.

Mr. ALLISON. I only wish to say a word as to some of the arguments which have been made, and notably those of the Senator from California [Mr. WHITE] and the Senator from Nevada [Mr. STEWART].

There would be no difficulty, if our necessities required it, in dealing with brandies. We have always dealt with grape brandy in a separate provision of law. The law provided for a bonded period of three years for grape brandy before allowing any bonded period at all for distilled spirits, because grape brandy was supposed to be placed upon a different plane. Therefore I think as early as 1877 we made special provision for grape brandy, allowing a bonded period of three years. So grape brandy does not rest upon any provisions in this bill.

Mr. WHITE. If the Senator will excuse me, it does to this extent. The grape brandy business is affected by the bonded extension. The benefit of the bonded extension accrues to grape brandy under this bill.

Mr. ALLISON. We should not deal with this question because locally the Senator from California makes a good case for grape brandy.

Mr. WHITE. If the Senator from Iowa will excuse me, I trust, if I have made out a good case, it was not merely locally. I have heard about making out good cases locally, but I trust in this instance it will appeal to the Senator as a citizen of the United States, and not as a citizen of a State that can not legally use much liquor.

Mr. ALLISON. I have been unfortunate if I used language in any sense such as the Senator describes.

I believe grape brandy is manufactured chiefly in California, though it is also manufactured somewhat in New York. There is a special provision in our grape-brandy legislation authorizing an extension of the bonded period of three years. It will be necessary to amend that without dealing with this general question. That is what I endeavored to say, and I hope I have made myself understood on that question.

Mr. LINDSAY. I will ask the Senator if it is a question about dividing and conquering?

Mr. ALLISON. Not at all. The difficulty about this question is not a new one. As the Senator from Kentucky very well said, when we first imposed this tax upon grape brandy and other spirits, we required the tax to be paid at the distillery, and then we distributed other taxes in various ways. Afterwards we extended the bonded period one year for the withdrawal of those spirits. It turned out that in Kentucky and elsewhere they manufactured so much of what is known as Bourbon whisky, or distilled spirits peculiar to Kentucky distillers, that they came here and asked for an extension of the bonded period for their distilled spirits.

We went from one year to three years, and I remember very well the debate in this body and in the other upon that subject. We were laboring under a considerable depression at that time, and it was said to be impossible for those people who had manufactured distilled spirits to withdraw them from bond. We passed a joint resolution extending the period for two years as to distilled spirits then in bond, and we made a provision that any distiller who availed himself of that privilege should pay an annual tax of 5 per cent until the spirits were withdrawn. That provision stood, I think, until 1880, when a general bonded period of three years was provided for without any interest.

We can not disguise the fact that here are contesting manufacturers as to these different classes of distilled spirits. There are those who distill spirits by a continuous process, and who distill highwines. Those highwines are rectified, and in that way spirits for consumption are made.

Mr. LINDSAY. Very little of that is done now.

Mr. ALLISON. Very little, as the Senator from Kentucky says, is done now.

Then there are those who distill alcohol exclusively, and the alcohol distillers and distillers of high wines are compelled to pay the tax immediately upon distillation.

Mr. LINDSAY. Unless they sell.

Mr. ALLISON. The Senator says "unless they sell." Their product is not improved by age, and therefore they sell at the first possible moment. So alcohol producers sell at the first moment.

There is another class of distillers who produce, by a different process, a certain class of distilled spirits which are used only as a beverage, or practically so, and for medicine, if you please. Those distilled spirits are said not to be matured for three or four years. Now, it is said they do not mature under eight years. The Senator from Missouri stated in debate today that they matured in five or six years.

That may be true, but we place in these provisions the same tax upon the distiller who is compelled to sell his product immediately—it may be alcohol or it may be high wines—and then we place the same tax upon the distiller who is allowed to hold his product for eight years, allowing him 9 gallons to the barrel of 40 gallons for leakage. Then, at the end of eight years, after his production or manufacture, after he has bought his material, whether it be corn or rye, and after he has gone through with the process of manufacture, he is allowed to put that material into a warehouse.

It is true he must build that warehouse, but he has a Government officer who takes care of it, who has to be there every hour of the day, and who is paid by the Government for these eight years—paid out of the Treasury. It is no great loss to the Kentucky distillers that they put their property in a bonded warehouse of the Government for the purpose of improving its condition, because the Government itself becomes the custodian of their property, and the Government pays for that custody. If the distilled spirits are burned within the eight years, no tax is paid, although the Government officer may have been there six years.

What I say and believe is, that this is an unjust distinction as against the people who pay taxes on alcohol immediately after they buy their corn or their rye and produce high wines, and send them on the market. Therefore it is that if this bonded period is to be extended for the benefit of one-third of the production of the United States to sell, and for that property which at the end of that period is improved each day and each year, so that at the end of the period it brings a high price, these people should pay a higher tax than is paid upon the other classes of distilled spirits.

That is my contention, and I do not think there is any answer to it. I have heard no answer to it. It is no answer to say, as the Senator from Texas [Mr. MILLS] said a few moments ago, that he was in favor of the largest and most liberal conditions. If the bonded period is necessary, those who have the benefit of it and who have had the aid of the Government during all these

years ought to be willing to pay an additional tax for the additional advantage which is thus given to their property.

That seems to me to be a fair statement of the case.

Mr. HARRIS rose.

Mr. ALLISON. Does the Senator from Tennessee desire to make a motion?

Mr. HARRIS. I was going to ask the Senator if he offered an amendment to the committee amendment?

Mr. ALLISON. I do not.

Mr. HARRIS. Then I am answered.

Mr. ALLISON. I do not offer an amendment. It would be useless for me to offer an amendment unless I had the sanction of some Senator on the other side.

Mr. HARRIS. I think it would be.

Mr. ALLISON. And the Senator from Tennessee, I am glad to know, concurs with me in the futility of my undertakings to perfect this bill. I do not know but that at some stage I may offer an amendment, if this bonded period, by a vote of the Senate, shall be finally extended to distilled spirits in bond.

Mr. HOAR. What is the pending question?

The VICE-PRESIDENT. The pending question is on the amendment proposed by the Senator from Kansas [Mr. PEFFER].

Mr. ALDRICH. I desire to amend section 82.

Mr. HARRIS. Do I understand the pending question is on the amendment proposed by the Senator from Kansas?

The VICE-PRESIDENT. On the amendment of the Senator from Kansas to the amendment of the committee.

Mr. HARRIS. I move to lay the amendment of the Senator from Kansas on the table.

Mr. PEFFER. I ask unanimous consent that the vote may be taken on the amendment by yeas and nays.

Mr. HARRIS. If it can be taken without further debate, I am quite content.

The VICE-PRESIDENT. The Chair is advised that the amendment of the Senator from Kansas is an amendment to the bill and not to the committee amendment. The question will first be taken on the amendment proposed by the committee. The Chair will then recognize the Senator from Kansas.

Mr. PEFFER. It is not an amendment to anything which appears in the bill; it is a new section, and should be placed immediately before section 82.

The VICE-PRESIDENT. It is not offered, then, as an amendment to the pending amendment?

Mr. PEFFER. No, sir.

The VICE-PRESIDENT. The question, then, will first be taken on the amendment proposed by the committee, after which the Chair will recognize the Senator from Kansas.

Mr. ALDRICH. I think the Chair does not quite understand the proposition of the Senator from Kansas. He offers his amendment as a new section to come in ahead of the section offered by the committee.

Mr. COCKRELL. And that is first in order.

Mr. ALDRICH. Yes; as an independent section.

Mr. HARRIS. That being so, it is first in order.

The VICE-PRESIDENT. The Chair will submit the question. The question is on the motion of the Senator from Tennessee, to lay on the table the amendment proposed by the Senator from Kansas.

Mr. FRYE. The Senator from Tennessee has withdrawn that motion.

Mr. HARRIS. If we can have a vote without further debate I shall not insist on my motion. I did move to lay the amendment on the table, but I withdraw it if we can come to a vote.

Mr. FRYE. I ask for the yeas and nays on the amendment.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Kansas.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. PALMER (when his name was called). I am paired with the Senator from North Dakota [Mr. HANSBROUGH], and withhold my vote.

Mr. PLATT (when his name was called). I am paired with the Senator from Virginia [Mr. HUNTON], who has been called away by reason of illness in his family. If he were present I should vote "yea."

Mr. SMITH (when his name was called). I am paired with the junior Senator from Idaho [Mr. DUBOIS]. If he were here I should vote "nay."

The roll call was concluded.

Mr. GEORGE. I am paired with the Senator from Oregon [Mr. DOLPH].

Mr. BLACKBURN. I am paired with the Senator from Nebraska [Mr. MANDERSON], who is not in the Chamber. I take the liberty of transferring my pair with him to the Senator from North Carolina [Mr. JARVIS], and vote "nay."

Mr. DIXON. I have a general pair with the Senator from Mississippi [Mr. MCLAURIN], who is absent, and I withhold my vote.

Mr. FAULKNER. I suggest to the Senator from Rhode Island that as I am paired with the Senator from Ohio [Mr. SHERMAN], we transfer our pairs, whereby the Senator from Mississippi [Mr. MCLAURIN] will be paired with the Senator from Ohio, and the Senator from Rhode Island and I can both vote.

Mr. DIXON. That is agreeable to me. I vote "yea."

Mr. FAULKNER. I vote "nay."

Mr. BLANCHARD. I desire to announce that my colleague [Mr. CAFFERY] is paired with the Senator from Montana [Mr. POWER].

The result was announced—yeas 20, nays 34; as follows:

YEAS—20.

Aldrich,	Dixon,	Hoar,	Perkins,
Allen,	Frye,	Kyle,	Pettigrew,
Allison,	Gallinger,	McMillan,	Quay,
Chandler,	Hale,	Patton,	Squire,
Davis,	Higgins,	Peffer,	Teller.

NAYS—34.

Bate,	Faulkner,	Martin,	Stewart,
Blackburn,	Gibson,	Mills,	Turpie,
Blanchard,	Gordon,	Mitchell, Oregon	Vest,
Brice,	Gray,	Morgan,	Vilas,
Camden,	Harris,	Murphy,	Voorhees,
Cockrell,	Hill,	Pasco,	Walsh,
Coke,	Irby,	Pugh,	White.
Cullom,	Jones, Ark.	Ransom,	
Daniel,	Lindsay,	Roach,	

NOT VOTING—31.

Berry,	George,	McLaurin,	Proctor,
Butler,	Gorman,	McPherson,	Sherman,
Caffery,	Hansbrough,	Manderson,	Shoup,
Call,	Hawley,	Mitchell, Wis.	Smith,
Cameron,	Hunton,	Morrill,	Washburn,
Carey,	Jarvis,	Palmer,	Wilson,
Dolph,	Jones, Nev.	Platt,	Wolcott.
Dubois,	Lodge,	Power,	

So the amendment was rejected.

The VICE-PRESIDENT. The question now is upon the amendment proposed by the committee.

Mr. ALDRICH. In lines 5 and 6, section 82, page 211, I move to strike out the words "the first day of the second calendar month after."

The reason given by the committee for extending the time within which this provision is to take effect is that stamps could not be prepared.

My attention had not then been called to the fact that this provision is contained in this bill:

And until such stamps are prepared and furnished, the stamps now used to denote the payment of the internal-revenue tax on distilled spirits shall be affixed to all packages containing distilled spirits on which the tax imposed by this section is paid.

So that excuse is gone, and if there is no other reason, I presume the committee will agree to my amendment.

The VICE-PRESIDENT. The amendment proposed by the Senator from Rhode Island will be stated.

The SECRETARY. On page 211, section 82, line 5, it is proposed to strike out "the first day of the second calendar month after;" so as to read:

SEC. 82. That on and after the passage of this act there shall be levied and collected on all distilled spirits in bond at that time, or that have been or that may be then or thereafter produced in the United States, on which the tax is not paid before that day, a tax of $1.10 on each proof gallon, or wine gallon when below proof.

Mr. VEST. Do I understand the Senator from Rhode Island to say that the same stamps can be used?

Mr. ALDRICH. The provision in the section itself in lines 19, 20, 21, and 22 says they shall be used.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Rhode Island.

The amendment was agreed to.

Mr. PEFFER. I move to amend the committee amendment on page 212, line 14, by striking out the word "eight," and inserting the word "three."

The VICE-PRESIDENT. The amendment of the Senator from Kansas will be stated.

The SECRETARY. On page 212, section 82, line 14, it is proposed to strike out the word "eight," and insert "three;" so as to read:

Within three years from the date of the original entry for deposit in any distillery warehouse, or from the date of original gauge of fruit brandy deposited in special bonded warehouse, except in case of withdrawal therefrom without payment of tax as authorized by law.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Kansas.

The amendment was rejected.

Mr. HOAR. I move, after section 91, to amend the committee amendment by inserting what I send to the desk.

The VICE-PRESIDENT. The Chair will state to the Sena-

tor from Massachusetts that the section to which he refers has not yet been reached.

Mr. HOAR. I thought the committee amendment included all these sections. Is each section of the matter in italics treated as a separate amendment?

Mr. LINDSAY. Every one.

The VICE-PRESIDENT. Section 82 is the amendment pending.

Mr. HOAR. It makes no difference. I want to move the amendment at the proper time and to make a few remarks of two or three minutes in regard to it. My remarks will consist chiefly of some statements made by citizens interested, which have been communicated to me. I therefore give notice of the amendment now, in order to have it printed. I should like also to have it read. It is very brief.

The VICE-PRESIDENT. The amendment proposed by the Senator from Massachusetts will be read.

The SECRETARY. After section 94, it is proposed to insert:

Any manufacturer finding it necessary to use alcohol in the arts, or in any medicinal or other like compound, may use the same under regulations to be prescribed by the Secretary of the Treasury; and on satisfying the collector of internal revenue for the district wherein he resides or carries on business, that he has complied with such regulations and has used such alcohol therein, and exhibiting and delivering up the stamps which show that the tax has been paid thereon, he shall be entitled to receive from the Treasurer of the United States a rebate or repayment of the taxes paid.

Mr. PERKINS. Mr. President, there seems to have been a conflict of testimony presented to the committee as to whether there should be an extension of the bonded time upon whisky, and in the argument to-day there is a conflict of opinion; but after listening to the argument of my colleague from California I think the Senate will be satisfied that there can be no difference of opinion as to the advisability of extending the bonded period upon grape or fruit brandy.

I find that every State of the Union, with two exceptions, produces more or less fruit brandy. During the past year there were made 601,869 gallons of apple brandy, 57,589 gallons of peach brandy, and 1,699,000 gallons of grape brandy, making a total of 2,358,478 gallons of fruit brandy.

The German Government has purchased our brandy, giving it the preference to that of France, it being a purer article.

California is especially interested in the cultivation of the grape and the manufacture of grape brandy; and as there is a unanimity of expression on the floor of the Senate to-day that brandy improves by age and that the bonded period should be extended to at least eight years, I have deemed it my duty to my constituents in the State of California, which I have the honor in part to represent upon this floor, to ask a division of the question by amending various paragraphs. I ask that the amendment be read.

I shall not trespass longer upon the Senate; and as a test on this amendment my friend, the Senator from Tennessee [Mr. HARRIS], can move to lay it on the table; which will give us an opportunity at least of giving an expression of our opinion as to whether we are willing to extend the bonded period upon fruit brandy.

The VICE-PRESIDENT. The amendment of the Senator from California will be stated.

The Secretary read as follows:

Amend on page 212, line 13, by adding after the word "warehouse," "excepting special bonded warehouses for fruit brandy;" and in line 14 strike out the word "eight" and insert in lieu thereof the word "three;" and in line 15, after the word "or," insert "within eight years."

Also, on page 213, line 1, strike out the words "eight years" and insert in lieu thereof "the periods named in section 82 of this act, respectively;" on line 22, strike out the words "eight years" and insert in lieu thereof "the bonding period named in section 82 of this act."

Also, on page 214, section 84, line 15, strike out the words "distilled spirits," and insert in lieu thereof "grape spirits or fruit brandy;" on line 16, strike out the words "distillery warehouse;" also strike out all of line 17, and in line 18 strike out the words "provisions of this act."

Also, on page 215, in line 6 and 7, strike out the words "distillery warehouse or other bonded warehouse," and insert in lieu thereof "special bonded warehouse."

Page 214, in line 19 and 20, strike out the words "as to fruit brandy or original entry as to all other spirits."

Page 219, line 2, strike out the word "eight" and insert in lieu thereof the word "three."

The VICE-PRESIDENT. The question will first be taken upon the amendment proposed by the Senator from California to section 82; the other sections to which the amendment applies not yet having been reached.

Mr. HARRIS. Would it be in order, Mr. President, to move to lay the amendments on the table *en masse*?

Mr. PERKINS. I will state that I only ask for a *viva voce* vote.

Mr. HARRIS. I will state that I am ready to give the Senator a vote upon it in either form.

Mr. FAULKNER. Let the question be taken on all the Senator's amendments at one time, Mr. President.

The VICE-PRESIDENT. Does the Chair understand the Senator from Tennessee moves to lay the amendment on the table?

Mr. HARRIS. If we can come to a vote upon the amendments I am ready to vote.

The VICE-PRESIDENT. The question is on the amendments proposed by the Senator from California.

The amendments were rejected.

The VICE-PRESIDENT. The question recurs on the amendment proposed by the committee to insert as a new section section 82.

Mr. ALLISON. I move an amendment to come in after line 15 on page 211.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In section 82, on page 211, after the word "excluded," at the end of line 15, it is proposed to insert:

And provided further, That on distilled spirits remaining in bond after four years of the bonded period hereinafter provided for an additional tax of 5 cents per gallon per annum shall be assessed and paid, and at the rate of 5 cents per gallon for each fractional part of a year.

Mr. ALLISON. I hope the amendment will be accepted by the committee.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Iowa to the amendment of the committee.

Mr. ALDRICH and Mr. POWER called for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BERRY (when his name was called). I am paired with the Senator from Colorado [Mr. TELLER].

Mr. BLACKBURN (when his name was called). I am paired with the Senator from Nebraska [Mr. MANDERSON], but I transfer that pair to the Senator from North Carolina [Mr. JARVIS] and vote "nay."

Mr. DIXON (when his name was called). I have a general pair with the Senator from Mississippi [Mr. MCLAURIN], who is absent, and I therefore withhold my vote.

Mr. FAULKNER (when his name was called). I am paired with the senior Senator from Ohio [Mr. SHERMAN].

Mr. GEORGE (when his name was called). I am paired with the Senator from Oregon [Mr. DOLPH].

Mr. PLATT (when his name was called). I am paired with the Senator from Virginia [Mr. HUNTON]. If he were present I should vote "yea."

Mr. SMITH (when his name was called). I am paired with the junior Senator from Idaho [Mr. DUBOIS], and therefore withhold my vote.

The roll call was concluded.

Mr. PLATT. At the suggestion of the Senator from West Virginia [Mr. FAULKNER], I will transfer my pair with the Senator from Virginia [Mr. HUNTON] to the Senator from Ohio [Mr. SHERMAN], which will permit the Senator from West Virginia and me to vote. I vote "yea."

Mr. FAULKNER. I vote "nay."

Mr. POWER. I am paired with the senior Senator from Louisiana [Mr. CAFFERY], but I transfer that pair to the Senator from Nevada [Mr. JONES], and vote "yea."

The result was announced—yeas 19, nays 33; as follows:

YEAS—19.

Aldrich,	Gallinger,	Hoar,	Platt,
Allison,	Hale,	McMillan,	Power,
Cullom,	Hawley,	Patton,	Quay,
Davis,	Higgins,	Perkins,	Squire,
Frye,	Hill,	Pettigrew,	

NAYS—33.

Allen,	Gibson,	Mitchell, Oregon	Turpie,
Bate,	Gordon,	Morgan,	Vest,
Blackburn,	Gray,	Murphy,	Vilas,
Blanchard,	Harris,	Pasco,	Voorhees,
Camden,	Irby,	Peffer,	Walsh,
Cockrell,	Jones, Ark.	Pugh,	White.
Coke,	Kyle,	Ransom,	
Daniel,	Lindsay,	Roach,	
Faulkner,	Mills,	Stewart,	

NOT VOTING—33.

Berry,	Dolph,	McLaurin,	Shoup,
Brice,	Dubois,	McPherson,	Smith,
Butler,	George,	Manderson,	Teller,
Caffery,	Gorman,	Martin,	Washburn,
Call,	Hansbrough,	Mitchell, Wis.	Wilson,
Cameron,	Hunton,	Morrill,	Wolcott.
Carey,	Jarvis,	Palmer,	
Chandler,	Jones, Nev.	Proctor,	
Dixon,	Lodge,	Sherman,	

So the amendment to the amendment was rejected.

Mr. GORDON. I wish to announce that for the remainder of to-day's session the pair existing between the Senator from Maine [Mr. FRYE] and the Senator from Maryland [Mr. GOR-

MAN] will be resumed, and my pair with the Senator from Iowa [Mr. WILSON] will be resumed.

The VICE-PRESIDENT. The question is on the amendment proposed by the committee, inserting section 82.

The amendment was agreed to.

The next amendment of the Committee on Finance was to add as a new section the following:

SEC. 83. That warehousing bonds and transportation and warehousing bonds, conditioned for the payment of the taxes on all distilled spirits entered for deposit into distillery or special bonded warehouses on and after the date named in the last preceding section, shall be given by the distiller of said spirits as required by existing laws, conditioned, however, for payment of taxes at the rate imposed by this act and before removal from warehouse and within eight years, as to fruit brandy from the date of the original gauge, and as to all other spirits from the date of the original entry for deposit, and all warehousing bonds or transportation and warehousing bonds conditioned for the payment of the taxes on distilled spirits entered for deposit into distillery or special bonded warehouses prior to that date shall continue in full force and effect for the time named in said bonds, except where new or additional bonds are required under existing law.

Whenever the tax is paid on or after the aforesaid date, pursuant to the provisions of the warehousing or transportation and warehousing bonds aforesaid, there shall be added to the 90 cents per taxable gallon an additional tax sufficient to make the tax paid on said spirits equal to that imposed by this act. The Commissioner of Internal Revenue may require the distillers of the spirits to give bonds for the additional tax, and before the expiration of the original bonds shall prescribe rules and regulations for reentry for deposit and for new bonds as provided for spirits originally entered for deposit under this act, and conditioned for payment of tax at the rate imposed by this act and before removal of the spirits from warehouse, and within eight years; as to fruit brandy, from the date of the original gauge, and as to all other spirits, from the date of original entry for deposit. If the distiller of the spirits fails or refuses to give the bond for additional tax, or to reënter and rebond the spirits, the Commissioner of Internal Revenue may proceed to collect the tax as now provided by law for failure or refusal to give warehousing bonds on original entry into distillery warehouse or special-bonded warehouse, and the provisions of section 4 of the act of May 28, 1880 (21 Statutes, 145), so far as applicable, are hereby extended to bonds given under the provisions of this section: *Provided*, That the distiller may, at his option and under such regulations as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall prescribe, execute an annual bond for the spirits so deposited in lieu of the bonds herein provided.

The amendment was agreed to.

The next amendment was, to add as a new section the following:

SEC. 84. That the distiller of any distilled spirits deposited in any distillery warehouse, or special-bonded warehouse, or in any general-bonded warehouse established under the provisions of this act may, prior to the expiration of four years from the date of original gauge as to fruit brandy, or original entry as to all other spirits, file with the collector a notice giving a description of the packages containing the spirits, and request a regauge of the same; and thereupon the collector shall direct a gauger to regauge the spirits, and to mark upon each such package the number of gauge or wine gallons and proof gallons therein contained.

If upon such regauging it shall appear that there has been a loss of distilled spirits from any cask or package, without the fault or negligence of the distiller thereof, taxes shall be collected only on the quantity of distilled spirits contained in such cask or package at the time of the withdrawal thereof from the distillery warehouse or other bonded warehouse; *Provided, however*, That the allowance which shall be made for such loss of spirits as aforesaid shall not exceed 1 proof gallon for two months or part thereof; 1½ gallons for three and four months; 2 gallons for five and six months; 2½ gallons for seven and eight months; 3 gallons for nine and ten months; 3½ gallons for eleven and twelve months; 4 gallons for thirteen, fourteen, and fifteen months; 4½ gallons for sixteen, seventeen, and eighteen months; 5 gallons for nineteen, twenty, and twenty-one months; 5½ gallons for twenty-two, twenty-three, and twenty-four months; 6 gallons for twenty-five, twenty-six, and twenty-seven months; 6½ gallons for twenty-eight, twenty-nine, and thirty months; 7 gallons for thirty-one, thirty-two, and thirty-three months; 7½ gallons for thirty-four, thirty-five, and thirty-six months; 8 gallons for thirty-seven, thirty-eight, thirty-nine, and forty months; 8½ gallons for forty-one, forty-two, forty-three, and forty-four months; 9 gallons for forty-five, forty-six, forty-seven, and forty-eight months; and no further allowance shall be made: *And provided further*, That in case such spirits shall remain in warehouse after the same have been regauged, the packages containing the spirits shall, at the time of withdrawal from warehouse and at such other times as the Commissioner of Internal Revenue may direct, be again regauged or inspected; and if found to contain a larger quantity than shown by the first regauge, the tax shall be collected and paid on the quantity contained in each such package as shown by the original gauge: *And provided further*, That taxes shall be collected on the quantity contained in each cask or package as shown by the original gauge, where the distiller does not request a regauge before the expiration of four years from the date of original entry or gauge: *Provided, also*, That the foregoing allowance of loss shall apply only to casks or packages of a capacity of 40 or more wine gallons, and that the allowance for loss on casks or packages of less capacity than 40 gallons shall not exceed one-half the amount allowed on said 40-gallon cask or package; but no allowance shall be made on casks or packages of less capacity than 20 gallons: *And provided further*, That the proof of such distilled spirits shall not in any case be computed at the time of withdrawal at less than 100 per cent.

The amendment was agreed to.

The next amendment was, to add as a new section the following:

SEC. 85. That the Commissioner of Internal Revenue shall be, and is hereby, authorized, in his discretion and upon the execution of such bond as he may prescribe, to establish one or more warehouses, not exceeding ten in number in any one collection district, to be known and designated as general bonded warehouses, and to be used exclusively for the storage of spirits distilled from materials other than fruit, each of which warehouses shall be in the charge of a storekeeper or storekeeper and gauger to be appointed, assigned, transferred, and paid in the same manner as such officers for distillery warehouses are now appointed, assigned, transferred, and paid. Every such warehouse shall be under the control of the collector of internal revenue of the district in which such warehouse is located, and shall be in the joint custody of the storekeeper and proprietor thereof, and kept securely locked, and shall at no time be unlocked or opened or remain open except in the presence of such storekeeper or other person who may be designated to act for him, as provided in the case of distillery warehouses; and such warehouses shall be under such further regulations as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may prescribe.

The amendment was agreed to.

The next amendment was, to add as a new section the following:

SEC. 86. That any distilled spirits made from materials other than fruit, and lawfully deposited in a distillery warehouse, may, upon application of the distiller thereof, be removed from such distillery warehouse to any general bonded warehouse established under the provisions of the preceding section; and the removal of said spirits to said general bonded warehouse shall be under such regulations, and after making such entries and executing and filing with the collector of the district in which the spirits were manufactured, such bonds and bills of lading, and the giving of such other additional security, as may be prescribed by the Commissioner of Internal Revenue and approved by the Secretary of the Treasury.

The amendment was agreed to.

The next amendment was, to add as a new section the following:

SEC. 87. That all spirits intended for deposit in a general bonded warehouse, before being removed from the distillery warehouse, shall have affixed to each package an engraved stamp indicative of such intention, to be provided and furnished to the several collectors as in the case of other stamps, and to be charged to them and accounted for in the same manner.

The amendment was agreed to.

The next amendment was, to add as a new section the following:

SEC. 88. That any spirits removed in bond as aforesaid may, upon its arrival at a general bonded warehouse, be deposited therein upon making such entries, filing such bonds and other securities, and under such regulations as shall be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury. It shall be one of the conditions of the warehousing bond covering such spirits that the principal named in said bond shall pay the tax on the spirits as specified in the entry or cause the same to be paid within eight years from the date of the original entry of the same into the distillery warehouse, and before withdrawal, except as hereinafter provided.

The amendment was agreed to.

The next amendment was, to add as a new section the following:

SEC. 89. That any spirits may be withdrawn once and no more from one general bonded warehouse for transportation to another general bonded warehouse, and when intended to be so withdrawn, shall have affixed thereto another general bonded warehouse stamp indicative of such intention; and the withdrawal of such spirits, and their transfer to and entry into such general bonded warehouse shall be under such regulations and upon the filing of such notices, entries, bonds, and bills of lading as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may, from time to time, prescribe; and the bonds covering spirits in general bonded warehouses shall be given by distillers of the spirits, and shall be renewed at such times as the Commissioner of Internal Revenue may, by regulations, require.

The amendment was agreed to.

The next amendment was, to add as a new section the following:

SEC. 90. That the provisions of existing law in regard to the withdrawal of distilled spirits from warehouses upon payment of tax, or for exportation or for transfer to a manufacturing warehouse, and as to the gauging, marking, branding, and stamping of the spirits upon such withdrawals, and in regard to withdrawals for the use of the United States or scientific institutions or colleges of learning, including the provisions for allowance for loss by accidental fire or other unavoidable accident, are hereby extended and made applicable to spirits deposited in general bonded warehouses under this act.

The amendment was agreed to.

The next amendment was, to add as a new section the following:

SEC. 91. Whenever distilling shall have been suspended at any distillery for a period or periods aggregating six months during any calendar year, and the quantity of spirits remaining in the distillery warehouse does not exceed 5,000 proof gallons, or whenever, in the opinion of the Commissioner of Internal Revenue, any distillery warehouse or general bonded warehouse is unsafe or unfit for use, or the merchandise therein is liable to loss or great wastage, he may in either such case discontinue such warehouse and require the merchandise therein to be transferred to such other warehouse as he may designate, and within such time as he may prescribe; and all the provisions of section 3272 of the Revised Statutes of the United States relating to transfers of spirits from warehouses, including those imposing penalties, are hereby made applicable to transfers to or from general bonded warehouses established under this act.

The amendment was agreed to.

The next amendment was, to add as a new section the following:

SEC. 92. The tax upon any distilled spirits removed from a distillery warehouse for deposit in a general bonded warehouse, and in respect of which any requirement of this act is not complied with, shall, at any time when knowledge of such fact is obtained by the Commissioner of Internal Revenue, be assessed by him upon the distiller of the same, and returned to the collector, who shall immediately demand payment of such tax, and upon the neglect of payment by the distiller shall proceed to collect the same by distraint. But this provision shall not exclude any other remedy or proceeding provided by law to enforce the payment of the tax. If it shall appear at any time that there has been a loss of distilled spirits from any cask or package deposited in a general bonded warehouse or special bonded warehouse, other than the loss provided for in section 3221 of the Revised Statutes of the United States, which, in the opinion of the Commissioner of Internal Revenue, is excessive, he may instruct the collector of the district in which the loss has occurred to require the withdrawal from warehouse of such cask or package of distilled spirits and to collect the tax accrued upon the original quantity of distilled spirits entered into the

warehouse in such cask or package, less only the allowance for loss provided by law. If the said tax is not paid on demand the collector shall report the amount due, as shown by the original gauge, upon his next monthly list, and it shall be assessed and collected as other taxes are assessed and collected.

The amendment was agreed to.

The next amendment was, to add as a new section, the following:

SEC. 93. That in case any distilled spirits removed from a distillery warehouse for deposit in a general bonded warehouse shall fail to be deposited in such general bonded warehouse within ten days after such removal, or within the time specified in any bond given on such removal, or if any distilled spirits deposited in any general bonded warehouse shall be taken therefrom, for export or otherwise, without full compliance with the provisions of this act, and with the requirements of any regulations made thereunder, and with the terms of any bond given on such removal, or if any distilled spirits which have been deposited in a general bonded warehouse shall be found elsewhere, not having been removed therefrom according to law, any person who shall be guilty of such failure, or any person who shall in any manner violate any provision of the next preceding eleven sections of this act, shall be subject, on conviction to a fine of not less than $100 nor more than $5,000 and to imprisonment for not less than three months nor more than three years for every such failure or violation; and the spirits as to which such failure or violation, or unlawful removal shall take place shall be forfeited to the United States.

The amendment was agreed to.

The next amendment was, to add as a new section, the following:

SEC. 94. That all assessments made under the provisions of section 3309 of the Revised Statutes of the United States, and acts amendatory thereof, shall be at the rate of tax imposed by this act on each proof gallon.

Mr. HALE. The Senator from Massachusetts [Mr. HOAR] gave notice of an amendment which he intended to propose to section 94, and thinking, I suppose, that it would not come up before to-morrow he has gone from the Chamber. I ask that that section may be passed over.

Mr. JONES of Arkansas. It was understood that the Senator from Massachusetts should offer the amendment and make his remarks to-morrow morning.

Mr. HALE. Very well.

Mr. CHANDLER. I call the attention of the Senator from Arkansas to the penalty clause, beginning in line 11 of section 93:

Any person who shall in any manner violate any provision of the next preceding eleven sections of this act, shall be subject, on conviction, to a fine of not less than $100 nor more than $5,000, and to imprisonment for not less than three months nor more than three years for every such failure or violation.

Apparently in case of an offense, however slight, there must be both fine and imprisonment. I suppose the Senator does not mean that both fine and imprisonment shall be imposed for a violation of the act.

I do not ask the Senator to amend the clause now, but I call his attention to it, because it is very rare in a general provision of this sort covering any violation of an act that such violation shall be punished necessarily by both fine and imprisonment.

Mr. JONES of Arkansas. I am entirely willing to strike out the word "and," in line 14, and insert the word "or."

Mr. CHANDLER. The Senator may desire to change the section otherwise, instead of providing for both fine and imprisonment. I suggest to the Senator that he prepare an amendment before to-morrow.

Mr. JONES of Arkansas. Let the word "and" in line 14 be stricken out and the word "or" inserted, so as to make the punishment fine or imprisonment. Let that be agreed to.

The amendment was agreed to.

The next amendment of the Committee on Finance was to add as a new section the following:

SEC. 95. That no distiller who has given the required bond and who sells only distilled spirits of his own production at the place of manufacture, or at the place of storage in bond, in the original packages to which the tax-paid stamps are affixed, shall be required to pay the special tax of a wholesome liquor dealer on account of such sales.

Mr. VEST. In line 3, on page 223, I move to strike out the word "wholesome;" which is a misprint, and insert the word "wholesale."

The VICE-PRESIDENT. That amendment will be agreed to in the absence of objection.

Mr. VEST. Now, I move to amend the amendment by adding to the section what appears in small type, beginning after the word "sales," in line 4, on page 223.

The VICE-PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. In section 95, on page 223, after the word "sales," at the end of line 4, it is proposed to insert:

Provided, That he shall be required to keep the book prescribed by section 3318 of the Revised Statutes of the United States, or so much as shall show the date when he sent out any spirits, the serial numbers of the packages containing same, the kind and quality of the spirits in wine gallons and taxable gallons, the serial numbers of the stamps on the packages, and the name and residence of the person to whom sent; and the provisions of section 5 of an act entitled "An act to amend the laws relating to internal revenue," approved March 5, 1879, as to transcripts, shall apply to such books. Any failure, by reason of refusal or willful neglect, to furnish the transcript by him shall subject the spirits owned or distilled by him to forfeiture.

Mr. ALLISON. I wish to call the attention of the Senator from Missouri to this section. It seems to contemplate that a distiller may remove liquor for sale from his own warehouse without the payment of a wholesale dealer's tax. My recollection of the present law is that such a thing can not be done now except in full packages, and the warehouse can only be opened, as the Senator will remember, by the joint action of the storekeeper and the distiller.

If the Senator has taken care by the use of suitable language to prevent the danger that might be involved in making the distillery warehouse practically a wholesale liquor house for dealing day by day in liquors, I do not know that I shall object; but it seems to me that it is rather a dangerous provision to allow a bonded warehouse to be opened every day when a person may desire a single package, or a half package, etc., to be sent out. If the Senator thinks there is no danger about the provision, I shall not interpose.

Mr. VEST. I only know that this amendment was prepared by the Commissioner of Internal Revenue, who sent it to the committee with the request that we should insert it in the bill. I suppose the provisions of existing law will apply, and that the amendment does not change it. I am not expert enough in the details of this excise law to say how it will operate, but I confess frankly that I took the opinion of the Commissioner of Internal Revenue without much question in regard to it. It was prepared by the Commissioner and the committee have made no addition to it.

Mr. ALLISON. Very well. It can be looked into in conference.

Mr. VEST. We shall look into it.

Mr. ALLISON. Then I make no objection, though I think the provision appears rather dangerous on its face.

The VICE-PRESIDENT. The question is on the amendment of the Senator from Missouri to the amendment of the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment of the Committee on Finance was to add, as a new section, the following:

SEC. 96. That storekeepers, and storekeepers and gaugers, when transferred from one distillery to another, either in the same district or in different districts, shall receive compensation not exceeding $4 per day during the time necessarily occupied in traveling from one distillery to the other, together with actual and necessary traveling expenses.

The amendment was agreed to.

The next amendment was, to add as a new section the following:

SEC. 97. That the officer holding the combined office of storekeeper and gauger, under the provisions of the legislative, executive, and judicial appropriation act approved August 15, 1876 (19 Statutes, page 152), may be assigned by the Commissioner of Internal Revenue to perform the separate duties of a storekeeper at any distillery, or at any general or special bonded warehouse, or to perform any of the duties of a gauger under the internal-revenue laws. And the said officer, before entering upon the discharge of such separate duties, shall give a bond to be approved by the Commissioner of Internal Revenue for the faithful discharge of his duties in such form and for such amount as the Commissioner may prescribe.

The amendment was agreed to.

The next amendment was, to add as a new section the following:

SEC. 98. That internal-revenue gaugers may be assigned to duty at distilleries, rectifying houses, or wherever gauging is required to be done, and transferred from one place of duty to another, by the Commissioner of Internal Revenue, in like manner as storekeepers and storekeepers and gaugers are now assigned and transferred.

The amendment was agreed to.

The next amendment was, to add as a new section the following:

SEC. 99. That section 3320 of the Revised Statutes of the United States, as amended, be further amended by striking out all after said number and substituting the following:

"Whenever any cask or package, containing 5 wine gallons or more, is filled for shipment, sale, or delivery on the premises of any rectifier who has paid the special tax required by law, it shall be inspected and gauged by a United States gauger, whose duty it shall be to mark and brand the same and place thereon an engraved stamp, which shall state the date when affixed and the number of proof gallons, and shall be in such form as shall be prescribed by the Commissioner of Internal Revenue with the approval of the Secretary of the Treasury: *Provided*, That when such cask or package is filled on the premises of a rectifier rectifying less than 500 barrels a year, counting 40 gallons of proof spirits to the barrel, it may be gauged, marked, branded, and stamped by a United States gauger, or it may be gauged, marked, branded, and stamped by the rectifier, as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may by regulations prescribe.

The amendment was agreed to.

The next amendment was, to add as a new section the following:

SEC. 100. That whenever any person intending to commence or to continue the business of a distiller shall execute a bond under the provisions of section 3280 of the Revised Statutes of United States, and file the same with the collector of internal revenue for the district in which he proposes to distill, the collector may refuse to approve said bond if the person offering the same shall have been previously convicted, in a court of competent juris-

diction, of any fraudulent noncompliance with any of the provisions of law relating to the duties and business of distillers, or if the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall have compromised such an offense with the person upon the payment of penalties or otherwise, and, in case of such refusal, the person so proposing to distill may appeal to the Commissioner of Internal Revenue, whose decision in the matter shall be final.

The amendment was agreed to.

Mr. ALLISON. I offer at this point an amendment of which I heretofore gave notice, and which I send to the Secretary's desk.

The VICE-PRESIDENT. The amendment proposed by the Senator from Iowa will be stated.

The SECRETARY. The amendment proposed by Mr. ALLISON is to amend by adding as a new section on page 226 the following:

SEC. 100½. That section 18 of "An act to amend existing customs and internal-revenue laws, and for other purposes," approved February 8, 1875, as amended by section 4 of "An act to amend the laws relating to internal revenue," approved March 1, 1879, be further amended by striking out of the first line of said amended section, as printed in volume 20, United States Statutes at Large, the word "twenty-five," and inserting in lieu thereof the word "fifty;" and by striking out of the fifth and sixth lines of said amended section, as printed as aforesaid, the words "one hundred," and inserting in lieu thereof the words "two hundred."

Mr. ALLISON. The object of this amendment is to avoid a double tax and to so distribute the tax as to save producers of alcohol for use in the arts from certain provisions which seem to be imposed upon them by the additional tax of 20 cents a gallon imposed by the House and Senate.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Iowa. (Putting the question.) The noes seem to have it. The noes have it, and the amendment is not agreed to.

Mr. CHANDLER. I ask for a division.

Mr. HARRIS. The Senator asks for a division to show the want of a quorum. We shall show it more clearly by the yeas and nays.

Mr. ALLISON. I do not think a call of the roll will show the want of a quorum. I disagree with the Senator from Tennessee. I hope the Senator from New Hampshire will withdraw his call for a division.

Mr. HARRIS. I shall not ask for the yeas and nays unless the Senator from New Hampshire insists upon a division.

The VICE-PRESIDENT. Are the yeas and nays demanded?

Mr. HARRIS. Is a division demanded?

Mr. CHANDLER. I withdraw the call for a division, with the kind permission of the Senator from Tennessee.

Mr. HARRIS. I withdraw the call for the yeas and nays.

The VICE-PRESIDENT. The demand being withdrawn the amendment of the Senator from Iowa is not agreed to. The reading of the bill will proceed.

The Secretary read the next section, as follows:

SEC. 101. That section 43 of the act approved October 1, 1890, entitled "An act to reduce the revenue and equalize duties on imports, and for other purposes," be amended so as to read as follows:

"That the wine spirits mentioned in section 42 of this act is the product resulting from the distillation of fermented grape juice and shall be held to include the product commonly known as grape brandy; and the pure sweet wine which may be fortified free of tax, as provided in said section, is fermented grape juice only, and shall contain no other substance of any kind whatever introduced before, at the time of, or after fermentation, and such sweet wine shall contain not less than 4 per cent of saccharine matter, which saccharine strength may be determined by testing with Billings saccharometer or must scale, such sweet wine, after the evaporation of the spirit contained therein, and restoring the sample tested to original volume by addition of water: *Provided*, That the addition of pure boiled or condensed grape must, or pure crystallized cane or beet sugar to the pure grape juice aforesaid, or the fermented product of such grape juice prior to the fortification provided for by this act for the sole purpose of perfecting sweet wines according to commercial standard, shall not be excluded by the definition of pure, sweet wine aforesaid: *Provided further*, That the cane or beet sugar so used shall not be in excess of 10 per cent of the weight of wines to be fortified under this act."

Mr. VEST. On page 226, in section 101, line 20, I move to strike out "Billings" and insert "Balling's."

The amendment was agreed to.

Mr. ALLISON. I desire to ask the Senator from Missouri whether this section meets the approval of the Treasury Department?

Mr. VEST. It does. It was prepared by the Treasury Department.

The VICE-PRESIDENT. The reading of the bill will proceed.

The next amendment of the Committee on Finance was to strike out section 102 in the following words:

That all acts and parts of acts inconsistent herewith are hereby repealed.

And to insert:

SEC. 102. Every person whose business it is to manufacture tobacco or snuff for himself, or who employs others to manufacture tobacco or snuff, whether such manufacture be by cutting, pressing, grinding, crushing, or rubbing of any raw or leaf tobacco, or otherwise preparing raw or leaf tobacco, or manufactured or partially manufactured tobacco or snuff, or the putting up for use or consumption of scraps, waste, clippings, stems, or deposits of tobacco resulting from any process of handling tobacco, or by the working or preparation of leaf tobacco, tobacco stems, scraps, clippings, or waste, by sifting, twisting, screening, or any other process, shall be regarded as a manufacturer of tobacco.

Every person shall also be regarded as a manufacturer of tobacco whose business it is to sell leaf tobacco in quantities less than the original hogshead, case, or bale; or who sells directly to consumers, or to persons other than duly registered dealers in leaf tobacco, or to duly registered dealers in manufactured tobacco, snuff, or cigars, or to persons who purchase in original packages for export; and all tobacco so sold by such persons shall be regarded as manufactured tobacco, and such manufactured tobacco shall be put up and prepared by such manufacturer in such packages only as the Commissioner of Internal Revenue with the approval of the Secretary of the Treasury shall prescribe: *Provided*, That farmers and growers of tobacco who sell leaf tobacco of their own growth and raising shall not be regarded as manufacturers of tobacco; and so much of section 3244 of the Revised Statutes of the United States, and acts amendatory thereof, as are in conflict with this act are hereby repealed.

Mr. VEST. On page 228, line 2, after the word "registered" I move to strike out "dealers in manufactured" and insert "manufacturers of."

The amendment to the amendment was agreed to.

Mr. KYLE. I offer an amendment to the amendment which I send to the desk.

The VICE-PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. In section 102, page 228, line 13, after the word "tobacco," insert:

Nor shall merchants who buy tobacco in the leaf, or in ordinary manufactured twist form, directly from the grower and sell the same in ordinary unmanufactured twist-form directly to consumers, be regarded as manufacturers of tobacco within the provisions of this act.

Mr. KYLE. This amendment enables the grower of tobacco to sell the ordinary twist, unmanufactured tobacco directly to the consumer, or to the retail merchant who will retail it to the consumer, and the dealer shall be considered as a manufacturer of tobacco. It enables the poor people of the country who use this kind of tobacco to get it cheap, and therefore it is nothing more than just. It gives a market also for this kind of tobacco.

I have here a number of statistics, which I will insert in the RECORD, showing what the saving will be to the consumer in various States by the adoption of this amendment:

Amount of leaf tobacco used by several States during the year 1893.

South Dakota used 500,000 pounds; cost consumer, at 15 cents	$75,000
Same amount manufactured would cost, at 50 cents	250,000
Saved on amount used	175,000
North Dakota used 350,000 pounds; cost consumer, at 15 cents	52,500
Same amount manufactured would cost, at 50 cents	175,000
Saved on amount used	122,500
Minnesota used 550,000 pounds; cost consumer, at 15 cents	82,500
Same amount manufactured would cost, at 50 cents	275,000
Saved on amount used	172,500
Arkansas used 450,000 pounds; cost consumer, at 15 cents	67,500
Same amount manufactured would cost, at 50 cents	225,000
Amount saved on what was used	157,500
Texas used 600,000 pounds; cost consumer, at 15 cents	90,000
Same amount manufactured cost, at 50 cents	300,000
Saved on amount used	210,000
Total saved in five States mentioned	837,500
Government lost in revenue only	147,000

The reason for the amendment is that it makes the provision just what it was as the bill came to us from the other House. I hope there will be no objection to my amendment.

Mr. PLATT. I ask that the amendment to the amendment be again read.

The Secretary again read the amendment to the amendment

Mr. DANIEL. As I understand, the farmer has a right now to sell his tobacco to anyone, and this does not take it away.

Mr. VEST. At the place of production.

The VICE-PRESIDENT. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was rejected.

Mr. DANIEL. I desire to offer an amendment. I move to insert after line 16, page 228, section 102, of the bill, as it now stands, the following additional proviso:

Provided further, That section 27, chapter 1244, volume 1, of Supplement to the Revised Statutes of the United States, be amended by striking out all after the word "repeal," in line 5 of said section, as follows: "*Provided, however*, That it shall be the duty of every farmer or planter producing and selling leaf tobacco, on demand of any internal revenue officer or other authorized agent of the Treasury Department, to furnish said officer or agent a true and complete statement, verified by oath, of all of his sales of leaf tobacco, the number of hogsheads, cases, or pounds, with the name and residence, in each instance, of the person to whom sold and the place to which it is shipped; and every farmer or planter who willfully refuses to furnish such information, or who knowingly makes false statements as to any of the facts aforesaid, shall be guilty of a misdemeanor and shall be liable to a penalty not exceeding $500." That section 3361 of the Revised Statutes and all laws in conflict with this act are hereby repealed.

Mr. VEST. There is no objection to that amendment.

Mr. DANIEL. It simply strikes out those provisions of law on the same subject.

I have a letter here, which I deem it necessary to read, from the Commissioner of Internal Revenue recommending the amendment.

Mr. ALLISON. Unless the letter is a long one I hope it will be read.

Mr. DANIEL. It is not long.

Several SENATORS. Let it be printed.

Mr. ALLISON. Very well: let it be put in the RECORD.

The VICE-PRESIDENT. Without objection it is so ordered.

The letter is as follows:

TREASURY DEPARTMENT,
OFFICE OF THE COMMISSIONER OF INTERNAL REVENUE,
Washington, D. C., May 16, 1894.

SIR: With reference to bill H. R. 6993, to repeal that provision of section 27, chapter 1244, volume 1 of Supplement to the Revised Statutes of the United States, which requires that every farmer or planter producing and selling leaf tobacco shall, on demand of any internal-revenue officer or authorized agent, "furnish said officer or agent a true and complete statement, verified by oath, of all of his sales of leaf tobacco, the number of hogsheads, cases, or pounds, with the name and residence in each instance of the person to whom sold, and the place to which it is shipped," etc., which bill you referred to me on the 12th instant for "an opinion on the necessity of its enactment into a law," I would say that while no necessity therefor exists, so far as the interests of the revenue are concerned, yet as the provision which it is intended to repeal has not thus far been found materially useful in the execution of the internal-revenue laws, I find no special objection to interpose against the passage of this bill.

Respectfully, yours,

JOS. S. MILLER, *Commissioner.*

Mr. PLATT. I observe in the amendment one mistake in spelling. It says "after the word 'repeal.'" There is no such word in the section of the Revised Statutes which it proposes to amend. It should be "repealed." It is a mere mistake in the print.

Mr. VEST. That is right.

The VICE-PRESIDENT. That correction will be made.

Mr. CHANDLER. I should like to know in what section of the Revised Statutes it is to which the amendment of the Senator from Virginia applies.

The SECRETARY:

That section 27, chapter 1244, page 863, volume 1, of Supplement to the Revised Statutes of the United States——

Mr. ALLISON. Do the repealing words follow?

Mr. VEST. It repeats the words:

be amended by striking out all after the word "repealed," in line 5 of said section, as follows:

Then follows the language of the section that is to be repealed.

Mr. CHANDLER. I desire to have the Senator from Virginia explain the object of his amendment. As I understand, the closing proviso on page 228, "farmers and growers of tobacco who sell leaf tobacco of their own growth and raising shall not be regarded as manufacturers of tobacco." They are to be relieved from paying any manufacturers' tax. Is the section which the Senator proposes to repeal merely the carrying out of the necessary result of the exemption which is contained in the bill, or does it go further?

Mr. DANIEL. I do not know that you can say it carries out the necessary result, but the law as it now stands seems to impose a very unnecessary burden upon the farmer, that of keeping books. As he is relieved of the tax and there is no duty or obligation with reference to the Government, there is no reason why he should keep books of his purely private transactions.

Mr. CHANDLER. Evidently if the farmer is to pay no tax he should not be required to make a return verified by oath of all his savings, and he ought not to be put under a penalty for not doing so.

Mr. DANIEL. The object of the amendment is to relieve the farmer of the burden of having to keep and submit to the Government a statement of his own private business. It repeals the provision that makes him do it.

Mr. ALLISON. I do not object to the repeal of this section of the Revised Statutes, which was carried into the supplemental volume, but I think the last portion of the provision should be stricken out. I ask the Secretary to read what occurs after the words repealing section 3361 of the Revised Statutes.

Mr. COCKRELL. I suggest to the Senator from Virginia that he amend his amendment, the latter part of which now reads:

That section 3361 of the Revised Statutes and all laws in conflict with this act are hereby repealed.

Let him strike out "and all laws in conflict with this act are" and insert "is."

Mr. ALLISON. That is the suggestion I was about to make.

Mr. DANIEL. Very well; I accept the suggestion, and will so modify my amendment.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Virginia as modified proposed to the amendment of the committee.

The amendment to the amendment was agreed to.

Mr. LINDSAY. I desire to offer an amendment to section 102. I move to strike out in line 25, page 227, before the word "hogshead," the words, "the original" and insert "a;" so as to read, "less than a hogshead, case, or bale."

Mr. ALLISON. That is all right.

The amendment to the amendment was agreed to.

Mr. LINDSAY. I move to strike out in line 2, page 228, the word "to." It reads now, or "to duly registered manufacturers of." It should read, "or duly registered manufacturers of."

The amendment to the amendment was agreed to.

Mr. LINDSAY. I move to strike out in line 5, page 228, the word "original" before "packages;" so as to read, "or to persons who purchase in packages for export."

The amendment to the amendment was agreed to.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the committee as amended.

The amendment as amended was agreed to.

The next amendment of the Committee on Finance was, on page 228, beginning in line 17, to strike out section 87, in the following words:

SEC. 87. That section 2984 of the Revised Statutes of the United States be, and the same is hereby, amended so as to read, as follows:

"SEC. 2984. The Secretary of the Treasury is hereby authorized, except as otherwise specially provided in this act, upon production of satisfactory proof to him of the actual injury or destruction, in whole or in part, of any merchandise from any cause whatsoever, while the same remained in the custody of the officers of the customs in any public or private warehouse under bond, or in the appraisers' stores undergoing appraisal, in pursuance of law or regulations of the Treasury Department, or while in transportation under bond from the port of entry to any other port in the United States, or while in the custody of officers of the customs and not in bond, or while within the limits of any port of entry, and before the same have been landed under the supervision of the officers of the customs, to abate or refund, as the case may be, out of any moneys in the Treasury not otherwise appropriated, the amount of import duties paid or accruing thereupon, and likewise to cancel any warehouse bond or bonds, or enter satisfaction thereon, in whole or in part, as the case may be."

The amendment was agreed to.

The VICE-PRESIDENT. The reading of the bill will be proceeded with.

The Secretary read the next section, as follows:

SEC. (88) 103. That the act of June 20, 1876 (Nineteenth United States Statutes, page 60), be amended by insertion after the words "imported into the United States by such firm or partnership" the following: "Or for any other purpose connected with the general transaction of business at any custom-house."

Mr. VEST. In line 3, of section 103, I move to strike out "insertion" and insert "inserting."

The VICE-PRESIDENT. That correction will be made. The reading of the bill will be proceeded with.

Mr. HALE. As we have now reached section 104, where I have an amendment to offer which will give rise to some debate, though I think not extended, as it is very late, nearly 7 o'clock, I ask the Senator from Tennessee if he is not willing to move an adjournment. We can not finish section 104 to-night.

Mr. ALLISON. I desire——

Mr. VEST. Will the Senator from Iowa allow me to move a formal amendment? I think it will lead to no debate.

Mr. ALLISON. Very well.

Mr. VEST. In section 83, on page 212, line 22, I move to strike out all after the word "the" down to the word "shall," in line 23, and insert "passage of this act." This is made necessary by the amendment offered by the Senator from Rhode Island and adopted.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 212, section 83, line 22, after the word "the," strike out the words "date named in the last preceding section" and insert "passage of this act."

The amendment was agreed to.

Mr. VEST. In the same section, on page 213, I move to strike out, beginning with line 10, the following words:

Whenever the tax is paid on or after the aforesaid date, pursuant to the provisions of the warehousing or transportation and warehousing bonds aforesaid, there shall be added to the 90 cents per taxable gallon an additional tax sufficient to make the tax paid on said spirits equal to that imposed by this act.

The amendment was agreed to.

Mr. HALE. If section 104 has been reached, I move to strike it out.

Mr. HARRIS. The Senator from Maine has asked that section 104 may go over until to-morrow. I regret that I can not help the necessity of consenting to his request. I therefore move that the Senate adjourn

The motion was agreed to; and (at 6 o'clock and 56 minutes p. m.) the Senate adjourned until to-morrow, Friday, June 29, 1894, at 10 o'clock a. m.

HOUSE OF REPRESENTATIVES.

THURSDAY, *June 28, 1894.*

The House met at 12 o'clock m. Prayer by Rev. W. H. MILBURN, D. D., Chaplain of the Senate.

The Journal of the proceedings of yesterday was read and approved.

AGRICULTURAL COLLEGES.

The SPEAKER laid before the House a letter from the Secretary of the Interior, transmitting a report of the disbursements for the fiscal year ending June 30, 1894, made in the States and Territories under the act applying a portion of the proceeds of the sales of the public lands to the support of colleges for the encouragement of agricultural and mechanical arts; which was referred to the Committee on Education.

REFERENCE OF SENATE BILLS.

Bills of the Senate of the following titles were severally laid before the House and referred as indicated, namely:

A bill (S. 1438) for the relief of Lewis A. Yorke—to the Committee on Naval Affairs.

A bill (S. 1252) to amend an act entitled "An act to provide for the times and places to hold terms of the United States courts in the State of Washington"—to the Committee on the Judiciary.

LEAVE OF ABSENCE.

By unanimous consent, indefinite leave of absence was granted to Mr. SAYERS, on account of sickness.

EXTENSION OF REMARKS IN THE RECORD.

Mr. REED. Mr. Speaker, I desire to call the attention of the House to the remarks of the gentleman from Alabama [Mr. WHEELER], as published in the RECORD of this morning, beginning on page 6911 and extending through pages 6912, 6913, and 6914. These remarks were made in the space of five minutes, and occupy two pages of the RECORD.

Mr. RICHARDSON of Tennessee. The gentleman from Alabama is not in his seat at this time.

Mr. REED. I only wished to call attention to the matter.

Mr. COBB of Alabama. I ask the gentleman from Maine to withhold his criticism for the present, as I have sent for my colleague.

Mr. REED. It is all right. I expect another extension will follow. I simply wished to call the attention of the House to it. I think, when the country understands that remarks are made in this fashion, that we on this side ought not to be held responsible for any failure to respond to statements which may be so inserted in the RECORD.

Mr. RICHARDSON of Tennessee. Will the gentleman from Maine restate the ground of his complaint? I did not understand it.

Mr. REED. I do not think I could. I simply call attention to the fact that the gentleman from Alabama, in a five-minute speech, has succeeded in filling about two pages of the RECORD.

Mr. RICHARDSON of Tennessee. If I understand, from the remarks of gentlemen near me, general leave was given to print remarks on this bill.

The SPEAKER. The gentleman from Alabama is now in his seat.

Mr. RICHARDSON of Tennessee. I would like to ask the gentleman if general leave was not given to print on this bill?

Mr. WHEELER of Alabama. Certainly it was. These gentlemen are always wrong when they make such charges against us. [Laughter.]

Mr. REED. I think that is a sufficient answer.

The SPEAKER. The Chair will have the record examined to see if there was leave to print on the bill.

PRESBYTERIAN CHURCH, BETHEL SPRINGS.

Mr. ENLOE. Mr. Speaker, I ask unanimous consent for the present consideration of a bill (H. R. 725) for the relief of the trustees of the Presbyterian Church of Bethel Springs, Tenn.

The SPEAKER. The bill will be read, subject to objection.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the trustees of the Presbyterian Church in Bethel Springs, Tenn., out of any money in the Treasury not otherwise appropriated, the sum of $400, being for the use, occupation, and damage to said church by the Army of the United States during the late war.

The SPEAKER. Is there objection to the present consideration of the bill.

Mr. DOCKERY. Let the report in that case be read.

The report (by Mr. ENLOE) was read, as follows:

The Committee on War Claims, to whom was referred the bill (H. R. 725) for the relief of the trustees of the Presbyterian Church of Bethel Springs, Tenn., submit the following report:

The evidence filed in support of this claim shows that the church building was taken possession of and used and occupied by various commands of the United States troops during the years 1862 and 1863. In accordance with precedent, it seems to be the policy of Congress to pay rent for the use and occupation of institutions of this character. Claim stated at $400. The use and occupation are proved to be $400 by the affidavits of parties who were present at the time, and estimate it from personal knowledge and experience.

Your committee therefore report back the bill and recommend its passage.

The SPEAKER. Is there objection to the present consideration of the bill.

There was no objection.

Mr. ENLOE. There are some amendments to this bill.

The SPEAKER. The Clerk will report the amendments recommended to the bill.

The Clerk read as follows:

Amend in line 7 by striking out the words "and damage to" and insert the word "and" between "use" and "occupation;" and before the word "said," in the eighth line, insert "of;" so as to read, "being for the use and occupation of said church, etc."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read the third time; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. ENLOE, a motion to reconsider the last vote was laid on the table.

WILLIAM D. MACK.

Mr. BURROWS. Mr. Speaker, I ask unanimous consent for the present consideration of a joint resolution which I send to the desk.

The SPEAKER. The Clerk will report the title of the joint resolution.

The Clerk read as follows:

Joint resolution for the relief of W. D. Mack, a clerk in the Record and Pension Division of the War Department.

The SPEAKER. The resolution will be read, subject to objection.

The resolution was read at length.

Mr. DOCKERY. Let us have some explanation of this matter.

Mr. BURROWS. I will state, Mr. Speaker, that this joint resolution has not been considered by any committee of this House, nor has it been acted upon by any. It has, however, been considered by the Senate Committee on Military Affairs, and reported by Senator MANDERSON favorably; and I have submitted it to the chairman of the Committee on Military Affairs of the House from Ohio, and am able to state that it meets his approval.

The facts are that this man enlisted in 1861 for three years, or during the war. He was detailed for service in the Adjutant-General's Office, and has been in the employment of the Government for some twenty years.

Last year on the Fourth of July he attended a celebration at Gettysburg, and met with an accident while getting onto the cars, by which both feet were injured, and he was taken to the hospital and both feet were amputated. The leave of absence granted by law did not cover the period during which he was confined in the hospital, and this is simply to allow the Department to pay him his salary for thirty-four days while he was thus confined as the result of the accident.

Mr. DOCKERY. What is the amount involved?

Mr. BURROWS. Oh, it is a little over $100—about $110, I believe.

Mr. DOCKERY. My impression was that under the law the Secretary of War had the right to grant additional leave in such cases.

Mr. BURROWS. It is not so held, I believe. I ask the Clerk to read the Senate report, made by Senator MANDERSON.

The SPEAKER. Without objection the report will be read.

The Senate report was read, as follows:

The Committee on Military Affairs, to whom was referred the joint resolution (S. R. 68) entitled "Joint resolution for the relief of W. D. Mack, a clerk in the Record and Pension Office of the War Department," having had the same under consideration, report it back favorably and recommend its passage.

The following statement of the acting chief of the Record and Pension Office of the War Department gives fully the circumstances attending the accident to Mr. Mack, and sets forth the reasons for the relief desired, and the recommendation of the Department:

"*Case of William D. Mack, clerk, Record and Pension Office, War Department.*

"RECORD AND PENSION OFFICE,
"*War Department, March 12, 1894*

"As shown by the records, William D. Mack entered the service as a volunteer soldier in May, 1861, to serve three years, and, after serving with his command (the Second Michigan Infantry) for more than two years in the field, was detailed for clerical duty in the office of the Adjutant-General of the Army. He has a record of more than twenty years' service to the Government, the last fourteen of which have been continuous. He is now rendering acceptable service as a clerk of class 2 in this office.

"On the 4th of July last, while returning from a soldiers' reunion at Gettysburg, Pa., Mr. Mack was accidently thrown under a moving railway train, and so seriously injured as to necessitate the amputation of both feet. By reason of this injury he was absent from duty until October 15, 1893, his total absence for the calendar year being thirty-three and one-half days in excess of the time, from all causes, allowed, with pay, by the act of March 3, 1893,

making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1894.

"Mr. Mack is a man of correct personal habits, a faithful and efficient clerk, and is entirely worthy of the most favorable consideration. His case is one of peculiar hardship and evidently one not contemplated by the act limiting the heads of Departments in the time for which leave of absence may be granted without loss of pay. The enactment of the bill for his relief, it is believed, would be no more than just, considering his long and faithful service and the peculiar circumstances surrounding the case.

"Respectfully submitted.

"J. FRECH,
"*Chief of Division, in the absence of Col. Ainsworth.*

"The SECRETARY OF WAR."

Mr. BURROWS. That is the report from the War Department.

Mr. OUTHWAITE. Let the joint resolution be read again.

The SPEAKER. It will be again reported, if there be no objection.

The joint resolution was again read.

Mr. OUTHWAITE. Mr. Speaker, this has not been submitted to the Committee on Military Affairs, but it was submitted to me personally by the gentleman from Michigan [Mr. BURROWS]. I have no doubt whatever that the Committee on Military Affairs would report such a bill unanimously. This gentleman lost both feet by an accident, upon a patriotic occasion. His services have been very faithful and very efficient, and he is also a veteran of the late war. For that reason I suggested to the gentleman from Michigan that I would concur in the report.

The SPEAKER. Is there objection to the request for the present consideration of this joint resolution?

Mr. CAPEHART. I think the bill should be considered by the Committee on Military Affairs. I object.

COLD WATER RESERVOIR ON HOT SPRINGS RESERVATION, ARKANSAS.

Mr. BRECKINRIDGE of Arkansas. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 7488) authorizing the Secretary of the Interior to grant leases for sites on the Hot Springs Reservation, Arkansas, for cold water reservoirs.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized to lease unto the Hot Springs Water Company, of Hot Springs, Ark., its successors and assigns, or to any other person or corporation authorized to supply the city of Hot Springs with cold water for drinking and domestic purposes, a site upon the West Mountain of the Hot Springs Reservation, to be selected by him, for the purpose of constructing and maintaining thereon a reservoir for cold water and the pipes necessary to connect the same with the system of water supply of the city of Hot Springs, the term of such lease to be not to exceed twenty years, and the consideration therefor an annual rental of $300, to be collected and accounted for as now provided by law in relation to the collection and accounting for of revenue derived from leases of bath-house sites upon the Hot Springs Reservation.

The SPEAKER. Is there objection to the request for the present consideration of this bill?

Mr. COOMBS. I will ask the gentleman why the amount of this rental is made $300.

Mr. BRECKINRIDGE of Arkansas. Really they ought not o be charged any rent, but to put it under the control of the Secretary of the Interior we think there should be some rent, and the committee simply fixed it at $300. The Secretary of the Interior approves of the proposition.

Mr. PAYNE. I should like to know, Mr. Speaker, if this waterworks company propose to take that part of the reservation for which an appropriation was made, some time since, for a reservoir to hold back the water, for fear of a flood down through the city of Hot Springs, which might injure the tunnel that the Government built there at a large expense a few years ago? I want to know if the site located is the site of that reservoir that the Government built there for the purpose of holding back the water?

Mr. BRECKINRIDGE of Arkansas. There is no connection between the two as far as I know, Mr. Speaker, and indeed I know there is none. I will state to the gentleman from New York that all the elevated ground at all close to the city of Hot Springs belongs to the Government, and therefore in their municipal matters they are compelled to come to Congress, much as the District does, in business of this character. This is to put an additional reservoir upon a mountain top, and not in the valley. It is to be done at their own expense.

Mr. PAYNE. I should like to inquire of the gentleman if there is a stream of water running over the mountain top where it is proposed to have this reservoir?

Mr. BRECKINRIDGE of Arkansas. Not at present; but we hope to conduct the water there by pipes if you will allow this bill to pass.

Mr. PAYNE. Is it proposed to pump the water onto the mountain top?

Mr. BRECKINRIDGE of Arkansas. Yes.

The SPEAKER. Is there objection to the request for the present consideration of this bill?

Mr. PAYNE. I think I shall have to object until I look into the matter.

Mr. DOCKERY. Let us have the regular order.

IMPROVEMENTS ON THE MINNESOTA RIVER.

Mr. KIEFER. I ask unanimous consent for the present consideration of the concurrent resolution.

The Clerk read as follows:

Concurrent resolution authorizing and directing the Secretary of War to transmit to the House of Representatives any reports that may have been made, since his last annual report, with reference to improvements on the Minnesota River.

Be it resolved by the House of Representatives (the Senate concurring), That the Secretary of War be, and he is hereby, authorized and instructed to transmit to the House of Representatives any reports that may have been received since his last annual report pertaining to the improvement on the Minnesota River in the State of Minnesota.

The SPEAKER. Is there objection to the request for the consideration? [After a pause.] The Chair hears none.

The resolution was agreed to.

AMENDMENT OF JUDICIARY ACT.

Mr. TURNER of Georgia. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 2794) to amend the judiciary act of August 13, 1888.

The bill was read, as follows:

Be it enacted, etc., That section 3 of an act entitled "An act to correct the enrollment of an act approved March 3, 1887, entitled 'An act to amend sections 1, 2, 3, and 10 of an act to determine the jurisdiction of the circuit courts of the United States and to regulate the removal of causes from the State courts, and for other purposes,' approved March 3, 1875," approved August 13, 1888, be amended and reenacted so as to read as follows:

"SEC. 3. That every receiver or manager of any property appointed by any court of the United States may be sued in respect of any act or transaction of his in carrying on the business connected with such property without the previous leave of the court in which such receiver or manager was appointed, and that service on such receiver or manager in such suits may be made upon him or his agents in the same manner as process would be served upon said corporation or its agents if it were not in the hands of such receiver or manager, and with like effect; and any final judgment or decree rendered against such receiver or manager shall be conclusive of the amount and validity of the claim sued on, but no execution thereon shall be issued; but a copy of such judgment or decree may be filed for payment in the cause in which such receiver or manager was appointed, and shall be subject to the general equity jurisdiction of the court in which said receiver or manager was appointed, so far as the same shall be necessary to the ends of justice."

The SPEAKER. Is there objection to the request for the consideration of the bill? [After a pause.] The Chair hears none.

Mr. TURNER of Georgia. Mr. Speaker, I yield to my colleague [Mr. TATE] to offer a slight amendment, to which there is no objection.

The amendment was read, as follows:

Amend by inserting after the word "effect," in line 21, the following words: "And such suits may be brought in any county in which they could be brought under State laws against said corporation."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. TURNER of Georgia, a motion to reconsider the vote by which the bill was passed was laid on the table.

CIRCUIT AND DISTRICT COURT AT MONTPELIER, VT.

Mr. POWERS. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the Clerk's desk:

The Clerk read as follows:

A bill (S. 2135) to provide that a term of the circuit and district court of the United States for the district of Vermont may be held at Montpelier.

Be it enacted, etc., That hereafter in each year one of the stated terms of the circuit and district court for the district of Vermont may, when adjourned, be adjourned to meet at Montpelier.

SEC. 2. That all acts and parts of acts in conflict with this act are hereby repealed.

The SPEAKER. Is there objection to the request of the gentleman from Vermont. [After a pause.] The Chair hears none.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. POWERS, a motion to reconsider the vote by which the bill was passed was laid on the table.

AUTHORIZING COCONINO COUNTY, ARIZ., TO ISSUE BONDS.

Mr. SMITH of Arizona. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the Clerk's desk.

The Clerk read as follows:

A bill (H. R. 7506) authorizing the county of Coconino, Territory of Arizona, to issue bonds for the construction of a county building at the county seat thereof.

The bill was read, as follows:

Be it enacted, etc., That the board of supervisors of the county of Coconino, Territory of Arizona, be, and is hereby, authorized to issue bonds of the

said county not exceeding $15,000 in amount, and bearing interest at a rate not exceeding 5 per cent per annum, for the construction of a county building at the county seat of said county.

The amendment recommended by the committee was read, as follows:

In line 6, after the word "amount," insert "payable in not less than two nor more than twenty years."

Mr. DOCKERY. I would ask the gentleman from what committee this bill has been reported?

Mr. SMITH of Arizona. The Committee on the Judiciary unanimously reports the bill.

Mr. DOCKERY. Will the gentleman please make a brief explanation?

The SPEAKER. Without objection, the gentleman will be permitted to make a brief explanation.

Mr. SMITH of Arizona. Mr. Speaker, this is a matter local to Arizona entirely. This is a county which has recently been cut off from an older county which was so large that it was impossible to transact the business. At the time of its creation the county assumed one-third the indebtedness of Yavapai County, which amounted to $159,000. Under the Harrison act, which limited the legal indebtedness of counties in the Territories to 4 per cent of the value of the property in the county, as shown in the last assessment roll of the county, this is in excess of the amount, and they are not able to construct this building on account of the amount involved running over the amount of debt they may incur.

Mr. DOCKERY. It does not involve any charge on the Treasury?

Mr. SMITH of Arizona. It does not. It allows the people to tax themselves this $15,000 to construct a building to protect their records from fire of which they are in danger at any time.

The SPEAKER. Is there objection to the request? [After a pause.] The Chair hears none.

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. RICHARDSON of Tennessee, a motion to reconsider the vote by which the bill was passed was laid on the table.

ALBERT E. REDSTONE.

Mr. BOWERS of California. I ask unanimous consent for the consideration of the bill (H. R. 1105) for the relief of Albert E. Redstone.

The bill was read at length.

The SPEAKER. Is there objection to the consideration of this bill?

Mr. HUTCHESON. Mr. Speaker, I demand the regular order.

The SPEAKER. The regular order is demanded, which is equivalent to an objection. The regular order is call of committees for reports.

DECORATION FOR COMMANDER DAVIS.

Mr. GEARY, from the Committee on Foreign Affairs, reported back favorably the bill (H. R. 7475) authorizing Commander C. H. Davis, United States Navy, to accept a decoration from the King of Spain; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

CONSULAR OFFICERS.

Mr. McCREARY of Kentucky, from the Committee on Foreign Affairs, reported back favorably the bill (H. R. 6468) to amend section 1674 of the Revised Statutes of the United States, relative to consular officers; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

PUBLIC PARK AT CASTINE, ME.

Mr. MARSH, from the Committee on Military Affairs, reported back favorably the bill (H. R. 4322) granting the use of certain land to the town of Castine, Me., for a public park; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

PUBLIC BUILDING AT SALEM, OREGON.

Mr. MERCER, from the Committee on Public Buildings and Grounds, reported back favorably the bill (H. R. 76) to provide for the construction of a public building at Salem, Oregon; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

PUBLIC BUILDING AT INDIANAPOLIS.

Mr. BRETZ, from the Committee on Public Buildings and Grounds, reported back favorably the bill (H. R. 259) to provide for the erection of a public building at Indianapolis, Ind.; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

The SPEAKER. This completes the call. The morning hour begins at sixteen minutes to 1 o'clock, and the call rests with the Committee on Naval Affairs.

BUREAU OF SUPPLIES AND ACCOUNTS, NAVY DEPARTMENT.

Mr. CUMMINGS. I call up the bill (H. R. 6320) to provide for the creation of the office of assistant to the Chief of the Bureau of Supplies and Accounts, Navy Department.

The bill was read, as follows:

Be it enacted, etc., That an officer of the Pay Corps of the Navy may be detailed as assistant to the Chief of the Bureau of Supplies and Accounts in the Navy Department, and that such officer shall receive the highest pay of his grade, and in case of the death, resignation, absence or sickness of the Chief of the Bureau shall, unless otherwise directed by the President, as provided by section 179 of the Revised Statutes, perform the duties of such Chief until his successor is appointed or such absence or sickness shall cease.

Mr. CUMMINGS. I ask unanimous consent that this bill may be considered in the House as in Committee of the Whole.

There was no objection.

Mr. CUMMINGS. Mr. Speaker, this bill was reported from the Committee on Naval Affairs at the request of the Secretary of the Navy, at whose instance it was drawn. I will read his letter, which partly explains the necessity for the bill:

NAVY DEPARTMENT, *Washington, March 15, 1894.*

SIR: I have the honor to transmit herewith a draft of a bill to provide for the creation of the office of assistant to the Chief of the Bureau of Supplies and Accounts, Navy Department.

Owing to the increase of the Naval Establishment, and to the centralization of accounts in the Bureau of Supplies and Accounts, the duties and responsibilities of the Chief of that Bureau have been greatly increased; and in order to expedite the business of the Department I respectfully recommend that the inclosed bill may receive the favorable consideration of the Committee on Naval Affairs of the House of Representatives.

Very respectfully,

H. A. HERBERT, *Secretary of the Navy.*

HON. AMOS J. CUMMINGS,
Chairman Committee on Naval Affairs, House of Representatives.

I have ascertained, Mr. Speaker, that under the law it is impossible for the chief clerk of that Bureau to act as Chief of the Bureau in the absence of the Chief. Business there has largely increased with the increase of the Navy. The work of the Bureau involves the expenditure at times of millions a month. These expenditures ought to be closely scrutinized. The committee is satisfied that an assistant is really necessary. On general principles, Mr. Chairman, I am opposed to allowing assistant chiefs to the various bureaus in the Navy Department, but in this case I am entirely satisfied that the good of the public service requires an assistant.

Since the bill was reported to the House I have received letters from the Acting Secretary of the Navy, and have been urged by the Chief of the Bureau of Supplies and Accounts to secure prompt action. The Chief of the Bureau is overworked, and there is nobody to take his place in case he should go away. I hope that this statement will be satisfactory and that the bill will pass.

Mr. DOCKERY. I would like to ask the gentleman in charge of the bill what increased expense, if any, the detail of this officer will impose upon the Treasury?

Mr. CUMMINGS. The increase will be exactly the difference between the pay on the sea and the pay on the land of the officer who may act as chief of the Bureau. That is all.

Mr. DOCKERY. I do not know what that amounts to.

Mr. CUMMINGS. It amounts to very little. The Chief of the Bureau of Navigation is allowed an assistant. This bill is drawn in accordance with the provision that gave him an assistant. There ought to be no distinction in this respect between those two Bureaus. Both, I believe, require an assistant.

Mr. DOCKERY. Then the gentleman thinks there has been such increase in the volume of business as to warrant the assignment of an officer as assistant?

Mr. CUMMINGS. I am satisfied there has.

Mr. DOCKERY. As I understand, this is not in fact the creation of an office, but simply a provision for the detail of an officer.

Mr. CUMMINGS. The bill simply provides that an officer shall be detailed at the usual pay to act in this capacity.

Mr. CANNON of Illinois. I have just come in, and I would like to understand what this bill is.

Mr. CUMMINGS. It is a bill providing for the appointment of an assistant to the Chief of the Bureau of Supplies and Accounts.

Mr. CANNON of Illinois. While the number of the employés of the War Department to the extent of several hundred are decreased, and it is stated in the newspapers—I do not know how the fact is—the Secretary of War has been taking the army officers that have been having easy places under that Department

and sending them upon duty, so that if he is not accomplishing economy he is at least making an advertisement of it—does not the gentleman desire that the Navy Department should enter into competition with the Secretary of War in these reforms and economies; and does not the gentleman now come in and propose to still further burden these Bureaus by additional details? Does the gentleman think that is wise?

Mr. CUMMINGS. I will reply to the gentleman from Illinois by saying that all the money disbursed from the Navy Department is disbursed through the Bureau of Supplies and Accounts. We can not be too careful in watching the disbursements of the immense sums that the Government expends every year through its Departments. In this case the increased expense to the Government does not actually exceed $500 a year.

Mr. CANNON of Illinois. But this bill does take an officer from active service and gives us another officer here in the city for clerical service?

Mr. CUMMINGS. We have the officer, either in Washington or elsewhere, and we might as well pay him to do duty here, where his services will be more beneficial, than to have him ensconced in some navy yard, where his services might not be absolutely required.

Mr. CANNON of Illinois. Has the gentleman thought of a remedy for the existing evils—if the Navy is top-heavy and there are too many officers—by reducing the number graduating from the Naval Academy?

Mr. CUMMINGS. I will suggest that there is a joint committee investigating that subject now. At the proper time they will undoubtedly present a bill and give the gentleman an opportunity to express his opinion upon it.

Mr. CANNON of Illinois. The only fear I had was that while the joint committee is performing the duty, and preparing the measure to which the gentleman refers, and making preparations for the reforms in the service, yet at the same time one Cabinet officer is advertising his attempt at reform by sending army officers detailed on duty here back to their legitimate posts; and I had hoped that the great economist from New York, for whom I have the highest respect, might have been able to present some plan by which this reform could be a little more far-reaching, so as that there might be something like harmony between the administration of the various Departments.

Mr. CUMMINGS. The joint committee will probably bring in a measure in time which may meet the point to which the gentleman refers.

Mr. CANNON of Illinois. I hope that the economical features of the matter will commend themselves to the approval of my distinguished friend from Missouri, the chief of the joint commission which is undertaking to reform the administration of these various Departments.

Mr. CUMMINGS. This is a necessity——

Mr. DOCKERY. If my friend will permit me a moment, I wish to say to the gentleman from Illinois that the joint commission has given no consideration whatever to the adoption of new methods in the administration of the Navy Department. As I understand it, the gentleman from New York did not refer to the joint commission appointed by authority of Congress to provide improved methods for the administration of business in the Departments, but to the Joint Naval Committee——

Mr. CUMMINGS. Yes; that is correct.

Mr. DOCKERY (continuing). Which has charge of the personnel of the Navy.

Mr. CUMMINGS. That was what I referred to.

Mr. DOCKERY. And the gentleman had no reference to the joint commission for improving the business methods of the departments.

Mr. CUMMINGS. Not at all; but I hope that joint commission will in time reach the Navy Department, because with the well-established reputation of the gentleman from Missouri in regard to such matters I do not doubt that it will be productive of good results.

Mr. DOCKERY. I hope so. I observe that the legislative bill carries an appropriation of $36,840 for the clerical force of the Bureau of Supplies and Accounts, and in reference to this matter the Secretary of the Navy says in his letter that—

> Owing to the increase of the naval establishment and to the centralization of accounts in the Bureau of Supplies and Accounts, the duties and responsibilities of the chief of that Bureau have been greatly increased.

Now, I would be glad to know from the gentleman from New York, in whose judgment I greatly rely, in what particular "the duties and responsibilities of the chief of that Bureau have been greatly increased"? Because it seems to me that if the work in the Bureau is behind, or in arrears, possibly the increase ought to be in the clerical force rather than in the detail of an assistant to the chief of the Bureau.

Mr. CUMMINGS. There is nobody under the present law who can act for the chief of the Bureau in case of his absence. In case of sickness or where sudden absence from the office may be required in the performance of his duty, some provision ought to be made for an assistant. You do not want the Bureau closed indefinitely. The result might be disastrous.

I will say to my friend that it is easily understood how there is more work than heretofore in the Bureau. It arises from the increase of the Navy. The consumption of coal and of all sorts of supplies has been increased. Then there is a change in the system of accounting. Accounts formerly kept at the Mare Island navy-yard and at the Brooklyn yard, and elsewhere, are now kept here. The old Bureau of Provisions and Clothing is now the Bureau of Supplies and Accounts, carrying with it extra work and responsibility.

Mr. DOCKERY. But is the gentleman able to give any figures showing the increase of the duties of this Bureau? The Secretary of the Navy says there has been an increase of the duties and responsibilities of the chief of the Bureau.

I quite agree with the gentleman from New York as to the necessity of designating some one to act in cases where the chief is necessarily absent; but I had hoped the Committee on Naval Affairs, for which I have the very highest respect, could designate someone to act for him rather than detail an officer for that purpose.

Mr. CUMMINGS. I did not think it necessary to secure the exact figures, because the facts as to the increase of the work are well understood, and, in the judgment of the committee, the necessity for the passage of the bill is clear.

Mr. PAYNE. Let me ask my colleague a question. Could not the object sought by the committee be accomplished as well by authorizing by law the chief clerk to perform the duties of the chief of the Bureau in case of his absence?

Mr. CUMMINGS. That would not meet the condition, because the chief clerk has his own duties, which are equally as important and as onerous as those of the chief of the Bureau.

Mr. CANNON of Illinois. The chief is a regular naval officer, detailed, is he not?

Mr. CUMMINGS. The Paymaster-General is the chief of the Bureau, and gentlemen can see that with the enormous sums expended under his supervision he ought to have whatever force he requires to carry it on.

A MEMBER. Is he permanently disabled?

Mr. CUMMINGS. He is no more permanently disabled than members of this House are who ask sick leave every day. [Laughter.]

Now, Mr. Chairman, I demand the previous question.

The previous question was ordered, under the operation of which the bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. CUMMINGS, a motion to reconsider the last vote was laid on the table.

APPOINTMENT OF ASSISTANT PAYMASTERS IN THE NAVY.

Mr. MONEY. Mr. Speaker, I am directed by the Committee on Naval Affairs to call up the bill which I send to the Clerk's desk.

The bill was read, as follows:

A bill (S. 1954) to amend section 1379, chapter 1, Title XV, Revised Statutes of the United States, in relation to appointments of assistant paymasters in the Navy.

Be it enacted, etc., That the limitation as to age contained in section 1379 of the Revised Statutes of the United States, relating to appointment of assistant paymasters in the United States Navy to fill vacancies that may now or hereafter exist in said grade, shall not apply to such of the graduates of the Naval Academy as were at sea upon duty at the time of the passage and approval of the act of Congress approved August 5, 1882, who were discharged thereunder at the end of their two years' cruise, after passing successfully all the examinations required of them: *And provided further*, That this amendment shall not be construed as giving any preference in said appointment of assistant paymasters to said graduates except as to waiving the limitation of age.

Mr. MONEY. Mr. Speaker, I demand the previous question.

Mr: HOLMAN. I hope the report will be read.

Mr. PAYNE. I hope there will be some explanation.

Mr. HOPKINS of Illinois. Let us have the report read, and then the gentleman can make his explanation.

Mr. MONEY. The report really covers the bill that was rejected by the committee. This is a bill which has passed the Senate, and the Senate bill is substituted for the House bill, both being in the same words.

All that this bill does is to put upon the eligible list for appointment as assistant paymasters the graduates from the Naval Academy in the classes of 1880 and 1881, who were, by the operation of law, and it is claimed by a misconstruction of the law passed while they were at sea, dropped from the list. This is to give these men the same opportunity that any other citizens of the United States have, for appointment as assistant paymasters, from which appointment they are now excluded by the age

limit, the age limit usually being 26 years. This is only to give them an opportunity to come in.

Mr. HOLMAN. How many officers are affected?

Mr. MONEY. There are only two vacancies, and there is no assurance that these young men will ever receive the appointment. It is not a recommendation. It simply relieves them of the bar of age.

Mr. McNAGNY. Simply makes them eligible.

Mr. MONEY. Simply makes them eligible among the other young men in the United States. These young men are particularly fitted for this business, have been educated in the Navy, and are now deprived of a career for which they had educated themselves.

Mr. TALBOTT of Maryland. A great wrong was perpetrated when they were dropped.

Mr. MONEY. And it was afterwards admitted by Mr. Robeson that it was a mistaken construction of his own bill, and he wrote a strong letter in favor of their being reinstated in the Navy, but that was not done. This is now an attempt at partial reparation of what was considered a very great wrong to a set of worthy young gentlemen.

Mr. PAYNE. I ask that the gentleman from Mississippi yield to me for a few minutes.

Mr. MONEY. I yield to the gentleman from New York [Mr. PAYNE].

Mr. PAYNE. I have no objection to this bill as it is explained by the gentleman from the committee, but I do object to the manner in which we amend the statutes continually by passing some act limiting their scope and referring to them in some way that no man can understand unless he has the statute before him. The constitutions of some of our States require that no amendment shall be made to any statute which does not reënact the statute as amended.

While we have no such provision in the Constitution of the United States, I think it would be well if Congress should inaugurate a system that whenever an amendment is made to a section of the statute, especially to a section of the Revised Statutes, that the old statute as amended shall be reënacted, so that any gentleman reading it can understand it, and not depend upon the interpretation of the effect of the amendment given by the member who proposes it. His idea may be one way and the construction of the courts may be another way.

But if the statute itself was reënacted with the amendments, then every member of the House could have the opportunity of determining precisely what the effect would be. It is more difficult to find out what the Statutes of the United States are than any other laws in existence. Some of them are in appropriation bills, and they are scattered here and there, and every amendment is of this character, providing that some limitation shall be applied to a particular section.

The bill was ordered to a third reading, and was accordingly read the third time, and passed.

On motion of Mr. MONEY, a motion to reconsider the last vote was laid on the table.

COMMODORE OSCAR C. BADGER.

Mr. GEISSENHAINER. Mr. Speaker, I desire to call up the bill (S. 943) for the relief of Commodore Oscar C. Badger.

The SPEAKER. The gentleman from New Jersey [Mr. GEISSENHAINER], from the Committee on Naval Affairs, calls up a Senate bill, which the Clerk will report. This bill is on the Speaker's table.

The Clerk read as follows:

Be it enacted, etc., That the President of the United States be, and he is hereby, authorized to nominate and, by and with the advice and consent of the Senate, to appoint Commodore Oscar C. Badger, now on the retired list of the Navy, a rear-admiral on said retired list, to take effect on and from the 12th day of August, A. D. 1885, the time of his retirement, he having been at that date at the head of the list of commodores and first for promotion, but was disbarred therefrom by the law requiring all officers to be retired at the age of 62 years. Upon promotion, as authorized by this act, he shall be allowed the pay of a rear-admiral retired on account of age, from the date of the passage of this act.

Mr. DOCKERY. Is that bill reported from any committee?

Mr. GEISSENHAINER. It is.

Mr. DOCKERY. I make the point of order that it must first be considered in Committee of the Whole.

The SPEAKER. The bill, as the Chair understands, is on the Speaker's table, and not reported from the committee.

Mr. DOCKERY. I understood the Chair so to state.

The SPEAKER. The Chair understands that to be the fact.

Mr. DOCKERY. I make the point of order that the consideration of this bill is not in order at the present time.

Mr. TALBOTT of Maryland. A House bill identical with that has been considered by the Committee on Naval Affairs and favorably reported. I suggest that we might take up the House bill and substitute the Senate bill for it.

The SPEAKER. That would require unanimous consent, of course. Under the rule, the committee can only call up a measure which has been reported on a previous day.

Mr. GEISSENHAINER. A similar House bill has been reported to the House.

The SPEAKER. But this is a Senate bill on the Speaker's table, which has never been referred to the committee.

Mr. GEISSENHAINER. Then I will withdraw that bill and call up the bill H. R. 4683.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H. R. 4683) for the relief of Commodore Oscar C. Badger, United States Navy.

The bill was read at length.

Mr. BAILEY. I make the point of order that this bill must be considered in the Committee of the Whole.

The SPEAKER. It is on the Union Calendar.

Mr. GEISSENHAINER. I ask that it be considered in the House as in Committee of the Whole.

Mr. BAILEY. I object.

The SPEAKER. The gentleman from Texas objects.

Mr. GEISSENHAINER. I move that the House resolve itself into Committee of the Whole for the consideration of the bill.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. BAILEY. Division.

The House divided; and there were—ayes 27, noes 57.

So the House refused to go into Committee of the Whole to consider the bill.

PAY AND RETIREMENT OF MATES IN THE NAVY.

Mr. CUMMINGS. I now call up the bill (H. R. 38) relating to the pay and retirement of mates in the United States Navy.

The bill was read, as follows:

Be it enacted, etc., That the law regulating the retirement of warrant officers in the Navy shall be construed to apply to the twenty-eight officers now serving as mates in the Navy, and the said mates shall be entitled to receive annual pay at the rates following: When at sea, $1,200; on shore duty, $900; on leave or waiting orders, $700: *Provided, however*, That nothing herein contained shall be so construed as to authorize any increase of pay for any time prior to the passage of this act.

Mr. CUMMINGS. I ask unanimous consent, Mr. Speaker, that the bill be considered in the House as in Committee of the Whole.

Mr. DOCKERY. I think that the bill had better be considered in Committee of the Whole.

Mr. CUMMINGS. I move that the House resolve itself in Committee of the Whole House for the purpose of considering this bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole, Mr. LESTER in the chair.

The CHAIRMAN. The House is in Committee of the Whole for the consideration of the bill, the title of which the Clerk will report.

The title was again reported.

Mr. HOLMAN. I hope the report will be read in the first instance.

Mr. CUMMINGS. If the gentleman will allow me I will read nearly all the report in explaining the bill.

Mr. HOLMAN. Very well.

Mr. CUMMINGS. Mr. Chairman, by the act of July 15, 1870, the further appointment of acting masters' mates or mates in the United States Navy was stopped. It left the mates already in the Navy on duty, and those mates, or what there are left of them, are carried on the Navy register to-day. Death has laid its hand upon them. There are only twenty-seven left. They were appointed under the act of July 24, 1861. Section 2 of the act of March 3, 1865, provided that acting masters' mates should be styled mates, and authorized the increase of their pay to a sum not exceeding $60 a month. The act of July 2, 1864, designated boatswains, engineers, carpenters, and sailmakers as warrant officers; and under sections 1448 and 1455 of the Revised Statutes, these warrant officers are retired the same as commissioned officers; but you will notice that the act left out the mates in the Navy.

Mr. HOLMAN. That is the real point.

Mr. CUMMINGS. They were neither warrant nor commissioned officers. The omission was undoubtedly an inadvertence at the time, because everybody upon the floor of this House must know that a mate is a superior officer to a boatswain or a carpenter. They were thus deprived of the benefits of a law passed for the retirement of commissioned and warrant officers.

Mr. DOCKERY. Then, as I understand my friend, the effect of this bill under consideration is to increase the retired list to the extent of twenty-seven mates.

Mr. CUMMINGS. The effect is to increase the retired list to the extent of twenty-seven noncommissioned officers who ought to be on the list, or the retired list itself be abolished.

Mr. HOLMAN. Which is the proper thing?

Mr. CUMMINGS. One or the other.

Mr. HOLMAN. Which is the proper thing?

Mr. CUMMINGS. Are you going to legislate in favor of commissioned officers and against old tars? The injustice here, it seems to me, is perfectly apparent.

Mr. DOCKERY. What would be the cost?

Mr. CUMMINGS. I will come to that in a minute. I want to say that there are twenty-seven of these old men in the service. They have served from twenty-five to forty-five years in the Navy as acting master's mates, or mates. And in the face of all this service you discriminate against them. They are getting old and have families to support. Why, sir, some of these very men are to-day practically commanding vessels in the United States Navy. This House will surely take into account the fact that boatswains and carpenters are on the retired list, while these gallant old tars, some of whom served in the Mexican war, and all of whom served in the last war, are to be left stranded through an inadvertence at the time the law was passed placing warrant officers on the retired list.

Now, I want to say that Secretary Chandler, Secretary Whitney, Secretary Tracy, and Secretary Herbert have all earnestly favored the passage of this bill. They have acknowledged its justice. It has repeatedly been favorably reported both in the House and in the Senate in different Congresses. Until to-day nobody has championed the rights of these old salts, but in almost every Congress you find men willing to champion the aspirations of commodores and admirals on the retired list who are seeking an increase of pay.

Now, Mr. Chairman, it is not necessary for me to expatiate further. The fact that these old jack tars have suffered from this injustice ever since 1864 ought to commend to you their demand for justice now.

I quote the following letter here, written on behalf of these mates. It reflects credit on the admirals, commodores, and commanders who have signed it:

WASHINGTON, D. C., *July 1, 1886.*

To the Naval Committees of the Senate and House of Representatives:

HON. SIRS: The mates of the Navy are efficient officers, having performed the duties of commanding, executive, and deck officers for many years, some having served upward of forty years as enlisted men and officers.

Nearly all served in the United States Navy during the late war, and some were in the service during the Mexican war.

They have the same uniform, mess bill, and other expenses that warrant officers have, and in line of duty take precedence of warrant officers.

They are the only ones who do not receive longevity pay, and should receive the same as warrant officers, and also the benefits of the retired list as now allowed to all other officers.

David D. Porter, admiral; S. C. Rowan, vice-admiral; Thornton A. Jenkins, rear-admiral; John L. Worden, rear-admiral; C. R. P. Rodgers, rear-admiral; E. T. Nichols, rear-admiral; T. H. Patterson, rear-admiral; Henry Walker, rear-admiral; J. M. B. Clitz, rear-admiral; Wm. E. Leroy, rear-admiral; A. C. Rhind, rear-admiral; D. B. Harmony, commodore; W. W. Queen, commodore; L. A. Kimberly, commodore; Ralph Chandler, commodore; D. L. Braine, commodore; W. T. Truxtun, commodore; Montgomery Sicard, captain; R. R. Wallace, captain; Geo. C. Remey, captain; J. Fyffe, captain; Albert Kautz, captain; R. L. Law, captain; Geo. Brown, captain; J. N. Miller, captain; M. Haxton, captain; A. P. Cook, captain; S. Casey, commander; A. H. McCormick, commander; J. H. Sands, commander; A. G. Kellogg, commander; M. L. Johnson, commander; H. B Seely, commander; Theodore F. Kane, commander; J. C. Watson, commander; H. B. Robeson, commander; Wm. Whitehead, commander; Geo. W. Coffin, commander; P. F. Harrington, commander; C. N. Schoonmaker, commander; C. S. Cotton, commander; C. McGregor, commander; John McGowan, lieutenant-commander; Geo. M. Book, lieutenant-commander; Geo. N. Totten, lieutenant-commander; C. A. Schetky, lieutenant-commander; Jas. M. Forsyth, lieutenant-commander; O. W. Farenholt, lieutenant-commander.

I concur in the representation made in this communication.

WM. E. CHANDLER.

Mr. Chairman, I do not think it necessary to climb the heights of eloquence on behalf of these veteran and patriotic sea dogs of the American Navy. They were warrant officers, even if they did not receive their warrants. They ought to have received the courtesy at least that a corporal in the Army gets from his colonel. You will find them acting as executive officers on men-of-war to-day, and in some instances even acting as commanders of vessels. The Fishhawk, used by the Fish Commission, has been under command of one of these mates. Still he was not even granted the courtesy of a warrant; he had no commission at all except his forty years' term of service.

Mr. Chairman, if no gentleman desires to oppose this bill I would like to get a vote upon it. Let us give these old tars justice while we have the opportunity.

Mr. DOCKERY. Mr. Chairman, I wish to be heard on this question very briefly. The proposition presented by this bill is an extension of the retired list of the Navy. So far as I know, members of this House on both sides have been indisposed in in recent years to extend the retired list, either of the Army or of the Navy.

This bill proposes to make eligible for retirement on the naval list twenty-seven mates, who, as I see by the report, were not included in the provisions of the act of July, 1864, which permitted certain naval officers to be retired at certain ages.

Now, Mr. Chairman, I am not familiar with the laws relating to retirement of officers, either of the Navy or of the Army. But I am conversant with the general opposition which the people have expressed through their representatives on this floor against the further extension of special retiring privileges, either to officers of the Army or officers of the Navy. Mr. Chairman, in times like these, when thousands, yea, hundreds of thousands, of men in this country are out of employment, with nothing to do, tramping the country, when manufactories are closed and general industrial paralysis extends over the country, is it wise for us as the representatives of the people to add this burden to the taxpayers of the United States?

Mr. CUMMINGS. I suggest to the gentleman that it is wise to do justice to the defenders of this Union at any time. [Applause.]

Mr. DOCKERY. Then why was not this measure of justice meted out by the act of July 2, 1864, if this class of men were entitled to special recognition? The gentleman from New York says that it was doubtless an inadvertent omission; but——

Mr. CUMMINGS. And Secretary Chandler says so too.

Mr. DOCKERY. But there is nothing shown in the report which I have hastily glanced over which indicates that such was the case. It seems, Mr. Chairman, to have been a deliberate purpose on the part of Congress at that time to make this omission. If not, I hope it will be the deliberate voice of this House, expressed in disapproval of this bill, that we will not, at least at this moment of industrial paralysis, add this burden to the people whom we have the honor to represent.

Mr. CUMMINGS. Mr. Chairman, there seems to be an impression in the House that by the retirement of these twenty-seven mates somebody will be promoted to their positions. There is not the shadow of truth in such an insinuation. There are no mates in the United States Navy to-day except these men. The rank has been abolished, and it is a rank. These are the only mates left. In discriminating against them by retaining them in service in their old age you are practically punishing them for doing their duty toward the country.

Mr. HALL of Missouri. Will the gentleman allow me to ask him a question?

Mr. CUMMINGS. I will.

Mr. HALL of Missouri. My colleague [Mr. DOCKERY] makes the point that this bill will increase the burdens of taxation. I want to know whether, when anyone is retired from active service in the Army or Navy, he does not go on the retired list with less pay than he received when on active duty?

Mr. CUMMINGS. Certainly. It is cheaper to put these men on the retired list than to retain them in active service.

Mr. HALL of Missouri. Then, by passing this bill we shall decrease taxation, instead of increasing it.

Mr. CUMMINGS. Practically so.

Mr. DOCKERY. Will the gentleman from New York [Mr. CUMMINGS] give us the figures showing a decrease of taxation? I should be glad to have that shown. If this is a measure to decrease taxation, I should like to know just how it accomplishes the result.

Mr. HALL of Missouri. Will the gentleman from New York allow me one other question in order to clear this matter up?

Mr. CUMMINGS. Mates receive when on sea pay $900; on shore-duty pay $700, and on leave or waiting-order pay $500.

Mr. HALL of Missouri. And if they go on this list they receive less?

Mr. CUMMINGS. If they go on the retired list they get three-quarters pay.

Mr. DOCKERY. But you give them pay for doing nothing when they are put on the retired list.

Mr. CUMMINGS. Does not an admiral get pay for doing nothing when he goes on the retired list? Is there not just as much justice and right in putting these men on the retired list, when they are incapacitated by old age from active service?

Mr. COX. Let me ask the gentleman from New York a question.

Mr. CUMMINGS. Certainly.

Mr. COX. The proposition is to retire these men at a rate of compensation less than what the Government is now paying them?

Mr. CUMMINGS. Exactly.

Mr. COX. Now, when you retire them and put them on a less compensation than they are receiving now, do I understand it is stated correctly that there are none others to take the places of these men, and that the office is abolished?

Mr. CUMMINGS. There are none others to take their places. The rank is abolished.

Mr. COX. Then is it not a reduction of expenses to the Government?

Mr. CUMMINGS. Certainly; that is the practical effect.

Mr. BYNUM. Why is it a benefit to these men to reduce their salaries, then?

Mr. CUMMINGS. Because they are old and want to go home to their wives and families, the same as you do when it gets too hot in this House. [Laughter.]

Mr. BAILEY. Mr. Chairman, I always differ very reluctantly with my distinguished friend from New York [Mr. CUMMINGS], for I know that in most cases he is right. I may even go so far as to agree with him in his statement that if there is anybody on the retired list who ought to be there, these men ought to go on it. If there is any sense or any justice in putting men on the retired list who when in active service received a salary of $5,000 a year, there is greater sense and far more justice in putting a man on that list who in active service received only $900 a year.

But while agreeing with my friend from New York to that extent, my opposition to all bills of this kind is based upon the belief that no living man has a right, without working for it himself, to eat the bread that other people earn by their labor. If these men have suffered in the service of their country there is a pension roll which is accessible to them, a roll that is maintained now and has been maintained by this Government every hour since the first Congress assembled under the Republic; and if they have won for themselves a right, by their services to their country, to be cared for by their countrymen, I will vote to put them upon it.

Mr. CUMMINGS. Does not that pension roll apply to admirals and commodores and other officers as well?

Mr. BAILEY. Certainly it does; but the gentleman from New York does not contradict me and can not make me appear inconsistent by that suggestion, because I have never supported a proposition to put an admiral on the retired list, and I never will.

Now the truth is, and we had just as well understand it, that the aversion to men going on the pension roll instead of the retired list is this: If they go on the pension list they continue to draw for twenty years, if they live that long, exactly what they got on the first day they were placed upon it; but, on the other hand, if they are placed on the retired list, they draw not only what they first began to draw, but for every five years they remain upon the list there is an increase of compensation of 10 per cent for each five years until the original compensation may be increased 40 per cent.

Now, we have the remarkable anomaly under this system, that an officer of the Army who in active service gets $1 when he retires and does nothing, if he remains on the retired list long enough he will get $1.15. In other words, he gets $1 when he works and $1.15 when he plays.

Mr. WHEELER of Alabama. One dollar and five cents.

Mr. BAILEY. No; he can get 40 per cent as longevity pay.

Mr. WHEELER of Alabama. And it amounts to one dollar and five cents, under the gentleman's statement.

Mr. BAILEY. The gentleman's arithmetic is bad. Forty per cent added to 75 makes 115 per cent.

Mr. COOMBS. But this would come to $1.05.

Mr. BAILEY. Well, Mr. Chairman, here is another gentleman whose arithmetic is worse than his politics, if that is possible. Both the gentleman from Alabama [Mr. WHEELER] and the gentleman from New York [Mr. COOMBS] are mistaken.

The 10 per cent allowed for each five years, it is true, is computed on the retirement pay; but this 10 per cent can be allowed for each five years until it equals in the language of the law "40 per cent on the yearly pay of the grade" held by the officer when he retired. He retires on 75 per cent of his original salary, and he may be allowed longevity pay equal to 40 per cent—not of his retired pay, but 40 per cent of his original pay; and certainly gentlemen will not dispute that 40 added to 75 makes 115. I therefore repeat my statement that when he works he gets $1 and when he plays he gets $1.15, and this is the reason why gentlemen prefer the retired list to the pension roll.

Mr. Chairman, I believe this bill ought not to pass.

Mr. DOCKERY. Do I understand the gentleman from New York to state that this office is abolished?

Mr. CUMMINGS. It is abolished.

Mr. DOCKERY. What are these twenty-seven men doing now?

Mr. CUMMINGS. They were left there by the law, which provided that no further mates should be appointed.

Mr. DOCKERY. What officers succeed them?

Mr. CUMMINGS. I do not know that any officers succeed them.

Mr. DOCKERY. Someone must be performing the duties heretofore performed by them.

Mr. CUMMINGS. Not necessarily. The change in the style of ships, and in the method of managing them, has brought about a change in the duties necessary to be performed. Ships do not depend upon wind any longer, as Congress seems to do at times. [Laughter.] Ships depend upon steam, and the mates of the old men-of-war are no longer required. Mr. Chairman, I move that the committee rise and report the bill to the House with a favorable recommendation.

The question was taken, and Chairman announced that the ayes seemed to have it.

Mr. DOCKERY. Division.

The committee divided; and there were—ayes 111, noes 33.

The committee accordingly rose; and the Speaker having resumed the Chair, Mr. LESTER, Chairman of the Committee of the Whole House on the state of the Union, reported that the committee had had under consideration the bill (H. R. 38) relating to the payment and retirement of mates in the United States Navy, and had instructed him to report it to the House with the recommendation that it do pass.

Mr. CUMMINGS. I demand the previous question.

The previous question was ordered, and under the operation thereof, the bill was ordered to be engrossed for a third reading; and was accordingly read a third time.

The question was taken on the passage of the bill, and the Speaker announced that the ayes seemed to have it.

Mr. DOCKERY. Mr. Speaker, I ask for a division on the passage of a bill that increases the retired list.

The House divided; and there were—ayes 103, noes 32.

So the bill was passed.

On motion of Mr. CUMMINGS, a motion to reconsider the vote by which the bill was passed was laid on the table.

ORDER OF BUSINESS.

The SPEAKER. There are two minutes of the hour remaining. Does the gentleman desire to call up any other bill?

Mr. CUMMINGS. Nothing else, Mr. Speaker.

The SPEAKER. Without objection, then, as there are only two minutes of the hour remaining, that will be considered as exhausted. The Clerk will report the title of the pending bill after the morning hour, for the admission of New Mexico.

ADMISSION OF NEW MEXICO.

The Clerk read as follows:

A bill (H. R. 353) to enable the people of New Mexico to form a constitution and State government, and to be admitted into the Union on an equal footing with the original States.

The SPEAKER. The pending amendment is the amendment offered by the gentleman from Michigan, the Chair is informed.

Mr. BURROWS. I withdraw that.

The SPEAKER. There is no other amendment pending now. The Clerk will read.

The Clerk read as follows:

SEC. 20. That the constitutional convention may by ordinance provide for the election of officers for a full State government, including members of the Legislature and a Representative in the Fifty-fourth Congress, at the time of the election for the ratification or rejection of the constitution. In case the constitution of said State shall be ratified by the people, but not otherwise, the Legislature thereof may assemble, organize, and elect two Senators of the United States; and the governor and secretary of state of the proposed State is admitted into the Union as provided in this act, the Senators and Representative shall be entitled to be admitted to seats in Congress and to all the rights and privileges of Senators and Representatives of other States in the Congress of the United States; and the State government formed in pursuance of said constitution, as provided by the constitutional convention, shall proceed to exercise all the functions of State officers; and all laws in force made by said Territory at the time of its admission into the Union shall be in force in said State, except as modified or changed by this act or by the constitution of the State.

Mr. BAKER of New Hampshire. I offer the following amendment.

The Clerk read as follows:

On page 15, in section 20, line 17, after the word "and," insert the following words:

"From and after the admission of said State into the United States in pursuance of this act, the laws of the United States shall have the same force and effect within said State as elsewhere in the United States, and."

Mr. WHEELER of Alabama. I accept that amendment.

Mr. BAKER of New Hampshire. That simply makes it conform to the condition on which all other States are admitted. I desire to offer one further amendment.

The SPEAKER. Without objection, this amendment will be considered as agreed to. [After a pause.] The Chair hears none.

Mr. BAKER of New Hampshire. I offer another amendment.

The Clerk read as follows:

On page 15, section 20, line 18, after the word "Union," insert the words "until amended or repealed."

Mr. WHEELER of Alabama. I accept that, Mr. Speaker.

The SPEAKER. Without objection, the amendment will be considered as agreed to.

There was no objection.

The Clerk read as follows:

SEC. 21. That all acts or parts of acts in conflict with the provisions of this act, whether passed by the Legislature of said Territory or by Congress, are hereby repealed.

Mr. WHEELER of Alabama. Mr. Speaker, the last para-

graph of this important bill has been read, and its consideration is completed. Now, by our votes, we are to have the pleasing duty of adding another star to the banner which the world reveres as the emblem of American civilization, American progress, and American freedom. Welcome, thrice welcome, noble, chivalrous people to our sisterhood of States. I say welcome to our brothers, the brave American pioneers who have made their homes in this land of the far, far West.

Welcome our Spanish brethren, whose ancestors braved the broad Atlantic and planted the seeds of Christianity and civilization in the beautiful valley of the Rio Grande nearly a century before our forefathers landed upon the shores of Virginia and New England. Welcome, thrice welcome, to all the rights, all the joys, and all the blessed privileges of this great, glorious, and powerful Republic. [General and prolonged applause.]

The SPEAKER. By order of the House, the previous question is ordered.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed. [Applause.]

On motion of Mr. WHEELER of Alabama, a motion to reconsider the vote by which the bill was passed was laid on the table.

HALL OF RECORDS, WASHINGTON, D. C.

Mr. BANKHEAD. Mr. Speaker, under a special order of the House adopted sometime ago, I desire to call up the Senate bill 22, for the erection of a hall of records in the city of Washington.

The SPEAKER. The gentleman from Alabama calls up a bill under a special order which was heretofore made. The Clerk will report the special order.

The Clerk read as follows:

Resolved, That this day be assigned to the consideration of H. R. 5483, a bill for the erection of a Government Printing Office, and Senate 22, a bill for the erection of a hall of records in the city of Washington; this order to continue (subject after to-day to the consideration of general appropriation bills) from day to day until such bills are disposed of.

The SPEAKER. So far as the bill relating to the Government Printing Office is concerned, that has been disposed of, and under this order the gentleman calls up the Senate bill in relation to the hall of records. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (S. 22) for the erection of a hall of records in the city of Washington.

The SPEAKER. This bill is in Committee of the Whole.

Mr. BANKHEAD. I move that the House resolve itself into Committee of the Whole for the purpose of considering this bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole, Mr. DOCKERY in the chair.

The CHAIRMAN. The House is in Committee of the Whole for the consideration of the bill (S. 22) making appropriations for the purchase of ground and the erection thereon in the city of Washington, D. C., of a building to be used as a hall of records. This bill has been reported by the Committee on Public Buildings and Grounds with an amendment in the form of a substitute. If there be no objection, the substitute will be read in lieu of the original bill.

The substitute was read, as follows:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, for and in the name of the United States, at a cost not to exceed $300,000, for the purposes and in the manner hereinafter provided, the following described real estate, with the improvements thereon, known and designated as original lots numbered 6, 7, 8, 9, 10, 11, 12, 13, 20, and 21, in square numbered 635, city of Washington, D. C., and containing, with the alleys to be utilized, 92,658 square feet, more or less, and being bounded on the north by B street south and on the west by First street west, and the said Secretary is hereby instructed to cause to be erected (under the supervision of the Chief of Engineers of the United States Army) upon that portion of said above-described property as is embraced in lots 8, 9, 10, 11, 12, and 13, and the alley abutting on said lots, and which alley is hereby declared to be closed for such purpose, at a cost not to exceed $200,000, a suitable fireproof building, to be used as a hall of records for the safe-keeping of such valuable records of the executive, legislative, and judicial departments of the Government as in the judgment of the heads of such departments are not required for constant reference, and the balance of said property as embraced in lots 6, 7, 20, and 21, is to be used for storage rooms and folding rooms for the House of Representatives, and for such other purposes as may be hereafter determined.

SEC. 2. That the said Secretary is authorized and directed to acquire said property by negotiation, so far as said property may be acquired and title thereto secured, at a price not above the fair relative value of the same, or by condemnation proceedings, as provided in the act approved June 25, 1890, to provide an eligible site for a city post-office, with amendments thereto, approved August 30, 1890.

SEC. 3. That whenever and as title to the several parcels of such real estate, with improvements thereon shall be acquired as aforesaid, and the same shall be ready for delivery, and the sufficiency thereof shall be certified by the Attorney-General of the United States, or whenever by condemnation of any parcel the fair value shall be ascertained, the Treasurer of the United States is hereby authorized and directed, upon the requisition of the said Secretary, to pay the purchase price of such property, parcel by parcel, and to pay into court the condemnation price, parcel by parcel, of all of said property that may be condemned.

SEC. 4. That this act shall take effect from the date of its approval.

Mr. BANKHEAD. Mr. Chairman, I should like to have read the report accompanying this bill. It is short.

The report (by Mr. BANKHEAD) was read, as follows:

The Committee on Public Buildings and Grounds, to whom was referred the bill (S. 22) making appropriations for the purchase of ground and the erection thereon, in the city of Washington, D. C., of a building to be used as a hall of records, have considered the same and report a substitute therefor.

The Senate bill provides for the purchase of a site and the erection thereon of a building to cost not exceeding $300,000, both inclusive. Your committee fully concur with the Senate that a hall of records is one of the present pressing needs of the Government here at the capital. Very large accumulations of records of great value are now stored in insecure buildings, liable to destruction by fire or to damage or loss from other causes. If through any accident these records should be destroyed their reproduction would be impossible, and great inconvenience and much embarrassment would result to the several Departments of the Government thereby.

In most instances these records pertain to questions of great importance and value, and they have been steadily accumulating since the organization of the Government, and they must be preserved for future reference. They are in such quantity as to require a great deal of space, and are, of course, constantly increasing in volume. Those which are not placed on storage in unsafe outside buildings are occupying highly valuable space in the various Departments, which is badly needed for the transaction of current business.

In some instances Department buildings have become dangerously overweighted with these accumulated records, and the heads of Departments have found it necessary for safety to remove the files into other buildings. These records all together are now occupying a vast quantity of space in the Department buildings, and it is believed that the transfer of all of them now required for daily use to a building constructed for the purpose would greatly facilitate the transaction of the public business.

The committee in reporting a substitute for the Senate bill were largely controlled by a desire to provide permanent storage room and folding room facilities for the House of Representatives. Until very recently the books and records belonging to the House of Representatives have been stored in the basement of the Capitol building, and in buildings rented in various sections of the city, the folding being done in the basement of the Capitol building, a place wholly unfit for the purpose. An arrangement has recently been made through which the House secured the large and commodious two-story brick building which is located on a portion of the lot now proposed to be purchased, and all of the public documents belonging to the House of Representatives will soon be stored therein.

A folding room entirely suited to the work has been arranged in the building and an elevator has been put in for hoisting books to the second floor.

This lot will furnish all the room the Government will ever require for storage and folding purposes, and on that portion of it situated next to the cable car line the hall of records will be constructed. The lot contains 92,658 square feet altogether and about 40,000 feet of which will be used for the hall of records.

It is excellently well located for the purposes for which it will be used. It can be directly reached by street railroads from each one of the Government Departments and is conveniently near to the Capitol. The price named, $300,000, is reasonable. Your committee recommends that all after the enacting clause be stricken out and that the accompanying substitute be inserted.

Mr. BANKHEAD. Mr. Chairman, the bill just read is a substitute reported by the Committee on Public Buildings and Grounds for a Senate bill which passed the Senate during the extra session of Congress. The necessity for a hall of records was so pressing that the Senate took up this question early during that session and sent this bill to the House. Every Department of the Government has very valuable records which have been accumulating from the organization of the Government up to the present time. These are now being stored in insecure buildings and are liable at any time to destruction by fire or to loss or damage from other causes.

It is frequently necessary to consult these records; and when that necessity arises access to them is very difficult, and requires much time, because these records are stored in a number of different buildings, without any system or order. Besides, very much valuable space in the different departmental buildings is now being occupied by these records which ought to be stored somewhere else for safety and convenience. Every Department of the Government has urged the passage of this bill.

The committee in reporting a substitute for the Senate bill has had in view another object. The House of Representatives has met with great difficulty and been subjected to great inconvenience in finding a suitable storage place for public documents belonging to the House. These documents have been stored in the basement of the Capitol, and the folding department of the House has also been there until recently. About the beginning of the regular session of Congress the House passed a resolution authorizing the Doorkeeper to rent a building located upon the property which this bill proposes to purchase, and in that building we have stored a large portion of the public documents.

Indeed, all the documents that were formerly stored by the House of Representatives in rented buildings, located in different sections of the city, have been removed into this building. A suitable and commodious folding room has been arranged, in which the employés can work with comfort and dispatch. An elevator has been placed in the building for the purpose of carrying the documents to the second floor. This building is of such dimensions as easily to furnish storage for all the public documents perhaps for all time to come.

Besides, a committee of this House, the Committee on Ventilation and Acoustics, having made a thorough inspection of the condition of the basement of the Capitol building, reported a few days ago a resolution declaring that it is absolutely necessary to remove from the basement of this Capitol one million

volumes of books now stored there. These volumes must go out and be stored in the building already rented by the House or some other building. The Government has secured a one year's lease upon this building, which will expire in about six months. We are now paying $400 a month for that portion of the property situated on this lot, which is being occupied by the Government. At the expiration of the present lease I have no doubt the rent will be doubled, as is always the rule in this city when the Government comes to rent buildings for its own use.

It appears to me, sir, that it is a matter of economy, and is a sound business proposition, that the Government should buy this property and build upon that portion of it not occupied by the storehouse and folding room, a suitable hall of records where these valuable records of the Government can be securely deposited and where there may be some system and order in their storage so that when it becomes necessary to have access to those records they may be found without the loss of days and weeks in turning over and shifting old documents or records piled up indiscriminately as they are now in the buildings where the records are stored.

I think, Mr. Chairman, that the price named for this property is reasonable. The improvements upon the property are worth more than $100,000. The building is exactly what the Government needs for its purposes, and what it needs now. If we should undertake to erect a building for a folding room and a storage place for the public documents of Congress we could not construct a building which would be better adapted to our use than the building now on this lot. It is on the cable road, so that there is easy access to and quick communication with all the Departments of the Government.

If we should undertake to secure a site for a hall of records anywhere in the vicinity of the Departments it would cost at least $1,000,000. The price of land on the Avenue anywhere beyond Sixth street ranges from $7 to $12 per square foot; and on F street, between Sixth street and the White House, the prices range from $15 to $25 per square foot. The price of this property, including the improvements upon it, which, as I have said, are worth $100,000, and are just such as the Government must have, is only $3 per square foot.

Mr. BOWER of North Carolina. Mr. Chairman, I would like to ask the gentleman from Alabama a question for information.

Mr. BANKHEAD. Certainly.

Mr. BOWER of North Carolina. Is this the Mahone property?

Mr. BANKHEAD. No, sir. This, I will state to the gentleman, is the large building at the foot of the hill here on the southwest side of the Capitol grounds, what is known as the Georgetown street-car stables.

Another matter I may mention; Mr. Chairman, in connection with this location, is that if it be desired a hall of records can be established and can communicate directly with the Capitol by means of an underground tunnel, so that books and documents and other matter can be transmitted directly from the basement of the Capitol and from the folding room into this building.

Mr. McCREARY of Kentucky. If the gentleman will permit an interruption, I have not been able to gather from the reading of the report where this lot is situated.

Mr. BANKHEAD. Right at the foot of the Capitol hill.

Mr. McCREARY of Kentucky. Does the gentleman refer to the large building on the line of the street railroad?

Mr. BANKHEAD. Yes; where the Georgetown street-car sheds are. This is the property of the Georgetown road, but is now being occupied by the Government, and has been partly fitted up to make it available for storage.

Mr. EVERETT. It is the building just below the marble yard.

Mr. BANKHEAD. Yes; the marble yard is a part of the property included in the bill.

Now, Mr. Chairman, I was about saying that if it shall be the opinion of the members of this body, and those interested in the importance of this subject, that some suitable place should be provided for the safe storage of the valuable records of the various Departments of the Government that are not in daily or regular use; if they are of opinion that the valuable space now occupied in the already overcrowded Departments of the Government on account of these publications should be relieved by removing these files and records which are not required for constant use to a place of safety, and if they are of opinion that the danger which constantly menaces us by the overweighted condition of many of the buildings by reason of the accumulation of these records should be remedied, then this bill ought to pass.

The Supervising Architect of the Treasury a few days ago, in conversation on this subject, told me he had been recently called to examine one of the public buildings in this city, and found it weighted down to the very danger line with the accumulation of records, and they had to be immediately removed in order to insure the safety of the structure itself.

Mr. CRAIN. What building does the gentlemen refer to?

Mr. BANKHEAD. This was a portion of the Treasury Department, but the Busch building and two or three others our attention has been called to as being equally overloaded.

Again, Mr. Chairman, if we are to have a permanent place, a suitable and convenient place for the storage of the files of the Departments, and of the vast accumulation of public documents printed by order of Congress, there can be no better place than this selected, and no cheaper property can be bought nor building erected within thousands of dollars of what this can be procured for. It is already fitted up at considerable expense, and is now ready for the storage of all the documents the Government can remove and store there.

Besides, it appears to be absolutely necessary that the documents now stored in the basement of this building, more than a million volumes, must be immediately removed if we are to have any care for the health and comfort of the members of this House; and we are told this by a committee of the House who have thoroughly and carefully investigated the question. We can not afford to rent buildings by the year, and the Government can not make a contract for a longer period, except by option, and by the time we move in the lease expires and the rent is raised and we have to move out.

We ought to have a permanent establishment for the storage of all these documents, not only for the convenience it will afford, but as a matter of economy and to save from possible injury valuable documents which are now imperfectly cared for.

I yield ten minutes to the gentleman from New York [Mr. COOMBS], and reserve the remainder of my time.

Mr. COOMBS. Mr. Chairman, it is well known to the House that my duty in connection with the Committee on Appropriations in preparing the legislative and judiciary bill was to make an examination of the various buildings that are rented by the Government. I remember that while the report was being made in the House, the chairman of the committee [Mr. SAYERS] remarked that he wished that the members of the Committee on Public Buildings and Grounds were present, so they could appreciate the necessity of providing buildings of our own in which the documents and files of the Government could be stored.

In making this investigation we found that the Government was paying all the way from 10 to 19 per cent of the estimated value of the buildings which it rented and which were entirely inadequate to the purposes for which they were being used. We found that buildings were being overloaded; and in the opinion of that committee it is—and I am glad to say in other instances this opinion is supplemented by the opinion of the Architect of the Capitol—that forced removal should be made of documents which have accumulated to such an extent as to endanger the buildings on account of the giving way of the floors by reason of the weight imposed upon them.

I am not familiar with this bill, nor am I familiar with the property proposed to be taken for the purpose of building such a structure upon, but I understand it has met the approval of the full committee.

There is one thing, however, that strikes me, and that is that it will not be sufficient for the purpose, but that a building for the storage of files in use in the Treasury, Navy, and War Departments should be located very much nearer to those Departments.

It is very convenient for a folding room and a storage room for the Capitol, but I am afraid that it will divide the administration of these other Departments so seriously as to cause inconvenience and possibly a greatly increased cost of administration. Now, while I shall not oppose this bill, I give the House notice that this is not going to answer the purpose.

A MEMBER. Why?

Mr. COOMBS. Because it is inconveniently located in relation to the other Departments which must have access to it. The proper place to locate it is on Pennsylvania avenue near the Departments, and Congress will finally have to make an appropriation for a building of that kind. The cost of administration of these Departments is very great. No merchant would think of dividing his office into places a mile or 2 miles apart. He would locate them together, so that he might administer the affairs of his business and have his eye upon them; but here squads of clerks are to be located in different parts of the city, and it is necessary to have an organization in every one of them.

Mr. BRETZ. Does not the gentleman know that the purpose of this building is simply to store the records of past years, that are only referred to perhaps once in five years?

Mr. COOMBS. If it is for that, I do not oppose it; but when you are to have a working building for the use of the Depart-

ments, for the storing of records, for the relief of the overloaded archives of the Departments, you will be obliged to locate that building nearer the work of those various Departments.

I am glad to see this movement, but I hope that the Committee on Public Buildings and Grounds will not stop here; that they will go on and devise larger things, by which we shall save money for the Government and have exactly the buildings that are needed for the use of the Government. There is no wisdom, no economy, and it can not be justified as good business management, to pay from 15 to 17 per cent for the use of buildings which could be erected and owned by the Government, buildings adapted to the purposes of the Government, at a cost not to exceed 3 per cent. The building provided for in this bill may meet one want. I hope that the committee will take into earnest consideration the other necessities of the Government in this direction.

Mr. BAKER of New Hampshire. Mr. Chairman, if the Committee on Public Buildings and Grounds had been proposing to find some place for the storage of documents and vouchers pertaining to the Capitol building alone, it might be possible that their selection would meet with approval. But so long as they propose that this location shall be selected for a hall of records for the general storage of the unused vouchers, and all the accumulations of a century from the Departments at large, I can not imagine that they could have selected a more inappropriate place, or one which will be more inconvenient in the actual use of the building if erected.

The location is at the corner where the cable cars turn to come up to the Capitol. That is the property known as the Washington and Georgetown stables, which have been leased by this House temporarily, for the storage of public documents and for use as a folding room. Contrary to all custom and practice in the location of Government buildings, they did not take the whole square. They do not surround the proposed building by an open space which would protect it from fire, but they bring it squarely up to the building line of private property. Then they take out of the square a piece which is irregular in shape. They take out one corner, and then they turn almost at right angles to that, and take two other lots, running out to the other street, which two other lots are adjoined on both sides by private property. If anyone wishes to see the location, I have before me a map of the city, which will show it.

Now, the chairman of the Committee on Public Buildings and Grounds has said in his opening remarks that the building down there is just such a building as we wish and need for a hall of records.

Mr. BANKHEAD. Oh, no; I said for a storage room.

Mr. BAKER of New Hampshire. For a storage room, but I see that a still further purpose of the bill is to locate the hall of records on that part now occupied by the stables.

Mr. BANKHEAD. Oh, no; between the stables and the railroad tracks on B street.

Mr. BAKER of New Hampshire. The bill says:

> Known and designated as original lots numbered 6, 7, 8, 9, 10, 11, 12, 13, 20, and 21, in square numbered 635, city of Washington, D. C., and containing with the alleys to be utilized, 92,658 square feet, more or less, and being bounded on the north by B street south and on the west by First street west.

Those lots are a part of the ground which is now covered by the stable building, and part immediately east of that.

Mr. BANKHEAD. It is only covered by the shed, not by the main building.

Mr. BAKER of New Hampshire. Then it is so much the worse. If the gentleman proposes to build a hall of records which shall be abutted on the one side by the stable building of the Georgetown Railroad Company, so much the worse, even though that comes into the ownership of the Government, because the building which he himself has suggested as being cheap at $100,000 would be of no use at all to the Government, and could not be.

Mr. BANKHEAD. If the gentleman will allow me.

Mr. BAKER of New Hampshire. Certainly, if I can have my time extended.

Mr. BANKHEAD. The proposition is to erect the hall of records on the lot between the stables, the old street-car stables, now used as a hall of records, and B street, and there is a plenty of room for this hall of records and space left all around it, it being surrounded on two sides by streets. I think my friend is misled by the fact that there is an old street-car shed, which leads back to the stable, that is occupying a part of the ground that would be required by the hall of records. That part of the building would have to be taken down.

Mr. BAKER of New Hampshire. Does the gentleman propose that the hall of records be placed east of the corner?

Mr. BANKHEAD. It goes down to the corner.

Mr. BAKER of New Hampshire. Then it takes in the regular building, because the stable building is in the corner; and the bill provides that the hall for the public documents of the House shall be built on lots 20 and 21, which front on Delaware avenue.

Mr. BANKHEAD. You are mistaken as to where the stable is.

Mr. BAKER of New Hampshire. Will you come and examine the map?

Mr. BANKHEAD. I would rather examine the property. It extends back 200 feet. I have been on the ground frequently, and know exactly where the stable is.

Mr. BAKER of New Hampshire. And so do I know exactly where the stable is, and know the people who live on the corner of this very property. There is a private building, and next, east, is this stable, and to the south of the private residence there are a series of other private residences.

Mr. BANKHEAD. That is where you are mistaken. The next east is not the stable, but is the old shed running into the stable, a long, narrow strip.

Mr. BAKER of New Hampshire. In other words, it was the place where the cars were housed.

Mr. BANKHEAD. That is right.

Mr. BAKER of New Hampshire. It is the property which the Georgetown and Washington Railroad Company used as its stable and as a shed for cars. Are we agreed in that?

Mr. BANKHEAD. That shed is proposed to be taken down; and that is where the hall of records is to be erected.

Mr. BAKER of New Hampshire. And there is not one single foot occupied by the building which is fit for any purpose which the gentleman's bill proposes; and so far as the building is concerned, that would be an absolute waste of money; and on all the other part of this lot there is not one single building that could be utilized in any proper sense for a hall of records, or for the storage of records of any permanency.

Now, let us look for a moment at the ground itself. Here is the ground situated partly on the side of the hill. This substitute for the Senate bill proposes to appropriate just as much as the Senate bill did, but that left, as it should leave, according to my judgment, the location of this building to a committee consisting of the Secretary of State, the Secretary of War, and the Secretary of the Treasury. This building is to be used not especially for the House or Senate, but more especially for the storage of documents of the Executive Departments, and it is proposed to locate it on an average a mile and a quarter from those Executive Departments.

Whenever it should become necessary for a clerk in any of those Departments to examine any of the books, papers, or vouchers to be stored in this hall of records, it would be necessary for him to go a mile and a quarter to this building, and to return a mile and a quarter, which will take necessarily an hour of his time upon the street. It is not an economic, not a common sense, and not a business policy.

Then, again, this ground down here is not of such value as the gentleman's bill indicates. Some of that very ground which he proposes to take by the provision in this substitute upon which to erect this building has been offered to me within a year at 90 cents a foot.

Mr. HULICK. What would be the amount in the aggregate?

A MEMBER. Why did not you take it?

Mr. BAKER of New Hampshire. Because I did not believe there was any money in it at that. Now, I can not imagine why——

Mr. CRAIN. What is the price per foot proposed to be paid?

Mr. CANNON of Illinois. Over $3, I think.

Mr. BAKER of New Hampshire. It is something over $3 a foot.

Mr. CRAIN. Do I understand you were offered the very same ground at 90 cents a square foot?

Mr. BAKER of New Hampshire. I have no doubt that part of it could be bought for less than a dollar a foot.

Mr. BANKHEAD. Will you name the lot you can buy at 90 cents a square foot?

Mr. BAKER of New Hampshire. I am not in the real estate business. There is nothing in the Senate bill as it came over from the Senate that does not bear on its face the mark of entire candor and entire justice. We ought to have a hall of records which shall be sufficient for the storage of the present records and sufficient for those of future times.

This bill as it now comes to us from this committee is nothing but a miserable makeshift and will not fill the full measure required, as the Senate bill does, for which our committee has substituted this peculiar bill, which is one that has not in it, in my judgment, a single line to commend it to this House. It will not fill the present needs and will require at our hands within a few years another appropriation and another building.

Mr. CANNON of Illinois. What is the location the Senate makes?

Mr. BAKER of New Hampshire. The Senate leaves the location to be selected by a commission consisting of the Secretary of State, the Secretary of War, and the Secretary of the Treasury.

Mr. CANNON of Illinois. At what does the Senate fix the cost?

Mr. BAKER of New Hampshire. Three hundred thousand dollars, the same as the House committee.

Mr. COOMBS. What location does the Senate fix?

Mr. BAKER of New Hampshire. They do not fix a location, but provide for a commission to select a location.

Mr. CANNON of Illinois. As I read the substitute, it provides for an expense of $300,000 for the land and $200,000 for the building.

Mr. BAKER of New Hampshire. That is exactly what the substitute provides. Now, let me read the provision of the Senate bill:

That the sum of $300,000, or so much thereof as may be necessary, be, and the same is hereby, appropriated for the purchase of a site in the city of Washington, D. C., and the erection thereon of a brick and metal fireproof building.

Now, the reason which may have induced the Senate to adopt this provision is that there is ground in this city lying southwest of the principal Departments which can be bought cheaper than this site selected by the House committee, and which is better suited for the contemplated building, and will be better in practical use because it is nearer to the Departments. The Senate already has a building for the storage of its documents, and the House, with a very small expenditure, could secure one for the storage of its documents. Consequently at this end of the city a building of this kind is not needed. I now yield five minutes to the gentleman from Illinois [Mr. CANNON].

Mr. CANNON of Illinois. Mr. Chairman, in my judgment, neither this nor the Senate bill ought to pass at this time. The proposition is to buy ground and erect a hall of records. Now, this proposition has been before Congress in one shape or another ever since I have been here—for twenty years. It seems to me it might be well enough to test the importance of this proposed bill by adding to it a provision for raising the money; a provision authorizing the Secretary of the Treasury to issue interest-bearing obligations to secure the money to meet this expenditure. Tested in this way, I doubt whether there would be half a dozen votes in this House in favor of the measure. Yet that is what you are proposing to do.

Now, so far as public buildings in the District of Columbia are concerned, there is but one, in my judgment, which we would be justified in borrowing money on interest to build. In my view, an improvement for which such a measure would be justified is either to make an addition to the Government Printing Office, or to secure a site and erect a new Government Printing Office; because a Government Printing Office is absolutely necessary for the proper conduct of public business and for the safety of the employés of the Government in that branch of the service. I would not at this time vote to authorize any public building in Washington except a Government Printing Office; and for that reason I am against this measure.

Now, I want to say to gentlemen coming from other parts of the country and having in their districts great cities or small cities where buildings for the public service are really needed—more sorely needed than is this hall of records—I want to remind gentlemen of the policy with which we are met by the Committee on Public Buildings and Grounds. They have not recommended in any instance, I believe, thus far during this Congress, nor do they intend practically hereafter, the authorization of any public building throughout the country.

Take, for instance, the city of Chicago, in my State—not a city which I represent. There is a crying necessity for a public building in that great city of nearly 2,000,000 people. But such a building is not to be authorized I apprehend at this session of Congress——

Mr. BANKHEAD. I know the gentleman wants to be fair and candid.

Mr. CANNON of Illinois. Certainly.

Mr. BANKHEAD. Then I remind him that a bill for the construction of a public building at Chicago has been reported by our committee, and has been on the Calendar for sometime.

Mr. CANNON of Illinois. Certainly it is on the Calendar. Yet in view of the borrowing of fifty or sixty million dollars and in view of a deficit of $75,000,000 or $80,000,000 for this year, and the absolute certainty that to pay current expenses you must borrow more by the issue of interest-bearing bonds, it is an open secret that the bill to which the gentleman refers is not to pass at this session of Congress.

Now, all that I have to say is that I will not vote to authorize any new public building anywhere now, unless I believe the necessity for its construction is so great that I would be willing to tack upon the measure an amendment providing that the Secretary of the Treasury is hereby authorized to borrow money at 3 per cent to construct such building. In these Democratic times that is what stares you in the face. Tested in that way, the bill now before us, in my judgment, ought not to pass.

Mr. BAKER of New Hampshire. I yield ten minutes to the gentleman from Texas [Mr. CRAIN].

Mr. CRAIN. I do not think, Mr. Chairman, this bill ought to pass. I do not believe that any bill providing for a hall of records ought to pass at this juncture. I do not believe there is any overweening necessity for any hall of records in this city now. In the first place, assuming the statements of the gentleman from New Hampshire [Mr. BAKER] to be correct, it is very evident that the Committee on Public Buildings and Grounds has been imposed upon with reference to the site provided for in the bill, because that gentleman has stated that he has been offered a portion of this same land at 90 cents a foot, whereas the price to be paid, if this bill should become a law, is $3 a foot.

Again, for the reasons stated by the gentleman from Illinois [Mr. CANNON], I do not believe this bill ought to pass. Why is it that the policy has obtained here of denying to the districts of the country, in all sections of it, appropriations for public buildings, which are covered by bills that have been introduced and favorably reported upon by the Committee on Public Buildings and Grounds? Whenever recognition is sought on the floor for that purpose, it is always urged that it covers "an appropriation;" that "the Treasury is empty;" that there is a "deficit staring us in the face," and that as a consequence such appropriations should not be permitted.

As has been said by the gentleman from Illinois, we have been compelled, through the Secretary of the Treasury, to sell $50,000,000 of bonds for the purpose of raising funds; and we are now wrestling with a revenue bill, the object of which is to raise sufficient money to meet the expenses of the Government and carry on its business; and one of the principal items in the expense list of the Government is found in the necessary appropriations to carry on the construction of the Library building in this city.

Another item of considerable importance is the one to provide means to carry on the construction of the post-office building here. Gentlemen who are comparatively new to the legislation of this House may not be aware of the fact that the limit of cost of the Library building was fixed at $6,000,000, and the limit of cost of the post-office building is $2,000,000, and in these limits of cost is not included the cost of the sites of these buildings, respectively. One million and eighty-five thousand dollars has been already paid for the site of the Library building; so that we will have paid out, when that building shall have been completed, $7,085,000 under the present limit.

The cost of the site of the post-office building was $600,000; so that when that building shall have been completed we will have paid out $2,600,000 on that account. The appropriation bill for the coming fiscal year carries an appropriation of $600,000 for work on the Library and $200,000 or $250,000 for work on the post-office building.

Mr. Chairman and gentlemen of the committee, another consideration is involved in these two items, namely, that the appropriation, made annually, is indefinite in its character, and depends entirely and exclusively upon the contracts made by the contracting engineer. So that while these appropriations are only $850,000 for the coming year—a large sum under existing conditions—yet that may be in coming fiscal years increased to $2,000,000 or more, according to the terms and conditions imposed by the contracts made under authority of the contracting engineer.

Now, there is not a man on this floor who would go further in making all necessary appropriations for the improvement and ornamentation of this great capital of the nation than I. But when it comes to the consideration of a bill, the passage of which is urged because it involves a necessity, then I feel myself called upon to investigate that question and determine for myself, with the lights before me, whether as a matter of fact that necessity really exists.

Mr. Chairman, as I have already said, I believe there is no necessity for the erection of a hall of records in this capital today. Why? Because each of these Department buildings, which are overloaded as the gentleman from Alabama said, can easily be relieved by passing a law of limitation against these old claims and vouchers, of which thousands upon thousands of tons have been accumulated, and which form the bulk of the weight that is now complained of as endangering the stability of these buildings.

They will never be examined or investigated and a statute of limitations covering these moth-eaten and dust-covered vouchers and claims and authorizing the Secretary of the Treasury or the Postmaster-General or any other Department officer to destroy them, to burn them or to dispose of them in some way, would afford the necessary relief. There is necessity, of course,

for protecting the documents in the City Hall or the records department of the Government; but they are few in number comparatively speaking. Wills, deeds, and documents involving titles—muniments of title—ought to be protected and preserved; but there is no necessity for protecting the vouchers for money orders which have been paid years and years ago.

Go through the Sixth Auditor's Department, and what do you find? The character of documents just mentioned, which it is proposed by this bill to protect and preserve by the erection of a hall of records, you find tons upon tons of them there. I say again that the passage of a law providing that a limitation shall run in favor of the Government against all of these antiquated claims, which date back a specified number of years, and the files and papers attached thereto, would do away with the necessity for a large hall of records for their preservation.

So far as the documents in the Senate and House of Representatives are concerned, do Representatives not know that there are tons of them belonging to members who are dead, or gone out of public life? What is the reason why, by resolution, we can not provide for their distribution among the present members or for their sale by public auction for the benefit of the Treasury which now is in a depleted condition?

I say, sir, as the gentleman from Illinois well said to the House, that it would be something to our credit and much more to our advantage, as well as to that of the Government, if we were to provide by proper legislation for the erection of a public building to protect and preserve those employés of the Government who are now in danger in an overcrowded building known as the Government Printing Office.

Would it not be better for us, more to our credit, and more advantageous to the whole country, were we to pay, even by the sale of bonds if necessary, for the erection of a Printing Office for the protection of human beings, their lives, and their health, than to be compelled as we may possibly be to pay compensation to those who may be injured by a falling building or whose relatives are dead by reason of the insecurity of a Government building? Such a course is now contemplated by the investigation and report of a committee of the Senate upon the falling of the old Ford Theater.

I say again, there is no pressing necessity for this building. There is, however, a necessity in various parts of the country for the erection of public buildings to facilitate the transaction of the public business; to hold courts in, and to transact the customs business; but no member representing a district in any part of the country who asks recognition, even if he receives it from the Speaker for that purpose, can make a request for the consideration of such a bill without being confronted by the objection that there is no money in the Treasury to meet the necessary appropriation for the purchase of a site and the erection of the building provided for in his bill.

I repeat, Mr. Chairman, that I am opposed to the passage of this bill: First, because of the reasons stated by the gentleman from New Hampshire [Mr. BAKER]; second, because of the reasons, and cogent reasons, adduced by the gentleman from Illinois [Mr. CANNON], and also for the reasons which I have contributed in the few minutes which have been allotted to me.

[Here the hammer fell.]

Mr. BAKER of New Hampshire. I yield ten minutes to the gentleman from Nebraska [Mr. BRYAN].

Mr. BRYAN. Mr. Chairman, some five or six weeks ago we had before the House a bill, reported by this committee, for the erection of a public building for a Printing Office. The site selected by the committee was a block of ground down near the Baltimore and Ohio depot. The amount to be appropriated was $300,000, and the amount of land was very nearly the same as that provided for in this bill. After discussing that bill for several hours, by a vote of 2 to 1 the House instructed the committee to bring in another bill, providing for the location of that building upon ground now owned by the United States.

Here is another building bill, brought here by this committee, appropriating about the same amount, $300,000, for the purchase of another site, for the erection of a hall of records.

Mr. Chairman, the first objection which I desire to make to the bill is that if the building is needed—and I am willing to take the judgment of the committee which has examined the question upon that point—if we are absolutely in need of some such building, it seems to me that the first question which presents itself to us is, Have we land upon which we can put this building, or is it necessary to go out and buy land?

And if the House believed, on a former occasion, that we had land suitable for the erection of a great printing office which was to cost a million and a half of dollars, why is it that we can not find upon our abundant space sufficient ground upon which to erect a hall for storing books, at an expense of $200,000.

The site which has been selected here is described as a piece of property the price of which is reasonable. In a few minutes' time I was able to ascertain, in regard to the proposed Printing Office site, that the land around it could be bought for about one-half what it was proposed to pay for the land to be bought by the Government, and that land, of about the same amount in extent, is better situated and worth more per foot than the land which is now proposed to be bought at the corner of B and First streets southwest.

The gentleman from New Hampshire [Mr. BAKER] has said that he found that he could buy land there at 90 cents per foot. If you will go up on the hill you can buy far more desirable property at a less price than it is proposed to pay for that land down at the foot of the hill, and yet the committee say that this is a reasonable price.

Mr. Chairman, when the time comes I desire to move to strike out the words "three hundred thousand dollars" and insert the words "one hundred and fifty thousand dollars," and I believe in doing that we will leave a margin of at least $50,000 more than that land can be bought for, if it ought to be bought at all. When the proper time comes I shall ask recognition to move to recommit the bill to the committee, with instructions that they locate this building upon ground now owned by the United States.

The gentleman from New Hampshire [Mr. BAKER] has called attention to the location of this land. The committee has not explained, at least not in my hearing, what led them to select an irregular piece of land. Why is it that two lots are proposed to be bought which run off to another street, and which are barely connected with the body of this land? May I ask the gentleman if those lots belong to the street-railroad company?

Mr. BANKHEAD. Yes. I am willing to strike out that part.

Mr. BRYAN. Then, as I understand, these two adjoining lots belong to the street-car company, and I do not know that there is any better reason for adding on two lots which could not be built upon without making a very ugly structure, unless it be that as the street-car company owns the land there, and has no further use for it, we ought to take it off its hands at about two or three times its actual value.

Mr. Chairman, the same reasoning which applied to the bill which we had before us a few weeks ago applies with much greater force to this. Every reason which applied to that applies with greater force to this. One reason why we objected to that was that we thought it was proposed to pay too much for it. That reason applies with still more force to this. Another reason was that it was remote from the buildings to be used in connection with it, and the same reason applies to this.

Here is a piece of land away off from these Executive Departments, away off from the Treasury Department, from the Interior Department, from the Pension Bureau, from the State, War, and Navy Departments. And, Mr. Chairman, it seems to me that there can be no justification for the selection of this site and the purchase of this land, except to relieve a corporation which owns the land and desires to get rid of it.

You will remember that after the committee was instructed to secure Government land for the erection of a printing office, they reported back a site up here between Sixth and Seventh streets, what is known as the Armory Square, a splendid site for that building. Yet until they were instructed by the House, they did not select that ground.

If I am correct in the figures, the land which they have selected on Armory Square is about 4 feet higher than this land which they are asking us now to buy. When on that occasion I suggested that they take Government land, and when I mentioned the Mall, we were told that they could not get a foundation there; and yet no one speaks to-day of any danger from overflow to this proposed site down here at the corner, within a block of the canal itself.

Mr. Chairman, it seems to me that it needs no further argument to convince this House that if we are going to buy this land at all we ought to cut down the amount of it at least one-half, and not leave it at over $150,000; and it seems conclusive to my mind that if we need this building at all we had better put it on some land that we have now and not buy a piece of land to help out somebody who owns the land and wants to sell it. In that way we can find a far more convenient site for the books which will be collected there.

Mr. PICKLER. Mr. Chairman, will the gentleman allow me to ask him a question?

Mr. BRYAN. Yes, sir.

Mr. PICKLER. What portion of public ground can you find that will be convenient to all these departmental buildings?

Mr. BRYAN. I would suggest the tract between the same streets—Sixth and Seventh streets. There is land there which is much more convenient to the Departments than that on which this proposed building is to be located.

Mr. PICKLER. That would be a mile and a half from the War Department.

Mr. BRYAN. It would be half a mile nearer than this.

Mr. PICKLER. It is impossible to find a lot for the building that be near to all the different Departments.

Mr. BRYAN. That is true; but yet when we can show you public ground near the Departments, and more convenient for the purpose, it seems to me needless expense and a needless appropriation of money to authorize the purchase of land down here in this low ground at the foot of Capitol Hill. That is all I wish to say.

Mr. BANKHEAD. Mr. Chairman, I listened with some degree of interest to the remarks of the gentleman from Nebraska [Mr. BRYAN] and the gentleman from New Hampshire [Mr. BAKER]. I have listened with some degree of surprise to their criticism with reference to the relative value of the property. The gentleman from New Hampshire stated that he had been offered property in this lot for 90 cents per square foot, and that he knew the parties who live on the corner very well. Now, I have seen the options given by all the parties; and that piece of the lot on that corner, owned by the very party that he speaks of, is estimated by the party owning it at, and the party who had the option has agreed to pay, I believe, $7.50 a foot.

Mr. BAKER of New Hampshire. May I correct the gentleman? The corner lot was not the lot of which I spoke; but if the gentleman wishes to know the lot to which I did refer, it is lot 12, immediately east of the stable—a vacant lot.

Mr. BANKHEAD. I think the gentleman who got the option on that got it at $1.25 on that vacant property. But, Mr. Chairman, this property is almost covered with buildings. The property which we propose to use is exactly as I have stated, suitable for the Government purposes. I have been informed, and I have a statement of that fact under oath, that the buildings themselves cost $65,000.

Now, everybody knows when you undertake to get property in this city for Government purposes as soon as the property owners of the square find it out the price advances three or four times. You know it, Mr. Chairman, and every man in this House knows it; and there is not a man in this House who does not know that when we were seeking the ground for the post-office in this city the price advanced three times from the time we began the selection of a site until we got possession.

Mr. BRYAN. Is it not the introduction of such bills as this that encourages property holders to hold their property so high?

Mr. BANKHEAD. I am perfectly willing that this land should be condemned if the House thinks it would be preferable. In fact, I do not care whether the bill passes or not. It is nothing more to me than it is to any other member of Congress. So far as I am concerned, it makes very little difference to me what is done with it.

Mr. BOATNER. Can not we scuffle along without this hall of records for awhile?

Mr. BANKHEAD. I suppose we could. We did scuffle along without a Capitol at one time. This building is not to be used for the Executive Departments only, but it is to be used for storage purposes for all the records that belong to Congress, and for a folding room. The records are there now, and largely the documents are being folded there. The building is exactly suited to the purpose, and I do not see any reason in the world why we should not decide on taking that place if it is decided by the House that it is necessary that this work should be done.

If Congress does not think these records should be preserved, or if it is decided that we should pay 15 or 20 per cent rental, or 15 or 20 per cent interest annually on buildings which are unsuitable buildings and where these records are liable to be destroyed, why, then, that is all right with me.

Mr. BRYAN. How much do we pay for that building?

Mr. BANKHEAD. Four hundred dollars a month, and I suppose we will have to pay $800 a month when this lease runs out. I ask unanimous consent that general debate on the bill be considered as closed.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that the debate be considered as closed.

Mr. BAKER of New Hampshire. Mr. Chairman, I wish a few moments in reply in the time that is reserved. I do not entirely agree with all of those who seem to oppose this bill, for I am one of those who believe that a hall of records is necessary. My opposition to this bill is simply because of the location of the building and of the proposed price of the lot. The original idea of a hall of records was that it should be exactly what the name indicates, not that it should contain also a storeroom for the documents of Congress; but that it should be for the records and vouchers of the Executive Departments of the Government and to supply sufficient room for the storage of those documents now existing and those which will inevitably come into the possession of the Government in the coming years, which will require a building larger than the one that the gentleman from Alabama from the committee proposes to erect here.

That building should undoubtedly be located as near to the several Executive Departments as possible, in order that time may not be lost in passing from the several Departments to the hall of records for the purpose of examining vouchers there stored.

This bill proposes to locate the hall of records nearly a mile from any one of the Departments and on an average a mile and a quarter from all of those Departments. As I have already said, a clerk can not leave any of the Executive Departments at the upper end of the town and come down to this place and return without consuming about an hour in the simple transit.

Now, if it is necessary, and I presume it is, that the House of Representatives should have some place for the storage of documents (and there is a vast difference between documents and vouchers), let us secure a proper place and erect a suitable building as near the Capitol as possible, so that convenience and economy in the transaction of the business of the House may be secured.

In providing a hall of records for the Executive Departments, let us act on precisely the same principle. Let us select from property already belonging to the Government, or let us purchase, ground as near those Executive Departments as possible, because this hall of records is to be simply a continuation of the file rooms of the Departments.

Mr. PICKLER. What point does the gentleman suggest?

Mr. BAKER of New Hampshire. I suggest that there is any quantity of very cheap land lying to the southwest of the War, State, and Navy Department building——

Mr. PICKLER. How close would that be to the Pension Office?

Mr. BAKER of New Hampshire. That would be as near the Pension Office as the site proposed by the House committee.

Mr. PICKLER. How near would it be to the Agricultural Department?

Mr. BAKER of New Hampshire. It would be within about three squares of the Agricultural Department, and within one or two squares of the War, State, and Navy Department building.

Mr. PICKLER. Would that be on low ground?

Mr. BAKER of New Hampshire. It would be just beyond where the Corcoran Art Building is being erected—right below that. And ground which is fit for the erection of an art building would be fit for the erection of a building for the hall of records.

Mr. PICKLER. But the ground the gentleman has in view would be no such situation as that of the Corcoran Art Gallery.

Mr. BANKHEAD. Would not that location be as far from the Interior Department and the Post-Office Department as the location we propose?

Mr. BAKER of New Hampshire. Just as far; but very much nearer to the other large Departments.

There is no sense whatever in confounding books and vouchers, which constitute what may be called records of the Government, with the documents issued by Congress. Let those two matters be kept entirely distinct; and we shall accomplish what will conduce to the wants of the Departments and will at the same time meet the demands of Congress.

Mr. PICKLER. As I understand, the gentleman wants to erect two buildings—one for the documents of Congress, the other for the records of the Departments.

Mr. BAKER of New Hampshire. This hall of records would be designed simply for the Government Departments, but the House committee, differing from the Senate, proposes to make a jumble of the whole thing, and place a building in a location where it ought not to be for the purpose of meeting both purposes. These two objects have nothing in common, and they should be kept separate; and the buildings whenever erected should be erected separately.

Mr. PICKLER. I would like the gentleman to explain how there is to be any economy in buying ground in two different places and erecting two great public buildings, rather than buying a single location and erecting a building suitable for both purposes.

Mr. BAKER of New Hampshire. I have not in any sense proposed to erect two buildings. I have only said that if it was necessary that would be the more proper course. And if it is necessary to have two large buildings, one for the use of Congress and the other for the use of the Executive Departments, I know no reason why they should not be erected; and it would really cost no more to erect two than to erect one, because there would, of course, be in the two buildings no more space than it would be necessary to have for both purposes in a single building.

Mr. BANKHEAD. I should like to straighten out my friend on this proposition, if I can.

Mr. BAKER of New Hampshire. I would be very glad to have the gentleman do so.

Mr. BANKHEAD. The gentleman seems to have the idea that our proposition is to erect or use jointly a building for the storage of official files of the different Departments, and also the records and documents of Congress. Now, the simple, plain proposition is that upon that portion of the lot which is

not occupied by the building in which we are now storing the documents of Congress this hall of records shall be built; separate and apart from the building which we are using; having no connection with it; a separate building, to be used exclusively as a place for storing the files of the Departments of the Government.

At the same time we have for the storage of our documents and for a folding room the building which I have already described; a building exactly suited to the purpose, and which I guarantee the Government of the United States, under its system of erecting public buildings, could not construct for $100,000. That building we do not propose to touch or to change in any way, for it is exactly what we want. Now, where is the jumble in that?

Mr. BAKER of New Hampshire. I will tell you. Beside the building which you propose to use for the purposes of Congress, you propose to buy this additional land from the railroad company and erect, at an average distance of a mile and a quarter from the Departments, a building which is designed exclusively for the daily use of those existing Departments. There is where the jumble is. I think that project is entirely and completely improper.

Mr. BANKHEAD. I ask unanimous consent that general debate be considered as closed.

The CHAIRMAN. In the absence of objection, that order will be made.

There was no objection.

The CHAIRMAN. The Clerk will now report the first section of the substitute.

The Clerk read as follows:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, for and in the name of the United States, at a cost not to exceed $300,000, for the purposes and in the manner hereinafter provided, the following described real estate, with the improvements thereon, known and designated as original lots numbered 6, 7, 8, 9, 10, 11, 12, 13, 20, and 21, in square numbered 635, city of Washington, District of Columbia, and containing, with the alleys to be utilized, 92,508 square feet, more or less, and being bounded on the north by B street south, and on the west by First street west; and the said Secretary is hereby instructed to cause to be erected (under the supervision of the Chief of Engineers of the United States Army), upon that portion of said above-described property as is embraced in lots 8, 9, 10, 11, 12, and 13, and the alley abutting on said lots, and which alley is hereby declared to be closed for such purpose, at a cost not to exceed $200,000, a suitable fireproof building, to be used as a hall of records for the safekeeping of such valuable records of the executive, legislative, and judicial departments of the Government as in the judgment of the heads of such departments are not required for constant reference, and the balance of said property, as embraced in lots 6, 7, 20, and 21, is to be used for storage rooms and folding rooms for the House of Representatives and for such other purposes as may be hereafter determined.

Mr. BANKHEAD. I desire to offer an amendment to this section, which I send to the desk.

The Clerk read as follows:

In line 5 strike out "three hundred" and insert "two hundred and seventy-five," so that it will read, "not to exceed $275,000."

Mr. BANKHEAD. I also move to strike out lots 20 and 21, in lines 9 and 10. These lots will not be very valuable for the purpose contemplated.

Mr. BRYAN. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Strike out "two hundred and seventy-five" and insert "one hundred and fifty," so that it will read, "$150,000."

Mr. BANKHEAD. Mr. Chairman, if the House thinks proper to adopt this amendment it is very evident to everybody except the gentleman from Nebraska that this is the end of it. Now, you can not buy the property for that sum, and nobody who has any knowledge of real estate in the city of Washington would expect such a thing. And I may add that nobody who has any proper regard for the public interests would suggest such an amendment as that to this bill.

Mr. McMILLIN. If the gentleman will permit an interruption just in that connection, I wish to ask a question for information which may have been developed during my absence at the Senate. I want to know the price per foot of this property, if $275,000 is allowed for the land?

Mr. BANKHEAD. About $3 a foot. This property, as I have stated, is almost entirely covered with buildings. There is one vacant lot, a small one.

Mr. McMILLIN. Have you any information as to the cost of the buildings?

Mr. BANKHEAD. The buildings of the Georgetown Street Railway Company, the stable, which is a part of the property proposed to be acquired, and which is now being used for storage, having been fitted up for that purpose, was represented to the committee to have cost $75,000.

Mr. McMILLIN. Is it fireproof in its present condition?

Mr. BANKHEAD. Perfectly; from the outside.

Mr. McMILLIN. Is it suitable for the purpose contemplated and capable of being properly heated and ventilated? I know the building was erected for and applied to other purposes.

Mr. BANKHEAD: Oh, yes; we have already fitted up a folding room there. The building outside of that—the second story—we would not probably want to use, and there may be some difficulty in heating it. I do not see any necessity for it, however. It will be only necessary to make provision in that regard for that part of the building where the employés would be at work.

Mr. McMILLIN. Is it contemplated to put valuable records in this building, such as the records of the Land Office, and the Pension Office, and the War Department, when they become too numerous for storage in their respective Departments?

Mr. BANKHEAD. Oh, no.

Mr. McMILLIN. Then this proposition could be more properly designated as a hall of documents than of records.

Mr. BANKHEAD. No; for we propose to erect on the remaining part of the lot—that part not now occupied by the present structure—a hall of records. In other words there are some 55,000 feet unoccupied that we propose to erect this building upon.

Mr. COOMBS. Will that be in the corner?

Mr. BANKHEAD. Yes; on the corner up this way.

Mr. McMILLIN. Is the gentleman able to state the current price of unimproved property in that locality?

Mr. BANKHEAD. A gentleman stated here that he was offered a vacant lot for 90 cents a foot, and said that such property could be bought there for that price. I think it would not be such property as would be suitable for the purpose contemplated here, however.

Mr. McMILLIN. I have no information as to the value of lands around there, but I had supposed the price the gentleman fixes, $3 a foot, would be quite a high valuation.

Mr. BANKHEAD. That would be true of vacant property; but this includes a valuable building.

Mr. PICKLER. Let me ask the gentleman if the Committee on Public Buildings and Grounds have carefully gone over this subject and have examined the price, taking into consideration the location and all other questions bearing upon the subject?

Mr. BANKHEAD. Oh, yes; we went down and personally examined it.

Mr. PICKLER. Is it the judgment of the committee that this is a reasonable price for the property?

Mr. BANKHEAD. Yes; and we so report.

Mr. BAKER of New Hampshire. I would like to ask the gentleman a question.

Mr. BANKHEAD. Certainly.

Mr. BAKER of New Hampshire. Is that building on the ground now any more fireproof than any other ordinary brick building?

Mr. BANKHEAD. I do not know as to that. It has a slate roof, a thick brick wall, and I suppose it is as nearly fireproof as a brick building can be.

Mr. BAKER of New Hampshire. Yes; as nearly fireproof as any brick building that will easily burn.

Mr. BANKHEAD. Now, Mr. Chairman, as I have already stated, it may be that the vacant lot included amongst these lots—and they belong to other parties, for these lots do not all belong to the Georgetown Railroad Company, and that seems to be a mistake into which some gentlemen have fallen; that company only own the lot upon which the building is located—I say, as to the vacant lots, it may be that the price would be considered a high one. There is a vacant lot there, and a gentleman has an option upon it at a price, I think, of $1.35; but I will guarantee that he will not make $10,000 on his option if this bill passes. And you all know that it is the only way by which you can get a square of land together in the city of Washington—for somebody to undertake to get an option upon it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. McMILLIN. Inasmuch as the gentleman has been interrupted, I ask that his time be extended five minutes.

There was no objection.

Mr. COOMBS. I understand the gentleman from Alabama [Mr. BANKHEAD] to say that some one has an option on all this property?

Mr. BANKHEAD. Yes.

Mr. COOMBS. And that you have been talking with this person?

Mr. BANKHEAD. He filed his statement with the committee, showing the price of each piece of property—which he had agreed to pay for it.

Mr. COOMBS. There are provisions in the bill for the condemnation of the property, are there not?

Mr. BANKHEAD. Of course. The Secretary of the Treasury can not pay more than $275,000 under the bill as amended. He can negotiate for it for that, or he can condemn it, but he can not pay any more than $275,000 under condemnation proceedings.

Mr. COOMBS. Could the property that is owned by the Georgetown Railroad Company be purchased separately for the

use of a folding room? As I understand, that would be just about large enough for a folding room, according to the gentleman's idea.

Mr. BANKHEAD. Oh, I do not know about that. I could not answer the question whether it could be purchased separately or not.

Mr. COOMBS. The reason for my asking the question is that while I think it might be a very good place for a folding room, it does not strike me as being peculiarly favorable for a storage room.

Mr. BANKHEAD. I know the option filed with the committee showed that he had an option on the Georgetown Railroad property, for which he agreed to pay $200,000.

Mr. LYNCH. I see that the price proposed to be paid for the property by this bill, with the building on it, is about $3 per foot. Now, under your amendment, which fixes the limit at $275,000, and estimating the cost or value of the building now on the premises at $75,000, that would leave the price of the ground itself about $2 per foot.

Mr. COOMBS. I understand the gentleman does not give that as his positive estimate, that that brick stable is worth $75,000.

Mr. BANKHEAD. They said it cost between $65,000 and $75,000.

Mr. WASHINGTON. Does that include both buildings on that corner, the one that faces on B street as well as the other?

Mr. BANKHEAD. Yes.

Mr. WASHINGTON. And they say it cost $75,000?

Mr. BANKHEAD. Yes.

Mr. WASHINGTON. I have not been through the building, but it seems to me it is not worth more than half that.

Mr. BANKHEAD. If the gentleman had been through it, he would see that it is an immense building.

Mr. WASHINGTON. How many square feet are there in the lot which it is proposed to buy?

Mr. BANKHEAD. Ninety-six thousand square feet in the property we propose to buy.

Mr. WASHINGTON. I have not asked any real-estate agent about the price of adjoining property, but even with that building there, estimating that at $75,000, it seems to me that is a high price for that ground. Does not the gentlemen think it could be condemned by proceedings in court?

Mr. BANKHEAD. I am perfectly willing to authorize the Secretary of the Treasury to condemn it, without fixing any price, as far as I am personally concerned.

Mr. McMILLIN. Recurring to the point on which the gentleman touched a moment ago, if the records from the offices that he mentioned are not to go there, what records is it contemplated to put there?

Mr. BANKHEAD. Nothing is to go into the building we are talking about now, except the documents belonging to the House of Representatives. There are now five or six hundred thousand volumes stored away in the basement, which it it said must be moved.

Mr. McMILLIN. We have been trying to provide a means for the distribution of those documents, and I think that is the proper method of getting rid of a good deal of the junk in the basement.

Mr. BANKHEAD. That may be true, but the gentleman knows that we always have a large accumulation of documents.

Mr. McMILLIN. That is true, and it strikes me that this amount is a large sum to pay for the construction of a hall for this purpose, when it is only a question of time, and a very short time, before we shall be compelled to build an expensive fireproof building for the purpose of having a place to store our valuable records.

Mr. BANKHEAD. That is exactly what we are proposing to do. We propose to erect, on the balance of this lot, not occupied by this storehouse, this hall of records for the storing of these valuable documents you are talking about.

Mr. BRYAN. I desire to call the attention of the House to the wording of this bill. The estimate given here of 92,658 square feet includes the alley to be utilized.

Mr. BANKHEAD. There is one small alley.

Mr. BRYAN. An alley 30 feet wide runs all around it.

Mr. BANKHEAD. It does not run all around it. It is about 6,000 feet, I think.

Mr. BRYAN. Six thousand feet, which is more than 5 per cent of the entire amount, consists of an alley that we do not have to buy. The amount of land in these two lots stricken off amounts to nearly 15,000 feet. The sum of $25,000 has been taken off the total which it is proposed to pay—a reduction of $25,000 for a reduction of 15,000 square feet—so that when you come to figure up the pay for the amount left, it will run nearer to $1 a square foot than to $3 a square foot; and one of the members of the House has stated to the House that he had an opportunity to get a part of this same land for 90 cents a square foot within a year, and everyone knows that land is cheaper now than it was a year ago.

It seems to me, Mr. Chairman, that if we amend this bill so as to limit the amount to be paid to $150,000, we shall leave all that will be necessary with which to buy this property, if we want to buy it, when the people find out that they can not get more. The gentleman from Alabama [Mr. BANKHEAD] says that whenever we attempt to buy anything, people raise their price to three or four times the value of the property. Because they do that is no reason why the Government should appropriate three or four times the value of the property.

Mr. BANKHEAD. I will ask the gentleman if he would be willing to accept an amendment simply providing that the Secretary of the Treasury shall condemn this property, without fixing any price upon it in the bill?

Mr. BRYAN. Mr. Chairman, I think the bill as it came from the Senate had no limitation whatever as to price.

Mr. BAKER of New Hampshire. Three hundred thousand dollars.

Mr. BRYAN. Yes; you are right; but it did not select any site.

Mr. BANKHEAD. I am perfectly willing to consent to an amendment providing simply that the Secretary of the Treasury be empowered to condemn the property and take it at whatever price he can get it. I shall be glad to do that, as far as I am concerned.

Mr. BRYAN. I shall not accept that amendment. I think it would be better to fix it, because we are now fixing more than the property is worth, measuring the value by surrounding property.

In view of the fact that the committee have attempted to select a particular piece of land, and inasmuch as they have attempted to fix the price so high, I think it would be better to meet them on their own ground and fix the price so that the holders can not demand too much; and taking into consideration the value of the surrounding property, I believe we are justified in the conclusion that $150,000 will be a sufficient sum, when the people find out that they can not get any more.

We ought not by our legislation to encourage the raising of the price of property in anticipation of purchase by the Government. It seems to me that the explanation given by the gentleman from Alabama [Mr. BANKHEAD] is a sufficient explanation of the amount fixed in this bill. He states that we can not expect to buy land for what it is worth, and that it is customary to raise the price.

I believe, Mr. Chairman, that we can buy this land for what it is worth, if we need to buy it at all. If we want the land, I think we can get it for $150,000. But I hope that when we reach another part of the bill, we shall decide to place this building on Government land, and not buy any private property that we do not need.

The CHAIRMAN. The question is on the amendment to the amendment offered by the gentleman from Nebraska, fixing the amount at $150,000.

Mr. PICKLER. I want to ask the gentleman from Nebraska a question.

Mr. BRYAN. I will yield to a question.

Mr. PICKLER. The gentleman talks about evidence. What evidence has the gentleman that this property can be bought for $150,000?

Mr. BRYAN. One member of the House stated that he was offered one lot included in this site, facing on B street, at 90 cents a square foot. It was also stated that the buildings only cost $65,000 to $75,000; and yet they want to buy a building already constructed, constructed at a time when it cost more to build than it does now, and place the estimate at the highest point given as the cost of the construction by the people who want to sell.

Mr. VAN VOORHIS of New York. And that a stable.

Mr. BRYAN. And that a stable.

Mr. NORTHWAY. Mr. Chairman, I want to call the attention of the committee to what I believe to be a wrong policy we are pursuing. Some time ago, when we were discussing the question of the selection of a site for the erection of a new Government Printing Office, I took sides against the report of the committee and voted to locate the building upon public ground.

After I had done so it occurred to me that perhaps I had not been as wise as I ought to have been as a legislator; and then I took occasion to inform myself. I tramped over the public grounds myself a great deal; and I made up my mind, after having tramped miles, that the committee knew more about this matter than I did, and that I had done an unwise thing in voting against its recommendation. I came back to the House and examined the membership of that committee and saw no reason why we should not have confidence that they would do an honest and wise thing.

I looked over the constitution of the committee, and I thought that the House ought to follow the advice of that committee.

If we are going to put up any public buildings we have to follow the lead of somebody. It is admitted that we need this building. I do not know. I take it for granted that we do need it. Now, I want to call the attention of the committee to the fact that we are going to do an unwise thing if we stand up here and repudiate everything that the committee recommends. As wise men, it seems to me, we must follow that committee as we do other committees; and I do not see why we can not do so after they have made their examination.

Mr. VAN VOORHIS of New York. Then you have changed your opinion.

Mr. NORTHWAY. I have changed my opinion; and I think I voted wrong.

Mr. PICKLER. Will the gentleman allow me to ask him a question right there?

Mr. NORTHWAY. Certainly.

Mr. PICKLER. Is it not the gentleman's experience, the same as that of every other member, that after this committee make a report recommending that a certain price be paid for a particular piece of property some other gentleman always finds that it can be bought for half of that?

Mr. NORTHWAY. I am not charging weakness upon anybody, but I was guilty of weakness on one occasion. I thought I knew better than the committee did; but after I had tramped all over the public grounds I made up my mind that the committee knew more than I did, and that I had done an unwise thing in voting against their recommendation.

Now, I want to call the attention of the committee to the fact that this is a matter of compromise. The bill proposes to leave it in the hands of the Secretary of the Treasury. Ordinarily he is not a fool or a scoundrel.

Mr. COOMBS. It does not leave it in the hands of the Secretary. It instructs them to buy this property.

Mr. NORTHWAY. It authorizes the condemnation of the property. Now, the chairman makes a fair proposition. He moves to strike out all the figures and leave the Secretary power to condemn. I think we ought to compromise on that. We can not stand here and fight in this way. That will not do, and we ought to acknowledge that fact. I think it is wrong. I can not carry out my idea of what property ought to be bought. It is not wise that I should attempt it. The committee has done hard work in this matter; and I submit that it is the part of wisdom on the part of this committee to stand by the committee having this matter in charge. Let us strike out the $275,000 and accept the proposition made by the chairman of the committee, leaving it alone with the Secretary of the Treasury to fight this thing and condemn the property. If we are to have this building, let us have it, and get rid of our personal feelings in this matter.

The CHAIRMAN. The question is on the amendment to the amendment offered by the gentleman from Nebraska.

Mr. COOMBS. I ask that it be read.

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. BRYAN. Division, Mr. Chairman.

Mr. BLACK of Georgia. What is the amendment, Mr. Chairman?

The CHAIRMAN. The amendment proposes to fix the amount at $150,000. The Clerk will report the amendment.

The amendment was again reported.

The CHAIRMAN. The question is on the amendment to the amendment, offered by the gentleman from Nebraska, fixing amount at $150,000.

The committee divided; and there were—ayes 32, noes 41.

So the amendment was rejected.

Mr. BRYAN. Mr. Chairman, I move to amend the amendment by making it $175,000.

Mr. BANKHEAD. I think we had better strike out the amount named in this bill. I am perfectly willing to do so, and leave it entirely with the Secretary of the Treasury to condemn this property.

Mr. BAKER of New Hampshire. Will the gentleman allow me to ask him a question?

Mr. BANKHEAD. Certainly.

Mr. BAKER of New Hampshire. Why should we leave it to the Secretary of the Treasury to condemn this property when the Senate bill, for which this bill is a substitute, constitutes a commission composed of the Secretary of State, the Secretary of War, and the Secretary of the Treasury to locate and condemn?

Mr. BANKHEAD My objection to that is that it seems to me that Congress, while it is in session, and especially while it has so distinguished a gentleman as my friend over the way to aid it in a decision, may be able to make as good a selection for a public building as any commission.

Mr. BAKER of New Hampshire. I thank the gentleman.

Mr. BANKHEAD. We have selected this site, and let the Secrstary have it condemned.

Mr. BYNUM. By leaving it open we would have competition. By closing it now there can be no competition.

Mr. BRETZ. And you would have a pool.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Nebraska, fixing the amount at $175,000.

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. BRYAN. Division.

The committee divided; and there were—ayes 38, noes 35.

Mr. BANKHEAD. Let us have tellers.

Mr. TRACEY. I make the point of no quorum.

The CHAIRMAN. The Chair will appoint as tellers the gentleman from New York [Mr. TRACEY] and the gentleman from Alabama [Mr. BANKHEAD].

The tellers took their places, and pending the count,

Mr. TRACEY said: I withdraw the point of no quorum.

Mr. BAKER of New Hampshire. I renew it.

The CHAIRMAN. The gentleman from New Hampshire renews the point of no quorum, and tellers will resume their places.

After further count, tellers reported—ayes 31, noes 62.

Mr. BAKER of New Hampshire. No quorum.

Mr. VAN VOORHIS of New York. I would like to ask whether or not the tellers are on the same side of the question.

The CHAIRMAN. The Chair has no information on that point. The gentleman from New York made the point that no quorum had voted.

On this question the ayes are 31, the noes are 62. The gentleman from New Hampshire insists on the point of no quorum, and the Clerk will call the roll.

The roll was called, when the following-named members failed to respond:

Aitken,	Ellis, Oregon	Kilgore,	Schermerhorn,
Aldrich,	Everett,	Kribbs,	Scranton,
Allen,	Fielder,	Lane,	Settle,
Apsley,	Fithian,	Lapham,	Shaw,
Avery,	Fletcher,	Lefever,	Sherman,
Babcock,	Forman,	Lisle,	Sibley,
Baldwin,	Funston,	Lockwood,	Sickles,
Barnes,	Gear,	Lucas,	Simpson,
Bartlett,	Goldzier,	Magner,	Sipe,
Belden,	Goodnight,	Marshall,	Smith,
Beltzhoover,	Gorman,	Marvin, N. Y.	Snodgrass,
Berry,	Graham,	McAleer,	Springer,
Bingham,	Gresham,	McDowell,	Stallings,
Black, Ill.	Grosvenor,	McKeighan,	Stevens,
Blair,	Grout,	McLaurin,	Stockdale,
Bland.	Grow,	McNagny,	Stone, Ky.
Breckinridge, Ky.	Hainer,	Meiklejohn,	Strait,
Brickner,	Haines,	Mercer,	Straus,
Broderick,	Hall, Minn.	Meyer,	Swanson,
Bundy,	Hall, Mo.	Milliken,	Sweet,
Bunn,	Hammond,	Money,	Tarsney,
Burnes,	Harmer,	Moon,	Tawney,
Campbell,	Harter,	Morse,	Taylor, Tenn.
Chickering,	Hartman,	Murray,	Thomas,
Childs,	Hatch,	Neill,	Turpin,
Cockran,	Haugen,	Oates,	Tyler,
Conn,	Heard,	Outhwaite,	Van Voorhis, Ohio
Cousins,	Heiner,	Phillips,	Wadsworth,
Covert,	Henderson, Ill.	Post,	Walker,
Cox,	Henderson, Iowa	Powers,	Wanger,
Culberson,	Hendrix,	Price,	Weadock.
Curtis, N. Y.	Hepburn,	Ray,	Wells,
Davey,	Hicks,	Rayner,	Wheeler, Ill.
De Forest,	Hines,	Reyburn,	White,
Dingley,	Holman,	Richards, Ohio	Whiting,
Doolittle,	Hooker, N. Y.	Richardson, Mich.	Wilson, W. Va.
Draper,	Hopkins, Pa.	Robertson, La.	Wise,
Dunn,	Houk,	Robinson, Pa.	Wolverton,
Durborow,	Johnson, Ind.	Rusk,	Wright, Pa.
Edmunds,	Johnson, N. Dak.	Russell, Conn.	
Ellis, Ky.	Johnson, Ohio	Sayers,	

The roll call being concluded, the committee rose; and the Speaker having resumed the chair, Mr. DOCKERY reported that the Committee of the Whole on the state of the Union having had under consideration the bill (S. 22) making appropriations for the purchase of ground and the erection thereon, in the city of Washington, D. C., of a building to be used as a hall of records, had found itself without a quorum; whereupon, in accordance with the rule, the chairman had caused the roll to be called, and now reported to the House the names of the absentees, to be entered on the Journal.

The SPEAKER. One hundred and ninety members, being a quorum, have answered to their names. Under the rule the Committee of the Whole will resume its session.

The House accordingly resolved itself into Committee of the Whole on the state of the Union (Mr. DOCKERY in the chair), and resumed the consideration of Senate bill No. 22.

The CHAIRMAN. The question recurs on the amendment of the gentleman from Nebraska. The tellers will resume their places.

The committee again divided; and the tellers reported—ayes 40, noes 72.

Mr. BAKER of New Hampshire. No quorum.

The CHAIRMAN. The Clerk will call the roll.

The Clerk proceeded to call the roll, and the following-named members failed to answer:

Adams, Pa.	Dunn.	Johnson, N. D.	Scranton.
Aitken,	Durborow,	Johnson, Ohio	Settle,
Aldrich,	Edmunds,	Jones.	Shaw.
Allen,	Ellis, Ky.	Kilgore,	Sherman,
Apsley,	Ellis, Oregon	Kribbs,	Sibley,
Avery,	Everett,	Lapham,	Sickles,
Babcock,	Fielder,	Layton,	Simpson,
Bailey,	Fithian,	Lefever,	Sipe.
Baldwin,	Fletcher,	Lisle,	Smith,
Barnes,	Forman,	Lockwood,	Snodgrass,
Bartlett,	Funston,	Lucas,	Sperry,
Belden,	Gear,	Magner,	Springer,
Beltzhoover,	Geary,	Marshall,	Stallings,
Bingham,	Gillett, Mass.	Marvin, N. Y.	Stevens,
Black, Ill.	Goldzier,	McAleer,	Stockdale.
Blair.	Goodnight,	McDowell,	Stone, C. W.
Bland,	Gorman,	Meiklejohn,	Stone, Ky.
Boatner,	Graham,	Mercer,	Strait.
Boen,	Gresham,	Meyer,	Straus,
Boutelle,	Griffin,	Milliken,	Sweet,
Bower, N. C.	Grosvenor,	Money,	Tarsney,
Bowers, Cal.	Grout,	Montgomery,	Tawney,
Breckinridge, Ky.	Grow,	Moon,	Taylor, Tenn.
Brickner,	Hainer,	Morse,	Thomas,
Broderick,	Haines,	Murray,	Turpin,
Brown,	Hall, Minn.	Neill,	Tyler,
Bunn,	Hall, Mo.	Newlands,	Van Voorhis, Ohio
Burnes,	Hammond,	Oates,	Wadsworth.
Bynum,	Hare,	Outhwaite,	Walker,
Campbell,	Harmer,	Paynter,	Wanger,
Chickering,	Harter,	Phillips,	Waugh,
Childs,	Hartman,	Pickler,	Weadock.
Clancy,	Hatch,	Post,	Wells,
Cockran,	Haugen,	Powers,	Wheeler, Ill.
Conn,	Heiner,	Randall,	White,
Cousins,	Henderson, Iowa	Rayner,	Whiting,
Covert,	Hendrix,	Reyburn,	Williams, Miss.
Culberson,	Hepburn,	Richards, Ohio	Wilson, Wash.
Cummings,	Hicks,	Richardson, Mich.	Wilson, W. Va.
Curtis, N. Y.	Hines,	Robertson, La.	Wise,
Dalzell,	Holman,	Robinson, Pa.	Wolverton,
Davey,	Hooker, N. Y.	Rusk,	Wright, Pa.
DeForest,	Hopkins, Pa.	Russell, Conn.	
Dingley,	Houk,	Russell, Ga.	
Donovan,	Hull,	Sayers,	
Draper,	Johnson, Ind.	Schermerhorn,	

The roll call being concluded, the committee rose; and the Speaker having resumed the Chair, Mr. DOCKERY reported that the Committee of the Whole on the state of the Union, having had under consideration the bill (S. 22) making appropriations for the purchase of ground and the erection thereon, in the city of Washington, D. C., of a building to be used as a hall of records, had found itself without a quorum, whereupon, in accordance with the rule, the Chairman had caused the roll to be called, and now reported to the House the names of the absentees, to be entered on the Journal.

The SPEAKER. One hundred and seventy-two members have answered to their names.

Mr. BAKER of New Hampshire. No quorum.

Mr. BANKHEAD. I move that the House adjourn.

Mr. LINTON. I ask that my colleague [Mr. THOMAS] be excused from the session of to-day on account of sickness.

There was no objection.

The motion of Mr. BANKHEAD was agreed to; and accordingly (at 4 o'clock and 20 minutes p. m.) the House adjourned.

REPORTS OF COMMITTEES ON PRIVATE BILLS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

By Mr. LOUD, from the Committee on Claims: A bill (H. R. 7434) directing the issue of a duplicate of a lost check drawn by Capt. W. H. Bixby, Engineers, United States Army, at Newport, R. I., in favor of Stout, Hall & Bangs. (Report No. 1182.)

By Mr. STONE of Kentucky, from the Committee on War Claims: A bill (H. R. 5121) for the relief of H. P. Bennett. (Report No. 1183.)

Mr. LACEY, from the Committee on Invalid Pensions, submitted a supplementary report (No. 1096) on the bill (H. R. 4850) to increase the pension of Marcus D. Box; which was ordered to be printed.

ADVERSE REPORTS.

Under clause 2 of Rule XIII, Mr. KIEFER, from the Committee on Claims, reported adversely the bill (H. R. 6443) for relief of Stout, Hall & Bangs; which, with the accompanying report (No. 1183), was ordered to be printed and laid on the table.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Military Affairs was discharged from the consideration of the bill (H. R. 4258) to restore Lieut. Samuel Howard to his proper rank, and H. R. 642, of the same title, and the same were referred to the Committee on Interstate and Foreign Commerce.

PUBLIC BILLS, MEMORIALS, AND RESOLUTIONS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced, and severally referred as follows:

By Mr. McRAE: A bill (H. R. 7590) to ratify certain farm improvement in the Indian Territory—to the Committee on Indian Affairs.

By Mr. BURROWS: A joint resolution (H. Res. 197) for the relief of W. D. Mack, a clerk in the Record and Pension Division of the War Department—to the Committee on Military Affairs.

By Mr. RICHARDSON of Tennessee: A joint resolution (H. Res. 198) to print Agricultural Report for 1894—to the Committee on Printing.

By Mr. STORER: A resolution of the General Assembly of Ohio, relative to the centennial of the conquest of the Indian nations—to the Committee on the Library.

By Mr. O'NEIL of Massachusetts: A resolution of the Commonwealth of Massachusetts, relative to the suppression of the lottery traffic—to the Committee on the Judiciary.

Also, a resolution of the Commonwealth of Massachusetts, relative to the extermination of the gypsy moth—to the Committee on Agriculture.

Also, a resolution of the Commonwealth of Massachusetts, relative to the appointment and removal of veterans in the national civil service—to the Committee on Reform in the Civil Service.

PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as follows:

By Mr. BOEN: A bill (H. R. 7591) making appropriations for survey of the Minnesota River and the Red River of the North and tributaries above Fergus Falls and Crookston, Minn., and for other purposes—to the Committee on Railways and Canals.

By Mr. COX: A bill (H. R. 7592) for the relief of the trustees of the Cumberland Presbyterian Church, of Pulaski, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 7593) for the relief of Rhoda Rucker of Tennessee—to the Committee on Pensions.

By Mr. ENLOE: A bill (H. R. 7594) for allowance of certain claims for stores and supplies, etc.—to the Committee on War Claims.

By Mr. FIELDER: A bill (H. R. 7595) for the relief of Col. George W. Getty—to the Committee on Military Affairs.

By Mr. McETTRICK: A bill (H. R. 7596) to increase the pension of Frances F. Gockeritz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7597) to pension Maurice O'Flanigan, of South Boston, Mass.—to the Committee on Invalid Pensions.

By Mr. PATTERSON: A bill (H. R. 7598) for the relief of the estate of Richard Cox, deceased, late of Fayette County, Tenn.—to the Committee on War Claims.

By Mr. RITCHIE: A bill (H. R. 7599) to correct the military record of Dr. George W. Bowen—to the Committee on Military Affairs.

By Mr. STONE of Kentucky: A bill (H. R. 7600) for the relief of Benjamin B. Rhoads—to the Committee on Military Affairs.

By Mr. TURNER of Virginia: A bill (H. R. 7601) for the relief of the estate of Henry M. Baker, deceased, late of Frederick County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 7602) to pension Mary R. Williams—to the Committee on Pensions.

By Mr. WEVER: A bill (H. R. 7603) for the relief of Charles Deal—to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. COGSWELL: Petition of A. A. Sharpley and others, of Salem, Mass., against income tax on certain beneficiary societies—to the Committee on Ways and Means.

Also, petition of John W. Jewett and others, of Danvers, Mass., against a tax on incomes of certain beneficiary societies—to the Committee on Ways and Means.

By Mr. COOMBS: Petition of W. H. Allen and A. H. Desborough, of Brooklyn, N. Y., for the enactment of a law whereby the Secretary of the Treasury shall be empowered to charge a premium on all gold withdrawn from the Treasury for export to foreign countries—to the Committee on Ways and Means.

By Mr. ENGLISH of California: Two petitions of N. G. Sturlevant and others, of California, in the interest of fraternal society and college journals—to the Committee on the Post-Office and Post-Roads.

Also, petition of J. H. Chipman and others, in the interest of fraternal society and college journals—to the Committee on the Post-Office and Post-Roads.

By Mr. GORMAN: Petition and papers to accompany House bill 6759—to the Committee on Invalid Pensions.

By Mr. HENDERSON of North Carolina: Resolutions of the Produce Exchange of Wilmington, N. C., urging a national exhibit at Atlanta, Ga.—to the Committee on Appropriations.

By Mr. HOPKINS of Illinois: Petition of J. D. Rickerd and others, of Illinois, against income tax on certain beneficiary societies—to the Committee on Ways and Means.

By Mr. MORGAN: Petition of Newton Boughn, to accompany House bill 7589—to the Committee on War Claims.

Also, papers to accompany House bill 7587 and House bill 7588—to the Committee on War Claims.

By Mr. MITCHLER: Two petitions of citizens of Bethlehem, Pa., favoring an amendment to the income tax, that fraternal beneficiary societies, orders, or associations, operating on the lodge system shall be exempt from all the provisions of this bill requiring taxation in any form—to the Committee on Ways and Means.

By Mr. STEVENS: Petition of 14 citizens of Peabody, Mass., praying for exemption from taxation of all fraternal beneficiary societies, orders, or associations—to the Committee on Ways and Means.

By Mr. STORER: Resolutions of Toledo Produce Exchange, for passage of House bill 7402—to the Committee on Railways and Canals.

Also, resolutions of Cincinnati Board of Trade, in favor of increased fast-mail facilities between Cincinnati and the South—to the Committee on the Post-Office and Post-Roads.

By Mr. VAN VOORHIS of Ohio: Resolutions of the Board of Lumber Dealers of Cleveland, Ohio, indorsing the project of a ship canal to connect Lake Erie with the Ohio River—to the Committee on Railways and Canals.

By Mr. WILSON of Washington: Petition of 68 citizens of Seattle, Wash., favoring an amendment to the income tax that fraternal beneficiary societies, orders, or associations operating on the lodge system shall be exempt from all the provisions of this bill requiring taxation in any form—to the Committee on Ways and Means.

Also, resolution of Typographical Union, of Seattle, Wash., favorable to House bill 4478—to the Committee on the Post-Office and Post-Roads.

SENATE.

FRIDAY, *June 29, 1894.*

The Senate met at 10 o'clock a. m.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings when,

On motion of Mr. FAULKNER, and by unanimous consent, the further reading was dispensed with.

EXECUTIVE COMMUNICATION.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, transmitting, in response to a resolution of the Senate of the 20th inst., a statement of the visible and invisible supply of wheat likely to be in the United States on July 1, 1894, together with certain information concerning the crops of 1894; which, with the accompanying papers, was ordered to lie on the table, and be printed.

HOUSE BILLS REFERRED.

The following bills received yesterday from the House of Representatives were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (H. R. 199) to authorize the Secretary of War to appoint a board of review in certain cases; and

A bill (H. R. 6039) to reimburse John Nelson for money paid in 1863 to avoid a draft.

The bill (H. R. 6447) to fix a term of the Federal district and circuit courts of the southern judicial district of Mississippi, to be held at Meridian, Miss., to include the counties named, was read twice by its title, and referred to the Committee on the Judiciary.

PETITIONS AND MEMORIALS.

Mr. CULLOM presented a memorial of sundry wire workers of St. Louis, Mo., remonstrating against the adoption of the so-called Allen amendment to the pending tariff bill, by which barbed fence wire is to be placed upon the free list; which was ordered to lie on the table.

Mr. PERKINS presented a petition of sundry citizens of Gilroy, Cal., praying for an international bimetallic convention; which was referred to the Committee on Finance.

He also presented sundry petitions of citizens of San Francisco, Cal., praying that the funds of mutual life insurance companies and associations be exempted from the proposed income tax provision of the pending tariff bill; which were ordered to lie on the table.

Mr. SHERMAN presented a memorial of 44 woolgrowers of Ohio, remonstrating against a reduction of the present duty on wool; which was ordered to lie on the table.

He also presented a petition of the Board of Trade and Transportation of Cincinnati, Ohio, praying for a fast mail service between Cincinnati and the South; which was referred to the Committee on Appropriations.

Mr. HALE presented the petition of G. F. Saunders and 19 other citizens of York Beach, Me., praying that fraternal beneficiary societies, orders, or associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

Mr. BATE presented a petition of 117 members of Parnassus Council, No. 466, Royal Arcanum, of Columbia, Tenn., praying that fraternal beneficiary societies, orders, or associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

He also presented a memorial of sundry dealers, rehandlers, and repackers of leaf tobacco, of Tennessee, remonstrating against the passage of the clause in the pending tariff bill relating to leaf tobacco; which was ordered to lie on the table.

Mr. MILLS presented a petition of sundry citizens of Dallas, Tex., praying that fraternal beneficiary societies, orders, or associations be exempted from the income-tax provision of the pending tariff bill; which was ordered to lie on the table.

Mr. FRYE presented a petition of 36 citizens of Cumberland County, Me., praying that the funds of mutual life insurance companies and associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

He also presented a petition of 28 citizens of Danforth, Me., praying that fraternal beneficiary societies, orders, or associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

Mr. DANIEL presented the petition of Robert Strother and sundry other citizens of Lynchburg, Va., and the petition of Isaac Skarrett, H. C. Jones, and sundry other citizens of Bristol, Va., praying that the funds of mutual loan and building associations be exempted from the proposed income-tax provision of the pending tariff bill; which were ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. BATE, from the Committee on Military Affairs, to whom was referred the amendment submitted by Mr. PROCTOR, March 20, 1894, intended to be proposed to the sundry civil appropriation bill, reported favorably thereon, and moved that it be printed and, with the accompanying papers, referred to the Committee on Appropriations; which was agreed to.

Mr. MILLS, from the Committee on the Library, to whom was referred the amendment submitted by himself on the 28th instant, intended to be proposed to the sundry civil appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations and be printed; which was agreed to.

Mr. HALE, from the Committee on Naval Affairs, to whom was referred the amendment submitted by Mr. CAMERON on the 13th instant, intended to be proposed to the general deficiency appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations and be printed; which was agreed to.

Mr. MANDERSON, from the Committee on Rules, reported an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. HUNTON, from the Committee on the District of Columbia, to whom was referred the amendment submitted by himself on the 26th instant, intended to be proposed to the District of Columbia appropriation bill, reported favorably thereon, and moved that it be printed and, with the accompanying papers, referred to the Committee on Appropriations; which was agreed to.

Mr. DANIEL, from the Committee on Claims, to whom was referred the amendment submitted by himself on the 16th in-

stant, intended to be proposed by him to the sundry civil appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations and be printed; which was agreed to.

NATIONAL SOLDIERS' HOME.

Mr. MITCHELL of Wisconsin. I am directed by the Committee on Military Affairs, to whom was referred the joint resolution (H. Res. 193) to appoint three members of the Board of Managers of the National Home for Disabled Volunteer Soldiers, to report it favorably without amendment, and as it is a matter of some urgency and I think there can be no objection to the joint resolution, I ask that it be considered at this time.

The VICE-PRESIDENT. The joint resolution will be read for information.

The Secretary read the joint resolution, as follows:

Resolved, etc., That Charles M. Anderson, of Greenville, Darke County, Ohio; Sidney G. Cooke, of Herington, Dickerson County, Kans.; and A. L. Pearson, of Pittsburg, Pa., be, and the same hereby are, appointed as members of the Board of Managers of the National Home for Disabled Volunteer Soldiers of the United States. Charles M. Anderson to succeed Gen. A. L. Barnett, whose term of service has expired; Sidney G. Cooke to succeed Maj. E. N. Morrill, whose term of service has expired; and A. L. Pearson to succeed himself, his term of service having expired. All to take effect from and after the passage of this resolution.

The VICE-PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MINNEAPOLIS GAS LIGHT COMPANY.

Mr. WASHBURN. I am directed by the Committee on Commerce, to whom was referred the bill (H. R. 7449) authorizing the Minneapolis Gas Light Company, of Minneapolis, Minn., to lay submerged gas pipes across the Mississippi River at Minneapolis, to report it without amendment. I ask the Senate to consider the bill at the present time, as it will take but a moment.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS INTRODUCED.

Mr. CULLOM introduced a bill (S. 2166) to increase the pension of Andrew R. Jones; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. HALE introduced a bill (S. 2167) granting the use of certain land to the town of Castine, Me., for a public park; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. HAWLEY introduced a bill (S. 2168) granting a pension to Kate C. McDougal; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SQUIRE introduced a bill (S. 2169) fixing the times when regulating the manner in which, and declaring the character of the accounts which shall be hereafter stated to the Treasury Department for settlement between the United States and the several public-land States relative to the net proceeds of the sales of the public lands made and to be made therein by the United States, and for other purposes; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. MORGAN introduced a bill (S. 2170) to amend an act entitled "An act making appropriations for current and contingent expenses, and fulfilling treaty stipulations with Indian tribes, for the fiscal year ending June 30, 1894;" which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. DANIEL introduced a bill (S. 2171) for the relief of John A. Fairfax, of the District of Columbia; which was read twice by its title, and referred to the Committee on Claims.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. FAULKNER submitted an amendment intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

Mr. PETTIGREW submitted two amendments intended to be proposed by him to the Indian appropriation bill; which were referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. DIXON submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. CAFFERY submitted an amendment intended to be proposed by him to the deficiency appropriation bill; which was referred to the Committee on Claims, and ordered to be printed.

Mr. BLACKBURN submitted an amendment intended to be proposed by him to the deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. MANDERSON submitted an amendment intended to be proposed by him to the deficiency appropriation bill; which was referred to the Committee on Indian Depredations, and ordered to be printed.

Mr. DANIEL submitted an amendment intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. MARTIN submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. CALL submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

JUDGMENTS IN INDIAN DEPREDATION CASES.

Mr. DOLPH submitted the following resolution; which was considered by unanimous consent and agreed to:

Resolved, That the Attorney-General be directed to transmit to the Senate a list of the judgments rendered in the Court of Claims in Indian depredation cases since the last report submitted in pursuance of Senate resolution of April 14, 1894, together with a statement of the date when each was rendered, in whose favor rendered, the amount in each case, and the aggregate amount.

USE OF RENTED CARS.

The VICE-PRESIDENT. The Chair lays before the Senate a resolution coming over from a previous day, which will be read.

The Secretary read the resolution submitted yesterday by Mr. SHERMAN, as follows:

Resolved, That the Committee on Interstate Commerce is hereby instructed to inquire into the expediency of regulating by law the employment and use of sleeping and parlor cars, not owned by railroad companies engaged in interstate commerce, the cost of operating them, the charges made for their use, and what would be a reasonable charge for the seats, berths, and sections therein.

The VICE-PRESIDENT. The question is on agreeing to the resolution.

The resolution was agreed to.

EXTENSION OF APPROPRIATIONS.

The VICE-PRESIDENT. The morning business is closed.

Mr. COCKRELL. I move that the Senate proceed to the consideration of the joint resolution continuing the appropriations for the expenses of the executive, legislative, and judicial branches of the Government.

The VICE-PRESIDENT. The Senator from Missouri moves that the Senate proceed to the consideration of the joint resolution (H. Res. 196) to provide temporarily for the expenditures of the Government.

The motion was agreed to.

The VICE-PRESIDENT. The pending question is on the motion of the Senator from Massachusetts [Mr. HOAR] to commit the joint resolution to the Committee on Appropriations with instructions.

The motion was not agreed to.

Mr. COCKRELL. I have a motion pending to refer the joint resolution to the Committee on Appropriations.

The VICE-PRESIDENT. The question is on agreeing to the motion of the Senator from Missouri.

The motion was agreed to.

The VICE-PRESIDENT. The Calendar under Rule VIII is in order.

Mr. COCKRELL. I am instructed by the Committee on Appropriations to report back favorably without amendment the joint resolution continuing the appropriations for the support of the Government.

The VICE-PRESIDENT. The Senator from Missouri, from the Committee on Appropriations, reports favorably a joint resolution which will be read by title.

The SECRETARY. A joint resolution (H. Res. 196) to provide temporarily for the expenditures of the Government.

Mr. COCKRELL. By request of the Committee on Appropriations, I ask unanimous consent for the present consideration of the joint resolution.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution; which was read, as follows:

Resolved, etc., That all appropriations for the necessary operations of the Government, and of the District of Columbia, and for the payment of pensions, under existing laws, which shall remain unprovided for on the 30th day of June, 1894, be, and they are hereby, continued and made available for

a period of thirty days from and after that date, unless the regular appropriations provided therefor in bills now pending in Congress shall have been previously made for the service of the fiscal year ending June 30, 1895; and a sufficient amount is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to carry on the same: *Provided*, That no greater amount shall be expended for such operations than will be in the same proportion to the appropriations for the fiscal year 1894 as thirty days' time bears to the whole of said fiscal year: *Provided further*, That the total expenditures for the whole of the fiscal year 1895, under the several appropriations hereby continued, and under the several appropriation bills now pending, shall not exceed in the aggregate the amounts finally appropriated therefor in the several bills now pending, except in cases where a change is made in the annual, monthly, or per diem compensation, or in the numbers of officers, clerks, or other persons authorized to be employed by the several appropriations hereby continued, in which cases the amounts authorized to be expended shall equal thirty three-hundred-and-sixty-fifths of the appropriations for the fiscal year 1894, and three hundred and thirty-five three-hundred-and-sixty fifths of the appropriations contained in the several bills now pending when the same shall have been finally passed, unless the salary or compensation of any office shall be increased or diminished without changing the grade or the duties thereof, in which case such salary or compensation shall relate to the entire fiscal year and run from the beginning thereof: *Provided further*, That the session employés of the Senate and House of Representatives now authorized by law, shall be continued upon the rolls until the end of the present session of Congress and paid at the rate per diem or month at which they are now paid; and a sufficient amount is hereby appropriated out of any money in the Treasury not otherwise appropriated to pay the same: *Provided further*, That there be and is hereby appropriated out of any money in the Treasury not otherwise appropriated a sum sufficient to enable the Clerk of the House to pay to Members and Delegates the amount which they certify they have paid or agreed to pay for clerk hire necessarily employed by them in the discharge of their official and representative duties, as provided in the joint resolution approved March 3, 1823, until the end of the present session of Congress.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. HOAR subsequently said: Mr. President, I rise to a privileged motion. I move to reconsider the vote by which the Senate passed the House joint resolution continuing the appropriations of the Government. I desire to be permitted to say a few words on the motion, and then I shall withdraw it.

The VICE-PRESIDENT. The Senator from Massachusetts will proceed.

Mr. HOAR. I had made up my mind not to interpose any further objection to the passage of the joint resolution, but I owe it to myself to say that if I had had my own way I should not have consented to it, notwithstanding the public inconvenience which might have been occasioned from a failure to make the public appropriations in this way under the present circumstances.

The reason for this extraordinary proceeding, making in the twinkling of an eye, without consideration by any committee, the appropriations for carrying on the Government for a twelfth of the entire year, is that the dominant party have compelled us to give our attention for three months to a tariff bill which has never been considered in committee at all. So the Senate has been doing committee work in a clumsy and crude way for the last two or three months. If conducting the opposition, I should myself be perfectly satisfied to say that we would not permit it, and we would appeal to the country for our vindication in insisting upon decent and becoming methods of legislation.

I think there is no public desire for the passage of the tariff bill which would make any human being find fault with us for doing so. But I know that Senators here on the Republican side, especially the members of the Committee on Finance upon this side, are carrying on their shoulders a very heavy burden of responsibility and under very difficult circumstances.

I know that they are gentlemen whose judgment as to what is the proper method of resisting the tariff bill is not only better than mine, but is understood to be much better than mine by my political associates who have placed them in a position where that duty devolves upon them. Therefore I have not felt like taking the responsibility of insisting upon an individual judgment without the concurrence of the wisest and best-informed of my political associates, and I do not insist on the position which I stated yesterday. I withdraw the motion.

The VICE-PRESIDENT. The motion to reconsider is withdrawn.

SUITS UNDER EIGHT-HOUR LAW.

Mr. KYLE. I ask unanimous consent to call up for consideration the bill (S. 346) to remove the bar of the statute of limitations and give the right of appeal in certain cases.

The VICE-PRESIDENT. The bill will be read for information.

The Secretary read the bill, as follows:

Be it enacted, etc., That the statute of limitation shall not be interposed in any suit brought by any laborer, workman, or mechanic in the Court of Claims against the United States to recover wages claimed to be due him under the national eight-hour law: *Provided*, That such suits shall be commenced within three years from the passage of this act: *And provided further*, That any number of claimants may join in the same suit, and the court may find in favor of some and against some, as in law and equity may be right, and both the claimants and the United States shall have the right to appeal to the Supreme Court of the United States, irrespective of the amount claimed.

Mr. HILL. I desire to inquire what committee reported the bill?

Mr. KYLE. I will state that it was reported unanimously by the Committee on Education and Labor.

Mr. HILL. Should it not have gone to the Judiciary Committee? It is a question involving the statute of limitations and involving the course of procedure in the Federal courts.

Mr. KYLE. The bill was passed by the Senate last year on the favorable report of the Committee on Education and Labor, and a similar bill has been passed by the Senate six or seven times without objection.

Mr. HILL. That may be; but somehow or other it has not passed both Houses. I think the bill deserves some more consideration than it may have had. I wish the Senator would not insist upon its consideration this morning.

Mr. KYLE. If the Senator objects, of course the bill will go over.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

Mr. HILL. I object to its present consideration.

The VICE-PRESIDENT. There is objection. The Calendar under Rule VIII is in order.

Mr. KYLE. I ask that the bill may retain its place on the Calendar.

The VICE-PRESIDENT. Without objection, it is so ordered.

UNITS OF ELECTRICAL MEASURE.

Mr. TURPIE. I ask the Senate to proceed to the consideration of the bill (H. R. 6500) to define and establish the units of electrical measure.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Indiana?

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill; which was read.

Mr. HALE. What committee does the bill come from?

Mr. MORGAN. It comes from the Committee on Foreign Relations. It is a bill which has passed the other House.

Mr. HALE. I notice clauses in it in reference to electricity, but I did not catch their full force. Has it any local application?

Mr. MORGAN. None whatever. It provides a national measurement of the force of electricity.

Mr. HALE. Then it is all right.

The bill was reported from the Committee on Foreign Relations with amendments. The first amendment was, in section 1, line 5, after the word "be," to insert "what is known as;" so as to read:

First. The unit of resistance shall be what is known as the international ohm, which is substantially equal to one thousand million units of resistance of the centimer-gram-second system of electro-magnetic units, and is represented by the resistance offered to an unvarying electric current by a column of mercury at the temperature of melting ice fourteen and four thousand five hundred and twenty-one ten thousandths grams in mass, of a constant cross-sectional area, and of the length of one hundred and six and three-tenths centimeters.

The amendment was agreed to.

The next amendment was, in section 1, page 2, line 14, after the word "be," to insert "what is known as;" so as to read:

Second. The unit of current shall be what is known as the international ampère, which is one-tenth of the unit of current of the centimeter-gram-second system of electro-magnetic units, and is the practical equivalent of the unvarying current, which, when passed through a solution of nitrate of silver in water in accordance with standard specifications, deposits silver at the rate of one thousand one hundred and eighteen millionths of a gram per second.

The amendment was agreed to.

The next amendment was, in section 1, page 2, line 22, after the word "be," to insert "what is known as;" so as to read:

Third. The unit of electro-motive force shall be what is known as the international volt, which is the electro-motive force that, steadily applied to a conductor whose resistance is one international ohm, will produce a current of an international ampère, and is practically equivalent to one thousand fourteen hundred and thirty-fourths of the electro-motive force between the poles or electrodes of the voltaic cell known as Clark's cell, at a temperature of 15° centigrade, and prepared in the manner described in the standard specifications.

The amendment was agreed to.

The next amendment was in section 1, page 2, line 31, after the word "be," to insert "what is known as," and in line 33, after the word "by," to insert "a;" so as to read:

Fourth. The unit of quantity shall be what is known as the international coulomb, which is the quantity of electricity transferred by a current of one international ampere in one second.

The amendment was agreed to.

The next amendment was in section 1, page 2, line 34, after the word "be," to insert "what is known as;" so as to read:

Fifth. The unit of capacity shall be what is known as the international farad, which is the capacity of a condenser charged to a potential of one international volt by one international coulomb of electricity.

The amendment was agreed to.

The next amendment was in section 1, line 38, to capitalize the letter beginning the word "joule," so as to read:

Sixth. The unit of work shall be the Joule, which is equal to ten million units of work in the centimeter-gram-second system, and which is practically equivalent to the energy expended in one second by an international ampere in an international ohm.

The amendment was agreed to.

The next amendment was in section 1, page 3, line 43, to capitalize the letter beginning the word "watt," and in line 46 to capitalize the letter beginning the word "joule," so as to read:

Seventh. The unit of power shall be the Watt, which is equal to ten million units of power in the centimeter-gram-second system, and which is practically equivalent to the work done at the rate of one Joule per second.

The amendment was agreed to.

The next amendment was, in section 1, page 3, line 47, to capitalize the letter beginning the word "henry," and in line 50, to capitalize the letter beginning the word "ampere;" so as to read:

Eighth. The unit of induction shall be the Henry, which is the induction in a circuit when the electro-motive force induced in this circuit is one international volt while the inducing current varies at the rate of one Ampere per second.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed the bill (S. 1963) for the relief of the sureties of Dennis Murphy.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

A bill (H. R. 725) for the relief of the trustees of the Presbyterian Church of Bethel Springs, Tenn.; and

A bill (H. R. 6529) to authorize the construction of a bridge across the St. Croix River between Wisconsin and Minnesota.

The message further announced that the House had passed a concurrent resolution authorizing the Secretary of War to transmit to the House of Representatives any reports that may have been received since his last annual report pertaining to the improvement on the Minnesota River in the State of Minnesota; in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled joint resolution (H. Res. 196) to provide temporarily for the expenditures of the Government, and it was thereupon signed by the Vice-President.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 28th instant approved and signed the act (S. 730) making Labor Day a legal holiday.

HOUSE BILLS REFERRED.

The bill (H. R. 725) for the relief of the trustees of the Presbyterian Church of Bethel Springs, Tenn., was read twice by its title, and referred to the Committee on Claims.

The bill (H. R. 6529) to authorize the construction of a bridge across the St. Croix River between Wisconsin and Minnesota was read twice by its title, and referred to the Committee on Commerce.

MINNESOTA RIVER IMPROVEMENT.

The VICE-PRESIDENT laid before the Senate the following concurrent resolution of the House of Representatives; which was referred to the Committee on Commerce:

Resolved by the House of Representatives (the Senate concurring), That the Secretary of War be, and he is hereby, authorized and instructed to transmit to the House of Representatives any reports that may have been received since his last annual report pertaining to the improvement on the Minnesota River in the State of Minnesota.

THE REVENUE BILL.

The VICE-PRESIDENT. The hour of half past 10 o'clock having arrived, the Chair lays before the Senate the unfinished business.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4864) to reduce taxation, to provide revenue for the Government, and for other purposes.

Mr. HALE. Mr. President——

Mr. HILL. Will the Senator give way to me a moment?

Mr. HALE. I wish to make a motion to strike out section 104, but I give way to the Senator.

Mr. HILL. I desire to ask the Senators in charge of the bill whether it is proposed to go back and supply any small defects which may have occurred in the bill before it is reported to the Senate?

Mr. JONES of Arkansas. A number of paragraphs have been passed over, to which the committee intend to return before the bill is reported to the Senate.

Mr. HILL. Then I shall waive for the present the amendment I was going to offer.

Mr. HALE. I move to strike out section 104.

The VICE-PRESIDENT. The section has not yet been read. After the section has been read and the amendments proposed by the Committee on Finance have been acted upon, the Chair will entertain the motion of the Senator.

The Secretary read section (89) 104, as follows:

'SEC. (89) 104. That section 3 of an act approved October 1, 1890, entitled 'pAn act to reduce the revenue and equalize duties on imports, and for other purposes," is hereby repealed, and that all acts and parts of acts inconsistent with the provisions of this act are hereby repealed, but the repeal of existing laws or modifications thereof embraced in this act shall not affect any act done, or any right accruing or accrued, or any suit or proceeding had or commenced in any civil cause before the said repeal or modifications; but all rights and liabilities under said laws shall continue and may be enforced in the same manner as if said repeal or modifications had not been made. Any offenses committed and all penalties or forfeitures or liabilities incurred prior to the passage of this act under any statute embraced in or changed, modified, or repealed by this act may be prosecuted or punished in the same manner and with the same effect as if this act had not been passed. All acts of limitation, whether applicable to civil causes and proceedings or to the prosecution of offenses or for the recovery or penalties or forfeitures embraced in or modified, changed, or repealed by this act shall not be affected thereby; and all suits, proceedings, or prosecutions, whether civil or criminal, for causes arising or acts done or committed prior to the passage of this act, may be commenced and prosecuted within the same time and with the same effect as if this act had not been passed: *And provided further*, That nothing in this act shall be construed to repeal the provisions of section 3068 of the Revised Statutes as amended by the act approved February 23, 1887, in respect to the abandonment of merchandise to underwriters of the salvors of property, and the ascertainment of duties thereon.

The Committee on Finance reported to amend the section, in line 19, after the first word "That," to strike out "section" and insert "sections;" in the same line, after the word "three," to insert "fifteen and sixteen;" in line 22, after the word "purposes," to strike out "is" and insert "are;" in line 23, before the word "all," to strike out "that;" and after the word "all" to insert "agreements or arrangements made or proclaimed between the United States and foreign governments under the provisions of said section are hereby abrogated, of which the President shall give such notice to the authorities of said foreign governments as may be required by the terms of such agreements or arrangements."

Mr. HALE. Mr. President——

Mr. VEST. Will the Senator allow me to modify this amendment on the part of the committee before he addresses the Senate?

The VICE-PRESIDENT. Does the Senator from Maine yield to the Senator from Missouri?

Mr. HALE. I should prefer to go on now, because I am called away; but I yield to the Senator.

Mr. VEST. I simply want to place the amendment as it will be proposed before the Senate, so that the Senator can address himself to the real issue. The committee move to strike out in line 19, after the first word "That," the word "sections" and insert "section;" in the same line, after the word "three," to strike out "fifteen and sixteen;" in line 22, to change the word "are" to "is;" and in line 23, after the word "repealed," to strike out the remainder of the section and insert what I have sent to the desk.

The VICE-PRESIDENT. The amendment of the committee, as now proposed by the Senator from Missouri, will be stated.

The SECRETARY. In section [89] 104, after the first word "that," it is proposed to strike out "sections" and insert "section;" in the same line, after the word "three," to strike out "fifteen and sixteen;" in line 22, after the word "purposes," to strike out "are" and insert "is;" and in line 23, after the word "repealed," to strike out:

And that all agreements or arrangements made or proclaimed between the United States and foreign governments under the provisions of said section are hereby abrogated, of which the President shall give such notice to the authorities of said foreign governments as may be required by the terms of such agreements or arrangements.

And insert:

But nothing herein contained shall be held to abrogate or in any way affect such reciprocal commercial arrangements as have been heretofore made and now exist between the United States and foreign countries, except where such arrangements are inconsistent with the provisions of this act.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Missouri [Mr. VEST] as the amendment of the committee.

Mr. HALE. Mr. President, the only effect of this amendment will be to raise a question of doubt as to the abrogation of all the reciprocity agreements which have been made, with such happy results, with different nations of Europe and of South and Central America. It is another instance of the difficulty which

we all find in following the sinuous course which the committee pursues upon these subjects-matter. Whether or not the amendment now presented for the first time by the Senator from Missouri [Mr. VEST], just as the subject is to be debated, does abrogate the reciprocity agreements, is a question. The clause, as the Senate has seen it for the last two weeks, was clear and distinct.

By one fell swoop the whole fabric of reciprocity, with all its favorable results to American trade, was struck down. I have little or no doubt that the interpretation of the amendment now submitted by the Senator from Missouri will be the same, and that this change of form, that the reciprocity arrangements shall not be abrogated unless they are inconsistent with the general terms of this act, will be construed as operating their destruction.

Mr. President, I do not propose at this late day and at this late hour to consume much of the time of the Senate upon this proposition. The measure of the bill has been taken by the country, and the two parties will stand or fall upon it. I do not suppose that any appeal now made to save this most wise and liberal feature of the McKinley act will be of any avail. Senators upon the other side have consolidated their ranks; they have broken down the opposition with hardly an exception. I do not know whether there are now more than one or two independent men upon that side; but the majority will secure sufficient votes for the passage of this bill, with every blow that it strikes at American industries.

The bill has been changed in some features. Senators who are half protectionists have stood before the committee and before the party caucus with pistol in hand and have demanded and enforced terms which apply to local industries, but, generally speaking, the great industries of the country by this bill are threatened and to be sacrificed. There is no blow, Mr. President, that will be felt by certain great industries of this country more keenly than the destruction of this whole fabric of reciprocity, which is involved in the section I propose to strike out, whether amended as proposed by the Senator from Missouri or not.

The scheme of reciprocity had its foundation in a Republican Administration; it was incorporated by a Republican Congress as part of the tariff bill of 1890; it was approved by a Republican President; it was accepted by the country at large; and in the storm that for a time prevailed against the McKinley act there was no feature of it that helped to limit the disaster which followed more than the reciprocity feature; and yet from the beginning there has been no part of that act which has been so assailed by the other side and denounced and derided and buffeted like the reciprocity scheme.

There has been large debate upon this subject in this Chamber. I have had heretofore repeated controversies with the Senator from Missouri upon the effect of this system of reciprocity in opening and extending trade with foreign countries, and especially with Central and South America; there have been between him and me issues of fact as to the increase of trade which had resulted from these reciprocity agreements. Fortunately the things which were in doubt, or which could not be demonstrated when the Senator and I have stated our respective sides before the Senate, have been demonstrated since by ample, complete, official, undoubted returns of trade between the different countries, showing the effect of this great system upon our exportations.

With Brazil, with Cuba, with the British islands of the Caribbean Sea, with Germany, with the Danish colonies, agreements have been made, and the result has been a constant increase of our trade, especially our export trade, and what is very notable, a corresponding falling off in the export trade of Great Britain and other European nations with these American countries. The figures which I shall give later show clearly that from the time when this law went into operation, including the years 1891, 1892 and 1893, there has been a most gratifying and marked increase of our exports, not only in machinery and agricultural implements, but in the products of the soil, in wheat notably, in other grains, in lard, petroleum, and all the great articles which we export. The figures which I shall give, many of which were brought before the Senate by the Senator from Minnesota [Mr. WASHBURN] several weeks ago, show completely what has been the effect of the reciprocity part of the McKinley act.

Mr. President, all this is to go for nothing. All this system of reciprocity, which is not free trade, as sometimes maintained by the other side, but which is simply the opening of trade with foreign countries, so that we can export to them articles which they do not produce, and receive in return from them articles which we do not produce, in no degree involves the great issue of protection against free trade, except as an adjunct to protection. It is not opening our markets to rival manufactures and products of other countries, but to increased trade with the countries which produce things which we can not produce and encourages us to send to them articles which they can not produce.

I had occasion before in the debate to describe the difference between reciprocity and free trade. Reciprocity, Mr. President, means more products and more manufactures at home and more sales abroad. Free trade means less products and less manufactures at home and more purchases abroad. The difference between the two is the difference between prosperity and hard times. Reciprocity increases trade, not at the expense of our producers, but to their benefit. Free trade increases foreign trade to the benefit of the foreign producer and manufacturer.

All this is to cease, Mr. President. We have got notice of it already. Take the dependencies of Spain in the great sea which lies between North and South America. The duty upon flour before the reciprocity clause in the McKinley act was enacted was $5.31 per barrel—practical prohibition. It made flour cost to the Cuban consumer $11 if sent from here, and at the same time lesser duties were put upon the product of the Spanish wheat-grower and miller. Our flour trade had fallen to almost nothing; but the moment that this feature of the McKinley act went into operation, we negotiated a reciprocity agreement with Brazil, giving that country the benefit of free sugars in return for reduced duties to our products and manufactures which we exported to them.

The Spanish sugar planters at once made such a pressure upon the home government that it was forced to negotiate an agreement by which the duty on flour was reduced from $5.31 per barrel to $1 per 200 pounds; and at once the flow from our great Northern manufacturing establishments and mills began to set towards Cuba. It gained month by month and year by year until, as the official statistics show, an average annual export of our own products to Cuba of $11,000,000 leaped up in the year 1892 to $18,000,000, and in 1893 mounted to the great aggregate of $24,000,000.

In breadstuffs the increase was from $757,049 in 1891 to $3,488,032 in 1893, and in flour alone from $591,886 in 1891 to $2,821,557 in 1893.

But such a result as this does not in any degree lead the Senators representing this bill upon the other side to stay their destructive hand. They report outright an amendment abrogating all these agreements. What is the result? The Spanish Government at home at once introduced in the Cortes a bill restoring partially or entirely the old duties for the benefit of the Spanish miller and the Spanish grain-grower. We shall have the spectacle under this bill of the great trade which has grown up with Cuba gradually shrinking and at last becoming nearly annihilated.

Does anybody suppose that the American people are going to look on and see such a result as this without making their feelings manifest at the ballot? We have predicted what would follow, and the people have already spoken. We shall see within the next month what will be actually done here, and then we shall have no further need of predicting. We will go to the country upon this bill, including this provision, and take our chances with the people.

Mr. HOAR. I ask to go back to the amendment of which I gave notice last night.

Mr. ALLISON. Before we conclude the pending section?

Mr. HOAR. Yes. I suppose that will take some time, and I do not propose to take any time at all.

I move between section 94 and section 95 to insert the amendment which I send to the desk.

The VICE-PRESIDENT. The amendment proposed by the Senator from Massachusetts will be stated.

The SECRETARY. After section 94, it is proposed to add a new section as follows:

Any manufacturer finding it necessary to use alcohol in the arts, or in any medicinal or other like compound, may use the same under regulations to be prescribed by the Secretary of the Treasury, and on satisfying the collector of internal revenue for the district wherein he resides or carries on business, that he has complied with such regulations and has used such alcohol therein, and exhibiting and delivering up the stamps which show that a tax has been paid thereon, shall be entitled to receive from the Treasury of the United States a rebate or repayment of the tax so paid.

Mr. HOAR. Mr. President, the complaint of this proposed measure by the manufacturers of perfumes, of medicines, and dyes—I do not speak now of dyes used in manufactures, but for other smaller purposes, varnishes, and in the case of other small and large occupations—is that the duties on the things they manufacture are by the bill largely reduced or wholly destroyed.

Alcohol is the chief and substantial element and the chief and substantial cost, except the labor, in the product which they sell. There are all over New England, and I dare say in other parts of the country, in almost every village and city men who are making something of this sort, something they themselves have invented or introduced into public use by a large system of advertisement. There are manufacturers of medicine, like Mr.

Ayer, at Lowell, and manufacturers of beverages, like Hood, with his sarsaparilla. I do not mean that sarsaparilla itself is an instance of it, but they make a great many of these things. They say their business is to be wholly at the mercy of foreign competitors from the fact that there is this heavy excise tax on alcohol, with a reduction of the duty on the competing article.

The amendment proposes simply that where alcohol is used for this purpose the Secretary of the Treasury may make regulations under which, ascertaining the fact that it has gone into an article of this kind, the stamps being delivered up, of course, having already been canceled, there may be a rebate of the tax on alcohol. I do not wish to detain the Senate by a long argument, because in some form or other this matter has been before the Senate, and I have no hope that the majority will break away from the bill on this point as proposed by the committee. I have, however, selected from the hundreds of communications which have been made to me, three or four in which practical manufacturers state their own case in their own way, which I ask consent of the Senate to print as part of my remarks, or rather in lieu of remarks.

The VICE-PRESIDENT. Without objection it is so ordered.

The matter referred to is as follows:

SENSELESS AND WICKED LEGISLATION.

We understand that an attempt is to be made to increase the already excessive tax upon alcohol. Legislation of this character is both senseless and wicked. We protest against it as Democrats and humanitarians.

The Democratic party was elected by the people in the hope of a decrease in the severe burdens they have so long borne. Alcohol is a prime necessity. Not whisky or brandy or wine or beer, but alcohol. Enormous quantities are used in the manufacture of medicines, and an increase in taxation means a necessary increase in their price to the suffering poor. Sick people, however poor, must have medicine, but can ill afford any additional increase in cost.

Druggists and physicians who dispense their own medicines will also be seriously affected.

Then, too, the excessive tax upon alcohol exerts a paralytic influence upon home industry. Compels us to import millions of dollars worth of drugs and chemicals that were better made at home.

In the name of patriotism, of humanity, of compassion for the sick and suffering of our land, we protest against such outrageous legislation by men who have not considered and do not understand the practical working of such statutes.

We call upon the medical profession, individually and collectively, to use all possible influence to defeat the bill for an increased tax on alcohol.—*Medical Brief*, April, 1894.

[Office of the Committee of Manufacturing Perfumers of the United States, 155 William street.]

NEW YORK, *February 20, 1894.*

DEAR SIR: I beg to hand you herewith copy of a brief now on file with the the Committee on Finance of the Senate and a letter to the subcommittee touching the interests of the perfumery business of this country.

This interest is menaced with great danger to its existence if the duty on alcoholic perfumery be reduced from $2 per gallon and 50 per cent ad valorem to $2 per gallon and 25 per cent ad valorem, as proposed in the Wilson bill, as set forth in the accompanying brief.

I beg your careful consideration of the facts therein presented, and trust that you will see your way clear to sustain these arguments upon the floor of the Senate and give your vote in favor of them.

Yours, respectfully,

HENRY DALLEY, JR.,
Secretary of the Committee.
STURGIS COFFIN,
THEO. RICKSECKER,
ALFRED G. WRIGHT,
HENRY DALLEY, JR.,
Committee.

Hon. GEORGE F. HOAR,
United States Senate, Washington, D. C.

CAMBRIDGEPORT, MASS, *May 15, 1894.*

DEAR SIR: We trust you will excuse the liberty we take in sending you the inclosed paper in regard to the increased tax on alcohol.

We have been in the business of manufacturing chemicals and pharmaceutical preparations for forty-seven years, and think we are capable of judging of the effect of the proposed tax on our line of business.

In our opinion, it will work great hardship to all in our line, and be positively ruinous to many.

We earnestly beg that you use your influence against the proposed increase.

Very respectfully,

HENRY THAYER & CO.

Hon. GEORGE F. HOAR, *Washington, D. C.*

REMARKS ON THE SUGGESTIONS IN BOTH HOUSE AND SENATE TARIFF BILLS TO INCREASE THE INTERNAL-REVENUE TAX ON DISTILLED SPIRITS AND, AT THE SAME TIME, TO DECREASE THE CUSTOMS DUTIES ON IMPORTED ALCOHOLIC PREPARATIONS.

PHILADELPHIA, *April 9, 1894.*

DEAR SIR: Your attention is respectfully directed to the inadequate rates of duty imposed upon a number of preparations in which alcohol is used in the manufacture in both the House and Senate tariff bills.

To the manufacturing chemist, alcohol is as essential as iron is to those engaged in many other branches of industry; and the internal-revenue tax on distilled spirits is a burden very severely felt by American producers, especially where they are obliged to compete with manufacturers abroad who enjoy great advantages by having free solvents suitable for many of their processes.

The internal-revenue tax on a single barrel of 94 per cent alcohol, say 47 gallons, per the Senate bill, will amount to $97.20.

Without tax, alcohol would sell at from 26 to 30 cents per gallon.

With present tax, it sells, in carload lots, at about $2 per gallon.

The quantity of alcohol consumed for medicinal and manufacturing purposes, and for the arts, is very large, and as a consequence the tax paid by manufacturers is enormous, there being no discriminations made in the United States in favor of those who are obliged to employ alcohol for the uses named.

In the face of proposing to increase the tax on distilled spirits from 90 cents to $1 per proof gallon by the House bill, and from $1 to $1.10 by the Senate bill, the suggestions in the House are to reduce duties on imported alcoholic preparations, and in the Senate to allow the reduced rates of the House bill to remain unchanged.

The result is that the internal-revenue tax exceeds the customs duty, in several instances.

Such propositions have been made, apparently, without reference to the fact that customs duties, in all European countries, are adjusted so as to countervail, or compensate for, the excise taxes or inland duties.

We are quite at a loss to understand why such an inconsistency has been permitted to form part of a tariff bill, inasmuch as attention was called to the insufficient rates of duty in ample time for correction.

An inconsistency and injustice of this character is so self-evident that it demands rectification, irrespective of the views of anyone on the great dividing question of Protection to home industries *vs.* Unrestricted foreign competition.

We ask attention to the tabulated statement herewith presented:

	Under present law.	Under House bill.	Under Senate bill.
Internal-revenue tax on 1 proof gallon distilled spirits*	$0.90	$1.00	$1.10
Customs duty on 1 proof gallon distilled spirits*	2.50	1.80	1.80
Internal-revenue tax on 1 wine gallon 94 per cent alcohol	1.692	1.88	2.068
Customs duty on 1 wine gallon 94 per cent alcohol	4.70	3.384	3.384
Internal-revenue tax on the alcohol in 1 pound sulphuric ether	.35	.39	.43
Customs duty on 1 pound sulphuric ether	.40	.35	.35
Internal-revenue tax on the alcohol in 1 pound spirits nitrous ether	.25	.28	.30
Customs duty on 1 pound spirits nitrous ether	.25	.20	.20
Internal-revenue tax on the alcohol in the sulphuric ether lost in making 1 pound of tannic acid, or tannin	.47	.52	.57
Customs duty on 1 pound of tannic acid, or tannin	.75	.35*	.35

*In England the inland tax on 1 gallon proof spirits is 10*s.*, the customs duty, 10*s.* 4*d.*—difference 4*d.*, or 8 cents. Here the difference, under present law, is $1.60 per proof gallon.

It shows that the customs duty on alcohol is so enormous as to be absolutely prohibitory. Hence, American manufacturers are forced to buy exclusively alcohol made in the United States, and to pay such prices as may be demanded by those who, by Government enactment, need fear no foreign competition.

The present customs duty on 1 wine gallon of 94 per cent alcohol is $4.70. The present internal-revenue tax is $1.692 per wine gallon—a difference of $3 per gallon.

It shows that by an entirely contrary process the internal-revenue tax on the alcohol used in the making of 1 pound of sulphuric ether (as proposed by the Senate rate of $1.10 per proof gallon of distilled spirits), will amount to 43 cents, and yet, against 43 cents imposed upon American manufacturers, the customs duty levied upon sulphuric ether made in foreign countries is to be 35 cents.

We are unable to comprehend why the customs duty on one gallon of alcohol should be $3 higher than the internal-revenue tax, as now, or $1.50 higher as per House bill, or $1.32 higher as per Senate bill; while the customs duty on 1 pound of sulphuric ether of German, French, or English make is to be 8 cents less than the internal-revenue tax on the alcohol used by American manufacturers in making 1 pound of sulphuric ether.

The present duty on sulphuric ether is 40 cents per pound.

The House rate is 35 cents per pound.

The Senate rate is 35 cents per pound.

One gallon of alcohol weighs 6.80 pounds,

One hundred pounds of alcohol will make 70 pounds sulphuric ether.

One gallon of alcohol, or 6.80 pounds, will make 4.76 pounds sulphuric ether.

The tax on 1 gallon of alcohol is, therefore, to be distributed over 4.75 pounds of sulphuric ether.

At 90 cents on proof spirits per gallon, the tax on 1 pound of sulphuric ether is 35.55 cents, against 40 cents customs duty.

At $1 on proof spirits the tax will be 39 cents. The customs duty proposed by the House is 35 cents, or 4 cents less than the tax.

At $1.10 on proof spirits the tax will be 43 cents. The customs duty suggested by the House, and agreed to by the Senate committee, is 35 cents, or 8 cents less than the tax.

Legislation such as this will simply suspend the manufacture of sulphuric ether in the United States, as it will any article where the excise tax exceeds the customs duty

SPIRITS, NITROUS ETHER.

One pound of spirits nitrous ether requires about 1 pound of alcohol.

At the present rate of tax on distilled spirits, 90 cents per gallon, or $1.692 per gallon on 94 per cent alcohol, the tax on the alcohol in 1 pound of spirits nitrous ether is about 25 cents.

The present duty on spirits nitrous ether is 25 cents per pound, which is a countervailing duty only.

With the House bill tax of $1 on distilled spirits, or $1.88 on 94 per cent alcohol, per gallon, the tax on 1 pound of alcohol, required for 1 pound spirits nitrous ether, is 28 cents.

The proposed House bill duty is 20 cents per pound on spirits nitrous ether, or about 8 cents less than the tax.

The Senate bill increases the tax to 30 cents per pound and leaves the House rate of duty remain at 20 cents, so that the internal tax exceeds the customs duty 10 cents per pound.

ACID TANNIC, OR TANNIN.

(Made of nutgall in fine powder and sulphuric ether.)

Present duty, 75 cents per pound.
House bill, 35 cents per pound.
Senate bill, 35 cents per pound.

The Senate rate of tax on distilled spirits will make the tax on the ether lost in making 1 pound acid tannic, or tannin, about 57 cents per pound, while the customs duty suggested is but 35 cents per pound.

The amount of ether required is somewhat variable, but the figures named we regard as a fair average.

We consider 75 cents (the present rate of duty) on a pound of acid tannic, of official quality, as a reasonable and proper rate, and trust that it will be maintained, and that the 35 cents may be stricken out.

When the bill, known as the Mills bill, was formulated, there was entire willingness expressed to leave rates on all alcoholic preparations undisturbed, in view of not changing the spirit tax; whereas, in the present case, the House advances the spirit tax 10 cents per gallon, and reduces the customs duties, and the Senate committee still further advances the spirit tax 10 cents per gallon, while allowing the reduced customs duties of the House bill to remain unchanged.

By reference to the tariff law of Great Britain, you will find that duties are imposed on alcoholic preparations at least sufficient to countervail the inland-revenue tax; as on chloroform, chloral hydrate, collodion, ether sulphuric, ether acetic, etc.; so that, inasmuch as Great Britain grants protection to none, the question for consideration there was one of simple justice and consistency, and not of protection.

That the excessive internal-revenue tax on alcohol is already burdensome enough to manufacturers, we hardly think can be disputed.

That it is but a measure of justice not to discriminate against manufacturers of your own country, we are sure you will grant to be sound policy.

That in adjusting customs duties on alcoholic preparations of foreign manufacture, care should be taken to see that they shall at least compensate for the inland taxes imposed upon your own fellow-citizens, especially in view of the fact that many countries have laws granting free methylated spirits, or other solvents, to their manufacturers, we think will be admitted to be correct.

In the United States the tax on the distilled spirits entering into the alcohol used for medicinal and manufacturing purposes and for the arts is precisely the same as when the spirits are used for drinking purposes.

There are other items of similar character to those cited, to which your attention might be directed, and doubtless information will be given by manufacturing chemists, if desired.

Commending this matter to your careful consideration, we are,

Respectfully yours,

POWERS & WEIGHTMAN.

Hon. GEORGE F. HOAR, *Senator.*

H. R. 4864—SCHEDULE A, PARAGRAPH 7—ALCOHOLIC PERFUMERY.

To the honorable the Committee on Finance, United States Senate:;

The committee appointed by the manufacturing perfumers of the United States, preferring to take as little of your valuable time as possible, beg leave to present a few facts touching their interests as affected by this bill.

Perfumery, which is conceded to be a luxury of the highest order, is properly a subject for taxation, while this bill reduces the tariff thereon and diminishes the revenue therefrom.

Duty now, $2 per gallon and 50 per cent ad valorem.

Duty proposed, $2 per gallon and 25 per cent ad valorem.

We most earnestly call your attention to the fact that, while the tariff has been reduced upon the foreign manufactured article, the internal-revenue tax upon the articles which are used in the manufacture of the domestic goods, such as alchohol, has been increased, and a duty upon our imported raw materials, such as enfleurage grease (or pomades, so-called) of 20 per cent has been retained, together with a duty of 25 per cent on many of the essential oils.

Keen domestic competition makes the manufacturing of perfumes in this country (at a fair profit) increasingly difficult, and yet this bill not only reduces the duty, but increases the cost of manufacturing here by making the internal-revenue tax $1.10 a proof gallon on alcohol, instead of 90 cents, or 18 per cent increase, thus working in both ways to decrease the revenues of the Government, for if foreign goods are imported at a lower duty fewer domestic goods will be manufactured, and thus no benefit will accrue to the consumer, and the Government will lose the revenue.

Under the present law importations of perfumery increased 11 per cent during 1893, and will undoubtedly continue to increase as the existing rate represents, as near as may be, the maximum rate of revenue duty.

No fortunes have been or can be made under present conditions, but the industry has supported large numbers of workers, not only in its own ranks, but amongst bottle manufacturers, box and paper makers, alcohol distillers, lithographers, and traveling salesmen all over the United States.

The price of alcohol is $2.34. At $1.10 per gallon internal-revenue tax, alcohol will cost the manufacturer here $2.72, while foreign manufacturers pay for their refined spirits less than 25 cents per gallon, thus showing how great an advantage the foreign manufacturer has over the domestic, and in whose interest, it will be readily seen, the new law would largely work.

Thus the amended bill would simply have the effect of transferring to the foreign maker the business which properly belongs at home, and at the same time it would reduce the revenue from this luxury.

The manifest justice of our claim can not be gainsaid.

First. That, as a luxury, the 50 per cent duty should be retained.

Second. That at least 50 cents per gallon should be added to the compensatory duty to cover the increased tax on distilled spirits.

Respectfully submitted,

HENRY DALLEY, JR.,
Per J. R. D.,
Secretary of the Committee.
STURGIS COFFIN,
ALFRED G. WRIGHT,
THEO. RICKSECKER,
HENRY DALLEY, JR.,
Committee.

A COMMENTARY ON THE PLAN TO INCREASE THE REVENUE DERIVED FROM INTERNAL-REVENUE TAXES AS PROPOSED IN BILL H. R. 4864—THE TARIFF BILL NOW PENDING IN UNITED STATES SENATE.

CAMBRIDGEPORT, MASS., *May 15, 1894.*

DEAR SIR: The present rate of tax on distilled spirits is 90 cents per proof gallon, or $1.692 per gallon on alcohol.

The proposed rate of tax on distilled spirits in H. R. 4864 is $1.10 per proof gallon, or $2.068 per gallon on alcohol.

In other words, the present rate of taxation on alcohol is 500 per cent, the proposed rate is 750 per cent of the cost of the article taxed.

Alcohol "the universal solvent" is the indispensable raw material for many kinds of important manufacturing industries.

It is shown that at least one-half of the tax for last fiscal year on distilled spirits, $87,712,513.03, was collected on alcohol used in the arts and manufactures.

H. R. 4864 now proposes to reduce the duty on all the foreign competing products to these manufactures largely, in many cases 50 per cent. and to add a tax to alcohol, a raw material of the domestic manufacturer, increasing its original cost 150 per cent.

This is contrary to sound public policy and will prove detrimental to the public welfare. It will seriously affect the manufactures and commerce of the United States.

In the manufacture of chemicals, pharmaceutical preparations, varnishes, flavoring extracts, and many other lines in which alcohol is the prominent raw material, it will prove positively ruinous, for the duty as proposed in the bill H. R. 4864 is less on the competing foreign products than the internal-revenue tax the domestic manufacturer is compelled to pay on the alcohol consumed in making the same article.

But this is not the limit of the discrimination against the domestic manufacturer, for, in addition to the labor cost being much lower in foreign countries, their manufacturers, through the wise beneficence of the principal European governments, are permitted to use alcohol free of all tax. Through this wise provision, alcohol costs them only about 25 cents per gallon.

As proposed in bill H. R. 4864 alcohol will cost the American manufacturer at least $2.40 per gallon.

We have despaired of attaining at this time the great blessing of free alcohol for manufacturing; we do, however, consider it our duty to respectfully but most earnestly pray that your honorable body will see the wisdom of retaining the present internal-revenue tax 90 cents per proof gallon on distilled spirits (whisky and proof spirits), and striking from bill H. R. 4864 the proposed tax of $1.10 per proof gallon.

As a further reason for urging this course, we wish to call your attention to the fact that while alcohol, a raw material used exclusively in manufacturing, is taxed 750 per cent in the proposed bill, yet fermented liquors (ale, beer, etc.) are taxed but $1 per barrel of 31 gallons, less 7½ per cent discount, or 92½ cents net.

Beer is simply a stimulant, a luxury which enters into no manufacturing industry, but is entirely consumed as a drink.

It is a necessity to no one, but even assuming it to be such, an increase of the tax $1 per barrel would not be felt by the consumer, as the increase is not sufficient to increase the retailing price, besides beer not being a necessity, the tax may be avoided by the individual if he so chooses, by abstaining from its use.

Assuming the consumption to be the same as last fiscal year, an addition of $1 per barrel to the tax on fermented liquors would increase the revenue $34,551,317.

The proposed increase of revenue tax on distilled spirits (whisky and proof spirits) will add to the revenue, assuming the production to be the same, $19,610,000.

Gain in revenue by increasing tax $1 per barrel on fermented liquors instead of 20 cents per proof gallon on distilled spirits, $14,944,517.

This comparison demonstrates that the proposed increase of tax on alcohol is unnecessary—any unnecessary tax is wrong, this unnecessary tax is especially wrong, as alcohol enters into the manufacture of most every chemical, pharmaceutical, and medical preparation. It is a tax upon the necessities of the poor and the needy, upon the laboring man and his family, the sick and the suffering, those who are least able to bear the burden.

We therefore ask that the tax on proof spirits remain as it is, namely, 90 cents per gallon proof, and that the internal-revenue tax on beer and like intoxicating liquors which are and can be used only as beverages (and can not be made sources of alcohol to be used in the arts and in medicine) be increased $1 per barrel, or sufficiently to provide the internal revenue required in the bill now before Congress.

HENRY THAYER & CO.

COPY OF BRIEF SUBMITTED TO COMMITTEE ON FINANCE IN THE MATTER OF ALCOHOLIC PERFUMERY IMPORTED INTO THE UNITED STATES AND MANUFACTURED THEREIN.

To the honorable the Committee on Finance,
United States Senate, Washington, D. C.:

GENTLEMEN: The committee appointed by the manufacturing perfumers of the United States respectfully submit the following for the consideration of your honorable body:

Two dollars per gallon and 50 per cent ad valorem:

At this rate the duty is equivalent to 62 per cent ad valorem. At the rate of duty named in the Wilson bill, viz, $2 per gallon and 25 per cent ad valorem, the duty will be equivalent to 38 per cent ad valorem. At this rate the business of manufacturing perfumery in this country will have practically no protection. It is a small though growing industry, and at the present time is estimated to amount to not more than $2,500,000, and the charges upon it for operating expenses and extensions are very heavy.

The importations of alcoholic perfumery in 1892 amounted to $267,331.16; in 1893 to $296,706.77; showing an increase of 11 per cent, or $29,375.61.

The foreign perfumery manufacturers are now anxiously waiting the adoption of the proposed rate of duty, and are openly declaring that they will be able to flood the American market with foreign product and undersell the American manufacturer. By comparison of the following figures, it will be seen that they will be able to do what they propose, and that under those conditions it will not be long before the domestic industry will be badly crippled.

In Europe the prices paid for labor are from $2 to $12 per week, while here the same class of labor commands from $5 to $40 per week. In Europe a gallon of alcohol can be bought for 25 cents. Here we are now paying $2.34 per gallon. The Wilson bill proposes to increase the internal-revenue tax on alcohol from 90 cents to $1 a proof gallon. This increase will necessarily have to be paid by the consumer, and will have the effect of increasing the price of a wine gallon from $2.34 to $2.53. The average prices for the five years last past have been as follows:

	Per gallon.
1889	$2.15
1890	2.24
1891	2.40
1892	2.38
1893	2.36½

We therefore respectfully submit that not only should the present tariff on these goods be maintained, but that the former tariff of $3 per gallon and 50 per cent ad valorem, which prevailed until 1888, should be restored. This would afford to the industry in the United States only a fair measure of protection and encouragement, without which it can not be maintained on a profitable basis, but must be surrendered to foreign manufacturers.

Free pomades, known in the Government statistics as "enfleurage pomades":

The duty on pomades now is 20 per cent ad valorem. We ask for free pomades on the following grounds: They are raw materials, and can not be produced in this country. Extensive experiments have been made in the culture of flowers in this country, with the hope that pomades suitable for our business might be produced here; but it has been found to be (through

the cost of labor and climatic influences) impossible at a favorable price to produce in this country pomades that will answer this purpose.

The pomade, so called, is not what is commonly known as "cosmetic." There are no ingredients in it, as it is simply the fat or mixture of hog's grease and tallow used as a body or base for the absorption of the odors of the flowers, and constitutes a vehicle or container for the transportation of these odors to this country. This absorption and resulting saturation of the fat is obtained by entirely natural means, by the exhalation of the odors from the flowers, which in turn are absorbed in the grease. This grease thus saturated with odor, is shipped to this country in hermetically sealed cans, and is washed in alcohol until the odors of the flowers are extracted from the grease and held in the alcohol, which is then used as a base for the perfume. The grease having thus been exhausted of the odor which it contained, is of no further use to the perfumer.

Respectfully submitted.

HENRY DALLEY, JR.,
Secretary of the Committee.
STURGIS COFFIN,
THEO. RICKSECKER,
ALFRED G. WRIGHT,
HENRY DALLEY, JR.,
Committee, 155 William Street, New York City.

EPITOME OF BRIEF IN THE MATTER OF ALCOHOLIC PERFUMERY IMPORTED INTO THE UNITED STATES AND MANUFACTURED THEREIN.

Duty now, $2 per gallon and 50 per cent ad valorem; ad valorem equivalent, 62 per cent.

Duty under Wilson bill, $2 per gallon and 25 per cent ad valorem; ad valorem equivalent, 38 per cent.

Importations of alcoholic perfumery: 1892, $237,331.16; 1893, $296,706.77; increase, 11 per cent, or $29,375.61.

Foreign manufacturers pay for labor, per week, $2 to $12; domestic manufacturers pay $5 to $40.

Foreign manufacturers pay for alcohol per gallon less than 25 cents; domestic manufacturers pay more than $2.34.

If internal-revenue tax on alcohol be raised from 90 cents to $1 per proof gallon, it will add 19 cents per wine gallon, making alcohol cost the domestic manufacturer per gallon, $2.53.

If internal-revenue tax on alcohol is still further raised, the cost of alcohol per gallon to the domestic manufacturer will be increased in the same proportion. Thus, if, as has been rumored, the tax be made $1.50 per proof gallon, instead of 90 cents, as now, the cost to the home manufacturer will be per gallon $3.54.

The foreign manufacturer pays for raw materials, such as enfleurage, pomades, essential oils, etc., from 20 per cent to 25 per cent less than the home manufacturer (the difference being represented by the duties imposed upon these materials), besides paying a constantly diminishing price for labor. Thus, under the provisions of the Wilson bill, the home industry is ground between the upper and the nether millstones, inasmuch as by the increase in the internal-revenue tax and by the diminution in the tax on imported alcoholic perfumery and the diminishing cost of foreign labor, it will be made to suffer burdens which it can not bear.

Domestic perfumery, by much advertising and large expenditures of money, has succeeded in establishing a reputation and overcoming the prejudice in favor of foreign goods, though now the sales amount to but $2,500,000 per annum.

Enfleurage pomades.—We urge that the duty of 20 per cent ad valorem now laid on these goods be removed, on the ground that they are raw materials and can not be produced here because of the soil and climatic influences. (See explanation in accompanying brief.)

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Massachusetts [Mr. HOAR].

Mr. PLATT. Mr. President, I suppose there is no use of supplementing what I said upon this subject yesterday, and yet the proposition of the Senator from Massachusetts is a very simple one; and no relief will be afforded under it, as I understand it, except under regulations which are entirely satisfactory to the Commissioner of Internal Revenue. So it can do no harm to adopt the amendment. If the Secretary of the Treasury and the Commissioner of Internal Revenue think they can not adopt any regulations which will prevent fraud, then nothing will be done under it; but if they conclude that they can adopt such regulations as will prevent fraud in the use of alcohol in the manufactures and the arts free of tax, then there will be relief under it.

As the Senator from Arkansas said yesterday, everybody admits that this ought to be done. The only question which has ever been raised is the possibility of allowing it to be done without fraud being committed upon the revenue, and it seems to me the Senator from Massachusetts has put the amendment in a way which enables the Secretary of the Treasury and the Commissioner of Internal Revenue to devise, if possible, a plan by which they will be satisfied that no fraud will be perpetrated, and in that case the manufacturers will get the benefit. But if the Treasury Department still adheres to the idea that it is impossible by any regulations whatever to prevent frauds, then no action will be taken and nothing will come of it in the way of relief.

The number of gallons of alcohol used yearly in the manufactures and the arts has been somewhat a question of dispute between the Bureau of Statistics and persons outside who claim to be well informed. In 1888 Mr. E. R. Squibb, who has taken a good deal of pains to ascertain, put the number of gallons of spirits, exclusive of brandy, rum, wines, and malt liquors, used in the manufactures, medicines, and the arts, at 14,000,000 proof gallons. Mr. Switzler, then of the Bureau of Statistics, thought it was not so much, and put it at 5,000,000 gallons. My impression about it is that there are eight or ten million proof gallons of alcohol used in the arts and manufactures. That, under the tax which has now been put or is likely to be put upon spirits, puts a burden of from eighteen to twenty million dollars per annum upon the manufacturers who use alcohol in their business.

As I said yesterday, I represent a great many manufacturers in Connecticut who are not engaged in the business of making medicines, but who have to use alcohol in the ordinary processes of their manufacture. I think there is scarcely a metal working or a textile manufacturing establishment in the United States which does not have to use alcohol in somewhat large quantities. As it has been suggested by the Senator from Arkansas representing the committee, that they would be glad to do this if they could, I trust that they will allow this provision to go into the bill at least for the purpose, if for no other purpose, of leaving the matter open and determining before the passage of the bill whether some measure of relief can not be devised.

Mr. HOAR. If the Senators having charge of the bill are willing to let the amendment go in, so that the subject will be in their power, I will say for one that I shall not only not oppose it, but I shall support them in striking it out and make no complaint if, either on consulting with the authorities of the Treasury or on further consideration themselves, they find that it is not practical.

Mr. JONES of Arkansas. I have no objection to that.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Massachusetts.

The amendment was agreed to.

Mr. ALLISON. What is the pending amendment?

The VICE-PRESIDENT. The question is on the amendment to section 104 proposed by the Senator from Missouri, from the committee.

Mr. ALLISON. I merely desire to say a few words as to that amendment. It is a material modification of the amendment as originally proposed.

Mr. HIGGINS. Has the Senator from Iowa any objection to having the amendment read?

Mr. ALLISON. I have no objection. I should be glad to have it read.

The VICE-PRESIDENT. The amendment will be stated.

Mr. VEST. Let the section be read as proposed to be amended.

The SECRETARY. The section, if amended as proposed, will read as follows:

SEC. 104. That section 3 of an act approved October 1, 1890, entitled "An act to reduce the revenue and equalize duties on imports, and for other purposes," is hereby repealed; but nothing herein contained shall be held to abrogate or in any way affect such reciprocal commercial arrangements as have been heretofore made and now exist between the United States and foreign countries, except where such arrangements are inconsistent with the provisions of this act.

Mr. HALE. Will the Senator from Iowa wait one moment? Which section of the McKinley act is proposed to be repealed?

Mr. ALLISON. Only section 3.

Mr. HALE. Sections 15 and 16 are not touched.

Mr. ALLISON. They are not touched.

Mr. HALE. Only section 3 is repealed?

Mr. ALLISON. Only section 3. Section 3 is what is known as the reciprocity provision of the McKinley law. The Senator now proposes to repeal that section and then add a proviso which declares that nothing shall interfere with existing agreements under it except in so far as they are inconsistent with the proposed act. I do not see why an absolute repeal should be made. I do not see why the Senator would not be satisfied with saying what we say in the general repealing provision, that is, "That all acts or parts of acts inconsistent with the provisions of this act are hereby repealed."

In other words, allow this to stand with other repealing clauses because it is not necessary to make a special repealing clause here, unless it is the purpose of the proposed act to prohibit in the future any arrangements to be made under the third section of the act of 1890.

Mr. VEST. I beg the Senator's pardon. I do not want to take any time.

Mr. ALLISON. I do not want to take any time, either.

Mr. VEST. I know the Senator does not want to do an injustice to the committee, and therefore I am constrained to make an explanation.

The Democratic party, as I understand its position, has never been opposed to these reciprocal commercial arrangements. They were commenced or advocated originally by Mr. Jefferson, the founder of our party. But we were opposed and are opposed irrevocably to that portion of section 3 of the McKinley act which gives to the President of the United States the power of retaliation against foreign countries. That is the provision that we propose to get rid of. If we were to adopt the suggestion of the Senator from Iowa and say that "all acts or parts of acts inconsistent with this act are hereby repealed," what would be the result as to sugar? We propose now to put a duty upon

sugar. Sugar is coming in free from Cuba, and from South America even.

We say, provided that these reciprocal arrangements are not inconsistent with the provisions of the pending bill, we adopt them. If we were to take the language suggested by the Senator from Iowa, it would involve us in the absurdity of putting a duty upon sugar and at the same time repealing all provisions inconsistent with this enactment in the pending bill. We have adopted the only way it seems to me in which we could reach our object, whether it is a good or bad one.

Mr. ALLISON. Therefore the object of the absolute repeal of section 3 is to take away from the President of the United States in the future all authority under that section.

Mr. HIGGINS. Will the Senator from Iowa allow me? I should like to ask the Senator from Missouri if the position which the committee take is that in the future the power to make such reciprocal conventions shall be left to the treaty-making power, the President and the Senate?

Mr. VEST. That is it, exactly.

Mr. ALLISON. Wholly.

Mr. HIGGINS. And that it shall be taken away from the President.

Mr. VEST. That is it.

Mr. ALLISON. That is the object. The amendment, of course, is a great improvement upon the original amendment proposed by the committee, because if it shall turn out, when the bill finally receives the signature of the President, that instead of having a duty on sugar it will be free, then these reciprocal arrangements already entered into will not be changed, because, as I understand the general provisions of the bill, there is not a provision in it that is inconsistent with these reciprocal arrangements, except that we have put a duty upon sugar.

Therefore, if sugar is made free these arrangements which have been made and are so valuable to our country will not be interfered with. But it can not be supposed that if the present arrangement as to sugar shall prevail in the bill in the end, all these reciprocal arrangements will not be absolutely abrogated. We can hardly suppose that with the discrimination we have made in the bill against Germany she will give us the benefit of the reciprocal arrangements which she has given us with reference to our great agricultural products, wheat and flour, and corn and pork, and other articles of agricultural production which we have sent there in such great quantities within the last few years.

Mr. HOAR. I wish my honorable friend from Iowa would devote a sentence or two of his speech right there to summing up the discriminations which have been made against Germany in this matter.

Mr. ALLISON. We have in the first place discriminated against Germany to the extent of a tenth of a cent a pound upon all sugar that comes from Germany, whether it be raw or refined.

I do not want to anticipate what Germany may say, but she will regard that as a direct discrimination against the exports from her country to ours, and she may say, although I hope she will not, that "in violation of the reciprocal agreement under which we have given the United States the benefit of the lowest rate of duty that we impose upon agricultural products, in consideration of our finding a market in the United States for our beet sugar, which has been taken away by Congress, we will deal with the United States as we deal with other nations against whom we now discriminate."

Now, that is as to Germany. The same rule applies to Spain. There we not only had a large list of articles admitted free because we admit free to this country the sugar of the Spanish colonies, but in addition they have given us a discriminating duty amounting to a reduction of 50 per cent upon the old duty as to agricultural products.

Mr. WASHBURN. It is more than that as to wheat and flour.

Mr. HALE. It is a greater reduction than that on wheat and flour.

Mr. ALLISON. On wheat and flour it may be more.

Mr. HALE. From $5.34 to $1.

Mr. ALLISON. Very well. These great discriminations have been made under the third section of the McKinley law. Now, if we shall finally, as I hope we will, put sugar upon the free list, then the amendment as proposed now by the Senator from Missouri will be an amendment which will be consistent; but if we shall impose the duty now proposed upon sugar, the amendment is no better than the original provision making it certain that these reciprocal arrangements which have been of so much advantage to us will be taken away from us, because the whole question hinges upon the question whether we shall impose a duty upon imported sugar. In that event, this modification is nothing. But if we shall finally make sugar free, then it will be a potential and valuable modification of the provision as originally reported by the committee.

Mr. SHERMAN. Mr. President, I wish to call the attention of the Senate to some statistical information with respect to our foreign commerce which will be very materially affected by the provisions of the section now under consideration. No doubt the attention of the Senator from Missouri has been called to it, but I should like to have him hear some of the statistics which I will give from public documents, and also some information that I have from letters, not only from the State of Missouri, but from the Northwestern States and some of the Southern States.

Among the most beneficial results of what is called the McKinley act, whatever demerits it may be alleged to have, has been to increase our exports to foreign countries to an extent unprecedented in the previous history of our country. I have a table from the Bureau of Statistics, which I have sent for, in which the statistics are more elaborately given. I will read some of the results effected by what is known as the McKinley act. I contrast the returns of our exports of certain articles to Cuba in 1889 with the exports in 1893. The first item is agricultural implements. The amount exported from the United States to Cuba increased from $74,135 in 1889 to $130,341 in 1893, a great increase in the exportation of agricultural implements.

Mr. HALE. To what country?

Mr. SHERMAN. To Cuba. The next item is cars, passenger and freight, the exportation of which increased from $127,533 in 1889 to $271,571 in 1893. The exportations of cotton cloth in 1889 amounted to $70,123, to $75,359 in 1893. In rubber goods the increase was from $27,804 in 1889 to $42,879 in 1893; car wheels, $1,918 in 1889 to $18,073 in 1893; cutlery, from $10,347 in 1889 to $21,094 in 1893; machinery, not elsewhere given, from $955,242 in 1889 to $2,792,050 in 1893; cut nails, from $48,349 in 1889 to $107,002 in 1893; wire nails, from $9,763 in 1889 to $20,581 in 1893; railway bars, from $20,240 in 1889 to $327,411 in 1993. The exportations of saws and tools increased from $115,232 in 1889 to $243,544 in 1893; steam engines, from $10,493 in 1889 to $130,652 in 1893; wire, from $118,214 in 1889 to $321,120 in 1893; boots and shoes, from $74,542 in 1889 to $114,943 in 1893; and all other articles, from $9,472,384 in 1889 to $18,845,067 in 1893.

Mr. HALE. Has the Senator from Ohio the figures as to the single item of lard?

Mr. SHERMAN. I have not the statistics as to the exportations of wheat and other agricultural products, but they are enormous.

Mr. HALE. The exportations of lard increased from $2,000,000 to $4,600,000; more than 100 per cent.

Mr. SHERMAN. I have the statistics as to manufactures, and not the others.

In the letter communicated to me by the secretary of the Isaac Harter Company, an Ohio concern, located at Fostoria, the secretary says:

> On page 40 of the same report would call your attention to the following, having reference to the increase of exports of wheat and wheat products:
> "In Cuba alone was there a notable increase. Reflecting probably the partial failure of the Spanish home crop of wheat, the imports of flour into Cuba were increased from 366,175 barrels in 1892 to 616,406 barrels in 1893."
> I would say in this connection that the imports of flour into Cuba this year will probably reach 800,000 barrels. I have information from those high in authority, politically and commercially, in Havana, Cuba, that Spain is only waiting a pretext whereby she can restore the duty of $7 per barrel on American flour, which would practically shut us out from that very important market for our products. With the South American trade for American flour surely slipping away from us on account of the phenomenal increase in the quantity of wheat grown in the River Platte district, it will probably be but a few years until that market will be lost to us entirely.

Here is a letter from Indianapolis, written by the secretary of the Indianapolis Board of Trade:

> The following is the substance of a report by our Committee on Communications and Resolutions presented at a meeting held last evening:
> "A communication has been received from the Isaac Harter Company, merchant millers, of Fostoria, Ohio, stating that if the Wilson bill, in its present form, should pass the Senate, it will abrogate the reciprocity treaty now in effect between this country and Spain, which will prove very disastrous to our mercantile interests. The following retaliatory clause is suggested for adoption, which the company thinks would obviate the difficulty."

And they here propose retaliatory legislation to prevent this evil. The proposition made by these gentleman, however they may think it affects their interest, is utterly indefensible, and the Government of the United States will never resort to that kind of a provision. We have made a reciprocity arrangement now with Spain, also with Germany and many other countries, and our exports have more than doubled in every country with which we have made special arrangements. We have lost nothing at all in our commerce with them. We receive their goods as we receive all other goods, at the same rates of duty. We make no discrimination, but we do by these provisions secure for ourselves an enormous market for a great mass of both agricultural products and other products.

I have here also a letter from St. Louis, which I shall be glad to read for the information of our friends on the other side. The writer says:

We are glad to learn that you are giving special attention to our trade relations with Cuba and the Latin-American countries, which have been so largely increased by reciprocity treaties which went into effect something over two years ago, and which the Senate amendments to the Wilson bill threaten to abrogate.

Since these reciprocity treaties went into effect our trade in flour has been very largely increased. Previous to 1891 the duty on flour was about $5.83 per barrel into Cuba, and under the treaty the duty is now about 90 cents per barrel. Before these treaties we practically had no trade with that country, and we now supply them with nearly all the flour they use, to say nothing of corn, agricultural implements, lard, and the general products of the pork establishments of the United States.

According to statistics, the American trade with Cuba and the Latin-American countries was about $13,000,000 more in 1893 than it was in 1890. This great increase has been largely from the Mississippi Valley.

I have also here a letter from Chicago showing the same information. It is as follows:

As a result of the reciprocity treaty made with Spain October 1, 1890, and going into effect January 1, 1891, we have been able to do a large and profitable trade in ornamented sheet metal with Spanish-American countries, trade that formerly belonged to Europe, and we have, of course, worked hard and at a great cost to secure this trade, which now threatens to be cut off entirely if the Wilson bill, as reported in the Senate, providing for the abrogation of the present commercial arrangements with Spain, is passed.

It would be nothing short of an outrage that anybody should attempt to set aside the reciprocity provision when we are just getting fairly started in building up a trade with these countries; and whether he belonged to either of the great parties of this country, no fair-minded man could lose sight of the fact of the injury done to the country as the proposed legislation would inflict.

I have also another letter to the same effect, from which I will only read an extract, written from Coldwater, Mich.:

I think it is the general sentiment of the intelligent millers of this country, that the reciprocity portion of the McKinley bill has been of very great benefit to our business, and we feel that the passage of the Wilson bill as amended by the Senate Finance Committee would be a great blow to the milling business of the United States.

I have here another letter, the last that I will refer to. W. C. Brown, who is the secretary of a large milling establishment, of which Hon. M. D. HARTER is president, says:

We have just received advices from our representatives in Havana that an excessive duty will be placed on American flour into Cuba again, commencing with July 1. This will be a serious blow to our trade on the island, which at this time equals 50,000 to 60,000 barrels a year, and the total of American flour shipped to the island this year would likely have aggregated a million barrels. Our only hope now for retaining this trade with Cuba is to have Congress pass a retaliatory measure discriminating against Cuban sugar.

This can not be done, as a matter of course. Cuba will retaliate by a discriminating duty. The truth is, we have made fair and excellent bargains with nearly all the countries that were willing to trade with us, by which we have gained enormous advantages, especially in increasing our exports—not only our exports of grain and produce, but also our exports of manufactures.

Now, why disturb those arrangements? Why change them? I can not see any reason for it. The only reason which can be given in a political sense is that they were brought about by a Republican administration, mainly through the influence of a gentleman who is now dead and gone. It seems to me there can be no reason whatever for any abrogation or change of these agreements. There is no necessity for it.

This provision, repealing all these agreements, it seems to me, ought to be stricken out. If they are to be abrogated or modified, as probably some of them will have to be in consequence of provisions of this bill, it ought to be done by a conference through the Executive Department; it ought not to be done by an arbitrary act of Congress.

Mr. GRAY. May I ask my friend from Ohio a question?

Mr. SHERMAN. Certainly.

Mr. GRAY. Is there any other difficulty except dutiable sugar in the way of continuing these treaties?

Mr. SHERMAN. Yes; there were many provisions of the bill that are inconsistent with our reciprocal engagements with several countries. I am not now prepared to point out what they are. But the difficulty is that we undertake by law to abrogate all our agreements without a conference with the powers with whom they were made.

Mr. GRAY. I have just one word, with the Senator's permission. I am in favor of reciprocity, but I remind the Senator that the amendment which was attributed to Mr. Blaine and was introduced by the Senator from Maine [Mr. HALE] was a pretty far-reaching provision.

I was very much in favor of it; and when the reciprocity feature of the McKinley bill was being voted on I offered as an amendment the provision as drafted, or supposed, at all events, to be drafted by Mr. Blaine, for the committee's admendment, and every Democrat voted for it and every Republican voted against it. I merely make this statement in reply to what the Senator said about the foresight and forecast of that great statesman, as we all consider him.

Mr. SHERMAN. I am not talking at all about this as a political matter.

Mr. GRAY. Nor am I; but the Senator alluded to that fact.

Mr. SHERMAN. I do not think I was in favor of the policy of reciprocity. I was afraid of entangling alliances. I had the old idea about our foreign relations that we had better not embarrass ourselves with entangling alliances. But these arrangements have been made. Their results have been beneficial to an unexpected extent. No one dreamed of the enormous increase of our trade with the countries with whom we have made reciprocal engagements. Now, if you will destroy them, if the term of this bill are inconsistent with those engagements, then we ought to leave it to the President of the United States and the Secretary of State, who have now the power, to make convenient changes in them. Some of them ought not to be abrogated. Some of them must be changed somewhat.

Therefore, instead of repealing the reciprocity stipulations or affecting them in any way, or declaring that they are void or inconsistent with our legislation, they ought to be continued in force until abrogated by the consent of both parties. It is never wise to change a treaty by law. Undoubtedly an act of Congress can abrogate any treaty which we may make with the most powerful nation, but it ought never to be done. It ought to be left to the Executive authority, which alone has power to negotiate the necessary changes.

This mode of abrogating contracts by legislation is wrong. One of the reasons why I doubted the policy of reciprocity was because I thought it ought to be left to the executive branch of the Government, with power conferred by law. By our Constitution the President is the only officer who can deal with foreign nations, and he ought to have the full power to make or change a treaty or a reciprocal agreement. If the laws of Congress should turn out to prove inconsistent with such an agreement, then the President of the United States, as a matter of course, will present the reasons for the change to the different governments with whom we have made agreements.

Why is it necessary to modify them or change them? If necessary let it be done by two friendly Executives getting together to see whether they can substitute some other form of arrangement instead of the one existing; but when we undertake to abrogate treaties or agreements by legislation we do not have an opportunity for consideration, for talk, for explanation, for that necessary and friendly negotiation which occurs between eminent statesmen when they are charged by law with power to make a treaty.

Mr. HALE. Mr. President, in answer to the suggestion made by the Senator from Delaware [Mr. GRAY] and also to a hint for the first time from the Senator from Missouri [Mr. VEST] that these Senators, representing their party, are in favor of re-ci procity, I wish to call the attention of the Senator from Delaware to the fact that the original reciprocity amendment, which I introduced here, which had been drawn in the State Department by the Secretary and which presumably represented the Administration and Republican sentiment generally, was drawn upon the basis that the sugar duty should be kept on, as the leverage upon which reciprocity could be set afoot with other nations, and that the duty should not be given up without some corresponding return, but the President was authorized to use that existing and imposed duty for the purpose of negotiating reciprocity arrangements.

When the Republican party in the Fifty-first Congress determined to make a present of free sugar to the consumers of the United States, thereby reducing to them the cost of that most necessary and extensive article of consumption something like 2 cents per pound, the whole programme was shifted. The duty which was to be used as the leverage was gone. The only leverage that could be used was the authority to be given to the President, and the threat, if you may choose to call it, that unless these countries would enter into some fair agreement the duty should be reimposed. Therefore, the legislation upon this subject had as its keynote, as the Senator indicates, the duty upon sugar.

Then, when the Republican party had determined that free sugar should be one of the constituent and important parts of its tariff bill, when the Democratic party had indicated no adhesion or assent to the policy which must be pursued in regard to reciprocity, the Senator from Delaware laggardly offered the amendment which had been introduced by me before, and which would apply to another condition and did not apply to a free-sugar measure.

We have seen such a course taken frequently in other matters, where, after we have gone forward, advanced our ground and set higher our standard, our friends upon the other side come in with some old, abandoned proposition of ours and seek to make an issue upon it. The Senator was behind the times. When his associates voted for the amendment that had been

introduced here under a certain condition of things they were groping in the dark. We had gone into the light; we had abolished the duty upon sugar and were using that condition as the leverage with other nations.

This was wholly satisfactory to Mr. Blaine, and he was very earnest in the desire that it should be passed as a part of the tariff bill. I recall the pleasure which I felt in sending him a message announcing the vote on the passage of the reciprocity feature of the McKinley bill.

Now, I wish to ask the Senator from Missouri—and I know he will answer me and give me a fair answer—whether he has any doubt that under his amendment, which has only shifted the form and turn of speech, these reciprocity agreements will fall to the ground if the bill goes through? Here is the provision of the McKinley act upon which all these beneficent agreements were builded:

SEC. 3. That with a view to secure reciprocal trade with countries producing the following articles, and for this purpose, on and after the 1st day of January, 1892, whenever, and so often as the President shall be satisfied that the government of any country producing and exporting sugars, molasses, coffee, tea, and hides, raw and uncured, or any of such articles, imposes duties or other exactions upon the agricultural or other products of the United States, which, in view of the free introduction of such sugar, molasses, coffee, tea, and hides into the United States, he may deem to be reciprocally unequal and unreasonable, he shall have the power and it shall be his duty—

It is directory, not a matter of his option—

to suspend, by proclamation to that effect, the provisions of this act relating to the free introduction of such sugar, molasses, coffee, tea, and hides, the production of such country, for such time as he shall deem just, and in such case and during such suspension duties shall be levied, collected, and paid upon sugar, molasses, coffee, tea, and hides, the product of or exported from such designated country, as follows, namely:

Then it goes on and gives the schedule of rates of duties under which the reimposition shall be made, unless these countries come to some agreement and make some reciprocal arrangement that will be in the view of the President reasonable and equal.

I ask the Senator with the amendment he has offered if the bill goes through with taxed sugar, when free sugar was held out under the law to these countries as the leverage on which these agreements could be made, whether he does not believe that these agreements will fall?

Mr. VEST. Does the Senator from Maine want me to reply now?

Mr. HALE. I should be very glad, because I am asking the question in good faith.

Mr. VEST. It depends entirely on the importance which foreign countries would attach to the export of sugar from their own into this country. I admit there is some force in what the Senator from Iowa said, and what the Senator from Maine repeats, that the efficacy of the amendment which I have offered this morning on behalf of the committee depends largely upon what we do with sugar hereafter in the bill. I can not undertake to show the full effect of this provision because I do not know how much importance will be attached by the sugar-producing countries to the effect of a tax upon sugar.

Mr. HALE. Does not the Senator know that after the passage of the Wilson bill in the House, even with its free-sugar provision, very considerable discussion arose as to whether the result of that measure would be the practical abrogation of these agreements, and that it was finally generally settled and public acceptance given that such would be the result?

Mr. VEST. There was great diversity of opinion and a great deal of misrepresentation as to the views of public men in regard to the effect of that action. I never had but one opinion about it myself, though I was reported very differently in different newspapers, and I never took any pains to correct it because I was too busy to do it. I always thought that the effect of putting a tax upon sugar would seriously influence exports from the United States to the sugar-producing countries. I am frank to state that; but at the same time I never had any doubt that as to other articles a great deal of the trade would be maintained.

My opinion, however, was largely colored or influenced by my knowledge after an examination from time to time that the effects of reciprocity had been distorted in the partisan press. For instance, to give one glaring injustice, the protection organs in claiming an increase of trade between this country and Brazil leave out the quantities of exports and put in their value, concealing from view either intentionally or through ignorance, the fact that the price in Brazil was in depreciated currency, and not in gold values which govern the world commercially everywhere else. The result was that from month to month or from three months to three months we had reports from the Bureau of Statistics and in the partisan press that the trade between Brazil and the United States was being largely increased. I can show, I think, beyond question that that was not the case.

Mr. HALE. Does not the Senator know that when our invoices and our measures of value of exportations from this country are made up, and from that they get into the official reports, they are made up at our port of exportation?

Mr. VEST. They were not in this case.

Mr. HALE. They are made up at American ports in American currency and at American valuation. The fact that the shipper deals with a people who in time of revolution, or war, or civil commotion have a depreciated currency does not affect the value of invoices which get into our reports.

Those are made up, not in Brazil, not in Cuba, not in Venezuela, not in the turbulent countries where war and rebellion and strife exist more than half the time and where everything is fluctuating; they are made up at our ports. Those are the figures which get into our official reports. The Senator from Missouri is entirely wrong. I ask the Senator from Rhode Island, who is an expert, if this is not so?

Mr. ALDRICH. If the Senator will allow me, that is exactly so. The Senator from Missouri undoubtedly has in mind the imports from Brazil and those countries which of course are made up in the currency of the country of importation, and that being a depreciated currency, it shows a larger increase of importations from those countries than has actually taken place; but so far as the exports from this country to those countries are concerned, they are made up here in American currency, and the fluctuations in foreign currency have nothing whatever to do with the amounts.

Mr. VEST. I beg pardon of the Senator from Maine. I did not intend to interject an argument into the middle of his speech; but I have before me a paper read at the meeting of the National statistical Institute at Chicago, September, 1893, by the present statistician of the Treasury Department, Mr. Worthington C. Ford. I will read what Mr. Ford says, and he ought to be good authority upon the subject:

All of the figures ostensibly given out as the measure of the effects of this reciprocity arrangement have been infected with an error that amounts to little less than a blunder, and one that would shame a novice in statistics. Each month the National Bureau of Statistics officially published a table which was intended to show the commerce of the United States with these South American countries, and with especial reference to the results of the reciprocity clause. In every instance nothing but the values of commodities were given, and in nearly every instance the figures bore on their face a lie; yet they were solemnly quoted as definite proof of the success of the policy and known to be inflated, no attempt was made to correct them or to give the outside public the slightest intimation that they were erroneous.

On the contrary, they were embodied in official papers, and conclusions based upon them that would have been disproved by the true returns. For more than a year was this allowed to pass unquestioned, and the friends as well as the critics of the reciprocity policy were more than surprised at the result. The former gloated over what they called the success of the scheme; and the latter were gratified to note the increasing total, and began to hope this reciprocity would after all prove an entering wedge towards widening the channels of our foreign commerce and lead to a more liberal commercial policy. The hopes of either were doomed to disappointment, because these totals which supplied the foundation of their expectations and arguments proved to be merely a matter of bookkeeping, which, when corrected, tells almost entirely against reciprocity as established by the McKinley act.

He then goes on and shows the difference between the gold value in Brazil and in the depreciated currency of that country.

Mr. HALE. The writer of that article, whoever he may be, had undoubtedly fallen——

Mr. VEST. It is Mr. Ford, the chief of the Bureau of Statistics.

Mr. HALE. He has undoubtedly fallen into a mistake, because it applies to importations, and he is taking the gross trade, including exportations and importations. I know that all the values of our exports, which are given in our reports, are based upon the valuation at the place of export. I am borne out in that by Senators who are experts upon this subject.

The members of the Committee on Finance upon the other side of the Chamber have had this placed before them constantly. I have no doubt the mistake comes from what was suggested by the Senator from Rhode Island, that in making up the aggregate of trade, including importations and exportations, he fell into the error. The importations are made up on the basis where they come from, of course, like our exports, on the basis where they go from. Mr. Ford is adopting the same course in denouncing reciprocity, and declaring that it is a sham, and that it is presented before the American people under false colors, which has been taken on the other side of the Chamber ever since this subject has been mooted.

Mr. ALDRICH. If the Senator will allow me to read from Mr. Ford a little further along than the statememt read by the Senator from Missouri, he will see that Mr. Ford himself takes this view of it. He says:

Nearly all countries of South America have resorted to paper money, and in many cases the issues have been carried beyond safety, and the notes circulate for less than their nominal value. Exports from these countries—

Mr. HALE. That is it, undoubtedly.

Mr. ALDRICH. Ford says:

Exports from these countries, quoted in paper prices, have unnaturally swelled total values, and it is such values that have been quoted officially.

and in all seriousness, as actual values, and long after attention had been called to the blunder involved. Neglecting a study of quantities of exports, values alone have been insisted upon as the true gauge. And to the extent of inflated prices have the values of imports into the United States from these countries been also inflated—a true form of bubble prosperity, if there ever was one.

Mr. HALE. Then I guessed exactly right, that the writer of that article was basing his statement upon the importation side of the trade from Brazil.

Nothing has been so demonstrated by time as the truth of the statement made by the distinguished and veteran Senator from Ohio [Mr. SHERMAN], that under these agreements our exports in almost every form of product, whether of the shop or the mine or the soil, have been greatly increased in these countries.

Here I have a much more complete list of our exports to Cuba during the years reckoning from 1891 to 1893, two years of the operation of the reciprocity feature of the McKinley law, and it is something startling, Mr. President. It is startling in the view that there is one party in this country which proposes to destroy the basis of the increased exportation from this country to Cuba under our reciprocity scheme, to sweep this trade away, to tear down the whole structure of increased reciprocal trade.

It is instructive to look at this growing trade, this one dependency of Old Spain. I take the increase of our exports from 1891 to and including 1893, under our reciprocity.

I first take breadstuffs. Bread and biscuits, from $17,000 to $31,000, nearly 100 per cent increase. Corn, from $120,000 to $582,000, more than 400 per cent. Wheat flour, from $591,000 (and that had got the benefit of the first year's increase) to $2,821,000 in the two years, from 1891 to 1893, nearly 500 per cent.

Mr. HOAR. With what country is that trade?

Mr. HALE. Cuba alone. Carriages and horse cars, from $166,000 to $316,000, more than 100 per cent increase; manufactures of copper, from $29,000 to $48,000, 80 per cent increase; cotton goods, from $101,000 to $148,000, 46 per cent increase.

Mr. VEST. Mr. President——

Mr. HALE. I yield to the Senator from Missouri because he is always very good himself in yielding.

Mr. VEST. I beg the Senator's pardon, but he mentioned cotton goods; I asked him a question in 1890, I believe, or 1892, which he has never answered; and I should like for him or some other protection Senator to answer it now. I have here the tariff of Brazil, published in Bulletin No. 8, under Mr. Blaine's administration as Secretary of State.

Mr. HALE. This is Cuba that I am reading from.

Mr. VEST. I know, but it applies to both countries. Bulletin No. 8, July, 1891. This tariff of Brazil together with the reciprocal arrangement sometimes called a treaty made by the United States under Mr. Blaine with the Brazilian authorities shows that America received a differential or discriminating duty of 12½ per cent on cotton manufactures exported from this country into Brazil. In other words, the American manufacturer had an advantage of 12½ per cent over the British manufacturer, both of them paying transportation, one from Liverpool and the other from New York, to Rio Janeiro.

Now, the Senator contends that the reciprocity, as he terms it, has increased the market of the American manufacturer under this differential in Brazil. Will he be kind enough to tell us if the American manufacturer, with a protective or differential duty in his favor against the British manufacturer of only 12½ per cent, both paying transportation, can take any portion of the Brazilian market on cotton goods away from the British manufacturer, why does it require 55 per cent protection in the United States to enable the American manufacturer at home to hold the market on cotton goods against the British manufacturer. The British manufacturer has to pay transportation from Liverpool to get into this market.

Mr. HALE. I will answer the Senator. As the Senator from Iowa suggests to me, in the first place, there is a different kind of cotton goods which is used largely in that trade. Then, too, this whole reciprocity feature goes on all fours, altogether. When you begin to increase trade, and when you get large discriminating duties on certain articles, and thereby open the trade, and open lines of steamships, and open the avenues to the increased exportation of all products, you have then the conditions which build up trade generally.

You have transportation established; you have the trade open; you have the ship lines running. So we, getting the advantage of reciprocity agreements on certain articles by large discriminations, load our ships and send them away. We open also trade in other articles where we do not get such large discriminating duties. Begin in a small way at first, as we have in Cuba, upon cotton goods. We do not need the same extent of discrimination for everything that we do on the larger articles. We are getting the trade. We are gradually gaining on it. This trade in cottons does not show anything like such an increase of trade as the other articles. The discrimination is not the same, but it shows the beginning of what will be a greater and a brighter day.

Mr. ALDRICH. When the Senator is through, or at some time at his convenience, I should be glad to make a more extended and definite explanation of the situation in Brizil in regard to cotton.

Mr. HALE. I was going on with the trade in Cuba. Here is another large item: builders' hardware, from $174,000 to $395,000, more, than 100 per cent increase; machinery, from $1,317,000 to $2,792,000, over 100 per cent; locomotive engines, from $237,000 to $418,000, nearly 100 per cent; wire, from $715,000 to $1,664,000, 40 per cent; petroleum, a product of the mines, $280,000 to $403,000, 60 per cent: lubricating oil, $42,000 to $77,000, 70 per cent; paint and painters' colors, from $23,527 to $49,000, 110 per cent; provisions, beef products, from $11,000 to $89,000, 800 per cent or more; bacon, from $351,000 to $556,000, 60 per cent increase; hams, from $234,000 to $762,000, more than 200 per cent; pickled pork, from $33,000 to $59,000, 70 per cent; lard, from $2,079,000 to $4,023,000, almost 100 per cent increase.

So I might go on. Those are some of the larger items. Boards, deals, and planks, from $604,000 to $1,058,000, 65 per cent increase; shooks, from $102,000 to $152,000, 50 per cent increase. All other articles of lumber, from $120,000 to $164,000.

The aggregate shows that our exports to Cuba have been increased from $11,000,000 in 1891 to $24,000,000 in 1893. I give here the table showing the different articles in more extended detail, upon which this increase is predicated:

Articles.	1891.	1893.
Agricultural implements	$55,618	$123,421
Mules	7,935	17,725
Manufactures of brass	25,230	44,150
Breadstuffs:		
Bread and biscuit	17,930	31,650
Corn	120,187	582,050
Corn meal	2,909	4,001
Oats	10,598	24,202
Wheat flour	591,886	2,821,557
All other	31,469	56,272
Bricks, building and fire	11,735	95,489
Broom corn	17,244	23,983
Carriages and horse cars	166,889	316,041
Clocks and watches	11,773	26,561
Coal	682,268	837,218
Copper, manufactures of	29,799	48,656
Cotton goods	101,799	148,788
Codfish	23,595	98,520
Other fish, including oysters	40,551	72,312
Apples	3,181	45,229
Preserved fruits	11,756	53,210
Other fruits	7,209	28,515
Glass and glassware	67,174	117,870
Hay	18,389	54,791
India-rubber goods	29,354	42,879
Ink	6,931	10,199
Scientific instruments and apparatus	43,935	114,485
Cutlery	4,436	21,094
Builders' hardware	174,622	395,964
Machinery	1,317,256	2,792,050
Nails and spikes	40,069	127,583
Railroad iron	32,249	326,654
Saws and tools	107,291	243,544
Scales and balances	34,788	62,561
Sewing machines	112,319	246,218
Locomotive engines	237,827	418,776
Stationary engines	46,766	130,552
Boilers and parts of engines	181,720	322,284
Wire	715,208	1,664,671
Lamps, chandeliers, etc	29,297	51,389
Boots and shoes	100,733	193,776
Other leather goods	20,202	33,867
Lime and cement	9,032	71,570
Beer in bottles	12,223	32,032
Marble and stone	15,830	77,003
Spirits of turpentine	20,609	33,135
Crude petroleum	280,144	403,310
Illuminating oil	8,502	33,527
Lubricating oil	42,552	77,822
Other oils	7,999	33,414
Paints and painters' colors	23,527	49,143
Plated ware	14,206	20,722
Provisions:		
Beef products	11,760	89,460
Bacon	351,955	556,747
Hams	234,458	761,082
Pickled pork	33,315	59,276
Lard	2,079,534	4,023,917
All other meat products	28,331	81,956
Butter	18,119	49,257
Cheese	12,910	32,494
Milk	17,226	46,347
Soap	6,805	8,519
Stationery	24,557	30,740
Manufactures of straw	6,196	16,177
Candy and confectionery	27,539	35,911
Tin goods	19,319	24,777
Manufactured tobacco	35,154	61,494
Varnish	9,355	17,518
Vegetables:		
Beans and peas	115,930	392,962
Potatoes	168,354	554,153
All other	10,137	31,146

Articles.	1891.	1893.
Wood and manufactures of:		
Boards, deals, and planks	$604,886	$1,058,696
Joists and scantling	15,803	37,232
Shooks	102,647	152,657
Staves and headings	35,492	66,630
All other lumber	18,991	64,746
Household furniture	108,988	217,126
All other manufactures	80,772	154,134
All other articles	120,772	164,443

Mr. President, this list shows that these benefits were disseminated broadcast throughout the country. They were not for the manufacturer alone, nor the miner alone, nor the farmer alone, but they benefited labor in all the great branches of American industry. The Senator upon the other side, representing the committee and the Democratic side of the Chamber, displays an audacity that is worthy of admiration in daring to approach the very base of this citadel of extended trade which has been erected by the Republican party and venturing to lay rude hands upon it.

Mr. VEST. I should like to ask the Senator from Maine a question.

Mr. HALE. Certainly, the Senator may.

Mr. VEST. If reciprocity is the cause of the increase of trade which he says has taken place between the United States and Brazil, for instance, why is it that the trade between France and Germany and Great Britain and Brazil, without reciprocity, has increased in a greater extent?

Mr. HALE. I am glad the Senator has brought this up. The increase of our exports under reciprocity shows that with Germany the result under reciprocity has been almost as gratifying as it has been with Cuba.

It is surprising, even in competition with the products of the soil of the old countries—with Russia and Austria-Hungary upon the cereals—how we have gained upon them, and how with our pork product we have gained by reciprocity. Germany I was going to cite as a marked instance in favor of this policy of the Republican party.

Mr. VEST. The Senator misapprehended my question, I think. I understood him to argue that reciprocity with Brazil has caused this increase of our trade with that country.

Mr. HALE. I have not said anything about Brazil, because I have not yet reached that.

Mr. VEST. I take Brazil as an example, because I have here the figures from Brazil. In 1889 Brazil sent to Germany 122,542,000 marks, that is in value; and in 1891 189,748,000 marks. Now, reciprocity did not do that. The same thing occurred as to France, which had no reciprocal relations with Brazil, and the same thing occurred as to Great Britain. Here are the figures showing that the trade between Brazil and those countries which had no reciprocal commercial arrangements with Brazil increased in a larger degree than the trade between Brazil and the United States with reciprocity.

Mr. HALE. The great end and aim, the bright idea that ran all through this reciprocity scheme in the illuminated minds of its projectors, was, I do not mean entirely, but it was largely with the Central and South American countries, where no such conditions existed as they did in Europe. Here were countries producing articles which we do not produce, needing articles which we do produce and they can not, where for years we had witnessed almost the absorption of trade by European rivals.

There was no such condition in the trade with England or France. We had looked on for years and had seen Great Britain and Germany and France absorb seven-eighths of all the trade of the Brazils, of the Argentines, of the countries of South America, and the islands of the Spanish Main, and the object was to divert it from those countries and to give us a portion of the trade, mainly the export trade into those countries, and not so much dealing with the imports from those countries, which are all that the Senator from Missouri cites. The reciprocity feature is based upon certain articles we produce and they do not, and certain articles they produce and we do not, and the operation of it is shown by these figures in regard to all those countries, but none so great as in Cuba.

The Senator from Missouri sticks to Brazil as an illustration. The Senator knew that there has been no opportunity in the last two and a half years to illustrate reciprocity there as we have had it in peaceful countries. The wonder is that any trade has remained between us and Brazil. But let me tell the Senator what all these figures do show, that since this reciprocity agreement has been made with Brazil the exports into that country from Great Britain and France and Germany have steadily decreased.

Upon this I quote from the elaborate and convincing speech of the Senator from Minnesota [Mr. WASHBURN] of April 22:

The financial condition in Brazil during the last year, Mr. President, has been worse than it can be remembered ever to have been in the past, and it is scarcely necessary to suggest that such conditions have not furnished a fair test of the value of reciprocity arrangements with that country. Yet there has been a notable increase in the exports from the United States.

In 1889 they amounted to $9,351,081; in 1891, the first year of the treaty, they reached $14,120,246; in 1892 they were a little more, and in 1893, the year of the greatest depression and blockaded harbors, they were valued at $12,388,124.

Comparing these figures with the exports from Great Britain to Brazil, we find considerable cause for gratification. In 1889 they were valued at $30,161,500; in 1890, at $37,293,140; in 1891, at $41,550,195. In 1892, the first year after the treaty went into effect, they had fallen to $36,562,631.

The French suffered even more. There was very large gain in the trade between France and Brazil about the time of the overthrow of the empire, which was due to the establishment of a new line of steamers between Havre and the Brazilian ports, but since the reciprocity treaty with the United States was consummated all that was gained has been lost, and the goods that were bought in France are now purchased in the United States. In 1889 the exports from France to Brazil were 70,132,524 francs; in 1890 they increased to 81,010,705 francs; in 1891 they jumped to 102,934,876 francs; but in 1892, when the effect of the treaty was felt, they fell 33,000,000 and were only 69,520,091 francs. The exports from France for 1893 are not yet reported.

Our trade with Brazil has increased not as largely as it has in other countries with which we have negotiated these arrangements, because of the turbulent condition during these times. Not only do the laws cease, *inter arma silent leges*, but trade ceases. Both cease; and therefore we are not able to show so strong a result there as in Cuba. When we get settled times and an assured government there, and get lines of transportation opened as we have with other countries, then the full result will be shown.

Now, I want to show, on some of these articles affected by a reciprocity treaty, what we have done in Germany in regard to our products exported there. The table is remarkable, showing the increase from 1891 to 1893, inclusive:

Articles.	1891.	1893.
Agricultural implements	$233,781	$377,735
Corn	2,042,404	2,794,689
Rye	116,604	217,782
Wheat	295,953	2,569,261
Wheat flour	41,039	1,011,385
Casings for sausages	235,575	537,526
Ingots of copper	309,876	590,007
Fertilizers	360,784	1,423,455
Dried apples	100,861	210,140
Oil cake	1,182,041	2,328,169
Cotton-seed oil	168,075	536,587
Beef, canned	593,034	829,652
Bacon and hams	578,408	825,456
Distilled spirits	189,365	1,495,557
Unmanufactured tobacco	3,757,770	4,694,012
Lumber:		
Boards, deals, planks, joist	362,088	343,702
Timber	560,422	627,418
All other articles	1,400,459	1,855,740

Mr. President, Germany was in a condition where we could make a satisfactory trade with her. She was producing and overproducing the article of beet sugar. We took of her an increased product in one year from 300,000,000 pounds to 600,000,000 pounds, and in return for that we got an agreement which discriminated in our favor, so much so that a German authority used the language which I shall read.

This is from an authority in German business circles, the Frankfort Zeitung:

Mr. Blaine's idea has been successful in both cases. It has secured for the United States treaties with Brazil, Cuba, and with other of the South American States, and thus brings Mr. Blaine's great Pan-American scheme nearer realization, at the same time damaging European exporters in all American markets.

It is something to adopt a policy which wrings from our rivals such honest praise. I should be willing to sum up as the benefit of this great policy, which the Republican party is committed to and the Democratic party everywhere tries to destroy, that confession which I repeat:

It has secured for the United States treaties with Brazil, Cuba, and with other of the South American States, and thus brings Mr. Blaine's great Pan-American scheme nearer realization, at the same time damaging European exporters in all American markets.

Mr. GRAY. From what does the Senator read?

Mr. HALE. From the Frankfort Zeitung. The Senator knows that authority, an authority in business and financial circles. It is published in Frankfort-on-the-Main, the center of the German money system.

Mr. Blaine's idea has already forced Germany, Denmark, Austria, and France to repeal their prohibitions of American meat, and Italy is on the point of doing the same. But the documents we reprint to-day constitute Blaine's masterpiece. The central European tariff union has been rendered ineffective with reference to the United States. The German tariff on agricultural products was to be reduced only in favor of Italy and Austria, and to be retained against Russia and America, because the latter nations do not enjoy "the most favored nations' privileges."

This would have been profitable only to German and Austrian farmers, and not to the people, because, these two nations not raising enough grain for themselves, the price would have been fixed, not by Hungarian grain at 3.50 marks, but by American and Russian grain, at 5 marks, as heretofore.

Mr. Blaine, however, has completely upset these calculations and made the new tariff on agricultural products apply to the United States as well, in the reduction of which the United States will profit.

I do not want any better testimony than that, Mr. President; I do not want any better defense of this grand system, which we see in the Senate assailed by ruthless and destructive hands.

Mr. GRAY. Mr. President, the so-called reciprocity features of the McKinley act were always, I think, very interesting to anyone who presumed to call himself a statesman and to anyone interested in the measures which look toward an increase in the intercourse between this country and the nations of the world.

I have characterized before, and I characterize now, the amendment offered by the Senator from Maine [Mr. HALE] in 1890, and which he has attributed to Mr. Blaine, as a farseeing and statesmanlike view of the condition obtaining in this country and what was to be gained by this country by a lessening of the restrictions on commercial intercourse.

But, Mr. President, I merely rose, not to consume time, but to call the attention of the Senate, and of the Senator from Maine especially, if I may have his attention for a moment, to this fact. I may be wrong about it, but certainly it seems to me there is a misnomer, or a misconception rather, of the effect of the so-called reciprocity feature under the McKinley act.

The Senator has spoken, and other Senators have spoken, and it has been common parlance to say that certain treaties and arrangements have been made by the President of the United States with the countries of this hemisphere by virtue of the third section of the McKinley act. There can be no treaties made by the President under that feature of the McKinley act, because all treaties as such must be ratified and confirmed by the Senate of the United States. The exercise of the treaty-making power by the President is quite independent of any authorization by statute.

Whatever arrangements he may have made are not arrangements that are authorized by that section of the McKinley act. Whatever they may have been—I do not know that I have read any of them—they must have been made upon the authority of the Executive alone. Whether they require the action of the Senate or not, I am not able to say, but certainly they were not contemplated by that section of the McKinley act.

Mr. HALE. Will the Senator allow me?

Mr. GRAY. Certainly.

Mr. HALE. In the debate which took place in the winter of 1892, largely between the Senator from Missouri and myself, I inadvertently used the word "treaties." My attention was called by the Senator from Alabama [Mr. MORGAN], who is now the chairman of the Committee on Foreign Relations, to the fact that these were not treaties, that treaties could not be negotiated under that provision. That is undoubtedly true, and I have not myself since that time fallen into the error—a verbal error only—of calling them "treaties." They are agreements; they are not treaties.

The question as to the right of the President to make them under the statute is a broad, underlying question which Congress must settle for itself.

Mr. HOAR. They are made by concurrent action, if the Senator will pardon me.

Mr. HALE. Yes; they make a contract or agreement. That it is a great exercise of power, I take it, is not disputed. In the first debate—I do not know but the Senator himself was the author of it—the very witty characterization of this provision in the McKinley act was made, that it allowed the President to make treaties without the Senate and to raise revenue without the House of Representatives.

Mr. GRAY. I think it was Mr. Evarts who said that.

Mr. HALE. And it is a great power, but Congress determined that it would give to him what the Senator from Massachusetts [Mr. HOAR] has happily called the power to make concurrent arrangements between one country and another. I presume these arrangements can be abrogated without the exercise of the treaty power, as they were made without the exercise of that power.

Mr. GRAY. Congress can repeal even a treaty.

Mr. HALE. Yes; Congress can do so if it so chooses. Without regard to that, these are agreements subsisting by force of a Congressional enactment, and that enactment is now proposed to be repealed, so that the exercise of Congressional power in one case is no greater than in the other.

Mr. GRAY. I am glad to hear what the Senator has said in that regard. I have no partisan purpose in anything I may say or in any language I may use to characterize the arrangements made under the McKinley act. I sincerely want a reciprocity that is broad and liberal, and constitutes, if you choose to call it so, a bit of free trade between this country and the countries adjacent to it, or any countries in the world, if you choose, and that is what I aimed at when I reintroduced the amendment offerred by the Senator from Maine, called by himself the Blaine amendment, as a substitute for the reciprocity feature of the McKinley law. It was a bit of free trade, broad, liberal, and statesmanlike.

What I rose to call the attention of the Senate to was that the language which I understand is proposed to be stricken out by the amendment of the committee to section 101 of the bill, is very properly stricken out, because it speaks, as the Senator from Maine says he has spoken and certain other Senators have spoken, of "agreements or arrangements made or proclaimed between the United States and foreign governments under the provisions of said section."

The section referred to did not authorize any arrangements, any agreements, or any treaties to be made or proclaimed under the authority of that section. That section merely provided as follows:

SEC. 3. That with a view to secure reciprocal trade with countries producing the following articles, and for this purpose, on and after the 1st day of January, 1892, whenever and so often as the President shall be satisfied that the government of any country producing and exporting sugars, molasses, coffee, tea, and hides, raw and uncured, or any of such articles, imposes duties or other exactions upon the agricultural or other products of the United States, which in view of the free introduction of such sugar, molasses, coffee, tea, and hides into the United States he may deem to be reciprocally unequal and unreasonable, he shall have the power and it shall be his duty—

To do what? To make a treaty? No. To make an arrangement? No. But—

to suspend, by proclamation to that effect, the provisions of this act relating to the free introduction of such sugar, molasses, coffee, tea, and hides, the production of such country, for such time as he shall deem just, and in such case and during such suspension duties shall be levied, collected, and paid upon sugar, molasses, coffee, tea, and hides, the product of or exported from such designated country.

That did not authorize the President of the United States to make any arrangements or any agreements.

Mr. HALE. Did it not?

Mr. GRAY. If he has made any such, he has made them upon his own motion, and whether wisely or not I am not here to say; it may have been with great wisdom, but this act did not authorize it, and this act is not responsible, so far as the action of the President of the United States is concerned, in any such arrangements as the result of any agreement made by the Executive. It is quite as open now to the present Executive to make an arrangement or agreement with any of these countries as it was for the President who was in office at the time that act was passed, and I hope that the President will take that view of it.

Mr. HALE. The Senator and I totally disagree as to the effect of the reciprocity provision which he has quoted. The basis of it was that the President, when he believed that unequal and unreasonable duties were being imposed upon certain of our products by other countries, might reimpose duties upon certain products of those countries. That in itself carried with it the right of the President, when he approached any of these countries and said through diplomatic representatives, "You have oppressive duties upon products of our soil and of our mines and upon our implements of machinery, and unless you arrange your duties upon another scale, to wit, a scale which, under the McKinley act, I shall deem reasonable and proper, I shall reimpose these duties."

The whole thing was a subject of negotiation between the two countries; so that at last the President would not be forced by these unequal and unreasonable duties of foreign countries to reimpose the sugar and other duties if an equal and reasonable rate of duties should be conceded by these countries. Therefore, if there is anything in the law at all, it authorized the President by negotiation to bring about such a condition as he should deem not unequal and not unreasonable.

Mr. President, all of these reciprocal agreements have been made under the avowed authority given by the act of 1890, as quoted by the Senator from Delaware. They have been accepted by all foreign powers as authoritative and as in full force. Each agreement has compelled a like agreement with some other rival country in order to get the benefit which its rival had gained. Brazil forced Spain's hand, and Spain forced the hand of the British West Indian colonies, and the European authority I have read from shows that the agreements with all these countries forced the hand of Germany and other European nations.

The plan has been wonderfully successful. The American people know this and appreciate the broad, deep lines on which it has been conducted. Woe be to the hands that now attempt to destroy it.

Mr. GRAY. Mr. President, we shall not dispute about words. I believe that the Senator from Maine has as patriotic a desire as I profess to have to prolong and retain and increase any benefits

that may arise from this reciprocity, if any exist, between this country and the countries of this hemisphere. I would go further than he, and include the whole world. I should have been glad to have included Canada, as Mr. Blaine's measure intended to include it and Mexico.

But, however that may be, I am not here to cavil about words. I want to impress upon the Senate what seems to me the obvious effect that this language ought to have, which is to go out of the bill, and which the Senator from Missouri was right in saying he was going to move to strike out, "agreements or arrangements made or proclaimed between the United States and foreign governments under the provisions of said section." It still remains true that this section does not authorize any agreements or any arrangements by the President.

It is quite true, as the Senator from Maine has said, that the Executive may have opened negotiations with these countries and threatened them with using the power that this section gave him, but that did not authorize him to make an arrangement, for he was authorized without this very questionable section of the McKinley act, so far as constitutional power goes, to reimpose a duty upon sugar, hides, tea, and molasses whenever he thought the tariff arrangements of a certain country operated unequally or unjustly to this country.

As was wittily said by some one during that debate, and I do not know but that it was our lamented friend, the late Senator from North Carolina, Mr. Vance, for it sounded very much like him, that, if their tariff arrangements were unequal and unjust to this country we retaliated by putting a tax upon our own citizens, as if a man who had been insulted down town should go home and whip his wife in revenge. I think it was the Senator from North Carolina who said that.

We impose no burden upon the foreign country in retaliation for an unequal and unjust tariff arrangement, but we authorize the President to impose a tax on our own people on sugar, on hides, on tea, and on coffee, in case at any time the tariff arrangements of one of these countries should be unequal and unjust. The Senator from Rhode Island [Mr. ALDRICH] smiles. I think he will agree with me about that.

Mr. ALDRICH. I do not. Let me explain my position on that point.

Mr. GRAY. I have the law before me, and I should like to hear the Senator on it.

Mr. HOAR. I desire to amend the illustration the Senator just gave.

Mr. GRAY. It was not my illustration. I think it was the illustration of the late Senator from North Carolina.

Mr. HOAR. The Senator said it was like a man whom somebody had insulted down town going home and whipping his wife. I think a more apt illustration would be that, if a man were insulted down town by a merchant, he would refuse to let his wife trade any more at that store.

Mr. GRAY. I like the illustration of the late Senator from North Carolina better than that of the Senator from Massachusetts.

Mr. HOAR. I have no doubt of it.

Mr. ALDRICH. To take up the point just suggested by the Senator from Delaware as to the effect of the reimposition of duties upon the American consumer, take the case of Venezuela, for instance, where by proclamation the President declared that their system of taxing American products was not satisfactory to us, and the duty was reimposed upon the coffee of Venezuela.

Mr. GRAY. That is just what I said.

Mr. ALDRICH. I want now to see what was the effect of that reimposition. I say that it did not increase the price of coffee in the United States one particle.

Mr. GRAY. I will tell you why.

Mr. ALDRICH. The small proportion of coffee from Venezuela which comes to the American market has no influence upon it.

Mr. GRAY. That is true.

Mr. ALDRICH. The Venezuelan exporter paid the amount of that duty if he brought the coffee into the United States.

Mr. GRAY. I think the Senator is quite right in the illustration. He has shown the effect he has described as flowing from that act of the President, because the importation of coffee from Venezuela was so small that it did not affect the price to the consumer in this country; and, therefore, if the reimposition of the tax was not a tax upon the coffee from Brazil, or from Central America, or from wherever the large consumption in the United States is made, then unquestionably the tax would have been imposed upon the consumer in this country.

That was the power with which the President was armed. Whenever he thought the tariff arrangements of any of these countries operated unequally or unjustly toward us, he retaliated by reimposing a tax upon commodities of that country which went into the consumption of the people of the United States. We can not get away from that.

Mr. ALDRICH. If the President under the provisions of this act reimposed a duty upon all the coffee that comes into the United States——

Mr. GRAY. He never would have done so.

Mr. ALDRICH. That is a mere supposition on the part of the Senator. We knew when we passed that act that Brazil was anxious to enter into reciprocal arrangements with the United States under this provision. That was a well-known fact which was publicly stated by the Brazilian minister before the act was passed.

I will say to the Senator if we had reimposed the duty on Brazilian coffee, it might have had some effect, but it would not have had the effect the Senator contemplates. We receive about 40 or 50 per cent of our coffee from Brazil. The development in the other coffee-producing countries of Central and South America would have been so great that in a very short time the effect upon the price would have been rendered nugatory. Brazil never could have afforded to be kept out of the American market, because three-fourths, or at least a large proportion, of the coffee grown in Brazil is sent to the United States to market.

Mr. GRAY. That is the old argument, into which I do not intend to go, as to whether the imposition of taxes raises the price of an article to the consumer. But what I said is not denied by either the Senator from Maine [Mr. HALE] or the Senator from Rhode Island [Mr. ALDRICH], that the reciprocity section of the McKinley act undertook to punish those countries that imposed unequal and unjust tariff regulations on the products of the United States, not by anything directed against the citizens of those countries, but by imposing a tax on our own citizens. That is what I say.

Mr. ALDRICH. I do deny the proposition.

Mr. GRAY. Let me go on. Here it is in the book.

Mr. ALDRICH. The Senator himself admits that, so far as Venezuela is concerned, it is not true.

Mr. GRAY. I admitted that in the case of Venezuela, because the coffee production of that country is an infinitesimal portion in the consumption of the United States, and therefore it did not essentially affect it. But here is the principle, here is the line and letter to which I point the Senator from Rhode Island, and he can not gainsay it.

That was the object of the just criticism of some of the most distinguished Senators on the other side of the Chamber at the time of the passage of the law, and it was one of the grounds on which the distinguished Senator from New York, Mr. Evarts, distinguished as a jurist as well as a statesman, opposed and denounced this provision of that law, and used the very witty characterization of it which was spoken of by the Senator from Maine.

To go back—I do not wish to consume any more time—I started to say that if any of those treaties or arrangements which were entered into by the President—not under the authority of the reciprocity provision of the McKinley act, for there is no authority there given—are fruitful of good results to the United States, by the abrogation of those words in the section to which I have referred they can be retained, and the present President of the United States has precisely the same authority to negotiate with those countries in consideration of receiving from them free coffee, free hides, free tea, free wool, as we have it now, in place of free sugar—it is open to him to make any of these arrangements, any of these negotiations that his predecessor made, and which have been referred on this floor, and are referred to in this proposed amendment as "agreements or arrangements."

Mr. ALDRICH. Does the Senator believe that it would have been possible to have made any of these arrangements without free sugar?

Mr. GRAY. I think it would.

Mr. ALDRICH. With what countries?

Mr. GRAY. With any of the nations with which they have been made.

Mr. ALDRICH. With Cuba?

Mr. GRAY. I think so.

Mr. ALDRICH. With Spain and Germany? Nobody would ever have attempted it. I never heard of any such suggestion.

Mr. GRAY. I recollect very well the brilliant speech made by the Senator from New York, Mr. Evarts, against this provision of the McKinley act, and there has just been handed to me a copy of his speech from the RECORD, upon which he has printed as the sentiment of the whole speech one sentence of it, which is:

What should it profit this nation to gain the whole world of commerce and lose its own soul—the soul of its institutions, the manhood of its laboring men, our liberty, our equality, our fraternity?

Mr. President, I am as anxious as the Senator from Maine and

as the Senator from Rhode Island can be, and will be emulous with them now or hereafter to bring about, in any proper and constitutional way, reciprocity with any country in this hemisphere, including Canada, as Mr. Blaine's amendment included it, and including the nations of the Old World, or any nation reciprocity with which will gain the consent of this Senate and of the House of Representatives, or will persuade the Executive of the United States to send us a reciprocity treaty with.

If the reciprocity amendment offered by the Senator from Maine [Mr. HALE] in 1890, and known as the Blaine amendment, can be so altered as to fit the present situation with dutiable sugar, I shall be glad to offer it again, or I shall be glad to give it my support if someone else offers it. If some Senator will substitute free wool for free sugar, and offer it, I shall vote for it, as I did vote for it three years ago. I am in favor of reciprocity. I am in favor of breaking wherever we can through the walls that tariffs make between the intercourse of the nations of the world. I am for freer trade all the time. I am for increasing the intercourse of the people of this country with the peoples of the world, because from that increased intercourse can only come blessings to all the inhabitants of this land.

Mr. ALDRICH. Before the Senator sits down I should like to ask him a question.

Mr. GRAY. Very well.

Mr. ALDRICH. Does the Senator agree that agreements or arrangements, or whatever they were, which were entered into between the United States and the representatives of different governments, ostensibly under the provisions of the McKinley act, and without the knowledge on the part of Congress that they had been entered into, are binding upon the respective governments until some change is had in the legislation of the respective governments?

Mr. GRAY. I should not think so.

Mr. ALDRICH. Does the Senator think they are binding or not?

Mr. GRAY. I have never heard of those agreements. They were never put in the book of treaties, so far as I know.

Mr. ALDRICH. But they were reported to the Congress of the United States by the President as having been entered into, and Congress was notified of their terms. They were entered into under the provisions of the McKinley act, and the respective governments of those countries were bound apparently on the face of the papers by those arrangements. Now, does the Senator contend that they had no force, and that they can not be enforced either here or anywhere else?

Mr. GRAY. I certainly do.

Mr. ALDRICH. That is a very strange theory.

Mr. GRAY. And yet I can understand—and I am not hypercritical about the exercise of the President's power to make those arrangements or agreements—but I certainly do understand that the Executive has no right to make any binding agreement with another country unless he sends it to the Senate of the United States for its action.

If he chooses to engage or enter into an arrangement in such ways as the executives of other countries come together for certain purposes, and that results in any benefit to this country, well and good. I do not want to be hypercritical about it. All I say is that the same power rests in the Executive, and he can make arrangements or treaties and send them to the Senate or make such agreements as have been made, because the repeal of the McKinley act does not take away the power, as it did not confer it. It never conferred any such power on the President to make treaties.

Mr. ALDRICH. Does the Senator contend that the Congress of the United States may not authorize the President of the United States to enter into commercial arrangements or agreements with other nations that might be binding without the ratification of the Senate, as a treaty would have to be ratified?

Mr. GRAY. I think not. I think we must have concurrent legislation which would amount to a ratification.

Mr. ALDRICH. That is all anybody contends for.

Mr. GRAY. I am quite willing for that.

Mr. DOLPH. I should like to ask the Senator from Delaware a question or two. The Senator says that the present Executive would have the same power to enter into these commercial arrangements with other countries as his predecessor had. I suppose the Senator from Delaware will not contend that, under the provisions of the pending measure, the President of the United States would have any power to reimpose duties or cause duties to be collected on wool or lumber or sugar or molasses or hides or coffee, should this bill become a law.

Mr. GRAY. No.

Mr. DOLPH. By the provisions of the McKinley law, now under discussion, Congress attempted to give the President power by proclamation——

Mr. GRAY. I understand that, and I could not vote for it.

Mr. DOLPH. To cause duties to be collected under the provisions of the McKinley law on certain products—sugar, coffee, molasses, hides, etc. That was the inducement.

Mr. GRAY. I understand that.

Mr. DOLPH. The failure or declination of the President of the United States to make such a proclamation was the inducement to other countries to give us favorable commercial legislation, to either reduce their duties or admit free the products of the United States. What would the present Executive have to offer to those countries as an inducement to modify their revenue laws in regard to the introduction of products of the United States?

Mr. GRAY. He would have—many things.

Mr. DOLPH. He would have nothing. It would be a mere concession on the part of other countries, and there would be nothing we could offer in any shape as an inducement for the concession.

I only desire to say in reference to what the Senator has said concerning Canada, that Canada will not want any commercial arrangement with us. Canada will not want any arrangement with us by which she can introduce anything into this country or admit anything into hers, because she gets practically, without any consideration, all she desires by the provisions of this bill.

Mr. ALDRICH. I must confess my great surprise at the statement of the Senator from Delaware [Mr. GRAY] in regard to the present reciprocity arrangements. As I understand that Senator, he claims that there is no binding force or effect whatever in the various arrangements which have been entered into ostensibly under section 3 of the act of 1890. The amendment just submitted by the Senator from Missouri for the committee contains this language:

> Or in any way affect such reciprocal commercial arrangements as have been heretofore made and now exist between the United States and foreign countries.

Mr. GRAY. That is all right. I am in favor of that, as I said while on the floor.

Mr. ALDRICH. If no such arrangements exist by authority of law, why should this provision be put in the bill? If the President of the United States has exceeded his power in the negotiation of these arrangements, or in making these arrangements, why should they be accepted? It seems to me the position of the Senator from Delaware is a very strange one.

Mr. DOLPH. I should like to ask the Senator from Delaware another question. I ask if the Senator favors an amendment to this bill empowering the President of the United States by proclamation to restore the McKinley duties on wool and lumber to countries that will not make proper commercial concessions to the United States?

Mr. GRAY. The Senator knows I would not do that.

Mr. DOLPH. I do not know, then, what the Senator means when he says he is in favor of commercial arrangements with other countries.

Mr. ALDRICH. By the submission of the amendment I have just read, the majority of the Committee on Finance, I suppose representing the other side of the Chamber, have changed their attitude entirely in regard to these reciprocal relations. They now seem to admit their wisdom and force and desire their continuance for everything, except in regard to sugar. Heretofore these arrrngements have been denounced, and the third section of the act of 1890 has been abused more than any other portion of that act. The whole of the Democratic party, apparently, was opposed to all of its provisions. Now we have in this amendment a recognition of its wisdom and a proposition to continue the arrangements in force, except such of those arrangements as might be continued by the imposition of a duty upon sugar.

If it be true that it is wise to apply this principle to hides, to coffee, and to the other articles mentioned in that paragraph, except sugar, why not apply it to wool? It seems to me there would be a great opportunity, and Australia would be obliged to make a very liberal arrangement with the United States, rather than to have a duty reimposed upon their production of wool. The Argentine Republic would be obliged to make a very liberal arrangement in regard to manufactured goods, rather than to have her wools excluded from the United States, as they would practically be excluded by the reimposition of a duty. The same principle would apply to lumber.

If the principle is a good one, if the provisions of the act of 1890 are wise, as now seems to be conceded upon the other side of the Chamber, why not make the application as broad as possible under the provisions of this act?

Mr. MILLS. Why not embrace cotton goods and woolen goods and iron and steel manufactures and extend the principle?

Mr. ALDRICH. If the Senator will permit me, there is no such proposition in this bill.

Mr. MILLS. Why not put one in, if this is as good a thing as we are told it is?

Mr. ALDRICH. Those articles have not been put on the free list, and I do not understand that even the Senator from Texas, with his progressive notions in regard to tariff reform, is willing to put cotton and woolen goods on the free list.

Mr. MILLS. But we might make reciprocal arrangements by which we would reduce the duties on these goods with Germany, France, and those countries.

Mr. ALDRICH. No suggestion of that kind has been made.

Mr. MILLS. But if this principle is as good as we have been told on the other side that it is, and I believe it is, why not extend it to cotton goods and woolen goods, and iron and steel and lumber and silk, and all along the line, and let us have the benefit of it?

Mr. ALDRICH. There is no suggestion of that kind contained in the original proposition or in the pending amendment——

Mr. MILLS. I make it now.

Mr. ALDRICH. As to any articles except such as are put upon the free list by the bill. If the Senator from Texas will put his proposition in terms, we shall be able to consider it.

There was a point made by the Senator from Missouri [Mr. VEST] to which I think I ought to make some response. He asked the question why, with a differential duty on cotton goods exported from this country to Brazil, the exportation was not largely increased. I think that question can be easily answered. It is true that we have, under the arrangements made with Brazil, a reduction of duty of 25 per cent upon cotton goods, as against the other competing countries of the world, making an arbitrary reduction of 12½ per cent upon American cotton goods.

The vast amount of cotton goods used in Brazil are of a peculiar character. They are largely printed goods of a peculiar width, made up into pieces of a peculiar length, and done up in packages of a form and shape which will enable them to be carried on the backs of mules far into the interior of that vast country. That trade has been in the possession of the manufacturers of Germany and of Great Britain for generations. They know exactly what class of goods Brazil demands, and they have been accustomed to make goods for that country; they have the market; in other words, they have the banking facilities.

All the exchange of Brazil is done through London. They have every facility; they have direct regular transportation lines with Brazil. We have up to this time none of these advantages. Brazil has been, as every Senator knows, for the last two or three years in a state of commotion; there has been no civil order at the great ports of Brazil; trade has been very uncertain; and it would be unreasonable to expect that trade will be diverted from its regular channels under such conditions.

The cotton goods which are sent to the United States from Great Britain and France and Germany are not the class of goods which are sent by any one of those countries or by the United States to Brazil. The goods sent here by those countries are fine, fancy cottons, high-priced novelties, luxuries which will continue very largely to be sent here, while the goods which are sent to Brazil by all these countries are a class of goods which can be made almost if not quite as cheaply in the United States as they can be made in any portion of the world.

I suggest to Senators that in time this discrimination in favor of cotton goods will as surely produce a large increase in the exports of cotton from this country to Brazil, as that the sun will rise to-morrow morning. There can be no question whatever about that, for we can make cottons of this class very nearly as cheaply, if not quite as cheaply, as Germany and as England, with this advantage: when we come to have direct transportation, and when our manufacturers and merchants come to learn the tastes of the people of that country, and shall make their goods conform to the goods which are sent there from other countries, we shall certainly get that trade.

It is a very slow process to change the currents of trade where they have been running one way for a generation. The process would be slow if we had the advantages which are possible for us to procure, but with the existence of some disadvantages, the process must be even still slower. I am myself certain that if we retain the reciprocal arrangements which are now in existence with Brazil, within a very short time, and in the near future, we shall increase very largely our exports of cotton goods to that country.

Mr. HIGGINS. Mr. President, I confess that I am not less gratified than surprised to find our friends on the other side of the Chamber, especially those in charge of the pending bill, turn up bright and fresh this hot morning in favor of reciprocity. My only recollection of the utterances of the Senator from Missouri [Mr. VEST] heretofore on the subject has been the finest ridicule and scorn he could pour upon the whole scheme as one of pretense and fraud, and not one of wholesale possibilities of future commerce with foreign countries; but we know that "while the lamp holds out to burn" there are various results to follow. Just what will be the result of the proposed amendment of the majority of the Finance Committee is quite uncertain.

As stated by the Senator from Ohio [Mr. SHERMAN], not merely the existing reciprocal conventions are to be affected by imposing a duty upon sugar, but they may be upset by various other provisions of the proposed tariff act after it shall have been enacted into law.

The proposition of the McKinley act was that we should make free certain products of tropical countries, namely products which we could not produce in the United States, certainly to a sufficient quantity to satisfy our demand; that those articles should be made by the tariff law duty free, but the President was clothed with the authority to reimpose those duties whenever, in his opinion, nations growing such products treated the United States inequitably in their tariff arrangements.

This bill proposes to cut that all up. The intention, the proposition, the scheme of the majority now, is to remit all the authority in this behalf to the President and the Senate as the joint custodians of the executive authority to make treaties. The existing reciprocity treaties were made by the President by mere convention or arrangement, with no necessity of submitting them to the Senate even for ratification. The authority was given by the Senate beforehand, and by both branches of Congress. No arrangement of the kind can now be made, unless it is negotiated by the President and ratified by two-thirds of the Senate. So there is a serious objection to this change because of the greater difficulty of arranging such conventions.

If my recollection is right as to our attempt to make a reciprocal treaty with Mexico in the time of President Grant (it was before I became a member of the Senate) I think such a treaty was made, but failed of ratification in the Senate.

Mr. HOAR. It was later than Gen. Grant's time.

Mr. ALLISON. The treaty was ratified by the Senate, but it required legislation to make it effectual. The House of Representatives, then being Democratic, refused to pass the legislation, although Mr. Abram S. Hewitt reported a bill for that purpose, accompanied by a long and exhaustive report upon the subject. In order to secure such legislation we made a treaty with Mexico a second time, extending the period for it to go into effect, so that the House of Representatives could have an additional opportunity to pass the legislation. During the entire period of the existence of the treaty and the extension of it the Democratic House refused to pass the legislation.

Mr. HOAR. Was it not after Gen. Grant's time, and after his visit to Mexico?

Mr. HIGGINS. Yes.

Mr. ALLISON. I think the first treaty was negotiated by Gen. Grant; I am not sure about that point, but it was all done during the Administration of President Arthur.

Mr. HOAR. That is what I understand.

Mr. HIGGINS. I am glad to have the advantage of the full knowledge of the Senator from Iowa. All that happened before I was a member of the Senate. It only illustrates, however, the very much greater difficulty of securing the enactment or the perpetuity of such a policy when it rests upon the treaty-making power. It shows the enormous efficiency of the scheme of reciprocity initiated in the McKinley act.

I am glad to know that my colleague is in favor of reciprocity and that he is not a convert to it; that he has always been in favor of it. I do not understand or at least appreciate the force of his criticism upon the language of the third section of the McKinley act, that it does not in terms give the President power to negotiate such treaties. If it does not do so in terms, it does by implication.

The President has the power, as I have already stated, to reimpose the duty on sugar, hides, and other products named in the act where he considers the arrangement made by any other nation inequitable. Under that provision the President of the United States in the last Administration did negotiate, I believe, fifteen such treaties, and I do not understand that my colleague or any other Senator or anyone else impugns the validity of those reciprocal conventions. They have been accepted and they are doing their beneficent work.

The two most interesting examples of their effects are Cuba and Brazil, the one almost free from obstructions and having had a fair sweep that might tell what its results would be; the other full of promise, of hope, and of interest to every American on the northern or southern portion of the western hemisphere, and yet met so far by obstructions, though none so deadly as the Democratic majority in this Congress.

To Cuba, since our reciprocal arrangement with Spain went

into effect, we have more than doubled our exports. From less than $12,000,000 before the treaty they rose to over $24,000,000 in 1893.

What they would amount to in time, if its beneficent sway were unimpeded, time alone can tell. Cuba is a survivor of the old colonial system of the European countries. The mother country would allow the colony to trade with nobody but herself; its goods to be carried in none but the ships of the mother country, and the colony could only buy its goods from the mother country on such terms as she saw proper to fix.

The repeated insurrections in Cuba, with which we are only too familiar, grew not merely out of a rule of severe, if not savage repression in the years that are past, more particularly back in the fifties, a brutal and cruel rule, but out of the commercial repression which Spain so mercilessly imposed upon Cuba. I am afraid to say how much a barrel of flour cost in Cuba before our flour went there. It is all contained in the very instructive speech of the Senator from Minnesota [Mr. WASHBURN] delivered in the earlier period of this debate. I think it was something over $12 a barrel, and so the people could not use flour at all. I am told it was between $11 and $12 a barrel. They now get it for $6, and $1 is imposed on American flour. They are thus now enabled to enjoy that comfort of life.

Spain just milked and milked and milked Cuba until there was hardly anything left. Of all the negroes who were carried into that island, I am told that only about 250,000 remain now, and with its unsurpassed resources its other population does not exceed a million and a half. She is feeling the breath of life that is everything to her, relatively small as she is compared with us. We are enjoying a splendid fruition from this policy on our part.

Spain is near us. There is no difficulty in the carrying trade between her and us. It is easy for us to get our productions there and for her commerce to come here, and in that respect it is very different from Brazil. Brazil is the *piece de resistance* of our friends on the other side. There is an example of how it is that water will not run downhill, that people will not buy cheaper goods, and that a differential in favor of one country and against another is not an advantage to the one which gets it. All these propositions must be maintained in all their absurdity if this reciprocal scheme is abandoned and on a pretext of reason.

The Senator from Rhode Island [Mr. ALDRICH] a few minutes ago summarized a great many of the facts which show why we have been enabled to extend commerce to Brazil under the advantages we have obtained from her. At the time when these reciprocity conventions were authorized by the McKinley act Brazil bought from us only what she had to. I know that, because there was a very considerable, valuable, and interesting trade between Brazil and my own city.

Almost contemporaneously with the enactment of the McKinley act Brazil ceased to be an empire and became a republic. She was greeted into the family of nations by our Government, which with reasonable promptness acknowledged her independence and welcomed her into the family of the free. Up to that time her whole commerce had been with Europe, and all of its incidents and control had been European. I can not find this matter better stated than it is in the speech of the Senator from Minnesota, and I beg to read from it this very interesting statement of the condition of things:

> The reciprocity arrangement with Brazil for a mutual reduction of duties was the first negotiated and the first to go into effect, and although that country has been suffering almost continuously ever since from domestic political disturbances, our export trade has not diminished, and our imports have increased to a remarkable degree. The foreign commerce of Brazil is almost entirely controlled by Europeans. The large importing and commission houses are English; the banking capital is English, and the principal newspapers are owned or controlled by Englishmen, so that public sentiment, so far as it can be created or controlled by such influences, is prejudicial to the United States. When the treaty was proposed, and still more when it was promulgated, the British influence in official circles, in the Congress, and in the press was bitter and determined against it.
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> An attempt was made to have it denounced as unconstitutional. Public meetings were called and addressed by Englishmen to bully the Government and excite the animosities of the people, and every pretext was seized upon to make trouble.

They did not stop there. All the instrumentalities which have been used by the European commercial powers, and by none more than by our cousins the English, were put into opposition:

> Then came a bitter and relentless war of rates, and the natural obstacles to an increased commerce were supplemented by unusual efforts on the part of European merchants to retain a trade that, under the reciprocity arrangements with this country, was seriously threatened. They reduced prices upon merchandise that might be bought in the United States and sold even at a loss, to prevent and frighten competition, and the steamship lines from Europe assisted them by cutting rates of transportation below the limit of profitable traffic. Writing on this subject the United States consul-general at Rio de Janeiro said:
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> "The reduction of transportation rates from Europe seriously interferes with our shipping interests, and charterers can engage vessels on any terms; and they are often indifferent to risks and dispatch. Capt. Roy, of the sailing vessel Cora, is just in with a cargo of coal from Cardiff and was paid 16s. a ton only, while in 1888 for the same voyage and a similar cargo he received 24s., and so with many others."

Of course all that was on top of the grave disturbance of trade which grew out of the South American countries being upon the silver standard, the fall of silver, and the heavy fluctuations of exchange which were consequent upon it.

Mr. President, this arrangement of ours with Brazil played its part in her affairs, not merely so to speak commercially. It had its political result there. There was an insurrection fomented against the Brazilian Government.

That insurrection received support and countenance, possibly pecuniary support, from the European commercial influences which were prejudiced by the reciprocity arrangement between the United States and Brazil. If it had rested upon European influences and navies alone it is very questionable whether that insurrection would have been suppressed. If there had been no reciprocity treaty between the United States and Brazil, it is very questionable whether there ever would have been any insurrection fomented.

But our Democratic Administration did one good thing, and I am very glad to be able to give the expression of my hearty approval of and assent to their conduct in that behalf. Probably taking a lesson from their sorry experience in Hawaii, they put a formidable squadron at Rio Janeiro. They placed there an American who will ever hold a warm place in the hearts of his countrymen, and whose reply, on his return home when there were expressions of approval of his conduct in the harbor of Brazil in double shotting his guns and clearing his ship for action to secure the unloading and discharging of American commercial vessels, was a worthy one. "I only did my duty as an American sailor."

Mr. President, that is the most interesting political and historical fact on the southern portion of our continent, so far as respects the United States of America and our relations with them, since the last of them was recognized first by us and then by all the nations of the world. It was the completion of the application by us to South America of the Monroe doctrine in its fullness. Thank God that we had a fleet, which had guns and sailors, lying there in that harbor, and which, surrounded by the fleets of Europe, but having behind it the imperial power of this nation, said to them, "All hands off; you have no business here; the Republic of Brazil stands under the ægis of her sister Republic of the North."

Mr. MANDERSON. I do not know that the Senator from Delaware is aware of the fact; it may not have come to his knowledge, but in connection and as a very delightful supplement to that which he is saying, I will state that on the 4th day of July in Rio Janeiro there will be laid the corner stone of a monument, to be erected by popular subscription in that Republic, to Monroe, the author of the Monroe doctrine. I understand that $450,000 have been raised among the people throughout that Republic for the purpose of erecting the statue, and the corner stone will be laid on our national anniversary.

Mr. HIGGINS. I am obliged to the Senator from Nebraska for his reminder. I was about to refer to that interesting fact. It is a fact of profound interest to the people of Brazil, to the people of the United States, and to the citizens of every nation on the western hemisphere. It is a notice to all the world that at last it is America for Americans. We are making good the words and the doctrine and the message of Mr. Monroe.

Our brethren in Brazil recognize it, and they are recognizing it in an adequate manner. Not on their natal day, but on ours, on the Fourth of July, on a foreign soil, in the great city of Rio Janeiro, the people of the new Republic of Brazil will lay the cornerstone of a monument which shall stand as the perpetual memorial of the fact that under the ægis and protection of the United States of America the United States of Brazil is forever free from European domination.

Mr. President, that political freedom began in commercial freedom from European domination, given to it by section 3 of the McKinley act, and its policy initiated by the great statesman of our period, Mr. Blaine, welcomed by them, fought inch by inch by these European influences, which would have used any means, fomented revolution, in order that it might not be applied. They need not have gone so far; they need not have sought allies in Brazil, in citizens there who for one cause of discontent or another would undertake by violence to overthrow the established authority of the country and foment revolution.

They need not have resorted to lowering their rates of freight, selling their goods at lower prices, and putting on such pressure as was within their control from European sources. They did not know where their friends were. They did not know where the theater of action was. Their friends, the enemies of the interests of the United States, are the Democratic majority on this floor. Here they have friends who, with one sweep, will brush

away this obstacle to European trade and throttle in its cradle this splendid promise of American foreign trade, and that done in the name of promoting American foreign trade.

I feel deeply on this question as a citizen of the United States. Mr. Blaine shook up the majority in this Chamber and the Committee on Finance in a right lively way, and he meant to do it. He came down to the Capitol. He did not get satisfaction. With his ability to press the button and to touch the public, he made that famous utterance: "Your bill," he said—a tariff bill to promote what he believed in—"does not add to the market of the American farmer for a single bushel of wheat or a single pound of pork."

Mr. HAWLEY. But that was not exactly true.

Mr. HIGGINS. I am coming to that; wait a moment. He had a purpose in it. At that time there was in the bill no provision by which the reciprocity system might be inaugurated. It had been proposed, but it had not been accepted; it had not been formulated. When it was his criticism was met, and the act was free from it.

Mr. ALLISON. I suppose the Senator from Delaware wants to be accurate respecting dates, etc. The observation which he has quoted from Mr. Blaine was before the Committee on Finance of the Senate dealt with the tariff bill at all.

Mr. HIGGINS. Yes; I accept that.

Mr. ALLISON. I understood the Senator to say that the distinguished gentleman who was then our Secretary of State shook up the Finance Committee. I merely wish to call the Senator's attention to the fact that the letter which Mr. Blaine wrote to one of our colleagues, was written before the Finance Committee dealt with the bill at all.

Mr. HIGGINS. I am glad to be corrected. I had not the opportunity at that time to secure accurate information. It has now been three or four years since the event, and I had more in mind the rather lively account which was attributed to the senior Senator from Kentucky [Mr. BLACKBURN] as to what took place at that time. I did not know exactly what the facts were.

It is enough to know that the criticism was met by the McKinley bill as it became law. It is not met by the Wilson bill as it now stands. On the contrary the pending bill as it stands to-day gives away our agricultural market to Canada, when she has products that are fit for our use, and in the same way it shuts us out from the market given to us by the reciprocity features of the McKinley act.

I say I am interested in it, and deeply, as a citizen of the United States. Every farmer growing wheat, or pork, or corn which makes pork, or any other product of the farm has found a market, and if this policy were to be steadily pursued by our Government our farmers would find a steadily widening market for all that they produce. We pried open as with a crowbar the doors of the German market for the much anathematized American hog; and so of France, so of Cuba, so of all the tropical countries which do not grow wheat and other products of the temperate zones.

But it does not stop there, Mr. President. The market for manufactures has been ours in all those countries. Take the case of Brazil. I read again from facts given by the Senator from Minnesota [Mr. WASHBURN] in his thoroughly considered speech. He says:

> The financial condition in Brazil during the last year has been worse than it can be remembered ever to have been in the past, and it is scarcely necessary to suggest that such conditions have not furnished a fair test of the value of reciprocity arrangements with that country. Yet there has been a notable increase in the exports from the United States.
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> In 1889 they amounted to $9,351,081; in 1890, the first year of the treaty, they reached $14,120,246; in 1892 they were a little more, and in 1893, the year of the greatest depression and blockaded harbors, they were valued at $12,388,124.

So they steadily grew, in spite of silver depression, the fluctuations of exchange, revolts, insurrection, and blockades.

> Comparing these figures with the exports from Great Britain to Brazil, we find considerable cause for gratification. In 1889 they were valued at $30,161,500; in 1890, at $37,293,140; in 1891, at $41,550,195. In 1892, the first year after the treaty went into effect, they had fallen to $36,562,631.

This is the way the British suffered from the effect of this policy. Our trade increased; theirs decreased.

> The French suffered even more. There was very large gain in the trade between France and Brazil about the time of the overthrow of the empire, which was due to the establishment of a new line of steamers between Havre and the Brazilian ports, but since the reciprocity treaty with the United States was consummated all that was gained has been lost, and the goods that were bought in France are now purchased in the United States. In 1889 the exports from France to Brazil were 70,132,528 francs; in 1890 they increased to 81,010,705 francs; in 1891 they jumped to 102,934,876 francs; but in 1892 when the effect of the treaty was felt they fell 33,000,000, and were only 69,520,091 francs. The exports from France for 1893 are not yet reported.

That was its effect on our manufactures everywhere. I have letters from manufacturers in my city almost beseeching me that something may be done to preserve from destruction the trade which has come to them by reason of the reciprocity treaty. It has come to concerns in my own city who thereby have been able to keep their works going in these times of home depression, who have been able to keep their men employed and thus enable those men and their families to keep the wolf from the door. Mr. President, I do not want to see this policy struck down. I do not want to see it struck down in this time of agony through which this people is going.

Senators on the other side of the Chamber this morning profess themselves in favor of reciprocity. They undertake to repudiate the provision of the McKinley act under which these treaties have been negotiated and this policy established. They are going to substitute something else. They are going to put a duty on sugar, if they can have their way, and in addition to that duty, with the advantages given to the sugar trust, they are placing a direct imposition alike upon every farmer and manufacturer and farm laborer and manufactory employé in this country. They are putting that burden on them at a time when they are professing to be the apostles of a freer and larger trade. They are cutting us off from the great trade which has thus been opened to us. It needs no word of warning from me.

Let them see well to it that they do not touch this fabric. Let them see well to it that the markets thus gained abroad are not taken out of the mouths of our people; that our concerns at home are not shut up; that in the name of free trade, free trade is not sealed where we already have it.

This course is all the more extraordinary because of the action of foreign nations. The trick, if I may so call it, of the McKinley act, the idea of reciprocal trade, was altogether too smart for foreign nations not to emulate it and adopt it.

So we see that they are all making such arrangements with one another. Germany is making them with Austria, Russia, Roumania, and other countries. France is making them in the same way. England has actually made them with Old Spain. We take away the benefit of a market from our manufactures and farmers, with all the advantage we have thus given them, and the reciprocal treaties made by Germany, Austria, and France with other countries will thereby effectually shut out our people from their markets.

Mr. President, all we want to know is that that is the proposition. This bill is bad enough. It is bad enough for it to be killed. On many accounts I am sorry in any way to see it made better. What it deserves is to be cut up by the roots and thrown out into utter darkness. But if there is any one thing in respect to which an appeal might be made to at least the selfish discretion of the other side, it is that this party which plants itself on the broad doctrine of freer and larger trade shall wake up to the fact that foreign nations are accepting the policy in which we led off, and that we should not destroy the great weapon by which we do not ask, but compel, a nation to give us trade. When we reform we reform with a club.

Mr. HAWLEY. Mr. President, I have but a few words to say. When the reciprocity system or plan was first proposed I confess that I was prejudiced against it partly by the reason assigned in the brilliant observation which somebody quoted here, that it gave the President power to make a treaty without the consent of the Senate and power to provide for revenue without the consent of the House of Representatives, and it might have been added that it gave the President power to put an end to means of revenue also.

I confess I am surprised that this system meets with opposition from Democrats who are free traders, because in its way and to a certain extent it ought to be considered the ideal free trade. But perhaps their objection to it may be that it is at the same time decidedly a protective measure. We make very easily reciprocity arrangements with the nation that desires to furnish us that which we do not produce or manufacture and to receive in return that which they do not produce or manufacture. It is an ideal exchange. The arrangements, especially with Spain, have eventuated very happily so far as my constituents are concerned.

I am perfectly well aware, however, especially after the phase has been so well presented here, that it is quite useless for me to occupy the time of the Senate. The reason why I rose is found in the following abstract from a letter from a very large manufacturing concern in my State:

> We most earnestly desire that you will do what you can to avert the repeal of existing tariff reciprocity laws.
>
> The commercial arrangements that have been effected by our Government under reciprocity have been very helpful to this company, and have increased our trade very much, especially with Cuba and Brazil.

They have always been large traders with South America, manufacturing a class of articles that sold by reason of the stamp placed upon them. No matter who made a similar article else-

where, the buyers would have only that which bore this particular trade-mark. They proceed to say:

At considerable expense and trouble we have been able, through correspondents and travelers, to get trade turned to us which, before reciprocity, went to Europe on account of the lower prices, with which we could not compete.

This trade has only recently been secured, and we should deplore any legislation that defeated the opportunities existing under reciprocity.

This is not the only concern in my State that has been affected by these excellent arrangements; it is not the only one that will be severely affected by the passage of the pending tariff bill.

The PRESIDING OFFICER (Mr. KYLE in the chair). The question is on the amendment of the Senator from Missouri [Mr. VEST].

Mr. ALLISON. Mr. President, before the vote is taken I wish to say a few words. I think we ought to understand clearly the effect of the amendment and the effect of the section when amended as proposed. The section without the amendment now offered by the Senator from Missouri takes away from the President of the United States the authority given to him by the third section of the McKinley law, so far as the power of exercising that authority in the future is concerned. I think there is no doubt about that. The amendment proposed by the Senator from Missouri after repealing the third section, which gives this authority to the President, provides:

But nothing herein contained shall be held to abrogate or in any way affect such reciprocal commercial arrangements as have been heretofore made and now exist between the United States and foreign countries except where such arrangements are inconsistent with the provisions of this act.

Mr. CHANDLER. May I ask the Senator from Iowa a question?

Mr. ALLISON. Certainly.

Mr. CHANDLER. I ask whether there is any escape from the conclusion that the arrangements are "inconsistent with the provisions of this act" as to the duty on sugar?

Mr. ALLISON. I am coming to that in a few moments.

Mr. CHANDLER. I shall listen to the Senator with pleasure.

Mr. ALLISON. The language is "But nothing herein contained." That, I take it, would mean nothing contained in this repealing provision, and it does not apply to the whole act.

TRADE RELATIONS WITH GERMANY, ETC.

The PRESIDING OFFICER. The Senator from Iowa will please suspend that the Chair may lay before the Senate a message from the President of the United States.

Mr. ALLISON. Certainly.

The PRESIDING OFFICER. The message will be read.

The Secretary read as follows:

To the Senate of the United States:

Answering a resolution of your honorable body, dated the 13th instant, I transmit herewith a report of the Secretary of State, with an accompanying document, which contain all the information in my possession touching the matters embraced in said resolution.

GROVER CLEVELAND.

EXECUTIVE MANSION, *June 29, 1894.*

Mr. MORGAN. What does the message relate to?

The PRESIDING OFFICER. It is an answer to a resolution relating to reciprocal trade relations, the Chair understands.

Mr. ALLISON. It is an answer, I think, to the resolution of the Senator from Massachusetts [Mr. HOAR] which inquired as to what protests, etc., are being made by foreign governments. I think it might be wise to have the accompanying report read. I have no objection to its being read, unless it is too long.

Mr. MORGAN. If it is not long I should like to hear it read. I want to see what it amounts to.

Mr. ALDRICH. It ought to be read, I think.

Mr. ALLISON. I yield for that purpose.

The PRESIDING OFFICER. The accompanying report will be read.

The Secretary read as follows:

To the President:

On the 13th instant you referred to the undersigned a resolution of the Senate adopted on that day, in the following words:

"*Resolved*, That if not incompatible with the public interests, the President be requested to communicate to the Senate forthwith all representations, written or oral, that have been made to the Government of the United States, or the Department of State, by the representative of any foreign government in relation to the probable action of such governments by way of retaliation for the proposed imposition by the United States of a duty upon sugar, and especially as to the probable exclusion of the agricultural products of the United States by such governments from their territories; and especially whether any, and what, representations have been so received in relation to the probable action of Germany and of Guatemala, or either of them.

"*Further*, That the President be respectfully requested to furnish to the Senate any information which he has received as to any measure pending in the Cortes of Spain looking to retaliation upon the United States for the proposed abrogation of the reciprocity with that country, secured by the statute of 1890."

Mr. MORGAN. I supposed it referred to a matter of that kind. It ought to go to the Committee on Finance.

Mr. ALDRICH. It ought to be read.

Mr. CHANDLER. It seems to me it ought to be read before the speech of the Senator from Iowa, if it is not too long.

Mr. ALLISON. I think it would prove more valuable probably than anything I could say.

Mr. CHANDLER. I am in mortal fear of offending the Senator from Tennessee, but still I think I will call for the reading of the communication.

The PRESIDING OFFICER. The Secretary will proceed with the reading of the report of the Secretary of State.

The Secretary continued the reading, as follows:

In response to that resolution, the undersigned has the honor to report that no representations, written or oral, have been made to the Department of State, by or on behalf of any foreign Government, and in particular by or on behalf of the Governments of Germany and Gautemala, touching any proposed action looking to the exclusion of agricultural products of the United States by way of retaliation for the proposed imposition by the United States of a duty upon sugar.

A dispatch from the United States embassy at Berlin, dated the 9th instant, of which a copy is subjoined, transmits an apparently authoritative denial by a semiofficial German newspaper, of the truth of an item printed in the London Times on the 8th instant, to the effect that the German Government had protested against the sugar schedule then before the Senate, and had given an intimation that if a duty against bounty-paying countries was imposed, Germany would retaliate against American products.

On the 17th of May last, in a personal conference, the Gautemalan minister at this capital represented to the undersigned that, under the reciprocity arrangement (by him called a treaty) of December 30, 1891, between the United States and Guatemala large sums had been invested by his countrymen in machinery for the production of sugar, with a view to and enjoying the benefits of the American markets; that this large outlay would not have been incurred had it been supposed the Government of the United States contemplated this early abandonment of the reciprocity arrangement and the imposition of a tax upon Guatemalan sugar; that the ability of Guatemala to produce sugar had already been demonstrated; that the bill before Congress involved a discrimination against Guatemala in that it provided for the free admission of Hawaiian sugar produced by cooly or contract labor, and that financial ruin would befall the Guatemalan sugar producers should the bill become a law and the sugar of that country be made dutiable.

The undersigned replied that the reciprocity arrangement was not a treaty; that it in no wise restricted the right or power of either government to modify its tariff laws; that the understanding was entered into to remain in force so long as it shall not be modified or revoked by the legislation of either government, or by the mutual agreement of the executive power of the two countries; and that without replying to his remarks as to the unfairness of the proposed admission of Hawaiian sugar free, while taxing that of other countries, our commercial treaty with Hawaii possibly suggested the proposed discrimination.

On the 14th of May last the Spanish minister addressed the undersigned referring to the probable necessity of raising larger revenues in Cuba and Puerto Rico by levying increased customs duties on peninsular and foreign products, and inquired whether, in the event of such increase, the Government of the United States would levy duties upon the productions of those islands, now free under the reciprocity arrangement. Mr. Muruaga's inquiry was answered to the effect that while increase in the duties imposed in Cuba and Puerto Rico upon Spanish productions imported from the peninsula would not effect the privilege granted to Spain by the reciprocity arrangement, any increase of duties upon the productions of the United States exported to those islands which now enjoyed favor under the reciprocity agreement would raise the question whether the measure of reciprocity remaining after such increase would justify further nonexercise of the power conferred upon the President by the third section of the act of October 1, 1890.

It is apparent, therefore, that the Spanish minister's inquiry covers no intimation of retaliation by Spain for the imposition of duties on sugar, or any other of the products, now free under said third section, and in virtue of the existing reciprocity agreement; but rather, suggested an apprehension lest the United States should retaliate were Spain to tax American products now free or favored by reduced rates in Cuba and Puerto Rico.

A bill was introduced in the Spanish Cortes on June 2, providing for a transitory duty of 24 per cent upon all American products now free in the Antilles under Schedule A of the reciprocity arrangement, and for increasing by 24 per cent the duties on articles now enjoying reduced rates under Schedule B, such changes to take effect July 20. The Department is not advised that this measure has become a law.

Respectfully submitted.

W. Q. GRESHAM.

DEPARTMENT OF STATE, *Washington, June 28, 1894.*

Mr. ALDRICH. There are some inclosures to be read.

Mr. CHANDLER. Has the whole communication been read?

Mr. ALDRICH. The inclosures have not been read.

The PRESIDING OFFICER (Mr. TURPIE in the chair). The Secretary will read the inclosures.

The Secretary read as follows:

No. 95.] EMBASSY OF THE UNITED STATES, *Berlin, June 9, 1894.*

SIR: I have the honor to transmit herewith a copy, with translation of a brief article taken from a number published to-day of the North German Gazette in which this semiofficial journal comments on a news item contained in the London Times of the 8th instant, which reports that Germany has protested against the proposal adopted as part of the sugar schedule by the Senate to place a differential duty of one-tenth of a cent per pound on sugars imported from countries which give bounties to growers, and that an intimation has been given that if such a duty is imposed Germany will retaliate against American imports.

The North German Gazette, as will be perceived, characterizes this intelligence as false, refers to the circumstance that it is for the present only a question of a resolution of the Senate committee, which, in order to become a law, requires the sanction not only of the Senate and House of Representatives, but also of the President, and is silent as to the view that would be taken in Germany of such a measure if it should be enacted. This silence on the part of the North German Gazette may perhaps be regarded as suggestive, since it publishes in a later edition of the same date a lengthier article on the same subject from a Hamburg journal, which it reproduces with no other comment than the introductory remark: "We read in the Hamburg Correspondent the following respecting a matter which closely concerns the German sugar industry."

This article is also inclosed herewith, accompanied by a translation, as it will, it is believed, be found interesting, discussing as it does the bearing upon the subject in question of agreement of February 1, 1892 (the commercial arrangement between the United States and Germany—concluded at Washington, January 30, 1892—proclaimed February 1, 1892) and of the treaty concluded between the United States and Prussia on May 1, 1828, under which Germany has conceded since a date long antecedent to that of the agreement referred to, the benefit of the most favored nation treaty clause to imports from the the United States.

I have, etc.,

CHAPMAN COLEMAN.

Hon. WALTER Q. GRESHAM,
Secretary of State.

Translation of Inclosure No. 1.

[Extract from the North German Gazette of June 9, 1894.]

The Times reports a dispatch from Philadelphia, pursuant to which the German Government protests against the imposition of an additional duty of one-tenth of a cent per pound on sugar from countries which pay bounties on sugar, and is said to have threatened retaliation. The news is false, and has probably originated with the American sugar interest, which desires by spreading this report to excite the national sensitiveness of their country-people and to arouse for the purpose of their greed the pronounced sense of independence of the Americans. The weakness of the entire assertion is evidenced by the circumstance that for the present it is a question only of a resolution of the Senate committee, which requires, in order to become a law, not only to pass the Senate, but also the House of Representatives, and to receive the assent of the President.

Translation of Inclosure No. 2.

[Extract from North German Gazette, June 9, 1894.]

We read in the Hamburg Correspondent the following respecting a matter which closely concerns the German sugar industry:

"The announcement that the Republicans in the Senate had abandoned their obstruction of the tariff bill has been followed with surprising rapidity by that of the adoption of the sugar schedule. With this resolution the treatment of sugar introduced by the McKinley bill has again been completely reversed. The system of sugar bounties will from the 1st of January, 1895, on, in case the bill becomes a law, be given up entirely; the proposal of the Wilson bill to diminish by one-eighth the bounty of 2 cents per pound is dropped. On the other hand, the free entry of raw sugar, which it was proposed should take effect from that date, is given up, and in place of the former duty of 2 cents per pound an ad valorem duty of 40 per cent is to be imposed.

"The provisions of the McKinley bill, pursuant to which sugar No. 16 Dutch standard, or lighter, pays an additional duty of 3½ cents per pound, is amended so that the additional duty is reduced to one-eighth cent. The McKinley bill itself contained the provision that this duty shall be increased by one-tenth of a cent when the sugar is imported from a country which pays a higher export bounty on refined than on raw sugar. This increase of duty—and this is the matter of chief importance in these resolutions—is to be levied from the 1st of January, 1895, on all sugar, therefore also on raw sugar imported from countries which accord an export bounty. While the earlier provision could not apply to German sugar for the reason that, pursuant to our laws since August 1, 1892, export bounties are paid only on raw sugar, the additional duty would, as we recently stated, now apply to all sugars, raw and refined alike. That this blow would fall on the French, Austrian, and Russian exportation as well as on the German is but poor consolation."

In case these resolutions are adhered to, the reciprocity clause of the McKinley bill would it seems become inoperative, at least as regards the importation of sugar. This clause, as is well known, authorized the President to levy the duties designated in that section upon the sugar, coffee, etc., of those nations which impose unequal and unreasonable duties upon the agricultural and other products of the United States. On the basis of an exchange of notes between Washington and Berlin, the President by proclamation made known that German sugar should be entitled to free entry upon the ground that the duty rates of the treaty tariff of February 1, 1892, should apply to American importations into Germany. How this agreement is to be harmonized with the recent Senate resolutions can not be perceived.

The mere reintroduction of sugar duties would not affect this agreement, but the imposition of the additional duty on sugar from countries which accord an export bounty complicates the matter for the reason that the German sugar interest accomplished in the year 1891, in opposition to the proposal of the Federal Council, its purpose of securing a prolongation beyond the 1st of August, 1895, of the period during which the payment of export bounties in the form of fixed contributions for the sugar exported should take place. As is well known, the Federal Council (Bundesrath), acting on the assumption that the Prussian-American treaty of May 1, 1828, was still in force, conceded at a time antecedent to 1892 to American imports the benefit of the most favored nation clause. The duty will now devolve upon the American Government of considering whether the Senate resolution is in harmony with the treaty of 1828.

The PRESIDING OFFICER. The message and accompanying papers will lie on the table and be printed.

THE REVENUE BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4864) to reduce taxation, to provide revenue for the Government, and for other purposes.

The PRESIDING OFFICER. The Senator from Iowa is entitled to the floor on the pending question, which is the amendment of the Senator from Missouri [Mr. VEST].

Mr. CHANDLER. Before the Senator from Iowa proceeds, I wish to call his attention to the statements in the communication which has just been read in reference to the proposed measure in the Spanish Cortes. I suppose it is well known that the home government of Spain has not been in favor of the reciprocity arrangements with Cuba and Puerto Rico, because under those arrangements large quantities of flour and other American products were sent to those islands, which would otherwise have been furnished from Spain.

Therefore I suppose, if I am not incorrectly informed, that this measure in the Spanish Cortes is a hasty effort to take advantage of the proposals of the bill. Spain herself, whatever may be the views of Cuba and Puerto Rico, would rather have these arrangements annihilated and resume that trade with Cuba which we now get. If I am wrong in that I should like to have the Senator from Iowa show me in the course of his remarks that I am wrong.

Mr. ALLISON. In the one or two observations which I shall make I shall have occasion to allude to the suggestions made by the Senator from New Hampshire, as also to some suggestions made in the papers just laid before the Senate.

What I desire to do now is to show that the third section of the McKinley act, so called, is to be repealed, and consequently under the amendment now proposed by the Senator from Missouri no benefit will result to the United States unless when the bill passes it shall contain a provision for free sugar. It is useless for us on either side of this Chamber to disguise the fact that these reciprocal arrangements depend wholly upon the sugar question. The articles named in section 3 of the act of 1890 are sugar, molasses, coffee, tea, and hides. I believe I have named all of them. Coffee has been on the free list for many years; tea and hides are on the free list, and they all remain on the free list under the proposed law. Therefore there is nothing involved in this section except the question of sugar. I think I need not argue here that if we impose a duty upon sugar all these reciprocal arrangements will fall to the ground.

I have before me a summary of all the reciprocal arrangements and treaties, found in Executive Document No. 149, Fifty-second Congress, first session, wherein it is shown that all the arrangements rest upon the articles referred to, namely tea, coffee, sugar, molasses, and hides. We have no reciprocal arrangement with any country, so far as I know, which does not involve the element of the sugar duty. It can not be gainsaid that Spain has entered into this reciprocal arrangement with us—I care not what you call it; I use the term reciprocal arrangement for convenience—for the purpose of making sure of the market of the United States for the products of her colonies which raise sugar.

Brazil has just recently entered upon the production of sugar, and has adopted the same policy that we adopted respecting the production of sugar, namely, to give a bounty to the producers of sugar. Under that stimulation it has vastly increased her production of sugar. Whilst coffee is included in the arrangement with Brazil, it can not be gainsaid that the stimulation of of the production and exportation of sugar was the chief motive that entered into the arrangement we have made with that country. It is shown by the papers just laid upon our table that the motive which actuated Guatemala was that she would stimulate the production of sugar and find a market for it in the United States.

So the object of this section is to destroy absolutely the provisions of section 3 of the McKinley act. No country will retain these arrangements because of the benefits they receive as to tea or coffee or hides. Although we included hides in section 3 of the act of 1890, we have never made a treaty arrangement with the Argentine Republic, and I do not know even that a serious attempt has been made to enter into such an arrangement which exports to our country large quantities of hides every year. It may not be suitable and perhaps it is not suitable to a great section of the United States that we shall avail ourselves of the reciprocal provision as respects hides. Therefore we are not likely to have any reciprocal arrangements based upon hides alone.

So the object (and that object will be attained) is to destroy the provisions of the third section of the act of 1890, by repealing it as to the future and by making nugatory its provisions as to the past.

Both the Senator from Missouri [Mr. VEST] and the Senator from Delaware [Mr. GRAY] have stated that they are in favor of reciprocal arrangements and reciprocal trade, and the Senator from Delaware went so far as to say that he would be willing to substitute wool for sugar, and when pressed by the Senator from Oregon as to whether he was willing to substitute a wool provision here which would authorize the President of the United States to impose a duty upon wool, the Senator from Delaware frankly said he would not.

It is an easy thing to be in favor of reciprocal trade between our country and foreign countries if we have no regard for our own domestic trade. That was the reason why Mr. Evarts, who was a member of this body and who participated in the debate in 1890, made the quotation which is found at the head of his speech as read here by the Senator from Delaware. It was in substance that we were pursuing wills-o'-the-wisp by securing reciprocal trade if that reciprocal trade was not to be to the advantage of the producers of the United States, whether they be agricultural producers or manufacturers of wares and merchandise.

Mr. ALDRICH. Will the Senator from Iowa allow me a moment? As I recollect the argument of Mr. Evarts against the provision it was divided into two parts; first, that we had no

constitutional power to authorize the President to enter into these arrangements and to make these proclamations. The Supreme Court of the United States has since disposed of that question, and decided that we had the constitutional power.

The second contention of the then Senator from New York was that if we made an arrangement, for instance with Brazil, by which they gave us certain concessions, Brazil would be obliged under their treaty arrangements with Great Britain to give to Great Britain and to all competing nations the same concessions and the same differential duties, and that therefore the proposition would be rendered nugatory. Those are the points which the Senator from New York made and pressed with great force. I do not think that he made any other suggestion which he considered important than those two.

Mr. ALLISON. I have not read his speech since that time. I listened to it, and my recollection is that in the course of the debate, perhaps it may have been in response to the suggestion in the first amendment proposed by the Senator from Maine, he warned the country against these reciprocal arrangements whereby we should lose our own market for the sake of securing a foreign market.

We have had a great many illustrations of the impossibility of securing reciprocal trade by means of treaty arrangements. We have tried that over and over again, and it was because of that difficulty chiefly that the third section of the law of 1890 was passed.

The Senator from Missouri alluded to the view of Mr. Jefferson as favoring reciprocal treaties. In the very first tariff act which was debated in the Congress of the United States it was urged over and over again by Mr. Madison and by other men who agreed with him that that was the proper way under our Constitution to secure favorable arrangements and friendly arrangements with foreign countries.

Mr. HIGGINS. If the Senator from Iowa will allow me, I will call his attention and that of the Senate to a matter which I overlooked in the remarks I submitted this morning, which is brought out very clearly in Mr. Henry Adams's history of Jefferson's Administration.

Mr. Jefferson's idea was that we need not participate in the Napoleonic wars, either on the side of England or on the side of France, because we could compel the action of either or both by the overwhelming influence of our markets and their necessity to trade with us. That was his idea, and on that he advocated having a small Navy and a small Army, and making no warlike provision, because our market was the great controlling factor, and that with it as a weapon we could bring them all to our terms. It is that idea which underlies our reciprocity treaties.

Mr. ALLISON. Mr. Madison undertook to levy discriminating duties against Great Britain in the tariff act of 1789 on the express ground that Great Britain had been unfavorable in her arrangements as respects trade with the United States. In some instances that was done in the first tariff act which was passed.

Now, the trouble as respects these treaties is that unless you make them in pursuance of a statute you never can secure their adoption under our form and system of Government. We have tried that over and over again.

It is true that in 1854, when both Houses practically belonged to the same party, with a President of the same party, we did make a reciprocal treaty with Lower Canada, which was a jug-handled arrangement, one entirely in favor of Canada and entirely against the United States. As soon as that treaty could be abrogated it was abrogated, and we have never made any such arrangement with Canada from that time to this.

It is true that Mr. Blaine was in favor substantially, I suppose, of the original amendment which was offered by the senior Senator from Maine and which was referred to the Finance Committee in 1890.

I wish to state, for the information of the Senator from Delaware and other Senators, that Mr. Blaine did not appear before the Finance Committee during the entire period of the consideration in the committee of the McKinley act so-called. So far as I know he never made any suggestion to the Finance Committee respecting the bill, unless the suggestion which appeared through the amendment proposed by the Senator from Maine was a suggestion to the committee.

As is perfectly well known, and it is a historical fact, the Republicans were divided on the original proposition of the Secretary of State relating to these reciprocal arrangements. Mr. Blaine believed that the McKinley bill as it passed the other House, making sugar free, thus giving him no opportunity to make arrangements with the South American Republics as to sugar, increasing largely the duty on wool, thereby preventing him from making arrangements as to wool with the Argentine Confederation, and afterwards immensely increasing the duty upon tobacco, would have the effect, perhaps, of making it impossible for him to deal with Cuba or Spain as respects the production of the Spanish Antilles.

It was those things, as I understand, which were unsatisfactory to the Secretary of State, because he had hoped that he could use those articles to make suitable treaties favorable to the United States and secure the trade of the countries which lie south of us. But that he pressed this view upon any committee I am not aware, certainly not upon the Finance Committee of the Senate.

So, when this question came before the Finance Committee there was in the committee, I believe, no difference of opinion as to the propriety of it. The only difference of opinion existing there was as to the articles which should be embraced within it. The view of the Republican party then, as I believe it to be the view of the Republican party now, was that in making reciprocal agreements with foreign countries we should make arrangements with them as to such articles as we do not produce at all or such articles as we can not produce in sufficient quantities for our own consumption.

Therefore, upon that general view, there were very few articles which could be enumerated in the statute, and they were limited to articles of tropical production, except sugar, which of course is produced in Germany and in all Europe. But the object was to include only those articles which were produced in foreign countries and not produced here at all, or if produced here produced in small quantities.

The Senator from Missouri says he is in favor of reciprocal trade. How? How do the countries of Europe secure reciprocal trade? They secure it by having maximum rates and minimum rates, and they apply the latter to countries which they desire to favor. Therefore it is that all Europe to-day has differential rates upon importations. We can not, perhaps, have such rates under our system.

But when the papers which were just laid upon our desk discloses that Germany will probably make the repeal of section 3 of the act of 1890 an excuse for the reorganization and readjustment of the treaty of 1828, which contains the favored nation clause, it shows the difficulties which surround us in an international sense in the repeal of these provisions.

I should like to have the Senator from Missouri or the Senator from Delaware tell us how they expect to enlarge our trade by means of reciprocal treaties. They have given away in the bill practically everything which could be the foundation of reciprocal treaties with the countries on this continent and practically with the countries of Europe. They certainly have done so with Canada. If the Dominion of Canada had sent a commission here to negotiate a treaty, and if we had offered them what is offered in the pending bill to-day, they would have given us concessions as to our manufactured products which they will not give us at all now, because we have given these things gratuitously.

What could we have done with the Argentine Republic if we had been able to say to that Republic in December, 1893, "We will put wool on the free list if you will make us certain concessions?" Would they not have made almost any concession as concerns our trade with them and as to our manufactured products if we had agreed to put wool upon the free list? The same is true of Australia and of every other wool-producing country in the world. We have given away in the bill everything which would enable us to make reciprocal arrangements with other countries whereby we could enlarge our own trade.

So when the Senator from Delaware tells us that he favors reciprocal arrangements, he favors them without giving us any method whereby he proposes to carry them out. We have had experience with the Democratic party on that question over and over again. Under Mr. Frelinghuysen, during President Arthur's Administration, we made a treaty with Mexico most favorable to our people, and I have no doubt reciprocally so to Mexico. We made a favorable treaty with Spain, covering as it did, I agree, the question of sugar, admitting free sugar under No. 16 Dutch standard in color, but giving the people of the United States large concessions in consideration of that provision.

The treaty with Spain failed in this body. That is not a secret at this time. It certainly was not ratified, although it was well known that it was made. The legislation necessary to carry into effect the treaty with Mexico, as I have already had occasion to say, passed this body and went to the House of Representatives, and it was in the other House four years; I am not sure but that it was there six years.

During all that period the Democrats had a majority in the other House, and they refused to pass the necessary legislation in order to execute the treaty. So to say now that we are in favor of reciprocal trade with other countries, without some provisions in the nature of those in the third section of the law of 1890, which it is proposed to repeal, is to hold out an idle and vain hope to the people of the United States.

Mr. President, I favor the amendment proposed by the Senator from Missouri in contrast with the provision as it originally stood in the Senate amendment, but when the vote shall have been taken on it I shall move to strike out the section.

The PRESIDING OFFICER (Mr. FAULKNER in the chair). The question is on agreeing to the amendment of the Senator from Missouri [Mr. VEST].

The amendment was agreed to.

The PRESIDING OFFICER. The question now is on agreeing to the amendment of the Senator from Maine [Mr. HALE] to strike out section 104, as amended.

Mr. ALLISON. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. MITCHELL of Wisconsin (when his name was called). I announce my pair with the Senator from Wyoming [Mr. CAREY].

Mr. PALMER (when his name was called). I am paired with the Senator from North Dakota [Mr. HANSBROUGH]. If he were present I should vote "nay."

Mr. SMITH (when his name was called). I desire to announce for the day my pair with the junior Senator from Idaho [Mr. DUBOIS].

The roll call was concluded.

Mr. PLATT. Has the junior Senator from Virginia [Mr. HUNTON] voted?

The VICE-PRESIDENT. He has not voted.

Mr. PLATT. The junior Senator from Virginia was called away yesterday afternoon by illness in his family. I am paired with him. If he were present I should vote "yea."

Mr. MCLAURIN. Has the junior Senator from Rhode Island [Mr. DIXON] voted?

The VICE-PRESIDENT. He has not voted, the Chair is advised.

Mr. MCLAURIN. I am paired with the junior Senator from Rhode Island.

Mr. CALL. I announce my pair with the Senator from Massachusetts [Mr. LODGE]. I should vote "nay" if he were here.

The result was announced—yeas 24, nays 34; as follows:

YEAS—24.

Allison,	Gallinger,	Manderson,	Proctor,
Chandler,	Hale,	Mitchell, Oregon	Quay,
Cullom,	Hawley,	Patton,	Sherman,
Davis,	Higgins,	Peffer,	Shoup,
Dolph,	Hoar,	Perkins,	Teller,
Frye,	McMillan,	Pettigrew,	Washburn.

NAYS—34.

Allen,	Daniel,	Jones, Ark.	Roach,
Bate,	Faulkner,	Kyle,	Turpie,
Berry,	George,	Lindsay,	Vest,
Blackburn,	Gibson,	Mills,	Vilas,
Blanchard,	Gorman,	Morgan,	Voorhees,
Brice,	Gray,	Murphy,	Walsh,
Camden,	Harris,	Pasco,	White.
Cockrell,	Irby,	Pugh,	
Coke,	Jarvis,	Ransom,	

NOT VOTING—27.

Aldrich,	Dubois,	McLaurin,	Power,
Butler,	Gordon,	McPherson,	Smith,
Caffery,	Hansbrough,	Martin,	Squire,
Call,	Hill,	Mitchell, Wis.	Stewart,
Cameron,	Hunton,	Morrill,	Wilson,
Carey,	Jones, Nev.	Palmer,	Wolcott.
Dixon,	Lodge,	Platt,	

So the amendment was rejected.

Mr. PEFFER. I propose an amendment to be inserted on page 229 as a new section, following section 103. After the amendment is read I wish to explain it.

The VICE-PRESIDENT. The amendment proposed by the Senator from Kansas will be stated.

The SECRETARY. Insert after section 103:

SEC. 103½. That there shall be levied, collected, and paid a duty of $50 for each and every passenger not a citizen of the United States who shall come by steam or sail vessel from a foreign port to any port within the United States. The said duty shall be paid to the collector of customs of the port to which such passenger shall come, or if there be no collector at such port, then to the collector of customs nearest thereto, by the master, owner, agent, or consignee of every such vessel, within twenty-four hours after the entry thereof into such port. The money thus collected shall be paid into the United States Treasury. The duty imposed by this section shall be a lien upon the vessels which shall bring such passengers into the United States, and shall be a debt in favor of the United States against the owner or owners of such vessels; and the payment of such duty may be enforced by any legal or equitable remedy. And a like duty shall be levied upon and paid, under rules and regulations prescribed by the Secretary of the Treasury, by every alien immigrant crossing the border line between the United States and contiguous nations.

Mr. CHANDLER. I ask the Senator from Kansas to yield to me for a moment.

Mr. PEFFER. Certainly.

Mr. CHANDLER. I notice that the Senator proposes to exact the payment of $50 upon every immigrant coming into the United States. As the Senator is to speak upon the amendment which he has proposed, I wish to ask him in the first place whether he proposes to impose $50 tax or head money upon every foreigner who sets foot upon our soil, whether he comes to stay or whether he comes as a visitor, or to impose the tax only upon persons who come to remain with us and eventually to become citizens. If he proposes to impose the tax only upon persons who come to stay, will he kindly inform the Senate how he proposes to discriminate between those who come to stay and those who come only for a temporary sojourn.

Mr. PEFFER. Mr. President, it is not my purpose to detain the Senate with an elaborate discussion of the subject which is brought to our notice by the amendment. I concede that there is an idea in it which is worth thinking about and worth incorporating in the bill. If the idea is received favorably by the members of the Senate we can in a very few minutes so amend it as to cover the object that is sought.

In the first place, we are trying and have been trying a long time with very indifferent success, indeed, to protect American labor by statute. One fatal mistake which we made was in 1864, when we authorized some of our citizens to go to other countries and there to contract for labor and to import that labor into this country to take the place of Americans who were then at work. From that time to the present, notwithstanding the fact that a few years ago we repealed that law, there has been a constant influx of a class of immigrants who are not congenial to the American people, who have no sympathy with our institutions, who have no friendship for our habits and our customs, and who in no respect are of any benefit to us or to themselves while they are here.

We have seen within the last few years how deficient our legislation is upon this point. Within the last sixty days fourteen States of the Union have been more or less under military law, and the persons precipitating this conflict upon the country were largely of the class who would be prohibited from coming by the adoption of this amendment.

We propose in our tariff legislation to protect American labor, and we have heard that statement made, I think I may safely say, one thousand times during the three months' debate in this Chamber upon the tariff bill now under discussion, whereas it appears that as a matter of fact we have begun the system of protection at the wrong end, or, at least, we are not conducting our legislation in a successful way.

It occurred to me, as I took occasion to state to the Senate a few days ago, that it would be well for us to adopt what is commonly known as the consular system, which has been debated a good deal, but the more I talk with my fellow-Senators and my fellow-men upon the subject the more I am satisfied that that system will not be effective. I have finally come to the conclusion (I do not know how long it will be a conclusion) that we could reach what we want probably more in accord with the common sentiment of mankind and more in accord with what we desire to accomplish by some measure of levying a tax upon certain classes of immigrants.

I have information, and so have all of us, that a great many immigrants come here in the spring of the year, take American wages during the summer and fall months, then go to their homes again across the Atlantic and spend the winter there, taking away from our shores just so much money as ought to have been given to our people. So there is another class who come. They are skilled mechanics, skilled laborers, who come early in the spring, like stonecutters, gasfitters, plumbers, men of that kind, who will come and work during the summer at high wages—wages that have been secured by our American workmen—and go back again in the fall.

It costs them twenty-two or twenty-three dollars to come over here, and it costs them about the same amount to return home. A six or eight months' stay, working in the United States at the wages current here, will afford a margin for crossing the Atlantic twice and idling three months in the old country every year and still yield to them a large profit.

Mr. HOAR. I have every sympathy with the object and motive of the Senator from Kansas, and I have hoped that from him, or some other Senator, there would come a proposition that would commend itself to the friends of suitable legislation, but I want to make a suggestion to the Senator in regard to the amendment he has now offered.

We have a continuous line with the British provinces alone of over 4,000 miles. Is it proposed that every time a man who dwells over the border shall come to this country for an hour, or a day, or a week, and then go back—for instance, a person residing in Victoria, in British Columbia, he shall pay $50 for coming in? Of course I assume that that is not proposed; but would it not be well to add to this provision something which would provide for temporary visits from respectable neighbors?

Mr. PEFFER. I suggested in the beginning that h the idea

incorporated in the amendment meets with favor in the Senate we shall have no difficulty in framing it as it ought to be. I am now coming to the point raised by the Senator from Massachusetts and suggested first by the Senator from New Hampshire, that the object of this amendment is to try to do in fact what we have been professing to do in our speeches for a long time. We say we are trying to protect American labor, and yet we are constantly inviting competition upon our own soil with American labor.

We are constantly inviting and constantly receiving a class of immigrants who come here and work, who procure the best wages that they can, no matter whether they are lower than or upon the same level with wages that have been established by American workmen, and whenever difficulty arises between our own citizens and the aliens upon the matter of wages, then comes in the doctrine which was taught by the junior Senator from Colorado [Mr. WOLCOTT], whose seat is in front of me, and I am sorry to know that it is vacant, and particularly by reason of the cause of its vacancy, the Senator being absent on account of ill health.

The Senator from Colorado, in one of his eloquent outbursts, for which he is noted, said that it is time it shall be understood here and elsewhere that every man has the right to work in this country whenever and wherever he pleases if it takes the whole power of the Government to protect him. When it comes to a time that a thousand citizens are marched out of a great establishment, while a thousand aliens are marched into the same establishment who will work at lower wages, are our laws to be so construed as that the alien taking the place of the citizen shall have the protection of our law, while the citizen may be imprisoned if he resists? I am trying to suggest to the Senate and to the country a means by which we can at least begin to avoid that result.

Mr. PLATT. Will the Senator from Kansas allow me to interrupt him?

Mr. PEFFER. Certainly.

Mr. PLATT. I wish to suggest two amendments to the Senator, and I wish to see whether they will not be accepted by him. In line 4 of his amendment I propose to insert the words "to engage in any industrial occupation;" so as to read:

That there shall be levied, collected and paid a duty for each and every passenger not a citizen of the United States who shall come by steam or sail vessel from a foreign port to any port within the United States to engage in any industrial occupation.

And at the end of the amendment the same words, "to engage in any industrial occupation," and add also the words:

The Secretary of the Treasury shall prescribe rules and regulations for the collection of the duties hereby imposed.

Mr. PEFFER. The Senator's idea is exactly right and exactly in accord with mine, as he will see before I conclude, and I have nearly concluded.

A great many of our past troubles, a large measure of our present troubles, and a still larger measure of the future troubles which are coming upon us, and which are close to us, arise by reason of the presence and the working for lower wages of a class of people who are utterly at variance with our institutions and the habits of our people. It is not my object to prevent the coming to this country of any person as a tourist, as a professional person, as a person in search of knowledge, a relic hunter, or a person of that class, nor one who comes here on a business errand, nor one who comes in an official capacity, nor anyone who does not intend to come here to engage in manual-labor pursuits in competition with American labor.

It is the last class of people I am aiming at, and I think it would be better to reach the subject, or at least to begin reaching it in this way, rather than one in which the law would bear a prohibitory feature. I should like if I could to make a distinction between those who come here to remain with us permanently, who are in love with our institutions and who would immediately assimilate with our people, and the other classes who have no such laudable ambition. But it would be well enough to begin by levying a duty of say $50 upon every person who comes into the country expecting to engage in our manual-labor pursuits in competition with American labor.

It will have two or three beneficial effects. In the first place, it will show to our working people that we are at last adopting some practical method to protect America labor in fact as well as in mere theory. A political speaker now takes the platform and talks to his fellow-citizens about protecting American labor, and perhaps within 20 miles there is a conflict between aliens and American citizens about the matter of labor. Our pretended protection of American labor has been a stupendous failure, until to-day we are practically at the mercy of aliens. It is time, Mr. President, that the American citizen shall get on top on American soil. That is the object of this amendment.

Now, I will most cheerfully accept any suggestion of Senators by way of perfecting the framework.

Mr. CHANDLER. Mr. President, I recognize the importance of the subject which the Senator from Kansas has brought to the attention of the Senate, but I am not inclined to deal with the question of immigration in connection with a tariff bill. The reason why I am not willing to deal with the question in connection with a bill imposing duties upon imported merchandise is because the one concerns property alone, and the other concerns men, women, and children; it concerns citizenship.

I think the Senator from Kansas will agree with me, when he comes to consider the subject, that we do not wish to deal with questions concerning citizenship in a bill of this kind. Merchandise, inanimate objects, arouse no sentiments of any kind, but the question who shall be received into this country as an immigrant, who shall be allowed to partake of our citizenship, who shall be allowed to become members of this great family of ours, this Western hemisphere Republic, is a question far above any question that concerns merchandise, or manufactures, or anything that is inanimate. The Senator, upon reflection, will see the distinction. I am as unwilling as is the Senator from Tennessee to deal with the question of immigration in connection with the tariff bill.

In the next place, while I recognize the importance of further laws for the restriction of immigration, I do not believe that the next step in the direction of restriction should be a high head tax. The Senator from Kansas, who, I believe, agrees with me in the main upon the question of immigration, and who served with me for a time upon the Committee on Immigration, and aided that committee in making important investigations, with his keen sensibility, will also agree with me that, while it may be advisable for us to lessen immigration, if there is an immigrant fitted to come here and enter into lawful employment, which is the language of the amendment of the Senator from Connecticut, that if such a person alone, or with his family, is entitled to come here and become a part of our civilization and of our citizenship, he needs the $50 the Senator proposes to exact from him as a tax far more than the Government of the United States needs the $50.

Here, Mr. President, is the fundamental objection that I have found to a large head tax. If you consider it solely in the light of an exclusion, it does no harm in the cases where it keeps the immigrants out, but take the case of immigrants who come here, there will be a large class of worthy, honest, industrious men who come here, either alone, or with their families, to become citizens of the United States. They will not be wealthy as a general rule. We have not undertaken and we shall not undertake to require that immigrants shall bring large sums of money with them. We shall probably continue to welcome the honest poor man with good character who comes here to partake of our civilization and to become a citizen of this Republic. Take the case of an honest man who comes here, I ask the Senator from Kansas if that immigrant coming here with $50 in his pocket does not need the $50 more than the Treasury of the United States needs it?

Mr. HOAR. The Senator from New Hampshire yields to me to make a motion. I move to indefinitely postpone the pending bill.

Mr. HARRIS. The motion is in order. Let the yeas and nays be called.

Mr. CHANDLER. I did not know what motion the Senator from Massachusetts proposed to make.

Mr. HOAR. I hope the Senator from Tennessee will not insist on the yeas and nays, because I may withdraw the motion to save time.

Mr. HARRIS. If the Senator would withdraw the motion he would save time, but as his intent is to kill time let him not withdraw it.

Mr. HOAR. The Senator is mistaken. I want to preserve the right to debate the amendment reasonably and for a few minutes without having it laid on the table. I therefore make the parliamentary motion which gives me that right.

The VICE-PRESIDENT. The question is on the motion of the Senator from Massachusetts.

Mr. HOAR. Now let the Senator from New Hampshire proceed.

Mr. CHANDLER. I did not know what the motion was which the Senator from Massachusetts intended to make. I suppose perhaps he thought that discussion upon the amendment ought not to be cut off by a motion from the Senator from Tennessee to lay the amendment on the table.

Mr. HARRIS. Which motion the Senator from Tennessee will make at the earliest moment he has the power.

Mr. CHANDLER. But, Mr. President, I welcome the advent of the Senator from Tennessee to this side of the Chamber. I had hoped that he came over here to spend quite a while with

us and to assimilate something of the courtesy and generosity in debate which always prevails on this side of the Chamber, and certainly with no one any more than with the Senator from Massachusetts.

Mr. President, I have stated the principal reasons why I am unwilling to act upon this amendment in connection with the pending bill, why I am unwilling to vote for a large head tax upon immigrants. I think the Senator from Kansas had better withdraw his amendment and propose it as a separate bill, for, as I repeat, it is very offensive to me to undertake to deal with questions of citizenship, of immigration, and of human rights in connection with a bill the main and only purpose of which is to deal with duties upon imported merchandise.

The Senator from Nebraska [Mr. ALLEN], whom I do not now see in his seat, has taken occasion during the present debate to frequently ask this side of the Chamber whether we are not willing to protect American labor by excluding immigrants as well as by imposing high duties upon imported merchandise. I hold it to be the duty of this country to take into serious consideration the question of immigration; I believe that we should go on in the direction of limiting immigration into this country; but I call attention to the fact that there are certain natural obstructions to immigration which do not exist in the case of imported goods. Take a bale of woolen cloths made in one of the manufacturing towns of England. That bale of goods has no sensibility; it is a thing inanimate; it is taken as freight and carried to the water's edge; it is put in the hold of a ship; it is brought here at a low rate of freight, and the rates of freight are becoming lower and lower every year with increased facilities for transportation.

Mr. PEFFER. At this point I should like to ask the Senator a question, if it will not interrupt him. If I am not mistaken, the Senator in discussing this subject heretofore has asserted substantially that in his opinion the passenger traffic to which he has just alluded, under the direction of certain steamship lines, has become so important, the business so enlarged, and the powers of the managers of those lines so great as that practically they have the whole subject of immigration under their control and they are masters of the situation. How does the Senator feel upon that point now, and is he influenced by a consideration of that kind? I dread the power of immigration agencies.

Mr. CHANDLER. I am similarly affected. I believe we should pass laws requiring that immigrants shall have better accommodations upon the passenger steamers. I believe that we should restrict immigration by humanitarian legislation; that we should improve the condition of the steerages of our immigrant steamers; and that we should require better accommodations for men, women, and children upon the transatlantic immigrant steamers than are now afforded. The bale of goods requires nothing but so many cubic feet of space. It goes down in the hold; it requires no air to breathe. The expense of bringing merchandise is nothing, but the expense of bringing an immigrant with his family is considerable. The difference in expense between bringing property and persons is of itself a considerable protection against enlarged immigration.

But, Mr. President, there is a more important reason than that why immigration is restricted, and that is that immigrants are obliged to sunder home ties in order to come here. They have attachments abroad. Their surroundings may be poor, they may be humble, but still there is no place like home. Almost no immigrant, almost no immigrant's family, is desirous of coming to this country.

They come here because they believe they can better their condition, and it is with great reluctance that they part from home scenes, from kindred, from friends, from familiar surroundings, and go to a new country in order that they may make a new home there, and attain to a higher prosperity than that which attends them in their native land. Therefore, here is a serious obstruction to immigration. So before we reach the question of new restrictive measures to be applied to immigrants as we impose duties upon foreign manufactures, we shall be able to make allowances for these natural obstructions to immigration.

Notwithstanding all these considerations, I believe this nation ought to devise new and additional measures for restricting immigration. The two administrative acts of March 3, 1891, and March 3, 1893, have done much to lessen immigration. There is a falling off in immigration under the operation of those laws and under the operation of hard times in this country.

That falling off in immigration will, I hope, continue. If it does not continue, then I believe it is the serious duty of the American Congress to take the subject of further restrictions into consideration and to enact further laws limiting immigration and tending to secure the benefits and the prosperity of this country to those who are now its citizens and to exclude that prosperity and those benefits from those who are not now its citizens.

Various amendments have been suggested for the purpose of further restricting immigration. A large head tax, such as has been moved by the Senator from Kansas, has been one of those methods. The requirement of a consular certificate and proof of good character has been another method. An educational qualification has been more discussed than any other. I believe we ought to require immigrants not to read and write the English language, but to be able to read and write their own language. I believe that a certain measure of intelligence may well be demanded of those members of a family coming to this country of suitable age, and they should be required to read and write their own language before they come here.

All these questions will I doubt not come in review before Congress during the next session. I believe the subject of immigration to be a cognate subject to that of the tariff, but I do not believe it to be a part of the tariff question, and therefore I should be unwilling to vote for the amendment proposed by the Senator from Kansas, even if I were in favor of a head tax. If the Senator from Massachusetts had not moved to indefinitely postpone this bill, I should conclude my remarks by moving to lay the amendment of the Senator from Kansas upon the table.

Mr. HOAR. Mr. President, I suppose the Senator from Kansas in introducing this amendment did not mean to be bound by it as a complete and a perfect solution of this question. Indeed, I think he said so, but whether he did or not, I take that for granted.

Mr. PEFFER. I so said.

Mr. HOAR. I suppose he is only laying the keel of the boat or ship, and it will require a great deal to be added to it before it will make a successful voyage into port. I so understood the Senator in substance.

Mr. President, I wish to say that, like the Senator from New Hampshire, I am desirous of having Congress establish some policy which will be effective and vigorous in regard to this most important subject. I do not intend to enter upon the discussion of it now, because I understand it is expected by the members of the Senate that the bill will be ready to be reported from the Committee of the Whole before long, and I do not mean to interfere with that desire. But I do not agree with the Senator from New Hampshire in thinking that the subject is out of place upon a tariff bill. However, I do not think we ought to add to a tariff bill a provision on this subject unless it has been carefully and thoroughly considered. For that reason I do not suppose it is likely we shall add to this particular bill such a provision; but if any committee of the Senate had completed its labors, and was ready with its report, I should be very willing to add it to the pending bill.

I wish to call the attention of the Senator from Kansas to the amendment which I should like to add to his amendment. I am not sure that it will quite meet his views, from what he said. I will read it:

> Unless such immigrant shall present to the collector of the port which he enters the certificate of some consul of the United States of the country of which he is a citizen, to be designated by the President of the United States for the purpose of making such certificate, that he is a person of good moral character, and that he has property enough for the reasonable support of himself and his family, or that he has sufficient skill in some trade or profession to earn in this country a competent livelihood for himself and his family.

That might be an original amendment to the amendment of the Senator from Kansas. It is stated merely to suggest the idea rather than as being perfect in expression. I think also there should be added possibly what the Senator from New Hampshire has suggested, some educational qualification; and further, that there should be added some provision which would secure the right of visitors of all classes, whether from Europe, or who living on the border line come in for a few days.

Now, I should like to give notice of what I have read as an amendment to the amendment of the Senator from Kansas and have it printed. Will the Chair ask the consent of the Senate to have it printed?

The VICE-PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. HOAR. This is all I desire to say.

Mr. PEFFER rose.

Mr. HOAR. It is my purpose, unless the Senator from Kansas desires to go on, to withdraw my motion.

Mr. HARRIS. Mr. President——

Mr. HOAR. I do not, however, withdraw it yet.

Mr. PEFFER. Mr. President——

Mr. HARRIS. The motion of the Senator from Massachusetts being withdrawn——

Mr. HOAR. I have not yet withdrawn it.

Mr. HARRIS. Will the Senator do so at any reasonable time in the future?

Mr. HOAR. It seems to me that some person has got into this Chamber, perhaps, the doors being open, through the carelessness of some official (though I would not impute to the officials carelessness) who does not precisely understand the rules of the Senate or the methods of proceeding. I do not understand that the person from whom that question came has been recognized as having the floor.

Mr. HARRIS. Mr. President, am I entitled to the floor?

The VICE-PRESIDENT. The Senator from Massachusetts had not yielded the floor.

Mr. HARRIS. I thought when the Senator had sat down he had yielded the floor.

Mr. HOAR. I have not now yielded the floor.

Mr. HARRIS. I obtained the floor after the Senator had sat down.

Mr. HOAR. The Senator from Tennessee is disorderly every time he opens his mouth. We have submitted to this past endurance. I desire to ask the Senator from Kansas if he wishes to speak further on the amendment?

Mr. HARRIS. Mr. President——

Mr. PEFFER. I wanted to reply to a single suggestion of the Senator, that was all.

Mr. HOAR. Then I will yield the floor.

The VICE-PRESIDENT. The Senator from Tennessee has been recognized.

Mr. HARRIS. I move to lay on the table the pending amendment, or the pending motion, if the Senator from Massachusetts has not withdrawn his motion.

The VICE-PRESIDENT. The Chair understands the Senator from Massachusetts has withdrawn his motion.

Mr. HOAR. I have not withdrawn the motion.

Mr. HARRIS. I then move——

Mr. HOAR. I said I propose to withdraw it unless the Senator from Kansas desires to be heard.

The VICE-PRESIDENT. The Chair understood the Senator to make that statement.

Mr. HOAR. No, sir.

Mr. CHANDLER. What was the motion of the Senator from Massachusetts?

The VICE-PRESIDENT. The motion of the Senator from Massachusetts was to indefinitely postpone the bill. The Chair understood the Senator to withdraw the motion.

Mr. HOAR. I said that I would withdraw it unless the Senator from Kansas desires to proceed. If he does, I do not withdraw it.

Mr. PEFFER. I did not intend to occupy any further time of the Senate, except to reply to the suggestion of the Senator from Massachusetts. But time is so precious that I shall not avail myself of the opportunity.

The VICE-PRESIDENT. The Chair was unable to hear the Senator from Kansas.

Mr. PEFFER. I said that, while I desired to make a very brief reply to the suggestion of the Senator from Massachusetts, time is so precious that I will not avail myself of the opportunity at this time.

Mr. HOAR. I will then withdraw the motion. Before doing so, the Chair will permit me to say that it is not in order to move to lay on the table a motion to indefinitely postpone the bill, unless it carries the whole bill with it.

Mr. HARRIS. I am not sure but that the Senator from Massachusetts is right. He is sometimes right, but rarely. Am I now entitled to the floor?

The VICE-PRESIDENT. The motion of the Senator from Massachusetts is withdrawn, and the Chair recognizes the Senator from Tennessee.

Mr. HARRIS. I move to lay the Senator from Kansas on the table.

The VICE-PRESIDENT. The Senator from Tennessee moves to lay the amendment proposed by the Senator from Kansas on the table.

Mr. PEFFER. On that I demand the yeas and nays.

Mr. CHANDLER. I move that the Senate do now adjourn.

The VICE-PRESIDENT. The question is on the motion of the Senator from New Hampshire. [Putting the question.] The noes appear to have it.

Mr. CHANDLER. I ask for a division.

The Senate proceeded to divide, and the ayes were 7.

Mr. CHANDLER. If there be no objection, I withdraw the motion.

The VICE-PRESIDENT. Is there objection?

Mr. HARRIS. There is no objection to the withdrawal of the motion.

The VICE-PRESIDENT. The motion is withdrawn. The question recurs on the motion of the Senator from Tennessee to lay on the table the amendment proposed by the Senator from Kansas, upon which the yeas and nays are demanded.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CHANDLER (when his name was called). I ask unanimous consent that the amendment of the Senator from Kansas may be read before the roll call proceeds.

The VICE-PRESIDENT. Is there objection? The Chair hears none, and the amendment proposed by the Senator from Kansas will be read.

Mr. HOAR. I ask unanimous consent that my amendment to the amendment, which has been read, may without reading it again be considered as moved as an amendment. The motion to lay on the table will apply to both. Otherwise I shall have to move it separately, and that will take up twice as much time.

The VICE-PRESIDENT. Is there objection?

Mr. HARRIS. There is not.

The VICE-PRESIDENT. The Chair hears no objection. The amendment of the Senator from Kansas will be stated.

The SECRETARY. Insert after section 103, as an additional section:

SEC. 103½. That there shall be levied, collected, and paid a duty of $50 for each and every passenger not a citizen of the United States who shall come by steam or sail vessel from a foreign port to any port within the United States. The said duty shall be paid to the collector of customs of the port to which such passenger shall come, or if there be no collector at such port, then to the collector of customs nearest thereto, by the master, owner, agent, or consignee of every such vessel, within twenty-four hours after the entry thereof into such port. The money thus collected shall be paid into the United States Treasury. The duty imposed by this section shall be a lien upon the vessels which shall bring such passengers into the United States, and shall be a debt in favor of the United States against the owner or owners of such vessels; and the payment of such duty may be enforced by any legal or equitable remedy. And a like duty shall be levied upon and paid, under rules and regulations prescribed by the Secretary of the Treasury, by every alien immigrant crossing the border line between the United States and contiguous nations.

Mr. MILLS. Regular order!

The VICE-PRESIDENT. The roll call will be proceeded with on the motion of the Senator from Tennessee to lay the amendment of the Senator from Kansas on the table.

The Secretary resumed the calling of the roll.

Mr. HALE (when his name was called). I am paired with the Senator from North Carolina (Mr. RANSOM).

Mr. HANSBROUGH (when his name was called). I am paired with the junior Senator from Illinois [Mr. PALMER].

Mr. MORRILL (when his name was called). I am paired with the Senator from New Jersey (Mr. MCPHERSON), and therefore withhold my vote.

Mr. PALMER (when his name was called). I am paired with the senior Senator from North Dakota [Mr. HANSBROUGH]. If he were present I should vote "yea."

Mr. QUAY (when his name was called). I am paired with the Senator from Alabama [Mr. MORGAN].

The roll call was concluded.

Mr. CAFFERY. I am paired with the Senator from Montana [Mr. POWER].

Mr. HOAR. My colleague [Mr. LODGE] is paired with the Senator from Florida [Mr. CALL]. My colleague is absent to fulfill an important public engagement. I do not know how he would vote on this particular measure, though I know he is in sympathy with the general object of restricting immigration.

Mr. GEORGE (after having voted in the affirmative). The Senator from Oregon [Mr. DOLPH] is absent, and being paired with him I withdraw my vote.

The result was announced—yeas 46, nays 12; as follows:

YEAS—46.

Allison,	Dixon,	Jones, Ark.	Ransom,
Bate,	Faulkner,	Lindsay,	Roach,
Berry,	Frye,	McLaurin,	Sherman,
Blackburn,	Gibson,	McMillan,	Teller,
Blanchard,	Gorman,	Manderson,	Turpie,
Carey,	Gray,	Martin,	Vest,
Chandler,	Harris,	Mills,	Vilas,
Cockrell,	Hawley,	Mitchell, Wis.	Voorhees,
Coke,	Hill,	Morgan,	Walsh,
Cullom,	Hunton,	Murphy,	White.
Daniel,	Irby,	Pasco,	
Davis,	Jarvis,	Pugh,	

NAYS—12.

Gallinger,	Mitchell, Oregon	Perkins,	Proctor,
Higgins,	Patton,	Pettigrew,	Shoup,
Hoar.	Peffer,	Platt,	Squire.

NOT VOTING—33.

Aldrich,	Cameron,	Jones, Nev.	Quay,
Allen,	Dolph,	Kyle,	Smith,
Brice,	Dubois,	Lodge,	Stewart,
Butler,	George,	McPherson,	Washburn,
Caffery,	Gordon,	Morrill,	Wilson,
Call,	Hale,	Palmer,	Wolcott.
Camden,	Hansbrough,	Power,	

So the amendment was laid on the table.

Mr. GALLINGER. I have an amendment to the pending bill, which I desire to have read, and on which I desire very briefly to be heard.

Mr. PLATT. Will the Senator from New Hampshire yield to me for a moment?

Mr. GALLINGER. Certainly.

Mr. PLATT. I voted against laying the amendment of the Senator from Kansas on the table. I was not satisfied with that amendment, and I desire to introduce an amendment which I should be willing to vote for. I shall not take the time of the Senate. I merely ask for a *viva voce* vote upon it. I suppose it will follow the fate of the amendment of the Senator from Kansas.

The VICE-PRESIDENT. The amendment proposed by the Senator from Connecticut will be stated.

The SECRETARY. Add after section 103 the following as an additional section:

SEC. 103½. That there shall be levied, collected, and paid a duty of $25 for each and every passenger not a citizen of the United States who shall come by steam or sail vessel from a foreign port to any port within the United States for the purpose of engaging in any industrial occupation therein. The said duty shall be paid to the collector of customs of the port to which such passenger shall come, or if there be no collector at such port, then to the collector of customs nearest thereto, by the master, owner, agent, or consignee of every such vessel, within twenty-four hours after the entry thereof into such port. The money thus collected shall be paid into the United States Treasury. The duty imposed by this section shall be a lien upon the vessels which shall bring such passengers into the United States, and shall be a debt in favor of the United States against the owner or owners of such vessels; and the payment of such duty may be enforced by any legal or equitable remedy. And a like duty shall be levied upon and paid by every alien immigrant crossing the border line between the United States and contiguous nations for the purpose of engaging in any industrial occupation therein. The Secretary of the Treasury shall prescribe rules and regulations for the purpose of ascertaining what persons shall be liable for the payment of said duty and the collection of the same.

Mr. PLATT. I ask for a vote upon my amendment.

Mr. TELLER. I am in favor of a judicious system of restricting immigration. I am in favor of such laws as shall prevent bad men from coming to this country. I am not in favor of putting a general tax upon everyone who comes to this country; and therefore I intend to vote "nay."

Mr. SHERMAN. I wish to state substantially the same as the Senator from Colorado has stated. I am decidedly in favor of a careful revision of our immigration laws. I am in favor of restrictive provisions to prevent anarchists and all bad men from coming to this country. But I think it is a subject that ought to be treated by itself, not to be connected at all with the tariff bill.

The tariff bill deals with property and only property. An immigration bill deals with a much higher question, something more than property, that which affects the dignity, the interest, and the prosperity of the United States. Whenever a committee of this body shall take up that subject and give it full consideration, I shall go a considerable extent beyond our present laws in restraining immigration, but I will not seek to connect that subject with another measure entirely different.

Mr. CHANDLER. I desire to repeat upon this amendment what I said in reference to the former amendment. I am opposed to a heavy head tax as a means of restricting immigration for the simple reason that, while it works no harm as to the immigrants whom it keeps out, it is a great injustice to the immigrants who come here. If any man who is fit to come here has $50 or $25 he needs that money a great deal more than the Treasury of the United States needs it.

Therefore I am opposed to this method of restricting immigration. I have radical notions upon the subject. I believe that our immigration laws should be revised, and that we should adopt more rigid methods of excluding undesirable immigrants than are now to be found on the statute book. I shall not be behind any Senator or any citizen in advocating suitable measures of restricting undesirable immigration.

Mr. CULLOM. I desire to inquire of the Senator from New Hampshire, who I believe was chairman of the committee on Immigration in the last Congress, and I suppose he is a member of it now, whether that committee has prepared or is going to prepare any revision of the immigration laws, so that we may be able, as the Senator from Ohio has stated, to legislate upon that question in a separate bill, and not undertake to tack on a great tariff measure a provision regulating the question of immigration.

I wish to say one word further while I am upon the floor. It seems to me a very novel proceeding to levy a duty upon passengers coming to this country.

Mr. CHANDLER. I answer the Senator from Illinois by saying that there is now pending before the Committee on Immigration an important measure of additional restriction. The chairman of that committee is the senior Senator from New York [Mr. HILL], who has been very busy during the present session of Congress and has not given that attention which I hope he will be able to give between now and the fourth of next March to the legitimate work of the committee. Whenever that bill is taken up and considered, I have little doubt that a nonpartisan measure can be reported to the Senate which will adequately express the views of Senators and which will operate beneficially in the restriction of the immigration which we do not want to come into this country.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Connecticut [Mr. PLATT].

The amendment was rejected.

Mr. GALLINGER. I now submit my amendment and ask that it be read.

The SECRETARY. Insert after section 104 the following as an additional section:

SEC. 104½. This act shall become operative, so far as it concerns importations from the Dominion of Canada or Newfoundland, only by a proclamation of the President of the United States. The said proclamation shall be issued under the following conditions: When it is duly certified to the President of the United States that the Government of the Dominion of Canada or of Newfoundland has declared a desire to enter into such commercial arrangements with the United States as will result in a material reduction of the duties now existing against the admission into Canada or Newfoundland of the products and manufactures of the United States he shall appoint three commissioners to meet those who may be designated to represent the Government of Canada or Newfoundland to consider the most desirable manner in which to accomplish a larger exchange of the products and manufactures of the two countries.

If the result of the deliberations of the joint commission shall be an agreement and a report, satisfactory to the Secretary of the Treasury, that by a material reduction of the duties, or by the putting upon the free list of the Canadian or Newfoundland tariff a list of manufactures and products of the United States which in his opinion will afford an equal advantage to the United States as the operation of this bill will afford to Canada or Newfoundland, and the Secretary of the Treasury shall so report to the President, the President, on being notified by the Canadian Government or the Government of Newfoundland that these recommendations will be presented to the Parliament of Canada or the Parliament of Newfoundland for enactment, shall then issue his proclamation making this act operative as regards the Dominion of Canada or Newfoundland immediately upon the enactment into law by either of those governments of the recommendations of said joint commission.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from New Hampshire [Mr. GALLINGER].

Mr. GALLINGER. It is proper that I should say concerning the vote taken a moment ago on the amendment submitted by the Senator from Kansas, that I supposed he had accepted the suggestion of the Senator from Connecticut [Mr. PLATT] and that it had become a part of his amendment.

Mr. PEFFER. If the Senator will permit me a moment, I will state that I was expecting the Senator from Connecticut would present the amendment. It was so understood between him and me; but the motion of the Senator from Tennessee came in before we could get the ear of the Chair.

Mr. GALLINGER. I will state that on the matter of immigration I have very pronounced opinions which I have no disposition to hide from any citizen of the Republic. Something has been said about the humanitarian idea in connection with immigration. It has been suggested that this is a proposed tariff law dealing with inanimate things, and that the subject of immigration deals with animate things—men, women, and children. So far as I am concerned I believe in applying the humanitarian idea to our own people.

A bale of goods is unloaded from a European vessel upon which we exact a duty, but the same men under existing law who made that bale of goods can come into our own country without paying anything for the privilege of coming here. A man engaged in that same manufacture can find employment at lower wages than are being given to American mechanics and workmen and can manufacture those goods and put them upon the market in competition with the products of American artisans. Therefore, I am prepared now and at any time to vote any proper qualification or exemption so far as foreign immigrants are concerned with a view of protecting our own people, not only from goods manufactured abroad, but from goods manufactured on our own soil by aliens seeking a shelter under the laws of our Republic.

So far as the amendment I have just submitted is concerned I have but a few words to say. The Canadian question has been very fully discussed during this long and interesting debate. The question of reciprocity has engaged the attention of the Senate to-day, and Senators much better qualified than myself to discuss that great question have occupied the time of the Senate in enlightening us on the subject. But we are dealing with one foreign country in some respects different from all others. The Dominion of Canada stretches along our Northern borders, a country greater in area than our own, a country inhabited by men of energy and enterprise, who are competing with our people in the products of the farm, the workshop, and the mill.

I take it we are about to pass a tariff bill. I have hoped all through this great debate that in some way, by some means, either by a majority vote or otherwise, our country would be saved from the disasters which, in my judgment, will necessarily come upon it by the enactment of the pending bill; but I take it for granted that the bill is to pass, that it is to become the law

of the land, and is to remain on our statute books for many years to come. For that reason I desire to save our people from the disastrous competition which will come to us under this law when enacted from the people of the neighboring Dominion of Canada.

Mr. President, the pending bill does everything for Canada that Canada could have asked. Canada has all the advantages in the pending bill and the Republic of the United States is the sufferer in the legislation. We have placed, for the benefit of Canada, lumber and wool upon the free list. We have greatly reduced, for the benefit of Canada, the tariff rates upon granite, upon wood pulp, upon live stock, upon agricultural products, upon manufactures of cotton and manufactures of wool; and in the bill we have done many other things that are to the advantage of Canada and to the disadvantage of the country for which we are presumably legislating.

I shall not detain the Senate by reading the great variety of expressions I have gathered from Canadian papers during this debate. I will take the time of the Senate only to read an extract which I clipped from one of the great Canadian papers, a paper that reflects the sentiment of that great Dominion, perhaps to a greater extent than any other journal published on Canadian soil. A few weeks ago that great paper said:

> The Wilson bill will give Canada a great boom and kill annexation. If that is not so, and the bill did not benefit Canada, what are we rejoicing over? Would we rejoice if the United States got the benefit? This bill is worth millions to Canada.

And now, Mr. President, believing as I do that that newspaper spoke the exact truth; that this legislation will be worth millions to Canada; that we have discriminated in this bill against our own country so far as Canada is concerned, I simply ask the Senate of the United States to incorporate in the bill a section that will protect our country from the aggressions of Canada in a commercial sense, and that we shall so arrange matters that we will get some degree of reciprocity in dealing with the Dominion of Canada.

This is all I care to say. I might discuss many other points in this connection. I see the Senator from Tennessee rise, doubtless to move to lay my amendment upon the table.

Mr. HARRIS. The Senator is quite right.

Mr. GALLINGER. If the Senator from Tennessee will kindly take his seat, when I get through possibly he may have an opportunity to make the motion. I will say to the Senator from Tennessee that I have no disposition to discuss this matter any further. My judgment is that not another single word will be uttered in favor of the amendment or against it, and that we can come to a direct vote upon it and in that way dispose of it quite as soon as shall be done by a motion to lay it upon the table.

As I said a moment ago, this is all I care to say on the subject. It is a business proposition. I think it is worthy of the consideration of the Senate. I appeal to the Senator from Tennessee that it is one worthy of a vote at least, and I am willing to have it submitted now to a yea-and-nay vote of the Senate and in that way dispose of it.

Mr. HARRIS. If we can come to a vote right now upon the amendment——

Mr. GALLINGER. There is no doubt about it.

Mr. HARRIS. I shall not move to lay it on the table, though I rose for that purpose. I am quite ready to vote on the amendment without the motion.

Mr. HALE. Let the amendment be read. Some of us do not know what it is.

The PRESIDING OFFICER (Mr. MARTIN in the chair). The amendment of the Senator from New Hampshire will be read by the Secretary.

The Secretary again read the amendment.

Mr. GALLINGER. I ask for the yeas and nays on agreeing to the amendment.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. MORRILL (when his name was called). I am paired with the Senator from New Jersey [Mr. MCPHERSON], and therefore withhold my vote.

The roll call was concluded.

Mr. CULLOM. I have a general pair with the Senator from Delaware [Mr. GRAY]. If he were present I should vote "yea."

Mr. PETTIGREW. I am paired with the junior Senator from West Virginia [Mr. CAMDEN]. If he were present I should vote "yea."

Mr. CAFFERY. I announce my pair with the Senator from Montana [Mr. POWER].

Mr. HARRIS (after having voted in the negative). I desire to ask if the senior Senator from Rhode Island [Mr. ALDRICH] has voted?

The PRESIDING OFFICER. The Chair is advised that the senior Senator from Rhode Island has not voted.

Mr. HARRIS. I am paired with that Senator, and therefore I must withdraw my vote.

Mr. CALL. I announce my pair with the Senator from Massachusetts [Mr. LODGE].

Mr. HARRIS. I am informed by the Senator from South Dakota [Mr. KYLE] that the Senator from Nebraska [Mr. ALLEN] would vote "nay" if he were here, and he suggests that I transfer my pair with the Senator from Rhode Island to that Senator. I will do so, and vote "nay."

Mr. MANDERSON. I have a general pair with the senior Senator from Kentucky [Mr. BLACKBURN], and abstain from voting.

The result was announced—yeas 21, nays 39; as follows:

YEAS—21.

Allison,	Frye,	Mitchell, Oregon	Squire,
Carey,	Gallinger,	Patton,	Teller,
Chandler,	Hansbrough,	Perkins,	Washburn.
Davis,	Hawley,	Quay,	
Dixon,	Hoar,	Sherman,	
Dolph,	McMillan,	Shoup,	

NAYS—39.

Bate,	Gorman,	Martin,	Pugh,
Berry,	Harris,	Mills,	Ransom,
Blanchard,	Higgins,	Mitchell, Wis.	Roach,
Brice,	Hunton,	Morgan,	Turpie,
Cockrell,	Irby,	Murphy,	Vest,
Coke,	Jarvis,	Palmer,	Vilas,
Daniel,	Jones, Ark.	Pasco,	Voorhees,
Faulkner,	Kyle,	Peffer,	Walsh,
George,	Lindsay,	Platt,	White.
Gibson,	McLaurin,	Proctor,	

NOT VOTING—25.

Aldrich,	Cameron,	Jones, Nev.	Smith,
Allen,	Cullom,	Lodge,	Stewart,
Blackburn,	Dubois,	McPherson,	Wilson,
Butler,	Gordon,	Manderson,	Wolcott.
Caffery,	Gray,	Morrill,	
Call,	Hale,	Pettigrew,	
Camden,	Hill,	Power,	

So the amendment was rejected.

The PRESIDING OFFICER. The reading of the bill will be proceeded with.

The Secretary read the next section, as follows:

SEC. 105. Acts and parts of acts inconsistent with the provisions of this act are hereby repealed, but the repeal of existing laws or modifications thereof embraced in this act shall not affect any act done, or any right accruing or accrued, or any suit or proceeding had or commenced in any civil cause before the said repeal or modifications; but all rights and liabilities under said laws shall continue and may be enforced in the same manner as if said repeal or modifications had not been made. Any offenses committed and all penalties or forfeitures or liabilities incurred prior to the passage of this act under any statute embraced in or changed, modified, or repealed by this act may be prosecuted or punished in the same manner and with the same effect as if this act had not been passed. All acts of limitation, whether applicable to civil causes and proceedings or to the prosecution of offenses or for the recovery of penalties or forfeitures embraced in or modified, changed, or repealed by this act shall not be affected thereby; and all suits, proceedings, or prosecutions, whether civil or criminal, for causes arising or acts done or committed prior to the passage of this act, may be commenced and prosecuted within the same time and with the same effect as if this act had not been passed: *And provided further*, That nothing in this act shall be construed to repeal the provisions of section 3058 of the Revised Statutes as amended by the act approved February 23, 1887, in respect to the abandonment of merchandise to underwriters or the salvors of property, and the ascertainment of duties thereon.

The Committee on Finance reported to amend the section by inserting before the first word "acts" the word "all;" so as to read:

> All acts and parts of acts inconsistent with the provisions, etc.

The amendment was agreed to.

The VICE-PRESIDENT. The reading of the bill has been concluded. The Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. Q. TOWLES, its Chief Clerk, announced that the House had passed the bill (S. 171) granting to the State of North Dakota certain lands heretofore set apart as a wood reservation for Fort Totten military reservation for the use of the militia of North Dakota, and for other purposes.

The message also announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 38) relating to the pay and retirement of mates in the United States Navy;

A bill (H. R. 353) to enable the people of New Mexico to form a constitution and State government, and to be admitted into the Union on an equal footing with the original States;

A bill (H. R. 6320) to provide for the creation of the office of assistant to the Chief of the Bureau of Supplies and Accounts, Navy Department; and

A bill (H. R. 7506) authorizing the county of Coconino, Territory of Arizona, to issue bonds for the construction of a county building at the county seat thereof.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (S. 1954) to amend section 1371, chapter 1, Title XV, Revised Statutes of the United States, in relation to appointments of assistant paymasters in the Navy;

A bill (S. 2000) granting the Brainerd and Northern Minnesota Railway Company a right of way through the Leech Lake Indian Reservation in the State of Minnesota; and

A bill (S. 2135) to provide that a term of the circuit and district court of the United States for the district of Vermont may be held at Montpelier.

MEMORIAL SERVICE AT ST. MATTHEW'S CHURCH.

The VICE-PRESIDENT laid before the Senate the following communication from the Secretary of State, which was read:

DEPARTMENT OF STATE, *Washington, June 28, 1894.*

SIR: At the instance of the French ambassador, I have the honor to advise you, for the information of the Senate, that a religious service in memory of the late President of the French Republic will be held at St. Matthew's Church, corner Fifteenth and H streets, on Sunday next, the 1st proximo, at 12 o'clock m.

I have the honor to be, sir, your obedient servant,

W. Q. GRESHAM.

To the Hon. A. E. STEVENSON, *United States Senate, Vice-President of the United States.*

Mr. HOAR. I move that the Senate attend the religious service of which notice has just been given.

Mr. GRAY. I second the motion.

The motion was agreed to.

On motion of Mr. HOAR, it was—

Ordered, That the Sergeant-at-Arms of the Senate, under the direction of the Vice-President, be authorized to make all suitable arrangements for the attendance of the Senate upon the religious service, in memory of the late President of the French Republic, to be held at St. Matthew's Church.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on Naval Affairs:

A bill (H. R. 38) relating to the pay and retirement of mates in the United States Navy; and

A bill (H. R. 6320) to provide for the creation of the office of assistant to the Chief of the Bureau of Supplies and Accounts, Navy Department.

The following bills were severally read twice by their titles, and referred to the Committee on Territories:

A bill (H. R. 353) to enable the people of New Mexico to form a constitution and State government, and to be admitted into the Union on an equal footing with the original States; and

A bill (H. R. 7056) authorizing the county of Coconino, Territory of Arizona, to issue bonds for the construction of a county building at the county seat thereof.

THE REVENUE BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4864) to reduce taxation, to provide revenue for the Government, and for other purposes.

Mr. ALLISON. I desire to move in a single amendment to amend several clauses, beginning on page 212. The effect of my amendment is to limit the bonded period, so called, to four years, instead of eight, as the provisions now stand.

On page 212, line 14, I move to strike out "eight" and insert "four;" the same in line 1, page 213; the same in line 22, page 213; on page 216, beginning at line 3, to strike out all to and including the word "gauge" in line 11, and on page 219 to strike out "eight" and insert "four."

I will say to the Senator from Missouri that I have looked over all these sections, and if the amendments which I have suggested are adopted it will leave the provisions intact, except that four years will be substituted for eight years as the length of the bonded period.

The VICE-PRESIDENT. The amendment proposed by the Senator from Iowa will be stated.

The SECRETARY. In line 14, page 212, strike out the word "eight" and insert "four;" in line 1, page 213, strike out "eight" and insert "four;" in line 22, strike out "eight" and insert "four;" on page 216, strike out all that part of the section beginning with line 3, down to and including the word "gauge," in line 11; as follows:

And provided further, That in case such spirits shall remain in warehouse after the same have been regauged, the packages containing the spirits shall, at the time of withdrawal from warehouse and at such other times as the Commissioner of Internal Revenue may direct, be again regauged or inspected; and if found to contain a larger quantity than shown by the first regauge, the tax shall be collected and paid on the quantity contained in each such package as shown by the original gauge.

And on page 219, line 2, strike out the word "eight" and insert "four."

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Iowa.

Mr. ALLISON. On that question, Mr. President, without debate, I ask for the yeas and nays.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Iowa [Mr. ALLISON], on which he asks for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CAFFERY (when his name was called). I am paired with the Senator from Montana [Mr. POWER].

Mr. CULLOM (when his name was called). I have a general pair with the senior Senator from Delaware [Mr. GRAY], but by arrangement that pair has been transferred to the Senator from Rhode Island [Mr. ALDRICH], so that the Senator from Tennessee [Mr. HARRIS], who is paired with the Senator from Rhode Island, and I can vote.

Mr. PERKINS (when his name was called). I am paired with the junior Senator from North Dakota [Mr. ROACH]. In his absence I withhold my vote.

Mr. PETTIGREW (when his name was called). I am paired with the junior Senator from West Virginia [Mr. CAMDEN.] If he were present I should vote "yea."

The roll call was concluded.

Mr. HARRIS (after having voted in the negative). I am paired with the senior Senator from Rhode Island [Mr. ALDRICH]. I do not know how he would vote on this question, and I feel constrained to withdraw my vote in his absence.

Mr. CULLOM. If the Senator will allow me, I have already announced the transfer of my pair with the Senator from Delaware [Mr. GRAY] to the Senator from Rhode Island [Mr. ALDRICH], with whom the Senator from Tennessee is paired. That enables the Senator from Tennessee and me to vote.

Mr. HARRIS. I am quite content, but I agreed to take care of the Senator from Rhode Island. Under the announcement made by the Senator from Illinois [Mr. CULLOM] my vote can stand.

Mr. KYLE. I wish to state that the Senator from Nebraska [Mr. ALLEN] if present would vote "nay."

The result was announced—yeas 23, nays 36; as follows:

YEAS—23.

Allison,	Dolph,	Hawley,	Peffer,
Berry,	Frye,	Higgins,	Platt,
Carey,	Gallinger,	Hoar,	Proctor,
Cullom,	George,	Irby,	Sherman,
Davis,	Hale,	McMillan,	Washburn.
Dixon,	Hansbrough,	Patton,	

NAYS—36.

Bate,	Hunton,	Mitchell, Wis.	Squire,
Blanchard,	Jarvis,	Morgan,	Stewart,
Cockrell,	Jones, Ark.	Murphy,	Teller,
Coke,	Kyle,	Palmer,	Turpie,
Daniel,	Lindsay,	Pasco,	Vest,
Faulkner,	McLaurin,	Pugh,	Vilas,
Gibson,	Martin,	Quay,	Voorhees,
Gorman,	Mills,	Ransom,	Walsh,
Harris,	Mitchell, Oregon	Shoup,	White.

NOT VOTING—26.

Aldrich,	Camden,	Jones, Nev.	Power,
Allen,	Cameron,	Lodge,	Roach
Blackburn,	Chandler,	McPherson,	Smith,
Brice,	Dubois,	Manderson,	Wilson,
Butler,	Gordon,	Morrill,	Wolcott.
Caffery,	Gray,	Perkins,	
Call,	Hill,	Pettigrew.	

So the amendment was rejected.

Mr. PETTIGREW. I offer an amendment on page 40, line 12, after the word "rates," to strike out, beginning with the word "*Provided*," and ending with the word "same," in line 17, and insert what I shall send to the desk.

Mr. JONES of Arkansas. I inquire of the Senator if that was a reserved paragraph? There were certain paragraphs that were reserved when we were going over the bill to be taken up subsequently.

Mr. PETTIGREW. I think this paragraph was not reserved. It relates to the treaty with the Hawaiian Islands, admitting their sugar free of duty.

Mr. JONES of Arkansas. I hope the Senator will not insist on offering the amendment now. It seems to me it would be a violation of the unanimous-consent agreement we had to go back and amend paragraphs that have been passed upon. Of course the Senator can offer the amendment after the bill has been reported to the Senate, but not while we are acting as in Committee of the Whole.

Mr. PETTIGREW. Very well. If that is the agreement, I certainly do not insist upon offering the amendment at this time, but I shall offer it when the bill comes into the Senate.

Mr. JONES of Arkansas. That will be entirely regular.

Mr. HOAR. I do not wish to interfere with this question, but I think it is quite as regular to offer the amendment now as after the bill is reported to the Senate. I did not understand the agreement to extend so far as the Senator from Arkansas understands. However, it is not a practical question now.

Mr. JONES of Arkansas. We do not want anything except what is regular, and it has been understood—at least my understanding was—that there was an agreement that the bill should be read through, except where certain paragraphs were passed over as reserved whilst the bill was being read and acted upon, and as the various paragraphs and sections were read they were disposed of so far as the Committee of the Whole was concerned, but of course they will be open to amendment in the Senate.

Mr. HOAR. My recollection is that I put the question that if any Senator should have forgotton an amendment that he desired to move, or if an amendment should be suggested to him, would he be permitted to offer it, and the answer was "of course."

Mr. JONES of Arkansas. I am perfectly willing where a Senator has omitted something that unanimous consent be given to going back and permitting him to offer an amendment, but I object to going back to paragraphs which were not reserved and submitting amendments to them whilst the bill is still in Committee of the Whole.

Mr. PETTIGREW. I understand the amendment intended to be proposed by me will be entirely in order when the bill is reported to the Senate?

Mr. JONES of Arkansas. Certainly.

Mr. PETTIGREW. Then I shall not offer the amendment now, but shall ask to have it printed.

The VICE-PRESIDENT. The order to print will be made, in the absence of objection.

Mr. PETTIGREW. I now offer the amendment which I send to the desk, to be added as additional sections.

The VICE-PRESIDENT. The amendment proposed by the Senator from South Dakota will be stated.

The SECRETARY. It is proposed to add the following as additional sections to the bill:

SEC. —. That a commission is hereby created and established, to be known as the customs commission, to be composed of five disinterested persons to be appointed by the President, by and with the advice and consent of the Senate. The commissioners appointed under this act shall continue in office six years, respectively, from the date of their respective appointments and until their successors, respectively, are appointed and qualified by the President for terms of six years, except that any person chosen to fill a vacancy shall be appointed only for the unexpired term of the commissioner whom he shall succeed. Any commissioner may be removed by the President for inefficiency, neglect of duty, or malfeasance in office. No more than three of the commissioners shall be appointed from the same political party. No vacancy in the commission shall impair the right of the remaining commissioners to exercise all the powers of the commission. The salary of such commissioners shall be at the rate of $7,000 per annum. They shall be entitled, in addition, to compensation for actual traveling and other necessary expenses in the discharge of their duties. They shall choose one of their own number to be president of the commission. They shall have power to employ a clerk, a stenographer, and a messenger, and, with the approval of the Secretary of the Treasury, such other clerical assistants as shall be necessary to the performance of their duties, and at such rates of compensation as they may establish, with the approval of the Secretary of the Treasury. Their salaries, expenses, and the compensation of the clerk, stenographer, messenger, and such additional clerical force as may thus be employed shall be paid out of any money in the Treasury not otherwise appropriated, upon the auditing of the same, according to the usual course in the Treasury Department.

SEC. —. That the commission shall establish its permanent office at the city of Washington, where it shall be at all times in the usual course of business, ready to hear or receive oral or written testimony upon all the specific subjects mentioned in this act, and generally upon everything relating directly or indirectly to customs duties and revenue.

SEC. —. That it shall be the duty of the said commission to examine into and ascertain the average price of commodities imported into the United States, both at wholesale and retail in the United States, and both in the United States and in the foreign places of production, sale, or shipment, for the period of twelve months preceding and twelve months following any change in the rate of customs duties imposed upon such commodities, and this inquiry shall be carried back for a period of twenty-five years, and more, if deemed advisable by such commission, and shall extend to all facts relating to demand and supply, domestic and foreign, which tend to influence prices of such commodities, foreign and domestic, and to aid in determining the true effect of the import duty, or of the change therein in the several cases upon domestic and foreign prices, and upon productions of the same or of other commodities, upon revenue, upon immigration, upon profits of capital, rates of wages, and the general welfare.

Second. To ascertain the amounts in quantity and value of the importation of the principal commodities during each of said periods of twelve months preceding and succeeding any such change in customs duties.

Third. To ascertain, as far as practicable, the quantity and value of the same or similar commodities produced in the United States during the same respective periods.

Fourth. To ascertain whether in any and what instances the particular rates of customs duties have operated to increase or diminish production in the United States, and to cause a reduction of the first cost of articles produced for consumption, and what other causes, if any, have operated similarly.

Fifth. To ascertain in what particular rates of customs duties existing from time to time operate injuriously or favorably to the development and increase of American manufactures and productions, or operate injuriously or favorably to the consumers of such manufactured articles and productions in respect of causing or contributing to the payment of unreasonable prices by consumers, or the removal or reduction of the same.

Sixth. To ascertain the effect of the customs duties upon the price of agricultural productions of the country and their sale in United States markets and their consumption in the United States.

Seventh. To ascertain the effect of such customs duties, both actual and relative, in respect of the employment and the payment of remunerative wages, both actual and relative, to labor in the United States, and a comparison of the same with the labor and wages in other countries.

Eighth. To consider the effect of customs duties, or the absence of them, upon the agricultural, commercial, manufacturing, mining, and other industrial interests of the people of the United States.

Ninth. To ascertain and compare the actual cost and the selling price, both at wholesale and retail, of similar manufactured commodities reduced to American weights, measures, and money in the United States and elsewhere.

Tenth. To ascertain the growth and development of the principal manufacturing industries affected by the tariff schedules in England, France, Germany, Belgium, and the United States for the last twenty-five years; and to ascertain the relative cost of transportation in those countries and the United States.

Eleventh. To ascertain the trade relations of the United States with other nations and ascertain the countries where advantageous treaties can be made to advance the commercial interests of the people of the United States.

SEC. —. That for the purpose of such inquiries and investigations the commission may visit any part of the United States, and by public notice or otherwise invite testimony and information from all persons interested. They may from time to time also delegate one of their number to visit foreign countries to make investigation respecting the labor and industries of those countries whenever such investigation may be necessary to promote the objects of the commission, and they may require information concerning the labor and industries of foreign countries from consular or other agents of the United States in those countries, and such agents shall furnish the information so required promptly and without charge.

SEC. —. That the commission shall report its proceedings in respect of the matters hereinbefore in this act mentioned, together with the statistics and evidence upon which its report is based, together with recommendations for changes in customs dues which they may deem advisable and necessary, and the ground upon which its conclusions concerning such changes have been reached, to Congress, in the month of December in each year, and at all times furnish such information as may be required to the Department of State. It shall cause the testimony and statistics taken and obtained in respect of the matters in this act mentioned to be printed from time to time and distributed to members of Congress by the Public Printer, and also shall cause to be printed for the use of Congress 2,000 copies of its annual report, together with statistics and testimony hereinbefore mentioned. It is hereby made the duty of the Public Printer to execute the printing provided for in this act.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from South Dakota.

Mr. SHERMAN. If that amendment is to be pressed now, I desire to offer one or two very important amendments to it.

I am in favor of the appointment of a permanent commission on the tariff. I presume this amendment has been prepared for some time, but I have not seen it. The number of persons to be appointed on the commission is totally inadequate.

No five men in the United States or in the world could be trusted to take charge of a great question of this kind, which requires a variety of knowledge upon almost every article which enters into the consumption of human life. Therefore, not less that fifteen ought to compose the commission.

The Oliver commission, as it was called, which I believe reported to Congress the best tariff law that I know of, at least for many years, was composed of thirteen members, of which Mr. Oliver, of Pittsburg, was chairman.

Unless such a commission should be composed of a considerable number, it would be impossible to secure upon it representatives from every section of the country who are familiar with all the industries in their localities, as well as familiar with the general industries of the country.

If this amendment is seriously to be pressed at this time, I shall move to insert "fifteen" instead of "five," for a commission composed of but five members would be totally inadequate to deal with this great question. Five would be about the most dangerous number that could be selected, because then one man might control the commission.

There should also be a provision that not more than a certain number of members of the commission should be of the same political party. It should be entirely and purely national in the broad sense, and it should be nonpartisan.

Mr. HALE. Will the Senator let me make a suggestion in view of what he was saying? The Senator from South Dakota offers this amendment, which is a very important one. We have had no time to examine it. Will it not serve the Senator's purpose of offering the amendment just as well to let it go over, so that it can be presented in the Senate; and in the mean time we can examine it and see what amendments, if any, ought to be offered to it?

Mr. PETTIGREW. I do not know that I have any objection to its going over and being offered in the Senate. I will say, however, that it is almost the same as the amendment adopted by the Senate to the McKinley law in 1890. There are some changes from that act, but they are very slight.

Mr. HALE. Its going over will give us an opportunity of examining it and seeing what amendments are needed.

Mr. CHANDLER. I should like to ask the Senator from South Dakota whether the proposed commission is given any power except to report?

Mr. PETTIGREW. That is all; to investigate and report. It is to have no power of legislation.

Mr. CHANDLER. I ask the Senator also how far this plan of a tariff commission differs from that proposed by the Senator from Illinois [Mr. CULLOM], who I see in his seat. Is it the same or different? If it differs, how does it differ from the proposition of that Senator?

Mr. PETTIGREW. Perhaps the Senator from Illinois can inform the Senator from New Hampshire.

Mr. CULLOM. If the Senator will permit me——

Mr. PETTIGREW. Certainly.

Mr. CULLOM. I have a proposed amendment to the pending bill, which I now hold in my hand. On conference with the Senator from Tennessee [Mr. HARRIS], in charge of the bill so far as its management on the floor is concerned, he expressed a preference that I should offer the amendment in the Senate. Some days ago it occurred to me that perhaps it would be in the interest of economy of time that I should adopt that course, and I determined to do so.

Mr. HARRIS. I suggest to the Senator, in view of the amendment already offered, that he offer it now.

Mr. CULLOM. I was going to say the difference, as I remember it, in the amendment offered by the Senator from South Dakota and the one which I propose is that the amendment proposed by him is a general amendment providing for a general investigation without requiring the commission to confine itself to any specific line of investigation and report.

The amendment which I propose is that the commission, if it shall be provided for and appointed, shall investigate and report to Congress the exact difference in the cost of wages in this and in foreign countries, and report a bill for the consideration of Congress, the measure of duties being based upon the difference in wages in the United States and wages in foreign countries.

My idea has been that the great struggle in this country is to protect the American laborer. In protecting the American laborer we shall be doing substantial justice to the American producer or manufacturer, as the case may be. I have therefore tried to confine the investigation of such a commission to that work, so that when they report we shall know to a certainty the exact difference between the wages in this country and in foreign countries, and if we make rates of duty equivalent to the difference in wages we are sure to protect American laborers.

It has seemed to me that if we confined the investigation in that way we should have something before us which would make it certain in our minds what we were doing when we put a duty of 20 per cent, of 30 per cent, or of 75 per cent on any given article.

That is the character of my amendment. I am willing to offer it now, so that it may be printed, with the understandin that it go over and be considered during the consideration of the bill in the Senate.

The VICE-PRESIDENT. The amendment proposed by the Senator from Illinois will be printed.

Mr. JONES of Arkansas. And it goes over, I understand?

Mr. CULLOM. It goes over to be considered in the Senate.

Mr. JONES of Arkansas. I now ask the Senate to consider certain paragraphs which were passed over in reading the bill. Before doing that, I ask unanimous consent to dispose of a number of immaterial amendments which the committee propose, most of which are corrections. To that I presume there will be no objection. If there be no objection, I have prepared and shall offer these before the others are taken up.

Mr. PLATT. That is all right.

The VICE-PRESIDENT. The Chair inquires of the Senator from South Dakota as to what action he desires taken upon his amendment?

Mr. PETTIGREW. I ask that it be printed and go over.

The VICE-PRESIDENT. Without objection, it will be so ordered.

Mr. JONES of Arkansas. In paragraph 19, page 4, line 14, I move the amendment which I send to the desk.

The VICE-PRESIDENT. The amendment proposed by the Senator from Arkansas will be stated.

The SECRETARY. In paragraph 19, line 14, it is proposed to restore the word "prepared," and after "prepared" to insert the words "fish-bladders, or;" so as to read:

19. Gelatine, glue, isinglass, or fish glue, and prepared fish bladders or fish sounds, 25 per cent ad valorem.

Mr. CHANDLER. Has the Senator from Arkansas made all the explanation he intends to make?

Mr. JONES of Arkansas. I have.

Mr. CHANDLER. Mr. President, it seems to me that the committee ought to proceed with great circumspection in the closing paragraphs of this bill. It is probable that within two or three days this bill will be reported to the Senate and voted upon in the Senate, and I have noticed that there is always great danger of little things which slip in at the close of a great measure of this kind and pass unobserved. Like "chops and tomato sauce;" there is always some danger that something will lurk under an apparently harmless amendment; and I am afraid that possibly these fish bladders or fish sounds may contain something which ought not to be hastily adopted.

I do not wish to be captious; but it seems to me that the Senator from Arkansas, when he moves these amendments which come from the committee and which carry with them the weight which all committee amendments carry, should accompany each by a brief explanation of the reason why this measure, supposed to be reasonably perfect and which has occupied so much time of the Senate, ought to be adopted. If that statement can be made, of course I shall interpose no objection to any amendment; but I do not think that Senators on this side of the Chamber ought to accept these amendments without some explanation concerning them.

Mr. MANDERSON. Mr. President, I understand that there are several committee amendments which it is designed to present while the bill is in Committee of the Whole. Of course, it is well understood that the bill will be subject to amendment when it shall come into the Senate. We have been here day after day and week after week until we have run into months; and for some time past the sessions have been running from 10 o'clock in the morning until 6 or 7 o'clock at night, and in a heat which is phenomenal and exceedingly oppressive.

I suggest to those in charge of the bill—and I think all on this side of the Chamber will agree to it—that the amendments proposed by the committee shall be acted upon without debate in Committee of the Whole; that any amendments designed to be proposed to the bill, other than those which are in the hands of the committee in charge of the bill, shall make their appearance when the bill comes to the Senate, and that at the close of action upon the committee amendments the bill shall be reported to the Senate.

It then would be an absolute necessity for the intelligent consideration of the bill that it should be printed, and that time shall be afforded to Senators to consider the bill as it has been amended as in Committee of the Whole. It is true it might be printed in a few hours; but a very few hours will not suffice, after the printed copy comes into the hands of Senators, for them to see the changes which have been made and take whatever action they may desire to take in the Senate.

I ask unanimous consent that after these amendments of the committee shall be adopted, the bill shall, before the adjournment this evening, be reported to the Senate, and that the Senate shall then adjourn until Monday next at 10 o'clock. That will give that temporary relief from these constant sessions which has become to many members of this body an absolute necessity, and it will give that opportunity to examine the bill which I suggest. I ask that that may be done.

Mr. JONES of Arkansas. The purpose I had in view in asking unanimous consent that these amendments should be acted upon and the bill reported to the Senate was that they might be printed, so that Senators may see what is proposed. The amendments which I propose to offer are not material. I have submitted them to Senators on the other side of the Chamber who are members of the Committee on Finance, and I think they meet the approval of everybody. There can be no controversy about them. Nevertheless I am anxious that they shall be printed with the bill, so that they may be seen, and if there is any objection to them, whatever action the Senate chooses to take in the Senate can be taken without difficulty. I think there will be no difficulty in following out the line suggested by the Senator from Nebraska.

Mr. HOAR. I represent, I suppose, one of the largest fishing communities, and I do not know what the effect of the amendment substituting for "fish sounds" the words "prepared fish sounds."

Mr. PLATT. That is not what it does. The Senator from Massachusetts misunderstands the amendment. It is to restore in paragraph 19 the word "prepared," which has been stricken out, and after the word "prepared" to add "fish bladders or;" so as to read "fish bladders or fish sounds."

Mr. HOAR. I understand that, but I did not know how the restoration of the word "prepared" will operate. Does my friend from Connecticut?

Mr. JONES of Arkansas. The word "prepared" was restored to the paragraph, if the Senator will permit me, so that it reads now:

Prepared fish bladders or fish sounds.

And in the free list in paragraph 403 he will find:

Bladders, and all integuments of animals, crude, salted for preservation, and unmanufactured, not specially provided for in this act.

So the prepared articles go on the taxed list and the raw materials on the free list.

Mr. HOAR. I suppose I could not find anybody here, unless it be the junior Senator from Maine [Mr. FRYE], who knows almost everything, who understood that particular thing. Therefore I am glad to understand it is all right.

The VICE-PRESIDENT. The Chair will submit to the Senate the request of the Senator from Nebraska [Mr. MANDERSON].

Mr. JONES of Arkansas. I suggest that we finish the amendments before there is any agreement made as to what we shall do on that question. I do not understand the Senator from Nebraska to submit his request now.

Mr. MANDERSON. I think the Senator from Arkansas and I perfectly understand each other. Let consideration of the amendments proceed. I think it is pretty well understood we can arrange for an adjournment until Monday after they are adopted.

The VICE-PRESIDENT. The Chair understood that the Senator from Nebraska desired that the request should be submitted to the Senate.

Mr. JONES of Arkansas. Was the amendment suggested just now adopted?

The VICE-PRESIDENT. The question is on the amendment.

The amendment was agreed to.

Mr. JONES of Arkansas. In paragraph 47, on page 8, after the word "zinc" I move to strike out the words "paint or pigment," and before the word "zinc," to insert the words "paint or pigment containing;" so as to read:

Zinc, oxide of, and white paint or pigment, etc.

The amendment was agreed to.

Mr. JONES of Arkansas. I move as a new paragraph what I send to the desk.

The VICE-PRESIDENT. The amendment proposed by the Senator from Arkansas will be stated.

The SECRETARY. It is proposed to insert as a new paragraph the following:

59½. Paris green and London purple, 12½ per cent ad valorem.

The amendment was agreed to.

Mr. JONES of Arkansas. In paragraph 97, after the word "unsilvered," I move to strike out "lookingglass plates;" and after the word "when," in line 24, to insert the word "bent."

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In paragraph 97, after the word "unsilvered," it is proposed to strike out "lookingglass plates," and in line 24, after the word "when," to insert the word "bent;" so as to read:

97. Cast polished plate glass, silvered or unsilvered, and cylinder, crown, or common window glass, when bent, ground, obscured, frosted, etc.

The amendment was agreed to.

Mr. JONES of Arkansas. I move to strike out the proviso at the end of paragraph 102.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In paragraph 102, after the words "ad valorem," in line 22, it is proposed to strike out:

Provided, That bent glass shall pay the same rates of duty as the like glass when flat.

The amendment was agreed to.

Mr. JONES of Arkansas. In paragraph 123, line 24, a comma should be inserted after the word "rods."

The VICE-PRESIDENT. In the absence of objection, that correction will be made.

Mr. JONES of Arkansas. In paragraph 134, line 1, the words "and irons" should be "andirons."

The VICE-PRESIDENT. That verbal change will be made, in the absence of objection.

Mr. JONES of Arkansas. In the subhead before paragraph 162 I move to strike out the words "manufactures of," so as to read as it did when the bill came from the House of Representatives.

Mr. PLATT. Was that amended?

Mr. JONES of Arkansas. It was amended, and the effect of this amendment is to increase the rate in this paragraph, for the reason that the raw materials out of which these manufactures are made are taxable at 25 per cent, and this allows them to go into the basket clause at 35 per cent. There should be a difference between the raw material and the manufactured article.

Mr. FRYE and Mr. PLATT. That is right.

The amendment was agreed to.

Mr. PLATT. Then paragraph 162 will begin: "Bullions and metal thread of gold," etc.

Mr. JONES of Arkansas. Yes. I move to amend paragraph 174 so as to make it read:

174. Zinc in blocks or pigs, 1 cent per pound.

Mr. HOAR. I inquire of the Senator from Arkansas how much 1 cent a pound specific would be ad valorem?

Mr. FRYE. It is seven-eighths of 1 cent, and the committee have increased it to 1 cent.

Mr. JONES of Arkansas. It is an increase of one-eighth of a cent in the rate adopted by the Senate over that in the bill as it came from the House.

Mr. HOAR. But how much ad valorem duty would that be?

Mr. JONES of Arkansas. I can not state, but I suppose somewhere in the neighborhood of 20 per cent.

Mr. ALLISON. About that.

The amendment was agreed to.

Mr. JONES of Arkansas. I move to amend paragraph 175, so as to read:

Zinc in sheets, not polished nor further advanced than rolled, 1¼ cents per pound.

The amendment was agreed to.

Mr. JONES of Arkansas. In paragraph 176, I move to strike out the rate now in the bill and insert "three-fourths of 1 cent per pound."

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In paragraph 176, line 16, it is proposed to strike out "five-eighths" and insert "three-fourths;" so as to read:

Zinc, old and worn out, fit only to be remanufactured, three-fourths of 1 cent per pound.

Mr. ALLISON. I ask the Senator what he does with the polished?

Mr. JONES of Arkansas. It goes in the basket clause at 35 per cent.

Mr. ALLISON. Very well.

The amendment was agreed to.

Mr. JONES of Arkansas. I offer to paragraph 218 the amendment which I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In paragraph 218, line 2, after the word "sirup," it is proposed to insert "or," and in the same line, after the word "molassess," to strike out "or spirits;" and in line 3, after the word "act," to insert "prepared or dessicated cocoanut or copra;" so as to read:

Comfits, sweetmeats, and fruits preserved in sugar, sirup, or molasses, not specially provided for in this act, prepared or dessicated cocoanut or copra, and jellies of all kinds, etc.

The amendment was agreed to.

Mr. JONES of Arkansas. I offer an amendment to paragraph 224 which I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In paragraph 224, line 24, after the word "kinds," it is proposed to insert "including cocoanuts;" so as to read:

Nuts of all kinds, including cocoanuts, etc.

The amendment was agreed to.

Mr. JONES of Arkansas. I offer to paragraph 234 the amendment which I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In paragraph 234, line 23, after the word "ground," it is proposed to strike out "or;" in the same line, after the word "preserved," to insert "or prepared;" and in line 25 to strike out "10 cents per pound" and insert "25 per cent ad valorem;" so as to make the paragraph read:

234. Mustard, ground, preserved, or prepared in bottles or otherwise, 25 per cent ad valorem.

The amendment was agreed to.

Mr. JONES of Arkansas. I move to insert as paragraph 273½ what I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to insert as a new paragraph:

273½. Linen hydraulic hose, made in whole or in part of flax and hemp or jute, 40 per cent ad valorem.

The amendment was agreed to.

Mr. JONES of Arkansas. I move to insert as paragraph 275½ what I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to insert the following as a new paragraph:

275½. Tapes, composed of flax, woven with or without metal thread on reels or spools, designed expressly for use in the manufacture of measuring tape, 25 per cent ad valorem.

The amendment was agreed to.

Mr. CHANDLER. I ask the Senator whether he proposes to make any amendment increasing the rate in paragraph 275, on collars and cuffs? [Laughter.]

Mr. JONES of Arkansas. I shall not offer any amendment to that paragraph this afternoon.

In paragraph 282, line 25, I move to strike out the words "and felts for paper-makers' use."

The amendment was agreed to.

Mr. JONES of Arkansas. In paragraph 286, line 20, after the word "laces," I move to strike out the word "and," and after the word "nets" to insert "netting and veilings."

Mr. ALLISON. With a comma inserted after the word "laces."

Mr. JONES of Arkansas. Yes; with a comma after "laces."

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In line 20, after the word "laces," it is proposed to strike out the word "and" and insert a comma, and after the word "nets" to insert "nettings and veilings."

The amendment was agreed to.

Mr. FRYE. Does not the Senator propose to amend paragraph 284 in relation to ready-made clothing by striking out "plushes and other pile fabrics?"

Mr. JONES of Arkansas. I have an amendment to paragraph 284, but I do not intend to ask the Senate to consider it this afternoon. I intend to offer that in the Senate. I merely ask now to consider amendments to which there can be no objection.

Mr. FRYE. Very well.

Mr. JONES of Arkansas. In paragraph 301, line 17, before the words "and veilings," I move to strike out the word "veils" and insert "nettings;" so as to read "nettings and veilings."

The amendment was agreed to.

Mr. PLATT. Paragraph 298 was passed over. Does the Senator wish to go to that now, or does he wish to reserve it until the bill is reported to the Senate?

Mr. JONES of Arkansas. I do not propose to take that up just now.

I offer the amendment to paragraph 311 which I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In paragraph 311, line 25, after the word "maps," it is proposed to insert "music;" so as to read:

Maps, music, charts, and all printed matter, not specially provided for, etc.

Mr. ALLISON. And insert a comma after the word "music."

Mr. JONES of Arkansas. Yes; let that be included.

The amendment was agreed to.

Mr. HOAR. I ask if the word "music" is necessary there, whether there should not be a corresponding change in the free list, in paragraphs 410, 412, 413?

Mr. JONES of Arkansas. I do not see any conflict between the different sections.

Mr. HOAR. The question which I put to the Senator is, if a special duty is put on music in the paragraph which has just been amended, whether the provision for importing free of duty certain articles and books for public libraries should not also apply to music. There are a great many persons collecting musical libraries now in this country, and it seems to me the same rate, whatever it may be, which is applied to books, engravings, and other prints should be applied to music.

Mr. JONES of Arkansas. Paragraph 385 provides that all "articles imported by the United States" shall be admitted free.

Mr. HOAR. But that applies only to the United States. I am speaking of public libraries; and old music should be admitted the same as compositions twenty years old.

Mr. VEST. That is, by authority of the United States.

Mr. HOAR. That is another point altogether. Let me repeat my statement. The same reasons which require you to exempt public libraries and old compositions in the matter of books is applicable to musical compositions, and you should make a corresponding exception in the free list to that which you make in regard to books. That is my point.

Mr. JONES of Arkansas. I imagine that old music would not be an article to be dealt in much, and that it would amount to very little.

Mr. HOAR. It is a very important matter to musical libraries, which are growing up all over the country.

Mr. JONES of Arkansas. I will say to the Senator from Massachusetts that I shall look into it, and if I find the point he makes is good. I shall not object to his amendment when the bill is reported to the Senate.

Mr. HOAR. I think in paragraph 410, on page 94, after the word "etchings," the word "music" should be inserted; and also in paragraph 413. It should be inserted in both those paragraphs.

Mr. JONES of Arkansas. I have no objection to the word being inserted now. Where would the Senator suggest that it be inserted?

Mr. HOAR. In line 25, paragraph 410, after the word "etchings," I move to insert the word "music," to be followed by a comma.

The amendment was agreed to.

Mr. HOAR. In paragraph 413, line 13, after the word "maps," I move to insert "music," to be followed by a comma.

The amendment was agreed to.

Mr. JONES of Arkansas. In paragraph 333, after the word "cloth," in line 16, I move to strike out "30 per cent ad valorem" and insert "6 cents per square yard."

Mr. HOAR. I should like to inquire of the Senator from Arkansas how much is the ad valorem equivalent of that duty according to his best information?

Mr. JONES of Arkansas. The present rate on this article is 8 cents per square yard, and this is a reduction to 6 cents.

Mr. PLATT. Have not paragraphs 333 and 334 been consolidated in some way? Were they not passed over?

Mr. JONES of Arkansas. The Senator from Rhode Island [Mr. ALDRICH] asked that they be passed over, and he knows of the amendment I now offer.

Mr. HOAR. I shall not press the question now, but may at some other time.

The VICE-PRESIDENT. The amendment proposed by the Senator from Arkansas will be stated.

The SECRETARY. In paragraph 333, line 16, after the word "cloth," it is proposed to strike out "30 per cent ad valorem" and insert "6 cents per square yard;" so as to read:

333. Haircloth, known as "crinoline cloth," 6 cents per square yard.

The amendment was agreed to.

Mr. JONES of Arkansas. In paragraph 334 I move the amendment which I send to the desk.

The VICE-PRESIDENT. The amendment proposed by the Senator from Arkansas will be stated.

The SECRETARY. In paragraph 334, line 18, after the words "hair seating," it is proposed to strike out "25 per cent ad valorem" and insert "20 cents per square yard."

The amendment was agreed to.

Mr. PLATT. Does the word "and" remain connecting paragraphs 333 and 334? The word "and" was inserted there.

Mr. JONES of Arkansas. Let the paragraphs be consolidated, then.

Mr. PLATT. No; I do not ask that.

Mr. JONES of Arkansas. Then I move to strike out the word "and" connecting the paragraphs.

The amendment was agreed to.

Mr. JONES of Arkansas. In paragraph 403, line 12, I move the amendment which I send to the desk.

The VICE-PRESIDENT. The amendment proposed by the Senator from Arkansas will be stated.

The SECRETARY. In paragraph 403, line 12, after the word "animals," it is proposed to insert "and fish sounds or bladders."

The amendment was agreed to.

Mr. JONES of Arkansas. In paragraph 413, line 19, I move the amendment which I send to the desk.

The VICE-PRESIDENT. The amendment proposed by the Senator from Arkansas will be stated.

The SECRETARY. In paragraph 413, line 19, after the word "States," it is proposed to insert "or any State or public library."

The amendment was agreed to.

Mr. JONES of Arkansas. In paragraph 611, line 6, I move to strike out the word "bulbous" and insert "roots;" so as to read, "bulbs and roots."

The amendment was agreed to.

Mr. JONES of Arkansas. I move to strike out paragraph 637, on page 114.

The VICE-PRESIDENT. The amendment proposed by the Senator from Arkansas will be stated.

The SECRETARY. It is proposed to strike out paragraph 637, as follows:

637. Straw.

The amendment was agreed to.

Mr. JONES of Arkansas. In paragraph 667, I move the amendment which I send to the desk.

The VICE-PRESIDENT. The amendment proposed by the Senator from Arkansas will be stated.

The SECRETARY. At the end of paragraph 667, line 16, it is proposed to add "and not edible;" so as to read:

667. Wafers, unmedicated, and not edible.

The amendment was agreed to.

Mr. JONES of Arkansas. On page 125, line 2, I move the amendment which I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. After the word "Treasury," in line 2, on page 125, it is proposed to insert:

Provided further, That the manufacture of distilled spirits from grain, starch, molasses, or sugar, including all dilutions or mixtures of them, or either of them, shall not be permitted in such manufacturing warehouses.

Mr. JONES of Arkansas. The intention of that is to exclude the manufacturing of liquors from bonded warehouses.

Mr. HALE. All kinds of liquors?

Mr. JONES of Arkansas. Yes.

Mr. ALLISON. That is right.

The amendment was agreed to.

Mr. JONES of Arkansas. In section 9, line 23, on page 124, after the word "class," I move to strike out "two" and insert "six;" so as to read:

Manufactured in bonded warehouses similar to those known and designated in Treasury regulations as bonded warehouses, class 6.

The amendment was agreed to.

Mr. JONES of Arkansas. Of the paragraphs passed over, the first, I believe, was paragraph 84.

The VICE-PRESIDENT. The paragraph will be read.

The Secretary read as follows:

84. China, porcelain, parian, bisque, earthen, stone, and crockery ware, including plaques, ornaments, toys, charms, vases, and statuettes, plain white, and not decorated in any manner, 35 per cent ad valorem.

Mr. JONES of Arkansas. In line 3 of the paragraph, before the word "white," I move to strike out "plain."

The amendment was agreed to.

Mr. JONES of Arkansas. In line 4, I move to strike out the words "and not decorated in any manner" and insert "not changed in condition by superadded ornamentation or decoration."

Mr. HALE. Does that change the meaning of the phrase?

Mr. JONES of Arkansas. The change was suggested by the Treasury Department. I think there was some difficulty of administration found by the words in the text of the bill.

Mr. HALE. To the ordinary comprehension it would seem to be the same.

Mr. JONES of Arkansas. It seems so to me.

Mr. HALE. I do not object.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Arkansas.

The amendment was agreed to.

Mr. JONES of Arkansas. In line 4, before the words "per cent," I move to strike out "thirty-five" and insert "thirty."

The amendment was agreed to.

Mr. PLATT. I should like to make a single inquiry. The words "not decorated in any manner" mean, of course, not painted. Do the words "not changed in condition by superadded ornamentation or decoration" mean not painted?

Mr. HALE. Yes; anything that is put on white porcelain is decoration or ornamentation.

Mr. PLATT. I suppose so.

Mr. CHANDLER. I suggest that in paragraph 84 the words "superadded ornamentation or" should be omitted. That is a fearful and wonderful phrase from the Treasury Department. "Ornamentation" is the same as "decoration," and "superadded" is entirely unnecessary. We do not care anything about the decoration of anything else. We do not decorate white china. If it said "not changed in condition by decoration" the amendment will then correspond to the simplicity and beauty of this act in other respects; but if this is retained, there will be a sort of literary character given to this bill which will attract notice and attention the world over. So I suggest that the Senator accomplishes his whole purpose by saying "not changed in condition by decoration."

Mr. JONES of Arkansas. I prefer that the bill should not be too simple, and therefore prefer to retain the language suggested by the Treasury Department.

Mr. JONES of Arkansas. Let the next reserved paragraph be read.

The VICE-PRESIDENT. The next reserved paragraph will be read.

The Secretary read as follows:

85. China, porcelain, parian, bisque, earthen, stone, and crockery ware, including plaques, ornaments, toys, charms, vases, and statuettes, painted, tinted, stained, enameled, printed, gilded, or otherwise decorated in any manner, 40 per cent ad valorem.

The Committee on Finance reported an amendment in line 10, before the words "per cent," to strike out "forty" and insert "forty-five."

Mr. JONES of Arkansas. I withdraw the committee amendment to that paragraph; and in line 9, before the word "enameled," I move to strike out the word "stained;" and in line 10, before the words "per cent," I move to strike out "forty" and insert "thirty-five."

The amendment was agreed to.

Mr. JONES of Arkansas. Paragraph 86 is the next reserved paragraph.

The VICE-PRESIDENT. It will be read.

The Secretary read as follows:

86. All other china, porcelain, parian, bisque, earthen, stone, and crockery ware, including lava tips for burners, not specially provided for in this act, if decorated in any manner, 40 per cent ad valorem; if not decorated, 35 per cent ad valorem.

Mr. JONES of Arkansas. I move the amendment which I send to the desk.

The VICE-PRESIDENT. The amendment proposed by the Senator from Arkansas will be stated.

The SECRETARY. In line 12, after the word "all," it is proposed to strike out "other china, porcelain, parian, bisque, earthen, stone, and crockery ware" and insert "articles composed of earthen or mineral substances;" and in line 17, before the words "per centum," to strike out "thirty-five" and insert "thirty."

The amendment was agreed to.

Mr. JONES of Arkansas. The next reserved paragraph is 298.

The VICE-PRESIDENT. The paragraph will be read.

The Secretary read as follows:

298. Silk partially manufactured from cocoons or from waste silk, and not further advanced or manufactured than carded or combed silk, 25 cents per pound. Thrown silk, not more advanced than singles, tram, organzine, sewing silk, twist, floss, and silk threads or yarns of every description, except spun silk, 20 per cent ad valorem; spun silk in skeins, cops, warps, or on beams, 20 per cent ad valorem.

The Committee on Finance reported to amend the paragraph in line 25, on page 75, after the words "combed silk," to strike out "25 cents per pound" and insert "20 per cent ad valorem;" in line 3, on page 76, after the word "description," to strike out "except spun silk, 20 per cent ad valorem" and insert the word "and;" in line 5, after the word "beam," to strike out "twenty" and insert "twenty-five."

Mr. JONES of Arkansas. I withdraw the portion of the committee amendment in line 5, striking out "twenty" and inserting "twenty-five;" and I move to make the rate "30 per cent."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. JONES of Arkansas. I now ask the Secretary to read section 299, which was reserved.

The Secretary read as follows:

299. Velvets, plushes, chenilles, or other pile fabrics, 45 per cent ad valorem.

Mr. JONES of Arkansas. I move as a substitute for the paragraph which has just been read what I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to strike out paragraph 299 and insert:

299. Velvets, chenilles, or other pile fabrics, $1.50 per pound; plushes, $1 per pound; but in no case shall the foregoing articles pay a less rate of duty than 50 per cent ad valorem.

The amendment was agreed to.

Mr. JONES of Arkansas. I ask unanimous consent to pass over for the present paragraphs 338 and 467, relating to diamonds and precious stones, until two or three other paragraphs can be disposed of, when we can return to those.

The VICE-PRESIDENT. It will be so ordered, in the absence of objection.

Mr. JONES of Arkansas. I ask the Senate to consider now paragraph 455, on page 94.

The VICE-PRESIDENT. The paragraph will be read.

The Secretary read as follows:

455. Copperas, or sulphate of iron.

Mr. JONES of Arkansas. This paragraph was passed over at the request, I think, of the senior Senator from Vermont [Mr. MORRILL], who proposed to offer an amendment putting it on the taxable list. Of course his right to offer the amendment will be reserved to him in the Senate.

Mr. ALLISON. I think the Senator from Vermont would be content if the clause should be stricken from the free list.

Mr. JONES of Arkansas. I presume he would.

The VICE-PRESIDENT. In the absence of objection, the paragraph will be considered as agreed to.

Mr. JONES of Arkansas. I now ask that paragraph 568 be considered.

Mr. PLATT. Has not that paragraph heretofore been arranged down to the proviso, beginning in line 11, on page 107?

Mr. JONES of Arkansas. The paragraph was passed, but I want to move an amendment, to strike out the comma before the word "grease," in line 1, on page 107, so as to read "enfleurage grease."

Mr. PLATT. I thought that had been done.

The VICE-PRESIDENT. That has been done, the Chair is informed.

Mr. PLATT. I think the paragraph has been perfected down to the proviso.

Mr. JONES of Arkansas. I move what I send to the desk as a substitute for the proviso.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to strike out the proviso at the end of the paragraph and insert:

Provided, That if there be imported into the United States crude petroleum, or the product of crude petroleum, produced in any country which imposes a duty on petroleum or its products exported from the United States, there

shall be levied, paid, and collected upon such crude petroleum, or its products, so imported, 40 per cent ad valorem.

The amendment was agreed to.

Mr. JONES of Arkansas. Now, I ask that paragraph 622, which was passed over, may be read.

The Secretary read as follows:

622. Sodium, sulphate of soda, or salt cake, or niter cake.

Mr. ALLISON. Was that passed over?

Mr. JONES of Arkansas. Some Senator asked that that should be passed over. I do not remember who made the request; but it is marked as having been passed over.

Mr. ALLISON. I think I made the request that it might be passed over, in order that it might be stricken from the free list. I am told it is a manufactured product.

Mr. JONES of Arkansas. I see no reason why it should be stricken out, and I can not consent to it.

The VICE-PRESIDENT. If there be no objection, the paragraph will be considered as agreed to.

Mr. JONES of Arkansas. Paragraphs 338 and 467, I suppose, may now be taken up together.

The Secretary read paragraph 338, as follows:

338. Precious stones of all kinds, cut but not set, 30 per cent ad valorem; if set, and not specially provided for in this act, including pearls set or strung, 35 per cent ad valorem. And on uncut precious stones of all kinds, 15 per cent ad valorem.

The Committee on Finance reported to amend the paragraph in line 7, after the word "set," by striking out "thirty" and inserting "fifteen:" in line 10, after the word "strung," by striking out "thirty-five" and inserting "thirty;" in line 11, after the words "ad valorem," by inserting "imitations of precious stones composed of paste or glass, not exceeding an inch in dimensions, and not set, 10 per cent ad valorem;" and after the words "ad valorem," in line 13, by striking out "and on uncut precious stones of all kinds, 15 per cent ad valorem;" so as to make the paragraph read:

338. Precious stones of all kinds, cut but not set, 15 per cent ad valorem; if set, and not specially provided for in this act, including pearls set or strung, 30 per cent ad valorem; imitations of precious stones, composed of paste or glass, not exceeding an inch in dimensions, not set, 10 per cent ad valorem.

Mr. TELLER. I gave notice that I should offer an amendment, to place a duty of 30 per cent on diamonds. That can be accomplished as well by voting down the amendment of the committee, where they have stricken out "thirty" and inserted "fifteen." I suppose, without my offering an amendment, the question will come up directly in that shape. I do not know whether the committee propose to adhere to their amendment or not.

Mr. JONES of Arkansas. Before taking that up, I ask unanimous consent, in paragraph 337, after the word "pearls," to insert "including pearls strung, but not set;" so as to read:

Pearls, including pearls strung, but not set, 10 per cent ad valorem.

The amendment was agreed to.

Mr. JONES of Arkansas. Returning to paragraph 338, in order to conform to the amendment just made in paragraph 337, I move, in line 10, to strike out the words "or strung," after the words "pearls set."

The amendment was agreed to.

Mr. TELLER. I should like to inquire of the Senator whether the committee adheres to its amendment of 15 per cent on diamonds? If so, I desire to say a word or two on that subject.

Mr. JONES of Arkansas. No, sir. I am instructed by the committee to consent to an increase in that paragraph, and also to agree to a tax on rough diamonds, which are now on the free list.

Mr. TELLER. Then I shall wait until the committee amendments are acted upon, and it may be that there will be no necessity for my offering an amendment.

The VICE-PRESIDENT. The amendment proposed by the Senator from Arkansas will be stated.

Mr. PLATT. I do not know much about diamonds; I never had any myself; but why should rough, uncut diamonds have a duty imposed on them? Perhaps the Senator from Colorado [Mr. TELLER] can inform me. As I understand, they have been on the free list. I believe that diamonds are cut in this country, and I suppose they were put on the free list to encourage the cutting of diamonds here. I am asking purely for information.

Mr. TELLER. I will say that there are not a great many diamonds cut in this country. I have no doubt, if the committee would put a large duty upon cut diamonds and a reasonable duty upon uncut diamonds, the cutting of diamonds would increase; but up to this time diamonds have usually been cut abroad, and the tariff upon them has been nominal.

Mr. JONES of Arkansas. I suggest that the tariff on cut precious stones of all kinds shall be 25 per cent, and on uncut of all kinds 10 per cent.

Mr. TELLER. If that is the wish of the committee I do not desire to offer any amendment, except I may possibly desire to offer an amendment to facilitate the collection of the revenue from diamonds.

The VICE-PRESIDENT. The amendment proposed by the Senator from Arkansas to the amendment of the committee will be stated.

The SECRETARY. In line 7 it is proposed to strike out "thirty" and insert "twenty-five;" so as to read:

Precious stones of all kinds, cut but not set, 25 per cent ad valorem; if set, and not specially provided for in this act, including pearls not set, 35 per cent ad valorem.

The amendment to the amendment was agreed to.

The SECRETARY. In line 10, before the words "per centum," it is proposed to strike out "thirty-five" and insert "thirty."

The amendment to the amendment was agreed to.

The SECRETARY. In line 11, after the words "ad valorem" it is proposed to insert:

Imitations of precious stones, composed of paste or glass, not exceeding an inch in diameter, not set, 10 per cent ad valorem.

The amendment to the amendment was agreed to.

Mr. JONES of Arkansas. I withdraw the committee amendment proposing to strike out "and of uncut precious stones of all kinds, 15 per cent ad valorem;" and I move to strike out "fifteen," before the words "per centum," and insert "ten."

The amendment was agreed to.

Mr. HOAR. I desire to ask for information why the words "composed of paste or glass" are contained in that committee amendment?

Are there not many imitations of precious stones which are not composed of paste or glass which come under the same principle? There are certainly many imitation diamonds. There are cheap and worthless stones, which are fashioned into the fashion of diamonds, composed of inferior materials.

Mr. JONES of Arkansas. I am willing to strike out the words "composed of paste or glass;" and I move that amendment.

The amendment was agreed to.

Mr. TELLER. I wish to offer an amendment for the purpose of facilitating the collection of the revenue.

Mr. JONES of Arkansas. Will the Senator from Colorado allow me to perfect this amendment first?

Mr. TELLER. Certainly. I do not wish to interfere with the Senator.

Mr. PLATT. I do not desire to make any observations about this matter to-night, when we are endeavoring to get through with the bill; but I doubt very much the propriety of putting a duty upon uncut precious stones. Perhaps when the bill comes into the Senate I shall have something to say on the subject.

Mr. JONES of Arkansas. I ask now to take up paragraph 467.

The VICE-PRESIDENT. The paragraph will be read.

The Secretary read as follows:

467. Glaziers' and engravers' diamonds not set, and diamond dust or bort, and jewels to be used in the manufacture of watches or clocks.

The Committee on Finance reported an amendment to the paragraph in line 14, to strike out "glaziers'" and insert "diamonds and other precious stones, rough or uncut, incluning miners', glaziers';" so as to read:

Diamonds and other precious stones, rough or uncut, including miners', glaziers', and engravers' diamonds not set, and diamond dust or bort, and jewels to be used in the manufacture of watches or clocks.

The amendment was agreed to.

Mr. HALE. Mr. President, this seems to be emphatically the "era of good feeling," and I ask the Senator from Arkansas whether he will now object to an amendment restoring lumber to the dutiable list? [Laughter.]

Mr. JONES of Arkansas. I regret to say that I shall be compelled to object to that.

The VICE-PRESIDENT. There is objection.

Mr. HALE. Of course I can not at this late hour raise this issue, but I give notice that in the Senate I shall again appeal to the Senator's good nature.

Mr. MITCHELL of Oregon. Perhaps the Senator might consent to an increase of the duty on wool.

Mr. ALLEN. I wish to offer an amendment to the bill to follow paragraph 362.

The VICE-PRESIDENT. The amendment proposed by the Senator from Nebraska will be stated.

The SECRETARY. Add the following proviso:

Provided, That all surplus revenue derived by the Government under the provisions of this act shall be held as a sacred fund with which to pay the national indebtedness as rapidly as it matures.

So as to make the paragraph read:

362. Waste, not specially provided for in this act, 10 per cent ad valorem: *Provided*, That all surplus revenues derived by the Government under the provisions of this act shall be held as a sacred fund with which to pay the national indebtedness as rapidly as it matures.

Mr. CHANDLER. I move to lay the amendment on the table.

The VICE-PRESIDENT. The question is on the motion of the Senator from New Hampshire to lay the amendment on the table.

Mr. ALLEN. On that I ask for the yeas and nays.

Mr. JONES of Arkansas. I wish to make an appeal to the Senator from New Hampshire. I ask unanimous consent that the amendment, as other amendments have been, be printed and lie over and come up in the Senate.

Mr. ALLEN. I have no objection to that course.

The VICE-PRESIDENT. Is there objection?

Mr. MANDERSON. I desire to call the attention of my colleague to an evident mistake made in the amendment. It was read by the Secretary as being a part of paragraph 362, which, of course, makes it nonsensical.

Mr. ALLEN. It ought to be a separate paragraph.

Mr. MANDERSON. It should come in as paragraph 362½.

Mr. ALLEN. Certainly.

Mr. MANDERSON. It was read by the Secretary as part of paragraph 362, which made it read:

Waste, not specially provided for in this act, 10 per cent ad valorem.

And then follows the amendment of my colleague.

Mr. CHANDLER. Is debate in order?

Mr. MANDERSON. It evidently should be a new paragraph.

Mr. CHANDLER. Is debate in order on the motion to lay the amendment on the table?

Mr. ALLISON. It is intended that it shall not be a part of the "waste." [Laughter.]

Mr. ALLEN. It is intended as a proviso to the entire bill, and of course in numbering it it should be numbered as a separate paragraph.

Mr. MANDERSON. Of course.

Mr. ALLEN. I did not notice how the Secretary read it.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Arkansas?

Mr. CHANDLER. What is the request? I suppose I shall have to consent to it whether I know what it is or not, but I should like to know what the request is.

The VICE-PRESIDENT. The Chair asks the Senator from Arkansas to again state his request.

Mr. JONES of Arkansas. I asked the Senator to withdraw the motion to lay the amendment on the table, and that there be unanimous consent that the amendment be printed and lie over and be considered in the Senate as other amendments have been.

Mr. CHANDLER. Without debate this evening?

Mr. JONES of Arkansas. Without debate this evening.

Mr. ALLISON. I do not object, but unanimous consent is not necessary. If the Senator from New Hampshire will withdraw his motion and the Senator from Nebraska will consent, that covers the case; it is unnecessary to have unanimous consent.

Mr. JONES of Arkansas. It is immaterial to me how you arrive at it.

Mr. ALLISON. I merely make the suggestion because other Senators may wish to offer amendments and the same course may be proposed.

Mr. WHITE. I suggest that unless the Senator from New Hampshire consents we can not adopt that course.

Mr. JONES of Arkansas. I understood the Senator to consent to it.

Mr. CHANDLER. If the point of the Senator from Iowa is correct and my withdrawal is not necessary, then I will not withdraw the motion.

The VICE-PRESIDENT. What is the suggestion of the Senator from Iowa?

Mr. ALLISON. I regret that the Senator from New Hampshire misunderstood my statement. It was that if the Senator from New Hampshire will kindly withdraw his motion to lay the amendment on the table, and if the Senator from Nebraska is willing to offer the amendment in the Senate, it can be done without unanimous consent.

Mr. MANDERSON. That is correct.

Mr. ALLISON. I hope the Senator from New Hampshire understands my meaning now.

Mr. CHANDLER. There is a clearness and force about the Senator's present statement which I can not resist. Therefore I withdraw the motion to lay the amendment on the table.

Mr. ALLEN. I am perfectly willing that the amendment shall be printed and go over.

The VICE-PRESIDENT. It will be so ordered.

Mr. HOAR. I desire to call the attention of the committee once more, with the hope of having their assent, to what is a very small matter compared with almost everything in the bill, but it is an important matter to a few very worthy persons indeed, meritorious and hard-working men. I wish the committee would be willing to consent to amend paragraph 69, on page 11, where it says "sponges 10 per cent ad valorem," by inserting after the word "sponges" the words "sea moss or Iceland moss."

I shall not detain the Senate or the committee except to assure the gentlemen that what I say may be absolutely depended upon. It is a little industry, mainly prosecuted near Cohasset, Mass. It is a very dangerous industry indeed, prosecuted by men who go out in boats in all kinds of weather on the rocky Alantic-beaten shore to gather this moss. It is precisely the same thing as the gathering of sponges in the way it is done. The sponges are used for cleanliness, and the moss is used as a food for persons who are sick or in feeble health, or as a luxury. There is something in the luxurious living that is coming from the increase of wealth which creates these industries. They induce men to be familiar with boats and the sea and are like the fisheries in that respect.

The men become expert boatmen. They become absolutely indifferent to sea dangers, and they are at home when they are afloat on the water. They are enterprising and hardy, making the most valuable possible seamen in case of war. I suppose that half the men engaged in this industry, if we had a maritime war, would enlist, and they would not have to be trained.

I have not been able to think, since the matter came up before, of any distinction in principle why the small duty of 10 per cent ad valorem should not be put upon moss when such a duty is imposed upon sponges.

I understood when the matter was before the Senate on a previous occasion that the Senators having the bill in charge did not absolutely commit themselves against it, but only opposed it because they had not full information. It is a matter which has been left in my hands by my colleague, and I appeal to the Senate, in this era of good nature, to allow the amendment to be made, so that moss will get a duty of 10 per cent ad valorem.

Mr. HARRIS. In view of the appeal of the Senator from Massachusetts, to which the Senate owes as little as to any other appeal, I hope the Senator from Arkansas will accede to his request.

Mr. JONES of Arkansas. I can not resist the combined appeal of the Senator from Massachusetts and the Senator from Tennessee. Let the amendment be agreed to. I ask that the bill be reported to the Senate and that it be printed.

Mr. HOAR. Let the amendment as to sea moss be considered as agreed to.

The VICE-PRESIDENT. The amendment proposed by the Senator from Massachusetts will be stated.

The SECRETARY. In paragraph 69, page 11, after the word "sponges," in line 22, insert "sea moss or Iceland moss."

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Massachusetts.

The amendment was agreed to.

Mr. JONES of Arkansas. Let the bill be reported to the Senate, and then I should like to have an order to have the bill printed.

Mr. ALLEN. I hope the Senator from Arkansas will withhold for a moment. A week or possibly ten days ago all kinds of fence wire was stricken from the taxable list. I have waited up to this time to see whether the committee intend to report to place fence wire upon the free list. I have heard nothing from the committee upon the subject, and I rise to ask them why that amendment is not proposed.

Mr. JONES of Arkansas. When I asked the Senate to consider the paragraphs which had been passed over, I stated to the Senate that there were a number of amendments which were immaterial in themselves, about which there could be no division, and I asked unanimous consent that the amendments might be considered by the Senate now. That amendment would not be in order regularly and fairly——

Mr. ALLEN. Is the fence wire amendment among the number?

Mr. JONES of Arkansas. That amendment I hold in my hand in connection with other amendments which I propose to present in the Senate. It is not proper to present them as in Committee of the Whole; it would have been a violation of what I asked of the Senate to have presented an important amendment for the consideration of the Senate as in Committee of the Whole. I move that the bill be reported to the Senate.

Mr. HILL. I trust the Senator from Arkansas will allow me to make a motion and dispose of it now while I have it in mind.

Mr. JONES of Arkansas. Certainly.

Mr. HILL. I move to add at the end of section 59 what I will read:

All State, county, municipal, and town taxes and all necessary sums of insurance paid by corporations, companies, or associations shall be excluded or deducted in estimating the net profits or income of such corporations, companies, or associations.

Mr. JONES of Arkansas. If the Senator will allow the amendment to go over and be printed, it will be considered in the Senate.

Mr. HARRIS. We can dispose of it now.

Mr. HILL. It is a matter we discussed the other day, the question of allowing corporations to deduct their taxes. That has not been provided for. Then it was suggested by some one that the insurance had not been provided for. So I add that. I can not see the slightest objection to taking it up now.

Mr. HARRIS. Let the amendment be stated.

The VICE-PRESIDENT. The amendment will be stated.

Mr. HILL. Let it go over.

Mr. HARRIS. No; let it be reported and acted upon.

Mr. JONES of Arkansas. The mover of the amendment proposes that it be printed and go over.

The VICE-PRESIDENT. Without objection it will be so ordered. The question is on agreeing to motion of the Senator from Arkansas.

Mr. MANDERSON. I suggest that that motion is not necessary, and it would be establishing a new and dangerous precedent.

Mr. JONES of Arkansas. So the bill is reported to the Senate I do not care what course is adopted.

Mr. MANDERSON. It needs no motion. When there is no further amendment to be made to a bill as in Committee of the Whole it is reported to the Senate as a matter of course.

The VICE-PRESIDENT. The bill is as in Committee of the Whole. If there be no further amendment proposed it will be reported to the Senate.

Mr. HARRIS. Is the amendment of the Senator from New York to be offered as in Committee of the Whole?

Mr. HILL. It has been offered as in Committee of the Whole.

Mr. HARRIS. Then let it be disposed of as in Committee of the Whole.

Mr. VEST. The Senator from New York has agreed to let it go over until the bill gets into the Senate. We want to examine it.

Mr. HARRIS. I have no objection to letting it go over if other Senators prefer it.

Mr. HILL. Let it go over.

Mr. JONES of Arkansas. I understand that is agreed to unanimously.

Mr. HOAR. I understand the Senator from New York merely gives notice of the amendment, and does not offer it at the present time?

Mr. JONES of Arkansas. That is the case.

Mr. HILL. It would have that effect.

Mr. MANDERSON. Let the bill be reported to the Senate.

The bill was reported to the Senate as amended.

The VICE-PRESIDENT. The bill is in the Senate and open to amendment. The question is on concurring in the amendments made as in Committee of the Whole.

Mr. JONES of Arkansas. I move that the bill with the amendments which have been agreed to as in Committee of the Whole be printed.

Mr. MANDERSON. I suggest that the amendments adopted as in Committee of the Whole should be printed in italics.

Mr. HARRIS. Of course they will appear as amendments.

The VICE-PRESIDENT. It will be so ordered.

Mr. ALLISON. I ask the Senator from Arkansas to couple with his motion that the consideration of the bill be postponed until Monday at half past 10 o'clock.

Mr. JONES of Arkansas. I will agree to that.

Mr. HARRIS. Mr. President——

The VICE-PRESIDENT. The Chair will submit the motion of the Senator from Arkansas if desired, but it will be so ordered without objection.

Mr. HARRIS. The motion of the Senator from Arkansas is that the bill shall be printed with the amendments. Now, as to the adjournment, as I understood the Senator from Iowa to suggest——

Mr. ALLISON. I made no request respecting adjournment, but it is well known that there are a great number of amendments to the bill, and to print it carefully will certainly require until some time during the day to-morrow. Then Senators will desire to make such preparation and examination of the amendments as will facilitate their adoption or rejection in the Senate. So my suggestion was that the bill be printed and its consideration be postponed until Monday at half past 10. That is the usual hour when the bill is taken up.

Mr. HARRIS. That is what I understood to be the suggestion of the Senator from Iowa. I wish to say to him that the bill as amended will be on the desk of every Senator to-morrow morning printed.

Mr. PLATT. I doubt that.

Mr. HARRIS. After three months of consideration I should be glad to have to-morrow as a day of rest. But the country is waiting with anxiety to know what we are going to do with this measure. I shall not consent that the bill shall go over a single day or a single hour while it is pending.

Mr. ALLISON. I withdraw the suggestion I made.

Mr. MANDERSON. I move that when the Senate adjourn to-day it be to meet on Monday next at 10 o'clock.

Mr. HARRIS. On that motion I demand the yeas and nays.

Mr. HOAR. Has the order to print the bill been made?

The VICE-PRESIDENT. That order has been made.

Mr. HOAR. I should like to have included in the order a direction to the Secretary of the Senate to send a copy of the bill to each Senator. Of course, if the Senate is in session to-morrow the bill will be laid on our tables in the ordinary way, but if the Senate is not in session I ask for that order, so that Senators may have copies of the bill.

The VICE-PRESIDENT. That order will be made. The question is on agreeing to the motion of the Senator from Nebraska, that when the Senate adjourn it be to meet on Monday next at 10 o'clock.

Mr. HARRIS. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CULLOM (when his name was called). I have a general pair with the senior Senator from Delaware [Mr. GRAY]. My pair has been transferred to the senior Senator from Rhode Island [Mr. ALDRICH], and I vote "yea."

The roll call was concluded.

Mr. CAMDEN. I am paired with the senior Senator from South Dakota [Mr. PETTIGREW], whom I do not see in his seat. I therefore withold my vote.

Mr. GORMAN. I am paired with the Senator from Maine [Mr. FRYE].

Mr. CALL. I announce my pair with the Senator from Massachusetts [Mr. LODGE]. If he were present, I should vote "nay."

Mr. CAREY (after having voted in the affirmative). I desire to ask whether the junior Senator from Wisconsin [Mr. MITCHELL] has voted?

The VICE-PRESIDENT. He has not voted, the Chair is advised.

Mr. CAREY. I withdraw my vote.

Mr. HARRIS (after having voted in the negative). I am paired with the senior Senator from Rhode Island [Mr. ALDRICH], who is necessarily called from the sessions of the Senate. I should vote "nay" on this motion as I have done, but I must withdraw my vote.

Mr. CULLOM. By arrangement I paired the Senator from Delaware [Mr. GRAY] with the senior Senator from Rhode Island [Mr. ALDRICH] and voted, which gives the Senator from Tennessee the right to vote.

Mr. HARRIS. I vote "nay." Let the vote of the Senator from Illinois stand.

The result was announced—yeas 25, nays 32; as follows.

YEAS—25.

Allen,	Hale,	Mills,	Shoup,
Allison,	Hawley,	Mitchell, Oregon	Squire,
Chandler,	Higgins,	Morgan,	Stewart,
Cullom,	Hill,	Patton,	Washburn.
Davis,	Hoar,	Perkins,	
Dixon,	McMillan,	Platt,	
Gallinger,	Manderson,	Quay,	

NAYS—32.

Bate,	Faulkner,	Lindsay,	Roach,
Berry,	George,	McLaurin,	Teller,
Blackburn,	Gibson,	Martin,	Turpie,
Blanchard,	Harris,	Murphy,	Vest,
Brice,	Hunton,	Pasco,	Vilas,
Cockrell,	Jarvis,	Peffer,	Voorhees,
Coke,	Jones, Ark.	Pugh,	Walsh,
Daniel,	Kyle,	Ransom,	White.

NOT VOTING—28.

Aldrich,	Dolph,	Irby,	Pettigrew,
Butler,	Dubois,	Jones, Nev.	Power,
Caffery,	Frye,	Lodge,	Proctor,
Call,	Gordon,	McPherson,	Sherman,
Camden,	Gorman,	Mitchell, Wis.	Smith,
Cameron,	Gray,	Morrill,	Wilson,
Carey,	Hansbrough,	Palmer,	Wolcott.

So the motion was not agreed to.

EXECUTIVE SESSION.

Mr. COCKRELL. I move that the Senate proceed to the consideration of executive business. There is some executive business which it is absolutely necessary to have attended to at once.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After seven minutes spent in executive session the doors were reopened.

ADJOURNMENT TO MONDAY.

On motion of Mr. COCKRELL, it was

Ordered, That when the Senate adjourn to-day it be to meet on Monday next.

LEAVE OF ABSENCE.

Mr. PEFFER was, on his own request, excused from attendance at the sessions of the Senate from the 2d to the 5th of July, inclusive.

On motion of Mr. HARRIS (at 6 o'clock and 10 minutes p. m.), the Senate adjourned, the adjournment being until Monday, July 2, 1894, at 10 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate June 29, 1894.

SURVEYOR OF CUSTOMS.

G. Frank Bayles, of New York, to be surveyor of customs for the port of Port Jefferson, in the State of New York, to succeed Thomas H. Saxton, whose term of office has expired by limitation.

COLLECTOR OF CUSTOMS.

Cornelius R. Sleight, of New York, to be collector of customs for the district of Sag Harbor, in the State of New York, to succeed John Sherry, jr., whose term of office has expired by lititation.

REGISTER OF THE LAND OFFICE.

Jesse W. Ellis, of Blountsville, Ala., to be register of the land office at Huntsville, Ala., vice William C. Wells, term expired.

PROMOTIONS IN THE ARMY.

Medical Department.

Lieut. Col. Francis L. Town, deputy surgeon-general, to be assistant surgeon-general with the rank of colonel, June 28, 1894, vice Irwin, retired from active service.

Maj. Joseph R. Gibson, surgeon, to be deputy surgeon-general with the rank of lieutenant-colonel, June 28, 1894, vice Town, promoted.

Capt. Marshall W. Wood, assistant surgeon, to be surgeon with the rank of major, June 28, 1894, vice Gibson, promoted.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 29, 1894.

ASSISTANT UNITED STATES TREASURER.

William D. Bigler, of Pennsylvania, to be assistant treasurer of the United States at Philadelphia, Pa.

POSTMASTERS.

Thomas G. Fitch, to be postmaster at Wichita, in the co ty of Sedgwick and State of Kansas.

Henry Vanscoy, to be postmaster at Kingston, in the county of Luzerne and State of Pennsylvania.

Isaac R. McElroy, to be postmaster at Meridian, in the county of Lauderdale and State of Mississippi.

Henry Vits, to be postmaster at Manitowoc, in the county of Manitowoc and State of Wisconsin.

A. C. Beckwith, to be postmaster at Elkhorn, in the county of Walworth and State of Wisconsin.

HOUSE OF REPRESENTATIVES.

FRIDAY, *June 29, 1894.*

The House met at 12 o'clock m. Prayer by Rev. W. H. MILBURN, D. D., Chaplain of the Senate.

The Journal of yesterday's proceedings was read and approved.

IN MEMORY OF PRESIDENT CARNOT.

The SPEAKER laid before the House the following letter, which was read:

DEPARTMENT OF STATE, *Washington, June 28, 1894.*

SIR: At the instance of the French ambassador, I have the honor to advise you, for the information of the House of Representatives, that a religious service in memory of the late President of the French Republic will be held at St. Matthew's Church, corner of Fifteenth and H streets, on Sunday next, the 1st proximo, at 12 o'clock m.

I have the honor to be, sir, your obedient servant.

W. Q. GRESHAM.

The honorable CHARLES F. CRISP,
Speaker of the House of Representatives.

DENNIS MURPHY.

The SPEAKER laid before the House the bill (S. 1963) for the relief of the sureties of Dennis Murphy.

Mr. BAILEY. I ask unanimous consent for the present consideration of this bill. It has already passed the Senate, and the same bill has been favorably reported to the House by the Committee on Claims.

The bill was read, as follows:

Be it enacted, etc., That the sureties of Dennis Murphy, who was formerly paymaster and military storekeeper at the National Armory at Harpers Ferry, Va., upon his official bond to the United States as such paymaster and military storekeeper, executed on the 28th day of April, 1858, be, and the same are hereby relieved and released from any and all liabilities by reason of such suretyship.

Mr. DOCKERY. I trust the gentleman from Texas will explain this bill and state the amount covered by it.

Mr. BAILEY. Mr. Speaker, Mr. Murphy was appointed paymaster and storekeeper of the National Armory, then located at Harpers Ferry, Va., in 1858. On the 28th of April, 1858, he executed his bond, with Allen C. Hammond, George Siebert, William Megary, and Charles J. Faulkner as sureties for the faithful performance of his duties.

From the time he qualified to the quarter ending on the 31st day of December, 1860, his accounts were kept as accurately and rendered as promptly as those of any other person in the employ of the Government, This fact is set forth in the report. For the quarter ending with the 31st day of March, 1861, his accounts were properly made out, as appears from the statement of his clerk, to be transmitted to Washington. They were not so transmitted, for the reason that Mr. Barbour, the superintendent of the arsenal, whose signature was necessary, was absent attending the Virginia convention.

Before Mr. Barbour s return Virginia had passed an ordinance of secession and Harpers Ferry was occupied by a force of Confederate troops. During that occupancy they took possession of the official residence of Mr. Murphy, and just before the evacuation of Harpers Ferry a subordinate officer, contrary to the instructions of Gen. Johnston, opened the vault which contained the papers and vouchers of Mr. Murphy, and these were scattered all over the room and indeed all about the village of Harpers Ferry. Immediately after the evacuation by the Confederates the Federal soldiers took possession of the place, and between the evacuation by the one army and the occupancy of the other the papers were destroyed, except a single pay roll for February, 1861, which was picked up on the streets and sent to the Ordnance Department here.

The Department failed or refused to settle with Mr. Murphy because of the fact that his vouchers had not been filed and could not be for the reason that they had been destroyed. When Mr. Murphy was dismissed in July, 1861, there stood against him a debit of $57,518.52, but the monthly statements that had been rendered, and properly rendered, for January, February, and March reduced that to $10,153.06. That balance was divided, a part of it being in the hands of the assistant treasurer in New York, amounting to $8,272.38, and the rest of it in the Government depository at Baltimore, $1,879.68, making the total of $10,153.06, as stated.

These, Mr. Speaker, are the facts in connection with this case. This bill has been reported favorably by the committees of the Senate and the House. Indeed, it was passed by the Senate on one occasion, and only failed to become a law by reason of the fact that it did not reach the House in time to be acted upon. Its passage has been recommended by the Department. In my own judgment it is reasonably certain that Dr. Murphy does not owe the Government anything at this time.

The purpose of the bill, as its title decrees, is to relieve his sureties, or rather to relieve their estates, for all of them are dead, some having died insolvent.

It may be proper for me to state that the immediate purpose of this bill is to enable a settlement of the estate of the late Charles J. Faulkner, father of the present Senator from West Virginia, and no settlement of the estate can be effected as long as this claim stands upon the books of the Treasury Department.

Mr. COX. Was Mr. Faulkner one of the sureties?

Mr. BAILEY. Yes, sir.

Mr. BURROWS. Mr. Speaker, I was unwilling to consent to the passage of this bill when its consideration was first requested, but I have had occasion since to examine the report accompanying it, and especially the communication from William A. Day, the Second Auditor of the Treasury, from which it appears, as this officer says, that:

On final settlement a balance of $57,518.82 was declared to be due from said Murphy and still stands against him on the books of this office, though there is reason to believe that if his accounts had been promptly rendered it would have been found that he had expended nearly all the public money for which he is held accountable in defraying the current expenses of the armory.

And further on he says:

Assuming that it was impossible to force a settlement with Murphy or his sureties during the war, the following facts remain:

1. Although eight years elapsed between the close of the war and Mur-

phy's death, no attempt was made to obtain a settlement with him. He was not even notified of the condition of his accounts.

2. The sureties were not notified that their principal was in default until more than seventeen years after the date of the bond and more than ten years after the close of the war—he, in the meantime, having died insolvent. Altogether, more than twenty-five years have been suffered to pass since the principal became in default without decisive action on the part of the Government.

Again this officer says:

In view of these facts I am of opinion that the sureties on the official bond of Dennis Murphy may justly be released from all liability by reason of such suretyship.

As I have already said, I had occasion to examine the report, and it seems to me an equitable bill and one that ought to pass.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The bill was ordered to a third reading; and being read the third time, was passed.

On motion of Mr. BAILEY, a motion to reconsider the last vote was laid on the table.

ENROLLED JOINT RESOLUTION SIGNED.

Mr. PEARSON, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled joint resolution (H. Res. 196) to provide temporarily for the expenditures of the Government; when the Speaker signed the same.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed without amendment joint resolutions and a bill of the following titles:

Joint resolution (H. Res. 193) to appoint three members of the Board of Managers of the National Home for Disabled Volunteer Soldiers.

Joint resolution (H. Res. 196) to provide temporarily for the expenditures of the Government.

A bill (H. R. 7449) authorizing the Minneapolis Gas Light Company, of Minneapolis, Minn., to lay submerged gas pipes across the Mississippi River at Minneapolis.

GRANT OF CERTAIN LANDS TO NORTH DAKOTA.

Mr. JOHNSON of North Dakota. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 171) granting to the State of North Dakota certain lands heretofore set apart as a wood reservation for Fort Totten military reservation, for the use of the militia of North Dakota, and for other purposes.

The SPEAKER. The gentleman from North Dakota [Mr. JOHNSON] asks unanimous consent to consider a bill, which the Clerk will report.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and empowered to set apart all that part of the wooded reservations set apart for the use and benefit of Fort Totten military reservation by Executive order dated February 10, 1881, described as follows, namely: "That portion of the tract known as Rock Island, bounded on the north by an east and west line, 2 miles back or north of the southeasternmost point of said island or peninsula;" said tract being the southernmost point of the peninsu laon the north side of Devils Lake in North Dakota, known as Rock Island, for the use of the State of North Dakota, to be used as a park for the use of the militia of said State, and for other public purposes not inconsistent with such use.

SEC. 2. That the lands so set apart are hereby granted to the State of North Dakota: *Provided*, That if the said State shall at any time permit the said lands hereby granted to be used for any purpose not contemplated in this act the said lands shall revert to the United States.

The SPEAKER. Is there objection to the request for the consideration of this bill.

Mr. DOCKERY. I will ask the gentleman if this bill is favorably reported by a committee of the House?

Mr. JOHNSON of North Dakota. Yes; it is unanimously reported by the Committee on Public Lands. It has twice passed the Senate. It only involves 800 acres of an abandoned military reservation, and the purpose is to use it for the militia.

The SPEAKER. Is there objection to the request?

There was no objection.

The bill was ordered to a third reading, and was accordingly read the third time, and passed.

On motion of Mr. JOHNSON of North Dakota, a motion to reconsider the last vote was laid on the table.

P. W. MITCHELL AND OTHERS.

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the Clerk's desk.

The SPEAKER. The gentleman from North Carolina [Mr. CRAWFORD] asks unanimous consent for the present consideration of a bill which the Clerk will report.

The Clerk read as follows:

(A bill (H. R. 6656) for the relief of P. W. Mitchell, M. C. Felmet, T. C. Bowen, and others.

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay, out of any funds in the Treasury belonging to the Eastern Band of Cherokee Indians, to the following persons, to wit: P. W. Mitchell, $129; M. C. Felmet, $150; T. C. Bowen, $77; David Blythe, $30; Jesse Reed, $7; William Locust, $17, and George French, $5.

The Committee on Indian Affairs recommended the following amendment:

Insert in line 8, after the word "dollars," the words "and 50 cents."

The SPEAKER. Is there objection to the request for the present consideration of this bill?

Mr. HOPKINS of Illinois. I should like to have the report read, Mr. Speaker.

The SPEAKER. Without objection the report will be read.

The report (by Mr. BOWER of North Carolina) was read, as follows:

The Committee on Indian Affairs, to whom was referred House bill 6656, report the same with recommendation that the same as amended do pass.

The bill provides for the payment out of funds in United States Treasury to the credit of the Eastern Band of Cherokee Indians certain sums to P. W. Mitchell, M. C. Felmet, T. C. Bowen, David Blythe, Jesse Reed, William Locust, and George French, the total of said sums being $415.

It appears that, by order of the Secretary of the Interior, P. W. Mitchell and M. C. Felmet, timber experts, made an extensive and minute examination and estimate of the kind and quality of timber upon the lands belonging to said Cherokee Indians. This estimate was made for the purpose and with the view of selling said timber under the direction and supervision of the General Government for the benefit of these Indians.

These experts rendered their accounts for their services which were acceptable to the Indians and duly indorsed by them at one of their councils. The sums due to each on this account are designated in bill. The sums allowed to David Blythe, Jesse Reed, William Locust, and George French, are for services as axmen in attendance upon and assisting said experts. T. C. Bowen is allowed the sum of $77 for services as surveyor in locating and defining the lands of these Indians. In Jackson and Swain Counties, N. C., survey was deemed necessary in order to ascertain what quantity of land was properly assessable for taxation.

This survey was made in the year 1892 by the sanction of T. J. Morgan, Commissioner of Indian Affairs, and Acting Secretary of the Interior, Hon. George Chandler. Estimates of the costs of survey were submitted in due form. The sum admitted to be due the surveyor, T. C. Bowen, is $77.50.

The committee recommend that bill be amended by inserting after the word "dollars" and before the name "David Blythe," in line 8, the words "and fifty cents," and as thus amended do pass.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina [Mr. CRAWFORD].

There was no objection.

The amendment recommended by the Committee on Indian Affairs was agreed to.

Mr. CRAWFORD. Mr. Speaker, I desire to offer a further amendment.

The Clerk read as follows:

Amend by striking out the words "T. C. Bowen," in lines 7 and 8, and inserting in lieu thereof the words "George H. Smathers."

Mr. CRAWFORD. Mr. Speaker, I will say that George H. Smathers is special assistant district attorney for the Government, and has been looking after the interests of these Indians, and he advanced to the surveyor the amount due him. I will ask to have read the affidavit of Mr. Bowen, making assignment to Mr. Smathers, for the purpose of having this money paid to him.

Mr. DOCKERY. How much is the amount involved in this amendment?

Mr. CRAWFORD. About $77. I ask to have read the document which I send to the desk.

The Clerk read as follows:

Eastern Band of Cherokee Indians, in account with T. C. Bowen, of Waynesville, N. C., Dr.

To six and a half days, services rendered in computing the number of acres of land from Temple field notes within Cathcart tract of Qualla boundary of land in Jackson Country, N. C., at $5 per day, $32.50.

The services were rendered one-half day March 31, 1892, and April 1, 2, 4, 6, and 7, 1892.

Computations made by latitude and departures.

Respectfully submitted.

T. C. BOWEN.

Received of George H. Smathers $32.50, in full payment of the above account.

T. C. BOWEN.

STATE OF OHIO, *Marion County*:

I, John A. Wolford, a notary public for the county and State aforesaid, hereby certify that T. C. Bowen this day personally appeared before me and acknowledged the due execution of the assignment to George H. Smathers of the foregoing account in the sum of $32.50, and the said T. C. Bowen stated that the time charged in the foregoing account is correct, and that his services were well worth the sum charged, and that he has long since received full pay for the same from the said George H. Smathers.

JOHN A. WOLFORD.

Sworn to and subscribed before me this 20th day of September, A. D. 1893.

[SEAL.] JOHN A. WOLFORD,
Notary Public, Marion County, Ohio.

Eastern Band of Cherokee Indians, in account with T. C. Bowen, of Waynesville, N. C., Dr.

To nine days' services rendered in computing the number of acres of land from Temple field notes inside of Qualla boundary of land in Swain County,

N. C., and for other services said Indians, as per report report made to the Commissioner of Indian Affairs September 19, 1892, at $5 per day, $45.
Respectfully submitted.

T. C. BOWEN.

Received of George H. Smathers $45 in full payment of the above account.
T. C. BOWEN.

STATE OF OHIO, *Marion County:*

I, John A. Wolford, a notary public for the county and State aforesaid, hereby certify that T. C. Bowen this day personally appeared before me and acknowledged the due execution of the assignment to George H. Smathers of the foregoing account in the sum of $45, and the said T. C. Bowen states that the time charged in the foregoing account is correct, and that his services were well worth the sum charged, and that he has long since received full pay for the same from the said George H. Smathers.

JOHN A. WOLFORD.

Sworn to and subscribed before me this 20th day of September, A. D. 1893.
[SEAL.] JOHN A. WOLFORD,
Notary Public, Marion County, Ohio.

The amendment offered by Mr. CRAWFORD was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, was accordingly read the third time, and passed.

The title of the bill was amended to conform to the amendment to the text of the bill.

On motion of Mr. CRAWFORD, a motion to reconsider the vote by which the bill was passed was laid on the table.

MILITARY ROAD FROM EL PASO TO FORT BLISS, TEX.

Mr. COCKRELL. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 7419) for the construction of a military road from the city of El Paso to Fort Bliss, Tex.

The bill was read, as follows:

Be it enacted, etc., That when the military reservation known as "Old Fort Bliss" shall have been sold by virtue of an act approved March 1, 1890, so much of the receipts therefrom as may be necessary, not to exceed $4,000, are hereby appropriated to the construction of a military road between the city of El Paso, Tex., and New Fort Bliss, Tex., said money to be expended under the direction of the Secretary of War.

Mr. COCKRELL. I ask that the report be read.

The SPEAKER. Without objection, the report will be read.

The report (by Mr. GORMAN) was read, as follows:

The Committee on Military Affairs, to whom was referred the bill (H. R. 6920) "for the construction of a military road," having had the same under consideration, recommend the following substitute:

"A bill for the construction of a military road from the city of El Paso to Fort Bliss, Tex.

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That when the military reservation known as "Old Fort Bliss" shall have been sold, by virtue of an act approved March 1, 1890, so much of the receipts therefrom as may be necessary, not to exceed $4,000, are hereby appropriated to the construction of a military road between the city of El Paso, Tex., and New Fort Bliss, Tex., said money to be expended under the direction of the Secretary of War."

And when substituted for said bill (H. R. 6920) recommend its passage.

The following approval of the War Department is herewith made a part of this report:

WAR DEPARTMENT, QUARTERMASTER-GENERAL'S OFFICE,
Washington, D. C., May 15, 1894.

SIR: I have the honor to return herewith letter of the Hon. J. V. COCKRELL, M. C., inclosing, with request for favorable consideration, H. R. 6920, a bill providing that when the military reservation known as Old Fort Bliss shall have been sold, the sum of $4,000, or so much thereof as may be necessary, out of the proceeds of said sale, be appropriated to build a military road between the city of El Paso, Tex., and New Fort Bliss; and to report that from a recent appraisement by a board the value of the land at Old Fort Bliss, with the buildings and improvements thereon, is placed at $15,412. The public sale thereof was advertised to take place March 5, 1894, but at the request of the Texas delegation it has been suspended, pending action on H. R. 5690, and the property is now in charge of a quartermaster's agent.

It is recommended that in line 5, after the word "ninety," strike out "four thousand" and insert "so much of;" in line 6 strike out "dollars or so much thereof" and insert "the receipts therefrom;" in same line, after "necessary," strike out "is" and insert "are;" in line 7, after the word "appropriated," strike out "out of the proceeds of said sale" and insert, after the word "the," "construction of a."

With these changes the bill will read, as follows:

"*Be it enacted, etc.*, * * * That when the military reservation known as "Old Fort Bliss" shall have been sold, by virtue of an act approved March 1, 1890, so much of the receipts therefrom as may be necessary are hereby appropriated to the construction of a military road between the city of El Paso, Tex., and New Fort Bliss, Tex., said money to be expended under the direction of the Secretary of War."

With these amendments no objection is known to the passage of the bill.

Very respectfully,

R. N. BATCHELDER,
Quartermaster-General, United States Army.

The SECRETARY OF WAR.

The SPEAKER. Is there objection to the request for the consideration of this bill?

Mr. BUNN. Mr. Speaker, until I can examine that bill and see why a bill of similar import introduced by me has been adversely reported, I shall have to object.

Mr. OUTHWAITE. If the gentleman will listen for a moment I will give him an explanation as to this bill. I do not know anything about his bill.

Mr. BUNN. I wish to know why my bill was adversely reported.

Mr. OUTHWAITE. I can explain this bill.

Mr. BUNN. I shall have to object.

The SPEAKER. Objection is made to the consideration of the bill.

ENROLLED BILLS SIGNED.

Mr. PEARSON, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

A bill (S. 1954) to amend section 1379, chapter 1, Title XV, Revised Statutes of the United States, in relation to appointments of assistant paymasters in the Navy;

A bill (S. 2000) granting the Brainerd and Northern Minnesota Railway Company a right of way through the Leech Lake Indian Reservation, in the State of Minnesota; and

A bill (S. 2135) to provide that a term of the circuit and district court of the United States for the district of Vermont may be held at Montpelier.

WIDOW OF JAMES R. FISHER.

Mr. RUSK. Mr. Speaker, I present a privileged report from the Committee on Accounts, and ask for its immediate consideration.

The SPEAKER. The gentleman from Maryland, from the Committee on Accounts, presents a privileged report.

The Clerk read as follows:

Resolved, That the Clerk of the House of Representatives be directed to pay out of the contingent fund of the House to the widow of James R. Fisher, deceased, late assistant librarian of the House of Representatives, under the Clerk, a sum equal to his salary for one year, and that the Clerk be further directed to pay out of the contingent fund of the House the expenses of the late illness and funeral of said James R. Fisher, said expenses not to exceed the sum of $500.

The SPEAKER. The Clerk will read the report.

The report (by Mr. RUSK) was read, as follows:

The Committee on Accounts, to whom was referred the following resolution relative to paying the widow of James R. Fisher, deceased, late assistant librarian of the House of Representatives, a sum equal to one year's salary and funeral expenses have had the same under consideration and beg to offer the following substitute in lieu thereof, and recommend the passage of the same:

Resolved, That the Clerk of the House of Representatives be directed to pay out of the contingent fund of the House to the widow of James R. Fisher, deceased, late assistant librarian of the House of Representatives, under the Clerk, a sum equal to his salary for six months, and that the Clerk be further directed to pay out of the contingent fund of the House the expenses of the late illness and funeral of said James R. Fisher, said expenses not to exceed the sum of $250.

Mr. RUSK. Mr. Speaker, the amendment proposed by the Committee on Accounts puts this resolution on a footing with the practice of the House in such cases. It has been customary for many years to allow six months' salary and funeral expenses to the families or representatives of deceased employés. The resolution as introduced called for a year's salary and $500 for funeral expenses. The amendment cuts it down in accordance with the precedent. Mr. Fisher was the assistant librarian of the House, and had previously occupied other positions, at one time being the assistant postmaster. I ask that the resolution be put on its passage.

The substitute recommended by the committee was agreed to, and the original resolution was ordered to lie on the table.

On motion of Mr. RUSK, a motion to reconsider the vote by which the resolution was adopted, was laid on the table.

WIDOW OF HARRY W. COCKERILL.

The SPEAKER. The gentleman from Maryland submits another report, which the Clerk will read.

The Clerk read as follows:

Resolved, That the Clerk of the House of Representatives be authorized and directed to pay out of the contingent fund of the House, to the widow of Harry W. Cockerill, deceased, late an employé of the House of Representatives, a sum equal to six months of the salary being paid to said Cockerill at the time of his death, and the Clerk be further directed to pay out of the contingent fund to the said widow of Harry W. Cockerill the expenses attending the last illness and funeral of the deceased, said expenses not to exceed in amount the sum of $250.

The report (by Mr. RUSK) was read, as follows:

The Committee on Accounts, to whom was referred the accompanying resolution, offered by Mr. HEARD, relative to the payment of six months' salary and funeral expenses to the widow of Harry W. Cockerill, deceased, late an employé of the House of Representatives, beg to report that after due investigation, they respectfully recommend the passage of the same.

Mr. RUSK. I ask for the passage of the resolution.

Mr. DOCKERY. What amount is covered by that resolution?

Mr. RUSK. Six months' salary and $250 for funeral expenses.

Mr. COX. How much does that amount to?

Mr. RUSK. It amounts in all to about $900.

Mr. WILLIAMS of Illinois. Is there any question whether this conforms to the practice?

Mr. RUSK. It has been the practice of this House for about thirty years at least to pass such resolutions.

Mr. WISE. I would state to the gentleman that I have all the precedents here; and it has been done in this present House.

Mr. RUSK. I will state that the present House of Representatives is just repeating the practice of previous Houses. At the beginning of this session we passed a resolution of this kind in favor of the widow of the Chaplain without even referring it to the Committee on Accounts, and there have been one or two accounts since then. This is in strict accordance with the precedents established by this and other Houses.

The resolution was agreed to.

On motion of Mr. RUSK, a motion to reconsider the vote by which the resolution was agreed to was laid on the table.

WIDOW OF EDWARD J. M'CRISTAL.

Mr. RUSK. I present another report.

The Clerk read as follows:

Resolved, That the Clerk of the House be directed to pay out of the contingent fund of the House, to Mrs. Ella C. McCristal, widow of Edward J. McCristal, deceased, late an employé of the House, a sum equal to six months of the salary being paid to said Edward J. McCristal at the time of his death, and the Clerk be further directed to pay out of the contingent fund of the House to said Mrs. Ella C. McCristal, the sum of $250 to cover the expenses of the last illness and funeral of the deceased.

The report (by Mr. RUSK) was read, as follows:

The Committee on Accounts, to whom was referred the accompanying resolution, offered by Mr. BOWERS, relative to the payment of six months' salary and funeral expenses to Mrs. Ella C. McCristal, widow of Edward J. McCristal, deceased, late an employé of the House of Representatives, beg to report that, after due investigation, they respectfully recommend the passage of the same.

The question was taken on the passage of the resolution, and the Speaker announced that the ayes seemed to have it.

Mr. TAYLOR of Indiana. Division.

The House divided; and there were—ayes 77, noes 11.

So the resolution was agreed to.

On motion of Mr. RUSK, a motion to reconsider the vote by which the resolution was agreed to was laid on the table.

WIDOW OF JAMES P. HICKMAN.

Mr. RUSK, from the Committee on Accounts, also reported back the following resolution:

IN THE HOUSE OF REPRESENTATIVES, *March 28, 1894.*

Mr. ROBERTSON of Louisiana submitted the following, which was referred to the Committee on Accounts:

Resolved, That the Clerk of the House of Representatives be directed to pay out of the contingent fund of the House to the widow of James P. Hickman, deceased, late an employé of the House, a sum equal to six months of the salary being paid said Hickman at the time of his death; and that the Clerk be further directed to pay said widow a sum not exceeding $350 to cover the expenses of the late illness and funeral of James P. Hickman, deceased.

The report of the committee, which was read, states that after due investigation the committee respectfully recommends the passage of the resolution.

Mr. LANE. I call for the regular order.

The SPEAKER. This is a privileged report.

Mr. RUSK. I ask the adoption of the resolution.

Mr. COOMBS. I wish to inquire whether it has been the custom to allow, in the case of deceased committee clerks, six months' salary just the same as to regular annual employés of the House.

Mr. RUSK. There has never been any distinction made in the case of clerks, as to whether they were annual employés or committee clerks. This resolution is in accordance with precedent.

Mr. COOMBS. Was this employé a session clerk or an annual clerk?

Mr. RUSK. He was an annual clerk—clerk to the Committee on Rivers and Harbors.

Mr. COOMBS. Of course I do not wish to make any objection in a matter of this kind.

Mr. DOCKERY. Was this man an employé of this Congress?

Mr. RUSK. Yes, sir.

Mr. DOCKERY. I want to say in reference to these resolutions that I shall vote against them, and without criticism of the committee; but I think the committee is following a vicious precedent in submitting these reports.

The question being taken; there were on a division (called for by Mr. HOLMAN)—ayes 95, noes 25.

So the resolution was agreed to.

On motion of Mr. RUSK a motion to reconsider the last vote was laid on the table.

FAMILY OF THOMAS M'KAIG.

Mr. RUSK, from the Committee on Accounts, also reported back the following resolution:

IN THE HOUSE OF REPRESENTATIVES, *December 19, 1893.*

Mr. DUNPHY submitted the following, which was referred to the Committee on Accounts:

Resolved, That the Clerk of the House of Representatives be directed to pay out of the contingent fund of the House to the widow of Thomas McKaig, deceased, late a fireman under the engineer of the House of Representatives, a sum equal to his salary for six months; and that the Clerk be further directed to pay out of the contingent fund of the House the expenses of the last illness and funeral expenses of said Thomas McKaig, said expenses not to exceed the sum of $250.

The report of the committee, which was read, states that after due investigation the committee recommends the passage of the resolution with an amendment striking out, in line 4, the word "widow" and inserting the word "children."

Mr. RUSK. The amendment reported by the committee is made necessary in consequence of the fact that since the decease of this employé his widow has also died, leaving two or three small children. The amendment has been adopted so that they may get the benefit of this allowance.

The amendment reported by the committee was agreed to.

The resolution as amended was adopted.

On motion of Mr. RUSK, a motion to reconsider the last vote was laid on the table.

SARAH E. EVANS.

Mr. RUSK, from the Committee on Accounts, also reported back the following resolution:

IN THE HOUSE OF REPRESENTATIVES, *June 8, 1894.*

Mr. WILLIAM J. STONE submitted the following, which was referred to the Committee on Accounts:

Resolved, That the Clerk of the House of Representatives be directed to pay out of the contingent fund of the House to Sarah E. Evans, sister of Linton S. Carey, deceased, late an employé of the House of Representatives, a sum equal to six months' salary, as a laborer in the cloakroom of the House of Representatives; and that the Clerk be further directed to pay out of the contingent fund the expenses of the last illness and funeral of said Linton S. Carey, such expenses not to exceed $250.

The report of the committee, which was read, recommended as a substitute for the resolution referred, the following:

Resolved, That the Clerk of the House be directed to pay out of the contingent fund of the House the expenses of the last illness and funeral of Linton S. Carey, late an employé of the House of Representatives, such expenses not to exceed $250.

Mr. RUSK. I will explain this matter.

Mr. BRETZ. I wish to ask the gentleman from Maryland why it is proposed to make this allowance to the sister of this deceased employé? Where are these precedents going to lead to?

Mr. RUSK. If the gentleman had listened to the reading of the report he would have observed that we have recommended a substitute. We found upon inquiry that this man has left no dependent relatives, but that his sister paid his funeral expenses; and the resolution which we report as a substitute proposes only reimbursement for the expense thus incurred by the sister.

Mr. BRETZ. Then there is no allowance for salary?

Mr. RUSK. There was such an allowance in the original resolution, but we have struck it out.

Mr. WILLIAMS of Illinois. How many Congresses do these resolutions cover?

Mr. RUSK. All the resolutions which have been submitted refer to employés of the present Congress. The committee during the present session has made no report upon cases of this kind. The only action of this sort taken during the present Congress was in a case in the early part of the session, where the House acted without referring the subject to the committee.

The SPEAKER. The question will be taken on the resolution reported by the committee in lieu of the original resolution.

The substitute resolution was adopted.

On motion of Mr. RUSK, a motion to reconsider the last vote was laid on the table.

MRS. ANNIE B. WHITE.

Mr. RUSK, from the Committee on Accounts, reported also the following resolution:

IN THE HOUSE OF REPRESENTATIVES, *October 10, 1893.*

Mr. HINGHAM submitted the following, which was referred to the Committee on Accounts:

Resolved, That the Clerk of the House of Representatives be directed to pay out of the contingent fund of the House to Mrs. Annie B. White, wife of Alexander H. White, deceased, late an employé in the office of the Clerk of the House of Representatives, a sum equal to his salary for six months; and that the Clerk be further directed to pay out of the contingent fund of the House for the expenses of the last illness and funeral of said Alexander H. White, such expenses not to exceed $250.

The report of the committee, which was read, states that, after due investigation, the committee respectfully recommend the passage of the resolution.

The resolution was adopted.

On motion of Mr. RUSK, a motion to reconsider the last vote was laid on the table.

JOHN W. MAUNEY.

Mr. RUSK. I ask the Clerk to read the remaining resolution.

The Clerk read as follows:

Resolved, That the Clerk of the House of Representatives be directed to pay out of the contingent fund of the House to the widow of John W. Mauney, deceased, late clerk of the Committee on the Post-Office and Post-Roads of the House of Representatives, a sum equal to six months of the salary being paid to said Mauney at the time of his death; and that the Clerk be further directed to pay to the widow of said Mauney the expenses of the last illness and funeral of the deceased, said expenses not to exceed the sum of $250.

Mr. RUSK. Let the report be read.

The report (by Mr. RUSK) was read as follows:

The Committee on Accounts, to whom was referred the foregoing resolution, offered by Mr. HENDERSON of North Carolina, beg to report that after due investigation they respectfully recommend the passage of the same.

The resolution was considered and agreed to.

On motion of Mr. RUSK, a motion to reconsider the last vote was laid upon the table.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence for ten days was granted to Mr. WILSON of Washington, on account of sickness; and to Mr. HUTCHESON, for this day, on account of sickness in his family.

AGRICULTURAL REPORT 1894.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I desire to submit a report from the Committee on Printing to print the Agricultural Report.

The Clerk read as follows:

Joint resolution (H. Res. 198) to print Agricultural Report for 1894.

Resolved, etc., That the Annual Report of the Secretary of Agriculture for the year 1894 be printed. Said report shall hereafter be submitted and printed in two parts, as follows: Part one, which shall contain purely business and executive matter which it is necessary for the Secretary to submit to the President and Congress; part two, which shall contain such reports from the different Bureaus and divisions, and such papers prepared by their special agents, accompanied by suitable illustrations as shall, in the opinion of the Secretary, be specially suited to interest and instruct the farmers of the country, and to include a general report of the operations of the Department for their information. There shall be printed of part one, 1,000 copies for the Senate, 2,000 copies for the House, and 3,000 copies for the Department of Agriculture; and of part two, 110,000 copies for the use of the Senate, 360,000 copies for the use of the House of Representatives, and 30,000 copies for the use of the Department of Agriculture, the illustrations for the same to be executed under the supervision of the Public Printer, in accordance with directions of the Joint Committee on Printing, said illustrations to be subject to the approval of the Secretary of Agriculture.

Mr. HENDERSON of Illinois. I would like to ask the gentleman from Tennessee as to the necessity for dividing the report into two volumes. Does it not necessarily increase the expenditure?

Mr. RICHARDSON of Tennessee. I ask the reading of the report first, and will then furnish such additional information as may be required.

The report was read as follows:

Mr. RICHARDSON of Tennessee, from the Committee on Printing, submitted the following report:

The Committee have considered House Joint Resolution 198 to print Agricultural Report for 1894, and direct me to report same with the recommendation that it do pass. The committee are of the opinion that it is wise to print said report in two parts, as provided in the resolution, with contents divided as suggested. The proposed change has been submitted to the Department of Agriculture, and has the approval of the Secretary, as shown by the letter from him herewith submitted.

Mr. RICHARDSON of Tennessee. I now ask that the letter from the Secretary of Agriculture be read, and it will in part answer the inquiry of the gentleman from Illinois.

The Clerk read as follows:

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D. C., June 21, 1894.

SIR: I believe that the annual report of the Department of Agriculture, distributed to the farmers of the country in such large numbers, could be greatly improved by publishing it in two separate parts, as follows:

Part 1 to contain purely business and executive matter, which it is necessary for the Secretary to submit to the President and Congress.

Part 2 to include such carefully prepared and selected matter, with proper illustrations, as will especially interest and benefit the farmers of the country, excluding everything that belongs to Part I and including a general report on the work of the Department, written with special reference to the needs of the farming public.

The advantages of such a division of the report are so apparent that no argument is needed to support them. The plan will give this Department the opportunity to prepare a report which will interest and benefit the farming classes more than anything which has hitherto been issued from it.

If this division is to be made, it will be necessary that this Department be notified so that it can give early instructions to the chiefs of Bureaus and divisions, who will soon begin the preparation of the annual report to be submitted on the 1st of December. I would respectfully suggest, therefore, the incorporation of some provision like that inclosed in the printing bill now under consideration by your committee.

Respectfully, yours,

J. STERLING MORTON, *Secretary.*

HON. JAMES D. RICHARDSON,
Chairman Committee on Printing,
House of Representatives, Washington, D. C.

Mr. RICHARDSON of Tennessee. Now, I will make a statement which I think will be satisfactory in connection with this matter.

The resolution provides that the report shall hereafter be printed in two parts the object being, as shown by this letter, to separate so much of the report as would be of interest and benefit to the farmers and agriculturists of the country from that which is purely formal and business, and necessary only to the business of the Department—purely executive matters, necessary for the President and Congress. Much of the matter now published in these reports is of no practical interest or benefit to the farmer or to the agricultural community generally.

Now, it is thought by dividing it in this way that we can eliminate possibly one-third of the matter that goes into the report. As it now is we print 500,000 copies of this official information and executive matters purely, with which the farmers have no concern. We circulate 500,000 copies of this uninteresting matter as well as that which is of interest to them. We now provide that under the law the Secretary shall separate the report and only print 3,000 copies of this first part, that will be of use to the members and to the Executive Departments, the same as we now have printed of the reports of the Secretary of the Treasury and some other Executive Departments; but when you come to print the interesting matter, such as the reports of these Bureaus, containing information for the people, obtained by the Department of Agriculture, and that will be of consequence to the farmer, the resolution provides for printing a half million copies as usual.

Mr. PICKLER. Just as many as we had last year?

Mr. RICHARDSON of Tennessee. Just the same.

Mr. OUTHWAITE. Giving the same number to each member and saving about half the expense.

Mr. HEPBURN. I have an amendment in my hand relating to the distribution of a number of these reports after they come to us, among the members. I wanted to read it to the gentleman from Tennessee and ask if he would be willing to accept it.

Mr. RICHARDSON of Tennessee. I will yield to the gentleman to allow the amendment to be read for information.

Mr. HEPBURN. My amendment is to insert at the proper place this proviso:

And that the whole number of part 2 that shall be printed for the use of the House of Representatives, shall be distributed to members of this House in proportion to the number of persons engaged in agriculture, horticulture, or stock-raising in their respective districts.

Mr. RICHARDSON of Tennessee. Personally I would not object to that amendment, but I hardly think it would be practicable. I do not see how the distribution could be made by the Doorkeeper in any such way. He has no such statistics as are called for in that amendment.

Mr. HEPBURN. If you will permit me to suggest, he can easily get that information. The census gives it. There are a great number of members of this House who place no value whatever upon this particular document, while in other districts it is the most valuable of all Government publications. In the district in which I live there are more than 18,000 voters who are engaged in agriculture. There are districts that I could name where not a single voter is engaged in agriculture.

Why would it not be better to distribute these publications where they would be most useful, and could be best applied? We have the power to control the matter here. If my suggestion is not adopted, then the number ought to be very largely increased. The number that would come to me, under the resolution as reported by the gentleman; would not be one-tenth the number that ought to be distributed in my district.

Mr. RICHARDSON of Tennessee. It will be the same number you are now getting, nearly 1,000 copies.

Mr. HEPBURN. But the number I now get is simply an aggravation.

Mr. LIVINGSTON. And there are districts in New York, Philadelphia, and other large cities, where there is not a single farmer.

Mr. HEPBURN. The present number does not give one man in twenty-five the report that, of all others, he wants. I will ask the gentleman to let the House take action on this amendment.

Mr. RICHARDSON of Tennessee. The resolution, as I have offered it, provides for the same distribution that has been made from time immemorial. Notwithstanding the statement of the gentleman, I do not believe that it would be at all practicable for the Doorkeeper to consult the census and make an apportionment based upon the statistics that he might get in reference to the farmers in the different districts. I do not think we ought to depart from the original method of distribution. Gentlemen who have farmer constituents have no difficulty in exchanging with city members whose constituents have no particular desire for these books. I therefore move the previous question on the resolution.

Mr. BAKER of New Hampshire. Will the gentleman yield

to me for a moment? Would the gentleman have any objection to an amendment adding the words:

Provided, That the title of each of said parts shall be such as to show that each part is complete in itself.

Mr. RICHARDSON of Tennessee. I have no objection to that, although the resolution does not provide that these volumes shall be designated as parts, but simply provides that they shall be printed separately, leaving that to the discretion of the Secretary of Agriculture.

Mr. HEPBURN. Will the gentleman allow me to get my amendment in?

Mr. RICHARDSON of Tennessee. I do not think the amendment of the gentleman from Iowa [Mr. HEPBURN] is practicable at all.

Mr. HEPBURN. Let the House determine that.

Mr. RICHARDSON of Tennessee. I yield for the amendment of the gentleman from New Hampshire [Mr. BAKER].

The SPEAKER. The gentleman from New Hampshire [Mr. BAKER] submits the following amendment; which the Clerk will report.

The Clerk read as follows:

Provided, That the title of each of the said parts shall be such as to show that each part is complete in itself.

Mr. RICHARDSON of Tennessee. I agree to that.

Mr. HEPBURN. I wish to offer my amendment.

Mr. RICHARDSON of Tennessee. I move the previous question upon the resolution and the amendment of the gentleman from New Hampshire.

The SPEAKER. The gentleman from Tennessee [Mr. RICHARDSON] demands the previous question upon the resolution and the pending amendment.

Mr. HEPBURN. Mr. Speaker——

The SPEAKER. Does the gentleman from Tennessee [Mr. RICHARDSON] yield to the gentleman from Iowa [Mr. HEPBURN]?

Mr. RICHARDSON of Tennessee. Mr. Speaker, I can not do that. I do not think the amendment would be at all practicable.

The SPEAKER. The question is on ordering the previous question on the resolution and the pending amendment.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. HEPBURN demanded a division.

The House divided; and there were—ayes 80, noes 58.

Mr. HEPBURN. No quorum has voted.

The SPEAKER appointed as tellers Mr. HEPBURN and Mr. RICHARDSON of Tennessee.

The House again divided; and tellers reported—ayes 123; noes 57.

So the previous question was ordered.

The SPEAKER. The question is on the amendment offered by the gentleman from New Hampshire.

The amendment was agreed to.

The SPEAKER. The question is upon the third reading of the joint resolution as amended.

Mr. HEPBURN. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. HEPBURN. Is it now in order to move to recommit with instructions?

The SPEAKER. It will be after the third reading.

The resolution was ordered to be read a third time; and it was accordingly read the third time.

The SPEAKER. The question is on agreeing to the resolution.

Mr. HEPBURN. I move to recommit to the committee, with instructions to report the resolution with the language which I send to the Clerk's desk.

The SPEAKER. The gentleman from Iowa moves to recommit with instructions, which the Clerk will report.

The Clerk read as follows:

And that the whole number of part 2 that shall be printed for the use of the House of Representatives shall be distributed to members of the House in proportion to the number of persons engaged in agriculture, horticulture, and stock-raising in their respective districts.

The question was taken on the motion to recommit, and the Speaker announced that the noes seemed to have it.

Mr. HEPBURN. Division.

The House divided: and there were—ayes 47, noes 95.

So the motion to recommit was rejected.

The joint resolution was then agreed to.

On motion of Mr. RICHARDSON of Tennessee, a motion to reconsider the vote by which the joint resolution was agreed to was laid on the table.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. RUSSELL of Georgia, indefinitely, on account of sickness in his family.

To Mr. STEVENS, on account of sickness.

To Mr. BROSIUS, for two days, on account of illness.

The SPEAKER. The Clerk will call the committees for reports.

SCHOONER BARGE ASTORIA.

Mr. PIGOTT, from the Committee on Merchant Marine and Fisheries, reported back favorably the bill (H. R. 7197) to provide a register for the schooner barge Astoria; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

TO RECLASSIFY AND PRESCRIBE SALARIES OF RAILWAY POSTAL CLERKS.

Mr. HENDERSON of North Carolina, from the Committee on the Post-Office and Post-Roads, reported favorably the bill (S. 544) to reclassify and prescribe the salaries of railway postal clerks; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

AMENDMENT OF COPYRIGHT LAW.

Mr. COVERT, from the Committee on Patents, reported with amendments, the bill (H. R. 6835) to amend Title LX, charpter 3, of the Revised Statutes of the United States, relating to copyrights; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

Mr. COVERT. Mr. Speaker, I ask that the minority may have leave to present their views.

The SPEAKER. Without objection, the minority will have leave to present their views, and when presented they will be printed.

This completes the call of committees for reports.

CONTESTED-ELECTION CASE OF WATSON AGAINST BLACK.

Mr. PENCE. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. PENCE. I rise to offer a privileged resolution.

The SPEAKER. The gentleman will send it up.

The Clerk read as follows:

Resolved, That the contested-election case of Thomas E. Watson *vs.* James C. C. Black be made the special order for the 17th day of July, 1894, and from day to day until the same is disposed of.

Mr. BROWN. I raise the point of order that that is not privileged.

The SPEAKER. The Chair will state to the gentleman from Colorado that as to reports from the Committee on Elections it has been held that it is privileged to call them up for consideration at any time. This is a resolution that looks to fixing a time. The Chair does not see how this gives it privilege. It is privileged to call up the matter, and the gentleman may accomplish his purpose by giving notice that he will call up the matter, or something of that sort.

Mr. REED. I would suggest that the motion could be made to call this up, and then move that it be postponed to a particular day.

The SPEAKER. It could be done in that way.

Mr. PENCE. I will make that motion.

The SPEAKER. But the gentleman must first call it up.

Mr. PENCE. I will call it up, if I may do that.

The SPEAKER. The gentleman from Colorado calls up for consideration the contested-election case of Watson against Black.

Mr. BROWN. I raise the question of consideration.

The SPEAKER. The title will be read, and then the Chair will recognize the gentleman. The gentleman from Colorado calls up the following resolution which the Clerk will report.

The Clerk read as follows:

Resolved 1. That Thomas E. Watson was not elected a member of the Fifty-third Congress from the Tenth Congressional district of the State of Georgia and is not entitled to a seat in said Congress.

Resolved 2. That James C. C. Black was elected a member of the Fifty-third Congress from the Tenth Congressional district of the State of Georgia and is entitled to a seat in said Congress.

The SPEAKER. The gentleman from Indiana [Mr. BROWN] raises the question of consideration on these resolutions.

Mr. BROWN. Mr. Speaker——

The SPEAKER. The question is not debatable. The question is, Will the House proceed to the consideration of the resolutions just read?

The question being taken, there were on a division (called for by Mr. PENCE)—ayes 49, noes 92.

Mr. PENCE. I call for the yeas and nays.

The yeas and nays were ordered.

Mr. PENCE and Mr. BROWN were appointed as tellers to act during the call of the yeas and nays.

The question was taken; and there were—yeas 220, nays 0, answered "present" 1, not voting 131; as follows:

YEAS—220.

Abbott,	Cooper, Tex.	Hopkins, Ill.	Page,
Adams, Ky.	Cooper, Wis.	Houk,	Paschal,
Adams, Pa.	Cousins,	Hudson,	Patterson,
Aitken,	Covert,	Hulick,	Payne,
Alderson,	Cox,	Hull,	Paynter,
Alexander,	Crain,	Hunter,	Pearson,
Allen,	Crawford,	Ikirt,	Pence,
Apsley,	Curtis, Kans.	Izlar,	Pendleton, Tex.
Arnold,	Dalzell,	Johnson, Ind.	Pendleton, W. Va
Babcock,	Daniels,	Jones,	Perkins,
Bailey,	Davis,	Kem,	Pigott,
Baker, Kans.	De Armond,	Kiefer,	Powers,
Baker, N. H.	De Forest,	Kyle,	Ray,
Baldwin,	Dinsmore,	Lacey,	Reilly,
Bankhead,	Dockery,	Lane,	Reyburn,
Bartholdt,	Donovan,	Lapham,	Richardson, Tenn.
Bartlett,	Doolittle,	Latimer,	Ritchie,
Barwig,	Draper,	Layton,	Robbins,
Bell, Colo.	Dunn,	Lester,	Russell, Conn.
Bell, Tex.	Dunphy,	Linton,	Ryan,
Berry,	Ellis, Oregon	Livingston,	Shaw,
Bingham,	English, Cal.	Lockwood,	Smith,
Blair,	Enloe,	Loud,	Somers,
Boatner,	Epes,	Loudenslager,	Sorg,
Boen,	Erdman,	Lucas,	Sperry,
Bower, N. C.	Everett,	Lynch,	Stephenson,
Branch,	Fletcher,	Maddox,	Stone, C. W.
Breckinridge, Ark.	Funk,	Maguire,	Stone, W. A.
Bretz,	Fyan,	Mahon,	Storer,
Brickner,	Gardner,	Mallory,	Strong,
Broderick,	Gear,	Marsh,	Talbert, S. C.
Brookshire,	Geary,	Martin, Ind.	Talbott, Md.
Brown,	Geissenhainer,	McAleer,	Tarsney,
Bryan,	Gillet, N. Y.	McCreary, Ky.	Tate,
Bundy,	Grady,	McCulloch,	Taylor, Ind.
Bunn,	Graham,	McDannold,	Terry,
Burrows,	Gresham,	McDearmon,	Tracey,
Bynum,	Grosvenor,	McEttrick,	Tyler,
Cabaniss,	Hager,	McGann,	Van Voorhis, N. Y
Cadmus,	Hainer,	McKaig,	Wanger,
Cannon, Cal.	Hall, Mo.	McLaurin,	Warner,
Cannon, Ill.	Hammond,	McMillin,	Washington,
Caruth,	Hare,	McNagny,	Waugh,
Catchings,	Harris,	McRae,	Wells,
Causey,	Haugen,	Milliken,	Wever,
Clancy,	Hayes,	Money,	Wheeler, Ala.
Clark, Mo.	Heard,	Morgan,	Williams, Ill.
Clarke, Ala.	Heiner,	Moses,	Williams, Miss.
Cobb, Ala.	Henderson, Ill.	Murray,	Wilson, Ohio
Cobb, Mo.	Henderson, N. C.	Mutchler,	Wilson, W. Va.
Cockrell,	Hepburn,	Northway,	Wise,
Conn,	Hermann,	Ogden,	Wolverton,
Coombs,	Hitt,	O'Neil, Mass.	Woodard,
Cooper, Fla.	Holman,	O'Neill, Mo.	Woomer,
Cooper, Ind.	Hooker, Miss.	Outhwaite,	Wright, Mass.

NAYS—0.

ANSWERED "PRESENT"—1.

Meiklejohn.

NOT VOTING—131.

Aldrich,	Fielder,	Marvin, N. Y.	Sherman,
Avery,	Fithian,	McCall,	Sibley,
Barnes,	Forman,	McCleary, Minn.	Sickles,
Belden,	Funston,	McDowell,	Simpson,
Beltzhoover,	Gillett, Mass.	McKeighan,	Sipe,
Black, Ga.	Goldzier,	Mercer,	Snodgrass,
Black, Ill.	Goodnight,	Meredith,	Springer,
Bland,	Gorman,	Meyer,	Stallings,
Boutelle,	Griffin,	Montgomery,	Stevens,
Bowers, Cal.	Grout,	Moon,	Stockdale,
Breckinridge, Ky.	Grow,	Morse,	Stone, Ky.
Brosius,	Haines,	Neill,	Strait,
Burnes,	Hall, Minn.	Newlands,	Straus,
Caminetti,	Harmer,	Oates,	Swanson,
Campbell,	Harter,	Phillips,	Sweet,
Capehart,	Hartman,	Pickler,	Tawney,
Chickering,	Hatch,	Post,	Taylor, Tenn.
Childs,	Henderson, Iowa	Price,	Thomas,
Cockran,	Hendrix,	Quigg,	Tucker,
Coffeen,	Hicks,	Randall,	Turner, Ga.
Cogswell,	Hines,	Rayner,	Turner, Va.
Cornish,	Hooker, N. Y.	Reed,	Turpin,
Culberson,	Hopkins, Pa.	Richards, Ohio	Updegraff,
Cummings,	Hutcheson,	Richardson, Mich.	Van Voorhis, Ohio
Curtis, N. Y.	Johnson, N. Dak.	Robertson, La.	Wadsworth,
Davey,	Johnson, Ohio	Robinson, Pa.	Walker,
Denson,	Kilgore,	Rusk,	Weadock,
Dingley,	Kribbs,	Russell, Ga.	Wheeler, Ill.
Dolliver,	Lawson,	Sayers,	White,
Durborow,	Lefever,	Schermerhorn,	Whiting,
Edmunds,	Lisle,	Scranton,	Wilson, Wash.
Ellis, Ky.	Magner,	Settle,	Wright, Pa.
English, N. J.	Marshall,	Sheil,	

So the House decided to consider the resolutions.

Before the result of the vote was announced——

Mr. QUIGG. I voted inadvertently. I desire to withdraw my vote, being paired with my colleague from New York [Mr. STRAUS].

Mr. HARTMAN. I desire to withdraw my vote, as I am paired with the gentleman from New York [Mr. HAINES].

The following pairs were announced:

Until further notice:

Mr. CULBERSON with Mr. GROUT.

Mr. HATCH with Mr. HARMER.

Mr. BLAND with Mr. MORSE.

Mr. STONE of Kentucky with Mr. DINGLEY.

Mr. TURNER of Georgia with Mr. GROW.

Mr. LAWSON with Mr. WILSON of Washington.

Mr. RUSSELL of Georgia with Mr. SWEET.

Mr. BLACK of Illinois with Mr. CURTIS of New York.

Mr. KILGORE with Mr. WHITE.

Mr. ELLIS of Kentucky with Mr. SCRANTON.

Mr. NEILL of Arkansas with Mr. CHILDS.

Mr. COOPER of Texas with Mr. GILLETT of Massachusetts.

Mr. ROBERTSON of Louisiana with Mr. PHILLIPS.

Mr. SCHERMERHORN with Mr. BELDEN.

Mr. FORMAN with Mr. WHEELER of Illinois.

Mr. HAINES with Mr. HARTMAN.

Mr. SICKLES with Mr. DANIELS.

Mr. STRAIT with Mr. ELLIS of Oregon.

Mr. OATES with Mr. SHERMAN.

Mr. BARNES with Mr. MCCLEARY of Minnesota.

Mr. STRAUS with Mr. QUIGG.

Mr. STOCKDALE with Mr. AVERY.

Mr. TURPIN with Mr. DRAPER.

Mr. GOODNIGHT with Mr. ROBINSON of Pennsylvania.

Mr. DURBOROW with Mr. MARVIN of New York.

Mr. CAMPBELL with Mr. TAYLOR of Tennessee.

Mr. GEISSENHAINER with Mr. WRIGHT of Pennsylvania.

Mr. HUTCHESON with Mr. KIEFER.

For this day:

Mr. SPRINGER with Mr. THOMAS.

Mr. MEREDITH with Mr. BROSIUS.

Mr. RICHARDS with Mr. WADSWORTH.

Mr. SAYERS with Mr. BLAIR.

Mr. DENSON with Mr. HENDERSON of Iowa.

The result of the vote was announced as above stated.

The SPEAKER. The Chair will recognize the gentleman from Colorado.

Mr. PENCE. Mr. Speaker, the report in this case is a unanimous one, joined in, as I understand, by both the Democratic and Republican members of the committee. Notwithstanding this fact, however, there is a serious belief on the part of the members of this House—many of the members—that the contestant, Mr. Watson, was duly elected.

I do not care to go into any discussion of the facts of the case, for I am not capable of doing so, having had no opportunity of becoming informed, as a member of the committee can become informed, relative to the merits of the controversy.

The Populist party, whose candidate Mr. Watson was, has no membership on the Elections Committee. For reasons that were, I suppose, entirely satisfactory to the Speaker's mind, we were denied any membership on that committee, notwithstanding a formal written request for the appointment of one of the members of our party upon the committee. It will do no good to complain of that now, so I make no complaint.

We felt from the beginning, however, that inasmuch as a Populist, Mr. Goode, was contesting the seat of a Democrat, Mr. Epes, from the State of Virginia, and that Mr. O'Ferrall, a Democrat from Virginia, was chairman of the Committee on Elections, and after his resignation another Democrat, Mr. JONES, from Virginia, became a member of the committee in his place; inasmuch as a Populist, Mr. Watson, from Georgia, was contesting the seat of Mr. BLACK, a Democrat, and Mr. LAWSON, a Democratic member from Georgia, was put on that committee; notwithstanding the further fact that there was a Populist, Mr. Whatley, contesting the seat of a Democrat, Mr. COBB, from Alabama, and Mr. DENSON, a Democrat from Alabama, was put upon the committee, and for other reasons like these we felt, I repeat, that it was but a fair and reasonable request to have one member of the Populist party on that committee.

Prompted by that idea at the time, and feeling entirely satisfied that we were entitled to the place, we supplemented a previous formal verbal request with a written one for recognition, which was denied to us; and of course we had no remedy, and perhaps it is a useless thing to complain. I am not mentioning it as a complaint now, but only citing the facts as a reason for the request that I desire and intend presently to submit a request, which we hope and expect will be granted (and I do not doubt it will be granted, inasmuch as it is in accordance with the usual and uniform practice of the House of Representatives with reference to contested-election cases), and that the same practice will be followed in the case of Mr. Watson.

That request, Mr. Speaker, is that the contestant, Mr. Watson, be granted leave to address the House on this case in his own behalf for an hour or an hour and a half—I would suggest an hour and a half—and in presenting that request I wish to suggest that in view of the fact that like many new members

here who have no recollection of course of the precedents I made inquiry of the older members on both sides of the House, and am informed that it has been the universal practice to grant this privilege to contestants ever since the organization of the House of Representatives. It has never been denied. The chance for the contestant to speak for himself has always been granted.

I started to look into the RECORD to ascertain for myself what had been the practice in such cases, and I find instances where the present Speaker of the House had himself made a similar request in more than one case. I remember particularly the contest of Thoebe against Carlisle, when the present Speaker of the House [Mr. CRISP] was chairman of the Committee on Elections, and presented that request as in conformity with the universal practice of the House. I copied the language in that instance, which appears in the RECORD, volume 88, page 601, Fiftieth Congress, first session, from which it appears that the following language was used:

Mr. CRISP. I now ask unanimous consent that the contestant be allowed to address the House if he desires to do so.

The SPEAKER *pro tempore*.—

I do not know who the Speaker *pro tempore* was, Mr. Carlisle, the Speaker, having left the chair—stated—

It is customary to grant such requests by unanimous consent. The Chair hears no objection.

I think it will not be denied, Mr. Speaker, that that is the universal practice of the House; and I hope the same privilege will be granted to Mr. Watson.

I now move that this case be postponed until next Monday afternoon at 2 o'clock; and pending that, I move that when the House adjourns to-day it be to meet on Monday next.

The SPEAKER. The Chair did not understand the proposition of the gentleman.

Mr. PENCE. My motion was that the case be postponed until next Monday at 2 o'clock; and pending that, I move that when the House adjourns to-day it be until next Monday at 12 o'clock. The purpose and the sole purpose is to enable Mr. Watson to arrive in the city to have the opportunity, which has never been denied to a contestant here, to be heard in his own behalf.

The SPEAKER. The question is on the motion of the gentleman from Colorado, that when the House adjourns to-day it be to meet on Monday next.

Mr. REED. If the Chair will permit me, I would like to suggest that I understand from the gentleman that Mr. Watson is not here, but can be here on Monday.

Mr. PENCE. That is correct.

Mr. BROWN. Before putting the question, I would like to ask the gentleman from Colorado what his object is in moving to have the House adjourn until Monday?

Mr. PENCE. Simply this, I will answer: that before this matter came up a number of gentlemen asked that the motion be made that when the House adjourns to-day it be to meet on Monday. There is no object in presenting the question except that, and if there is objection to it——

Mr. BURROWS. It seems to be a general desire to adjourn over to-morrow.

The question being taken, on motion of Mr. PENCE, the House divided: and there were—ayes 65, noes 96.

So the motion was not agreed to.

The SPEAKER. The question now recurs on the motion of the gentleman from Colorado to postpone the further consideration of the contested-election case until Monday next at 2 o'clock.

Mr. BROWN. Mr. Speaker, I have no response to make to what the gentleman from Colorado has said upon the subject of the appointment of the Committee on Elections. If I were to say anything, I would say that I hardly consider it delicate to approach the Speaker upon the subject of appointing certain persons upon any of the committees. The Speaker is well equipped to perform that duty without advice from anyone.

This case, Mr. Speaker, is here with a unanimous report. It proceeded before the Committee on Elections according to the wish and desire both of the contestant and contestee. There has not been the slightest complaint upon the part of either of the parties to this record, respecting the conduct of the Committee on Elections.

The report was adopted by the committee less than one week ago, and it seems to me remarkable that the gentleman from Colorado [Mr. PENCE] should come into the House this morning and make this most extraordinary motion which he has made. Especially is this so in view of the fact which I have stated, that the case has progressed, on the part of Mr. Watson, according to his desires all the way through. Mr. Speaker, all the members of the Committee on Elections, Republicans as well as Democrats, have not only concurred in the result arrived at, as stated in the committee's report, but have concurred in the reasons so ably stated in the report by my colleague on the committee, the gentleman from Georgia, Judge LAWSON.

This, Mr. Speaker, is all I desire to say, either for the contestant, the committee, or the House. I therefore move the previous question upon the motion made by the gentleman from Colorado [Mr. PENCE].

The previous question was ordered.

The SPEAKER. The question now is on the motion to postpone the further consideration of this case until 2 o'clock on Monday next.

Mr. PENCE. Mr. Speaker——

The SPEAKER. This is not——

Mr. PENCE. Is it in order, pending that, to have the Chair present the request to the House for unanimous consent that the contestant, Mr. Watson, be permitted to address the House for one hour on the case? That request, which I made, has not yet been presented to the House.

Mr. COOPER of Indiana. It will be time for that when the case comes up for consideration.

The SPEAKER. Of course, that is not in order now, because the question is whether the House will proceed to consider the case or postpone it to a later period. The question now is on the motion to postpone the consideration of this case until Monday at 2 o'clock.

The question was taken; and the Speaker announced that the noes seemed to have it.

Mr. PENCE demanded a division.

The House divided; and there were—ayes 57, noes 102.

Mr. PENCE. Yeas and nays.

The yeas and nays were ordered.

The SPEAKER appointed as tellers Mr. PENCE and Mr. BROWN.

The question was taken; and there were—yeas 77, nays 126, answered "present" 4, not voting 145; as follows:

YEAS—77.

Adams, Ky.	Curtis, Kans.	Hudson,	Perkins,
Adams, Pa.	Daniels,	Hulick,	Ray,
Aitken,	Davis,	Hull,	Russell, Conn.
Baker, Kans.	Dolliver,	Johnson, Ind.	Ryan,
Baker, N. H.	Doolittle,	Johnson, N. Dak.	Shaw,
Bartholdt,	Dunn,	Kem,	Smith,
Bell, Colo.	Ellis, Oregon	Kiefer,	Stone, C. W.
Blair,	Fletcher,	Lacey,	Stone, W. A.
Boen,	Funk,	Latimer,	Strong,
Boutelle,	Gardner,	Linton,	Tawney,
Bowers, Cal.	Gillet, N. Y.	Loudenslager,	Van Voorhis, N. Y.
Broderick,	Grosvenor,	Lucas,	Van Voorhis, Ohio
Bryan,	Hager,	Mahon,	Wanger,
Bundy,	Harris,	Marsh,	Warner,
Cannon, Ill.	Haugen,	McCall.	Waugh,
Cogswell,	Heiner,	McKeighan,	Wilson, Ohio
Conn,	Henderson, Ill.	McLaurin,	Woomer.
Cooper, Wis.	Hepburn,	Murray,	
Cousins,	Hermann,	Payne,	
Cummings,	Hitt,	Pence,	

NAYS—126.

Abbott,	Covert,	Lane,	Page,
Alderson,	Cox,	Lapham,	Paschal,
Alexander,	Crain,	Layton,	Patterson,
Allen,	Crawford,	Lester,	Paynter,
Arnold,	De Armond,	Livingston,	Pearson,
Bailey,	De Forest,	Lockwood,	Pendleton, W. Va.
Baldwin,	Dinsmore,	Lynch,	Pigott,
Bankhead,	Dockery,	Maddox,	Powers,
Barwig,	Donovan,	Maguire,	Reilly,
Bell, Tex.	Dunphy,	Mallory,	Richardson, Tenn.
Berry,	English, Cal.	Martin, Ind.	Ritchie,
Boatner,	English, N. J.	McAleer,	Robbins,
Breckinridge, Ark.	Erdman,	McCleary, Ky.	Somers,
Bretz,	Everett,	McCulloch,	Sperry,
Brickner,	Fyan,	McDannold,	Talbert, S. C.
Brookshire,	Geary,	McDearmon,	Talbott, Md.
Brown,	Geissenhainer,	McEttrick,	Tarsney,
Bynum,	Grady,	McGann,	Tate,
Cabaniss,	Graham,	McKaig,	Taylor, Ind.
Caminetti,	Gresham,	McMillin,	Terry,
Cannon, Cal.	Hall, Mo.	McNagny,	Turner, Va.
Caruth,	Hammond,	McRae,	Washington,
Catchings,	Hare,	Meyer,	Wells,
Causey,	Heard,	Montgomery,	Williams, Ill.
Clancy,	Henderson, N. C.	Morgan,	Williams, Miss.
Clark, Mo.	Holman,	Moses,	Wilson, W. Va.
Cobb, Mo.	Hooker, Miss.	Mutchler,	Wise,
Cockrell,	Hunter,	Northway,	Wolverton,
Coombs,	Ikirt,	Ogden,	Woodard,
Cooper, Fla.	Izlar,	O'Neill, Mass.	Wright, Mass.
Cooper, Ind.	Jones,	O'Neill, Mo.	
Cooper, Tex.	Kyle,	Outhwaite,	

ANSWERED "PRESENT"—4.

Cobb, Ala.	Enloe,	Hayes,	Tracey.

NOT VOTING—145.

Aldrich,	Bingham,	Bunn,	Clarke, Ala.
Apsley,	Black, Ga.	Burnes,	Cockran,
Avery,	Black, Ill.	Burrows,	Coffeen,
Babcock,	Bland,	Cadmus,	Cornish,
Barnes,	Bower, N. C.	Campbell,	Culberson,
Bartlett,	Branch,	Capehart,	Curtis, N. Y.
Belden,	Breckinridge, Ky.	Chickering,	Dalzell,
Beltzhoover,	Brosius,	Childs,	Davey,

Denson,	Hines,	Phillips,	Stephenson,
Dingley,	Hooker, N. Y.	Pickler,	Stevens,
Draper,	Hopkins, Ill.	Post,	Stockdale,
Durborow,	Hopkins, Pa.	Price,	Stone, Ky.
Edmunds,	Houk,	Quigg,	Storer,
Ellis, Ky.	Hutcheson,	Randall,	Strait,
Epes,	Johnson, Ohio	Rayner,	Straus,
Fielder,	Kilgore,	Reed,	Swanson,
Fithian,	Kribbs,	Reyburn,	Sweet,
Forman,	Lawson,	Richards, Ohio	Taylor, Tenn.
Funston,	Lefever,	Richardson, Mich.	Thomas,
Gear,	Lisle,	Robertson, La.	Tucker,
Gillett, Mass.	Loud,	Robinson, Pa.	Turner, Ga.
Goldzier,	Magner,	Rusk,	Turpin,
Goodnight,	Marshall,	Russell, Ga.	Tyler,
Gorman,	Marvin, N. Y.	Sayers,	Updegraff,
Griffin,	McCleary, Minn.	Schermerhorn,	Wadsworth,
Grout,	McDowell,	Scranton,	Walker,
Grow,	Meiklejohn,	Settle,	Weadock,
Hainer,	Mercer,	Shell,	Wever,
Haines,	Meredith,	Sherman,	Wheeler, Ala.
Hall, Minn.	Milliken,	Sibley,	Wheeler, Ill.
Harmer,	Money,	Sickles,	White,
Harter,	Moon,	Simpson,	Whiting,
Hartman,	Morse,	Sipe,	Wilson, Wash.
Hatch,	Neill,	Snodgrass,	Wright, Pa.
Henderson, Iowa	Newlands,	Sorg,	
Hendrix,	Oates,	Springer,	
Hicks,	Pendleton, Tex.	Stallings,	

So the motion was rejected.

The Clerk announced the following additional pairs:

For this day:

Mr. ENLOE with Mr. HOUK.

Mr. SIPE with Mr. POST.

Mr. RICHARDSON of Tennessee. Mr. Speaker, my colleague, Mr. SNODGRASS, is detained in his room by illness.

The result of the vote was then announced as above recorded.

Mr. BROWN and Mr. PENCE addressed the Chair.

The SPEAKER. The gentleman from Indiana.

Mr. BROWN. Mr. Speaker, the question now is on the consideration and disposition of the report, is it not?

The SPEAKER. Certainly, it is before the House.

Mr. BROWN. Mr. Speaker, as I said before, this case has progressed so far, on the part of the House, as well as on the part of the committee, so as to afford Mr. Watson every opportunity that he has desired to be heard, and in view of the fact that the report of the committee, as I said before, is unanimous, neither its conclusions nor any statement that it contains being objected to by anyone, and in view of the unprecedented course taken by a third party in this case, it seems to me that the House should dispose of this case at once.

The record shows, uncontradictedly shows, that Judge BLACK, the sitting member, has a majority of at least 5,000 votes. By giving the contestant every possible doubt that could occur in the examination of the case, the majority of the sitting member is at least that much. It seems to me, Mr. Speaker, that no useful purpose can be served by a discussion of this question further. I therefore move the previous question.

Mr. PENCE. Inasmuch as the gentleman has just made an allusion to me——

The SPEAKER. The gentleman from Indiana demands the previous question.

Mr. PENCE. Mr. Speaker, I will ask the gentleman to withdraw it, inasmuch as he has made allusion to my own action in the matter. I wish to make——

Mr. BROWN. I can not yield to the gentleman from Colorado.

Mr. CANNON of Illinois. I think if you will shut off all——

Mr. BROWN. Or to the gentleman from Illinois.

Mr. CANNON of Illinois. Well, in fairness, the gentleman ought to be a little in favor of free speech, even if the gentleman has no case.

A MEMBER. Regular order.

The SPEAKER. The regular order is demanded. The question is on ordering the previous question.

Mr. PENCE. I move that the House adjourn.

The question was taken; and the Speaker announced that the noes seemed to have it.

Mr. PENCE. Division.

The House divided; and there were—ayes 25, noes 75.

So the House refused to adjourn.

Mr. PENCE. I move that when the House adjourns to-day it be to meet on Tuesday next at 2 o'clock.

The question was taken; and the Speaker announced that the noes seemed to have it.

Mr. PENCE. Division.

The House divided: and there were—ayes 14, noes 68.

Mr. PENCE. I make the point of no quorum.

The SPEAKER *pro tempore* (Mr. RICHARDSON of Tennessee). The gentleman from Colorado makes the point of no quorum. The Chair will appoint as tellers the gentleman from Indiana [Mr. BROWN] and the gentleman from Colorado [Mr. PENCE].

The House again divided; and tellers reported—ayes 2; noes 118.

The SPEAKER *pro tempore*. No quorum has voted. Gentlemen desiring to vote will please come forward.

Mr. BROWN. I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 54, nays 142, answered "present" 8, not voting 148; as follows:

YEAS—54.

Aitken,	Daniels,	Kiefer,	Ray,
Apsley,	Davis,	Linton,	Reed,
Bartholdt,	Doolittle,	Loudenslager,	Reyburn,
Bingham,	Fletcher,	Lucas,	Shell,
Boutelle,	Funk,	Mahon,	Smith,
Bowers, Cal.	Gardner,	Marsh,	Stephenson,
Broderick,	Grosvenor,	McCall,	Stone, C. W.
Bundy,	Hainer,	McKeighan,	Stone, W. A.
Burrows,	Harris,	McLaurin,	Storer,
Cannon, Ill.	Heiner,	Milliken,	Tawney,
Cogswell,	Hepburn,	Murray,	Waugh,
Cooper, Wis.	Johnson, Ind.	Pence,	Wilson, Ohio
Cousins,	Johnson, N. Dak.	Perkins,	
Curtis, Kans.	Kem,	Pickler,	

NAYS—142.

Abbott,	Cooper, Ind.	Ikirt,	Paschal,
Alderson,	Cooper, Tex.	Izlar,	Patterson,
Alexander,	Covert,	Jones,	Paynter,
Allen,	Cox,	Kyle,	Pearson,
Arnold,	Crain,	Lacey,	Pendleton, Tex.
Bailey,	Crawford,	Lane,	Pendleton, W. Va.
Baker, Kans.	De Armond,	Lapham,	Pigott,
Bankhead,	Dinsmore,	Latimer,	Powers,
Bartlett,	Dockery,	Layton,	Reilly,
Barwig,	Donovan,	Lester,	Richardson, Tenn.
Bell, Tex.	Dunn,	Livingston,	Ritchie,
Berry,	Dunphy,	Lockwood,	Robbins,
Boatner,	English, Cal.	Lynch,	Rusk,
Bower, N. C.	English, N. J.	Maddox,	Somers,
Breckinridge, Ark.	Epes,	Mallory,	Sorg,
Bretz,	Erdman,	Martin, Ind.	Sperry,
Brickner,	Fyan,	McAleer,	Swanson,
Brookshire,	Geary,	McCreary, Ky.	Talbert, S. C.
Brown,	Geissenhainer,	McCulloch,	Talbott, Md.
Bryan,	Grady,	McDearmon,	Tarsney,
Bunn,	Graham,	McDowell,	Tate,
Bynum,	Gresham,	McEttrick,	Taylor, Ind.
Cabaniss,	Griffin,	McGann,	Terry,
Cadmus,	Hall, Minn.	McKaig,	Tracey,
Caminetti,	Hall, Mo.	McMillin,	Tucker,
Cannon, Cal.	Hammond,	McNagny,	Turner, Va.
Caruth,	Haro,	McRae,	Warner,
Catchings,	Harter,	Montgomery,	Washington,
Causey,	Heard,	Moses,	Wells,
Clancy,	Henderson, Ill.	Morgan,	Williams, Ill.
Clark, Mo.	Henderson, N. C.	Mutchler,	Williams, Miss.
Cockrell,	Hitt,	Northway,	Wise,
Coffeen,	Holman,	Ogden,	Wolverton,
Conn,	Hooker, Miss.	O'Neil, Mass.	Woodard,
Coombs,	Hulick,	O'Neill, Mo.	
Cooper, Fla.	Hunter,	Outhwaite,	

ANSWERED "PRESENT"—8.

Cobb, Ala.	Hull,	Newlands,	Ryan,
Hayes,	McCleary, Minn.	Page,	Van Voorhis, N. Y.

NOT VOTING—148.

Adams, Ky.	Durborow,	Lawson,	Sickles,
Adams, Pa.	Edmunds,	Lefever,	Simpson,
Aldrich,	Ellis, Ky.	Lisle,	Sipe,
Avery,	Ellis, Oregon	Loud,	Snodgrass,
Babcock,	Enloe,	Magner,	Springer,
Baker, N. H.	Everett,	Maguire,	Stallings,
Baldwin,	Fielder,	Marshall,	Stevens,
Barnes,	Fithian,	Marvin, N. Y.	Stockdale,
Belden,	Forman,	McDannold,	Stone, Ky.
Bell, Colo.	Funston,	Meiklejohn,	Strait,
Beltzhoover,	Gear,	Mercer,	Straus,
Black, Ga.	Gillet, N. Y.	Meredith,	Strong,
Black, Ill.	Gillett, Mass.	Meyer,	Sweet,
Blair,	Goldzier,	Money,	Taylor, Tenn.
Bland,	Goodnight,	Moon,	Thomas,
Boen,	Gorman,	Morse,	Turner, Ga.
Branch,	Grout,	Neill,	Turpin,
Breckinridge, Ky.	Grow,	Oates,	Tyler,
Brosius,	Hager,	Payne,	Updegraff,
Burnes,	Haines,	Phillips,	Van Voorhis, Ohio
Campbell,	Harmer,	Post,	Wadsworth,
Capehart,	Hartman,	Price,	Walker,
Chickering,	Hatch,	Quigg,	Wanger,
Childs,	Haugen,	Randall,	Weadock,
Clarke, Ala.	Henderson, Iowa	Rayner,	Wever,
Cobb, Mo.	Hendrix,	Richards, Ohio	Wheeler, Ala.
Cockran,	Hermann,	Richardson, Mich.	Wheeler, Ill.
Cornish,	Hicks,	Robertson, La.	White,
Culberson,	Hines,	Robinson, Pa.	Whiting,
Cummings,	Hooker, N. Y.	Russell, Conn.	Wilson, Wash.
Curtis, N. Y.	Hopkins, Ill.	Russell, Ga.	Wilson, W. Va.
Dalzell,	Hopkins, Pa.	Sayers,	Woomer,
Davey,	Houk,	Schermerhorn,	Wright, Mass.
De Forest,	Hudson,	Scranton,	Wright, Pa.
Denson,	Hutcheson,	Settle,	
Dingley,	Johnson, Ohio	Shaw,	
Dolliver,	Kilgore,	Sherman,	
Draper,	Kribbs,	Sibley,	

So the motion was rejected.

The following additional pairs were announced:

For this day:

Mr. EDMUNDS with Mr. HITT.

Mr. WHITING with Mr. ALDRICH.
Mr. HAYES with Mr. GEAR.
The result of the vote was then announced as above recorded.
Mr. OUTHWAITE. Mr. Speaker, I submit the following resolution from the Committee on Rules, and ask for its immediate consideration:
The Clerk read as follows:

Resolved, That immediately upon the adoption of this order the previous question shall be considered as ordered on pending resolutions in contested-election case of Watson *vs.* Black; and without intervening motion the vote be taken on said resolutions without division, and then on a motion to reconsider and lay on the table.

Mr. OUTHWAITE. On that I demand the previous question.
The question was taken, and the Speaker announced that the ayes seemed to have it.
Mr. PENCE. Division.
The House divided; and there were—ayes 110, noes 10.
Mr. PENCE. No quorum.
Mr. OUTHWAITE. I call for the yeas and nays.
The yeas and nays were ordered.
The SPEAKER. The Chair appoints the gentleman from Ohio [Mr. OUTHWAITE] and the gentleman from Colorado [Mr. PENCE] to act as tellers during the call of the yeas and nays.
Mr. PENCE. I ask that the Chair appoint someone else in my place; and I suggest that the gentleman from Nebraska [Mr. KEM] be appointed.
The SPEAKER. The gentleman from Nebraska [Mr. KEM] will please take his place as teller.
The question was taken; and there were—yeas 138, nays 41, answered "present" 6, not voting 167; as follows:

YEAS—138.

Abbott,	Covert,	Layton,	Pendleton, W. Va.
Alderson,	Cox,	Lester,	Pigott,
Allen,	Crain,	Livingston,	Powers,
Arnold,	Crawford,	Lockwood,	Price,
Bailey,	Cummings,	Lynch,	Reilly,
Bankhead,	Davey,	Maddox,	Richardson, Tenn.
Bartlett,	De Armond,	Maguire,	Ritchie,
Barwig,	De Forest,	Mallory,	Robbins,
Bell, Tex.	Dinsmore,	Martin, Ind.	Rusk,
Berry,	Dockery,	McAleer,	Shell,
Boatner,	Donovan,	McCreary, Ky.	Somers,
Bower, N. C.	Dunn,	McCulloch,	Sorg,
Branch,	Dunphy,	McDannold,	Sperry,
Breckinridge, Ark.	English, N. J.	McDearmon,	Swanson,
Bretz,	Epes,	McEttrick,	Talbert, S. C.
Brickner,	Erdman,	McGann,	Talbott, Md.
Brookshire,	Everett,	McKaig,	Tarsney,
Brown,	Fyan,	McMillin,	Tate,
Bunn,	Geary,	McNagny,	Taylor, Ind.
Bynum,	Geissenhainer,	McRae,	Terry,
Cabaniss,	Grady,	Mercer,	Tracey,
Cadmus,	Graham,	Meyer,	Tucker,
Caminetti,	Gresham,	Money,	Turner, Va.
Cannon, Cal.	Hammond,	Montgomery,	Tyler,
Caruth,	Hare,	Morgan,	Washington,
Catchings,	Harter,	Moses,	Wells,
Causey,	Henderson, N. C.	Mutchler,	Williams, Ill.
Clancy,	Hooker, Miss.	Ogden,	Williams, Miss.
Clark, Mo.	Hunter,	Outhwaite,	Wilson, W. Va.
Cobb, Mo.	Ikirt,	Page,	Wise,
Cockrell,	Izlar,	Paschal,	Wolverton,
Conn,	Jones,	Patterson,	Woodard,
Coombs,	Kyle,	Paynter,	Wright, Mass.
Cooper, Ind.	Lane,	Pearson,	
Cooper, Tex.	Latimer,	Pendleton, Tex.	

NAYS—41.

Adams, Ky.	Funk,	Lucas,	Smith,
Bartholdt,	Gardner,	Marsh,	Stone, C. W.
Bell, Colo.	Hainer,	McKeighan,	Stone, W. A.
Bingham,	Heiner,	Meiklejohn,	Strong,
Broderick,	Hermann,	Northway,	Thomas,
Bundy,	Hitt,	Pence,	Van Voorhis, Ohio
Cannon, Ill.	Johnson, Ind.	Perkins,	Warner,
Coffeen,	Kem,	Ray,	Waugh.
Cogswell,	Kiefer,	Reyburn,	
Cousins,	Lacey,	Russell, Conn.	
Doolittle,	Linton,	Ryan,	

ANSWERED "PRESENT"—6.

Cobb, Ala.	Hayes,	Pickler,	Storer.
Hager,	Loud,		

NOT VOTING—167.

Adams, Pa.	Bowers, Cal.	Daniels,	Gillett, Mass.
Aitken,	Breckinridge, Ky.	Davis,	Goldzier,
Aldrich,	Brosius,	Denson,	Goodnight,
Alexander,	Bryan,	Dingley,	Gorman,
Apsley,	Burnes,	Dolliver,	Griffin,
Avery,	Burrows,	Draper,	Grosvenor,
Babcock,	Campbell,	Durborow,	Grout,
Baker, Kans.	Capehart,	Edmunds,	Grow,
Baker, N. H.	Chickering,	Ellis, Ky.	Haines,
Baldwin,	Childs,	Ellis, Oregon	Hall, Minn.
Barnes,	Clarke, Ala.	English, Cal.	Hall, Mo.
Belden,	Cockran,	Enloe,	Harmer,
Beltzhoover,	Cooper, Fla.	Fielder,	Harris,
Black, Ga.	Cooper, Wis.	Fithian,	Hartman,
Black, Ill.	Cornish,	Fletcher,	Hatch,
Blair,	Culberson,	Forman,	Haugen,
Bland,	Curtis, Kans.	Funston,	Heard,
Boen,	Curtis, N. Y.	Gear,	Henderson, Ill.
Boutelle	Dalzell,	Gillet, N. Y.	Henderson, Iowa
Hendrix,	Mahon,	Reed,	Strait,
Hepburn,	Marshall,	Richards, Ohio	Straus,
Hicks,	Marvin, N. Y.	Richardson, Mich.	Sweet,
Hines,	McCall,	Robertson, La.	Tawney,
Holman,	McCleary, Minn.	Robinson, Pa.	Taylor, Tenn.
Hooker, N. Y.	McDowell,	Russell, Ga.	Turner, Ga.
Hopkins, Ill.	McLaurin,	Sayers,	Turpin,
Hopkins, Pa.	Meredith,	Schermerhorn,	Updegraff,
Houk,	Milliken,	Scranton,	Van Voorhis, N. Y.
Hudson,	Moon,	Settle,	Wadsworth,
Hulick,	Morse,	Shaw,	Walker,
Hull,	Murray,	Sherman,	Wanger,
Hutcheson,	Neill,	Sibley,	Weadock,
Johnson, N. Dak.	Newlands,	Sickles,	Wever,
Johnson, Ohio	Oates,	Simpson,	Wheeler, Ala.
Kilgore,	O'Neil, Mass.	Sipe,	Wheeler, Ill.
Kribbs,	O'Neill, Mo.	Snodgrass,	White,
Lapham,	Payne,	Springer,	Whiting,
Lawson,	Phillips,	Stallings,	Wilson, Ohio
Lefever,	Post,	Stephenson,	Wilson, Wash.
Lisle,	Quigg,	Stevens,	Woomer,
Loudenslager,	Randall,	Stockdale,	Wright, Pa
Magner,	Rayner,	Stone, Ky.	

So the previous question was ordered.
The SPEAKER. The question is now upon agreeing to the resolution reported from the Committee on Rules.
Mr. BURROWS. I suppose this is open to debate.
The SPEAKER. If the gentleman desires to be recognized the Chair will recognize him.
Mr. BURROWS. I yield five minutes to the gentleman from Iowa [Mr. LACEY].
Mr. LACEY. Mr. Speaker, this contested-election case comes up in a different form perhaps from any other case that has ever come before this House. The gentleman from Colorado [Mr. PENCE] gave notice that he would call the case up, simply for the purpose of setting a day in the future when the contestant, Mr. Watson, could appear and make his argument upon the floor of the House. There has never been, I believe, a refusal to allow a contestant to be heard in his own behalf in a contest on this floor.
The Election Committee was made up in a way that can not be held to be otherwise than at least disadvantageous to Mr. Watson, the contestant. He represents a political party that has ten members in this body. There was no duty on the part of the Speaker of the House to put any one of those gentlemen on the Committee on Elections; but there were contested cases in which members of that political party were interested. They claimed the right to be represented upon that committee, and that right was denied them. This being the case, is it not highly important and entirely fair to allow the contestant himself to have a hearing in the House?
Mr. OUTHWAITE. Will the gentleman yield for a question?
Mr. LACEY. In a moment.
But instead of giving the contestant the right to be heard the previous question has been moved; and there is not even to be given the opportunity to a member of his party to be heard in his behalf.
Now, I will yield to the gentleman from Ohio.
Mr. OUTHWAITE. I was about to ask the gentleman whether he did not use a stronger term than the facts justify when he said that representation on the committee was denied to the Populist members of the House? Representation on this committee in its original organization was never denied to the Populists.
Mr. LACEY. I understand that an application was made to the Speaker in writing, requesting that they be represented on that committee——
Mr. OUTHWAITE. Not in the original organization of the committee.
Mr. LACEY. But a vacancy occurred on the committee, and they then asked the privilege of representation.
Mr. OUTHWAITE. Yes.
Mr. LACEY. Now, I am not criticising the Chair with reference to this matter. But this contestant is in a peculiarly awkward and inconvenient position. He had no friend upon that committee—no one to represent his interest; and he is now asking for permission to be heard on the floor of the House. The House has not gone so far but that it can still give him the privilege of being heard. The majority can vote down this proposed rule and allow Mr. Watson to be heard in his own behalf.
I desire as a member of the minority side to vote intelligently and right on this question. I am not at all sure whether Thomas Watson has a good case or not; but as a member of the minority I must feel constrained to vote against a proposition which allows the sitting member to retain the seat and refuses the contestant at the same time even a chance to be heard, especially when I find the spectacle presented here of a proposition coming from the Committee on Rules refusing to permit any argument or explanation in the House, and directing that we shall vote on a proposition involving a great constitutional question,

the right of a member to his seat here, without a word of discussion to show the right of either party to the place.

We are not permitted, whether we believe that Mr. Black was elected to the seat he now holds, or whether we believe that Mr. Watson, the contestant, was elected, to so declare by our vote; but we are compelled to vote for both propositions at the time without a division, as this rule prescribes, and you must vote "aye" or "no" on two separate and distinct constitutional propositions involved in this contest. No division of the two propositions involved is to be allowed under the proposed rule.

Now, it seems to me that in all fairness, and as a matter of right to a party represented by a small number of persons on this floor, you can not afford to shut off debate and adopt this rule to prevent a division of the question, or to forbid a statement of the character of the claims of these respective parties.

I assume that the claim to the seat was made in good faith on the part of Mr. Watson. I have a right to assume that to begin with; and I have a right to assume also that the committee believed they were right in reporting against Mr. Watson. But when they refuse to give him and his party a hearing, refuse to allow debate as to his right to a seat, and refuse to permit a word of the evidence taken to be introduced or discussed in support of his claim, I can not help feeling that the committee do not believe in their own case, but, on the contrary, believe that the seat is properly due to the contestant. That I say is a presumption arising necessarily, by implication, from the fact that the committee refuses to hear the matter discussed.

Mr. Speaker, I call the attention of the House again to the form of the proposition which is presented by the Committee on Rules. The Constitution provides that each House shall be the judge of the elections and qualifications of its own members, and it is the right of each House to vote upon such question when it is presented. I ask if that provision of the Constitution is not higher than any rule of this House? Again, the right to vote on two separate and distinct propositions is involved, first, was Mr. Black, the sitting member, elected to the seat he occupies; and, second, was Mr. Thomas Watson, the contesting member, elected to the seat which he does not hold—on these two propositions the Constitution unquestionably gives the right to this House to vote separately; and I ask if that right can be taken away by a rule of the House? It seems to me not.

[Here the hammer fell.]

Mr. BURROWS. Does the gentleman from Ohio desire to occupy any part of his time?

Mr. OUTHWAITE. Let the gentleman continue and occupy such time as he may desire, and I will then close the debate.

Mr. BURROWS. I yield so much time as the gentleman from Colorado [Mr. PENCE] may desire.

Mr. PENCE. Mr. Speaker, I prefer that the usual custom should be followed, and that the other side, if they have anything to say, would occupy at least a portion of their time now. Is that your desire (referring to Mr. OUTHWAITE)?

Mr. OUTHWAITE. I would have the right to close the discussion, and if I do I shall not occupy more than two or three minutes.

Mr. PENCE. Mr. Speaker, the resolution now brought in by the Committee on Rules reads as follows:

Resolved, That immediately upon the adoption of this order, the previous question shall be considered as ordered on pending resolution in the contested-election case of Watson against Black; that, without intervening motion the vote shall be taken on said resolution without division, and then on the motion to reconsider and lay on the table.

I am informed, and it is evident that it is true, that upon the adoption of this resolution no opportunity whatever remains for anyone to discuss the contested-election case between Mr. Watson and Mr. Black at all; that the majority of this House now propose, in adopting this rule reported from the Committee on Rules, to immediately, without opportunity for debate upon either side, without opportunity to suggest an amendment reciting that Mr. Watson should be seated, or without an opportunity to recite the facts in the case, require a vote to be at once taken on the report of the Committee on Elections.

I may be mistaken that such an amendment as I speak of would be in order, but it is patent that the majority now propose that there shall be no discussion upon this floor on the facts in this case. If that is not the purpose of the resolution I am very much mistaken, but I think that will not be disputed, and I think we will find in the course of a few minutes, if the majority succeed in adopting the resolution, that all debate is cut off.

As I have already stated to the House this afternoon, no opportunity has been given to any member of the party to which Mr. Watson belongs to make that kind of investigation which would enable a member to present the case fully and properly to the House. We all know from observation and experience that the discussion of a contested-election case falls naturally to the members of the Elections Committee, who have had an opportunity to investigate the facts, to study the record and hear the arguments of counsel when that case was before them.

I wish to correct the statement of the gentleman from Ohio [Mr. OUTHWAITE]. He seems to believe that no formal request was ever made to the Speaker of the House by the Populists that a member of that party should be appointed on that committee.

Mr. OUTHWAITE. My statement was, at the original organization of the House.

Mr. PENCE. And in that you are right.

Mr. OUTHWAITE. I know that subsequently when a vacancy on the committee occurred, you wanted to take possession of it, and such an application was made; but the Speaker had other reasons than simply to consider the wishes of any little group of men.

Mr. PENCE. The gentleman is partly right and partly wrong. No formal request was made in the beginning for the appointment of a Populist on this committee; but when Mr. O'Ferrall, being elected governor of Virginia, retired from this House, it made a vacancy upon that committee; and now that the gentleman from Indiana [Mr. BROWN] has seemed to criticize our action in requesting the appointment of a Populist on that committee, I feel free to state the facts.

The Populist members at once met together. We had by that time become acquainted with the fact that there were at least three cases in which Populists were contesting the seats of Democrats here, and it so happened, as we discovered, that each of the Democratic contestees had a colleague of his own political party and from his own State upon the committee, whether put there purposely to protect him or not is left for every man to guess for himself; but they were there. The vacancy came when Mr. O'Ferrall retired, and at that time we prepared a formal writing, reciting the facts, stating to the Speaker, in a communication addressed to him, the existence of these contested election cases, giving the names of the cases, the States in which they arose, and respectfully suggesting to him that as our party had three contests and no membership upon that committee, we ought certainly to have one member, as there was a vacancy.

And what was the outcome of it? Mr. O'Ferrall being gone, and the contest of Goode *vs.* EPES from Virginia still being before the committee, the Speaker, for reasons prompted from the highest and most patriotic purposes, I have no doubt, substituted for Mr. O'Ferrall another Democrat from Virginia (Mr. JONES). We got no member of the committee. Now, every man here knows that a case can not, of course, under this rule, be fairly and properly presented, but at least the opportunity might be left to us to try, the opportunity might be given to us to do the best we may.

Mr. OUTHWAITE. If the gentleman will allow me, can he point out to this House any particular, any kind of an instance in which any member of the Populist party was denied any right or privilege which any other member had?

Mr. PENCE. No; I do not claim so. I certainly could not tell you. If the Speaker could have seen fit to grant our request, we should have had a member on the committee, and might be able to answer your question more intelligently. I know of none.

Mr. OUTHWAITE. Now, another question. Did Mr. Watson, the present contestant, even take the trouble to appear before the Committee on Elections in any way whatever, except by brief of attorney?

Mr. PENCE. No; Mr. Watson had not the disposition to do that. He had other men here. He had his attorneys here, who came and presented the case; but he had before him the example of Mr. Whatley, of Alabama, who had danced attendance here for months and months, trying to get a hearing and some action and favorable consideration for his case against Mr. COBB of Alabama.

Mr. COBB of Alabama. Will the gentleman allow me a moment?

Mr. PENCE. Two moments.

Mr. COBB of Alabama. Every delay before the Committee on Elections in the hearing of that contest was at the instance and request of Mr. Whatley.

Mr. PENCE. Not disputing that, for I know nothing about it—I begin to wish really that I had been a member of that committee, Mr. Speaker, or that we had had a member of the committee—I do not dispute that; perhaps it is true; however that may be, Mr. Watson knows that Mr. Whatley did dance attendance, and had to dance at least—and I use that in no offensive sense; it may be that there was no unfair delay, and I am not suggesting that there was—Mr. Watson, at least, did not think it was

his duty to come and wait here. He might have had a prompt hearing, and if the gentleman——

Mr. OUTHWAITE rose.

Mr. PENCE. I have but a moment left. It is possible that after the fullest hearing upon his part, the fullest argument by Mr. Watson himself, the report might still have been unanimously against him. I do not know. I can not say. I do know he did not appear before the committee. I do know that from the beginning of the history of this House, this is the first time that an opportunity for a contestant to be heard has been cut off; and your rule here will not only cut him off, but will cut off anybody else from discussing the facts in the case. Now, Mr. Speaker——

Mr. OUTHWAITE. There seems to be no division among those who have had the opportunity of considering the evidence, the testimony, and the law in the case.

The SPEAKER. The time of the gentleman from Colorado has expired.

Mr. OUTHWAITE. I yield three minutes to the gentleman from Indiana [Mr. BROWN].

Mr. BROWN. Mr. Speaker, I do not desire to say a word respecting any case that has been before the Committee on Elections, except the case now before the House. The gentleman from Iowa [Mr. LACEY] and the gentleman from Colorado [Mr. PENCE] seem to go into extremes because the House is in its present condition concerning this case. Who is responsible for this case being before the House now?

Mr. PENCE. I am—partly so.

Mr. BROWN. Who brought this question here? Who was it that took the jurisdiction away from the Committee on Elections on the floor of the House to-day? It is one of the gentlemen who is now deploring the present situation of the House—the gentleman from Colorado.

Mr. PENCE. Will the gentleman permit me to ask him a question?

Mr. BROWN. Yes, sir.

Mr. PENCE. Did I not before taking any action come to you and ask if you would not agree to appoint some day for the purpose of considering this case?

Mr. BROWN. Now, I know you do not want me to tell all that was said, and therefore I will not tell anything you said to me about it.

Mr. PENCE. I have asked the question, and you are free to answer.

Mr. BROWN. The responsibility for this case now being here, about which these gentlemen now cry peccavi, rests with them, and with no one else. The report of the Committee on Elections was made as soon as the contestee desired it should be made. It has not yet been placed on the desks of the members of the House.

The printer's ink is scarcely dry on it, and the gentleman who made the report is necessarily away from the city; and yet my friend from Colorado—I may say my brother, because he formerly lived in Indiana, and was much more generous then than he is now—comes in here and on his own motion, and he not being a member of the Committee on Elections, brings up this case; for what purpose? For the purpose, as he says, of allowing Mr. Watson to come here and address the House. In view of what has taken place, who supposes that Mr. Watson, the contestant, wants to address the House? He has not had concern enough about his case to attend a single session of the Committee on Elections.

The only communication that he has had with the committee was to send in a bill of nearly $2,000 for his expenses, which this Democratic House and committee allowed, and which, Mr. Speaker, I believe it would have been justified in not allowing.

Mr. OUTHWAITE. I yield the gentleman one minute more.

Mr. BROWN. Therefore, the criticism which these gentlemen seek to throw upon the dominant party of this House is unjust. It is simply an effort on their part to get something printed at the public expense to circulate in Georgia against the Democratic party. That is all. [Loud applause on the Democratic side.]

The SPEAKER. The question is on agreeing to the resolution.

The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. PENCE. Division.

The House divided; and there were—ayes 123, noes 3.

Mr. PENCE. No quorum.

Mr. QUTHWAITE. I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. The gentleman from Ohio, Mr. OUTHWAITE, and the gentleman from Colorado, Mr. PENCE, will please take their places as tellers.

The question was taken; and there were—yeas 132, nays 54, present 11, not voting 155; as follows:

YEAS—132.

Abbott,	Cox,	Layton,	Pearson,
Alderson,	Crain,	Lester,	Pendleton, Tex.
Allen,	Crawford,	Livingston,	Pendleton, W. Va
Arnold,	Davey,	Lockwood,	Pigott,
Bailey,	De Armond,	Lynch,	Price,
Bankhead,	De Forest,	Maddox,	Reilly,
Bartlett,	Dinsmore,	Maguire,	Richardson, Tenn.
Barwig,	Dockery,	Mallory,	Ritchie,
Bell, Tex.	Donovan,	Martin, Ind.	Robbins,
Berry,	Dunn,	McCall,	Ryan,
Boatner,	English, Cal.	McCreary, Ky.	Shell,
Bower, N. C.	English, N. J.	McCulloch,	Somers,
Branch,	Epes,	McDannold,	Sorg,
Bretz,	Erdman,	McDearmon,	Sperry,
Brickner,	Everett,	McEttrick,	Springer,
Brookshire,	Fyan,	McGann,	Swanson,
Brown,	Geary,	McKaig,	Talbert, S. C.
Bunn,	Grady,	McMillin,	Tarsney,
Bynum,	Graham,	McNagny,	Tate,
Cabaniss,	Gresham,	McRae,	Taylor, Ind.
Caminetti,	Hammond,	Meyer,	Terry,
Cannon, Cal.	Hare,	Money,	Tucker,
Caruth,	Harter,	Montgomery,	Turner, Va.
Catchings,	Heard,	Morgan,	Tyler,
Causey,	Henderson, N. C.	Moses,	Washington,
Clark, Mo.	Hooker, Miss.	Mutchler,	Wells,
Clarke, Ala.	Hunter,	O'Neil, Mass.	Wheeler, Ala.
Cobb, Mo.	Ikirt,	O'Neill, Mo.	Williams, Ill.
Cockrell,	Izlar,	Outhwaite,	Williams, Miss.
Coombs,	Jones,	Page,	Wilson, W. Va.
Cooper, Fla.	Kyle,	Paschal,	Wise,
Cooper, Ind.	Lane,	Patterson,	Wolverton,
Covert,	Lapham,	Paynter,	Woodard.

NAYS—54.

Baker, Kans.	Funk,	Mahon,	Stephenson,
Bartholdt,	Gardner,	Marsh,	Stone, C. W.
Bell, Colo.	Grosvenor,	McKeighan,	Stone, W. A.
Bingham,	Hager,	Murray,	Storer,
Boen,	Hainer,	Newlands,	Tawney,
Bowers, Cal.	Hitt,	Ogden,	Thomas,
Bryan,	Hulick,	Payne,	Van Voorhis, N. Y
Bundy,	Johnson, Ind.	Pence,	Van Voorhis, Ohio
Cannon, Ill.	Johnson, N. Dak.	Perkins,	Warner,
Cooper, Tex.	Kem,	Pickler,	Waugh,
Cousins,	Kiefer,	Ray,	Wever,
Davis,	Lacey,	Reed,	Wilson, Ohio.
Doolittle,	Latimer,	Reyburn,	
Fletcher,	Lucas,	Russell, Conn.	

ANSWERED "PRESENT"—11.

Blair,	Curtis, Kans.	Enloe,	McCleary, Minn.
Broderick,	Daniels,	Hayes,	Talbott, Md.
Cobb, Ala.	Ellis, Oregon	Hull,	

NOT VOTING—155.

Adams, Ky.	Dingley,	Hopkins, Ill.	Rusk,
Adams, Pa.	Dolliver,	Hopkins, Pa.	Russell, Ga.
Aitken,	Draper,	Houk,	Sayers,
Aldrich,	Dunphy,	Hudson,	Schermerhorn,
Alexander,	Durborow,	Hutcheson,	Scranton,
Apsley,	Edmunds,	Johnson, Ohio	Settle,
Avery,	Ellis, Ky.	Kilgore,	Shaw,
Babcock,	Fielder,	Kribbs,	Sherman,
Baker, N. H.	Fithian,	Lawson,	Sibley,
Baldwin,	Forman,	Lefever,	Sickles,
Barnes,	Funston,	Linton,	Simpson,
Belden,	Gear,	Lisle,	Sipe,
Beltzhoover,	Geissenhainer,	Loud,	Smith,
Black, Ga.	Gillet, N. Y.	Loudenslager,	Snodgrass,
Black, Ill.	Gillett, Mass.	Magner,	Stallings,
Bland,	Goldzier,	Marshall,	Stevens,
Boutelle,	Goodnight,	Marvin, N. Y.	Stockdale,
Breckinridge, Ark.	Gorman,	McAleer,	Stone, Ky.
Breckinridge, Ky.	Griffin,	McDowell,	Strait,
Brosius,	Grout,	McLaurin,	Straus,
Burnes,	Grow,	Meiklejohn,	Strong,
Burrows,	Haines,	Mercer,	Sweet,
Cadmus,	Hall, Minn.	Meredith,	Taylor, Tenn.
Campbell,	Hall, Mo.	Milliken,	Tracey,
Capehart,	Harmer,	Moon,	Turner, Ga.
Chickering,	Harris,	Morse,	Turpin,
Childs,	Hartman,	Neill,	Updegraff,
Clancy,	Hatch,	Northway,	Wadsworth,
Cockran,	Haugen,	Oates,	Walker,
Coffeen,	Heiner,	Phillips,	Wanger,
Cogswell,	Henderson, Ill.	Post,	Weadock,
Conn,	Henderson, Iowa	Powers,	Wheeler, Ill.
Cooper, Wis.	Hendrix,	Quigg,	White,
Cornish,	Hepburn,	Randall,	Whiting,
Culberson,	Hermann,	Rayner,	Wilson, Wash.
Cummings,	Hicks,	Richards, Ohio	Woomer,
Curtis, N. Y.	Hines,	Richardson, Mich.	Wright, Mass.
Dalzell,	Holman,	Robertson, La.	Wright, Pa.
Denson,	Hooker, N. Y.	Robinson, Pa.	

Mr. TAYLOR of Indiana. Mr. Speaker, I ask that my colleague, Mr. HOLMAN, be excused, as he was compelled to leave the House on account of sickness.

There was no objection, and it was so ordered.

The SPEAKER. On this question the yeas are 132; the nays 54; present and not voting 11. The ayes have it, and the resolution is agreed to. The question now is on agreeing to the resolutions reported by the Committee on Elections, which the Clerk will report.

The Clerk read as follows:

Resolved 1. That Thomas E. Watson was not elected a member of the Fifty-third Congress from the Tenth Congressional district of the State of Georgia and is not entitled to a seat in said Congress.

Resolved 2. That James C. C. Black was elected a member of the Fifty-third Congress from the Tenth Congressional district of the State of Georgia and is entitled to a seat in said Congress.

The SPEAKER. The question is on agreeing to these resolutions.

The question being taken, there were on a division (called for by Mr. PENCE)—ayes 106, noes 10.

Mr. PENCE. No quorum.

Mr. BRETZ. I ask for the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. The Chair appoints as tellers to act during the call of the yeas and nays the gentleman from Indiana [Mr. BRETZ] and the gentleman from Colorado [Mr. PENCE].

Mr. PENCE. On reflection, I see no object in having the yeas and nays. The majority is evidently determined to exclude this contestant.

The SPEAKER. If there be no objection, the vote ordering the yeas and nays will be reconsidered. The Chair hears no objection. The point of no quorum being withdrawn, the resolutions are agreed to.

On motion of Mr. BROWN, a motion to reconsider the vote last taken was laid on the table.

ORDER OF BUSINESS.

The SPEAKER. The morning hour now begins at half past 4 o'clock.

Mr. HENDERSON of North Carolina. I ask unanimous consent that the House now take a recess till 8 o'clock this evening, instead of waiting till 5 o'clock.

The SPEAKER. If there be no objection, the Chair will now declare the House in recess until 8 o'clock this evening, the evening session to be devoted to business under the rule. The Chair hears no objection. The gentleman from Indiana [Mr. BROOKSHIRE] will preside at the evening session.

The House accordingly (at 4 o'clock and 30 minutes p. m.) took a recess until 8 o'clock p. m.

EVENING SESSION.

The House reassembled at 8 o'clock p. m., and was called to order by Mr. BROOKSHIRE, as Speaker *pro tempore*.

ORDER OF BUSINESS.

The SPEAKER *pro tempore*. The House is in session pursuant to clause 3, Rule XXVI.

Mr. MARTIN of Indiana. I move that the House resolve itself into Committee of the Whole for the consideration of bills on the Private Calendar.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole, Mr. DOCKERY in the chair.

The CHAIRMAN. The House is in Committee of the Whole in pursuance of the special order.

Mr. MARTIN of Indiana. I ask unanimous consent that, beginning where we left off last Friday night, we proceed under the same order as we proceeded then.

The CHAIRMAN. Is there objection?

Mr. HULL. I object. We have bills here which were passed over last Friday night and which ought to be considered. I have been coming here every Friday night——

Mr. CLARK of Missouri. Last Friday night we got through more business than at any other three night sessions.

Mr. HULL. That is true; but I object to permitting two or three men here to determine whether they will let bills go through or not.

Mr. CLARK of Missouri. I hope the gentleman will let us proceed the same way we did last Friday night.

The CHAIRMAN. The order, as the Chair understood, applied only to bills reported by the Committee on Invalid Pensions.

Mr. HULL. So I understand. I have a bill here reported from the Committee on Invalid Pensions, which in my view is as meritorious as any bill on the Calendar. I come here every Friday night——

Mr. CLARK of Missouri. So do I.

Mr. HULL. And there is business on this Calendar that I am anxious to get through; and I do not believe I am doing justice to my constituents in allowing it to be passed over night after night. The bill which I particularly refer to, I allowed to be passed over last Friday night because the point of "no quorum" was raised; but I am tired of permitting one or two men to determine what bills shall go through and what shall not.

This Committee of the Whole ought to be able to determine what it will pass. If my bill were voted down in the Committee of the Whole, I would not raise the point of no quorum to save it. But it seems to me it is not fair toward those who have been attending practically every night session to have their bills passed over night after night because the gentleman from Virginia or some gentleman from some other State happens to object.

Mr. TALBERT of South Carolina. I suggest to the gentleman that as there are but few members here to-night, and as there are members here who have been regular in their attendance night after night, it might be agreed by unanimous consent that each member be allowed to call up a bill out of its regular order. In that way we might get a number of bills off the Calendar.

Mr. HULL. I would have no objection to that arrangement.

Mr. MARTIN of Indiana. I hope the gentleman from Iowa [Mr. HULL] will withdraw his objection—at least for the present. I was directed to make this request again, at a meeting of the Committee on Invalid Pensions to-day, at which there was a quorum present.

Mr. HULL. We shall not get through the Calendar to-night.

Several MEMBERS. Oh, yes, we shall.

Mr. HAINER of Nebraska. If the gentleman from Indiana [Mr. MARTIN] would modify his motion so as to include Calendar No. 345, I think perhaps there would be no further objection.

Mr. HULL. I would not object.

Mr. CLARK of Missouri. Is not that the very bill that we were hung up on last Friday night?

Mr. HULL. Yes, sir; and I withdrew the bill.

Mr. MARTIN of Indiana. I do not wish to take up the time of the committee except to say to the gentleman that it would be better for his bill to proceed in the manner I have suggested. We will probably get through with the Calendar in a short time.

Mr. HULL. We carried this bill through the committee at the last Friday night session by more than two to one, but in order to not stop the business I consented to let it be laid aside temporarily. It seems to me in a case of this kind where the committee has fully considered it, it is no more than fair that it should be finally acted upon.

Mr. VAN VOORHIS of New York. Why not let it keep its place on the Calendar?

Mr. HULL. It has kept its place on the Calendar now for several nights, and I am unwilling to consent to any further delay. I do not think that we ought to consent to let bills which have merit in them be laid aside night after night simply because of the objection of one or two gentlemen. We have never raised the point of no quorum on this side, and it seems to me only justice to let the sense of the committee be taken upon the bill.

Mr. PICKLER. I understood that we had to go entirely through the Calendar when this arrangement was made, and then commence again at the beginning.

Mr. HULL. One Friday night can not make an agreement that will bind the committee for the rest of the session.

Mr. PICKLER. It was agreed to by unanimous consent.

Mr. HULL. Not to go to that extent. I was not here when that agreement was made or I should not have consented to it.

Mr. PICKLER. Besides we can probably get through with the Calendar to-night if the gentleman will not insist upon the objection.

Mr. HULL. If the chairman of the committee will waive that one bill, probably we can dispose of it.

Mr. CLARK of Missouri. That is exactly the trouble. We will not proceed with this bill for a half minute before you strike a stumbling block. It was in order to avoid that that the request was made.

Mr. PICKLER. If we make the same progress that we made last Friday we can get through with the Calendar in an hour and a half.

Mr. HULL. Why should we let two men on the other side determine what the business is to be?

Mr. BAKER of New Hampshire. Why should we let one man on this side dictate it?

Mr. HULL. I am not undertaking to dictate the business. I am simply insisting upon the right that this bill shall have consideration.

The CHAIRMAN. Objection is made.

Mr. MARTIN of Indiana. I call for the regular order.

The CHAIRMAN. The Clerk will report the first bill, the unfinished business coming over from the last session.

HARRIET R. TATE.

The unfinished business coming over from the last session of the committee was the bill (H. R. 6213) to pension Harriet R. Tate.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the limitations and provisions of the act approved June 27, 1890, the name of Harriet R. Tate, widow of William S. Tate, late a private in Company L, Thirteenth Regiment Indiana Cavalry.

Mr. JONES. Let the report in that case be read, please.

The CHAIRMAN. The Chair will suggest that this is the unfinished business. At the time that the committee rose on last Friday the committee was voting on the amendments. The regular order is the vote on the amendments recommended by the committee, which have heretofore been stated.

Mr. TAYLOR of Indiana. I am authorized by the gentleman who made the point of no quorum to withdraw the point in his name. The gentleman from West Virginia [Mr. CAPEHART] made the point and authorizes me to withdraw it.

The CHAIRMAN. The point of no quorum applied only to that legislative day. The question is on agreeing to the amendments, which was the pending question when the committee rose.

The amendments were agreed to.

The bill as amended was laid aside with the recommendation that it do pass.

BILLS PASSED OVER.

Bills of the following titles were severally laid aside without prejudice, retaining their places on the Calendar, viz:

The bill (H. R. 3156) for a pension to Cornelia de Peyster Black, widow, etc.;

The bill (H. R. 811) for the relief of Harriet Woodbury;

The bill (H. R. 3693) for the relief of Louisa B. Hull;

The bill (H. R. 5112) for the relief of Mary E. Cole;

The bill (H. R. 5616) granting a pension to Mary Tuttle; and

The bill (H. R. 4290) for the relief of Druzilla J. Rigg, of Macomb, Ill.

THOMAS CORIGAN.

The next business on the Private Calendar was the bill (H. R. 5260) granting an increase of pension to Thomas Corigan.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and empowered to place on the invalid pension roll of the United States the name of Thomas Corigan, late a member of Company B of the Eighty-eighth Illinois Volunteer Infantry, at the rate of $72 per month, from and after the passage of this act.

The committee recommend the adoption of the following amendment:

Strike out in line 7 the word "seventy-two," and insert "fifty;" so that it will read "$50 per month."

Mr. JONES. I ask for the reading of the report in that case, the majority and the minority.

The report (by Mr. LACEY) was read, as follows:

The Committee on Invalid Pensions have considered the bill (H. R. 5260) to increase the pension of Thomas Corigan from $30 to $72 per month, and submit the following report:

Thomas Corigan was a corporal in Company B, Eighty-eighth Illinois Infantry, enlisted July 28, 1862, and was discharged on January 24, 1864.

At the battle of Chickamauga, September 20, 1863, he was severely wounded in the left hand and is now drawing a pension of $30 per month for that injury, the arm being rendered wholly useless by the wound. At the same time he was wounded by a buckshot in the neck, and the soldier claims that this wound has affected his spine and has produced epilepsy.

The medical evidence shows that the wound in the neck produces distinct crepitus on movement of the neck. The epileptic fits have gradually increased until the soldier is totally helpless and requires constant aid and attendance and has become almost imbecile mentally.

The Pension Bureau in 1892 holds that it can not accept the "fits" as a result of the wound in the back of the neck, but no other cause is evident and medical evidence has been furnished to show that the wound in the neck is the cause of his present condition.

The soldier's condition is helpless in the extreme, and if the wound in the neck is the cause of his injury he would be entitled to $72 per month under the general law. We are not disposed to criticise the action of the Pension Bureau in rejecting this portion of the soldier's claim, but we think that it might have very fairly decided the other way under the evidence and examination of the medical boards.

Your committee think that the soldier should be given the benefit of the doubt to the extent of being raised to the second grade or $50 a month. The committee is adverse to reporting bills changing the rate of pension as fixed by the Pension Bureau, but in a case of extreme helplessness like the present, where the wound has been followed by such helplessness, and there is much evidence to show that the soldier's condition is due to his wound, we are inclined to relax the rule.

Your committee recommend that the bill be amended by striking out "seventy-two," in line 7, and inserting "fifty."

If the case were before us as an original question we would probably have come to a different conclusion from that arrived at by the Pension Bureau, but in the doubt raised in the case we think that the second grade would relieve the wants of the soldier and ought to be granted, especially as the claimant was an excellent soldier, highly commended by Gen. W. T. Sherman, and his severe wounds received in the battle of Chickamaugua are clearly shown.

The letter of Col. Sherman is as follows:

"HEADQUARTERS FIRST BRIGADE,
"SECOND DIVISION, FOURTH ARMY CORPS,
"*Camp near Blains Cross Roads, East Tennessee, January, 10, 1864.*

"To whom it may concern:

"This is to certify that Thomas Corigan, an enlisted man of the Eighty-eighth Regiment Infantry, Illinois Volunteers, and corporal of Company B, same regiment, is a soldier good and true; ever faithful in the discharge of duty, never absent without leave, brave as a lion in action, and always at his post. He won the confidence and esteem of his commanding officers by his uniform good conduct and soldierly bearing. I therefore take great pleasure and bear willing testimony to his merit, and request that his wishes may be consulted inasmuch as he is disabled from active field service by reason of wounds received on the hard-fought and bloody field of Chickamauga on the 20th of September, 1863.

"F. T. SHERMAN,
"*Colonel Eighty-eighth Infantry, Illinois Volunteers.*"

Your committee recommend that the bill do pass after being amended by striking out the word "seventy-two," in line 7, and inserting in lieu thereof the word "fifty."

The views of the minority (by Mr. MCDANNOLD) were read, as follows:

The minority of the Committee on Invalid Pensions have considered the bill (H. R. 5260) to increase the pension of Thomas Corigan, and submit the following statement of their views:

The records of the War Department show that this soldier served from July 25, 1862, to January 29, 1864, in Company B, Eighty-eighth Illinois Infantry. He was discharged on account of disability from gunshot wound of hand received at Chickamauga. He has been pensioned for this wound ever since discharged, and now receives $30 per month since August 4, 1886. His application, filed February 12, 1864, alleged only this wound. A later application, filed September 11, 1866, states that he also "suffers pain in the neck from the effects of a wound there received." In 1887 he claimed that deafness had resulted from that wound, and states that the ball was removed in the field hospital; in April, 1888, he alleged resulting impairment of vision and of hearing; in September, 1888, he refers to "buckshot wound in back of neck;" in February, 1892, he alleged affection of sight and hearing and epilepsy as a result of said wound.

In September, 1892, the Pension Bureau accepted the fact that he had received this wound in the neck, but rejected the claim for additional pension on the ground that he had suffered no ratable disability from it at any time since the war, and none of the alleged results were accepted as sequences of such wound. This action was taken after a careful special examination of the claim, and was affirmed by Secretary Bussey on appeal January 3, 1893.

In his deposition before the special examiner in June, 1892, the pensioner stated that he received the wound of neck at Chickamauga; that the doctor who took the bullet out put a sticking plaster over the wound and it remained until it fell off.

"The first time I felt any serious disability from the wound of my neck was about fourteen years ago (1878). I was flagging at a railroad crossing * * * in Chicago. I felt a cloud come over me and I fell down right in the track. * * * It was a hot day just like this. * * * I have had convulsions for the past fourteen years but not so much until the last eight years. I saw the shot that was extracted from my neck. I had it a long time. I lost it. It was a buckshot, and went as far as the point of my ear. The doctor said to me when he extracted it, 'Pat, if the shot had gone a quarter of an inch farther you would never eat any more potatoes.' * * * I was not bothered with the wound of my neck in 1873, but I knew I had been shot in the neck. In 1875 I was not suffering with the wound in my neck much."

His wife, Rosetta Corigan, corroborates his statement as to the first convulsion or fit about fourteen years previously.

An examination by medical officers of the Pension Bureau September 6, 1873, reports: "Flesh wound of the neck, not rated;" September 7, 1875, "slight flesh wound on the back of neck, not rated;" September 4, 1877, "slight wound of neck, not rated;" June 22, 1892, "wound on posterior surface of neck, size of a nickel, white in color, nonadherent, nondragging, nondepressed, the vertebræ do not seem to have been injured, but there is thickening of soft tissues beneath the integument."

From the facts stated it seems reasonably clear that the pensioner's present condition as to epilepsy is not chargeable to the slight wound of the neck, but rather originated in 1878 in the manner described by himself and wife.

Moreover, he is in receipt of a pension of $1 a day and the question involved is purely one for the determination of the Pension Office, and the committee has repeatedly refused to interfere in the individual adjudications of the Pension Bureau in matters clearly within their jurisdiction and presenting no technical hardship. To pass this bill is squarely in violation of the principle enunciated in several adverse reports on bills of this character, and the minority do earnestly recommend that the bill do lie on the table.

JOHN J. MCDANNOLD.
M. R. BALDWIN.
C. J. ERDMAN.

The amendment recommended by the committee was agreed to.

The CHAIRMAN. The question is on laying aside this bill to be reported to the House with a favorable recommendation.

Mr. JONES. Mr. Chairman, this is one of the bills which was under consideration on the last pension evening, and which, after a great deal of discussion pro and con, it was deemed best by those in charge of the measure to withdraw it from further consideration, in order to prevent the obstruction of other bills on the Private Calendar.

It seems to me that this is a bill that ought not to pass under any circumstances. I know that there are a great many gentlemen who are opposed to the passage of this bill.

There is a minority report in this case. The views of the minority have been read, and it seems to me that they ought to convince every member of this House that this is not a proper sort of bill to pass. The pensioner is now drawing $30 a month, or a dollar a day, and there is nothing in this record to show that his present disabilities are the result of the slight wound on the back of his neck.

I submit, Mr. Chairman, that in all justice this bill ought not to be passed. It would be quite a refreshing experience if a bill as utterly without merit as this could be defeated upon a square vote, and I for one want to see this bill voted down. Gentlemen should not insist upon passing bills of this character when by doing so they defeat all pension legislation and do it with their eyes wide open. I submit that this is one of those claims that all of us ought to agree should not be passed by this House, and I hope that the bill will be reported adversely.

I do not propose now to enter upon any extended discussion of it. This matter has been before the Pension Bureau for a long time. The examiners of that Bureau have said that this man's disability was not the result of the alleged wound in the neck.

An appeal was taken from these examiners, and Gen. Bussey, then in charge of that Department, overruled that appeal and sustained the examiners. It seems to me that this is simply an attempt to override the decision of the Pension Bureau, where this matter has been carefully considered and examined into.

I do not think that upon the testimony which has been furnished us in this short and unsatisfactory report we ought to undertake to overrule the decision of the medical examiners of the Pension Bureau, upon a technical question with which they must be more conversant than the members of this House can possibly be.

I hope that gentlemen will not seriously ask this House to overrule a decision of the Pension Bureau upon a question of this sort, as to whether or not the disability from which this man suffers is the result of this slight wound in his neck. The Pension Bureau have decided that it was not the result of that wound. As I have said, an appeal has been taken and Gen. Bussey has sustained the medical examiners. Now, I hope the committee will vote down this bill.

Mr. HULL. Mr. Chairman, I only want to occupy the attention of the committee for a very few minutes, because this bill has been fully discussed. I want to call the attention of gentlemen who were not here last Friday night to the fact that after a very full discussion the Committee of the Whole, by a vote of more than two to one, declared that this bill should pass. The gentleman from Virginia [Mr. JONES] misstates the case when he says the bill was withdrawn. It was only withdrawn after the point of no quorum was made, so that other business could be proceeded with.

I want to call the attention of the committee to the fact that every pension bill that is passed here is an overriding of the Pension Department. If it were not overriding the Pension Department there would be no sense in coming here at all, because claimants could go there and get the relief desired.

I want to call attention to another fact, that a board of medical examiners in Des Moines, Iowa, composed of representatives of both parties, have held that the wound in the neck is the cause of the disability of this man, and I believe that to be the fact. That he is totally disabled, nobody doubts who knows the facts. With this statement, correcting what the gentleman from Virginia [Mr. JONES] has said, I am willing to leave it to the committee.

I simply want to say that this man is old and poor, that he was a gallant soldier, that he is utterly disabled, and as I believe, after examining all the papers, his disability is caused by the wound which he received at Chickamauga, in the back of the neck. I want to say furthermore that I believe the doctors who have given him a personal examination, who have moved his head from side to side and found this creaking sound in the back of his neck, this crepitus, are better qualified to judge than is a man sitting in his office in the city of Washington who has never seen the patient and never made a personal examination.

Mr. JONES. Mr. Chairman, of course I do nt want to makes any issue with the gentleman about any statement that he may make, but I should like to know where the evidence is to be found to support these statements. It is not in either report, most certainly. I have looked through both of them and have failed to find any such evidence.

Mr. HULL. It may not be in the report, but I will ask my colleague [Mr. LACEY], who wrote the report, if that is not true?

Mr. LACEY. We went through all the testimony, which is very voluminous, and there seems to be no other source or origin for the injury. There was this wound right by the spine, which is the seat of this trouble, the paralysis starting from the spine, and the evidence of the doctors in Iowa was to the effect that they believed that this wound caused the disease.

Now, the doctors in the Pension Bureau thought that those other gentlemen were mistaken about that, and the committee came to the conclusion that they would give the soldier the benefit of the doubt to the extent of giving him $50 in view of the fact that he required the personal attendance of another person, not giving him the $72 which he would be entitled to if the Department was satisfied, and we determined to make some concession under the circumstances. The man is perfectly helpless.

Mr. HULL. Is it not true that the examining boards have held it to be so in each examination?

Mr. LACEY. There were two or three examinations to that effect, but they only set out a very brief description; and there is no intimation anywhere to show that any other injury was received outside of the service to produce the paralysis that he suffers from.

Mr. JONES. After the statement the gentleman who made this report has made, I now understand that it is not exactly the purpose of the Committee on Invalid Pensions to override the Commissioner of Pensions, because this man would be entitled to $72 a month if the disability from which he now suffers was the result of this wound in the neck. This is a sort of compromise report, it seems. The report of the committee says:

> Your committee think that the soldier should be given the benefit of the doubt to the extent of being raised to the second grade, or $50 a month.

Now, then, the committee, from whose report I have read, did not themselves think the evidence was enough to justify them in reporting that this disability was the result of that wound. There being a doubt upon their minds, they say, we have resolved that doubt in favor of the claimant to the extent of giving him $50 a month instead of the $72 a month which he would be entitled to were we satisfied as to the origin of his disability.

Upon that point I imagine the members of the committee who made this minority report had the same information before them that the members who subscribed to the majority report had, and this is what they say upon that subject:

> An examination by medical officers of the Pension Bureau September 6, 1873, reports: "Flesh wound of the neck, not rated;" September 7, 1875, "slight flesh wound on the back of neck, not rated;" September 4, 1877, "slight wound of neck, not rated."

And down as late as June 22, 1892, there is this statement made by the medical board:

> Wound on posterior surface of neck, size of a nickel, white in color, nonadherent, nondragging, nondepressed; the vertebræ do not seem to have been injured, but there is thickening of soft tissues beneath the integument.

Now, that examination was made as late as June 22, 1892, and the sunstroke which this man received was in 1878. The minority believed that this disability was the result of that sunstroke, and not of this wound in the neck; and the examination made by the medical board four years after that time discloses the fact that that medical board did not believe that the disability resulted from this wound. I do not know what the local boards out in Iowa, that we are now told about, may have determined; but all we have bearing on that subject here is found in the views of the minority.

There is nothing at all on the subject to be found in the views of the majority; and I submit that if there had been anything in the medical testimony in this case that would have justified this committee in believing that this disability resulted from that slight scratch in the neck that the gentleman who drew that report would, in justice to himself, have incorporated that testimony in the report.

I submit that there is not hing before this body that justifies the belief that this disability resulted from the wound in the neck.

Mr. VAN VOORHIS of New York. What do you think caused the disability?

Mr. JONES. The cause of the disability was a sunstroke which the soldier received in the city of Chicago while flagging in that city on a hot day, as both he and his wife have testified, and that, the minority say, in their opinion, was the cause of his present disability. He says, his wife corroborates his statement, and the minority of the committee agree with them, that that was the cause of the disability, and the medical board does not say that the wound is the cause, and they are the proper persons, it seems to me, to determine what the disability resulted from.

Surely we laymen should not undertake to say what was the cause of this man's disability when the medical boards have examined his case, as disclosed by this report, four or five different times, and in every single instance have said this wound was not even a ratable one. I submit, in view of the testimony of the medical experts who have examined the case, in view of the testimony of the man himself, corroborated by his wife's statement, that there is nothing here to justify the belief that the disabilities from which he is now suffering are the result of any wound in his neck. [Cries of "Vote!" "Vote!"]

The CHAIRMAN. The question is, Shall the bill be laid aside to be reported to the House with a favorable recommendation?

The question being taken, there were—ayes 23, noes 27.

Mr. HULL. No quorum.

The CHAIRMAN. The point of no quorum being raised, the Chair will appoint as tellers the gentleman from Iowa [Mr. HULL] and the gentleman from Indiana [Mr. MARTIN].

Several MEMBERS (to Mr. HULL). Withdraw the bill.

Mr. HULL. The only condition on which I will consent to withdraw the bill is that it shall go over without prejudice, retaining its place on the Calendar.

The CHAIRMAN. The tellers will take their places.

The committee again divided; and the tellers reported—ayes 23, noes 29.

The CHAIRMAN. Does the gentleman from Iowa withdraw the point of no quorum?

Mr. HULL. I am willing to let the bill go over without prejudice until we have as full a House as we had last Friday night.

The CHAIRMAN. Unless the point of "no quorum" be withdrawn, the Chair will be required to direct the Clerk to call the roll. Does the gentleman insist upon the point of "no quorum?"

Mr. HULL. I am willing that the bill shall go over now the same as it did last Friday night when the majority was the other way.

A MEMBER. What is the gentleman's request?

Mr. HULL. That the bill by unanimous consent go over without prejudice, retaining its place on the Calendar.

The CHAIRMAN. Pending the point of "no quorum," the gentleman from Iowa asks unanimous consent that the bill be passed over without prejudice, retaining its place on the Calendar.

Mr. JONES. I object.

Mr. HULL. That was what was done last Friday night when the bill had a majority in the Committee of the Whole.

Mr. JONES. If the understanding is that the bill go to the foot of the Calendar——

Mr. HULL. My understanding is that if it goes to the foot of the Calendar it may be reached again to-night. We shall probably get through the Calendar to-night.

Mr. JONES. Well, I object; we may as well settle the matter now.

The CHAIRMAN. The Chair will be constrained to direct the roll to be called unless some agreement is reached.

Mr. WILLIAMS of Illinois. Mr. Chairman, do I understand that the point of no quorum has been made?

The CHAIRMAN. It has.

Mr. WILLIAMS of Illinois. By whom?

The CHAIRMAN. By the gentleman from Iowa on the left [Mr. HULL.]

Mr. HULL. I understand that the gentleman from Virginia [Mr. JONES] objects to the bill going over at all. He wants the matter decided to-night.

A MEMBER. No; he does not.

Mr. HULL. Oh, yes; he does. He says he objects to my proposition. Of course I do not propose to let the bill be killed by only 29 adverse votes.

Mr. LACEY. Mr. Chairman, as I understand, if the bill be now withdrawn without prejudice, it goes to the foot of the Calendar.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that the bill be passed over without prejudice, and go to the foot of the Calendar.

Mr. JONES. I object.

The CHAIRMAN. Objection is made. The Clerk will call the roll.

The Clerk proceeded to call the roll; when the following-named members failed to answer:

Abbott,	Capehart,	Forman,	Hunter,
Adams, Ky.	Caruth,	Funk,	Hutcheson,
Adams, Pa.	Catchings,	Funston,	Ikirt,
Aitken,	Causey,	Fyan,	Izlar,
Alderson,	Chickering,	Gardner,	Johnson, Ind.
Aldrich,	Childs,	Gear,	Johnson, N. Dak.
Alexander,	Clancy,	Geary,	Johnson, Ohio
Allen,	Clarke, Ala.	Geissenhainer,	Kem,
Apsley,	Cobb, Ala.	Gillet, N. Y.	Kiefer,
Arnold,	Cobb, Mo.	Gillett, Mass.	Kilgore,
Avery,	Cockran,	Goldzier,	Kribbs,
Babcock,	Cockrell,	Goodnight,	Lapham,
Baldwin,	Conn,	Gorman,	Ladimer,
Bankhead,	Coombs,	Grady,	Lawson,
Barnes,	Cooper, Fla.	Graham,	Lefever,
Bartholdt,	Cooper, Ind.	Gresham,	Lisle,
Bartlett,	Cooper, Wis.	Griffin,	Livingston,
Barwig,	Cornish,	Grosvenor,	Lockwood,
Belden,	Cousins,	Grout,	Loud,
Bell, Colo.	Covert,	Grow,	Loudenslager,
Bell, Tex.	Cox,	Hager,	Lynch,
Beltshoover,	Crain,	Haines,	Magner,
Berry,	Crawford,	Hall, Minn.	Maguire,
Bingham,	Culberson,	Hall, Mo.	Mahon,
Black, Ill.	Cummings,	Hammond,	Marsh,
Blair,	Curtis, N. Y.	Harmer,	Marshall,
Bland,	Dalzell,	Harter,	Marvin, N. Y.
Boatner,	Davey,	Hartman,	McAleer,
Boen,	De Forest,	Hatch,	McCall,
Boutelle,	Denson,	Haugen,	McCreary, Ky.
Bower, N. C.	Dingley,	Hayes,	McDannold,
Branch,	Dinsmore,	Heard,	McDearmon,
Breckinridge, Ark.	Dolliver,	Heiner,	McDowell,
Breckinridge, Ky.	Doolittle,	Henderson, Ill.	McGann,
Brickner,	Draper,	Henderson, Iowa	McLaurin,
Brown,	Dunn,	Henderson, N. C.	McMillin,
Bryan,	Dunphy,	Hendrix,	Meiklejohn,
Bundy,	Durborow,	Hepburn,	Mercer,
Bunn,	Edmunds,	Hermann,	Meredith,
Burnes,	Ellis, Ky.	Hicks,	Meyer,
Burrows,	Ellis, Oregon	Hines,	Milliken,
Bynum,	English, Cal.	Hitt,	Money,
Cadmus,	English, N. J.	Holman,	Moon,
Caminetti,	Enloe,	Hooker, Miss.	Morgan,
Campbell,	Epes,	Hooker, N. Y.	Morse,
Cannon, Cal.	Fithian,	Hopkins, Ill.	Murray,
Cannon, Ill.	Fletcher,	Hopkins, Pa.	Mutchler,
Neill,	Rayner,	Smith,	Turpin,
Newlands,	Reed,	Snodgrass,	Updegraff,
Northway,	Reilly,	Somers,	Van Voorhis, Ohio
Oates,	Reyburn,	Sorg,	Wadsworth,
Ogden,	Richards, Ohio	Sperry,	Walker,
O'Neill, Mass.	Richardson, Mich.	Springer,	Washington,
O'Neill, Mo.	Richardson, Tenn.	Stephenson,	Weadock,
Outhwaite,	Robbins,	Stevens,	Wells,
Page,	Robertson, La.	Stockdale,	Wheeler, Ala.
Paschal,	Robinson, Pa.	Stone, W. A.	Wheeler, Ill.
Patterson,	Rusk,	Stone, Ky.	White,
Payne,	Russell, Conn.	Storer,	Whiting,
Paynter,	Russell, Ga.	Strait,	Wilson, Ohio
Pence,	Sayers,	Straus,	Wilson, Wash.
Pendleton, Tex.	Schermerhorn,	Sweet,	Wilson, W. Va.
Pendleton, W. Va.	Scranton,	Talbott, Md.	Wise,
Perkins,	Settle,	Tarsney,	Wolverton,
Phillips,	Shaw,	Tawney,	Woodard,
Pigott,	Shell,	Taylor, Tenn.	Woomer,
Powers,	Sherman,	Thomas,	Wright, Mass.
Price,	Sibley,	Tracey,	Wright, Pa.
Quigg,	Sickles,	Tucker,	
Randall,	Simpson,	Turner, Ga.	
Ray,	Sipe,	Turner, Va.	

The committee then rose, and the Speaker *pro tempore* resumed the chair.

Mr. DOCKERY reported that the Committee of the Whole on the Private Calendar having had under consideration various bills, had found itself without a quorum, whereupon, in accordance with the rule, he had caused the roll to be called, and now reported the names of the absentees to the House.

The SPEAKER *pro tempore*. The names of the absentees will be entered upon the Journal. Seventy-one members have answered to their names.

Mr. MARTIN of Indiana. I move a call of the House.

The question was taken; and on a division there were—ayes 27, noes 28.

So the call of the House was refused.

Mr. PICKLER. Mr. Speaker, it is evident we can do nothing to-night, and I move that the House do now adjourn.

Mr. TAYLOR of Indiana. I desire to ask first that my colleague, Mr. HOLMAN, be excused on account of sickness.

There was no objection.

The SPEAKER *pro tempore*. The question is on the motion of the gentleman from South Dakota that the House do now adjourn.

The question was taken, and on a division (demanded by Mr. TALBERT of South Carolina) there were—ayes 31, noes 27.

Mr. MARTIN. I demand the yeas and nays on the motion.

The yeas and nays were ordered.

Mr. PICKLER. I demand tellers on the yeas and nays.

Several MEMBERS. "Too late."

The SPEAKER *pro tempore*. The Chair thinks the gentleman was in time.

Tellers were refused.

The SPEAKER *pro tempore* announced the appointment of Mr. MARTIN and Mr. PICKLER as tellers at the Clerk's desk.

The question was taken; and there were—yeas 26, nays 46, answered "present" 1, not voting 279; as follows:

YEAS—26.

Bailey,	De Armond,	Lane,	Pickler,
Black, Ga.	Epes,	Lucas,	Strong,
Bowers, Cal.	Erdman,	Mallory,	Tate,
Broderick,	Hainer,	McKeighan,	Tyler,
Brookshire,	Hare,	Montgomery,	Waugh.
Cabaniss,	Hulick,	Moses,	
Daniels,	Jones,	Pearson.	

NAYS—46.

Arnold,	Everett,	McCleary, Minn.	Talbert, S. C.
Baker, Kans.	Harris,	McCulloch,	Tawney,
Baker, N. H.	Hepburn,	McEttrick,	Taylor, Ind.
Bretz,	Houk,	McKaig,	Terry,
Bryan,	Hudson,	McNagny,	Van Voorhis, N.Y.
Clark, Mo.	Hull,	McRae,	Wanger,
Coffeen,	Kiefer,	Post,	Warner,
Cooper, Tex.	Lacey,	Ritchie,	Wever,
Curtis, Kans.	Layton,	Ryan,	Williams, Ill.
Davis,	Linton,	Stallings,	Williams, Miss
Dockery,	Maddox,	Stone, C. W.	
Donovan.	Martin, Ind.	Swanson,	

ANSWERED "PRESENT"—1.

Boen.

NOT VOTING—279.

Abbott,	Bartlett,	Breckinridge, Ark.	Capehart,
Adams, Ky.	Barwig,	Breckinridge, Ky.	Caruth,
Adams, Pa.	Belden,	Brickner,	Catchings,
Aitken,	Bell, Colo.	Brosius,	Causey,
Alderson,	Bell, Tex.	Brown,	Chickering,
Aldrich,	Beltzhoover,	Bundy,	Childs,
Alexander,	Berry,	Bunn,	Clancy,
Allen,	Bingham,	Burnes,	Clarke, Ala.
Apsley,	Black, Ill.	Burrows,	Cobb, Ala.
Avery,	Blair,	Bynum,	Cobb, Mo.
Babcock,	Bland,	Cadmus,	Cockran,
Baldwin,	Boatner,	Caminetti,	Cockrell,
Bankhead,	Boutelle,	Campbell,	Cogswell,
Barnes,	Bower, N. C.	Cannon, Cal.	Conn,
Bartholdt,	Branch,	Cannon, Ill.	Coombs,

Cooper, Fla.	Hall, Minn.	McDannold,	Schermerhorn,
Cooper, Ind.	Hall, Mo.	McDearmon,	Scranton,
Cooper, Wis.	Hammond,	McDowell,	Settle,
Cornish,	Harmer,	McGann,	Shaw,
Cousins,	Harter,	McLaurin,	Shell,
Covert,	Hartman,	McMillin,	Sherman,
Cox,	Hatch,	Meiklejohn,	Sibley,
Crain.	Haugen,	Mercer,	Sickles,
Crawford,	Hayes,	Meredith,	Simpson,
Culberson,	Heard,	Meyer,	Sipe,
Cummings,	Heiner,	Milliken,	Smith,
Curtis, N. Y.	Henderson, Ill.	Money,	Snodgrass,
Dalzell,	Henderson, Iowa	Moon,	Somers,
Davey,	Henderson, N. C.	Morgan,	Sorg.
De Forest,	Hendrix,	Morse,	Sperry,
Denson,	Hermann,	Murray,	Springer,
Dingley,	Hicks,	Mutchler,	Stephenson,
Dinsmore,	Hines,	Neill,	Stevens,
Dolliver,	Hitt,	Newlands,	Stockdale,
Doolittle,	Holman,	Northway,	Stone, W. A.
Draper,	Hooker, Miss.	Oates,	Stone, Ky.
Dunn,	Hooker, N. Y.	Ogden,	Storer,
Dunphy,	Hopkins, Ill.	O'Neil, Mass.	Strait,
Durborow,	Hopkins, Pa.	O'Neill, Mo.	Straus,
Edmunds,	Hunter,	Outhwaite,	Sweet,
Ellis, Ky.	Hutcheson,	Page,	Talbott, Md.
Ellis, Oregon	Ikirt,	Paschal,	Tarsney,
English, Cal.	Izlar,	Patterson,	Taylor, Tenn.
English, N. J.	Johnson, Ind.	Payne,	Thomas,
Enloe,	Johnson, N. Dak.	Paynter,	Tracey,
Fielder,	Johnson, Ohio	Pence,	Tucker,
Fithian,	Kem,	Pendleton, Tex.	Turner, Ga.
Fletcher,	Kilgore,	Pendleton, W. Va.	Turner, Va.
Forman,	Kribbs,	Perkins,	Turpin,
Funk,	Kyle,	Phillips,	Updegraff,
Funston,	Lapham,	Pigott,	Van Voorhis, Ohio
Fyan,	Latimer,	Powers,	Wadsworth,
Gardner,	Lawson,	Price,	Walker,
Gear,	Lefever,	Quigg,	Washington,
Geary,	Lester,	Randall,	Weadock,
Geissenhainer,	Lisle,	Ray,	Wells,
Gillet, N. Y.	Livingston,	Rayner,	Wheeler, Ala.
Gillett, Mass.	Lockwood,	Reed,	Wheeler, Ill.
Goldzier,	Loud,	Reilly,	White,
Goodnight,	Loudenslager,	Reyburn,	Whiting,
Gorman,	Lynch,	Richards, Ohio	Wilson, Ohio
Grady,	Magner,	Richardson, Mich.	Wilson, Wash.
Graham,	Maguire,	Richardson, Tenn.	Wilson, W. Va.
Gresham	Mahon,	Robbins,	Wise,
Griffin,	Marsh,	Robertson, La.	Wolverton.
Grosvenor,	Marshall,	Robinson, Pa.	Woodard,
Grout,	Marvin, N. Y.	Rusk,	Woomer,
Grow,	McAleer,	Russell, Conn.	Wright, Mass.
Hager,	McCall,	Russell, Ga.	Wright, Pa.
Haines,	McCreary, Ky.	Sayers,	

So the House refused to adjourn.

After the first call,

Mr. VAN VOORHIS of New York. Mr. Speaker, would it be in order to ask unanimous consent to waive the second call? If so, I ask consent to waive it, and that the result be reported on this first call.

Mr. ARNOLD. I desire to vote, Mr. Speaker.

Several MEMBERS. Let us have the regular order.

The SPEAKER *pro tempore*. The roll call can not be interrupted, and the Clerk will proceed.

The call of the roll was resumed and concluded as above.

The following pair was announced:

Mr. O'NEIL of Massachusetts with Mr. COGSWELL.

Mr. COGSWELL. I withdraw my vote, being paired with my colleague.

Mr. EPES. I ask that my colleague, Mr. EDMUNDS, be excused on account of sickness.

There was no objection.

The result of the vote was then announced as above recorded.

Mr. PICKLER. Mr. Speaker——

The SPEAKER *pro tempore*. For what purpose does the gentleman rise?

Mr. PICKLER. I desire to move that the House take a recess until 10 o'clock.

The SPEAKER *pro tempore*. It has been developed that there is no quorum present, and the motion would not now be in order.

Mr. PICKLER. I move that the absentees be excused.

The SPEAKER *pro tempore*. That motion could not be entertained.

Mr. MARTIN of Indiana. I move a call of the House.

The question was taken; and on a division there were—ayes 32, noes 18.

So a call of the House was ordered.

Mr. PICKLER. Pending that, I move that the House do now adjourn.

The question was taken; and on a division there were—ayes 32, noes 26.

So the motion was agreed to.

And accordingly (at 9 o'clock and 25 minutes p. m.) the House adjourned.

REPORTS OF COMMITTEES ON PRIVATE BILLS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

By Mr. STONE of Kentucky, from the Committee on War Claims: A bill (H. R. 2985) for the relief of Lawrence Tobin. (Report No. 1185.)

By Mr. STRONG, from the Committee on Invalid Pensions: A bill (H. R. 6131) to grant a pension to Sarah E. Roebuck. (Report No. 1186.)

By Mr. McETTRICK, from the same committee: A bill (H R. 2118) for the relief of John B. Leach. (Report No. 1187.)

PUBLIC BILLS AND RESOLUTIONS.

Under clause 3 of Rule XXII, bills and resolutions of the following titles were introduced, and severally referred as follows:

By Mr. LOCKWOOD: A bill (H. R. 7604) for the necessary and better protection of American labor and enforcement of the laws of the domicile and the restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. O'NEIL of Massachusetts: A bill (H. R. 7605) to amend section 4488 of the Revised Statutes, relating to life-saving appliances on shipboard—to the Committee on Interstate and Foreign Commerce.

By Mr. HEARD (by request): A bill (H. R. 7606) to amend sections 720, 721, 722, and 723 of the Revised Statutes of the United States, relating to the District of Columbia, in relation to marriages—to the Committee on the District of Columbia.

By Mr. COVERT: A resolution assigning certain days for the consideration of measures reported from the Committee on Patents—to the Committee on Rules.

By Mr. LAPHAM: A concurrent resolution to print 5,000 copies of the resolutions on patents and trade-marks adopted by the Auxiliary Congress of the World's Columbian Exposition, held at Chicago October 2, 1893—to the Committee on Printing.

PRIVATE BLLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as follows:

By Mr. BROOKSHIRE: A bill (H. R. 7607) granting a pension to Mrs. Aletha D. Plank—to the Committee on Invalid Pensions.

By Mr. HEARD: A bill (H. R. 7608) for the relief of John H. Alexander—to the Committee on War Claims.

By Mr. HOUK: A bill (H. R. 7609) for the relief of the Presbyterian Church of Loudon, Loudon County, Tenn.—to the Committee on War Claims.

By Mr. McCREARY of Kentucky: A bill (H. R. 7610) for the relief of Sandford D. Van Pitt—to the Committee on War Claims.

Also a bill (H. R. 7613) for the relief of S. B. Hume—to the Committee on Claims.

Also, a bill (H. R. 7614) for the benefit of E. J. Curley—to the Committee on Claims.

By Mr. WILLIAMS of Illinois: A bill (H. R. 7611) to increase the pension of Levi T. E. Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7612) granting a pension to John Margraves—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ABBOTT: Petition of Nat M. Buford and 45 other citizens of Dallas, Tex., asking an amendment to the income-tax bill—to the Committee on Ways and Means.

By Mr. BAKER of New Hampshire: Petition of Charles H. Dimick and 32 others, of Lyme, N. H., asking for the enactment by Congress of laws enabling the States to enforce their laws regulating the sale of substitutes for dairy produce—to the Committee on Agriculture.

By Mr. DALZELL: Resolutions of East End Council, No. 276, Royal Arcanum, Pittsburg, Pa., against income tax as affecting beneficiary societies—to the Committee on Ways and Means.

By Mr. EVERETT: Petition of the president and instructors of the Leland Stanford University in aid of legislation against lotteries—to the Committee on the Post-Office and Post-Roads.

By Mr. FIELDER: Petition of president and faculty of the Stevens Institute of Technology, of Hoboken, N. J., for the suppression of lotteries—to the Committee on the Post-Office and Post-Roads.

By Mr. HARMER: Memorial of the Philadelphia Board of Trade, in favor of the passage of House bill 7293, amending the

interstate commerce law legalizing pooling under certain prescribed conditions—to the Committee on Interstate and Foreign Commerce.

By Mr. HERMANN: Petition of people of Oregon, for exempting fraternal orders from the proposed income tax in the pending tariff bill—to the Committee on Ways and Means.

Also, protest from the people of Oregon, against increase of tax on whisky and extension of present bonded period—to the Committee on Ways and Means.

By Mr. HOUK: Petition of the Presbyterian Church of Loudon, Loudon County, Tenn., for payment of $2,200 for the destruction of their church in the winter of 1863-'64 by the Army of the United States—to the Committee on War Claims.

By Mr. KIEFER: Petition of F. G. Morrison, J. W. Peterson, and many other citizens of Washington County, Minn., against appropriations for sectarian schools—to the Committee on Indian Affairs.

Also, resolutions from the Ryan Drug Company and other wholesale liquor dealers, protesting against increase of tax on whisky and any extension of the present bonded period—to the Committee on Ways and Means.

Also, petitions of Edgar Snyder, P. L. Uttley, Henry Neff, John T. Black, C. E. Ray, W. Pennington, H. M. Norton, W. E. Broadmeadow, H. Behrens, G. H. Gamble, Henry Meyer, William M. Branch, E. T. Brown, Alfred Clark, Paul Martin, and other St. Paul (Minn.) citizens, protesting against Congress making appropriations for sectarian schools—to the Committee on Indian Affairs.

By Mr. LACEY: Petition of W. S. Crips and 80 others, of Ottumwa, Iowa, asking the exemption of fraternal societies from Federal taxation—to the Committee on Ways and Means.

By Mr. LIVINGSTON: Petition to exempt beneficiary societies from income tax—to the Committee on Ways and Means.

Also, petition to prevent lottery matter from entering the United States—to the Committee on the Post-Office and Post-Roads.

By Mr. PATTERSON: Papers to accompany claim of Robert Polk, of Hardeman County, Tenn.—to the Committee on War Claims.

By Mr. SHERMAN: Petition of the Board of Trade of Boonville, Oneida County, N. Y., asking for the passage of the bill regulating sale of oleomargarine—to the Committee on Agriculture.

By Mr. STONE of Kentucky: Papers to accompany House bill 7600, for the relief of Benjamin B. Rhoads—to the Committee on Military Affairs.

By Mr. STORER: Resolutions of Cincinnati (Ohio) Builders' Exchange, indorsing House bill 7564, to provide penalties for crimes attempted by anarchists—to the Committee on the Judiciary.

HOUSE OF REPRESENTATIVES.

SATURDAY, *June 30, 1894.*

The House met at 12 o'clock, noon, and was called to order by the Speaker. Prayer by the Rev. W. H. MILBURN, D. D., Chaplain of the Senate.

The Journal of the proceedings of yesterday was read and approved.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. STORER, indefinitely, on account of sickness in his family.

To Mr. HULL, indefinitely, on account of the sickness of his wife.

To Mr. HUTCHESON, for this day, on account of sickness in his family.

Mr. HAUGEN. Mr. Speaker, I ask that the gentleman from Minnesota [Mr. BALDWIN] be indefinitely excused on account of sickness.

There was no objection.

UNCOMPAHGRE AND UINTAH INDIANS.

Mr. RAWLINS. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 6557) providing for opening the Uncompahgre and Uintah Reservations in Utah.

The SPEAKER. The gentleman from Utah [Mr. RAWLINS] asks unanimous consent for the present consideration of a bill which the Clerk will report, after which the Chair will ask if there be objection to its consideration.

The Clerk read as follows:

Be it enacted, etc., That the President of the United States is hereby authorized and directed to appoint a commission of three persons, within thirty days after the passage of this act, to allot in severalty to the Uncompahgre Indians within their reservation, in the Territory of Utah, agricultural and grazing lands according to the treaty of 1880, as follows:

"Allotments in severalty of said lands shall be made as follows: To each head of a family one-quarter of a section, with an additional quantity of grazing land not exceeding one-quarter of a section; to each single person over 18 years of age, one-eighth of a section, with an additional quantity of grazing land not exceeding one-eighth of a section; to each orphan child under 18 years of age, one-eighth of a section, with an additional quantity of grazing land not exceeding one-eighth of a section; to each other person under 18 years of age, born prior to such allotment, one-eighth of a section, with a like quantity of grazing land: *Provided*, That with the consent of said commission, any adult Indian may select a less quantity of land, if more desirable on account of location." All necessary surveys, if any, to enable said commission to complete the allotments shall be made under the direction of the General Land Office. Said commissioners shall, as soon as practicable after their appointment, report to the Secretary of the Interior what portions of said reservation are unsuited or will not be required for allotments, and thereupon such portions so reported shall, by proclamation, be restored to the public domain and made subject to entry as hereinafter provided.

SEC. 2. That the remainder of the lands on said reservation shall, upon the approval of the allotments by the Secretary of the Interior, be immediately open to entry under the homestead and mineral laws of the United States: *Provided*, That after three year's actual and continuous residence upon agricultural lands from date of settlement the settler may, upon full payment of $1.50 per acre, receive patent for the tract entered. If not commuted at the end of three years the settler shall pay, at the time of making final proof, the sum of $1.50 per acre: *Provided*, That the minimum price of mineral lands known to contain asphaltum shall be $50 per acre.

SEC. 3. That persons otherwise qualified to make entries who have, in good faith, made mineral discoveries and locations within the limits of said reservation prior to the 1st day of July, 1890, and who have complied with the law in regard to the entry and location of mineral lands as far as practicable, shall, upon the opening of said lands to entry, have the preferred right of entering their respective locations for thirty days next after such opening, but no longer.

SEC. 4. That said commission shall also negotiate and treat with the Indians properly residing upon the Uintah Indian Reservation, in the Territory of Utah, for the relinquishment to the United States of the interest of said Indians in all lands within said reservation not needed for allotment in severalty to said Indians, and, if possible, procure the consent of such Indians to such relinquishment, and for the acceptance by said Indians of allotments in severalty of lands within said reservation, and said commissioners shall report any agreement made by them with said Indians, which agreement shall become operative only when ratified by act of Congress.

SEC. 5. That said commissioners shall receive $6 per day each, and their actual and necessary traveling and incidental expenses while on duty, and to be allowed a clerk, to be selected by them, whose compensation shall be fixed by said commissioners, subject to the approval of the Secretary of the Interior; and a sufficient sum is hereby appropriated to carry out the provisions of this act, which sum shall be reimbursed to the Treasury out of the proceeds of the sale of said lands.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

Mr. DOCKERY. Mr. Speaker, I have given some examination to the bill. I am willing, as far as I am concerned, to give consent for its consideration, provided the gentleman will agree to strike out at this time, in offering the bill, section 3, and also that later on he will incorporate an amendment limiting the entire cost to $16,000.

Mr. WILLIAM A. STONE. Mr. Speaker, I should like to have some explanation of this bill before I consent to its passage. It is a very important bill.

The SPEAKER. Without objection the gentleman will make an explanation.

Mr. MCMILLIN. This is a long bill. Suppose we have the report read.

Mr. RAWLINS. I can state the purport of the bill.

Mr. LYNCH. It is quite long, and perhaps a statement of it would cover the grounds better. I am somewhat familiar with the facts.

Mr. MCMILLIN. Let us hear a statement of it, and then if it is desired the report can be read.

Mr. RAWLINS. Mr. Speaker, the provisions of this bill relate to two Indian reservations in the Territory of Utah, one the Uncompahgre Reservation and the other the Uintah Reservation.

The Uncompahgre Reservation contains 1,933,440 acres of land, and is occupied, as shown by the last census, by 1,021 Indians, or about 7,600 acres of land to each family of Indians of four persons.

These Indians formerly owned a large section of land in Colorado. In 1880, by treaty, they sold these lands to the United States. The fund to the credit of these Indians arising from the sale of this land amounts now to about $1,700,000.

By the treaty made with these Indians they were to have lands allotted to them, as provided in this bill, by a commission to be appointed by the President. If the lands allotted to them were not within their old reservation in Colorado they were to pay for the lands at the rate of $1.25 per acre. This bill simply provides for carrying out the treaty made with those Indians, and which was ratified by act of Congress, by making allotments to the Indians in exact accordance with the terms of that treaty with them. It will take about 200,000 acres of land to satisfy the allotment.

That is the extent of the provisions of the bill so far as the Uncompahgre Indian Reservation is concerned. It is held by the law department of the Government that these Indians only

had the right to the temporary occupancy of this reservation, with the right to have allottments made to them according to their treaty, and this bill carries out that provision of the treaty.

As to the Uintah Reservation, that contains about 2,100,000 acres of land. It is occupied by 833 Indians, as shown by the last census. This reservation is contiguous to the Uncompahgre Reservation. The bill provides that this commission of three persons, appointed by the President, shall treat with those Indians for the cession to the United States of such portions of the land within that reservation as are not needed for allotment in severalty, and to report any agreement made with them to Congress for ratification.

Mr. CURTIS of Kansas. Will the gentleman permit me?

Mr. RAWLINS. Yes.

Mr. CURTIS of Kansas. There is an effort here, as I understand, to strike out section 3. I should like to have that explained. As I understand it, being a member of the committee, that section was put in there to protect certain innocent parties who had discovered valuable asphalt deposits upon this reservation. I should like to have the gentleman explain that. Otherwise I can not consent to the bill being passed with that section stricken out.

Mr. RAWLINS. I would state, in regard to section 3, that prior to 1890 certain parties, before the boundaries of the Uncompahgre Reservation were actually designated, made the discovery of some asphaltum lands, and not being able to ascertain that they were within the reservation, took steps to make entries of the land in accordance with the mineral land laws of the United States, and the provision of this section was to give them a preferred right of entry for thirty days after the opening of the reservation. I would state to the gentleman from Kansas that the gentleman from Missouri [Mr. DOCKERY] made objection to this provision in the bill, on the ground that it showed some favoritism, and that he believed all people ought to have an equal chance to make entries.

Rather than have the bill delayed I preferred to consent that that section should go out, and for this reason: The Supreme Court of the United States, in 121 United States Reports, in a case like this, arising in the Black Hills, where persons in good faith made mineral discoveries and locations within an Indian reservation, held that upon the opening of such reservation those parties would have the right to prove such act of possession prior to the opening as tending to show their possession, and such persons were given a preferred right against subsequent locators. So that, without this section, I think that those persons who have gone upon such reservations who have got an equitable right at the opening of the land would be protected.

Mr. CURTIS of Kansas. Not without a lawsuit, would they?

Mr. RAWLINS. Well, I think so. I have submitted this question to the Department, and I think they are fully protected in so far as they show that their rights have accrued in good faith.

Mr. CURTIS of Kansas. The gentleman knows this fact, that there are a large number who have made discoveries, who have attempted to make entries, and they did it in good faith, and that such a showing was made to our Indian Committee.

Mr. RAWLINS. I am aware of that. I think those parties will be protected fully in their rights; and believing that, I prefer, rather than have this bill delayed, that it should be passed without this section. I will say that this bill is approved and recommended by the Secretary of the Interior. It is unanimously reported by the Committee on Indian Affairs to the House. It has been favorably reported by the Senate Committee on Indian Affairs, and it is an urgent matter.

Mr. WILLIAM A. STONE. May I ask the gentleman a question?

Mr. RAWLINS. Yes, sir.

Mr. WILLIAM A. STONE. How many acres belonging to the Government does this bill distribute among the Indians?

Mr. RAWLINS. It will require from 160,000 to 200,000 acres to satisfy the Uncompahgres.

Mr. WILLIAM A. STONE. Two hundred thousand acres of land belonging to the Government of the United States are to be allotted among these Indians by this bill. Is that so?

Mr. RAWLINS. Yes; in accordance with a treaty already made with the Indians, and which treaty was ratified by act of Congress.

Mr. WILLIAM A. STONE. That may all be true; but it seems to me that that is too important a thing to be done by unanimous consent; and therefore, Mr. Speaker, I will have to object.

Mr. RAWLINS. Will the gentleman agree to take up the bill, say for an hour, or for some such time?

Mr. WILLIAM A. STONE. I will not object to it; but it does seem to me that a matter of such importance as 200,000 acres of land, which I suppose is certainly worth a great deal of money, ought not to be disposed of in this way.

Mr. RAWLINS. Let me say to the gentleman that this bill has been indorsed by the Interior Department and the law department, and the rights of the Indians have been fully ascertained, and also the obligations of the Government. It is reported favorably by those expected to pass on the bill. It is desirable that the bill should pass now, so that this commission can go to work and accomplish what it is desired that they should accomplish during the present summer, in order that the treaty made with the Indians may be reported to Congress at the next session.

Mr. WILLIAM A. STONE. What committee reported this bill; the Committee on Indian Affairs?

Mr. RAWLINS. Yes, sir; it is unanimously reported by the Committee on Indian Affairs, and also by the Senate committee; and it is expressly recommended by the Secretary of the Interior.

Mr. LYNCH. I will say to the gentleman that these Uncompahgre Indians occupied a reservation in Colorado from 1868 to 1882, and then they were moved from that reservation in Colorado and were temporarily placed upon this reservation until a suitable location could be obtained for them.

Three tribes of them were paid at that time $1,700,000 for their lands in Colorado, with the understanding that those Indians, whenever a suitable place could be found for them, would be assigned another reservation. They were placed temporarily upon this, which contains about 2,000,000 acres; and there are about 1,000 Indians, old and young. Now, they have no right on this reservation except that of possession, because it has not been assigned to them regularly.

Mr. WILLIAM A. STONE. Mr. Speaker, I will look into this matter, but I would not like to allow the bill to pass by unanimous consent just now. It is altogether too important, as it involves 200,000 acres of land belonging to the Government.

Mr. PENDLETON of Texas. As a member of the Committee on Indian Affairs, I wish to say that there are about 2,000,000 acres of this land. Under the treaty made in 1880 the Indians will receive from 160,000 to 200,000 acres, releasing to the Government for sale 1,800,000 acres.

Mr. WILLIAM A. STONE. I will examine the bill; but for the present I object.

AMENDMENT OF SHIPPING COMMISSIONERS' ACT.

Mr. ROBBINS. I ask unanimous consent for the present consideration of the bill (H. R. 5603) to repeal an act entitled "An act to amend the laws relative to shipping commissioners," approved August 19, 1890.

The bill was read.

Mr. DOCKERY. I hope the gentleman will give us some explanation of this bill.

Mr. ROBBINS. The effect of this bill is that by its provisions the rights and obligations of ordinary contracts, as provided for by the general law, are restored between the owners of ships and seamen engaged in the coastwise trade. In 1872 an act was passed providing for shipping commissioners; in 1890 an amendatory law was passed, making certain provisions of the shipping commissioners' act applicable to seamen engaged in the coastwise trade. It is that act of 1890 which this bill seeks to repeal.

Mr. HOPKINS of Illinois. What act does this bill seek to repeal? Is it the law requiring a certain percentage of seamen to be American citizens?

Mr. ROBBINS. No, sir.

Mr. HOPKINS of Illinois. What does it relate to?

Mr. ROBBINS. It relates to the coastwise trade.

Mr. HOPKINS of Illinois. In what respect?

Mr. ROBBINS. In this respect—that the rights and obligations of ordinary contracts as provided for by the general law are restored between the owners of ships and seamen engaged in the coastwise trade. In other words, if this bill becomes a law, both shipowners and seamen engaged in shipping between ports of the United States will be governed by the general law of contracts——

Mr. HOPKINS of Illinois. The same law relating to seamen shipping from American ports to foreign ports?

Mr. ROBBINS. The bill would have no effect at all on seamen engaged in that trade or shipping under the provisions of the shipping act. I will state to the gentleman——

Mr. HOPKINS of Illinois. Is this bill reported from the Committee on Merchant Marine and Fisheries?

Mr. ROBBINS. It has been unanimously reported from that committee.

Mr. HOPKINS of Illinois. I was a member of that committee when the legislation which is now sought to be repealed was re-

ported by the committee and was passed by Congress. I will object to this bill for the present, but will take occasion during the day to look into the matter.

COMPARISON OF HANDWRITING IN COURT.

Mr. RAY. I ask unanimous consent for the consideration of the bill which I send to the desk.

The bill (H. R. 7258) to authorize the comparison of handwriting by courts and juries in cases where the genuineness of a signature or writing is in dispute was read.

Mr. DOCKERY. Has this bill been reported by the Judiciary Committee?

Mr. RAY. If I can have attention for a minute——

The SPEAKER. Is there objection to the consideration of this bill?

Mr. GROSVENOR. I object.

Mr. RAY. I ask the gentleman to withdraw his objection. I do not see what reason he can have for objecting.

The SPEAKER. Objection is made.

ADALINE J. PROPS.

Mr. TERRY. I ask unanimous consent for the present consideration of the bill (H. R. 6228) granting a pension to Adaline J. Props.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll the name of Adaline J. Props, widow of Lewis C. Props, a soldier in the Southern or Sabine war of 1833, and allow her a pension rated at $15 per month.

The amendment reported by the committee was read, as follows:

Strike out the word "fifteen," in line 7, and substitute in lieu thereof the word "eight;" so as to allow a pension of $8 per month.

The SPEAKER. Is there objection to the request for the present consideration of this bill?

Mr. REED. What is the nature of the case that it should be brought up here for consideration to-day instead of taking the usual course on Fridays?

Mr. TERRY. This is the case of a widow of a soldier of the Sabine war.

Mr. REED. The Sabine war?

Mr. TERRY. Yes; the Southwestern war or Sabine war, as it is called. The report states the whole case fully. It is a unanimous report from the Committee on Pensions.

Mr. REED. Why should it be brought up now, instead of taking the regular course at Friday night?

Mr. TERRY. Well, it is brought up now as other cases are brought up every day. There have been passed through the House, by unanimous consent, as the gentleman knows, more important bills in regard to pensions than this which have never been considered in Committee of the Whole.

The gentleman will understand the difficulty that we have in getting a quorum to consider these bills at the Friday night sessions; and unless we can get some of them through in this way it will often happen that we will not get them through at all. It is the only hope of getting them passed.

Mr. REED. We used to get them through.

Mr. TERRY. That may be true; but I will state to the gentleman that there has been some trouble of late, and we have difficulty in securing the presence of members.

Mr. REED. Who have made the trouble of which the gentleman speaks?

Mr. TERRY. Well, various members. It was made on your side of the House last night; sometimes it is on this.

Mr. HULICK. I think I can answer the gentleman from Maine as to who made the trouble. A gentleman on this side of the Hall had a bill to pay an old soldier his pension, but there was objection raised on that side of the House, and the bill was defeated, and a quorum was called; and no other pension bills were considered last night because of the objection on that side of the House. Nothing could be done in reference to any other bills on that account.

Mr. TERRY. I do not want to get my case involved with any other cases or with any objections that may have been heretofore made; but the real point was that the bill to which the gentleman refers was beaten last night, and after that the point of no quorum was made by its friends.

Mr. PAYNE. Did that relate to the Sabine war?

Mr. TERRY. No.

Mr. HULICK. It was for a soldier of the late war.

Mr. LOUD. This is all very interesting, but I think I will demand the regular order.

The SPEAKER. The regular order is demanded, which is the call of committees for reports.

The committees were called, but no reports were presented.

The SPEAKER. The morning hour begins at twenty-five minutes before 1 o'clock, and the call rests with the Committee on the Post-Office and Post-Roads.

POSTMASTERS, OKLAHOMA.

Mr. HENDERSON of North Carolina. Mr. Speaker, by direction of the Committee on the Post-Office and Post-Roads, I call up for present consideration the bill (H. R. 7020) to readjust the salaries and allowances of the postmasters at Guthrie, Oklahoma City, and Kingfisher, in Oklahoma Territory. I ask that this bill be considered in the House as in Committee of the Whole.

Mr. DOCKERY. I suggest that it had better be considered in Committee of the Whole.

Mr. HENDERSON of North Carolina. I move that the House resolve itself into Committee of the Whole on the state of the Union to consider the bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole, Mr. RICHARDSON of Tennessee in the chair.

The CHAIRMAN. The House is in Committee of the Whole for the consideration of the bill H. R. 7020, and the Clerk will read the bill.

The Clerk read as follows:

Be it enacted, etc., That the Postmaster-General be, and he is hereby, authorized and directed to allow to the postmasters at Guthrie, Oklahoma City, and Kingfisher, in Oklahoma Territory, the same salaries from July 1, 1889, per annum, that would have been allowed to said officers had the classification been made July 1, 1889.

Mr. HENDERSON of North Carolina. I ask for the reading of the report, which fully explains the nature of the bill.

The report (by Mr. DUNPHY) was read, as follows:

The Committee on the Post-Office and Post-Roads, to whom was referred the bill (H. R. 4639) to authorize and direct the readjustment of the salaries and allowances for the postmasters at Guthrie, Kingfisher, and Oklahoma City, in Oklahoma Territory, beg leave to report a bill in lieu thereof, and recommend its passage.

A similar bill was reported from this committee in the Fifty-first Congress and the report thereon stated—

"In support of this recommendation your committee state that by proclamation of the President certain lands in the Indian Territory were thrown open to settlement on April 21, 1889; that within a very short time thereafter postmasters were appointed for those places in the Territory, and so great was the influx of population into the cities named that the receipts of those offices from the very first day of their having been opened for business were at a rate exceeding the amount necessary to make them Presidential offices.

"The law requires that no office shall be made Presidential until the receipts for four successive quarters justify the payment of a salary of $1,000 per annum to the postmaster. These offices, therefore, although doing a business much in excess of that required to make them Presidential offices, could not be made Presidential until the receipts for four successive quarters had been reported to the Post-Office Department and the necessary steps taken as provided by law.

"The postmasters at these various places, therefore, performed labor largely in excess of that required in fourth-class post-offices, and yet the Department was only authorized to pay them the amount authorized by law to be paid to fourth-class postmasters. The Postmaster-General recommends that a bill be passed authorizing him to pay these postmasters the same salary from July 1, 1889, that they will be entitled to under the law readjusting their salaries, to take effect from July 1, 1890, as is shown by the following letter received from the Department:

"'OFFICE OF THE POSTMASTER-GENERAL,
"'*Washington, D. C., April 30, 1890.*

"'SIR; In reply to your request relative to H. R. bills Nos. 3847, 4757, and 5623, to authorize and direct the readjustment of the salaries and allowances for the postmasters at Guthrie, Kingfisher, and Oklahoma, Ind. T., I beg to state the records show that, under existing law (section 463, Postal Laws and Regulations, edition of 1887, Revised Statutes, section 3863), extraordinary allowances for clerk hire have been authorized for each of the said offices; and, under the proviso of section 2 of the act of March 3, 1883, the Auditor will make report for a readjustment of the salaries of the postmasters at these offices on the basis of the receipts of the respective offices for the four quarters ended March 31, 1890, to take effect July 1 next.

"'It will be observed that, by operation of existing law, there is no necessity for this special legislation. Under the present law, however, there is no provision for a retroactive adjustment of salary, and I am of the opinion that, in justice to the postmasters at these offices, the salary, as shown by the adjustment now in progress, should be made to take effect from the first day of the period which will form the basis of the adjustment; and so I recommend.

"'Very respectfully,

"'JNO. WANAMAKER,
"'*Postmaster-General.*

"'Hon. H. H. BINGHAM,
"'*Chairman Committee on the Post-Office and Post-Roads,*
"'*House of Representatives, Washington, D. C.*'

"Your committee think this is but just and reasonable, as the postmasters at those places have given good service and have received but little compensation therefor. We therefore recommend the passage of the bill, which embraces the objects sought to be accomplished by the three bills."

The following statement submitted to the committee by the then postmaster at Guthrie gives full details, showing the justice of this measure. The same situation existed at Oklahoma City and Kingfisher. The statement is as follows:

"The Guthrie post-office was established in April, 1889, there being at that time but one post-office in existence, which was at Oklahoma City, to supply all of the territory which embraced Oklahoma Territory. I was notified by telegraph to take possession as postmaster of the Guthrie post-office April 26, 1889. By that time the city of Guthrie had at least 20,000 people in it. The office had been in operation in a tent, conducted under the supervision of George M. Christian, Assistant Superintendent of the Railway Mail

Service, from the 22d. When I took possession of the office there was not a building erected; the office was conducted in a tent 10 by 12. There were, at a low calculation, 50,000 letters still in mail bags which had not been opened and about a carload of newspaper mail. It was utterly impoible to houses this mail, as tents were scarce, and the United States troops guarded it night and day.

"About May 3 I had erected a building into which I moved the post-office. I had at that time a great expense, lumber in those days being worth about $1 a foot, and placing racks, etc., made at an expense to myself of about $2,000. The first day we undertook to open and distribute the mail in this building the crowd was so enormous that they broke down the floor and the troops had to be called to remove them. I then cut holes in the side of the building and made five distributing windows, allowing nobody to come inside except ladies and those who desired to purchase stamps. A line formed outside of each of those windows which averaged at least one-half mile in length.

"The office was open from daylight to dark, the nighttime being used to gradually handle what mail had been previously accumulated. The Department refused, owing to the size of my bond, to furnish me with the necessary supply of stamps to fill the demand. The sale of stamps for the quarter which ended June 30, 1889, amounted to fully $3,000, one-half of which never appeared upon the records of the office, as they were stamps purchased at Arkansas City, Wichita, and Kansas City, Mo. No record was kept for a long time of the cancellation, because of the fact that it was utterly impossible to keep clerks for that purpose.

"The line to which I have referred never broke up even during the nighttime for fully eight months. The records show that the receipts of the first year running from April 22, 1889, until April, 1890, amounted to about $12,000. The space which I occupied in the building for the use of the post-office was renting in like buildings throughout the town at from $65 to $75 per month. The average time put in in the office by myself during that year was about sixteen hours per day. A bill was introduced in the Fifty-first Congress at the suggestion of the then Postmaster-General to authorize him to pay the postmasters at Guthrie, Oklahoma City, and Kingfisher the same salary in 1889 as was by law being paid the other postmasters according to the receipts of the office.

"These offices were, under the law, classified as fourth class, and the postmasters' salaries were gauged by cancellation to in no event exceed $1,000. The receipts from box rents alone in my office during the first year were about $1,000, of which I received nothing whatever. The amount of business done at Guthrie post-office during the first year was the largest business ever done by any fourth-class post-office in the history of the Government. The office was unable to be classified, although it began business in April, 1889, up until July, 1890. In other words, making the first year virtually amount to fifteen months, the bill contemplates merely the placing of the postmasters at these three offices, who had been put to extraordinary expense, upon the same footing that they would have been placed had the Postmaster-General had any discretion in the matter.

"In other words, if the receipts of a post-office are $12,000 a year the postmaster is entitled by law to a compensation of $2,400. This bill was calculated to allow these offices which were only fourth class in name the same salaries as every other postmaster who is doing that amount of business receives in the United States. The extra amount of work, inconvenience, etc., are matters which of course do not appear in this calculation, and are matters which perhaps can not be taken into consideration, except as explanatory of the then existing situation. The Department allowed clerk hire to all of these offices in keeping with the amount of business ordinarily done in second-class offices, which shows that it was purely owing to the law as it exists that the postmasters were unable to obtain fair recompense for their services."

Mr. DOCKERY. I would like the gentleman in charge of the bill to explain further its provisions; also what charge it involves upon the Treasury.

Mr. HENDERSON of North Carolina. Mr. Chairman, it seems that the Territory of Oklahoma was opened to settlement on the 21st day of April, 1889; and these three post-offices, Guthrie, Oklahoma City, and Kingfisher, were then fourth-class offices; but there was such an extraordinary rush of population into the new Territory that from the very beginning these three fourth-class offices did a business equal to a Presidential office. Under the law, however, the Postmaster-General could not make a proper allowance to the postmasters.

It seems that under the law, although the offices had been doing a business much in excess of that required to make them Presidential offices, yet they could not be made such until the receipts for four successive quarters had been reported to the Department, and then, too, only to operate in the future. Of course all the business done in the past had to be done without compensation.

Mr. CANNON of Illinois. Let me ask the gentleman from North Carolina if the purpose of this bill is to reimburse these parties for actual payments for clerk hire, etc.?

Mr. HENDERSON of North Carolina. No, not exactly; but to put them on the footing of Presidential offices from the 1st day of July, 1889, and on that basis to regulate the compensation as if the offices had been originally established on that basis.

Mr. McMILLIN. Will the gentleman permit me a question?

Mr. HENDERSON of North Carolina. Certainly.

Mr. McMILLIN. I see that this report is based on an old report made in the past Congress. Has there been any call on the present Postmaster-General for his opinion concerning it?

Mr. HENDERSON of North Carolina. I will state that this bill was directed to be reported to the House by Mr. DUNPHY, but he being absent to-day, I had to take charge of the bill. I find that there is no report here from the present Postmaster-General. I did not know that fact until this morning, but I think there is no doubt about the facts set forth in the report.

Mr. McMILLIN. What amount of money would be donated—for it is a donation, pure and simple—to these postmasters if the bill shall pass Congress?

Mr. HENDERSON of North Carolina. I can not tell exactly the amount——

Mr. LOUD. Not exceeding twelve or fourteen hundred dollars. That would be the extreme amount required.

Mr. HENDERSON of North Carolina. I should say about that sum.

Mr. McMILLIN. There are three of them?

Mr. HENDERSON of North Carolina. Yes.

Mr. McMILLIN. Now, did they not accept the offices under the law as it existed at the time; and was there any effort on their part to resign and get out from the work, and let somebody else in who was willing to do it?

Mr. HENDERSON of North Carolina. I suppose not; but this is a remarkable case, a case that probably would not repeat itself once in a hundred years.

Mr. McMILLIN. What I want to call the gentleman's attention to is the fact that that is regulated by clerk hire in the Departments. The responsibility of the office occurs under the general law. They have a division in the Post-Office Department where, from time to time, additional clerk hire is granted for offices similar to this; and it has always struck me that if an officer is not satisfied with the compensation fixed at the time of his accepting the office he ought not to complain until he has made an effort to rid himself of the responsibility and tried to get out.

Mr. HENDERSON of North Carolina. Mr. Chairman, I think these are extraordinary cases, and that these postmasters should be allowed the amounts recommended.

Mr. McMILLIN. These cases occur all over the country, although not so pronounced as this. New York City increases 2,000 inhabitants per week. This is an extraordinary case, but it is not in Oklahoma alone that this has occurred. The general law has provided that, in order to prevent any "cooking up," if I may use the slang phrase, of salaries of officers in newly-established offices, or old ones for that matter, the business shall run for a period of three quarters.

Mr. HENDERSON of North Carolina. Four quarters.

Mr. McMILLIN. Four quarters, and that upon that period of four quarters the salary shall be fixed.

Mr. LOUD. For the future, but not for the past.

Mr. McMILLIN. For the past; the general law controls.

Mr. HENDERSON of North Carolina. Under the general law they would receive nothing for the past.

Mr. McMILLIN. But the law under which the postmaster holds fixes the compensation for those four quarters. Now, you seek by this bill to make a donation four years after this thing occurred and after these postmasters are presumed to have gone out. I doubt not they got the rich emoluments of these offices after the readjustment, did they not?

Mr. HENDERSON of North Carolina. After the readjustment they were entitled to pay for the future.

Mr. McMILLIN. Then they held on for four years; because under the ruling of the Post-Office Department they allow an officer to hold for the term of his second commission, if I remember correctly. Therefore, these officers had not only that year's term, but a four years' term after the rerating of the salary and the change to a Presidential office. Now, it does seem to me that, holding on for that length of time, they ought not to have this donation in times of stringency, when receipts are running behind expenditures to the extent of $75,000,000 per annum. We should not issue bonds to get money out of which to make such donations as these.

Mr. HOLMAN. Under the general law, the clerk hire was increased in proportion to the business of the offices, independently of the adjustment of salaries.

Mr. McMILLIN. I have stated already that the clerk hire was regulated by the amount of business all the time, and the amount given was in the discretion, under the appropriation, of the Postmaster-General.

Mr. HENDERSON of North Carolina. I will yield five minutes to the gentleman from California [Mr. LOUD].

Mr. LOUD. Mr. Chairman, while to a certain extent the statements made by the gentleman from Tennessee [Mr. McMILLIN] are correct—that is, that the Government is running behind in its receipts, and that the postmasters who accepted these appointments understood the conditions, yet there were conditions existing in these three offices that exist in no other offices in the United States. The gentleman says that this is but setting the example for many claims of this character that are before Congress from many parts of the country. I would say to the gentleman from Tennessee [Mr. McMILLIN] that we have a Committee on Post-Offices and Post-Roads I believe equal in intelligence and honesty and integrity to the gentleman from Tennessee.

Mr. McMILLIN. I am willing to admit its superiority, if it will do you any good. I do not question it at all in any particular.

Mr. LOUD. We have carefully considered these cases, and this is the only case that we have seen fit to report to the House. And if we did not believe and see upon the face of it that these claims are actually meritorious we should not have reported them. There had to be post-offices in these cities. Somebody had to conduct the business. Somebody had to take the position and rely upon the generosity of the Government to recompense him. The gentleman said that the persons who occupied these offices occupied them three years subsequently, and received the emoluments therefrom. I admit that they did; but they received a salary for the first year of $1,000, while they were conducting offices which, had they been classified, would have returned them $2,400 or $2,500. They never can receive anything for the extra amount they have expended in rent, in preparing a place for a second-class office, with the salary appertaining to a fourth-class office; and I can safely assure the gentleman that the amount granted in this bill will not recompense these gentlemen for the extra amount expended during the first year.

A MEMBER. Who are the claimants?

Mr. LOUD. I do not know the names of these postmasters. I do not care who they are. Here was a salary, in one case, of $1,000 for a town of probably 15,000 or 20,000 inhabitants. A city of 20,000 grew up almost in a night.

I do not care if the Government was running behind $500,000,000 in a year, I do not believe the day will ever come when the Government can not afford to perform an act of justice between it and its citizens such as is contained in this measure.

Mr. HENDERSON of North Carolina. I yield five minutes to the gentleman from South Dakota [Mr. PICKLER].

Mr. PICKLER. As an inspector in the public land service I happened to be in these towns during the opening of Oklahoma Territory. As a part of my duty in establishing land offices, I was at Guthrie, Kingfisher, and Oklahoma City frequently. I want to say to the committee that in my opinion money was never more justly earned than these postmasters earned this money.

The gentleman from Tennessee [Mr. MCMILLIN] states it altogether too strongly when he calls this a donation. I was in the town of Guthrie in the morning when there were from two hundred to three hundred people, land office officials, officials of railroads, and some persons who ought not to have been there; and at 3 o'clock in the afternoon it is estimated there were as many as fifteen thousand people on the ground. It was nearly the same at Oklahoma City, and there was a very large number at Kingfisher. These postmasters had this burden cast upon them at once. I believe that nearly every word that is stated by the postmaster there is true. I was in there week in and week out, and I have seen a long line of people standing there, one er than across this hall, from daylight until dark, seeking to get their mail.

These postmasters were put under extraordinary burdens to take care of the mails. They had no facilities, and they earned this money if ever men did. These offices bounded in one day up to Presidential offices. These men who did the work there had to do it under peculiar circumstances, bearing a peculiar burden. Now, it is not a donation, as the gentleman states. These men earned their money; they did their duty. They took care of the post-offices of those cities that grew up in a day, when the people were demanding their mail, which rendered it one of the most extraordinary affairs that has ever been known in the history of this Government. It is not a precedent. You will never have anything like this again. The truth about it is, that Oklahoma Territory was opened with very little law for the opening. There was not sufficient law enacted for the opening. It simply opened up the land, without any further provision in regard to a great many matters that ought to have been provided for in advance.

The postmasters did their duty under most trying circumstances. They had nowhere to take care of the stamps. They were in a tent in the morning of the 22d. I remember very well the frame structure that was put up to accommodate the post-office at Guthrie and the long line of people seeking to get their mail. I was at these three different towns afterwards. It was a part of my duty to visit these places, and the land offices of these places, and I know that these three postmasters did their duty and earned their money.

Mr. DOCKERY. Will the gentleman state to the House, as I have no information on the question, whether or not additional allowances were made for extraordinary clerical hire on account of the extraordinary conditions?

Mr. PICKLER. I can not state particularly as to that. I understand an allowance was made for the clerks that came in there, but these postmasters got nothing for these services at the beginning, being simply treated the same as other fourth-class postmasters are, and were not paid for the services that they rendered.

Mr. DOCKERY. The Postmaster-General is allowed money out of which to make extraordinary allowances for clerk hire under exceptional circumstances. Do you know how much these postmasters obtained?

Mr. LOUD. It was very limited in character.

Mr. DOCKERY. Is the gentleman able to say what the allowance was?

Mr. LOUD. I can not say; but they are always necessarily small, and I do not know the amount that was allowed.

Mr. PICKLER. It was extremely difficult to take care of postal matters there. There was a great press in the telegraph as well as postal matters, and as a Government officer, so difficult was it to communicate by wire, that I had to go 60 miles up to Arkansas City to telegraph to the Secretary of the Interior. That shows the pressure there was in obtaining telegraph communications; and it was just as great or more so in postal matters, and it was a puzzle not only to the authorities there as to management of matters, but to the postal authorities here.

I think matters were well managed in each of these cases, and these gentlemen earned their money. They have never been paid. This is no donation. Our action in providing for this case can not be a precedent, because nothing like this case will, in my opinion, ever occur again.

Mr. MCMILLIN. Does not the gentleman think that a similar state of things has occurred recently upon the opening of new towns in Oklahoma?

Mr. PICKLER. Nothing like this.

Mr. MCMILLIN. Has not the same thing occurred at the opening of the gas belt?

Mr. PICKLER. I do not suppose that anything like this particular case has ever occurred. At Guthrie there were at noon three hundred men and at night there were fifteen thousand. And I remember very well that the citizens assembled at sundown on the night of the 22d, and, American-like, elected a mayor for the city, although they had come in there only that afternoon. The circumstances connected with the settlement of Oklahoma obtained a world-wide celebrity, were heralded everywhere, and I do not think there ever was a parallel.

Mr. HENDERSON of North Carolina. I yield three minutes to the gentleman from Pennsylvania [Mr. BINGHAM].

Mr. BINGHAM. Mr. Chairman, it appears to me there is very little complication about this proposition. According to my recollection the distinguished gentleman from Missouri [Mr. DOCKERY] was on the Committee on the Post-Office and Post-Roads in the Fifty-first Congress when this matter first came up for consideration. The reason a bill of this character was not acted upon in that Congress was in the fact the gentleman having it in charge failed, on account of absence or some other reason, to submit the action of the Committee on the Post-Office and Post-Roads, which was in effect the same as the bill under consideration.

The case is simply this: The law will not allow a new post-office to rank as other than fourth-class, and the compensation of the postmaster can not exceed $1,000. In these three cities in Oklahoma Territory it was found upon an adjustment of the accounts at the end of the year that one of the offices was entitled to be rated as a third-class office and the two others as second-class. The several postmasters received, of course, additional compensation for clerical services because the amount of work was extraordinary. The statute permits extraordinary allowance for clerk hire. The simple proposition in this bill is to place these officials upon the same basis with other officers doing a similar amount of work. Under the general statute, whenever a certain amount of work is done in a post-office a certain compensation follows.

It is but simple justice that we should make such an allowance in this case. It is to me a matter of surprise that it has not been done before. These postmasters, having performed under the law a certain amount of work, are entitled to the compensation that the law fixes. It was not within the discretion of the Postmaster-General to make the necessary allowance, because under the law, until there has been an adjustment of accounts for one year, an office can not be rated as other than fourth class, even though the office is doing as much post-office work as is being done to-day in the city of Washington. It is but justice to these officials who have done this work that they should be compensated in accordance with the work they have performed.

[Here the hammer fell.]

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. SPRINGER having taken the chair as Speaker *pro tempore*, a message from the Senate, by Mr. GARRETT, one of its clerks, announced that the Senate had passed with amendments the bill (H. R. 6500) to define and establish the units of electrical measure; in which the concurrence of the House was requested.

POST-OFFICES, OKLAHOMA TERRITORY.

The committee again resumed its session, Mr. RICHARDSON of Tennessee in the chair.

Mr. HENDERSON of North Carolina. I yield three minutes to the gentleman from Illinois [Mr. SPRINGER].

Mr. SPRINGER. Mr. Chairman, the situation of the postmasters in the cities named in this bill is peculiar, and the action which we are asked to take can not be regarded as in any sense a precedent to govern Congress hereafter. The manner in which this Territory was opened to settlement and the long delay preceding such opening caused thousands of people to assemble on the border, waiting the time when the proclamation of the President should permit them to enter.

When the day arrived, thirty, forty, or fifty thousand people rushed in; and between the time fixed by the President's proclamation, 12 o'clock noon, and the close of the day there assembled at different places in the Territory as many as five to ten thousand people, who proceeded to form future cities. Such a thing as that never occurred before in this country and will perhaps never occur again. The condition of things was anomalous and remarkable.

Now, a fourth-class post-office is one at which the compensation is less than $1,000 a year. The work of such an office is very light for one man to perform. But these offices in Oklahoma assumed from the beginning the condition of Presidential post-offices. There were at once formed cities of five, eight, and ten thousand people.

In these cities there were not buildings suitable for postal purposes; and the offices were without box facilities and without carriers for the delivery of letters. Those postmasters practically began business on the very ground. For several weeks, and in some cases for months, they had to keep their offices in tents, or other temporary structures. Great risk was incurred in the handling of the mails; and it is unjust to require the work to be done for the salary of fourth-class postmasters. This bill simply adjusts these salaries on the basis of work actually done from the time those offices were opened, and just as other postmasters are paid.

Mr. DOCKERY. What was the amount actually paid these postmasters?

Mr. SPRINGER. I do not know. I have not the data which would enable me to answer that question.

Mr. HENDERSON of North Carolina. They could not get more than $1,000.

Mr. DOCKERY. I mean for additional clerk hire.

Mr. SPRINGER. The clerk hire has nothing to do with the question. The clerks who were employed got the pay for their own services, but this did not increase the emoluments of the postmasters. They should be paid such salaries as they earned by reason of the magnitude of the duties they performed.

Here the hammer fell.

Mr. HENDERSON of North Carolina. I yield three minutes to the gentleman from New York [Mr. LOCKWOOD].

Mr. LOCKWOOD. Mr. Chairman, this is not, so far as the amount of money is concerned, a very important matter; but as a precedent, it strikes me as being exceedingly important that the House should carefully consider it.

At the time of the appointment of these gentlemen as postmasters at the places indicated the salaries were fixed by law not to exceed $1,000 per annum. The extra clerk hire they received. Now, if they are to come in, two, three, or four years afterwards, and make a claim by reason of extra labor performed by them, and the increase of the duties of their offices, what is there, I ask, to prevent many thousands of postmasters throughout the country coming to Congress and presenting a similar claim? There are many cases throughout the country where there have been rapid increases in population; but the salaries of the postmasters are readjusted at stated intervals by the Post-Office Department, the readjustments being made on the business done by the office; and on that basis there are offices throughout the country where the salary would have to be increased from five hundred to a thousand dollars and more per annum.

I remember a case to which my attention was particularly called, the post-office in my own city, where the fact was disclosed that the salary would have been from nine hundred to a thousand dollars more than was actually paid for several months on the basis of the readjustment.

Now, if these postmasters had been doing this extra work, then, under the principle invoked by this bill, these men to whom I have referred have a just and proper right to come to Congress, and in the spirit of this proposition now pending and advocated before the House, would have the right to ask to have their claims adjusted and to be paid extra compensation for the time they have been doing the additional work which has come to the office in the ordinary course of business. It seems to me that it would be a precedent and the establishing of a rule which would be antagonistic to the principle regulating the postal service throughout the country, and would result unfavorably and disadvantageously not only to this service, but to all the other branches of the public service.

Mr. HENDERSON of North Carolina. I think the committee now understands the question, and I ask a vote.

Mr. BYNUM. I trust the gentleman will yield to me for from three to five minutes before that.

Mr. HENDERSON of North Carolina. I yield five minutes to the gentleman from Indiana.

Mr. BYNUM. Mr. Chairman, the gentleman from New York [Mr. LOCKWOOD] has correctly stated, in my judgment, the effect of this bill. These are not the only cases throughout the country. In the gas belt in Indiana, the growth of towns and cities has been almost as marked and equally rapid as the growth of these places in Oklahoma. In the town of Elwood, Madison County, the census of 1890 showed a population of something over 2,000, but within a short period a city had sprung up with a population of from eight to ten thousand people. This was the case also in Alexandria, about 10 miles off, which in four years increased from a town of 250 to one of more than 7,000 population.

There are, I believe, six or seven Presidential post-offices in that county to-day, all of these but one having sprung up immediately upon the discovery of natural gas. When I visited these towns I called on the postmaster at Alexandria, and he informed me that he was anxious to resign because of the great labor he was compelled to perform and the small compensation he was receiving. With all the work he could do he was required to work every Sunday all day to get his reports up, and he could not succeed even then. Such was the case at Elwood, the postmaster at that point paying almost his entire salary for clerk hire, and absolutely working for nothing himself.

If this is to be reopened you will find twenty offices at least in Indiana where they are entitled to additional allowance such as is provided by this bill. I do not think the precedent ought to be established.

Mr. BINGHAM. Before the gentleman takes his seat, will he permit me to ask him if in the cases he has referred to those offices had not been already established?

Mr. BYNUM. Yes, they had been fourth-class offices; but by reason of the rapid increase of population the work was greatly increased.

Mr. BINGHAM. In this case, in Oklahoma, these offices were just established. Yours had been established for some time and were running on that basis.

Mr. BYNUM. I know; but I am simply calling attention to the fact of the increase of business there, owing to the discovery of natural gas. Whether the offices had been formerly established cuts no figure.

Mr. HENDERSON of North Carolina. Now, Mr. Chairman, I ask a vote.

The CHAIRMAN. General debate, if there be no objection, will be considered as closed, and the bill will be read for amendments. There is but one section of the bill which the Clerk will read.

The bill was again read, no amendments being offered.

Mr. HENDERSON of North Carolina. I move that the committee rise and report the bill favorably to the House.

Mr. MCMILLIN. I move to report the bill to the House with the recommendation that the enacting clause be stricken out.

The question was taken; and on a division there were—ayes 42, noes 68.

Mr. MCMILLIN. No quorum.

Mr. HENDERSON of North Carolina and Mr. MCMILLIN were appointed tellers.

The committee again divided; and the tellers reported—ayes 61, noes 85.

The CHAIRMAN. Under the rule the Chair will direct the roll to be called.

The roll was called, when the following members failed to answer to their names:

Adams, Ky.	Breckinridge, Ky.	Crawford,	Gardner,
Aldrich,	Brickner,	Culberson,	Gear,
Allen,	Broderick,	Cummings,	Geissenhainer,
Apsley,	Brosius,	Curtis, Kans.	Gillet, N. Y.
Avery,	Brown,	Curtis, N. Y.	Gillett, Mass.
Baldwin,	Burnes,	Dalzell,	Goldzier,
Barnes,	Burrows,	Dingley,	Goodnight,
Belden,	Cadmus,	Draper,	Gorman,
Bell, Colo.	Caminetti,	Dunn,	Grout,
Bell, Tex.	Campbell,	Dunphy,	Grow,
Beltzhoover,	Capehart,	Durborow,	Haines,
Black, Ga.	Chickering,	Edmunds,	Hall, Minn.
Bland,	Childs,	Ellis, Ky.	Harmer,
Boutelle,	Clancy,	Epes,	Hatch,
Bower, N. C.	Cockran,	Fielder,	Heard,
Bowers, Cal.	Cooper, Tex.	Fithian,	Henderson, Iowa
Branch,	Cornish,	Funston,	Hendrix,

Hermann,	McDowell,	Richardson, Mich.	Straus,
Hicks,	McKeighan,	Robertson, La.	Sweet,
Hines,	Meiklejohn,	Robinson, Pa.	Tarsney,
Hooker, N. Y.	Mercer,	Rusk,	Taylor, Tenn.
Hopkins, Pa.	Meyer,	Russell, Ga.	Tracey,
Hull,	Montgomery,	Ryan,	Tucker,
Hutcheson,	Morse,	Schermerhorn,	Turner, Ga.
Johnson, Ind.	Murray,	Scranton,	Turner, Va.
Johnson, Ohio	Mutchler,	Settle,	Turpin,
Jones,	Neill,	Shaw,	Tyler,
Kilgore,	Newlands,	Sherman,	Wadsworth,
Kribbs,	Oates,	Sibley,	Walker,
Lacey,	O'Neill, Mo.	Sickles,	Wanger,
Lawson,	Paynter,	Simpson,	Washington,
Lefever,	Pearson,	Sipe,	Waugh,
Lisle,	Pence,	Snodgrass,	Weadock,
Loudenslager,	Pendleton, W. Va.	Somers,	Wheeler, Ala.
Magner,	Phillips,	Stevens,	White,
Marsh,	Post,	Stockdale,	Whiting,
Marshall,	Quigg,	Stone, W. A.	Wilson, Wash.
Marvin, N. Y.	Ray,	Stone, Ky.	Woomer,
McAleer,	Rayner,	Storer,	Wright, Pa.
McCleary, Minn.	Richards, Ohio	Strait,	

The CHAIRMAN. Under the rule, the committee will rise and report the names of the absentees to the House.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. RICHARDSON of Tennessee, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 7020) to readjust the salaries and allowances of postmasters at Guthrie, Oklahoma City, and Kingfisher, in Oklahoma Territory and the committee, finding itself without a quorum, that the Chairman had caused the roll to be called, in accordance with the rule, and herewith reported the names of the absentees to the House.

The SPEAKER. The names of the absentees will be entered upon the Journal. One hundred and ninety-three gentlemen have answered. The morning hour has expired.

PRIVATE PENSION BILLS.

The SPEAKER. There are a number of pension bills which have been considered in Committee of the Whole at the Friday evening sessions and reported to the House. If there be no objection, the Chair would like to submit those bills to the House. There are some twenty or twenty-four of them. If there be no objection, the House will take up those bills and dispose of them.

Mr. JONES. What is the request?

The SPEAKER. There are certain pension bills that have been reported to the House by the Committee of the Whole, having been considered at Friday evening sessions. These bills are on the Calendar ready for consideration by the House, and if there be no objection, these bills will be considered by the House and disposed of.

There was no objection.

The bill (H. R. 5697) granting a pension to Ellen Connor, widow of Patrick Connor, deceased, having been reported to the House with the recommendation that it be referred to the Committee on War Claims, it was accordingly referred to the Committee on War Claims.

The following bills having been reported from the Committee of the Whole with amendments, and with the recommendations that as amended they do pass, were severally considered, the amendments recommended by the Committee of the Whole agreed to, the bills as amended ordered to be engrossed and read a third time; and being engrossed, were read the third time and passed, and motions to reconsider the votes by which the bills were passed were severally laid on the table:

A bill (H. R. 2108) to perfect the military record of Warren Alonzo Alden;

A bill (H. R. 4811) granting a pension to Mary Trimble, the crippled, helpless, and destitute daughter of Benjamin Trimble, late of Nevin's Independent Battery, Light Artillery, Pennsylvania Volunteers;

A bill (H. R. 5097) to increase the pension of Mary Stahl;

A bill (H. R. 5374) granting a pension to Sarah Oddy;

A bill (H. R. 1461) to remove the charge of desertion from the record of Andrew L. Grugett as a former member of Company E, Sixth Tennessee Cavalry in the war of the rebellion, and to grant him an honorable discharge therefrom;

A bill (H. R. 3033) granting a pension to Amanda J. Lane;

A bill (H. R. 6206) granting a pension to A. F. Neely; and

A bill (S. 920) to pension Mary Brown, of Berlin, Vt.

The following bills, reported from the Committee of the Whole without amendment, and with the recommendation that they do pass, were severally considered, ordered to be engrossed and read a third time; and being engrossed, were read a third time and passed, and motions to reconsider the votes by which the bills were passed were severally laid upon the table:

A bill (H. R. 5351) granting a pension to Celestia P. Harrt;

A bill (H. R. 5194) to pension G. O. Grenier, of Texas;

A bill (H. R. 3971) for the relief of Martha A. Holt, widow of Thomas C. Holt;

A bill (H. R. 314) granting an honorable discharge to Wilson Kale;

A bill (H. R. 1110) to correct the military record of Calvin Daniel;

A bill (H. R. 4671) to remove the charge of desertion standing against the name of Joseph G. Utter; and

A bill (H. R. 4651) granting a pension to Harriet T. Vosburg.

The following bill reported to the House from the Committee of the Whole, with the recommendation that it lie on the table, was considered and ordered to lie on the table:

A bill (H. R. 3722) for the relief of the widow and heirs of Marcellus Pettit.

The SPEAKER. This includes all the bills that have been reported from the Committee of the Whole. There are a number of bills that have been laid aside with the recommendation that they be reported, but which have not been reported.

Mr. DOCKERY. I hope consent will be given to dispose of them.

Mr. McMILLIN. I will state to the gentleman from Missouri that they are in Committee of the Whole.

Mr. DOCKERY. But they have been considered and laid aside with a favorable recommendation, but have not been reported.

The SPEAKER. The Committee of the Whole found itself without a quorum and could not report them to the House; but they have been considered.

Mr. BAKER of New Hampshire. They are on the Calendar.

The SPEAKER. But not reported to the House; and the order related to those which had been reported to the House. There are a number of bills the committee has considered and has laid aside to report.

Mr. MARTIN of Indiana. Mr. Speaker, I ask unanimous consent that the bills referred to by the Speaker be considered as having been reported.

The SPEAKER. The gentleman from Indiana asks unanimous consent that, as to those bills laid aside to be reported, the Committee of the Whole be discharged from their further consideration and that they be put on their passage.

Mr. STALLINGS. I object.

ELECTRICAL MEASURE.

Mr. CHARLES W. STONE. Mr. Speaker, there is a House bill with Senate amendments of a verbal character that I ask unanimous consent to take from the Speaker's desk.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H. R. 6500) defining and establishing the units of electrical measure.

The SPEAKER. The gentleman desires to be absent on Monday, and he asks unanimous consent to call this bill up and dispose of the Senate amendments.

The Senate amendments were read.

Mr. CHARLES W. STONE. These are only verbal changes and the changing from a small letter to a capital.

The Senate amendments were concurred in.

On motion of Mr. CHARLES W. STONE, a motion to reconsider the vote by which the Senate amendments were concurred in was laid on the table.

ORDER OF BUSINESS.

Mr. STALLINGS. Mr. Speaker, I objected a while ago to a request made by the gentleman from Indiana. I want to withdraw that objection. It applies to all bills passed on Friday night of last week and one which passed last Friday night.

Mr. OUTHWAITE. Will the gentleman also make the exception to the one that was passed on the previous night?

Mr. STALLINGS. Oh, yes.

The SPEAKER. If there be no objection, the House will proceed to consider the bills which had been ordered to be laid aside with a favorable recommendation. A general order will be made to discharge the committee from the further consideration of the bills so that they may be considered in the House.

BILLS PASSED WITH AMENDMENTS.

The Committee of the Whole was discharged from the further consideration of the following bills; which were severally read, the amendments recommended by the Committee of the Whole agreed to, the bills passed, and motions to reconsider the votes by which the several bills were passed were laid on the table:

The bill (H. R. 6902) granting a pension to Mrs. Susy Conway;

The bill (H. R. 1196) to restore Mary E. Trickey and children of Hartwell M. Trickey to the pension rolls (title amended);

The bill (H. R. 6050) for the relief of Margaret A. Woods;

The bill (S. 307) for the relief of Earnest C. Emerson;

The bill (H. R. 3992) to increase the pension of Julia Bows;

The bill (H. R. 953) to grant a pension to Allie Dill Broughton;

The bill (H. R. 6103) for the relief of Mrs. Mary A. Menefee;

The bill (H. R. 3816) granting a pension to Mary Ann Donoghue;

The bill (H. R. 3065) to increase the pension of James Lane;

The bill (H. R. 6634) to grant a pension to Edwin Overman, an insane child;

The bill (H. R. 6361) to grant a pension to Pauline J. Smith; and

The bill (H. R. 6213) to pension Harriet R. Tait.

BILLS PASSED WITHOUT AMENDMENTS.

The following bills were severally passed without amendments, and motions to reconsider the votes by which they were passed were severally laid on the table:

A bill (S. 578) granting an increase of pension to Wells Johnson; and

A bill (H. R. 2726) to remove the charge of desertion standing against the name of Edwin J. Butler.

INDEFINITELY POSTPONED.

The bill (H. R. 1197) for the relief of Frederick Ottstotts, reported from the Committee of the Whole with an adverse recommendation, was laid on the table, with the order that its consideration be indefinitely postponed.

ADJOURNMENT OVER.

Mr. MAHON. Mr. Speaker, I move that when the House adjourns to-day it be to meet on Tuesday next.

The question was taken, and the motion was rejected.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted

To Mr. HEARD, indefinitely, on account of sickness in his family.

To Mr. BOUTELLE (on request of Mr. MILLIKEN), indefinitely, on account of sickness.

Mr. BANKHEAD. I move that the House adjourn.

ELECTRIC FANS FOR HOUSE OF REPRESENTATIVES.

Mr. SHELL. Mr. Speaker, I have a resolution for which I ask immediate consideration. It will not take more than a minute to dispose of it, and I think it is privileged.

The SPEAKER. Does the gentleman withdraw the motion to adjourn.

Mr. BANKHEAD. I do for the present.

The Clerk read as follows:

Resolved, That the Architect of the Capitol be directed to place in the Hall of the House of Representatives such number of electric fans as he may deem necessary for the proper ventilation of said Hall and for the comfort and healthfulness of the members, the expense thereof to be paid out of the contingent fund.

The resolution was agreed to. [Applause.]

Mr. BANKHEAD. I move that the House adjourn.

The motion was agreed to.

And accordingly (at 2 o'clock and 25 minutes p. m.) the House adjourned.

REPORTS OF COMMITTEES ON PRIVATE BILLS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

By Mr. MORGAN, from the Committee on Military Affairs: A bill (H. R. 5912) for discharge of Julius L. Briggs as sergeant. (Report No. 1200.)

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills; which were referred as follows:

A bill (H. R. 7593) for the relief of Rhoda Rucker, of Tennessee—the Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 726) for the relief of Charles M. Kennerly—the Committee on War Claims discharged, and referred to the Committee on Claims.

A bill (H. R. 2902) placing upon the pension rolls the name of L. D. Gilbreath—the committee on Invalid Pensions discharged, and referred to the Committee on Military Affairs.

A bill (H. R. 6759) granting a pension to Eliza Ann Harrington—the Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, MEMORIALS, AND RESOLUTIONS.

Under clause 3 of Rule XXII, a bill and joint resolution of the following titles were introduced, and severally referred as follows:

By Mr. ABBOTT: A bill (H. R. 7615) granting special privileges to road houses in the District of Columbia—to the Committee on the District of Columbia.

By Mr. CUMMINGS: A joint resolution (H. Res. 199) relating to the medal of honor authorized by the acts of July 12, 1862, and March 3, 1863—to the Committee on Military Affairs.

PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as follows:

By Mr. DAVIS: A bill (H. R. 7616) settling the claim against the United States of George Lemley, of Junction City, Kans.—to the Committee on Claims.

Also, a bill (H. R. 7617) allowing to Calvin H. Freeman and all other members of the Nineteenth Regiment Kansas Volunteer Infantry the privileges and benefits of sections 2304 and 2306 of the Revised Statutes of the United States—to the Committee on War Claims.

Also, a bill (H. R. 7618) granting an honorable discharge to Thomas C. Johnson, of Concordia, Kans.—to the Committee on Military Affairs.

Also, a bill (H. R. 7619) granting commutation money to Conrad Schmidt, of Junction City, Kans.—to the Committee on Claims.

Also, a bill (H. R. 7620) granting a pension to Mrs. Nancy Walker, of Green, Kans.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7621) to correct the military record of George W. Richardson, of Haddam, Kans.—to the Committee on Military Affairs.

By Mr. DONOVAN: A bill (H. R. 7622) granting a pension to Adaline Kauffman—to the Committee on Invalid Pensions.

By Mr. HENDERSON of Illinois: A bill (H. R. 7623) granting a pension to Cassie Perkins—to the Committee on Pensions.

By Mr. HAYES: A bill (H. R. 7624) granting a pension to Talitha E. Buell—to the Committee on Pensions.

By Mr. HARTMAN: A bill (H. R. 7625) to place William Harmon on the retired list of the Army—to the Committee on Military Affairs.

By Mr. PRICE: A bill (H. R. 7626) for the relief of Mrs. Victor Fabre, Lafayette Parish, La.—to the Committee on War Claims.

By Mr. PASCHAL (by request): A bill (H. R. 7627) for the relief of A. F. Hensley—to the Committee on Claims.

Also (by request), a bill (H. R. 7628) for the relief of Lavaca Wharf Company—to the Committee on Claims.

By Mr. SETTLE: A bill (H. R. 7629) for the relief of the heirs of Israel G. Lash—to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BLAIR: Petition of the Rockingham County Conference of Congregational and Presbyterian Churches, adopted at its fifty-seventh annual session, June 6, 1894, praying for the passage of the anti-lottery bill at this session—to the Committee on the Judiciary.

Also, petition of James G. Walker, of New Hampshire, against income tax on fraternal beneficiary orders—to the Committee on Ways and Means.

By Mr. COOMBS: Petition of citizens of Brooklyn, N. Y., member of fraternal societies, asking that fraternal beneficiary societies, orders, or associations operating upon the lodge system, and providing for the payment of life, sickness, benevolent, and other benefits to members or dependents, be relieved of all national taxation—to the Committee on Ways and Means.

By Mr. GILLETT of Massachusetts: Two petitions of Henry H. Goodell and 17 other citizens of Amherst, Mass., against the introduction of lottery matter or the allowance of its transportation from State to State—to the Committee on the Post-Office and Post-Roads.

By Mr. IKIRT: Petition of T. P. Marsh and 9 other members of the faculty of Mount Union College, Alliance, Ohio, against the operations and influence of the Louisiana lottery—to the Committee on the Post-Office and Post-Roads.

By Mr. JOSEPH: Petition of miners of the Territory of New Mexico, praying Congress to permit the law requiring $100 in labor to be performed annually on each mining claim to remain in full force and effect—to the Committee on Mines and Mining.

By Mr. MCALL: Petition of citizens of Massachusetts, for the suppression of lotteries—to the Committee on the Post-Office and Post-Roads.

By Mr. WILLIAM A. STONE: Two petitions of citizens of Glenfield, Pa., for exemption of fraternal societies from income tax—to the Committee on Ways and Means.

By Mr. SETTLE: Petition of the faculty of Trinity College, Durham, N. C., concerning lotteries—to the Committee on the Post-Office and Post-Roads.

SENATE.

MONDAY, *July 2, 1894.*

The Senate met at 10 o'clock a. m.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the journal of the proceedings of Friday last, when, on motion of Mr. CULLOM, and by unanimous consent, the further reading was dispensed with.

EXECUTIVE COMMUNICATION.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of the Senate of May 31, 1894, a copy of a letter from the Commissioner of Indian Affairs, together with copies of all correspondence on file in his office relating to the alleged erroneous survey made of the Klamath Indian Reservation, etc.; which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

Subsequently, on motion of Mr. MITCHELL, of Oregon, the vote to refer and print was reconsidered, and the communication and accompanying papers were ordered to lie on the table.

LEAVE OF ABSENCE.

Mr. MORRILL was, on his own request, granted an indefinite leave of absence.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition of the National Prison Association of the United States, of Allegheny, Pa., praying for the passage of the bill authorizing the Department of Justice to establish a bureau for the identification of criminals and the collection and dissemination of criminal information, and making appropriation for the same; which was referred to the Committee on the Judiciary.

Mr. BATE presented a petition of sundry citizens of Nashville, Tenn., praying that fraternal beneficiary societies, orders, or associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

Mr. TELLER presented a petition of sundry citizens of Arapahoe County, Colo., praying that the funds of mutual life insurance companies and associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

He also presented a petition of Washington Camp, No. 1, Patriotic Order Sons of America, of Denver, Colo., and a petition of Silver State Council, No. 3, Junior Order of United American Mechanics, of Colorado, praying for the enactment of legislation restricting immigration; which were referred to the Committee on Immigration.

Mr. VILAS presented petitions of A. R. Boerner and 38 other citizens; of A. C. Probert and 34 other citizens; of Henry J. Douglaw and 25 other citizens; of S. E. Gernon and 12 other citizens, and of J. C. Noyes and 49 other citizens of Winnebago County, all in the State of Wisconsin, praying that the funds of mutual life insurance companies and associations be exempted from the proposed income-tax provision of the pending tariff bill; which were ordered to lie on the table.

Mr. WALSH presented a petition of Order Railroad Telegraphers of North America, of Atlanta, Ga., praying that an appropriation be made for a national exhibit at the Cotton States and International Exposition to be held at Atlanta, Ga., in the fall of 1895; which was referred to the Committee on Appropriations.

REPORTS OF COMMITTEES.

Mr. MCLAURIN, from the Committee on Claims, to whom was referred the bill (S. 1992) for the relief of Briscoe B. Bouldin, reported it without amendment, and submitted a report thereon.

He also, from the same committee, reported an amendment intended to be proposed by him to the deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. FAULKNER, from the Committee on the District of Columbia, to whom was referred the amendment submitted by himself June 29, 1894, intended to be proposed to the District of Columbia appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations and be printed; which was agreed to.

Mr. MORGAN, from the Committee on Foreign Relations, reported an amendment intended to be proposed by him to the diplomatic and consular appropriation bill; which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Appropriations.

He also, from the same committee, reported an amendment intended to be proposed by him to the diplomatic and consular appropriation bill; which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Appropriations.

He also, from the same committee, reported an amendment intended to be proposed by him to the diplomatic and consular appropriation bill; which was ordered to be printed, and with the accompanying papers, referred to the Committee on Appropriations.

Mr. MORGAN, from the Committee on Indian Affairs, reported an amendment intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PUGH, from the Committee on the Judiciary, to whom was referred the amendment submitted by Mr. CALL, June 18, 1894, intended to be proposed to the legislative, executive, and judicial appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations, and be printed; which was agreed to.

MINNESOTA RIVER IMPROVEMENT.

Mr. WASHBURN, from the Committee on Commerce, to whom was referred the following concurrent resolution of the House of Representatives, reported it without amendment, and it was considered by unanimous consent, and agreed to:

Resolved by the House of Representatives (the Senate concurring), That the Secretary of War be, and he is hereby, authorized and instructed to transmit to the House of Representatives any reports that may have been received since his last annual report pertaining to the improvement on the Minnesota River in the State of Minnesota.

GEORGE P. FURBER.

Mr. CAMDEN, from the Committee to Audit and Control the Contingent Funds of the Senate, to whom was referred the following resolution, submitted by Mr. GRAY June 16, 1894, reported it without amendment.

Resolved, That there be allowed and paid to George P. Furber, from the contingent fund of the Senate, $750, as compensation for his services in the preparation of the second edition of Senate Election Cases, and the volume entitled Privileges of the Senate.

BILLS INTRODUCED.

Mr. GALLINGER introduced a bill (S. 2172) requiring the use of safety fenders on cars operated by cable or electric power within the District of Columbia; which was read the first time by its title.

Mr. GALLINGER. I ask that the bill be read at length, and I beg leave to suggest that as this is a matter of great public concern, and a subject that is largely engaging the attention of the people of the District of Columbia, I trust the committee to which it will be referred may give it speedy and favorable consideration, and that the Senate may do likewise.

The bill was read the second time at length, as follows:

Be it enacted, etc., That the Commissioners of the District of Columbia be, and hereby are, authorized and directed to require each street railway company or corporation which may be now or hereafter operated by cable or electric power within the District of Columbia to prepare its tracks and road bed in such manner as may be necessary to facilitate the use of safety fenders upon the cars of such companies or corporations, and to equip such cars with the best attainable fenders for the protection and preservation of life and limb.

SEC. 2. That if any of the said companies or corporations shall neglect for six months after having been directed in writing by the said Commissioners to prepare their tracks and road-bed and equip the cars operated by them as required by this act to the satisfaction of the said Commissioners such company or corporation shall, from and after the expiration of six months from the date of the said notice, pay a fine of $1 per day for each car operated by them to which a fender should have been attached.

The said fines shall be collected in the same manner as other fines due the District of Columbia, and when collected shall be paid into the treasury of the said District.

Mr. GALLINGER. I submit a communication from the Commissioners of the District, addressed to the chairman of the Committee on the District of Columbia, relating to the matter of fenders. I move that it be printed, and referred to the Committee on the District of Columbia, with the bill which has just been read.

The motion was agreed to.

Mr. TELLER introduced a bill (S. 2173) to amend an act entitled "An act to establish a United States court in the Indian Territory, and for other purposes," approved March 1, 1889, and an act entitled "An act to provide a temporary government for the Territory of Oklahoma, to enlarge the jurisdiction of the United States court in the Indian Territory, and for other purposes," approved May 2, 1890; to provide for the redistricting of the Indian Territory for judicial purposes, for an additional judge and more United States commissioners, and to prescribe the jurisdiction, duties, and authority of such judges and commissioners, and for other purposes; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. MANDERSON introduced a bill (S. 2174) granting an increase of pension to Chester Ogden; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. PLATT introduced a bill (S. 2175) conferring additional powers on United States commissioners; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. CALL introduced a bill (S. 2176) to provide for the erection of a public building in the city of Tampa, Fla.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. KYLE. I introduce a joint resolution, which I ask may be read at length and lie on the table for the time being.

The joint resolution (S. R. 94) defining obstruction to railway trains, was read the first time by its title and the second time at length, and ordered to lie on the table, as follows:

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That no warrant or other process, civil or criminal, shall be issued by any United States commissioner, or out of any circuit or district court of the United States, against any person or persons for the alleged obstruction of any railroad train or trains, unless it shall appear that such person or persons have obstructed or hindered such train in such manner as to interfere with the safe and convenient movement of the part of such train or trains as are essential to the safe and convenient transportation of the mails of the United States. And the detachment of Pullman or other parlor or sleeping coaches from any railroad train or trains shall not constitute any offense against the laws of the United States.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. VOORHEES submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PLATT submitted an amendment intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

INDIAN ENGAGEMENTS.

Mr. LINDSAY submitted the following resolution; which was read:

Resolved, That the Secretary of War be, and he hereby is, requested to furnish for the use of the Senate, as early as practicable, a statement showing fully and in detail all expeditions and engagements had by the military forces of the United States with hostile bands or tribes of Indians for the period beginning with 1850 and ending with March 3, 1891, showing, whenever possible, the tribe or band engaged or operated against, and submitting with the said statement copies of all correspondence and reports relating to the said expeditions against and engagements with the said Indian bands or tribes.

The VICE-PRESIDENT. Does the Senator from Kentucky ask for the present consideration of the resolution?

Mr. LINDSAY. Yes; I think it is important enough to be considered now.

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. HOAR. I suggest to the Senator from Kentucky that it should be a direction and not simply a request. A direction is the usual form.

Mr. LINDSAY. I have drafted it as a request. I suppose it will operate as a direction, however.

Mr. HOAR. I believe the universal custom of the Senate is to have the heads of Departments directed to furnish information.

Mr. COCKRELL. Yes; it should be a direction.

Mr. LINDSAY. Very well; I will strike out the word "requested" and insert "directed."

The VICE-PRESIDENT. The resolution will be so modified.

Mr. HOAR. I should like to ask the Senator, if this is to be done, going back for forty-four years, whether it would not be well to have it go back to the beginning of the Government? Then we should have a compact and very convenient and important history of this particular matter. I hope our Indian war history is over.

Mr. LINDSAY. I will say that there is no objection to that, except the great length of time it may take to prepare a report of that character. It is desired that this report shall be made as speedily as possible, to enable the Law Department to defend claims for Indian depredations.

Mr. HOAR. I suggest to the Senator to amend the resolution by adding to it a direction for the same information from the beginning of the Government, but let the resolution require the two to come in separately, so that it can be printed in two volumes. There is not, so far as I know, anywhere a good history of our Indian wars, either showing the cost of them or giving a list of them and a statement of the general circumstances. I had occasion some ten or twelve years ago to ascertain the cost to the Government of the Indian wars, and the official at the Treasury Department procured the information for me after a great deal of labor and research.

Mr. LINDSAY. In that view the resolution may go over until to-morrow, and I shall prepare an amendment to meet the suggestion of the Senator from Massachusetts.

Mr. HOAR. If the Senator will put in a clause that we shall communicate these two matters, one before and the other after 1850, separately, they can be printed as two volumes, and it will be a very valuable historical work. One need not wait for the other.

The VICE-PRESIDENT. The resolution will go over.

RAILROAD STRIKE.

Mr. CALL. I submit a resolution, which I ask may be printed and lie over until to-morrow morning.

The resolution was read and ordered to be printed and to go over, as follows:

Resolved, That a committee of five Senators shall be appointed by the President, who shall inquire and report to the Senate the cause of the existing strike of railroad and Pullman car employés, and the justice of the demands of the workingmen, and report by bill or otherwise such legislation as may secure justice to the workingmen and be reasonable and fair to their employers, and secure the transportation of the mails and freight and passengers without interruption, and that such committee be authorized to act with a committee of the House appointed for this purpose, and may report to their respective Houses the result of their final action.

PEARL HARBOR SURVEY.

Mr. KYLE. I submit a resolution which I ask may be read and lie on the table, to come up hereafter.

The resolution was read and ordered to lie over, as follows:

Resolved, That the Secretary of the Navy is directed to inform the Senate by what authority and for what purpose the United States Government through Admiral Walker is making a survey or exploration of Pearl Harbor on the island of Oahu, Hawaiian Islands, and the results of such survey or exploration.

DELIVERY OF SENATE MAIL.

Mr. HOAR. I submit a resolution, for which I ask immediate consideration.

The resolution was read, as follows:

Resolved, That the Postmaster-General be directed to make strict inquiry into the cause of the failure of a due and prompt delivery of Senate mail, and to cause the same to be remedied.

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. HOAR. I desire before the resolution is adopted to say a few words. During the last Administration and during the present there has been great irregularity in delivering mail to Senators. I should receive regularly five Massachusetts papers, three morning and two evening papers, but sometimes for a week they will fail, being received perhaps in a single mail on the same day, sometimes two days after they are due. On complaint to our postmaster here he will make inquiry; he says he thinks it is not in his own office, and the matter will be remedied for a day or two. For instance, yesterday morning I should have received three Massachusetts papers. I received none of them in the morning.

One came at noon, one mail late; the others have not come yet. Yesterday at noon I should have received two Massachusetts afternoon papers, and they came this morning, a mail late. The prompt receipt of newspapers is not quite so important, but nobody knows whether the same thing is not going on all the time in regard to letters, and especially when legislation like that we have had this winter is in progress it is very important to the due performance of the office of Senator that the mails shall be received promptly.

I do not think the fault is in the Senate post-office. The same thing happened under the last Republican Administration. I do not know that it would be just, without some inquiry, to say that I think the fault is in the city post-office, but still that is my belief, because where you have three newspapers due in the same mail and one comes and the other two do not, it of course would indicate that the Northern mail had not miscarried. I have no doubt this is a matter more or less within the experience of every Senator.

The resolution was agreed to.

MISSOURI RIVER BRIDGE.

Mr. COCKRELL. I ask unanimous consent that the Senate may proceed to the consideration of the bill (S. 1930) to authorize the construction of a bridge across the Missouri River at or near the city of Lexington, Mo. The bill has been favorably reported by the Committee on Commerce with the usual amendments.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Commerce with amendments.

The first amendment was, in section 3, line 1, after the word "that," to strike out "if;" in line 2, after the word "spans," to strike out "it" and insert "and;" in line 6, after the word "the," to strike out "main channel" and insert "water way;" and in line 7, after the word "than," to strike out "three" and insert "four;" so as to read:

That said bridge shall be made with unbroken and continuous spans, and shall not be of less elevation in any case than 50 feet above high-water mark, as understood at the point of location, to the lowest member of the bridge superstructure, nor shall the spans of said bridge over the water way of said

river be less than 400 feet in length in the clear, and the piers of said bridge shall be parallel with the current of said river, and the bridge itself at right angles thereto.

The amendment was agreed to.

The next amendment was, in section 3, line 10, after the word "that," to strike out:

If said bridge be constructed as a drawbridge it shall be constructed as a pivot drawbridge, with a draw over the main channel of the river at an accessible and the best navigable point, and with spans of not less than 200 feet in length in the clear on each side of the central or pivot pier of the draw and said spans shall be not less than 10 feet above low-water mark, measuring to the lowest member of the bridge superstructure: *And provided also*, That said draw shall be opened promptly, upon reasonable signal, except when trains are passing over said bridge, for the passage of the boats whose construction shall not be such as to admit of their passage under the draw of said bridge when closed, but in no case shall unnecessary delay occur in opening the said draw after the passage of said trains, and.

And insert:

In case the approach and passage under the channel span of said bridge be found at any time dangerous or difficult of access by the river traffic, the owners of said bridge shall construct, at their own expense, such works of channel regulation and such aids to navigation as the Secretary of War shall order, to render the approach and passage reasonably safe and easy.

So as to make the proviso read:

Provided, That in case the approach and passage under the channel span of said bridge be found at any time dangerous or difficult of access by the river traffic, the owners of said bridge shall construct, at their own expense, such works of channel regulation and such aids to navigation as the Secretary of War shall order, to render the approach and passage reasonably safe and easy: *Provided also*, That the said company or corporation shall maintain, at its own expense, from sunset to sunrise, such lights or other signals on said bridge as the Light-House Board shall prescribe.

The amendment was agreed to.

The next amendment was, in section 4, line 20, after the word "within," to strike out "two years" and insert "one year," and in line 21, after the word "within," to strike out "five" and insert "three;" so as to read:

And should any change be made in the plan of said bridge during the progress of construction, such change shall be subject to the approval of the Secretary of War; and if said bridge is not commenced within one year and completed within three years from the passage of this act, the rights and privileges hereby granted shall be null and void.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SUITS UNDER EIGHT-HOUR LAW.

Mr. LODGE. I ask leave to call up the bill (S. 346) to remove the bar of the statute of limitation and give the right of appeal in certain cases.

The VICE-PRESIDENT. The bill will be read for information.

The Secretary read the bill, as follows:

Be it enacted, etc., That the statute of limitation shall not be interposed in any suit brought by any laborer, workman, or mechanic in the Court of Claims against the United States to recover wages claimed to be due him under the national eight-hour law: *Provided*, That such suits shall be commenced within three years from the passage of this act: *And provided further*, That any number of claimants may join in the same suit, and the court may find in favor of some and against some, as in law and equity may be right, and both the claimants and the United States shall have the right to appeal to the Supreme Court of the United States, irrespective of the amount claimed.

Mr. SHERMAN. The bill would impose an enormous labor upon the Supreme Court. I should think there is no necessity for an appeal in such cases. Certainly we ought not to give jurisdiction to the United States Supreme Court in the multitude of cases which may arise under the bill.

Mr. LODGE. A bill similar to this one has been before the Senate several times, and it has passed both Houses at different times. It is now drawn in conformity to meet the objections made to the bill the last time it was before the Senate. It covers the overtime claims of men who were kept at work after the eight-hour law was passed. The claims stand under the letter of Secretary Thompson, in which he said that if they would work ten hours a day they should receive extra wages. The object of the bill is simply to remove the bar of the statute of limitations, and let them take their case into the Court of Claims and have their claims passed upon there.

Mr. SHERMAN. But the bill authorizes an appeal to the Supreme Court.

Mr. HARRIS. Regular order, Mr. President.

The VICE-PRESIDENT. The regular order is demanded. The hour of half past 10 o'clock having arrived, the Chair lays before the Senate the unfinished business.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had agreed to the amendments of the Senate to the bill (H. R. 6500) to define and establish the units of electrical measure.

The message also announced that the House had passed the bill (S. 578) granting an increase of pension to Wells Johnson.

The message further announced that the House had passed the following bills and joint resolution; in which it requested the concurrence of the Senate:

A bill (H. R. 2794) to amend the judiciary act of August 13, 1888;

A bill (H. R. 6656) for the relief of P. W. Mitchell, M. C. Felmet, George H. Smathers, and others; and

A joint resolution (H. Res. 198) to print Agricultural Report for 1894.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolution, and they were thereupon signed by the Vice-President:

A bill (S. 171) granting to the State of North Dakota certain lands heretofore set apart as a wood reservation for Fort Totten military reservation for the use of the militia of the State of North Dakota, and for other purposes;

A bill (S. 1963) for the relief of the sureties of Dennis Murphy;

A bill (H. R. 7449) authorizing the Minneapolis Gas Light Company, of Minneapolis, Minn., to lay submerged gas pipes across the Mississippi River at Minneapolis; and

A joint resolution (H. Res. 193) to appoint three members of the Board of Managers of the National Home for Disabled Volunteer Soldiers.

THE REVENUE BILL.

The Senate resumed the consideration of the bill (H. R. 4864) to reduce taxation, to provide revenue for the Government, and for other purposes.

The VICE-PRESIDENT. The question is on concurring in the amendments made as in Committee of the Whole.

Mr. CULLOM. I am not aware what course the committee intend to pursue in regard to the bill, but I desire a separate vote on the amendment on page 28, which was made as in Committee of the Whole, providing that barbed wire, commonly used for fencing, shall be admitted free of duty.

Mr. VEST. I was about to suggest, in order to save time, that any Senator who desires to reserve a separate vote in the Senate on any specific amendment and have the action of the Senate taken upon it shall indicate such amendment, and that all amendments not so reserved shall be voted upon *en masse* by the Senate.

Mr. SHERMAN. If the question is as to what amendments are pending, I desire to offer an amendment to the wool schedule.

Mr. JONES of Arkansas. I suggest, as to the action to be taken, that we first take up the amendments made as in Committee of the Whole, and amendments to be offered in the Senate will of course come up subsequently.

Mr. SHERMAN. I wish to offer an amendment to the text of the bill at the proper time; but there is no hurry about it.

The VICE-PRESIDENT. The Chair thinks the amendment proposed by the Senator from Ohio will properly come after amendments which were made as in Committee of the Whole are disposed of.

Mr. HALE. Does the Senator propose to begin at the beginning and go through seriatim with the amendments?

Mr. JONES of Arkansas. The proposition of the committee is that such amendments as any Senator chooses to ask a separate vote upon and to have separately considered shall be reserved, and when those amendments have been reserved, the others, upon which no Senator asks a separate vote, may be at once disposed of in bulk.

Mr. HALE. I supposed that was to be the course pursued. That is the usual mode, and of course it will save time if it is taken. Does the Senator now propose to have other Senators indicate the amendments they want reserved?

Mr. JONES of Arkansas. Yes; but I should like first to indicate some amendments which I propose to have reserved on the part of the committee, and after that I shall be very glad to have each Senator suggest any paragraph or section which he desires to have reserved for a separate vote.

Mr. HALE. Let me also suggest to the Senator that, as the amendments are not numbered, it is pretty difficult to identify them; and when we get through, after Senators have reserved any items, if they find that, through mistake or by inadvertence, they have neglected to reserve an amendment, they may have an opportunity to do so. I hope the Senator will not insist in a case of that kind on a strict enforcement of the rule.

Mr. JONES of Arkansas. There will be no objection to such amendments being considered as open. I ask to have reserved——

Mr. HARRIS. If the Senator will permit me, I suggest to Senators that they use the last print of the bill in referring to

the amendments they desire to have reserved, so as to prevent confusion at the Secretary's desk. It will facilitate business very much if Senators will use that copy of the bill.

Mr. HILL. I was going to suggest to the Senator from Arkansas that all the amendments made as in Committee of the Whole should be regarded as adopted without any formal vote of the Senate, except where any Senator desires a separate vote. We can not now specify all the particular amendments we want a separate vote upon.

Mr. JONES of Arkansas. I presume there would be no objection to that.

Mr. HILL. That would be satisfactory.

Mr. COCKRELL. It is necessary to have a formal vote.

Mr. HALE. It seems to me I would not agree that the amendments go *nem. con.* in bulk. Let Senators first indicate the amendments they wish reserved for a separate vote, and then let the question be put on concurring in all the amendments not reserved.

Mr. JONES of Arkansas. In bulk?

Mr. HALE. In bulk.

Mr. JONES of Arkansas. That course may be taken, and the vote may be taken on the amendments made as in Committee of the Whole, reserving the right to each Senator to suggest any amendment he wishes to have a separate vote on.

Mr. HALE. Does the Senator propose to go ahead with the committee amendments first?

Mr. JONES of Arkansas. I intended to do that, and as we propose to offer a number of amendments to amendments which have been made in the paragraphs, I desired to do that in the beginning. As I understand, the amendments will have to be offered before the amendments made as in Committee of the Whole are acted on, and I presume, under the agreement just now made, we may have a vote on the amendments.

Mr. HALE. Let Senators first put in a list of the amendments they want reserved.

Mr. JONES of Arkansas. Very well.

The VICE-PRESIDENT. The question is on agreeing to the amendments made as in Committee of the Whole.

Mr. SHERMAN. Before any agreement is made, I desire to reserve all the amendments made to the wool and woolen schedule. I have but one amendment to offer to that schedule; but if that should be adopted it will require slight changes in other provisions. I ask that the amendments made to the whole schedule be reserved, and I have also one other amendment I desire to offer.

Mr. COCKRELL. Why not let the Senator from Arkansas designate the amendments he wants to except, and then let other Senators indicate their amendments? It can be done in three minutes.

Mr. SHERMAN. I am perfectly willing to consent to that course.

Mr. HALE. That would be the best way, because, perhaps, we should complicate matters by offering other amendments now.

Mr. JONES of Arkansas. The Senator misunderstood me.

Mr. HARRIS. If the suggestion of the Senator from New York [Mr. HILL] is agreed to, it will lead, as it seems to me, to inextricable confusion. I do not know of a single instance where the amendments made as in Committee of the Whole have not been concurred in.

Mr. JONES of Arkansas. If the Senator from Tennessee will permit me, the Senator from New York has withdrawn his request.

Mr. HARRIS. Very well. I now suggest that every Senator indicate the particular amendment or amendments he wishes to reserve for a separate vote, and then that we concur in all other amendments not so reserved.

Mr. HALE and others. We are ready for that.

Mr. McLAURIN. I desire to reserve for a separate vote the amendment on page 173, section [55] 28, inserting the words "not including the salary of the President of the United States and the judges of courts of the United States, but." I desire to reserve that amendment for a separate vote.

Mr. HALE. I desire to reserve the amendments to the lumber and wood schedule, on page 39, and also the provision of the free list touching that same subject, on page 119.

Mr. KYLE. I wish to reserve a separate vote on sections 182 and 182½, being the sugar schedule, pages 40, 41, and 42, and also on page 109, paragraph 575, paintings in oil or water colors, original drawings, and sketches, etc.; also on page 230, relating to manufactures of tobacco.

Mr. FRYE. I desire to reserve paragraph 178, relating to lumber, in Schedule D, wood, and manufuctures of

Mr. GALLINGER. I reserve a separate vote on paragraph 199, hay.

Mr. LODGE. I desire to reserve a separate vote on paragraph 264, relating to manufactures of cotton, and paragraph 356, relating to matting and mats made of cocoa fiber or rattan.

Mr. CHANDLER. I desire to reserve the amendment on line 3, of the first page of the bill, fixing the date when the act shall take effect; in lines 6 and 7, on the same page, the words "or withdrawn for consumption;" on page 2, line 25, in relation to the rate of duty on borax. On page 8, I desire to reserve the provisions in relation to the duty on lead and lead products; on page 11, item 69, the duty on sponges; on page 20, line 14, the duty on iron ore; on page 28, line 20, the duty on barbed wire; on page 37, line 10, the duty on lead ore.

I had also marked for reservation page 40, being the sugar schedule. I take it for granted, however, that if an amendment is reserved by one Senator, it can not be withdrawn by that Senator subsequently without unanimous consent. So I omit to reserve the sugar schedule.

On page 45, paragraph 193, I reserve a separate vote on the duty on rice; on page 53, the spirit schedule; on page 55, the wine schedule; on page 50, paragraph 275, relating to collars and cuffs; on page 76, the schedule of silk and silk goods; on page 82, paragraph 318½, the amendments to the schedule on coal; from pages 171 to 201, the amendments relating to the income tax; on page 198, section 36, the amendments to the provision in reference to keeping books; on pages 232 and 233, section 1, the provision in reference to reciprocity.

Mr. FRYE. I suggest to the Senator it would be easier to reserve the whole bill.

Mr. ALLISON. I had marked a number of amendments I desired to have reserved. I think the Senator from New Hampshire [Mr. CHANDLER] has covered most of them, but I desire now to understand whether or not if an amendment on which a separate vote is desired shall have been agreed to in the general agreement it is then in such a position that it can not be asked for. Suppose, for example, that I wish to reserve a vote on paragraph 213*a*, but do not now give notice of the fact, can I do so afterwards?

Mr. JONES of Arkansas. The Senator from Maine [Mr. HALE] asked in case these amendments were agreed to, and any Senator should state that he had overlooked or neglected to offer an amendment, would there be objection to his doing so, and I stated that there would be no objection. Whilst we should prefer that these things should be considered and settled now so far as possible, of course, if a Senator has overlooked an amendment he desired to offer and had made no reservation of it, there would be no desire on this side of the Chamber to take advantage of such omission.

Mr. ALLISON. One difficulty I see with the suggestion made by the Senator from New Hampshire [Mr. CHANDLER] is that he does not propose to amend paragraphs, but alludes to pages and topics.

Mr. CHANDLER. In some cases I have named paragraphs and in others not. I think my notice is specific enough.

Mr. ALLISON. Perhaps it is.

I desire to reserve the amendments to paragraphs 217 to 225, inclusive.

Mr. SHERMAN. If the Senator has a memorandum by him I suggest he had better send it to the Secretary's desk. I should like to send up a memorandum with a reservation of amendments.

Mr. ALLISON. I have a memorandum, but it is my own, and I do not think it would be intelligible to the clerk.

Mr. PEFFER. If it is agreeable, I shall do the same thing. I ask unanimous consent that I may be permitted to make out such a memorandum immediately.

Mr. COCKRELL. I should like to know what are the amendments reserved by the Senator from Ohio.

The VICE-PRESIDENT. The amendments will be read.

The SECRETARY. It is proposed to reserve Schedule K, wool and manufactures of wool, and paragraph 685 as to wool.

Mr. WASHBURN. While the Senator from Iowa is arranging his memorandum——

Mr. ALLISON. I am not arranging a memorandum. I find that nearly every amendment which I intended to ask to reserve has already been reserved by other Senators.

Mr. WASHBURN. I ask a separate vote on paragraph 191, on page 45. I also give notice that I shall offer at the proper time an amendment at the end of Schedule G.

Mr. PEFFER. Before pointing out the amendments which I ask to reserve, I wish to inquire of the Senator in charge of the bill whether such amendments as were proposed and rejected will be again in order without any special notice until the time comes to offer them?

Mr. MANDERSON. There can be no question about that. The bill is open to amendment in the Senate.

Mr. JONES of Arkansas. The Senator can offer whatever amendments he chooses in the Senate.

Mr. PEFFER. Very well.

Mr. JONES of Arkansas. Where an amendment has been concurred in, if the Senator proposes to amend an amendment, it would be better to give notice that he intends to offer an amendment to the amendment, and have that reserved.

Mr. PEFFER. I ask that paragraph 134, on page 30, be reserved; that on page 31, paragraph 138 be reserved; on page 33, paragraphs 145, 146, 147, 148, and 149, on pages 40 and 41, as to the sugar schedule; on page 69, paragraph 264, the cotton schedule; paragraph 271, on the same page; page 71, Schedule K, the wool schedule; on page 85, paragraphs 339 and 340, and running over onto the next page, paragraphs 341 and 342.

Mr. MANDERSON. I propose to demand a separate vote on paragraph 225, page 51, relating to "extract of meat;" also a separate vote on paragraph 367, "albumen," on the free list, and a separate vote also on the different items of the sugar schedule; and I give notice that as to section 182½, I shall propose several amendments voted upon as in Committee of the Whole, and also some additional amendments to that section.

Mr. PETTIGREW. I ask for a separate vote on paragraph 685, placing wool on the free list.

Mr. PERKINS. In the absence of the Senators from Nevada, and at their request, I ask for a separate vote on the amendment on page 2, line 1, relating to boracic acid.

Mr. ALLEN. I desire to reserve for a separate vote the substitute for the sugar schedule which I have just sent to the Secretary's desk; also a separate vote upon my amendment offered a few days ago upon the subject of placing certain foreign works of art on the dutiable list, and also on an amendment placing all classes of fencing wire on the free list.

Mr. POWER. I am not now prepared to indicate the amendment I want to offer. I wish to know if I can do so to-morrow morning. I only reached the city this morning, and have not looked over the new print of the bill. The amendments I want to offer relate to lead products, rice, barley, etc.

The VICE-PRESIDENT. The Chair desires to state to the Senator from Montana that it is impossible to hear him. The Chair can not tell what the Senator has said.

Mr. PLATT. Nothing that any Senator has said in the Senate for the last twenty minutes has been heard more than 10 feet from where he stood. All Senators are engaged in private conversation.

The VICE-PRESIDENT. The Chair will state that no attempt will be made to transact business until order is restored. The Chair will now hear the statement of the Senator from Montana.

Mr. FRYE. The Senator can offer his amendments any time.

Mr. POWER. I understand that I can hereafter offer all the amendments I choose. I am not ready to indicate the amendments that I desire to offer, as I only arrived in the city this morning. I understand I can hereafter offer any amendments I choose, and that is what I wished to know.

Mr. PLATT. I desire to reserve for a separate vote the amendments to paragraph 307, page 78, relating to paper.

Mr. JONES of Arkansas. I wish to reserve whatever dates are in the bill at which the bill or the different schedules are to go into effect, and also to reserve paragraphs 88, 94, 180½, 224, 276, 279, 284, 292, 288, 287, 291, 290, 289, and also 269, and 270.

Mr. BLANCHARD. I desire to reserve the amendments in paragraph 270.

The VICE-PRESIDENT. The question is on concurring in the residue of the amendments made as in Committee of the Whole.

Mr. WHITE. The Senator from Nevada [Mr. STEWART], whom I do not see in the Chamber, I think, desires to offer some amendments to subdivisions 2 and 10, and hence, for the purpose of reserving that right to him, I will make that reservation. I may desire myself to offer an amendment placing bags upon the free list. I do not observe that that transfer has been made. I may also desire to amend paragraph 244 as to a word or two where I think a clerical mistake has possibly occurred. I desire also to give notice that I shall move to place a substance known as œnotannin upon the free list.

Mr. ALLEN. I desire to reserve the proviso which I submitted on Friday last.

Mr. JONES of Arkansas. I desire also to reserve the amendment in section 5, on page 124.

The VICE-PRESIDENT. The question is on concurring in the residue of the amendments made as in Committee of the Whole.

Mr. SHERMAN. I understand that on Friday last, after I left, some change was made in the crockery schedule, but I have not been able to examine it. I will therefore reserve for the moment the crockery schedule.

Mr. ALLISON. It is understood that if any Senator has omitted by accident or otherwise this morning to call for a separate vote upon any particular amendment, he can have an opportunity of doing so notwithstanding this general concurrence?

The VICE-PRESIDENT. That is understood.

Mr. JONES of Arkansas. That has been agreed to twice. Let it be agreed to again.

Mr. ALLISON. It has not been announced by the Chair. I desire that it shall be understood.

The VICE-PRESIDENT. The Chair understands that to be the agreement. The question is on concurring in the residue of the amendments made as in Committee of the Whole.

The amendments were concurred in.

Mr. JONES of Arkansas. In paragraph 88, line 6, I propose to strike out the word "quart" and insert the word "pint."

The VICE-PRESIDENT. The amendment to the amendment made as in Committee of the Whole will be stated.

The SECRETARY. Strike out the word "quart," in line 6, and insert the word "pint;" so as to read:

Green and colored, molded, or pressed, and flint and lime glass bottles holding more than 1 pint, and demijohns and carboys.

The amendment to the amendment was agreed to.

Mr. JONES of Arkansas. In line 12 in the same amendment after the word "one," I move to strike out the word "quart," and insert "pint," so as to read:

And vials, holding not more than one and not less than one-quarter of a pint, 1½ cents per pound.

The amendment to the amendment was agreed to.

Mr. FRYE. Does the Senator desire the paragraph to be agreed to as amended.

Mr. JONES of Arkansas. Yes; I am obliged to the Senator for the suggestion.

Mr. FRYE. That should be acted upon.

The VICE-PRESIDENT. The question is on concurring in the amendment made as in Committee of the Whole as amended.

The amendment as amended was concurred in.

Mr. JONES of Arkansas. In paragraph 94, page 17, line 10 I move to strike out "twenty" and insert "twenty-two and a half" before the word "cents" so that the paragraph will read:

94. Cast polished plate glass, finished or unfinished and unsilvered, not exceeding 16 by 24 inches square, 5 cents per square foot; above that, and not exceeding 24 by 30 inches square, 8 cents per square foot; above that, and not exceeding 24 by 60 inches square, 22½ cents per square foot; all above that 35 cents per square foot.

The amendment to the amendment was agreed to.

The amendment as amended was concurred in.

Mr. JONES of Arkansas. I move as a new paragraph, to be inserted on page 40 as paragraph 180½:

180½. Toothpicks of vegetable substance, 35 per cent ad valorem.

Mr. CHANDLER. I should like to make an inquiry of the Senator in reference to the amendment. Is 35 per cent on toothpicks proposed as a revenue duty or for the protection of the manufacture of toothpicks?

Mr. JONES of Arkansas. Simply as a revenue duty.

Mr. CHANDLER. I supposed so.

Mr. JONES of Arkansas. I move to strike out paragraph 224, page 50, and insert what I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. Strike out paragraph 224, as amended as in Committee of the Whole, in the following words:

224. Nuts of all kinds, including cocoanuts shelled or unshelled, not specially provided for in this act, 20 per cent ad valorem.

And insert:

224. Cocoanuts in the shell, and other nuts, shelled or unshelled, not specially provided for in this act, 20 per cent ad valorem.

The amendment to the amendment was agreed to.

The amendment as amended was concurred in.

Mr. JONES of Arkansas. In paragraph 269, page 69, of the new print——

Mr. ALLISON. I suggest to the Senator, as he says, "new print," that this is the proper print. This is the first print of the bill in the Senate, and therefore the clerks should deal with it rather than the old print which they have had heretofore.

The VICE-PRESIDENT. That is the case.

Mr. JONES of Arkansas. In paragraph 269 I move to strike out the amendment made as in Committee of the Whole and restore the words "twenty per cent ad valorem."

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. Paragraph 269, page 69, lines 16 and 17, strike out "4 cents per square yard," and restore the House provision, "20 per cent ad valorem;" so as to read:

269. Hemp and jute carpets and carpetings, 20 per cent ad valorem.

Mr. ALLISON. The proper statement of the question is to nonconcur in the amendment made as in Committee of the Whole. If the amendment is nonconcurred in, the House provision is left standing.

Mr. JONES of Arkansas. Very well; let the question be put in that way.

The VICE-PRESIDENT. The question is on concurring in the amendment made as in Committee of the Whole, striking out "20 per cent ad valorem" and inserting "4 cents per square yard."

Mr. HARRIS. The Senator from Arkansas recommends that the amendment be nonconcurred in.

Mr. JONES of Arkansas. Yes.

The amendment was nonconcurred in.

Mr. JONES of Arkansas. In paragraph 276, page 71, I move in line 1, after the word "edgings," to insert the words "nettings and veilings," with a comma, and in line 10, to strike out "forty" and insert "fifty;" so as to make the paragraph read:

276. Laces, edgings, nettings and veilings, embroideries, insertings, neck ruffings, ruchings, trimmings, tuckings, lace window curtains, tamboured articles, and articles embroidered by hand or machinery, embroidered handkerchiefs, and articles made wholly or in part of lace, ruffings, tuckings, or ruchings, all of the above-named articles, composed of flax, jute, cotton, or other vegetable fiber, or of which these substances or either of them, or a mixture of any of them is the component material of chief value, not specially provided for in this act, 50 per cent ad valorem.

The amendment was agreed to.

Mr. JONES of Arkansas. In paragraph 279, page 72, line 5, after the words "carbonized wool," I move to insert "15 per cent ad valorem."

Mr. SHERMAN. As that is the schedule I have asked to have reserved, I hope the Senator will let it pass over informally for the present.

Mr. ALDRICH. The amendment to be proposed from the committee might be adopted, and then the Senator can reserve the right to move to amend afterwards.

Mr. COCKRELL. That course will not preclude the Senator from Ohio.

Mr. JONES of Arkansas. I should be glad to have this amendment acted upon. It does not conflict with the Senator's amendment.

Mr. SHERMAN. I have no objection, if that is understood. I wish to deal very frankly with the Senator. I propose to offer an amendment making a duty on wool——

Mr. JONES of Arkansas. We can not hear on this side what the Senator is saying.

Mr. SHERMAN. If this amendment should be adopted, then some changes might have to be made, and I do not want any changes made that would cut off the proper motion which may follow my amendment if it is adopted.

Mr. JONES of Arkansas. This is simply an amendment to an amendment made as in Committee of the Whole, which is pending.

Mr. COCKRELL. And it will leave the amendment still pending.

Mr. JONES of Arkansas. It does not conflict with the Senator's amendment.

Mr. VEST. Regular order.

Mr. SHERMAN. Very well.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In paragraph 279, page 72, line 5, after the words "carbonized wool," insert "15 per cent ad valorem."

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Arkansas to the amendment made as in Committee of the Whole.

The amendment to the amendment was agreed to.

Mr. JONES of Arkansas. In line 9, of the same paragraph, I move to strike out "fifteen" and insert "twenty;" so as to make the paragraph read:

279. On flocks, mungo, shoddy, garnetted waste and carded waste, and carbonized noils, or carbonized wool, 15 per cent ad valorem, and on wool of the sheep, hair of the camel, goat, alpaca, or other like animals, in the form of roving, roping, or tops, 20 per cent ad valorem.

The amendment to the amendment was agreed to.

The VICE-PRESIDENT. The question is on agreeing to the paragraph as amended.

Mr. ALLISON and Mr. COCKRELL. No.

Mr. JONES of Arkansas. It is agreed that the paragraph shall remain open for the present.

Mr. PLATT. It stands now on the question to concur in the amendment as amended.

The VICE-PRESIDENT. It will be so understood.

Mr. JONES of Arkansas. I move to strike out paragraph 284, page 73, and insert:

284. On clothing, ready made, and articles of wearing apparel of every description, made up or manufactured wholly or in part, not specially provided for in this act, felts not specially provided for in this act, all the foregoing, composed wholly or in part of wool, worsted, the hair of the camel, goat, alpaca, or other animals, including those having India rubber as a component material, valued at above $1.50 per pound, 50 per cent ad valorem; valued at less than $1.50 per pound, 45 per cent ad valorem.

The amendment was agreed to.

Mr. JONES of Arkansas. In paragraph 292, page 75, I move to amend the amendment made as in Committee of the Whole by inserting 32½ instead of 35 per cent; so as to make the paragraph read:

292. Treble ingrain, three-ply, and all chain Venetian carpets, 32½ per cent ad valorem.

The amendment to the amendment was agreed to.

The VICE-PRESIDENT. The amendment as amended will be considered as concurred in, if there be no objection.

Mr. JONES of Arkansas. I find that I have not these amendments in regular order.

Mr. PLATT. I do not like to go so fast.

Mr. COCKRELL. This is one of the amendments not to be concurred in. It remains open. It is in the woolen schedule, the schedule referred to by the Senator from Ohio.

Mr. JONES of Arkansas. The woolen schedule I understand is to remain open after the committee amendments to it are adopted.

Mr. PLATT. All right.

The VICE-PRESIDENT. It is so ordered.

Mr. ALDRICH. What was the amendment just adopted?

Mr. JONES of Arkansas. Thirty-two and one-half per cent on treble ingrain, three-ply, and all chain Venetian carpets, instead of 35 per cent.

Mr. PLATT. I should have said nothing, but the Chair stated that the amendment as amended would be concurred in without objection.

The VICE-PRESIDENT. The amendment to the amendment is agreed to. The paragraph as amended is left open.

Mr. JONES of Arkansas. I move to strike out in paragraph 287 "thirty-five" and insert "forty," in line 6; so as to read:

287. Aubusson, Axminster, Moquette, and Chenille carpets, figured or plain, carpets woven whole for rooms, and all carpets or carpeting of like character or description, and oriental, Berlin, and other similar rugs, 40 per cent ad valorem.

The amendment was agreed to.

Mr. JONES of Arkansas. In paragraph 288 I move to strike out "thirty-five" and insert "forty" in line 10; so as to read:

288. Saxony, Wilton, and Tournay velvet carpets, figured or plain, and all carpets or carpeting of like character and description, 40 per cent ad valorem.

The amendment was agreed to.

Mr. JONES of Arkansas. In paragraph 289, line 12, I move to strike out "thirty-five" and insert "forty;" so as to read:

289. Brussels carpets, figured or plain, and all carpets or carpeting of like character or description, 40 per cent ad valorem.

The amendment to the amendment was agreed to.

The amendment as amended was concurred in.

Mr. JONES of Arkansas. In paragraph 290, line 16, I move to strike out "thirty-five" and insert "forty;" so as to read:

290. Velvet and tapestry velvet carpets, figured or plain, printed on the warp or otherwise, and all carpets or carpeting of like character or description, 40 per cent ad valorem.

The amendment to the amendment was agreed to.

The amendment as amended was concurred in.

Mr. JONES of Arkansas. In paragraph 291, line 20, I move to strike out "thirty-five" and insert "forty-two and one-half;" so as to read:

291. Tapestry Brussels carpets, figured or plain, and all carpets or carpeting of like character or description, printed on the warp or otherwise, 42½ per cent ad valorem.

The amendment to the amendment was agreed to.

The amendment as amended was concurred in.

Mr. JONES of Arkansas. I leave the dates open for the present and will ask the Senate to consider them later. These are all the committee amendments.

Mr. COCKRELL. Now, let us begin with the first amendment reserved.

The VICE-PRESIDENT. The Chair desires the attention of the Senator from Arkansas. What was the motion of the Senator from Arkansas as to paragraph 270?

Mr. JONES of Arkansas. The motion of the committee was to strike out "fifteen" and insert "twenty" in line 20, of paragraph 270.

Mr. ALLISON. Let the amendment be read at the desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In line 20, paragraph 270, page 69, strike out "fiftteen" and insert "twenty;" so as to read:

270. Burlaps, containing not over forty threads to the square inch counting warp and filling, 20 per cent ad valorem.

The amendment was agreed to.

Mr. ALLISON. Paragraph 270 has been reserved, I believe. If it is not, I give notice that I want it reserved.

Mr. PLATT. And paragraph 271.

The VICE-PRESIDENT. Paragraph 271 has been reserved, the Chair will state.

Mr. ALLISON. Paragraph 270 should have been reserved. I have it on my memorandum.

Mr. JONES of Arkansas. It can be reserved. There is no objection to that, if the Senator desires it.

Mr. COCKRELL. The amendment was adopted, and the paragraph is still pending.

Mr. JONES, of Arkansas. In paragraph 320 I ask that the amendment made as in Committee of the Whole be noncon-

curred in and that the paragraph remain as it came from the other House.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In paragraph 320 the Senate, as in Committee of the Whole, struck out "fifty" and inserted "thirty" before "per cent.;" so as to read:

320. Dice, draughts, chess-men, chess-balls, and billiard, pool, and bagatelle balls, of ivory, bone, or other materials, 30 per cent ad valorem.

The VICE-PRESIDENT. The question is on concurring in the amendment.

The amendment was nonconcurred in.

The VICE-PRESIDENT. The reserved amendments will be stated in their order in the bill. The first reserved amendment will be stated.

Mr. CULLOM. I do not know whether it is the first one or not, but there is an amendment in charge of my colleague, who is absent from the Senate, and I fear on account of illness, though I do not know, as I have not seen him since we adjourned on Friday. In view of the absence of my colleague, I should like to have it passed over until he comes in or until later in the day.

Mr. VEST. That is all right.

The VICE-PRESIDENT. The first reserved amendment will be stated.

Mr. RANSOM. Is it in order now to offer an amendment to the bill?

Mr. VEST. Let us get through with the reserved amendments.

Mr. RANSOM. All right.

The VICE-PRESIDENT. The reserved amendments will be stated in their order.

The SECRETARY. Page 1, line 3——

Mr. VEST. That is about the date.

Mr. JONES of Arkansas. Let that go over.

The VICE-PRESIDENT. The second reserved amendment will be stated.

The SECRETARY. On page 2, lines 6 and 7——

Mr. CHANDLER. The next reserved amendment is to insert the words "or withdrawn for consumption."

The SECRETARY. Lines 6 and 7, page 1, after the word "countries," insert the words "or withdrawn for consumption."

Mr. ALLISON. Those words are wholly unnecessary, whether in or out. They do not change the bill a particle.

Mr. SHERMAN. I called the attention of the Senate early in this debate to it. There is another provision in the bill which carefully fixes the whole matter, and I think these words ought to be dropped; not that they will do any harm, but they may possibly create a doubt as to what is made perfectly clear by another section of the bill.

I think they ought not to be inserted. No doubt in conference they will be dropped anyway, because there is another provision in the bill which fixes the rule that all goods in warehouse or withdrawn for consumption shall pay the duty imposed by law at the time of the withdrawal. That is the rule, and it is not necessary to have the words inserted here. They will not do any great harm however.

Mr. VEST. There is a difference of opinion about this matter. We discussed it at the time. We prefer that the words shall be retained in the bill. It can be arranged afterwards in conference if the position of the Senator from Ohio is correct; but for the present we prefer to let it stand as it is, because a good many of us do not agree with the Senator from Ohio as to the words being unnecessary.

The VICE-PRESIDENT. The question is on concurring in the amendment made as in Committee of the Whole.

The amendment was concurred in.

The VICE-PRESIDENT. The next reserved amendment will be stated.

The SECRETARY. On page 2, line 1, paragraph 2, the Senate, as in Committee of the Whole, struck out "20 per cent ad valorem" and inserted "2 cents per pound;" so as to read:

2. Boracic acid, 2 cents per pound.

Mr. PERKINS. In the absence of the Senator from Nevada [Mr. STEWART] I ask that this amendment be passed over for the present.

The VICE-PRESIDENT. Without objection, it will be so ordered.

Mr. VEST. What is the order?

The VICE-PRESIDENT. The Senator from California asks unanimous consent that the amendment just read be passed over.

Mr. ALDRICH. I thought it was understood that the rate was to be made 3 cents a pound. I think we might as well dispose of it now.

Mr. VEST. I never heard of it.

Mr. ALDRICH. Then I must have been misinformed.

Mr. PERKINS. The Senator from Nevada desires to offer an amendment at the proper time and I gave notice for his benefit. I would rather have it passed over for the present, until he is in his seat.

The VICE-PRESIDENT. The next reserved amendment will be stated.

Mr. CHANDLER. I reserved on page 2, the tenth paragraph, refined borax, and I ask that it may be passed over with the other.

The VICE-PRESIDENT. Without objection, it is so ordered.

The SECRETARY. On page 8, line 12; "lead products"——

Mr. ALLISON. There are no amendments there. So none could have been reserved.

Mr. POWER. I wish to offer an amendment at that point.

Mr. ALDRICH. The Senator from Montana can do that afterwards.

Mr. JONES of Arkansas. The Senator can offer his amendment whenever he chooses. It is not necessary to have these paragraphs held up for that purpose.

The VICE-PRESIDENT. The next reserved amendment will be stated.

The SECRETARY. On page 11, paragraph 69, the Senate as in Committee of the Whole inserted "sea moss or Iceland moss;" so as to read:

69. Sponges, sea moss or Iceland moss, 10 per cent ad valorem.

The amendment was concurred in.

The VICE-PRESIDENT. The next reserved amendment will be stated.

The SECRETARY. On page 20, the Senate, as in Committee of the Whole, inserted as paragraph 109½:

Iron ore, including manganiferous iron ore, also the dross or residuum from burnt pyrites, 40 cents per ton.

Mr. ALLEN. I move to strike out that paragraph.

Mr. COCKRELL. The Senator can not move to strike out the amendment. He can ask the Senate to nonconcur in the amendment, which is his only chance.

The VICE-PRESIDENT. The Chair will state to the Senator from Nebraska that his object can be accomplished by voting against concurrence.

Mr. COCKRELL. The question is on concurring in the amendment made as in Committee of the Whole.

Mr. ALLEN. I will withdraw my motion.

Mr. HILL. What is the precise question before the Senate?

The VICE-PRESIDENT. The question is on concurring in the amendment made as in Committee of the Whole, inserting as a new paragraph what will be read:

The Secretary read as follows:

109½. Iron ore, including manganiferous iron ore, also the dross or residuum from burnt pyrites, 40 cents per ton.

Mr. HILL. I desire to say a few words upon that question. The effect of concurring in the amendment made as in Committee of the Whole would be to place iron ore upon the free list. Every Senator will understand that to be the effect of his vote, if he votes to nonconcur in the amendment made as in Committee of the Whole.

I do not propose to reiterate to any extent the remarks which I made upon the subject as in Committee of the Whole. I had supposed, until the debate was had the other day, that it was conceded so be one of the Democratic principles that raw materials—iron ore is one—should be placed upon the free list. I was informed by some Senators who participated in the debate, that that is a new doctrine. I do not so understand it. If there is any one thing which can be regarded as settled, it is that the Democratic party, ever since tariff reform has been raised, considered iron ore as a raw material, and that raw materials should be placed upon the free list.

I call the attention of the Senate especially to the report of the Secretary of the Treasury, made to Congress last December, in which he argues ably and satisfactorily in favor of placing raw materials upon the free list. Our Democratic Secretary of the Treasury especially argues in favor of placing iron ore on the free list. He shows that it will be a benefit to the whole country. He demonstrates that it is desired by our manufacturing interests, and he says that free raw material should constitute a permanent feature of our revenue legislation. He especially deprecates any tax upon iron iron.

The House of Representatives, true to its Democratic instincts and traditions, principles and policies, has seen fit to place this article upon the free list. In my judgment the Democratic House can not consistently or conscientiously recede from that position. It is better that we should recede now than to wait until forced to do so by the action of the conference committee. It is better that we should stand up for this Democratic principle here and now than to wait until compelled, as I think we shall be, to do so when the House of Representatives shall have taken action upon this subject.

I do not propose to detain the Senate. Words are useless. This compromise arrangement is to be put through. This torn and tattered McKinley act, for that is about all the pending bill is, is to receive the approbation it seems of the Democratic Senate. For one I protest, and so far as I am concerned I propose to vote again in favor of free raw material.

Mr. KYLE. I wish to ask the Senator from New York a question. Will the Senator explain to the Senate why it is that the committee reported a duty of 40 cents on iron ore?

Mr. COCKRELL. And why is it not a revenue duty strictly and fairly.

Mr. HILL. The Senator can argue with his Democratic Secretary of the Treasury and not with me. I can not explain why it is put on. I know of no reason for it except that it is a part of the arrangement under which the bill is expected to go through.

Mr. KYLE. I have understood from experts that iron ore in the northern regions can be placed upon the cars for 25 cents per ton. Under the McKinley act there is a duty of 75 cents a ton. We propose to retain 40 cents.

Mr. HILL. It is a question of principle and not a question of figures. I think the Senator agrees with me that it ought to be placed upon the free list.

Mr. KYLE. Then let us vote to put it on the free list.

Mr. HILL. That is precisely what I am endeavoring to do, and it will be put on the free list if the Senator from South Dakota will vote with me, and Democratic Senators will vote with me. Of course we expect Republican Senators to vote the other way, as they believe in protection, as it is called, and we do not believe in protection to any extent. I do not expect my motion to prevail, but let us make the record.

Mr. VEST. Mr. President, it is not my purpose to argue the general question as to the duty upon raw materials, including iron ore, but I wish to correct a mistake into which the Senator from New York has inadvertently fallen. If the amendment be rejected it would not put iron ore upon the free list. It would leave it with a duty of 75 cents a ton, as under the McKinley act.

Mr. ALDRICH. Oh, no.

Mr. VEST. If we simply reject the amendment made as in Committee of the Whole that would be the effect of the action.

Mr. HILL. The effect of it would be to restore the condition as it existed in the bill when it came from the other House.

Mr. VEST. It would be necessary by affirmative action after that, if the Senate should reject the amendment, to put iron ore upon the free list. Otherwise it would leave the McKinley act in force as to iron ore.

Mr. HILL. Will the Senator from Missouri allow me?

Mr. VEST. Of course.

Mr. HILL. The bill as it came from the other House placed iron ore upon the free list. The Senate came in here and as in Committee of the Whole has placed upon it a duty of 40 cents per ton. If we do not concur in the amendment the House provision stands. That is as plain as A B C.

Mr. VEST. This is a new section entirely.

Mr. PLATT. Will the Senator from Missouri permit me? Is he not mistaken in saying it would leave iron ore at the present duty? Would it not come under the provisions of the bill in some general clause? I do not know what the rate of duty would be, but I imagine it would be provided for by some clause as to articles not specially enumerated.

Mr. ALLISON. It would be 20 per cent under the pending bill.

Mr. HOAR. I should like to ask the Senator from Missouri a question. This is a very important suggestion he has made for our understanding of the bill. Is anything left of the McKinley act, as he understands it? Does he understand that all matters which by inadvertence or otherwise are omitted to be specifically named in the bill go back under the McKinley act?

Mr. VEST. There is a provision in the bill that all legislation inconsistent with the provisions of the proposed act is repealed, but there is a good deal of the McKinley act left in force. There is a good deal of the administrative provisions of the McKinley act left in force.

Mr. HOAR. I am speaking of duties. The administrative features constitute another matter. Does the Senator understand that any McKinley duties are left in force? Will he give us a few instances?

Mr. VEST. If any of the duties in the McKinley act are not inconsistent with the pending bill, they are in force. I can not call any to mind which would be left in force; but the general provision of the bill is "that all acts and parts of acts inconsistent with this act are hereby repealed."

Mr. ALLISON. I wish to call the attention of the Senator from Missouri to the fact that on all manufactured articles not specially provided for, either in the free list or on the dutiable list, there is a duty of 10 per cent ad valorem, and on all articles partly manufactured there is a duty of 20 per cent ad valorem.

Mr. VEST. Then iron ore would not go back to the free list.

Mr. ALLISON. It would not go back to the free list. It would either be dutiable at 10 per cent or 20 per cent. I think iron ore would be rated at 20 per cent, because it is partly manufactured.

Mr. ALDRICH. I take it for granted that the Senator from New York intends, if his motion is adopted, and it is not likely to be, to follow the matter up by a motion to put iron ore on the free list.

Mr. HILL. I suggest to the Senator from Missouri that, in order to save the trouble of two votes, the motion be put in this way, to nonconcur in the amendment made as in Committee of the Whole, and that the article be admitted free of duty.

Mr. VEST. That is a different proposition. There is no objection to taking a direct vote.

Mr. HILL. Then we can take the whole vote together.

Mr. VEST. As I was going on to remark, we have already stricken iron ore from the free list, where the House of Representatives put it, and it would be necessary to put it back.

Mr. HILL. I ask that the vote be taken in that way, so as to save trouble.

The VICE-PRESIDENT. Is there objection?

Mr. ALLISON. There is objection.

The VICE-PRESIDENT. There is objection.

Mr. ALLISON. We shall never get through with the bill unless we proceed in an orderly way. The Senate, as in Committee of the Whole, have recommended a duty of 40 cents on iron ore, and the question is whether we shall concur or nonconcur in the amendment.

Mr. VEST. That is the question.

Mr. ALLISON. And then, after we have done that, there is another amendment, striking out the House provision placing iron ore on the free list. The question will be on concurring in that amendment.

The VICE-PRESIDENT. The Chair has stated the pending question.

Mr. ALLISON. Very well.

The VICE-PRESIDENT. The question is on concurring in the amendment made as in Committee of the Whole.

Mr. ALLISON. Of course the paragraph will be stricken out if the vote is in the negative.

Mr. HILL. I ask for the yeas and nays on concurring in the amendment.

Mr. CHANDLER. The Senator from New York stated that of course the Republicans would vote to retain the duty on iron ore. That is true, but it is because Republicans, as I understand their policy, are in favor of protecting the industries of the whole country without regard to locality, and they do not believe in the so-called Democratic doctrine which the Senator from New York is supposed to advocate, that there is such a thing produced in this country as raw material, which ought to be admitted free of duty when it comes from other countries. We believe, as has been so often stated during the recent debate, that everything which the country produces and which the labor of American citizens has contributed to produce is a product worthy of a protective duty, and therefore we vote in favor of such a duty as we can get upon iron ore.

The New England Senators vote in favor of a duty upon iron ore, notwithstanding the fact that free iron ore and free coal were promised to us by the Senator from Texas [Mr. MILLS], and were the panacea of the Senator from Texas by which he proposed to increase the prosperity of New England. The manufacturers of New England have never accepted the promise of the Senator from Texas. It was medicine which the Senator from Texas proposed to force upon them against their will. They do not ask for it. They never have asked for it; and now it seems that the Senator from Texas is so utterly without influence in his own party, notwithstanding he has been fortified by the Senator from New York [Mr. HILL], that he is entirely unable to fulfill his promise or to secure any considerable number of Democratic votes in favor of the famous panacea which he so often prescribed to us for our endangered and prostrate industries.

Mr. CULLOM. I should like to call the attention of the Senator from New York to paragraph 109½, as to which the Senator moves to nonconcur in the amendment made as in Committee of the Whole and asks for a yea-and-nay vote on that motion. I desire to call his attention to paragraph 518, on page 105 of the bill, in the free list, to show that the statement of the Senator from Iowa that the regular way would be to take a vote squarely on the question of concurring in the amendment inserted as paragraph 109½ is correct. Then, when we come to the free list, the Senator will have an opportunity of inserting iron ore or

nonconcurring in the amendment made as in Committee of the Whole to strike it out of the free list.

Mr. HILL. All I desire to do is to save the trouble of calling the roll twice. What possible objection can there be to embracing the two motions in one, nonconcurring in the amendment made as in Committee of the Whole and placing iron ore on the free list?

Mr. KYLE. I desire to know whether nonconcurring in the amendment leaves the McKinley act in force, imposing a duty of 75 cents a ton on iron ore.

Mr. FAULKNER. It leaves it in the control of the Senate to do with it as it chooses.

The VICE-PRESIDENT. The question is on concurring in the amendment made as in Committee of the Whole, on which the Senator from New York demands the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CALL (when his name was called). I announce my pair with the Senator from Vermont [Mr. PROCTOR].

Mr. CAREY (when his name was called). I am paired with the junior Senator from Wisconsin [Mr. MITCHELL], and withhold my vote.

Mr. CULLOM (when his name was called). I have a general pair with the senior Senator from Delaware [Mr. GRAY]. I take the liberty of transferring my pair to the Senator from Nevada [Mr. JONES], and vote "yea."

Mr. GORDON (when his name was called). I am paired with the junior Senator from Iowa [Mr. WILSON]. The Senator from Arkansas [Mr. BERRY] has been called from the Chamber by sickness. I transfer my pair to the Senator from Arkansas, and vote "yea."

Mr. HANSBROUGH (when his name was called). I am paired with the junior Senator from Illinois [Mr. PALMER]. If he were present I should vote "yea."

Mr. MCPHERSON (when his name was called). I am paired with the senior Senator from Vermont [Mr. MORRILL], and withhold my vote.

Mr. MORGAN (when his name was called). I am paired with the junior Senator from Pennsylvania [Mr. QUAY].

Mr. DAVIS (when Mr. QUAY'S name was called). I was requested to announce for the day the pair of the Senator from Pennsylvania [Mr. QUAY] with the Senator from Alabama [Mr. MORGAN].

The roll call was concluded.

Mr. SQUIRE (after having voted in the affirmative). I wish to state in this connection that I am paired with the Senator from Virginia [Mr. DANIEL]. I understand that if he were here he would vote the same way I do. Otherwise I should not have voted.

The result was announced—yeas 58, nays 5; as follows:

YEAS—58.

Allison,	Frye,	Lodge,	Ransom,
Bate,	Gallinger,	McLaurin,	Roach,
Blackburn,	George,	McMillan,	Sherman,
Blanchard,	Gibson,	Manderson,	Shoup,
Brice,	Gordon,	Martin,	Smith,
Caffery,	Gorman,	Mills,	Squire,
Chandler,	Hale,	Mitchell, Oregon	Teller,
Cockrell,	Harris,	Murphy,	Turpie,
Coke,	Hawley,	Pasco,	Vest,
Cullom,	Higgins,	Patton,	Voorhees,
Davis,	Hoar,	Perkins,	Walsh,
Dixon,	Hunton,	Pettigrew,	Washburn,
Dolph,	Jarvis,	Platt,	White.
Dubois,	Jones, Ark.	Power,	
Faulkner,	Lindsay,	Pugh,	

NAYS—5.

Allen,	Irby,	Kyle,	Peffer.
Hill,			

NOT VOTING—22.

Aldrich,	Carey,	Mitchell, Wis.	Stewart,
Berry,	Daniel,	Morgan,	Vilas,
Butler,	Gray,	Morrill,	Wilson,
Call,	Hansbrough,	Palmer,	Wolcott.
Camden,	Jones, Nev.	Proctor,	
Cameron,	McPherson,	Quay,	

So the amendment was concurred in.

The VICE-PRESIDENT. The next reserved amendment will be stated.

The SECRETARY. On page 28, line 20, the Senate, as in Committee of the Whole, added at the end of paragraph 124 the following additional proviso:

Provided further, That barbed wire, commonly used for fencing, shall be admitted free of duty.

Mr. CULLOM. I suggested awhile ago that as my colleague is absent that amendment be passed over, hoping he would come in during the day, or before we get through with the bill. I ask that that amendment be passed over, as my colleague has not yet come in.

The VICE-PRESIDENT. The amendment will be passed over and the next reserved amendment will be stated.

The SECRETARY. On page 30, paragraph 134, in line 11, after the word "plates," the Senate as in Committee of the Whole struck out "and irons" and inserted "andirons;" in line 13, after the words "iron," it struck out "not finished parts of machinery and," and in line 14, after the word "act," it struck out "25 per cent ad valorem" and inserted "eight-tenths of 1 cent per pound;" so as to make the paragraph read:

134. Cast-iron vessels, plates, stove plates, andirons, sadirons, tailors' irons, hatters' irons, and castings of iron, not specially provided for in this act, eight-tenths of one cent per pound.

The VICE-PRESIDENT. The question is on concurring in the amendment made as in Committee of the Whole.

Mr. PEFFER. I have reserved an amendment in section 134. Perhaps the vote had better be taken on my amendment first. My amendment is to insert after the word "act," in line 14, the words "shall be admitted free of duty." It is better to take the vote on that amendment first.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Kansas to the amendment made as in Committee of the Whole.

The amendment to the amendment was rejected.

The VICE-PRESIDENT. The question recurs on concurring in the amendment made as in Committee of the Whole.

The amendment was concurred in.

The VICE-PRESIDENT. The next reserved amendment will be stated.

The SECRETARY. On page 30 the Senate, as in Committee of the Whole, struck out paragraph 138, in the following words:

Penknives or pocketknives of all kinds, or parts thereof, and erasers, or parts thereof, wholly or partly manufactured, razors and razor blades, finished or unfinished, 45 per cent ad valorem.

And inserted:

Penknives, pocket-knives, or erasers, of all kinds, valued at not more than 30 cents per dozen, 25 per cent ad valorem; valued at more than 30 cents per dozen and not exceeding 50 cents per dozen, 12 cents per dozen; valued at more than 50 cents per dozen and not exceeding $1 per dozen, 25 cents per dozen; valued at more than $1 per dozen and not exceeding $1.50 per dozen, 40 cents per dozen; valued at more than $1.50 per dozen and not exceeding $3 per dozen, 75 cents per dozen; valued at more than $3 per dozen, 50 per cent ad valorem; and in addition thereto, on all the foregoing valued at more than 30 cents per dozen and not more than $3 per dozen, 25 per cent ad valorem: *Provided*, That blades, handles, or any other parts of any or either of the articles named in this paragraph, imported in any other manner than assembled in penknives, pocketknives, or erasers, shall be subject to no less rate of duty than herein provided for penknives, pocketknives, or erasers valued at more than 30 cents per dozen.

Mr. PEFFER. I have proposed an amendment to the committee's amendment on page 31. Beginning in line 17, after the semicolon, strike out the remainder of line 17 and all of lines 18, 19, and 20.

The VICE-PRESIDENT. The amendment of the Senator from Kansas to the amendment will be stated.

The SECRETARY. Strike out of the amendment made as in Committee of the Whole, on page 31:

And in addition thereto, on all the foregoing valued at more than 30 cents per dozen and not more than $3 per dozen, 25 per cent ad valorem.

Mr. PEFFER. My amendment merely proposes to strike out the added ad valorem duty where specific duties have already been laid on cutlery.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Kansas to the amendment.

The amendment to the amendment was rejected.

The VICE-PRESIDENT. The question recurs on concurring in the amendment made as in Committee of the Whole.

The amendment was concurred in.

The VICE-PRESIDENT. The next reserved amendment will be stated.

The SECRETARY. On page 33, paragraph 145, after the word "steel," the Senate as in Committee of the Whole struck out "twenty-five" and inserted "twenty-two and one-half;" so as to make the paragraph read:

145. Cut nails and cut spikes of iron or steel, 22½ per cent ad valorem.

The amendment was concurred in.

Mr. PEFFER. In paragraphs 145, 146, 147, 148, 149 I move to put nails, spikes, tacks, etc., on the free list.

Mr. HALE. The Senator moves to strike them all out here

Mr. PEFFER. My motion is to strike them all out.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Kansas.

The amendment was rejected.

The VICE-PRESIDENT. The next reserved amendment will be stated.

The SECRETARY. On page 37, the Senate, as in Committee of the Whole, struck out paragraph 165, in the following words:

Lead ore and lead dross, 15 per cent ad valorem upon the lead contained therein, according to sample and assay at the port of entry: *Provided*, That all ores containing silver and lead, in which the value of the silver contents shall be greater than the value of lead contents, according to sample and assay at the port of entry, shall be considered silver ores.

And inserted:

Lead ore and lead dross, three-fourths of 1 cent per pound: *Provided*, That silver ore and all other ores containing lead shall pay a duty of three-fourths of 1 cent per pound on the lead contained therein, according to sample and assay at the port of entry. The method of sampling and assaying to be that usually adopted for commercial purposes by public sampling works in the United States.

Mr. HILL. The vote upon concurring in the committee's amendment will sufficiently bring up the question of the propriety of placing this article upon the free list. Those who are in favor of lead ore being free of duty will, of course, vote against concurring in the amendment. I do not propose to reiterate anything that I have stated on this subject heretofore. The House of Representatives in its wisdom and in the fulfillment of the pledges of the Democratic party placed lead ore upon the free list.

Mr. VEST. The Senator is mistaken in regard to that. It put a duty of 15 per cent on it.

Mr. HILL. The Senator from Missouri says that the other House placed a duty of 15 per cent upon it, and he seems to be right about it. The rate proposed in the amendment is three-fourths of 1 cent per pound. Will the Senator inform me what rate that is ad volorem?

Mr. ALDRICH. About 37 per cent.

Mr. VEST. I will have to look.

Mr. ALDRICH. About 36 or 37 per cent, I think, the Treasury Department figures show.

Mr. VEST. As a matter of course, the price will vary, but it is an increase over 15 per cent.

Mr. HILL. The Senator says it is of course an increase over 15 per cent, and I have no doubt that he is correct. I do not care about detaining the Senate with any remarks on the question, but I will call for the yeas and nays on concurring in the amendment.

The PRESIDING OFFICER (Mr. FAULKNER in the chair). The question is on concurring in the amendment made as in Committee of the Whole, on which the Senator from New York demands the yeas and nays.

The yeas and nays were ordered.

Mr. CHANDLER. I asked that this amendment might be reserved, expecting to submit some remarks upon the subject of lead and its methods of manufacture and the cost of the product to the consumer in this country. But I am in favor of the protection, notwithstanding, and I shall not, therefore, make the remarks at this time. However, if I have occasion to do so, I shall do it before the passage of the bill.

The PRESIDING OFFICER. The question is on concurring in the amendment made as in Committee of the Whole, on which the yeas and nays have been ordered.

The Secretary proceeded to call the roll.

Mr. CALL (when his name was called). I will announce for the day my pair with the Senator from Vermont [Mr. PROCTOR].

Mr. HANSBROUGH (when his name was called). I again announce my pair with the junior Senator from Illinois [Mr. PALMER]. I should vote "yea" if he were here.

Mr. MCPHERSON (when his name was called). I am paired with the senior Senator from Vermont [Mr. MORRILL].

Mr. MORGAN (when his name was called). I am paired with the junior Senator from Pennsylvania [Mr. QUAY].

The roll call having been concluded, the result was announced—yeas 63, nays 3; as follows:

YEAS—63.

Aldrich,	Dolph,	Lindsay,	Pugh,
Allen,	Dubois,	Lodge,	Ransom,
Allison,	Faulkner,	McLaurin,	Roach,
Bate,	Frye,	McMillan,	Sherman,
Blackburn,	Gallinger,	Manderson,	Shoup.
Blanchard,	George,	Martin,	Smith,
Brice,	Gibson,	Mitchell, Oregon	Squire,
Caffery,	Gorman,	Mitchell, Wis.	Stewart,
Camden,	Gray,	Murphy,	Teller,
Carey,	Hale,	Pasco,	Turpie,
Chandler,	Harris,	Patton,	Vest,
Cockrell,	Hawley,	Peffer,	Voorhees,
Coke,	Hoar,	Perkins,	Walsh,
Cullom,	Jarvis,	Pettigrew,	Washburn,
Davis,	Jones, Ark.	Platt,	White.
Dixon.	Kyle,	Power,	

NAYS—3.

Hill,	Irby,	Mills.

NOT VOTING—19.

Berry,	Gordon,	McPherson,	Quay,
Butler,	Hansbrough,	Morgan,	Vilas,
Call,	Higgins,	Morrill,	Wilson,
Cameron,	Hunton,	Palmer,	Wolcott.
Daniel,	Jones, Nev.	Proctor,	

So the amendment was concurred in.

The PRESIDING OFFICER. The Secretary will state the next reserved amendment.

The SECRETARY. On page 39, Schedule D, wood and manufactures of——

Mr. CHANDLER. I supposed the amendment in paragraph 166, to insert "such ores and" was considered as concurred in.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. On page 37, paragraph 165, line 26, after the word "upon" insert the words "such ores and."

The PRESIDING OFFICER. The question is on concurring in the amendment made as in Committee of the Whole.

The amendment was concurred in.

The PRESIDING OFFICER. The next reserved amendment will be stated.

The SECRETARY. Schedule D, wood, and manufactures of, the Senate, as in Committee of the Whole, struck out paragraph 178, in the following words:

178. Lumber of any sort, planed or finished, for each side so planed or finished, 50 cents per thousand feet, board measure; and if planed on one side and tongued and grooved, $1 per thousand feet, board measure; and if planed on two sides and tongued and grooved, $1.50 per thousand feet, board measure; and in estimating board measure under this schedule no deduction shall be made on board measure on account of planing, tonguing, and grooving.

Mr. HALE. That is the amendment which was reserved at my request. I wish to state to the members of the committee and to the Senate that the whole lumber schedule from the beginning to the end has been stricken out of the bill and has been placed upon the free list. All sawed lumber, all shooks, staves, shingles, planks, deal, everything, notwithstanding the protest which was made on the part of this great industry, have been placed on the free list. It never occurred to the lumber interests or to the Senators representing them here——

Mr. VEST. I beg the Senator's pardon. He is mistaken about shooks being placed on the free list. Look at paragraph 180.

Mr. HALE. Staves, I meant to say. Sugar-box shooks are retained on the dutiable list, but I mean the general staves which are a large part of the manufacture. The manufacture of sugar-box shooks is very much limited.

No Senator representing the lumber interest expected that this comparatively little item of lumber in an advanced manufactured form, planed and grooved, would also be selected and put upon the free list. The House of Representatives did not do that, but left the item in as found in paragraph 178. It is the farthest form of the manufacture of crude lumber. The other House left it at a moderate duty, as it was left before. The Committee on Finance itself did not report the pending amendment. The committee left it, and to that extent the lumber interests and the Senators representing that interest felt themselves to be secure.

But the Senator from Nebraska [Mr. ALLEN] came in—the Senator from New Hampshire [Mr. CHANDLER] characterized it as one of the amendments which the Senator from Nebraska demanded as the price of his support of the bill; whether that is true I do not know and do not care—and moved even to strike this out and to put it upon the free list, where it is to be found in another place. That amendment was adopted.

Now, I make a last appeal to restore these articles to the dutiable list. I am going to call for the yeas and nays upon this question and see whether, considering how the bill has been made up, considering what concessions have been given to other interests, considering how all through the bill ten times as much has been done for other interests as is done for this little portion of the lumber interest, the Senate on conclusion will strike out the paragraph, will override the House of Representatives, will override its committee, simply because the Senator from Nebraska has moved to crown this fell swoop by taking in this last item. Upon concurring in the amendment, not taking up any more time, I ask for the yeas and nays.

Mr. FRYE. Mr. President, I desire to say just a few words. I think there was some resentment on the part of the committee having the bill in charge, because it was alleged in debate that this was an enormous duty. The question was asked what it cost to plane on the one side and two sides and tongue and groove lumber, and an answer was given which seemed to convey the idea that the duty provided was a large one. But in that answer it was forgotten entirely that this lumber can not be planed on the one side or on the two and tongued and grooved until it has been thoroughly dried and seasoned. That takes a long while. Lumber must be stacked and remain in stacks six months or a year, or else it must be kiln dried before it can be tongued and grooved, and in the estimate of the cost that item was entirely left out.

I assert that the duty is preëminently a fair duty, and I assert further that the entire country, North and South, demands this duty on dried lumber, planed on both sides and tongued and grooved. The reason essentially for it is that it is very difficult

to transport on railroads green lumber on account of the enormous cost, because of the weight of the lumber itself in its green state. Probably two-thirds of all the lumber transported on the railroads of the United States of America is dried lumber, planed on the one side or the two, and tongued and grooved.

Now, you are affecting the entire country, every man who deals in lumber, by putting this article on the free list. The House committee was preëminently right, and so was the Senate committee when it reported an agreement with the other House in the matter of this kind of lumber. I sincerely hope that the Committee on Finance itself will reverse its action and allow this kind of lumber to remain on the dutiable list, where it was placed by the House committee, and where the committee placed it originally.

Mr. HALE. What did my colleague state was the ad valorem duty on grooved lumber, or did he not state it?

Mr. FRYE. I stated that in the progress of the discussion the question was asked what was the cost of planing lumber on one side and of planing lumber on two sides and of tongueing and grooving. A statement was made as to the cost, that it was from $1 to $1.50, and then it was asserted that this was an enormous duty for only that increased amount of cost. I say that in that estimate there was not taken into consideration at all the fact that the lumber must be stacked and piled and seasoned and dried for at least a year before it goes to the planing mill, or else it must be dried in a kiln. That was entirely left out of that estimate. This duty is only a fair duty on lumber.

Mr. HALE. I can supplement that by saying that the processes which my colleague has described not only add to the amount of the duty here, but double the price of the lumber.

Mr. FRYE. Undoubtedly.

Mr. HALE. Lumber treated with these processes, kiln dried, and then planed and tongued and grooved, commands about double the price that the raw lumber does, so that the percentage of increase is very small indeed. I hope that under these circumstances the committee will agree that this little boon to the lumber interests shall remain in the bill.

Mr. MCMILLAN. Mr. President, I feel greatly interested in the matter of planed lumber. Michigan lumbermen bring from Canada upwards of 300,000,000 feet logs annually. This timber is manufactured in Michigan, thereby giving employment to thousands of people in Bay City, Saginaw, and many other places in our State. Many persons engaged in that industry write me that if there is no duty on lumber, planed and tongued and grooved, it simply means the transfer to Canada of the mills now operated in Michigan. Nothing is easier to move than a lumber mill, as has been proved over and over again in the history of Michigan lumbering. Such removal will be the result if the duty is taken off. Our laboring people protest against it. I have received telegrams and letters asking that I do my best to have the duty as fixed in the House retained, and I join the Senators from Maine in urging the committee to retain the House provision.

Mr. SQUIRE. Mr. President, I do not know that it is necessary that anything further be said. I wish, however, to emphasize the statements made by the Senators from Maine and the Senator from Michigan [Mr. MCMILLAN] on the subject of lumber. I think it is very unfair to the people of the States of the Northwest, whose great industry is lumber, who pay their share of indirect taxes in all other directions, whether for protection or for revenue, that their principal industry should be struck at in this manner. They have comparatively few kinds of manufacturing business to engage in on a large scale. There is not such a diversity of employment in all the varied lines of great production that exist in a populous and well-developed section of the country as in the East. The greatest industry in the State of Washington is that of lumber.

The sawing of lumber and all that relates to the production and shipment of lumber in its rough state is the principal industry aside from tilling the ground. Then, in the same industry comes the planing, tonguing and grooving of lumber. Next in order comes the production of coal. I claim that it is not fair to the people of these new communities, who have such a small number of important industries, that they should especially bear the burden of this reduction of the tariff. It is favoritism in the bill or on the part of those managing and controlling this question to discriminate so strongly against the interests of these few States so particularly. I denounce this favoritism. Nowhere else in this bill is it so pronounced and unfair.

I wish to state on this point that I have received very many petitions, memorials, and letters on the subject of the reduction of the duty on lumber from all sorts of people, without reference to political parties. They are united on this subject. It would be a serious blow to the people of the State of Washington should there not be maintained a reasonable duty upon lumber. The duty should be proportional to the work done and the capital employed. There ought to be a duty of at least $1 on the rough lumber, and a duty of $2 on lumber planed and grooved, or planed on both sides. But if you can not concede that, then do something less. Give us at least $1 on the planed, tongued, and grooved lumber, and a half dollar on the rough lumber. If you do not do something for these people you will make them suffer severely, and it is not fair or right to them. There is nothing consistent about such legislation.

Then further let me add, in connection with the subject of shingles, that the State of Washington does a very large business in shingles. At one time recently the western superintendent or manager of the Great Northern Railway wrote me from Seattle, Wash., that there were fifty carloads of cedar shingles coming East each day from that vicinity. Of course there is an enormous expense in the way of freight, and it is desirable that we retain that industry without the competition from across the Canadian border. I hope the committee will see fit to put a duty upon shingles and not admit those from Canada free of duty. That is all I wish to say on the subject, as I have already discussed it fully heretofore in this body; and from conversations with Senators of the dominant party I have not yet abandoned all hope.

Mr. CHANDLER. Mr. President, Senators on the Finance Committee who are considering the question whether lumber shall be dutiable or shall be free, both here in the Senate and in the committee, will bear in mind that, as the bill now stands, with only one exception, there is no other industry that is being dealt so deadly a blow as that of lumber. The raw material—to use that term—comes in free and will continue to come in free from Canada and from British Columbia. The business of sawing and planing and otherwise working up lumber is an enormous industry, as the senior Senator from Maine [Mr. HALE] has well shown to the Senate. It can not be that Senators, when they come to take final action on this subject, will keep all these forms of manufactured lumber upon the free list.

Senators will also be kind enough to bear in mind that, after all, this is no sectional question. The lumber interest is not only in New England, in Michigan, in Oregon, and in Washington, but it is at the South, and there are Southern Senators upon this floor who are as anxious as Northern Senators to have a duty put upon sawed lumber, planed lumber, and otherwise finished lumber, that will allow the industry to survive. The industry will not survive unless Senators change their plan to resist all entreaty not to make this invidious distinction against lumber, and put upon it some duty that will keep the business of sawing and treating lumber from being entirely extinguished in the United States.

I join with the other Senators who have spoken in beseeching the most candid and careful and just consideration of this subject in the final deliberations of those Senators whose decisions are so potent that they govern this Senate and this Congress.

The PRESIDING OFFICER. The question is on concurring in the amendment made as in Committee of the Whole.

The amendment was concurred in.

The PRESIDING OFFICER. The next reserved amendment will be stated.

The SECRETARY. In paragraph 179, on page 40, line 2, before the words "per centum," the Senate, as in Committee of the Whole, struck out the word "seven" and inserted "ten;" so as to make the paragraph read:

179. Osier or willow, prepared for basket-makers' use, 20 per cent ad valorem; manufactures of osier or willow, 25 per cent ad valorem; chair cane or reeds, wrought or manufactured from rattans or reeds, 10 per cent ad valorem.

The amendment was concurred in.

The PRESIDING OFFICER. The next reserved amendment will be stated.

The SECRETARY. The next reserved amendment is in "Schedule E—Sugar," on page 40, line 20, after the word "effect," to strike out "July" and insert "January;" in the same line, after the words "eighteen hundred and" to strike out "ninety-four" and insert "ninety-five;" in line 21, before the words "it shall be," to strike out "thereafter," and in line 23, after the word "act," to insert "after January 1, 1895."

Mr. KYLE. I reserved paragraphs 182 and 182½ for amendment. I should like for the present to have paragraph 182 passed over, with the privilege of offering an amendment to that a few moments later.

The PRESIDING OFFICER. The Senator from South Dakota asks unanimous consent that paragraph 182 be temporarily passed over. Is there objection?

Mr. JONES of Arkansas. I shall not object to passing over the paragraph at this time, but I wish to give notice now that I can not consent to passing over these paragraphs, and leaving the bill all unsettled as we are going along. I hope no other Senator will propose anything of the kind.

The PRESIDING OFFICER. Is there objection to the request of the Senator from South Dakota? The Chair hears none, and it is so ordered. The next reserved amendment will be stated.

The SECRETARY. The next reserved amendment is on page 40——

Mr. MANDERSON. Paragraph 182 was reserved.

Mr. KYLE. I have had that passed over temporarily.

The PRESIDING OFFICER. By unanimous consent paragraph 182 was temporarily passed over at the request of the Senator from South Dakota.

Mr. MANDERSON. For what purpose? I do not know why we should not take up the sugar schedule in its order. If there is any good reason for passing over the paragraph, I have no objection.

The PRESIDING OFFICER. The Chair stated the request of the Senator from South Dakota distinctly and fully, and heard no objection to the request.

Mr. MANDERSON. I did not hear it.

Mr. PEFFER. Does that also include section 182½?

The PRESIDING OFFICER. The Chair did not so understand.

Mr. MANDERSON. I object to passing over paragraph 182. I have certain amendments that I intend to propose.

The PRESIDING OFFICER. The Chair understands that unanimous consent has been granted that paragraph 182 be temporarily passed over.

Mr. MANDERSON. But certainly neither the Chair nor the Senate will take advantage of the fact that a Senator seated in his chair and engaged for a moment in conversation did not hear the request stated.

The PRESIDING OFFICER. The Chair will again submit the request to the Senate.

Mr. FRYE. Will the Senator from South Dakota state any good and satisfactory reason why the sugar schedule should be passed over now?

Mr. KYLE. I will state a reason which is satisfactory to me, and that is the condition of paragraph 182 and the amendments to it will depend upon what disposition is made of paragraph 182½. That is the idea I had. I have certain amendments to offer to paragraph 182.

Mr. FRYE. Then, the Senator does not propose to pass it over any longer than it will take to dispose of the next paragraph.

Mr. KYLE. That is all.

The PRESIDING OFFICER. Is there objection to the request of the Senator from South Dakota to passing over paragraph 182?

Mr. MANDERSON. I object.

The PRESIDING OFFICER. Objection is made.

Mr. KYLE. Let the Senator from Nebraska offer his amendment, then.

Mr. MANDERSON. I ask that paragraph 182 be now taken up.

The PRESIDING OFFICER. Paragraph 282 is now before the Senate, and the Chair recognizes the Senator from Nebraska.

Mr. MANDERSON. I offer as a substitute for the paragraph what I send to the desk.

The PRESIDING OFFICER. The amendment proposed by the Senator from Nebraska will be stated.

The SECRETARY. It is proposed to strike out paragraph 182, and in lieu thereof to insert:

That until July 1, 1905, the provisions of the act entitled "An act to reduce revenue, equalize duties, and for other purposes," approved October 1, 1890, authorizing the issue of licenses to produce sugar and for the payment of a bounty to the producers of sugar from beets, sorghum, or sugar cane grown in the United States, or from maple sap produced within the United States, contained in paragraphs 231, 232, 233, 234, 235, and 236 of said act, shall continue in full force and effect.

Mr. MANDERSON. Mr. President, this is a proposition to strike out of paragraph 182 the clause repealing the bounty of the McKinley law and continuing it in the language of that law.

I do not propose to take up the time of the Senate now with any argument upon this proposition, except simply to say that, anxious as I am for the protection of the sugar industry, I greatly prefer, for the abundant reasons which have heretofore been stated in argument, that that protection should take the form of a bounty rather than that of a duty. I believe that is infinitely better for the interests of the great mass of the people of this country. By pursuing that course, the price of sugar to the consumer would not be increased; by pursuing that course there is a direct outlay of perhaps from ten to fifteen million dollars during the time of the running of the bounty, as against an indirect outlay by the people of the United States of from fifty to eighty million dollars annually.

There is no argument that can be adduced worthy of a moment's consideration that a duty is preferable for the people of the United States to a bounty.

A few days ago the Senator from South Dakota [Mr. KYLE] referred to the subject of his vote upon the sugar schedule. He made a very excellent, concise, cogent, and well-reasoned argument in favor of the continuance of the bounty of the McKinley act. As I recall what he said, he went so far as to say that he believed there rested upon the Congress of the United States and upon the people of the United States, not only a moral obligation to live up to the requirements of the contract made between the sugar producer and the Government of the United States, but that he believed there was a legal obligation so to do; and, as I recall, he declared his intention of voting in favor of the continuance of that bounty under that contract. Mr. President, here is the opportunity to do that thing; here is the opportunity to honestly stand by the contract of the McKinley act, and I hope the Senator from South Dakota and those who voted against this amendment when it was proposed as in Committee of the Whole, will see their duty clear to vote for it now.

Mr. HILL. Mr. President, the question, if I understand it, now arises upon concurring in the amendment made as in Committee of the Whole to paragraph 182?

The PRESIDING OFFICER. The Senator from New York is correct. The first question before the Senate will be to perfect the paragraph.

Mr. HILL. The Senator from Nebraska [Mr. MANDERSON] has offered a substitute, as I understand, inserting the bounty provision of the McKinley act. I desire to offer an amendment to paragraph 182 to perfect the text, and I understand that will be first in order.

The PRESIDING OFFICER. That will be first in order.

Mr. HILL. My amendment is to strike out "January 1, 1895," where it twice occurs, and insert the words "upon the passage of this act."

The PRESIDING OFFICER. The amendment of the Senator from New York will be stated from the desk.

The SECRETARY. In lines 20 and 21, of paragraph 182, it is proposed to amend the amendment made as in Committee of the Whole, by striking out the words "January 1, 1895," and inserting "upon the passage of this act;" and in line 23, after the word "after," by striking out "January 1, 1895," and inserting "upon the passage of this act."

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from New York to the amendment made as in Committee of the Whole.

Mr. HILL. Is the question to be first taken on the substitute?

The PRESIDING OFFICER. The vote on the substitute can not be taken until after the clause is perfected. The question will first be on the amendment of the Senator from New York to amend the amendment adopted as in Committee of the Whole.

Mr. HILL. I ask for the yeas and nays on my amendment to the amendment.

The yeas and nays were ordered.

Mr. ALLEN. My colleague [Mr. MANDERSON] offered a substitute for this paragraph, and before that was acted upon the Senator from New York [Mr. HILL] offered an amendment. It is my understanding that the vote should first be taken upon the substitute offered by my colleague, for if that be adopted it takes out of the paragraph the necessity of any further amendment.

The PRESIDING OFFICER. The Chair will state to the Senator from Nebraska that according to parliamentary usages and rules the part proposed to be stricken out must first be perfected before the motion to strike out is put, and action upon the amendment proposed by the Senator from Nebraska [Mr. MANDERSON] will be suspended until paragraph 182 is perfected.

Mr. ALLEN. I was just suggesting to the Chair that it would facilitate business by first voting upon the substitute offered by my colleague. I do not know whether or not it is parliamentary, and I do not care anything about its being parliamentary.

Mr. MANDERSON. The vote on the substitute proposed by me will come properly after the text of the paragraph has been perfected.

Mr. ALLEN. If the substitute of my colleague is adopted, that destroys the entire paragraph 182, and renders it absolutely unnecessary to amend it at this time. If the substitute is not adopted, then it strikes me that will be the time to offer an amendment to the paragraph. I suggest to the Senator from New York that the date when the bill shall go into effect has been passed over, and a change of that date is liable to necessitate a change in this paragraph. Why not let both go over and be considered at the same time?

Mr. HILL. I have no objection to its going over to oblige the Senator from Nebraska; but I am not authorized, of course, to

consent to it. The date at which this act passes, if it ever passes, is immaterial; because I fix no precise date, I simply say "to take effect upon the passage of this act," whenever that shall be. I am inclined to agree with the Senator, that it would be better, before voting upon my amendment, to vote upon the substitute, if that could be done by unanimous consent. I think that would bring up the question in a better shape.

I ask unanimous consent that the substitute of the Senator from Nebraska be voted upon before my amendment.

The PRESIDING OFFICER. The Senator from New York asks unanimous consent that the amendment submitted by the Senator from Nebraska shall be voted upon before paragraph 182 is perfected. Is there objection?

Mr. JONES of Arkansas. I think we had better proceed in the ordinary way and follow the usual parliamentary rules in disposing of these questions. I object.

The PRESIDING OFFICER. Objection is made. The Secretary will call the roll on the amendment of the Senator from New York [Mr. HILL].

The Secretary proceeded to call the roll.

Mr. CALL (when his name was called). I announce my pair with the Senator from Vermont [Mr. PROCTOR].

Mr. CAREY (when his name was called). I am paired with the junior Senator from Wisconsin [Mr. MITCHELL]. For the present, I withhold my vote.

Mr. GORDON (when his name was called). Again I transfer my pair with the Senator from Iowa [Mr. WILSON] to the Senator from Arkansas [Mr. BERRY], and vote "nay."

Mr. HANSBROUGH (when his name was called). I again announce my pair with the junior Senator from Illinois [Mr. PALMER].

Mr. MCPHERSON (when his name was called). I am paired with the senior Senator from Vermont [Mr. MORRILL].

The roll call was concluded.

Mr. WHITE. The Senator from Wisconsin [Mr. MITCHELL] desired me to state, when his name was called, that he is temporarily absent from the Chamber, and is paired with the Senator from Wyoming [Mr. CAREY].

Mr. SQUIRE. I desire to say that I voted because of an arrangement of pairs between the Senator from Virginia [Mr. DANIEL] and the Senator from Delaware [Mr. HIGGINS]. I am ordinarily paired with the Senator from Virginia, and an exchange of pairs having been made, I voted "yea."

Mr. BRICE. I am paired with the junior Senator from Colorado [Mr. WOLCOTT].

The result was announced—yeas 35, nays 32; as follows:

YEAS—35.

Aldrich,	Frye,	Lodge,	Power,
Allison,	Gallinger,	McMillan,	Pugh,
Chandler,	George,	Manderson,	Quay,
Coke,	Hale,	Mitchell, Oregon	Sherman,
Cullom,	Hawley,	Patton,	Shoup,
Davis,	Hill,	Peffer,	Squire,
Dixon,	Hoar,	Perkins,	Teller.
Dolph,	Irby,	Pettigrew,	Washburn.
Dubois,	Jones, Nev.	Platt,	

NAYS—32.

Allen,	Gibson,	Lindsay,	Roach,
Bate,	Gordon,	McLaurin,	Smith,
Blackburn,	Gorman,	Martin,	Turpie,
Blanchard,	Harris,	Mills,	Vest,
Caffery,	Hunton,	Morgan,	Vilas,
Camden,	Jarvis,	Murphy,	Voorhees,
Cockrell,	Jones, Ark.	Pasco,	Walsh.
Faulkner,	Kyle,	Ransom,	White.

NOT VOTING—18.

Berry,	Carey,	McPherson.	Stewart,
Brice,	Daniel,	Mitchell, Wis.	Wilson,
Butler,	Gray,	Morrill,	Wolcott.
Call,	Hansbrough,	Palmer,	
Cameron,	Higgins,	Proctor,	

So the amendment to the amendment was agreed to.

The VICE-PRESIDENT. The question recurs upon the amendment made as in Committee of the Whole, as amended.

Mr. FAULKNER. There is a substitute offered by the Senator from Nebraska [Mr. MANDERSON] to that section.

The VICE-PRESIDENT. The Chair would suggest that this amendment comes first, it being to perfect the text.

Mr. FAULKNER. I understood the amendment of the Senator from New York was to strike out the committee's amendment and insert. That has been done.

Mr. FRYE. Now the question is on the substitute.

Mr. MANDERSON. Now, the paragraph being perfected, I call for a vote upon my substitute.

The VICE-PRESIDENT. The substitute proposed by the Senator from Nebraska will be stated.

The SECRETARY. It is proposed to strike out paragraph 182, and insert:

That until July 1, 1905, the provisions of the act entitled "An act to reduce revenue, equalize duties, and for other purposes," approved October 1, 1890, authorizing the issue of licenses to produce sugar and for the payment of a bounty to the producers of sugar from beets, sorghum, or sugar cane grown in the United States, or from maple sap produced within the United States, contained in paragraphs 231, 232, 233, 234, 235, and 236 of said act, shall continue in full force and effect.

Mr. PEFFER. I wish to add but a word or two to what was said by the Senator from Nebraska.

When I had occasion to address the Senate before upon this subject, Mr. President, I showed with perfect clearness that whether or not a bounty as a system or practice is better than a duty system or practice, in this particular case the duty proposed in the bill, if laid upon the consumption of sugar in the United States until 1905, at the rate of increase which has gone on during the last ten years, we will say, would cost the people of the United States nearly $400,000,000 more than the bounty now provided by law if that were continued during the same years. That being true, the bounty plan would be an actual saving to the people of the country of nearly $400,000,000. It would cost us that much less than the duty proposed in this bill; and in addition to that, the bounty would terminate in ten years, while the duty would run on perpetually.

I am for free sugar, and when I say that I mean all that the words imply—with or without bounty. But I agree with my political colleague from South Dakota [Mr. KYLE] that the Government having agreed to pay the sugar manufacturers a bounty of 2 cents a pound during a certain number of years, that contract ought to be complied with; if the word "contract" is putting it too strong, I will say that the obligation ought to be complied with, that the promise ought to be made good. But whether the committee and the Senate agree to a bounty or not, I want free sugar. I think a great deal more of the poor people of the United States than I do of the sugar-makers. As I have before shown, a duty on sugar bears most heavily on the poor. More than one-half our people own no more than about 5 per cent of the country's wealth.

Mr. MANDERSON. Mr. President, I simply desire to say, in addition to what I have already stated, that the pending bill throughout its entire length, wherever it has reached an item which might be called of Canadian interest or importance, has seemed to protect it rather than the productions of the United States. We have taken pretty good care of Canada in this bill and in other legislation which has passed the Congress of the United States. We seem to be more in love with our neighbor than in love with ourselves. But Canada makes no mistake. Canada does not legislate for her great rival upon the south of her border; she looks out for herself carefully, persistently.

The Canadian law treating upon this subject of sugar, places a bounty upon the production of beet sugar in that country; and Canada can, beyond question, produce beets of great saccharine strength and give to herself, and perhaps to the world in the way of exportation, in a short time a very large amount of sugar. The new Canadian law gives a bounty of 2 cents a pound upon all sugar produced within Canada for five years. From July 1, 1894, to July 1, 1899, 2 cents per pound is to be paid by the Canadian Government, and from July 1, 1899, to 1904, a bounty of 1 cent per pound is to be paid, making a continuing bounty for ten years of 2 cents a pound for the first five years, and 1 cent a pound for the next five years.

Canada saw the great increase in this country under the incentive that the United States gave to sugar production by the bounty of the McKinley act, and she was quick to take the benefit to herself by the example that we gave her.

I simply ask that, living up to the contract of the Government, and living up to our own interests, watching for ourselves rather than for our neighbor, we should continue the bounty, which will permit this great industry to grow, to the benefit of the entire people of the United States, not to the benefit of a few producers, but the great and substantial benefit of the farmers of the West, giving to them about the only boon which they ask at the hands of Congress in this bill.

Mr. GALLINGER. I wish to ask the Senator from Nebraska before he takes his seat—my attention was otherwise occupied for a moment—did I understand him to state that the new Canadian law provided a bounty on sugar?

Mr. MANDERSON. I stated that the Canadian law gives a bounty of 2 cents a pound on beet sugar for the first five years, and a bounty of 1 cent a pound for the next five years.

Mr. GALLINGER. I so understood.

Mr. CHANDLER. Mr. President, the Senate having very wisely, as it seems to me, on due deliberation and after discussion in the country and elsewhere, concluded to reverse its previous action as to the time when this unwise duty, if imposed, shall take effect, I sincerely trust that the Senate may also conclude upon the vote which we are about to give to reverse its action, and to cling to the bounty on sugar contained in the law of 1890.

It is very evident to me, I think to the Senate, and undoubtedly to the country, that had the two Senators from Louisiana

and all the Populist Senators from the beginning adhered to a demand that the contract made in the law of 1890, whether wisely made or unwisely made, should be fulfilled according to its letter, should be fulfilled because it was the pledge of the public faith to the men who invested their capital in this production of sugar, the result would have been that that bounty would have been saved, and the unnecessary imposition of a tax upon sugar of from $50,000,000 to $75,000,000 a year would have been prevented.

It is not too late to undo the wrong which has been done, to reverse the mistake which has been made; and I appeal to the Senators from Louisiana to go back to their original position, before this subject was acted upon by Congress, and to stand for the bounty, the contract with their people, a bounty which, if it is destroyed by the action of this Congress, will never be restored, while it is entirely probable that the duty which is imposed by this act will be repealed within two years.

I also appeal to help reverse this mistake to those who are called the Populist Senators in this Chamber. We were deceived or mistaken before as to the votes of the Populist members of this body. We had reason to suppose that they would stand by the bounty as a contract of the United States made with the producers of sugar. We especially had reason to suppose that the junior Senator from Nebraska [Mr. ALLEN] would stand by the bounty which had been given by the act of 1890, and which was accomplishing so much good, so much for the prosperity of his people, so much for the development of the sugar industry in his State.

Mr. President, I propose to call the attention of the Senate to the reason why, for one, I was mistaken as to the vote of the junior Senator from Nebraska. I have been an attentive reader of the New York Press, and I now read from the New York Press of February 16, 1894, page 3, column 2, the following dispatch from Washington:

Senator ALLEN, the Populist Senator from Nebraska, authorized the statement this morning that the beet-sugar industry of Nebraska had been called into life by the bounty feature of the McKinley law, and that to place sugar on the free list would mean the extirpation of that industry in his State. He added that he would cheerfully support the bill if it gave protection to sugar, but that the duty on raw and refined sugar must be the same. If the sugar trust were given the slightest advantage, even so much as a mill per pound, he would vote against the bill, and he would carry the other Populists with him.

So, upon reading that paragraph, it was felt that without doubt the vote of the Senator from Nebraska would be against giving any discrimination in favor of the refiners of sugar, and it was hoped that his vote would be given in favor of the retention of the bounty on sugar.

On Monday morning, the 26th of February, the Democrats of the Senate went into caucus. The Washington correspondent of the New York Press of February 27, in writing about this caucus, says:

While this was going on in the caucus Senator ALLEN of Nebraska, the leader of the Populists, stated to the Press correspondent that he would certainly vote against the tariff bill unless it provided for a bounty on domestic sugar. Mr. ALLEN said that he would vote against the bill without a bounty, even if it contained an income tax. He added that he spoke for himself alone and not for other Populist Senators.

Now, Mr. President, it seems to me that here in the interviews which I have read and which are attributed to the Senator from Nebraska in quotation marks in the newspaper from which they were copied by my direction the Senator from Nebraska was on good ground; he was on hopeful ground; he was on just ground, and he was on popular and patriotic ground. He was against any discrimination between raw and refined sugars, and he declared that in asserting that there should be no discrimination he would carry with him the other Populist Senators. The Senator also is recorded as having declared that he would stand by the bounty on domestic sugar and that he would vote against the bill unless the bounty was secured.

The Senator may not remember these interviews; he may say that he was not correctly reported at that time, but the views which the Senator then expressed were wise views, and they were judicious sentiments for his party to adopt. There is now an opportunity to secure the sugar producers of Nebraska the bounty which was promised them by the contract of 1890. The Senate has already reversed its prior action upon the first clause in the sugar schedule, showing that after all wisdom grows by delay and debate; and I sincerely trust that the Senator from Nebraska will conclude to vote in accordance with the sentiments which he was reported in the New York Press as entertaining; that he will accept those sentiments as the sentiments which ought to actuate him, and that we shall have the Populist party on both sides of the Chamber voting in favor of the plighted faith of the United States in the bounty contract and against any discrimination between raw and refined sugar. I await with the utmost confidence the vote of the Populists upon this floor.

Mr. ALLEN. Mr. President, I have glanced hastily over the articles read by the Senator from New Hampshire. They seem to be copies of some extracts taken from the New York Press. The Senator from New Hampshire read from what purports to be an extract from the New York Press of February 16, 1894, in the following language—it seems to have been a dispatch from Washington:

Senator ALLEN, the Populist Senator from Nebraska, authorized the statement this morning that the beet-sugar industry of Nebraska had been called into life by the bounty feature of the McKinley law—

I wish to say that Senator ALLEN never authorized a statement of that kind; that he never uttered words to any reporter or to any representative of a newspaper, or any other man, of that character or purport.

And that to place sugar on the free list would mean the extirpation of that industry in his State.

I never used that language, nor do I believe that the placing of sugar upon the taxable list will result in the extinction of the sugar industry in my State. This article says further:

He added that he would cheerfully support the bill if it gave protection to sugar, but that the duty on raw and refined sugar must be the same.

That statement is false *in limine*. I never said that I would support the bill if it gave protection to sugar, and that I would vote against it if it did not, nor did I ever use the words, "But that the duty on raw and refined sugar must be the same." This article says further:

If the sugar trust were given the slightest advantage, even so much as a mill per pound, he would vote against the bill, and he would carry the other Populists with him.

Mr. President, I never found myself conscious of the egotism of supposing that I had any influence over my Populist colleagues or that I could carry them with me in the accomplishment of anything. The statement, therefore, is untrue. It is simply the result of a disordered or diseased imagination that desired to have an item with which to supply its paper.

A desire to placate Senator ALLEN whose powers of obstruction——

Mr. CHANDLER. The paragraph which the Senator is about to read I did not read. I stopped at that point.

Mr. ALLEN. I think I will read the whole of it.

A desire to placate Senator ALLEN, whose powers of obstruction were so signally exhibited in his record-breaking speech during the fight for unconditional repeal, made the committee fix the same impost upon both sugars.

I suppose that is a deduction of the reporter. It does not profess to come from me.

Mr. President, the entire statement is untrue. I have picked up papers that have been sent me from time to time attributing to me remarks upon the sugar schedule that I never made, that I never thought of, and that I never entertained. I am not blind to the purpose of those publications. They were made for the purpose of indirectly whipping me into the traces of some party or to support some scheme that it was supposed I otherwise would not support. The statement read by the Senator from New Hampshire from the New York Press of February 27, about the Democratic caucus is as follows:

While this was going on in the caucus, Senator ALLEN of Nebraska, the leader of the Populists, stated to the Press correspondent that he would certainly vote against the tariff bill unless it provided for a bounty on domestic sugar.

Mr. President, I never made that statement. What reason should I have to take some beardless, callow youth here, who is reporting for one of these papers and give him my confidence upon this or any other subject? I have no confidence to give to the people of the United States upon this question before it is reached and before the bill is finally formed upon which I am to cast a vote for or against its passage. I am not pursuing these young men to tell them what I am intending to vote, and thus inform the country of my opinions. So the statement here is not true. There is not a word of truth in it.

Mr. ALLEN said that he would vote against the bill without a bounty, even if it contained an income tax.

Mr. ALLEN never said a word of that character nor intimated anything of the kind to anyone.

He added that he spoke for himself alone, and not for other Populist Senators.

I did not add that, because I had no conversation with this correspondent or any other person, and what I do say is always for myself and not for other Populist Senators.

This much for the statements that have been read by the Senator from New Hampshire with reference to my attitude upon the sugar schedule or what the New York Press says it has been.

Mr. President, I believe that as to a new industry that has been developed upon the strength of a bounty given for a given length of time, where that bounty may be said to be the mainspring of its existence, good faith on the part of the Government requires that the promise should be lived up to; but I

recognize that the cane industry and the sorghum industry of this country were not developed upon the strength of the bounty. The only sugar industry that has sprung up in this country since the passage of the McKinley act is the beet-sugar industry.

The cane industry was developed years before the act of 1890 was passed, and therefore it could not be claimed in any sense that it is entitled to any special consideration at the hands of Congress. As to the beet-sugar industry, that was developed in a certain measure—mark you I do not say that it was developed upon the strength of the McKinley act, and that alone, for I do not believe it was, but it can be said to have been developed to a certain extent upon the strength of that promise among others—I believe that the Government ought to live up to its promise. I have no doubt in my own mind that the Government ought to live up to that promise. But, sir, I recognize the fact that the Congress has the power to repeal the bounty act. I recognize the fact that the bounty system in the United States in all of its ramifications is doomed.

In what little I have said to those who have talked with me upon this subject I have said that I recognized the fact that the bounty system of this Government is doomed to death. The people will not tolerate it. Congress can not sustain it any length of time and sustain itself.

Therefore, when the substitute of my colleague was offered in the Committee of the Whole, I voted against it. I shall vote against it again. When my colleague introduced an amendment looking to the gradual extinction of the bounty, one-tenth each year, I voted for it. If it is offered by him or by any other Senator in this Chamber, I shall vote for it again.

When it was offered to substitute 1 cent instead of 2 cents a pound and extinction in that form promised, I voted for it and I shall vote for it again. But I desire to say that I know of no reason why sugar should not be honestly and legitimately taxed for revenue purposes. The feeling that sugar should not be taxed, that there is something sacred about it, that it should not be taxed for revenue, I do not entertain.

I am perfectly willing to submit the question to the good judgment of the American people, that if a certain amount of revenue must be raised for purposes of conducting our Government and to pay our national indebtedness, there is no more reason why a portion of it should not be raised upon sugar than a portion should be raised upon clothing or upon other form of property or by any other methods of taxation.

The sentiment seems to have gone out—it prevails in this Chamber to some extent—that it is extremely unpopular to talk about a tax on sugar. If that makes a man unpopular, I prefer to be unpopular. I am not afraid to face the American people when you appeal to their good sense and their good judgment on this subject, and say that a ratable portion of the taxes should be raised upon sugar. They will approve this when they understand it. They will understand that if this Government must raise a certain amount of revenue it is just as proper to put a reasonable tax upon sugar as it is to put a reasonable tax upon a hat, a coat, a pair of shoes, or any other necessary article of consumption.

I may say to my friend from New Hampshire who has just spoken, that I am not to be induced to vote contrary to my judgment or to cast a vote I ought not to by means of indirect pressure in newspapers or by any other means, and whenever the Senator wants to reach me he wants to reach me by words of kindness, and not by indirect pressure and indirect threat.

Mr. President, I do not like the sugar schedule that is in this bill. I propose to move to strike it out and to substitute one which I have sent to the desk to be read, and I should like to have the Secretary read that amendment at this time.

The PRESIDING OFFICER (Mr. PASCO in the chair). The amendment will be read in the absence of objection.

The SECRETARY. Strike out paragraph 182½, and insert as paragraph 182½ the following:

All sugars, tank bottoms, sirups of cane juice or of beet juice, melada, concentrated melada, concrete and concentrated molasses, testing by the polariscope not above 89 degrees, shall pay a duty of 1 cent per pound, and for every additional degree or fraction of a degree above 80 and not above 90 degrees shown by the polariscope test, shall pay one-hundredth of a cent per pound additional, and above 90 and not above 92 degrees, or every additional degree or fraction of a degree shown by the polariscope test, shall pay a duty of two one-hundredths of a cent per pound additional; and molasses testing not above 56 degrees by the polariscope shall pay a duty of 2 cents per gallon, and molasses testing above 56 degrees shall pay a duty of 4 cents per gallon: *Provided*, That the provisions of the treaty of commercial reciprocity concluded between the United States of America and the King of the Hawaiian Islands on the 13th day of January, 1875, as well as the provisions of any act of Congress heretofore passed for the execution of the same be, and the same are hereby, repealed: *Provided also*, That for the year 1894 manufacturers of sugar from beets, cane, or sorghum grown in the United States, shall be paid a bounty of one and sixty-one hundredths of a cent per pound and no more.

Mr. ALLEN. There are three vicious features in the sugar schedule of this bill. The first is that portion which I will read, on page 41:

And upon all sugars above No. 16 Dutch standard in color and upon all sugars which have been discolored there shall be levied, collected, and paid a duty of one-eighth of 1 cent per pound in addition to the said duty of 40 per cent ad valorem.

There is not the slightest reason for that provision. There is no reason why the sugar refining companies of the United States should receive any protection. Yet I am confident that that provision will stand in the bill. Mr. Theodore Havemeyer testified before a committee of Congress a few years ago that if every form of protection was removed from sugar the American sugar refiners could refine sugar against the world and make money out of it, a confession—and we know it to be true—that the American sugar refiners do not need protection; and when this feature of the sugar schedule was placed in this bill it was a bowing to the demand of the sugar trust or obeying their representatives in this branch of Congress.

I have been told that this bill can not be passed with this provision out. I have also been told that there are Senators in this Chamber who will vote against the bill if the feature in the interest of the sugar trust is removed from it. It does not seem possible that the sugar trust owns the vote of any Senator. It does not seem possible that the claim that the bill will be defeated unless the sugar trust has protection can be true. It does not seem to me that any man in this body has so far forgotten his obligation to the people of the country as to bring about a result of that character. Therefore, this portion of the bill ought to go out. The portion of the bill which gives the differential tax of 1 mill, which is also for the benefit of the sugar trust, should go out for a like reason. I read this proviso:

Provided, That nothing herein contained shall be so construed as to abrogate or in any manner impair or affect the provisions of the treaty of commercial reciprocity concluded between the United States and the King of the Hawaiian Islands on the 30th day of January, 1875, or the provisions of any act of Congress heretofore passed for the execution of the same.

This should go out of the bill. The testimony taken before the investigating committee appointed by this Chamber shows that the American sugar trust and Claus Spreckels own jointly the Western Sugar Refining Company, at San Francisco; and that at the same time Mr. Spreckels is a $10,000,000 shareholder in the American sugar trust. Then they are partners in the American Sugar Refining Company, and also in the Western Refining Company. The evidence also shows that 140,000 tons of Hawaiian sugar are annually brought to San Francisco and there refined and sold throughout the extreme Western States.

Mr. MANDERSON. Will my colleague permit an interruption?

Mr. ALLEN. Certainly.

Mr. MANDERSON. I quite agree with him as to the Hawaiian treaty if this schedule shall pass as it passed in Committee of the Whole. It is practically giving one cent a pound bounty on all sugar produced in the Hawaiian Islands.

Mr. ALDRICH. At least a cent.

Mr. MANDERSON. Perhaps more than a cent; it is at least a cent, as suggested by the Senator from Rhode Island. But I notice in the amendment proposed by my colleague that he seems to adopt the language of the present schedule as though he desired to continue the Hawaiian treaty. I may be mistaken in its reading.

Mr. ALLEN. If my colleague will look at the schedule that I have offered he will see that it directly repeals the Hawaiian treaty.

Mr. MANDERSON. I am very glad to hear it. I thought it followed the language of the bill.

Mr. ALLEN. No, sir; it directly repeals it. Now, this sugar trust puts 140,000 tons of sugar annually into this country which it refines at the Western Refining Company, San Francisco. Under the treaty with Hawaii that sugar comes in free, and since 1875. This bill proposes to extend the treaty. It proposes to admit all sugars imported from other countries and other islands, and impose a duty on them for revenue purposes. Why not repeal this treaty and put it upon Hawaiian sugars as well for revenue purposes? Why thus permit 140,000 tons of sugar to come into this country absolutely free of duty? Is it not fair to put it upon an exact equality with the sugar that comes from Germany, France, Belgium, and other countries? Is it not a practical fraud upon the revenues of the country to suffer this sugar to come here duty free?

Mr. President, I will vote for an honest duty upon sugar. I do not entertain any of the sentiment that sugar can not be properly taxed, but an advantage should not be given to the American sugar trust to bring sugar from the Hawaiian Islands into this country free of duty when sugars from the balance of the world that are brought here pay duty. Not only that, but I am satisfied that sugars can be shipped from other countries by way of the Hawaiian Islands into this country, claiming that they are

Hawaiian sugars when they are not, and by such shipment a fraud can be committed upon the revenues of the Government.

Mr. President, that portion of the sugar schedule ought to be stricken out. You can not go to the American people and justify the introduction of a provision of that kind. It may be that the sugar trust has power to remain in this bill. It may have power to defeat the bill unless the committee comply with their request, but I believe when the question is put to the Senate as to repealing the Hawaiian treaty it will be done.

Mr. President, this bill is wrong in another respect. It is wrong in so far as it introduces the Dutch color test instead of the polariscopic test. I am satisfied that the only way to prevent fraud on the Treasury Department and on the revenues of the Government is by introducing the polariscopic test in place of the Dutch standard. I do not propose to now go specifically into the facts that lead me to believe that frauds will be committed and can be committed on the revenues under this bill. In 1889 it was found necessary, in order to prevent fraud, to introduce the polariscopic test, notwithstanding the then law provided for the Dutch color test.

The rankest kind of frauds were committed. The Government was defrauded of hundreds of thousands of dollars by the introduction and application of the Dutch standard. The senior Senator from Ohio [Mr. SHERMAN], at that time Secretary of the Treasury, was compelled in order to preserve the revenue from frauds to introduce the polariscopic test.

Mr. President, these three provisions are in my judgment fatal to this bill. These three things ought to be stricken out of the bill. The amendment which I offer in regard to the polariscopic test in place of the Dutch standard test takes the sugar refiners' interest out of this bill. It repeals the Hawaiian treaty and makes a direct tax upon sugar, every mill of which goes into the Treasury.

Mr. President, when the people of this country understand that the bill has been framed in a manner that puts a light and reasonable tax upon sugar, of every dollar of which they get the benefit by its being applied to the discharge of the national indebtedness and the current expenses of the Government, they will be satisfied.

So far as the sugar industry in my own State is concerned, I say that the policy of a bounty can not continue. The time is speedily coming when it must go out of existence, and the only policy that can be permanent, the only policy that can be of substantial benefit, is the incidental protection arising to that industry from a reasonable tax imposed upon sugar.

Mr. President, I do not suppose it is possible to continue the sugar bounty. I will vote for a gradual extinction of the sugar bounty because I believe that it is due to this new industry. I will vote for a half reduction, as offered by my colleague the other day; but I will not vote for this amendment, from the fact that I know that the entire system is doomed.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Nebraska [Mr. MANDERSON].

Mr. MANDERSON. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. HILL. That is a substitute which restores the McKinley duty.

Mr. ALDRICH. It restores the existing law so far as the bounty is concerned.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. GORDON (when his name was called). I transfer my pair with the Senator from Iowa [Mr. WILSON] to the Senator from Arkansas [Mr. BERRY] for the day, and I vote "nay."

Mr. McPHERSON (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL].

Mr. PUGH (when his name was called). I have a general pair with the senior Senator from Massachusetts [Mr. HOAR]. If he were present I should vote "nay."

The roll call was concluded.

Mr. BRICE. I am paired with the junior Senator from Colorado [Mr. WOLCOTT].

Mr. SQUIRE (after having voted in the affirmative). I voted "yea," because I understood the Senator from Virginia [Mr. DANIEL] was paired with the Senator from Delaware [Mr. HIGGINS]. If that arrangement still exists I will let my vote stand. If not I will withdraw it.

The PRESIDING OFFICER. The Chair will state to the Senator from Washington that the Senator from Delaware [Mr. HIGGINS] has voted.

Mr. SQUIRE. Then I shall be obliged to withdraw my vote.

Mr. MURPHY (after having voted in the negative). Has the Senator from New Hampshire [Mr. CHANDLER] voted?

The PRESIDING OFFICER. He has not voted.

Mr. MURPHY. Then I withdraw my vote.

The result was announced—yeas 31, nays 36; as follows:

YEAS—31.

Aldrich,	Frye,	Lodge,	Platt,
Allison,	Gallinger,	McMillan,	Power,
Carey,	Hale,	Manderson,	Quay,
Cullom,	Hansbrough,	Mitchell, Oregon	Sherman,
Davis,	Hawley,	Patton,	Shoup,
Dixon,	Higgins,	Peffer,	Teller,
Dolph,	Jones, Nev.	Perkins,	Washburn.
Dubois,	Kyle,	Pettigrew,	

NAYS—36.

Allen,	George,	Jones, Ark.	Ransom,
Bate,	Gibson,	Lindsay,	Roach,
Blackburn,	Gordon,	McLaurin,	Smith,
Blanchard,	Gorman,	Martin,	Turpie,
Caffery,	Harris,	Mills,	Vest,
Camden,	Hill,	Mitchell, Wis.	Vilas,
Cockrell,	Hunton,	Morgan,	Voorhees,
Coke,	Irby,	Palmer,	Walsh,
Faulkner,	Jarvis,	Pasco,	White.

NOT VOTING—18.

Berry,	Chandler,	Morrill,	Stewart,
Brice,	Daniel,	Murphy,	Wilson,
Butler,	Gray,	Proctor,	Wolcott.
Call,	Hoar,	Pugh,	
Cameron,	McPherson,	Squire,	

So the amendment was rejected.

Mr. MANDERSON. I offer an amendment as a substitute for paragraph 182.

The PRESIDING OFFICER. The amendment proposed by the Senator from Nebraska will be stated.

The Secretary read as follows:

182. That until July 1, 1900, the provisions of the act entitled "An act to reduce revenue, equalize duties, and for other purposes," approved October 1, 1890, authorizing the issue of licenses to produce sugar and for the payment of a bounty to the producers of sugar from beets, sorghum, and sugar cane grown in the United States or from maple sap produced within the United States contained in paragraphs 231, 232, 233, 234, 235, and 236 of said act shall continue in full force and effect, and thereafter the bounty provided to be paid in said act shall be reduced 25 per cent each year until it shall cease and determine.

Mr. MANDERSON. I desire to state that the amendment continues the payment of the bounty of the McKinley law until the year 1900; and thereafter, for the remaining four years of the period, it reduces it 25 per cent each year.

Mr. PEFFER. Each year?

Mr. MANDERSON. Each year.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Nebraska.

Mr. MANDERSON. I call for the yeas and nays.

The yeas and nays were ordered, and taken.

Mr, McPHERSON. I am paired with the senior Senator from Vermont [Mr. MORRILL].

Mr. CULLOM (after having voted in the affirmative). I have a general pair with the senior Senator from Delaware [Mr. GRAY]. I voted without noticing that he is absent from the Chamber. I withdraw my vote.

Mr. SQUIRE (after having voted in the affirmative). I have a general pair with the Senator from Virginia [Mr. DANIEL]. He is not present and I understand that if he were here he would vote "nay." I voted "yea." I therefore withdraw my vote.

Mr. BRICE. I have a general pair with the junior Senator from Colorado [Mr. WOLCOTT] which, if satisfactory to the Senator from Washington [Mr. SQUIRE], I will transfer to the Senator from Virginia [Mr. DANIEL].

Mr. SQUIRE. That arrangement is satisfactory.

Mr. BRICE. I vote "nay."

Mr. SQUIRE. I vote "yea."

Mr. QUAY. I desire to announce for the day the pair of my colleague [Mr. CAMERON] with the Senator from South Carolina [Mr. BUTLER].

The result was announced—yeas 33, nays 37; as follows:

YEAS—33.

Aldrich,	Gallinger,	McMillan,	Quay,
Allison,	Hale,	Manderson,	Sherman,
Carey,	Hansbrough,	Mitchell, Oregon	Shoup,
Chandler,	Hawley,	Patton,	Squire,
Davis,	Higgins,	Peffer,	Teller,
Dixon,	Hoar,	Perkins,	Washburn.
Dolph,	Jones, Nev.	Pettigrew,	
Dubois,	Kyle,	Platt,	
Frye,	Lodge,	Power,	

NAYS—37.

Allen,	George,	McLaurin,	Smith,
Bate,	Gibson,	Mills,	Turpie,
Blackburn,	Gorman,	Mitchell, Wis.	Vest,
Blanchard,	Harris,	Morgan,	Vilas,
Brice,	Hill,	Murphy,	Voorhees,
Caffery,	Hunton,	Palmer,	Walsh,
Camden,	Irby,	Pasco,	White.
Cockrell,	Jarvis,	Pugh,	
Coke,	Jones, Ark.	Ransom,	
Faulkner,	Lindsay,	Roach,	

NOT VOTING—15.

Berry,	Cullom,	McPherson,	Stewart,
Butler,	Daniel,	Martin,	Wilson,
Call,	Gordon,	Morrill,	Wolcott.
Cameron,	Gray,	Proctor,	

So the amendment was rejected.

Mr. MANDERSON. I offer an amendment as a substitute for paragraph 182. I will state, before it is read, that it is a diminishing bounty of one-tenth each year for the remainder of the term of the McKinley act, so far as it relates to the bounty. I call the particular attention of my colleague to the fact that this seems to be the amendment for which his heart yearns, and gives a deduction of one-tenth each year. I hope it will receive his vote.

Mr. ALLEN. My colleague, when we considered the bill as in Committee of the Whole, offered two amendments, for which I propose to vote when they are offered in the Senate. One of those was a diminishing bounty of 10 per cent each year.

Mr. MANDERSON. This is it.

Mr. ALLEN. And the other was a bounty of 1 cent a pound instead of 2. For those two amendments I shall vote to-day as I did then. As to the others I shall vote "nay."

The VICE-PRESIDENT. The amendment proposed by the Senator from Nebraska will be stated.

The SECRETARY. Strike out paragraph 182 and insert in lieu thereof:

That the bounties authorized to be paid to producers of sugar by section 231 of the act entitled "An act to reduce revenue, equalize duties, and for other purposes," approved October 1, 1890, shall be reduced one-tenth part of their respective amounts, as prescribed in said act, each year, beginning with July 1, 1895, and extending to July 1, 1905, inclusive, and shall thereafter cease and determine, and with this modification paragraphs 231, 232, 233, 234, 235, and 236 of said act shall continue in full force and effect.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Nebraska [Mr. MANDERSON].

Mr. MANDERSON. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CULLOM (when his name was called). I have a general pair with the senior Senator from Delaware [Mr. GRAY]. If he were present I should vote "yea."

The roll call was concluded.

Mr. SQUIRE. I am paired with the Senator from Virginia [Mr. DANIEL], as I before announced. My pair has been transferred to the Senator from Colorado [Mr. WOLCOTT], so that the Senator from Ohio [Mr. BRICE] and I may both vote. I vote "yea."

Mr. PROCTOR. Has the Senator from Florida [Mr. CALL] voted?

The VICE-PRESIDENT. He has not voted, the Chair is advised.

Mr. PROCTOR. I am paired with the Senator from Florida. If he were present I should vote "yea."

Mr. MANDERSON (after having voted in the affirmative). I desire to change my vote. I vote "nay."

The result was announced—yeas 34, nays 37; as follows:

YEAS—34.

Aldrich,	Frye,	Lodge,	Quay,
Allen,	Gallinger,	McMillan,	Sherman,
Allison,	Hale,	Mitchell, Oregon	Shoup,
Carey,	Hansbrough,	Patton,	Squire,
Chandler,	Hawley,	Peffer,	Stewart,
Davis,	Higgins,	Perkins,	Teller,
Dixon,	Hoar,	Pettigrew,	Washburn.
Dolph,	Jones, Nev.	Platt,	
Dubois,	Kyle,	Power,	

NAYS—37.

Bate,	Gibson,	Manderson,	Smith,
Blackburn,	Gorman,	Mills,	Turpie,
Blanchard,	Harris,	Mitchell, Wis.	Vest,
Brice,	Hill,	Morgan,	Vilas,
Caffery,	Hunton,	Murphy,	Voorhees,
Camden,	Irby,	Palmer,	Walsh,
Cockrell,	Jarvis,	Pasco,	White.
Coke,	Jones, Ark.	Pugh,	
Faulkner,	Lindsay,	Ransom,	
George,	McLaurin,	Roach,	

NOT VOTING—14.

Berry,	Cullom,	McPherson,	Wilson,
Butler,	Daniel,	Martin,	Wolcott.
Call,	Gordon,	Morrill,	
Cameron,	Gray,	Proctor,	

So the amendment was rejected.

Mr. MANDERSON. I give notice that some time during the pendency of the bill I shall move to reconsider the vote by which this amendment was lost. I have one more amendment in the nature of a substitute for paragraph 182. The amendment is a continuance of the McKinley bounty act until 1905, the date of the expiration of its term giving a bounty of 1 cent a pound to sugar produced from beets and sorghum cane only.

The VICE-PRESIDENT. The amendment proposed by the Senator from Nebraska will be stated.

The SECRETARY. Strike out paragraph 182 and insert in lieu thereof:

182. That until July 1, 1905, the provisions of the act entitled "An act to reduce revenue, equalize duties, and for other purposes," approved October 1, 1890, authorizing the issuance of licenses to produce sugar and for the payment of a bounty to the producers of sugar from beets, sorghum, or sugar cane grown in the United States, or from maple sap produced in the United States contained in paragraphs 231, 232, 233, 234, 235, and 236 of said act, shall continue in full force and effect: *Provided*, That the said bounty so provided to be paid shall be but 1 cent per pound and shall be paid to the producers in the United States of sugar from beets and sorghum only.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Nebraska.

Mr. MANDERSON. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CULLOM (when his name was called). I am paired with the senior Senator from Delaware [Mr. GRAY]. I withhold my vote in his absence.

Mr. PROCTOR (when his name was called). I am paired with the Senator from Florida [Mr. CALL]. If he were present I should vote "yea."

The roll call was concluded.

Mr. TELLER (after having voted in the affirmative). I desire to inquire whether the Senator from Georgia [Mr. GORDON] has voted?

The VICE-PRESIDENT. He has not voted.

Mr. TELLER. Then I withdraw my vote.

The result was announced—yeas 32, nays 36; as follows:

YEAS—32.

Aldrich,	Dubois,	Jones, Nev.	Perkins,
Allen,	Frye,	Kyle,	Pettigrew,
Allison,	Gallinger,	Lodge,	Platt,
Carey,	Hale,	McMillan,	Quay,
Chandler,	Hansbrough,	Manderson,	Sherman,
Davis,	Hawley,	Mitchell, Oregon	Shoup,
Dixon,	Higgins,	Patton,	Squire,
Dolph,	Hoar,	Peffer,	Washburn.

NAYS—36.

Bate,	George,	Lindsay,	Ransom,
Blackburn,	Gibson,	McLaurin,	Roach,
Blanchard,	Gorman,	Mills,	Smith,
Brice,	Harris,	Mitchell, Wis.	Turpie,
Caffery,	Hill,	Morgan,	Vest,
Camden,	Hunton,	Murphy,	Vilas,
Cockrell,	Irby,	Palmer,	Voorhees,
Coke,	Jarvis,	Pasco,	Walsh,
Faulkner,	Jones, Ark.	Pugh,	White.

NOT VOTING—17.

Berry,	Daniel,	Morrill,	Wilson,
Butler,	Gordon,	Power,	Wolcott.
Call,	Gray,	Proctor,	
Cameron,	McPherson,	Stewart,	
Cullom,	Martin,	Teller,	

So the amendment was rejected.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed the bill (S. 1759) to amend an act entitled "An act to authorize the Oregon and Washington Bridge Company to construct and maintain a bridge across the Columbia River between the State of Oregon and the State of Washington, and to establish it as a post-road.

The message also announced that the House had passed the following bills, with amendments; in which it requested the concurrence of the Senate:

A bill (S. 307) granting a pension to Earnest C. Emerson; and

A bill (S. 920) granting a pension to Mary Brown, of Berlin, Vt.

The message further announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 953) to increase the pension of Mary P. Broughton;

A bill (H. R. 1110) to correct the military record of Calvin Daniel;

A bill (H. R. 1461) to remove the charge of desertion from the record of Andrew L. Grugett as a former member of Company E, Sixth Tennessee Cavalry, in the war of the rebellion, and to grant him an honorable discharge therefrom;

A bill (H. R. 2108) to perfect the military record of Warren Alonzo Alden;

A bill (H. R. 2726) to remove the charge of desertion standing against the name of Edward J. Butler;

A bill (H. R. 3033) granting a pension to Amanda J. Lane;

A bill (H. R. 3065) to increase the pension of James Lane;

A bill (H. R. 3147) granting an honorable discharge to Wilson Kale;

A bill (H. R. 3971) for the relief of Martha A. Holt, the widow of Thomas C. Holt;

A bill (H. R. 3992) to increase the pension of Julia Bows;

A bill (H. R. 4561) granting a pension to Harriet T. Vosburgh;

A bill (H. R. 4671) to remove the charge of desertion standing against the name of Joseph G. Utter;

A bill (H. R. 4811) to pension Mary Trimble;

A bill (H. R. 5097) to increase the pension of Mary Stahl;

A bill (H. R. 5194) to pension G. O. Greiner, of Texas;

A bill (H. R. 5351) granting a pension to Celestia P. Hartt;

A bill (H. R. 5374) granting a pension to Sarah Oddy;

A bill (H. R. 5816) granting a pension to Mary Ann Donoghue;

A bill (H. R. 6050) to pension Margaret A. Woods, widow of William W. Woods, late of Company E, Sixteenth Illinois Volunter Infantry;

A bill (H. R. 6103) for the relief of Mrs. Mary A. Menefee;

A bill (H. R. 6206) granting a pension to A. F. Neely;

A bill (H. R. 6213) to pension Harriet R. Tate;

A bill (H. R. 6361) to grant a pension to Pauline J. Smith;

A bill (H. R. 6634) to grant a pension to Edwin Overman, an insane child; and

A bill (H. R. 6902) granting an increase of pension to Mrs. Susie Conway.

AMENDMENTS TO INDIAN APPROPRIATION BILL.

Mr. SQUIRE. Mr. President, I rise to a question of privilege. During the session on Friday I submitted two amendments intended to be proposed by me, which have been printed as documents, but the fact of their presentation was not noticed in the RECORD. I ask that the RECORD be corrected in this respect or, at least, that the amendments appear in to-morrow's RECORD as having been introduced to-day. One amendment is in relation to the leasing of lands held by Indians in severalty, and the other is in relation to carrying out agreements with some Indian tribes. They are amendments intended to be proposed to the Indian appropriation bill.

The VICE-PRESIDENT. In the absence of objection, the order requested by the Senator from Washington will be granted. The Chair understands that the amendments have been referred to the Committee on Indian Affairs and printed.

THE REVENUE BILL.

The Senate resumed the consideration of the bill (H. R. 4864) to reduce taxation, to provide revenue for the Government, and for other purposes.

The VICE-PRESIDENT. The next reserved amendment will be stated.

The Secretary read paragraph 182½, as follows:

182½. On and after January 1, 1895, there shall be levied, collected, and paid on all sugars and on all tank bottoms, sirups of cane juice or of beet juice, melada, concentrated melada, concrete and concentrated molasses, a duty of 40 per cent ad valorem, and upon all sugars above No. 16 Dutch standard in color and upon all sugars which have been discolored there shall be levied, collected, and paid a duty of one-eighth of 1 cent per pound in addition to the said duty of 40 per cent ad valorem; and all sugars, tank bottoms, sirups of cane juice or of beet juice, melada, concentrated melada, concrete or concentrated molasses, which are imported from or are the product of any country which at the time the same are exported therefrom pays, directly or indirectly, a bounty on the export thereof, shall pay a duty of one-tenth of 1 cent per pound in addition to the foregoing rates: *Provided*, That nothing herein contained shall be so construed as to abrogate or in any manner impair or affect the provisions of the treaty of commercial reciprocity concluded between the United States and the King of the Hawaiian Islands on the 30th day of January, 1875, or the provisions of any act of Congress heretofore passed for the execution of the same. That on and after January 1, 1895, there shall be levied, collected, and paid on molasses testing above 40° and not above 56° polariscope, a duty of 2 cents per gallon; if testing above 56° polariscope, a duty of 4 cents per gallon.

Mr. KYLE. I move to strike out from the beginning of line 5 down to and including the word "rates," in line 15. This includes the one-eighth of a cent on sugar above 16 Dutch standard, and also the discriminating duty of one-tenth of a cent.

The VICE-PRESIDENT. The amendment proposed by the Senator from South Dakota [Mr. KYLE] will be stated.

The SECRETARY. Strike out beginning with line 5 down to and including the word "rates" in line 15, as follows:

And upon all sugars above No. 16 Dutch standard in color and upon all sugars which have been discolored there shall be levied, collected, and paid a duty of one-eighth of 1 cent per pound in addition to the said duty of 40 per cent ad valorem; and all sugars, tank bottoms, sirups of cane juice or of beet juice, melada, concentrated melada, concrete or concentrated molasses, which are imported from or are the product of any country which at the time the same are exported therefrom pays, directly or indirectly, a bounty on the export thereof, shall pay a duty of one-tenth of 1 cent per pound in addition to the foregoing rates.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from South Dakota.

Mr. HILL and KYLE called for the yeas and nays, and they were ordered.

Mr. LODGE. I desire merely to make a parliamentary inquiry. I desire to offer an amendment to the first line of the paragraph. I do not understand that I am debarred from taking up the paragraph further on.

The VICE-PRESIDENT. The Chair thinks not.

Mr. KYLE. In justification of the amendment I will state that there may be some excuse at the present time for placing a duty of 40 per cent ad valorem upon raw sugar, but there is to-day absolutely no excuse in the eyes of the American people for placing one-eighth of a cent on sugars above 16 Dutch standard for the benefit of the refiners. I believe here that it might be safely predicted that it means a death blow politically to the man who will cast his vote in favor of retaining this duty of one-eighth of 1 cent. I believe it will mean the death blow of the party which passes the bill with the duty of one-eighth of a cent retained in it.

Since we had this portion of the bill under consideration before it has been stated by those who are interested in the sugar trust that they can refine their sugar to-day without the one-eighth of a cent, and therefore if we now give it to them it is an absolute gift from the pockets of the American people. I hope, therefore, that the amendment will carry and that the duty of one-eighth of a cent will be stricken out.

Mr. BLANCHARD. Mr. President, when the bill was in the Senate as in Committee of the Whole the argument upon this proposition was had *in extenso*. The statement just now made by the Senator from South Dakota was then refuted, as I hope to refute it now. It is not true in any sense that this one-eighth differential duty between raw and refined sugars is in the interest solely of what he calls the sugar trust. I showed in the former debate upon this proposition that we raised in Louisiana during the last year 600,000,000 pounds of sugar, and that about 85 per cent of it was centrifugal sugars, and from one-half to three-quarters was refined sugars in the sense that they were sugars testing at and above 16 Dutch standard in color. The one-eighth differential duty is directly in the interest of the sugar producers of Louisiana and of the beet sugar producers of the United States.

It must be known to the Senator from South Dakota that all sugars made from beets, or nearly all, are refined sugars, and when I tell him that of the 600,000,000 pounds of cane sugars raised last year in Louisiana, about two-thirds were refined sugars, then it must come home to the Senator that the one-eighth of a cent specific duty is in the interest of the sugar producers and manufacturers of the United States and not altogether in the interest of the trust.

Mr. KYLE. I will state to the Senator from Louisiana that the beet-sugar manufacturers and refiners of the West do not care for the duty of one-eighth of a cent.

Mr. BLANCHARD. I will inform the Senator from South Dakota that I have been in communication directly, in person, with some of the largest beet-sugar manufacturers, and I have yet to hear from one of them that they care nothing for the one-eighth of a cent differential duty.

Mr. KYLE. I will state that I also have been in communication with them. They are willing to take it. Of course they will take it if you give it to them, but they say they can get along very nicely without it.

Mr. BLANCHARD. That is begging the question. The Senator said the duty of one-eighth of a cent was placed in the bill in the interest solely of the trust, and now when that is denied and the contrary is shown, he takes refuge behind the statement that the beet sugar manufacturers of the United States can get along without it, but would like to have it. Of course they would like to have it.

The one-eighth differential duty between raw and refined sugars is in the interest of a sound public policy, for it is an encouragement held out to the sugar-producers of the United States to make refined sugars instead of raw sugars.

Mr. President, after this question was fully argued in the Senate as in Committee of the Whole, the Senate agreed to maintain the one-eighth of a cent differential, and I trust the action of the Senate in open Senate will be in consonance with the action of the Senate at that time.

Mr. SHERMAN. I think I can convince the honorable Senator from Louisiana that he is mistaken in his proposition. The paragraph as it will stand if the amendment is adopted will still give the sugar-raisers of Louisiana the protection of 40 per cent ad valorem as against all sugars which come into competition with Louisiana sugars. As the refined sugar is worth 1 cent a pound more, or nearly 40 per cent of the value of ordinary sugar, he gets the benefit of the 40 per cent on all refined sugars brought into this country in competition with Louisiana sugar or sugar produced from beets.

The striking out of the next proposition will not help him at all, so far as the Louisiana makers are concerned. The one-eighth per cent is only intended as a discriminating duty in favor of the refiner in this country, and it is an addition to the 40 per cent upon all sugars that are brought into competition from abroad with the sugars of Louisiana. Therefore, if raw sugar is worth 2½ cents a pound, then the duty is about 1 cent a pound, but if refined sugars are brought into this country, they are worth 3½ cents a pound, and the duty of 40 per cent is equivalent to the protection to the Louisiana planters of 1½ cents a pound. So that

if the Senator will rely only upon the 40 per cent ad valorem duty, he will have an ample protection for the refined sugars of Louisiana.

There is nothing in the Senator's argument. The one-eighth of a cent is the bounty paid to a trust in the United States which has already been exposed here to the condemnation of the people of the United States, and it inures to their benefit only. The duty of 40 per cent already in the bill, and which was retained in the bill under the proposition of the honorable Senator who offered the amendment, is a protection to the sugar interest, while the one-eighth is a protection which will only inure to the process of refining by a single corporation in the United States. It can not in the slightest degree benefit the maker of sugar in Louisiana. He gets the full benefit of 40 per cent on all sugars, whether refined or unrefined, which come into competition with him, and the bounty given herein is not intended to nor can it operate in favor of the Louisiana sugar planter. He is already amply protected by the first clause of the paragraph. This is only a special discrimination in favor of a special interest, which we should repudiate rather than approve by our legislation.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from South Dakota [Mr. KYLE], on which the yeas and nays have been ordered.

Mr. MANDERSON. I ask a division of the question.

The VICE-PRESIDENT. The Senator from Nebraska asks a division of the question. The first clause of the amendment will be stated.

The SECRETARY. Strike out in paragraph 182½, page 41, after the words "ad valorem" in line 4:

And upon all sugars above No. 16 Dutch standard in color and upon all sugars which have been discolored there shall be levied, collected, and paid a duty of one-eighth of 1 cent per pound in addition to the said duty of 40 per cent ad valorem.

The VICE-PRESIDENT. That is the first question to be taken, on which the yeas and nays have been ordered.

The Secretary proceeded to call the roll.

Mr. HANSBROUGH (when his name was called). I am paired with the junior Senator from Illinois [Mr. PALMER]. If he were present I should vote "yea."

Mr. PROCTOR (when his name was called). I am paired with the Senator from Florida [Mr. CALL].

Mr. SQUIRE (when his name was called). I have a general pair with the Senator from Virginia [Mr. DANIEL]. By an arrangement with the Senator from Ohio [Mr. BRICE], who is paired with the Senator from Colorado [Mr. WOLCOTT], I have transferred my pair to the Senator from Colorado, so that the Senator from Virginia and the Senator from Colorado will stand paired. I shall not again announce this arrangement during the day.

The roll call was concluded.

Mr. TELLER. I have a general pair with the Senator from Arkansas [Mr. BERRY]. My pair has been transferred for the day to the Senator from Iowa [Mr. WILSON], so that the Senator from Georgia [Mr. GORDON] and I may vote. The Senator from Georgia [Mr. GORDON] is not present, and I shall not vote. If he were present I should vote "yea."

The result was announced—yeas 34, nays 35; as follows:

YEAS—34.

Aldrich,	Dubois,	Jones, Nev.	Pettigrew,
Allen,	Frye,	Kyle,	Platt,
Allison,	Gallinger,	Lodge,	Power,
Carey,	Hale,	McMillan,	Sherman,
Chandler,	Hawley,	Manderson,	Shoup,
Cullom,	Higgins,	Mitchell, Oregon	Squire,
Davis,	Hill,	Patton,	Washburn.
Dixon,	Hoar,	Peffer,	
Dolph,	Irby,	Perkins,	

NAYS—35.

Bate,	George,	Martin,	Roach,
Blackburn,	Gibson,	Mills,	Smith,
Blanchard,	Gorman,	Mitchell, Wis.	Turpie,
Brice,	Gray,	Morgan,	Vest,
Caffery,	Hunton,	Murphy,	Vilas,
Camden,	Jarvis,	Pasco,	Voorhees,
Cockrell,	Jones, Ark.	Pugh,	Walsh,
Coke,	Lindsay,	Quay,	White.
Faulkner,	McLaurin,	Ransom,	

NOT VOTING—16.

Berry,	Daniel,	McPherson,	Stewart,
Butler,	Gordon,	Morrill,	Teller,
Call,	Hansbrough,	Palmer,	Wilson,
Cameron,	Harris,	Proctor,	Wolcott.

So the amendment was rejected.

Mr. ALDRICH. Now, let the second branch of the amendment be stated.

The VICE PRESIDENT. The second part of the proposition will be stated.

The SECRETARY. After the words "ad valorem" in line 9, on page 41, it is proposed to strike out all down to and including the word "rates," in line 15, as follows:

and all sugars, tank bottoms, sirups of cane juice or of beet juice, melada, concentrated melada, concrete or concentrated molasses, which are imported from or are the product of any country which at the time the same are exported therefrom pays, directly or indirectly, a bounty on the export thereof, shall pay a duty of one-tenth of 1 cent per pound in addition to the foregoing rates.

Mr. SHERMAN. Mr. President, I do not intend to delay the Senate by calling for the yeas and nays, or even by asking for a division; but I wish to enter my protest, which has been heretofore entered once or twice, against this provision in favor of the Hawaiian Islands.

There was no reason of public policy which demanded the enormous payment that has been made for the benefit of the Hawaiian Islands to induce the production of sugar. The United States has derived no benefit whatever from it. We have paid $55,000,000 to the Hawaiian Islands. I believe that provision contained in the treaty was wrong in the beginning, it is wrong now, and never should be allowed until the Hawaiian Islands become a part of the United States of America.

There is no reason of public policy, there is no reason whatever that can be given in favor of a discrimination to one foreign country as against all other foreign countries. We have no right to give to foreign people, who are 2,000 miles distant from us on the Pacific Ocean, so enormous a sum as we have already paid to the Hawaiian Islands for the privilege of introducing sugar free from those islands. Fifty-five million dollars has already gone, and every year hereafter there will be a loss to the Treasury of the United States by this provision of from five to ten million dollars, without any good ever coming to us or any good being likely to come to us by reason of it.

Though I shall, perhaps, vote for this provision as amended, I simply wish to file my protest against this proposition.

Mr. FRYE. Mr. President, I desire to enter a protest against the protest of the distinguished Senator from Ohio. We made a reciprocity treaty with the Sandwich Islands; made it with our eyes wide open; we lived under it for ten years; we obtained under it all of the trade of the islands, and in addition to that all of the carrying trade of the islands, and the Senator from Ohio does not give one cent or one mill of credit to that which the Sandwich Islands gave us for this provision in their favor.

It is the only provision that was worth anything to the Sandwich Islands when that reciprocity treaty was made; it is the only provision that we gave them that is worth anything to-day, and when the last reciprocity treaty came before the United States Senate, and came before the Committee on Foreign Relations of the Senate, the Senator from Ohio joined with the Senator from Vermont in placing in that reciprocity treaty by amendment a provision that Pearl Island Harbor, the most important, the most available, the securest harbor in all the Pacific Ocean, should be ceded by those little islands to this great country, and they were compelled to accept it.

They accepted it; the cession was made, and now the Senator from Ohio says that nothing is given to us in return for this exemption from the duty on sugar. Why, Mr. President, suppose the Senator's view should obtain in the United States Senate to-day, what condition would this Republic be in? We have just had an inspection made of Pearl Harbor and of the entrance to it by United States engineers, and they report that the entire mouth of it can be opened to vessels drawing 30 feet of water, at an expense of not over $200,000.

What does the Senator suppose England would give to-day for that harbor if these islands should transfer it to her—the paltry sum of $5,000,000 a year? She would give $50,000,000 a year to have Pearl Island ceded to her. Now, suppose we take from the Sandwich Islands all we ever gave for her trade and for this harbor, in what condition are we left? Will we maintain, will the Senator from Ohio maintain, or undertake to say that that was a cession complete, that Pearl Island harbor is ours, and that they can not retire from that cession?

That was the view of the Senator when the amendment was made; it was the view of the distinguished Senator from Vermont that it was a complete cession; but our Secretary of State, in replying to an inquiry made in writing by the then minister from the Sandwich Islands, declared that it was a cession that went *pari passu* with the treaty and no further. Could we undertake to maintain in the eyes of the world that it was a cession completed, that it was ours, when we had deprived, under the suggestion of the Senator from Ohio, the Sandwich Islands from all the benefits received for that cession? How long could we stand in the eyes of the world and make that claim?

Mr. President, I enter a protest against the protest of the Senator from Ohio as solemn as his.

Mr. HARRIS. Mr. President, a few moments since I was called from the Senate and failed to hear the ring of the bell indicating that the yeas and nays were to be taken, and during my absence there was a yea-and-nay vote, I understand, upon the amendment of the Senator from South Dakota [Mr. KYLE]. I simply want to put on record that if I had been present I should have voted "nay."

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from South Dakota [Mr. KYLE], upon which the yeas and nays have been ordered. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. CULLOM (when his name was called). I should vote "yea" if the senior Senator from Delaware [Mr. GRAY], with whom I am paired, were present.

Mr. HANSBROUGH (when his name was called). I again announce my pair with the junior Senator from Illinois [Mr. PALMER]. I should vote "yea" if he were present.

Mr. PROCTOR (when his name was called). I again announce my pair with the Senator from Florida [Mr. CALL].

The roll call was concluded.

Mr. RANSOM. I announce my pair with the Senator from Maine [Mr. HALE]. If he were present I should vote "nay," and he would vote "yea."

The result was announced—yeas 32, nays 35; as follows:

YEAS—32.

Aldrich,	Dubois,	Jones, Nev.	Pettigrew,
Allen,	Frye,	Kyle,	Platt,
Allison,	Gallinger,	Lodge,	Power,
Carey,	Hawley,	McMillan,	Sherman,
Chandler,	Higgins,	Mitchell, Oregon	Shoup,
Davis,	Hill,	Patton,	Squire,
Dixon,	Hoar,	Peffer,	Teller,
Dolph,	Irby,	Perkins,	Washburn.

NAYS—35.

Bate,	George,	McLaurin,	Roach,
Blackburn,	Gibson,	Martin,	Smith,
Blanchard,	Gordon,	Mills,	Turpie,
Brice,	Gorman,	Mitchell, Wis.	Vest,
Caffery,	Harris,	Morgan,	Vilas,
Camden,	Hunton,	Murphy,	Voorhees,
Cockrell,	Jarvis,	Pasco,	Walsh,
Coke,	Jones, Ark.	Pugh,	White.
Faulkner,	Lindsay,	Quay,	

NOT VOTING—18.

Berry,	Daniel,	Manderson,	Stewart,
Butler,	Gray,	Morrill,	Wilson,
Call,	Hale,	Palmer,	Wolcott.
Cameron,	Hansbrough,	Proctor,	
Cullom,	McPherson,	Ransom,	

So the amendment was rejected.

Mr. KYLE. I have one more amendment to offer, and then I shall be through. In line 22, on page 41, after the word "that," I move to strike out "on and after January 1, 1895," and insert "upon the passage of this act."

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In line 22, on page 41, after the word "that," it is proposed to strike out "on and after January 1, 1895," and insert "upon the passage of this act;" so as to read:

That upon the passage of this act there shall be levied, collected, and paid on molasses testing above 40°," etc.

Mr. JONES of Arkansas. An amendment having been made to paragraph 182 that these provisions shall go into effect after the passage of this act, it would seem to be proper that all the provisions should take effect at the same time. If this amendment is agreed to, there will be an amendment necessary to insert on page 40, line 25, to the same effect. I move that amendment.

The VICE-PRESIDENT. The pending amendment is that proposed by the Senator from South Dakota.

Mr. JONES of Arkansas. I accept the Senator's amendment, or I suggest that he modify his amendment by putting in mine.

Mr. KYLE. I will accept that. It was an oversight. I had intended to include both in the same amendment.

The VICE-PRESIDENT. The question is on the amendment of the Senator from South Dakota as modified.

The amendment, as modified, was agreed to.

Mr. JONES of Arkansas. After the word "rates," in line 15, on page 41, I move to insert what I send to the desk, which has been suggested by the Secretary of the Treasury.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In line 15, on page 41, after the word "rates," it is proposed to insert:

Provided, That the importer of sugar produced in a foreign country the government of which grants such direct or indirect bounties may be relieved from this additional duty under such regulations as the Secretary of the Treasury may prescribe in case said importer produces a certificate of said government that no indirect bounty has been received from said sugar in excess of the tax collected upon the beet or cane from which it was produced, and that no direct bounty has been or shall be paid.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Arkansas.

The amendment was agreed to.

Mr. JONES of Arkansas. After the word "*Provided*," at the end of line 15, on page 41, I move to insert the word "*further*."

The amendment was agreed to.

Mr. LODGE. Mr. President, I move to strike out all of section 182½ as far as the proviso just inserted by the committee, coming in in line 15, and to insert what I send to the desk.

The VICE-PRESIDENT. The amendment proposed by the Senator from Massachusetts will be stated.

The SECRETARY. It is proposed to strike out all of paragraph 182½ down to and including the word "rates," in line 15, on page 41, and insert:

All sugars, tank bottoms, sirups of cane juice or of beet juice, melada, concentrated melada, concrete and concentrated molasses testing by the polariscope not above 80° shall pay a duty of 1 cent per pound, and for every additional degree or fraction of a degree above 80° and not above 90° shown by the polariscope test, shall pay one one-hundredth of a cent per pound additional, and above 90° and not above 98°, for every additional degree or fraction of a degree, shown by the polariscope test, shall pay a duty of two one-hundredths of a cent per pound additional, and upon all sugar testing above 98° by polariscope test, or above No. 16 by the Dutch standard in color, there shall be levied and collected a duty of one-eighth of 1 cent per pound in addition to the duty imposed upon sugars testing above 98°.

Mr. LODGE. Mr. President, this amendment proposes a graded specific duty instead of the ad valorem duties now standing in the bill. They are the duties first reported by the Finance Committee in the first draft of the tariff bill that they presented to the Senate.

The great struggle of the refiners of sugar and of the representatives of the sugar trust was to beat these specific duties and get in their place ad valorem duties. Some of them testified that that ad valorem duty did not of itself give them a differential; others testified that it did; but there is no manner of question that every effort was put forth by the refiners of sugar to secure ad valorem instead of specific rates as reported from the committee.

They were resisted in that attempt by the producers of raw sugar. The producers of Louisiana and the beet-sugar producers favored specific rates. These ad valorems were inserted in place of the specifics on the representation of the refiners of sugar.

I desire, Mr. President, simply to obtain a vote on that direct question, whether the Senate will take the graded specific rates as first reported by the Finance Committee, or whether they will substitute for them ad valorem rates, demanded by the refiners, and by no one else.

Mr. PEFFER. Mr. President, in order that my vote on this amendment may not be misconstrued, I repeat that I am in favor of free sugar and am opposed to all duties on sugar.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Massachusetts.

Mr. LODGE. I call for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. MCPHERSON (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL].

The roll call was concluded.

Mr. DANIEL. I was about to vote, but I understand an arrangement had been made whilst I was out of the Chamber temporarily that I should stand paired with the Senator from Colorado [Mr. WOLCOTT], and, being so informed, I decline to vote.

The result was announced—yeas 26, nays 44; as follows:

YEAS—26.

Aldrich,	Dolph,	Hoar,	Power,
Allen,	Dubois,	Jones, Nev.	Proctor,
Allison,	Frye,	McMillan,	Sherman,
Chandler,	Gallinger,	Manderson,	Shoup,
Cullom,	Hale,	Mitchell, Oregon	Squire.
Davis,	Hawley,	Patton,	
Dixon,	Higgins,	Perkins,	

NAYS—44.

Bate,	George,	Lindsay,	Quay,
Blackburn,	Gibson,	McLaurin,	Ransom,
Blanchard,	Gordon,	Martin,	Roach,
Brice,	Gorman,	Mills,	Smith,
Caffery,	Gray,	Mitchell, Wis.	Turpie,
Call,	Harris,	Morgan,	Vest,
Camden,	Hunton,	Murphy,	Vilas,
Carey,	Irby,	Pasco,	Voorhees,
Cockrell,	Jarvis,	Peffer,	Walsh,
Coke,	Jones, Ark.	Pettigrew,	Washburn,
Faulkner,	Kyle,	Pugh,	White.

NOT VOTING—15.

Berry,	Hansbrough,	Morrill,	Teller,
Butler,	Hill,	Palmer,	Wilson,
Cameron,	Lodge,	Platt,	Wolcott.
Daniel,	McPherson,	Stewart,	

So the amendment was rejected.

Mr. PETTIGREW. I offer the amendment which I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In paragraph 182½, on page 41, line 15, it is proposed to strike out all after the word "rates," down to and including the word "same," in line 22, and insert:

That the treaty concluded January 13, 1875, and proclaimed June 3, 1875, and the convention extending the duration of said treaty concluded December 6, 1884, between the United States and the King of the Hawaiian Islands, is hereby abrogated, repealed, and annulled, to take effect one year after the passage of this act.

Mr. PETTIGREW. Mr. President, this treaty was concluded in 1875 to continue for seven years. After the expiration of seven years, it could be abrogated on twelve months' notice. In 1884 the treaty was continued for seven years more, with the same provision in regard to annulling the treaty. Therefore, upon twelve months' notice this treaty can be annulled by the United States. I can think of no argument which would justify us in continuing it. It is paying a bonus to the people of the Sandwich Islands of over $4,000,000 a year, and it is taxing the American people to do it.

There is not an American laborer upon those islands, and there are only 636 Americans, or people of American descent, who are registered voters. The remainder of the population is composed of natives, Japanese, Chinese, and Portuguese. They are contract laborers, almost as low as if not lower in the scale of civilization than slave labor.

I can see no reason why the people of my State or the people of any State of this Union should be taxed for the purpose of furnishing the people of those islands more profitable employment.

Mr. KYLE. If the Senator will allow me, I will tell him that if he will refer to the Senator from California [Mr. PERKINS], who sits within a very few feet of him, that Senator will give him a hundred arguments within ten minutes why that treaty should not be abrogated.

Mr. PETTIGREW. I should like to hear from my colleague. Perhaps he will give me the reasons.

Mr. KYLE. I have plenty of reasons in my own mind why the treaty should not be abrogated.

Mr. PETTIGREW. I should like to hear them stated.

Mr. KYLE. The reasons have been already prepared by the Senator from California, who will give them to the Senate.

Mr. PETTIGREW. The total number of Americans upon those islands—men, women, and children—is less than 2,000. The Portuguese who are there are not from Europe, but they are from the islands of the sea. They are partially black, and are very low in the scale of civilization.

This treaty has already cost the people of this country over $50,000,000, and we have derived no benefit whatever from it. Senators say we will secure a valuable harbor. Pearl Harbor is 2,100 miles from our coast, 4,800 miles from the coast of Asia, and 4,000 miles from Australia. There are no coal mines upon those islands, and the harbor is absolutely useless and worthless to anybody.

The commerce of the Pacific Ocean does not pass those islands, except that which goes to Australia. If we wish to destroy that commerce, it is the commerce of Great Britain from Vancouver, and we can destroy it from Puget Sound, from our own coast, where we can resupply our ships from our own coal mines; but if we undertake to send ships to those islands we must carry the coal there, and then we are in no position to attack any country after sailing such a distance, for we should be out of coal. So I can see no reason whatever for continuing this wonderful benefit to those people, a population entirely worthless, while taking away from our own people the bounty upon sugar.

Mr. SHERMAN. Mr. President, I wish to place before the Senate the exact historical facts with regard to our acquisition of a coaling station in the Hawaiian Islands and the treaty relations we have with those islands. By a convention concluded on the 30th of January, 1875, we stipulated:

For and in consideration of the rights and privileges granted by His Majesty the King of the Hawaiian Islands in the next succeeding article of this convention, and as an equivalent therefor, the United States of America hereby agree to admit all the articles named in the following schedule, the same being the growth and manufacture or produce of the Hawaiian Islands, into all the ports of the United States free of duty.

Among those articles was sugar, then produced in a comparatively small quantity in the Hawaiian Islands. That treaty, containing reciprocal provisions, was to expire at the end of seven years, at any time on the demand of either government. At the end of the seven years, when the treaty had expired, an effort was made to extend it seven years longer. That was contested severely in the Senate Chamber, and there was much opposition to the extension of the treaty, because the statistics showed that we had then lost $26,000,000 more than we had gained during the seven years by the free admission into our country of sugar and other articles. Then a new treaty was made, entirely separate and distinct from the old treaty, and that treaty contains this stipulation:

Mr. DOLPH. When was that made?

Mr. SHERMAN. In 1884. It provides:

Whereas a convention was concluded between the United States of America and His Majesty the King of the Hawaiian Islands on the 30th day of January, 1875, concerning commercial reciprocity.

Then follow the recitals about the provisions of the treaty. Then it proceeds:

The high contracting parties agree that the time fixed for the duration of the said convention shall be definitely extended for a term of seven years from the date of the exchange of ratifications hereof, and further, until the expiration of twelve months after either of the high contracting parties shall give notice to the other of its wish to terminate the same, each of the high contracting parties being at liberty to give such notice to the other at the end of the said term of seven years or at any time thereafter.

When this treaty was before the Senate there was great opposition to it for the reasons I have stated. Therefore, in order to find a consideration to be paid by the Hawaiian Islands to the United States for this enormous bounty, the Senator from Vermont, if I remember correctly, offered this additional consideration; and, in my judgment, the second treaty would have been beaten at the time it was pending, but for the provision he offered. Here is the provision, and here is the absolute grant in perpetuity, according to the legal language of the grant, which gives us these islands for these purposes as one of the considerations for extending the treaty seven years more:

His Majesty the King of the Hawaiian Islands grants to the Government of the United States the exclusive right to enter the harbor of Pearl River, in the island of Oahu, and to establish and maintain there a coaling and repair station for the use of vessels of the United States, and to that end the United States may improve the entrance to said harbor and do all other things needful to the purpose aforesaid.

Here is an absolute, unconditional, unqualified grant that has been paid for by $23,000,000 already, and we agreed to extend the term seven years longer. Thus we have given a double consideration for this right. I have no doubt the Senator from Maine [Mr. FRYE] will estimate the value of that privilege far more than I, but certainly we have already paid a large sum, and we have agreed to pay another sum equivalent to twenty-five or twenty-six million dollars, and we now possess by virtue of this treaty an exclusive right to enter upon and improve that harbor.

The provisions of the treaty as to the seven years applied only to the admission of articles entered into the several countries named therein, but this special provision was, standing by itself, an absolute and conclusive conveyance, so far as one government can convey to another the absolute and exclusive right in perpetuity to occupy that place for a coaling station and for other naval purposes.

So it seems to me there is nothing in the argument of the honorable Senator from Maine. We have paid, and doubly paid, for that harbor. We own it now; it is now in our possession, and we have the right to improve it.

Mr. FRYE. Mr. President, the Senator from Ohio says that when we renewed this treaty we concluded to put in what would be, in the estimation of the committee, an adequate consideration for reciprocity again for seven years, and that was the cession of Pearl Island Harbor. He forgets to state to the Senate that that treaty had not run more than four years before we deliberately repealed all benefits which the Sandwich Islands received from the reciprocity treaty by removing all duties from sugar. We would not have done that to any nation on earth except this little nation of the Sandwich Islands.

The Senator forgets to tell the Senate that we went one step further, and paid a bounty to the people of the United States producing sugar and paid none to the Sandwich Islands, thus enacting a law which was discriminating against the Sandwich Islands, when we had actually received from them, as the Senator says, a full equivalent for this extended reciprocity treaty.

For the last three years the Hawaiians have been living without any benefit whatever from reciprocity. Their sugar not only has not been admitted free from duty, but, in addition to that, our sugar-growers have had a bounty, and thus were enabled to compete with them, at a disadvantage to them.

Yet the Senator says that that is an absolute cession and that Pearl Island Harbor is ours, that we must keep it, and we must deprive the Sandwich Islands of it. Why? Not because of the treaty of seven years before, which had been running during that length of time, under which they had actually received a benefit of $23,000,000. What had the old treaty to do with the new? Does the Senator say that Pearl Island Harbor was a consideration for the old treaty, which was dead? Certainly it was not.

It was a consideration for the new treaty of seven years, and I stated when I was on the floor before, that on a written communication from Mr. Carter, the minister from the Sandwich Islands, addressed to Secretary Bayard on this very question of whether or not that was a complete cession, Secretary Bayard replied in writing that it was not, that it went *pari passu* with the treaty. Whether it was or not, I ask the Senator from Ohio if to-day, after we have deprived the Sandwich Islands of all benefit of reciprocity with the United States for three years, and we have received our full benefit during the three years, we propose to put a duty on sugar and deprive them still further, during the balance of the seven years, of all the benefits from reciprocity?

I ask the Senator from Ohio if he would face the nations of

the earth and in their presence declare that "notwithstanding we have deprived you of all of the benefits which we gave for Pearl Island Harbor, we demand that Pearl Island Harbor shall be ours, and that the cession shall be treated as a perpetual cession"? Would the Senator dare do that? Could he morally stand before the peoples of this earth and say that? I say this Republic could not stand a minute on that doctrine, and would not stand a minute on it. It would be disgraced in the eyes of all the civilized nations of the earth if it undertook to stand on it a single moment.

Mr. SHERMAN. The Senator's argument would have a good deal more of force if it had the facts behind t. In the second treaty, it must be remembered that the second article was inserted in the Senate Chamber. It was accepted, and according to the note here, "this article is an amendment of the Senate which was accepted by the Hawaiian Government." It has no limitations, no qualifications. This was agreed to on the 6th day of December, 1884. The McKinley law took effect some time in 1890; so that the McKinley law took effect only for a part of the year 1890. My impression is that a consideration was made; but whether or not, it makes no difference.

Mr. FRYE. Yes, it does. Facts make a difference. There was no consideration.

Mr. SHERMAN. There were only six months——

Mr. FRYE. Have we not been living under it from the date of the McKinley act taking effect down to the present time?

Mr. SHERMAN. Suppose we have.

Mr. FRYE. That is more than six months.

Mr. SHERMAN. We have by the McKinley law admitted sugar free from other countries as well as from Hawaii. There was no stipulation that we should not do it. They had the full benefit of seven years, lacking six months.

Mr. FRYE. That is not so. The Senator charges me with speaking without facts. I repeat the charge that he is now deliberately addressing the Senate without facts.

Mr. SHERMAN. The Senator said within three years.

Mr. FRYE. How long is it since October, 1890, when the McKinley law took effect?

Mr. SHERMAN. This treaty took effect on the 6th day of December, in the year of our Lord 1884.

Mr. FRYE. How long is it, if the Senator will pardon me, since the McKinley law took effect? How long has it been in effect?

Mr. SHERMAN. I do not know exactly.

Mr. FRYE. From October, 1890, up to July 1894. I admit that that is not quite four years.

Mr. SHERMAN. Instead of three years, it is six years and some months.

Mr. President, as to the contention made by Mr. Bayard, in the Senate I know we have generally disagreed with his opinions, and Mr. Edmunds, of Vermont, who drew this article, has contended over and over again that this was as absolute a conveyance of the property as any language could make it.

Mr. HIGGINS. Will the Senator yield to me for a question?

Mr. SHERMAN. Yes.

Mr. HIGGINS. I ask the Senator if the fact that that utterance was made solemnly to the Hawaiian Government by Mr. Bayard as Secretary of State did not commit this Government to that construction of the treaty?

Mr. SHERMAN. It is very certain that the present Administration do not take that view of it, because they are making a new survey, and are claiming for the people of the United States the right to possess and improve the harbor.

Mr. HIGGINS. But that is with the entire assent of the Government of the islands. They are agreeing to it.

Mr. SHERMAN. Who is complaining?

Mr. FRYE. Is not the treaty still in operation?

Mr. SHERMAN. No.

Mr. FRYE. No treaty between us and the Hawaiian Islands?

Mr. SHERMAN. We are receiving these goods under the general provision of the McKinley law, and sugar comes into our country duty free.

Mr. FRYE. Have we no treaty with the Sandwich Islands to-day?

Mr. SHERMAN. I do not think we have upon this subject except as to these two treaties. I know of no other. I do not wish to make any contest with the Hawaiian Islands. I know the effect of this treaty has been bad, and that it has induced an abnormal development of those islands. It has added largely to the fortunes of a single man, but it has not added one dollar to the wealth of the people of the United States. The whole mass of the accretion from this treaty has accrued to persons who are foreign to our country and foreign to our institutions. Therefore I am opposed to the treaty; but I have no desire to debate the question further.

Mr. DOLPH. Mr. President, I do not desire to discuss this question. I am ready to vote upon it; but I do not like the question propounded by the Senator from Delaware [Mr. HIGGINS] to the Senator from Ohio [Mr. SHERMAN] to go without further answer. That question was substantially whether the statement of Secretary Bayard to the Hawaiian minister concerning the construction of the treaty did not bind the United States. If such a statement bound the United States, the treaty-making power would be taken from the Senate and the President and transferred to the Secretary of State.

I undertake to state that a treaty, like any law, stands by itself and must be interpreted as it stands, and can not be interpreted, and should not be interpreted, by constructions put upon it by the Secretary of State.

Mr. MILLS. Mr. President, I was a member of the House of Representatives when the Hawaiian treaty was first made in 1876. I voted against it, because at that time the treaty was not only submitted to the Senate of the United States, but to the House of Representatives, as it was releasing the revenues of the Government. I have spoken against it, I have tried from that day to this to have it repealed.

After it had run its length of seven years, it was proposed to renew the treaty again, and the House of Representatives was opposed to it. Those who negotiated that treaty knew that the House would never consent to its renewal. It was made by the Administration and it was ratified by the Senate, but it was never submitted to the House of Representatives a second time.

It released the revenues of the Government without consulting that branch of Congress to which the Constitution especially confides that subject. When that treaty was made the second time and ratified by the Senate and put into operation, I introduced a resolution and had it referred to the Judiciary Committee of the House of Representatives, of which J. Randolph Tucker of Virginia was chairman, to inquire whether it was competent for the President of the United States and the Senate of the United States to negotiate a treaty releasing the revenues of the Government without the consent of the House of Representatives.

If I remember aright, that committee reported unanimously that they had no such power. I know that was the report of the majority, a very able report, made by Mr. Tucker, one of the ablest lawyers in the United States.

Mr. President, we have released over $50,000,000, taken out of the pockets of the people of the United States and given to the corporations which dominate those islands, and we are now proposing to continue that business of depleting the pockets of the people of the United States of $5,000,000 a year and placing it in the pockets of the corporations that control the sugar lands of the Hawaiian Islands. They are owned, as I understand, by the sugar trust of the United States.

I am glad to have the opportunity to vote to terminate this treaty, and to take back and keep in the pockets of the people of the United States the $5,000,000 a year which we are taking out and giving to the Hawaiian sugar-producers.

I see no earthly reason for a continuance of this treaty. It is simply a bounty of $5,000,000 which we are giving out of the pockets of our own people, year by year, into the pockets of foreigners.

It is useless to talk about the negotiation of the treaty for Pearl Island Harbor or any other harbor. That harbor belongs to us. It has been held by one of the ablest lawyers who ever sat in this body that the treaty by which the Hawaiian Islands ceded Pearl Island Harbor invested a fee-simple title in this Government. But even if it did not, we can get the whole islands if we want them, by simply saying that we are ready to take them. Why give $5,000,000 year after year to these people, when the islands are willing to come to us and we are not willing to receive them?

I hope this provision of the bill will be stricken out. It should not be in it. It raises the price of sugar to our own consumers in this country, and gives the Hawaiian producers the benefit of $5,000,000 of bounty. I want to vote for the amendment to strike that provision out of this bill.

Mr. MORGAN. Mr. President, this bill came over from the House of Representatives with a proposition in it to exempt the Hawaiian treaty from the operations of the repeal of the duties on sugar. In doing that, the House of Representatives, I suppose, followed a statute which was enacted on the 3d of March, 1891, as follows:

That nothing in the act approved October 1, 1890, entitled "An act to reduce the revenue and equalize duties on imports, and for other purposes," shall be held to repeal or impair the provisions of the convention respecting commercial reciprocity concluded January 30, 1875, with the King of the Hawaiian Islands, and extended by the convention proclaimed November 9, 1887; and the provisions of said convention shall be in full force and effect as if said act had not passed.

So that, after the passage of the McKinley law, which admitted sugar free into the United States, and, of course, ad-

mitted it free from Hawaii, it was provided that nothing in that act contained should be construed as in anywise affecting the convention which had been made with Hawaii and extended for a second period of seven years. The conscience of the Congress of the United States seemed to feel some reproach that they had dealt with the Hawaiian Islands, then a kingdom—and doubtless being more tenderly regarded at that time by some gentlemen than it is now that it is a republic—somewhat with cruelty and impropriety and unbecoming legislative tyranny.

The Senator from Maine [Mr. FRYE] said a moment ago that we should not have dealt with any other power in the world as we have done with Hawaii. After having made a convention of reciprocity, without repealing that convention and giving notice of its termination, we passed a law by the Congress of the United States taking away from that little kingdom all the benefits of that convention of reciprocity, whilst still holding on to those advantages which Hawaii gave to us in admitting our goods into those islands duty free—a very large, extensive, and valuable list.

The Congress of the United States, therefore, evidently seemed to think that it was necessary to put upon paper in the form of a statute some apology for this act of rude outrage upon that little kingdom. Therefore they enacted the statute which I have just read to the Senate. That statute has been entirely meaningless so far as practical business is concerned: that is to say, we have not permitted Hawaii to have advantage of either the bounty in the McKinley act or the advantages that she claims under the treaty. We have robbed her of those, and have gone on in the assumption of our superiority, based upon nothing in the world but our want of conscience and our possession of strength. That is the situation.

The people who are referred to by the Senator from Texas [Mr. MILLS] as being foreigners and as being a sugar trust in Hawaii are as respectable citizens as any in the world. They went mostly from the United States; some of them were born there of American parentage. They have contrived to civilize those islands and beautify them, to improve them in a way that would cast credit upon any people in the world, and I dare say that there are few spots in the United States to-day which have a higher degree of culture than Honolulu and its surroundings, and other towns of Hawaii.

That has been the work of Americans who have gone there—the missionary people first, and their successors. As high a state of education per capita obtains in Hawaii as obtains in any State of the American Union; I might say a higher state, for there is not a child 10 years of age in Hawaii who can not read and write in the English language.

All that could be done by the genius and enterprise of American people has been accomplished in the islands of Hawaii. The great sugar estates in those islands are not held and owned by a sugar trust. Thirty million dollars and more have been invested there by the people in properties which are of very great value, the production of which has all come to the United States, which has built up a carrying trade between Honolulu and San Francisco and other ports of the United States which is almost exclusively American. It is indeed the only foreign carrying trade in the world that we have under our national control—a very valuable carrying trade and one that our seamen on the Pacific have found to be very much to their advantage.

The Senator from Ohio speaks about the disparity between the duties on sugar that we might have collected and the duties which the Hawaiians might have collected out of us under this reciprocity arrangement. He puts the figure very high. He thinks we made a bad bargain with Hawaii, and that has always weighed on the Senator's mind. The Senator hates a bad bargain unless he is on the right side of it. He loves a bargain that is bad, provided that he has the good end of it, but he has great contempt for a bargain, whether private or public, I suppose, which has any disadvantage in it to the contracting party that the Senator represents.

Now, we did not make any bad bargain with Hawaii. We made a better bargain with Hawaii than was made in any of the reciprocity treaties that we have expressly preserved in this proposed act. The committee that have had charge of this bill here, and who have given out to us their views of what is correct, and which we have followed so faithfully and without question, have seen proper to preserve all of the reciprocal arrangements now existing which arose and were completed under the McKinley law, although it is very well known that not one of those arrangements has the characteristics of a treaty, and it is perfectly well known also that none of them has the slightest treaty obligation. Nothing but a moral obligation exists there at all.

Now, when we are preserving reciprocity with other governments where the advantage is either present with us or may become an advantage to us, it seems to me we ought not to draw a very fine line of calculation between the United States and Hawaii. We ought at all events to be somewhat just, or if we are not just, we ought to have self-respect enough to proceed about this matter as if it were one of controversy, say with Canada or with England.

If we had a reciprocal treaty with Great Britain like this, we would not think for one moment of putting upon a tariff bill a law to abrogate and annul that treaty after a year's time. We would certainly, following the language of the treaty and the injunctions of it at least, have self-respect enough to perform the duty required by the treaty of giving notice that we intended to abrogate it. But this amendment tears the treaties to pieces by a legislative act without inquiring of Hawaii what she intends to do about it. It is a very improper thing for us, in view of our treaty relations with foreign countries, to seize them and tear them to pieces by the acts of mere legislation on our part, without consulting or in any wise giving the other government an opportunity to show why it ought not to be done.

The Senator from Ohio spoke about a consideration that passed for this first extension, the second term of seven years of the treaty. Whom did that consideration proceed from? From Hawaii. What was it? The grant, as the Senator says, in perpetuity and in fee simple of very important rights in the harbor called Pearl Harbor on the island of Oahu, 11 miles distant from Honolulu, and commanding it absolutely in a military sense.

If the Senator's argument is correct Hawaii gave us that in consideration of our agreeing to this reciprocity; the contract stands until the consideration is surrendered; and it is startling to me that the argument should be made in the Senate of the United States that because Hawaii paid us for this treaty and paid what the world will consider a very valuable consideration, therefore it is our duty to abrogate it. That is a very peculiar attitude for us to occupy here.

It is one that if I were characterizing I do not know what strength of adverbial or adjective phrase I would use. When the consideration proceeds from Hawaii to us and we admit its value, and that consideration is supposed to make up whatever of deficiencies there might be in the mutuality of dollars and cents in the transaction and we accept it and are to hold on to it, it is a paltry thing for us to do to turn around and say we will hold to the consideration and abrogate the contract.

Mr. PETTIGREW. Will the Senator from Alabama yield to me for a question?

Mr. MORGAN. Certainly.

Mr. PETTIGREW. I wish to know whether the amendment would be more acceptable to him if we gave back Pearl Harbor?

Mr. MORGAN. I would not give up Pearl Harbor if Great Britain with her guns or her navy were to demand it, because I am satisfied that Pearl Harbor is the key to the military control of the Pacific Ocean. When we put that very important provision in there we acquired more than Hawaii. We acquired the right to put a naval station there and to fortify it—to plant ourselves in defiance of all the nations of the earth without question—obtaining our title from the acknowledged sovereign authority there; and we planted a Gibraltar in the heart of the Pacific Ocean which is stronger and better and more useful than the Gibraltar that commands the Mediterranean Sea. Therefore I would not give it back if every gun of the British navy were trained to-day upon the cities of the United States.

Mr. FRYE. Will the Senator allow me to ask a single question? Were not the naval officers and the army officers of the United States almost entirely unanimous in their testimony that the possession of that harbor was an absolute necessity to the United States?

Mr. MORGAN. There was but one man who testified to the contrary, and he earned the reputation before he came before us, as I am informed, of a crank.

Mr. MILLS. Is it more important that we shall have a harbor in the Pacific Ocean than in the Atlantic Ocean?

Mr. MORGAN. We have not any in the Atlantic Ocean.

Mr. MILLS. Precisely; but you are now seeking harbors in the midst of the Pacific Ocean; all the officers of the Army and Navy testify to its importance to this country; and we have not one in the Atlantic Ocean over which nine-tenths of our commerce floats.

Mr. MORGAN. More is the pity, Mr. President, and more is the shame upon the American people, that when they came to close the Revolutionary war we did not close it by accepting and receiving that which they could easily have gotten, every outpost from Nova Scotia around to Honduras. Let me ask the Senator from Texas what are those places, those hovering points around us but picket posts, armed at an enormous expense by the Government of Great Britain especially and by Germany and by France?

For what purpose? Not to protect England; not to protect France; not to protect Germany, but to hold the United States in constraint. There are armaments of the most magnificent and costly character where in naval stations and fortresses they have treasured up the munitions of naval warfare in amounts that we can simple conjecture, for we do not know how much is there. We know how it was in the late war. I do not mean the war of the rebellion; I mean the war of 1812.

We know how those hovering picket posts were ranged, as I say, from Nova Scotia to Honduras and kept our coasts continually embroiled and always in danger; how from each one of those fortresses there was a near line upon the most important sea posts of the United States; and, Mr. President, we can imagine nothing more to the glory and safety of this country than that we shall occupy now and hereafter in our power all of those military picket posts whose guns are put there merely to be turned in upon our shores. That is all of it.

I do not wish that to occur in the Pacific Ocean. Through the sagacity of the former Senator from Vermont we put into the treaty, and Hawaii consented to it, that we should have Pearl Harbor in the Pacific Ocean, the only point where we can obtain the same advantages in the Pacific that Great Britain has over us in the Atlantic. So I congratulated myself and the country, too, that we were making some start at last toward a policy which when it was aimed at us was threatening if not destructive, and some day may be destructive, and which, when we adopt it, will fence off the nations of the world from any attack upon the western coasts of this country, reaching a thousand miles to the westward of the Hawaiian group.

Our possessions by lines of longitude are more than a thousand miles to the west of the Hawaiian group and these islands, situated th ere in the center, the focal point of the great circle that radiates around, commencing at San Diego, in California, and running around our Aleutian archipelago, command every foot of that sea; and Pearl Harbor is the key to it all.

Mr. FRYE. I should like to ask the Senator a question.

Mr. MORGAN. Certainly.

Mr. FRYE. The Senator from Texas [Mr. MILLS] seems to think we have no harbors on the Atlantic, and therefore we should have none on the Pacific. I should like to ask the Senator from Alabama how much in his judgment the United States would be justified in paying to-day for all the armed posts in the Atlantic Ocean that Great Britain controls?

Mr. MORGAN. I am a poor hand on figures, but a tolerable one on imagination. I suppose that if we were to pay $2,000,000,000 we would not lose any money by it. I should not think so.

Mr. FRYE. I should like to ask the Senator another question. Russia is completing her railroad across Siberia. When that is completed, if we have Pearl Island Harbor and should conclude under necessity to fortify it at any time, would not Russia and the United States have complete control of the whole North Pacific?

Mr. MORGAN. Mr. President, only those men in the United States who have grown antique in their prejudices fail to look into this subject in a proper light. The younger generation who come on, from a 10-year old boy up, understand it, and they are going to have it that way, no matter what objections we may urge or the little dickering we may have upon a tariff bill here to equalize a supposed difference in sugar between Louisiana and Hawaii.

The fact is that the frauds with sugar on the Pacific coast, as the Senator from California will bear me out in saying, are greater than the advantage this tariff of 40 per cent ad valorem is to the sugar-growers of the United States.

But I rose, Mr. President, really without the intention of arguing this case. I rose to ask the Senate to allow this case to go where it belongs, to the Committee on Foreign Relations, that it may be investigated there quietly, and it may be examined into in a way that becomes the delicacy—I will repeat the word, the delicacy—of our situation in regard to this very important matter.

Now, I will suppose that this bill is passed and the treaty is abrogated. Hawaii is released from all of it that is not obligatory upon her. I believe that Hawaii is not released from that fee-simple title, as I understand it and read it, which is contained in the treaty extension to Pearl Harbor, and which was said here to be the consideration of that extension. Nevertheless, at the time the ratifications of that treaty were exchanged and contemporaneously with it, as a part of the question of the exchange of ratifications, Mr. Carter, who was then minister to the United States from Hawaii, insisted that if the treaty of reciprocity was determined according to its terms, upon giving a year's notice thereupon the Pearl Harbor would revert to Hawaii. He insisted upon it.

The subject was drawn up in the form of a protocol and brought to Mr. Bayard, who participated in the exchange of the ratifications. Mr. Bayard said:

> I have not any authority to subscribe that paper. I have no authority to accept it as a protocol of explanation of the treaty. I have no authority to qualify the exchange of ratifications by signing that paper; but I say to you that I understand the treaty that way.

The Government of the United States, represented by that great man, announced on that occasion that he understood the treaty to mean in the event we abrogated the treaty according to its terms or in any other form, Pearl Harbor would revert to Hawaii.

Now, Senators question that. Senators deny it, and I deny it. But, Mr. President, as a moral obligation, as a question of diplomatic understanding and duty between the United States and Hawaii, it is very hard to exclude the blush from the cheek of this nation and yet deny what Mr. Bayard solemnly stated at the time. It is very hard to do it. We passed the other day a very drastic resolution, to the effect that Hawaii should have her own way about fixing up her institutions according to her own free will, that no other nation should interfere with her in any respect, and if it did so it should be regarded as an unfriendly act toward the Government of the United States.

What is an unfriendly act toward the Government of the United States? One that justifies the Government in going to war. It can not be anything else. We may go to war if we choose to do so. We therefore declare in regard to this little kingdom or republic—republic as it is now—if it shall become a republic that any interference of foreign governments, wheresoever they might be, with Hawaii would be an unfriendly act to the Government of the United States. I participated in that declaration. I was very glad to vote for it. It suited me exactly, and that is exactly what it has been all the time, traditionally and diplomatically, and that is as a matter of fact a declaration on the part of this august tribunal here.

Now, Great Britain alone is negotiating with Hawaii for the possession of certain rocks lying in the northwestern part of this chain of islands. What does she want with them? She wants them for a station for a cable to be brought from Australia to that point and from that point to Vancouver, and she is about to acquire the right unless the United States prevents it. But a question is very likely to arise whether that is an interference with Hawaii of such a character as would be an unfriendly act to the United States. We are not out of the woods about this matter; we are getting deeper into it every day, and it becomes us to be very chary and very cautious and very circumspect and particular in all that we do in regard to it.

Now, I will suppose that Hawaii makes that concession, I will suppose that we repeal this treaty, break it up, tear it to pieces and throw it in the faces of Hawaii and the world, and then we go on to attempt to carry out the survey which was made recently by order of the Secretary of the Navy and commence fortifying Pearl Harbor according to the stipulation of the extension treaty. Hawaii will say to us, "At the time we signed that treaty, when the ratifications were exchanged, your Secretary of State informed us that whenever you saw proper to abrogate that treaty Pearl Harbor will return to us." "Well, but Mr. Bayard had not any authority to do so." "But he did do so."

That was the understanding; there is no one who can deny that he did say so. Now, this little kingdom, or this little republic, appeals to the moral sense of the whole family of the nations of the earth, and asks them to say whether we are justified in claiming that Pearl Harbor reverts to them under the declaration of Mr. Bayard.

I ask what is the moral attitude of this question? Are the nations of this earth going to remain quiet and allow a little republic to be run down by this great Government of the United States like the City of Paris would run down a canoe in the water, and say nothing when Hawaii is claiming her rights, her moral rights, confessed rights, indisputable rights?

Are we not in some trouble about this business, if instead of allowing this treaty to expire, which it will do inside of three years, we tear it to pieces by this act, which in itself has burdens enough to bear? What are we to do and what are we to say to all mankind, to the great nations of the earth, all interested in interfering with us, in support of our declaration "You shall not interfere with Hawaii" and "You shall not sustain Hawaii in her clearly demonstrated right of having Pearl Harbor to revert to her?"

I merely want to suggest that question. Senators will understand that this is not the time and place to discuss those questions. We can not settle questions like that properly on the discussion of a tariff bill.

Sir, there are facts by the hundreds that ought to enter into this consideration; and if I had the strength or the disposition to retard the bill long enough to state what I know about it

even my humble self I would be able to engage your attention upon it for many hours, and not one word of it would be uninstructive perhaps, or at least unworthy of consideration. It is not the place or the time to consider a question of that kind. It is too large a question. It has too great a bearing upon our attitude and relations with all the nations of the earth for us to undertake to settle it upon this bill, and I am very sorry that any Senator saw proper to do this.

Hearing that this matter was going on, I wrote to the Secretary of the Navy and asked him some questions on the 18th of June about the exploration that is going on out there. He says

NAVY DEPARTMENT, *Washington, June 18, 1894.*

MY DEAR SENATOR: Your letter of the 11th instant, asking for information regarding the examinations made at Pearl Harbor, is received.

The Secretary did not answer my letter fully. I asked him under what order Admiral Irwin was sent there and what was his purpose in going. He does not answer upon those propositions. He says:

The only official information in the possession of the Department on this subject is contained in a communication from Rear-Admiral John Irwin, of date May 10, in which he states that an examination of the waters, shore line, and bar, as ascertained by repeated soundings, convinced him that it was nothing but coral sand, and he proceeded to have a boring made to ascertain definitely the character of the bottom. The result of the boring is stated in a report of the admiral's flag lieutenant, C. A. Adams, and shows that a boring was made to a distance of 13 feet from the surface of the bottom, with the following result: "First, about 3 feet of soft coral sand, evidently silted on top of a light crust of dead coral, below which is again soft coral sand, easily yielding to the pump."

Lieut. Adams further states that a depth of 31 feet at low water can easily be obtained, and that, in his opinion, no blasting would be necessary.

In addition to the above, Rear-Admiral Irwin states that a thorough examination of the shore lines of Pearl Harbor was made, and a site for a drydock selected. This was done by Rear-Admiral Irwin without any special orders to that effect.

I have, as yet, no information from Rear-Admiral Walker as to the explorations he is making.

So there are two rear-admirals there who have been exploring.

He had no special directions in that regard.

I will communicate to you full information when I obtain it.

Very truly yours,

H. A. HERBERT.

Hon. JOHN T. MORGAN,
United States Senate.

Mr. President, I have here (and I should like to give it to the Senate or to a committee of the Senate if I had an opportunity) a drawing of Pearl Harbor and its soundings, which shows that the bar leading across the entrance to Pearl Harbor is not more than one-quarter of a mile wide. It all of it yields readily to the pumping dredge, being soft coral sand. I have two specimens in my possession of the soft coral sand. It has been stated on this floor time and again that it would take $700,000 to dredge out the channel.

It turns out that it will cost less than $70,000 to do it; and Hawaii is repenting of her bargain that ever she gave up a harbor which she is perfectly able to dredge out herself to the United States in consideration of this reciprocity. She is repenting of it. If I were an Hawaiian I would repent of it worse than she does, for if I were an Hawaiian I never would claim annexation to the United States—never.

I would make Hawaii the Switzerland in the Pacific Ocean that Switzerland is in Europe, protected by all the nations of the earth, perfectly able to take care of herself under all circumstances and the heaviest population that can go there. I would take that little republic that has now been built up into perfectness and beauty, without the shedding of a drop of blood, by American genius, skill, and statesmanship and moral courage, and I would build in that Pacific Ocean, as I say again, a Switzerland protected by all the nations of the earth. But Hawaii wants to come to us, and there are gentlemen here who want her, some by inducing her to come and some by starving her into coming. The Senator from Texas seems to want to starve her into coming.

Mr. MILLS. I want to keep her out.

Mr. MORGAN. The way to do it is just to make her independent enough to claim her Pearl Harbor from you and have the nations of the earth back her up and she will stay out; but where we will stay will be a different question.

Mr. MILLS. She will never come here except to get a bounty on sugar.

Mr. MORGAN. The Senator from Texas has a poor opinion of Hawaii. I should not wonder if it was not reciprocated fully by as respectable a set of men as live in the world.

Mr. MILLS. I should hope it was by Mr. Dole, the representative of Hawaii.

Mr. MORGAN. Mr. Dole is an honorable, and I believe a trustworthy man.

Mr. MILLS. He is a robber.

Mr. MORGAN. He is a gentleman, and not only a gentleman but a man of extraordinary ability, great courage, and beauty of character.

Mr. MILLS. He is a tool of the United States marines.

Mr. SHERMAN. I ask for information what is the general depth of the basin?

Mr. MORGAN. There are 13 feet of water on top of the basin.

Mr. SHERMAN. What is the general depth of the basin?

Mr. DOLPH. After you get over the bar.

Mr. PLATT. Inside the bar.

Mr. SHERMAN. Inside the bar.

Mr. MORGAN. The measurement is given here.

Mr. FRYE. It is deep enough and large enough to float today all the navies of the whole world.

Mr. SHERMAN. I should like to know whether it is four or five hundred feet, like the waters of the Northwestern coast.

Mr. FRYE. Oh, no.

Mr. SHERMAN. It is a volcanic country, and there may be great depth.

Mr. MORGAN. It is from 40 to 70 feet deep. I can send to the Senator the map and the statement in it. It is from 40 to 70 feet deep inside the bay. The bay is about 11 miles long, and a tongue of land runs down into the center of the bay until you get within 6 miles of the sea line outside of the bar. The water on either side of this tongue of land is from 40 to 70 feet deep. Gen. Schofield went there and made a very elaborate survey of it. Senators can get his survey here in the document room of the Senate.

Mr. SQUIRE. I should like to ask the Senator whether he thinks it is consistent with the policy of the United States in building up a great naval establishment to neglect so reasonable an opportunity to get coaling stations on the waters of the Pacific as well as the Atlantic? Is it of any use to have great fleets without having coaling stations? Is it not suicidal to neglect procuring suitable coaling stations and still go on spending millions of dollars for a navy? I was told by a prominent officer of the United States Navy that a United States naval vessel loaded with coal in Honolulu; that she took all she could carry in her hold and several hundred tons on deck, and was barely able to get to San Francisco with the coal she carried.

Mr. MORGAN. If the Boston had been required to fight a British or German ship or any other ship and had got within 100 or 500 miles of the Golden Gate she would not have had coal enough to have fought the battle. She would have been as helpless as a baby, and would have been of no service to the country. I have been told that in the little flurry we had with Chile it cost us about $3,000,000 to attempt even to coal that fleet. The figures have not come out on it. Perhaps there is some Senator here who will correct me if I am in error, but I understood it cost the Navy about $3,000,000 to coal the fleet.

It is true we got something back when we sold the coal that was not consumed there; but if we had gotten into a fight with Chile it would have been almost as expensive a war as the war of the rebellion. We would have had to carry coal on steamships around the cape to supply the Navy with coal. There is no other way to get it. But I am wandering over the subject. I ought not to be even permitted to speak to-day, because I am almost physically unable to stand on my feet.

However, I rose, Mr. President, for the purpose of presenting in outline merely—the considerations which ought to induce us to abstain on this side and on this occasion from touching this subject. Let us leave it where the other House left it. At the outside it is not quite three years I believe that the treaty will run in the event we do not find it necessary to abrogate it, but when we come to give notice of the abrogation of this treaty let it be with a perfect understanding of the whole case and all its bearings, then we can do it intelligently. We can not do it intelligently on this bill.

Mr. ALLISON. Will the Senator yield to me for a moment?

Mr. MORGAN. Certainly.

Mr. ALLISON. I do not understand that there is any statement in the bill as passed by the other House respecting this provision of the treaty.

Mr. MILLS. There is none. They leave sugar clear out.

Mr. FRYE. There was no need of it.

Mr. MILLS. It was free sugar.

Mr. ALLISON. It was because sugar is free? Is that the reason?

Mr. MILLS. That is right.

Mr. ALLISON. I desire to ask the Senator from Alabama if we strike out what is inserted here and leave the bill with a duty upon sugar whether it does not leave the question open as to the abrogation of the treaty, at least *pro tanto*, and whether the Hawaiian people will not have a right to say that we have by indirection abrogated the treaty. If that be true, would it not be wiser for us in dealing with this mere question of tariff duties to so arrange the bill as that the Committee on Foreign Rela-

tions, which seems to be somewhat divided upon this subject, can take up the whole question, not as it affects revenue alone but as it fixes all our relations with Hawaii and with the world besides? What I fear is that if these provisions are struck out now and no mention is made of this subject in the bill and still a duty is imposed upon sugar it will be regarded, or at least the question will be raised, that the treaty is abrogated indirectly by the operation of this law.

Mr. FRYE. Has not the Senate Committee on Finance fixed this just as it should be now?

Mr. ALLISON. I suppose it has. It has stated that nothing in this act shall be construed to abrogate or in any manner impair or affect that treaty.

Mr. FRYE. What more do you want than that?

Mr. ALLISON. I understood the Senator from Alabama to say that he wanted to leave it as the other House left it. I should be glad to leave it that way, but I fear it would not do.

Mr. MORGAN. Not at all. I was mistaken in supposing that the provision now found in the bill came over from the other House.

Mr. ALLISON. It is a Senate resolution.

Mr. MORGAN. So I found in the course of my remarks.

Mr. FRYE. It is a Senate provision, and now we are acting on an amendment offered by the Senator from South Dakota to strike out the provision reported by the Senate Committee on Finance.

Mr. MORGAN. But the gentlemen who have charge of the bill on this side have certainly been legislating here with due respect to our own contract with other countries. They have said we will not in this bill repeal or abrogate a treaty, we will not legislate against it. Let that matter come up in its due form and before the proper tribunal, but not upon this bill. They did exactly right to put this provision in and I hope it will stay.

Mr. PERKINS. Mr. President, I have listened to the distinguished Senator from Alabama [Mr. MORGAN] with much interest and have gleaned instruction from his remarks. The sentiments that he uttered are worthy of the patriotic American that he is, and chairman of our Committee in the United States Senate upon Foreign Relations.

The question under consideration before us is one of great moment, not only to the whole country, but especially to that of the Pacific coast. Our relations with the Hawaiian Islands are different from any other foreign nation on God's footstool.

It was the American missionary who was the first pioneer on these islands of the Pacific. He there raised the banner of the Cross. There he raised the star spangled banner. There he entered upon his mission of good will and love to man. He took those semibarbarous people from their state. He built churches and schoolhouses and educated them. He taught them the golden rule to do unto others as we would wish others to do unto us.

When the Senator from South Dakota and the Senator from Nebraska speak as they do of those people in the islands, they simply advertise that they have no personal knowledge or acquaintance with the people of the Hawaiian Islands or their institutions.

I speak of my own personal knowledge, from my associations with the people upon the islands; I speak of our commercial and social relations with them; and I echo the words that have been so beautifully expressed by the senior Senator from Alabama when I say that there are a class of people there, and a large percentage of the population, who are equal in education, in moral integrity, and everything that goes to make the good citizen, to any other people of whom I have any knowledge.

I would not trespass upon the Senate for more than a few minutes had there been any reference made to our commercial relations with those islands. I think I can demonstrate to my friends from South Dakota that it has not been a bad bargain financially to us or to our people. I believe the treaty has been one, pecuniarily speaking, of benefit to our whole country, and it will continue to be so until we raise all the sugar that we require for our own consumption.

Last year we imported 33,000,000 pounds of sugar from foreign countries. I, for one, would rather have business relations with the Hawaiian Islands than with China, and the Indies, and the Islands of Sumatra and Java, and others of the Indian Ocean. It is to me exceedingly gratifying when I think that there is one place outside of an American port—and it is the only one in the whole world—where the Stars and Stripes are seen more frequently than the flags of other nations. That port is Honolulu.

There is to be found the extraordinary spectacle (extraordinary in these days, I mean) when Old Glory is flying from the peaks of more ships in the harbor than it is in any other port of the world. It is the one foreign spot where our flag is not belittled into insignificance and where the Yankee sailor can go ashore without being crowded into a corner by the superabundant tars of other nations.

I hailed the star-spangled banner when I went into Honolulu, because it took me back to my boyhood days when I went to foreign port and saw in the ports of Liverpool, Havre, Bremen, and other European ports the old Stars and Stripes waving at the peak of our vessels there, transporting the commerce of the world. But that is in the past. England has superseded us and she stands ready to do so to-day in the Hawaiian Islands, and would have done so, in my opinion, if it had not been for the wise commercial treaty that was made with these islands; and I will demonstrate by figures that it has been to our advantage.

Mr. President, the Hawaiian Annual, published in Honolulu, of unquestioned statistical authority, states that the total tonnage of vessels which entered the Hawaiian Islands during the calendar year 1891 was 284,155 tons, of which 224 vessels, of 173,191 tons, carried the American flag; 34 vessels, of 54,361 tons, carried the British flag, and the balance was distributed among other nations.

There seems to be a proneness to forget, or at any rate to overlook the fact that in the comity of nations mutual commercial integrity should hold first place. When we made the treaty with the Hawaiian Islands it was because of our then appreciation of the advantages that would accrue to us from more intimate and friendly relations with these islands.

As I understand it, in the original treaty and in the amendments thereto we were not actuated by any philanthropic impulse; we were not granting a boon to a beggar; the proceedings were carried out on the basis of reciprocity; we got what we asked for, and did not scruple to press our claims. It was a clear case of *quid pro quo*. The treaty was formed with the plain understanding that it was to be to the mutual benefit of both nations. Nor has this anticipation miscarried.

It has been the custom to say, and it has been repeated here to-day by the Senator from Nebraska and the Senator from South Dakota and others, that in our so-called reciprocal trade with the Hawaiian Islands it has been mostly take with very little give, or rather that we have added to our stock of purchased material without correspondingly disposing of our home products; but, like many other things which it has been the custom to say, the facts do not altogether bear out the assertion. Taking the commerce of the Hawaiian Islands with this country by periods of nine years, we see a very remarkable condition of things.

We see that in the nine years immediately preceding the treaty year—that is, from 1867 to 1875, inclusive—the exports from this country to the islands were valued at $6,732,179, while the imports to this country from the islands were valued at $10,626,440. In the next nine years—that is from 1876 to 1884, inclusive—our exports to the islands were valued at $21,668,083, while our imports from there were valued at $43,813,948. In the next nine years a still more wonderful increase is shown, and from 1884 to 1893, inclusive, our exports to the islands were of a value of $32,491,433, while their exports to us amounted to $95,925,552.

It is true that during the twenty-seven years, whose figures I have just quoted, the islands took from this country goods amounting in value to $60,891,675, while they found a market in our country for goods valued at $150,365,940. There is undoubtedly a vast difference in the value of what they sent us and what we sent them, but this discrepancy is due entirely to the laws of supply and demand. For while it is true that their exports to this country have risen from an average annual amount of $1,180,716 in the antetreaty days to a present average annual amount of $10,658,395, it is also true that our exports to the islands have risen from an annual average of $748,020 to an annual average of $3,610,159.

That the increase of our exports to the Hawaiian Islands does not keep pace with the increase of our imports from the Hawaiian Islands is due to this simple fact: That in the one case the purchasers number 65,000,000, while in the other case the purchasers number 90,160. It almost seems to me shabby to talk of the Hawaiian Islands having the best of the bargain. I can not help quoting here an extremely pertinent and valuable statement to which I call the special attention of those Senators who look upon this treaty as such a bad bargain, being all as they claim upon one side.

That while the total value of all imports from everywhere into the Hawaiian Islands during the calendar year 1892, as reported in their statistical statement, was $7,439,483, of this amount $5,294,279 came from the United States; $1,201,329 from the United Kingdom; $384,145 from Germany; and $559,628 from all other countries. That is, the Hawaiian Islands took from this country goods amounting to $3,149,177 in excess of what they took from all other countries of the world combined. As a matter of

fact, the Hawaiian Islands would gladly take from us every atom and scrap which they require, and it has only been by the extreme energy of the representative of Great Britain, and by the wonderfully increased commercial push of the Germans that those countries have succeeded in getting any kind of business foothold on the islands.

As we have seen, the entire population of the islands is only a trifle over 90,000, and they raise everything in the nature of supplies; in a word, as purchasers they take from us all they can. When, too, we come to consider how much other countries take from us, we find some very instructive comparative figures. In the fiscal year 1892 the five Central American States combined took goods from us which in the aggregate were only worth $827,767 more than those which the Hawaiian Islands took of us; the Argentine Republic took little more than half, our exports to that country being $2,927,488; Chile was not a purchaser to an equal extent by $1,749,572, while Peru was only a purchaser to the extent of $1,007,035. Our exports to Japan amounted to but $3,290,111, while even to China they were only $5,663,497, while we imported from China three times the value, for which we paid them our gold and silver. These figures only strengthen my opinion that the Hawaiian Islands are a very good purchaser.

The exports from the United States to the Hawaiian Islands have been a class of merchandise that has given employment to our mechanics and greatly benefited our people. We have sent them the product of the cotton loom of Georgia and Massachusetts. The iron from the mines and furnaces of Alabama and Pennsylvania has been by American mechanics fashioned into machinery for crushing cane and manufacturing sugar, furnishing hundreds of miles of large iron pipe that is rolled in the rolling mills of Alabama, while the factories of Ohio, Illinois, Michigan, and other States have furnished the planters their wagons and agricultural implements; and California, Oregon, and Washington have furnished them lumber, grain, flour, horses and mules and other live stock, and built for them their steamboats and other vessels that navigate among and around the islands.

The report shows that they have in the islands forty-two steamers and sailing vessels, and out of those forty-two vessels that are registered there are thirty that have been built in the United States; eight were built by the Hawaiians themselves out of material furnished by our people; one was built in Japan, and the other three in Great Britain, thus bringing home to us the benefits of building these vessels in our own country, placing the cost of them into the pockets of our American mechanics.

So much, Mr. President, in brief for our side of the question. But the Hawaiian side of the question was more beautifully and more logically presented by the distinguished Senator from Alabama than it is possible for me to present it. To the Hawaiian Islands the solemn bound treaty has been the breath of life. The commerce of the Hawaiian islands may be said to be the child, the product, the direct result of the commercial relations established by treaties between the two countries of the Hawaiian Islands and the United States.

In the two years prior to the making of that treaty the Hawaiian Islands exported 49,646,793 pounds of sugar, of which 41,955,984 pounds were sent to the United States; and 2,761,725 pounds of rice, of which 2,347,481 pounds were sent to this country. In 1891 the Hawaiian Islands exported 274,983,580 pounds of sugar, of which all with the exception of 285,000 pounds were sent to this country; and 4,900,450 pounds of rice, of which only 5,698 pounds went elsewhere than to this country.

In fact, the Hawaiian Islands for the seven years, 1885 to 1891 inclusive, exported only 49,811 pounds of sugar to all other countries than to the United States, or 6,323,560 pounds less than they exported to all other countries in the one year 1874; and but 44,116 pounds of rice in the same seven years to all other countries as against 302,340 pounds in the one year of 1874. The commerce of the country is thus, it will be seen, practically with the United States and with the United States only and, I repeat, it has developed as the direct result of the treaty which it is now sought to abrogate.

To claim that that trade would continue to flourish under other conditions is, it seems to me, most chimerical and most improbable. Trade is the distinct result of conditions; change your conditions and you change the result. Supply and demand are two great regulators, it is true, but there can be no continued supply where there is a continued loss, and demand will soon cease if there is an utter absence of the compensatory principle. There is nothing in all this that offers the faintest violence to the most advanced ideas of protection. Free trade is one thing and reciprocity is another. One is an individual contract and the other is a general invitation. They offer the commercial parallel of domestic chastity and promiscuous compliance.

Another point is involved—the less elevated one of selfish interest. Apart from closing up a market and giving the cold shoulder to a good customer, the abrogation of this treaty will imperil our own interests and discount our own investments. There are 40 corporate and 27 unincoporated sugar plantations and mills on the islands, representing an aggregate investment of $33,347,690, and of this amount $24,735,610, or 74.17 per cent of the whole, is owned by Americans. British investments, by the bye, represent 18.11 per cent of the total, and German, 6.02.

Like the unique example offered by Honolulu of the supremacy of our flag, so, I believe, this is the only example on record of our monetary investments in one particular, exceeding those of other nations in a foreign land; with the exception, perhaps, of our interests in Mexican railroads. Yet it is this very supremacy of interest that the Senator from South Dakota would seek to imperil, if not destroy. Again, in our trade with the Islands we employ 68 steamers and sailing vessels having 49,900 tons of registered tonnage and giving employment direct and indirect to 1,000 people.

This fleet has grown up with the necessities of this branch of our international trade, and will lose its livelihood by the diversion of the trade that will surely result from the change in our relations. It is all very well to say that this trade need not be diverted, or that if it is the fleet can be employed in some other trade. The essence of the treaty was that so long as it remained in force the Hawaiian Government would make no similar treaty with any other nation, and that the privileges and rights which under the treaty we enjoy should be ours and ours only. It is this clause of the treaty, and this clause alone, which has kept the British merchant from swamping us out there as he has swamped us in every other foreign port, and the abrogation of the treaty would as surely mean our loss of prestige as punishment follows sin.

Canada and British Columbia stand ready to-day to make a treaty with the Hawaiian Islands. Their agents and their emissaries have been pleading during the past year for them to make a commercial treaty, but they have declined to do so up to the present time, because in this contract with us they declare that they would not entertain a similar proposition with any other country. But the moment it is cancelled they stand ready to do it.

On the question treated by the Senator from Alabama as to whether the cession of Pearl Harbor would fall with the abrogation of the treaty of reciprocity, I do not propose to enter. Like every other question of diplomatic policy there seems to be quite as much to say on one side as on the other. What would appear to be indubitable evidence exists that Secretary Bayard held during President Cleveland's first Administration that the cession and treaty were coterminous; and though the manner of looking at things may have changed, the things themselves can not have altered.

We may construe one way in 1885-1889 and another way in 1893-1894, but it might be as well if we remembered, during this process of construction, that some of the very worst of national reputations have been gained by the insistence of strong powers in exacting from weaker nations what they have been pleased to style "vested rights," as the residue of canceled treaties. And closely in connection with this fact lies that other extremely significant fact, that the present head of the Hawaiian Government has not hesitated to express his opinions that Pearl Harbor reverts to the Hawaiian Islands on the cessation of treaty relations. The very dissonance of opinion upon this section of the question lends an additional gravity to the situation and bids us beware.

The way of abrogation, indeed, is beset with danger signals which it would be criminal to ignore. The loss of the friendship of a neighboring power, small but important; irreparable injury to a treaty-fostered trade; the fall of our flag; the wretched suspicion of a powerful nation stooping to entertain a grudge against a weakling; the possible loss of a strategical point, as has been pointed out by the Senator from Alabama, whose serious value every other government understands, and whose loss we may some day bitterly regret; the insensate play into the hands of grasping competitors—all these things stand as the signs of the times whose meaning we should be most blind and most unpatriotic to misinterpret.

Let us then stand by the counsel of that able, that wise, that diplomatic Senator from Alabama who has given us these wise words of counsel to-day. Let the Republicans join with the Democrats upon one proposition and give a unanimous vote to retain this provision in the bill.

Mr. HARRIS. I move to lay the amendment of the Senator from South Dakota on the table.

Mr. PETTIGREW. I hope the Senator from Tennessee will not insist upon that motion at this time.

Mr. HARRIS. In view of the fact there have been two argu-

ments against the amendment and that it is the Senator's amendment, I can not resist his appeal. But I give notice that if I can get the floor upon the conclusion of such remarks as the Senator may submit, I shall renew the motion.

[Mr. PETTIGREW addressed the Senate. His speech will be published hereafter.]

Mr. HARRIS. I move to lay the amendment of the Senator from South Dakota on the table.

Mr. CHANDLER. I appeal to the Senator from Tennessee to withdraw his motion in order that I may make a short speech.

Mr. HARRIS. I should readily do it for any other purpose, but not for that.

Mr. CHANDLER. Mr. President——

The PRESIDING OFFICER [Mr. JARVIS in the chair]. The question is on agreeing to the motion of the Senator from Tennessee to lay on the table the amendment of the Senator from South Dakota [Mr. PETTIGREW].

Mr. HOAR. I move to indefinitely postpone the bill. That is a debatable motion, and takes precedence.

The PRESIDING OFFICER. The Chair holds that the immediate motion before the Senate is the motion of the Senator from Tennessee to lay the amendment on the table.

Mr. HOAR. I take an appeal. The rule is as distinct as it can be put into words as to the order of the motions. I ask that the rule be read.

The PRESIDING OFFICER. The Chair is of the opinion that the motion to lay on the table takes precedence to the motion to indefinitely postpone.

Mr. HOAR. I ask that the rule be read. The motion of the Senator from Tennessee is not a motion to lay the bill on the table, but merely a motion to lay an amendment on the table.

The PRESIDING OFFICER. The Secretary will read the rule.

The Secretary read as follows:

RULE XXII.

PRECEDENCE OF MOTIONS.

When a question is pending no motion shall be received but—
To adjourn.
To adjourn to a day certain, or that when the Senate adjourn, it shall be to a day certain.
To take a recess,
To proceed to the consideration of executive business.
To lay on the table.
To postpone indefinitely.
To postpone to a day certain.
To commit,
To amend;
which several motions shall have precedence as they stand arranged; and the motions relating to adjournment, to take a recess, to proceed to the consideration of executive business, to lay on the table, shall be decided without debate.

The PRESIDING OFFICER. Does the Chair understand the Senator from Massachusetts to appeal from the decision of the Chair?

Mr. HOAR. The order of motions stated in Rule XXII relates to a motion to lay the entire measure upon the table, as I conceive. But a motion to lay a single amendment on the table, which does not carry the bill, and relates only to the amendment, does not, in my judgment, take precedence of a motion to indefinitely postpone the bill.

The PRESIDING OFFICER. Does the Chair understand the Senator from Massachusetts to appeal?

Mr. HOAR. It is so easy to make another motion that I shall not detain the Senate.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Tennessee to lay the amendment on the table.

Mr. CHANDLER (at 5 o'clock p. m.) I move that the Senate do now adjourn.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from New Hampshire that the Senate do now adjourn. [Putting the question.] The noes have it.

Mr. CHANDLER. I ask for a division.

The PRESIDING OFFICER. The Chair has announced the result of the vote on the question. The question recurs on agreeing to the motion of the Senator from Tennessee to lay the amendment on the table.

Mr. CHANDLER and Mr. DOLPH called for the yeas and nays.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Tennessee to lay the amendment on the table, on which the yeas and nays are demanded.

Mr. LODGE. The motion is to adjourn.

Mr. HOAR. I rise to a question of order.

Mr. HARRIS. I ask the Senator from New Hampshire to withdraw his motion in order that I may withdraw mine. That is the shortest way out of this trouble.

Mr. CHANDLER. I withdraw my motion.

Mr. HARRIS. Then I withdraw my motion as the shortest way out of the trouble.

The PRESIDING PFFICER. Does the Chair hear any objection to withdrawing the motions? The motions are withdrawn. The question is on agreeing to the amendment of the Senator from South Dakota.

Mr. CHANDLER. Mr. President, it is hardly worth while, perhaps, to have this commotion as a prelude to the very few remarks which I desire to submit upon the amendment which provides for preserving the treaty with the Sandwich Islands. What I wish to say, however, is that I am in favor of the clause as it stands in the amendment. I do not believe that there should be a duty imposed upon sugar, but if a duty is imposed upon it I believe, notwithstanding the speech of the Senator from South Dakota, that we should adhere to the treaty made on the 30th of January, 1875. When we had a duty upon sugar we made a treaty with Hawaii by which we exempted her from the operation of that duty.

We agreed in fact that sugar from Hawaii should come into the United States free of duty. We did that in order to secure the good will of those islands, and it was a wise treaty. Notwithstanding the speech of the Senator who has just taken his seat, I believe that there is nothing which the United States can not afford to do in order to maintain its influence and its ascendency in those islands. We made that agreement. It is true that in the making of it, as I have had occasion to say during the debate on this bill, we virtually made a donation to the Sandwich Islands of between three and four million dollars annually.

Although we made that treaty and were bound to fulfill it, yet we found ourselves in 1890 in a condition to honorably stop this contribution to the Sandwich Islands. We had not bound ourselves to continue a duty upon sugar for the purpose of giving to Hawaii an exemption from that duty, and when in the course of wise legislation we abolished the duty upon sugar, there came to an end this tribute which the United States was paying to the Hawaiian Islands. Having terminated that tribute, having avoided the donation by abolishing the duty upon sugar and giving free sugar to our own citizens, it is, in my judgment, a most unwise action to restore a duty upon sugar.

I think that one of the most foolish things that are contained in this bill, which is full of folly, is the restoration of the duty upon sugar, and one of the most prominent acts of folly in the bill is the fact that when we restore the duty on sugar we are obliged in honor and in good faith to observe the treaty with Hawaii and to exempt all sugar coming from those islands to this country from a duty which we decide here and now to impose upon sugar coming from all other nations.

I think it would be a great deal better to annex the Sandwich Islands, and I wish the Senator from Texas [Mr. MILLS] and all Senators upon the other side of the Chamber could agree with me in these two propositions: First, that we shall have free sugar for this country, and next that we shall take the Sandwich Islands to be a part of our continental system. But if are not prepared now to annex the Sandwich Islands, it is certainly the height of folly to put a duty upon sugar when as a result of that duty we are obliged to adhere to the treaty of January 30, 1875, and to admit from the Sandwich Islands these millions of dollars' worth of sugar free of duty.

While I believe that good faith requires that we shall observe the treaty, while I shall vote in favor of the amendment of the committee, I think it is the height of folly to get ourselves into this position where, by imposing a duty upon sugar which we ought not to impose, we are compelled to again contribute to Hawaii the benefits which she derived from this discrimination, and which, by the wise act of 1890, we had stopped and destroyed.

Mr. HOAR. Mr. President, I desire only to utter one sentence. I am embarrassed in this matter by the declaration of Mr. Secretary Bayard. I supposed that this treaty granted to us this right *in perpetuam*, that it was ratified with that understanding; but the Secretary of State assured the representative of that small Government that it did not; that the United States understood its right to Pearl Harbor expired with the treaty itself.

Whatever may be the constitutional effect, under our Constitution, of such a declaration by our Secretary of State, it was made; it was made to a weak, humble nation, and being made, it puts us in a very awkward position to have to fall back on constitutional limitations of authority of our different public officers. Therefore in a question of continuing this arrangement with Hawaii, even if it were debatable on one side or the other, I am decided in my vote by the recollection of what Mr. Bayard said.

Mr. DOLPH. Mr. President, I regret to occupy the time of the Senate at this late hour, but before voting on the pending amendment I desire to state my position in regard to it.

The question of our commercial relations with the Sandwich Islands is not affected at all by the character of the people who occupy those islands. It is immaterial whether they are mainly Chinese, Japanese, and Portuguese and foreigners, as they are, and that but a very small number of them are of American origin, or whether the Government is a monarchy, an aristocracy, or a republic.

We do not deal with nations commercially on account of the character of their people or their governments. Reciprocity is a trade between two nations, and usually both of them expect to get the best of the bargain, or they would not enter into the agreement. My own opinion is that the benefits supposed to be derived by the United States from our reciprocity treaty with the Sandwich Islands are mainly sentimental and are largely imaginary.

I have not examined the figures recently, but it has been stated on this floor, I believe to-day, that we have remitted in duties to the Sandwish Islands under this treaty over $55,000,000. The amount of duties remitted on sugar and rice, which are the principal products from the islands imported to this country, is greater than the value of all the exports from the United States to those islands, if I recollect correctly the value of our exports so far as Pearl Harbor is concerned, there was contained in the treaty of 1884 an absolute, unconditional cession of that harbor to the United States. It is preposterous to suppose that the grant of that harbor to the United States was to terminate with the termination of the treaty and that we were to pay $5,000,000 annually, more or less, for the privilege of occupying a harbor which everyone supposed would take hundreds of thousands of dollars to improve, and must surrender our rights there when the treaty terminated.

Nothing could have been plainer than that the United States received under the treaty an absolute cession of the harbor, and the actual consideration which could be claimed by the Hawaiian Government was the continuance of the treaty for seven years, if we then choose to abrogate it by a notice of twelve months. The McKinley act was no abrogation of the treaty. We did not stipulate with the Hawaiian Government that we would not put sugar on the free list. We stipulated with Hawaii that sugar should be imported into the United States from Hawaii free of duty.

Mr. CHANDLER. Does not the Senator from Oregon agree that if later we again put a duty upon sugar we are bound to observe the treaty?

Mr. DOLPH. I am coming to that in a moment. The amendment of the Senator from South Dakota proposes that the treaty shall continue for twelve months. He proposes substantially now that Congress shall give the Hawaiian Government notice of the termination of the treaty. The treaty continued for nearly six years before the McKinley law was passed. It was proclaimed in 1884, and the McKinley law went into effect in October, 1890. So the treaty had continued until within about fifteen months of the time that it was to expire by its terms if notice had been given of its termination.

The amendment now proposed is to continue the treaty or to give Hawaii the benefit of a remission of duties upon sugar for another twelve months. I do not think there would be any great cause of complaint on the part of the Hawaiian Government if we were to adopt the amendment and virtually terminate the treaty and give Hawaii notice that it was to terminate at the end of twelve months.

Now, I entirely disagree with the Senator from South Dakota [Mr. PETTIGREW] in regard to the importance of the Sandwich Islands.

I consider them of great importance to us commercially, as they are in the line of the commerce from our coast to Australia, to China and Japan. Their commercial importance will be increased if the Nicaraguan Canal is constructed. They are also important to us for naval purposes, for purposes of defense; so important to us that we announced years ago, and we have reannounced by a resolution of the Senate recently, that we will permit no foreign country to interfere with or take possession of the islands.

The islands have been offered to us. The people of Hawaii seek annexation to the United States, and I think it is but a question of time when they will become a part of the United States. I am in favor of annexation at the earliest possible moment. We are talking about the value of Pearl Harbor. The whole islands, with every harbor and all their resources, are freely offered to us by the Hawaiian Government and the Hawaiian people.

But, as I have said, all these things do not affect the question of our commercial relations. We have paid in the remission of duties on sugar for Pear Harbor fifty times; and I do not think it wise for this Government to go on year after year remitting $5,000,000 in duties more or less to the people of Hawaii. It has not benefited the masses of the people in Hawaii. It has benefited but a few people. The sugar plantations in Hawaii are to-day owned by a very few people and a very few corporations.

I think I presented a list of them here in a speech I made in the Senate immediatety after we received the news of the revolution in Hawaii. The whole benefit of the remission of over $55,000,000 by this Government has accrued to a few sugar planters and a few sugar importers. Claus Spreckles and his associates in San Francisco are the only ones who have been benefited. The constituents of my friend from California [Mr. PERKINS], who made such an able speech on this question a few minutes ago, with the exception of these few wealthy men, have not been benefited a particle.

There is not a citizen in my State who has ever received a pound of sugar one-hundredth of one cent cheaper on account of the remission of duties to these people. The whole profits have gone to the sugar planters and the sugar importers, who have monopolized the business and controlled prices.

Mr. PERKINS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from California?

Mr. DOLPH. Certainly.

Mr. PERKINS. If the Senator will review the report of our consul at the islands he will find a page giving a list of some one hundred and more prominent plantations, all owned by American citizens.

Mr. DOLPH. That is what I was saying. We do not want to remit $5,000,000 annually for the benefit of a hundred American citizens, even if there are a hundred engaged in the plantation business. I am talking about the masses of the people. I am talking about the consumers of the country, who have to pay taxes to make up the revenue we lose by this remission of duties on Hawaiian products, and I undertake to say that sugar has never been any cheaper on the Pacific coast by reason of the remission of duties.

Mr. MITCHELL of Oregon. Will my colleague allow me to interrupt him?

Mr. DOLPH. Certainly.

Mr. MITCHELL of Oregon. My colleague refers to the benefit resulting from the treaty. Does he not agree with me that one effect of the adoption of the treaty has been to prevent, as I certainly believe it did prevent, the islands from going under the control of Great Britain? If that is the case, we have received ample benefit.

Mr. DOLPH. If that were so, while it would be a great consideration to pay for the benefit, I should not undertake to say that it was too great, because I think the loss, the calamity to this country by suffering the islands to pass under the control of Great Britain or any other foreign country would be almost irreparable. But I do not believe it has had that effect. Fifty years ago our Secretary of State and our Government announced to the world that we should not permit foreign countries to interfere with the Sandwich Islands.

Forty years ago, when those islands had been seized by a British admiral, this country remonstrated with Great Britain, and Great Britain made haste to disavow the action of its naval officer and restore the native government. I do not believe that the treaty was necessary for that purpose. I do not suppose that when the orginal treaty was negotiated anyone knew how great a development of the sugar industry would take place there. I do not suppose anyone anticipated that within a few years we should be remitting $5,000,000 in duties annually.

I do not suppose anyone made any careful calculation as to the amount of the products that we would export to that country. I think the amount of the sugar production of the Sandwich Islands imported into the United States has exceeded and that our exports to that country have been greatly less than was anticipated by those who entered into the treaty.

This treaty was renewed in 1884, shortly after I came into the Senate. I was in great doubt about it, and I finally consented to the treaty, although I do not recollect now how I voted upon it, mainly on account of the amendment made in the Senate by which Pearl Harbor was conceded to us. I think that Secretary Bayard was out of place when he gave any opinion whatever to the minister of Hawaii in regard to the effect of the treaty.

It was not his duty to give an opinion upon the treaty. The treaty had been negotiated by the President of the United States and sent to the Senate and here amended, and the only thing to be done was to have ratifications exchanged and the treaty proclaimed. I think it was unseemly for a Secretary of State to undertake to give an opinion to the minister of the government with which the treaty was made, as to the effect of an amendment the Senate had put upon the treaty. I do not think we are under any legal or moral obligations to construe the treaty in the manner in which it was construed by Secretary Bayard.

Everybody who deals with a government must deal with it

with reference to its constitution and laws, and the minister of the Hawaiian Government knew perfectly well how treaties were negotiated and what was necessary to make a treaty in the United States. He knew perfectly well that Secretary Bayard's opinion was worthless in regard to it, and if it was procured by him for any purpose it was for the purpose of deceiving the people in Hawaii. It was because he desired that the treaty should be ratified by both governments, and his overanxiety led him to secure an opinion from Secretary Bayard for the purpose of deceiving his own country.

I repeat what I said a few minutes ago, that the question as to what a treaty means is to be determined as any other question of law is to be determined. Otherwise the power to make treaties would be divested from the President and the Senate, and the Secretary of State, by giving his opinion as to what the treaty meant, could bind the United States and make a new treaty, and without referring it again to the Senate, could fritter away all that was attempted to be gained by the Senate by amendments.

Mr. KYLE. I should like to ask the Senator from Oregon a question.

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from South Dakota?

Mr. DOLPH. Certainly.

Mr. KYLE. I should like to ask the Senator whether the establishment of a sister republic in the Pacific Ocean is a small thing in his eyes?

Mr. DOLPH. No, it is not a small thing. I wish to say that I was pleased when the revolution in Hawaii took place, and I looked for it long before. I had followed the course of events in the Hawaiian Islands, and I had reason to believe that this Government and the people of this country looked forward to the time when Hawaii would knock at our doors for admission into the Union and that they were ready to admit her. Therefore I hailed the revolution in Hawaii with joy, and I took occasion, long before the commissioners appointed by that government to come here and treat with the United States did come, and as soon after the news of the revolution reached us as I could get the floor in the Senate to address the Senate and reach the country so far as I could concerning the propriety and desirability of annexing Hawaii.

Mr. KYLE. Then, one thing further. I should like to ask the Senator whether he thinks it right for us as the stronger nation, they being the colony, having gone off from the mother country, to throw one stone in their way, commercially or otherwise?

Mr. DOLPH. No. I should treat them with the utmost consideration. I was in favor of the resolution that was at last adopted here in the Senate in regard to affairs in Hawaii. I was in favor of annexation. I was in favor of the ratification of the treaty they sent us for the annexation of the islands.

Mr. KYLE. I know the Senator was, and I believe he is fair in regard to this question. I wish to draw this one parallel. At the time we were in the throes of revolution in 1776, if France had occupied a different position and had thrown stones in our way perhaps we to-day should not have had a Republic. I believe it was through her goodness of heart to us in many ways that we have a Republic to-day, and it is our duty with Hawaii in their struggle to encourage them in every way we can.

Mr. DOLPH. That is true; but the Senator evades the question that is before the Senate. I stated some time since that the supposed benefits of this treaty were largely of a sentimental character, and that the supposed reason for such treaty was largely imaginary. This Government has not, at least not through any action of Congress, thrown any stone in the way of the Hawaiian Government and in the way of the establishment of a republic there.

There is no hostility on the part of this Government to the Hawaiian Government; but that is not the question. The question here is whether we shall continue a commercial bargain with that country by which we are $5,000,000, loser annually, and the question should be determined not by any question as to who these people are, where they went from, what kind of a government they have, or what kind of a government they will have in the future. It is a business transaction. We are continuing an agreement with these people by which we are annually the loser by many million dollars.

When the amendment was first offered my impression was that I should vote for it, that I should regard it simply as a declaration to the people of Hawaii that at the end of twelve months the treaty should be discontinued. If adopted, it would give them the benefit of the remission of the duties on sugar for another year, which would substantially make up the seven years, the period of the last treaty. I deny that the McKinley law was any infringement whatever of the treaty.

But the argument of the Senator from Alabama [Mr. MORGAN] has convinced me that probably it would be better to let the proposed amendment stand, let the treaty stand, and let the question as to whether notice shall be given of termination of the treaty be considered as a separate measure by the Committee on Foreign Relations.

While I do not believe that the treaty should be continued, while I believe it is a one-sided affair, while I believe we lose by it annually several million dollars, and that we gain by it nothing in a commercial way to compensate us for what we surrender; while I should be glad to immediately annex the Sandwich Islands and make them part of the United States and give them all the benefits and advantages of our Government, I shall, when there is a proper opportunity, by a measure proposed for that purpose, which has received the consideration of the proper committee, certainly vote to discontinue the treaty. But, as I said, I have quite reluctantly come to the conclusion that I will follow the suggestion of the Senator from Alabama, and not vote for the amendment.

The PRESIDING OFFICER. The question is on the amendment of the Senator from South Dakota.

Mr. PETTIGREW. I call for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CALL (when his name was called). I announce my pair with the Senator from Vermont [Mr. PROCTOR]. I do not see him in the Chamber, and therefore withhold my vote.

Mr. McPHERSON (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL].

The roll call was concluded.

Mr. BRICE. I am paired with the junior Senator from Colorado [Mr. WOLCOTT].

Mr. PASCO (after having voted in the negative). I have been requested to pair with the Senator from Ohio [Mr. SHERMAN], who has been called from the Chamber, and therefore I withdraw my vote.

The result was announced—yeas 11, nays 57; as follows:

YEAS—11.

Allen,	George,	Irby,	Pettigrew,
Blanchard,	Hansbrough,	Manderson,	Power.
Caffery,	Hill,	Mills,	

NAYS—57.

Aldrich,	Gallinger,	Lodge,	Ransom,
Allison,	Gibson,	McLaurin,	Roach,
Bate,	Gordon,	McMillan,	Shoup,
Blackburn,	Gorman,	Martin,	Squire,
Chandler,	Gray,	Mitchell, Oregon	Stewart,
Cockrell,	Harris,	Mitchell, Wis.	Teller,
Coke,	Hawley,	Morgan,	Turpie,
Cullom,	Higgins,	Murphy,	Vilas,
Daniel,	Hoar,	Palmer,	Voorhees,
Davis,	Hunton,	Patton,	Walsh,
Dixon,	Jarvis,	Peffer,	Washburn,
Dolph,	Jones, Ark.	Perkins,	White.
Dubois,	Jones, Nev.	Platt,	
Faulkner,	Kyle,	Pugh,	
Frye,	Lindsay,	Quay,	

NOT VOTING—17.

Berry,	Cameron,	Pasco,	Wilson,
Brice,	Carey,	Proctor,	Wolcott.
Butler,	Hale,	Sherman,	
Call,	McPherson,	Smith,	
Camden,	Morrill,	Vest,	

So the amendment was rejected.

Mr. PETTIGREW. I now move to amend on page 41, by striking out from the word "*Provided*," in line 15, down to and including the word "same," in line 22; so that it will leave the treaty, if it is in force, still in force, without being reënacted. This provision is unnecessary if the treaty is still in force; and I do not believe we are ready by positive enactment to continue it in force.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. After the word "rates," in line 15, on page 41, it is proposed to strike out:

Provided, That nothing herein contained shall be so construed as to abrogate or in any manner impair or affect the provisions of the treaty of commercial reciprocity concluded between the United States and the King of the Hawaiian Islands on the 30th day of January, 1875, or the provisions of any act of Congress heretofore passed for the execution of the same.

Mr. PETTIGREW. Before I moved to strike those words out and to insert a provision abrogating the treaty. Now, I move to strike out this proviso: and if the treaty is still in force, it is in force, and the Administration has the power to give the year's notice and save the people of this country the $4,000,000 which will be lost if this treaty is continued.

I did not expect the treaty would be abrogated. I did not suppose the Senate would abrogate it. If they had abrogated it they would have made an invidious exception: they would have struck a blow at one trust, which would have been unfair, for all the others are thoroughly taken care of in this bill. Without any fear or hesitation whatever, the Senate seem determined to

protect every trust which has been organized in the past, and seem determined to vote the money of the people into the hands of corporations, home or foreign.

This treaty is in the direct interest of the sugar trust in this country, which has already received enough of the result of the hard toil of our people. It is simply adding $4,000,000 more to their wealth; it is simply increasing their power to take from the unwilling people of this country their earnings. Therefore I hope the Senate will strike out this provision and leave the responsibility upon the Administration as to whether it will give the notice or not that the treaty shall cease.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from South Dakota.

Mr. PETTIGREW. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CALL (when his name was called). I am paired with the Senator from Vermont [Mr. PROCTOR]. I do not know how he would vote on this question, and therefore I withhold my vote.

Mr. MCPHERSON (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL].

Mr. MITCHELL of Wisconsin (when his name was called). I am paired with the Senator from Wyoming [Mr. CAREY].

Mr. PASCO (when his name was called). I again announce my pair with the Senator from Ohio [Mr. SHERMAN].

The roll call having been concluded, the result was announced—yeas 12, nays 54; as follows:

YEAS—12.

Aldrich,	Caffery,	Hansbrough,	Mills,
Allen,	Cullom,	Irby,	Pettigrew,
Blanchard,	George,	Manderson,	Power.

NAYS—54.

Allison,	Gibson,	McLaurin,	Roach,
Bate,	Gordon,	McMillan,	Shoup,
Blackburn,	Gorman,	Martin,	Squire,
Chandler,	Gray,	Mitchell, Oregon	Stewart,
Cockrell,	Harris,	Morgan,	Teller,
Coke,	Hawley,	Murphy,	Turpie,
Daniel,	Higgins,	Palmer,	Vest,
Davis,	Hoar,	Patton,	Vilas,
Dixon,	Hunton,	Peffer,	Voorhees,
Dolph,	Jarvis,	Perkins,	Walsh,
Dubois,	Jones, Ark.	Platt,	Washburn,
Faulkner,	Kyle,	Pugh,	White.
Frye,	Lindsay,	Quay,	
Gallinger,	Lodge,	Ransom,	

NOT VOTING—19.

Berry,	Cameron,	McPherson,	Sherman,
Brice,	Carey,	Mitchell, Wis.	Smith,
Butler,	Hale,	Morrill,	Wilson,
Call,	Hill,	Pasco,	Wolcott.
Camden,	Jones, Nev.	Proctor,	

So the amendment was rejected.

Mr. ALLEN. I offer what I send to the desk as a substitute for paragraph 182½.

Mr. JONES of Arkansas. Will the Senator give way to me to allow me to offer an amendment to paragraph 182?

Mr. ALLEN. Certainly.

Mr. JONES of Arkansas. I offer the amendment which I send to the desk to come in at the end of paragraph 182.

Mr. ALDRICH. I suggest that the amendment be printed and lie over until to-morrow morning, so that we may see what it is.

Mr. JONES of Arkansas. I have no objection to that.

Mr. PLATT. Let the amendment be now read.

Mr. HILL. We have passed paragraph 182, and we are now engaged in perfecting paragraph 182½, and I think we ought to go through with paragraph 182½ before we return to paragraph 182, which we can go to afterwards.

Mr. JONES of Arkansas. I have no objection to the amendment being printed and lying over until to-morrow.

Mr. HOAR. Let it be read.

The VICE-PRESIDENT. The amendment will be read.

The SECRETARY. At the end of paragraph 182 it is proposed to insert:

Provided, however, That the bounty provided in said act shall stand unrepealed until January 1, 1905, to the extent that there shall be paid to the producer of sugar from beets, sorghum, or sugar cane grown in the United States in the year 1894, or from maple sap produced in the United States during the year 1894, under license for 1894, and subject to the limitations now imposed by law on all sugars testing not less than 90° by the polariscope, nine-tenths of 1 cent per pound, and upon such sugar testing less than 90° by the polariscope and not less than 80°, eight-tenths of 1 cent per pound.

Mr. HILL. That will lead to debate, Mr. President.

Mr. JONES of Arkansas. Let the amendmdnt be printed and lie over.

The VICE-PRESIDENT. The amendment will be printed and lie over.

Mr. ALLEN. I now ask that the amendment which I sent to the desk may be read.

The VICE-PRESIDENT. The amendment proposed by the Senator from Nebraska will be stated.

The SECRETARY. It is proposed to strike out paragraph 182½, and in lieu thereof to insert:

All sugars, tank bottoms, sirups of cane juice or of beet juice, melada, concentrated melada, concrete and concentrated molasses, testing by the polariscope not above 80°, shall pay a duty of 1 cent per pound, and for every additional degree or fraction of a degree above 80° and not above 90° shown by the polariscope test, shall pay one one-hundredth of a cent per pound additional, and molasses testing not above 56° by the polariscope shall pay a duty of 2 cents per gallon, and molasses testing above 56° shall pay a duty of 4 cents per gallon: *Provided*, That the provisions of the treaty of commercial reciprocity concluded between the United States of America and the King of the Hawaiian Islands on the 30th day of January, 1875, as well as the provisions of any act of Congress heretofore passed for the execution of the same be, and the same are hereby, repealed: *Provided, also*, That for the year 1894 manufacturers of sugar from beets, cane, or sorghum grown in the United States shall be paid a bounty of one and sixty-one hundredths of a cent per pound and no more.

Mr. ALLEN. This amendment eliminates, as I drew it, every interest that the sugar trust can have in this bill. The bounty clause which I offer gives to the producers of domestic sugar one and sixty-one hundredths of a cent per pound for their sugar of the crop of 1894.

Mr. HILL. Not a bounty, but a duty.

Mr. ALLEN. This amendment eliminated every objectionable feature there is in this schedule. It looks to the levying of a tax upon sugar for purely revenue purposes, and not for any other purpose.

I am most heartily in accord with the remarks made a few moments ago by the Senator from South Dakota [Mr. PETTIGREW], to the effect that every trust in the United States of any consequence seems practically to be cared for in this bill; and no trust has fastened itself deeper and more securely upon the Senate in this bill than the sugar trust, whose interest I seek to eliminate by the substitute.

Mr. KYLE. I call for a division so far as the provision is concerned relating to the abrogation of the treaty.

Mr. MANDERSON. This amendment proposes to give a specific duty upon sugar, and in that respect it is certainly a very commendable and desirable amendment. If a bounty can not be obtained, this method of duty is certainly better than any other. I regret that my colleague does not go as far as I think he should in the protection of this industry. I understand him to say that his amendment is designed for revenue, not having in it any element of protection. In that respect, it does not commend itself to me, yet I feel inclined to vote for it as being rid of some of the objectionable features of the present schedule.

I suggest to him, however, in view of the very emphatic vote by which the Senate refused to abrogate the Hawaiian treaty, that he had better divide the question, so that there may be a vote on the subject of the specific duty and the equivalent bounty to be paid on the sugar contracts for this year, and that a separate vote be taken on that part of his amendment which abrogates the treaty. I think by that method that portion of his amendment which refers to duty and to the eqvivalent bounty for this year will probably receive far more votes than it would if connected with the Hawaiian treaty abrogation.

I make that suggestion to my colleague, and I hope he will make that division.

Mr. ALLEN. I am perfectly willing that the substitute may be divided, so that the first proposition in it may be first voted upon.

Mr. ALDRICH. I suggest that the motion to strike out and insert under our rules is not divisible. I think we can dispose of the proposition if we can get a vote on it.

Mr. MANDERSON. I do not think this is a motion to strike out and insert within the meaning of the provision of the rules, because, as I understand my colleague, he does not propose to strike out the entire paragraph.

Mr. ALDRICH. He does move to strike out the entire paragraph.

Mr. ALLEN. I offer the amendment to paragraph 182½, to strike out the entire paragraph and insert the substitute in lieu of it.

Mr. MANDERSON. If that be the case I think the amendment is divisible.

Mr. DOLPH. I wish to call the attention of the Senator from Nebraska and of the Senate to the fact that, while I have understood the Senator from Nebraska to object to the present bounty to the producers of sugar, he proposes here to substantially give them a protection to 2.6 cents per pound.

The present bounty, as I understand, is 2 cents a pound, and he proposes to give the producers of sugar for 1894 1.6 cents per pound; so they will have the protection of the duty on sugar, which amounts to another cent, and 40 per cent of the value of the sugar produced; so that virtually 2.6 cents per pound is to be given to the producers of sugar in 1894.

Mr. ALLEN. I do not understand the substitute I offered

means anything of the kind. I am not, however, averse to having the question divided, so that the vote shall be first taken upon the first branch of the amendment, or upon the three different propositions embraced in it.

Mr. DOLPH. The Senate has already by a vote determined that the duty upon sugar shall take effect when this bill is passed. That duty is 40 per cent ad valorem. That amounts, at the least calculation I suppose, to 1 cent a pound. So the producers of sugar the present year will be protected to the amount of 1 cent a pound by the duty, and, in addition to that, the Senator from Nebraska proposes to give them 1.6 cents per pound, making their total protection 2.6 cents, as against the bounty of 2 cents paid under the existing law.

Mr. ALLEN. Under the present law they have 2.60—2 cents bounty, and sixty-hundredths of a cent on refined sugars.

The VICE-PRESIDENT. The vote will be taken upon the amendment proposed by the Senator from Nebraska, except that portion which relates to the abrogation of the Hawaiian treaty.

Mr. ALLEN. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CALL (when his name was called). I am paired with the Senator from Vermont [Mr. PROCTOR], and withhold my vote, as I do not know how he would vote.

Mr. McPHERSON (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL].

Mr. MILLS (when his name was called). I am paired with the Senator from Maine [Mr. FRYE].

Mr. VILAS (when his name was called). I am paired with the Senator from Oregon [Mr. MITCHELL].

Mr. WHITE (when his name was called). I am paired with the Senator from Idaho [Mr. SHOUP]. I do not see him in the Chamber, and therefore withhold my vote.

The roll call was concluded.

Mr. GALLINGER (after having voted in the negative). I am paired with the junior Senator from Texas [Mr. MILLS], but I have transferred that pair to the Senator from Maine [Mr. FRYE], and will let my vote stand.

Mr. PASCO. I again announce my pair with the Senator from Ohio [Mr. SHERMAN].

The result was announced—yeas 2, nays 59; as follows:

YEAS—2.

Allen.		Kyle.	

NAYS—59.

Aldrich,	Faulkner,	Jarvis,	Pettigrew,
Allison,	Gallinger,	Jones, Ark.	Platt,
Bate,	George,	Lindsay,	Pugh,
Blackburn,	Gibson,	Lodge,	Quay,
Caffery,	Gordon,	McLaurin,	Ransom,
Camden,	Gorman,	McMillan,	Roach,
Carey,	Gray,	Martin,	Smith,
Chandler,	Hale,	Mitchell, Oregon	Squire,
Cockrell,	Harris,	Mitchell, Wis.	Teller,
Coke,	Hawley,	Morgan,	Turpie,
Cullom,	Higgins,	Murphy,	Vest,
Daniel,	Hill,	Palmer,	Voorhees,
Davis,	Hoar,	Patton,	Walsh,
Dixon,	Hunton,	Peffer,	Washburn.
Dolph,	Irby,	Perkins,	

NOT VOTING—24.

Berry,	Dubois,	Mills,	Shoup,
Blanchard,	Frye,	Morrill,	Stewart,
Brice,	Hansbrough,	Pasco,	Vilas,
Butler,	Jones, Nev.	Power,	White,
Call,	McPherson,	Proctor,	Wilson,
Cameron,	Manderson,	Sherman,	Wolcott.

So the amendment was rejected.

The VICE-PRESIDENT. The second clause of the amendment will be stated.

The Secretary read as follows:

Provided, That the provisions of the treaty of commercial reciprocity concluded between the United States of America and the King of the Hawaiian Island, on the 30th day of January, 1875, as well as the provisions of any act of Congress heretofore passed for the execution of the same, be, and the same are hereby, repealed: *Provided also*, That for the year 1894 manufacturers of sugar from beets, cane, or sorghum grown in the United States, shall be paid a bounty of $1\frac{3}{16}$ of a cent per pound and no more.

The VICE-PRESIDENT. The question is on the branch of the amendment proposed by the Senator from Nebraska, which has just been read.

The amendment was rejected.

Mr. PEFFER. I now move to strike out all the parts of the section providing for a duty on sugar. Without specifying all of the different lines, the object of the amendment is to present the subject of free sugar.

In paragraph 182½ I move to strike out the first line. Then, beginning on line 4, page 41, after the word "molasses," I move to strike out all the rest of line 4, and going on down to and including the word "rates," in line 15, then, beginning in line 22, at the word "That," and continuing to the end of the paragraph, leaving stand lines 2, 3, and 4, to the word "molasses," and insert the words "shall be admitted free of duty;" so that my amendment will read, after striking out all I have designated:

All sugars and all tank bottoms, sirups of cane juice or of beet juice, melada, concentrated melada, concrete and concentrated molasses, shall be admitted free of duty.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Kansas.

Mr. HILL. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. GALLINGER (when his name was called). I am paired with the junior Senator from Texas [Mr. MILLS], but a few moments ago the Senator from Maine [Mr. FRYE] left the Chamber, saying he had arranged a pair with the Senator from Texas. Therefore I vote "yea."

The roll call was concluded.

Mr. MILLS. I am paired with the Senator from Maine [Mr. FRYE].

Mr. BRICE. I announce my pair with the junior Senator from Colorado [Mr. WOLCOTT].

Mr. McPHERSON. I am paired with the Senator from Vermont [Mr. MORRILL].

Mr. PASCO. I again announce my pair with the Senator from Ohio [Mr. SHERMAN].

The result was announced—yeas 33, nays 39; as follows:

YEAS—33.

Aldrich,	Dubois,	Jones, Nev.	Power,
Allen,	Gallinger,	Kyle,	Proctor,
Allison,	Hale,	Lodge,	Shoup,
Carey,	Hansbrough,	McMillan,	Squire,
Chandler,	Hawley,	Mitchell, Oregon	Teller,
Cullom,	Higgins,	Patton,	Washburn.
Davis,	Hill,	Peffer,	
Dixon,	Hoar,	Pettigrew,	
Dolph,	Irby,	Platt,	

NAYS—39.

Bate,	George,	McLaurin,	Ransom,
Blackburn,	Gibson,	Manderson,	Roach,
Blanchard,	Gordon,	Martin,	Smith,
Caffery,	Gorman,	Mitchell, Wis.	Turpie,
Call,	Gray,	Morgan,	Vest,
Camden,	Harris,	Murphy,	Vilas,
Cockrell,	Hunton,	Palmer,	Voorhees,
Coke,	Jarvis,	Perkins,	Walsh,
Daniel,	Jones, Ark.	Pugh,	White.
Faulkner,	Lindsay,	Quay,	

NOT VOTING—13.

Berry,	Frye,	Pasco,	Wolcott.
Brice,	McPherson,	Sherman,	
Butler,	Mills.	Stewart,	
Cameron,	Morrill,	Wilson,	

So the amendment was rejected.

The VICE-PRESIDENT. The question now is on concurring in the amendment made as in Committee of the Whole as amended.

Mr. ALDRICH. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. McPHERSON (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL].

Mr. MILLS (when his name was called). I am paired with the Senator from Maine [Mr. FRYE].

The roll call was concluded.

Mr. PASCO. I again announce my pair with the Senator from Ohio [Mr. SHERMAN]. If he were present I should vote "yea."

The result was announced—yeas 38, nays 34; as follows:

YEAS—38.

Allen.	Faulkner,	Lindsay,	Roach,
Bate,	George,	McLaurin,	Smith,
Blackburn,	Gibson,	Martin,	Turpie,
Blanchard,	Gordon,	Mitchell, Wis.	Vest,
Caffery,	Gorman,	Morgan,	Vilas,
Call,	Gray,	Murphy,	Voorhees,
Camden,	Harris,	Palmer,	Walsh,
Cockrell,	Hunton,	Pugh,	White.
Coke,	Jarvis,	Quay,	
Daniel.	Jones, Ark.	Ransom.	

NAYS—34.

Aldrich,	Gallinger,	Kyle,	Platt,
Allison,	Hale,	Lodge,	Power,
Carey,	Hansbrough,	McMillan,	Proctor,
Chandler,	Hawley,	Manderson,	Shoup,
Cullom,	Higgins,	Mitchell, Oregon	Squire,
Davis,	Hill,	Patton,	Teller,
Dixon,	Hoar,	Peffer,	Washburn.
Dolph,	Irby,	Perkins,	
Dubois.	Jones, Nev.	Pettigrew,	

NOT VOTING—13.

Berry,	Frye,	Pasco,	Wolcott.
Brice,	McPherson,	Sherman,	
Butler,	Mills,	Stewart,	
Cameron,	Morrill,	Wilson.	

So the amendment made as in Committee of the Whole as amended was concurred in.

The VICE-PRESIDENT. The next reserved amendment made as in Committee of the Whole will be stated.

The SECRETARY. In paragraph 183, line 5, the Senate, as in Committee of the Whole, before the words "per centum," struck out "thirty" and inserted "thirty-five," and after the words "ad valorem," in line 7, inserted "sacharine, 25 per cent ad valorem."

The VICE-PRESIDENT. The question is on concurring in the amendment.

The amendment was concurred in.

The VICE-PRESIDENT. The next reserved amendment made as in Committee of the Whole will be stated.

The SECRETARY. On page 45, in paragraph 191, line 6, the Senate, as in Committee of the Whole, struck out "twenty-five" before the words "per cent," and inserted "thirty;" and in line 8, before the words "per cent," struck out "thirty-five" and inserted "forty;" so as to read:

191. Barley, and barley, pearled, patent, or hulled, 30 per cent ad valorem; barley malt, 40 per cent ad valorem.

Mr. POWER. I move an amendment which I send to the desk.

The VICE-PRESIDENT. The amendment proposed by the Senator from Montata to the amendment made as in Committee of the Whole will be stated.

The SECRETARY. In paragraph 191, line 7, it is proposed to strike out "30 per cent ad valorem" and insert "20 cents per bushel;" and in line 8, to strike out "40 per cent ad valorem" and insert "30 cents per bushel."

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Montana to the amendment made as in Committee of the Whole.

Mr. POWER. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. MCPHERSON (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL].

Mr. MILLS (when his name was called). I am paired with the Senator from Maine [Mr. FRYE].

The roll call was concluded.

Mr. BRICE. I have transferred my pair with the junior Senator from Colorado [Mr. WOLCOTT] to the senior Senator from Maryland [Mr. GORMAN], and vote "nay."

The result was announced—yeas 31, nays 37; as follows:

YEAS—31.

Aldrich,	Dubois,	McMillan,	Power,
Allison,	Gallinger,	Manderson,	Proctor,
Carey,	Hale,	Mitchell, Oregon	Quay,
Chandler,	Hansbrough,	Patton,	Shoup,
Cullom,	Hawley,	Peffer,	Squire,
Davis,	Higgins,	Perkins,	Teller,
Dixon,	Hoar,	Pettigrew,	Washburn.
Dolph,	Lodge,	Platt,	

NAYS—37.

Bate,	Faulkner,	Lindsay,	Smith,
Blackburn,	George,	McLaurin,	Turpie,
Blanchard,	Gibson,	Martin,	Vest,
Brice,	Gordon,	Mitchell, Wis.	Vilas,
Caffery,	Gray,	Morgan,	Voorhees,
Call,	Harris,	Murphy,	Walsh,
Camden,	Hunton,	Palmer,	White.
Cockrell,	Jarvis,	Pugh,	
Coke,	Jones, Ark.	Ransom,	
Daniel,	Kyle,	Roach,	

NOT VOTING—17.

Allen,	Gorman,	Mills,	Wilson,
Berry,	Hill,	Morrill,	Wolcott.
Butler,	Irby,	Pasco,	
Cameron,	Jones, Nev.	Sherman,	
Frye,	McPherson,	Stewart,	

So the amendment to the amendment was rejected.

Mr. POWER. I wish to offer another amendment to the amendment made as in Committee of the Whole.

The VICE-PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. In line 7, paragraph 191, it is proposed to strike out "30 per cent ad valorem" and insert "18 cents per bushel;" and in line 8, to strike out "40 per cent ad valorem" and insert "28 cents per bushel."

Mr. POWER. The next paragraph but one relates to rice. It takes about the same amount of labor to raise one acre of rice as it does one acre of barley, and the product per bushel is about the same per acre. Rice is a product of the South; barley is a product of the North. I ask for a specific duty of 18 cents a bushel. The committee have allowed about 92½ cents a bushel specific on rice.

I ask for consideration of the amendment I have offered because I believe it is just as fair. The whole Northwest can produce as good barley as is raised in Canada. The malters and brewers throughout the country are satisfied to give us a small specific duty on barley. The present duty is 30 cents a bushel.

If this amendment is voted down, I shall offer another amendment and then I shall offer amendments to the paragraph relating to rice.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Montana to the amendment made as in Committee of the Whole.

Mr. POWER. I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. BRICE (when his name was called). I transfer my pair for the day to the Senator from Maryland [Mr. GORMAN], who will stand paired with the junior Senator from Colorado [Mr. WOLCOTT], and I vote "nay."

Mr. RANSOM (when his name was called). I am paired with the Senator from Maine [Mr. HALE].

The roll call was concluded.

Mr. WHITE. I inquire whether the Senator from Idaho [Mr. SHOUP] has voted.

The VICE-PRESIDENT. The Senator from Idaho has not voted.

Mr. WHITE. Then I withhold my vote, as I am paired with that Senator.

Mr. VEST. The Senator from Arkansas [Mr. JONES] is paired with the Senator from Rhode Island [Mr. ALDRICH]. The Senator from Arkansas if present would vote "nay" on this amendment, and the Senator from Rhode Island would vote "yea."

The VICE-PRESIDENT. The Chair will state to the Senator from Missouri that the Senator from Arkansas has voted.

Mr. VEST. Then my announcement was a mistake. I will stand paired with the Senator from Rhode Island [Mr. ALDRICH] and withdraw my vote.

The VICE-PRESIDENT. The Chair has taken the trouble to call attention to the matter in order that Senators may have no misunderstanding in regard to pairs.

Mr. VEST. I am obliged to the Chair. I withdraw my vote, and announce my pair with the Senator from Rhode Island [Mr. ALDRICH].

Mr. GEORGE. I am paired with the Senator from Oregon [Mr. DOLPH].

Mr. PASCO. I transfer my pair with the Senator from Ohio [Mr. SHERMAN] to the Senator from Georgia [Mr. GORDON], and vote "nay."

The result was announced—yeas 27, nays 33; as follows:

YEAS—27.

Allison,	Gallinger,	Manderson,	Power,
Carey,	Hansbrough,	Mitchell, Oregon	Proctor,
Chandler,	Hawley,	Patton,	Quay,
Cullom,	Higgins,	Peffer,	Squire,
Davis,	Hoar,	Perkins,	Teller,
Dixon,	Lodge,	Pettigrew,	Washburn.
Dubois,	McMillan,	Platt,	

NAYS—33.

Bate,	Faulkner,	Lindsay,	Roach,
Blackburn,	Gibson,	McLaurin,	Smith,
Brice,	Gray,	Martin,	Turpie,
Caffery,	Harris,	Mitchell, Wis.	Vilas,
Call,	Hunton,	Morgan,	Voorhees,
Camden,	Irby,	Murphy,	Walsh.
Cockrell,	Jarvis,	Palmer,	
Coke,	Jones, Ark.	Pasco,	
Daniel,	Kyle,	Pugh,	

NOT VOTING—25.

Aldrich,	Frye,	McPherson,	Vest,
Allen,	George,	Mills,	White,
Berry,	Gordon,	Morrill,	Wilson,
Blanchard,	Gorman,	Ransom,	Wolcott.
Butler,	Hale,	Sherman,	
Cameron,	Hill,	Shoup,	
Dolph,	Jones, Nev.	Stewart,	

So the amendment to the amendment was rejected.

The VICE-PRESIDENT. The question recurs on concurring in the amendment made as in Committee of the Whole.

The amendment was concurred in.

The VICE-PRESIDENT. The next reserved amendment will be stated.

The SECRETARY. On page 45, paragraph 193——

Mr. POWER. I should like to have that passed over, as I want to offer some amendments to-morrow.

The VICE-PRESIDENT. Is there objection?

Mr. VEST. What is it the Senator from Montana wants to have passed over?

Mr. CULLOM. Rice.

Mr. POWER. Paragraph 193.

Mr. PLATT. There is no amendment there.

Mr. FAULKNER. We are now considering reserved amendments adopted as in Committee of the Whole. The Senator can offer his amendment to-morrow without obtaining approval.

Mr. PLATT. That is right.

Mr. CHANDLER. I had this paragraph reserved, but there is no amendment, so it is not necessary for the Senate to take any action on it.

The VICE-PRESIDENT. The next reserved amendment will be stated.

The SECRETARY. Page 46, paragraph 199——

Mr. GALLINGER. That will go over. There is no amendment. I shall offer an amendment to the paragraph to-morrow.

The VICE-PRESIDENT. The next reserved amendment will be stated.

The SECRETARY. Page 53——

Mr. CHANDLER. There are no amendments there, I understand.

Mr. FAULKNER. There are no amendments there.

The VICE-PRESIDENT. The next reserved amendment will be stated.

The SECRETARY. On page 53, the Senate, as in Committee of the Whole, struck out paragraph 239, in the following words:

239. On all compounds or preparations of which distilled spitits are a component part of chief value, not specially provided for in this act, there shall be levied a duty not less than that imposed upon distilled spirits—

And inserted—

239. On all compounds or preparations (except as specified in the preceding paragraph of the chemical schedule, relating to medicinal preparations, of which alcohol is a component part), of which distilled spirits are a component part of chief value, not specially provided for in this act, there shall be levied a duty not less than that imposed upon distilled spirits.

The amendment was concurred in.

The PRESIDING OFFICER (Mr. FAULKNER in the chair). The next reserved amendment will be stated.

The SECRETARY. In paragraph 244, page 55, after the word "jugs," in line 21, the Senate, as in Committee of the Whole, inserted:

If containing 14 per cent or less of absolute alcohol, 30 cents per gallon; if containing more than 14 per cent of absolute alcohol.

After the word "gallon," in line 24, it struck out the proviso, and in line 12, page 56, it struck out "twenty-five" and inserted "twenty-four;" so as to make the paragraph read:

244. Still wines, including ginger wine or ginger cordial and vermuth, in casks or packages other than bottles or jugs, if containing 14 per cent or less of absolute alcohol, 30 cents per gallon; if containing more than 14 per cent of absolute alcohol 50 cents per gallon. In bottles or jugs, per case of 1 dozen bottles or jugs, containing each not more than 1 quart and more than 1 pint, or 24 bottles or jugs containing each not more than 1 pint, $1.60 per case; and any excess beyond these quantities found in such bottles or jugs shall be subject to a duty of 5 cents per pint or fractional part thereof, but no separate or additional duty shall be assessed on the bottles or jugs: *Provided*, That any wines, ginger cordial, or vermuth imported containing more than 24 per cent of alcohol shall be classed as spirits and pay duty accordingly: *And provided further*, That there shall be no constructive or other allowance for breakage, leakage, or damage on wines, liquors, cordials, or distilled spirits. Wines, cordials, brandy, and other spirituous liquors imported in bottles or jugs shall be packed in packages containing not less than 1 dozen bottles or jugs in each package, or duty shall be paid as if such package contained at least 1 dozen bottles or jugs.

Mr. WHITE. This amendment adopted by the Committee of the Whole, "if containing 14 per cent or less of absolute alcohol, 30 cents per gallon; if containing more than 14 per cent of absolute alcohol, 50 cents per gallon," has led to a criticism. There seems at the present date to be some doubt as to whether the alcohol will be estimated by weight or by volume. For that reason I desire to offer an amendment to be placed at the end of the paragraph. I received a little while ago a communication from the Treasury Department which I submitted to the Senator from Arkansas, who is not now here; but I do not believe any criticism will be made as far as the amendment I propose is concerned. The amendment is designed to be inserted at the end of paragraph 244.

Mr. VEST. Let it be read.

The PRESIDING OFFICER. The amendment made as in Committee of the Whole will be concurred in if there be no objection.

Mr. WHITE. It does not interfere in any way with the committee amendment.

The amendment was concurred in.

The PRESIDING OFFICER. The amendment of the Senator from California will be stated.

The SECRETARY. Add at the end of paragraph 244:

The percentage of alcohol in wines and fruit juice shall be determined in such manner as the Secretary of the Treasury shall by regulation prescribe.

Mr. ALLISON. That amendment, I submit to the Senator from California, is not necessary. Of course the collector of the port is to follow the method of measuring alcohol prescribed.

Mr. WHITE. I will state to the Senator from Iowa that several gentlemen very largely interested in the production of native wines have informed me that there is now considerable question as to whether the alcohol is to be measured by weight or by volume.

The Secretary of the Treasury informed me in a communication I have here that the custom has been to measure it by volume, but as I prefer to insert directly a provision that the Secretary of the Treasury may determine the method of measurement, there can be no objection to this amendment. The only criticism that it is possible to make upon it is that it is superfluous, but I am willing to commit it to the judgment of the Secretary.

Mr. ALLISON. That is precisely my criticism. Formerly alcohol was measured by volume under our internal-revenue laws, but for the last two or three years I understand it has been measured by weight. I do not object to the amendment, but it is absolutely unnecessary.

The amendment was agreed to.

The PRESIDING OFFICER. The Secretary having omitted to state the reserved amendment in paragraph 225, he will now read it.

The SECRETARY. At the top of page 51, paragraph 225, the Senate, as in Committee of the Whole, struck out "twenty" after the word "beef," and inserted "fifteen;" so as to read "15 per cent ad valorem;" so as to read:

225. Extract of meat, 15 per cent ad valorem.

Mr. ALLISON. I ask for the yeas and nays on concurring in the amendment.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. GALLINGER (when Mr. FRYE'S name was called). I was requested to announce that the Senator from Maine [Mr. FRYE] is paired with the Senator from Maryland [Mr. GORMAN].

Mr. GEORGE (when his name was called). I am paired with the Senator from Oregon [Mr. DOLPH].

Mr. PETTIGREW (when his name was called). I am paired with the junior Senator from West Virginia [Mr. CAMDEN], and therefore withhold my vote.

The roll call having been concluded, the result was announced—yeas 34, nays 24; as follows:

YEAS—34.

Bate,	Gibson,	McLaurin,	Smith,
Blackburn,	Gordon,	Martin,	Turpie,
Blanchard,	Gray,	Mills,	Vest.
Caffery,	Harris,	Mitchell, Wis.	Vilas,
Call.	Hawley,	Morgan,	Voorhees,
Cockrell,	Hunton,	Murphy,	Walsh.
Coke,	Irby,	Palmer,	White.
Daniel,	Jarvis,	Pugh,	
Faulkner,	Lindsay,	Roach,	

NAYS—24.

Allison,	Gallinger,	Mitchell, Oregon	Proctor,
Carey,	Higgins,	Patton,	Quay,
Chandler,	Hoar,	Peffer,	Shoup,
Cullom,	Lodge,	Perkins,	Squire,
Davis,	McMillan,	Platt,	Teller,
Dubois,	Manderson,	Power,	Washbur

NOT VOTING—27.

Aldrich,	Dixon,	Hill,	Pettigrew,
Allen,	Dolph,	Jones, Ark.	Ransom,
Berry,	Frye,	Jones, Nev.	Sherman,
Brice,	George,	Kyle,	Stewart,
Butler,	Gorman,	McPherson,	Wilson,
Camden,	Hale,	Morrill,	Wolcott.
Cameron,	Hansbrough.	Pasco,	

So the amendment was concurred in.

Mr. MANDERSON. I move to strike out "fifteen," which was the amendment made as in Committee of the Whole, and insert "twenty-five."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In line 1, page 51, strike out "fifteen" and insert "twenty-five," so as to read:

225. Extract of meat, 25 per cent ad valorem.

The PRESIDING OFFICER. The Chair will call the attention of the Senator from Nebraska to the fact that the amendment has just been adopted by a yea-and-nay vote.

Mr. MANDERSON. I thought the Senate struck out "twenty" and inserted "fifteen" by a yea-and-nay vote.

The PRESIDING OFFICER. And the amendment inserting "fifteen" has been adopted as the sense of the Senate.

Mr. MANDERSON. I move to amend by making the rate 25 per cent. I think the amendment is in order.

The PRESIDING OFFICER. The amendment made as in Committee of the Whole having been concurred in, the Chair holds that the amendment of the Senator from Nebraska can not be entertained in the Senate.

Mr. MANDERSON. A change from "twenty" to "fifteen" has been made, and now I propose to make a change from "fifteen" to "twenty-five," which is certainly in order.

The PRESIDING OFFICER. The Chair will rule that the amendment having been concurred in in the Senate, fixing the rate at 15 per cent as the rate of duty, the question can not be considered further.

Mr. MANDERSON. What would the Chair hold as to the amendment being in order later in the consideration of the bill

when it is in the Senate; that the paragraph is not open to amendment after we pass from the schedule?

The PRESIDING OFFICER. The matter is subject to a motion to reconsider, and can only be reached in that way.

Mr. MANDERSON. Then I move a reconsideration of the vote by which the amendment was concurred in.

Mr. MILLS. Did the Senator from Nebraska vote on the prevailing side?

Mr. HAWLEY. The Senator from Nebraska voted "nay." I will move to reconsider.

The PRESIDING OFFICER. The Senator from Connecticut having voted in the affirmative, moves to reconsider the vote by which the amendment made as in Committee of the Whole was concurred in.

Mr. MANDERSON. On the motion to reconsider I wish to be heard. I was absent from the Chamber for a moment when this item of the meat schedule was reached. It was one of the items reserved by myself, and I really did not know that it was under consideration until I came into the Chamber for the purpose of voting at the roll call. I am obliged to the Senator from Connecticut for his kindness in putting the matter in a position where it can be better understood.

In Committee of the Whole, when there was a little debate on this item, the Senator from Missouri referred to a conversation held by him with a prominent meat and cattle dealer in the United States, and stated that he understood from him that meat extract was now being made here and exported in bulk to London and reimported, perhaps in packed form, in bottles or jars, or in whatever way it is packed, to this country and sold as Liebig's beef extract. I will not take the time to refer to quite a number of letters which I have received from some packing houses in the West, among them letters from the Cudahy Packing Company, which has gone into this new industry.

Every member of the Senate has probably seen in public places and in the public prints the advertisements of beef extracts now being made by the Cudahys, the Armours, and others of the great packing houses established at Chicago, Kansas City, and Omaha, and at Sioux City also, I understand.

The letters that I have received within the past few days since the attention of these parties has been attracted to the action of the Senate in Committee of the Whole, did I see fit to take the time to read, I think would convince anyone here is an industry which ought to be sustained, and it can not be sustained with a duty ad valorem of 15 per cent.

I doubt very much whether it can be sustained at 20 per cent. They ask that 25 per cent ad valorem be placed upon the fluid and the solid beef extracts imported into this country. If that is done we cango on with this enterprise, and it is one that is of great advantage to more than those who are the beef-packers. The more you can extract in the way of that which is merchantable and marketable out of the carcass of the beef the greater the value of the beef to the farmer. At the same time every consideration that should move the protectionist to the support of a domestic industry should move those at least on this side of the Chamber to vote to sustain this new and promising industry in the West.

I hope that the vote may be reconsidered and that the committee, on full examination may, even if it takes until to-morrow morning, conclude to restore the amount of the duty that was in the Wilson bill as it came from the other House, if they do not see fit to increase the rate from 20 to 25 per cent.

The PRESIDING OFFICER. The question is on the motion of the Senator from Connecticut to reconsider the vote by which the amendment was concurred in.

The motion to reconsider was not agreed to.

The PRESIDING OFFICER. The Secretary will report the next reserved amendment.

The SECRETARY. In paragraph 249, page 57, line 16, the Senate, as in Committee of the Whole, struck out "thirty" and inserted "twenty;" so as to read:

249. All imitations of natural mineral waters, and all artificial mineral waters, 20 per cent ad valorem.

The amendment was concurred in.

The PRESIDING OFFICER. The next reserved amendment will be stated.

The SECRETARY. On page 68, paragraph 264, line 25, after the word "cotton," the Senate, as in Committee of the Whole, inserted "including cotton duck and cotton damask, in the piece or otherwise," and in line 2, page 69, after the word "act," it inserted "and;" so as to make the paragraph read:

264. All manufactures of cotton, including cotton duck and cotton damask, in the piece or otherwise, not specially provided for in this act, and including cotton cloth having India rubber as a component material, 35 per cent ad valorem.

Mr. LODGE. I desire to move to amend the pending paragraph so as to make cotton damask in the piece or otherwise 40 per cent ad valorem, and all manufactures of cotton including cotton duck in the piece or otherwise 40 per cent; that is, to insert before the word "All" at the beginning of the paragraph the words "cotton damask, in the piece or otherwise, 40 per cent ad valorem," and then fix the rate on "all manufactures of cotton, including cotton duck, in piece or otherwise," at 40 per cent. The purpose of the amendment is to place a duty of 40 per cent ad valorem on cotton damask instead of the present duty of 35 per cent.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. At the beginning of paragraph 264 insert:

Cotton damask, in the piece or otherwise, 40 per cent ad valorem, and all manufactures of cotton, including cotton duck, in the piece or otherwise.

Mr. LODGE. That amendment, I will say, I desire to have adopted, because cotton damask is a small manufacture but it is a very fine goods. It is one of the higher grades of cotton textiles, and to give it this cut is a very serious blow to the industry.

The textile schedule is so well made up that it seems to me it ought to give suitable protection to these finer kinds of cotton goods. I am aware that the rate I propose is the same as the McKinley rate, and that it is desired by the framers of the paragraph to cut the duties below the McKinley rate; but in the preceding paragraphs on certain articles they have given a somewhat higher duty than the McKinley rate, and this cut on cotton damask, being as it is a very fine product, is a very serious one for the industry. I hope the committee will permit the amendment of mine raising the duty 5 per cent to pass.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Massachusetts to the amendment made as in Committee of the Whole.

Mr. VEST. I simply wish to inform the Senator from Massachusetts that we intend to offer an amendment to the preceding paragraph to reduce the rate which has crept in by mistake, and is higher than that of the McKinley act. Our attention was called to it yesterday. We have reduced in this instance 5 per cent, and the Senator is not satisfied and wants to go back to the McKinley rate, which would be 40 per cent.

The amendment to the amendment was rejected.

The PRESIDING OFFICER. The question is on concurring in the amendment made as in Committee of the Whole.

The amendment was concurred in.

The PRESIDING OFFICER. The next reserved amendment will be stated.

The SECRETARY. On page 69, paragraph 271, after the word "butts" in line 24, the Senate, as in Committee of the Whole, struck out "15 per cent ad valorem" and inserted "shall be exempt from duty;" so as to read:

271. Bagging for cotton, gunny cloth, and all similar material suitable for covering cotton, composed in whole or in part of hemp, flax, jute, or jute butts, shall be exempt from duty.

Mr. WHITE. It seems to me that paragraph ought to be transferred to the free list. It is rather complicated there.

Mr. VEST. That is right. It ought to be taken to the free list, and we might as well do it now.

The PRESIDING OFFICER. It has to be done by a motion in the Senate.

Mr. VEST. I move that that article, bagging, as described there, "Bagging for cotton, gunny cloth, and all similar material suitable for covering cotton, composed in whole or in part of hemp, flax, jute, or jute butts," be placed on page 95.

Mr. ALLISON. Let me make a suggestion to the Senator from Missouri.

Mr. VEST. It would be paragraph 392½.

Mr. BLANCHARD. That is it.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. Transfer paragraph 271 to page 95 and make it paragraph 392½.

Mr. ALLISON. That is, to strike out paragraph 271, and make it a new paragraph.

Mr. VEST. Strike out paragraph 271.

Mr. ALLISON. Paragraph 270 was also reserved.

Mr. COCKRELL. That has been acted on.

Mr. WHITE. I was about to suggest that paragraph 270 should be treated in the same way, that is, as far as the last words "bags for grain made of such burlaps, 20 per cent ad valorem," are concerned. That clause was stricken out by some inadvertance and it was not put on the free list. I make the suggestion to the committee.

Mr. ALLISON. That has been struck out in the Senate. That was reserved by me with paragraph 271. Therefore I know that it was reserved.

The PRESIDING OFFICER. The question is on the motion of the Senator from Missouri to strike out paragraph 271 and transfer it and make it paragraph 392½.

Mr. CHANDLER. I ask for a division on the motion. The first part of the motion would strike it out.

The PRESIDING OFFICER. The motion to strike out the words "15 per cent ad valorem"?

Mr. CHANDLER. The motion to strike out the whole paragraph.

The PRESIDING OFFICER. The Senator from New Hampshire asks for a division of the question. The question first is on the motion to strike out the paragraph.

Mr. ALLISON. I suggest to the Senator from Missouri that he should be content now with striking this out, if the majority of the Senate favors it, and when we reach the free list let him insert a new paragraph.

Mr. CHANDLER. That was my object in calling for a division.

Mr. VEST. It has already been put there. It might be overlooked.

Mr. PEFFER. I suggest that paragraph 271 has been amended so as to admit bagging for cotton, gunny cloth, etc., free of duty.

The PRESIDING OFFICER. That was done in Committee of the Whole, and now the question before the Senate is on concurring in the amendment made as in Committee of the Whole. The motion now is to strike out paragra ph 271 from the dutiable list.

Mr. PEFFER. That is another matter. There was an amendment placing cotton bagging for grain on the free list.

The PRESIDING OFFICER. That is a different paragraph. That is paragraph 270, in which the clause was stricken out:

Bags for grain made of such burlaps, 20 per cent ad valorem.

The question is on the motion of the Senator from Missouri, which the Senator from New Hampshire asks to be divided. The question first is to strike out paragraph 271.

Mr. ALDRICH. I suggest to the Senator from New Hampshire to take the vote by yeas and nays on both questions together.

The PRESIDING OFFICER. The first question would come up properly upon concurring in the amendment made as in Committee of the Whole striking out "15 per cent ad valorem" and inserting "shall be exempt from duty."

Mr. ALDRICH. We might consider that as concurred in.

The PRESIDING OFFICER. If there is no objection, that amendment will be considered as concurred in. Now the question recurs on transposing the paragraph so as to make it paragraph 392½.

Mr. CHANDLER. I asked for a division in order to avoid the yeas and nays at this time. I have no objection to having the yeas and nays taken on the motion to strike out and transfer.

The PRESIDING OFFICER. By unanimous consent the question will be taken on the motion to strike out and transfer. On this motion the yeas and nays are demanded.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. BLANCHARD (when his name was called). I am paired with the senior Senator from Michigan [Mr. MCMILLAN]. If he were present I should vote "yea."

Mr. GRAY (when his name was called). On this question I am paired with the junior Senator from Massachusetts [Mr. LODGE]. If he were present I should vote "yea" and he would vote "nay."

Mr. MCLAURIN (when his name was called). I am paired with the junior Senator from Rhode Island [Mr. DIXON]. I do not see him in the Chamber. I shall only vote if necessary to make a quorum.

Mr. MILLS (when his name was called). I am paired with the Senator from New Hampshire [Mr. GALLINGER].

Mr. PASCO (when his name was called). I am paired with the Senator from Ohio [Mr. SHERMAN]. If he were present I should vote "yea."

Mr. PETTIGREW. I suggest to the Senator to transfer his pair with the Senator from Ohio [Mr. SHERMAN] to the Senator from West Virginia [Mr. CAMDEN], so that we may both vote.

Mr. PASCO. I will consent to that transfer. I vote "yea."

Mr. PUGH (when his name was called). I have a general pair with the senior Senator from Massachusetts [Mr. HOAR]. If he were present, I should vote "yea."

Mr. RANSOM (when his name was called). I am paired with the Senator from Maine [Mr. HALE].

The roll call was concluded.

Mr. CAREY (after having voted in the negative). I inadvertently voted, but I will transfer my pair with the junior Senator from Wisconsin [Mr. MITCHELL] to the Senator from Massachusetts [Mr. HOAR] so that the Senator from Alabama [Mr. PUGH] and myself can vote.

Mr. PUGH. I vote "yea."

Mr. GEORGE. I am paired with the Senator from Oregon [Mr. DOLPH].

The result was announced—yeas 31, nays 21; as follows.

YEAS—31.

Bate,	Faulkner,	Lindsay,	Smith,
Blackburn,	Gibson,	Martin,	Turpie
Brice,	Gordon,	Murphy,	Vest,
Caffery,	Harris,	Palmer,	Vilas,
Call,	Hunton,	Pasco,	Voorhees
Cockrell,	Irby,	Peffer,	Walsh,
Coke,	Jarvis,	Pugh,	White.
Daniel,	Jones, Ark.	Roach,	

NAYS—21.

Aldrich,	Dubois,	Patton,	Squire,
Allison,	Hansbrough,	Perkins,	Teller,
Carey,	Hawley,	Pettigrew,	Washburn.
Chandler,	Higgins,	Platt,	
Cullom,	Manderson,	Proctor,	
Davis,	Mitchell, Oregon	Shoup,	

NOT VOTING—33.

Allen,	Gallinger,	Lodge,	Quay,
Berry,	George,	McLaurin,	Ransom,
Blanchard,	Gorman,	McMillan,	Sherman,
Butler,	Gray,	McPherson,	Stewart,
Camden,	Hale,	Mills,	Wilson,
Cameron,	Hill,	Mitchell, Wis.	Wolcott
Dixon,	Hoar,	Morgan,	
Dolph,	Jones, Nev.	Morrill,	
Frye,	Kyle,	Power.	

So the motion to strike out paragraph 271 and transfer it to page 95 was agreed to.

Mr. ALLISON. Paragraph 270 was reserved by me.

The PRESIDING OFFICER. The next reserved amendment will be stated.

The SECRETARY. After the word "ad valorem," line 20, paragraph 270, page 69, the Senate as in Committee of the Whole struck out the words:

Bags for grain made of such burlaps, 20 per cent ad valorem.

Mr. PLATT. Did I not understand that this morning there was an amendment proposed to increase the rate on burlaps to 20 per cent?

Mr. ALLISON. There was an amendment.

Mr. COCKRELL. Fifteen per cent was stricken out and 20 per cent inserted.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. In line 20 strike out "15" and insert "20;" so as to read "20 per cent ad valorem."

Mr. ALLISON. That amendment has been agreed to. Now, I desire to call attention to this paragraph as it stands. As the paragraph came from the House of Representatives it read as follows:

Burlaps, not exceeding 60 inches in width, containing not over 40 threads to the square inch, counting warp and filling, 15 per cent ad valorem; bags for grain made of such burlaps, 20 per cent ad valorem.

The Senate in Committee of the Whole struck out "not exceeding 60 inches in width," and also struck out "bags for grain made of such burlaps, 20 per cent ad valorem." The Senate today, on motion of the Senator from Arkansas, has raised the duty on burlaps from 15 to 20 per cent. As the paragraph came to us from the House, burlaps exceeding 60 inches in width would have paid a duty of 30 per cent ad valorem, that being in accord with the remaining paragraphs of the schedule; but the Senate as in Committee of the Whole having struck out "not exceeding 60 inches in width," it seems to become necessary for the Senate, on motion of the Senator from Arkansas, to raise the duty upon burlaps to 20 per cent ad valorem. So the effect of this general amendment is to provide for a duty of 20 per cent upon the raw material for bags, and then to put bags upon the free list.

Mr. VEST. Let us make it 15 per cent.

Mr. ALLISON. I am told that there are a great number of manufacturers in the United States who manufacture bags from burlaps. If that be so, the industry certainly ought not to be absolutely destroyed, first by increasing the duty upon the raw material and then putting the manufacture upon the free list. The Senator from Missouri will remember that we had a little sparring upon that subject when the matter was in Committee of the Whole. I do not understand that the Committee on Finance have any recommendation on this subject except the recommendation this morning that burlaps should be 20 per cent ad valorem.

Now I appeal to the justice of Senators on both sides of the Chamber upon this subject that we may not by our own legislation absolutely destroy an industry in our own country by adverse legislation. This is all I desire to say on the subject.

Mr. WHITE. I should like to inquire of the Senator what industry he refers to?

Mr. ALLISON. I refer to the industry of making bags from burlaps.

Mr. MILLS. How would it meet the views of the Senator from Iowa to have the paragraph stricken out and insert in the free list burlaps and bags for grain made of such burlaps, putting it all in the free list? That is where it ought to go, and I make that motion. I move to strike out paragraph 270 and insert after paragraph 407½ in the free list these words:

Burlaps, and bags for grain made of such burlaps.

Mr. ALLISON. That would only increase the difficulty, I suggest to the Senator from Texas, because that would destroy the industry of making burlaps in the United States, of which there are quite a number of factories at this time, I understand. I do not see why we should select out this particular industry for destruction.

Mr. WHITE. I believe this matter was pretty well explained when the question was before the Senate as in Committee of the Whole. A motion was made to strike out "bags for grain made of such burlaps, 20 per cent ad valorem;" and when that motion prevailed it was followed by a motion that bagging for cotton, etc., should also be placed upon the free list, upon the ground that if the farmers of my part of the United States had free grain bags, cotton bagging should be free also, and that amendment prevailed.

In my State we paid out last year half a million dollars as duty upon grain bags. As I stated in my argument before, the Legislature of my State unanimously, regardless of party, instructed their Senators and requested their Representatives to insist upon this amendment. We have secured it. I have no objection in the world to putting burlaps upon the free list, but I do insist upon grain bags. I would rather board at the best hotel in my State all the constituents of the Senator from Iowa who make bags—and the farmers of my State are ready to do it—than to continue the payment of this duty.

Mr. ALLISON. I will say to the Senator from California that the luxury of which he speaks would not be very expensive. I do not know that a single grain bag is made in my State; and I have no interest in this matter, in any sense for any constituent except that justice may be done to existing industries and that we may not select one or two for destruction.

Mr. JONES of Arkansas. I desire to say one thing only in connection with this matter. The Senate ought to know that the revenue from burlaps is over a million dollars a year, and from grain bags over half a million dollars with the duty on those articles now.

Mr. WHITE. And all that grain-bag duty we pay on the Pacific coast.

The PRESIDING OFFICER. The Secretary will report the amendment of the Senator from Texas.

Mr. ALLISON. I want to say just one word in response to the Senator from Arkansas. These burlaps which yield a million dollars include, of course, all burlaps for grain and every other purpose, flour, and everything of that sort. As respects the suggestion of the Senator from Arkansas, it seems to me to be utterly inconsistent to put a duty of 20 per cent upon burlaps, and then to put the more finished article on the free list. That is all I have to say about it.

Mr. MILLS. It seems to me that we are rather going back——

The PRESIDING OFFICER. The Senator from Texas will suspend until the amendment of the Senator from Texas is read.

The SECRETARY. Strike out paragraph 270 and insert as paragraph 407½:

Burlaps, and bags for grain, made of such burlaps.

Mr. MILLS. It seems to me we are rather going backward to put a finished product on the free list and still tax the raw material, and inasmuch as we have put cotton bagging and bags for grain on the free list it appears to me to be the proper thing to do to put burlaps on the free list also. However, if the Committee on Finance do not approve it I will withdraw the motion.

Mr. VEST. I want to say that I agree with the Senator from Texas. Where we put the finished product on the free list, it is absolutely outrageous to put the raw material used by the manufacturer under a duty. I am in favor of putting both on the free list.

Mr. MILLS. That is right.

Mr. ALDRICH. In order to be consistent, the Senator will have to put on the free list jute yarns, now 30 per cent ad valorem higher than any of these products.

Mr. VEST. I would be very glad to do that, if I could. I should like to put all these raw materials on the free list if I had the power to do it.

Mr. ALDRICH. I think, if the Senator desires to destroy the jute industry he might as well make the destruction complete.

Mr. JONES of Arkansas. I should like one moment to say that I agree fully with the Senator from Iowa that it is utterly unreasonable to make the raw material of which bags are made dutiable and have the bags free. There is no denying the fact that both ought to be taxed or both of them ought to be free. I think this is a fine instance to illustrate the great mistake of departing hastily in the midst of debate from the line pointed out by the committee. The duty on these grain bags was put down at a reasonable rate. It was a great reduction from what it had been before. It was satisfactory as I understood it. It was reported to Senators by gentlemen who were interested in this industry that the rate was a satisfactory one. It was a reasonable reduction from what had been in existence before, and it was fair.

But in the midst of the debate here somebody proposed to put bags on the free list, and without stopping to consider what complications it would bring about it was done. I think that was a mistake. I do not believe that it ought to have been done. However, I shall not interpose any objection to the action taken by the Senator from Missouri and the Senator from Texas.

Mr. PEFFER. I wish to say, in answer to the remarks of the Senator from Arkansas, that the placing of bags both for grain and cotton upon the free list was not done without due consideration, for there were a number of what I thought very good speeches made on the subject. I made the motion myself in both cases.

Mr. CHANDLER. And spoke several times.

Mr. PEFFER. And I spoke several times, as is suggested by my amiable friend from New Hampshire; and I know my friend the junior Senator from Louisiana [Mr. BLANCHARD], made one or perhaps two able and excellent speeches. Senators honored us both with strict attention; there was a good deal of talk backward and forward on one side and the other; and finally we succeeded. This being about the only benefit I feel I have achieved during these three months of discussion, I hope Senators will let it stand at that.

Mr. PLATT. The Senator from Arkansas says very truly there would be inconsistency in putting a duty upon the manufacture of burlaps after grain bags had been put upon the free list, which are manufactured out of burlaps; but the inconsistency is in putting the grain bags on the free list. I do not want to let this matter pass without saying something about it. If there is any reason why one manufacture of this country should be put on the free list the same reason exists in regard to every other manufacture in the country.

Mr. ALDRICH. I understood the Senator from Arkansas practically to withdraw from the action of the committee in that matter, and express a desire that grain bags shall be retained upon the dutiable list. If that is so, we might by unanimous consent, perhaps, with the exception of the Senator from California——

Mr. WHITE. There can not be any unanimous consent had on it, I will tell the Senator. I will stay here all night first.

Mr. PLATT. The truth about the matter is that this is a scheme by which some parties hope to catch some farmers' votes. It is a bid for farmers' votes. I submit that in order to bid for farmers' votes it is not right to destroy manufacturing industries. There is no more reason why burlaps should be put upon the free list than everything else that a farmer uses which is manufactured, and there is no reason why things which a farmer uses which are manufactured should be placed on the free list any more than the things which other people use which are manufactured should be put on the free list.

I wish to stand here to protest, whether it be claimed to be in the interest of the farmer or anybody else, that no manufacture which has been established in this country shall be deliberately destroyed in order that the goods may be purchased from abroad. I wish to protest here that nobody will derive any benefit from it; that the suggestion that the farmer is to be benefited is a delusion which he will find out in good time. There has been no such glaring inconsistency developed in the treatment of the bill as this destruction of a legitimate, honest, well-conducted manufacture in this country which it is not claimed has charged unreasonable profits upon its goods.

Mr. President, I do not wish to say harsh things, but the sentiment which is behind this proposed amendment is a deception of the farmer. It is an inducement held out to him that if you can destroy this manufacture in this country, if you can shut up these factories and let them moulder to decay, he is going to get his bags for a trifle less. All experience teaches us that they will cost him just as much, and that the inducement which has been held out to him will be shown in the end to have been entirely without reason.

I do not know that I desire to say anything more. We have no manufactures of bagging or burlaps in my section of the country. I do not know anybody who is interested in it. So far

as I know I have not received a letter or a circular upon the subject. But I know that Senators here for the purpose of making the farmers feel that they are their friends are attempting to strike down a legitimate, honest industry in this country, when all other manufacturing industries receive protection by way of duties in this bill of one rate or another. I do not like to see it and I do not believe the committee likes to see it, I do not believe anybody likes to see it except so far as it may be necessary to wheedle some farmers in the country.

Mr. WASHBURN. Mr. President, I feel that I ought to say one word on this question. As the matter now stands it seems to me utterly inconsistant and utterly unjust. The idea of placing a duty on the raw material, while allowing free of duty the manufactured article, is going a step further than I ever heard of in a free trader. In my own city there are two bag factories. Bags are manufactured largely for the shipment of flour. The millers of Minneapolis are the largest consumers of bags in this country.

I have a petition signed by every miller in Minneapolis and the large consumers outside in the State asking that a duty shall be imposed in order that this industry may be maintained, because the price has gone down steadily from the moment these factories have been in operation. Now, to put a duty on the raw material and place the manufactured article on the free list means absolute destruction. It seems to me both should be either on the free list or both should be on the dutiable list, and that the duty on bagging should be larger than the rate on burlaps.

Mr. MILLS. That is my pending motion, to put all on the free list.

Mr. HARRIS rose.

The PRESIDING OFFICER. The Chair calls the attention of the Senator from Texas to the question whether his amendment ought not to come in after paragraph 424 instead of paragraph 407—after Burgundy pitch.

Mr. MILLS. All right. I have no objection.

Mr. CHANDLER. I understood the Senator from Texas to say that he would withdraw the motion to amend if it did not meet with the approval of the caucus committee.

Mr. VEST. It does meet with our approval.

Mr. GRAY. The Senator from New Hampshire meant to say the Finance Committee.

Mr. HARRIS. I rose for the purpose of moving that the Senate take a recess until 10 o'clock to-morrow.

Mr. VEST. Let us vote on this question first.

Mr. HARRIS. Very well.

The PRESIDING OFFICER. The question is on the motion of the Senator from Texas.

Mr. PLATT. Let it be stated.

Mr. CHANDLER. Mr. President——

The PRESIDING OFFICER. The motion will be stated, and then the Chair will recognize the Senator from New Hampshire.

The SECRETARY. Insert paragraph 270, page 69, after paragraph 424, page 98, as paragraph 424½, and make it read:

Burlaps, and bags for grain made of such burlaps.

Mr. CHANDLER. It seems to me that the Senator from Tennessee had better renew his motion for a recess, to which I hope there will be no objection. This is rather an astonishing rally on the part of the Senator from Texas. He has not taken much part in constructing this bill recently.

Mr. MILLS. That is why I should like to have this amendment adopted before we adjourn.

Mr. CHANDLER. He has taken his dutiable coal and his dutiable iron and his dutiable almost everything else, and the Democratic platform as he understands it has gone all to pieces. It can not be that the Senator is coming in here to make a rally in behalf of his great principles just at the close of this bill. It pains me to see that the Senator has already developed a radical difference of opinion between the Senator from Arkansas and the Senator from Missouri.

The Senator from Texas rushes in. He sees a chance to put something on the free list, and the Populist leader—not the Populist leader, but one of the Populist leaders—on my right rushes forward, too, and he sees a chance in the closing hours of this bill to assert that burlaps ought to go on the free list as well as bagging, although only this morning the duty on burlaps, upon the amendment of the committee, was increased from 15 per cent to 20 per cent.

Mr. HARRIS. Will the Senator yield to me in order that I may make the motion he suggested?

Mr. CHANDLER. In one moment. I only want to strengthen the Senator's motion. Now, if we are to have the Senator from Texas rush in at the last gasp to try and vindicate his reputation all over this country by putting burlaps on the free list, the Senator from Missouri is to break loose, and the Senator from Arkansas is to undertake to argue with them both, there is certainly a painful discrepancy and disunion on the other side of the Chamber that we can not settle in five minutes. I beg leave to say that burlaps will not go on the free list this evening.

Therefore, I hope the Senate to-night will let this go over, and in the mean time let the committee get together. The Senator from Texas said, although he made his motion with great boldness, that he would not insist upon it if the committee objected; and he would have withdrawn it if he had not got the encouragement he did from the Senator from Missouri.

Now, here we have these clauses, and on the next page we have collars and cuffs. Of course the Senator from Texas will assault that. It is very evident that we shall not make much more progress this evening. So I hope the Senator from Tennessee (if he does not insist upon my talking any longer) will make the motion for a recess.

Mr. HARRIS. I will make my motion on those terms.

The PRESIDING OFFICER. The Senator from Tennessee moves that the Senate take a recess untill 10 o'clock to-morrow morning.

The motion was agreed to; and (at 7 o'clock and 36 minutes p. m.) the Senate took a recess until to-morrow, Tuesday, July 3, 1894, at 10 o'clock a. m.

HOUSE OF REPRESENTATIVES.

MONDAY, *July 2, 1894.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. E. B. BAGBY.

The Journal of the proceedings of Saturday was read.

ENROLLED BILLS SIGNED.

Mr. PEARSON, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills and joint resolution of the following titles; when the Speaker signed the same:

A bill (S. 171) granting to the State of North Dakota certain lands heretofore set apart as a wood reservation for Fort Totten military reservation for the use of the militia of North Dakota, and for other purposes;

A bill (S. 1963) for the relief of the sureties of Dennis Murphy;

A bill (H. R. 7449) authorizing the Minneapolis Gaslight Company, of Minneapolis, Minn., to lay submerged gas pipes across the Mississippi River at Minneapolis; and

A joint resolution (H. Res. 193) to appoint three members of the Board of Managers of the National Home for Disabled Volunteer Soldiers.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. SIBLEY, because of ill health.

To Mr. HEINER of Pennsylvania, for one week, on account of sickness in his family.

Mr. ALDERSON. Mr. Speaker, I ask unanimous consent for the present consideration of the joint resolution (H. Res. 119) which I send to the desk.

The joint resolution was read, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, directed to pay to the governor of the State of West Virginia, under the provisions, conditions, and limitations of the act of Congress entitled "An act to credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct-tax levied by the act of Congress approved August 5, 1861," which act was approved March 2, 1891, the sum of $181,306.93, less the sum of $27,328.18, which was paid to the governor of the State of West Virginia on the 25th day of August, 1891, to be held in trust for the citizens and inhabitants of said State, notwithstanding any claim by the Government of the United States against the State of Virginia.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia for the present consideration of this joint resolution?

Mr. PAYNE. I object.

Mr. HERMANN. Mr. Speaker, I ask unanimous consent for the consideration of Senate bill No. 1759, to amend an act entitled "An act to authorize the Oregon and Washington Bridge Company to construct and maintain a bridge across the Columbia River, between the State of Oregon and the State of Washington, and to establish it as a post-road."

The bill was read as follows:

Be it enacted, etc., That "An act to authorize the Oregon and Washington Bridge Company to construct and maintain a bridge across the Columbia River, between the State of Oregon and the State of Washington, and to establish it as a post road," approved March 24, 1890, be, and the same is hereby, reënacted and declared to be and to have been in full force and effect from and after March 24, 1894. Section 12 of said act, which provides that said act shall be null and void if actual construction of the bridge therein authorized be not commenced within two years and completed within four

years from the date of the approval thereof, shall be and the same is hereby, so amended that the time within which said bridge is required to be commenced shall be within two years from March 24, 1894, and the time within which it is required that said bridge be completed shall be within four years from the 24th day of March, 1894.

The SPEAKER. Is there objection to the request for the present consideration of this bill?

Mr. DOCKERY. I would like to hear the report read.

Mr. HERMANN. The report is very brief, but let it be read.

The report (by Mr. GEARY) was read, as follows:

Mr. GEARY, from the Committee on Interstate and Foreign Commerce, submitted the following report (to accompany S. 1759):

The Committee on Interstate and Foreign Commerce, to whom was referred the bill (S. 1759) to amend an act entitled "An act to authorize the Oregon and Washington Bridge Company to construct and maintain a bridge across the Columbia River, between the State of Oregon and the State of Washington, and to establish it as a post road," report the same back without amendment, and with the recommendation that the bill do pass.

The purpose of the bill is simply to extend the period during which the construction of this bridge, already authorized, may be commenced and completed. Your committee is not advised of any objection to such an extension.

The SPEAKER. Is there objection to the present consideration of this bill.

There was no objection.

The bill was ordered to a third reading, and it was accordingly read the third time, and passed.

On motion of Mr. HERMANN, a motion to reconsider the vote by which the bill was passed was laid on the table.

STEAM BOILERS.

Mr. BERRY. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill which I send to the desk (H. R. 4475), to amend section 4434 of Title LII of the Revised Statutes of the United States.

The bill was read, as follows:

Be it enacted, etc., That section 4434 of Title LII of the Revised Statutes be amended to read as follows:

"SEC. 4434. No externally fired boiler having its shell constructed of iron or steel plates exceeding an average thickness of thirty one-hundredths of an inch shall be employed on any steam vessel navigating the Red River of the North or rivers flowing into the Gulf of Mexico or their tributaries; and no externally fired boiler employed on any such steam vessel shall have less than 3 inches space between its shell and any of its internal flues, and not less than 3 inches space between such flues when any such flues are more than 5 inches in diameter; and every such externally fired boiler employed on any such steam vessel shall be provided with a manhole in the lower part of the front head thereof, of such dimensions as may be prescribed by the Board of Supervising Inspectors, in all cases where the distance between its internal flues is less than 3 inches. Externally fired boilers having shells constructed of iron or steel plates not exceeding an average thickness of fifty one-hundredths of an inch may, in the discretion of the Secretary of the Treasury, be authorized and employed on steam vessels navigating the Atlantic and Pacific Oceans, or salt-water bays or sounds, or the Great Lakes, or any of them, and waters flowing to and from the same, or any of them."

SEC. 2. That all laws or parts of laws conflicting with this act are hereby repealed.

An amendment recommended by the Committee on Interstate and Foreign Commerce was read, as follows:

Page 2, line 26, after "them," insert: "*Provided*, That on inspection no plate that is by this act limited to a thickness of thirty one-hundredths of an inch and no plate that is by this act limited to a thickness of fifty one-hundredths of an inch shall be rejected for use if found to exceed those dimensions, respectively, if the average thickness thereof does not exceed the limits therein specified, and the amount of steam pressure that will be permitted to be carried in boilers constructed in accordance with the requirements of this act shall be determined from measurements showing the least thickness of the plates."

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. DOCKERY. I would like to hear an explanation of the bill.

Mr. BERRY. Mr. Speaker, I ask that the Clerk read the report of the Supervising Inspector-General of the Steamboat Inspection Service, which accompanies the report of the committee.

The SPEAKER. In the absence of objection the report will be read.

It was read, as follows:

TREASURY DEPARTMENT,
OFFICE OF THE SUPERVISING INSPECTOR-GENERAL
STEAMBOAT INSPECTION SERVICE,
Washington, D. C., December 9, 1893.

SIR: I have the honor to acknowledge the receipt, by reference to this office for report, of a communication from the Committee on Interstate and Foreign Commerce, House of Representatives, inclosing House bill 4475, Fifty-third Congress, second session, entitled "A bill to amend section 4434 of Title LII of the Revised Statutes of the United States," and requesting the Secretary of the Treasury "to furnish the committee with such suggestions as you (he) may deem proper touching the merits of the bill and the propriety of its passage."

I have the honor to report that inasmuch as the terms of the bill are substantially in accordance with the recommendations of this office in its annual report for 1893, page 9, it fully meets its approval.

Following is the extract from the report referred to:

"I would further recommend a change in the law, section 4434, Revised Statutes, which limits the thickness of material of the shells of externally fired boilers to twenty-six one-hundredths of an inch, now only applicable to such boilers when built to be used on rivers whose waters flow into the Gulf of Mexico, so as to allow such externally fired boilers to be built of material of thirty-one hundredths of an inch thick, as was allowed under section 4 of the act of Congress approved July 25, 1866. If any satisfactory reason existed for reducing this thickness in the present steamboat laws, act of Congress approved February 28, 1871, it does not appear of record.

That no harm is likely to result from the proposed change is satisfactorily shown from the fact that, by an amendment to section 4434, Revised Statutes, approved February 11, 1885, material not exceeding fifty one-hundredths of an inch thick was allowed on externally fired boilers "used on steam vessels navigating the Atlantic or Pacific Oceans, or salt water bays or sounds, or the Great Lakes, or any of them;" under which conditions large numbers of boilers upon our largest steamers have been built and used for a period of seven years without more deterioration than the ordinary internally fired boiler with unlimited thickness of shell.

"In view of the fact of the impossibility of rolling sheets of boiler plate to an exact thickness, there should be a proviso in the law that no plate should be rejected for use if found in excess of thirty one-hundredths of an inch thick if the average thickness of plate does not exceed such dimensions, it being further provided that the steam pressure shall be determined from measurements indicating the least thickness of the plate."

The bill is returned herewith.

Very respectfully,

JAS. A. DUMONT,
Supervising Inspector-General.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. LOUD. What is the object of the bill?

Mr. BERRY. The object is to change the method of constructing boilers as to the thickness of the material to be used in boilers for vessels on the inland waters.

Mr. LOUD. But this bill refers to all the waters of the Atlantic and the Pacific, too.

Mr. BERRY. To the waters running into the Gulf of Mexico.

The bill has the approval of Gen. Dumont, the Inspector-General of the Steamboat Service, and of the Board, which represent all sections of the country. The question is purely a scientific one, and the gentleman's district and every district is represented once a year in a meeting of this Board, of which Gen. Dumont is president, and which approved this bill unanimously.

Mr. KIEFER. Does this bill necessitate the changing of boilers already in use?

Mr. BERRY. No, sir.

There being no objection, the amendment recommended by the committee was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. BERRY, a motion to reconsider the vote by which the bill was passed was laid on the table.

WORK AND WAGES OF WOMEN AND CHILDREN.

Mr. PENCE. I ask unanimous consent for the present consideration of the joint resolution (H. Res. 94) providing for an investigation relative to the work and wages of women and children.

The joint resolution was read, as follows:

Resolved by the Senate and House of Representatives, etc., That the Commissioner of Labor be, and he is hereby, authorized and directed "to investigate and make report upon the conditions attending the employment of women and children; their wages, earnings, sanitary surroundings, and cost of living; the effect of various employments upon their health and longevity; what measures are taken to protect their physical condition and to protect them from accidents: the rates of wages paid them in comparison with the rates paid men; and the effect, if any, their employment has had upon the wages and employment of men: *Provided*, That the investigation hereby authorized can be carried out under the regular appropriations made for the Department of Labor."

The amendment reported by the Committee on Labor was read, as follows:

Strike out the word "can," in the thirteenth line, and insert in lieu thereof the word "shall;" so as to read:

Provided, That the investigation hereby authorized shall be carried out under the regular appropriations made for the Department of Labor.

Mr. DOCKERY. Let us hear the report.

The SPEAKER. Is there objection to the consideration of this resolution?

Mr. COOMBS. I should like to hear the report.

The SPEAKER. Reserving the right to object, the report may be read.

The report (by Mr. MCGANN) was read, as follows:

The Committee on Labor, to whom was referred the resolution (H. Res. 94) providing for an investigation relative to the work and wages of women and children, beg leave to report herewith that they have carefully considered the same and respectfully recommend that the resolution be amended by striking out the word "can," in the thirteenth line thereof, and inserting in its stead the word "shall," so that the said thirteenth line of the resolution shall read, "hereby authorized shall be carried out under the regular appropriation."

The employment of women and children, their wages, sanitary surroundings, the precaution taken to protect them from accidents, and the effect, if any, of their employment upon the wages and employment of men, and especially the relative wage-earning capacities of the former as compared

with the employment and wages of the latter, are subjects which we believe of sufficient importance to warrant the desired investigation which the resolution, as amended, specifies shall be conducted by the Bureau of Labor under the regular appropriations made for the Department of Labor.

With the resolution amended as hereinbefore stated, your committee do most earnestly recommend its early passage, that the Department of Labor may commence without delay the investigation, that the evils, if any, attending employment of the wage earners may be discovered and measures taken to correct them.

Mr. COOMBS. Reserving the right to object, I should like to ask the gentleman presenting this resolution whether this inquiry is intended to include simply the mechanical employment of females, or does it include also clerical employment?

Mr. PENCE. The gentleman from Illinois [Mr. MCGANN], the author of the resolution, is present and will doubtless answer the gentleman's inquiry.

Mr. MCGANN. The resolution refers to mechanical employment.

Mr. COOMBS. The terms of the resolution do not limit the inquiry in that way. I suggest that it be amended so as to make the meaning specific.

Mr. MCGANN. This resolution has been presented on the suggestion of the Commissioner of Labor——

Mr. COOMBS. The resolution in its present terms would embrace the whole scope of female labor. The language is too broad. I suppose it was intended that the inquiry should include only mechanical employments; and I suggest that the resolution be amended in that respect. If such an amendment is agreed to, I have no objection to the consideration of the resolution.

Several MEMBERS. Let the resolution be again read.

The Clerk again read the resolution.

Mr. COOMBS. I make no objection to the consideration of the resolution.

Mr. SPRINGER. Let the amendment of the committee be read.

The amendment was again read.

The SPEAKER. Is there objection to the request of the gentleman from Colorado [Mr. PENCE] for the present consideration of this resolution?

Mr. CANNON of California. Does not the present law require the Commissioner of Labor to make this investigation and report the result?

Mr. PENCE. It has been thought that the present law, while not requiring it, would authorize the Commissioner to make the inquiry. But he himself has doubted his authority in the matter, and has requested that some such specific authority as this be given him. That is the sole purpose of the resolution introduced by the gentleman from Illinois [Mr. MCGANN]. The resolution specifically provides that the investigation shall be carried on within the regular appropriations for the Department of Labor; so that the inquiry can not involve one farthing of increased expense. The measure is in accord with the wish of the Commissioner, and has been presented at his suggestion.

There being no objection, the House proceeded to consider the joint resolution.

Mr. CANNON of Illinois. I have not objected to the consideration of this resolution; but I wish to ask whether Mr. Wright, the Commissioner of Labor, has been consulted touching this proposed work.

Mr. MCGANN. Yes, sir; and at his suggestion the resolution was introduced.

Mr. CANNON of Illinois, Has he been consulted as to the sufficiency of the regular appropriations to cover this investigation and also to provide for the other work that his department ought to do? because the resolution as amended will make this inquiry mandatory.

Mr. MCGANN. Yes, sir. The Commissioner was before the committee and said that the regular appropriations would be sufficient to cover this inquiry; that is, to commence it——

Mr. CANNON of Illinois. Without embarrassing him in his other work?

Mr. MCGANN. Yes, without embarrassing him in his other work.

Mr. CANNON of Illinois. And without any increase of the appropriation?

Mr. MCGANN. Yes, sir.

Mr. CANNON of Illinois. That is all I wished to know, my object being to give him more money if necessary.

Mr. COOMBS. I move to amend the resolution by inserting in the seventh line, after the word "various," the words "mechanical and industrial;" and by striking out, in line 11, the word "their" and insert "such." The effect of this amendment will be to limit this investigation to the field to which it was originally intended to be limited.

Mr. PENCE. I can say to the gentleman from New York that, in view of the statements made by the Commissioner of Labor, I am sure there will be no objection to this amendment.

Mr. SPRINGER. The amendment conforms to what was evidently intended to be the scope of the resolution.

Mr. CANNON of Illinois. I would like to ask a question as to that. Would it prohibit an investigation by the Commissioner of Labor, as to the employment of women and children in other than skilled industries?

Mr. PENCE. I think not.

Mr. SPRINGER. Industries of any kind.

Mr. CANNON of Illinois. Well, you take certain sections of the country, and I understand that women work in the field; we all know that children do. Does this apply to what is known as "skilled industries" alone, or does it also include agriculture?

Mr. SPRINGER. It would include everything, if the amendment is adopted, that is of a mechanical or industrial character.

Mr. CANNON of Illinois. Is agriculture or teaching such a pursuit as would be involved in the investigation?

Mr. SPRINGER. I think so. But clerical work would not be included, such as is done in the Departments for instance.

Mr. CANNON of Illinois. But would it apply to agriculture?

Mr. BARTLETT. It would not.

Mr. CANNON of Illinois. The gentleman from New York says it would not apply to agricultural work. Now, should it not apply as much to agriculture as to any other employment in which women and children are engaged?

Mr. COOMBS. It would be undoubtedly as well to have it apply to agriculture, if it would not make the scope of the investigation too large for the means at the disposal of the Bureau of Labor. At some other time, if it be deemed necessary, we may broaden the scope of the investigation.

Mr. CANNON of Illinois. Well, this is the commencement of the investigation, and I wish to say to gentlemen that while I am in harmony with the Commissioner of Labor commencing the investigation, yet the great bulk of the people who do labor, the larger percentage of them, are laboring in agriculture, more so than in any one calling, or, perhaps in the aggregate of all the other callings combined.

Mr. COGSWELL. Oh, yes; a large majority of the people are so engaged.

Mr. CANNON of Illinois. Now, why not, while you are gathering these facts, obtain also the facts as to labor everywhere, on the farm and the field as well as in the factory? Let us have full knowledge of the subject, the object being that legislation and adequate public sentiment touching those who gain a livelihood in the sweat of their faces may be inaugurated. So I hope the gentleman from New York will withdraw the amendment, and let this investigation be as broad as possible with the means at the disposal of the Commissioner.

Mr. COOMBS. The question of the gentleman from Illinois addressed to the mover of the resolution is the principal reason why I offered the amendment. It is the evident intention of the resolution which was offered to limit its operations and scope to mechanical and industrial employments in which women and children are engaged, and if we make it applicable to agriculture as well, and broaden the scope as much as the gentleman from Illinois desires, it will undoubtedly extend the work beyond the capacity of the Department of Labor with the present funds at its disposal.

I agree with the gentleman thoroughly, that female agricultural labor in this country should be investigated, but I fear, as I have said, if the resolution is made too broad—if it embraces too large a field—we shall not have such an investigation as will be of the slightest value, for the purpose contemplated, in the future.

Mr. MARSH. Then increase the amount of the appropriation so as to include the entire field to be covered.

Mr. CANNON of Illinois. Well, Mr. Speaker, in response to the gentleman from New York, I say that if this investigation be worth making at all, let us make it thorough and take the time to cover all of the facts. Organization does exist. We have organized capital; we have organized labor, and I am not here to say that we ought not to have. I think organization of labor is and has been necessary, and it has grown upon me for many years.

But it must be remembered that there is a great mass of labor in this country that arises the greater part of the year with the sun, and which ceases to toil only with the going down of the sun.

That labor is not organized. Yet it bears the burdens and is a great conservative element in the Republic. It touches the ground daily and receives renewed strength from day to day; and I would be very glad, as this important investigation commences by, it seems to me, perhaps without speaking slightingly of the other bureaus, the best managed bureau in the Gov-

ernment with the amount of money it expends, I would be very glad to let the investigation be broad enough to give us when it is made all of the facts. If it requires $25,000 more, or any other sum to commence the work, let us begin at the beginning; let us cover the whole field and give all the facts that may be necessary to secure satisfactory results from the investigation.

Mr. COOMBS. I will put in the word "agriculture" in the amendment if it meets the views of the gentleman.

Mr. CANNON of Illinois. Oh, no; not agriculture. Let it be all labor.

Mr. DOCKERY. Mr. Speaker, I sincerely hope the House will not accept any modification of the amendment so as to extend the scope of this investigation into the whole field of labor. Comparatively few females are engaged in agricultural pursuits. We know that they are poorly paid, and no additional statistics would be necessary to confirm that which we already know to exist.

Mr. CANNON of Illinois. Oh, well, it seems to me that we had better have full knowledge of the subject.

Mr. BARTLETT. Then vote down the amendment and adopt the original resolution.

Mr. DOCKERY. I do not want to open up a field that will be the basis for an enormous expenditure of money.

Mr. CANNON of Illinois. I do not want an enormous expenditure of money; but I do stand here to voice the interests and the claims that are not voiced day by day before Congress. Capital is voiced. Organized labor is voiced, and that is all well; but the great majority of the people who labor are not specially voiced here. Now, if we are going to get facts, let us have the facts all along the line; and I think we ought to have them.

Mr. OUTHWAITE. What do you want the facts for? What purpose do you intend to accomplish?

Mr. CANNON of Illinois. I will ask, in reply, what do you want of the facts called for in this resolution?

Mr. OUTHWAITE. In my ignorance I am inquiring. I want to learn.

Mr. CANNON of Illinois. I have never yet learned that knowledge touching the condition of the citizens of the Republic was deleterious.

Mr. OUTHWAITE. I know; but this is a proposition to collect a lot of knowledge which is in the mind of every intelligent person.

Mr. CANNON of Illinois. It is equally so all along the line.

Mr. OUTHWAITE. The other, I think, perhaps is not.

Mr. CANNON of Illinois. Well, perhaps it is not. I am not antagonizing this resolution. I think it ought to pass.

Mr. BRETZ. Well, let it pass, then.

Mr. CANNON of Illinois. The gentleman says let it pass. I am content that it should pass, but I believe it ought to pass in such a form as to gain the whole information.

Mr. PENCE. Mr. Speaker——

The SPEAKER. The gentleman from Illinois [Mr. CANNON] has the floor.

Mr. PENCE. As the resolution is originally drawn, it is broad enough to suit the gentleman from Illinois.

Mr. CANNON of Illinois. If the gentleman from New York [Mr. COOMBS] will withdraw all amendments, and let this resolution pass as it was originally introduced, that will be satisfactory to me.

Mr. DOCKERY. I hope the gentleman from New York will withdraw his amendment.

Mr. COOMBS. If it is the general wish, I will withdraw the amendment.

Mr. PENCE. I understand the gentleman from New York [Mr. COOMBS] now withdraws his amendment. I move the previous question on the resolution.

Mr. CANNON of Illinois. Does the resolution stand without amendment?

Mr. PENCE. An amendment changing the word "may" to "shall" has been adopted.

The SPEAKER. The amendment reported by the committee has been agreed to, substituting "shall" for "may."

Mr. PENCE. I move the previous question.

The previous question was ordered.

Mr. CANNON of Illinois. As I understand it, one amendment changing the word "may" to "shall" has been adopted, and the other has been withdrawn.

The SPEAKER. The committee amendment has been agreed to.

Mr. CANNON of Illinois. And the other is withdrawn.

The SPEAKER. The other is withdrawn. The question is on the engrossment and third reading of the joint resolution.

Mr. NORTHWAY. Can we have the resolution reported?

The SPEAKER. It has been reported twice.

Mr. NORTHWAY. I did not hear it.

The SPEAKER. Without objection the resolution can be again read. It will be the third time it has been read.

The resolution was again read.

The joint resolution was ordered to be engrossed and read a third time; and being engrossed, was accordingly read the third time, and passed.

On motion of Mr. PENCE, a motion to reconsider the last vote was laid on the table.

JUDGMENTS OF UNITED STATES COURTS.

Mr. BRYAN. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 6979) to amend section 3 of an act entitled "An act to regulate the liens of judgments and decrees of the courts of the United States," approved August 1, 1888.

The bill was read, as follows:

Be it enacted, etc., That section 3 of an act entitled "An act to regulate the liens of judgments and decrees of the courts of the United States," approved August 1, 1888, be amended so as to read as follows:

"SEC. 3. That nothing herein shall be construed to require the docketing of a judgment or decree of a United States court, or the filing of a transcript thereof, in any State office within the same county or parish in the State of Louisiana, in which the judgment or decree is rendered, in order that such judgment or decree may be a lien on any property within such county, if the United States court has a permanent office and keeps a judgment record open at all times for public inspection in such county or parish."

The Committee on the Judiciary recommended the following amendment:

In line 10, page 1, strike out the words "or parish in the State of Louisiana."

The SPEAKER. Is there objection to the request for the present consideration of this bill?

There was no objection.

Mr. COOMBS. This bill is reported by the Committee on the Judiciary, is it?

Mr. BRYAN. Yes.

The amendment recommended by the Committee on the Judiciary was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, was accordingly read the third time, and passed.

On motion of Mr. BRYAN, a motion to reconsider the last vote was laid on the table.

ADJOURNMENT UNTIL THURSDAY NEXT.

Mr. CATCHINGS. Mr. Speaker, I move that when the House adjourns to-day, it adjourn to meet on Thursday next.

The motion was agreed to.

HALL OF RECORDS, DISTRICT OF COLUMBIA.

Mr. BANKHEAD. Mr. Speaker, on Friday last the House had under consideration the bill (S. 22) for the erection of a hall of records in this city. I desire to call up that bill.

The SPEAKER. The gentleman from Alabama [Mr. BANKHEAD] calls up the bill which was being considered under a special order on Friday last. The Clerk will report the title of it.

The Clerk read as follows:

A bill (S. 22) making appropriations for the purchase of ground and the erection thereon, in the city of Washington, D. C., of a building to be used as a hall of records.

The SPEAKER. This bill is in Committee of the Whole.

Mr. BANKHEAD. I move that the House resolve itself into the Committee of the Whole for the further consideration of this bill.

The motion was agreed to.

The House accordingly resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (S. 22) making appropriations for the purchase of ground and the erection thereon, in the city of Washington, D. C., of a building to be used as a hall of records, with Mr. DOCKERY in the chair.

The CHAIRMAN. When the committee was last in session it was dividing on the amendment offered by the gentleman from Nebraska [Mr. BRYAN] fixing the amount to be carried in the bill at $175,000. After a division was demanded and a vote taken the point of no quorum was made, whereupon the committee rose. The question is now on the amendment offered by the gentleman from Nebraska.

Mr. BANKHEAD. Mr. Chairman——

The CHAIRMAN. Debate is not in order.

Mr. BANKHEAD. A parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BANKHEAD. I desire to know if an amendment to the amendment of the gentleman from Nebraska would be in order at this stage of the proceedings?

The CHAIRMAN. It would not, because the committee is dividing.

Mr. REED. The committee is dividing. Regular order.

The CHAIRMAN. The Chair is endeavoring to secure order. The question is on the amendment offered by the gentleman from Nebraska, fixing the amount at $175,000.

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. BRYAN. Division.

Mr. REED. I thought the committee was dividing when we arose the last time.

The CHAIRMAN. That is true.

Mr. REED. And tellers were ordered.

The CHAIRMAN. The gentleman's statement is correct. Tellers will take their places. The gentleman from Nebraska [Mr. BRYAN] and the gentleman from Alabama [Mr. BANKHEAD] will take their places as tellers.

Mr. BRYAN. The gentleman from New York [Mr. TRACEY] was acting as teller.

The CHAIRMAN. But the gentleman is absent, and the Chair will request the gentleman from Nebraska to act as teller in his place.

Mr. WILLIAM A. STONE. Can we have the amendment read?

The CHAIRMAN. Without objection, before the tellers resume their places, the Clerk will again report the amendment.

The Clerk read as follows:

In line 5, page 2, strike out the words "two hundred and seventy-five thousand" and insert "one hundred and seventy-five."

Mr. BRYAN. Mr. Chairman, I want to ask unanimous consent——

The CHAIRMAN. The gentleman will suspend until the committee comes to order. It is impossible for the Chair to hear what gentlemen are saying. [After a pause.] For what purpose does the gentleman rise?

Mr. BRYAN. I want to ask unanimous consent that we have ten minutes' discussion before the vote is taken again. It is agreeable to the gentleman in charge of the bill.

The CHAIRMAN. Ten on either side?

Mr. BRYAN. Five or ten minutes on either side—ten minutes on either side.

The CHAIRMAN. Pending the count by tellers, the gentleman from Nebraska asks unanimous consent that there be ten minutes' debate on either side.

Mr. REED. I have no objection to general debate.

The CHAIRMAN. General debate has been closed.

Mr. REED. I have no objection to having debate reopened on the condition that we have general debate.

Mr. BRYAN. We do not want more than ten minutes' debate.

Mr. REED. I shall object to that, because if we open debate I do not want it limited to ten minutes.

The CHAIRMAN. The gentleman from Maine objects, and tellers will take their places.

The committee divided; and there were—ayes 38, noes 38.

Mr. COOMBS. No quorum.

The CHAIRMAN. The gentleman from New York makes the point of no quorum. The Clerk will call the roll.

The roll was called, when the following-named members failed to respond:

Adams, Pa.	Dunn,	Johnson, Ohio	Pearson,
Aitken,	Dunphy,	Kilgore,	Phillips,
Aldrich,	Durborow,	Kribbs,	Price,
Alexander,	Edmunds,	Lacey,	Quigg,
Apsley,	Ellis, Ky.	Lapham,	Randall,
Avery,	Enloe,	Lawson,	Rayner,
Barnes,	Epes,	Lefever,	Reyburn,
Belden,	Erdman,	Lisle,	Richardson, Mich.
Beltzhoover,	Fielder,	Livingston,	Robertson, La.
Berry,	Fithian,	Loudenslager,	Robinson, Pa.
Bland,	Fletcher,	Maddox,	Rusk,
Boatner,	Forman,	Magner,	Russell, Ga.
Boutelle,	Funston,	Marshall,	Ryan,
Breckinridge, Ky	Gardner,	Marvin, N. Y.	Schermerhorn,
Brosius,	Geissenhainer,	McAleer,	Scranton,
Bunn,	Gillet, N. Y.	McCleary, Minn.	Settle,
Burnes,	Gillett, Mass.	McCreary, Ky.	Sherman,
Burrows,	Goodnight,	McCulloch,	Sibley,
Cadmus,	Gorman,	McDearmon,	Sickles,
Campbell,	Grout,	McDowell,	Simpson,
Capehart,	Grow,	McKeighan,	Sipe,
Causey,	Haines,	Meiklejohn,	Sorg.
Chickering,	Hall, Mo.	Mercer,	Stephenson,
Childs,	Harmer,	Meredith,	Stockdale,
Clancy,	Harris,	Meyer,	Stone, C. W.
Cockran,	Hatch,	Milliken,	Storer,
Coffeen,	Heard,	Montgomery,	Strait,
Cooper, Fla.	Heiner,	Morse,	Straus,
Cornish,	Henderson, Iowa	Moses,	Strong,
Covert,	Hendrix,	Murray,	Swanson,
Culberson,	Hicks,	Mutchler,	Talbott, Md.
Curtis, N. Y.	Hines,	Neill,	Taylor, Tenn.
DeForest,	Hooker, N. Y.	Newlands,	Tracey,
Dingley,	Houk,	Oates,	Tucker,
Dinsmore,	Hull,	O'Neil, Mass.	Turner, Va.
Donovan,	Hutcheson,	Patterson,	Turpin,
Updegraff,	Weadock,	Wilson, Wash,	Wright, Pa.
Wadsworth,	Wheeler, Ill.	Wise,	
Walker,	White,	Wolverton,	
Wanger,	Whiting,	Woomer,	

The CHAIRMAN. The committee will rise.

The committee accordingly rose, and the Speaker resumed the chair.

Mr. DOCKERY. Mr. Speaker, the Committee of the Whole House on the state of the Union, having under consideration the bill S. 22, found itself without a quorum. I caused the roll to be called, as required by the rule, and herewith report the names of the absentees, to be entered upon the Journal.

The SPEAKER. The gentleman from Missouri, Chairman of the Committee of the Whole House on the state of the Union, reports that that committee, having under consideration the bill S. 22, found itself without a quorum, whereupon the committee rose and he reports the names of the absentees to the House. The names of the absentees will be entered upon the Journal. One hundred and ninety-five gentlemen having responded to their names, under the rule the committee will resume its session.

The committee resumed its session.

Mr. COOMBS. I withdraw the point of no quorum.

The CHAIRMAN. Tellers will resume their places. The Chair will state to the gentleman from New York that the vote will have to be again taken.

Mr. BRYAN. I ask unanimous consent that we have ten minutes' debate before we come to a vote.

The CHAIRMAN. Is there objection?

Mr. WILLIAM A. STONE. Mr. Chairman, that request was made before this morning and objected to by the gentleman from Maine [Mr. REED] unless general debate were opened. In his absence, I object.

The CHAIRMAN. The gentleman from Pennsylvania objects, and tellers will take their places.

The committee again divided; and the tellers reported—ayes 42, noes 31.

The CHAIRMAN. The point of no quorum being insisted upon, the Clerk will call the roll.

The roll was called, when the following-named members failed to respond:

Adams, Pa.	Durborow,	Kem,	Robinson, Pa.
Aitken,	Edmunds,	Kilgore,	Rusk,
Aldrich,	Ellis, Ky.	Kribbs,	Russell, Ga.
Allen,	Enloe,	Lacey,	Ryan,
Apsley,	Epes,	Lapham,	Schermerhorn,
Arnold,	Erdman,	Lawson,	Scranton,
Avery,	Fielder,	Lefever,	Settle,
Babcock,	Forman,	Linton,	Shaw,
Baker, Kans.	Funston,	Lisle,	Sherman,
Baldwin,	Gardner,	Livingston,	Sibley,
Barnes,	Gear,	Lockwood,	Sickles,
Bartholdt,	Geary,	Loudenslager,	Simpson,
Belden,	Geissenhainer,	Maddox,	Sipe,
Beltzhoover,	Gillet, N. Y.	Magner,	Sorg,
Bingham,	Gillett, Mass.	Marshall,	Springer,
Blair,	Goodnight,	Marvin, N. Y.	Stallings,
Bland,	Gorman,	McAleer,	Stephenson,
Boatner,	Griffin,	McCulloch,	Stockdale,
Boen,	Grout,	McDowell,	Stone, C. W.
Boutelle,	Grow,	McKeighan,	Stone, W. A.
Bower, N. C.	Hager,	McLaurin,	Storer,
Breckinridge, Ky	Haines,	McRae,	Strait,
Brosius,	Hall, Mo.	Mercer,	Straus,
Brown,	Hammond,	Meredith,	Strong,
Bunn,	Harmer,	Meyer,	Sweet,
Burnes,	Harris,	Money,	Taylor, Tenn.
Burrows,	Harter,	Montgomery,	Thomas,
Cadmus,	Hatch,	Morse,	Tracey,
Campbell,	Haugen,	Moses,	Tucker,
Capehart,	Hayes,	Murray,	Turner, Va.
Chickering,	Heard,	Mutchler,	Turpin,
Childs,	Heiner,	Neill,	Updegraff,
Clancy,	Henderson, Iowa	Newlands,	Van Voorhis, N. Y.
Cobb, Mo.	Henderson, N. C	Oates,	Wadsworth,
Cockran,	Hendrix,	O'Neil, Mass.	Walker,
Cooper, Tex.	Hicks,	Pence,	Wanger,
Cooper, Wis.	Hines,	Perkins,	Weadock,
Cornish,	Hooker, N. Y.	Pigott,	Wever,
Covert,	Hopkins, Pa.	Quigg,	Wheeler, Ill.
Culberson,	Houk,	Randall,	White,
Curtis, Kans.	Hudson,	Ray,	Whiting,
Curtis, N. Y.	Hulick,	Rayner,	Wilson, Wash.
De Forest,	Hull,	Reilly,	Wolverton,
Dingley,	Hutcheson,	Reyburn,	Woodard,
Dunn,	Ikirt,	Richardson, Mich.	Woomer,
Dunphy,	Johnson, Ohio	Robertson, La.	Wright, Pa.

The committee rose; and the Speaker having resumed the chair, Mr. DOCKERY reported that the Committee of the Whole having had under consideration a bill (S. 22), and finding itself without a quorum, he, as chairman, had caused the roll to be called, and now reported the names of the absentees to the House.

The SPEAKER. The names of the absentees will be entered upon the Journal. One hundred and sixty-five gentlemen have answered to their names.

Mr. BAKER of New Hampshire. No quorum.

Mr. BANKHEAD. I move a call of the House, Mr. Speaker.

The question was taken on ordering a call of the House, and the Speaker declared that the ayes seemed to have it.

Mr. REED. I ask for a division.

The House divided; and there were—ayes 72, noes 33; so a call of the House was ordered.

The Clerk proceeded to call the roll, when the following-named members failed to respond:

Adams, Pa.	Edmunds,	Livingston,	Shaw,
Aitken,	Ellis, Ky.	Lockwood,	Sherman,
Aldrich,	Enloe,	Loudenslager,	Sibley,
Apsley,	Epes,	Maddox,	Sickles,
Avery,	Erdman,	Magner,	Simpson,
Barnes,	Fielder,	Mahon,	Sipe,
Bartholdt,	Forman,	Marsh,	Sorg,
Belden,	Gardner,	Marshall,	Springer,
Beltzhoover,	Gear,	Marvin, N. Y.	Stallings,
Blair,	Gillet, N. Y.	McAleer,	Stephenson,
Bland,	Gillett, Mass.	McDearmon,	Stockdale,
Boatner,	Goodnight,	McDowell,	Stone, C. W.
Boutelle,	Gorman,	Mercer,	Storer,
Bowers, Cal.	Griffin,	Meredith,	Strait,
Breckinridge, Ky.	Grout,	Meyer,	Straus,
Brosius,	Grow,	Montgomery,	Tawney,
Bunn,	Haines,	Morse,	Taylor, Tenn.
Burnes,	Hall, Mo.	Moses,	Thomas,
Burrows,	Harmer,	Murray,	Tracey,
Cadmus,	Harter,	Mutchler,	Tucker,
Campbell,	Hatch,	Neill,	Turner, Va.
Capehart,	Heiner,	Oates,	Turpin,
Chickering,	Henderson, Iowa	O'Neil, Mass.	Van Voorhis, N.Y.
Childs,	Hendrix,	Paynter,	Wadsworth,
Clancy,	Hicks,	Phillips,	Walker,
Cobb, Mo.	Hines,	Quigg,	Wanger,
Cockran,	Hooker, N. Y.	Randall,	Weadock,
Cooper, Fla.	Hopkins, Pa.	Ray,	Wever,
Cooper, Tex.	Houk,	Rayner,	Wheeler, Ill.
Cornish,	Hull,	Reyburn,	White,
Covart,	Hutcheson,	Richardson, Mich.	Whiting,
Culberson,	Ikirt,	Robertson, La.	Wilson, Wash.
Curtis, N. Y.	Johnson, Ohio	Robinson, Pa.	Wise,
Davey,	Kilgore,	Rusk,	Wolverton,
De Forest,	Kribbs,	Russell, Ga.	Woomer,
Dingley,	Lacey,	Ryan,	Wright, Pa.
Dunn,	Lawson,	Schermerhorn,	
Dunphy,	Lefever,	Scranton,	
Durborow,	Lisle,	Settle,	

The SPEAKER. The doors will now be closed, and the Clerk will call the names of the gentlemen who failed to respond to the first call. On this call excuses are in order.

The call was completed.

The SPEAKER. On this call 195 gentlemen have answered to their names.

Mr. BANKHEAD. Mr. Speaker, I move to dispense with all further proceedings under the call.

The motion was agreed to.

Mr. BANKHEAD. Now, Mr. Speaker, I ask unanimous consent to vacate the special order under which this bill is being considered by the House, and to withdraw the bill.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

Mr. REED. What will be the next business in order?

Mr. OUTHWAITE. The call of committees, I suppose.

The SPEAKER. No; we have no call of committees on this Monday. The only matter of which the Chair has knowledge is a bill reported from the Committee on Banking and Currency that has some privilege. The Chair does not know, however, whether there is any purpose to call that bill up at this time or not.

Mr. JOHNSON of Indiana. I have been told, Mr. Speaker, that it is not the purpose to call that bill up now. It was the intention to do so, but on account of the absence of certain members, that purpose, I understand, has been abandoned.

Mr. REED. Well, I will not embarrass the House by making any objection. I do not think anybody wants to vote on this hall of-records bill.

The SPEAKER. Without objection, then, the order under which this bill is being considered will be vacated and the bill will be withdrawn.

By unanimous consent, leave of absence was granted as follows:

To Mr. EDMUNDS, on account of sickness.

To Mr. ENLOE, for this day, on account of sickness.

The House then, on motion of Mr. BANKHEAD, at 2 o'clock p. m. (pursuant to the resolution previously adopted), adjourned until Thursday, July 5.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Military Affairs was discharged from the consideration of the bill (H. R. 7216) to remove the charge of desertion from the military record of Joseph G. Marsh, of the United States steamship Galena, and the same was referred to the Committee on Naval Affairs.

PUBLIC BILLS, MEMORIALS, AND RESOLUTIONS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced, and severally referred as follows:

By Mr. EVERETT: A bill (H.R. 7630) to enable persons of Japanese descent to become citizens of the United States—to the Committee on the Judiciary.

By Mr. BRICKNER: A bill (H. R. 7631) to regulate sleeping-car service on railroads in the United States—to the Committee on Interstate and Foreign Commerce.

By Mr. BOEN: A bill (H. R. 7638) to declare all railways in the United States public postal routes, and for other purposes—to the Committee on the Post-Office and Post-Roads.

By Mr. ENGLISH of California: A joint resolution (H. Res. 200) for continuing in employment the mechanics and laborers at the various navy-yards—to the Committee on Appropriations.

By Mr. CRAIN: A resolution directing the Committee on Interstate and Foreign Commerce to investigate the cause and extent of the disturbance between labor and the Pullman Car Company and certain railroad corporations whereby the transportation of the mails and of freight and passengers is obstructed in and among the several States, and to report thereon—to the Committee on Interstate and Foreign Commerce.

By Mr. McETTRICK: A resolution of the Commonwealth of Massachusetts, relative to the appointment and removal of veterans in the national civil service—to the Committee on Reform in the Civil Service.

Also, a resolution of the Commonwealth of Massachusetts, relative to national legislation for the suppression of the lottery traffic—to the Committee on the Post-Office and Post-Roads.

Also, a resolution of the Commonwealth of Massachusetts, concerning the gypsy moth—to the Committee on Agriculture.

PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as follows:

By Mr. BELL of Colorado: A bill (H. R. 7632) for the relief of Thomas E. Breckenridge—to the Committee on Claims.

By Mr. DONOVAN: A bill (H. R. 7633) granting a pension to William A. Cunningham—to the Committee on Invalid Pensions.

By Mr. FUNSTON: A bill (H. R. 7634) for the relief of the Western Miami tribal Indians—to the Committee on Indian Affairs.

By Mr. KEM: A bill (H. R. 7635) to remove the charge of desertion standing against the name of Philo Newman—to the Committee on Military Affairs.

By Mr. LAYTON: A bill (H. R. 7636) for the relief of John M. Laughlin—to the Committee on Military Affairs.

Also (by request), a bill (H. R. 7637) making an appropriation for the improvement of the St. Marys River from St. Marys, Ohio, to Fort Wayne, Ind., and for other purposes—to the Committee on Rivers and Harbors.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk, and referred as follows:

By Mr. BROOKSHIRE: Papers to accompany House bill 7607, to pension Mrs. Aletha D. Plank—to the Committee on Invalid Pensions.

By Mr. GEISSENHAINER: Petition of citizens of Long Branch, N. J., for the exemption of fraternal beneficiary societies, orders, or associations from the income tax—to the Committee on Ways and Means.

By Mr. LOCKWOOD: Petition of citizens of Buffalo, N. Y., for exempting the fraternal beneficiary orders from the operations of the income tax—to the Committee on Ways and Means.

By Mr. POST: Petition of B. Winter, of Rock Island, Ill., against any increased tax on whisky and any extension of present bonded period—to the Committee on Ways and Means.

By Mr. ROBBINS: Protest of citizens of Selma, Dallas County, Ala., against raising the tax on whisky—to the Committee on Ways and Means.

By Mr. SOMERS: Petition of Frank E. Gedfiess, C. J. T. Schultz, and others, of Milwaukee, Wis., favoring amendment to the tariff bill exempting beneficiary societies from income tax—to the Committee on Ways and Means.

By Mr. WRIGHT of Pennsylvania: Petition of citizens of Wayne County, Pa., against including beneficial fraternal societies in the operations of the proposed income tax—to the Committee on Ways and Means.

SENATE.

TUESDAY, *July 3, 1894.*

[*Continuation of legislative proceedings of Monday, July 2, 1894.*]

The Senate met at 10 o'clock a. m., at the expiration of the recess.

EXECUTIVE COMMUNICATIONS.

The VICE-PRESIDENT laid before the Senate a communication from the Attorney-General, transmitting, in response to a resolution of the Senate of June 29, 1894, a list of the judgments rendered in the Court of Claims in Indian depredation cases since his last report, together with a statement of the date when each was rendered, etc.; which, with the accompanying papers, was referred to the Committee on Indian Depredations, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Treasury, transmitting an estimate of appropriation for the prevention of obstructive and injurious deposits within the harbor and adjacent waters of New York City, for the service of the fiscal year ending June 30, 1895, $114,000, as submitted by the Secretary of War; which, with the accompanying papers, was referred to the Committee on Commerce, and ordered to be printed.

HOUSE BILLS REFERRED.

The following bills received yesterday from the House of Representatives were severally read twice by their titles, and referred as indicated below:

The bill (H. R. 2794) to amend the judiciary act of August 13, 1888—to the Committee on the Judiciary.

The bill (H. R. 6656) for the relief of P. W. Mitchell, M. C. Felmet, George H. Smathers, and others—to the Committee on Indian Affairs.

The joint resolution (H. Res. 198) to print Agricultural Report for 1894—to the Committee on Printing.

The following bills were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (H. R. 1110) to correct the military record of Calvin Daniel;

A bill (H. R. 1461) to remove the charge of desertion from the record of Andrew L. Grugett, as a former member of Company E, Sixth Tennessee Cavalry, in the war of the rebellion, and to grant him an honorable discharge therefrom;

A bill (H. R. 2108) to perfect the military record of Warren Alonzo Alden;

A bill (H. R. 2726) to remove the charge of desertion standing against the name of Edward J. Butler;

A bill (H. R. 3147) granting an honorable discharge to Wilson Kale; and

A bill (H. R. 4671) to remove the charge of desertion standing against the name of Joseph G. Utter.

The following bills were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (H. R. 953) to increase the pension of Mary P. Broughton;

A bill (H. R. 3033) granting a pension to Amanda J. Lane;

A bill (H. R. 3065) to increase the pension of James Lane;

A bill (H. R. 3971) for the relief of Martha A. Holt, the widow of Thomas C. Holt;

A bill (H. R. 3992) to increase the pension of Julia Bews;

A bill (H. R. 4561) granting a pension to Harriet T. Vosburg;

A bill (H. R. 4811) to pension Mary Trimble;

A bill (H. R. 5097) to increase the pension of Mary Stahl;

A bill (H. R. 5194) to pension G. O. Greiner, of Texas;

A bill (H. R. 5351) granting a pension to Celestia P. Hartt;

A bill (H. R. 5374) granting a pension to Sarah Oddy;

A bill (H. R. 5816) granting a pension to Mary Ann Donoghue;

A bill (H. R. 6050) to pension Margaret A. Woods, widow of William W. Woods, late of Company E, Sixteenth Illinois Volunteer Infantry;

A bill (H. R. 6103) for the relief of Mrs. Mary A. Menefee;

A bill (H. R. 6206) granting a pension to A. F. Neely;

A bill (H. R. 6213) to pension Harriet R. Tate;

A bill (H. R. 6361) to grant a pension to Pauline J. Smith;

A bill (H. R. 6634) to grant a pension to Edwin Overman, an insane child; and

A bill (H. R. 6902) granting an increase of pension to Mrs. Susie Conway.

MARY BROWN.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 920) to pension Mary Brown, of Berlin, Vt.

The amendment of the House of Representatives was, in line 8, after "volunteers," to insert the following proviso:

Provided, That it be shown to the satisfaction of the Secretary of the Interior that the soldier's death was a result of his military service.

Mr. GALLINGER. I move that the Senate nonconcur in the amendment of the House of Representatives, and request a conference on the disagreeing votes of the two Houses.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate; and Mr. PALMER, Mr. VILAS, and Mr. GALLINGER were appointed.

EARNEST C. EMERSON.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 307) granting a pension to Earnest C. Emerson.

The amendment of the House of Representatives was, in line 7 to strike out "at the rate of $12 per month" and insert "subject to the limitations and provisions of the act of June 27, 1890."

Mr. GALLINGER. I move that the Senate nonconcur in the amendment of the House of Representatives, and request a conference on the disagreeing votes of the two Houses.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate; and Mr. PALMER, Mr. VILAS, and Mr. GALLINGER were appointed.

PETITIONS AND MEMORIALS.

Mr. SHERMAN presented a petition of the Builders' Exchange, of Cincinnati, Ohio, praying for the passage of House bill No. 7564, defining the term "anarchist," and fixing penalty for crimes attempted by anarchists; which was referred to the Committee on the Judiciary.

He also presented a petition of the Stone Cutters' Association, of Canton, Ohio, praying that the sale of goods made by convict labor be confined to the State in which they are made; which was referred to the Committee on Education and Labor.

He also presented a petition of the Millers' Meeting, of Cincinnati, Ohio, praying for the enactment of legislation legalizing railroad pooling; which was referred to the Committee on Interstate Commerce.

He also presented a petition of 39 citizens of Toledo, Ohio, and a petition of 27 citizens of Akron, Ohio, praying that fraternal beneficiary societies, orders, or associations be exempted from the proposed income-tax provision of the pending tariff bill; which were ordered to lie on the table.

Mr. LODGE presented a petition of the Legislature of the State of Massachusetts, praying that preference be given in the retention and employment of Union veterans in the public service; which was referred to the Committee on Civil Service and Retrenchment.

He also presented a petition of the Legislature of the State of Massachusetts, praying that an appropriation be made for the extermination of the gypsy moth; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Legislature of the State of Massachusetts, praying for the enactment of legislation to suppress the lottery traffic; which was ordered to lie on the table.

He also presented the petition of Henry E. Cobb and sundry other citizens of Suffolk County, Mass., and the petition of C. J. Green and sundry other citizens of Boston, Mass., praying that the funds of mutual life insurance companies and associations be exempted from the proposed income-tax provision of the pending tariff bill; which were ordered to lie on the table.

He also presented petitions of U. S. Davis and 15 other citizens of Boston; of Andrew J. Wilson and sundry other citizens of Salem; of M. H. Minty and sundry other citizens of Boston; of John W. Jewett and sundry other citizens of Danvers; of William C. Burdick and sundry other citizens of Borden; of Herbert A. Rhoades and sundry other citizens of Cambridge, and of A. B. Cleveland, H. D. Rogers, and sundry other citizens, all in the State of Massachusetts, praying that fraternal beneficiary societies, orders, or associations be exempted from the proposed income-tax provision of the pending tariff bill; which were ordered to lie on the table.

THE REVENUE BILL.

The Senate resumed the consideration of the bill (H. R. 4864) to reduce taxation, to provide revenue for the Government, and for other purposes.

Mr. HARRIS. Mr. President, I trust the Senate will pardon me for suggesting that upon looking over the questions which remain open in the bill they are more numerous than those disposed of on yesterday. Perhaps they do not involve considerations that will take anything like the time that some of the

questions took on yesterday; but I sincerely hope that each Senator will consent and resolve that we shall dispose of the bill before adjournment to-day or to-night or whatsoever time we may reach the point of adjournment, in order that we may adjourn over to-morrow. I simply desire to submit the suggestion, having with some care looked at the questions which remain open. If we will economize time so far as we can consistent with proper consideration I am sure that we can get through with the bill by a reasonable adjourning hour.

I desire to take the liberty of submitting the suggestion. I shall not ask for any unanimous consent or attempt any coercive measure of any sort now or hereafter, but I appeal in all sincerity and earnestness to every Senator to let us try to dispose of the bill to-day, and before we adjourn to-day.

Mr. PLATT. I sympathize with the Senator from Tennessee, but for my own convenience I should like to ask him whether he would feel it to be his duty to ask the Senate to sit to-morrow if it should be found that the bill can not be finished this afternoon.

Mr. HARRIS. Consulting my own sense of duty and propriety I should stay here to any hour to-night or all day to-morrow and to-morrow night sooner than let the bill go over another day or days.

Mr. CULLOM. I think if we proceed at once with the consideration of the bill we shall get through with it to-day at a reasonable time.

Mr. HARRIS. I hope so. As far as I am concerned I am done, having said all I desire to say.

Mr. CHANDLER. I merely rose, in response to the suggestion of the Senator from Tennessee, to call his attention to the fact that what might be called the short debates of yesterday occupied very little time. There were two or three speeches of considerable length made upon the Hawaiian reciprocity clause, but the Senate made rapid progress, as it seemed to me, with the bill—progress sufficiently rapid, as I think. While, as far as I am concerned, I am willing to go on as we did yesterday and am willing to finish the bill to-day if it can be so finished after all the debate which Senators desire to bring to the consideration of the bill, and if it is not disposed of to-day to dispose of it on Thursday, I certainly hope the Senator from Tennessee will on no account think of proceeding with the bill on the Fourth of July. I can not conceive of a worse work for the Senate of the United States to engage in than to continue the attack which this bill makes upon American industries on the day which signalizes American independence.

The VICE-PRESIDENT. The pending question is on the amendment of the Senator from Texas [Mr. MILLS], which will be stated.

The SECRETARY. Strike out paragraph 270, in the following words:

270. Burlaps, containing not over 40 threads to the square inch, counting warp and filling, 20 per cent ad valorem.

And insert after paragraph 424, page 98:

424½. Burlaps, and bags for grain made of burlaps.

Mr. CULLOM. I regret very much that the Senator from Texas sees proper to offer an amendment proposing to put burlaps and bagging for cotton, gunny cloth, etc., upon the free list. Both these are industries which are carried on in different parts of the country, to a considerable extent in my own State, and it does seem to me that as the policy of the Senate is to give some protection to almost all manufacturing industries, this industry ought not to be made an exception. I hope the Senate will think better of what should be done than to place both these articles upon the free list. The industry has been carried on in my own State for many years and it gives employment to a good many people who are laboring men. I hope the amendment proposed will not be adopted.

Mr. PLATT. I ask for the yeas and nays on agreeing to the amendment.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Texas [Mr. MILLS], on which the yeas and nays are demanded.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. MITCHELL of Wisconsin (when his name was called). I announce my pair with the Senator from Wyoming [Mr. CAREY].

Mr. PALMER (when his name was called). I wish to inquire whether the Senator from North Dakota [Mr. HANSBROUGH] has voted.

The VICE-PRESIDENT. The Senator from North Dakota has not voted.

Mr. PALMER. I withhold my vote, being paired with that Senator.

Mr. PATTON (when his name was called). I have a general pair with the junior Senator from Maryland [Mr. GIBSON]. If he were present I should vote "nay."

Mr. QUAY (when his name was called). I have a general pair with the Senator from Alabama [Mr. MORGAN], and withhold my vote unless it is necessary to make a quorum. If he were present I should vote "nay."

Mr. VILAS (when his name was called). I am paired generally with the Senator from Oregon [Mr. MITCHELL], but will transfer my pair to the Senator from South Dakota [Mr. KYLE], and vote "yea."

The roll call was concluded.

Mr. McLAURIN. I am paired with the junior Senator from Rhode Island [Mr. DIXON], but I transfer my pair to the junior Senator from North Carolina [Mr. JARVIS], and vote "yea."

Mr. GEORGE. I am paired with the Senator from Oregon [Mr. DOLPH], but my vote being necessary to make a quorum, I vote "yea."

Mr. BLACKBURN. I am paired with the senior Senator from Nebraska [Mr. MANDERSON], but I transfer my pair to the Senator from Indiana [Mr. VOORHEES], and vote "yea."

Mr. QUAY. I vote "nay" to make a quorum.

Mr. FRYE. Has the senior Senator from Maryland [Mr. GORMAN] voted?

The VICE-PRESIDENT. He has not voted, the Chair is informed.

Mr. FRYE. I am paired with the senior Senator from Maryland.

Mr. PASCO. I have been requested to announce that the Senator from South Carolina [Mr. BUTLER] is necessarily absent, and is paired with the Senator from Pennsylvania [Mr. CAMERON]. I wish to make this announcement for all the votes that may be taken to-day.

Mr. HOAR. I desire to inquire if the junior Senator from Alabama [Mr. PUGH] has voted?

The VICE-PRESIDENT. He has not voted.

Mr. HOAR. I am paired with that Senator, but am authorized to vote to make a quorum. I vote "nay." I shall withdraw my vote if it should change the result or if a quorum votes.

Mr. McMILLAN. I inquire if the Senator from Louisiana [Mr. BLANCHARD] has voted?

The VICE-PRESIDENT. He has not voted, the Chair is advised.

Mr. McMILLAN. Although paired with that Senator, I am authorized to vote to make a quorum. I vote "nay."

Mr. FRYE. For the purpose of making a quorum, I vote "nay."

Mr. DUBOIS (after having voted in the negative). I ask if the junior Senator from New Jersey [Mr. SMITH] has voted?

The VICE-PRESIDENT. He has not voted.

Mr. DUBOIS. I withdraw my vote, unless it is necessary to make a quorum.

Mr. MITCHELL of Wisconsin. I transfer my pair with the Senator from Wyoming [Mr. CAREY] to the Senator from Georgia [Mr. WALSH], and vote "yea."

The Secretary recapitulated the vote.

Mr. HOAR (after having voted in the negative). I desire to withdraw my vote.

Mr. CHANDLER (after having voted in the negative). I am paired with the junior Senator from New York [Mr. MURPHY], and therefore withdraw my vote.

The result was announced—yeas 28, nays 17; as follows:

YEAS—28.

Allen,	George,	Jones, Ark.	Perkins,
Bate,	Gray,	Lindsay,	Ransom,
Berry,	Harris,	McLaurin,	Roach,
Blackburn,	Hill,	Mills,	Turpie,
Cockrell,	Hunton,	Mitchell, Wis.	Vest,
Coke,	Irby,	Pasco,	Vilas,
Faulkner,	Jarvis,	Peffer,	White.

NAYS—17.

Allison,	Hale,	Power,	Teller,
Cullom,	Hawley,	Quay,	Washburn.
Davis,	Lodge,	Sherman,	
Frye,	McMillan,	Shoup,	
Gallinger,	Platt,	Stewart,	

NOT VOTING—40.

Aldrich,	Daniel,	Jones, Nev.	Patton,
Blanchard,	Dixon,	Kyle,	Pettigrew,
Brice,	Dolph,	McPherson,	Proctor,
Butler,	Dubois,	Manderson,	Pugh,
Caffery,	Gibson,	Martin,	Smith,
Call,	Gordon,	Mitchell, Oregon	Squire
Camden,	Gorman,	Morgan,	Voorhees,
Cameron,	Hansbrough,	Morrill,	Walsh,
Carey,	Higgins,	Murphy,	Wilson,
Chandler,	Hoar,	Palmer,	Wolcott.

So the amendment was agreed to.

The VICE-PRESIDENT. The next reserved amendment made as in Committee of the Whole will be stated.

The SECRETARY. On page 70, paragraph 275, in line 17, the Senate, as in Committee of the Whole, struck out after the word

"cuffs" the words "and shirts," and inserted "composed wholly or in part of linen, 30 cents per dozen pieces, and in addition thereto 30 per cent ad valorem; shirts;" in line 19, after the word "all," inserted "other," and in line 22 before the words "per cent" struck out "and linen hydraulic hose, thirty-five," and inserted "fifty;" so as to make the paragraph read:

275. Collars and cuffs, composed wholly or in part of linen, 30 cents per dozen pieces, and in addition thereto 30 per cent ad valorem; shirts and all other articles of wearing apparel of every description, not specially provided for in this act, composed wholly or in part of linen, 50 per cent ad valorem.

Mr. CHANDLER. Mr. President, I am heartily in favor of this amendment as made in Committee of the Whole. It imposes a duty of from 85 to 125 or 150 per cent upon the great industry of Troy, N. Y., where are factories making collars and cuffs. I trust that Senators upon this side of the Chamber will stand by this industry and this great exemplary protective duty, and I hope the Senators upon the other side of the Chamber will do the same.

It seems to me that it would have been better to have allowed paragraphs 270 and 271 to stand as they were before the motion of the Senator from Texas [Mr. MILLS]. I had hoped that the Senator from Texas would remain subdued during the remainder of the discussion of the bill, but he came into the debate yesterday, and, as I was standing in the rear of the Chamber, I heard the word "robber" proceed from his mouth. "Robber" is a favorite word with the Senator, and I supposed, of course, he was denouncing anew the robber tariff barons; but no, it seems he was denouncing the great and good President of the Hawaiian Republic, the peer among the nations of the Senator's President of the United States, once addressed by that President as his "great and good friend." The Senator from Texas turns from the denunciation of the manufacturers of New England as robbers to the denunciation of the President of a sister Republic as a robber!

The two sections as they stood before the Senator made his motion were admirable illustrations of the condition of the Democratic party. Here we had a product of a manufacturing industry in the United States placed upon the free list, while we have a duty upon the raw material from which that manufacture is derived. This was the condition, a very apt illustration of the principle upon which Senators on the other side of the Chamber were constructing this bill, one of the anomalies of the bill, or, perhaps, as some would call it, one of the beauties of the bill.

The Senators in charge of the bill put bagging manufactured from burlaps by machinery and hand labor upon the free list, and they put a duty upon the burlaps, the raw material of that manufacture, thereby utterly destroying the manufacture of bagging in this country. So no burlaps would be imported at all, the Government would get no revenue whatever, and the business of manufacturing bagging from burlaps in this country would be utterly blotted out and destroyed.

The illustration of the way this bill was framed was all the more striking, standing as it does within four paragraphs from the paragraph imposing a duty on collars and cuffs, which my amiable and industrious friend, the junior Senator from New York [Mr. MURPHY], has succeeded in introducing into and retaining in this bill.

Mr. President, the so-called conservative Senators one after another have retired satisfied. We hear no more complaint from the Senator from Maryland [Mr. GORMAN] or from the Senator from New York [Mr. MURPHY] or from the Senator from New Jersey [Mr. SMITH], members of the conservative forces who were organized to defeat this bill as it came from the House of Representatives and also as it came from the hands of the Finance Committee. They have all disappeared. The Senator from New York stands triumphant before the people of Troy, before the people of his own State, and before the country as the author and defender and protector of a 125 per cent duty upon collars and cuffs; and now comes the Senator from Texas and destroys the best illustration of the way in which this bill has been constructed by Senators upon the other side of the Chamber, by changing the clauses as to bags and burlaps from a duty upon the raw material and no duty upon the manufactured article to an exemption of duty, putting both of them upon the free list.

Mr. President, I am sorry the Senator from Texas has asserted himself in the final discussion of this bill. I hope the committee will take these three paragraphs into careful consideration before the bill passes from the Senate, or if the bill shall pass the Senate, and those Senators deal with these paragraphs in conference, I hope they will either put burlaps and bagging upon the dutiable list, or else that they will strike collars and cuffs out of the dutiable list.

Nothing can be more absurd than the vote which the Senate has just given to put bagging upon the free list and that which it will shortly give upon a yea-and-nay vote to put a duty of 125 per cent upon collars and cuffs.

Mr. HALE. Mr. President, I do not think the Senator from New Hampshire [Mr. CHANDLER] has fairly appreciated the modest course that has been pursued by the junior Senator from New York [Mr. MURPHY] in this matter. He is inclined, I see, to be satirical upon the Senator. I think, on the other hand, he ought to praise the junior Senator from New York for having been so self-restrained in his demands upon this bill. That Senator represents with his colleague [Mr. HILL], who has been in and out of season fighting certain provisions of this bill, the greatest of the American Commonwealths, containing in its borders the greatest of industries by the score and hundreds and thousands, and hundreds of those industries are doomed to death by this bill.

The junior Senator from New York has been very modest in his demands upon the committee. He has not claimed that the great State of New York should be saved in this bill, and thereby added to the embarrassment and indeed consternation of the committee, but he has limited himself to this comparative little industry in his own town.

Mr. President, when the Senator from New York looks over all the great industries in his State to which he has paid no attention, and sees them sacrificed by this bill, for which he will vote, and knows that he had the power to exact greater conditions by far than he has, he must say to himself in the language of Clive, "I wonder, sir, at my moderation;" and we wonder at the moderation of the Senator from New York. He follows along and trails in the course of the committee and will vote for this bill, not because he has exacted from the committee protection for the numerous industries in his State and can go to his State with that record, but he is content with the little industry of collars and cuffs which wrap the wrists and the necks of a few or many American people, and which are manufactured in his own town.

There has been no such instance of moderation in this bill from the beginning as that exercised by the Senator from New York, and I congratulate the committee that the Senator from New York, whose vote is so essential upon this bill, has limited himself and his demands to what is contained in this provision.

Mr. CHANDLER. I ask for the yeas and nays upon concurring in the amendment.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. GEORGE (when his name was called). I am paired with the Senator from Oregon [Mr. DOLPH].

Mr. MCLAURIN (when his name was called). I transfer my pair with the junior Senator from Rhode Island [Mr. DIXON] to the junior Senator from North Carolina [Mr. JARVIS], and vote "yea."

Mr. PALMER (when his name was called). I am paired with the Senator from North Dakota [Mr. HANSBROUGH], who is absent, but I transfer that pair to the Senator from Indiana [Mr. VOORHEES] and vote "yea."

Mr. PATTON (when his name was called). I announce my pair with the junior Senator from Maryland [Mr. GIBSON].

Mr. POWER (when his name was called). I am paired with the Senator from Louisiana [Mr. CAFFERY].

The roll call was concluded.

Mr. QUAY. I desire to announce the pair of my colleague [Mr. CAMERON] with the Senator from South Carolina [Mr. BUTLER]. This announcement will govern to-day's voting.

Mr. DANIEL. I beg leave to say that I have a general pair with the Senator from Washington [Mr. SQUIRE], but I have transferred that pair to the Senator from Georgia [Mr. WALSH], who is temporarily absent, and I vote "yea."

The result was announced—yeas 43, nays 5; as follows:

YEAS—43.

Allen,	Dubois,	Lindsay,	Perkins,
Bate,	Faulkner,	Lodge,	Pugh,
Blackburn,	Frye,	McLaurin,	Ransom,
Blanchard,	Gallinger,	McMillan,	Roach,
Call,	Gray,	Martin,	Smith,
Chandler,	Harris,	Mills,	Teller,
Cockrell,	Hawley,	Mitchell, Wis.	Turpie,
Coke,	Hunton,	Morgan,	Vest,
Cullom,	Irby,	Murphy,	Washburn,
Daniel,	Jones, Ark.	Palmer,	White.
Davis,	Kyle,	Pasco,	

NAYS—5.

Allison,	Manderson,	Peffer,	Sherman,
Carey,			

NOT VOTING—37.

Aldrich,	Camden,	Gibson,	Higgins,
Berry,	Cameron,	Gordon,	Hill,
Brice,	Dixon,	Gorman,	Hoar,
Butler,	Dolph,	Hale,	Jarvis,
Caffery,	George,	Hansbrough,	Jones, Nev.

McPherson,	Platt,	Squire,	Wilson,
Mitchell, Oregon	Power,	Stewart,	Wolcott.
Morrill,	Proctor,	Vilas,	
Patton,	Quay,	Voorhees,	
Pettigrew,	Shoup,	Walsh,	

So the amendment was concurred in.

The VICE-PRESIDENT. The next reserved amendment will be stated.

The SECRETARY. The Senate, as in Committee of the Whole, struck out paragraph 278, in the following words:

278. Wool of the sheep, hair of the camel, goat, alpaca, and other like animals in the form of slubbing waste, roving waste, ring waste, mungo, shoddies, garnetted or carded waste, carbonized noils or other waste product, any of which is composed wholly or in part of wool, the hair of the camel, goat, alpaca, and other like animals, which has been improved or advanced beyond its original condition as waste by the use of machinery or the application of labor, or both, and carbonized wool, shall be subject to a duty of 15 per cent ad valorem.

Mr. SHERMAN. I have no objection to the striking out of the paragraph, if it is desired, because I wish to offer a substitute for it.

The amendment was concurred in.

Mr. SHERMAN. I move a substitute for paragraph 278.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. Insert as paragraph 278 the following:

278. Wool of the sheep, hair of the camel, goat, alpaca, and other like animals, 30 per cent ad valorem.

Mr. SHERMAN. Mr. President, I wish to make a last appeal to the Senate of the United States to give some protection to one of the great industries of our country. It is a class generally known as the fifth of the industries of the United States, including the manufacture of woolens. I have no doubt it fully comes up to that grade. It gives employment, not exclusive employment but general employment, to over a million farmers in the United States who are engaged in the growth of wool. It involves an annual product estimated at $125,000,000 under the former prices, probably under the prices now in force about eighty or ninety million dollars.

It is therefore a great industry. And yet this industry has been left solitary and alone without the slightest protection given to it, directly or indirectly. The manufacture of woolen goods is amply protected. Even yesterday amendments were proposed and adopted without dissent adding largely to the protection of manufactures of wool.

Mr. GEORGE. I should like to ask the Senator a question.

Mr. SHERMAN. Certainly.

Mr. GEORGE. Will the Senator from Ohio and his friends on the other side be content as to the duty on woolen goods now fixed and not undertake to raise them if we vote this tax on wool?

Mr. SHERMAN. As far as I am concerned I would propose no change in the woolen schedule except one, and that is in the next paragraph, where the rate ought to be the same as other grades of wool, 30 per cent ad valorem.

Mr. GEORGE. Does the Senator believe his associates will take the same position?

Mr. SHERMAN. They may speak for themselves; I can only speak for myself. That is a part of the argument I intend to make.

Mr. GEORGE. I should be very glad to vote for the Senator's amendment if I supposed that it would not be made the ground of another claim to raise the duties on woolen goods.

Mr. SHERMAN. Before I get through the Senator, I think, will be answered.

Now, Mr. President, this is a proposition to levy a duty of 30 per cent ad valorem. I do not believe as a general rule in the principle of ad valorem taxes, because they are so easily evaded and are constantly evaded by importers of foreign goods.

Still, I propose it in order to attract at least one or two Democratic votes, because with two Democratic votes some protection may be given to wool. I intend to make the statement very emphatic, that if all protection to wool is denied by the Senate of the United States it will be done by the Democratic party. No member on this side of the Chamber will refuse to vote for a reasonable, for even a moderate, protection on wool. So far as I can gather from the votes that have been heretofore cast, every one of the so-called Populists will vote in that way. So that if this protection to wool and the farmers is denied it will be denied by a partisan and a unanimous vote against what I believe to be the opinion of a large number of Senators on the other side of the Chamber.

If this was only a small interest, a matter not involving many people or much money; unless it involved the destruction of a great interest, I would not be here pleading for what I ought rather to demand as a right, but I do ask it.

Now, what is the general principle on which we all agree—the fundamental principle in regard to taxation on imported goods? I think I can state it in a few words, and that even the Senator from Texas [Mr. MILLS], who is said to be a free trader, will agree with me in the general proposition I make. The true rule for tariff taxation is to levy a duty upon every article that competes with domestic production at a rate that will, with other duties, yield enough revenue to supply the current needs of the Government and at the same time maintain wages and prices at the American standard.

That was the old Democratic rule, acted upon since 1816, until the Democratic party disappeared from the control of our politics in 1860. It was the rule advocated by every Democratic President and especially emphasized by Gen. Jackson. Indeed, the very rule that I have stated here is substantially the declaration made by Gen. Jackson in his first message to Congress.

There is another rule equally binding, and that is that protection should extend to all branches of industry. It should apply not only to the workshop, to the mine, and to the farm. Every kind of industry of this country ought to be dealt with alike; there should be no discrimination. It is a great mistake to suppose that our tariff laws are intended for the protection of manufacturers only.

If it were confined only to manufactures, as a matter of course the great mass of the people all over the country, being farmers or miners, or engaged in various pursuits, would be indifferent to the general theory of protection; but it is because this rule is sought to be fairly and impartially applied to all branches of industry that it has taken a strong hold upon the popular mind and is now practically adopted by two-thirds of the people of the United States.

I say, therefore, you can not discriminate against the product of the farm in favor of the product of the manufacturing establishment, or in favor of the miner. All must be dealt fairly with upon the same general principle. The labor bestowed by the farmer, the manufacturer, and the miner should be equally protected to the precise extent and proportion as his labor contributes to the value of the completed article.

All the necessaries of life are made by the combined labor of different classes of people. Especially is this true in regard to clothing. The first want of human life is food; the second want is clothing; the next want is shelter. These are fundamental wants lying at the foundation of all industries. We must have food every day. We must have clothing according to the season. We must have shelter from storms. All the industries involved in producing food, clothing, or shelter ought to be alike protected. But from the nature of things shelter being locally established in our own land it needs no special protection, although the things that enter into the building even of a house ought to be fairly protected alike, so that the domestic manufacturer or producer of those articles should be protected to the extent of the difference in wages paid here and in countries competing with us.

So far as clothing is concerned, one-half of the expense and cost of clothing is in the wool that is contained in the cloths. That is a rule which may be applied generally, although not universally, because of late the adoption of cotton and other textiles have sometimes changed somewhat our clothing. More or less other articles enter into our clothing; but as a rule in every $200 worth of cloth that is brought into this country or manufactured in this country, one-half of the value is the work of the farmer; and that work is not merely an incidental work, like the opening of a mine or day's labor, but it is the work of the whole year.

The farmer bestows his work upon the sheep from the 1st of June of one year to the 1st of June of the next in winter and in summer. Every day's care is required more or less for the sheep raised by the farmer. His crop is only cut at the proper season of the year, and then alone can he receive anything for his toil and labor. This industry lies at the very foundation of the great industries of clothing, protection against cold. Under these circumstances the farmer ought to be protected to a reasonable extent. He ought to be protected equally with the manufacturer.

It is highly important that we should maintain in this country of ours the general manufacture of our clothing. Now, nearly all, I think three-fourths or four-fifths of the clothing used by the people of the United States, is home made. It used to be made by the hand loom in almost every family in the country, and now it is made in manufacturing establishments. We have built this up. It is right. The manufacturers contribute the other half to the value of the wool and thus make clothing. Is it not clear that the same degree of protection ought to be extended to the work of the farmer as to the work of the manufacturer? Undoubtedly it is.

Therefore it is that this appeal comes with double weight; and yet by the action of the committee on the other side, by the action of our Democratic friends all protection whatever is denied to the farmer. No provision is made in his favor. He is brought into hard and close competition with wool grown on

the plains of Australia and South America and all other new countries, and he is now sacrificed by the action of the Democratic party. I wish it distinctly understood, and I shall show before I am through that by this act a blow will be struck by that party, a party which now abandons its principle, turns its back upon the declarations of the fathers of that party, and seeks to strike this blow and yet at the same time give to the manufacturers of woolens a liberal and proper duty for their protection.

Now, why should this discrimination be made? No man can answer. Undoubtedly if the farmer contributes one-half to the cost of the clothing and the manufacturer contributes the other half, the same rate of duty ought to be applied to both. For instance, in every $200 of clothing $100 is the product of the farmer; the other hundred is the product of the manufacturer. A duty of 30 per cent on the wool imported in competition with the farmer will yield a revenue to the United States of $30, and it will be a protection to the farmer to that extent. However, when the imported cloth comes here it is doubled in value. It is worth $200 by the addition of the skill of the manufacturer. When that comes into consumption in competition with the manufacturers of our own country we levy a duty of 30 per cent, or $60; so that under this principle, even by an equal rate of duty upon wool and woolens, we give to the farmer protection on his part of the product, and give to the manufacturer protection on his part of the product.

Mr. ALDRICH. I think I ought to state in answer to the suggestion of the Senator from Ohio that the scoured wool in a suit of clothes which costs $20 would be worth $3 instead of $10, as the Senator from Ohio seems to think.

Mr. HARRIS. We can not hear the Senator from Rhode Island.

Mr. ALDRICH. It takes 5 pounds of scoured wool to make a suit of clothes which would sell at from $15 to $20, and that scoured wool is worth in the market to-day about 60 cents a pound, making $3.

Mr. SHERMAN. If that be true, although I do not concede it, because I think the division of the value of wool and woolens is more equal, it is a still stronger argument in favor of the farmer. If he contributes only one-tenth to the cloth he ought to have the one-tenth of protection. If his labor does not contribute more than one-tenth to the finished product of wool, he is entitled to protection at the same rate.

Mr. MITCHELL of Oregon. It is an argument in our favor.

Mr. SHERMAN. It is an argument entirely in our favor. I think the Senator from Rhode Island is mistaken, because I have seen it stated over and over again—it seems to have been conceded in the committee—that the value of the wool which enters into the cloth is equal to the value of the woolen goods. As a matter of course raw wool full of grease and other things has to be cleaned and scoured, and it is partially manufactured by the farmer. The farmers of Ohio as a rule send their wool into the market almost clear of grease or any other dirt; it is advanced by washing; but when it is further advanced for manufacture by scouring and by other processes, as a matter of course that is the labor of the manufacturer, and to the extent that he gives labor to this common product as a matter of course he ought to have the relative duty.

Mr. President, if the fair average rate of duty on all the articles on our tariff list is 30 per cent ad valorem, if it is found that 30 per cent ad valorem on the aggregate of our importations will yield us enough revenue from tariff duties to carry on the ordinary operations of the Government, that should be an average rate. But as a matter of course in applying this rule there are many things that by common consent ought to be admitted duty free, and many articles ought to be favored by higher duties, and thus the general average is preserved. In order to protect special American industries we should give still higher rates of duty. But whatever rule may be applied ought to be applied equally to the farmer and to the manufacturer.

The industry of woolgrowing in this country is of vital importance to the independence of the United States, to its security in time of war, to its success in time of peace. That is absolutely demonstrable. Every nation in the world ought to be at least independent in clothing. The shelter of the blanket for the soldier is as indispensable in war as in peace. Our fathers in the period of the war of 1812 suffered enormously because they had not the facility to manufacture woolen goods, and the home-made production of woolen goods increased largely on that account. It was felt to be an evil, because we could not during the war import blankets.

The production of a sufficient amount of wool in our country to supply the domestic needs is one of national importance; it is one that is demanded by us for safety in peace and necessity in war. There can be no doubt about that. It is an industry that must be maintained in the United States if we would be independent. As it is now we produce 303,000,000 pounds of wool. We import about 170,000,000 pounds of the coarser wool to mix with it to make carpets and the like. So that now we have established in this country an industry almost sufficient to supply our entire wants, and if a reasonable protection can now be given to wool we can raise in this country all the wool that is necessary for our consumption, because we have the advantage also of vast plains in the West.

We have the advantage of new parts of the country that may feed sheep at little cost and little expense. Most of the sheep now drift from the East to the West. The sheep industry is now established west of the Mississippi River. Nearly all—two-thirds—of the sheep in our country are now west of the Mississippi River. So this industry there may increase and multiply. Texas itself could supply a large amount of the coarser wools of the country.

By the way, I can say to the Senators who represent that State that I have telegrams and letters from highly respectable persons in different parts of the State, which I have not presented or bothered them with, earnestly petitioning Congress to give to the woolgrowers of Texas a reasonable protection—anything. They say they demand it. They can not compete single-handed without protection against other countries, when the freight and all other elements of cost are in favor of the producers in South America and Australia. I am therefore a little surprised that our friends from Texas do not see the importance of preserving this industry. But that is for them to say.

Now, Mr. President, there is one question which I wish to present, on which probably my friends on this side of the Chamber may differ with me, and that is that a very faulty proposition was adopted under the tariff act of 1867, which provided for what are called the compensatory duties in favor of the manufacturer; that is, the manufacturers insisted, in their conference with the woolgrowers, that they ought to have not only an equal rate of duty on manufactures, but an additional duty, so as to cover the rate imposed upon wool. The unfortunate yielding of this proposition undoubtedly led to much evil that has grown up since, and many complications that have arisen between the sheep-growers and the woolen manufacturers. Their interests are identical. Their interests are the same. They ought to cooperate together.

But the theory of a compensatory duty is unfounded in fact or in any just principle of the application of a tariff duty. Why was that? It was because in the tariff on wool and woolens they adopted specific rates of duty. Specific rates of duty can not properly be applied to an article so various in its value as the different grades of wool and woolens. Some woolens are worth only a few cents a pound. Some of them are worth $5 a pound. They vary greatly from one to the other. Some kinds of manufactures of woolen goods made of shoddy and other cheap material come into the market of a very low grade and at a very low price, while the fine cloth, the more careful manufacture of French broadcloth, comes into our country worth ten or twenty times as much per pound. It is therefore one of those articles to which specific duties can not be applied because of the vast variety and range of prices in the value of the different grades both of wool and woolens. When they undertook to apply the specific rate they gave to the farmer a certain rate of duty on wool.

Then they gave to the manufacturer the same rate. Assuming that 3 or 4 pounds of wool in its ordinary state were required to make 1 pound of wool fit to be manufactured into cloth, they claimed and demanded and received a duty on their woolen goods not only equal to the duty on wool multiplied by four, on account of the nature and character of the wool that was brought into the market, but they added to that a protective duty amply sufficient to protect them, by what is called a compensatory duty, on account of the duty on wool added to the duty on the manufactured article. It compelled the imposition of very high rates of duty, which tended to produce unpopularity and to create objection to this system.

I myself do not care what rates are put upon woolen goods. If I had my way I should have all the goods consumed in our country manufactured here at home. I should protect our manufacturers to that degree which would enable them to make all the cloth, fine and coarse, that is needed for the clothing of our people. That is my idea upon the subject of protection. I do not desire to cripple the woolen manufacturers of our country. I should build them up. I should give them ample duties so that they can make all needed woolen goods. Provided they would keep out of all combinations and have free and open competition with each other, there could be no danger in the highest rates of protection being given to woolen manufacturers. Fortunate it is that woolen manufacture is one of those things which can not live and prosper by combination.

All the factories in this country are competing with each

other. They can not make such combinations as can be made in some other branches of industry. Therefore competition has already reduced the price, and an examination of the scale of prices will show that, in spite of high rates of duty, domestic clothes have gone down more and more by the open competition of our protected manufactures until now clothing is cheaper in our country than it ever was before. Although the rates of duty under the McKinley act and the act of 1867 were very high, the demand for those goods is so great and the competition between the various manufacturers scattered all over the United States is so great that the price has been reduced.

When you put on woolens an ad valorem duty of, say, 30, or 40, or 50 per cent, whatever it may be, you give to the manufacturer the full benefit of protection against foreign competition. He ought not and does not, I believe, ask that the farmer be deprived of his share of this protection. I am glad to say here in behalf of the woolen manufacturers of the United States that so far as I know there has been no opposition on their part to reasonable protection on wool. An effort has been made in my own State——

Mr. HOAR. May I ask the Senator from Ohio a question at sometime?

Mr. SHERMAN. Certainly.

Mr. HOAR. The Senator from Ohio is the most experienced person in this body on this subject with one possible exception, the Senator from Vermont [Mr. MORRILL]; he is a member of the Finance Committee of the Senate, and I wish to ask him if he knows or can think of anything that a New England Senator can do, or anything that he has failed to do, or any other course of conduct than that taken by New England Senators which would have helped to secure a duty on wool?

Mr. SHERMAN. I am glad to say that every representative of a manufacturing district, so far as I know, every Senator on this floor on this side of the Chamber has been from the beginning of this controversy to this hour in favor of giving to the farmer his share of the protection on wool. Every Senator on this side has voted for it. Both Senators from Massachusetts especially not only voted for it, but have spoken for it in the strongest language.

The interests of the woolgrower and the woolen manufacturer are identical. If you wrong one you injure the other, and I am glad to say that every Republican in this Chamber has over and over again voted for a reasonable protection to wool. If there is any Senator who belongs to what are called the manufacturing States who has any different opinion, I should like to have him express it now.

Mr. CHANDLER. I ask the Senator from Ohio if they did not, in 1890, vote for the 11 cents duty and the graduated duty on wool?

Mr. SHERMAN. I think they have always voted for adequate duties on wool. An impression has been endeavored to be created among the farmers of Ohio recently that the New England manufacturers were secretly opposed to the duty on wool. I am bound to say that there has never been the slightest evidence of that. Every expression, by word or by vote, has been in favor of giving to the farmers their full and fair share of protection. There may have been differences in regard to what is called the compensatory duty of which I have spoken, but those differences have gradually died away, and when you apply the ad valorem principle to the tariff on wool and woolens there can be no question whatever about it.

The duty of 30 per cent on wool and woolens would divide between the woolen manufacturer and the woolgrower the degree of protection. If, as my friend from Rhode Island says, the cost of the wool is a much less element, so much the better for this view of it. The farmer would only get by an ad valorem duty according to the value of the article when he turned it over to the manufacturer, and the manufacturer would get the benefit of the duty on the completed article, wool and woolen combined in the cloth. So that each contributor to this necessity of life would receive his fair share of the benefit of protection.

Now, I say to Senators on the other side of the Chamber that while I make this appeal earnestly I do not do it for mere political reasons. On the other side of the Chamber, as I know, there are several Senators who believe with me that this discrimination ought not to be made against the farmer. Although I have not conversed with these Senators or sought to influence their opinion, yet I know their opinions very well. The Senators on the other side can not answer the charge I make this day, that they are responsible for any evil that comes or any feeling that may arise in the minds of the farmers of the South as well as of the North that they will be responsible for this discrimination, and now when we have added to the protection given to the woolen manufacturer, that they can not find any reason why a reasonable and moderate protection ought not to be put upon wool. We import 173,000,000 pounds of wool. I suppose the ad valorem duty would hardly amount to 4 cents a pound. Now, suppose the duty is put on. Does it hurt anybody?

Mr. President, under these circumstances I appeal to our friends on the other side of the Chamber to disregard party lines. I appeal to every Senator on the other side who feels as I do that this discrimination against farmers should not be a part of this measure of the Democratic party. The wool industry is not an industry of Ohio alone, although we happen to raise the best sheep, and probably now the greatest number. They are being rapidly slaughtered, and under free trade the sheep will disappear rapidly as time goes on. Is it wise to impair or disturb so great an industry, in which are interested the farmers of all parts of our country? They are the lifeblood of our population, the safe anchor of our institutions, the men who never strike except through the ballot box, the men who obey the laws, and the conservators of the public peace? Is it wise to deny to them that protection which they unanimously desire, and which is granted to all other industries?

I sincerely hope that this little amendment, giving them but 30 per cent, copied from the Walker tariff act, will be given to them. One other clause ought to bear the same rate of duty, and that is all so far as I know. It is a question for the Senate to determine, whether any additional rate shall be given to the manufacturers of goods. I sincerely hope that under the circumstances, as the manufacturers have been well cared for, no effort will be made to increase any other items except those which are classed in the name of wool or the hair of the camel, alpaca, etc. The next paragraph to the one which I now move to amend is one of that character, relative to wool somewhat advanced, now fixed at 15 per cent, but certainly it ought to be placed at 30 per cent if my amendment is adopted.

Mr. HOAR. Mr. President, I shall detain the Senate but a short time. I hope the amendment offered by the Senator from Ohio [Mr. SHERMAN] will be adopted. The deadliest blow which it is in the power of man to strike at the manufacturing prosperity of New England will be to put wool upon the free list. It is none the less deadly because it may be accompanied by some modicum of protection to manufacturers which will enable them to continue in languishing, feeble, brief, yet uncertain life for a time. If the policy of free wool be adopted and the men who have adopted it are to continue in national power, there should be written over the gate of every woolen factory in the New England States, "The feet of the men who have carried out the Western farmer are at the door ready to carry thee out also."

This is a blow at the principle of national independence, both in war and peace. It is a blow at what all the great statesmen of the early times, Federalist and Democrat, Republican and Whig alike, declared the very essential of national safety and independence. The nation that can not produce its own clothing, that can not clothe its armies in war, that can not clothe its citizens in peace without foreign assistance is as weak and defenseless among the nations of the earth as the flocks that we seek to protect would be weak and defenseless in an African desert among lions and tigers.

There can be no separation of the interest of the woolen manufacturer and the grower of wool. Every manufactured article of wool that comes in from abroad not only throws into idleness the manufacturing operatives of America who otherwise would have produced it, but condemns to a like idleness the farmer who to that extent would have grown wool. It makes no difference to the farmer of the West whether the wool which drives his flock out of existence is imported from abroad in the form of cloth or in the form of raw wool itself, except that possibly in one case he would find an American customer for the other product of his farm which he does not find in the other case.

I account it the worst policy in the world for the representative of any woolen manufacturing industry to undertake to preserve for a little while the life of his industry at the expense of the farmers of the country. That man must be blind, that intelligence must be dull as a weed that can suppose that it is possible to long preserve a protective system in this country with wool upon the free list. One of the leading advocates of this modern free-trade doctrine declared at a convention of free traders in New England a year or two ago what I have just said. He quoted Byron's lines:

> While stands the Coliseum, Rome shall stand;
> When falls the Coliseum, Rome shall fall,

And applied it to the protective duty upon wool, and there never before came so true an utterance from such a source.

Mr. President, this attack, under all circumstances unwise, unpatriotic, un-American, unstatesmanlike, as it is made to-day is wicked and indefensible, because you are striking at this industry of the American farmer in a bill crowded and packed with high protective duties. The bill which you are about to put upon its passage announces the principle that a high pro-

tective duty may be placed upon a necessary of life solely because it is the author's desire to get the favor of some single Democratic Senator. The favor of a single Democratic Senator is more important in the eye of Democratic statesmanship than the interest, the livelihood, the lifeblood of the great agricultural interests of the Northwest and the Pacific States.

Mr. President, I see signs that some of the Senators who are doing this thing are making arrangements for pursuading the American people, or the people of the West, if they can, that the men who vote for free wool are not the men who are chiefly responsible for it. I saw in the newspapers the other day an interview attributed to the junior Senator from Ohio [Mr. BRICE], which it is impossible to believe is correct, in which he said that the New England Senators had very ingeniously contrived to get wool put upon the free list. I can not believe that Senator ever made such an utterance. I am sorry that he is not present here to speak for himself.

Mr. President, the New England Senators represent a constituency pledged up to the eyes to the protection of the wool-raising industry of this country. They could not go home to face their constituents, they could not go home with any prospect or expectation of receiving the continued support, or even the continued respect of the States which sent them here, if they had failed to carry out the wishes of those States by doing their best to secure the imposition of a duty upon wool. And it seems to me a little curious that the fabricator of that interview attributed to the honorable Senator from Ohio should not have sagacity enough to see the absurd folly of putting into the mouth of a gentleman who, on a bill whose various provisions are determined by a majority of one or two, has himself voted against free wool every time the question was up, a declaration that the men who are responsible for free wool are not the men who voted for it, but the men who every time voted in solid column against it.

Mr. SHERMAN. I should like to ask my friend a question. I ask whether, on the whole, he does not think that any two Democrats on that side of the Chamber could overthrow this infernal conspiracy by voting against this bill?

Mr. HOAR. I did not use the word "infernal," but it is a most admirable expression, which I thank the Senator from Ohio for using. They could overthrow it.

Mr. President, I wish to put this thing right, if it can be put right. I wish to ask the honorable Senator from Ohio [Mr. SHERMAN], I wish to ask the honorable Senator from Oregon [Mr. MITCHELL], I desire to ask the honorable senior Senator from Colorado [Mr. TELLER], whether they, or either of them, can suggest anything which any New England Senator can do, or anything which any New England Senator has failed to do, to save this industry? If there be such a thing, I pledge myself, for one, to submit myself to their judgment and guidance, and to follow them to the end.

Mr. MITCHELL of Oregon. Will the Senator allow me?

Mr. HOAR. Certainly.

Mr. MITCHELL of Oregon. In order to correct what, I fear, may be a wrong impression among certain people in my State, I want to testify here and now, that the very strongest appeals which have been made in the Senate for a protective duty on wool have come from the Senators representing the manufacturing States. There has nothing occurred here, so far as I am able to see, that would indicate in the slightest degree any disposition, either directly or indirectly, on the part of any of those Senators to prevent the placing of a proper duty upon wool; but, on the contrary, everything that has occurred has been in the other direction. In a word, the whole force of the Republican party in the Senate, without a single exception, has been in favor of retaining some proper duty on wool.

Mr. PERKINS. Mr. President, in behalf of California, I desire to bear the same testimony which the Senator from Oregon [Mr. MITCHELL] has given. California produced in 1893 a larger number of pounds of wool than any other State in the Union, and the New England Senators, representing the manufacturing States of New England and of the North, have stood manfully by this great industry of the West.

Mr. PLATT. I wish to say for myself now that, as one New England Senator, I am ready to put myself under the direction of those Senators who especially represent the desire to obtain a duty upon wool. I will follow them in any course of action which they think is necessary to obtain that duty or to defeat the bill if that duty be not given.

Mr. HOAR. Mr. President, what the Senator from Connecticut has said for himself I have already said for myself, and I am quite sure, if my colleague were present, he would say the same thing.

Mr. GALLINGER. And so would every New England Senator.

Mr. HOAR. And, as the junior Senator from New Hampshire says, so would every New England Senator.

Mr. President, a question has been put from the other side of the Chamber—it was put just now by the Senator from Mississippi [Mr. GEORGE] to the Senator from Ohio—"If we will put a duty on wool will you accept it, without insisting upon a higher duty upon the manufactures of wool?"

That was a very ingenious question, but the answer to it requires no ingenuity. We go for a duty upon wool, which is the present question. We make no terms; we ask no conditions; we demand no bargain. Put the proper duty on wool by your vote, and the question of the proper duty on manufactures of wool will be settled hereafter, if it has not been settled already by the justice of the American Senate. We do not impose that condition or any condition, but we ask this thing to be done now. The other schedules of the bill will be dealt with when they come to be dealt with under all the facts.

We understand very well that the Democratic party has yielded, either to argument or to political necessity, a great deal of protection in this bill. Whether protection should be yielded to wool of course depends upon that party. But here is the Republican party, thirty-seven strong in this body, and here are two or three or four Senators belonging to a different party, for whom, of course, I have no title to speak, but who are in favor, as their votes show, of a duty on wool. Here they are ready to vote for it, without a bargain, without a condition, without entering upon the question now what ought to be done a year hence or an hour hence. Add to that force of thirty-nine or forty-one, two from your side of the Chamber, and the thing is done. Let the junior Senator from Ohio come with a single companion on his arm to the rescue of this amendment of his colleague, on which the industries of his State depend as for their life, and there is nobody to make a bargain with him, there is nobody to throw obstacles in his way; and the thing is done.

Mr. President, if the woolen manufacture of New England is to live, let it live in honor. If it is to die, let it die in honor, in such honor, at least, as a death at the hands of the Democratic majority renders it possible to any dying industry; but let it not be preserved by any base deed, by any evil principle, or by any bargain of shame.

This is the simplest thing in the world. Here are thirty-nine men, I suppose forty-one, though I do not undertake to speak for others than the Republicans—ready, without a bargain, without a condition, without a pause, without a delay, to give a reasonable, decent, and adequate protection to this great industry of the Northwest. Bring over your two men to go with us, bring over enough men to go with us, and the thing is done.

Mr. MITCHELL of Oregon. Would it not be better for all to come and go with us and do the right thing?

Mr. HOAR. But if you fail and refuse, take the responsibility like men, and do not go on the stump next fall, do not whisper in the ears of the newspaper correspondents this afternoon, "We who voted against free wool were all for it, and the men who voted and spoke for it were really all against it."

Mr. STEWART. Mr. President, this is a protective tariff bill. It has none of the elements of a tariff for revenue which are not contained in all protective tariff bills. It protects what is commonly called raw material equally with the highly finished article. It protects coal and iron and every great industry that is found along the Eastern seaboard.

The section of country most interested in wool is the mountain region of the West. That is the natural home for sheep, and it is a country entirely similar to those countries with which we have to compete in this industry. We have not as low a scale of living as have those countries which compete with us; wages are much higher here; the necessities of life are much greater; we have not been accustomed to living on the low diet and scanty clothing and receiving the miserable wages of those who are competing with us in the sheep industry. The question of transportation is not in our favor, but is rather against us.

Our section has been struck almost a fatal blow, our principal industry has been destroyed. It is no satisfaction to me to know that the blow which struck us is rebounding from us and striking all humanity alike, but in a protective bill it seems hard that the country upon which the fatal blow at humanity was struck, and which is now prostrated, should be deprived of almost its only remaining industry. We are compelled to buy clothing in a protected market, of which I am not complaining, but there is nothing that we produce which is protected. The slight protection on borax and on lead is in effect nothing; it has been reduced so low that it is of little use.

But the great industry of the people of this intermontane region, composing nearly two-fifths of the entire area of the United States, which has now started up, is to be discriminated against

and stricken down; and I want to call the attention of my Democratic friends to the fact, without inquiring whose fault it is, that three States, which are virtually interested in this question, are not fully represented in this body. If they were here, you could not do it.

Mr. MORGAN. I wish to ask the Senator from Nevada or some other Senator a question. I am informed—and he can tell whether or not I am correctly informed—that the sheep-herders and sheep-growers of the Northwest pay nothing for pasturage?

Mr. STEWART. That is partially true and partially not true.

Mr. MORGAN. Is it not true to the extent of 90 per cent?

Mr. STEWART. It is largely true.

Mr. MORGAN. Is it 90 per cent true?

Mr. STEWART. I will state the facts in regard to it.

Mr. MORGAN. It is nearly an exception where the sheep-grower has to pay anything for pasturage.

Mr. MITCHELL of Oregon. Our sheep-growers have to pay for five herders where they have to pay but for one in Argentina and in Australia, and we have to pay four or five times the amount of wages paid in those countries.

Mr. STEWART. Let me state the facts.

Mr. MORGAN. I have seen the pastoral herders out there, and I should think that an ordinary community ought to pay a sort of bonus to have them taken out of it, so far as those whom I have seen are concerned. Now I want to ask another question.

Mr. STEWART. Let me answer that one first.

Mr. MORGAN. After a herd of sheep has passed over the pasturage, will cattle take the grass there any more until a new crop grows?

Then I want to ask the Senator whether he claims in favor of the Northwestern sheep-herder the right of free pasturage, also a duty upon wool, and also a monopoly of grazing, so that cattle will not and can not feed upon the same grass? That is the way it strikes me.

Mr. STEWART. Then the Senator from Alabama would exterminate the industry on the ground that it is not useful.

Mr. MORGAN. The Senator will allow me to say that I would not join the cattle men in exterminating the sheep men, for there is a war of extermination between them anyhow.

Mr. STEWART. That, like all other industries, is harmonizing itself. The sheep men have enough to contend with, and the cattle men have enough to contend with, but they are fast harmonizing their difficulties. The sheep men are acquiring land and making arrangements to keep their herds on the land. There was almost a war of extermination between the two some years ago, but that has ceased. The sheep men, as I have said, are acquiring their lands and regulating their herds so as to keep them within bounds.

That is an industry which is growing up. When the heavy storms came a few years ago and we had a very bad season, it was ascertained that it was easier to sustain sheep than cattle during such a season. The cattle men branched out too much, and they lost their cattle by the hundreds of thousands in the mountains of Nevada, Wyoming, Montana, and Idaho, where they perished, because the cattle-owners undertook to monopolize the whole country and not provide for their cattle in the winter. The cattle and sheep raisers are now changing their methods. If the sheep industry is allowed to exist, it will be carried on on their own lands, and the sheep-growers will have their homes there. If the cattle industry be allowed to exist, which it will, it will exist on ranges belonging to the cattle men, and the conflict will then soon harmonize itself.

There is no reason, I say, for Congress to take sides in the adjustment of this question between the cattle men and the sheep men. The sheep industry is a very important one; it is more profitable than the cattle industry, and there is no reason why it should be exterminated by this bill.

As I remarked before, there are three States which are not fully represented here, and if they were here you could not do this thing to us. It would be out of your power to do it.

Mr. MITCHELL of Oregon. If the Senator will allow me, I want to say what the Senator from Wyoming [Mr. CAREY] is too modest to say. He is one of the largest cattle-growers in the West, a man who is no sheep-grower, and yet he is here pleading just as earnestly as the Senator from Nevada is and as I am and as have been all the Republican Senators here, to put a duty upon wool.

Mr. STEWART. The northern and eastern portion of Nevada is as good grazing ground as any in the United States or in the world. I do not know a cattle man in that section of country who is not in favor of a duty on wool and in favor of allowing the wool industry to succeed—not one. They have had their conflicts, but I am pretty familiar with the cattle men and with the sheep men, and I am sure their differences will be harmonized and the industry of growing sheep will be prosecuted, unless it is stricken down here. Many of the cattle men have sold their herds and gone into the sheep business, because it is more profitable, and there is no difficulty now that will not be settled by them.

I know that the cowboys for a time were very harsh on the sheep men, and they were harsh on the cattle-raisers. They ran their stock over homesteads and fences and all that, but as civilization advances, the right and title to land is acquired and all these troubles cease.

I say again that that section of country is peculiarly adapted to the wool industry. It is a great industry; it ought not to be stricken down here, and particularly it ought not to be stricken down when the States most vitally interested are only partially represented here. It seems like taking advantage of their absence and striking a blow at an industry which will not be forgotten.

I have taken very little interest in this tariff bill; I have said very little, and I have voted very seldom on the amendments to it. I do not believe that it will reach the evil which is destroying our civilization. The fact that, with our boasted intelligence, we should vote to destroy one-half of our metallic money at a time when the output of gold is substantially consumed in the arts is marvelous. Many nations have gone into barbarism because they had no metallic money on account of the failure of the mines; but no people in any age of the world ever committed hari-kari by destroying the basis of their circulation and credit. I am aware, whatever may happen to this bill, that this process of subtraction must go on, that prices must fall and continue to fall, compared to the gold standard. I am aware of the difficulties that will arise in this country in reducing wages to the level of Asiatic wages and the wages of some of the countries of Europe. I am aware of what the gold standard will do. There is no doubt about that.

This bill, whether it passes or fails, will be but a feather's weight; it will not stay the downward tide, the inevitable consequences of a shrinking volume of money. It is said your bank vaults are plethoric with money. Why? Because property is falling and nobody has confidence in property; nobody believes in it any more. Let it be known that $10,000,000 a month will be issued from the Treasury Department for the next five years and the banks would be drained in the next three days. Everybody would know that property would go up and there would be confidence in it, confidence in human labor, confidence in progress. That is the kind of confidence we want. When there is confidence in property it is a good thing to have, and it will go up. If men can not get money on property there can be no confidence in the country. No confidence can exist when wealth is shrinking in value in comparison with money.

No motive can be held out by this bill or by the McKinley act to a distressed people that there will be less depression, that if they create property they can make money out of it, that they can sell it for more than they gave for it; and until they have that feeling, the process of decay, the process of stagnation, the process of ruin will go on.

Let me say that I sympathize most sincerely with the manufacturers, with all men engaged in enterprises in this country, with all captains of industry. I sympathize with them because they have a task to perform which is greater than ever was undertaken by man before; they have a task to perform in reducing wages under the gold standard to bring our people on a level with the coolies of Asia. The American people will resist it.

This generation can not be subdued to submit to the conditions of the gold standard without a struggle. You men who are engaged in this struggle to put wages down will find a stubborn resistance. The poor men who struggle against it are doomed in the end and must ultimately perish, for their efforts will be unavailing.

As sure as the sun rises and sets, if the volume of money continues to contract, all values must shrink under it, employment must cease, starvation must be the rule, until our people come to a condition when they can live upon rice and rats, upon which many human beings are compelled to subsist. It is a war upon our higher civilization. When you lower wages, do you tell me that while prices are falling and the money of the world is pooled there can be prosperity from any bill you may pass?

I said before that protection and the gold standard can not stand together, for the gold standard contains that leveling-down principle which will destroy the barriers of protection. The poor people who buy your exports must buy in the cheapest market or perish. With the gold standard, with this international money, we are not a nation, but we are a province governed by a foreign money power, which makes conditions for us that we can not resist. While you adhere to that policy, pass this bill or do not pass it, the same condition of falling prices and hard times must continue. You may have temporary relief; people may think they can do something; business may start up a little;

but the downward progress toward a lower state of living and a lower grade of civilization must be continued.

The advocates and the high priests of the gold standard especially do not deny that gold has appreciated from 50 to 60 per cent, and they say that it ought to; that it enables wealth to govern and make governments secure, and it avoids the insecurity arising from the democratic principle. Give opportunities to all, and the great mass of the people will become rich and independent. Take those opportunities away and they become poor and dependent.

The governing money power of Europe want the masses of the poor kept dependent, so that they can restore the ancient order of despotism and aristocracy. This is not only a war for the few to absorb the wealth of the world, but it is a contest to destroy free government everywhere; to take away the opportunity of the young men of this country to make an independence for themselves, and to destroy free government here; and when it is destroyed here by the iron hand of gold contraction it will be destroyed everywhere. If we can not resist, how can the downtrodden people of Europe resist who live in a great military camp, for every European nation is a military camp, each sustaining the other to increase taxation, to reduce the people to a lower state of living, to make the poor who produce the wealth subsist on less and less every year.

That is what is before us, and that is why I can not take an interest in a bill which does not promise relief; that is why I do not feel at home here in contending for nonessentials, when I see the condition into which this country is plunged by the fatal, the inexcusable blunder or crime, whichever it may be, of destroying one-half of the metallic money of the world and reducing the masses of the people to the level of serfs by falling prices, which will put down wages and which will put down everything. They may exist for a time. I glory in their spirit of contending for their rights; and they may do many wrongs; but they will accomplish nothing. I sympathize with them, and I sympathize with the business men who are under the necessity of subjecting the people of this country to lower wages, to starvation wages, to a lower position in life. It is a struggle which ought not to go on in a free government; it is a struggle which ought to be stopped here and now.

I appeal to Senators on all sides to wake up to the condition of this country, to see the trouble and distress which is everywhere abroad, and to find a remedy for it. Do not think it is in sugar trusts or collars and cuffs, in the lead trust, or in all these things. Individuals may profit by them, but the great mass of the people have no interest in any of your discussions here. The tariff does not reach the evil; it does not mitigate the evil. It will not do for us to close our eyes to what we see before us.

I appeal to the Senate and to the American people to wake up to the danger of destroying this civilization by this fatal and subtle scheme of depriving the people of money, which is the instrumentality of progress. Without money nothing can be done. Rob a man of money and he becomes a coward; he will submit to any condition. After one generation people will submit to be slaves for the sake of their families. No people are brave enough to resist conditions of that kind. We know that the bravest men who have ever lived have been compelled to yield under such circumstances; the descendants of the conquerors of the world have been sold as serfs. With his family and the little ones dependent upon him, a man will accept such conditions as will sustain life. That is where we are going.

Here from this wider field of observation, when we see that this blow has struck humanity everywhere, that millions are thrown out of employment in every country, and that suffering is abroad everywhere, it is time that we took heed and adopted the proper remedy.

But while this is going on, we have a tariff bill which discriminates against one section and in favor of another; which strikes a fatal blow at the remaining industry of our section, where they might raise a little wool and sell it for enough to clothe their children and prolong their existence, and you even take that away from them by this discriminating bill. I do not feel that there is any principle about it. You have protected other materials much rawer than wool. This discrimination is made not because wool is a raw material. Nobody will believe that. There must be some other reason for it; and I beg of you do not do it now, when three States vitally interested—Wyoming, Montana, and Washington—have not a full representation here to defend their interests.

Mr. DOLPH. Mr. President, we have now reached probably within two or three days, or less, of a final vote upon the pending measure.

Mr. PUGH. Say "hours."

Mr. DOLPH. I do not wonder that Senators on the other side of the Chamber get impatient. They do not like to have this bill discussed and its enormity shown, and every vote they are compelled to make on amendments like this is very disagreeable to them no doubt.

Mr. CHANDLER. May I ask the Senator a question?

Mr. DOLPH. Certainly.

Mr. CHANDLER. I ask whether it would be convenient for him at this time to state what his view is as to the principle upon which the other side are constructing this bill?

Mr. DOLPH. I have attempted that once or twice in response to the request of the Senator from New Hampshire, and if I have not succeeded in enlightening the other side by this time I fear I shall not be able to do it, because I confess since I attempted it I have been rather confused myself.

Mr. CHANDLER. I ask the Senator whether he thinks the bill is being constructed now in these final hours upon the same basis he thought it was being constructed on six weeks ago?

Mr. DOLPH. It is very hard to say upon what principle this bill has been and is being constructed. That matter has been sufficiently referred to by the Senator from Massachusetts [Mr. HOAR] this morning.

Mr. President, I was about to say that this measure is fraught with more danger and disaster to the prosperity of this country than any other measure that has been considered by Congress in the last quarter of a century. In 1887, after this country had enjoyed a period of nearly a quarter of a century of unexampled prosperity under the protective system, President Cleveland sent to Congress his celebrated free-trade message, advocating tariff reform, advocating free raw materials, advocating free wool. The result was the introduction in the House of Representatives of what is known as the Mills bill, which was passed through that body by the liberal use of Federal patronage and the refusal of Federal patronage to those who opposed the policy of the Administration in regard to the tariff. It came into the Senate and the majority of the Senate being Republican it prevented the passage of the bill through the Senate, and saved the country from the disaster which it would have carried to every industry of the country if it had become a law.

The result of the passage of the Mills bill in the House of Representatives and the threat to our industries by the Democratic majority in the House was that the Republican party secured a majority in the House of Representatives, elected a Republican President, and retained its majority in the Senate, and, in accordance with the declaration of the Republican party, contained in its national platform and its promises to the country, proceeded to revise the tariff.

It proceeded to correct the defects which experience had shown existed in the existing law. It proceeded to reduce the duties on certain articles imported into the United States and to increase the tariff on certain other articles. It proceeded to revise the tariff in the interest of the United States as against the interest of Great Britain and Europe. It proceeded to revise the tariff in the interest of the people of the United States instead of the people of Europe, and I to-day have no apologies to make for the McKinley law. It was what the Republican party promised. It was what the people demanded in the Presidential election that resulted in the election of Mr. Harrison.

Gross misrepresentation upon this floor during the discussion of the McKinley law, and the silence of Senators on this side of the Chamber who were anxious to reach a vote upon the bill and to secure its passage, and therefore refrained from discussing it, and gross misrepresentation by the newspapers of the country, caused the election of a Democratic majority in the House of Representatives. These misrepresentations helped to cause general discontent among the working classes and to make them believe that their condition was in some measure due to a protective tariff, and that general discontent at the last Presidential election caused the reëlection of Mr. Cleveland and placed both branches of Congress in the power of the Democratic party.

The Democratic party had declared in its national platform at Chicago that protection was robbery and unconstitutional; it had virtually declared for the destruction of our protective policy; and when the Presidential election resulted in elevating Mr. Cleveland to the Presidency and giving the control of both branches of Congress to the Democrats, and that fact became known; when the country came to understand that the Democratic party was not only to be in control of the other House, but had a majority in the Senate of the United States, then the threat of free trade, then the threat of the destruction of the protective policy had its legitimate effect upon the industries of the country.

It was that threat of the Democratic party, coupled with the known power of the party to execute it, that prostrated our industries, that closed our factories and mills, that threw millions of our people out of employment, that caused the suspension of banks and financial stringency, that stopped consumption, that diminished our imports, that diminished our revenue,

that bankrupted the Government—a condition which has continued ever since Mr. Cleveland was inaugurated.

Our Democratic friends say, "Why, all this has occurred under the McKinley law. It was the McKinley law which produced this effect." I pity the man who will make such an argument as that. The McKinley law produced revenue enough to successfully conduct the affairs of this Government, and with a Republican Administration, with a party in power that believes in the protection of American industries and American labor, the McKinley law would have continued to produce sufficient revenue and would have continued to give this country that prosperous condition which it enjoyed from the time of the passage of the McKinley law until the result of the last Presidential election became known. And now we are upon the threshold of the consummation of the great crime proposed by the Democratic party against the industries and against the people of this country.

I thought that I had discussed this bill enough, all that it was profitable to discuss it, because I believe that it is to be passed. I believe that we are to have free wool. This great industry of our country is to be destroyed. But I have determined to make one more appeal to the Democratic majority in this body, one more appeal for this one great agricultural interest of this country to the majority in the Senate, inasmuch as they have abandoned largely, as the bill has been under consideration in the Senate, their policy with regard to raw materials, their policy in reference to the protective system, to at least give this industry a chance to live, a chance to be preserved until the Republican party can be restored to power and reimpose duties upon wool, so that the industry may be continued.

I understand this amendment proposes a duty of 30 per cent ad valorem on wool. Even that would be an insufficient duty. It would not make the wool industry profitable, but it might enable the flock owners of my State to keep their sheep from the slaughter-pen until there is a change in the political complexion of this body and the wrong that is about to be consummated can be remedied.

Mr. President, I desire to state the principle upon which I shall vote for the pending amendment, believing that the protection afforded would not be sufficient to make the industry profitable. From the start, when I could not get by an amendment offered by myself or others what I thought was fair protection to an industry I have voted for every amendment that in my judgment would make the bill better.

Yesterday, when I voted for the amendment offered by the Senator from Massachusetts [Mr. LODGE], a Senator on the other side said to me, "Now, we have got you on record; we have got your party voting for a duty on sugar." Mr. President, that argument will not do. The minority had voted for free sugar. We had voted for every amendment offered to change the bill in the interest of the consumers of the product and we are ready to vote as we have voted. If we can not get what we want, we will vote for every amendment which in our judgment would improve the bill. Let no man say, if I vote for this amendment, "You voted to reduce the duty on wool from the McKinley rate to 30 per cent ad valorem." I voted in this body for the McKinley bill. I will vote for McKinley rates on wool, or a higher duty if I have an opportunity, but if I can not get protective rates I will take anything that I can get in this bill that will better it or to help the woolgrowers of my own State. Therefore I propose to vote for this amendment.

But as I have said I do not suppose that anything I can say, I do not believe that anything that the eloquent Senator from Ohio [Mr. SHERMAN] or from Massachusetts [Mr. HOAR] have said, or that has been said by other Senators on this side, or that will be said upon this question, will affect the majority of the Senate. Several times since I have been a member of this body the Senate has voted upon the question of free wool, and as I said the other day, I think with one or possibly two exceptions on every occasion every Democratic Senator has voted to place wool on the free list.

Mr. President, how can the Democratic majority in this body defend their position? They claim to be in favor of free raw material, and they have placed a duty upon iron ore, and upon coal, and upon all raw materials that I can now recall, all that that they call raw materials but lumber and wool. They claim to be the friends of the farmer. They have denounced time and time again in this body and elsewhere the Republican party because it believed in the protective policy. They have denounced the Republican party because they claimed that they fostered the manufacturing industries, cotton manufacturing, and iron and steel manufacturing, and helped to support and make rich the robber baron manufacturers. The have denounced the Republican party because, as they asserted, its legislation was not in the interest of the agriculturists, the farmers, and the laboring men: and now when they come to pass a tariff bill, a bill to reform the existing tariff laws, they yield and favor every industry but the industries of the agriculturists and those which particularly interest the laboring man.

They give a reasonably satisfactory tariff to the manufacturers of iron and steel. They give us such a satisfactory cotton schedule that it passed through the Senate as in Committee of the Whole in thirty minutes without objection. They maintain certain protective duties upon woolen manufactures. In fact, no manufacturing industry is too great or too small to at least receive some concessions from the Democratic party, whether those concessions are sufficient, whether the duties provided are sufficiently protective or not; but when we come to this great industry of the American farmers, the woolgrowing industry, it is to be absolutely destroyed. Wool is to be placed upon the free list. The sheep are to be driven to the slaughter pen. We are to depend on foreign markets for our wool until the industry is destroyed in the United States, and then be at the mercy of the foreign producers as to the price of wool in the United States.

I repeat, how can you defend yourselves? What answer can you make to the American farmers when they charge you with having destroyed this great industry? There are 47,000,000 sheep in the United States. There are 2,500,000 sheep in Oregon. There are probably 10,000 persons in Oregon directly dependent upon this great industry for support, and three times that number indirectly interested in it. In fact every man, woman, and child in this country is interested in the woolen industry; for I tell you it is a mistake to suppose that you can strike down one industry in this country unless the blow falls upon every other industry. You can not destroy the prosperity of a class in this country unless you strike a blow at the prosperity of every other class. Our friends on the other side have asked of me, and the Senator from Delaware [Mr. HIGGINS] has asked, why should we not prosper with free trade with Canada and other countries if the States of this Union prosper with free trade?

Mr. President, this is one country, and we have one Constitution and one flag, and the citizen of Texas or Florida is as much a part of this country, as much interested in the prosperity of this country as the citizen of Oregon or of Massachusetts. We are one family. Our interests are interdependent. The prosperity of the whole Union is dependent upon the prosperity of every State. You can not strike a deadly blow at an industry in the State of Oregon but it is felt in every other State of the Union. The power to regulate commerce, the power to protect industries was conferred by the Constitution upon Congress to be used for every State, and every citizen, and every industry. It is the duty of Congress when we legislate upon this question to legislate for all industries and all citizens.

I repeat, it is a mistake to suppose that you can strike blows at the industry of the North and the South will not feel the effect. It is a mistake to suppose that because the thirteen Southern States have only 20 per cent of the sheep of the whole Union you can destroy the wool-growing industry without striking a deadly blow at the prosperity of the South. It is one country. If we are prosperous at all it must be one prosperity, a prosperity like that which for the last thirty years has prevailed in this country, which has caused the wave of civilization to roll westward over Western prairies and mountains until it has reached the Pacific coast, which has caused prosperity to invade the South and extend over the Great Lakes to the Gulf, to open new industries, to open mines, erect factories, build railroads, and give employment to the people of the South. It is idle to suppose that you can promote the prosperity of a section by destroying the industries of another section.

Mr. President, it is not only the people who are engaged in producing wool who are interested in this amendment and in this question. The people who herd the sheep, the people who shear them, the people who transport the wool to the railway stations, the people who transport it the great manufactories of woolen cloths, the people who are employed in the manufacture of cloth, are all interested in this industry, and not they alone. Take the industry in Oregon where there are great flocks of sheep in remote portions of the State. The existence of this industry creates a demand where there would be none for agricultural products, for hay and grain to feed the sheep. So when you strike down this great industry in my State, you absolutely destroy the prosperity of the State.

It does not take the destruction of every industry in the State to destroy the general prosperity. Let the wheat crop be short by reason of drought and there be no surplus in my State; let wool be so low that it can not be profitably raised and transported to the markets; let the fruit crop be a failure—any one of these calamities is sufficient to destroy the prosperity of the State for a year.

Some questions were propounded by the Senator from Ala-

bama to the Senator from Nevada about pasturage. Every sheep owner in the State which I have the honor in part to represent is compelled to own his own ranch. He must have his own establishment, his own buildings; and there may or may not be in the range upon which his sheep graze public lands on which they can feed. If that condition exists to-day it will not exist long; but the question as to whether the pasturage is free or what is the cost of pasturage in the United States is immaterial. Everybody knows who has examined the question, or may know if he cares to examine it, that the sheep industry can not be preserved in the United States with wool on the free list. Everybody knows that our sheep-growers and producers of wool can not compete with the woolgrowers of the Argentine Republic, of Australia, and other countries on account of climate, on account of price of labor, on account of pasturage, on account of less care required for sheep in those countries. It is immaterial to inquire what the conditions are in this country. Our sheep-growers are at such a disadvantage that they can not compete with foreign countries with free wool. I say to our friends on the other side of the Chamber that if you pass this bill two years from now instead of there being 2,500,000 sheep in the State of Oregon there will not be half a million sheep there. The industry can not be continued with free wool. The sheep are owned at great distances from the means of transportation. Wool has to be transported by teams for many miles to reach the railroad or reach the river; and the cost of transportation to the seaboard, if the wool goes west by sea, or even if it comes east, is much larger than in most other portions of the country. It is so great that by the time the cost of raising and shipping and transportation are paid there will be nothing left whatever for the owner of the sheep, and no inducement for him to continue the business, and the sheep will be sold; they will be driven to the portions of the country nearer to market, or be driven to the slaughter-pen. Then, as the sheep are owned remote from large cities, they are not where lambs can be profitably marketed, and the industry must be destroyed.

Why do you persist in destroying this great industry of the great Northwest? Why insist on striking this deadly blow at the farmers of this country? Why persist in doing the thing which will deprive millions of laboring men of employment in this country? After you have made reasonable concessions to other industries, to many of the great manufacturing industries, why insist on still demanding that there shall be no duty placed upon wool?

But, Mr. President, I do not care to discuss this question further. I did not rise with any idea that anything I could say would benefit my constituents or the farmers of this country. I fear that this great industry is doomed and that the only hope for the farmers, the only hope for the laboring men of this country, the only hope for the protection of this industry and the protection of other industries in which they are especially interested, the only hope of placing these industries upon an equality with the great manufacturing interests of this country, the iron and steel industries, and the cotton manufacturing industry, is the restoration to power of the party which believes in the protection of American labor and American industries.

Mr. HIGGINS. Mr. President, I wish to occupy but a few minutes of the time of the Senate. When the Senator from Nevada [Mr. STEWART] was giving us his very sincere and well-justified wail of woe over the destruction of the wool industry, it occurred to me that he might have gone further for the general section which he represents and classified lumber with wool, and then asked what is the explanation of the phenomenon that of all the large industries of the country it is wool and lumber which have been selected for slaughter? How is it that on this, possibly the final day of the preliminary action of the Senate upon this measure, those two great industries, peculiar to the section which he in part represents, are, so to speak, left outside of the breastworks?

Why is it that wool is not protected when coal, iron, sugar, woolen textiles, cotton textiles, rice, oranges, collars and cuffs, and all the other wide range of industries which make this measure in part a protective bill are protected? I think it is clear. The section of country which is hardest hit by the proposed destruction of wool and lumber is the section represented on this floor by the Republican Senators from silver-producing States, and they early in this debate elected the course they would take. They frankly proclaimed it and have honestly lived up to it, and no one more than the Senator from Nevada himself, who yesterday sat silent and did not vote on the crucial votes on amendments to the bill. It was by no such course that a duty was put on coal, iron, and collars and cuffs, and on sugar. It has been proclaimed and confessed upon the other side by the committee that they have been held up.

It did not seem right nor did it seem to comport with the sense of duty of the majority of the Republicans upon this side in the debate on the silver-repeal bill last summer to join in the obstructive and long protracted debate of the Senators who united with the Senator from Nevada in the course which he took. It has looked as if the interests for which the body of the Republican party have stood on this floor were to be paid back in their own coin. We did not take part in that fight for silver; and so our hands have not been held up in the strongest way by the Senator from Nevada and those who think with him. If they had been, the bill would not now have reached the stage it has. The bill would not become a law if the Republican Senators from silver-producing States had chosen to have stood with their fellows for whatever might be needed to be done to defeat this measure. It could have been done.

Mr. TELLER. I should like to inquire of the Senator from Delaware whether he means by that statement that the Republican Senators from the silver States have not voted on this question as their party lines indicated?

Mr. HIGGINS. I meant in part the utterance of the Senator from Colorado, when he stated on the floor that he would always be one to make a majority on this floor for the Democracy.

Mr. TELLER. I did so state, and I intend so to do. I believe that the majority had a right to pass some kind of a tariff bill. I did not intend to be party to any unnecessary and improper delay; and I am quite willing to take the responsibility of that position.

Mr. HIGGINS. I so understand, and I am obliged to the Senator from Colorado for stating in his own words what I was endeavoring to say, and wanted to know where he stood. It is that course which has landed the bill where it is to-day, and it is that course which is responsible for the sacrifice of wool. The section of country whose representatives elected to take that course is the section where the wool industry of the North is the largest and most exclusive. There is woolgrowing in Ohio, but there are a great many other interests in Ohio.

Mr. MITCHELL of Oregon. Will the Senator from Delaware allow me?

Mr. HIGGINS. Certainly.

Mr. MITCHELL of Oregon. Will the Senator point out to the Senate what the Republicans in the Senate could have done that they have not done since the commencement of the discussion of the bill, which, in the opinion of the Senator from Delaware, would have resulted in getting a duty on wool?

Mr. HIGGINS. The same course could have been pursued as was pursued in every other way. If the Senator wants a very apt illustration he can take the speech of the Senator from Pennsylvania [Mr. QUAY], which was brought out whenever we reached any new schedule upon which proper terms had not been made. No schedule could have been passed over the determined purpose of any Senator to prevent its being done unless proper terms were made.

Mr. MITCHELL of Oregon. In other words, the Senator from Delaware simply means that, in his jugdment, the only way to have secured a duty on wool would have been to have talked and talked and talked until the 4th day of March next in order to defeat the bill?

Mr. HIGGINS. If I knew as much as to how the bill has been modified as, I will not say the Senator from Oregon does, but Senators on this side, I should undertake to answer his question with more confidence. I only speak of it as one of the ways. I do not know any more than that.

There was talk last autumn of a patriotic union between the West and the South.

It was hinted by some that the interest of the West in protection was slight, and it was said that the West—the Rocky Mountain country—had been for protection in some sort of way for the interest of the East and not for the interest of the West. But the bill stands to-day with those two great Western industries alone left unprotected; and if the Senator from Nevada should ask me who is responsible for it in an essential way, I should answer, in the language of Nathan, "Thou art the man."

Mr. STEWART. Mr. President, I am glad that my gold-bug friend from Delaware has delivered himself of that speech. I can return it. He is the man who is responsible to the extent of his ability for the distress in the country to-day. He is the man and his party the party which struck down silver. The Republican party did it. They did not know it when they did it, but they have stood by it every hour since. There has been no time when a majority of the Democrats were not in favor of remonetizing silver. It took months for the Democrats to even get a majority of their own party in that fatal extra session to vote to repeal the Sherman act. But you they had all the time. You were the old guard which stood by the London syndicate to strike down the money of the country.

For twenty years nearly four-fifths of every vote have come from the Democratic side of the two Houses. We got but one vote in the Senate against the final consummation of that out-

rage, against the ratification and confirmation of the act of 1873, east of the Dakotas and north of the Potomac and Ohio Rivers. That was the Senator from Pennsylvania [Mr. CAMERON], who stood alone. You were all solid. We appealed to you and told you of the desolation of our homes. We told you that an industrious and honest people, who had created the empire of the West, would be stricken down and destroyed. We warned you at that time that the blow you were then striking would send distress to every household in the land. We point to-day to the strikes, to the idle men, to the destruction and paralyzation of industry through your votes, which were solid.

The wool question to us is an important one, but it is a bagatelle compared with the other question. It is utterly insignificant compared with the greater question of our principal industry. The tariff is a bagatelle compared to the money question in its importance to the people of this country. The evil that is ruining this country is world-wide. Millions are out of employment and starving for bread to-day in consequence of the policy which you inaugurated and which you have stood by most faithfully. You have told us that you are friends of silver, but you always vote for gold. You have put in your platforms language indicating that you intended to do something for silver, but in your action nothing could be done for silver.

If it had been left to the Republican party, the act of 1873 would never have been disturbed. It would have remained the law. The Republican party, I say, would not have repealed it. It was by Democratic votes that a meager majority could be got for any bill in favor of silver. Then we are told that if we had filibustered with you during this session we might have defeated the bill and thus saved wool. I say that filibustering against the pending bill would have been unjustifiable. The American people voted for tariff legislation, and they are entitled to have a bill passed. The other side is responsible for that bill.

It is said that pressure was brought to bear and that the other side had to give way. We are not in the Democratic ranks; we could not threaten to bolt if they did not give us a bill that was satisfactory to us. You condemned us on this floor in the most severe language for protesting as long as we did in the extra session. Then you ask us to filibuster against the pending bill. If there is filibustering to be done you are the men to do it. I recognize the right of the American people to decide in favor of tariff legislation if they will, but I did not recognize the right of Congress at the extra session to take a snap judgment, as I claim it did, upon the American people.

With both platforms proclaiming fidelity to bimetallism, and both parties claiming it, and the people understanding it, a snap judgment was taken in the extra session and the act of 1873 was ratified. We protested against that as best we could, because we believed it was not only a wrong of the greatest magnitude, but because it had not the sanction of the votes of the people. I recognize the right of every man in the Senate to discuss all questions fully and freely, but I do not recognize the right to filibuster against a party which has the verdict of the people in favor of its legislation. That party must determine what that legislation shall be. I say that your condemnation of us at the extra session was wrong. We were right; but we would be wrong if we filibustered here to-day, and I have not done it.

It is said that I might have voted on questions, but there has been no question when my vote would have determined it. The Democrats have a majority here and are able to control legislation. They have controlled it. We could have done nothing, except by resorting to filibustering and to delay, which we have refused to do and which I now refuse to do, and which I say we have no right to do. You who talk about being friends of our section when you stuck the knife to the heart of our industries, destroying them and destroying your own, and filling the land with tramps and stragglers, ought not to say that the guilt lies with me. My conscience is clear. "Thou art the man."

Mr. TELLER. Mr. President, I know the anxiety of the Senate to vote. I know it is the intention of the Senate to vote on the bill to-night if possible. Therefore I shall not attempt to say anything in reply to the Senator from Delaware [Mr. HIGGINS], except to state that on some other occasion I shall reply to what I consider an uncalled for criticism on his part.

Mr. ALDRICH. Mr. President, I have stated at length heretofore my own position and what I believe to be the attitude of the manufacturers of New England and the other portions of the country upon the question of a duty on wool. Nothing that I could say now would change that position or do anything else than to emphasize the words which I then used. The Senator from Connecticut [Mr. PLATT] and the Senator from Massachusetts [Mr. HOAR] have expressed the views and opinions of New England Senators upon this subject, and I can only say that I concur fully in what they have said.

Mr. MITCHELL of Oregon. Mr. President, the time for argument, so far as this question is concerned, is past, and for that reason I shall not detain the Senate with any attempt at argument. I have heretofore on several occasions discussed the question fully. I had hoped until very recently that we might be able to secure some consideration for wool. I have about abandoned that hope. I can not, however, in justice to the people whom I in part represent, refrain from uniting in the appeal which has been so vigorously made in the first instance by the distinguished and venerable Senator from Ohio [Mr. SHERMAN], followed up by the Senator from Massachusetts [Mr. HOAR] and others in behalf of some recognition of this industry.

If there is any one thing in this bill which more than any other thing, or all things put together, ought to secure for the bill the condemnation of the American people, it is the proposition to place wool on the free list. That is my judgment and my deliberate opinion.

This proposition means the absolute destruction of the wool industry, at least so far as concerns the industry west of the Rocky Mountains. The item of transportation, which enters into the question and becomes a material part of it, is of such a character that it will lead anyone who has studied the question at all to the conclusion that the industry can not live west of the Rocky Mountains without a duty. When you can ship wool from Liverpool to New York, and Boston, and Philadelphia for a quarter of a cent per pound, while it costs us from 4 to 5 cents a pound to get our wool to those points, how can you expect the wool-raisers of Oregon, California and Washington, Nevada, and Utah to compete with the cheap woolgrowing countries of the Old World?

They can ship wool from ports in Australia and the Argentine Republic at a much less cost than it can be shipped from points west of the Rocky Mountains.

But, as I said, the time for argument is past. It is no use to submit further argument. It is simply a consumption of time without any compensation. I unite in the appeal, however, to our Democratic friends. I unite in the appeal to one, or two, or three of them, representing great woolgrowing States as they do, to come to the front and join their votes with the united Republican and Populistic vote on this side of the Chamber and give us what the Walker tariff gave to wool, 30 per cent ad valorem. That will give you something over $5,000,000 of revenue. We received last year, under the existing law, a little over $8,000,000.

If the importations should be the same for the next year, they would give a revenue of $5,524,000.80. But of course the importations will be largely increased. Hence the revenue doubtless under this proposition will be more than $8,000,000, which was the amount received under the existing law last year. So from every conceivable standpoint the argument is in favor of the amendment proposed by the distinguished Senator from Ohio [Mr. SHERMAN]. It will give $8,000,000 to $10,000,000 of revenue, and will save this great industry from absolute destruction.

Mr. CAREY. Mr. President, I intend to occupy the time of the Senate for but a minute. The time for argument has passed. The proposed amendment of the Senator from Ohio [Mr. SHERMAN] is not satisfactory, but it would do some good if it could be carried and engrafted upon the bill. Every conceivable kind of amendment has been offered and voted upon, and I suppose the Senator from Ohio asks a little with the hope that so little will not be denied. I do not think the Senate fully realizes the condition of the wool industry in the Western country, especially in the country which embraces the Rocky Mountain States and Territories. After the passage of the McKinley act a great many young men engaged in the wool business in the States and Territories west of the Missouri River. Some borrowed the capital, and others took their accumulations from wages for a number of years and invested in sheep. Some of these have large flocks, others flocks numbering but a few hundred head. They had every reason to think the McKinley act would remain on the statute books for a number of years. They believe if this bill becomes a law their industry will be destroyed.

I have no doubt it will be so. Under free wool they will be unable to compete with the wool produced in other countries. The business at the best will be most unsatisfactory. The Senate could well afford to give them protection on wool.

It is not worth while to again call the attention of the Senate to the principles of this bill. They have been thoroughly well discussed. It is not a free-trade bill; it is not a bill putting raw materials on the free list. Some raw materials are on the free list, but the most of what are known as raw materials are on the dutiable list and highly protected. As this bill is framed there is no reason why the people engaged in wool and sheep growing in the West should not have some protection.

The South by words has expressed great love for the West during the last few years, and has proposed to enter into an alliance with the West, and so organized to break down the East.

While I have no sympathy with any combination that does not include all the States and Territories composing our great country, I do say that if the South has any affection for the West now is the time to show it. You have virtually placed all the animals produced by the farmer on the free list, as the duties imposed are so small they will afford no protection. You have not given adequate protection to grain grown in the West. You have withdrawn the premium offered to the sugar-beet industry. The farmers of the West have absolutely nothing in this bill that is protected. You have given the white-lead trust ample protection, while you have given the lead produced in our portion of the country only half the protection which was accorded in the McKinley act.

It would be so easy for you to give us at least a little protection on wool. We have discovered in the consideration of the bill that it is not New England which wants free raw materials. She does not produce iron ore; she does not produce coal. I do not think the recent reports show that the six New England States have all told 1,000,000 sheep within their limits, while there are a dozen Western States which have from one to two million sheep each, and California has more than 4,000,000. Yet not a New England Senator has contended for free wool. Not a Republican member of this body has voted for free wool. Can not the South consistently give us the two or three votes which are required to secure some protection on wool? Can we not appeal to some of the States which have large numbers of sheep within their borders?

Will not the distinguished Senator from Illinois [Mr. PALMER] and the obliging Senator from Ohio [Mr. BRICE] help us out and give us a little protection? Will not the two Senators from the State of Texas, in which there were 7,500,000 sheep until the reduction of the tariff on wool in 1883, help us? Will not the Senators from the State of West Virginia, in which the sheep industry has become a great and profitable one; will not the Senators from the great State of New York, which has nearly a million and a half of sheep, help out so far as this industry is concerned? Can we not obtain the two or three votes on the other side which, added to the entire Republican and Populist vote, will place wool on the dutiable list? You have protected all your industries. You have rice on the protected list; you have peanuts on the protected list; you have coal on the protected list; you have iron ore on the protected list; you have your sugar on the protected list. Will you not help out these new States and these Territories in the far West which are trying to obtain a sound and substantial foothold in the American Union?

Mr. LODGE. Mr. President, I wish to say merely a single word, not by way of argument, because of course argument does not enter into the movement to put wool on the free list. There is no reason whatever for it. It is the mere wanton destruction of a great industry. I desire simply to add my word and repeat what I said as to the attitude of New England and of my people on this question. We are protectionists, and we believe in giving fair protection to everyone. No one is more ready and more eager to give fair protection to the sheep industry than the woolen manufacturers and the woolen makers of New England. We have no desire to discriminate against anybody. We do not come here to get duties for our section and to cut off the duties from other sections. That has been reserved for the bill of the Democratic majority.

If every duty in the bill seemed to me a satisfactory protectionist duty, my vote should still be against the bill so long as it committed the great wrong and injustice of placing wool upon the free list. Such I believe to be the attitude of the people of my State to-day by an overwhelming majority.

The PRESIDING OFFICER (Mr. PASCO in the chair). The question is on agreeing to the amendment proposed by the Senator from Ohio [Mr. SHERMAN].

Mr. LODGE. Let the amendment be stated.

Mr. SHERMAN. I ask that the amendment be read.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. Insert as paragraph 278½, on page 72:

Wool of the sheep, hair of the camel, goat, alpaca, and other like animals, 30 per cent ad valorem.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Ohio.

Mr. PLATT. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. MCPHERSON (when his name was called). I am paired with the senior Senator from Vermont [Mr. MORRILL].

Mr. PETTIGREW (when his name was called). I am paired with the junior Senator from West Virginia [Mr. CAMDEN]. If he were present I should vote "yea."

The roll call was concluded.

Mr. TELLER. My colleague [Mr. WOLCOTT] is absent from the Senate on account of sickness. If he were present he would vote "yea." He is paired with the junior Senator from Ohio [Mr. BRICE].

Mr. MCPHERSON. I am requested to transfer my pair with the Senator from Vermont [Mr. MORRILL] to the Senator from North Carolina [Mr. JARVIS.] I vote "nay."

Mr. DANIEL. I am paired with the Senator from Washington [Mr. SQUIRE.]

Mr. MCMILLAN (after having voted in the affirmative). Has the Senator from Louisiana [Mr. BLANCHARD] voted?

The VICE-PRESIDENT. He has not voted.

Mr. MCMILLAN. I withdraw my vote, as I am paired with the Senator from Louisiana [Mr. BLANCHARD].

The result was announced—yeas 32, nays 37; as follows:

YEAS—32.

Aldrich,	Dubois,	Jones, Nev.	Power,
Allison,	Frye,	Lodge,	Proctor,
Carey,	Gallinger,	Manderson,	Quay,
Chandler,	Hale,	Mitchell, Oregon	Sherman,
Cullom,	Hansbrough,	Patton,	Shoup,
Davis,	Hawley,	Peffer,	Stewart,
Dixon,	Higgins,	Perkins,	Teller,
Dolph.	Hoar,	Platt,	Washburn.

NAYS—37.

Bate,	Gorman,	Martin,	Smith,
Berry,	Gray,	Mills,	Turpie,
Blackburn,	Harris,	Mitchell, Wis.	Vest,
Caffery,	Hill,	Morgan,	Vilas,
Call,	Hunton,	Murphy,	Voorhees,
Cockrell,	Irby,	Palmer,	Walsh,
Coke,	Jones, Ark.	Pasco,	White.
Faulkner,	Lindsay,	Pugh,	
George,	McLaurin.	Ransom,	
Gibson,	McPherson,	Roach,	

NOT VOTING—16.

Allen,	Camden,	Jarvis,	Pettigrew,
Blanchard,	Cameron,	Kyle,	Squire,
Brice,	Daniel,	McMillan,	Wilson,
Butler,	Gordon,	Morrill,	Wolcott.

So the amendment was rejected.

Mr. PEFFER. Mr. President, I propose the amendment which was read by the Secretary when we were discussing the bill as in Committee of the Whole. As it is quite long I can explain it in much less time, if the Senate can bear with me, than it would take to have it read.

It is proposed to insert the amendment as new matter just before section 278. The amendment proposes to retain all of the sections of the existing law which describe the different classes of wool, with the addition of a change in the rates of duties upon the different classes. Where under the present law the duty on wool of the first class is put at 10 cents a pound, the amendment proposes to make the duty 5 cents a pound, a reduction of 50 per cent. Where the existing rate is 11 cents a pound on wool of the second class, the amendment proposes to make the duty 6 cents a pound; and where the present law divides wool of the third class as above and below 13 cents a pound in value the amendment makes the dividing line at 10 cents, reducing the duty 50 per cent on each of the grades above 10 cents a pound and below 10 cents a pound.

Then, in one of the sections of the present law there is a proviso in the following words:

Provided, That skirted wools as now imported are hereby excepted.

Those words are stricken out. The amendment was read in full when we were discussing the bill as in Committee of the Whole. I ask unanimous consent to forego the reading of the amendment at this time in order to save time.

The PRESIDING OFFICER (Mr. PASCO in the chair). Is there objection to the request of the Senator from Kansas? The Chair hears none, and it is so ordered.

The amendment of Mr. PEFFER was, to insert after paragraph 277, on page 71:

SCHEDULE K.—WOOL AND MANUFACTURES OF WOOL.

All wools, hair of camel, goat, alpaca, and other like animals shall be divided for the purpose of fixing the duties to be charged thereon into the three following classes:

Class 1, that is to say, merino, mestiza, metz, or metis wools, or other wools of merino blood, immediate or remote, Down clothing wools, and wools of like character with any of the preceding, including such as have been heretofore usually imported into the United States from Buenos Ayres, New Zealand, Australia, Cape of Good Hope, Russia, Great Britain, Canada, and elsewhere, and also including all wools not hereinafter described or designated in classes 2 and 3.

Class 2, that is to say, Leicester, Cotswold, Lincolnshire, Down combing wools, Canada long wools, or other like combing wools of English blood, and usually known by the terms herein used, and also hair of the camel, goat, alpaca, and other like animals.

Class 3, that is to say, Donskoi, native South American, Cordova, Valparaiso, native Smyrna, Russian camel's hair, and including all such wools of like character as have been heretofore usually imported into the United States from Turkey, Greece, Egypt, Syria, and elsewhere, excepting improved wools hereinafter provided for.

The standard samples of all wools which are now or may be hereafter deposited in the principal custom-houses of the United States, under the authority of the Secretary of the Treasury, shall be the standards for the classification of wools under this act, and the Secretary of the Treasury shall have the authority to renew these standards and to make such addi-

tions to them from time to time as may be required, and he shall cause to be deposited like standards in other custom-houses of the United States when they may be needed.

Whenever wools of class 3 shall have been improved by the admixture of Merino or English blood from their present character as represented by the standard samples now or hereafter to be deposited in the principal custom-houses of the United States, such improved wools shall be classified for duty either as class 1 or as class 2, as the case may be.

The duty on wools of the first class which shall be imported washed shall be twice the amount of the duty to which they would be subjected if imported unwashed; and the duty on wools of the first and second classes which shall be imported scoured shall be three times the duty to which they would be subjected if imported unwashed.

Unwashed wools shall be considered such as shall have been shorn from the sheep without any cleansing; that is, in their natural condition. Washed wools shall be considered such as have been washed with water on the sheep's back. Wool washed in any other manner than on the sheep's back shall be considered as scoured wool.

The duty upon wool of the sheep or hair of the camel, goat, alpaca, and other like animals which shall be imported in any other than ordinary condition, or which shall be changed in its character or condition for the purpose of evading the duty, or which shall be reduced in value by the admixture of dirt or any other foreign substance, or which has been sorted or increased in value by the rejection of any part of the original fleece, shall be twice the duty to which it would be otherwise subject. Wools on which a duty is assessed amounting to three times or more than that which would be assessed if said wool was imported unwashed, such duty shall not be doubled on account of its being sorted. If any bale or package of wool or hair specified in this act imported as of any specified class, or claimed by the importer to be dutiable as of any specified class, shall contain any wool or hair subject to a higher rate of duty than the class so specified, the whole bale or package shall be subject to the highest rate of duty chargeable on wool of the class subject to such higher rate of duty; and if any bale or package be claimed by the importer to be shoddy, mungo, flocks, wool, hair, or other material of any class specified in this act, and such bale contain any admixture of any one or more of said materials, or of any other material, the whole bale or package shall be subject to duty at the highest rate imposed upon any article in said bale or package.

The duty upon all wools and hair of the first class shall be 5 cents per pound, and upon all wools or hair of the second class 6 cents per pound.

On wools of the third class and on camel's hair of the third class, the value whereof shall be 10 cents or less per pound, including charges, the duty shall be 15 per cent ad valorem.

On wools of the third class and on camel's hair of the third class, the value whereof shall exceed 10 cents per pound, including charges, the duty shall be 25 per cent ad valorem.

Wools on the skin shall pay the same rate as other wools, the quantity and value to be ascertained under such rules as the Secretary of the Treasury may prescribe.

On noils, shoddy, top waste, slubbing waste, roving waste, ring waste, yarn waste, garnetted waste, and all other wastes composed wholly or in part of wool, the duty shall be 20 cents per pound.

On woolen rags, mungo, and flocks the duty shall be 6 cents per pound.

Wools and hair of the camel, goat, alpaca, or other like animals in the form of roping, roving, or tops, and all wool and hair which have been advanced in any manner or by any process of manufacture beyond the washed or scoured condition, not specially provided for in this act, shall be subject to the same duties as are imposed upon manufactures of wool not specially provided for in this act.

Mr. PEFFER. Mr. President, I desire to say a few words upon the amendment.

In the first place, while the Senator from Nevada [Mr. STEWART] was addressing the Senate I understood in the colloquy between him and the Senator from Alabama [Mr. MORGAN] that the latter Senator insisted that because there is no need of a duty upon wool, therefore there ought not to be any duty placed upon it. If I am mistaken in the Senator's statement I should be pleased if he would correct me. That being true, if there is no need of a duty upon wool and if therefore no duty should be placed upon wool, the converse of the proposition must be true, that the manufacturers of wool need a duty and therefore they are entitled to a duty. Something follows from that inevitably; that is to say, that the bill is a protective tariff bill, and that no duty ought to be levied upon any article unless the article needs it by way of protection. That I assume to be the theory upon which the bill was constructed in the beginning of our discussion, and the longer it has proceeded the more clear the proposition becomes that it is a protective tariff bill.

I shall not go into a discussion of the importance or the magnitude of the wool industry, nor will I speak of the necessity of every people raising their own wool and manufacturing their own clothing, for these matters have been elaborately discussed in the preceding speeches. But upon the suggestion of the Senator from Alabama [Mr. MORGAN] I have something to say. If a duty is required upon woolen goods and therefore they have received it, the same argument which justifies that conclusion will justify the demands of the woolgrower that he share the duty. In other words, the production of wool being as extensive an industry as the manufacture of woolen goods, as many people being engaged in it, as much capital being invested in it, it being primarily more important than that of the manufacture of wool, the wool-producer is not only as much entitled, but he is more entitled to a duty on wool, reasoning from analogy, than the manufacturer of woolen goods.

Mr. President, all that the woolgrowers ask is that they be treated fairly in comparison with the manufacturers of wool. I took occasion to say after discussing this subject before that, so far as the people I represent, and so far as the farmers of all the great Northwest, the West, and the Southwest are concerned, they are much more able to bear the pressure of free trade than the manufacturers, not because their interest does not need as much protection as that of the manufacturers, but for another and a much broader reason. A man who produces wool lives on a farm; he has the bounties of nature out of which he can provide himself and his family a livelihood; and it amounts to little to him in comparison with the effect which would be produced upon manufacturers if the doors of our commerce were to be thrown open and let them swing outward and swing inward upon the pivot equally to all men, whether at home or abroad.

So far as the farmers of Kansas engaged in the production of wool are concerned, they say to me, "Put your argument upon the ground of common fairness; if we are to have free wool give us free cloth. If you demand protection upon manufactures give us protection upon the material that we produce."

If you will examine the existing law, Mr. President and Senators, you will find that there is a greater degree of protection given—I mean in amount—to the woolgrowing industry than to the wool-manufacturing industry; and the reason is because wool is the component part of woolen cloth, which is a self-evident proposition; and there is more wool in cloth than anything else. So the farmer is not only entitled to protection, but under the existing law he receives it.

Now, he is entirely willing to have the duty upon free wool reduced, provided you are willing to reduce the duties upon manufactured wool. All he asks is fair treatment.

I wish to call the attention of the Senate to a proposition which has probably escaped the attention of Senators, Democratic Senators especially, and the attention of the country. That singular fact is that if you will deduct the duties which are allowed in the present law upon the manufactures of wool because of the compensating duty laid upon wool, you will find that the duties under the pending bill are substantially as high as they are in the McKinley law. Perhaps what I mean to say can be explained better by referring to the act itself; and I ask the attention of Senators to it.

I read from section 391 of the existing law wherein duties are laid "on woolen and worsted yarns made wholly or in part of wool," and where they are "valued at not more than 30 cents per pound, the duty per pound shall be two and one-half times the duty imposed by this act on a pound of unwashed wool of the first class." The duty on a pound of unwashed wool of the first class is 10 cents. Two and a half times that would be 25 cents. Here we have a duty of 25 cents levied upon 1 pound of yarn, simply to compensate for the duty that is laid upon wool, and that duty amounts to 83⅓ per cent. That is the duty fixed to the pound of yarn by reason of the duty on wool.

Going a little further along in the paragraph we find that where the yarn is valued at "more than 30 cents and not more than 40 cents per pound the duty per pound shall be three times the duty imposed by this act on a pound of unwashed wool of the first class." Three times the duty on a pound of unwashed wool of the first class amounts to 30 cents. There you have a duty of 30 cents levied upon a pound of yarn ranging in value from 30 cents to 40 cents; that is to say, the duty upon a pound of yarn of that value ranges from 100 per cent down to 75 per cent, an average of 87½ per cent by reason of the duty laid upon wool; and the ad valorem duty is 35 per cent in addition to the specific duty.

Then take the next class, "valued at more than 40 cents per pound, the duty per pound shall be 3½ times the duty imposed by this act on a pound of unwashed wool of the first class." Three and a half times amounts to 35 per cent. There we have 87½ per cent on cloth worth 40 cents a yard by reason of the duty laid upon wool, and in addition to that 40 per cent ad valorem.

Now, the point that I wish to call particular attention to and to ask the attention of Democratic Senators is that upon the first grade of yarns up to 30 cents the present law levies a duty of 35 per cent ad valorem; upon the next grade, between 30 and 40 cents, the present law levies a duty of 35 per cent ad valorem, and at 40 cents and upwards, 40 per cent ad valorem. There are the three grades, 35 and 40 per cent, in addition to the duty that is laid upon wool.

Now, if you will turn to the proposed law, the pending bill, on page 72, paragraph 280, you will find that the duty which it is proposed to lay upon wool yarns is 40 per cent ad valorem, which is as high as the duty now laid under the McKinley law. You may continue the examination through three or four paragraphs, as I have done, on woolen or worsted cloths, shawls, knit fabrics, etc., and you will find that there is a specific duty allowed on the cloth and that specific duty is to cover the duty that is laid upon wool. Then, in addition, there is an ad valorem duty. In section 392 of the present law there is a duty of 40 per cent. Then there is a duty again of 40 per cent and a duty of 50 per cent, and the wool duty alone amounts to 87½ per cent, and as high as 100 per cent. If you will examine the bill now

before us relating to the very same class of matter, you will find that the proposed duty is 40 per cent, 35 per cent, and 40 per cent ad valorem, substantially the same as in the present law.

Then take paragraph 396 in the present law, where provision is made for clothing, and you will find that the same rule holds good. There is a specific duty 4½ times the duty imposed by the act upon a pound of unwashed wool of the first class. That would be 40 cents a pound, and is levied on a pound of cloth in order to compensate for the duty laid upon wool, and in addition thereto 60 per cent ad valorem.

In the proposed law the duty is 45 per cent. In this respect the difference is greater than as to any other one of the articles to which I have referred; but the point I make in this line of thought is that while the majority in this body insist upon retaining substantially the same duties that are now in force under the McKinley law, they at the same time remove all the duties wholly from raw wool.

If Senators say, as the Senator from Alabama did, that the producers of wool need no duty, all we ask of you is to apply the same rule to the manufacturer of wool and say that he requires no duty, and we have not another word to say. If the managers of this bill will rise before the Senate and propose to remove all duties from the manufactures of wool, that will wholly and completely and forever close the mouth of the senior Senator from Kansas on the wool question, and you will hear no complaint from the farmers of Kansas.

Now, if you are not willing to do that; compromise with us, make a fair reduction of duties upon manufactures of wool and a fair reduction upon raw wool. I care not where you place it; it is no matter to me whether it is a cent a pound or 2 cents or 5 cents a pound; no matter where you make the line of compromise, just treat us as you treat yourselves, and then we shall be satisfied.

The senior Senator from Massachusetts [Mr. HOAR] this morning used the word "blow," and it has been a common expression during this discussion, that you are striking a blow at a certain industry. He said to the majority of the Senate "you are striking a blow at the wool industry."

Mr. President, you are striking two blows. One is the forward stroke and the other one is the rebound. You are striking a blow at a great industry. When you have completed that blow and its force has fallen upon its victims you will find that there will be a rebound from the victim and his blow will be harder than yours. The public mind is sensitive to-day, and the farmer's mind is blended in with the great mass of mentality that we call the public mind. Forty-five per cent of the voting population of the United States is made up of farmers, and while a great many of them have no more interest in sheep than in any other industry in which they are not directly engaged, yet in the West where the most resisting, if I may use the word, where the most jealous and the most open-hearted class of farmers reside, you will find that they will resent this indignity placed upon them and upon their neighbors.

Ten years ago we had about a million sheep in Kansas. The number is now reduced to about 225,000. The few woolgrowers who still live in Kanas are neighbors with farmers who have no sheep, and when one of their representatives in this body asks the Senate of the United States to treat them fairly, with the same consideration that they treat the manufacturers, and you scorn that appeal, they take it that you scorn them and they will resist it at the ballot box, and they will unite their force with any other class of people that is opposed to this policy and the party that intends to fix it upon them. So there are two blows in this direction.

There was a time when farmers were not as sensitive as they are now; they were not as critical as they are now. They have felt the pressure of injustice coming from bad, ill-advised, vicious legislation. They have found the value of their crops depreciating. They have found the value of their farms depreciating. They have found their old prerogatives one by one being taken away from them. They find their influence in politics gradually wasting away and that a few men are usurping the powers of government. The farmer to-day is becoming watchful, not wasteful. He is becoming critical, not to say suspicious, and he is becoming watchful.

In the West the farmers are practically in revolution to-day. Do you not observe all through the Western States and Territories where the marching armies of unemployed men went that there was a sympathy between them; that the farmers took good care of those traveling men as they were passing over their territory? I ask the Senators who insist upon passing this bill, right or wrong, to think well about this matter.

The farmers in the part of the country where I live do not want any duty placed upon sugar. They have had a taste of free sugar. They know that their old 15, 14, 13, 12½ pound sack was increased to 18, 20, and even 25 pounds. They foresee that if this bill becomes a law, with an increase substantially of a cent and a quarter upon every pound of sugar that they use, that their 20-pound sack will be reduced to 15 pounds; and that is one of the ways of reaching the judgment and the consciences of men. While you put a duty upon sugar, something of which we produce a very small proportion comparatively in this country, an article which ought from every consideration to be on the free list, you refuse to put a duty upon wool, of which we produce only about 70 per cent of our consumption, importing the rest.

Now, Mr. President, I have said all that I care to say. I merely want to repeat that this is not a time to trifle with the people's interest. I doubt very much whether there would be more than one vote in ten cast for a duty upon sugar if the question were put to the people. On the other hand, if duties are to be removed from wool, I doubt very much whether there would not be an overwhelming majority in favor of removing duties from manufactures of wool. I expect after the vote is taken upon this amendment to test the sense of the Senate again upon the question of removing the duties from manufactures of wool. In conclusion I ask only to be treated fairly. Treat us just as the manufacturer is treated.

Mr. CHANDLER. Mr. President, I wish to say a word to the Senator from Kansas. This is a very simple matter of arithmetic. He says the people are being trifled with. I think the members of his party who usually sit upon the other side of the Chamber are trifling with the people, because on the last vote they were not recorded as voting at all on the proposition for a duty on wool. They both come from wool-producing States, and yet their votes were lacking. I wish the Senator from Kansas who has just spoken would take occasion to appeal to them in private as he has appealed to all Senators in public in his recent address. It is a simple matter of arithmetic.

Here are twelve New England Senators voting for a duty on wool. Here are all the Republican Senators voting for a duty on wool. Here are the two Populists who sit on this side of the Chamber voting for a duty on wool. I say to my friend the Senator from Tennessee, now near me, it is only necessary for him to get the two Populists who sit upon the other side of the Chamber to vote for a duty on wool and detail two Democrats on the same side of the Chamber to vote for a duty on wool, and the deed is done and the sheep industry is preserved. Otherwise the sheep of this country are going to disappear from the face of the earth.

The PRESIDING OFFICER. The question is on the adoption of the amendment offered by the Senator from Kansas [Mr. PEFFER].

Mr. POWER and Mr. DOLPH called for the yeas and nays.

The yeas and nays were ordered, and taken.

Mr. CALL. I announce my pair with the Senator from Vermont [Mr. PROCTOR]. If he were present I should vote "nay."

Mr. DANIEL. I wish to state that I should vote "nay" if it were not for my pair with the Senator from Washington [Mr. SQUIRE].

Mr. BRICE. I transfer my pair with the junior Senator from Colorado [Mr. WOLCOTT] to the junior Senator from Kansas [Mr. MARTIN], and vote "nay."

The result was announced—yeas 32, nays 37; as follows:

YEAS—32.

Aldrich,	Dubois,	Jones, Nev.	Platt,
Allison,	Frye,	Lodge,	Power,
Carey,	Gallinger,	McMillan,	Quay,
Chandler,	Hale,	Manderson,	Sherman,
Cullom,	Hansbrough,	Mitchell, Oregon	Shoup,
Davis,	Hawley,	Patton,	Stewart,
Dixon,	Higgins,	Peffer,	Teller,
Dolph,	Hoar,	Perkins,	Washburn.

NAYS—37.

Bate,	Gibson,	McLaurin,	Smith,
Berry,	Gorman,	Mills,	Turpie,
Blackburn,	Gray,	Mitchell, Wis.	Vest,
Blanchard,	Harris,	Morgan,	Vilas,
Brice,	Hill,	Murphy,	Voorhees,
Caffery,	Hunton,	Palmer,	Walsh,
Cockrell,	Irby,	Pasco,	White.
Coke,	Jarvis,	Pugh,	
Faulkner,	Jones, Ark.	Ransom,	
George,	Lindsay,	Roach.	

NOT VOTING—16.

Allen,	Cameron,	McPherson,	Proctor,
Butler,	Daniel,	Martin,	Squire,
Call,	Gordon,	Morrill,	Wilson,
Camden,	Kyle,	Pettigrew,	Wolcott.

So the amendment was rejected.

The VICE-PRESIDENT. The next reserved amendment will be stated.

Mr. PEFFER. I propose another amendment, and I shall not say a word upon it; I merely ask that a vote may be taken by yeas and nays. I move to insert just before paragraph 278:

All manufactures of wool of the sheep, hair of the camel, goat, alpaca, and other like animals shall be admitted free of duty.

Mr. MANDERSON. I appeal to the Senator from Kansas to withhold that amendment for the present and offer it later in the day, when the other members of the party of which he is such a distinguished member may be present. There is no question but that they will act with him upon the measure.

Mr. PEFFER. I am trying to take care of myself in this Chamber, and I have no doubt that all of the other Senators are availing themselves of that privilege.

Mr. MANDERSON. I hoped the Senator might want a full vote.

Mr. CHANDLER. I suggest the absence of a quorum.

The VICE-PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich,	Dubois,	Kyle,	Proctor,
Allen,	Faulkner,	Lindsay,	Pugh,
Bate,	Frye,	Lodge,	Quay,
Berry,	Gallinger,	McLaurin,	Ransom,
Blackburn,	George,	McMillan,	Roach,
Blanchard,	Gibson,	McPherson,	Sherman,
Brice,	Gorman,	Manderson,	Shoup,
Caffery,	Gray,	Martin,	Smith,
Call,	Hansbrough,	Mills,	Stewart,
Carey,	Harris,	Mitchell, Oregon	Teller,
Chandler,	Hawley,	Mitchell, Wis.	Turpie,
Cockrell,	Higgins,	Palmer,	Vest,
Coke,	Hill,	Pasco,	Vilas,
Cullom,	Hunton,	Patton,	Voorhees,
Daniel,	Irby,	Peffer,	Walsh,
Davis,	Jarvis,	Perkins,	Washburn,
Dixon,	Jones, Ark.	Platt,	White.
Dolph,	Jones, Nev.	Power,	

The VICE-PRESIDENT. Seventy-one Senators have answered to their names. The amendment proposed by the Senator from Kansas will be stated.

The SECRETARY. Insert as paragraph 277½:

All manufactures of wool of the sheep, hair of the camel, goat, alpaca, and other like animals, shall be admitted free of duty.

Mr. PEFFER. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. McPHERSON (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL].

Mr. QUAY (when his name was called). I have a general pair with the Senator from Alabama [Mr. MORGAN], and therefore withhold my vote. If the Senator from Alabama were present I should vote "nay."

Mr. TELLER (when his name was called). I agreed yesterday with the Senator from Georgia [Mr. GORDON] that I would pair with him. I have been voting to-day, having forgotten the pair. I withhold my vote and will consider myself paired with the Senator from Georgia.

Mr. BERRY. The Senator from Georgia [Mr. GORDON] is paired with the Senator from Iowa [Mr. WILSON].

Mr. TELLER. Very well. Then I will vote. I vote "nay."

The roll call was concluded.

Mr. VEST (after having voted in the negative). I have a general pair with the Senator from Minnesota [Mr. WASHBURN], but I am assured that he would vote in the negative if present and I will let my vote stand.

Mr. FRYE. My colleague [Mr. HALE] has been necessarily called out of the Chamber for a short time. He is paired with the senior Senator from North Carolina [Mr. RANSOM]. If my colleague were present he would vote "nay;" and the Senator from North Carolina, being informed of that fact by me, has already voted "nay."

The result was announced—yeas 5, nays 61; as follows:

YEAS—5.

Allen,	Irby,	Kyle,	Peffer.
Hansbrough,			

NAYS—61.

Aldrich	Dubois,	Jones, Nev.	Pugh,
Allison,	Faulkner,	Lindsay,	Ransom,
Bate,	Frye,	Lodge,	Roach,
Berry,	Gallinger,	McLaurin,	Sherman,
Blackburn,	George,	McMillan,	Shoup,
Blanchard,	Gibson,	Manderson,	Smith,
Caffery,	Gorman,	Martin,	Teller,
Call,	Gray,	Mills,	Turpie,
Carey,	Harris,	Mitchell, Oregon	Vest,
Chandler,	Hawley,	Mitchell, Wis.	Vilas,
Cockrell,	Higgins,	Palmer,	Voorhees,
Coke,	Hill,	Pasco,	Walsh,
Cullom,	Hoar,	Patton,	White.
Davis,	Hunton,	Perkins,	
Dixon,	Jarvis,	Platt,	
Dolph,	Jones, Ark.	Proctor,	

NOT VOTING—19.

Brice,	Gordon,	Murphy,	Stewart,
Butler,	Hale,	Pettigrew,	Washburn,
Camden,	McPherson,	Power,	Wilson,
Cameron,	Morgan,	Quay,	Wolcott.
Daniel,	Morrill,	Squire,	

So the amendment was rejected.

Mr. HARRIS. Mr. President, the wool schedule has been already very exhaustively discussed. I am tempted to ask the Senate that on the remainder of the reserved amendments, and all questions arising thereon, until the final disposition of the bill, debate be limited to five minutes to each Senator. I ask unanimous consent that from this time on while we are considering the bill the five-minute rule shall be observed.

The VICE-PRESIDENT. Is there objection?

Mr. POWER. I object.

The VICE-PRESIDENT. There is objection. The next reserved amendment will be stated.

Mr. HARRIS. Mr. President, I believe I will ask Senators who object if there is any limit that they will consent to? Will the Senator from Montana be kind enough to state whether he will consent to any specific limit?

Mr. POWER. This bill is a deathblow to the interests of my State, and if there was any way that I could prolong this debate until next November I should do so, and defeat the bill. I shall object to every proposition of the kind offered.

Mr. HARRIS. Inasmuch as the Senator wants to limit debate to the 1st of November next, I will withdraw my request. [Laughter.]

The VICE-PRESIDENT. The next reserved amendment will be stated.

The SECRETARY. In paragraph 279——

Mr. POWER. I have an amendment to offer to come in as paragraph 278, before paragraph 279 is acted upon. I send the amendment to the desk.

The VICE-PRESIDENT. The amendment proposed by the Senator from Montana will be stated.

The SECRETARY. It is proposed to insert as a new paragraph the following:

278. All wool of the sheep, hair of the camel, goat, alpaca, and other like animals, and all wool and hair on the skin, noils, yarn waste, card waste, bur waste, rags and flocks, including all waste, or rags composed wholly or in part of wool, 25 per cent ad valorem.

Mr. POWER. This is the same amendment offered by the Senator from Ohio [Mr. SHERMAN] except that the rate proposed is 25 per cent ad valorem instead of 30 per cent.

I have here an editorial and figures taken from the American Economist, giving the losses in the sheep industry by States, which I shall not read, but ask to have inserted in the RECORD. I wish, however, to give a summary of the losses up to the present time. The loss figured on the price of wool and the value of sheep in this list was made on January 1. I shall give a summary in a general way, not specifying any of the States except my own, in which I have a list of the sheep-growers. I ask the privilege of having this article printed in the RECORD.

The VICE-PRESIDENT. Is there objection? The Chair hears none.

The matter referred to is as follows:

THE SHEPHERD AND HIS SHEEP.

The farmers of the United States were all promised great things during the Presidential campaign of 1892, if Grover Cleveland should only be the successful candidate. He was. Even greater and better things were promised to the farmers if only a Democratic majority could be sent to Congress. It was. These results were very largely secured by the aid of the farmers, and the farmers naturally expected that the campaign promises of 1892 would be kept. The farmers will again be asked for their votes in the fall, and they should compare the promises of 1892 with the performances of 1894. Let us help them do this.

The farmers raise sheep in every section of the country. There are forty-seven different States and Territories in which the farmers look to their sheep and the wool from their sheep as a money crop to supply them with hard cash wherewith to purchase the many necessary farm supplies and tools that they can not obtain by trading in their local stores. The value of their sheep and the value of the wool are therefore very important factors to the farmer. Good prices for sheep and good value for wool mean comfort in the farm houses; they mean the payment of mortgages; they mean new tools; they mean new buildings for more stock; they mean general prosperity to the farmer.

When the Republican party was in power, and when the farmer's true friend, the late Hon. J. Rusk, was at the head of the Department of Agriculture, which is the farmer's particular part of the Administration, it was customary to publish each year a careful statement showing the number of sheep in each different State in the Union, the value of each sheep in each State, and the total value of all the sheep in each State. There was nothing hidden from the farmers in those days. Jerry Rusk was a true farmer himself. He was not a fancy farmer who farmed on Mr. Cleveland's "theory," but an honest, hard-working farmer who farmed on the good "condition" of his land and stock.

But there has been a change since then. Mr. Cleveland, who made such great promises to the farmers in 1892, put Mr. J. Sterling Morton, from Nebraska, at the head of the farmers' Department of Agriculture. Mr. Morton celebrated his arrival in Washington by telling the farmers that they didn't know what they wanted, but that he would teach them. Mr. Morton is said to have once planted a tree and he called it Arbor Day, and what he didn't know about farming wasn't worth knowing. It might fill dictionaries full.

When the time came round, in January of this year, for the farmers to learn about the number and value of their sheep, the farmers were surprised to find that Mr. Morton had forgotten to tell them as much as Jerry Rusk did. He told them how many sheep there were in the country and what they were all worth. He told them that each sheep was worth 60 cents less on January 1, 1894, than it was worth the year before. He gave them the value of each sheep under and over 1 year old at the beginning of this year, but he left them to figure out for themselves how much less money the sheep in each State were worth. Jerry Rusk used to tell them everything, but then he was a good, honest Republican farmer.

What Mr. Morton forgot to tell the farmers has been specially prepared for them in the American Economist. Here it is:

States and Territories.	Number of sheep.		Average price.		Total value.	
	1892.	1894.	1892.	1894.	1892.	1894.
Maine	569,577	326,937	$3.01	$2.41	$1,717,274	$787,918
New Hampshire	188,678	115,471	2.87	2.27	540,751	261,115
Vermont	358,274	280,170	3.29	2.69	1,179,726	753,657
Massachusetts	57,644	51,441	3.89	3.29	223,947	169,241
Rhode Island	20,433	11,279	4.35	3.75	88,884	42,296
Connecticut	47,199	30,930	4.08	3.48	192,454	122,984
Total New England	1,241,805	825,228	3.58	2.98	3,943,035	2,137,211
New York	1,421,455	1,355,051	3.80	3.20	5,401,529	4,441,763
New Jersey	102,077	67,571	4.05	3.45	413,922	198,620
Pennsylvania	1,091,477	1,473,494	3.83	3.23	4,178,173	4,769,485
Delaware	22,967	12,873	3.87	3.27	88,768	41,985
Maryland	164,650	145,446	3.91	3.31	644,558	481,426
Total Middle States	2,802,656	3,077,435	3.89	3.29	10,726,950	9,933,289
Virginia	449,009	488,432	3.05	2.45	1,370,016	1,196,658
North Carolina	390,261	376,309	1.82	1.22	710,275	459,097
South Carolina	89,075	78,384	1.89	1.29	167,903	101,115
Georgia	383,017	411,169	1.76	1.16	673,956	476,956
Florida	117,028	112,885	2.06	1.46	241,499	164,812
Alabama	269,292	343,832	1.65	1.05	443,927	361,024
Mississippi	223,576	415,855	1.50	.90	335,367	374,270
Louisiana	118,488	184,273	1.61	1.01	191,249	196,679
Texas	5,040,175	3,814,405	1.55	.95	7,808,299	3,623,685
Arkansas	204,094	228,310	1.50	.90	306,537	205,479
Tennessee	506,007	519,770	2.19	1.59	1,105,879	826,434
West Virginia	529,204	765,705	3.11	2.51	1,646,354	1,891,920
Kentucky	773,336	1,163,098	2.18	2.58	2,456,889	2,900,793
Total Southern States	9,152,562	8,902,427	2.07	1.47	17,548,081	12,778,922
Ohio	4,468,087	3,765,704	3.30	2.70	14,724,581	10,167,401
Michigan	2,353,777	2,392,617	3.21	2.61	7,560,338	6,244,730
Indiana	1,161,702	972,345	3.70	3.10	4,298,762	3,014,270
Illinois	848,092	1,032,976	3.57	2.97	3,025,314	3,067,729
Wisconsin	907,706	1,006,376	2.96	2.36	2,688,030	2,516,647
Minnesota	357,101	514,939	2.80	2.20	998,598	1,132,866
Iowa	565,031	775,222	3.42	2.82	1,933,084	2,186,126
Missouri	916,624	1,000,953	2.57	1.97	2,355,202	1,971,877
Kansas	469,438	323,392	2.34	1.74	1,098,506	561,702
Nebraska	269,804	277,952	2.56	1.96	690,887	534,786
Colorado	1,710,396	1,293,968	2.49	1.89	4,263,673	2,443,880
Total Western States	14,027,755	13,415,534	2.99	2.39	43,635,7243	3,842,014
California	4,083,541	3,918,157	2.42	1.82	9,884,211	7,131,046
Nevada	504,710	544,077	2.49	1.89	1,256,223	1,028,305
Oregon	2,456,077	2,529,759	2.24	1.64	5,491,789	4,148,805
Washington	696,521	832,063	2.71	2.11	1,858,824	1,755,653
Total Pacific States	7,730,849	7,824,056	2.47	1.87	18,421,047	14,063,809
Dakota (North and South)	590,000	707,840	3.15	2.55	1,861,460	1,804,992
Idaho	521,077	779,547	2.40	1.80	1,264,985	1,403,185
Montana	2,089,337	2,780,908	2.50	1.90	5,228,566	5,283,725
New Mexico	2,967,480	2,921,188	1.54	.94	4,556,566	2,745,917
Arizona	611,452	691,246	2.30	1.70	1,406,340	1,175,118
Utah	2,055,900	1,905,819	2.26	1.66	4,650,466	3,163,660
Wyoming	1,141,492	1,198,567	2.46	1.86	2,808,070	2,229,335
Total all others	9,982,738	10,985,115	2.37	1.77	21,776,453	17,705,932
Total United States	44,938,365	45,029,795	2.58	2.01	116,121,290	90,461,177

These are a lot of figures, but the farmers should not pass them by. Let each farmer look for his own State or Territory and he will see that the number of sheep are given for 1892, in the good days of McKinley protection, and also for 1894, in the bad days of Cleveland free-trade. The farmer will also see the average value of each sheep in each State or Territory in 1892 and in 1894. The farmer will also find what all the sheep were worth in his own State or Territory in 1892 and in 1894. Then if he looks down to the end of the table he will see the corresponding figures for the whole of the United States, and he can compare the value of his own sheep with those for the whole country, or in other States or Territories.

Farmers know that sheep in this country increase largely in numbers. They look forward to the lambing season, because it adds to their flocks, and every little lamb that lives is worth a few dollars to the farmer. But there must have been something the matter with the sheep between 1892 and 1894. In the good old McKinley protection days there were 44,938,365 sheep in the United States, yet two years later there were only 91,430 more sheep. This is a very small percentage of lambing. For the year 1893 the lambing season must have been very bad, or some plague must have struck the sheep. Perhaps it was the free trade-plague of Grover Cleveland. That struck every other part of the country and blasted business; perhaps it struck the farmer's sheep and made them barren.

Whatever the trouble was, the good American farmer who tends his sheep will know, and if he has a good remedy against a return of the disease he will rub it in well this fall before winter comes on. The farmer will know why each one of his sheep is worth more than half a dollar less now than it was in 1892. He does not want to lose money like that if he can help it. In Mississippi, Texas, Arkansas, and New Mexico a sheep was worth less than a dollar this year. Think of it. This same free-trade plague may attack your own section again and bring the price of your own sheep down below a dollar. Get that remedy ready to stop the disease. Rub it in well and apply it thoroughly next November. That's the time to check this free-trade in wool disease.

These figures get mighty interesting when they come near home. Now, here are some more. Don't pass them by. They show just how many more or less sheep there were in each State this year as compared with 1892, and they also show how much more or less money all the sheep were worth in each State this year. These figures that show the losses are what the farmer will remember while he is mixing that sheep wash that he intends to rub in next November. Here they are:

States and Territories.	Loss in number.	Loss in value.
Maine	242,640	$929,356
New Hampshire	73,207	279,636
Vermont	78,104	426,068
Massachusetts	203	54,706
Rhode Island	9,154	46,588
Connecticut	7,269	69,470
Loss in New England	410,577	1,805,824
New York	33,404	959,766
New Jersey	44,506	215,302
Pennsylvania	*382,017	*591,312
Delaware	10,094	46,773
Maryland	19,234	163,132
Loss in Middle States	*274,779	793,661
Virginia	*39,423	173,358
North Carolina	13,952	251,178
South Carolina	10,689	66,788
Georgia	*28,152	197,000
Florida	4,143	66,733
Alabama	*74,540	82,903
Mississippi	*192,277	*38,903
Louisiana	*65,785	*5,439
Texas	1,225,770	4,184,554
Arkansas	35,784	191,058
Tennessee	*12,763	279,445
West Virginia	*236,501	*245,566
Kentucky	*389,702	*443,904
Loss in Southern States	250,135	4,769,159
Ohio	702,383	4,557,180
Michigan	*38,838	1,315,608
Indiana	189,357	1,284,492
Illinois	*184,884	*42,415
Wisconsin	*158,668	171,983
Minnesota	*157,838	*134,268
Iowa	*210,191	*253,042
Missouri	*84,330	383,385
Kansas	146,041	534,893
Nebraska	*8,143	156,101
Colorado	417,337	1,819,793
Loss in Western States	612,221	9,793,710
California	165,384	2,753,165
Nevada	*39,367	227,918
Oregon	*73,632	1,342,984
Washington	*145,542	103,171
Loss in Pacific States	*93,207	4,427,238
Dakota (North and South)	*117,840	56,468
Idaho	*252,472	*138,200
Montana	*691,571	*55,159
New Mexico	46,292	1,810,649
Arizona	*79,794	1,231,222
Utah	150,081	1,486,809
Wyoming	*57,075	678,735
Loss all others	*1,092,377	4,070,521
Total loss United States	*91,430	25,660,013

*Gain.

There is not a State or Territory missing. Every farmer can be interested. Study them after your day's work is done. See how bad the lambing season was in New England, where there was a loss of 410,577 sheep; in the Southern States of 250,135; in the Western States of 612,221 sheep. Then there was very poor lambing in the Middle and Pacific coast States. What a bad season it was to be sure when there were only 91,430 more sheep in the country after the farmers had just one year of Grover's clover. Is this what he promised the farmers when he asked them to vote for him?

Now, look at the money that the American sheep farmers have lost. In New England they lost $1,805,825. In the Middle States they lost $793,661. In the Southern States they lost $4,769,159. In the Pacific coast States they lost $4,427,238. In the other States and Territories they lost $4,070,521. All the sheep farmers in all the States and Territories have lost $25,660,013 in the value of their sheep. This does not include the loss in the price of their wool. That is an extra loss. This free-trade disease that has got among the sheep is worse than the scab. Is this what Grover Cleveland and the Democratic party promised the farmers in 1892 when they wanted the farmers' votes?

Grover Cleveland and the Democratic party do not like American sheep or American farmers who raise sheep. Why? Well, Grover Cleveland said "that a large proportion of the sheep owned by the farmers throughout the country are found in small flocks numbering from 25 to 50." Those were his very words. If the sheep all belong to one farmer or to half a dozen farmers, if there was a sheep trust, like the sugar trust, it would be different. But the Democrats are down on the sheep and the sheep farmers because there are so many farmers who each have a few sheep, which help to give the farmers ready cash.

Senator JONES of Nevada—all the sheep men know him—gave an answer that knocked Grover Cleveland out. He showed him that there were 830,960 different farmers in the United States who owned sheep, and that the free-trade disease, which is worse than the scab, would injure all of these 830,960 sheep farmers. Senator JONES was right. It has injured them. The loss on all the sheep in the country has been $25,660,013 under the free-trade sheep disease. Divide that loss among 830,960 sheep farmers and you will find that each farmer has lost $30.88.

Thirty dollars and eighty-eight cents lost by each farmer who owns sheep, since the sheep ranches were attacked by the free-wool plague. This is a

pretty sort of good times. Is it what the Democrats promised in 1892? If not, just stir up that sheep-wash mixture again and rub it well into the Democrats next fall.

Mr. POWER. Mr. President, the figures in the foregoing table show a loss of $25,660,013 to the American farmer who raises sheep. This estimate was made on January 1, 1894, since which time the price on mutton has continued to fall, and will not now average over $1.25 per head. These are stubborn facts, as can be seen from the commercial reports and account of sales for the past six months.

See what a great loss this is to the sheep-grower. In the New England States he loses $2,911,500; in the Middle States, $6,880,156; in the Southern States, $6,420,047; in the Western States, $26,866,307; in the Pacific States, $8,710,977; and in the other States, $8,045,059. A total loss of $59,834,046, or $72 to every farmer in the United States who raises sheep. This is aside from the loss on wool.

In Montana the number of sheep estimated January 1, 1894, was 2,780,908, averaged at $1.25 per head, is $3,160,122, a loss over 1892 of $2,068,444, or in round numbers about $2,100 to each sheep-producer of the State.

I have a copy of a letter written the honorable Senator from Indiana [Mr. VOORHEES] from one of the most prominent breeders of Merino sheep in this country, Mr. Davis Cossitt, of Onondaga, N. Y., which I ask be inserted with my remarks to substantiate the summary presented of the present values of wool and sheep.

The VICE-PRESIDENT. It will be so ordered, in the absence of objection.

The letter referred to is as follows:

ONONDAGA, N. Y., *June 25, 1894.*

DEAR SIR: "Owing to certain climatic conditions fine wool can not be produced in these United States."

For the last eight or ten years the above has been the stock argument of 'free-wool" advocates, many of whom do not know a fleece of fine wool from the hair of a bull terrier, and the Hon. Mr. VOORHEES seems to be a convert to this convenient free-trade doctrine.

It is not to be supposed that because a man has reached even the exalted position of United States Senator, he must necessarily know everything; it should be his aim, however, when great and important interests are under consideration that he use every means to learn that the arguments used are not in direct opposition to the facts.

It is hard to believe that an American, and especially one who has been selected to represent Americans, should become so strongly partisan as to knowingly indorse a statement so injurious to the people he represents, merely to gain a temporary partisan advantage.

We must infer, then, that the statement referred to was made ignorantly, but we insist, carelessly.

The inclosed samples of wool are from a flock of Merinos that was established in 1802. Previous to the election of 1892 the wool from this flock was never but once sold at less than 20 cents per pound, unwashed; for the clips of '93 and '94 I am offered 10 cents.

The blood being considered desirable, the increase of the flock has always (previous to the election of '92) sold readily and at fairly remunerative prices, but a contract to deliver 100 ewes and rams at the Syracuse station in November, 1892, at $10 per head was canceled as soon as the result of the Presidential election of that year was known. I have since sold these sheep at $1.50 per head.

The "climatic" conditions of America, Mr. VOORHEES, are favorable to the production of the very best wool that can be grown anywhere. Any country where the snow flies produces finer furs, finer and softer wools than can be grown in a hot climate. This is a natural law that neither free wool fallacies, willful ignorance, nor partisan malice can abrogate.

The best wools can not only be grown here, but in sufficient quantities too, to fully supply every demand of manufacturers and consumers, and at prices low enough to satisfy every reasonable requirement.

But the tariff-tinkering majority in Congress is pursuing a course that must compel every American woolgrower to surrender his only market to foreign competition. Corrupt trusts can be fostered, wealthy corporations and manufacturers can be protected, but the interests and rights of American farmers are not to be regarded.

Yet the men at Washington expect Democrats who are engaged in the woolgrowing business, and in other branches of farming as well, to meekly (you are fond of saying loyally) fall into line and continue to vote the straight ticket. Well, wait till they get a chance and see.

Very respectfully, yours,

DAVIS COSSITT.

Hon. D. W. VOORHEES, *United States Senate.*

Mr. POWER. I also ask to have inserted in the RECORD an article from the American Economist on "The Farmer and His Wool Bale," with the tables accompanying it as follows:

The VICE-PRESIDENT. It will be so ordered, in the absence of objection.

The matter referred to is as follows:

THE FARMER AND HIS WOOL BALE.

We have had a talk with the American farmer who raises sheep and have shown him how the promises of Mr. Cleveland and of the Democratic party that were made before the election of 1892 have been kept during the year 1894, as far as his sheep are concerned. The farmer naturally is anxious to know all that the Government does for him in improving the value of his stock, his crops, and his property; and now, having shorn the farmer's sheep, let us have a look at the wool and what it is worth to the farmer in his wool bale.

The American Enconomist has gone into every detail in regard to the number of sheep, their average price, and their total value in each State and Territory of the country two years ago and now; the wool clip in each State during 1893 and the average price paid for that wool last year, comparing it with its average value per pound at the beginning of the present year, thus showing what the total wool clip was worth at the beginning of 1893 and what it was worth at the beginning of 1894, as follows:

Seates and Territories.	Estimated clip for 1893, washed and unwashed	Price per pound.		Total clip value.	
		Jan., 1893.	Jan., 1894.	1893.	1894.
	Pounds.	*Cts.*	*Cts.*		
Maine	2,392,224	26	20	$621,978	$478,449
New Hampshire	950,936	24	19	228,225	180,678
Vermont	2,472,090	22	17	543,860	420,255
Massachusetts	318,192	24	19	76,366	59,456
Rhode Island	73,560	* 32	23	23,529	16,919
Connecticut	212,395	31	21	65,842	44,603
Total New England	6,419,397	.....	.....	1,559,800	1,200,360
New York	9,328,300	30	20	2,798,490	1,865,660
New Jersey	306,230	31	21	94,931	64,308
Pennsylvania	9,823,296	32	23	3,143,454	2,258,357
Delaware	74,581	27	20	20,123	14,906
Maryland	681,777	27	20	184,080	136,355
Total Middle States	20,214,134	.....	.....	6,241,078	4,339,587
Virginia	2,492,000	32	22	797,440	548,240
North Carolina	1,960,575	26	19	514,950	376,309
South Carolina	391,920	26	19	101,899	74,455
Georgia	1,947,641	26	19	506,387	370,052
Florida	532,475	26	19	138,444	101,270
Alabama	1,611,711	26	19	419,045	306,225
Mississippi	1,862,936	25	18	465,734	335,328
Louisiana	959,755	25	18	239,939	172,750
Texas	30,341,857	19	12	5,764,953	3,641,023
Arkansas	1,441,956	21	14	302,811	201,874
Tennessee	2,977,849	26	19	774 140	465,791
West Virginia	4,627,887	31	23	1,434,645	1,061,414
Kentucky	6,802,359	27	20	1,837,447	1,361,072
Total Southern States	57,973,921	.....	.....	13,297,834	9,018,814
Ohio	21,893,625	31	23	6,787,024	5,035,534
Michigan	16,370,536	28	20	4,583,750	3,274,107
Indiana	6,482,298	27	19	1,750,220	1,231,696
Illinois	7,117,638	25	17	1,929,410	1,311,998
Wisconsin	7,789,050	28	20	2,012,934	1,437,810
Minnesota	2,999,646	25	17	749,912	509,940
Iowa	5,537,301	26	18	1,439,698	996,714
Missouri	6,599,688	26	19	1,715,919	1,253,840
Kansas	3,117,016	17	13	529,893	405,212
Nebraska	2,452,518	15	12	367,878	270,302
Colorado	9,236,130	18	11	2,262,503	1,015,974
Total Western States	89,595,446	.....	.....	24,129,141	16,743,067
California	26,808,444	18	10	4,825,520	2,680,844
Oregon	19,618,616	19	12	3,733,337	2,087,834
Nevada	4,441,448	18	11	799,461	488,559
Washington	5,766,775	15	10	922,684	576,678
Total Pacific States	56,665,283	.....	.....	10,280,902	5,833,915
Arizona	5,227,911	16	10	836,466	522,791
North Dakota	2,440,000	17	12	414,800	292,800
South Dakota	1,994,000	17	12	338,980	239,280
Idaho	6,114,096	17	12	1,039,396	723,692
Montana	17,696,686	20	13	3,539,337	2,300,569
New Mexico	12,285,369	18	11	2,211,366	1,351,891
Utah	14,823,039	18	11	2,668,147	1,630,584
Wyoming	10,187,820	18	11	1,833,808	1,120,660
Total others	70,768,921	.....	.....	12,882,300	8,181,717
Total United States	301,637,102	.....	.....	68,391,055	45,317,459

* Washed.

We find that the entire American wool clip for 1893 amounted to 301,538,133 pounds of washed and unwashed wool. Its price ranged from 18 to 32 cents a pound, and the total clip was worth $68,391,055. A year later, however, the average price of wool ranged only from 10 up to 23 cents per pound, there being a loss of from 5 to 9 cents per pound. The total clip at the beginning of this year was worth only $45,317,459, a total loss to the farmers of $23,073,596.

From the facts supplied as to the clip and the average price per pound, we have worked out the total clip and its value in each and every State and Territory in the Union. In order to approximate the value per pound of wool from each State, it is necessary to average the price by estimating the amount of fine, medium, and coarse wool, and also in some cases the percentage of washed wool. This has been carefully done, and we think the values given herewith are as nearly correct as such estimates can be made. The farmers have already learned that this free-trade disease which has got among their sheep cost them $25,660,013 loss in the actual value of the live stock. We have above given them the total clip value at the beginning of 1893 and 1894, which showed a loss of $23,073,596 in the value of the wool, thus making a total loss to the sheep-raisers of the United States of $48,733,709.

But this does not cover the entire wool loss; first, because the nearer we have been getting to the time when free trade in wool is to take effect the lower has been the price of the American wool quoted, and farmers are not able to obtain to-day nearly as much money for their wool as they could six months ago. This further loss of money to the farmers we are not able as yet to arrive at. But we have shown that there are 830,960 different sheep-owners in the United States, each one of whom lost $30.88 through the lower value in the price of his live sheep since a Democratic President and a Democratic Congress controlled the administration of the country; and we further find that each one of these 830,960 farmers lost $27.77 through the decrease in one year in the price of their wool, thus making a total loss to every sheep-raiser in the country of $58.65. What fine Democracy this is, and how it tallies with the promises of 1892.

That loss in the value of sheep we have shown to the farmer was worse than the scab. This loss in the value of wool comes on the top of the free-trade scab like a dose of foot rot. In fact, the present condition of the Amer-

ican sheep is worse than if it were afflicted either with the scab or foot rot, or with both. It will take longer to efface the Democratic disease than it would to eradicate all trace of either scab or foot rot, or both.

Look now at the loss in the value of the sheep and the loss in the value of the wool in each separate State, given as follows:

States and Territories.	Loss in sheep.	Value, wool.
Maine	$929,356	$143,529
New Hampshire	279,636	47,547
Vermont	426,068	123,605
Massachusetts	54,706	16,910
Rhode Island	46,588	6,610
Connecticut	69,470	21,239
Loss in New England	1,805,824	359,440
New York	959,766	932,830
New Jersey	215,302	30,623
Pennsylvania	*591,812	885,096
Delaware	46,773	5,217
Maryland	163,132	47,725
Loss in Middle States	793,661	1,901,491
Virginia	173,358	249,200
North Carolina	251,178	138,641
South Carolina	66,788	27,434
Georgia	197,000	135,325
Florida	66,788	37,174
Alabama	82,903	112,820
Mississippi	*38,903	130,406
Louisiana	*5,439	67,189
Texas	4,184,554	2,123,930
Arkansas	191,058	100,937
Tennessee	279,445	308,349
West Virginia	*245,566	370,231
Kentucky	*443,904	476,375
Loss in Southern States	4,769,159	4,279,021
Ohio	4,557,180	1,751,490
Michigan	1,315,608	1,309,643
Indiana	1,284,492	518,584
Illinois	*42,415	617,412
Wisconsin	171,983	575,124
Minnesota	*134,268	239,972
Iowa	*253,042	442,984
Missouri	383,385	462,079
Kansas	531,893	124,681
Nebraska	156,101	97,576
Colorado	1,819,793	1,246,529
Loss in Western States	9,793,710	7,386,074
California	2,753,165	2,144,676
Nevada	227,918	310,902
Oregon	1,342,984	1,645,403
Washington	103,171	340,006
Loss in Pacific States	4,427,238	4,446,987
Dakota (North and South)	56,468	221,700
Idaho	*138,200	315,704
Montana	*55,159	1,238,768
New Mexico	1,810,649	859,975
Arizona	231,222	313,675
Utah	1,486,806	1,037,613
Wyoming	678,735	713,148
Loss all others	4,070,521	4,700,583
Loss United States	25,660,113	23,073,596

*Gain.

Every farmer can easily add together these two losses, the loss and value of the sheep and the loss and value of the wool, and he will know at once how much money the farmers in his own State have lost altogether since the country was cursed with a Democratic administration. Let the farmer figure up these losses and just think of the good times he was promised when the free traders were asking for his vote in 1892. Won't he just stir up that sheep mixture?

Now, look at the total loss to the sheep-raisers of the country in the different sections. In New England the farmers who own sheep lost $2,165,264; in the Middle States the farmers who raise sheep lost $2,695,152; in the Southern States they lost $9,048,180; in the Western States they lost $17,179,784; in the Pacific States they lost $8,874,225; in all other States and Territories they lost $8,771,104, making a total loss to the sheep farmers of the United States of almost $50,000,000 from this one farm crop alone.

Here are the figures:

	Loss by sections.		Total loss.
	Sheep.	Wool.	
New England	$1,805,824	$359,440	$2,165,264
Middle States	793,661	1,901,491	2,695,152
Southern States	4,769,159	4,279,021	9,048,180
Western States	9,793,710	7,386,074	17,179,784
Pacific States	4,427,238	4,446,987	8,874,225
All other	4,070,521	4,700,583	8,771,104
Total United States	25,660,113	23,073,596	48,733,709

Nearly $50,000,000 or $58.65 hard cash lost on an average by each farmer in the country who was unfortunate enough to own sheep when the government of the country was placed in the hands of men who favor foreigners and hate Americans. And this is not all, because to-day's price of wool will average fully 12 cents per pound less than in January, 1893, and the value of each sheep is correspondingly less, not being worth more than $1.25 on an average for the whole country.

This is the result of the free-wool plague, worse than the scab or the foot rot, and worse than both. Make that mixture a little stronger, stir it up again, and keep on stirring it, and rub it well into the Democrats next fall; apply it strong, very strong, on the first Tuesday in November.

Mr. POWER. Wool has fallen so that to-day it would be very hard to get on an average more than 8 cents per pound net to the sheep-grower for his wool clip. There has been a falling off in the average price paid for wool last year compared with the average value at the beginning of the present year. According to the tables submitted, the value of the wool clip at the beginning of the year 1893 and its value at the beginning of 1894 show that the loss in New England on wool was $2,165,264, the loss in the Middle States $2,695,152, the loss in the Southern States $9,048,180, the loss in the Western States $17,179,784, the loss in the Pacific States $8,874,225, and the loss in all other States $8,771,104.

Since the time these estimates were made, as I have stated, the price of wool has still further declined, so that to-day it would be difficult to realize more than 8 cents per pound on our wool clip. The commercial reports for the last six months will bear me out in this statement.

This table gives the entire wool clip of the United States for 1893 as 301,637,102 pounds, valued at $68,391,055. To-day this clip, at 8 cents per pound, would bring $24,130,968, a loss of $44,260,087 to the sheep farmers of the United States, or $53.60 to each sheep-grower on the value of his wool clip for 1894 over the preceding year.

Adding to this the loss on sheep ($72), we find that the actual loss to every American sheep farmer is $125.60.

The table referred to in the article from the Economist gives the price of wool January, 1894, for Montana, at 13 cents per pound. The price now will not average over 8 cents per pound, which shows a difference of 12 cents loss on the pound over 1893. The value of the wool clip for 1893 in Montana was $3,539,337. Taking the same yield for 1894 (17,696,686 pounds), the value (at 8 cents per pound) is $1,415,734.88, showing a total loss over the preceding year of $2,123,602.32 to the Montana sheepmen, or an average loss of $2,500, in round numbers, to each sheep-grower in Montana on his wool clip for 1894. The average loss to each sheepman in Montana in the value of his flock is $2,100; add to this the loss on the value of his wool clip over 1893, $2,500, makes a total loss of $4,600 for every sheep-owner in the State.

The following table shows the loss to the sheep farmer in the various States on his sheep, and the present value of his wool:

	Loss by sections.		Total loss.
	Sheep.	Wool.	
New England	$2,911,500	$1,046,248	$3,957,748
Middle States	6,880,156	4,623,947	11,504,103
Southern States	6,420,047	8,659,921	15,079,968
Western States	26,866,307	16,961,505	43,827,812
Pacific States	8,710,977	5,747,679	14,458,656
Other States	8,045,059	7,220,787	15,265,846
Total United States	59,834,046	44,260,087	104,094,133

It does seem to me that Democratic Senators in charge of the bill and Senators from the Southwest should consider this interest. They are killing the industries of the whole Northwest, and are protecting the manufacturing interests of the whole Northeast. It is certainly unnatural and unjust; but, as has been stated on this side of the Chamber, there seems to be no help for it. One or two votes from the other side of the Chamber would save this great industry. The Senator from Ohio [Mr. BRICE], who is interested in the wool question, the Senator from North Dakota [Mr. ROACH], the Senator from California [Mr. WHITE], and the Senators from New York have it in their power to save this industry. Two votes from the other side of the Chamber would accomplish that purpose.

It has been stated here that if Montana had another Senator perhaps something could be done for this great industry, and the same has been said of the States of Washington and Wyoming, which, like Montana, are only represented in part in this body. If Montana had elected a Senator this year, he would have been a Democrat, and he would naturally do as the Democratic Senator from Ohio, the Democratic Senator from California, the Democratic Senator from North Dakota, and the Democratic Senator from Kansas have done, and be bound by the Democratic caucus to vote against the interests of his people.

It is well known that the trusts are protected by this bill, and no doubt will make a great deal of money by its passage. Where there are great gains, as in the sugar and lead trusts, some other interests must suffer. The $104,000,000 loss in sheep and

wool, as above indicated, shows that this industry is the scapegoat and must bear the burden which will tend to equalize the gain in lead products, and in the sugar and whisky trusts, fathered and fostered by the Democratic party.

I know it is useless to offer any arguments, and that the people of the Northwest will have to abide by the will of the Democratic party, but I wish to state that the farmers will be heard from, and this is the last time that the two Senators, one from Missouri and one from Arkansas, will have it in their power to strangle the interests of the Western sheep-growers.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Montana.

Mr. POWER. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. MCPHERSON (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL].

The roll call was concluded.

Mr. PETTIGREW. I am paired on this question with the junior Senator from West Virginia [Mr. CAMDEN]. If he were present I should vote "yea."

Mr. RANSOM. I am paired with the senior Senator from Maine [Mr. HALE]. If he were here he would vote "yea," and I should vote "nay."

The result was announced—yeas 30, nays 33; as follows:

YEAS—30.

Aldrich,	Dubois,	Lodge,	Proctor,
Allison,	Frye,	McMillan,	Quay,
Carey,	Gallinger,	Mitchell, Oregon	Sherman,
Chandler,	Hansbrough,	Patton,	Shoup,
Cullom,	Hawley,	Peffer,	Teller,
Davis,	Higgins,	Perkins,	Washburn.
Dixon,	Hoar,	Platt,	
Dolph,	Jones, Nev.	Power,	

NAYS—33.

Bate,	Gorman,	McLaurin,	Turpie,
Berry,	Gray,	Mills,	Vest,
Blanchard,	Harris,	Mitchell, Wis.	Vilas,
Call,	Hill,	Morgan,	Voorhees,
Cockrell,	Hunton,	Murphy,	Walsh,
Coke,	Jarvis,	Pasco,	White.
Faulkner,	Jones, Ark.	Pugh,	
George,	Kyle,	Roach,	
Gibson,	Lindsay,	Smith,	

NOT VOTING—22.

Allen,	Cameron,	Manderson,	Squire,
Blackburn,	Daniel,	Martin,	Stewart,
Brice,	Gordon,	Morrill,	Wilson,
Butler,	Hale,	Palmer,	Wolcott.
Caffery,	Irby,	Pettigrew,	
Camden,	McPherson,	Ransom,	

So the amendment was rejected.

The VICE-PRESIDENT. The next reserved amendment will be stated.

The SECRETARY. On page 72, in paragraph 279, line 4, after the first word "on," the Senate, as in Committee of the Whole, inserted "flocks, mungo, shoddy, garnetted waste, and carded waste, and carbonized noils, or carbonized wool, and on;" in line 7, after the word "tops," the Senate, as in Committee of the Whole, struck out "valued at not more than 35 cents per pound, the duty shall be 25," and inserted "15;" and in line 9, after the word "ad valorem" struck out "valued at over 35 cents per pound, the duty shall be 30 per cent ad valorem;" so as to make the paragraph read:

279. On flocks, mungo, shoddy, garnetted waste, and carded waste, and carbonized noils, or carbonized wool, and on wool of the sheep, hair of the camel, goat, alpaca, or other like animals, in the form of roving, roping, or tops, 15 per cent ad valorem.

The amendment was concurred in.

Mr. FAULKNER. I ask that the remaining reserved amendments to the wool schedule may be adopted as a whole.

The VICE-PRESIDENT. Is there objection?

Mr. CHANDLER. I desire time to look at the schedule before deciding.

Mr. ALDRICH. The Senator can offer any amendment he chooses hereafter.

Mr. CHANDLER. I am not so anxious to offer amendments, but I desire to be sure that the amendments now pending are proper amendments to be adopted to the bill; but as I see the Senator from Rhode Island [Mr. ALDRICH] on the other side of the Chamber, I shall take his word for it.

Mr. FAULKNER. I ask unanimous consent that the remaining amendments to the wool schedule may be acted upon as a whole.

The VICE-PRESIDENT. Is there objection? The Chair hears none, and it will be so ordered. The question is on concurring in the remainder of the reserved amendments made as in Committee of the Whole to the wool schedule.

The amendments were concurred in.

The VICE-PRESIDENT. The next reserved amendment will be stated.

The SECRETARY. In "Schedule L.—Silks and Silk Goods," in paragraph 298, on page 76, line 25, after the words "combed silk," the Senate, as in Committee of the Whole, struck out "25 cents per pound," and inserted "20 per cent ad valorem;" in line 3, on page 77, after the word "description," struck out "except spun silk, 20 per cent ad valorem," and inserted the word "and;" and in line 5, before the words "per centum," struck out "twenty" and inserted "thirty;" so as to make the paragraph read:

298. Silk partially manufactured from cocoons or from waste silk, and not further advanced or manufactured than carded or combed silk, 20 per cent ad valorem. Thrown silk, not more advanced than singles, tram, organzine, sewing silk, twist, floss, and silk threads or yarns of every description, and spun silk in skeins, cops, warps, or on beams, 30 per cent ad valorem.

Mr. CHANDLER. I wish to say a word with reference to the silk industry. While we do not raise cocoons in this country, and therefore import the raw material, the raw silk, I believe that California alone, if the industry were properly developed, would supply all the raw silk that is needed for the manufacture of silk in this country; and I trust that one of the first acts of the next Republican Congress will be to provide for a bounty on the raising of silk-worms and the manufacture of raw silk in this country.

With reference to the manufactures of silk, as I have already given some tables showing the progress of the cotton and woolen industries, taken from Census Bulletin No. 242, I will present a similar table relating to the silk industry, which, under protection, is growing to large proportions.

I ask that the table may be inserted in the RECORD.

The VICE-PRESIDENT. It will be so ordered in the absence of objection.

The table referred to is as follows:

THE UNITED STATES.

Period.	Amount of capital invested.	Per cent of increase.	Number of employés.	Per cent of increase.	Total wages paid.	Per cent of increase.	Average wages per capita.	Per cent of increase.	Silk and silk materials used.	Total paid for silk and silk materials.	Per cent of increase.	Cost of all materials.	Per cent of increase.	Value of product.	Value of output per capita.
									Pounds.						
1880	$19,125,300		31,337		$9,446,705		$291.88			$19,208,683		$22,437,701		$41,023,045	$1,238.60
1890	51,007,537	167.00	50,913	62.45	19,860,318	116.77	388.66	36.60	11,917,155	46,351,200	141.37	50,919,016	126.40	87,298,454	1,714.69
Increase	31,882,237		19,576		10,733,613		96.78			27,143,517		28,441,315		46,275,409	

NEW JERSEY.

1880	6,952,825		12,549		4,177,745		332.88			8,664,835		9,678,536		17,122,230	1,364.40
1890	16,809,927	143.28	17,917	42.75	7,176,180	71.75	400.52	20.32	3,881,972	17,191,845	98.46	17,875,430	84.70	30,760,371	1,716.70
Increase	9,857,102		5,366		2,998,435		67.64			8,527,010		8,196,894		13,638,141	

NEW YORK.

1880	4,696,775		9,633		2,590,025		267.82			4,333,195		5,331,804		10,170,140	1,055.75
1890	11,165,918	137.85	13,151	36.64	5,584,390	114.84	424.65	58.50	1,846,521	8,571,231	98.90	10,141,879	90.20	19,417,496	1,476.59
Increase	6,469,143		3,518		2,974,365		156.83			4,238,036		4,810,075		9,247,356	

PENNSYLVANIA.

Period.	Amount of capital invested.	Per cent of increase.	Number of employés.	Per cent of increase.	Total wages paid.	Per cent of increase.	Average wages per capita.	Per cent of increase.	Silk and silk materials used.	Total paid for silk and silk materials.	Per cent of increase.	Cost of all materials.	Per cent of increase.	Value of product.	Value of output per capita.
									Pounds.						
1880	$1,379,900		3,189		$378,120		$212.90			$1,207,797		$1,830,985		$3,491,840	$1,095.00
1890	9,382,063	579.44	9,522		2,981,334	339.78	314.15	49.00	2,967,108	10,875,625	800.00	12,084,916	560.00	19,357,546	2,032.90
Increase	7,982,163		6,333		2,303,214		101.25			9,667,828		10,253,931		15,865,706	

CONNECTICUT.

1880	4,436,500		3,428		1,026,530		299.45			3,025,325		3,311,206		5,881,000	1,515.55
1890	9,037,042	103.60	5,091	48.40	2,006,804	98.00	395.00	32.00	1,921,130	5,723,328	89.90	6,198,476	87.00	9,788,951	1,926.58
Increase	4,600,542		1,653		980,274		95.55			2,698,003		2,887,270		3,907,951	

This table, with various others used by me in debate, was prepared under my direction by Mr. E. N. Hill, of Arkansas, who is very competent for the performance of such work. He was a Confederate officer, and is now not only a lawyer, but a student of economic questions, a fluent writer, and a statistician of great merit.

The table shows the operatives in silk receive larger wages on the average than those in either of the other textile fabrics, and that the number has increased in greater proportion.

Everything points to the conclusion that with protection continued the time would not be distant when the entire demand for silk goods could be supplied by the home product.

One thing we all know has resulted from the manufacture of silk in this country. Before it was begun the manufacture was confined principally to France, Italy, China, and Japan, and these countries put whatever prices they chose upon their fabrics. Whilst the United States is not yet a very large producer, what it does produce has caused a large reduction in prices.

At present the manufacture is confined principally to four States—New Jersey, New York, Pennsylvania, and Connecticut. The growth in Pennsylvania during the decade was enormous.

Whilst silk is not a necessary of life, it will always be used and there is no reason why its manufacture should not be encourged, as it already provides profitable labor for 50,000 people, and that number can be quadrupled even before the home demand is met.

The VICE-PRESIDENT. The question is on concurring in the amendment made as in Committee of the Whole to paragraph 298, which has been stated.

The amendment was concurred in.

The next reserved amendment made as in Committee of the Whole was on page 77, to strike out paragraph 299, as follows:

299. Velvets, plushes, chenilles, or other pile fabrics, 45 per cent ad valorem.

And insert:

299. Velvets, chenilles, or other pile fabrics, $1.50 per pound; plushes, $1 per pound; but in no case shall the foregoing articles pay a less rate of duty than 50 per cent ad valorem.

Mr. ALDRICH. I suggest to the Senator from Missouri that there should be some designation there as to the material of which these plushes are composed. There may some trouble arise if that is not done. The language is "Velvets, chenilles, or other pile fabrics," so much per pound. They are composed sometimes of silk, sometimes of mohair, and sometimes of cotton and other materials. There should be inserted the words, "composed of silk, or of which silk is the component material of chief value."

Mr. VEST. Those words ought to be inserted.

Mr. FRYE. That would apply also to "plushes," beginning in line 8, after the semicolon.

Mr. VEST. After the words "pile fabrics," in line 8, I move to insert "composed of silk, or of which silk is the component of chief value;" and after the word "plushes," in the same line, to insert the same words.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In paragraph 299, on page 77, line 8, it is proposed to amend the amendment made as in Committee of the Whole by inserting after the words "pile fabrics," the words "composed of silk, or of which silk is the component of chief value;" and after the word "plushes," in the same line, to insert "composed of silk, or of which silk is the component of chief value."

The amendment to the amendment was agreed to.

The amendment as amended was concurred in.

The next reserved amendment made as in Committee of the Whole was, in paragraph 300, on page 77, line 15, before the words "per cent," to strike out "forty" and insert "forty-five;" so as to make the paragraph read:

300. Webbings, gorings, suspenders, braces, beltings, bindings, braids, galloons, fringes, cords, and tassels, any of the foregoing which are elastic or non-elastic, buttons and ornaments, made of silk, or of which silk is the component material of chief value, 45 per cent ad valorem.

The amendment was concurred in.

The next reserved amendment made as in Committee of the Whole was, in paragraph 301, on page 77, before the word "clothing" in line 20, to insert "nettings and veilings;" so as to make the paragraph read:

301. Laces and articles made wholly or in part of lace, and embroideries, including articles or fabrics embroidered by hand or machinery, handkerchiefs, neck ruffings and ruchings, nettings and veilings, clothing ready made, and articles of wearing apparel of every description, including knit goods made up or manufactured wholly or in part by the tailor, seamstress, or manufacturer, composed of silk, or of which silk is the component material of chief value, and beaded silk goods, not specially provided for in this act, 50 per cent ad valorem.

So the amendment was concurred in.

The next reserved amendment was, on page 38, paragraph 307, line 18, before the words "tissue paper," to strike out "all," and in line 21, before the words "per cent," to strike out "twenty-five" and insert "thirty;" so as to make the paragraph read:

307. Papers known commercially as copying paper, filtering paper, silver paper, and tissue paper, white, printed, or colored, made up in copying books, reams, or in any other form, and albumenized or sensitized paper, 30 per cent ad valorem.

Mr. JONES of Arkansas. After the word "form," in line 20, I move to strike out the word "and" and insert "35 per cent ad valorem," and after the word "paper," in line 21, to insert the words "and writing paper and envelopes, embossed, engraved, printed, or ornamented."

The amendment to the amendment was agreed to.

The amendment, as amended, was concurred in.

The next reserved amendment made as in Committee of the Whole was to insert as a new paragraph the following:

318½. Coal, bituminous and shale, 40 cents per ton; coal slack or culm, such as will pass through a half-inch screen, 15 cents per ton.

Mr. HILL. I desire a vote upon the insertion of that paragraph. I do not propose to take up the time of the Senate with any lengthy discussion of this question. The Senate understands my views upon it. I think that coal should be placed upon the free list. I think so because it is one of the raw materials which we have declared for many years should be placed upon the free list. The House so considered it, and the House passed the Wilson bill, and in that respect it was clearly a Democratic measure.

I hold in my hand an elaborate article taken from the North American Review of last February, wherein the distinguished Senator from Texas [Mr. MILLS] argues this question far more ably than I can. He says the work must not stop with coal and ore, but it must be extended to all raw materials. Perhaps that is stretching the doctrine a little too far; but to the extent to which we pledged ourselves I am ready to go.

Mr. President, I think if coal were put upon the free list it would perfect this bill; it would make it better; and I think it is in the interest of true Democracy that this amendment should be rejected. I do not expect, of course, that it will be rejected, but I call for the yeas and nays upon it.

The yeas and nays were ordered.

Mr. CHANDLER. There is an additional reason why coal should be put upon the free list beyond the promises that were made in various ways by the Senator from Texas [Mr. MILLS], and that is the fact that a syndicate has been organized in New York, composed of capitalists of large means, many of them, I

suppose, Republicans, but mainly composed of distinguished Democrats, high in the councils of their party, who desire to help forward the principles of political and economic action advocated by the Senator from Texas. They bought large mines in Nova Scotia, and are prepared to put in force in New England this great boon to the New England industries, which was promised the owners of those industries by the Senator from Texas; they have invested their capital in this work, and they will receive a great disappointment if the Senate changes the Wilson bill, which gave them the opportunities they sought, and puts a duty upon coal.

Notwithstanding these large expectations of the Nova Scotia coal syndicate, I am forced to vote for a duty on coal, because I believe that coal is entitled to protection, that the owners of coal mines are entitled to protection, and that the hardy toilers in the mines of this country are entitled to be protected from coal mined by those who receive the low wages which prevail in Nova Scotia.

This whole question of the tariff is a question of wages; and high wages the Republican party is determined to secure for the workmen of America if protective duties will enable them to secure to those workmen high wages.

Therefore, notwithstanding the Nova Scotia coal syndicate, I oppose the Senator from New York, and I join the Senator from Texas in putting on a duty, an insufficient duty to be sure, but a duty which will afford some measure of protection to the coal mines of this country.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from New York, on which the yeas and nays have been ordered.

Mr. HILL. As I understand, the question simply arises on concurring in the amendment made as in Committee of the Whole. That will bring up the question, I think, and those in favor of free coal will vote in the negative.

The VICE-PRESIDENT. The Senator is correct; the question is on concurring in the amendment made as in Committee of the Whole.

The Secretary proceeded to call the roll.

Mr. MCPHERSON (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL], and therefore withhold my vote.

Mr. RANSOM (when his name was called). I have a general pair with the Senator from Maine [Mr. HALE], but if he were present I am satisfied he would vote the same way as I do, and I therefore vote. I vote "yea."

The roll call was concluded.

The result was announced—yeas 57, nays 6; as follows:

YEAS—57.

Aldrich,	Dolph,	Lindsay,	Pugh,
Allison,	Dubois,	Lodge,	Quay,
Bate,	Faulkner,	McLaurin,	Ransom,
Blackburn,	Frye,	McMillan,	Roach,
Blanchard,	George,	Manderson,	Shoup,
Caffery,	Gibson,	Martin,	Smith,
Call,	Gorman,	Mitchell, Oregon	Teller,
Carey,	Gray,	Mitchell, Wis.	Turpie,
Chandler,	Harris,	Morgan,	Vest,
Cockrell,	Hawley,	Murphy,	Voorhees,
Coke,	Higgins,	Pasco,	Walsh.
Cullom,	Hoar,	Patton,	White.
Daniel,	Hunton,	Platt,	
Davis,	Jarvis,	Power,	
Dixon,	Jones, Ark.	Proctor,	

NAYS—6.

Allen,	Irby,	Mills,	Peffer.
Hill,	Kyle,		

NOT VOTING—30.

Berry,	Gordon,	Palmer,	Vilas,
Brice,	Hale,	Perkins,	Washburn,
Butler,	Hansbrough,	Pettigrew,	Wilson,
Camden,	Jones, Nev.	Sherman,	Wolcott.
Cameron,	McPherson,	Squire,	
Gallinger,	Morrill,	Stewart,	

So the amendment was concurred in.

Mr. PEFFER. I move to strike out paragraphs 339, 340, 341, and 342, and to insert as paragraph 501½ the following:

All leather and manufactures of leather shall be exempt from duty.

The VICE-PRESIDENT. The amendment proposed by the Senator from Kansas will be stated.

The SECRETARY. It is proposed to strike out paragraphs 339, 340, 341, and 342, and to insert as paragraph 501½, in the free list, the following:

All leather and manufactures of leather.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Kansas.

The amendment was rejected.

Mr. FRYE. Has the amendment in paragraph 339 been concurred in? I understood the Presiding Officer to say that that paragraph had been reserved.

The VICE-PRESIDENT. The amendment referred to will be stated from the desk.

The SECRETARY. In paragraph 339, line 24, the Senate, as in Committee of the Whole, struck out "five" before the words "per cent" and inserted "ten;" so as to read:

339. Sole leather, 10 per cent ad valorem.

The amendment was concurred in.

The next reserved amendment made as in Committee of the Whole was on page 86, paragraph 341, in line 7, before the words "per centum," to strike out "fifteen" and insert "twenty;" in line 10, before the words "per cent," to strike out "fifteen" and insert "twenty;" and in line 13, before the words "per cent," to strike out "twenty-five" and insert "twenty;" so as to make the paragraph read:

341. Calfskins, tanned, or tanned and dressed, dressed upper leather, including patent, enameled, and japanned leather, dressed or undressed, and finished; chamois or other skins not specially enumerated or provided for in this act, 20 per cent ad valorem; bookbinders' calfskins, kangaroo, sheep and goat skins, including lamb and kid skins, dressed and finished, 20 per cent ad valorem; skins for morocco, tanned but unfinished, 10 per cent ad valorem; pianoforte leather and pianoforte action leather, 20 per cent ad valorem; boots and shoes, made of leather, 20 per cent ad valorem.

The amendment was concurred in.

Mr. ALLEN. I offered an amendment on Friday last to insert a paragraph to be considered as 262½ on the dutiable list, which I should like to have acted upon now.

The VICE-PRESIDENT. The amendment will be stated.

Mr. ALLISON. That amendment is not in order, Mr. President. New amendments are not in order until the reserved amendments are disposed of.

Mr. ALLEN. This was a reserved amendment.

The VICE-PRESIDENT. This was a reserved amendment, as the Chair understands.

Mr. ALLISON. It was not a reserved amendment, because it was not an amendment agreed to as in Committee of the Whole. It therefore must be offered anew in the Senate.

The VICE-PRESIDENT. The Chair will recognize the Senator from Nebraska later for the purpose of offering the amendment.

Mr. HOAR. Mr. President, I meant to reserve paragraph 410. If it has not been reserved, I wish to have it treated as reserved long enough to ask the committee whether they have devised any better language than the phrase "books and periodicals devoted to original scientific research." That is a most unmeaning phrase, I think. I have received some communications from persons of high authority on such subjects since the paragraph was considered in Committee of the Whole. The suggestion was made that perhaps the Senator from Missouri would consult with the committee and try to substitute a better phrase.

Mr. VEST. I confess I have not done so; I have been so busy about other matters that I have not had the time.

Mr. HOAR. I shall not detain the Senate by discussing the matter.

Mr. ALLISON. Let me suggest to the Senator from Massachusetts that this whole paragraph will be open to amendment in conference.

Mr. HOAR. That is what I was about to say. I was about to say that I have not myself any language in mind which would accomplish the result, but that I hope, if it goes over now, the Senator will understand that the Senate does not adopt this language as being satisfied with it. I hope in conference we shall be able to get the matter in proper shape.

Mr. GRAY. Would not striking out the word "original" meet the Senator's view?

Mr. HOAR. I do not think the phrase "devoted to scientific research" would amount to anything. I shall let the matter pass for the present.

Mr. VEST. I am not satisfied with the language myself, and shall endeavor to arrange it suitably. I shall be glad to have any suggestion about it.

Mr. HOAR. I merely wanted to call attention to it now.

Mr. HIGGINS. I desire to say that my attention has been called to this by important book publishers, who call attention to the fact that the term "scientific research" is a very misleading term, and, worse than that, that it would be very difficult of application in the actual business of the Government.

Mr. DOLPH. I do not know that I understand the paragraph, but what harm would there be in striking out "devoted to original scientific research"?

Mr. GRAY. Strike out the whole of it.

Mr. DOLPH. And let it stand "scientific books and periodicals." I suppose that it was meant to cover books used by persons who are investigating scientific questions. I do not know why, if books are used for educational purposes, they should not also be subject to the same duty.

Mr. VEST. I think it would be a good idea to strike out the

words "devoted to original scientific research," and then we can adjust the matter in conference.

Mr. ALLISON. Let that be done.

Mr. ALDRICH. I do not object to its being done now tentatively, but the adoption of that amendment will make the paragraph very much worse than it is now.

The PRESIDING OFFICER (Mr. WHITE in the Chair). Will the Senator from Missouri be kind enough to restate his proposition?

Mr. VEST. My proposition is to strike out the words in line 2, "devoted to original scientific research," so to leave the matter open in conference.

The PRESIDING OFFICER. The Secretary will state the amendment proposed by the Senator from Missouri.

The SECRETARY. It is proposed on page 97, line 2, paragraph 410, to strike out the words "devoted to original scientific research;" so as to read:

410. Books, engravings, photographs, bound or unbound, etchings, music, maps, and charts, which shall have been printed more than twenty years at the date of importation, and all hydrographic charts, and scientific books and periodicals, and publications issued for their subscribers by scientific and literary associations or academies, or publications of individuals for gratuitous private circulation, and public documents issued by foreign governments.

Mr. HOAR. I hope the Senator will not insist on that now, because that would lead to debate. It is a new proposition, and the Senator will see that it involves very much indeed.

Mr. VEST. My only object was to leave it to the conference committee, so that the whole matter will be open.

Mr. HOAR. That was my object.

Mr. VEST. Very well. I am satisfied with it.

The PRESIDING OFFICER. The amendment, the Chair understands, is withdrawn.

Mr. VEST. Yes, sir.

The PRESIDING OFFICER. The Secretary will report the next reserved amendment.

The SECRETARY. The Senate, as in Committee of the Whole, on page 109, paragraph 575, line 22, before the word "professional," struck out the word "such;" in the same line, after the word "productions," inserted "whether round or in relief;" in line 24, after the word "sculpture," struck out "only" and inserted "and the word 'painting,' as used in this act shall not be understood to include such as are made wholly or in part by stenciling or other mechanical process;" so as to make the paragraph read:

575. Painting, in oil or water colors, original drawings and sketches, and artists' proofs of etchings and engravings, and statuary, not otherwise provided for in this act, but the term "statuary" as herein used shall be understood to include only professional productions whether round or in relief, in marble, stone, alabaster, wood, or metal, of a statuary or sculptor, and the word "painting," as used in this act, shall not be understood to include such as are made wholly or in part by stenciling or other mechanical process.

The amendment was concurred in.

Mr. KYLE. I inquire if a vote has been taken on paragraph 575. I believe I made a reservation there.

The PRESIDING OFFICER. The Senator from South Dakota perhaps did not note that the amendment made as in Committee of the Whole was concurred in, in the absence of objection; but if there be objection it will stand open.

Mr. KYLE. I move to strike out the whole of paragraph 575.

The PRESIDING OFFICER. The Senator from South Dakota moves to strike out paragraph 575, which has just been read.

Mr. ALDRICH. I suggest that is not in order now, as that is not an amendment made as in Committee of the Whole. It will be in order later.

Mr. MILLS. We can dispose of it by voting on it.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from South Dakota.

Mr. ALLEN. I reserved an amendment to the same paragraph, 575. In Committee of the Whole I offered an amendment as a substitute, placing paragraph 575 in the free list. I ask that it be taken up and considered now. It is the provision of the McKinley act.

Mr. FRYE. These amendments are not now in order.

Mr. ALDRICH. I made that suggestion a few moments ago.

Mr. FRYE. They will be in order as soon as the reserved amendments are disposed of.

The PRESIDING OFFICER. The Chair understood there was no objection to the Senator calling attention to the point.

Mr. ALDRICH. We are proceeding under an order of the Senate, and I think we had better proceed in regular order.

The PRESIDING OFFICER. The Senator from Nebraska will have an opportunity to offer his amendment later.

Mr. ALLEN. The amendment I wish to offer is among the reserved amendments. It was reserved by me expressly.

The PRESIDING OFFICER. The Chair does not understand that it is proposed to amend the paragraph.

Mr. ALLEN. I propose to amend this paragraph by striking it out and substituting the provision of the McKinley act, and I reserved it expressly.

Mr. FRYE. That does not make it in order.

The PRESIDING OFFICER. If that is the purpose of the Senator, the Chair will hold that it is in order.

Mr. HOAR. How can it be in order? It is a new amendment.

The PRESIDING OFFICER. The Chair understands the Senator from Nebraska reserved the right to amend this paragraph.

Mr. HOAR. I understand, if the Chair will pardon me, that what are spoken of as reserved amendments, that is, amendments made as in Committee of the Whole, are now being dealt with under the order of the Senate, and the notice that the Senator reserved the right to offer a new amendment—a right which he had even if he had not given notice and had not reserved—does not bring the amendment into this period of time. It comes up when the Senator makes his new motion. The Senator from Nebraska does not simply ask a vote on the amendment made as in Committee of the Whole, but proposes a new amendment to strike out and insert. That comes later; not now.

Mr. DOLPH. The bill is in the Senate, and is subject to amendment as it was in Committee of the Whole. When the bill comes from the Committee of the Whole to the Senate the question is, Shall the amendments which have been made as in Committee of the Whole be concurred in in the Senate. The custom is, unless some Senator wants a separate vote on an amendment made as in Committee of the Whole, to adopt the amendments thus made as a whole in the Senate; but if a Senator wants a separate vote, he indicates that by reserving certain amendments made as in Committee of the Whole. Therefore the reserved amendments are the committee amendments now in the bill, which must first be acted upon if there is objection. After they are disposed of, any amendments made as in Committee of the Whole and voted on and lost, may be offered and voted upon in the Senate.

The PRESIDING OFFICER. The Chair will state that the order heretofore followed has been in the line suggested by the Senator from Nebraska, as when the sugar schedule was under consideration there were motions made to strike out and insert, and Senators desiring to offer amendments were not confined to the amendments theretofore offered to that particular schedule.

Mr. HARRIS. The amendments to the sugar schedule, my recollection is, transcended what I understand to be the rule of the Senate, but they were offered and acted upon by consent. There is nothing clearer to my mind than that the amendment proposed by the Senator from Nebraska at this time is not in order. The only question is upon the amendment made as in Committee of the Whole; will the Senate amend that amendment, not the whole paragraph, or concur in it without amendment. When we have gone through with the amendments made as in Committee of the Whole, and have concurred or nonconcurred in them, then every line of the bill from the first to the last is amendable, and the motion of the Senator from Nebraska will be perfectly in order at that time, but it is not now.

Mr. ALLEN. The Senator from Tennessee seems to think that I did not reserve this amendment as in Committee of the Whole.

Mr. FRYE. That does not make any odds.

Mr. ALLEN. The amendment made as in Committee of the Whole was to strike out the paragraph.

Mr. HARRIS. The Senator offered it, but the Committee of the Whole did not agree to it, and therefore it is not now under consideration in the Senate.

Mr. ALLEN. Mr. President, every amendment that the committee has offered has been followed in identically this way. Every schedule that has been considered has been treated in that way.

The PRESIDING OFFICER. If the Senator from Nebraska will pardon the Chair, the Chair, following the plan heretofore adopted, entertained the amendment; but upon careful consideration, the present occupant of the Chair is of opinion that the Senator from Nebraska can offer the amendment later; but the Senate will now proceed with the amendments adopted as in Committee of the Whole. The question before the Senate is in relation to the amendment to paragraph 575, which has been read and acted upon, but which was reopened on the request of the Senator from South Dakota [Mr. KYLE].

The amendment was concurred in.

Mr. ALLEN. I now move to strike out paragraph 575.

The PRESIDING OFFICER. At this time the Chair holds it is not in order so to do. The next reserved amendment will be read. The Chair will state that the Senator from Maine [Mr. HALE] reserved the consideration of certain amendments with reference to the wood schedule.

Mr. JONES of Arkansas. I should be glad to have the reserved amendments all disposed of. Section 5, on page 124, was reserved.

The PRESIDING OFFICER. That section has not been reached, the Chair will state to the Senator.

Mr. ALLISON. In paragraph 676, which is in the wood schedule, line 12, I move to amend the amendment by striking out the words "or dressed."

The PRESIDING OFFICER. The amendment made as in Committee of the Whole will first be stated, and then the amendment of the Senator from Iowa.

The SECRETARY. The Senate, as in Committee of the Whole, on page 119, paragraph 676, line 11, after the word "lumber," inserted the words "rough or dressed, except boards, plank, deals, and other lumber of cedar, lignum-vitæ, lancewood, ebony, box, granadilla, mahogany, rosewood, satinwood, and all other cabinet woods," so as to make the paragraph read:

676. Sawed boards, plank, deals, and other lumber, rough or dressed, except boards, plank, deals and other lumber of cedar, lignum-vitæ, lancewood, ebony, box, granadilla, mahogany, rosewood, satinwood, and all other cabinet woods.

The amendment proposed by Mr. ALLISON was in line 12, after the word "rough," to strike out "or dressed."

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Iowa to the amendment made as in the Committee of the Whole.

The amendment to the amendment was rejected.

The PRESIDING OFFICER. The question is on concurring in the amendment made as in Committee of the Whole.

The amendment was concurred in.

The next reserved amendment made as in Committee of the Whole was, on page 120, paragraph 685, line 2, after the word "waste," to strike out "rags, and flocks, including," and to insert "slubbing waste, roving waste, ring waste, and;" in line 4, after the word "wool," to insert "all the foregoing not otherwise herein provided for;" and, beginning in line 5, to strike out the following proviso:

Provided, That this paragraph shall take effect on and after August 2, 1894.

So as to make the paragraph read:

685. All wool of the sheep, hair of the camel, goat, alpaca, and other like animals, and and all wool and hair on the skin, noils, yarn waste, card waste, bur waste, slubbing waste, roving waste, ring waste, and all waste, or rags composed wholly or in part of wool, all the foregoing not otherwise herein provided for.

The amendment was concurred in.

Mr. JONES of Arkansas. I move to insert as a substitute for the part printed in italics in section 5, what I send to the Secretary's desk. Before that is read, however, I move to insert after the word "origin," in line 16, the words "and the quantity of their contents."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 124, section 5, line 16, after the word "origin," it is proposed to insert "and the quantity of their contents;" so as to read:

SEC. 5. That all articles of foreign manufacture, such as are usually or ordinarily marked, stamped, branded, or labeled, and all packages containing such or other imported articles, shall, respectively, be plainly marked, stamped, branded, or labeled in legible English words, so as to indicate the country of their origin and the quantity of their contents.

Mr. SHERMAN. I have no objection to that amendment, but I want a yea-and-nay vote upon the free-wool clause just passed over.

Mr. FRYE. We can move to strike that out when we get through with the committee amendments.

Mr. SHERMAN. I desire a vote by yeas and nays on that paragraph.

The PRESIDING OFFICER. The question now is on the amendment proposed by the Senator from Arkansas [Mr. JONES].

The amendment was agreed to.

The PRESIDING OFFICER. The amendment made as in Committee of the Whole to the paragraph will now be stated.

The SECRETARY. On page 124, section 5, line 16, after the word "and," the Senate, as in Committee of the Whole, struck out "unless" and inserted "until;" in line 18, after the word "importer," it struck out "except under such regulations as the Secretary of the Treasury may prescribe," and inserted "and if any article of imported merchandise or the packages containing the same shall be marked, stamped, branded, or labeled with a quantity in excess of said merchandise, then the same shall not be delivered to the importer until the false marking thereon shall be totally removed or effaced."

Mr. JONES of Arkansas. I now offer the amendment which I have sent to the desk.

The PRESIDING OFFICER. The amendment proposed by the Senator from Arkansas will be stated.

The SECRETARY. It is proposed to amend the amendment made as in Committee of the Whole by striking out, beginning in line 19 with the words "and if any article of imported merchandise" and ending with the words "removed or effaced," in line 24, and inserting:

Should any article of imported merchandise be marked, stamped, branded, or labeled so as to indicate a quantity, number, or measurement in excess of the quantity, number, or measurement actually contained in such article, no delivery of the same shall be made to the importer until the mark, stamp, brand, or label, as the case may be, shall be changed so as to conform to the real facts of the case.

Mr. HAWLEY. I suggest that the word "real" before the word "facts" might as well be omitted. If they be facts, of course they are "real facts."

Mr. JONES of Arkansas. I accept that modification.

The PRESIDING OFFICER. The amendment will be modified accordingly. The question is on agreeing to the amendment as modified to the amendment made as in Committee of the Whole.

The amendment to the amendment was agreed to.

The amendment as amended was concurred in.

Mr. ALLEN. Paragraph 686 has been passed over, and at that point an amendment was to have been offered. It was offered when the bill was considered as in Committee of the Whole. I send the amendment to the desk and ask to have it read.

Mr. ALDRICH. It is not in order yet.

The PRESIDING OFFICER. The amendment will be read for information. The Chair has no knowledge of the contents of the amendment.

Mr. CULLOM. If it is a new amendment it is not in order.

Mr. ALLEN. It should be paragraph 686.

The PRESIDING OFFICER. The Chair does not understand the Senator from Nebraska to have stated whether the amendment proposed is an amendment to the paragraph or a substitute for it.

Mr. ALLEN. It is to come in as a new paragraph.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. Add as a new paragraph:

683½. All wire imported exclusively for fencing shall be admitted free of duty under such rules and regulations as the Secretary of the Treasury shall prescribe.

Mr. ALLISON. That is a new amendment.

The PRESIDING OFFICER. Objection being made, the matter will be passed over for the present. The Chair will state to the Senator from Nebraska that the amendment is not in order at this time.

Mr. ALLEN. I should like to be heard for a moment. This amendment was considered when the bill was as in Committee of the Whole. The question of free wire was taken up and discussed; and it was determined by the committee, and distinctly stated by the Senator from Arkansas [Mr. JONES], who has this matter in charge, that wire was to be placed upon the free list, and that he would formulate a paragraph and offer it at the proper time. It was among the reserved paragraphs mentioned by him yesterday. The whole question was fully and fairly considered by the Senate as in Committee of the Whole, and was reserved.

Mr. CULLOM. The amendment which was offered by the Senator from Nebraska in relation to barbed wire is in the bill and the request was made for a separate vote upon that item, which has not yet been taken. It will be taken up when the other reserved amendments have been gone through with. It was passed over yesterday.

Mr. ALLEN. I simply wish to call attention to the fact that like every other amendment which has been considered in this Chamber to-day it was considered by the Senate as in Committee of the Whole and was reserved.

Mr. CHANDLER. The Senator from Nebraska did ask the Senator from Arkansas, there having been a vote that barbed wire should be free, whether he intended to propose a suitable clause to be added to the free list, and I certainly understood the Senator from Arkansas to say that he was prepared to complete the arrangement. But this is not the proper time, I understand, to do this thing. The Senate is now considering the reserved amendments. After those are considered, of course, it will be in order, and it will be the duty of the Senator from Arkansas to move to add to the free list the words which the Senator from Nebraska desires and understands are to be added to the free list. I did not understand that it is in order to do so at this time.

Mr. JONES of Arkansas rose.

Mr. FRYE. What is the question before the Senate?

The PRESIDING OFFICER. There is no question before the Senate.

Mr. FRYE. I object to further debate.

The PRESIDING OFFICER. The point of order is sustained. The Secretary will state the next reserved amendment.

Mr. CHANDLER. I desire to rise to a question of order. I ask whether it is in order to object to debate after a Senator has finished his remarks?

Mr. FRYE. I saw another Senator on the floor at the moment.

Mr. PALMER. I desire to make an inquiry for information. I wish to state that at some suitable time I shall call the attention of the Senate to the proviso found on page 28, at the end of paragraph 124, in respect to barbed wire.

Mr. JONES of Arkansas. That is what we have been talking about.

Mr. PALMER. I am not so familiar with the rules of the Senate as to know when that ought to be done. I am very anxious to have that considered. I do not want to be foreclosed. I wish Senators who are familiar with the rules to inform me at what time I may properly call up that proviso.

Mr. ALLISON. I will state to the Senator from Illinois that that was one of the reserved amendments, and it has not yet been disposed of. It was postponed a day or two since in the absence of the Senator from Illinois who has just addressed the Senate.

Mr. JONES of Arkansas. Regular order.

The PRESIDING OFFICER. The next reserved amendment will be stated.

The SECRETARY. In section 54, page 171, line 13, after the words "ninety-five" the Senate as in Committee of the Whole inserted "and until the 1st day of January, 1900;" and in the same line, after the word "be," it inserted the word "assessed;" so as to read:

That from and after the 1st day of January, 1895, and until the 1st day of January, 1900, there shall be assessed, levied, collected, and paid annually upon the gains, profits, and income, etc.

The amendment was concurred in.

The PRESIDING OFFICER. The next reserved amendment will be stated.

The SECRETARY. In section 54, line 15, after the word "income," the Senate as in Committee of the Whole struck out the words:

Of every person residing in the United States, or any citizen of the United States residing abroad, derived in each preceding calendar year.

And inserted:

Received in the preceding calendar year by every citizen of the United States, whether residing at home or abroad, and every person residing therein.

The amendment was concurred in.

Mr. CHANDLER. I suggest that a vote be taken on concurring in all the amendments to the income-tax sections, except such as Senators desire to reserve.

Mr. HILL. I do not care so far as I am concerned to take the time of the Senate upon concurring in the amendment already made. The amendments to which I desire to call the attention of the Senate will come up subsequently. I have no objection to all the amendments to the income tax provisions being adopted pro forma.

The PRESIDING OFFICER. Is there objection?

Mr. ALLISON. Before that is done I wish to call the attention of the Senator from Missouri to page 181, line 4, in which a section is described as section 56. As that section now stands it is section 29.

Mr. VEST. That is on account of the changes?

Mr. ALLISON. It is on account of the changes "29" should be inserted instead of "56" after the word "section."

Mr. VEST. Let that change be made.

The PRESIDING OFFICER. The Senator from Missouri moves to strike out "56" and insert "29" in line 4, page 181, so as to read:

And complying with the provisions of section 29 of this act.

Is there objection? The Chair hears none, and that amendment will be made.

Mr. McLAURIN. As I understood the suggestion of the Senator from New Hampshire, it is that all amendments to the income tax provisions shall be considered as adopted.

Mr. CHANDLER. No, not as adopted, but that they shall all be voted on at once.

Mr. McLAURIN. There is one of those provisions which I have asked to reserve for a separate vote.

Mr. JONES of Arkansas. There is a verbal correction which I ask unanimous consent to have made at this time. On page 73, paragraph 282, in making a motion some days since to strike out certain words, the words "and felts for" were stricken out, which should not have been done. Merely the words "paper-maker's use and" should have been stricken out; so as to read:

On blankets, hats of wool, and flannels for underwear and felts for printing machines.

I ask that that correction be made.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. In line 4, paragraph 282, page 73, after the word "wear," restore the words "and felts for," and strike out the words "paper-maker's use and;" so as to read:

And felts for printing machines, etc.

The amendment was agreed to.

Mr. McLAURIN. What became of the reserved amendment on page 173? Has not that been reached?

The PRESIDING OFFICER. The amendment will be read.

The SECRETARY. In paragraph 55, page 173, after the words "United States," the Senate as in Committee of the Whole inserted:

Not including the salary of the President of the United States and the judges of the courts of the United States, but.

The PRESIDING OFFICER. The question is on concurring in the amendment made as in Committee of the Whole.

Mr. McLAURIN. This is an amendment which was offered by the senior Senator from Massachusetts [Mr. HOAR], and accepted by the committee. No vote was taken on it as in Committee of the Whole. I trust that the Senate will not concur in the amendment. It proceeds upon the assumption that Congress has no power to tax the President of the United States and the judges as other people are taxed. This assumption is derived, so far as the judges are concerned, from the following section of the Constitution:

The judges, both of the Supreme and inferior courts, shall hold their offices during good behavior, and shall, at stated times, receive for their services a compensation which shall not be diminished during their continuance in office.

I grant that if this is an effort to diminish the compensation of judges or to diminish the compensation of the President of the United States, either directly or indirectly, it could not be done; it would be in contravention of this provision of the Constitution of the United States; but it is not an effort either indirectly or directly to diminish the compensation which they have received. It is to require the judges of the courts and the President of the United States to pay taxes like other people pay them. It never entered the minds of the framers of the Constitution, as I conceive, that those persons should be exempt from the payment of taxes as other men pay taxes. It was only intended that the compensation which should be given by law to the judges of the courts should not be diminished during their continuance in office. Of course if it can not be done directly it can not be done indirectly.

So of the President of the United States. But it was never conceived that on account of this provision of the Constitution they should be exempt from paying taxes as other men pay them. When they received compensation for their services to the country as judges or as President it is part of their income just exactly as the clerk in the store or the bookkeeper's income is made up in part of the compensation he receives for his services.

One of the fundamental principles of the Government is that there shall be no class legislation.

The very first declaration of a self-evident truth made by the framers of the Declaration of Independence is that all men are created equal. It was not intended by the framers of the Constitution or the founders of our Government to say that this class of men shall be exempt from the payment of taxes. It was not intended to say that one class of men should be exempt. On the contrary, it was intended to say that all men should be put upon an equal footing, but only that the salary of the President of the United States and the salary of the judges of the courts of the United States should not be diminished during their continuance in office.

It has been a favorite doctrine of the Democratic party as I have understood it and have heard it declared all my life that there should be no discrimination; that there should be no class legislation; that when this provision is undertaken to be incorporated upon the statute books of the United States, I for one want to enter my solemn protest against it. It is the veriest class legislation. It is true the amount of tax from this income will be small, but so was the amount of the tax small which was required to be paid upon tea in 1775, and yet it was the cause of the independence of this country and its separation from the British Empire.

I trust that the Democratic party, which will be held responsible for the legislation contained in this bill, will not be the first party to foist upon the statute books of the country plain class legislation.

Mr. PEFFER. Mr. President, I wish to add a word to what has been stated so well by the Senator from Mississippi. I am pleased to know that he has asked the Senate to strike out this particular language from the bill. I had it encircled around myself for the same purpose.

The constitutional provision which requires that the salaries of the judges of the courts shall not be diminished during their term of service is specific in its terms, and there can be no mistaking the meaning of the language. The Congress is prohibited from diminishing their salaries by direct legislation or in any other way that would affect the salaries. It is not to be presumed that it was the intention of the framers of the Consti-

tution to relieve any class of citizens from bearing their proper proportion of the burdens of taxation. We are now trying to enforce a system of just taxation, so that every man and every woman in the country whose income exceeds $4,000 a year shall pay a certain percentage on the excess. There can be no fairer system of taxation than that except the graduated system.

I believe that when a case of this kind is taken to the Supreme Court of the United States, if it ever is, that court will be unanimous, notwithstanding it affects the members of that exalted tribunal, in holding that no citizen of the United States shall be exempt from taxation unless expressly excepted by statute. That is the point which I understand the Senator from Mississippi has made.

Mr. HILL. Mr. President, this whole question was very fully discussed the other day; and while the Senate of the United States sometimes does some very peculiar things I do not suppose it is prepared to reverse itself within a single week. The propriety, in the first place, of exempting the salaries of the judges of the courts of the United States is very apparent. The Senator from Mississippi admits that Congress has no right, directly or indirectly, to diminish the compensation of the United States judges appointed for life when the Constitution says that such compensation shall not be diminished during their term of office.

Mr. McLAURIN. Will the Senator from New York allow me to interrupt him?

Mr. HILL. Yes, sir.

Mr. McLAURIN. I do not admit that Congress has no power to require judges to list their salaries as a portion of their income just as other people do.

Mr. HILL. That is a mere play upon words. In the first place, the salary is established by Congress, and the Constitution says it shall not thereafter be changed during their continuance in office. This is simply an effort by Congress, not by the ordinary means and methods of taxation, but by the peculiar species of taxation known as an income tax, to tax the salaries of these individuals and thus compel them to pay directly back to the Government a portion of the compensation which they receive. It is indirectly taking away from them the very compensation which the Constitution contemplated should not be diminished.

Mr. President, this is not a new question. Away back in 1863, under the old odious income tax from which the country then suffered, the question arose. I hold in my hand a copy of a letter written by Roger B. Taney, Chief Justice of the Supreme Court of the United States, to Salmon P. Chase, Secretary of the Treasury, in which he disagrees with every proposition now presented by the Senator from Mississippi. He holds that it is an attempt to reduce the compensation of the judges. It was a delicate matter for the court; it will be a delicate matter again.

But, if there was no question of right under the law, as a question of propriety, those judges ought not to be called upon to pass upon the question. The compensation which they derive was intended not to be disturbed, not to be diminished during their continuance in office. It was not intended that they should be exempt from ordinary taxation, but this is a special taxation based upon the amount of their income. How can the question be raised in the courts? It affects the salaries of the judges of the highest court in the land. What a spectacle it would be for those judges to be haggling over the income tax upon a question raised under the Constitution. I do not know how it can be properly presented to the court, because all the judges will be interested. We owe it to this other branch of our Government that they shall be relieved from this burden.

The same reasons which urge the exemption of the judges of the courts of the United States require that the salary of our President shall also be exempt. The same language is employed in the Constitution of the United States, and the same reasons exist. We have provided that a certain sum shall be paid to the President for his services to our country. The theory is that it shall not be disturbed, that it shall not be diminished, that it shall not be affected by legislation; and yet, by this indirect method of taking back from him, not in general taxation, but by a pretense of special taxation, you invade the Constitution of your country.

Mr. President, by the very terms of the bill which the Senator from Mississippi seems anxious to vote for, the salaries of all the judges of the State courts are exempt, the salary of every county officer in the United States is exempt, the salary of every municipal officer exceeding $4,000 is exempt. That is class legislation which is inherent in the bill; and it is a pretty poor time at this late day to come forward and say you ought not to pass this bill because it is class legislation. It is inherent in the measure and you can not avoid it.

Mr. President, as a matter of right, as a matter of constitutional law, as a matter of propriety, this provision should remain in the bill. It is about the only portion of the bill that I am disposed to approve so far as the income-tax feature is concerned.

Mr. HARRIS. Mr. President——

Mr. HOAR. Will the Senator from Tennessee allow me one moment? I am about to leave the Chamber.

Mr. HARRIS. I yield to the Senator from Massachusetts.

Mr. HOAR. With one exception, I wish to put on record my entire approbation of what has been said by the Senator from New York and what is said in Chief Justice Taney's letter, which was put upon the files of the Senate the other day. The Chief Justice says, as the Senator from New York repeats, that every member of the court being interested they could not properly determine the constitutionality of this matter if we were to err and should undertake to reduce the salary in this indirect way. I wish to express my dissent from that proposition, and I think the dissent ought to be recorded now, if the question should ever come up in the future.

I understand that each Department of the Government is entrusted with the constitutional authority in its own sphere of protecting its own constitutional functions and powers; I conceive that it would be the duty of the President of the United States to interpose his veto to a measure which trenched upon the executive power under the Constitution, and that for the protection of his office, if we undertake to tax his salary, it would be his duty to veto the bill on that sole ground.

I conceive that if the question came before the court it would not be the little individual tax of the particular judge, but it would be the protection of the constitutional independence and authority and dignity of the office. Certainly it can not be undignified for the judges of the Supreme Court to protect their own constitutional right by their decision, especially when we remember that the Constitution lodges in the legislative bodies the power of fixing their own salaries in the first instance. It would be a very singular thing if the Constitution had committed to the Senate and House of Representatives the right to raise their own salaries without limit, and at the same time had denied to the Supreme Court or to the President of the United States the power to check a law which unconstitutionally reduces theirs.

With that exception, Mr. President, I cordially agree with what has been said by the Senator from New York.

Mr. HARRIS. Mr. President——

Mr. HOAR. Now I am prepared—

> To hear the watch-dog's honest bark,
> Bay deep-mouth'd welcome as we draw near home.

[Laughter.]

Mr. HARRIS. I am grateful to the Senator from Massachusetts for his parting flying shot. I rose only to say that this amendment was never considered by the Committee on Finance or recommended by that committee, and for myself, as a member of the committee, I shall vote against concurring in the amendment made as in Committee of the Whole. My speech is made.

Mr. ALLISON. I ask for the yeas and nays on concurring in the amendment.

Mr. McLAURIN. Mr. President, I just want to speak a few words in reply to the Senator from New York. The letter to which he referred is not the decision of the Supreme Court, but it is an extrajudicial opinion of one of the judges of the court, a Chief Justice to be sure, on a question in which he was interested. This is not taking away from the judges or from the President of the United States any portion of their salary without giving them a reasonable consideration for it.

The judges of the United States courts and the President of the United States get the benefit of the protection of their property, and of their rights, and of their liberty by the law of the country, and it is their duty to share with all the other citizens of the country in bearing the burden of the expenses of government and the expenses of administering the laws. When those judges and the President of the United States receive compensation for their services they should be required just as other citizens of the country are required to take a part of that compensation and help defray the expenses of the Government, and to require them to do it is not diminishing their salary in the sense of the Constitution.

Mr. GEORGE. Mr. President, I think that the argument which proves the right of Congress to levy this tax is unanswerable. Senators who argue in opposition to this tax forget the rules which govern the taxing power. The salary of a judge is no more protected by the Constitution of the United States than every man's private property. That Senators may see how this matter stands I turn to the fifth article of amendment:

> Nor shall private property be taken for public use without just compensation.

So in proceeding with this argument we must understand that

every single particle of property which a citizen owns, whether it be personal or real, is as much protected from seizure by the Government of the United States as the salary of a judge, yet it has been held from time immemorial that these constitutional protections and guarantees of private property were not guarantees nor were they protections against the taxing power. The taxing power is above all these guarantees, so whenever the Congress of the United States, acting under the Constitution, proceeds to levy a tax it may levy it upon any species of property owned by any citizen, it makes no difference how acquired or for what purpose acquired, and the levy is made either in accordance with the rule of apportionment required by the Constitution or the rule of uniformity.

Can any man say that a judge is any more entitled to his salary than a citizen is to his homestead? Yet when you come to levy a tax the Government can levy it upon the homestead, and why not levy it upon the income? It is said you diminish the salary during the continuance in office. You do not diminish the compensation. He gets all the compensation which the law authorizes him to get. It becomes his private property, and it is no more sacred than any other property he has.

Mr. HILL. Will the Senator from Mississippi allow me a moment?

Mr. GEORGE. Certainly.

Mr. HILL. Has Congress any power after it has established the compensation of the judges or the President to withhold any portion of the salary thus prescribed?

Mr. GEORGE. It has no power to diminish the compensation.

Mr. HILL. If it withholds it does it not diminish it?

Mr. GEORGE. If it refuses to pay the compensation then it withholds it.

Mr. HILL. Precisely.

Mr. GEORGE. But when it taxes the compensation after it becomes the private property of the judge it does not diminish it; it merely makes the judge do as every other citizen is compelled to do, pay for the property which he owns. I admit that if we were to pass a law taxing only the income of judges and taxing nobody else's income it would be an indirect mode of diminishing the compensation, and it would be an evasion of the constitutional rule; but when you impose the same tax upon every other citizen that you impose upon the judges you simply put the judge in the same position that you place other citizens, and he has no right under the Constitution to an exemption of that sort.

Mr. HAWLEY. I wish to ask the Senator from Mississippi whether it would make any difference in his argument if a proposition should be made to tax 50 per cent all salaries paid by the United States?

Mr. GEORGE. If the proposition was to tax 50 per cent all salaries of all citizens derived from whatever source, it would apply as well to the salaries of judges as to everybody else; but I have just stated, if the Senator had listened, that there would be a difference if we made a discrimination against the judges and taxed them, and then did not tax anybody else under similar circumstances.

Mr. President, I think that argument proves the constitutionality of this tax.

Mr. HAWLEY. Mr. President, one word more. If there should be proposed a 50 per cent diminution of all salaries paid by the Government, there would be no discrimination against the judges in that?

Mr. GEORGE. None whatever.

Mr. HAWLEY. Would it be lawful?

Mr. GEORGE. And if Congress in its wisdom should tax 50 per cent all incomes—not all salaries, but all incomes—it would fall just as fairly and justly and constitutionally upon the income of a judge as upon the income of a private citizen.

Mr. ALLEN. I should like to ask the Senator from Mississippi a question. The power to tax is the power to destroy; to take all the property of a citizen, if necessary, for governmental purposes. Does not that rule apply as much to the judges and the President of the United States as to the property of a private citizen?

Mr. GEORGE. Certainly, with only one qualification, that the tax must be a genuine tax and not a mere provision to evade the Constitution of the United States.

The PRESIDING OFFICER. The question is on concurring in the amendment made as in Committee of the Whole, which will be stated.

The SECRETARY. After the words "United States," line 18, page 173, the Senate, as in Committee of the Whole, inserted the words:

Not including the salary of the President of the United States and the judges of the courts of the United States, but.

Mr. McLAURIN and Mr. HILL called for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. McPHERSON (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL]. If he were present I should vote "yea."

The roll call was concluded.

Mr. CALL (after having voted in the affirmative). I inquire if the junior Senator from Vermont [Mr. PROCTOR] has voted.

The VICE-PRESIDENT. The junior Senator from Vermont has not voted.

Mr. CALL. I withdraw my vote, as I am paired with that Senator.

The result was announced—yeas 34, nays 36; as follows:

YEAS—34.

Aldrich,	Gray,	Morgan,	Ransom,
Allison,	Hale,	Palmer,	Roach,
Brice,	Hansbrough,	Pasco,	Sherman,
Carey,	Hawley,	Patton,	Squire,
Cullom,	Higgins,	Perkins,	Teller,
Davis,	Hill,	Platt,	Vilas,
Dixon,	Lodge,	Power,	Washburn.
Dolph,	McMillan,	Pugh,	
Dubois,	Mitchell, Oregon	Quay,	

NAYS—36.

Allen,	Faulkner,	Jarvis,	Peffer,
Bate,	Frye,	Jones, Ark.	Pettigrew,
Berry,	Gallinger,	Kyle,	Shoup,
Blackburn	George,	Lindsay,	Smith,
Blanchard,	Gibson,	McLaurin,	Turpie,
Caffery,	Gorman,	Manderson,	Vest,
Chandler,	Harris,	Martin,	Voorhees,
Cockrell,	Hunton,	Mitchell, Wis.	Walsh,
Coke,	Irby,	Murphy,	White.

NOT VOTING—15.

Butler,	Daniel,	McPherson,	Stewart,
Call,	Gordon,	Mills,	Wilson,
Camden,	Hoar,	Morrill,	Wolcott.
Cameron,	Jones, Nev.	Proctor,	

So the amendment was nonconcurred in.

Mr. CHANDLER. I suggest that unless there is some other amendment to the income tax clauses that a Senator wishes to reserve for a special vote, the motion be put on concurring in all the amendments at once.

The VICE-PRESIDENT. Is there objection? The Chair hears none. The question is upon concurring in the remainder of the amendments made as in Committee of the Whole upon the question of the income tax.

The amendments were concurred in.

Mr. VEST. On page 189, line 23, I move to strike out the words "and sixthly" in the provision in regard to the income tax.

The amendment was agreed to

Mr. PEFFER. There is an amendment reserved on page 192. I ask the Senate to strike out the proviso contained in lines 12, 13, and 14.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 192, after the word "dollars," in line 12, the Senate as in Committee of the Whole, inserted the following proviso:

Provided, That salaries due to State, county, or municipal officers shall be exempt from the income tax herein levied.

The VICE-PRESIDENT. The question is on concurring in the amendment made as in Committee of the Whole.

The amendment was concurred in.

The VICE-PRESIDENT. The next reserved amendment will be stated.

The SECRETARY. The Senate as in Committee of the Whole struck out section 86, on page 229, in the folowing words:

SEC. 86. That all acts and parts of acts inconsistent herewith are hereby repealed.

And inserted:

SEC. 69. Every person whose business it is to manufacture tobacco or snuff for himself, or who employs others to manufacture tobacco or snuff, whether such manufacture be by cutting, pressing, grinding, crushing or rubbing of any raw or leaf-tobacco, or otherwise preparing raw or leaf-tobacco, or manufactured or partially manufactured tobacco or snuff, or the putting up for use or consumption of scraps, waste, clippings, stems, or deposits of tobacco resulting from any process of handling tobacco, or by the working or preparation of leaf-tobacco, tobacco-stems, scraps, clippings, or waste, by shifting, twisting, screening, or any other process, shall be regarded as a manufacturer of tobacco.

Every person shall also be regarded as a manufacturer of tobacco whose business it is to sell leaf tobacco in quantities less than a hogshead, case, or bale; or who sells directly to consumers, or to persons other than duly registered dealers in leaf tobacco, or duly registered manufacturers of tobacco, snuff, or cigars, or to persons who purchase in packages for export; and all tobacco so sold by such persons shall be regarded as manufactured tobacco, and such manufactured tobacco shall be put up and prepared by such manufacturer in such packages only as the Commissioner of Internal Revenue with the approval of the Secretary of the Treasury shall prescribe: *Provided*, That farmers and growers of tobacco who sell leaf tobacco of their own growth and raising shall not be regarded as manufacturers of tobacco; and so much of section 3244 of the Revised Statutes of the United States, and acts amendatory thereof, as are in conflict with this act are hereby repealed: *Provided further*, That section 27, chapter 1244, page 863, volume 1 of

Supplement to the Revised Statutes of the United States, be amended by striking out all after the word "repealed," in line 5 of said section, as follows: "*Provided, however*, That it shall be the duty of every farmer or planter producing and selling leaf tobacco, on demand of any internal-revenue officer or other authorized agent of the Treasury Department, to furnish said officer or agent a true and complete statement, verified by oath, of all of his sales of leaf tobacco, the number of hogsheads, cases, or pounds, with the name and residence, in each instance, of the person to whom sold and the place to which it is shipped; and every farmer or planter who willfully refuses to furnish such information, or who knowingly makes false statements as to any of the facts aforesaid, shall be guilty of a misdemeanor and shall be liable to a penalty not exceeding $500." That section 3361 of the Revised Statutes is hereby repealed.

The VICE-PRESIDENT. This amendment was reserved by the Senator from South Dakota [Mr. KYLE].

Mr. KYLE. I will waive the reservation.

The VICE-PRESIDENT. The reservation is waived.

Mr. ALLISON. Then the amendment ought to be concurred in.

The VICE-PRESIDENT. The question is on concurring in the amendment made as in Committee of the Whole.

The amendment was concurred in.

The VICE-PRESIDENT. The next reserved amendment will be stated.

The SECRETARY. On page 232, section 89, the Senate, as in Committee of the Whole, inserted the following:

But nothing herein contained shall be held to abrogate, or in any way affect such reciprocal commercial arrangements as have been heretofore made and now exist between the United States and foreign countries, except where such arrangements are inconsistent with the provisions of this act.

Mr. CHANDLER. I asked that that amendment might be reserved simply for the purpose of stating that notwithstanding the committee amendment, which is obscure in its language, the passage of this bill does destroy the existing reciprocity arrangements. The clause added by the committee may possibly "keep the word of promise to the ear," but it certainly "breaks it to the hope." When the committee say, "but nothing herein contained shall be held to abrogate, or in any way affect such reciprocal commercial arrangements as have been heretofore made and now exist between the United States and foreign countries," they seem to preserve those arrangements; but when they say, "except where such arrangements are inconsistent with the provisions of this act," of course they destroy those arrangements.

Those arrangements notoriously were built up upon the provisions of law in reference to sugar, and now when we impose duties upon sugar by this proposed act and make them absolute by the terms of the law, we do not save the existing arrangements by this amendment of the committee. The clause might just as well be left out entirely. It ought to be understood that when the bill passes, if it does pass, with this clause in it the reciprocity arrangements are destroyed just as effectually as if this amendment had not been submitted by the committee.

The VICE-PRESIDENT. The question is on concurring in the amendment made as in Committee of the Whole.

The amendment was concurred in.

Mr. PEFFER. I reserved an amendment to come in on page 233 as a new section. I send it to the desk.

Mr. FRYE. Does that complete the reserved committee amendments?

Mr. CULLOM. It does not.

Mr. HALE. There are several other reserved amendments.

The VICE-PRESIDENT. The Chair will have the amendments enumerated. There are yet some which were passed over.

Mr. JONES of Arkansas. On page 1, line 3, I move to strike out the words "That after the 30th day of June, 1894," and to insert "That on and after the 1st day of August, 1894."

Mr. ALLISON. I take it for granted the Senator from Arkansas does not expect that in fact the proposed act will take effect on that day, but only moves to change the date now so as to make it a future date instead of a past one. I suppose the question of the final date when the proposed act shall take effect will be settled at a later period, because if it is to be settled now a later date than the 1st of August surely should be inserted.

Mr. JONES of Arkansas. The date can be changed whenever it is necessary to be done. The amendment keeps the date in the future.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Arkansas.

The amendment was agreed to.

The VICE-PRESIDENT. The next reserved amendment which was passed over will be stated.

The SECRETARY. On page 2, paragraph 2, after the word "acid," the Senate as in Committee of the Whole struck out "20 per cent ad valorem" and inserted "2 cents per pound;" so as to read:

Boracic acid, 2 cents per pound.

Mr. VEST. I move to amend the amendment made as in Committee of the Whole by striking out "two" and inserting "three;" so as to read:

Boracic acid, 3 cents per pound.

Mr. CHANDLER. I feel authorized, in behalf of the Senator from California [Mr. PERKINS], to extend his thanks to the Senators upon the other side of the Chamber. [Laughter.]

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Missouri to the amendment made as in Committee of the Whole.

The amendment to the amendment was agreed to.

The amendment as amended was concurred in.

The VICE-PRESIDENT. The next reserved amendment will be stated.

The SECRETARY. The Senate, as in Committee of the Whole, inserted the following clause at the beginning of paragraph 10, page 2, line 23:

Borax, crude, or borate of soda, or borate of lime, 1 cent per pound.

Mr. VEST. I move to amend the amendment made as in Committee of the Whole by striking out the clause and inserting:

Borax, crude, or borate of soda, 2 cents per pound; borate of lime, 1½ cents per pound.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Missouri to the amendment made as in Committee of the Whole.

The amendment to the amendment was agreed to.

The amendment as amended was concurred in.

Mr. HILL. The date when the proposed act is to go into effect having now been fixed at August 1, 1894, I suggest to the Senator from Arkansas that in paragraphs 182 and 182½, pages 40 and 41, the words heretofore inserted, "on and after the passage of this act," should be stricken out.

Mr. HARRIS. Will the Senator from New York allow me to inquire of the Chair if all the reserved amendments which were passed over have been considered?

Mr. CULLOM. They have not.

The VICE-PRESIDENT. They have not yet been considered.

Mr. HARRIS. Then I hope the Senator from New York will allow us to dispose of all the reserved amendments.

Mr. JONES of Arkansas. This is simply a proposition to fix some dates to conform to the date which has just been fixed in the first paragraph of the bill.

Mr. HARRIS. I have no objection to that.

Mr. HILL. The suggestion I make is, that instead of the words "on and after the passage of this act" there should be inserted the words "on and after August 1, 1894," in several different places on page 40, paragraphs 182 and 182½, in lines 20 and 21, in lines 23 and 24, in line 25, and line 1 on page 41; and then again in lines 22 and 23 on page 41. That makes the bill consistent.

Mr. ALLISON. I suggest to the Senator from New York that he will accomplish the purpose he has in view by striking out the words "on and after the passage of this act," because unless there is some special reservation to the contrary those clauses will take effect when the remainder of the bill takes effect. The whole of line 20, in paragraph 182, down to the word "ninety-five" in line 21, should go out. Then, in paragraph 182½, line 25, the words "on and after January 1, 1895," should be stricken out.

Then the schedule will stand with the remainder of the bill and take effect at the same time, whenever that may be.

Mr. HILL. It is one and the same thing, as I understand the Senator from Arkansas.

Mr. ALLISON. It is one and the same thing, but it is a great deal better.

Mr. HILL. I accept that suggestion, if the Senator from Arkansas has no objection.

Mr. JONES of Arkansas. I have no objection.

Mr. HILL. Then I move to strike out those dates.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from New York.

The amendment was agreed to.

Mr. ALLISON. The word "thereafter" should be changed to "hereafter."

The VICE-PRESIDENT. That amendment will be made without objection.

Mr. ALLISON. The same change should be made on page 41, line 23.

The VICE-PRESIDENT. Without objection, the amendment will be agreed to.

Mr. JONES of Arkansas. That was pointed out by the Senator from New York.

Mr. ALLISON. Very well.

Mr. JONES of Arkansas. On page 91, section 2, line 18, after the figure "2," I move to restore "on and after;" before the word "the" I move to strike out "after;" after the word "the"

I move to restore "first;" before the word "day" I move to strike out "thirtieth," and after the words "day of" I move to strike out "June" and insert "August;" so that the clause will read "on and after the 1st day of August, 1894."

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Arkansas.

The amendment was agreed to.

Mr. CULLOM. I hope that the reserved amendments which were passed over will be taken in their order as they come in the bill.

Mr. JONES of Arkansas. I wish to finish these dates. There are a number of them. I think they ought to be disposed of at one time.

Mr. CULLOM. I thought the Senator was through.

Mr. JONES of Arkansas. On page 202, line 13, section 38, I move to strike out the word "July" and insert "August;" so as to read, "on and after the 1st day of August, 1894."

The amendment was agreed to.

Mr. JONES of Arkansas. On page 169, line 9, section 23, I move to strike out the word "June" and insert "August;" so as to read, "from and after the 1st day of August, 1894."

The amendment was agreed to.

Mr. JONES of Arkansas. On page 213, line 13, I move to strike out the words in the first line of section 48——

Mr. ALDRICH. I shall object to that amendment. Those words were put in by a vote of the Senate after discussion, and I shall certainly object to any change being made now in that section.

Mr. JONES of Arkansas. Does the Senator from Rhode Island object to making it conform to the other dates?

Mr. ALDRICH. I do.

Mr. HALE. All that can be settled in conference.

The VICE-PRESIDENT. The next reserved amendment which was passed over will be stated.

The SECRETARY. On page 23, at the end of paragraph 124, after the word "pound," in line 20, the Senate, as in Committee of the Whole, inserted the following additional proviso:

Provided further, That barbed wire, commonly used for fencing, shall be admitted free of duty.

The VICE-PRESIDENT. The question is on concurring in the amendment made as in Committee of the Whole.

Mr. PALMER. Mr. President, I ask permission to make a very brief statement in regard to this particular item. I shall not occupy the attention of the Senate more than the five minutes which has been suggested as a proper length of time to be occupied by a Senator.

Barbed wire is a completed product, and it is well understood throughout all the West. The difficulty about it is that every material from which barbed wire is made is subject to a duty. It is one of the few instances, so far as I have observed, where the particular completed product has been selected for free admission and where all the materials of which the completed product is composed are made the subject of duties. I am aware of the great desire of the Senate to conclude the bill this evening, but I ask attention to the fact that it is the exception where the finished product is admitted free, and where all the materials of which it is composed are the subject of taxation.

Now, I wish to state in reference to my own personal knowledge and experience that since the barbed-wire patents have expired the price has been greatly reduced. The business is a very extensive one.

Very many large and very many small establishments exist in the West, and the price of barbed wire has fallen to a point which ought to be satisfactory. It is complained by those who manufacture it that it is made an exception and that they are embarrassed by the prospect of being compelled to confront taxed material while their product is expressly exempted. I hope that the Senate will concur in that view and strike out this proviso.

The fact is that barbed wire to-day is worth about 2¼ cents per pound. I have been a purchaser of barbed wire for many years. From the first until now it has fallen in price, and as the patents have expired the price has become less and less. The best galvanized barbed wire can now be bought at wholesale anywhere in the West for 2¼ cents per pound.

It is an industry that deserves encouragement, if any industry does. Its peculiar hardship is that all its material is taxed and the product is made free.

Mr. GORMAN. Do I understand the Senator from Illinois to move to amend the amendment made as in Committee of the Whole by striking out the proviso?

Mr. PALMER. I think that will effect it, to strike out the proviso.

Mr. GORMAN. Yes. I should like to ask the Senator from Arkansas whether the proviso is one of the amendments of the Committee on Finance?

Mr. JONES of Arkansas. No, sir; the proviso was not offered by the committee. It was proposed on the floor of the Senate and put in by the Senate as in Committee of the Whole.

The VICE-PRESIDENT. The question is on concurring in the amendment made as in Committee of the Whole.

Mr. GORMAN. I understand the Senator from Illinois moves to perfect the amendment made as in Committee of the Whole by striking out the proviso.

Mr. FAULKNER. That is the same thing.

Mr. ALLEN. I offered and there now lies on the table an amendment to be inserted as paragraph 683½, on page 120, which covers this entire question.

The VICE-PRESIDENT. The amendment proposed by the Senator from Nebraska will be stated for information.

The SECRETARY. Insert as paragraph 683½:

683½. All wire imported exclusively for fencing shall be admitted free of duty, under such rules and regulations as the Secretary of the Treasury shall prescribe.

Mr. ALLEN. I may state that the amendment was approved by the Secretary of the Treasury and that it covers the entire question of barbed wire and all other kinds of fence wire. I have nothing further to say particularly in reference to the matter.

Mr. PLATT. The Senator from Nebraska was not heard on this side. Do I understand him to say that the proposed paragraph was prepared by the Secretary of the Treasury?

Mr. ALLEN. I say that as I understand it—I will give my authority if necessary—the paragraph as now proposed meets the approval of the Secretary of the Treasury. I did not get it from the Secretary of the Treasury. I know nothing about it individually.

Mr. ALDRICH. Does the Senator from Nebraska mean that the idea or the language is satisfactory to the Secretary of the Treasury?

Mr. ALLEN. I hope the Senator from Rhode Island will not interrupt me upon an immaterial matter.

Mr. PLATT. It is not immaterial.

Mr. ALLEN. I said I am informed the amendment I offer meets the approval of the Secretary of the Treasury; that is, the form of the amendment. The question when this matter first came up was how a paragraph could be so framed as to prevent evasions and to prevent the importation of wire which might be imported as fence wire and then used for other purposes. It was to avoid that the paragraph was framed so as to provide that the Secretary of the Treasury might prescribe certain rules and regulations to prevent fraud.

Mr. GORMAN. Will the Senator from Nebraska permit me? He does not mean to say more than that the form of the amendment is satisfactory to the Secretary of the Treasury?

Mr. ALLEN. That is all. I do not mean to say that the Secretary is a party to it in any way, except that the form of the amendment meets his approval as covering the question of evasions of the law.

Mr. President, I can not understand why the Senator from Illinois desires to place this wire back upon the taxable list. The people are compelled to pay an enormous tax upon the wire or the material that enters into the fence wire. They are taxed upon it heavily. The Western States are growing very rapidly indeed. Our population is increasing, farms are being opened, and a great demand exists in that part of the country for fence wire. We have no material with which to fence except wire of this character. The tax upon it is a very great burden in a new country among a poor people. The benefit of free wire to my State alone will be $1,000,000 a year at the present time, and in a State which is constantly growing and constantly developing from year to year it can easily be seen that the burden grows greater as time grows apace.

I know of no reason why such wire should not be classed with other free material, unless there be some barbed-wire factories in the State of Illinois which want some protection, so that they can raise the price of this necessary article to the people west of the Missouri River. They have practically a control of the market of Nebraska. It is shipped from Chicago out to Nebraska, Kansas, and the neighboring States, so that Chicago has practically the control of that market. I can see no benefit to be derived from placing this article back upon the taxable list unless it be to please and to profit a few manufacturers in Chicago and other portions of the State of Illinois.

Mr. PALMER. It would please not a few manufacturers in Illinois, and I trust it would profit them, if this proviso were stricken out. At the same time the Senator is mistaken in his designation of a few. Since the expiration of the patent, which by the way was for an Illinois device, fence-wire manufactories are numerous in Illinois, and the price has been lowered, it would seem to the satisfaction of any fair-minded purchaser. I have stated that the best steel barbed wire can now be bought

for 2½ cents a pound. The manufacturers of barbed wire in Indiana and Illinois—not in Chicago, but in other parts of the State—do not complain so much of free wire as they complain of the hardship of being compelled to submit to the payment of a duty upon the material of which barbed wire is made. Every material is chargeable with a duty.

Mr. ALLEN. Will the Senator from Illinois permit me? Is not the duty upon the materials which enter into the article charged to the consumer?

Mr. PALMER. I have no doubt it is.

Mr. ALLEN. And the tax which the Senator would have put on wire of course would be charged to the consumer also. Now, I simply wish to inquire of the Senator whether he asks that the duty be put on wire as a protection to the wire factories of the State of Illinois?

Mr. PALMER. If the Senator from Nebraska will state his proposition a little more clearly, so that I can comprehend it, I shall answer it frankly. I understand the Senator to inquire whether I ask for the imposition of a duty for the benefit of the manufacturers of barbed wire in the State of Illinois. Is that the question?

Mr. ALLEN. It is.

Mr. PALMER. I answer with the greatest possible frankness that I do, and I maintain that it is not just to them that all the materials of which fence wire is made shall be taxed and that the wire shall be admitted free of duty.

I do not ask protection for the manufacturers of barbed wire; I simply ask that they shall not be placed at the disadvantage of being compelled to pay a duty upon the rawest materials, ingots, and at the same time be handicapped, and the foreign producer of barbed wire, free from any of these burdens, shall have the privilege of invading the market. If the Senator will give us free raw material out of which to manufacture the wire we shall ask for no protection.

But if the manufacturers of wire in Joliet and Springfield, Ill., and elsewhere are compelled to pay a duty upon the ingots and upon everything except the mere preparation of the barbed wire, the mere twisting of it, the process of which is understood by the Senate, and their competitors, who pay no such duties, are allowed to enter the market free, it simply handicaps them. I am no protectionist in any special sense, but I do not believe in handicapping American industries for the benefit of others. The proposition here is to burden the raw material by taxes and then allow the finished product to be imported free of duty. That I call left-handed protection. I shall not consume time, as I know how impatient the Senate is.

Mr. CULLOM rose.

Mr. PALMER. My colleague [Mr. CULLOM], who has an extensive acquaintance with this subject, will speak for a few moments.

Mr. CHANDLER. I should like to ask the Senator from Illinois a question before he takes his seat, if he will allow me. Do I understand him to say that under the influence of the existing protective duty the price of fence wire has gone down?

Mr. PALMER. No; I never said that.

Mr. ALDRICH. That it was borne down.

Mr. CHANDLER. The Senator was a little indistinct. I thought I heard him say that the price had been cheapened under the influence of protection.

Mr. PALMER. The Senator will pardon me; I have not said that.

Mr. CHANDLER. What did the Senator from Illinois say?

Mr. PALMER. I spoke of the expiration of the patent. If the Senator will pardon me, I will state that I am in the position of an old gentleman down in Virginia——

Mr. CHANDLER. I know it is the Senator's first speech for protection, but still he ought to take all the time he needs.

Mr. PALMER. The Senator will perceive that I am very awkward at it, at all events. But I am like an old gentleman in a story which Mr. Lincoln told me. He said that down in Virginia a gentleman was making a very eloquent speech, and some one in the crowd interrupted him. The speaker made no reply. Somebody said, "Why do you not answer him?" He said "I am hunting votes, and that man's vote is just as good as anybody's else." That is my answer to the Senator from New Hampshire.

Mr. CHANDLER. The Senator will have my vote.

Mr. CULLOM. Mr. President, I shall not detain the Senate more than a moment. When barbed wire was patented, the first year only about 300 pounds of it were made, and it was sold at 18 cents a pound. The business was established, and began to grow and grow, and as it grew the price of barbed wire went down. In the present year it is estimated that from 250,000 to 260,000 tons of what is called barbed wire will be manufactured. There are two kinds of barbed wire. One is plain, painted, I believe, and the other, galvanized barbed wire, costs a little more.

I understand from the manufacturers of barbed wire that to-day it is being sold in the market at 1½ cents per pound for the cheaper quality and a little more for the galvanized wire. I shall not undertake to argue whether the protective duty placed upon barbed wire has brought about the cheapness of the article, but it is the fact that it is so cheap to-day that you can fence up a section of land with a very few dollars' worth of wire. While the other day this matter was under consideration in the Senate as in Committee of the Whole, as I saw by the RECORD, it was stated, I think by the honorable Senator from Ohio [Mr. SHERMAN], that barbed wire is going out of use. The fact as to the whole country is exactly the opposite. There was more made last year than ever before, and according to the estimates of the present year there will be more made this year than there was last year or during any previous year. So it is still greatly in demand.

The Senator from Nebraska [Mr. ALLEN] says that if barbed wire goes upon the protected list, as I understand him, it will cost his State a million dollars. For that sum the Senator can almost fence up his State with barbed wire at its present price.

Mr. ALLEN. Let me suggest to the Senator from Illinois that the price of barbed wire in the State of Nebraska is much higher to the actual consumer than it is in the State of Illinois.

Mr. CULLOM. It may be a little higher on account of transportation.

Mr. ALLEN. It is a good deal higher.

Mr. CULLOM. But every year the product is being reduced in price. The Senator from Nebraska says that a few manufacturers in Illinois will be pleased and benefited by the imposition of a duty. I desire, in perfect frankness, to remind the Senator that there are tens of thousands of laboring men who are dependent upon this industry in the State of Illinois alone. The manufacture of barbed wire is not confined to the State of Illinois entirely. Barbed wire is manufactured in Missouri and Pennsylvania, and I believe in Indiana, and perhaps in other States. In my own State alone, all the steel and iron mills in the city of Joliet, when last I heard from them, were closed except the barbed wire mills, and upon those alone thousands of men, who are dependent upon the operations of the manufacturing establishments, are getting their livelihood from day to day.

I do not desire to take up the time of the Senate. I hope however, that this discrimination will not be made, because I think the Senator from Nebraska will realize that while it is barely possible that he might get barbed wire in Nebraska at a fraction of a cent less than he does now, I am informed that if we put barbed wire upon the free list as the tariff now stands, it will result in closing up these establishments, and then the constituents of the Senator from Nebraska will have to pay more that they are paying now. So I hope the motion of my colleague to strike out this proviso will be agreed to without further delay.

Mr. VILAS. Mr. President, I had not intended to break the rule which imposes silence on the friends of the bill, but inasmuch as it fell to me by an assignment of duty from the committee to have an interview with the Secretary of the Treasury in regard to this matter, I shall simply recall the attention of the Senate to the fact that when this subject was under discussion in the Senate as in Committee of the Whole there was a very strong and apparently a strongly prevailing sentiment in favor of admitting fence wire free of duty as a matter of just acknowledgment to the agricultural interest, which has to bear mainly and chiefly the burden of the discrimination imposed by the tariff bill in favor of manufactures, and as a matter of justice to the widely extended sections of the West and Northwest where fence wire is necessary to agricultural operations.

At that time a difference was indulged in amongst us as to the proper phraseology to be used in order to express safely what should be admitted as fencing wires. Various phrases were suggested on the floor, and finally the matter was passed with the understanding that at a later date when the bill came into the Senate a phrase should be accepted which met the approval of the Secretary of the Treasury and permitted all fencing wires to come in free. Accordingly, after an interview with the Secretary of the Treasury the amendment which has been offered by the Senator from Nebraska [Mr. ALLEN] was prepared. It met his approval, and for that reason it has been offered to carry into effect what was understood to be the desire as expressed in the Senate as in Committee of the Whole.

I hope the amendment offered by the Senator from Nebraska will prevail, for, without entering into the argument, so much at least is due and ought to be yielded to the farming interest of this country in the great Northwest.

Mr. CULLOM. I suppose the first question to be determined is whether we shall strike out the proviso.

Mr. VILAS. Is not the amendment proposed by the Senator from Nebraska pending?

Mr. ALDRICH. Not yet.

Mr. CULLOM. It is not pending.

Mr. VILAS. It amounts to the same thing.

Mr. CULLOM. Of course.

Mr. ALLEN. Will the Senator from Wisconsin yield to me for a moment? I suggest to the Senator from Illinois that the vote be taken on the paragraph I have just offered, and let whatever the result may be upon that amendment determine the question.

Mr. CULLOM. My colleague has charge of the matter.

Mr. PALMER. Let the proposed paragraph be read again.

The VICE-PRESIDENT. The amendment proposed by the Senator from Nebraska will be again stated.

The SECRETARY. Insert in the free list as paragraph 683½:

683½. All wire imported exclusively for fencing shall be admitted free of duty, under such rules and regulations as the Secretary of the Treasury shall prescribe.

Mr. ALDRICH. I am greatly surprised at the statement made by the Senator from Wisconsin [Mr. VILAS], that the Secretary of the Treasury or anybody else who has ever had any experience in customs matters should have approved the amendment which has just been read from the desk. You might as well put all wire upon the free list, and have it done with, as to adopt that provision. It says that all wire, without any regard to size, which is "imported exclusively for fencing," not used exclusively for fencing, but "imported exclusively" for that purpose, shall be admitted free.

After it is imported and goes out of the hands of the importer, it can be used for any other purpose, because it is utterly impossible to follow it. You might just as well, by a provision in the bill, put all wires of all sizes and numbers upon the free list as to adopt that provision. I am utterly amazed that the present Secretary of the Treasury, or anybody else who has any knowledge of customs matters, should have consented to a provision of this kind. I certainly believe the Senate will never approve it.

Mr. VILAS. The exact point suggested by the Senator from Rhode Island was suggested when the matter was under discussion in the Senate as in Committee of the Whole, and it was presented by me to the Secretary of the Treasury. He said it was perfectly easy, by the system of regulations devised for that purpose, to control the admission of wire proffered as wire for fencing, in such manner that it should not furnish a device for admitting other wire.

Mr. ALLISON. Will the Senator from Wisconsin yield to me for a question?

Mr. VILAS. Certainly. I have said all I desire to say.

Mr. ALLISON. I wish to ask the Senator if he called the attention of the Secretary of the Treasury to the fact that there is a certain kind of corrugated iron strips, I believe they are called, which are manufactured very largely by one of the constituents of the Senators from New Jersey, and which go into competition very largely with barbed wire, and are not alluded to in the proposed amendment at all. I wish to ask the Senator from Wisconsin whether he called attention to the fact that that competing wire for fencing was alluded to by me in the former debate, and whether the provision here is intended to cover the suggestion I then made?

Mr. MCPHERSON. I call the attention of the Senator from Iowa to the fact that the wire of which he speaks, manufactured in New Jersey, is also a barbed wire in a sense, although not in the same sense.

Mr. ALLISON. It is not a wire at all. I happen to know about it.

Mr. MCPHERSON. They are strips.

Mr. ALLISON. They are strips with little points stuck in them.

Mr. MCPHERSON. With sharp points sticking up.

Mr. ALLISON. Yes; that wire does not come at all within the definition here given.

Mr. MCPHERSON. It serves more as an admonition than as a punishment to animals that run against it. At the same time it is a barbed wire. I would suppose a designation of barbed wire by the Treasury Department would include it as barbed wire.

Mr. ALLISON. It is not wire at all, and it is not barbed at all. So how they could call it barbed wire I do not see.

Mr. VILAS. In answer to the question of the Senator from Iowa, I will say that I did not state to the Secretary of the Treasury that some particular person or firm manufacture a particular wire, but I called his attention to the fact that corrugated wire or corrugated strips were manufactured.

All those are known as wires, and fencing wires in ordinary phrase; and it was the opinion of the Secretary of the Treasury, as I understood him at the time, that this phraseology, with authority to make special rules and regulations, would be ample to provide all the guards which are necessary.

Mr. ALLISON. They are not commercially known as wires, and certainly could not be classified as barbed wires.

Mr. PALMER. I am afraid the proposition of the Senator from Nebraska, indorsed by the Senator from Wisconsin, is not broad enough to cover the particular point in view.

The wire of which the barbed wire is made, as we all know, is not round now; but in the beginning barbed wire was made of two wires. The barb was inserted between the wires, and was retained by twisting the wires. Barbed wire is a manufactured product, therefore, made of wire. The wire is made not necessarily by the maker of the barbed wire or him who makes the fencing wire. Two wires may be said to lie side by side. Mr. Glyddon, who invented the barbed wire, commenced twisting it by the simplest method, and his first essay was to buy a ton of wire. The process was then attemptedof putting two wires side and side, the barb was inserted, and the wires were twisted so as to retain the barb. The process has been perfected from that time until the present.

I ask the Senator from Wisconsin and the Senator from Nebraska whether "wire for fencing" would mean the finished product produced by the twisting of the wire and the insertion of the barbs? The finished product is not known in commerce as wire. It is produced by the twisting of two separate wires and the retention of the barb. I do not think the language proposed is comprehensive enough. It is possible it may be, but I should prefer, if I am allowed to have my way about it, to stand by my own motion to strike out the proviso.

Mr. CAREY. Will the Senator from Illinois allow me to ask him a question? I wish to ask the Senator whether he is in favor of a duty on barbed wire for the purpose of revenue or to protect the industry?

Mr. PALMER. I think, after we have been several months on this question, that Senators ought to tolerate me in attacking one abuse. I want it because the people want it; that is all.

Mr. CHANDLER. I shall stand by the Senator from Illinois, and I desire to aid his argument by saying that all attempts in the administration of the revenue laws to make an article dutiable or not dutiable according as it is used for a particular purpose or not used for that purpose will utterly fail.

No Secretary of the Treasury can devise regulations which can be put in force so that when two articles, identically the same, come into the country one of them shall be dutiable if put to a particular use after it gets into the country, and the other shall not be dutiable if put to a different use. Attempts of this kind have been made at various times, and they have all proved failures. If the amendment is adopted every yard of telegraph wire will come into this country free of duty, and hundreds of thousands, not to say millions, of dollars of importations will come here which will supplant the domestic manufacture. The Senator from Ohio [Mr. SHERMAN] will, I believe, concur in what has been said on this subject, that it is utterly futile to say that an article shall be free if it comes in for a particular purpose. It has been tried, and it can not be done.

I distinctly understood the Senator from Wisconsin when he said that the Secretary of the Treasury had approved of this form of amendment. I know the Secretary of the Treasury very well; he has a high reputation in this country, throughout its length and its breadth, but I do not understand when the Secretary of the Treasury puts in writing a paragraph designed to carry out an arrangement which has been made here in the Senate he commits himself in the slightest degree to the approval of the moral character of the transaction which he simply helps put in form.

So the Secretary of the Treasury is not a party to the arrangement which has been made upon the other side of this Chamber with the Senator from Nebraska, any more than the Secretary of the Treasury is responsible for the moral character of the sugar schedule when he kindly put it in form, in words, and delivered it to the Senator from Arkansas. He was a sort of scribe, as it were; but I say the Secretary of the Treasury is no more involved in that clause or in this clause than a a girl typewriter is when she takes down the eloquent words which my friend from Minnesota [Mr. DAVIS] dictates to her. He is not in the slightest degree responsible. The business of the country is transacted here.

When we want a little thing put in shape to carry out an arrangement which is made in the Senate or in any of the committee rooms of the Senate or anywhere about the Capitol, whenever we want a little thing like this put into words, it is the duty as it is the pleasure of the Secretary of the Treasury to put it into words. But I agree with the Senator from Wisconsin that the Secretary of the Treasury, Mr. Carlisle, is not in the slightest degree to be responsible for barbed fence wire which has at last run the gauntlet of all the tribulations of the pending bill and got on the free list.

Mr. CULLOM. I merely desire to call the attention of the

Senate to one fact, and that is that the House bill, which we are considering now, put barbed wire or all fence wire on the dutiable list at 30 per cent. I think most of my friends on the other side of the Chamber have felt tolerably friendly to that bill.

It seems to me that my colleague and those of us who stand with him on this question are asking nothing unreasonable. We are not asking anything beyond what the other House has done, and we simply desire that this industry, which is a great industry in this country, shall not be destroyed. The idea has seemed to prevail that it is a trifling affair, that there is not much of it; but there is 260,000 tons of it manufactured every year. It is selling at 1½ cents a pound, and I understand the Senator from Wyoming states that he has had an offer of a whole carload from Minneapolis, delivered at the capital of Wyoming, for 2⅜ cents per pound. In view of these facts it seems to me there should not be any question as to the propriety of putting this article on the protected list.

I desire to repeat that there are great establishments engaged in this industry, working thousands of men, and, as I said, in my own State those mechanics and laboring men will be absolutely out of employment and dependent if the establishments are closed up.

Mr. ALLEN. The Senator from Illinois says he thinks he is asking nothing unreasonable when he asks that fence wire be permitted to remain upon the taxable list. It occurs to me that it is entirely unreasonable on the part of the Senator from Illinois to ask to have it remain there. The present duty upon fence wire, as I remember it, is 1¼ cents a pound.

Mr. CULLOM. One and one-quarter cents a pound.

Mr. ALLEN. One and three-quarter cents a pound, as I recollect it. One and three-quarter cents a pound on ordinary fence wire is placed as a protective duty to the manufacturer. Both Senators from Illinois confess that they want this duty for protection. They do not claim that it is necessary for revenue, or that it is proper. The sole claim is that some manufacturers of barbed wire or fence wire in the State of Illinois will have their profits diminished to some extent if the article goes upon the free list.

Now, I should like to know how it is possible to manufacture wire in Germany and Belgium and bring it across the ocean and ship it from the seaboard into the interior of this country and come into successful competition with the manufacturers of wire in Chicago or Springfield. It can not be done. It is simply for the purpose of giving the manufacturer of wire an opportunity to put his hand into the pocket of the farmer, who is constructing a home in the West, and take his profits out of the farmer's pocket.

That is its purpose. Call it what you see fit, give it whatever soft name you may see fit to give it, it means nothing more nor less than that the persons who have waxed fat and grown rich in this country in the manufacture of barbed wire, are to put their hands into the pockets of the poor people who are compelled to use this fence wire, and take some of their profits from them.

Is it right that a State which is developing constantly and rapidly, like the States lying west of the Missouri River, whose people must have this article—for they must fence their fields and their pastures—is it right that a people who are struggling to build up empires and States should be burdened by an unnecessary tax upon an article like this simply to appease the wishes of a few manufacturers? The manufacture of wire, with this upon the free list, will go on just as it does now. The only effect will be to diminish somewhat the profits of the manufacturers, and give the benefit to the men who consume the product.

Mr. HAWLEY. Mr. President, I shall not take the time of the Senate long, but I may as well take advantage for a few moments even at this serious time, of the opportunity to show the benefits of protection. I quote substantially, condensing somewhat, from a leading manufacturer of this fence wire. He says that wire rods and billets are the raw material. In 1883, when he first engaged in manufacturing barbed wire, he imported all the rods from abroad. The average price paid for the foreign rod in New York was $62 to $65 per ton, costing him in Illinois about $68. They were importing rods then from a free-trade country.

Establishments grew up at Johnstown, Worcester, Cleveland, Pittsburg, Beaver Falls, Braddock, Joliet. With a duty of six-tenths of a cent a pound placed on wire rods in 1883, the price of the domestic rod—the domestic rod, remember, made here in America—has gradually gone down until to-day the wire-maker can get a similar rod and a better one at home for $30 a ton, a good deal less than half, made in America, employing American workmen, as compared with the rod in 1883, which was bought abroad for $68.

This manufacturer submits that when a duty of six-tenths of a cent a pound was placed upon the rod, it had a tendency to decrease the cost of wire rods rather than increase it. In 1883 barbed wire produced from a foreign rod was selling at 8 to 10 cents a pound; to-day, the Senators tell me, it is selling in the West at from 1½ to 1¾ cents a pound.

I do not see what is the use of opening it to foreign makers. Nor do I know how you are to have these rods imported from abroad to manufacture into wire for fencing and gain an advantage by it. As for the foreign market, if these gentlemen choose to import foreign rods, which they do not, for they would rather take the American, they can make wire fencing for the foreign market, they can get a rebate of 99 per cent of the duties and they can compete in the foreign market with the foreign manufacturer of fencing. By retaining the duty on rods and fence wire, the foreign manufacturers are prevented from an unjust cutting under and a destruction of the interests of our makers. If we remove the duty upon foreign rods and wire, we shall find men who employ labor at one-half or one-third the wages paid in this country underselling our makers, at least long enough to weaken them, and then they would have the market for themselves. We would not have fence wire cheaper in the end, but we would banish an American industry.

I shall not quote at length what the manufacturer says about wire nails, but their history is very like that of fence wire. They were sold when made from a foreign rod at 10 cents a pound, and they are now sold for $1.90 a keg of 100 pounds. I think we had better let the law alone as it is.

You will get no benefit for the farmer by placing this article upon the free list. The Senator from Nebraska had an admirable opportunity to help the farmers. He could have made a difference of a cent and a half a pound in the sugar the farmers buy, and he did not.

Mr. PLATT. Will my colleague allow me a moment?

Mr. HAWLEY. With pleasure.

Mr. PLATT. It is not intended to help the farmer. It is intended to help the politician.

Mr. HAWLEY. That is obvious. It is a change in the tariff for the protection of politicians.

Mr. CAREY. Mr. President, I hope that the duty will be maintained upon barbed wire for the reason that it cheapens the wire to the consumer in the Western country. We can buy barbed wire in the State of Illinois cheaper than you can buy it in the State of Pennsylvania. The great factories for the production of barbed wire are located in the West. I have had some experience in the purchase of barbed wire. In 1882 I paid as high as $12 a hundred pounds for it. Within the past year I have been offered a carload of barbed wire shipped from the city of Minneapolis to a station in Wyoming for $2.38 a hundred pounds. It will not do the farmer in Nebraska any good to have the wire imported free on the Atlantic seaboard or on the Pacific coast. The railroads are what increase the price of wire in our country. If we could go to the factories we could buy it to-day for $1.50, and I think it is $1.78 for the galvanized barbed wire.

If you reduce the factory price of barbed wire it will certainly close up the factories in this country and thereby increase the price of barbed wire in the Western country.

All of us on this side of the Chamber certainly feel very good to think that a distinguished free trader from Illinois has come out in favor of protection for barbed wire. It shows the former utterance of the Democratic party to be in some respects correct, that the tariff question is a local issue. But so far as barbed wire is concerned, if we are going to have barbed wire cheaper than it is to-day, it must be by the maintenance of the factories which are located in the extreme West.

I am not certain, but I am under the impression that there is already a barbed-wire factory in the State of the Senator from Nebraska. If not, there was a good deal said about the establishment of a barbed-wire factory in the city of Omaha. In every Western city they are building up barbed-wire factories, and barbed wire has become so cheap that we find it is used almost universally in States like Missouri, where lumber is abundant, and beside trees which are suitable for fence rails. It is as cheap to-day as we can possibly ask that it shall be.

Mr. ALLEN. I should like to make a suggestion to the Senator from Wyoming. The Senator says that he can buy barbed wire for $2.38 a hundred pounds, as I understand, by the carload. The Senator is an extremely rich man, and he buys everything that he gets by the carload, but the farmer can not do that, and he does not get barbed wire as cheap as the Senator from Wyoming. He has to pay 3 and sometimes more than 3 cents a pound for it. Out on the Western prairies I have known it within a short time to be over 4 cents a pound.

I am talking about the man who has a little farm to fence. He is compelled to go to the local dealer and buy his wire as the great majority do buy their wire. Why hold up as a refutation of my argument some man who is worth one hundred thousand

or two hundred thousand dollars or a million dollars, who can go to the manufacturer and buy wire cheaper than can the ordinary farmer? It is the men who break the prairies and make homes there who have these bills to pay, and they have an enormous price to pay for wire to the local dealer. Ninety-nine per cent of every foot or pound of wire used in the Western country is bought of a local dealer and not bought by wholesale. Why, then, hold up the case of a man who is exceptional and who buys by the trainload or the carload at wholesale figures?

Mr. CAREY. If the Senator will permit me, I should like to know what he is going to do with the middleman or the local dealer?

Mr. ALLEN. I decline to go into the question of the middleman. I simply state the facts.

Mr. CAREY. I will venture to say that if the Senator from Nebraska will go into his own town he can buy barbed wire by retail at the lowest possible profit. It is like nails. You can buy nails at one-eighth of a cent profit by retail. They are standard goods, which are sold at the lowest possible profit all over the country; and I do not know how the Senator would cure the difficulty. If he permits men to import barbed wire by the shipload, how is he going to do away with the local merchant? I suppose under his plan he proposes to have each farmer who has one acre to fence import his own barbed wire.

Mr. ALLEN. The Senator from Wyoming has no right to undertake to put me in such a light. I recognize the necessity of the local dealer. The average man must deal with the local dealer; and it is because he is compelled to deal with the local dealer and pay the local dealer's prices that I want this enormous tax of a cent and three-quarters taken off this necessary article.

Mr. MANDERSON. I do not wish to detain the Senate, except to announce an axiom and give its abundant proof. It is true that proof is a sort of a boomerang, but it proves the assertion that is frequently made. The axiom of the free trader is that the tariff is a tax paid by the consumer. Proof of that proposition: The tariff on barbed wire is 1¼ cents per pound. It sells where it is made in Illinois at 1¼ cents per pound. Result: The duty off, of course the manufacturer would sell it to the consumer for nothing. [Laughter.]

The VICE-PRESIDENT. The question is on the motion to strike out the proviso at the end of paragraph 124.

Mr. CULLOM. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. FAULKNER. I inquire whether the question is not on concurring in the committee amendment inserting the entire paragraph?

Mr. HARRIS. No; the committee amendment was voluminous, and the question now is to strike out the proviso at the end of the committee amendment.

Mr. CULLOM. The question is on the motion of my colleague [Mr. PALMER] to strike out the proviso at the end of the paragraph.

The VICE-PRESIDENT. In order that the Senate may understand the question, the Secretary will state the amendment.

The SECRETARY. In paragraph 124, on page 28, line 20, after the word "pound," it is proposed to strike out:

Provided further, That barbed wire, commonly used for fencing, shall be free of duty.

The Secretary proceeded to call the roll.

Mr. MCPHERSON (when his name was called). I am paired with the senior Senator from Vermont [Mr. MORRILL].

The roll call was concluded.

Mr. PUGH (after having voted in the negative). I am paired with the senior Senator from Massachusetts [Mr. HOAR], and withdraw my vote.

Mr. FAULKNER. I have been requested to announce that the Senator from Missouri [Mr. VEST] is paired on this vote with the Senator from Minnesota [Mr. WASHBURN].

Mr. WASHBURN (after having voted in the affirmative). I did not notice when I voted that the Senator from Missouri [Mr. VEST], with whom I am paired, was absent. I withdraw my vote.

The result was announced—yeas 38, nays 32; as follows:

YEAS—38.

Aldrich,	Dolph,	Jones, Nev.	Power,
Allison,	Dubois,	Lodge,	Proctor,
Blanchard,	Frye,	McMillan,	Quay,
Brice,	Gallinger,	Manderson,	Sherman,
Caffery,	Gorman,	Mitchell, Oregon	Shoup,
Carey,	Hale,	Murphy,	Smith,
Chandler,	Hansbrough,	Palmer,	Squire,
Cullom,	Hawley,	Patton,	Teller.
Davis,	Higgins,	Perkins,	
Dixon.	Hill,	Platt,	

NAYS—32.

Allen,	Blackburn,	Coke,	George,
Bate,	Call,	Daniel,	Gibson,
Berry,	Cockrell,	Faulkner,	Gray,
Harris,	Kyle,	Morgan,	Turpie,
Hunton,	Lindsay,	Pasco,	Vilas,
Irby,	McLaurin,	Peffer,	Voorhees.
Jarvis,	Mills,	Ransom,	Walsh,
Jones, Ark.	Mitchell, Wis.	Roach,	White.

NOT VOTING—15.

Butler,	Hoar,	Pettigrew,	Washburn.
Camden.	McPherson.	Pugh,	Wilson,
Cameron,	Martin,	Stewart,	Wolcott.
Gordon,	Morrill.	Vest.	

So the amendment was agreed to.

The VICE-PRESIDENT. The question recurs on concurring in the amendment made as in Committee of the Whole as amended in the Senate.

Mr. QUAY. What has become of the amendment offered by the Senator from Nebraska?

The VICE-PRESIDENT. That has not yet been acted upon.

The amendment as amended was concurred in.

Mr. MILLS. Now, I move to strike out paragraphs 123 and 124, and insert what I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to strike out paragraphs 123 and 124, and in lieu thereof to insert:

Wire rods, rivet, screw, fence nail, and other iron or steel wire rods, and all wires made from them, shall be admitted free of duty.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Texas.

Mr. MILLS. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. MCPHERSON (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL].

Mr. PETTIGREW (when his name was called). I am paired with the junior Senator from West Virginia [Mr. CAMDEN]. If he were present I should vote "nay."

I wish also to state that on the amendment to place barbed wire on the dutiable list, if I had been present I should have voted "yea."

Mr. PUGH (when his name was called). I am paired with the Senator from Massachusetts [Mr. HOAR].

The roll call was concluded.

Mr. SHOUP (after having voted in the negative). Has the senior Senator from California [Mr. WHITE] voted?

The VICE-PRESIDENT. He has not voted.

Mr. SHOUP. I am paired with that Senator, and therefore withdraw my vote.

The result was announced—yeas 17, nays 52; as follows:

YEAS—17.

Allen,	Gray,	McLaurin,	Vilas,
Bate,	Irby,	Mills,	Walsh.
Berry,	Jarvis,	Pasco,	
Coke,	Kyle,	Peffer,	
George,	Lindsay,	Roach,	

NAYS—52.

Aldrich,	Dolph,	Hunton,	Perkins,
Allison,	Dubois,	Jones, Ark.	Platt,
Blackburn,	Faulkner,	Jones, Nev.	Power,
Brice,	Frye,	Lodge,	Proctor,
Caffery,	Gallinger,	McMillan,	Quay,
Call,	Gibson,	Manderson,	Sherman,
Carey.	Gorman,	Martin,	Smith,
Chandler,	Hale,	Mitchell, Oregon	Squire,
Cockrell,	Hansbrough,	Mitchell, Wis.	Teller,
Cullom,	Harris,	Morgan,	Turpie,
Daniel,	Hawley,	Murphy,	Vest,
Davis,	Higgins,	Palmer,	Voorhees,
Dixon.	Hill,	Patton,	Washburn.

NOT VOTING—16.

Blanchard,	Gordon,	Pettigrew,	Stewart,
Butler,	Hoar,	Pugh,	White,
Camden,	McPherson,	Ransom,	Wilson,
Cameron,	Morrill.	Shoup,	Wolcott.

So the amendment was rejected.

Mr. ALLEN. I ask a vote now on the paragraph which I offered to be inserted as paragraph 683¼.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to insert as a new paragraph the following:

683¼. All wire imported exclusively for fencing shall be admitted free of duty, under such rules and regulations as the Secretary of the Treasury shall prescribe.

The VICE-PRESIDENT. The question is on the amendment.

Mr. ALLEN. I call for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. MCPHERSON (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL].

Mr. PUGH (when his name was called). I am paired with the Senator from Massachusetts [Mr. HOAR].

The roll call was concluded.

Mr. CALL (after having voted in the affirmative). I inquire if the Senator from Vermont [Mr. PROCTOR] has voted?

The VICE-PRESIDENT. He has not voted.

Mr. CALL. Then I withdraw my vote, as I am paired with that Senator.

The result was announced—yeas 32, nays 38; as follows:

YEAS—32.

Allen,	George,	Lindsay,	Ransom,
Bate,	Gray,	McLaurin,	Roach,
Berry,	Harris,	Martin,	Turpie,
Blackburn,	Hunton,	Mills,	Vest,
Cockrell,	Irby,	Mitchell, Wis.	Vilas,
Coke,	Jarvis,	Morgan,	Voorhees,
Daniel,	Jones, Ark.	Pasco,	Walsh,
Faulkner,	Kyle,	Peffer,	White.

NAYS—38.

Aldrich,	Dubois,	Lodge,	Quay,
Allison,	Frye,	McMillan,	Sherman,
Brice,	Gallinger,	Manderson,	Shoup,
Caffery,	Gorman,	Mitchell, Oregon	Smith,
Carey,	Hale,	Murphy,	Squire,
Chandler,	Hansbrough,	Palmer,	Stewart,
Cullom,	Hawley,	Patton,	Teller,
Davis,	Higgins,	Perkins,	Washburn.
Dixon,	Hill,	Platt,	
Dolph,	Jones, Nev.	Power,	

NOT VOTING—15.

Blanchard,	Cameron,	McPherson,	Pugh,
Butler,	Gibson,	Morrill,	Wilson,
Call,	Gordon,	Pettigrew,	Wolcott.
Camden,	Hoar,	Proctor,	

So the amendment was rejected.

Mr. RANSOM. I beg leave to offer an amendment.

Mr. ALDRICH. I inquire of the Chair if the consideration of the reserved amendments has been completed?

The VICE-PRESIDENT. The reserved amendments are completed. The amendment proposed by the Senator from North Carolina will be stated.

The SECRETARY. On page 38 it is proposed to insert the following as a new paragraph:

167¾. Mica, 20 per cent ad valorem.

Mr. RANSOM. That is strictly a revenue duty.

Mr. PLATT. I should feel fully satisfied to vote for that amendment if the Senator from North Carolina had not voted to put all wire on the free list; but I think, on the whole, I shall vote for the Senator's amendment.

Mr. VILAS. I should like to ask the Senator from North Carolina to permit me to offer an amendment on the subject of wire, which will dispose of the matter we have just had in hand. I find that the amendment as it was offered did not contain all the words which I supposed were in it, and which were necessary to obviate the objection urged by the Senator from Illinois [Mr. PALMER]. If the Senator from North Carolina will permit me, I will simply present the amendment, and ask for a vote upon it without further discussion.

Mr. RANSOM. Of course, I can not say no upon a subject of that sort when it is requested by the Senator from Wisconsin.

The VICE-PRESIDENT. If there be no objection, the amendment proposed by the Senator from Wisconsin will be stated.

The SECRETARY. It is proposed to insert as a new paragraph the following:

683¼. All wire and material for the manufacture of wire imported exclusively for fencing shall be admitted free of duty, under such rules and regulations as the Secretary of the Treasury shall prescribe.

Mr. ALDRICH. Instead of all wire being admitted free under that amendment, if it should be adopted, it would admit all iron and steel free. That would be the only effect of it.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Wisconsin.

Mr. ALLEN. I ask for the yeas and nays on the amendment.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CALL (when his name was called). I announce my pair with the Senator from Vermont [Mr. PROCTOR], and withhold my vote.

Mr. MCPHERSON (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL].

Mr. PUGH (when his name was called). I am paired with the Senator from Massachusetts [Mr. HOAR].

The roll call having been concluded, the result was announced—yeas 29, nays 40; as follows:

YEAS—29.

Allen,	George,	McLaurin,	Vest,
Bate,	Gray,	Mills,	Vilas,
Berry,	Harris,	Mitchell, Wis.	Voorhees,
Blackburn,	Hunton,	Pasco,	Walsh,
Caffery,	Irby,	Peffer,	White.
Cockrell,	Jarvis,	Ransom,	
Coke,	Kyle,	Roach,	
Daniel,	Lindsay,	Turpie,	

NAYS—40.

Aldrich,	Frye,	Lodge,	Platt,
Allison,	Gallinger,	McMillan,	Power,
Brice,	Gibson,	Manderson,	Quay,
Carey,	Gorman,	Martin,	Sherman,
Chandler,	Hale,	Mitchell, Oregon	Shoup,
Cullom,	Hansbrough,	Morgan,	Smith,
Davis,	Hawley,	Murphy,	Squire,
Dixon,	Higgins,	Palmer,	Stewart,
Dolph,	Hill,	Patton,	Teller,
Dubois,	Jones, Nev.	Perkins,	Washburn.

NOT VOTING—16.

Blanchard,	Cameron,	Jones, Ark.	Proctor,
Butler,	Faulkner,	McPherson,	Pugh,
Call,	Gordon,	Morrill,	Wilson,
Camden,	Hoar,	Pettigrew,	Wolcott.

So the amendment was rejected.

Mr. RANSOM. I now ask that my amendment may be acted upon.

The VICE-PRESIDENT. The amendment proposed by the Senator from North Carolina will be stated.

The SECRETARY. It is proposed to insert, on page 38, as a new paragraph, the following:

167¾. Mica, 20 per cent ad valorem.

Mr. HILL. Where is that article now in this bill?

Mr. ALDRICH. On the free list.

Mr. HILL. What do the committee say as to where it ought to be?

Mr. VEST. We put it on the free list, and I have seen no reason to change my opinion about it.

Mr. RANSOM. I wish the Senator from New York would ask me the question. He has not been in the habit of consulting the committee generally on this bill, and it seems to be rather a late hour for him to ask the Finance Committee as to how he shall vote.

Mr. HILL. I should be glad to hear from the Senator the reasons why the action of the committee should be reversed at this stage of the game? [Laughter.]

Mr. RANSOM. I will tell the Senator from New York with great pleasure why it should be done.

The duty named in the amendment is strictly a revenue duty, and the very lowest duty ever put upon mica. Formerly the duty was over 100 per cent, and the duty in the McKinley act is 35 per cent. In the McKinley act the duty was reduced about 100 per cent from what it was before. If I am in error, the Senator from Rhode Island [Mr. ALDRICH] will correct me.

The revenue derived from the importations of mica, with the duty at 35 per cent, amounts to about $75,000 annually. In my judgment—and I think the committee will agree with me—at 20 per cent ad valorem the revenue derived from that source will be nearly $200,000. The Senator from New York knows as well as I do that we have to raise revenue by imposing duties upon articles imported into this country.

I will say to the Senator from New York that if there is an industry in the country to which some attention ought to be paid it is that of working mica in the mines of North Carolina, and I have no doubt in the mines of Montana and of New Hampshire. Mica is not worked with us by large syndicates. The honest, industrious, patriotic people of the mountains dig out themselves, and with their own hands, the mica from the depths of the earth. There is no speculation in the business. There are no large profits in it; there are no monopolies in it. A duty of 20 per cent can not diminish or exclude importations. The work, I fear, can not stand a reduction of price.

Senators who are better acquainted with the subject than I am, will tell you that mica is brought into this country in large quantities, and of very inferior quality indeed as compared with our mica. I believe I tell the truth, and I think it is universally admitted, that the mica of North Carolina is the best in the world.

I do not care to have that industry destroyed. I do not care to have the duty upon it lost to the Treasury. I do not wish to injure the people who work in the mica beds; I do not wish to take from the Treasury this revenue, and if there is an article in the world on which revenue may with propriety be raised it is mica.

I am satisfied that if the Finance Committee would consider the subject with the liberal intelligence with which they have considered other subjects in the bill they would let mica have a duty of at least 20 per cent ad valorem.

No one in the country objects to this reasonable duty; no protests are here against it; no one is crying out against it. If you tax anything, if you tax iron, if you tax coal, if you tax woolen goods, if you tax cotton goods, and if you tax almost everything we import, why should not the low revenue duty of 20 per cent be laid upon mica?

I am sorry, Mr. President, I have detained the Senate so long.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from North Carolina.

Mr. LODGE. I call for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CALL (when his name was called). I announce my pair with the Senator from Vermont [Mr. PROCTOR].

Mr. HARRIS (when his name was called). Upon this question I am paired with the Senator from Ohio [Mr. SHERMAN]. But for that pair I should vote "nay."

Mr. MCPHERSON (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL].

Mr. PUGH (when his name was called). I am paired with the Senator from Massachusetts [Mr. HOAR].

The roll call was concluded.

Mr. ALLISON. I desire to state once for all to-day that my colleague [Mr. WILSON] is absent from the Chamber on account of illness, and is paired with the Senator from Georgia [Mr. GORDON].

The result was announced—yeas 40, nays 28; as follows:

YEAS—40.

Aldrich,	Dolph,	Lodge,	Platt,
Allen,	Dubois,	McMillan,	Power,
Allison,	Frye,	Manderson,	Quay,
Brice,	Gallinger,	Mitchell, Oregon	Ransom,
Caffery,	Hale,	Morgan,	Shoup,
Carey,	Hansbrough,	Murphy,	Squire,
Chandler,	Hawley,	Pasco,	Stewart,
Cullom,	Higgins,	Patton,	Teller,
Davis,	Jarvis,	Perkins,	Vilas,
Dixon,	Jones, Nev.	Pettigrew,	Washburn.

NAYS—28.

Bate,	George,	Kyle,	Roach,
Berry,	Gibson,	Lindsay,	Smith,
Blackburn,	Gray,	McLaurin,	Turpie,
Camden,	Hill,	Mills,	Vest,
Coke,	Hunton,	Mitchell, Wis.	Voorhees,
Daniel,	Irby,	Palmer,	Walsh,
Faulkner,	Jones, Ark.	Peffer,	White.

NOT VOTING—17.

Blanchard,	Gordon,	Martin,	Wilson,
Butler,	Gorman,	Morrill,	Wolcott.
Call,	Harris,	Proctor,	
Cameron,	Hoar,	Pugh,	
Cockrell,	McPherson,	Sherman,	

So the amendment was agreed to.

Mr. MORGAN. Mr. President——

Mr. RANSOM. If the Senator from Alabama will allow me to complete this subject, I wish to have mica stricken from the free list. [Laughter.]

The VICE-PRESIDENT. Without objection, mica will be stricken from the free list. The Chair hears none. [Laughter.]

Mr. MORGAN. Getting into a little more serious business, Mr. President, I offer an amendment to come in at the end of the bill, which I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. At the end of the bill it is proposed to insert the following as additional sections:

SEC. 73. That every combination, conspiracy, trust, agreement, or contract is hereby declared to be contrary to public policy, illegal, and void, when the same is made by or between two or more persons or corporations, either of whom is engaged in importing any article from any foreign country into the United States, and when such combination, conspiracy, trust, agreement, or contract is intended to operate in restraint of lawful trade, or free competition in lawful trade or commerce, or to increase the market price in any part of the United States of any article or articles imported or intended to be imported into the United States, or of any manufacture into which such imported article enters or is intended to enter. Every person who is or shall hereafter be engaged in the importation of goods or any commodity from any foreign country in violation of this section of this act, or who shall combine or conspire with another to violate the same, is guilty of a misdemeanor, and, on conviction thereof in any court of the United States, such person shall be fined in a sum not less than $100 and not exceeding $5,000, and shall be further punished by imprisonment, in the discretion of the court, for a term not less than three months nor exceeding twelve months.

SEC. 74. That the several circuit courts of the United States are hereby invested with jurisdiction to prevent and restrain violations of section 73 of this act; and it shall be the duty of the several district attorneys of the United States, in their respective districts, under the direction of the Attorney-General, to institute proceedings in equity to prevent and restrain such violations. Such proceedings may be by way of petitions setting forth the case and praying that such violations shall be enjoined or otherwise prohibited. When the parties complained of shall have been duly notified of such petition the court shall proceed, as soon as may be, to the hearing and determination of the case; and pending such petition and before final decree, the court may at any time make such temporary restraining order or prohibition as shall be deemed just in the premises.

SEC. 75. That whenever it shall appear to the court before which any proceeding under the 74th section of this act may be pending, that the ends of justice require that other parties should be brought before the court, the court may cause them to be summoned, whether they reside in the district in which the court is held or not; and subpœnas to that end may be served in any district by the marshal thereof.

SEC. 76. That any property owned under any contract or by any combination, or pursuant to any conspiracy (and being the subject thereof) mentioned in section 73 of this act, and being in the course of transportation from one State to another, or to or from a Territory, or the District of Columbia, shall be forfeited to the United States, and may be seized and condemned by like proceedings as those provided by law for the forfeiture, seizure, and condemnation of property imported into the United States contrary to law.

SEC. 77. That any person who shall be injured in his business or property by any other person or corporation by reason of anything forbidden or declared to be unlawful by this act, may sue therefor in any circuit court of the United States in the district in which the defendant resides or is found, without respect to the amount in controversy, and shall recover threefold the damages by him sustained, and the costs of suit, including a reasonable attorney's fee.

Mr. MORGAN. Mr. President, that amendment consists of five sections, four of which are copied from the act of 1890, which was framed and passed by the Congress of the United States to reach trusts which were created under the interstate commerce features of the Constitution of the United States. Four of the sections to which I have just alluded are literal copies of the existing statutes; so that leaves but one section of the amendment to be explained.

The first section of the amendment has been framed an dexamined with the greatest possible care. I do not know how much confidence the Senate of the United States will be disposed to give to my judgment as a lawyer upon the question as to whether the first section of the measure is apt in its phraseology and provisions to reach the end that is desired—that is to say, the repression of trusts, as they are called, in respect of the importation of goods from foreign countries; but I have taken care to submit the language of this amendment to the inspection of various lawyers, some of them of the highest reputation in this body, and some of the lawyers of as great reputation as any in the United States; and there seems to be no doubt or hesitancy in saying that the language employed there under the Constitution is entirely apt and proper in all respects to define the crimes which are attempted to be repressed, and to distinguish them so that the prosecution of them and convictions under them shall be easy.

Mr. CULLOM. If the Senator will allow me to make an inquiry, I did not understand definitely whether his amendment applied entirely and exclusively to the collection of customs or to other outside transactions?

Mr. MORGAN. Exclusively to the collection of customs. I had it at first in contemplation to make the provision wider.

Mr. CULLOM. I thought so.

Mr. MORGAN. But I concluded that upon this bill it would not be proper to do so. I believe that the difficulties which have been found in the judicial decisions of Judge Jackson and some judges of inferior grade in regard to the language of the act of 1890, predicated upon the interstate-commerce features of the Constitution, have been obviated entirely by the provisions of this section.

I will say here that I do not wish to detain the Senate at all in the consideration of this important matter, and I therefore some months ago, perhaps as much as two months ago, had this amendment printed and referred to the Committee on Finance. I have conferred with the Senators in charge of this bill upon that subject, and while they do not take this as a committee amendment, I think I am authorized to say that at least the majority, perhaps almost all of the committee, concur in the language which is employed here and in the necessity of this provision.

A very few words, Mr. President, I think will demonstrate the necessity for having this provision in the bill. First of all, it has been frequently charged here in respect of the sugar trust, and perhaps of the lead trust and some other trusts which are existing in this country, that the provisions of this bill have been so framed as to give an advantage to these existing combinations. I do not understand that there has been any purpose of that kind on the part of the committee. I know that in voting for the provisions of the bill to which I allude, no purpose of that kind has actuated me. I do not know any of the membership of any trust in the United States upon any subject whatsoever; I do not know the presiding officers, the heads of the trust, or any person who belongs to them or has any interest in them, and therefore my conduct in this matter is strictly impartial; but I do not believe at all that the slightest indulgence has been given by a single provision in this bill to any existing trust or to any trust which could exist under its provisions.

Some possible support might be found in the sugar trust, in what is called the eighth differential tax, because it is already an existing monopoly—I will call it, and I have no doubt it is properly characterized by that language—but it has an enormous amount of capital, great surroundings, and great powers of reënforcement.

So, whatever tax we put upon sugar which would make the slightest discrimination in favor of its being refined here instead of its being refined abroad and imported here, would necessarily inure to that trust, provided we leave this statute barren of any enactment or provision whereby the abuse of power and right of importation under this law would enable the trust to thrive and prosper.

Under the bill as it is now perfected, I will say in the Senate, under the McKinley act, under every tariff which has ever existed in the United States, the Walker tariff not excepted by any means, opportunity exists in a great many instances for the creation of trusts; in fact, it is absolutely inseparable from tariff legislation that opportunity should be furnished for the creation of combinations to regulate importations, with a view to increase the price of certain commodities in the market or to affect them in some way.

Inasmuch as we are compelled to resort to tariff laws for the replenishing of our Treasury from year to year; inasmuch as that is the system of taxation which is really preferred in the Constitution of the United States; inasmuch as that system of taxation has prevailed since the very foundation of the Government and has always been a favorite over direct taxation, a taxation of incomes or any other species of excise, we are compelled to regulate the tariff of taxation upon all of the four or five thousand taxed articles here with reference to their revenue-yielding power and, in the minds of many patriotic and splendid men, with reference to the protection that they think would be given to American industries as contrasted with foreign industries. Upon that particular branch of tariff taxation there is great diversity of opinion, as has been indicated in the Senate of the United States by thousands and thousands of votes and almost as many speeches which have been given upon this subject now for a century.

We can not abandon the right to put a high tax upon any American product because that tax may be abused by the formation of a trust under its shelter; for it may turn out, Mr. President, that under certain conditions and exigencies in reference to the general commerce of the country, or in reference to commerce with some particular country which is disposed to discriminate against us, we must use the taxing power at a very high rate in order to save our country and our industries and our Treasury when emergencies of that kind arise and we find it necessary to resort to high rates of taxation, when immediately shelter is given to the formation of trusts, and that shelter is greater or less in every tariff bill in accordance with the amount simply of the protective duties which we impose upon imports.

So under the bill we are now considering is afforded distinct opportunity for the formation of thousands of trusts. You can not exclude them from this country except by means of direct and positive legislation which reaches the abuse of the importing right and prevents it from entering into such combinations with capital as will enable the importer or the person interested in imports to control the prices in the market; in other words, in common parlance, to monopolize the market.

Mr. MILLS. May I ask the Senator from Alabama if his amendment includes the product of trusts such as are mentioned, leaving the United States and being conveyed from State to State?

Mr. MORGAN. It does. It includes distinctly jurisdiction and the remedy for that.

I shall not now, Mr. President, go into an analytical examination of the decisions which have been made by Judge Jackson and Judge Bullock and other eminent judges upon the question as to the effect of these statutes.

We have enacted heretofore the act of 1890 in regard to interstate trusts, and to show that the theory of this amendment is different from the theory of that act, it goes upon the power of preventive justice, of that great power which is described by Blackstone in his Commentaries, a book to which I love to refer, in such language as I think the Senate will excuse me for just a moment in quoting. Says the author:

> We are now arrived at the fifth general branch, or head, under which I proposed to consider the subject of this book of our Commentaries, viz, the means of preventing the commission of crimes and misdemeanors. And really it is an honor, and almost a singular one, to our English laws, that they furnish a title of this sort; since preventive justice is, upon every principle of reason, of humanity, and of sound policy, preferable in all respects to punishing justice; the execution of which, though necessary and in its consequences a species of mercy to the commonwealth, is always attended with many harsh and disagreeable circumstances.

This amendment relates to preventive justice. It prevents men, by penalties imposed upon their transactions, from abusing the revenues of the United States, its dignity, its honor, its peace, and prevents them also from imposing heavy burdens upon those who must consume either imported articles or those which are made under the shelter of this law of taxation and of importation.

The theory of this amendment, as you will see by noticing carefully the language, as I will read it again—for in that way I can put the Senate better in possession of it than in any other—reaches to the contract, the combination, the conspiracy, the agreement, or engagement which is entered into by an importer with other importers or by an importer with any other person who may be his assistant in any form, and it declares that the contract or agreement shall be void and null and that the entering into it with a view of importing goods into the United States is a crime, and that that crime is made punishable as a misdemeanor by somewhat severe penalties. I will read it now in that connection:

> That every combination, conspiracy, trust, agreement, or contract is hereby declared to be contrary to public policy, illegal, and void, when the same is made by or between two or more persons or corporations, either of whom is engaged in importing any article from any foreign country into the United States, and when such combination, conspiracy, trust, agreement, or contract is intended to operate in restraint of lawful trade, or free competition in lawful trade or commerce, or to increase the market price in any part of the United States of any article or articles imported or intended to be imported into the United States, or of any manufacture into which such imported article enters or is intended to enter.

Every person thus engaged is made punishable. What is that, Mr. President? It is the punishment of the intent to abuse the importation laws of the United States when that intent takes the form of an agreement or conspiracy or combination between an importer and another person engaged to assist him, or between two or more importers.

First of all, I ought to remark that this leaves any individual in the United States, no matter what the extent and amount of his capital may be, his enterprise, his genius, his industry, or his mercantile skill, perfectly free to import any amount of goods he pleases from any country he wishes and sell them at any price that he can; but it prevents the combination of one person who may be importing with another person for the purpose of importing goods with the intent of affecting the market.

We have got to that era in our civilization, or rather we have returned to that era of English civilization, Mr. President, when attempts to commit crimes are getting to be somewhat important in this country, when combinations for the purpose of committing crimes are extremely dangerous to the welfare and peace of society. In the English law, and in the common law as it exists now in the various States, these were called misprisions of offenses. It was a misprision of treason to imagine even the death of the king.

It was the misprision of murder for two men to agree that they would kill another, although no murder was committed. And so on through a long category of felonies and even misdemeanors. The intent to commit an offense signified by an agreement between two persons that they would commit it, is something that is made punishable by the common law and very frequently made punishable by acts of Parliament, and also in the States by their legislative enactments.

Let me cite the Senate for a moment to one of these methods of preventing justice, we will call it, where the misprision of an offense is made a serious matter, and where the law exercises its authority upon the individual who enters into such an engagement to the extent of imprisoning him unless he shall give bond to keep the peace. It may not be generally known, but it is true that the system of arresting people who have made threats that they would commit offenses belongs to the English system which we have inherited.

A man goes and arms himself and threatens to kill another man. By the laws of Great Britain, the common law as well as the statute law, and the laws of every State in this Union, that man is liable to be arrested, although he may not get in sight of his victim, or may not have the possible means of reaching him. He may be arrested and put under bonds to keep the peace, and unless he does give bonds to keep the peace he is incarcerated in a prison. What offense has the man committed? Nothing but a misprision of the offense. That is to say, he has concluded that he would commit it; he has agreed with himself that he would commit it, and has proclaimed the crime in such form as that the law can take hold of it.

Here, as I will remark again, we find coming to light by the existence of the present situation in many respects the necessity for extending and making penal and criminal the misprision of offenses, which, if they are allowed to run along, will ripen into crime and the victim will receive the injury that was intended. I will illustrate it. Suppose there had been an agreement between a half dozen men in Europe to murder Carnot. There it appears that you can not arrest a man because he has proclaimed that he intends to devote his life to the murder of kings or a particular king.

Such a declaration as that in the United States against the humblest man in this whole country is made in every State of the Union what we call a misprision of offense, and it is in itself a breach of the peace. I refer to this merely for the sake of analogy. I refer to it to show that there is an intelligent foundation running through this proposed amendment which is entirely in keeping with our system of jurisprudence, and that if we adopt it we can not possibly harm anybody and it is no departure whatever from the existing state of public opinion in regard to what the law is as well as in regard to what it ought

to be. Therefore I have ventured to bring the amendment forward.

I wish to remark in regard to the amendment that it can not possibly do any harm if we will take it for granted that no man is ever to be convicted under it, that it is such a sieve as that it will hold nothing in the way of judicial determination. Yet there it stands for two purposes. One is to threaten and alarm these men from entering into such combinations. The other is the expression of the view of the Congress of the United States that these trusts in all of their multiplied hideousness, I will say, are against our common conviction and meet our stern reprobation.

But, sir, it will not stop there. I think I may venture to say with absolute confidence that no trust will ever be formed of any important character in the United States, after we put the amendment I have offered in the bill, which will not be felt and punished, and that with severity.

Now, having said this much, Mr. President, I will yield the floor, first remarking, however, again that the four sections which conclude the amendment are all of them copied out of the existing statute? They have been passed upon by the Senate and by the Congress, and therefore it is unnecessary for me to descant upon them to any extent at all.

Mr. GRAY. Mr. President, the legislation that is proposed by this amendment is of an exceedingly important character. I confess that I appreciate the importance of it, and I appreciate the difficulties that exist in the way of attaching so important an amendment to this tariff bill at this time and in these hours, which we hope are the closing hours of this debate.

I shall go with my friend from Alabama, I think, to the full extent to which his learning and zeal and patriotism will lead him in devising legislation for the correction of the tendency which has grown up in this country to the formation of trusts. But for that very reason I feel that this unusual and abnormal method of introducing such important pumitive legislation is not at this time and in the heat and hurry of these hours to be considered wise on our part.

I hope the Senator from Alabama will agree with the suggestion I intend to make, that the amendment, or the subject-matter of the amendment, be referred to the Judiciary Committee of this body, that they may scrutinize it, give it the benefit of their study, and make it, if it needs amendment, what it ought to be in order to accomplish the objects which the Senator from Alabama has in view, and properly in view, and bring it back to us, so that it may be considered upon its merits and made a part of the law of the land.

If it is a proper motion, Mr. President, I will move that the amendment be referred to the Judiciary Committee.

Mr. MORGAN. Mr. President, just a word, in personal explanation.

I said in my opening remarks that two months ago I had submitted this amendment to the Committee on Finance. I explained to the committee personally, at least to the Democratic members of the committee, the examination under which the provisions had passed in the minds of some of the most eminent jurists in the United States, and that every word in the amendment had received their approbation.

I could not, under the agreement which existed on this side of the Chamber, take the floor earlier than I have done for the purpose of offering the amendment. Its value, its importance even to the reputation of the Senate, is perfectly obvious after all that has been said here in respect of the introduction on our part of opportunities if not of invitations to these trusts to avail themselves of the benefits of this proposed law.

I have done my best to get it before the Senate. I have done all that an honorable duty to my colleagues on this side of the Chamber permitted me to do. I have presented it to the gentlemen who have had the bill in charge, and I have not heard yet that one of them had an objection to make to the provision, or said it was unnecessary, or anything else than that they were afraid that it would consume a large amount of time.

Mr. President, I have not occupied the time of the Senate in the discussion of the pending bill. I have seen many places, many opportunities, where my convictions of duty almost forced me to take the floor, but I have not done so because I was entirely deferential to the desire on the part of the committee, which I think has been most admirably filled, of bringing forward a bill that would be satisfactory to at least one side of the Chamber.

I take occasion at this moment to say that I have not read a tariff bill on the statute books of the United States which so nearly comes up to my views of what is exactly right as the pending bill, and I have never seen one that I would vote for with greater pleasure.

I must also say that the most assiduous, and industrious, and learned attention has been bestowed by the gentlemen who have had charge of the bill upon every one of the vast enumeration of items. But the opportunity has not been afforded to me of putting into the bill the antidote for the poison that it is charged the bill carries.

This amendment, I will say to my honorable friend from Delaware, can not hurt anybody. No innocent person can possibly suffer under it. The only question in the case is whether the provision is strong enough and tight enough to hold the guilty. If it is found not to be, and that the theory of the provision is all right, as I think I have established that it is all right, then by amendment hereafter we can certainly improve it, if it can be improved.

The suggestion offered by the Senator from Delaware, it does not seem to me has very great weight, because the proposed punishment of these combinations does not affect any person whatsoever—it can not affect any person whatsoever—who is honestly engaged in free and fair competition in trade under the new revenue law.

Now, a word on that point. No man has the right to import anything into the United States except by permission of the statute. We have prohibitions here upon importations which may be relieved against by the proclamation of the President of the United States, as in cases where foreign governments discriminate against us, and for the purpose of preventing the introduction of diseases through neat cattle. There is quite a large list of this kind of absolute, positive prohibitions which may be relieved against by the proclamation of the President.

What does that all mean? On what basis does that theory of legislation proceed? It is that no man has the right to import anything into the United States unless he is permitted to do so by law. Then, if the man in making the importation abuses the law to the disadvantage of anybody in the United States, he of course violates his duty towards the Government of the United States, and the Congress which enacts the law to enforce the revenue and to tax importations has the unquestioned right to say how far, and under what circumstances, and under what conditions the importations shall be made.

I very much regret that I have not been able, although I frequently called the attention of the Senator from Delaware to it, to find him enough at leisure in the multiplicity of his duties, which have been so exacting upon his time, to get him to take the judicial view of this question which I felt it incumbent upon myself to try to take, and which he could have done so much better than I. But still the Senator does not urge an objection to the amendment. He only proposes to refer it to the Judiciary Committee. My honorable colleague on my left [Mr. PUGH] has examined this matter. I have heard no objection from him. He is the chairman of that committee. Certainly I would submit it to the Committee on the Judiciary without a moment's hesitation. I have also submitted it to other members of the Judiciary Committee, to two of the most distinguished members of that committee, whose names I suppose I might be at liberty to call, but it is probably not exactly in form to do it.

Mr. VOORHEES. If the Senator from Alabama is not inconvenienced by yielding, I desire to say a few words.

Mr. MORGAN. Certainly.

Mr. VOORHEES. Mr. President, this measure has my full approbation. The Senator from Alabama submitted it to me sometime ago and again still more recently. To my personal knowledge it has had the full examination of excellent lawyers. In that category I do not place myself, but it has had the examination of men learned in the law, and it is pronounced by them to be safe. In my judgment, for myself, I could vote for it with infinite pleasure.

The Committee on Finance has not as a committee taken any action in regard to the amendment. It is a matter not in the line of detail usually charged to a committee upon the subject of revenue, and yet in the light of present history, in the light of wholesale slander, lawless libel, I should be glad to see this measure become a law in connection with a revenue bill or any other bill to which it could be properly attached.

I know not a human being who belongs to any trust so far as I am cognizant of that fact. If I am acquainted with a man who is in the sugar trust I do not know it. If I am acquainted with a human being who belongs to a whisky trust I am not aware of it, and I do not know who he is. But I am aware of great combinations that overshadow certain mighty interests of the American people against whom this measure is aimed, and justly aimed, in my judgment.

I appreciate entirely the wisdom and patriotism of the Senator from Delaware. A reference of such a measure to the Judiciary Committee is apt and proper under ordinary circumstances, and in its very nature it goes to that committee properly. Yet if the Senate can come to the conclusion which I have reached, and which the Senator from Alabama and others who have carefully examined this measure have reached, and

can pass upon it and adopt it now, I believe it would be a measure of great wisdom and of great safety to the American people.

I do not believe that we should take it up if it is to lead to protracted discussion, and yet I can hardly imagine how time could be better employed than in legislating against the great dominating trusts and syndicates. But it did occur to me (and I so said to the Senator from Alabama) that I thought it would not lead to protracted discussion. There is no one here so far as I know who desires to protect those at whom this proposed legislation is aimed. They have no defenders here so far as I know. I feel that in closing the work of the last three months an enactment of the kind proposed by the Senator from Alabama would be hailed by the American people as a guaranty of integrity in the execution of the law we are about to pass.

I have thought proper, contrary to the course I have pursued for sometime past, to say this much. I do not speak for the Committee on Finance, and yet at the same time I do not know of a single member of that hard-working and much-abused committee who has any objection to the provisions of the amendment. There are variances of opinion in that committee as to whether it ought to be brought forward now or in some other shape and at some other time. As to the provisions themselves, I know no difference of opinion in the committee over which I have the honor to preside. This much, I think, it is due to the occasion to say.

Mr. DANIEL. I should like to inquire of the chairman if this is an amendment recommended by the committee. I have agreed for my part (I will say in explanation of the vote which I may cast and all other votes) to follow our committee, and so I understood that other gentlemen here had agreed, including the chairman who has just spoken. Of course he has no further liberty than I or anyone else. If I were not bound by that agreement I would rescind many votes which I have cast. I should like to have it understood, so that there may be no mistake in giving a vote, whether that agreement is to be pursued or not.

Mr. MORGAN. Will the Senator from Virginia allow me a moment? Before I offered the amendment, as I have stated, I submitted it to the committee on frequent occasions and even to-day. I asked whether it would be any violation of our agreement under our rules to offer it, and I was assured by the committee that I had a perfect privilege to offer it.

Mr. VOORHEES. I will say to the Senator from Virginia, that as far as I can recall the events of the last three months, all the understanding of which I was cognizant among ourselves on this side of the Chamber was to the effect that we would stand together on committee amendments and propositions.

Mr. DANIEL. And not vote for other amendments that were not offered by the committee——

Mr. VOORHEES. But after the work of the committee was finished I never understood that I was not at liberty to vote for other amendments if they were brought forward. I say that I felt bound to stand by the committee. I have done it to the bitter end. After the committee work is over I do not understand and I never have understood that I am not at liberty to vote for any amendment I choose that is consistent with the bill. I do not mean by this that I would vote against the bill. I do not suppose I need explain that I would not violate my own record.

Mr. DANIEL. Of course there is an understanding or there is not an understanding. The statement of the Senator who has just spoken does not agree with my understanding. It was clear and specific, as I understand it (not of course casting any reflection upon him), that we would not offer and support amendments of our own, and solely by reason of that understanding I have declined to offer amendments or to vote for any amendment unless it had the sanction of our committee. If I am at liberty to vote for the pending amendment with fairness to my colleagues I shall vote for it. If I am not at liberty I shall not vote for it. Certainly we ought to have understood each other before we reached the very close of the bill, in the consideration of which it was the part of patriotism for every man to give up his own opinion in order that the best collective judgment could be gathered so as to give relief speedily to the American people.

Mr. PALMER. Mr. President——

Mr. ALDRICH. Will the Senator from Virginia allow me to ask him a question?

The VICE-PRESIDENT. The Senator from Illinois has been recognized.

Mr. PALMER. If I have the floor——

Mr. ALDRICH. I was about to ask a question of the Senator from Virginia.

Mr. PALMER. I yield to the Senator from Rhode Island.

Mr. DANIEL. Before I take my seat I should like to have an understanding between the Senator from Alabama and the committee. He tells us that he consulted the committee before he offered the amendment, and was encouraged to do it.

Mr. MORGAN. No; I did not say that.

Mr. DANIEL. I beg pardon, sir; I am trying ——

Mr. MORGAN. I said the committee had no objection to it, and I did not consider it any breach of the agreement that I should offer it.

Mr. ALDRICH. Will the Senator from Virginia allow me to ask him a question?

Mr. DANIEL. I am not here to be interrogated. I have stated what I had to say, and I am done.

The VICE-PRESIDENT. The Senator from Illinois will proceed.

Mr. PALMER. Mr. President, I beg to say that so far as I understand the amendment of the Senator from Alabama I favor it; but I can not forget the fact that this is a proposition to add a most important chapter to the criminal code of the United States. I have followed the Committee on Finance faithfully, sometimes surrendering my own judgment; but for that they are not to blame. In all that I walk by faith. But I do hesitate to add to the criminal code of the United States provisions which I have not carefully examined with a view to their perfection. Of course, being an old lawyer, I am exceedingly scrupulous in regard to legislation which affects the rights of citizens. I am exceedingly scrupulous in the preparation of a law which imposes pains and penalties and fines, as this proposes. While I have the most implicit confidence in the Senator from Alabama, I would a little rather look over this measure myself and see that it meets the approval of my own judgment. I do not think that this provision is an essential part of a tariff bill. I think it deserves more consideration than we can give it now.

I have thought for two or three months past about duties and protection and all the subjects that present themselves in this discussion, but I have not considered the law of trusts. While I shall still walk by faith, if I am so advised I will accept it, though with the utmost reluctance. I should greatly prefer, if it meets the views of the Senator from Alabama, that the measure shall be referred to the Committee on the Judiciary. Above all, while I respect the Judiciary Committee, I respect my own judgment on such subjects, and I really should be glad to have an opportunity in some formal way not only to consider the amendment, but to discuss it in a manner entirely disconnected from this purely revenue measure.

Mr. MORGAN. I am very sorry that I did not take this amendment to the Senator from Illinois in person and ask his judgment upon it. It has been printed and placed on the tables here three or four different times. I supposed every Senator would take enough interest in the progress of this bill to know what amendments were being proposed by Senators as well as those which came from the committee.

Now, I do not want to disturb the Senate or impose any burden upon anyone's conscience or make it very hard for anyone to put his foot down on trusts. I do not wish to do anything of that kind; and if it is considered to be necessary to have the weight of the Judiciary Committee settle upon the amendment before we can do anything else about it, let it go to the Judiciary Committee. My skirts are clear. I have done all I could do. No man has yet found objection to one word in the amendment for the purpose of repressing these trusts. If the Senate of the United States is not ready to do it, let the amendment go to the committee.

Mr. DOLPH. I desire to vote to put this amendment on the bill. I shall vote against its reference to the Judiciary Committee. I am afraid it will not accomplish very much if enacted into a law, but it is a move in the right direction. As has been said, it can not hurt any innocent man.

Mr. DANIEL. Mr. President——

Mr. ALDRICH. What is the pending question?

Mr. LODGE. What is the question before the Senate?

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Alabama [Mr. MORGAN].

Mr. GRAY. Has the Chair decided that the motion made by myself is not a parliamentary motion?

The VICE-PRESIDENT. The Chair so decides. The question is on agreeing to the amendment proposed by the Senator from Alabama.

The amendment was agreed to.

Mr. LODGE. I desire to offer the amendment to paragraph 356, page 90, of which I gave notice. Matting and mats made of cocoa fiber or rattan stand now in the bill at 20 per cent ad valorem. I move to amend the paragraph so as to make it read:

356. Cocoa matting, 40 per cent ad valorem; cocoa mats, 35 per cent ad valorem.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Massachusetts.

Mr. LODGE. Mr. President, I shall say only a word in regard to the amendment. I discussed it when the bill was in

Committee of the Whole. This is a small industry comparatively, involving no large capital. It is carried on principally by the workingmen who are themselves engaged in it. The duty as proposed by the bill means the absolute destruction of the industry. It employs men in New York, in Ohio, and in my own State. The amendment I move proposes a much lower rate of duty than the McKinley rates, and gives the industry merely a chance to survive. I hope that the Senate will accept this proposed modification. It is a great reduction over the McKinley rates, and it gives the workmen employed in the small industry of mat-making a chance to go on and develop it.

The VICE-PRESIDENT. The question is on the amendment of the Senator from Massachusetts.

Mr. LODGE. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. HARRIS (when his name was called). Upon this question I am paired with the Senator from Ohio [Mr. SHERMAN]. I should vote "nay" if the Senator from Ohio were present.

Mr. PETTIGREW (when his name was called). I am paired with the junior Senator from West Virginia [Mr. CAMDEN]. If he were present, I should vote "yea."

Mr. PUGH (when his name was called). I am paired with the senior Senator from Massachusetts [Mr. HOAR].

The roll call was concluded.

Mr. CAREY (after having voted in the affirmative). I inquire if the junior Senator from Wisconsin [Mr. MITCHELL] has voted.

The VICE-PRESIDENT. He has not voted.

Mr. CAREY. I desire to withdraw my vote, being paired with that Senator.

Mr. McMILLAN (after having voted in the affirmative). I am paired with the Senator from Louisiana [Mr. BLANCHARD]. I find that he has not voted and I withdraw my vote.

The result was announced—yeas 29, nays 37; as follows:

YEAS—29.

Aldrich,	Frye,	Manderson,	Quay,
Allison,	Gallinger,	Mitchell, Oregon	Shoup,
Chandler,	Hale,	Patton,	Squire,
Cullom,	Hansbrough,	Peffer,	Teller,
Davis,	Hawley,	Perkins,	Washburn.
Dixon,	Higgins,	Platt,	
Dolph,	Jones, Nev.	Power,	
Dubois,	Lodge,	Proctor,	

NAYS—37.

Allen,	Faulkner,	Kyle,	Roach,
Bate,	George,	Lindsay,	Smith,
Berry,	Gibson,	McLaurin,	Turpie,
Blackburn,	Gorman,	Martin,	Vest,
Brice,	Gray,	Mills,	Voorhees,
Caffery,	Hill,	Morgan,	Walsh,
Call,	Hunton,	Murphy,	White.
Cockrell,	Irby,	Palmer,	
Coke,	Jarvis,	Pasco,	
Daniel,	Jones, Ark.	Ransom,	

NOT VOTING—19.

Blanchard,	Gordon,	Mitchell, Wis.	Stewart,
Butler,	Harris,	Morrill,	Vilas,
Camden,	Hoar,	Pettigrew,	Wilson.
Cameron,	McMillan,	Pugh,	Wolcott.
Carey,	McPherson,	Sherman,	

So the amendment was rejected.

Mr. GALLINGER. According to previous notice I move to amend paragraph 199, page 46, line 11, by striking out "two" and inserting "three" before the word "dollars;" so as to read:

199. Hay, $3 per ton.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from New Hampshire.

Mr. GALLINGER. Mr. President, when this matter was in Committee of the Whole I had occasion to make certain statements concerning the hay crop which I shall not take the time to repeat further than to say that last year the product of hay in this country was 65,766,158 tons, of a value of $570,882,870. The present duty on hay is $4 per ton, and under that duty there were imported last year 104,181 tons of a value of nearly $962,221.

The amendment I then offered, which was the same I offer now, was defeated by a very close vote. I regret very much that it is probable the amendment will in the Senate meet with the same fate it did in Committee of the Whole.

A good many Senators upon the other side have privately expressed to me their opinion that this amendment ought to be adopted, but unfortunately the committee have not seen their way clear to agree that it shall be adopted. So I presume it is to be voted down. And yet, Mr. President, in the interest of this great industry, largely in the Northern States, much of it in New York and the New England States bordering on Canada, where we shall meet with a loss incalculable in amount if the duty is reduced 50 per cent as is proposed, I desire to have a vote in the Senate, and I ask that it shall be by yeas and nays.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from New Hampshire, on which the yeas and nays are demanded.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. HARRIS (when his name was called). I am paired with the Senator from Ohio [Mr. SHERMAN]. I should vote "nay" if he were here.

Mr. PETTIGREW (when his name was called). I am paired with the junior Senator from West Virginia [Mr. CAMDEN]. If he were here I should vote "yea."

Mr. PUGH (when his name was called). I am paired with the Senator from Massachusetts [Mr. HOAR].

Mr. QUAY (when his name was called). I am paired with the Senator from Alabama [Mr. MORGAN]. If he were present I should vote "yea."

The roll call was concluded.

Mr. PUGH. I transfer my pair with the Senator from Massachusetts [Mr. HOAR] to the Senator from Georgia [Mr. WALSH] and vote "nay."

The result was announced—yeas 30, nays 38; as follows:

YEAS—30.

Aldrich,	Dubois,	Lodge,	Power,
Allison,	Frye,	McMillan,	Proctor,
Carey,	Gallinger,	Manderson,	Shoup,
Chandler,	Hale,	Mitchell, Oregon	Squire,
Cullom,	Hansbrough,	Patton,	Teller,
Davis,	Hawley,	Peffer,	Washburn.
Dixon,	Higgins,	Perkins,	
Dolph,	Jones, Nev.	Platt,	

NAYS—38.

Allen,	Faulkner,	Kyle,	Ransom,
Bate,	George,	Lindsay,	Roach,
Berry,	Gibson,	McLaurin,	Smith,
Blackburn,	Gorman,	Martin,	Turpie,
Blanchard,	Gray,	Mills,	Vest,
Caffery,	Hill,	Mitchell, Wis.	Vilas,
Call,	Hunton,	Murphy,	Voorhees,
Cockrell,	Irby,	Palmer,	White.
Coke,	Jarvis,	Pasco,	
Daniel,	Jones, Ark.	Pugh,	

NOT VOTING—17.

Brice,	Harris,	Pettigrew,	Wilson,
Butler,	Hoar,	Quay,	Wolcott.
Camden,	McPherson,	Sherman,	
Cameron,	Morgan,	Stewart,	
Gordon,	Morrill,	Walsh,	

So the amendment was rejected.

Mr. ALLEN. I move to add to paragraph 182 the proviso which I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. Add to paragraph 182, on page 42, the following:

Provided, however, That the bounty provided in said act shall stand unrepealed to the extent that there shall be paid to the producer of sugar, from beets, sorghum, or sugar cane, grown in the United States in the year 1894, or from maple sap produced in the United States during the year 1894, under license for 1894, and subject to the limitations now imposed by law, on all sugars testing not less than 90° by the polariscope, nine-tenths of 1 cent per pound, and upon sugar testing less than 90° by the polariscope and not less than 80°, eight-tenths of 1 cent per pound.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Nebraska.

Mr. ALLEN. I offer this proviso because I believe it to be just, if the bill takes effect immediately or the 1st of August, that the producers of domestic sugar who have made their contracts for the year 1894 on the basis now allowed by law shall be granted something in the form of a diminished bounty to protect them from the injury arising from the operation of the bill.

Mr. HILL. I desire to have the amendment read again.

The Secretary again read the amendment.

Mr. HARRIS. Does the Senator from New York wish to address the Senate on this question?

Mr. HILL. I do desire to speak at length if——

Mr. HARRIS. I rose for the purpose of moving to lay the amendment on the table.

Mr. MANDERSON. Mr. President——

Mr. HILL. If this side of the Chamber is disposed to follow the view of the committee I do not desire to inflict any remarks upon the Senate; but if there is a disposition to put the proviso upon the bill at this stage after the vote of yesterday, I then desire to address the Senate at considerable length.

Mr. HARRIS. I have not consulted the committee, but as a member of the committee I move to lay the amendment on the table.

Mr. HILL. All right.

Mr. MANDERSON. Mr. President——

The VICE-PRESIDENT. The question is not debatable.

Mr. MANDERSON. I ask unanimous consent to appeal to

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he Senator from Tennessee to permit me to address myself to this amendment. Certainly it can not be charged that I have wasted any time in this debate. I desire to address myself to it, because I think it a matter of very great importance and one that should be understood by the Senate before the vote is taken.

Mr. HARRIS. I do not know how to resist such an appeal as the Senator from Nebraska makes, and yet I regret that he makes it. However, I withdraw the motion, and give notice that I shall renew it if I can get the floor when the Senator from Nebraska has been heard.

Mr. ALLEN. If my colleague will yield to me when he concludes, I desire to be heard before the motion is finally put.

Mr. MANDERSON. Mr. President, I shall not take the time of the Senate at any great length, for I certainly have no desire to prolong this debate. Yet, I can not let this amendment go without at least an attempt to show its entire fairness and its honesty. Unfortunately, perhaps for myself rather than for my colleague, I do not always find myself in accord with him, but in the proposition to thus amend paragraph 182 he and I are in entire accord.

Now, why should this be done? Let me recall for a moment the condition of the law and the action had under the inducement of the law. By the act of 1890, commonly known as the McKinley law, there was offered to those who should produce sugar from cane, sorghum, or beets, 2 cents per pound. I shall not take the time to refer to the particular essentials of that law. One essential was that at the beginning of the year those who proposed to produce sugar and obtain for themselves the benefit of this bounty should make an application to the Treasury Department for license.

The beet and the cane producers of the country in the beginning of 1894 made their application for license, and such licenses were issued to them. They proceeded, at least so far as the beet sugar manufacturers of the country are concerned, to make those contracts which are absolutely essential for the conduct of their business.

You can not run a beet-sugar factory without the sugar beets from which the saccharine matter shall be produced. You can not obtain the sugar beets by the usual processes of going into a market after the articles are produced. For the very existence of these factories it is necessary to do what they did this year, and what they did every year since 1890. They go to the farmers of their vicinity and make contracts to take from them the entire superproduct of their farms for the current year.

In the spring of 1894, having obtained the licenses to which I have referred, the owners of the sugar factories made their contracts with the farmers in the vicinity by which they agreed to pay $5 per ton for every ton of sugar beets produced and delivered at their factories. It takes about 5,000 acres to grow the sugar beets necessary to run a factory. Take the two factories in the State of Nebraska at Norfolk and at Grand Island. Their contracts are for over 10,000 acres of product of beets, producing about 15 tons to the acre. Because of the provisions of the McKinley law, under which they have been fostered and under which they have grown, they made the contracts at $5 per ton of beets.

Mr. HANSBROUGH. When are the contracts made?

Mr. MANDERSON. The contracts are made early in the spring, before seeding, and as a rule the seed is transmitted to the farms and distributed among them by the owners of the beet-sugar factories. That was the case this year. The contract at $5 a ton for sugar beets thus produced was made, I say, because of the McKinley act. That contract which existed between the Government of the United States and those who should produce sugar, we, as I think dishonestly, as the representatives of the people of the United States, have torn from the statute books by the action upon this bill; but under that contract and under that law these men have agreed to pay $5 per ton for sugar beets. Under this proposed act beets will be worth but $4 a ton. Beet sugar can not be produced except at a loss to the producer if he pays a penny over $4 per ton.

I have no question, Mr. President, but that the six beet-sugar factories in California, Nebraska, and Utah have probably contracted for 5,000 acres of sugar beets each, making 30,000 acres of sugar beets, which at 15 tons to the acre would be 450,000 tons of sugar beets, and contracted to pay, because of the McKinley law and the contract within it, $1 per ton more than those beets are worth if this proposed act goes into effect on the 1st day of August, 1894.

Mark it, Mr. President, the sugar-beet product goes to the factories, at least in the State of Nebraska, during the months of August and September.

The sugar-making begins in the month of October and extends through November and December. Yet it is proposed that these parties shall be left out in the cold and that there shall be no compensating or equivalent payment which shall at least in part equalize their losses by reason of their action under the McKinley law.

Now, this nine-tenths of 1 cent per pound to be paid for sugar produced from beets or cane where the sugar beets or the sugar cane had been grown within the year 1894, I say is simple, plain honesty on the part of this Government. It would be an outrageous thing to leave these men in the position in which they they will be left if the bill shall be passed without the amendment proposed by my colleague.

I am not familiar with the condition as to sugar cane, but I am told that in Louisiana also contracts are made in advance of the crop for the delivery of sugar cane at a particular time, and it applies with equal force to those who propose to produce sugar from sugar cane. But be that as it may (as to that matter, the Senators more directly interested in that industry can give light to the Senate), I say that this——

Mr. CAFFERY. Will the Senator from Nebraska allow me to make a suggestion to him?

Mr. MANDERSON. Certainly.

Mr. CAFFERY. I will state that in Louisiana the sugar cane has already been purchased. Not only have contracts been made in my State predicated upon the giving of the bounty for this year as foreshadowed and stated in the report of the Senate Finance Committee, which proposition of the committee was stricken out by a vote yesterday, but in order to prepare for the changed conditions resulting from a large decrease of the tariff the planters of that State have invested twice the amount they had done in any year heretofore for such machinery as will bring about the best results in extraction and evaporation.

Mr. MANDERSON. I can vouch for the truth of that statement, if such vouching were needed. During the present session of Congress I visited the State of Louisiana and I went along that beautiful country known as the Bayou Teche, where the large sugar plantations are located. I was amazed to see the immense strides which had been made in the direction of improved machinery and larger works during the present year and the year 1893. There is no question about it.

Vast as the investment was in Louisiana in amount in machinery, in mills, in stock of all description necessary for the growing of cane and the making of sugar, I have no question but that during the years 1893 and 1894 there has been an increase of from 25 to 30 per cent in value in investments, largely made because of the provisions of the McKinley law. As to the beet-sugar factories, they have grown from nothing to the proportions I depicted in my remarks a few weeks ago when this matter was before the Senate as in Committee of the Whole.

Mr. President, the Senate has struck a staggering blow to the beet-sugar industry of this country by the provisions of the present bill. By the maintenance, as I believe, of the bounty of the McKinley law, even a diminishing bounty which I submit is not full fair treatment—but even under a diminishing bounty such as was contained in one or two of the amendments I proposed in the Senate as well as in Committee of the Whole, this industry might be sustained. But with this low duty on sugar, with this deprivation of bounty, with this taking from these factors anything that is remunerative, anything that is in the shape of partial repayment for the contracts they have made because of the provisions of the McKinley law, I believe the last blow will be struck at the effort to produce sugar from beets in this country.

Mr. President, I shall not take the time of the Senate further. Lengthy argument might be made; reasons much stronger than I have produced might be brought forward in favor of this amendment. I earnestly hope that the Senate will adopt the amendment proposed by my colleague.

The PRESIDING OFFICER (Mr. COCKRELL in the chair). The question is on agreeing to the amendment of the Senator from Nebraska [Mr. ALLEN].

Mr. HILL. What has become of the motion of the Senator from Tennessee?

The PRESIDING OFFICER. The motion was withdrawn. The question is on agreeing to the amendment.

Mr. CAFFERY. Mr. President, I desire to say something upon the amendment. I have not occupied the time of the Senate in the discussion of the sugar schedule or any other schedule, nor do I intend at this time to weary the Senate with any extended remarks of mine on this question.

I made a suggestion to the Senator from Nebraska which presents to my mind an equitable consideration why the Senate should vote for this amendment. There has been a very considerable struggle in regard to the sugar question. It has been repeatedly stated on the floor of the Senate that there was a kind of compulsion on the part of certain Senators in sustaining any duty whatever upon sugar.

A number of Senators have stated that if they had their own choice about the matter they would vote against any tariff what-

ever upon sugar. With those opinions I have no sort of quarrel. With the independent views of any Senator upon this floor in regard to any principle of political economy or any question affecting the tariff, I have no kind of criticism.

But after this contest had continued for a long time the Senate Finance Committee brought in a report which placed a tariff of 40 per cent ad valorem upon sugar, with an additional eighth of a cent on refined sugar and with an additional tenth to compensate for the bounty paid by the exporting countries, and with an extension of the time for the repeal of the McKinley act to the 1st of January, 1895. That was done in order that the planters who had gone on under a belief and just expectation that the bounty would be continued should not be cut off without a shilling, because their crops and all their expenses and engagements were predicated upon the continuance of the bounty for at least the present year. Now, I understand, under objection that the planter would get the tariff and the bounty too, it was proposed to add to the tariff just such an amount as would come up to the bounty under the McKinley act.

Mr. CHANDLER. May I ask the Senator from Louisiana a question?

Mr. CAFFERY. Yes, sir.

Mr. CHANDLER. Were not the expenses incurred predicated upon the continuance of the bounty to 1905, and has not the Senator already voted to repeal the bounty?

Mr. CAFFERY. I have voted to repeal the bounty, and if that question comes up again I shall vote to repeal the bounty another time. I do not believe in bounties, nor did I ever believe in bounties. But there is a principle beyond bounties——

Mr. CHANDLER. Will the Senator from Louisiana allow me?

Mr. CAFFERY. There is a principle higher than bounties. It is a principle perhaps with which the Senator from New Hampshire has very little acquaintance. It is the principle of justice and the principle of equity.

Mr. CHANDLER. Will the Senator from Louisiana allow me a question?

Mr. CAFFERY. Yes, sir.

Mr. CHANDLER. I pass over the Senator's sugar-plantation manners and ask him if the principle is that of a contract, why the contract should not be fulfilled to the letter, and why it should be partially repealed and partially observed?

Mr. CAFFERY. I have never had the hardihood, and I hope I never shall have the hardihood, to assert that a bounty given by a government to any pursuit followed by the citizens of that government, whether it be a direct bounty or an indirect bounty, in the way of a tariff upon imports, forms a contract. There is no contract about it. It has none of the features of a contract. It is a mere gratuity of the government, revocable at any period when the government may choose to revoke it.

I desire to attract the attention of the Senate, however, not to a contract which never existed, but to certain principles of justice and equity, and especially to the fact that after the committee had reported the bill the planters of my State, and the beet-growers throughout the United States, relying upon the promise implied in that report, arranged their whole business with reference to the tariff proposed in that report and to the continuance of the bounty until 1895. This is simply a question of justice. The amendment of the Senator from Nebraska is founded upon that principle, and that principle ought to obtain. It is not a principle of tariff; it is not a principle of bounty; but it is the fact that the proposed action of the Senate lately induced people to undertake certain expenses and certain engagements, and now it is intended to destroy them.

Mr. President, I have stated my position upon the question of bounty. I do not wish to restate it. It would not be inconsistent in me to ask for a maintenance of the bounty during the whole period. It would not imply that I indorsed the principle of giving that bounty. Neither the Senator from New Hampshire nor anybody else could draw that conclusion. So the Committee on Ways and Means of the other House, in the original draft of the bill, proposed a continuation of the bounty, and I suppose the members of that committee have as much conception of the bearing of contracts and the operation of bounty laws as anyone else. With my view of the exceeding equity and good faith which ought to be observed toward those who have undertaken large expenses on account of the promise held forth by the Senate committee, I believe that the amendment of the Senator from Nebraska ought to prevail.

Mr. MITCHELL of Oregon. Will the Senator from Louisiana allow me to ask him a question?

Mr. CAFFERY. Certainly.

Mr. MITCHELL of Oregon. Would not the argument the Senator has just made so ably, based as it is upon principles of common justice, lead him and every other man who believes in the argument to vote to the bitter end to sustain the bounty for the time fixed in the law?

Mr. CAFFERY. I do not quite agree with that opinion. We have the terms of a diminishing bounty before us.

Mr. HARRIS. The Senate ought to understand, and every Senator ought to understand, that whatever disposition is to be made of the sugar question will require the concurrence of the two Houses. As the schedule stands in the bill to-day it is as open as any amendment can possibly make it. Both Houses of Congress will sit in judgment and determine what its fate is to be in the future. Inasmuch as we have had very voluminous and exhaustive discussion on the sugar question, and in view of the great anxiety of nine-tenths of the Senate to dispose of the matter, I move to lay the amendment on the table.

Mr. CHANDLER. I ask unanimous consent to make just as long a speech on the merits of the proposition as the Senator from Tennessee has made as a prelude to moving to lay the amendment on the table.

Mr. HARRIS. If the Senator from New Hampshire will limit himself to the same number of seconds, I will withdraw the motion.

The PRESIDING OFFICER. The Senator from New Hampshire will proceed, the motion being withdrawn.

Mr. CHANDLER. The last time I heard the Senator from Louisiana speak he was denouncing a bounty. The last time I heard his colleague speak he was denouncing a bounty. They denounced it as a wicked invention of the Republican party. Now, the senior Senator from Louisiana gets up and demands a continuance of the bounty and says it is a contract. The Senator says, not that it is a contract of Congress——

Mr. CAFFERY. Will the Senator from New Hampshire pardon me?

Mr. CHANDLER. Yes; if it does not come out of my time. [Laughter.]

Mr. CAFFERY. The Senator appears to get himself somewhat mixed in regard to what I stated. I have never upheld the principle of a bounty.

Mr. CHANDLER. That is what I said.

Mr. HALE. But its application.

Mr. CAFFERY. I have always denounced the principle of the bounty. I have maintained as a principle of equity and justice that the bounty should not be cut off all at once. If that is not making a clear distinction between a fact and an abstract principle, I am incapable of making one.

Mr. CHANDLER. The Senator from Louisiana only makes his case worse the longer he talks. He is now speaking for a bounty. He was then denouncing a bounty. He says that a bounty promised by a solemn act of Congress to last until 1905 can be blotted out at a moment's notice and nobody has a right to find fault.

But when a Democratic committee comes in here with a proposition, he says that is a contract. He says the planters of Louisiana have adapted themselves to the report of the Democratic members of the Finance Committee, and therefore it is a great wrong, inequitable, and an outrage not to carry out the promise of the Democratic Finance Committee. Mr. President, that is a contract. A solemn act of Congress is not a contract. If the Senator thinks he can justify that distinction I will leave him to the Senator from Tennessee to elucidate it.

Mr. HARRIS. I shall elucidate it by renewing my motion to lay the amendment on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Tennessee to lay on the table the amendment of the Senator from Nebraska [Mr. ALLEN].

Mr. MANDERSON. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. McPHERSON (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL].

Mr. PETTIGREW (when his name was called). I am paired with the junior Senator from West Virginia [Mr. CAMDEN].

Mr. PUGH (when his name was called). I am paired with the Senator from Massachusetts [Mr. HOAR]. I should vote "yea" if he were present.

The roll call having been concluded, the result was announced—yeas 50, nays 22; as follows:

YEAS—50.

Bate,	Frye,	Jones, Ark.	Ransom,
Berry,	Gallinger,	Lindsay,	Roach,
Blackburn,	George,	Lodge,	Smith,
Brice,	Gibson,	McLaurin,	Teller,
Chandler,	Gorman,	Martin,	Turpie,
Cockrell,	Gray,	Mills,	Vest,
Coke,	Hale,	Mitchell, Oregon	Vilas,
Cullom,	Hansbrough,	Mitchell, Wis.	Voorhees,
Daniel,	Harris,	Morgan,	Walsh,
Dixon,	Hill,	Murphy,	Washburn,
Dolph,	Hunton,	Palmer,	White.
Dubois,	Irby,	Pasco,	
Faulkner,	Jarvis,	Power,	

NAYS—22.

Aldrich,	Carey,	McMillan,	Proctor,
Allen,	Davis,	Manderson,	Quay,
Allison,	Hawley,	Patton,	Sherman,
Blanchard,	Higgins,	Peffer,	Squire.
Caffery,	Jones, Nev.	Perkins,	
Call,	Kyle,	Platt,	

NOT VOTING—13.

Butler,	Hoar,	Pugh,	Wolcott.
Camden,	McPherson,	Shoup,	
Cameron,	Morrill,	Stewart,	
Gordon.	Pettigrew,	Wilson.	

So the amendment was laid on the table.

Mr. ALLEN. I move to strike out paragraph 555, on page 109, and insert:

Paintings, in oil or water colors, and statuary, not otherwise provided for in this act, 15 per cent ad valorem; but the term "statuary" as herein used shall be understood to include only such statuary as is cut, carved, or otherwise wrought by hand from a solid block or mass of marble, stone, or alabaster, or from metal, and as is the professional production of a statuary or sculptor only.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Nebraska [Mr. ALLEN].

Mr. ALLEN. In 1883, in the House of Representatives, a petition was presented asking that this style of art be put on the free list. A speech was made by Mr. Perry Belmont, of New York, at that time, and is found on page 133, Appendix of the RECORD, following the proceedings from February 20 to March 3, 1883, Forty-seventh Congress, second session, and contained in the same volume. The petition was signed very numerously by a certain class of people in New York, who are in the habit of buying pictures and paintings by the hundreds and thousands and even millions of dollars' worth, and asked that all foreign paintings of every kind and all foreign statuary should be admitted to this country free.

I hold in my hand the original petition, which was presented by Mr. Belmont to the House of Representatives at that time, and I desire to say that all of the names which are signed to the petition are not to be found in the RECORD. I shall not consume the time of the Senate at this late hour by reading all of the names, but I wish to read two or three which do not appear in the RECORD. I find attached to the petition one name which does not appear as it is printed in the RECORD. It is that of Cornelius Vanderbilt. I find another, the name of Russell Sage; and still another, Jay Gould. The petition is signed by a great many other names of people of like publicity, praying that the higher class of imported statuary and art be placed upon the free list. Congress yielded to that request; the articles were placed on the free list.

In 1890, in the McKinley act, it was provided that all this kind of art and statuary which is brought into this country for the purpose of being used in schools, academies, and public places shall be admitted free, but if it is brought here for the purpose of being placed in a private residence, and the poor excluded from observing and enjoying it, then it is to be taxed 15 per cent ad valorem, as I recall the act.

I desire to say that all the cheaper lithographs and chromos which enter the poor man's home in this country are required to pay a tax of 25 per cent ad valorem. The cheap picture that hangs upon the wall of the home of the laboring man or the poor man or the man in common life pays a tax, while the pictures owned by the rich men which hang in private parlors where the public are excluded and which the public never see are suffered to come in absolutely free.

Mr. KYLE. Will the Senator from Nebraska allow me a question right there?

Mr. ALLEN. Certainly.

Mr. KYLE. Have not some of these paintings, imported by the rich people of New York and Boston, cost in the neighborhood of $100,000? The duties remitted by placing these articles upon the free list will amount to $15,000 or $20,000 in the case of certain paintings.

Mr. ALLEN. The revenue derived last year was three hundred and thirty odd thousand dollars at the low rate put on such articles by the McKinley act.

Mr. KYLE. I mean to say that an individual in New York City will save $15,000 or $20,000 in duties on a single picture.

Mr. ALLEN. Certainly. I have no objection to any man upon the face of the earth enjoying a good picture. The other day the Senator from Missouri [Mr. VEST] gave us a wonderful description of the effect of art upon the people. He said it is a great educator. I admit that; but I want every American citizen to be able to enjoy the same privileges that any other citizen enjoys.

Mr. GRAY. I ask the Senator from Nebraska whether the amendment he proposes exempts from duty pictures and statuary of the kind described which are imported for the use of public institutions.

Mr. ALLEN. Not at all.

Mr. GRAY. Does not the Senator think those ought to be exempted?

Mr. ALLEN. I think every piece of statuary and every painting that is brought into this country to be put upon public exhibition in our schools, our museums, or other places of public resort ought to be admitted free, and it ought to be free simply because the people have an opportunity to enjoy the education that is to be derived from it. But when they are taken and closed up in the private parlors of the extremely rich, where the great mass of the people can not see them, equity and justice declare that they shall bear their proportion of taxation.

Mr. President, I presented this question in the Senate as in Committee of the Whole, and I present it here. As a disinterested neighbor, I offered the Democratic party another opportunity to save its political life. I offer it here again. I tell you when the masses of the voters of this country understand that pictures worth a hundred thousand, or two hundred thousand, or three hundred thousand dollars are hanging by the millions of dollars' worth in private parlors in New York and Boston and Philadelphia, where the public will never see them either for money or for love, and that on the cheap picture of the Virgin Mary, which hangs upon the wall of the humble man, there is a duty of 25 per cent ad valorem, they will turn out of power a party which permits anything of that kind, and they ought to do it.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Nebraska [Mr. ALLEN].

Mr. ALLEN and Mr. KYLE called for the yeas and nays, and they were orderd.

The Secretary proceeded to call the roll.

Mr. MCPHERSON (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL].

Mr. PUGH (when his name was called). If I were not paired with the senior Senator from Massachusetts [Mr. HOAR] I should vote "yea."

The roll call was concluded.

Mr. SHOUP. I am paired with the senior Senator from California [Mr. WHITE].

The result was announced—yeas 24, nays 41; as follows:

YEAS—24.

Allen,	Dubois,	Kyle,	Perkins,
Bate,	Gallinger,	McLaurin,	Power,
Berry,	George,	Martin,	Proctor,
Carey,	Gray,	Mitchell, Oregon	Teller,
Cockrell,	Irby,	Morgan,	Turpie,
Coke,	Jarvis,	Peffer,	Walsh.

NAYS—41.

Aldrich,	Dolph,	Lindsay,	Ransom,
Allison,	Faulkner,	Lodge,	Roach,
Blackburn,	Frye,	McMillan,	Smith,
Blanchard,	Gibson,	Manderson,	Squire,
Caffery,	Hale,	Mitchell, Wis.	Vest,
Call,	Hansbrough,	Murphy,	Vilas,
Chandler,	Harris,	Palmer,	Voorhees,
Cullom,	Hawley,	Pasco,	Washburn.
Daniel,	Higgins,	Patton,	
Davis,	Hunton,	Platt,	
Dixon,	Jones, Ark.	Quay,	

NOT VOTING—20.

Brice,	Gorman,	Mills,	Shoup,
Butler,	Hill,	Morrill,	Stewart,
Camden,	Hoar,	Pettigrew,	White,
Cameron,	Jones, Nev.	Pugh,	Wilson.
Gordon,	McPherson,	Sherman,	Wolcott.

So the amendment was rejected.

Mr. ALLEN. I offer as paragraph 683½ what I send to the desk.

The Secretary read as follows:

683½. All fencing wire, 10 per cent ad valorem.

Mr. ALLEN. I desire to state that I am informed a small tax on wire, much less than half the present tax, will be entirely satisfactory to the Senator from Illinois.

Mr. HARRIS. I beg to suggest to the Senator that to number the paragraph 683½ would place it in the free list. The Senator must place his amendment somewhere else, if he proposes to place a duty upon wire.

Mr. ALLEN. I suggest that it be inserted as paragraph 124½.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Nebraska [Mr. ALLEN] to insert as paragraph 124½ what has been read.

The amendment was rejected.

Mr. ALLEN. I now offer the same amendment, changing the rate to 15 per cent; so as to read:

All fencing wire, 15 per cent ad valorem.

Mr. HILL. What is the House rate?

Mr. CULLOM. The House rate is, I think, 30 per cent ad valorem.

Mr. HAWLEY. I wish to suggest that if it be supposed that the wire is made from imported rods, the duty fixed upon them by the other House was 25 per cent, and now on rods valued at 4 cents or less per pound the rate is four-tenths of a cent per pound, which I suppose approximates the 25 per cent ad valorem. So we are putting a heavier duty upon the rod of which the wire is made than we put upon the wire itself. Under those circumstances the foreigner would ordinarly export to us the wire.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Nebraska [Mr. ALLEN]. [Putting the question.] The noes appear to have it.

Mr. ALLEN. I call for the yeas and nays.

The yeas and nays were not ordered.

The VICE-PRESIDENT. The amendment is rejected.

Mr. ALLEN. I move to insert the following:

124½. All fencing wire, one-quarter of 1 cent per pound.

The PRESIDING OFFICER (Mr. FAULKNER in the chair). The question is on agreeing to the amendment proposed by the Senator from Nebraska.

The amendment was rejected.

Mr. ALLEN. I move to insert the following:

124½. All fencing wire, one-half of 1 cent per pound.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Nebraska.

Mr. ALLEN. I should like to ask the senior Senator from Illinois whether the rate I now propose is not satisfactory to him.

Mr. CULLOM. I am unwilling to accept the amendment, so far as I am concerned. I do not think it is enough. It would not give the protection necessary to enable this industry to carry on its business. I hope the amendment will be voted down.

Mr. ALLEN. In view of the fact that the opposition to this measure is particularly the work of the junior Senator from Illinois [Mr. PALMER], I should like to know whether he thinks it is enough.

Mr. PALMER. I will answer the question of the Senator from Nebraska in a moment. This question is one eminently proper for adjustment by a conference committee. It applies to the whole class of wires, and I have no doubt that it will be properly adjusted in conference. This single proposition, which goes to fence wire alone, is likely to disturb the whole arrangement in regard to wires, and therefore, in my judgment, my friend from Nebraska will find his interest entirely safe in the hands of the committee of conference.

Mr. ALLEN. So far as I am concerned I do not propose to trust my interests to the conference committee, if I can avoid it. The other day, before the bill was reported from the Committee of the Whole to the Senate, I asked the Finance Committee in charge of the measure if, after the bill was reported to the Senate, they would report an amendment placing barbed wire upon the free list. The Senator from Arkansas told me he would do it. I supposed at that time that the amendment would come with the force of a committee amendment and that Senators upon this side, whose consciences have been bound so tightly by the Democratic caucus, would feel under obligations to follow their committee as they have followed it upon everything else. But in the simplicity of my soul I myself offered the amendment.

The committee did not offer it, and therefore these gentlemen, who have been following the Finance Committee as sheep follow a bellwether, broke away immediately upon the offering of the amendment by myself, and were no longer bound by it because it was not a committee amendment, although it was the mere difference between tweedledum and tweedledee. I do not know whether the Senator from Illinois [Mr. PALMER] was instrumental in sowing the seeds of dissatisfaction and discontent upon this side and destroying the interests of the farmers of my State and of the Missouri Valley, but some person seems to have done the work very effectually.

I am not willing to trust my interests or the interests of my people in the hands of the conference committee. If the conference committee look after the interests of the Missouri Valley no better than the Finance Committee have looked after them, then God save the people of the Missouri Valley country. Almost every interest that they have in the bill has been ruthlessly stricken down at the demand and request of some person in some other section of the country. The farmers' interest in the bill has not been cared for. They have been the victim of so-called reform legislation in the bill. Every weight and every burden that could be placed upon them has been placed upon them. Now, the Senator from Illinois says to me, "Let this matter go to the conference committee." I presume it will go there, however, in spite of me. He says let it go to the conference committee, and that the conference committee will take care of our interests. If they take care of my interest no better than the Finance Committee have done, I shall have no interest taken care of when the conference committee get through with it.

I say that I have reason to believe that the Senators from Illinois have expressed themselves to the effect that a tax of half a cent a pound is all they want upon barbed wire to protect the industry.

Mr. PALMER. Will my friend from Nebraska allow me? Whenever I have an opinion which it is desirable that any gentleman shall know, he will ask me what I have said. I do not consent to this second hand method of reporting my wishes. I am not seeking great protection; but I prefer, if the Senator from Nebraska will allow me to do so, to speak for myself.

Mr. ALLEN. The Senator from Illinois does not deny that one-half of a cent would be ample protection. He says he simply desires to speak for himself. If it be true that one-half of a cent is ample protection, the farmers of the West must be taxed to support Illinois industries, and the Senate proposes to put upon the backs of the farmers of Nebraska and Kansas and the Dakotas a tax that you may build up Springfield and Chicago at their expense, and you have built it up. Every dollar you have in Chicago you raid out of the Western country.

Mr. CULLOM. Will the Senator from Nebraska allow me to make one remark? I desire to say to the Senator that the proprietor of one establishment in my State, in a letter which I have somewhere (I do not think I have it here with me), stated to me that in order to keep his establishment in operation and his men employed during the last year he has had to lose $22,000 in the manufacture of barbed wire. Probably the Senator's State has received the benefit of most of it.

Mr. ALLEN. I suppose if that is true, then the million and a half people in the State of Nebraska must pay. You want to put this tax upon my people to fill the pockets of your people; and the Committee on Finance are assisting you in doing it.

Mr. CULLOM. The people of Nebraska are getting barbed wire cheaper at present than if the law giving this protection were not in force.

Mr. ALLEN. I do not believe that. The Senator advocates the doctrine of a protective tariff. Protection against what? Protection against the importation of barbed wire, which will force down the price of barbed wire. That is the argument the Senator has been using in the Senate for the last four or five months. He asks protection so that the manufacturers can keep up their prices. That is what they want it for; that is what both the senior Senator from Illinois and the junior Senator from Illinois have said. I say that by some kind of missionary work with the Finance Committee and upon this side of the Chamber they propose to permit the manufacturers to put their hands into the pockets of the people of my State and take their money out and build up the private fortunes of those manufacturers.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from New Hampshire?

Mr. ALLEN. Certainly.

Mr. GALLINGER. I have listened with a good deal of interest to the eloquence of the Senator from Nebraska in his advocacy of the interests of the farmers. I wish to ask him if he thinks he voted in the interest of the farmers when, a few minutes ago, he voted against my motion to increase the duty on hay, the largest agricultural product of the United States?

Mr. ALLEN. You can buy hay for 50 per cent less than the amount of the tax the Senator from New Hampshire offered here. I can buy as good hay as the Senator has in the State of New Hampshire for less than the tax he proposed to put upon hay.

Mr. GALLINGER. Everyone knows that is not true.

Mr. ALLEN. I can go into the State of Nebraska and the State of Kansas and in those States buy good hay for $2 a ton, and the Senator's proposed tax was $3. Of course the farmer needs protection against the pauper hay of Canada when hay only brings him $2 a ton!

Mr. GALLINGER. Inasmuch as under a duty of $4 a ton, $1,000,000 worth of hay was imported into the United States last year, I can not for the life of me understand the philosophy of the Senator from Nebraska.

Mr. ALLEN. It is a matter of indifference how I voted upon the question of hay; it has no pertinency to the question of a tax upon wire. The worst corporation in the United States and the corporation that did the farmers of this country more injury than any other was the Washburn & Moen Manufacturing Company, a company which, through monopoly and through patents, held its hands upon the throats of the farmers of this country for years and took millions and millions of dollars from them unlawfully. The Chicago and Springfield enterprises are a part and parcel of a trust which undertakes to fix the price of this commodity to the farmers.

When the Senators from Illinois stand here and ask for pro-

tection upon barbed wire, they simply ask the Senate to become *particeps criminis* to the scheme of the trust. You want to continue your power and take money from the people of my State for the purpose of building up your own people and your own private enterprises, and the committee has assisted you in doing it.

Mr. VEST. I wish to say a word in regard to the very unpleasant statement made by the Senator from Nebraska as to a matter with which I had no personal connection.

When the amendment in regard to barbed wire was adopted by the Senate as in Committee of the Whole, my colleague upon the committee, the Senator from Arkansas, stated, as the RECORD will show, that he had the amendment in his charge and would offer it in the Senate, but that he did not propose to put it into the Senate until after other amendments had been disposed of. The Senator from Arkansas states to me that he afterwards went to the Senator from Nebraska and spoke to him in regard to the amendment, as he was specially interested in it, and it was concluded that the Senator from Nebraska should offer it instead of its coming from a member of the Finance Committee. Of this conversation I knew nothing until afterwards. The Senator from Nebraska offered the amendment. It excited considerable opposition, and was defeated. I voted with him to put barbed wire on the free list, and have voted three times to that effect.

Now the Senator from Nebraska, smarting under this defeat, to which I was not a party, attacks the Finance Committee and denounces them because they have done nothing for the agriculturists of the Northwest and especially of Nebraska.

Mr. President, I represent a larger agricultural State than Nebraska, with larger agricultural products in every direction. A barbed-wire factory, even larger than that in Joliet, Ill., is located in St. Louis. Now, in the face of my action here in voting to put barbed wire on the free list, the Senator from Nebraska without discrimination denounces the whole Finance Committee as attacking the interests of his people.

Mr. DANIEL. Will the Senator from Missouri allow me to ask him a question?

Mr. VEST. Certainly.

Mr. DANIEL. The Senator could not have voted for it unless the committee regarded it with favor.

Mr. VEST. I voted for it because it had been adopted by my vote, partially, as in Committee of the Whole, and I so voted for it in the Senate. It was not a committee amendment because——

Mr. HARRIS. If the Senator from Missouri will allow me, I think he may state that certainly a majority, and I am inclined to think every Democratic member of the Finance Committee, voted for the Senator's amendment. I know I did.

Mr. VEST. So did the Senator from Indiana, the chairman of the committee, the Senator from Arkansas, and I.

Mr. VOORHEES. Every one of us.

Mr. VEST. All of them voted for it. The amendment putting barbed wire on the free list was not a committee amendment, because it was adopted after the bill was reported. After the bill was reported from the Committee of the Whole, and was under debate in the Senate, the amendment putting all fence wire on the free list was offered by the Senator from Nebraska, not coming from the committee. What he complains of now, I understand, is something that occurred between him and the Senator from Arkansas, which led him to believe, as he supposed, that, although he offered the amendment in the Senate, it would be considered as a committee amendment.

This is all I desire to state in regard to the matter. The Senator from Nebraska acts upon his own responsibility, and I shall act upon mine. The RECORD will show whether we have honestly and fairly discharged our duty. I shall not be deterred from doing what I believe to be right, I shall not be induced to do what I believe to be wrong, by anything he says.

Mr. ALLEN. Mr. President, on Friday last, just before the Senate adjourned and before the bill was reported from the Committee of the Whole to the Senate, the Senator from Arkansas, who had the committee amendments in charge, after presenting a certain number of them and saying that he would withhold certain others, was asked by me in regard to the amendment. My statement and his reply appear in the RECORD of the 30th of June. I said:

> I hope the Senator from Arkansas will withhold for a moment. A week or possibly ten days ago all kinds of fence wire were stricken from the taxable list. I have waited up to this time to see whether the committee intend to report to place fence wire upon the free list. I have heard nothing from the committee upon the subject, and I rise to ask them why that amendment is not proposed?
>
> Mr. JONES of Arkansas. When I asked the Senate to consider the paragraphs which had been passed over, I stated to the Senate that there were a number of amendments which were immaterial in themselves, about which there could be no division, and I asked unanimous consent that the amendments might be considered by the Senate now. That amendment would not be in order regularly and fairly——
>
> Mr. ALLEN. Is the fence wire amendment among the number?
>
> Mr. JONES of Arkansas. That amendment I hold in my hand in connection with other amendments which I propose to present in the Senate. It is not proper to present them as in Committee of the Whole; it would have been a violation of what I asked of the Senate to have presented an important amendment for the consideration of the Senate as in Committee of the Whole. I move that the bill be reported to the Senate.

Mr. President, this is what occurred in the Senate in the presence of every person here, and it is the only thing which has occurred between the Senate Finance Committee and myself. It was my understanding, and the record is plain, that the Finance Committee was to report this amendment as a committee amendment, and therefore have the united strength of the Democratic party in support of its committee, according to its caucus determination. I have every reason to believe, if that committee had presented the amendment just as it was stated by the Senator from Arkansas it would be presented, that Senators who refused to vote for the amendment to-day would have felt compelled, under their caucus rule, to have supported it.

What I complain of, and the only thing I complain of—and I do not know but that it is perfectly justifiable treatment—is the committee taking advantage of my ignorance of the rules of the Senate, and passing the amendment over to me, to be introduced as an amendment offered by me as an individual Senator, and by that means releasing the Democrats from their caucus obligations to follow their committee. I have every reason to believe that if the committee had stood up and offered that amendment, not passed it over to me to offer, but had offered it just exactly as the Senator from Arkansas stated on Friday it should be offered, every Democrat who was bound by a caucus pledge would have supported it, and it would have become a part of the law of the country. That is the complaint I make, and the only complaint.

Mr. MANDERSON. Mr. President, I feel great distress of mind over the perturbed condition of my colleague, and I have such a degree of personal liking for him that I would do anything in my power to make him feel better and in happier frame. I do not think, however, that I can administer any consolation or comfort to him as to the manner of treatment he has received at the hands of his Democratic brethren. That is a matter which it is beyond my power to control. All I can do is simply to sympathize with him in his distress of mind as to the manner in which he has been treated by the committee and by the Democratic side of the Chamber.

Mr. ALLEN. I desire to say to my colleague that I am really not entitled to any sympathy. I ought to have known better. [Laughter.]

Mr. MANDERSON. I think so. [Laughter.]

Mr. ALLEN. If my colleague will withdraw his sympathy I will withdraw my claim to sympathy.

Mr. MANDERSON. Mr. President, "a burnt child dreads the fire," it is said, and I hope that my colleague having received this severe treatment at the hands of his colleagues on the other side of the aisle, will dread coalition or association with them hereafter. It is certainly well to keep clear of all entangling alliances with an enemy, and I really believe that a man who is at the head of a great party, as my colleague is, towering head and shoulders above his fellows of that party organization, should be the last man to enter into entangling alliances with the common enemy.

I think, however, I can administer a little consolation to my colleague on the subject of barbed wire and hay. If I believed with him that the constituents he and I have the honor to represent, a constituency which is of the noblest character and deserving of the very best treatment it can receive at the hands of its representatives in the Senate, were to be robbed for the purpose of pouring money into the coffers of the inhabitants of our sister State of Illinois, I should go with him in support of this amendment; but I think he exaggerates the trouble.

The duty on barbed wire is 1¼ cents per pound under the present law, and it sells for 1¼ cents per pound in the State of Illinois.

Mr. CULLOM. One and one-half cents.

Mr. MANDERSON. One and one-half cents, I am told by the Senator from Illinois. So it sells at a fourth of a cent per pound less than the duty at the place of its manufacture. A short time ago I know that there was a barbed-wire factory in the city of Omaha. I understand because of some pecuniary troubles the managers got into outside of their business, that that establishment closed its doors some time ago, and I think it does not now exist; but I think if barbed wire can be made in the State of Illinois it can be made with profit in the State of Nebraska, and I see no reason why, under a protective duty, we should not bring into that State the strands of wire that can be twisted, and make barbed wire to fence our farms.

In the State of Nebraska, however, the infliction upon the

people in the way of price is not so very grievous. With a duty of 1¼ cents per pound barbed wire sells at from 2 to 2½ cents per pound in the city of Omaha. There is not, it seems to me, a very great infliction in that.

My colleague suggested to-day that wealthy men like the Senator from Wyoming [Mr. CAREY]—I hope he is a wealthy man; though I have never heard him referred to as being a millionaire—could buy barbed wire cheaply by the carload and get it at an enormous reduction.

The difference in the retail and the wholesale price of iron and the products of iron is infinitesimal. A man pays for a carload of nails within the slightest fraction proportionately as much as he would for nails by the keg. No farmer buys a pound of barbed wire or 5 or 10 pounds of barbed wire. When my farmer constituent and my colleague's farmer constituent wants barbed wire he buys it by many rolls, in a great number of pounds, and frequently by the ton, for as a rule the farmer in Nebraska desires to fence in large tracts of land, for we in Nebraska are not small farmers; we fence in large fields; we fence in sections of land at times; and great quantities of wire are usually purchased, not small amounts.

Another consoling thought that I would give my colleague, for I do not like his distress of mind over what will result from this bill. Hay under the present law, the McKinley law, is $4 a ton, and yet my colleague says it sells for $2 a ton in the State of Nebraska. Certainly we are in a very blest condition when we can buy hay for half the amount of the tax upon hay, and yet we are told that the consumer pays the tax.

Mr. ALLEN. I have no desire whatever to interrupt my colleague——

Mr. MANDERSON. I am very glad always to have my colleague interrupt me.

Mr. ALLEN. I have no desire to criticise anything he says or to be funny at his expense, but I want to say to my colleague that in the interior of Nebraska he can buy hay for the price I stated. The difference between my colleague and me is that he lives in the city and I live in the country, where the hay is made.

Mr. MANDERSON. There is as much difference in hay as there is in men. [Laughter.] We have some very good hay in the State of Nebraska, and we have some very poor hay. No good hay can be bought in Nebraska at $2 a ton. Hay, such as is grown in the river valleys, that is of very coarse quality, can be bought probably at certain seasons for $2 a ton. Prairie hay that is of good quality, grown upon the uplands, can be bought at $2 a ton when the purchaser is stalwart like my colleague and can swing the necessary scythe or take the mower, drive it, cut the hay himself, cure it, and haul it to his place; but prairie hay of good quality is worth more than $2 a ton.

I have bought many a ton of it in the thirty years I have lived in the State of Nebraska, and I never bought prairie hay at less than $6 a ton in the city of Omaha. When you come to the cultivated hays—timothy, clover, and the mixed hays which are grown at times, you have to pay even a larger price than that.

Mr. President, I thought it well to make these suggestions that the whole truth might be known. I think much damage results from partial truths, and I feared that one of the damaging results might be that, if it were understood that hay of the best quality could be bought in Nebraska at $2 a ton, we should have an overplus of population there within a year or two which we could not take care of. [Laughter.]

Mr. JONES of Arkansas. Mr. President, I understand that during my absence for a few minutes from the Senate Chamber the Senator from Nebraska [Mr. ALLEN] has indulged in some criticism of my connection with the matter under discussion. I have tried to remain in the Senate Chamber at all times and on all occasions during the consideration of this bill. I have been out of it as rarely as possible. I was below getting something to eat, and I regret very much that the Senator saw fit to indulge in his criticisms in my absence, rather than when I was here. I do not know what he said; but I propose to state to the Senate plainly and distinctly what the facts were in connection with this matter, and if anything has been stated to the contrary it will be contradicted. If not, of course no harm will be done.

Mr. ALLEN. Will the Senator permit me there?

Mr. JONES of Arkansas. Certainly.

Mr. ALLEN. I read from the debate which appeared in the RECORD of Saturday last, which occurred on Friday, where the Senator said to me that the amendment I offered some time ago as paragraph 683½ would be reported to the Senate after the bill came back to the Senate from the Committee of the Whole. I read the Senator's language, and I then said that the Senator from Arkansas or the committee—I do not know but I used the word "committee"—gave me this amendment, that I introduced it, that it was defeated, and that the blame I laid to the Finance Committee I said was this, and I now say it again, that knowing that the Democratic caucus would not be bound by an amendment offered by me, the committee ought to have taken that amendment and offered it, so that the amendment would have secured the whole force and benefit of the entire Democratic strength on this side of the Chamber under its caucus rule. That is the substance of what I said.

Mr. JONES of Arkansas. Then I have only to say in reply that the plain statement of the facts is this: When certain amendments had been offered here, the Senator from Nebraska rose in his place, as every Senator will remember, and asked what had become of the proposition to put barbed wire on the free list. I stated that the proposed amendment to put barbed wire on the free list I had in my hand, in connection with a number of other amendments, and at the proper time it would be offered in the Senate. I did that just as I did every other thing in connection with this matter.

After I sat down I walked over to the Senator's seat and suggested to him that, in view of the fact that he had offered in the first place the proposition to put barbed wire on the free list, perhaps he would prefer to offer the amendment himself in the Senate. I did that just in the same spirit that I did to the Senator from California [Mr. WHITE], after the agreement to put grain bags on the free list, and suggested to him that he make that motion because his people were largely interested in that subject, and as he had been connected with it at the time the amendment was adopted I supposed he would like to offer the amendment.

For the same reason I went to the Senator from Nebraska, thinking perhaps that he would like to make the motion to carry out what he himself had begun, and I did not propose to take from him the credit, if there was any credit in it, of offering the amendment.

The Senator from Wisconsin [Mr. VILAS] had taken some interest in this matter and had called upon and had a conversation with the Secretary of the Treasury about putting the amendment in such form as that there would be no difficulty about its administration. He had given me the memorandum that I had.

After I had given it to the Senator from Nebraska, and he had taken it, it occurred to me on account of the connection the Senator from Wisconsin had had with the matter, that possibly he ought to have been spoken to in reference to it. I mentioned to him that perhaps he would prefer to move the amendment, and I made the suggestion to the Senator from Nebraska, and he was willing that the Senator from Wisconsin should make the proposition. I took the memorandum to the Senator from Wisconsin, and he said that he did not care about it and would prefer that the Senator from Nebraska should do it, if that Senator so desired. I then took the amendment back to the Senator from Nebraska, making a plain statement of the facts that I did it out of kindness to him, just as I had done with two or three other Senators in relation to other amendments, and just as I would have done with forty others under the same circumstances, where the amendments had not come from the committee. I suggested that the Senators who had offered the amendments as in Committee of the Whole should move them again in the Senate. I have done that with every Senator who has offered an amendment when any matter has arisen in connection with it; and that was also done with the Senator from New York to-day [Mr. HILL].

In acting as I did in the case of the Senator from Nebraska, I was simply treating him as I have treated all other Senators. When I understood there would be an effort made to defeat what was done in Committee of the Whole, I told the Senator I understood such would be the case.

When the proposition in controversy came up in the Senate, every member of the Finance Committee voted for the proposition to put fencing wire on the free list when the motion was made by the Senator.

When the Senator from Maryland [Mr. GORMAN] asked me the question as to whether it was a committee amendment, I stood up at this desk and stated that it had not been proposed by the Committee on Finance, but had been adopted by the Senate as in Committee of the Whole. The Senator from Nebraska was in his seat and heard every word of that statement and not one solitary syllable of challenge fell from his lips as to the exact facts as stated by me at the time.

I have done nothing in this matter but what a straightforward, honest, upright man would do. I have not attempted by any indirection to accomplish any purpose. I believed that the amendment would be adopted; I supposed it would be; but whether I believed it or not, I should have taken exactly the same course towards the Senator that I did take, and the same course that I have taken towards all other Senators here.

This much I have stated in defense of myself and to state the

facts aright. The Senator has no just ground of complaint against me. I have done nothing but what was right and proper.

Mr. ALLEN. Mr. President, my feeling for the Senator from Arkansas is perfectly kind, and I do not think I misrepresented him at all. I think I stated the facts just exactly as they were, but I was a little bit surprised that on Friday last, when the bill was before the Senate as in Committee of the Whole, the Senate suddenly stopped transacting business before this amendment was reached. Possibly the Senator from Arkansas will explain why the Finance Committee sought to take the bill out of Committee of the Whole before all these amendments were considered.

Mr. JONES of Arkansas. I do not understand the Senator's proposition.

Mr. ALLEN. I say the Senator took the bill out of Committee of the Whole and had it reported to the Senate before this amendment was offered. Why was not this amendment offered as in Committee of the Whole?

Mr. JONES of Arkansas. The amendment was adopted as in Committee of the Whole and was printed in the bill, as were all the balance of the amendments which were agreed to as in Committee of the Whole, and the Senator proposed to offer an additional amendment putting this article on the free list. Such amendments could only come up after the bill went into the Senate, they could not come up as in Committee of the Whole, and had no place in Committe of the Whole.

When, in the regular reading of the amendments made as in Committee of the Whole, the amendment in question was reached, it was passed over on the suggestion of the Senator from Illinois [Mr. CULLOM], if I remember aright, on account of the absence of the other Senator from Illinois [Mr. PALMER], and the statement was made that one or both of the Senators from Illinois would have something to say about it when the question came up. Then the other reserved amendments were read in regular order until completed, and when that was done we went back to the first amendment on page 1 in point of time, and went through the whole of them, reaching this amendment in its regular order.

Mr. ALLEN. The Senator does not answer my question.

Mr. JONES of Arkansas. Then I do not understand it. Let the Senator state it once more, and I will try it again.

Mr. ALLEN. I will try it again.

The proviso that was stricken out to-day on the motion of the junior Senator from Illinois [Mr. PALMER] is found on page 28 of the bill in the following language:

Provided further, That barbed wire, commonly used for fencing, shall be admitted free of duty.

Mr. President, when that question was reached in the Senate yesterday the distinguished Senator from Illinois [Mr. CULLOM] asked that it be passed over on account of the absence of his colleague [Mr. PALMER], who would be here to-day, but I think he came here probably yesterday afternoon.

Mr. CULLOM. I said that my colleague had not got to the Senate at that time, but I supposed he would be here during the day.

Mr. ALLEN. That was after the bill was reported from the Committee of the Whole to the Senate. The amendment which was offered by me to-day, and of which the Senator from Arkansas has spoken, was in the possession of the Finance Committee for days and weeks before this bill was reported back to the Senate on Friday last. My question is, when the bill was in Committee of the Whole, why did the Finance Committee stop short when it reached this amendment and not report it and have it considered by the Senate as in Committee of the Whole?

Mr. JONES of Arkansas. The amendment proposed by the Senator from Nebraska was never adopted by the Finance Committee. The amendment to which the Senator has alluded was an amendment proposed by him and adopted by the Senate as in Committee of the Whole. There was no action by the Finance Committee upon it. After the amendment was adopted as in Committee of the Whole, the Senator from Wisconsin [Mr. VILAS], as I have said, after consultation with the Secretary of the Treasury, made up this memorandum, and I kept it with other papers connected with the matter to be presented when the subject was taken up and considered; and as soon as it was regularly reached the Senator from Nebraska took the memorandum and offered the amendment, and made no complaint, and made no request in connection with the matter. I would myself have offered the amendment if the Senator had asked me to do so. I had no objection to doing it, but I turned it over to him, because I thought he would prefer to offer it on account of his connection with the matter.

Mr. ALLEN. That does not answer the question. I am going to read from the RECORD.

Mr. JONES of Arkansas. Then I do not think it can be answered.

Mr. ALLEN. I think it can be.

This is what occurred on Friday last, as found in the RECORD of Saturday:

Mr. ALLEN. I hope the Senator from Arkansas will withhold for a moment.

The Senator from Arkansas was then making a proposition to report this bill from the Committee of the Whole to the Senate when I interrupted him and made this remark:

A week or possibly ten days ago all kinds of fence wire were stricken from the taxable list. I have waited up to this time to see whether the committee intend to report to place fence wire upon the free list.

I call the attention of the Senator from Arkansas to this language:

I have heard nothing from the committee upon the subject, and I rise to ask them why that amendment is not proposed.

Here is what the Senator from Arkansas said at that time:

Mr. JONES of Arkansas. When I asked the Senate to consider the paragraphs which had been passed over, I stated to the Senate that there were a number of amendments which were immaterial in themselves, about which there could be no division—

I suppose no division of sentiment among the committee or the Senate—

and I asked unanimous consent that the amendments might be considered by the Senate now. That amendment would not be in order regularly and fairly——

Mr. ALLEN. Is the fence wire amendment among the number?

Mr. JONES of Arkansas. That amendment I hold in my hand in connection with other amendments which I propose to present in the Senate. It is not proper to present them as in Committee of the Whole; it would have been a violation of what I asked of the Senate to have presented an important amendment for the consideration of the Senate as in Committee of the Whole.

I do not know why it was not proper to present them as in Committee of the Whole. I see the President of the Senate shakes his head. I do not know what he means by that, but that amendment was in the hands of the Finance Committee for at least two weeks before the Senator from Arkansas made that expression on Friday last. What I want to know is this—and I am impugning no man with bad motives at all—why the Finance Committee, when the bill was in Committee of the Whole, did not offer that amendment and have it considered? Why was not that put in with the other amendments by the Senator from Arkansas?

Mr. JONES of Arkansas. Will the Senator permit me a minute?

Mr. ALLEN. Certainly.

Mr. JONES of Arkansas. The amendment was not offered because I was not willing to act in bad faith toward the Senate. No amendments which I proposed that day were regularly in order to be offered to the bill as in Committee of the Whole, but I suggested to the Senate that I had a number of amendments which were immaterial, mere verbal changes, amounting to nothing, and to which I presumed there would be no opposition, and I asked unanimous consent, out of order, to offer such immaterial amendments as would not be objected to. Those were the amendments that I offered. It was because no material amendment would have been in order then that the amendment to which the Senator from Nebraska refers was not offered. I have endeavored to make that plain to the Senate.

Mr. ALLEN. That may be true. I do not say it is not.

Mr. JONES of Arkansas. It is true.

Mr. ALLEN. I do not know anything about the rules of the Senate; but once in a while we have a rule which is enforced here and a great many times we have rules which are not enforced. I know of no rule or parliamentary usage which would prevent the Senator from Arkansas or the Finance Committee from introducing that amendment in the Committee of the Whole and having it considered; and I do not believe there is any.

Why was that not done? If it was an oversight upon the part of the Finance Committee—and I am willing to concede it was possibly or probably—then, when the Finance Committee realized that the Democratic caucus was only bound to follow amendments which were offered by that committee, why did not that committee assume the responsibility and offer the amendment in accordance with the promise of Friday last?

Mr. President, so far as the remarks of my colleague [Mr. MANDERSON] are concerned, I do not feel it my duty to answer everything he may say. I have but a word to say upon the subject of hay. My colleague seems to think it was remarkable that I did not vote for a tariff on hay. I simply desire to say that when I stated that hay could be purchased in the State of Nebraska for $2 a ton, I put it above rather than below the truth; for at this time of the year, or a little later, possibly a month later, a man can go into the State of Nebraska where the hay is cut and stacked, and can buy it for $1.50 a ton, and good hay at that.

Mr. DOLPH. Mr. President, I rise to call the attention of the Senator from Tennessee to the fact that it is quarter to 9 o'clock, that the Senate has been in session to-day almost eleven hours, that we are getting along very slowly, and to express the hope, if the Senator expects to have this bill passed to-night, that we shall reach a final vote before 12 o'clock, or if not that he will consent that we adjourn over to-morrow, because I should hate to see our national day desecrated by the passage of such a measure as this.

Mr. HARRIS. Nothing could be so painful to me as to give the slightest shadow of pain to the Senator from Oregon; but I think this bill ought to be disposed of finally before the Senate adjourns.

Mr. CULLOM. Or before 12 o'clock to-night.

Mr. HARRIS. And I hope every Senator will stay here until it is finally disposed of, whether it be before or after 12 o'clock.

With regard to the pending question, it seems not to be a question of policy so much as an arraignment of the Senator from Arkansas [Mr. JONES] and the Finance Committee. I do not care to go into that further than to say that the arraignment is absolutely absurd and unjust.

I move to lay the amendment of the Senator from Nebraska on the table.

The VICE-PRESIDENT. The question is on the motion of the Senator from Tennessee to lay on the table the amendment proposed by the Senator from Nebraska [Mr. ALLEN].

The motion was agreed to.

Mr. POWER. I offer an amendment which I send to the desk, to be inserted at the end of paragraph 685, in relation to wool.

The VICE-PRESIDENT. The amendment proposed by the Senator from Montana will be stated.

The SECRETARY. It is proposed to insert at the end of paragraph 685:

Provided, That this paragraph shall take effect on and after June 30, 1895.

Mr. POWER. Mr. President, this country's wool clip is now en route to market. If this amendment is adopted it will assist the wool-producers to the extent of several million dollars. The Senators on this side will not object to the amendment. It will assist the farmers in getting a better price for their wool clip of this season. I hope, therefore, the amendment will be adopted. I ask for the yeas and nays on it.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. McPHERSON (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL].

The roll call was concluded.

Mr. PALMER (after having voted in the negative). I observe that the Senator from North Dakota [Mr. HANSBROUGH], with whom I am paired is not present, and I withdraw my vote.

Mr. SMITH (after having voted in the negative). I desire to withdraw my vote, as the junior Senator from Idaho [Mr. DUBOIS], with whom I am paired, is temporarily absent from the Chamber.

Mr. DANIEL (after having voted in the negative). I am paired with the Senator from Washington [Mr. SQUIRE], and withdraw my vote.

The result was announced—yeas 30, nays 35; as follows:

YEAS—30.

Allison,	Gallinger,	Manderson,	Quay,
Carey,	Hale,	Mitchell, Oregon	Sherman,
Chandler,	Hawley,	Patton,	Shoup,
Cullom,	Higgins,	Peffer,	Stewart,
Davis,	Jones, Nev.	Perkins,	Teller,
Dixon,	Kyle,	Platt,	Washburn.
Dolph,	Lodge,	Power,	
Frye,	McMillan,	Proctor,	

NAYS—35.

Bate,	George,	Jones, Ark.	Ransom,
Berry,	Gibson,	Lindsay,	Roach,
Blackburn,	Gorman,	McLaurin,	Turpie,
Blanchard,	Gray,	Martin,	Vest,
Caffery,	Harris,	Mills,	Vilas,
Call,	Hill,	Mitchell, Wis.	Voorhees,
Cockrell,	Hunton,	Morgan,	Walsh,
Coke,	Irby,	Murphy,	White.
Faulkner,	Jarvis,	Pasco,	

NOT VOTING—20.

Aldrich,	Cameron,	Hoar,	Pugh,
Allen,	Daniel,	McPherson,	Smith,
Brice,	Dubois,	Morrill,	Squire,
Butler,	Gordon,	Palmer,	Wilson.
Camden,	Hansbrough,	Pettigrew,	Wolcott.

So the amendment was rejected.

Mr. ALLISON. I desire to call the attention of the Senator from Arkansas [Mr. JONES] and the Senator from Missouri [Mr. VEST] to paragraph 193, on page 45, relating to rice.

It will be remembered that the Senate Committee on Finance made quite a number of amendments to that paragraph, and in the course of procedure after debate in Committee of the Whole all those amendments were disagreed to. Therefore paragraph 193 stands as it came to us from the House of Representatives.

If I felt justified in taking time enough at this late hour, I am sure I could convince the Senate that the arrangement in the bill as it came from the House is an unjust one, so far as it affects those who clean rice in San Francisco and in New York City, where all imported rice practically is cleaned if imported in the uncleaned state. It has been shown that unless there is a differential of three-quarters of a cent per pound, all the uncleaned rice now imported will come in as cleaned rice, and that it will not interfere with the importations except as to their character. It has been further shown that unless a change is made in this paragraph those who are engaged in this productive industry, in those two great cities of our country, which productive industry does not interfere with any industry in the Southern States where rice is produced, will be greatly injured, if indeed their business will not be entirely destroyed.

What I ask is that an amendment of the most trivial character as to its effect upon this industry may be introduced into this paragraph, in order that it may be still further considered by the two Houses.

Mr. JONES of Arkansas. What amendment does the Senator suggest?

Mr. ALLISON. I suggest in line 13, paragraph 193, the insertion of the words "eight-tenths of 1 cent per pound," instead of 1 cent per pound for uncleaned rice. I hope that will be satisfactory to those in charge of the bill. I will add that when the bill goes into conference, if upon further investigation and examination the amendment shall seem not wise, I shall not press it.

Mr. JONES of Arkansas. We accept that amendment.

Mr. ALLISON. I move, then, the amendment I have stated.

The VICE-PRESIDENT. The amendment proposed by the Senator from Iowa will be stated at the desk.

The SECRETARY. In paragraph 193, line 13, before the words "1 cent," it is proposed to insert "eight-tenths of;" so as to read:

193. Rice, cleaned, 1¼ cents per pound; uncleaned rice, or rice free of outer hull and still having the inner cuticle on, eight-tenths of 1 cent per pound, etc.

The amendment was agreed to.

Mr. ALDRICH. I have two amendments to which I think the committee will agree. One is on page 38, paragraph 171, where, after the words "type metal," I move to insert "three-fourths of 1 cent per pound for the lead contained therein."

Mr. VEST. The Senator from Rhode Island and I disagree in regard to the facts about this matter, but I am very willing, and the committee is very willing, to accept this amendment and consider it afterwards in conference. The Senator may be right about it; I am not certain. His information is different from mine.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. After the word "metal," in line 20, paragraph 171, on page 30, it is proposed to insert "three-fourths of 1 cent per pound for the lead contained therein;" so as to read:

171. Type metal, three-fourths of 1 cent per pound for the lead contained therein, and new types, 15 per cent ad valorem.

The amendment was agreed to.

Mr. ALDRICH. On page 32, paragraph 141, line 22, the original committee amendment was 50 cents a dozen on the class of files there referred to. I move to make the rate "thirty-five" instead of "thirty cents," and I think the Senator from Missouri will find upon investigation that even that rate is too low. In any event, I should like to have it go to conference that way.

The VICE-PRESIDENT. The amendment proposed by the Senator from Rhode Island will be stated.

The SECRETARY. On page 32, in paragraph 141, line 22, before the word "cents," it is proposed to strike out "thirty" and insert "thirty-five;" so as to read:

141. Files, file blanks, rasps, and floats, of all cuts and kinds, 4 inches in length and under, 35 cents per dozen.

The amendment was agreed to.

Mr. QUAY. Mr. President, on the 16th of June, when I had the honor of last addressing the Senate on the pending measure, my remarks were interrupted when I was about to address myself to the subject of petroleum. At this stage of the bill of course I do not desire to occupy the time of the Senate in debate, and unless the managers of the bill on behalf of the majority seriously object, I ask unanimous consent of the Senate to print the remarks I had intended to deliver as though delivered on that day.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Pennsylvania?

Mr. HARRIS. I did not hear one word of the request.

The VICE-PRESIDENT. The Chair will state that the Senator from Pennsylvania requests unanimous consent to print in the RECORD certain remarks which he intended to deliver.

Mr. HARRIS. Let him do it.

The VICE-PRESIDENT. Is there objection? The Chair hears none, and the request is granted.

Mr. VILAS. I desire to propose an amendment simply to rewrite one of the sections of the pending bill on pages 192 and 193 in the form which I send to the Secretary's desk to be read, which has had the approval of Senators on both sides of the Chamber. I suppose it will lead to no discussion.

The VICE-PRESIDENT. The amendment proposed by the Senator from Wisconsin will be stated.

The SECRETARY. On page 192 it is proposed to strike out, beginning in line 20, down to and including line 7, on page 193, as follows:

SEC. 3167. That if any collector or deputy collector or other officer or internal-revenue agent acting under the authority of any revenue law of the United States, divulges to any party or makes known in any other manner than may be provided by law, the operations, style of work, or apparatus of any manufacturer or producer visited by him in the discharge of his official duties, or the amount or source of income, profits, losses, expenditures, or any information obtained by him in the discharge of such duties, he shall be subject to a fine of not exceeding $1,000 or to be imprisoned for not exceeding one year, or both, at the discretion of the court, and shall be dismissed from office and be forever thereafter incapable of holding any office under the Government.

And in lieu thereof insert:

SEC. 3167. That it shall be unlawful for any collector, deputy collector, agent, clerk, or other officer or employé of the United States to divulge or to make known in any manner whatever not provided by law to any person the operations, style of work, or apparatus of any manufacturer or producer visited by him in the discharge of his official duties, or the amount or source of income, profits, losses, expenditures, or any particular thereof, set forth or disclosed in any income return by any person or corporation, or to permit any income return or copy thereof or any book containing any abstract or particulars thereof, to be seen or examined by any person except as provided by law; and it shall be unlawful for any person to print or publish in any manner whatever not provided by law any income return, or any part thereof, or the amount or source of income profits, losses, or expenditures appearing in any income return; and any offense against the foregoing provision shall be a misdemeanor, and be punished by a fine not exceeding $1,000, or by imprisonment not exceeding one year, or both, at the discretion of the court; and if the offender be an officer or employé of the United States he shall be dismissed from office and be incapable thereafter of holding any office under the Government.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Wisconsin.

Mr. CHANDLER. When the Senator from Nebraska who sits upon the opposite side of the Chamber [Mr. ALLEN] was speaking a few minutes ago, he alluded to what he termed the "caucus committee." I think those were the words he used. I heard the expression "caucus" very distinctly. I should be very unwilling at this late hour, when we hope to dispose of this bill so that we may enjoy the day of national independence without carrying the details of the bill in our minds, to have any items slip into the bill without the approval of the caucus committee.

If the Senator from Wisconsin is authorized to make this motion—fully, completely, and totally authorized to make it, so that there is not likely to be at some time during the evening an angry discussion upon the other side of the Chamber as to whether the caucus committee fully approve of it—if the Senator will take that responsibility and say that he does not think the caucus committee will at a later stage in this debate object to this clause, then, of course, with the desire to assist the Senator——

Mr. VILAS. If the committee disapprove of it I will withdraw the amendment.

Mr. CHANDLER. I have not yielded the floor yet. If the Senator from Wisconsin will guarantee us against a lengthy debate at a later hour on this amendment, I shall make no objection; otherwise I shall ask for a full explanation of it at this time, so that when we have once settled it it shall be settled forever.

Mr. VILAS. As I have said, if the committee disapprove of it, I will withdraw the amendment.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Wisconsin.

The amendment was agreed to.

Mr. POWER. I offer the amendment which I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In paragraph 193, on page 45, after the word "cleaned," in line 11, it is proposed to strike out "1½ cents per pound," and insert "50 per cent ad valorem;" so as to read:

Rice, cleaned, 50 per cent ad valorem, etc.

Mr. POWER. By the imposition of a duty of 1½ cents a pound on rice it costs the people of the United States 3½ cents a pound, while in Montreal, in the Dominion of Canada, where there is no duty, rice can be bought for 2 cents a pound; and the same is the case in Liverpool. I offer the amendment to allow 50 per cent ad valorem, although yesterday an amendment proposing a duty of 30 per cent ad valorem on barley was voted down. I hope my amendment will be agreed to, and I ask for the yeas and nays on it.

The yeas and nays were not ordered.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Montana.

The amendment was rejected.

Mr. PETTIGREW. I offer the amendment which I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to add to the bill the following as new sections:

SEC. —. That a commission is hereby created and established, to be known as the customs commission, to be composed of five disinterested persons to be appointed by the President, by and with the advice and consent of the Senate. The commissioners appointed under this act shall continue in office six years, respectively, from the date of their respective appointments and until their successors, respectively, are appointed and qualified by the President for terms of six years, except that any person chosen to fill a vacancy shall be appointed only for the unexpired term of the commissioner whom he shall succeed. Any commissioner may be removed by the President for inefficiency, neglect of duty, or malfeasance in office. No more than three of the commissioners shall be appointed from the same political party. No vacancy in the commission shall impair the right of the remaining commissioners to exercise all the powers of the commission. The salary of such commissioners shall be at the rate of $7,000 per annum. They shall be entitled, in addition, to compensation for actual traveling and other necessary expenses in the discharge of their duties. They shall choose one of their own number to be president of the commission. They shall have power to employ a clerk, a stenographer, and a messenger, and, with the approval of the Secretary of the Treasury, such other clerical assistants as shall be necessary to the performance of their duties, and at such rates of compensation as they may establish, with the approval of the Secretary of the Treasury. Their salaries, expenses, and the compensation of the clerk, stenographer, messenger, and such additional clerical force as may thus be employed shall be paid out of any money in the Treasury not otherwise appropriated, upon the auditing of the same, according to the usual course in the Treasury Department.

SEC. —. That the commission shall establish its permanent office at the city of Washington, where it shall be at all times in the usual course of business, ready to hear or receive oral or written testimony upon all the specific subjects mentioned in this act, and generally upon everything relating directly or indirectly to customs duties and revenue.

SEC. —. That it shall be the duty of the said commission to examine into and ascertain the average price of commodities imported into the United States, both at wholesale and retail in the United States, and both in the United States and in the foreign places of production, sale, or shipment, for the period of twelve months preceding and twelve months following any change in the rate of customs duties imposed upon such commodities, and this inquiry shall be carried back for a period of twenty-five years, and more, if deemed advisable by such commission, and shall extend to all facts relating to demand and supply, domestic and foreign, which tend to influence prices of such commodities, foreign and domestic, and to aid in determining the true effect of the import duty, or of the change therein in the several cases upon domestic and foreign prices, and upon productions of the same or of other commodities, upon revenue, upon immigration, upon profits of capital, rates of wages, and the general welfare.

Second. To ascertain the amounts in quantity and value of the importation of the principal commodities during each of said periods of twelve months preceding and succeeding any such change in customs duties.

Third. To ascertain, as far as practicable, the quantity and value of the same or similar commodities produced in the United States during the same respective periods.

Fourth. To ascertain whether in any and what instances the particular rates of customs duties have operated to increase or diminish production in the United States and to cause a reduction of the first cost of articles produced for consumption, and what other causes, if any, have operated similarly.

Fifth. To ascertain in what particular rates of customs duties existing from time to time operate injuriously or favorably to the development and increase of American manufactures and productions, or operate injuriously or favorably to the consumers of such manufactured articles and productions in respect of causing or contributing to the payment of unreasonable prices by consumers, or the removal or reduction of the same.

Sixth. To ascertain the effect of the customs duties upon the price of agricultural productions of the country and their sale in United States markets and their consumption in the United States.

Seventh. To ascertain the effect of such customs duties, both actual and relative, in respect of the employment and the payment of remunerative wages, both actual and relative, to labor in the United States, and a comparison of the same with the labor and wages in other countries.

Eighth. To consider the effect of customs duties, or the absence of them, upon the agricultural, commercial, manufacturing, mining, and other industrial interests of the people of the United States.

Ninth. To ascertain and compare the actual cost and the selling price, both at wholesale and retail, of similar manufactured commodities reduced to American weights, measures, and money in the United States and elsewhere.

Tenth. To ascertain the growth and development of the principal manufacturing industries affected by the tariff schedules in England, France, Germany, Belgium, and the United States for the last twenty-five years; and to ascertain the relative cost of transportation in those countries and the United States.

Eleventh. To ascertain the trade relations of the United States with other nations and ascertain the countries where advantageous treaties can be made to advance the commercial interests of the people of the United States.

SEC. —. That for the purpose of such inquiries and investigations the commission may visit any part of the United States, and by public notice or otherwise invite testimony and information from all persons interested. They may from time to time also delegate one of their number to visit foreign countries to make investigation respecting the labor and industries of those countries whenever such investigation may be necessary to promote the objects of the commission, and they may require information concerning the labor and industries of foreign countries from consular or other agents of the United States in those countries, and such agents shall furnish the information so required promptly and without charge.

SEC. —. That the commission shall report its proceedings in respect of the matters hereinbefore in this act mentioned, together with the statistics and evidence upon which its report is based, together with recommendations for changes in customs dues which they may deem advisable and necessary.

and the ground upon which its conclusions concerning such changes have been reached, to Congress, in the month of December in each year, and at all times furnish such information as may be required to the Department of State. It shall cause the testimony and statistics taken and obtained in respect of the matters in this act mentioned to be printed from time to time and distributed to members of Congress by the Public Printer, and also shall cause to be printed for the use of Congress 2,000 copies of its annual report, together with statistics and testimony hereinbefore mentioned. It is hereby made the duty of the Public Printer to execute the printing provided for in this act.

The PRESIDING OFFICER (Mr. MARTIN in the chair). The question is on agreeing to the amendment of the Senator from South Dakota [Mr. PETTIGREW].

Mr. PETTIGREW. This amendment proposes a tariff commission to investigate the question of protection, and that it shall be a permanent bureau to report to Congress at the opening of every session. I do not care to discuss the amendment, but I desire the yeas and nays on agreeing to it.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. CULLOM (when his name was called). I am paired with the senior Senator from Delaware [Mr. GRAY]. If he were present I should vote "yea."

Mr. McPHERSON (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL].

The roll call was concluded.

Mr. PETTIGREW. I am paired with the junior Senator from West Virginia [Mr. CAMDEN]. If he were present I should vote "yea."

The result was announced—yeas 30, nays 38; as follows:

YEAS—30.

Aldrich,	Frye,	Manderson,	Quay,
Allison,	Gallinger,	Mitchell, Oregon	Sherman,
Carey,	Hale,	Patton,	Shoup,
Chandler,	Hansbrough,	Peffer,	Squire,
Davis,	Hawley,	Perkins,	Teller,
Dixon,	Higgins,	Platt,	Washburn.
Dolph,	Lodge,	Power,	
Dubois,	McMillan,	Proctor,	

NAYS—38.

Allen,	Faulkner,	Lindsay,	Roach,
Bate,	George,	McLaurin,	Smith,
Berry,	Gibson,	Martin,	Stewart,
Blackburn,	Gorman,	Mills,	Turpie,
Blanchard,	Harris,	Mitchell, Wis.	Vest,
Caffery,	Hill,	Morgan,	Vilas.
Call,	Hunton,	Murphy,	Walsh,
Cockrell,	Irby,	Palmer,	White.
Coke,	Jarvis,	Pasco,	
Daniel,	Jones, Ark.	Ransom,	

NOT VOTING—17.

Brice,	Gordon,	McPherson,	Wilson,
Butler,	Gray,	Morrill,	Wolcott.
Camden,	Hoar,	Pettigrew,	
Cameron,	Jones, Nev.	Pugh,	
Cullom,	Kyle,	Voorhees,	

So the amendment was rejected.

Mr. CULLOM. Mr. President, early in the present session I gave notice that I should offer an amendment, in the nature of a substitute for the present tariff bill, providing for the appointment of a commission, whose duty should be prescribed by the statute, to ascertain by statistics and facts the exact difference between the cost of labor in this country and in foreign countries upon all articles coming in competition with American manufacturers.

I intended latterly to offer that as an amendment to the pending bill. The vote upon the amendment of the Senator from South Dakota [Mr. PETTIGREW], just defeated, shows that there is no disposition now to adopt any commission proposition, and I have determined not to offer the amendment which I have prepared. I desire to say, however, that later in the session I shall introduce such a bill and shall ask the consideration of the Finance Committee to it, believing as I do that the sooner the Congress of the United States gets upon a specific basis of determination as to what the duties upon importations shall be, the better it will be for the business of the country.

I hope the Finance Committee will hereafter give serious attention to the question whether we can not arrive at a mode of determination as to what shall be the amount and character of our duties, so that the tariff will not go first to one extreme and then to another, as one party or the other has control of the Government.

Mr. MANDERSON. Yesterday by the Calendar, but to-day legislatively, after the bill had been reported from the Committee of the Whole and when it was in the Senate, I offered an amendment to strike out paragraph 182, which is the first paragraph of the sugar schedule, and insert in lieu thereof the following:

That the bounties authorized to be paid to producers of sugar by section 231 of the act entitled "An act to reduce revenue, equalize duties, and for other purposes," approved October 1, 1890, shall be reduced one-tenth part of their respective amounts, as prescribed in said act, each year, beginning with July 1, 1895, and extending to July 1, 1905, inclusive, and shall thereafter cease and determine, and with this modification paragraphs 231, 232, 233, 234, 235, and 236 of said act shall continue in full force and effect.

The vote being had upon this amendment by way of striking out and substituting, it stood yeas 34, nays 37. Having first voted in the affirmative, I changed my vote to the negative and gave notice that I should move a reconsideration of the vote by which the Senate rejected the amendment. I now move that the vote of the Senate by which that amendment was rejected be reconsidered.

Of course the result of a vote to reconsider will be another vote upon a diminishing bounty, dropping one-tenth of the bounty each year during the ten years that yet remain to 1905 and the substitution of a diminishing bounty for the duty provided in the bill. I call for a vote upon the motion to reconsider.

The VICE-PRESIDENT. The question is on the motion of the Senator from Nebraska to reconsider the vote by which the amendment was rejected.

Mr. DOLPH. Does the motion include the striking out of the paragraph?

Mr. MANDERSON. It will after we reconsider. The motion now is to reconsider.

The VICE-PRESIDENT. The question is on agreeing to the motion to reconsider.

Mr. HILL. That question is debatable and will lead to debate. The bill is expected to be passed to-night.

Mr. HARRIS. If the Senator from New York will yield to me I will put it in a shape in which it will not be debatable.

Mr. HILL. All right.

Mr. HARRIS. I move to lay the motion to reconsider on the table.

The VICE-PRESIDENT. The question is on agreeing to the motion of the Senator from Tennessee.

Mr. MANDERSON. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. McPHERSON (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL].

Mr. PETTIGREW (when his name was called). I am paired with the junior Senator from West Virginia [Mr. CAMDEN].

The roll call was concluded.

Mr. BRICE (after having voted in the affirmative). I withdraw my vote. I am paired with the junior Senator from Colorado [Mr. WOLCOTT].

The result was announced—yeas 37, nays 32; as follows:

YEAS—37.

Bate,	Gorman,	McLaurin,	Smith,
Berry,	Gray,	Martin,	Turpie,
Blackburn,	Hansbrough,	Mills,	Vest,
Call,	Harris,	Mitchell, Wis.	Vilas,
Cockrell,	Hill,	Morgan,	Voorhees,
Coke,	Hunton,	Murphy,	Walsh,
Daniel,	Irby,	Palmer,	White.
Faulkner,	Jarvis,	Pasco,	
George,	Jones, Ark.	Ransom,	
Gibson,	Lindsay,	Roach,	

NAYS—32.

Aldrich,	Davis,	Kyle,	Platt,
Allen,	Dixon,	Lodge,	Power,
Allison,	Dolph,	McMillan,	Proctor,
Blanchard,	Dubois,	Manderson,	Quay,
Caffery,	Gallinger,	Mitchell, Oregon	Sherman,
Carey,	Hawley,	Patton,	Shoup,
Chandler,	Higgins,	Peffer,	Squire,
Cullom,	Jones, Nev.	Perkins,	Teller.

NOT VOTING—16.

Brice,	Frye,	McPherson,	Stewart,
Butler,	Gordon,	Morrill,	Washburn,
Camden,	Hale,	Pettigrew,	Wilson,
Cameron,	Hoar,	Pugh,	Wolcott.

So the motion to reconsider was laid on the table.

Mr. HILL. I offered the other day an amendment relating to taxes connected with the income feature of the bill. The Senator from Missouri has modified the amendment somewhat, and I think expects to offer it. I will await the pleasure of the Senator from Missouri.

Mr. VEST. There is no objection to the object of the amendment of the Senator from New York, that the operating and business expenses of corporations shall be included in making up their exemption from the income tax. I have no doubt that it would include insurance, which is a part of the business expenses of any corporation. I have modified the amendment. I took the liberty of drawing a substitute, which I ask to have read, and which the committee will accept.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. Add at the end of section 59:

That all State, county, municipal, and town taxes paid by corporations, companies, or associations, shall be included in the operating and business expenses of such corporations, companies, or associations.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Missouri.

The amendment was agreed to.

Mr. POWER. I offer an amendment to increase the duty on pig lead.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In paragraph 166, page 37, after the word "cent," in line 21, insert the words "and one-half;" so as to make the paragraph read:

166. Lead in pigs and bars, molten and old refuse lead run into blocks and bars, and old scrap lead fit only to be remanufactured, one cent and one-half per pound.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Montana [Mr. POWER].

Mr. POWER. On that I ask for the yeas and nays.

The yeas and nays were ordered; and being taken, resulted—yeas 28, nays 37; as follows:

YEAS—28.

Aldrich,	Dubois,	Lodge,	Proctor,
Allison,	Frye,	McMillan,	Sherman,
Carey,	Gallinger,	Mitchell, Oregon	Shoup,
Chandler,	Hansbrough,	Patton,	Squire,
Davis,	Hawley,	Perkins,	Stewart,
Dixon,	Higgins,	Platt,	Teller,
Dolph,	Jones, Nev.	Power,	Washburn.

NAYS—37.

Bate,	Gibson,	McLaurin,	Smith,
Berry,	Gorman,	Martin,	Turpie,
Blackburn,	Gray,	Mills,	Vest,
Blanchard,	Harris,	Mitchell, Wis.	Vilas,
Caffery,	Hill,	Morgan,	Voorhees,
Call,	Hunton,	Murphy,	Walsh.
Cockrell,	Irby,	Palmer,	White.
Coke,	Jarvis,	Pasco,	
Faulkner,	Jones, Ark.	Peffer,	
George,	Lindsay,	Roach,	

NOT VOTING—20.

Allen,	Cullom,	Kyle,	Pugh,
Brice,	Daniel,	McPherson,	Quay,
Butler,	Gordon,	Manderson,	Ransom,
Camden,	Hale,	Morrill.	Wilson,
Cameron,	Hoar,	Pettigrew,	Wolcott.

So the amendment was rejected.

Mr. SHOUP. I desire to offer an amendment to paragraph 249.

The VICE-PRESIDENT. The amendment of the Senator from Idaho will be stated.

The SECRETARY. Strike out all of section 249, page 57, after the word "all," where it appears first, in line 15, and insert:

Natural mineral waters, all imitation of natural mineral waters, and all artificial mineral waters, in green or colored glass bottles containing not more than 1 pint, 24 cents per dozen bottles. If containing more than 1 pint pint and not more than 1 quart, 48 cents per dozen bottles. In bottles containing more than 1 quart, 25 cents per gallon.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Idaho [Mr. SHOUP].

Mr. SHOUP. Mr. President, I desire to detain the Senate for a few minutes upon this amendment. Our country abounds in mineral springs. They are to be found in nearly every State and Territory in the Union. Many of them, however, are far distant from the populous centers of the nation. This is notable in Colorado, Montano, Idaho, and other intermountain Western States and Territories. While we have in Idaho many mineral springs of both hot and cold water distinguished as health resorts, we have but one group of springs where bottling works have been established.

The springs to which I refer are in Southeastern Idaho, near the village of Soda Springs, on the Oregon Short Line Railroad. Before Idaho was organized as a Territory these springs were patronized as a health resort by the early colonists of Utah.

Twenty-nine years ago I, with a party of gentlemen, visited these wonderful springs, now widely known from ocean to ocean as a health resort. The water of these springs contains an excess of free carbonic acid gas; no artificial gas being required.

I submit the report of Prof. William J. Ireland, judge of mineral waters at the World's Columbian Exposition, where the water from these springs was exhibited:

IDANHA WATER.

Consists of samples of natural mineral water representing Soda Springs, Bannocks County, Idaho.

The springs were mentioned in the early geological examination under Gen. John C. Frémont, and the locality has been known as a health resort for the past thirty years.

The bottling and sale of this water has become one of the chief industries of this county. The water possesses the happy quality of blending with wine and liquors without giving discoloration or precipitation. It is pleasing to the taste, healthful, and exercises a mild, beneficial medicinal effect.

Sworn statements duly acknowledged accompanying the exhibit show that the water is bottled just as it flows from the springs with its own excess of natural carbonic acid gas.

The accompanying is an analysis made under the supervision of Prof. C. F. Chandler, M. D., the well known analyst:

Analysis.

	Grains.
Chloride of sodium	15.1972
Bromide of sodium	Traces
Bicarbonate of—	
Lithium	1.2718
Sodium	7.3401
Magnesium	62.4002
Calcium	57.9681
Strontium	Traces
Barium	0.0675
Manganese	1.7320
Iron	0.1283
Sulphate of potassium	1.7262
Sulphate of sodium	1.9601
Phosphate of sodium	0.6881
Biborate of sodium	Traces
Alumnia	0.0583
Silica	3.3632
Organic matter	Traces
Total solids	152.1378

This water also contains an excess of free carbonic acid gas.

I recommend an award for palatability, natural effervescence, purity, large amount of free natural carbonic acid gas, healthfulness, and the unusual blending properties which constitute "Idanha" an unsurpassed, sparklingly delicious table water.

PROF. WM. J. IRELAN, *Judge.*

Mr. President, the Idanha mineral water is, in my opinion, the best natural table water in the world, and is far superior to any imported mineral water. It is pure and is bottled with the natural gas, while I suspect that all imported waters are artificially charged, and are therefore unhealthy. The company controlling these springs have an investment of $100,000 in their plant. The president of the company, Mr. Fred J. Keisel, informs me that on account of the general depression throughout the West last year, caused by the suspension of work on many of the silver-lead mines, owing to the low price of silver and lead, that the bottling works were operated on half time.

A market for the product of these springs is found in adjacent States and Territories, extending west to the Pacific coast and eastward to the Mississippi River.

An effort has been made by the company to place the water in Eastern cities, but they find it impossible to do so with imported waters on the free list and the imitation natural waters paying but a small duty. Railway freight charges from Idaho to the populous cities of the East are much greater than from foreign countries to the same cities.

We pay in Idaho more than three times the wages paid in Germany for similar work; and for bottles, corks, wire, and wrappers we pay 100 per cent more than they do in that country.

Mr. President, to enable this country to place our pure mineral waters within the reach of consumers, as against the imitation mineral waters imported from other countries, there should be a duty of 2 cents per bottle on pints, and 4 cents per bottle on quarts. Many States are interested, and the whole country would be benefited by the adoption of this amendment. Why not protect our own springs? We have the best and purest waters in the world.

Large sums of money have been expended in their development and in the erection of buildings. All we ask in the way of protection is the difference in cost of bottling, wages, and freight. I submit as a part of my remarks the following statement, taken from the bulletin reports of the Finance Committee:

Reply of Natural Mineral Water Company, of Soda Springs, Idaho, bottlers of mineral water.

[Established in 1885. Capital invested, $100,000.]

The annual amount of production is 500,000 quart bottles of the "Idanha" mineral water, or 10,000 cases; value at the works about $35,000.

We have been running about half time the last two years, owing to the hard times in our immediate section, caused especially by the fall in the price of silver.

We desire a specific duty of 4 cents per quart bottle and 2 cents per pint bottle, for the reason that we have to pay at an average of $2 per day to the workman, while similar labor in Germany is paid about 37½ cents per day, and for the additional reason that the glass, cork, wire, boxes, and wrappers are 100 per cent cheaper in that country than in ours; and still another reason is the fact that the freight rate down the Rhine to Rotterdam, thence to New York, is nominal, goods being partly carried as ballast, while our average rate of freight from Soda Springs to the centers of trade is at least $1 per case of 50 bottles.

I understand there is no rate of duty on the imported article, say Apollinaris, analogous to the "Idan-ha," though we claiming and can furnish undoubted proof of the Idan-ha being a natural water, while it is suspected strongly that the Apollinaris is charged with artificial carbonic-acid gas.

The wholesale price delivered at Missouri River points is $5 per case of 50 quarts; at Chicago, $5.25; at New York, Boston, New Orleans, and Memphis, $5.50; and at Soda Springs, $4 per case.

The competition has largely increased, especially in artificial or carbonated waters. We claim to have no competition as a natural mineral water.

I desire a specific duty to avoid the doctoring of invoices.

Our output is not so great as in 1892.

Wages remain the same as one year ago.

Heavy freight rates render living necessarily high at a point so far in the interior as is Soda Springs, Idaho, and $2 per day will not permit any extravagance; it will just support a man and his family; they should have more.

The price of living has slightly decreased the last four years, should say, about 10 per cent.

The scarcity of circulating medium, in our opinion, is cause of the present depression; the first great cause is the demonetization of the silver. My remedy is an international agreement to restore silver to its ancient place. Concurrent with this, if feasible, governmental control of all silver mines should be established, so as to limit the output.

"Glass, bottles, wires, corks, wrappers, and labels are our raw materials. Our goods are both luxuries and necessities—luxuries on account of their purity and exhilarating effects, necessities on account of their healthfulness.

"We pay an average of 10 per cent per annum on loans.

"Immigration causes increased consumption.

"Fifty per cent of our force is skilled labor.

"Reduction of duty on goods must be met either by going out of business or by having Congress enact such a law as I have alluded to.

"We employ 4 men and 4 boys, paying the men $75 per month and the boys from $25 to $45 per month. They work sixty hours per week.

"Foreign competing articles, called natural mineral waters, are imported in large quantities, on which the United States should collect revenue, as the article is produced in this country.

"There are none of our goods exported.

"The cost of manufacture remains about the same since 1883. It could be decreased by large output and the exclusion of foreign waters.

"Selling price has decreased since 1890.

"Directly at least one-half of agricultural products is consumed in our manufactures.

"We pay duty on corks, but I am not posted on the duty and I have no data at hand.

"Free raw material would assist to remove duty on bottles and corks.

"Wholesale price for 1890 was about $5 at the springs; and 1892, $4.

"We recommend a specific duty of 4 cents per quart and 2 cents per pint on all imported water.

I would recommend, in any event, that a law be enacted requiring artificial water to be labeled "artificially carbonated," for sanitary reasons. Artificial carbonic-acid gas is the result of a combination of sulphuric acid, marble dust, and bicarbonate of soda; hence, unhealthy and destructive to the lining of the stomach, as well as causing a deposit, resulting in gravel and kindred evils.

Such a law I would alone consider a protection to our "Idanha" water.

The annual consumption in this country of foreign mineral water is at least 50,000,000 quart bottles. Four cents per bottle would yield a revenue to the United States of $2,000,000.

Now, this mineral water is artificially charged, but is placed on the market as natural mineral water. It is bottled on the other side by little girls and boys, in bottles there manufactured, and cheaper than our bottles. After this it is landed on our shores at a nominal charge for freight, it being carried as ballast.

We bottle at Soda Springs, Idaho, from pure springs, carrying its own carbonic-acid gas, a water called the "Idanha," but we labor under this disadvantage: We pay white men's wages, and being so far in the interior, are paying to the railroads heavy freight charges to reach a market. We also pay heavy freight charges for the empty bottles which we fill, for the cases, for the corks, for the wire, for the machinery, and for the wrappers.

Now, sirs, how can we, under all the disadvantages here enumerated, make headway unless you afford us some protection. Nor must it be forgotten that the capital we employ is worth 8 to 10 per cent per annum, while money on the other side is worth but 4 to 5 per cent for industrial enterprises. It would therefore appear that ours is an industry to be fostered by imposing a duty on the imported article, thus benefiting the Treasury of the United States on one hand and a struggling domestic industry on the other.

I trust that the amendment I have offered will be accepted.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Idaho.

Mr. SHOUP. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. McPHERSON (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL].

The roll call having been concluded, the result was announced—yeas 33, nays 36; as follows:

YEAS—33.

Allen,	Frye,	McMillan,	Quay,
Allison,	Gallinger,	Manderson,	Sherman,
Carey,	Hansbrough,	Mitchell, Oregon	Shoup,
Chandler,	Hawley,	Patton,	Squire,
Cullom,	Higgins,	Peffer,	Teller,
Davis,	Irby,	Perkins,	Washburn.
Dixon,	Jones, Nev.	Platt,	
Dolph,	Kyle,	Power,	
Dubois,	Lodge,	Proctor,	

NAYS—36.

Bate,	Faulkner,	Jones, Ark.	Pasco,
Berry,	George,	Lindsay,	Roach,
Blackburn,	Gibson.	McLaurin,	Smith,
Blanchard,	Gorman,	Martin,	Turpie,
Caffery,	Gray,	Mills.	Vest.
Call,	Harris,	Mitchell, Wis.	Vilas.
Cockrell,	Hill,	Morgan,	Voorhees,
Coke,	Hunton,	Murphy,	Walsh,
Daniel,	Jarvis,	Palmer,	White.

NOT VOTING—16.

Aldrich,	Cameron,	McPherson,	Ransom,
Brice,	Gordon,	Morrill,	Stewart,
Butler,	Hale,	Pettigrew,	Wilson.
Camden,	Hoar,	Pugh,	Wolcott.

So the amendment was rejected.

Mr. SHOUP. I desire to offer another amendment to paragraph 249. I trust the committee will accept it. I move to insert after the word "all," where it first appears in line 15, "natural mineral waters and all;" so as to read:

All natural mineral waters and all imitations of natural mineral waters, and all artificial mineral waters, 20 per cent ad valorem.

This does not change the rate at all, but merely inserts "natural mineral waters." I trust the Senator from Missouri will accept the amendment which I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. Paragraph 249, page 57, line 15, after the word "all," insert "natural mineral waters and all;" so as to read:

All natural mineral waters and all imitations of natural mineral waters and all artificial mineral waters, 20 per cent ad valorem.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Idaho. [Putting the question.] The noes appear to have it. The noes have it, and the amendment is rejected.

Mr. SHOUP. I ask for the yeas and nays on agreeing to the amendment.

The yeas and nays were not ordered.

Mr. CHANDLER. I wish to call the attention of the Senator from Missouri to page 187, section 32, line 15. After "business expenses," I move to insert:

Including expenditures for materials used in manufacture, or bought for resale.

The amendment is substantially the same as that moved by the Senator from Iowa [Mr. ALLISON]. I call the attention of the Senator from Missouri to the fact that, as the paragraph now stands, the words "actual operating and business expenses" are made to carry too heavy a burden. This is a very important and a very heavy tax. The closing clause at line 20 includes "all other corporations, companies, or associations doing business for profit in the United States," and sweeps in all the manufacturing companies and all the trading companies of the United States.

It is a great stretch of language in an important statute of this kind to make operating or business expenses include the expenditures for materials purchased by a manufacturing company and the goods purchased for resale by a trading company. Therefore, I think the Senator will see the wisdom of making deductions too plain to be disputed.

Mr. VEST. I have not the slightest doubt that the language of the bill, as it now stands, would include the amounst expended for materials. I can not conceive how one could arrive at the profits of a manufacturing establishment unless he would take into account what they expend for materials. I have not any objection, however, to the amendment, because, as it stands, it means what the Senator from New Hampshire has put in additional words.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. After the word "expenses," in line 15, section 32, page 187, insert:

Including expenses for materials purchased for manufacture or bought for resale.

The amendment was agreed to.

The VICE-PRESIDENT. If there are no further amendments to be proposed in the Senate, the question is on ordering the amendments to be engrossed, and the bill be read a third time.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The VICE-PRESIDENT. The question is, Shall the bill pass?

Mr. SMITH. Mr. President, in the course of previous remarks which I made upon this question I pledged to my constituents my utmost endeavors to "eliminate the socialistic income tax," to "readjust the schedules to conform with the doctrine of a tariff for revenue," to "grant to our industries sufficient protection to guarantee their maintenance on the basis of American wages," and finally to fulfill "the distinct obligation of the Democratic party to confer the boon of tariff reform upon the American people."

That pledge, sir, I have kept to the full limit of my ability and opportunity. My only regret at this time is that the small minority of Senators on this side of the Chamber who oppose the income tax have been unable to convince our colleagues of the public and party wisdom of striking it out altogether from the bill. Even then, if Republican Senators had not voted for this scheme it would have been blotted out of existence. But I can not deny that Democratic Senators who favor the idea have met us in a spirit of fairness and reason.

They have consented to the exemption of building and loan associations, mutual life insurance associations, savings banks, and other organizations of like character in which are invested the savings of the poor. They have eliminated the hateful inquisitorial features. And finally and most important of all they have agreed to the passage of this amendment in such shape that it shall be submitted to the people upon its practical operations, not as a settled policy of the Government, but as an experiment to be tried for a short time and then renewed or rejected as the country shall elect.

Mr. President, of all methods of taxation I consider this the most detestable. I expressed before and repeat now with double emphasis my earnest conviction that it is unnecessary, unjust, unsuccessful, unpopular, un-Democratic, un-American, and unwise. I never could conscientiously and never would for any reason whatsoever vote to incorporate it into our system for an indefinite period of time. I did and shall at every opportunity in the future vote against it as a separate proposition.

But, sir, the astonishing strength and persistence shown by the advocates of the idea make it certain to my mind that there is only one way of escape, and that is by a trial. The sole practical question now before us who oppose this scheme is whether it shall be submitted to the judgment of the people in its greatly modified condition, as it now stands, or whether it shall be foisted upon us at a very early day in a far more offensive form and without limit to its time of operation.

That, sir, is the situation which we are obliged to face, and of the two evils I am constrained to choose the lesser. I will go yet further, and say that, if there were no party considerations, I should welcome the test. I can not insult the intelligence of the American people by even suspecting that they will endure this odious infliction one moment longer than shall be required to demonstrate its manifold iniquities.

For all except this portion of the measure before us I shall vote, not simply without reluctance, but with genuine satisfaction. I have the honor, Mr. President, to be one of those Senators who have been accused of demanding fair treatment of American industries. I have been urged over and over again to deny the truth of this charge. But, sir, I do not deny it. I admit it frankly and squarely. Of whatever crime may be involved in the defense and reasonable protection under a revenue tariff of the industries of this country, I am guilty. I said before and I repeat now that the Democratic party never was a free-trade party, is not to-day, and in my judgment never will be.

I grant that under other circumstances greater reductions might and probably would be advisable. But I am unable to see the wisdom or justice of such action at this time. The great industries of this country have just passed through one of the most trying periods since they sprang into existence. I shall not enter into a discussion of the causes of the lamentable depression of business which has continued now for more than a year. Only partisan purpose can be served by attributing it to either the baneful effect of McKinley duties or the uncertainty regarding the future undoubtedly felt by all manufactures.

It is sufficient to know that distrust and apprehension still prevail, that thousands of factories are closed, and that hundreds of thousands of workingmen are deprived of employment necessary to their subsistence. Under such circumstances I can conceive of no legislative action more illiberal, more untimely, or more cruel than that which would hinder for a day resumption of prosperity. In any event, right or wrong, Democratic or un-Democratic, as a representative of one of the chief manufacturing States of the Union I say plainly that I will not vote for any bill or amendment that will make it impossible for a single industry to continue or resume operations.

It was for that reason—and I make the admission without hesitation, and with full appreciation of the criticism which it will evoke—that in conference with my colleagues I opposed the provisions of both the House bill and the measure first substituted by the Finance Committee. The revised bill now before us I consider just and fair to all. It is Democratic, because it is based upon the principle of a tariff for revenue with incidental protection, and it is wise and patriotic, because, instead of adding to the burdens inflicted upon our industries by the financial difficulties of the past year, it helps and strengthens them, and can have no other effect than the quick revival of business universally desired, and the consequent employment, prosperity, and happiness of the great army of men now idle, discontented, and discouraged.

I shall vote for this measure, Mr. President, because, in the words of the distinguished Senator from New York, I am a Democrat. [Applause in the galleries.]

Mr. ALLEN. Mr. President, I propose to vote for the passage of this bill, not because I approve of its sugar schedule, but because I think it is due to the country that it should be placed in the hands of a conference committee, composed of Senators and Representatives, who, I hope, will trim it of its evil and retain its beneficial features.

The bill as a whole is more equitable and just than the McKinley act. It lessens the burden of taxation on the poor people of this country, on their woolen clothing, on their lumber, and on other necessary articles of daily consumption, and places it, in a large measure, upon the enormous incomes of those who have escaped taxation and bearing their portion of the public burden for many years.

The sugar schedule of this bill is its vicious feature, although it is not so vicious as the sugar schedule of the McKinley act. Under the McKinley act the sugar trust obtains 60 cents protection on every hundred pounds of refined sugar and by that means controls the American market. By the bill in question the sugar trust has a protection of 25 cents per hundred pounds of sugar, 35 cents less than under the McKinley act. The sugar schedule of this bill is better than that of the McKinley act in the ratio of 25 to 60.

I do not believe that it is my duty to vote against this bill at this time, but as a patriotic citizen and a conscientious officer, I believe that I should vote for its passage in the Senate now, so that it may be sent back to the House of Representatives, where it originated, and placed by the Senate and House jointly in a conference committee, where there may be one more opportunity afforded of eliminating its evil features and fashioning it into proper shape to become a law of the land.

The people want reform in taxation. They are demanding it. They have a right to it, and it is my duty to place this bill, by my vote if I can, in a committee where its evil features may be taken out, and from which it may be returned to the respective Houses of Congress for final passage after it has been properly fashioned.

Two courses are open to us. First, either to destroy the entire bill at this time and place, and by that means defeat reform legislation in our system of national taxation entirely, and then begin anew where we began seven months ago on the subject of the tariff, and thus delay needed reform; or, second, to vote for the passage of the bill now and by that means place it in the hands of a conference committee where one more, and possibly a successful, attempt may be made to eliminate its vicious features and hasten the hour of relief to the country.

These are the two courses open to us. I believe the latter to be the wiser and more patriotic course to be pursued, and although I enter my protest against the sugar schedule, I at the same time assert that it is better than the sugar schedule of the McKinley act.

No one desires to see this bill destroyed entirely more than the sugar trust. They would rejoice at its complete destruction, because under the present law they are enabled to make more money by many millions of dollars yearly than they will be under this bill if it shall become a law.

There are those in my own party who will not approve of my vote, who will think that I ought by my vote to assist in the complete destruction of this measure at this time; but time and a more intimate knowledge of the facts will convince them of the correctness of my position. Singular as it may appear, they and the sugar trust desire the same result.

Mr. HILL. Mr. President, as explanations seem to be the order——

Mr. FRYE. They are obituary speeches, not explanations.

Mr. HILL. I accept the amendment.

Mr. President, the majority of the Democratic Senators of this body (of which thirty-one are from the South), allied with the three Populists and with six Republicans, have insisted upon the retention of an income tax in the pending measure.

I have earnestly appealed to my party friends to eliminate this objectionable feature, but my appeals have been in vain.

I have warned them of the dangers to which in my judgment they were unnecessarily subjecting the Democratic party; but they have chosen to disregard them, as was their privilege.

They have preferred the retention of an odious income tax in a tariff bill, regardless of what the consequences may be.

Mr. President, the course which has thus been marked out is unwise, inexcusable, and unnecessary.

It resembles the greater folly of thirty-three years ago, when the Democratic party was rent in twain and Republicanism triumphed for twenty-four years thereafter.

In my opinion, it imperils the possibility of permanent Democratic success in any Northern State for many years to come.

You array against us in almost solid front the entire business men of the country. You foist upon the party a principle of taxation never sanctioned by any Democratic national convention. You do not seem to realize that you have no jurisdiction to add to or change the principles of our party, but you disregard precedent in your mad haste to adopt a Populistic principle. You have purposely and obstinately insisted upon retaining an income tax in this bill, so as to compel Democratic Senators either to vote for the income tax or to vote against the whole bill. You have left them no other alternative.

This was unfair, unjust, impolitic.

This course was adopted, not thoughtlessly, but designedly; not that you loved tariff reform less, but you loved an income tax more. Mr. President, as between a Populistic income tax on the one hand and a Republican tariff law on the other, I choose the latter as the lesser of two evils.

As between pernicious class legislation fraught with danger-

ous consequences to the country on the one hand, and simply high tariff taxation on the other, I prefer to endure the latter—at least for a brief period, if I am compelled to choose between them. I do this, not without some reluctance, because I always regret to differ with party friends, but the consciousness of right and my own self-respect forbid any other course. Besides, you have made my path of duty an easy one.

The Senate bill—the Gorman compromise bill, as it is now generally known in the press and throughout the country—I mean the bill in its present shape, is neither satisfactory to the Democratic party nor to the country. There is no mistaking public sentiment upon this point.

The true principles of tariff reform have been sacrificed in the effort to insure the retention of an income tax. This the country believes—this the country understands. We promised the people bread and we are giving them a stone. We promised them free raw materials, and we are giving them taxed coal, taxed iron ore, taxed coke, taxed lead ore, and other taxed raw materials.

They expected free sugar, but we are taxing not only that article, but other necessaries of life.

We do not need both a sugar tax and an income tax, but it seems that considerations other than those of revenues to the Treasury have dictated and retained both.

The provisions of the bill are not consistent; they violate well-established Democratic principles; they are unfair in their discriminations, and their enactment will place the party in a false and untenable position.

It is clear that the bill in its present form should be changed, modified, and improved. This can easily be done, and it is our duty to do it now before it is too late. As it now stands it puts our party on the defensive, it repudiates our pledges, it exposes us to just criticism and ridicule, which ought to be avoided. Eliminate the income tax and there is no difficulty in framing an honest, consistent, and genuine tariff bill upon strict revenue lines, with all raw materials free, which can be passed by the vote of every Democratic Senator without the aid of a single Populist vote, and which the country would welcome and approve.

This is not even pretended to be such a measure. Numerous Senators around the Democratic side of this Chamber must feel as though Democratic principles have been surrendered or bartered away to secure the triumph of this botched compromise measure, which is really acceptable to no one. I am sure that if they expressed their honest sentiments they do not approve this bill any more than I do. The issue of tariff reform had better be postponed and preserved intact, rather than emasculated, disfigured, and despoiled in the manner now proposed.

Let there be a genuine, sincere, and essential triumph for the cause of revenue revision or none at all.

If Republican protection was a fraud and a robbery, as we declared in the Chicago platform, is Democratic protection any the less so?

If we are to have an income tax and a sugar tax both, then—unless the other provisions of the bill prove utterly impotent—we shall be met with an enormous surplus, against which we protested so vigorously a few years ago; and is it now to be said that a Democratic surplus is less objectionable than a Republican surplus?

This is not a Democratic bill, I am sure; it is not a distinctly Republican bill; it is not a Populist bill entire, but it is a mixture of all—it is a rag-bag production—it is a crazy-quilt combination—it is a splendid nothing.

I believe the income tax feature as a whole and in many of its details to be unconstitutional.

But why detain the Senate?

My objections to the bill have been stated over and over again and it is useless to repeat them.

Each Senator must be the judge of his own duty to his country and his party in a crisis like this. I cast no reflections upon those who differ with me.

This bill does not meet the public expectations, but at best is an empty and beggarly fulfillment of Democratic pledges.

It does those things which it ought not to do, and leaves undone those things which it ought to do.

Mr. President, I do not fail to appreciate the gravity of the situation, but the course which duty and consistency require me to pursue at this hour is as clear to me as the noonday sun.

"Sink or swim, live or die, survive or perish," I can not and will not support this bill in its present shape.

[Applause in the galleries.]

The VICE-PRESIDENT. The Sergeant-at-Arms will see that the rules of the Senate are enforced in regard to demonstrations in the galleries.

Mr. ALDRICH. Mr. President, no Senator sitting upon this side of the aisle has any apology to make for voting against the pending bill. The country will note that no Senator upon the other side has risen in defense of the measure as a wise and patriotic enactment. It will note the kind of excuses which have been made in two or three instances for the support of the measure.

Mr. CHANDLER. Mr. President, there is no excuse for the passage of the pending bill. The only reason which I have heard assigned for its passage has been the desire to reduce taxation in order that the people might be benefited by the reduction of taxation. There is no way in which the people can be benefited by the reduction of duties upon imports unless that reduction results in lower prices to the consumers of the necessaries of life.

In connection with the passage of the bill, I wish to make only two predictions. One is that the price of the necessaries of life will not be reduced. Let a list be made of the prices of the necessaries of life in this country on the date of the passage of the bill, and I predict that they will go no lower as the result of the passage of the bill, and two years from now they will be no lower.

I predict also that the result of the passage of the bill will be the reduction of the wages of American workingmen. Let a list be made upon the date of the passage of the bill of the wages of American workingmen in all the walks of life, and two years from now those wages will be lower than they are at the date of the passage of the bill.

So, Mr. President, because the bill will not reduce the cost of the necessaries of life to any citizen, and because it will reduce the wages of labor to the American workingmen, I repeat, there is no excuse whatever for its passage.

Mr. MANDERSON. Mr. President, I have prepared a written speech, in fact it is in print, and it is fully explanatory of the vote I shall cast on the pending bill. It is to be found in this document, House bill 4864. It will shortly be illustrated copiously, and with pictures that will be in the nature of object lessons to the American people.

This written speech, which has been upon our desks for many days, contains within it abundant argument to justify the vote which I shall cast against the bill. It is neither fish, flesh, nor fowl as a tariff bill, foul as it is in many of its features. It is a blow at some of the best and most valuable interests of this country. It is a record of dishonesty and breach of faith on the part of the Government of the United States. It will be pictured by the closing of factories and mills.

One of the object lessons that will stand out prominently before the people of the West will be the closing of the sugar factories which have promised so much to the American people, the creation of no more, and a distress to which the present distressed condition is as nothing.

The VICE-PRESIDENT. The question is, Shall the bill pass?

Mr. PLATT. On that I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. QUAY (when Mr. CAMERON'S name was called). I desire to announce the pair of my colleague [Mr. CAMERON] with the Senator from South Carolina [Mr. BUTLER]. If my colleague were present he would vote "nay."

Mr. LODGE (when Mr. HOAR'S name was called). I desire to announce that my colleague [Mr. HOAR] was called from the Senate early to-day by illness. He stands paired with the Senator from Alabama [Mr. PUGH]. If my colleague were present he would vote "nay."

Mr. MCPHERSON (when his name was called). I am paired with the senior Senator from Vermont [Mr. MORRILL]. If he were present I should vote "yea."

Mr. PETTIGREW (when his name was called). I am paired with the junior Senator from West Virginia [Mr. CAMDEN]. If he were present I should vote "nay."

Mr. PUGH (when his name was called). As has been announced, I am paired with the senior Senator from Massachusetts [Mr. HOAR]. If he were present I should vote "yea."

The roll call was concluded.

Mr. CAFFERY (after having voted in the negative). Mr. President, I desire to say only a word.

The VICE-PRESIDENT. Debate is not in order except by unanimous consent. Is there objection? The Chair hears none, and the Senator from Louisiana will proceed.

Mr. CAFFERY. Mr. President, I cast the vote I did to enter a protest against what I conceive has been an injustice to my people and to my State. I cast that vote as a protest against what I consider to be the unjustifiable action of my own side of the Chamber in going back upon a plan of action which they had deliberately adopted. Having made the protest, I change my vote from "nay" to "yea."

Mr. BLANCHARD. Mr. President, I ask permission for one moment of debate.

The VICE-PRESIDENT. Is there objection?

Mr. TELLER. I object to any debate pending the roll call.

The VICE-PRESIDENT. There is objection.

Mr. BLANCHARD. I desire to vote. I vote "yea."

Mr. CHANDLER. Mr. President, under the circumstances I vote "nay." [Laughter.]

Mr. TELLER. I desire to announce that my colleague [Mr. WOLCOTT] is paired with the junior Senator from Ohio [Mr. BRICE]. If my colleague had been present he would have voted "nay."

Mr. ALLISON. I desire to state that my colleague [Mr. WILSON] is absent on account of illness. He is paired with the Senator from Georgia [Mr. GORDON]. If my colleague were present he would vote "nay."

Mr. BRICE. I expected the senior Senator from Colorado [Mr. TELLER] to add that the junior Senator from Ohio would have voted "yea" if the junior Senator from Colorado [Mr. WOLCOTT] had been present. I make that statement.

Mr. WALSH. I desire to announce that my colleague [Mr. GORDON] is paired with the junior Senator from Iowa [Mr. WILSON]. If my colleague were present he would vote "yea."

Mr. PASCO. I desire to announce that the Senator from South Carolina [Mr. BUTLER] is paired with the Senator from Pennsylvania [Mr. CAMERON]. If the Senator from South Carolina were present he would vote "yea."

The result was announced—yeas 39, nays 34; as follows:

YEAS—39

Allen,	Faulkner,	Kyle,	Ransom,
Bate,	George,	Lindsay,	Roach,
Berry,	Gibson,	McLaurin,	Smith,
Blackburn,	Gorman,	Martin,	Turpie,
Blanchard,	Gray,	Mills,	Vest,
Caffery,	Harris,	Mitchell, Wis.	Vilas,
Call,	Hunton,	Morgan,	Voorhees,
Cockrell,	Irby,	Murphy,	Walsh,
Coke,	Jarvis,	Palmer,	White.
Daniel,	Jones, Ark.	Pasco,	

NAYS—34.

Aldrich,	Frye,	McMillan,	Quay,
Allison,	Gallinger,	Manderson,	Sherman,
Carey,	Hale,	Mitchell, Oregon	Shoup,
Chandler,	Hansbrough,	Patton,	Squire,
Cullom,	Hawley,	Peffer,	Stewart,
Davis,	Higgins,	Perkins,	Teller,
Dixon,	Hill,	Platt,	Washburn.
Dolph,	Jones, Nev.	Power,	
Dubois,	Lodge,	Proctor,	

NOT VOTING—12.

Brice,	Cameron,	McPherson,	Pugh,
Butler,	Gordon,	Morrill,	Wilson,
Camden,	Hoar,	Pettigrew,	Wolcott.

So the bill was passed.

Mr. HARRIS. I move that the Senate insist upon its amendments and ask a conference with the House of Representatives upon the disagreeing votes of the two Houses, and that the Chair appoint seven managers of the conference on the part of the Senate.

Mr. ALLISON. I desire to make my protest against asking for a committee of conference when there are no disagreeing votes. I know it has been the custom to call for such conferences, and at times the other House has agreed to them; but the bill was passed by the other House, and has now been amended and passed by the Senate, and no Senator can know at this moment whether the other House may not agree to every amendment we have made.

I do not expect that my protest will be of avail, but I think it is a vicious practice, which ought not to be adopted on a bill of such great detail and of such great importance.

Mr. HARRIS. Some ten years ago this precise question was presented to the Senate. I did not, as the Senator from Iowa has done to-night, make my protest, but I raised the question of order. I was overruled by the Chair, when the then Senator from Vermont, Mr. Edmunds, was President *pro tempore* of the Senate, and being overruled, I appealed to the Senate.

The Senate sustained the ruling of the Chair, and since that time it has been the uniform custom of the Senate. I adhere to the motion notwithstanding the protest.

The VICE-PRESIDENT. The question is on agreeing to the motion of the Senator from Tennessee.

The motion was agreed to.

The VICE-PRESIDENT. Under the motion of the Senator from Tennessee, the Chair appoints as the conferees on the part of the Senate Mr. VOORHEES, Mr. HARRIS, Mr. VEST, Mr. JONES of Arkansas, Mr. SHERMAN, Mr. ALLISON, and Mr. ALDRICH.

Mr. HARRIS. I move that the Senate adjourn until 12 o'clock on Friday next.

The motion was agreed to; and (at 10 o'clock and 47 minutes p. m., Tuesday, July 3, 1894) the Senate adjourned until Friday, July 6, 1894, at 12 o'clock m.

HOUSE OF REPRESENTATIVES.

THURSDAY, *July 5, 1894.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. E. B. BAGBY.

The Journal of the proceedings of Tuesday last was read and approved.

BRAZILIAN CONGRATULATIONS ON NATIONAL ANNIVERSARY.

The SPEAKER laid before the House the following:

RIO, *July 4, 1894.*

To American Chamber of Representatives, Washington, D. C.:

The Brazilian Chamber of Deputies congratulates the American National Congress on this memorable and glorious day, expressing their feelings of deep sympathy towards the great and patriotic people they represent northwards the democratic continent.

ROSA E. SILVA, *Speaker.*
THOMAS DELFINO, *Secretary.*

[Loud applause.]

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. EVERETT, for one week, on account of health.

To Mr. BANKHEAD, indefinitely.

To Mr. BUNN, indefinitely, on account of sickness.

PERSONAL EXPLANATION.

Mr. TURNER of Georgia. Mr. Speaker, I desire to make a personal statement.

The SPEAKER. The gentleman from Georgia desires to make a personal statement. The House will be in order.

Mr. TURNER of Georgia. Mr. Speaker, in one of the morning papers it is stated——

Mr. HOPKINS of Illinois. Mr. Speaker, I suggest whether the machinery operating these electric fans should not be stopped. We can not hear what the gentleman from Georgia says.

The SPEAKER. The fans have been put in by order of the House. If it is found that they interfere with the transaction of business, some action will have to be taken on that subject.

Mr. HOPKINS of Illinois. Is the noise of the machinery a part of the order of the House?

The SPEAKER. The House adopted a resolution directing the Architect to put electric fans in the Hall.

Mr. GROSVENOR. I think the gentleman from Illinois ought not to complain. I presume this is the "hum of industry" following the passage of the tariff bill in the Senate.

Mr. REED. It is the only "industry" that is prosperous in this country.

Mr. WILLIAM A. STONE. We can not hear the remarks of the gentleman on account of the noise.

Mr. TURNER of Georgia. I wish gentlemen would allow me to proceed.

Mr. HOPKINS of Illinois. I suggest that an order be issued to stop the movement of these fans for the present. We can not hear anything that is going on.

The SPEAKER. The gentleman from Georgia will suspend his remarks for a moment.

[A pause, during which the electric fans were stopped.]

The SPEAKER. The gentleman from Georgia [Mr. TURNER] rises to make a personal statement. The House will please be in order.

Mr. TURNER of Georgia. Mr. Speaker, in one of the morning papers it is stated that I have recently made a speech in Georgia in which I am reported to have said to my audience that "the tariff bill as amended in the Senate is practically the same as the Wilson bill 'with some immaterial changes.'" As I value the good opinion of those who know me on this floor, I wish to say that I not only never made that statement, but I never entertained that opinion; and on the occasion mentioned, I stated just the opposite. [Applause.]

RIGHT OF WAY THROUGH INDIAN TERRITORY.

Mr. PENDLETON of Texas. I ask unanimous consent for the consideration of the bill which I send to the desk. Before it is read, I wish to say that it is a bill to grant right of way for a railroad through the Indian Territory. It has been favorably reported by the Committee on Indian Affairs. It is in the usual form, and contains all the ordinary limitations for the protection of the Indians. I have compared it with twelve or fifteen bills of similar character.

The bill (H. R. 7335) to grant to the Arkansas, Texas and Mexican Central Railway Company a right of way through the Indian Territory, and for other purposes, was read.

There being no objection, the House proceeded to the consideration of the bill; which was ordered to be engrossed for the third reading, was accordingly read the third time, and passed.

On motion of Mr. PENDLETON of Texas, a motion to reconsider the vote by which the bill was passed was laid on the table.

EMPLOYÉS OF NAVY DEPARTMENT.

Mr. SAYERS. I ask unanimous consent for the consideration of the resolution which I send to the Clerk's desk.

The Clerk read as follows:

Joint resolution (H. Res. 201) authorizing the Secretary of the Navy to continue the employment of certain mechanics and laborers.

Resolved by the Senate and House of Representatives, etc., That the Secretary of the Navy is hereby authorized to continue, until the 31st day of July, 1894, the employment of mechanics and laborers paid from the appropriation "Increase of the Navy: Construction and machinery," whose services are required upon work in progress; and a sufficient sum is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for this purpose, such sum to be immediately available: *Provided*, That the amount which may be expended by the Secretary of the Navy under the authority herein conferred shall be deducted from the amount which may be appropriated for "Increase of the Navy: Construction and machinery," for the fiscal year ending June 30, 1895.

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

Mr. SAYERS. Mr. Speaker, I would like to make a brief statement to the House in reference to this resolution.

When the joint resolution which I was instructed to present to the House some ten or fifteen days ago was passed, it was considered broad enough to cover every Department of the Government and every branch of the service in its entirety; in fact, it was but a duplicate of all resolutions for a similar purpose that have been passed by Congress during the last ten or fifteen years.

But it seems that a question has arisen in the Navy Department as to the construction of the resolution itself, with reference to the increase of the Navy; and we are informed that the Secretary of the Navy has thought otherwise, and has consequently ordered the discharge of several hundred workmen at the different navy-yards of the Government. I have offered the pending resolution after consultation with several gentlemen, and ask its passage.

I yield to the gentleman from Illinois [Mr. CANNON] if he desires to occupy the floor.

Mr. CANNON of Illinois. I should like to have the attention of the House for a few moments, and thank the gentleman for yielding.

But before I proceed, I wish to ask the gentleman from Texas if he has any communication from the Secretary of the Navy on this subject?

Mr. SAYERS. The only communication which I have from the Secretary of the Navy I will send to the Clerk's desk and ask to have read.

The Clerk read as follows:

NAVY DEPARTMENT *Washington, July 3, 1894.*

SIR: I learned from Senator MCPHERSON this morning that the question of including in the thirty-day resolution the expenditures for carrying on the work of the new Navy was discussed in your committee yesterday, and that your committee thought the resolution broad enough to cover these expenditures. I desire to inform you before issuing the order suspending the laborers and mechanics employed under "Increase of the Navy," I consulted with the Attorney-General, and he concurred in the construction I put upon the resolution. To save all question in the case, I hope the House will pass a resolution covering these expenditures. I communicated with the Committee on Naval Affairs, because it has charge of naval appropriations.

Respectfully,

H. A. HERBERT,
Secretary of the Navy.

Hon. JOSEPH D. SAYERS,
Chairman Committee on Appropriations,
House of Representatives.

Mr. SAYERS. Mr. Speaker, I have introduced this resolution, having been informed that the chairman of the Committee on Naval Affairs was absent in New York and would probably not return before this evening. It is important that the resolution should pass to-day.

Mr. CANNON of Illinois. I would ask the gentleman from Texas before proceeding a question with reference to the resolution which was reported to the House by him which continued the appropriations for the present fiscal year to the new fiscal year. He has already stated that it was similar in form and substance——

Mr. SAYERS. Almost word for word.

Mr. CANNON of Illinois (continuing). To the resolutions that have been passed year by year for the same purpose?

Mr. SAYERS. That is so.

Mr. CANNON of Illinois. I will ask the gentleman if it is also true that the matter was submitted to the Treasury Department?

Mr. SAYERS. It was. The resolution was sent to the Treasury.

Mr. CANNON of Illinois. Sent to the Treasury, and submitted to the proper officials, the chief of warrants and estimates and the Comptroller?

Mr. SAYERS. Certainly.

Mr. CANNON of Illinois. And it was believed to be sufficient there to accomplish the purpose that it was designed to accomplish?

Mr. SAYERS. It was.

I will say to the gentleman from Illinois that no one was more surprised than myself at the construction put upon it by the Navy Department.

Mr. CANNON of Illinois. Well, I want to say—having had the statement we have from the gentleman from Texas—that I shall vote for the proposed resolution introduced by him. But, Mr. Speaker, I desire to call the attention of the House for just a moment——

Mr. LOUD. And the country.

Mr. CANNON of Illinois. Yes; the gentleman from California says and the country, for a portion of it at least is interested in a correct construction of the act, and especially those persons who have been dropped on account of the alleged failure of Congress to appropriate, and the public service is presumably suffering somewhat from a cessation of the labor in the construction of the new Navy by the discharge of mechanics and others—I say in this connection I want to call attention to the joint resolution itself, which I hold in my hand:

Be it resolved by the Senate and House of Representatives——

Mr. SAYERS. The gentleman from Illinois refers now to the former resolution?

Mr. CANNON of Illinois. Yes; the one passed a few days ago, and enacted—

That all appropriations for the necessary operations of the Government, under existing laws are hereby continued and made available for a period of thirty days, and a sufficient amount is hereby appropriated, etc.

It will be seen that this specifies "all appropriations for the necessary operations of the Government under existing laws." The laws have been passed authorizing the construction of the new Navy, upon which these thousands of workmen have been engaged and ought still to be engaged.

I suppose it is a "necessary operation of the Government" to continue that work. It has been always so held in similar appropriations. Now, then, it may be replied that an appropriation for the construction of the Navy is a continuing appropriation. That is true. That is to say, while in terms it is an appropriation for, say, the fiscal year 1894 or 1895, as the case may be, yet if there is anything left of it at the close of 1894 it would continue over without further action of Congress until expended. But that is true of the pay of the Navy. That is a continuing appropriation. I undertake to say, therefore, that under this construction of the law by the Secretary of the Navy, there is not an officer of the Navy that can receive pay for July under the joint resolution.

Mr. COOMBS. Will the gentleman give way for a moment?

Mr. CANNON of Illinois. I will for a question.

Mr. COOMBS. I simply wish to make the statement to you that the Secretary of the Navy gave me—that is to say, that before taking this step he had laid the resolution before the Attorney-General, and he concurred in his doubts as to whether the resolution as passed would meet the present requirements.

It was undoubtedly, as the gentleman of course understands, the intention of the House and Congress to continue the work of construction at the different navy-yards, and nobody contemplated or supposed for a moment that it would not be covered by the resolution. The Secretary had some doubt on that point, however, and laid it before the Attorney-General, and on receiving confirmation from him, he thought it would be a safer course to ask Congress to amend the resolution in this respect. I believe myself, as the gentleman does, that the former resolution was sufficient.

Mr. CANNON of Illinois. I am merely calling attention to the fact that if this law that we passed extending the appropriations is not sufficient to continue this work without the enactment of this resolution, then in many cases where the appropriations are construed to be continuing appropriations there is no authority in law to continue the public service. You can not pay an official of the Navy under this general act if the construction of the Secretary is correct; and if you are to disregard the construction of laws similar to this that have been enacted for twenty years at least, that you may meet a new-born doubt of a Secretary of the Navy, then you will find this trouble all along the line, and the gentleman's resolution is not broad enough.

All I wanted to do was to call attention to the existing conditions. I will state again that it seems to me, in the light of constructions heretofore made for the last twenty years and upon reading this act itself, that there can be no well-grounded doubt to a sound constructionist but that the resolution is ample

to cover the case. Yet these thousands of men have been discharged and the work has come to a standstill.

Now, I want to suggest that if there was one-tenth part as much liberality in construing this appropriation that we made by this general act extending the appropriations as there is in the liberal construction that has been given in the Treasury Department to important legislation, these thousands of men would not have been dropped from the rolls, and the delay of the work in the construction of the new Navy would not have taken place.

Mr. REED. Will my friend allow me to interrupt him for a moment?

Mr. CANNON of Illinois. I have not control of the time, but no doubt the gentleman from Texas will yield to the gentleman from Maine.

Mr. SAYERS. I will yield, of course. I wish the gentleman from Illinois would please have that original resolution published in connection with his remarks.

Mr. REED. Mr. Speaker, I am very sorry to seem to differ with my friend the gentleman from Illinois [Mr. CANNON], because his judgment and good sense are such that it makes a difference with him rather bad for the person who differs. And yet I feel that he has omitted one consideration of a general and very penetrating nature. What is called the policy of an Administration is pretty sure to permeate in time through all the officials. Whatever the Administration desires in some way or other gets possession of official minds, and therefore I think that these persons who have had these doubts which have resulted in the discharge of thousands of workingmen have really been penetrated with the policy of the Administration.

Insensibly to them the feeling has got among them that every doubt should be resolved in favor of the policy of the Administration. Well, now, what more natural construction could be made than that men should be discharged and industries destroyed? All private industries have been stopped by the policy of the Administration. Why should not the public industries be stopped? Workingmen have been thrown out of employment everywhere else; why not in the Government employ? I must say that I think those gentlemen who have construed the policy of the Administration have acted up to the spirit of it, and I am quite sure my friend from Illinois [Mr. CANNON] would not think of blaming them for acting in a manner so entirely consistent with the whole principle of the party, the policy of which they very naturally represent.

For my part I am very desirous of overturning that policy, and I am very glad to begin right here and now, and to resolve all doubt in favor of the employment of men, hoping that the Administration may have received a sufficient lesson, so that they will not take advantage of the doubts suggested by my friend from Illinois [Mr. CANNON] and stop some other industry. And yet there is grave danger that they may. So that this resolution, while it may restore to employment thousands of men, may enable the Administration to carry out this magnificent policy in other fields of ceasing effort. It is a great spectacle when the Government of the United States adds to the army of the unemployed, already sufficient in this country! [Applause on the Republican side.]

Mr. SAYERS. Mr. Speaker, the letter of the Secretary of the Navy, asking for the passage of the resolution, would seem to me to be a sufficient answer to the gentleman from Maine, and to show that there is no disposition on the part of the Administration to unnecessarily and improperly discharge workmen from the service of the Government.

Mr. CANNON of Illinois. While that is true, if my friend will allow me——

Mr. SAYERS. Certainly.

Mr. CANNON of Illinois. We all will vote for the resolution the gentleman offers, because if the Executive should find a fly-speck on a resolution, and say that that created a doubt, if it stopped the wheels of the Government, however foolish that construction might be, I would come in and vote with my friend from Texas [Mr. SAYERS] to solemnly remove the fly-speck.

Mr. REED. Why not put in a proviso that nothing in this resolution shall be construed to close any other public works? Perhaps that might curb the Administration in its policy. I suggest that to the gentleman from Texas, whom I know does not sympathize with the Administration in the destruction of industries.

Mr. SAYERS. I call for a vote on the resolution.

The joint resolution was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. SAYERS, a motion to reconsider the vote by which the joint resolution was agreed to was laid on the table.

Mr. HALL of Missouri. I call for the regular order.

ENROLLED BILL SIGNED.

Mr. PEARSON, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled the bill (S. 578) granting an increase of pension to Wells Johnson; when the Speaker signed the same.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. SOMERS, for ten days, on account of sickness.

The SPEAKER. The regular order is the call of committees for reports. The Clerk will call the committees.

NICARAGUA CANAL.

Mr. MALLORY, from the Committee on Interstate and Foreign Commerce, reported the bill H. R. 7639 as a substitute for the bills H. R. 6058, 6682, 6853, and 7108, respectively, to amend the act entitled, "An act to incorporate the Maritime Canal Company of Nicaragua," approved February 20, 1889; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

The SPEAKER. The original bills will lie on the table.

No further reports were submitted.

ORDER OF BUSINESS.

The SPEAKER. This completes the call of committees for reports. The morning hour begins at fifteen minutes to 1 o'clock, and the call rests with the Committee on the Post-Office and Post-Roads. The Clerk will report the title of the bill which was under consideration.

The Clerk read as follows:

A bill (H. R. 7020) to readjust the salaries and allowances of the postmasters at Guthrie, Oklahoma City, and Kingfisher in Oklahoma Territory.

The SPEAKER. The bill is in Committee of the Whole.

Mr. HENDERSON of North Carolina. I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. RICHARDSON of Tennessee in the chair.

SALARIES AND ALLOWANCES OF POSTMASTERS AT GUTHRIE, OKLAHOMA CITY, AND KINGFISHER.

The CHAIRMAN. The House is in Committee of the Whole for the consideration of the bill the title of which the Clerk will report.

The title of the bill was again reported.

The CHAIRMAN. When this bill was last under consideration an amendment offered by the gentleman from Tennessee [Mr. MCMILLIN] was pending, that the bill be reported to the House with the recommendation that the enacting clause be stricken out, and upon that motion the committee was dividing. The Chair had appointed the gentleman from North Carolina [Mr. HENDERSON] and the gentleman from Tennessee [Mr. MCMILLIN] as tellers. These gentlemen will again take their places as tellers. The question is on the motion of the gentleman from Tennessee.

The committee divided; and tellers reported—ayes 57, noes 122.

So the motion to strike out the enacting clause was rejected.

The CHAIRMAN. The question now is on the motion made by the gentleman from North Carolina, that the bill be reported to the House with a favorable recommendation.

The motion was agreed to.

The CHAIRMAN. The committee will rise.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. RICHARDSON of Tennessee, chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 7020, and had directed him to report the same to the House with the recommendation that it do pass.

Mr. HENDERSON of North Carolina. Mr. Speaker, I demand the previous question on the passage of the bill.

The previous question was ordered, and under the operation thereof the bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time.

The question was taken on the passage of the bill, and the Speaker announced that the ayes seemed to have it.

Mr. MCMILLIN. Let us have the yeas and nays on that, Mr. Speaker.

The yeas and nays were ordered.

The SPEAKER. The Chair will appoint as tellers the gentleman from Tennessee [Mr. MCMILLIN] and the gentleman from North Carolina [Mr. HENDERSON].

The question was taken; and there were—yeas 134, nays 61, answered "present," 1, not voting 156; as follows:

YEAS—134.

Adams, Ky.	Curtis, Kans.	Hopkins, Pa.	Powers,
Adams, Pa.	Dalzell,	Hulick,	Reed,
Aitken.	Daniels,	Johnson, Ind.	Richards, Ohio
Allen,	Davis,	Johnson, N. Dak.	Richardson, Tenn.
Babcock,	Dinsmore,	Johnson, Ohio	Ritchie,
Baker, Kans.	Donovan,	Kem.	Robertson, La.
Baker, N. H.	Doolittle,	Kiefer,	Ryan,
Bartholdt,	Dunn,	Kribbs,	Shaw,
Barwig,	Durborow,	Kyle,	Smith,
Bell, Colo.	Edmunds,	Latimer,	Springer,
Berry,	Ellis, Oregon	Loud,	Stone, C. W.
Bingham,	Erdman,	Lucas,	Stone, W. A.
Blair,	Fletcher,	Mallory,	Strait,
Boen.	Funk,	Marsh.	Swanson,
Bowers, Cal.	Gear,	McDannold,	Sweet,
Breckinridge, Ark.	Geary,	McGann,	Talbott, Md.
Brickner,	Goldzier,	McNagny,	Tarsney,
Broderick,	Grady,	McRae,	Tawney,
Brosius,	Graham,	Meredith,	Terry,
Bundy,	Griffin,	Meyer,	Thomas,
Burrows,	Grosvenor,	Milliken,	Tracey,
Cabaniss,	Hager,	Money,	Tyler,
Cannon, Cal.	Hainer,	Moon,	Updegraff,
Cannon, Ill.	Hall, Mo.	Morgan,	Van Voorhis, Ohio
Caruth,	Hammond,	Murray,	Wanger,
Catchings,	Hare,	Newlands,	Warner,
Clark, Mo.	Haugen,	Northway,	Washington,
Cobb, Ala.	Heard,	Ogden.	Waugh,
Cobb, Mo.	Henderson, Ill.	Paschal,	Wilson, Ohio
Cogswell.	Henderson, N. C.	Patterson.	Wilson, W. Va.
Cooper, Fla.	Hepburn,	Payne,	Wolverton,
Cooper, Wis.	Hermann,	Pence,	Wright, Mass.
Crain,	Hitt,	Pickler,	
Crawford,	Hopkins, Ill.	Pigott,	

NAYS—61.

Abbott,	Cooper, Ind.	Jones,	Robbins,
Alderson,	Cooper, Tex.	Kilgore,	Sayers,
Alexander,	Cox,	Lane,	Shell,
Arnold,	De Armond,	Layton,	Snodgrass,
Baldwin,	Denson,	Lester,	Sperry,
Bell, Tex.	Dockery,	Lynch,	Stone, Ky.
Black, Ga.	Fithian,	Martin, Ind.	Talbert, S. C.
Black, Ill.	Fyan,	McCreary, Ky.	Tate,
Bretz,	Gorman,	McCulloch,	Taylor, Ind.
Brookshire,	Gresham,	McDearmon,	Turner, Ga.
Brown,	Hall, Minn.	McKaig,	Williams, Ill.
Bryan,	Holman,	McMillin,	Wise,
Bynum,	Hooker, Miss.	Page,	Woodard.
Caminetti,	Hunter,	Paynter,	
Cockrell,	Hutcheson,	Pearson,	
Coombs,	Izlar,	Pendleton, Tex.	

ANSWERED "PRESENT"—1.

McCleary, Minn.

NOT VOTING—156.

Aldrich,	Dunphy,	Lisle,	Robinson, Pa.
Apsley,	Ellis, Ky.	Livingston,	Rusk,
Avery,	English, Cal.	Lockwood,	Russell, Conn.
Bailey,	English, N. J.	Loudenslager,	Russell, Ga.
Bankhead,	Enloe,	Maddox,	Schermerhorn,
Barnes,	Epes,	Magner,	Scranton,
Bartlett,	Everett,	Maguire,	Settle,
Belden,	Fielder,	Mahon,	Sherman,
Beltzhoover,	Forman,	Marshall,	Sibley,
Bland,	Funston,	Marvin, N. Y.	Sickles,
Boatner,	Gardner,	McAleer,	Simpson,
Boutelle,	Geissenhainer,	McCall,	Sipe.
Bower, N. C.	Gillet, N. Y.	McDowell,	Somers,
Branch,	Gillett, Mass.	McEttrick,	Sorg,
Breckinridge, Ky.	Goodnight,	McKeighan,	Stallings,
Bunn,	Grout,	McLaurin,	Stephenson,
Burnes,	Grow,	Meiklejohn,	Stevens,
Cadmus,	Haines,	Mercer,	Stockdale,
Campbell,	Harmer,	Montgomery,	Storer,
Capehart,	Harris,	Morse,	Straus,
Causey,	Harter,	Moses,	Strong,
Chickering,	Hartman,	Mutchler,	Taylor, Tenn.
Childs,	Hatch,	Neill,	Tucker,
Clancy,	Hayes,	Oates,	Turner, Va.
Clarke, Ala.	Heiner,	O'Neil, Mass.	Turpin,
Cockran,	Henderson, Iowa	O'Neill, Mo.	Van Voorhis, N. Y.
Coffeen,	Hendrix,	Outhwaite,	Wadsworth,
Conn,	Hicks,	Pendleton, W. Va.	Walker,
Cornish,	Hines,	Perkins,	Weadock,
Cousins,	Hooker, N. Y.	Phillips,	Wells,
Covert,	Houk,	Post,	Wever,
Culberson,	Hudson,	Price,	Wheeler, Ala.
Cummings,	Hull,	Quigg,	Wheeler, Ill.
Curtis, N. Y.	Ikirt,	Randall,	White,
Davey,	Lacey,	Ray,	Whiting,
De Forest,	Lapham,	Rayner,	Williams, Miss.
Dingley,	Lawson,	Reilly,	Wilson, Wash.
Dolliver,	Lefever,	Reyburn,	Woomer,
Draper,	Linton,	Richardson, Mich.	Wright, Pa.

So the bill was passed.

The following pairs were announced:

Until further notice:

Mr. CULBERSON with Mr. GROUT.

Mr. HATCH with Mr. HARMER.

Mr. BLAND with Mr. MORSE.

Mr. TURPIN with Mr. DRAPER.

Mr. BLACK of Illinois with Mr. CURTIS of New York.

Mr. RAYNER with Mr. GROW.

Mr. BUNN with Mr. DINGLEY.

Mr. BANKHEAD with Mr. MILLIKEN.

Mr. LAWSON with Mr. WILSON of Washington.

Mr. ENLOE with Mr. BOUTELLE.

Mr. O'NEIL of Massachusetts with Mr. COGSWELL.

Mr. WHITING with Mr. LACEY.

Mr. MONTGOMERY with Mr. HOPKINS of Illinois.

Mr. SOMERS with Mr. MARVIN of New York.

Mr. ELLIS of Kentucky with Mr. SCRANTON.

Mr. NEILL of Arkansas with Mr. CHILDS.

Mr. SCHERMERHORN with Mr. BELDEN.

Mr. FORMAN with Mr. WHEELER of Illinois.

Mr. HAINES with Mr. HARTMAN.

Mr. SICKLES with Mr. DANIELS.

Mr. OATES with Mr. SHERMAN.

Mr. COOPER of Texas with Mr. GILLETT of Massachusetts.

Mr. BARNES with Mr. MCCLEARY of Minnesota.

Mr. STRAUS with Mr. QUIGG.

Mr. STOCKDALE with Mr. AVERY.

Mr. GOODNIGHT with Mr. ROBINSON of Pennsylvania.

Mr. CAMPBELL with Mr. TAYLOR of Tennessee.

Mr. GEISSENHAINER with Mr. WRIGHT of Pennsylvania.

The following for this day:

Mr. MADDOX with Mr. MARVIN of New York.

Mr. RUSSELL of Georgia with Mr. STORER.

Mr. LIVINGSTON with Mr. HENDERSON of Iowa.

Mr. IKIRT with Mr. HULL.

Mr. MCETTRICK with Mr. POST.

Mr. BRANCH with Mr. ALDRICH.

Mr. PENDLETON of West Virginia with Mr. LUCAS.

Mr. SIPE with Mr. WALKER.

Mr. WHEELER of Alabama with Mr. PHILLIPS.

Mr. MUTCHLER with Mr. WADSWORTH.

Mr. WHEELER of Alabama. Mr. Speaker, I have voted, but as I understand that a quorum has voted, and, being paired, I desire to withdraw my vote.

Mr. MCCLEARY of Minnesota. Mr. Speaker, since voting I remember that I am paired, and I prefer to answer "present."

Mr. QUIGG. Mr. Speaker, I observe that I am still paired with my colleague, Mr. STRAUS. Having voted inadvertently, I now withdraw my vote.

The result of the vote was then announced as above recorded.

On motion of Mr. HENDERSON of North Carolina, a motion to reconsider the vote by which the bill was passed was laid on the table.

ORDER OF BUSINESS.

Mr. MCRAE. Mr. Speaker, I ask unanimous consent that the morning hour be now considered as closed.

There was no objection, and it was so ordered.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. COX, its Secretary, announced that the Senate had passed a bill (H. R. 4864) to reduce taxation, to provide revenue for the Government, and for other purposes, with amendments; in which the concurrence of the House was requested, asked a conference on the disagreeing votes of the two Houses, and had appointed as conferees on the part of the Senate Mr. VOORHEES, Mr. HARRIS, Mr. VEST, Mr. JONES of Arkansas, Mr. SHERMAN, Mr. ALLISON, and Mr. ALDRICH. [Applause on the Democratic side.]

TAXATION OF UNITED STATES LEGAL-TENDER NOTES.

Mr. HALL of Missouri, from the Committee on Banking and Currency, reported back, with amendments, the bill (H. R. 4326) to permit taxation of United States legal-tender notes, and called up the bill for immediate consideration.

The SPEAKER. The gentleman from Missouri, under the privilege of the Committee on Banking and Currency, calls up this bill for consideration.

The bill was read, as amended, as follows:

Be it enacted by the Senate and House of Representatives, etc., That no United States legal-tender notes circulating as currency shall be exempt from taxation under the authority of any State or Territory: *Provided*, That any such taxation shall be exercised in the same manner and at the same rate that any such State or Territory shall tax other money within its jurisdiction.

SEC. 2. That the provisions of this act shall not be deemed or held to change existing laws in respect of the taxation of national banking associations.

Mr. JOHNSON of Ohio. I call for the reading of the report of the committee.

The SPEAKER. That can be read only by unanimous consent as a part of some gentleman's remarks.

Mr. JOHNSON of Ohio. Mr. Speaker, can the question of consideration be raised upon this bill at this time?

The SPEAKER. It can.

Mr. JOHNSON of Ohio. Then I raise the question of consideration.

Mr. DOCKERY. Is not the bill in Committee of the Whole.

The SPEAKER. No; it has just been reported. The gentleman from Ohio raises the question of consideration on this bill, and the question is, Will the House proceed to consider the bill?

The question being taken, it was decided in the affirmative.

Mr. HALL of Missouri. I will state to the House the nature of this bill——

Mr. BROSIUS. One moment. Mr. Speaker, is this bill to be considered in Committee of the Whole?

Mr. HALL of Missouri. I do not understand——

Mr. BROSIUS. Mr. Speaker, this bill authorizes the States and Territories to tax Federal obligations. I wish to make the parliamentary inquiry whether our rules do not require that such a bill should be considered in Committee of the Whole?

The SPEAKER. The Chair has not looked into the question. He will ask the gentleman whether there is any rule applicable to the point?

Mr. HALL of Missouri. I make the point that this is not a question of Federal taxation. The proposition is simply to permit the States and Territories to tax, not national obligations, but Treasury notes.

Mr. McMILLIN. In response to the point of order of the gentleman from Pennsylvania, I suggest that the discussion of the bill had already begun and it was too late to make the point of order.

Mr. BROSIUS. I do not think so.

Mr. COOMBS. The point had been raised before.

The SPEAKER. The Chair does not see that the rule covers this case. Has the gentleman from Pennsylvania looked into the question?

Mr. BROSIUS. I have not examined it carefully; but it occurred to me that if an act imposing a tax by Federal authority would have to be considered in Committee of the Whole an act delegating that power of taxation to any other body should likewise be considered in Committee of the Whole. This bill delegates the taxing power in this respect to States and Territories. I confess this is a new inquiry to me; and I do not feel sure on the point.

The SPEAKER (after examining the rule). The Chair does not think that the rule requires the consideration of this bill in Committee of the Whole. The Chair does not understand that the bill is one which within the meaning of the rule imposes a tax or charge upon the people.

Mr. BROSIUS. Well, I am not clear that it does.

The SPEAKER. The Chair overrules the point of order. The gentleman from Missouri [Mr. HALL] will proceed.

Mr. HALL of Missouri. The question involved in this bill is not a question of the taxation of a national obligation within the general meaning of that term. As we understand, national obligations, such as the States are inhibited from taxing, are those which are in the nature of investments——

Mr. HOLMAN. Public securities.

Mr. HALL of Missouri. Public securities bearing interest, in which men make their investments, as they would in any other kind or class of property, for profit.

In the law creating greenbacks or Treasury notes there was an express provision that they should not be subject to State or municipal taxation. In my view it was unnecessary that such an inhibition should have been inserted, for the reason that the States have no power to tax the money issued by the Federal Government in the form of promises to pay unless with the express consent of the National Government. But although that clause inhibiting the taxation of Treasury notes by States or municipalities was really unnecessary, it was inserted. The reason, however, which influenced the insertion has long since ceased to exist.

When the act was passed creating the national banks and imposing 10 per cent upon the State bank circulation, thereby abolishing State circulation, there was a feeling in Congress, as the debates of that time show, that the States would in consequence of the national legislation indulge a feeling of bitterness against the greenbacks, which would induce them to try to tax those notes out of existence. Hence out of extraordinary caution, without any necessity for such action, a provision was adopted exempting the greenbacks from taxation.

Now, I make this statement, that the Treasury note is the only form of money circulating in the United States to-day that is not taxed by States and municipalities.

Mr. BROSIUS. Will it interrupt the gentleman if I make an inquiry at this point?

Mr. HALL of Missouri. Not at all.

Mr. BROSIUS. I would like to know whether the gentleman can refer me to a case in which the point just stated by him has been ruled.

Mr. HALL of Missouri. It has been decided by every court that has passed on the question, save the supreme court of Mississippi, that the States and municipalities have the right to tax national-bank notes and all other forms of money except Treasury notes.

Mr. BROSIUS. Well, that information is very general. Can my friend cite a case in which the question has been ruled?

Mr. HALL of Missouri. I can not cite special cases while on this floor, but I will state that in all the States that tax money it is the custom to tax national-bank notes and other forms of money. There is no question about the existence of the power. But I do not know of any case in the Supreme Court of the United States where the question has been passed upon.

Mr. BROSIUS. May I just add at this point that I have been unable to find anybody, on inquiry, who is aware of the existence of any case that he can point to as a ruling on this point?

But now I wish to make another inquiry of the gentleman, if he will permit me, whether the Treasury notes under the Sherman act are taxed by any State?

Mr. HALL of Missouri. Most certainly, yes. The words "Treasury note" are used in this bill, let me say to the gentleman, for the purpose of covering that point. I have just said a few moments ago that that is the only form of money that is not taxable; that is to say, the Treasury note.

Mr. BROSIUS. Does the bill apply to Treasury notes—I mean issued under the act of 1890?

Mr. HALL of Missouri. Yes, sir. The bill is intended to cover that point.

I desire to say, Mr. Speaker, what I have already said in the beginning of my remarks, that this is the only form of money that is not taxable by States or municipalities; that if a man invests in national-bank notes, or in gold or silver, or any other form of property, such investments are subject to assessment for State and municipal taxes.

Now, I desire to say to gentlemen on the other side that this question did not assume in committee, and I do not think it will assume here, a partisan aspect.

Mr. COX. Will the gentleman permit me a moment to call his attention to the reported bill? The whole question of the gentleman from Pennsylvania is solved by the report which refers to—

All circulating notes of national banking associations and all United States legal-tender notes, etc.

So the whole case is covered by that.

Mr. HOLMAN The first class was always subject to taxation.

Mr. HALL of Missouri. The question, Mr. Speaker, as I was st ting, has nothing of partisan politics about it. It is merely a business question. The sole question is whether the United States Government is to act the part of a partial parent and take up and designate one particular class of property in the shape of money and say it is not to be subject to State or municipal taxation, but that all other property is to be.

Now, what is the effect of it? While nominally there are three hundred and forty-six millions of greenbacks in existence—or probably three hundred and thirty millions—nearly two hundred millions of that sum is held by the national banks as a reserve fund. It is not in circulation. It is driven out of circulation. Instead of helping to form a part of the circulating medium of the country, it is hoarded, locked up, and driven out of circulation.

It has been stated that these are national obligations, issued by the Government of the United States and under the constitutional authority of the Government, which Constitution inhibits the States from impairing the obligations of the contract. I wish to state in response that there is no clause in the Constitution of the United States which inhibits the United States Government from impairing the obligation of its own contracts; but in that connection let me say, that I would never vote for such a measure, for we have a higher and a broader ground on which to base our action, and that is the good faith of the National Government.

But many seem to have the idea in regard to this question that there is something in the Constitution that prevents the National Government from taxing to-day money or other obligations that it did not tax at another time. There is no such provision in the Constitution of the United States. That, however, is not the question here, but simply whether the National Government shall permit the States to tax this form of money as they tax all other forms, or whether the Government of the United States is, as I said before, to act the part of a partial parent to permit certain privileges to be extended to one form of money that is not extended to all other forms.

Now, what is the effect of the present condition? You can find the effect in every county, State, and municipal assessment made throughout the whole United States, and even the Supreme Court of the United States has examined the case, in 91 United

States Reports in the Leavenworth case, where we find this state of facts: A man with a little over $19,000 in currency in one of the banks the day before the assessor came made his check out for his $19,000, and asks that it be paid him in greenbacks. It is handed to him, and he puts it in an envelope and makes a special deposit of the same. The assessor comes the next day and the holder of the $19,000 of greenbacks says, "I have no money that is subject to State or municipal taxation." This is simply used as a cloak, a stalking horse, a shield, to cover the men who desire to make fraudulent returns of their property for assessment purposes; and the Government of the United States, by letting this law remain on the statute books, becomes *particeps criminis* to that proceeding.

Mr. CANNON of Illinois. Will the gentleman allow me to interrupt him?

Mr. HALL of Missouri. Certainly.

Mr. CANNON of Illinois. Before asking the question, let me suggest that I am not prepared to say that I antagonize the purposes of this bill. But the gentleman has made an illustration in the case of a man having $19,000 in the bank, as I understand it, who comes to the bank, as he had the right do, and handed in his check for that money. He took his money in Treasury notes, put them in an envelope and made a special deposit of the amount, say on April 1, or whatever day it was, and when the assessor came he answered that he had $19,000 in greenbacks not subject to taxation. Then, I suppose—the gentleman did not say, but I suppose—he did not keep the greenbacks for a year, but went on and reconverted them.

Mr. HALL of Missouri. He reconverted them the second day afterward.

Mr. CANNON of Illinois. And in that way escaped taxation for a whole year. Yet I will ask my friend if it is not true that that is the fault of the law of the State of Kansas, if it took place in Kansas? In other words, the State of Kansas can tax that property on an average. If a man has it for 363 days in the year in the shape of credits, he can not avoid taxation, under a well-devised State law, by holding Treasury notes two days in the year. Does not the trouble come from the fact that the State has not properly legislated?

Mr. HALL of Missouri. I will answer the gentleman by saying that the State law of Kansas is similar to the State laws of a great many of the States of this Union, and that this exemption clause relative to Treasury notes is used just to cloak such men as that from taxation. And I wish the gentleman to understand that under a law proceeding that man was not liable for that tax on his $19,000, and would escape taxation on that in any law proceeding. Now, I take a further step and say that any cashier of a bank with $300,000 of deposits can take $5,000 of greenbacks and exempt every dollar of those deposits from taxation—not legally, but that he does it.

Mr. HEARD. In the case just now put by my friend from Illinois [Mr. CANNON] was not the return of the taxpayer conclusive in that case? He made return that he had no money subject to taxation. Now, how could the State go to work and by making the average to which my friend from Illinois [Mr. CANNON] alludes, or in any other way, tax him on the $19,000 which was by law exempted from taxation?

Mr. CANNON of Illinois. If the State law of Kansas had provided that a man should be taxed upon the average of his credits for the year, the whole three hundred and sixty-five days, then, if he owned greenbacks two days out of the three hundred and sixty-five, he would escape taxation on the $19,000 for two three-hundred-and-sixty-fifths of the year, and pay taxes for the balance of the year.

Mr. HALL of Missouri. I must answer the gentleman by saying that that is not the method of taxation in any of the States that I know anything about.

Mr. CANNON of Illinois. My object in asking is to get information, and not to antagonize the bill; because, so far as I know, I am not now prepared to say that I will vote against it, but I will ask the gentleman whether nine-tenths of the trouble does not come from the fact that people in the States have been content to talk about this, and still they have continued to allow men to make fraudulent or imperfect returns, which they were enabled to do under imperfect State legislation? And if I was criticising the bill I would ask: Do you not march up and say that you will subject the credit of the Government to taxation which, if it was unfriendly, would mean destruction, for the purpose of relieving the various States that seek to tax the moneys and credits of their citizens, from fraud that they might protect themselves against by proper legislation?

Mr. HALL of Missouri. I shall object to having a speech thrown into the middle of my remarks.

Mr. CANNON of Illinois. I will withdraw what I have said if the gentleman desires.

Mr. HALL of Missouri. Let it go for what it is worth.

Mr. CANNON of Illinois. I am asking the question in good faith, to get some light on this bill. I do not want to commit myself about this matter one way or the other. I am seeking in good faith for information. I had just as soon vote for this bill as any other, if it ought to pass, and I am trying to find out.

Mr. HALL of Missouri. Now, I want to conclude the few remarks I have to make in the beginning of this discussion, by stating that the Supreme Court of the United States has passed upon a question similar to this, in passing upon the question of the right of a State to tax the shares of national banks. I have a decision here by the Supreme Court in 9 Wallace, the opinion delivered by Justice Miller, and I believed concurred in by an unanimous court.

I desire now to strike the kernel of this whole situation with this sentence—not that I get this from the law book, but it strikes me as the general sense of the legal authorities on this question—that if money, or whatever a man puts his money into just before the assessor comes around, is in the nature of an investment, in the nature of an obligation of the Federal Government, that can not be subject to State or municipal taxation, but where it performs more the function of money or currency than it does of obligation, then the State or municipality can have leave by Congress to tax it—that, of course, being uniform. Here I read from Judge Cooley in his work upon taxation, page 69 of the second edition of the work, in which he uses this language:

> It is perfectly well settled, however, that an exemption granted from motives of State policy merely, and where the State and the citizen do not meet on a basis of bargain and consideration, is to be deemed expressive only of the present will of the State on the subject; and the law granting it, like laws in general, is subject to modification or repeal in the legislative discretion, and it is immaterial that while it continued in force parties have acted in reliance upon it.

Now, a great many cases are cited here by Judge Cooley:

> An exemption from taxation of the property of members of the National Guard may be repealed even as to one who enlists while it is in force, and who is in service at the time of repeal. (People *vs.* Assessors of Brooklyn, 81 N. Y., 610.)
>
> A statute imposed a certain rate of taxation on insurance companies then in existence or thereafter to be chartered. Held that the rate may be increased as to the subsequently formed companies.

And he cited a number of cases in that line.

Now, I desire to make the point here that the question is not the impairment of the national obligations. No man has the right to cloak or shield fraud under a national promise. These Treasury notes are now used by the trust companies of the United States, and are used by unscrupulous men of all kinds and classes to shield themselves from taxation by making a return similar to the Leavenworth man to whom I have referred. We can not afford to lay down such precedents.

If there be any merit in the greenback system, or if there be demerit in it, that many on the other side and some upon this maintain, then let greenbacks stand upon their merits, and not with special favors and privileges extended to them, but let them stand or fall by their merits, and pass this bill affecting this $330,000,000 of Treasury notes that are driven out of circulation because the trust companies and national banks hold them in reserve because they know they can not be touched by State or municipal taxation. For this reason I am in favor of this measure.

I reserve the remainder of my time.

[Mr. BROSIUS withholds his remarks for revision. See Appendix.]

Mr. COOPER of Indiana. I yield ten minutes to the gentleman from Ohio [Mr. GROSVENOR].

Mr. JOHNSON of Indiana. One moment. Does this come out of the time of the gentleman from Indiana?

Mr. COOPER of Indiana. Yes; I yield it from my time.

Mr. GROSVENOR. Mr. Speaker, I can not yield my consent to the argument made by the gentleman from Pennsylvania [Mr. BROSIUS] in opposition to this measure. I reserve, however, to myself the right to vote for, and possibly advocate, an amendment which would relieve the bill of what seems to me to be a most serious question—that is, whether the language of the provision as now worded does not have the effect of compelling the States to levy this tax. That question I reserve.

In a State where money and credits can be taxed by law, I can well understand the objection of the gentleman from Pennsylvania to any measure that would discriminate for or against one species of money of the country. But in the State which I have the honor in part to represent here, and I think it is the condition of most of the Western and Middle States, there is a condition wholly different and one which I desire briefly to point out in the time allotted to me.

In the constitution of the State of Ohio, in the second paragraph of the twelfth article, this provision is found:

> Law shall be passed taxing, by uniform rule, all moneys, credits, investments in bonds, stocks of joint stock companies or otherwise, and also all real and personal property according to its true value in money.

Now, that was the provision of the constitution of 1851, and from that day to this the effort has been made by the Legislature of Ohio, and it has been substantially successful except as interfered with in this particular, to levy uniform rates of taxation on all property of the State according to its true value in money. But under the prohibition of the statute of the United States forbidding the taxation of what we call greenbacks, we have just this condition in that State: A has in his pocket on taxation day $100, which happens to be in gold coin; B has in his pocket on the same day $100 in legal-tender United States notes—greenbacks. The sums are each of equal value; they are each money; they are money within the meaning of the constitution of the State. And yet this provision of our constitution is inoperative and ineffectual and can not be carried into execution because of that provision that denies to the State government the right to tax the greenbacks in the pocket of B and puts the entire burden on the gold coin in the pocket of A. I can not bring myself to believe that there is any justness in that condition.

The "fraud" that the gentleman from Pennsylvania speaks of, or seems to have heard something of, is different from that involved in a failure to make a just tax return ordinarily. The scheme worked in Ohio, and I presume in other States as well, is this: Money on deposit in the bank is taxable under the law. On the day perhaps previous to the taxing day, which is the second Monday in April in our State, a person wishing to avoid taxation goes to a bank and by his check, on a previously agreed arrangement, draws out the amount to his credit in greenbacks and carries it away. He then makes oath that he has no money or credit taxable under the law.

The day following that, he goes and re-establishes his credit in that bank by the deposit of the greenbacks. Sometimes it has been discovered that this process was going on, and I agree with the gentleman from Pennsylvania that such a fraud as that can be obviated by State legislation. It has been done by the judgment of the courts in Ohio. For two or three occasions these frauds were detected, a case made in court, and the court of last resort in Ohio held that it was a fraudulent evasion of the taxing law, and compelled taxation to be assessed upon that money, not as greenbacks, but as a credit in the bank.

Now, why should there be this inequality? The full illustration of the gentleman from Illinois [Mr. HOPKINS], which he forcibly made to the gentleman from Pennsylvania [Mr. BROSIUS], would be this: His reply, as I understood it, was that it was a question for State legislation to prevent discrimination. But suppose that we could pass a law in Congress that all bay horses in all the States of the Union should not be taxed, leaving it to the States to levy their taxation upon all other animals of that species. That would be an exact illustration of this trouble.

It will not do to say that State legislation may prescribe what property shall be taxed. That is not any answer. The difficulty which we complain of is that United States legislation undertakes to say that certain property shall not be taxed. Now, it is entirely competent for the State Legislature to say that no tax shall be levied upon money and credits, provided the constitution of the State did not compel it thereto, but it is not competent for a State Legislature, under such a provision as I have here, to levy taxes upon one species of money and not upon another. And so if it would be unfair and unjust in the State Legislature, it is equally unjust and inequitable that the United States statutes shall work out the same result as though the State Legislature had attempted to say that a horse of one color should be taxed, and that a horse of another color should not be taxed.

In these days, Mr. Speaker, when we are looking about us in our State governments for sources of revenue other than the farms and the houses and the personal property of the people, it is high time that the General Government should relieve the State governments from this inhibition. The art of statesmanship at home in the States to-day is directed to securing immunity for the farms and tangible and immovable property from the burden of taxation which is already unendurable in many of the States of the Union. So if this equalization can be perfected by the simple repeal of this provision of our national legislation, I am in favor of the passage or this bill.

I desire to point out where I was deficient for the moment in stating the objection which I make to the form of the bill. I fear that the fair construction of this measure in the form in which it is now reported will be to compel State Legislatures to tax the greenbacks in circulation. This is the language as it appears as amended by the report of the committee:

That no United States legal-tender notes circulating as currency shall be exempt from taxation under the authority of any State or Territory.

Mr. HOPKINS of Illinois. In States where money is taxed.

Mr. GROSVENOR. But that seems to be a mandatory provision, which ought to be changed so as simply to make it within the power of a State, and not a duty imposed upon a State.

Mr. COOPER of Indiana. I think there will be a substantial agreement to the effect that the original text of the bill shall stand, and if the gentleman will read the text of the bill as originally introduced, he will find that it leaves it to the discretion of the State to tax all circulating notes of national banks and other obligations of the Government circulating as money.

Mr. GROSVENOR. I think that would do it, but my colleague from Ohio [Mr. STRONG] will at the proper time offer an amendment which will perhaps be more satisfactory to the gentleman from Indiana.

Mr. BROSIUS. Mr. Speaker, at the conclusion of my remarks I omitted to ask unanimous consent to extend my remarks, to incorporate into my remarks some decisions the notes of which I have, but which I did not take time to read, and also a statement which has been compiled with a great deal of care and research, containing in very brief form a table of the form of taxation, the mode of taxation, and the property taxed in each of the States of the Union. It occurred to me that it would be a matter of very considerable information to all the members of the House, and if I have unanimous consent I will insert it in my remarks.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The SPEAKER *pro tempore*. The gentleman from Indiana [Mr. COOPER] is recognized.

Mr. COOPER of Indiana. The gentleman from Tennessee [Mr. COX] is a member of the committee, and he will take the floor in his own right.

The SPEAKER *pro tempore*. Does the gentleman from Indiana reserve his time?

Mr. COOPER of Indiana. I reserve my time.

Mr. COX. Mr. Speaker, the proposition involved in this legislation, when we come to understand it, is plain and distinct. It is not, as suggested, for the purpose of compelling States to levy a tax upon greenbacks. It is for the purpose of permitting States to assess a tax upon greenbacks if they think proper to do so. Now, the right and equity of it lies in this: Greenbacks are a legal tender in the payment of debts. That is all gold and silver can do in the discharge of debts. Now, if a greenback answers the purpose as a discharge of debts and is a legal tender, and gold and silver are taxed by the States without complaint, what is the reason why greenbacks should not be taxed by the same process, if the States shall desire to do so?

Now, that is the principle involved. The Supreme Court of the United States decided that the greenback was a legal tender for the payment of debts; and that is all that gold can do. What reason is there why a man who holds greenbacks in his pocket shall be exempt from taxation, and the man who holds gold and silver in his pocket shall be subjected to State taxation? Can any man give a good reason for that? That is all there is in it. I see my friend over there, who serves on the committee with me, shake his head; because there is no answer to the proposition at all.

Now, when you come to the argument, the fact that greenbacks are redeemable in gold is a question that does not affect this matter at all. Let us try it with a practical question, for my judgment is always running to something practical. Say my friend from Indiana [Mr. JOHNSON], who is sitting before me, has a thousand dollars in gold, and my friend from Texas [Mr. COCKRELL] has a thousand dollars in silver or in the bank, for that is not material, and I have a thousand dollars in greenbacks. I can get the gold of my friend from Indiana with the greenbacks, and I can get the silver of my friend from Texas with the greenbacks.

Now, the tax assessor of the State taxes you upon your silver, and you pay it; and the tax assessor taxes my friend from Indiana upon his gold, and he pays it; but when the tax assessor comes to me I say, "My money is exempt from State taxation." Now, can any member of the House say that is right? I do not care anything about theorists working out things; but the very moment it was settled that the greenback was a legal tender in the payment of debts, that very moment, so far as its legal-tender quality was concerned, it put it on the same basis as gold and silver; and the only thing I can see about the matter is that if I was inclined—which I am not—I think the tax on the greenback, if anything, ought to be more than on the gold and silver; but I am willing to treat it exactly the same way.

Now, one further remark. Some gentlemen have got it in their minds that Congress was going to compel the States to assess a tax. I do not think any man will bother himself about Congress compelling the States to tax anything. Why is there now a tax on gold and why is there a tax on silver? The policy of the law is that a man who has gold or silver, which is a cir-

culating medium for the purpose of trade and of commerce, shall not be allowed to lock it up in his pocket or shut it up and thereby deprive commerce of the means of exchange. When you come to the greenback, it is a legal reserve in your banks. It is the equivalent of gold; it is carried as gold; and yet you say that the States may tax gold and tax silver, but must exempt the greenbacks.

Now, then, I can see very readily how that will lead to fraud; and just allow me to say right here that there was a provision in the original bill that subjected national-bank notes to taxation. That was taken out for the simplest of reasons. There is but one State in the Union that holds that they are not subject to taxation. That is the State of Mississippi. Now, you come to the question of detail, and it is astonishing to me that there should be any question about it. A man who has $1,000, or $100,000, or $200,000 of greenbacks to-day, or the day the tax assessor comes around in his State, can say to the tax collector, "My money is exempt;" but the man who has $100,000 or $200,000 in silver, or the man who has the same amount in gold, has to pay the State tax on it.

Now, what kind of a discrimination is that? It does seem to me that the simple statement of the proposition carries conviction in the matter. Admit that greenbacks were nothing more than the promise of the Government to pay money. If it stopped there, and in order to increase their circulation and maintain them it was necessary to exempt them from taxation just like United States bonds, there would be some argument; but the very moment you say they are a legal tender in the payment of debts, why greenbacks are money. Whenever a thing pays debt it is money. It may circulate as currency and not be money, but when it is a legal tender it is money.

Now, one more word and I am done, for I do not think that this is a question on which we should spend much time. It is said that these greenbacks circulate all over the United States, and my friend from Pennsylvania [Mr. BROSIUS] is always exceedingly nice, courteous, and affable and all that sort of thing. Well, my friend, does not gold and silver also circulate all over the United States? Is not that subject to taxation? And I can not see for my life how any man can vote to protect a hundred thousand dollars in the pockets of one man in greenbacks, while he taxes another hundred thousand dollars in another form of legal tender money, of no more legal efficacy, letting the one go free and compelling the other to be taxed.

Mr. WISE. I understand the gentleman to say that the object of this bill is to give the States the right to tax United States legal-tender notes just as they have the right now to tax gold and silver.

Mr. COX of Tennessee. That is it.

Mr. WISE. Now, instead of doing that, your bill simply forbids the State from exempting United States legal-tender notes from taxation. I agree with you that they ought to be subject to taxation as gold and silver are, but your bill does not accomplish the object you have in view. It provides that no United States legal-tender note shall be exempt from taxation under the authority of any State. Now, I leave it to any lawyer in this House to say if that is not simply a prohibition upon the States from exempting these notes from taxation. That is all it is, and I advise the gentleman, if he wishes to accomplish the object he has in view, to change the language of his bill.

Mr. COX. Oh, well, when the phraseology of a bill is the only point in question, I am not much troubled about it. You have a law which puts a 10 per cent tax upon State bank issues, which provides that the State banks shall pay a tax of 10 per cent upon their issues. Now, if you repeal that law and say that State bank issues shall be exempt from that tax, you have accomplished your object. So with this law, if you say that these greenbacks shall not be exempt from State taxation, you leave it discretionary with the State. The phraseology of the bill is a matter that I do not care to spend many moments upon. I am willing to yield to the gentleman on that point.

Mr. WISE. The bill, it appears, stood originally as the gentleman says it ought to be, but he has changed it, and made it so that it simply prohibits the States from exempting these notes from taxation.

Mr. COX. The gentleman's idea, then, is that the bill goes too far and makes it imperative on the States to assess this tax?

Mr. WISE. Not exactly that. It simply says that they shall not exempt these notes from taxation.

Mr. GROSVENOR. What the gentleman from Tennessee wants to do is to authorize the States to levy this tax if they see proper.

Mr. COX. That is all. What I want is that if the States desire to assess this tax they shall have liberty to do so without restraint from Congress. That is all I desire. I now ask this House to say whether it is proper and just that a man who has one kind of money shall pay a tax upon it, while another man who has another kind of money equally legal tender shall not pay a tax upon it? The proposition seems too plain to require further discussion. How much time have I remaining, Mr. Speaker?

The SPEAKER *pro tempore* (Mr. BAILEY). The gentleman has forty minutes remaining.

Mr. COX. I yield that to the gentleman from Indiana [Mr. COOPER].

Mr. COOPER of Indiana. I reserve it, Mr. Speaker.

Mr. JOHNSON of Indiana. Mr. Speaker, the question involved in the pending measure is one of much more importance than it appears to be upon a casual examination. I want to see it decided upon the high ground upon which it ought to be determined, and with this motive in view I may find it necessary to refer during the course of my remarks to some elementary principles relating to constitutional law. It may be that in the first instance these principles may not seem to be applicable, but I am confident that their pertinency will appear as I progress.

The Federal Government is, of course, Mr. Speaker, a Government of delegated and limited powers. Its authority is to be sought for and found in the Constitution; such powers as are there conferred upon it and none others it may exercise. These powers, as is well known, are divided into expressed and implied; the expressed powers being such as are specifically enumerated and conferred by the very language of the Constitution, and the implied powers being such as are not specifically enumerated, but which flow from and are incident to the expressed powers and are necessary in order to carry them into effect.

It was, of course, not necessary that there should have been any allusion in the organic law to implied powers, since from the very nature of things they would have existed without such allusion; but it is nevertheless true that the Constitution in so many words provides that Congress shall have power to pass all laws which may be proper and necessary in order to carry the expressed powers into execution. While the Federal Government is thus circumscribed and limited in its authority, it is nevertheless a well-established principle of constitutional law that within its proper sphere it is absolute, sovereign, and supreme.

It is also another well-recognized principle that wherever the General Government has the constitutional power to do an act all the agencies and instrumentalities of which it makes use in order to perform this act are entirely beyond the control of the States which compose the Federal Union. No State has the right to impede, hinder, or in anywise obstruct any of these agencies. If any State were permitted to do so, the prerogative of the General Government would be encroached upon, its independence would be impaired, and its sovereignty, aye, its very existence, would be imperiled.

It would exist and exert its authority, not of its own volition and of its own inherent strength, but merely by the sufferance of the States, to whose whims and caprices it would be invariably subjected. Indeed, sir, the exemption from State interference of the agencies whereby the Federal Government executes its constitutional authority, is as essential to the nation's life as are the powers which are expressly conferred upon it by the very language of the Constitution.

Mr. Speaker, this principle is not a novel one in the history of the country. It is as old as the Constitution itself. It has been several times decided by the highest judicial tribunal of the land. In 1819 the State of Maryland undertook to tax the notes issued by one of the branch banks of the Bank of the United States, which had been previously established by Congress; and the courts of that State, including the court of highest resort, held that the State possessed this power.

But the question was appealed to the Supreme Court of the United States. It was there argued with great learning and ability by Mr. Webster, Mr. Pinckney, and Mr. Wirt; and the opinion of the court in the case, the celebrated case of McCulloch against the State of Maryland and others, reported in 4th Wheaton, was rendered by the Chief Justice, John Marshall. The opinion, sir, is luminous in thought and convincing in logic. The distinguished jurist, after a full consideration of the question, held that the decision of the lower court was erroneous, and that the notes of the branch bank of the United States, being the agencies of the Federal Government for the purpose of carrying into execution its constitutional power, were beyond the taxing power of the State of Maryland, and the decision of the supreme court of the State was reversed.

In the course of a few more years, in the year 1829, the question again came before the Supreme Court of the United States. In this instance the city council of Charleston, S. C., assuming to act under and by virtue of authority conferred upon it by the Legislature of that State, sought to impose a tax upon the stock of the United States, issued as security for money loaned to the General Government. In this instance, as in the case originating in the State of Maryland, the various State courts,

including the supreme court of South Carolina, held that the common council possessed the authority to impose this tax.

The case was appealed to the Supreme Court of the United States. It was carefully considered by this high tribunal, and in the celebrated case of Weston and others against the city council of Charleston, which will be found reported in 2d Peters, the Supreme Court again held, Chief Justice Marshall once more voicing the views of the tribunal, that the State possessed no right to tax this stock of the United States or in anywise to impede the agencies or instrumentalities through which the General Government sought to carry out any of the powers conferred upon it by the organic law.

In 1861-'62, Mr. Speaker, when the greenback was issued, Congress passed a statute expressly providing that all bonds, securities, and obligations of the General Government should be exempt from taxation at the hands of the States. This statute, sir, was not at all necessary. The agencies of the General Government were already exempt from State taxation under this principle of constitutional law to which I have referred. The exemption existed anterior to this statute. The adjudications I have spoken of establish this proposition. This statute so enacted by Congress was simply a declaratory statute. It was nothing more than a declaration of this constitutional exemption as it then existed.

But in the case of the Bank against the Supervisors, which was appealed, I believe, from the courts of the State of New York, and which is to be found on page 26 of 7th Wallace, the effect of this statute as applied to the greenback was the question directly involved. In this case, the opinion being pronounced by Chief Justice Chase, the Supreme Court of the United States held that the Treasury notes of the United States were not subject to taxation by any State of the Union; and put the decision on the same ground upon which the previous decisions had been put, that these notes being an instrumentality employed by the General Government to carry into effect its constitutional powers, no State had the right to tax or otherwise impede or weigh them down.

No one can logically contend, sir, that the greenback is not an instrumentality employed by the Government in the execution of its constitutional powers. The declaring of war and the raising of an army and navy are among the very powers enumerated and conferred in the Constitution. The Government exercised those powers from 1861 to 1865. The greenback was one of the most direct and powerful agencies employed by it for their execution. It was issued by the United States, made in part a legal tender for debts, and with it the Government obtained, among other things, the services of men to suppress the rebellion, and food, clothing and munitions of war for their support.

Now, Mr. Speaker, there seems to be a singular confusion of thought upon the part of gentlemen on both sides of this Chamber with respect to this question of taxation of money. The gentleman from Illinois [Mr. HOPKINS], the gentleman from Nebraska [Mr. BRYAN], and possibly the gentleman from Ohio [Mr. GROSVENOR] have each suggested that inasmuch as gold and silver and national-bank notes are a proper subject of taxation, therefore the greenback ought to be placed in the same category.

But these gentlemen who, when they carefully examine a question, are always likely to arrive at a correct conclusion, have evidently not studied this question profoundly nor exercised their usually sound judgment upon it. The distinction between the greenback upon the one hand and gold and silver and national-bank notes upon the other hand, is apparent to any man who will stop a moment and inquire into the matter. The Constitution of the United States provides that Congress may "coin money, regulate the value thereof and of foreign coin;" and under that constitutional provision the laws of the United States have established a mint; and the people of this country who own bullion, either gold or silver, have been permitted to bring this bullion to the mint and have it coined into money free of charge.

But when this money is coined, it belongs to the people who brought the bullion there, as much as their houses or their lands belong to them. It does not belong to the Government. The Government can only obtain coin by collecting it through the channels of taxation, or by issuing bonds and selling them for it, and thus putting it into the Treasury. Gold and silver coin is not an obligation of the Government. It is money—money of ultimate redemption. But the greenback is entirely different. It is the promise or obligation of the Government to pay money. It is nothing more than a security of the Government. It is in the nature of a forced loan. It belongs to and is issued by the Government. It is not money—not the money of ultimate redemption. It is more closely allied in its nature to the bonds of the Government than it is to coin. It is an instrumentality through which the Government pledges its credit.

Mr. GROSVENOR. Will the gentleman allow me——

Mr. JOHNSON of Indiana. Certainly.

Mr. GROSVENOR. If I have in my possession a ten-dollar gold piece issued by the United States Government, and also a ten-dollar greenback issued by the United States Government, is there any process by which the Government can get possession of the greenback other than a process by which it might get possession of the ten-dollar gold piece? In other words, is not the greenback in my pocket my property absolutely, just as much as the ten-dollar gold piece; and may I not hold it against every demand of the Government for its surrender?

Mr. JOHNSON of Indiana. Suppose that is true; the distinction I am attempting to point out nevertheless exists. The one is property, a means of redemption; the other is nothing more nor less than a promise to pay, a security of the Government, a pledge of the credit of the Government.

Mr. GROSVENOR. But one is money as well as the other. The gold is money.

Mr. JOHNSON of Indiana. Oh, they are each "money" in the common and popular acceptation of the term, I admit. But under the constitutional principle I am seeking to apply there is, as you will observe, a broad and clear distinction between them.

Money, whether it be gold or silver, may be taxed by the States, without interfering with the obligations of the General Government. But the greenback, which, while it answers the purpose of money, is nevertheless but a governmental promise and a governmental agency for carrying out constitutional powers, can not be taxed by the State without sacrificing one of the attributes of sovereignty which resides in the Government. And so with reference to this question of taxation by the States there is also a broad distinction between the greenback and the national-bank note. The national-bank note is primarily the obligation of the banking association which issues it. The bank itself is looked to in the first instance to redeem it. It is its lawful duty to do so. The bonds, which are deposited with the General Government to secure the national-bank bill, belong to the bank in the first instance, and it draws and receives the interest which is paid upon them.

It is true the General Government is secondarily and indirectly liable for the payment of the bills It is true that it may sell the bank's bonds and reimburse itself if it is compelled to discharge this secondary liability. But the fact nevertheless remains that the national bank bill is only indirectly and remotely an obligation of the Government, whereas the greenback is issued directly by the Government, is its immediate obligation and one for the redemption of which, in the first instance, it is morally and legally bound. And so, Mr. Speaker, there is perfect propriety in the various courts of the Union, including the supreme court of the State of Indiana, deciding that by reason of the distinction I have stated, the national-bank bill is a proper and legal subject for taxation by the State and that the greenback is not.

Mr. Speaker, this Government of ours is a Government of checks and balances. It is divided into three great departments, each invested with its own peculiar functions which neither of the other departments has the right to assume. The National Government too possesses certain powers and the States possess certain other powers. Each sovereignty is invested with authority to the exclusion of the other. No good can ever come, sir, from undertaking to confuse the lines of demarcation which exist between them. Indeed, much harm may result from such a course. Each department should at all times resent and resist all agressions on the part of any other department on its own peculiar domain.

It is only by preserving and perpetuating in practice and in actual operation the line of demarcation existing in the Constitution between the various Departments of the General Government, and between the Federal Government and the States, by seeing to it that the lines are not broken down or confused, that we can hope to continue the existence of our dual system of government. This system of divided powers is the very basis upon which the Government itself is founded; and while it is the absolute duty of the States to repel any infringement upon their reserved rights at the hands of the General Goverment, at the same time it is the right and the duty of the General Government to repel any aggressions upon its sovereignty on the part of the States.

Not only this, but there should be no voluntary surrender by either party to the other of these attributes of sovereignty with which the Constitution has invested it, and I am not only opposed to yielding to the States on their *demand*—on their *imperative demand*—the right to tax the agencies with which the Federal Government discharges its plain constitutional powers, but I am unalterably opposed to yielding these attributes as a *matter of favor* to the States, even though assured that they may be recovered should occasion require.

I am uncompromisingly opposed, sir, to leasing out the Federal sovereignty, either at will or for a term of years. It is much easier to cede away a right such as this, than it is to resume it when desired. It becomes very easy for a thing which has been granted as a matter of favor in the course of time to be claimed and insisted upon as a matter of right. The doctrine of prescription is too often wrongfully invoked for the acquisition of power.

Mr. Speaker, there may come a time, there may come an emergency in the history of this Government when the power of revocation can not be exercised because a majority in Congress may be inimical to the preservation of the Federal authority. I imagine that a Federal attribute ceded to the States by the action of the General Government prior to 1860 would not have been promptly resumed by the kind of a Congress which assembled under the Dome of this Capitol in those dark days which immediately preceded the commencement of the great war of the rebellion.

In correlation, sir, to this proposition that the instrumentalities and agencies of the General Government which carry into execution its constitutional powers are exempt from the taxation of the State, stands the other proposition, which is equally proper and just, and that is that wherever the Constitution has reserved to any State the exclusive right to deal with a particular subject, the agencies the State makes use of to carry out that reserved power are exempted from taxation or interference at the hands of the General Government, and I would stand here for that proposition.

Mr. DANIELS. If the gentleman will allow me, let me ask him this question, whether Congress has not provided already that the States may tax shares in national banks, which they could not do without such legislation?

Mr. JOHNSON of Indiana. On that point, I will state to the gentleman, I am not prepared to speak, but the matter is entirely different. The principle is not at all identical. As I have previously attempted to show, taxation of the greenback is one thing and taxation of the national banks quite another thing. The courts have drawn this distinction. But if the Government's consent is necessary to State taxation of national-bank shares, and has been given, as the gentleman states, such action of Congress would not control me in the matter now in hand.

Mr. GROSVENOR. I do not want to disturb the gentleman——

Mr. JOHNSON of Indiana. The gentleman will not disturb me at all.

Mr. GROSVENOR. I understood the gentleman from Indiana to say that, without any prohibition upon the part of Congress of the taxation of these securities or this money, it would be unlawful for the State to tax them; that there is something back of the mere legislation of Congress that gives to the greenback an immunity from taxation.

Mr. JOHNSON of Indiana. I do say so.

Mr. GROSVENOR. Now, is not that exactly in the teeth of the holding of the Supreme Court of the United States?

Mr. JOHNSON of Indiana. I think it is not.

Mr. GROSVENOR. If the gentleman will permit me, I will read a few words on the subject.

Mr. JOHNSON of Indiana. I will yield to the gentleman, although my time is running. I ask the gentleman to be very brief. Can not the gentleman make his point without reading the decision?

Mr. GROSVENOR. I will make the point, and, with the gentleman's permission, I will quote the extract in what I have to say. The court there held that it was perfectly competent for Congress to prohibit the taxation of greenbacks, and that it was perfectly competent for Congress to permit the taxation of greenbacks. Therefore, they say:

There is but a single question: Did they prohibit?

Mr. JOHNSON of Indiana. Why, Mr. Speaker, that decision is not at all conclusive of the point on which the gentleman cites it. He refers to the case in 7th Wallace. In the case of McCulloch *vs.* The State of Maryland, and subsequently in the case of Weston and others against the council of Charleston, S. C., the direct point was made and decided, independent of any existing statute, for there was none in those days, that there is no power in the States to tax the instrumentalities of the General Government.

Mr. GROSVENOR. But the statute was passed after that—the first greenback statute.

Mr. JOHNSON of Indiana. Suppose it was. It was simply declaratory of a principle of constitutional law clearly enunciated and settled in these decisions of the Supreme Court thirty or forty years before—a principle really requiring no statutory authority for its existence. I have discussed this phase of the question sometime ago.

Mr. GROSVENOR. But the Supreme Court said it was not.

Mr. JOHNSON of Indiana. Not at all. The mere fact that Congress saw fit to prohibit the taxation is no evidence that this power would have existed in the States in the absence of the prohibition. It is frequently the case that Legislatures enact statutes declaratory of constitutional principles.

Doubtless it was for the purpose of calling the attention of the States to the constitutional principle, and allowing them to see it in the form of a statute, instead of requiring them to go back and search for the decisions of the Supreme Court, which had on two occasions denied the power of taxation in the States, that this statute was passed.

Mr. CANNON of California. I should like to ask one question.

Mr. JOHNSON of Indiana. If the gentleman will be brief.

Mr. CANNON of California. In case the Congress should pass an act of this kind, do you claim it would not be constitutional?

Mr. JOHNSON of Indiana. Oh, I have not said that, Mr. Speaker; but now that the gentleman has mentioned it, I will say that I have very grave doubts as to whether or not Congress possesses the power to cede away these attributes of sovereignty which are vested in the General Government by the Constitution. But I am not taking that position now. It is not at all essential to the argument I am making. I am arguing it upon the question of high propriety and of expediency.

Now, as I was saying when I was interrupted, Congress has no right to tax or impede the machinery employed by a State to execute those powers which are expressly and exclusively reserved to it by the Constitution. There is not a gentleman on this floor who would advocate for one minute the proposition that a State of this Union should waive this constitutional principle and allow the General Government to invade its prerogative and impose a tax upon or otherwise impede the agencies it makes use of. And yet gentlemen, with singular inconsistency, stand here and demand of the General Government more than they would concede to it from the State.

What State to-day would be willing to bestow, at the solicitation of the General Government, even with the power of revocation at its pleasure, the right to tax the agencies it makes use of in carrying out its powers exclusively reserved to it by the Federal Constitution?

More than this, the States are always jealous in maintaining their constitutional rights. They never lack defenders on this floor. What State in this Union would be willing to waive its constitutional powers, its inherent rights, and permit another State to step over its border and control its internal legislation?

And, Mr. Speaker, where is this kind of legislation to lead to, if we establish a precedent by the passage of this bill? If you can ask and obtain the consent of Congress to tax this particular agency of the Federal Government, to hinder and impede the exercise of this attribute of its sovereignty, how long will it be until gentlemen will come upon this floor demanding still further cessions, and citing this piece of legislation for a precedent? How long will it be before there will be a clamor that the mints, properties, custom-house papers, and processes of the courts of the United States may be taxed by the States?

Mr. Speaker, it is well enough, especially for gentlemen on this side of the Chamber, to stop and pause, to think before they set a precedent which may result in this species of legislation by Congress in the future. The opening wedge once entered it is easy to split the log. Let us prevent the opening wedge from being inserted in this particular instance. Let us not be cajoled into the abandonment, even for a time, of Federal rights which are of almost inestimable value. It is no argument to me, sir, to say that this exemption of the greenback from State taxation is used as a cloak whereby wicked and designing citizens of the States defraud the States in the collection of their taxes.

Why, sir, if the mere fact that governmental powers are used by dishonest men for improper purposes be a reason for surrendering those powers or ceding them away, you will soon emasculate the General Government and leave it stripped of every attribute of sovereignty; for I know of no particular power which can not be made the subject of abuse by bad and unscrupulous men.

Now, sir, what is the excuse for this kind of legislation? What is the ostensible reason for its introduction? Why, it is sought to be justified upon two grounds, first, that the nontaxability of the greenback admits of the lawful withholding of that much property from taxation from the authorities of the State; second, that the exemption of the greenback from taxation is used by dishonest men for the purpose of perpetrating frauds upon the tax collectors of the different States of the Union. Now, sir, let us examine these two objections briefly, and see how much there is in them. First, as to the charge of legitimate exemption. Mr. Speaker, the extent to which greenbacks can be honestly used as a means of exemption from State taxa-

ation is exceedingly limited. There has been great exaggeration as to this phase of the subject. When the time comes for the citizens of the State to hand in their statements of property for taxation a large proportion of the greenbacks in existence is doubtless in the Treasury of the United States.

I am not able to give the statistics or to state the exact amount. Not only this. At such times thousands of citizens, scattered all over this country, North and South, East and West, have these greenbacks which are exempt from taxation, bills of different denominations, in their pockets. The amount is small in each individual case, but in the aggregate it reaches a vast sum, and it is a fact which can not be denied that these citizens in returning their property for taxation never think about claiming these greenbacks as exempt from taxation. Why, sir, instead of $346,000,000, the total amount of greenbacks in existence, being legally exempted each year from State taxation, the sum so exempted falls far below this. It probably does not amount to half of this sum.

I know, Mr. Speaker, we are told that the greenback is used in one State for legitimate exemption from taxation and then immediately transferred to another State, where citizens return property for taxation a little later, and that they are again used for exemption there, and thus perform a kind of double duty. But, sir, it is a much easier thing to charge this than to prove it. Assertion is one thing, evidence is quite another. The extent of this practice, in my opinion, has been grossly exaggerated. While I have heard the charge, I have never yet heard of a well-authenticated case of this kind.

But suppose all of this is true. Here you have a grievance, temporary in its character, one which at most can last but for a few years, and what, sir, is a few years in the life of a mighty nation? But you have also in this proposed legislation another matter for consideration. The remedy you suggest for this grievance can only be applied by sacrificing a great and enduring principle of Federal power. Can you afford to make this sacrifice? Do you dare to seize upon this lesser alternative and relinquish the greater one?

Happy indeed, Mr. Speaker, is that Representative upon this floor who can read between the lines of this as well of other important legislation, who is capable of drawing distinctions, who, in his efforts to grasp the shadow, does not permit the substance to escape, who can see the remote and ultimate results of legislation, instead of simply seeing that which is in his immediate presence. Is it not infinitely more important that this great principle, enunciated by Marshall and sanctioned by the legislation of Congress, should be preserved and maintained in its entirety, that this great principle should be vindicated, than that the privilege of taxation should be a little bit extended to the States?

And now, Mr. Speaker, as to the claim that the exemption of greenbacks from taxation enables unscrupulous citizens to perpetrate frauds upon the tax laws of the various States. What is the plain and proper remedy for this? The stripping of the Federal Government of its essential rights? No, sir. The remedy is within the power of the States themselves.

We have heard a great deal of talk on this floor from time to time about the sovereignty of the States. Here is an arena to which that sovereignty unquestionably applies, and where it can be used with force and effect. Let the Legislatures of the States pass laws to prohibit these frauds. Let the public prosecutors call before the grand juries witnesses who are cognizant of these frauds. Let the grand juries investigate and return true bills of indictment against the wrongdoers. Let these wrongdoers be placed on trial and punished, and the frauds will cease to exist. Do you say that this can not be done?

Mr. HALL of Missouri. Do you do it in your State?

Mr. JOHNSON of Indiana. Yes, sir, we do it in our State; or if we do not, that is no reason why we should not try to do it. If our laws are not sufficient we ought to amend them and then enforce them. This is the plain constitutional remedy. It is not necessary to lay the blame on the General Government and ask it to abrogate its powers.

Mr. COOPER of Indiana. Does not the gentleman know that the State tax commission, a nonpartisan body composed of the governor of the State of Indiana and two other officers, have recommended the passage of this very bill, and that that governor is a Republican?

Mr. JOHNSON of Indiana. I do not know and I do not care. I profess to be able to think for myself and to reason for myself, and I am not to be misled by any legislation proposed by others which leaves out of consideration principles far more important than those which the gentlemen to whom my colleague refers may have observed with their limited vision. But I address myself to my colleague from Indiana: You cast your vote on this floor, did you not, in favor of the passage of a bill to repeal the 10 per cent tax upon State bank circulation?

Mr. COOPER of Indiana. I did.

Mr. JOHNSON of Indiana. Why? It was because——

Mr. COOPER of Indiana. Let me state the reason. I did it because I thought the States were capable of self-government, and I think now they ought to be allowed to do some self-governing in the matter of collecting taxes.

Mr. JOHNSON of Indiana. You did it, sir, upon the principle which was enunciated by every gentleman upon this floor who favored that bill, that the States were strong and powerful enough when divested of Federal control to give a sound, uniform, and elastic currency, one which would be good from one end of this country to the other. Having taken that ground—and you would not have voted for the bill unless you believed that—how do you dare to come in here now and plead the impotency of the State to pass laws to prevent the commission of fraud by its own citizens upon its tax laws?

Mr. COOPER of Indiana. If the gentleman will allow me, the impotency of the States results from interference on the part of the General Government with the powers which exist between the States and the Federal Government—for they do not exist independently for either. This is not a reserved power in the Constitution, but a power which grew out of the necessities of the case, to preserve the agencies of the Federal Government, and it is not right for that Government to exercise that power any further than is necessary to preserve its agencies.

Mr. JOHNSON of Indiana. The gentleman is wandering off to inquire into the origin of this power, but that has nothing to do with my question as to the ability of States to prevent fraud on their own tax laws by their citizens.

The gentleman pronounced himself in favor of repealing the 10 per cent tax on State bank circulation under the belief that the States were strong enough to create money that would be sound and good from one end of the country to the other.

Mr. COOPER of Indiana. They will be strong enough to collect this tax if you allow them.

Mr. JOHNSON of Indiana. How is the General Government preventing the States from stopping these frauds upon their tax laws of which gentlemen complain?

Mr. COOPER of Indiana. By its statutes.

Mr. JOHNSON of Indiana. Can not the States by their State laws punish violations of their own tax laws?

Mr. COOPER of Indiana. Certainly.

Mr. JOHNSON of Indiana. Does anybody claim that the Federal Government interferes with the passage of State laws, making it an offense and a crime to violate the tax laws of the States simply because the greenback is exempt from taxation?

Mr. HALL of Missouri. May I ask the gentleman a question?

Mr. JOHNSON of Indiana. One at a time, gentlemen, if you please. I will hear both of you.

Mr. COOPER of Indiana. I dislike to interrupt the gentleman if it is not agreeable to him; but I want to say that the supreme courts of a number of the States have decided that an investment in greenbacks, even though it be for the purpose of avoiding taxation, is lawful.

Mr. JOHNSON of Indiana. There is not a supreme court in this Union which has held that the fraudulent use of greenbacks as a means of exemption from State taxation is lawful.

Mr. COOPER of Indiana. I admit that.

Mr. JOHNSON of Indiana. And that is the phase of the question I am now discussing, the fraudulent and illegitimate employment of greenbacks in avoidance of State taxes. I have already discussed and laid aside the other branch of the question, the lawful exemption obtainable through them. The General Government has never attempted to invade the province of the States to pass laws by their Legislatures to punish those citizens and taxpayers who use the greenback fraudulently to secure exemption from State taxation.

What gentleman on this floor who stood here and advocated the repeal of the Federal election laws on the ground that the States were strong enough to guarantee the freedom and fairness of their elections—and the gentleman from Indiana, I believe, favored this repeal—dares now to come into this arena and plead "the baby act" by talking about the impotency of the State through the State Legislature to pass and enforce laws prohibiting the fraudulent use of the greenback in order to secure exemption from State taxation?

Mr. Speaker, for the practice which is here complained of, and which it is claimed the pending bill is designed to stop, there is still another remedy which will soon be applied, a remedy which will be operative in a very few years and which will prove effectual without aiming the blow at the Federal power which is involved in the measure now under debate. We have now a remarkable system of finance, quite a number of kinds of paper based upon various kinds of redemptions. The national-bank system must soon expire. The bonds which secure the national-bank notes are rapidly maturing. Some new system must

be devised. That system will be a national one which, while the General Government retains control, will nevertheless vest in those who engage in banking sufficient power to enable them to furnish a sound and uniform currency in sufficient volume for the wants of the people.

When that system is established it will doubtless make the money that is created the indirect issue of the Government in the sense that, like the national-bank bill, it will be subject to the taxation of the States, and when that time comes these various existing forms of money, including the greenback, in the interest of simplicity and uniformity, will be gathered up and merged into the new national issue which will take the place of them all.

Mr. Speaker, the character of legislation proposed by the gentleman from Indiana in his little bill is not new. It has been attempted before. In the Forty-seventh Congress a measure of this kind was introduced in the House and referred to the Committee on Banking and Currency. My friend, the distinguished gentleman from Maine [Mr. DINGLEY], then a member of this committee, made a report against the bill and it was never heard of again. I believe the gentleman from Indiana [Mr. COOPER] has informed us, probably in some of his arguments before the committee in favor of his measure, that a bill of similar character once passed the Senate; but, sir, it never passed the House. Somehow or other, the good saving common sense and patriotism of the American Congress came to its rescue before the bill ever passed from its portals and invited for itself an executive veto.

Mr. COOPER of Indiana. It may add to the historical value of the gentleman's remarks if he will allow me to state that such a bill did pass the Senate, having been unanimously reported by the Judiciary Committee of the Senate, of which Judge Edmunds, one of the best constitutional lawyers we have had in Congress, was a member. And in the Fifty-first Congress Mr. Morrill, of Kansas, now the Republican nominee for governor of that State, presented a unanimous report of the Committee on Banking and Currency in favor of such a bill.

Mr. JOHNSON of Indiana. That does not controvert anything I have said. I said that no such bill had passed Congress; that the saving common sense and patriotism of Congressmen had taken hold of them before it passed and had saved the necessity of a Presidential veto. I am glad to see the gentleman has sufficient respect for Republican authority to cite it as his precedent and vindication on this floor. The gentleman seems to be utterly incapable of taking any view of this question except along narrow lines. This is a great question of governmental prerogative; and I wish I could so far enlighten the gentleman as to enable him to catch a faint glimmering of the line of argument I am attempting to make here to-day.

Mr. Speaker, we are told this bill provides that greenbacks shall be taxed by the States at no higher rate than they tax other money—as though this would mitigate the invasion of the prerogative of the Government. Why, Mr. Speaker, a tax which gold and silver, the ultimate money of redemption, could bear with perfect impunity would drive the mere promise or obligation, the Treasury note of the Government, out of existence. And look now at the circumstances which environ us while this legislation is being attempted. Reflect for one moment. The Democratic party has come into power and coincident with its advent a great panic and business stagnation has been visited upon the land. Banks have failed. Factories have stopped running. Thousands of men are out of employment. Capital and labor are grappling each other by the throat in a fierce struggle for mastery. Public confidence is reduced to a minimum. Your greenbacks are bottomed upon the continuation of public confidence. Three hundred and forty-six million dollars of them added to $150,000,000 of Treasury notes issued under the act of 1890, make $500,000,000 of promises of the Government, resting not upon the $100,000,000 reserve which was in the Treasury when your party came into power, but simply on $62,000,000 or $63,000,000 of reserve, which is still rapidly decreasing.

Your revenues from customs have fallen off, particularly your coin revenues. You are obtaining no gold from your collections of internal revenue. Your Treasury Department can not negotiate any more bonds under the act of 1875, because you have cast a cloud upon the validity of such bonds by denying the right of your Secretary of the Treasury to issue or sell them. You are refusing, though requested by this official, to give him new authority to issue bonds to obtain gold to put into the Treasury to increase the gold reserve. And under such circumstances as these, you are determined that you will add to the burden which the greenback must bear; that you will take away from it the very thing which helps to float it and kept it at par—its nontaxability; that you will put it in the power of the States to weigh it down and give it an additional blow; and thus it is not at all beyond possibility that you may bring about its depreciation, with all the evils that will come from the depreciation of the United States Treasury note.

Mr. Speaker, as I run back in my mind over the history of my country I am led to reflect that the Democratic party has never been the especial champion of the greenback. When these Treasury notes were issued early in the progress of the war, to aid in the suppression of the rebellion, our Democratic friends declared that the act authorizing their issue was unconstitutional. When the Supreme Court of the United States, as it was then constituted, declared that there was no authority in the Constitution for their issue, the Democratic followers throughout the length and breadth of the country threw up their hats in glad acclaim and chanted hosannas in honor of that court.

But when a little later on the court, newly organized, perhaps, by the addition of another judge, reversed the former ruling and declared that the issue was constitutional, then what did we see? The Democratic party assailed the court with anathemas like unto those that were hurled in past ages against heretics by the popes of Rome. And when at last the holy mission with which they were intrusted was accomplished, when the rebellion was suppressed and the national authority was restored throughout the entire land, the Democratic party, instead of standing for the solemn pledge of their redemption written on the face of the greenback, proposed to utterly repudiate that pledge and to cover them with dishonor and disgrace.

And now in these days when there is agitation and peril throughout the land, at a time when nothing should be done by legislation to impair in the least the value of the greenback or to awaken public distrust concerning it, the Democratic party rushes with alacrity to the support of a bill, a Democratic Representative from my own State leading in the charge, which, if passed, may possibly affect the value of this currency and bring discredit and dishonor upon it.

Why, Mr. Speaker, this proposed legislation is not by any means novel or unique in its character. It is perfectly in harmony with the legislation which has been proposed in Congress ever since the Democratic party came into control of the several branches of the National Government. Its purpose is quite apparent to every thinking man upon this floor. Its result can easily be predicted. If the Democratic party remains in complete control of the Government for a few short years every vestige of the legislation which grew out of the war and which is its legitimate result will be wiped from the statute books of the nation.

All the progress of thirty years, which is the pride of the Republican party, will be destroyed. We will stand where we stood in the dark days when Abraham Lincoln uplifted his hands to high heaven and took the solemn oath of office. The General Government will be stripped of many of its prerogatives, and the States will no longer be circumscribed in their powers to those limits to which by the express terms of the Constitution, as well as by its spirit, they are restricted. The Democratic party is capable, sir, of doing all this. It is not only revolutionary, but it is retrogressive. Nothing is exempt from its anathemas; nothing is too sacred for its polluting hand. It knows nothing of the doctrine of *res adjudicata*. Nothing with it is ever settled, though the intelligence and common sense of mankind the world over may have pronounced a rightful and permanent adjustment to have been effected. It revolts alike against the decisions of the highest judicial tribunals and the arbitration of the sword to which it was the first to appeal. It is always fatally bent on mischief. Already at the other end of the Capitol we hear the doctrine announced that the United States Senators are simply the "ambassadors of the sovereign States."

Already on the floor of this House, during the progress of the debate on the bill to repeal the 10 per cent tax on State bank circulation and on the bill to repeal the Federal election laws, we have heard gentlemen on the other side of this Chamber declare the pernicious doctrine, that no difference what the Supreme Court of the United States decided as to the constitutionality of a law they had the right to repudiate that decision and determine the constitutionality of the law for themselves.

Already during these debates we have heard it declared by gentlemen on the other side of the aisle that the people of the United States had reversed the decision of the Supreme Court at the polls; as though it were possible under our peculiar form of Government for the decision of the Supreme Court to be reversed at the polls, or indeed in any other way or through any other channel than that which is marked out by the Constitution itself.

Mr. COBB of Alabama. Will the gentleman allow me?

Mr. JOHNSON of Indiana. Certainly.

Mr. COBB of Alabama. Did the gentleman not hear the gentleman from Pennsylvania [Mr. DALZELL] take that position?

Mr. JOHNSON of Indiana. No, sir; I did not hear it and the gentleman from Pennsylvania did not announce it.

Mr. DALZELL. Never.

Mr. JOHNSON of Indiana. And if he did he announced an erroneous proposition; one which is not entertained by any other member on this side of the House.

Mr. Speaker, already you have repealed the Federal elections laws. This is one step in your march of spoliation. Your decision is that the Federal Government shall no longer exercise control over elections in which it is vitally interested. These laws, mark you, did not seek to interfere with local elections, but simply had to do with those which pertained to national offices, and in which all of the people of the United States are concerned. To-day the General Government has no power to preserve the purity and the integrity of the ballot.

You have attempted to deprive the National Government of all power of control over the paper currency of the country by introducing into this House a bill to repeal the 10 per cent tax on State bank issues, and to relegate us to the financial condition in that regard which prevailed before the war and to which no sensible citizen would ever be willing to return. It is true you did not succeed; but the spirit and the purpose were there. Your measure was defeated because the solid Republican vote of this House, with a minority of those on your side of this Chamber, voted against it, but the fact nevertheless remains that the overwhelming majority of the Democratic Representatives on this floor cast their votes in favor of that proposition.

This is not all. Without the slightest reason to believe that he had been guilty of fraud, venality, or corruption, or that his conduct deserved impeachment, you reported from the Judiciary Committee of this body, and passed through this House, a resolution to investigate the conduct of a United States judge who had simply made a mistake of law in a case pending before him.

Your committee unanimously reported back that his decision was an honest though erroneous one; and then, instead of leaving that error to be corrected—for in my opinion it was an error and it ought to be corrected—by an appeal to the higher court, where an appeal is now pending, and where there will doubtless be a reversal, the majority of your committee reported back and asked this House to pass a resolution of censure, thus not only nagging this particular judge, but indelicately seeking to invade the province of the judiciary, to set a precedent which will result in confusion in the future, and which may lead to abuse of legislative power, and seeking also to constitute this legislative body a quasi court of appeals to pass upon alleged errors of law committed by the judiciary.

Mr. GROSVENOR. Does not the gentleman think he ought to add, in justice to the Committee on the Judiciary, the statement that, as in most other cases of the kind, they have not dared to bring that legislation before the House and the country?

Mr. JOHNSON of Indiana. I hope it may never be brought before the House. And I hope there will come a time when returning reason will protect the House and the country from such misdirected zeal on the part of a committee composed of some of the greatest lawyers upon the floor, and that in these perilous times they will insist upon maintaining the lines of demarkation between the various branches of the Government, as provided in the Federal Constitution. If there is any man, sir, on earth for whom I have a supreme contempt it is for the lawyer who is truckling to the demagogic spirit of the times, and who has not the manhood to set his face resolutely against that which is plainly wrong, even though such a course involves his temporary defeat, and trust with confidence to the returning good sense of his countrymen for his vindication. [Applause on the Republican side.]

Well, not only this. Down in the State of South Carolina a railroad corporation was put into the hands of a receiver by the United States court. Three sheriffs of counties in that State, assuming to act as tax collectors under the laws of the State, without asking permission of the Federal court, took the corporation's property forcibly out of the possession of the receiver and undertook to sell it for taxes which they claimed were due to the State.

The Federal court, as it should have done, promptly summoned these State officers before it and punished them by a fine for their contempt of its authority. That judgment was taken to the Supreme Court of the United States, and that august tribunal, which has not yet lost its moorings in these matters, whatever may be the drift of the legislative branch, decided that the judgment was rightly rendered, and then the State of South Carolina paid these fines; and when this session of Congress met a bill requiring the General Government to refund to that State the fines so imposed and paid was introduced into this House, referred to the Committee on Accounts, and has since been favorably reported to this body, from which action of the Committee on Accounts we are to understand, I suppose, that the Federal courts are to have full liberty to punish by fine for contempt those who defy their authority on the express condition that the fine so imposed is to be promptly refunded to the wrongdoer by the General Government.

What kind of a power, sir, to punish for contempt is this? What kind of an instrument is this with which to sustain the dignity and integrity of the court? The very introduction of such a bill into this House is a shameful apology for the righteous action of the court; is in effect a condemnation in the court of that which should receive the highest plaudits at the hands of this body, and which was absolutely necessary to preserve its authority.

But some gentleman on this floor, of more than ordinary shrewdness, has discovered in connection with this matter that an ounce of prevention is worth a pound of cure, and he has drawn, introduced, and had referred to the Committee on the Judiciary, and that committee has reported it favorably to this House, a bill providing that where a corporation is in the hands of a receiver appointed by a Federal court, instead of such court having the right to control and marshal the assets—a thing absolutely essential to the proper and successful conduct of a receivership in any court—that the State authorities shall have the right to levy upon property of the corporation in the hands of the receiver for State taxes, take it out of his possession, and sell it, all without the consent either of the United States court or of the receiver, and that the court of the United States shall have no power, either by injunction, fine, or other process, to prevent or punish such conduct.

The bill, I believe, graciously accords to receivers of the United States courts in such instances the privilege of going into the State courts to litigate the validity of the tax. And thus the courts of the United States are placed in shameful subserviency to the inferior courts of a State, and the right to hold and administer, independent of the interference of any other court, assets in the hands of a receiver appointed by them, a right I will undertake to say guaranteed by every State law to every State court which appoints a receiver, is to be taken away from them.

But, Mr. Speaker, I have not yet quite reached the end. Here is something else which completely caps the climax of this kind of legislation. Here is another bill reported from the Committee on the Judiciary; the minority, I grant you, having seen fit to make a dissenting report, for which they deserved due credit. What does this bill provide? That wherever, under the Constitution and laws of the United States, a United States court having jurisdiction in the premises has rendered a judgment against a municipal corporation of one State in favor of a citizen of another State and the United States court has ordered the proper officer of the State to levy and collect the tax with which to pay the judgment, and that officer has refused, that the court of the United States shall be utterly powerless to punish him for contempt for his refusal if the highest court of the State has held that the tax was illegally assessed; and this proposed legislation, too, right in the face of the very language of the Constitution, which declares that the Constitution of the United States and the treaties and laws made pursuant thereto shall be the supreme law of the land and shall be binding upon every judge of a State court, anything in the constitution or laws of the State to the contrary notwithstanding.

Here, again, the sovereign courts of the United States are to be put in shameful vassalage to the courts of the State, and are to be deprived of the power of enforcing their judgments. As well might they be deprived of constitutional jurisdiction to render judgments as to deprive them of the power which they possess to carry their judgments into execution. What, sir, is the value of the judgment of a court which has no authority to enforce it? It is but a piece of worthless paper. Who would respect it or obey it; who would predicate any right upon it or shield himself behind it? I do not think we should have any of this kind of legislation. I am unalterably opposed to it.

How much time have I remaining, Mr. Speaker?

The SPEAKER *pro tempore*. The gentleman has four minutes remaining.

Mr. JOHNSON of Indiana. Mr. Speaker, as I have intimated once before, I am not surprised at this kind of legislation. The other side of this Chamber is not going to cling very tenaciously to the doctrines which John Marshall, the noblest son of Virginia, so positively declared from the bench. They have no sympathy with the views which he entertained on these subjects. Indeed, sir, in all the time I have been a member of this House I have not yet heard any man in this Chamber from Virginia, or any other part of the South, rise and speak a kindly word of him or of his memory.

Time and again I have heard Thomas Jefferson eulogized by these gentlemen; over and over again I have heard glowing panegyric pronounced upon his memory. No language has been too laudatory in which to sound his praise. Hyperbole has exhausted itself in his honor. Mr. Speaker, I shall not deny that Thomas Jefferson was a brilliant, a learned, and an able man, and that he fills a great space in the country's history; but gentlemen seem to forget that he was not wholly without errors or faults. I shall not undertake to enumerate them.

It is sufficient for me to call the attention of this House to the fact that he was the author, although he undertook to suppress his authorship for the time being, of the pernicious resolution of 1798, which was introduced into the Legislature of Kentucky, a resolution which declared the fallacious and dangerous doctrine that the Union is nothing more nor less than a mere agreement or compact between two sovereignties, the Federal Government upon one side and a sovereign State upon the other; and, that inasmuch as no supreme arbiter is fixed to settle differences which may arise either sovereignty is at liberty to judge for itself as to infractions of this compact, and as to the mode and method of redress therefor.

This proposition, sir, is in direct conflict with the proposition laid down by Washington, Adams, Hamilton, Jay, Knox, Story, Marshall, Webster, and a host of our other great publicists.

It ignores the fact that the Federal Government emanates directly from the people, and that it operates directly upon them, without the intervention of a State, and is blind to the additional fact that the Constitution does create a supreme arbiter, the court of the United States, and invests it with full power to pass on all questions of doubt or difference, and makes the decision final and conclusive.

Mr. Speaker, this resolution of 1798 was the inspiration of the brilliant South Carolinian who led in the nullification of 1832. It had as its legitimate consequence the greatest civil war of modern times; a war in which men of a common kindred grappled each other desperately upon the battlefield, and in which fraternal blood flowed over the land in a torrent like unto the waters of the great Niagara.

Mr. Speaker, it is fortunate for the country that Thomas Jefferson was absent from our shores as minister to the French court in those memorable days when the Constitutional Convention assembled at Philadelphia, with George Washington at its head, and gave to the world that sublime Constitution which is the delight of all publicists and under which our liberties have been maintained, else that Constitution would probably have been little better than the impotent Articles of Confederation which it succeeded, articles which prolonged unnecessarily the war of Independence, and which, when the menace of a common danger was removed by the successful termination of the war, dropped to pieces like a rope of sand, leaving the people to drift toward an anarchy infinitely worse than the oppression from which through their valor they had escaped.

Fortunate, indeed, for the American people that Mr. Jefferson still remained absent from his country in those days when Hamilton, and Madison, and Jay were impressing upon their countrymen with burning words and irresistible logic, through the medium of those inspired essays since known as the Federalist, the absolute necessity of embracing the Federal Constitution, else the weight of his great influence might have been thrown with those who, incapable of distinguishing between unbridled license and constitutional liberty, refused to receive that precious boon.

[Here the hammer fell.]

By unanimous consent, the time of Mr. JOHNSON of Indiana was extended for five minutes.

Mr. JOHNSON of Indiana. Mr. Speaker, John Marshall's memory needs no kindly words of recognition from gentlemen on the other side of this Chamber to keep it green. The bare mention of his great name on the tongue of even the humblest American citizen is of itself his grandest panegyric. Whether as a soldier fighting through the Revolutionary war to establish on this continent a new government dedicated to the enlarged liberties of mankind, or as a citizen leading a life beautiful in its simplicity and beyond the shadow of reproach, whether as a lawyer standing easily at the head of the bar of a State justly renowned for the great lawyers which it produced, or as chief magistrate of the greatest court known to the Federal Constitution, adorning that high station with his great learning and leaving the deep impress of his mighty mind on the jurisprudence of his country, John Marshall ever commended himself to the good opinion of his countrymen.

He is to the jurisprudence of America what Mansfield is to the jurisprudence of England. His decisions are models of sound reasoning and judicial learning. He never dipped his pen in ink and wrote an opinion from that high bench that he did not write for himself a eulogy far more eloquent than any that could fall from the lips of an orator. He never pronounced a decision from the bench that he did not erect for himself a monument more enduring than monuments of brass which corrode and perish, or monuments of marble which crumble and decay.

He understood well the principles upon which this Government is founded. He saw plainly that, through the medium of the Federal Constitution, its framers designed to create a great and mighty nation which should endure for ages and should give peace, prosperity, and liberty to the American people, and that in that Constitution they had conferred all the powers which were necessary to the accomplishment of this great and laudable end.

He realized fully that the best civil liberty is that which is secured by self-imposed constitutional restraint. He comprehended exactly the powers which the General Government possessed, and he always stood firmly for their proper preservation; and, while he recognized and respected the sovereignty of the State, he never hesitated to circumscribe it to those limits to which the Constitution in its letter and spirit restricted it.

The lines of demarcation between the three great departments of Government were as plain to his eye as the sun in heaven. In his decisions he rigorously maintained them. Fortunate indeed for the American people that in the early days of this great Republic, when it was in the stage of formation, this great jurist sat upon the bench of our highest tribunal, and there through the medium of judicial construction pointed out with unerring certainty the limits and boundaries of the powers, both of the Federal Government and of the States, as they were fixed and imposed by the language and spirit of the Constitution.

And here, Mr. Speaker, I pause—pause not for lack of material, but for lack of time—for I feel that I have already trespassed very largely upon the patience of the House.

Sir, notwithstanding all this retroactive legislation attempted by this Democratic Congress there is no reason why we should despair. The American people, despite their present discouraging environments, are still capable of self-government. The tide of public approval which a short time ago carried this party of imbecility and retroaction into power on its flow will yet certainly ebb.

Already the waters are beginning to recede. Soon they will drag back into the sea of condemnation, if not of obscurity, this conspiracy against human rights, which from the very day of its advent to power down to this hour has never done anything worthier than to strew with misdirected energy the white sands of the shore with the wrecks of the noble aspirations which it has derided and the high hopes which it has destroyed. [Prolonged applause.]

Mr. HALL of Missouri. Mr. Speaker, I wish to see whether I can not come to an agreement with the gentlemen on the other side as to the time when the debate shall be closed and the previous question ordered.

Mr. BROSIUS. Perhaps my friend will see the propriety of allowing that question to rest in abeyance until to-morrow, when we can ascertain what may be the disposition of the House.

Mr. HALL of Missouri. Can we not fix now a time when we can close the debate to-morrow?

Mr. BROSIUS. I think the proposition had better be made to-morrow than to-day.

Mr. HALL of Missouri. Well, I do not see any impropriety in trying to secure an agreement now.

Mr. BROSIUS. There are only twenty minutes remaining of to-day's session. If the gentleman will allow me, I suggest that we can have some consultation between now and the adjournment; and if he desires to make any proposition in the morning I think there will be no difficulty about it. I do not believe much more time will be required; but I am not able to say this evening how much, because I have not had sufficient consultation with other gentlemen.

Mr. HOOKER of Mississippi. I hope the gentleman from Missouri [Mr. HALL] will not undertake to fix a time now for the closing of the debate, but will allow it to run on for the present.

Mr. HALL of Missouri. Very well.

Mr. POWERS. Mr. Speaker, we were advised at the outset of this debate that this was in no sense a political question; and presuming from the nature of the bill as read from the desk that nothing in the shape of a political debate could properly arise in this discussion, it occurred to me I might venture to offer a few suggestions for the consideration of the House.

I believe, sir, that the general principle of this bill is right. There is a troublesome legal question connected with it, respecting which I should be glad to hear from the lawyers of the House. I will allude to that later on.

The gentleman from Pennsylvania [Mr. BROSIUS], who opened the debate against this bill, opposes it upon the broad ground that money as such is not a proper subject of taxation. He does not rest his argument at all on the ground upon which my friend from Indiana [Mr. JOHNSON] bases his; but he says that in the State of Pennsylvania, and in many other States of the Union, the people are not in the habit of classing money as property for purposes of taxation; and for that reason he opposes the proposition of this bill to tax greenbacks and other currency issued by the Government.

Now, of course, Mr. Speaker, that question is clearly a question of judgment on the part of this House. Some States do tax money; others do not. In my own State money is a subject-matter of taxation as much as horses and cattle, and, in my judgment, is as properly taxed as are horses and cattle. In fact, so far as taxation is concerned, I can see no distinction in principle between these different kinds of property—whether gold and silver, greenbacks, national-bank currency or what not. So long as the money of the country or the currency of the country is in substance and effect the private property of persons holding it and capable of earning income, I can see no reason why it is not a proper subject of taxation as well as horses and oxen or other property capable of earning income.

But my friend from Pennsylvania says that when a taxpayer has money in the bank lying idle, or has it in his pocket lying idle, it is not earning income; and he argues that income is the only proper subject of taxation. And on that proposition I cordially agree with him. I am sure, sir, that capital should never be encroached upon for the purpose of raising tax; but the earnings of capital should be made to contribute to the support of the Government.

But the fallacy of my friend's argument is this. He says that money in the bank or money in the pocket of the taxpayer is earning no income. Equally true is it that the horse and the ox standing in the barn are earning no income; but both are capable of earning income; and that is the principle upon which both should properly be taxed. In other words, any property capable of earning income is properly taxable, whether at the time of assessment it happens to be in active use or not.

Mr. BROSIUS. Will my friend allow me a suggestion?

Mr. POWERS. With the greatest of pleasure.

Mr. BROSIUS. I said, as the gentleman states, that money in the bank or in my purse is not yielding any return; I also said that other personal property usually, as a rule, is productive, either in money or use; that the horse on my farm is yielding me a use which would otherwise cost me dollars and cents. Therefore the return is in the form of use, not of money.

Mr. POWERS. Well, Mr. Speaker, I hardly think my friend meets the point I was trying to make. I say that the horse, when not in use, is not earning income; but inasmuch as the horse is capable of earning income when put to use, it is a proper subject-matter of taxation. Money in my pocket brings me no income; but my friend from Maine, if he desires to borrow $100, agrees to pay me income for the use of that money. It is therefore capable of being put to a profitable use. There can be no distinction in principle between the two cases.

My friend from Indiana, before he got along to his eulogy upon John Marshall and his criticism upon Thomas Jefferson, based his argument in opposition to this bill upon the ground that you are seeking to tax an agency of the Federal Government, and that this is wrong in principle, and unconstitutional as well.

Well, sir, I quite agree with him that it is unconstitutional as well as unwise to tax the agencies of the Federal Government. That principle is based on sound reasoning, and I doubt if any gentleman on the floor of this House would be found ready to combat such a proposition. But the trouble with the argument of the gentleman is that the legal-tender note is not an agency of the General Government any more than a ten-dollar gold piece is.

If we were called on to tax the United States court-houses, or the custom-houses, or any other public buildings that are employed by the officials of the Government to carry on the work of the Government, I should say that it was unwise and unconstitutional to tax such property. But the greenback is in no sense of the word an agency of the Government. It is a piece of paper issued by the Government to evidence a debt it has contracted. The Government has received a *quid pro quo* for every greenback it has issued, and it makes no difference whether it was issued in a time of war or in a time of peace.

The essential essence of the instrument is money and nothing else, no matter whether the greenback when it was isued was at a time when the Government was cramped and was compelled to issue it for the purpose of raising money, or whether it was issued in a time of profound peace when there was no burning necessity resting upon it.

Now, Mr. Speaker, the greenback, as I have said, is in no sense of the word an agency of the Government to carry on governmental functions. Why, what does he mean by "agency of the Government?"

What do the courts mean when they say you can not tax the agencies of the Federal Government? They mean, sir, the instrumentalities that are essential to the exercise of the functions of government; and nothing more and nothing less. Now, the greenback, as I have said, was issued as a loan. It is an evidence of debt created by the Government for which it has received a consideration. For every twenty-dollar greenback issued they received $20 in gold or its equivalent, and then promised simply to pay the holder of the note the $20 they borrowed.

Mr. MILLIKEN. Will the gentleman allow me to ask him a question?

Mr. POWERS. I will, with pleasure.

Mr. MILLIKEN. Suppose when the Government issued the greenback and got gold the States could tax them 50 per cent, does the gentleman believe that the Government could then have received the equivalent value in gold?

Mr. POWERS. I am coming to that in a moment, and that is the troublesome point about the whole matter. I will not overlook it. I am well aware that there is some ground for saying that in 1862 and 1863 the legal tenders were issued as a means to carry on the business of Government, and in that sense were an "agency" of Government. But the moment these legal tenders became private property they became liable like all other private property to respond to the demand of the Government for revenue. A cavalry horse in the hands of the Government and used by it, in war or peace, is an agency employed by the Government for governmental purposes, and while so employed can not be taxed. But if the Government sells that horse to me and I employ it in my business I see no reason why it is not taxable against me.

Now, the Supreme Court of the United States in several instances has declared that the legal-tender notes are money. They have embodied within them all of the essentials of money. In the case reported in 7th Wallace, produced by my friend from Ohio [Mr. GROSVENOR], the case of the supervisors against the bank in the State of New York, Judge Chase, speaking for the whole court, says that these legal-tender notes having the quality of legal tender, which is one of the distinguishing characteristics of money, are money, and then proceeds to discuss the question whether Congress had exempted them from taxation, and the court unanimously held that they had.

So, I think it is clear that the ground upon which my friend from Indiana bases his argument, to wit, that these are the agencies of the Federal Government, and hence that they are nontaxable, is unsound.

Mr. MILLIKEN. Will the gentleman permit another question if it will not interrupt him?

Mr. POWERS. It will not interrupt me.

Mr. MILLIKEN. The gentleman says that these agencies of the Federal Government were issued and put upon the market in order to raise money. For instance, the Government issued greenbacks after the war to raise money——

Mr. JOHNSON of Indiana. And for clothing during the war.

A MEMBER. The war could not have been conducted without it.

Mr. MILLIKEN (continuing). Now, suppose the States had possessed the right to tax them, when the General Government issued them, as much as they pleased. Would not that fact, that they were taxable, have depreciated them in the market when the Government was putting them on the market? After they get into circulation, that is another question; but before they got into circulation, I ask if that permission had existed whether it would not have materially impaired their value?

Mr. POWERS. I will say in answer to the gentleman that the national-bank bill is just as much an agency of the General Government as the legal-tender note, and still they are taxed and they are not impaired in value in consequence. Indeed national banks were created as a means to carry on the war, as the greenbacks were. Nevertheless both the bills and stock of these banks are taxed by the States. Bank bills are just as good as greenbacks—why not tax both?

Mr. BOATNER. Will the gentleman allow me this suggestion: Even admitting that it is an agency of the Government, whether it may be taxed by the States or not depends upon the will of Congress, just as in the original national-bank act the Supreme Court held that the State of Maryland could not tax the stock or circulation of the bank. That, however, was because of a prohibition embodied in the act itself. Since then, under the existing national-bank law, the States do tax the stock and property of the banks by permission of the General Government. So, in this instance, the States may tax the greenbacks if the act issuing them did not prohibit it; but when Congress withdraws the prohibition, then they become

subject to taxation just as any other money or property in the State.

Mr. POWERS. Mr. Speaker, my friend from Louisiana [Mr. BOATNER] has approached the very point that was made by the gentleman from Maine [Mr. MILLIKEN] a moment ago, and which I promised to attend to; and inasmuch as that proposition seems to come to the lips of various gentlemen, I refer to it now. The only trouble that I have in my mind with this proposed law is this very question whether the Government, having declared that the greenback was exempt from taxation at the time it was issued—as held in the Supreme Court in 7 Wallace—whether that exemption is a continuing one, and, as we say in law, "runs with the land"—runs with the bill into whosesoever hands it may come?

There is nothing on the face of a greenback that declares its exemption from public taxation. You have to look beyond the instrument itself to find that exemption. You find it in the law of its issue: but in the case of a government bond, on the face of the bond itself notice is carried from the government issuing it that this instrument is exempt from local municipal taxation. There is that difference between the two classes of securities. Now, the troublesome legal question is this: The law having declared that the greenbacks shall be exempt from taxation, the question arises whether it is competent for Congress at a later time to change that law, and thus, to some extent, depreciate the value of that paper?

Mr. COX. Will the gentleman yield for one moment there?

Mr. POWERS. Certainly.

Mr. COX. I recognize the point that the gentleman is making there; but had the Government then declared that the greenbacks were a legal tender for the payment of debts? No; it had not. After the Government issued these notes, and exempted them from taxation, it was decided that they were a legal tender for the payment of debts.

Mr. POWERS. And you argue from that fact that you do not depreciate them by taxing them?

Mr. COX. Yes; that is it.

Mr. POWERS. There is some force in the suggestion of the gentleman from Tennessee, that so long as the greenback is made a legal tender for the payment of debts, it must go at its face value anyhow, and I think the gentleman is in error in saying that the legal-tender quality was affixed to the greenback after its issue; I think it was made legal tender by the law creating it. But I leave that question for other gentlemen to consider. I throw it out in passing, because it strikes me that there is some force in the point that, the Government having once exempted this class of paper, it is an exemption that travels with the bill wherever it goes.

Mr. COBB of Alabama. Will that be the case unless there is an element of contract between the Government and the holder of the bill, and can you find any such element as that here?

Mr. POWERS. I will not undertake to answer the gentleman. I prefer to have him discuss the question to-morrow. I am simply trying to raise this question tentatively that the promoters of this bill may place it on solid ground that will stand the test of judicial scrutiny.

Mr. HULICK. Has not the holder of the greenback now a vested right to have that property or money exempt from taxation, as the law originally provided?

Mr. POWERS. I am very much afraid that the gentleman from Ohio has asked a pretty troublesome question. I confess that it is the only question that has given me any anxiety in reference to the propriety of this legislation.

Mr. McCULLOCH. How would it be as to the notes issued after the passage of this bill?

Mr. POWERS. So far as the notes that are issued in substitution for those that are called in and retired, the same exemption would very likely follow that attached to the notes which they took up.

Mr. WILLIAMS of Mississippi. Suppose a State statute provided that there should be exempt from taxation to every head of a family two horses, and suppose that a subsequent Legislature were to pass a law repealing that and subjecting to taxation all horses within the State? Would you hold that that original act was a contract between the citizen and the State?

Mr. POWERS. No.

Mr. WILLIAMS of Mississippi. Then, if not, why do you hold that the law of Congress which declares that the greenback is exempt from taxation, constitutes a contract between the citizen and the National Government that can not be altered by a subsequent Congress?

Mr. POWERS. It is very clear as the gentleman suggests that if the Legislature——

Mr. BOATNER. If the gentleman from Vermont will permit me——

Mr. POWERS. Let me get along with this gentleman first. The hypothesis made by the gentleman in front of me, the gentleman from Mississippi, is an exceptionally singular one. If the Legislature passes a law exempting a pair of horses from taxation it is entirely competent for the lawmaking power to repeal that law. That is quite true, but that does not quite meet the point. Suppose the Legislature did pass a law that two horses which have been delivered to my friend from Mississippi by the Government should be forever exempt from taxation. Now, then, I very much question the propriety of a subsequent Legislature reversing the contract they have made.

Mr. WILLIAMS of Mississippi. But this is all greenbacks.

Mr. COOPER of Indiana. If the gentleman will allow me, I will state that the State of Michigan, to encourage investments in salt wells and the digging and manufacture of salt, proposed to exempt all property invested in that enterprise from taxation. By reason of this, and induced by it, a great many people invested largely in machinery for the making of salt in the State of Michigan, and the Legislature afterwards repealed the law, and they claimed that they had obtained immunity from taxation by reason of the proposition of the Legislature, accepted by them when they made the investment. In that case the supreme court of Michigan and afterwards the Supreme Court of the United States decided that there was no contract, but that this was simply a declaration of public policy that the Legislature might announce and change as it pleased. Would not that be analogous?

Mr. POWERS. There is some analogy in the case cited by the gentleman from Indiana: nevertheless it has been held if the Legislature charters a corporation and provides that its shares shall be exempt from taxation a contract to that end is thereby made. But the objection I have raised is not the one I am resting upon, because I propose to vote for the bill, but I think the objection is one that should address itself to the careful consideration of the House before this bill becomes a law.

Mr. Speaker, there are a great many reasons which might be urged in favor of the passage of this bill that the lateness of the hour forbids me to dwell upon. In my State I have personal knowledge of many men who have escaped just taxation by converting all their gold and silver and national-bank bills and even their evidences of debt into legal-tender notes on the 1st day of April, the time when the taxes are assessed.

I remember of a case where a wealthy gentleman was accustomed to take all of his mortgage notes and make a pretended sale of them to a bank cashier, receiving in payment for his $30,000 or $40,000 worth of property legal-tender notes, and after the 1st of April had passed, within a week afterwards, all his notes were taken back and all the legal-tender notes were returned to the cashier, and that man escaped from taxation on that property.

Mr. WILLIAMS of Mississippi. Would not that be taxed in the hands of the cashier?

Mr. POWERS. The cashier bought them for the bank and national banks are taxed in other ways.

Now, it can not be said, as was said by the gentleman from Pennsylvania [Mr. BROSIUS], that State laws are ample to provide all remedies for this class of cases. That may or may not be. I think probably they are; but the point is this: We ought to make it impossible for a man to take our national securities and play that kind of fraud upon local assessments. It seems to me if we remove this idea that the people have got, that legal-tender notes are exempt from taxation, we shall go a long way in bringing upon the assessment rolls the property of men who now go scot free.

Mr. Speaker, there are some features in this bill that I think will need amendment if the bill is to be passed.

Mr. BOATNER. Before the gentleman passes from that point I would like to call his attention to this proposition. It is that at the time when the greenbacks were issued, the time of their redemption was indefinite. It was known that the Government could not redeem them on time. In fact the inability of the Government to maintain specie payments was the cause of the issue of greenbacks. Now, does not the contract feature, to which reference was made awhile ago, follow, that when the Government resumed specie payment and announced that it was ready to redeem any greenbacks in gold on demand—in other words, if a person holds greenbacks, money in his possession, in payment of which he could have obtained gold on demand, is he then entitled to urge this element of contract?

Mr. POWERS. I would hardly like to place the argument upon that ground. I think it is a little fallacious. I think there is a better ground on which it could rest. I do not believe it is sound that because the reason having ceased for this exemption at the time this paper was issued that therefore the immunity becomes worthless.

Mr. BOATNER. But the Government can, without violating any contract obligation, take away the element of value which

was necessary to be given him if now that necessity no longer exists.

Mr. POWERS. Well, I do not think, Mr. Speaker, that Congress should try many experiments with the laws of contracts. If there is a contract there, that is the end of this question. If there is no contract there, then it is clearly within the power of Congress to repeal this exemption from taxation.

Now, Mr. Speaker, as I was saying, the gentleman from Ohio [Mr. GROSVENOR] has raised the point that this bill may be construed as compelling the taxation of this class of securities, and it seems to me there is some color in that suggestion. There is no such purpose, I apprehend, upon the part of the gentleman who introduced this bill.

Mr. COX. Mr. Speaker, as I catch the argument of the gentleman from Vermont it is that the greenbacks by an act of Congress were exempted from taxation, and that therefore there is a contract between the holder of the greenback and Congress, or the Government, that they shall not be taxed. Is not that the point?

Mr. POWERS. That is the point exactly.

Mr. COX. Now does every man who takes a security from a government take it with the recognition of the fact that that government can control it just as it pleases?

Mr. POWERS. If he takes it by a contract relation I think it is exempt from any control on the part of the Government.

Mr. COX. The very power that makes the contract is the superior power to control it. Is not that true?

Mr. POWERS. When the Government becomes a party to a contract it must stand in the attitude of a contracting party. It can not while becoming a party to a contract use its sovereign power to destroy that contract.

Mr. COX. Your point is that when the sovereignty comes down and makes a contract with an individual it leaves the plane of sovereignty and puts itself upon a plane with the other contracting party. Is not that the point?

Mr. POWERS. Certainly; that is the point.

Mr. COX. If that is true how can the Government control any of the contracts which it makes with individuals?

Mr. POWERS. It can not. The point I make is that when the Government makes a contract and becomes a contracting party it is bound by its contract just as the other party is.

Now, Mr. Speaker, in conclusion I wish to suggest to the gentleman who has this bill in charge that the objection made by the gentleman from Ohio [Mr. GROSVENOR] that possibly a construction may be given to the bill which will compel the State to tax these notes is well founded, and I think the difficulty ought to be corrected.

Mr. COBB of Alabama. I suggest to my friend that it is proposed to take the original bill instead of the amendment.

Mr. POWERS. Well, whatever may be the form of amendment I think the bill ought to be amended in that respect. Then, Mr. Speaker, I have myself drawn an amendment which I shall now read for information and which at the proper time I shall ask to have adopted. In the proviso to section 1 of this bill is the following language:

Provided, That any such taxation shall be exercised in the same manner and at the same rate that any such State or Territory shall tax other money within its jurisdiction.

Now, the question arises, what is meant by the word "money" in that proviso. My friend from Tennessee [Mr. COX], whom I have consulted, says that he means gold and silver coin. My friend from Indiana [Mr. COOPER], who introduced the bills, says that he means any currency.

Mr. COOPER of Indiana. Any currency circulating as money.

Mr. COX. I wish to say to my friend from Vermont that my understanding of his position on the question that we were discussing a moment ago is that whenever a Congress makes a contract it binds a future Congress.

Mr. POWERS. I say that when the General Government makes a contract it is bound by it just as much as I am bound by my contract.

Mr. COX. If this Congress makes a contract, do you mean to say that that binds a future Congress?

Mr. POWERS. I do, if it is a contract.

Mr. COX. Then, when this Congress makes a contract that binds future Congresses, how does it happen that this Congress is greater than the others?

Mr. POWERS. It does not happen so; but the other Congress that undertakes to undo the contract is confronted with the fact that there is a vested right existing which it can not disturb either in law or in morals.

Mr. COX. If this Congress can bind one future Congress, why can it not make contracts to bind fifty Congresses?

Mr. POWERS. Well, I will leave that question, Mr. Speaker, for another time. However, I will add now that this Congress can make contracts that will bind fifty subsequent Congresses.

Mr. COX. I see the gentleman's trouble.

Mr. HALL of Missouri. Mr. Speaker, I can not speak for anyone on the committee but myself, but as to the suggestion made by the gentleman from Ohio and the gentleman from Vermont, I do not see any objection, and personally I will not object to the change in the bill that has been suggested. I wish, however, to ask the gentleman whether this proviso does not cure the defect to which he has referred?

Mr. POWERS. Not entirely, I think.

Mr. HALL of Missouri. The way the bill reads now is:

That no United States legal-tender notes circulating as currency shall be exempt from taxation under the authority of any State or Territory: *Provided*, That any such taxation shall be exercised in the same manner and at the same rate that any such State or Territory shall tax other money within its jurisdiction.

Now, take Pennsylvania for instance——

Mr. POWERS. Let me state my objection, if you please. If my friend from Tennessee [Mr. COX] is correct in saying that "money" here means gold and silver, there may be no trouble about this matter. But supposing that we should have State banks in the near future, as some of you gentlemen on that side of the House are anxious that we should have.

Suppose that the State should levy a 2 per cent tax upon the issues of State banks and a 4 per cent tax upon legal-tender notes, and the question should arise whether that is not unequal taxation.

If you could go into court and satisfy the court that the word "money" referred only to gold and silver, there would be, as will be seen, no disparity. But if it be held that the generic word money included State bank bills there would be unequal taxation. Hence, in order to prevent any confusion, I wish to offer an amendment, inserting after the word "money," in line 10, the words "or currency circulating as money."

The Clerk read the proposed amendment of Mr. POWERS.

The SPEAKER. The question is upon agreeing to the amendment of the gentleman from Vermont.

Mr. BROSIUS. I do not know that I shall wish to speak upon that amendment; but it is now ten minutes after 5 o'clock, and I should be glad if the vote upon the amendment could go over until to-morrow. I think it is time we should adjourn.

Mr. POWERS. I have no objection to that.

Mr. HEPBURN. I have an amendment which I wish to offer now in order that it may go into the RECORD. It is to strike out all of section 1 after the enacting clause down to the word "provided" and to insert—

That the consent of the United States is hereby given to any State or Territory to tax United States notes circulating as money within such State or Territory.

The SPEAKER. The Chair will remind the gentleman from Iowa [Mr. HEPBURN] that one amendment is now pending.

Mr. BROSIUS. I was going to raise that point.

The SPEAKER. The gentleman might offer this as a substitute.

Mr. HEPBURN. I simply ask permission to offer it for information. I want it to be published in the RECORD, and to lie over until to-morrow.

The SPEAKER. The amendment, then, will be considered as read for information, and not regarded as pending.

Mr. HALL of Missouri. I move that the House adjourn.

ENROLLED BILL SIGNED.

Mr. PEARSON, from the Committee on Enrolled Bills, reported that the committee had examined and found truly enrolled the bill (H. R. 6500) to define and establish the units of electrical measure; when the Speaker signed the same.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had adopted without amendment a concurrent resolution of the House of Representatives authorizing and instructing the Secretary of War to transmit to the House of Representatives reports pertaining to improvement on the Minnesota River in the State of Minnesota.

The message also announced that the Senate had passed a bill (S. 1930) authorizing the construction of a bridge across the Missouri River at or near the city of Lexington, Mo.; in which the concurrence of the House was requested.

The message further announced that the Senate had disagreed to amendments of the House to bills of the following titles, asked a conference with the House on the disagreeing votes upon such bills, and had appointed as conferees on the part of the Senate Mr. PALMER, Mr. VILAS, and Mr. GALLINGER.

A bill (S. 307) granting a pension to Earnest C. Emerson; and

A bill (S. 920) to pension Mary Brown, of Berlin, Vt.

LEAVE OF ABSENCE.

Mr. DAVEY, by unanimous consent, obtained leave of absence, for five days, on account of sickness in his family.

Mr. ALEXANDER. I ask indefinite leave of absence for my colleague, Mr. BRANCH, on account of sickness in his family.

There being no objection, leave was granted.

The motion of Mr. HALL of Missouri was then agreed to: and accordingly (at 5 o'clock and 13 minutes p. m.) the House adjourned.

REPORTS OF COMMITTEES ON PRIVATE BILLS.

Under clause 2 of Rule XIII, Mr. STONE of Kentucky, from the Committee on War Claims, reported a resolution to refer to the Court of Claims the bills (H. R. 1258) for the relief of estate of B. B. Neville, deceased, of Shelby County, Tenn.; (H. R. 1266) for the relief of S. L. Carpenter, of Fayette County, Tenn.; (H. R. 593) for the relief of Mary F. Pollan; (H. R. 1525) for the relief of the estate of Isaac Jones, of Adams County, Miss.; (H. R. 1231) for the relief of E. C. Oakley, administrator of W. H. Neal, deceased, late of Shelby County, Tenn.; (H. R. 980) for the relief of estate of M. H. Battle; which, with the accompany report (No. 1203), was ordered to be printed, and referred to the Committee of the Whole House.

ADVERSE REPORT.

Under clause 2 of Rule XIII, Mr. LOUD, from the Committee on Claims, reported, with the recommendation that it be indefinitely postponed, the bill (S. 919) for the relief of Eunice Tripler; which, with the accompanying report (No. 1202), was ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS.

Under clause 3 of Rule XXII, bills and a resolution of the following titles were introduced, and severally referred as follows:

By Mr. SNODGRASS: A bill (H. R. 7640) to repeal joint resolution authorizing members to certify monthly the amount paid by them for clerk hire—to the Committee on the Judiciary.

By Mr. HEARD: A bill (H. R. 7641) to secure to the public the benefit of improvements on patented articles—to the Committee on Patents.

By Mr. BLACK of Illinois: A resolution to set aside a day for the consideration of the bill (H. R. 397) for the construction of a public building in the city of Chicago—to the Committee on Rules.

PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as follows:

By Mr. BOWER of North Carolina: A bill (H. R. 7642) for the relief of Abraham C. Bryan, of Traphill, N. C.—to the Committee on War Claims.

By Mr. CATCHINGS: A bill (H. R. 7643) for allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1883, commonly known as the Bowman act—to the Committee on War Claims.

By Mr. CARUTH: A bill (H. R. 7644) for the relief of the estate of William Campbell, deceased—to the Committee on War Claims.

By Mr. HITT: A bill (H. R. 7645) for the relief of Kate Eberle, an Indian woman—to the Committee on Indian Affairs.

By Mr. IZLAR: A bill (H. R. 7646) for the relief Mrs. Sabina O'Callaghan, administratrix of the estate of Denis O'Callaghan, deceased—to the Committee on Claims.

By Mr. WISE: A bill (H. R. 7647) for the relief of R. W. Elsom—to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BELL of Colorado: Resolutions of the Western Slope Congress, of Colorado, relative to the timber reserves in that State—to the Committee on the Public Lands.

Also, petitions and affidavits of Thomas E. Breckenridge, Judge W. H. Gabbert, and Charles S. Watson, of Telluride, Colo., *in re* memorial of Thomas E. Breckenridge, asking for remuneration for services in connection with the expeditions of Gen. John C. Frémont—to the Committee on Claims.

Also, memorials of the officials of the States of Missouri, California, and Colorado, asking that Thomas E. Breckenridge, of Colorado, be remunerated for services rendered in connection with the expeditions of Gen. John C. Frémont—to the Committee on Claims.

By Mr. BOEN: Protest of Evangelical Lutheran St. John's Church, of the town of Harrison, county of Kandiyohi, State of Minnesota, by R. H. Biedermann, pastor, and Andrew Lehver, F. Mahn, H. Kahneir, and F. Toesnig, trustees, against changing preamble of the Constitution—to the Committee on the Judiciary.

By Mr. CARUTH: Petition of citizens of Kentucky, in behalf of exempting fraternal societies and organizations from taxation—to the Committee on Ways and Means.

Also, resolutions of the Commercial Club of Louisville, Ky., in favor of an appropriation to aid the Cotton States and International Exposition at Atlanta, Ga.—to the Committee on Appropriations.

By Mr. DALZELL: Petition of members of Wilkinsburg Conclave, Improved Heptasophs, Wilkinsburg, Pa., against an income tax as affecting beneficiary societies—to the Committee on Ways and Means.

By Mr. KIEFER: Petition of J. R. Maron, B. S. Shreive, Charles Knoll, F. L. Nagler, J. E. Nienhauser, F. A. Schlick, Fred Westphal, John Theitz, J. Horst, E. G. Lund, Hans Carlson, Rev. A. Wold, M. F. Fritze, E. F. Funk, W. A. Weiss, C. Allison, F. M. Arbuckle, James N. Doyle, and many other citizens from the city of St. Paul, Minn., against Government appropriations for sectarian Indian schools—to the Committee on Indian Affairs.

By Mr. McRAE: Petition of Hickey & Harper and Lazarus & Levy, of Camden, Ark., against an increase in the tax on whisky and an extension of the bonded period—to the Committee on Ways and Means.

By Mr. MARSHALL: Petition of 11 citizens of Pulaski City, Va., praying exemption from the income tax as to all fraternal beneficiary societies, orders, or associations, and for other purposes—to the Committee on Ways and Means.

By Mr. MORSE: Petition of Messrs. Mitchell, Dexter & Co. and 48 other wholesale dealers of Boston, asking for a duty of at least 3 cents per dozen on imported eggs—to the Committee on Ways and Means.

By Mr. RITCHIE: Petition of E. B. Southard, E. I. Tippett, and 37 others, of Toledo, Ohio, praying for exemption of fraternal beneficiary societies from operation of income-tax law—to the Committee on Ways and Means.

By Mr. STEVENS: Petition of 16 citizens of Lawrence, Mass., praying that fraternal societies operating upon the lodge system be exempt from taxation in any form—to the Committee on Ways and Means.

By Mr. WANGER: Petition of H. Y. Neiman and other citizens, of Pottstown, Pa., for exemption of fraternal beneficiary societies, etc., from any taxation—to the Committee on Ways and Means.

Also, petition of John Yardley and other citizens of Bucks County, Pa., for exemption of fraternal beneficiary societies, etc., from any taxation—to the Committee on Ways and Means.

SENATE.

FRIDAY, *July 6, 1894.*

The Senate met at 12 o'clock m.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

On motion of Mr. CALL, and by unanimous consent, the reading of the Journal of the proceedings of Monday last was dispensed with.

HOUR OF MEETING.

Mr. GORMAN. I move that the regular hour of meeting of the Senate be 12 o'clock meridian until otherwise ordered.

The motion was agreed to.

ADJOURNMENT TO MONDAY.

Mr. GORMAN. I move that when the Senate adjourn to-day it be to meet on Monday next.

The motion was agreed to.

EXECUTIVE COMMUNICATION.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting a letter from the Commissioner of Indian Affairs relative to the alleged erroneous survey of the Klamath Indian Reservation; which, with the accompanying papers, was ordered to lie on the table, and be printed.

PETITIONS AND MEMORIALS.

Mr. SHERMAN presented a petition of 18 citizens of Mount Gilead, Ohio, praying that fraternal beneficiary societies, orders, or associations be exempted from the proposed income-tax provisions of the pending tariff bill; which was ordered to lie on the table.

He also presented a petition of 48 citizens of Richland County,

Ohio, praying that the funds of mutual life insurance companies and associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

He also presented petitions of the Board of Trade and Transportation of Cincinnati; of the Young Men's Business Club of Cincinnati, and of the Real Estate and Stock Exchange of Cincinnati, all in the State of Ohio, praying for a fast-mail service between Cincinnati and the South; which were referred to the Committee on Appropriations.

Mr. POWER. I present a petition of 820 citizens of Flathead County, Mont., in which they respectfully represent that a small appropriation by Congress for the improvement of the Flathead and Pend d'Oreille Rivers between Kalispell, the county seat of Flathead County, Mont., and Jocko, a point on the Northern Pacific Railroad, would make navigable those rivers, all the year round except two months in midwinter, 80 miles. Thirty-five miles of this distance is across Flathead Lake, which requires no expenditure whatever. Thirty miles of the Flathead River needs but a very small expenditure, it being navigable now, with only a few snags to obstruct navigation in low water. The improvement of these rivers would give a southern outlet to all the mines, large towns and markets of Montana, and afford a daily market for the enormous crops annually produced in the Flathead Valley, a rich agricultural country of farming lands, embracing 7,000 square miles. There are cereals and vegetables enough produced in this valley annually to supply the people of the whole State, but which have to rely solely on a home market, because of the great distance by rail to the nearest market to purchase the large surplus. We respectfully ask for a Government survey of these streams between the points hereinabove named, and an estimate of the cost of the improvement, to enable Congress to act intelligently in this behalf.

I move that the petition be referred to the Committee on Commerce.

The motion was agreed to.

Mr. GORMAN presented the petition of Mary A. Doyle, widow of Patrick Doyle, late a private in Company D, Second Regiment Potomac Home Brigade, Maryland Volunteer Infantry, praying for an increase of pension from $8 to $20 per month; which was referred to the Committee on Pensions.

Mr. HAWLEY. On behalf of the senior Senator from Nebraska [Mr. MANDERSON], who is unable to be here, I present the petition of Wright Rives, executor of the estate of John C. Rives, praying for compensation for the storage of books and stereotype plates, the property of the United States Government, on the premises of the estate of John C. Rives. I move that the petition be referred to the Committee on Printing.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. DIXON, from the Committee on Patents, to whom was referred the bill (S. 1154) for the relief of the legal representatives of John C. Howe, deceased, reported it without amendment, and submitted a report thereon.

Mr. CAREY. I am instructed by the Committee on Public Lands, to whom was referred the bill (S. 2129) to authorize the entry of land for reservoir purposes, to report it with an amendment, and I ask for its present consideration.

Mr. CALL. I hope the Senator will not do that until the morning business is closed.

Mr. COCKRELL. Let it be laid aside until other reports are made.

Mr. CAREY. All right.

The VICE-PRESIDENT. The Chair will recognize the Senator from Wyoming at the conclusion of the morning business.

Mr. CALL, from the Committee on Appropriations, to whom was referred the bill (H. R. 6937) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1895, reported it with amendments, and submitted a report thereon.

Mr. GORMAN. I am directed by the Committee on Appropriations, to whom was referred the bill (H. R. 6748) making appropriations for the naval service for the fiscal year ending June 30, 1895, and for other purposes, to report it with amendments, and submit a report thereon. I desire to give notice that on Monday morning I shall call up the bill for consideration.

The VICE-PRESIDENT. Meanwhile the bill will be placed on the Calendar.

Mr. GORMAN, from the Committee on Printing, reported an amendment intended to be proposed to the deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. VEST, from the Committee on Commerce, to whom was referred the bill (H. R. 6978) to authorize the Pittsburg and Mansfield Railroad Company to construct and maintain a bridge across the Monongahela River, reported it with amendments.

He also, from the same committee, to whom was referred the bill (S. 2137) to authorize the construction of a bridge across the Osage River, in the State of Missouri, reported it with amendments.

He also, from the same committee, to whom was referred the bill (S. 2055) authorizing the construction of a bridge over the Duck River, in Humphreys County, Tenn., reported it with an amendment.

He also, from the same committee, to whom was referred the bill (H. R. 4611) to amend an act approved January 26, 1893, to authorize the construction of bridges across the Hiwassee, the Tennessee, and Clinch Rivers, in the State of Tennessee, reported it without amendment.

He also, from the same committee, to whom was referred the bill (H. R. 5601) to authorize the construction of a wagon and foot bridge across the South, or Main, Canadian River at or near the town of Noble, in Oklahoma Territory, reported it without amendment.

He also, from the Committee on Public Buildings and Grounds, to whom was referred the amendment submitted by Mr. MARTIN, April 23, 1894, intended to be proposed to the sundry civil appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations and be printed; which was agreed to.

Mr. ROACH, from the Committee on Indian Affairs, to whom was referred the amendment submitted by Mr. SHOUP on the 15th ultimo, intended to be proposed to the Indian appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations and be printed; which was agreed to.

Mr. PALMER, from the Committee on Pensions, to whom was referred the bill (H. R. 3076) granting a pension to George L. Frymire, reported it without amendment, and submitted a report thereon.

Mr. PLATT, from the Committee on Indian Affairs, to whom was referred the amendment submitted by Mr. MARTIN on the 29th ultimo, intended to be proposed to the deficiency appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations and be printed; which was agreed to.

Mr. VOORHEES, from the Committee on the Library, to whom was referred an amendment submitted by himself March 14, 1894, intended to be proposed to the sundry civil appropriation bill, reported it favorably with an amendment, and moved that it be referred to the Committee on Appropriations and be printed; which was agreed to.

REPORT ON FEVERS, ETC.

Mr. GORMAN. I am directed by the Committee on Printing, to whom was referred the concurrent resolution of the House of Representatives, providing for printing extra copies of the special report of the Medical Society of the District of Columbia on typhoid and malarial fevers, etc., to report it with an amendment, and I ask for its present consideration.

The Senate, by unanimous consent, proceeded to consider the concurrent resolution, which was read, as follows:

Resolved by the House of Representatives, That in addition to the "usual number," there be printed 4,000 extra copies of the special report made by the select committee of the Medical Society of the District of Columbia at its meeting of June 6, 1894, on typhoid and malarial fevers and other preventable diseases, of which 300 copies shall be for the use of the Senate, 700 copies for the use of the House of Representatives, and 3,000 copies for the use of the said Society.

The amendment of the Committee on Printing was, at the end of line 1, to insert in parentheses the words "the Senate concurring."

The amendment was agreed to.

The concurrent resolution as amended was agreed to.

REPORT OF DIRECTOR OF THE MINT.

Mr. GORMAN, from the Committee on Printing, to whom was referred the following concurrent resolution of the House of Representatives, reported it without amendment, and it was considered by unanimous consent, and agreed to:

Resolved by the House of Representatives (the Senate concurring), That the report of the Director of the Mint on the production of the precious metals in the United States for the calendar year 1893 be printed, and that 10,000 extra copies be printed, 4,000 for the use of the House of Representatives, 2,000 copies for the use of the Senate, and 4,000 copies for the use of the Director of the Mint.

REPORT OF COMMISSIONER OF EDUCATION.

Mr. GORMAN, from the Committee on Printing, to whom was referred the following concurrent resolution of the House of Representatives, reported it without amendment, and it was considered by unanimous consent, and agreed to:

Resolved by the House of Representatives of the United States (the Senate concurring), That of the report of the Commissioner of Education for 1891 and

1892 there be printed 5,000 copies for the use of the Senate, 10,000 copies for the use of the House of Representatives, and 20,000 copies for distribution by the Commissioner of Education.

Mr. GORMAN. I submit reports to accompany the resolutions which have just been passed, and I ask that they be printed in the usual form.

The VICE-PRESIDENT. It will be so ordered.

PRINTING OF REVENUE BILL.

Mr. GORMAN, from the Committee on Printing, reported the following resolution, and asked for its present consideration:

Resolved, That there be printed for the use of the Senate 600 copies of the bill (H. R. 4864) to reduce taxation, to provide revenue for the Government, and for other purposes, as passed by the Senate.

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. HAWLEY. I ask the Senator from Maryland if he thinks 600 copies will be enough. There is a great demand for copies.

Mr. GORMAN. What number would the Senator from Connecticut suggest?

Mr. HAWLEY. I should think 1,500 copies ought to be printed.

Mr. GORMAN. Very well; let the resolution be so amended.

The VICE-PRESIDENT. The resolution will be amended so as to read "1,500 copies," if there be no objection. The Chair hears none. The question is on agreeing to the resolution as amended.

The resolution as amended was agreed to.

PARIS TRIBUNAL OF ARBITRATION.

Mr. GORMAN. I am directed by the Committee on Printing, to whom were referred the joint resolution (S. R. 76) to print the proceedings of the Tribunal of Arbitration at Paris, held in conformity with the treaty of February 29, 1892, between the United States and Great Britain, and the joint resolution (S. R., 85) to print 16,000 copies of the proceedings of the Tribunal of Arbitration at Paris, relating to the fur seals, to report a concurrent resolution as a substitute therefor, and to submit a report thereon. I ask that the concurrent resolution be considered at this time.

The concurrent resolution was read, considered by unanimous consent, and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed under the direction of the Department of State 6,000 copies of the official proceedings of the Tribunal of Arbitration created in pursuance of the treaty of February 29, 1892, between the United States and Great Britain, including all documents, papers, and agreements presented officially to said tribunal by the agents of said Governments, respectively, and also including the written or printed arguments and oral arguments of the counsel on behalf of each of said Governments made on said hearing at Paris, and the opinions of the arbitrators respectively delivered in said tribunal in conformity with its order admitting the same to constitute a part of said proceedings; of which number 1,000 shall be for the use of the Senate, 3,000 for the use of the House of Representatives, and 1,500 for the use of the Department of State.

Mr. GORMAN. I move that Senate joint resolution No. 76 and Senate joint resolution No. 85 be indefinitely postponed.

The motion was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed the following bills and joint resolutions; in which it requested the concurrence of the Senate:

A bill (H. R. 1196) to pension Mary E. Trickey;

A bill (H. R. 4475) to amend section 4434 of Title LII of the Revised Statutes of the United States;

A bill (H. R. 6979) to amend section 3 of an act entitled, "An act to regulate the liens of judgments and decrees of the courts of the United States," approved August 1, 1888;

A joint resolution (H. Res. 94) providing for an investigation relative to the work and wages of women and children; and

A joint resolution (H. Res. 201) authorizing the Secretary of the Navy to continue the employment of certain mechanics and laborers.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (S. 578) granting an increase of pension to Wells Johnson; and

A bill (H. R. 6500) to define and establish the units of electrical measure.

EMPLOYÉS OF NAVY DEPARTMENT.

Mr. COCKRELL. I ask the Chair to lay before the Senate the joint resolution which has just come from the House of Representatives in regard to the employés of the Navy Department.

The VICE-PRESIDENT. The Chair lays before the Senate a joint resolution from the House of Representatives.

The joint resolution (H. Res. 201) authorizing the Secretary of the Navy to continue the employment of certain mechanics and laborers was read the first time by its title, and the second time at length, as follows:

Resolved by the Senate and House of Representatives, etc., That the Secretary of the Navy is hereby authorized to continue until the 31st day of July, 1894, the employment of mechanics and laborers paid from the appropriation "Increase of the Navy: Construction and machinery," whose services are required upon work in progress; and a sufficient sum is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for this purpose, such sum to be immediately available: *Provided*, That the amount which may be expended by the Secretary of the Navy under the authority herein conferred shall be deducted from the amount which may be appropriated for "Increase of the Navy: Construction and machinery," for the fiscal year ending June 30, 1895.

Mr. COCKRELL. I ask unanimous consent for the present consideration of the joint resolution, and I will read in this connection a letter from the Secretary of the Navy:

NAVY DEPARTMENT, *Washington, July 3, 1894.*

SIR: I learned from Senator MCPHERSON this morning that the question of including in the thirty-day resolution the expenditures for carrying on the work of the new Navy was discussed in your committee yesterday, and that your committee thought the resolution broad enough to cover these expenditures. I desire to inform you that, before issuing the order suspending the laborers and mechanics employed under "Increase of the Navy," I consulted with the Attorney-General, and he concurred in the construction I put upon the resolution. To save all question in the case, I hope the House will pass a resolution covering these expenditures. I communicated with the Committee on Naval Affairs, because it has charge of naval appropriations.

Respectfully,

H. A. HERBERT,
Secretary of the Navy.

Hon. JOSEPH D. SAYERS,
Chairman Committee on Appropriations,
House of Representatives.

The joint resolution we passed was just in the form of all the joint resolutions that have been passed year by year continuing the appropriations, and under which the different Secretaries of the Navy have carried on all kinds of work in their Department. I firmly believe, the Attorney-General and the Secretary of the Navy to the contrary notwithstanding, that the joint resolution gave the Secretary of the Navy full power to go no and expend that sum.

Mr. CHANDLER. I am inclined to defend the opinion of the Secretary of the Navy and the Attorney-General against the opinion of the Senator from Missouri. I think it has been customary when such extending joint resolutions have passed to add to them certain clauses providing for the continuation of certain appropriations, about the continuance of which there would otherwise be a doubt. I think if the Senator will look at the joint resolution which was passed in 1882 he will find that there are various additions to the customary clause, which specially take care of certain work. It is by no means certain that the present Secretary of the Navy and the present Attorney-General, both of them good lawyers, are wrong, and that the Senator from Missouri, who is also a good lawyer, is right. But whatever may be the exact right of the legal question, certainly there ought not to be any objection to the passage of an additional joint resolution if such a one is before the Senate. Is there such a one?

Mr. COCKRELL. It has been laid before the Senate, and I ask unanimous consent for its present consideration.

Mr. CHANDLER. There certainly can be no harm in passing it, whether the Senator from Missouri is right or whether the Attorney-General and the Secretary of the Navy are right. I thought it was only just to those very able and faithful public officers that I should add my opinion to theirs, although by so doing we put ourselves against the legal opinion of the honorable chairman of the Committee on Appropriations.

The VICE-PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS INTRODUCED.

Mr. GEORGE. At the request of the Senator from South Dakota [Mr. KYLE], the chairman of the Committee on Education and Labor, I have given some attention to the preparation of a bill upon the subject of the arbitration of disputes between employés of railroad companies and the companies themselves. Whilst I do not dare hope that the bill is perfect, I think it contains the germ, possibly, of the settlement of that troublesome question. In pursuance of that object, I introduce a bill and ask that it be referred to the Committee on the Judiciary.

The bill (S. 2177) to amend "An act to create a board of arbitration or commission for settling controversies and differences between railroad corporations and other common carriers engaged in interstate and territorial transportation of property

or passengers and their employés," approved October 1, 1888, was read the first time by its title.

Mr. ALLEN. I ask that the bill be read at length.

The bill was read the second time at length, and referred to the Committee on the Judiciary, as follows:

Be it enacted etc., That whenever a proposition for arbitration shall be made by the employés of any railroad corporation as contemplated and provided for in section 1 of the act mentioned in the title of this act, and the same shall not be accepted by the said corporation, then it shall not be lawful for any United States court or judge to grant any injunction against said employés or any of them or to make any order requiring or authorizing any United States marshal to control, or in any manner interfere with, the conduct of said employés or any of them.

SEC. 2. That whenever the management of the affairs of any railroad corporation shall be in the hands of a receiver appointed by any United States court or judge, and there shall be a difference or controversy between him and the employés of said railroad company under his charge, as contemplated and described in said first section of said act, and the said employés shall offer to submit said difference or controversy to arbitration as provided for in said act, it shall be his duty to accept the same and to make selection of an arbitrator as provided for in said act, with the advice of the court.

SEC. 3. That an obstruction to the running of a railroad train growing out of any strike by the employés thereof shall be held and considered as an obstruction to carrying the United States mail within the meaning of the laws prohibiting such obstruction only when said train shall have attached thereto no car on which passengers or other freight are carried or intended to be carried.

Mr. PALMER introduced a bill (S. 2178) to place Romeo Friganza on the retired list; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 2179) for the relief of Addison M. Copen; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. GORMAN introduced a bill (S. 2180) for the relief of Thomas P. Morgan, jr.; which was read twice by its title, and referred to the Committee on Claims.

Mr. HALE introduced a bill (S. 2181) relating to the pay and retirement of mates in the United States Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. MILLS introduced a bill (S. 2182) to provide for the selection of a site for the establishment of a navy-yard and dry dock on or near Sabine Pass, in the State of Texas; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. HAWLEY introduced a bill (S. 2183) to remove the charge of desertion from the military record of Thomas Lee; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

Mr. VOORHEES introduced a bill (S. 2184) for the relief of Calvin Jones; which was read twice by its title, and referred to the Committee on Claims.

Mr. DAVIS (by request) introduced a bill (S. 2185) to provide for the settlement of controversies between certain railway companies and their employés, and for other purposes; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 2186) for the relief of the widow and legal representatives of the late Orsemus B. Boyd, captain in Eighth United States Cavalry; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

Mr. BATE introduced a bill (S. 2187) for the relief of the Presbyterian Church of Loudon, Loudon County, Tenn.; which was read twice by its title, and referred to the Committee on Claims.

Mr. MORGAN introduced a bill (S. 2188) to authorize additional allotments to the Seneca Indians in the Indian Territory; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. HUNTON (by request) introduced a bill (S. 2189) to regulate Canal street, etc., in the city of Washington; which was read twice by its title, and referred to the Committee on the District of Columbia.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. SHERMAN submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was ordered to be printed, and, with the accompanying papers, referred to the Committee on Appropriations.

Mr. MARTIN submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. JARVIS submitted an amendment intended to be proposed by him to the legislative, executive, and judicial appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. SHOUP submitted an amendment intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also submitted an amendment intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Depredations, and ordered to be printed.

Mr. ALLEN submitted an amendment intended to be proposed by him to the Indian appropriation bill; which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Indian Affairs.

Mr. JONES of Arkansas submitted an amendment intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

He also submitted an amendment intended to be proposed by him to the deficiency appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

GOVERNMENT CONTROL OF RAILWAY LINES, ETC.

Mr. ALLEN. I submit a resolution, which I ask may be read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

The resolution was read, as follows:

Resolved, That a committee of five Senators, no more than two of whom shall be members of the same political party, shall be appointed to investigate and report, by bill or otherwise, into the necessity and authority for Government ownership and control of the railway, telegraph, and telephone lines in the United States, and especially into the relation existing between such railway, telegraph, and telephone lines and their employés, and what legislation, if any, is necessary to prevent strikes by and lockouts of the employés thereof in the future, and to bring about a more equitable, just, and permanent system of employment and wages.

Said committee shall have power to send for persons and papers, employ a clerk and stenographer, report the testimony and evidence taken by it, and may act by subcommittee or otherwise.

Mr. COCKRELL. Let the resolution be printed and go over.

The VICE-PRESIDENT. The resolution will be referred to the Committee to Audit and Control the Contingent Expenses of the Senate, at the request of the mover.

LIST OF CLAIMS.

Mr. DOLPH submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Treasury be directed to transmit to the Senate a list of all claims allowed by the proper accounting officers of the Treasury Department since January 1, 1894, not heretofore reported to Congress.

INDIAN ENGAGEMENTS.

Mr. LINDSAY submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of War be, and he hereby is, directed to furnish for the use of the Senate, on or before the 1st day of August, 1894, a statement showing fully and in detail all expeditions and engagements had by the military forces of the United States with hostile bands or tribes of Indians for the period beginning January 1, 1850, and ending June 30, 1894, showing, whenever practicable, the tribe or band engaged or operated against, and submitting with said statement copies of all correspondence and reports relating to the said expeditions against and engagements with the said Indian bands or tribes; and that said Secretary, at as early a date as practicable, shall also furnish to the Senate a similar statement with copies of such correspondence and reports, as to all expeditions against and engagements with Indian bands or tribes from the foundation of the Government up to the 1st day of January, 1850.

PERSONAL EXPLANATION.

Mr. CALL. Mr. President, I rise to a question of privilege.

Mr. CAREY. I ask unanimous consent for the present consideration of Senate bill 2129.

The VICE-PRESIDENT. The bill will be read for information if there be no objection.

Mr. CALL. I have the floor upon a question of privilege, but I am willing to yield to the Senator from Wyoming if his bill does not interfere with my right to the floor and will not give rise to any debate.

Mr. CAREY. It will not cause any debate, I assure the Senator from Florida.

Mr. CALL. I think the Senator had better wait a little while before he calls up his bill.

Mr. CAREY. Does the Senator from Florida prefer to go on at this time?

Mr. CALL. I prefer to go on.

Mr. CAREY. With the understanding that I can call up the bill when he concludes I give way for the present.

Mr. CALL. Mr. President, it has become the custom for newspaper correspondents to falsify the records and to slander the character of the members of this body, and we permit the press associations to libel falsely and infamously the men who constitute this body. They have no hesitation in imputing indecency, indecorum, dishonesty, and corruption to its individual members. Men without consideration in the country, without moral qualities, the mere semblance of men, without recognition anywhere, are permitted to enter into the galleries here and through the associated press of the country to disseminate from one end to the other their infamous, cowardly, libelous, and false attacks upon members of this body. It has become a great evil. The interests of the Republic, the interests of re-

ligion, of decency, of manhood, and of character demand that this should be stopped, and that the criminals who are guilty of it should be consigned to the dens of infamy and punishment where such men properly belong.

Mr. President, I wish to bring to the notice of the Senate a libelous statement, and to prove conclusively the truth of the statement which I shall here make in reference to it and the miserable creature who gave currency to it.

On the 22d of June there appeared in the Florida papers, and it was extensively copied through the Associated Press of the United States in every form of caricature, an infamously false and libelous statement, which I denounce here, and shall present the proof to show its falsehood, attributing to me indecorum of conduct and manners. After sixteen years of service in this body, in which no member will undertake to say that any one has surpassed me in the careful observance of the proprieties of the Senate and decorum of conduct here, there appeared this piece in the newspapers:

The senior Senator certainly attained the height of vulgar boorishness and succeeded in thoroughly disgusting even those in the Senate who are fairly familiar with his vagaries and idiosyncracies.

His costume just at present is very stunning and costly, among the articles of apparel he seems to delight most in being a pair of glaring yellow shoes. These he wore into the Senate to-day. He came creaking into the Chamber about noon, seated himself calmly at his desk, and with easy nonchalance removed his shoes and calmly elevated his unsightly blue-stockinged feet to the desk in front of him.

This action caused a shiver of disgust to run through the entire assemblage and through the galleries. It was an act of vulgarity unprecedented in any body of gentlemen, and was a direct insult to the State that sent him to the Senate.

FACED ABOUT.

Presently Senator CALL swung round in his chair and elevated his feet to the desk in the rear of his own. This desk was occupied at the time by the books and papers of Senator KYLE of South Dakota, who was delivering a speech upon the income tax. Mr. KYLE noticed the ungentlemanly and coarse action on the part of Senator CALL, and immediately left his own desk and walked to the center aisle, where he continued his speech. A number of the Senators in CALL'S vicinity also moved away, several of them going over to the other side of the Chamber to avoid the unpleasant notoriety of the Senator from Florida.

Mr. President, that is an infamous falsehood. The man who conceived it knew it to be a falsehood, and it was told for a malicious and political purpose. Let us see what is the evidence of that; let us see if there is anything more than my statement to sustain the truth of the assertion I make:

UNITED STATES SENATE, *Washington, D. C., June 29, 1894.*

We occupy seats in the Senate near Senator CALL, where he is within our observation all the time. We were present on the day of the newspaper statement of his exposure of his feet without shoes on his desk. The statement is untrue, and nothing of the kind occurred.

No one in the Senate is more decorous and observant of propriety in his conduct than Senator CALL. We believe every member of the Senate would make this statement.

JAMES H. KYLE—

Who this most mendacious creature alleges to have been disgusted with this indecent conduct of mine—

WILLIAM B. BATE,
WILLIAM V. ALLEN,
J. L. M. IRBY,
THOMAS J. JARVIS,
EDWARD MURPHY, JR.,
W. N. ROACH,
PATRICK WALSH.

Mr. President, what should be done with so infamous a character, who has openly and notoriously and falsely slandered a member of this body by a falsehood without any foundation whatever? What is the object? This man never crossed my path, nor I his. He does not belong to the State of Florida. I do not know him. I should not know him if I were to see him. What prompts him to this infamous falsehood? He is paid, he is hired to slander and falsify the character of men by those who have an object in it.

But, Mr. President, nothing of the kind occurred. There was no foundation for the statement. I came into the Senate with a wounded and lacerated foot, and, carefully avoiding exposure, in the concealment and privacy of this desk here I slightly removed one of my shoes in consequence of its swollen condition, for a few moments, carefully concealing my foot.

This man, whoever he may be, should be branded as a falsifier by a resolution of this body, and I shall introduce a resolution for that purpose.

Mr. President, that is not all. Why should such an outrageous charge be made? What wit, what character, what manhood in attempting to assassinate the character of a Senator and represent him falsely all over the country as conducting himself in an indecent and indecorous manner, appearing here and putting his feet upon his desk? If the American people are content that those who are associated with the press should be known as common liars, without having any respect for truth or manhood or courage, let it be so. The great American people have a contempt for a man who is guilty of such conduct.

But that is not all. This thing has a motive in it. This assassin, whoever he may be, is hired to assassinate the character of men. Let us go a little further. I have read the statement of all the Senators around me here in regard to this incident. I wish to follow this thing up. On the 3d of July, presumably from the same person, there appeared a statement, which I shall read, in a corporation newspaper established in the State of Florida, a professedly Democratic paper, established by three corporation men, the most aggressive Republicans in the United States professedly, and the most aggressive Democrats and also Populists, having no party connection or convictions, but seeking only to destroy a public man who has the character and courage to maintain his convictions and defend the rights of the people. It has money behind it.

Half the senators in Florida are to be elected this year who will vote for the Senator who shall succeed me; and this newspaper, as on a former occasion, has its columns full of this falsehood and villification of me; and here is another which I wish to bring to the attention of the Senate, not for my sake alone, nor my vindication only, but that I believe it due to the dignity of this body and to its sense of duty to the American people that it should brand as slanderous and libelous the men who maliciously invent falsehoods, who are hired to do so, and that it should exclude them from this gallery for the reason that by the deliberate judgment of this Senate they are professional falsifiers. I have here an article headed, "Now, what will CALL do?" It contains this statement:

[Special to the Citizen.]

WASHINGTON, *July 2.*

Some time ago the Citizen published in its Washington dispatches the statement that Senator CALL had on file at the Treasury Department an indorsement of Joseph Gannon for the position of supervising inspector of steam vessels for the third inspection district.

After the publication of this statement Senator CALL visited the Treasury Department and saw Mr. Carlisle, to whom he stated that he desired to withdraw his indorsement of Mr. Gannon.

There is a statement that is an infamous falsehood. I have never been to the Treasury Department to see and have never seen Mr. Carlisle on this subject, and never made such a statement. Why this falsehood in regard to me, which is stated as the truth by this man, whoever he may be? I denounce it as an infamous and malicious falsehood. I have never had a word with Mr. Carlisle upon the subject or with any other official of the Treasury Department. I deny the statement, and I challenge the proof of it. But that is not all. I have never withdrawn any indorsement of Mr. Joseph Gannon for steam inspector. I have never indorsed Mr. Joseph Gannon for steam inspector of the third district, and I will prove this falsehood and the conspiracy upon which it rests by the records of the Treasury Department and expose this man to all persons who love manhood and courage and honesty, and detest and despise a miserable corrupt creature, who hires himself out to assassinate the character of other men.

At this visit Mr. CALL endeavored to explain his indorsement of two men for the same position by stating that he did not know when he indorsed Mr. Gannon at Senator Butler's request that Mr. Gannon was an applicant for the same place for which Mr. Vogel had already been indorsed by the majority of the Florida delegation.

That is another lie. Every sentence in this statement is a falsehood.

This was a weak excuse, but it was better than none. The mischief had already been done, however, and Capt. Vogel's chances had been ruined by the split indorsement of Senator CALL.

BEGAN TO PREVARICATE ABOUT IT.

Shortly after the publication in the Citizen of this story Senator CALL began to hear from the friends of Capt. Vogel, and he was severely arraigned for his desertion of Capt. Vogel and his cowardly effort to curry favor with a fellow Senator at the expense of his Florida friends. After receiving a number of letters that were of a tone to make the senior Senator believe that summer was really with him at last, he resorted to the expedient of denying his indorsement of Gannon. At least that is the only construction to be placed upon the remarkable telegram sent by the Senator to Jacksonville. In that telegram he says:

"The statement in reference to my visiting the Treasury Department is an infamous lie. There is not a word of truth in it."

The senior Senator is evidently cornered, for that dispatch may mean anything in the world. It is not at all a denial of the statement that he had betrayed his friend and had indorsed another man for the same place. It is simply a denial of the truth of some story about his visiting the Treasury Department, and as usual the senior Senator is not explicit. On this occasion he is purposely ambiguous. Not knowing just how much truth could be brought against him, he preferred to shield himself behind an evasive contradiction of nothing in particular.

HIS STATEMENT IN THE BANNER.

Getting away from Jacksonville, Senator CALL becomes more courageous, and in a small county paper called the Ocala Banner he recently published a communication in which he says:

"I have not recommended anybody for the position of supervising inspector, with the exception of Capt. Leo Vogel."

In making this statement the senior Senator from Florida is guilty of a direct prevarication. Moreover, he has so faultily covered up his tracks that the records against him are still in existence.

The Citizen's Washington correspondent called at the Treasury Department to-day, in company with a Southern Representative, who had access to the papers on file, and the documents in the case of the supervising inspector of steam vessels were secured and carefully examined.

The statements made in these dispatches were verified. Filed with the application of Gannon was a typewritten indorsement stating that the signers were all acquainted with Mr. Gannon; that they were convinced from his record as local inspector at Charleston that he would make a ca-

pable, efficient, and trustworthy supervising inspector, and that they therefore asked his appointment.

SAID HE WOULD, BUT DID NOT.

This typewritten introduction occupied half a page of legal cap and lauded the Charleston man for his excellent qualities, which were described as fitting him especially for the position for which he was an applicant. This indorsement is signed by Senators BUTLER, IRBY, GORDON, and WILKINSON CALL. At the bottom of the page is a footnote, stating that Senator IRBY withdrew his indorsement of Gannon, but there is nothing to show that Senator CALL had ever withdrawn his indorsement, although he stated to Secretary Carlisle that it was his intention to do so.

Mr. President, that statement is an infamous falsehood, and I ask the Senate if a man is to be permitted to occupy a place here in the Press Gallery convicted, as I convict this man, of a willful and malicious falsehood, intended to destroy the character of a Senator.

What are the facts in regard to it? Fortunately truth asserts itself, and when a man becomes a notorious liar, the truth denounces him and exhibits itself.

Before the last inauguration of Mr. Cleveland, before Mr. Vogel had ever become an applicant for this office, early in the month of March, Mr. Gannon had filed his application. I have the record here, and I have the application which was filed, with the names of several Senators upon it, for Mr. Gannon's appointment, and my name is one of them. It bears the file date of March 2, 1893.

It had escaped my memory, though I knew I had never indorsed Gannon or anyone else for the position for which Capt. Vogel was an applicant. What does the record show? Here is the letter of Assistant Secretary Curtis, of the Treasury Department, written at that time, on the 24th of March, 1893, stating that this application of Gannon's, to which this miserable creature refers, bearing my signature as the evidence of my falsehood, is intended to be for the local inspector at Charleston and not for the position of supervising inspector of the third district; and yet this man, professing to have examined the papers and to have seen them, publishes here this infamous libel, imputing this falsehood to me; and here is the letter of the Assistant Secretary of the Treasury instructing the application to be considered, as it was stated to me, for local inspector, and not for the position of supervising inspector.

What does the Senate think of the man who convicts himself by his own evidence, professing to have seen that paper and yet publishing such a falsehood as that I had falsely stated that I had never recommended anybody but Vogel?

Gannon an applicant for local inspector at Charleston March 2, 1893, although his paper states that he was applying for inspector of the third district; letters of the Secretary of the Treasury, March 24, 1893, stating that his application was for local inspector; Vogel applying on March 23, 1893, for inspector of the third district; my recommendation continuously made and renewed until May 9, 1894, and this man stating that he had seen the papers and asserting that I had abandoned Vogel for Gannon, who was an applicant for local inspector at Charleston only.

What has the Treasury Department to do with this conspiracy? What have the officials of the Department to do with it? This paper has been buried away, but it seems to have been hunted up. I shall read the letter of Mr. Curtis, which I have here, for the information of the Senate, and also a letter from a member of the House of Representatives.

The matter had passed from my memory; it was before the inauguration of the President, and the Senators asked me to join in the indorsement. I said, "If he is an applicant for the position of local inspector at Charleston I will cheerfully agree with you;" but it seems the application was headed for "supervising inspector," which had escaped my notice, but their assertion was carried out by the immediate filing of the letter of the member of Congress directing the application to be made for the local inspectorship, and the following is the letter of the Assistant Secretary, explaining, as they had stated to me, that the application was for the local inspectorship; and yet this infamous creature, knowing that fact, published throughout the world, through the Associated Press, this positively and absolutely false statement, with the papers before his eyes and exhibiting the falsehood. What does Mr. Curtis say? Here is his letter:

MARCH 24, 1893.

SIR: Referring to Department letter of the 23d instant, forwarded to you for your consideration by the board ordered to convene to select for the district a suitable person for appointment as local inspector for the district of Charleston, in connection with the papers of R. H. Berry, of Wilmington, N. C., an applicant for that position, I herewith transmit the application and indorsements of W. H. Gannon, also an applicant for same position. You will observe that the position to which Mr. Gannon's papers refer is that of supervising inspector of steam vessels for the third district, but it is understood that Mr. Gannon would be glad to succeed Mr. Taglio as local inspector of hulls, and you are directed to consider his papers in connection with said vacant local inspectorship.

Respectfully,

W. E. CURTIS, *Secretary.*

Mr. JNO. W. OAST,
Supervising Inspector of Steam Vessels, Third District.

Here is the letter of the member of Congress upon which the direction was made:

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
DIVISION OF APPOINTMENTS,
Washington, D. C., May 24, 1893.

DEAR SIR: I am very anxious that Peter Taglio should give place at the earliest day possible to W. H. Gannon as inspector of hulls for the district of Charleston, S. C.

This is the matter of which I spoke to you about ten days ago.

The inspectorship of boilers might wait a while.

Please have such action taken as will secure Gannon's appointment as soon as you can, and oblige, yours, sincerely, etc.,

W. H. BRAWLEY.

Hon. WILLIAM E. CURTIS, *etc., etc.*

Mr. President, what shall be done with willful, malicious, convicted libelers and slanderers hired to destroy the character of members of this body? What does this man know of Capt. Leo Vogel and my relations with him? Here is the record: The application made for the local inspectorship of Charleston, in which I joined the Senators from South Carolina; and this man in this paper charges me with having traded with the Senator from South Carolina [Mr. BUTLER] for his influence for the rejection of the nomination of Wilson, who was not nominated for more than twelve months after this occurrence—another malicious falsehood.

SIR: I have the honor to hand you herewith a petition for the appointment of myself as supervising inspector of steam vessels for the third district.

Very respectfully,

WILLIAM H. GANNON.

Hon. JOHN G. CARLISLE,
Secretary of the Treasury.

We, the undersigned, respectfully request at the hands of the honorable Secretary of the Treasury the appointment as above stated, and would recite the long experience and efficient service as local inspector of the Charleston district under the former Democratic Administration. Capt. Gannon, having been master of steam vessels for twenty-five years, is especially qualified for the service, capable in every particular, and we believe his appointment would prove in every way wise and desirable.

Respectfully,

M. C. BUTLER.	WILLIAM H. BRAWLEY.
JOHN L. M. IRBY.	RUFUS E. LESTER.
J. B. GORDON.	S. B. ALEXANDER.
WILKINSON CALL.	E. E. MEREDITH.

Indorsement: SAVANNAH, GA., *March 2, 1893.*

This man Gannon was out of the way entirely, nobody recommending him for anything; a year having elapsed, and this newspaper writer charges me with having traded this indorsement, made before the inauguration of Mr. Cleveland, with the Senator from South Carolina [Mr. BUTLER] for his vote in opposition to the confirmation of Mr. Wilson, nominated more than a year after Gannon's applying for the local inspectorship at Charleston.

But what has Capt. Vogel's recommendation by me to do with my veracity and a charge of falsehood against me upon this state of things, when I have never said that I had abandoned Vogel? That was the application, that was the meaning, that was the averment—that I had abandoned my friend. Now, what is the record?

Capt. Vogel's application was filed on the 23d of March, 1893, after the inauguration of Mr. Cleveland, and within less than twenty days; while the other man filed his application before the inauguration, and it was before the Secretary at that particular date for the local inspectorship, and here is the first movement I made.

MARCH 23, 1893.

Capt. Leo Vogel's application for this office is filed with the indorsement and recommendation for its favorable consideration by

WILKINSON CALL.

That is the record of the Treasury Department. What next?

On the 23d of March Capt. Vogel is recommended by J. L. M. IRBY.
On the 25th March Vogel is recommended by T. T. Stockton and WILKINSON CALL. On the 8th May by Senator CALL in personal interview with the President. Thurber, private secretary; slip on file.
On 24th April, 1893, by Senator CALL.
On 9th April, 1893, by Senator CALL.
On 2d May, 1894, by Senator CALL.
On 9th May, 1894, by Senator CALL.

And yet this man goes to the Treasury Department and deliberately falsifies the record. Is such a man to be respected by his press associates? Are honor and truth and manhood to find no consideration, but libel and slander and imputations of indecent conduct to be made upon Senators?

Mr. President, here are the records. They are conclusive; they prove this falsehood; they prove that there is no foundation whatever for the statements; that they are malicious, and made for a purpose. Why are they made? Because powerful interests assail me, and the men who are advertised to hire out for professional libelers and slanderers are paid by these powerful persons, who are seeking to deprive the people of the State of Florida of the ownership of the lands which the law has given to them, and impose a tribute of twenty or thirty million dollars to be paid into their pockets by virtue of frauds committed against the people. That is the inciting motive.

These people do not know me: they have never crossed my path, nor I theirs; they know none of my people; they know nothing of Capt. Vogel, my devoted friend, a brave and gallant officer, a man from the bosom of the people, who before the mast became a master sailor and sailed upon every sea, a man conversant with every form of maritime knowledge, skill, and experience; a man who served upon the confederate ships, the Alabama and the Florida, with great distinction, and a man everywhere capable of commanding ships, either naval or commercial, and who, I am proud to say, is my devoted friend, and to whose face no man dare slander me. Mr. President, Capt. Vogel is better than a hundred millions of generations of such libelers and slanderers.

What next? What shall be done further? Shall we sit here and be represented as coming into this Chamber in indecent exposure? Shall these miserable creatures, cowardly, false libelers, be permitted to make use of this Chamber? The press is a noble association. My friend the Senator from Georgia [Mr. WALSH], without reproach, a man of learning, a man of a high sense of honor, and many others are like him, have been correspondents here. Shall they permit their records to be polluted by convicted libelers and assassins of character? What interpretation can be placed upon it? Here is the record. There is no escape from it.

Mr. President, here is the statement which I have explained; here is an accusation against me, which is a falsehood, of abandoning friends, of playing double with different men, professing to be based upon the records of the Treasury Department. I offer the following resolution:

Resolved, That the perpetrator of the false and slanderous statements relating to the Senator from Florida, Mr. CALL, be excluded from the Press Gallery of the Senate on the ground that he is a professional liar and libeler, and that his name and newspaper connections be ascertained by the Sergeant-at-Arms and reported to the Senate, to be published in the CONGRESSIONAL RECORD as a part of this resolution.

Mr. President, the Senate of the United States is a body of respectable men, who come here with the confidence and indorsement of the people. The press association of this country is a body of respectable men who are all presumed to be honest and honorable lovers of the truth, rather than of falsehood, lovers of decorum and of propriety, and not of those who hire themselves out to defame and blacken the character of virtuous men and women.

Such characters are to be condemned by all right-loving people, whether Senators or members of the press. We must establish some mark by which the deliberate judgment of the Senate in case of clear conviction of newspaper men of dishonorable, false, and unworthy conduct shall be branded upon them with the expression of our disapproval.

I ask that the resolution may be printed and go over to be hereafter considered by the Senate.

The VICE-PRESIDENT. The resolution will go over and be printed.

Mr. CALL subsequently said: I am informed by Senators here, who concur with me as to the gravity of the offense and the propriety of the Senate taking some action in regard to it, that it is better that the resolution should be referred to the Committee on Rules, and I therefore make that motion.

The VICE-PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

SOUTHERN UTE INDIAN LANDS.

Mr. TELLER. There is a House bill on the table to provide for allotting to the Southern Ute Indians lands in severalty. I ask that the bill may be referred to the Committee on Indian Affairs. The Senator from Wisconsin [Mr. VILAS] desires to offer some amendments to the bill, which will also be referred to the committee.

The VICE-PRESIDENT. The bill will be read by title.

The SECRETARY. A bill (H. R. 6792) to disapprove the treaty heretofore made with the Southern Ute Indians to be removed to the Territory of Utah, and providing for settling them down in severalty where they may so elect and are qualified, and to settle all those not electing to take lands in severalty on the west 40 miles of present reservation, and in portions of New Mexico, and for other purposes.

The VICE-PRESIDENT. The bill will be referred to the Committee on Indian Affairs, in the absence of objection.

Mr. VILAS. I desire to offer certain amendments to the bill. I prepared them with a view to discuss them this morning, but by an arrangement between the Senator from Colorado and myself the bill is referred. I offer the amendments and ask that they be printed and referred to the Committee on Indian Affairs.

The VICE-PRESIDENT. It is so ordered, without objection.

FLORIDA JUDICIAL DISTRICTS.

Mr. CAREY. Mr. President——

Mr. CALL. I ask unanimous consent (I will move if necessary) that the bill (H. R. 51) to change the boundaries of the judicial districts of the State of Florida may be taken up for hearing after the conclusion of the bill the Senator from Wyoming [Mr. CAREY] desires to call up.

Mr. PLATT. Do I understand the Senator from Florida to ask unanimous consent to call up the bill?

The VICE-PRESIDENT. That is the request of the Senator from Florida.

Mr. PLATT. I know the Senator has for a long time desired to get consideration for the bill, but the Senator from Delaware [Mr. HIGGINS], I believe, opposes the bill, and the Senator from Massachusetts [Mr. HOAR] has desired to say something upon it. Both those Senators are absent this morning. I do not think the Senator ought to press the bill in a thin Senate in their absence. I hope he will let it go over.

Mr. CALL. I ask unanimous consent that on next Friday the bill may be made the regular order and taken up for consideration.

Mr. PLATT. I think the Senator should wait until the Senator from Massachusetts and the Senator from Delaware are here.

Mr. PASCO. This is purely a local bill, and I can not think it necessary to wait for the Senator from Delaware in order to determine what are to be the boundary lines of the judicial districts of the State of Florida. I hope that the request of my colleague will be granted and the bill will be taken up this morning. It is a matter of great importance to the people of Florida. It has been standing over for weeks while half a dozen or more bills of a similar character have been passed without objection. I can not conceive that it is necessary to wait for the Senator from Delaware to express his views as to what shall be the boundary lines of the Florida judicial districts.

Mr. PLATT. In the absence of the Senator from Delaware and the Senator from Massachusetts, I feel I ought to object this morning.

Mr. CALL. My colleague is entirely right, and I will move, if there be a Senate here, to take the bill up when the pending bill of the Senator from Wyoming is disposed of. I wish to state that I would not desire to deprive the Senator from Delaware of a hearing if it were important for him to have one. I am satisfied that the bill ought to pass, and that it will pass. It is in the interest of everybody there, the officers of the courts and the people of the districts, and the business of the courts. I believe that when the Senator from Connecticut fully understands the case he himself will consent to it. I shall make the motion I have indicated if there be a Senate here.

LAND FOR RESERVOIRS.

Mr. CAREY. I ask unanimous consent for the present consideration of the bill (S. 2129) to authorize the entry of land for reservoir purposes.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Public Lands with an amendment, in section 1, line 8, after the word "use," to insert "at $2.50 per acre."

The amendment was agreed to.

Mr. HARRIS. I should like to know from the Senator from Wyoming whether this is a unanimous report from the Committee on Public Lands.

Mr. CAREY. I believe it is a unanimous report. Every member of the committee has seen and examined the bill.

Mr. HARRIS. The bill involves some pretty important questions. If it be a unanimous report of the committee I shall not object. If it is not a unanimous report I shall object to its consideration.

Mr. CAREY. It has the approval of the chairman of the committee. If the Senator desires an explanation I can make one that I think will be entirely satisfactory to the Senator.

Mr. HARRIS. I shall not interpose an objection.

Mr. PASCO. What is the number of the bill and its Calendar number?

Mr. MORGAN. Let the bill be again read.

The VICE-PRESIDENT. The bill will be read as amended.

Mr. PASCO. I ask for the Calendar number, that I may examine the bill for myself. I do not ask that it be read.

Mr. COCKRELL. The bill is not on the Calendar. It was just reported this morning.

Mr. HARRIS. It has no order of business.

Mr. COCKRELL. It is a Senate bill, which has just been reported from the Committee on Public Lands, and is not on the Calendar. Now, let it be read.

The VICE-PRESIDENT. That is correct. The reading of the bill is called for. The Secretary will read the bill as amended.

The Secretary read the bill as amended as follows:

Be it enacted, etc., That any citizen of the United States, or any association of citizens of the United States, or any ditch or water company, under rules and regulations prescribed by the Secretary of the Interior, shall have the right to purchase lands suitable for reservoir purposes, not to exceed one quarter section of unoccupied public lands not reserved for public use, at $2.50 per acre: *Provided*, That when lands so purchased are within a mining district such lands shall be considered mineral lands, and the patent to such lands shall not authorize the purchaser to extract mineral therefrom, but all such mineral shall be reserved to the United States, which reservation shall be inserted in such patent.

SEC. 2. That the Secretary of the Interior shall insert in the patent a provision that unless the land so sold shall, within three years from the date of entry, be utilized for reservoir or water-storage purposes, that such land shall revert to the United States. That the privilege herein granted shall not be construed to interfere with the control of the water for irrigation or other purposes under authority of the respective States and Territories, and this provision shall be inserted in the patent.

The bill was reported to the Senate as amended.

The VICE-PRESIDENT. The question is on concurring in the amendment made as in Committee of the Whole.

Mr. ALLEN. I am inclined to think the bill ought to be amended so far as it prescribes a maximum price for the land. As I recollect the reading of the bill it provides that the land shall in no case be sold for a greater sum than $2.50 an acre. Let that portion of the bill be again read.

The VICE-PRESIDENT. The Secretary will read as indicated.

The Secretary read as follows:

That any citizen of the United States, or any association of citizens of the United States, or any ditch or water company, under rules and regulations prescribed by the Secretary of the Interior, shall have the right to purchase lands suitable for reservoir purposes, not to exceed one quarter section of unoccupied public lands not reserved for public use, at $2.50 per acre.

Mr. ALLEN. I move to strike out the words "two dollars and fifty cents per acre" and insert "at such price as the Secretary of the Interior shall prescribe."

The VICE-PRESIDENT. The amendment to the amendment made as in Committee of the Whole will be stated.

The SECRETARY. Strike out, in line 8, the words "at two dollars and fifty cents per acre" and insert "at such price as the Secretary of the Interior shall prescribe."

Mr. COCKRELL. I move to add at not less than some fixed sum.

Mr. ALLEN. Let the Senator put in whatever sum he sees fit.

Mr. HARRIS. I suggest "not less than $2.50 per acre."

Mr. CAREY. If the Senator will permit me just one minute, I think I will remove any objection he may have. The price has been fixed in the bill at the double minimum—$2.50 per acre. It limits the amount that any one person or association can purchase to 160 acres. The bill expressly provides that the land can only be used for one purpose—to store water upon it. Under the provisions of the bill the party does not even obtain the mineral in the land, if there is any, and in case he fails to use it for reservoir purposes the land reverts to the Government of the United States, notwithstanding the party has paid $2.50 per acre for it.

When some poor fellow wants to buy 160 acres or 80 acres or 40 acres for reservoir purposes, I do not see how you are going to fix it so as to have the land appraised by the Secretary of the Interior. The bill is in the form in which such bills are usually passed.

Mr. TELLER. There is no reason why the land should be appraised.

Mr. CAREY. It is now appraised by law.

Mr. TELLER. It is appraised by law at $1.25 per acre, or if it is mineral land at $2.50 an acre for one class and $5 for another. The mineral is specially excepted.

Mr. CAREY. If it is timber or stone land it is $2.50 per acre.

Mr. TELLER. Timber or stone land is $2.50 per acre. In the mountain regions there are a large number of small natural reservoirs, 40, 60, 80, and 100 acres. They are rarely ever larger than that. There are a great number of farmers in the country, which I in part represent, who have been in the habit of going into the mountains themselves and building reservoirs on public lands. There is a feeling of insecurity in that, and they desire to have title. The reservoirs are to aid them in furnishing the water supply during the season in which they irrigate. They fill the reservoirs in the early part of the year, and then when the irrigating season comes on they are allowed to run the water into the streams and down into the ditches.

A great number of reservoirs will be built in the mountain regions by the local ditch associations in Colorado and other irrigating States if they are allowed to do so. There can be no monopoly in it. It is specifically provided that the States shall still have the same control over it as over other public lands. In the State of Colorado at least—I can speak of no other—there is no monopoly in the ditching of water. The State has taken charge of it and fixed the price at which water can be sold. But in these cases the most of it will be done by an association of farmers who own the reservoirs as they own the ditches, and the water will not be sold at any price; it will be furnished by the men who build the reservoirs.

Mr. POWER. The Senator from Colorado has stated the situation in Montana. It will be a great convenience to the farmers in the valley if they can build reservoirs on lands where they can secure the right and in that way secure their investment.

Mr. ALLEN. The insertion of the amendment that the land shall be sold at a price to be fixed by the Secretary of the Interior, and not less than $2.50 per acre, it occurs to me, covers everything that the Senators from the mountain States can ask. If there should be an attempt to establish reservoirs on land worth more than $2.50 per acre, land worth $5 or $10 or $20 an acre, then the power ought to be lodged in the Secretary of the Interior to fix a price above $2.50.

Mr. CAREY. I suggest to the Senator from Nebraska to permit an amendment to go in providing that the land shall not be sold for less than $1.25 per acre. I do not think any of it is worth more than $1.25. The amendment of the committee was inserted to remove the objection of the Senator from Arkansas [Mr. BERRY], the chairman of the committee, who thought it would be better to fix the price at $2.50 per acre.

Mr. ALLEN. Let the amendment read "at a price to be fixed by the Secretary of the Interior, which shall not be less than $2.50 per acre."

Mr. CAREY. Let it read "$1.25 per acre."

Mr. HARRIS. I suggest as a compromise to insert "not less than $2 an acre;" so as to give the Secretary of the Interior authority to fix a higher price than $2.50.

Mr. ALLEN. I agree to that.

Mr. CAREY. I can not resist the appeal of the Senator from Tennessee. That will be satisfactory.

Mr. ALLEN. Let the clause be read as proposed to be amended.

The SECRETARY. Insert after the word "use," in line 8, "at such price as the Secretary of the Interior shall prescribe, at not less than $2 per acre."

Mr. ALLEN. The word "at" should go out.

Mr. PLATT. You do not want the word "at."

Mr. ALLEN. It should read "at such price as the Secretary of the Interior shall prescribe, not less, however, than $2 per acre."

The VICE-PRESIDENT. The question is on agreeing to the amendment to the amendment made as in Committee of the Whole.

The amendment to the amendment was agreed to.

The amendment as amended was concurred in.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

FLAGS OF TWENTY-SECOND MICHIGAN REGIMENT.

Mr. HAWLEY. I ask unanimous consent that the Senate proceed to the consideration of the bill (S. 2070) to provide for the restoration to the State of Michigan of two flags carried by the Twenty-second Michigan Infantry Volunteers and now in the War Department.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. COCKRELL. Is there any report in that case?

Mr. HAWLEY. There is a careful report.

The VICE-PRESIDENT. Does the Senator from Missouri desire to have the report read?

Mr. HAWLEY. It is of some length. The General of the Army has given personal attention to this matter. I will state the case briefly. There have been several precedents, where applications by regiments or States were made for the delivery to them of flags held in the War Department. The flags in some cases were flags which were captured by the Confederates, and again upon the subjugation of the Confederate forces restored to Federal possession, but not to the regiments themselves. In cases where there was nothing specially brilliant in the behavior of the regiment at that time or afterwards, the War Department has not favored the restoration.

An examination has been made in this case, and the distinct approval of the General of the Army is among the papers. The regiment was at the crucial test in the battle of Chickamauga. I presume there are those here who were witnesses of some of the interesting events on that occasion. The regiment especially distinguished itself. At the time when the Union line was broken the regiment suffered heavily. I believe it was at that point that it lost its flags; but it redeemed itself before night. Indeed, it did not need any redemption at the time, for it was sacrificing itself at a very important point.

All that appears at length in the report. The original propo-

sition was to restore the flags to the regiment, but in my judgment that is all wrong. They belong to the State. If the State chooses to give them to the regimental association—my State will not do it—that is their lookout.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOSEPHINE F. KELTON.

Mr. COCKRELL. I ask the Senate to proceed to the consideration of the bill (S. 879) granting a pension to Josephine F. Kelton, widow of Brig. Gen. John C. Kelton, late adjutant general United States Army.

By unanimous consent the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committe on Pensions with an amendment, in line 8, before the word "dollars," to strike out "one hundred" and insert "fifty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Josephine F. Kelton, widow of Brig. Gen. John C. Kelton, late Adjutant-General United States Army, and pay her a pension of $50 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

UNIVERSITY OF UTAH.

Mr. COCKRELL. I ask the Senate to consider a House bill which has been favorably reported from the Committee on Military Affairs without amendment. It is the bill (H. R. 3135) granting to the University of Utah a site off the public domain.

By unanimous consent the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HOUSE BILLS REFERRED.

The bill (H. R. 1196) to pension Mary E. Trickey was read twice by its title, and referred to the Committee on Pensions.

The bill (H. R. 4475) to amend section 4434 of Title LII of the Revised Statutes of the United States was read twice by its title, and referred to the Committee on Commerce.

The bill (H. R. 6979) to amend section 3 of an act entitled "An act to regulate the liens of judgments and decrees of the courts of the United States," approved August 1, 1888, was read twice by its title, and referred to the Committee on the Judiciary.

The joint resolution (H. Res. 94) providing for an investigation relative to the work and wages of women and children was read twice by its title, and referred to the Committee on Education and Labor.

Mr. HARRIS. I move that the Senate adjourn.

The motion was agreed to; and (at 1 o'clock and 35 minutes p. m.) the Senate adjourned until Monday, July 9, 1894, at 12 o'clock m.

HOUSE OF REPRESENTATIVES.

FRIDAY, *July 6, 1894.*

The House met at 12 o'clock m. Prayer by Rev. Dr. JOHN W. HEIDT, of Georgia.

The Journal of yesterday's proceedings was read and approved.

NAVIGATION IN TAMPA BAY.

The SPEAKER laid before the House a letter from the Acting Secretary of the Treasury, recommending an amendment to the sundry civil appropriation bill for the establishment of additional aids to navigation in Tampa Bay, Florida; which was referred to the Committee on Appropriations, and ordered to be printed.

THE TARIFF.

The bill (H. R. 4864) to reduce taxation, to provide revenue for the Government, and for other purposes, was laid before the House with the amendments of the Senate, and was referred, with the amendments, to the Committee on Ways and Means, and ordered to be printed.

PENSION BILLS.

The SPEAKER also laid before the House bills of the following titles:

A bill (S. 307) granting a pension to Earnest C. Emerson; and

A bill (S. 920) to pension Mary Brown, of Berlin, Vt.

The SPEAKER. These bills, which were amended by the House, have been returned from the Senate with the information that the Senate disagrees to the amendments and asks a conference with the House on the disagreeing votes of the two Houses. If there be no objection the amendments will be insisted upon and the conference agreed to.

There was no objection, and it was ordered accordingly.

The SPEAKER announced the appointment of Mr. MARTIN of Indiana, Mr. HARE, and Mr. PICKLER as conferees on the part of the House.

BRIDGE ACROSS MISSOURI RIVER AT LEXINGTON, MO.

The SPEAKER also laid before the House the bill (S. 1930) to authorize the construction of a bridge across the Missouri River at or near the city of Lexington, Mo.; which was read twice, and referred to the Committee on Commerce.

LEAVE OF ABSENCE.

Mr. BRECKINRIDGE of Kentucky, by unanimous consent, obtained leave of absence for two days.

SAMUEL COLLINS.

Mr. MONEY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 411) for the relief of Samuel Collins, which has been favorably reported by the House Committee on Claims, and is now on the Calendar.

The SPEAKER. The bill will be read, subject to objection.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Samuel Collins, of Water Valley, Miss., the sum of $230.11, out of any money in the Treasury not otherwise appropriated.

Mr. DOCKERY. Let the report in that case be read.

The SPEAKER. Without objection, the report will be read.

The report (by Mr. BUNN) was read, as follows:

The Committee on Claims, to whom was referred the bill (S. 411) for the relief of Samuel Collins, having had the same under consideration, report the same back with a recommendation that it do pass.

The Senate report made upon this bill during the first session of the Fifty-second Congress is so clear a statement of the facts that your committee adopts the same as a part of this report.

[Senate Report No. 531, Fifty-second Congress, first session.]

The purpose of the present bill is to pay to Samuel Collins, of Water Valley, Miss., certain bounty money due him for enlisting in Company I, Fifth United States Colored Heavy Artillery, during the late war. His claim for $300 was allowed March 17, 1870, per settlement No. 556104, authorized by joint resolution of Congress January 13, 1864. The certificate for this sum was made payable to the Commissioner of the Freedman's Bureau in accordance with law, and the money was paid to the chief disbursing officer of the bureau April 1, 1870, and passed into the hands of C. L. C. Cass, the local agent at Jackson, Miss., on December 3, 1871.

This agent claimed that he paid the money to the soldier and exhibited a receipt purporting to be signed by Collins and witnessed by two witnesses. The claimant, however, insisted that he had not received the money, and urged his demand against the Government for payment. The agent, Cass, then stated that the money in this case and another had been paid to the wrong persons, but failed or refused to make good his mistake or negligence.

Thereupon suits were instituted in the name of the United States by the United States district attorney in the district court of the southern district of Mississippi against the agent, Cass, for the recovery of the amounts improperly paid to the wrong parties, or wrongfully withheld by him while acting as agent of the Freedman's Bureau and disbursing officer of the Government.

The two suits were consolidated, and Mr. Cass in his defense set up a counter claim against the United States, which on the trial was disallowed, and a judgment was rendered in favor of the United States for the aggregate amounts due to the two soldiers, with interest and costs. An appeal was taken to the circuit court, and the judgment of the district court was sustained.

An execution was issued upon the judgment, and the net sum collected upon it was $77.39, and as to the residue of the amount it was returned *nulla bona*. Of this amount $69.89 was paid to the claimant, Collins, and he has received only that sum upon his bounty claim of $300, the Department ruling, according to law, that no further action could be taken with reference to the payment of the balance without the action of the Congress.

The record of the Cass suit is before the committee, and a letter from the judge who presided at the trial, who gives a brief history of the case; also a letter from the Second Auditor of the Treasury. Upon these the foregoing statements are based, and the judge's letter is herewith submitted as a part of this report.

It is very clear that the unpaid part of Collins's bounty is still due to him by the United States. The default was on the part of one of its officers, to whom the money was intrusted, and it never reached him. The United States has a judgment against the officer for the money, which he received and failed to pay, and the prosecution of the suit in its name, by its own officer, is a full recognition of the fact that it was the money of the Government that was withheld, and that no payment had ever been made that would discharge its liability.

The $300 is still due the claimant, less the $69.89 that he received after the partial recovery upon the execution. This leaves a balance of $230.11.

* * * * * * *

JACKSON, MISS., *May 17, 1886.*

GENTLEMEN: I learn that there is a bill referred to you providing for an appropriation of some $300 or $400 to Samuel Collins, a colored man of Water Valley, in this State, for that amount due him as a soldier in the late war as bounty money.

The sum of $300 was duly allowed said Collins, and an order drawn in his favor upon one L. C. Cass, then receiver of public money in this city. Cass refused to pay the money to Collins, claiming that he had paid it to someone else. The United States district attorney brought suit against Cass upon this claim, in the name of the United States for the use of Collins; also, in the name of the United States for the use of another of the same character. These suits were consolidated. Cass defended on the ground that the United States was due him as salary an amount more than the claim. The case was submitted to the court as of a jury.

This was in the district court. A judgment was given in this court for the

claims, interest, and costs, from which Cass appealed to the circuit court, by which the judgment of the district court was affirmed and an execution was issued; returned *nulla bona*.

Collins has never received this money, and should have it.

The written opinion delivered in the district court at the time sets out the facts, and which I herewith inclose. I further state that Collins is a good, industrious, honest, colored man, who has been for many years in the employment of the Illinois Central Railroad Company, and much respected by those who know him and for whom he labors.

If Cass is living and the money can be made upon the judgment against him, the Government can be reimbursed, but Collins ought not to be dependent upon that recovery, but should have his money. He should not be defeated by the embezzlement and fraud of a dishonest agent.

R. A. HILL, *United States Judge.*

THE COMMITTEE ON CLAIMS,
House of Representatives, Washington, D. C.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. DOCKERY. It seems that this is a claim for bounty, and that the agent of the United States withheld the pay from the party who was entitled to it?

Mr. MONEY. Yes; and the United States sued the agent and got judgment and recovered the amount.

Mr. DOCKERY. The report, however, does not seem to show to whom the bounty was paid.

Mr. MONEY. That was not necessary. The fact is it was not paid at all. It was sequestered by the agent of the Government. This man is entitled to his bounty and the judgment shows it.

The bill was ordered to a third reading, and being read the third time, was passed.

On motion of Mr. MONEY, a motion to reconsider the last vote was laid on the table.

PUBLIC PARK, CASTINE, ME.

Mr. MILLIKEN. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 4322) granting the use of certain land to the town of Castine, Me., for a public park.

The SPEAKER. The bill will be read, subject to objection.

The bill was read, as follows:

Be it enacted, etc., That there is hereby granted to the town of Castine, in the State of Maine, the right to occupy, improve, and control, for the purposes of a public park for the use and benefit of the citizens of the United States, and for no other purpose whatever, the tract of land owned by the United States situated in the extreme southerly part of said town of Castine, containing 3 acres, more or less, and known as the "Fort Madison lot"—said tract being more fully described in the deed of Joseph and Phebe Perkins, conveying the said land to the President of the United States, dated April 1, 1809, which deed is recorded in the records of Hancock County, Me., book numbered 27, page 105—upon the following conditions and provisions, namely:

First. That the said town of Castine shall ascertain by proper survey and accurately mark in a permanent manner the boundaries of said tract of land according to the description given in said deed; that no use of said land shall be begun by the said town until after general plans of said improvement shall have been submitted to and approved by the Secretary of War.

Second. That said town of Castine shall have and exercise power to make and enforce police regulations concerning said tract and shall properly protect all said property from injury.

Third. That the United States reserves to itself the fee in said tract and the right to resume immediate and entire possession whenever either of the above provisions shall have been violated, and also to resume possession and occupy any portion thereof whenever, in the judgment of the President, the exigency arises that should require the use and appropriation of the same for public defense or otherwise, or for such other disposition as Congress may determine, without any claim for compensation to said town for improvement thereon or damage on account thereof.

Mr. DOCKERY. Let us have the report accompanying the bill read.

The SPEAKER. Without objection, the report will be read.

The report (by Mr. MARSH) was read, as follows:

The Committee on Military Affairs, to whom was referred House bill 4322, beg leave to report that they have considered the same and recommend its passage.

The bill provides that the town of Castine, in the county of Hancock and State of Maine, may occupy, improve, and control, for the purposes of a public park for the use of the citizens of the United States, and for no other purpose, a certain public reservation known as the "Fort Madison lot," situated in the southerly part of Castine upon the shore of Castine Bay. The bill gives no title in this reservation to the town of Castine. It does not alienate any right which the United States Government has in it. It only allows the town of Castine to improve and occupy it as a park, enforce police regulations upon it, and to vacate it whenever the Government shall for any reason decide to occupy it, or when any of the conditions of the bill shall be violated.

This reservation is located among summer cottages upon the shore of one of the most beautiful bays in the country. It is now entirely useless and an eyesore to the people. The citizens of Castine wish to clear it up, remove the stones and rubbish upon it, riprap the water front so that the bank may not be washed away by the sea, and make it a pleasant resort and a way of approach to the sea without crossing private property.

Your committee think their purpose to be a laudable one, and that its accomplishment can not be in any way to the detriment of the Government, but rather a benefit in the way of preserving its property.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. DOCKERY. Let me ask the gentleman from Maine what is the value of this land?

Mr. MILLIKEN. I do not know that it has any particular value. I will state to the gentleman that they want to occupy it for a park.

Mr. DOCKERY. I hope the gentleman from Maine will give some explanation about this matter.

Mr. MILLIKEN. I know personally all about the land in question, as I have been on it many times. It is a strip of land lying along the shore of Castine Bay. It was occupied during the last war as an earthwork, and is situated amongst some beautiful cottages which have been built there as summer resorts, while this lot, belonging to the Government, is covered entirely with rubbish and stones, and is an eyesore to the people who have petitioned for the passage of this bill.

The entire east front is exposed to the ocean when the winds come in from the southeast, and is gradually washing away.

The people of Castine, by the provisions of this bill, are entitled to go on the property and remove the rocks and rubbish, clear it up, riprap the east front to prevent its further washing by the ocean, and occupy it as a park for the benefit of the people of the town and of the United States generally. It gives them a chance to go down to the sea without crossing private property as they must now do. They get no right whatever to the property; the Government under the provisions of the bill would have the right to reoccupy it whenever it pleased or whenever it became necessary to use it for any public purpose.

This bill provides also that the town shall not charge the Government for the improvements it may make on the lot. Let me say further, Mr. Speaker, that this bill was drawn by the War Department and was sent to me. I introduced the bill precisely in the form that it was drawn by the Department. It is approved by them, and I can not see the slightest objection to it in the world. The people of the town will simply improve the property of the Government, and the Government in all probability will never occupy it again for any purpose. There is nothing they could use it for except a fortification. They would not want to occupy it for a light-house, because there is one on Dyces Head, perhaps a quarter of a mile away.

Mr. DOCKERY. What is the amount of land in question?

Mr. MILLIKEN. About three acres, on the shores of the bay.

Mr. McMILLIN. What is the size of the city that gets the use of this property?

Mr. MILLIKEN. Oh, it is not a city, but an old town where the wars were fought between the French and the English. There is an old fort on the hill near the town, or the remains of one of these old fortifications.

Mr. McMILLIN. What is the size of the town?

Mr. MILLIKEN. About 1,500 inhabitants.

Mr. McMILLIN. I should suppose from the size of the town that there was a good deal of parking all around it.

Mr. MILLIKEN. Oh, yes; but the town has quite a number of good cottages——

Mr. McMILLIN. It strikes me that a town of that size, with the Atlantic Ocean on one side, and occupying as it does but a small space, would not want very much of a public park.

Mr. MILLIKEN. This is a summer resort, I will state to the gentleman, occupied by cottages. Mr. Morey, of Boston, erected a cottage at this point a short time ago, costing $40,000.

Mr. OUTHWAITE. Is this for the benefit of Mr. Morey?

Mr. MILLIKEN. No, sir; but it is asked for by the people of the whole town, who have petitioned for it. Mr. Morey, I will state to the gentleman, wanted to buy it, and the people did not wish to have it.

The SPEAKER. Is there objection to the consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed and read the third time; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. MILLIKEN, a motion to reconsider the last vote was laid on the table.

EASTERN AND WESTERN JUDICIAL DISTRICTS OF NORTH CAROLINA.

Mr. WOODARD. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 6542) to change the lines between the eastern and western judicial districts of North Carolina, and fixing time for holding courts in said eastern district.

The SPEAKER. The gentleman from North Carolina asks unanimous consent for the present consideration of a bill which the Clerk will report.

The bill was read at length.

The SPEAKER. Is there objection to the request for the present consideration of this bill?

Mr. GROSVENOR. I object.

The SPEAKER. The gentleman from Ohio objects.

Mr. DOCKERY. Let us have the regular order.

The SPEAKER. The regular order is demanded, which is the call of committees for reports.

The committees were called for reports.

CONTESTED-ELECTION CASE, WILLIAMS VS. SETTLE.

Mr. WOODARD, from the Committee on Elections, submitted the views of the minority in the contested-election case of Williams *vs.* Settle, Fifth district of North Carolina.

The SPEAKER. The views of the minority will be printed.

LEAVE TO FILE A REPORT.

Mr. LAPHAM. Mr. Speaker, I ask leave to submit a report from the Committee on Military Affairs at a later hour in the day.

The SPEAKER. Without objection that leave will be granted.

There was no objection.

Subsequently Mr. LAPHAM, from the Committee on Military Affairs, reported back with amendments the bill (H. R. 7515) granting right of way through Arlington reservation for electric railway purposes; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

TIMBER LANDS IN CERTAIN STATES.

Mr. HALL of Minnesota, from the Committee on the Public Lands, reported a bill (H. R. 5714) to amend an act entitled "An act for the sale of timber lands in the States of California, Oregon, Nevada, and in Washington Territory;" which was read a first and second time, and, with the accompanying report, ordered to be printed, and referred to the Committee of the Whole House on the state of the Union.

MUNICIPAL BUILDING, WASHINGTON, D. C.

Mr. ABBOTT, from the Committee on Public Buildings and Grounds, reported bill, H. R. 7651, as a substitute for the bill (H. R. 6074) to authorize the erection of a municipal building at Washington City, D. C.

The bill (H. R. 7651) was read a first and second time, and, with the accompanying report, ordered to be printed and referred to the Committee of the Whole House on the state of the Union.

The bill H. R. 6074 was ordered to lie on the table.

MORNING HOUR.

The SPEAKER. The morning hour begins at half past 12 o'clock. The call rests with the Committee on Public Lands.

DECLARATIONS OF INTENTION TO ENTER DESERT LANDS.

Mr. McRAE. Mr. Speaker, I desire to call up the bill (H. R. 4448) for the relief of persons who have filed declarations of intention to enter desert lands.

The SPEAKER. The gentleman from Arkansas [Mr. McRAE], from the Committee on Public Lands, calls up the following bill, which the Clerk will report.

The bill was read, as follows:

Be it enacted, etc., That in all cases where declaration of intention to enter desert lands have been filed, and the four years' limit within which final proof may be made has not expired prior to January 1, 1894, the time within which such proof may be made in each such case is hereby extended to five years from the date of filing the declaration; and the requirement that the persons filing such declarations shall expend the full sum of $1 per acre during each year toward the reclamation of the land is hereby suspended for the year 1894: *Provided*, That within the period of five years from filing the declaration satisfactory proof be made to the register and receiver of the reclamation and cultivation of such land to the extent and cost and in the manner provided by existing law, and upon the payment to the receiver of the additional sum of $1 per acre, as provided in existing law, a patent shall issue as therein provided.

The Committee on Public Lands recommended the following amendments:

Insert after the word "ninety-four," in line 12, the words "and such annual expenditure for that year, and the proof thereof is hereby dispensed with."

Insert after the word "law," in line 17, the words "except as to said year of 1894."

The SPEAKER. The question is upon agreeing to the amendment reported by the committee.

Mr. HAUGEN. I will ask the gentleman from Arkansas what class of lands this applies to?

Mr. McRAE. Desert lands.

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, was accordingly read the third time, and passed.

On motion of Mr. McRAE, a motion to reconsider the last vote was laid on the table.

SALE OF CERTAIN PUBLIC LANDS.

Mr. McRAE. Mr. Speaker, I call up the bill (H. R. 4952) to amend section 2455 of the Revised Statutes of the United States.

The SPEAKER. The gentleman from Arkansas [Mr. McRAE], from the Committee on Public Lands, calls up the following bill, which the Clerk will report.

The bill was read, as follows:

Be it enacted, etc., That section 2455 of the Revised Statutes of the United States be, and the same is hereby, amended so as to read as follows:

"SEC. 2455. It shall be lawful for the Commissioner of the General Land Office to order into market and sell for not less than $2.50 per acre any isolated or disconnected tract or parcel of public domain which in his judgment it would be proper to expose to sale after at least thirty days' notice by the land officers of the district in which such lands may be situated: *Provided*, That lands shall not become so isolated or disconnected until the same have been subject to homestead entry for a period of three years after the surrounding land has been entered, filed upon, or sold by the Government."

With the following amendment:

In line 9, after the word "of," insert the word "the," and after the word "domain," in the same line, insert the following: "Less than one quarter section."

Mr. PICKLER. Mr. Speaker, I should like to hear the report read.

The SPEAKER. The gentleman from South Dakota [Mr. PICKLER] asks that the report be read. The report can be read in the time of the gentleman from Arkansas.

Mr. HERMANN. I wish to make an inquiry of the gentleman in charge of the bill.

Mr. McRAE. Let the report first be read.

The SPEAKER. The Clerk will read the report.

The report (by Mr. McRAE) was read, as follows:

The Committee on the Public Lands, to whom was referred the bill (H. R. 4952) to amend section 2455 of the Revised Statutes of the United States, have had the same under consideration and report the same back with the recommendation that it do pass.

The first section of the act of March 2, 1889 (25 Stat., 854), withdrew from private cash entry all public lands except in the State of Missouri.

The ninth section of the act of March 3, 1891 (26 Stat., 1095), prohibits the sale of such lands at public auction, with certain exceptions, in the following language, viz:

"That hereafter no public lands of the United States, except abandoned military or other reservations, isolated and disconnected fractional tracts authorized to be sold by section 2455 of the Revised Statutes, and mineral and other lands the sale of which at public auction has been authorized by acts of Congress of a special nature having local application, shall be sold at public sale."

In consequence of these enactments, no public land of the United States lying out of the State of Missouri can be disposed of at private entry, and none can be offered and disposed of at public auction not embraced in abandoned military or other reservations, and not comprehended in the terms, "mineral and other lands the sale of which at public auction has been authorized by acts of Congress of a special nature having local application," except such isolated and disconnected tracts as are authorized to be sold by section 2455 of the Revised Statutes.

That section reads as follows, viz:

"It may be lawful for the Commissioner of the General Land Office to order into the market, after due notice, without the formality and expense of a proclamation of the President, all lands of the second class, though heretofore unproclaimed and unoffered, and such other isolated or disconnected tracts or parcels of unoffered lands which, in his judgment, it would be proper to expose to sale in like manner. But public notice of at least thirty days shall be given by the land officers of the district in which such lands may be situated, pursuant to the directions of the Commissioner."

It will be seen that the exception contained in the said section 2455 embraces only "unoffered lands," or lands "heretofore unproclaimed and unoffered." It appears that in the process of disposing of the public lands it frequently happens that certain tracts, inconsiderable in area, which are of the class of "offered lands" or lands which have been heretofore proclaimed and offered, are found to have become isolated or disconnected tracts, and to be undesirable for homesteads, from insufficiency of area or other cause, and which yet can not be disposed of either at private entry or at public sale, however desirable it may be, in view of the provisions to the contrary contained in the first section of the act of March 2, 1889, and the ninth section of the act of March 3, 1891, before mentioned.

The purpose of this bill is to permit the disposal of this class or description of tracts at public sale by means of an amendment of said section 2455, which would extend its provisions to such small isolated or disconnected tracts, although of the class of lands heretofore proclaimed and offered.

The bill also proposes to fix the minimum price for any lands so disposed of at $2.50 per acre instead of $1.25, as under the general law, and to limit the operations of the section 2455 to lands which "have been subject to homestead entry for a period of three years after the surrounding land has been entered, filed upon, or sold by the Government."

Mr. McRAE. I move the adoption of the amendment.

The SPEAKER. The question is on the amendment.

Mr. PICKLER. I would like to hear an explanation of this bill by the gentleman from Arkansas. How much land does this bill cover?

Mr. McRAE. It would be impossible to tell how much it covers; but it only covers isolated and disconnected tracts.

Mr. PICKLER. What do you mean by isolated tracts?

Mr. McRAE. We define it in this bill as all tracts of a less area than 160 acres when disconnected for three years after the surrounding land has been entered, filed upon, or sold. Heretofore the Commissioner has, in his discretion, determined what were isolated tracts and when they would become such.

Mr. PICKLER. It is subject now to homestead entry?

Mr. McRAE. Certainly.

Mr. PICKLER. Why do you want to auction it off?

Mr. McRAE. We do not want it auctioned off. For many years there was a law on the statute book authorizing the private sale of all offered lands. That law was repealed by the act of March 2, 1889. When the act of March 3, 1891, was passed—by mistake, I will assume—it provided for the revival of section 2455, which embraces only "unoffered lands," and so the isolated tracts of "offered lands" can not be sold at all, while such tracts of the unoffered can be. This bill seeks to apply this section as amended to all isolated public lands alike.

Mr. PICKLER. Now, can anybody go in and buy those lands for $2.50 an acre?

Mr. McRAE. They can not get it for less than $2.50 an acre. The law as it now is permits them to get the "unoffered" at $1.25 per acre.

Mr. PICKLER. Do I understand you to mean that all these lands may be bought at $1.25 an acre?

Mr. HOLMAN. Oh, no.

Mr. McRAE. The unoffered isolated tracts can be, but the offered tracts can not

Mr. PICKLER. How much does the unoffered lands cover?

Mr. McRAE. It does not cover all unoffered lands, but isolated and disconnected tracts of such land, and the amount is inconsiderable.

Mr. PICKLER. One more question. What is the necessity of this law? Is not this land all, as you say, open to homestead entry?

Mr. McRAE. Certainly; and will still remain open to such entry.

Mr. PICKLER. Now, what is the object of disposing of it more rapidly than it can be taken up under the homestead law?

Mr. McRAE. The theory is, that as it has been subject to homestead entry for thirty, forty, or fifty years, and no one has entered it under the homestead law, it is not fit for a homestead.

Mr. WILSON of Washington. Does it limit it to any amount?

Mr. McRAE. It is limited to disconnected and isolated tracts of less than one-quarter section.

Mr. WILSON of Washington. A man can not purchase more than 160 acres.

Mr. McRAE. This bill does not authorize the sale of any tract except those which are less than one-quarter section.

Mr. HERMANN. I will ask my friend a question in this connection with that asked by the gentleman from Washington, whether one person can enter more than one disconnected tract, and in the aggregate make entry of more than 160 acres.

Mr. McRAE. I think he could if he wanted to pay $2.50 an acre for it and the Department would let him.

Mr. HERMANN. I desire to ask the gentleman a further question. Does not that put it in the power of a man to go into the river reaches and find little tracts of 30 and 40 acres and enter them and go on for miles and miles up and buy all the little patches and tracts on which some homesteader may want to be able to make a home for himself? Is it not putting it in the hands of a man who would be able to speculate in these lands? Do you not think it ought to be left open for settlement as it is?

Mr. McRAE. This law has been on the statute book, Mr. Speaker, since 1846, and it has not been abused by any Administration so far as I know. No Department will permit it to be used for speculative purposes. Nobody is going to take these isolated and disconnected tracts, as a general thing, except the abutting owners who want to enlarge their farms.

Mr. PICKLER. Why should not the Government keep the land?

Mr. McRAE. These are only tracts less than a man would be entitled to under the homestead law and presumably unfit for such uses.

Mr. WILSON of Washington. That law as to offered lands was not applicable to all the States. There were no offered lands in the West. It was only in your section of the country.

Mr. McRAE. There were perhaps none in your State; but there were offered lands in Michigan, Wisconsin, and Minnesota, and other States in the West.

Mr. WILSON of Washington. There were none in California or Oregon.

Mr. HERMANN. Yes; there were offered lands in California and in Oregon.

Mr. FLYNN. As I understand, all this land must have been open to homestead settlement for three years before that can be taken under the operations of this law.

Mr. McRAE. Certainly; it must remain disconnected from all public land for three years before it can be taken by this bill. That provision is not in the law we propose to amend, however. In the law as it now stands there is no limitation upon the amount, and no provision as to when it shall become isolated.

Mr. PICKLER. Is it not the fact that in a large number of instances the reason why these tracts have not been taken by homesteaders is that they have been able to get 160 acres somewhere else, but that opportunity is rapidly disappearing, and now the homesteaders will come in and take 80 or 40 acre tracts if they can have them under the homestead law?

Mr. McRAE. I do not know that.

Mr. HOLMAN. Mr. Speaker——

Mr. PICKLER. I have the floor, I believe. These isolated tracts have not been taken because homesteaders could get 160 acres elsewhere. I ask the gentleman if that is not the reason they have not been taken?

Mr. McRAE. I can not tell why a settler did not take this land rather than some other lands he did enter. No man can answer that question. [Laughter.]

Mr. SMITH of Arizona. It was because he did not want it. [Laughter.]

Mr. McRAE. I presume it was because he did not want it.

Mr. PICKLER. No, he did not want 80 acres when he could get 160 acres elsewhere, but when the opportunity to get 160 acres disappears then he will come in and want the 80 acres.

Mr. KEM. Can the gentleman tell us what is the general quality of this land? Is it fit for agriculture?

Mr. McRAE. My dear sir, I can not answer that. There are some disconnected tracts of land in the various States of the Union.

I suppose that the theory on which the original law was framed was that as all the "offered land" was subject to sale at $1.25 an acre that some provision should be made to dispose of small tracts of "unoffered land," but when by the act of March 2, 1889, the distinction between "offered" and "unoffered" was abolished there was no good reason for reviving it by the act of March 3, 1891, as to isolated tracts.

Mr. HOLMAN. Would it not be safer, however, to limit the amount that each party can take?

Mr. McRAE. I have no objection to a reasonable limitation.

Mr. HOLMAN. Let it be limited to a quarter section.

Mr. McRAE. They can not get as much as a quarter section by one purchase under this bill.

Mr. HOLMAN. I know; but a man might buy several tracts.

Mr. WILSON of Washington. It seems to me that it would be for the best interests of the Government and of the people at large if we would limit the quantity which each person could purchase of these lands. All over the West there are a great many fractional 160-acre tracts——

Mr. SMITH of Arizona. But not close together.

Mr. WILSON of Washington. Not close together; 20 acres here, 30 acres there, 40 acres elsewhere. When a man came to take up his land at the land office he found that he could not make it all contiguous, so he left off 25 or 30 or 40 acres, which was outside, but which was just as valuable as that which was taken. I think that is the condition in my friend's Territory, and in Oregon and Dakota. These lands are just as good as the lands that were originally taken up under the homestead act, and if we are going to repeal the act of March 3, 1891, which at the time I thought was wise legislation——

Mr. McRAE. We are not repealing it at all, but making it general.

Mr. WILSON of Washington. We are, inferentially.

Mr. McRAE. We are correcting what was evidently a mistake made in the law of 1891, which revived section 2455, Revised Statutes, which, strange to say, authorized the sale of "unoffered lands" but prohibited the sale of those that had been offered.

Mr. HOLMAN. And that was done deliberately after full consideration.

Mr. PICKLER. Yes, to save the lands for the homesteaders.

Mr. McRAE. The lands were all saved to homesteaders two years prior to that time by my bill of March 2, 1889.

Mr. WILSON of Washington. In one section of the country public lands could be bought for $1.25 per acre, while in another section the settler had to reside upon his land and still pay $2.50 an acre. That change was made openly, and I knew at the time we were doing it for the purpose of putting all the public lands of this country under one common law.

Mr. HOLMAN. And the gentleman from South Dakota was a member of the committee on conference.

Mr. McRAE. Mr. Speaker, if the gentlemen who drafted the act of 1891 intended to do what they say here to-day, then they accomplished exactly the reverse, because none of this land could be sold but for that act, and there is much more "unoffered" than "offered" land. In the extreme Western States and Territories there are no "offered lands." Under the act of March 3, 1891, every disconnected tract in all the States and Territories may in the discretion of the Commissioner be sold at not less than $1.25 per acre. In Washington unoffered lands can be sold.

Mr. WILSON of Washington. There are no offered lands in my State.

Mr. McRAE. But the gentleman misunderstands the point upon which this rests. The law as it now stands is that no isolated tracts except unoffered lands may be sold. That is the point. Does the gentleman catch it?

Mr. WILSON of Washington. The gentleman is stating it with sufficient volume of voice for me to catch it. [Laughter.]

Mr. McRAE. Do you understand it?

Mr. WILSON of Washington. Yes, I understand it.

Mr. McRAE. In your State unoffered lands can be sold, and as you have none but unoffered lands, all isolated tracts in your State may be sold.

Mr. PICKLER. The gentleman has no lands in his State that can be sold.

Mr. McRAE. The gentleman is mistaken. The case is exactly the reverse as to isolated tracts.

Mr. PICKLER. Oh, no.

Mr. McRAE. That statement shows that the gentlemen who assisted in drafting the act of March 3, 1891, did not know the distinction between the "offered" and "unoffered" lands, and I do not wonder that the mistake was made.

I can read you what the Department said about this matter. I have known of applications made and denied for offered lands. The Department construes the law to mean that it is only the unoffered lands in all the States that can be sold under section 2455.

Mr. PICKLER and Mr. WILSON of Washington. We have not any offered lands.

Mr. McRAE. You have not anything else except unoffered lands.

Mr. HOLMAN. The timber-land law of the Pacific States is the only law that allows the land to be sold at all, and that only to those entitled to enter homesteads, except in special cases where the homestead policy could not apply.

Mr. WILSON of Washington. Yes; the gentleman from Indiana is correct; it is only under the timber-land law that lands can be sold, and then only to persons entitled to make homestead entries.

Mr. McRAE. The gentleman from Indiana [Mr. HOLMAN] is in error again, for the timber and stone act only applies to "unoffered land," and offered land can not be sold under it.

Mr. WILSON of Washington. Well, I leave that controversy to be settled between you two gentlemen.

Mr. McRAE. Section 2455 originally applied to unoffered lands, when the distinction meant something. This act of 1891 has been construed by the Department to exclude offered lands from sale. The result is that it is only lands of the character that you have in your State and in States situated like yours that can be sold at all under this provision. The lands which were upon the market for forty or fifty years, and which are confessedly of but little value, can not be sold, while those which you say are valuable can be sold. Still you refuse to consent to pass this bill, which extends the existing law and makes it general in its application to unoffered and offered lands alike.

Mr. HOLMAN. But the gentleman overlooks the fact that this is an encroachment upon the homestead law, under which it is our policy to place all the public lands.

Mr. McRAE. It is no encroachment upon the homestead law at all.

Mr. PICKLER. I ask the gentleman from Arkansas to yield me five minutes.

Mr. McRAE. I will do so.

Mr. PICKLER. Mr. Speaker, I do not doubt the good faith of the Committee on Public Lands and its chairman in reporting this bill; but in my opinion it is a mistake. Whatever may be thought in regard to this controversy about offered and unoffered lands, I know that in my State and in most of the Western States lands can be procured under the timber act at $2.50 an acre, under the homestead act, under the mining law, and under the desert land law. Now, those are a sufficient number of ways to dispose of the public lands.

Without regard to this controversy about offered and unoffered lands, the object of this bill is to put up for sale lands now subject to homestead entry and sell them at not less than $2.50 an acre. That is the confessed and undisputed object of the bill. Now, while I do not doubt the good faith of the committee, I am opposed to that policy. It has been the policy of the Congress of the United States, especially for the last twenty years, to reserve all the public lands for homestead settlement; and that is the correct policy. I do not want any more of these public lands sold to anybody; I do not care whether the purchasers be speculators, farmers, or anybody else. Let these lands be reserved for homestead entry.

Now, the reason these tracts of less than 160 acres have not been sold heretofore is that while men could go to other sections of the country and get tracts of 160 acres they did not care to take tracts of smaller size, even though they might be better land. They wanted as much land as they could get. But the time has now come when it is getting to be very hard for a man to find anywhere in the United States a place where he can settle upon 160 acres of public land in a section of the country where there is sufficient rainfall.

Hence these isolated tracts of less than 160 acres each are now sought for. It often happens, for instance, that a man's son who has been living with him reaches the age of 21 and wants to start out for himself. He does not care to go to a new neighborhood, but would rather settle down near his old home upon an 80-acre or even a 40-acre tract. It will not be many years before we shall need every acre of this land for homes for our people. Pray, what is the object of selling our lands for the pitiful sum of $2.50 an acre? Why should we want to do that?

Mr. HOLMAN. That is a merely nominal price.

Mr. PICKLER. Can not the Government as well afford to hold these lands as an individual can? If the lands are worth $2.50 to individuals, are they not worth that much to the Government to be reserved for settlers?

It is useless to talk about confining people to 80-acre tracts. You can not do it. If I want a thousand acres of land I will buy 80 acres, will get my brother to buy another tract of 80 acres, my wife to buy another, my daughter to buy another, my wife's relatives to buy other tracts in the same way, and I will take the land.

Mr. HOLMAN. But there is no limitation here at all against speculating in the fragmentary portions of the public lands.

Mr. PICKLER. I understand that; there is no limitation here at all. But my point is that you can not adopt an effectual limitation. If speculators want this land they will get it. The men who will take these lands are those who are making investments in land—not the homesteaders. These lands will not be taken by the men who really want land for homes, but by men who want to invest in land. I am opposed to the principle of selling Government land.

[Here the hammer fell.]

Mr. HERMANN. I desire to offer an amendment, Mr. Speaker.

The SPEAKER. The gentleman from Arkansas [Mr. McRAE] has the floor. Does the gentleman yield?

Mr. McRAE. Mr. Speaker, I desire to take but a moment of the attention of the House in this connection. You have heard in the last ten or fifteen minutes a great deal of talk about violating the homestead laws, and about the necessity and desirability of following the principles laid down in it, both from the gentleman from South Dakota and the gentleman from Indiana.

Those who assail this bill either do not understand the effect of the legislation embodied in the act of 1891, or have permitted it to be misstated to the House to-day. The section to which this is an amendment provides for the sale only of unoffered lands. The 9th section of the act referred to is as follows:

That hereafter no public lands of the United States, except abandoned military or other reservations, isolated and disconnected fractional tracts authorized to be sold by section 2455 of the Revised Statutes—

The section for which this bill is offered as an amendment.

And mineral and other lands, the sale of which at public auction has been authorized by action of Congress, of a special nature, having local application, shall be sold at public sale.

Now, that section expressly excludes the sale of any of these lands unless they are unoffered lands. Two gentlemen who assisted in the preparation of that act stand here to-day and tell you that it does not. I can not see the necessity of arguing with gentlemen who in the face of the plain letter of the law undertake to make the House believe that the committee is trying to deceive it in presenting this bill for its consideration.

I have told you the effect of the act of March 3, 1891, and, so far as I am concerned, I do not care one bawbee what you do with the bill, whether you pass it or not; but I do want you to understand the position of the committee.

Now, we have in the State of South Dakota, in the State of Washington, in the State of Montana, and all over the West isolated and disconnected tracts of land, without the limitation of less than 160 acres we propose, which are subject to sale at the minimum rate of $1.25 an acre——

Mr. PICKLER. That is a mistake.

Mr. McRAE. It is not a mistake.

Mr. PICKLER. It is. You can not buy a foot of land in my State at $1.25, and I have lived there for twelve years and know what I am talking about.

Mr. McRAE. I do not care how long you have lived there; if the gentleman in that time has not learned more than he appears to know of the distinction between offered and unoffered lands, he had better go and remain forty years.

Mr. PICKLER. I know what I am talking about, and all about offered and unoffered lands, and understand what the law is, I think, as well as the gentleman from Arkansas, and I say that there has been no land in my State sold under this law at $1.25 an acre nor could it be so purchased, the gentleman to the contrary notwithstanding.

Mr. McRAE. I have stated what the law is.

Mr. PICKLER. It is just the reverse of what the law is. The gentleman is entirely mistaken as to lands in South Dakota.

Mr. HOLMAN. That law only applies to timber lands in the Pacific States.

Mr. McRAE. The gentleman from Indiana is entirely mistaken in that. The timber and stone law has nothing whatever to do with this question of isolated tracts, but, like this section, only applies to "unoffered land."

In the Western States generally there are several ways of disposing of public lands, and it simply amounts to this: Whether you will permit, in the southern and most easterly part of the Western States, that law to be amended so that it will cover lands heretofore offered at public sale and which would not sell for $1.25 an acre, and which have been subject to homestead since 1862, and which have been isolated from all public lands for more than three years prior to entry.

Mr. PICKLER. I am satisfied that no land officer has ever construed that to be the law. Not an acre has ever been sold in my State, let me say to the gentleman, as he asserts.

Mr. McRAE. I hope the gentleman from South Dakota will not interrupt me further. I have yielded to him courteously, but he has not observed the same courtesy toward me.

Mr. HOLMAN. Mr. Speaker——

Mr. McRAE. Does the gentleman from Indiana desire time?

Mr. HOLMAN. I do not wish to take any time of the House, but simply to ask the gentleman whether it has not been the settled policy, at least of the House, for fifteen years to abandon entirely the sale of public lands except in case of reservations, and to reserve them for homestead settlers alone, as has been repeatedly declared by the House. Homes for our people has been our policy.

Mr. McRAE. But the gentleman from Indiana, supporting that policy as he declares, assisted in writing section 9 of this law which I have quoted, and I would be glad now if he would tell the House, in the light of what he has said, what that means. If you did not mean to sell any public land, what did you mean when you expressly provided that certain lands could be sold under section 2455 of the Revised Statutes without limitation.

For the gentleman to assert that this proposition is an abandonment of the homestead principle and entire change in the policy which has been pursued with reference to our public lands, in the face of the facts I have stated, is to me a most extraordinary and strange proposition to submit to any intelligent body of men.

Mr. HOLMAN. If a mistake was made in this act of 1891, I want it corrected; and in any view I do not want the principle to be further extended of selling public land. We shall be buying lands for our people, gentlemen, to uphold our free institutions in less than forty years. Freeholders are the only safety to a republic. The public domain is substantially exhausted. What land is left, gentlemen, for God's sake let the landless people have it.

Mr. McRAE. The gentleman has said that he intended to do just what he did by the act of 1891, and he and the gentleman from South Dakota [Mr. PICKLER] have asserted that I have misstated the law when I asserted that it was a mistake.

Mr. HERMANN. I ask the gentleman from Arkansas to accept an amendment which I wish to offer.

The SPEAKER. There is already an amendment pending.

Mr. McRAE. There is one amendment pending, Mr. Speaker.

Mr. HERMANN. My amendment is to another portion of the bill.

Mr. McRAE. I should like to have the amendment of the gentleman from Oregon reported in my time.

The SPEAKER. The gentleman from Arkansas yields to the gentleman from Oregon. The Clerk will report the amendment.

Mr. McRAE. I yield simply for the purpose of having the amendment reported in my time.

The Clerk read as follows:

Add to line 16, page 2, at the end of said line, the following:
"*Provided*, That not more than 160 acres shall be sold to any one person."

Mr. McRAE. I have no objection to that amendment.

The SPEAKER. The Chair desires to ascertain what amendments are pending. The Clerk will report the pending amendment.

The Clerk read as follows.

In line 9, after the word "of," insert the word "the," and after the word "domain" in the same line insert the words "less than one quarter section."

So that it will read:

SEC. 2455. It shall be lawful for the Commissioner of the General Land Office to order into market and sell for not less than $2.50 per acre any isolated or disconnected tract or parcel of the public domain less than one quarter section which in his judgment it would be proper to expose to sale after at least thirty days' notice by the land officers of the district in which such lands may be situated, etc.

The SPEAKER. That is the pending amendment.

Mr. McRAE. I ask the adoption of that amendment.

Mr. PICKLER. Would an amendment to the amendment be in order?

The SPEAKER. It would.

Mr. PICKLER. I move to strike out the words "one hundred and sixty" and insert the word "eighty."

The SPEAKER. The Clerk will report the amendment offered by the gentleman from South Dakota.

The Clerk read as follows:

Strike out one hundred and sixty and insert eighty, so that it will read:
"*Provided*, That not more than 80 acres shall be sold to any one person."

Mr. McRAE. That is not an amendment to my amendment. That applies to the amendment of the gentleman from Oregon [Mr. HERMANN].

The SPEAKER. The amendment offered by the gentleman from Arkansas (Mr. McRAE) is the only amendment which is pending. The Clerk will report that amendment.

The Clerk read as follows:

In line 9, after the word "of" insert the word "the," and in the same line after the word "domain" insert the words "less than one quarter section."

The SPEAKER. That is the amendment which is pending. The amendment offered by the gentleman from South Dakota is applicable to the amendment of the gentleman from Oregon [Mr. HERMANN], which was read for information. The Chair will recognize the gentleman from Oregon to offer that amendment, and the gentleman from South Dakota to offer his amendment to the amendment, after the amendment offered by the gentleman from Arkansas [Mr. McRAE] is disposed of.

Mr. HOLMAN. I ask my friend from Arkansas [Mr. McRAE] to allow section 9 of the statute to be read.

Mr. McRAE. I have read it already.

Mr. HOLMAN. My friend will see that it does not apply to lands intended to come within the scope of the homestead policy, but this provision extends it to lands intended to be covered by the homestead policy.

Mr. McRAE. My dear sir, it is just an amendment to that section, and covers lands of the same character, except that it covers the offered lands which are very much less in quantity and value.

Mr. HOLMAN. Then I should like to see that provision repealed. By my vote not one acre of the public lands shall ever be sold that comes fairly within the scope of the homestead law. The vital question is homes for our people—freeholds.

Mr. PICKLER. Does the gentleman from Arkansas say that in my State lands can be sold now in isolated tracts at $1.25 an acre?

Mr. McRAE. I do say so if there are isolated tracts in your State.

Mr. PICKLER. Why, I thought the construction had been the other way.

Mr. McRAE. I never heard of any construction the other way.

Mr. PICKLER. I think the gentleman is mistaken.

Mr. McRAE. The gentleman has very emphatically denied the statement I made that these lands could be sold, and now he admits by this question that he does not know anything about it.

Mr. PICKLER. All the knowledge in regard to public lands is not centered in the gentleman from Arkansas. I said they had not been so sold and the law had never been so construed, and I reassert it.

Mr. McRAE. I do not make any such pretense, but when I make a statement, after investigation at the Department and after careful consideration of the law, I like to have gentlemen who know me as you do to accept that statement as the truth unless they can show the error in it.

Mr. PICKLER. Oh, well, I do not accept everything. I know it is not the fact in my State.

Mr. HOLMAN. There are no "offered" lands in the State of the gentleman from South Dakota, and never were any.

Mr. McRAE. But it applies to unoffered lands, and that is the only point in this bill. The law applies to unoffered lands, and we are trying to make it cover offered lands.

Mr. HOLMAN. The homestead law alone applies to the section of country from which the gentleman from South Dakota comes.

Mr. PICKLER. The homestead law alone applies to my section of the country, and if the effect of the law is as stated by the gentleman from Arkansas, I want it repealed.

Mr. McRAE. Here are two gentlemen who thought they knew all about this law, and who rose up in great wrath and denied my statement when I told them the effect of it, and now when I show them the effect of this bill they say they want it repealed. A few moments ago it was a good law; now it ought to be repealed.

Mr. PICKLER. The trouble is you shoot with a shotgun. You do not know where located nor how much land you are disposing of in this bill. Your information is not definite.

Mr. WILSON of Washington. This is a good deal like the demonetization of silver. Nobody knew anything about it.

Mr. McRAE. That is right. They did not know anything about what unoffered meant. It passed at 11 o'clock at night, without ever having been printed, and I think I was the only

man in this House who cautioned the House against the danger of the bill.

Mr. PICKLER. Oh, no; it was well understood, I think.

The SPEAKER. The Clerk will report the section which the gentleman from Indiana asks to have read.

The Clerk read as follows:

SEC. 9. That hereafter no public lands of the United States, except abandoned military or other reservations, isolated and disconnected fractional tracts authorized to be sold by section 2455 of the Revised Statutes, and mineral and other lands the sale of which at public auction has been authorized by act of Congress of a special nature having local application, shall be sold at public sale.

Mr. HOLMAN. Mr. Speaker, that is the section of the act of 1883 which applied to reserved lands, which was not intended to cover lands which in the years and years to come should be entered under the homestead policy.

Mr. McRAE. I demand the previous question on the amendment.

The SPEAKER. The gentleman from Arkansas demands the previous question on the amendment offered by him.

The previous question was ordered.

The SPEAKER. The question now is on the amendment offered by the gentleman from Arkansas.

Mr. PICKLER. Mr. Speaker, what amendment is that?

The SPEAKER. The Clerk will again report the amendment.

The amendment was again read.

Mr. PICKLER. A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. PICKLER. Does that include the amendment offered by the gentleman from Oregon?

The SPEAKER. Oh, no; that is entirely different. This is the amendment offered by the gentleman when he reported the bill.

The question was taken, and the amendment was agreed to.

The SPEAKER. Now the Chair will recognize the gentleman from Oregon to offer an amendment. The gentleman from Oregon offers the following amendment, which the Clerk will read.

The Clerk read as follows:

Add to line 16, page 2, at the end of said line, the following:
"*Provided*, That not more than 160 acres shall be sold to any one person."

Mr. PICKLER. I move to amend that by striking out "one hundred and sixty" and inserting "eighty."

The SPEAKER. The gentleman from South Dakota moves to amend the amendment of the gentleman from Oregon by striking out 160 and inserting 80.

Mr. McRAE. I suggest an amendment might be made to that, that not more than one entry shall be made by any one person, and accomplish the same purpose.

Mr. HERMANN. I suggest to the gentleman that will do injustice.

Mr. McRAE. Then go on and have it as first proposed.

The SPEAKER. The question is on the amendment offered by the gentleman from South Dakota to the amendment offered by the gentleman from Oregon.

The question was taken, and the Speaker announced that the noes seemed to have it.

Mr. PICKLER. Division.

The House divided; and there were—ayes 34, noes 46.

So the amendment was rejected.

The SPEAKER. The question now is on the amendment offered by the gentleman from Oregon.

The amendment was agreed to.

The SPEAKER. The question now is on the engrossment and third reading of the bill.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. HOLMAN. Division.

The House divided; and there were—ayes 75, noes 19.

So the bill was ordered to be engrossed for a third reading.

The bill was engrossed for a third reading; and being engrossed, it was accordingly read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. PICKLER. On that I demand the yeas and nays.

The question was taken on ordering the yeas and nays.

The SPEAKER. Twenty-two gentlemen have arisen in support of the demand.

A MEMBER. The other side.

The other side was counted.

The SPEAKER. Twenty-two gentlemen have seconded the demand and 96 oppose it; not one-fifth have seconded the demand; the yeas and nays are refused; and the question is, Shall the bill pass?

The question was taken and the Speaker announced that the ayes seemed to have it.

Mr. PICKLER and Mr. HOLMAN. Division.

The House divided; and there were—ayes 85, noes 32.

So the bill was passed.

On motion of Mr. McRAE, a motion to reconsider the vote by which the bill was passed was laid on the table.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its secretaries, announced that the Senate had passed without amendment the following House concurrent resolutions:

House concurrent resolution providing for the printing of 10,000 extra copies of the report of the Director of the Mint of the production of the precious metals for 1893:

House concurrent resolution providing for the printing of 4,000 extra copies of the report of the select committee of the Medical Society of the District of Columbia on typhoid, malarial fevers, and other preventable diseases; and

House concurrent resolution providing for the printing of the report of the Commissioner of Education for the years 1891 and 1892; also

House resolution 201, authorizing the Secretary of the Navy to continue the employment of certain mechanics and laborers.

ENROLLED BILL AND JOINT RESOLUTION SIGNED.

Mr. PEARSON, from the Committee on Enrolled Bills, reported that the committee had examined and found truly enrolled bill and joint resolution of the following titles: when the Speaker signed the same:

A bill (S. 1758) to amend an act entitled "An act to authorize the Oregon and Washington Bridge Company to construct and maintain a bridge across the Columbia River, between the State of Oregon and the State of Washington, and to establish it as a post-road;" and

Joint resolution (H. Res. 201) authorizing the Secretary of the Navy to continue the employment of certain mechanics and laborers.

SECTION 2238 OF THE REVISED STATUTES.

Mr. McRAE. Mr. Speaker, I call up the bill (H. R. 4185) to repeal the twelfth subsection of section 2238 of the Revised Statutes.

The bill was read, as follows:

Be it enacted, etc., That the twelfth subdivision of section 2238 of the Revised Statutes of the United States be, and the same is hereby, repealed.

SEC. 2. That the repeal shall take effect on and after January 1, 1894.

The amendment recommended by the committee was read, as follows:

In line 2 strike out the following language: "January 1, 1894," and insert the following: "The passage and approval of this act."

Mr. McRAE. Mr. Speaker, I ask that the report be read.

The report (by Mr. KRIBBS) was read, as follows:

The Committee on the Public Lands, to whom was referred the bill (H. R. 4185) to repeal the twelfth subdivision of section 2238 of the Revised Statutes of the United States, have had the same under consideration, and report it back with an amendment striking out the second line in section 2 and inserting in lieu thereof the words "the passage and approval of this act," and with the recommendation that it pass as amended.

The reports to the committee from the Secretary of the Interior and Commissioner of the General Land Office, together with a tabulated statement submitted by the latter, showing the result upon the Government receipts and compensation of land officers had this law been repealed in 1893, are hereto attached and made a part of this report.

DEPARTMENT OF THE INTERIOR,
Washington, December 15, 1893.

SIR: I transmit herewith report of the Commissioner of the General Land Office on House bill 4185 "To repeal the twelfth section of subdivision 2238 of the Revised Statutes of the United States," with tabulated statement therein referred to.

The subdivision of section 2238 of the Revised Statutes repealed by the proposed bill provides that—

"Registers and receivers in California, Oregon, Washington, Nevada, Colorado, Idaho, New Mexico, Arizona, Utah, Wyoming, and Montana are each entitled to collect and receive 50 per cent on the fees and commissions provided for in the first, third, and tenth subdivisions of this section."

I concur in the views of the Commissioner, that there is no good reason why the people in one land district should be taxed more in fees and commissions than in another, and I therefore recommend the passage of the bill.

Very respectfully,

HOKE SMITH, *Secretary.*

Hon. THOMAS C. McRAE,
Chairman of Committee on the Public Lands,
House of Representatives.

DEPARTMENT OF THE INTERIOR, GENERAL LAND OFFICE,
Washington, D. C., November 23, 1893.

SIR: I herewith return the bill (H. R. 4185) to repeal subdivision 12 of section 2238 of the Revised Statutes.

I also submit tabulated statement showing, by States and Territories, the offices affected by the statute, the earnings of each of said offices in 1893 under existing law, and the amount such office would have earned under the proposed repeal; the amount paid registers and receivers at each of said offices in 1893, and the amount they would have received under the proposed change; the amount of decrease of revenue to the Government, and of compensation to registers and receivers in each office and in the aggregate in 1893 had existing law been repealed.

It will be observed there are sixty-one offices affected by the bill. Twenty-three of these were maximum offices in 1893, and thirty-nine of them paid the register and receiver less than $3,000 each. Under the proposed repeal

there would have been only seventeen maximum offices and forty-four under maximum.

The reduction of revenue to the Government would have been $36,479.26, and the reduction of compensation to registers and receivers would have been $24,135.86, making a total reduction of fees, commissions, etc., paid in the land districts affected of $62,615.12.

I am unable to see any good reason why the people in one land district should at the present time be taxed more in fees and commissions than another, and feel disposed to recommend the passage of the bill.

Very respectfully,

S. W. LAMOREUX, *Commissioner.*

The SECRETARY OF THE INTERIOR.

Mr. McRAE. What time does the gentleman from Washington [Mr. WILSON] wish?

Mr. WILSON of Washington. Four or five minutes.

Mr. McRAE. I yield the gentleman three minutes.

Mr. WILSON of Washington. Mr. Speaker, this is a bill to regulate the fees in certain district land offices in the West. It does not apply to any of the land offices east of the Missouri River. West of that river, in the States of California, Washington, Oregon, Idaho, and in the Territories, 50 per cent additional was added upon all homestead, preëmption, and timber-culture entries; that is to say, a homestead entry that would cost $18 in South Dakota would cost $27 in Washington; a preemption that would cost $2 in South Dakota or in Wisconsin or Minnesota would cost $3 in Wyoming.

This 50 per cent was added upon the ground that at the time expenses were greater in the West, that the cost of rent, fuel, travel, was greater. It did not increase the emoluments of the land officers above the maximum allowed by law, $3,000, but it did increase the fees of the General Government. Now under the law the fees go to the Government, and the land officers, the register and the receiver, are paid $3,000 each if the office earns that much, but all the fees and commissions have first to be turned into the Treasury and then are paid back to those officers. In the Fifty-first Congress I introduced a bill similar to this one introduced by the gentleman from Colorado [Mr. BELL]. It was passed by the House and went to the Senate, where it was defeated.

I do not know, Mr. Speaker, whether at this time the enactment of this law will not operate to close many of the land offices in the West. It seems to me that it will do so, and will thereby produce greater hardship to settlers in getting to the land offices by reason of the distances they will have to travel and the expense, than what they now incur. Since the Fifty-first Congress the law has been expanded so that almost every entry and every filing in a local land office can be made in the county before a United States commissioner, or a judge of probate, or a clerk of the circuit court.

Mr. HERMANN. And if the gentleman from Washington will yield, I desire to say that the passage of this bill will virtually amount to the abolition of a number of land districts on the Pacific coast for the reason that the public land area is very rapidly diminishing by reason of the daily sales, and in a very short time no land officer can exist upon the reduced fees here proposed.

[Here the hammer fell.]

Mr. McRAE. Mr. Speaker, gentlemen from the States affected by this bill have informed me that they will oppose it, and as it is evident that in the short time we have left we can not pass it, I withdraw the bill.

Mr. PICKLER. I object.

The SPEAKER. The gentleman has a right to withdraw the bill, no vote having been taken upon it.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed without amendment the bill (H. R. 3135) granting to the University of Utah a site off the public domain.

PUBLIC LANDS IN ALABAMA.

Mr. McRAE. Mr. Speaker, I call up the bill (H. R. 195) to amend an act entitled "An act to exclude the public lands in Alabama from the operation of the law relating to mineral lands," approved March 3, 1883.

The bill was read, as follows:

Be it enacted, etc., That an act entitled "An act to exclude the public lands in Alabama from the operation of the laws relating to mineral lands," approved March 3, 1883, be, and the same is hereby, amended so as to read as follows, namely:

"That within the State of Alabama all public lands, whether mineral or otherwise, shall be subject to disposal only as agricultural lands, and only under the provisions of the homestead laws: *Provided*, That any bona fide entry heretofore made of lands in said State under the provisions of the preemption or homestead laws may be patented without reference to an act approved May 10, 1872, entitled 'An act to promote the development of the mining resources of the United States,' or any other act relating to mineral or coal lands, in cases where persons making application for such patents have in all other respects complied with the provisions of the preëmption or homestead laws relating thereto at the time of such entry: *Provided further*, That in all cases where any person legally eligible thereto has entered and located a homestead or perfected a preëmption, and has lost or hereafter loses the same in consequence of any grant or sale previously made by the Government of the United States, or by any means whatever, without fault on his or her part, such person, upon making satisfactory proof thereof, may enter another homestead upon any of the lands within said State subject to homestead.

"SEC 2. That every homesteader, as a prerequisite to obtaining a patent to his or her homestead, shall make final proof, by two credible witnesses, that he or she has continuously resided upon, cultivated, and permanently improved a substantial portion of such homestead for two consecutive years next succeeding such entry. Such proof shall be in duplicate, and the register and the receiver of the local land office shall make such indorsement thereon as they think just, and file one set of such proofs in their office and forward the other to the General Land Office; and such proofs shall be subject to the inspection of any person in anywise interested therein, and shall thus remain on file for one year; and if at the expiration thereof no contest should be filed, and no notice be given, supported by affidavit, made before any officer, State or Federal, authorized to administer oaths, charging and specifying fraud in either the original entry or the final proof made as aforesaid, the Secretary of the Interior shall cause a patent for the land to issue to such homesteader; and until the expiration of three years from date of entry a sale of such homestead shall be deemed an abandonment thereof, and an abandonment for sixty days shall be sufficient cause for cancellation of the entry; and after due notice, and allowing thirty days for appeal, such homestead shall be again subject to homestead entry. But if a contest be filed or affidavit be made as aforesaid, or if from any cause there be reasonable ground to suspect fraud in the case, the Commissioner of the General Land Office shall investigate the same and make such order as shall be just and lawful: *Provided*, That no other notice of final proof than that hereinabove prescribed shall be required, and that entries of homestead or preemption begun in good faith before the passage of this act may be perfected under existing law; and, with this exception, the timber-culture and preëmption laws, and section 3001 of the Revised Statutes of the United States, allowing commutation of homestead entries are hereby repealed as to the State of Alabama to which alone this act shall apply.

The SPEAKER. This bill is in Committee of the Whole, and the morning hour has expired.

STATE TAXATION OF NATIONAL BANKS AND UNITED STATES TREASURY NOTES.

Mr. HALL of Missouri. Mr. Speaker, I call up the bill (H. R. 4326) to subject to State taxation national-bank notes and United States Treasury notes, which was under consideration yesterday, and I will ask the gentleman from Pennsylvania [Mr. BROSIUS] and the gentleman from Illinois [Mr. HENDERSON] whether we can not agree upon an hour when the vote shall be taken? Three hours of debate will take us to half past four, and at that time I should like to have the previous question considered as ordered.

Mr. BROSIUS. I think there is no objection to that on our side.

The SPEAKER. The gentleman from Missouri [Mr. HALL] asks unanimous consent that a vote be taken at the end of three hours——

Mr. BROSIUS (interposing). Mr. Speaker, as a part of the proposition, I would suggest that the time be evenly divided between the two sides, and that my colleague on the committee, the gentleman from Missouri [Mr. HALL], control the time in favor of the bill, and my colleague from Illinois, who reported the views of the minority, control the time on the other side.

The SPEAKER. Unanimous consent is asked that the previous question be considered as ordered at the end of three hours on the bill and pending amendments, that the time be equally divided between the two sides, that the gentleman from Missouri [Mr. HALL] shall control the time in favor of the bill, and the gentleman from Illinois [Mr. HENDERSON] the time in opposition to it. Is there objection?

There was no objection, and it was so ordered.

The SPEAKER. There are two amendments which have been reported by the committee, and which, if there be no objection, might be voted on now, so as to perfect the bill; and then other amendments would be in order. The gentleman from Vermont [Mr. POWERS] has offered an amendment.

Mr. COOPER of Indiana. I desire to offer and have pending a substitute for the bill of the committee and for all pending amendments. I think I have embodied in this substitute the suggestions which have been made by way of amendment on all sides.

The SPEAKER. It is in order to offer the substitute if the gentleman has the floor. Does the gentleman from Missouri [Mr. HALL] yield to the gentleman from Indiana to offer the substitute?

Mr. HALL of Missouri. Yes, sir.

The SPEAKER. The gentleman from Indiana offers a substitute, which will be read. Of course the amendments will have to be voted on before the substitute.

Mr. HALL of Missouri. I hope that gentlemen on the other side will pay special attention to this substitute.

The proposed substitute of Mr. COOPER of Indiana was read, as follows:

That all circulating notes of national banking associations and all United States legal-tender notes and all other notes and certificates of the United States payable on demand and circulating as currency shall be subject to taxation under the laws of any State or Territory: *Provided*, That any such taxation shall be exercised in the same manner and at the same rate that any such State or Territory shall tax other money within its jurisdiction.

SEC. 2. That the provisions of this act shall not be deemed or held to change existing laws in respect of the taxation of national banking associations.

The SPEAKER. This substitute will be considered as pending. Now, if gentlemen desire to offer other amendments it might be best to dispose of the amendments of the committee.

Mr. HENDERSON of Illinois. I want to understand who offers the substitute just read.

The SPEAKER. The gentleman from Indiana [Mr. COOPER].

Mr. HENDERSON of Illinois. I supposed that the gentleman from Indiana offered the original bill.

The SPEAKER. No; the original bill was called up by the committee.

Mr. HENDERSON of Illinois. I will ask the gentleman from Missouri [Mr. HALL] whether the original bill was not the bill of the gentleman from Indiana [Mr. COOPER].

Mr. HALL of Missouri. No, sir. The order should have been that the bill of the gentleman from Indiana should lie on the table, and that this substitute should take its place.

Mr. COX. The bill which came from the committee was the bill introduced by the gentleman from Indiana, with an amendment striking out the lines in regard to national-bank circulation. Those lines were stricken out from the fact that there is but one State in the Union that does not tax national-bank circulation; the State of Mississippi withholds such taxation under a decision of the supreme court of the State. The committee did not deem it important to provide for taxing national-bank circulation, as all the States, with the exception of Mississippi, impose such taxation already. The bill which came from the committee was the bill of the gentleman from Indiana with that alteration. This substitute I never heard of before.

Mr. HENDERSON of Illinois. What is the necessity of the gentleman from Indiana offering a substitute for what is in fact his own bill?

Mr. COOPER of Indiana. I would be glad to explain.

The SPEAKER. The gentleman has a right to offer the substitute. The gentleman from Missouri [Mr. HALL] is entitled to the floor.

Mr. HALL of Missouri. I yield one hour to the gentleman from Indiana [Mr. COOPER].

Mr. COOPER of Indiana. Mr. Speaker, at the breaking out of the war between the States it became necessary for the General Government to use its credit; and this was done by a series of measures, among which were three several acts providing for the issuance of United States notes. The first of these acts was passed February 25, 1862, and provided for the issuance of $150,000,000 of these notes. The next was passed July 11, 1862; and the third March 3, 1863, making altogether provision for $450,000,000.

These notes, by reason of the colors of the ink in which they were printed, I presume, came to be commonly called greenbacks. Prior to either of these enactments there was outstanding $50,000,000 of the old demand notes which had been issued under a law passed in July, 1861. Those notes were payable on demand and were a legal tender for all dues, both public and private. The first act which provided for the issuance of $150,000,000 contained a provision for the retirement of those $50,000,000 of demand notes, so that the entire amount of outstanding United States notes was covered by the three enactments I have named.

The first of these acts provided that the notes should be a legal tender for all dues, public and private, except interest on the public debt and duties on imports. They were not payable on demand, and no time was fixed for their redemption. That act contains this language:

And shall also be *lawful money* and a legal tender in payment of all debts, etc.

It also provided that—I read the language of the law—

All stocks, bonds, and other securities of the United States, held by individuals, corporations, or associations in the United States, shall be exempt from taxation by or under State authority.

The next act continued the provisions of the first upon that subject by reference thereto. And the last act to which I refer had this provision:

And all the bonds and Treasury notes or United States notes issued under the provisions of this act shall be exempt from taxation by or under State or municipal authority—

the word Treasury notes, it will be observed, being added in the last act and omitted from the first. That language was carried forward into the Revised Statutes, and is contained in section 3701, which reads as follows:

All stocks, bonds, Treasury notes, and other obligations of the United States, shall be exempt from taxation by or under State or municipal or local authority.

Mr. Speaker, I do not insist that the exemption of this currency from taxation depends upon these legislative enactments. I think they but declare the right of the General Government to that protection which is inherent under the Constitution. The several declarations made in these statutes to the effect that these notes were not to be taxed by State authority, were but notices to the States of that fact. They simply reaffirmed and restated a constitutional right which had been adjudicated time and again in the early history of the Government by its highest judicial tribunals, and which has at no time since been seriously controverted or even doubted.

Since these decisions and legislative declarations it has been uniformly agreed that United States notes issued under these enactments are exempt from State taxation. By reason of this exemption great hardships have arisen—unequal, and therefore unjust taxation has resulted, and there is just ground for complaint, and I believe I may say a general demand for some remedy for the wrongs which have resulted from this condition of the law.

Taxing officers find it an obstruction to the full performance of their duty, and the honest taxpayer is made to bear an unequal burden because of the peculiar advantages given to those who are in a position to cull out and keep this kind of currency in order to secure the exemption. Although great efforts have been made and great progress, too, I might add, in Indiana in the direction of tax reform, we have yet found ourselves wholly unable to secure honest returns of money on hand or on deposit without the assistance of Congressional action.

I hold in my hand the report of the State board of tax commissioners of the State of Indiana for the year 1893, which calls attention to this subject, and I will read from this report some observations which are there made upon this subject:

There are a few obstacles to a just and reasonable equality in taxation still remaining, and these are made the more conspicuous by the effort to secure equality. In justice to all taxpayers no class of property receiving the protection of the Government should escape taxation, and particularly none should escape taxation on account of technicalities or inadequacies of legal provisions. And yet some classes of property stand in exactly this position.

As to one of these, the difficulties can be removed only by an act of Congress of the United States, and this is the exemption of "greenback currency." Greenbacks are exempted from State taxation by virtue of a decision of the United States courts that they are Government securities, and this exemption was doubtless conducive to public welfare so long as our paper currency was not on a specie basis, but now that the Government is maintaining specie payments there remains no reason for exempting greenbacks from taxation in order to strengthen its credit. It is both unjust and confusing that one kind of money should be exempt from taxation while all other kinds of money are taxed, and this injustice is a strong temptation to many men in possession of money to misrepresent its character.

Indeed it is notorious that this temptation has proved so strong that the amount of money claimed to be exempt as greenbacks is enormously in excess of the entire greenback circulation. In our opinion your honorable body should memorialize Congress, asking the passage of a bill making greenbacks taxable as other money, such as was introduced when specie payments were resumed, and whose passage has been repeatedly urged since that time, but thus far without success.

I wish now to call the attention of the House to one or two letters out of many which have been sent to me upon this subject and which point more specifically to the evils which this legislation seeks to remedy. I have one here from Lebanon, in Boone County, Ind., from which I read, as follows:

LEBANON, IND., *March 13, 1894.*

DEAR SIR: I wish to congratulate you upon the introduction of your bill to tax greenbacks. After having fifteen years' experience in the county auditor's and treasurer's offices in this county and four years in a national bank I believe I know how people convert their money into greenbacks in order to evade taxation. I will venture the assertion that not less than $100,000 in Boone County alone escapes the tax duplicate every year. The easiest tax a man can pay is on money already accumulated.

Hoping you will meet with success,

I remain, etc.

——— ———.

Hon. GEORGE W. COOPER,
Washington, D. C.

I have also another letter, which it seems to me reflects much light on this subject. I will omit names and localities because I do not wish to be personal. This writer says:

I have been very much interested in your bill authorizing the States to tax greenbacks, and I desire to call your attention to some facts which came under my personal observation which deeply impressed me with the injustice of the present law on that subject. Last year I acted as assistant assessor at ———, and as such it became my duty to assess a private banker. When I called for the amount of cash on hand he said he had some. He then produced a large roll of greenbacks amounting to $105,000 as part of his "cash on hand."

* * * * * * * *

I think your bill should become a law.

Yours, truly,

——— ———.

I read these two letters in order to point out the precise evil that we seek to correct. I am told that at the day when property should be returned for taxation in all the States where money is taxed as property there is an effort made to have on hand at that time for the purpose of escaping taxation as many Treasury notes as can be gathered. In fact, I understand that many days preceding the date of the assessment private bankers at least, if not national bankers, because the latter have not so strong a temptation in that direction as the private bankers, national banks being taxed on their stock and not on their deposits—but the private bankers begin to cull out and lay aside

the greenbacks in order to have them on hand at the time of the assessment.

I am told also that this form of money is transferred from State to State where different days are established by law for the assessment of property, and is used for the same purpose in more than one place. So that I have no doubt the entire $346,000,000 of greenbacks in existence not only escape taxation, but by reason of the fact that that money is exempt from taxation a great deal more than the $346,000,000 is exempt by persons claiming to have greenbacks when they have not. I have a letter from another part of my district exemplifying this condition of affairs, from which I will read an extract:

I am in the midst of my assessing for this year and I still meet with reminders of that unjust national law which exempts greenbacks from local taxation. I still meet with the usual number of taxpayers who had a little money on the 1st of April, but it was greenbacks. I have become a little more inquisitive than usual, and I ask some of them to let me see their greenbacks, which they have all done so far, and I have only found two parties so far that had any greenbacks. I asked them if they had got any of them lately and they said no. All the others who thought they had greenbacks had silver certificates or Treasury notes. Our people are anxious to see your bill taxing greenbacks become a law.

So that, as I said, not only are the $346,000,000 exempt, but I have no doubt that as much as double that sum is exempted under the cloak which is afforded by this exemption.

Now, Mr. Speaker, an attempt was made to remedy this soon after the war. Ex-Senator McDonald of Indiana, one of the ablest lawyers our State has ever given to public life, introduced the bill in the Senate. For some reason it failed to pass that body. Afterwards a bill was introduced by Senator GEORGE of Mississippi, which was sent to the Judiciary Committee of the Senate, and was favorably reported unanimously by that committee; and I wish to state it here in the House, for I think it is entitled to weight, that the language of that bill was partly framed by ex-Senator Edmunds of Vermont, who is known to all members present as one of the ablest lawyers in the country. That bill passed the Senate in December, 1890, and was subsequently reported favorably from the House Committee on Banking and Currency by Mr. Morrill of Kansas. For lack of time, however, or perhaps from the lack of pressure behind it, the bill failed to pass Congress.

At the beginning of this Congress I introduced the bill which is now pending in the House. I make this statement because my colleague, the gentleman from Indiana [Mr. JOHNSON], in his speech in opposition to the bill spoke of it, as I thought, rather contemptuously as "legislation proposed by the gentleman from Indiana in his little bill."

Mr. Speaker, I have made no pretense to originality in this matter. In fact the gentleman will remember that in my argument before the committee of which he is a member, I then stated the various efforts that had been made in this behalf. This proposition is not original with any of us. The propriety of it suggests itself to all who care for justice and demand equality, the importance of it to those who have given it most thought and investigation.

To further show the extent to which this matter has provoked public notice and remonstrance, I call attention to a plank in the Democratic State platform of Indiana for the campaign of 1892. I will read the plank to which I refer:

Inasmuch as the exemption of greenback money from taxation by national law is not only unjust in principle, but also is the occasion of much fraudulent evasion of local tax laws, we demand that the Indiana Senators and Representatives in Congress use their influence to secure the passage of laws making greenbacks taxable as other money.

Mr. CANNON of Illinois. Will the gentleman from Indiana allow me?

Mr. COOPER of Indiana. Yes.

Mr. CANNON of Illinois. I understand the gentleman to say that in the Fifty-first Congress a bill passed the Senate enabling the States to tax Treasury notes, commonly known as greenbacks.

Mr. COOPER of Indiana. That is correct; yes. It passed the Senate in December, 1890.

Mr. CANNON of Illinois. I did not recollect about it, and I wanted to see if I understood the gentleman aright.

Mr. COOPER of Indiana. Now, Mr. Speaker, some question is raised as to whether Congress at this time has the power, or ought to relieve the difficulty by permitting the States to subject this kind of property to taxation. Upon that subject I would very much desire those who are interested in that constitutional question to give me their attention.

Mr. McCREARY of Kentucky. Before you begin to discuss the constitutional question I desire to ask you—I could not hear you distinctly—whether your substitute is exactly in the language of the bill that was reported by the Judiciary Committee of the Senate?

Mr. COOPER of Indiana. The substitute which I have offered, and which is pending, is in substance the language of the bill as reported from the Judiciary Committee of the Senate; but at the suggestion of some of the gentlemen on the other side of the House, I made a verbal amendment, merely to relieve the language of some obscurity, as they thought.

Mr. HOLMAN. Did the Senate bill provide for the taxation of national-bank notes? Was any question raised as to that?

Mr. COOPER of Indiana. Yes, sir; but if gentlemen will allow me, I wish to discuss the verbiage of the bill at a later stage of my remarks, and I should prefer to answer these questions at that time.

Mr. Speaker, the bill before us proposes to relinquish to the State no constitutional power or authority which is granted by express words to the General Government. I wish to have that understood at the beginning. It is true that wherever an express grant of power is made by the Constitution to the General Government, that power is inalienable. Congress can neither delegate to the States, nor the States receive and exercise such a power. But, Mr. Speaker, there are certain powers not expressly granted, but which from necessity are held to belong to the Federal Government—powers which follow and flow from those expressed, which supplement and make effectual those defined and named. The power to protect one of its instrumentalities is one of these. We do not question the existence of that power nor do we ask that she shall surrender it, but we do insist that she has the right to say just how far she will go in the exercise of that power and where the limit shall be.

This being a power constructively given, a power to preserve the agencies and instrumentalities of the Government it, should certainly be used no further than may be found necessary to accomplish that end. Whenever in this case the money issued by the Government is protected from unequal taxation, from unjust discrimination, that end is accomplished. No one ought to ask more. This bill, Mr. Speaker, makes ample provision against any such abuse.

But it is insisted that there is a contract, a guaranty of immunity from taxation, created by the law under which the notes were issued and that this immunity is a kind of vested right which inheres in the note and passes from one to another with the bill. There are two answers to this proposition, either of which is conclusive.

First. The exemption does not depend upon the statutes, but upon the constitutional rights of the Government; and,

Second. There is no contract of exemption either declared in the law nor implied from the circumstances. It is true that the law declares "that they shall be exempt from taxation by or under any State or municipal authority," but this was not a promise to the holder; it was an inhibition against the local taxing powers. The authors of this law knew how to use language that would create a contract. They do so in the very first section, where they declare "and any holders of said United States notes," etc., may convert them into United States coupon or registered bonds.

Now, that is contract language—the language of promise—but this law nowhere declares that any holder of said United States notes shall be exempt from taxation thereon. No such language is used. There is simply a declaration that served as a notice that for the time being and under the circumstances the Government would not allow them to be taxed by any authority save her own.

I call your attention now to the language of this law again. It reads that they "shall be exempt from taxation by or under any State or municipal authority." That is not a promise that they shall be entirely exempt from taxation.

If it had been intended that they should be exempt from taxation, the language would have been "they shall be exempt from taxation." Now, the expression "by or under State authority," was technical, and what did it mean? It meant that the States should not tax upon their own authority; that the Government withheld that authority. There is nothing in the language of this bill which provides that the General Government shall not tax these notes nor that she will not authorize the States to do so.

Now, to illustrate: The language of the statute to which I refer is that these notes shall not be taxed by or under State authority. Now, if this bill passes they will not be taxed under State authority. They will be taxed under our authority.

Mr. COBB of Alabama. Will the gentleman permit me to ask him a question?

Mr. COOPER of Indiana. Certainly.

Mr. COBB of Alabama. Do you claim that the Congress of the United States can confer upon a State the authority to levy a tax?

Mr. COOPER of Indiana. Yes, sir; I have discussed that question somewhat. I call your attention to a decision of the Supreme Court of the United States, in 3 Wallace, the case of Van Alen against the assessor. That was a case like this.

The General Government had authorized the State governments to tax the shares of national-banking associations. They were held to be the agents of the General Government; but Congress thought it unwise to withdraw from taxation so large an amount of property or money as would be invested in national-banking associations, and therefore the Government authorized the States to tax the shares of national banks; and the Supreme Court of the United States, in the case to which I refer, decided the very question which the gentleman asks.

Now, I will read from that decision. I will read from page 585 of that decision:

It is said that Congress possesses no power to confer upon a State authority to be exercised which power has been exclusively delegated to that body by the Constitution, and consequently that it can not confer upon a State the sovereign right of taxation; nor is a State competent to receive a grant of any such power from Congress. We agree to this. But as it respects a subject-matter over which Congress and the States may exercise a concurrent power, but from the exercise of which Congress by reason of its paramount authority may exclude the States, there is no doubt Congress may withhold the exercise of that authority and leave the States free to act.

Again, it is held (in the National Bank *vs.* Commonwealth, 9 Wallace) that the rule exempting instrumentalities of the Federal Government is limited by the principle that State legislation which does not interfere with the usefulness of such instruments is not within the rule of prohibition.

Mr. RAY. Will the gentleman permit me just a minute?

Mr. COOPER of Indiana. Yes, sir.

Mr. RAY. I do not know whether I will vote for this bill or not, and here is the question that troubles me a little. I would like the gentleman to state his views upon it, if he will, without desiring to consume too much of the gentleman's time.

Mr. COOPER of Indiana. I will be glad to answer the gentleman's question.

Mr. RAY. Now, when those Treasury notes were issued under the laws of the United States they were not taxable. That is true, is it not?

Mr. COOPER of Indiana. Yes, sir.

Mr. RAY. By express provision of law.

Mr. COOPER of Indiana. And by a correct interpretation of the Constitution, even in the absence of any express provision of law, in my judgment.

Mr. RAY. Now, they have gone into circulation and are in the hands of bona fide holders.

Mr. COOPER of Indiana. Yes, sir.

Mr. RAY. And I believe it has been held that they are not money.

Mr. COOPER of Indiana. No; on the contrary, they have been uniformly held to be money——

Mr. COX. They are held to be money.

Mr. COOPER of Indiana. They are declared to be money in the very law under which they were issued. This is the language of the act: "And shall be lawful money." The Supreme Court of the United States in the case of Bank *vs.* Supervisors, 7th Wallace, held them to be money.

Mr. RAY. Very well; then they are money. Then you have what you say is money in the hands of the people.

Mr. COOPER of Indiana. Yes, sir.

Mr. RAY. Taken by the people.

Mr. COOPER of Indiana. Yes, sir.

Mr. RAY. Under a law which declares that they shall not be subject to taxation.

Mr. COOPER of Indiana. Yes, sir.

Mr. RAY. Now, you propose, after these notes are in the hands of the people, and taken under the law, to turn around and not tax them by authority of the General Government exactly—that is the General Government does not impose a direct tax, but it does say that each State, if it sees fit, may impose a tax upon them.

Mr. COOPER of Indiana. Under limitations prescribed by us.

Mr. RAY. Is not that a breach of good faith, a violation of the terms of the contract and of the conditions under which the people took these notes?

Mr. COOPER of Indiana. No, sir. I am glad the gentleman asked that question, although I was coming to it. Upon that point I call attention to Cooley on Taxation, which treats of the very question the gentleman has asked me. I read from page 52:

There are cases in which State Legislatures have pledged the State in a more or less formal manner, that on some particular subject of taxation the State should refrain, either wholly or for some definite period, from levying any taxes whatever, or should levy them only to a certain extent. Whether such a pledge could bind the State has been made the subject of controversy. The general rule is that one legislative body can not by its own action narrow the scope of the legislative power, but with the same amplitude that it comes to one body it must pass to the successor.

Pledges, therefore, or stipulations by one Legislature regarding the future levy of taxes, though they may under some circumstance charge the consciences of the members or their successors, are not limitations on legislative power, but may be observed or disregarded as it shall be thought the public necessity or policy may require. An exception, however, is held to exist in case of an agreement by a State, entered into for a consideration, to refrain from exercising this power; that provision of the Federal Constitution which forbids the State passing laws which impair the obligation of contracts, applying as well to contracts by the State itself as to those between individuals.

Mr. Speaker, in discussing this question, gentlemen who claim that this exemption is a vested right should not forget what it takes to constitute a vested right.

There can be no vested right without a consideration. The power of taxation is an attribute of sovereignty. It has been doubted by some of our ablest and wisest jurists whether a legislative body has the right, even for a consideration, to bargain away the taxing power. It certainly can not be done as a mere matter of favor. I read from the syllabus of the case of Wilmington Railroad Company against Alsbrook, page 137, 110 North Carolina Reports:

The grant of an exemption from taxation without some consideration or equivalent therefor received by the State does not constitute a contract, but a privilege merely, which may be recalled at the pleasure of the Legislature.

The charter of the Dartmouth College was held inviolable upon the ground that it was a contract. The language of the court (Chief Justice Marshall delivering the opinion) is:

This is plainly a contract to which the donors, the trustees, and the crown (to whose rights and obligations New Hampshire succeeds) were the original parties. It is a contract made on a valuable consideration. It is a contract on the faith of which real and personal estate has been conveyed to the corporation. (Dartmouth College *vs.* Woodward, 4 Wheaton, page 643.)

And so, Mr. Speaker, it will be found in every case where a charter has been upheld and held not subject to subsequent alteration or repeal by legislative enactment, that such charters were granted upon some valid and binding consideration.

Now, I want to call attention to the difference between the contract as to the bonds and these legal-tender notes. The bonds were authorized and exempted from taxation and it was provided that the Secretary of the Treasury should negotiate them. He was to go out and meet the citizen and make contracts for the sale of the bonds. The rate of interest was fixed, it is true, in the law, but the price the bonds would bring in the market was to be a matter of contract between the citizen and the State.

That was a private contract. And, so far as the bonds are affected by that exemption and by the contract that was made, there is no question in my mind but that they are and will be exempt; and in fact, the contract is printed on the face of the bonds that they shall be exempt. That, I repeat, is a private contract. Now, the difference between that case and this is that this is not a private contract. There was no contract between the citizen who took the legal-tender note and the General Government, except that the General Government agreed to pay it, and to pay it, as I believe, in gold or silver coin, and that contract on the part of the Government will be performed whenever it does that. Now, I want to say further, that if there is anything else that the citizen took by reason of the law or the contract beyond the right to get his money in gold or silver there was no consideration given for it.

Mr. WARNER. And is it not also a fact that, in contradistinction to the process by which the bonds are marketed, namely, negotiation, the greenbacks were issued under the sanction of the law, which, by making them legal tender and forcing them into circulation, left not even the possibility of a contract relation existing between the man who took them and the United States Government?

Mr. COOPER of Indiana. I subscribe to every word of that. You have anticipated what I was about to say. The taker of the greenback did not surrender any more value for it than if he had taken any other form of legal-tender money. He gave no consideration for any extra promise. He surrendered nothing that entitled him to claim anything more than his money on demand. So that if he thinks he had any additional contract by reason of the prohibition of State taxation contained in the law, I say he gave nothing for it. He is mistaken, too, if he thinks that this was a private contract. It was nothing but a declaration of public policy on the part of the General Government.

Mr. WARNER. Is it not also a fact that at the time that exemption went into force there was no redemption provided for the greenback?

Mr. COOPER of Indiana. That is true. Those notes were not made payable on demand, for it was known that they could not then be paid.

Mr. WARNER. And that, therefore, to insist upon that exemption now, is to insist that when the Government is ready to perform the only promise that it did make in that direction, the citizen who refrains from asking the performance of that contract shall still have the benefit of the exemption which was given as long as the performance of the contract was not offered by the Government.

Mr. RAY. The gentleman says that the Government when it issued these notes forced them into circulation, compelled the people to take them. Well, they did take them, and they took them under a law which said that the notes should not be subject to taxation. Now, I do not see how he can claim that the Government has not given its solemn promise that those notes shall not be taxed.

Mr. COOPER of Indiana. If the gentleman will hear me through I think he will have that point cleared up. I have tried to explain to the gentleman the difference between a private contract and a law declaring a public policy. I do not admit that the takers of the greenbacks took them with any private contract that they should be exempt from taxation. I hold that that provision in the law was merely an inhibition against taxation by the States, and that the citizen gave nothing for what he took in that respect, if he took anything.

Mr. RAY. But did not the citizen take all the benefits which the law gave him?

Mr. COOPER of Indiana. He has enjoyed those benefits.

Mr. RAY. And one of those benefits was that these notes would not be taxed by the States.

Mr. COOPER of Indiana. He has enjoyed that benefit because the Government said that it should be so, but we did not agree to continue that indefinitely. We are under no obligation either legal or moral to do so.

Mr. RAY. But is there not an implied promise, if you put in circulation an obligation of that kind, that the conditions shall continue as long as the obligation is out?

Mr. COOPER of Indiana. I am coming to that point.

Mr. QUIGG. If the gentleman will permit an interruption, I suppose he perceives that my colleague from New York [Mr. RAY] is raising a question not so much of law as of good faith. Cooley undoubtedly informs us that we have the power and the right to enact such legislation as this, but the question is as to the good faith of it.

Mr. COOPER of Indiana. Well, as to that I will say that there can be no question upon the part of anybody that the Government of the United States has acted with perfect good faith with all its creditors. These greenbacks were taken by the people when they were worth only 30 or 40 cents on the dollar, and we have made them equal or superior to gold, and it seems only proper and just that these notes, which are money, which perform all the functions of money, shall be subject to taxation like other money and property.

There is not even a suggestion of bad faith in it. But, addressing myself to my friend from New York [Mr. RAY], I wish to call his attention to the difference between a private contract, such as is made between a citizen and the State when bonds are negotiated, and the declaration of public policy that was made by the Government with reference to the greenbacks. I hold in my hand 13 Wallace's Reports, in which the Supreme Court of the United States decides the case of the Salt Company against East Saginaw. No doubt many gentlemen here are familiar with that case. In brief it was this: The Legislature of the State of Michigan had provided a certain exemption from taxation with respect to all property invested in salt-making enterprises—salt wells, and such other property as might be useful and necessary in conducting that business. Afterwards the Legislature repealed the laws providing such exemption. Men had erected costly machinery and invested large sums of money in those enterprises; and they came into court and claimed immunity from taxation.

The question was presented whether this was a private contract binding upon the Legislature under the inhibition of the Constitution providing that no State shall pass any law impairing the obligations of contracts, or whether the act of the Legislature was simply a declaration of public policy which could be made and unmade at the pleasure of the legislative power. This is an important case, and one which I think has a bearing on this question. I therefore wish to read somewhat fully from it:

> Had the plaintiff in error been incorporated by a special charter, and had that charter contained the provision that all its lands and property used in the manufacture of salt should forever, or during the continuance of its charter, be exempt from taxation, and had that charter been accepted and acted on, it would have constituted a contract. But the case before us is not of that kind. It declares in purport and effect that all corporations and individuals who shall manufacture salt in Michigan from water obtained by boring in that State, shall be exempt from taxation as to all property used for that purpose, and after they shall have manufactured 5,000 bushels of salt, they shall receive a bounty of 10 cents per bushel. That is the whole of it. As the supreme court of Michigan says, it is a bounty law, and nothing more; a law dictated by public policy and the general good, like a law offering a bounty of 50 cents for the killing of every wolf or other destructive animal.
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> Such a law is not a contract except to bestow the promised bounty upon those who earn it, so long as the law remains unrepealed. There is no pledge that it shall not be repealed at any time. As long as it remains a law every inhabitant of the State, every corporation having the requisite power, is at liberty to avail himself, or itself, of its advantages, at will, by complying with its terms, and doing the things which it promises to reward, but is also at liberty at any time to abandon such a course. There is no obligation on any person to comply with the conditions of the law. It is a matter purely voluntary; and, as it is purely voluntary on the one part, so it is purely voluntary on the other part; that is, on the part of the Legislature, to continue or not to continue the law.
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> The law in question says to all: You shall have a bounty of 10 cents per bushel for all salt manufactured, and the property used shall be free from taxes. But it does not say how long this shall continue; nor do the parties who enter upon the business promise how long they will continue the manufacture. It is an arrangement determinable at the will of either of the parties, as much so as the hiring of a laboring man by the day.
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> If it be objected that such a view of the case exposes parties to hardship and injustice, the answer is ready at hand, and is this: It will not be presumed that the Legislature of a sovereign State will do acts that inflict hardship and injustice.

Now, I think this case makes perfectly clear the difference between charter or contract rights and rights growing out of a law merely declaring a public policy.

There is another case to which I wish to refer, although I will not take time to read the decision. The Legislature of the State of New York offered immunity from taxation to the amount of $1,000 worth of property to anyone who would join a certain militia company for the term of seven years, I believe. Now, the Legislature, after having inveigled some of its citizens into that militia company under such inducements, repealed the law. I have no doubt my amiable friend from New York [Mr. RAY], who sits in front of me, knows all about that decision.

Mr. RAY. Let me say right here that the law was repealed because nobody went into that militia company under that act except the tax jumpers. The halt, the lame, and the blind, and others who were good for nothing as soldiers, went into that organization for the purpose of escaping taxation.

Mr. COOPER of Indiana. And nobody will be affected by the bill which I propose here to-day except tax dodgers. [Laughter.] Somebody evidently went into that militia company; because there arose this case in which a similar exemption is claimed to that which is claimed here for the greenbacks. But the supreme court of the State of New York held that such exemption was simply a declaration of public policy, not a contract between the citizen and the State. So I say that a law exempting greenbacks from taxation is simply a general declaration of public policy, an inhibition upon the State, not a contract made between the citizen and the Government which issues these notes. It seems to me that is clear.

Mr. QUIGG. What have you to say as to the expediency of the measure?

Mr. COOPER of Indiana. Now, Mr. Speaker, I am asked to address myself to the question of the expediency of this law. In the first place, I want to call the attention of the House particularly to the importance of this question. There are $346,000,000 of these greenbacks outstanding, and $152,000,000 of Treasury notes issued under the Sherman law, which are equally exempt, because they are Treasury notes and obligations of the United States. As to these so-called Sherman notes the injustice of this exemption is manifest at once when we consider the fact that they are represented in the Treasury by the supposed value which we received in exchange for them. So that we have withdrawn from taxation not only the one hundred and fifty-two millions deposited in the Treasury, but we have also the same amount withdrawn from taxation in the hands of the holders of the Government obligations, and which represent this amount. So that there can be no question of the injustice of that exemption.

But, Mr. Speaker, there is another branch of this question to which I wish to address myself briefly, and particularly to call the attention of any of the members from the State of Mississippi, if any of them honor me with their attention at this time. The supreme court of that State has decided that national-bank notes were alike exempt from taxation under this law. They did not put it entirely upon the ground suggested by some who have mentioned the matter heretofore, but they based it on the ground that the statute expressly defines national-bank notes as obligations of the Government. And so it does, and I will call your attention to the language.

Now, in the same act which provided for the issuance of United States notes, but in a subsequent section, there is a definition of obligations of the Government of the United States in these words:

> SEC. 5413. The words "obligation or other security of the United States" shall be held to mean all bonds, certificates of indebtedness, national-bank currency, coupons, United States notes, Treasury notes, fractional notes, certificates of deposit, bills, checks, or drafts for money, drawn by or upon authorized officers of the United States, stamps or other representatives of value, of whatever denomination, which have been or may be issued under any act of Congress.

Mr. COX. Is that the statute of the State of Mississippi?

Mr. COOPER of Indiana. No, sir.

Mr. COX. What is the gentleman reading from?

Mr. COOPER of Indiana. The statutes of the United States.

Now, the United States statute uses the language I have just read, "national-bank notes." The supreme court of Mississippi

accepted the definition given to the words by this section of the statute, and held national-bank notes exempt from taxation, and therefore in that State they have been exempted from taxation. I do not think that that was a sound decision.

If gentlemen will look into the matter they will find that the supreme courts of Indiana and North Carolina have repudiated that decision, they holding that the use of the language read by me was in that part of the statute defining and providing punishment for crimes against the obligations or securities of the United States; and these words that I have quoted were used as defining such obligations and securities to which the penalties attached for forgery or fraud or other crime in connection with them, should apply. It had no reference whatever to the question of taxation. It is furthermore to be observed that the same sets of words are not used in each case, so that it is clear that no connection was intended between the two.

Now, Mr. Speaker, the State of Mississippi has decided that national-bank notes are exempt from taxation. So we have in Mississippi national-bank notes, Sherman notes, and greenbacks, all exempt from State tax. In order to meet this difficulty, at the suggestion of gentlemen from Mississippi, I put in the words "circulating notes of the national banks," in order to remove the difficulty and bring all of these obligations within the purview of the law. It will make the remedy more complete and relieve the people of Mississippi of the difficulty under which they are laboring. As suggested by someone around me, it does not injure the bill by being there.

Now, we have in one part of the country national-bank notes exempt; in all parts I believe the Sherman notes exempt, and also the original greenbacks. But I think there is still a graver question which has not been presented in connection with the matter. I am not at all sure that gold and silver certificates are not exempt. They are obligations of the General Government just as much as the greenbacks. They are certificates of deposit; and a certificate of deposit is not a contract to repay any specific money, but a contract to pay a specific sum of money. It is therefore an obligation of the United States. There are, in round numbers, about $400,000,000 of these certificates.

Mr. KEM. Does this bill include all currency?

Mr. COOPER of Indiana. Yes, sir; it is intended to clear up the whole matter and put all money or currency circulating as such on the same footing.

Now, Mr. Speaker, I desire to address myself to the expediency of the question. Here are $346,000,000 of greenbacks and $152,000,000 of Treasury notes, about $500,000,000, which all agree are exempt from taxation. They are held by the banks and capitalists and are called out from deposits wherever they are accessible. I made an effort to obtain a greenback here sometime ago, and found great difficulty in doing so.

The fact of the matter is that they are hoarded. Their owners will not surrender them. They are kept for the purpose of avoiding taxation. They are held mainly by misers and private bankers in the States. The last report of the Comptroller of the Currency shows that the national banks held $114,000,000 of them as a part of their reserves. It is said these do not escape taxation, because national banks only pay on their capital stock. But I have been advised that even this money is made to do duty for the stockholders and favorite customers on the day on which taxes become a lien. They are not in circulation. You can scarcely get one of them. They have been retired under that general law which operates to retire every class of currency, when a special value is attached to it.

Mr. BROSIUS. Will the gentleman allow me to say a word in relation to that?

Mr. COOPER of Indiana. Yes, if the gentleman will be brief.

Mr. BROSIUS. My friend misconceives the situation in reference to the circulation of these notes, I think. A member of this House yesterday showed me his whole month's salary, paid in greenbacks, and the Government is paying them out right along to members of the House and others.

Mr. COOPER of Indiana. They will disappear like water poured upon the desert of Sahara, and will find their lodging place in the chest of the miser and in the vaults of the banks, where the taxgatherer will not get them. Now, I say there are $500,000,000, on the face of the law, exempt from taxation. What does that cost us? Why, in most of the cities and towns of this country, including county and State taxation, the rate of taxation is at least 2½ per cent. These notes are mostly held in cities.

We are therefore paying 2½ per cent on these notes by exempting them from taxation. We can borrow money for that, and get gold by issuing a 2½ per cent bond, and we would better do it than to continue a system which not only costs us 2½ per cent upon the amount of these notes, but also affords a protection and a cloak and an excuse for the exemption of millions and millions more, the full amount of which we can not know.

Now, Mr. Speaker, one word with reference to the supposed effect on this currency itself. Some one has said, and I believe the gentleman from Pennsylvania [Mr. BROSIUS] contends, that all money ought to be exempt from taxation, and that it is so in Pennsylvania. Well, while I am not well advised as to the methods of Pennsylvania, or how well they operate, I know that the constitutions of seven-tenths of the States of the Union treat money as personal property and require it to be listed for taxation. I know that is so in the State in which I live. I know it is true in the State of Ohio, because the constitution of that State expressly mentions money as one of the subjects of taxation, and I know that in most other States there is an effort to compel taxation on hoarded cash.

I wish to say for myself that I believe the man who has money is in the best position of all others to pay taxes. He has realized. The man who has a crib of corn must yet make the market, and there are between him and his market, perhaps, muddy roads, bad weather, and the chances of the market; but the man who has delivered his goods, who has realized on what he has had to sell, he is in the best position of all, it seems to me, to pay taxes.

But they say it will drive money out of circulation if you tax it. Why, Mr. Speaker, the fact is, if you withdraw from taxation any one of these kinds of money, that will of itself operate as a reason why it shall be held. If a man's money is subject to taxation, he will invest it. If it is exempt from taxation, he will not invest it unless he has the promise of larger return than he would otherwise get, because he knows it is no expense to him. If you tax it it will work.

As my friend the gentleman from Vermont [Mr. POWERS] said yesterday, an idle horse in the stable does not profit a man, but if you will tax idle horses they will go to work, and if you will tax money the owner of it will be obliged to stir himself to get a return sufficient to pay the taxes on it, and it will make it pass current, and make its circulation more lively.

The fact is, and I think it is within the observation of every man in the sound of my voice, that greenbacks have been retired from circulation practically, because they are not subject to taxation, and wherever a man desires to hold any form of money he prefers to have it in the form of greenbacks, and when he gets greenbacks he holds them as long as he is not tempted by some seductive investment to bring his money out from its retirement.

Now, Mr. Speaker, this is all I desire to say on this branch of the subject.

Mr. BROSIUS. Will my friend allow a question?

Mr. COOPER of Indiana. How much time have I remaining?

The SPEAKER *pro tempore*. The gentleman has seven minutes.

Mr. COOPER of Indiana. Yes; I will yield.

Mr. BROSIUS. I want to ask the gentleman a question before he takes his seat. Can the gentleman inform the House what amount of money at any time, in any one year, in any section, in any political division of his State, has been returned for taxation?

Mr. COOPER of Indiana. These accounts are not kept separately. I will tell the gentleman that in Indiana we have made a special effort, and that, too, against the opposition of members of his party to bring out the property that is subject to taxation, and that this bill is in line with that effort.

The gentleman will find that by the strict enforcement of just local laws we have brought out for taxation purposes millions and millions of money that has heretofore been kept in hiding and escaped taxation. The report of the tax commissioners which I hold in my hand, and which I will state was made by a nonpartisan board, states that under the operation of our new law we have been able to bring out many millions of dollars that had escaped taxation. Here is what they say:

> Millions of dollars that formerly escaped taxation have been brought upon the tax duplicate, and an equalization in assessment of property has been reached which is generally conceded to be more equitable than an equalization heretofore known in the State. In our opinion all that is now needed is an extension and more perfect application of the principles of the new law.

Mr. BROSIUS. My friend certainly does not want to make the impression that the people of Indiana are in the habit of concealing their property.

Mr. COOPER of Indiana. Our people are just as good as any. The gentleman will not entrap me into any reflection upon the people of Indiana. The habits of mankind with reference to money are the same all the world over. I want to say that I am perfectly willing to risk a comparison between Indiana and Pennsylvania. We want to tax everything. We want to make everybody pay his share for the support of the government, whereas in Pennsylvania the men who have the money are the men who escape taxation.

Mr. BROSIUS. Will the gentleman let me know whether

the report of the auditor-general shows the amount of money reported for taxation?

Mr. COOPER, of Indiana. I have said these returns are not kept separately in our State, and I am unable to state how much is returned in cash for taxation; but I assure you that if you will give us the power to strike down this shield of the tax dodger we will see to it that we get all the taxes we are entitled to.

But, Mr. Speaker, my colleague [Mr. JOHNSON] and also the gentleman from Pennsylvania [Mr. BROSIUS] have insisted that the evils of which we complain can be corrected by the States themselves; that it has been decided that the transfer of property into these exempt forms for the purpose of defrauding the State revenues is unlawful, and if detected will not be successful. But the difficulty is in proving the fraudulent purpose, and in following up each case and arriving at the real facts.

Besides it has also been held that a party may convert his money and property into United States notes, notwithstanding it be with intent to avoid taxation, the distinction being that it must not be a mere device, but a bona fide transaction. This was so held by the supreme court of Indiana in the case of Stilwell *vs.* Corwin (55 Ind., page 433). Take, for instance, the case mentioned in one of the letters read by me, where a private banker had selected from the bills which passed through his bank $105,000 in Treasury notes. No one will doubt, I presume, that this was done for the purpose of exempting that much of his property from taxation, and yet it can not be denied that that transaction was perfectly legitimate as the law now stands.

This very case, however, serves to illustrate the injustice of existing conditions, and to my mind it serves as an unanswerable argument in favor of this bill. In the city in which I live this sum of $105,000, which is made exempt in the hands of a single banker, would cover the cost of a hundred humble but comfortable homes. These are taxed to their full value, and in the hands of their owners nothing is exempt. Such an unjust discrimination and such an unequal distribution of burdens is not calculated to inspire in the mind of the average citizen that faith in the fairness and justice of his country which alone can make it the object of his affectionate regard.

I will call attention now, Mr. Speaker, and I wish the attention of the gentleman from Virginia [Mr. WISE] to the verbal differences in the bill which the committee has reported and that which is pending as a substitute. It was thought by the gentleman from Virginia, and suggested, I believe, on the floor of the House, that the original draft of the bill as introduced by me would compel the States to tax these notes. We do not want to force this boon on Pennsylvania and other States whose policy it may be to exempt money from taxation, and I do not care to insist on the provision as I first introduced it, but desire to provide that by permission of the General Government they may be subject to taxation in the States and Territories.

The substitute offered by me will read as follows:

Be it enacted, etc., That all circulating notes of national banking associations and all United States legal-tender notes, and all other notes and certificates of the United States payable on demand and circulating as currency, shall be subject to taxation under the laws of any State or Territory: *Provided*, That any such taxation shall be exercised in the same manner and at the same rate that any such State or Territory shall tax other property, money or currency circulating as money within its jurisdiction.

Mr. MARSH. Does that cover the silver or the gold certificates?

Mr. COOPER of Indiana. I think so.

Mr. MARSH. Would it cover a gold certificate that was based upon a deposit of bullion?

Mr. COOPER of Indiana. I think so. Let us look at the language: "That all certificates of the United States payable on demand and circulating as currency, and all United States legal-tender notes." Now, the Sherman notes are United States legal-tender notes, declared so by the act which created them.

Mr. MARSH. Yes; but the silver certificates and the gold certificates are what I am directing your attention to.

Mr. COOPER of Indiana. They are included. "All other notes and certificates of the United States payable on demand and circulating as currency," is the language of the bill——

[Here the hammer fell.]

Mr. HENDERSON of Illinois was recognized, and yielded fifteen minutes to Mr. NORTHWAY.

Mr. NORTHWAY. Mr. Speaker, I shall have no time during the fifteen minutes allotted to me to discuss many of the questions which have been considered by gentlemen who have preceded me in this debate. I shall confine myself in what I say to one branch of the subject. I shall not discuss the question of whether we can constitutionally confer on the States power to tax greenbacks or any other form of national credit. I shall not discuss, either, the propriety of taxing silver certificates or national-bank currency, further than to say that until yesterday I did not know that there was a State in this Union which had held that national-bank currency was not taxable.

In my State and in all the States around me national-bank notes are taxable as much as horses and cows; and I was surprised to hear yesterday that the State of Mississippi had held that they were not taxable. In what I have to say I shall confine myself to the question of the taxation of greenbacks. I shall not discuss the question whether the greenbacks would be taxable by the States or municipal corporations if there had been nothing said in the law about their not being taxed. I know that question was discussed by the able gentleman from Indiana yesterday, but I have no time to venture upon it now.

I want to call the attention of the House to one question only, and then to leave it. What were the conditions obtaining at the time the greenbacks were issued? I know it has been said by the gentleman who was last on the floor, as bearing on the question of the policy of taxing the greenbacks, that even though the time had been when it was not politic to tax them, that time had passed away. I want to express strong dissent from that idea, and to say that if there ever was a time when the Government should say that they were not taxable, and did say it, that condition should exist, in my opinion, so long as there is a greenback.

I can not conceive that the pledge of its faith on the part of the Government is limited to days, or months, or years. Whatever pledge of faith was made by the Government relative to the greenback was not to the individual who took it, but inhered in the very paper itself and lasts as long as the paper shall last. I know it has been said here by gentlemen on both sides that Government bonds should not be taxed. Why? Because it was a part of the contract they should not be taxed. I adhere to that idea as strongly as any person can, that the Government bonds ought not to be taxed, but I affirm this proposition, that, as between the two, the greenback and the bond, the bond should be first taxed.

Mr. CANNON of Illinois. If my friend will permit an interruption, while I have much sympathy with what he says about keeping the contract, I will ask him whether he does not think that when the Government is willing to pay the greenback in gold; when any holder of any greenback can have it paid in gold at any minute, whether he does not think, in view of that fact, that the pledge which the Government made, both for the redemption and the nontaxation of the greenback is fairly kept?

Mr. NORTHWAY. No. Let them call in the greenback and pay the gold, and then you can tax the gold, if you please.

Mr. CANNON of Illinois. But the Government can not pay a greenback unless the holder presents it.

Mr. NORTHWAY. It can call them in and redeem them.

Mr. HALL of Missouri. Does not the gentleman know that the Treasurer of the United States has no power to do that?

Mr. NORTHWAY. Well, we can pass a law authorizing it, and let us do that if it is thought desirable, instead of violating our faith.

Now, I want to pursue the thought I was presenting. What was the condition of affairs at the time the greenback was issued? The Government was in debt. It was struggling with a gigantic rebellion. It had no gold or silver with which to pay the soldiers or to pay the creditors of the Government. In this emergency it simply forced a loan. Not as a contract with individuals, but as a strong, gigantic exercise of power, it compelled men to take the greenbacks. It struck off this money and forced it upon the citizens. They were compelled to take it.

Now, I submit that when the strong arm of the law compels a man to take a piece of paper as money, the Government ought to stand firmly by its pledge of faith. If a government is not willing to do this it ought not to pledge its faith to any individual. Four hundred and fifty million dollars of greenbacks were paid to individuals under compulsion. It was a forced loan. The people were compelled to take these greenbacks in the discharge of indebtedness.

Mr. KEM. The Government does not compel the people to take those greenbacks at this time?

Mr. NORTHWAY. No, sir. I will come to that point in a moment.

Mr. COBB of Alabama. Is it not true that the provision of law prohibiting the States from taxing these notes is no part of the original act?

Mr. NORTHWAY. That matters not.

Mr. COBB of Alabama. In point of fact, this provision was passed some time later—after the war.

Mr. NORTHWAY. I will say that that is a point which is not material. At the time the greenback was issued there were two or three qualities attached to it, as everybody understands. One was that the Government should issue no more than a limited number of these greenbacks. Another was that at some time, when the Government should become powerful enough, it would redeem those greenbacks in the standard money of the world. Another quality that was attached to the greenback was that no power on earth should tax it. When the green-

back was forced into a man's pocket it was forced there with these qualities attaching to it.

Mr. MARSH. Will my friend let me tell him one other condition which was attached to the greenbacks; that is, that they were convertible into interest-bearing bonds?

Mr. NORTHWAY. Certainly.

Mr. MARSH. And that has been violated.

Mr. NORTHWAY. By whom?

Mr. MARSH. And I have not heard a word from the gentleman against that violation.

Mr. NORTHWAY. You can convert these greenbacks into any interest-bearing bond that you may select.

Mr. POWERS. Was not the gentleman in error in saying that this immunity of the greenback from taxation was a part of the law under which the greenback was issued?

Mr. NORTHWAY. I did not say so. I understand that it was not a provision of the law at the time the greenback was issued.

Mr. POWERS. The immunity was not provided by law until several years afterward.

Mr. NORTHWAY. Very well.

Mr. JOHNSON of Indiana. There was an immunity arising under the Constitution, without reference to any statute: it was so declared twice by Chief Justice John Marshall.

Mr. NORTHWAY. Everybody understood, including my friend from Vermont, that these greenbacks were not taxable. And I want to say another thing. There is not a State of this Union in which an election was held between 1862 and 1870 in which the question of the taxation of the greenback and the national bond was not fought out. The gentleman from Ohio [Mr. GROSVENOR] took the position, and so did I, that they were not taxable. The able gentleman from Ohio [Gen. GROSVENOR] and I have fought campaigns in the State of Ohio, where the platform of one party declared that all property, including greenbacks and Government bonds, should be subject to taxation. In those campaigns we fought to maintain the faith of the Government.

And my friend from Ohio, with his trip-hammer blows as a giant stumper, has carried the people of that State with him many a time on that issue. The battle has been fought in the State of Indiana and the State of Illinois and in all our Northern States. Assault was made upon the greenback and the Government bond alike in many a political platform. It was declared that these obligtions of the Government were taxable and should be taxed. But we have stood like adamant against that position and claimed that the faith of the Government and all its powers were pledged for the exemption of these obligations from taxation, and that we would redeem the pledge or die in the attempt. That is what we said.

When the greenback was issued there was coupled with it the idea that it was not taxable; and the reasons for that are as strong to-day as when the greenback was issued.

Mr. HULICK. That provision was inserted in the statute itself.

Mr. NORTHWAY. It was a part of the statutes of our country that they were to be nontaxable. There can be no question of that; and I submit to-day that they ought not to be taxed, and that Congress should not be called upon to take such action as is proposed here.

Mr. Speaker, I say to you, pass this law if you will; and I tell you this to-day, that inside of three years there will come a time when the question will be presented here whether you will recall or repeal the statute providing that Government bonds shall be exempt from taxation, and making them available in the States for that purpose. You need not say that you do not favor it. It is a well-known fact that there are a great many people in different parts of the country who do favor such action.

Why, in the State of Ohio I have known a party to succeed twice to office who declared in their public platform that they should be taxed, as was stated by an able gentleman from my State on yesterday who made a speech on this floor. And if you break faith with the people in reference to the greenback, and the condition on which it was issued, you may break faith as to the Government bond just as well.

But gentlemen tell us in the course of this discussion that greenbacks are hoarded. Why? Why, the argument shows, if it shows anything, that the people are depending on the good faith of the Government in reference to them. And yet you would violate that faith, although the people are depending upon it. Is that the logic of the situation? Shall the Government go back on its pledges and on its honor because of the fact that the people are relying upon it? I am not arguing on the question of policy, whether the greenbacks should have been made taxable in the first instance or not. That is not at issue here. They were put into existence by the Government with the distinct understanding that they should not be taxed. That pledge, that promise, is still in existence and should remain unbroken. They have been put into existence, and the gentlemen, I presume, have made speeches on the subject of the Government's faith and the Government's credit, and have perhaps written opinions in reference to it; and if they have not, then they have been upon the wrong side of the question in all these years. These obligations of the Government went out to the people with the promise and the pledge of the faith of the Government. That pledge has been in existence for thirty-two years and has never been violated. Why should it be violated now?

Mr. WARNER. Will the gentleman allow an interruption?

Mr. NORTHWAY. Well, only for a moment; my time is very brief.

Mr. WARNER. Does the gentleman claim that the Government has no right to redeem the greenbacks?

Mr. NORTHWAY. The gentleman certainly has not done me the honor to listen to my remarks. I have made no such claim. I say that it is the duty of the Government to redeem them.

Mr. WARNER. Then if redemption of the greenbacks is provided for, and it is the duty of the Government to redeem them, does the gentleman insist that they shall still remain in existence in order to prevent another form of money from taking their place, which will be liable to the State laws of taxation, or that the greenback itself shall be exempt from its due share of the burdens of taxation?

Mr. NORTHWAY. What I claim, Mr. Speaker, is that the pledge of the Government, made when the greenback was issued, and under which it was taken by the people as money, exists to-day with as much force as it existed on the day they were put into circulation; I say that the pledge remains, and by the strong power of the Government I would maintain it.

Mr. WARNER. Is not the pledge on the face of the greenback that the Government would pay a dollar, and is not that pledge fulfilled when the dollar is put into the Treasury to pay it?

Mr. NORTHWAY. Well, I can not yield to the gentleman for a speech in the few brief minutes that I have.

Of course, the law provides now that as soon as they are redeemed by the Government they shall be reissued again, but that can be repealed, and they can be redeemed or retired at any time the Government sees proper. They can be redeemed in gold or silver.

Let the Government redeem every pledge it made, and then let the tax be levied on what is used to accomplish that redemption. But do not violate the obligations of the Government by attempting to impose a tax upon these notes. I repeat, they were issued under a pledge that they would not be taxed. Do not issue the promises of the Government to pay and force them on an unwilling community, and then, when the promises are outstanding, pass laws which will authorize the States to impose taxation upon the pledge of the Government. Why, Mr. Speaker, to pass such a law is to strike a vital blow at the very credit of the United States. You can not sell your bonds at the present prevailing high rate were it not for the fact that the people understand that the Government will redeem its pledges and that it will stand by its promises in good faith.

These greenbacks are valuable, you say, for orphans and widows and trust companies to hold. Why? Because the Government has pledged its faith relative to them, and that faith is worth something in dollars and cents. And because it is, you propose to take from them that quality or that value that has been given by virtue of the pledge of the Government.

The SPEAKER *pro tempore*. The time of the gentleman has expired.

Mr. POWERS. I ask unanimous consent that the gentleman be allowed to continue.

Mr. HENDERSON of Illinois. I understand the gentleman does not care for any more time. I yield fifteen minutes to the gentleman from Massachusetts [Mr. MCCALL].

Mr. MCCALL. Mr. Speaker, the few words I shall say on this bill are rather by way of explanation of my vote than for the purpose of influencing the votes of other members. It seems to me that there are two issues involved: one a question of comparatively small magnitude, the other a matter of great importance. The smaller question relates to the general policy of taxation—what property should be taxed, and what should be exempt. Upon that point I take the ground that instead of extending taxation on money it would be the part of wisdom to still further restrict it. We have been asked why national notes should not be taxed if a tax is placed on gold and silver money.

I should say, do not tax gold and silver money. One of the recognized axioms of taxation, which I confess is very often more honored in the breach than in the observance, was laid down by Mr. Enoch Ensley, of Memphis, Tenn., when he said that a State should not tax anything of value to it that could or would run away, or which might or would come to it. Any tax on gold or

silver money would have a tendency, first, to drive that money out of the country; and, second, to increase the rates of interest; in which case it would become peculiarly a tax upon the debtor class. England imposes a tax upon bankers' bills, but not upon silver or gold money. Holland, so long as she refrained from taxing coin or money capital, prospered marvelously, and she lost a large share of that prosperity when she adopted an opposite policy.

Money, in and of itself, is not valuable, but a mere fluid which carries the exchanges of a nation. The value of a horse, or an ox, or any other personal chattel, or of a farm, generally springs out of the possession of it. The possessor gets the use and the benefit; but the value of money consists in keeping it in motion. The man who has money derives an income from it by letting it at interest to another, or by paying a debt with it, but the manual possession of money does not generally contribute to his advantage. But this question as to what kind of property should be taxed is one that should ordinarily be left to the separate States to determine, subject, however, to the limitations which is imposed upon them on account of the sovereignty of the National Government. And this leads me to the greater question at issue here—it leads me to consider the fatal objection to this bill.

Should the States or the lesser local governments of this Union be permitted to tax the agencies and instrumentalities of the National Government? Should we permit them to tax the obligations of that Government, which are usually employed by it in emergencies to raise money and to preserve its very existence? The power to tax is the very highest incident of sovereignty. The power to tax involves the power to destroy. If Congress can grant to the States the power to impose a limited tax on our national obligations, it can grant them the power of free and unrestricted taxation. If the authority were granted to the States to tax the bonds or the demand notes of the National Government, they would be given the power, practically, to destroy these obligations, and consequently the Government itself.

I very much question whether Congress can constitutionally grant to the States the power involved in this bill, but I have no question whatever in regard to the absolute impropriety and lack of wisdom of such a grant.

The proposition of this bill is hostile to the public credit. The Government, of course, will be able to borrow money more cheaply if its bonds are not subject to taxation. But you say the greenback is not a bond; it is simply a demand note. The case is then stronger for the nontaxing of the demand note. In the case of a bond, the Government borrows money by paying interest. In the case of a greenback, it borrows money without paying interest. The greenback was a forced loan made in a grave emergency when the Government was in danger of destruction in the time of war, and its value was increased by the pledge of the Government, written upon our statute books, that it should not be subject to taxation.

I say that so far as the exemption from taxation is concerned, the greenback is surrounded with more sacred obligations than the bond, and if in any time of war or disaster that may in the future fall upon this country it should be necessary for it to make another emergency loan and to ask the money of the people without giving them any interest on their debt, it would be vastly to the advantage of the Government if it should religiously have observed every obligation with reference to the greenback.

If the greenback is to be made a permanent form of money, then let every dollar of them that have been issued under existing law be first retired before you subject them to taxation. Through the instrumentality of the national banks their retirement could be easily and speedily effected, and they could be presented for redemption in gold. But, you say, the Government does not have the gold sufficient to pay them. Very well, it is therefore interested in having the greenback continue in circulation among the people. If the greenback has any advantage over the gold into which it is convertible, the present is a very inauspicious time for taking away that advantage when we have in our Treasury less than 20 per cent of the amount of gold necessary to redeem them and applicable for that purpose.

But it is argued that the greenback is used as a means for evading taxation. I have heard no way suggested in this debate in which it has thus been used that does not amount to a most transparent artifice capable of being dealt with by any State law. The same method of evading taxation can be pursued by the use of the bond, and I believe that bonds have been used more commonly for that purpose than greenbacks. I have heard of bonds being sold by banks to their customers on the 29th of April, and bought back again on the 2d of May, after they had been made to figure in the returns of property for the purposes of taxation on the 1st of May. The States can not tax the greenback, but they certainly can punish the fraud involved in the pretense of ownership of the same identical Treasury note at the same moment of time by a dozen different persons.

When we consider the large amount of personal property subject to taxation that is concealed and never taxed, and when we consider further the large amount of greenbacks held by the banks, the amount of property practically added to the tax rolls by this bill, if every State in the Union should pass a law taxing the greenback, would be exceedingly small. Very little is to be gained, even from the view of that one in whose mind the cry of "tax-dodger" will justify any absurdity in legislation.

Little, I say, even from that view is to be gained. But how much is lost in order to effect that little gain? In the first place, you surrender a point vital to the sovereignty of this nation when you subject its obligations to the taxgatherers of the States and municipalities. The fine sentiment for the national honor and the national faith, especially shown in the support of this very greenback, and which stands to the immortal honor of the Republican party, is apparently disregarded, and the flag which has so proudly floated at the mast-head in every storm of war is hauled down after the ship has reached the peaceful port.

Believing, as I do, that this bill is a blow at the sovereignty of the nation, that it disregards our plighted faith that the greenback should not be taxed, and that it could confer in any event a very slight advantage upon the States, I shall record my vote against it.

Mr. HENDERSON of Illinois. I yield to the gentleman from Ohio [Mr. HULICK].

Mr. HULICK. Mr. Speaker, I would like, if it were possible, to come to a conclusion to vote for this measure. If I were to consult my own wishes I would have all United States Treasury notes subject to taxation as all money or other property is taxed.

In Ohio we have been very greatly embarrassed in our efforts to get a perfect system of taxation, one that will result in the equal taxation of all property. And if it were possible that the $346,000,000 greenbacks could all be withdrawn from circulation and another class of notes issued, payable in gold, or an issue of other paper money upon a statute enacted by Congress, I would cheerfully vote for a measure of that kind, and provide therein for the taxation of United States Treasury notes as other property by the several States.

Mr. Speaker, these Treasury notes were issued at a time and under circumstances familiar to every member of this House, and it is only necessary to refer to them in considering this bill. It was a matter of life and death with the Government. Our armies were in the field, the soldiers had to be paid, the credit of the Government was assailed, not only by the South, but by a powerful influence in the North, and, in order to give currency to the greenbacks, this provision of exemption from taxation was incorporated in the law under which they were issued.

There were three acts of Congress under which these Treasury notes were issued. The first was the act of February 25, 1862. Fifty millions were issued under that act. The second was the act of July 11, 1862, and the third was the act of March 3, 1863. The last act expressly provides that the notes issued thereunder shall be exempt from taxation. The propriety of this was well understood at the time of their issue, and it was part of the consideration that passed to the holder that they were thus exempted, and if it were not for that provision in the law I would vote for this bill.

Mr. HALL of Missouri. Now, will the gentleman allow me to interrupt him just here? Do not you recognize this, that whether there had been one or three statutes of 1862, the statute of 1863 exempted specifically these Treasury notes which the two statutes of 1862 did not? Do not you know that they could have been exempted without the statute expressly providing for it?

Mr. HULICK. Certainly.

Mr. HALL of Missouri. And therefore the statute has no power or influence in the matter?

Mr. HULICK. Most certainly. All obligations of the Government are exempt from taxation, whether so expressed in the law of issue or not.

Mr. HALL of Missouri. For the very reason that the law expressly prohibits the State from taxing national obligations without the authority of the National Government.

Mr. HULICK. The law, as gentlemen will remember, provides that all obligations of the Government, whether intended to circulate as currency or to be issued as only an obligation of the Government, are subject to taxation; but the act of 1862 declares that all United States bonds and other securities of the United States held by individuals, associations, or corporations within the United States shall be exempt from taxation by or under State authority. Now, the act of March, 1863——

Mr. HALL of Missouri. Right there, as to the act of March, 1862, that was merely re-enacted.

Mr. HULICK. The amount issued under the several acts was about $346,000,000, in round numbers.

Mr. HALL of Missouri. There were $470,000,000 issued.

Mr. HULICK. Possibly it may be that amount was issued.

Mr. HALL of Missouri. The others were retired.

Mr. HULICK. Now, I understand that some gentlemen on this floor have denied that the law of 1863 expressly exempted United States Treasury notes from taxation. It amends the law of 1862 by striking out "or other securities" and substitutes therefor the words "Treasury notes issued under the provisions of this act."

It is like a law of any municipality, any county or State bonds. The law of issue is a part of the contract, as much so as if it were written upon the face of the note. It is not necessary that it should be written on the face of the greenback itself. Every man who takes a greenback or a Government bond, or anything of that kind, goes to the law to learn what the contract is.

Under this act there were issued $346,381,016 of United States Treasury notes, greenbacks if you please. On the 1st day of July last, in the Treasury of the United States $77,908,645, and the amount in circulation on the 1st day of July, 1894, was $268,772,371. That amount is in the hands of the people of all classes, in circulation which it is now proposed by this bill to authorize the several States and Territories to place on the tax duplicate. Can this be done in the face of the inhibition that exempts them from taxation? I think not without violating an express contract with the holders of these notes.

The Government must be honest with its people with whom it makes contracts and enters into obligations.

Now, the amount in circulation to-day that is to be affected by this bill, if it becomes a law, is over $268,000,000. Why was this bill introduced here? I want to know whether there has been a petition from any man, woman, or child in the United States for the repeal of this exemption?

Mr. COOPER of Indiana. I do not know whether the gentleman would consider that a petition or not, but I stated that the State tax board of Indiana had memorialized Congress in favor of the passage of this bill, and also that the Democratic State convention had demanded that the Representatives and Senators from Indiana should support such a measure.

Mr. HULICK. Oh, yes. I remember, too, that in a good many State Democratic conventions protests were made against these greenbacks when they were first issued. It was said that they were unconstitutional; that they could not be legally issued; that even with these exemptions they were worthless. I heard the declarations made about that time, that a hatful of them would not buy a soldier's breakfast, and I have since heard declarations of Democratic conventions that these greenbacks ought to be taxed.

But those, I apprehend, are voices that we are not bound to listen to here to-day, coming as it does from that party that opposed the issue of the greenback in the first place. There has not been a petition sent to any Representative in this Congress asking for the repeal of this exemption law. But above and beyond all that, we have in this matter a moral as well as a legal obligation. These obligations we can not disregard. The legal obligation is that these notes are exempt from taxation by law.

I care not who is holding them to-day, whether they are held by the gentleman from Indiana or by some trust company, or by some bank, that makes no difference; the contract has been made and a vested right has been created in the holders of these notes. Am I right about this? There is not a lawyer upon this floor who will question the proposition that whenever a right becomes vested the power that vests it can not interfere with it without the consent of the other party that is holding it. Every text-book in the country is clear upon this point. There is no dissenting opinion of any United States or State court from the proposition that a vested right can not be taken away from the party in whom it is vested without his consent.

Now, there is a vested right in the holders of these three hundred and forty-six millions of United States Treasury notes, just as much as a vested right is created by the deed to the gentleman's farm or to mine. What does the Supreme Court say upon this subject? I will read from the decision in the case of the State Bank of Ohio against Knoop, a case in my own State.

That was a suit brought by the treasurer of the county for the taxation of a State bank, a corporation which has been given a charter providing that it should pay 4 per cent upon its profits. Afterwards the State attempted by a subsequent law to subject it to the same taxation as other property in the State of Ohio. The case was taken up to the Supreme Court of the United States and Mr. Justice McLean, who delivered the opinion, said:

> The correctness of this principle so far as respects general Legislation can never be controverted, but if an act be done under a law, a succeeding legislature can not undo it.

That lays down the principle that is presented here. We can not undo here that which was done by Congress in 1863. We can not undo that law by any act of ours to-day, and I give you my opinion for what it is worth that if this bill should pass Congress, the President of the United States, with his views of the law, would be compelled to veto it, or that if it should ever become a law, it will go to the Supreme Court of the United States, and that court will hold, as it held in the opinion of Justice McLean, delivered many years ago. He says further in that case:

> When, then, a law is in its nature a contract—

And this is a point to which I wish to call the special attention of the House—

> When, then, a law is in its nature a contract, the repeal of the law can not divest it of those rights, and the act of annulling them, if legitimate, is rendered so by a power applicable to the case of every individual in the community.—*16 Howard S. C. Reports*, page 369.

Now, the Government is a party to that contract, and every man who holds a greenback can, if he wishes, go and draw the gold upon it, because that is a part of the contract, or he can hold it as long as the Government gives him the right to hold it unredeemed and uncalled for, and he can hold it free from the power of taxation by the State.

In Fletcher *vs.* Peck, 6 Cranch, 135, Chief Justice Marshall says:

> The principle asserted is, that one Legislature is competent to repeal any act which a former Legislature was competent to pass, and that one Legislature can not abridge the powers of a succeeding Legislature.
> The correctness of this principle—

He says—

> so far as respects general legislation, can never be controverted. But if an act be done under a law, a succeeding Legislature can not undo it. When, then, a law is in its nature a contract, a repeal of the law can not divest those rights; and the act of annulling them, if legitimate, is rendered so by a power applicable to the case of every individual in the community.

Now, Mr. Speaker, an act has been done by the Government in this instance. It issued the United States Treasury notes, and promised their exemption from State taxation; the people in all conditions and circumstances of life have accepted them, and Congress can not now divest them of their vested rights.

In the case of the State of Ohio *vs.* The Commercial Bank of Cincinnati (10 Ohio Reports, 535), the supreme court of Ohio say, upon the general principle involved:

> A contract between the State and individuals is as obligatory as any other contract. Until a State is lost to all sense of justice and propriety she will scrupulously abide by her contracts; more scrupulously than she will exact their fulfillment by the opposite contracting party.

Mr. Justice McLean, in commenting upon this, says:

> This opinion commends itself to the judgment, both on account of its sound constitutional views and its elevated morality.

Now, Mr. Speaker, my time has about expired, and I must close. But let us pause before we attempt to pass this bill. If a bill were introduced here to-day to call in all the Treasury notes and issue others in their stead—if that could be done, I would say emphatically let them be subject to taxation, as other money in the hands of the people.

Let the seventy-seven millions now in the banks be canceled and supply their place with gold, silver, or national currency of some kind; but let us above all things keep faith with the creditors of the nation, and thereby maintain the credit of our country and the respect of mankind.

[Here the hammer fell.]

Mr. HENDERSON of Illinois. I yield to the gentleman from Pennsylvania [Mr. GROW] five minutes or ten minutes if he needs that much time.

Mr. GROW. Mr. Speaker, there seems to be two questions involved in this discussion. One, that of good faith on the part of the Government, has been ably presented by the gentleman from Ohio [Mr. NORTHWAY]. The laws passed in 1862 and 1863 under which the obligations of the Government were issued—the five twenties and the first greenbacks—provided what the Government pledged its faith to. And it seems to me some gentlemen whose remarks I have heard to-day are under a grave misapprehension when they assume that there can be no violation of good faith if everything written on the face of the instrument is complied with.

The first greenbacks, the first 5-20 bonds, were issued under a law providing that duties on foreign imports should be collected in coin and that the coin so collected should be set apart as a special fund to be used, first to pay the interest on the public debt, and second to pay annually not less than 1 per cent of the principal until it should be paid. It was not written upon the 5-20 bonds that they should be paid in coin, but the repudiators who started the idea in Ohio that the Government might pay them in greenbacks and yet maintain the faith of the Government, were just as false to its honor as the men who are ready to repudiate the obligation which the Government assumed in the issue of these greenback promises.

The law under which the greenback was issued provided that they should not be taxed. But that makes no difference in reality. There is no question with any member of this House, I take it, that without any law no municipal or other local authority could tax the greenbacks or bonds or any other agency or instrumentality of the Government unless Congress conceded that power.

The courts have decided that question fully. It is a question of wise legislation, assuming that it is possible that we can surrender this power. In the first place, the power was granted to the Government of the Union by the States in its formation, and it belongs unqualifiedly and absolutely to that Government. And is it wise for its servants to surrender any of its powers? I do not care how limited the power may be. It becomes a question of wise legislation as to the surrender of any part of the powers granted to the Government of the Union for its safety and its perpetuity.

Suppose the law which we now propose to put on the statute book had been in force in 1861. How many of the States would have taxed these agencies of the Government out of existence, crippled the arm of its power, so that rebellion would have gone forth triumphant? Suppose you put this law on the statute book to-day, surrender this power, assuming that you have the right to do so, which I question, for the powers which are granted by the States are beyond our reach in the way of modification or surrender. If you should undertake to surrender to the States what has been granted to the Union, the Supreme Court of the United States, in my judgment, could not sustain any such acts any more than they could sustain us if we should undertake to infringe one of the rights clearly reserved to the States.

There are sources of taxation which the States are not prohibited from resorting to; and the Government of the Union, I hold, acts in bad faith when it enters into the province of such taxation. Without discussing other questions I will illustrate my idea by an income tax. Congress can impose duties on foreign imports and the State can not. The power is prohibited to the one and authorized in the other. Let the Government of the Union adhere to its exclusive field of taxation and leave open the field that has been left to the States without, however, surrendering to the States any new power of taxation.

Is it wise legislation, even if we had the power, to surrender any attribute of taxation to any local community? If we once put such a provision on the statute book who can say what emergency may arise in which it will give us trouble? Can there not be—I trust I am supposing an impossible case—but may there not be within your lifetime an emergency in which the Legislature of a State and its executive may be in hostile array against the Government of the Union?

In such a case were the power conceded like that in this statute allowing them to tax the agencies of the Government, could they not tax them out of existence, and thus cripple its strong arm by impairing its credit, which is next in importance to the arm of the soldier. Is a servant of the Government of the Union discharging his duty faithfully to the Government he represents, when he surrenders any of the powers, I care not how small, that have been conferred upon the General Government by the consent and approval of the States? for no one can foresee what emergency the future may pr ent or what conditions may confront him even in a few years of his life.

Mr. HALL of Missouri. Let me ask the gentleman a question before he takes his seat. He has ample time to answer.

Mr. GROW. Certainly.

Mr. HALL of Missouri. Does not the gentleman know that there is in this bill—in reference to his suggestion of a State taxing greenbacks out of existence or Treasury notes—does not he know that in section 1 it is provided:

That any such taxation shall be exercised in the same manner and at the same rate that any such State or Territory shall tax other money within its jurisdiction?

Mr. GROW. It is the beginning of a bad precedent.

Mr. HALL of Missouri. But the fact remains that there is no power under the bill to impose any tax upon the greenbacks that is not imposed upon any other form of money.

Mr. GROW. To-morrow Congress may take that condition off and leave the State unlimited power of control.

My point is, Mr. Speaker, that we have no right to surrender an iota of the power of the Government to the States in taxation; for the taxing power is the vital principle of national existence, whether in the State or the nation.

Mr. JOHNSON of Indiana. Let me suggest to the gentleman in this connection that a tax that gold or silver would bear with perfect impunity would be sufficient to drive the greenback out of existence.

Mr. GROW. That is true; but my issue is not on the question of expediency, but on the broad principle that the surrender of the power of taxation belonging to the Government can not be made in justice to the Government itself by its servants.

[Here the hammer fell.]

Mr. HENDERSON of Illinois. I now yield five minutes to the gentleman from Ohio [Mr. GROSVENOR].

Mr. GROSVENOR. Mr. Speaker, I dislike very much to differ with my distinguished colleague from Ohio [Mr. NORTHWAY], but I am not willing to abide by the suggestion he has made that the Republican party in Ohio, or that he himself, or that I, in my humble capacity as a member of that party, ever took any position which is inconsistent with my vote in favor of the passage of this bill. In a number of campaigns in the State the Democratic party in Ohio placed in their platform a resolution in favor of the taxation of Government bonds and of greenbacks. The answer to that was always made—and I made it myself, and I have heard the gentleman make it eloquently and powerfully—I do not refer to myself in that connection [laughter]. The whole answer to it was, first, that the Government bond could not be taxed, and that an attempt to do so was an invasion of the sovereignty of the General Government; and, second, that so long as this law stood on the statute books the greenbacks could not be taxed. But I never heard any Republican in Ohio argue in favor of maintaining this law on the statute books of the United States.

Mr. NORTHWAY. Will my colleague permit me just there?

Mr. GROSVENOR. Well, I did not interrupt the gentleman, and I got these few minutes time simply because I did not wish to interrupt my friend's speech.

Our answer was a straightforward answer, that here stands the law of Congress under which the greenback was issued, and while it stands, what force is there in the Democratic demand that the greenback shall be taxed? That was the answer, and beyond that would have been simply the assumption of a responsibility not cast on the Republican party either in Ohio or anywhere else, and which it never did assume.

Mr. NORTHWAY. If the gentleman will now permit me to ask him a question, I will endeavor to secure an extension of his time.

Mr. GROSVENOR. I will answer the question with pleasure, with or without an extension of my time.

Mr. NORTHWAY. Do you wish to be understood as saying that we, as Republicans, simply argued that so long as this law remained on the statute book the States could not tax greenbacks, but that we were willing to repeal it?

Mr. GROSVENOR. I did not say that. I said the answer, that which was a sufficient answer, was that the law of Congress under which the greenbacks were issued provided that they should not be taxed, and that there was no force in the demand to impose a tax upon them while that law stood.

Mr. NORTHWAY. Was it not so long as the greenback was in existence that the pledge of the Government went with it?

Mr. GROSVENOR. I never heard of that.

Mr. NORTHWAY. Did not you hear me urge that?

Mr. GROSVENOR (continuing). I want to reply to that suggestion.

The argument of my colleague is that we are about to repudiate some of the value of the greenback; that the greenback has a value higher than gold inherent in it, greater than the national bank currency, greater and more valuable than the silver certificate, more valuable than the gold certificate, more valuable than the silver dollar or than any other dollar of the currency of this country. Therefore, he says he is opposed to the passage of this bill, because it is, in effect, the repudiation of a pledge of the Government that the greenback, in addition to the supplemental and increased and enhanced value of the greenback as compared with all the other currency of the country, is also to remain for all time free from taxation. Is that the position? Is that the position of the gentleman from Ohio?

Mr. NORTHWAY. That is one of the positions.

Mr. GROSVENOR. Now, has it not been, and is it not now, the glory of the Republican party that it has proclaimed in all of its platforms, in all of its public utterances, on the stump, in the press, and everywhere, that it had created all the currency of this country by its wisdom and by its fidelity, and that there was no dollar of this circulation that was better or purer or more valuable than any other dollar? Has not that been our claim? [Applause.]

Have we not always said the bondholder shall never have a better dollar than the pensioner; that the laborer shall have as good a dollar as the bondholder? That has been our cry everywhere. Why was it? It was because every dollar of our circulation, created by the legislation of the Republican party—generally in opposition to the denunciation and the votes of the Democratic party—had been so created, so guarded, so envi-

roned, that no man could get into his pocket a dollar of money that was better than any other man's dollar of money in this country.

Mr. NORTHWAY. When the gentleman was making that kind of an argument, did he undertake to say to the people that the greenback, because of its nontaxability, was better than the gold dollar?

Mr. GROSVENOR. I never did, and it never was.

Mr. NORTHWAY. Was it not true of the greenback that it was better?

Mr. GROSVENOR. It never was any better than the other. It is simply a dollar.

The SPEAKER *pro tempore*. The time of the gentleman has expired.

Mr. GROSVENOR. Now, let me have one minute more——

Mr. HENDERSON of Illinois. I am very sorry, but I have given away pretty much all the time that I had.

Mr. HALL of Missouri. Has the time of the gentleman expired?

The SPEAKER *pro tempore*. The time of the gentleman has expired.

Mr. HALL of Missouri. I yield to him five minutes.

Mr. GROSVENOR. Now, I wish to address myself to another proposition. The gentleman says that he would be in favor, or he suggests the propriety of the Government in some way putting an end to the greenback dollar, and that it be called in. Will the gentleman, who is a lawyer as well as an experienced banker, tell me how the Government can call in my five-dollar greenback? By what process can the Government issue a greenback as money, clothe it with all the attributes of money, make it a legal tender, and launch it upon the financial sea of this country side by side with the gold dollar, of equal paying power, equal in every respect with gold and silver and silver certificates and national-bank currency, and then undertake to say that I shall surrender it to the Government? Where comes the power of the Government over the greenback dollar greater than and different from its power over a gold dollar?

Mr. NORTHWAY. Has it not the right to pay its debt?

Mr. GROSVENOR. It has not the right to pay its debt, if that is a debt, because it by its own act transforms its debt character into a money character. What would the gentleman have? Let me see where his argument would lead to. First, this is a special benefit conferred by the Government upon the greenback. I am the owner of the greenback. It has upon its face no limitations. There is nothing in the law of its creation that says that the time shall ever come when it shall cease to be currency in this country. Therefore, says the gentleman, it is of increased value. Suddenly comes the Government and passes another law, and says it shall cease to be currency after a certain date.

Mr. MILLIKEN. Will my friend allow me a question right there?

Mr. GROSVENOR. Certainly.

Mr. MILLIKEN. If I understand the gentleman, then, the greenbacks have got to circulate forever and forever, and our friends who want to call in the greenbacks and issue something else in place of them can not do it?

Mr. GROSVENOR. The gentleman has a happy faculty of injecting his argument into the middle of a sentence of my speech. I want the gentleman, when he assumes the position of the gentleman from Ohio, to get time and tell us what sort of a law would call the greenback out of my pocket without my consent. It is said that it has been put in my hands with a peculiar value. The termination of its existence would put an end to that value. Is the Government going to change the value of my money by a legislative enactment?

Mr. HULICK. Will the gentleman allow me a question?

Mr. MILLIKEN. I will suggest to the gentleman that if the law passes here to-day, which the gentleman is arguing in favor of, the Government will change the value of the greenback, while it is in the gentleman's pocket, by that enactment.

Mr. GROSVENOR. Not a particle, not the slightest in the world. Before the law passes, the greenback dollar is worth $1 and no more. When the law is passed, my greenback is worth $1 and no less. Money is worth what it goes for in the market and what the Government redeems it at.

It is not a question of interest-bearing notes. It is a square question of a piece of money in my pocket, and it would be repudiation and bad faith of the vilest character for the Government to call in my money and cut off the value of it by a species of legislation which would be a little short of repudiation.

Mr. HULICK. Is not the right of exemption from taxation of the greenback a vested right in the holder of that greenback?

Mr. GROSVENOR. There is no such thing as a vested right of immunity from taxation in the world, and the gentleman can not find any such law. It may be that under a contract, while the contract lasts, there may be an exemption, but there must be a consideration for it. There is no consideration for an act like this.

Mr. HULICK. Was there not a consideration to the holder who took the greenback and rendered his service to the Government in return for it?

Mr. GROSVENOR. Mr. Speaker, yes; and the Government got the full consideration when it issued the note.

The SPEAKER *pro tempore*. The time of the gentleman has expired.

[Mr. HENDERSON of Illinois withholds his remarks for revision. See Appendix.]

Mr. CANNON of Illinois. Will my colleague [Mr. HENDERSON] be kind enough to yield me five minutes?

Mr. HENDERSON of Illinois. Certainly, if I have that much time left.

Mr. CANNON of Illinois. Mr. Speaker, the promise which the Government issued in the form of the greenback or Treasury note is in these words: "The United States will pay to bearer $1." That promise was made under a law which made it a legal tender and provided that it should not be subject to taxation. I believed in the greenback when it was issued. I believed in that legislation with all its pledges. That note continued to circulate up to 1879 without provision for its redemption.

Now, this is not a new question. Prior to 1879, people were found throughout the length and breadth of the country who demanded the taxation of the greenback by the States; and in the very white heat of the war one great point made against it was that it was nontaxable, and the demand was made that it should be taxed. I never had any sympathy with that demand. But in the fullness of time, after this greenback had served its purpose as a forced loan, the Government said, "We will redeem that greenback; we will redeem it in gold." And the Government has been from the 1st of January, 1879, down to the present time, and is now ready to redeem the same on presentation.

Now, it does seem to me that when the Government is ready to give a gold dollar for the greenback dollar to any holder of it, the holder of the greenback can not complain that he is not fairly dealt with, because we now give the assent of the United States to the States to tax it as other moneys are taxed. If the holder is not satisfied with the greenback because we now make it taxable, all he has to do is to present it at the Treasury and get his gold dollar for it. In other words, the United States keeps faith with the holder of the greenback when it gives him the gold on demand, and unless he chooses to keep it in preference to the gold he will never be taxed on it. The only question is whether, in justice to the United States, we can permit the State hereafter to tax the greenback. In my judgment, yes.

Mr. HENDERSON of Illinois. In my judgment, no.

Mr. CANNON of Illinois. There is no breach of good faith, I take it, in taxing them. So that in my judgment, as I said before, I think it is permissible to allow the States to impose this tax.

But let us look at the other side of the question for a moment. The States, the people of the States, form the National Government. Of the three hundred and forty-six millions of greenbacks two hundred millions or over are in the vaults of the national banks and are counted as a part of their reserves. Therefore, if the State did tax them it could not reach the two hundred millions directly, because the stock of the banks represent the two hundred millions of greenbacks and other assets and is already taxed. The other one hundred and forty-six millions it is possible could be reached just as gold and silver is reached, if men are honest and will make faithful and honest returns of their assets. Now, will the United States Government lose anything by this proposition? Will the States gain anything?

Mr. GROSVENOR. And will the Government credit be impaired?

Mr. CANNON of Illinois. I would say the States would gain; and, on the other hand, I would say the United States loses nothing, because it is ready to give the gold for the greenbacks, and in my judgment its credit would not be impaired. If it becomes necessary to issue other bonds or greenbacks in future emergencies I would be in favor of exempting them from taxation until maturity. But the moment the United States gets ready to redeem its obligations and they mature and the holder prefers to keep the same to having them redeemed in gold, then I think the United States should not further protect the holder from State taxation; in other words, no interest of the United States is served in so doing.

Mr. HENDERSON of Illinois. Will my friend permit me——

The SPEAKER *pro tempore* (Mr. SWANSON). The time of the gentleman has expired.

Mr. CANNON of Illinois. If the gentleman will yield to me more time——

Mr. HENDERSON of Illinois. I yield two minutes more.

Mr. CANNON of Illinois. Now I shall be very glad to yield for a question.

Mr. HENDERSON of Illinois. I will take the floor in my own right after the gentleman concludes.

Mr. CANNON of Illinois. Now, the complaint is made that people who desire to cheat the State revenues, keeping the letter of the law but not the substance of it, trade their credits at a given period for greenbacks, and so escape assessment of their credits for taxation on the day fixed by law for that purpose, and then buy back their credits and hold them by this juggling free from taxation. I am inclined to think that is true in many of the States. But I say that by vigilant legislation in the States it might be prevented, though in point of fact in many of the States it is not. So that not only are $346,000,000 of greenbacks exempt from State taxation, but it is alleged that this exemption is the vehicle by which several hundred millions of credits besides are exempt. I am inclined to think that is true to a considerable extent.

Therefore, on the best consideration I am able to give this bill, I will vote for it.

[Mr. HENDERSON of Illinois withholds his remarks for revision. See Appendix.]

Mr. HALL of Minnesota. Mr. Speaker——

The SPEAKER *pro tempore*. What disposition does the gentleman from Illinois [Mr. HENDERSON] make of his remaining time? The gentleman has twelve minutes remaining.

Mr. HENDERSON of Illinois. I reserve my time.

The SPEAKER *pro tempore*. The gentleman from Missouri [Mr. HALL] has twenty-five minutes remaining.

Mr. HALL of Missouri. I yield fifteen minutes to the gentleman from Mississippi [Mr. KYLE].

Mr. KYLE. Mr. Speaker, I have listened very attentively to the arguments that have been advanced on both sides of the pending question; and I frankly confess that the most astonishing thing to my mind connected with the whole matter is that any gentleman should oppose the passage of this bill.

The proposition is to repeal a Federal statute which prohibits the respective States from taxing for State, county, and municipal purposes that form of money now in circulation known as greenbacks and Treasury notes, amounting in the aggregate to something like 500,000,000.

Now, let us see what the reasons are that are given by these gentlemen who oppose it. Some of them say we would be acting in bad faith to the Government if we at this late day should permit a tax upon these $346,000,000 of greenbacks especially. Now, the next question is, How would we be acting in bad faith to the Government? Does the Government own this money? Not a dollar of it. It does not belong to the Government. It belongs to the people among whom it circulates. It is a part of their assets. It is their capital in business, and the Government is not interested in it further than its general interest in the prosperity of its citizens. Well, but you say, it would be acting in bad faith to the man that owns the dollar.

Now, let me ask you how it would be acting in bad faith to him? Oh, you say, this money was exempt from taxation when it went into the hands of the citizen and now you propose to tax it. That is true. But the Government says to him, if you are not satisfied with the situation as it is, if you are not satisfied with your greenback dollar you can walk up to the Treasurer's office and get your gold dollar for it, hence he can not be hurt. How, then, is there any bad faith growing out of that? Take the proposition and analyze it. Reduce it down to its last analysis, and then answer the question, how is there any bad faith or an element of bad faith that enters into the proposition?

Now, I have sat here and listened to these speeches, and I have tried to be impartial about this matter. I have tried to analyze the question and to see if I could arrive at any reasonable conclusion why the passage of this bill should be opposed.

Why, the gentleman from Pennsylvania [Mr. BROSIUS] last evening said that money was idle capital and ought not to be taxed. He thought there was some reason in that; that the money that a man had in his pocket that was not engaged in the trade of the country was idle capital, and for that reason ought not to be taxed.

Does that answer? Is that any reason to a thoughtful man? Why, there are thousands and millions of property scattered over this broad land of ours that yield no income to the owners, and yet they are required to pay taxes upon that property. If the reason advanced by the gentleman from Pennsylvania, that because these greenbacks are idle capital and ought not to be taxed, is a good reason, then why not exempt all money from taxation, and besides this, the same reason would apply to millions of other property in this country that might be enumerated.

But, Mr. Speaker, when I began my purpose was to call the attention of this House to conditions as they exist to-day in Mississippi, growing out of the statutes which this bill proposes to repeal, and if in no other part of this country a reason could be found why such a law as this ought not to be retained upon the statute books, it can be found in Mississippi. And I want to call your attention to these conditions as they exist there with reference to these statutes. And I refer to Mississippi especially because I am more familiar with her affairs.

Much has been said about our supreme court with reference to this matter. The case that went to the supreme court of the State of Mississippi was this:

J. & T. Green, bankers in the city of Jackson, declined to furnish an assessment to the tax assessor as the laws of Mississippi required, and thereupon the assessor listed their property. These bankers defended on the ground that the various funds which had been listed by the assessor were exempt from taxation under the Federal statutes, some of them being United States Treasury notes, and the supreme court upon an appeal sustained the view that they were exempt. The case is reported in 52 Mississippi, page 452.

They said that their capital was invested in Treasury notes in part, and they did not propose to give it in for taxes, and this is the case out of which grew the decision which has been referred to frequently to-day. By it the court held that national-bank notes were exempt from taxation, and there has never been any question as to the exemption of greenbacks. Now, I say to you gentlemen that any statute of this Government that permits, or enables, or makes it possible for parties to convert money which is subject to taxation into a class of money which is exempt just before their property is to be listed for taxes, ought to be swept from the statute books. I do not think there is any doubt about that proposition. Now, I have no doubt but there are instances where parties attempt to evade the force of the statute by going a day or two before the assessor is to list their property for taxation and investing it in these notes.

Now, I mention these things to show the bad policy of this sort of statutes. But there is another element that enters into the reason why this bill should be passed, and that is the element of justice, fairness, and right as between man and man. Why, I ask you, is there any equity or justice in exempting my property from taxation because I have greenbacks or Treasury notes than my neighbor's property because it happens to be invested in gold or silver or national-bank notes?

Now, just take that naked proposition and consider it and then come to your own conclusion. What reason can you give that is a good one for saying that because my neighbor has a thousand dollars in gold and my other neighbor has a thousand dollars in silver, and another a thousand dollars in national-bank notes, and I have a thousand dollars in greenbacks, mine should be exempt and my neighbors' property should be taxed? Why, the very statement of the proposition, gentlemen, carries with it the argument for its own defeat.

The constitution of Mississippi provides that taxation shall be uniform and equal throughout the State. Property shall be taxed in proportion to its value. * * * Property shall be assessed for taxes under general laws and by uniform rules according to its true value.

Now, in pursuance of this provision, the Legislature provides for the taxation of almost every species of property, among which is to be enumerated, when the assessment list is made out for the assessor, the amount of money on hand or on deposit or loan.

Now, if this statute which the pending bill proposes to repeal is permitted to remain, all the taxpayer has to do to avoid the payment of taxes on money on hand or on depbsit is to convert the same into greenbacks or United States Treasury notes just before the 1st day of February, and this will enable him to say that he has no money on hand or on deposit liable to taxation, while at the same time his neighbor who may have gold, silver, or national-bank notes is, under the law, compelled to pay taxes on it.

The existence of such conditions as these, to say the least of them, offers an opportunity and an encouragement for fraud.

But now there is another thing in connection with this, aside from the idea of a want of fairness and right, which is an important element in the argument in favor of this bill, and that is that while this money is exempt from taxation it finds its way into the coffers of people who are able to lay aside and hoard it, and is thereby retired from circulation and fails to answer the necessi-

ties of the commerce which it should properly serve. These gentlemen who have been supporting bills for the free and unlimited coinage of silver and other measures that look to a greater supply of currency appreciate the necessity for such legislation as will prevent the possibility of such results as I allude to.

There is involved in this proposition, in my opinion, the unlocking of vaults and turning loose to answer the demands of trade this $346,000,000 that is now hid away and which refuses to perform its function because men who are able to save money have laid it by because it is exempt from taxation.

Now, as to all this talk about the possibility of the States taxing these greenbacks out of existence if they have the power, it is groundless and without reason. These gentlemen talk of greenbacks having come as the result of the war, and attempt apparently to convey the idea that on that account they are too sacred for taxation. One gentleman from Pennsylvania even referred to the rebellion, and said that if an opportunity had been given certain States in the past, this money would have been taxed out of existence.

In reply to that I will say that it is without reason; and, besides, here is the constitution of Mississippi, which prohibits taxation except in a uniform manner; and not only that, but the State of Mississippi, one of the leading States in the rebellion, has gone further than any other State in the Union, according to what has been said on this floor, in protecting these greenbacks and Treasury notes from taxation because her courts understood the Federal statutes required it. So, taking the question all along the line; taking the apprehensions which gentlemen express that there will be bad faith in this matter or that some one will deal unfairly with this money, and sifting all the arguments against this bill from start to finish. I say there has not been one single sound reason presented to my mind why the bill should not pass. What is the proposition involved, naked and cleanly stated? Why, it is that you ought to subject the property of people, where it exists in the form of greenbacks and Treasury notes, to the same taxation that you impose upon any other class of property. That is all there is of it. The only argument that has been brought against the bill is that its passage would be an act of bad faith; but there is no bad faith about it; there can not be any. If any citizen who has his money in greenbacks or Treasury notes does not like it after it is made subject to taxation, he can take it to the Treasury and get gold for it.

Mr. Speaker, I can not help believing that this bill will pass by a large majority, it is so manifestly just and proper.

[Here the hammer fell.]

Mr. HALL of Missouri. Mr. Speaker, I will now ask the gentleman from Illinois [Mr. HENDERSON] to use the remainder of his time.

The SPEAKER *pro tempore* (Mr. SWANSON). The gentleman from Illinois has twelve minutes remaining.

Mr. BROSIUS. Mr. Speaker, I do not see the gentleman from Illinois in his seat at this moment, and I hope the gentleman from Missouri will see the propriety of proceeding with the debate until the gentleman returns.

Mr. POWERS. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. HEPBURN] have five minutes in his own right, without taking it from the time of either side.

Mr. HALL of Missouri. I think the necessity for that can be obviated by my giving the gentleman from Iowa five minutes of my time, which I now do.

Mr. HEPBURN. Mr. Speaker, it appears to me that this debate has proceeded erroneously upon the idea that in one way or another there exists a contract between the holder of the Treasury note and the Government. To my mind that is not true. The holder of the greenback does not take it because of any promise that the Government makes that it shall be exempt from taxation, but he takes it because the Government has said that it shall be a legal tender for the payment of debts; he takes it, not as a matter of choice, not because he has assented to it, not because a contract exists, but because of the fiat of the Government that he shall take it as legal tender and that that shall extinguish his debt.

It is true that the Government has said that these greenbacks shall not be taxable, and perhaps that may have added a value, but the individual, even if he took the greenback as a contractor, recognizes the fact that that decree of the Government was an exercise of its sovereignty by which it is in no sense bound, and which it may at any moment change or modify. The Congress of the United States is intrusted with the power of coining gold and silver and regulating the value thereof, and it provides that the gold dollar shall consist of 25 grains and a fraction of gold, but will anybody deny the power of the Government to say to-morrow that a gold dollar shall consist of 20 grains?

Has the man who has taken the more valuable dollar a right to complain? The Government, the State, the proper authority, grants a license to an individual to carry on a particular business, and he pays, perhaps, a thousand dollars for the privilege for a stated period, yet the Government has the power to repeal that law and the individual has no right to complain, nor can he recover a proportionate part of the license fee that he has paid. So it has been decided over and over again. Why? Because these powers are attributes of government, and every individual knows that they are such, and hence the individual has no right to complain, nor does he complain when the Government changes its exercise of these powers.

Now, there was a necessity at one time that this non-taxability should be a quality of the Treasury notes. When they were first emitted there were legislative bodies in this country that would have been glad to have impaired their function as money, would have taxed them out of existence, and it was wise at that time that the exercise of that power should be forbidden the States; but that time has passed. There is no question of that kind now. And, on the other hand, we do find that this non-taxable feature is used improperly by individuals to escape from the payment of their just share of taxes. In certain communities it is the habit in the latter part of the year when the 1st of January is the day for the assessment of taxes, for men to go to their banks and say: "I want my deposit on the 1st day of January to be held in greenbacks."

That serves as a salve to the conscience, which enables the man to make up his list of subjects for taxation, omitting his money, and in that way millions of dollars, a much greater amount, in my judgment, than the whole sum of the greenbacks held by the banks, escapes its just share of taxation.

Now, I do not want anything to be done that militates against the idea of the absolute power of this Government to exempt its notes from taxation, but if the amendment that I had the honor to have read yesterday should be adopted, that will be avoided. I propose this simple sentence: "That the consent of the United States is hereby given to any State or Territory to tax United States notes circulating as money within such State or Territory." That is all the authority that the State wants. That is all the power that need be conferred, and there is in that brief sentence the assertion of the right of the United States, whenever it sees proper, to prevent States and municipalities from exercising this taxing power.

The SPEAKER *pro tempore*. The gentleman from Missouri [Mr. HALL] has five minutes remaining.

Mr. HALL of Missouri. I should be glad if the gentleman from Illinois [Mr. HENDERSON] would now use the rest of his time, if he desires to do so.

Several MEMBERS. He does not.

[Cries of "Vote!" "Vote!"]

Mr. HALL of Missouri. Then, Mr. Speaker, I will call for a vote, simply stating by way of explanation that the substitute offered by the gentleman from Indiana [Mr. COOPER] has been agreed upon by the gentlemen on both sides who are in favor of this bill, and is the measure which we desire to be adopted in place of the bill reported by the committee. I ask that that substitute be now read.

The Clerk read as follows:

That all circulating notes of national banking associations and all United States legal-tender notes, and all other notes and certificates of the United States payable on demand and circulating as currency shall be subject to taxation under the laws of any State or Territory: *Provided*, That any such taxation shall be exercised in the same manner and at the same rate that any such State or Territory shall tax other money within its jurisdiction.

SEC. 2. That the provisions of this act shall not be deemed or held to change existing laws in respect of the taxation of national banking associations.

Mr. HEPBURN. I desire to offer an amendment.

The SPEAKER. The gentleman from Missouri [Mr. HALL] has the floor. Does he yield?

Mr. HALL, of Missouri. Yes, sir.

Mr. HEPBURN. I move to amend by striking out all after the enacting clause down to the word "provided," and inserting:

That the consent of the United States is hereby given to any State or Territory to tax United States notes circulating as money within such State or Territory.

Mr. TERRY. I suggest to the gentleman from Iowa [Mr. HEPBURN] whether he intends to include municipal or county taxation?

Mr. HEPBURN. There can be no municipal taxation without the action of the State.

Mr. WARNER. Would there be any objection to inserting after the words "State or Territory," the words "or other local authority?"

Mr. HALL of Missouri. I desire to state that we can not accept the proposed amendment to this substitute, because of the condition of the State of Mississippi, the supreme court of that State having decided that national-bank notes are not taxable

as money. It was because of that decision that the substitute of the gentleman from Indiana as just read was drawn.

The SPEAKER. The question will be first taken upon the amendments recommended by the committee to the text of the original bill.

Mr. BROSIUS. Let them be read.

The amendments were read, as follows:

In lines 3 and 4 strike out the words "all circulating notes of national banking associations and all," and insert the word "no."

In lines 4 and 5 strike out the words "and all other notes and certificates of the United States payable on demand and."

In line 6 strike out the word "not."

The amendments were rejected.

The SPEAKER. The next question is upon the amendment of the gentleman from Vermont [Mr. POWERS], which will be read.

The Clerk read as follows:

After the word "money," in line 10, insert the words "or currency circulating as money."

The amendment was rejected.

The SPEAKER. The question is now on the amendment offered by the gentleman from Iowa [Mr. HEPBURN].

Mr. WARNER. I renew my suggestion that the gentleman from Iowa modify his amendment by inserting after the word "Territory," where it first occurs, the words "or other local authority." I submit to the gentleman that his amendment as it now stands would extend only to State or Territorial taxation; and if so, it would not meet the view which the gentleman himself has suggested.

Mr. GROSVENOR. With the modification proposed, the amendment would then put these notes upon an exact equality with all other property.

Mr. HEPBURN. I have no objection to the modification suggested.

The amendment as modified was again read.

Mr. HALL of Missouri. I desire to state that the only difference between the amendment offered by the gentleman from Iowa [Mr. HEPBURN] and the substitute of the gentleman from Indiana [Mr. COOPER] which we now favor, is that the proposition of the gentleman from Iowa exempts national-bank notes from taxation by States and municipalities, while the substitute which we advocate does not make such exemption, but allows the provision of the bill to extend to Mississippi as to all other States of the Union where money is taxed.

Mr. TERRY. I would suggest to the gentleman from Iowa that he can get his point in without interfering with that by putting the language at the beginning: "That the United States hereby consents," and so on. Then let the remainder go on as it is now.

The SPEAKER. By order of the House the previous question is ordered, and the question is first on the amendment to the substitute offered by the gentleman from Iowa [Mr. HEPBURN], which has just been read.

The amendment was rejected.

The SPEAKER. The question now is on the substitute offered by the gentleman from Indiana [Mr. COOPER].

Mr. JOHNSON of Indiana. I think we ought to have the yeas and nays on that.

Several MEMBERS. Oh, no.

The SPEAKER. The gentleman from Indiana demands the yeas and nays.

Mr. JOHNSON of Indiana. I withdraw the demand.

The substitute was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time.

The question being on the passage of the bill——

Mr. JOHNSON of Indiana. On that I ask the yeas and nays.

The yeas and nays were ordered.

The SPEAKER announced the appointment of Mr. JOHNSON of Indiana and Mr. HALL of Missouri as tellers at the desk.

The question was taken; and there were—yeas 173, nays 41, not voting 138; as follows:

YEAS—173.

Abbott,	Black, Ill.	Catchings,	Davis,
Aitken,	Boatner,	Clark, Mo.	De Armond,
Alderson,	Boen,	Clarke, Ala.	Denson,
Alexander,	Bower, N. C.	Cobb, Ala.	Dockery,
Allen,	Breitz,	Cockrell,	Dolliver,
Arnold,	Brickner,	Coffeen,	Donovan,
Bailey,	Broderick,	Conn,	Draper,
Baker, Kans.	Brookshire,	Cooper, Fla.	Dunn,
Baker, N. H.	Bryan,	Cooper, Ind.	Durborow,
Baldwin,	Bynum,	Cooper, Tex.	Ellis, Ky.
Bartholdt,	Cabaniss,	Cooper, Wis.	Ellis, Oregon
Barwig,	Caminetti,	Cousins,	English, Cal.
Bell, Colo.	Cannon, Cal.	Cox,	Epes,
Bell, Tex.	Cannon, Ill.	Crawford,	Erdman,
Berry,	Capehart,	Curtis, Kans.	Fithian,
Black, Ga.	Caruth,	Daniels,	Fyan,
Geary,	Kribbs,	Moon,	Swanson,
Goldzier,	Kyle,	Morgan,	Sweet,
Gorman,	Lacey,	Ogden,	Talbert, S. C.
Grady,	Lane,	O'Neill, Mo.	Talbott, Md.
Gresham,	Lapham,	Outhwaite,	Tarsney,
Griffin,	Latimer,	Page,	Tate,
Grosvenor,	Layton,	Paschal,	Tawney,
Hager,	Lester,	Patterson,	Taylor, Ind.
Hall, Minn.	Linton,	Paynter,	Terry,
Hall, Mo.	Lucas,	Pearson,	Turner, Ga.
Hare,	Lynch,	Pendleton, Tex.	Turner, Va.
Hayes,	Maguire,	Pendleton, W. Va.	Tyler,
Heard,	Mallory,	Pickler,	Updegraff,
Henderson, N. C.	Marsh,	Post,	Van Voorhis, Ohio
Hepburn,	Marshall,	Powers,	Warner,
Hermann,	Martin, Ind.	Price,	Washington,
Hitt,	McCreary, Ky.	Richards, Ohio	Waugh,
Hooker, Miss.	McCulloch,	Ritchie,	Weadock,
Hopkins, Ill.	McDannold,	Robbins,	Wells,
Hudson,	McDearmon,	Robertson, La.	Wheeler, Ala.
Hunter,	McEttrick,	Sayers,	Williams, Ill.
Hutcheson,	McGann,	Shell,	Williams, Miss.
Izlar,	McKeighan,	Snodgrass,	Wilson, Ohio
Johnson, N. Dak.	McMillin,	Sorg,	Wise,
Jones,	McNagny,	Sperry,	Wolverton,
Kem,	McRae,	Stone, Ky.	
Kiefer,	Meyer,	Strait,	
Kilgore,	Money,	Strong.	

NAYS—41

Adams, Pa.	Doolittle,	Hooker, N. Y.	Quigg,
Bartlett,	English, N. J.	Hulick,	Ray,
Bingham,	Fletcher,	Johnson, Ohio	Reilly,
Blair,	Gear,	Loud,	Ryan,
Bowers, Cal.	Grow,	Loudenslager,	Stone, C. W.
Brosius,	Hainer,	Mahon,	Stone, W. A.
Bundy,	Haines,	McAleer,	Wanger,
Covert,	Harmer,	McCall,	Wright, Mass.
Cummings,	Haugen,	Mutchler,	
Dalzell,	Henderson, Ill.	Northway,	
De Forest,	Hicks,	Pigott,	

NOT VOTING—138.

Adams, Ky.	Dunphy,	Maddox,	Settle,
Aldrich,	Edmunds,	Magner,	Shaw,
Apsley,	Enloe,	Marvin, N. Y.	Sherman,
Avery,	Everett,	McCleary, Minn.	Sibley,
Babcock,	Fielder,	McDowell,	Sickles,
Bankhead,	Forman,	McKaig,	Simpson,
Barnes,	Funk,	McLaurin,	Sipe,
Belden,	Funston,	Meiklejohn,	Smith,
Beltzhoover,	Gardner,	Mercer,	Somers,
Bland,	Geissenhainer,	Meredith,	Springer,
Boutelle,	Gillet, N. Y.	Milliken,	Stallings,
Branch,	Gillett, Mass.	Montgomery,	Stephenson,
Breckinridge, Ark.	Goodnight,	Morse,	Stevens,
Breckinridge, Ky.	Graham,	Moses,	Stockdale,
Brown,	Grout,	Murray,	Storer,
Bunn,	Hammond,	Neill,	Straus,
Burnes,	Harris,	Newlands,	Taylor, Tenn.
Burrows,	Harter,	Oates,	Thomas,
Cadmus,	Hartman,	O'Neil, Mass.	Tracey,
Campbell,	Hatch,	Payne,	Tucker,
Causey,	Heiner,	Pence,	Turpin,
Clickering,	Henderson, Iowa	Perkins,	Van Voorhis, N. Y.
Childs,	Hendrix,	Phillips,	Wadsworth,
Clancy,	Hines,	Randall,	Walker,
Cobb, Mo.	Holman,	Rayner,	Wever,
Cockran,	Hopkins, Pa.	Reed,	Wheeler, Ill.
Cogswell,	Houk,	Reyburn,	White,
Coombs,	Hull,	Richardson, Mich.	Whiting,
Cornish,	Ikirt,	Richardson, Tenn.	Wilson, Wash.
Crain,	Johnson, Ind.	Robinson, Pa.	Wilson, W. Va.
Culberson,	Lawson,	Rusk,	Woodard,
Curtis, N. Y.	Lefever,	Russell, Conn.	Woomer,
Davey,	Lisle,	Russell, Ga.	Wright, Pa.
Dingley,	Livingston,	Schermerhorn,	
Dinsmore,	Lockwood,	Scranton,	

So the bill was passed.

The following pairs were announced:

Until further notice:

Mr. CULBERSON with Mr. GROUT.

Mr. HATCH with Mr. RANDALL.

Mr. BLAND with Mr. MORSE.

Mr. BUNN with Mr. DINGLEY.

Mr. BANKHEAD with Mr. MILLIKEN.

Mr. ENLOE with Mr. BOUTELLE.

Mr. NEILL with Mr. CHILDS.

Mr. MONTGOMERY with Mr. HOPKINS of Illinois.

Mr. FORMAN with Mr. WHEELER of Illinois.

Mr. MADDOX with Mr. WEVER.

Mr. WHITING with Mr. GILLET of New York.

Mr. OATES with Mr. SHERMAN.

Mr. COOPER of Texas with Mr. GILLETT of Massachusetts.

Mr. STOCKDALE with Mr. AVERY.

Mr. LAWSON with Mr. WHITE.

Mr. RAYNER with Mr. SCRANTON.

Mr. WOODWARD with Mr. LEFEVER.

Mr. TURPIN with Mr. PHILLIPS.

Mr. GOODNIGHT with Mr. ROBINSON of Pennsylvania.

Mr. CAMPBELL with Mr. TAYLOR of Tennessee.

Mr. GEISSENHAINER with Mr. WRIGHT of Pennsylvania.

Mr. BARNES with Mr. MCCLEARY of Minnesota.

Mr. SICKLES with Mr. DANIELS.

Mr. SCHERMERHORN with Mr. BELDEN.
Mr. SOMERS with Mr. FUNK.
Mr. BRECKINRIDGE of Arkansas with Mr. PAYNE.
For this day:
Mr. CRAIN with Mr. REED.
Mr. RUSSELL of Georgia with Mr. STORER.
Mr. LIVINGSTON with Mr. HENDERSON of Iowa.
Mr. IKIRT with Mr. HULL.
Mr. BRANCH with Mr. ALDRICH.
Mr. SIPE with Mr. WALKER of Massachusetts.
Mr. BRECKINRIDGE of Kentucky with Mr. MARVIN.
Mr. GRAHAM with Mr. VAN VOORHIS of New York.
Mr. SPRINGER with Mr. WADSWORTH.
On this question:
Mr. HINES with Mr. CAUSEY
Mr. BROWN with Mr. JOHNSON of Indiana.
Mr. DINSMORE with Mr. MERCER.
Mr. RICHARDSON of Tennessee with Mr. BABCOCK.
Mr. WILSON of Washington, with Mr. MCDANNOLD.

Mr. HOPKINS of Illinois. I am paired with the gentleman from Kentucky [Mr. MONTGOMERY] on political questions only. My understanding is that this bill is nonpolitical, and I have voted.

Mr. RICHARDSON of Tennessee. I voted, but withdraw my vote, as I am paired with the gentleman from Wisconsin [Mr. BABCOCK]. If present, he would vote "no" and I should vote "aye."

Mr. GEISSENHAINER. I am paired with the gentleman from Pennsylvania [Mr. WRIGHT], and withdraw my vote.

The result of the vote was then announced as above recorded.

On motion of Mr. HALL of Missouri, a motion to reconsider the last vote was laid on the table.

Mr. HALL of Missouri. Now, I ask unanimous consent that members who have spoken be given the privilege of extending their remarks in the RECORD.

There was no objection.

VACATION OF SPECIAL ORDER.

Mr. OUTHWAITE. Mr. Speaker, I ask unanimous consent that the order setting apart to-morrow for eulogies on the late George W. Houk be postponed for one week.

There was no objection.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. DINSMORE, for one day, on account of sickness.

ORDER OF BUSINESS.

Mr. MARTIN of Indiana. I ask that the House now take the usual recess, instead of waiting until 5 o'clock.

The SPEAKER. If there be no objection, it being now within a few minutes of 5 o'clock, the Chair will declare the House in recess until 8 o'clock, under the rule, and the gentleman from Indiana [Mr. BROOKSHIRE] will perform the duties of the Chair at the evening session.

Accordingly (at 4 o'clock and 53 minutes p. m.) the House took a recess until 8 o'clock p. m.

EVENING SESSION.

The House reassembled at 8 o'clock p. m., and was called to order by Mr. BROOKSHIRE, as Speaker *pro tempore*.

ORDER OF BUSINESS.

The SPEAKER *pro tempore*. The House is in session pursuant to clause 3, Rule XXVI.

Mr. MARTIN of Indiana. I move that the House resolve itself into Committee of the Whole for the consideration of bills on the Private Calendar.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole, Mr. DOCKERY in the Chair.

The CHAIRMAN. The House is in Committee of the Whole in pursuance of the special order.

OLIVER O'BRIEN.

Mr. COGSWELL. Mr. Chairman, two weeks ago, in regular order, a bill in which I am interested was reached. By inadvertence of the present distinguished occupant of the chair it was ruled to be not in order under the order under which we assemble on Friday evenings. Upon further examination I think the Chairman will agree with me that the bill was properly up for consideration at a Friday evening session. If that was so, the bill lost its right of way, and has lost it for two weeks, by reason of that ruling. And if I am correct, I will now ask the Chair to entertain a motion to consider the bill.

The CHAIRMAN. The gentleman from Massachusetts is correct in his statement. The Chair was in error in deciding that the bill was not in order under the rule, and if there be no objection the bill will be presented at this time.

There was no objection.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Navy of the United States be, and he is hereby, directed to so amend the record of Oliver O'Brien as to remove the charge of desertion.

Mr. JONES. Mr. Chairman, I should like to have the report read.

The report (by Mr. MCALEER) was read, as follows:

The Committee on Naval Affairs, to whom was referred the bill (H. R. 650) to remove the charge of desertion standing against Oliver O'Brien, submit the following report:

This bill has been fully considered by your committee. A bill identical in terms with this was considered by the Committee on Naval Affairs of the Fifty-second Congress, and as the conclusions reached in each instance are the same, we adopt said report and earnestly urge the passage of the bill.

[House Report No. 2035, Fifty-second Congress, first session.]

The Committee on Naval Affairs, to whom was referred the bill (H. R. 3059) to remove the charge of desertion standing against Oliver O'Brien, having considered the same, report:

It appears from his record of service in the Navy that he enlisted as a seaman at Boston, Mass., August 13, 1862, for three years; served on board the United States steamships Canandaigua and Juniata, and was appointed under date of December 1, 1864, as an acting master's mate on temporary service.

It further appears that while serving on board the latter-named vessel he was granted a leave of absence for thirty days from April 3, 1865, with orders to return to the ship at the expiration of that time. Upon furnishing the Department with a copy of his orders, and being directed by letter of the 25th of said month to obey the same, he failed to report for duty as ordered, and subsequently his name was entered upon the Navy Register as a deserter from the service.

In extenuation and explanation of his failure to return to his command at the expiration of his leave, he has filed with your committee the sworn affidavits of well-known citizens from his home, who severally corroborate his own testimony, which is herewith appended and made part of this report.

In view of the facts as evidenced by these and his previous meritorious record "in face of the enemy," and for which he was commended and promoted as master's mate by Admiral Dahlgren December 1, 1864, your committee recommend that the bill do pass.

Application for removal of charge of desertion.

CLAIMANT'S AFFIDAVIT.

STATE OF MASSACHUSETTS, *County of Essex, ss:*

In the matter of claim for removal of charge of desertion of Oliver O'Brien, late acting master's mate of United States steamships Canandaigua and Juniata.

On this — day of February, A. D. 1892, personally appeared before me, a —— in and for the aforesaid county, duly authorized to administer oaths, Oliver O'Brien, aged — years, a resident of Gloucester, in the county of Essex and State of Massachusetts, whose post-office address is 41 Washington street, well known to me to be reputable and entitled to credit, and who, being duly sworn, declares each for himself in relation to aforesaid case, as follows:

That he hereby makes application for the removal of charge of desertion standing against his name while serving as acting master's mate on United States steamship Juniata, to which he had been transferred from United States steamship Canandaigua. That I first enlisted in United States Navy October 8, 1860, and served on the United States Cumberland to the time she was sunk by the rebel ram Merrimac, March 8, 1862, and was honorably discharged from the naval service at Norfolk, Va., June 14, 1862, and have my original discharge therefor. In August, 1862, I reënlisted in United States Navy as seaman, and served on board the United States steamship Canandaigua. In 1864 I was promoted to acting master's mate for bravery, over the signature of Admiral Dahlgren, which appointment I file. In 1865 I was transferred to United States steamship Juniata, about April 1, 1865, and was granted thirty days' leave of absence, not being well.

I went home to Boston, Mass.; was taken down with lung fever, and was sick a long time; did not know what was going on for a time, and it was many weeks before I was able to be out; in the meantime my leave of absence had long run out and the war was closed, and I thought it of no use to do anything, as the ship had probably changed places, master, and crew long before. I was also granted a medal of honor and $100 extra for my bravery at the time of my promotion, but I never received them. The doctor that attended me in my sickness is now dead. The only persons that I can think of and find that knew about my sickness and detention are Ellen M. Laughlin and Catharine Murphy, both of Boston, Mass., who were living in the house in 1865, when I was sick, and I furnish their affidavits. I never intended to desert; and surely my long service and previous record, the close of war so near at hand, and my severe sickness should weigh in this case.

OLIVER O'BRIEN.

STATE OF MASSACHUSETTS, *County of Essex, ss:*

Sworn to and subscribed before me this day by the above-named affiant, and I certify that I read said affidavit to said affiant and acquainted him with its contents before he executed the same. I further certify that I am in nowise interested in said case, nor am I concerned in its prosecution; and that said affiant is personally known to me and that he is a credible person.

JOHN C. PIERCE,
Justice of the Peace.

[SEAL.]

STATE OF MASSACHUSETTS, *County of Essex, ss:*

I, Sumner D. York, clerk of the Gloucester police court, in and for aforesaid county and State, do certify that John C. Pierce, who has signed his name to the foregoing declaration and affidavit, was at the time of so doing a justice of the peace in and for said county and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereunto is genuine.

Witness my hand and seal of office this 21 day of February, 1892.

SUMNER D. YORK,
Clerk of the Gloucester Police Court.

[SEAL.]

Mr. JONES. Mr. Chairman, I should like to hear a statement from the gentleman in charge of this bill. I should like particularly to know if the removal of this charge of desertion will enable this man to apply for a pension from the close of the war to this time, and receive back pension during that period?

Mr. COGSWELL. Not to my knowledge. I do not know what the effect of this bill will be. He has not said anything to me about a pension. The bill is in the regular form of bills correcting military records, and the merits of the case are set forth in the report better than I can state them.

Mr. O'Brien is a man who served five years, who was promoted, who was distinguished for his gallantry; and after the close of the war, or just about the time it was closing, in April, 1865, he went home on a thirty days' leave. He was taken sick with typhoid fever, was out of his head part of the time, and when he came to his senses and to his strength the war had long since closed. He did not know where his ship was, and like a good many others, thinking the war was over, as it was, he remained at home.

Mr. CURTIS of New York. In reply to the question of the gentleman from Virginia [Mr. JONES], I will say that no pension can date back of the date of the application. An application for a pension is made, and if granted, the pension can not begin earlier than the date of the application.

Mr. COGSWELL. Oh, I supposed we all knew that. Mr. O'Brien never said anything to me about a pension.

Mr. CURTIS of New York. The inquiry of the gentleman from Virginia [Mr. JONES] was whether this man could secure a pension to date from the time of his discharge.

Mr. COGSWELL. I am glad the gentleman from New York has answered the question.

Mr. JONES. I should like to ask the gentleman from Massachusetts why it is that this alleged deserter has deferred for nearly thirty years the making of this application for the removal of this charge of desertion against him?

Mr. COGSWELL. I am sure I can not answer that. He brought the matter to my attention in the last Congress, and I introduced the bill, and it was reported so late that no action was taken. I do know that his neighbors—and I know them personally—say that he is a good, reputable citizen, as nice a man as there is in Gloucester, Mass. The first I knew about the case was in the last Congress.

Mr. JONES. The affidavits filed here are, in the first place, the affidavit which the man himself makes, and then another one made by some neighbor of his. Now, if this application had been made twenty-five years ago, some of his comrades, his commander, or somebody who knew about the circumstances of this desertion, would have been able to testify and could have thrown some light upon the subject. All these persons may have died years and years ago; and now, after a lapse of nearly thirty years, when all the available evidence has probably disappeared, this application is made. I desire to offer an amendment providing that no pension shall be granted on account of the removal of this charge of desertion.

The CHAIRMAN. The Clerk will report the amendment.

Mr. COGSWELL. I think that is rather unreasonable. I want this man treated just the same as the others are, no more and no less; but if it weighs heavily on the mind of my friend from Virginia, and I can not get him relieved from this charge in any other way I will take this way if he wants to make a discrimination against this man.

Mr. JONES. I do not want to make a discrimination.

Mr. COGSWELL. But you are making one.

Mr. JONES. I oppose all cases of this kind, for the removal of the charge of desertion; but inasmuch as the gentleman has made the statement he has, I do not propose to fight this case very vigorously if this amendment is adopted.

If this man has lived the honorable life and he is the fine citizen the gentleman describes him to be, I do not think this charge of desertion should rest against him; but if he comes in now and applies for a pension on account of a disability alleged to have been incurred during the war, as I am not at all satisfied he can not get a pension from that time until now, I desire to make the matter sure.

Mr. COGSWELL. Then, why not modify it so as to make the usual provision, "provided that no pay or emolument shall accrue by reason of this act."

Mr. JONES. Or pension prior to this date.

Mr. COGSWELL. I am willing to limit the granting of a pension to this time, if he should apply.

Mr. JONES. Let us limit it so that he shall not receive a pension prior to the passage of this act.

Mr. COGSWELL. That is all right.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Provided, That no pay or emolument shall accrue by reason of this act or pension prior to this date.

Mr. COGSWELL. That is right.

The amendment was agreed to.

The bill as amended was ordered to be laid aside, with a favorable recommendation.

ORDER OF BUSINESS.

The CHAIRMAN. This proceeding has been by unanimous consent. The first business in order is the unfinished business. At the time the committee rose it was dividing on a motion to lay a bill aside with a favorable report, the title of which the Clerk will read.

The Clerk read as follows:

A bill (H. R. 5260) granting an increase of pension to Thomas Corrigan.

The CHAIRMAN. This bill has been debated in the Committee of the Whole and a motion made to lay aside the bill with a favorable recommendation. On a count by tellers the motion was lost, whereupon the point of no quorum was made, and the committee rose.

Mr. MARTIN of Indiana. Mr. Chairman, I ask unanimous consent that this bill be laid aside without prejudice.

The CHAIRMAN. Pending the further consideration of unfinished business, the gentleman from Indiana asks that this bill be laid aside without prejudice.

Mr. JONES. I shall have to object to that.

DRUZILLA J. RIGG.

Mr. POST. Mr. Chairman, previous to any action being taken on that, I ask unanimous consent to take up a bill which occurs on the Calendar previous to that, the bill (H. R. 4290). I think unanimous consent will be given to its consideration. It is a bill which has been passed on the Calendar.

The CHAIRMAN. Pending the further consideration of the unfinished business, the gentleman from Illinois asks unanimous consent to call up a bill.

Mr. POST. It is on the Calendar previous to this bill which has just been considered.

The CHAIRMAN. That can be done by unanimous consent.

Mr. POST. I ask unanimous consent to take up the bill.

Mr. PICKLER. I will not object in this case, but I shall object to calling up any other by unanimous consent. We want to go on with the Calendar and get through with it.

Mr. POST. This is on the Calendar, and before the bill which has been considered.

Mr. PICKLER. We have a Calendar, and it is only fair that we should go on through with it before we consider these other bills.

The CHAIRMAN. Is there objection?

Mr. JONES. What was the request?

The CHAIRMAN. The request was for unanimous consent to consider a bill. The Clerk will report the bill, after which the Chair will ask if there be objection.

The Clerk read as follows:

A bill (H. R. 4290) for the relief of Druzilla J. Rigg, of Macomb, Ill.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and hereby is, authorized and directed to cause to be paid to Druzilla J. Rigg, of Macomb, Ill., who is the daughter and only heir of James Depoy (who was second lieutenant in Company A in the Fifty-fourth Regiment of Ohio Infantry in the war of the rebellion, to whom pension certificate No. 158723 was issued, and who died previous to the receipt by him of said certificate), the amount due upon said certificate at the time of the death of said James Depoy.

The CHAIRMAN. Is there objection to the present consideration of the bill?

Mr. JONES. I would like to have the report read.

The CHAIRMAN. The report will be read, subject to objection.

The report (by Mr. MCDANNOLD) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 4290) for the relief of Druzilla J. Rigg, having considered the same, submit the following report:

This is a bill to pay Druzilla J. Rigg, the daughter and sole heir of James Depoy, the amount of the pension allowed said soldier by certificate No. 158723, which he did not receive because he died before the certificate reached him. The pension allowed by such certificate was $7.50 per month from February 20, 1863, and $15 per month from October 21, 1878, to December 7, 1878, when he died, amounting to about $1,400.

This bill proposes to pay to Druzilla J. Rigg, his daughter and sole heir, the amount of the pension which had been allowed him. The evidence shows that this daughter had, since she was 12 years old, kept house for her father, and was thereby deprived of proper advantages for education. During the last six years of his life the soldier was bed-ridden, and his devoted daughter was his constant attendant. During his prolonged illness all the soldier's property had been expended in doctors' bills and other expenses, and at his death the daughter was left without means of support. This pension had been adjudged due the soldier, and in view of the fact that the daughter and not the soldier suffered most from the delay in the adjudication, your committee believes that it is only just that she should receive the amount which had been ascertained to be due. Nothing has been paid as reimbursement.

These facts are clearly shown by the papers in the Pension Bureau and by evidence filed with the committee.

Your committee therefore recommend that the bill do pass.

Mr. JONES. Before I waive the right of objection I would like to hear some statement from the gentleman. It seems that this is to pay quite a large amount of arrearage.

Mr. LANE. I would like to hear the gentleman on the question also as to whether we have jurisdiction in this case, and

whether this is a pension case at all. This bill grants a gross sum of money, and I would like to hear from the gentleman as to whether we have a right to consider the bill under the special order.

Mr JONES. Has this party ever drawn a pension?

Mr. POST. Never. The certificate was issued, but before it reached its destination the pensioner died. He had been bedridden six years, and his daughter had taken care of him.

Mr. JONES. When did he die?

Mr. POST. He died after the certificate had been issued and before it reached his home.

Mr. JONES. How long ago was that?

Mr. CURTIS of New York. The report says it was in 1878.

Mr. POST. It was December, 1878.

Mr. TERRY. It occurs to me that if the certificate had already been issued before the death of the soldier, under the ruling of the Department, his heirs would be entitled to it anyhow.

Several MEMBERS. Oh, no.

Mr. POST. His widow would.

Mr. TERRY. But would not his administrator, if the certificate had been issued and started from the Pension Office?

Mr. POST. No. It ought to be so, but it is not.

Mr. TAYLOR of Indiana. It would have to be signed by the soldier.

Mr. POST. I trust that no one will object to the consideration of this bill.

Mr. LANE. If the committee had no jurisdiction of the bill of course we can not allow this claim. This is really not a pension at all. It is a claim for a gross sum of money that was due this girl's father, but he never received it in his lifetime, and therefore it reverted to the Government. The House, of course, could allow the claim.

Mr. JONES. I think the gentleman from Illinois is clearly correct. This bill ought to have gone to the Committee on Claims.

Mr. LANE. Yes. It is not a pension bill at all.

The CHAIRMAN. The Chair calls attention to paragraph 3 of Rule XXVI, which reads as follows:

The House shall, on each Friday, at 5 o'clock p. m., take a recess until 8 o'clock, which evening session shall be devoted to the consideration of private bills reported from the Committee on Pensions, and the Committee on Invalid Pensions, to bills for the removal of political disabilities, and bills removing charges of desertion only; said evening session not to extend beyond 10 o'clock and 30 minutes.

The gentleman from Illinois will note the difference between the language of this rule and the language of the old rule. That rule read, as I remember:

The consideration of private bills reported from the Committee on Pensions and the Committee on Invalid Pensions granting pensions.

The words "granting pensions" seem to be eliminated from the present rule, and therefore this bill would seem to be in order under the rule. This is the first time the Chair has had his attention called to the point. The Chair is quite clear that the old rule limited the consideration of business at these sessions to bills "granting pensions," but there seems to be no such limitation in the present rule.

Mr. LANE. But this bill is for a gross sum of money, and it should have gone to the Committee on Claims instead of to the Committee on Invalid Pensions. If the House should, by mistake, send to the Committee on Invalid Pensions a bill which clearly did not come within its jurisdiction, would the Chair hold that the fact that the committee considered and acted on the bill would give this Committee of the Whole jurisdiction of it at these Friday evening sessions?

The CHAIRMAN. The bill is before the committee only on a request for unanimous consent for its consideration.

Mr. CURTIS of New York. No objection has been made.

The CHAIRMAN. If there is no objection to consideration, the Chair will consider the question of order.

Mr. JONES. I want to say to the gentleman calling up the bill that I do not propose to object to its consideration, but I do propose to oppose the passage of the bill unless I can know more about it than I know now, and I think the gentleman would do better not to call up this bill for consideration.

Mr. POST. I hope the gentleman will allow the bill to be considered anyway.

The CHAIRMAN. Is there objection to the present consideration of this bill? [A pause.] The Chair hears none.

Mr. POST. Now, Mr. Chairman, I do not believe that any gentleman in this House will object to the consideration of this bill or really oppose its passage when he considers the facts stated in this report. As the report says, the facts are fully set forth in the papers in the Pension Office. This girl took care of her bedridden father for six years.

All their means were exhausted, and finally when the pension certificate came, it was too late for the soldier to sign his name for he was dead. Now, I repeat I can not believe that there is a single member here who will oppose the passage of this bill under the circumstances. These people had no other property, and if the pension certificate had arrived a little sooner this girl would have been entitled to the benefit of it.

Mr. LANE. I have no objection to this pension if it comes under the rule, none in the world, but I think that all people ought to be treated alike. I have had two cases of this kind myself, one that I brought before the committee in a former Congress, but it did not get through.

Mr. HOOKER of New York. Was it reported from the committee?

Mr. LANE. Yes; but it was knocked out in the Senate.

The CHAIRMAN. The Chair calls attention to the rule which prevailed in the Fifty-first Congress in regard to these Friday evening sessions. Paragraph 2 of Rule XXVI, the rule under which these Friday evening sessions were held in that Congress, reads as follows, and the Chair asks gentlemen to notice the difference between the language of this rule and the language of the present rule:

The House shall, on each Friday at 5 o'clock p. m., take a recess until 8 o'clock, at which evening session private pension bills, bills for the removal of political disabilities, and bills to remove the charge of desertion only shall be considered, etc.

That rule limited the Committee of the Whole to the consideration of private pension bills. This rule—perhaps through inadvertence—omits the word "pension" and says "private bills reported from the Committee on Invalid Pensions." The Chair is inclined to think that the spirit of the rule at least would prohibit the consideration of this bill, because it seems to the Chair that it is in the nature of a claim.

Mr. LANE. In the case in which I interested myself, the certificate reached the post-office the very day the person for whom it was intended died. The amount of the allowance, if I remember correctly, was about $800. I brought the case here before the committee, who considered the matter, and finally determined that they would not allow any cases of that class. There are a great many cases of that kind; and we ought not to make "fish of one and flesh of another." If the rule be adopted that this class of cases shall be in order under these circumstances, I have no objection whatever.

In this case if the bill passes there will be allowed a gross sum of perhaps $1,400.

Mr. POST. The bill allows just the amount of the pension that was allowed the soldier.

Mr. LANE. Just the gross sum that was adjudicated as due this party. It is not a pension; it is a sum in gross—so many dollars allowed by a single act of the House. I say there are hundreds of cases of this kind where similar action ought to be taken if this bill be passed.

The law provides that if the certificate be not signed by the applicant the money can not be drawn, but reverts to the Government. As I have said, I have no objection to this class of cases if some general rule be adopted treating them all alike.

Mr. POST. I beg to correct the gentleman on one point. The bill provides that there be paid to the daughter and only heir of James Depoy—

to whom pension certificate numbered 158723 was issued, and who died previous to the receipt by him of said certificate, the amount due upon said certificate at the time of the death of said James Depoy.

Mr. LANE. That is just what I have said.

Mr. POST. The Pension Office must decide the amount that was due at that time. The bill does not allow a sum in gross.

Mr. LANE. Why, sir, the pension certificate was issued for a sum in gross—for a certain amount. This man would have received, if he had lived, so many dollars. It was not an accruing pension. There was a certain amount adjudged to be due him, and the certificate was issued to him at that time for that amount. If he had lived he would have drawn that amount. This bill will carry that amount, whatever it may be. As I have said, if this case is allowed, we ought to understand that such is to be the rule, so that other parties in similar cases may have the benefit of the same rule.

The CHAIRMAN. The Chair thinks that this bill is really in the nature of a claim.

Mr. LANE. If the bill be brought up in the House I will not object.

Mr. MARTIN of Indiana. I wish to be heard a moment in regard to this matter. If this is not a pension, what is it? This case depends solely on an adjudication by the Pension Office, upon proofs submitted under the general pension law—not under the act of June 27, 1890—the allowance being for disabilities incurred by the soldier in the service, at the rate of $7.50 per month from February 20, 1863. Now, if the Committee on Invalid Pensions has not jurisdiction of this bill, and if this case is not regularly before the Committee of the Whole, how can it ever come up? Will the Chair indicate, if he pleases, on what basis the

Committee on Claims could possibly have jurisdiction of this case?

This bill is based simply and entirely on the fact that this soldier rendered service and incurred disability in the service. The case has been regularly adjudicated; the bill was regularly introduced, referred to the Committee on Invalid Pensions, and a report made upon it. If it is not in the nature of a pension, then what is it?

The CHAIRMAN. It seems to the Chair a claim rather than a bill granting a pension.

Mr. PICKLER. Mr. Chairman, I want to make the point of order that this point comes too late. Whether or not this committee had jurisdiction is a question that should have been raised in the House. I admit that under the ruling made several times during this Congress by the Speaker, there would be opportunity to object to the jurisdiction of the Committee on Invalid Pensions in the House on the bill coming up. But the jurisdiction of the committee was not objected to in the House. We have gone into Committee of the Whole and entered upon the consideration of the bill. It is too late now to make the point of order. And I call the attention of the Chair to the fact that unanimous consent was given for the consideration of the bill.

But I insist at any rate that this point against the jurisdiction of the committee comes too late. It might have been made in the House when the bill came up, but at the time no point was made; no objection was raised. We went into Committee of the Whole for the consideration of this bill as well as others, and now it is too late to make the point.

Mr. JONES. And on that point let me say this, Mr. Chairman. While I am not very familiar with the rules of the House, and do not claim to be any authority on parliamentary law, I wish to call the attention of the gentleman to the fact that a number of bills have been taken up here for consideration from the Committee on Military Affairs, and the point has been made, over and over again in the Committee of the Whole, when I think the present occupant of the chair was presiding, and he invariably held that where it was evident that the committee did not have jurisdiction that reported the bill this Committee of the Whole would refuse to accept it.

Mr. PICKLER. But that had reference to bills that were not admissible for consideration under the rule. The bills the gentleman refers to went out because they were bills that the Friday evening session had no jurisdiction over.

The CHAIRMAN. That was the point made by the gentleman from Illinois [Mr. LANE].

Mr. PICKLER. I understand the gentleman's point to be that the committee that reported the bill had no jurisdiction.

Mr. CURTIS of New York. When a committee having charge of the general subject-matter reports a bill, if the House receives the report, it admits the jurisdiction of the committee.

Mr. JONES. On that point my friend from New York suggests that when bills from the Committee on Invalid Pensions are reported that committee has jurisdiction over them, and that they are in order for consideration on the Friday night sessions. Now, I take issue with the gentleman on that subject. Suppose, for instance, the Committee on Invalid Pensions, or the Committee on Pensions should undertake to report an appropriation bill, or a bill to raise revenue, or any other bill which manifestly did not belong to such committee; I do not suppose they will, of course; but suppose they did, by inadvertence or designedly, make such a report, would the gentleman from New York undertake to claim that because the committee did so that under this rule such report should be considered by this Committee of the Whole?

Mr. CURTIS of New York. That is answered by saying that the rules of the House provide which committees shall have jurisdiction of appropriation bills and of revenue bills, and, therefore the supposition of the gentleman is without foundation. Any bill that is sent by the Speaker, being germane to the duties of a committee and reported by that committee and referred to the Committee of the Whole by the Speaker, properly comes within the scope of this rule, because the wording of the rule is "bills reported from the Committee on Invalid Pensions."

Mr. JONES. Does not the gentleman know that constantly bills are referred to committees not having proper jurisdiction and are afterwards returned?

Mr. CURTIS of New York. Oh, yes; and they are invariably returned to the House for a proper reference. But in this case there was no such change of reference.

Mr. JONES. I make this statement to the gentleman, that if by inadvertence or through any other reason in the world a bill be improperly referred to the Committee on Invalid Pensions and it came up here in the regular way on Friday night, the mere fact that such reference had been made would not give the committee jurisdiction. The mere fact that the committee reports the bill would not give us jurisdiction to consider it.

Mr. CURTIS of New York. But the rules of the House are what we are governed by, and they differ with the gentleman in that regard.

Mr. JONES. The rules of the House would not undertake to confer jurisdiction under such circumstances on any committee in regard to a matter over which it had no control.

Mr. CURTIS of New York. The rule is distinct and plain, as read by the Chair; and there is no committee that could take jurisdiction of the matter now pending before us, except the Invalid Pensions Committee. The matter is before the House, and can not be taken away from the House unless withdrawn or by consent.

Mr. PICKLER. Is not this the status of the bill? Have we not, on motion, gone into Committee of the Whole for the consideration of the bill without objection, and are we not in general debate in Committee of the Whole on the bill?

The CHAIRMAN. No; the gentleman is mistaken.

Mr. PICKLER. We have taken it up by unanimous consent in the committee.

The CHAIRMAN. The status is this: The House resolved itself into Committee of the Whole House on the Private Calendar under the general order for consideration of bills under clause 3 of Rule XXVI. The gentleman from Illinois [Mr. POST] asked unanimous consent for the consideration of the bill. The bill was read, as also the report, and, pending that, before unanimous consent was given for consideration of the bill, the gentleman from Illinois [Mr. LANE] made the point of order that it was not in order for consideration under the rule.

Mr. WEADOCK. No objection was made.

Mr. PICKLER. The Chair stated that there was no objection to the consideration of the bill; and the consideration of the question of order was then before the committee, whether the bill was in order or not.

Mr. CURTIS of New York. The Chair first asked if there was objection, and none being made the bill was before the committee; but Mr. LANE, of Illinois, took the floor to make objection.

The CHAIRMAN. The record, the Chair thinks, will show to the contrary. However, the Chair thinks there is some doubt as to whether the bill is in order or not, but is inclined to hold that the committee can consider it under the rule.

Mr. MCRAE. If the Chair will permit me a moment, the special order or rule, it appears to me, ought to settle the question of jurisdiction. The rule provides that the—

evening session shall be devoted to the consideration of private bills reported from the Committee on Pensions, &c.

So that the only jurisdictional fact to be ascertained is whether this is a private bill, and comes from the Committee on Invalid Pensions. Both of these facts are conceded, and it appears to me that there can be no question about the committee having jurisdiction.

Mr. JONES. Will the gentleman allow me to ask him a question?

Mr. MCRAE. Certainly.

Mr. JONES. I would like to ask the gentleman if a bill were introduced to pay for damages done by troops during the war to a loyal citizen, if by inadvertence such a bill were referred to the Committee on Invalid Pensions, and that committee reported favorably on it, and it went to the Private Calendar, does the gentleman think that the Committee of the Whole would have the right to consider it at a Friday night session?

Mr. MCRAE. If all those errors were committed, why, it would not be in order, but it is unreasonable to suppose in the first place that the bill would be erroneously referred, and in the second place, erroneously reported from the committee if so referred. This is a private bill and it is properly reported, and that gives jurisdiction.

The CHAIRMAN. The Chair will hold that the bill is in order under the technical language of the rule, although the question is not entirely free from doubt.

Mr. JONES. I desire to appeal from the decision of the Chair.

The CHAIRMAN. The gentleman from Virginia appeals from the decision of the Chair. The question is, Shall the decision of the Chair stand as the judgment of the committee?

The question was taken, and the Chairman announced that the ayes seemed to have it.

Mr. JONES. Division.

The committee divided; and there were—ayes 47, noes 9.

Accordingly the decision of the Chair was sustained.

Mr. MAHON. Before we consider this bill or any other bill, I should like to have section 6 of Rule XIV read.

The CHAIRMAN. The Clerk will report the rule.

The Clerk read as follows:

6. No member shall speak more than once to the same question without leave of the House, unless he be the mover, proposer, or introducer of the matter pending, in which case he shall be permitted to speak in reply, but not until every member choosing to speak shall have spoken.

The CHAIRMAN. The question is on laying aside the bill——

Mr. JONES. Mr. Chairman, I move that this bill be reported to the House, with recommendation that it lie on the table.

The question was taken upon the motion of Mr. JONES, and the Chairman announced that the noes seemed to have it.

Mr. JONES. Division.

The committee divided; and there were—ayes 6, noes 45.

Accordingly the motion of Mr. JONES was rejected.

Mr. POST. I move that the bill be laid aside with a favorable recommendation.

The question was taken on the motion of Mr. POST, and the Chairman announced that the ayes seemed to have it.

Mr. JONES. Division.

The committee divided; and there were—ayes 48, noes 8.

Mr. JONES. No quorum.

The CHAIRMAN. The gentleman from Virginia [Mr. JONES] makes the point of no quorum. The Chair will appoint as tellers the gentleman from Virginia [Mr. JONES] and the gentleman from Illinois [Mr. POST].

Mr. POST. Mr. Chairman, is there any way in which I can——

The CHAIRMAN. Debate is not in order.

Mr. POST. I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. POST. Is there any way in which I can bring this bill up in the House to-morrow morning or at any other time?

The CHAIRMAN. Not except by a report from the Committee of the Whole and the previous question ordered on its passage in the House, or by a request for unanimous consent. The tellers will take their places.

The committee again divided. Pending the division,

Mr. MARTIN of Indiana said: I move that the committee rise.

The CHAIRMAN. The committee is dividing. That motion is not now in order.

The tellers reported—ayes 48, noes 4.

The CHAIRMAN. Is the point of no quorum insisted upon?

Mr. JONES. It is.

The CHAIRMAN. The point of no quorum being insisted on, the Clerk will call the roll.

Mr. MARTIN of Indiana. I move that the committee rise.

The CHAIRMAN. The motion is not in order, no quorum having been developed in committee.

Mr. MARTIN of Indiana. I ask that the roll call be dispensed with, and that the committee rise.

The CHAIRMAN. It has been repeatedly held that the roll must be called when the Committee of the Whole finds itself without a quorum.

The Clerk will call the roll.

The Clerk proceeded to call the roll, when the following members failed to answer to their names:

Abbott,	Cadmus,	Dunphy,	Harris,
Adams, Ky.	Caminetti,	Durborow,	Harter,
Adams, Pa.	Campbell,	Edmunds,	Hartman,
Alderson,	Cannon, Cal.	Ellis, Ky.	Hatch,
Aldrich,	Cannon, Ill.	Ellis, Oregon	Haugen,
Alexander,	Caruth,	English, Cal.	Hayes,
Allen,	Catchings,	English, N. J.	Heard,
Apsley,	Causey.	Enloe,	Heiner,
Avery,	Chickering,	Epes,	Henderson, Ill.
Babcock,	Childs,	Everett,	Henderson, Iowa
Bailey,	Clancy,	Fielder,	Henderson, N. C.
Baldwin,	Clarke, Ala.	Fithian,	Hendrix,
Bankhead,	Cobb, Ala.	Fletcher,	Hermann,
Barnes,	Cobb, Mo.	Forman,	Hicks,
Bartholdt,	Cockrell,	Funk,	Hines,
Barwig,	Coffeen,	Funston,	Hitt,
Belden,	Conn,	Fyan,	Holman,
Bell, Colo.	Coombs,	Gardner,	Hooker, Miss.
Beltzhoover,	Cooper, Fla.	Gear,	Hopkins, Ill.
Berry,	Cooper, Ind.	Geary,	Hopkins, Pa.
Bingham,	Cooper, Wis.	Geissenhainer,	Hotik,
Black, Ill.	Cornish,	Gillet, N. Y.	Hull,
Bland,	Cousins,	Gillett, Mass.	Hutcheson,
Boatner,	Covert,	Goldzier,	Ikirt,
Boen,	Crain,	Goodnight,	Johnson, Ind.
Boutelle,	Crawford,	Gorman,	Johnson, N. Dak.
Bower, N. C.	Culberson,	Grady,	Johnson, Ohio
Bowers, Cal.	Cummings,	Graham,	Kem,
Branch,	Dalzell,	Gresham,	Kiefer,
Breckinridge, Ark.	Davey,	Griffin,	Kilgore,
Breckinridge, Ky.	De Forest,	Grosvenor,	Kribbs,
Brickner,	Denson,	Grout,	Lapham,
Brosius,	Dingley,	Grow,	Latimer,
Brown,	Dinsmore,	Hager,	Lawson,
Bundy,	Dolliver,	Haines,	Lefever,
Bunn,	Donovan,	Hall, Minn.	Lester,
Burnes,	Doolittle,	Hall, Mo.	Lisle,
Burrows,	Draper,	Hammond,	Livingston,
Bynum,	Dunn,	Harmer,	
Lockwood,	Newlands,	Russell, Conn.	Talbott, Md.
Lynch,	Northway,	Russell, Ga.	Tarsney,
Maddox,	Oates,	Sayers,	Tawney,
Magner,	Ogden,	Schermerhorn,	Taylor, Tenn.
Maguire,	O'Neil, Mass.	Scranton,	Tracey,
Mallory,	O'Neill, Mo.	Settle,	Tucker,
Marshall,	Outhwaite,	Shaw,	Turner, Va.
Marvin, N. Y.	Paschal,	Shell,	Turpin,
McAleer,	Patterson,	Sherman,	Van Voorhis, N. Y.
McCall,	Payne,	Sibley,	Wadsworth,
McCreary, Ky.	Paynter,	Sickles,	Walker,
McDearmon,	Pence,	Simpson,	Warner,
McDowell,	Pendleton, Tex.	Sipe,	Washington,
McGann,	Pendleton, W. Va.	Smith,	Wells,
McKeighan,	Perkins,	Snodgrass,	Wever,
McLaurin,	Phillips,	Somers,	Wheeler, Ill.
McMillin,	Powers,	Sorg,	White,
Meiklejohn,	Price,	Sperry,	Whiting,
Mercer,	Quigg,	Springer,	Williams, Ill.
Meredith,	Randall,	Stallings,	Williams, Miss.
Meyer,	Rayner,	Stephenson,	Wilson, Ohio
Milliken,	Reed,	Stevens,	Wilson, Wash.
Money,	Reilly,	Stockdale,	Wilson, W. Va.
Montgomery,	Reyburn,	Stone, C. W.	Wise,
Moon,	Richardson, Mich.	Stone, W. A.	Woodard,
Morgan,	Richardson, Tenn.	Stone, Ky.	Woomer,
Morse,	Robbins,	Storer,	Wright, Mass.
Moses,	Robertson, La.	Strait,	Wright, Pa.
Murray,	Robinson, Pa.	Straus,	
Neill,	Rusk,	Sweet,	

During the roll call,

Mr. POST. Mr. Chairman, can I ask unanimous consent to withdraw this bill?

Mr. RAY. I object.

The call of the roll was resumed and concluded.

The CHAIRMAN. The committee will rise.

The committee accordingly rose; and Mr. BROOKSHIRE resumed the Chair as Speaker *pro tempore*.

Mr. DOCKERY. Mr. Speaker, the Committee of the Whole have had under consideration sundry bills, and finding itself without a quorum I caused the roll to be called, as required by the rule, and herewith report the names of the absentees.

The SPEAKER *pro tempore*. The gentleman from Missouri, Chairman of the Committee of the Whole, reports that that committee had had under consideration sundry bills, and finding itself without a quorum he caused the roll to be called, and now reports the names of the absentees to the House. The names of the absentees will be entered upon the Journal. Seventy-eight gentlemen, less than a quorum, have answered to their names.

Mr. MARTIN of Indiana. I move that the House adjourn.

Mr. RYAN. Mr. Speaker, my colleague [Mr. GRAHAM] is sick at his hotel, and I ask that he be excused.

There was no objection, and it was so ordered.

Mr. PICKLER. Mr. Speaker, a member of the family of the gentleman from California [Mr. BOWERS] is sick, and I ask that he be excused.

There was no objection, and it was so ordered.

Mr. McCLEARY of Minnesota. Mr. Speaker, my colleague [Mr. KIEFER] is sick. I ask that he be excused.

There was no objection, and it was so ordered.

Mr. RAY. A parliamentary inquiry, Mr. Speaker.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. RAY. The chairman of the Committee on Invalid Pensions now moves that the House adjourn. It is only 9 o'clock, and there is a way, I think, of procuring the attendance of absent members.

Mr. PICKLER. You can not get them.

Mr. RAY. Now, if it is in order, I would like to ask the gentleman to withdraw his motion.

Mr. BRETZ. I insist, Mr. Speaker, on the question being put on the motion to adjourn.

The SPEAKER *pro tempore*. The question is on the motion of the gentleman from Indiana [Mr. MARTIN].

Mr. MARTIN of Indiana. I withdraw that motion.

Mr. PICKLER. I object.

The question was taken, and the Speaker *pro tempore* announced that the ayes seemed to have it.

Several members demanded a division.

The House divided; and there were—ayes 39, noes 11.

So the motion to adjourn was agreed to.

And accordingly (at 9 o'clock and 6 minutes p. m.) the House adjourned.

REPORTS OF COMMITTEES ON PRIVATE BILLS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

By Mr. BALDWIN, from the Committee on Invalid Pensions: A bill (H. R. 3716) granting a pension to Sarah Potter, dependent daughter of Andrew Potter, deceased. (Report No. 1207.)

By Mr. MARSH, from the Committee on Military Affairs: A

bill (S. 142) to remove the charge of desertion from William H. H. Cook. (Report No. 1206.)

By Mr. MORGAN, from the Committee on Military Affairs: A supplemental report on the bill (H. R. 6633) for the relief of George W. Harbaugh.

PUBLIC BILLS, MEMORIALS, AND RESOLUTIONS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced, and severally referred as follows:

By Mr. CATCHINGS: A bill (H. R. 7648) to provide for the punishment of larceny in the Indian Territory—to the Committee on the Judiciary.

By Mr. LAYTON: A bill (H. R. 7649) to provide for the erection of a monument at Fort Recovery, Mercer County, Ohio—to the Committee on the Library.

By Mr. GEAR: A bill (H. R. 7650) fixing the times when, regulating the manner in which, and declaring the character of the accounts which shall be hereafter stated to the Treasury Department for settlement between the United States and the several public land States relative to the net proceeds of the sales of the public lands made and to be made therein by the United States, and for other purposes—to the Committee on the Public Lands.

By Mr. SWEET: A resolution fixing a time for the consideration of the bill H. R. 7558—to the Committee on Rules.

By Mr. WILSON of West Virginia: A resolution to discharge the Committee on Ways and Means from the consideration of the bill H. R. 4868 and agree to conference asked by the Senate thereon—to the Committee on Rules.

By Mr. GROSVENOR: A memorial of the Ohio Legislature, asking Congress to aid in building a monument in honor of the treaty of Greenville—to the Committee on the Library.

PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as follows:

By Mr. BLAIR: A bill (H. R. 7652) granting a pension to Miss Delphine P. Baker, for expenses incurred during the late war and for services performed in originating and founding the National Home for Disabled Soldiers and Sailors of the Army and Navy of the United States—to the Committee on Invalid Pensions.

By Mr. CAUSEY: A bill (H. R. 7653) for the relief of the Southern Railroad Association, lessees of the Mississippi Central Railroad Company—to the Committee on Claims.

By Mr. McDEARMON: A bill (H. R. 7654) for the relief of William B. Booker, of Haywood County, Tenn.—to the Committee on War Claims.

By Mr. McCREARY of Kentucky: A bill (H. R. 7655) for the relief of the executors of W. H. McBrayer—to the Committee on Claims.

By Mr. MEYER: A bill (H. R. 7656) for the relief of Offner & Laumar—to the Committee on War Claims.

By Mr. O'NEILL of Missouri: A bill (H. R. 7657) granting a pension to James Doyle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7658) granting a pension to Mary Ann Tippler—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. COVERT: Petition of Henry W. Mudge and other citizens of Queens County, N. Y., against an income tax as applicable to fraternal beneficiary orders—to the Committee on Ways and Means.

By the SPEAKER (by request): Memorial from the National Prison Association of the United States, asking the passage of the bill now before Congress for the establishment of a bureau in the Department of Justice for the identification, etc., of criminals—to the Committee on the Judiciary.

Also, petition and resolution of the White Cross University of Science on the subject of sewerage of the city of Washington and the creation of bonded debts—to the Committee on the District of Columbia.

By Mr. DRAPER: Petition of H. D. Rogers and other citizens of Belmont, Mass., in favor of certain amendments to the income tax provisions of pending tariff bill—to the Committee on Ways and Means.

By Mr. EVERETT: Petition of I. N. Moore and others, praying that benevolent associations be exempted from income tax—to the Committee on Ways and Means.

By Mr. GROSVENOR: Memorial of C. W. Super, D. D., and the faculty of the Ohio University, at Athens, Ohio, in favor of more stringent laws against lotteries—to the Committee on the Judiciary.

By Mr. HENDRIX: Petition of citizens of Brooklyn, N. Y., asking that fraternal and benefit orders be exempted from income tax—to the Committee on Ways and Means.

By Mr. HOPKINS of Pennsylvania: Petition of Encampment No. 71, Union Veteran Legion, praying for the passage of the per diem service pension bill—to the Committee on Pensions.

By Mr. McCREARY of Kentucky: Petition of Rev. William G. Frost, president of Berea College; Rev. John G. Fee, Rev. L. V. Dodge, B. S. Hunting, and others, of Berea, Ky., to prohibit the introduction of lottery matter into the territory of the United States—to the Committee on the Post-Office and Post-Roads.

By Mr. McETTRICK: Petition of Michell Dexter and 47 other wholesale dealers in eggs in the city of Boston, Mass., for a duty of at least 3 cents per dozen upon all imported eggs—to the Committee on Ways and Means.

Also, petition of Frank W. White and 37 others, of Quincy, Mass., that fraternal beneficiary orders be exempted from the provisions of the income tax—to the Committee on Ways and Means.

By Mr. McMILLIN: Petition of Nat Witt, of Spring City, Tenn., late lieutenant-colonel Fifth Regiment Infantry Volunteers, for increase of pension—to the Committee on Invalid Pensions.

HOUSE OF REPRESENTATIVES.

SATURDAY, *July 7, 1894.*

The House met at 12 o'clock m.

The following prayer was offered by the Chaplain, Rev. E. B. BAGBY:

O Lord, Thou great dispenser of all human events, we come to Thee this morning with hearts bowed with profound sorrow at the loss of our gifted brother, who has been cut off in the prime of his young manhood. O Lord, wilt Thou be gracious to the members of his family; save and comfort them in the hour of thei raffliction; sustain them by Thy Holy Spirit; and may they submit with patient resignation to Thy divine commands. Impress on all hearts the lesson of the hour. May we hear Thy warning voice—be ye also ready. Prepare us for living; prepare us for dying; and save us by Thy grace, through Jesus Christ our Lord. Amen.

The Journal of yesterday's proceedings was read.

Mr. McRAE. Mr. Speaker, I desire to correct the RECORD. The report of the proceedings in the RECORD, on page 7163, upon the bill H. R. 4448, does not show all the amendments that were adopted. It only shows those which appeared on the Calendar print of the bill. The following other amendments were moved by the committee and adopted by the House, to wit: The letter "s" was added to the word "declaration," in line 3; the word "has," in line 5, was stricken out and the word "had" inserted; the word "days," in line 8, was stricken out and the word "years" inserted.

The Journal is correct, and the bill has been properly engrossed. I call attention to this, in order that the RECORD may be corrected.

Mr. HOLMAN. Mr. Speaker, I ask a moment to say that last evening I was unavoidably absent, on account of sickness in my family, when the vote was taken on the bill authorizing the States to tax greenbacks and other forms of public securities, and I wish to say that had I been present I should have voted for the bill, and that I have always favored the measure.

Mr. HALL of Missouri. Mr. Speaker, the Journal and RECORD are incorrect in regard to the substitute to that bill which was finally adopted—the Cooper substitute. The substitute was adopted, but the action on the words "all currency circulating as money" is not printed in the RECORD at least, and the Journal I think is incorrect also. That is the amendment which was offered by the gentleman from Vermont [Mr. POWERS], and which it is stated was passed. It was not. It was accepted; and then, in this substitute, it appears that that amendment of the gentleman from Vermont was voted down. It really was not voted down, but was inserted in it.

The SPEAKER. It was voted down as an amendment to the original text of the bill. It was offered as an amendment to the original text of the bill, and was voted down.

Mr. HALL of Missouri. Well, the RECORD has an incorrect report of the bill, Mr. Speaker, and I will ask for a correction of the RECORD.

The SPEAKER. Without objection, the Journal as read will be approved.

There was no objection.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed bills of the following titles; in which the concurrence of the House was requested:

A bill (S. 879) granting a pension to Josephine F. Kelton, widow of Brig. Gen. John C. Kelton, late adjutant-general United States Army, deceased;

A bill (S. 2070) to provide for the restoration to the State of Michigan two flags carried by the Twenty-second Michigan Infantry Volunteers and now in the War Department; and

A bill (S. 2129) to authorize the entry of land for reservoir purposes.

The message also announced that the Senate had passed the following resolution; in which the concurrence of the House was requested:

Resolved by the Senate (the House of Representatives concurring), That there be printed under the direction of the Department of State 6,000 copies of the official proceedings of the Tribunal of Arbitration created in pursuance of the treaty of February 29, 1892, between the United States and Great Britain, including all documents, papers, and agreements presented officially to said tribunal by the agents of said Governments, respectively, and also including the written or printed arguments and oral arguments of the counsel on behalf of each said Governments made on said hearing at Paris, and the opinions of the arbitrators, respectively, delivered in said tribunal in conformity with its order admitting the same to constitute a part of said proceedings; of which number 1,000 shall be for the use of the Senate, 3,000 for the use of the House of Representatives, and 1,500 for the use of the Department of State.

THE TARIFF BILL.

Mr. WILSON of West Virginia. Mr. Speaker, I am directed by the Committee on Ways and Means to report back to the House the bill H. R. 4864, with the Senate amendments thereto, with the recommendation that the House nonconcur in the Senate amendments and agree to the request of the Senate for a conference.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H. R. 4864) to reduce taxation, provide revenue for the Government, and for other purposes.

The SPEAKER. The gentleman from West Virginia reports back this bill, and states that the Committee on Ways and Means recommends that the House nonconcur in the amendments of the Senate and agree to the request for a conference. The bill will be printed and referred to the Committee of the Whole on the state of the Union.

Mr. CATCHINGS. Mr. Speaker, I desire to present a report from the Committee on Rules.

The report was read, as follows:

Resolved, That after the passage of this resolution the Committee of the Whole House on the state of the Union shall be discharged from the further consideration of the bill (H. R. 4864) with Senate amendments thereto, and the same shall be considered in the House; that after two hours of general debate it shall be in order in the House to move to nonconcur in the Senate amendments to said bill in gross, and to agree to a committee of conference as asked for by the Senate on the disagreeing votes of the two Houses; and the House shall, without further delay or other motion, proceed to vote upon said motion.

Mr. CATCHINGS. I demand the previous question, Mr Speaker, on the adoption of the resolution.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

Mr. REED. Mr. Speaker, the Constitution of the United States has a great reverence for the House of Representatives, its dignity and honor. It regards it as fresh from the people, and therefore especially adapted to deal with matters of taxation, including tariff taxation. But the House seems somewhat disposed to step down from the position which the Constitution has assigned to it and to transfer to the other body and to a conference committee the powers which it does not find itself in condition to exercise.

There is evidently a very great difference in principle between the Senate bill and the House bill. They seem to be formed upon different plans. The House bill contained a moderate supply of protection, and the Senate bill, viewed from the standpoint of the opposite side, must be said to contain a considerably larger infusion of protection, not counting even the famous collars and cuffs schedule; and the Senate has also caused to disappear the great principle of free raw material. Notwithstanding that very essential difference between the two bills, the House authorities have seen fit to prevent the House itself from commenting upon the different items which have been presented.

Now, of course, there are some good reasons for this. First, the delay which has taken place in the Senate; and, second, the enormity of the mass of amendments proposed. Six hundred and thirty-four changes the Senate has deemed necessary to make in the bill as it left the House. The differences between the two bills are so radical that anybody would say that it became the duty of the House of Representatives, as the immediate representatives of the people, to discuss the matter and to exercise fully its functions. This is not the same as the case of the McKinley bill, where there was no difference in principle, but merely a difference in rates.

I can understand why the House should adopt the rule which is proposed. It is because of their anxiety to follow Republican precedents, and it marks the highwater of a change of feeling which I desire to commend to the attention of the House, because it may be useful to the nerves and feelings of gentlemen in the next House of Representatives. [Laughter.] I can remember when nobody regarded anything which had been done in the time of the McKinley bill as a thing to be touched even with the assistance of tongs. [Laughter.]

Everybody was overflowing with contempt for the precedents of that period, but we have now arrived at a pitch of repentance at which nothing will satisfy the majority except to follow the very plans and purposes and fashions which in their day and time they denounced. Nothing else will satisfy them; and so, notwithstanding the fact that gentlemen on the other side have always claimed the right of the House of Representatives to rule in matters like this, notwithstanding the exceeding difference in principle and in detail between the bill as it left the House and the bill as it comes back to the House, gentlemen on the other side are so constrained by admiration for Mr. McKinley and his methods that they have to adopt the very rule which was then adopted and which nevertheless will doubtless be denounced again by some gentlemen on this floor. I yield now to the gentleman from Michigan [Mr. BURROW].

Mr. BURROWS and Mr. CATCHINGSS rose.

Mr. REED. If agreeable to the gentleman from Michigan [Mr. BURROWS], I will reserve my time.

Mr. BURROWS (to Mr. CATCHINGS). The gentleman from Maine reserves his time; I should be glad to hear from the gentleman from Mississippi before proceeding with my remarks.

Mr. CATCHINGS. Mr. Speaker, I do not know that it is necessary that I should make any reply to what the gentleman from Maine has said, because I have not discovered in his remarks anything of substance that calls for a reply. He began by the intimation that the House was proposing to abdicate somewhat its powers by the adoption of this resolution, clearly implying that it is the duty of the House now to proceed deliberately and carefully to the consideration of the various amendments put upon the Wilson bill by the Senate.

But he was confronted by the obstacle that we are proposing to pursue, the same course which was pursued by the House in the Fifty-first Congress when the McKinley bill was returned from the Senate. And the course then pursued was exactly correct; because it is simply impossible (and nobody knows it better than my friend from Maine) for this House, as it was impossible for that House, with any idea of ever securing legislation, to take up and debate *seriatim* the many amendments put on the bill by the Senate. And I do not remember that there was any criticism or complaint on this side of the House with reference to the order adopted by the Fifty-first Congress by which the tariff bill was then speedily placed in conference.

The gentleman from Maine has said that the cases are different, because then the bill was a protection bill as it passed the House and a protection bill as it passed the Senate; that the change was simply one of degree. Very largely that is true, Mr. Speaker. It was a question of "boodle" from the beginning to the end; and in some respects the "degree" was quite sharply defined. But I call to mind that there was one great and marked difference between the McKinley bill as it passed the House and the bill as it came from the Senate.

I remember, Mr. Speaker, that the reciprocity clause, which afterward became the very slogan of my friends on the other side, was kicked and spurned and despised by the Committee on Ways and Means in this House in the Fifty-first Congress. It was a Senate idea—put upon the bill by the Senate; and it became afterward, in all the political campaigns and is up to this day, the very chiefest claim and merit imputed to that bill.

But, Mr. Speaker, I wish to do a little prophesying, as my friend has done. I wish to make the prophesy now that if so great an evil should befall the American people in the future as to have the administration of this Government return to the hands of the Republican party, we shall never again have a McKinley bill fastened upon the people. The days of extreme high tariffs have gone, and gone never to return; and if you [addressing Mr. REED] were in power to-day, with the experience which you derived from the elections of 1890 and 1892—courageous and bold a man as I believe you to be—you would suffer your right hand to be burned off before you would seek to crowd through again such a bill as the McKinley bill.

The American people, Mr. Speaker, have determined on lower taxation; and they are going to have it: and they will have it whether the Republican or Democratic party is in power. You have learned [addressing the Republican side] that the people felt that you deceived them when, under a pretense of "revising the tariff by its friends," you raised these great high walls of protection which shut off our foreign commerce and inflicted such burdens upon the people. My friend from Michigan [Mr. BURROWS] smiles. He will be (if this House should be again Republican) one of the chief actors on the Committee of Ways and Means; and he will come again singing his sweet siren songs; but he will never electrify this House again with a plea for high tariffs.

Mr. Speaker, another reason why we have proposed this order is that the country has got tired of debate on this subject. It wants a little action. [Applause on the Democratic side.] For four long months, because of Republican obstruction at the other end of this Capitol, the suspense and uncertainty which have been inflicted upon this country, paralyzing its business, have gone on. We do not propose, Mr. Speaker, that such a spectacle shall be presented to the country in this Chamber.

We propose that every assistance shall be given to the conferees to move with celerity and expedition. And we propose to reform that bill which has come from the Senate in such a way that it shall be at least very largely acceptable to the best tariff reformers on this side of the House. [Applause on the Democratic side.] So far as this House is concerned, it intends to see that at least on this great question, which marks the chief dividing line between the parties, the pledges given to the people by the platform of 1892 shall be fulfilled in spirit if not in the exact letter. [Applause on the Democratic side.]

I reserve the residue of my time.

Mr. REED. I yield to the gentleman from Michigan [Mr. BURROWS].

Mr. BURROWS. Mr. Speaker, the gentleman from Mississippi [Mr. CATCHINGS] is quite correct in saying that the order reported from the Committee on Rules this morning for the consideration of this bill is precisely like the order adopted in the Republican Congress in 1890, when the McKinley tariff bill was under consideration. He is wholly in error, however, when he asserts that that order met with no opposition on the part of the then minority. It not only met with the united vote of the minority in opposition to the rule, but with the severest denunciation of the leaders of that minority.

Now, I quite concur with gentlemen of the majority that such a rule as the one proposed is necessary. I thought so in the Fifty-first Congress, and I think so now. The Republican party thought so then, because, as has been well said by the gentleman from Mississippi, if a bill of this character should take the ordinary course of legislative procedure and receive its first consideration in Committee of the Whole, subject to general discussion with each one of the 634 amendments, subject to debate and the motion to concur or nonconcur, the time necessary to reach a conclusion would be incalculable.

So we thought in 1890 in consideration of the McKinley bill that such a resolution was appropriate and in order and ought to be adopted, and yet the other side of the House voted solidly against it, and were loud in its denunciation of it.

I desire, in view of the statement of the gentleman from Mississippi that this course when proposed in the Fifty-first Congress met with no opposition from the Democratic party, to quote a few extracts from that debate. First, the gentleman from Tennessee [Mr. MCMILLIN], when a rule precisely like this was under consideration in the Fifty-first Congress, said:

> The Senate took up the bill and considered it with more of deliberation than we did. Amendments of the utmost importance have been adopted there—four hundred and sixty-four amendments in number. And now, when the bill comes back here, in the absence of any disposition to delay its consideration improperly, with every member of the House ready and willing to give it calm, careful, and expeditious consideration, it is to be again wrested from the Committee of the Whole, it is to be again put into the hands of a small junta, and again the people's voice is to be stifled.

Immediately after this the gentleman from Georgia, now the distinguished occupant of the chair as the Speaker of this House [Mr. CRISP], interrupted with the remark in support of the gentleman from Tennessee:

> The rule takes away the right to concur.

And the gentleman from Tennessee then proceeds:

> Mr. MCMILLIN. Yes, as my friend from Georgia [Mr. CRISP] correctly suggests, the rule takes away the right to concur. It takes away the right to concur with amendment; it takes away from you all individual power and lodges supreme control of the question in the hands of a small junta, who, it is proposed, shall cook up this mess to suit certain particular palates. When the conference report comes, it will embrace all these hundreds of amendments, and you can not get a separate vote. Now, gentlemen, are you ready for this?

[Laughter and applause on the Republican side.]

Mr. REED. I would suggest to my friend from Michigan that "Philip is sober" now. [Laughter and applause on the Republican side.]

Mr. BURROWS. Again, further on, Mr. MCMILLIN uses this language:

> Mr. Speaker, we have been demagoging a good deal—I use plain phraseology; this is no time to mince words—we, as a House of Representatives, have been demagoging a great deal about "free sugar;" and it is proposed by one of the Senate amendments to increase the amount of sugar that shall be consumed that comes through the refineries under control of the trusts. All these things are in this bill; yet you say, "We will shut our eyes to them; we will drive our people from their rights; we will revolutionize this revolutionary House; we will revolutionize revolutionary rules or methods; we will take this bill away from the House and send it to a committee of conference without allowing a vote to concur even in proper amendments."

[Laughter and applause on the Republican side.]

After this, Mr. MCRAE of Arkansas joined in the general condemnation in the following terms:

> Mr. MCRAE. Mr. Speaker, to my mind this is a most remarkable proceeding. Here we have several hundred Senate amendments to this extraordinary tariff bill, which was itself railroaded through the House without any opportunity for amendment as to many of the most important schedules, and now by another similar resolution from the Committee on Rules the House is denied the right to consider the amendments separately in the Committee of the Whole, as they ought to be. By this resolution just adopted the bill and amendments are taken out of the committee, and after only two hours' debate the House is required to vote on a motion to nonconcur in all the amendments together.

Then the gentleman from Georgia, the calm, judicial-minded gentleman from Georgia, Mr. TURNER, said:

> I avail myself of the courtesy of my colleague [Mr. MCMILLIN] to emphasize in some sort the peculiar business methods of our Republican associates upon this floor.

[Applause and laughter on Republican side.]

Again, he says we must make—

> A humble appeal to the gentlemen who are to constitute this annex to Congress known as the conference committee.

And again:

> The amendments which were ingrafted on this bill by the Senate as a result of that long and deliberate debate, numbering nearly five hundred, which required two months of steady consideration in the other branch of Congress, the gentleman proposes we shall nonconcur in gross after a debate of two hours.
>
> Think of it, sir! These amendments involve the most important propositions. They propose new departures in our methods and operations in the future. In some of these amendments friends on this side and gentlemen on that desire to concur; as to some of them, gentlemen on both sides desire to nonconcur.
>
> But we are to take them all here in gross and vote upon them as a whole, some of us voting against that which we favor, and some voting for things to which we are opposed. Is that business, sirs? It may be, but after this is accomplished, Mr. Speaker, it seems to me that some business member of the Republican party can raise his eyes toward heaven and thank God that the House is not as the Senate is—a deliberative body.

Mr. REED. What was the date of that?

Mr. BURROWS. September 15, 1890. I have called attention to this bit of history in no spirit of opposition to the proposed order, but rather to congratulate the Democratic party, Mr. Speaker, in adopting this necessary Republican method of "transacting business." I wished to direct the attention of the country also to your position, then and now, for the purpose of showing what is the usual course of the Democratic party. It never does a right thing unless it follows the lead of the Republican party. [Applause on the Republican side.] This bill will now go to conference, and I predict you will abandon the House bill and adopt the Senate amendments, because the Wilson bill was a free-trade measure, or a long step in that direction. The Gorman bill is a step in the other direction, away from free trade and towards the Republican policy of protection. For this reason, if for no other, you will adopt it. I heartily congratulate you, therefore, in adopting again Republican methods in this particular, and what Gen. Garfield once said of your party is specially applicable here:

> The Democratic party lags in the rear of the Republican party in its magnificent march in behalf of civilization and human progress, and when in its blindness it loses the way, it sends out a scout to find the trail of the Republican party, and stumbling on to one of its old camp fires, he takes up a smoldering brand, and whirling it over his head exultingly shouts, "Come on, boys, we are all right; they have been here."

[Prolonged applause and cheers on the Republican side.]

Mr. REED. How much time have I remaining?

The SPEAKER. The gentleman has three minutes remaining.

Mr. REED. I yield that to the gentleman from Illinois [Mr. CANNON].

Mr. CANNON of Illinois. I only want a minute.

Mr. HOPKINS of Illinois. You might as well occupy the entire time.

Mr. CANNON of Illinois. I only want a minute to say that I have not had the privilege of reading the House print of this bill with the Senate amendments, so that I have got to take it on faith; but the majority have the power to compel that. I have looked at it just far enough to see that this "dose" that is to be swallowed this morning temporarily, and a little later on to be swallowed to stay, so far as the Democratic throat and stomach are concerned, is not to be a sweet one. But I can congratulate my Democratic friends upon the other side when I come to notice the oil schedule, that oils are going to be cheaper

to grease your throats with when you swallow the Senate amendments down, as you will do a little later on. [Laughter on the Republican side.]

The SPEAKER. The question is upon agreeing to the resolution.

The resolution reported from the Committee on Rules was agreed to.

Mr. WILSON of West Virginia. In view of the remarks of the gentleman from Michigan, I am tempted to suggest that probably we can nonconcur immediately by unanimous consent and not go any further with the debate. I ask unanimous consent that the House nonconcur, and dispense with any further debate.

Mr. REED. I can not hear what the distinguished leader of the House is saying.

The SPEAKER. The gentleman from West Virginia [Mr. WILSON] asks unanimous consent that the House nonconcur in the Senate amendments, and agree to the conference as asked by the Senate.

Mr. REED. I do not think that is judicious.

The SPEAKER. The gentleman from Maine objects.

Mr. WILSON of West Virginia. I move that the House nonconcur in the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. The gentleman from West Virginia [Mr. WILSON] moves that the House nonconcur in the Senate amendments, and agree to the conference asked on the disagreeing votes of the two Houses. The gentleman from West Virginia——

Mr. WILSON of West Virginia. Mr. Speaker, I shall not attempt to make any detailed explanation of the difference between the bill prepared and passed by the House and the bill as returned to us with the amendments of the Senate. After five months pendency in the Senate the bill has been returned to us with some six hundred and thirty-four amendments. Probably four hundred and fifty or more of those are to the tariff schedules, the customs schedules, and the residue to such administrative sections as are left in the bill, and to the internal-revenue sections of the bill. So that the number of amendments to the tariff bill itself are not materially greater than the number proposed by the Senate to the McKinley bill in 1890.

A great many of those amendments are immaterial corrections, or proposed corrections, of phraseology; a slight increase or a slight decrease in some duty which is not of very great importance so far as the taxpayer or the Treasury is concerned; but there are a number of amendments that are very important in themselves, and that make very material changes in the general scheme and idea of the bill as it passed the House and in the burden of taxation upon the people of the country.

It has been said that the bill which passed the House on the 1st day of February last was hastily gotten up, was not a well-considered bill, and that therefore it was incumbent upon the Senate to take the crude bill offered by the House and to perfect it by such amendments as the Senate deemed proper to add or propose to it. So far from that being true, I speak within the bounds of correct statement when I say that no tariff bill ever went from the House of Representatives in all of its history to the other Chamber on which longer and more careful and more detailed and more conscientious work was bestowed than upon the bill which passed this House on the 1st of February.

I say this without saying anything of course as to the character of the bill itself. But I simply want to say for the House of Representatives that in the discharge of their constitutional duty as the immediate representatives of the taxpayers of this country, and in the discharge of the mandate of the people of the country when they sent the members with their commissions to this House, they performed their work honestly, carefully, deliberately, and to the best of their capacity. [Applause on the Democratic side.]

I perfectly agree, Mr. Speaker, with some of the remarks of the gentleman from Maine [Mr. REED] in the first part of his speech this morning. I agree with him that the duty of framing a revenue bill, a bill to impose taxes upon the people, is both by the express letter of the Constitution and by the very theory of free government a duty peculiarly, and in the first place exclusively, resting upon those who are chosen by the people themselves. It is the very definition of free government that all taxes shall be levied by the votes of those who immediately represent the payers of those taxes. And while under our constitutional system the Senate may propose amendments, it is none the less a duty of this House to endeavor to frame and to secure the passage of a tariff bill as satisfactory to it and as just to the people of the country as if it was the sole framer of such a bill, and as if the sole responsibility rested upon it. [Applause on the Democratic side.]

Now, Mr. Speaker, the bill that went from this House, whatever may have been the imperfections of its details, was based upon two clear and intelligent principles.

It was based first upon the principle that in gathering revenue taxes under a tariff, those taxes should be levied and gathered from finished products, and not upon what are called raw materials. Taxes upon raw materials are taxes upon the occupation of the working people of the country; and no country which does not allow its working people free untaxed access to the materials of industry can fully supply its own market or hope to contend for the markets of other countries in the world. [Loud applause on the Democratic side.]

And so, sir, the bill that passed through the House was based upon that great fundamental Democratic idea that we should gather whatever revenue we need under a tariff system from a revenue tax upon the finished product and not from successive taxes, rolled up and repeated at every stage in the process of manufacture, upon the materials that workingmen have to use in the employment of their labor. The bill that came back to us from the Senate does not recognize that principle. It has transferred to the tax list quite a number of materials of industry which this House desired and desires to give free and untaxed to the working people of this country. Of all the chief free materials provided in the House bill only wool and lumber come back to us undisturbed by the Senate bill.

There was another important and equally Democratic principle in the House bill, and that was that there can be no just or equal system of taxation except a system based upon the value of the thing taxed. There is no open, public, and just system of taxation except that which is levied upon a unit of value, not that which is levied upon a unit of weight, measure, or time. Therefore the House bill in the main sought through all of its schedules to introduce and to extend, as far as it could, the ad valorem system of taxation, instead of a specific or a compound system.

There is not a State in this country that would dare to impose specific taxes on acres of land or on the dwellings of the people, by which a worthless acre would pay as much taxes as the richest in the State, and by which the humblest cottage would pay the same rate of taxation as the most luxurious mansion in the State; and yet specific taxes work out their results in exactly that method wherever they are put into our tariff system, always increasing the burden where it ought to be diminished in justice and equality, and diminishing the burden where it ought to be increased in justice and equality.

Now, sir, we find that the Senate bill has returned very largely to specific taxes, and in many cases, in a considerable number of cases, in that worst and most insidious and *prima facie* fraudulent form of taxes, a compound duty, made up of a specific tax and an ad valorem tax. Thus the bill comes back to the House with these two great fundamental principles of just taxation and these two great fundamental principles of Democratic policy in a large measure overridden and neglected; and it is for this House, so far as it can, in the performance of its duty to the people, to insist upon their continuance in any tariff bill that is passed by this Congress. [Loud applause on the Democratic side.]

Now, Mr. Speaker, I shall not go, as I said in opening this discussion, into details as to the specific schedules or as to the specific taxes. I have already stated that the amendments proposed to this bill by the Senate are 634 in number. They are distributed as follows: There are 52 amendments to the chemical schedule; there are 64 amendments to the iron and steel schedule; there are 3 to the wood schedule; 5 to the sugar schedule; 4 to the tobacco schedule; 16 to the cotton schedule; 19 to the flax schedule; 30 to the woolen schedule; 6 to the silk schedule; 8 to the paper schedule; 57 to the sundry schedule; and 89 to the free list; in the latter case, almost always a transfer of something left on the free list by the House or put upon the free list by the House back to the taxable list.

Now, sir, if there were any feeling in this House when we came to deal with the tariff bill, it was that we were dealing too conservatively. There was scarcely any sentiment in this House, except here and there upon some one particular item, that did not make us feel that if we were free to carry out the full mandate of the people who sent us there, we would have sent to the Senate a bill with a lower range of duties than we ventured to suggest or pass in this House.

If these amendments were in the direction of a reduction of the people's taxes, I am sure that this House would agree very quickly to a large number of them; but while a few of them, in one or two important instances, for which I must give due credit, are reductions, the great mass of these changes are in the direction of increasing the taxes upon the American people and increasing the protection of the home makers of the articles thus taxed. This is especially true in the sugar schedule. It

is true in the cotton schedule. It is true in the woolen schedule. It is true in the glass schedule, and so on through all the important schedules where the taxes bear most heavily on the people there is an increase in taxation which will not, in my judgment, increase proportionately the revenue of the Government derived from those taxes.

But, Mr. Speaker, I feel that while it is the duty of the House to stand by the people, and while I believe this House is going to stand by the people [applause on the Democratic side], I believe, sir, that we should recognize in the spirit of fairness any difficulties which our colleagues at the other end of the Capitol may have had in the construction of this bill, and that there should be, both in letter and in spirit, "a full and free conference" between the House and the Senate as to all the amendments proposed to the House bill; and I believe that such conferees as may go from this House will go animated with that spirit, prepared to deal fairly and fully and honestly with these successive amendments, but at the same time under the overwhelming sentiment of fidelity to their party pledges and to their duty to the people who sent them here. [Applause on the Democratic side.]

Mr. Speaker, I reserve the balance of my time, though I do not know that I shall want to say anything further.

Mr. REED. Mr. Speaker, I do not feel like making any reply to the gentleman from West Virginia. I appreciate what he is pleased to euphemistically call the "difficulties" of the Senate, the nature and character of which, however, he has wisely refrained from telling us. I am glad also to have him utter this note of defiance to the Senate, and yet I am perfectly confident, as is every member of this House, that it is the last outcry that will be uttered by him or by his side. [Laughter.]

The idea of his talking about free raw material being a Democratic principle, and telling us that he was trying to carry it out! Free raw material, in the last essence, is not to be found on the face of the earth. It is a mere chimera; a mere illusion of the schoolmen, which, the moment it got before those practical gentlemen in the Senate, men of business, men with "difficulties" [laughter], vanished, leaving not a rack behind. [Laughter.] And when they get into the conference committee, those practical business men, with their "difficulties," will confront the gentleman from West Virginia, and confront him at shorter range, and will obliterate him more effectually than they have already done. [Laughter on the Republican side.]

Now, think what he has said! He has said that the bill which he presented here was more protectionist than he wanted, more so than he would have made it if he had been at liberty to do right. Well, with 100 Democratic majority, what on earth prevented him from doing what he calls right? He goes into this question with an asseveration that he had already gone too far, and yet the Senate utterly outstrips him. How, then, is he going to meet them in a "spirit of fairness?" How is he going to appreciate their "difficulties?" I am sorry he did not define to the House those difficulties, and yet my regret is mitigated by the fact that the country has defined them and has not needed his assistance. I yield fifteen minutes to my colleague from New York [Mr. PAYNE].

Mr. PAYNE. Mr. Speaker, there are not only 634 amendments to this bill, comprising 96 pages of printed matter, but 90 per cent of those amendments are material changes in the bill. As the chairman of the Committee on Ways and Means has said, nearly every schedule has an increase in duty. The chairman has also informed the House that in the Senate amendments the theory upon which the House bill was formed has been overturned and specific duties have taken the place of ad valorem rates.

That is true, Mr. Speaker. The bill as it comes from the Senate is radically different in almost every particular from the bill as it left the House. There are many amendments upon which I would gladly vote to concur. For instance, the Senate has granted to our magnificent Empire State the concession of protective duties on collars and cuffs and on teasels. [Laughter.] They have restored teasels to the dutiable list. I am glad that at least one member of the Senate representing the State of New York in the other end of the Capitol was not induced to vote for this bill even though they put teasels into it with a duty of 15 per cent. [Laughter.]

The only raw material which is free in the bill now is the farmer's wool. They have made that free, and, as a compensation to the farmer, they have given him free burlaps—free bags. They have left the duty on his fence wire; they have given him a duty of 3 cents a dozen on eggs; they have given him a duty of 15 cents a bushel on potatoes. They have made other magnificent overtures to the farmer to compensate for the destruction of his wool industry; but when it came to the question of free coal and free iron ore, the two principal essentials of the great manufactures of this country, the Senate said, in the language of the gentleman from West Virginia, that those few corporate railroads in the State of West Virginia must be protected by a duty upon those articles.

And so free raw materials have vanished from the bill. Then they have got sugar in. They have adopted my friend's "ad valorem," a rate of 40 per cent on sugar. They have adopted it because it is such a rate as the importer always wants—an ad valorem rate. The importer in this instance was the great sugar trust; and the sugar trust demanded an ad valorem; and of course the sugar trust got it—a rate of 40 per cent on raw sugar, 40 per cent on refined sugar, and because the trust does not import refined sugar, an additional rate of one-eighth of a cent a pound on that.

Well, sir, in the debate elsewhere it has been stated that the difference in price between raw and refined sugar was about 20 cents a hundred, and that the 40 per cent would mean 8 cents, and the eighth of a cent per pound would mean 12½ cents a hundred, and so the differential duty was 20½ cents, equal to the difference in price. Whoever made that statement was deceived by somebody in the interest of the sugar trust. I have before me now a statement from a commercial paper published in the city of New York of the values of sugars on July 4, and the average difference in the values of sugar, accounting for all difference in saccharine strength in the sugars (which I will not go into), is more than a cent a pound, and the differential duty under this Senate schedule is from six-tenths of a cent to 1 cent a pound in favor of the sugar refiner.

Now, I am not going very far into this matter of sugar. I want to wait and see what is going to be done. I want to hear the eloquent gentleman from West Virginia when he comes in here with his report from the conference committee. I want to see what is to be done with sugar. You know what the vote was in the Senate. You know what the action of the Senate was. You know what stands behind the action of the Senate.

Mr. REED. That is, the "difficulties," you mean.

Mr. PAYNE. The "difficulties"—the difficulty of a contribution, not to a Democratic national committee in 1892, but to the Democratic committee of the State of New York in 1892—to their campaign fund. That seems to be the largest——

Mr. MCMILLIN. Will the gentleman yield a moment?

Mr. PAYNE. Oh, certainly.

Mr. MCMILLIN. I wish to ask the gentleman, who was a member of the Ways and Means Committee in 1890, when the McKinley bill was passed, whether the House committee did not recommend a certain duty amounting only to about two-thirds of that which was finally adopted in conference, and whether his party did not subsequently give, for the benefit of the trust, the high duties that are now imposed by law?

Mr. PAYNE. I will state that matter in a moment.

Mr. MCMILLIN. Well, is not that true?

Mr. PAYNE. I would rather state that in my own way.

Mr. MCMILLIN. You allowed the Senate then to have its way against the interests of the people. You had better take care of your own Senate before you go to criticising ours.

Mr. PAYNE. It is true we put a duty on refined sugar; there is no question about that. Mr. Knight, of Philadelphia, appeared before us and made a statement as to his business; and from that statement my own individual judgment was that three-tenths of a cent a pound was ample protection. I favored that duty; and the committee reported four-tenths. Gentlemen appeared before the Senate committee—gentlemen not interested in the trust—and they represented to the Senate committee that a duty of more than six-tenths of a cent a pound was necessary; and the Senate granted a duty of six-tenths of a cent.

The conferees finally put it at half a cent a pound. After that the sugar trust absorbed these outside refiners. The sugar trust went into the campaign in 1892, and went in before the Senate Finance Committee in 1894 and followed that committee about, and invited them to hotels, and met them in private houses; and with the iniquity of the trust spread out before them, with more than 80 per cent of refined sugar the product of the trust, with their eyes open, with the benefit of their experience since 1890, the Senate has put a duty of more than five-tenths of a cent a pound upon every pound of refined sugar in addition to the duty paid upon raw sugar. I simply want to contrast the action of the two Houses.

Mr. OUTHWAITE. Will the gentleman yield for a question as to the statement he has just made?

Mr. PAYNE. I would yield, but my time is going very rapidly.

Mr. OUTHWAITE. I want to ask the gentleman whether the protective duty of one-half a cent per pound put on in the McKinley bill is not more than that put on by the Senate in this bill, which is one-eighth and one-tenth?

Mr. PAYNE. I will publish the figures with my remarks.

The market price of sugar as published in the Shipping and Commercial List and New York Price Current July 4, 1894, is as follows:

Centrifugal, 96° test, 3¼ cents per pound.
Muscovado, 89°, 2 1/16 cents per pound.
Molasses sugar, 89°, 2 7/16 cents per pound.

Refined.

	Cents per pound.
Granulated	4 1/16–4¼
Powered	4 1/16–4¼
Crushed	4¼ –5 1/16
Cut loaf	4¼ –5 1/16

Dividing the price per pound of the raw sugars by the number of degrees of saccharine strength, the real value of such sugars is:

Centrifugal, at 3¼ cents÷96=3¼ cents.
Muscovado, at 2 1/16 cents÷89=3 cents.
Molasses sugar, at 2 7/16 cents÷89=2¾ cents.
The duty per pound on these prices is:
Centrifugal, 3¼ at 40 per cent, .013 cent per pound.
Muscovado, 3 at 40 per cent, .012 cent per pound.
Molasses sugar, 2¾ at 40 per cent, .011 cent per pound.
On refined:
Granulated, 4 1/16 to 4¼ cents, 40 per cent and ⅛=.0175 to .01825.
Powdered, 4 5/16 to 4¼ cents, 40 per cent and ⅛=.0185 to .01925.
Crushed, 4¼ to 5 1/16 cents, 40 per cent and ⅛=.02075 to .0215.
Cut loaf, 4¼ to 5 1/16 cents, 40 per cent and ⅛=.02075 to .0215.
This makes an average duty per pound on—

Raw sugars	.012
Granulated	.01787
Powdered	.019
Crushed	.02112
Cut loaf	.02112

The lowest differential duty is almost six-tenths of a cent per pound, viz: five hundred and eighty-seven one-thousandths. The highest is more than nine-tenths.

Mr. OUTHWAITE. One other question, and I will not interrupt the gentleman further. Was not the casting vote in favor of the sugar schedule of this bill given by the Republican Senator from Pennsylvania [Mr. QUAY].

Mr. PAYNE. Oh, "the Republican Senator from Pennsylvania" hoped that with the sugar duty on he might defeat the bill in the Senate. He cast his vote in that direction for that purpose. But there did not seem to be enough righteous men left on the Democratic side of the Senate to give more than one vote against the bill on its final passage.

Mr. PENCE. I think I gather better than the gentleman from New York the drift of the question of the gentleman from Ohio [Mr. OUTHWAITE]. What he means to ask is, whether it is not a fact that it took the vote of the ex-chairman of the national Republican committee to save a Democratic tariff-reform bill upon the sugar question?

Mr. PAYNE. That is a characteristic of the Populist party, which, under the guise of a question, the gentleman from Colorado has succeeded in inserting into my remarks.

Now, Mr. Speaker, if I can get the floor again, I will resume the thread of my discussion. I suppose the gentleman from Colorado has forgotten the fact that even then, even with the vote to which he refers, it took two Populists' votes to put the bill through the Senate.

Mr. PENCE. No; I wish I could forget it.

Mr. PAYNE. But there is another matter to which I wish to address myself for a moment. When this bill was in the House the committee reported a sort of reciprocity or retaliatory clause with reference to petroleum oil. We had some discussion about that, it will be remembered. I mentioned the fact that a representative of the petroleum trust had been in the city a week or two; and the amendment came in; then our committee took it out of the bill. It went to the Senate, and I do not know whether the representative of the petroleum trust was there or not, but in any event that amendment appears to have been incorporated in the petroleum schedule.

I tried very hard in the House to get a similar retaliatory clause with reference to plows and other agricultural implements which come in free of duty under the House bill; but the Democratic side of the House voted me down. However, these "business men" in the Senate for some reason or other have seen the point, and they put that retaliatory provision on plows and agricultural implements.

If I had time to go into all the beauties of the bill I would like to do so. Why, it was beautiful as it left the House, but as it comes back to us from the Senate I am lost in admiration [laughter], it is such a crazy piece from beginning to end, without principle—a single one—unless it be the protection of trusts and combinations; without a single principle, unless it is in violation of the Democratic platform in every one of its particulars; without a single principle, unless it is made sometimes to please Republicans, sometimes Populists, sometimes Democrats, and always to catch votes and for nothing else. [Applause on the Republican side.]

But the bill comes back to us at last, and I am ready to join you gentlemen in voting to disagree with these amendments, though I would like to have an opportunity to vote on some of them separately; but I want it to get into conference, to see what the report of the conference committee is to be.

I want to see what they can make of the two bills, for I believe, sir, that when you see the Senate bill and the House bill coming back here with that conference committee's report, with that sort of a combination, we will have a thing more variegated, more unlike anything in the heavens above and in the earth beneath—I will not except things in the other place [laughter]—than anything that has ever come before the House of Representatives. I hope we will nonconcur, so that we may see what sort of a wrestle we will have on collars and cuffs and on teasels and other things embraced in the 634 different items that the Senate have incorporated in the bill by way of change.

And I am glad to notice another thing. I lifted my warning voice against changing the administrative act, but the House, or the majority on the other side of the House, on some sort of a report from a subordinate in the Treasury, who advised the committee otherwise, made the change. It went to the Senate, and they have stricken out every one of your amendments under that head on the advice and at the request of the Secretary of the Treasury himself. [Applause on the Republican side.]

[Here the hammer fell.]

Mr. REED. I yield fifteen minutes to the gentleman from New York [Mr. QUIGG]. [Laughter and applause on the Democratic side.]

Mr. QUIGG. Mr. Speaker, I receive the tribute of the other side of the Chamber with a great deal of satisfaction.

Before this bill goes into the conference I should like, if possible, to obtain the sympathy of the conferees on the part of the House in behalf of the great State of New York. It is called, you know, the Empire State, and imperial it truly is; imperial in its resources, imperial in the potentiality of its people, and it has a great deal of interest in the issue of this conference, more, I suspect, than the combined interests of all the States represented by Democrats in the Ways and Means Committee.

Twenty per cent of the manufacturing output of the entire United States is the product of the State of New York. Her factories number 66,000. The value of her output is nearly $2,000,000,000. These factories employ nearly 1,000,000 of people, and pay nearly $500,000,000 in wages annually. Theoretically, at least, New York is very well represented in this Congress in the party that has constructed this tariff bill.

New York has two Senators, and they are both adherents of that party. She has thirty-four Representatives, and nineteen of them are Democrats. But after a careful reading of this bill I am utterly unable to obtain any evidence in the bill of the existence in this Congress of any other son of New York than the Hon. EDWARD MURPHY, jr., of Troy. [Laughter on the Republican side.] I think it will appear that he is the only man who has made a single effective address to the Democrats in charge of this bill.

The Wilson bill left this House, a bill to smash industries; and without in the least losing its character in that respect it has returned to us a bill to protect trusts. [Applause on the Republican side.] My Democratic colleagues from New York have been very divided on this bill, divided among themselves, and in some cases divided among himself. [Laughter on the Republican side.] Some of them have been in favor of it, some of them have been opposed to it, and, as nearly as I can figure out, some of them have been both for it and against it. But, somehow or other, not a man of them has been able to ingraft upon the bill a single word or figure to the advantage of the State of New York, with the exception of the Hon. EDWARD MURPHY, the junior Senator.

When the bill went over to the Senate we know what happened. Every combination of capital in this country rich enough and powerful enough to control or influence a Democratic United States Senator was permitted to write its own schedule. The gentleman from West Virginia [Mr. WILSON] has spoken of "difficulties." The gentleman from Maine [Mr. REED] has excused him from the task of indicating what they are, but we all know. A Senator rises in his place and says, "This is a very good bill, an uncommonly good bill, and yet I hardly know whether I can support it or not—yet. I notice one extraordinary omission in the bill. It does not tax"—well, in deference to the gentleman from West Virginia we will say—"coal. I notice that there is no tax on coal."

And then the chorus of Democratic Senators in their seats cry out: "Well, but you see a tax on coal is unconstitutional." And

the Senator on the floor says, "Yes, I have heard of that, but you have got to pass this bill, have you not?" And they say, "Yes, we have got to pass it." "And my vote is necessary to its passage?" "Yes, we admit that." "Well, I supposed when you said that a tax on coal was unconstitutional, that you did not quite apprehend my position. My position is, no tax on coal, no vote." And so down goes a tax on coal.

And then another Senator rises in his place and says: "Yes, this is a good bill. I have noticed how excellent a bill it is myself, but I observe that there is no tax on sugar." And they all cry out, "Well, but you see it is impossible to put a tax on sugar, because that is unconstitutional." "Yes," he replies, "I have heard of that. But a tax on sugar goes in this bill, or you do not get my vote." And so down goes a tax on sugar.

Several MEMBERS. Up.

Mr. QUIGG. Yes, up goes the tax on sugar. And so all through the 634 amendments that they have made in this bill, every one of them is the result of the statement of a Democratic Senator, "You don't get my vote unless you violate the Constitution."

Now, when it came New York's turn, Mr. Speaker, the senior Senator from that State, who, as all who have watched his career well know, is opposed to all such things as dickers, who never engaged in a bargain in his life, rose up in his majesty and said, "I have nothing to ask. Eliminate the income tax and I will talk to you." But the income tax stayed there. The junior Senator from that State was the only one who made an effective speech. Realizing that the eyes of eight millions of people were upon him, realizing that he was the sole bulwark against the destruction of their interests, he stood forth among his associates like the mighty gladiator he is, armed *cap-a-pie*, booted and buckled and belted and spurred, and said in tones that thrilled the American Senate with their passion, "Collars and cuffs, 50 per cent ad valorem."

Mr. Speaker, that was a very simple speech, but it had the strength of simplicity. My Democratic colleague of New York on the Ways and Means Committee of this House [Mr. COCKRAN] has the well-earned reputation of being a very eloquent man, and he spoke on this bill with more than his ordinary fluency. So fluently, indeed, that sometimes I was afraid he would not be able to catch up with himself; but somehow or another he came back from the harvest empty-handed. The senior Senator from New York spoke too, and the country, having nothing else in the world to do, paused and gave him its undivided attention. But somehow or other he was able to accomplish nothing. Only the junior Senator succeeded.

Now, Mr. Speaker, I congratulate the junior Senator from New York, and I want it perfectly understood that we realize that this is a day of small things and small men. [Derisive laughter on the Democratic side.] If you gentlemen understand the point as well as I do, we are both satisfied.

Mr. CARUTH. Will the gentleman permit me to ask him a question?

Mr. QUIGG. With great pleasure.

Mr. CARUTH. In what arena, in what country, where is it, that gladiators are booted and spurred? [Great laughter on the Democratic side.]

Mr. QUIGG. Mr. Speaker, I should have great pleasure in answering the gentleman's question if I thought it would do anything for the interest of the State of New York, which is my present concern. In our State, with our millions of industry, we are very glad we have obtained this duty on collars and cuffs. We are grateful for it. But I want to ask those gentlemen who are going soon to adjust these "difficulties," when they look over this unnamed and unclassified beast that has come back to us claiming our paternity, mindful of the resources of the State of New York, that even now it is straining at its tether to go among and destroy, that they will clip another claw and draw another tooth in behalf of the State of New York. If I have any further time I return it to the gentleman from Maine. [Applause on the Republican side, and cries of "Vote!" on the Democratic side.]

Mr. REED. Will the gentleman from West Virginia dispose of some of his time? Two gentlemen have already spoken on this side. [Cries of "Vote!" on the Democratic side.]

Mr. WILSON of West Virginia. I am ready to take a vote now.

The SPEAKER. The question, then, is upon the motion to nonconcur in the Senate amendments.

Mr. REED. One moment. I yield to the gentleman from Pennsylvania.

Mr. DALZELL. I have no purpose, Mr. Speaker, at this time, and especially in view of the temper the House, to engage in any tariff discussion. My sole purpose in addressing the House will be to find an answer to the inquiry, What is the question that now confronts us? The House has to-day in its custody the most important piece of legislation that is the product of this long and tedious session. It has before it a bill whose title is "to reduce taxation and to provide revenue for the Government," and is to-day in the exercise of the highest function imposed upon it by the Constitution—the function of providing for the raising of revenue to keep in motion the wheels of this great Government.

But that is not the most important aspect of the situation before us. We are to-day to consider under the rule adopted by this House, and in no other way, not simply a revenue bill, but a revenue bill which proposes to overturn the revenue system that for thirty years has prevailed in this country to the enormous enhancement of the prosperity of its people. We are to dispose of, in the brief time allowed to us, a measure which is full of experiment, about which no man can prophesy save as he learns from the past, and about which, prophesying as he learns from the past, he can prophesy nothing but disaster.

Not only have we a revenue bill, and a revenue bill which proposes to establish a new system of raising revenue, but we have in addition what amounts substantially to two alternative bills before us. We have the Wilson bill, which went from this body to the other end of the Capitol embodying not the principles of the Chicago platform of the Democratic party, but embodying, as it is claimed, at least two principles, to wit, free raw material and ad valorem instead of specific duties.

That bill ought to be a proper subject of discussion at this time. Then we have substantially another bill, a bill that comes from the Senate. That bill came to this House the day before yesterday, and already having passed through the Committee on Ways and Means is before the House again to-day. The difference between these two bills, the Wilson bill and the Senate bill, is as the difference between day and night. In the Senate bill the principle of free raw material has disappeared: the principle of ad valorem taxation instead of specific duties has disappeared. The question as to which of these bills ought to be adopted, in whole or in part, as the revenue system of this country, is the question that ought to be discussed by the House to-day.

I do not stop to characterize in my own language the bill that comes from the Senate. I do not stop to characterize in my own language the differences existing between that bill and the bill which is the product of the House, the immediate representatives of the American people. I prefer to characterize it in the terms applied to it by a member of the dominant party responsible for its passage at the other end of the Capitol. I propose to read from the speech of him who has been called, rightly I have no doubt, the greatest living Democrat. Listen, if you please, to the words of the senior Senator from New York describing the Senate bill. He says:

> The Senate bill—the Gorman compromise bill, as it is now generally known in the press and throughout the country—I mean the bill in its present shape, is neither satisfactory to the Democratic party nor to the country. There is no mistaking public sentiment upon this point.
>
> The true principles of tariff reform have been sacrificed in the effort to insure the retention of an income tax. This the country believes—this the country understands. We promised the people bread and we are giving them a stone. We promised them free raw materials, and we are giving them taxed coal, taxed iron ore, taxed coke, taxed lead ore, and other taxed raw materials.
>
> They expected free sugar, but we are taxing not only that article, but other necessaries of life.
>
> * * * * * * *
>
> This is not a Democratic bill, I am sure; it is not a distinctly Republican bill: it is not a Populist bill entire, but it is a mixture of all—it is a rag-bag production—it is a crazy-quilt combination—it is a splendid nothing.

Now, Mr. Speaker, with the Wilson bill before us and the Senate bill before us, and with the prospect of establishing a new system of revenue, what should be the proper course of legislation? It is the supreme function of this House, under the Constitution of the United States, as we have already heard, to deal with this question of revenue. And the House has made provision for an intelligent consideration of legislation proposed. How do the House rules provide that this great question shall be settled? They provide that these two bills shall pass through the Ways and Means Committee, to the end that they shall there receive consideration, discussion, and deliberation; that then they shall be committed to the Committee of the Whole, where amendment, debate, consideration, are again all possible and in order.

And yet, notwithstanding these House rules, notwithstanding the immense gravity of the situation, notwithstanding the importance of this measure, we find this bill practically without consideration in the Ways and Means Committee because of the lack of necessary information. No estimates have been furnished to us. The effect of the bill it is impossible to tell. Under these circumstances we find ourselves confined in this House to-day in the discussion of this great and important measure to two hours of time. The majority has seen fit to abridge

debate, refused the opportunity for amendment, and delegate the powers and duties of the House to a committee of conference. Gentlemen of the majority, you are in the possession of power, not the power of right, but the power of might.

You may override reason. You may stifle debate. Yours is the opportunity to exercise mercilessly the merciless authority of a merciless majority. You may triumph to-day; you will triumph to-day. But you will not triumph for long. I say to you that your doom has already been pronounced. Intoxicated with the seeming victory of 1892, you have never awakened to a realization of the staggering defeat of 1893. Your ears have been deaf to the thunder of the people's voice as in a continuous wave it rolled from Massachusetts through New York, Pennsylvania, and Ohio to the prairie lands of Iowa in indignant protest against your misguided conception of the popular will.

[Here the hammer fell.]

Mr. REED. I yield five minutes more to the gentleman from Pennsylvania.

Mr. DALZELL. You simply await, gentlemen, the registry of the decree of November next, from which there will be no appeal save to the people themselves, the decree of a people whose patience has been exhausted by your incompetence and whose judgment and vengeance will be swift and sure. [Applause on the Republican side.]

Go on, gentlemen of the majority. Complete the assassination of your country's industries; but bear in mind that the hearts of the American people beat true to the interests of the American people, that their clear brains are capable of discerning between friend and foe, that the average common sense of the masses of the plain people, whom you can not deceive, will in the end clothe with power that party, and that party only, whose principles and doctrines are true to the interests of Americans, to the security of the American market for the American producer. [Applause on the Republican side.]

Mr. REED. Does the gentleman from West Virginia desire to use his remaining time now?

Mr. WILSON of West Virginia. I yield five minutes to the gentleman from Colorado [Mr. PENCE].

Mr. PENCE. Mr. Speaker, duties at a meeting of a committee prevented my being in attendance when the gentleman from West Virginia addressed the House this morning, but I have inquired as to the nature of his remarks and am told that they were a brave and courageous announcement that the majority in this House should stand firm in favor of the bill as it passed the House. If that is true, I desire to congratulate him and the majority in this House.

Mr. REED. That is not quite correct. He said the House conferees would bear in mind the difficulties of the Senate, the troubles in which they found themselves, and would deal with them in a spirit of fairness. [Laughter.]

Mr. PENCE. Mr. Speaker, I did come into the House in time to hear the gentleman from Maine [Mr. REED] say that there had been somewhere, by somebody, on some occasion, a suggestion made that there were difficulties surrounding the final solution of this question. [Laughter.] The motion now before the House, as I understand it, is simply that the House shall disagree to the amendments of the Senate and agree to a conference.

We have had no expectation up to this time, Mr. Speaker, however much we may be happily disappointed within the next few hours, that there would be any Populist member amongst the House conferees [laughter], so that we have had no expectation of having one of our members take part in the final adjustment of the frame and form and effect of this tariff bill. We have, however, a sincere desire and hope that the chairman of the Ways and Means Committee will deserve, at the moment of final action on this bill, to stand up again and call upon his colleagues as a roll of honor and to be carried out upon their shoulders. It is not a question of sense with him; it is a question of courage, and, for one, I believe he has it.

But that is not what I rose to say. I want to read to the members of this House a few words of genuine and disinterested wisdom, so that they may at least go to the conference, and possibly to the country, with the other remarks made here to-day. On the 4th of July, 1892, the new party of this country in national convention used the language I am about to read, which it seems to me at this moment, witnessing the scene of to-day and recalling the late scenes in the Senate, was inspired by both truth and prophecy:

> We have witnessed for more than a quarter of a century the struggles of the two great political parties for power and plunder, while grievous wrongs have been inflicted upon the suffering people. We charge that the controlling influences dominating both these parties have permitted the dreadful conditions to develop without serious effort to prevent or restrain them.
>
> Neither do they now promise us any substantial reform. They have agreed together to ignore, in the coming campaign, every issue but one. They propose to drown the outcries of a plundered people with the uproar of a sham battle over the tariff, so that capitalists, corporations, national banks, rings, trusts, watered stock, the demonetization of silver, and the oppressions of the usurers may all be lost sight of.

[Here the hammer fell.]

The SPEAKER. The question is on agreeing to the motion of the gentleman from West Virginia.

Mr. REED. If the gentleman from West Virginia does not desire to occupy further time, I yield five minutes to the gentleman from Illinois [Mr. CANNON].

Mr. CANNON of Illinois. Mr. Speaker, in the time allowed for debate there can be no discussion of the schedules of this bill. Therefore I hesitate about even using the five minutes which have been accorded me. But I will briefly say I am glad that this rule was adopted and that the House is about to nonconcur in the Senate amendments and to send the differences between the two Houses to the conference.

This is the 7th day of July. Congress has been in session almost twelve months. In 1892 you Democrats swept the country upon a platform that committed you to a certain policy. You elected the President; you obtained control of the Senate; you secured your 90 majority in this House; and on the 4th day of March, 1893, you inaugurated your President. The country has never regretted the election of 1892 and the subsequent inauguration but once, and that has been ever since the inauguration took place. [Applause on the Republican side.]

A goverment of the people? Yes, thank God, as the years roll around, a law-abiding people, a courageous people, competent for self-government. Making mistakes? Yes; but thank God, upon the whole, making fewer mistakes than any other government on earth. They made a gigantic mistake in 1892. The Republicans knew it then and know it now. All the people know it now. But as the election was held, the burden is cast upon you (addressing the Democratic side). If you can not keep your pledges, you threaten to keep them, as you have since the 4th day of March, 1893, and to come in in the last days of your complete power and legislate and try to convince the country that whatever the product is, that is "tariff reform" and a keeping of your pledges.

Why do you send these differences with the Senate to a conference committee? The decree has gone forth, and while the whirlwind from New York, charged with thunder and lightning—I refer to Mr. WARNER—and while the smooth-tongued gentleman from West Virginia [Mr. WILSON] may send forth their notes of defiance, with a string to them [laughter]—it is absolutely morally sure that substantially the Senate amendments are to be adopted. You are to open your mouths and swallow them down and call them "tariff reform." In Heaven's name, act as quickly as you can. The country has gone from bad to worse. It is going from bad to worse now. Give us your legislative product, and a little later on this American people, putting down disorder by law, putting their foot upon the Governor of Illinois, putting their foot upon the Governor of Colorado, putting their foot upon the Governor of Missouri, if they fail to do their duty or keep other officials from doing their sworn duty, will enlist the sentiment of the country under the banner of law and order and the enforcement of the law.

To-day ninety-nine out of a hundred of our people are saying, "Under the law we will bear the grievances we have until, in November, 1894, we shall enter upon a different policy, so far as we can, and also by our action at the ballot box give notice that we shall go back to the policy which, under the lead of the Republican party for thirty years, brought prosperity to the country, but which under your lead and threat [addressing the Democratic side] has been taken from it. [Applause on the Republican side.]

The SPEAKER. The gentleman from Maine [Mr. REED] has twelve minutes remaining.

Mr. REED. Does the gentleman from West Virginia desire to occupy any further time?

Mr. WILSON of West Virginia. I am perfectly willing that the vote shall be taken now.

Mr. REED. All right.

The SPEAKER. The question is upon agreeing to the motion of the gentleman from West Virginia, that the House nonconcur in the Senate amendments and agree to the conference asked by the Senate on the disagreeing votes of the two Houses.

The motion was agreed to.

On motion of Mr. WILSON of West Virginia, a motion that the House reconsider the vote last taken was laid on the table.

Mr. JOHNSON of Ohio. Mr. Speaker——

The SPEAKER. The Chair announces——

Mr. JOHNSON of Ohio. Mr. Speaker, I desire to offer a resolution of instructions——

The SPEAKER. The Chair announces the following conferees on the part of the House, which the Clerk will read.

The Clerk read as follows:

Mr. WILSON of West Virginia, Mr. MCMILLIN of Tennessee, Mr. TURNER of Georgia, Mr. MONTGOMERY of Kentucky, Mr. REED of Maine, Mr. BURROWS of Michigan, Mr. PAYNE of New York.

DEATH OF HON. MARCUS C. LISLE.

Mr. MCCREARY of Kentucky. Mr. Speaker, it is my sad duty to announce to the House of Representatives the death of Hon. Marcus C. Lisle, late a Representative in Congress from the State of Kentucky. He died early this morning at his home near Winchester, Ky.

He was born September 23, 1862, in Clark County, Ky. Though young in years, he had become very prominent as a lawyer, legislator, and business man. In the year 1890 he was elected county judge of the county in which he was born and reared. In 1892 he was elected a Representative in Congress, and was therefore serving his first term at the time of his death.

He was a true friend, a pure patriot, and an accomplished gentleman, and he was loved and respected by all who knew him. In all the positions of honor and trust held by him he was conspicuous for his ability, integrity, and fidelity to duty.

At this time I will not indulge in any extended remarks on the life, character, and public services of our deceased colleague and friend, but in the future I will ask the House of Representatives to set apart a day for the commemoration of his virtues and public services, and for appropriate action in regard to his death. I now ask the adoption of the resolutions which I send to the desk.

The Clerk read as follows:

Resolved, That the members of the House of Representatives have heard with deep regret and profound sorrow of the death of the Hon. Marcus C. Lisle, late a Representative from the State of Kentucky.

Resolved, That a committee of seven members of the House be appointed by the Speaker to act with such Senators as may be selected to attend the funeral of the deceased; and that the Sergeant-at-Arms of the House shall take proper action for superintending the funeral and for attending the remains of the deceased at the place of burial, and the necessary expense incurred by the execution of this order shall be paid out of the contingent fund of the House.

Resolved, That the Clerk be directed to communicate to the Senate a copy of these resolutions.

Resolved, That as a further mark of respect the House do now adjourn.

The resolutions were unanimously agreed to.

The SPEAKER. Before announcing the result of the vote, the Chair will name the following committee in pursuance of the resolution just adopted:

The Clerk read as follows:

Mr. MCCREARY, Mr. BERRY, Mr. TAYLOR of Indiana, Mr. PAYNTER, Mr. DRAPER, Mr. LUCAS, and Mr. PENCE.

LEAVE OF ABSENCE.

Pending the announcement of the vote,

Indefinite leave of absence was granted to Mr. TAWNEY, on account of sickness in his family; and to

Mr. SIPE, for one week, on account of sickness in his family.

The result of the vote was then announced as above recorded, and accordingly (at 1 o'clock and 55 minutes p. m.) the House adjourned.

REPORTS OF COMMITTEES ON PRIVATE BILLS.

Under clause 2 of Rule XIII, Mr. STONE of Kentucky, from the Committee on War Claims, reported a resolution to refer to the Court of Claims the bill (H. R. 2382) for the relief of Stephen D. Clark and Miss Emma C. Lovelace, both of Catahoula Parish, La.; which, with the accompanying report (No. 1209), was ordered to be printed, and referred to the Committee of the Whole House.

PUBLIC BILLS.

Under clause 3 of Rule XXII, bills of the following titles were introduced, and severally referred as follows:

By Mr. HICKS (by request): A bill (H. R. 7659) granting pensions to soldiers, sailors, and marines who served during the war of the rebellion at any time from March 4, 1861, to July 1, 1865, and providing for pensions to widows, minor children, and other purposes—to the Committee on Invalid Pensions.

By Mr. MCMILLIN (by request): A bill (H. R. 7661) to regulate the practice of medicine and surgery and to license physicians and surgeons in the District of Columbia, and for other purposes—to the Committee on the District of Columbia.

By Mr. FLYNN: A bill (H. R. 7662) for the relief of homestead settlers in Beaver County, Okla., and for other purposes—to the Committee on the Public Lands.

PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, a private bill of the following title was presented and referred as follows:

By Mr. HALL, of Missouri: A bill (H. R. 7660) for the relief of Hamilton Crews—to the Committee on War Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ALDERSON: Petition of Sally H. Tompkins, of Kanawha County, W. Va., praying that the claim of Beverly Tompkins, deceased, be referred to the Court of Claims under the Bowman act—to the Committee on War Claims.

By Mr. BAKER of New Hampshire: Petition of Charles Winch and other citizens of Langdon and Alstead, N. H., praying that fraternal beneficial societies, etc., may be exempt from the provisions of any law providing for a tax on income—to the Committee on Ways and Means.

By Mr. COFFEEN: Petition of 63 citizens of Laramie County, Wyo., for suspension of assessments on mining claims—to the Committee on Mines and Mining.

By Mr. CURTIS of Kansas: Petition of citizens of Arkansas City, Kans., favorable to the Kyle resolution—to the Committee on Labor.

By Mr. HOOKER of New York: Petition of the president and faculty of Alfred University, Alfred, N. Y., for the suppression of lotteries—to the Chmmittee on the Post-Office and Post-Roads.

By Mr. O'NEILL of Missouri: Papers to accompany House bill 7658, for the relief of Mary Ann Tippler—to the Committee on Invalid Pensions.

By Mr. SHAW: Resolutions of John Flynn Post, No. 77, Grand Army of the Republic, of North Lacrosse, Wis., signed by William Grover, post commander, and Charles S. Fourt, adjutant, and 36 members, urging Congress to enact a law making it a treasonable offense, punishable by fine or imprisonment, to raise any foreign flag on any public building of the United States upon any occasion or any time. Also the indorsement of the resolution by North Lacrosse Council, No. 9, American Protective Association, of North Lacrosse, Wis., signed by J. C. Follmer, president, and Horace Norton, secretary, and representing 500 members—to the Committee on Revision of the Laws.

SENATE.

MONDAY, *July 9, 1894.*

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of the proceedings of Friday last, when,

On motion of Mr. HARRIS, and by unanimous consent, the further reading was dispensed with.

EXECUTIVE COMMUNICATIONS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of the Senate of the 26th instant, a letter from the Supervising Surgeon-General of the Marine Hospital Service, together with a copy of the report by Passed Assistant Surg. James B. Stoner, of the Marine Hospital Service, upon the quarantine administration and facilities at the port of Astoria, at the mouth of the Columbia River; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Attorney-General, submitting a request for a deficiency appropriation to cover the expenses of the judge of the United States court in the Indian Territory during the fiscal year ending June 30, 1894; which, with the accompanying paper, was referred to the Committee on Appropriations, and ordered to be printed.

Mr. MITCHELL of Oregon. There are on the table two communications from the Secretary of the Interior, an original communication sent last week, and a supplemental communication still later, both in response to a resolution of the Senate adopted some days since, relating to the Klamath Indian Reservation in Oregon. I move that both communications and accompanying papers be printed together as one document, and that they be referred to the Committee on Indian Affairs.

The motion was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 4864) to reduce taxation, to provide revenue for the Government, and for other purposes; agreed to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. WILSON of West Virginia, Mr. MCMILLIN, Mr. TURNER of Georgia, Mr. MONTGOMERY, Mr. REED, Mr. BURROWS, and Mr. PAYNE managers at the conference on the part of the House.

The message also announced that the House insisted upon its amendments to the bill (S. 307) granting a pension to Earnest C. Emerson; and the bill (S. 920) to pension Mary Brown, of Berlin, Vt.; agreed to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. MARTIN of Indiana, Mr. HARE, and Mr. PICKLER, managers at the conference on the part of the House.

The message further announced that the House had passed the bill (S. 411) for the relief of Samuel Collins.

The message also announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 4326) to subject to State taxation national-bank notes and United States Treasury notes;

A bill (H. R. 4322) granting the use of certain land to the town of Castine, Me., for a public park;

A bill (H. R. 4448) for the relief of persons who have filed declarations of intention to enter desert lands;

A bill (H. R. 4952) to amend section 2455 of the Revised Statutes of the United States;

A bill (H. R. 7020) to readjust the salaries and allowances of the postmasters at Guthrie, Oklahoma City, and Kingfisher, in Oklahoma Territory; and

A bill (H. R. 7335) to grant to the Arkansas, Texas and Mexican Central Railway Company a right of way through the Indian Territory, and for other purposes.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bill and joint resolution; and they were thereupon signed by the Vice-President:

A bill (S. 1758) to amend an act entitled "An act to authorize the Oregon and Washington Bridge Company to construct a bridge across the Columbia River between the State of Oregon and the State of Washington, and to establish it as a post-road; and

A joint resolution (H. Res. 201) authorizing the Secretary of the Navy to continue the employment of certain mechanics and laborers.

PETITIONS AND MEMORIALS.

Mr. SHERMAN. I present petitions of the Chamber of Commerce and Merchants' Exchange; of the Ohio Mechanics' Institute; of the Merchants and Manufacturers' Association; of the Manufacturers' Association; of the Freight Bureau of the Chamber of Commerce; of the Commercial Club, and of the Builders' Exchange, all of Cincinnati, Ohio, praying for a fast mail service from Cincinnati to the South. As this matter is pending before the Committee on Appropriations, I move that the petitions be referred to that committee.

The motion was agreed to.

Mr. SHERMAN presented a memorial of 56 citizens of Clark County, Ohio, remonstrating against any appropriations being made for Indian education at sectarian schools; which was referred to the Committee on Indian Affairs.

He also presented the petition of J. B. Corey, of Pittsburg, Pa., praying for the enactment of legislation to punish leaders of labor organizations, etc., for obstructing the civil processes of State and national authority, and remonstrating against the unlawful combinations of capitalists; which was referred to the Committee on Education and Labor.

Mr. GALLINGER. On behalf of my colleague [Mr. CHANDLER], who is absent from the city, I present petitions of Richard Nelson, president, and Ella Nelson, secretary and treasurer, of the Nelson Business College, of Cincinnati, Ohio; of O. E. Fulghum, principal, F. C. Fulghum, assistant principal, W. S. Heiser, penman, Mrs. W. S. Heiser, superintendent shorthand department, and Emma C. Beals, shorthand instructor, all of the Richmond (Ind.) Business College; of U. S. Loofbourrow, superintendent of schools, of Eldorado, Ohio; and David H. Cochran, Ph. D., LL. D., president Polytechnic Institute, of Brooklyn, N. Y., in behalf of and by direction of the faculty of the Institute, praying for the passage of joint resolution (S. R. 65) to encourage better spelling of the English language, etc.

I move that the petitions be referred to the Committee on Education and Labor.

The motion was agreed to.

Mr. GALLINGER (for Mr. CHANDLER) presented the petition of Charles H. Dimick and sundry other citizens of Lyme, N. H., praying for the enactment of legislation to enable the States to enforce State laws regulating the sale of substitutes for dairy products; which was referred to the Committee on Interstate Commerce.

He also (for Mr. CHANDLER) presented the petition of Dr. A. H. Hoyt and 15 other citizens of Penacook, N. H., praying that the pending tariff bill be so amended that fraternal beneficiary societies, orders, or associations operating upon the lodge system and providing for the payment of life, sick, accident, and other benefits to the members and dependents of such members shall be exempt from all the provisions of the bill requiring taxation in any form; which was ordered to lie on the table.

He also presented a memorial of a committee of the Yearly Meeting of Friends for New England, remonstrating against the proposed abolishment of the Board of Indian Commissioners by refusing to make any appropriations for its necessary expenses; which was referred to the Committee on Indian Affairs.

Mr. ALLEN presented a memorial adopted by the People's party of Charles County, Md., July 4, 1894, remonstrating against any compromise of the rights of the people in connection with the Pacific Railroads, demanding that the mortgages held by the United States on those railroads be foreclosed, and that they be owned and run by the United States in the interest of the people; which was referred to the Committee on Pacific Railroads.

He also presented a memorial of the Woman's National Industrial League of America, of Boston, Mass., remonstrating against the passage of the so-called Everett bill, to encourage the Mongolian race to become naturalized citizens of the United States; which was referred to the Committee on Foreign Relations.

Mr. BLANCHARD presented a memorial of the Orleans Parish Medical Society, of New Orleans, La., remonstrating against a reduction of the appropriation for the library of the Surgeon-General's Office, United States Army; which was referred to the Committee on Appropriations.

REPORTS OF COMMITTEES.

Mr. PLATT. I am directed by the Committee on the Judiciary, to whom was referred the bill (S. 2173) to amend an act entitled "An act to establish a United States court in the Indian Territory, and for other purposes," approved March 1, 1889, and an act entitled "An act to provide a temporary government for the Territory of Oklahoma, to enlarge the jurisdiction of the United States court in the Indian Territory, and for other purposes," approved May 2, 1890; to provide for the redistricting of the Indian Territory for judicial purposes, for an additional judge and more United States commissioners, and to prescribe the jurisdiction, duties, and authority of such judges and commissioners, and for other purposes, to report it with amendments. I shall call the bill up to-morrow morning with the permission of the Senate.

The VICE-PRESIDENT. Meanwhile the bill will be placed on the Calendar.

Mr. PLATT. The Committee on Indian Affairs has already reported the amendment providing for the payment of certain claims, submitted by the Senator from California [Mr. PERKINS] on the 26th ultimo, as an amendment to the sundry civil appropriation bill. I am now authorized by the committee to report the same amendment to the bill making appropriations for the expenses of the Indian Department. I ask that it may be referred to the Committee on Appropriations.

The VICE-PRESIDENT. The amendment will be so referred.

Mr. PASCO, from the Committee on Public Lands, to whom was referred the bill (H. R. 3458) extending the time for final proof and payment on lands claimed under the public land laws of the United States, reported it with an amendment and submitted a report thereon.

He also, from the same committee, to whom was referred the joint resolution (H. Res. 92) to print extra copies of the decisions of Interior Department relating to public lands and pensions, asked to be discharged from its further consideration, and that it be referred to the Committee on Printing; which was agreed to.

Mr. COCKRELL, from the Committee on Appropriations, to whom was referred the bill (H. R. 7097) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1895, and for other purposes, reported it with amendments.

CHARLES IVERSON GRAVES.

Mr. PUGH. The Committee on the Judiciary authorize me to report back favorably without amendment the bill (H. R. 1141) to remove the political disabilities of Charles Iverson Graves, of Rome, in the State of Georgia. The bill has been before our committee for several months. It is all right, and it will take but a few minutes to dispose of it. I ask for the present consideration of the bill.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed (two-thirds of the Senators present voting in the affirmative).

CRIMINAL PROCEEDINGS IN MINNESOTA.

Mr. PUGH. I am directed by the Committee on the Judiciary, to whom was referred the bill (H. R. 7293) regulating the

procedure in criminal cases in the district of Minnesota, to report it favorably without amendment. The Senator from Minnesota [Mr. DAVIS] states it is important that the bill shall pass immediately, and I ask for its present consideration.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill; which was read, as follows:

Be it enacted, etc., That all criminal proceedings instituted for the trial of offenses against the laws of the United States arising in the district of Minnesota, shall be brought, had, and prosecuted in the division of said district in which such offenses were committed.

SEC. 2. That this act shall take effect upon its passage.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

COURTS IN MISSISSIPPI.

Mr. GEORGE. I am directed by the Committee on the Judiciary, to whom was referred the bill (H. R. 6447) to fix a term of the Federal district and circuit courts of the Southern judicial district of Mississippi, to be held at Meridian, Miss., to include the counties named, to report it back with some slight verbal amendments. I ask consent that the bill be now considered.

The VICE-PRESIDENT. The bill will be read for information.

The Secretary proceeded to read the bill.

Mr. ALLISON. From the reading this seems to be a bill embracing a good many things. Of course if it takes no time I shall not object to its consideration.

Mr. GEORGE. The reading is nearly completed, and it is merely a bill establishing a new division of a district.

Mr. ALLISON. I shall not object.

The Secretary resumed and concluded the reading of the bill.

Mr. PLATT. I do not enter any formal objection to the consideration of the bill at this time. It is reported by the Senator from Mississippi and is for the establishment of a new division in his own State where United States courts are to be held. I think, however, I ought to state that dispatches have been received by Senators from the United States district judge for Mississippi saying that the new place for holding courts ought not to be created. I do not enter any formal objection to the bill, because it is reported by the Senator from Mississippi from the Judiciary Committee and he ought to know about the condition of affairs in his own State, but I felt I ought to say to the Senate that the United States district judge thinks the bill ought not to pass.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The VICE-PRESIDENT. The amendments of the Committee on the Judiciary will be stated in their order.

The first amendment was, in section 1, line 4, to strike out "embrace" and insert "include;" in line 5, after "Neshoba," to insert a semicolon; in line 6, to strike out "Scott;" in line 7, after the word "Wayne," to insert "and;" and in the same line, after the word "Jones," to strike out "and Smith;" so as to make the section read:

That the southern judicial district of the State of Mississippi be so constituted as to include the counties of Kemper, Noxubee, and Neshoba; and that the counties of Lauderdale, Kemper, Noxubee, Leake, Neshoba, Newton, Jasper, Clarke, Wayne, and Jones shall be known as the eastern division of said southern district, and circuit and district courts for the transaction of business pertaining to the persons and property in said eastern division shall be held at the city of Meridian on the second Mondays of March and September of each year and shall continue for three weeks, or so long as business may require.

The amendment was agreed to.

The next amendment was, in section 4, line 4, after the word "division," to insert "or district;" so as to make the section read:

SEC. 4. That if there be more than one defendant in a cause and the defendants reside in different divisions of the said southern district, or any of the defendants reside in the northern district, the plaintiff may sue in either division or district where any defendant resides, and send duplicate writs for the other defendant or defendants, the other division or district where such defendant or defendants reside, and said writs when executed and returned into the court from which they issued shall constitute one suit and be proceeded in accordingly.

The amendment was agreed to.

The next amendment was, in section 5, line 3, after "Newton," to strike out "Scott, Smith;" so as to make the section read:

SEC. 5. That all processes issued out of said courts at Meridian against defendants residing in the counties of Lauderdale, Kemper, Noxubee, Leake, Neshoba, Newton, Jasper, Clarke, Wayne, Jones, or any other county, shall be returned to the courts hereby provided to be held in Meridian.

The amendment was agreed to.

Mr. GEORGE. I desire simply to remark, in response to the objection telegraphed by the Federal judge, that the bar and the people of that portion of the State think that the division ought to be created. My own opinion is that it is very essential to the convenience of the people of that section of the State. It adds nothing to the cost or expenses of the judiciary, and furnishes near to the people of a considerable portion of the State a Federal court.

I desire to offer one amendment which I neglected to present in committee. I move to strike out the last section of the bill, section 10, which provides

That the United States shall not be at any expense in providing for a building or room for holding of the terms of said courts at Meridian.

I desire to say in favor of this amendment that there has been a law passed and is now in progress of execution by which $50,000 was appropriated to erect a Federal building at the town of Meridian. The building has not been yet erected, and the tenth section might prevent the expenditure of a part of the money in fitting up a court-room. It will cost the Government nothing. Therefore, in order to prevent any misconstruction, I move to strike out the last section of the bill.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

BILLS INTRODUCED.

Mr. HARRIS introduced a bill (S. 2190) for the relief of the trustees of the Presbyterian Church of Bethel Springs, Tenn.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also (by request) introduced a bill (S. 2191) to regulate the sale of milk in the District of Columbia, and for other purposes; which was read twice by its title, and, with the accompanying letter from the Commissioners of the District of Columbia, referred to the Committee on the District of Columbia.

Mr. HUNTON introduced a bill (S. 2192) granting a pension to Celestia P. Hartt; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BLANCHARD introduced a bill (S. 2193) for the relief of the estate of Alfred W. Green, late of Carroll Parish, La.; which was read twice by its title.

Mr. BLANCHARD. I present the affidavits of Mingo Hopkins and Urias Conn, of the parish of East Carroll, La.; which I move be referred, with the bill, to the Committee on Claims.

The motion was agreed to.

Mr. PERKINS introduced a bill (S. 2194) providing for the extension of the coal laws of the United States to the district of Alaska; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. KYLE introduced a bill (S. 2195) making employers liable under certain restrictions for injuries sustained by employés; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. MARTIN introduced a bill (S. 2196) to increase the pension of J. Francis Hopper; which was read twice by its title, and referred to the Committee on Pensions.

OBSTRUCTIONS TO RAILWAY TRAINS.

Mr. KYLE. On Friday last I introduced a joint resolution (S. R. 94) defining obstructions to railway trains, which was ordered to lie on the table. I move that the joint resolution be referred to the Committee on Education and Labor. I believe it is fully covered by the bill introduced by the Senator from Mississippi [Mr. GEORGE], which was referred to the Committee on the Judiciary.

The VICE-PRESIDENT. The joint resolution will be referred to the Committee on Education and Labor, in the absence of objection.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. ALLISON submitted three amendments intended to be proposed by him to the sundry civil appropriation bill; which were referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

Mr. GALLINGER submitted an amendment intended to be proposed by him to the general deficiency appropriation bill; which, with the accompanying paper, was referred to the Committee on Appropriations.

Mr. DOLPH. I submit an amendment intended to be proposed by me to the sundry civil appropriation bill. It relates to the matter that was submitted to the Senate by the Secretary of the Treasury this morning. I move that the proposed amendment be referred to the Committee on Appropriations and printed.

The motion was agreed to.

CONTROL OF RAILROADS, ETC.

Mr. PEFFER. I submit a resolution, and ask that it may be read and lie over under the rule.

The resolution was read, as follows:

In view of existing social and business conditions and by way of suggesting subjects for remedial legislation—

Be it resolved by the Senate of the United States—

First. That all public functions ought to be exercised by and through public agencies.

Second. That all railroads employed in interstate commerce ought to be brought into one organization under control and supervision of public officers; that charges for transportation of persons and property ought to be uniform throughout the country; that wages of employés ought to be regulated by law and paid promptly in money.

Third. That all coal beds ought to be owned and worked by the States or by the Federal Government; and the wages of all persons who work in the mines ought to be provided by law and paid in money when due.

Fourth. That all money used by the people ought to be supplied only by the Government of the United States; that the rate of interest ought to be uniform in all the States, not exceeding the net average increase of the permanent wealth of the people.

Fifth. That all revenues of the Government ought to be raised by taxes on real estate.

The VICE-PRESIDENT. The resolution will lie over as requested.

Mr. COCKRELL. What is done with the resolution?

The VICE-PRESIDENT. It goes over under the rule.

Mr. COCKRELL. Very well.

INDIAN ENGAGEMENTS.

The VICE-PRESIDENT. The Chair lays before the Senate a resolution coming over from a previous day.

The Secretary read the resolution submitted by Mr. LINDSAY on the 2d instant, as follows:

Resolved, That the Secretary of War be, and he hereby is, requested to furnish for the use of the Senate, as early as practicable, a statement showing fully and in detail all expeditions and engagements had by the military forces of the United States with hostile bands or tribes of Indians, for the period beginning with 1850 and ending with March 3, 1891, showing, whenever possible, the tribe or band engaged or operated against, and submitting with the said statement copies of all correspondence and reports relating to the said expeditions against and engagements with the said Indian bands or tribes.

The VICE-PRESIDENT. The Senator from Kentucky, who introduced the resolution, requests that it be indefinitely postponed.

Mr. COCKRELL. Then I move that the resolution be indefinitely postponed.

The motion was agreed to.

PEARL HARBOR SURVEY.

The VICE-PRESIDENT. The Chair lays before the Senate a resolution submitted by the Senator from South Dakota [Mr. KYLE], coming over from a previous day.

The Secretary read the resolution submitted by Mr. KYLE on the 2d instant, as follows:

Resolved, That the Secretary of the Navy is directed to inform the Senate by what authority and for what purpose the United States Government through Admiral Walker is making a survey or exploration of Pearl Harbor on the island of Oahu, Hawaiian Islands, and the result of such survey or exploration.

Mr. SHERMAN. In the absence of the Senator from Alabama [Mr. MORGAN] I move that the resolution be referred to the Committee on Foreign Relations.

The motion was agreed to.

RAILROAD STRIKE.

The VICE-PRESIDENT. The Chair lays before the Senate a resolution submitted by the Senator from Florida [Mr. CALL], coming over from a previous day.

The Secretary read the resolution submitted on the 2d instant by Mr. CALL, as follows:

Resolved, That a committee of five Senators shall be appointed by the President, who shall inquire and report to the Senate the causes of the existing strike of railroad and Pullman-car employés and the justice of the demands of the workingmen, and report by bill or otherwise such legislation as may secure justice to the workingmen and be reasonable and fair to their employers and secure the transportation of the mails and freight and passengers without interruption; and that such committee be authorized to act with a committee of the House appointed for this purpose, and may report to their respective Houses the result of their joint action.

Mr. COCKRELL. In the absence of the senior Senator from Florida [Mr. CALL], I ask that the resolution may lie over and be retained on the desk until his return. He is necessarily absent from the Senate to-day.

The VICE-PRESIDENT. Is there objection to the course suggested by the Senator from Missouri? The Chair hears none, and it is so ordered.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on June 29 approved and signed the joint resolution (S. R. 57) directing the Secretary of War to appoint a commission of engineers to examine and report upon the cost of deepening the harbors of Superior and Duluth and their entrances to a uniform depth of 20 feet.

The message also announced that the President of the United States had on the 3d instant approved and signed the following acts:

An act (S. 2135) to provide that a term of the circuit and district court of the United States for the district of Vermont may be held at Montpelier;

An act (S. 1954) to amend section 1379, chapter 1, Title XV, Revised Statutes of the United States, in relation to appointments of asistant paymasters in the Navy; and

An act (S. 1963) for the relief of the sureties of Dennis Murphy.

The message further announced that the President of the United States had on the 6th instant approved and signed the following acts:

An act (S. 171) granting to the State of North Dakota certain lands heretofore set apart as a wood reservation for Fort Totten military reservation for the use of the militia of North Dakota, and for other purposes; and

An act (S. 2000) granting to the Brainerd and Northern Minnesota Railway Company a right of way through the Leech Lake Indian Reservation in the State of Minnesota.

The message also announced that the President of the United States had on the 9th instant approved and signed the act (S. 578) granting an increase of pension to Wells Johnson.

HOUSE BILLS REFERRED.

The bill (H. R. 4326) to subject to State taxation national-bank notes and United States Treasury notes was read twice by its title, and referred to the Committee on the Judiciary.

The bill (H. R. 4322) granting the use of certain land to the town of Castine, Me., for a public park was read twice by its title, and referred to the Committee on Military Affairs.

The bill (H. R. 7020) to readjust the salaries and allowances of the postmasters at Guthrie, Oklahoma City, and Kingfisher, in Oklahoma Territory, was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

The bill (H. R. 7335) to grant to the Arkansas, Texas and Mexican Central Railway Company a right of way through the Indian Territory, and for other purposes, was read twice by its title, and referred to the Committee on Indian Affairs.

The following bills were severally read twice by their titles, and referred to the Committee on Public Lands:

A bill (H. R. 4448) for the relief of persons who have filed declarations of intention to enter desert lands; and

A bill (H. R. 4952) to amend section 2455 of the Revised Statures of the United States.

NAVAL APPROPRIATION BILL.

Mr. GORMAN. I move that the Senate proceed to the consideration of the bill (H. R. 6748) making appropriations for the naval service for the fiscal year ending June 30, 1895, and for other purposes.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Appropriations with amendments.

Mr. GORMAN. I ask unanimous consent that the formal reading of the bill may be dispensed with, and that the committee amendments may be acted upon as they are reached in the reading of the bill.

The VICE-PRESIDENT. Is there objection? The Chair hears none; and it is so ordered.

The Secretary proceeded to read the bill, which had been reported by the Committee on Appropriations with amendments.

The first amendment reported by the Committee on Appropriations was, on page 2, line 8, after the word "*Provided*," to strike out—

That all officers who have been appointed or who may be appointed to any corps of the Navy after service in a different branch of the Navy, shall have all the benefits of their previous service in the same manner as if said appointments were a reëntry into the Navy. Any alien of the age of 21 years and upward who has enlisted or may enlist in the United States Navy or Marine Corps, and has served or may hereafter serve five consecutive years in the United States Navy or one enlistment in the United States Marine Corps, and has been or may hereafter be honorably discharged, shall be admitted to become a citizen of the United States upon his petition, without any previous declaration of his intention to become such; and the court admitting such alien shall, in addition to proof of good moral character, be satisfied by competent proof of such person's service in and honorable discharge from the United States Navy or Marine Corps.

Mr. GORMAN. I desire on behalf of the committee to withdraw that portion of the amendment beginning in line 12, with the words "any alien," and extending to and including the words "Marine Corps," in line 24.

The VICE-PRESIDENT. That course will be pursued in the absence of objection. The amendment as modified will be stated.

The SECRETARY. After the word "*Provided*," in line 8, on page 2, it is proposed to strike out—

That all officers who have been appointed or who may be appointed to any corps of the Navy after service in a different branch of the Navy, shall have all the benefits of their previous service in the same manner as if said appointments were a reëntry into the Navy.

The amendment was agreed to.

The next amendment was, on page 2, line 24, after the words "Marine Corps," to insert:

That hereafter no officer of the Navy shall be deprived of sea-duty pay while attached to a vessel in commission by reason of assignment to duty as a member of a naval court-martial, court of inquiry or board, or to other temporary duty, or by reason of being sent to a naval hospital for temporary treatment: *Provided further*, That in order to fill vacancies that may exist in the grade of ensign in the Navy and in the grade of assistant engineer in the Navy, the Secretary of the Navy shall, in case the number of vacancies in either of such grades exceeds the number of naval cadets in the line division or in the engineer division of the class of naval cadets finally graduated in the year 1894, or in any one year thereafter, select a number equal to such excess from the final graduates of said class in the engineer division or in the line division, as the case may require, who shall be reported as proficient and be recommended thereto by the Academic Board, and such final graduates shall be appointed to fill vacancies in the grade of ensign in the Navy or in the grade of assistant engineer in the Navy, respectively, and the naval cadets so appointed to fill vacancies in such grades shall take rank in those respective grades next after the naval cadets appointed from the line division or from the engineer division, as the case may be, to fill vacancies in those grades, but among themselves according to merit as determined by the Academic Board.

Mr. ALLEN. I inquire of the Senator from Marylann in charge of the bill whether there is any provision prohibiting aliens from being enlisted in the naval service?

Mr. GORMAN. There is no such provision in the bill.

Mr. ALLEN. I desire to offer an amendment on that subject.

Mr. GORMAN. Under the unanimous consent just given that amendment will be in order after the amendments reported by the Committee on Appropriations have been disposed of.

Mr. ALLEN. Very well.

The VICE-PRESIDENT. The question is on agreeing to the amendment reported by the Committee on Appropriations, which has been read.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 7, line 6, after the word "Island," to strike out "cost of instruction," so as to make the clause read:

Naval War College and Torpedo School on Coasters Harbor Island: For maintenance of the Naval War College and Torpedo School on Coasters Harbor Island, and care of grounds for same, $8,000.

The amendment was agreed to.

The next amendment was, on page 7, after line 7, to insert:

To enable the Secretary of the Navy to purchase for the United States the Ourdan & Kolb letter-engraving machine and the right to manufacture and use, without the payment of royalty, others of said machine and any and every improvement or modification of said machine or applicable to said machine and referred to in the letters patent that have been or may hereafter be granted to the inventors of said machine or their assignees, $20,000, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, on page 8, line 3, to strike out "modern battery for the Hartford, $150,000;" and in line 4, before the word "thousand," to strike out "three hundred and fifty," and insert "two hundred;" so as to make the clause read:

In all, $200,000.

Mr. WHITE. I should like an explanation from the committee with reference to the elimination of the appropriation for a modern battery for the Hartford. I have understood that it was recommended by the Navy Department, and I should like to know something about it if the Senator from Maryland in charge of the bill will give the information.

Mr. GORMAN. This proposed appropriation for a modern battery for the Hartford is, of course, in keeping with the general sentiment to maintain that old historic vessel and have it prepared for some future use, either as a training ship or otherwise. The Navy Department, however, informed the committee that the first thing necessary to be done is the thorough repair of the hull of the Hartford, which will cost some $300,000, in round numbers, and the whole cost of repairing the ship and putting her in a condition for any service whatever with a modern battery would be some four or five or six hundred thousand dollars.

The committee therefore thought that, in the present condition of affairs, it would be very much better to permit the arrangements for the reconstruction of the hull to go on before ordering the battery. There will be time enough hereafter for that; and so the committee reported to strike out the appropriation.

Mr. PERKINS. Will the Senator from Maryland accept an amendment appropriating $150,000 for the hull in lieu of the appropriation which has been stricken out by the committee? The employés at the navy-yard at Mare Island can then proceed at once with repairing the hull; and I am directed by the Committee on Naval Affairs to favorably report an amendment that an appropriation of $150,000 be made for repairing the hull of the Hartford. If the Senator will accept of this amendment in lieu of the appropriation which has been stricken out for the machinery upon the vessel, perhaps we can get along this year. I will state also, in connection therewith, that the Committee on Naval Affairs have a letter addressed by the Secretary of the Navy to the chairman of the committee, saying that this sum can be judiciously expended, and will be perhaps all that will be required for the ensuing year or more.

Mr. GORMAN. I suggest to the Senator from California that after we get through with the amendments of the Committee on Appropriations, the amendment he suggests from the Naval Committee will probably then be in order, and can be considered, but it can not be considered now under the agreement.

Mr. PERKINS. I will permit the amendment to lie over for the present.

The PRESIDING OFFICER (Mr. BLACKBURN in the chair). The question is on agreeing to the amendment reported by the Committee on Appropriations.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 21, after line 3, to insert:

That out of any unexpended balance of the appropriation made for the completion of the dry dock at Port Royal, S. C., there shall be used for paying Justin McCarthy, contractor for building said dry dock, the sum of $18,521.42 in full for loss and damage caused by the cyclone of August 27 and 28, 1893, as ascertained by the Navy Department.

The amendment was agreed to.

Mr. GORMAN. At the end of line 11, I offer an amendment from the Committee on Appropriations.

The PRESIDING OFFICER. The Secretary will report the amendment submitted by the committee.

The SECRETARY. After line 11, page 21, insert:

Dry dock at Algiers, La.: For the purpose of completing the purchase of additional land necessary for the establishment of a dry dock at Algiers, La., and expenses of judicial proceedings instituted for the condemnation of such additional land, $22,025.03.

The amendment was agreed to.

The Secretary resumed the reading of the bill. The next amendment of the Committee on Appropriations was, on page 21, to strike out lines 19, 20, and 21, in the following words:

For the construction of a steam tug at Mare Island navy-yard, California, for the use of said yard, $50,000.

Mr. WHITE. With reference to the amendment proposed by the committee, I think instead of the elimination of the item the appropriation should be increased to $75,000. In this connection I beg leave to submit a communication from the Secretary of the Navy in response to a letter written by me. I desire to have the letter of the Secretary read from the desk for the information of the Senate.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

NAVY DEPARTMENT, *Washington, July 7, 1894.*

SIR: In reply to your communication of the 6th instant, requesting my views in regard to the construction of a tugboat adequate to perform the necessary services at the Mare Island (Cal.) navy-yard, I have the honor to inform you that when this matter was referred to the Bureau having cognizance thereof it was returned to the Department with the following indorsement:

"The Bureau would recommend the building of a tug and freight boat for the navy-yard, Mare Island, of about 350 tons displacement, at an estimated cost of $75,000.

"Owing to the location of the yard and the services required a tug for this yard should be seagoing and of greater power and carrying capacity than those at the Eastern navy-yards.

"For two years the navy-yard, Mare Island, has had to depend upon the small navy launches in the handling, mooring, placing, docking, and undocking of ships. It has been a matter of good fortune that no serious accidents have occurred, as, owing to the tides and the small power of the launches employed, the handling of the ships has been extremely hazardous, and grave responsibility has devolved upon those engaged in the operation. Again, the vessels required to be docked have been comparatively of small displacement; but with the Olympia and Oregon nearing completion on the Pacific coast, and other large vessels which will probably soon have to be docked at this yard, the risk will be considerably augmented.

"In addition to the service in handling vessels for docking, etc., the tug at Mare Island is needed for freight service, the carrying of stores, ordnance, and enlisted men to and from San Francisco (about 25 miles distant) and vessels in the harbor, and would also be of great value as a protection against fire along the water front and on ships moored in the stream."

From a personal examination at the Mare Island navy-yard I am convinced that an actual necessity exists for the services of such a tugboat as is recommended by the Chief of the Bureau of Construction and Repair.

Very respectfully,

H. A. HERBERT,
Secretary of the Navy.

Hon. STEPHEN M. WHITE,
United States Senate.

Mr. WHITE. Mr. President, the situation of affairs at Mare Island is such as certainly to call for the building of an adequate tug. I am personally pretty familiar with the surroundings, having visited the island, and my attention having been specifically directed to this matter. My colleague, who also is familiar with the situation, and more familiar with seagoing matters than I am, agrees with me fully in this regard. The information contained in this letter is of more recent date than any which could have been before the committee, as it has come from the Secretary of the Navy since he has personally inspected the

ground. I scarcely think, in view of the statements from that official, that it will be necessary for me to add anything to what I have said. The sum of $75,000, I am told, is a necessary amount to construct a boat adequate for such service.

I submit to the Senator from Maryland whether under the circumstances detailed, and especially upon the information contained in this late communication from the Secretary of the Navy, who has familiarized himself personally with the subject, it will not be well to accord my request.

Mr. GORMAN. The Committee on Appropriations were of course very anxious to reduce the amount of the appropriations to the lowest possible limit consistent with the proper conduct of the business affairs of the Navy Department. It is true that the statement which the Senator from California has just had read was not brought to our attention until this morning, and I am satisfied that the appropriation of $50,000 is necessary for that purpose.

Mr. WHITE. I ask the Senator from Maryland whether it ought not to be made $75,000, in view of the estimate of the Department and the fact stated, that it is necessary to have a stronger and heavier tug—a seagoing tug—at that particular island for the reasons detailed in the letter of the Secretary?

Mr. GORMAN. I think the Senator from California had better let the matter remain as it came from the other House. There is no estimate for it. There is nothing but the letter of the Secretary. I suggest that the Senator had better let the provision remain for the present as it came from the other House. I withdraw the amendment.

The PRESIDING OFFICER. The Senator from Maryland withdraws the amendment of the committee striking out the clause. The reading of the bill will be proceeded with.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 22, line 15, after the word "Academy," to strike out "to be immediately available;" so as to make the clause read:

For buildings and grounds, Naval Academy: Improvement of the water front of the Academy, $10,000.

The amendment was agreed to.

The next amendment was, on page 22, after line 16, to insert:

For repairs to the gas-plant, $5,000.

The amendment was agreed to.

The next amendment was, on page 22, after line 17, to insert:

To pave Hanover street from Maryland avenue to Wagner street, Wagner street from Hanover street to King George street, and King George street from College avenue to College or Graveyard Creek, in the city of Annapolis, Md., $13,000; and the Secretary of the Navy is hereby authorized to convey to the city of Annapolis, Md., the title to the bed of King George street from College avenue to College or Graveyard Creek.

The amendment was agreed to.

The next amendment was, on page 23, line 5, after the word "extended," to strike out "to be immediately available;" so as to make the clause read:

For grounds and roads: For continuing grading, extending roads and paths, clearing and improving grounds of new Naval Observatory, and filling ravine contiguous to boiler house to Massachusetts avenue extended, $12,000.

The amendment was agreed to.

The next amendment was, in the appropriations for Naval Observatory, on page 23, line 20, after the word "dollars," to strike out "to be immediately available;" so as to make the clause read:

Instruments and accessories: Miscellaneous instruments and accessories, namely: One comet seeker, $400; one standard mercurial barometer, $400; one magnetic theodolite, $800; one dip circle, $250; one earth inductor inclinometer, $300; one galvanometer, $80; one telescope and scale, $50; one quadrant galvanometer, $62; one compensator, $14; glass scales, $100; beam suspensions, $100; one photographic register, $150; one altazimuth instrument, mounted and protected from weather, $6,500; eyepieces and shades, $250; one 12-inch object-glass, $2,000. For freight elevator, $500; in all, $23,956.

The amendment was agreed to.

The next amendment was, on page 24, line 3, before the word "museum," to strike out "and department of instruction;" so as to make the clause read:

Medical Department: For surgeons' necessaries for vessels in commission, navy-yard, naval stations, Marine Corps, and Coast Survey, and for the civil establishment at the several naval hospitals, navy-yards, naval laboratory, museum of hygiene, and Naval Academy, $60,000.

The amendment was agreed to.

The next amendment was, on page 24, line 8, after the word "dollars," to strike out—

And the Secretary of the Navy is hereby authorized to use such portion of the naval hospital fund accruing from the sale of naval hospital grounds to the city of Brooklyn, and placed to the credit of the naval hospital fund, in pursuance of the provisions of the act approved July 2, 1890, as may be required to thoroughly repair the United States Naval Hospital, Brooklyn, N. Y., and to build, equip, and maintain additional sick quarters of modern construction at that place for the proper care and treatment of sick and wounded officers and men, and to make such further improvements in and about said naval hospital and the grounds thereof as may be commensurate with the requirements of the service: *Provided*, That the amount so expended shall not exceed the sum placed to the credit of the naval hospital fund as the net proceeds of the sale of naval hospital lands under the provisions of the act approved July 2, 1890.

So as to make the clause read:

Naval hospital fund: For maintenance of the naval hospitals at the various navy-yards and stations and for care and maintenance of patients in other hospitals at home and abroad, $20,000.

The amendment was agreed to.

Mr. GORMAN. After the word "dollars," in line 8, I move to insert what I send to the desk.

The SECRETARY. After the word "dollars," in line 8, page 21, insert:

For complete renovation of present hospital building at Brooklyn, N. Y., with a view of placing it in a perfect sanitary condition, namely, for erection of retaining and boundary wall, $15,000; for kitchen, mess hall, and smoking room, removed from basement and located apart, conveniently for inmates and attendants of main hospital building and proposed adjacent wards, $3,500; for construction of and operating ward with all modern antiseptic appliances, $1,500; for heating and fire apparatus, enlarged and improved; plumbing renewed, $5,000; for elevator for transporting sick and wounded introduced, $3,000; for apartment fitted in main building for chapel, reading room, and sailors' library, $1,000; in all, $44,000; which sum shall be paid from that portion of the naval hospital fund accruing from the sale of naval hospital grounds to the city of Brooklyn and placed to the credit of the naval hospital fund, in pursuance of the act approved July 2, 1890.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Maryland.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 25, line 18, after the word "dispensary," to strike out "Washington's" and insert "Washington;" and in line 19, after the word "laboratory," to strike out "and department of instruction;" so as to make the clause read:

Contingent, Bureau of Medicine and Surgery: For freight, expressage on medical stores, tolls, ferriages, transportation of sick to hospital, transportation of insane patients; care, transportation, and burial of the dead; advertising; telegraphing; rent of telephones; purchase of books and stationery; binding of medical records, unbound books, and pamphlets; postage and purchase of stamps for foreign service; expenses attending the medical board of examiners; rent of rooms for naval dispensary; hygienic and sanitary investigation and illustration; sanitary and hygienic instruction; purchase and repairs of wagons and harness; purchase of and feed for horses and cows; trees, plants, garden tools, and seeds; furniture and incidental articles for the museum of hygiene, naval dispensary, Washington; naval laboratory, sick quarters at Naval Academy and marine barracks, surgeons' offices and dispensaries at navy-yards and naval stations; washing for medical department at museum of hygiene, naval dispensary, Washington; naval laboratory, sick quarters at Naval Academy and marine barracks, dispensaries at navy-yards and naval stations and ships and rendezvous; for necessary expenses incident to removal of museum of hygiene to old observatory building and grounds, and for such minor repairs on said building and grounds as may be required to properly receive and preserve the exhibits, and all other necessary contingent expenses, $25,000.

The amendment was agreed to.

The next amendment was, on page 26, line 5, after the word "hospitals," to strike out "and department of instruction," so as to make the clause read:

Repairs, Bureau of Medicine and Surgery: For necessary repairs of naval laboratory, naval hospitals and appendages, including roads, wharves, outhouses, sidewalks, fences, gardens, farms, and cemeteries, $20,000.

The amendment was agreed to.

The next amendment was, on page 26, after line 9, to insert:

That an officer of the pay corps of the Navy may be temporarily detailed as assistant to the Chief of the Bureau of Supplies and Accounts in the Navy Department, and that such officer shall, in case of the death, resignation, absence, or sickness of the Chief of the Bureau, unless otherwise directed by the President, as provided by section 179 of the Revised Statutes, perform the duties of such chief until his successor is appointed or such absence or sickness shall cease.

The amendment was agreed to.

The next amendment was, on page 31, after line 24, to insert:

For the repair of the ship Constitution, now lying at the Portsmouth navy-yard, in the State of New Hampshire, in order that it may be used as a training ship for the naval militia, $8,000.

The amendment was agreed to.

The next amendment was, on page 34, to strike out lines 17, 18, and 19, in the following words:

To commence the construction of new machinery, engines, and boilers of United States steamship Hartford, $100,000.

The amendment was agreed to.

The next amendment was, on page 37, line 17, before the word "dollars," to strike out "forty-three" and insert "seven;" so as to make the total of appropriations for pay of professors and others at Naval Academy $52,407.

The amendment was agreed to.

The next amendment was, on page 38, line 8, after the word "President," to strike out the following proviso:

Provided, That every Member or Delegate of Congress whose district or Territory is now unrepresented at the Naval Academy by a cadet who is not an actual resident of the district shall be permitted on or before the 1st day of August, 1894, to recommend a candidate for appointment as a cadet at the Naval Academy, and the Secretary of the Navy shall nominate such candidate for appointment to the Academy, subject to qualifications now prescribed by law. Such cadets when appointed to be in addition to the

number of cadets now allowed: *Provided*, That there shall be but one appointed from the State of South Dakota at large, and the sum of $5,500, or so much thereof as is necessary, is hereby appropriated, for the additional number of cadets herein authorized.

Mr. ALLEN. I hope the Senator from Maryland will withdraw the amendment. After the word "exists," in line 5, page 38, of the bill, I move to insert:

Who shall have been for at least two years immediately preceding the date of his appointment an actual and bona fide resident of such district in which the vacancy may exist.

Also after the word "President," in line 8, I move to insert:

But must be distributed among the different States of the Union in as nearly equal a manner as is practicable.

I desire to say to the Senator in charge of the bill that the Congressional district in which I reside in the State of Nebraska has an appointee in the Naval Academy who never even saw the State of Nebraska, who knows nothing about it any more than he would know if he had been born in Russia. He was appointed from this District, who has probably never been west of the District, and yet that boy is put in the Naval Academy charged to the Third district of Nebraska, while the boys there, many of whom are amply competent and desirous of filling these positions, are excluded from them.

I hope the Senator from Maryland will consent to the amendment of the proposed law I have suggested, to the end that no abuse may be indulged in in the appointment of cadets to the Military and Naval Academies of the nation. It is perfectly proper that the youth of my State should have an equitable portion of the appointments to the Naval Academy and the Military Academy. Because we reside 1,500 miles from the seaboard furnishes no reason why the President or the Secretary of the Navy or any other person in power should exclude our boys from the privileges and responsibilities of these appointments. I have been informed by those who have had more Congressional experience than I that it has been a custom to abuse these appointments, and that boys from the District of Columbia have been accredited to different districts and States in the Union, which neither they nor their parents ever visited or ever saw. I hope the Senator from Maryland will consent to the amendments I propose.

Mr. GORMAN. I am in entire sympathy with the object the Senator from Nebraska has in view in requiring these appointments to be made from the actual residents of a Congressional district. The provision as the Committee on Appropriations have left it I think amply provides for that. If the Senator desires the further qualification of residence for at least two years in the district I have no objection to that amendment, but in recommending that the proviso shall be stricken out I think the Senator upon reflection will agree the committee were quite right. The law now provides that every member of Congress shall nominate once in four years a candidate for the Naval Academy or West point.

In the event that the members fail to nominate, or fail to nominate a boy who can pass the examination, and after such rejection still neglect to make another appointment, the President and the Secretary of the Navy, or Secretary of War, have a a right to supply the vacancy. The custom has grown up of taking whoever they thought proper, whether the boy be a resident of the District of Columbia or one of the Dakotas or Nebraska.

This provision, as it is proposed to leave it, will prevent that hereafter. The proviso we propose to strike out makes provision that where a lapse has occurred in the past a member of Congress shall now have a right to nominate another person and thus increase in an appropriation act the number of boys in the Academy.

Mr. GEORGE. Why not increase the number?

Mr. GORMAN. There is no necessity for it. It is difficult now to provide for the boys who have already passed. We make in this very bill provision for them. We are now trying to open another door that they may enter the engineer class, a class from which they have not graduated, so that they may have employment hereafter.

We can not correct what is past; we can not go back to give a member of Congress who has failed to do his duty to his constituents an opportunity to make another nomination, and thus increase the force out of proportion, but we do provide that hereafter when a lapse shall occur the appointment shall be made actually from the district to which the appointment belongs.

Mr. ALLEN. I have been informed that in at least one instance a member of Congress who had the appointing power under an act similar to this, was never actually notified by the Navy Department of the desire that the appointment should be made. It occurs to me that an abuse has grown up in this respect. I do not say that the failure to notify was designed or anything of that kind; it was merely an oversight, or it may have been a failure on the part of the mails to reach the member. If the boys of the different States of the Union have been deprived of their equal privileges of appointment to the Naval Academy, and the vacancies have been filled indiscriminately by the President and the Secretary of the Navy from boys around this District, or the sons of naval officers, why not right that wrong by adopting the amendment I have proposed. The appropriation is small.

With reference to the other amendment, I understand the Senator makes no objection to it. I will read the amendment again. After the word "exists," in line 5, I move to insert:

Who shall have been for at least two years immediately preceding the date of his appointment an actual and bona fide resident of such district in which the vacancy may exist.

Then, after the word "President," in line 8, I move to insert the words:

But must be distributed among the different States of the Union in nearly as equal a manner as is practicable.

Mr. GORMAN. I suggest to the Senator to let the vote be first taken on the committee amendment, and his amendments can be offered afterwards. The last amendment the Senator suggests interferes with the existing system. The law now provides that every member of Congress shall nominate one in four years for each Academy, and therefore the distribution is as perfect as it can be made. Then ten shall be appointed by the President at large, who, under the unwritten law always observed, has appointed descendants of persons who had distinguished themselves in the Army or Navy. I do not think the second amendment the Senator suggests would operate at all well. We can not make a more fair distribution than to provide that the appointment shall be made from each Congressional district.

I trust the Senator will allow us to vote on the committee amendment first and then he can offer his amendment as to bona fide residence. I have no objection to that amendment.

Mr. ALLEN. I have no objection to the order in which the amendments are offered. I want, however, to see the amendment I offer become a part of the law of this country. I do not want to be required to take the committee amendment first and then have the committee tell me that my amendments are not germane to the bill and ought to be voted down.

Mr. GORMAN. The Senator will have no difficulty about offering his amendments. I am not prepared to exclude his amendments, but under the ruling of the Chair the committee amendment must be first voted on.

Mr. ALLEN. I understood the Senator from Maryland to say that he has no objection to my first amendment.

Mr. GORMAN. None in the world, and I will accept it when the time comes.

Mr. ALLEN. My second amendment, which requires that the general appointments made by the President shall be distributed as nearly equitable as possible among the different States, it strikes me is preëminently proper. I do not know what right the President of the United States should have to select ten or twelve young men or boys annually at his mere discretion and place them in the naval service of the United States. It strikes me that, if the States have any rights here, those appointments ought to go to the States as well as those made by members of Congress. The tendency of that practice is simply to build up a naval aristrocracy. It is simply to give a boy an advantage by an appointment in the Naval Academy of the Government because his father may have been a distinguished man, when the boy himself may prove utterly unfit for the appointment he has received.

I have no sympathy with that kind of flunkeyism and aristocracy which recognizes a child simply because the father may have been a great man. Let the boy take his chance in the race of life and depend upon his own merits, Let the appointments which have been accumulating for years through the agency of the President and the Secretary of the Navy go out among the different States of the Union, and let boys be selected who are meritorious and who show mental and physical capacity to perform the duties of the office to which they will be promoted. It is a small thing it is true, but it is one of the small things which added to many other things is building up an aristocracy in the Navy, an aristocracy in the Army, and an aristocracy in all of our great Departments, and thus takes away from the people a part and parcel of their rights.

Now, I hope the Senator from Maryland will permit the second amendment also to be made to the bill.

The PRESIDING OFFICER. The question is on the amendment reported by the committee, to strike out the proviso on page 38.

The amendment was agreed to.

The PRESIDING OFFICER. The question recurs on the amendment submitted by the Senator from Nebraska.

Mr. ALLEN. The first amendment was accepted, I understand.

The PRESIDING OFFICER. The Chair understands that the amendment submitted by the Senator from Nebraska was accepted by the committee.

Mr. GORMAN. Let the amendment be read as it stands.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 38, line 5, after the word "exist," it is proposed to insert:

Who shall have been for at least two years immediately preceding the date of his appointment an actual and bona fide resident of the district in which the vacancy exists.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Nebraska.

Mr. GORMAN. Let the word "and" be inserted at the end of the amendment, so as to read "in which the vacancy exists and of the legal qualifications," etc.

Mr. ALLEN. That is right.

The PRESIDING OFFICER. The amendment will be so modified. The question is on the amendment as modified.

The amendment as modified was agreed to.

The PRESIDING OFFICER. The next amendment proposed by the Senator from Nebraska will be stated.

The SECRETARY. After the word "President," in line 8, on page 38, it is proposed to insert—

but must be distributed among the States of the Union as nearly equally as practicable.

Mr. GORMAN. I trust the Senate will not adopt the amendment offered by the Senator from Nebraska. The provision of law from the very beginning of the Government and from the foundation of those two great schools has been that each Representative in Congress should have the power to nominate once in four years a boy as a candidate to each of these two schools, the Naval Academy and the Military Academy. It was also provided, so that exact justice might be done, that the President should have ten appointments at large, and the statute provides that he may select them from any place in the United States. The real object, however, was to give the President an opportunity to select boys, the sons of officers of the Navy and the Army, who had no residence in any of the States, to go into these two great academies.

The Senator from Nebraska is entirely wrong when he intimates that this provision was intended to favor a particular class. It was just the reverse. It was intended to give an opportunity for the appointment of such boys as had no means of reaching a member of Congress by reason of having no legal residence in a State, so as to give them the same opportunity with boys nominated by members of Congress. There can not be, and there never has been heretofore, any charge of favoritism in the examinations. The candidates go before a board and undergo a most rigid examination. Comparatively few boys pass that examination. If they are mentally and physically qualified, they have by this means an opportunity to serve their country as their forefathers have done.

Mr. President, things have certainly not come to such a pass that any considerable number of intelligent people in the United States would deliberately exclude boys from these academies or prevent them from having an opportunity to be nominated for examination simply because the services of their fathers have prevented them from acquiring political influence, for that is what it amounts to.

Instead of the law being such as the Senator from Nebraska intimates, it is a broad and wise provision, placed in the hands of the President of the United States, that that class of meritorious boys may enter the military or naval service, and I think history will bear me out, as is suggested by my friend from Texas on my left [Mr. MILLS], that the unwritten law in this case has been more closely observed than the written law, for I do not believe there has ever been a President who has made an exception to what was the general understanding and determination of Congress when that act was passed, that these appointments should be given to just such young men as I have described. I think it is a wise provision of law, and therefore I can not accept the amendment offered by the Senator, and I trust the Senate will vote it down.

Mr. HAWLEY. Mr. President, I second heartily the remarks of the Senator from Maryland [Mr. GORMAN], though I can make an exception to one of his statements, that there never was a case in which the young man appointed to West Point or Annapolis was not the son of some officer of the Army or of the Navy.

Mr. GORMAN. Or a descendant.

Mr. HAWLEY. There is one exception within my knowledge to the remark of the Senator from Maryland that the young men appointed under this general provision are all sons or descendants of officers of the Army or of the Navy. They are as a rule. I agree with the Senator in thinking that no provision of law has been more wisely observed, and I think all of the Presidents, so far as I have knowledge, in the last twenty or thirty years have done well in that regard.

I know they have had an active competition in the large number of young men whose fathers, or whose grandfathers, or perhaps their great grandfathers, had served in the Navy or in the Army. In many cases these young men were naturally extremely anxious to get into the service, and the very honorable record of the service of their ancestors is a sufficient guaranty that they will do well. They take great pride in it for the reason that members of their families have been for generations in the service.

The Senator thinks there is a sort of aristocracy here. On the other hand, the fathers and grandfathers of these young men are, as a rule, poor men; and remember also, as a rule, they have practically no political experience, and no President gains anything for his party by making these appointments. I am happy to say I have known of many cases in which party has had nothing to do with such appointments.

In the case of the exception to which I referred, some six or eight years ago I had the pleasure of bringing to the notice of the President a bright young fellow who had been a captain of the High School Cadet Corps in this city, and the President took quite a fancy to him and appointed him. Who was his father? A Republican clerk in one of the Departments. He had been a Connecticut private soldier. The youth had done so well in his school and pleased the President so well in his personal appearance and his bearing, that the President appointed him; but I am sorry to say that, on account of some unknown or unforeseen defect of hearing, he was barred out.

I give that as an example of the fairness of President Cleveland, and I know of many other Presidents who have acted in a similar way. I should be very sorry to see the law changed in this respect.

Mr. MILLS. I can account for the fact that there may be an occasional exception.

Mr. HAWLEY. This is only a single exception. I do not know of another.

Mr. MILLS. That is perhaps the only exception. I can see how the President might be unable to find a suitable person among the sons of officers of the Army and the Navy and be driven to make appointments outside.

Mr. PASCO. I should like to ask the Senator from Maryland whether the pending amendment relates to persons appointed by Members and Delegates in the House of Representatives or whether it relates to Presidential appointments?

Mr. GORMAN. To Presidential appointments.

Mr. PASCO. If the amendment relates simply to Presidential appointments then I agree entirely with the views of the Senator from Maryland; but I think when vacancies occur, after appointments have been made by Representatives and Delegates in Congress, the fresh appointees should come from the State and the district.

Mr. GORMAN. We have so provided in this bill, and made the law more specific on that point than it has been heretofore.

Mr. HUNTON. Mr. President, the statement made by the Senator from Maryland [Mr. GORMAN], in answer to the amendment of the Senator from Nebraska [Mr. ALLEN], is a very strong statement of the case, if I could agree with its facts; but it does appear to me that the facts are not as stated by the Senator from Maryland.

The Senator says that this law originated in the fact that there were certain persons, sons of officers of the Army and of the Navy, who would not probably be able to secure appointments either to West Point or to Annapolis because they were not residents of a particular State, and therefore excluded.

But, as I understand, these gentlemen are not cosmopolites; but every officer of the Government, whether he belong to the civil list or the Army or the Navy must have a residence in some State of the Union. I would also further state that I think each one has a legal residence in some State or other, where he has a right to vote, because by reason of the fact that he is in the service of the Government he is not required to remain a certain specific time in any State of the Union in order to entitle him to vote.

If that be true, sir—and I think it is—then these applicants for appointment by the President have two chances. If the President chooses to confine himself to that class in making his appointments, they have the same right as any other persons to go before a member of Congress and fight for the appointment. If they fail there, then they have a right to go before the President. If the law referred to be intended to give these appointments to that class of people, then everybody else is excluded from appointment by the President, and these young men, sons of officers of the Army and Navy, have two chances to the civilian's one.

If I am right in these facts, then I think the law ought to be

corrected so as to give all, whether they be sons of officers of the Army or of the Navy, or civilians, the same opportunity and put them upon the same footing, so that all may have an equal chance.

I do not hold because a young man is the son of a distinguished officer of the Army or of the Navy that for that reason he is entitled to any preference over a young man equally well qualified in civil life.

Mr. HAWLEY. Of course, the son of an officer has no right and no especial claim, but as a matter of fact a great many of the older officers of the Army and Navy have no legal residence in any Congressional district. It is hardly possible that they should all be able to get one. The head of the family in the service is oftentimes three years at sea, and the family lives in one place and then in another.

Sometimes he has shore duty, and the family goes and lives with him while he has that duty on shore; but the actual fact is, as the officers will tell you, that a great many of them have never stayed long enough, or taken the pains in any particular place to acquire the right to vote there. Even if they had been for awhile there, what chance has an officer of the Navy who may be in China waters to get an appointment from the Congressman who has scores of political friends around him begging for such appointments for their boys.

Mr. HUNTON. Will the Senator allow me to ask him a question?

Mr. HAWLEY. Certainly.

Mr. HUNTON. Suppose an admiral of the Navy had a home in Connecticut, and his family remained there, just as the Senator's family remains there and mine in Virginia, I ask the Senator if that officer of the Navy could not go home and vote at the polls in the State of Connecticut?

Furthermore, I desire to say that almost all the members of Congress now appoint to Annapolis and West Point upon competitive examinations. When that is the case, the son of the officer of the Army or of the Navy has the same right to compete as any civilian, and I think the officer would have the right under such circumstances to vote in Connecticut, as I am sure he would have in Virginia.

Mr. HAWLEY. The right to vote depends, as the Senator well knows, upon a number of qualifications prescribed by the State. It is not always easy for the officer of the Army or of the Navy to comply with these conditions and save his vote. The actual fact is, as I have stated, that many of them have no place where they can vote.

Mr. HUNTON. If an Army or a Navy officer has a residence in a State he has the right to vote there.

Mr. HAWLEY. I understand that. He may have his wife in Connecticut for a number of years, but when the time comes to register and vote he may be in Havre, or up in the Mediterranean, or in the China seas, and he does not get around, so that he can not vote very often.

Mr. ALLEN. Mr. President, I think there is no force whatever in the position of the Senator from Connecticut [Mr. HAWLEY]. In the first place, I think it is absolutely impossible to conceive of a case where a man is a citizen of the United States and has no residence. If any man is a citizen of the United States, he has a legal residence somewhere, in some State, some Territory, some district of this Union. If he is not a citizen of some State and has no residence, or domicile, at least, somewhere in the United States, then he is not a citizen of the United States, and he is entitled to no consideration at the hands of this Govment, and ought not to be in its service.

Whenever you use the words "citizen of the United States," you imply that the individual has a domicile, legal or actual, in some State or Territory of the Union or in the District of Columbia. It may be that he may have been absent from it for years, possibly for nearly all his life—from boyhood until he is an old man—and yet, during all that time, there is some spot, there is some State or Territory or place in the United States of which he is a citizen, and where, if otherwise qualified, he is a legal voter. If such a man voluntarily goes into the naval or military service of this Government in the pursuit of honor, perhaps, or from natural adaptation to that branch of the service, he gives his child an enlarged opportunity for education. If he is in the naval service the child goes with his parents around the world into different countries, and into the various places to which the vessel may sail.

What reason is there why that child should have any superior advantages by law over my child or yours? To give him such advantages cuts off the opportunity of some other boy in some State or some Territory to compete for that position. Why should one be by the enactment of law put in the naval service of this Government and the other made a hewer of wood and a drawer of water?

The same argument applied by the distinguished Senator from Maryland and the distinguished Senator from Connecticut would contend that every military appointment to the Academy at West Point should be made from the sons of some distinguished officer of the Army; and yet, Mr. President, the history of this country has demonstrated that the greatest failures in civil and military life have been the sons of great men. With one or two exceptions, can any Senator stand at his desk in this Chamber and point to the successful son of a distinguished man? Under such a system every officer in our Army twenty-five years from to-day would be the son of some man who had been an officer in the Army preceding him.

The same argument can be applied to the civil list with equal propriety and equal logic. Suppose we had a law to-day that the President or some Cabinet officer might appoint to the civil list of this country boys or girls because they were the sons and daughters of distinguished men. They might lack every qualification of success; they might be on the debatable line between idiocy and sanity, and yet the sole qualification that the law would require them to possess would be that they should be the sons or daughters of distinguished men in the civil department of the Government. How many years would it be until this Government in its civil department, in its naval department, in its military department, and in all its ramifications would be an aristocracy, if not an absolute oligarchy?

No such power should be conferred upon the President of the United States. His office does not call for a concession of this kind. There is no reason existing why these ten offices should not be distributed as nearly equally or equitably as possible between the different States of this Union, so that every honest boy, wherever he may be in the Union, whether he be the son of a commodore or a general, or the son of a hod-carrier or a farmer, may have an equal opportunity by merit to win that position. That is democracy; that is republicanism; that is in the line of a government by the people, and of the people, and for the people, recognizing alone the merit that the individual possesses and not to any inherited privilege.

Mr. HAWLEY. Mr. President, I would not prolong this discussion if the Senator from Nebraska [Mr. ALLEN] had not implied that I had made a remark from which the inference might be drawn that I was in favor of having the cadets at Annapolis and West Point appointed from the families of distinguished naval and military officers. I never said anything of the kind. I never said anything about having any of these young men taken from military or naval families. The great body of the naval and military cadets are selected by 356 members of the House of Representatives, and there is no better guarantee for their being fairly distributed throughout the Union, and no better guarantee for their being fairly representative, to use the phrase so much used nowadays, of the people at large.

I only advocate giving the President an equitable discretion in the appointment of about ten young men in the Army. How in the world are ten cadets to be distributed proportionately over the Union? The appointments, taking deaths and resignations into account, will amount to about three a year, to be distributed amongst forty-four States.

Mr. GRAY. Mr. President, I do not neglect the opportunity of indorsing so far as I can the sentiments expressed by the Senator from Nebraska [Mr. ALLEN] with so much vehemence and eloquence. As a Democrat I would not deny the equal opportunity for all of advancement in life, for entry into the public service to any man on account of his condition, no matter how humble or how poor that man may be in this world's goods. I do not believe that the son of a commodore or of a general or of a distinguished Senator like the Senator from Nebraska——

Mr. ALLEN. Or the Senator from Delaware.

Mr. GRAY. Should have any advantage over the son of the hod-carrier, to whom the Senator from Nebraska alluded as one of presumed humble condition in life. I would not, by any vote of mine or by any word of mine, give the least advantage to one over the other.

But, Mr. President, in our consideration and in our care and anxiety to preserve that equality for certain classes in the community, we are sometimes in danger of producing an inequality quite as vicious, quite as undemocratic, and quite as inimical to those conditions of equality which we have sought to preserve from the commencement of our Government until the present time.

Why should the son of the distinguished Senator from Nebraska be deprived of the advantage that his precocity and his ability and his capacity is to give him as an aspiring young man in this great Republic? Why should he, if he happens to be the son of this distinguished man in the service of the United States in such fashion as to deprive him of that residence which is necessary to the great mass of appointments, not have these few and limited opportunities to go abreast with the sons of those who have been fortunate enough to live in the States long enough to

acquire this advantage of competing for these appointments at West Point and Annapolis?

Surely, it seems to me that giving the President the appointment of ten out of some three hundred cadets in order to meet this case, and thus remove measurably this inequality which would otherwise exist, ought to commend itself to the democracy and to the sense of fairness of the Senator from Nebraska, as it certainly does commend itself to me.

The Senator must recollect that this supposititious case of his of the feeble-minded son of a distinguished commodore or a distinguished general being placed in the service where only a deserving lad should be placed, is purely imaginary. Every young man, if appointed by a Representative or by the President is subjected to precisely the same examination before entrance into either of the academies; he must stand the same physical test, he must measure up to the same intellectual standard.

There is an absolute equality as to requirements. When they have once entered, I have never heard any charge that there was any favoritism as to the graduation of these lads in the service of their country. On the contrary, I have always believed, as I have heard it asserted, that there were no more democratic institutions in this country, certainly no more democratic educational institutions, than these academies for the naval and military service. There is absolute equality there to-day as to opportunities, as to condition in life, as to instruction, and as to the mode of living between the son of a millionaire or the son of the distinguished Senator from Nebraska and that of the humblest boy who has entered the Academy by the favor of the Representative of his district; and I have never heard any allegation to the contrary.

This is a practical question. I do not think the case quite calls for the vehemence and eloquence of the Senator from Nebraska. If there is a wrong here, I would go with him to right it, and I would go with him to right it on the lines he has marked out for producing equality and absolute equality, and especially equality to those who should be less fortunate in the race of life than their fellows, but it does not seem to me that the occasion exists.

It seems to me that there were wise men and democratic men and men in favor of the rights of the people who made this law before we came here. There were great men before Agamemnon; there were wise legislators before the Senator and I entered this body, and they seem to have provided with a practical good sense and a practical statesmanship for the distribution of these cadets over the Union by allowing the Representative of each district to nominate them.

I quite agree with the Senator in making more stringent the provision that the cadet should be domiciled and have a bona fide residence in the district from which he is appointed.

In addition to that, it seemed necessary to clothe the President—I do not suppose the President desires the power at all, for it is only a trouble and annoyance to him—with this power to appoint these few cadets in order to do away with what seemed to be a condition of things that would produce inequalities and unfairness towards a certain class of our citizens.

Mr. ALLEN. Mr. President, I desire to say, in reply to the Senator from Delaware [Mr. GRAY], that my amendment, as I drew it, is only a provision that affords an equal opportunity to all the people of this country. I do not want to give any special advantage to the son of any particular man or class of men. I want for the humblest citizen in this land who has a bright and intelligent boy, one who is mentally and physically competent to enter the naval service of this Government, as complete an opportunity to do so as the son of any commodore or commander of a vessel or any other man.

The Senator from Delaware says that he agrees with me upon that. I did not think so a moment ago when he said that the President ought to have the power to reward a certain class of men in the naval service.

Mr. GRAY. I did not say that.

Mr. ALLEN. Why not make the son of a commodore—and I speak simply by way of illustration—go into the district where his father has a legal residence, and there come in competition with the boys who live in that Congressional district? Has the Senator from Delaware any objection to that?

Mr. GRAY. Mr. President, I should have no objection to it. There is nothing in this matter, so far as I view it, except in the matter of practical arrangement, so as to do the least possible injustice and make the greatest possible equality in distributing these appointments.

There would be a very great hardship, it seems to me, if my friend from Nebraska happened to be an officer in the Army out upon the plains, with a little family around him, to compel him to send his son a thousand miles away in order to acquire a domicile somewhere else, and incur expense and trouble in order to get an appointment that he is deprived of getting by reason of his service and the life he is obliged to lead.

Mr. ALLEN. The Senator from Delaware is mistaken. His argument is based upon a false assumption of the law. I think the Senator from Delaware is a good enough lawyer to know that it is impossible for a man to be a citizen of the United States and not possess a legal domicile somewhere. I ask the Senator as to that.

Mr. GRAY. I was speaking as a practical question and not as a legal question about domicile, which the Senator knows is an exceedingly abstruse matter sometimes. But I instanced to him what might very well take place, that an officer of the Navy whose legal domicile was in my State, or the State of New Jersey or the State of New York or on the seaboard, whose whole life during the rearing of his children being out on the plains, even west of the Senator's own State, and it seemed to me depriving him of that equality of opportunities, for which we are both contending, to require him to send his son back to reside for two years at this domicile, at an expense he could illy afford, and deprive him of his society and of the opportunity to train the boy as he wished to do, in order that he might enter the military service.

Mr. ALLEN. The Senator does not deny the fact, then, that at some place in the United States, within its territorial jurisdiction, every officer of the Navy and of the Army, although he may be now or may have been for twenty-five years in the heart of Africa, has a legal domicile, and that the domicile of his wife and children follow his domicile. There can be no question about that rule. It is the rule of this country; it is the rule of every civilized country upon the face of the globe to-day, and has been for five hundred years.

Suppose the Senator from Delaware with his family was in the State of California or the State of Washington, and a competitive examination was to be held in the State of Delaware, in which his son desired to enter for appointment to the Naval Academy or to the Military Academy, would the Senator think it was proper, under those circumstances, to have a law which would permit the President to appoint his son, without undergoing that competitive examination with the boys who live in the State of Delaware, which would take him in consequence of his being in California and still having a domicile in the State of Delaware, and place him in the Military Academy or the Naval Academy, and by that means defeat the other good boys of Delaware from an opportunity to compete for that position?

Mr. GRAY. If the Senator wants an answer now, I do not think his supposititious case is a good one. That would not deprive any boy in Delaware of that opportunity who now would be entitled to it, each district having one cadet; and this is entirely a matter of additional appointment given to the President to meet the case which I have tried to describe.

Mr. ALLEN. No, Mr. President, if the Senator from Delaware were in California he would be there by his own volition and would have his family there by his own volition, and that would furnish no reason why his boy should not return to Delaware and undergo a competitive examination before he was selected for a place in the Naval or Military Academy—none whatever. It would be due to the boys in Delaware that they should have an opportunity to enter into competitive examination with him and show, if they could, that they were brighter and fitter for this appointment than his son.

Mr. GRAY. If I may interrupt the Senator for just one moment, I think there is one basis of the Senator's argument which would fail him, for if he will refer to the law as it exists now and as it is proposed it shall exist, he will see that there is no provision requiring a competitive examination.

Mr. ALLEN. I understand that quite well; but in view of the fact that competitive examinations have been instituted by members of Congress throughout the different States and recommended by the War Department, why should not the son of the Senator or the son of a naval or military officer undergo that examination the same as your son, Mr. President, or mine?

Why should the President of the United States have the appointment of ten persons to the Naval Academy, to be appointed from those whom he may himself select, entirely regardless of their distribution over the country? There is nothing about the person of the President of the United States, nothing about the office he holds which should give him this wonderful power. These appointments belong to the people of this country and they should be distributed as equitably and as justly as possible among the different States of the Union.

It is no argument for me, at least, for Senators to stand up and say that here is a custom which has grown up and has existed for forty or fifty or more years. If it is vicious to-day—and I believe it to be so—it was vicious when it was instituted years ago, and it is part and parcel of our duty, if it is wrong and

bottomed upon wrong principles, to change it by appropriate legislation.

Mr. President, the amendment I have proposed will not pass. I am not foolish enough to suppose that it will pass. It will not pass not because it ought not to become a law, not because the President should be clothed with power at his caprice to appoint indiscriminately persons to the Naval and Military Academies, not because that can be justified by any process of reasoning, but because the custom has existed so long and the inroads of aristocracy have been so great in the political institutions of this country that enough Senators can not be mustered here to change this law.

Mr. CAFFERY. I should like to inquire of the Senator from Nebraska what is the particular amendment which he offers? I was not in the Chamber at the time it was read.

Mr. ALLEN. On page 38, line 8, after the word "President," I have moved to insert this language: "but must be distributed among the States of the Union as nearly equally as practicable."

Mr. President, I offered this amendment and have made my remarks for the purpose, so far as I am concerned, of setting the seal of condemnation upon this method of transacting the public business. I want every one of these ten officers who are under the control of the President and the others who are under the control of members of the House of Representatives to be distributed over this country as equally and as equitably as possible.

The President has no special interest in the Navy or the Army. True, the Army and the Navy are subject to his control as Commander-in-Chief; but the President has no right in equity or in justice to say who shall enter the military service of this country and who shall not. He has no right to take the son of one man or the sons of one class of men and put them in the Army, and thus build up a military aristocracy, any more than he has the right to take the sons of naval officers and put them in Annapolis, and by that means build up a naval aristocracy. Neither one would be any more justifiable than for us to pass a law or recognize a custom by which the civil-service list should be built up primarily from the sons and daughters of those who have served the Government in its civil branch.

Mr. President, turn to the books and you will find that this District has nearly 4,000 appointments in the civil service of this country. There are but 250,000 people in the District of Columbia, and yet they have three, four, or five times more appointments than the State of New York or the State of Pennsylvania; and there are more appointments in the naval service to-day from the District of Columbia than from any single State in the Union. Where there has been a lapse in appointments in the different States persons have been taken from this District who have never been beyond the State of Maryland or the State of Virginia, and never as far West as the Ohio River, and accredited to States like Kansas, and Nebraska, and other far States in the West.

I hope in the interest of justice that the amendment I have offered will prevail.

Mr. PASCO. Mr. President, if any such evil has grown up in the country as that described by the Senator from Nebraska, it would not be eradicated or changed or affected a single particle by the amendment which the Senator has proposed.

The power of the President as it now exists is unlimited; it is not confined to any class of citizens; it is not confined to any particular class of young men from which to make the selections. The President can make them from any State, or any Territory, or any Congressional district in the entire United States. He can make them from any class of people whatever. There is no necessity that the appointees should be the sons of Presidents, the sons of Senators, the sons of Representatives in Congress, or the sons of distinguished officers of the Army or the Navy.

The amendment which the Senator offers only makes a change with reference to the geographical limitations. It provides that the appointees must be taken as nearly equally as possible from the different parts of the Union. But that would not change the condition of things which the Senator suggests. It would still be in the power of the President to select the sons of distinguished men or to select young men without reference to the positions that their fathers held. So I do not see that the Senator's remarks have any pertinence whatever to the amendment he has proposed.

It seems to me that this power ought to be in the hands of the President without any limitation, as the Senator from Delaware [Mr. GRAY] has suggested, to cover any inequalities which may exist in dividing these appointments out among the different districts in the United States. It seems to me that it is a wise provision that this power should vest somewhere, and I see no place where it can more safely or more properly vest than in the President of the United States. Surely he can be trusted now, as he has been since the foundation of the Government, to make these selections wisely and judiciously from the different ranks of the people, if we admit that there are any different ranks among our people, as was indicated by the remarks of the Senator from Nebraska.

The provision of the bill leaves the matter where it has always been. The power has been exercised wisely and judiciously hitherto, and I can see no reason whatever for the amendment which the Senator from Nebraska proposes.

The PRESIDING OFFICER. The question is on agreeing to the amendment submitted by the Senator from Nebraska [Mr. ALLEN].

The amendment was rejected.

The reading of the bill was resumed. The next amendment reported by the Committee on Appropriations was, on page 41, line 15, after the word "privates," to strike out "and for the expenses of clerks of the United States Marine Corps traveling under orders;" and in line 18, after the word "cents," to strike out—

Provided, That the pay of the drum major shall be the same as that now established, or that may be hereafter established, for first sergeants in the Marine Corps of the same length of service.

So as to make the clause read:

Pay of noncommissioned officers, musicians, and privates: For one sergeant-major, one quartermaster-sergeant, one leader of the band, one drum-major, fifty first sergeants, one hundred and forty sergeants, one hundred and eighty corporals, thirty musicians, ninety-six drummers and fifers, and one thousand six hundred privates, $384,294.79.

The amendment was agreed to.

The next amendment was, on page 43, line 10, after the words "District of Columbia," to strike out "or San Francisco, Cal.;" so as to make the clause read:

In the office of the assistant quartermaster, Washington, D. C.: One clerk, at $1,400; in all, for pay of civil force, $17,636.23, and the money herein specifically appropriated for pay of the Marine Corps shall be disbursed and accounted for in accordance with existing law as pay of the Marine Corps, and for that purpose shall constitute one fund.

The amendment was agreed to.

The next amendment was, on page 43, line 24, after the word "cents," to strike out "and the Secretary of the Navy is hereby authorized to transfer balances as may be necessary in the existing accounts of the Paymaster-General of the Navy and the Quartermaster of the Marine Corps;" so as to make the clause read:

Provisions, Marine Corps: For 1,100 noncommissioned officers, musicians, and privates, and for commutation for rations to 11 enlisted men detailed as clerks and messengers, also for payment of board and lodging of recruiting parties, said payment for board not to exceed $2,500, $74,661.55; and no law shall be construed to entitle enlisted marines on shore duty to any rations or commutation therefor other than such as now are or may hereafter be allowed to enlisted men in the Army.

The amendment was agreed to.

The next amendment was, on page 44, line 8, after the word "men," to strike out "and those that may be retired;" so as to make the clause read:

For amount required to be transferred to credit "Pay Marine Corps," on account of rations to retired men, $82.13 each per annum, $5,338.45.

The amendment was agreed to.

The next amendment was, on page 46, line 13, before the word "horses," to strike out "officer's" and insert "officers';" so as to make the clause read:

Forage, Marine Corps: For forage in kind for five horses of the Quartermaster's Department, and the authorized number of officers' horses, $2,800.

The amendment was agreed to.

The next amendment was, on page 48, line 17, after the word "dollars," to strike out "so much of said sum as may be necessary to be immediately available."

The amendment was agreed to.

The next amendment was, on page 48, line 23, after the word "dollars," to strike out "so much of said sum as may be necessary to be immediately available."

The amendment was agreed to.

The next amendment was, on page 49, line 10, after the word "purposes," to insert:

And the Secretary of the Navy is hereby authorized to remit the time penalties on the dynamite cruiser Vesuvius.

The amendment was agreed to.

The next amendment was, on page 49, after line 12, to insert:

To pay the Bath Iron Works for speed premiums on new United States gunboats Machias and Castine, $45,000 each, $90,000.

The amendment was agreed to.

The next amendment was, on page 49, after line 15, to insert:

To pay Samuel L. Moore & Sons Company for speed premium on the new steel practice vessel Bancroft, $45,000.

The amendment was agreed to.

The reading of the bill was concluded.

Mr. PERKINS. I have an amendment which I desire to offer to the bill. I will preface its presentation by saying that I

have submitted it to the committee, who have carefully considered it, and I have reason to hope that they will accept it.

The PRESIDING OFFICER (Mr. FAULKNER in the chair). The amendment proposed by the Senator from California will be stated.

The SECRETARY. On page 32, after line 3, insert:

For the repair of the hull of the United States ship Hartford, to be used as a training ship when repaired, $150,000.

Mr. WHITE. The committee will observe and the Senate will notice that a committee amendment has already been adopted striking out a provision, found in lines 3 and 4, on page 8, with relation to a modern battery for the Hartford. The amendment proposed by my colleague answers, I think, the objection of the committee, which was that there had been no appropriation for the hull. As stated by the Senator from Maryland, there is a general desire to preserve the historic vessel, and it can be done in this manner, and will be useful for the purpose indicated in the amendment of my colleague. I hope the committee will acquiesce in the amendment.

Mr. PERKINS. I will add that this is the precise amount, $150,000 for the armament, which was stricken out. Therefore it does not increase the gross appropriations in the bill.

Mr. GORMAN. The Senators from California submitted the amendment to myself and the other members of the subcommittee in charge of the bill, and we are inclined to accept it. If the Hartford is to be preserved (and I suppose there is a general sentiment in the country that she ought to be preserved), she would unquestionably be of great use in the service as a training ship on the Pacific coast.

The cost of repairing the hull of the vessel will be, in the end, as estimated by the Department, $276,000 in round numbers. She is now at San Francisco, and this provision will, in all probability, enable sufficient repairs to be made to use her as a training ship. Therefore I have no objection to the amendment being adopted.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from California [Mr. PERKINS].

The amendment was agreed to.

The bill was reported to the Senate as amended.

Mr. PASCO. I should like to have one of the amendments made as in Committee of the Whole reserved. I refer to the amendment which relates to the appropriation for a dry dock at Algiers, La. I wish to have some information in relation to it.

The PRESIDING OFFICER. The amendment referred to by the Senator from Florida will be reserved. If there be no other reservation, the question is on concurring in the amendments made as in Committee of the Whole.

The amendments were concurred in.

The PRESIDING OFFICER. The Secretary will state the reserved amendment.

The SECRETARY. On page 21, after line 11, the Senate, as in Committee of the Whole, inserted:

Dry dock at Algiers, La.: For the purpose of completing the purchase of additional land necessary for the establishment of a dry dock at Algiers, La., and expenses of judicial proceedings instituted for the condemnation of such additional land, $22,025.03.

Mr. PASCO. I wish to ask the Senator from Maryland, who is in charge of the bill, to give some explanation with reference to this item. The matter of a dry dock on the Gulf Mexico has been a matter of question for a good many years. Two commissions have reported upon it. Both have been friendly to a location at Algiers, but there are serious objections to that location, and I do not know that any law has ever been passed definitely accepting the last recommendation in favor of this point.

The location at Pensacola, in our State, has been pressed upon the attention of the country and has been noticed favorably in some of the reports which have come from the commissions. A few years ago there was an item in an appropriation act, found on page 722, volume 27 of the Statutes, which made an appropriation looking toward the establishment of a dry dock at Algiers. It is as follows:

Toward the establishment of a dry dock on the Government reservation, near Algiers, La.: For plans and specifications, and for the acquisition of such additional land as may be necessary in the discretion of the Secretary of the Navy, in accordance with the recommendations of two commissions appointed by the President under the provisions of an act approved September 7, 1888, and the act approved June 30, 1890, respectively, $25,000.

The proposed appropriation seems to be in line with the enactment I have read, and it would seem to indicate that some definite determination has been reached with reference to the location of this dry dock. No law has ever been passed, as I suggested before, fixing the location, and it seems to me that it would be well for the Senator from Maryland to give some explanation of the matter and to let us know whether this is a final determination, and if so, whether it became the final determination by virtue of the clause in the appropriation act which I have just read, or by some other authority. I should be glad to have some explanation.

Mr. GORMAN. By the act of March 3, 1893, as stated by the Senator from Florida, $25,000 was appropriated to acquire the necessary land for the dry dock. The Secretary of the Navy, in pursuance of the authority of that act, attempted to acquire sufficient land by private purchase. Finding that the land could not be obtained in reasonable amount, condemnation proceedings were instituted, and they have been concluded. The amount of this appropriation is the exact sum necessary to pay the award for the land. The Committee on Appropriations in framing the amendment provided only for the payment of the sum so ascertained.

There is nothing in the proposition looking to doing any work there or making plans for a dry dock. That is a matter for Congress to determine hereafter. All that is proposed to be done by the amendment to the bill is to pay for the land which has been condemned.

Mr. PASCO. I should like to ask by what authority the condemnation took place. I understand that there are very serious objections to the location at Algiers, and that when the Mississippi River is very high there are developments at Algiers which indicate a most unfavorable location for a dry dock.

I do not know of any law ever having been passed authorizing the establishment of a dry dock there, or authorizing the condemnation of any land. The section of the statute which I have read is the only authority I have seen which would indicate that the matter was being considered, and that does not fix definitely the location at Algiers. But it seems that the Department has gone on acquiring land by condemnation, and that a further appropriation is now to be made for the payment of the land so acquired. I should think that there ought to be some definite understanding as to whether Algiers is to be the location of the dry dock. The purpose here seems to be simply to purchase land without any determination of that question. It appears to me that in view of the developments which took place at Algiers, disclosing serious if not fatal objections to that place, it would be well, if the matter is still open, to examine it more carefully and completely before making any further appropriation to purchase land, if the place is really unfit for a dry dock.

Mr. GORMAN. I understand that under the provisions of the act of 1893, making appropriations for the naval service——

Mr. PASCO. That is the act from which I have just read.

Mr. GORMAN. I take it for granted that it is. The Departments at all events have considered that that was an appropriation which authorized them to acquire this site; and the Secretary of the Navy, in a communication to the Senator from Louisiana [Mr. CAFFERY], says:

Of this amount—

Twenty-five thousand dollars—

the sum of $735 was expended by this Department in necessary preliminary surveys, borings, etc., and by the Department of Justice for judicial proceedings in connection with the condemnation of the lands in question, including $700 fees of United States attorney, the sum of $1,540.03. The cost of the additional lands required, as determined by the condemnation proceedings, will be $44,750.

It will be seen, therefore, that an additional appropriation of $22,025.03 will be necessary in order to complete the purchase of the additional lands necessary for the dry dock and its appurtenances.

So the amount contained in the amendment now pending is the exact amount that would be necessary to pay the award in that case.

Mr. CAFFERY. I should like to know of the Senator from Florida whether the objections which were originally raised to the location of the dry dock at Algiers have not been removed and whether a report by a later commission is not in favor of that location?

Mr. PASCO. I understand there have been two reports in favor of Algiers; but since the last one was made serious doubts have been raised as to that being a proper location, in consequence of the overflowing of the Mississippi River there, which indicates that it is not a safe, convenient, and proper place for a dry dock. It seems to me that before we invest too much money in the enterprise the matter ought to be thoroughly tested and examined.

Mr. CAFFERY. I will say to the Senator from Florida that the overflow of the Mississippi River has no effect as against the location of the dry dock at Algiers. The Mississippi River overflows annually at that spot, which is protected by levees; and it is proposed to surround the land appropriated and condemned for the purpose of the dry dock by such a levee as will completely protect the dry dock from overflow. There can be no objection on that score.

I understand that the Secretary of the Navy has recommended for the commencement of the work the appropriation of $225,000, but the committee thought perhaps, in view of the extraor-

dinary economy which obtains, that an amount only sufficient to pay for the land condemned would be necessary this year. I understand that the location of the dry dock at Algiers has been decided on, and all that is wanted now to complete the work is sufficient appropriations by Congress.

Mr. PASCO. The Senator from Louisiana says that this location has been decided upon. That is the very point to which I was addressing my inquiry. I have never seen any actual decision fixing upon Algiers as the location. I can find no law that was ever passed fixing the location there. I think that there ought to be some such authority produced, if the Senator from Louisiana can do so, which will satisfy the objections I have been making. My suggestion is that until the Congress of the United States has by some direct action fixed upon Algiers as the location, we should not be appropriating money in one appropriation bill after another for this purpose. The definite location ought to be fixed by authority of law.

The Senator says it is recommended by the Secretary of the Navy. I have never seen any such recommendation, and I think that either the recommendation of a Secretary of the Navy or some actual law passed by the two Houses of Congress ought to be produced before we go on in this way, appropriating money year after year for a dry dock at Algiers.

If the Senator is correct in his view that one or the other of the bases for the appropriation exists, I suggest that he produce them to the Senate now, so that we can see what they are. If the question is an open one, we ought to go slowly with reference to this appropriation.

Mr. CAFFERY. I ask the Senator from Florida whether the act of 1893, authorizing the acquisition of land at Algiers for the purpose of a dry dock, is not virtually and substantially a location of that point for a dry dock? That is what has been done. The report of the commission in favor of Algiers, after the act authorizing the condemnation of land for this public purpose, I think is conclusive of the fact that the location of the dry dock has been agreed on at that point, and that it is sufficiently authorized.

Mr. PASCO. That is precisely what I am trying to ascertain, whether it rests on the appropriation made two years ago, or whether there is some authority of law for it. The Senator now seems to intimate that it rests upon the appropriation in the act of 1893; and if that is all it rests upon then the question may still be regarded as an open one. The appropriation now proposed in an amendment which was not printed in the bill moves indirectly in precisely the same direction.

It strikes me that a matter of such great importance should be settled before these appropriations are made, and that the Government should not, by these appropriations made from time to time, be drawn into a large expenditure to be made sometime in the future, committing the Government in this indirect way to the establishment of a dry dock there. If the question is still an open one, I suggest to add to the amendment the following proviso, to which I call the attention of the Senator from Maryland:

Provided, That before the expenditure of the said appropriation the Secretary of the Navy is satisfied that the location at Algiers is suitable for a dry dock; and if he finds that there are serious objections to the location that they be reported to Congress for its further action before the appropriation is expended.

It seems to me some such action ought to be taken to prevent the Government from going too far in this direction, and that this appropriation should not be made until we definitely determine that the dry dock shall be located at Algiers.

Mr. BLANCHARD. I desire to ask the Senator from Florida a question in this connection. Is it not true that two boards of commissioners have, under instructions from Congress, examined the sites for the proposed dry-dock on the Gulf coast, and have not both of them reported in favor of Algiers?

Mr. PASCO. I so stated before the junior Senator from Louisiana came in. I referred to the act of 1893; I called attention to it and I read it. But still, neither of these reports has ever been confirmed by Congress. The matter, I understand, still remains open. In 1893, after these two reports, there was an appropriation made "toward the establishment of a dry dock," but Congress has never directed that the dry dock shall be established there. My suggestion was, that before any further appropriations or expenditures or arrangements are made the question of location ought to be definitely settled by some action on the part of Congress.

Mr. GORMAN. I trust the Senator from Florida will not press the amendment which he has just offered. If he will look carefully at the act of March 3, 1893, to which he has just referred, he will find the usual provision made:

Toward the establishment of a dry dock on the Government reservation near Algiers, La.; for plans and specifications, and for the acquisition of such additional land as may be necessary in the discretion of the Secretary of the Navy, in accordance with the recommendations of two commissions appointed by the President under the provisions of an act approved September 7, 1888, and the act approved June 30, 1890, respectively, $25,000.

There was a direct authorization to the Secretary of the Navy to acquire this land and to prepare plans for the construction of a dry dock. No more authority whatever is necessary in any case, and no further provision that I am aware of is ever made for the establishment of a dry dock. The Secretary of the Navy, as I have just shown, under that provision has gone on to acquire land, and did acquire it. He refused to purchase it at the price at which it was offered, $65,000, and condemnation proceedings were had. The jury awarded for the land acquired $44,000. It requires $22,000 more to pay the award, and there the matter will rest. It will hardly be possible for Congress to refuse to make that appropriation at this time.

But to meet the objection of the Senator from Florida and others who may still think it an open question as to the propriety of the establishment of the dry dock at this point, the Committee on Appropriations have deliberately stricken out all provision for even the plans of a dry dock there. So at the next session of Congress or at any other time when the condition of the Treasury is such that we may consider the propriety of entering upon the construction of any new work, the whole question will come up whether this is a proper location. Then all that matter may be gone over and determined. But now it is absolutely necessary that we should make this small appropriation. I trust, therefore, that the Senator from Florida will withdraw the amendment, for it has no relation to the appropriation now being made.

Mr. PASCO. It does seem to me that before any money is paid from the Treasury the location should be fixed. The appropriation of $25,000 in the act of 1893 does not seem to have led to any decisive results. The Secretary has not been able to purchase the land because the appraised valuation of it is nearly double the amount appropriated. They are now going on, apparently committing the Government one step farther, to a second appropriation. It does not seem to me that it is wise, as long as the matter has not yet been closed, as long as the question of the location of the dry dock is still open, to go on appropriating additional amounts of money in the different appropriation bills, and thus indirectly committing the Government to the establishment of the dry dock at Algiers.

The location, as I said, and as the Senator from Louisiana [Mr. BLANCHARD] just suggested, has been favorably reported upon by two boards, but I will say again what I said before he came in, that very serious doubts have arisen as to whether it is a proper location. The location at Algiers has been flooded with water since then, and everything indicates that when the Mississippi River is high the entire plant may be washed out and ruined altogether. I think it would be very wise to settle by some definite legislation the location of the dry dock before we appropriate any more money.

Mr. HALE. Will the Senator from Florida allow me?

Mr. PASCO. Certainly; I yield to the Senator from Maine.

Mr. HALE. I agree with the Senator as to the doubts whether this is precisely the best place for the dry dock; but the Senator speaks too late. The location has been fixed. Congress fixed it by authorizing the purchase of the land. The Secretary of the Navy has gone on, and not being able to purchase the land, has condemned it, but has not had money enough to pay the whole sum of the condemnation. We are in duty bound to pay the award, because the location has been settled. It never will be settled any more determinately. Whether right or wrong; it has been done.

The only future question, as the Senator from Maryland says, is whether when next year comes Congress shall, with this land upon its hands that it ought to pay for and has to pay for, go on and spend a half a million or a million dollars in building a dry dock. The location has been settled just as much as Pensacola has been settled. It is only a question of future appropriations, just as it is a question of future appropriations for Pensacola. We are in for it. The location has been settled.

Mr. PASCO. I suggest to the Senator from Maine, with all due respect, that he is simply begging the question. The very question I raise is whether the Government is already committed to that project.

Mr. HALE. We have appropriated money for this purpose, and under it the Secretary of the Navy has gone on——

Mr. PASCO. We have appropriated $25,000, and he can not get the land for less than $50,000.

Mr. HALE. No; but the Secretary has gone on under the act and condemned the land for the United States and taken legal process, and thereby has located it. This appropriation is merely necessary to complete the payment for the land. We have to pay for the land even if we abandon it.

Mr. PASCO. But the Secretary of the Navy had no power beyond the $25,000 which was appropriated. If that was insufficient he could close the contract, he could not buy the land; and now he comes here and says, "If you will give me $22,000 more I can do it."

Mr. HALE. This is only to carry out what is recognized by the law as one process. A general statute requires the Government to pay for land which it has condemned. It can not get out of it. It is equivalent to a deed where property has passed from one private party to another—the money can be recovered—and the United Seates is in this situation. I think quite likely we have got into a bad scrape and have got involved in an expenditure down there which will not be at the best place; but we are in for it, so far as the land is concerned.

When the question comes up of placing $1,000,000 worth of work there, that is a matter which Congress has to determine hereafter. We might perhaps better afford to let the land lie than to put more money on it. But we are in for buying the land. That is all this provision applies to. The Senator is wrong in saying it has not been located. That has all been done. Nothing more will ever be done in the way of locating than has been done.

Mr. PASCO. I am not satisfied that the Senator from Maine is correct, because there is no authority here to have any proceedings in condemnation. There is no authority to expend any more than $25,000, and there is no authority here to take any of the steps the Senator from Maine speaks of. It was for that very reason that I opened this debate. I asked whether any authority outside of the statute of 1893 existed. The Senator from Louisiana [Mr. CAFFERY] thought that some additional authority did exist, but when he was pressed by a question he was obliged to admit that no other authority did exist than that act. Now, this is the extent of the authority in the act of 1893, to which I call the attention of Senators:

Toward the establishment of a dry dock on the Government reservation, near Algiers, La.; for plans and specifications, and for the acquisition of such additional land as may be necessary in the discretion of the Secretary of the Navy, in accordance with the recommendations of two commissions appointed by the President under the provisions of an act approved September 7, 1888, and the act approved June 30, 1890, respectively, $25,000.

Now there is no authority for condemning any land. There is no definite location of the dry dock.

Mr. HALE. There was a general act passed a few years ago, and a specific application to any case is not necessary. The general authority under the act passed in 1888 as part of an appropriation act lodges the authority in the heads of Departments, and the Secretary of the Navy has gone on in accordance with that act.

Mr. PASCO. To establish this dry dock in accordance with that act?

Mr. HALE. To condemn the land in accordance with the act. Formerly, in every act for a public building, there was a special provision for condemnation proceedings. That was cut short by a general act.

Mr. PASCO. The Senator from Maine understands perfectly well that the authority for the erection of a public building is the limit of cost fixed by the act, and beyond that limit of cost no one has any authority to go. Now here is a limit of cost of $25,000. Beyond that limit of cost the Secretary of the Navy has no power to go, if that doctrine is correct.

Now, taking that view of the matter, it seems to me that there is no committal of the Government to any expenditure there or any location there unless it can be obtained within the limit of the appropriation of $25,000.

Mr. HALE. That does not apply to the purchase of land.

Mr. PASCO. It applies to the purchase of land for Government buildings, and the same principle must be effective everywhere. Now, the Secretary of the Navy, having no power to go beyond that $25,000, is powerless to extend that sum or take an action unless we give him this additional power by appropriating $22,000 more. If there is any special act which the Senator from Maine has referred to, I will make the same inquiry of him that I did of the Senator from Louisiana, to produce the act and let us look over it and see whether the power exists.

Mr. CAFFERY. Mr. President, it occurs to me, and it is very clear, that after the report of two commissions favorable to the location of a dry dock at Algiers, after an appropriation in the act of 1893 towards paying for the land for the establishment of a dry dock, that that forms a complete location of a dry dock, and the amount of money mentioned is the initiative payment. If that amount is not sufficient more will be had.

I desire to say that the objection raised by the Senator from Florida to the establishment of a dry dock in Louisiana at Algiers because of possible overflows of the Mississippi River is without any foundation. That particular point has never, in my recollection, been overflowed. That particular point can be entirely and completely protected against overflow.

New Orleans, being the largest city on the Gulf, and the port of New Orleans being a fresh-water port, material and men being more plentiful and the more easily to be had there than at Pensacola, I imagine Algiers is a better point for the location of a dry dock than Pensacola, and so the commission thought. Now, after the finding of these two commissions, after an appropriation of money for the condemnation of land at Algiers and for the establishment of a dry dock, it occurs to me the establishment is a thing settled. I do not share in the fears of the Senator from Maine that it may be a bad selection. I take the report of two commissions that it is a good selection, and I take my personal knowledge that the point is perfectly secure from overflow, which is the only objection that the Senator from Florida has raised.

Mr. HALE. Will the Senator from Louisiana allow me? I do not want to interrupt him.

Mr. CAFFERY. Certainly.

Mr. HALE. I find the general statute which the Senator from Florida calls for is very clear and distinct. In the first place in the act last year we appropriated so much towards the establishment of a dry dock. We did not limit it. We did not say that the land should cost only so much, but in the very words used, "toward the establishment," indicated that it was only a portion of the appropriation. That is the force of the word "toward" in an appropriation act.

If you appropriate toward the construction of a building or toward the construction of a ship, it is understood, and every common mind can understand it, as being only a portion of the appropriation. Upon that the Secretary of the Navy took the act of August 1, 1888, which provides that—

In every case in which the Secretary of the Treasury or any other officer of the Government has been, or hereafter shall be, authorized to procure real estate for the erection of a public building or for other public uses he shall be, and hereby is, authorized to acquire the same for the United States by condemnation, under judicial process, whenever in his opinion it is necessary or advantageous to the Government to do so.

You can not have any more plenary power than was given by that act to the Secretary of the Treasury. The Secretary of the Navy went on under that authority and used the money appropriated so far as it went toward establishing the dry dock and found it was not sufficient, and then he condemned land enough for the establishment of the dry dock. You can not get anything more complete, more specific, and more conclusive than that.

Mr. BLANCHARD. Mr. President, it has been thought for some years that the establishment of a dry dock somewhere on the Gulf coast was a necessity. So in 1888 a law was passed authorizing the appointment of a board of naval officers to examine the Gulf coast and consider the merits of the several places proposed for the dry dock, and ascertain which was the best location for the dock. The board of 1888 reported, after examining Pensacola, in the State of the Senator from Florida, and after examining Mobile, New Orleans, and other localities, that the best place for a dry dock was at the Government reservation in the town of Algiers, opposite the city of New Orleans.

After that action by the board there was nothing for Congress to do to authorize a dry dock at Algiers except to make an appropriation to begin the work. But rival interests interfered and prevented that being done at that time. So in the next Congress, in 1890, another commission was authorized by law to be appointed for the purpose of reëxamining these competing localities upon the Gulf coast, and again reported to Congress what in their judgment was the best locality for the dry dock. Those of us interested in the establishment of a dry dock at New Orleans submitted to all this.

The second board of naval officers were appointed, and again they examined the several points upon the Gulf coast, Mobile, Pensacola, New Orleans, and other localities, and again they reported that the best locality for the dry dock was the Government reservation in the town of Algiers, opposite the city of New Orleans.

So here we have had two investigations by two different naval boards, each of them reaching the same conclusion, to wit, that the best place for a dry dock is at Algiers. Following the action of these two boards it was not essential that a separate, distinct, formal act of Congress should be enacted locating the dry dock at Algiers.

All that was necessary was that Congress should take some action indicating its purpose to carry into effect the recommendation of the two boards of naval officers. This action was taken when in the naval appropriation bill of 1893 the following provision was inserted:

Dry dock, Algiers, La.: Toward the establishment of a dry dock on the Government reservation, near Algiers, La.; for plans and specifications, and for the acquisition of such additional land as may be necessary in the discretion of the Secretary of the Navy, in accordance with the recommendations of two commissions by the President under the provisions of an act approved September 7, 1888, and the act approved June 30, 1890, respectively, $25,000.

There could be no more direct assent on the part of Congress to the establishment of the dry dock at Algiers than the incorporation of this appropriation in the Naval appropriation act of 1893. The Senator from Florida, who insists that action locat-

ing the dry dock has not yet been taken, is certainly in error. This language could mean nothing else. It was later ascertained that the $25,000 was not sufficient. Additional land, needed to be added to the reservation to make the area sufficiently extensive for a dry-dock, could not be purchased by private agreement, and had to be condemned. It required more money to meet the judgment awarded in the condemnation proceedings, and the proposition now before the Senate is to give this additional money.

It is too late now for the Senator from Florida to raise the objection he has raised. It is in the nature of a demurrer which should have been pleaded *in limine*. We have passed now to the merits of the case.

The PRESIDING OFFICER. The question is on concurring in the amendment made as in Committee of the Whole.

Mr. PASCO. I thought the Senator from Louisiana [Mr. CAFFERY] rose to address the Senate, and I waited.

Mr. CAFFERY. No.

Mr. PASCO. Mr. President, I have already admitted what the Senator from Louisiana has stated, that this matter has been examined and reported favorably; but it still seems that there has been no definite location of the dry dock at Algiers, and it is manifest that the location is to be made in this indirect way; and that is what I object to.

Mr. HALE. What force does the Senator from Florida put upon the act of Congress appropriating money toward the establishment of a dry dock at Algiers, if that is not a location of it?

Mr. PASCO. There is a good deal of force in the words "toward the establishment" of a dry dock there, but still in my judgment the matter is *in fieri;* it has not yet been concluded, and I still think the Secretary of the Navy was limited to $25,000; just as when the Secretary of the Treasury is limited to $100,000 for a public building to be erected in a particular place, he has no authority to make any contract beyond the amount actually appropriated. It is in that view of the case that I do not think a matter so important ought to be concluded in this indirect way. The favorable reports that come from these two boards are reasons for regarding Algiers as a suitable place for the establishment of a dry dock.

But these reports are not conclusive. They only bring information to Congress, and since both these reports were made developments have occurred at Algiers showing that it would be a most inappropriate and unfit place, because of the volume of water there, which would threaten the safety of the entire structure, the complete plant. But I do think that while the matter is still in an unsettled condition we should keep it so until a complete and thorough investigation and determination has been made, and we should not locate the dry dock there in this indirect way.

The Chair was about to put the question on the committee amendment, but it will be recollected that there was an amendment pending which I myself offered to the committee amendment, which I think is first in order.

The PRESIDING OFFICER. The Chair did not understand the Senator from Florida as offering an amendment.

Mr. PASCO. It was read to the Senate sometime ago.

The PRESIDING OFFICER. The Senator suggested an amendment to the Senator in charge of the bill, but did not send it to the desk. The Chair did not understand it had been offered.

Mr. PASCO. I ask that it be read at this time.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. Add the following proviso to the amendment made as in Committee of the Whole:

Provided, That before the expenditure of the said appropriation the Secretary of the Navy is satisfied that the location at Algiers is suitable for a dry dock; and if he finds that there are serious objections to the location, that they be reported to Congress for its further action before the appropriation is expended.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Florida to the amendment made as in Committee of the Whole.

The amendment to the amendment was rejected.

The amendment was concurred in.

Mr. HUNTON. I move at the end of line 12, page 49, to add to the clause remitting the time penalties on the dynamite cruiser Vesuvius:

And a sum sufficient for such purpose is hereby appropriated.

This amendment meets with the approbation of the committee, and I offer it in the handwriting of a member of the committee.

The amendment was agreed to.

Mr. DANIEL. I desire to offer an amendment to come in on page 48, preceding line 20, for the construction of two steel-armored cruisers.

The PRESIDING OFFICER. The amendment proposed by the Senator from Virginia will be stated.

The SECRETARY. On page 48, after line 19, add:

That, for the purpose of further increasing the Naval Establishment of the United States, the President is hereby authorized to have constructed and completed, at such one or more of the navy-yards of the United States as may be best adapted thereto, and which are to be designated by the Secretary of the Navy, two steel-armored cruisers (of the general type of the new United States cruiser Minneapolis, authorized and now building under the act of March 2, 1891). Each of the said cruisers herein authorized to have the highest practicable speed for vessels of their class, and to be furnished with the latest and best types of modern engines, armament, and equipments, and to cost, exclusive of armament, not more than $2,750,000 each. In the construction of each of the said vessels all the provisions of the act of August 3, 1886, entitled "An act to increase the Naval Establishment," as to material for said vessels, their engines, boilers, and machinery, the plans, drawings, and specifications therefor, shall be observed and followed, and said vessels shall be built in compliance with the terms of so much of the said act as is therein provided for the construction of the vessels therein named to be built in the navy-yards of the United States, save that in all their parts the vessels herein authorized shall be of domestic manufacture.

Mr. GORMAN. I trust the Senator from Virginia will not press the amendment, but will withdraw it. I am in full sympathy with the purpose he has in view to increase our Navy as rapidly as possible, and for the past six or eight years—indeed ever since I have been a member of the Committee on Appropriations—I have advocated the most liberal appropriations. But we have reached a point in our financial affairs where it is almost impossible for us to make an additional appropriation on this account. There are thirteen vessels under way that are being constructed and are not completed. The Secretary of the Navy states that he hopes by 1896 to have those thirteen vessels completed, and they will make us a very respectable Navy.

In the mean time I hope and trust the business conditions of the country will be so improved that we shall be able to take up this matter again and go on with it. There can be no very serious trouble in the delay which the condition of the Treasury seems to demand. I therefore trust that the Senator from Virginia will withdraw the amendment, and not open up a debate which would be long extended, but will permit the matter to remain open until the next session of Congress, when we hope—I hope at least—that we will be in a condition where I may join the Senator from Virginia in making still further provisions for the advancement of our Navy.

Mr. DANIEL. In view of the remarks made by the Senator in charge of the bill as to the condition of the Treasury and the other considerations advanced by him, I shall not urge the amendment at this time. I do not believe that it would be successful in consideration of the statement he has made, notwithstanding the policy of the Government to build up a great navy as rapidly as its resources will allow. I therefore withdraw the amendment.

The PRESIDING OFFICER. The Senator from Virginia withdraws the amendment.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

POST-OFFICE APPROPRIATION BILL.

Mr. BLACKBURN. I move that the Senate proceed to the consideration of the bill (H. R. 6016) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1895.

The motion was agreed to.

Mr. BLANCHARD. Pending the consideration of this bill, I ask the Senator from Kentucky to yield to me, promising him to take but a very short time.

Mr. BLACKBURN. Certainly.

PERSONAL EXPLANATION.

Mr. BLANCHARD. Mr. President, I rise to a question of personal privilege. My attention was called to-day for the first time to an article which appeared in the Washingtom Post of July 5. It appeared under the following heading:

OVER A NARROW BRIDGE—HOW THE TARIFF BILL WAS FINALLY CARRIED TO VICTORY—SOME DEVELOPMENTS PROMISED—SENATOR CAFFERY MAY TELL HOW THE LOUISIANA MEN WERE VICTIMIZED AND THE AGREEMENT UPON WHICH THEY HAD RELIED WAS BROKEN—MR. BLANCHARD'S SILENCE INTERFERRED WITH THE COMBINATION TO BEAT THE BILL AND LED MR. IRBY TO VOTE YES.

I send to the desk and ask the Secretary to read that portion of the article which I have marked.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

Yesterday's aftermath of the passage of the tariff bill by the Senate was worth gleaning. The narowness of the bridge over which the Democratic majority in the Senate passed to safety was shown in the Post yesterday morning, but as the curtain continues to raise the depth of the chasm is more and more revealed. For several hours last Tuesday afternoon and evening the Democratic managers were on the ragged edge of uncertainty, and it is by no means certain that their troubles are yet at an end. The bill will eventually be passed, but some very plain words are liable to be spoken on the Democratic side of the Chamber before the vote is taken which will finally enact the measure into law.

The storm center last Tuesday afternoon ranged around the two Senators from Louisiana. They had surrendered ad valorem to specific duties in the

sugar schedule—the former being in favor of the trust and the latter being demanded by the planters—and had accepted in return the proposition of the Finance Committee that the bounty should be allowed to remain operative until the first of next year. Suddenly this extension was revoked, through the affirmative votes of Messrs. COKE, GEORGE, and PUGH, on the Democratic side, who, without any explanation, joined the antagonistic combination of HILL and IRBY.

Their action, alleged to have been in direct violation of the caucus agreement, incensed the sugar Senators and widened the chasm into which the bill seemed for a while to be destined to fall. No opportunity for the sugar men to show their hand, however, came until Senator PALMER, anxious to serve the interests of the Illinois wire-fencing manufacturers, proposed to place this fencing on the dutiable list, removing it from the free list, where it had been placed by the committee as a concession to the Populists, and particularly to Senator ALLEN of Nebraska, who regarded this action as helpful to his political prospects.

A TRUCE PROPOSED IN VAIN.

Having themselves been victimized, as they claimed, by the Finance Committee, the sugar Senators, with a few recruits, now proceeded to do a little guerilla warfare on their own account. They joined with the Republicans in voting against the free barbed wire proposition, as related in the Post yesterday and won their point. With the banner of battle thus hoisted, they came forward, after a conference among themselves, with a flag of truce.

It was an amendment which proposed to delay the repeal of the bounty law until the end of the present year. Even at the muzzle of a loaded gun, so to speak, the Finance Committee refused to be held up, and the amendment failed to pass. More than once was the proposition brought forward, but each time it went down to defeat. Once again, too, the Populist Senator from Nebraska made a gallant fight for free barbed wire fencing, but without success. Disintegration seemed to have set in on the Democratic side, with the Republicans voting first one way and then the other, without any regard for consistency, but only with the one idea of making still more dangerous the quaking bog in which their Democratic opponents were sadly floundering.

MR. BLANCHARD'S SILENCE.

Such was the condition when the vote was taken. The key of the situation rested then with Mr. BLANCHARD of Louisiana, whose name, coming early in the list, preceded that of the other conspirators. But Mr. BLANCHARD did not answer to his name. He was present, but as silent as the grave. Mr. CAFFERY kept the faith. He answered in the negative. Five minutes later the Clerk called the name of Mr. IRBY of South Carolina. In these five minutes Mr. IRBY had done a great deal of thinking. He had noticed the silence of Mr. BLANCHARD and saw no reason why he should throw away his vote. He answered "aye." His response made Mr. CAFFERY start.

A moment later Mr. KYLE, the South Dakota Populist, also voted for the bill. Then Mr. CAFFERY felt the ground sinking from under his feet and began to reach out for the dry land. When the roll call had been concluded but before the result had been announced, he was on his feet. Entering his protest, as told in the Post yesterday, he changed his vote from "no" to "aye" and sat down. Then, and not until then, did Mr. BLANCHARD appear upon the scene. He did the only thing left for him to do, and voted in the affirmative. The tariff bill had crossed the bridge, but through the wide and yawning gaps in the planks there was a glimpse of a bottomless gulf which made the Democratic managers shudder.

WHAT MR. CAFFERY MAY DO.

All this, it is true, was told with some detail in the Post yesterday, and belongs to the might-have-been chapter—a chapter that is now interesting simply as a contribution to history. It is now repeated because there is a possibility that before the final vote is taken Mr. CAFFERY may have more to say upon the subject. If he should tell, as it is said he will, the history of the sugar schedule of the bill; if he should undertake to be the narrator of a story of broken promises, he will be sure to have an audience of interested listeners not only in the Senate, but in the country. It is understood that he has been promised that the matter shall be fixed up in conference, but it would not be surprising if he should now decline to rest any further belief upon promises, but should play the part of a free lance and make things decidedly warm for some of his Democratic colleagues. At any rate, the future is said to hold some developments which will prove a fitting climax to the most remarkable fight which the Senate has ever seen.

Mr. BLANCHARD. Mr. President, the Washington Post, besides being one of the best newspapers in the country, enjoys an enviable reputation for the fairness and justness with which it usually treats public men whose duties require them to congregate in this capital city. Nor do I believe that the journal referred to had any intention to misrepresent my position in the article which has just been read at the desk. Nevertheless, Mr. President, the information upon which the article is based was erroneous, and the article itself contains statements that reflect upon me in my capacity as a Senator. It states that—

The key of the situation rested then with Mr. BLANCHARD of Louisiana, whose name, coming early in the list, preceded that of the other conspirators.

The word "conspirator," as applied to Senators, is reprehensible, and particularly as applied to me in this connection is without foundation to rest upon; is meaningless and false. In my connection with the tariff bill and with the voting upon that measure I did nothing that should cause me to be referred to as "a conspirator," and I do not believe that any other Senator upon this floor did anything that entitles him to be classed as a conspirator.

The article goes on to say—

But Mr. BLANCHARD did not answer to his name. He was present, but as silent as the grave.

When my name was called on that occasion I was not in the Senate Chamber. But that is immaterial. Had I been present in the Chamber when my name was called, I would, for reasons that were quite sufficient to me, have withheld my vote on the first call.

Mr. CAFFERY kept the faith—

The article goes on to say; and the plain inference is that somebody, who is referred to as one of the conspirators, did not keep the faith. I presume, from the language used connecting my name with this affair, I am the one alluded to as not having kept the faith.

Mr. President, to all of this I have but a word to say. I had no agreement or understanding with the Senator from South Carolina [Mr. IRBY], or any other Senator, that my vote was to be withheld, or that my vote was to be cast "yea" or "nay" upon the bill. From that statement I would except my colleague [Mr. CAFFERY].

He and I are charged here with the care of the same interests, and, in our connection as colleagues, we frequently conferred with each other and consulted with one another as to the proper course to pursue in reference to the tariff bill. But other than my colleague I had no understanding with any Senator that I would at first withhold my vote, or that I would cast it "yea" or "nay;" and when I am put in the category of acting the part of a conspirator to defeat the bill, I denounce the statement as false.

MINING CLAIMS.

Mr. STEWART. I ask unanimous consent to report from the Committee on Mines and Mining and have passed a short bill for the extension of assessment work on mining claims. It is necessary that it should be done at once. It will take but a moment.

The PRESIDING OFFICER. The Senator from Nevada asks unanimous consent that the unfinished business be temporarily laid aside for the purpose he has indicated. Is there objection? The Chair hears none.

Mr. STEWART. I report back from the Committee on Mines and Mining, with an amendment, the bill (H. R. 6558) to amend section numbered 2324 of the Revised Statutes of the United States relating to mining claims; and I ask for its present consideration.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendment of the Committee on Mines and Mining was, in section 1, line 21, after the words "South Dakota," to strike out "and the Second Congressional district of the State of Colorado;" so as to make the bill read:

Be it enacted, etc., That the provisions of section numbered 2324 of the Revised Statutes of the United States, which require that on each claim located after the 10th day of May, 1872, and until patent has been issued therefor, not less than $100 worth of labor shall be performed or improvements made during each year, be suspended for the year 1894, so that no mining claim which has been regularly located and recorded as required by the local laws and mining regulations shall be subject to forfeiture for nonperformance of the annual assessment for the year 1894: *Provided*, That the claimant or claimants of any mining location, in order to secure the benefits of this act, shall cause to be recorded in the office where the location notice or certificate is filed on or before December 31, 1894, a notice that he or they in good faith intend to hold and work said claim: *Provided, however*, That the provisions of this act shall not apply to the State of South Dakota.

SEC. 2. That this act shall take effect from and after its passage.

The amendment was agreed to.

The bill was reported to the Senate as amended and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

THE SAMOAN ISLANDS.

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations, and ordered to be printed:

To the Senate:

I transmit herewith, in further response to the Senate resolution of April 6, 1894, a report from the Secretary of State, accompanied by copies of certain correspondence relating to Samoan affairs.

GROVER CLEVELAND.

EXECUTIVE MANSION, *Washington, July 9, 1894.*

EXECUTIVE SESSION.

Mr. MORGAN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After twenty minutes spent in executive session the doors were reopened.

LEAVE OF ABSENCE.

Mr. MORGAN was, on his own request, granted an indefinite leave of absence from the sessions of the Senate.

DEATH OF REPRESENTATIVE LISLE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced the death of Hon. Marcus C. Lisle, late a Representative from the State of Kentucky, and communicated the resolutions of the House thereon.

The PRESIDING OFFICER. The Chair lays before the Senate the resolutions of the House of Representatives, which will be read.

The Secretary read the resolutions, as follows:

IN THE HOUSE OF REPRESENTATIVES, *July 7, 1894.*

Resolved, That the members of the House of Representatives have heard with deep regret and profound sorrow of the death of the Hon. Marcus C. Lisle, late a Representative from the State of Kentucky.

Resolved, That a committee of seven members of the House be appointed by the Speaker to act with such Senators as may be selected to attend the funeral of the deceased; and that the Sergeant-at-Arms of the House shall take proper action for superintending the funeral and for attending the remains of the deceased at the place of burial, and the necessary expense incurred by the execution of this order shall be paid out of the contingent fund of the House.

Resolved, That the Clerk be directed to communicate to the Senate a copy of these resolutions.

Resolved, That as a further mark of respect the House do now adjourn.

The Speaker announced the appointment of Mr. MCCREARY, Mr. BERRY, Mr. TAYLOR of Indiana, Mr. PAYNTER, Mr. DRAPER, Mr. LUCAS, and Mr. PENCE, as the committee on the part of the House.

Mr. BLACKBURN. Mr. President, if the members of the Senate had known Mr. Lisle as intimately and as well as I knew him, they could appreciate the pain with which I announce his death to this body. One of the youngest men in the other House, serving his first term, I doubt if death could have selected a man who was surrounded by happier conditions or who gave promise of more usefulness in the public service. I do not mean at this time to detain the Senate by any eulogy upon the deceased Representative, but simply ask that the resolutions which I send to the desk may be now considered.

The PRESIDING OFFICER. The resolutions submitted by the Senator from Kentucky will be read.

The Secretary read the resolutions, as follows:

Resolved, That the Senate has heard with deep sensibility the announcement of the death of Hon. Marcus C. Lisle, late a Representative from the State of Kentucky.

Resolved, That a committee consisting of five Senators be appointed by the Presiding Officer to attend with the committee on the part of the House of Representatives the funeral of the deceased at his late residence in the State of Kentucky.

Resolved, That the Secretary communicate these resolutions to the House of Representatives, and that he be further directed to send a duly-attested copy of the same to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased, the Senate do now adjourn.

The Senate, by unanimous consent, proceeded to consider the resolutions, and they were unanimously agreed to.

The PRESIDING OFFICER, before announcing the result, appointed as the committee on the part of the Senate under the second resolution, Mr. BLACKBURN, Mr. LINDSAY, Mr. PALMER, Mr. SQUIRE, and Mr. DUBOIS.

Thereupon (at 4 o'clock and 27 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, July 10, 1894, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate July 9, 1894.

ASSOCIATE JUSTICES SUPREME COURT OF UTAH TERRITORY.

William H. King, of Utah Territory, to be associate justice of the supreme court of the Territory of Utah, vice James A. Miner, whose term will expire August 2, 1894.

Napoleon B. Laughlin, of New Mexico Territory, to be associate justice of the supreme court of the Territory of New Mexico, vice Edward P. Seeds, whose term will expire July 24, 1894.

UNITED STATES DISTRICT ATTORNEYS.

Sherwood Dixon, of Illinois, to be attorney of the United States for the northern district of Illinois, vice Thomas E. Milchrist, whose term will expire August 2, 1894.

James Parker, of New Jersey, to be attorney of the United States for the district of New Jersey, vice Henry S. White, whose term will expire August 22, 1894.

UNITED STATES MARSHALS.

Clark Campbell, of New Hampshire, to be marshal of the United States for the district of New Hampshire, vice Adams T. Pierce, whose term will expire August 13, 1894.

John H. McCarty, of New York, to be marshal of the United States for the southern district of New York, vice John W. Jacobus, whose term expired January 13, 1894.

JUSTICE OF PEACE IN DISTRICT OF COLUMBIA.

Samuel R. Church, of the District of Columbia, to be justice of the peace in the District of Columbia, to be assigned to the city of Washington, vice James A. Tait, whose term expired June 18, 1894.

COLLECTOR OF INTERNAL REVENUE.

William A. Beach, of New York, to be collector of internal revenue for the Twenty-first district of New York, to succeed Alexander von Landberg, resigned.

COLLECTOR OF CUSTOMS.

Edward J. Taylor, of New York, to be collector of customs for the district of Niagara, in the State of New York, to succeed James Low, whose term of office has expired by limitation.

SURVEYOR OF CUSTOMS.

John C. McGuire, of New York, to be surveyor of customs in the district of New York, in the State of New York, to succeed George W. Lyon, resigned.

REGISTER OF LAND OFFICE.

James M. Barco, of Bronson, Fla., to be register of the land office at Gainesville, Fla., vice Alexander Lynch, term expired.

POSTMASTERS.

Frank D. Smith, to be postmaster at Dothen, in the county of Henry and State of Alabama, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1894.

Curt W. Miller, to be postmaster at Tempe, in the county of Maricopa and Territory of Arizona, in the place of Andrew J. Halbert, resigned.

John S. Mitchell, to be postmaster at Newcastle, in the county of Placer and State of California, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1894.

John J. Anderson, to be postmaster at Meriden, in the county of New Haven and State of Connecticut, in the place of Henry Dryhurst, whose commission expired January 16, 1894.

D. Smith Sholes, to be postmaster at Ridgefield, in the county of Fairfield and State of Connecticut, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1894.

Lewis A. Westcott, to be postmaster at East Berlin, in the county of Hartford and State of Connecticut, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1894.

Thomas M. Gooden, to be postmaster at Dover, in the county of Kent and State of Delaware, in the place of John Satterfield, whose commission will expire July 24, 1894.

Ambrose M. Craddick, to be postmaster at Shelbyville, in the county of Shelby and State of Illinois, in the place of Elgin H. Marshall, whose commission expired April 12, 1894.

Benjamin W. Greer, to be postmaster at White Hall, in the county of Greene and State of Illinois, in the place of Edward B. Smith, whose commission will expire July 29, 1894.

John C. Neltnor, to be postmaster at Turner, in the county of Dupage and State of Illinois, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1894.

William H. Lightle, to be postmaster at Gas City, in the county of Grant and State of Indiana, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1894.

Nun McCullick, to be postmaster at Montpelier, in the county of Blackford and State of Indiana, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1894.

J. M. Hammond, to be postmaster at Hamburg, in the county of Fremont and State of Iowa, in the place of Herman C. Coolbaugh, whose commission will expire July 9, 1894.

Goodwin R. Wiley, to be postmaster at Bethel, in the county of Oxford and State of Maine, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1894.

James F. Shea, to be postmaster at Indian Orchard, in the county of Hampden and State of Massachusetts, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1894.

Charles A. Burr, to be postmaster at Rochester, in the county of Oakland and State of Michigan, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1894.

B. F. Thomas, to be postmaster at Carthage, in the county of Jasper and State of Missouri, in the place of Thomas K. Irwin, whose commission will expire July 16, 1894.

William E. Smith, to be postmaster at Millbrook, in the county of Dutchess and State of New York, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1894.

John Cranker, to be postmaster at Perrysburg, in the county of Wood and State of Ohio, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1894.

Amos H. Frost, to be postmaster at Harrison, in the county of Hamilton and State of Ohio, in the place of Clinton F. Bonham, whose commission expires July 9, 1894.

Charles L. Gilbreath, to be postmaster at Collinwood, in the county of Cuyahoga and State of Ohio, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1894.

Emmett H. Kennedy, to be postmaster at Scio, in the county

of Harrison and State of Ohio, in the place of Evan B. Kirby, resigned.

David S. Smith, to be postmaster at East Palestine, in the county of Columbiana and State of Ohio, in the place of Harrington H. Young, whose commission expires July 24, 1894.

George W. Wilkinson, to be postmaster at South Charleston, in the county of Clarke and State of Ohio, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1894.

Rufus J. Bost, to be postmaster at Stillwater, in the county of Payne and Territory of Oklahoma, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1894.

Abner Carson, to be postmaster at Parkers Landing, in the county of Armstrong and State of Pennsylvania, in the place of Winfield S. Barr, whose commission expires July 12, 1894.

Levi G. Kilmer, to be postmaster at Montgomery, in the county of Lycoming and State of Pennsylvania, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1894.

Michael J. Ryan, to be postmaster at Lonsdale, in the county of Providence and State of Rhode Island, in the place of George Sherman, whose commission expired January 27, 1894.

Henderson M. Horton, to be postmaster at Midland, in the county of Midland and State of Texas, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1894.

A. M. Watts, to be postmaster at Wharton, in the county of Wharton and State of Texas, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1894.

H. M. Goff, to be postmaster at Richford, in the county of Franklin and State of Vermont, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1894.

William Graham, to be postmaster at Orange, in the county of Orange and State of Virginia, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1894.

C. B. Wentzell, to be postmaster at Harpers Ferry, in the county of Jefferson and State of West Virginia, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1894.

PROMOTIONS IN NAVY.

Naval cadets (line division) to be ensigns.

Joseph R. Campbell, George C. Day, Holden A. Evans, Luke McNamee, Frederick L. Sawyer, Charles L. Hussey, John R. Y. Blakely, Charles T. Jewell, Gregory C. Davison, Leon S. Thompson, Frederick A. Traut, John F. Hines, Fred. R. Payne, Powers Symington, Yates Stirling, jr., George Mallison, Joel R. Poinsett Pringle, and Benjamin B. McCormick.

Naval cadets (engineer division) to be assistant engineers.

John S. Porter, Robert K. Crank, Stanford E. Moses, and Raymond D. Hasbrouck.

Naval cadets (line division) to be second lieutenants in the Marine Corps.

William C. Dawson, Theodore H. Low, Walter Ball, Austin R. Davis, John H. Russell, jr., Charles F. Macklin, and Thomas S. Borden.

PROMOTION IN ARMY.

Infantry arm.

Second Lieut. Arthur B. Foster, Nineteenth Infantry, to be first lieutenant, July 5, 1894, vice Maxwell, Second Infantry, dismissed.

WITHDRAWAL.

Executive nomination withdrawn from the Senate, July 6, 1894.

Samuel T. Owings, to be postmaster at Moscow, Idaho, whose nomination was delivered to the Senate June 21, 1894.

CONFIRMATIONS.

Executive nominations confirmed by the Senate July 9, 1894.

CONSUL.

William Myers Little, of North Carolina, to be consul of the United States at Tegucigalpa, Honduras.

PROMOTIONS IN THE NAVY.

Lieut. Commander Charles S. Sperry, to be a commander.
Lieut. Francis H. Delano, to be a lieutenant-commander.
Lieut. (junior grade) Edward Lloyd, jr., to be a lieutenant.
Lieut. (junior grade) Harry P. Huse, to be a lieutenant.
Lieut. (junior grade) Richard M. Hughes, to be a lieutenant.
Ensign Guy W. Brown, to be a lieutenant (junior grade).
Ensign William B. Fletcher, to be a lieutenant (junior grade).
Ensign Marbury Johnston, to be a lieutenant (junior grade).

PROMOTIONS IN THE ARMY.

Ordnance Department.

First Lieut. Sidney E. Stuart to be captain.
First Lieut. J. Walker Benét to be captain.
First Lieut. William W. Gibson to be captain.
Second Lieut. George Montgomery, Second Artillery, to be first lieutenant.
Second Lieut. Tracy C. Dickson, Second Artillery, to be first lieutenant.

CORPS OF ENGINEERS.

To be additional second lieutenants.

1. Cadet William B. Ladue.
2. Cadet William J. Barden.

ARTILLERY ARM.

To be second lieutenants.

3. Cadet William P. Pence.
4. Cadet Clarence C. Williams.
5. Cadet James M. Williams.
6. Cadet John W. Joyes.
7. Cadet Edward P. O'Hern, first lieutenant in the Ordnance Department.
9. Cadet Clarence E. Lang.

To be additional second lieutenant.

11. Cadet Warren H. Mitchell.

CAVALRY ARM.

To be second lieutenants.

8. Cadet Samuel Hof.
12. Cadet Francis Le J. Parker.
13. Cadet George F. Hamilton.
14. Cadet Dwight E. Aultman.
15. Cadet William H. Paine.
16. Cadet Alston Hamilton.
18. Cadet John W. Craig.
19. Cadet John C. Gilmore, jr.

To be additional second lieutenants

22. Cadet Hugh D. Berkeley.
23. Cadet Albert E. Saxton.
24. Cadet Hamilton S. Hawkins.

INFANTRY ARM.

To be second lieutenants.

10. Cadet Charles W. Castle.
17. Cadet Paul B. Malone.
20. Cadet Rogers F. Gardner.
21. Cadet John F. Preston, jr.
25. Cadet Butler Ames.
26. Cadet Frederick G. Lawton.
27. Cadet Charles F. Crain.
28. Cadet Frank S. Cocheu.
29. Cadet Ora E. Hunt.
30. Cadet Frank Parker.
31. Cadet John C. McArthur.
32. Cadet Thomas G. Carson.
33. Cadet Frank D. Ely.
34. Cadet William A. Sater.
35. Cadet Edwin Bell.
36. Cadet Otho B. Rosenbaum.
37. Cadet George H. Estes, jr.
38. Cadet George Vidmer.
39. Cadet Dana W. Kilburn.
40. Cadet Oliver Edwards, jr.
41. Cadet Thomas W. Connell.
42. Cadet John S. Battle.
43. Cadet Charles L. Bent.
44. Cadet William E. Welsh.
45. Cadet Frederick G. Stritzinger, jr.
46. Cadet Charles C. Smith.
47. Cadet Frank L. Wells.
48. Cadet Briant H. Wells.
49. Cadet John W. Barker.
50. Cadet Ralph R. Stogsdall.
51. Cadet James P. Harbeson.
52. Cadet Hugh D. Wise.
53. Cadet Pegram Whitworth.
54. Cadet James A. Moss.

SURVEYOR OF CUSTOMS.

Christian A. Schaefer, of West Virginia, to be surveyor of customs for the port of Wheeling, in the State of West Virginia.

POSTMASTERS.

Enoch Moore, to be postmaster at Wilmington, in the county of Newcastle and State of Delaware.

Stephen R. Greene, to be postmaster at Oregon City, in the county of Clackamas and State of Oregon.

James A. Crossen, to be postmaster at The Dalles, in the county of Wasco and State of Oregon.

Benjamin F. Bonham, to be postmaster at Salem in the county of Marion and State of Oregon.

Will E. Newman, to be postmaster at Lancaster, in the county of Fairfield and State of Ohio.

Albert M. Ensminger, to be postmaster at Bucyrus, in the county of Crawford and State of Ohio.

Edmond W. Manolt, to be postmaster at Toms River, in the county of Ocean and State of New Jersey.

Thomas Buckley, to be postmaster at Plantsville, in the county of Hartford and State of Connecticut.

George Kirkland, to be postmaster at Oneonta, in the county of Otsego and State of New York,

William H. Malone, to be postmaster at Norwalk, in the county of Fairfield and State of Connecticut.

Conrad G. Bacon, to be postmaster at Middletown, in the county of Middlesex and State of Connecticut.

Richard W. Sayre, to the postmaster at Atlantic City, in the county of Atlantic and State of New Jersey.

HOUSE OF REPRESENTATIVES.

MONDAY, *July 9, 1894.*

The House met at 12 o'clock m. Prayer by the Rev. JOHN W. HEIDT, D. D., of Atlanta, Ga.

The Journal of the proceedings of Saturday was read and approved.

IMMIGRATION AND CONTRACT LABOR LAWS.

The SPEAKER laid before the House a letter from the Secretary of the Treasury, transmitting, pursuant to House resolution of June 7, 1864, information relative to the rules and regulations established in connection with the administration of the immigration and contract labor laws; which was referred to the Committee on Immigration and Naturalization.

REFERENCE OF SENATE BILLS.

The SPEAKER also laid before the House bills of the Senate of the following titles; which were severally referred as indicated, namely:

A bill (S. 879) granting a pension to Josephine F. Kelton, widow of Brig. Gen. John C. Kelton, late Adjutant-General United States Army, deceased—to the Committee on Invalid Pensions.

A bill (S. 2129) to authorize the entry of land for reservoir purposes—to the Committee on the Public Lands.

COL. JESSE H. STRICKLAND.

The SPEAKER also laid before the House the bill (S. 838) for the relief of Col. Jesse H. Strickland, Eighth Tennessee Cavalry, United States Volunteers.

Mr. STONE of Kentucky. Mr. Speaker, I ask unanimous consent for the present consideration of that bill, a similar bill having been reported by the House committee.

The SPEAKER. The bill will be received subject to objection.

The bill was read at length.

Mr. DOCKERY. Let me ask the gentleman from Kentucky if that has been reported by a committee of the House?

Mr. STONE of Kentucky. It has been.

Mr. DOCKERY. I would be glad to have the House report read.

Mr. STONE of Kentucky. The House committee has reported a bill exactly like it.

The SPEAKER. The Clerk will read the report if there be no objection.

The Clerk proceeded to read the report.

Mr. DOCKERY. I understand that this report is quite a lengthy one, and possibly the gentleman from Kentucky may make a brief explanation, which will be sufficient.

The SPEAKER. Without objection, the gentleman will be permitted to make a brief explanation of the bill.

Mr. STONE of Kentucky. Mr. Speaker, this is a case in which Col. Strickland was authorized by President Lincoln to raise a regiment of cavalry during the war. He went into the service, raised a portion of the regiment, and then was compelled to go to a hospital on account of sickness or disability, for which reason he was not mustered with the regiment. After a time there were other companies raised by other people which were consolidated with this regiment while he was still in the hospital, and another man was appointed colonel of the regiment by Mr. Johnson, then governor of the State of Tennessee.

Since that time Mr. Strickland has applied to Congress and a bill has been already passed placing his name on the muster roll as colonel of the Eighth Tennessee Cavalry Regiment, and he received a pension, which he is now drawing.

Mr. DOCKERY. What does the present bill propose?

Mr. STONE of Kentucky. What this bill seeks to do is to pay him for about five months' service as a colonel of cavalry, for which he has never been paid because of the fact that he was not mustered.

Mr. BURROWS. What is the amount?

Mr. STONE of Kentucky. I do not know the exact amount. It is about five months' pay of a colonel of cavalry, whatever that is.

Mr. COX. Who was the colonel of that regiment?

Mr. STONE of Kentucky. I do not remember the name of the colonel who was appointed by Mr. Johnson.

Mr. COX. Was this a Tennessee regiment?

Mr. STONE of Kentucky. Yes; the Eighth Tennessee Cavalry.

Mr. BARTLETT. Was he ever in active service?

Mr. STONE of Kentucky. Oh, yes. The report shows that.

Mr. COX. Does the report show who was the colonel of the regiment?

Mr. STONE of Kentucky. Yes; the report shows all of the facts in connection with the matter. I have only stated them briefly.

Mr. BYNUM. I understand the gentleman to state that this regiment was made up by the consolidation of other companies while the proposed beneficiary of this bill was sick in the hospital?

Mr. STONE of Kentucky. Other companies were consolidated with it, but the greater part of the regiment was raised by Col. Strickland.

Mr. BYNUM. I understood the gentleman to state that he was trying to raise the regiment, but that he was taken sick and went to the hospital, and during that time other companies were assigned to the regiment, which was formed in that manner. Was this officer ever in actual service?

Mr. STONE of Kentucky. Oh, yes; he was in actual service.

Mr. COX. Was not this Col. Hawkins's regiment?

Mr. STONE of Kentucky. I do not think so, but I am not positive about that.

Mr. BARTLETT. How could there have been two colonels of the same regiment?

Mr. STONE of Kentucky. There was a colonel, as I have already stated, appointed by the governor of Tennessee. Col. Strickland was commissioned by Mr. Lincoln to raise the regiment, and was always regarded in the orders of the commanding officer as the colonel.

Mr. COX. And was actually the colonel of it?

Mr. STONE of Kentucky. No; because Governor Johnson of Tennessee appointed the colonel. The report shows all the facts.

I will state that I have no special interest in this matter. I have been requested by gentlemen to call it up. It has been before the committee for a long time.

Mr. BURROWS. It ought to pass.

Mr. COOMBS. I think there is no objection.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BYNUM. I think that this should go through the regular course. I object.

The SPEAKER. Objection is made, and the bill is not before the House.

REPORT ON TYPHOID FEVER, ETC.

The SPEAKER laid before the House the following House resolution with a Senate amendment:

House resolution providing for the printing of 4,000 extra copies of the report of the select committee of the Medical Society of the District of Columbia on typhoid and malarial fevers and other preventable diseases.

The SPEAKER. This is a House resolution with a Senate amendment.

Mr. RICHARDSON of Tennessee. Mr. Speaker, that resolution as originally introduced was a House resolution, and it was reported and passed as such. It went to the Senate by inadvertence, and the Senate made it a concurrent resolution and passed it, and the only amendment is the amendment making it a concurrent resolution. There is no change in its provisions. I move to concur in the Senate amendment

The motion of Mr. RICHARDSON of Tennessee was agreed to.

PROCEEDINGS OF BERING SEA ARBITRATION.

The SPEAKER also laid before the House the following Senate resolution, which was ordered to be printed and referred to the Committee on Printing:

Resolved by the Senate (the House of Representatives concurring), That there be printed under the direction of the Department of State 6,000 copies of the official proceedings of the Tribunal of Arbitration created in pursuance of the treaty of February 29, 1892, between the United States and Great Britain, including all documents, papers, and agreements presented officially to said tribunal by the agents of said Governments, respectively, and also including the written or printed arguments and oral arguments of the counsel on behalf of each said Governments made on said hearing at Paris, and the opinions of the arbitrators, respectively, delivered in said tribunal in conformity with its order admitting the same to constitute a part of said proceedings; of which number 1,000 shall be for the use of the Senate, 3,000 for the use of the House of Representatives, and 1,500 for the use of the Department of State.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted:

To Mr. RANDALL, for ten days, on account of important business.

To Mr. PAYNTER, indefinitely.

ERRONEOUS SURVEY, JEFFERRSON BARRACKS, MO.

Mr. BARTHOLDT. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 190) for the benefit of sundry persons residing in the vicinity of Jefferson Barracks, Mo.

The SPEAKER. The gentleman from Missouri asks unanimous consent for the present consideration of a bill which the Clerk will report.

The Clerk read as follows:

Be it enacted, etc., That the United States hereby release whatever title they may have in that part of the United States survey 3,119 lying and being within the boundary lines described in the deed of the town of Carondelet to the United States, dated October 25, 1854, and now claimed as a portion of Jefferson Barracks military reservation, situated in the county of St. Louis and State of Missouri, unto the legal representatives and assigns of John B. Martigny, to whom said survey was confirmed by act of Congress approved July 4, 1836.

SEC. 2. That the United States hereby release whatever title they may have in so much of the land covered by the patent issued by the United States to William H. Jansen, November 1, 1859, under preëmption certificate No. 27866, as lies within the boundary lines described in the deed of the town of Carondelet to the United States, dated October 25, 1854, and now claimed as a portion of said Jefferson Barracks military reservation, unto the legal representatives and assigns of said William H. Jansen.

SEC. 3. That this act shall not affect or impair the title which any person other than the United States may have acquired in any of the lands described herein, adverse to the title of either the aforesaid John B. Martigny or William H. Jansen, or of those claiming under either of them.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. DOCKERY. Let us have the report read.

Mr. HOLMAN. I hope there will be some explanation.

Mr. DOCKERY. Let the report be read.

The SPEAKER. Without objection the report can be read.

The report (by Mr. GORMAN) was read, as follows:

The Committee on Military Affairs, to whom was referred the bill (S. 190) for the benefit of sundry persons residing in the vicinity of Jefferson Barracks, Mo., have had the same under consideration, and submit the following report:

A bill of identical language was favorably reported by the Committee on Military Affairs of the Senate in the last Congress, and the bill passed that body. This committee in the last Congress reported favorably, but too late to secure its passage in the House.

For the reasons set forth in House Report No. 2307, second session Fifty-second Congress, this bill is again reported favorably and its passage recommended.

The SPEAKER. This report throws no light upon the matter. It refers to another document.

Mr. BLACK of Illinois. I should like to ask the gentleman from Missouri [Mr. BARTHOLDT] if that bill grants away any of the property now in the possession of the United States at Jefferson Barracks?

Mr. BARTHOLDT. No; not at all. I will state for the information of the gentleman that by an erroneous survey made at Jefferson Barracks a number of people residing in the neighborhood were deprived of certain property rights. These rights were never exercised by the United States, the War Department always recognizing that these people were the rightful owners of the land. The War Department now asks for the passage of this bill.

Mr. COBB of Missouri. The Government makes no claim to it, and recognizes that it was an erroneous survey.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The bill was ordered to a third reading; and was accordingly read the third time, and passed.

On motion of Mr. BARTHOLDT, a motion to reconsider the last vote was laid on the table.

CUMBERLAND FEMALE COLLEGE, OF M'MINNVILLE, TENN.

Mr. SNODGRASS. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 1491) for the relief of Cumberland Female College, of McMinnville, Tenn.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to consider a bill, which the Clerk will report.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the Cumberland Female College, of McMinnville, Tenn., out of any money in the Treasury not otherwise appropriated, the sum of $5,000, in full of all claims of said college for the use, occupation, damage, and destruction of its property during the late war of 1861 to 1865 by the military authorities of the United States in the use of said property during that said period for hospital purposes. And the acceptance of said sum by the said college shall be a complete and absolute bar to any and all claims for damage and destruction of the property of said college or the use and occupation thereof by the armies of the United States.

The Committee on War Claims recommended the following amendment:

In lines 6 and 7 strike out the words "ten thousand five hundred" and insert in lieu thereof the words "five thousand."

Mr. OUTHWAITE. Mr. Speaker, I should like to hear an explanation of this bill.

The SPEAKER. Without objection, the gentleman from Tennessee [Mr. SNODGRASS] can make a short explanation.

Mr. SNODGRASS. I will ask the Clerk to read the report. It is short and sets forth the facts.

The report (by Mr. HOUK) was read, as follows:

The Committee on War Claims, to whom was referred the bill (H. R. 1491) for the relief of Cumberland Female College, of McMinnville, Tenn., submit the following report:

The facts of this claim are fully set forth in a report made by this committee to the House in the Fifty-first Congress, which is as follows:

"[House Report No. 2647, Fifty-first Congress, first session.]

"The Committee on War Claims, to whom was referred the bill (H. R. 9688) for the relief of Cumberland Female College, submit the following report:

"Cumberland Female College, of McMinnville, Tenn., was chartered under the laws of Tennessee in 1851, the cost of the building, etc., being about $25,000. From 1851 to 1861 it was in successful operation. In 1862 the buildings were seized by the Federal forces and converted to hospital use. From its seizure in 1862 until the close of the war the school grounds and buildings were almost continuously used by the Union army for hospital purposes, the town of McMinnville being held as a permanent military post. The property was in fine condition when seized in 1862. When the war ended the buildings and grounds were in a badly wrecked condition, the furniture broken and destroyed, and the apparatus almost entirely ruined.

"The evidence fully shows that a conservative estimate of the damage to the grounds, buildings, furniture, and apparatus would place the loss at not less than $5,000, and that the further sum of $2,500 would be a moderate compensation for the use and occupation of the premises.

"In view of the foregoing your committee recommend the passage of the bill with the following amendment:

"In line 6 strike out 'ten thousand' and insert in lieu thereof 'seven thousand five hundred.'"

In the Fifty-first Congress this claim was not reached on the Calendar, but in the Fifty-second Congress it passed both Houses and went to conference, the two Houses not agreeing as to the amount, and that committee reported as follows:

"The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 2122) for the relief of Cumberland Female College, of McMinnville, Tenn., having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

"That the Senate recede from its amendments and agree to an amendment, as follows:

"Strike out all after the word 'appropriated,' in line 6, and insert in lieu thereof the following:

"'The sum of $5,000 for use and occupation of the college buildings and premises as a hospital during the years 1862, 1863, 1864, and 1865, by the military authorities of the United States, the same to be accepted and receipted for in full for all claims of the said Cumberland Female College against the United States,' and the House agree to the same.

"JOHN W. DANIEL,
"S. PASCO,
"W. A. PEFFER,
"*Managers on part of Senate.*

"B. A. ENLOE,
"W. J. STONE,
"JOHN C. HOUK,
"*Managers on part of the House.*"

The conference report was adopted by both Houses, but the act did not reach the outgoing President in time to be signed on March 4, 1893, failing only by an hour or less to become a law.

The committee recommends the passage of the bill (H. R. 1491), with an amendment striking out the words "ten thousand five hundred," in lines 6 and 7 of the bill, and substituting the words "five thousand," the amount recommended by the conference committee of the Fifty-second Congress.

The SPEAKER. Is there objection to the request for the consideration of this bill?

Mr. LOUD. Mr. Speaker, I think it ought to receive consideration in the regular way.

Mr. DOCKERY. I demand the regular order.

The SPEAKER. The regular order is the call of committees for reports.

BRIDGE OVER EASTERN BRANCH OF POTOMAC.

Mr. BARTLETT, from the Committee on Interstate and Foreign Commerce, reported back favorably the bill (S. 1112) providing for a survey for a bridge across the Eastern Branch of the Potomac River; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed, and the bill H. R. 4128, on the same subject, was ordered to lie on the table.

REQUIRING RESIDENTS ON BOATS IN INTERIOR WATERS TO OBTAIN LICENSE.

Mr. MALLORY, from the Committee on Interstate and Foreign Commerce, reported favorably, with amendments, the bill (H. R. 225) to require persons who make their residence on boats on the interior waters of the United States to obtain license, and for other purposes; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

FOURTH-CLASS POSTMASTERS TO ADMINISTER OATHS TO PENSIONERS.

Mr. BALDWIN, from the Committee on Invalid Pensions, reported favorably, with amendments, the bill (H. R. 7294) empowering fourth-class postmasters to administer oaths to pensioners, and for other purposes; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

AMENDMENT OF PENSION ACT OF JUNE 27, 1890.

Mr. ERDMAN, from the Committee on Invalid Pensions, reported back favorably, with amendments, the bill (H. R. 7574) to amend section 3 of an act entitled "An act granting pension to soldiers and sailors who are incapacited for the performance of manual labor, and providing for pensions to widows, minor children, and dependent parents," approved June 27, 1890; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

SALE OF BURIAL SITES FOR BENEFIT OF CONGRESSIONAL CEMETERY.

Mr. HEARD, from the Committee on the District of Columbia, reported with amendments the bill (H. R. 223) granting the right to sell burial sites it parts of certain streets in Washington City to the vestry of Washington Parish for the benefit of the Congressional Cemetery; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

The SPEAKER. This completes the call of committees.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed without amendment bills of the following titles:

A bill (H. R. 1141) to remove the political disabilities of Charles Iverson Graves, of Rome, in the State of Georgia; and

A bill (H. R. 7293) regulating the procedure in criminal causes in the district of Minnesota.

The message also announced that the Senate had passed with amendments the bill (H. R. 6447) to fix a term of the Federal district and circuit courts of the southern judicial district of Mississippi, to be held at Meridian, Miss., to include the counties named; in which the concurrence of the House was requested.

ENROLLED BILL SIGNED.

Mr. PEARSON, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the bill (S. 411) for the relief of Samuel Collins; when the Speaker signed the same.

EQUALIZATION OF REAL-ESTATE VALUES IN DISTRICT OF COLUMBIA.

Mr. HEARD. Mr. Speaker, this being District day, I now call up the bill H. R. 6415, reported from the Committee on the District of Columbia.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H. R. 6415) to provide an immediate revision and equalization of real-estate values in the District of Columbia; also to provide an assessment of real estate in said District in the year 1896, and every third year thereafter.

The SPEAKER. This bill is on the Union Calendar. The Clerk will report the bill.

Mr. BURROWS. Mr. Speaker, ought not this bill to be considered in Committee of the Whole?

The SPEAKER. It is on the Union Calendar.

Mr. BURROWS. But it will be read, and then the point can be made.

The SPEAKER. As soon as the House is informed of what it is, the point can be made.

The Clerk proceeded to read the bill.

Mr. HEARD (interrupting the reading). Mr. Speaker, in view of the fact that this bill will have to be considered in Committee of the Whole, I move to suspend the further reading, and move that the House resolve itself into Committee of the Whole, and the bill can be read in Committee of the Whole.

The motion was agreed to.

LEAVE OF ABSENCE.

Mr. BURROWS. Mr. Speaker, I ask indefinite leave of absence for my colleague, Mr. MOON, who has been called home suddenly by the death of his brother.

There was no objection, and it was so ordered.

EQUALIZATION OF REAL ESTATE VALUES IN THE DISTRICT OF COLUMBIA.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. DOCKERY in the chair.

The CHAIRMAN. The House is in Committee of the Whole for the consideration of the bill, the title of which the Clerk will read.

The title was again reported.

Mr. HEARD. Mr. Chairman, I ask unanimous consent that the reading of the bill may be resumed at the point reached by the Clerk.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that the reading of the bill may be resumed at the point at which the reading was suspended in the House. Is there objection? [After a pause.] The Chair hears none.

The reading of the bill was resumed and concluded.

Mr. HEARD. Mr. Chairman, I desire to state that the Committee on the District of Columbia considers this bill one of unusual importance, designed, as it is, to change the system of assessment of property in the District of Columbia. It is a matter in which not only the citizens of the District are concerned, but the Government of the United States, since we are liable for a part of the expense of conducting the government of the District of Columbia. So important was the bill in the estimation of the committee, that they directed that the bill be taken up out of its order and presented first among the bills on our Calendar for the consideration of the House. I now desire to yield the floor to the gentleman from Alabama [Mr. COBB], who, as chairman of the subcommittee of the Committee on the District of Columbia, having charge of the bill, has given the matter, in connection with his associates, a very careful consideration, and he is more familiar with its provisions than I am.

Mr. RAY. Mr. Chairman, before the gentleman yields, I would like to ask him a few questions.

Mr. HEARD. I will transfer the duty of answering those questions to my friend from Alabama, who is more familiar with the bill than I am.

Mr. COBB of Alabama. Mr. Chairman, I will be glad to yield to the gentleman to answer any questions he may desire.

Mr. RAY. I desire a little information, that is all; and I thought perhaps it would be more agreeable to the gentleman to answer some questions now than to be interrupted after entering on the discussion of the bill.

Mr. COBB of Alabama. I am perfectly willing to answer any question.

Mr. RAY. I would like to know whether or not personal property is now taxed in the District of Columbia?

Mr. COBB of Alabama. It is.

Mr. RAY. And is one of the purposes of this bill to exempt personal property from taxation?

Mr. COBB of Alabama. Not at all. The tax on personal property is assessed and collected in this District under an entirely different and separate system.

Mr. RAY. Then this bill is not intended to interfere with that at all?

Mr. COBB of Alabama. Not in the slightest.

Mr. RAY. Very good. Now, is there any provision made in this bill for giving notice to property owners of the assessments made?

Mr. COBB of Alabama. That is provided for by general law. There will be notices given, but the provision for these notices is not incorporated in this bill, because there is already provision for that subject in the existing law.

Mr. RAY. And it is not intended by section 16 to repeal those provisions.

Mr. COBB of Alabama. Not at all. There is no conflict between this bill and the existing law on that subject.

Mr. RAY. I notice that in section 2 you provide that three discreet persons shall be appointed as assessors, who shall have been bona fide residents of the District for at least five years, and who shall be conversant with real-estate values therein. These men are to be appointed as a permanent board of assistant assessors, and are to hold office for a term of three years, unless sooner removed. The only qualification required seems to be that these men shall have resided in the District for five years and shall be men conversant with real-estate values. Therefore it would follow, I suppose, that these assessors need not be interested as property owners at all.

Mr. COBB of Alabama. They need not be property owners

at all. We think that the determination as to who should be assessors may very well be left to the appointing power, as they will be interested in having suitable persons appointed.

Mr. RAY. Does the gentleman think—of course he can discuss this question hereafter, if he desires—that it is proper or wise to vest in three men, as this bill does, the power to fix the valuation of real estate for the purpose of taxation if those men own no property themselves?

Mr. COBB of Alabama. I think we would get perhaps a more equal assessment if discreet and competent persons owning no real estate in the District were appointed.

Mr. RAY. You think it will be better, then, if they are not property owners?

Mr. COBB of Alabama. I do, provided the officers are otherwise fit and competent.

Mr. RAY. That is all I care to ask the gentleman now. I am much obliged to him for his courtesy.

Mr. COBB of Alabama. Mr. Chairman, it is not necessary, as I deem, to discuss at any length the provisions of this bill.

Mr. KILGORE. Before the gentleman proceeds will he allow me a suggestion?

Mr. COBB of Alabama. Yes, sir.

Mr. KILGORE. I wish to call the attention of the gentleman to the fact that the second section of this bill provides that the Commissioners may appoint a board of assistant assessors who can hold their offices for life, each receiving a salary of $3,000 a year. Now, is it not a little out of the usual order for the Commissioners to have authority to appoint officers of the District of Columbia?

Mr. COBB of Alabama. Is there anything said about the appointment being for life?

Mr. KILGORE. The bill says "during the pleasure of the Commissioners."

Mr. COBB of Alabama. No; it says "for three years."

Mr. KILGORE. That may be an amendment of the committee.

Mr. COBB of Alabama. That will be offered as an amendment.

Mr. KILGORE. The Clerk did not so read the bill. But I want to ask, is it not a little out of the usual order for the Commissioners to appoint officers of the District of Columbia at all?

Mr. COBB of Alabama. We think that the Commissioners would constitute the best appointing power.

Mr. KILGORE. For all the officers of the District?

Mr. COBB of Alabama. No; but this is a matter connected immediately with the management of District affairs—the assessment and collection of taxes of the District—and over these subject-matters the District Commissioners have large control, and ought to have.

Mr. KILGORE. Is it competent for Congress to vest this authority in the Commissioners?

Mr. COBB of Alabama. I think so.

Mr. KILGORE. Have you made an investigation with reference to that question?

Mr. COBB of Alabama. Well, Congress has exclusive power of legislation in the District of Columbia——

Mr. KILGORE. I know that; but Congress can not provide for the appointment of officers of the District except in conformity with the provisions of the Constitution.

Mr. COBB of Alabama. I do not know of any provision that would prevent such a method of appointment as we propose. If there is any obstacle of that kind we could vest the appointing power in the President.

Mr. KILGORE. That would be in the line of the suggestion I have made to the gentleman from Alabama.

Mr. HEARD. I would suggest to the gentleman from Texas that the Commissioners under the existing law have the appointment of most if not all the subordinate officers of the District.

Mr. KILGORE. Policemen and officers of that kind.

Mr. HEARD. Street inspectors and other officers of that sort; and the assessor, I understand, is now appointed by them under existing law.

Mr. COBB of Alabama. The officers provided for in this bill do not belong to that class, and we have provided in the bill for the method of their appointment and the term of their office, which is different from the existing law.

Mr. KILGORE. Let me suggest to the gentleman from Alabama that, inasmuch as it has been sometimes alleged that some of the officials in the city of Washington are notoriously incompetent, it would be well enough to have somebody else decide as to their appointment rather than the District Commissioners, especially in regard to such offices as have control of the assessment and collection of the taxes.

Mr. COBB of Alabama. We shall make no strenuous opposition——

Mr. RICHARDSON of Tennessee. Will the gentleman allow me a moment?

Mr. COBB of Alabama. Certainly.

Mr. RICHARDSON of Tennessee. If the gentleman from Texas will give me his attention a moment. If you make these assessors independent of the Commissioners, and have them appointed by the President of the United States, then they could only be removed by him, and so you would take the responsibility away from where it properly belongs. You charge the responsibility upon the Commissioners for the proper government of the District of Columbia, and at the same time take from them that strict oversight that they ought to have and would have if these men were their creatures, appointed by them and subject to removal for cause by them.

Mr. KILGORE. But it would not prevent the Commissioners from supervising their work, although these assessors may be appointed by the President.

Mr. COBB of Alabama. But it is important, as suggested by my colleague, and the committee so thought, that the power should be vested somewhere, and that these parties should be removable by the Commissioners, if necessary, for cause. There is no more important position under the District government than the assessors.

Mr. KILGORE. I understand that, too; but they ought to be so organized that they could not degenerate into a "ring," as is frequently the case in cities like Washington and other large cities.

Mr. COBB of Alabama. Well, if you can not govern the city of Washington through the District Commissioners without the formation of a ring, I suggest to my friend from Texas that we had better change the form of government for the city.

Mr. KILGORE. That ought to be done in the interest of good government, as well as in the interest of economical government.

Mr. COBB of Alabama. Well, that does not come up now. When that question arises as to whether we shall change the form of government or not, the gentleman from Texas may find me alongside of him and traveling the same path.

Mr. KILGORE. I think all of the opportunities for collusions and the organization of rings ought to be removed as far as possible by the legislation of Congress.

Mr. COBB of Alabama. I do not believe that there is any danger of ring rule so far as the Commissioners of the District of Columbia are concerned.

Mr. KILGORE. I do not wish to be understood as charging that they would enter into any such combination. But, from what we know of human nature, it is no different here from what it is in any other city throughout the country, where such things have been known to prevail.

Mr. COBB of Alabama. The trouble with all legislation for the District of Columbia is that the members of the House, or a great many of them, are too prone to think that everything pertaining to the management of District affairs goes into a combination or ring which endeavors to control and manipulate affairs in the District. They even go so far in their uncharitable remarks sometimes as to insinuate that members of the District committee are connected with such matters.

Mr. KILGORE. It is charged as a matter of fact that real estate in this city is only assessed for taxation at about one-fourth of its value.

Mr. COBB of Alabama. And we are proposing by this very bill to correct, as far as practicable, that evil.

Mr. KILGORE. I understand that is the purpose of the bill; but the Commissioners must have been somewhat responsible for the default heretofore; and therefore I do not think they ought to be connected with the new assessment.

Mr. COBB of Alabama. They have not been responsible, for they had neither the authority nor the power to control this very question, the assessing and collecting of taxes.

Mr. KILGORE. They had the power to supervise the work of the assessment if they had chosen to do so.

Mr. COBB of Alabama. No, sir; the gentleman is mistaken. They had not control or specific power in that regard. They had general control over the subject, but not the control which this bill seeks to give them.

Mr. KILGORE. It has also been alleged that of millions of dollars' worth of personal property in this city but very little is listed for taxation, and a great deal of revenue is lost thereby.

Mr. COBB of Alabama. I will state to the gentleman from Texas that the two systems of collecting taxes on real estate and personal property are entirely different.

Mr. KILGORE. Some one is certainly responsible for the collecting of the taxes on personal property.

Mr. COBB of Alabama. Not at all; because the great body of the revenue of the District comes from the taxes on real estate and improvements.

Mr. KILGORE. Because of the defects in the law.

Mr. COBB of Alabama. But we can deal with the question of personal property when we come to that matter. It is not involved here at all.

Mr. Chairman, the little colloquy that has been going on between the gentleman from Texas [Mr. KILGORE] and myself has to some extent brought out the purposes and objects of this bill. It is undoubtedly true, as he suggests, that hitherto there has been great difficulty in having proper assessments made on real property and improvements for purposes of taxation in this District and in collecting those taxes when assessed.

The great difficulty that has been experienced hitherto has been in equalizing values. Under the present law it is almost impossible that that should be done. The tax assessors, as a rule, have been selected to meet the particular emergency and for a short time. They have not acted together, but one assistant assessor has assessed values here, and another there, and another yonder, in different portions of the District. The men have not always been competent to perform the work; because it is almost impossible to get men who are so competent for so short a time and for the compensation allowed.

Taxpayers will usually be content, no matter what value may be put upon their property, if they believe that the assessment is equal, and if they are paying no more in proportion to the value of their property than others are paying. Under the existing assessments that is not the case. In the last assessment numerous errors were committed in this regard. The Congress of the United States, in order to remedy these well-known and well-recognized evils, provided by special law that there should be a board of equalization appointed by the President, to continue in office for a certain length of time, who should go over these assessments, hear proofs, and make an equalization of values, so that the hardships that were pressing upon the people of the District by reason of the inequalities of valuation might be remedied.

These officers went to work under the authority thus conferred, and did to a certain extent accomplish the purposes of their appointment. But before they had gone through with the assessments, or to any considerable extent even entered upon their work, the time limited for their appointment expired, and it leaves now this condition of things, that all over the District of Columbia property owners are coming forward and complaining, and bringing evidence of the justice of their complaints, that their property has been overvalued as compared with the property of their neighbors.

The Commissioners recognize these things as existing. The tax assessors and all the tax officers who have to do with these assessment books know that these inequalities exist, and they know that great hardship is being inflicted on many of the best citizens of this District.

Now, this condition of affairs will always exist until by some permanent system the possibility of its occuring is remedied. We attempt to do that in this bill. We attempt to do it by securing as assessors of value competent men—men skilled in the values of property in this District, men who can afford, by reason of the compensation allowed them, to give their whole time and attention to this work.

The mere question of paying officers for work of this kind amounts to nothing—is a mere trifle compared with the immense importance of the work to be done. Not only do we propose in the bill to provide for a fair assessment, but also to provide for an equal assessment, and this we attempt to secure by requiring these assistant assessors, who are to be permanent officers with a good salary, to go together and inspect every bit of property in this District from one end of it to the other, so that when their work is done, when their assessment has been made, there will be really very little work to do for a board of equalization.

Mr. COX. Is their action final?

Mr. COBB of Alabama. No; I will come to that afterwards. If these men are the men that we will presume they will be—because good and competent men can be secured at a salary of $3,000 per annum for three years, and being required to give their whole time to this work—when their assessment has been completed, going together, viewing the property together, comparing their opinions as they go along and their judgments, you can see at once that when the assessment is returned it is very likely that it will meet the objection as to inequalities.

But now, in order to avoid any possible danger of these complaints hereafter, these three assessors, together with the regular tax assessor, are made to constitute a board of equalization for five months in the year. On the 1st of January these assessors must return their assessment. From the 1st of January until the 1st of June, five months, they are to sit as an equalizing board with the assessor to hear complaints and remedy any defects that may have occurred in the assessment made by the assistant assessors. So that it seems to us a more perfect method could not be devised by which this matter, which is always felt to be of overshadowing proportions, namely, equality in the assessments of value for taxation, shall be remedied in the District of Columbia.

Now, that is the main purpose of the bill, and we sought for and could not find any other method by which we could so thoroughly accomplish it as in the bill now proposed. It may be said that these assessors may in the three years not be employed all the time in making this assessment and in the equalization process after making it. In order to avoid that objection we require that these officers shall be under the control of the District Commissioners for the performance of any labor in connection with the discharge of their duties, in connection with the tax office, that the District Commissioners may prescribe for them, and I am told by the Commissioners that there will be no difficulty in finding an abundance of employment for them at all times, and employment of a character that will require the talent, the ability, and experience of men such as we hope will be appointed on this board of assessors.

In order to provide further employment, we made this board of assessors, and the three assistants of the assessors, the excise board of the District of Columbia, taking that duty, which is now so burdensome to the Commissioners, and which is consuming so much of their time, which would be otherwise employed by the Commissioners, and conferring it upon that board. We do that for two reasons: First, to relieve the Commissioners; secondly, we believe that these four men, going, as they do, at all times all over the District, and becoming of necessity advised of the condition of the District in all its quarters, they can best tell where there may with propriety be allowed a house for the sale of spirituous liquors, and who would be the proper persons to be allowed to sell liquor under license. So, taking all these things in connection, we believe the purpose sought to be accomplished will be done in this bill.

We have given the matter careful consideration, have had many consultations with the tax assessor and the Commissioners, and have attempted to frame a bill with as many safeguards as possible to accomplish the real purpose intended by the passage of the bill.

Mr. COX. Now, will the gentleman explain to us the final action of this board of assessors?

Mr. COBB of Alabama. Their final action is on the board of equalization.

Mr. COX. What does the action of the board of assessors do in the matter of granting liquor licenses?

Mr. COBB of Alabama. The Commissioners will supervise all that, but they are the men who under the law will best determine all these questions as to the granting of licenses for the sale of liquors, the hearing of complaints, and determining various questions that are continuously arising under the liquor law of the District of Columbia.

Mr. KILGORE. Will the gentleman allow me a question right there?

Mr. COBB of Alabama. With pleasure.

Mr. KILGORE. Do you propose by this bill to lodge authority in these assistants to the board of assessors to correct assessments? For instance, to enlarge and increase the assessments that have been rendered in years previous.

Mr. COBB of Alabama. Of course that is in the bill.

Mr. KILGORE (continuing). And which has been rendered against the wrong party.

Mr. COBB of Alabama. They are given power to take any action that may be found necessary.

Mr. KILGORE. And they can increase assessments?

Mr. COBB of Alabama. They can, most certainly.

Mr. KILGORE. Do you give them specific authority in this bill?

Mr. COBB of Alabama. We give them specific authority in this bill.

Mr. RAY. This seems a good time to make an inquiry of the gentleman without breaking into his argument.

Mr. COBB of Alabama. I am ready to answer any question the gentleman desires to ask. We want as perfect a bill as we can get.

Mr. RAY. Does this bill meet the approval of the Commissioners?

Mr. COBB of Alabama. It does. It was prepared by them or under their supervision.

Mr. RAY. I want to inquire of the gentleman as to the proviso inserted as an amendment on page 3 of the bill.

Provided, That any other or future collection of taxes on real property——

Mr. COBB of Alabama. That is not the proviso I am going to offer. Here is the proviso in that connection I will read to the gentleman. It is in the same spirit, but different in language.

Mr. RAY. Well, it struck me that the proviso in the bill would be unconstitutional. Now, as I understand, and I have made some inquiry, while I may be misinformed, I understand there is a tax already assessed and levied which is in process of collection.

Mr. COBB of Alabama. Yes; it may be.

Mr. RAY. And some of the taxpayers have paid their taxes under that assessment.

Mr. COBB of Alabama. No; the tax year does not correspond with the calendar year. The tax year commences with November of each year.

Mr. HEARD. If my colleague will allow me, I think he misapprehends the proposition. As my colleague, the gentleman from Tennessee [Mr. RICHARDSON] says, there are two installments in the payment of taxes—due respectively in May and November—and I think my colleague will correct himself, upon reflection, that it is not designed to operate upon the assessment already made, so far as the equalization is concerned.

Mr. COBB of Alabama. The assessment, and not the collection.

Mr. HEARD. Well, the collection is suspended, as I understand.

Mr. COBB of Alabama. Of course.

Mr. HEARD. Until an opportunity for equalization may be had; and therefore it is the purpose of the bill to defer the collection until after the date of the November collection.

Mr. COBB of Alabama. Oh, yes. In a moment I will make that clear. Under existing law an assessment of property is made, which assessment when returned remains in force for three years, and for three years all collections are made upon this assessment. The taxes are collected upon this assessment twice annually—in November and May of each year—the first collection, for the first half of the tax year, occurring in November, the second collection occurring in May. Now, under the last assessment the taxes due in May have all been collected and paid.

Mr. BAKER of New Hampshire. Not all.

Mr. COBB of Alabama. In contemplation of law all have been collected. We do not propose to disturb the law in reference to that matter. If anything remains due on that assessment, the officers of the District will go on and collect it under existing law. We propose to make no distinction as to that matter between those who have paid and those who are yet to pay.

Mr. BAKER of New Hampshire. Will the gentleman allow me one suggestion? The tax year of the District of Columbia corresponds exactly with the fiscal year of the United States Government.

Mr. COBB of Alabama. I think so.

Mr. BAKER of New Hampshire. That is the fact.

Mr. RAY. Then I understand the arrangement now proposed would not be liable to the objection that a portion of the taxes would be collected under one system or one assessment, and the remainder under another?

Mr. COBB of Alabama. Not at all; because no taxes have yet been paid for the immediately coming half of the tax year, the collections for which will be made next November. The taxes which were due and payable in May are not interfered with by the bill. If any of those taxes remain uncollected, they will be collected under existing law, with the penalties that the law attaches.

Now, Mr. Chairman, if there are no further questions——

Mr. BAKER of New Hampshire. I would be glad to have the gentleman explain the proposed amendment to which the gentleman from New York [Mr. RAY] called attention.

Mr. COBB of Alabama. The proposed amendment which I have in my hand is a little different in form from the provision reported in the bill. But for this amendment, or something equivalent to it, the tax collector would go on and enforce the collection of taxes in November.

Now, inasmuch as we are trying to reach an equalization of values, we think it just that this process of equalization shall apply to all taxes which may be due and collectible hereafter; hence we provide that in November there shall be no collection of taxes, but the collection of taxes which would be due and payable in November will be suspended until the following May, when the taxes already accrued will be collected with the taxes belonging to that half of the fiscal year. This will give to the board of equalization an opportunity meanwhile to equalize all taxes which are to become due and payable in the future.

Mr. RAY. Will not this postponement of the collection of taxes embarrass the District authorities?

Mr. COBB of Alabama. Not at all. This amendment was drawn by the assessor with reference to the manner in which he is called upon by law to discharge his duties.

Mr. RICHARDSON of Tennessee. And the revenues of the District will meanwhile be sufficient.

Mr. COBB of Alabama. The revenues of the District meanwhile will be sufficient to meet the requirements of the District. That matter was all gone over and ascertained.

Now, if no further debate is desired, I ask that the bill be read by sections for amendment under the five-minute rule.

The CHAIRMAN. Without objection, general debate will be considered as closed, and the bill will be read by sections for amendment.

There was no objection.

Section 1 was read, and no amendment was offered.

Section 2 was read, as follows:

SEC. 2. That the Commissioners of the District of Columbia shall appoint three discreet persons, who shall have been bona fide residents of the District of Columbia for the period of at least ten years, and conversant with real estate values therein, as a permanent board of assistant assessors, who shall hold office at the pleasure of said Commissioners, and shall each receive a salary of $3,000 annually. Each person so appointed on said board shall, within ten days after receiving notice thereof, take and subscribe an oath to diligently, faithfully, and impartially perform all and singular the duties imposed upon him by this act. If any such appointee shall fail to qualify, as aforesaid, within the time prescribed, or shall fail to enter upon the discharge of his duties within fifteen days after such qualification, the appointment shall be void, and the Commissioners shall forthwith appoint another suitable person, who shall qualify as above provided; and when appointed and qualified as aforesaid, said board of assistant assessors shall immediately proceed to hear and consider such complaints as may be made regarding the assessment returned by the board of three members appointed by the President of the United States under the act of August 5, 1892, revise and equalize said assessment, and make return to the assessor of the District of Columbia of the revision and equalization on or before the first Monday of August, 1894. And said revision and equalization so returned shall be the basis of assessment for the collection of taxes for the fiscal year ending June 30, 1895, and until the next general assessment is made and returned, as provided for in this act. And said Commissioners are hereby authorized and directed to appoint a clerk for said board of assistant assessors at a salary of $1,200 per annum; and said clerk shall also be the clerk for the board of equalization and review hereinafter provided for.

The following amendments reported by the Committee on the District of Columbia were read and agreed to:

In line 4, strike out "ten" and insert "five;" so as to read: "For the period of at least five years."

In line 6, strike out "at the pleasure of said Commissioners" and insert "for a term of three years, unless sooner removed by said Commissioners for cause satisfactory to them."

In line 28, strike out "August, 1894," and insert "January, 1895."

Mr. HEPBURN. Mr. Chairman——

The CHAIRMAN. The Clerk will first report the amendment proposed by the gentleman from Alabama.

The Clerk read as follows:

In line 33, after the word "act," insert:

"*Provided*, That the collection of the tax on real property and improvements thereon which will become due and payable in the month of November, 1894, be, and the same is hereby, suspended until the month of May in the year 1895, at which time said tax shall be due and payable and the collection thereof shall be enforced in all respects as provided under then existing law in the collection of the taxes on real property and improvements thereof for the second half of the tax year ending June 30, 1895."

And strike out the amendment proposed by the committee, printed in the bill as follows:

"*Provided*, That any other or future collection of taxes on real property and improvements thereon during this current year, 1894, be, and the same is hereby, suspended, and the taxes now due or to be due and collected on said property and improvements under existing law in the month of November of this year shall be due and collected at the time and in the manner provided herein for the collection of taxes on real property and improvements thereon for the first half of the year 1895."

The CHAIRMAN. Without objection, the amendment will be agreed to.

Mr. HEPBURN. I object. I want to hear an explanation from the gentleman in charge of the bill.

Mr. COBB of Alabama. The purpose is simply to make it plainer.

Mr. HEPBURN. Why does the committee propose to suspend the collection of the tax which should be paid in November next until May?

Mr. COBB of Alabama. In order that the board of equalization may equalize the taxes and give the benefit to the taxpayers of the amount to be collected in November. That is all.

There is a point to which I wish to call the attention of the committee in this connection. At the end of the section there is a provison in the following words:

And said clerk shall also be the clerk for the board of equalization and review hereinafter provided for.

The assessor tells me that there will be ample work for both of these clerks, and that the clerk of the board of equalization and review ought not to be made the clerk of the board of assessors also. Under the statement that both are needed in the office, I move to strike out all after the words "per annum," in line 45 of section 2.

The amendment was agreed to.

The CHAIRMAN. In the absence of objection, the amendment first suggested by the gentleman from Alabama will be agreed to.

There was no objection.

Mr. BAKER of New Hampshire. I offer an amendment, which I send to the desk, to this section.

The Clerk read as follows:

After the word "annually," in line 9, insert:

"And the assessor of the District of Columbia shall hereafter receive a salary of $3,500 per annum."

Mr. COBB of Alabama. I have no objection to that amendment.

The amendment was adopted.

The Clerk read as follows:

SEC. 4. That the Commissioners shall furnish each member of said board of assistant assessors with the necessary maps and field books, which shall contain an accurate list of each tract, together with a pertinent description of the real property situate in the District of Columbia, and, as far as may be known, the owner thereof; and also such blanks, forms, books, surveys, and plats as may be necessary for a systematic statement of the property to be assessed, and shall also furnish the said board of assistant assessors with the necessary conveyance to view said property for assessment. Upon the completion of the assessment the said board of assistant assessors shall deposit with the assessor of the District of Columbia all maps, field books, surveys, and plats, and all notes and memoranda thereof.

Mr. RAY. I offer the amendment I send to the desk.

The Clerk read as follows:

In section 4, page 4, line 14 of the bill add the words: "And the same shall be open to inspection by any taxpayer of said District."

Mr. COBB, of Alabama. There is no objection to that.

The amendment was agreed to.

The Clerk read as follows:

SEC. 5. That real estate in Washington and Georgetown shall be assessed according to the number of the squares and lots thereof, parts of lots, and upon the number of square or superficial feet in each square, or lot, or parts of a lot; and in that part of the District outside of the cities of Washington and Georgetown lands used for agricultural purposes shall be assessed by the acre, and suburban lots by the square foot, as in the cities of Washington and Georgetown. *Provided*, That whenever any agricultural lands are platted and the platting recorded, said lands shall be assessed by the square foot.

The CHAIRMAN. The committee propose to strike out this section and insert in lieu of it what the Clerk will now read.

The Clerk read as follows:

That the Commissioners of the District of Columbia are hereby authorized and directed to make such rules and regulations touching the manner in which the real property shall be described in the assessments returned by the assessors as they may deem best.

The amendment to strike out and insert was agreed to.

Mr. HEPBURN. With reference to this section, I would like to ask an explanation of why this proposed change is insisted upon by the committee?

Mr. COBB of Alabama. We thought the Commissioners had better be left discretion, so as to prescribe the kind of description that should be used by these officers. The gentleman will understand that the time might come when it would not be advisable to describe it as provided in this section as originally drawn; and therefore to meet any change of conditions that might occur in the District, so far as the description of property is concerned, we thought it better to leave it with the discretion of the Commissioners to prescribe the manner.

Mr. HEPBURN. But does not the amendment go very much further than that?

Mr. COBB of Alabama. It was not so intended.

Mr. HEPBURN. Under the provisions of section 5 there are certain necessary rules that must be observed. Now, you change those entirely. For instance, the act provides that surburban property should be assessed by the square foot. Under the amendment you simply permit the Commissioners to designate other plans.

Mr. COBB of Alabama. We simply intended that that should apply to the manner of description.

Mr. HEPBURN. Is not there more than a mere description in it?

Mr. COBB of Alabama. I think not. Certainly such was not the intention in drawing the section.

The CHAIRMAN. The Clerk will proceed with the bill.

The Clerk read as follows:

SEC. 6. That said board of assistant assessors shall, acting collectively in all cases, from actual view and from the best sources of information in its reach, determine the value of each separate tract or lot of real property in the District of Columbia in lawful money, and shall separately estimate the value of all improvements on any tract or lot, and shall note the same in the proper field book, which shall be carried out as part of the value of such tract or lot, and shall also return the dimensions of each tract or lot, and shall perform such other official duties, not inconsistent with the proper discharge of the duties specially imposed by this act, as may be required of them by the Commissioners of the District of Columbia.

Mr. RAY. I offer the amendment I send to the desk.

The Clerk read as follows:

On page 5, line 3, after the word "the," insert the words "fair market;" so as to read:

"Determine the fair market value of each separate tract or lot," etc.

Mr. COBB of Alabama. Mr. Chairman, if the gentleman will direct his attention to pages 6 and 7, the last lines of page 6 and the first on page 7, he will see that his object is provided for in prescribing the duties of the board of equalization. The words used there are:

So that each lot and tract and the improvements thereon shall be entered upon the tax list at their value in money.

Mr. RAY. Mr. Chairman, if the gentleman were to act under this bill, what would he understand is to guide him—the market value in money?

Mr. COBB of Alabama. The value in money. "Market value" is a very indefinite term.

Mr. BAKER of New Hampshire. The cash value.

Mr. HEPBURN. Do you mean the present cash value at a forced sale, or present cash value as it would sell in the market?

Mr. COBB of Alabama. The cash value at a forced sale is not a proper basis.

Mr. RAY. Well, I think not. Then why not say, at a fair market value?

Mr. COBB of Alabama. Because I think the bill provides for that very thing.

Mr. RAY. If that is so, you should have no objection to this amendment.

Mr. COBB of Alabama. Where does your amendment come in?

Mr. RAY. It comes in on line 3, page 5, in section 6, and I propose to make it read in this way:

SEC. 6. That said board of assistant assessors shall, acting collectively in all cases, from actual view and from the best sources of information in its reach, determine the fair market value in money of each separate tract or lot of real property in the District of Columbia.

Mr. COBB of Alabama. I submit to the gentleman that the word "value" is expressive enough. That means the actual money value of the property at the time.

Mr. RAY. Yes; but how are you to determine that value in money when you are getting at it not by an actual sale but for purposes of assessment? Different men would have different ideas of the meaning of this language now in the bill. Some would say that it means the cash value at a forced sale, and others would say that it means the fair market value in money. Now, you say you think you have provided for the fair market value in money.

Mr. COBB of Alabama. "Fair value"—that covers everything. Now, you must remember that this assessment is for three years. It may be made at a time of great depression in values here in this District that may pass away before the expiration of the three years, and it would be better to leave this matter to the fair, honest judgment of these assessors than to try to confine them by describing and defining the word value.

Mr. HEPBURN. Will the gentlemen permit me just there to give to the committee the idea of these assessors, or of certain assessors that we have had in this city, as to what should be done in cases of this kind. I read from a report made to the first session of the Fifty-second Congress:

OFFICE OF THE BOARD OF ASSESSORS, DISTRICT OF COLUMBIA,
Washington, April 18, 1892.

HON. SIR: Agreeably to the request of your committee, herewith please find copy of the resolutions adopted by said board July 7, 1891, as its rule of action in making assessments:

"*Resolved*, That in making the assessment of real property in the District of Columbia for the triennial period beginning with the fiscal year 1893, the terms 'value' and 'true value,' used in the existing law governing it, shall be regarded as meaning one and the same thing, to wit, true or intrinsic value, and that the measure of such true or intrinsic value is that amount in lawful money which such property would probably bring at forced sale under adverse circumstances.

"*Resolved*, That the above rule of 'value' and 'true value' shall be adhered to equally in all parts of the said District in making the said assessment."

Respectfully submitted.

JOHN F. COOK, *Secretary.*

Mr. COBB of Alabama. Is that the assessor's report?

Mr. HEPBURN. This is the report of assessment of taxes in the District of Columbia made to the first session of the Fifty-second Congress.

Mr. COBB of Alabama. Who makes that resolve?

Mr. HEPBURN. This resolve was made by the board of assessors of the District of Columbia on the 7th of July, 1891.

Mr. COBB of Alabama. We propose to have a different board of assessors from any we have ever had before, more competent men.

Mr. HEPBURN. Yes; but you are using precisely the same words under which a board, construing the words "value" and "true value," say that they are identical, and say that, as applied to the duties of assessors, they shall mean that value that the property would bring at forced sale under adverse circumstances. Now, do you want to continue that?

Mr. COBB of Alabama. No, I do not.

Mr. HEPBURN. Then ought you not to use such language as that no board can give that kind of construction to it in the future?

Mr. COBB of Alabama. I am perfectly willing to do it, but I should like to ask you, do you believe in the first place that this resolution is founded in good plain common sense?

Mr. HEPBURN. I have not a thought that it is founded in good common sense; but a board of assessors, possibly of the

same class of men as those who will be selected, did exercise that want of good sense with regard to this business proposition.

Now, I want their duties so defined, their instructions so explicit that they can not indulge in idiosyncrasies so closely bordering on idiocy in the future.

Mr. COBB of Alabama. Well, now do you not believe that the words "market value" would fit that resolution just as well as the word "value?"

Mr. HEPBURN. I think so.

Mr. COBB of Alabama. Then you do not improve it. The truth of the matter is that you can not frame a bill here so as to avoid just such resolutions as those.

Mr. HEPBURN. I am very sorry that this committee, which has given the measure consideration so long ——

Mr. COBB of Alabama. This committee will accept any language that you will put in this bill, the result of which will force the assessors to report the property of the District at its value—uniform value in money.

Mr. HEPBURN. Well, have the committee done that, in their judgment?

Mr. COBB of Alabama. We tried to do it. We thought that in using the word "value" here, and further over by the words we used, to which I called the attention of the gentleman from New York, we have expressed the intention of Congress that the worth of this property should be the basis of taxation.

Mr. HEPBURN. You have simply used the word "value," and the board of assessors have given their interpretation of that word "value" as they understand it. You have here an illustration of what they will do with the language you propose to use in the bill. Is it not wise, then, to suggest something else in the way of giving them a fair instruction as to what is meant?

Mr. COBB of Alabama. Well, we will take your suggestion if you will give us a good one.

Mr. HEARD. I was going to ask the gentleman from Iowa to suggest such phraseology as will obviate that difficulty.

Mr. HEPBURN. I have not given that attention to the matter that ought to be given to it, which would enable me to say precisely how the matter can be properly solved. But the complaint that I make is that the committee is going right along in the old beaten track, a beaten track that has been so disadvantageous to the public heretofore.

Mr. HEARD. I think, if the gentleman will bear with me, that since he is competent to make a criticism of the language used, he ought to be able to make a suggestion as to the improvement that should be made.

Mr. HEPBURN. That does not follow.

Mr. HEARD. We will gladly accept any suggestion made by the gentleman from Iowa, or by other gentlemen on the floor, that will assist us in what the committee thought should be done, and that which I know gentlemen desire, giving a uniform basis of valuation and the use of such a form of expression as will lead the assessors to adopt a fair standard of valuation.

Mr. HEPBURN. I can not be expected to do in an instant that which gentlemen of the committee have failed to do in nine months; but if you will give me nine days I will undertake to furnish something that will not pursue the very course that has been pursued heretofore and with such disadvantageous results. Give me nine days and I will give you something.

Mr. HEARD. I would have no objection to giving the gentleman nine days if it did not interfere with the progress of the business of the House. The committee has not had this matter before it for nine months, but we have had it before us long enough to incline us to the belief that the language we have suggested would answer the purpose. If any gentleman here is prepared to make suggestions to assist us, we will cheerfully take the benefit of his suggestions, and if the amendment suggested by the gentleman from New York will accomplish the result which he thinks, we will not object to its adoption, if the House approves it.

Mr. RAY. Mr. Chairman, I ask unanimous consent to withdraw my proposed amendment and submit the following in lieu of it.

The CHAIRMAN. Without objection that will be done. The Clerk will report the modified amendment.

The Clerk read as follows:

In line 3, page 5, after the word "the," insert, "full and actual cash;" so as to read, "determine the full and actual cash value."

Mr. TALBERT of South Carolina. I would like to ask the gentleman from Alabama if it is not a fact that complaint has been made that the assessment has been placed much lower than it ought to be.

Mr. COBB of Alabama. That is usually the case.

Mr. TALBERT of South Carolina. Is it the object of this bill to have it raised to a higher rate?

Mr. COBB of Alabama. Yes, sir.

Now, I call the attention of my friends to this language on line 3, page 5. Now, I assert that it is the experience of all men that the more you attempt to define the value to be fixed upon property for the purpose of taxation the more difficulty you make about a proper assessment of the value. That is the experience everywhere, I think. Whenever you say cash value or market value, or use any other qualifying word to value, you not only do not diminish the difficulties, but you increase them, because in covering it with this qualifying adjective you have a multiplication of points, and each man attempts to define for himself what that qualification means.

I submit it is best to leave this matter to the fair discretion of these assessors, after advising them with as much emphasis as possible that we intend they shall return the property they assess at an amount which will be a fair equivalent. You must leave something to these officers.

No argument is to be drawn from the resolution which has been referred to. In my opening remarks I stated to the House the difficulties heretofore experienced in assessing property in this District for taxation; and one of the most pronounced difficulties was the apparent impossibility of getting the right kind of men to do the work. We now propose to make a change; we propose to establish a permanent system with three intelligent men as assessors at a salary of $3,000 each. These men are to devote their whole time to this work; and the presumption may reasonably be indulged that in the exercise of their discretion they will put a proper construction upon the language used in this act.

The discretion and the responsibility must be upon them at last. You can not, by introducing qualifying terms, as the gentleman from New York proposes, destroy the discretion that must be lodged in these assessors. If the English language were perfect enough not to be distorted or misconstrued—if it were possible to find words of such a character as to convey beyond question the very idea that we are attempting to impress upon this system—the committee would willingly accept an amendment. But I do not believe that the amendment here suggested will accomplish the end aimed at by the gentleman from New York and the gentleman from Iowa—an end which the House desires to accomplish, and in the desirability of which the committee fully concur. My firm conviction is, we had better leave the language of the bill just as it is.

MESSAGE FROM THE PRESIDENT.

The committee informally rose, and Mr. O'NEIL of Massachusetts having resumed the chair as Speaker *pro tempore*, a message from the President, by Mr. PRUDEN, one of his secretaries, announced that the President had approved and signed bills and joint resolutions of the following titles:

On June 29, 1894:

Joint resolution (H. Res. 196) to provide temporarily for the expenditures of the Government.

An act (H. R. 5806) to authorize the city of Hastings, Minn., to construct and maintain a wagon bridge over the Mississippi River.

An act (H. R. 4701) to incorporate the Supreme Lodge of the Knights of Pythias.

On July 2, 1894:

An act (H. R. 4961) granting certain rights over Lime Point military reservation, in the State of California.

On July 3, 1894:

Joint resolution (H. Res. 193) to appoint three members of the Board of Managers of the National Home for Disabled Volunteer Soldiers.

On July 6, 1894:

An act (H. R. 7449) authorizing the Minneapolis Gaslight Company of Minneapolis, Minn., to lay submerged gas pipes across the Mississippi River at Minneapolis; and

On July 9, 1894:

Joint resolution (H. Res. 201) authorizing the Secretary of the Navy to continue the employment of certain mechanics and laborers.

EQUALIZATION OF REAL ESTATE VALUES IN THE DISTRICT OF COLUMBIA.

The committee again resumed its session, Mr. ARNOLD in the chair.

Mr. HEPBURN. Mr. Chairman, it seems to me the argument of the gentleman from Alabama [Mr. COBB] is not properly based. Look at the real situation. Here was a statute conferring authority upon certain officers, who construed their authority in the way shown by the resolution I read a few moments ago. The gentleman from Alabama agrees that this construction was all wrong, faulty in the extreme, just the kind of construction that we did not want put upon the law. He is now called upon to reform the law, yet he introduces provisions precisely similar to those which have thus been construed. So that this language if enacted will be, not a condemnation of the con-

struction heretofore given, but a legislative warrant to those men who are to be appointed under this bill to adopt the same construction which was given to the same words when used in a previous statute.

I am not called upon, nor is it my place, to show the remedy. This matter was referred to the committee for the purpose of providing, among other things, a remedy; and instead of that they reproduce the language of the old law, knowing the construction which has heretofore been given to that language.

Now, let me call attention for a moment to some of the outrages that were committed by the old board under their method of construing the identical words which are used in the present bill. In certain squares which will be found named in a table, marked 10, page 18, of the report I have referred to, the assessed value of certain blocks was $18,742,000, while the sworn value of the lots making up those blocks was $42,575,000.

The assessment, in other words, was upon a basis of 44 per cent of the sworn value of the property. Again, in certain other squares, named in table 11, the assessed value for 1892 and 1893 was $3,063,000, while the sworn valuation was $6,532,000, the assessed value being 47 per cent of the sworn valuation.

In certain other squares, named in table 12 (the first two tables are tables showing the valuation of business property, and these other tables show the valuation of residence property), the assessments were 68 per cent of the sworn valuation; and in one other table the assessment was 70 per cent of the whole value as sworn to.

Now, all I want to suggest is that we ought not to adopt precisely the same language which has received that faulty construction, and which will make possible a repetition of similar discriminations.

Mr. COBB of Alabama. Mr. Chairman, I am surprised that my friend from Iowa [Mr. HEPBURN] should say it is not his business to suggest anything with reference to this matter. The committee have done their best work; and if it does not meet with the assent of the judgment of my friend, he ought to aid us in good faith to do what we want to do; that is, to present to the House a perfect bill.

The gentleman is at fault in another respect. The passage of this bill will not be an indorsement of the resolution to which he has referred. It was no function of those assessors to pass such a resolution as that; there was no law requiring them to do it. I never saw it before, and never heard of it. An act of the Legislature employing given language does not indorse a construction previously given to such language unless that construction has been given by judicial authority. That is the rule.

Mr. HEPBURN. Oh, you know better than that.

Mr. COBB of Alabama. No; I do not know better than that. That is the law: the construction must have been given by judicial authority or by some one authorized by law to make the construction and to announce it as the law of the land.

Now, I am perfectly willing to insert any language here that will more effectually accomplish the purpose—"actual value," if that will do. The only objection I have to the language proposed by the gentleman from New York is that it will, I think, defeat the purpose of this measure rather than aid in its accomplishment. I want the language of this statute to be such that property will be returned, as it ought to be returned, at a reasonable value—the actual value. Why not insert those words "actual value," or "real value," or "value in money," or "true value?" Let gentlemen suggest something that will make the language clearer, and we will cheerfully accept it.

But there is no form of expression in my opinion so objectionable as the form the gentleman proposes—"market value." It is indefinite; hard to determine. There would be as many opinions about it as there are individuals. It depends not only on the market, but on the man who construes the words. What do you mean by "market value?" Market value when? What is the standard? Who is to determine it? Who is to describe what it means? You must define some standard when you use the term "market value," and some mode of determining what that standard is to be. The only objection I have is that it makes the bill worse than it is now, not better. It seems to me that in its present form it is sufficiently clear.

Mr. RAY. I wanted to suggest to the gentleman that I have withdrawn the amendment which proposes to insert the words "fair market value" and substituted the words "full, actual cost value."

Mr. COBB of Alabama. Well, I do not know that that is very much better.

Mr. HULL. Does that mean anything more than value after all?

Mr. COBB of Alabama. Nothing whatever.

Mr. HULL. It simply takes more words to express it.

Mr. COBB of Alabama. Simply takes more words to express it and simply tends to make it ambiguous.

Mr. HULL. And the parties who have to define the meaning of the words "full, actual cash value" would be compelled to say that they mean only the same as the word "value."

Mr. COBB of Alabama. Certainly.

Mr. HULL. The "full, actual cash value" is, after all, only the "value" of the property.

Mr. COBB of Alabama. Undoubtedly.

Mr. HULL. Then what is the use of multiplying words?

Mr. COBB of Alabama. Not the least. I shall of course endeavor to accommodate myself to the wishes of gentlemen——

Mr. HULL. What is gained by using so many words and making the meaning ambiguous?

Mr. COBB of Alabama. That is my opinion. I would suggest to my friend from New York [Mr. RAY] to let it go as it is. I think we have determined on the best term that can be used there.

Mr. RAY. Mr. Chairman, the gentleman who now has the floor admits that heretofore under the precise language used here——

Mr. COBB of Alabama. I do not know that it was the precise language. The gentleman from Iowa said so.

Mr. RAY (continuing). Well, I understand it to be admitted that it is the precise language, and that under that language now used here persons charged with making the assessment on real estate in this city have adopted a concededly nonsensical idea in regard to the meaning of the term used in the law. I believe that in the assessment of real estate the value fixed should be the worth of the property to a purchaser thereof, having the ability and desire to purchase for the use or uses for which the property is available, location and surroundings considered. That is what I think the rule should be; that is the rule adopted in my State, and of course I believe in it.

I do not believe in the idea of having the value of property fixed on the basis of a forced sale—especially a forced sale under adverse circumstances.

Mr. COBB of Alabama. Let me ask the gentleman, as an experienced lawyer, do not you know, and do not the law writers teach you, that in framing legislation the fewer words used the better to express the idea?

Mr. RAY. That is all true, I admit, when a few words will express the idea.

Mr. COBB of Alabama. And especially when it comes to the question of determining and defining the meaning of words that are used in a statute.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. COBB of Alabama. I ask unanimous consent to be permitted to proceed for five minutes longer.

The CHAIRMAN. In the absence of objection the gentleman will have that consent.

There was no objection.

Mr. COBB of Alabama. Now, I wish to call my friend's attention to another fact; that the value which will be fixed on this property by the assessors will not be final. It is true they constitute afterwards the board of assessment, but with the assessor added to them, and these four will finally determine the question as to what value ought to be fixed on property. When you give to them the power that is embodied in the bill, to which I have heretofore called your attention, you will find that the lot or tract and the improvements thereon shall be entered on the tax list at their "value in money." That is the exact text of the bill. Now, you can not make it any stronger than that. You may put the value in money all through the bill if you please, but that is what it means after all.

Mr. RAY. That you have in the bill now. In lawful money it reads, I think.

Mr. COBB of Alabama. Well, I do not believe you can better it, and I think you are in danger, let me say to the gentleman, if you undertake to amend the bill, of increasing the very difficulties that you seek to remedy.

You can not do better than leave it as it is. We want a good bill, and I hope the gentleman will not insist in putting anything into the bill that will destroy or tend to impair the clearness of the terms now used.

Mr. RAY. My only purpose, I will state to the gentleman, is to avoid, if possible, an erroneous construction of the bill by those who are to enforce it.

Mr. COBB of Alabama. I do not care a straw for the construction. That has no force with anybody. Do you suppose that the assessors are going to learn their duty by something that has been done heretofore in that direction?

Mr. RAY. The gentleman knows that we are in the habit, in determining matters of law in the construction of statutes, to look for precedents and see what construction has been placed upon them or like statutes in the past.

Mr. COBB of Alabama. Oh, well, it depends upon who makes the precedents entirely.

Mr. RAY. And there is nothing that this House is so prone to do as to follow tradition, you know.

Mr. COBB of Alabama. Yes, and sometimes we get into trouble in that way.

Mr. RAY. If these assessors would exercise their best judgment and do right I should have no objection to the bill as it is, but I fear they will follow the precedent quoted by the gentleman from Ohio.

Mr. COBB of Alabama. I hope the gentleman will not insist on his amendment.

Mr. HEPBURN. I have a proposition here, to insert at the proper place the following:

It being the intent of this provision to require the assessment of all property to be based on the true value thereof, such value as said property would sell for on terms usual in sales of real property in the District of Columbia.

Now, there is a method of sale here in this District that is almost universal—one-third cash, the balance upon one and two years' time. It seems to me that if you will indicate that as the criterion, it will be much better than to leave this board to act as they please, in view of the resolution that the previous board adopted in construing language identical with the language you have now in this bill.

Mr. COBB of Alabama. The gentleman will perceive at once that he is increasing the difficulty. What are the "usual terms of sale" in the District of Columbia? That at once becomes a question. The assessors are approached to change their valuation. The taxpayer says: "You have not complied with the law. I am prepared to show you that the term usual in this District would result quite differently from the result which you have achieved." You increase the difficulties whenever you attempt to multiply words in defining this term "value." You can not reach language that will be more expressive than this: "Value in lawful money."

Mr. HEPBURN. Will the gentleman allow me just a moment?

Mr. COBB of Alabama. Yes.

Mr. HEPBURN. Have you presented any language in your bill that will prevent this board from duplicating the resolution adopted by the board on the 7th of July, 1891?

Mr. COBB of Alabama. I think so.

Mr. HEPBURN. You have precisely the same words that were in that law. You have presented the very words for construction that the old board had. You have done more than that, because here is a legislative effort, and that legislative effort has failed, to give prohibition to those men to indulge in that construction, and by failure to do that you have given legislative acquiescence in that construction, and substantially said that was correct.

Mr. COBB of Alabama. Oh, the gentleman is not correct about that.

Mr. RAY. In order that this other proposition, that of the gentleman from Iowa, may come before the House properly, I will withdraw my proposed amendment.

The CHAIRMAN. The amendment of the gentleman from New York is withdrawn, and the Clerk will read.

The Clerk, resuming the reading of the bill, read as follows:

SEC. 7. That said board of assistant assessors shall, on or before the first Monday of February, 1896, and every third year thereafter, make out and deliver to the assessor of the District of Columbia a return in tabular form, contained in a book to be furnished by the Commissioners, of the amount, description, and value of the real property subject to be listed for taxation in the District of Columbia.

Mr. COBB of Alabama. Mr. Chairman, I move to strike out in line 2 the word "February," and insert the word "January."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

In line 2, page 5, strike out the word "February," and insert the word "January."

The amendment was agreed to.

The Clerk, resuming the reading of the bill, read as follows:

SEC. 9. That the assessor of the District of Columbia and the said board of assistant assessors herein provided for, with the assessor as chairman, shall compose a board of equalization and review, and as such board of equalization and review they shall convene in a room, to be provided for them by the Commissioners, on the first Monday of February, 1896, and every third year thereafter. It shall be the duty of said board of equalization and review to fairly and impartially equalize the value of real property made by the board of assistant assessors as the basis for assessment. Any three of said board of equalization and review shall constitute a quorum for business, and in the absence of the assessor a temporary chairman may be selected. They shall immediately proceed to equalize the valuations made by the board of assistant assessors so that each lot and tract and the improvements thereon shall be entered upon the tax list at their assessed value in money; and for this purpose they shall hear such complaints as may be made in respect of said assessments, and in determining them they may raise the valuations of such tracts or lots as, in their opinion, may have been returned below their value, and reduce the valuations of such as they may believe to have been returned above their value to such sum as, in their opinion, may be the value thereof.

The Committee on the District of Columbia recommended the following amendment:

In line 17, strike out the word "assessed."

The amendment was agreed to.

Mr. COBB of Alabama. Now, Mr. Chairman, on page 6, line 6, section 9, I move to strike out the word "February" and insert the word "January."

The amendment was agreed to.

Mr. HEPBURN. Now, Mr. Chairman, I move to add at the end of section 9, the following words:

It being the intent of this provision to require the assessment of all property to be based on the true value of the property, such value as said property would sell for on the terms usual in sales of real property in the District of Columbia.

Mr. COBB of Alabama. I have nothing more to say about that, in addition to what I have said.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend by adding at the end of section 9, the following:

It being the intent of this provision to require the assessment of all property to be based on the true value of the property, such value as said property would sell for on the terms usual in sales of real property in the District of Columbia.

Mr. COBB of Alabama. Mr. Chairman, I have nothing further to say in addition to what I have said. I merely insist that that amendment is not only unnecessary but that it leads to confusion. It does not simplify the bill, and I hope the gentleman will not insist upon it.

Mr. HEPBURN. Mr. Chairman, it does not present the difficulty to my mind that it seems to present to the gentleman in charge of the bill. Here are four citizens of this city, long residents here, familiar with real estate values and real estate transactions. They constitute a tribunal selected because of their peculiar and special familiarity with the subject of real estate, real estate sales, and real estate values in this District. Now, they know what the usual methods of sale are. They know the usual terms of all real estate transactions. They will have no difficulty in determining what that language means. If it is the truth that the majority of sales are made on the payment of one-third down and the balance of the purchase money in equal parts in one and two years, they are conversant with that fact.

Mr. COBB of Alabama. Is that a fair method of assessment of value?

Mr. HEPBURN. I think it is a fair method. I can conceive of no fairer method. That is what the property will bring in the market, under the terms and in the manner in which the sales are usually affected. That is much fairer than the old method. It is better than leaving it to the mere caprice and the mere whim of the board. Here is an indication of what the legislative purpose is, and here is an indication of the method in which they shall, in our estimation at least, seek to arrive at a finality of their duties. I can see no serious objection to this that could not be urged with equal cogency against any other form of words that you can adopt. It is an improvement on the old law. It will have the effect of teaching this board that they are not to adopt the old resolution against which I have tried to inveigh.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa.

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. HEPBURN. Division.

The committee divided; and there were—ayes 17, noes 12.

Mr. COBB of Alabama. Mr. Chairman, I did not hear the announcement, and I call for tellers on that vote.

The question was taken on ordering tellers.

The CHAIRMAN (Mr. ARNOLD). Eight gentlemen have arisen, not a sufficient number, and tellers are refused.

Mr. RAY. Mr. Chairman, I have another amendment I desire to offer.

The Clerk read as follows:

On page 7, line 23, add the words:

"But no assessment shall be increased until notice of the proposed increase shall have been given to the owner or his agent, and opportunity given to oppose the same."

Mr. RAY. Mr. Chairman, I think the gentleman in charge of the bill will see the propriety of that. You have provided that they may increase the assessments. This simply guards it so that no assessment shall be increased until the owner of the property or his agent shall have been notified of the proposed increase and had an opportunity to be heard on the subject.

Mr. HEARD. Does the gentleman propose only to apply that to the assessment already made?

Mr. RAY. That applies only to the board of assessors on their review of propositions to increase the assessment.

Mr. HEARD. That is on equalization; I thought your lan-

guage would apply to future assessments. I think if you would say, "As the result of such equalization," that you would give it the proper limit you want it to have.

Mr. RAY. In section 9 you say of this board:

They shall immediately proceed to equalize the valuations made by the board of assistant assessors so that each lot and tract and the improvements thereon shall be entered upon the tax list at their assessed value in money; and for this purpose they shall hear such complaints as may be made in respect of said assessments, and in determining them they may raise the valuations of such tracts or lots as in their opinion may have been returned below their value.

Now, having provided that which permits the raising of assessments, I suggest this amendment, that no such increase shall be made until the owner or agent has had notice and an opportunity to be heard.

Mr. HEARD. I see the gentleman suggests that the language which precedes the amendment limits it to the real purpose intended.

Mr. RAY. That is right.

Mr. RICHARDSON of Tennessee. I would like to have the amendment reported again.

The amendment was again reported.

Mr. RICHARDSON of Tennessee. The amendment ought not to be adopted, I submit, exactly in that form. If the owner happens to be a nonresident and has not an agent it would be absolutely impossible to raise the value of his property under that amendment.

Mr. BAKER of New Hampshire. Make it "him or them."

Mr. RICHARDSON of Tennessee. But it does not say so. The amendment of the gentleman says the agent or owner must have notice. If he is a nonresident you can not give him notice, and if has no agent you can not raise the value, however improper the assessment may have been.

Mr. RAY. If that is the objection, I suggest that there be added to the amendment the words, "and such notice may be given by mailing a notice of the proposed action to the owner or agent."

Mr. RICHARDSON of Tennessee. The difficulty, Mr. Chairman, it seems to me, is that you can not make an amendment of this kind practicable. The taxpayer or the owner has notice in the first place of the assessment.

Now, if it be found by the board of equalization that a piece of property has been assessed a little lower than another piece in the same block, or if for any other cause they should deem it proper to raise the assessment previously made, in order that the taxation may be equal, why is it necessary that they should give the property owner notice? He has had no notice in the first place; he may not know at what figure his property has been assessed before. It seems to me the amendment is wholly unnecessary.

The CHAIRMAN. The Clerk will read the amendment as now modified.

The Clerk read as follows:

But no assessment shall be increased until notice of the proposed increase shall have been given to the owner or his agent, and an opportunity given to oppose the same; and such notice may be given by mailing a notice of the proposed action to the owner or agent.

Mr. RAY. Mr. Chairman, this action of the board of assessment sitting in revision is supposed to be final. The gentleman from Tennessee says that no notice will be given of the assessment in the first place. That is undoubtedly true; but every owner of property in the District of Columbia will know that the assessors are at work, and that at a certain time the result of this work is to be filed with the District Commissioners; that he may then go and ascertain what has been done with reference to his property. Or he can make inquiry as the work progresses and ascertain from the assessors the valuation placed on his property. With that he may be content.

Mr. RICHARDSON of Tennessee. Why, then, is it necessary to give this notice?

Mr. RAY. Because, after all that is done—after the owner of the property or his agent has ascertained from the assessor, or from the records filed with the District Commissioners, the valuation placed upon his property, this bill provides that these men composing the board of assessment may get together and without any notice whatever to the owner increase that assessment. Here in section 9 you provide that without any notice to the owner or his agent this board may double, treble, or quadruple the assessment previously made—it may be without any notice to him.

Is that just or proper? Clearly not. When this board of assessment meets for the purpose of equalization and proposes to make any changes by increasing the valuation of property, the owner of the property affected should have notice in some way of the proposed action, and should have the right to appear and be heard upon that question. That is the law in all the States, or in nearly all of them. It is a rule of justice and equity. If it be necessary to obviate the objection that the owner of the property may not be in the city or may not have an agent residing here, let it be provided that notice be served, if deemed best, by leaving it on the premises or by posting it on the front door, if the building is unoccupied. But in any event we should give the owner the right to be heard before the assessment of his property is increased.

Mr. HEARD. Mr. Chairman, so far as I understand the operation of laws providing for equalization of assessments in the different States, my impression is that if any notice is given, it is not given to the individual taxpayer further than by the publication of the fact that the board of equalization will sit at a certain time. This plan is pursued in some of the States, I know. The existence of this board of equalization is notice to every taxpayer that the valuation of his property may, by the process of equalization, be raised or lowered. And this bill provides in section 11 that—

Said board of equalization and review may also, on appeal, at any time within six months after the completion of the assessments, revise and correct any errors or inequalities in the assessment of any lots or parts of land and the improvements thereon.

Therefore every taxpayer will have a knowledge of the time when the equalization is to be made and as to when he may appeal for relief, and if he believes himself wronged by the action of the equalizing board he can make his appeal to the board for the correction of any inequality or injustice at any time within six months after the assessment has been made.

It occurs to me that in the first place the existence of the law providing for equalization is notice enough to the taxpayer so that he may see whether the valuation of his property is raised or lowered; but in the second place, if notice is to be given at all, all that is necessary, it seems to me, is to provide for the publication of the notice that at a certain time the board will sit for the purpose of equalization, and that parties who deem themselves aggrieved may apply for relief against any action of the board. I submit that we should not require so expensive and troublesome a process as that each individual taxpayer should be notified by letter of the result of the equalization so far as it may affect his property.

Mr. RAY. Mr. Chairman, as will readily be seen by section 9 of this bill, the action of this equalizing board is to be final. Now, let me put to the gentleman from Missouri this case: Suppose he is the owner of property in this city, occupied or unoccupied; he has learned the valuation put upon that property by the board of assessors; he is content with it; he departs from the city, leaving his property entirely unoccupied. Now, would the gentleman be willing under such circumstances to be at the mercy of this board of equalization? Does he desire to place upon the statute book a law which would permit this board, in making its equalization, to increase at its will the valuation of his property? It seems to me not. In the State of New York and in most of the States of this Union such action is absolutely prohibited by law.

Mr. HEARD. If the gentleman will allow me, I wish to say that I have no desire to be captious about this matter, and as I understand that my colleague [Mr. COBB of Alabama] in charge of the bill has expressed himself willing to accept the amendment, I will withdraw any objection I have made.

Mr. COBB of Alabama. Let us hear the amendment read.

The amendment of Mr. RAY, as modified, was again read.

Mr. COBB of Alabama. Suppose there is no owner to be found in the District, and no agent; then what?

Mr. RAY. Well, add to it, then, in order to cover all objections, "by posting a notice on the front door of the premises."

Mr. HEARD. Suppose there is no front door? Suppose it is an unoccupied lot?

Mr. RAY. Well, by posting a notice on the premises.

Mr. STOCKDALE. Conspicuously on the premises?

Mr. RAY. Anything to meet the objections; simply give notice to the party.

The CHAIRMAN. The amendment as modified will be reported.

The Clerk read as follows:

On page 7, line 23, add:

"But no assessment shall be increased until notice of the proposed increase shall have been given to the owner or his agent, and an opportunity given to oppose the same; and such notice may be given by mailing a notice of the proposed action to the owner or agent, or by posting a notice of such proposed increase on the premises."

Mr. POWERS. I offer the following as a substitute for the amendment of the gentleman from New York.

The Clerk read as follows:

Amend in line 7, section 9, by adding after the word "thereafter," the words:

"Public notice of the time and place of such meeting shall be given by publication for ten successive days in two daily papers in the District."

Mr. RAY. That won't help it any.

Mr. RICHARDSON of Tennessee. The difficulty is that the gentleman is offering his amendment at a different place in the

section from the amendment proposed by the gentleman from New York.

Mr. POWERS. I think this is the proper place for it.

Mr. RICHARDSON of Tennessee. That may be; but it would have to be offered as an independent amendment to come in at its proper place in the paragraph of the bill, and not as a substitute for the amendment of the gentleman from New York, which relates to another part of the same section.

The CHAIRMAN. The Chair thinks it can not be offered as a substitute.

Mr. POWERS. Then I offer it as an independent amendment.

Mr. COBB of Alabama. If the gentleman from New York is willing to accept the amendment, I am willing that it shall be adopted in order to avoid further controversy.

Mr. RAY. I do not think it meets the point at all.

Mr. POWERS. I desire to call the attention of the gentleman from Alabama in charge of this bill to the fact that as a matter of law it strikes me there must be always a method of appeal provided in connection with each tax law, by which the taxpayer who believes himself aggrieved, or has objection to the assessment on his property, whether real or personal, may have an opportunity to appeal from the assessment and be heard in the premises.

Section 9 of this bill undertakes to provide a board of appeals. It specifies that the assistant assessors, together with the assessor himself, shall compose a board of equalization and review. Of course they can review nothing unless they have power to change the assessment as made by the assistant assessor. So I take it that they are to exercise the functions of a court of appeals on that subject.

This section further provides that they shall convene in a room to be provided for that purpose on a certain day. Now, the taxpayers of the District of Columbia have no means of learning where the room is that this board is to convene in, and it strikes me that there should be some public notice of the time and place where the board will meet to hear grievances on the part of persons who complain of their assessments. I am sure that is the usual course under our State laws, and it strikes me that it is the proper one to adopt here.

Mr. COBB of Alabama. I would like to hear the substitute of the gentleman read.

The proposed substitute of Mr. POWERS was again reported.

Mr. COBB of Alabama. At each meeting, this provides. You see the meeting will be continuous for some five months.

Mr. POWERS. Of course after they have received notice of the time and place of meeting they are bound to take notice of the adjournment themselves. They are simply given notice of the time when the hearings are to take place, and they must take notice of the adjournments of the board.

Mr. COBB of Alabama. I have no objection to the amendment.

The CHAIRMAN. The question is on agreeing to the amendment proposed by the gentleman from Vermont.

Mr. RAY. I do not understand that this is offered as a substitute.

The CHAIRMAN. The Chair has stated it as an amendment to the amendment; and the question is on the amendment offered by the gentleman from Vermont.

Mr. RAY. What has become of my amendment?

The CHAIRMAN. It is still pending.

Mr. RAY. Mine was offered first.

Mr. POWERS. But it applies to later part of the section.

Mr. RAY. It is immaterial to me, however, in what order the vote is taken.

The CHAIRMAN. The Chair will first submit the amendment of the gentleman from Vermont.

Mr. RAY. Only it seems to me, however, that this is making the last first, and first last.

The CHAIRMAN. It does look somewhat that way.

Mr. RAY. If the Chair will indulge me for a moment, I do not want the impression to go out that the amendment suggested by the gentleman from Vermont [Mr. POWERS] at all cures the defect at which I am aiming in the bill. Now, this meeting of the assessors sitting in revision is to be continuous for five months. What good does it do the taxpayers of the District of Columbia if you notify them of the first day of a meeting which is to continue for five months? Do you propose to have the taxpayers of the District attending before the Commissioners continually for five months to ascertain what has been done or is to be done with their property, and whether the tax upon it has been or is to be increased or diminished.

The taxpayer must attend continuously or submit to have his assessment increased without notice, and this increase may be very large and might be very unjust and oppressive. Notice of this proposed action will impose no burden on the assessors. It can be easily given and will make the exercise of the taxing power just and equitable, and remove cause for complaints in cases of increase. The object of my amendment is to provide for notice to each taxpayer when the Commissioners have determined that his assessment ought to be raised. I do not want the board of assessors to be overrun by all the taxpayers in the District inquiring whether or not their assessments are to be raised.

The board of assessors do not want these taxpayers there unless they have grievances; and when the board of assessors have determined to raise an assessment, then let them notify the owner of the property, by mail or by posting a notice on the premises, that they propose to increase the assessment, and then if the property owner desires he can come and oppose the increase. That is my object. I do not wish to have the taxpayers swarming about the board for five months, and it will be unjust to the taxpayers to compel them to be constantly on the watch for the purpose of ascertaining whether their assessments are to be increased or not. The Commissioners ought to be willing to give this notice, and afford ample opportunity to the owner to be heard.

Mr. POWERS. My friend from New York [Mr. RAY] thinks that there is a practical difficulty in carrying out this amendment which I have offered. The amendment simply provides that the time and place for the sitting of this board of review to hear persons who are aggrieved shall be advertised by publication. The gentleman intimates that the rooms of the assessors will be invaded by all the taxpayers of the District. That is an extreme view to take of this matter, Mr. Chairman. It is hardly probable that all the taxpayers of this District will be aggrieved by the assessments of their property. It is only the occasional man who complains. And suppose there are a large number of them, it is entirely within the power of this board to make such regulations for hearings as will accommodate people without putting them to great trouble to be in attendance at all times. Congress meets on the first Monday in December, and anybody having any business to do with it must take notice of the fact that Congress meets on that day and will be in continuous session for eight or ten months, so that people are obliged to hang on and wait for the convenience of Congress.

A term of court in our State is appointed to assemble on a certain Tuesday in the month, but it continues for a long time, and people having business with that court are obliged to make some arrangement by which they can be accommodated. It is so here. The same difficulty exists in the States that have precisely this proceeding, and because of the fact that I have first suggested, that only comparatively a few men have occasion to raise an objection to their assessments, it seems to me there would be no difficulty whatever on this score.

The CHAIRMAN. The Chair will first put the question on the amendment offered by the gentleman from New York [Mr. RAY].

The question was taken; and the Chairman announced that the noes seemed to have it.

Mr. RAY. Division.

The committee divided; and there were—ayes 13, noes 23.

Mr. RAY. No quorum.

The Chairman appointed Mr. RAY and Mr. COBB of Alabama as tellers.

The committee again divided; and the tellers reported—ayes 10, noes 37.

The CHAIRMAN. The point of no quorum being made, the Chair will direct the Clerk, as required by the rule, to call the roll.

The Clerk proceeded to call the roll, when the following members failed to answer to their names:

Abbott,	Capehart,	Fielder,	Hooker, N. Y.
Adams, Ky.	Caruth,	Funk,	Hulick,
Adams, Pa.	Chickering,	Funston,	Hutcheson,
Aldrich,	Clancy,	Gardner,	Izlar,
Apsley,	Cockran,	Geissenhainer,	Johnson, Ohio
Avery,	Cogswell,	Gillet, N. Y.	Kem,
Bankhead,	Conn,	Gillett, Mass.	Kiefer,
Barnes,	Cooper, Fla.	Goodnight,	Kribbs,
Bartlett,	Cooper, Wis.	Graham,	Lawson,
Belden,	Covert,	Griffin,	Lefever,
Bell, Colo.	Crain,	Grout,	Lester,
Beltzhoover,	Culberson,	Grow,	Lockwood,
Berry,	Cummings,	Hall, Minn.	Loudenslager,
Bland,	Davey,	Hall, Mo.	Lucas,
Boatner,	De Forest,	Hammond,	Maddox,
Boutelle,	Denson,	Harris,	Magner,
Bower, N. C.	Dingley,	Harter,	Martin, Ind.
Breckinridge, Ark.	Draper,	Hartman,	Marvin, N. Y.
Breckinridge, Ky.	Dunn.	Hatch,	McCreary, Ky.
Brown,	Dunphy,	Hayes,	McDowell,
Bryan,	Edmunds,	Heiner,	McKaig,
Bunn,	Ellis, Ky.	Henderson, Iowa	McLaurin,
Burnes,	English, N. J.	Hendrix,	McMillin,
Cadmus,	Enloe,	Hines,	Meredith,
Campbell,	Everett,	Hitt,	Meyer,

Money,	Randall,	Sipe,	Van Voorhis, N. Y.
Montgomery,	Rayner,	Snodgrass,	Wadsworth,
Moon,	Reilly,	Somers,	Walker,
Morgan,	Reyburn,	Springer,	Waugh,
Morse,	Richardson, Mich	Stallings,	Wells,
Moses,	Robinson, Pa.	Stephenson,	Wever,
Neill,	Rusk,	Stone, Ky.	Wheeler, Ill.
Northway,	Russell, Conn.	Storer,	White,
Oates,	Sayers,	Tate,	Whiting,
O'Neill, Mo.	Schermerhorn,	Tawney,	Wilson, Ohio
Paynter,	Scranton,	Taylor, Ind.	Wilson, W. Va.
Pence,	Sherman,	Taylor, Tenn.	Woodard,
Phillips,	Sibley,	Turner, Ga.	Woomer,
Pickler,	Sickles,	Turpin,	Wright, Mass.
Pigott,	Simpson,	Tyler,	Wright, Pa.

The CHAIRMAN. The committee will rise.

The committee accordingly rose, and the Speaker resumed the chair.

Mr. DOCKERY. Mr. Speaker, the Committee of the Whole House on the state of the Union, having under consideration the bill H. R. 6415, found itself without a quorum. I caused the roll to be called, as required by the rule, and herewith report the absentees to be entered on the Journal.

The SPEAKER. The gentleman from Missouri, Chairman of the Committee of the Whole, reports that that committee, having under consideration the bill H. R. 6415, found itself without a quorum, whereupon he caused the roll to be called and herewith reports the names of the absentees to the House. The names of the absentees will be entered upon the Journal. One hundred and ninety having answered to their names, the committee will resume its session without intervening motion.

Mr. COOMBS. Mr. Speaker, I desire to state that the gentleman from Missouri, Mr. MORGAN, was obliged to leave the House on account of sickness.

The SPEAKER. The Chair can not entertain any motion or request. The committee will resume its session.

The committee resumed its session.

The CHAIRMAN. Tellers will resume their places.

The committee again divided; and tellers reported—ayes 31, noes 154.

So the amendment was rejected.

The CHAIRMAN. The question now recurs on the amendment offered by the gentleman from Vermont [Mr. POWERS], which will be again reported.

The Clerk read as follows:

In line 7, section 9, after the word "thereafter," insert "public notice of the time and place of such meeting shall be given by publication for two successive days in two daily papers in the District of Columbia."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

SEC. 10. That the valuation of the real property made and equalized as aforesaid shall be completed on or before the first Monday of June, 1896, and of every third year thereafter, and when approved by the Commissioners shall constitute the basis of taxation for the next succeeding period of three years and until another valuation is made according to law, except as hereinafter provided.

Mr. COBB of Alabama. I offer an amendment in line 2, section 10.

After the word "completed" insert "as nearly as practicable," and then strike out the words "or before" in the second line.

The Clerk read as follows:

In line 2, page 7, after the word "completed," insert the words "as nearly as practicable," and in the same line strike out the words "or before."

The amendment was agreed to.

Mr. COBB of Alabama. Then I offer another amendment. After the word "thereafter," in line 4, insert "after which date no other or further complaints of overassessment shall be received."

The Clerk read as follows:

In line 4, after the word "thereafter," insert "after which date no other or further complaints of over assessment shall be received."

The amendment was agreed to.

The Clerk read as follows:

SEC. 11. That annually, on or prior to July 1 of each year, the board of assistant assessors herein provided for shall make a list of all real property which shall have become subject to taxation, and which is not then on the tax list, and affix a value thereon, according to the rules prescribed for assessing real estate; shall make return of all new structures erected or roofed, and additions to or improvements of old structures of over $200 in value, which shall not have been theretofore assessed, specifying the tract or lot of land on which each of such structures has been erected, and the value of such structure, and they shall add such valuation to the assessment made on such tract or lot. When the improvements on any lot or tract of land shall become damaged or be destroyed from any cause, the said board shall reduce the assessment on such property to the extent of such damage. Said board may also, on appeal, at any time revise and correct any errors or inequalities in the assessment of any lots or parts of land and the improvements thereon.

The CHAIRMAN. The Clerk will report the first amendment recommended by the committee.

The Clerk read as follows:

In line 8, strike out the word "two" and insert the word "five;" so as to read, "$500 in value."

The amendment was agreed to.

Mr. COBB of Alabama. Now, Mr. Chairman, I propose to withdraw all the amendments proposed after line 16, and to strike out from section 11 all after the word "damaged," so as to conform to the provision that has been inserted closing up these assessments on the 1st day of June of each year.

The Clerk read as follows:

On page 8, line 16, strike out the following:

"Said board may also, on appeal, at any time revise and correct any errors or inequalities in the assessment of any lots or parts of land and the improvements thereon."

The amendment was agreed to.

Mr. COBB of Alabama. Now, I offer this provision as an amendment to that section.

The Clerk read as follows:

Section 11, on page 8, line 16, after the word "damage" insert the following: "*Provided*, That the board of equalization and review shall hear such complaints as may be made in respect of said assessments, and determine the same between the first and third Mondays of July of the same year.

The CHAIRMAN. Without objection, that amendment will be agreed to.

There was no objection.

The Clerk read as follows:

SEC. 12. That if said board of assistant assessors shall learn that any property liable to taxation has been omitted from the assessment for any previous year or years, or has been so assessed that the assessment was void, it shall be their duty at once to reassess such property for each and every year after the passage of this act for which it has escaped assessment and taxation and report the same, through the assessor, to the collector of taxes, who shall at once proceed to collect the taxes so in arrears as other taxes are collected: *Provided*, That no property which has escaped taxation shall be liable under this section for a period of more than three years prior to such assessment, except in the case of property involved in litigation.

Mr. RAY. I move to strike out the last word. I desire the attention of the gentleman in charge of the bill. I notice that you provide here for the reassessment of property which has been omitted at any time within three years. You do not provide whether the reassessment of it shall be at its value at the time it was omitted or its value at the time the reassessment is made.

Now, suppose that for three successive years a vacant lot has been omitted from the assessment, and this year when the property is reassessed a building has been put upon it. At what period is its value to be determined?

Mr. COBB of Alabama. The value would be determined for each year according to its value that year.

Mr. RAY. Then should not this section be amended so as to provide that the valuation shall be made as of the time when the property was omitted from the assessment?

Mr. COBB of Alabama. I think that is the meaning of the section now. But I have no objection to any amendment which will make the meaning clearer.

Mr. RAY. I do not wish to offer an amendment if the gentleman thinks that is the effect of the present language.

Mr. COBB of Alabama. I think it is. That was the intention of the committee, and I think that would be the effect of the bill as drawn. Of course no assessment should tax property for a given year when that property did not exist at the time.

Mr. RAY. The language is: "It shall be their duty at once to reassess such property for each and every year after the passage of this act."

Mr. COBB of Alabama. That language means that they shall assess the property as of the year to which the assessment applies. There can be no doubt about that.

Mr. RAY. If the gentleman thinks the meaning is clear, I do not care to offer an amendment.

The Clerk resumed the reading of the bill.

Section 15 was read, as follows:

SEC. 15. That this act shall be in force from and after its passage, and all laws and parts of laws inconsistent herewith are hereby repealed.

The amendment reported by the committee was read, as follows:

Strike out all of the section after the word "fifteen," and insert the following:

"That said board of assessors shall hereafter constitute the excise board of the District of Columbia, and shall perform all the duties of said board according to law, and that so much of the act entitled "An act regulating the sale of intoxicating liquor in the District of Columbia," approved March 3, 1893, as imposes that duty upon the Commissioners of the District of Columbia be, and the same is hereby, repealed."

Mr. BAKER of New Hampshire. I wish the gentleman in charge of this bill would explain the purpose of this amendment.

Mr. COBB of Alabama. Under existing law the District Commissioners are a board of excise. They find that their duties as such are at certain times onerous; and they have enough work without performing such duty. They desire not to have imposed upon them any longer the labor connected with the granting of licenses for the sale of intoxicating liquors. That is one reason for the amendment.

Another reason is that, as the committee believe, and in the

view also of the District Commissioners, these tax assessors, who must necessarily become very familiar with the condition and wants of all parts of the city of Washington, will be better fitted for the discharge of these excise duties. There is no objection, so far as I have heard, by anyone to this change. The Commissioners want it, and we believe these duties will be better performed by this board than by the Commissioners themselves.

The amendment was agreed to.

The next amendment of the committee was read, as follows:

Add at the end of the bill the following:

"SEC. 16. That this act shall be in force from and after its passage, and all laws and parts of laws inconsistent herewith are hereby repealed."

The amendment was agreed to.

Mr. COBB of Alabama. I ask unanimous consent to go back to section 2 in order to make a correction. I made a mistake in asking the Committee of the Whole to strike out in that section the words following "per annum" in line 45, page 3. Those words should have been retained, and I desire to ask that they be restored to the bill.

The CHAIRMAN. Without objection the amendment indicated by the gentleman from Alabama [Mr. COBB] will be agreed to.

There was no objection.

The CHAIRMAN. The question is now, Shall the bill as amended be reported to the House with a favorable recommendation?

The question was decided in the affirmative.

The committee rose; and the Speaker having resumed the Chair, Mr. DOCKERY reported that the Committee of the Whole on the state of the Union had had under consideration the bill (H. R. 6415) to provide an immediate revision and equalization of real estate values in the District of Columbia; also to provide an assessment of real estate in said District in the year 1896 and every third year thereafter; and had directed him to report the same back with sundry amendments, and a recommendation that the bill as amended be passed.

Mr. COBB of Alabama. I move the previous question on the amendments, and on the bill to its final passage.

The previous question was ordered; and under the operation thereof the amendments reported from the Committee of the Whole were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. COBB of Alabama, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. BAKER of New Hampshire. I suggest to the gentleman from Alabama the propriety of amending the title of this bill by adding the words "and for other purposes."

Mr. COBB of Alabama. I move that amendment.

The amendment was agreed to.

BELT RAILWAY COMPANY.

Mr. HEARD. I desire now to call up the bill (H. R. 6596), which has been twice before the House for consideration.

The title of the bill was read, as follows:

A bill (H. R. 6596) to amend the act approved February 18, 1893, changing the name of the Capitol, North O Street, and South Washington Railway Company to the Belt Railway Company, and granting additional power to said company.

The SPEAKER. This bill is in Committee of the Whole on the state of the Union.

Mr. HEARD. I was about to state that fact; and the bill has been partially considered in Committee of the Whole, and was being read by sections. Before the House resolves itself into Committee of the Whole to resume its consideration, I wish to state that when the bill was last before the House, and at the adjournment of the House was withdrawn, an amendment offered by the gentleman from Iowa [Mr. HEPBURN] was pending, for which a substitute had been offered by the gentleman from Tennessee [Mr. RICHARDSON].

It was the judgment of the committee that the bill just passed, the assessment bill, should to-day be taken up out of its order, to be presented first to the House, and I am glad that the House in passing that bill has approved of our recommendation thereon. It was further agreed that then the remaining bills, in the order in which they had been reported and stand on the Calendar, should be called up. The bill which I have now brought before the House is the first of these bills. There are two others in a similar position—the bill to amend the charter of the suburban railroad, and the bill with reference to the extension of the Washington and Georgetown road.

All three of these bills have heretofore been before the House and withdrawn on account of opposition. I wish to say now on behalf of the committee that we present this bill with the hope that the House will dispose of it in some way, either favorably or adversely. The chairman of the committee will not feel authorized to withdraw from the consideration of the House any of these bills after they are respectively presented. We will ask the House to give them consideration and dispose of them finally, so that other measures may in their turn have consideration.

I now move that the House resolve itself into Committee of the Whole for the further consideration of the bill the title of which has been read.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole (Mr. MCRAE in the chair) and resumed the consideration of the bill (H. R. 6596) to amend the act approved February 18, 1893, changing the name of the Capitol, North O Street and South Washington Railway Company to the Belt Railway Company, and granting additional powers to said company.

The CHAIRMAN. The Clerk will read the pending amendment offered by the gentleman from Tennessee [Mr. RICHARDSON].

The Clerk read as follows:

Add to section 1 the following:

"*Provided*, That horse power may be used on the lines as herein granted for traction purposes: *Provided further, however*, That if said power is not abandoned on or before two years from the date of the approval of this act, and either an underground system or mechanical surface motor, excluding the overhead trolley, substituted therefor, the Commissioners of the District of Columbia are hereby empowered to order and compel the railway company to adopt some underground system or surface motor, excluding the overhead trolley: *Provided*, They (the Commissioners) are satisfied that there is a practical one in existence, to be selected by said company and approved by said Commissioners. And if such change is not completed within one year from the date of said order the railway company shall pay to the District of Columbia, in addition to all other taxes now required to be paid by said company, an annual tax of $250 for each and every car operated by horse on that portion of its line as herein granted."

Mr. RICHARDSON of Tennessee. Mr. Chairman, when this bill was last under consideration the gentleman from Iowa [Mr. HEPBURN] had offered an amendment, and to that I had offered the substitute which has just been read. I will now withdraw the amendment I offered, and let the vote be taken directly on that of the gentleman from Iowa, which I ask to have read.

The Clerk read as follows:

Add at the end of Section 1:

"*Provided*, That all of the cars of the said Belt Railway Company shall after the 1st day of January, 1896, be operated by an underground electric or cable motive power."

Mr. WILLIAM A. STONE. Mr. Chairman, a parliamentary inquiry. Is that the only amendment now pending?

The CHAIRMAN. The Chair is so informed.

Mr. RICHARDSON of Tennessee. That is all, and the debate was exhausted. We had commenced to vote on the amendment and no quorum was present.

The CHAIRMAN. That is correct. The question is on the amendment first read.

The question was taken, and on a division (demanded by Mr. COOMBS), there were—ayes 46, noes 4.

Mr. COOMBS. No quorum.

The CHAIRMAN appointed Mr. COOMBS and Mr. HEARD as tellers.

The committee proceeded to divide——

Mr. COOMBS (one of the tellers). Mr. Chairman, I have arranged with the committee to withdraw the point of no quorum, they agreeing to accept this addition to the amendment——

The CHAIRMAN. The point of no quorum is withdrawn.

Mr. HAINES. I renew it.

The CHAIRMAN. The tellers will resume their places.

The tellers reported—ayes 127, noes 1.

The CHAIRMAN. No quorum has voted, and the Clerk will call the roll.

The roll was called; when the following-named members failed to answer to their names:

Abbott,	Chickering,	Gillet, N. Y.	Kem,
Adams, Ky.	Clancy,	Gillett, Mass.	Kribbs,
Adams, Pa.	Cockran,	Goodnight,	Lawson,
Aitken,	Cogswell,	Graham,	Lefever,
Aldrich,	Conn,	Gresham,	Lockwood,
Apsley,	Covert,	Griffin,	Loudenslager,
Avery,	Crain,	Grout,	Lucas,
Baldwin,	Culberson,	Grow,	Maddox,
Bankhead,	Cummings,	Hager,	Magner,
Barnes,	Davey,	Hammond,	Martin, Ind.
Bartlett,	De Forest,	Harris,	Marvin, N. Y.
Belden,	Denson,	Harter,	McAleer,
Bell, Colo.	Dingley,	Hatch,	McCleary, Minn.
Beltzhoover,	Draper,	Haugen,	McCreary, Ky.
Berry,	Dunn,	Heiner,	McDowell,
Bland,	Dunphy,	Henderson, Iowa	McLaurin,
Boutelle,	Edmunds,	Henderson, N. C.	McMillin,
Bower, N. C.	Ellis, Ky.	Hendrix,	Meredith,
Breckinridge, Ark.	Everett,	Hines,	Meyer,
Breckinridge, Ky.	Fielder,	Hopkins, Pa.	Milliken,
Brown,	Fithian,	Houk,	Money,
Bunn,	Fletcher,	Hulick,	Montgomery,
Burnes,	Forman,	Ikirt,	Moon,
Cadmus,	Funk,	Islar,	Morgan,
Campbell,	Funston,	Johnson, N. Dak.	Morse,
Caruth,	Geary,	Johnson, Ohio	Moses,

Neill,	Rusk,	Stephenson,	Wanger,
Newlands,	Russell, Conn.	Stevens,	Waugh,
Oates,	Sayers,	Storer,	Wells,
O'Neill, Mo.	Schermerhorn,	Sweet,	Wever,
Paynter,	Scranton,	Tarsney,	Wheeler, Ill.
Pence,	Settle,	Tawney,	White,
Phillips,	Sherman,	Taylor, Ind.	Whiting,
Pickler,	Sibley,	Taylor, Tenn.	Wilson, Ohio
Pigott,	Sickles,	Turner, Ga.	Wilson, Wash.
Randall,	Simpson,	Turpin,	Wilson, W. Va.
Rayner,	Sipe,	Tyler,	Wise,
Reyburn,	Smith,	Van Voorhis, N. Y.	Woodard,
Richardson, Mich.	Somers,	Wadsworth,	Woomer.
Robinson, Pa.	Stallings,	Walker,	

The CHAIRMAN. The committee will now rise.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. MCRAE reported that the Committee of the Whole House on the state of the Union, having had under consideration the bill H. R. 6596, had found itself without a quorum, whereupon he had directed the roll to be called, and now reported the names of the absentees to the House.

The SPEAKER. The names of the absentees will be entered upon the Journal. One hundred and ninety-two members, more than a quorum, having answered to their names, the committee will resume its session.

The Committee of the Whole resumed its session.

The CHAIRMAN. The tellers will resume their places.

The committee again divided; and the tellers reported—ayes 132, noes 1.

The CHAIRMAN. No quorum has voted.

Mr. RICHARDSON of Tennessee. I am quite well satisfied that the members present did not hear the announcement of the Chair.

Mr. REED. Perhaps a double enforcement of section 40, to which officers of the House would undoubtedly consent, might have a beneficial effect.

The CHAIRMAN. The tellers will continue the count.

The tellers reported—ayes 151, noes 1.

The CHAIRMAN. No quorum has voted.

Mr. RICHARDSON of Tennessee. I ask the enforcement of the rule.

The CHAIRMAN. The Clerk will call the roll.

The roll was called, when the following-named members failed to answer:

Abbott,	De Forrest,	Lawson,	Schermerhorn,
Adams, Ky.	Denson,	Lefever,	Scranton,
Adams, Pa.	Dingley,	Lockwood,	Sherman,
Aldrich,	Draper,	Loudenslager,	Sibley,
Apsley,	Dunn,	Lucas,	Sickles,
Avery,	Dunphy,	Maddox,	Simpson,
Baldwin,	Edmunds,	Magner,	Sipe,
Bankhead,	English, Cal.	Marsh,	Somers,
Barnes,	Everett,	Martin, Ind,	Sorg,
Bartholdt,	Fielder,	Marvin, N. Y.	Stallings,
Bartlett,	Fithian,	McAleer,	Stephenson,
Belden,	Funk,	McCleary, Minn.	Stevens,
Bell, Colo.	Funston,	McCreary, Ky.	Stone, Ky.
Beltzhoover,	Gear,	McDowell,	Swanson,
Berry,	Geary,	McLaurin,	Tawney,
Blair,	Gillet, N. Y.	McMillin,	Taylor, Ind.
Bland,	Gillett, Mass.	Meiklejohn,	Taylor, Tenn.
Boen,	Goodnight,	Meredith,	Tucker,
Boutelle,	Graham,	Meyer,	Turner, Ga.
Bower, N. C.	Grout,	Money,	Turpin,
Breckinridge, Ark.	Grow,	Montgomery,	Van Voorhis, N. Y.
Breckinridge, Ky.	Hammond,	Moon,	Wadsworth,
Broderick,	Harris,	Morgan,	Walker,
Brown,	Harter,	Morse,	Wanger,
Bunn,	Hartman,	Moses,	Waugh,
Burnes,	Hatch,	Neill,	Wells,
Cadmus,	Haugen,	Oates,	Wever,
Campbell,	Heiner,	O'Neill, Mo.	Wheeler, Ill.
Cannon, Ill.	Henderson, Iowa	Paschal,	White,
Chickering,	Henderson, N. C.	Paynter,	Whiting,
Childs,	Hendrix,	Pence,	Wilson, Ohio
Clancy,	Hines,	Phillips,	Wilson, Wash.
Cockran,	Hooker, Miss.	Pigott,	Wilson, W. Va.
Cogswell,	Hopkins, Pa.	Randall,	Wise,
Conn,	Hulick,	Rayner,	Woodard,
Covert,	Izlar,	Reyburn,	Woomer,
Crain,	Johnson, N. Dak.	Richardson, Mich.	Wright, Pa.
Culberson,	Johnson, Ohio.	Robinson, Pa.	
Cummings,	Kem,	Rusk,	
Davey,	Kribbs,	Russell, Conn.	

During the roll call—

Mr. HAINES withdrew the point of no quorum.

Mr. WILLIAMS of Mississippi. I renew it.

The CHAIRMAN. The Clerk will proceed.

The Clerk resumed and completed the calling of the roll.

Mr. COOMBS. The gentleman from Missouri, Mr. MORGAN, is sick.

The committe rose; and the Speaker having resumed the chair, Mr. MCRAE, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 6596, had found itself without a quorum, and that he had thereupon caused the roll to be called in accordance with the rule, and herewith reported the names of the absentees to the House.

The SPEAKER. The names of the absentees will be entered upon the Journal. One hundred and ninety-one gentlemen, more than a quorum, being present, the committee will resume its session.

The committee accordingly resumed its session, and took up the consideration of the bill H. R. 6593, with Mr. MCRAE in the chair.

The CHAIRMAN. The tellers will resume their places. The question is on the adoption of the amendment proposed by the gentleman from Iowa [Mr. HEPBURN].

The committee divided, and the tellers reported—ayes 125, noes 1.

The CHAIRMAN. The Clerk will call the roll.

The Clerk proceeded to call the roll; when the following members failed to answer to their names:

Abbott,	Davey,	Johnson, N. Dak.	Reyburn,
Adams, Ky.	De Forest,	Johnson, Ohio	Richardson, Mich.
Adams, Pa.	Denson,	Kem,	Robinson, Pa.
Aldrich,	Dingley,	Kilgore,	Rusk,
Apsley,	Dinsmore,	Kribbs,	Russell, Conn.
Avery,	Dolliver,	Lawson,	Schermerhorn,
Babcock,	Draper,	Lefever,	Scranton,
Baker, N. H.	Dunn,	Lockwood,	Shaw,
Baldwin,	Dunphy,	Loudenslager,	Sherman,
Bankhead,	Edmunds,	Lucas,	Sibley,
Barnes,	Ellis, Ky.	Maddox,	Sickles,
Bartholdt,	Everett,	Magner,	Simpson,
Bartlett,	Fielder,	Martin, Ind.	Sipe,
Belden,	Fithian,	Marvin, N. Y.	Snodgrass,
Bell, Colo.	Forman,	McAleer,	Somers,
Beltzhoover,	Funk,	McCall,	Sorg,
Berry,	Funston,	McCleary, Minn.	Stallings,
Bingham,	Fyan,	McCreary, Ky.	Stephenson,
Blair,	Geary,	McDannold,	Stevens,
Bland,	Gillet, N. Y.	McDowell,	Stone, Ky.
Boen,	Gillett, Mass.	McLaurin,	Storer,
Boutelle,	Goodnight,	McMillin,	Tarsney,
Bower, N. C.	Gorman,	Meiklejohn,	Tawney,
Bowers, Cal.	Graham,	Mercer,	Taylor, Ind.
Breckinridge, Ark.	Griffin,	Meredith,	Taylor, Tenn.
Breckinridge, Ky.	Grout,	Meyer,	Turner, Ga.
Broderick,	Grow,	Money,	Turner, Va.
Brown,	Hall, Mo.	Montgomery,	Turpin,
Bunn,	Hammond,	Moon,	Tyler,
Burnes,	Harmer,	Morgan,	Van Voorhis, N. Y.
Cadmus,	Harris,	Morse,	Wadsworth,
Caminetti,	Harter,	Moses,	Walker,
Campbell,	Hatch,	Murray,	Washington,
Cannon, Ill.	Haugen,	Neill,	Waugh,
Caruth,	Heiner,	Newlands,	Wells,
Chickering,	Henderson, Ill.	Northway,	Wever,
Clancy,	Henderson, Iowa	Oates,	Wheeler, Ill.
Cockran,	Hendrix,	Ogden,	White,
Cogswell,	Hines,	O'Neill, Mo.	Whiting,
Conn,	Holman,	Paynter,	Wilson, Ohio
Cooper, Ind.	Hopkins, Pa.	Pence,	Wilson, Wash.
Cornish,	Houk,	Phillips,	Wilson, W. Va.
Covert,	Hudson,	Pigott,	Woodard,
Crain,	Hulick,	Powers,	Woomer,
Culberson,	Hutcheson,	Randall,	Wright, Mass.
Cummings,	Izlar,	Rayner,	Wright, Pa.

The CHAIRMAN. The committee will rise.

The committee accordingly rose, and the Speaker resumed the chair.

Mr. MCRAE. Mr. Speaker, the Committee of the Whole House, having under consideration the bill H. R. 6596, again finding itself without a quorum, I caused the roll to be called, and herewith report the names of the absentees.

The SPEAKER. The gentleman from Arkansas, chairman of the Committee of the Whole, reports that that committee, having under consideration the bill H. R. 6596, found itself without a quorum, that he caused the roll to be called, and now reports the absentees to the House. The names of the absentees will be entered upon the Journal. One hundred and sixty-seven gentlemen have answered to their names.

Mr. HEARD. Mr. Speaker, as the roll call discloses the fact that a quorum is not present, I move that the House adjourn.

The motion was agreed to; and accordingly (at 4 o'clock and 55 minutes p. m.), the House adjourned.

ADVERSE REPORTS.

Under clause 2 of Rule XIII, Mr. RICHARDS, from the Committee on Claims, reported adversely the bill (H. R. 2719) referring the claims of certain banks of the city of San Francisco, Cal., to the Court of Claims; which, with the accompanying report (No. 1215), was ordered to be printed and lie on the table.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Military Affairs was discharged from the consideration of the bill (H. R. 5403) to remove the charge of desertion against Thomas William Lynch, alias William Stevens, United States Navy, and the same was referred to the Committee on Naval Affairs.

PUBLIC BILLS, MEMORIALS, AND RESOLUTIONS.

Under clause 3 of Rule XXII, bills and a resolution of the following titles were introduced and severally referred as follows:

By Mr. STRAUS: A bill (H. R. 7663) to regulate railroad companies engaged in interstate commerce—to the Committee on Interstate and Foreign Commerce.

By Mr. WEADOCK: A bill (H. R. 7664) to amend Rule 12 of section 4233, relative to lights on rowboats in Detroit River—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 7666) to amend and re-enact section 3877 of the Revised Statutes, relating to second-class mail matter—to the Committee on the Post-Office and Post-Roads.

By Mr. HEARD (by request): A bill (H. R. 7665) to regulate the sale of milk in the District of Columbia, and for other purposes—to the Committee on the District of Columbia.

By Mr. BALDWIN: A bill (H. R. 7667) for locating and constructing a ship canal from the Great Lakes to the Atlantic Ocean—to the Committee on Railways and Canals.

By Mr. ROBERTSON of Louisiana: A bill (H. R. 7668) to authorize the St. Louis, Avoyelles and Southwestern Railway Company to bridge Bayou Des Glaises and the Atchafalaya River, in the State of Louisiana—to the Committee on Interstate and Foreign Commerce.

By Mr. HALL of Minnesota: A bill (H. R. 7669) for the protection of trade-marks and labels—to the Committee on the Judiciary.

By Mr. DRAPER: A resolution authorizing the Committee on Military Affairs to inquire what increase, if any, should be made in the Army of the United States, and to report the recommendation to the House—to the Committee on Military Affairs.

PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as follows:

By Mr. BELL of Colorado: A bill (H. R. 7670) for the relief of Barbary Brooks—to the Committee on Invalid Pensions.

By Mr. HAYES: A bill (H. R. 7671) granting a pension to Elizabeth L. Markham—to the Committee on Invalid Pensions.

By Mr. HERMANN: A bill (H. R. 7672) pensioning soldiers who served in the Cayuse Indian war—to the Committee on Pensions.

By Mr. PRICE: A bill (H. R. 7673) for the relief of the estate of Dr. Joseph H. Pugh—to the Committee on War Claims.

By Mr. TURNER of Virginia: A bill (H. R. 7674) for the relief of Reuben A. Finnell—to the Committee on Claims.

Also, a bill (H. R. 7675) to pension Isabell Noonan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7676) for the relief of Henry Neff—to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BALDWIN: Protest of citizens of Brainard, Minn., against appropriations for support of Indian schools—to the Committee on Indian Affairs.

By Mr. BLAIR: Papers to accompany House bill 7652—to the Committee on Invalid Pensions.

By Mr. BOEN: Petition of citizens of Hennepin County, Minn., for a special election to decide the questions of money, tariff, and an income tax by a direct vote of the people—to the Committee on the Judiciary.

By Mr. BROSIUS: Two petitions of citizens of Lancaster, Pa., in favor of Manderson-Hainer bill—to the Committee on the Post-Office and Post-Roads.

By Mr. DALZELL: Petition of J. B. Corey, a citizen of Pittsburg, Pa., praying for legislation with respect to unlawful organizations—to the Committee on the Judiciary.

By Mr. GRAHAM: Petition of Arthur J. Audett, chairman of Tariff Committee Subordinate Association, No. 1, of the Lithographers' International Protective and Insurance Association of the United States and Canada, indorsing an amendment to the Wilson tariff bill passed by the Senate—to the Committee on Ways and Means.

By Mr. HOUK: Petition of the Life Insurance Association of Tennessee, against the tax upon life insurance companies, etc.—to the Committee on Ways and Means.

By Mr. PENCE: Resolution of the People's party of Charles County, Md., opposing any compromise with the Pacific Railroads and urging the foreclosure of the mortgages on said roads, and that the same be owned by the United States and run in the interest of the people—to the Committee on Pacific Railroads.

Also, resolution by the Western Slope Congress of Colorado, praying that the reservations of the western slope of the State of Colorado be abolished in the interest of the commerce and development of the State—to the Committee on the Public Lands.

By Mr. ROBERTSON of Louisiana: Papers to accompany claim of Seth Barnes, of Washington Parish, La.—to the Committee on War Claims.

By Mr. WILLIAM A. STONE: Petition of citizens of Ohio, for passage of bill restricting immigration—to the Committee on the Judiciary.

By Mr. STORER: Memorial of Merchants and Manufacturers' Association of Cincinnati, Manufacturers' Association of Cincinnati and Hamilton County, Cincinnati Freight Bureau, Chamber of Commerce of Cincinnati, Young Men's Business Club of Cincinnati, Cincinnati Real Estate and Stock Exchange, Builders' Exchange, Ohio Mechanics' Institute, Cincinnati Board of Trade and Transportation, and the Commercial Club of Cincinnati, Ohio, favoring appropriation for fast mail service between Cincinnati and the South—to the Committee on the Post-Office and Post-Roads.

By Mr. STRAUS: Petition of John M. Fuchs, of New York City, asking that he be granted a pension, to accompany House bill 778—to the Committee on Invalid Pensions.

SENATE.

TUESDAY, *July 10, 1894.*

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when,

On motion of Mr. COCKRELL, and by unanimous consent, the further reading was dispensed with.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed the bill (S. 190) for the benefit of sundry persons residing in the vicinity of Jefferson Barracks, Mo.

The message also announced that the House had agreed to the amendment of the Senate to the resolution to print 4,000 extra copies of the report of the select committee of the Medical Society of the District of Columbia on typhoid and malarial fevers and other preventable diseases.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (S. 441) for the relief of Samuel Collins, and it was thereupon signed by the Vice-President.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented the memorial of Samuel Gompers, president of the American Federation of Labor, of New York, remonstrating against the ratification of the Chinese treaty; which was ordered to lie on the table.

Mr. PEFFER. I am in receipt of a communication from sundry citizens of Indian Territory, inwhich they complain very bitterly of certain alleged cruelties practiced upon them by United States troops and persons in the employ of corporations—railway corporations I suppose, they are not mentioned—and asking an investigation thereof upon the part of Congress. There is no evidence of the cruelties alleged to have been practiced accompanying the petition. I think, therefore, that the petition had better be referred to the Committee on Indian Affairs, and their attention having been called to the matter in this way, I hope they will look into it.

The VICE-PRESIDENT. The petition will be referred to the Committee on Indian Affairs.

Mr. PALMER presented a petition of sundry citizens of Chicago, Ill., praying that the rate of duty on laces and embroideries made wholly or in part of metal, cotton, flax, silk, or wool, be not less than 60 per cent ad valorem; which was ordered to lie on the table.

He also presented a petition of sundry citizens of Cook County, Ill., and a petition of sundry citizens of the State of Illinois, praying that in the passage of any law providing for the taxation of incomes the funds of mutual life insurance companies and associations be exempted from taxation; which were ordered to lie on the table.

He also presented a petition of sundry citizens of Waukegan, Ill., and a petition of sundry citizens of Chicago, Ill., praying that fraternal beneficiary societies, orders, or associations be exempted from the proposed income-tax provision of the pending tariff bill; which were ordered to lie on the table.

Mr. McMILLAN presented the petition of R. McKinnel and

sundry other citizens of Detroit, Mich., and the petition of Fred Z. Zimmerman and sundry other citizens of Saginaw, Mich., praying that fraternal beneficiary societies, orders, or associations be exempted from the proposed income-tax provision of the pending tariff bill; which were ordered to lie on the table.

Mr. MANDERSON. I present a petition signed by E. C. Keene and 98 other voters of Hayes County, Nebr., praying that an appropriation of $25,000 be made for the purpose of sinking experimental artesian wells. My inclination would be to send the petition to the Committee on Irrigation and Reclamation of Arid Lands, but the matter is of such great importance to that section of the country that I hope the Committee on Appropriations may give it consideration in connection with one of the appropriation bills. I therefore move that the petition be referred to the Committee on Appropriations.

Mr. DOLPH. To what section of country does the matter refer?

Mr. MANDERSON. To the western part of Nebraska, known as the semiarid section.

Mr. DOLPH. It is confined to the State of Nebraska?

Mr. MANDERSON. The petition is so confined. I should be very glad to see the experiment made very general.

Mr. DOLPH. I thought the Senator was offering an amendment to an appropriation bill.

Mr. MANDERSON. No; it is a petition.

The VICE-PRESIDENT. In the absence of objection the petition will be referred to the Committee on Appropriations.

Mr. VILAS presented the petition of J. B. Weigand and sundry other citizens of Soldiers Grove, Wis., and a petition of Camp No. 1151, Modern Woodmen of America, of Soldiers Grove, Wis., praying that fraternal society and college journals be admitted to the mails as second-class matter; which were referred to the Committee on Post-Offices and Post-Roads.

REPORTS OF COMMITTEES.

Mr. McLAURIN, from the Select Committee to Investigate the Geological Survey, to whom was referred the amendment submitted by Mr. MARTIN, on the 23d of April last, intended to be proposed to the sundry civil appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations and be printed; which was agreed to.

Mr. MARTIN, from the Committee on Military Affairs, to whom was referred the bill (H. R. 6080) granting a certain military reservation to Oklahoma City, Okla., to aid the public free schools thereof, and for other purposes, reported it with amendments and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 995) donating the military reservation at Oklahoma City, in Oklahoma Territory, to said city for the use and benefit of the free public schools thereof, and for other purposes, reported adversely thereon, and the bill was postponed indefinitely.

Mr. PASCO, from the Committee on Public Lands, to whom was referred the bill (H. R. 7334) to sell certain lands in Montgomery County, Ark., to the Methodist Episcopal Church South, reported it with amendments and submitted a report thereon.

Mr. KYLE, from the Committee on Education and Labor, to whom was referred the joint resolution (H. Res. 94) providing for an investigation relative to the work and wages of women and children, reported it without amendment.

Mr. COCKRELL, from the Committee on Appropriations, to whom was referred the bill (H. R. 6913) making appropriations for current and contingent expenses of the Indian Department, and fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1895, and for other purposes, reported it with amendments and submitted a report thereon.

TARIFF BULLETINS.

Mr. VOORHEES. I report from the Committee on Finance Tariff Bulletins Nos. 52, 53, and 54 inclusive, being replies to tariff inquiries in regard to wool and manufactures of wool. I ask that the bulletins be printed.

The VICE-PRESIDENT. It will be so ordered.

BILLS INTRODUCED.

Mr. QUAY introduced a bill (S. 2197) granting an increase of pension to Andrew T. Bovard; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McMILLAN introduced a bill (S. 2198) relating to the witnessing of wills in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. TELLER introduced a bill (S. 2199) granting a pension to Charles F. Holly; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2200) granting an increase of pension to Isaiah Mitchell; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 2201) to incorporate the National Rapid Transit Railway Company; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. KYLE introduced a bill (S. 2202) to repeal an act entitled "An act to amend the laws relative to shipping commissioners," approved August 19, 1890; which was read twice by its title, and referred to the Committee on Commerce.

Mr. DANIEL introduced a bill (S. 2203) for the relief of Arthur Connell; which was read twice by its title, and referred to the Committee on Claims.

Mr. SQUIRE introduced a bill (S. 2204) to set apart certain lands now known as Pacific forest reserve, as a public park, to be known as Washington National Park; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. GEORGE introduced a bill (S. 2205) for the relief of the legal representatives of William H. and Sarah M. Dunbar, late of Adams County, Miss.; which was read twice by its title, and referred to the Committee on Claims.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. DANIEL submitted an amendment intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. SQUIRE submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

Mr. DUBOIS submitted an amendment intended to be proposed by him to the legislative, executive, and judicial appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. BLANCHARD submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations.

Mr. MITCHELL of Oregon submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

PUBLIC AGENCIES.

The VICE-PRESIDENT. The Chair lays before the Senate the resolution of the Senator from Kansas [Mr. PEFFER], coming over from a previous day.

The resolution submitted yesterday by Mr. PEFFER was read, as follows:

In view of existing social and business conditions and by way of suggesting subjects for remedial legislation—

Be it resolved by the Senate of the United States—

First. That all public functions ought to be exercised by and through public agencies.

Second. That all railroads employed in interstate commerce ought to be brought into one organization under control and supervision of public officers; that charges for transportation of persons and property ought to be uniform throughout the country; that wages of employés ought to be regulated by law and paid promptly in money.

Third. That all coal beds ought to be owned and worked by the States or by the Federal Government; and the wages of all persons who work in the mines ought to be provided by law and paid in money when due.

Fourth. That all money used by the people ought to be supplied only by the Government of the United States; that the rate of interest ought to be uniform in all the States, not exceeding the net average increase of the permanent wealth of the people.

Fifth. That all revenues of the Government ought to be raised by taxes on great wealth, incomes, and real values.

Mr. PEFFER. Mr. President——

Mr. BLACKBURN rose.

The VICE-PRESIDENT. The Chair has recognized the Senator from Kansas.

Mr. PEFFER. I yield for morning business.

Mr. BLACKBURN. May I ask the Senator from Kansas——

Mr. PEFFER. I yield for any morning business.

Mr. BLACKBURN. It is not morning business.

Mr. PEFFER. Then I prefer to proceed. I shall not detain the Senate very long.

Mr. BLACKBURN. I rose to ask the Senate to proceed to the consideration of the general appropriation bill which was taken up yesterday.

Mr. PEFFER. I prefer to say what little I have to say now.

The VICE-PRESIDENT. The Chair will state to the Senator from Kentucky that the Senator from Kansas has been recognized upon a resolution coming over from a previous day as a part of the morning business.

Mr. BLACKBURN. I merely ask the Senator from Kansas to allow the Senate to proceed with the consideration of the appropriation bill. If the Senator thinks that his speech is more important to the country than the appropriation bill, of course I am powerless.

Mr. PEFFER. I do think the pending resolution is more important than any appropriation bill at this time.

The VICE-PRESIDENT. The Senator from Kansas will proceed.

Mr. PEFFER. I will try, if the Senate will hear me patiently, not to go out of my way to say anything that ought not to be said, and I will as nearly as possible confine myself closely to the line of thought marked out. I appeal to Senators—something which I have not yet before done. In view of the seriousness of the present situation I appeal to Senators not only to be patient, but to listen; for while I am not a prophet, nor the son of a prophet, nor an alarmist, yet I have time and time again called the attention of his body, and through it of the country, to what seemed to me to be within the range of every ordinary man's horizon—that is to say, great public peril.

While the pending resolution is made up of four or five distinct parts, they all relate to one fundamental error that our country has fallen into; and I wish to direct the attention of Senators and of the people of the country at large of all classes to that fundamental error. We have permitted a few men here and a few men there, one man here and one man yonder, to usurp governmental functions. So the resolution begins with the proposition that all public functions ought to be exercised by public agencies.

What is the situation in which we find ourselves now? I shall not go through a list of the newspaper headings as I did a few days ago in reference to the coal strike. The whole country understands the situation now, though it seems that really but few people are trying to ascertain the causes and to ferret the remedy. In order that we may understand what now confronts us and how it came about, without reference to anything which took place before or what may take place hereafter, I want first to call the attention of the Senate to a statement of a man named Debs, of whom we have heard a good deal recently and may possibly hear more in the future. This man Debs, by reason of his being the official head of a great organization of railway employés, is the recognized mouthpiece of that body. On the 6th day of June Mr. Debs made a written statement of the condition from his standpoint, and it was published in the papers pretty generally, I believe.

The copy which I have is found in the Chicago Times, under date of June 6. I do not wish to read all of his statement, but will state enough of it that Senators will understand clearly what Mr. Debs wished to say and what he really did say; and I shall ask that the whole communication may be printed with my remarks in the RECORD.

Mr. Debs goes on to say that, in the first place, the American Railway Union had no connection whatever with the Pullman difficulty, as it is known. Then he describes what the Pullman difficulty was. Without going into all the details, I will state by way of preface that the Pullman Company established what most people in this world believed to be an ideal community, in which all the citizens should have equal rights, in which none should have special privileges. The object was to build a community where the best modern scientific principles of hygiene, drainage, sewerage, grading, lighting, watering, and every other convenience should abound.

But while the company was doing that, while the world was looking on applauding, the company, like every other corporation of which I have ever known anything, held all of the power, all of the reins within its own grasp. That is to say, while there was sewerage, while there was light, while there was water, while there were parks, and all those desirable things, at the end of every month or of every week, as the case might be, when pay day came around, the charges that were set up against the residents of the town of Pullman for their lots and for their conveniences were deducted from their pay (just as the clothing of a soldier or extra rations or a lost gun were deducted from his pay) and the balance found to be due was paid to these people. Among these charges were rents and stated dues for the purchase of property.

After a while hard times began to pinch the company as it did everybody else, and it began to reduce the pay of the men. The men submitted patiently. Another reduction came and the men again submitted, only asking, however, that their rent charges should be reduced, that their taxes should be reduced to correspond to the amount of reduction in their wages.

Then it was found that these poor people were absolutely defenseless, absolutely powerless in the hands of a corporation that had no soul. They asked to have a reduction of their rent charges and of other charges; they asked for a little time to turn around.

All these things were denied them. Finally, the Pullman citizens came to the conclusion that they might as well starve in defense of their rights as to starve while the proprietors of the town, the organizers and controllers of the corporation, were feasting on the fat things that these men had made for them. Now the trouble is on hand, and the leader of this great corporation is off at the seashore, or on a lake, or on an island, or somewhere, refusing to entertain even a newspaper man, except to say, "I have nothing to say; the company at Chicago will look after the company's interest there"—heartless, soulless, conscienceless, Mr. President, this tyrant of tyrants.

Mr. Debs sets out all of this, except the particular details to which I referred a moment ago, and goes on appealing to the people, after having stated to the public that the Railway Union took no hand in this matter until after the grievances of the Pullman men had been submitted to them. These grievances were submitted to the local assemblies, and a national assembly of the union was held in Chicago, and the local representatives came up instructed, many of them, and a resolution was adopted unanimously that the American Railway Union should make the cause of these Pullman men the cause of the American Railway Union.

After having done that, a committee was appointed to present their conclusions and their request to the Pullman Company. Their request was that these troubles between the employés and the Pullman Company might be submitted to an impartial arbitration. This was denied. The committee again went with the same request, and that was denied. Then came—I was going to say a universal—but then came a very general dropping of tools, a dropping of employment, so that the men might go out of the traces and let the railway companies go ahead without them if they could do so. Their object was—and it was so stated to the railway managers—to boycott the Pullman cars.

The American Railway Union will not haul Pullman cars; they will not handle Pullman cars. Whether it was right or whether it was wrong, Mr. President, it is not my purpose this morning to argue, for we are not at that point now. The situation confronts us, and it is our duty to deal with it as we find it.

Without referring further to this letter, I ask that it may be incorporated with my remarks.

The VICE-PRESIDENT. Without objection, it will be so ordered.

The paper referred to is as follows:

APPEALS TO THE PUBLIC.

President Debs issued the following clear and succint statement of the causes and status of the present conditions yesterday:

TO THE PUBLIC: So many misleading reports have been given currency in reference to the great railroad strike now in progress that I am prompted, in the interest of justice and fair play, to give the public an honest, impartial statement of the issues involved and the facts as they actually exist. My purpose in this is to have the great American public—the plain people—in every avenue of life conversant with the situation as it really is, that they who constitute the highest tribunal we know may pass just judgment upon our acts—condemn us if we are wrong and uphold us if we are right.

First of all, let it be said that the Pullman employés who struck May 6 last, did so entirely of their own accord. Their action in so doing was spontaneous and unanimous. They simply revolted against a series of deep-seated wrongs of long standing, and no power could stay them. It has been charged, and the charge has been widely accepted, that they were induced to strike by their "leaders" and labor agitators; that if left alone they would have remained at work. The charge is wholly untrue. The fact is, that the officers of the American Railway Union used all their influence to pacify the employés, and advised them repeatedly not to strike, but to bear patiently their grievances until a peaceable settlement could be effected. To the truth of this statement the employés themselves will bear willing testimony.

But the grievances of the employés, men and women, had become so aggravated, so galling, that patience deserted them and they abandoned their employment rather than submit longer to conditions against which their very souls rebelled. Whether they were right or not, let only those judge who comprehend the conditions under which these faithful employés toiled and groaned. Let us avoid sentiment. The bare facts will suffice, and they are haggard enough to excite the sympathy of every good citizen, rich or poor, employer or employed. The Pullman Company, be it understood, owns the town of Pullman, owns the houses, the homes of employés, controls the light and water, and other necessaries of life, and wages are so adjusted to living expenses that in a large majority of cases the employés are barely able to support their families. Proof overwhelming can be furnished. One instance will suffice. At the time they struck the employés were in arrears to the Pullman Company $70,000 for rent alone. Wages had been repeatedly reduced, but rent and other expenses remained the same. At this rate it would have been a question of a short time only until the employés would have been hopelessly involved in debt—mortgaged soul and body to the Pullman Company.

The employés, from the beginning, have been willing to arbitrate their differences with the company. That is their position to-day. The company arrogantly declares that there is nothing to arbitrate. If this be true why not allow a board of fair and impartial arbitrators to determine the fact? At this point we appeal to the public as to whether the position of the Pullman Company or the position of the employés is entitled to the sanction of the public conscience. If the employés were to assume the position of the Pullman Company and defiantly declare they had nothing to arbitrate and arbitrarily demand unconditional surrender as the only basis of settlement they would merit the condemnation of the public, and it would certainly and swiftly fall upon them with crushing severity.

Committee after committee waited upon the officials of the Pullman Company with a vain hope of effecting a settlement. They were willing to make concessions, to compromise in the interest of peace. All their advances were repelled. The company was and is unyielding as adamant. Finally, June 12, the delegates of the American Railway Union, representing 425 local unions of railway employés located on the principal lines of American railways, met in convention at Chicago. The Pullman trouble had been dis-

cussed at their local meetings. Many of the delegates came instructed. The grievances of the Pullman employés were taken under consideration. Two separate committees were sent to the officials. Not the slightest satisfaction could be obtained. As a last resort the delegates by unanimous vote determined that unless the Pullman Company would agree to do justice to their employés within five days, the members of the order would decline to haul Pullman cars. This action, be it remembered, was not taken until the strike had been on six weeks, and every conceivable effort to obtain redress had failed because of the obstinacy of the company.

Up to this point the trouble was confined to the Pullman Company and its employés. How, then, did the strike extend to the railways? Let the answer be given in accordance with the facts. The day before the order of the delegates declining to haul Pullman cars went into effect, the General Managers' Association, representing the principal western railways, met and passed a series of resolutions, declaring in substance that they would uphold the Pullman Company in its fight upon the employés, that they would haul Pullman cars and that they would stand together in crushing out the American Railway Union. The resolutions in question were published in the city papers and can be referred to in substantiation of this averment.

It will thus be seen that the railway companies virtually joined forces with the Pullman Company, went into partnership with them, so to speak, to reduce and defeat their half-starved employés. In this way the trouble was extended from line to line, and from system to system, until a crisis has been reached. The business of the country is demoralized to an extent that defies exaggeration. To say that the situation is alarming is entirely within the bounds of prudent statement. Every good citizen must view the outlook with grave concern. Something should, something must be done. The American people are a peace-loving people—they want neither anarchy nor revolution. They have faith in their institutions, they believe in law and order, they believe in good government, but they also believe in fair play. Once aroused they will not tolerate arbitrary and dictatorial defiance, even on the part of an alliance of rich and powerful corporations.

What can be done to dispel the apprehension that now prevails and restore peace and confidence? The American Railway Union, by whose authority and in whose behalf this statement is made, stands ready—has from the beginning stood ready—to do anything in its power, provided it is honorable, to end this trouble. This, briefly stated, is the position the organization occupies. It simply insists that the Pullman Company shall meet its employés and do them justice. We guarantee that the latter will accept any reasonable proposition. The company may act through its officials or otherwise and the employés through their chosen representatives. Let them agree as far as they can, and where they fail to agree let the points in dispute be submitted to arbitration. The question of the recognition of the American Railway Union, or any other organization, is waived.

We do not ask, nor have we ever asked, for recognition as an organization. We care nothing about that, and so far as we are concerned it has no part in the controversy. Let the officials deal with the employés without reference to organization. Let the spirit of conciliation, mutual concession, and compromise animate and govern both sides, and there will be no trouble in reaching a settlement that will be satisfactory to all concerned. This done, let the railway companies agree to restore all their employés to their situations without prejudice, and the trouble will be ended. The crisis will thus be averted, traffic will resume, and peace will reign. The railways are not required to recognize the American Railway Union. This has never been asked, nor is it asked now.

I have now clearly and briefly as possible stated the position of the American Railway Union as it was at the beginning of the trouble and as it is now.

If there are those who discover in this statement a "weakening" on the part of the employés, as has been so often charged, when an exposition of the true attitude of our order was attempted, we have only to say that they are welcome to such solace as such a perverted conclusion affords them. We have been deliberately and maliciously misrepresented, but we have borne it all with an unwavering faith that the truth will finally and powerfully prevail. We firmly believe our cause is just, and while we hold that belief we will not recede. If we are wrong we are ready to be convinced. We are open to reason and to conviction, but we will not be cowed nor intimidated. Were we to sacrifice the multiplied thousands of wageworkers who have committed their interests to our hands and yield to the pressure of corporate power, we would be totally unworthy of American citizenship.

It may be asked what sense is there in sympathetic strikes. Let the corporations answer. When one is assailed all go to the rescue. They stand together; they supply each other with men, money, and equipments. Labor, in unifying its forces, simply follows their example. The corporations established the precedent. If the proceeding is vicious and indefensible let them first abolish it. In this contest labor will stand by labor. Other organizations of workingmen have themselves felt the oppressive hand of corporate capital. They will not be called out, but will go out. And the spectacle of Mr. Pullman, fanned by the breezes of the seashore while his employés are starving, is not calculated to prevent their fellow wageworkers from going to their rescue by the only means at their command.

A few words in reference to myself, although ordinarily I pay no attention to misrepresentation or vituperation, may not be out of place, not because of myself personally, but on account of the cause I have the honor to in part represent, which may suffer if silence is maintained while it is assailed with falsehood and malignant detraction. I shirk no responsibility, neither do I want credit to which I am not entitled. This strike was not "ordered" by myself, nor by any other individual. I have never "ordered" nor "called" anybody out. Under the rules of the American Railway Union members can only strike when a majority of their number so decide. The vote of the delegates in this instance was unanimous. And wherever men have struck they did so of their own accord. I have simply served the notice after the men themselves had determined to go out.

This is the extent of my authority, and I have never exceeded it. My alleged authority to "call" or "order" out has been made the pretext on which to assail me with every slander that malignity could conceive. So far as I am personally concerned detraction can not harm me, nor does it matter if it could. I do not amount to more than the humblest member of our order—perhaps not as much. Fate or fortune has assigned me a duty, and, no matter how trying the ordeal or severe the penalties, I propose to perform it. The reflection that an honest man has nothing to fear sustains and comforts me in every hour of trial.

In closing let me repeat that we stand ready to do our part toward averting the impending crisis. We have no false pride to stand in the way of a settlement. We do not want "official" recognition. All we ask is fair play for the men who have chosen us to represent them.

If the corporations refuse to yield and stubbornly maintain that there is "nothing to arbitrate" the responsibility for what may ensue will be upon their heads and they can not escape its penalties.

EUGENE V. DEBS.

Mr. PEFFER. Then, after this conclusion had been reached upon the part of the American Railway Union, the general managers of the railways held a meeting at Chicago for the purpose of considering the situation. They came to a unanimous agreement likewise, and their agreement was published, and it was to the effect that they would stand by the Pullman Company, let the results be what they might; and we have seen in the newspaper dispatches several times important telegrams from New York City and from other points to the managers at Chicago, "Stand firm; to yield now is to lose everything"—substantially that.

Mr. HAWLEY. I should like to have the Senator put all the facts in. Is he not quite aware that the railway companies have contracts with the Pullman Company under which they are absolutely bound to use their cars, and is not Pullman under a corresponding obligation to them?

Mr. PEFFER. The railway companies are under no greater obligation to Pullman than Pullman is to the men who make the cars. There is the sticking point in this controversy, I say to the Senator from Connecticut in all kindness and frankness. These men have nothing to do with the railway contracts with the Pullman Company, and the contract the railway has with that company has nothing to do with interstate commerce. That is merely a matter of personal convenience.

But I was surprised, almost startled, the other day by the venerable and distinguished Senator from Ohio [Mr. SHERMAN] introducing a resolution that Congress should overhaul the Pullman-car business—a private matter between the Pullman Company and the railway companies. However, I was delighted as well as surprised to see the resolution coming from such a source at such a time, even if it do savor of paternalism.

But, Mr. President, we have no time to talk about the contract of the railroad companies and the Pullman Company, and it is strange in this presence that a Senator of the United States should bring this in between these men and the great question that confronts us, more especially from a Senator who is now and who has many times been the champion of American labor. Oh! from such friends, Mr. President, God save us.

Mr. HAWLEY. The Senator ought not to misrepresent me. He talks about the railroad companies declaring that they would stand by Mr. Pullman. I know nothing of the kind, and have never heard anything of the kind. I called the Senator's attention to the undeniable fact that there were certain things that they are bound under the law to do.

Mr. PEFFER. Let them go along then and do the things.

Mr. HAWLEY. I say with the Senator that the relation between Pullman and his men has nothing in God's world to do with the rioters and murderers in Chicago.

Mr. PEFFER. It has not only a great deal to do with it, but things that may yet come will grow out of this strike, unless employers will hear and unless legislators will hear.

I do not wonder sometimes that there is a growing feeling against the condition of things at Washington; I do not wonder sometimes that men write me and say, "Would to God that the Senate was abolished." I wrote to a friend the other day that I was ready for its abolition and would be willing to vote for it, and I would go still further and vote for the abolition of the House of Representatives, and I would favor that the personnel of the Government should be confined to a few men, not to exceed one from each State, and let them select a presiding officer from their own number. The fewer governors we have in this country the better, Mr. President, as it seems to me; at any rate a few men could do no worse than a few hundred men have done.

One of the grandest, and yet most dangerous, in one sense, of spectacles that could be presented to the human sight would be the stoppage of every workingman's arm for just ten days. I was peculiarly impressed about two months ago by reading a letter from a resident of this city, whose name I have forgotten and whose letter I have mislaid, though I wanted to use it this morning, in which he said, "Is there no way to teach legislators the effect of troubles now brewing in this country except for men to stop work?" Then he went on to picture what the situation would be if every arm should be idle for ten days or two weeks; the wheels of the factories would stop; the smoke of the furnaces would cease to rise into the heavens; the railway trains would stop; the supply of the cities would stop; the movement of things that the people in the country need would stop; and all life, so far as business, trade, and commerce are concerned, would be at an absolute and perfect standstill, like the stillness of a Sunday morning, nobody at work, everything paralyzed, an inert mass of human beings—the most dangerous condition imaginable.

That is what this thing means for the American people. Let anyone who lives in a large city, and many Senators here do, imagine what would be the condition of themselves and their neighbors should there be a cordon all around the city, so that the people inside could not get out and those on the outside could not get in for a period of thirty days. Starvation would stare in the face of the whole community. Apply the same

rule to the world, and in a little while the earth would be depopulated.

These things teach us, Mr. President, the brotherhood of men; they teach us the necessity of one man to another; they teach us the interdependence among people. At times the citizens of Kansas send to Texas and to States in the South along the coast their wheat, their flour, their corn, their oats, and their hay and meat, and we receive in return their lumber; we receive their cotton, we receive their fruits, and we receive many of the things that they have to spare. So it is in the North; so it is in the South; so it is in the East, and so it is in the West. Everywhere communities, States, families, individual men and women are dependent one upon another.

Look upon your breakfast table, on your dinner table, and see where the things that you eat come from; who made them; how; when; what it cost to get them there! Look at the clothing you wear, the houses in which you live, the things about you—not one of them perhaps that you or your family, or any of your blood, had anything to do with the making or the handling of. We go halfway around the earth and more for many of our supplies.

Consider that great fact, and in connection with another fact, that conditions have changed here and elsewhere within the last thirty or forty years, so that whereas a few years ago every individual, with here and there an exception, had his own little patch of ground, his own pigs and sheep and cow and fowls, so that he had within himself and within range of his family enough supplies to bridge over a few days of idleness.

Now, go into one of the cities, where men are massed together, and you will find traffic is perpendicular as well as horizontal, and that there is no place either in the street or in the yard in these great bustling cities where a citizen can raise a flower or a herb without putting it into a pot and resting it upon a window or in some portion of the house where the sunshine may come in.

When the city workingman's employment is stopped he is stopped; his source of livelihood is stopped; the supplies of his family are stopped; and when large numbers of these men quit work the machinery of commerce is clogged. So the time has come for employers themselves to learn that the best way to handle these situations is by fair treatment of their men; and if they can not do that, it is time for the people in their own sovereign capacity to interfere and say, "This thing has gone far enough; thus far and no farther."

This morning the dispatches brought us news of great importance. I have an extract from the Washington Post, with some descriptive matter, stating that citizens of Chicago met with the officers of that city and requested some official interference in the interest of peace, good order, and law. A committee was appointed. The committee visited the Pullman Company and asked that the matter be arbitrated. They were received by Vice-President Wickes, of the Pullman Company. Mr. Wickes asked the alderman:

"Do you come as an official of the city?"

"I do," replied Mr. McGillen.

"Do you represent the mayor in this matter?" inquired the Pullman official.

"The mayor will indorse our action here," the alderman replied.

Alderman McGillen was the spokesman. He addressed Mr. Wickes and placed before him the proposition as authorized by the full committee. Once, as the alderman halted for an instant, Mr. Wickes said, "The company can not recede from the position it has already held."

The interjection aroused Alderman McGillen, and he eloquently portrayed the situation in all its bearings and the inevitable consequences. Mr. Wickes listened attentively. He seemed touched by the appeal, and when the spokesman had concluded retired with Attorney John S. Runnells, of the Pullman Company, for consultation.

It was—

Sharp, short, and decisive—

The headlines say.

The delay was of brief duration. When he returned every one present read in Vice-President Wickes's stern face the answer he would make. Addressing Alderman McGillen, Mr. Wickes said:

"The Pullman Company has nothing to arbitrate."

Then there was a painful silence. Finally Alderman McGillen said: "Am I to understand that the Pullman Company refuses this slight request, made at so grave an hour, and upon which so much depends?"

"The Pullman Company has nothing to arbitrate," reiterated Mr. Wickes.

Mr. McGillen said: "Mr. Wickes, your company demands the police protection of the Federal Government, the State of Illinois, the county of Cook, and the city of Chicago, and yet you utterly ignore a fair request made by the city—a request, the fundamental idea of which is the preservation of the peace. We have come to you as conservers of the peace, and you have assumed grave responsibility in thus refusing the request we make—a responsibility greater, perhaps, than even you are aware of."

"There is a principle involved in this matter," replied Mr. Wickes, "which the Pullman Company will not surrender. It is that employers must be permitted to run their business in their own way, and without interference from their employés or from anybody else."

Not even from the city of Chicago, I will interject, nor from the State of Illinois, nor from the United States Government. Pullman, and Pullman alone, is king. Great is Pullman!

We shall not allow anyone to tell us how our business shall be conducted, and we shall not consent to arbitration. Our business is our own private affair, and we want no interference from Federal or State or any other government.

There is the ultimatum. Now, this strike of the American Railway Union means a solution of the problem. It is not a strike of lawbreakers, of men going out affirmatively and positively and as an original proposition to destroy property. Such is not the object of the union. But the Pullman Company lays down the rule "no matter what we are doing, this is our own private concern. Neither the city, the State, nor the nation has any right to interfere with our business." Yet there is not an incorporated village, town, or city in the country which does not have ordinances restricting in many ways the liberty of its citizens in regard to their own private business.

It is an axiom of the common law, so old that the memory of man runneth not to the contrary, that when anything becomes a nuisance it may be abated, no matter what it is. Not only that, but every State in this Union and every State in Christendom have the same kind of restrictive provisions. Go about in this city, go about in any city, and you will find that building is regulated by statute and by ordinance. You will find that the habits of the people in many respects are regulated. Hotels must be constructed in certain ways. The same thing applies to theaters and public places. Private residences within certain limits must not be built of wood, walls must be of a certain thickness, and the foundation must be of a certain character.

Look into your statute books, and you will find that a dairyman is bound strictly to give to the people good milk, good butter, and good cheese. The farmer who takes his hay into the city with a rock in the middle of the load in order to make it weigh heavier is liable to the law. The citizen who stops upon the public highway is liable to the law. Everywhere the hands of the law, and properly so, are about the people in order that the public good may be conserved.

On Sunday before the 4th of July this year some of Christ's ministers in this city undertook to discuss existing conditions. One of them used this language, so the reporter says:

He said that there was a chance in this country for demagogism, and he thought that it was making headway in our State and national politics and now musters a formidable array of votes in both branches of Congress. "Populism," he said, "is simply an incipient, ignorant, and unorganized socialism. Its political capital is the arraying of the poor against the rich, the improvident against the thrifty, the idle against the industrious. Coxey is its typical product; the mob violence which is disgracing so many sections of our country its legitimate fruitage. An income tax which, it is estimated, will fall upon only one out of 800 of our citizens is its conception of equitable legislation.

I should like to know what that man's income will be when he goes up where coin of heaven is used. He proceeds:

All this is the protoplasm of anarchy. It proceeds upon the assumption that political power can level moral distinctions; that government is bound to make everybody comfortable and happy. When these delusions are exposed it will be ready to lay violent hands upon government and upon the human lives that represent it.

If that preacher does not know anything more about the doctrines of Christ than he does about the doctrines of the Populist party, he, with a good many more of us, will have to pass through the eye of a needle before he gets into heaven.

Mr. KYLE. What is the minister's name?

Mr. PEFFER. I am asked for his name. There are the names of several clergymen here. This particular gentleman is reported as Rev. Dr. Hamlin.

Mr. President, the Populist idea is exactly the opposite of anarchism. The Populist is the antipode of anarchy. The Populist believes in government. He believes in the government of the people. He believes in the doctrine taught in the Declaration of Independence, which is not a doctrine at all but simply a terse statement of a fundamental truth, that all men are created equal, and that flowing out of that equality of birth there are certain rights of which even the individual himself can not divest himself—the right to life, the right to liberty, and the right to pursue his own vocation in his own way, unmolested, so long as he does not interfere with the right of his fellow-men.

The Populist not only wants government, but the very highest form of government. The Populist is ready to take the great prototype of my excellent friend who sits in front of me [Mr. MILLS] as their leader and their guide in political philosophy. I can now recall nothing that Thomas Jefferson ever said which does not find a warm, responsive heart-throb in the breast of every Populist.

This man is not crazy, nor is he ignorant, nor do I believe he is a bad man. On the other hand, I believe he averages high with the modern Christian, that he will average well with the modern preacher, whose philosophy comes to him from the Middle Ages, and whose ideas of finance come to him through newspapers which are edited in the business offices. That man would no more undertake to denounce usury in his congregation

than he would undertake to go up in a balloon and come down in a parachute. He would no more undertake to denounce the evil practices that he must know, or has good reason to believe, permeate the whole Christian world than he would undertake to organize a mob and drive the members of this body out of the Chamber.

Mr. President, the church needs light. Its members are asking for light, and the men on the outside who are scolding at it, as I am to-day, are asking that it be restored to that spirit of Christianity that the Master taught, just as my good friend from Texas here [Mr. MILLS], and many more like him, are asking that the politics of the United States be restored to the conditions that Jefferson and his compeers favored.

Mr. President, when I speak thus of the church I am not speaking harshly of Christianity. Oh, no; in my heart I have the most tender feeling for all humankind. But I should like to arouse the church. Oh, what an opportunity it has now for great and daring deeds of benevolence, kindness, and far-reaching patriotism! This is the time when the church is needed, and when just such men as these preachers are needed, if they will only get in touch with the toiling masses, and quit calling people who are trying to bring the country back to its old moorings anarchists and bloodthirsty men.

Mr. President, the Populists have said some things about the old political organizations. I do not believe that they have ever told the truth more fully and completely than they themselves have done. The other day, when the distinguished senior Senator from New York [Mr. HILL] pounced mercilessly and without thought, as I believe, upon the State which the Senator who now occupies the chair [Mr. MARTIN in the chair] and myself have the honor to represent, I read to him an interesting little bit of literature. But then we were in the midst of commotion and excitement, and it hardly fell upon the great public audience as it will fall now in this connection rather than in that. However, before I come to that I wish to state that sixteen years ago last January the distinguished senior Senator from Indiana [Mr. VOORHEES], who I see is now in his seat, addressed this body upon the subject of finance when he was pleading, patriot as he was, for the free and unlimited coinage of silver. I find in a speech of his, full of eloquent pathos, full of power and vigor, on page 330 of the CONGRESSIONAL RECORD, under date of January 15, 1878, a most scathing arraignment of the party then in power.

Sir—

Said he in another place in the same speech—

In the entire catalogue of crimes against human society—

Let me read that again:

Sir, in the entire catalogue of crimes against human society not one can be found so awful in all its consequences, both immediate and remote, as a government commits when it deliberately destroys the money of its own citizens.

That is only a part of the paragraph, and in order that no injustice may be done the Senator I ask that the whole paragraph—it is not long, and I have it marked—may be incorporated in my remarks. I would read it by way of helping the Reporters out if it were not so long.

Wherever in all the regions of time such measures have been accomplished, the horrors of history have taken place. No shrinkage in the amount of money, no contraction of the currency in the hands of the people was ever enforced by law to any considerable extent, except amidst broken lives, ruined hopes, despair, lost honor, and all the vices springing from the lowest depths of poverty and human misery. The worst ingredients of war, pestilence, and famine all flow from the act of a government violently tearing from the hands of the laboring masses the money they so much need. Murder, theft, robbery, prostitution, forgery, embezzlement, and fraud of every hue and mien curse the land that is deprived of a full and sufficient circulating medium on which to give employment to its toiling men and women. The social statistics of mankind will show that wherever the supply of money has been scant and labor poorly paid, or left entirely idle, there the gallows-tree has borne most frequently its horrid burden; there the jails and the penitentiaries and all the haunts of infamy have been most crowded. The well-clothed and well-fed Pharisee may ostentatiously thank God that he is better than such as these, but he is not. When the strong hand of the Government is engaged in abolishing money, and thus interposing between the laboring man and the laboring woman and their last chance for bread by honest work, their sins for self-preservation are less odious to their merciful Father than the prayers of the usurers who have driven them to ruin.

Mr. VOORHEES. Will the Senator allow me?

Mr. PEFFER. With great pleasure.

Mr. VOORHEES. In order that no injustice may be done to the Senator from Indiana, I desire to say I repeat every word of that now, here, and everywhere. There has not been a day of my life since I uttered it that I would not repeat it. I am glad of the opportunity to say it over here again. No greater crime was ever committed against the men, women, and children who live by labor than a government commits when it destroys its own circulating medium.

Mr. PEFFER. That speech, Mr. President, was delivered twelve years before the Populist party was born. The Senator concludes, speaking of what the people demand and what they have a right to demand—I read now from page 338—

They demand, too, that certain specific wrongs shall be redressed.

First, those for whom I speak demand the restoration of the silver dollar exactly as it stood before it was touched by the act of February, 1873. They desire that it shall have unlimited coinage, not fearing that it will become too plenty for their wants; and that it be made a full legal tender, believing that it is as good now with which to pay all debts, public and private, as it was during eighty-one years of American history.

Second, they demand the repeal, unconditionally, of the act of January 14, 1875, compelling a resumption of specie payments in January, 1879, holding that the question of a return to a specie basis for our currency should be controlled entirely by the business interests of the country. They do not believe that the country should be dragged through the depths of ruin, wretchedness, and degradation in order to reach a gold standard for the benefit alone of the income classes.

Third, they demand that the national banking system be removed and a circulating medium provided by the Government for the people, without taxing them for the privilege of obtaining it. And they ask that the amount thus placed in circulation shall bear a reasonable and judicious proportion to the business transactions and the population of the United States.

Fourth, they demand that the currency circulated on the authority of the Government shall be made a legal tender in payment of all debts, public and private, including all dues to the Government, well knowing that it will then be at par with gold, or more likely at a premium over it.

And fifth, they demand that hereafter the financial policy of the country be framed permanently in their interest; that they shall not be discriminated against in future legislation as in the past, and that their prosperity, and not the mere growth of incomes to retired capitalists, shall be the primary duty of the Government.

In my judgment—

The Senator says—

These demands are just and moderate. I implore Senators not to suppose that they can be disregarded with safety. If they are rejected now they will be renewed hereafter with still greater determination and perhaps with others added. I plead for the financial credit of the Government. It rests on the popular will alone, and that will can no longer be defied or menaced with impunity. The people are sovereign, and they can bind and they can loosen. If the money power is advised with wisdom it will stop and retrace its steps. It confronts a power now mightier than itself; a free people at the ballot box, inflamed by a sense of injustice and oppression. If, however, it is joined to its golden idol; if its heart is hardened and its neck stiffened by its vast possessions; if the burning lust of avarice has made it deaf to the voice of reason and blind to all human experience, it will push on in its career, until it works its own destruction; for sooner or later the people, irrespective of party names, will unite in their own defense and establish justice.

They have been slow to believe that there was a deliberate purpose to degrade and impoverish the great producing classes, but they are being rapidly educated now. The condition of the country is a teacher whose awful lesson is engraven on all their hearts. They have also recently read the proclamations of the great organs of the money power, removing all disguise as to the meaning of our financial legislation and the misery it has created. In the columns of one they have read that—

"The American laborer must make up his mind henceforth not to be so much better off than the European laborer. Men must be content to work for low wages. * * * In this way the workingman will be nearer to that station in life to which it has pleased God to call him."

In the columns of another organ of consolidated capital they have read the following revolting sentiments:

"There seems to be but one remedy. It is a change of the ownership of the soil, and the creation of a class of landowners on the one hand and of tenant farmers on the other; something similar in both cases to what has long existed and now exists in the older countries of Europe."

And in every form in which the English language can be used the American people, and especially the people of the West, have been notified, not that their consent will be asked, but that they will be compelled to submit to the legislation which results in this British system of baronial landed estates, a dependent tenantry, and pauper wages for the workingman.

Sir, I have no word of menace to utter on this floor, but, in behalf of every laborer and every owner of the soil whom I represent, I warn all such as value their investments that when these doctrines of despotism are sought to be enforced this fair land will again be convulsed in agony and the fires of liberty will blaze forth again, as they did a hundred years ago, in defense of the natural rights of man. May the wisdom of our fathers and the benignity of our God avert such an issue; but if it shall come, if infatuation has seized our councils, the result will only add one more instance to the long catalogue of human crime and folly, where avarice, like ambition, overleaps itself and in its unholy attempt to rob others of their possessions loses its own.

Mr. President, that was delivered on the 14th day of January, 1878, and a month from that day, on the 15th day of February, following the day of the delivery of the speech of the distinguished Indianian, came a remarkable speech from a remarkable man whose successor I have the honor to be.

We can not disguise the truth that we are on the verge of an impending revolution—

Said Senator Ingalls:

The old issues are dead. The people are arraying themselves upon one side or the other of a portentous contest. On one side is capital, formidably intrenched in privilege, arrogant from continued triumph, conservative, tenacious of old theories, demanding new concessions, enriched by domestic levy and foreign commerce, and struggling to adjust all values to its own standard. On the other is labor, asking for employment, striving to develop domestic industries, battling with the forces of nature, and subduing the wilderness; labor, starving and sullen in cities, resolutely determined to overthrow a system under which the rich are growing richer and the poor are growing poorer; a system which gives to a Vanderbilt the possession of wealth beyond the dreams of avarice and condemns the poor to a poverty which has no refuge from starvation but the prison or the grave.

Our demands for relief, for justice—

Said that eloquent Senator—

have been met with indifference or disdain. The laborers of the country asking for employment are treated like impudent mendicants begging for bread. The Senator from Connecticut informs us that hundreds of millions of dollars are lying idle in New York and Hartford, which can be borrowed on good security at 4 per cent. and asks with something like a sneer how the coinage of a dollar worth 90 cents will benefit the poor unless they can give

good security for their loan. The laborers of the West do not want to borrow; they want to earn. They do not wish to pay interest on other men's capital, but to sell their labor and if possible acquire some capital of their own. The producers of the West want a market in which the value of their products will not be consumed by the cost of transportation over railroads that pool their earnings and combine to keep their rates at a point where the carrier grows rich and the farmer poor.

The Senator from Wisconsin, in that admirable speech which left so little for others to say, declared that this was not a contest between the East and West. Let us see. Against silver, as indicated by the vote on the Matthews resolution, are New York, New Jersey, New Hampshire, Maine, Connecticut, Massachusetts, Vermont, and Rhode Island. For it are every Western State but Michigan, California, and Oregon, and every Southern State but Maryland and Delaware, and all these are divided. The Senator from Wisconsin was right. It is not the East against the West. It is the East against the West and South combined! It is the corn and wheat and beef and cotton of the country against its bonds and its gold; its productive industry against its accumulations. It is the men who own the public debt against those who are to pay it, if it is to be paid at all. If the bonds of this Government are ever paid, they will be paid by the labor of the country, and not by its capital. They are exempt from taxation and bear none of the burdens of society.

The alliance between the West and the South upon all matters affecting their material welfare hereafter is inevitable. Their interests are mutual and identical. With the removal of the causes of political dissension that have so long separated them, they must coalesce, and united they will be invincible. The valleys of the Mississippi and Missouri, with their tributaries, form an empire that must have a homogeneous population and a common destiny from the Yellowstone to the Gulf. These great communities have been alienated by factions that have estranged them only to prey upon them and to maintain political supremacy by their separation. Unfriendly legislation has imposed intolerable burdens upon their energies; invidious discriminations have been made against their products; unjust tariffs have repressed their industries.

While vast appropriations have been made to protect the harbors of the Atlantic, and to erect beacons upon every headland to warn the mariner with silent admonition from the "merchant-marring rocks," the Mississippi was left choked with its drifting sands till the daring genius of Eads undertook the gigantic labor of compelling the great stream to dredge its own channel to the sea. The opening of this avenue of commerce marks the epoch of the emancipation of the West and South from their bondage to the capital of the East. In asking the passage of this bill they are asking less than they will ever ask again. When I reflect upon the burdens they have borne, the wrongs they have suffered, I am astonished at their moderation.

I will not read further from his speech. My object was to show that this preacher has not read the history of his own country, and he would shoulder upon us poor little Populists all the crimes of their wicked predecessors. That was in 1878. At the next national campaign, in 1880, the Republican party, paying its respects to its great opponent, did it in the following choice language:

8. We charge upon the Democratic party the habitual sacrifice of patriotism and justice to a supreme and insatiable lust for office and patronage; that to obtain possession of the National Government and control of the place they have obstructed all efforts to promote the purity and to conserve the freedom of the suffrage, and have devised fraudulent ballots, and invented fraudulent certification of returns; have endeavored to unseat lawfully elected members of Congress to secure at all hazards the vote of a majority of States in the House of Representatives; have endeavored to occupy by force and fraud the places of trust given to others by the people of Maine, rescued by the courage and action of Maine's patriotic sons; have, by methods vicious in principle and tyrannical in practice, attached partisan legislation to appropriation bills upon whose passage the very movement of the Government depended; have crushed the rights of the individual; have advocated the principles and sought the favor of the rebellion against the nation, and have endeavored to obliterate the sacred memories and to overcome its estimably valuable results of nationality, personal freedom, and individual equality.

Then by way of a return or an exchange of compliments, the Democratic party in its national convention in 1884, resolved as follows:

The Republican party, so far as principle is concerned, is a reminiscence. In practice it is an organization for enriching those who control its machinery. The frauds and jobbery which have been brought to light in every department of the Government are sufficient to have called for reform within the Republican party. Yet those in authority, made reckless by the long possession of power, have succumbed to its corrupting influence, and have placed in nomination a ticket against which the independent portion of the party are in open revolt. Therefore a change is demanded. Such a change was alike necessary in 1876, but the will of the people was then defeated by a fraud which can never be forgotten nor condoned again.

In 1880 the change demanded by the people was defeated by the lavish use of money contributed by unscrupulous contractors and shameless jobbers who had bargained for unlawful profits or for high office. The Republican party during its legal, its stolen and its bought tenures of power has steadily decayed in moral character and political capacity. Its platform promises are now a list of its past failures. It demands the restoration of our navy; it has squandered hundreds of millions to create a navy that does not exist. It calls upon Congress to remove the burdens under which American shipping has been depressed; it imposed and has continued those burdens. It professes the policy of reserving the public lands for small holdings by actual settlers; it has given away the people's heritage till now a few railroads and nonresident aliens, individual and corporate, possess a larger area than that of all our farms between the two seas.

But, Mr. President, that is not all that my clerical neighbor has overlooked. I find in a recent issue of the New York Sun certain language which the editor pretends to quote, and I have no doubt he quotes truly, from the speeches and writings, officially and otherwise, of the distinguished New Yorker who is now at the head of the Government. The editor says:

When he—

Referring to the President—

writes, as he has written over and over again—

Now I quote his adjectives—

of "the grasping and heedless exactions of employers;" of "the gulf between employers and employed;" of "the citizen struggling far in the rear, or trampled to death under an iron heel;" of "colossal fortunes, unfairly gathered, in the hands of a few;" of "the communism of combined wealth and capital;" of "overweening cupidity and selfishness insiduously undermining the justice and integrity of our institutions;" of "oppressed poverty and toil exasperated by injustice and discontent;" of "life made too hard" for "those of moderate means and the poor of the land;" of "selfish greed in the ascendancy;" of the "undermining decay of sordidness and selfishness;" or, as during the bloody Homestead riots, of "scenes that mock the hopes of toil and attest the tender mercy the workingman receives."

I have mentioned these things for the purpose of finally getting rid of this twaddle and nonsense about the Populists being anarchists and defending crime.

Mr. President, the birth of the Populist party came about naturally. It came because of the conditions of which I have just been reading. Its Republican members believed what the Democrats said in their convention about the Republican party. Its Democratic members believed what was said by the Republicans against the Democratic party.

We had sense enough to know that things were out of joint and that some persons somewhere were responsible for it. We made up our minds that conditions must be changed; that politics must be purified; that the old parties must be converted or they must be destroyed, and that the Government must be restored to the people for whose happiness and safety it was established. That is what the Populist party has set out to do. We have some isms—yes, we have some isms; and it would have been a good deal better for our political enemies if they had had some of those isms, ten, fifteen, twenty, or thirty years ago.

We would not to-day find ourselves in the condition we are in. The truth is that existing political machinery is corrupt, no matter who pronounces the arraignment. We have seen its effects in our own action here in the Senate within the last three months. We have seen the politics of the country corrupted by the use of money, by the patronage and influence of corporations. Do not understand me to be charging that any Senator or any Member of the House of Representatives has in any way, either directly or indirectly, profited by anything of this kind.

I am denouncing the infamous practice that has debauched American politics. The Populists are trying to remedy the evil, faintly, feebly, it may be, but after awhile we shall succeed, because we represent the people; and either we under our present name or some great popular movement under a broader and a better name, if a better one can be originated, will do the things we are aiming at. The American people have too much sense, too much patriotism, too much loyalty, to allow their Government to go down in anarchy. When the contest comes between the great masses of the people and the power which now rules in legislation the people will not be found wanting. They will be found invincible, Mr. President.

Now, I have occupied a good deal more time this far than I expected to consume, and it was the remarks of the Senator from Connecticut [Mr. HAWLEY] that drew me off onto another line of thought. I come back to this point: The Government is now managing nearly one-half of the railway mileage of the country through its courts. The Government, State and national, interfered when the coal strike was on six weeks or two months ago. The Government is now interfering, and for the first time in the history of the American Republic, the President has sent the Army into one of the States without the request of either a State or a city officer. I am not criticising the action of the President. I am simply calling attention to the fact that we now have actual, active, earnest, and effective Federal interference in what many wise men are pleased to call State concerns.

A few mornings ago, when it was noticed first that the President had sent troops to Chicago, a distinguished citizen in public life was reported to have used language something like this: "If I were governor of the State of Illinois I should take the State troops and drive the Federal soldiers into the lake." Without stopping to say whether that remark was justified or whether the feeling which instigated it was a proper one, constitutional and legal, this thought came instantly into my mind, that in the beginning of the building of railways in this country the railroads were but a mile or two long.

The first one in Massachusetts, between a quarry and a town or a port, was 6 or 8 miles in length. The first one in Pennsylvania was but a few miles in length. They were mere private affairs. In the first ten years we only got up to a couple of thousand miles of railways. They were private matters. Every bill of lading had to be changed when you reached a new railway line. So it continued for a long time. But the great war welded the American States together in an indissoluble Union. The people of the United States now constitute a nation, and these busy people of ours have no time to stop with a surveyor to point out where the State line is, that they may inquire what the laws of this new domain are upon which the railway train, running at the speed of 50 miles an hour, has just entered.

The American people have grown too big for that, and State lines, except for purposes of local government, are of no manner of account in the polity of the Republic. When the time comes for the Government to interfere, whether it be in Chicago, or Boston, or New Orleans, or Galveston, the power of the Government will go there, and the people will say amen, provided always that the movement of the Government is in the interest of the people.

That brings to mind a thought. I think it was in yesterday evening's paper it was stated that some distinguished personage now in public life is asking that the Army be increased. This is not a good time to increase the Army. This is a time to decrease the Army. This is a time for the weapons of peace; this is a time for reason; this is a time for cool, deliberate judgment, not passion, not prejudice, not bayonets, but consciences, tongues, and pens, and brains. There is a kind of military mania taking possession of the people. We have military organizations in the States. A citizen of Pennsylvania told me not very long ago that within twenty-four hours' notice an army of 28,000 men could be raised in the three States of Pennsylvania, New Jersey, and Delaware, if I remember it correctly. We now detail army officers to teach military tactics in agricultural colleges. What a splendid idea it is to teach the farmers' boys the military art in order to fight grasshoppers and chinch bugs, and crows and blackbirds. We find that in our private colleges there are classes studying military tactics, borrowing arms from the Government and from the State. The same is done even in our high schools, which are the acme of the country district school, the crowning glory, the ambition of the country boy and girl. They are having military science taught in some of the country schools, and in some of our public schools here in the capital of the American Republic I have seen the boys go out and drill on the public streets. More than that, even in our Sunday schools there is a military air.

It is time that this military idea, the idea of quelling every little disturbance by force, should cease, and that brings me to the vital point in this whole controversy. What are you going to do when disputes arise between employers and employés? Keep your hands off, Mr. President. That is my advice. Just keep your hands away from them. The parties in interest will settle the matter themselves, and they will do it without bloodshed. They will do it without using the torch; they will do it without getting angry; they will do it justly, safely, wisely, promptly. But the instant that you begin to call out the military arm in order to protect one side and send the other one to prison, just that soon you arouse a spirit of animosity which can not be quelled by force.

That was tried about two years ago, on the 6th day of this month. Pinkertonism died an inglorious death in its own blood on the battlefield of Homestead. Some day there will be a monument erected to those brave men who, standing upon the shores of the Monongahela, defended their right to work in that great structure which their hands had builded. In the face of danger the man who will not speak words of warning to his friends is a coward, and our young party is not cowardly.

I have offered these resolutions, and as you will observe there is not a suggestion of detail about any of them. But you will find that they involve the fundamental idea at the bottom of this great trouble. A little more than thirty years ago we passed a homestead law when there were countless millions of acres of public land, to be saved for the people's homes, and now it is worth a man's life, aye it is worth even a woman's life, to get a home when an Indian reservation is opened to settlement. In only thirty years have our public lands been squandered. Many of them are owned by corporations in immense tracts, and others are owned by syndicates and individuals of wealth.

The public lands have gone in that way. The last one of the propositions in the resolutions is intended to cover the land case, or, if you please, the land monopoly. The Populist, like the early Republican, wants to save the public lands for homes for the people.

The second proposition includes Government charge, Government control, Government supervision, Government surveillance of the railroads; the very thing we are now doing with bayonets, by writ and processes of court, served under an escort of deputy marshals at immense expense. Just turn this whole business over to the peaceable agencies of the people represented by their lawfully constituted agents.

There is nothing in the resolution pointing to the taking possession of the railroads, as we are charged with favoring. We want the Government to have control of the transportation interests of the people. This suggests a plan in general, not in detail at all. It suggests that all railway lines in the country shall be consolidated under present ownership into one great system, under the control of public officers, all the details to be arranged by legislation. That recalls an incident which occurred in this Chamber a month or thereabouts before the last Congress went out of existence. I offered a resolution requesting some information to be furnished by the Committee on Interstate Commerce, of which the senior Senator from Illinois [Mr. CULLOM] was then chairman.

Among other items of information asked for was this one: Is it practicable to consolidate all the railways of the country under present ownership into one great national system, with the differentials to be settled at one office, and to establish a uniform rate of charges for the transportation of passengers and freight in all parts of the country? I remember the interest that my amiable neighbor, the senior Senator from New Hampshire [Mr. CHANDLER], took in the resolution, as he does in a good many of the acts that I perform in this body. He suggested in his suave manner that without any formal proceeding whatever the resolution might be submitted to the Committee on Interstate Commerce, and he had no doubt it would be acted upon quite as readily and quite as promptly as if there were no formal proceedings.

The Senator from Illinois very kindly rose and seconded the suggestion and courteously took charge of the resolution. That is the last I have ever heard from it. That was about two years ago. That is the way all such things in the past time have been treated.

Now, we are face to face with the problem; it is forced upon us, and we send military officers to take charge of the railroads. The Populists do not want that. We want the people in their majesty to arrange the matter through their constituted authorities.

Sometimes I hear it suggested in this body in such a way that it would appear, if one did not know that the gentlemen uttering the words were intelligent men, that the Government is some great power distinct and apart from the people. The Government is simply the agent of the people, made for their benefit and for their protection and to secure and preserve their safety and happiness. One of the immortal doctrines of the Declaration of Independence was that whenever the Government ceases to be effective in these respects it is not only the right but the duty of the people to abolish it and institute another in its place.

I shall not detain the Senate any longer except to make the suggestion that no matter what Senators may think about the ideas that have been suggested in connection with this resolution, no matter what they may think about socialism, anarchism, Populism, or any other ism connected with the situation, I have submitted the matter for the consideration of the Senate and the country. I have not been derelict in my duty.

The very first bill I introduced in this body was one to restrict immigration within reasonable limits in the interest of American labor, and the first resolution I presented upon the day that that bill was introduced was one asking the Committee on Finance to inquire into the cost of lending money, a very simple matter, so simple indeed that about three months afterwards a member of the Committee on Finance kindly came to me and asked me whether I expected them to report the resolution. I told him no, I did not; that I had no such expectation. He answered me politely by saying he thought so, and therefore had laid it in his desk, but that if I desired it reported he would certainly report it. Not a particle of thought was given to it.

Now we are in the power of the men whom that resolution, introduced by a wild man from the West, was intended to reach. What does it cost to lend money? Last year, while we were sweating and sweltering in this Chamber, trying to repeal the purchasing clause of the Sherman law, the banks needed a little investigation in the city of New York. The banks were paying out certificates instead of money. They were refusing to pay their depositors. A simple resolution of inquiry was treated in the same contemptuous way.

Still later, about a year ago, through a resolution I asked to have the Committee on Interstate Commerce devise some plan to take care of railway trains, so that the property and persons of people traveling from place to place over the country might be protected. That was treated with equal attention, with equal courtesy. Nothing has ever been heard of it nor of any of the other resolutions. Last fall or winter I introduced a bill to furnish money to States and cities to take care of the poor. That was buried like the rest. Again, during the present year we found that from Boston, from Chicago, from San Francisco, from El Paso, and from a number of other places in the country there were men, calling themselves members of an industrial army, coming up to Washington.

I proposed a resolution for the appointment of a committee without any expense attending it at all, providing that the places for its meetings should be appointed by the Sergeant-at-Arms without expense. There was no trouble required except to put the necessary furniture into the room, if it was not already there,

and there was an abundance of rooms which could have been used without a single dime of expense for any purpose whatever, not even for stenographic work, for there are a number of gentlemen and ladies very much accomplished in that art, who could spend a little time just as well as not in that way. The committee was to be appointed in order to receive petitions and hear remonstrances, either delivered orally or in writing, from delegations which might come to the city, not specifying any delegation. While a very good vote, a much larger vote than I expected, was given for the resolution, it did not pass.

The next move—I am speaking now about my own conduct in this matter—was the introduction of a bill to provide work for the unemployed in the District of Columbia, but in a little while that was disposed of by a proposition to issue bonds, so that some money-changers might reap a profit out of the interest paid by the people. Next came a resolution to appoint a committee to consider the present situation with reference to the business depression and the large numbers of unemployed people. I am glad to know that that committee was appointed, and the distinguished Senator from Wisconsin [Mr. VILAS] is at its head. What the committee has done, or what they are doing, or what they expect to do, I know not, but that much good at least has come out of the labors which I have been pleased to perform in this body.

Mr. President, while no other Senator has yet suggested even subjects for remedial legislation, I have done so. The Republican party has given us a high protective tariff and a gold basis for our money system. The Democratic party have given us in past times a low tariff, a revenue tariff, but recently they have given us the gold standard and a high protective tariff, with free wool. Those are the remedies and the only remedies that the old parties thus far have been able to suggest. Do Senators tell me that there is nothing wrong? Do they tell me that there is nobody out of employment; that there is nobody upon the verge of starvation; that the Republic is not in danger? Yet this is all you offer. We, however, come forward with substantial propositions for the Senate and the country to discuss.

First, that all public functions be exercised by public agents, and then you will have no occasion to use the Army to suppress riots. Then there will be no strikes. Do justice to the workingman as well as to his employer. Let every man who employs a large number of men understand that he has in his care and his keeping the inalienable rights of men who are just as good as he is. You say just as the Pullman Company say, "Shall not these men be permitted to manage their own business in their own way?"

I say, Mr. President, it depends. It depends upon what they are doing and how they are doing it. One man alone transacting a little business of his own wants to employ another man. Those two are equal. They can contract face to face, one with the other, as a man speaketh unto his friend. But where is Pullman, where is Carnegie, where is the president or proper officer of a railroad company or of any great banking institution when one of the employés has a grievance which he wishes to present? Who will hear him, who will answer his question? There is always an official directory of every corporation, but that official directory is not willing, nine cases out of ten, to hear the official directory of the men who do their work.

The other day a Senator said—I do not now recall who it was, or perhaps it was in a newspaper that I saw it—that there were more stockholders in one of these great corporations than there are men employed. So much the worse, if that be true. He went on still further to argue that the stockholders are poor people. Still worse. If they are poor people, they have earned their savings as those men who are complaining have earned theirs. But these little stockholders have no more influence upon the management of the company than the man in the moon has influence upon the legislation of the Senate of the United States. They have none at all.

Now, what I ask is that the resolutions may be printed and lie on the table, so that Senators, one by one, as they desire, may call them up and speak to them. I ask, I appeal to Senators, I beseech Senators to pay some attention to the resolutions, and in a conservative, statesmanlike way throw out to the people some intimation that this great body will not turn its back upon them.

Mr. DAVIS. Mr. President, I have listened to a great part of the remarks of the Senator from Kansas with amazement and pain. I had supposed that by common consent it was deemed to be the better course in these troublous times not to inflame the controversy by speeches on either side. The most moderate language in the times in which we are presently living may well be construed into intemperateness of expression and yet fail to do adequate justice to the subject.

At a time when in the second city of the United States, and the fourth or fifth city in the civilized world, order is suspended, law is powerless, violence is supreme, life is in danger, and property is in the very arms of destruction, I am appalled to hear the trumpet of sedition blown in this Chamber to marshal the hosts of misrule to further devastation.

Mr. President, this question does not now concern the issue between the Pullman Company and its employés. It has got beyond that. It does not concern the sympathetic strike of the American Railway Union. It has got beyond that. It does not concern any strike which may hereafter be ordered. It has gone far beyond that. A simple strike as to a local organization not directly connected with the transportation instrumentalities of this country grew into another strike of far more comprehensive proportions. That grew into a boycott. That boycott took the liberty of the American people by the throat, and then grew into a riot, and from thence into an insurrection which confronts this Government to-day with all the dormant and latent powers of revolution, and speaks here in the voice of its advocate, threatening and advising the dismemberment of the Government by the abolition of its executive and legislative departments.

Mr. President, I speak on this occasion with great reluctance. I would not say a single word to inflame the passions; but some things have been said here this morning which demand a reply which to be efficacious must be immediate.

I would speak upon this subject in regard to the workingmen more immediately engaged in these acts with the utmost moderation and kindness. They are misled and misguided men. I do not stand here affecting to speak for any branch of the people or for any class. I speak for society entire. But I tell you, Mr. President, that the words I shall utter will six months from now be received as the words of a better friend to the laboring man than the Senator from Kansas. I say I would speak of these men with the utmost moderation up to a certain stage of their proceedings, because they are misguided and misled men. They are not the entire people. The Senator from Kansas affects to speak for the people of this country. Who are they? For his present purposes it is the mob which has obtained control of a strategic point in this country, the city of Chicago——

Mr. PEFFER. Mr. President——

Mr. DAVIS. I decline to yield for any purpose.

The PRESIDING OFFICER (Mr. MARTIN in the chair). The Senator from Minnesota declines to yield.

Mr. PEFFER. I protest against the Senator misrepresenting——

Mr. DAVIS. I decline to yield.

Mr. PEFFER. I did not expect the Senator to do so.

Mr. DAVIS. The Senator speaks in behalf of that mob——

Mr. PEFFER. I did not say anything of the kind, and the Senator from Minnesota knows it.

Mr. DAVIS. The Senator speaks in behalf of that mob of misguided men who have seized by force a strategic point in the city of Chicago, paralyzed the means of intercourse, and interrupted the sources of supply of food and traffic over several States of the Union.

He speaks of the rights of labor, and in the abstract I am with him. No one denies that there are before the American people to be settled in a lawful and constitutional manner through their legislative functions vast questions of adjustment between the rights of labor and capital. No one denies that. It is the great problem of civilization all over the world. Man and machinery have been worked so into each other through complex organizations of both that sometimes it can not be discerned where the man ends and the machinery begins. But in these times of present exigency and danger to government itself those are not the questions.

The Senator from Kansas has not a single word of reproach for the blood that has been shed in Chicago in the last ten days, for the millions of property which has been destroyed. The red light of arson against the sky in that city has caused him no pang and elicited from him no word of disapprobation. He insists that we shall go back to the cause of the strike, as he alleges, the difficulty between Pullman and his men, and arbitrate that, when everybody knows we have got far beyond that transaction for the present. It is as futile, it is as foolish, as if some one coming from the caves of the past when the battle lines were drawn at Gettysburg had insisted that the impending conflict should be delayed until Meade and Lee could have argued out between the lines the question of the rights of slavery in the Territories.

Mr. President, the people are interested in this controversy—and by "people" I mean the entire body of the American people. I do not mean that segment of the people who, acting under delusion, have sought by force to overthrow not only the functions of civilization and intercourse, but also the rights of all the other people and the very existence of government itself.

The Senator from Kansas says that these instrumentalities of commerce and government should be controlled by public officers; and in that I agree with him to a certain extent. Are they controlled by public officers in Chicago now? Can the United States marshals execute the process of the courts? Can that great function of interstate commerce, that great system of railroads upon which the people depend for commerce, for everything which beautifies and adorns and makes enduring our civilization, and upon which the messengers of commerce come and go like the angels whom Jacob saw upon the ladder of his dream—can that be carried on, and is it carried on now, with the best aid of the public officers of this country?

Not at all. They are impeded in Chicago, at Hammond, and surrounding places by riots which have grown into insurrection, disturbing the stability of the Government itself, and drawing from the lips of the Senator from Kansas the expression of the opinion that now is the time to annihilate the legislative and executive departments of this Government and to change its form into that of its prototype, the Committee of Public Safety during the Reign of Terror in the days of the first French Revolution.

This whole proceeding, which has grown to a movement which I have inadequately described, has come from the illusion that a fraction of society, useful in itself, of course, and indispensable, I admit, can by force dominate every other portion of the body politic.

Mr. President, what is society? It is all the members thereof taken together. The railroad employés of this country number some five or six hundred thousand men, perhaps, indispensable, useful, valuable citizens in ordinary times, when not misled, but, compared with the great mass of the American people, how few they are in number! Why will they not learn and why will not their self-appointed teachers teach them the doctrine of community of interest and interdependence of all upon the whole?

Does anybody suppose that by burning cars, destroying property, disturbing security, wrecking credit, taking life their means of employment are to be increased hereafter? They are destroying everything from which they derive their employment; the very thing which they, so much to their credit, have helped to upbuild, it is true, an act of which they would have never thought unless it had been for the self-appointed dictators who have placed themselves at the head of their organizations.

People prate about liberty, and define that liberty as the liberty of the particular class they are speaking for. The only liberty worth having in this country is the equal liberty of all men alike. Liberty in its philosophical and common-sense definition consists in that right of each individual to exercise the greatest freedom of action up to, and not beyond, that point when it impinges upon the like exercise of freedom of action of every other man. Beyond that it is the destruction of the liberty of the weak by the strongest, a subversion of the very theory of a republic, and a return to primeval anarchy on the one hand, or, as an alternative, to despotism on the other.

Mr. President, this boycott business—not a little incidental boycott in some little community, which, while it works great local inconvenience, works no particular harm in general—but a universal boycott is spoken of as something perfectly feasible and perfectly justifiable, to be put in force in the operations which are now going on. All men may stop work, all men of a certain class may stop work, and the Senator from Kansas calmly depicts here without a word of censure or disapproval, without a single temperate admonition to the men who are looking to him for leadership, the terrible and disastrous consequences of that step.

Mr. President, suppose in the course of time it should come to this, that one class of men should declare a boycott and thereby greatly inconvenience all society; suppose laboring men or professional men, physicians, or any indispensable class of society should declare a boycott upon the rest; suppose that in the imagined case the butcher, the baker, the farmer, and the grocer should in turn declare a retaliatory boycott upon those who had declared a boycott upon them, how instantaneously they would rise, and justly rise, in condemnation of such an act as that? These gentlemen, who do not now see beyond the narrow verge of the horizon that girts them in, would rise in condemnation of such an act of intolerable tyranny, oppression, and cruelty.

Now, let us look a little at this revolt. It is a most severe affair; but when we look at it calmly it does not extend much out of Chicago. Its significance and power consist in the fact that it has seized a vital point there; but throughout the rest of this country, with exceptions not worth mentioning and which do not affect the general situation, the tide of commerce goes on evenly and temperately until it reaches the barrier at Chicago. There is some disturbance on the Pacific coast, but nothing to warrant the declaration of the Senator from Kansas in this connection that he speaks for the people, especially when it is considered that the people, through every avenue of public communication and by private letter—by telegraph, in the public press, and through the pulpit—are crying aloud in denunciation of this most wicked, monstrous, and cruel attack upon every function of our civilization.

The Senator from Kansas talks about putting this matter in the hands of the people. The people have taken this matter into their hands, through the constituted authorities, in order to take it away from those whom he calls the people, who are acting in violation of law and in rebellion against the constituted authorities and the Government of the United States. This matter has been taken by and it will remain in the hands of the people in the highest sense—the people of a free country who, having secured to themselves the enjoyment of a liberty regulated by law, which guarantees to each man the same rights that another has and no more, propose to perpetuate that liberty to their children.

Mr. President, who has conferred this authority upon Mr. Debs? Where is his patent of right to say to the city of Chicago that it shall not be fed, to say to the people of the Northwest that they shall not leave their homes, or that they shall not be able to get to their homes if they are away? What signature is subscribed to that patent of popular right or of popular consent?

No, Mr. President, this Masaniello of a day, drunk with power, has unloosed agencies which he can not chain, has set at work destructive forces which he can not recall; his own disciplined men have gone beyond his control, and it is a notorious fact that their violent action has called from the caves and dens of Chicago the professed criminal, the idly vicious, the anarchist. Everybody who is conspiring to put down modern civilization is now moving under the mask of this strike and taking life and destroying property in its name.

The VICE-PRESIDENT. The Senator from Minnesota will please suspend. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, the title of which will be stated.

The SECRETARY. A bill (H. R. 6016) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1895.

Mr. BLACKBURN. I trust that the Senate will allow the Senator from Minnesota to proceed, and when he has finished I shall take the floor to proceed with the unfinished business.

The VICE-PRESIDENT. Is there objection? The Chair hears none, and the Senator from Minnesota will proceed.

Mr. DAVIS. Mr. President, the Senator from South Dakota [Mr. KYLE] introduced into the Senate the other day a resolution, the substance of which is that no process, civil or criminal, shall issue from any court of the United States in regard to acts affecting interstate commerce by the obstruction of trains, unless such acts involve the delay of the mails, and that the detaching of Pullman cars from any train shall not constitute an offense. At the time that resolution was introduced interstate commerce was arrested at Hammond, Ind., it was in collapse at Chicago, and freight and common passenger cars and Pullman cars were being destroyed in that city. The meaning of that resolution is that while these acts were flagrant and being committed, the United States was to be called upon to make itself an accessory to the crime while it was in the act of perpetration.

Mr. President, consider the importance of the relations of this Government to interstate commerce. A clause in the Constitution, contrived by the wise foresight of our forefathers, has become efficacious and widespread in its operations a hundred years after it was framed. In the progress of invention, the canal and afterwards the railroad superseded the slower methods of internal communication. The Mississippi River has ceased to be a factor of any considerable importance, except as a regulator in interstate concerns, and the Great Lakes have receded to a subsidiary position.

The railroads of this country, 176,000 miles in length, belting this land, and laid over it like a network of iron, an armor of defense, are the daily convenience and the indispensable necessity of every man, woman, and child in the United States, and this movement is aimed at this great instrumentality, this great necessity, this indispensable convenience of our civilization, necessary to support life, to move troops, to move supplies, to carry on the Government itself—this strike is thus aimed, that has grown from a strike to a boycott, and from a boycott to a riot, and from a riot to an insurrection, and has suspended and paralyzed the powers of this Government in the second city of the Union.

And by what acts? Tearing up the tracks, derailing locomotives, overturning cars across the tracks, burning them, robbing

trains of provisions, disarranging switches, all with the result of the loss of human life; and yet the resolution of the Senator from South Dakota proposes to take away from the United States courts the power to follow, repress, or punish these flagrant offenses against everything which goes to make up civilization and security.

The effect of that resolution as to any Territory of the United States or as to the District of Columbia would be that if any such act there committed, where the United States has ample and plenary jurisdiction, should result in death, constituting murder at common law or under the statute, no warrant of the United States courts could issue, no indictment could be found, no judge or jury could try the criminal.

Mr. President, the sea, the Great Lakes, the rivers, everything within the admiralty jurisdiction of the United States, were once the main instrumentalities of commerce, and there is a stringent code of laws applicable to them and to the ship, as security for persons and passengers and the means of conveyance. I say here, without fear of successful or even attempted contradiction, that if any one of the acts which have been perpetrated in Chicago in the last ten days against persons and property of this great means and necessity of land communication had been perpetrated upon the waters within the admiralty and maritime jurisdiction of the United States those acts would have been piracy and punishable with death, under the statutes of the United States.

In the eye of reason, humanity, and common sense the acts which have been perpetrated at Chicago, involving the safety of a great city, not as on shipboard the safety of a single vessel or those who are in it, constitute a much more flagrant offense than any piracy which is defined by the statutes of this country or by the law of nations.

The authority of the United States can not be denied, Mr. President. Within the limitations of the Constitution it is supreme. The duty of the President of the United States is to see that the laws are faithfully executed; the duty of the courts is to declare those laws and their consequences, and to execute them through their process. Those limitations are plainly drawn and settled, not only in the original instrument, but by comment after comment in recorded decisions. Why should the hand of the Government be kept off these insurgents under the circumstances? Is the interstate commerce of this country to be held in suspense and paralyzed, property destroyed, food cut off, conveniences taken away, necessity thwarted, until some remote disagreement as to wages between a private corporation and its employés can be adjusted? Is there any such reserved right as that to any of the citizens of the United States, or is it the mere usurpation of a mob, commencing in riot and tending towards anarchy?

Speaking of the people of the United States—a large, mouth-filling phrase, that we have heard so often here—let us consider a moment that there are 5,000,000 farmers in the United States. Five million farmers and their families, constituting 45 per cent of the population, are engaged in agricultural pursuits. I suppose, Mr. President, if anybody is entitled to be distinctively called "the people," the bone and sinew of this country, it is the farming population. They supply the great cities. They represent the land; without them the country would be nothing. They have been its invulnerable and loyal arm of defense in all times of peril.

How are they affected by this strike of that segment of the people in Chicago? Have the farmers of this country called out to have commerce stopped until the question of wages can be settled between a few employés and a company constructing cars? Has any Illinois, or Minnesota, or Wisconsin, or Iowa farmer cried aloud for this remedy and been ready to pledge his life, his fortune, and his sacred honor until the desired end can be brought about? Not one. How has it affected them? How does it affect the constituents of the Senator from South Dakota or the constituents of the Senator from Kansas? They can not market their wheat if this thing continues; they can not market their wheat to-day.

The early product of the farms of Illinois, the fruit, the early vegetables, have been rotting throughout the fields. The early fruitage of California has become a crop perfectly valueless under existing conditions. The beef of the country can not be marketed in New York or Washington. It is rotting in Chicago, and prices rise to the people. Mothers go from place to place in the city of Chicago seeking for milk for their children, and can scarcely find it.

I say, Mr. President, that no interest in this country is stricken such a deadly blow by this cruel, remorseless, unreasonable, merciless, and finally treasonable attack upon the liberty of the American people as the farming community of the United States; and they will find it out some day by the stern logic of events teaching them the lessons which I have endeavored to impart. It will not be necessary for them even to learn that lesson by experience to array them, as they always have been arrayed, on the side of law and order and the perpetuity of this Government.

I said, Mr. President, that this strike was comparatively local; and so it is. It is at a vital point, it is true, but that it is widespread is not true; and I do not believe it will be. The laboring men of the great States of the East are not engaged in it. South of the Potomac and the Ohio law and order reign supreme. I am ashamed as a Northern man to invite the contrast, but it is true; and if the time shall come for the strength of this nation to be put forth to put down the rising tide of anarchy which threatens to submerge the city of Chicago, the nation can call with equal confidence upon the people of the South and of the North for that purpose.

Do not people realize that the Constitution itself is upon trial and that the country itself is in danger? The military power, the last resort in a free government, has necessarily been called into action. The President of the United States, to whom is committed the commandership of the Army and the Navy in the execution of the laws, has declared the danger by a proclamation which every citizen is bound to respect. He says, "I have sent the troops there;" the Senator from Kansas says, "Take them away." What shield does the Senator propose to interpose between the innocent people of Chicago and their property and the men who to-day are only held in awe and suppressed by the presence of troops, if they are taken away? Can Debs recall the force that he has unloosed? He can no more do it than by word he can reconstruct the burned cars or give back life to those from whom it has been taken away as the result of his operations.

Mr. President, I desire to read as a portion of my remarks an editorial from the New York Sun of this morning, instinct with patriotism, in which that paper suspends its consistent opposition to the President of the United States, in view of the great and pressing emergency which is now upon us. The writer expresses in language better than I can command what the duty of every American citizen is in this emergency:

> The Government at Washington lives, and the people of the United States are behind it, sixty-odd millions of them, anarchists and fools not reckoned. The representative and executive of the nation's authority, majesty, and power is President Cleveland. He stands at this moment for all that loyal Americans live for, hope for, are. That he stands firm to his obvious duty no man can now doubt. The Administration is doing its duty with respect to the people, and the people must do their duty with respect to the Administration. The color of a citizen's political opinions is of no more consequence at such a time than the color of his eyes or hair. As a citizen, as an American, he owes first of all his unqualified, unquestioning, unlimited support to the chosen man who took into his hands on March 4, 1893, the responsibility for the administration of the nation's laws, and swore then to turn the Government over to his successor as he found it.
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> Whatever may be the immediate turn of events, President Cleveland and his Cabinet advisers confront a crisis in the nation's history. How or why that crisis has arisen is not the question. How it shall be met is the matter that concerns the sixty-odd millions behind the President and the government at Washington. In half a dozen States of the Union to-day men occupy the governor's chair who are no more fit to be there than Debs or Johann Most. The United States Constitution guarantees to the citizens of every State the privileges and immunities of citizens in the several States. It guarantees to every State a republican form of government. One of the privileges of American citizenship is to live under law, not anarchy. One of the immunities of American citizenship is immunity from lawless violence. A republican form of government in any State is not government administered by a coward, an anarchist, or a governor in sympathy with anarchy and its objects. Questions of jurisdiction and verbal conflicts of Federal with State authority are bound to arise in any great public emergency involving the exercise of both Federal and State authority. They are technically interesting, as they were in the early months of 1861.
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> There is ample power in the government at Washington, under the Constitution and laws of the United States, to preserve the institutions of this country against mob, insurrection, or rebellion. The power is not that of any one man, or of any small council of men; it is the might of a great and indestructible nation. We believe that it will be exercised, as it should be exercised, to any extent that may become necessary, with humane prudence and moderation as far as possible, but in any case with unyielding firmness and unremitting vigor. The President's proclamation is a draft at sight upon the loyalty and patriotic support of every loyal and patriotic American. In continuing to perform the perfectly plain duty now thrust upon him as the nation's chief magistrate, President Cleveland should have something more than the half acquiescent, half critical countenance which approves the main purpose, but watches sharp for minor breaks and mistakes. He should have just that sort of support which we all owe to the flag when it is held up as a signal for Americans to rally to it.

The Senator from Kansas cited the common law, that a nuisance may be abated—abated by force. What is Mr. Debs? Does he fall within the definition of a nuisance, or is his office more comprehensive? Is the power of the State or of the individual greater against a mere nuisance than it is against an agency which threatens the very destruction of the Government?

In contrast with the article which I have just read let us hear what Mr. Debs is reported in a morning paper to have said:

> President Debs, in speaking of the situation to-night, said: "The Pullman Company is certainly responsible for any blood that may flow from now on. If honest labor is not entitled to recognition, the worker can not be blamed if he tries to commit some acts of violence against the man who spurned him."

Will the Senator from Kansas indorse that?

Mr. Debs continues:

With 100,000 to 150,000 idle men in Chicago, and capitalists spurning them, bloodshed will follow. But we are now out of it. The blood is on the heads of the Pullman officials."

This is a distinct threat of bloodshed by the leader of this movement, who had previously attempted to enter into negotiations with the President of the United States by communication addressed to him, and who exults in his power, and yet the Senator from Kansas has not uttered one placating word tending to call off asingle man from these acts of violence and bloodshed.

The Senator from Kansas took occasion to bring into this debate the ministers of the Christian religion here in Washington who have preached the gospel of law, order, and peace, and to teach them their duty from a loftier plane than he conceives them to occupy. He wishes to introduce into the church a Christianity from without, to revive its spirituality and restore it to its pristine apostolic purity.

Mr. President, the Senator from South Dakota is also a minister of the Prince of Peace on earth and good will towards men. He is here as a Senator, and before the public he is an evangelist of the meek and lowly Nazarene. He is the author of the resolution to which I have adverted, making lawlessness lawful and murder unpunishable under certain circumstances in any court where the United States has jurisdiction.

I do not believe his heart or his head conceived that resolution, or that either approves it. I would adjure him to withdraw it from the consideration of the Senate in the interests of humanity and good government. I would ask him to take that bomb from the Clerk's desk whereon he has laid it; but if through pride of opinion, or mistaken sentiment, or incapacity to see the right, he should refuse, I say to him that he has attempted to inflict upon the body of the Commonwealth a wound as deadly as that given by the dagger of Santo.

Mr. President, these are troublous times. The time will come in the new order of events when these matters will be satisfactorily arranged, for this Republic has always been adequate to every emergency, and these disturbing questions between capital and labor—and they exist with strong equities in them, I admit—will be settled. I think that time is now upon us. But they will not be settled as the result of any such proceedings as those against which I speak to-day. Something more than capital, for which I care nothing; something more than the wages of the laboring man, for whom I care much; something more than a railway corporation, for whom I care nothing, is at stake here. National existence is at stake.

It is the very condition of the existence of republics that they are subject to continual attacks from within and require continual assistance from their citizens to perpetuate themselves. That is the meaning of the maxim that "Eternal vigilance is the price of liberty." Kings, like Saturn, devour their children. The children of republics devour their parent. That attack is nearly always from within. France is subject to it to-day; the short-lived Republic of Spain succumbed to it; the Republic of Mexico fell, and only rose again when it shed the blood of an immolated monarch upon its plains; Switzerland survives, exempted by its geographical position, as a barrier of ice between contending nations, and sits like an eagle upon her nest above the clouds.

The same dangers and difficulties environ this Republic, and they are upon us now. It is not a mere question of disagreement or dissension. The ship of State, which two weeks ago was floating securely and proudly through untroubled waters, is now buffeted by contrary winds and is driven headlong over the waves of an exasperated sea.

I have not said a word about parties in this discussion. I shall expect the Democrats, the Populists, and the Republicans to join hands in this emergency, which Mr. Debs and those who are acting with him proclaim to be of supreme and perilous exigency to the Republic, and which the Senator from Kansas asserts demands the dissolution of the most important functions of this Government, to the end that a secure and peaceful rest may be attained at last, to accomplish which the best efforts of the legislative department of this Government, and of all departments, will be bent to bring about the only solution of these difficulties which possibly can be attained.

Mr. BLACKBURN obtained the floor.

Mr. GORDON. Will the Senator from Kentucky yield to me for three minutes?

Mr. BLACKBURN. I will, Mr. President.

The VICE-PRESIDENT. The Senator from Georgia.

Mr. GORDON. Mr. President, the Senator from Kansas [Mr. PEFFER] closed his somewhat extraordinary speech by an assault upon the two leading political parties of the country as responsible for the present unhappy conditions and by an appeal in the interests of another party.

Sir, at a time like this, when the peace of great communities is not only threatened, but broken; when the law is openly defied; when the hitherto quiet homes of a great central city, and its orderly, industrious people are threatened with blood and fire and terror; when great communities are looking in every direction for some escape from the alarming conditions which surround them; when our very civilization, not to say the form of government under which we live, is heaving under the mighty ground-swell of a great agitation, it seems to me that any representative on this floor has descended very far from the lofty plane of statesmanship and of patriotism when he stands at such an hour to appeal for party.

Sir, what matters it now whether we be Republicans or Democrats or Populists; what matters it to any lover of his country and of his whole country at such an hour whether this or that party be in power; what matters it on which side we stood in the mighty and bloody conflict of the past? If we would save our country from anarchy we must stand now shoulder to shoulder for the enforcement of its laws, for the preservation of its peace, the support of its dignity, and the perpetuity of its freedom.

I do not wish to speak on a subject like this from a Southern standpoint. I shall not. It matters not whether these calamities threaten Western or Eastern, Northern or Southern cities. The situation which confronts us involves not only labor and law and personal liberty, but the life of the Republic itself.

Our system is to govern through representatives chosen by the people, who make the laws which are declared and enforced through the orderly processes of courts of justice; and whenever the people fail to support the law the Government fails. We have no government except that recognized and upheld by the free will of the people.

Our Government was ordained by the people to protect property, public and private; to protect popular rights, among which is the right of the laborer to sell his labor at such price and in such employments as he pleases, and whenever that right is invaded it is a blow at personal liberty, and not only threatens the principles which lie at the foundation of our institutions, but is an inauguration of a system of slavery never known in the past history of the country.

There was a time when the Southern master had the right to order his slave to desist from labor, but that day has passed. The institution to which that right attached was recognized in the fundamental law of the land, and the master ordered the slave according to law. That institution has gone down in revolution. Liberty and the rights of organizations involve no such power or privilege as that now assumed, to force others to desist who wish to labor. Such a claim is so utterly abhorrent to our American ideas that it is impossible to treat it with any patience.

Standing in this lawmaking body and considering the lawbreaking mobs at Chicago, I recall, with some misgivings I confess, that woeful prophecy of Lord Macaulay, that in some great public upheaval, like that which confronts us, this free Republic would either lose its civilization through mob law or in putting it down by the strong arm of power would lose its liberty. Sir, I do not believe that prophecy; but if such doctrines as we have heard on this floor this morning are to become popular among us, well may we pause and consider whether Macaulay's prophecy may not yet be realized.

I prefer to agree, however, and I do agree with the great Gambetta of France, that at such times the liberty-loving people of this country, without distinction of party, would unite and save the Government, however they might differ about its policies. These lawbreakers will so find it, Mr. President. The day is not distant, it is upon us now, when they will realize this truth. There will be no divisions among us when the constituted authorities call upon the people. Their response will ring through the land as a warning to those who defy the laws. The men who wore the gray from 1861 to 1865, under strong convictions, will be found side by side with the men who wore the blue, following the same flag, in upholding the dignity of the Republic over which it floats, and in enforcing every law upon its statute books. [Applause on the floor and in the galleries.]

The distinguished Senator from Minnesota [Mr. DAVIS] said truly that among the strongest and most conservative classes of our people were the farmers. I belong to that class: I am a farmer, and, as one of their representatives, I wish to say that south of the Potomac River you will not find one farmer, be he white or black, who will not rally to the cause of law and of order and to the support of this Government in all its constitutional rights and powers, upheld by the constitutional authorities whom the people have elected.

Mr. President, let me close with the declaration that my deepest sympathies are enlisted for the suffering masses of this whole land. I heartily wish that these labor troubles could be peaceably settled and that bloodshed could have been avoided; but I

feel impelled to add that the blood which has been shed or may yet be shed is nothing as compared to the value of this Republic, and that the sons of the men who established it will save it, whatever may be the cost. [Applause on the floor and in the galleries.]

The VICE-PRESIDENT. The Chair desires to remind occupants of the galleries that demonstrations of applause can not be permitted under the rules of the Senate. The Sergeant-at-Arms will see that order is preserved in the galleries.

SUPPRESSION OF LAWLESSNESS.

Mr. DANIEL. I submit a substitute for the resolution offered by the Senator from Kansas [Mr. PEFFER].

The VICE-PRESIDENT. The proposed substitute will be read.

The Secretary read as follows:

Resolved, That the Senate indorses the prompt and vigorous measures adopted by the President of the United States and the members of his Administration to repulse and repress by military force the interference of lawless men with the due process of the laws of the United States, and with the transportation of the mails of the United States, and with commerce among the States.

It is within the plain constitutional authority of the Congress of the United States "to regulate commerce with foreign nations, and among the several States, and with the Indian tribes;" "to establish post-offices and post-roads;" and to ordain and establish inferior courts; and the judicial power extends to all cases in law and equity arising under the Constitution and laws of the United States.

It is the duty of the President under the Constitution to "take care that the laws be faithfully executed," and to this end it is provided that he shall be "Commander-in-Chief of the Army and Navy of the United States, and of the militia of the several States when called into the actual service of the United States."

It is treason against the United States for a citizen to levy war against them, or to adhere to their enemies, giving them aid and comfort.

Those who combine to use force to assail or resist the constituted authorities of the United States, civil or military, should be warned of the magnitude of their offense; and those who earn honest bread by honest toil can do nothing more detrimental to their interests than to show them any sort of countenance in their lawless course.

The action of the President and his Administration has the full sympathy and support of the law-abiding masses of the people of the United States, and he will be supported by all departments of the Government and by the power and resources of the entire nation.

Mr. DANIEL. Mr. President——

Mr. BLACKBURN. I do not yield the floor if it be the purpose of the Senator from Virginia to ask for the present consideration of the resolution, because it would inevitably lead to debate.

Mr. DANIEL. I will not do so.

Mr. SHERMAN. I should like to have the resolution read again. I think it is so acceptable that I hope we will pass it.

The resolution was again read.

Mr. DANIEL. Mr. President, I had hoped that such a resolution as this in a time of public peril like that which now confronts us would pass the Senate without objection, without delay, without debate.

There are some things which go without saying, and it should go without saying that this is not a matter on which parties may fairly divide. He who brings in the name of party in a partisan sense, whether it be Republican, Democratic, or Populist, forgets due recognition of his duty as a patriot.

In this resolution I have simply summarized the provisions of the Constitution which bear directly on the existing situation, and which point the pathway of duty to the President; and I have given expression to that sense of approbation of his course which pervades all classes of thinking and patriotic citizens.

I am a States rights Democrat, who would not like to see the muniments of local self-government overridden. But I am also a national Democrat, who would not like to see the muniments of national authority and national safety destroyed.

Anarchy is no remedy for anything. It intensifies every evil that exists. It impedes every remedial process. It should be stamped out wherever it shows itself.

The President is Commander-in-Chief of the Army and Navy. He has the plain right, and it is his plain duty, to employ them whenever and wherever the Constitution and laws of the Federal Government are forcibly resisted by combinations of men.

The establishment of post-offices and post-roads and the transportation of the mails through and by them is a Federal matter. Commerce among the States—interstate commerce, as distinguished from local intrastate commerce, is a Federal matter.

The due process of law in the Federal courts is a Federal matter. And in all three of these matters the President, having imposed upon him the constitutional obligation to "take care that the laws be faithfully executed," has the right to use the Army and Navy to that end, and to oppose force by force.

I am the friend, and have often been the champion, of those who work for their daily bread. My sympathy is with them. But they can have no lot or share with anarchists, the destroyers of property, the destroyers of life, the breakers of law, the enemies of peace, order, and civilized existence. They have no place in the ranks of incendiaries, and they have no enemy who can be so fatal to their every interest as those who seek to fire them into defiance of law.

The President is right in dealing promptly with lawbreakers. He ought to be upheld and cordially, and unstintedly supported here, as he will be throughout this land, by upright and law-abiding citizens.

Sections and parties disappear in the face of society imperiled. We should know only the country, the Constitution, and the laws; and, as the President says, in such an emergency discussion may be well postponed. Peace, order, and obedience to law are the conditions precedent to discussion; with them assured, grievances will be heard, rights protected, and wrongs redressed.

Mr. SHERMAN. I hope we may have a vote on this resolution immediately.

Mr. MANDERSON. Let us vote.

Mr. BLACKBURN. I am entirely willing to vote, provided the resolution does not provoke debate.

Mr. STEWART. Mr. President——

Mr. BLACKBURN. If there is to be any debate, I decline to yield.

Mr. HALE, Mr. HUNTON, and others. Let us vote.

The VICE-PRESIDENT. The Senator from Nevada has addressed the Chair.

Mr. STEWART. Mr. President, before a vote is taken upon the resolution of the Senator from Virginia or any question related to the present condition of the country I think we ought to view the object lesson presented. I concur with all that has been said with regard to the absolute necessity of the enforcement of law. Upon that question there can be no difference of opinion. But grave difficulties confront us. We are confronted by a situation more grave and threatening than any which has been presented before in the whole history of the Republic.

It is stated on all hands that wages must be reduced; that they must be reduced to meet a narrower and still narrower basis of circulation and trade; and that prices must continue to fall under the present conditions. What does that mean? The reduction and continuous reduction of wages in this country means a continuous struggle between the Government and the people—a contest which must bring misery to every household. Is it possible that there is no relief, that no remedy can be devised to stop the fall of prices and the necessary reduction of wages?

Falling prices and lower wages mean a lower civilization and harder conditions. The history of the world tells us that when wages fall the people approximate to a condition of slavery. Look at the condition of the people of the various countries of the globe. We find where wages are lowest the people are the most ignorant and degraded. The wages of 600,000,000 people now living on the globe average from 1 cent to 6 cents a day. I know no better criterion of the condition of civilization than the rate of wages paid. While the United States was able to pay the best wages of any country in the world we were the proudest and happiest people in the world; but if the wages of this country must be reduced, not to the Asiatic basis of from 1 to 6 cents a day but to the European basis of from 50 to 60 per cent lower than the basis of this country, a fearful struggle awaits us.

In making war upon labor, which the present laws require, we shall be putting free institutions to a test more severe than the civil war, more severe than anything which has preceded.

I beg Senators here and now to think of the contest that is before us. In the next twelve months under present conditions wages must be reduced at least 50 per cent. After having enjoyed the advantages of high wages and prosperity and means of educating their children, it is hard for the people to meet the sudden and direful change which is now necessary under existing laws. Is it not possible for us to relieve the people from this destiny and to take the bitter cup from their lips?

Business is stagnant and must become more so. Men will not engage in enterprise with falling prices. The money of the country is congested in the money centers. It is congested in the banks. Nobody wants to take it out, and why? Because investments in property have been disastrous; because the prospect of gain in business is destroyed; because the opportunity of the youth of the land to acquire wealth and prosperity is gone; because nothing but disaster stares us in the face. If we attempt to put the money in use it will not be used under present conditions; it will be hoarded and monopolized and used for the purpose of wrecking what is left.

If it were known now that twelve months from to-day there would be an abundance of money in this country the money would leave your banks and be invested in property, because everybody would know that property would go up, that industries would be revived, and that strikes would cease. Then you would have no necessity for armies; you would have no necessity for harsh measures. If you will make the people prosperous they will

trample down anarchy, as they have always done. Anarchy can not live among a prosperous and happy people. It is only in distress, where the body politic is decaying, that anarchists can live and prosper. It is owing to the misery of the people that they can not grow and prosper. Stop anarchy by giving the money of the people back to them. You have destroyed the money of the people. Give it back and let them prosper and you will have no occasion for resolutions like the one before us.

It seems to me with this object lesson before us we ought not to sit idly by and let our institutions, which are in infinite danger, be destroyed. This strike will be put down by the strong arm of the law, and it must be put down; but other strikes will follow as the iron hand of contraction reduces prices and reduces wages. Discontent and misery have taken the place of happiness and prosperity. Stop it. Give back to the people their money and you will have no use for soldiers.

Mr. BLACKBURN. Mr. President——

Mr. GRAY. Mr. HALE, and others. Let us vote.

Mr. BLACKBURN. If we can have a vote I will yield.

Mr. GALLINGER. I ask that the resolution may go over under the rule.

Mr. SHERMAN and Mr. MANDERSON. Oh, no.

Mr. BLACKBURN. What is the request of the Senator from New Hampshire?

Mr. GALLINGER. I ask that the resolution may go over.

The VICE-PRESIDENT. The resolution will go over under the rule.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed the following bills:

A bill (S. 1045) to authorize the Secretary of War to donate four obsolete gun-carriages to the city of Marshalltown, Iowa;

A bill (S. 1105) for the relief of Albert E. Redstone; and

A bill (S. 2070) to provide for the restoration to the State of Michigan two flags carried by the Twenty-second Michigan Infantry Volunteers and now in the War Department.

The message also announced that the House had passed a bill (H. R. 6415) to provide an immediate revision and equalization of real estate values in the District of Columbia; also to provide an assessment of real estate in said District in the year 1896 and every third year thereafter, and for other purposes; in which it requested the concurrence of the Senate.

POST-OFFICE APPROPRIATION BILL.

Mr. BLACKBURN. I ask that the post-office appropriation bill be proceeded with.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 6016) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1895, which had been reported from the Committee on Appropriations with amendments.

Mr. BLACKBURN. I ask that the formal reading of the bill be dispensed with and that the amendments of the Committee on Appropriations be considered as they are reached in the reading of the bill.

The VICE-PRESIDENT. The Chair hears no objection, and the course suggested by the Senator from Kentucky will be pursued.

The Secretary proceeded to read the bill. The first amendment of the Committee on Appropriations was, on page 1, line 8, under the head of "Office of the Postmaster-General," to strike out "eighteen" and insert "nineteen," before the word "thousand;" so as to make the clause read:

For advertising, $19,000.

The amendment was agreed to.

The next amendment was, on page 3, to strike out lines 19 and 20, in the following words:

For advertising at first and second class post-offices, $15,000.

The amendment was agreed to.

The next amendment was, under the head of "Office of the Second Assistant Postmaster-General," on page 3, line 25, after the word "routes," to insert "including temporary service to newly established offices;" and on page 4, after the word "dollars," to strike out "of which sum $30,000 shall be used under the direction of the Postmaster-General in supplying temporary service to newly established offices in cases where the establishment of star routes is contemplated;" so as to make the clause read:

For inland mail transportation, namely: Inland transportation by star routes, including temporary service to newly established offices, $6,000,000.

The amendment was agreed to.

The next amendment was, under the head of "Office of the Fourth Assistant Postmaster-General," on page 8, after line 3, to insert the following paragraph:

For payment of rewards for the detection, arrest, and conviction of post office burglars and robbers, $10,000.

The amendment was agreed to.

The reading of the bill was concluded.

Mr. SHERMAN. I move an amendment to come in on page 6, after line 8.

The VICE-PRESIDENT. The amendment submitted by the Senator from Ohio will be stated.

The SECRETARY. On page 6, after line 8, insert:

For necessary and special facilities on trunk lines from Cincinnati to Atlanta and from Cincinnati to Cleveland, $100,000: *Provided*, That no part of the appropriation made by this paragraph shall be expended unless the Postmaster-General shall deem such expenditure necessary in order to promote the interest of the postal service.

Mr. BLACKBURN. The bill carries an appropriation of $196,614.22 for special mail facilities on trunk lines from Springfield, Mass., via New York and Washington, to Atlanta and New Orleans. At the conclusion of that paragraph the Senator from Ohio now proposes to insert the amendment which has just been read by the Secretary appropriating $100,000 for special mail facilities from the city of Cincinnati.

Mr. CULLOM. Both ways—to the South and to Cleveland.

Mr. BLACKBURN. Both ways. That necessitates me to submit an amendment, which I ask may be read.

The VICE-PRESIDENT. The amendment proposed by the Senator from Kentucky will be stated.

The SECRETARY. After the first paragraph on page 6 insert:

For necessary and special facilities on trunk lines from Louisville to Nashville and to Memphis, $100,000: *Provided*, That no part of the appropriation made by this paragraph shall be expended unless the Postmaster-General shall deem such expenditure necessary in order to promote the interest of the postal service.

Mr. SHERMAN. I have no objection to that amendment. Let both amendments go into conference.

Mr. BLACKBURN. I am entirely content.

Mr. CULLOM. I desire to inquire of the Senator from Kentucky, who has charge of the bill, whether either of those amendments has been considered in the Committee on Appropriations.

Mr. BLACKBURN. I would answer the senior Senator from Illinois and say yes, but neither of them has been recommended by that committee. I would say further that there is no estimate made for any special mail facility fund by the Department, and further, that two years ago the Postmaster-General officially communicated to Congress his opposition to any appropriation for this purpose on any line. Both the amendment offered by the Senator from Ohio and the amendment submitted by me were subject to points of order, but I did not choose to raise the point of order on his amendment. I am entirely content, as the Senator from Ohio suggested, to let the amendment go into conference.

Mr. SHERMAN. The three propositions.

Mr. BLACKBURN. The other House inserted a paragraph appropriating $196,000 for the eastern system of railways. I do not wonder that the Senator from Ohio felt that the central system of railways could answer a better purpose and is more thoroughly entitled to this consideration than what is comparatively a coast line system. What is true of the railway system his amendment represents is equally true of the largest railway system south of the Potomac River which is represented by the amendment I have submitted, so that it seemed to me the suggestion of the Senator from Ohio was a good one and it was fair to let these three provisions go to a conference and there be considered and determined in the light of the necessities that exist and the promotion of the service that may be had. I am perfectly content to have that done. I am not here to defend any of them.

Mr. CULLOM. It would seem to me to be a little more in harmony with our duty here as Senators to determine in the Senate whether the amendments should be adopted by the Senate or not, especially in view of the fact that these questions have been discussed time and again heretofore both in the Senate and in the committee. The Senator from Kentucky has yielded the floor?

Mr. BLACKBURN. I yield to the Senator from Illinois with pleasure.

Mr. CULLOM. I desire to say that I believe a year ago this same subject was up, not on the proposition now submitted by the Senator from Ohio, but on the question of subsidizing particular lines of railroads for carrying the mails. There were before that time two lines receiving additional aid. I do not know whether it was done by the committee or in the Senate, but at any rate the result was that only one line was given an appropriation, the appropriation being, I think, $196.000.

Mr. BLACKBURN. That has been changed, as the Senator knows. It was the Coast line.

Mr. CULLOM. What is the line named in the bill?

Mr. BLACKBURN. Not what is known as the Coast lines

but the Richmond and Danville system. That is not the system which was originally the beneficiary of the special appropriation.

Mr. CULLOM. It is one line, however, to which the subsidizing business was reduced a year ago.

Mr. BLACKBURN. Exactly.

Mr. CULLOM. The line ran from New York or Boston down through along the coast, touching Richmond and other points.

Mr. HALE. The Atlantic line.

Mr. CULLOM. The Atlantic line, as it is called. I was a member of the Committee on Appropriations and of the subcommittee a year ago, and had the same charge of the bill then that the Senator from Kentucky has now. My judgment then was, and it is yet, that there should be no appropriation in the post-office appropriation bill for the line that is named in the bill or any other bill; but I found in the discussion of the bill last year that the line that was provided for finally seemed to be the popular line, and the appropriation was retained for the line as designated.

I have taken a little pains this morning to look up the subsidizing business as well as I could in reference to mail lines. The policy of appropriating for trunk lines was begun in 1877, as near as I can ascertain, by a provision authorizing the President of the United States to "appoint a commission of three skilled and competent persons, who shall examine and report to Congress at the commencement of its next session such rules and regulations for such transportation and rates of compensation therefor as shall, in their opinion, be just and expedient," etc.

I think that probably the appropriation bill in which that provision is found resulted in the beginning of special appropriations by Congress for trunk lines. I find that in the appropriation act of March 3, 1877, it was provided that $150,000 of the sum appropriated, being $9,000,000 and over, might be used by the Postmaster-General to obtain proper facilities from the great trunk lines of railroad for the railway post-office service during the fiscal year ending June 30, 1878.

That was the first appropriation I have been able in the time I had at command to find in the appropriation acts. Appropriations have been made successively every year since for trunk-line service. I find it was provided in the appropriation act of 1880 that the sum of $350,000 might be used by the Postmaster-General to maintain and secure from railroads necessary special facilities for the postal service for the year ending June 30, 1881. So the appropriations went on from year to year. In the next appropriation act, in 1881, I find that for necessary and special facilities on trunk lines $425,000 was appropriated, and so far as I can see, the money seemed to be left in the hands of the Postmaster-General to subsidize whatever line called a trunk line he might see proper to spend the money upon. So in 1882 I find the following item:

> For necessary and special facilities on trunk lines, $600,000, said facilities to be extended as far as practicable to the principal cities of the United States.

I think that was the largest appropriation that has ever been made for this special purpose. Then again, in 1883, for necessary and special facilities on trunk lines $185,000 was appropriated. So the amount was very largely reduced. Then again, in 1884, for necessary and special facilities on trunk lines $250,000 was appropriated. So the appropriations run on in 1886, 1887, 1888, 1889, 1890, 1891, 1892, 1893, and 1894, nearly all of the items making appropriations without specifying the lines, until we come down to the last appropriation act. A year ago, or two years ago, perhaps, the then Postmaster-General recommended that all the appropriations for special facilities on trunk lines should be dispensed with. But the one line, as I said, has been retained.

I have read these items of appropriation to show what has been going on in the Government with reference to the matter, and to show that the true policy of the Government, in the judgment of the Postmasters-General, would be to get rid of the appropriations. As a matter of fact I do not believe they are of any particular consequence to the Government at all. The truth is that all the lines now running from New York to Chicago and from Chicago south, I think, and in all directions, are carrying the mails at as rapid a rate as they can be carried upon the trains. At any rate, there is no call from other portions of the country for these special fast mail facilities. But if the policy is to be retained at all, and the Government makes special appropriations for special lines, I do not see any particular reason why the line indicated by the Senator from Ohio should not have just as fair privileges as the one that is now recognized by statute.

Mr. SHERMAN. Mr. President, I see no objection whatever to appropriating even a larger sum than is contained in the pending bill for special service on these great lines. It is entirely left to the Postmaster-General. Unless he approves it, as a matter of course the fast mail service will not be put on the line. There are probably four great lines from the North to the South which ought to have special facilities. Already from the East to the West the mail is carried as quickly as it can be carried by the fast routes. The line along the seacoast has been protected for some time, and I have no desire to interfere with it. Then there is a line from Cleveland and Cincinnati south to Atlanta and New Orleans, connecting at New Orleans, which is very important indeed. It may be said also that from Louisville there ought to be provision made along the Louisville and Nashville road and so on to New Orleans. There is a line, I am told, already established from Chicago, by way of the Illinois Central, direct to New Orleans.

Mr. CULLOM. There is no subsidized line.

Mr. SHERMAN. No; these are not subsidized lines.

Mr. CULLOM. The Government is not paying a cent for the transportation of mails beyond the ordinary contracts except upon the Atlantic line, as it is called.

Mr. SHERMAN. I shall be perfectly willing to provide for those leading lines by giving the Postmaster-General a little latitude, so that he might, by paying a small sum in the course of the year, expedite the mails. I see no objection to it.

If these three propositions go into conference, the conferees can regulate the matter. I would not want to have any duplication in the lines. The Postmaster-General now has power under this provision either to decline service or to select the time.

Mr. CULLOM. I do not understand that the line is to be selected by him.

Mr. SHERMAN. He can reject it entirely.

Mr. CULLOM. I know he can reject it, but he is to be confined to a particular point.

Mr. SHERMAN. I have received from commercial bodies, North and South, from Cleveland clear through, prayers in favor of this amendment. I have sent them all to the Committee on Appropriations, and therefore the amendment is certainly in order. I think every chamber of commerce from Cleveland and Cincinnati, through Kentucky, and so on down, have sent us resolutions in favor of these fast mail lines, and urging that some provision be made for increased rapidity in the mail service.

Mr. BLACKBURN. I agree with the statement made by the senior Senator from Illinois, and I thoroughly indorse everything said by the Senator from Ohio, but I do not care to be misunderstood about this paragraph of the pending bill.

It is a fact that the Post-Office Department has never favored appropriations for special fast mail facilities. Two years ago the Postmaster-General protested in an official communication to Congress against any such appropriations of money, and insisted that they did no good, but did harm. There is no denying the fact that these are subsidies and that the roads which get the benefit of the appropriations are subsidized roads. I never favored a subsidy in my life and never expect to do so.

But all that the Senator from Ohio says is true. The other House passed the bill and it came to us carrying an appropriation of $196,000 for one system of railway. The Senator from Ohio has a perfect right to demand equal consideration and fair treatment for the system of railroad covered by his amendment. That line would, I am sure, render far more and broader service than the one embraced in the bill as it stands.

I feel that I am warranted in the amendment I have submitted. The Louisville and Nashville is the longest, the largest, and the most important system of railway south of the Potomac and the Ohio Rivers. The Louisville Southern is another large and important system of railway.

I was perfectly willing to let the amendment proposed by the Senator from Ohio proposing accelerated service from the metropolis of his State and the amendment submitted by me to go in, in order that they might go into conference and the conferees of the two Houses might determine first whether any appropriation for special mail facilities should be made at all or not, and secondly, if there should be any such appropriation made, where to locate it in order to do the most good with it.

My own deliberate judgment is that the people who are benefited by it, principally if not exclusively, are the owners of the metropolitan journals of the country who get the papers out two hours earlier by delaying a train, not expediting a train. A train that would leave New York at 11 o'clock would not carry a morning paper, but if the train leaves New York at 1:50 o'clock it would carry all the morning papers. So of Louisville and Cincinnati. I think the metropolitan dailies of the country are the chief beneficiaries of these appropriations.

But however that may be, I was perfectly willing and am perfectly willing to let the appropriation of $196,000, which the

House sent to us, go with the amendment of the Senator from Ohio and my own amendment to conference and let the conferees report to the two Houses of Congress, first, whether any such appropriation shall be made at all, and, if so, where it can be made to render the greatest service to the country.

Mr. MILLS. Would it not be well enough to have special facilities on another line to go from Chicago by way of St. Louis to Galveston? There is a great section of country to be served by a fast mail line.

Mr. BLACKBURN. I do not see why it can not be done.

Mr. HALE. I wish to ask whether these amendments are offered as amendments to the clause in the bill as it comes to us from the other House?

Mr. BLACKBURN. I answer the Senator from Maine, yes. The proposed amendment, submitted by the Senator from Ohio, and the one submitted by me were both before the Committee on Appropriations, as the Senator from Maine knows. They were not recommended by that committee; they were not inserted in the bill; so that they are not submitted here with the approval of the Committee on Appropriations, but they are submitted as amendments to this paragraph, so that if agreed to, it puts the whole paragraph in conference between the two Houses.

Mr. HALE. That is what I wanted to know.

Mr. BLACKBURN. I do not mean to allow $160,000 of appropriation to stand beyond the reach of the conferees. I mean that these shall go in as amendments to that paragraph and put the whole three propositions into conference.

Mr. HALE. That puts it in perfectly clear light so that everybody may understand it. It leaves the whole subject-matter open to conference. Each of these amendments is subject to a point of order. Neither of them has the approval of the Department or was put on by the other House——

Mr. BLACKBURN. They are not estimated for.

Mr. HALE. Nor are they reported by any committee of the Senate as amendments.

Mr. BLACKBURN. And neither has been estimated for.

Mr. HALE. As I say, the amendments have not the approbation of the Department, so that each is subject to a point of order; but no point of order has been made, and it will be left, if they are put on, for the conference committee to settle the whole matter.

I have always felt that extra appropriations for special routes had no great public demand behind them. I have never heard of any people living in the part of the country through which the lines run, either the business public or the general population, demanding extra subsidies for special routes, and I for one shall not be affected with any grave discontent when the conference committee tackles this matter, if the whole thing is dropped out.

Mr. BLACKBURN. Neither will I.

Mr. CULLOM. If the Senator will allow me to make a suggestion, I remember a year ago the only controversy about it was a scramble between railroads as to which should get the money; and that is pretty nearly all there is in it now.

Mr. HALE. That is all there ever will be in it, when we undertake to select chosen routes for the benefits of extra subsidies and appropriations, and we ought to remember——

Mr. SHERMAN. If the Senator will allow me, in order to remove all doubt about it, I will move the amendment I have offered to come in immediately after and as a part of the preceding paragraph.

Mr. HALE. I understand that it is considered as an amendment to the paragraph so as to throw the whole paragraph into conference.

The truth is, Mr. President, that we have been most bountiful and munificent in our appropriations for the general inland mail transportation all over the country. I remember very well as a member of the Committee on Appropriations in the House of Representatives when this began with a simple appropriation of a few hundred thousand dollars, and a few dozen cars that were put on particular lines, but now we are appropriating $25,000,000 every year for inland transportation—more than the entire cost of the postal service twenty years ago.

The companies ought to be content with the benefits of the general provision. As the Senator from Illinois has said, the moment you begin to select special routes and give subsidies to those routes the same kind of controversy is started that we have here on the floor. Here are three different routes coming in, each claiming to be better than the others. Next year we shall have half a dozen and gradually we will be led to double the appropriations, when we are giving plenty now. So I shall be content if the whole thing goes by the board in conference.

Mr. CULLOM. I suppose the Senator heard what I said, that the appropriations for special facilities for trunk lines did run up to over $600,000. They then began to run down and they are now down to $196,000.

Mr. HALE. That is because there is only one route now selected.

Mr. CULLOM. It is the policy of the Government to get rid of special appropriations for special facilities.

Mr. BATE. Regardless of these routes and the benefits which may be derived, I am on principle opposed to these appropriations. I expect to cast my vote against subsidies in any form when they are presented here, if I can consistently do so.

It may seem a little singular for me to oppose a proposition that may inure to the benefit of some of my own people, especially the proposition made by the Senator from Kentucky, who has charge of the bill. The line he proposes to provide for goes through Nashville, my home, from Cincinnati via Louisville, and thus we would be given greater mail facilities and it would help our journals, but I am opposed to the proposition upon principle.

I do not think the $196,000 which has been appropriated by the other House should be given, and if the opportunity offers itself to me I shall vote against that appropriation. I want to strike it out. I say frankly, I do not believe in sending the matter into conference to be arranged there. I do not know what character of legislation may result, which will be brought back here to us to be confirmed and indorsed, when there may be objectionable features in it. I think the place to strike it out is right here, and that we should oppose any of the propositions made in the shape of amendments to the bill. I do not know what trunk line is to get the $196,000, whether it is the Coast Line that runs through our country or permeates the West——

Mr. BLACKBURN. It is the Richmond and Danville.

Mr. BATE. If that railroad gets it, other roads equally as great and equally as strong, and with all the facilities for transportation will come along and ask that they shall be treated likewise. As the Senator from Maine well expressed it, all the other roads will come along and demand special aid, and we shall have a general logrolling scheme. It will be, "You help me and I will help you," and we will bankrupt the Treasury of the country. That is what it will lead to.

Mr. BLACKBURN. Like a river and harbor appropriation bill.

Mr. BATE. Yes, sir; like a river and harbor appropriation bill. I am opposed to it, and I think we should cut it off right here. Mr. President, I hope that will be done. It is wrong.

Mr. HALE. The Senator from Tennessee can reach his purpose by moving to strike out the clause in the bill which contains the appropriation for one route. Then, if it is the sense of the Senate, it will be stricken out of the bill entirely.

Mr. BATE. The Senator refers to the appropriation of $196,000?

Mr. HALE. Yes; the Senator can reach his purpose by making that motion.

Mr. BATE. I should like to move that amendment, but I shall consult the manager of the bill in regard to it. However, when the proposition comes up, should it come, I shall vote against the appropriation upon principle. I believe that we should stop it here. As I said, why carry it to a committee of conference? We do not know what it will lead to. The best place to settle it is to strike it out here, right at the start. Subsidies are wrong. I do not believe that it is proper to give bonuses. I do not suppose there is a railroad that will carry the mails an hour quicker from Boston to New Orleans than it is now carrying them, even if it had additional funds given it for that purpose. They all have these postal cars and every facility for rapidity of movement, and they ought to make their contracts with the Postmaster-General under the general law.

Another feature which is strange is that this comes in here without the recommendation of the Postmaster-General. I understand that all the Postmasters-General heretofore have opposed these propositions, and why shall we bring it in here now with no recommendation from the Department?

Mr. BLACKBURN. Will my friend from Tennessee allow me?

Mr. BATE. Certainly.

Mr. BLACKBURN. The Senator expressed surprise that this proposition should be brought in here without the indorsement of the Department. I am sure that he does not mean to do me any injustice.

Mr. BATE. I would not if I knew it.

Mr. BLACKBURN. I stated to the Senate that it had not been estimated for, that it had not been recommended by the Post-Office Department, and that two years ago the Postmaster-General had sent an official communication to Congress protesting against it. I found it, the Senate found it, in the bill as it came from the other House.

Mr. BATE. Then that is all the more reason why we should reject it right here.

Mr. BLACKBURN. If the Senator should make a motion to

strike the paragraph out from line 24, page 5, down to and including line 6, on page 6, which covers the appropriation of $196,000, I would vote for his amendment; but I did not propose to move it, and I hope that nobody will move it, so that the committee of conference, who are not the masters of the two Houses of Congress, but simply their agents, may take into consideration the appropriation in the bill, the amendment submitted by the Senator from Ohio and the amendment submitted by me, and report to their two Houses as to what in their judgment it is best to do. The Senate will then do as it thinks best.

Mr. MILLS. But my friend will remember that if we do not strike out the paragraph now in the bill it will not go to conference.

Mr. BLACKBURN. I beg my friend from Texas to bear in mind that if the amendment of the Senator from Ohio and the amendment which I have submitted, or either of them, should be adopted as an amendment to the paragraph of the bill, it puts the whole paragraph in conference.

Mr. HALE. Still, if the Senator will allow me——

Mr. BLACKBURN. Certainly.

Mr. HALE. While that is true, speaking strictly, when a particular measure had been put in by one House involving an appropriation and the other House had, instead of striking it out, added to it, a conference committee would hesitate long before striking it all out, because there is nothing then in the act of either House indicating that it is favorable to striking it out; the action of the Senate goes further than the House and adds two other appropriations. The truth is it has got to be reached here, if any Senator wants to reach it, as the Senator from Tennessee has indicated, by a motion to strike out the paragraph now in the bill naming one line and making an appropriation for it.

Mr. BLACKBURN. I agree with the Senator from Maine, though as a member of the committee of conference, if upon it, I should not feel hampered at all in acting upon the paragraph. However, I do insist that both the amendment submitted by the Senator from Ohio and the amendment submitted by me, or either of them, if adopted, would in my judgment clearly put that whole paragraph into conference.

Mr. HALE. It does, technically.

Mr. BATE. I move to strike out that part of the bill.

Mr. CAREY. I wish to ask a question. If the Senate votes to strike out the paragraph, does it not end it there?

Mr. BLACKBURN. It does, if the Senate should strike out the lines of the bill I have indicated.

Mr. BATE. Read it again, please. I will base my motion on what you read now.

Mr. BLACKBURN. From and including line 24 on page 5 to line 6 on page 6. If the Senate should strike that out, of course it puts in conference the appropriation of $196,000, but it does not put into conference the amendment offered by the Senator from Ohio nor the amendment submitted by me.

Mr. CAREY. I wish to ask one more question. It is pretty difficult to understand whether the Senator from Kentucky wants the paragraph to stay in or come out.

Mr. BLACKBURN. Oh, no; I trust I am not failing to make myself understood. I said that I am not an advocate of this provision.

Mr. CAREY. There are three members of the Appropriation Committee who have stood up and said it is simply in the bill because the House put it in; that they had no part or parcel in putting it in. Each of them has further stated that it is not recommended by the Post-Office Department.

Mr. BLACKBURN. And not estimated for.

Mr. CAREY. Now, you pick out certain lines of railroad and propose to give them subsidies for a fast mail. I think the principle of it is all wrong. The railroads in the West, that are in great distress, are carrying fast mails under the general appropriations. If you are going to give the old lines of railroad that run along the Atlantic coast special appropriations for carrying the mails, I think you had better give us some special facilities for carrying mails across the continent. If the Senator from Tennessee does not move to strike out the paragraph I shall make the motion to strike it out.

Mr. BATE. I move, by way of ending this controversy, to strike out that part which the Senator from Kentucky favored me by indicating.

Mr. BLACKBURN. Before the Senator from Tennessee makes that motion I want him to allow me to say a few words in answer to the Senator last upon the floor.

Mr. BATE. Certainly.

Mr. BLACKBURN. I am sure I did not intend to leave anybody in doubt as to my position in this matter. Upon the contrary, I stated to the Senator from Tennessee that if he moved to strike out the paragraph I would vote for his motion; but I call the attention of the Senate to the fact that, if the motion should prevail, it simply puts into conference the appropriation of $196,000, and does not carry into conference the amendment of the Senator from Ohio or my amendment.

Mr. STEWART. Will not the amendments of the Senate go into conference?

Mr. BLACKBURN. There are no amendments yet made to the paragraph.

Mr. STEWART. The Senator from Ohio offers an amendment and if it is adopted it would go into conference.

Mr. BLACKBURN. If it should be agreed to by the Senate then it would go into conference, certainly.

Mr. STEWART. Any amendment made by the Senate would go into conference.

Mr. BLACKBURN. Of course, but the amendment has not been agreed to. If the Senator from Tennessee wants to make a motion to strike out the paragraph, I suggest to him that we first (knowing that that will simply result in sending the paragraph to conference) agree to let the amendment of the Senator from Ohio and my own amendment be adopted by the Senate. Then if the Senate strikes out the paragraph, it will put all three propositions into conference.

Mr. BATE. I will conform to the wishes of the Senator from Kentucky. I move to strike out the paragraph, as I have already indicated, and upon that I expect to call for the yeas and nays.

The VICE-PRESIDENT. The Chair will state to the Senator from Tennessee that the first question is on the amendment offered by the Senator from Ohio, and then the question will be upon the amendment offered by the Senator from Kentucky.

Mr. BLACKBURN. Which amendments propose to perfect the clause.

The VICE-PRESIDENT. After those amendments are disposed of the motion of the Senator from Tennessee to strike out the paragraph will be entertained.

Mr. HUNTON. I hope the appropriation of $196,000 for a fast mail from New York to Florida will not be stricken out. It is a provision that has been in the law, I think, for three or four years, and it has been found to act so well that the representatives of the whole people in the other House have inserted it again. I desire to say now (and that is for the purpose for which I have risen) that this is not a subsidy for the Richmond and Danville Railroad, or the road which succeeds the Richmond and Danville by another name, but according to the terms of the provision inserted in the bill by the other House, and reported favorably by the Senate committee to the Senate, it is a provision for a fast-mail route from New York City to Florida without specifying any route, without naming any railroad company. I need not tell Senators around me that from the beginning to the end of the route there are more than two competing roads.

So it is not a subsidy to a railroad company, but it is a provision for a fast mail. The railroad company which offers the best and most rapid facilities for the transmission of the mails will get the $196,000. I desire the Senate to understand that this is not a subsidy to any given road, but it is a provision for the purpose of transmitting the mails from the extreme North to the extreme South with greater rapidity.

Mr. HALE. In the end it is a subsidy to some particular route, is it not? We do not say what the route shall be, but when it is selected it is a subsidy to that road. It is extra pay for a particular line.

Mr. HUNTON. But instead of being a subsidy to any one route——

Mr. HALE. It can not be to two routes.

Mr. HUNTON. It is a provision authorizing the Postmaster-General to provide for the rapid transmission of the mails over some route.

Mr. HALE. Has it not got to be over some route?

Mr. HUNTON. Of course, when the Postmaster-General acts.

Mr. HALE. That is what I said. It is a subsidy the moment the Postmaster-General selects the route.

Mr. HUNTON. But it is not a subsidy to any given route?

Mr. BATE. It can not be anything else.

Mr. HALE. We do not select the particular road. We know one of two lines will be selected, and when that is selected it is a subsidy.

In voting upon these propositions (and the Chair of course has decided right, that the first question is on the amendments to perfect the paragraph) I trust Senators will think twice before they commit themselves to the very simple-minded project of adding two other routes to a provision which the Senate itself is against.

That would not be a very logical way to go into conference. If the sentiment of the Senate is as indicated, and in which my friend from Kentucky, who has charge of the bill, joins, is against this one route and against subsidies generally for particular routes, it would be a very simple-hearted proposition to

go and add two more and then strike them all out and send them into conference, because then in conference it would be claimed that the Senate had already added two to the one, and three are in conference instead of one. The truth is that the only logical way is to vote down all the other amendments and then vote up the proposition of the Senator from Tennessee. That is the only way you can get it into conference and express the sentiment of the Senate against extra subsidies.

Mr. BATE. And let that expression go to the committee of conference.

Mr. VILAS. Mr. President, I wish to draw the attention of the Senate for just a few moments to some of the considerations which affect this matter of special facilities, as it is called, for railways. The history of it has been partly told by the Senator from Illinois [Mr. CULLOM]. He antedates somewhat the time. If I am not mistaken in remembrance the first proposition came to pay perhaps the greatest railroad in the country a wholly unnecessary subsidy of $25,000 a year for carrying the mails between Albany and New York City. That subsidy was put upon the Post-Office appropriation bill a good many years ago, not because of a necessity and in order that more rapid transportation of the mails might be secured, but because of the interests in obtaining it.

Next came in the road from New York to Springfield, the New York, New Haven and Hartford, and other rich, powerful, and influential corporations. Then the idea gradually extended, and an appropriation was made for the benefit of the Atlantic Coast Line. I may not be entirely exact in the succession of events, or the specific history, but when the appropriation was made for the Atlantic Coast Line there was not a necessity but something of peculiar advantage in making some subsidy to that line.

It was, comparatively speaking, a new line. It was upon the coast, where there was land and contribution to its carriage only from one side. It was a line to the South much crippled in its resources and abilities to maintain a railroad, and it was a line to open up the new country of Florida to convenient accessibility on the part of the people of the North, especially for winter travel and winter sojourn. That fixed upon that line the main part of the contribution for its support and maintenance, more as a line of rapid and convenient travel than for its mail facilities.

In the last Congress, when the Post-Office appropriation bill was discussed, Congress deliberately took away the subsidy from that line and said, "it had been supported long enough," as it had. The Postmaster-General more than once had recommended that the subsidy be withdrawn. He had stated that it was unnecessary, the ordinary mail pay being ample to support it. Congress took it away, and instead of giving the money to the people by the reduction of appropriations, it applied it to a new line running southwesterly to New Orleans.

That line has enjoyed it during the fiscal year just passed. The natural result is to be seen at once. You no sooner put the subsidy upon a railroad line running through the interior of the country than every railroad running through the interior of the country holds out its hands, not half so much in suppliance as in demand. Cincinnati wants its contribution; Louisville wants its contribution. Why not St. Louis, with its lines to Texas and Santa Fé?

Mr. President, all these things are utterly unnecessary, for two reasons: In the first place, there is contained in the appropriation no stipulation for any difference in the rate of speed with which the mails are to be carried, or any advantage of the kind. Secondly, if there were any such advantages, they are all to be obtained by the application of the present law in a proper manner under the control of the Postmaster-General.

A few years ago there was great desirability for expediting mails through to St. Louis, Kansas City, and the Southwest. An entire day's time was gained without the cost of one additional dollar to the public, simply by using the powers at hand for that purpose, and using them in a way to facilitate, not to disadvantage, the carrying of the mail.

Mr. CULLOM. By a proper contract.

Mr. VILAS. By making a contract to the effect that if a mail train shall be put upon a through route, so as to expedite the time by a certain given number of hours, all the mail which can be carried on that route shall be massed upon it. Thus the railroad receives the additional advantage which the law prescribes for carrying the increased amount of mail. That advantage is at the same time a gain to the people, because the price for carriage diminishes as the weights increase, and the concentration of the mail upon a single route is to the advantage of the carrying of the mails, because thereby all the mail on that route is expedited beyond what any other route can give.

Thus in every aspect in which it can be considered, the true way to expedite a mail train is for the Postmaster-General to make his contract for carriage, specifying his hours, and put the mails upon that route.

Mr. HALE. Under the general appropriation.

Mr. VILAS. Under the general appropriation and the general powers now vested in him.

Now, let me call attention to that matter for one moment. Here is the law, which provides that the Postmaster-General may pay to railroads not to exceed for each mile of the railroad route specified sums per annum. I give the net result after various reductions: Not over 200 pounds, $42.75 per mile; not over 500 pounds, $64.13 per mile; not over 1,000 pounds, $85.50 per mile; not over 1,500 pounds, $106.88 per mile; not over 2,000 pounds, $128.25 per mile, and so on up to 5,000 pounds and over. It will be observed that 2,000 pounds costs the people and pays to the railroads per mile only about three times as much as 200 pounds, one-tenth of the quantity.

Mr. HALE. That is wholesale.

Mr. VILAS. Yes; that is wholesale. At the same time such is the advantage to the railroads of carrying the larger quantities that the more they carry the better is the traffic for them. There is no freight which a railroad carries which pays it as well as do the mails, and the more they can obtain the better. I said there is no freight; it is possible that there are some very highly valued freights which they would carry to greater advantage, but those are transported by express companies and not by the railroad companies.

I believe it is a true statement that the mails are the most profitable freight which the railroads transport, yielding them a profit with the least difficulty and the least cost. Observation of the effect of the scale of prices shows at once how by a proper application of the power at command the mails can be expedited upon any route with greater advantage to the railroad itself, at less cost on the whole to the public, and with gain to the mails which are carried upon the route or even to the section of country through which the railroad runs.

Mr. BRICE. Will the Senator from Wisconsin allow me for one moment?

Mr. VILAS. Certainly.

Mr. BRICE. I wish to call attention to the fact that the argument has been made as though the railroad companies to whom this subsidy is paid desire the grant. That may have been so a long time ago; I do not know. While I agree substantially with everything that has been said by the Senator from Wisconsin as to the proper mode of mail carriage by the railroads, the railroad companies do not desire these special grants, because they are contingent on the running of extra trains. Such trains are unprofitable to the companies, and they are only forced upon roads by the wants of local communities.

Mr. VILAS. I am glad to have that information from the Senator from Ohio.

Mr. BRICE. As to the amendment offered by my colleague Mr. SHERMAN], as well as to the grants which have been made heretofore and the provision now in the bill and others of like character, they are not especially desired by the railroad companies, and the movement in their favor, particularly the one that is made by my colleague, is not made by the railroad companies or specially desired by them. There may be other persons who desire such grants.

Mr. VILAS. On that point alone I am disposed to agree entirely with the opinion of the distinguished Senator from Ohio [Mr. BRICE], and especially because I hold in my hand a Cincinnati newspaper, published I believe in the evening, and therefore one which can be perfectly free in respect to the advantage to be derived by these subsidies.

Mr. BLACKBURN. I should be obliged to my friend from Wisconsin if he would allow me to add that——

Mr. VILAS. Certainly.

Mr. BLACKBURN. I have been made the recipient within the last twenty-four hours of the two metropolitan dailies of Cincinnati, the Commercial-Gazette and the Enquirer, both of which were abusing me because I do not favor the amendment of the Senator from Ohio [Mr. SHERMAN].

Mr. VILAS. This paper sets forth the fact that the amendment proposed by the Senator from Ohio is wholly and entirely in the interest of the two morning dailies and greatly to the disadvantage of the business community of Cincinnati. I will read an extract from it. It says:

> The Louisville morning papers have now taken a hand in this project and are shouting for "a fast early morning mail to the South, to run in connection with the proposed train from Cincinnati." This Cincinnati-Louisville morning paper combination is tremendously active in trying to secure the coöperation of the trade associations to help the scheme along. Business men and all other citizens have quick eyes for the detection of false pretenses; moreover, they do not like to be humbugged, and it is particularly distasteful to them to be asked to act as tools of selfish schemers. An early morning mail to the South would simply be a morning newspaper mail.
>
> It would not carry a dozen more letters than are now carried by the regular evening mail train. In regard to a time schedule for a fast mail south a Southern railway official said yesterday:
>
> "There would be no advantage in a 8 a. m. train. Nobody writes any business mail after 8 o'clock, and so all that mail would be taken by the evening train Then, such a train would arrive at its destination at a bad time, get-

ting into New Orleans in the early morning—that is, about 3 o'clock—as I suppose the object of the fast mail would be to make the run in twenty-four hours."

Mr. SHERMAN. What is the Senator from Wisconsin reading from?

Mr. VILAS. I am reading from the Times-Star. I shall not occupy further time in reading from this article. I indicate by what I have read its general character.

Mr. SHERMAN. The Times-Star is an afternoon paper. I understand the time of leaving, etc., would be entirely at the discretion of the Postmaster-General.

It might be morning or evening, whichever would be the more beneficial to the commercial classes. The Chamber of Commerce of Cincinnati, as the Senator from Wisconsin knows, is a very respectable body of men, and all of them, and so far as I know all the commercial men of Cincinnati are calling for relief. They have sent me their petitions and memorials in various forms. It may be that it would also be a great convenience to the newspapers.

Mr. VILAS. I can well believe—I should not have supposed to the contrary even without the statement of the Senator from Ohio—that the business men of Cincinnati would do what they could to secure a more rapid communication with the hope of enlarging their trade with the Southern people, especially if that communication could be provided for them at the cost of the Government.

Other newspapers along the line of the proposed route in the Southern States have sent me similar articles. I collected a number of them. I remember some from Chattanooga, and if I am not mistaken from other points in the South, strongly opposing this as a waste of money and saying that it is merely a plan to provide for a more rapid or easy distribution of the Cincinnati morning papers. However that may be, the provision for the newspapers is one thing to be fairly considered. I should not urge it as a reason why fast mail facilities should not be afforded, if they were fast mail facilities, and also of advantage to other business interests.

Newspapers are entitled to as much fair consideration as others who employ mail facilities. Yet it ought to be remarked, and fairly understood, that newspaper mail, the second class of mail matter, now costs the Department and the United States fully one-third of all the expenditures for the postal service, amounting to probably nearly thirty millions a year. It returns in postage only about one-fourth, some two millions a year. So we are doing pretty well in the dissemination of second-class mail matters.

Mr. CAREY. Will the Senator from Wisconsin allow me to interrupt him?

Mr. VILAS. With pleasure.

Mr. CAREY. Why cannot contracts be made for carrying the mail along the Atlantic seaboard in the same manner that the Postmaster-General makes contracts for carrying fast mail west of Chicago?

Mr. VILAS. Of course, they could do it, and possibly they are now doing it, for the Atlantic Coast Line is no longer the recipient of a subsidy. The Senator, perhaps, is not aware of the fact that in the last Congress it was changed from the Atlantic Coast Line, and is now given to the Richmond and Danville system going to New Orleans.

Mr. CAREY. Does the Senator believe that the South gets any better mail facilities than it would get if it did not have the subsidy?

Mr. VILAS. I think the South can have, without the subsidy, by proper administration of the Post-Office Department and with the law now in the hands of the Postmaster-General, just as good facilities as they can have with the subsidy.

Mr. RANSOM. Will my friend from Wisconsin allow me to say a word to the Senator from Wyoming?

Mr. CAREY. I will give the Senator all the permission in my power.

Mr. RANSOM. I will state to the Senator from Wyoming that in consequence of these mail facilities the mail to the South in the last fourteen years has been carried so as to secure a day's advantage to all the business people of that section. Immediately upon putting in the act the first time the appropriation for these special mail facilities the Postmaster-General made a contract, and the mails were carried so that the papers and all mails were received a day earlier in a very large section of the South. All letters were received a day sooner in consequence of the fast mail, and the same convenient and advantageous condition exists to-day. The saving of twelve hours in every twenty-four in the reception and return of the mails to millions of people is an incalculable good.

Mr. CAREY. Does the Senator from North Carolina believe that the Postmaster-General would take care of the South the same as he has taken care of other portions of the country?

Mr. RANSOM. I have no doubt——

Mr. CAREY. We have fast mail in the West. We get the newspapers and letters by fast mail.

Mr. RANSOM. I have no doubt that the Postmaster-General, as other Postmasters-General have done, will treat the South fairly.

Mr. CAREY. What railroad gets the money?

Mr. BLACKBURN. The Richmond and Danville.

Mr. RANSOM. At present it is known as the Richmond and Danville system. Before last year the Atlantic Coast Line system received the facilities. I hope the Senator from Wisconsin will pardon me for detaining him. Whether the mail goes by one route or the other, it is the same thing so far as the South is concerned. The mail reaches its destination twelve hours earlier.

Let me tell the Senator from Wyoming exactly how this thing is. Before these fast mail lines were established, we in North Carolina did not receive the New York papers until the day after they were issued. Now we receive them the same day. That is the difference. A day is saved.

Mr. CAREY. Does not the Senator believe that his people would get the papers the same day without the subsidy?

Mr. RANSOM. I do not believe in expressing beliefs, but as the Senator from Wyoming has asked me to do so, I will state that if the appropriation for these mail facilities is withdrawn I believe the Southern lines will be obliged to stop the service.

Mr. CAREY. I understand the Postmaster-General does not even make a recommendation for this appropriation.

Mr. RANSOM. I know that; but he has expended it invariably when Congress has made it.

Mr. CAREY. And the Post-Office Department has not wanted this special appropriation.

Mr. RANSOM. I hoped I had answered the Senator satisfactorily, and I see that I have from the suddenness with which he shifts his position. I will give the Senator a conclusive answer upon that point.

The expenditure of the appropriation for the special mail facilities is left entirely at the discretion of the Postmaster-General. It is not positive. Its expenditure is not arbitrarily required by the bill. The whole appropriation is absolutely at the discretion of the Postmaster-General. Although I think my friend from Wisconsin [Mr. VILAS], when Postmaster-General, had a paragraph or two in his report in flaming colors against this appropriation, yet when the time came he expended the appropriation himself. His wise discretion would not permit him to withhold it. The appropriation has been made, as my friend from Illinois said a little while ago, since 1877; its expenditure every time being at the discretion of the Postmaster-General. It can not be used otherwise. The act provides that the Postmaster-General must approve it in order to have it used; otherwise he need not expend the money. My friend from Wisconsin was not compelled to expend a dollar of this money; and yet he did expend it, and I stand upon the record of his acts.

There are millions of people in the South receiving their mail, their letters and newspapers a day sooner, twelve hours earlier, and all their business is facilitated by this little appropriation of $190,000. The simple question is whether that condition is to be changed. My friend wants to put them back to the situation which formerly existed.

Mr. CAREY. Will not the Postmaster-General have a right to make an appropriation out of the $25,000,000 to continue this fast mail?

Mr. RANSOM. Oh, no.

Mr. CAREY. He undoubtedly has that right.

Mr. RANSOM. He can not.

Mr. CAREY. Is it not left to the Postmaster-General?

Mr. RANSOM. No. I am sorry I do not know so much about the postal laws as my friend, the Senator from Wisconsin. But I do know that the Postmaster-General under the general law will not and can not pay one railroad more for carrying mail faster than he pays other railroads which are carrying it not so fast. He can not do it. The law provides for no such thing.

Mr. CAREY. The Postmaster-General makes a contract with one railroad——

Mr. RANSOM. The Senator from Wyoming asked me for my opinion and my judgment. I said distinctly to the Senator that I believed if the provision for the special mail facilities is stricken from the bill we shall not have the fast mail from here to New Orleans and to Tampa and through all the country from here to those places.

Mr. CAREY. I believe the Senator would have it.

Mr. RANSOM. We did not have a fast mail until we adopted this plan. I will tell the Senator from Wyoming where the idea of the fast mail originated. It was with our Northern friends

who went to Florida to spend the winter. The Southern people, being mostly farmers, did not miss the lack of proper mails greatly; but the first thing we knew there came up appeals, petitions, memorials from all the Northern people who had gone to spend the winter in Florida, "Do, pray, have faster mails—earlier mails; we can not get our mails." That was the beginning, the inspiration of this movement.

Mr. HUNTON. Will the Senator from Wisconsin allow me to ask him a question?

Mr. VILAS. Certainly.

Mr. HUNTON. As I understood the Senator from Wisconsin with reference to the history of this legislation, he said the first appropriation of this kind was given to the Coast Line route.

Mr. VILAS. No, sir. I said that as I remembered, although I do not undertake to be accurate in the statement, the first appropriation was given to the New York Central Railroad.

Mr. HUNTON. I mean in the South.

Mr. VILAS. I understand it was extended south through the Coast Line.

Mr. HUNTON. I understand the Senator from Wisconsin to say that in prosecuting the fast-route enterprise under the appropriation, as first made, the appropriation was made to the Coast Line.

Mr. BLACKBURN. No.

Mr. VILAS. It was made to the Postmaster-General, who employed the Coast Line.

Mr. HUNTON. And he selected the Coast Line.

Mr. VILAS. In point of fact he had no more choice in the selection than if he had been held to that line by an iron law.

Mr. HUNTON. I beg the Senator's pardon for interrupting him, but the point I raise is that the appropriation of $196,000 was originally expended upon the Coast Line service.

Mr. VILAS. It was much larger, although not more than that was expended on the Coast Line. But the appropriation formerly ran over $250,000.

Mr. HUNTON. It afterward became apparent that the application of the appropriation to a more central route would serve more people, because while confined to the Coast Line, the ramifications of that line conveying the early mail to the side routes and the star routes could only go in one direction, it being a Coast Line route. For that reason, when the Postmaster-General was not confined in his selection to one route, he selected the Richmond and Danville route.

Mr. VILAS. Oh, no. The law compelled him to take that route. I have the law in my hand.

Mr. HUNTON. I beg pardon.

Mr. VILAS. The argument the Senator from Virginia makes now I think he made last year.

Mr. HUNTON. This provision does not select any route. It is open to competition between this route and other Southern routes. I beg to call attention to what has been so well said by my friend from North Carolina [Mr. RANSOM].

Mr. RANSOM. From here to Atlanta heretofore there was but one route. Now there are two. One has been established in the last few months.

Mr. HUNTON. I desire to emphasize what was so well said by the Senator from North Carolina, that if the Postmaster-General does not want this appropriation, as it has been intimated by the Senator from Kentucky and the Senator from Wisconsin that he does not, then he need not expend it, because it says:

Provided, That no part of the appropriation made——

Mr. BLACKBURN. It is not compulsory.

Mr. RANSOM. I hope the Senator from Virginia will read that proviso.

Mr. HUNTON. It says:

Provided, That no part of the appropriation made by this paragraph shall be expended unless the Postmaster-General shall deem such expenditure necessary in order to promote the interest of the postal service.

So that the whole thing is left to the discretion of the Postmaster-General for the good of the postal service. Now, I do not see what objection there can be to this provision.

Mr. RANSOM. If I may say one word to my friend before he takes his seat, I will state that a similar provision has been in appropriation acts for the last sixteen years, and every Postmaster-General, since the time such an appropriation was first made, with that proviso before him, has expended the appropriation. The unanimous action and judgment of the Postmasters-General for sixteen years have vindicated this measure. The benefits done the South by it are universally admitted, and there is positive danger of injury to our people if it is discontinued.

Mr. HUNTON. Every Postmaster-General since then has expended the money because he saw that it was for the good of the postal service.

Mr. RANSOM. Yes, sir; and for the good of the people.

Mr. CULLOM. I think it was because the Postmaster-General thought Congress wanted him to expend it.

Mr. VILAS. Mr. President, I have no purpose to do more than to invite the attention of the Senate to some points which I am very sure have escaped in the past, in regard to the manner in which railroads are paid and the enormous waste of money every year upon our inland railroad mail transportation. It is my opinion that with a proper law the transportation of mails could be conducted and railroads still have the best compensation in mail carriage of any class of freight they have, with an annual saving of from seven to ten million dollars on the present expenditure.

Mr. SHERMAN. Is it not entirely within the power of the Postmaster-General, under existing law, to make as cheap rates as possible?

Mr. VILAS. So far from it the Postmaster-General is as helpless as the old story placed the man in the iron mask.

Mr. SHERMAN. I should think the Senator from Wisconsin, who is familiar with the subject, would report us a bill at once, because certainly the Postmaster-General should be given the authority.

Mr. VILAS. When I had the honor to be Postmaster-General I pointed out in the report which I have in my hand some facts on this subject to which I shall presently ask the attention of the Senator from Ohio. They might as well have been pointed out to the winds which rage on the Atlantic.

Mr. President, to come back for a moment to where we were when the interruptions began which have diverted us for a few moments, let me notice what my distinguished friend, the Senator from North Carolina [Mr. RANSOM], says on the subject of my action as Postmaster-General in reference to these special facilities. He remarked that it was the subject of mention in my reports "in flaming colors," more than once, I think he said. My distinguished friend is mistaken. The evil was of such comparatively small moment and it was so impossible to direct attention to that which was much greater, that it was not mentioned at all, although the subject was studied and examined and discussed in the Department.

Mr. CULLOM. I did not hear the first part of the Senator's statement. Does the Senator mean in the last report or in some previous report?

Mr. VILAS. I spoke of my own report. My successor in the Post-Office Department, Postmaster-General Wanamaker, if I recollect aright, at the end of his term recommended the abolition of that payment.

Mr. CULLOM. It was in the last report he made. I think it was a very positive recommendation that the whole system should be abolished.

Mr. RANSOM. I am very glad that the evil was so small that my friend from Wisconsin did not feel warranted in bringing it to the attention of Congress.

Mr. VILAS. The evil was a comparatively small one, and the circumstances were peculiar. I shall not stop to enter into that matter. At that time the Coast Line was receiving the subsidy, and it was a question whether without the subsidy the Coast Line would maintain the fast mail and passenger train service which it did maintain under the subsidy; and it was for that reason that the Department felt at no liberty to intervene. Besides, it was a matter of conversational communication with the Committee on Appropriations.

But that is not worth spending any time upon. The only question is, what ought to be done now; and I wish to make a further observation, because what I said seems to have been misunderstood. The Postmaster-General can not pay to one railroad any greater rate than the law allows, or discriminate in the rate of pay to one railroad as against another. That is impossible. He is bound to pay the rate fixed by law. He has liberty to pay less, but I know one who tried to pay less and did during his term of office, but his immediate successor restored the rate. The law contemplated that the Postmaster-General should grade the pay in the different classifications according to the weights of mail.

In point of fact, from the beginning until now, with a single exception, the highest rate of pay has always been awarded to every railroad which came within the class, no matter whether it carrried less or more than another. They were all given the top round as the measure of the rate of compensation. But in this way the Post-Office Department may compensate a railroad to advantage. The Postmaster-General may, as it is called in the Department, mass the mails upon a particular line. The Senator from North Carolina says there are now two lines from Washington to New Orleans.

Mr. RANSOM. Three.

Mr. VILAS. Three?

Mr. RANSOM. Yes, sir; substantially.

Mr. VILAS. Three lines, substantially. Each of those lines

will carry mail. Each of those lines is prepared to carry mail. Each desires to carry all it can, but by agreement the Postmaster-General may put on one line all the mail which can be carried to its destination upon that line as well as upon others. That gives him the opportunity to put large quantities of mail matter on a single line. In that way the rate per mile is increased, and the railroad gets a considerable advantage. On that basis alone the mails are carried from New York to Chicago, Chicago to St. Paul, Chicago to Omaha. During the time I was Postmaster-General it was desired to expedite the mails to the Southwest.

A contract was made with the Pennsylvania Railroad Company by which a fast mail was delivered at St. Louis, and from St. Louis a train arranged to carry it right on to Kansas City; and the expedition was accomplished entirely by agreeing to give the Pennsylvania and the succeeding line from St. Louis to Kansas City, and the Missouri Pacific, all the mail that could be carried on that route, as well as on any other. At the same time, by application to the different railroads which center in Kansas City, their plans were changed, and the whole system operated so that a through mail train practically carried the mail not only to Kansas City but on each of the trunk lines going from Kansas City to the South, Southwest, and West. It is a simple matter of arrangement under the powers now possessed by the Post-Office Department. As I said before, begging pardon for repeating it, it is an arrangement which gives the railroads more money, costs the people less, and expedites the transportation of the mails.

Mr. President, just let me remark as to the withdrawal of the payment for these special facilities interfering with the expedition of the mail, that since it has been withdrawn from the Coast Line there has been no change substantially in the service on that line. The subsidy has been taken away, but the line is well established and goes on the same as before, not carrying so much mail, because it has been diverted somewhat from it.

Now, let me draw attention to another matter to illustrate the manner in which railroads are paid by the Government of the United States under our law. I have called attention to the rate of pay, increasing per mile with the increase of mail matter. That compensates every railroad in the country. I use the term "compensates." It richly rewards every railroad for its service in carrying the mail, and, as I said before, the more mail they carry the better for them.

Yet at the demand, as I have been told, of the railroad companies many years ago, an additional facility was given them and an additional imposition was laid upon the Post-Office Department and indirectly upon the taxpaying people. It was for postal cars. The law provided practically that the Postmaster-General might in his discretion permit any railroad company he saw fit to carry the mail in postal cars of its ownership, constructed not less than 40 feet in length, and to pay them as follows:

For every line comprising a daily trip each way of railway post-office cars; at a rate not exceeding $25 per mile per annum for cars 40 feet in length, and $30 per mile per annum for 45-foot cars; and $40 per mile per annum for 50-foot cars; and $50 per mile per annum for 55 to 60 foot cars.

Now, observe that whatever they receive for cars is in sheer addition, a mere gratuity, because under the general postal law they are required to furnish cars and all the accommodations. All the lesser routes do furnish such cars and they are paid at less remunerative rates. Although on a greater nominal scale, the remuneration to smaller roads is much less than to the larger ones, and yet to the larger ones are assigned the postal cars, and this gratuity is given to them. Let me ask attention to how much that is. It is all set forth in the report of 1887.

As I remarked before, the Postmaster-General had no discretion, and it was necessary to estimate and appropriate for the service for the year 1888 $2,000,000 for the rent of postal cars in addition to what the railroads were paid. That pay by law covered the cars and all the service, and the additional $2,000,000 was given to the companies who had the greatest advantage in the law of compensation. The pending bill carries $3,000,000 for this purpose.

Let me show to the Senate what the fact was at that time in reference to the cars for which we gave $2,000,000 rent. I observe that—

Careful inquiry discloses that very many of these cars, such as they are, would not cost to build $3,000 each, that the best 50-foot cars can be built for $4,000 to $4,500 each, a new 60-foot car equal to the most complete and handsome now in the service for not over $4,600, and that taking together all the post-office cars in the United States their average value does not probably exceed $3,500.

Without protracting the debate, I will state that this report sets forth the cost for all the services for postal cars, cleaning, heating, lighting, supplies of oil, ice, dusters, scrub brushes, soap, lamp fixtures, pails, and other minor articles of daily use, and all the necessary arrangements and ordinary repairs, and the total worth of the cars at the time, with the total expense of their operation for a year, was $1,846,240, a sum less than the appropriation for their rent for a year.

To-day instead of appropriating $3,000,000 in the bill as a sheer additional gratuity to the railroads, the Congress of the United States might better comply with the recommendation made in this report and appropriate that sum to the Postmaster-General to buy every postal car in the United States and operate it for the next year. The amount is enough. The railroads would then get their pay for transporting the mails without furnishing the cars at all, and the United States would make a handsome sum of money in the speculation.

I agree that that has nothing to do with this important point, but I was setting forth in detail one of the illustrations which prove the remark to be correct which I made in answer to the Senator from Ohio.

Mr. RANSOM. I will thank the Senator from Wisconsin if he will tell us whether there is any provision in the postal laws for paying more for fast mail service?

Mr. VILAS. There is not, except the appro priations for special facilities which are under discussion.

Mr. RANSOM. That is what I understood.

Mr. VILAS. I have already explained the method by which the Postmaster-General may, under the law, make contracts which will secure fast mail service. It is perfectly easy.

Mr. President, it seems to me that the amendments are not in order, and that upon the question of order they ought to be excluded from the bill. I therefore suggest the point of order on the amendments.

Mr. SHERMAN. My amendment has been introduced in a formal way. I introduced the amendment; it was referred to the Committee on Appropriations; it was received and considered by the committee, and it seems to me that the rule has been complied with. It is true that it is an additional item of appropriation, but it has been considered by the committee, and that is all that is necessary to give the Senate jurisdiction of it.

The VICE-PRESIDENT. The Senator from Wisconsin makes the point of order upon the amendment proposed by the Senator from Ohio and the amendment proposed by the Senator from Kentucky. The Chair will have Rule XVI read.

Mr. RANSOM. As there has been a very full discussion upon the matter and as the point of order was not made by the committee, I hope the Senator from Wisconsin will not insist on it.

Mr. VILAS. I have not the slightest desire to defeat the amendment upon a point of order if the Senate wishes to adopt it.

Mr. CULLOM. Let us hear the rule read, so as to see precisely what it is.

The VICE-PRESIDENT. The rule will be read.

The Secretary read as follows:

RULE XVI.

AMENDMENTS TO APPROPRIATION BILLS.

1. All general appropriation bills shall be referred to the Committee on Appropriations except bills making appropriations for rivers and harbors, which shall be referred to the Committee on Commerce; and no amendments shall be received to any general appropriation bill, the effect of which will be to increase an appropriation already contained in the bill, or to add a new item of appropriation, unless it be made to carry out the provisions of some existing law, or treaty stipulation, or act, or resolution previously passed by the Senate during that session; or unless the same be moved by direction of a standing or select committee of the Senate, or proposed in pursuance of an estimate of the head of some one of the Departments.

Mr. VILAS. At the request of the Senator from North Carolina [Mr. RANSOM], I withdraw the point of order.

Mr. GEORGE. I renew it.

The VICE-PRESIDENT. The point of order is renewed by the Senator from Mississippi.

Mr. VILAS. Then, let us have a direct vote on the amendment.

The VICE-PRESIDENT. The Chair is compelled to sustain the point of order under the rule which has just been read. The question is on the amendment proposed by the Senator from Tennessee [Mr. BATE], which will be stated.

The SECRETARY. On page 6 it is proposed to strike out the clause from line 1 to line 8, inclusive, in the following words:

For necessary and special facilities on trunk lines from Springfield, Mass., via New York and Washington, to Atlanta and New Orleans, $196,614.22: *Provided*, That no part of the appropriation made by this paragraph shall be expended unless the Postmaster-General shall deem such expenditure necessary in order to promote the interest of the postal service.

Mr. DANIEL. I understand the amendments have been ruled out of order, and perhaps with those amendments out, the Senator from Tennessee may not care to strike the paragraph from the bill.

Mr. BATE. That the Senate and the Senator from Virginia may more clearly understand my position, I will move to strike out that which has just been read. That is what I moved before.

Mr. DANIEL. This particular clause?

Mr. BATE. Yes, sir.

Mr. DANIEL. The Senator from Wisconsin [Mr. VILAS] has given us a very interesting and valuable discourse on a number of matters connected with the postal service, but it does not seem to me that much that he has said affects the wisdom or the unwisdom of this particular clause in the pending appropriation bill. This is a bill which comes to us from the House of Representatives. The provision which the Senator from Tennessee has moved to strike out reads as follows:

For necessary and special facilities on trunk lines from Springfield, Mass., via New York and Washington, to Atlanta and New Orleans, $196,614.22: *Provided*, That no part of the appropriation made by this paragraph shall be expended unless the Postmaster-General shall deem such expenditure necessary in order to promote the interest of the postal service.

It has been said that this is a subsidy. I do not see that it can be properly so impugned. A contract in which a *quid pro quo* is received for an expenditure is not, as I conceive, a subsidy. A subsidy is an appropriation in the nature of a gift or donation to build up, cherish, or foster a certain thing upon the idea that incidental benefits may arise to the public. A direct benefit to the public, purchased and paid for for a fair consideration, is not a subsidy, but a proper mercantile contract, such as we make every day to sustain all branches of the Government.

Is this a subsidy or authorization to one of the Departments of the Government to make such a contract as may be directly, not indirectly, immediately, not remotely, but instanter, then and there for the benefit of the postal service and for the people who have an interest therein?

For necessary and special facilities on trunk lines.

What is "necessary" when bought and paid for does not enter into the consideration of subsidy; and "special" there evidently means where convenient and desirable and proper for the promotion of the postal service.

Then, there is an additional clause, a proviso, which utterly negates the idea of a subsidy:

Provided, That no part of the appropriation made by this paragraph shall be expended unless the Postmaster-General shall deem such expenditure necessary in order to promote the interest of the postal service.

Not promote the interest of the railroad. In other words, the Postmaster-General, in order to make an honest appropriation of the funds here provided, must have his mind solely directed to the public consideration of the postal service and the expenditure of enough money to carry out that sole purpose.

In this day and generation time is of the essence of all contracts. Mail facilities are necessary to every business in this country, for there is no more bustling people than those of the United States, and last year's newspaper is ancient history. People live in to-day; prices change so quickly and the world is moving so rapidly that he who is belated in his mail is left behind the times.

Mr. President, there is nothing sectional in this appropriation. It stretches from one end of the country to the other. It begins in Springfield, Mass., and it ends in New Orleans, La., and the best evidence that this is a desirable appropriation and one needed by the public service is the fact that the administrative officers of all Administrations, without regard to party, have felt called upon to exercise the discretion vested in them and to use the funds given to them by Congress to promote and build up this great trunk continental line of postal facilities; and even the distinguished Senator from Wisconsin, when he was Postmaster-General, yielded to the public considerations which were addressed to him, and thought it incumbent upon him in discharging the duties of his office to make such appropriations of such funds.

I should have voted for the amendment offered by the Senator from Ohio [Mr. SHERMAN] if it had been in order; I should have voted for the amendment offered by the Senator from Kentucky [Mr. BLACKBURN] if it had been in order. I am for economy; but not for a penny-wise and a pound-foolish economy.

When the people get the benefit of their money honestly expended under such an Administration as now exists, they do not begrudge the appropriation. I do not mean by that to cast any reflection upon any previous Administration, but only to say that when the people are satisfied that an honest Administration applies their taxation for public benefits which they receive, and which are fairly distributed all over the country, they do not begrudge the expenditure, but rejoice that they are able to gratify themselves with the conveniences which that expenditure supplies.

If you ask any business man in the United States to-day what he looks to most as elements of success, he would say his advertisement and his mail—the advertisement which keeps him, through the press, in contact with the public, and the mail, which gives him the private and confidential communications which are not intended for the public ear. Through these avenues of information he drinks in the mental pabulum which enables him to build up his business, and in an age of sharp competition a day lost is enough to throw him as a factor out of the battle.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Tennessee [Mr. BATE].

Mr. KYLE. I call for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. DAVIS (when his name was called). I am paired with the Senator from Indiana [Mr. TURPIE].

Mr. GIBSON (when his name was called). I am paired with the junior Senator from Michigan [Mr. PATTON]. I do not see him in the Chamber, and therefore I withhold my vote.

Mr. GORDON (when his name was called). I am paired with the Senator from Iowa [Mr. WILSON]. If he were here I should vote "nay."

Mr. HANSBROUGH (when his name was called). I am paired with the junior Senator from Illinois [Mr. PALMER]. If he were here I should vote "nay."

Mr. PROCTOR (when his name was called). I am paired with the Senator from Florida [Mr. CALL].

The roll call was concluded.

Mr. BLACKBURN. Has the senior Senator from Nebraska [Mr. MANDERSON] voted?

The VICE-PRESIDENT. He has not voted.

Mr. BLACKBURN. I am paired with that Senator, and withhold my vote.

Mr. CAFFERY. I am paired with the Senator from Montana [Mr. POWER], and therefore withhold my vote.

Mr. DUBOIS. I inquire if the junior Senator from New Jersey [Mr. SMITH] has voted?

The VICE-PRESIDENT. He has not voted.

Mr. DUBOIS. I am paired with that Senator, and withhold my vote.

Mr. GORDON. I am authorized under my pair to vote when my vote is necessary to make a quorum. I understand that to be the case now, and I vote "nay."

Mr. CAFFERY. I have a right to vote to make a quorum, and I vote "nay."

Mr. GEORGE. My colleague [Mr. MCLAURIN] is paired with the junior Senator from Rhode Island [Mr. DIXON]. If my colleague were here, I think he would vote "yea."

Mr. PROCTOR. As I have announced, I am paired with the Senator from Florida [Mr. CALL], but I transfer that pair to the junior Senator from Michigan [Mr. PATTON], and vote "nay."

Mr. GIBSON. Under that arrangement I am at liberty to vote, and I vote "nay."

Mr. DUBOIS. I am informed that the junior Senator from New Jersey [Mr. SMITH], with whom I am paired, would vote "nay" if he were present, and with that understanding I vote "nay."

Mr. HANSBROUGH. I feel at liberty to vote to make a quorum, and I vote "nay."

Mr. PERKINS (after having voted in the negative). I inquire of the Chair if the junior Senator from North Dakota [Mr. ROACH] has voted?

The VICE-PRESIDENT. He has not voted.

Mr. PERKINS. I am paired with that Senator, but I will transfer my pair to the Senator from Nevada [Mr. JONES], and let my vote stand.

Mr. KYLE. I wish to state that the Senator from Nebraska [Mr. ALLEN], were he here, would vote in the affirmative.

Mr. BLACKBURN. Under my arrangement with the senior Senator from Nebraska [Mr. MANDERSON] I have the right to vote when my vote is necessary to make a quorum. I vote "yea."

The result was announced—yeas 18, nays 26; as follows:

YEAS—18.

Bate,	George,	Jones, Ark.	Vest,
Blackburn,	Hale,	Kyle,	Vilas,
Coke,	Harris,	Martin,	Voorhees.
Cullom,	Hawley,	Mills,	
Faulkner,	Jarvis,	Peffer,	

NAYS—26.

Allison,	Gallinger,	McMillan,	Shoup,
Blanchard,	Gibson,	Mitchell, Oregon	Squire,
Brice,	Gordon,	Perkins,	Stewart,
Caffery,	Gorman,	Pettigrew,	Walsh,
Cockrell,	Gray,	Platt,	White.
Daniel,	Hansbrough,	Proctor,	
Dubois,	Hunton,	Ransom,	

NOT VOTING—41.

Aldrich,	Dolph,	Manderson,	Roach,
Allen,	Frye,	Mitchell, Wis.	Sherman,
Berry,	Higgins,	Morgan,	Smith,
Butler,	Hill,	Morrill,	Teller,
Call,	Hoar,	Murphy,	Turpie,
Camden,	Irby,	Palmer,	Washburn,
Cameron,	Jones, Nev.	Pasco,	Wilson,
Carey,	Lindsay,	Patton,	Wolcott.
Chandler,	Lodge,	Power,	
Davis,	McLaurin,	Pugh,	
Dixon,	McPherson,	Quay,	

So the amendment was rejected.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendmends were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

HOUSE BILL REFERRED.

The bill (H. R. 6415) to provide an immediate revision and equalization of real estate values in the District of Columbia; also to provide an assessment of real estate in said District in the year 1896 and every third year thereafter, and for other purposes, was read twice by its title, and referred to the Committee on the District of Columbia.

DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

Mr. BLACKBURN. I move that the Senate proceed to the consideration of the bill (H. R. 6108) making appropriations for the diplomatic and consular service of the United States for the fiscal year ending June 30, 1895.

The motion was agreed to.

Mr. FAULKNER. Mr. President——

Mr. MILLS. I ask the Senator from Kentucky if he will yield to me to move an executive session?

Mr. FAULKNER. I understand the Senator from Kentucky desires to yield to me to call up a bill on the Calendar, which I do not think will require any length of time in its discussion.

Mr. MILLS. It is almost too late now.

Mr. FAULKNER. It is very important that we should now proceed to the consideration of the bill to which I refer, if there is no serious objection to it, and it will not take, I think, over half an hour. It is House bill 352, for the admission of the Territory of Utah as a State.

Mr. BLACKBURN. I yield to the Senator from West Virginia.

ADMISSION OF UTAH.

Mr. FAULKNER. I ask unanimous consent for the consideration of the bill to which I have referred.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 352) to enable the people of Utah to form a constitution and State government, and to be admitted into the Union on an equal footing with the original States.

The bill was reported from the Committee on Territories with amendments.

The first amendment was, in section 1, line 29, after the word "shall," to strike out:

within twenty days after the passage of this act, by proclamation order an election of the delegates aforesaid in said Territory, to be held on such day as he may in such proclamation designate, not less than sixty nor more than ninety days after the issuing thereof.

And insert:

on the 1st day of August, 1894, issue a proclamation ordering an election of the delegates aforesaid in said Territory, to be held on the Tuesday next after the first Monday in November following.

The amendment was agreed to.

The next amendment was, in section 3, line 3, before the word "Monday," to strike out "third" and insert "first;" and after the word "Monday," to strike out "after their election," and insert "in March, 1895;" so as to read:

That the delegates to the convention thus elected shall meet at the seat of government of said Territory on the first Monday in March, 1895, and, after organization, shall declare on behalf of the people of said proposed State that they adopt the Constitution of the United States; whereupon the said convention shall be, and is hereby, authorized to form a constitution and State government for said proposed State.

The amendment was agreed to.

The next amendment was, in section 4, after the word "held," at the end of line 5, to strike out "at a time fixed in said ordinance," and insert "on the Tuesday next after the first Monday in November, 1895;" so as to read:

That in case a constitution and State government shall be formed in compliance with the provisions of this act, the convention forming the same shall provide by ordinance for submitting said constitution to the people of said State for its ratification or rejection, at an election to be held on the Tuesday next after the first Monday in November, 1895, at which election the qualified voters of said proposed State shall vote directly for or against the proposed constitution, and for or against any provisions separately submitted.

The amendment was agreed to.

Mr. PLATT. I wish the attention of the chairman of the committee. I see that it is provided in the fifth section—

That until the next general census, or until otherwise provided by law, said State shall be entitled to one Representative in the House of Representatives of the United States, which Representative in the Fifty-third Congress, etc.

In lines 13 and 16, of section 19, the word "Representatives' is used. Should not the "s" be stricken out so as to make it singular?

Mr. FAULKNER. That is a proper amendment. It was a typographical error to print the word "Representatives."

Mr. PLATT. Then, in lines 13 and 16 of section 19, I move to strike out the word "Representatives" and insert "Representative." The word "Representatives," where it occurs in line 18, is proper.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Connecticut.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

EXECUTIVE SESSION.

Mr. MILLS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After ten minutes spent in executive session, the doors were reopened, and (at 5 o'clock and 45 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, July 11, 1894, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate July 10, 1894.

REGISTER OF THE LAND OFFICE.

Theodore Bruener, of St. Cloud, Minn., to be register of the land office at St. Cloud, Minn., vice Alphonso Barto, term expired.

PROMOTIONS IN THE NAVY.

Second Lieut. Dion Williams, to be a first lieutenant in the United States Marine Corps from June 30, 1894, vice First Lieut. Theodore G. Fillette, dismissed.

Charles Poor Kindleberger, to be an assistant surgeon in the Navy from July 9, 1894, to fill a vacancy in that grade.

CONFIRMATIONS.

Executive nominations confirmed by the Senate, July 10, 1894.

PROMOTION IN THE MARINE HOSPITAL SERVICE.

Assistant Surg. Benjamin W. Brown, of California, to be passed assistant surgeon in the Marine Hospital Service of the United States.

RECEIVER OF PUBLIC MONEYS.

Edward Hackett, of Oakland, Cal., to be receiver of public moneys at San Francisco, Cal.

REGISTERS OF THE LAND OFFICE.

John P. Dunn, of San Francisco, Cal., to be register of the land office at San Francisco, Cal.

John C. Gamble, of Garberville, Cal., to be register of the land office at Humboldt, Cal.

POSTMASTERS.

Rufus J. Bost, to be postmaster at Stillwater, in the county of Payne and Territory of Oklahoma.

A. M. Watts, to be postmaster at Wharton, in the county of Wharton and State of Texas.

Henderson M. Horton, to be postmaster at Midland, in the county of Midland and State of Texas.

Abner Carson, to be postmaster at Parkers Landing, in the county of Armstrong and State of Pennsylvania.

Curt W. Miller, to be postmaster at Tempe, in the county of Maricopa and Territory of Arizona.

B. F. Thomas, to be postmaster at Carthage, in the county of Jasper and State of Missouri.

J. Albert Jones, to be postmaster at Marcellus, in the county of Cass and State of Michigan.

Thomas M. Gooden, to be postmaster at Dover, in the county of Kent and State of Delaware.

Levi G. Kilmer, to be postmaster at Montgomery, in the county of Lycoming and State of Pennsylvania.

Charles A. Burr, to be postmaster at Rochester, in the county of Oakland and State of Michigan.

Albert F. Kishpaugh, to be postmaster at Clinton, in the county of Lenawee and State of Michigan.

Cameron A. Gustin, to be postmaster at Hartford, in the county of Van Buren and State of Michigan.

John Cranker, to be postmaster at Perryburg, in the county of Wood and State of Ohio.

George W. Wilkinson, to be postmaster at South Charleston, in the county of Clarke and State of Ohio.

David S. Smith, to be postmaster at East Palestine, in the county of Columbiana and State of Ohio.

Ambrose M. Craddick, to be postmaster at Shelbyville, in the county of Shelby and State of Illinois.

Charles L. Gilbreath, to be postmaster at Collinwood, in the county of Cuyahoga and State of Ohio.

Amos H. Frost, to be postmaster at Harrison, in the county of Hamilton and State of Ohio.

Goodwin R. Wiley, to be postmaster at Bethel, in the county of Oxford and State of Maine.

John C. Neltnor, to be postmaster at Turner, in the county of Dupage and State of Illinois.

Benjamin W. Greer, to be postmaster at White Hall, in the county of Greene and State of Illinois.

H. M. Goff, to be postmaster at Richford, in the county of Franklin and State of Vermont.

James W. Edmonson, to be postmaster at Collinsville, in the county of Madison and State of Illinois.

Peter B. Davis, to be postmaster at Narragansett Pier, in the county of Washington and State of Rhode Island.

Frederick E. Jacobs, to be postmaster at North Haven, in the county of New Haven and State of Connecticut.

Michael J. Ryan, to be postmaster at Lonsdale, in the county of Providence and State of Rhode Island.

Frank D. Smith, to be postmaster at Dothen, in the county of Henry and State of Alabama.

Lewis A. Westcott, to be postmaster at East Berlin, in the county of Hartford and State of Connecticut.

D. Smith Sholes, to be postmaster at Ridgefield, in the county of Fairfield and State of Connecticut.

John J. Anderson, to be postmaster at Meriden, in the county of New Haven and State of Connecticut.

J. M. Hammond, to be postmaster at Hamburg, in the county of Fremont and State of Iowa.

William Graham, to be postmaster at Orange, in the county of Orange and State of Virginia.

C. B. Wentzell, to be postmaster at Harpers Ferry, in the county of Jefferson and State of West Virginia.

HOUSE OF REPRESENTATIVES.

TUESDAY, *July 10, 1894.*

The House met at 12 o'clock noon and was called to order by the Speaker.

Prayer by the Rev. JOHN W. HEIDT, of Georgia.

The Journal of the proceedings of yesterday was read and approved.

IMPROVEMENT OF SAUGATUCK HARBOR, MICHIGAN.

The SPEAKER laid before the House a letter from the Secretary of War, transmitting, pursuant to House resolution of date of June 26, 1894, information as to the probable cost of completing the improvement of Saugatuck Harbor, Michigan, which was ordered to be printed and referred to the Committee on Rivers and Harbors.

FLAGS OF TWENTY-SECOND MICHIGAN INFANTRY VOLUNTEERS.

The SPEAKER laid before the House the following Senate bill:

A bill (S. 2070) to provide for the restoration to the State of Michigan two flags carried by the Twenty-second Michigan Infantry Volunteers and now in the War Department.

Mr. AITKEN. Mr. Speaker, I ask unanimous consent for the present consideration of that bill.

The SPEAKER. The gentleman from Michigan asks unanimous consent to consider this bill. The Clerk will report it.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized to turn over to the State of Michigan two flags which were carried by the Twenty-second Regiment of Michigan Infantry Volunteers, and which are now among the recaptured Union flags in the War Department.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The bill was ordered to a third reading, and was accordingly read the third time, and passed.

On motion of Mr. AITKEN, a motion to reconsider the last vote was laid on the table.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. ABBOTT, indefinitely, on account of sickness in his family.

To Mr. EDMUNDS, indefinitely, on account of sickness.

To Mr. LIVINGSTON, indefinitely, on account of important business.

HUGHES BROTHERS & BANGS.

Mr. PAGE. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 7434) directing the issue of a duplicate of a lost check drawn by Capt. W. H. Bixby, Engineers United States Army, at Newport, R. I., in favor of Messrs. Hughes Brothers & Bangs.

The SPEAKER. The gentleman from Rhode Island asks unanimous consent for the present consideration of the bill which the Clerk will report.

The bill was read, as follows:

Be it enacted, etc., That Capt. W. H. Bixby, Engineers United States Army, be, and is hereby, authorized and instructed to issue a duplicate of an original check, under such regulations in regard to its issue and payment as have been prescribed by the Secretary of the Treasury for the issue of duplicate checks under the provisions of section 3646, Revised Statutes of the United States. Said duplicate check to take the place of an original check issued by said W. H. Bixby on September 25, 1893, in favor of Hughes Bros. & Bangs, for the sum of $5,011.93, and numbered 259001, being for services in August, 1893, under their contract with the United States for work at Point Judith, R. I., which check is alleged to have been lost in its transmission through the United States mail.

The Committee on Claims recommended the following amendment:

After the word "three," in line 12, insert the words "upon the subtreasury at New York."

Mr. SAYERS. Mr. Speaker, I should like to have an explanation of that bill.

Mr. PAGE. Mr. Speaker, I ask that the report, which is very short, be read.

The SPEAKER. Without objection, the report can be read.

The report (by Mr. LOUD) was read, as follows:

The Committee on Claims, to whom was referred the bill (H. R. 7434) for the relief of Hughes Bros. & Bangs for check No. 259001, drawn by Capt. W. H. Bixby, United States Engineers, on the subtreasury at New York, issued on September 25, 1893, in favor of Hughes Bros. & Bangs, for services rendered, report:

It appears to your committee, in evidence submitted, that said check was duly mailed, since which time no trace has been found. Payment was duly stopped, as will appear, October 12, 1893. Under the present law no duplicate check can be drawn for a larger amount than $2,500; hence the only relief open to sufferers of this character is by special act. We therefore recommend that the bill do pass, with the following amendment:

Insert after the word "three," in line 12, the words "upon the subtreasury at New York."

UNITED STATES ENGINEER OFFICE,
Newport, R. I., June 25, 1894.

SIR: Yours of the 23d instant duly received.

The lost check in favor of Messrs. Hughes Bros. & Bangs, was dated September 25, 1893, was what is known as an "engineer's" check (No. 259001), and was drawn on the assistant treasurer at New York, who stopped payment on the same on the 12th October, 1893. * * *

Hoping this will give you the desired information, and that you will be successful in your efforts, I am,

Very truly, yours,

W. H. BIXBY,
Captain, Corps of Engineers, United States Army.

Hon. CHARLES H. PAGE, M. C.,
House of Representatives, Washington, D. C.

Mr. SAYERS. Mr. Speaker, I understand by the reading of that report that the check was drawn upon the subtreasury at New York?

Mr. PAGE. That is correct.

Mr. SAYERS. The check was lost?

Mr. PAGE. The check was lost.

Mr. SAYERS. And the payment at the subtreasury has been stopped?

Mr. PAGE. It was immediately stopped, on October 12, 1893.

Mr. SAYERS. And has never been found, and never been presented?

Mr. PAGE. It has never been found, and never been presented.

Mr. DOCKERY. Is there any provision for guaranteeing the United States against loss?

Mr. PAGE. The bill provides that proper indemnity shall be given to the Government.

Mr. LOUD. The check is to be paid under the statute covering cases of that kind.

The amendment reported by the Committee on Claims was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, was accordingly read the third time, and passed.

On motion of Mr. PAGE, a motion to reconsider the last vote was laid on the table.

DONATION OF OBSOLETE GUN CARRIAGES TO MARSHALLTOWN, IOWA.

Mr. COUSINS. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the Clerk's desk.

The Clerk read as follows:

A bill (S. 1045) authorizing the Secretary of War to donate four obsolete gun carriages to the city of Marshalltown, Iowa.

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to turn over four of the obsolete gun carriages at the Rock Island Arsenal to the city of Marshalltown, Iowa, for use in mounting four 20-pounder Parrott guns, donated to said city by act of Congress approved July 19, 1882: *Provided*, That said city shall bear any expense necessary to place these carriages in serviceable condition.

The SPEAKER. Is there objection to the present consideration of this bill? [After a pause.] The Chair hears none.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. COUSINS, a motion to reconsider the vote by which the bill was passed was laid on the table.

MARLIN PARKS.

Mr. CAPEHART. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 562) for the relief of Marlin Parks.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of war be, and he is hereby, authorized and directed to revoke the order of dismissal of Marlin Parks, late first lieutenant Company B, Eleventh West Virginia Volunteers, and issue to him an honorable discharge from the service of the United States, to date the 18th day of November, 1864.

The SPEAKER. The gentleman asks unanimous consent to consider this bill.

Mr. BURROWS. Let the report be read, Mr. Speaker.

The SPEAKER. Without objection, the report will be read.

The report (by Mr. BOWERS of California) was read, as follows:

The Committee on Military Affairs, to whom was referred the bill (H. R. 562) for the relief of Marlin Parks, have considered the same and report:

It appears, from the evidence submitted to the committee, a part of which is made a part of this report, that at the battle of Cedar Creek, Virginia, October 19, 1864, his regiment, the Eleventh West Virginia Volunteers, attached to Gen. Crook's command, received the first attack of the Confederate forces, was driven back, and the whole command thrown into disorder and became broken and scattered, and the regiment did duty during the day with other commands, and the command with which Lieut. Marlin Parks was attached did not reorganize until the next day.

It appears that when driven back the lieutenant collected as many of the men as possible, and served during the day with the Sixth and Nineteenth Army Corps, and the following morning searched out his regiment and joined it with the men he had gathered.

So great had been the disorganization that a commission of officers were appointed to investigate the matter, and a number of officers were notified to appear, and all, except three—Capt. John W. Myers, Capt. R. King, and Lieut. Parks—appeared and were exonerated. Those who did not appear claim that they did not receive the notice until it was too late and the inquiry was finished. They were summarily dismissed without charge or trial.

The statements of the colonel of the regiment, and of the lieutenant-colonel, and of eight members of the regiment, all of whom except the colonel were with Lieut. Parks during the day, prove conclusively that he was doing his full duty the entire day; that he was a brave soldier, always with his regiment in all the battles for three years, and his dismissal was a great wrong done a gallant officer.

Your committee therefore recommend the bill do pass.

During the reading,

Mr. BURROWS said: I observe that the report is quite lengthy, and possibly the gentleman can state the substance of it.

Mr. CAPEHART. It is a short report, and is contained on one page.

The SPEAKER. The exhibits are lengthy, but the report is short.

Mr. BURROWS. Very well.

The Clerk resumed and concluded the reading of the report.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. KILGORE. What committee does that bill come from?

Mr. CAPEHART. From the Committee on Military Affairs.

Mr. KILGORE. Does not the Friday night session have jurisdiction of that bill?

Mr. CAPEHART. I will say that I tried it there, and the Chairman ruled it out.

Mr. KILGORE. Well, I think the Chairman let in pretty much everything the other night.

Mr. OUTHWAITE. Is it a bill removing the charge of desertions?

Mr. CAPEHART. No, sir.

Mr. OUTHWAITE. Then it is not in order at the Friday night session.

Mr. DOCKERY. I would state to the gentleman from Texas that it does not involve the charge of desertion, and therefore is not in order on Friday night sessions.

Mr. KILGORE. I think before that bill passes there ought to be some very good reasons for it.

Mr. CAPEHART. I hope the gentleman listened to the report.

Mr. KILGORE. I listened to the report, but it does not give sufficient reason, because it is only a stump speech written by somebody in behalf of the party. [Laughter.]

Mr. CAPEHART. It seems to me impossible to give any better reason.

Mr. BOWERS of California. Mr. Speaker, I would state to the gentleman that I wrote that report myself, and it is founded upon official records and affidavits of all the officers of the regiment. [Laughter.]

Mr. KILGORE. I give up. [Laughter.]

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. CAPEHART, a motion to reconsider the vote by which the bill was passed was laid on the table.

MICHAEL SCANLON.

Mr. KEM. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 5923) for the relief of Michael Scanlon.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby directed to pay to Michael Scanlon, out of any moneys in the Treasury not otherwise appropriated, the sum of $200, to reimburse him for the loss of a like sum through the dishonesty of a receiver of the United States land office at North Platte, Nebr.

Mr. KEM. I ask the Clerk to read a letter from the Commissioner of Public Lands to the Secretary of the Interior bearing upon that claim.

The SPEAKER. Without objection, the letter will be read.

The Clerk read as follows:

DEPARTMENT OF THE INTERIOR, GENERAL LAND OFFICE,
Washington, D. C., June 4, 1894.

SIR: I have received by reference, House bill No. 5923, entitled a bill "for the relief of Michael Scanlon," to reimburse him the sum of $200, for the loss of a like sum through the dishonesty of a receiver of the United States land office at North Platte, Nebr., submitted by Hon. N. N. COX, chairman first Subcommittee on Claims, for report thereon.

I have the honor to report that the records of this office show that on July 1, 1884, Michael Scanlon filed preëmption declaratory statement, No. 3842, for the E. ½ of SE. ¼ and SE ¼ of NE. ¼ section 15, and NE. ¼ of NE. ¼ section 22, T. 15 N., R. 21 W., and made final proof January 15, 1885, before John D. Seaman, receiver, and deposited with said receiver the sum of $200 in payment for the land, and also $1.40 for reducing testimony to writing. The receiver, John D. Seaman, when he received the money from Michael Scanlon, issued a receipt as follows:

"UNITED STATES LAND OFFICE,
"*North Platte, Nebr., January 15, 1885.*

"Received of Michael Scanlon two hundred dollars, final proof payment on D. S. 3842 calling for NE. ¼ of NE. ¼ section 22, and E. ½ of SE. ¼, SE. ¼ of NE. ¼ section 15, township 15, range 21 west.

"JOHN D. SEAMAN, *Receiver.*"

Action on Scanlon's proof was suspended by the local officers to await the result of an examination by a special agent.

On November 25, 1887, the filing made by Scanlon was held for cancellation upon the report of a special agent of this office, upon the grounds that the entryman failed to comply with the law as to residence and improvements, and that he made the filing in the interest of his employer.

A hearing was ordered by this office, on the 28th of January, 1888, upon Scanlon's application, but the case never came to trial.

Under date of December 10, 1890, a special agent of this office reported that he visited the claim of Mr. Scanlon on December 7, 1890, and found thereon the remains of a board and sod house 10 by 12 feet wide, dug-out stable 12 by 14 feet, with board roof; a well, said to be 35 feet deep; some old wire, and an occasional post, indicating that a fence had been put around the building, and 12 to 15 acres under cultivation; that the improvements when made probably cost about $250; that Scanlon fully complied with the law as to residence; that he now lives in Broken Bow, but has the land cultivated on shares, and that no party other than claimant ever had any interest in the filing.

In view of the facts developed by the investigation of the special agent, as set forth above, the action of this office of November 25, 1887, and January 28, 1888, was revoked, and the final proof of Scanlon's, made on the 15th of January, 1885, was accepted and returned to the local office at North Platte on June 20, 1892, for proper action thereon.

July 28, 1892, upon the payment of $200, paid by Mr. T. C. Patterson, as the attorney for Michael Scanlon, the local officers approved the final proof of Scanlon, made in 1885, and final certificates and receipt issued therefor No. 6971, upon which a patent issued April 24, 1893.

As John D. Seaman, then receiver, actually received the $200 from Michael Scanlon, in his official capacity as receiver of public moneys, without irregularity on the part of the payer, and appropriated said sum, or at least failed to account therefor, I am of the opinion that the entryman should not be made to lose said sum on account of an irregularity of a public officer.

House bill No. 5923 is herewith returned.

Very respectfully,

S. W. LAMOREUX, *Commissioner.*

Hon. HOKE SMITH,
Secretary of the Interior.

The SPEAKER. Is there objection?

Mr. SAYERS. I would like to ask the gentleman a question. I understand from the letter that has just been read that the $200 was paid for the land.

Mr. KEM. Oh, yes.

Mr. SAYERS. Now, why should the land office have insisted upon the second payment of $200, when $200 has already been paid to the proper officer of the Government?

Mr. KEM. I will say, in reply to that, that I can not say why the Government did that; but the fact shows that the Government did it, and that this gentleman has paid $400 for the land when he should only have paid $200. All this bill asks is that he be reimbursed in the amount of $200.

Mr. SAYERS. Is there any evidence to show that the $200 that was first paid was not returned to this man?

Mr. KEM. Oh, yes.

Mr. COX. I reported the bill. Let me make a statement about it.

Mr. SAYERS. Certainly.

Mr. COX. The facts in this case can be stated in a few words.

Mr. SAYERS. What I desire to know is what evidence there is that the $200 originally paid was not returned.

Mr. COX. The money was paid to the proper officer, but some contest arose as to who was entitled to have the land. In the course of time this man received the land; but in the meantime the Government officer to whom the money had been paid defaulted upon his bond, and when the contest was decided in Scanlan's favor an additional $200 was demanded and paid. Thus he was obliged to pay $400 when he should have paid only $200. The first $200 was paid through an attorney, and the matter did not appear on the record in exactly correct form. But there is no doubt this man paid $400 when he ought to have paid only $200; and the $200 which he ought not to have paid has never been returned.

Mr. KEM. I can assure the gentleman from Texas [Mr. SAYERS] that I am familiar with the circumstances of this case, and that it is all right.

Mr. COX. There is no doubt at all about it.

There being no objection, the House proceeded to the consideration of the bill; which was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. KEM, a motion to reconsider the last vote was laid on the table.

MATHEW S. PRIEST.

Mr. PEARSON. I ask unanimous consent for the present consideration of the bill (H. R. 1314) for the relief Mathew S. Priest.

The bill was read, as follows:

Be it enacted, etc., That the sum of $300 be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to compensate Matthew S. Priest for services rendered by him for the Government of the United States from the 16th day of March to the 27th day of August, 1863, as engineer of the steamers Silver Wave and Moderator, in passing the batteries of Vicksburg, Warrenton, and Grand Gulf, and for repairing steamers.

SEC. 2. That the sum hereby appropriated is made immediately available.

Mr. PEARSON. I ask for the reading of the report.

The SPEAKER. Without objection, the report will be read.

The report (by Mr. WILSON of Ohio) was read, as follows:

This claim was presented to the Fifty-second Congress, and was favorably reported upon by the Committee on War Claims, to whom it was referred.

After a careful investigation of the facts involved your committee adopts the report of the Fifty-second Congress, a copy thereof being hereto attached and made a part of this report, and recommend that the bill do pass.

[House Report No. 435, Fifty-second Congress, first session.]

The Committee on War Claims, to whom was referred the bill (H. R. 3398) for the relief of Matthew S. Priest, submit the following report:

This measure was considered by this committee in the Fifty-first Congress, and was reported upon favorably, which report is appended as a part of this report.

Your committee concur in the conclusions stated in that report, and recommend the passage of the bill.

[House Report No. 570, Fifty-first Congress, first session.]

The Committee on War Claims, to whom was referred the bill (H. R. 3030) for the relief of Matthew S. Priest, make the following report:

Matthew S. Priest was a private in Company G, Thirtieth Regiment Ohio Volunteer Infantry, and served in that company and regiment, and was honorably discharged.

He was one of a detachment made by Gen. Grant to do special service on board the steamers Silver Wave and Moderator in running the batteries at Vicksburg and Grand Gulf, Miss.

Claimant served on such detachment as engineer from March, 1863, until September, 1863, as shown by affidavits of four comrades, one officer, and the records of the War Department.

The men and officers engaged in this service as aforesaid were authorized by a special order from Gen. Grant to be paid by the Quartermaster's Department in addition to their army pay, as appears by the records of the War Department.

Records of the War Department also show that many officers and soldiers serving as aforesaid were reported and received the pay by Capts. W. C. Hurlburt and William Finkle.

Records of the War Department do not show that this man, Matthew S. Priest, has received pay for the said service, or that any payment has been made therefor by the Government.

There can be no doubt that the man performed the service; that he has not received pay for the same; that he is entitled to pay therefor, and that the amount claimed is now justly due him from the Government, and we therefore earnestly recommend that the bill do pass.

Mr. KILGORE. Was not this man in the employ of the Government at the time this service was rendered?

Mr. PEARSON. He was.

Mr. KILGORE. Was he not paid by the Government for other services?

Mr. PEARSON. Under a special order of Gen. Grant, this man was detached to serve as an engineer, and he performed that service.

Mr. KILGORE. Was that service any more valuable than service as a soldier?

Mr. PEARSON. It was very much more valuable. Engineers at that time were receiving very large wages.

Mr. KILGORE. It was not so dangerous a service as carrying a musket, according to my experience.

Mr. PEARSON. The gentleman will permit me to say it was much more dangerous, as it involved an attempt to run the batteries of Vicksburg.

Mr. KILGORE. Well, I was around there about that time, and I know something about these matters.

Mr. PEARSON. This service was very much more dangerous, and these other men who performed similar service were paid.

Mr. KILGORE. How many of them were on detached service?

Mr. PEARSON. I do not know how many; but quite a number have been paid. A bill similar to this was favorably reported in the Fifty-first Congress and the Fifty-second; and there has been again a favorable report in this Congress.

Mr. KILGORE. The report says there is no evidence in the War Department that payment has been made. Now the evidence of that fact would not be found in the War Department. Search ought to have been made in the Treasury Department.

Mr. PEARSON. Search has been made.

Mr. KILGORE. In the War Department, the report says.

Mr. PEARSON. Search has been made; and the committee is satisfied that no payment has been made. It is a fact that there has been no payment. I know this man personally. I know that he is an old man, and that he is in need of this money.

Mr. KILGORE. He may be a very good man, but this seems to be a bad bill.

Mr. PEARSON. The money is actually due to him; and if these services had been rendered by a private citizen, he would have been paid long ago.

Mr. KILGORE. Was there any agreement by the commanding general that he should be paid?

Mr. PEARSON. There was an order by Gen. Grant that he should be paid. The records show that.

There being no objection, the House proceeded to the consideration of the bill, which was ordered to be engrossed for a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. PEARSON, a motion to reconsider the last vote was laid on the table.

ALBERT E. REDSTONE.

Mr. BOWERS of California. I ask unanimous consent for the present consideration of the bill (S. 1105) for the relief of Albert E. Redstone.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and is hereby, authorized and directed to pay, out of any money in the United States Treasury not otherwise appropriated, the sum of $1,800, to Albert E. Redstone, of Tulare County, Cal., for loss sustained by the incorporation of his preëmption claim within the limits of the Sequoia Park Reservation, Tulare County, Cal.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. KILGORE. I do not feel inclined to allow this bill to pass without some explanation.

Mr. BOWERS of California. I shall be very glad to give an explanation.

The SPEAKER. Without objection the gentleman from California [Mr. BOWERS] will be permitted to make a short explanation.

There was no objection.

Mr. BOWERS of California. Mr. Speaker, this bill passed the Senate on the 29th of March last, after thorough examination and debate.

Mr. KILGORE. That does not prove anything.

Mr. BOWERS of California. Oh, I know that my friend from Texas has yet some little confidence remaining in the Senate. The language of Senator BERRY, used during the discussion in the Senate, explains briefly and clearly the merits of the measure:

Mr. BERRY. This claim was referred to a special committee. My understanding of what the committee intended was to allow for the actual damages to the property taken. This man, under the laws of the United States, took this preëmption claim, which he had a right to take. He invested all that he had. He built the house; he built the fences; he put out the fruit trees and smaller fruit and made the improvements of the water wheel, and had his barn. It was every dollar that he had on earth. The United States, after he had occupied the land some two years, passed a law reserving the land for a park. He was forced away from there by the soldiers of the United States and not permitted to remain on it. I believe that the Government ought to pay him his actual losses. My understanding was, however, as I said, that when the bill was reported back by the Senator from South Dakota he had taken out the damages that referred to the injury to the stock and also for the water power to which the Senator refers; at least there was some conversation to that effect in the committee and I was under the impression that the allowance had been reduced by that amount.

I think the Government ought to pay him for the balance of the property. I think it was an outrage for the Government to destroy the man's property in that way, turn him out of house and home when he had entered the land

under the laws of the United States, when he had a right to go there under the preemption laws. He went there and complied with every law in force at the time. The land was afterwards reserved, and when he was removed in the manner he was I think he ought to be paid what he was actually damaged. But if the items mentioned by the Senator from Missouri go to make up the total of the bill I think the Senator from Missouri is right and that part ought to be stricken out, because I think the actual damages are all he ought to be compensated for.

Mr. KILGORE. Now, has the Government never paid him anything?

Mr. BOWERS of California. Not a penny.

Mr. KILGORE. Are you sure of that?

Mr. BOWERS of California. Entirely sure of it. Mr. Kyle, Senator Felton, and the subcommittee investigated the matter fully——

Mr. KILGORE. What about the price of the property?

Mr. BOWERS of California. Originally the claim was for $2,800, but it was cut down to $1,800.

Mr. KILGORE. In any event he would be only entitled to the improvements, and that ought to be diminished by the value of the occupancy.

Mr. BOWERS of California. That is all he asks for.

Mr. KILGORE. How long did he occupy the premises?

Mr. BOWERS of California. Two years; and here is the certificate of the payment of the register's fees and the receiver's fees, showing that he had complied with the law and acquired an equitable right to the land.

Mr. KILGORE. How did they make an appraisement of the value of the improvements?

Mr. BOWERS of California. I will show you. The testimony shows that he had made improvements of the following character:

A cottage house, a stone house, a stable, 12-foot overshot water wheel, picket dooryard fence, corral, rail fences, irrigating ditch, fruit trees, grapevines, strawberries, blackberries, raspberries, barley, wheat, and many kinds of vegetables; that he owned mules, horses, and cattle, farming utensils, wagons, etc., and that the said Redstone was continually making improvements on the said reservation up to the time that the said reservation was made.

The testimony shows that he was making improvements steadily, that he regarded the land as his own, and there is no question that he was under the law in lawful possession of it. Here are embodied in the report the items of the account, bringing it up to $2,800, which, as I have said, was afterwards cut down to $1,800:

House and storehouse	$550
Barn	100
Vines and trees	600
Fences	300
Water wheel	100
Loss on stock and implements	500
Ditch, 1 mile long	150
Water power	500
Total	2,800

Mr. KILGORE. The Government converted it into a park, I understand?

Mr. BOWERS of California. Yes; converted it into a park and drove him away.

Mr. KILGORE. Did he go there with notice that it was to be a park?

Mr. BOWERS of California. Certainly not. He was there two years before it was ever contemplated to use it for a park. He went there with the understanding that he was making a settlement, as he had a right to do under the law, and after he had done so he was driven from the property, which the Government took possession of.

Mr. KILGORE. Did the Government give him to understand that this property was open for settlement?

Mr. BOWERS of California. Certainly; and here is the certificate of the register and receiver of the land office showing that he had paid his fees to them and made the proper entry.

Mr. SPRINGER. The Government officials accepted the fees from him?

Mr. BOWERS of California. They accepted the fees and issued the certificates, as I have said. The record is undoubtedly all correct in the matter. I have examined it carefully, and there is no question of his right.

The SPEAKER. Is there objection to the present consideration of the Senate bill?

Mr. DOCKERY. I would like to have an opportunity to examine this a little further. Let it go over until to-morrow.

The SPEAKER. The gentleman from Missouri objects.

Mr. BOWERS of California. I hope the gentleman will not do that.

Mr. DOCKERY. I only ask that it lie over until to-morrow.

Mr. BOWERS of California. Let me say to the gentleman that this bill has been up twice. Two gentlemen objected and asked that it go over temporarily, and as soon as they examined it they were perfectly satisfied and willing that it should be considered and passed.

Mr. STOCKDALE. It has gone so far now you may as well let it go through.

Mr. LOUD. I will say to the gentleman from Missouri that the Committee on Claims have carefully investigated this matter and report in favor of it.

Mr. DOCKERY. At the suggestion of gentlemen around me I will withdraw the objection.

The SPEAKER. Is there further objection?

There being no objection, the bill was considered, ordered to a third reading, and being read the third time, was passed.

On motion of Mr. BOWERS of California, a motion to reconsider the last vote was laid on the table.

Mr. DOCKERY and Mr. KILGORE demanded the regular order.

The SPEAKER. The regular order is the call of committees for reports.

CONTESTED-ELECTION CASE, THRASHER VS. ENLOE.

Mr. PATTERSON. Mr. Speaker, I desire to call up a privileged matter.

The SPEAKER. The gentleman will state it.

Mr. PATTERSON. I call up for present consideration the contested-election case of P. H. Thrasher against B. A. Enloe, from the Eighth Congressional district of the State of Tennessee.

I will state, Mr. Speaker, that the Committee on Elections are agreed that the contestee is entitled to the seat, a majority of the committee reporting that he is entitled to the seat by 110 majority, and the minority by a vote of 25, so that there is no difference in the committee except as to the amount of his majority, and consequently there is no disagreement in the report of the committee.

The SPEAKER. The Clerk will report the resolutions reported by the Committee on Elections.

The Clerk read as follows:

Resolved, That P. H. Thrasher was not elected a member of the House of Representatives to the Fifty-third Congress from the Eighth Congressional district of the State of Tennessee, and is not entitled to the seat.

Resolved, That Benjamin A. Enloe was elected a Representative to the Fifty-third Congress from the Eighth Congressional district of Tennessee, and that he is entitled to the seat.

The resolutions were agreed to.

On motion of Mr. PATTERSON, a motion to reconsider the last vote was laid on the table.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed, with amendments, the bill (H. R. 6748) making appropriations for the naval service for the fiscal year ending June 30, 1895, and for other purposes; in which the concurrence of the House was requested.

The message also announced that the Senate had passed, with an amendment, the bill (H. R. 6558) to amend section numbered 2324 of the Revised Statutes of the United States, relating to mining claims; in which the concurrence of the House was requested.

The message also announced that the Senate had passed the following resolutions:

Resolved, That the Senate has heard with deep sensibility the announcement of the death of Hon. Marcus C. Lisle, late a Representative from the State of Kentucky.

Resolved, That a committee consisting of five Senators be appointed by the Presiding Officer to attend with the committee on the part of the House of Representatives the funeral of the deceased at his late residence in the State of Kentucky.

Resolved, That the Secretary communicate these resolutions to the House of Representatives, and that he be further directed to send a duly-attested copy of the same to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased, the Senate do now adjourn.

In compliance with the foregoing resolution, the Presiding Officer appointed as said committee Mr. BLACKBURN, Mr. LINDSAY, Mr. PALMER, Mr. SQUIRE, and Mr. DUBOIS.

ENROLLED BILL SIGNED.

Mr. PEARSON, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the bill (H. R. 7293) regulating the procedure in criminal causes in the district of Minnesota; when the Speaker signed the same.

COMMITTEE REPORTS.

The SPEAKER. The Clerk will call the committees for reports.

The committees were called for reports.

SECTION 40 OF THE REVISED STATUTES.

Mr. POWERS. Mr. Speaker, I am requested by the Committee on the Judiciary to report favorably a bill to improve the public health and public morals in this House. It is a bill to repeal section 40 of the Revised States.

The bill (H. R. 7274) repealing section 40 of the Revised Statutes was read a first and second time, and, with the accompany-

ing report, ordered to be printed, and referred to the House Calendar.

Mr. DE ARMOND. I ask leave that the minority may file their views.

The SPEAKER. Without objection, the minority will have leave to file their views, and when filed they will be printed.

There was no objection.

LIGHT-HOUSE, ETC., GALVESTON HARBOR, TEXAS.

Mr. BRICKNER, from the Committee on Interstate and Foreign Commerce, reported a bill (H. R. 7109) to establish a light-house and a range light at the entrance to Galveston Harbor, in the county of Galveston, in the State of Texas; which was read a first and second time, and, with the accompanying report, ordered to be printed, and referred to the Committee of the Whole House on the state of the Union.

SEWERAGE SYSTEM IN THE DISTRICT OF COLUMBIA.

Mr. RICHARDSON of Tennessee, from the Committee on the District of Columbia, reported a bill (H. R. 7677) as a substitute for the bill (H. R. 7185) to provide for continuing the system of trunk sewers in the District of Columbia, to provide for sewage disposal, to lay out highways, and for other purposes. The bill (H. R. 7677) was read a first and second time, and, with the accompanying report, ordered to be printed and referred to the Committee of the Whole House on the state of the Union.

The bill (H. R. 7185) was ordered to lie on the table.

MORNING HOUR.

The SPEAKER. This completes the call of committees for reports. The morning hour begins at fourteen minutes before 1 o'clock. The call rests with the Committee on Public Lands, which has a bill now pending before the House. The Clerk will report the title of that bill.

PUBLIC LANDS, ALABAMA.

The Clerk read as follows:

A bill (H. R. 195) to amend an act entitled "An act to exclude the public lands in Alabama from the operation of the laws relating to mineral lands," approved March 3, 1883.

The SPEAKER. This bill is on the Union Calendar.

Mr. McRAE. I ask unanimous consent to consider this bill in the House as in Committee of the Whole.

There was no objection.

The bill was read at length.

The Committee on Public Lands recommended that the bill be amended so as to read as follows:

Be it enacted, etc., That an act entitled "An act to exclude the public lands in Alabama from the operation of the laws relating to mineral lands," approved March 3, 1883, be, and the same is hereby, repealed.

The SPEAKER. The question is on this amendment.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, and being engrossed, was accordingly read the third time.

Mr. TRACEY. I should like to ask whether the Commissioner of the General Land Office has recommended the passage of this bill.

Mr. McRAE. He has.

The bill was passed.

On motion of Mr. McRAE, a motion to reconsider the last vote was laid on the table.

Mr. McRAE. I desire to amend the title of this bill by striking out the word "amend" and inserting the word "repeal."

The SPEAKER. Without objection, the title will be amended in accordance with the suggestion.

There was no objection.

UNCOMPAHGRE INDIANS.

The SPEAKER. The Committee on Indian Affairs is next called.

Mr. LYNCH. Mr. Speaker, I am directed by the Committee on Indian Affairs to call up the bill (H. R. 6557) providing for opening the Uncompahgre and Uintah Indian Reservation in Utah.

The SPEAKER. This bill is on the Union Calendar.

Mr. LYNCH. I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

Mr. WILLIAM A. STONE. I shall have to object. I have an amendment to propose to the bill.

Mr. LYNCH. I move that the House resolve itself into the Committee of the Whole for the purpose of considering the bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole on the state of the Union, for the consideration of the bill (H. R. 6557) providing for opening the Uncompahgre and Uintah Indian Reservations in Utah, with Mr. DOCKERY in the Chair.

The CHAIRMAN. The House is in committee to consider a bill which the Clerk will now report.

The bill was read, as follows:

Be it enacted, etc., That the President of the United States is hereby authorized and directed to appoint a commission of three persons, within thirty days after the passage of this act, to allot in severalty to the Uncompahgre Indians within their reservation, in the Territory of Utah, agricultural and grazing lands according to the treaty of 1880, as follows:

"Allotments in severalty of said lands shall be made as follows: To each head of a family one-quarter of a section, with an additional quantity of grazing land not exceeding one-quarter of a section; to each single person over 18 years of age, one-eighth of a section, with an additional quantity of grazing land not exceeding one-eighth of a section; to each orphan child under 18 years of age, one-eighth of a section, with an additional quantity of grazing land not exceeding one-eighth of a section; to each other person under 18 years of age, born prior to such allotment, one-eighth of a section, with a like quantity of grazing land: *Provided*, That with the consent of said commission any adult Indian may select a less quantity of land, if more desirable on account of location." All necessary surveys, if any, to enable said commission to complete the allotments shall be made under the direction of the General Land Office. Said commissioners shall, as soon practicable after their appointment, report to the Secretary of the Interior what portions of said reservation are unsuited or will not be required for allotments, and thereupon such portions so reported shall, by proclamation, be restored to the public domain and made subject to entry as hereinafter provided.

SEC. 2. That the remainder of the lands on said reservation shall, upon the approval of the allotments by the Secretary of the Interior, be immediately open to entry under the homestead and mineral laws of the United States: *Provided*, That after three years' actual and continuous residence upon agricultural lands from date of settlement the settler may, upon full payment of $1.50 per acre, receive patent for the tract entered. If not commuted at the end of three years the settler shall pay, at the time of making final proof, the sum of $1.50 cents per acre: *Provided*, That the minimum price of mineral lands known to contain asphaltum shall be $50 per acre.

SEC. 3. That persons otherwise qualified to make entries who have, in good faith, made mineral discoveries and locations within the limits of said reservation prior to the 1st day of July, 1890, and who have complied with the law in regard to the entry and location of mineral lands as far as practicable, shall, upon the opening of said lands to entry, have the preferred right of entering their respective locations for thirty days next after such opening, but no longer.

SEC. 4. That said commission shall also negotiate and treat with the Indians properly residing upon the Uintah Indian Reservation, in the Territory of Utah, for the relinquishment to the United States of the interest of said Indians in all lands within said reservation not needed for allotment in severalty to said Indians, and, if possible, procure the consent of such Indians to such relinquisnment, and for the acceptance by said Indians of allotments in severalty of lands within said reservation, and said commissioners shall report any agreement made by them with said Indians, which agreement shall become operative only when ratified by act of Congress.

SEC. 5. That said commissioners shall receive $6 per day each, and their actual and necessary traveling and incidental expenses while on duty, and to be allowed a clerk, to be selected by them, whose compensation shall be fixed by said commissioners, subject to the approval of the Secretary of the Interior; and a sufficient sum is hereby appropriated to carry out the provisions of this act, which sum shall be reimbursed to the Treasury out of the proceeds of the sale of said lands.

Mr. RAWLINS. Mr. Chairman, I ask unanimous consent that the bill be considered under the five-minute rule.

Mr. SAYERS. I desire to have an understanding before consenting to any proposition whatever with reference to the passage of the bill. If the gentleman will agree to strike out the third section and also to adopt the amendment which we have agreed upon to another clause of the bill, then I will have no objection to its passage.

Mr. HOLMAN. What is that second amendment you suggest?

Mr. SAYERS. The gentleman has the amendment.

Mr. RAWLINS. I have it, and will offer the amendment. So far as I am personally concerned, I will agree to that proposition.

Mr. SAYERS. Mr. Chairman, it is agreed that the third section of the bill may be considered as stricken out, and the amendment that the gentleman has to a clause of the bill shall be adopted. With that understanding——

Mr. HOLMAN. That would have to be read.

Mr. WILLIAM A. STONE. I want to have something to say before this matter is agreed upon. I want to ask the gentleman if he will consent to an amendment to the first section of the bill, which I will read:

And provided, That the said Indians shall pay $1.25 per acre for said land from the funds now in the United States Treasury realized from the sale of their lands in Colorado as provided by their contract with the Government.

Mr. RAWLINS. I have no objection to that amendment.

Mr. HOLMAN. That, I think, is hardly fair.

Mr. LYNCH. Is it true, Mr. Chairman, that under the treaty of 1880——

Mr. WILLIAM A. STONE. Unless that amendment is embodied in the bill I shall have to object to any unanimous consent.

Mr. LYNCH. Offer your amendment at the proper time.

Mr. WILLIAM A. STONE. Unless the gentleman shall consent to that, I shall have to object to the consideration of this bill by unanimous consent.

Mr. RAWLINS. I will consent, so far as I am concerned.

Mr. LYNCH. I am willing to take a vote of the House as to that proposition. I am entirely in favor of the proposition.

Mr. RAWLINS. I am entirely agreeable to that. It ought to be done.

Mr. LYNCH. The committee has no objection to it. I think it is a proper proposition to be submitted.

Mr. RAWLINS. Then I ask unanimous consent that the bill be considered under the five-minute rule.

Mr. CANNON of Illinois. Is this bill being considered in Committee of the Whole or in the House?

The CHAIRMAN. In Committee of the Whole.

Mr. WILLIAM A. STONE. Do I understand our friends on the committee will object to this amendment and oppose it?

Mr. LYNCH. Wait until it is offered.

Mr. WILLIAM A. STONE. We had better have the understanding now.

Mr. CANNON of Illinois. Mr. Chairman, it seems to me that there are so many agreements being made and proposed to a bill that most of us know nothing about, that it might be well to take a little time in general debate so as to allow the gentleman to explain it, and let the balance of us know what they are trying to agree about, and after they have done that we will be able to act more intelligently.

The CHAIRMAN. The Chair understands the gentleman from Illinois to object.

Mr. LYNCH. I ask that general debate be closed on the bill at quarter after 1.

Mr. CANNON of Illinois. Let us know what the bill is.

Mr. RAWLINS. Mr. Chairman, if I can have the attention for a few minutes of the members of the committee, I think I can make clear the provisions of this bill. The bill relates to two Indian reservations in the Territory of Utah; one the Uncompahgre Indian Reservation, and the other the Uintah Reservation. The Uncompahgre Reservation contains about 1,900,000 acres of land, and is occupied by 1,021 Indians, as shown by the last census. These Indians, together with two other tribes of Indians, formerly owned about 12,000,000 acres of land in the State of Colorado.

In 1880 they entered into a treaty with the United States by which they sold those lands to the Government, and these Uncompahgre Indians, about 1,000 of them, were temporarily located by proclamation of the President upon this reservation, called the Uncompahgre Reservation. By the treaty made with these Indians they were to have an allotment of land in severalty, as provided in this bill, by a commission to be appointed by the President. They were to get this allotment instead of the reservation in Colorado, and to pay for that at the rate of $1.25 per acre.

This treaty was made with the Indians and ratified by act of Congress. The object of this bill is to carry out the provisions of that treaty with these Indians, making allotments to them in severalty. It will require, to carry out the treaty, about 200,000 acres of land, and there will be then thrown open for settlement between 1,700,000 and 1,800,000 acres. This bill provides that the agricultural lands shall be subject to entry under the homestead laws at $1.50 per acre.

Mr. CANNON of Illinois. If I understand this proposition correctly, it is that about 200,000 acres of land in this reservation in Utah are to be paid for out of the fund realized by the Indians from the sale of their reservation in Colorado.

Mr. RAWLINS. Yes, sir. That fund, amounting to about $1,700,000, is in the Treasury of the United States; and about half of it is to the credit of the Indians of the Uncompahgre Reservation.

Mr. CANNON of Illinois. And you propose to allot 200,000 acres in severalty to those Indians, for which they are to pay——

Mr. RAWLINS. One dollar and twenty-five cents an acre.

Mr. WILLIAM A. STONE. No; nothing at all, under this bill.

Mr. RAWLINS. The price would be $1.25 an acre according to the treaty; but in this bill the committee are silent——

Mr. SAYERS. You propose really to give them the land.

Mr. CANNON of Illinois. Why do better for them than the treaty provides?

Mr. RAWLINS. I am in favor of requiring the Indians to pay for these lands; I think they ought to do so; and the amendment proposed by the gentleman from Pennsylvania to accomplish that is perfectly agreeable to me.

Mr. CANNON of Illinois. And the proposition is to take the remainder and open it to homestead settlement at $1.50 an acre.

Mr. RAWLINS. Yes, sir.

Mr. CANNON of Illinois. And that is all there is in the bill?

Mr. RAWLINS. That is substantially all there is in it.

Mr. SAYERS. Oh, no; there are some other things in the bill.

Mr. RAWLINS. So much as to the agricultural lands. Now, the mineral lands are to be subject to entry under the mining laws of the United States. Under those laws a man who discovers the mineral may locate a tract not exceeding 1,500 feet in length and 600 in width, and by complying with the law and finally making payment at the rate of $10 an acre he can obtain a patent from the United States for that limited quantity. Only citizens can make these entries. Now, there has been found on this reservation the mineral known as asphaltum. This mineral, according to the best information I have been able to obtain, has been found in veins or lodes, similar to silver and other metals of that character.

Mr. HOLMAN (exhibiting a specimen). Here is a specimen of the asphaltum.

Mr. RAWLINS. Yes, sir. Now, this bill provides that these asphaltum lands may be located under the mining laws; that is to say, the man who discovers the mineral may locate a tract not exceeding 1,500 feet one way and 600 feet the other. It is provided in the bill that the minimum price per acre for this land shall be $50. The price for ordinary mineral lands under the existing law is $10 an acre; but the committee thought—and such was the suggestion of the Secretary of the Interior and the officers of the Land Department—that $50 would be about the right price for these lands.

The third section of the bill, to which objection has been made, provides that where citizens of the United States or persons otherwise qualified have made discoveries and locations in good faith prior to 1890, and complied with the mining laws so far as practicable, they shall upon the opening of this reservation have for thirty days a preferred right to make entry on these lands.

Mr. SAYERS. I ask the gentleman to give us a full explanation of the bill on this subject which was passed by the last Congress and vetoed by the President.

Mr. RAWLINS. I will do so. I propose to state fairly every thing pertaining to this bill if I know how to do it.

The committee considered whether they ought to give these people this preferred right, and decided it should be given to persons who actually made these mineral discoveries and locations under the mining laws prior to 1890. Why? The eastern boundary of this reservation is on the Colorado line. It was not defined prior to 1890, and a few persons, probably fifteen or twenty in number, discovered these locations, located upon them and expended their money in developing the claims, being all the time ignorant of the fact that they were within the reservation, supposing themselves to be within a county of the State of Colorado.

Mr. NORTHWAY. How many of such persons are there?

Mr. RAWLINS. About fifteen or twenty altogether. I know those people well. The committee has thought proper in this bill to protect the rights of such persons. It is known that there has been a large corporation organized for the purpose of getting possession, if possible, of those asphaltum lands.

I now come to the question propounded to me by the chairman of the Committee on Appropriations [Mr. SAYERS]. In the last Congress a bill was passed by this House and the Senate which cut off arbitrarily two tiers of townships from the eastern portion of the Uncompahgre Reservation, ignoring the rights of the Indians to take allotments upon the lands; and it also contained a provision in these terms:

Provided, That any mineral location heretofore made or attempted to be made on said lands, or any part thereof, by any qualified person, who shall have made the same in good faith, shall bear date and be allowed the same as if said lands had been public lands at the time of said attempted location or institution of said proceedings, but said mineral location shall not be completed except upon the payment of $20 an acre, or at that rate for the amount taken up by the claim; but no claim shall contain more than 160 acres.

You will observe, first, that that does not require the party attempting to locate to have made the discovery of the mineral land, as this bill does. Second, it does not require him to make the location at all. That provision in the mining law is well understood. The party must discover the mineral lands, he must erect his monuments, make his claim, 1,500 feet each way, and he must also define the boundaries of the claim, which must be distinctly marked on the ground, and he can not take, under the operations of this bill, to exceed 10 acres at most under the provisions of the law.

Mr. HOLMAN. And at a price of $50 per acre.

Mr. RAWLINS (continuing). But under the old bill he was only required to make an attempt at location, as the bill which was passed and vetoed by President Harrison provided, and he was also allowed to enter 160 acres and not required to make any expenditure for the development of the land. On these grounds the President vetoed the bill.

Mr. HOLMAN. And was required to pay only $20 per acre for the land.

Mr. RAWLINS. Yes; while this requires the payment of $50 per acre.

Mr. SAYERS. If the gentleman will permit me——

Mr. RAWLINS. Let me conclude my statement.

This bill restricts the privilege of making the location, as

contemplated by the law, to the actual discoverer of the mineral deposits, and allows the location of not exceeding 10 acres, for which the party shall pay $50 per acre.

In this case these parties have complied in all respects with the provisions of the mining law and entered the lands when the boundaries of the reservation were not accurately defined. They entered upon the lands in good faith, and this third section of the bill is, in my judgment, rather a restriction than an extension of their rights and privileges, as held by the Supreme Court of the United States in the case of Noonan against the Caledonia Mining Company, where persons went on to a new reservation in the Black Hills prior to the opening of the reservation, and made entry.

Mr. SAYERS. Just in that connection can the gentleman state to the House who constitute the syndicate that are interested in the third section?

Mr. HOLMAN. If that section is proposed to be stricken out, what is the use of wasting time about it?

Mr. LYNCH. We are endeavoring to avoid giving any advantage to speculators.

Mr. SAYERS. But we wish to know who these speculators are, and what their connection is with this bill.

Mr. DOCKERY. Is it agreed that the third section shall be stricken out?

Mr. RAWLINS. I was going on to state, if the gentleman will permit me, in answer to the question which has been propounded, that so far as the third section is concerned, in my judgment, and I have carefully investigated the question, there is absolutely no syndicate involved, and the only persons interested are some fifteen or twenty citizens of Utah and Colorado.

In the last Congress a similar bill was vetoed at the request of the Gilsonite Company of St. Louis. They opposed the bill at that time and brought strong pressure to bear against it. Since then they have changed their minds in connection with the matter, for the reason that they desired to construct a railroad through the Indian reservation to a mining claim which they own and which was virtually given to them by act of Congress passed in 1881.

Mr. NORTHWAY. Let me ask the gentleman, if the third section is not inserted in the bill, whether whatever rights these parties have will not be sacrificed?

Mr. RAWLINS. Certainly, but——

Mr. SAYERS. They have no rights at all, because they are trespassers.

Mr. RAWLINS. The reason that I am willing to consent to striking it out is that under the decision of the Supreme Court of the United States, which I have already cited and which I have at hand, the people not only who located but who made entries prior to 1890, as they did in this case, are protected, as well as all persons who entered the lands in good faith, made locations, and expended money in improvements, provided they were in possession of the property at the time the reservation is open to settlement. They are protected, and the rights, in my judgment, are more enlarged under that decision of the Supreme Court than they are under the third section of the bill.

Mr. BARTHOLDT. If the gentleman will allow me, since St. Louis has been mentioned, I wish to state that there is no connection whatever by anybody in St. Louis with any one of these discoveries. But I wish to say this: That if you strike out section 3, you legislate in favor of corporations and rich syndicates——

Mr. SAYERS. How?

Mr. BARTHOLDT (continuing.) Because any rich syndicate can hire a lot of toughs and through their assistance ride roughshod over the rights of the bona fide claimants and discoverers. This section affects the rights of some twelve or fifteen poor people, and the only way to protect them is to adopt this section.

Mr. SAYERS. Now, Mr. Chairman, the statement of the gentleman from Missouri is entirely beyond and outside of the language of the third section, and I would like the gentleman to yield to me——

Mr. BARTHOLDT. I wish to make that statement clearer, if I can have time.

The CHAIRMAN. The gentleman from Utah has the floor.

Mr. SMITH of Arizona. Will the gentleman yield to me for a moment?

Mr. RAWLINS. Certainly.

Mr. SMITH of Arizona. I appreciate the motive of my friend from Texas, but it is not an unusual thing in the opening of these reservations in the Western country to find settlements made by bona fide prospectors, men seeking ore in the mountains, who have gone in and got possession by the discovery of minerals, and carried out, as far as possible, the mining laws, believing it to be public land of the United States.

Now, I quite agree with the gentleman that it is a limitation on the power, rather than broadening it or giving any syndicate a chance to steal this land. It looks to me like a limitation on their power, in the light of the decision to which the gentleman has referred, with which all men familiar with the mining laws are somewhat well acquainted. The one suggestion I wish to make to my friend from Texas [Mr. SAYERS] is this, that if these prospectors located in good faith, not knowing this to be a reservation, the lines of the reservation subsequently covering it, they did all they could to make valid locations, and I do not think the suggestion of the gentleman is just, in the light of what has been said, when he says that a syndicate has hold of it. It seems to me the language of the bill is rather a protection of that property from syndicates, than to allow them to take possession.

Mr. SAYERS. Will the gentleman from Utah allow me five minutes?

Mr. RAWLINS. I will yield to the gentleman five minutes.

Mr. SAYERS. I desire to call the attention of the House to this bill and to show that by the very report of the committee the bill as it is now before the House ought not to pass. The committee in their report say:

By their agreement of March 6, 1880, these Indians agreed to accept allotments as provided in the substitute bill reported. This agreement was ratified by the act of Congress dated June 15, 1880 (21 Statutes, 199). Under the agreement the Indians were to pay for the lands allotted to them at the rate of $1.25 per acre.

And yet the committee reported in favor of giving these Indians the lands for which they had stipulated, under the treaty, to pay at the rate of $1.25 an acre.

Mr. SMITH of Arizona. A mistaken idea of humanity that the House is constantly going into.

Mr. SAYERS. I ask the chairman of the Committee on Indian Affairs why he did not provide for the purchase of these lands by the Indians?

Mr. HOLMAN. Oh, well, we are adopting a very liberal policy toward these Indians. We took a large body of their lands in Colorado, and we gave them a large body of land, a very considerable body of land, but much less than they had in Colorado, a large portion of which is apparently valueless. It had been agreed that these Indians should pay for the lands assigned them in Utah $1.25 per acre. I admit that this is simply a question as to how liberal Congress should be toward that tribe of Indians.

Mr. SAYERS. Now, Mr. Chairman, when it is borne in mind that the probability is that beneath the surface of some of these lands are minerals which make them as valuable, if not more so, than any lands in the United States, I think the committee have been exceedingly liberal to these Indians.

Mr. LYNCH. The allotments are confined to agricultural lands.

Mr. HOLMAN. They take only agricultural lands.

Mr. SAYERS. Agricultural lands provided there be a sufficient amount of them.

Mr. LYNCH. There are fifteen times as many acres of agricultural lands as will be needed for this purpose.

Mr. SAYERS. Now, let us read this section 3. If the gentleman agrees to strike it out, I will not refer to it further.

Mr. RAWLINS. I have no objection.

Mr. BARTHOLDT. I object.

Mr. RAWLINS. I suggest to the gentleman from Texas that he let that matter be voted upon by the House.

Mr. SAYERS. Let me read the section:

SEC. 3. That persons otherwise qualified to make entries who have, in good faith, made mineral discoveries and locations within the limits of said reservation prior to the 1st day of July, 1890—

That is, persons who have gone upon lands that were reserved from location—

and who have complied with the law in regard to the entry and location of mineral lands as far as practicable—

There was no law authorizing them to locate on any portion of these lands. No gentleman can point out a provision of any statute which authorized these men to go and locate upon them—

shall, upon the opening of said lands to entry, have the preferred right of entering their respective locations for thirty days next after such opening, but no longer.

Now, I will call the attention of the members to a clause in the veto message of President Harrison. He says:

The object, then, of this legislation is to be sought not in any public demand for these lands for the use of settlers—for if they are susceptible of that use, the Indians have a clear equity to take allotments upon them—but in that part of the bill which confirms the mineral entries, or entries for mineral uses, which have been unlawfully made "or attempted to be made on said lands." It is evidently a private and not a public end that is to be promoted. It does not follow, of course, that this private end may not be wholly meritorious, and the relief sought on behalf of these persons altogether just and proper. The facts, as I am advised, are that upon these lands there are veins or beds of asphaltum or Gilsonite, supposed to be of very great value.

Entries have been made in that vicinity, but upon public lands, which lands have been resold for very large amounts. It is not important perhaps that the United States should in parting with these lands realize their value, but it is essential, I think, that favoritism should have no part in connec-

tion with the sales. The bill confirms all attempted entries of these mineral lands at the price of $20 per acre (a price that is suggestive of something unusual) without requiring evidence of the expenditure of any money upon the claim, or even proof that the claimant was the discoverer of the deposits.

The bill requires "good faith," but it will be next to impossible for the officers of the Interior Department to show actual knowledge on the part of the claimant of the lines of the reservation. The case will practicably be, as to this matter, in the hands of the claimant. But why should good faith at the moment of attempting the entry, without any requirement of expenditure, and followed, it may be, within twenty-four hours by actual notice that he was upon a reservation, give an advantage in the sale of these lands that may represent a very large sum of money?

That is what President Harrison said when he vetoed a bill similar to the third clause in the bill.

Mr. LYNCH. Mr. Chairman, I want to say that section 3 was inserted as a matter of justice and right, and with abundant precedent. It came to the knowledge of the committee that about the year 1889 or 1890 this asphalt mineral was discovered by prospectors, men of nerve and energy, who went there of their own accord, believing they were on the public lands. They made their discoveries in good faith, marked out their mineral allotments, and recorded their entries in Colorado, believing the land was in that State.

Afterwards it was discovered that the State line between Colorado and Utah ran further east, and they were found to be on this reservation. That was the condition of things as represented to the committee. It was also represented that there were not exceeding eight, ten, or fifteen, at the outside, of these discoverers.

By striking out this section you deprive those brave, hardy discoverers of the fruits of their honest labor and luck, and that without any justification.

The committee thought as a matter of good faith, as a matter of justice, and as a reward for their having made this discovery, by which this country has been benefited millions of dollars, the rights of these men should be protected; I am willing to limit the number of these men to twenty-five. There is not that number, but to be safe, from all the information of the committee, that number would cover all meritorious entries.

Mr. SAYERS. You say there are ten or fifteen? Why should you desire to limit it to twenty-five?

Mr. LYNCH. I would be willing to limit it to fifteen of the early discoverers. Our information is of a less number.

Mr. WARNER. Will the gentleman allow me to ask him a question.

Mr. LYNCH. Certainly.

Mr. WARNER. May I ask if the amount of money that the United States will get in any case is at all affected by this amendment?

Mr. LYNCH. Not at all.

Now, as to the other proposition about their having that land. It is a matter of indifference to the committee what action the House may take. These Indians were placed upon that land in 1880. They have lived there continuously since. They regard that as their own property. They are self-sustaining. They are not costing the Government a dollar; and it was the opinion of the committee that, with the belief resting in the minds of these Indians that they owned that land, that in disposing of them it was reasonable and fair to say to them, "Go and take your allotments of 200,000 acres out of 1,900,000, and go and support yourselves out of what you have." If we take pay for land out of the moneys they have, it makes them all the more liable to come back on the Government for support. It was the judgment of the committee that so long as this tribe was self-sustaining it was in the interest of harmony to treat them in this way.

That was the reason for the action of the committee. The committee is wholly indifferent, and is perfectly willing to take the judgment of the House as to whether they shall pay for the land or not. None of us care a straw one way or the other except in the interest of peace and fair play, because by taking that land and requiring them to make payment for it, it might make a disturbance that would cost very much more than it would to give them the land.

Mr. CANNON of Illinois. How much is there in the Treasury to the credit of these Indians under the treaty made for the purchase of their former reservation?

Mr. LYNCH. Seventeen hundred thousand dollars, which belongs to the three tribes—about 2,000 persons.

Mr. CANNON of Illinois. What part of it belongs to these Indians?

Mr. LYNCH. Nearly half.

Mr. CANNON of Illinois. Eight hundred and fifty thousand dollars, under the treaty.

Mr. LYNCH. Perhaps.

Mr. CANNON of Illinois. I want to see if I understand the matter right. They parted with their Colorado land for eight hundred and odd thousand dollars?

Mr. LYNCH. Yes.

Mr. CANNON of Illinois. And agreed to pay for their allotment in severalty later on in the course of time at $1.25 per acre out of the $800,000. Now, the gentleman says they are self-sustaining, and I am glad to know they are. Has the gentleman thought of the influence upon these Indians, who have manhood and who are self-sustaining, of receiving a gift, not something out of their rights under the law, for which they are subject to pay? The white fellow can not stand that very well. It would tend to demoralize him. Will it not tend to demoralize self-sustaining Indians to go and take something for nothing?

Mr. LYNCH. This is the first instance of this kind we have had in any treaty to my knowledge, or that I have heard.

Mr. SAYERS. They were paid for their land in Colorado.

Mr. HOLMAN. That was a very large body of land.

Mr. SAYERS. But they were paid for it.

Mr. HOLMAN. A mere nominal sum.

Mr. CANNON of Illinois. If the gentleman will allow me. It is not the amount of money involved. That is not the question at all, but it is the risk you run when you have a small handful of Indians, like the Navajoes in Idaho, who are self-sustaining, and who are working out their own salvation, of putting something into their hands for nothing. I say that would tend to demoralize and pauperize white people. Maybe the Indians have character enough to stand it.

Mr. HOLMAN. It will not affect the Navajoes. We are appropriating money for their support all the time.

Mr. CANNON of Illinois. And are tending to demoralize them in doing so.

Mr. LYNCH. You have either got to do that or have them liable to become a Government charge again. The land to be allotted to them is neither all good nor all bad. Millions of acres of the same kind of land adjoins this reservation which has been subject to entry for years, but no white man seems to want it even as a gift. The land is more or less mountainous, and can only be used by means of irrigation.

Mr. WILLIAM A. STONE. You have got to feed them anyhow.

Mr. LYNCH. We do not feed them. We have not paid a dollar for their support for years.

Mr. WILLIAM A. STONE. But they get the interest on this money which does feed them.

Mr. LYNCH. I am only submitting the judgment of the Committee on Indian Affairs as to the best policy to be pursued with these Indians. If the judgment of the House is different, none of us will find any fault. Whether you approve or disapprove our action is wholly immaterial to the committee. It seemed to us wise not to disturb these Indians in their rights—not to provoke any uprising such as would be liable to happen if their annual income should be decreased.

We consider that they are doing very well, and we should be satisfied to let them alone. Requiring them to pay the fixed price for that land, which is more than double its actual value, when taken as a whole, may provoke disturbances or a feeling of hostility that would in a short time cost more than the value of the lands. They sold about 6,000,000 acres in Colorado in 1880 for $800,000, and a third of that will be taken back for one-thirtieth of the quantity of land of practically the same kind and value.

Mr. RAWLINS. I ask that we now proceed to consider the amendments.

Mr. SAYERS. I desire to move to strike out the third section.

The CHAIRMAN. General debate is not closed.

Mr. RAWLINS. I ask unanimous consent that general debate be closed, and that the bill be considered under the five-minute rule.

There was no objection.

The Clerk proceeded to read the bill when—

Mr. LYNCH. I ask unanimous consent that the reading of the bill by sections be omitted, and that amendments may be offered to any part of the bill at this time.

The CHAIRMAN. As though the bill were being considered in the House?

Mr. LYNCH. Yes, sir.

There was no objection.

Mr. WILLIAM A. STONE. I offer the amendment which I send to the desk.

The Clerk read as follows:

After the word "location," in line 22 of page 2, insert:

"*And provided*, That said Indians shall pay $1.25 per acre for said lands from the fund now in the United States Treasury realized from the sale of their lands in Colorado, as provided by their contract with the Government."

The amendment was agreed to.

Mr. SAYERS. I move to amend by striking out section 3.

The question being taken, there were on a division (called for by Mr. SAYERS)—ayes 9, noes 16.

Mr. SAYERS. No quorum.

Tellers were ordered; and Mr. SAYERS and Mr. LYNCH were appointed.

Mr. RAWLINS. Rather than imperil the bill, I ask that this third section be stricken out by unanimous consent.

Mr. HOLMAN. I hope it may be agreed that the third section be stricken out. I am very confident that under the state of the law as it has been construed by the Supreme Court, the rights of these persons, if they have any rights, will be protected at any rate. I hope there will be no objection to striking out this section.

The CHAIRMAN. Pending the count by tellers the gentleman from Indiana asks that the third section of the bill be struck out. Is there objection? The Chair hears none; and it is so ordered. The Chair will treat the amendment of the gentleman from Texas and the point of no quorum as withdrawn.

Mr. RAWLINS. I offer the amendment which I send to the desk.

The Clerk read as follows:

Strike out all after the word "interior," in line 6, page 4, and insert in lieu thereof:

"*Provided*, That the cost of executing the provisions of this act shall not exceed the sum of $16,000, which sum is hereby appropriated for that purpose out of any money in the Treasury not otherwise appropriated."

Mr. LYNCH. The committee will not object to that amendment.

Mr. PICKLER. What is the object of the amendment?

Mr. HOLMAN. I move to amend the amendment by striking out "sixteen thousand" and inserting "eight thousand."

Mr. RAWLINS. If the amendment of the gentleman from Indiana [Mr. HOLMAN] be adopted we might just as well not pass the bill. This matter was submitted to the Department for an estimate as to the amount which would be necessary; and after obtaining such an estimate, the Chairman of the Committee on Appropriations, to whom the matter was submitted, agreed on behalf of his committee that $16,000 should be the amount appropriated. By throwing open these two reservations amounting to about 4,000,000 acres of land, there will be restored to the public domain about 3,500,000 acres.

Mr. HOLMAN. Not by this bill.

Mr. RAWLINS. That will be the ultimate result. It will bring into the Treasury of the United States, in my judgment, millions of dollars.

Mr. PICKLER. Is it not probable that within thirty days the filing fees will be very much larger than this sum?

Mr. RAWLINS. Unquestionably.

Mr. PICKLER. If there is any amount of land taken, that will certainly be so.

Mr. HOLMAN. Mr. Chairman——

Mr. PICKLER. I am opposed to the reduction to $8,000——

The CHAIRMAN. The gentleman from Indiana has been recognized.

Mr. HOLMAN. The expense attending the allotments of land in severalty to the Indians, and the disposal of what remains after the allotments are completed have necessarily involved very considerable expense to the Government. I have no doubt myself that $15,000 will not be required——

Mr. NORTHWAY. Then the Government will not expend it.

Mr. HOLMAN. Oh, yes it will, if appropriated.

Mr. SAYERS. I have no doubt that the whole amount will be required.

Mr. HOLMAN. But I was going on to say, in view of the opinions of members of the Committee on Indian Affairs, who have investigated this matter more fully than I have, and especially with reference to the chairman of the subcommittee, who has examined it very thoroughly and carefully—Mr. LYNCH, chairman of the subcommittee—who thinks the amount will be required, I will not press the motion. But the extravagance all along the line of this Indian business ought to be retrenched.

I withdraw the amendment.

The CHAIRMAN. Then the question is on agreeing to the amendment proposed by the gentleman from Utah, which has just been read.

The amendment was agreed to.

Mr. LYNCH. I move that the committee rise and report the bill as amended favorably to the House.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. DOCKERY reported that the Committee of the Whole House on the state of the Union, having had under consideration the bill H. R. 6557, had directed him to report the same to the House with sundry amendments, and with the recommendation that as so amended it do pass.

Mr. LYNCH. I ask the previous question on the amendments and on the bill to its passage.

The previous question was ordered, under the operation of which the amendments were agreed to, and the bill as amended ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. LYNCH, a motion to reconsider the last vote was laid upon the table.

YUMA INDIANS, CALIFORNIA.

Mr. HUNTER. Mr. Speaker, I call up the Senate bill, No. 1919, to ratify and confirm an agreement with the Yuma Indians of California for the cession of their surplus lands, and for other purposes.

The SPEAKER. This bill is in Committee of the Whole House on the state of the Union.

Mr. HUNTER. I ask unanimous consent that it be considered in the House as in the Committee of the Whole.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The bill will be read.

The bill was read at length.

The SPEAKER. The morning hour has expired, and this will go over.

FORFEITURE OF CERTAIN RAILROAD LANDS.

Mr. McRAE. Mr. Speaker, I call up the bill (H. R. 121) to amend an act to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes, approved September 29, 1890, which is privileged under clause 51 of Rule XI.

The SPEAKER. The Clerk will read the bill.

Mr. REED. I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. REED. By what right is this bill called up?

The SPEAKER. The gentleman from Arkansas claims it is privileged.

The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H. R. 121) to amend an act to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes, approved September 29, 1890.

Mr. REED. That was reported on June 27, I believe, Mr. Speaker.

The SPEAKER. On June 27.

Mr. REED. If I recollect aright a decision of Mr. Speaker Carlisle, it was to the effect that a report had no privilege except at the time it was made.

Mr. McRAE. There can be no question about the right of way for this bill. It was reported June 27 and held on the Speaker's table with the privilege reserved. This was done in order to have the report printed for the House.

Mr. REED. I do not see how that could be done. When a bill is laid on the table in the House that is the end of it under our rules. Perhaps I can assist the Speaker by stating that on page 6898 of the RECORD the transaction is recorded, and the Speaker's observation at the time, I find on examination, was as follows:

The bill, together with the report, will be printed and laid on the table, subject to be called up under the rules.

That, it seems to me, was an erroneous proceeding, unless the practice of the House has at some time been changed. I notice that the committee or somebody seems to have anticipated something of the kind, and has recorded on the bill these words:

Reported with an amendment. Held on the table for the present.

That is not a proper parliamentary transaction, as far as my experience goes.

I know of no proceeding of the House which holds a bill on the table "for the present." If a bill is on the table, that is an end of it under the practice of the House.

Mr. McRAE. There can be no question but that the bill was reported as a privileged report, and by consent held on the Speaker's table.

Mr. REED. It should then have been taken up, and if not taken up, it lost its privilege.

Mr. McRAE. It was privileged when it was reported, and its privilege was expressly reserved. That was what I asked, and that was the order made.

Mr. REED. I would like to ask, Mr. Speaker, by what authority the indorsement was put on the bill itself, "Held on the table for the present," and whether there has been any precedent for such action as is indicated by that, or whether the Public Printer had any authority to print that on it?

The SPEAKER. The Chair does not know. The Chair has sent for the Journal. The note taken by the Clerk at the time reads:

Printed and laid on the table, with leave to present the same for consideration at any time.

What is in the Journal the Chair does not know, but he has sent for the Journal.

Mr. REED. That does not seem to agree with the RECORD.

The SPEAKER. Of course the Journal controls, and not the RECORD.

Mr. REED. Undoubtedly; but if that was not the fact, the Journal ought to be corrected, and it is not too late to do it now. I move that the Journal be corrected to agree with the fact.

The SPEAKER. The question now is as to whether this bill has lost its privilege.

Mr. REED. If the Journal gives it a false privilege by incorrectly stating the fact, I suppose the correction of the Journal would be proper. I do not know whether the Journal is in accordance with the fact or not. I only know that the two other records of the House, the CONGRESSIONAL RECORD and the bill itself, show that statement in the Journal is not correct.

Mr. HOLMAN. Of course the gentleman does not contend that the RECORD governs instead of the Journal. The Journal very clearly states that unanimous consent was given, and that this measure might be called up at any time, as it could have been called up for consideration at the time the report was made. The Journal containing this recital certainly must govern.

Mr. REED. The Journal is evidently incorrect, and I move that it be corrected so as to agree with the fact.

Mr. McRAE. The Journal is correct.

The SPEAKER. The Clerk will report the language in the Journal.

The Clerk read as follows:

Mr. McRAE, from the Committee on Public Lands, reported the bill (H. R. 121) to amend an act to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes, approved September 29, 1890; which, with the accompanying report, was ordered to be printed, and laid on the table, with leave to present the same for consideration at any time.

The SPEAKER. The Chair thinks that under that order the bill would not lose its privilege.

Mr. REED. Does the Chair hold that it is not in order to move to correct the Journal in accordance with the fact?

The SPEAKER. Certainly not now. The Journal has been approved.

Mr. McRAE. The Journal is correct, and states substantially what I asked when I reported the bill and the order that the House made.

Mr. REED. Then this is another instance of the incorrectness of the RECORD, and also of the Public Printer's indorsement on the bill.

The SPEAKER. The Clerk will report the bill.

The bill was read, as follows:

Be it enacted, etc., That section 1 of an act to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes, approved September 29, 1890, be, and the same is hereby, amended so as to read as follows:

"SEC. 1. That there is hereby forfeited to the United States, and the United States hereby resumes the title thereto, all lands heretofore granted to any State or to any corporation to aid in the construction of a railroad opposite to and coterminous with the portion of any such railroad not constructed and completed within the time specified in the act making the grant for the construction and completion of the whole of such railroad for the aid or benefit of which such lands were granted; and all such lands are declared to be a part of the public domain: *Provided*, That this act shall not be construed as forfeiting the right of way or station grounds of any company heretofore granted.

The Committee on Public Lands recommended the following amendment:

Add to the bill the following:

"SEC. 2. That all the rights, privileges, and preferences given, granted, or secured by the said act approved September 29, 1890, to settlers upon and purchasers of the lands forfeited thereby be, and the same are hereby, given, granted, and secured to all settlers upon and purchasers of any of the lands hereby forfeited and restored upon the same terms and conditions and for the same periods of time therein specified, computing from the date of this amendatory act."

Mr. WEADOCK. Mr. Speaker——

Mr. REED. Mr. Speaker, does this go to the Committee of the Whole?

The SPEAKER. What Calendar is it on?

Mr. McRAE. It is on no Calendar. It is privileged and was held on the Speaker's table.

The SPEAKER. Does the gentleman make the point that it should be first considered in Committee of the Whole?

Mr. REED. I have not examined the matter carefully.

Mr. McRAE. There is no rule which requires its consideration in Committee of the Whole.

Mr. HOLMAN. It makes no charge on the public Treasury.

Mr. REED. I want to call the attention of the Speaker to the fact. I have examined it somewhat hurriedly. I do not know whether there is anything in the point or not, that by the second section as proposed it is provided:

That all the rights, privileges, and preferences given, granted, or secured by the said act approved September 29, 1890, to settlers upon and purchasers of the lands forfeited thereby be, and the same are hereby, given, granted, and secured to all settlers upon and purchasers of any of the lands hereby forfeited.

That, it seems to me, is in the nature of a conveyance of property of the United States, if the theory of the bill be correct, and so it would have to be considered in Committee of the Whole.

Mr. McRAE. There is no new grant or conveyance in this bill at all. It is an amendment of the existing forfeiture act approved September 29, 1890; nothing more and nothing less.

There is no new grant of land, no new grant of right of way, and the reservation in section 2 for the settlers is intended to make certain what I believe the first section would give them.

Mr. REED. But the Speaker can not take that for granted. If a proposition be made to enact law, the Speaker must proceed, and the House must proceed, under the assumption that the law does something; and what this claims to do is to grant and secure and to give certain lands, and hence the bill must be considered in Committee of the Whole. It is not an answer for the gentleman to say a portion of his bill does not mean anything. The Speaker is bound to presume that it does mean something, or Congress would not be called upon to enact it.

Mr. McRAE. The point is that it does not give anything more than the present law now gives. It grants no right to lands over which we now have control.

Mr. REED. That is a matter of argument, and you argue it the other way by presenting it here. You argue that it is necessary to enact by offering the bill.

Mr. McRAE. I do not think that even as an original proposition this amendment would not carry it to the committee. The original forfeiture act was not considered in Committee of the Whole. Bills upon this subject have always been considered in the House.

Mr. REED. The gentleman from Iowa [Mr. LACEY] has examined the matter more carefully than I have, and he will make another point; but I think that which I have made already is sufficient.

Mr. LACEY. Mr. Speaker, I wish to make another suggestion as to why this bill should go to the Committee of the Whole. The Chair of course will take notice of the limitations in the original grants of land of which a forfeiture is sought to be declared by this bill. In this original grant it was provided that the railroad companies should carry the mails, United States troops, and certain goods free of charge to the Government. They have done so. At least the presumption is that they have; or they might have done so. Put it that way, if you please.

If Congress now declares a forfeiture of the lands embraced in these grants, any money that has heretofore been retained from the various railroads, or deducted from the allowance due to them by reason of the fact that they were land-grant roads, must be refunded; and in fact it is true that several million dollars have already been received or withheld by the Government on account of carrying troops and mails over these very roads, or over particular parts of these roads, where it is now sought to annul and forfeit the grant.

If so, then this bill will either create a charge on the Treasury or might do so, and if the bill might create a charge upon the Treasury, involving an outlay of money, it must go to the Committee of the Whole. As a matter of fact it does involve between $3,000,000 and $4,000,000 of expenditure from the public Treasury that must be provided for either in this bill or in some other way if this forfeiture is declared.

NAVAL APPROPRIATION BILL.

Mr. TALBOTT of Maryland. Will the gentleman yield to me for a motion? I ask unanimous consent that the naval appropriation bill be referred to the Committee on Naval Affairs.

The SPEAKER. The Clerk will report the title of the bill, after which the Chair will ask if there be objection.

The Clerk read as follows:

A bill (H. R. 6748) making appropriations for the naval service for the fiscal year ending June 30, 1895, and for other purposes.

The SPEAKER. Without objection this bill, with Senate amendments, will be referred to the Committee on Naval Affairs, and ordered to be printed.

There was no objection, and it was so ordered.

FORFEITURE OF CERTAIN RAILROAD LANDS.

Mr. REED. I want to state to the Speaker the point as I understand it. I supposed the other point was sufficient to cover it, and I had not examined the matter very much. First, there is the proviso in the first section:

Provided, That this act shall not be construed as forfeiting the right of way of station grounds of any company heretofore granted.

The intention of that being to confirm any title that has been given. The second section prescribes as to all the rights, privileges, and preferences given and granted or secured by the act

to settlers upon and purchasers of the land forfeited thereby, "the same are hereby given, granted, and secured to all settlers upon and purchasers of any of the land."

Now, the only answer made is that this provision of the section is the same as the existing law. The Speaker can not presume that. The House is to take action on the provision before it; and the Speaker must be governed by the facts of the case as they appear in the bill.

The SPEAKER. That is the point on which the Chair would like to hear the gentleman from Arkansas—as to the second section.

Mr. McRAE. The second section, as I have already stated, is intended to make the remaining sections of the original act, to which this is an amendment, applicable to any lands that may be forfeited and restored by it; but the main proposition in the bill is to extend the forfeiture and restore lands to the public domain which are, to say the least of it, not now a part of the public domain. The legal title to the land is in the railroad companies and the lands are reserved to satisfy the grants, so that we grant nothing at all until we reclaim it by this bill.

There is no attempt to grant the title to anything now under the control of the United States. The second section simply declares that as to a part of the estate to which we propose to resume title by the first section for breach of conditions, that if it has been disposed of to settlers, they shall have a preference to purchase or hold it in certain cases. This right was secured by the original act.

I repeat that it grants no title that we now have; and it grants nothing except a part of what we may restore by this act; so that it seems to me there should be no question about the point of order.

Mr. REED. Does the gentleman admit that it grants a part?

Mr. McRAE. It excepts from the forfeiture that which has been disposed of to bona fide settlers, to a limited extent. That is all the second section does.

Mr. REED. If the section does not do anything, what is its object?

Mr. McRAE. I have stated the object. It is to except from the proposed forfeiture that which has been disposed of by the railroad companies to purchasers, not exceeding 320 acres to each bona fide settler.

Mr. REED. Then it is settled that that belongs to the United States?

Mr. McRAE. Not unless this bill passes. It will be held by the railroad companies unless we resume title. In doing this the bill proposes to except from the provisions of the forfeiture a part of the lands referred to in the second section.

Mr. REED. That is, in substance, you take the land away from the railroad company and confirm it to the settler.

Mr. McRAE. We confirm the title to the settler as we forfeit that of the railroad companies.

Mr. REED. But whatever right the United States Government has in it you give to the settler.

Mr. McRAE. Now, Mr. Speaker, forfeiture bills like this have been presented in every Congress since the Forty-eighth, and they have always been considered in the House. I would not undertake to state that the point has been made in every case, but I think it was made in the Fifty-first Congress, when the act to which this is an amendment was under consideration. I know that it was considered in the House, and the previous question ordered and amendments cut off.

Mr. REED. I think the gentleman is mistaken about that.

Mr. McRAE. I am not mistaken about the bill having been considered in the House.

Mr. REED. The gentleman is mistaken.

Mr. McRAE. I am not mistaken as to the fact of the bill having been considered in the House. I may be mistaken as to whether the point was made or not.

Mr. WILSON of Washington. Will the gentleman from Arkansas answer me one question for information? He spoke about 320 acres being confirmed to each settler who had purchased from the railroad company prior to the date of the passage of the act. Now, is there anything in this bill giving 320 acres?

Mr. McRAE. Yes, sir.

Mr. WILSON of Washington. Let me make myself clear. The gentleman from Arkansas has stated that wherever a settler has purchased 320 acres from the railroad company this act will confirm to him that much land and no more. Now, is any such provision found in the act of 1890?

Mr. McRAE. Yes; but the settler must pay $1.25 per acre, unless he has paid that much to the railroad.

Mr. HOLMAN. As to the extent of the forfeiture which we declare only.

Mr. WILSON of Washington. I am not speaking as to the extent of the forfeiture. I am inquiring for information as to the quantity of land allowed the settler who has purchased from the railroad corporation.

Mr. McRAE. I think it is not exceeding 320 acres to each purchaser from the railroad companies.

Mr. WILSON of Washington. That is the way I understood the gentleman.

Mr. McRAE. That is my recollection of the act of September 29, 1890.

Mr. TERRY. Mr. Speaker, the question presented by the point of order which has been made strikes me as one of no great difficulty. The gentleman from Maine suggests that in the matter of confirming title of these lands that the railroad company has sold to bona fide settlers, we are doing the same thing as if conveying the title of the United States. That is my understanding of the gentleman's position. Now, such is not the real attitude of this question. Suppose we had granted to the railroad company 100 acres of land and the company under the law had forfeited its right to it. If we took no action to exercise the right of forfeiture, the 100 acres would belong to the railroad company.

Now, if instead of resuming the whole 100 acres, we see fit to exercise the right of forfeiture as to 50 acres, allowing the other 50 acres to stand, I should like to know how such failure to exercise the right of forfeiture can be construed as a new grant of the lands by the United States? The Government simply exercises its option as to whether it will forfeit the whole 100 acres or only the 50 acres.

Now, the 50 acres we do not forfeit are the 50 that the railroad has granted to bona fide settlers; and there is no charge on the United States Treasury in the bill, as I understand this second section of it.

Mr. REED. Will the gentleman permit me to call his attention to this fact which he seems to have overlooked. Section 2 provides—

That all the rights, privileges, and preferences given, granted, or secured by the said act, approved September 29, 1890, to settlers upon and purchasers of the lands forfeited—

Not the lands that are not forfeited, but all the lands that are forfeited. Now, to whom are they forfeited? Necessarily forfeited to the United States. What is forfeited—

all the rights, privileges, and preference * * * are hereby—

Not by the other act, but by this act

given, granted, and secured to all settlers upon and purchasers of any of the lands hereby forfeited.

The lands "hereby forfeited" are forfeited to the United States, because they could not be forfeited to anybody else. Having got them forfeited, we say in language technical in its character that the—

rights, privileges, and preferences are granted or secured, etc., to settlers upon and purchasers of the lands forfeited.

Now, the process is to forfeit the lands, and that brings them to the United States. The next process, which brings it within the jurisdiction of the Committee on Rules, is to give and to grant to some other person these lands which have been forfeited and have become the property of the United States, and the fact that it is done in one time and two motions does not make any difference.

Mr. TERRY. I beg leave to suggest to the distinguished gentleman from Maine that he has permitted his intellect to become entangled in a mere mesh of verbiage. He "sticks in the bark." He refers to the language and the letter of it without looking at the substance of what is really done. All we do, as I said before, is to resume 50 acres, so to speak, of the 100 acres which we formerly granted to the railroad, and do not resume title to the 50 that are still in the hands of the bona fide settlers. Now, the gentleman from Maine can criticise the particular language used, but that is really the substance of what is done.

Mr. LACEY. I would like to call the attention of the Chair to the original act of 1890, to which this is an amendment, and which has a direct bearing upon the question raised here. It is provided in section 3 of that act—

That in all cases where parties, persons, or corporations, with the permission of such State or corporation or its assignees, are in the possession of, and have made improvements upon any of the lands hereby resumed and restored, and are not entitled to enter the same under the provisions of this act, such parties, persons, or corporations shall have six months in which to remove any growing crop, and within which time they shall also be entitled to remove all buildings and other movable improvements from said land.

It grants the buildings and crops to these persons as indicated here.

The SPEAKER. The Chair is ready to rule upon the question.

Mr. LACEY. Very well.

The SPEAKER. If this bill were simply one to abrogate a land grant heretofore made, the Chair has no doubt it would be and should be considered in the House, because there is nothing

in the rule that requires a bill of that sort to be considered in the Committee of the Whole.

All bills making appropriations of money or property must be considered in the Committee of the Whole.

The question is whether this bill makes an appropriation of the property of the United States. The gentleman from Arkansas contends that this is merely a forfeiture of a certain part of the lands heretofore granted to a certain corporation.

Now, if that were the bill and nothing else, the Chair thinks it might be and would be considered in the House. But this bill, it seems to the Chair, goes further than that. It forfeits certain lands, and then it grants certain lands. It confirms the title to certain lands now in the United States in the individuals who have sought to obtain title from the railroads. So that it seems to the Chair that this is a disposition within the meaning of the rule of the public property of the United States.

The bill provides—

That all the rights, privileges, and preferences given, granted, or secured by the act approved September 29, 1890, to settlers upon and purchasers of the lands forfeited thereby, be, and the same are hereby, given, granted, and secured to all settlers upon and purchasers of any of the lands hereby forfeited.

The same act which forfeits these lands confers, as the Chair understands it, upon certain settlers and purchasers the right that they acquired under the act of 1890, and the lands forfeited by that act. That the Chair understands to be the purpose of the bill; and it seems to the Chair, in view of that ground—resolving these questions always in favor of the largest debate, as is the habit, perhaps, and the proper one—the Chair thinks the bill ought to be considered in Committee of the Whole, and so holds.

Mr. McRAE. I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of this bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. DOCKERY in the chair, for the consideration of the bill (H. R. 121) to amend an act to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes, approved September 29, 1890.

The CHAIRMAN. The Clerk will report the bill.

The bill was again read.

Mr. WEADOCK. Mr. Chairman——

Mr. McRAE. Mr. Chairman——

The CHAIRMAN. The gentleman from Arkansas is recognized.

Mr. McRAE. Mr. Chairman, I do not propose to use much time in discussing this bill. I believe the questions of fact and of law involved are all well understood by the committee and country. During the last twelve years from time to time we have had long and able discussions of the power and duty of Congress to declare such forfeitures. The bill simply extends the forfeiture act of the 29th of September, 1890, so as to cover in addition to the lands thereby forfeited all lands opposite the lines of roads constructed out of time.

That act only forfeited and restored to the United States the lands opposite to and coterminous with roads which had not been constructed and in operation at that time, and covered about 5,600,000 acres. This bill proposes to so extend the forfeiture as to reach back to the time fixed in the granting act, and proceeds upon the reasonable theory that the Government meant that time was of the essence of the contract when it stipulated for the completion of these roads within fixed times.

This bill seeks to resume the title to all the lands opposite to road constructed after the time required by the granting act or subsequent acts extending the original time. It embraces about 4,000 miles of road and about 48,000,000 acres of land, less the amount that would be confirmed to settlers holding under the railroad companies, or, in other words, would extend the act of 1890 so as to make it cover about 54,000,000 acres.

Very few of the land grants have been finally adjusted and closed. Some of the roads for which grants were made never have been completed at all. Many of them have been completed after the time prescribed by law and while forfeiture bills were pending. Since the Forty-eighth Congress the House of Representatives during each Congress, with one exception, has never failed to pass a bill substantially like the one now pending.

Mr. HOLMAN. And that was the Fifty-first Congress.

Mr. McRAE. And that was the Fifty-first Congress.

The map which was prepared at the Land Office shows the railroad land grants in the United States. That part of the map indicated in yellow shows the lines of road that were not completed and that have been heretofore forfeited. The red shows the road constructed and completed, and the flags on the long lines indicate the parts built out of time.

The scale of the map is too small to indicate very clearly on the shorter lines the length of road that would be covered by this act, but the mileage and area are both shown in the report by States as well as by roads.

A simple glance at this map, Mr. Chairman, will show the enormous area of the public domain that has been granted for the purpose of aiding in constructing railroads in the States and Territories. These great grants were not intended as gratuities, but were based upon a consideration to pass to the Government, and that was to have roads in certain times.

During the time that it took these subsidized land-grant roads, with these princely grants, to construct 20,000 miles of road, private capital, unaided by the Government, constructed through the same States over 100,000 miles.

Many of the land-grant roads appear to have been delayed until after private capital had developed the country and built up a civilization that would justify the construction of roads without Government aid. Congress intended, when it granted this immense area of public land for this purpose, that the roads were to be built in the manner and within the time agreed upon. And now, after they have disposed of millions of acres of this land at exorbitant prices, some of them have acquired from these grants almost enough money to construct the roads, it appears to the committee that it is not unjust to require them to give back to the people all of the remainder of the lands not earned in time. We have dealt more than fairly with the roads when we confirm title in those who have purchased not exceeding 320 acres each from them and give the companies the benefit of these sales.

These immense holdings by railroad companies for speculative purposes have not redounded to the good of our country, and should be discouraged. These lands are desired by the homeless people of the country, and if the United States has the right to resume the title by legislative action, it should be swift in doing so. Since the decision in the case of Schulenburg *vs.* Harriman, reported in 7 Wallace, the country has understood that it requires legislative action to restore the title.

Prior to that time the people believed that the mere failure to construct the roads within the time required forfeited the grant, and in some instances the lands were opened to settlement and entries were allowed upon the granted lands. Since the enunciation of the doctrine that the grants were grants *in præsenti*, and that it would require affirmative action on the part of the Congress, the House of Representatives endeavored to act so as to save the lands to the people.

Under the leadership of the gentleman from Indiana [Mr. HOLMAN], the attention of the country was directed to the importance of the forfeiture of these grants in the Forty-eighth Congress, and since then we have pushed this legislation along that line, only to be balked in the other end of the Capitol.

The fact that some parts of these roads have been constructed out of time should not defeat a forfeiture, and I do not believe that it will. In saying this I do not have to question the correctness of the decision of the Supreme Court in the least.

While this title may be a title *in præsenti*, it is a title upon a condition-subsequent, and is defensible. Congress has the power to resume all the title which the Government had when it made the grant, and I believe it ought to do it promptly and without hesitation. I hope that the House will do it as promptly and freely as the last and prior Congresses.

Mr. HOLMAN. Except the Fifty-first.

Mr. McRAE. Yes, I except the Fifty-first.

Mr. BOATNER. Before you take your seat, I would like to inquire if the question has ever been presented to the Supreme Court, that you know of, whether Congress may declare the forfeiture where the railroad has been constructed in accordance with the terms of the grant except that it has been constructed out of time—after the time fixed by the grant?

Mr. McRAE. That has not been passed upon by the Supreme Court.

Mr. BOATNER. In other words, this railroad earned the grant by constructing the road after the time fixed in the grant, so that the Government can not declare a forfeiture.

Mr. McRAE. There has been no decision within my knowledge upon that point; but there are decisions to the effect that the failure to build the road does not itself forfeit the grant unless Congress declares the forfeiture.

Mr. BOATNER. If the gentleman will yield to me again a moment? The question to which the gentleman has been addressing himself was presented in the matter of the backbone land grant, and report was made by the majority of the Committee on the Judiciary in which it was maintained that where a grant was made upon a condition-subsequent, that the performance of the condition after the time stated in the act was a compliance with the terms of the act, and that the grant became indefeasible.

The question to which I wish to direct the gentleman's attention is as to whether that express point has ever been decided by the Supreme Court in a Government case?

Mr. McRAE. It has not, so far as I know.

Mr. BOATNER. It has been so held in private transactions.

Mr. McRAE. That is the contention of the railroad as to these grants. As a lawyer I do not undertake to say, in view of the act of September 29, 1890, what will be the decision of the Supreme Court if that case should be ever presented; but I do say that if it has not been so decided, and the question can never be raised as to these grants until Congress passes some act like this which will enable the railroads and the settlers to get the question properly in court, the lands are forever gone unless Congress acts.

That much has been decided by the courts, and no more. Lawyers differ upon the question of power, and there is a question about it. While there is a question about it, I think it is the duty of Congress to pass a law which will at least settle the law and quiet the titles to those interested along the line of these railroads.

Mr. WILSON of Washington. Will the gentleman yield to me for a question?

Mr. McRAE. Certainly.

Mr. WILSON of Washington. I have only examined your bill for a minute. Does your bill provide any legislation, outside of the general scope of it, looking to a solution of what is known as the indemnity land question? That is to say, does your bill strictly deal with the grants in place or does it go outside of the 40-mile strip?

Mr. McRAE. It deals with the whole subject, and in forfeiting the grant will carry the lien lands which were intended to satisfy the grant.

Mr. WILSON of Washington. The point of my question is as to the land granted within the 40-mile strip, because everybody in the West knows something about that. Everybody in the West is interested in that matter. I speak from my knowledge of the matter in the West, and I know not whether the matter refers to the South, because I do not know anything about the land grants there, but everybody is interested in our country in the grant in the 40-mile limit of the Northern Pacific Railroad grant.

A good many people were led into error by thinking that they could go outside of the 40-mile strip and have the right to settle on any odd section, and any even section for that matter. The settlement commenced in my State, not from the east to west, but from west to east, coming from California and Oregon by Snake River and got on the 10-mile indemnity strip.

That matter has been sought to be adjudicated by the Interior Department for the past fifteen years, but we have never been able to get any Administration, either Republican or Democratic, to decide it. I was going to offer an amendment that settlers who settle upond any odd section within the indemnity strip prior to the date of the selection by said railroad company, the Northern Pacific, should be entitled to have their titles confirmed in them under the general land laws of the United States, if your bill did not reach the question.

Mr. McRAE. I think the bill covers the matter beyond any question. We seek a forfeiture of the grants of lands including reservations for indemnity purposes. If there is no grant to satisfy there will be no use for indemnity laws.

Mr. WILSON of Washington. The gentleman from Arkansas, who is so thoroughly familiar with the general land laws, knows how much we have been harassed, how much we have been (if I may use the expression) bedeviled by the continual procrastination of the Department of the Interior. Gentlemen will remember the Guilford Miller case. That was a decision; but I do not recollect that anybody has ever gotten anything out of it. We get a case decided. Then a motion of review is made, and the motion for review is pending; and we have been fifteen years struggling to get something done.

Mr. McRAE. I do not believe you will ever get anything of value whatever out of the Northern Pacific grant or indemnity until we pass some bill such as this. If we pass a bill like this, we will have the whole matter decided, and settled promptly and in a way that I think will be satisfactory to the settlers and everybody else except the railroads.

Mr. WILSON of Washington. Of course, if this bill passes and is placed upon the statute book, an appeal will be taken to the courts, where the matter will have to be adjudicated.

Mr. McRAE. Certainly.

Mr. WILSON of Washington. So that ten, fifteen, or twenty years must be lost.

Mr. McRAE. I think not.

Mr. REED. Will the gentleman from Arkansas permit a question?

Mr. McRAE. Certainly.

Mr. REED. I understood the gentleman to say that this map which is now exhibited to the House represents the lands now to be forfeited.

Mr. McRAE. I say it represents all the land grants, and I have stated that the yellow lines represent the roads not constructed at all, and that the flags on the red show the roads constructed out of time—along the longest lines.

Mr. REED. Do I understand that the lands there indicated are subject to railroad grants?

Mr. McRAE. I said nothing of the kind. I said that the map shows the land grants which have been made by Congress.

Mr. REED. Does the map indicate the land which has been taken by the railroads?

Mr. McRAE. I do not know that I understand the gentleman.

Mr. REED. Do you mean to say that the line across there [pointing] represents the Northern Pacific, and the central line the Central and Union Pacific?

Mr. McRAE. I think so.

Mr. REED. And that those roads have all that land?

Mr. McRAE. Yes, sir; all except the yellow lines, the portions forfeited by the act of 1890.

Mr. REED. Both sections?

Mr. McRAE. That represents the grants made to all the railroads.

Mr. REED. Does that represent both the odd-numbered and the even-numbered sections?

Mr. McRAE. Certainly.

Mr. REED. Then it represents twice as much land as the railroads got.

Mr. McRAE. The width of the grant.

Mr. REED. Not the width of the grant, but the width of the land out of which the grant might be taken.

Mr. McRAE. Certainly. We all understand, of course, that the roads got only alternate sections.

Mr. REED. Does not that line along the Northern Pacific represent also the land out of which they could have taken sections of which they have been deprived?

Mr. McRAE. Yes, sir.

Mr. REED. Consequently that map does not represent what the railroads have taken, but only the area out of which they could take what was granted to them. Is not that the fact?

Mr. McRAE. Yes, sir.

Mr. REED. Then, is not that map utterly misleading, as you have stated the matter?

Mr. McRAE. No, sir; it shows the lines and width of grant.

Mr. REED. Is the scale correct?

Mr. McRAE. I stated that it represented the grants to the roads; and I stated the length in miles.

Mr. REED. But it in reality does not represent the grants—only the area out of which the grants might be taken.

Mr. McRAE. I stated the area that the roads had taken.

Mr. REED. That is a totally different thing. You have a map here which pretends to be one thing but is an entirely different thing. There is the whole State of Iowa, for instance, absorbed by railroads.

Mr. GEAR. Will the gentleman from Arkansas allow me to ask just one question; it will not take him a moment to answer. In my own State of Iowa, as represented on that map, the pink lines, I understand, represent the land grants—in other words, represent the lands out of which the railroads should have had and did have their grants; is that so?

Mr. McRAE. Certainly.

Mr. TALBOTT of Maryland. I would like to ask the gentleman from Arkansas one question. If the Government permitted the railroad companies to go on with their work beyond the time originally limited by law, did not that practically amount to consent on the part of the Government for an extension of the time limit?

Mr. McRAE. I think not. Laches can not be charged to the Government.

Mr. TALBOTT of Maryland. I think it did.

Mr. McRAE. I think not.

Mr. LACEY. Mr. Chairman, before commencing my remarks I desire to have read in my time a substitute for section 2, which I send to the Clerk's desk.

The CHAIRMAN. It will be read for information.

Mr. LACEY. I ask that it be read at this time for information.

The Clerk read as follows:

Strike out section 2, and insert the following:

"SEC. 2. The forfeiture provided in this act shall not impair or in any manner affect the title to any lands heretofore sold by such railway companies to bona fide purchasers for value."

Mr. LACEY. Now, Mr. Chairman, I yield a moment to the gentleman from North Dakota [Mr. JOHNSON], that he may have read in my time an amendment which he proposes to offer at a proper opportunity.

Mr. McRAE. It is understood that these amendments are not pending.

The CHAIRMAN. They are only read for information.

Mr. McRAE. I want it understood that I object to any amendment coming in now.

The CHAIRMAN. The amendment of the gentleman from North Dakota [Mr. JOHNSON] will be read for information.

The Clerk read as follows:

SEC. 3. That wherever there have heretofore been made any deductions in payments for the transportation of persons, mails, stores, goods, or Government property of any kind by any railroad whose grant of lands is forfeited by or under this act on account of such railroad having a grant of lands, the proper accounting officers shall ascertain the amounts of such deductions, and shall certify the same to the Secretary of the Treasury, who shall pay to each of the railroad companies performing such service the amount so found to have been deducted on account of lands forfeited by this act and held by such railroad for service on that portion thereof on which this forfeiture is declared, and a sufficient sum to make such payments is hereby appropriated out of any money in the Treasury not otherwise appropriated. And each and every railroad whose grant of lands shall, in whole or in part, be forfeited by or under this act shall hereafter be entitled to receive payment in full for such transportation over that portion of its road deemed not to have been constructed in time, and as to which portion its grant is forfeited, as if the grant so forfeited had never been made.

Mr. LACEY. Mr. Chairman, I do not desire at this time to enter into any discussion of the policy of building railroads by grants of the public lands. That policy was adopted and pursued in the past. Its friends have claimed for it that it was successful; its enemies have denounced it as an erroneous policy.

But that policy has long since been abandoned, and we are now met not with a proposition to grant new land for new railroad enterprises, but to legislate in relation to grants that have been passed very many years ago; and this bill in its present form, while on its face it is a popular bill and one that would strike the ordinary outsider who had not given it very much attention as being just and right, in its terms is a bill which is fraught with a great deal of danger.

It brings chaos into many regions of the country covered today with a happy and a contented people. It insidiously unsettles the titles to millions of acres of lands on which men have made their homes and on which farming operations are being pursued at this time in many of the States of the Union.

The bill does not attempt to take up a single grant at a time and dispose of or forfeit it and have the rights and equities of the settlers on the one hand and of the railway company on the other hand adjusted under its provisions; but it is a proposition, a sweeping proposition to take possession of vast areas of lands heretofore granted and which have been disposed of to settlers, and by its terms it calls in and forfeits and declares to be revested in the Government the title to all the public lands heretofore granted to any railway company coterminous with and opposite to that part of the lines of said companies as shall not have been completed within the time fixed in the granting act.

The gentleman from Arkansas concedes that the right of Congress to do this after the road is built is one of very doubtful legality, but he says it is necessary for Congress to pass this bill in order to give to the Government a standing in the courts to have the rights of the parties determined in litigation, which is certain to follow.

Mr. BOATNER. Will the gentleman allow me in that connection?

Mr. LACEY. I will yield to the gentleman for a moment.

Mr. BOATNER. Was not the granting of these lands and the disposition of them by the railway companies after the expiration of the time in direct contravention of the language of the granting act?

Mr. LACEY. I understand that; but——

Mr. BOATNER. The language of the act reads this way——

Mr. LACEY. I will discuss that in a moment. I do not care to have my time occupied now.

Mr. BOATNER. But if the gentleman will permit me to read a single sentence here to make the point of my inquiry clear——

Mr. LACEY. Certainly.

Mr. BOATNER. The act declares:

And if any of said roads are not completed within ten years, no further sales shall be made and the lands shall revert to the United States.

Mr. LACEY. That is the Louisiana grant.

Mr. BOATNER. Now, in that connection my question is this: When these companies claimed that under the grants they owned the land, how can it be questioned that any titles made by them were made in positive contravention of the terms of the act itself?

Mr. LACEY. The question of the gentleman from Louisiana is more ingenious than ingenuous. He is stating or endeavoring to carry the impression that this is the general form of all these granting acts. That is not the case. That language is embodied in the Louisiana grant, but it is not in all or in very many of the granting acts.

Mr. BOATNER. If the gentleman will permit me, this was the language used in making a grant of alternate sections of the public lands to the State of Michigan to be used in the construction of railroads in said State, which was passed on June 3, 1856, and in every act making grants to the States for this purpose you will find a similar provision.

Mr. WILSON of Washington. Is that in the Northern Pacific grant?

Mr. BOATNER. No.

Mr. LACEY. It is not in the Northern Pacific, and I will state to the gentleman from Louisiana [Mr. BOATNER] that it is not embraced in the grants of 10 per cent of the lands which were given by the Government of the United States for railroad purposes. So the gentleman should not mislead the House now with the statement that these grants have a right of reversion expressed within the granting act, without any further action on the part of the Government. Under the Louisiana grant it is doubtful if there would be any necessity for this act at all, and whether the Government could not go into the courts and secure the reversion to the United States by proper action.

But the question of the gentleman from Arkansas is an entirely different matter. It is this: The courts of the United States have held that the grant is one *in præsenti*, and the conditions to build the road in a certain time is a condition subsequent; and it becomes necessary for the Government, through Congress, to pass a law forfeiting the grant before proceedings can be had in the courts. Consequently it is plain, he claims, that this bill should pass.

Mr. BOATNER. Will the gentleman permit an interruption just at this point?

Mr. LACEY. Certainly.

Mr. BOATNER. The Supreme Court of the United States has decided, and in the same decision where that principle is laid down, that the disposition by the State of land covered by the grant and not in accordance with its terms, was absolutely null and void, and hence that the property still remained in the State. How is the gentleman going to support his contention that the railroad has acquired title when the court holds, in the Harriman case, that the State can not convey to the railroad company except in express accord with the terms of the granting act itself.

Mr. LACEY. The gentleman is anticipating my argument. I have not been discussing and did not propose to discuss the question as to whether there was the absolute right to revoke these grants at this time. I am assuming the position that we do have the power to revoke these grants, as claimed by the gentleman from Arkansas [Mr. McRAE]. Let all that be conceded.

But, on the other hand, he tells you, and the gentleman from Louisiana [Mr. BOATNER] is too good a lawyer not to know that the courts as a rule have held that without such action on the part of Congress the title is vested in the railroad company, and that they have title *in præsenti*, and that that title they can convey to settlers and to purchasers.

That has been the rule for many years. That has been the recognized rule in all the courts, and whether it is right or whether it is wrong, we are confronted with a condition, not a theory. It is also true that the bulk of this land, of good farming character and suited to cultivation, has been sold and is now in the hands of third parties. Most of the land which remains is of small value.

Mr. WILSON of Washington. Will the gentleman permit me, right there, to say that last week in my own county over 700,000 acres of land were patented to the railroads.

Mr. LACEY. Hundreds of thousands of acres have been patented under the decisions of the court to which I have referred. But let me call attention to what seems to me to be the difficulty in this bill, and which has been ignored by its framer. In his anxiety to have some broad and glittering generalities that would catch the public eye, the author of this bill has disregarded individual rights.

Take, for instance, the Central Pacific and Union Pacific grant. That grant goes through the State of Kansas. It goes through the State of Nebraska, and through other States, and much of the land is of the most valuable character. What has been the history of that land? It has been entered upon and has been occupied by farmers who have purchased it, and to-day there are orchards more than twenty years old on this railroad land.

There are old houses, with barns; there are young men old enough to vote who have grown up upon these farms, and yet it is proposed in this bill, in a general and sweeping way, to declare these farms forfeited to the Government and to give to the holders of the farms the right to buy the land again from the Government at $2.50 per acre, provided the owner does not happen to own more than 320 acres in any one tract.

Mr. MARSH. Will the gentleman allow me just one minute?

Mr. LACEY. I will yield more than a minute to the gentleman after awhile.

Mr. MARSH. I only want a minute now, and the gentleman will appreciate the point when I get through. The gentleman from Washington [Mr. WILSON] stated to him a moment ago that last week 700,000 acres of land were patented to the railroad in his county alone. Now, I want to ask the gentleman from Washington if those 700,000 acres of land had not already been contracted and sold by the railroad company to actual settlers?

Mr. WILSON of Washington. If the gentleman from Iowa will permit me, those lands were sold years and years ago, but the company have not been able to get their patents, owing to the existing condition of affairs, and lately they commenced on the eastern line of Washington to patent these lands, and my county is the first county.

Mr. GEAR. With the permission of the gentleman from Iowa, I will say that I have been trying for three months to get patents to over 70,000 acres of land that were sold ten years ago to actual settlers, who were living upon them.

Mr. WILSON of Washington. Right there I want to say that these lands have been sold to settlers, and now that the railroad is in a state of bankruptcy, how are these settlers going to be refunded the money which they have paid for these lands?

Mr. BOATNER. If the gentleman will allow me——

Mr. LACEY. I will yield to my friend later on, but I can not yield now. I have some further points that I want to make.

I have had read at the Clerk's desk an amendment that cures this error in the bill. Heretofore Congress has passed bills forfeiting land grants to railroads, prior to the Fifty-first Congress, to the amount of 50,482,240 acres, and the Fifty-first Congress passed a general bill forfeiting all lands on uncompleted lines of road, so far as the roads at that time remained uncompleted, thus restoring to the public domain all lands about which there could be no controversy as to the right of Congress to declare the forfeiture.

After declaring the forfeiture of 50,000,000 acres and more in the Forty-eighth and Forty-ninth Congresses, and the 5,000,000 acres in the Fifty-first Congress, it leaves now unsettled 50,000,000 acres of land lying opposite parts of railways that were not completed in time.

It is claimed that this 50,000,000 acres of land is a wonderful area of country; that it is an empire; and so it is upon its face. But in truth the most of it is desert. The best land has been sold. In the anxiety to reclaim these numerous and broad acres which are described in the committee's report the bill goes on and embarrasses all settlers upon the other parts of railroad lands where the land has heretofore been sold and occupied.

The amendment that I propose provides that the titles to these lands, lands heretofore sold to innocent holders, shall be confined to them, and that the title shall not be declared to be forfeited by this bill. The gentleman from Arkansas, by his amendment to the bill, provides that the act of 1890 shall apply, and that the rights provided for in that act shall be looked to to protect settlers in the present forfeiture bill. Let us now for a moment look into the comparative merits of the two propositions.

The act of 1890 forfeited tracts of land where no railroad had ever been built; but it was known that railroad companies had attempted to sell lands in advance of the construction of their roads; and in order to relieve the settlers from all embarrassment, the right was given to them to purchase these lands beyond the terminus of the railroad and pay the Government of the United States $2.50 per acre therefor, and have their title confirmed.

That is a provision which does not hurt anybody. But when you go back along the line of a road that has been built, recognizing the fact that the courts have held that railroad companies own that land and they can not be sold by settlers now, and provide that they shall have no greater right than the men who buy the land beyond the terminus of the road, as provided in the act of 1890, that is ignoring the plainest and most elementary principles of justice.

These men bought land and paid for it; and why should a man owning over 320 acres of land in Nebraska or Montana be compelled to pay $2.50 an acre to the Government again, after he has got his tract from the railroad company, and when he took that tract with the understanding that the railroad company owned the land?

Mr. BOATNER. The gentleman certainly does not understand the bill, for it provides that they shall have the land for $1.25 an acre; and if a man has paid the railroad company he shall have credit with the Government for whatever he has paid to the railroad company provided it does not exceed $1.25 per acre. In other words, the bill protects the rights of the purchaser from the railroad company, provided he has not bought more than 320 acres.

Mr. WILSON of Washington. To what extent does the gentleman say there is protection?

Mr. BOATNER. His title for 320 acres is confirmed to him if he has paid the railroad company as much as $1.25 an acre for it.

Mr. WILSON of Washington. What if he has paid more?

Mr. BOATNER. If he has paid more, he will not receive anything from it if he keeps his land. He only gets credit up to and including $1.25 an acre, as if he had paid $1.25 to the General Government. So it leaves him right where it found him. If he has settled with the railroad company and paid, it leaves him with a title from the railroad.

Mr. HERMANN. The fallacy of the position of my friend is that it does not leave him where he found him. It may find him with a thousand or two thousand acres of land on which he has put valuable improvements and to which he holds all the title which the railroad company can give him. Now, you propose to confiscate all with the exception of 320 acres; and therefore you do not leave him where you found him.

Mr. LACEY. I will now yield to the gentleman from California for a question.

Mr. CANNON of California. Does this bill take away from the settler who has purchased from the railroad the land along the lines built within the time? You spoke of land in the State of Nebraska.

Mr. LACEY. There is land in California the same as Nebraska.

Mr. CANNON of California. There is land of that kind in California and in Nebraska. Does it take any land from those roads built within the time?

Mr. LACEY. It takes away land in California from railway companies whose lines were not built within the time named in the grant. The courts had held that where the roads were not completed within the time that the subsequent building of the roads had been sufficient compliance with the grant. Acting upon these rulings of the courts the companies have gone on after the time fixed in their grants and have completed the roads, and sold lands to settlers. This bill will take from any settler any land which he may hold in excess of 320 acres.

Very large tracts of these lands have been sold in amounts exceeding 320 acres. Much of it is grazing land and much more of it requires irrigation—land which must be purchased in large quantities that ditches may be built in order to irrigate it, for irrigation of small tracts is not usually practicable.

Mr. WILSON of Washington. Let me put this case to the gentleman. Suppose A is the owner of more than 320 acres—160 acres more than 320—which he has purchased from B, who purchased from the railroad company. These purchases we will suppose were made in good faith. B thought he had the right to buy the land of the railroad company; he did buy it and paid for it. Now, how is A to be indemnified for his loss of those 160 acres? He loses that much land absolutely, does he not?

Mr. LACEY. Certainly he does under this bill. Of course he may undertake to collect his money from the railroad company, but these companies are in the hands of receivers; are bankrupt; so that such a man would be relegated to the tender mercies of receivers in chancery, who have nothing with which to pay him except a fund already mortgaged for its full amount.

Mr. WILSON of Washington. In other words, we confiscate those 160 acres of this man s land.

Mr. LACEY. This bill apparently intended to strike as its target a soulless corporation, but reaches the corporation through the honest settler on the greater portion of the valuable lands in controversy; and the lands with reference to which settlers will make no claim are lands comparatively worthless—so worthless that the railroad companies have not even asked that they be surveyed.

All these railways have been carrying the mails and the troops and receiving from the Government compensation therefor where the roads have not received land grants. Where land grants have been made, this transportation was made under the terms of the granting acts; and proper deductions have been made. As this debate has now come up unexpectedly, I have not obtained the figures and do not know the exact amount that has been thus withheld from the land-grant roads.

I have been told that it amounts at the present time to several million dollars. This is the amount which would have been paid by the Government to these railways for carrying the troops and the mails if the roads had not been subject to the provisions of the land-grant acts.

Mr. CANNON of California. That goes into the sinking fund and is credited to the companies—or at least half of it is.

Mr. LACEY. A certain portion—50 per cent—is credited in that way. Now, that 50 per cent is so much clear to the Government because of these grants. It is certainly true that the Government can not cancel the grant and keep the money that it has withheld for the carriage of mail and troops by these

roads as land-grant roads. In short, if they are land-grant roads and are subject to the conditions of the land grants, the Government is entitled to these benefits. On the other hand, if the land grants are forfeited the Government must pay in full for the carriage of the mails and the troops.

Mr. HERMANN. Just in the line of the gentleman's remarks permit me to suggest to him the further fact that under the granting act all lands lying coterminous with the line of the road—the even-numbered sections—are increased from $1.25 to $2.50 an acre. In other words, the settler is substantially paying to the Government the value of the lands granted to the railroad company by the act of Congress.

Mr. CANNON of California. That is correct.

Mr. LACEY. Now, I wish to impress upon the committee the fact that these grants are made to different lines under different circumstances at different dates; that the equities in one case are quite different from the equities in the other. Yet we seek here by one general and sweeping bill to cover all of them and make them all subject to the same provisions. Take, for instance, the case that the gentleman from Louisiana has in his mind in his own State. Ten years, I believe, were given for the building of that road. When a few of those years had gone by and the road was partly constructed the war broke out. Will it be contended that the time which elapsed during the war when the company could not construct the road—a period when the troops of both armies went n and tore up the road—is to be treated as part of the time acorded for the building of that road?

That company comes before the Committee on Public Lands and says that it has some special and peculiar rights under these circumstances; that the war and the delays incident to the war, which produced the failure on their part to build the road within the time, ought to be recognized as an equity in their favor and that they should not be included in the bill. Yet that road is embraced in the terms of the bill just the same as the other roads.

Mr. HERMANN. I suggest to the gentleman the further fact that the public lands were not surveyed; so that selections could not be made.

Mr. LACEY. Yes; in many cases the Government has failed to survey these lands, even upon demand; and selections have been prevented from being made. Thus there has been delay in the building of the roads; because they were to be built in part from the land grants. The land was surveyed, put upon the market and sold, and the money reinvested in building other portions of the road, additional patents being obtained as sales were made, and thus the road was being extended into the uninhabited wilderness of the West.

It is by no means clear or absolutely certain that the exercise of the legislative right of forfeiture exists. Courts have held otherwise, and if the bill is to pass at all let us by some broad and comprehensive amendment protect the rights of every settler upon these lands. That is a matter of grave importance. Nothing in the world injures the character of a country so much or impedes its development like the question of unsettled land titles.

Why, you can go into this city of Washington, beautiful as it is, and find out invariably that part of the city where the titles are defective, where there is litigation in chancery, or where there has been trouble of any kind over titles; because you can tell it by the tumble-down houses, by the old shanties, by the unimproved and ungraded lots. You can pick out as easily the boundary line of property that is in chancery as you can discriminate between the boundary lines between land and water.

And this bill proposes to throw the whole State of North Dakota into chancery. It is proposed to throw a vast area of the State of California into litigation. It is proposed to put the blight of contested land titles over the richest and most beautiful parts of the State of Washington; and these matters, I say, ought to be carefully considered. The amendment I have offered exempts from its operation all land heretofore sold from these grants, and that amendment, in my judgment, ought to be adopted.

It has been for a long time the expressed purpose and object of Congress to secure settlers upon the public lands. The great question was not so much to get money from the sale of the lands as to get settlers upon them. That being the case, I ask what difference does it make whether a settler is living on lands that he bought from the railroad company and has improved them, and is producing crops and paying his taxes, getting his title through the railway company, or whether he entered upon the lands as public lands of the United States as a homesteader, a preëmptor, under the timber-culture act, or took them up as desert lands.

It is the occupancy of the land by settlers that we want, and not to regain and take back again the title, in order that someone else may obtain it from the United States. It has long been the policy of this Government in regard to our public lands to encourage its purchase by actual settlers.

Mr. TALBERT of South Carolina. Will the gentleman allow me to ask, as I have not examined the bill, whether this covers all of the land-grant railroads?

Mr. LACEY. Yes, sir.

Mr. TALBERT of South Carolina. Then it is an omnibus bill?

Mr. LACEY. Yes.

Mr. TALBERT of South Carolina. And your amendment proposes to restrict it?

Mr. LACEY. To provide that all lands heretofore sold by railroad companies should not be affected by any such forfeiture.

Now, the gentleman from Arkansas has offered an amendment, the effect of which allows certain parties to hold their lands provided they have not more than 320 acres. The balance of it must be taken back by the Government, notwithstanding the fact that it may be a stock-ranch farm covering 2,000 acres or more, or that it is land which has been irrigated at great expense and put into fruit farms, as he knows is the case in many parts of Southern California.

Mr. WILSON of Washington. The gentleman from Iowa has evidently given this question a great deal of care and attention, and I desire to propound to him the same question I asked the gentleman from Arkansas in the course of his remarks, but the answer to which I am not entirely satisfied with. I asked him whether this bill covered certain lands on the Northern Pacific Railroad. He replied that he thought it did.

Now, there is in the land grant to the Northern Pacific Company a certain quantity of land known as the "indemnity strip," to indemnify the company for lands lost in the granted limits. The original grant allowed the Northern Pacific Company a strip of land 40 miles wide—odd sections—on each side of the track. It was a grant in quantity, and, as the gentleman has said, it was a grant *co instanti*, between Duluth and Puget Sound, to take effect at once, between these points.

Mr. GEAR. From the initial point of the road.

Mr. WILSON of Washington. Yes.

Mr. GEAR. And the question to-day is whether the initial point of the Northern Pacific road is at Ashland or Duluth, and the lands are held up in consequence of that.

Mr. WILSON of Washington. Now, whether this was a grant *in præsenti* or not—some have contended that it was, and others that it is not—but here is the important point: Most all of the grant in place has been disposed of. It is the indemnity strip that remains, and that stretches out from Duluth to Puget Sound, 10 miles wide in alternate sections on either side of the road, and this the Secretary of the Interior can withdraw at any time, or any one of the odd sections in the 10 miles of the indemnity grant and allow other lands to be taken in lieu of it in Washington or Dakota, or in other States where the lands are available for these purposes.

Now, if it is a grant in place, and these lands are opposite to the lands granted, why, they are forfeited if this bill becomes a law. If they are not opposite they are not forfeited. That is all there is about it. Now, all through that country men honestly went and settled upon the odd sections, thinking they were outside the grant, and knowing nothing about the law by which the Secretary of the Interior was entitled to withdraw the additional 10 or 20 mile strips.

They got on the odd sections, and have built homes there, and some of them have been there for twenty years trying to get the title to that land. They are suspended like Mahomet's coffin, in mid-air. They can not get anything. Now, the question arises with me, does this bill give these settlers any rights? I doubt it. There are a large number of them affected, almost as many as under the other feature of it.

Mr. GEAR. They will be protected if the amendment of the gentleman from Iowa [Mr. LACEY] is adopted.

Mr. LACEY. My amendment would cover all that; but the proposition in the original bill, with the committee amendment, will not protect the rights of those settlers. My amendment would cover that, because it in general terms protects every man who has bought land at all.

Mr. WILSON of Washington. Let me say right there—because I am so much interested that—Mr. Hill's road—I do not know which one it was—lost some 70,000 acres of land in Minnesota. By a ruling of the Department of the Interior, or an act of Congress, I will not be certain which, he came clear across the continent into the State of Washington, and there they granted and patented to him in my county those 70,000 acres of land in the place of the lands lost in the State of Minnesota.

Mr. GEAR. That was done under an act of Congress.

Mr. WILSON of Washington. Now, I have always contended

that if the railroad company lost any lands in the granted limits they must select lands opposite the lands lost, and that if there were no lands there, they could not go on to some other part of the country and select lands in some other place; but rulings of the Department of the Interior by various Secretaries of both parties—I am not speaking in a partisan sense—granted to them lands located on other parts of the line.

There ought to be in this bill something definite, something certain, something that will protect these men who twenty years ago went upon this indemnity strip, by and through no fault of theirs, because it was advertised all over the country that the railroad company was only granted a strip 20 or 40 miles wide, and they thought when they got outside of that strip, and onto an odd section, that they were entitled to locate there. Some of them got there before surveys were made, and when the surveys were made they found they were on the odd sections. Yet the Department holds that they can not retain their homes that they built.

The great question that ought to be before Congress is as to the indemnity limit, not the grant in place, not the forfeiture of what is known as the 20-mile strip or 40-mile strip on each side, but the lieu lands or the indemnity lands strip. I think they were only entitled under the law to their grant of land, the odd sections, 10 miles or 20 or 40 miles from the roads, and when they got what was there that was all Congress intended they should have; but the Secretaries have given them a 20-mile strip on each side, and many settlers are being deprived of their homes.

Mr. HERMANN. Now let me say, in reply to the gentleman from Washington, that as I understand the Secretary of the Interior is now ruling, and has been for the last year or so at least, that where settlement is made upon indemnity lands within the odd section, and that settlement is made by a bona fide settler, otherwise qualified, previous to the date of selection by the railroad company, that the settler's rights are prior and preferred to the right of the railroad company; but that if he is not there at the time that such selection is filed, then that the right of the railroad to select indemnity lands within the indemnity limit is supreme and conclusive over and above the rights of the settlers.

Mr. LACEY. Mr. Chairman, I am obliged to my friends for these interruptions, because it is light that we have been seeking in regard to these points. This bill is not to be railroaded through here without consideration for the rights of settlers, simply because it looks well on paper to go out in the campaign and say Congress has declared forfeited over 50,000,000 acres of land, whether that land is desert or whether it is fertile; but this committee should carefully weigh the rights of every settler.

I have had some experience in this matter. We have had the question in the State of Iowa. In the northwestern part of Iowa, in the Des Moines River grant and the railway grants, settlers have been the object of our care and solicitude for a great many years. These men bought their lands and they went upon them. They improved them; they raised their families there; and finally a controversy arose in regard to conflicting grants of Congress, under which their rights were taken away; and we have seen great suffering among them.

To-day there is pending a bill in Congress to appropriate nearly half a million dollars to make good to them a part of the losses that they have incurred, and that if appropriated would not make good what they lost. Our experience in that matter ought to make us weigh and consider well any proposition to revoke and cancel titles to land which have passed into the hands of occupants.

Mr. Chairman, I reserve the balance of my time. How much time have I remaining?

The CHAIRMAN. The gentleman has twenty-two minutes remaining.

Mr. LACEY. I yield such time to my colleague [Mr. GEAR] as he desires.

Mr. GEAR. Mr. Chairman, I am opposed to this bill in its present shape, and unless the amendment offered by my colleague [Mr. LACEY] can be adopted I am satisfied that by the passage of this bill we will endanger the rights of many actual settlers. Let me illustrate. The Northern Pacific, as has been said by the gentleman from Washington [Mr. WILSON], has certain indemnity lands. Certain gentlemen that I know bought 75,000 acres of these lands. They sold them in turn to a large number of Scandinavians, people who went from my district, and largely from my own town.

If you pass this bill you put in peril the title of those 75,000 acres of land, by virtue of the fact that they have agreed to pay to the parties from whom they bought title, the title will be complicated so that the original purchasers can not make the title. I have been trying for months and months, aye, for six months, to get patents issued for these lands to the men who have been living on them for years, and have been debarred by rulings, or by lack of action would perhaps be the proper term to use, by the Department of the Interior. Now, so much for that.

Now, I want to say a word in regard to this map. This [illustrating] represents the State that I live in, the State of Iowa. It is a State in which there are about 35,000,000 acres. Now, the section of that map shown by this red line purports to contain the lands granted by Congress to the different railroads, or rather the parts of the State out of which these land grants were taken.

If this map is correct it shows that practically one-half of the State of Iowa would have been granted to the land-grant roads. Now, as a matter of fact, the State of Iowa has within her borders about 35,000,000 acres of land, and about one-eighth of the area was granted to the land-grant roads and to the Des Moines Land Grant Improvement Company, which amounted in round numbers to 4,000,000 acres of land. So that the map, when your attention is called to it, is false on its face.

Now, then, as to these land grants. I will take the Des Moines Valley. That company did not get an acre of land until it had built nearly 100 miles into the interior. Take the old Burlington and Missouri road. My recollection is that they got 287,000 acres of land. That is along the road in the western part of the State. It is a road running to the Missouri River through the district represented by my colleague, Mr. HEPBURN, and the ninth district, by Mr. HAGER.

The lands in the western part of Iowa were considered at that time as practically valueless. As a matter of fact they were put upon the old maps of the State as a part of the great American Desert. You could go and buy them for 75 cents to $1 an acre. The road was built through there. Settlers followed, and the alternate sections of the lands which were sold for $2.50 an acre have been made valuable, and to-day they are the most valuable lands on this continent.

Mr. WILSON of Washington. Except those in the State of Washington.

Mr. GEAR. Of course, I except those of the gentleman's State. The Rock Island road did not get an acre until they had gone over 160 miles into the interior. That was the old Missouri and Mississippi. The Northwestern road did not get an acre until it had gone west of Cedar Rapids. The Illinois Central Railroad did not get any lands until it had gone some distance west, I think to Grundy County, perhaps about 100 miles. The only road which originally got any large amount near the Mississippi was that built in the northern part of the State, now the Chicago, Milwaukee and St. Paul.

The whole land, as I before stated, granted to Iowa for all railroad purposes was less than one-eighth of the State. The Government has been reimbursed for that; and had it not been for these grants the western part of Iowa would in my judgment still be put down as a part of the "great American Desert."

Mr. BOATNER. Were not the roads to which the gentleman refers built within that time?

Mr. GEAR. Not all of them. Lands were regranted by the State for the benefit of these roads time and again. When I had the honor of being a member of the Legislature and at another time chief executive of the State, we regranted those lands; and in that country up there in the northwestern part of the State, which is now one of the garden spots of Iowa, the company receiving those grants offered to sell and did sell the lands in many cases for two and three dollars an acre—land which to-day, by reason of cultivation and of the fact that railroads have built through that country, is worth from $25 to $50 an acre.

Mr. BOATNER. The gentleman will allow me to suggest that this bill can not apply to roads which were built within time.

Mr. GEAR. I understand that; yet, without the Lacey amendment it will unsettle titles. But I want to show how false this map is—that those who have gotten it up, who are interested in the passage of this bill, are trying to palm off on this committee what is practically a falsehood.

Mr. BOATNER. But the map does not affect the question at issue.

Mr. GEAR. An "object lesson" like this might affect the eye of any gentleman, who in looking at this map might be greatly misled as to the extent of these land grants in my State. I submit that the amendment offered by my colleague [Mr. LACEY] should be adopted so as to protect actual settlers, from the highest to the lowest, on these and all other lands granted to railways.

I yield back the time to my colleague.

Mr. LACEY. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. Fifteen minutes.

Mr. LACEY. I reserve the balance of my time.

Mr. BOATNER. Mr. Chairman, the gentleman who has just taken his seat seems to misapprehend the purpose of this bill. The bill will not interfere with the grant to any railroad company whose grant has been earned. It will not interfere with the right of any settler who has bought from a railroad company that had authority to sell. But it does propose to take back to the General Government all the lands granted to the railroad companies that have not conformed to the terms and conditions of the grant and thereby earned the lands.

Mr. Chairman, it was first held in the case of Schulenberg *vs.* Harriman, in 21 Wallace, page 44, as stated by the gentleman from Iowa, that all these grants made by the General Government to the States, and by them used in the construction of railways were grants *in præsenti*, that they carried the title absolutely from the Government and vested it in the States, and that therefore no person could question the title of the States until the Federal Government had exercised its right of declaring a forfeiture because of the nonperformance of the conditions of the grant.

So it was held in that case that the title to the property remained vested in the State—Wisconsin, I believe it was—although nominally the State had granted the land to a railway company which had failed to build in the time fixed. But while the court held that the grant was *in præsenti*, and vested title into the State; it was also held that the State could not dispose of that land except in literal compliance with the terms and conditions of the grant; that any other disposition of the land, any conveyance on terms different from those provided by the grant, was void.

Now, I have taken the pains to look at a number of these grants. I commence by referring to the grant made to the State of Iowa, May 15, 1856, which contains this language in section 4:

"*And be it further enacted*, That the lands hereby granted to said State shall be disposed of by said State only in manner following; that is to say, that a quantity of land not exceeding 120 sections for each of said roads, and included within a continuous length of 20 miles of each of said roads, may be sold; and when the governor of said State shall certify to the Secretary of the Interior that any 20 continuous miles of any of said roads is completed, then another quantity of land hereby granted, not to exceed 120 sections for each of said roads having 20 continuous miles completed as aforesaid, and included within a continuous length of 20 miles of each of such roads may be sold, and so from time to time until said roads are completed; and if any of said roads are not completed within ten years, no further sale shall be made, and the lands unsold shall revert to the United States."

This is the condition inserted not only in the act granting lands to the State of Iowa, but in those granting lands to Florida, Alabama, Louisiana, Minnesota, and all the States that received land grants from the Federal Government in 1855, 1856, and 1857.

Mr. HERMANN. I would like to ask the gentleman one question. In a case like that of the grant to the State of Iowa, in which there was a condition that the road should be completed within ten years, otherwise the lands should revert, have the courts ever held that if the railroad company went on after the time and completed the road, lands sold after the expiration of the original limit of time reverted?

Mr. BOATNER. That question has never arisen except in suits between private individuals and the railway companies. In such cases the State courts—I do not know that the question has ever gone to the Supreme Court of the United States—have held that the individual has no right to question the title of the road, that the United States Government is the only authority that can deal with the question, and that until Congress has by legislative action declared the forfeiture, the question is one which the court can not consider.

Now, I call my friend's attention particularly to the important question that is before us. Under the provisions of these acts the Congress of the United States granted lands to several of the States to be used in aid of railway construction. They provide that the States may dispose of the lands for this purpose in the manner indicated in the acts, and "in no other." They specify exactly what is to be done with the land. They authorize the States to sell the first twenty sections in advance of the construction of any road, and to apply the proceeds for the construction of the road.

After the first twenty sections are sold and the proceeds so applied the remainder can only be sold as the road is completed in sections. When the road is completed in sections of 20 miles, the acts uniformly authorize the governor of the State to dispose of the additional amount authorized by the act, with the reservation that if the roads in aid of which this land is granted are not constructed within ten years from the date of the act, there shall be no further sales and the lands shall revert to the United States.

The contemplation of the law was not that the States should give the land to the railroad companies. The contemplation of the law in its plain and explicit terms was that the land should be sold by the governor of the State and the proceeds given to the roads. The lands could only be sold as the road was completed in sections. And when the ten years were up the State government lost its authority to sell, and by mere force of law the land not then sold reverted to the United States.

Mr. HOPKINS of Illinois. Assuming for argument's sake that the gentleman's proposition is correct, in what attitude would that view of the case put the people of Iowa, for instance, where the governor, after the expiration of ten years, went on and sold these lands?

Mr. BOATNER. Well, the Supreme Court, in the Schulenberg case, says that any act of a State government with respect to these grants, beyond the terms of the granting act, is absolutely void.

Now, in the Schulenberg case the contention was that the land belonged either to the State or to the railroad company. The court held that it belonged to the State, because the grant was *in presenti;* that it did not belong to the railroad company, notwithstanding the State had granted it to the railroad company, because the State had not granted it on the terms and conditions of the granting act.

Mr. HOPKINS of Illinois. Now, if the action of the governor of Iowa was void, then the passage of this bill would unsettle all those titles, would it not?

Mr. BOATNER. I do not understand that this bill strikes at any grant which was earned within the time, and the gentleman from Iowa said that the roads in that State were built within the time.

Several MEMBERS. Oh, no; not all of them.

Mr. HOPKINS of Illinois. Assuming that they were not built within the time, then the passage of this bill would unsettle the titles, would it not, of thousands of farmers in the State of Iowa?

Mr. BOATNER. Not at all, unless they own more than 320 acres. The gentleman must recollect that this act is merely an amendment of the act of 1890. It proposes to amend a certain section of that law; but it does not interfere with the third section of that act, which reads in this way:

That in all cases where persons being citizens of the United States, or who have declared their intentions to become such, in accordance with the naturalization laws of the United States, are in possession of any of the lands affected by any such grant and hereby resumed by and restored to the United States, under deed, written contract with, or license from, the State or corporation to which such grant was made, or its assignees, executed prior to January 1, 1888—

That is amended by this bill so as to read eighteen hundred and ninety—

or where persons may have settled said lands with bona fide intent to secure title thereto by purchase from the State or corporation when earned by compliance with the conditions or requirements of the granting acts of Congress they shall be entitled to purchase the same from the United States, in quantities not exceeding 320 acres to any one such person, at the rate of $1.25 per acre, at any time within two years from the passage of this act, and on making said payment to receive patents therefor, and where any such person in actual possession of any such lands and having improved the same prior to the 1st day of January, 1890, under deed, written contract, or license as aforesaid, or his assignor, has made partial or full payments to said railroad company prior to said date, on account of the purchase price of said lands from it, on proof of the amount of such payments he shall be entitled to have the same to the extent and amount of $1.25 per acre, if so much has been paid, and not more, credited to him on account of and as part of the purchase price herein provided to be paid the United States for said lands, or such persons may elect to abandon their purchases and make claim on said lands under the homestead law and as provided in the preceding section of this act.

I will say, however, to my friend that I will cheerfully support any amendment to this bill which will protect bona fide purchasers having titles derived from the railroad companies; but such a concession, while it may be necessary in some cases in order to protect innocent purchasers, will have the effect of defrauding the people of the United States out of lands which they require for actual settlement, and will tend to give effect to the schemes and jobs of railroad constructors who in many instances have sold lands in immense bodies to the agents and inside men of the corporation who now hold them for speculative purposes.

Mr. WILSON of Washington. Is there any railroad company holding lands now that is not willing to sell them?

Mr. BOATNER. I do not know that there is. I know that some companies are holding lands at prices higher than the people are willing to pay.

Mr. HOPKINS of Illinois. Will the gentleman allow this further suggestion? There is another class of people, I think, that ought to be taken care of by an amendment to this bill. I refer to cases where mortgages have been placed on these lands, and bonds issued, and the bonds have been purchased by innocent parties——

Mr. BOATNER. There is no sort of question about that. The report made by the Judiciary Committee in the Forty-seventh or the Forty-eighth Congress——

Mr. HOPKINS of Illinois. I think the bill ought to be amended to cover that.

Mr. BOATNER. In reference to that let me say to the gentleman that there is a wide difference between the rights and the liabilities of those companies which received the grants of land directly from Congress and those who received them from the States.

When the United States Government makes a direct grant of land to a corporation with a condition subsequent, as the courts call it, why Congress is in default and becomes culpable if it does not assert the right of forfeiture at the expiration of the time fixed by the act for the performance of the condition—in other words, the construction of the road.

If it sits down and permits the grantees to build the road after the time, or encumber the property by mortgages or otherwise, when it might have been forfeited in pursuance of the granting act itself, equity and fair dealing would require the Government to respect the rights of individuals who have acquired possession of the property in the meantime. But that does not arise at all in respect to the grants to railroad corporations through the States, because by the very provisions of the acts themselves the States are prohibited from disposing of the lands except on the terms embodied in the granting act.

The disposition of land so acquired by the State to the railroad companies without the performance of the conditions required by the granting act does not carry title, and the companies have no right to mortgage the lands, because that right, or rather power, springs from the right of ownership. When there is no ownership such as would warrant the disposition of the land by sale or exchange, there is no right in the company to encumber it by a mortgage.

Mr. HOPKINS of Illinois. But the gentleman invokes the strict principle of law as against equity that innocent persons should be protected.

Mr. BOATNER. Not at all.

Mr. HOPKINS of Illinois. Certainly; where land has been conveyed to the State, to be in turn transferred to the railroad companies under certain conditions, why individuals who dealt with the railroad companies have felt secure of their title from the fact that they supposed the general authority of the government of the State itself was behind their title and would protect them.

Now, by this bill you seek to take that away from them, as I understand the provisions of the bill, and enforce the strict principle of law whereby you deprive many people, who have parted with their money, not to acquire a legal title, but an actual interest in a mortgage or trust deed or something of that kind, of the rights which they have thus obtained.

Mr. BOATNER. Why, Mr. Chairman, it is a subject of most profound amazement to me that lawyers, who are business men, who are in the habit of dealing with large transactions and advising people about matters and questions of private right, will come up here and set up a defense of the railroad companies and the purchasers of land from them that would not be tolerated in a justice of the peace's court.

Why, suppose as an illustration of this that I give my friend from Illinois a power of attorney to sell my house, and stipulate that he is to exercise that power within five months, or say that the power shall expire on the 1st day of January next, does the gentleman suppose that there is a man in the United States outside of a lunatic asylum who would buy that property from him thirty days, or ten days, or one day, or two hours and a half after the expiration of that time?

Mr. HOPKINS of Illinois. Let me say——

Mr. BOATNER. I can not yield to the gentleman. Let me conclude my sentence.

Mr. HOPKINS of Illinois. I deny the correctness of the illustration as applying to my proposition.

Mr. BOATNER. I can not yield to the gentleman.

Mr. HOPKINS of Illinois. I say instead——

Mr. BOATNER. I must decline to be interrupted. Let me apply the illustration to my argument.

Mr. HOPKINS of Illinois. Very well, I will not interrupt the gentleman.

Mr. BOATNER. The acts of Congress which have conferred these grants of land through the medium of the State, and some of those which have conferred the grants of land directly to the railroad companies, are ambiguous and no man could have misunderstood them. Some may have pretended to do so, but there is no individual, with brains enough to be out of doors, who can misunderstand them.

What do they say? That the Legislature of the State is authorized to dispose of a certain quantity of public land under certain conditions and at a certain price, the proceeds to be expended in the construction of railroads. That thereafter the certification of the completion of 20 additional miles of the road will authorize the sale of an additional quantity, and so on from time to time for each additional 20 miles of road until the whole is completed. The land shall be disposed of in no other way, and every one of these grants winds up with the declaration "that if the road be not completed in ten years no additional sale shall be made and the lands shall revert to the United States."

Now, where does any government of any State that has ever received lands from the United States for any such purpose under any grant by Congress get authority to sell the lands after the expiration of that period? The power to sell dies with the act. It is limited to ten years. When that time is up the power is dead by the express terms of the act itself, and is no longer in existence.

Mr. LACEY. Suppose that the language that you have quoted does not appear in the act?

Mr. BOATNER. But it is in all of them.

Mr. WILSON of Washington. Oh, no!

Mr. LACEY. Not in all of them.

Mr. BOATNER. I say it is in every grant which is made to the States for this purpose. It is not in those grants made directly by Congress to corporations. I have stated that the principles I contend for do not apply to the latter class of cases.

The law is perfectly clear that where a grant was made on condition-subsequent, and the grantor permitted the grantee to perform the condition of the grant out of time, or after the time allowed for the performance of the condition, then a separate question is presented, and the grantor is bound by the performance, as between private individuals under similar circumstances. It has never been decided, however, as between the Government and the individual.

Mr. LACEY. Do I understand the gentleman to hold that the forfeiture of the Northern Pacific grant would be inoperative under this act?

Mr. BOATNER. That depends entirely upon the terms of the grant itself. I have not examined the conditions.

As I said awhile ago, Mr. Chairman, in reply to a suggestion of the gentleman from Illinois [Mr. HOPKINS], a report was made to the House by the Judiciary Committee in the Forty-seventh or Forty-eighth Congress, I think, in which it was laid down as a principle that the performance of a condition-subsequent, after the time fixed in the contract had expired, was nevetheless a performance, and if the Government permitted it to be done at that time, and did not declare a forfeiture when it could do so and should have done so, that it would be very inequitable for the United States to reënter upon the property and prejudice a bona fide right after it had in the meantime passed into the hands of innocent holders. That position I do not question.

In that case a grant of land had been made to what is known as the Baton Rouge, Vicksburg and Shreveport Railroad Company. Not a spade had been put into the ground or a cross-tie put in, not a rail was ever laid, and yet the grantees had mortgaged the grant for a large sum of money.

The effect of the ruling of the Committee on the Judiciary was that the men who finally did build the road were compelled, in order to obtain the grant, to admit the validity of these mortgages, so that under the influence of this equitable principle, of which we hear so much, a gigantic steal was consummated.

But the principles do not apply in a case where the railroad company is still in the possession of a grant, where no bona fide rights have intervened. A question might arise between the Government and the mortgage creditors, if by the terms of the grant the road had the power and authority to mortgage, and, in my judgment, if the terms of the grant did give them power to mortgage, why, then, the mortgage would still subsist upon the land, although the Government might forfeit it and take it back. It would take it back *cum onere*. If it had put the power in the hands of its grantee to impose an incumbrance, it might take the property back, but it could not destroy the incumbrance which had been created by virtue of the authority which it had conferred.

Mr. WILSON of Washington. Will the gentleman yield to me right there?

Mr. BOATNER. Yes.

Mr. WILSON of Washington. For information and illustration?

Mr. BOATNER. If you are going to make a speech, I do not want to yield.

Mr. WILSON of Washington. You said awhile ago that the $1.25 which they had expended was paid back; that they got credit for that.

Mr. BOATNER. Yes.

Mr. WILSON of Washington. Now, an illustration. In my State a gentleman purchased in 1882 from the Northern Pacific Railroad Company a large body of land. I think the total amount was about 14,000 acres. He sold that land ten years afterward, not for money, but for wheat, so many bushels of wheat to be delivered every year. Now, how is anybody going to be reim-

bursed there? How are these settlers going to be reimbursed? This man sold this land for 10 bushels of wheat to be delivered every year. He held the land ten years, and then sold it for 10 bushels of wheat to be delivered each year.

Mr. BOATNER. I apprehend the point which the gentleman makes, and I will answer it unreservedly. If the grant to the railway company to which you refer carried with it the power of disposition, there is no power vested in this Government that can revoke it to the prejudice of that third person.

Mr. WILSON of Washington. I have the terms of the grant here before me.

Mr. BOATNER. If the Congress of the United States makes a grant on terms that will authorize the grantee to sell or mortgage the property, why the Government may re-enter thereafter for nonperformance of a condition-subsequent, but it must take the property *cum onere*. And if the railroad company had disposed of that property, if it had authority to sell it, why we can not by a subsequent act revoke that authority to the prejudice of a bona fide purchaser, whether he has bought 320 acres or 320,000 acres.

Mr. WILSON of Washington. Will the gentleman allow me another interruption?

Mr. BOATNER. Yes.

Mr. WILSON of Washington. The reason I interrupt the gentleman from Louisiana [Mr. BOATNER] is because of his ability as a lawyer.

Mr. BOATNER. It is not necessary to apologize at all. I am quite willing to yield to the gentleman.

Mr. WILSON of Washington. You are interested in your State grants?

Mr. BOATNER. Yes.

Mr. WILSON of Washington. I am interested in the lieu land question in my State. Now, I want your interpretation of the law, because you are a very able lawyer. Now, the grant to the Northern Pacific Railway Company, you know, was 40 miles on each side, the alternate sections and the odd section would sell at $2.50 an acree to indemnify the Government for the loss of it.

Now, in addition to that I will quote the following language:

> And wherever prior to said time any of said sections or parts of sections shall have been granted, sold, reserved, or occupied by homestead settlers, or preëmpted or otherwise disposed of, other lands shall be selected by said company in lieu thereof and designated by odd numbers, not more than 10 miles beyond the limits of the alternate sections.

Now, the question arises with me whether this forfeiture act which we have before us will only forfeit the grants in place. It will not, in my judgment, forfeit an acre of the land within the indemnity strip, because that is a floating grant; and for lands lost in Minnesota they select lands in my State, and for lands lost in other parts of the line they select lands in other places. That is to say, the grant of the Northern Pacific was a grant of so many acres to a township. If that many acres were not in the township, if they formed part of an Indian reservation, or if they had been preëmpted or homesteaded or disposed of in other ways, the companies might go to some place else and take lands. That has been the ruling of the Department of the Interior. Now, the question with me is, is it a grant in place, or is it a floating grant?

If it is a floating grant, you do not forfeit an acre of it, and every settler on that land—the most important part in the whole controversy, because the grant in place is nearly all disposed of—will still be under the same embarrassment. The whole question is right there.

The gentleman has studied it, and he is a most profound and distinguished and able lawyer. And I wish he would enlighten me on the question. I confess I am a little in doubt upon it, and if I do not get the information from the gentleman from Louisiana, I know I am going to get it from my good friend from Arkansas [Mr. MCRAE], who knows all about the land question, and who I see is smiling at me.

Mr. BOATNER. The gentleman has consumed about ten minutes of my time——

Mr. WILSON of Washington. I will get the gentleman ten minutes more if he will furnish me this information. I am sure there will be no difficulty in getting him the time.

Mr. BOATNER. I am somewhat at a loss to know the scope of the question.

Mr. WILSON of Washington. So we all are.

Mr. BOATNER. I mean the scope of the gentleman's question. I have not examined the terms of that grant to which the gentleman has directed my attention, and I am unable to state what are the specific rights of the settlers under that grant, or of purchasers of the property, and I can only repeat what I said just now, that if the terms of the grant authorized the sale of the property by the railway company to the grantee, the Government must stand by that sale. No government or individual can authorize anyone else to do an act and then repudiate that act because of the failure of the agent to do something in the future which the first party to the contract can not control and is not concerned with.

For instance, if the Government in the grant to the Northern Pacific Railroad Company said that that corporation might dispose of property upon certain terms, and then went on and fixed as a condition-subsequent that it should perform certain other things, why, the purchasers of the land from the company have no power to compel the performance of the condition-subsequent, therefore the Government can not interfere with the titles which it had authorized to be made.

And so, whether or not the indemnity land to which the gentleman has referred would be covered by the provisions of this act depends entirely upon the terms and conditions of the granting act.

I had been addressing myself entirely to the rights of parties, growing out of the rights given to the several States.

Mr. WILSON of Washington. I understood that part of it.

Mr. BOATNER. And I was merely proceeding to point out the principle that no man can complain that he is an innocent purchaser from a railroad company. No man can claim he is an innocent holder under a grant from a State, because the terms and conditions upon which the State was authorized to dispose of the land are fixed by law. If a man is going to buy United States land from the State, the question would naturally arise, by what authority does the State dispose of this land? He is referred to the act of Congress.

That land belongs to the United States, but Congress has authorized the State to dispose of it. So when he refers to the terms of the law placing the property in the hands of the State, he finds the exact extent of the authority of the State and he knows exactly what he is getting.

Mr. MALLORY. What becomes of those lands which were purchased by third parties after being granted for roads which were not completed within the required time? Will you forfeit those?

Mr. BOATNER. Why, of course not.

Mr. MALLORY. They would be forfeited under this bill.

Mr. BOATNER. Not at all.

Mr. MALLORY. Because it makes the completion of the road within the time the test whether these lands should be forfeited or not.

Mr. BOATNER. I call the attention of the gentleman from Florida to this distinction: This land is not granted by the Government to the railroads. It is granted to the State, to be used by the State in aid of the construction of the road. The act authorizes the State to dispose of 120 sections. Those 120 sections are subject to sale without any condition whatever. The other portion of the lands are to be disposed of as the lines are completed.

Mr. MALLORY. But suppose the road never was completed within the time specified in the act. Is the land that was granted for the completion of a particular 20 miles of the road to be forfeited under the act?

Mr. BOATNER. Oh, no; not at all, if that part of the road was completed within the time.

Mr. MALLORY. Suppose the road never was completed.

Mr. BOATNER. But that part of it was completed.

Mr. MALLORY. That part, but not the road itself.

Mr. BOATNER. Here is the condition: I call the gentleman's attention to the language of the law. It says:

> If any of said roads is not completed within ten years no further sale shall be made, and the lands unsold shall revert to the United States.

That is, the land unsold shall revert to the United States. All those which have been sold prior to that time have been sold in accordance with the terms and conditions of the act, by the State having authority to do so, and therefore they are not subject to forfeiture.

Mr. STOCKDALE. I should like to ask the gentleman from Louisiana a question. In the case of the Gulf and Ship Island road, that road was not commenced until after the granting act had expired—the first 20 miles—and that land was sold and patented. Now, what effect does this have upon that?

Mr. BOATNER. I understand the gentleman to say that the road was not commenced until after the expiration of the grant?

Mr. STOCKDALE. Yes.

Mr. BOATNER. Then there was no title to the land. That is just the case I stated awhile ago. I will say to the gentleman from Mississippi that if there is any title to that land it must be upon some principle of law that I have never heard of. The land belonged to the sovereign, the United States. The United States granted it to the State, to be disposed of upon certain terms and conditions. It says it shall be disposed of in this way and no other. If the State has gone on and disposed of it in some other way than that which it was authorized the sale is void.

Mr. STOCKDALE. By disposing of it to people on the road, the Supreme Court says that the title is vested in them.

Mr. BOATNER. But in the very same decision in which it is held that the title is in the State, it held that the State can not dispose of it, except in accordance with the granting act, and the terms of the granting act says that they shall not be disposed of at all if the road is not built in ten years.

Now I yield to the gentleman from Iowa for a question.

Mr. HEPBURN. I desire to call the gentleman's attention to lines 13 and 14, on page 2 of that act. Now, he will find this language:

Any such railroad not constructed or completed within the time specified in the act making the grant.

The act making the grant; not the act making the grant and acts amendatory thereto.

In the very grant that was made to the State of Iowa, there was a requirement that the road should be completed within ten years. But there were amendatory acts extending that time, giving them the right to these grants where the roads were completed within the time prescribed in the amendatory acts, but not in the time prescribed by the act making the grant. Now, is it not true that under the provisions of this bill every acre of land granted to the State of Iowa to aid in the construction of railroads would be forfeited?

Mr. BOATNER. Not at all, under the statement of facts given by the gentleman. I do not consider we would have the power to forfeit them. I consider that the forfeiture or the attempt to forfeit a grant to a railroad which had built its road according to the terms and conditions of the grant would be confiscation.

Mr. HEPBURN. Do not you think this is confiscation?

Mr. BOATNER. Not at all; because the act provides for the case cited.

Mr. HEPBURN. I want to ask the gentleman another question, if he will permit me. This same controversy happened in Congress in 1890 and earlier years. There was the same contention upon the part of certain gentlemen of the right of Congress to forfeit all lands that were not earned within the time fixed in the granting act. But in 1890, instead of adopting the contention of the gentleman from Louisiana and the gentleman in charge of this bill, Congress did this: It provided by act to resume its right to all lands opposite to and coterminous with that portion of any such railroad not now completed and in operation, and the language of that act was, "Not now completed and in operation." The language of this act is, "Not completed within the time named in the grant."

Now, is it not true that the adoption of the language even of the statute of 1890 can properly be called under all circumstances of this contention a waiver on the part of Congress of its right to do what the gentleman is now contending for?

Mr. BOATNER. I hardly think so, Mr. Chairman. It appears to me that would be an exceedingly strained construction.

In concluding my remarks, I want to say to gentlemen on the other side that it is very easy to test all the questions and all the objections which they now raise. These questions have been before the country for the last ten or fifteen years, and the people have been demanding the land. The people demand that the immense areas which were given to railroads in aid of construction, which were not earned in accordance with the terms of the grant or which it was claimed were earned after the expiration of the time prescribed in the grant, shall be restored to the public domain.

The railroads say you can not do it. They say that it is an infringement and an invasion of the private rights that they have in the land, and that under the grant they have earned the lands. They say it belongs to them; that Congress can not reenter because of the failure on their part to perform the conditions subsequent, because they have since performed those conditions, and though after the expiration of the time within which they were to complete the building of the roads, the legal effect has been to earn the grants and acquire a fee-simple title to the lands. It is easy enough to test this question.

The railroads have no need to fear the courts of the United States; and they would not be afraid of them if they were not afraid of the propositions which they advance, if they were not afraid that the courts would hold that these grants to the States were limited, and conveyed no authority to sell after the expiration of the time fixed.

If they were not afraid that the Supreme Court would hold that the attempt to dispose of these lands after the expiration of the time fixed under the act was void and that those who bought that land bought it with full notice of the want of title in the vendor, and that he was bound to look to the authority of the vendor and see if he had any title to give. They would not only not be opposing this act, but would be glad to have their titles judicially settled; but they are afraid that the Supreme Court will hold against them on all these propositions, and that the mortgage bonds they have issued rest on no sounder basis than the deeds they have made. The power to mortgage is an element of ownership.

If there is no power to sell there is no power to create an incumbrance which could only be enforced by a sale. The destruction of the title by a vice existing in it at the time the mortgage was created is ordinarily the destruction of the mortgage, and where there is no title there can be no mortgage.

The mortgagee must look to the title of the mortgagor just as the vendee must look to the title of the vendor; and where a mortgagee takes a mortgage upon property which the mortgagor does not own he takes it at his own peril.

If the railway companies feel confident that the courts will maintain the objections which are always urged here—and I must say urged with a great deal of ability—they ought to let this bill pass and let the question be decided by the courts of the country, the Supreme Court of the United States being the final arbiter, whether they have earned their grants under the terms of the law or whether the Government has the right to take them back and give the lands to the people to whom, if forfeited by the railroad companies, they belong.

Mr. MEIKLEJOHN. Mr. Chairman, I yield thirty minutes of my time to the gentleman from Oregon [Mr. HERMANN], and I reserve the remainder.

Mr. HERMANN. Mr. Chairman, what I shall say on this subject will be more especially in the interest of the innocent bona fide purchasers of lands from railroad companies that are to be affected by this bill if it should become a law.

I refer particularly to those people who have entered into contracts with the railroad companies, have paid a valid and sufficient consideration or contracted to do so, and those particularly who have made valuable improvements upon their lands, and still more those who have gone upon the lands and made their homes there in good faith.

Prior to September 29, 1890, the Department of the Interior for a considerable period declined to confirm title to any of these railroad companies upon the filing of their lists of selections. On the date named Congress undertook to pass on this great question, and instead of declaring a forfeiture in all cases where the roads had not been completed in time, it confined the forfeiture to those lands conterminous with roads not completed at all; and in the same act it protected the rights of persons who had purchased lands conterminous with uncompleted roads from the railroad companies; or secondly, those who had entered merely into contracts of purchase with the railroad companies; or thirdly, those who had in good faith and with the intention to acquire title to the land entered upon it with a view to settlement or occupancy.

These various classes were protected. As to the limitation, it was provided that not exceeding 320 acres should be acquired by any person under that act. Now, the Committee on Public Lands has virtually incorporated into this bill that act of July 9, 1890, so far as these conditions and limitations are concerned.

The fourth section of the granting act to the Northern Pacific Railroad Company (and I particularly refer to that because the remaining grants are similar in language) provides that whenever 25 miles of any railroad has been completed, thereupon that fact shall be certified to the President of the United States and he shall appoint commissioners to examine the road, to ascertain whether it has been constructed in a substantial and workmanlike manner. When those commissioners certify that fact favorably to the Government, the Secretary of the Interior thereupon considers the lists of selections; and upon the evidence submitted by the commission approves of them.

For some time prior to September 29, 1890, he had declined to approve these lists, believing that Congress would in the end take hold of the subject and legislate upon it one way or another. Congress not having legislated upon the entire subject, but having confined its legislation to lands coterminous with railroads not completed, the various Departments of the Government assumed—rightly assumed, I believe—that thereafter no further action would be taken, and that it would be doing injustice not only to the great communities of the West, affected by the uncertainty, but particularly to the assignees of the railroad companies under their grants, to further hold up these selections and prevent these parties from obtaining title.

Thereafter both the Republican and the Democratic Administrations acted on that assumption, and the Interior Department has since been issuing patents to these various companies upon proof that the roads were completed in accordance with the granting act, which requires that "patents of lands as aforesaid shall be issued to said company, confirming to said company the right and title to said lands situate opposite to and coterminous with said completed sections of said road."

Only a short time ago, under the present Administration, there

were patented to the Northern Pacific Railroad Company, on the 17th of May of the present year, 479,219 acres of land. Previous to that time, in the last days of the previous Administration—on March 3, 1893—there were patented to the Oregon and California Company, at one time, 97,929 acres; at another time 71,081 acres, and on June 11, 1894, only last month, again under the present Administration, there were patented 152,409 acres.

Now, Mr. Chairman, I desire to invite special attention to the fact that here by a solemn act of the administrative department of the Government, the title passes out of the Government; it leaves the jurisdiction of the Interior Department and goes into the railroad companies and from the railroad companies into the various assignees. It has gone beyond this Congress and becomes a matter for the courts. This is the situation with a large portion of these granted areas at the present time.

This bill, Mr. Chairman, makes no adequate exemptions whatever. There is not the least clause saving any rights of parties who have made purchases of these corporations in excess of 320 acres. It is as to this harsh provision, or rather this unjust omission, that I particularly complain to-day.

Take, for instance, that vast empire stretching 1,000 miles westward of the city of Bismark, in Dakota. All parties who have purchased lands within that great extent of territory, and within the limits of the land grant, if they hold lands in excess of 320 acres from the Northern Pacific Railroad Company, will incur forfeiture or loss of their property.

Within that long distance many cities have grown up which occupy areas exceeding 640 acres. Those areas have been divided into town lots and into acre tracts. They have been parcelled off and conveyed to various individuals. Factories have been built upon them; great works and enterprises of an industrial character are now in operation there. I submit to my friend, the chairman of the Committee on Public Lands, the question, where will he draw the dividing line? How will he segregate the exempted 320 acres from those purchased tracts exceeding 320 acres?

In what part of a city or town covering an area exceeding 320 acres, will he draw the line of division in order to give to the party the exact 320 acres? To what party will he award these 320 acres? Where there are many lot owners, how will the division be made? How will he adjust the inequalities? The gentleman will meet a difficulty there that will be very hard indeed to overcome. No remedy is proposed by this bill, and this only emphasizes how crudely and insufficiently has this great subject been considered and presented here.

I might illustrate with regard to many other grants in the great West, where a like indifference is manifested by the committee concerning the wretched condition of titles, which this legislation will produce. I might show how in the southern portion of my own State many parties have purchased timber lands obtained from these railroad companies in tracts of 640 acres, and in some cases in excess of a thousand acres.

These parties have engaged in the business of taking valuable timber from these lands; they have erected extensive sawmills and planing establishments, and constructed logging roads, etc., covering much of the lands thus purchased. What is the gentleman going to do with this class of innocent and bona fide purchasers from the railroad company? They had a right to believe that the company had at least color of title. They beheld the Government of the United States deducting from the company 40 or 50 per cent of the contract price for carrying the mails. They likewise beheld the railroad company charged up for the transportation of munitions of war and troops and generally of any property belonging to the Government.

Going into the United States land offices they beheld the receiver of those offices collecting double maximum prices from settlers who were residing upon the even numbered sections within the limits of this grant—settlers who were paying for at least the original value of the land in the odd sections granted to the company itself. It was Stephen A. Douglas who first justified placing a double minimum price on the even sections, because, as he claimed, the Government would in reality not be losing anything. The Government received $2.50 for $1.25 per acre lands. All these acts on the part of the Government were taking place in sight of the grantor, the Government of the United States.

Still stronger and beyond all this, these persons beheld the President of the United States receiving and approving the report of the commissioners sent out to examine the sections of 25 miles of completed road; they beheld the President ordering the Secretary of the Interior to certify these various lists for patents; and then the lands, in many cases, were patented to these companies, the title passing from the Government of the United States under the order of the Executive Department of the Government. Had not these people a right to believe that this company had a title somewhere? Had they not just occasion to place their trust and their faith in the title which they received from the railroad company under these circumstances?

The chairman of the Committee on Public Lands seems to close his eyes and his ears to the equities even of those parties who are thus claiming title from the railroad companies to lands which have been patented to them by the Government. Those companies in such cases hold the highest evidences of ownership of real estate which any person can have in this or in any other nation.

The innocent purchasers, looking at the record evidence, seeing these patents solemnly written, signed, sealed, and issued, and then as solemnly recorded in the several counties in which the lands are located, and then thereupon purchasing the lands and paying the full market value in good faith—I ask the gentleman how can he satisfy his conscience or his sense of justice and right by coming in here to-day to confiscate—not to forfeit, but to confiscate—the title of these innocent people without any wrong on their part?

They are the immediate and direct sufferers. The railroad company is not so much the sufferer. I am not here pleading for the railroad company, but I am for the innocent purchasers, many of whom I am personally acquainted with, and who under the circumstances I have described, and under at least color of title, have gone on in good faith and paid their hard-earned money, or negotiated to pay it, to obtain title. I ask whether any gentleman on this floor, in view of all these circumstances, will say "aye" upon the passage of a bill which denies these settlers this simple justice, this undoubted right?

Why, sir, there is not even the small privilege of a repayment to these people. Not a dollar of what they have paid in good faith for these lands is to be reimbursed to them. They are to be absolute losers of every cent paid, with all expenditures made for the betterments on the lands in excess of 320 acres, and all this in full view of Congress—of the Government—the grantor—standing idly by, seeing the railroad construction progressing day by day and year by year after the time allowed for the completion of the road and after imposing all these restrictions upon them, yet not expressing any protest by resolution, executive order, or amendment of the original act as to the default in completion of the road as required by the grant.

It does seem to me if these people under such circumstances are at this late day to be thus deprived of their property, that it will be an unjustifiable as well as an unnecessary and an unusual hardship. I ask my friend if it is possible that he will lend himself to be a party to such an act, such an infamous act I may call it, that will impose such hardship upon innocent people?

Why, Mr. Chairman, along the line of the Northern Pacific road, and especially may I say along the Southern Pacific, you will find a vast expanse of country on which there is neither a shrub nor a tree. There is a species of grass which grows in those sections to some extent which is nutritious to cattle and sheep, especially to the latter, but it grows sparsely and requires a very large quantity of land to support limited numbers of these animals. It is necessary, therefore, for the man who would raise sheep profitably to purchase in quantities of a thousand or two thousand acres; and it is also necessary, as civilization encroaches upon the frontier and as settlements multiply in these regions, for large tracts of land to be fenced in at great expense.

Much of this work has been done. These people have in this way paid their money, have made their homes: they are holding title from the railroad company, and the railroad company is holding the right and title from the Government of the United States. Are these people under such circumstances entitled to any consideration or to any privileges? Is there any justice in the proposed action here which would deprive them of all of their rights in excess of 320 acres?

Mr. BOEN. Will the gentleman yield for a question?

Mr. HERMANN. With pleasure.

Mr. BOEN. What kind of a deed, does the gentleman know, did the railroad company give to these purchasers?

Mr. HERMANN. In this case, where the companies received patent from the Government of the United States, I understand they have given all the title that they had, all the title that any person could give who has a title, and which they have reason to believe on the face of it is a good title.

Mr. BOEN. The only deed given was a warranty deed. I have recorded many of them myself. The Northern Pacific has given warranty deeds in all cases, and consequently the company is responsible itself.

Mr. HERMANN. What is that responsibility worth under the present conditions?

Mr. HOPKINS of Illinois. The road is in the hands of a receiver now, and how can a deed of that character be good for anything, or how can the company undertake to guarantee or warrant a title that it has conveyed?

Mr. HERMANN. That is precisely the condition, and it is only a stronger illustration of the fact that the innocent purchasers, who are not technical lawyers, who can not afford to go and pay lawyers to give them advice and to interest themselves in their affairs, are to be the sufferers by such legislation as this. These men had to trust to their own good sense, and, judging by their environments and the circumstances surrounding them, they believed this company had a good title, especially so when they saw the patent of the Government of the United States bearing the great seal of State and by its side the signatures of the officers of the Government who are required by law to affix their signatures to such documents, and when they found that patent on record in the county in which the lands are situated.

Mr. CANNON of California. Will the gentleman allow me to suggest to him that the last clause of the second section seems to secure such purchasers from the railroad companies in their rights.

Mr. HERMANN. I will say to my good friend from California that it secures nothing to any purchaser directly or indirectly in excess of the limited area of 320 acres of land.

Mr. COX. May I interrupt the gentleman to ask him a question? I am not familiar with this subject. Do I understand the gentleman from Oregon to make the statement that the Government of the United States has issued its patent or grant to the railroad company for this land, and thereupon the company sold the land to innocent purchasers, and that they got possession of the land under their deeds from the companies and are now occupying them?

Mr. HERMANN. That is an exact description of the condition and the title of these people for which they paid their money. I am illustrating the case where the Government issued patents for large tracts of lands beyond the point at which the roads were completed when the period prescribed for the completion of the roads had expired, but where the roads were subsequently completed by the railroad companies.

Mr. COX. Then the whole question resolves itself into this: That if you declare a forfeiture of the land you must set aside the patents given to the railroad by the United States?

Mr. HERMANN. Necessarily so; and I think that is one of the most iniquitous results which will follow the passage of the bill.

Mr. COX. That would turn the purchaser of the land back upon the railroad company on their deeds. Is not that the only remedy they would have?

Mr. HERMANN. I will assume that to be the only remedy, and I will further illustrate the character of this proposed legislation, to which I desire still more to address myself.

Mr. COX. That is the very point I wanted to hear the gentleman upon.

Mr. HERMANN. The most of these railroads are bankrupt as a matter of fact. Nearly every one of them is mortgaged to American or European mortgagees, and if these parties are required to look to the railroad corporations it is very evident that they will never get a dollar of their money, no matter what steps they may take in the courts.

Mr. PICKLER. Even by the inauguration of a lawsuit that would last them a lifetime.

Mr. HERMANN. To say nothing of the expense and the perpetual trouble and vexation that they would have to incur in endeavoring to enforce their rights.

Mr. COX. But the titles are based on the patents from the Government of the United States to the railroad companies, I understand.

Mr. HERMANN. That is true to a large extent. Many persons, of course, have made their purchases and are now occupying lands where the patents have not yet issued. But I am selecting for my illustration the case of those parties who are holding lands under titles from the railroad company, land to which the company is entitled by solemn patents of the United States, in order to point out the extreme injustice of this bill; and I particularly insist that the chairman of the Committee on the Public Lands should at least have opened his heart to that class of individuals.

Mr. BYNUM. Do you know the proportion of lands that have been thus patented?

Mr. HERMANN. I regret to say that I am unable to state exactly. I do not know what the amount patented will be when segregated from the whole land specified in the original grant.

But now in further answer to my friend from Tennessee, I have in my hand a statement from the Land Office issued on the 11th day of June of this year; and it must be conceded that President Cleveland obtained great credit for his watchfulness of the public land interests of the United States (he was undoubtedly given this credit by his party in his former Administration), and I find that under this (his) Administration on the 11th day of June last 152,409 acres of land were patented, outside of the limit beyond which the railroad company was required to complete the road by the terms of the granting act.

Then to the Northern Pacific Railroad Company on the 17th day of last May patents were issued by this Administration for 479,219 acres of land, and the patents have been placed on record in the county where the lands are situated.

Mr. WILSON of Washington. Most of that was in my own county.

Mr. HERMANN. I believe so. It was in the Spokane district.

Mr. WILSON of Washington. I will bring that out in some remarks I desire to make on another matter.

Mr. HERMANN. So my friend will perceive how unjustly these provisions of the bill will bear upon a large proportion of the landholders and occupiers of land on the Pacific railroads, and in many other portions of the West; and it is particularly in their behalf, and to avoid what I believe to be the wrongs that this bill will inflict upon them, that I appeal to you to-day.

I know the circumstances under which many acquired their titles, the large areas of dense timber lands for milling purposes, the vast areas of desert grass lands for sheep-raising purposes; how it was necessary in all these cases for them to have large bodies of land, as otherwise they could not have accomplished the purposes in which they were engaged. They acted in the utmost good faith, and all this time the Government was standing idly by with its arms folded, and knowing of these acts on the part of the railroad company, extending its road mile by mile, over mountain and desert plain, through the tunnels and down the gorges, in the storm as well as in sunshine, until hundreds of miles became thousands, and still the construction continued far westward and beyond the period of time limited in the granting act, and yet no act of forfeiture whatever passed this body.

And now in answer to the proposition of law made a few moments ago by our amiable friend from Louisiana [Mr. BOATNER], I want to say that the Supreme Court has recently passed upon some of these important questions, which the gentleman said he did not know whether that highest tribunal had yet passed upon. I submitted to him a case similar to that of nearly all of these land grants, where, for instance, the Government of the United States had made a land grant to a State for the purpose of building a railroad, and in the grant had limited the completion of that road to ten years, and a further clause provided that at the end of that period any land unsold thereafter should revert to the State.

Now, there was an express condition of reversion made a part and parcel of the act, which the company took with its eyes open when it commenced to invest its capital in the construction of this road. The road was not completed at the expiration of the ten years. It was completed after. But in the interim some very valuable timber and timber lands were sold, and the Supreme Court of the United States decided that the company acquired a valid title. That the grant was by its words a grant *in præsenti*—and that their acts, although out of time, were protected until a legislative declaration of forfeiture by this body.

That was the proposition, and in order that there may be no question about it I will refer to the decision itself. It is found in 146 United States Reports, page 592. In that case the land had been granted to the State of Wisconsin to aid in the construction of a railroad. The language of that grant was like the language in these grants now under consideration: "That there be, and is hereby, granted," are the granting words.

Now, if gentlemen will refer to any of these land grants, particularly the grant of the Northern Pacific Railroad Company, you will find that the granting clause is very similar. For instance, in that grant are these words:

And be it further enacted, That there be, and hereby is, granted to the Northern Pacific Railroad Company, its successors and assigns, etc., every alternate section of public land not mineral—

And so forth. So that you will see the enacting clause to be precisely similar to that in this case which is now commented upon by the Supreme Court—

That there be, and is, hereby granted.

Says the court:

A further provision was that if the road be not completed within ten years, "no further sales shall be made, and the lands unsold shall revert to the United States."

Now, there is an express inhibition, a positive condition:

No further sales shall be made, and the lands unsold shall revert to the United States.

Now, the illustration with the Northern Pacific grant is, that that company went on after the time provided for the completion of the road. They did complete the road, and that completion was certified to the Government. In the meanwhile the railroad company went on and sold land, but if the position taken by the gentleman from Louisiana [Mr. BOATNER] is good

law, then those lands would revert back after the period limited for completion of the road to the Government of the United But, says Mr. Justice Brewer, delivering the opinion of the court:

The railroad was not completed within the time specified. Thereafter timber was cut and removed from these lands, and the question for consideration was as to the ownership of that timber. It was held that the timber was the property of the State; that by the grant title to the land passed to the State upon the location of the route, and that though the road was not completed within the time specified, and though there was the provision that the unsold land should revert, yet the title still remained in the State, held under a condition subsequent and held until the Government should take some steps to assert a forfeiture.

Mr. COBB of Alabama. Will the gentleman allow me right there?

Mr. HERMANN. Yes.

Mr. COBB of Alabama. The effect of that decision is that the title to that timber was in the State, as between everybody except the Government of the United States.

Mr. HERMANN. The State was the grantee under the act.

Mr. COBB of Alabama. The State was the grantee under the act.

Mr. HERMANN. This land grant was made to the State for the express purpose of building that particular road. The road was to be built within a certain prescribed time, and if not built within that time, these lands should revert. Revert to whom?

Mr. COBB of Alabama. Revert to the United States.

Mr. HERMANN. Back to the United States; but the Supreme Court held that those lands did not revert.

Mr. COBB of Alabama. Begging the pardon of the gentleman, the decision says no such thing.

Mr. HERMANN. And they go still further and hold that until a legislative declaration of forfeiture by this body, that that company, or the State itself if the right was in the hands of the State, could go on and make further sales of those lands.

Mr. COBB of Alabama. There is not a word in that decision against the proposition that the Government of the United States might interfere and recover the land and the timber itself that grew on the land, but the court in express terms say that there is a grant with a condition subsequent; that no one can take advantage of that decision except the grantor, and that as between all the world except the grantor the title remained in the grantee. But when the grantor saw proper to come forward and enforce the proper conditions of the grant, there was nothing to prevent it.

Mr. HERMANN. My friend can see the absurdity of that from this one thing——

Mr. COBB of Alabama. The decision says so.

Mr. HERMANN. I construe the decision exactly opposite to what the gentleman does; and how absurd it would be, if the grantee himself had a good title, as the gentleman seems to admit that he had——

Mr. COBB of Alabama. No; I do not.

Mr. HERMANN. You seem to admit that the grantee had a title.

Mr. COBB of Alabama. He had a title, subject to forfeiture.

Mr. HERMANN. If the grantee had a title, he could convey it to somebody else.

Mr. COBB of Alabama. He had a title subject to forfeiture, and nobody can enforce that forfeiture except the Government of the United States.

Mr. HERMANN. But the Supreme Court held that there shall be no reverter, even as to sales made after the time limited, until after a legislative declaration of forfeiture by this body.

Mr. COX. A declaration of forfeiture first?

Mr. HERMANN. The point that I am trying to make clear to my friend is that only in the event of forfeiture will the company be prevented from making further sales which shall be valid.

Mr. COBB of Alabama. If you will allow me——

Mr. HERMANN. The forfeiture is a limitation upon the act of the State.

Mr. COBB of Alabama. Now, if you will allow me——

The CHAIRMAN. The time of the gentleman has expired.

Mr. COBB of Alabama. Mr. Chairman, my only purpose in entering this debate is to call attention of the committee to the misconstruction put upon the decision last read by the gentleman from Oregon. This decision grew out of these circumstances. The United States granted to the State of Wisconsin a certain number of acres of land under conditions. The conditions were that these lands were to be sold from time to time, as a certain number of miles, 20 I believe, of a certain railroad were completed.

That the State might go on and sell a certain number of acres of the land, which sale was to be good and valid when 20 miles of railroad were completed. It might then make another like sale, and so on. The act further provided that unless the road was completed within ten years the sales of land should cease, and the land not sold should revert to the Government.

Now, this case grew out of a contention with which the Government of the United States had nothing to do. It was a contention between one party representing the State of Wisconsin and another party who sought to defend by showing that the title was outstanding in the United States. The Government of the United States had nothing to do with it. The action was to recover timber which grew upon that portion of the land which had not been conveyed before the expiration of the ten years' limit provided in the granting act for the completion of the whole road.

The contention on the part of the State of Wisconsin was that inasmuch as the United States had taken no steps to declare a forfeiture the lands upon which this timber grew was the property of the State. It was contended, on the other hand, that because these lands were granted for the completion of miles of road which had been completed after the ten years, that no title to the land was in the State of Wisconsin, but that the title had reverted to the United States.

Now, that was the contention. The Supreme Court of the United States sustained the contention of the State of Wisconsin; and why? Because the State of Wisconsin had perfect title to these lands? Not so. But because no one but the United States could take advantage of the condition in the grant.

They say, citing authority, that where there is a grant with a condition-subsequent, no party can take advantage of that subsequent condition except the grantor; and inasmuch as the Government of the United States was the grantor and the State of Wisconsin was the grantee, that no other person could challenge the title of the State of Wisconsin; and, therefore, they held in that suit between the State of Wisconsin and this other contending party, the Government of the United States keeping its hands out of the controversy, that the title of the State was good and would remain good until the Government of the United States should see proper to declare it forfeited.

Mr. STOCKDALE. I would like to ask the gentleman a question and get him to discuss it in connection with what he is saying. Suppose a third party purchases from the State and pays his money for it, does not he stand in exactly the condition that the State did?

Mr. COBB of Alabama. Precisely. No guarantee can stand on any higher or better ground than the grantor. That is a universal principle of law applicable to land titles.

Mr. STOCKDALE. Supposing in that case that while that title was made when the grantee, the State, had good title, and nobody could interfere except the Government of the United States, and the Government of the United States did not interfere, then, when in this condition, they sold to an individual and he paid his money for it, is it honest for the Government of the United States to go in and forfeit that man's title?

Mr. COBB of Alabama. Why, undoubtedly; as I shall show you in a moment. Would the gentleman contend that the holders of this land are in better position because they got it from the United States than they would if they got it from an individual?

Mr. STOCKDALE. That is technical. I ask you if it is honest for the United States to do that?

Mr. COBB of Alabama. I think it is. Let us test it and see. Let us test it in the case of individuals, and then you will be able to see the full force of the legal principle that ought to apply. I sell to my friend and convey to him a hundred acres of land, and I make him a deed with a condition subsequent.

Mr. COX. That is in the deed.

Mr. COBB of Alabama. That is in the deed, put in it in terms—that if certain things are not done that land is to revert to me. Now, he is the owner of the land, and holds the title as against everybody in the world except myself, whether he performs the conditions or not. But suppose he fails to perform the condition expressed in the deed, and after that failure my friend from Tennessee [Mr. COX] proposes to purchase the land from him. What is he charged to do?

Mr. STOCKDALE. But in a case where the land has been sold and the money is paid.

Mr. COBB of Alabama. As a rule the doctrine of caveat emptor does not apply to the sale of lands.

Mr. STOCKDALE. But there is an estoppel.

Mr. DOOLITTLE. Will the gentleman allow me to ask him a question?

Mr. COBB of Alabama. Certainly.

Mr. DOOLITTLE. Suppose the original seller of the land, who makes this purchase that you have last spoken of, goes on and makes valuable improvements.

Mr. COBB of Alabama. I am coming to that.

Mr. HERMANN. Right there, just allow me to ask the gen-

tleman another question, so that he may answer both in the same connection. Where the grantor has derived substantial benefit from these so-called violations on the part of the grantee, as is the case of the Government of the United States in my own State with reference to these land-grant roads, what would you do then?

Mr. COBB of Alabama. I will come to that in a moment.

Mr. COX. Before you pass from that, I desire to make an inquiry. I agree with you exactly. Here is a grant, and on the face of the grant there is a condition stated, with which the grantee must comply. As the question stands between him and the grantor, of course if the grantor is satisfied that he has complied with the condition of the grant then nobody else can complain.

When the Government of the United States issued to these railroad companies its patent or grant, and the railroad companies took it and have conveyed or sold their title to parties that are innocent, so far as that is concerned, does the grant from the Government of the United States to the railroad companies upon its face give notice to the purchaser of the land that there are conditions with which the railroad must comply. Is that on the face of the grant?

Mr. COBB of Alabama. Every grant made by the Government of the United States is by force and operation of statute law, and the statute of the United States becomes a part of the deed of conveyance. That is a well recognized principle of law. You have got to go back to the source of your title before you can complain if you do not get a good title. Now let us apply these principles to the question here in hand, and see how they will operate; and in applying that rule I will show you that there is nothing of equity in this case that is claimed so vigorously by gentlemen on the other side of the question. The Government of the United States makes a grant with a condition.

Now, every holder of land under that grant is charged in common sense and in common law with notice of what is contained in the granting act. That is the source of all the title. You are charged by the law to look to this original source of title whenever you make a purchase of land held under legislative grant, and you are further charged with knowledge of every condition which the granting act discloses.

Mr. WILSON of Washington. May I interrupt the gentleman for a question?

Mr. COBB of Alabama. Yes, sir.

Mr. WILSON of Washington. This bill provides for securing to the grantee of these lands 320 acres. Now, the conditions in the city in which I reside are these: Six hundred and forty acres of railroad land are covered by that city. That land was sold by the railroad company at a nominal price, but by the industry and energy of the people a city has been built upon it, and that property is worth to-day from $7,000,000 to $10,000,000. Now, under this bill, what are you going to do in a case of that kind?

Mr. COBB of Alabama. I am arguing the legal question. If my time holds out, I will meet the case which the gentleman puts before I get through.

Mr. LACEY. Even if we have the legal right, would it not be bad policy to disturb all those titles?

Mr. COBB of Alabama. Perhaps so; but I am dealing with the proposition assumed here by the gentleman from Oregon as a proposition of law, because when we dispose of a question of this kind we ought to distinguish clearly between legal principles and that which we may see proper to do under a claim of equity.

Mr. WILSON of Washington. Will the gentleman discuss the question of law presented by section 9 of the act granting lands to the Northern Pacific Railroad Company?

Mr. COBB of Alabama. All the granting acts are the same.

Mr. WILSON of Washington. Oh, no; that is where the gentleman is mistaken; they are not all the same.

Mr. COBB of Alabama. Will the gentleman read the provision to which he refers?

Mr. WILSON of Washington (reading):

SEC. 9. *And be it further enacted*, That the United States make the several conditioned grants herein, and that the said Northern Pacific Railroad Company accept the same, upon the further condition that if the said company make any breach of the conditions hereof, and allow the same to continue for upwards of one year, then, in such case, at any time hereafter, the United States, by its Congress, may do any and all acts and things which may be needful and necessary to insure a speedy completion of the said road.

Mr. COBB of Alabama. In regard to that I have only this to say: that those cases are subject to the same general principles that I am presenting in my argument. The title to each of those tracts of land is to be decided by the law under which the land is held. If there are any peculiarities in the case cited by the gentleman from Washington, it will not fall within the general rule of my argument.

Mr. WILSON of Washington. But does not the gentleman see that if this bill should pass and become a law, it will take fifteen years to get this matter settled?

Mr. COBB of Alabama. I do not know whether we shall pass the bill, or whether I shall vote for it. I am not talking about that; but I am talking about the legal principles which ought to control us in ascertaining whether we shall pass the bill or not.

I say there are land grants—whether this applies to the case cited by the gentleman from Washington or not I am not able to say now, because I have not given attention to that particular case—but I say there are cases originating under the law that I have before me where there is no consideration of law or equity opposing a forfeiture of certain lands. That is what I am trying to show.

Mr. MARSH. Allow me to ask this question: Instead of putting all these roads into one "omnibus bill," why does not the committee report a bill for each particular case?

Mr. COBB of Alabama. I am not on the committee and can say nothing about that.

Mr. MARSH. I beg the gentleman's pardon. I thought he was a member of the committee.

Mr. COBB of Alabama. No, sir; I am an outsider, perhaps an interloper, in this debate.

Mr. WILSON of Washington. It is always a pleasure for us to hear the gentleman from Alabama.

Mr. COBB of Alabama. Now, what are the facts? and I am talking about these grants where it is provided that if within ten years the whole road is not completed, then the land unsold shall revert to the United States.

Let us confine our attention to those cases. The Government of the United States makes a grant with conditions; and the final condition is that a reversion shall take place if the whole road is not completed within ten years. Now, what is the status of those who hold lands conveyed to them after the expiration of the ten years and not covered by any of the completed roads? That is the question to which I ask the attention of this committee.

A purchaser of land held in that condition, or a man who proposes to purchase land held in that condition, is charged with he duty of ascertaining whether his proposed vendor has or has not a legal title. How does he ascertain that fact? If his proposed vendor has a deed, it shows from whom he purchased; and so from one individual to another he may trace the line all along, until finally he is brought to the act of the Congress of the United States containing this condition of forfeiture.

If he is fool enough to buy land without making this sort of an investigation the fault is his, and he can not complain of anybody else. No man thinks it is a hardship if in a case between private individuals a purchaser loses his land through his own neglect to ascertain the title of the vendor. Why, because the Government happens to be the original vendor, should there be a distinction in principle? The purchaser buys, knowing—charged by the law with the knowledge—that his title is defective by reason of the fact that a condition contained in the original grant has not been complied with.

As a matter of law he has no title as against the original grantor. But I pause here now to emphasize the fact already adverted to that no man can question the validity of the title except the grantor, the Government of the United States; and you can not infer that because the courts have held, as between A and B, that A has a good title as against B, that therefore he has a good title against the Government, which conveyed with a condition.

Now, what about the equity? We have heard a great deal of that. There is no legal term, Mr. Chairman, that is more loosely used than that very term equity. Equity in its largest legal acceptation applies to remedy alone, not to principle. "Equity is the correction of that wherein the law by reason of its universality is deficient." Deficient in what? Deficient in remedy—in remedial power.

Equity follows the law; and when a man is charged by the law with the knowledge of a fact which by negligence he fails to ascertain, he can claim no equitable right to be relieved from the consequences of his negligence. And let us not forget that an equity when it exists is a matter of right—not of grace and favor.

Mr. BOWERS of California. I do not expect that the ranchers know very much of the law.

Mr. COBB of Alabama. The law does not take cognizance of the fact that the rancher is not acquainted with the law. The presumption is that all men know the law, and ignorance of the law is no just foundation for equitable relief.

Now, Mr. Chairman, as to what Congress shall do is quite another question. It is said that the title of the settlers ought to be confirmed because the Government of the United States received certain benefits from the road, which it was provided they should give to the Government in consideration of the grant.

Mr. WILSON of Washington. If the gentleman will permit me a moment. Suppose we should declare the forfeiture, would the gentleman be willing to return to the settlers the double minimum price that they paid?

Mr. COBB of Alabama. Well, that is not exactly a legal question.

Mr. WILSON of Washington. Well, it is a very pertinent question in this connection. While you have forfeited in the State of Washington lands on a certain road there, the settlers who paid their money did not get the benefit of the railroad, for it was never built, and now they are not allowed to get the $2.50 an acre that they paid for the land. Do not you think that we are subject to a little equity in that transaction?

Mr. COBB of Alabama. I will answer the gentleman by saying that I will vote for any measure which may be produced here when I am convinced that it is one which will force the Government of the United States to be honest and pay its debts.

Mr. WILSON of Washington. Let me say that I will join the gentleman in that, and I think it likely we could do some things to make the Government honest and pay its lawful debts.

Mr. COBB of Alabama. I wish all of the members would feel that way, because I fear that the Congress is not always as prompt to recognize honest claims against the Government as it should be.

Mr. WILSON of Washington. But the gentleman from Alabama doubtless recollects the forfeiture down the Columbia River in the last Congress?

Mr. COBB of Alabama. Yes.

Mr. WILSON of Washington. We forfeited that land, for which the settlers paid $2.50 per acre, the railroad has not been built, and the settlers get nothing.

Mr. COBB of Alabama. Bring in your bill——

Mr. WILSON of Washington. I have already done so.

Mr. COBB of Alabama. And I will examine it, and if I am satisfied it is honest I will help the gentleman.

Mr. WILSON of Washington. I never ask anything but what is honest. [Laughter.]

Mr. COBB of Alabama. Now, as to the one legal proposition involved here, I had something to say in the Fifty-first Congress. The question is whether the fact that the roads did certain things for the Government as a common carrier operated as a waiver of its right to declare a forfeiture. And here is what I said on that question in that Congress when Mr. Payson of Illinois, who was chairman of the Committee on Public Lands, used the arguments now being urged. I used this language:

> But the legislation spoken of by the gentleman from Illinois [Mr. Payson] can not operate as a waiver of forfeiture, for the reason that until the forfeiture is declared the roads are subject to the burdens imposed by the granting acts, and are rightfully treated as land-grant roads in the appropriation bills.

A word in answer to the proposition that the Government was required to do something when the lands were being conveyed by the original grantees. If I convey a piece of land to my friend from Washington, and burden the title with a condition, I am not required to interfere with a sale by him of the land, even though the sale is made after condition broken.

Mr. RAY. Now, taking a case where it is optional with you as the grantor, some condition having been broken, with notice to you to bring an action to forfeit the title. You do not do it. You see the person in possession, claiming under you, sell to me, receive his money, you standing by and saying nothing. You see me go into possession and put valuable improvements upon the land, exercising all the rights of ownership, and all this time you sit by and say nothing. Can you, then, after all that is done, and after that acquiescence, turn around and eject me?

Mr. COBB of Alabama. That has been decided a thousand times in courts both of law and of equity.

Mr. RAY. It has been decided a thousand times that you can not do it, and I should like to see a decision where it has been decided that you could do it. I will defy you or any other man to show a decision in any other court, where it has been held that the right of forfeiture under the circumstances that I have defined should be exercised.

Mr. COBB of Alabama. It may be an extravagance to say that there are a thousand such decisions——

Mr. RAY. It is not the law and never has been.

Mr. WILLIAMS of Mississippi. Suppose we go one step further with the illustration of the gentleman from New York. Suppose, in addition to that, that you aid in misleading the innocent party; then you are estopped, are you not?

Mr. COBB of Alabama. I may be esstopped in a court of equity, but not at law.

Mr. WILLIAMS of Mississippi. Now, in this case where the United States Government has absolutely aided in imposing upon these people by issuing its patents to the railroad after the condition is broken, then is it not esstopped?

Mr. DOOLITTLE. Yes; and patents have been issued in the last few months.

Mr. RAY. Could you recover in a case of ejectment under those circumstances?

Mr. COBB of Alabama. In a case of ejectment the man holding the legal title would recover the land.

Mr. RAY. As against the equitable title?

Mr. COBB of Alabama. Why, yes; you can not plead an equitable title in defense in an action of ejectment, except in those States where such defenses are allowed in actions at law.

Mr. RAY. The gentleman is mistaken in his proposition—absolutely wild.

Mr. COBB of Alabama. Well, we will see. In a court of law any man can eject another from a piece of land if the plaintiff in the action holds the legal title, and it matters not how many equities have intervened in the sales that have occurred, except in those States where equitable defenses in courts of law are allowed by statute.

Mr. WILLIAMS of Mississippi. Which is the case in New York, and that is what has misled the gentleman from New York [Mr. RAY].

Mr. COBB of Alabama. Perhaps so. But to answer the question, "Did the issuing of a patent create an equity?" Clearly not, because the patent conveyed no title. The title had already been conveyed by the granting act. The patent was simply the evidence of the title contained in the granting act, and gave no additional force to that title nor destroyed any of its defects.

Mr. Chairman, the hour of adjournment has passed, and while I have failed, because of frequent interruptions, to present in a connected way the legal points I had thought to make or to complete the answers to questions asked, I will not longer claim the floor.

Mr. McRAE. Mr. Chairman, if the gentleman from Alabama has completed his remarks, I will make a motion that the committee rise.

Mr. COBB of Alabama. Several gentlemen around me have asked me to yield the floor.

Mr. McRAE. The gentleman must understand that he can not have the floor to-morrow.

Mr. COBB of Alabama. I do not care. I will give up the floor.

Mr. McRAE. Then I move that the committee rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. DOCKERY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 121) to amend an act to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes, approved September 29, 1890, and had come to no resolution thereon.

PRESIDENTIAL ELECTIONS.

Mr. TUCKER. Mr. Speaker, I ask unanimous consent to submit a report from the Committee on Election of President, Vice-President, and Representatives in Congress.

The SPEAKER. The gentleman from Virginia [Mr. TUCKER] asks unanimous consent to submit a report. Is there objection?

There was no objection.

Mr. TUCKER, from the Committee on the Election of President, Vice-President, and Representatives in Congress, reported a bill (H. R. 7688) as a substitute for the bill (H. R. 4215) to amend sections 140 and 145 and to repeal sections 143 and 144 of the Revised Statutes of the United States, relating to Presidential elections. The bill (H. R. 7688) was read a first and second time, and, with the accompanying report, ordered to be printed, and referred to the House Calendar.

The bill H. R. 4215 was ordered to lie on the table.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted—

To Mr. STEVENS, for one week, on account of sickness.

And then, on motion of Mr. McRAE (at 5 o'clock and 10 minutes p. m.), the House adjourned.

REPORTS OF COMMITTEES ON PRIVATE BILLS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

By Mr. STONE of Kentucky, from the Committee on War Claims: A bill (H. R. 7509) for the relief of Joab Brown. (Report No. 1216.)

By Mr. MORGAN, from the Committee on Military Affairs: A bill (H. R. 3128) for the relief of Samuel Burrell. (Report No. 1220.)

PUBLIC BILLS, MEMORIALS, AND RESOLUTIONS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced, and severally referred as follows:

By Mr. BAKER of New Hampshire: A bill (H. R. 7678) to authorize the Rock Creek Railway Company to extend its road—to the Committee on the District of Columbia.

By Mr. HOOKER of New York: A bill (H. R. 7679) for the relief of Union soldiers who were detained in rebel prisons beyond the period of their enlistment—to the Committee on Invalid Pensions.

By Mr. BAILEY (by request): A bill (H. R. 7680) to authorize purchasers of the property and franchises of the Choctaw Coal and Railway Company to organize a corporation and to confer upon the same all the powers, privileges, and franchises vested in that Company—to the Committee on the Judiciary.

By Mr. DAVIS: A bill (H. R. 7681) to amend "An act to create a board of arbitration or commission for settling controversies and differences between railroad corporations and other common carriers engaged in interstate and territorial transportation of property or passengers and their employés," approved October 1, 1888—to the Committee on the Judiciary.

By Mr. TALBOTT of Maryland: A joint resolution (H. Res. 202) to extend the charter of the Maryland and Washington Railway Company—to the Committee on the District of Columbia.

By Mr. LINTON: A joint resolution (H. Res. 203) authorizing an appropriation to defray the expenses of delegates to the Sixth Universal Peace Congress at Antwerp, Belgium—to the Committee on Foreign Affairs.

PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as follows:

By Mr. BALDWIN: A bill (H. R. 7682) to authorize the Wisconsin and New Duluth Bridge Company to construct a bridge over the St. Louis River between the States of Wisconsin and Minnesota—to the Committee on Interstate and Foreign Commerce.

By Mr. COOMBS: A bill (H. R. 7683) to remove the charge of desertion against James Fay—to the Committee on Naval Affairs.

By Mr. McCREARY: A bill (H. R. 7684) for the relief of the heirs of Cynthia Tadlock—to the Committee on War Claims.

By Mr. McALEAR: A bill (H. R. 7685) for the relief of I. H. Hathaway & Co.—to the Committee on Claims.

By Mr. WHEELER of Alabama: A bill (H. R. 7686) for the relief of Alfred O. Williamson, Gurley, Madison County, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 7687) for the relief of the estate of Elisha B. Clapp, deceased, late of Madison County, Ala.—to the Committee on War Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. APSLEY: Petition of citizens of Groton, Mass., praying that all fraternal beneficiary societies be exempt from taxation—to the Committee on Ways and Means.

By Mr. CARUTH: Petition of citizens of Louisville, Ky., favoring an amendment to the proposed revenue bill exempting from taxation fraternal beneficiary associations—to the Committee on Ways and Means.

Also, protest of sundry wholesale liquor dealers of Louisville, Ky., against an increase of the tax on whisky or an extension of the bonded period—to the Committee on Ways and Means.

By Mr. CURTIS of Kansas: Petition of 80 citizens of Florence, Kans., favorable to the Kyle resolution—to the Committee on Labor.

By Mr. DUNPHY: Petition of James Coles and others, of Kingsbridge, N. Y., against an income tax—to the Committee on Ways and Means.

By Mr. HAINER of Nebraska: Memorial of the supervisors of Knox County, Nebr., praying for relief from conflicting Government surveys in said county—to the Committee on the Public Lands.

By Mr. LANE: Petition of D. H. Harwood and others, of Shelbyville, Ill., in the interest of fraternal society and college journals—to the Committee on the Post-Office and Post-Roads.

By Mr. PIGOTT: Petition of the faculty of Wesleyan University, for the passage of antilottery laws—to the Committee on the Post-Office and Post Roads.

By Mr. TRACEY: Petition of John Langan, of West Troy, New York, protesting against an increase of tax on whisky and an extension of the bonded period—to the Committee on Ways and Means.

By Mr. WASHINGTON: Petition of E. R. Freeman and others, of Nashville, Tenn., asking amendment of income-tax bill, so as to exempt fraternal beneficiary societies, orders, and associations—to the Committee on Ways and Means.

SENATE.

WEDNESDAY, *July 11, 1894.*

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

On motion of Mr. FAULKNER, and by unanimous consent, the reading of the Journal of yesterday's proceedings was dispensed with.

EXECUTIVE COMMUNICATIONS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of June 15, 1894, a report of the Second Comptroller of the Treasury relative to Treasury Settlement No. 4813 of 1884, in favor of the Sun Mutual and other insurance companies of New York for insurance paid on the steamer Osceola, etc.; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of June 15, 1894, three tabular statements relative to the amount of gold which has been actually received into the Treasury and subtreasuries of the United States since the 1st day of November, 1893; what part of such coin has been obtained from the sale of bonds of the United States and what payments and redemptions have been made, in gold coin or bullion, by the Treasury or subtreasuries of the United States since the 1st day of November, 1893, etc.; which, with the accompanying papers, was referred to the Committee on Finance, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of the 5th ultimo, a report from the Commissioner of Indian Affairs, together with a report of Agent Andrews to Superintendent Palmer relative to the Oregon and Washington Indian wars of 1855 and 1856, and bearing upon the question as to the loyalty of the Rogue River tribe of Indians during that war, etc.; which, on motion of Mr. MITCHELL of Oregon, was, with the accompanying papers, referred to the Committee on Indian Affairs, and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. MILLS presented a memorial of sundry citizens of Cleburne, Tex., remonstrating against any appropriations being made for Indian education at sectarian schools; which was referred to the Committee on Appropriations.

Mr. McMILLAN presented the petition of Roswell Mott and sundry other citizens of Ingham County, Mich., praying that the funds of mutual life insurance companies and associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

He also presented the petition of George E. Newell and sundry other citizens of Flint, Mich., praying that fraternal beneficiary societies, orders, or associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

Mr. BRICE presented a memorial of the Central Labor Union, of Akron, Ohio, remonstrating against the ratification of the proposed Chinese treaty; which was ordered to lie on the table.

He also presented a petition of 34 woolgrowers of Athens County, Ohio, and a petition of 147 woolgrowers of Highland County, Ohio, praying for the imposition of a duty of 5 cents per pound on wool; which were ordered to lie on the table.

He also presented a petition of 46 citizens of Stark County, Ohio, and a petition of 44 citizens of Mahoning County, Ohio, praying that the funds of mutual life insurance companies and associations be exempted from the proposed income tax of the pending tariff bill; which were ordered to lie on the table.

He also presented a petition of 11 citizens of Canton, Ohio, praying that fraternal beneficiary societies, orders, or associations be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

He also presented a petition of the Builders' Exchange of Cincinnati, Ohio, praying for the passage of the bill defining the term "anarchist," and providing for the trial and punishment of such a person by the United States district courts; which was referred to the Committee on the Judiciary.

He also presented petitions of the Board of Trade and Transportation, of the Real Estate and Stock Exchange, of the Merchants and Manufacturers' Association, of the Freight Bureau, of the Manufacturers' Association, of the Young Mens' Business Club, of the Builders' Exchange, of the Ohio Mechanics' Institute, of the Commercial Club, and of the Chamber of Commerce, all of Cincinnati, Ohio, praying for the establishment of a fast mail service from Cincinnati to points south of the Ohio River; which were referred to the Committee on Appropriations.

Mr. KYLE presented additional papers to accompany the bill (S. 2202) to repeal an act entitled, "An act to amend the laws relative to shipping commissioners," approved August 19, 1890,

heretofore introduced by him; which were referred to the Committee on Commerce.

REPORTS OF COMMITTEES.

Mr. PEFFER, from the Committee on Claims, to whom was referred the bill (S. 1274) for the relief of Henry J. Hewitt, reported it without amendment, and submitted a report thereon.

Mr. McMILLAN, from the Committee on Naval Affairs, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 1464) for the relief of certain enlisted men of the Marine Corps;

A bill (S. 1535) to correct the naval history of John C. Dull; and

A bill (S. 1083) for the relief the estate of John Ericsson.

Mr. HALE, from the Committee on Naval Affairs, to whom was referred the amendment submitted by Mr. SQUIRE on the 10th ultimo, intended to be proposed to the sundry civil appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations, and be printed; which was agreed to.

He also, from the same committee, to whom was referred the bill (H. R. 38) relating to the pay and retirement of mates in the United States Navy, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported adversely thereon, and they were postponed indefinitely:

A bill (S. 1332) relating to the pay and retirement of mates in the United States Navy; and

A bill (S. 2181) relating to the pay and retirement of mates in the United States Navy.

Mr. WALSH, from the Select Committee on the Quadro-Centennial, reported an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations.

Mr. RANSOM, from the Committee on Commerce, to whom was referred the bill (H. R. 6518) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, reported it with amendments, and submitted a report thereon.

CONSTRUCTION OF COUNTY BUILDING IN ARIZONA.

Mr. FAULKNER. I am instructed by the Committee on Territories, to whom was referred the bill (H. R. 7506) authorizing the county of Coconino, Territory of Arizona, to issue bonds for the construction of a county building at the county seat thereof, to report it without amendment. The bill is only ten lines long, and I ask for its present consideration, because of the necessities that surround the case.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill; which was read, as follows:

Be it enacted, etc., That the board of supervisors of the county of Coconino, Territory of Arizona, be, and is hereby, authorized to issue bonds of the said county not exceeding $15,000 in amount, payable in not less than two nor more than twenty years, and bearing interest at a rate not exceeding 5 per cent per annum, for the construction of a county building at the county seat of said county.

The bill was reported to the Senate without amendment.

Mr. SHERMAN. It seems to me it is rather curious to give the authority of Congress to construct a building in a Territory.

Mr. FAULKNER. I can explain the bill to the Senator in a moment, if he will permit me. This is a county that has been newly formed and cut off from an old county. Under the act of Congress the old county had become indebted to the amount of what was equivalent to 4 per cent of its assessed value. When the new county was formed it had to assume its share of that indebtedness.

Mr. SHERMAN. What is to prevent action by the Territorial Legislature of Arizona?

Mr. FAULKNER. Because the act of Congress does not permit bonds to be issued or indebtedness created beyond 4 per cent of the assessed value of the property of the county, and as it had to assume its share of the indebtedness of the old county, there was no margin by which it could issue this small amount of $15,000 of bonds to erect a building in which the records of the county are to be kept.

Mr. MILLS. Why can not the house be built by taxation? I do not like this business of authorizing counties to sell bonds running fifteen and twenty years to get money to build a house. There is hardly any county in the United States that ought to have a court-house which can not get money by taxation to build it. I do not like the policy.

Mr. FAULKNER. I will state that this is a new county, and of course it has assumed its share of the liabilities of the old county, so that the indebtedness has been put upon it which it has to meet by taxation. All that is asked is $15,000, to erect a building to preserve the records of the county. The report of the State officials is to the effect that the records are over a grocery store and are liable to be burned up at any moment.

Mr. MILLS. Can not $15,000 be raised by taxation for building the house?

Mr. FAULKNER. It seems not, with the additional liabilities that rest upon the county by reason of the indebtedness it had to assume.

Mr. MILLS. I hope my friend will at least limit the time the bonds are to run. Twenty years, with 5 per cent interest, to borrow $15,000 seems to me to be bad policy. Why not say four or five years? Certainly they can raise the money in five years.

Mr. FAULKNER. I will agree to make it ten years.

Mr. HARRIS. May I inquire of the Senator from West Virginia what county it is that is asking for this aid?

Mr. FAULKNER. A county in Arizona.

Mr. HARRIS. A county in a Territory?

Mr. FAULKNER. A county in the Territory of Arizona.

Mr. HARRIS. That was the point in my mind. I did not know what Congress had to do with it.

Mr. BATE. I wish to inquire what kind of money the bonds are to be paid in?

Mr. FAULKNER. The bill leaves the question, as all acts do, without specifying any kind of money.

Mr. GEORGE. It has to be lawful money.

The VICE-PRESIDENT. The amendment suggested by the Senator from West Virginia will be stated.

The SECRETARY. In line 6, before the word "years," strike out "twenty" and insert "ten;" so as to read:

Payable in not less than two nor more than ten years.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

BILLS INTRODUCED.

Mr. BRICE introduced a bill (S. 2206) granting a pension to Allen Day; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 2207) granting a pension to Robert Kiracofe; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. CAMERON introduced a bill (S. 2208) authorizing the construction of a bridge over the Monongahela River at the foot of Main street in the borough of Bellevernon, State of Pennsylvania; which was read twice by its title, and referred to the Committee on Commerce.

Mr. MARTIN introduced a bill (S. 2209) for the relief of the Citizen Band of Pottawatomie Indians; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. HUNTON (by request) introduced a bill (S. 2210) to provide for the repair of the piers of the Aqueduct Bridge, and for its use by a street railway; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. PLATT introduced a bill (S. 2211) to authorize purchasers of the property and franchises of the Choctaw Coal and Railway Company to organize a corporation, and to confer upon the same all the powers, privileges, and franchises vested in that company; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. PROCTOR introduced a joint resolution (S. R. 95) relative to the medal of honor authorized by the acts of July 12, 1862, and March 3, 1863; which was read twice by its title, and referred to the Committee on Military Affairs.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. DOLPH submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. ROACH submitted an amendment intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. HARRIS submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Appropriations.

Mr. HARRIS (for Mr. VOORHEES) submitted an amendment intended to be proposed to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. MITCHELL of Oregon submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. RANSOM submitted two amendments intended to be

By Mr. BAKER of New Hampshire: A bill (H. R. 7678) to authorize the Rock Creek Railway Company to extend its road—to the Committee on the District of Columbia.

By Mr. HOOKER of New York: A bill (H. R. 7679) for the relief of Union soldiers who were detained in rebel prisons beyond the period of their enlistment—to the Committee on Invalid Pensions.

By Mr. BAILEY (by request): A bill (H. R. 7680) to authorize purchasers of the property and franchises of the Choctaw Coal and Railway Company to organize a corporation and to confer upon the same all the powers, privileges, and franchises vested in that Company—to the Committee on the Judiciary.

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By Mr. LINTON: A joint resolution (H. Res. 203) authorizing an appropriation to defray the expenses of delegates to the Sixth Universal Peace Congress at Antwerp, Belgium—to the Committee on Foreign Affairs.

PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as follows:

By Mr. BALDWIN: A bill (H. R. 7682) to authorize the Wisconsin and New Duluth Bridge Company to construct a bridge over the St. Louis River between the States of Wisconsin and Minnesota—to the Committee on Interstate and Foreign Commerce.

By Mr. COOMBS: A bill (H. R. 7683) to remove the charge of desertion against James Fay—to the Committee on Naval Affairs.

By Mr. McCREARY: A bill (H. R. 7684) for the relief of the heirs of Cynthia Tadlock—to the Committee on War Claims.

By Mr. McALEAR: A bill (H. R. 7685) for the relief of I. H. Hathaway & Co.—to the Committee on Claims.

By Mr. WHEELER of Alabama: A bill (H. R. 7686) for the relief of Alfred O. Williamson, Gurley, Madison County, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 7687) for the relief of the estate of Elisha B. Clapp, deceased, late of Madison County, Ala.—to the Committee on War Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

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By Mr. CARUTH: Petition of citizens of Louisville, Ky., favoring an amendment to the proposed revenue bill exempting from taxation fraternal beneficiary associations—to the Committee on Ways and Means.

Also, protest of sundry wholesale liquor dealers of Louisville, Ky., against an increase of the tax on whisky or an extension of the bonded period—to the Committee on Ways and Means.

By Mr. CURTIS of Kansas: Petition of 80 citizens of Florence, Kans., favorable to the Kyle resolution—to the Committee on Labor.

By Mr. DUNPHY: Petition of James Coles and others, of Kingsbridge, N. Y., against an income tax—to the Committee on Ways and Means.

By Mr. HAINER of Nebraska: Memorial of the supervisors of Knox County, Nebr., praying for relief from conflicting Government surveys in said county—to the Committee on the Public Lands.

By Mr. LANE: Petition of D. H. Harwood and others, of Shelbyville, Ill., in the interest of fraternal society and college journals—to the Committee on the Post-Office and Post-Roads.

By Mr. PIGOTT: Petition of the faculty of Wesleyan University, for the passage of antilottery laws—to the Committee on the Post-Office and Post Roads.

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By Mr. WASHINGTON: Petition of E. R. Freeman and others, of Nashville, Tenn., asking amendment of income-tax bill, so as to exempt fraternal beneficiary societies, orders, and associations—to the Committee on Ways and Means.

SENATE.

WEDNESDAY, *July 11, 1894.*

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

On motion of Mr. FAULKNER, and by unanimous consent, the reading of the Journal of yesterday's proceedings was dispensed with.

EXECUTIVE COMMUNICATIONS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of June 15, 1894, a report of the Second Comptroller of the Treasury relative to Treasury Settlement No. 4813 of 1884, in favor of the Sun Mutual and other insurance companies of New York for insurance paid on the steamer Osceola, etc.; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

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heretofore introduced by him; which were referred to the Committee on Commerce.

REPORTS OF COMMITTEES.

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CONSTRUCTION OF COUNTY BUILDING IN ARIZONA.

Mr. FAULKNER. I am instructed by the Committee on Territories, to whom was referred the bill (H. R. 7506) authorizing the county of Coconino, Territory of Arizona, to issue bonds for the construction of a county building at the county seat thereof, to report it without amendment. The bill is only ten lines long, and I ask for its present consideration, because of the necessities that surround the case.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill; which was read, as follows:

Be it enacted, etc., That the board of supervisors of the county of Coconino, Territory of Arizona, be, and is hereby, authorized to issue bonds of the said county not exceeding $15,000 in amount, payable in not less than two nor more than twenty years, and bearing interest at a rate not exceeding 5 per cent per annum, for the construction of a county building at the county seat of said county.

The bill was reported to the Senate without amendment.

Mr. SHERMAN. It seems to me it is rather curious to give the authority of Congress to construct a building in a Territory.

Mr. FAULKNER. I can explain the bill to the Senator in a moment, if he will permit me. This is a county that has been newly formed and cut off from an old county. Under the act of Congress the old county had become indebted to the amount of what was equivalent to 4 per cent of its assessed value. When the new county was formed it had to assume its share of that indebtedness.

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Mr. FAULKNER. Because the act of Congress does not permit bonds to be issued or indebtedness created beyond 4 per cent of the assessed value of the property of the county, and as it had to assume its share of the indebtedness of the old county, there was no margin by which it could issue this small amount of $15,000 of bonds to erect a building in which the records of the county are to be kept.

Mr. MILLS. Why can not the house be built by taxation? I do not like this business of authorizing counties to sell bonds running fifteen and twenty years to get money to build a house. There is hardly any county in the United States that ought to have a court-house which can not get money by taxation to build it. I do not like the policy.

Mr. FAULKNER. I will state that this is a new county, and of course it has assumed its share of the liabilities of the old county, so that the indebtedness has been put upon it which it has to meet by taxation. All that is asked is $15,000, to erect a building to preserve the records of the county. The report of the State officials is to the effect that the records are over a grocery store and are liable to be burned up at any moment.

Mr. MILLS. Can not $15,000 be raised by taxation for building the house?

Mr. FAULKNER. It seems not, with the additional liabilities that rest upon the county by reason of the indebtedness it had to assume.

Mr. MILLS. I hope my friend will at least limit the time the bonds are to run. Twenty years, with 5 per cent interest, to borrow $15,000 seems to me to be bad policy. Why not say four or five years? Certainly they can raise the money in five years.

Mr. FAULKNER. I will agree to make it ten years.

Mr. HARRIS. May I inquire of the Senator from West Virginia what county it is that is asking for this aid?

Mr. FAULKNER. A county in Arizona.

Mr. HARRIS. A county in a Territory?

Mr. FAULKNER. A county in the Territory of Arizona.

Mr. HARRIS. That was the point in my mind. I did not know what Congress had to do with it.

Mr. BATE. I wish to inquire what kind of money the bonds are to be paid in?

Mr. FAULKNER. The bill leaves the question, as all acts do, without specifying any kind of money.

Mr. GEORGE. It has to be lawful money.

The VICE-PRESIDENT. The amendment suggested by the Senator from West Virginia will be stated.

The SECRETARY. In line 6, before the word "years," strike out "twenty" and insert "ten;" so as to read:

Payable in not less than two nor more than ten years.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

BILLS INTRODUCED.

Mr. BRICE introduced a bill (S. 2206) granting a pension to Allen Day; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 2207) granting a pension to Robert Kiracofe; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. CAMERON introduced a bill (S. 2208) authorizing the construction of a bridge over the Monongahela River at the foot of Main street in the borough of Bellevernon, State of Pennsylvania; which was read twice by its title, and referred to the Committee on Commerce.

Mr. MARTIN introduced a bill (S. 2209) for the relief of the Citizen Band of Pottawatomie Indians; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. HUNTON (by request) introduced a bill (S. 2210) to provide for the repair of the piers of the Aqueduct Bridge, and for its use by a street railway; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. PLATT introduced a bill (S. 2211) to authorize purchasers of the property and franchises of the Choctaw Coal and Railway Company to organize a corporation, and to confer upon the same all the powers, privileges, and franchises vested in that company; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. PROCTOR introduced a joint resolution (S. R. 95) relative to the medal of honor authorized by the acts of July 12, 1862, and March 3, 1863; which was read twice by its title, and referred to the Committee on Military Affairs.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. DOLPH submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. ROACH submitted an amendment intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. HARRIS submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Appropriations.

Mr. HARRIS (for Mr. VOORHEES) submitted an amendment intended to be proposed to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. MITCHELL of Oregon submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. RANSOM submitted two amendments intended to be

proposed by him to the sundry civil appropriation bill; which were referred to the Committee on Appropriations.

He also submitted an amendment intended to be proposed by him to the deficiency appropriation bill; which was referred to the Committee on Appropriations.

Mr. STEWART submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations.

Mr. PALMER submitted an amendment intended to be proposed by him to the deficiency appropriation bill; which, with the accompanying papers, was referred to the Committee on Appropriations.

REPORT OF THE DISTRICT HEALTH OFFICER.

Mr. HARRIS submitted the following concurrent resolution; which was referred to the Committee on Printing:

Resolved by the Senate (the House of Representatives concurring), That the Public Printer be, and he is hereby, authorized to print and bind in cloth 1,500 copies of the annual report of the health officer of the District of Columbia; 100 for the use of the Senate, 350 for the use of the House of Representatives, and 1,050 for the use of said health officer of the District.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed the bill (S. 1694) granting to the St. Paul, Minneapolis and Manitoba Railway Company the right of way through the White Earth, Leech Lake, Chippewa, and Fond du Lac Indian Reservations, in the State of Minnesota.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 6558) to amend section numbered 2324 of the Revised Statutes of the United States, relating to mining claims, asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. WEADOCK, Mr. TATE, and Mr. SHAW managers at the conference on the part of the House.

The message further announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 5923) for the relief of Michael Scanlon; and

A bill (H. R. 7434) directing the issue of a duplicate of a lost check drawn by Capt. W. H. Bixby, Engineers United States Army, at Newport, R. I., in favor of Messrs. Hughes Brothers & Bangs.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 6447) to fix a term of the Federal district and circuit courts of the southern judicial district of Mississippi, to be held at Meridian, Miss.

The message further announced that the House had elected Hon. JAMES D. RICHARDSON, a Representative from the State of Tennessee, Speaker *pro tempore*, during the temporary absence of the Speaker.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 7293) regulating the procedure in criminal causes in the district of Minnesota; and it was thereupon signed by the Vice-President.

ORDER OF BUSINESS.

Mr. DANIEL. I ask the Senate to take up the resolution which was under consideration yesterday.

Mr. BLACKBURN. With the permission of the Senator from Virginia, I submit the point that that resolution is not before the Senate, but that under the rule it went to the Calendar. The unfinished business that comes over from yesterday is before the Senate.

Mr. SHERMAN. The unfinished business does not come before the Senate until 2 o'clock. The Senator from Virginia can move to take up the resolution and the Senator from Kentucky can move to take up the appropriation bill.

Mr. BLACKBURN. I admit it is in order for the Senator from Virginia to make the motion and by a vote of the Senate to have the resolution considered, but under the rule the resolution to which the Senator from Virginia refers has gone to the Calendar, and the only way to reach it is by a motion supported by a majority vote of the Senate to take it from the Calendar for consideration.

Mr. DANIEL. I so understand; and I make that motion.

Mr. SHERMAN. The bill indicated by the Senator from Kentucky stands exactly in the same position. It requires a motion to take it up before 2 o'clock.

Mr. BLACKBURN. The Senator from Ohio is hardly correct in that statement. Unless the Senate shall by a vote take from the Calendar the resolution to which the Senator from Virginia alludes, then the morning hour will stand closed and the unfinished business will of its own motion come up.

Mr. SHERMAN. Then the Calendar is in order.

Mr. BLACKBURN. Then it is to be done by motion.

The VICE-PRESIDENT. The Chair will state to the Senator from Kentucky that the resolution offered by the Senator from Virginia yesterday has gone to the Calendar, it being an amendment to the resolution offered by the Senator from Kansas. At the close of the morning business and up to the hour of 2 o'clock the Calendar, under Rule VIII, is in order. The morning business having closed, the Calendar, under Rule VIII, is now in order.

Mr. BLACKBURN. Then, recognizing the exact correctness of the ruling of the Chair, I move that the Senate now proceed to the consideration of the unfinished business coming over from yesterday, it being the diplomatic and consular appropriation bill.

Mr. DANIEL. Upon that I make the point of order that the motion I have made takes precedence.

The VICE-PRESIDENT. The Chair recognizes the Senator from Virginia.

Mr. BLACKBURN. Mr. President——

Mr. DANIEL. I will yield for a question.

Mr. BLACKBURN. I merely wanted to know for what purpose the Senator from Virginia has the floor.

Mr. DANIEL. I will proceed to state it, if I may be permitted to do so.

Mr. BLACKBURN. I do not understand that the Senator from Virginia has the floor for the purpose of making a speech when a motion is pending.

The VICE-PRESIDENT. The Chair will state to the Senator from Kentucky that the Chair entertains the motion made by him. The Senator from Virginia rises to a point of order. The Chair would be glad to hear the statement of the Senator from Virginia.

Mr. BLACKBURN. So will I.

Mr. DANIEL. I simply wish to state that I had understood the parliamentary situation of the case, and had made a motion to take up the resolution which I offered as a substitute for that of the Senator from Kansas, which on yesterday went to the Calendar.

Mr. BLACKBURN. Wait a moment.

Mr. DANIEL. I only wish to say that I think the Senator from Kentucky would expedite his own very important business and the proper transaction of matters in the Senate if he would allow this matter to occupy a small portion of the morning hour.

Mr. BLACKBURN. If the Senator will allow me one moment, I will say that all I am trying to do is to get the Senate to take up and dispose of general appropriation bills that are needed to carry on the Government. We are in a new fiscal year, and not a single appropriation bill has been enacted into law. I waived the right I had to the floor yesterday for more than half the day. Now, I am sure that it is not the purpose of the Senator from Virginia to delay this important work, and I will withdraw my motion.

Mr. DANIEL. I appreciate the courtesy of the Senator from Kentucky, and I will say that I have no desire or purpose to delay the Senate by any speech. I have not done so, and my record is an assurance of that fact.

The VICE-PRESIDENT. The Senator from Kentucky withdraws his motion, and the Senator from Virginia will proceed.

SUPPRESSION OF LAWLESSNESS.

Mr. DANIEL. I simply wish to make a motion to take up the resolution of the Senator from Kansas [Mr. PEFFER], which was before the Senate yesterday, with the substitute which I offered pending thereto.

The VICE-PRESIDENT. The question is on the motion of the Senator from Virginia.

The motion was agreed to.

The VICE-PRESIDENT. The amendment submitted by the Senator from Virginia will be read.

The SECRETARY. Strike out Mr. PEFFER'S resolution and insert:

Resolved, That the Senate indorses the prompt and vigorous measures adopted by the President of the United States and the members of his Administration to repulse and repress by military force the interference of lawless men with the due process of the laws of the United States, and with the transportation of the mails of the United States, and with commerce among the States.

It is within the plain constitutional authority of the Congress of the United States, "to regulate commerce with foreign nations, and among the several States, and with the Indian tribes;" "to establish post-offices and post-roads," and to ordain and establish inferior courts; and the judicial power extends to all cases in law and equity arising under the Constitution and laws of the United States.

It is the duty of the President under the Constitution to "take care that the laws be faithfully executed," and to this end it is provided that he shall be "Commander-in-Chief of the Army and Navy of the United States, and of the militia of the several States when called into the actual service of the United States."

It is treason against the United States for a citizen to levy war against them, or to adhere to their enemies, giving them aid and comfort.

Those who combine to use force to assail or resist the constituted authorities of the United States, civil or military, should be warned of the magnitude of their offense; and those who earn honest bread by honest toil can

do nothing more detrimental to their interests than to show them any sort of countenance in their lawless course.

The action of the President and his Administration has the full sympathy and support of the law-abiding masses of the people of the United States, and he will be supported by all departments of the Government and by the power and resources of the entire nation.

Mr. DANIEL. Upon consultation with several of my colleauges, both Republican and Democratic, I desire to modify my amendment by offering a second clause to the substitute which I proposed yesterday, which I shall read for the information of the Senate. It is as follows:

2. *Resolved*, That while the Senate thus explicitly declares its determination to support the Executive in the enforcement of the laws and in maintaining the supremacy of the Constitution, it deems it proper also to declare its adhesion to the principle of the arbitration of differences or controversies between the employers of labor and their employés, as recognized in the laws of the United States; and to express its condemnation of the refusal of any party to such controversies or differences connected with the late disturbances in the city of Chicago and its vicinity to submit such differences or controversies to fair and impartial arbitration. And the Senate also expresses its determination to use, in promotion of the arbitration of such differences or controversies, whatever constitutional power it may possess.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Virginia as modified.

Mr. HAWLEY. I ask leave to make a mere verbal correction. In line 27 of the paragraph beginning on line 24, page 2, it reads:

And those who earn honest bread by honest toil could do nothing more detrimental to their interests than to show them any sort of countenance in their lawless course.

The pronouns are a little mixed. I should rather it would read: "Nothing more detrimental to their interests than to countenance such persons in their lawless course."

Mr. DANIEL. I accept that. It is a very proper amendment.

The VICE-PRESIDENT. The Senator from Virginia accepts the modification, and the amendment will be so modified.

Mr. PEFFER. I wish to inquire of the Senator from Virginia whether he intends that this last proposed amendment shall be substituted entirely for his first one?

Mr. DANIEL. Oh, no; only that it may be added as a second clause.

Mr. PEFFER. To take the place of the second clause only?

Mr. DANIEL. There is no second clause in the resolution which I offered yesterday. I offer this amendment to-day as a second clause.

Mr. PEFFER. In place of the present substitute?

Mr. DANIEL. Not in place of anything, but in addition to the resolution which I offered yesterday. I offer the amendment here to-day as a second clause.

Mr. CAREY. Does the Senator from Virginia want to destroy the force of the resolution he offered yesterday?

Mr. DANIEL. I do not withdraw anything I offered yesterday. I offer the substitute as I offered it yesterday, but I offer as an additional clause the amendment which has just been read.

Mr. CAREY. As I understand the resolutions which were introduced yesterday by the Senator from Virginia [Mr. DANIEL] they were for the purpose of upholding the hands of the President of the United States in the enforcement of the laws and maintaining the Constitution of the United States in Chicago. Now, the purpose, it appears to me, of the resolution of to-day is to lessen the effect of the resolutions of yesterday.

The Senate has nothing whatever to do with the settlement of difficulties between employers and employés. The Senate is now making resolves with reference to the disorder that exists in the city of Chicago and elsewhere in the United States.

Mr. DANIEL. Briefly, let me say to the Senator who has just spoken, than by an act approved October 1, 1888, which is a part of the law of this country, and which is entitled to as much respect as any other portion of it, the Congress of the United States and the President gave their sanction and approbation to the principle of arbitration and provided machinery for a peaceful settlement of such controversies as we now have to deal with, and the settlement of peace ought to be commended and put before all, in order that force may not be resorted to any further than may be absolutely indispensable. That is as much a part of the law and Constitution of the country as any of the laws which provide for the use of the military force, and it should receive equal consideration and be equally impressed upon the attention of the people.

Mr. CAREY. So far as the law is concerned, to which the Senator from Virginia refers, it has been inoperative and has been ineffective; it has never been called into operation, and it was passed, as many things are passed by Congress, to please somebody or other, but it has no effect whatever. It can not be enforced, and never has been enforced.

Mr. GALLINGER. Mr. President, I have but a single word to say on this matter, and I may as well say it on the amendment that is offered as when the question upon the passage of the resolution is reached.

I objected to the consideration of the resolution yesterday, but I did not do so because of any opposition I had to it. I had heard the resolution read casually; it was somewhat lengthy, and I did not fully comprehend its terms. I wanted to take time to examine it and see whether it might not need amendment. I will say to the Senate that my purpose was then to formulate, and I have since formulated, an amendment which I have on my desk in favor of arbitration. But I shall not offer the amendment, for the reason that the one submitted by the Senator from Virginia is a better one than mine. I shall very cordially support the amendment offered by the Senator from Virginia, and I congratulate him upon having, as I think, perfected his resolution by that amendment. I will go further than that, and say that I shall very cordially vote for the resolution as amended, if it shall be amended. I have no disposition to obstruct the Executive in the performance of his duty, and while I deeply deprecate the necessity for the employment of troops at Chicago and elsewhere, I believe the President is simply carrying out his duty in doing what he has done. While under other circumstances and other conditions I might feel constrained to enter some criticism upon utterances made by the Executive himself in the past relating to the relations between the employed and the employer in this country, I do not feel that it is my duty to do so to-day, and therefore content myself with this simple statement.

Mr. DOLPH. Mr. President, I should be very glad if there could be substituted for the resolution pending and the proposed amendment a simple resolution indorsing the action of the President in this matter. Like the Senator from New Hampshire [Mr. GALLINGER], I was not yesterday prepared to vote upon the resolution which was offered upon hearing it read without being able to examine it, and I am not entirely clear to day in regard to some of the declarations contained in the resolution, but I did not intend to open my mouth and I do not now wish to criticise the Chief Executive in the action he has taken, but to commend him. If I had been in his place I should have done what he has done, even if there were some doubts in my mind as to the constitutional right to do so.

I am not quite pleased with the statement contained in the third clause of the resolution introduced by the Senator from Virginia, as follows:

It is the duty of the President under the Constitution to "take care that the laws be faithfully executed," and to this end it is provided that he shall be "Commander-in-Chief of the Army and Navy of the United States, and of the militia of the several States when called into the actual service of the United States."

If that means in case of insurrection and a proper case made for the interference of Federal troops it is the duty of the President as Commander-in-Chief of the Army and Navy to interfere for the protection of life and property, I have no objection to the statement. It is correct.

But if it means that the President is made Commander-in-Chief of the Army and of the Navy for the purpose of enforcing the ordinary execution of the laws, or enforcing the law by process of the courts, I do not believe that that authority is conferred upon the President of the United States. It is his duty, in the first place, to see that the laws are enforced through the ordinary means of courts of justice and officers of the courts of justice. The law has provided how the process of a court of justice may be served and enforced, and it is only when there is an insurrection, as I have said, when there is organized treason against the Government, State or national, that the President is authorized to put into motion and to exercise the power conferred upon him as Commander-in-Chief of the Army and of the Navy.

Heretofore it has been supposed that in case of insurrection in a State it was not the duty of the President to act, if the Legislature was in session, until the Legislature had called for the interference of Federal troops, or if the Legislature was not in session, until the governor of the State had called for them. We have taken a new departure I think. I am not prepared to say that it is not right. I stand here and commend it, and say that what has been done by the Executive would be done by me under the same emergency if I had the authority; and I stand here to commend the President for his action and to say that it was fortunate for the country that there was a Chief Magistrate who had the backbone to do what he has done.

But I repeat that heretofore it has been supposed that the President could only use Federal troops in a State to suppress an insurrection or riot when the Legislature, if in session, called upon him, or if the Legislature was not in session, when the governor called upon him for Federal troops.

But, as I understand the present condition of affairs, the Administration started out to protect railroads which were in the hands of receivers, and now the protection is extended, without the request of the governor of Illinois at least, or the Legislature of Illinois, to railroads engaged in carrying the mails and rail-

roads engaged in interstate commerce. I am not entirely certain and I have not examined the question critically enough to know whether the declarations contained in the resolution as to the legal aspects of this question are correct.

As I say, I should have been pleased to have voted for a resolution expressing confidence in the Administration and commending it for what it has done, leaving out the legal propositions which have been put into this resolution; but this morning it looks as if the Senator from Virginia had become afraid of the resolution he introduced yesterday, and having introduced a resolution yesterday sustaining the Administration in what it has done and commending it for what it has done, he proposes to add another clause to the resolution and throw a sop to those who are engaged in defying the laws, in destroying property, and in committing murder.

If I read the amendment aright it is a covert condemnation of the Pullman Company for its refusal to arbitrate. I want to know more about the facts of that matter before I undertake to give an expression as to the merits or demerits of the case. If I am going to make any declaration upon the subject, I want to do it squarely; I do not want to do it by implication; I do not want to do it by a resolution which has any double meaning. This proposed second section provides:

Resolved, That while the Senate thus explicitly declares its determination to support the Executive in the enforcement of the laws, and in maintaining the supremacy of the Constitution, it deems it proper also to declare its adhesion to the principle of the arbitration of differences of controversies between the employers of labor and their employés, as recognized in the laws of the United States.

What is the use of making that declaration? If Congress has passed a law which is on the statute books, is not that a sufficient declaration of both Houses of Congress? Why stop to throw a sop to Cerberus, to conciliate the elements which are seeking to overthrow the Government; which are undertaking to overthrow local government and to set the laws at defiance? Why make any declaration upon the subject?

But this proposed amendment proceeds:

And to express its condemnation of the refusal of any party to such controversies or differences connected with the late disturbances in the city of Chicago and its vicinity to submit such differences or controversies to fair and impartial arbitration.

It does not say "any refusal," but it says "the refusal," and it specifies the controversy:

The refusal of any party to such controversies or differences connected with the late disturbances in the city of Chicago and its vicinity to submit such differences or controversies to fair and impartial arbitration.

It assumes that there has been a refusal by someone to submit the present existing controversies in the city of Chicago to fair and impartial arbitration. I do not think that this Senate should adopt a resolution of that kind, offered now for the first time, which is not in print, and which Senators have only heard read from the desk and have had no opportunity to examine. I am willing to go as far as any Senator in making any declaration here that will hold up the hands of the Administration in this trying hour, I am willing to vote for any resolution of approval, and I will not stop to make any question upon legal technicalities, but I should like to stop there.

I do not like to be forced to vote upon a resolution of this kind containing such declarations as this contains, until it is printed and I have had time to examine it and to ascertain the facts myself. I hope at least that the Senator from Virginia will withdraw the amendment or stop with the declaration that the Senate still adheres to the principle of arbitration.

Mr. HAWLEY. Mr. President, it often happens that in endeavoring to go too much into detail we get into such discussion as to forget the main object we are seeking. This happens in the case of the pending resolution. Here is a matter almost wholly foreign, quite outside of the field, which the Senate undertook to occupy, which is brought into this discussion and causes difference of opinion in the Chamber, whereas upon what we really seek to reach, I hope and believe there is entire unanimity here. I should be perfectly satisfied with a brief resolution like this which I have sketched:

Resolved, That the Senate approves and commends the course of the Chief Executive in his efforts to execute the laws and preserve the peace.

You spread it over ten pages and you do not say anything more. I shall also be content with the first paragraph of the two pages of the resolution offered by the Senator from Virginia:

Resolved, That the Senate indorses the prompt and vigorous measures adopted by the President of the United States and the members of his Administration to repulse and repress, by military force, the interference of lawless men with the due process of the laws of the United States, and with the transportation of the mails of the United States, and with commerce among the States.

I think that is quite sufficient. The Senate wants to say that, and it does not want to say that Mr. Pullman made a mistake in refusing arbitration. I do not think he did refuse it, if the facts were known; but I do not care to discuss that point.

Mr. DANIEL. Will the Senator from Connecticut yield to me for a moment?

Mr. HAWLEY. Certainly.

Mr. DANIEL. I think we all seek a common purpose in the right spirit. I do not wish to prolong the debate at a time when the Senate has so many important matters before it. If it would be acceptable to the Senators who have just spoken, the Senator from Connecticut]Mr. HAWLEY] and the Senator from Oregon [Mr. DOLPH], I should propose to drop all of my resolution except the first clause, which goes at once to the root of this matter.

Mr. PLATT. That is right.

Mr. HAWLEY. I sincerely think that would be best.

Mr. MILLS. That is right.

Mr. DANIEL. And I would retain the last clause, which is to the same effect.

Mr. HAWLEY. I have just been reading that clause. It is good.

Mr. DANIEL. I will drop all except the first and the last clause.

Mr. CULLOM. Let the Senator mark the parts of the resolution which he proposes to retain, and have them read from the desk.

Mr. HAWLEY. He retains the first and last clauses.

The VICE-PRESIDENT. The Secretary will read the amendment of the Senator from Virginia, as modified by him.

The Secretary read as follows:

Resolved, That the Senate indorses the prompt and vigorous measures adopted by the President of the United States and the members of his Administration to repulse and repress, by military force, the interference of lawless men with the due process of the laws of the United States, and with the transportation of the mails of the United States, and with commerce among the States.

The action of the President and his Administration has the full sympathy and support of the law-abiding masses of the people of the United States, and he will be supported by all departments of the Government and by the power and resources of the entire nation.

Mr. HALE and Mr. SHERMAN. That is right.

Mr. HAWLEY. That will do.

Mr. PLATT. That is right.

Mr. DANIEL. Now, Mr. President, one word in conclusion. The reason why I introduced the subject of arbitration was because of the statute, because of the message of the President which was sent to Congress, and because of the general policy of this nation to facilitate peaceful settlements of all questions. But perceiving that it would involve criticism, for which we are perhaps not fully prepared, and which might do injustice with the limited information which is before us, I defer consideration of that question to a more convenient season. I shall be satisfied to have the resolution voted upon in the form in which it is now presented.

Mr. GEORGE. I desire to put on record the message of the President of the United States sent to Congress April 22, 1886, on the subject of arbitration. I send it to the desk and ask unanimous consent that it may be printed in the RECORD in ordinary type. It need not be read.

Mr. HAWLEY. All right.

Mr. CULLOM. There is no objection.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Mississippi? The Chair hears none, and it is so ordered.

The message referred to is as follows:

To the Senate and House of Representatives:

The Constitution imposed upon the President the duty of recommending to the consideration of Congress from time to time such measures as he shall judge necessary and expedient.

I am so deeply impressed with the importance of immediately and thoughtfully meeting the problem which recent events and a present condition have thrust upon us, involving the settlement by arbitration of disputes arising between our laboring men and their employers, that I am constrained to recommend to Congress legislation upon this serious and pressing subject.

Under our form of government the value of labor as an element of national prosperity should be distinctly recognized, and the welfare of the laboring man should be regarded as especially entitled to legislative care. In a country which offers to all its citizens the highest attainment of a social and political distinction its workingmen can not justly or safely be considered as irrevocably consigned to the limits of a class and entitled to no attention and allowed no protest against neglect.

The laboring man, bearing in his hand an indispensable contribution to our growth and progress, may well insist, with manly courage and as a right, upon the same recognition from those who make our laws as is accorded to any other citizen having a valuable interest in charge; and his reasonable demands should be met in such a spirit of appreciation and fairness as to induce a contented and patriotic coöperation in the achievements of a grand national destiny.

While the real interests of labor are not promoted by a resort of threats and violent manifestations, and while those who, under the pretexts of an advocacy of the claims of labor, wantonly attack the rights of capital, and for selfish purposes or the love of disorder sow the seeds of violence and discontent, should be neither encouraged nor conciliated, all legislation on the subject should be calmly and deliberately undertaken, with no purpose of satisfying unreasonable demands or of gaining partisan advantage.

The present condition of the relations between labor and capital is far from satisfactory. The discontent of the employed is due in large degree to the grasping and heedless exactions of employers, and the alleged discrimination in favor of capital as an object of governmental attention. It must be also conceded that the laboring men are not always careful to avoid causeless and unjustifiable disturbance.

Though the importance of a better accord between these interests is apparent, it must be borne in mind that any effort in that direction by the Federal Government must be greatly limited by constitutional restrictions. There are many grievances which legislation by Congress can not redress, and many conditions which can not by such means be reformed.

I am satisfied, however, that something may be done under Federal authority to prevent the disturbances which so often arise from disputes between employers and the employed, and which at times seriously threaten the business interests of the country, and in my opinion the proper theory on which to proceed is that of voluntary arbitration as the means of settling these difficulties.

But I suggest that instead of arbitrators chosen in the heat of conflicting claims, and after each dispute shall arise, for the purpose of determining the same, there be created a commission of labor, consisting of three members, who shall be regular officers of the Government, charged, among other duties, with the consideration and settlement, when possible, of all controversies between labor and capital.

A commission thus organized would have the advantage of being a stable body, and its members, as they gained experience, would constantly improve in their ability to deal intelligently and usefully with the questions which might be submitted to them. If arbitrators are chosen for temporary service as each case of dispute arises, experience and familiarity with much that is involved in the question will be lacking, extreme partisanship and bias will be the qualification sought on either side, and frequent complaints of unfairness and partiality will be inevitable. The imposition upon a Federal court of a duty so foreign to the judicial function as the selection of an arbitrator in such cases is at least of doubtful propriety.

The establishment by Federal authority of such a bureau would be a just and sensible recognition of the value of labor, and of its right to be represented in the Departments of the Government. So far as its conciliatory offices had relation to disturbances which interfered with transit and commerce between the States, its existence would be justified, under the provisions of the Constitution, which gives to Congress the power "to regulate commerce with foreign nations and among the several States." And in the frequent disputes among the laboring men and their employers, of less extent and the consequences of which are confined within State limits and threaten domestic violence, the interposition of such a commission might be tendered upon the application of the Legislature or executive of a State, under the constitutional provision which requires the General Government to "protect" each of the States "against domestic violence."

If such a commission were fairly organized, the risk of a loss of popular support and sympathy resulting from a refusal to submit to so peaceful an instrumentality would constrain both parties to such disputes to invoke its interference and abide by its decisions. There would also be good reason to hope that the very existence of such an agency would invite application to it for advice and counsel, frequently resulting in the avoidance of contention and misunderstanding.

If the usefulness of such a commission is doubted because it might lack power to enforce its decisions, much encouragement is derived from the conceded good that has been accomplished by the railroad commissions which have been organized in many of the States, which, having little more than advisory power, have exerted a most salutary influence in the settlement of disputes between conflicting interests.

In July, 1884, by a law of Congress, a Bureau of Labor was established and placed in charge of a Commissioner of Labor, who is required to "collect information upon the subject of labor, its relations to capital, the hours of labor, and the earnings of laboring men and women, and the means of promoting their material, social, intellectual, and moral prosperity."

The commission which I suggest could easily be ingrafted upon the Bureau thus already organized by the addition of two more commissioners and by supplementing the duties now imposed upon it by such other powers and functions as would permit the commissioners to act as arbitrators when necessary between labor and capital under such limitations and upon such occasions as should be deemed proper and useful.

Power should also be distinctly conferred upon this Bureau to investigate the causes of all disputes as they occur, whether submitted for arbitration or not, so that information may always be at hand to aid legislation on the subject when necessary and desirable.

GROVER CLEVELAND.

APRIL 22, 1886.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Virginia [Mr. DANIEL], as modified, to the resolution proposed by the Senator from Kansas [Mr. PEFFER].

Mr. GALLINGER. Mr. President, with all due deference to Senators who have reached this harmonious agreement that the action of the President in calling out the military shall be indorsed, and that it is not advisable to put on record our approval of arbitration, I am not content to have the matter go that way without an effort on my part to secure an amendment to the resolution of the Senator from Virginia in these words:

While thus indorsing the action of the Chief Executive, the Senate approves the principle of voluntary arbitration as a potent means of settling disputes between employers and their employés.

I simply ask for a vote upon the amendment, and shall be content with whatever may happen.

Mr. DANIEL. There is no objection to that. I will accept it.

Mr. HAWLEY. I do object. Arbitration is on the statute book already. Everybody knows that the United States favors it, from the case at Geneva down. I do not see any necessity to say anything more than that we approve the action of the President taken in the last fortnight to execute the law and preserve the peace. That is what we want to say and nothing more.

Mr. PLATT. Mr. President, we are confronted with one supreme question, and that is who is President of the United States and whether we have any United States? The question is whether the person whom we elected to be our Chief Executive is the Chief Executive of the United States or whether a man who calls himself President Debs is the President and Chief Executive of the United States.

Any other question injected into this discussion seems to me entirely out of place. The Senate should express its approval of what its lawfully elected President has done; and our views about arbitration and all those matters can be discussed hereafter. They are in the form of law. I object to anything except the straight, square, manly indorsement of what President Cleveland has done, and I shall vote against anything else.

Mr. GALLINGER. I am ready for a vote. I ask for the yeas and nays.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from New Hampshire to the substitute.

Mr. GALLINGER. On that I ask for the yeas and nays.

The yeas and nays were not ordered.

Mr. GALLINGER. I will ask for a division on agreeing to my amendment.

Mr. LINDSAY. I ask to have the amendment reported, so that we may know precisely what it is.

The VICE-PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. Add as an additional paragraph:

While thus indorsing the action of the Chief Executive, the Senate approves the prihcipal of voluntary arbitration as a potent means of settling disputes between employers and employés.

Mr. SHERMAN. As I am called upon to vote upon this question, I wish simply to say that while I shall vote for the proposition every day in the week—Sunday, Monday, or at any proper time—I am opposed to it here as an attachment to the resolution of the Senator from Virginia, which I think ought to be adopted by itself, single and alone. No one who will vote against the amendment will be misunderstood. His vote will be understood perfectly well. We do not vote against the proposition itself, but we vote against putting it upon the resolution of the Senator from Virginia.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from New Hampshire to the substitute, upon which a division is called for.

The question being put, there were on a division—ayes 10, noes 27; no quorum voting.

The VICE-PRESIDENT. No quorum having voted, the Secretary will call the roll.

Mr. HAWLEY. Let us have another division.

Mr. DUBOIS. I ask that the amendment be again stated.

The VICE-PRESIDENT. The Secretary will call the roll.

Mr. FAULKNER. I ask unanimous consent that we take the vote by a division again, so as not to consume time in calling the roll.

Mr. KYLE. I object. I should like to have a roll call on the question.

The VICE-PRESIDENT. There is objection to the request of the Senator from West Virginia. The Secretary will call the roll.

Mr. BLACKBURN. I rise to a question of order.

The VICE-PRESIDENT. What is the point of order made by the Senator from Kentucky?

Mr. BLACKBURN. The point of order I wish to submit to the Chair is that attention was not called to the fact that a quorum had not voted. It is not the province of the Chair to direct a call of the roll unless the point is made that a quorum has failed to vote.

Mr. CULLOM. The lack of a quorum was disclosed by the division.

Mr. MANDERSON. It had been shown by the result of the division reported by the Secretary to the Presiding Officer of the Senate.

Mr. BLACKBURN. It was within the province of any member of the Senate to call attention to the fact that no quorum had voted; but no Senator had taken occasion to do so.

Mr. MANDERSON. The absence of a quorum appeared to the Chair from the division.

Mr. DOLPH. The Chair stated that a quorum had not voted.

The VICE-PRESIDENT. The Chair will state to the Senator from Kentucky that more than one Senator announced from his seat that no quorum had voted; but, aside from that, the Chair was bound, upon the report by the Secretary to the Chair of the result of the division, to take notice of the fact that no quorum had voted. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich,	Faulkner,	Jones, Ark.	Platt,
Allison,	Gallinger,	Kyle,	Power,
Bate,	George,	Lindsay,	Proctor,
Blackburn,	Gibson,	McMillan,	Ransom,
Blanchard,	Gordon,	Manderson,	Roach,
Brice,	Gorman,	Martin,	Sherman,
Cameron,	Gray,	Mills,	Shoup,
Carey,	Hale,	Mitchell, Oregon	Smith,
Coke,	Hansbrough,	Mitchell, Wis.	Stewart,
Cullom,	Hawley,	Palmer,	Vest,
Daniel,	Hunton,	Pasco,	Walsh,
Dolph,	Irby,	Peffer,	White.
Dubois,	Jarvis,	Perkins,	

Mr. BATE. I desire to state that my colleague [Mr. HARRIS] is absent, engaged in the room of the Committee on Finance upon public business.

The VICE-PRESIDENT. Fifty-one Senators have answered to their names. A quorum is present. The question is on agreeing to the amendment proposed by the Senator from New Hampshire [Mr. GALLINGER] to the substitute of the Senator from Virginia, upon which a division is called for.

The question being put, there were on a division—ayes 11, noes 35.

Mr. KYLE. I call for the yeas and nays.

Mr. MILLS. The yeas and nays have been refused.

The VICE-PRESIDENT. The yeas and nays are demanded. Is there a second?

Mr. MILLS. The yeas and nays were called for once on this question and refused.

The yeas and nays were not ordered.

The VICE-PRESIDENT. The amendment to the substitute is rejected. The question recurs on agreeing to the substitute of the Senator from Virginia for the resolution offered by the Senator from Kansas.

The amendment was agreed to.

The VICE-PRESIDENT. The question is on agreeing to the resolution as amended.

Mr. PEFFER. I wish to know whether the amendment proposed by the Senator from Virginia is to be a substitute for or an addition to my resolution.

The VICE-PRESIDENT. It is a substitute for the resolution offered by the Senator from Kansas. The question is on agreeing to the resolution as amended.

The resolution as amended was agreed to.

HOUSE BILLS REFERRED.

The bill (H. R. 5923) for the relief of Michael Scanlon was read twice by its title, and referred to the Committee on Public Lands.

The bill (H. R. 7434) directing the issue of a duplicate of a lost check drawn by Capt. W. H. Bixby, Engineers, United States Army, at Newport, R. I., in favor of Messrs. Hughes Brothers & Bangs, was read twice by its title, and referred to the Committee on Finance.

DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

Mr. BLACKBURN. I move that the Senate proceed to the consideration of the diplomatic and consular appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 6108) making appropriation for the diplomatic and consular service of the United States for the fiscal year ending June 30, 1895, which had been reported from the Committee on Appropriations with amendments.

Mr. BLACKBURN. I ask that the formal reading of the bill be dispensed with and that the amendments of the Committee on Appropriations be considered as they are reached in the reading of the bill.

The VICE-PRESIDENT. The Chair hears no objection, and it is so ordered.

The Secretary proceeded to read the bill. The first amendment of the Committee on Appropriations was, on page 2, line 9, to insert "Belgium" before "Colombia;" and in line 10, before the word "thousand," where it occurs the second time, to strike out "fifty" and insert "sixty;" so as to make the clause read:

Envoys extraordinary and ministers plenipotentiary to Argentine Republic, Belgium, Colombia, Peru, Turkey, and Chile, at $10,000 each, $60,000.

The amendment was agreed to.

The next amendment was, on page 2, line 16, before the word "Denmark," to strike out "Belgium" and insert "Switzerland;" so as to make the clause read:

Envoys extraordinary and ministers plenipotentiary to Switzerland, Denmark, Hawaiian Islands, Netherlands, and Venezuela, at $7,500 each, $37,500.

The amendment was agreed to.

The next amendment was, on page 3, to strike out lines 4, 5, and 6, in the following words:

Envoys extraordinary and ministers plenipotentiary to Switzerland and Portugal, at $6,500 each, $13,000.

The amendment was agreed to.

The next amendment was, on page 3, after line 6, to insert:

Envoy extraordinary and minister plenipotentiary to Portugal, $6,500.

The amendment was agreed to.

The next amendment was, on page 3, line 22, before the word "dollars," to strike out "sixty-three thousand" and insert "sixty-six thousand five hundred," so as to make the clause read:

Total, $366,500.

The amendment was agreed to.

The next amendment was, on page 4, to strike out lines 23 and 24, in the following words:

Secretary of legation and consul-general to Honolulu, $4,000.

The amendment was agreed to.

The next amendment was, at the top of page 5, to insert:

Secretary of legation to Nicaragua, Costa Rica, and Salvador, $1,800.

The amendment was agreed to.

The next amendment was, on page 5, line 18, before the word "hundred," to strike out "fifty-two thousand four" and insert "fifty thousand two;" so as to make the clause read:

Total, $50,275.

The amendment was agreed to.

The next amendment was, on page 5, line 22, before the word "thousand," to strike out "two" and insert "three," and in the same line, before the word "thousand," to strike out "four" and insert "six;" so as to make the clause read:

Interpreters to legations to China and Turkey, at $3,000 each, $6,000.

The amendment was agreed to.

The next amendment was, on page 5, line 24, before the word "dollars," to insert "five hundred;" so as to make the clause read:

Interpreter to legation to Japan, $2,500.

The amendment was agreed to.

The next amendment was, on page 6, line 4, before the word "dollars," to strike out "five hundred" and insert "one thousand;" so as to make the clause read:

Interpreter to legation and consulate-general to Korea, $1,000.

The amendment was agreed to.

The next amendment was, on page 6, line 7, before the word "thousand," to strike out "eight" and insert "eleven;" so as to make the clause read:

Total, $11,000.

The amendment was agreed to.

The next amendment was, on page 7, before the word "thousand," to insert "and five;" so as to make the clause read:

To enable the President to provide, at the public expense, all such sta-

tionery, blanks, records, and other books, seas, presses, flags, and signs as he shall think necessary for the several legations in the transaction of their business, and also for rent, postage, telegrams, furniture, messenger service, clerk hire, compensation of cavasses, guards, dragomans, and porters, including compensation of interpreter, guards, and Arabic clerk at the consulate at Tangier, and the compensation of dispatch agents at London, New York, and San Francisco, and for traveling and miscellaneous expenses of legations, and for printing in the Department of State, $105,000.

The amendment was agreed to.

The reading of the bill was continued to line 6 on page 8.

Mr. HUNTON. I desire to offer an amendment with the approbation of the Senator from Kentucky, in charge of the bill. I offer the amendment now, to be disposed of at this time. I move to insert what I send to the desk on page 8, after the word "dollars," in line 6. I beg to state this is an amendment recommended by the Committee on Foreign Relations, and I believe unanimously. I ask that the amendment be read.

The PRESIDING OFFICER (Mr. WHITE in the chair). The amendment will be stated.

The SECRETARY. Page 8, after the word "dollars," in line 6, insert:

To enable the Secretary of State to purchase from John H. Haswell, chief of the Bureau of Indexes and Archives in the Department of State, the manuscript of "The Chronological History of the Department of State and the Foreign Relations of the Government from September 5, 1774, to July 1, 1885," prepared by him, the sum of $5,000 is hereby appropriated. And the Public Printer is hereby authorized, upon the requisition of the Secretary of State, to cause to be printed and bound in cloth, for the use of the Department of State, 1,000 copies of the above-mentioned work.

Mr. HUNTON. I desire to make a short explanation of the amendment. As I stated, this amendment was introduced and referred to the Committee on Foreign Relations. That committee reported it back, unanimously approving of the amendment, and had it referred to the Committee on Appropriations. The Committee on Appropriations did not insert the amendment in the bill, and I ask the Senate now to insert it. It is for the purpose of purchasing the work of Mr. Haswell. It is a work which is of extreme value to the State Department especially, and of great value, but less value, to all the Departments of the Government.

I beg to say, if the Senate will listen to an explanation, that this appropriation has been recommended by every Secretary of State since it has been before the Government for adoption. In 1885 Mr. Frelinghuysen wrote a strong letter to Hon. John F. Miller, chairman of the Committee on Foreign Relations of the United States Senate, in which he said:

DEPARTMENT OF STATE, *Washington, February 24, 1885.*

SIR: I have the honor to again call your attention to the work prepared by Mr. John H. Haswell, chief of the Bureau of Indexes and Archives in this Department, entitled "The Chronological History of the Department of State and the Foreign Relations of the Government from September 5, 1774, down to the Present Time," and to express to you my earnest hope that Congress will not adjourn without appropriating a sum of money for the purchase of the manuscript from the compiler. The work has been compiled with infinite attention to historical accuracy and completeness by a gentleman whose long and efficient service in the Department has put him in a position to know perfectly the details of the subject on which he has written, and his researches outside the Department have resulted in the discovery of many important and hitherto unknown facts in the history of our foreign relations that should be at the service of the Department.

I do not think $6,000 too large a sum to pay Mr. Haswell for his work, considering the value of the book to this Department and the foreign service generally, and I earnestly recommend that that sum be appropriated for its purchase.

I have the honor to be, sir, your obedient servant,

FREDK. T. FRELINGHUYSEN.

Hon. JOHN F. MILLER,
Chairman Committee on Foreign Relations, United States Senate.

I beg leave to state in this connection that the sum of $6,000 recommended for the purchase of this work was by the Committee on Foreign Relations reduced to $5,000, and the amendment appropriates the latter and smaller sum.

Secretary Blaine, under date May 6, 1892, in a personal letter to the chairman of this committee—

That is, the Committee on Foreign Relations of the Senate—

strongly recommended the purchase of the manuscript designated in the amendment, and similar recommendations (hereto annexed) had previously been made by Mr. Frelinghuysen, and also by Mr. Blaine.

I shall not detain the Senate by reading in full the letter of Mr. Blaine, then Secretary of State. I have it before me and any Senator can read it who desires. This same appropriation for the purpose of purchasing this book was strongly recommended by Hon. John W. Foster on the 14th of January, 1893, when he was Secretary of State, and he recommended an appropriation of $6,000 to purchase it. It was also recommended by Mr. McCulloch on the 21st of January, 1885, when he was Secretary of the Treasury. It was also recommended by Mr. Frelinghuysen on January 18, 1885. Then Henry O'Connor, Examiner of Claims in the Department of State, under date of September 26, 1883, strongly recommended that the Government should purchase this work. The present Secretary of State also wants the purchase made.

Sir, when these Government officials, representing the Government of the United States in the Department of State, have in succession, whenever the Department has changed heads, recommended this purchase, and the Committee on Foreign Relations have unanimously recommended that the purchase be made, and though they do not propose to give the $6,000 asked for the work by Mr. Haswell, they reduce it to $5,000 and recommend that the appropriation be made, I think there ought to be no hesitation in adopting this amendment to purchase a book which all the heads of the Department of State say is invaluable to that Department and which is quite valuable to other Departments of the Government. I ask that the amendment be adopted.

Mr. BLACKBURN. Mr. President, it is true that the amendment submitted by the Senator from Virginia was favorably reported by the Committee on Foreign Relations. Upon that report it was sent to the Committee on Appropriations, where it was thoroughly considered and the conclusion reached by the Committee on Appropriations was that there was no merit in the amendment. I would not care so much about it if it simply carried the appropriation for the purchase of a record that the Committee on Appropriations has deliberately concluded is absolutely worthless. It is not that, but the amendment provides for the publication of the book by the thousand, entailing an expense upon the Government for publication in addition to purchase for which the Committee on Appropriations thinks that there is no warrant or excuse whatever.

It was the deliberate judgment of the Committee on Appropriations that this record was not worth one penny, even if that was a counterfeit penny. I am not opposing the amount of money that is proposed to be given to purchase the work. The country is flooded with possessors of worthless records who come to Congress and not only ask us to buy them when we have no use on earth for them, but they ask us to publish them by the thousand when a search warrant would not develop a human being in the country who would ever read one of them; and the Committee on Appropriations thinks that this is one of these worthless, valueless, spurious records.

If the Senate wants to put it into the bill I am content, but I wish very much that the Senator from Virginia would divide his amendment and offer the first proposition, which is to buy what the Committee on Appropriations does not think the Government wants and stop there, and not afflict the country with the publication by the thousand of a useless, valueless, worthless record.

Mr. HUNTON. I accept the proposition of the Senator from Kentucky in charge of the bill, but I can not for the life of me conceive how he arrives at the conclusion that the book if published will be absolutely worthless. Four or five Secretaries of State and one Secretary of the Treasury have said that it is a most useful work, and the Government must have it. I think, with due respect to the Senator from Kentucky, that the Secretary of State, who has to deal with all the questions treated of in the book, knows a little more about it than he does.

The Committee on Foreign Relations has unanimously recommended that this book be not only purchased, but published; and I offset the action of that committee against the action of the Committee on Appropriations. I beg to suggest to my friend, the Senator from Kentucky, that the Committee on Foreign Relations knows more about what is useful to the State Department in dealing with questions affecting the foreign relations of the country than the Committee on Appropriations. But if it suits the pleasure of my friend from Kentucky to divide the amendment I have no objection, and I will ask that a separate vote be taken, first upon the purchase of the work, and then if that is carried, upon the publication of it.

The PRESIDING OFFICER. The question will be so divided. The Secretary will state the first branch of the amendment submitted by the Senator from Virginia.

The SECRETARY. On page 8, line 6, after the word "dollars," insert:

To enable the Secretary of State to purchase from John H. Haswell, chief of the Bureau of Indexes and Archives in the Department of State, the manuscript of "The Chronological History of the Department of State and the Foreign Relations of the Government from September 5, 1774, to July 1, 1885," prepared by him, the sum of $5,000 is hereby appropriated.

The amendment was agreed to.

The PRESIDING OFFICER. The second branch of the amendment proposed by the Senator from Virginia [Mr. HUNTON] will be stated.

The Secretary read as follows:

And the Public Printer is hereby authorized, upon the requisition of the Secretary of State, to cause to be printed and bound in cloth for the use of the Department of State 1,000 copies of the above-mentioned work.

The amendment was rejected.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, under the head of

"Intercontinental Railway Commission," on page 10, line 12, before the word "thousand," to strike out "twenty" and insert "thirty;" so as to make the clause read:

Share of the United States of the cost of printing and publishing reports, maps, etc., of the preliminary survey for an intercontinental railway, $30,000.

The amendment was agreed to.

The next amendment was, on page 10, line 23, after the word "Panama," to insert "Honolulu," and in line 25, before the word "thousand," to strike out "twenty," and insert "twenty-four;" so as to make the clause read:

Consuls-general at Berlin, Montreal, Kanagawa, Panama, Honolulu, and Mexico (city), at $4,000 each, $24,000.

The amendment was agreed to.

The next amendment was, on page 11, after line 8, to insert:

Consuls-general at Barcelona and Tangier, at $2,500 each, $5,000.

The amendment was agreed to.

The next amendment was, on page 11, to strike out lines 11 and 12, in the following words:

Consuls-general at Tangier and Maracaibo, at $2,000 each, $4,000.

The amendment was agreed to.

The next amendment was, on page 11, after line 12, to insert:

Consul-general at Maracaibo, $2,000.

The amendment was agreed to.

The next amendment was, on page 11, to strike out lines 14 and 15, in the following words:

Consuls-general at Santo Domingo and Barcelona, at $1,500 each, $3,000.

The amendment was agreed to.

The next amendment was, on page 11, after line 15, to insert:

Consul-general at Santo Domingo, $1,500.

The amendment was agreed to.

The next amendment was, on page 11, line 19, before the word "dollars," to strike out "two thousand" and insert "seven thousand five hundred;" so as to make the clause read:

Total, $107,500.

The amendment was agreed to.

The next amendment was, on page 11, line 21, before the word "thousand," to strike out "four hundred and two" and insert "three hundred and ninety-one;" so as to make the clause read:

For salaries of consuls, vice-consuls, and commercial agents, $391,500, as follows, etc.

The amendment was agreed to.

Mr. BRICE. On page 12, line 24, under the head of "Germany," I move to strike out "consul" and insert "consuls," and after "Barmen," to insert "and Nuremberg."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In line 24, before the word "at," it is proposed to strike out "consul" and insert "consuls;" and after the word "Barmen," to insert "and Nuremberg," so as to read:

Consuls at Barmen and Nuremberg.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 13, line 24, to insert:

Danish Dominions:
Consul at St. Thomas.

The amendment was agreed to.

The next amendment was, on page 14, line 2, before the word "at," to strike out "consul" and insert "consuls;" so as to make the clause read:

Consuls at Lyons and Marseilles.

The amendment was agreed to.

The next amendment was, on page 14, line 5, after the word "Chemnitz," to insert "Cologne;" so as to make the clause read:

Consuls at Annaberg, Aix la Chapelle, Bremen, Stuttgart, Chemnitz, Cologne, Hamburg, Nuremburg, Mayence, and Plauen.

The amendment was agreed to.

Mr. BRICE. To conform to the amendment already made, I move to strike out "Nuremberg," in line 5, on page 14.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In line 5, on page 14, it is proposed to strike out "Nuremberg;" so as to read: "Hamburg, Mayence, and Plauen."

The amendment was agreed to.

The reading of the bill was resumed.

Mr. KYLE. On page 14, line 18, I move to strike out "consul" and insert "consuls;" and after the word "Smyrna" to insert "and Jerusalem." I do this after consultation with the Senator from Kentucky who has the bill in charge.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 14, line 18, before the word "at," it is proposed to strike out "consul" and insert "consuls;" and after "Smyrna," to insert "and Jerusalem;" so as to read:

Consuls at Smyrna and Jerusalem.

Mr. BLACKBURN. I do not want to offer any objection to the amendment of the Senator from South Dakota; but speaking for the committee, I would say there is no recommendation for this. It is an increase of salary at a point where we all know there is no business to transact and where nothing is done. The place itself is a sinecure, and it would be well to abolish it.

The Senator tells me that the consul at Jerusalem advises him that he can not live upon his present pay. I simply answer and say that there is not an ambassador, a minister plenipotentiary, a minister resident, a consul-general, or a consul, who is carried in this bill, who does not write to me telling me the same thing. We have no more business with a consul at Jerusalem than a wagon has with forty wheels.

If that consul can not live upon $2,000 a year, it seems to me that the better thing for him to do would be to resign and let the place become vacant. I am sure the best thing would be to abolish the consulate, but I do not want to antagonize the amendment offered by the Senator.

Mr. KYLE. I recognize what the Senator says that it might be as well to abolish the place, but while it is thought wise to keep a consul at Jerusalem, I think we ought to keep him in good shape. Germany, England, and all other countries pay from four to six thousand dollars a year for exactly the same service, and this man has had to use money out of his own pocket to pay for the furniture in his office.

Mr. BLACKBURN. I have no doubt of that; but at the same time I have no doubt that the only official duty that that consul has ever discharged was in writing a letter to my honorable friend asking to have his salary increased. [Laughter.]

The PRESIDING OFFICER (Mr. JARVIS in the chair). The question is on the amendment proposed by the Senator from South Dakota.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 14, line 24, before the word "at," to strike out "consul" and insert "consuls;" and in the same line, before the word "Pernambuco," to insert "Bahia, Para, and;" so as to read:

Consuls at Bahia, Para, and Pernambuco.

The amendment was agreed to.

The next amendment was, on page 15, line 8, after the word "at," to strike out "Cologne;" so as to make the clause read:

Consuls at Crefeld, Dusseldorf, Leipsic, Brunswick, Sonneberg, Magdeburg, and Furth.

The amendment was agreed to.

The next amendment was, on page 15, line 11, before the word "Cardiff," to insert "Belize (British Honduras);" in line 15, before the word "Toronto," to insert "and;" and in line 16, after the word "(Canada)," to strike out "Bermuda, and Auckland (New Zealand);" so as to make the clause read:

Consuls at Belize (British Honduras), Cardiff, Chatham, Cork, Dublin, Dunfermline, Hamilton (Ontario), Leeds, Nassau (New Providence), Port Louis (Mauritius), Port Stanley and St. Thomas (Canada), St. John (New Brunswick), Sherbrooke (Canada), Sydney (New South Wales), and Toronto (Canada).

The amendment was agreed to.

The next amendment was, on page 15, to strike out the clause from lines 21 to 25, inclusive, as follows:

For salary and expenses of a commercial agent at Boma, in the Lower Kongo Basin, with authority to visit and report upon the commercial resources of the Upper and Lower Kongo Basins, their products, their minerals, their vegetable wealth, and the openings for American trade, $2,000.

The amendment was agreed to.

The reading of the bill was resumed.

The PRESIDING OFFICER. The Chair calls the attention of the Senator from Kentucky to the fact that "Jerusalem," which occurs in line 19, on page 16, has been inserted at another point.

Mr. BLACKBURN. In order to make the bill conform to the amendment which has been made, I ask that the words "and Jerusalem," be stricken out of line 19.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In line 19, page 16, it is proposed to strike out the word "consuls" and insert "consul;" and in the same line, after word "Beirut," strike out "and Jerusalem;" so as to read:

Consul at Beirut.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 16, line 23, after the word "Santos," to strike out "Bahia, and Para;" so as to read:

Consul at Santos.

The amendment was agreed to.

The next amendment was, at the top of page 17, to strike out lines 1 and 2, in the following words:

Denmark and Danish Dominions:
Consuls at Copenhagen and St. Thomas.

The amendment was agreed to.

The next amendment was, on page 17, after line 2, to insert:

Denmark:
Consul at Copenhagen.

The amendment was agreed to.

The next amendment was, on page 17, line 11, before the word "Barbados," to insert "Auckland (New Zealand)," and in the same line, before the word "Bristol," to insert "Bermuda;" so as to read:

Consuls at Amherstburg (Canada), Antigua (West Indies), Auckland (New Zealand), Barbados, Bermuda, Bristol, etc.

The amendment was agreed to.

The next amendment was, on page 20, line 20, after the word "Montreal," to insert "Ottawa," and in line 22, before the word "dollars," to strike out "eighteen thousand" and insert "nineteen thousand two hundred"; so as to make the clause read:

Berlin, Bremen, Chemnitz, Crefeld, Frankfort, Hamburg, Havre, Hongkong, Kanagawa, Lyons, Manchester, Mexico (city), Montreal, Ottawa, Barmen, and Vienna, at $1,200 each, $19,200.

The amendment was agreed to.

The next amendment was, on page 21, after line 1, to insert:

Rome, $1,000.

The amendment was agreed to.

Mr. RANSOM. On page 21, line 12, after the word "Guayaquil," I move to insert "and Victoria."

Mr. HALE. Then it will be necessary to strike out "Victoria," where it occurs in line 16 on the same page.

Mr. RANSOM. I shall move to strike that out later.

The PRESIDING OFFICER. The amendment proposed by the Senator from North Carolina will be stated.

The SECRETARY. On page 21, line 12, after the word "Guayaquil," it is proposed to insert "and Victoria;" and in the same line, after the word "dollars," to insert the word "each:" so as to read:

Guayaquil and Victoria, $800 each.

Mr. BLACKBURN. That is an increase, I believe, of $200.

Mr. RANSOM. One hundred and sixty dollars.

Mr. BLACKBURN. An increase of $160. I have no right to speak for the committee; but for myself I am disposed to think the amount of business done at Victoria warrants the amendment which the Senator from North Carolina offers, and for myself I have no objection to it.

The amendment was agreed to.

Mr. RANSOM. In order to make the bill conform, in line 15, before the word "thousand," I move to strike out "four" and insert "five;" and in the same line, after the word "thousand," to strike out "eight" and insert "six." It is merely to add $800 there.

The PRESIDING OFFICER. Without objection, the amendment will be agreed to.

Mr. RANSOM. Now, I move, in line 16, to strike out "and Victoria;" in the same line, after the word "dollars," to strike out the words "each $1,280."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In line 16, after the word "Leith," it is proposed to strike out "and Victoria;" and, after the word "dollars," to strike out "each $1,280."

Mr. GEORGE. I desire to ask the Senator from Kentucky a question. I ask if the amendments offered by the Senator from North Carolina are increases of salaries?

Mr. BLACKBURN. The amendment offered by the Senator from North Carolina is an increase of $160 for clerk hire, and not for salary. I answer, speaking for myself and not for the committee, that in my judgment the business that is transacted at Victoria is sufficiently large to warrant the amendment which the Senator from North Carolina has offered.

Mr. GEORGE. Is that all that it adds?

Mr. BLACKBURN. That is all. It is not an increase of salary, but an appropriation of $160 for the increase of clerk hire.

Mr. GEORGE. I will remark incidentally here that I regard all the salaries now paid as too high, and therefore I am opposed to all increases.

Mr. BLACKBURN. I assure the Senator that it is no increase of salary.

The PRESIDING OFFICER. The question is on agreeing to the amendment which has been read.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 21, line 13, before the word "Palermo," to strike out "Ottawa;" and in the same line, after the words "St. Gall," to insert "St. Petersburg;" so as to make the clause read:

Messina, Palermo, St. Gall, St. Petersburg, Smyrna, and Tangier, at $800 each, $4,800.

Mr. BLACKBURN. That is a transfer.

The amendment was agreed to.

The next amendment was, on page 21, after line 17, to insert:

Cairo, Cologne, Constantinople, Huddersfield, Mayence, Munich, Nottingham, Odessa, Para, Pernambuco, Tampico, and Vera Cruz, at $600 each, $7,200.

Mr. BLACKBURN. That is done upon the recommendation of the Department.

The amendment was agreed to.

Mr. WHITE. I desire to offer an amendment on page 22, line 2, after the word "Horgen," to insert "and Zurich, each." I attract the attention of the Senator from Kentucky, in charge of the bill, to this circumstance, that Zurich is the most important point commercially in Switzerland, and Horgen is a town of much less importance, which does much less business, and is situated within some 10 or 12 miles of Zurich. Zurich, under the bill as framed, is allowed $480 for clerk hire. In other words, $120 less than Horgen.

I know that the present incumbent of the office pays the greater part of the clerk hire himself. It simply makes the matter uniform, but even then there will be decidedly a reason in favor of Zurich having a further increase. The fact of the matter is that about one-third of the fees were collected at Horgen last year, and the other fees were collected at Zurich, so that there seems to be no objection founded in reason why the amendment should not be allowed.

Mr. BLACKBURN. On page 22, line 2, the Senator proposes to raise Zurich to $600, from $480.

Mr. WHITE. I will modify my amendment. In line 20, on page 21, before the words "Vera Cruz," I will move to strike out the word "and," and after the words "Vera Cruz" to insert "Horgen and Zurich."

Mr. BLACKBURN. I only want to say that there is no recommendation from the Department for this increase, and I wish to call attention to the fact that such consulates as Berne, Demerara, Florence, Genoa, Naples, and Stuttgart are left at $480. I have no information which leads me to conclude that Zurich is any more important than the rest of the consulates I have named. That Horgen may be less important than Zurich or any of these other places I am inclined to think is true.

The truth is that our whole foreign service needs to be overhauled. We have ambassadors, and we have ministers, and we have consuls general, and we have consuls who are drawing pay altogether disproportioned to the service they are rendering or the importance of the places they are filling. It all needs reorganization.

Mr. CULLOM. I hardly think that observation can be applied to the ambassadors.

Mr. WHITE. If the Senator from Kentucky will permit me, I will state that I have taken the trouble to investigate the matter, arising from the fact that I am acquainted with the gentleman who is there, and that the fees collected at Zurich are not only three times greater, or nearly so, than those collected at Horgen, but it is the most important point in the whole of Switzerland.

Mr. BLACKBURN. That I admit, but the trouble is that whilst the Senator from California wants to put Zurich up with Horgen, it seems to me a better amendment would be to take Horgen out of the six-hundred-dollar list and put it down to the four-hundred-and-eighty-dollar list. What I mean to say is not that Zurich is not more important than Horgen. The Senator is correct; it is a far more important place, but neither Zurich nor Horgen transacts more business or is of more importance than Berne, Florence, Demerara, Genoa, or Stuttgart.

Mr. WHITE. The Senator is mistaken in that respect. Zurich transacts more business than three of those places, certainly.

Mr. BLACKBURN. There are three of those places where the fees are heavier than at Zurich.

Mr. WHITE. That is true.

Mr. BLACKBURN. I do not mean to object to the Senator's amendment. I think Zurich is entitled to $600, but I think that a reorganization of the whole consular service ought to be gone into. This is dealing with it by piecemeal instead of dealing with it as a whole.

Mr. WHITE. My friend from Kentucky will bear me out in saying that so far as we have gone amendments of this kind have been allowed.

Mr. BLACKBURN. I beg the Senator to note that I am not objecting to his amendment.

Mr. WHITE. It is only $10 a month increase.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from California.

The amendment was agreed to.

Mr. BLACKBURN. On page 22, line 4, I move to strike out "and Zurich" and before the name "Stuttgart" to insert "and."

The amendment was agreed to.

Mr. WHITE. I suggest that in line 5, on page 22, it might be well to change "$4,320" to "$4,200."

Mr. BLACKBURN. The Senator need not move that amendment, as I shall ask permission to have all the totals corrected in accordance with the amendments made.

Mr. WHITE. Very well.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 22, line 10, after the word "year," to insert "$20,000," and in line 12, after the word "appropriated," to strike out "$25,000;" so as to make the clause read:

Allowance for clerks at consulates, to be expended under the direction of the Secretary of State at consulates not herein provided for in respect to clerk hire, no greater portion of this sum than $500 to be allowed to any one consulate in any one fiscal year, $20,000: *Provided*, That the total sum expended in one year shall not exceed the amount appropriated.

The amendment was agreed to.

The next amendment was, on page 22, line 14, before the word "hundred," to strike out "ninety-one thousand eight" and insert "ninety-six thousand two;" so as to make the clause read:

Total, $96,250.

The amendment was agreed to.

The next amendment was, on page 25, line 12, before the word "thousand," to strike out "fifty" and insert "eighty;" so as to make the clause read:

Expense of providing all such stationery, blanks, record and other books, seals, presses, flags, signs, rent, postage, furniture, statistics, newspapers, freight (foreign and domestic), telegrams, advertising, messenger service, traveling expenses of consular officers and consular clerks, compensation of Chinese writers, and such other miscellaneous expenses as the President may think necessary for the several consulates, consular agencies, and commercial agencies in the transaction of their business, $180,000.

The amendment was agreed to.

The next amendment was, on page 25, line 15, before the word "thousand," to strike out "ten" and insert "twenty;" so as to make the clause read:

Commercial Bureau of American Republics, $20,000: *Provided*, That any moneys received from sale of the Bureau publications, from rents or other sources may be paid to the disbursing officer of the State Department to be placed to the credit of the Bureau fund.

The amendment was agreed to.

The reading of the bill was concluded.

Mr. GRAY. On page 5, after line 17, I move to insert as a new paragraph:

To enable the ambassadors of the United States at London, Paris, and Berlin each to employ a stenographer and typewriter at an expense not exceeding $1,500 per annum, $4,500.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Delaware.

The amendment was agreed to.

Mr. BLACKBURN. I ask consent of the Senate that the totals throughout the bill where changed by amendments which have been agreed to as in Committee of the Whole shall be corrected to correspond with the action the Senate has taken upon the bill.

The PRESIDING OFFICER. Does the Chair hear objection to the request of the Senator from Kentucky? The Chair hears none, and it is so ordered.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

PENSION APPROPRIATION BILL.

Mr. BRICE. I move that the Senate proceed to the consideration of the pension appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 5482) making appropriation for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1895, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. BRICE. I ask that the formal reading of the bill be dispensed with, and that the amendments of the Committee on Appropriations be acted upon as they are reached.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Ohio? The Chair hears none.

The Secretary proceeded to read the bill. The first amendment of the Committee on Appropriations was, on page 2, after line 6, to insert the following additional proviso:

And provided further, That so much of the act approved December 21, 1893, as provides that "any pension heretofore or that may hereafter be granted to any applicant shall be deemed and held by all officers of the United States to be a vested right in the grantee to that extent that payment thereof shall not be withheld or suspended until after due notice to the grantee of not less than thirty days, the Commissioner of Pensions, after hearing all the evidence, shall decide to annul, vacate, modify, or set aside the decision upon which such pension was granted," shall not be held or construed to apply to any case where the pensioner is drawing more than one pension, or the title to the pension has ceased.

The amendment was agreed to.

The next amendment was, on page 3, line 11, after the word "*Provided*," to strike out:

That the report of such examining surgeons, when filed in the Pension Office, shall be open to the examination and inspection of the claimant or his attorney, under such reasonable rules and regulations as the Secretary of the Interior may provide.

And insert:

That the examining surgeons, after completing the examination of the claimant, shall, on application of the claimant, furnish to said claimant a copy of the report submitted to the Pension Office.

So as to make the clause read:

For fees and expenses of examining surgeons for services rendered within the fiscal year 1895, $1,000,000. And each member of each examining board shall, as now authorized by law, receive the sum of $2 for the examination of each applicant whenever five or a less number shall be examined on any one day, and $1 for the examination of each additional applicant on such day: *Provided*, That if twenty or more applicants appear on one day, no fewer than twenty shall, if practicable, be examined on said day, and that if fewer examinations be then made, twenty or more having appeared, then there shall be paid for the first examinations made on the next examination day the fee of $1 only until twenty examinations shall have been made: *Provided further*, That no fee shall be paid to any member of an examining board unless personally present and assisting in the examination of applicant: *Provided*, That the examining surgeons, after completing the examination of the claimant, shall, on application of the claimant, furnish to said claimant a copy of the report submitted to the Pension Office.

The amendment was agreed to.

Mr. BRICE. I offer the amendment which I send to the desk.

The SECRETARY. After line 2, on page 4, insert:

But the appointment of the clerk to sign official checks, who shall receive the same compensation at each agency as was paid during the fiscal year ending June 30, 1894, shall be made by the pension agent without other or further approval.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Ohio.

The amendment was agreed to.

The reading of the bill was concluded.

Mr. CULLOM. Mr. President, I desire to occupy the time of the Senate for a few minutes in reference to the general subject.

Mr. President, I am in favor of the passage of this bill. I am in favor, as I have always been, of the appropriation of liberal sums for pensions for the soldiers of the late war. I believe that a large majority of the citizens of the United States are likewise in favor of the payment of liberal pensions to the survivors of the war, and to the widows and children of those who have found rest in the uncurtained tents of death.

The party in which I have had the honor of a long membership, has always maintained that one of the first duties of the American people was the practical recognition, in a material way, of our sacred obligation to the volunteer soldiers of the United States. In a long series of official utterances, this party has always, in its great representative national conventions, pledged itself to the maintenance of a policy of liberality, unlimited by technical or burdensome restrictions in the award and distribution of the fund cheerfully offered to pensioners by the votes of a grateful people. It may add to the inspiration of loyal hearts to recall some of these utterances, and to hear anew what we have said, and what pledges we have made from time to time. The pension policy inaugurated by the Republican party has become so closely incorporated into our governmental system that in quoting these glorious and patriotic expressions I feel almost as if hearing anew the voices of the revered men of the historic past.

At Baltimore, in 1864, the Republican national convention said:

Resolved, That the thanks of the American people are due to the soldiers and sailors of the Army and Navy who have periled their lives in defense of the country and in vindication of the honor of the flag; that the nation owes to them some permanent recognition of their patriotism and their valor, and ample and permanent provision for those of their survivors who have received disabled and honorable wounds in the service of the country; and that the memories of those who have fallen in its defense shall be held in grateful and everlasting remembrance.

That, Mr. President, was in 1864, just thirty years ago, and during the very height of the war. The Republican party did not wait until after Lee's surrender, but announced its policy while its defenders were in the field.

At Chicago, in 1868, when Gen. Grant was nominated for President, the Republican platform contained the following pension plank:

Of all who were faithful in the trials of the late war there were none entitled to more especial honor than the brave soldiers and seamen who endured the hardships of campaign and cruise, and imperiled their lives in the service of the country. The bounties and pensions provided by the laws for these brave defenders of the nation are obligations never to be forgotten. The widows and orphans of the gallant dead are the wards of the people—a sacred legacy bequeathed to the nation's protecting care.

During the period between the first and second nominations of Gen. Grant the feeling of the people in favor of liberal pensions continued with added emphasis, and the convention at Philadelphia in 1872 expressed itself as follows:

We hold in undying honor the soldiers and sailors whose valor saved the Union. Their pensions are a sacred debt of the nation, and the widows and orphans of those who died for their country are entitled to the care of a generous and grateful people. We favor such additional legislation as will extend the bounty of the Government to all our soldiers and sailors who were honorably discharged, and who in the line of duty became disabled, without regard to the length of service or the cause of such disability.

Mr. President, it was one of the occasions in my personal history, to which I look back with pride, that I was fortunate enough to participate in the convention which adopted that resolution, and that I was permitted to enjoy the distinguished

honor of placing in nomination the patriot and hero, Ulysses S. Grant, who was reëlected to the Presidency upon that platform.

Again in 1876, at Cincinnati, the party of progress reaffirmed its position in the following language:

The pledges which the nation has given to her soldiers and sailors must be fulfilled, and a grateful people will always hold those who imperiled their lives for the country's preservation in the kindest remembrance.

The Republican national convention of 1880 was held at Chicago. This convention fortified the previous position of the party in regard to pensions by the following graphic expression:

The obligations of the Republic to the men who preserved its integrity in the day of battle are undiminished by the lapse of fifteen years since their final victory. To do them honor is and shall forever be the grateful privilege and sacred duty of the American people.

In 1884 the national convention was again held at Chicago, and it again took strong and unmistakable ground in support of the pension system of the party and the country in this language:

The grateful thanks of the American people are due to the Union soldiers and sailors of the late war; and the Republican party stands pledged to suitable pensions for all who were disabled, and for the widows and orphans of those who died in the war. The Republican party also pledges itself to the repeal of the limitations contained in the arrears act of 1879, so that all invalid soldiers shall share alike and their pensions begin with the date of disability and discharge, and not with the date of application.

The convention of 1884 honored itself and honored my State by placing upon its national ticket the name of Gen. John A. Logan, the typical volunteer soldier of America.

In 1888 Chicago was for the third successive time the place of meeting of the national convention, and then and there this plank was placed in the platform:

"The gratitude of the nation to the defenders of the Union can not be measured by laws. The legislation of Congress should conform to the pledge made by a loyal people, and be so enlarged and extended as to provide against the possibility that any man who honorably wore the Federal uniform should become the inmate of an almshouse, or dependent upon private charity. In the presence of an overflowing Treasury it would be a public scandal to do less for those whose valorous service preserved the Government. We denounce the hostile spirit of President Cleveland in his numerous vetoes of measures for pension relief, and the action of the Democratic House of Representatives in refusing even a consideration of general pension legislation."

But in 1892 at Minneapolis was given the last definite expression of the Republican party upon pensions and pension legislation, as follows:

Ever mindful of the services and sacrifices of the men who saved the life of the nation, we pledge anew to the veteran soldiers of the Republic a watchful care and a just recognition of their just claims upon a grateful people.

Mr. President, I have here presented to the Senate the expressions of every Republican national convention held since the beginning of the war of the rebellion, eight in all, and I desire to call serious attention to the glorious history which such a record presents to the world. Now, let us see what has been done to redeem the pledges made in that brilliant record. Has the Congress of the United States given force by law to the promises made by the Republican party?

For a full generation the national policy has been the Republican policy regarding pensions, except in slight and unimportant particulars. The following table shows the number of pensioners and the disbursements for pensions each year for thirty-three years:

Pensioners on the roll and amount of disbursements.

Year ended June 30—	Pensioners.	Disbursements.
1861	8,636	$1,072,462.00
1862	8,159	790,385.00
1863	14,791	1,025,140.00
1864	51,135	4,564,617.00
1865	85,986	8,525,153.00
1866	126,722	13,459,996.00
1867	153,183	18,619,956.00
1868	169,643	24,010,982.00
1869	187,963	28,422,844.00
1870	198,686	27,780,812.00
1871	207,495	33,077,384.00
1872	232,229	30,169,341.00
1873	238,411	29,185,290.00
1874	236,241	30,593,750.00
1875	234,821	29,683,117.00
1876	232,137	28,351,600.00
1877	232,104	28,580,157.00
1878	223,998	26,844,415.00
1879	242,755	33,780,526.00
1880	250,802	57,240,540.00
1881	268,830	50,626,539.00
1882	285,697	54,296,281.00
1883	303,658	60,431,973.00
1884	322,756	57,273,537.00
1885	345,125	65,693,707.00
1886	365,783	64,584,270.00
1887	406,007	74,815,486.85
1888	52,557	79,646,146.37
1889	489,725	88,275,113.28
1890	537,944	106,493,890.19
1891	676,160	118,548,959.71
1892	876,068	141,086,211.84
1893	966,012	158,155,342.51
Total		1,576,503,544.42

On June 30, 1893, there were 966,012 pensioners on the rolls of the Pension Office, and over fifteen hundred millions of dollars had been paid out of the Treasury up to that time in behalf of those pensioners.

Mr. President, after reading such a statement will any man make question of the fact that the Republican party's pledges, solemnly made at every national convention from 1864 to 1892, have been thoroughly and well fulfilled? And will any man make question that the Republican party and its members will in the future pursue the same wise and humane policy as in the past?

It will be instructive just at this time to follow the history of pension legislation for a few moments, and see what that history reveals.

Necessary to this history is the following list of the pension laws passed from 1861 to the present time:

Character of law.	Date of approval.
Volunteer pensions	July 22, 1861.
Excluding rebels from pension rolls	February 4, 1862.
Missouri volunteers	March 25, 1862.
General pension law	July 14, 1862.
Naval pensions	July 17, 1862.
Masters on gunboats	July 16, 1862.
Army chaplains	April 9, 1864.
General supplementary act	July 4, 1864.
General supplementary	March 3, 1865.
Do	June 6, 1866.
Colored soldiers	June 15, 1866.
Colored soldiers—amendatory	July 26, 1866.
Widows' increase	July 25, 1866.
Revolutionary widows' increase	February 18, 1867.
Rebels, no payment to	March 2, 1867.
Deserters, rights of	July 19, 1867.
General supplementary act	July 27, 1868.
Fixing rates of pensions	July 7, 1870.
Payment of pensions	July 8, 1870.
War of 1812	February 14, 1871.
Increasing rates	June 8, 1872.
Repealing and consolidating former laws	March 3, 1873.
Equalizing pensions	June 6, 1874.
Total disability, increase	June 18, 1874.
Elbow and knee joint	Do.
Vouchers, cost of	June 20, 1874.
Missouri citizens (guerrilla)	March 3, 1875.
Artificial limbs	February 27, 1877.
Loss of hand and foot	February 28, 1877.
Navy officers	March 3, 1877.
Confederates in Union Army	Do.
Veterans of 1812, restoring those stricken from rolls on account of rebellion	March 9, 1878.
Loss of feet, hands, or eyes	June 17, 1878.
Naval officers	June 18, 1878.
Attorneys' fees	June 20, 1878.
Arrears act	January 25, 1879.
Restoring forfeited pensions	March 1, 1879.
Arrears act	March 3, 1879.
Leg at hip joint	Do.
Total blindness (increase)	Do.
Right to increase or reduce	June 21, 1879.
To restore pensions	June 9, 1880.
Total disability (increase)	June 16, 1880.
Citizens of Montana (relief)	March 3, 1881.
Heirs	August 7, 1882.
Technical disabilities	Do.
Arm or leg (increase)	March 3, 1883.
Revolutionary (increase)	April 1, 1884.
Officers and heirs	June 3, 1884.
Fees	July 4, 1884.
Deserters	July 5, 1884.
Soundness	March 3, 1885.
Arm at shoulder (increase)	Do.
Widows' increase	March 19, 1886.
Dependent pension	Second session, Forty-ninth Congress. Vetoed.
Mexican pension bill	January 29, 1887.
Amputation	August 4, 1886.
Deafness (increase	August 27, 1888.
Loss of arms (increase)	February 12, 1889.
Total disability (increase)	March 4, 1890.
Dependent pension	June 27, 1890.
Intermediate rate, between $30 and $72	July 14, 1892.
Indian war pensions	July 27, 1892.
Amending Navy pension	August 1, 1892.
Army nurses' pensions	August 5, 1892.
Mexican war (increase)	January 5, 1893.
Making pension vested right for thirty days	December 21, 1893.

From 1861 to 1875 the Congress was under Republican control, and all legislation upon pensions during that time was Republican legislation. With the latter year the Democrats obtained control of the House of Representatives. In 1878 the effect of Democratic control began to be apparent. The Republican law of February 14, 1871, was amended by the Democratic act of March 9, 1878, so that widows of soldiers of the war of 1812 should lose their pensions upon remarriage; the term of service was reduced from sixty to fourteen days, and the provision which prevented those who had been in rebellion in the late war from receiving pensions was stricken out.

The effect of this was to restore to the rolls the names of all pensioners of the war of 1812 which had been stricken off for

participation in, or encouragement of the rebellion. This, with another act approved in 1879, giving three months' extra pay to officers and soldiers of the Mexican war, were some of the measures of that period of Democratic ascendency, and both were intended mainly to benefit persons who lived in the Southern States.

The principal measure of the six years of Democratic control in the House was the "arrears" act. But this was a Republican law, in that it was introduced by a Republican (Cummings of Kansas), was put on its passage by a Republican (Haskell of Kansas), was voted for by 116 Republicans and 48 Democrats in the House, a majority of the Democrats in the House voting against it.

In the Senate there were 27 Republicans and 16 Democrats voting in favor, and the 3 nays were all Democrats. A later Democratic limitation of the arrears was put into an appropriation bill reported by W. A. J. Sparks (Democrat) of Illinois, creating a limitation of less than one year and four months—that is, from March 3, 1879, to July 1, 1880—and that law has remained in force to the present.

Briefly stated, the vote on the "arrears" act was as follows:

For the bill.		*Against the bill.*	
Republicans	116	Republicans	0
Democrats	48	Democrats	61

On January 5, 1885, on motion of a Republican to take up in the House the Mexican pension bill, so amended by the Senate as to confer pensions on disabled soldiers of the late war, and to increase pensions of widows and dependent parents and children, the following vote was had:

For the bill.		*Against the bill.*	
Republicans	72	Republicans	1
Democrats	57	Democrats	84

On the bill increasing widows' pensions from $8 to $12 per month, on February 2, 1886, the following vote was had in the House:

For the bill.		*Against the bill.*	
Republicans	118	Republicans	0
Democrats	80	Democrats	66

All but two of these 66 Democrats were from the South.

At the same time the Senate voted upon the Senate bill, No. 1886, to pension disabled dependent soldiers, as follows:

For the bill.		*Against the bill.*	
Republicans	27	Republicans	0
Democrats	7	Democrats	14

When this latter bill reached the House it died in committee.

The dependent pension bill was put upon passage under a suspension of the rules January 17, 1887, the vote being:

For the bill.		*Against the bill.*	
Republicans	114	Republicans	0
Democrats	66	Democrats	76

On February 11, 1887, President Cleveland vetoed the bill, and the vote to pass it over the President's objections stood—

For the bill.		*Against the bill.*	
Republicans	128	Republicans	0
Democrats	37	Democrats	125

Tabulating these votes upon the several measures we find a total—

For the bills.		*Against the bills.*	
Republicans	585	Republicans	1
Democrats	295	Democrats	426

Shown in detail as follows:

Name of bill.	For the bill.		Against the bill.	
	Republicans.	Democrats.	Republicans.	Democrats.
Repeal of arrears limitation	116	48	None	61
Mexican pension, Senate amendment	72	57	1	84
Widows' increase	118	80	None	66
Senate bill, 1886	27	7	None	14
Dependent pension bill	114	66	None	76
Dependent pension bill, over veto	138	37	None	125
Total	585	295	1	426

Let me now present a similar table of the votes upon various pension measures in 1890, which will show:

For the bills.		*Against the bills.*	
Republicans	719	Republicans	1
Democrats	177	Democrats	392

As follows:

Name of bill.	For the bill.		Against the bill.	
	Republicans.	Democrats.	Republicans.	Democrats.
Dependent parents, Senate	32	10	None	12
Morrill, 62-year bill	136	34	1	86
Morrill, Cheadle 60-year amendment	143	40	None	71
Morrill-60-year bill	141	38	None	71
Disability, conference, House	117	28	None	56
Disability, conference, Senate	31	3	None	18
Prisoners of war	119	24	None	78
Total	719	177	1	392

Combining the two tables, it will be seen that so far as these reported roll calls show there were:

For the bills.		*Against the bills.*	
Republicans	1,304	Republicans	2
Democrats	472	Democrats	818

I will now separate the House and Senate votes upon pensions, as above tabulated, and present the Republican and Democratic standing, by percentage in each body, upon pension legislation. I find that the following is the average respective standing of the two parties in Congress as regards sustaining the soldiers of the late war. That is, in the House, upon the important pension measures of the past few years, the Republicans have furnished 73 per cent and the Democrats 27 per cent of the affirmative votes; while in the Senate the Republicans have furnished 81 per cent and the Democrats 19 per cent of the affirmative votes. Of those voting against the bills, the Democrats have the undivided honor of furnishing about 100 per cent, the entire negative vote—or 818 out of 820 votes.

I should also state that the Mexican pension bill of January 29, 1887, in granting pensions to soldiers and sailors of the Mexican war, repealed the provisions of section 4716 of the Revised Statutes, so far as they applied to the soldiers of that war. That section of the Revised Statutes prohibited the payment of any pension to any person or to the widow, children, or heirs of any person who had voluntarily engaged in or aided the late rebellion against the United States. The effect of this repeal was to make eligible as pensioners very many who were prominent in the Confederate army, and who are now upon our pension rolls at $8 or $12 per month. I will ask the Secretary to read the following, which appears in the columns of the National Tribune, a newspaper published in this city:

The Secretary read as follows:

MEXICAN PENSION ROLL.—ONE WHICH IS NOT "PURGED," AND IN WHICH THERE ARE NO SUSPENSIONS.

On the Mexican pension roll there are the names of 15,215 survivors and 7,282 widows, and something over 3,000 cases were pending at latest reports. This makes a total of 25,497, or several thousand more men than the United States had in Mexico at any one time during the war.

These all receive either $8 or $12 a month.

Among the names are those of the widow of Gen. Samuel Cooper, a New Yorker by birth, who was Adjutant-General of the United States Army at the outbreak of the war, and used his position to aid the rebels in preparing for the struggle. He resigned his position to become adjutant-general of the Southern Confederacy, and officiated as such until the rebellion collapsed. Mrs. Cooper has been drawing a pension since June 6, 1887.

The widow of Thomas J. ("Stonewall") Jackson, who was next to Lee the most popular commander of the rebel armies.

The widow of Maj. Gen. George E. Pickett, who commanded a division in the rebel army.

The widow of Maj. Gen. Gideon J. Pillow, who commanded a division in the rebel army.

The widow of Lieut. Gen. A. P. Hill, who commanded one of the three corps of Lee's army.

The widow of Sidney Smith Lee, who was dismissed from the Navy for "going over to the enemy," and afterward became a commodore in the rebel navy.

Brig. Gen. James. R. Chalmers, who was Forrest's chief lieutenant.

Maj. Gen. Dabney H. Maury, who commanded the rebel troops at the battle of Chickasaw Bayou.

Hon. S. B. Maxey, late United States Senator from Texas, who has been drawing his pension since May 27, 1887. He was a major-general in the rebel army.

The widows above mentioned are of men who were educated at the Government expense, and afterward fought to destroy the Government. They went on the roll at once, while last April there were pending the claims of 145,520 widows of Union soldiers who had not yet been able to get on the roll

Mr. CULLOM. The law authorizing these pensions was passed in January, 1887, under Mr. Cleveland's first Administration, and most of these names were placed upon the pension rolls during the incumbency of Mr. Cleveland's former Commissioner of Pensions. The effect of this sort of Democratic legislation is rather striking when compared with the suspension or reduction of many thousands of Union soldiers' pensions, which had been made during the first year of Mr. Cleveland's second term.

In the State of Illinois, which I have the honor in part to represent in this body, there were between May 1, 1893, and March 1, 1894, a period of ten months, six hundred and eighty-two cases

suspended by the Pension Office, and in the same time five hundred and thirty-two cases in which resumption of payment was ordered. It is not my province to show why these pensioners in Illinois were put to the trouble and annoyance of suffering a suspension, carrying with it a stigma of fraud and wrong upon their part, which their subsequent restoration shows was without any reasonable justification.

In the neighboring State of Ohio, in the six months ending September 1, 1893, this Administration suspended 2,000 pensions. The names and residences have been obtained and published. Why should there have been so much greater a proportion of frauds and rascals among Ohio soldiers than in Illinois? It hardly seems probable that the soldiers of my State are three times as honest as those of Ohio. Perhaps my friend, the Administration Senator from Ohio, can furnish some explanation of this disproportionate ratio of evil-disposed soldiers. And then let me call his attention also to the fact that of the nearly 2,000 names of those suspended up to September 1, 1893, in Ohio, a list of 1,323 names restored to the rolls between September 1 and October 30, 1893, was furnished by Hon. John G. Mitchell, pension agent at Columbus, to Hon. James F. Seward, chairman of the Democratic State central committee at Columbus, in time to publish before the election of November 2, 1893, so as to show to the people of Ohio that President Cleveland had hastened to correct the injustice done to the worthy soldiers of Ohio, who, it was claimed, had been suspended by the rascally Republican clerks (?) in the Pension Office.

The matter of dates is somewhat significant in recalling this bit of history. In July and August, 1893, a whirlwind of indignation was sweeping the State of Ohio regarding the action of this Administration in suspending soldiers' pensions by the thousands. An election was to be held in November, and something had to be done. "A necessity is laid upon us," said the politicians. Letters and telegrams flooded the Bureaus, the Departments, and the Executive sanctum. A prominent Democratic Representative warned the Interior Department that unless the wholesale suspending of pensions was stopped forthwith the Republicans would carry the next House of Representatives and sweep the Democrats out of power. "Restore those pensioners, and do it quick!" was the burden of their cry.

Over 1,300 Ohio soldiers were reinstated as quickly as the names could be written. A Deputy Commissioner of Pensions was hurried to the National Military Home at Dayton, Ohio, to explain matters to the soldiers there. But all the frantic haste to recoup the loss of prestige among the Buckeyes was unavailing. Thousands of good, reliable Democratic veterans determined to vote as they shot, and they gave, on that first Tuesday in November, a parting kick to the twin humbugs, Democratic pension reform and Democratic tariff reform in the shape of 80,000 majority for McKinley.

A great deal has been said by officials and others in regard to the frauds upon the Government in relation to pensions as a justification for these arbitrary suspensions. There has been, is now, and always will be a certain proportion of individuals in all classes of society who belong to the criminal element, who will resort to fraud and crime where money can be obtaines by it. In some cases a few individuals have inaugurated schemed for a wholesale looting of the Treasury, and a few men may present a large number of fictitious or fraudulent cases. It would be very strange if such men failed to find a field for their crimes in the Pension Bureau. But it would be utterly false to say that any large percentage of the pensioners are guilty of fraud. Among a vast army which first and last has included perhaps a million and a quarter of actual pensioners, and many more applicants whose claims were rejected, I fully believe that the proportion of crime is not as great as is found in other branches of the public service or in private business.

A few years ago a Democratic Commissioner of the General Land Office began his official career by suspending vast numbers of land entries and in closing to the public the lands of the United States, in violation of the known policy of the Government. He brought ruin and desolation to the homes of thousands of innocent settlers by asserting that fraud permeated the public-land system. The poor settler, the real homesteader of this country, was subjected to such hardships as can hardly be appreciated by those unfamiliar with the subject. That there existed frauds is true, but a very few men were the criminals, and it was the rankest injustice to block the progress of the country by any such bold assumption as characterized the administration of the Land Office in the earlier part of the first Cleveland Administration.

Many parts of the West have not yet recovered from the blows then inflicted, and the wrecking business was only stopped at last by the heroic methods of the then Secretary of the Interior. The action of the present Administration, in so far as the work of suspension and reduction is concerned, presents a parallel to that of the Land Office in 1885–'86, which had to be revoked. The Pension Bureau is just now apparently doing what it can to retrieve the hasty action of its first eight months control, and I am disposed to give it due credit for its present better-considered course. Numbers of the 682 suspensions in Illinois were brought to my notice by letters of the most touching character from the old soldiers themselves, or from the widows or orphans whose support and stay had been summarily taken from them.

I could almost fill a number of the CONGRESSIONAL RECORD with the plaintive and tearful stories sent to me. But I need not quote or read them. Their purport is known in a thousand neighborhoods and places all over Illinois. Everybody has heard the cry, and the common people have seen and felt the woe. And the only defense and explanation which has been made—the only apology offered for the wrong and outrage perpetrated—is that there are many criminals and frauds upon the rolls who should not be there. Conceding this assertion, whence comes the authority for questioning the entire array of pensioners in the United States? Because there is one thief in a community, shall we cast suspicion upon and impute crime to a thousand honest men in the neighborhood? Our Democratic friends who defend these methods of treating soldier veterans, did not hesitate to vote solidly the other day for repealing the election laws under which there had been nearly 7,000 persons prosecuted and 2,000 convicted of election frauds.

They fail to listen to the cry which they know to be true, that the Congressional and other elections in large cities have been "honeycombed by frauds" for years, but they can easily "strain at the gnat" of the frauds upon pensions, which are readily discovered and quickly punished. Their inconsistent course gives color to the suspicion that they do not desire to have pure elections so much as they desire to parcel out money from the Treasury to political special agents for hunting fraud among old soldiers.

I insert a report furnished by the Secretary of the Interior, showing a list of pensioners affected by the action of this Administration. The report does not give the names of the 9,509 pensioners suspended and afterwards reinstated at the same rate.

I will without reading insert it in the body of my speech.

The PRESIDING OFFICER. The Chair hears no objection.

The document referred to si as follows:

DEPARTMENT OF THE INTERIOR,
Washington, June 26, 1894.

SIR: I am in receipt of Senate resolution of the 14th of April, 1894—

"That the Secretary of the Interior be, and is hereby, directed to inform the Senate of the number of pensioners whose pensions have been suspended or canceled since the 4th day of March, 1893; the number of such pensioners whose pensions have been restored to the rate they were drawing at the time of such suspension or cancellation; the number, names, post-office address, and rate of those pensioners whose pensions have been partially restored since that date, and the cause of the reduction of the rate they were drawing at the date of the suspension or cancellation; and also the number of those who have been fully restored to the pension roll at the rate they were drawing at the time of suspension or cancellation; and the number, names, post-office address, and the cause of suspension or cancellation of those whose pensions have been entirely suspended or canceled."

In response thereto I have the honor to transmit herewith a copy of a letter and accompanying inclosures from the Commissioner of Pensions, to whom the matter was referred for report, containing the information desired.

Very respectfully, HOKE SMITH, *Secretary.*

The PRESIDENT OF THE SENATE.

DEPARTMENT OF THE INTERIOR, BUREAU OF PENSIONS,
Washington, D. C., June 26, 1894.

SIR: In response to your reference of the 16th of April last, of the Senate resolution dated April 14, 1894, I have the honor to hand you herewith a statement showing the number of pensioners whose names were suspended between March 4, 1893, and May 10, 1894, and resumed at the same rate; the number of pensioners in whose cases payments were suspended during the same period, upon which no further action had been taken; the number of pensioners whose rates were reduced during that period; the number of their pension certificates, their names, post-office addresses, former and present rates, and causes of reduction; and also the number of pensioners whose names were dropped from the roll during that period, the number of their pension certificates, their names, post-office addresses, and the rates they were receiving.

The Senate resolution is returned herewith.

Very respectfully,
WM. LOCHREN, *Commissioner.*

The SECRETARY OF THE INTERIOR.

RECAPITULATION.

Classes.	Late war.		Mexican war.		War 1812.	Indian wars.		Total
	Invalid.	Widows, etc.	Survivors.	Widows.	Widows.	Survivors.	Widows.	
Number resumed at same rate	9,384	116	4	4	1			9,509
Number still suspended	273	45	6		1	1		326
Number reduced	3,014							3,014
Number dropped	2,411	240	6	2	2	4	6	2,671

Number of pensioners whose pensions were suspended and resumed at the same rate between March 4, 1893, and May 10, 1894 9,509

Number of pensioners whose pensions were suspended between March 4, 1893, and May 10, 1894, in whose cases no further action had been taken 326

Statement showing by laws and classes the certificate numbers, names, post-office addresses, former rates and present rates, of pensioners whose pensions were suspended after March 4, 1893, and resumed at lower rates prior to May 10, 1894, for the reason that the pensionable disabilities did not exist in a degree to warrant continuance at the former rates.

ACT OF JUNE 27, 1890.

Certificate Nos.	Names.	Post-office address.	Rates. Former.	Rates. Present.
852420	Abbott, William	Brunswick, Me	$12.00	$6.00
820578	Abbott, Andrew J	Manchester, Iowa	8.00	6.00
738268	Ackerman, John J	Andover, N. J	8.00	6.00
672077	Acles, Henry	Pine Bluff, Ark	8.00	6.00
606646	Acton, James D	Buchanan, Ohio	8.00	6.00
548570	Adams, Joel	Crab Orchard, Ky	10.00	6.00
724929	Adkins, John H	Syles Ford, Tenn	8.00	6.00
516670	Adams, Charles	Coffeysburg, Mo	12.00	8.00
738854	Adams, Charles C	Cromwell, Conn	8.00	6.00
788384	Adams, Augustus A	Girard, Ohio	12.00	8.00
507198	Adams, John Q	Defiance, Ohio	12.00	8.00
601641	Adams, John E	308 Pine st., Baltimore, Md	12.00	8.00
762550	Addison, John Q	Bellaire, Ohio	8.00	6.00
689720	Adie, Joseph W	Hyattsville, Wyo	8.00	4.00
514117	Adley, Peter	Harrisburg, Pa	12.00	6.00
524278	Aiken, Edwin	Haskinville, N. Y	12.00	8.00
592749	Albertson, John	Burksville, Ky	12.00	8.00
644339	Albin, John E	Babylon, N. Y	6.00	2.00
655318	Albright, Eli	Empire, Ohio	8.00	6.00
510749	Albright, William	Clarence, Mo	10.00	8.00
253174	Aldrich, Moses B	90 Carroll street, Binghamton, N. Y.	12.00	6.00
514123	Allard, Nathaniel	Perry, Iowa	12.00	8.00
523167	Allen, Montlebert	Rochester, N. Y	12.00	8.00
658356	Allen, Martin V. B	1130 Wallace street, Philadelphia, Pa.	8.00	6.00
516896	Allen, Eliakim R	Broadhead, Wis	12.00	8.00
736615	Allen, John C	3279 Sixth avenue, Troy, N. Y.	8.00	6.00
513529	Allen, John H	Millersburg, Ill	12.00	8.00
513149	Allen, Lemuel W	Carson City, Mich	12.00	8.00
519663	Allen, Rufus A	Morley, Mich	12.00	6.00
515840	Allen, Howard R	Irwin, Iowa	12.00	6.00
512852	Allison, Chas. C	Lebanon, Mo	12.00	8.00
507372	Allison, John G	Dayton, Ohio	12.00	8.00
614529	Alman, John H	Enfield, Okla	12.00	10.00
521029	Almy, Sanford	Ohioville, Pa	12.00	10.00
493810	Almony, James	Norrisville, Md	8.00	6.00
155433	Alvis, Edward H	Montrose, Iowa	12.00	6.00
516403	Alexander, William	National Soldiers' Home, Va.	12.00	8.00
662206	Alexander, Louden	Ten Mile Hill, S. C	8.00	6.00
517275	Ambrose, John	Reddick, Ill	12.00	8.00
761308	Ambuster, Geo	Liverpool, Ohio	8.00	6.00
475118	Amos, Chas	2431 Francis st., Baltimore, Md	12.00	8.00
511438	Ander, Frederick	77 Elizabeth st., Albany, N. Y.	12.00	8.00
524780	Anderson, Pat'k H	341 W. Harrison st., Chicago, Ill	12.00	8.00
505110	Anderson, William	Jefferson, Iowa	10.00	6.00
737238	Anderson, William	Norfolk, Va	12.00	8.00
661511	Anderson, Andrew G	Holyoke, Colo	12.00	6.00
759789	Anderson, Jos. T	Cincinnati, Ohio	12.00	6.00
513528	Anderson, James	Salem, N. J	12.00	8.00
738809	Anderson, James B	Mifflintown, Pa	8.00	6.00
509577	Anderson, Jas. R	Xenia, Ohio	12.00	8.00
592747	Anderson, Jas. H	Neel, Ohio	8.00	6.00
513532	Anderson, Adam N	Cambridge, Ohio	12.00	8.00
812597	Angstead, Wm. F	Tobias, Nebr	8.00	6.00
633646	Antis, Geo. W	Brazil, Ind	8.00	6.00
356711	Anthony, Merritt	Guthrie, Okla	8.00	4.00
513537	Anton, Robert	Petoskey, Mich	10.00	8.00
768021	Appleing, John	33 South State street, Champaign, Ill.	12.00	6.00
524782	Appleby, Chas. N	Madison, Conn	12.00	6.00
412116	Archer, John M	Limestone, W. Va	12.00	6.00
509868	Arment, James	Box 53, Grand Rapids, Mich	12.00	8.00
652239	Arnold, Geo. W	Woodbridge, Va	12.00	8.00
281934	Arters, Thos	Tidioute, Pa	12.00	8.00
513148	Aseltine, Darius	Marlette, Mich	12.00	8.00
668975	Ashby, Geo	Allentown, N. J	8.00	6.00
518057	Ashby, Benj. F	Ashbysburg, Ky	12.00	6.00
517890	Atkins, Archibald	Thorn Hill, Tenn	12.10	10.00
513163	Atwood, Chas. E	Orange Park, Fla	10.00	8.00
520055	Augustus, Harrison	Turon, Kans	12.00	6.00
797555	Aul, Jacob	Espy, Pa	8.00	6.00
837272	Ayers, Delbert	Marysville, Ohio	10.00	6.00
519671	Ayres, Jacob M	Cordova, Md	12.00	6.00
302551	Ayers, Adolphus B	White Pine, W. Va	12.00	8.00
340667	Babcock, Amos	Continental, Ohio	12.00	8.00
514859	Babcock, John S	Circleville, Ohio	12.00	8.00
532705	Babcock, Henry	Sioux City, Iowa	12.00	8.00
453728	Bacon, Allen S	Oral, Tenn	12.00	10.00
580178	Bachman, Stephen	Shickshinny, Pa	12.00	8.00
517608	Bachman, Andrew	Port Union, Ohio	12.00	8.00
513541	Baker, Andrew	Pilot Mound, Iowa	12.00	8.00
362165	Baker, Jas	Findlay, Ohio	8.00	6.00
518090	Baker, Edwin F	West Gardner, Mass	12.00	6.00
122417	Baker, Peter F	Elm Grove, Mo	12.00	10.00
511165	Baker, Herman J	1105 Marion st., Camden, N. J	12.00	6.00
514831	Baker, Geo. M	Bentleyville, Pa	10.00	6.00
452105	Baker, John A., alias Baker, Geo.	Derry Station, Pa	12.00	8.00
516464	Bricker, Geo	Mellette, S. Dak	12.00	6.00
665425	Bailey, John	255 Fair st., Springfield, Ohio	8.00	6.00
366436	Bailey, Geo. W	Denton, Md	8.00	4.00
484005	Bailey, Joel	Wakefield, Ohio	12.00	10.00
511829	Bain, August	Chillicothe, Mo	10.00	6.00
799049	Baine, Edw. W	Hartsell, Ala	8.00	6.00
178826	Baird, William	National Military Home, Ohio	10.00	6.00
577175	Baird, Geo. W	Meadville, Pa	8.00	6.00
60559	Baldwin, Geo. W	North Cuba, N. Y	10.00	6.00
514153	Baldwin, Monroe	Kingsley, Mich	8.00	6.00

Statement showing by laws and classes the certificate numbers, names, post-office addresses, former rates and present rates, of pensioners, etc.—Continued.

ACT OF JUNE 27, 1890—continued.

Certificate Nos.	Names.	Post-office address.	Rates. Former.	Rates. Present.
396293	Baldwin, Chas. S	737 South Queen street Lancaster, Pa.	$8.00	$1.00
529380	Ballard, Marvin M	Twelfth and Frost avenue, Kansas City, Mo.	8.00	6.00
520065	Ballard, Geo	Jamestown, Ohio	12.00	8.00
521110	Bamford, Austin B	Creston, Iowa	12.00	6.00
517611	Bane, Joseph	Bula, W. Va	12.00	8.00
523196	Bane, James	Cresson, Pa	8.00	6.00
605378	Banks, James W	171 Main st., Norfolk, Conn	8.00	6.00
820614	Banks, Andrew	Natchez, Miss	12.00	8.00
683232	Bankston, Albert	Williamette, Ark	8.00	6.00
519694	Banker, William H	Amboy, Ill	12.00	10.00
765865	Barr, Reuben	Youngstown, Ohio	8.00	6.00
513552	Barr, John W	Lorraine, W. Va	12.00	8.00
744227	Barr, Newman	Beaver Falls, Pa	8.00	6.00
508454	Barber, Nelson	186 Butterworth avenue, Grand Rapids, Mich.	12.00	6.00
688556	Barber, Elam	Moodus, Conn	10.00	6.00
412121	Barber, Oscar H	Dimondale, Mich	12.00	6.00
572534	Barker, Rufus G	Jackson, Tenn	8.00	6.00
573471	Barker, Enoch G	South Sutton, N. H	12.00	10.00
521109	Barlow, Moses S	Nevada, Mo	12.00	6.00
675498	Barnes, Frank	Richmond, Ky	6.00	4.00
510758	Barnhart, Nicholas	Cavendish, Mo	12.00	8.00
520715	Barnes, Isaac C	Colbergen, Nebr	12.00	6.00
648855	Barnes, William	1228 Etting st., Baltimore, Md	8.00	6.00
449236	Barnes, Wilson	Kennady, Ind. T	8.00	6.00
305972	Barnum, Stephen A	Middleville, Mich	8.00	6.00
565242	Barnette, James	Harrisburg, Ill	8.00	6.00
527827	Barnard, Thos. M	Burlington, Ind	12.00	6.00
517609	Barstow, Levi	Colgate, Ohio	12.00	8.00
514829	Bartenbacher, Jno	Sanford, Mich	12.00	8.00
514220	Bartlett, Geo. W	Fillmore, Ill	10.00	6.00
516916	Bartlett, Philander A.	Soldiers and Sailors' Home, Quincy, Ill.	12.00	6.00
510779	Bartholomew, Isaac C.	Rear 80 Peck street, New Haven, Conn.	12.00	8.00
507606	Bartle, Birney G	Port Allegany, Pa	12.00	8.00
580538	Barry, Thomas	Middletown, Ohio	10.00	8.00
525320	Bass, John	Xenia, Ohio	12.00	8.00
671351	Bates, Irwin J	Hartford, Ohio	8.00	6.00
491893	Bates, Chas. H	Jackson, Mich	12.00	8.00
515597	Bateman, John C	Piketon, Ohio	12.00	8.00
517309	Bauer, Nicholas	Cleveland, Ohio	12.00	6.00
514845	Bauer, William	York, Pa	12.00	10.00
510095	Bauman, William	National Military Home, Ohio	10.00	6.00
508459	Baum, Geo. W	Kenton, Ohio	12.00	8.00
80200	Bausman, Abraham	1123 Grape avenue, Harrisburg, Pa.	6.00	4.00
442245	Baynard, Chas. E	Templeville, Md	8.00	6.00
494507	Bazler, Augustus	130 West Fourth st., Portsmouth, Ohio.	12.00	8.00
683709	Bean, Jos. W	Charlestown, Mass	8.00	6.00
730998	Beach, William A	Ionia, Mich	8.00	6.00
522237	Beach, Geo. W	National Soldiers' Home, Va.	12.00	8.00
298252	Beach, Geo	Columbia, Mo	6.00	4.00
555977	Beadles, Jas. R	Pilot Grove, Mo	8.00	6.00
514815	Beals, Jeremiah H	Bowling Green, Ky	12.00	8.00
510757	Beal, William L	Indian Head, Pa	12.00	8.00
522710	Beal, Geo	Yates Center, Kans	12.00	8.00
755612	Beam, Adam	Morgantown, Pa	10.00	6.00
565186	Bean, Abram	Bradford, Mass	8.00	6.00
544705	Bearss, Levi	Cedar Springs, Mich	10.00	6.00
551735	Beard, John P	McEwensville, Pa	12.00	9.00
511466	Beard, Alex	Attica, Ind	12.00	8.00
517908	Beardsley, Henry C	Marcus, Iowa	12.00	8.00
511165	Beavers, David R	Kingwood, W. Va	12.00	8.00
527835	Beaver, Nelson	Westminster, Md	12.00	6.00
383979	Bebarger, Jos	Kylertown, Pa	10.00	6.90
525839	Beck, John T	Martins Ferry, Ohio	10.00	8.00
460590	Beecher, Lina	Batavia, N. Y	12.00	11.75
571061	Bedley, Stephen	Plymouth, Ind	12.00	6.00
699273	Behrle, Jos	3108 Easton ave., St. Louis, Mo.	8.00	6.00
600431	Bell, Jos	Eighteenth and Nineteenth and Land Msts NW., Washington, D. C.	12.00	8.00
527860	Belles, Geo. A	Russell, Ohio	12.00	6.00
518572	Bell, James	Millerstown, Ky	12.00	8.00
507212	Bell, Francis M	Creelsboro, Ky	12.00	8.00
276727	Bennett, Samuel G	Homer, Mich	12.00	6.00
830160	Bennett, Jas. W	Sioux City, Iowa	12.00	8.00
532147	Benson, Geo. W	Spring Valley, Ohio	8.00	6.00
165884	Benson, Sam'l H	Rockford, Del	8.00	6.00
519720	Benton, William B	Knob Lick, Mo	12.00	8.00
817047	Benwood, Jas. L	Kingwood, N. J	8.00	6.00
518274	Benzie, Geo. A	396 Tenth street, Troy, N. Y	8.00	6.00
523216	Berry, John W	Grand Island, Nebr	12.00	8.00
490103	Berry, Jas. J	Disputanta, Ky	6.00	4.00
853746	Berry, Dr. Morgan	Iron City, Tenn	12.00	6.00
351418	Berry, Jos	Chestertown, Md	8.00	6.00
520067	Berry, Benj. F	Parkersburg, W. Va	10.00	6.00
589992	Berry, Samuel	Epping, N. H	12.00	8.00
586602	Betts, Miers B	Millsboro, Del	8.00	6.00
517615	Betterly, Alfred A	Brattleboro, Vt	12.00	6.00
592753	Beufer, Abraham	Warsaw, Ind	8.00	6.00
490105	Bever, Henry	West Unity, Ohio	12.00	10.00
677521	Beyland, Herman	717 Monmouth st., Newport, Ky.	8.00	6.00
510781	Bickford, Chas. S	206 Michigan avenue, Jacksonville, Ill.	12.00	8.00
510398	Biesterfeld, Conrad	St. Marys, Kans	12.00	8.00
516907	Billings, Jos. C	Prescott, Kans	8.00	6.00
521898	Billings, Edward	Azalia, Mich	10.00	6.00

Statement showing by laws and classes the certificate numbers, names, post-office addresses, former rates and present rates, of pensioners, etc.—Continued.

ACT OF JUNE 27, 1890—continued.

Certificate Nos.	Names.	Post-office address.	Rates. Former.	Rates. Present.
491253	Binker, Jacob	Scio, Ohio	$12.00	$8.00
509886	Bingham, Lucien D.	Waverly, Iowa	10.00	6.00
511446	Birch, William	Hutchinson, Kans	12.00	6.00
513170	Bishop, Benj. B., alias Boughton.	East Shelby, N. Y	10.00	6.00
517897	Bischno, Peter	Hancock, Mich	12.00	6.00
507598	Bishop, Allen J	Mount Liberty, Ohio	8.00	6.00
112228	Bittner, William A	3843 Elmwood Place, Chicago, Ill.	6.00	4.00
650349	Bivins, Robert	National Soldiers' Home, Va.	8.00	6.00
514180	Bladon, Geo	Lindenville, Ohio	12.00	8.00
701679	Blaisdell, Clark	Walnut Hill School, Natick, Mass.	8.00	6.00
312536	Blake, Sedgwick	Zanesville, Ohio	12.00	8.00
511454	Blake, Simon F	Town Farm, Peabody, Mass.	12.00	6.00
671383	Blake, Wm. M	Lingo, Mo	10.00	6.00
514136	Black, Wm. H	Middleport, Ohio	8.00	6.00
510103	Black, Geo. W	Box 255, Irving Park, Ill	12.00	8.00
517619	Blackburn, Thos	226 between Flay and Brook, Market and Main, Louisville, Ky.	8.00	6.00
525296	Blackburn, Daniel	National Military Home, Ohio	12.00	8.00
699253	Blackford, Jas. G	Shelbina, Mo	10.00	6.00
579746	Blackman, Wesley	Topeka, Kans	12.00	6.00
312242	Blank, Josiah	Berwick, Pa	12.00	8.00
560624	Blazer, Jacob	Buffalo, Mo	10.00	6.00
719282	Blea, Roman	Santa Fe, N. Mex	10.00	6.00
698458	Blea, Ascension	do	12.00	6.00
495205	Bleidinhiser, Chas	Steubenville, Ohio	12.00	10.00
589332	Blew, Berkeley	432 Wilson street, Williamsport, Pa.	10.00	6.00
516910	Bliss, Henry K	Albion, N. Y	12.00	8.00
516904	Blish, Albert G	Claremont, N. H	12.00	6.00
749816	Blodgett, Fred'k L	National Military Home, Ohio	10.00	8.00
621148	Bloom, David	Uniontown, Md	8.00	6.00
511151	Bloomfield, Steven	Middlebranch, Ohio	12.00	6.00
702384	Bluejacket, Volney	Santa Fe, N. Mex	12.00	8.00
508753	Blue, Jeremiah	Williamsport, Pa	12.00	6.00
511839	Board, Chas	Dodge City, Kans	12.00	8.00
514228	Bock, John	235 West Thirty-seventh st., New York City.	12.00	8.00
109400	Boggs, Jackson	Rochester, Pa	10.00	8.00
682256	Bogan, Patrick	218 S. Ninth st., Philadelphia, Pa.	12.00	8.00
519693	Bohlander, Jos	Monmouth, Ill	12.00	8.00
515577	Bon, William N	Mayview, Kans	12.00	6.00
505119	Bonary, Albert	Ridott, Ill	8.00	6.00
509598	Bond, Moses	Sparta, Mo	12.00	6.00
600472	Bond, Geo. T	Indianapolis, Ind	8.00	6.00
514197	Bonefant, Jos	Au Sable, Mich	12.00	8.00
304474	Bonney, Bryon S	McPherson, Kans	8.00	6.00
744280	Bock, Thos. D	Zaleski, Ohio	8.00	6.00
451916	Boone, John C	Plattsmouth, Nebr	8.00	6.00
519251	Booth, Jos	92 Third st., Fall River, Mass.	12.00	8.00
588159	Booth, John	Girard, Ohio	10.00	8.00
514184	Booton, Washington	South Omaha, Nebr	10.00	6.00
253121	Borchers, Henry C	Maryville, Mo	8.00	6.00
713399	Boston, Chas. A	1410 Ridge ave., Philadelphia, Pa.	8.00	6.00
521073	Boster, Jas. A	Mount Vernon, Mo	12.00	10.00
581883	Bonge, Fred'k	Hartford, Ind	12.00	6.00
518563	Bousman, Geo	1241 Mulberry street	12.00	8.00
604378	Bowers, Sam'l L	Brock, Nebr	12.00	8.00
342824	Bowman, Henry B	Brownstown, Ill	12.00	6.00
515882	Bowne, Samuel J	Centralia, Mo	12.00	6.00
524305	Bowers, Fred'k	Bennett, Pa	12.00	8.00
518562	Bowie, William	60 Mount Auburn street, Cambridge, Mass.	12.00	8.00
518577	Bowers, Chas. A	97 Crescent ave., Jersey City, N. J.	12.00	10.00
514844	Bowden, Geo. W	Bangor, Me	10.00	6.00
677537	Boyd, Isom	Columbus, Ohio	8.00	6.00
616615	Boynton, Guy D	Hinesburg, Vt	8.00	6.00
689770	Boyd, Chas	Box 272, East St. Louis, Mo	8.00	6.00
513562	Brady, Michael	Des Moines, Iowa	12.00	6.00
131919	Brady, William	Lilly, Pa	12.00	8.00
368262	Brand, Henry W	Union, Mo	8.00	4.00
528393	Brand, Herman H	Seymour, Ind	12.00	6.00
722350	Brandt, Albert	539 Jamaica ave., Long Island City, N. Y.	8.00	6.00
561701	Bradford, Geo. A	177 Main street, Hornellsville, N. Y.	8.00	6.00
515603	Bradley, Daniel	Jericho, Ark	12.00	6.00
660142	Bradley, Jos. H	Tuckerton, N. J	8.00	6.00
632708	Braddock, N. H	Wind Ridge, Pa	8.00	6.00
538227	Brannon, Chas	Prestonburg, Ky	8.00	6.00
514870	Brattain, Jos. M	Griswold, Iowa	12.00	8.00
522251	Bratton, Abraham	Townsend, Del	12.00	8.00
522740	Brechbill, Pierre	Marshfield, Mo	12.00	8.00
475416	Breckon, Thos. P	St. Marys, Ohio	12.00	6.00
514835	Breece, Tobious C	West Berlin, Ohio	12.00	8.00
513557	Brees, Wm. F	Breeds Station, Ill	12.00	8.00
514867	Brenneman, H. W	Abilene, Kans	8.00	6.00
519003	Bretz, Edward	Berwick, Pa	10.00	8.00
446105	Brewer, Elmer E	Chagrin Falls, Ohio	12.00	8.00
286928	Brewer, Jas. K	Welsh Run, Pa	12.00	10.00
513195	Brewer, Stephen	Shelbina, Mo	12.00	6.00
562550	Brickley, Geo. B	P. O. box 147 Newport News, Va.	12.00	6.00
557379	Brierly, Robert	Philadelphia, Pa	12.00	6.00
517301	Briggs, Elias A	Rhinecliff, N. Y	8.00	6.00
507274	Briggs, Walter	Montrose, Ill	12.00	8.00
671401	Brill, Henry C	Wellsboro, Pa	8.00	6.00
515586	Britton, Selroy	Rice Lake, Wis	12.00	8.00

Statement showing by laws and classes the certificate numbers, names, post-office addresses, former rates and present rates, of pensioners, etc.—Continued.

ACT OF JUNE 27, 1890—continued.

Certificate Nos.	Names.	Post-office address.	Rates. Former.	Rates. Present.
493827	Broadwater, Wm. M	National Soldiers' Home, Va	$12.00	$10.00
146164	Broadwell, Homer	1347 De Kalb avenue, Brooklyn, N. Y	8.00	6.00
271815	Brockelman, Chris	South Lancaster, Mass	12.00	8.00
508440	Brogan, Patrick	131 East Cumberland street, Philadelphia, Pa.	8.00	6.00
742245	Bromagem, John C	E. Las Vegas, N. Mex	12.00	8.00
520066	Brooks, Isaac B	Marlow, Tenn	12.00	8.00
709843	Brooke, James C	Ravenna, Ohio	8.00	6.00
555350	Brooks, James D	115 Welcome alley, Baltimore, Md.	8.00	6.00
627145	Brooks, James	Roanes, Va	8.00	6.00
522723	Brooks, Chas. G	Coffeyville, Kans	12.00	6.00
524783	Brownawell, Jacob	Lebanon, Pa	12.00	8.00
737288	Brown, Ephraim	Woonsocket, R. I	8.00	6.00
519253	Brown, Eugene	Simsbury, Conn	8.00	6.00
708657	Brown, David	La Porte, Ind	8.00	6.00
516442	Brown, Levi	Mountville, Pa	8.00	6.00
512889	Brown, Aaron F	622 North Clinton street, Trenton, N. J.	12.00	6.00
515571	Brown, Andrew J	Sixth and Walker streets, Kansas City, Kans.	12.00	6.00
796228	Brown, Smith	Waterproof, La	12.00	8.00
513540	Brown, Christian B	Pittsburg, Ohio	12.00	6.00
506965	Brown, John A	Lewinsville, Va	10.00	6.00
595454	Brown, John C	Parkersburg, W. Va	8.00	6.00
662239	Brown, John	Storrs, Conn	8.00	6.00
429145	Brown, Jacob	Upper Strasburg, Pa	8.00	6.00
518291	Brown, Jacob	Angola, Ind	12.00	6.00
519718	Brown, Jacob H	Wayne, Nebr	12.00	8.00
440009	Brown, Lewis	Lynn, Ky	8.00	6.00
557996	Brown, Lewis	Kenton, Ohio	8.00	4.00
312863	Brown, Lewis	Lyons, Kans	12.00	10.00
513551	Brown, William	Clear Water, Nebr	12.00	8.00
511146	Brown, William H	29 North Winter st., Adrian Mich.	8.00	6.00
648181	Brown, William F	Box 194 South Nowalk, Conn	8.00	6.00
508271	Brown, Geo. W	260 West Market street, Chambersburg, Pa.	12.00	8.00
393222	Brown, Geo	McCouchie, Md	12.00	8.00
509879	Brubaker, John K	Rohrerstown, Pa	12.00	8.00
534806	Brumfield, Benj. F	Millers, Ohio	12.00	8.00
131716	Brummett, Simon J	Los Angeles, Cal	12.00	6.00
520086	Bruner, Peter	Flora, Pa	8.00	6.00
514847	Brurud, Christian H	Caledonia, N. Dak	12.00	8.00
599329	Bryant, Geo	125 South Cherry street, Nashville, Tenn.	8.00	6.00
522150	Bryant, Peter M	Livingston, Ky	12.00	8.00
508457	Bryner, Samuel G	Altamont, Kans	10.00	6.00
259381	Bryan, Benj	Hillsgrove, Pa	12.00	4.00
98834	Buchanan, Archib'd.	473 Federal street, Troy, N. Y	10.00	2.00
358295	Bucklew, Jacob	Stillwell, Ill	12.00	8.00
582651	Bickler, Frederick	Mount Repose, Ohio	8.00	6.00
589050	Buchman, Noah S	168 Falls Road, Baltimore, Md.	8.00	6.00
394594	Buchanan, Chas	Waterford, Ohio	12.00	6.00
524308	Buckminster, A. E	Cincinnati, Ohio	12.00	8.00
436249	Bucy, Zach	Rush Run, Ohio	6.00	4.00
473299	Buell, Chas. L	Middlefield, Ohio	12.00	8.00
514177	Buford, John	Wilmington, Ohio	12.00	6.00
573974	Buhl, Chris	Kalo, Iowa	8.00	6.00
672108	Buckley, David M	9 Steel street, Auburn, N. Y	8.00	6.00
690516	Bunch, Hillary C	Fort Reno, Okla	8.00	6.00
508260	Bunch, John L. W	Marked Tree, Ark	8.00	6.00
233586	Burd, David	Box 116, Elmira, N. Y	8.00	6.00
571054	Burden, James A	Wapakoneta, Ohio	12.00	8.00
519009	Burden, Mariler	Farmers, Ky	12.00	8.00
521894	Burdine, Geo. W	Lincoln, Ky	12.00	6.00
517628	Burger, Geo. S	Allentown, Pa	12.00	8.00
715422	Burg, David	Kregar, Pa	8.00	6.00
515601	Burgess, Seth	Pardeeville, Wis	12.00	8.00
515879	Burgess, John K	Sterling, Kans	12.00	8.00
443042	Burgess, Thos E	Albany, Mo	12.00	8.00
565263	Burgess, John F	Georges Creek, Ky	8.00	6.00
527814	Burk, Samuel R	Hemmingford, Nebr	12.00	8.00
524703	Burke, Patrick	National Military Home, Ohio	10.00	6.00
284928	Burke, Henry W	24 Warriner ave., Springfield, Mass.	8.00	4.00
281943	Burke, Christian	Celina, Ohio	12.00	8.00
598448	Burns, James	100 High st., Louisville, Ky	8.00	6.00
509204	Burns, Charles	National Home, Wis	12.00	8.00
728489	Burns John	Dover, Mass	8.00	6.00
590623	Burns, Lewis	Commerce, Mo	8.00	6.00
522245	Burnap, Chas. G	Rockford, Ill	12.00	6.00
690019	Burier, John	Franklinville, Md	8.00	6.00
466919	Bush, John H	White House Station, N. J	6.00	2.00
512879	Bush, Albert F	Litchfield, Nebr	12.00	8.00
511664	Bushawn, William	608 McReynolds st., Peoria, Ill.	10.00	6.00
388577	Butcher, Jos	217 Highes st., Columbus, Ohio	10.00	6.00
666843	Butler, Philander	207 Water st., Cincinnati, Ohio	8.00	6.00
456880	Butler, James H	Xenia, Ohio	8.00	6.00
648125	Butler, Harris O	Yankton, S. Dak	8.00	6.00
660130	Butler, Melville C	Plainfield, Mass	8.00	6.00
511472	Byrem, William H	Danville, Ill	12.00	8.00
509596	Byram, David	Muncie, Ind	12.00	8.00
764931	Cadot, Cicero S	120 West Second street, Portsmouth, Ohio.	8.00	6.00
379191	Cady, Alpheus B	Sloan, Iowa	8.00	6.00
515439	Cade, Martin	Delta, Colo	10.00	6.00
511169	Cagney, John	National Home, Milwaukee, Wis.	12.00	8.00
520416	Cahoon, William C	Brockton, Mass	8.00	6.00
515003	Cahill, Richard	Huntley, Ill	12.00	6.00
773891	Cain, Ebenezer	Omaha, Nebr	8.00	6.00
519257	Cahill, Patrick	Manayunk, Pa	8.00	6.00

Statement showing by laws and classes the certificate numbers, names, post-office addresses, former rates and present rates, of pensioners, etc.—Continued.

ACT OF JUNE 27, 1890—continued.

Certificate Nos.	Names.	Post-office address.	Rates. Former.	Rates. Present.
516185	Calhoun, John W	Horse Shoe Bottom, Ky	$10.00	$6.00
193323	Calkins, Wilfred	Milpitas, Cal	8.00	6.00
512159	Calvert, George W	Tracyton, Wash	12.00	8.00
193505	Camp, Simon C	25 Decatur street, Indianapolis, Ind.	6.00	2.00
560030	Camden, George W	Milledgeville, Ky	8.00	6.00
518622	Campfield, Ferd. M	Morris Plains, N. J	10.00	6.00
604397	Campbell, James R	Transfer, Pa	8.00	6.00
635753	Campbell, John	Luthersburg, Pa	8.00	6.00
569212	Campbell, Hiram	Booneville, Ky	12.00	8.00
154516	Campbell, John	Eldora, Iowa	10.00	8.00
726844	Cannon, John M	Hanover st., Gettysburg, Pa.	8.00	6.00
513995	Canfield, Henry C	Kerhonkson, N. Y	12.00	6.00
522267	Canfield, Erastus D	Springfield, Ill	12.00	8.00
522752	Canterberry, John	Pomeroy, Ohio	12.00	8.00
352978	Carey, Charles M	Panther, Ky	8.00	4.00
519448	Carey, Lorenzo, Dow	Soldiers' Home, Grand Rapids, Mich.	12.00	8.00
510428	Carl, William	Reading, Pa	12.00	8.00
657317	Carter, Saml. C	Gunnell, Iowa	8.00	6.00
509635	Carter, Benjamin F	Indianapolis, Ind	12.00	8.00
381308	Carmel, Daniel	Detroit, Mich	12.00	8.00
592857	Carpenter, Joseph	Pitts Point, Ky	12.00	6.00
513217	Carpenter, Nelson L	Petrolia, Ontario, Canada	8.00	6.00
517074	Carpenter, Russell	Carbondale, Pa	12.00	8.00
517051	Carr, Harrison	Bristol Center, N. Y	12.00	10.00
226335	Carroll, Thomas	Remsen, N. Y	8.00	2.00
668459	Carroll, John	121 Beacon st., Chelsea, Mass	8.00	6.00
546856	Cartwright, Geo. W	Sundown, N. Y	12.00	6.00
154184	Carnell, George W	Williamsport, W. Va	8.00	6.00
549875	Carmack, Abraham	High Knob, Ky	8.00	6.00
522747	Carmichael, John	78 Gallia st., Portsmouth, Ohio	12.00	8.00
509021	Carsey, Seldon W	Judson, Ohio	12.00	6.00
306142	Casey, William E	Ridgefield, Conn	12.00	8.00
514235	Cassell, Peter	National Military Home, Ohio	12.00	8.00
772473	Casados, Julian	San Miguel, N. Mex	12.00	6.00
509001	Cassler, Abraham	Kearney, N. J	12.00	8.00
519023	Caston, Edward	34 Genesee st., Auburn, N. Y	12.00	8.00
681906	Catlin, Stephen A	Tecumseh, Okla	8.00	6.00
495213	Cavanee, Silas	Town Hill, Pa	8.00	6.00
511193	Cavanaugh Patrick	National Soldiers' Home, Va	12.00	6.00
803389	Cawman, John W	Millville, N. J	8.00	6.00
510141	Chadwick, James H	366 Madison ave., Albany, N. Y	12.00	8.00
344741	Challender, Levi	New Egypt, N. J	8.00	4.00
518295	Chamberlin, S. M	Auburn, Me	12.00	6.00
584523	Chamberlin Charles	Centerville, Md	12.00	6.00
511869	Chaney, Samuel G	Ainsworth, Nebr	12.00	8.00
512274	Chandler, Jay	North Fryeburg, Me	12.00	6.00
518302	Chandler, Geo. F	Millbrook, Mass	8.00	4.00
521928	Chandler, Marvin	Oneonta, N. Y	12.00	8.00
772466	Chanz, Rafael	Santa Fe, N. Mex	8.00	6.00
519435	Chapman, Rozell	Harrisville, N. Y	8.00	6.00
514266	Chapman, Wm. A	Oskaloosa, Kans	12.00	8.00
248758	Chapman, William	203 N. College st., Carlisle, Pa	8.00	6.00
608969	Charlesworth, Aaron	Topeka, Kans	6.00	2.00
710935	Chavez, Jesus	Santa Fe, N. Mex	12.00	6.00
772466	Chavez, Rafael	do	8.00	6.00
513222	Cheatham, Daniel	Norman, Okla	12.00	6.00
515144	Cherpitel, Raymond	Beloit, Kans	12.00	10.00
512212	Cheever, William M	Webster City, Iowa	12.00	6.00
509899	Cheever, H Charlton	Plainville, Mass	12.00	8.00
521551	Cheetham, Wm. B	Welaka, Fla	8.00	6.00
511875	Chisholm, Henry	8 Oakland st., Boston, Mass	12.00	6.00
551988	Chitwood, John	Cedar, Okla	12.00	8.00
720575	Chickering, James F	Fayville, Mass	8.00	6.00
506989	Childers, Amos D	Davisville, W. Va	12.00	8.00
749844	Chick, Sylvester T	Ironton, Ohio	10.00	6.00
510160	Chidester, Thomas G	Fredonia, Ohio	8.00	6.00
603228	Choate, Christopher	Boatland, Tenn	12.00	6.00
547322	Choat, Riley A	Hartville, Mo	10.00	6.00
508282	Chroninger, Henry	Holden, Mo	12.00	8.00
217830	Christian, Edward	Philmont, N. Y	6.00	4.00
533492	Christian, Anthony	Wheeling, W. Va	12.00	8.00
622816	Christian, Charles	1320 Biddle st., St. Louis, Mo	8.00	6.00
73909	Chrisman, David R	London, Ohio	6.00	4.00
508494	Church, Orris	Dryden, N. Y	10.00	4.00
568430	Church, Benedict G	National Military Home, Ind	8.00	6.00
742200	Clark, Daniel	Grand Tower, Ill	8.00	6.00
622050	Clark, James	Chatham, Ontario, Canada	12.00	2.00
515009	Clark, Lewis B	Dunkirk, Ind	12.00	8.00
799086	Clark, Joseph	Venice, Pa	10.00	6.00
642073	Clark, William H	Linden, Pa	10.00	6.00
309292	Clark, Hiram M	Harrisville, N. Y	8.00	2.00
625036	Clay, Franklin	Boreman, W. Va	8.00	6.00
501470	Clay, Henry	Jeffersonville, Ind	8.00	6.00
503199	Clayberger, Chas. W	Brandonville, Pa	12.00	8.00
514891	Claypool, Wilson H	Caledonia, Ohio	8.00	6.00
514921	Clever, Peter	Kittanning, Pa	12.00	8.00
663698	Cleek, Francis M	Douglass, W. Va	8.00	6.00
524339	Clenia, Charles	Ripley, Ohio	8.00	6.00
553613	Clemens, Samuel S	Centerville, Iowa	12.00	8.00
411104	Cleveland, Geo. W	Princeton, Ind	12.00	10.00
514272	Cleveland, James G	Madison, Nebr	12.00	8.00
590029	Clifford, Joseph	Bennington, Vt	8.00	6.00
527869	Clinton, John M	195 Erie st., Cleveland, Ohio	12.00	6.00
688606	Clinton, Spencer	Preston, Ark	8.00	6.00
522279	Clingan, Israel	Covington, Ohio	12.00	6.00
880567	Cline, James H	217 Ralph ave., Brooklyn, N. Y	10.00	8.00
683982	Cline, Peter	Hopewell, Pa	10.00	6.00
361247	Cline, David O	Sigourney, Iowa	12.00	8.00
512903	Clow, Henry A	Sumner, Mich	12.00	8.00
590057	Coates, Stephen	Raccourci, La	8.00	6.00
723115	Coca, Antonia	Lesperance, N. Mex	12.00	8.00

Statement showing by laws and classes the certificate numbers, names, post-office addresses, former rates and present rates, of pensioners, etc.—Continued.

ACT OF JUNE 27, 1890—continued.

Certificate Nos.	Names.	Post-office address.	Rates. Former.	Rates. Present.
25580	Cochran, Henry	Clark street, Pittsburg, Pa	$12.00	$6.00
648240	Codding, Henry H	13 North Pleasant st., Taunton, Mass.	8.00	6.00
317972	Coe, Abram S	Harrisonville, Ohio	12.00	8.00
581959	Coffman, James D	Bellaire, Ohio	8.00	6.00
782894	Coffman, Matthias	111 Smith street, Akron, Ohio	8.00	6.00
514881	Cohen, William	Anna, Ill	12.00	8.00
585835	Cohick, Alex. P	Larrys Creek, Pa	8.00	6.00
490198	Cole, Lewis	Booneville, Ky	12.00	6.00
508789	Cole, Albert A	Olneyville, R. I	12.00	6.00
518580	Cole, George S	Danville, Ill	12.00	8.00
521570	Cole, William	Houseman, Mich	12.00	8.00
585874	Cole, William B	Bloomingdale, Ohio	8.00	6.00
521563	Coleman, Levi	North Baltimore, Ohio	8.00	6.00
500021	Collins, James	Whitesburg, Ky	12.00	8.00
518602	Collins, Thomas M	Winton, N. C	12.00	8.00
693798	Collins, Dennis	National Military Home, Ohio	10.00	6.00
519434	Collins, Benj. F	Leonidas, Mich	12.00	6.00
513590	Collins, Joel	Spiceland, Ind	12.00	6.00
710878	Comstock, David O	35 Belden ave., Norwalk, Conn	8.00	6.00
514267	Combs, Frank	1308 Madison street, North Topeka, Kans.	8.00	6.00
508287	Corunis, Hamilton O	381 Fayette st., Syracuse, N. Y	12.00	6.00
221234	Conley, James	Salyersville, Ky	10.00	8.00
595618	Conklin, Peter B	244 Blackwell street, Long Island City, N. Y.	8.00	6.00
582770	Conklin, Eugene	Bethel, Conn	8.00	6.00
508471	Conn, John I	Point Marion, Pa	8.00	6.00
355601	Conrey, Samuel	Walnut Bottom, Pa	6.00	4.00
511185	Contant, Jacob B	Letts, Iowa	12.00	8.00
623917	Constable, George T	Boothsville, W. Va	8.00	6.00
514237	Conway, James	National Soldiers' Home, Va	12.00	8.00
548658	Coogle, Jacob	East View, Ky	12.00	8.00
505814	Cook, William	New Harmony, Ohio	12.00	6.00
515900	Cook, Dwight	Millers Falls, Mass	8.00	6.00
721309	Cook, Thomas M	New Richmond, Ind	8.00	6.00
513587	Cooksey, David	Elm Grove, Mo	12.00	6.00
236757	Coolidge, John T	Plattsburg, N. Y	10.00	8.00
717288	Coon, Mathew	Minster, Ohio	8.00	6.00
517635	Coon, Herman L	Beloit, Wis	12.00	6.00
741804	Coon, John C	Pendleton Hill, Conn	12.00	6.00
520124	Cooney, John W	Andersonburg, Pa	12.00	6.00
554348	Coones, Chas. C	Hailey, Mo	12.00	8.00
58413	Cooper, Chas. F	Roxbury, Mass	8.00	6.00
679069	Cooper, Isaac	Chestertown, Md	8.00	6.00
524838	Coot, John	4 Jane street, New York, N. Y	8.00	6.00
509640	Cooper, Chas	Des Moines, Iowa	8.00	6.00
514239	Copeland, Thomas	Diller, Nebr	12.00	6.00
510826	Corbin, John A	Crawfordsville, Ind	12.00	8.00
517950	Cordon, Shedrach M	Stewartsdale, N. Dak	12.00	8.00
521159	Corzatt, Geo. H	Gordon, Ohio	12.00	8.00
516503	Cornwell, Geo	Bridgeport, W. Va	12.00	6.00
530519	Costello, Thomas	La Presa, Cal	8.00	4.00
518294	Cousins, Albert	Louisiana, Mo	12.00	6.00
550474	Counsel, Manuel	1000 King st., Portsmouth, Va	8.00	6.00
728544	Coward, John M	130 Seigel st, Philadelphia, Pa	8.00	6.00
526715	Cowling, James	Stonelcigh, Va	12.00	6.00
508279	Cowman, John E	Beloit, Kans	12.00	8.00
511818	Cowie, John H	Castle Rock, Minn	12.00	6.00
796248	Cox, Isander F	231 Oak st., Binghamton, N. Y	8.00	6.00
680835	Cox, Judah H	3 Chestnut sq. Boston, Mass	8.00	6.00
512158	Cox, Cæsar	1030 West Walnut street, Louisville, Ky	8.00	6.00
364110	Coyle, Perry B	Grip Rock, Ky	10.00	6.00
514289	Crader, Jacob	Burfordville, Mo	12.00	8.00
521140	Crane, Sewall H	Biddeford, Me	12.00	8.00
740317	Crabbs, Abraham	Greenwich, Ohio	8.00	6.00
206459	Crabtree, Joseph S	514 Robinson avenue, Portsmouth Ohio.	12.00	8.00
516479	Cranty, Michael	Lafayette, Tenn	12.00	8.00
466203	Crawford, Wm	Jerome, Ohio	12.00	10.00
583666	Crawford, Jacob N	Shanghai, W. Va	8.00	6.00
521747	Craw, Jacob	Owasco, N. Y	8.00	6.00
511877	Creamer, Andrew J	Agency, Iowa	8.00	6.00
517944	Crist, Samuel M	Felix, Pa	12.00	6.00
754654	Crissey, James W	Southington, Conn	8.00	6.00
394461	Cronk, Jarvis J	Sandusky, Ohio	12.00	10.00
685317	Croswhite, Jacob	Sturgeon, Mo	8.00	4.00
518583	Crozier, James	1129 Sixth street NW., Washington, D. C.	12.00	8.00
288673	Crozier, Wm. P	Bellaire, Ohio	10.00	8.00
508781	Crowley, B	Ionia, Mich	12.00	8.00
350903	Crowl, Merven	Peerless, Ohio	12.00	10.00
259957	Crum, Wilbur F	Liberty Center, Ohio	12.00	8.00
325898	Crum, John W	131 W. Spring st., Lima Ohio	12.00	10.00
829017	Crum, Luther	Camp Creek, Tenn	8.00	6.00
490154	Culberson, James L	Culberson, N. C	8.00	6.00
516488	Culver, Robert C	Papinsville, Mo	12.00	6.00
734841	Culver, John M	Hemlock Creek, N. J	8.00	6.00
697 54	Cummings, Chas. W	Box 915, Ithaca, N. Y	8.00	6.00
478782	Cummins, Geo. M	Mount Sterling, Ky	8.00	4.00
677578	Curtis, William H	Souderton, Pa	8.00	6.00
418407	Curtis, Edward L	Grand Island, Nebr	12.00	8.00
514877	Cushing, Henry F	Bridge st., N. Weymouth, Mass	12.00	8.00
661644	Cutler, Teromeo C	Brookfield, Mo	8.00	6.00
524346	Cutsinger, John	Shoals, Ind	12.00	6.00
508796	Dailey, Thomas	National Soldiers' Home, Va	12.00	8.00
508804	Dailey, John	Pardeeville, Wis	12.00	6.00
514338	Daly, William F	Peru, Ind	8.00	6.00
361097	Dana, Demoris	North Hammond, N. Y	6.00	2.00
509268	Dan Benmeyer, F	National Military Home, Ohio	12.00	6.00
515452	Danforth, Charles	Harrison, Ark	8.00	6.00
509916	Danks, John	Chadron, Nebr	12.00	6.00

Statement showing by laws and classes the certificate numbers, names, post-office addresses, former rates and present rates, of pensioners, etc.—Continued.

ACT OF JUNE 27, 1890—continued.

Certificate Nos.	Names.	Post-office address.	Rates.	
			For mer.	Present.
511883	Dare, Benjamin F	312 Lombard st., Oak Park, Ill.	$12.00	$6.00
391820	Darnall, James	Pratt, Kans	12.00	8.00
512928	Darling, Lewis	Ovid, N. Y	12.00	10.00
510150	Dasher, David	Mexico, Pa	8.00	6.00
599488	Dassett, William	Pincastle, Tenn	8.00	6.00
466205	Davy, James W	347 S. Salina st., Syracuse, N. Y.	10.00	6.00
507005	Davidson, William	74 Fulton st., Zanesville, Ohio	12.00	8.00
514929	Davenport, Henry	Toledo, Ohio	8.00	6.00
621384	Davenport, Benj	Bowling Green, Ky	8.00	6.00
537160	Davis, Henry C	Mattoon, Ill	8.00	6.00
619777	Davis, Lorenzo	129 Bassett st., Syracuse, N. Y.	8.00	6.00
507409	Davis, William	P. O. Box 372, Lake Crystal, Minn.	12.00	6.00
522238	Davis, Robert	100 N. Sciota st., Columbus, Ohio.	12.00	18.00
513624	Davis, John B	McClure, Ohio	12.00	8.00
510462	Davis, Morris	Flemingsburg, Ky	8.00	6.00
294372	Dawson, Thomas	St. Nicholas, Pa	12.00	8.00
518322	Dayton, Hiram	Sheboygan Falls, Wis	10.00	8.00
509915	Day, Joseph	Louisburg, Kans	12.00	8.00
514319	Day, Reason S	Linton, Ind	12.00	8.00
483083	Day, Charles H	Carrollton, Ky	12.00	8.00
515038	Dean, Mortimer	105 S. Main st., Adrian, Mich	12.00	6.00
626256	Dean, Peter	Butler, Ky	8.00	6.00
594667	Deckman, John D	Dublin, Md	12.00	6.00
844500	Decker, Aaron	Montezuma, N. Y	8.00	6.00
325797	Decker, David H	Union Grove, N. Y	6.00	4.00
207106	Defose, Chas. L	Worcester, Mass	10.00	6.00
511850	Degeare, Andrew C	Crystal City, Mo	8.00	6.00
663029	De Harrara, Jesus	Espanola, N. Mex	12.00	8.00
521166	Dellett, Daniel	Shamong, N. J	12.00	6.00
457237	Delany, John M	Modesto, Ill	10.00	4.00
646308	Demarest, Garret I	Schraalenburg, N. J	10.00	8.00
518621	De Moore, Levi	Millbury, Mass	10.00	8.00
515641	De Moss, Charles F	Cumberland, Md	12.00	8.00
770214	Denholm, David	Albuquerque, N. Mex	12.00	6.00
512271	Dennis, Alonzo	Findlay, Ohio	12.00	8.00
516955	Dennis, John	National Soldiers' Home, Togus, Me.	12.00	6.00
516956	Denning, Chas. A	Lake Mills, Wis	12.00	8.00
120816	Denny, William	39 Market Square, Norfolk, Va	12.00	8.00
276753	Densmore, Wm. H	Owego, N. Y	12.00	8.00
670811	Densmore, James	Olney, Ill	8.00	6.00
514933	Deremo, Earl	Sault Ste. Marie, Mich	12.00	6.00
523314	Derrick, John M	New Haven, Mich	12.00	8.00
562955	Desha, Washington	26 West 12th st., Covington, Ky	10.00	16.00
432114	Detrick, Andrew	Stewardson, Ill	12.00	8.00
580628	Detwiler, Samuel	Royersford, Pa	12.00	8.00
500508	Dettinger, Jacob	York, Pa	12.00	6.00
517967	Dethloff, Augustus	210 East Market street, Corning, N. Y.	12.00	8.00
527935	Devoe, John F. L	215 First street N. E., Washington, D. C.	12.00	8.00
514626	Deweese, Lemuel	Booneville, Ind	12.00	6.00
516947	Dewey, George I	Soldiers and Sailors' Home, Quincy, Ill.	12.00	8.00
701068	Dew, Thomas E	Nelsonville, Ohio	8.00	6.00
509613	Dexter, Andrew	157 Poplar st., Cincinnati, Ohio	12.00	8.00
518665	Dick, George W	Topeka, Kans	12.00	6.00
519465	Dickson, Roland	Fallen Timber, Pa	12.00	8.00
513263	Dickerson, Benj. F	Putney, S. Dak	12.00	8.00
514328	Diederick, Frank	North Ridgeville, Ohio	8.00	6.00
347455	Diefenback, Fred	Dearborn, Mo	6.00	4.00
511515	Diffendaffer, Wm	Somerset, Ind	12.00	6.00
525432	Dimmick, Joseph	821 First st. NE., Washington, D. C.	8.00	6.00
517676	Disbro, John	Newville, Ohio	12.00	6.00
514332	Dison, Isaac	Circleville, Ohio	12.00	6.00
550631	Dishon, Henry	Athens, Ky	12.00	8.00
513021	Diven, Andrew T	Newville, Pa	12.00	8.00
515628	Dixon, James P	1132 Ohio street, Quincy, Ill	12.00	6.00
324121	Dobson, Spain	Lexa, Ark	10.00	6.00
511887	Dodds, James A	St. Joe, Pa	12.00	6.00
513623	Dodd, Jacob	Batavia, Ill	12.00	8.00
665012	Dodgion, John	Louisville, Kans	8.00	6.00
511889	Donnehower, Levi L	Suplee, Pa	12.00	8.00
516537	Donlon, Patrick	Hornellsville, N. Y	12.00	8.00
518914	Donahoe, Hugh	26 Central Park, Rochester, N. Y.	12.00	8.00
784984	Downey, Marion P	St. Paris, Ohio	8.00	6.00
365690	Doniphan, Lan	Poplar Plains, Ky	8.00	6.00
667414	Doman, Josiah	Millington, Md	10.00	8.00
527576	Dorsey, Abraham	Anacostia, D. C	12.00	6.00
522317	Doty, William	Lincoln, Kans	12.00	8.00
519272	Dorr, John H	131 Beacon avenue, Providence, R. I.	8.00	6.00
557470	Downing, Robert R	Hall Town, Mo	12.00	18.00
348801	Dowell, Geo. W	Eldorado Springs, Mo	12.00	0.00
525920	Downey, Daniel	Emporium, Pa	12.00	6.00
750634	Doxtader, Henry O	Stratford, N. Y	8.00	6.00
513271	Doyle, James	Joliet, Ill	12.00	6.00
245578	Dragoon, Joseph H	Keeseville, N. Y	8.00	4.00
727767	Drayer, Edward	Ithaca, Mich	8.00	6.00
515861	Draper, Grafton	Oklahoma City, Okla	12.00	6.00
520420	Draper, Francis A	Hamburg, Mich	12.00	6.00
331598	Drewoy, Merit	Versailles, Ky	8.00	4.00
513245	Dreyer, Charles	344 Everett street, Kansas City, Kans.	12.00	6.00
517071	Drousseut, Alex	Hamilton, Ill	12.00	8.00
663350	Dry, Jacob	Dover, Okla	8.00	6.00
524388	Duffy, Patrick	1701 Riggs street NW., Washington, D. C.	12.00	6.00

Statement showing by laws and classes the certificate numbers, names, post-office addresses, former rates and present rates, of pensioners, etc.—Continued.

ACT OF JUNE 27, 1890—continued.

Certificate Nos.	Names.	Post-office address.	Rates.	
			For mer.	Present.
512924	Duffy, Francis W	National Soldiers' Home, Virginia.	$12.00	$8.00
557477	Dugger, James A	Toronto, Ind	12.00	6.00
655501	Dunaway, James L	Dowling, Ark	8.00	6.00
242974	Dundan, Benj. F	Lakin, Kan	10.00	6.00
550532	Duncan, Samuel	Metropolis, Ill	12.00	8.00
537716	Duncan, Evans	Bevier, Ky	12.00	6.00
512913	Dunlap, John L	Sedalia, Mo	12.00	6.00
508798	Dunham, Samuel	Indianapolis, Ind	12.00	8.00
302833	Dunn, Andrew W	Ellenwood, Kans	12.00	8.00
510456	Dunn, Hiram	Canastota, N. Y	12.00	8.00
509273	Durand, William L	Mount Holly, N. J	10.00	8.00
600663	Deeren, Alex. M	Fairmount, Ind	8.00	6.00
727760	Durfee, Albert C	Crompton, R. I	8.00	6.00
515637	Durham, Henry	Schochoh, Ky	12.00	6.00
593655	Dwyer, Franklin	Spencer, Mass	8.00	6.00
509645	Dyas, William	34 Louisa street, Utica, N. Y.	12.00	8.00
518648	Eaby, Henry B	Wooster, Ohio	12.00	8.00
509272	Eads, Wm., sr	Royalton, Ky	12.00	8.00
522798	Eagle, Thomas J	Yates Center, Kans	12.00	6.00
331128	Earley, Sanford	Mount Gilead, Ohio	8.00	6.00
830905	Earhart, Martin L	410 West Fifteenth street, Kansas City, Mo.	12.00	6.00
274909	East, Thomas B	Marsnfield, Mo	8.00	6.00
553672	Easton, John	Pomonkey, Md	12.00	6.00
407739	Eaton, Henry M	40 Newbury street, West Somerville, Mass.	12.00	8.00
532905	Eaton, John B	Athens, Ohio	8.00	6.00
512943	Eatinger, Richard	312 Southwest Fifth street, Des Moines, Iowa.	12.00	8.00
628767	Ebaugh, William H	625 Third avenue, Hampden Annex, Baltimore, Md.	8.00	6.00
514350	Ebner, John	Indianapolis, Ind	12.00	8.00
249789	Eckar, Samuel	Beach Haven, Pa	8.00	6.00
747245	Echard, William H	Paulding, Ohio	10.00	6.90
524826	Eden, Austin	Rover, Ark	12.00	6.00
521183	Edgecomb, Robt. M	Mapleton, Mich	12.00	8.00
842048	Edminds, Osborn	Sparta, Ky	12.00	6.00
509045	Edrington, Burl	Linneus, Mo	12.00	6.00
526748	Edson, Robert S	Togus, Me	12.00	8.00
515454	Emery, Edward	South Bend, Ind	12.00	8.00
514359	Edwards, James A	Apponaug, R. I	12.00	8.00
257189	Edwards, George W	Dover, N. J	6.00	4.00
320527	Edwards, Abner	Soldiers and Sailors' Home, Quincy, Ill.	8.00	6.00
820239	Eggenberg, Samson	Limestone, N. Y	8.00	6.00
654186	Eldson, Robert D	Mocks Creek, Mo	10.00	6.00
514360	Eifert, Henry	Springfield, Mo	8.00	6.00
512277	Eisenhower, Robert	Centerville, Mich	12.00	8.00
57606	Elbert, Joseph	523 East Eleventh street, New York City.	6.00	4.00
620506	Eldridge, Christopher.	Cuylerville, N. Y	8.00	6.00
650151	Eldridge, James	Witts Foundry, Tenn	8.00	6.00
558903	Eley, William H	Suffolk, Va	12.00	10.00
521586	Ellis, Willis S	721 Erie street, Elmira, N. Y.	10.00	6.00
325397	Ellis, Isaac	Columbia, Mo	8.00	6.00
513652	Ellis, Ebenezer	Spring st., Fairhaven, Mass	12.00	6.00
513650	Ellis, Benjamin F	De Pue, Ill	8.00	6.00
516983	Elliott, Winthrop F	Hancock st., Stoneham, Mass	12.00	6.00
692932	Elliott, John W	Volcano, W. Va	10.00	8.00
514358	Elsbree, Irving A	National Soldiers' Home, Togus, Me.	12.00	8.00
513647	Elsworth, Hiram	Epsilon, Mich	12.00	6.00
563347	Emge, Adam	Dunlap, Iowa	12.00	6.00
510464	Emery, Thomas P	Frankfort, Pa	12.00	10.00
510862	Emert, George H	Pleasant Hill, Ill	12.00	8.00
194152	Embrey, Virgil R	Chandler, Okla	8.00	6.00
523327	Emmons, James H	Wilmington, Ohio	12.00	6.00
514960	English, James D	West Newell, Ill	12.00	8.00
274803	English, William W	Wellsboro, Pa	12.00	6.00
516976	Epley, James M	Calhoun, Ky	12.00	6.00
105938	Erdman, Sinary	Erdman, Pa	8.00	6.00
480121	Erskine, Henry A	Winfield, W. Va	8.00	6.00
511207	Erskine, James W	Dayton, Ky	8.00	4.00
510863	Errthum, Michael	Pin Oak, Iowa	8.00	6.00
797651	Esquibel, Jose S	Las Vegas, N. Mex	12.00	8.00
806178	Esser, Harman	378 Atlantic ave., Brooklyn, N. Y.	8.00	6.00
668538	Estep, John W	Catawba, Ohio	10.00	6.00
508301	Estinghausen, Lewis F.	113 Public Square, Cleveland, Ohio.	12.00	6.00
679127	Evans, Samuel B	Humansville, Mo	8.00	6.00
521584	Evans, Joshua	Lyndon, Kans	12.00	8.00
760960	Evans, James H	Earlieville, Iowa	12.00	6.00
516542	Evans, Thomas H	Sorento, Ill	12.00	8.00
628761	Everly, Martin	931 South Front street, Columbus, Ohio.	8.00	6.00
674081	Everett, Wm. H. H	East Las Vegas, N. Mex	8.00	6.00
517683	Everson, Charles F	Burlington, Pa	12.00	8.00
514948	Evritt, John	Hill Grove, Ind	12.00	6.00
411908	Evan, Samuel	54 Worth street, Station C, Cincinnati, Ohio.	8.00	6.00
681498	Ewers, Thomas G	Fredericktown, Ohio	8.00	6.00
694619	Ewers, George W	Chetopa, Kans	12.00	6.00
713555	Eyrich, John S	Reading, Pa	8.00	6.00
799025	Fairchild, Geo. L	Hartford, Conn	8.00	6.00
527500	Fanning, Lucius M	Westport, Conn	12.00	6.00
316066	Furma, Fred	Friesland, Mich	12.00	6.00
516568	Farmer, Patrick H	1619 Baymiller street, Cincinnati, Ohio.	8.00	6.00
517983	Farver, Geo	Berwick, Pa	12.00	6.00

Statement showing by laws and classes the certificate numbers, names, post-office addresses, former rates and present rates, of pensioners, etc.—Continued.

ACT OF JUNE 27, 1890—continued.

Certificate Nos.	Names.	Post-office address.	Rates. Former.	Rates. Present.
522805	Farly, Patrick	163 Fifteenth street, Wheeling, W. Va.	$8.00	$6.00
782955	Farrington, J. U	Rockland, Md	8.00	6.00
708854	Faust, William	Dixon, Ill	12.00	8.00
576805	Fecker, Andrew	Goldsboro, Md	8.00	4.00
517992	Feighner, Solomon	Shelby, Ohio	12.00	6.00
789895	Fell, William J	Jacksonville Ill	8.00	6.00
513678	Felton, John M	Warrens, Wis	12.00	8.00
521974	Fenton, John A	Crawfordsville, Ind	8.00	6.00
150318	Finger, David	Reading Center, N. Y	8.00	6.00
517996	Ferguson, James B	Soldiers' Home, Bath, N. Y	12.00	6.00
521966	Ferguson, Henry	1033 Fourteenth street, Louisville, Ky.	12.00	8.00
230707	Feth, Joseph	Jeffriesburg, Mo	8.00	4.00
288680	Fetrow, Andrew J	Chili, Ind	10.00	8.00
307442	Few, William	Mowrystown, Ohio	12.00	8.00
520453	Fields, Benjamin	Frankfort, Ky		
511905	Fifield, Jehiel	Sheridan, Mich	8.00	6.00
462387	Finney, George H	South Webster, Ohio	12.00	8.00
513669	Ferman, Moses E	Deshler, Ohio	12.00	8.00
297372	Fish, Daniel	New Rochester, Ohio	8.00	4.00
515942	Fisher, George	341½ South Fourteenth street, Harrisburg, Pa.	12.00	8.00
699776	Fisher, George A	Kempton, N. Dak	10.00	6.00
513671	Fisher, Joseph C	Lagrange, Ill	12.00	8.00
600766	Fisher, Abner E	Robinson, Kans	12.00	6.00
508004	Fisher, Miles	510 Hamilton avenue, Battle Creek, Mich.	12.00	6.00
513659	Fisk, George W	Room 24 Block Clinton, Columbus, Ohio.	12.00	6.00
305564	Fister, Peter	Glen Richey, Pa	12.00	10.00
511217	Fitzgerald, James	National Military Home, Ohio	12.00	8.00
457256	Fitzgerald, Daniel	Lot 3, Kildare Cape, Prince Edward Island.	12.00	10.00
519807	Fitzgerald, Edward	Stanwood, Mich	12.00	6.00
407547	Fitzsimmons, Henry.	301 Gloucester street, Ottawa, Canada.	12.00	8.00
631732	Fleming, Samuel L	Hopkins, Mo	12.00	8.00
525477	Fleetwood, Solomon	Medora, Ind	12.00	6.00
324654	Fletcher, Daniel D	Daysville, N. Y	10.00	8.00
516988	Fletcher, Foxwell	Bancroft, Nebr	12.00	8.00
718489	Flood, Thomas	Cleveland, Ohio	8.00	6.00
516996	Flory, Henry G	Pecatonica, Ill	12.00	8.00
664385	Flora, John	Cloud, Ky	8.00	6.00
673521	Flynn, Dennis	Lyons, N. Y	10.00	8.00
521591	Foahl, Ephraim	271 Navarre st., Canton, Ohio	12.00	6.00
725985	Ford, Alden	20 Dana Place, Roxbury, Mass	10.00	6.00
711075	Ford, Daniel N	Onset, Mass	8.00	6.00
519796	Folckemmer, L	Indianapolis, Ind	12.00	8.00
511530	Foltz, Michael	New Bloomfield, Pa	12.00	6.00
517990	Ford, John A	Pierpont, Ohio	12.00	10.00
468135	Ford, David J	New Egypt, N. J	10.00	6.00
363243	Forbes, Robert	Princess Anne, Va	12.00	8.00
610507	Force, Geo. S	45 Washington street, Hoboken, N. J.	8.00	6.00
516980	Forrest, Geo	National Military Home, Togus, Me.	12.00	10.00
509049	Forney, John M	Upper Strasburg, Pa	10.00	6.00
524414	Fortney, Wm. F	Eglon, W. Va	10.00	8.00
517999	Foulks, Peter V	13 Hand avenue, Binghamton, N. Y.	12.00	6.00
804295	Foutch, John	Boyd, Ill	8.00	6.00
516997	Fouts, Thomas	Howard City, Mich	12.00	6.00
292372	Fovargue, Creasey, jr.	State Soldiers' Home, Ohio	6.00	4.00
303117	Fowler, John	Camden, Ohio	8.00	4.00
512945	Fox, Cyrus A. B	Sioux Falls, S. Dak	12.00	6.00
526359	Fox, Chris	National Military Home, Wisconsin.	12.00	8.00
779133	Foxall, David	112 George street, Cincinnati, Ohio.	8.00	6.00
515937	Fox, James K. P	Canastota, N. Y	12.00	8.00
246850	Fox, Charles	Easton, Pa	10.00	8.00
513677	Fraley, James H	White Hall, Ill	12.00	6.00
511224	Francis, Geo. W., jr.	708 A street NE., Washington, D. C.	12.00	10.00
789881	Francis, Henry	Bowers Hill, Va	12.00	6.00
530586	Francis, Chas. L	104 Irving st., Syracuse, N. Y.	8.00	6.00
505533	Francis, Robert	Delmar, Pa	12.00	8.00
511532	Frank, Samuel	Brookville, Pa	12.00	10.00
506603	Frank, William	Miamisburg, Ohio	12.00	6.00
657780	Franklin, Burton B	Tioga Center, N. Y	8.00	6.00
630676	Franklin, James H	1411 Lemon alley, Baltimore, Md.	8.00	6.00
522807	Frasch, George	606 South Front street, Philadelphia, Pa.	12.00	10.00
517994	Frazier, Frank	Dycusburg, Ky	12.00	6.00
414806	Frantz, Jacob	Holgate, Ohio	10.00	8.00
405323	Frantz, James A	New London, Minn	12.00	8.00
526357	Frazar, Philip	New Carlisle, Ind	12.00	6.00
787706	Frederick, Edward	319 N. Tenth st., Reading Pa	8.00	6.00
514985	Freet, Oliver	Wrightsville, Pa	12.00	8.00
509276	Freeman, Wm. A	Greenfield, Ohio	12.00	6.00
514367	French, Anslo	906 Bowery st., Akron, Ohio	12.00	8.00
482778	Frese, Rudolph	511 Race st., Cincinnati, Ohio	12.00	8.00
527197	Fries, Constantin	Houston, Ohio	12.00	8.00
512951	Fritz, Charles	Evansville, Ind	12.00	8.00
514373	Froehlich, Henry E	Easton, Pa	12.00	8.00
515655	Froelich, Jacob	Seatonville, Ill	12.00	8.00
523345	Fryman, Stephen	Noble, Ill	12.00	6.00
711065	Fuller, Lucius M	South Middleboro, Mass	8.00	6.00
528952	Funk, Henry	Ebensburg, Pa	12.00	8.00
511918	Funk, William P	Berlin, Wis	12.00	8.00

Statement showing by laws and classes the certificate numbers, names, post-office addresses, former rates and present rates, of pensioners, etc.—Continued.

ACT OF JUNE 27, 1890—continued.

Certificate Nos.	Names.	Post-office address.	Rates. Former.	Rates. Present.
124961	Funk, Frederick	108 Buckeye street, Cincinnati, Ohio.	$10.00	$8.00
433513	Furnish, Lewis E	Vevay, Ind	12.00	8.00
516579	Gallear, Thomas	National Military Home, Ohio.	12.00	8.00
761410	Galligher, Philip H	Houston, Tex	10.00	6.00
525978	Gamble, Harvey	Cantril, Iowa	12.00	6.00
521219	Gamble, Robert	Leechburg, Pa	12.00	6.00
510190	Gandern, Austin F	Grand Rapids, Mich	8.00	6.00
485611	Gant, Nelson	53 Stoneman street, Cleveland, Ohio.	8.00	6.00
738497	Garrabrant, Isaac	Hamilton, N. J	8.00	6.00
317766	Garrison, William A	West Alexander, Pa	8.00	6.00
452503	Garrety, Edward A	York, Pa	8.00	6.00
782247	Garrison, Eli	Millville, N. J	8.00	6.00
519489	Garrett, Silas A	Vinal Haven, Me	12.00	6.00
520156	Garner, Tyler	Knoxville, Tenn	12.00	8.00
510485	Gassett, James	Millers, Ohio	12.00	6.00
358024	Gaskins, John E	Pungoteague, Va	8.00	6.00
667477	Gaspard, Arthur	376½ Customhouse street, New Orleans, La.	8.00	6.00
531244	Gay, William J	Girard, Ill	10.00	6.00
567773	Gaynor, Thomas S	National Military Home, Ohio.	12.00	8.00
259174	Gear, Edward	Covert, Mich	12.00	8.00
173122	Gearhart, Jacob	Lebanon, Pa	12.00	6.00
515662	Gearhart, John N	Urbanna, Ohio	12.00	8.00
604593	Geib, Philip	Canal Dover, Ohio	8.00	6.00
518011	George, Lorenzo	National Military Home, Ohio.	12.00	6.00
521607	George, Edward	Meridian Hill, District of Columbia.	12.00	8.00
274661	Gibbany, Wm. A	Stanberry, Mo	10.00	4.00
292379	Gibbons, William	Natick, Mass	12.00	10.00
512306	Gibney, Patrick	Ann Arbor, Mich	12.00	8.00
521988	Gibbs, Pleasant	180 East Third street, Lexington, Ky.	8.00	6.00
521223	Gibson, William	Yeargertown, Pa	12.00	8.00
521991	Gibson, William	Chester, Ill	12.00	8.00
511231	Gibson, Henry	Middle Branch, Ohio	12.00	6.00
684051	Gibson, Henry C	Worthsville, Ky	12.00	6.00
523352	Gibson, Oden	Orlando, Ky	12.00	8.00
554457	Giddings, Henry E	National Military Home, Wis.	12.00	6.00
513293	Gifford, Julius E	Burlington, Mich	12.00	8.00
515664	Gilchrist, John F	Des Moines, Iowa	12.00	6.00
517377	Gilman, A. J	Lewiston, Me	12.00	8.00
481759	Gill, James D	Campbellsburg, Ky	12.00	8.00
576153	Gill, Emory W	Princeton, Mass	8.00	6.00
440159	Gilmore, John T	League, W. Va	12.00	8.00
440779	Gilpin, William J	Marietta, Ohio	8.00	6.00
490842	Gilreath, Manson H	Hendersonville, N. C	6.00	2.00
515007	Gilbert, John W	Osage Mission, Kansas	12.00	6.00
574198	Gilbert, Michael	Havre de Grace, Md	8.00	6.00
553716	Gilbert, Clifton	Richmond, Ky	8.00	8.00
509294	Gillaspie, Thomas J	Chillicothe, Mo	12.00	6.00
636800	Gillespie, Robert J	Gillespie, Iowa	8.00	6.00
55668	Gilmore, Henry H	Cosmopolis, Wash	6.00	4.00
519485	Gingrich, Simon	Pitt, Kans	12.00	6.00
523958	Ginnin, Charles	Pettis, Pa	8.00	6.00
341240	Gleason, Enos	Pictoria, Ohio	12.00	8.00
515672	Gloshen, Frederick	Mercer, Mo	12.00	8.00
515950	Gobbel, Isaac H	Waynesboro, Tenn	12.00	6.00
514994	Goddard, Levi S	Harvey, Ill	12.00	6.00
522345	Godfred, Louis	Grape, Mich	12.00	6.00
514418	Golden, Charles H	Birley, Kans	12.00	10.00
518342	Goldsmith, Charles	Alpine, Mich	12.00	8.00
603472	Gonyea, Antoine	140 Eagle st., North Adams, Mass.	8.00	4.00
521986	Goodman, Isaac	Orestes, Ind	8.00	6.00
512956	Goodman, Charles	Indianapolis, Ind	12.00	6.00
516570	Goodwin, Archibald	Girard, Kans	12.00	8.00
520154	Gore, Joseph	Elizabethtown, Ky	12.00	6.00
798697	Gore, John	163 Main st., Johnstown, Pa	8.00	6.00
524438	Gorley, Alfred M	Uniontown, Pa	8.00	6.00
521241	Gordon, Thomas H	Wardsboro, Vt	12.00	8.00
509084	Gordon, Jos	National Soldiers' Home, Va	12.00	8.00
514417	Gott, John R	Farlinville, Kans	8.00	6.00
307291	Goubleman, Ed. J	Wilson, Kans	12.00	6.00
507878	Gourley, Lafayette	Frazeysburg, Ohio	12.00	8.00
687951	Gould, Isaiah J	Harmony, Ark	8.00	6.00
558168	Gore, Alphonso M	35 Myrtle st., Taunton, Mass	8.00	6.00
600819	Govan, Frank	Little Rock, Ark	8.00	6.00
512962	Grace, James R	Everton, Mo	8.00	6.00
558952	Graf, Philip, jr	127 Third street, Utica, N. Y	8.00	6.00
549965	Graham, Francis M	Patriot, Ind	12.00	8.00
518634	Graham, Samuel	Harrisburg, Pa	12.00	8.00
504457	Graham, Jas. G	3319 Kensington ave., Philadelphia, Pa.	8.00	6.00
572781	Graham, Timothy	Springfield, Ohio	12.00	8.00
700687	Grant, Frank D	290 Bellevue avenue, Detroit, Mich.	10.00	8.00
507876	Grant, Lewis J	907 Twentieth street, Washington, D. C.	12.00	8.00
518013	Granger, James	Middletown Springs, Vt	12.00	6.00
523951	Grassley, Charles	Greenfield, Ohio	12.00	6.00
565475	Grassle, Chas. F	521 Jefferson street, Philadelphia, Pa.	8.00	6.00
511233	Grau, Louis	207 East Seventy-third street, New York City.	12.00	8.00
480739	Graves, Geo. W	Washington, Ohio	12.00	8.00
591536	Graves, Joel	Lancaster, Mo	12.00	8.00
507635	Gray, Robert	Ebenezer, Tenn	12.00	8.00
516260	Gray, Thaddeus A	Hastings, Nebr	12.00	8.00

Statement showing by laws and classes the certificate numbers, names, post-office addresses, former rates and present rates, of pensioners, etc.—Continued.

ACT OF JUNE 27, 1890—continued.

Certificate Nos.	Names.	Post-office address.	Rates. Former.	Rates. Present.
696743	Gray, Ludwig	Long Branch, N. J	$8.00	$6.00
132255	Greer, Ritchie	183 West Eighty-eighth street, New York City.	8.00	4.00
516263	Greer, Lewis	469 Patton avenue, Germantown, Pa.	8.00	6.00
275491	Gregory, Philip	National Soldiers' Home, Togus, Me.	8.00	6.00
523973	Greiner, John	Grand Junction, Iowa	12.00	6.00
595753	Green, Chance	Frogmore, S. C	8.00	6.00
518010	Green, Luther	Freehold, N. J	12.00	8.00
641276	Greene, Columbus	South Sodus, N. Y	8.00	6.00
521226	Green, Joseph G	Owego, N. Y	12.00	6.00
530625	Green, Richard	Herndon, Mo	8.00	6.00
515660	Green, George	Farmington, Mo	12.00	8.00
720594	Grennen, James J	2806 Dithgen street, Philadelphia, Pa.	8.00	6.00
630717	Gresser, Ignatz	Allentown, Pa	8.00	6.00
524907	Gretten, Michael	Gilbert Station, Iowa	12.00	6.00
677124	Grey, Harvey	227 Main st., Cincinnati, Ohio.	8.00	6.00
524432	Gridley, Albert L	Ridder, Mo	12.00	6.00
766020	Griffith, William D	120 West First avenue, Columbus, Ohio.	8.00	6.00
513686	Griffith, Eli C	Tipton, Ind	12.00	6.00
669179	Griffith, Ezra	Edwards, Mo	8.00	6.00
496853	Griffin, John	Crawfordsville, Ind	8.00	6.00
514392	Griffin, Daniel W	Thompsonville, Conn	12.00	10.00
512308	Grim, Rufus	Dallastown, Pa	10.00	6.00
791638	Grim, Amos	Warrenton, Va	8.00	6.00
590805	Grimes, David	Gist, Md	8.00	6.00
508309	Grimon, Nicholas	National Military Home, Ohio	12.00	6.00
600805	Griswold, James	Marthasville, Mo	8.00	6.00
496156	Gross, Andrew	2311 N. Ninth st., St. Louis, Mo.	6.00	4.00
323662	Groves, John	Brownstown, Ill	8.00	6.00
522354	Groves, Charles H	Brownsdale, Pa	12.00	8.00
682352	Grubb, Franklin B	Burris Mills, Tenn	10.00	6.00
511557	Grubb, Adam D	Dix, Nebr	12.00	6.00
508821	Guley, John M	Columbus, Ind	12.00	8.00
514404	Gulliher, Jason D	Monmouth, Ill	12.00	8.00
517702	Gust, Henry	Beardstown, Ill	12.00	8.00
512055	Gustin, George W	Assumption, Ill	10.00	8.00
632931	Guth, Pharon H	922 Walnut st., Allentown, Pa.	6.00	4.00
511564	Haas, Cyrus	Rensselaer, Ind	10.00	6.00
394655	Hacker, Alfred	High Knob, Ky	12.00	8.00
515674	Hagerty, Patrick	17 Glen st., Worcester, Mass.	12.00	6.00
511959	Haggerty, John	Nation'l Military Home, Ohio.	10.00	6.00
556225	Hagan, Lawrence	Marshall, N. C	12.00	6.00
392739	Haines, John A	Stockton, Mo	12.00	8.00
556231	Haight, Taylor	DeWittville, N. Y	8.00	6.00
398465	Hainer, George	Middlesex, N. Y	12.00	8.00
515992	Hall, Alexander S	Cape Girardeau, Mo	12.00	6.00
550040	Hall, William M. J	Sweet Springs, Mo	8.00	6.00
635123	Hall, Edwin	Dover, N. J	8.00	5.00
812492	Hall, Wright	Marydell, Md	8.00	6.00
510525	Hall, Seymour N	Burlington, Mich	12.00	6.00
614046	Hall, Ephraim H	1415 Cass st., Omaha, Nebr	8.00	6.00
514454	Hall, Alva H	Marietta, Iowa	12.00	6.00
512968	Hall, William N	Woodburn, Iowa	8.00	6.00
524012	Halter, Edward	Spencerville, Ohio	12.00	8.00
515979	Hale, Morgan	Cleveland, Ohio	12.00	8.00
387419	Hallett, William	St. Catharine, Ontario, Canada.	12.00	10.00
526413	Haley, John B	Linton, Tenn	8.00	4.00
290407	Ham, Milan	Knoxville, Pa	12.00	8.00
731328	Hamel, Augustin	107 Twenty-fifth st., Troy, N. Y.	10.00	6.00
636876	Hampton, S. L	Phœnixville, Pa	10.00	8.00
530090	Hammontree, James	St. Charles, Ky	10.00	6.00
620589	Hammond, Joseph	Bridgeport, Conn	8.00	6.00
571249	Hamilton, Oliver P	Pecksburg, Ind	8.00	6.00
520176	Hamilton, Alex	Togus, Me	12.00	8.00
517707	Hausman, Conrad	Paola, Kans	12.00	8.00
704129	Haney, Thomas	2633 Sewell street, Philadelphia, Pa.	8.00	6.00
726071	Hand, Miles	Mount Pleasant, Pa	8.00	6.00
521245	Hanes, Henry	Bloomfield, Ind	12.00	6.00
517039	Hanke, Constantin	National Soldiers' Home, Va.	12.00	8.00
513306	Hanson, Hamer H	Murphysboro, Ill	12.00	8.00
444695	Hanna, Calvin	Satillo, Tenn	12.00	6.00
516269	Hanna, Daniel M	McKeesport, Pa	12.00	6.00
513722	Hansel, Charles	Bybee, Tenn	12.00	8.00
716540	Happle, John B	Strodes Mills, Pa	8.00	6.00
513732	Harger, Isaac S	Brazil, Ind	8.00	6.00
206365	Harker, John	Barnes, Kans	8.00	4.00
576840	Harland, William	Jackson, Mich	12.00	6.00
511587	Harmon, Charles S	702 Fourth st., Towanda, Pa	12.00	8.00
515677	Harp, Abram	Sidney, Ohio	12.00	8.00
588426	Harper, William R	West View, Ky	12.00	8.00
507888	Harding, Nathaniel	Freeport, Ohio	8.00	6.00
520783	Hardison, John P	National Military Home, Ohio	12.00	8.00
598725	Harden, David	118 East Greene street, Louisville, Ky.	8.00	6.00
496168	Harden, Powell	Port Allen, La	8.00	4.00
748820	Hardy, Emory G	Painesville, Ohio	8.00	6.00
537269	Hardy, Hezekiah	Venetia, Pa	12.00	8.00
510927	Hardcastle, Ben F	Chandler, Okla	12.00	8.00
571282	Hartman, Jacob H	Durlach, Pa	12.00	6.00
556224	Harrell, Mills	Harrellsville, N. C	8.00	6.00
516608	Harris, Henry	National Military Home, Ohio	12.00	10.00
94464	Harris, Thos. J., jr.	315 South Durham street, Baltimore, Md.	6.00	4.00
505407	Harrington, John	Monticello, Iowa	12.00	8.00
673174	Harris, John J	Silverton, Mo	8.00	6.00
824470	Harris, Wm. J	Gloucester, Mass	8.00	6.00
668604	Harrison, Henry	391 Chapel st., Norfolk, Va	8.00	6.00

Statement showing by laws and classes the certificate numbers, names, post-office addresses, former rates and present rates, of pensioners, etc.—Continued.

ACT OF JUNE 27, 1890—continued.

Certificate Nos.	Names.	Post-office address.	Rates. Former.	Rates. Present.
260103	Hartsock, James F	Xenia, Ohio	$12.00	$6.00
524462	Hartlevan, Aug. V	1015 Fourteenth street NW., Washington, D. C.	12.00	6.00
513322	Hart, Franklin J	1282 Cameron street, Harrisburg, Pa.	12.00	8.00
512316	Hart, Israel	Saxton, Pa	$12.00	$6.00
512978	Hart, Aaron	Monticello, Ill	12.00	8.00
512177	Hart, Lewis J	Van Buren, Ark	12.00	8.00
510398	Harvey, Joel R	6337 Madison ave., Chicago, Ill.	12.00	6.00
674805	Haskins, Iverson	2108 Eighth street NW., Washington, D. C.	8.00	6.00
728709	Haskell, William A	Moodus, Conn	8.00	6.00
611941	Hasinplug, Henry	Riga, Mich	8.00	6.00
821086	Haskins, James E	North Dighton, Mass	8.00	6.00
515995	Haskins, Henry F	Fairhaven, Mass	12.00	6.00
604630	Hastings, Edwd. M	Detroit, Mich	10.00	6.00
512991	Hassenplug, Joseph	Milroy, Pa	12.00	6.00
659424	Hatter, Louis	Lancaster, N. Y	8.00	6.00
524963	Hatter, Philip	Lancaster, Pa	12.00	8.00
594883	Hatfield, Calvary M	National Military Home, Ohio	12.00	6.00
511952	Haver, Charles M	South Bend, Ind	12.00	6.00
522004	Haverfield, Joseph H	Burlingame, Kans	8.00	6.00
525504	Haverfield, N. B	Cadiz, Ohio	12.00	8.00
744892	Hawkinbury, T. F	Farmington, W. Va	8.00	6.00
661774	Hawkins, Leroy H	Selbyville, W. Va	8.00	6.00
293759	Hawley, Hanford H	Perry, Mich	12.00	8.00
324767	Hawley, Stephen L	Union City, Mich	12.00	8.00
161996	Hawley, Eugene F	Togus, Me	6.00	2.00
511943	Haynes, Moses	Forest City, Mo	12.00	8.00
518362	Hay, Ephriam	Defiance, Ohio	10.00	6.00
845440	Hayden, Lewis	Lebanon, Ky	6.00	2.00
521996	Hayner, Henry C	Creston, Iowa	8.00	6.00
518041	Hazel, Essex	Booneville, Ind	12.00	8.00
521244	Hazzel, Peter	Salem, Ark	12.00	8.00
524010	Hazard, George R	609 Nineteenth street NW., Sioux City, Iowa.	8.00	6.00
525511	Hearon, John W	Argentine, Kans	12.00	8.00
697411	Hearn, John G	Orrick, Mo	8.00	6.00
155762	Heath, Joseph H	539 East Jefferson st., Little Falls, N. Y.	12.00	8.50
528544	Heckmann, Christian.	336 E. Eighth st, New York	12.00	6.00
512560	Heck, Jonathan C	Reading, Pa	8.00	6.00
423551	Hecox, Charles B	Clyde, N. Y	8.00	6.00
515058	Heenan, James	99 Lincoln st., Brighton, Mass.	12.00	6.00
521623	Heggie, Lyman E	Ulysses, Pa	12.00	8.00
508838	Heil, Charles P	123 Pike st., Covington, Ky	12.00	6.00
539761	Helm, John W	Creelsboro, Ky	12.00	8.00
849461	Hennessy, Joseph	Brooklyn, N. Y	8.00	6.00
524467	Henson, Henry H	Neptune, Ohio	12.00	6.00
513739	Hensinger, Charles	Emaus, Pa	12.00	8.00
515685	Henderson, John H	Terra Haute, Ind	12.00	8.00
762006	Henry Aaron	Soldiers' Home, Bath, N. Y	8.00	6.00
316770	Henry, Benjamin	Quincy, Ill	10.00	6.00
283666	Herman, Alex. F	Bainbridge, Ohio	12.00	6.00
555011	Herr, Benj. F	Paradise, Pa	8.00	6.00
580714	Herndon, Joseph	Nixa, Mo	8.00	6.00
758352	Hersey, Henry F	Hingham, Mass	8.00	6.00
85400	Herbert, Dan'l	Portsmouth, Va	12.00	10.00
525533	Hershiser, Jacob	Shelby, Ohio	8.00	6.00
505406	Hester, Owen	Chicago, Ill	12.00	6.00
683423	Hess, Francis	Dunmore, Pa	10.00	6.00
514433	Hess, Javan	Berlin, W. Va	8.00	6.00
521667	Hess, Isaac C	Marshall, Ill	12.00	8.00
696250	Heustis, Stephen W	8 Sycamore street, Cincinnati, Ohio.	8.00	6.00
510911	Hiatt, Rich'd	Winfield, W. Va	12.00	8.00
521261	Hickey, Thomas	385 Central street, Manchester, N. H.	12.00	6.00
588966	Hickey, David alias Moreton, David Henry.	Sidney, Nova Scotia	12.00	8.00
610176	Hickey, John	Clio, Mich	8.00	6.00
331966	Hicks, James F	Bull Run, Tenn	8.00	6.00
522886	Higbee, Albert S	Hammond, Kans	12.00	6.00
522876	High, Jacob	Pughtown, Pa	12.00	6.00
513702	Hight, Frank	Logansport, Ind	10.00	6.00
513312	Hildebrant, Frederick E.	Muncie, Ind	10.00	6.00
508698	Heilbig, George	Coalton, Ohio	10.00	6.00
594860	Hilt, Michael	Bloomington, Ill	8.00	6.00
710052	Hilbert, Solomon	1227 N. Tenth st., Reading, Pa.	10.00	8.00
522373	Hill, William A	Malden, Ill	12.00	8.00
539248	Hill, Wm	Milestone, Md	10.00	8.00
518356	Hill, John	Port Huron, Mich	12.00	8.00
397081	Hill, John	Fayette, Mo	6.00	4.00
536479	Hill, Michael R	Wauseon, Ohio	10.00	6.00
651303	Hill, Thomas H	Uhrichsville, Ohio	8.00	6.00
519836	Hill, Hughes S	Oakfield Center, Mich	12.00	8.00
520468	Hill, Isaac	Wilkesville, Ohio	12.00	8.00
621402	Hillman, Robert A	Fielden, Ky	10.00	6.00
517045	Hillier, Daniel T	668 Classon ave., Brooklyn, N. Y.	12.00	6.00
519504	Hiller, Mathias	Pipersville, Pa	12.00	6.00
189216	Hillpot, Wm. O	Point Pleasant, Pa	10.00	6.00
572002	Hiltibiddle, Leonard	Platteville, Colo	8.00	6.00
517043	Hinckley, Henry	Bangor, Me	12.00	8.00
519828	Hinkelbein, Jacob	National Soldiers' Home, Va.	12.00	8.00
537816	Hinebaugh, John	Terra Alta, W. Va	12.00	8.00
554491	Hinchman, Adam	Barboursville, W. Va	12.00	6.00
567205	Hindman, Robert S.	West Sunbury, Pa	8.00	6.00
230715	Hinton, Marion	Stockdale, Kans	6.00	4.00
363997	Hipshire, Daniel	Horton, Kans	8.00	6.00

Statement showing by laws and classes the certificate numbers, names, post-office addresses, former rates and present rates, of pensioners, etc.—Continued.

ACT OF JUNE 27, 1890—continued.

Certificate Nos.	Names.	Post-office address.	Rates. Former.	Rates. Present.
510206	Hissing, Saml. W.H.	National Military Home, Ohio.	$12.00	$6.00
515047	Hitchcock, Jos. T.	North Easton, Md.	12.00	8.00
518696	Hitchcock, David, jr.	1191 South Central Park avenue, Chicago, Ill.	12.00	6.00
66692	Hixon, Henry H	1707 Dounton street, Philadelphia, Pa.	12.00	8.00
515057	Hoak, Daniel T.	Edri, Pa	12.00	8.00
161077	Hockenjost, Albert	433 East G. st., New York, N.Y.	12.00	8.00
647106	Hocker, John	1201 Warnock street, Philadelphia, Pa.	8.00	6.00
272355	Hodgeman, John T.	South Lyons, Mich	8.00	6.00
507546	Hodnett, Jason	National Soldiers' Home, Va.	12.00	8.00
641347	Hogle, George A	Aurora, Mo	8.00	2.00
679856	Hogan, Cuffy	Russellville, Ky	10.00	6.00
321223	Hoffer, Jacob H.	Hatton, Pa	12.00	6.00
468847	Hoffman, Henry	West Farmington, Ohio	12.00	8.00
735699	Hoffman, John	Nappanee, Ind	8.00	6.00
619894	Hoke, Jonas	Good Springs, Pa	8.00	6.00
522888	Holcomb, Olie W.	Blanchard, Iowa	12.00	8.00
513719	Holcomb, Jacob	Commerce, Iowa	10.00	6.00
503704	Holloway, Elias W.	Beloit, Wis	8.00	4.00
577851	Hollandsworth, J. M.	Fire Clay, Ky	8.00	6.00
508516	Holland, Michael	841 McAlears Court, Baltimore, Md.	12.00	6.00
784427	Holland, Lemuel	Portsmouth, Va	8.00	6.00
671624	Holland, John D	Mount Vernon, Tex	8.00	6.00
511957	Holton, William	Vickery, Ohio	8.00	2.00
512327	Holt, Lewis B	Braceville, Ohio	12.00	8.00
571262	Holmes, John	Jefferson City, Mo	8.00	6.00
523386	Holmes, Benjamin	Coffeyville, Kans	12.00	6.00
511600	Holste, Edward A.	38 Lindley street, Bridgeport, Conn.	12.00	8.00
519847	Holton, John	Chicopee, Mass	12.00	8.00
237503	Hoover, Charles	Somerset, Pa	12.00	6.00
520795	Hooker, Charles	Maple Rapids, Mich	8.00	6.00
518037	Hopson, Ned	Unionville, Ill	10.00	6.00
508674	Horton, Charles E.	Pittsfield, Mass	8.00	6.00
515091	Horton, Elias W.	Lebo, Kans	10.00	8.00
844699	Horton, Frank W.	1 Walnut st., Fall River, Mass.	8.00	6.00
643211	Horr, George L.	70 Bell Rock st., Malden, Mass.	8.00	6.00
779583	Horrigan, John	9 Meats court, Charlestown, Mass.	8.00	6.00
68638	Horn, Thaddeus	25 East Maple st., York, Pa.	10.00	8.00
512328	Horning, Ezra	Clare, Mich	12.00	8.00
711173	Hornby, Richard	Clare, Mich	8.00	6.00
519301	Hostler, George	Siddonsburg, Pa	8.00	6.00
514437	Hosley, Romaine W.	Ringo, Ind. T	12.00	6.00
508507	Houp, Joseph	Tyrone, Pa	12.00	8.00
512976	Hough, George	Traders Point, Ind	12.00	8.00
523442	Houghtaling, John S	101 Wisner street, East Saginaw, Mich.	12.00	8.00
513326	Houseman, John	Dunkirk, Ohio	12.00	6.00
531260	Houghton, James R.	Kirksville, Mo	8.00	6.00
72158	Hover, Wm.	Madalin, N. Y	10.00	8.00
517029	Howe, John	Fulton, N. Y	12.00	8.00
519827	How, Peter R	Howard City, Mich	12.00	6.00
521266	Hows, Edward H.	Warren, Ind	12.00	6.00
520178	Howard, Eaton	National Soldiers' Home, Va.	12.00	6.00
522873	Howard, Francis	3685 Nice st., Philadelphia, Pa.	12.00	6.00
670048	Howard, Charles A	117 Broadway, Chelsea, Mass.	8.00	6.00
521662	Howard, Henry	5 Seigel st., Brooklyn, N. Y.	8.00	6.00
545884	Howard, James H	Louisville, Ky	12.00	7.50
521635	Howard, David S	Morristown, Tenn	12.00	8.00
508320	Howard, William S.	Bellevue, Ohio	8.00	6.00
656497	Howard, Thomas M.	80 Spring street, East Cambridge, Mass.	8.00	6.00
498809	Howell, Aaron	Mount Pleasant Mills, Pa	12.00	8.50
520479	Howell, George	Potterville, N. J	12.00	8.00
885209	Howell, Augustus	Winfield, W. Va	8.00	6.00
638894	Hoyt, Eli	North Madison, Me	8.00	6.00
523391	Huber, Louis	Rockfield, Ind	12.00	8.00
522384	Huber, Frederick	Cincinnati, Ohio	12.00	6.00
517400	Hubbard, John N.	Grayson, Ky	12.00	6.50
519833	Huddleston, Isaac	Logansport, Ind	12.00	8.00
476854	Huff, James W	Hamilton, Ohio	6.00	4.00
521628	Huffman, John R.	Lucerne, Mo	12.00	6.00
724469	Hugh, John H.	Pueblo, Colo	8.00	6.00
739720	Hughes, John C	Bradford, Pa	8.00	6.00
521997	Hughes, John W.	Bellaire, Ohio	10.00	6.00
670976	Hughes, Arch. F	Jaroldstown, Tenn	8.00	6.00
590907	Hughes, Alfred	Lipscomb, Tex	8.00	6.00
513706	Hull, Chas.	Cornersburg, Ohio	12.00	6.00
509958	Hull, Daniel	Libertyville, Ind	8.00	6.00
466638	Hultz, Seymour	Hunts Corners, N. Y	8.00	4.00
550630	Hume, Reuben B.	Joy, Mo	8.00	6.00
518033	Hummelsheimer, G.	3319 California st., St. Louis, Mo.	8.00	6.00
518717	Humbert, David K.	Bowers Station, Pa	12.00	6.00
378695	Humphreys, J. W.	Iroquois, Ill	10.00	6.00
520477	Humphreys, Thos	Clarinda, Iowa	10.00	8.00
519085	Hunt, Isaac E.	Little Sioux, Iowa	12.00	6.00
471135	Hunt, Ramsey	Benton Harbor, Mich	8.00	6.00
513304	Hunt, Theodore M.	Bushnell, Ill	$8.00	$6.00
514456	Huntley, Wheaton	Stayton, Oregon	8.00	6.00
143030	Hunter, Robert L.	Leechburg, Pa	12.00	10.00
507887	Huntington, A. T.	Vienna, Va	12.00	6.00
669316	Hunter, Moses	Brookhaven, Miss	10.00	6.00
634166	Hurd, Joseph	Surrounded Hill, Ark	8.00	6.00
209483	Hurlbut, Enos H.	Laciede, Mo	12.00	8.00
518039	Hurley, Archie	1218 Esquire street, Louisville, Ky.	12.00	8.00
100544	Huston, Alman J.	Detroit, Mich	12.00	8.00

Statement showing by laws and classes the certificate numbers, names, post-office addresses, former rates and present rates, of pensioners, etc.—Continued.

ACT OF JUNE 27, 1890—continued.

Certificate Nos.	Names.	Post-office address.	Rates. Former.	Rates. Present.
801311	Hush, Henry	Lilly, Ohio	$8.00	$6.00
663377	Hutchinson, Nathan	68 Pearl street, Cambridgeport, Mass.	8.00	6.00
269434	Hutchinson, Wm. W.	Findlay, Ohio	12.00	8.00
506808	Hyde, James	Stanton, Fla	8.00	6.00
519511	Hyre, Jacob E.	Urbana, Ill	12.00	8.00
626447	Hyatt, Clark	Candor, N. Y	8.00	6.00
520195	Ingram, Granville	Somerset, Ky	8.00	6.00
515997	Inpson, Benjamin	52 Beck st., Columbus, Ohio	12.00	6.00
506815	Ireland, George T.	Vancouver, Wash	10.00	6.00
511966	Isbell, Richard W	Sullivan, Mo	12.00	8.00
511601	Isemann, George	624 New York avenue, Washington, D. C.	12.00	8.00
616059	Jackson, Thomas	Lawrence, Kans	8.00	6.00
518043	Jackson, Wm. H	Cottage st., Franklin, Mass	8.00	6.00
523470	Jaques, Jno. H., alias Thos. Thornton.	Allerton, Iowa	12.00	6.00
614079	James, Joel R.	Fieldsboro, N. J	8.00	6.00
519866	James, Lemuel	New Dover, Ohio	8.00	6.00
510546	Jonathan, James	Friendship, Ohio	8.00	6.00
592236	James, Edmund T.	Lockport, Ky	8.00	6.00
506182	Janes, James	Dodge City, Kans	12.00	8.00
515693	Janes, Edwin	Clintonville, Wis	12.00	8.00
129852	Jarvis, Eugene	471 11th st., Brooklyn, N. Y.	8.00	4.00
513334	Jeffery, Charles W.	Vanderbilt, Mich	10.00	8.00
422104	Jeffers, George W	Venetia, Pa	6.00	2.00
526826	Jenks, Nathan A.	South Onondago, N. Y	12.00	8.00
491492	Jenks, Alonzo H	York, Pa	12.00	10.00
665114	Jenkins, John B	Burnham, Pa	8.00	6.00
312798	Jester, Charles H.	1532 East Monument street, Baltimore, Md.	10.00	8.00
521669	Jetmore, Levi	Churubusco, Ind	12.00	8.00
557010	Jones, Gilman C	Cincinnati, Ohio	12.00	6.00
667036	Jones, Elias B	Winsted, Conn	10.00	6.00
735736	Jones, Chesley W.	Lebanon, Kans	12.00	8.00
511267	Jones, Evan	721 S. 2d st., Philadelphia, Pa.	12.00	6.00
720725	Jones, Hiram	705 E Second st., Madison, Ind.	8.00	6.00
693891	Jones, Jesse	Marianna, Ark	10.00	6.00
665634	Jones, Francis M.	Kingston, Ky	8.00	6.00
474141	Jones, Benjamin	Richmond, Ky	8.00	6.00
500782	Jones, Jefferson F.	Winterset, Iowa	8.00	6.00
580013	Jones, Thomas	Antwerp, Ohio	8.00	6.00
554967	Jones, Thomas, alias Thomas Green.	641 King st., Portsmouth, Va.	8.00	6.00
515092	Jones, James M.	Vermillion, S. Dak	8.00	6.00
514480	Jones, James N.	Litchfield, Ill	8.00	6.00
505184	Jones, James H.	Moberly, Mo	8.00	6.00
251630	Jones, William	92 Crawfell street, Hackney Road, London, England.	12.00	4.00
469151	Jones, Henry	Mount Sterling, Ky	8.00	4.00
834420	Johns, Frederick	1017 Vine st., Baltimore, Md.	8.00	6.00
580033	Johns, Samuel A.	Concord, Pa	8.00	6.00
518742	Johnson, Joseph M.	Blendsville, Mo	12.00	8.00
513335	Johnson, Ezra	Arno, Mo	12.00	8.00
520199	Johnson, Charles	Media, Pa	12.00	8.00
520805	Johnson, Edward P.	Palmyra, N. Y	8.00	6.00
371537	Johnson, Isaac H.	Canarsie, N. Y	8.00	6.00
522913	Johnson, Daniel C.	National Soldiers' Home, Va.	12.00	8.00
512342	Johnson, Albert	1325 Nailor's alley, Washington, D. C.	8.00	6.00
521285	Johnson, Thos. J.	202 South Center st., Bloomington, Ill.	12.00	6.00
758371	Johnson, Abram D.	Mount Perry, Ohio	8.00	6.00
510941	Johnson, Lewis	Kenton, Ohio	8.00	6.00
647113	Johnson, Harvey	3 Spring st., Cincinnati, Ohio.	8.00	6.00
720738	Johnson, Wm. R.	Belle Mina, Ala	8.00	6.00
622255	Johnson, Wm. H.	58 Clinton st., Detroit, Mich.	8.00	6.00
509974	Johnson, Wm. G.	2416 Quincy street, NE., Minneapolis, Minn.	12.00	8.00
379805	Johnson, John	Caughinawaga, Quebec, Can.	8.00	4.00
522022	Johnson, John T.	Washington Hotel, Philadelphia, Pa.	12.00	8.00
563458	Johnson, Samuel M.	Carson, Iowa	8.00	6.00
433779	Johnson, Emanuel	Brunswick, Tenn	12.00	10.00
227845	Johnson, Daniel C.	Clinton, Ind	12.00	6.00
548874	Johnson, Samuel	Washington, D. C	12.00	8.00
506509	Johnson, Sam'l R.	Bloomington, Ind	8.00	6.00
250201	Jolley, Jesse A	Bowling Green, Ohio	12.00	10.00
657843	Joell, Napoleon	Dunkirk, N. Y	8.00	6.00
518048	Joyce, George H.	Donaldson, Ind	12.00	8.00
513763	Joyce, John	Madrid, N. Y	10.00	6.00
600950	Joice, Patrick	133 North Desplaines street, Chicago, Ill.	8.00	6.00
533118	Jordon, Pink	Tanner's Creek Roads, Norfolk, Va.	8.00	6.00
512339	Joseph, Wilson S.	Humboldt, Nebr	12.00	8.00
511271	Just, William	57 Canal st., Fall River, Mass.	8.00	6.00
457794	Justice, Reuben J.	Ward, Ohio	12.00	6.00
510954	Kaechele, Robert	National Military Home, Ohio	12.00	6.00
283437	Kahler, Charles	Tell City, Ind	8.00	6.00
31318	Kair, Thomas	87 Tillary st., Brooklyn, N. Y.	10.00	6.00
542996	Kampus, Frederick	2 Gorsuch ave., Baltimore, Md.	10.00	6.00
512345	Kane John	National Military Home, Ohio	12.00	8.00
640332	Kangi, John	North Columbus, Ohio	8.00	6.00
219514	Kanouse, Jas. M.	McCook, Nebr	12.00	6.00
555105	Kateley, Andrew J.	Sparta, Wis	12.00	8.00
11498	Kay, William D.	518 Morris st., Philadelphia, Pa.	8.00	6.00
705092	Kay, James	Nemaha City, Nebr	10.00	6.00
620685	Keever, William	Unionville, Pa	8.00	6.00
522925	Keeney, Charles D.	National Military Home, Togus, Me.	12.00	8.00
312117	Keefauver, Peter R.	82 Rowland, st., Canton, Ohio	12.00	8.00

Statement showing by laws and classes the certificate numbers, names, post-office addresses, former rates and present rates, of pensioners, etc.—Continued.

ACT OF JUNE 27, 1890—continued.

Certificate Nos.	Names.	Post-office address.	Rates. Former.	Rates. Present.
508188	Kellar, John W	1322, West Second street, Harrisburg, Pa.	$12.00	$6.00
515103	Kellar, Elisha H	Bloomsburg, Pa	10.00	8.00
518750	Kellar, Edward	182, Mulberry st., New York City.	12.00	10.00
420477	Keller, Zachariah	McClure, Ohio	8.00	4.00
578503	Kelly, Elisha	Ashland, Ky	12.00	6.00
750390	Kelly, David W	Fort Seneca, Ohio	8.00	6.00
502271	Kelly, Martin	366 Seventh st., Detroit, Mich.	10.00	6.00
515108	Kelly, Daniel	Wisconsin's Veteran's Home, Waupaca, Wis.	12.00	6.00
519872	Kelley, George	Baldwinsville, N. Y	12.00	6.00
354178	Kelley, Levi	Fulton, N. Y	8.00	2.00
524908	Kemmerer, Peter	Reading, Pa	12.00	8.00
511279	Kennedy, Thomas H	Room 216, American Bank Building, Kansas City, Mo.	12.00	6.00
508186	Kennedy, Byron	Indianapolis, Ind	12.00	8.00
837372	Kennedy, James	Lexington, Ill	10.00	6.00
512347	Kenney, Seymour P.	Lancaster, Ohio	12.00	8.00
513787	Kenyon, Monroe	Pipestone, Minn	12.00	8.00
253289	Kerr, George H. A	Reece, Kans	8.00	6.00
784524	Kerr, James	Topeka, Kans	8.00	6.00
520230	Kerswell, George A.	Portland, Me	12.00	6.00
267914	Kerr, John	Big Prairie, Ohio	12.00	10.00
512348	Kesselring, Lewis	Neponset, Ill	12.00	6.00
404300	Kennecke, Christian.	South Haven, Kans	12.00	6.00
795700	Keyser, Jacob W	Mill Creek, Mich	8.00	6.00
24293	Kientzle, Michael	934 West Fifth st., Erie, Pa.	12.00	8.00
160548	Kifer, John S. C	Morley, Mo	12.00	10.00
833855	Kilmer, James H	116 W. Wilkins st., Jackson, Mich.	8.00	6.00
512183	Kilby, William C	Jacksboro, Tenn	12.00	8.00
516636	King, James V	Kenka, Fla	8.00	6.00
679290	King, E. T. Bennett.	National Military Home, Ohio	8.00	6.00
521287	King, William	Long Lane, Mo	12.00	8.00
568711	King, Thomas	Bath, Me	8.00	6.00
376165	King, Stephen A	Aurora Springs, Mo	12.00	8.00
570093	King, William H	Coshocton, Ohio	12.00	6.00
509722	Kinkade, Arannah	Grover Hill, Ohio	12.00	10.00
515710	Kincaid, David	Suamico, Wis	12.00	6.00
71732	Kinsley, Christian	Dodgeville, Mass	12.00	8.00
610813	Kinley, Daniel	Day, Pa	8.00	6.00
524039	Kirkpatrick, Ben. J.	Staunton, Ark	12.00	8.00
716803	Kirby, Tully D	Everton, Mo	12.00	6.00
512593	Kirby, William	Auburn, Ky	12.00	8.00
520216	Kirley, Peter	Missouri Valley, Iowa	12.00	6.00
523475	Klingler, Marcus	Peru, Kans	12.00	8.00
514503	Klippel, Philip	St. Charles, Mo	12.00	8.00
453794	Kluts, Sam'l	Bradner, Ohio	12.00	8.00
463263	Knaggs, William H.	140 Chestnut avenue, Springfield, Ohio.	6.00	4.00
792990	Knight, Gabriel W	43 Tracy st., Cleveland, Ohio.	8.00	6.00
252991	Knight, Thomas	Dayton, Tenn	12.00	6.00
374208	Knight, Henry	Equinunk, Pa	8.00	4.00
522924	Knippel, John G	376 Orange st., Cleveland, Ohio.	8.00	6.00
522934	Knorr, William S	Frankfort, Pa	12.00	6.00
517428	Knodel, Emil	638 Magnolia st., Louisville, Ky.	12.00	8.00
572052	Koenig, Albert	456 15th av., Newark, N. J.	8.00	6.00
647814	Koppelberger, A	Portsmouth, Mich	8.00	6.00
637784	Krieger, Andon	Wapakoneta, Ohio	8.00	4.00
575354	Krigger, John	Casnovia, Mich	10.00	8.00
212703	Krimm, John	708 Franklin street, Williamsport, Pa.	12.00	6.00
544383	Kripe, Thomas W	Camden, N. J	8.00	16.00
744441	Krumnocker, C	Neola, Pa	8.00	6.00
456682	Kulp, Samuel	Loyal Oak, Ohio	10.00	6.00
518056	Kurth, John	Rochester, Mo	12.00	8.00
805968	Kurtz, Luther D	Mifflinburg, Pa	12.00	6.00
494619	Ladd, Jeremiah	Bookwalter, Ohio	12.00	6.00
791010	Lahrszen, Andreas	Cantrell, N. Mex	12.00	6.00
523491	Lakins, Alexander	Thorn Grove, Tenn	12.00	8.00
519110	Lake, Amos	Tawas City, Mich	12.00	6.00
644818	Lake, William H	Orion, Mich	8.00	6.00
226927	Lake, Ephraim E	Edgar, Nebr	8.00	4.00
383251	Lair, Thomas	Fenwick, Ky	12.00	6.00
634523	Laird, James	Edgewater Park, N. J	10.00	16.00
569517	Lalumandie Augustus.	Bonne Terre, Mo	12.00	8.00
464750	Lamb, John A	Troy, W. Va	6.00	6.00
577960	Lamb, Isaiah D	Cassville, Mo	8.00	6.00
581520	Lamey, Alonzo P	4 Market street, Auburn, N. Y	8.00	6.00
586174	Lamphere, Levi	Maine, N. Y	10.00	6.00
142023	Lamson, Levi, jr	Care of Union Veteran Union, Minneapolis, Minn.	6.00	4.00
723552	Lamson, George W	Newton, Mass	8.00	6.00
525565	Lancaster, Robert	Eckhart Mines, Md	10.00	6.00
518222	Landers, Thomas	Oneida, Kans	12.00	6.00
560857	Landress, Allen T	Glen Elk, W. Va	12.00	8.00
513006	Lannon, Robert H	760 West Chapie street, Columbus, Ohio.	12.00	6.00
553886	Lance, David M	Weir, Ga	8.00	6.00
519684	Langley, Wm H	McDaniels, Ky	12.00	8.00
514537	Langworthey, S. B.	Mariba, Ky	12.00	8.00
325416	Laming, Joseph R	Soldiers' Home, California	6.00	2.00
665701	Laport, Moses	8 Hall st., Hoosick Falls, N. Y	8.00	6.00
685447	Larne, William E	Port Deposit, Md	8.00	6.00
521301	Latshaw, Jacob P	Constantine, Mich	12.00	8.00
765594	Lauth, Charles	Kansas City, Kans	10.00	6.00
511292	Laudenschlager, Gideon.	Emaus, Pa	12.00	6.00
513009	Laurer, Otto A. E	Independence, Iowa	8.00	6.00

Statement showing by laws and classes the certificate numbers, names, post-office addresses, former rates and present rates, of pensioners, etc.—Continued.

ACT OF JUNE 27, 1890—continued.

Certificate Nos.	Names.	Post-office address.	Rates. Former.	Rates. Present.
512611	Lawson, Henry	Muses Mills, Ky	$12.00	$8.00
514529	Lawson, John W	Greenville, Pa	12.00	6.00
510227	Lawrence, Allen J	Leon, Kans	12.00	8.00
654006	Lawrence, Oren J	Bangor, N. Y	8.00	6.00
442286	Lavin, John	1610 King street northeast, Washington, D. C.	12.00	10.00
362248	Lease, Robert	Forest Springs, Mo	12.00	8.00
517751	Leander, Franklin	Elkhart, Ind	12.00	8.00
515717	Leach, William M	161 East Goodall street, Columbus, Ohio.	8.00	6.00
409661	Leadbetter, Lewis C. J.	Francis, Ark	12.00	8.00
508338	Leahr, Eli	Canal Winchester, Ohio	12.00	6.00
373674	Ledyard, John W	Ovid, Mich	10.00	8.00
517750	Ledyard, Charles D	National Military Home, Kans.	12.00	8.00
513361	Leete, Joseph A	Guilford, Conn	12.00	6.00
509726	Leete, Amos. H	226 South Collington avenue, Baltimore, Md.	12.00	8.00
516664	Lee, Nasa M	New Richmond, Ohio	12.00	6.00
513352	Lee, Green	Mortonville, Ky	12.00	6.00
516296	Lee, William S	Harrisburg, Nebr	12.00	8.00
492158	Lehan, Matthew	Pont, Pa	6.00	4.00
512361	Leidy, Jerome B	804 Charlotta street, Philadelphia, Pa.	12.00	8.00
263156	Leitner, Miller T	Cavett, Ohio	12.00	10.00
505858	Leland, Phineas W	Milwaukee, Wis	12.00	6.00
518383	Lemon, Jacob J	Reedville, W. Va	12.00	8.00
519541	Lemon, Houston	Fillmore, Minn	12.00	8.00
752171	Lennon, Burnard	Las Vegas, N. Mex	8.00	6.00
518386	Lenhart, George S	Sunbury, Pa	8.00	6.00
513362	Lenox, William	National Soldiers' Home, Virginia.	12.00	6.00
515116	Lennon, Michael	do	12.00	6.00
518083	Lenocker, John	Dexter, Iowa	12.00	8.00
517747	Leonard, Peter	Togus Home, Maine	12.00	6.00
709162	Levere, David	Waddington, N. Y	8.00	6.00
563326	Levi, Alexander	Vernon, Ind	8.00	6.00
287810	Lewis, Chauncey	Chagrin Falls, Ohio	12.00	8.00
233680	Lewis, David	Lewisport, Ky	6.00	2.00
346017	Lewis, Stephen	Goble, Ky	8.00	6.00
828230	Lewis, Edmund	Belgard Lane, Algiers, La	12.00	8.00
508189	Lewis, Charles W	Meigsville, Ohio	12.00	6.00
523173	Lewis, Weston	Wilberforce, Ohio	12.00	8.00
278642	Lewis, Charles S	Canandaigua, N. Y	12.00	10.00
510240	Lewis, Joseph	Linwood, Pa	12.00	6.00
519805	Lewis, Abraham	Shaver, Ark	12.00	8.00
507647	Lierman, John	835 College ave., Appleton, Wis	10.00	6.00
508336	Lilly, Henry C	De Soto, Ind	8.00	6.00
253420	Lindley, Leonard	Portland, Mich	12.00	8.00
422271	Lindermann, John	Montgomery, Mich	12.00	6.00
519321	Lindsey, John	Corner Ransom and Lyon sts., Grand Rapids, Mich.	12.00	6.00
515114	Lindsay, John	Bluffton, S. C	12.00	6.00
452362	Linn, George W	Belvidere, N. J	8.00	6.00
413731	Lint, Wm	Melbern, Ohio	12.00	6.00
817304	Litts, Samuel	Dallas, Pa	8.00	6.00
377695	Litterst, Louis	Cerro Gordo, Ill	8.00	6.00
513832	Littler, John P	West Camden, N. Y	12.00	6.00
522940	Lobb, Elijah J	Brownsville, Ky	10.00	6.00
518389	Locke, Philip	Pleasant Lake, Ind	12.00	8.00
519538	Lock, William M	Wolf Creek, Ohio	12.00	6.00
513811	Lock, Isaac	West Manchester, Ohio	12.00	6.00
254120	Lockwood, Jas. W	Highland Station, Mich	8.00	6.00
516026	Loewenstein, Fred	525 Rose st., Baltimore, Md	12.00	8.00
501335	Loftus, Dennis	40 K street, NW., Washington, D. C.	12.00	8.00
551655	Lofton, Alexander	Washington, Ky	12.00	8.00
513365	Logsden, Anthony	Mount Savage, Md	12.00	8.00
312391	Lohr, Noah	Hudson, Ill	12.00	6.00
513011	London, Thomas	Portsmouth, Va	8.00	6.00
516297	Long, Silas	Bronson, Kans	12.00	6.00
497839	Long, Benjamin F	Dayton, Ohio	12.00	8.00
511628	Long, Hiram B	Mountainville, Pa	12.00	8.00
562807	Long, David A	112 Maria street, Wheeling, W. Va.	8.00	6.00
524058	Long, John	Bridgeport, Mich	12.00	8.00
512610	Long, George W	Middletown, Ohio	8.00	6.00
604914	Long, Wm. M	Allegree, Ky	8.00	6.00
620690	Loring, Williston	Richville, Mo	8.00	6.00
358649	Lord, Cyrus W	Bloomington, Ohio	12.00	6.00
511995	Lothrop, Albert H	Canton, Me	12.00	8.00
623199	Lott, David	Pollocksville, N. C	8.00	6.00
508887	Lovel, George W	Kingman, Kans	12.00	6.00
516298	Loveland, Wm. B	Corry, Pa	12.00	8.00
567282	Lovelace, Milton	Portland, Ky	8.00	6.00
513010	Lloyd, Henry	Phlox, Wis	8.00	6.00
471161	Lucas, Alexander	Xenia, Ohio	12.00	4.00
563493	Lucas, James W	Fredonia, Ky	12.00	6.00
526061	Lyons, Isaac M	Sereno, Pa	12.00	6.00
762104	Lyons, Thomas	Chicopee Falls, Mass	10.00	6.00
525632	Lynn, Calvin P	Ness City, Kans	12.00	6.00
513016	Lykins, George W	Yorktown, Ind	12.00	10.00
510572	Lutz, Jefferson	Viola, Del	12.00	6.00
512617	Lutes, Wm. C	Beattyville, Ky	12.00	8.00
206032	Lupher, Adanirum J	Townville, Pa	12.00	8.00
508339	Lunney, John L	Milford, Nebr	12.00	8.00
524053	Lunt, Alonzo T	Stillwell, Ill	12.00	6.00
657480	Lunt, Ira	Newcastle, Del	8.00	6.00
640386	Lujan, Diego	Santa Fé, N. Mex	12.00	6.00
512118	Luebbert, Henry	National Military Home, Ohio	12.00	8.00
513833	Ludwig, Carl	College Point, N. Y	12.00	10.00
550123	Lawrent, Moses	Tullahoma, Tenn	12.00	8.00

Statement showing by laws and classes the certificate numbers, names, post-office addresses, former rates and present rates, of pensioners, etc.—Continued.

ACT OF JUNE 27, 1890—continued.

Certificate Nos.	Names.	Post-office address.	Rates. Former.	Rates. Present.
623187	Le Graff, Richard	Mount Clemens, Mich	$8.00	$6.00
514533	Linn, Wm. H	Rafter, Tenn	12.00	6.00
54339	Lynn, Thomas	828 Twenty-fourth st., Washington, D. C.	12.00	10.00
520260	McAtee, Wm. H	Dudley, Ohio	12.00	6.00
749601	McAnaney, Pat'k H	26 Revere st., Allegheny, Pa	8.00	6.00
513883	McBride, James	Burlington Junction, Mo	12.00	6.00
559175	McBride, Davidson	Lowellville, Ohio	10.00	6.00
738070	McCabe, Thomas	136 Eighth ave., New York, N. Y.	8.00	6.00
513831	McCabe, Patrick	Swedeland, Pa	10.00	8.00
666461	McCall, Theophilus	Philadelphia Hospital, Philadelphia, Pa.	8.00	6.00
257367	McCandliss, Rob't R	Emporia, Kans	12.00	10.00
519565	McCafferty, John	Caledonia, Ohio	10.00	6.00
613418	McCarty, Patrick	49 Fenwick st., Lowell, Mass.	8.00	6.00
506981	McArthy, Thomas	Jamesville, N. Y	12.00	8.00
525621	McClintock, Alex S	Lincolnia, Va	12.00	10.00
716714	McClease, Sampson	Newberne, N. C	8.00	6.00
609530	McClendon, Isaac	Rockwood, Tenn	8.00	6.00
270587	McClure, Theodore A	Leitchfield, Ky	12.00	8.00
505202	McConnell, Wm. H	Scranton, Pa	8.00	6.00
521711	McCormick, Patrick	5 North st., Cincinnati, Ohio	10.00	8.00
508195	McCoglin, Fielding	22 Bruen street, Dayton, Ohio	12.00	6.00
520535	McCoury, Tillman H	Senia, N. C	12.00	8.00
522956	McCrery, John W	Covert, Mich	12.00	6.00
257369	McCune, Hugh J	225 East Fifth st., Newport, Ky	8.00	6.00
516046	McDaniel, Wm. H	Wagoner, Ind. T	12.00	10.00
511005	McDaniel, James	Poplar Bluff, Mo	12.00	6.00
56315	McDermott, Peter	532 Grand ave., Brooklyn, N. Y.	12.00	8.00
511306	McDonald, Richard	Dalton, Mo	12.00	8.00
522501	McDonald, Arthur	45 Jackson street NE., Washington, D. C.	12.00	8.00
372996	McDonald, Robt. A	Coal Center, Pa	8.00	6.00
519447	McEwin, Hugh	Uxbridge, Mass	12.00	6.00
516324	McElhiney, Robt. H	Wilson, Kans	8.00	6.00
550776	McElroy, Henry	Springfield, Ky	10.00	6.00
492205	McElheinney, Sam'l	Portsmouth, Ohio	12.00	6.00
516315	McElwee, Divers B	Driscol, W. Va	12.00	6.00
510002	McFadden, James	535 Cameron street, Harrisburg, Pa.	12.00	6.00
373068	McGirr, William P	Elizabethtown, Ill	12.00	6.00
844930	McGary, John W	Findlay, Ohio	8.00	6.00
508683	McGee, Williard S	Pine Creek, Mich	12.00	8.00
517110	McGlauchlen, F. S	Versailles, Ill	12.00	8.00
527385	McGraw, Jasper	Midway, W. Va	12.00	6.00
523527	McHose, Thomas	128 Jones street, Dayton, Ohio	8.00	6.00
509949	McHenry, Thomas	Buena Vista, Ohio	12.00	8.00
104035	McIntosh, Wm. H	Highland Falls, N. Y	8.00	6.00
534322	McIntyre, Peter	Barton, Md	10.00	6.00
520864	McKey, James H	Iron City, Tenn	12.00	8.00
697541	McKinney, Austin	155 Kirkman st., Dayton, O	8.00	6.00
674326	McKenzie, Jacob P	Frostburg, Md	10.00	6.00
586211	McKinney, Chas. C	Peculiar, Mo	8.00	6.00
178476	McKinley, John	South Burgettstown, Pa	10.00	6.00
488087	McLain, Robert	Oswego, N. Y	8.00	4.00
314748	McLaughlin, Wm	Union Furnace, Ohio	12.00	10.00
523561	McMurray, Thomas	Mystic, Iowa	12.00	6.00
295302	McNellis, John	Franklin, Ohio	12.00	8.00
351800	McNutt, Russ	Havana, Ill	12.00	8.00
604938	McNary, Henry	Duquoin, Ill	12.00	6.00
549541	McNair, James	Trout River, N. Y	10.00	6.00
541546	McNew, John	Well Springs, Tenn	12.00	8.00
524088	McPherson, Wm. J	Dayton, Ohio	12.00	10.00
375730	McQuade, Chas. W	Buchtel, Ohio	12.00	8.00
668689	McQuaid, Jesse, jr	Orrville, Ohio	12.00	6.00
629093	Mack, Daniel	Wattsburg, Pa	8.00	6.00
527647	Mackey, James	National Military Home, Va	12.00	8.00
516036	Mackey, William L	Van Buren, Ark	12.00	8.00
525071	Mackey, Berry	Clear Spring, Tenn	12.00	8.00
513023	Maddox, William	Talmadge, Ky	12.00	8.00
519003	Mahan, David P	Wellington, Kans	12.00	6.00
606399	Mahan, Samuel T	Pleasant Hills, Ind	8.00	6.00
512688	Mahaffey, James	Mount Vernon, Ohio	12.00	8.00
381011	Majors, Samuel E	Earlington, Ky	12.00	8.00
510988	Malanaphy, John	Lewistown, Pa	12.00	6.00
519560	Maloney, Michael	Mattoon, Ill	12.00	8.00
604946	Malone, Simon B	Normal, Ill	12.00	6.00
500197	Mankin, Sanford	Grand Rapids, Mich	12.00	6.00
523519	Mangans, Joseph	Anderson, Ind	12.00	6.00
580133	Manwaring, Civilian E.	Elton, N. Y	8.00	6.00
516309	Mann, James	Elizabethtown, Ky	8.00	6.00
511299	Mann, William D	Southwest corner Hawthorne and Fitch sts., Dayton, Ohio.	12.00	6.00
522906	Manning, Jasper R	Harrisburg, Ohio	12.00	8.00
514609	Manly, James L	New Philadelphia, Ohio	12.00	10.00
535574	Marbis, John	National Xilitary Home, Wis	8.00	6.00
537404	Marcum, Robert L	Halstead, Mo	6.00	6.00
459195	Mariott, Milas	Versailles, Mo	6.00	2.00
788818	Marker, James	National Military Home, Me	8.00	6.00
728134	Marks, Levi	1045 N. Ninth st., Reading, Pa	8.00	6.00
761503	Marks, Alfred	Cornwall, Pa	8.00	6.00
511642	Markland, William	Shelbyville, Ill	12.00	6.00
376066	Marriner, Jabez	Cape Elizabeth, Me	8.00	4.00
180686	Marsh, Uriah	58 High st., Johnstown, Pa	8.00	6.00
510270	Marshman, Samuel	Atkinsons Mills, Pa	12.00	8.00
555683	Marshall, Joseph	Drakes Creek, Ark	10.00	6.00
707190	Marshall, Thomas	Hemlock, Ohio	8.00	6.00
726306	Marshall, George P	Winlock, Wash	8.00	6.00
720866	Martinez, Encarnaceon	Las Vegas, N. Mex	12.00	6.00
511640	Martin, George	Schutz Mills, Ill	12.00	8.00
803189	Martin, Joseph B	Walnut, Kans	$8.00	$6.00
516679	Martin, Norman R	136 E st., NE., Washington, D. C.	10.00	6.00
512624	Martin, David	National Military Home, Ohio	12.00	8.00
653031	Martin, Joseph	428 South Ingram st., Henderson, Ky.	12.00	8.00
403517	Martin, John W	Jamestown, Kans	12.00	10.00
526883	Marvin, John H	Ellsworth, Mo	12.00	6.00
519951	Mason, Andrew S	Lewes, Del	12.00	6.00
668717	Mason, Albert	Lushton, Nebr	12.00	8.00
620751	Masten, Henry H	Granville, Mich	10.00	6.00
699479	Masters, William	West Salisbury, Vt	8.00	6.00
515732	Maston, Silas	National Military Home, Kans.	12.00	6.00
516059	Mathews, George W	Homer, Ohio	12.00	6.00
825174	Matthews, Peyton	407 Seventh st., Henderson, Ky	12.00	8.00
516673	Matthews, Chas. W	Mystic, Iowa	12.00	8.00
119389	Mathews, Andrew J	Bellton, W. Va	8.00	4.00
667642	Matthews, James M	Spring Creek, Mo	8.00	6.00
509742	Mathews, Thomas J	Watonga, Okla	12.00	6.00
514581	Matlock, Isaac R	Nokomis, Ill	10.00	6.00
520546	Mavity, Leonard	Cook, Nebr	12.00	6.00
602328	Maxwell, Henry J	Sumter, S. C	8.00	6.00
522498	Maxie, John M	Columbus, Ohio, O. P	8.00	6.00
285539	Maynard, Rich'd L	East Springfield, Pa	8.00	6.00
523533	May, George W	Dixon, Ill	12.00	8.00
514617	Mayer, David	Danville, Ill	12.00	10.00
723633	May, George T	Cleveland, Ohio, box 354	8.00	6.00
534343	Medcalf, John D	Huff, Ky	12.00	8.00
791101	Meek, Jacob	Indian Creek, Tex	12.00	6.00
513393	Meisenbach, Simon	Colehour, Ill	12.00	8.00
458014	Mehan, Lawrence	Cannelsburg, Ind	12.00	6.00
688789	Melton, David C	Gilkerson, Ark	8.00	6.00
522969	Melvin, James B	Lilly, Ill	10.00	6.00
488303	Melvin, George	Frew, Ky	6.00	4.00
357688	Mencer, John W	Magnolia, W. Va	12.00	8.00
512635	Menelaus, George	East Des Moines, Iowa	8.00	6.00
692375	Merrill, Joseph C	Bloomingdale, N. Y	10.00	8.00
91197	Merrick, James	1362 E st., Washington, D. C	12.00	8.00
489829	Merchant, Henry	Allegan, Mich	12.00	8.00
734470	Merifield, John C	Waterville, Ohio	10.00	6.00
639147	Mercer, Lucius	Piqua, Ohio	8.00	6.00
508555	Mercer, Barnett C	Donnellson, Iowa	12.00	6.00
517767	Meserve, Jared W	Milford, Mass	12.00	6.00
512916	Meyers, Henry F	National Military Home, Ohio.	12.00	10.00
522484	Middleton, Gilbert	Quincy, Ill	12.00	8.00
758183	Middlebrook, Frank S	77 West Houston street, New York City.	8.00	6.00
372286	Miller, Robert J	Turbotville, Pa	10.00	6.00
736385	Miller, John A	1835 Third avenue, New York City.	10.00	6.00
518410	Miller, George W	Iowa Falls, Iowa	12.00	6.00
509350	Miller, George R	Avery, Kans	8.00	6.00
752217	Miller, Thomas H	Cincinnati, Ohio	8.00	6.00
647235	Miller, William R	Mooresburg, Pa	8.00	6.00
515496	Miller, Henry C	Zanesfield, Ohio	10.00	6.00
516056	Miller, Ezra W	Woodward, Iowa	12.00	6.00
524080	Miller, Abraham	Newton, Kans	12.00	8.00
356322	Miller, Levi M	Danville, Pa	6.00	4.00
515739	Miller, Jacob	Dunbar, Pa	12.00	8.00
777187	Miller, Casper, formerly Casper Phancock.	Ridgeway, Pa	8.00	6.00
509362	Miller, Elmer E	New Washington, Ind	12.00	8.00
513873	Miller, Frank	Fayetteville, N. Y	12.00	6.00
516013	Miller, Herbert E	20 Clarkson street Worcester, Mass.	8.00	6.00
521716	Miller, Sylvester B	Central City, W. Va	12.00	8.00
523571	Miller, Madison H	Allendale, Ill	12.00	6.00
513384	Miller, Norman	1168 Pearl st., Cleveland, Ohio	12.00	6.00
523528	Miller, Irvin	Akron, Ohio	12.00	6.00
476965	Miller, Joseph	Penton, Miss	8.00	6.00
589086	Miller, Joshua	Franklinton, Ky	12.00	6.90
527332	Miller, Edmund	Nicholasville, Ky	12.00	6.00
533209	Miller, Frederick	Nebraska City, Nebr	10.00	6.00
525033	Milmore, Samuel	Reading, Pa	12.00	8.00
519132	Millholland, Jas. H	Broadland, S. Dak	12.00	6.00
552997	Mills, Luman G	Wadsworth, Ohio	12.00	8.00
700332	Mills, George B	Pleasantville, Ohio	12.00	8.00
392935	Mills, Daniel F	Richmond, Mo	12.00	4.00
828756	Miner, Alexander	395 Clinton st., Detroit, Mich	12.00	6.00
507954	Miner, Jacob	Dover, Okla	12.00	6.00
517461	Minkler, Peter	Coxsackie, N. Y	8.00	6.00
508882	Minnich, David	Swanton, Ohio	12.00	8.00
846468	Mishoe, James	Presque Isle, Me	8.00	6.00
513379	Mitchevi, Walker	Atchison, Kans	10.00	6.00
515178	Mitchell, Thomas J	Diamond, Mo	12.00	8.00
99110	Mitchell, Isaiah	1526 Twelfth street NW., Washington, D. C.	12.00	8.00
513886	Mitchell, John	Newport, Pa	12.00	6.00
526077	Mix, C. Bradley	Cortland, N. Y	12.00	6.00
509093	Modlin, David	Newcastle, Ind	12.00	8.00
730553	Mohr, Jacob, alias John Jund.	East Palestine, Ohio	10.00	6.00
581553	Mohr, Joseph	Utica, N. Y	8.00	6.00
514608	Million, Moab	Connersville, Ind	12.00	8.00
509738	Monk, Alexander	National Soldiers' Home, Virginia.	12.00	8.00
517464	Montgomery, Wm. W	Burlingame, Kans	12.00	8.00
714935	Moore, John	Colony, Mo	8.00	6.00
682443	Moore, John A	Edie, Pa	12.00	6.00
522999	Moore, Wallace H	Gahanna, Ohio	12.00	8.00

Statement showing by laws and classes the certificate numbers, names, post-office addresses, former rates and present rates, of pensioners, etc.—Continued.

ACT OF JUNE 27, 1890—continued.

Certificate Nos.	Names.	Post-office address.	Rates. Former.	Rates. Present.
583139	Moore, Isaac A	Bellefontaine, Ohio	$6.00	$12.00
519955	Moore, Austin	Holly Grove, Ark	8.00	6.00
534364	Moore, Levi	Sistersville, W. Va	8.00	6.00
513376	Moore, William W	Polk City, Iowa	12.00	8.00
528593	Moritz, Simon H	West Bay City, Mich	12.00	8.00
435260	Morley, Daniel E	Decatur, Nebr	10.00	4.00
518398	Morrow, Thomas S	Sperry, Mo	10.00	6.00
480005	Morse, James	Piney Creek, Pa	12.00	8.00
355923	Morrison, Andrew	Canal Fulton, Ohio	12.00	6.00
525612	Morrison, Andrew J	Box 62, Tarentum, Pa	8.00	4.00
586043	Morris, Thomas C	Burlington, Kans	12.00	10.00
583709	Morris, Marion	2634 Woodland street, Kansas City, Mo.	12.00	6.00
506196	Morris, Francis M	Blue Mound, Mo	12.00	8.00
539230	Morris, Thomas	Princess Anne, Va	12.00	8.00
514597	Morris, Thomas A	Fort Edward, N. Y	12.00	6.00
595031	Morris, Thomas J	National Military Home, Ohio	8.00	6.00
479245	Morris, George W	Burnetta, Ky	12.00	6.00
189112	Morris, Charles F	Pomeroy, Iowa	8.00	6.00
415842	Morgan, Reuben H	Upper Sandusky, Ohio	6.00	4.00
518782	Morgan, David W	201 Courtland street, Baltimore, Md.	12.00	6.00
280103	Mosher, Annanias	Wakeman, Ohio	12.00	10.00
825456	Moss, Barnard A	Millington, Mich	12.00	6.00
507296	Moseby, Jacob	Xenia, Ohio	12.00	8.00
517766	Mott, Charles G	Port Jefferson, N. Y	12.00	8.00
512015	Mottie, John	Centerfield, Ohio	12.00	6.00
584723	Mowles, John W	Blue Rock, Ohio	8.00	6.00
515730	Mourer, Stephen	Tamanend, Pa	12.00	8.00
517462	Moulton, Amos	Dedham, Me	12.00	8.00
750020	Mudge, James A	National Military Home, Ohio	10.00	6.00
516688	Mulkins, Wm. H	Buena Vista, Wis	12.00	8.00
365906	Mullen, John W	Roseburg, Oregon	12.00	10.00
397256	Mullins, Willis	Lyons, Ind	10.00	6.00
616223	Mullins, John	Broomall, Pa	8.00	6.00
519568	Muncy, James M	Crystal Dale, N. Y	8.00	6.00
512640	Munn, Adam	Rogers, Ohio	12.00	8.00
475982	Murrell, Harrison	Senora, Ky	12.00	10.00
695185	Murden, Peter	Elizabeth City, N. C	8.00	6.00
513875	Murray, Isaac N	Voorhees, Ohio	12.00	6.00
621559	Murry, Peter	Bangor, Me	8.00	4.00
579246	Murphy, Andrew J	Manhattan, Kans	6.00	4.00
596001	Murphy, James	Little Hickman, Ky	8.00	6.00
122909	Murphy, Simon	Elton, Pa	12.00	10.00
550754	Murphy, Harvey A	Harveysburg, Ohio	12.00	6.00
515156	Murphy, Daniel	Paris, Ky	8.00	6.00
518802	Musser, Ralph M	National Soldiers' Home, Va	12.00	8.00
523541	Musick, John W	East Point, Ky	12.00	6.00
497843	Myers, Isaac	Markleysburg, Pa	12.00	8.00
517123	Myers, Charles E	Manlius, N. Y	12.00	6.00
773427	Myers Henry	Oakland, Md	8.00	6.00
350539	Myers, Amos	Edon, Ohio	12.00	8.00
555135	Myers, John	Brookfield, Mo	8.00	6.00
518824	Nash, George W	2015 Fourth avenue, South Minneapolis, Minn.	12.00	6.00
381701	Nauer, Joseph	National Military Home, Kans.	10.00	6.00
608747	Neal, James R	Dayton, Ky	10.00	6.00
509957	Neal, Alexander	Osgood, Ohio	8.00	6.00
199757	Neale, Daniel	Ellington, Conn	6.00	2.00
568834	Neely, James J	Flat Rock, Ky	8.00	4.00
517479	Neel, Francis M	Fairfield, Ill	12.00	8.00
519150	Neeld, Samuel W	Lock box No. 2, Hamorton, Pa.	8.00	6.00
698222	Neff, Benjamin L	Faubis, N. Y	8.00	6.00
302413	Neff, George	Garrett, Ind	12.00	8.00
523582	Neis, Theodore	Sturges, Mo	12.00	6.00
510291	Neighbor, Theo. D	New Comerstown, Ohio	12.00	8.00
242266	Nelson, John E	Mortons Mills, Iowa	12.00	8.00
517476	Neeson, William	Murphysboro, Ill	12.00	6.00
514628	Nelson, Tell	Rushville, Ill	12.00	6.00
521735	Nelson, John W	Tipton, Ind	12.00	6.00
476340	Nelson, Frederick	Flandreau, S. Dak	12.00	6.00
359833	Nelson, George W	Belleville, Kans	12.00	6.00
512033	Nerhood, Mathias	18 Barthold st., Ft. Wayne, Ind	12.00	10.00
512649	Newberry, Lewis	558 Plymouth st., East Toledo, Ohio.	12.00	8.00
513957	Newberry, Absalom	Kingfisher, Okla	12.00	8.00
564910	Newson, John C	Dixie, Mo	8.00	6.00
323455	Newnom, Joseph W	Cambridge, Ohio	10.00	8.00
495714	Newly, Solomon	Sunbury, N. C	12.00	8.00
507793	Newton, John H	New Castle, Pa	12.00	8.00
513897	Nickey, Isaac B	Edinburg, Ind	12.00	10.00
706204	Nickerson, Chas. W	Brockton, Mass	8.00	6.00
536613	Nichols, John A	Bee Branch, Ark	12.00	8.00
295898	Nichols, Arnold M	New London, Pa	12.00	6.00
591667	Nichols, Henry W	St. Paul, Nebr	8.00	6.00
603825	Nichols, Samuel	Galloway, Ark	10.00	6.00
788040	Nicholson, Jacob	Markleton, Pa	12.00	8.00
298567	Nigh, Jacob G	Elizabeth, W. Va	10.00	6.00
529689	Niswender, Henry	Erie, Mich	8.00	6.00
547795	Nixon, Thomas	Great Bridge, Va	12.00	10.00
491000	Noble, James	Lexington, N. Y	6.00	4.00
555558	Noel, Franklin	Hampton, Pa	12.00	10.00
469300	Norris, Charles A	Grand Rapids, Mich	8.00	4.00
602537	Norton, Miles	789 Jefferson avenue, Grand Rapids, Mich.	8.00	6.00
522087	Norton, Henry B	Island Pond, Vt	12.00	8.00
681695	Nokes, Thomas	Chateaugay Lake, N. Y	8.00	6.00
713991	Norcross, Francis N	Spencer, Mass	8.00	6.00
615263	Nowak, John	534 Walnut street, Cincinnati, Ohio.	8.00	6.00
620819	Nunemaker, Jared	Greason, Pa	8.00	6.00

Statement showing by laws and classes the certificate numbers, names, post-office addresses, former rates and present rates, of pensioners, etc.—Continued.

ACT OF JUNE 27, 1890—continued.

Certificate Nos.	Names.	Post-office address.	Rates. Former.	Rates. Present.
519582	Nycum, William	Fort Wayne, Ind	$12.00	$8.00
515188	Nye, John	Helen Furnace, Pa	12.00	6.00
548402	Nance, Miles R	Clinton, Ky	8.00	6.00
612276	Oaks, John	Albuquerque, N. Mex	12.00	8.00
238694	Oblinquer, David	Piqua, Ohio	12.00	8.00
515192	O'Brien, Nicholas	National Soldiers' Home, Va	12.00	8.00
576434	Obermeyer, Joseph	800 Russel ave., St. Louis, Mo.	8.00	6.00
518817	O'Dell, George	1452 Twelfth st., Racine, Wis	8.00	6.00
471461	O'Donnell, Daniel	Kirk street, Providence, R. I	8.00	6.00
529138	O'Donnell, Edward	276 Putnam avenue, Zanesville, Ohio.	10.00	8.00
517140	Olwell, Patrick	National Soldiers' Home, Va	12.00	10.00
520874	Oliver, Lewis	199 Flint st, Rochester, N. Y	12.00	8.00
515193	Old Christian B	Everton, Mo	12.00	8.00
529131	Oldaker, John T	Eldorado, Nebr	8.00	6.00
16534	O'Malley, John	De Soto, Mo	8.00	6.00
83832	O'Neill, Hugh H	Soldiers and Sailors' Home, Quincy, Ill.	12.00	10.00
572176	O'Reilly, John	Warren, Ohio	8.00	6.00
29114	Ormrod, Thos. G	National Military Home, Leavenworth, Kans.	12.00	2.00
622301	Orman, Richard C	Lake street, Geneva, N. Y	8.00	6.00
515195	Ort, John	York, Pa	8.00	6.00
520282	Osborn, James	Terry, Mich	12.00	8.00
516334	Ostrander, Wm. E	Mansion House, 397 Broadway, Albany, N. Y.	12.00	8.00
751683	Otto, William	Michigan City, Ind	8.00	6.00
542387	Ott, Charles	1110 Locust st., Camden, N. J	8.00	6.00
520260	O'Toole, Michael	Wilkesbarre, Pa	10.00	6.00
521383	Owen, William H	Redfield, Mich	12.00	6.00
512847	Owens, Heman E	Laurel, Miss	12.00	8.00
529695	Owens, Granderson	Somerville, Tenn	8.00	2.00
510112	Page, William W	Kingfisher, Okla	12.00	8.00
659010	Page, Charles B	437 West Forty-fifth street, New York City, N. Y.	12.00	6.00
516339	Page, George	Flintville, Wis	12.00	8.00
534169	Paine, Henry H	Cambridge, Vt	6.00	4.00
519920	Paine, James L	North Anson, Me	12.00	8.00
522545	Palmer, George H	Winchester, Ill	12.00	10.00
520297	Parker, Richard	Victoria, Tenn	8.00	6.00
704407	Parker, Andrew	Athens, Ohio	8.00	6.00
691509	Parker, Gould E	66 Court st., Brockton, Mass	8.00	6.00
517793	Parker, Edward R	Scranton, Pa	12.00	8.00
359382	Parks, David	Bloomington, Ind	12.00	10.00
156434	Parks, Samuel W	Hot Springs, Ark	8.00	4.00
314117	Parman, Francis M	Heilman, Ind	8.00	6.00
486405	Parrish, Daniel W	Potomac, Ill	12.00	6.00
728206	Parsons, Timothy	Newfield, N. Y	8.00	6.00
523045	Parsons, Cecil D., jr	Fowlerville, Mich	10.00	6.00
324872	Patrick, John F	Slaverville, Ky	12.00	8.00
807814	Patrick, Robert E	Omaha, Nebr	12.00	8.00
323310	Paterson, Geo. W	Bentley Creek, Pa	12.00	8.00
680465	Patch, Samuel H	Joplin, Mo	8.00	6.00
602615	Patterson, Charles	124 Pearl st., Evansville, Ind	8.00	6.00
511677	Patterson, Joseph	Watkins, N. Y	8.00	6.00
516083	Patton, Erastus	Huntington, W. Va	12.00	6.00
708870	Patton, Henton	Cairo, W. Va	8.00	6.00
518162	Patterson, Wm. B	Bath-on-Hudson, N. Y	12.00	8.00
543892	Patterson, Rufus M	Parkersburg, Ill	8.00	4.00
552907	Patterson, Alfred	Fon du Lac, Wis	12.00	8.00
623473	Payton, Levi	Lebanon, Mo	8.00	6.00
522030	Payne, Evander M	Summitville, Ind	8.00	6.00
477317	Payne, Thomas J	Evansville, Ill	8.00	4.00
509897	Payne, George	National Military Home, Ohio	12.00	8.00
587039	Payne, Andrew J	Lancaster, Ky	12.00	6.00
616309	Pearl, Rufus	Herkimer, N. Y	8.00	6.00
519919	Pease, Erwin M	Chardon, Ohio	12.00	6.00
812391	Pease, Frank D	Jackson, Mich	12.00	6.00
832463	Pease, John D	Gandy, Nebr	8.00	6.00
521391	Peatt, William	Jeffersonville, Ind	10.00	8.00
515203	Peck, Thomas	Canaan, W. Va	12.00	6.00
511683	Peck, Asa	Chadron, Nebr	12.00	6.00
676352	Peet, John H	159 Pittsburg street, Newcastle, Pa.	10.00	2.00
312485	Peirce, Harrison	Cedar Rapids, Nebr	12.00	8.00
511036	Petee, Charles H	Elliston, Ohio	12.00	6.00
523610	Penny, Wm. H. H	Youngstown, Ohio	12.00	8.00
608779	Penny, George W	Igous Ferry, Tenn	8.00	6.00
518431	Pepall, George	254 Wickenden street, Providence, R. I.	12.00	8.00
659002	Perkins, Charles	Manchester, Iowa	8.00	6.00
585502	Perkins, Thomas	Greenfield, Ill	10.00	6.00
571461	Perkins, Philip	Canton Center, Conn	8.00	6.00
510020	Perkey, Amos	Manada Hill, Pa	12.00	6.00
528253	Pernell, John	Danville, Ky	12.00	6.00
642607	Personius, Geo. M	10 Whitney street, Binghamton, N. Y.	8.00	6.00
520293	Perry, Marion	Eldorado, Kans	12.00	8.00
513919	Perry, Lewis	Shelbyville, Mo	12.00	6.00
467990	Perry, John	Gainesville, Va	12.00	6.00
548420	Perryman, Alfred	Cannonsburg, Miss	10.00	6.00
580205	Pettit, Levi	Cameron, W. Va	8.00	6.00
511545	Petrig, Joseph	Tell City, Ind	12.00	8.00
514643	Pettiford, Nich. V	Washington, Ohio	12.00	8.00
449172	Peters, Hendley E	72 Maybury avenue, Detroit, Mich.	8.00	6.00
63735	Peuterbaugh, Chas	Nimble, Pa	12.00	10.00
521397	Phelps, Fred. A	Defiance, Ohio	12.00	10.00
744552	Phelps, Hardy	Beaufort, S. C	8.00	6.00
519159	Philhower, Isaac N	Websters Crossing, N. Y	10.00	8.00
546014	Phinney, Edwin W	Indianapolis, Ind	8.00	6.00
124423	Phillips, George W	Wallkill, N. Y	12.00	4.00
510610	Phillips, George W	Johnstown, Ohio	12.00	8.00

Statement showing by laws and classes the certificate numbers, names, post-office addresses, former rates and present rates, of pensioners, etc.—Continued.

ACT OF JUNE 27, 1890—continued.

Certificate Nos.	Names.	Post-office address.	Rates. Former.	Rates. Present.
672963	Phillips, Amos	Dickey, Ark	$8.00	$6.00
539365	Phillips, Bazzel	Topeka, Kans	10.00	6.00
561420	Philpot, William B.	Mason Valley, Ark	12.00	6.00
511689	Pierce, Charles B	Cowper street, East Boston, Mass.	8.00	6.00
522547	Pierce, Nathan	Malone, N. Y	12.00	8.00
511696	Pierson, Charles	Decatur, Ind	12.00	10.00
521709	Pierson, George	National Soldiers' Home, Va.	12.00	8.00
681736	Pilant, Alexander	Frumet, Mo	8.00	6.00
433158	Pine, Jonathan	Turnersville, N. J	8.00	6.00
791784	Pinkerton, Samuel	Limestone, N. Y	10.00	6.00
544499	Piper, John W	Halstead, Kans	8.00	6.00
508900	Pittman, Alex	Edinburg, Ind	12.00	8.00
787241	Pitts, William W	Ruth, Tenn	12.00	4.00
630129	Pitts, Wm. H. C	Bengies, Md	8.00	6.00
509962	Pitcher, Oscar	Watervliet, Mich	8.00	6.00
489139	Pielle, Louis	New Britain, Conn	6.00	4.00
530256	Pigg, Thomas	Louisa, Ky	12.00	6.00
669425	Pietain, Napoleon	352 Tenth ave., New York, N. Y	12.00	8.00
513032	Plummer, Henry	Rainsboro, Ohio	12.00	8.00
523619	Poe, Jesse	Glezen, Ind	8.00	6.00
512 69	Poe, John	Murphysville, Ky	12.00	6.00
518842	Poisson, Joseph	Deshler, Ohio	12.00	10.00
587040	Polk, Jas. K	Cambridge, Md	12.00	6.00
478320	Polson, Alexander	Armourdale, Kans	6.00	4.00
511037	Polen, Thomas	Loudenville, W. Va	12.00	6.00
548419	Pope, Henry	6604 Pa. ave., St. Louis, Mo	12.00	6.00
525107	Ports, Jas. S	Springfield, Ohio	8.00	6.00
312987	Post, Henry	Westerville, Ohio	12.00	6.00
728092	Potter, George N	41 Orchard st., Elizabeth, N. J.	8.00	6.00
729772	Potter, Gustavus A.	Millville, Pa	8.00	6.00
520292	Powers, John	Broadland, S. Dak	12.00	8.00
522542	Powell, James	Frankfort, Ohio	12.00	8.00
844204	Powelker, Joseph	Oxford Junction, Iowa	12.00	6.00
652086	Prescott, Edw. P	Brownville, Me	8.00	6.00
538004	Prescott, William	Dallas City, Ill	12.00	8.00
512066	Presson, Oscar F	Mound Valley, Kans	12.00	6.00
349029	Preston, Lafayette	Philadelphia, Mo	12.00	10.00
521386	Presho, Nathaniel	Yankton, S. Dak	12.00	6.00
517157	Price, Liberty G	Mulkeytown, Ill	12.00	8.00
616835	Price, Adam	23 Monroe st., Ithica, N. Y	8.00	6.00
587037	Price, Merrick	Bear Lake, Pa	8.00	6.00
521772	Price, Oscar D	Almedia, Pa	12.00	6.00
420185	Puckett, Wm. A	Blanchester, Ohio	12.00	6.00
517147	Priestly, Francis T.	Togus Home, Me	12.00	8.00
847318	Pritchard, H. H	National Military Home, Kans.	8.00	6.00
523040	Pritchett, Wm. T	Cambridge, Md	12.00	6.00
531404	Provo, Sam'l G	Hackingport, Ohio	12.00	8.00
853990	Pryor, Charles M	La Cygne, Kans	12.00	10.00
502396	Pudenz, Simon	63 West Court st., Cincinnati, Ohio.	8.00	6.00
512674	Pugh, John P	Knotts Island, N. C	12.00	8.00
556473	Pugh, Robin	Weeksville, N. C	10.00	6.00
518703	Pugh, Harrison	Revenge, Ohio	12.00	6.00
518147	Pullen, Samuel H	526 North Front street, Grand Rapids, Mich.	12.00	8.00
503220	Pulley, John	Huntington, W. Va	8.00	6.00
502986	Putnam, David H	169 Conklin avenue, Binghamton, N. Y.	8.00	6.00
634534	Querry, William C	Woodbury, Pa	8.00	6.00
497657	Quinn, Francis	Red Key, Ind	10.00	6.00
506426	Quimby, John G	178 Jackson street, Grand Rapids, Mich.	12.00	8.00
510310	Raber, John	Lebanon, Pa	8.00	6.00
507146	Radford, William T.	412 Kansas avenue, Kansas City, Kans.	12.00	8.00
508062	Rahn, George	Warren, Ohio	12.00	8.00
525688	Rairden, Harvey	Leon, W. Va	12.00	6.00
521791	Ramsey, Lewis	Somerville, N. J	8.00	6.00
209254	Rau, John H	1918 North Sixth street, Philadelphia, Pa.	8.00	4.00
525125	Raney, Robert	Kyana, Ind	12.00	8.00
522122	Randall, Samuel	Elk City, W. Va	10.00	6.00
509795	Randall, Milo	Cedarville, Ohio	8.00	6.00
513087	Raidan, Wm. J	Mercers Bottom, W. Va	10.00	8.00
677805	Ratcliff, John T	Auburn, W. Va	8.00	6.00
195415	Ratcliff, Robert	Portsmouth, Ohio	8.00	6.00
622415	Rawlee, Alonzo B	Fulton, N. Y	8.00	6.00
390470	Reyburn, Griffin	Glen Elk, W. Va	8.00	6.00
510651	Ray, Williams	902 Seventh ave., Altoona, Pa.	12.00	8.00
552207	Ray, John	America, Ill	12.00	8.00
584820	Ray, George	Lancaster, Ky	8.00	6.00
127603	Razor, George W	Salt Lick, Ky	10.00	8.00
703399	Reams, David	Dalton, Kans	12.00	6.00
519166	Reace, Joseph	Bonne Terre, Mo	12.00	6.00
508064	Reader, Abraham	Baltimore, Ohio	8.00	6.00
650085	Redd, John	Martinsville, Va	8.00	6.00
616850	Reed, Alexander	Fetterman, W. Va	8.00	6.00
518414	Reedy, Eli	Independence, W. Va	12.00	10.00
773818	Reed, Dwight A	Shutesbury, Mass	12.00	8.00
560973	Reed, Wm	Norfolk, Va	12.00	8.00
521787	Reese, David	Olyphant, Pa	12.00	6.00
515228	Reeves, William	Prescott, Kans	12.00	6.00
473031	Regar, John B	Adamstown, Pa	12.00	8.00
524657	Reinhard, Geo. L	Rockport, Ind	12.00	6.00
697712	Reid, David P	Auburn, N. Y	6.00	2.00
629279	Reilly, John H	34 Bremen st., E. Boston, Mass.	8.00	6.00
512058	Reiser, George W	1026 Ridgely street, Baltimore, Md.	12.00	6.00
628029	Reiter, Nicholas	Columbus, Ohio	8.00	6.00
269961	Remmele, Birdsey S.	Osseo, Mich	12.00	8.00
524655	Reno, William P	Waverly, Mo	12.00	8.00

Statement showing by laws and classes the certificate numbers, names, post-office addresses, former rates and present rates, of pensioners, etc.—Continued.

ACT OF JUNE 27, 1890—continued.

Certificate Nos.	Names.	Post-office address.	Rates. Former.	Rates. Present.
519165	Renner, William A	Independence, Kans	$12.00	$8.00
564469	Renzenberger, John	Greeley, Kans	8.00	6.00
509125	Rettig, Adam	Bucyrus, Ohio	12.00	6.00
558479	Reynolds, John	509 Diamond street, Philadelphia, Pa.	8.00	6.00
505319	Reynolds, James	862 North Market street, Lancaster, Pa.	8.00	6.00
549016	Reynolds, Reuben D., alias Reuben D. Buckley.	701 E. Water st., Elmira, N. Y	12.00	6.00
853344	Rhines, George	Hartford, S. Dak	10.00	6.00
12202	Rhoads, Alva M	Columbus, Ohio	12.00	8.00
660894	Rice, George	Savoy, Mass	8.00	6.00
602722	Rich, Madison H	Burr Oak, Kans	12.00	8.00
693152	Rick, Isaac	Yorkshier, Ohio	8.00	6.00
516773	Rich, Charles S	Bolton, Mass	12.00	8.00
511366	Richey, Alexander	Steubenville, Ohio	10.00	6.00
522566	Richards, Eli	S. E. corner St. Paul and Saratoga sts., Baltimore, Md.	10.00	6.00
516760	Richart, Robert S	Palouse, Wash	12.00	8.00
312387	Richards, Samuel	De Witt, Nebr	12.00	8.00
575630	Richmond, Francis	Tyndall, S. Dak	6.00	4.00
520890	Rickets, David	1736 Atlantic avenue, Brooklyn, N. Y.	12.00	8.00
807067	Rider, Andrew	Marshalltown, Iowa	12.00	6.00
510033	Ridge, John	Smithville, Ind	12.00	8.00
594251	Ridenour, Benj. F	School House, W. Va	10.00	6.00
520318	Ridenour, Samuel	464 First street, Kansas City, Kans.	12.00	8.00
514678	Riggs, William D	Florence, N. C	12.00	8.00
514681	Riley, Jackson	Alley between Jackson and Hancock, Caldwell and Kentucky streets, Louisville, Ky.	12.00	6.00
796156	Ringland, Joseph P.	73 Twenty-ninth street, Chicago, Ill.	8.00	6.00
516348	Ritter, Newton J	330½ Ohio st., Terre Haute, Ind.	12.00	10.00
513078	Rich, Sidney H	Riverhead, N. Y	10.00	6.00
510652	Roach, Lyman S	Texarkana, Tex	12.00	8.00
593226	Roberts, Charles	Rochester, Mo	12.00	6.00
517802	Robertson, Jos. R	Coshocton, Ohio	12.00	8.00
724713	Roberts, James S	Blackwater, Del	8.00	6.00
601232	Robertson, Enos E	Paw Paw, W. Va	8.00	6.00
837588	Robbins, Myron W	East Las Vegas, N. Mex	12.00	8.00
669775	Robinson, Daniel M.	Setser, Ky	8.00	6.00
794305	Robins, William	25 Concord Place, Cincinnati, Ohio.	8.00	6.00
518863	Robinson, James T.	156 Sixteenth street, Oshkosh, Wis.	12.00	6.00
609714	Robbins, Joseph K	Brooklyn, Conn	8.00	6.00
515778	Robinson, Wm. H	Patoska, Ind	8.00	6.00
527707	Robinson, Giles H	Westville, Conn	12.00	8.00
509544	Robnett, Joseph S	Waynesboro, Tenn	8.00	6.00
574593	Robinette, Augustine.	303 Maryland avenue, Washington, D. C.	12.00	8.00
517186	Robnett, Enoch	Mankato, Kans	12.00	8.00
508063	Rockwood, Elijah	Long Rapids, Mich	12.00	10.00
481112	Rockhill, Robert N	Cranberry, Ohio	12.00	8.00
529727	Rodgers, Charles A.	North Amherst, Mass	8.00	6.00
411967	Roe, Daniel J., jr	Modena, N. Y	10.00	8.00
510646	Roemer, George	Menomonee, Wis	12.00	10.00
522112	Rogers, Isaiah	116 Hawley street, Binghamton, N. Y.	12.00	8.00
662020	Rogers, Orange	67 Emerson ave., Chicago, Ill.	8.00	6.00
513966	Rogers, Isaac B	Galesburg, Mich	12.00	8.00
731638	Rogers, Perry G	Mancelona, Mich	8.00	6.00
520906	Rogers, Robert	Leesburg, Ohio	12.00	8.00
568890	Rogers, Philamon	Kenton, Ohio	10.00	8.00
514682	Rogers, George	Alexandria, Ky	12.00	6.00
516102	Rogers, George W	Yates Center, Kans	12.00	8.00
521777	Roller, Jacob F	219 N. Fifth st., St. Joseph, Mo.	8.00	6.00
510317	Roney, Samuel W	Monmouth, Ill	12.00	6.00
515211	Roney, Charles H	Dresden, Ohio	8.00	6.00
430509	Root, James E	Thompsonville, Mich	8.00	6.00
520907	Ropp, Henry	Arcanum, Ohio	10.00	6.00
62987	Rosch, Christian	Andrews, Ind	12.00	8.00
697691	Rosecrants, Wm	Kalkaska, Mich	8.00	6.00
435766	Rose, Abraham	Wills Point, Tex	6.00	4.00
477032	Rose, John W	Buddtown, N. J	10.00	6.00
615359	Rose, Robert K	Oneida, Ill	8.00	6.00
733941	Rose, Timothy	231 Turner street, Grand Rapids, Mich.	8.00	6.00
563021	Rose, Frederick	Oak Hill, Mo	12.00	6.00
523628	Ross, Henry C	Rosedale, Ind	12.00	6.00
513449	Ross, Thomas	23 West Sixth st., Newport, Ky	12.00	8.00
516104	Ross, Joseph A	Wellington, Kans	12.00	6.00
230221	Ross, George H	Stillwater, Okla	12.00	10.00
682854	Rothfuss, Jakob	1545 Prentice st., Louisville, Ky	8.00	6.00
598087	Roth, Johann	2873 South Seventh street, St. Louis, Mo.	8.00	6.00
545425	Rounds, Ambrose H.	McBain, Mich	8.00	6.00
516103	Row, John	Brunswick, Mo	12.00	6.00
515780	Royston, Louis	Graham, Mo	12.00	8.00
687175	Ruby, Daniel	484 Western avenue, Brighton, Mass.	8.00	6.00
506326	Rudicill, Uriah	Milldale, Ky	8.00	6.00
769030	Rudolph, William K	1916 North st., Philadelphia, Pa	8.00	6.00
451818	Ruehle, John	1079 Vine st., Cincinnati, Ohio.	8.00	6.00
494054	Rieger, Henry	Carbon Center, Pa	12.00	8.00
706352	Rumbaugh, James	Apollo, Pa	10.00	6.00
512701	Rumbaugh, Theo	Constantine, Mich	12.00	6.00
378783	Rumsey, Martin	Meander, Ohio	12.00	10.00
637167	Rupp, Henry	Uriah, Pa	8.00	6.00

Statement showing by laws and classes the certificate numbers, names, post-office addresses, former rates and present rates, of pensioners, etc.—Continued.

ACT OF JUNE 27, 1890—continued.

Certificate Nos.	Names.	Post-office address.	Rates. Former.	Rates. Present.
512708	Russell, John	West Unity, Ohio	$10.00	$6.00
580261	Russell, Luther A	Eaton Rapids, Mich	10.00	6.00
524154	Russell, Franklin	Ransom, Mich	8.00	6.00
515770	Russell, Frederick	Winfield, Kans	12.00	6.00
508571	Russ, Henry L	Phœnix, N. Y	8.00	6.00
515216	Russell, Washington	Ironton, Ohio	12.00	8.00
643572	Russell, John	Skaneateles, N. Y	8.00	6.00
729037	Russell, William	1311 Linden street, NE., District of Columbia.	8.00	6.00
517805	Ruse, John	Duffields, W. Va	12.00	8.00
625603	Rutan, John	Lin Camp, W. Va	8.00	6.00
628093	Rutliff, Valentine	Muscle Fork, Mo	8.00	6.00
683568	Ruthford, Henry	Tulsa, Ind. T	8.00	6.00
515210	Ryan, Andrew, alias Bourke, Andrew.	Ellsworth, Kans	12.00	8.00
516000	Rydberg, John Z	Rockford, Ill	8.00	6.00
518911	Saffell, William C	Linderville, Mo	10.00	6.00
655001	Sallee, Thomas E	Chillicothe, Mo	8.00	6.00
666685	Salmon, John	38 Ferry st., Fall River, Mass.	8.00	6.00
507811	Sampson, John D	200 East State street, Columbus, Ohio.	12.00	6.00
632044	Sampson, George A	Palmyra, N. Y	8.00	6.00
573297	Sample, John	Knox City, Mo	8.00	6.00
436561	Samuels, Alfred	Bloomington, Ill	8.00	6.00
671936	Samuels, Frank	Rockport, Ind	8.00	6.00
519619	Sanborn, George H	Milton, Mass	8.00	6.00
743151	Sanchez, Calixto	Las Vegas, N. Mex	12.00	8.00
519351	Sancomb, Charles	Chateaugay, N. Y	8.00	6.00
349239	Sanky, Wm. H. H	Addison, W. Va	8.00	4.00
512718	Sangston, James M	Masontown, Pa	12.00	8.00
611226	Sanderson, Jacob	Sodus, N. Y	8.00	6.00
280599	Sanders, Francis E	Lowell, Mass	8.00	4.00
602828	Sanders, James C	626 Lamberton street, Trenton, N. J.	8.00	6.00
514210	Sanford, Mark	26 Avon street, Norfolk, Va	12.00	2.00
619456	Satlirthite, Pompie	Newbern, N. C	12.00	8.00
507154	Saunders, Charles	Sedalia, Mo	12.00	6.00
663172	Sawyer, Nathan T	Judson, N. C	8.00	6.00
518099	Saynisch, James W	1304 Center street, Little Rock, Ark.	12.00	8.00
321297	Sayre, Robert F	Millwood, W. Va	12.00	8.00
791328	Schaeffer, John H	Williamsport, Pa	8.00	6.00
790394	Scheuermann, Joseph.	1116 North Eleventh street, St. Louis, Mo.	12.00	8.00
204723	Schenck, Otto H	495 Third av., New York City	8.00	4.00
291580	Schneider, Morris	First, between Holland and Germania streets, Erie, Pa.	12.00	6.00
508076	Schillinger, Henry	National Military Home, Va	12.00	6.00
184208	Schlenbaker, John	Freeland, Md	8.00	6.00
635445	Schmidt, Casper	Sedalia, Mo	8.00	6.00
542735	Schmidt, Martin	33 Sumner ave., Brooklyn, N. Y.	12.00	8.00
508359	Schultz, John	National Military Home	12.00	8.00
561022	Schulthers, Martin	Soldiers' and Sailors' Home, Quincy, Ill.	12.00	8.00
529624	Schweizer, Theo	Soldiers' Home, Bath, N. Y	8.00	6.00
523078	Schusttenduebe, L	National Military Home, Va.	12.00	8.00
528215	Schwannecke, A	East Saginaw, Mich	12.00	6.00
558557	Sanders, Henry	315 West Ninth street, Newport, Ky.	10.00	6.00
499842	Scott, Addison	Athens, N. Y	12.00	8.00
551086	Scott, Clark	Cincinnati, Ohio	8.00	4.00
682138	Scott, Joseph	Des Allemands, La	8.00	6.00
514030	Scott, Thaddeus	Somerville, Ala	12.00	6.00
526011	Scott, John T	615 Twelfth street NW., Washington, D. C.	12.00	8.00
407774	Scott, George B	Ovid, N. Y	10.00	8.00
199329	Scott, L. Winfield	Westfield, Pa	12.00	6.00
519999	Scritchfield, Sam'l	Manns Choice, Pa	8.00	6.00
513096	Seales, Francis	South West City, Mo	12.00	8.00
521815	Seaman, William H.	National Military Home, Wis.	12.00	6.00
510338	Seaman, John C	Seymour, Ill	8.00	6.00
803977	Sears, De Witt C	Seneca, N. Y	8.00	6.00
505477	Sellars, James H	2013 Eighth street NW., Washington, D. C.	12.00	8.00
739034	Semmel, David	Schmecksville, Pa	8.00	6.00
106699	Serks, David	McDuffy, Ohio	8.00	2.00
834108	Seymour, Sidney L	Winsted, Conn	8.00	6.00
359992	Seymour, Jesse	Cox, Ohio	12.00	10.00
115750	Shaffer, Henry	Dillsburg, Pa	6.00	4.00
512141	Shaffer, Benj. F	Council Grove, Kans	8.00	6.00
511736	Shaffer, Peter	Shirleysburg, Pa	12.00	8.00
246947	Shain, Elias A	Elgin, Nebr	12.00	8.00
507571	Shallenberger, J. B	California, Pa	12.00	6.00
494078	Shank, Samuel D	Steelton, Pa	8.00	4.00
588632	Shannon, William	Roscoe, Ohio	8.00	6.00
524704	Shaughnessy, Mic'l	Tecumseh, Nebr	12.00	6.00
134370	Shaver, Jedediah	Riceville, Pa	12.00	8.00
637210	Shaw, Thomas	Macksburg, Iowa	12.00	10.00
668313	Shaw, William	Piper City, Ill	8.00	6.00
514705	Shaw, Robert	Linton, Ind	12.00	8.00
372934	Shea, Patrick	Papinsville, Mo	12.00	6.00
140354	Sheets, John R	Stockford, Ohio	12.00	10.00
409795	Sheets, Thomas B	McConnellsville, Ohio	12.00	8.00
518470	Shenefelt, Henry C	Edwardsburg, Mich	12.00	8.00
517201	Sheehan, Patrick	West Gardner, Mass	12.00	6.00
565971	Sheehan, John	Strodes Mills, Pa	10.00	8.00
649379	Shepherd, Wm. F	New Richmond, Ind	12.00	6.00
293109	Shepherd, James	7 Huntley st., Syracuse, N. Y.	8.00	6.00
514016	Shepard, Tim. J	Alger, Ohio	12.00	6.00
520030	Sheppard, Wm. A	Middleport, N. Y	12.00	8.00
557829	Sherwood, Homer	North Underhill, Vt	8.00	6.00

Statement showing by laws and classes the certificate numbers, names, post-office addresses, former rates and present rates, of pensioners, etc.—Continued.

ACT OF JUNE 27, 1890—continued.

Certificate Nos.	Names.	Post-office address.	Rates. Former.	Rates. Present.
632342	Shields, William	509 Twenty-second st., N. W., Washington, D. C.	$10.00	$6.00
550272	Shields, Joseph	Knoxville, Tenn	12.00	8.00
403904	Shields, Joseph H	Chillicothe, Mo	12.00	8.00
514749	Shiley, Levi	Fayette, N. Y	12.00	8.00
519627	Shilling, David	Bellefonte, Pa	12.00	8.00
510063	Shimp, Benjamin F	Lancaster, Pa	8.00	6.00
528779	Shinbur, Nelson P	Oakland, Nebr	12.00	8.00
891533	Shipe, Jonas	Salina, Kans	8.00	6.00
516136	Shipps, William P	Catlin, Ill	12.00	6.00
516134	Shoff, John J	Hopewell, Pa	8.00	6.00
111814	Short, John	East Camden, N. J	12.00	8.00
514712	Shreves, Henry S	Mammoth Springs, Ark	12.00	6.00
598988	Shriner, Henry	Barnours Mills, Pa	10.00	8.00
44388	Shults, James W	Eros, Ark	8.00	6.00
511057	Shultz, Josiah M	Ogallala, Nebr	12.00	8.00
510345	Shuman, Jacob T	Claytona, Ohio	12.00	6.00
565021	Shurr, William	Monocacy Station, Pa	8.00	6.00
509436	Sias, Alfred J	165 McClure avenue, Allegheny, Pa.	8.00	6.00
514021	Sickman, Henry C	Cherryvale, Kans	12.00	6.00
515784	Siefert, John	St. Jacobs, Ill	8.00	6.00
512716	Sierer, John P	Emporia, Kans	8.00	6.00
535839	Sifford, Thomas J	Malden, Mo	8.00	6.00
490739	Simons, Ezra	Plattsburg, N. Y	8.00	4.00
511074	Simmons, Jonathan	Neffsville, Pa	12.00	8.00
379535	Simmons, Chas. S	Holly Grove, W. Va	6.00	4.00
214670	Simmons, Sam'l G	Montesano, Wash	12.00	8.00
507335	Simpkins, John	Lane, Ky	12.00	6.00
594333	Simpson, Wm	Knoxville, Tenn	12.00	8.00
514026	Simpson, William	Myrtle, Ill	12.00	8.00
730996	Simpkins, Chas	1114 Day st., Philadelphia, Pa	12.00	8.00
302420	Sinn, George W	Wayne, Pa	8.00	6.00
511728	Sipe, John	Lewiston, Pa	12.00	8.00
510334	Sipfle, Augustus	Scotch Ridge, Ohio	8.00	6.00
541745	Skidmore, Clayton	Perry, Okla	8.00	6.00
510670	Skeen, Benjamin F	723 Brooklyn street, Philadelphia, Pa.	12.00	8.00
528709	Skirm, Richard	Toms River, N. J	12.00	8.00
645221	Slade, John	Medina, N. Y	8.00	6.00
52243	Slemmer, Charles	Detroit, Kans	10.00	8.00
533538	Sliney, David	Branford, Conn	10.00	6.00
150432	Slocum, John	Avon-by-the-Sea, N. J	12.00	8.00
600145	Sloane, George W	St. Albans, W. Va	8.00	6.00
511780	Sloan, William	Marshalltown, Iowa	12.00	8.00
505453	Smallwood, Aaron	Penn street west of hospital, Philadelphia, Pa.	12.00	6.00
517519	Smalley, John W	859 Grand River avenue, Detroit, Mich.	12.00	8.00
649421	Smack, George	710 York st., Louisville, Ky	8.00	6.00
772162	Smith, Alonzo	Revere, Me	8.00	6.00
522507	Smith, Albert S	79 Brainerd street, Grand Rapids, Mich.	8.00	6.00
521445	Smith, Albert	1214 Washington street, Sioux City, Iowa.	12.00	8.00
577071	Smith, William T	Little Hickman, Ky	8.00	6.00
728289	Smith, William	Brenigsville, Pa	8.00	6.00
803584	Smith, George C	Covington, Ind	12.00	6.00
761232	Smith, George B	44 Myrtle ave., Brooklyn, N. Y	8.00	6.00
132607	Smith, Charles A	Deposit, N. Y	8.00	6.00
555255	Smith, Charles N	Sac and Fox Agency, Okla	12.00	8.00
517816	Smith, Joel	Volinia, Mich	12.00	10.00
533515	Smith, Clark	Houston, Miss	10.00	6.00
681213	Smith, Henry	Jericho, Ark	8.00	6.00
611219	Smith, Valentine	329 Locust st., Newport, Ky	8.00	6.00
176103	Smith, Augustus	North Platte, Nebr	8.00	6.00
526200	Smith, Pleasant	Brunswick, Mo	12.00	8.00
525732	Smyth, Bernard B	Winnebago, Nebr	12.00	8.00
113011	Smith, Elias	Oakland, Md	12.00	10.00
581020	Smith, Peter M	Milton, Pa	8.00	6.00
92239	Smith, Jacob B	1229 Lancaster avenue, Wilmington, Del.	10.00	6.00
55579	Smith, Daniel H	69 Kemble street, Utica, N. Y	8.00	6.00
527406	Smith, James E	Athol Center, Mass	12.00	6.00
368421	Smith, John A	Sandusky, Ohio	12.00	6.00
266301	Smith, Robert T	Roxbury, Mass	8.00	4.00
507930	Smuck, Valentine	10 P st. NE., Washington, D. C.	12.00	6.00
594345	Smyth, William	Crockettsville, Ky	12.00	8.00
274183	Snedicor, Philetus	Peckville, Pa	10.00	6.00
523721	Sniffin, Asbury	Yorktown Heights, N. Y	8.00	6.00
523050	Snowden, Alex. S	Hollidaysburg, Pa	12.00	6.00
564437	Snowden, Alfred	225 Courtland street, Baltimore, Md.	8 00	6.00
523100	Snyder, William G	Bement, Ill	12.00	8.00
493381	Socie, Louis V	Fulton, Ohio	12.00	4.00
522609	Soles, Lewis	Bedford, Iowa	12.00	8.00
344692	Soucrant, Peter	Trowbridge, Ohio	6.00	4.00
216333	Southerland, And'w	La Porte City, Iowa	8.00	6.00
508939	Soult, Harvey B	Elysburg, Pa	12.00	8.00
519610	Sparks, Edwin C	Ottawa, Kans	10.00	6.00
589854	Sparkes, Francis	Gregg, Mo	12.00	8.00
519679	Sparrow, John	Marion, Ind	10.00	6.00
235028	Spaulding, Lewis	Norfolk, Va	12.00	8.00
516122	Spaulding, Thad	Newburn, Ill	12.00	6.00
15266	Spayd, Washington	Salem, N. J	12.00	8.00
522137	Specher, John	Stauffer, Pa	12.00	8.00
691172	Spence, Joshua B	Wilmington, Del	8.00	6.00
519981	Spencer, William G	Soldiers' Home, Bath, N. Y	12.00	8.00
158086	Spencer, George	32 Pacific street, Fitchburg, Mass.	8.00	4.00
629415	Spencer, Adam	Willow Dale, Ark	8.00	6.00
752405	Spencer, George H	Herrington, Kans	10.00	6.00

Statement showing by laws and classes the certificate numbers, names, post-office addresses, former rates and present rates, of pensioners, etc.—Continued.

ACT OF JUNE 27, 1890—continued.

Certificate Nos	Names.	Post-office address.	Rates.	
			Former.	Present.
513108	Sperry, James A	74 Niagara st., Lockport, N. Y.	$12.00	$6.00
459497	Spicer, Franklin D	Lorraine, N. Y	8.00	6.00
517530	Spofford, Edwin I	South Paris, Me	12.00	6.00
240406	Springman, George	2356 Gordon street, Philadelphia, Pa.	8.00	6.00
518165	Springsteen, Jno. W	Atchison, Kans	12.00	8.00
785648	Stabler, Ready	Elm, Mich	8.00	6.00
730720	Staflet, Adam	29 Alger st., So. Boston, Mass.	10.00	6.00
392645	Stafford, James	Jordan, W. Va	12.00	10.00
515238	Stage, Charles E	Lawrenceville, Pa	8.00	6.00
256541	Stahl, William C	Farmwell, Va	6.00	2.00
562354	Stante, Louis	2000 West Main street, Louisville, Ky.	8.00	6.00
512773	Stanley, Alvin J	313 North First street, Wichita, Kans.	12.00	8.00
520622	Stanley, Gideon	Beloit, Ohio	12.00	6.00
257045	Stansbury, William	Finchville, Md	8.00	6.00
538056	Stanton, Thomas	Boonville, Ind	12.00	8.00
769062	Stanley, Thomas	2135 Nicholas street, Philadelphia, Pa.	10.00	6.00
520352	Stapleton, Larkin	Eidson, Tenn	12.00	6.00
511729	Starnes, Nicholas	Hindsville, Ark	12.00	8.00
517226	Stark, John W	Marshall, Ill	10.00	8.00
517220	Starkey, David	Dallas City, Ill	12.00	8.00
513977	Starbird, Joseph A	Saxtons River, Vt	8.00	6.00
521794	Stark, George	Elizabethtown, Pa	12.00	8.00
263772	Statham, Thos	Arton, Canada	12.00	6.00
512724	Stearns, Carey D	National Military Home, Va	12.00	8.00
656043	Steele, Robert W	Andover, N. Y	8.00	6.00
298221	Steele, John S	South Bend, Ind	12.00	8.00
502585	Stewart, Harrison	Garnett, Kans	8.00	6.00
509014	Stewart, Thomas	Durham, Ark	8.00	6.00
516814	Stewart, Robert	Charleston, Ill	12.00	10.00
508938	Stewart, Jeremiah	721 Scott st., Wilmington, Del	12.00	8.00
512713	Stewart, Chauncey	Cor. McClure ave. and Woods Run ave., Allegheny, Pa.	12.00	8.00
528317	Sterling, John L	Smithboro, N. Y	12.00	6.00
475566	Stephens, Zachariah	East Point, Ky	8.00	4.00
80334	Stephens, David	Tulsa, Ind. Ter	8.00	6.00
613576	Stephens, Robert H	Elliottsville, Ky	8.00	6.00
625799	Stephenson, Alex	Bishop st., bet. Eleventh and Twelfth, Little Rock, Ark.	8.00	6.00
518195	Stephens, John	Millington, Md	8.00	6.00
707395	Stevens, Elias A	Traverse City, Mich	8.00	6.00
521435	Stevens, William P	Ripon, Wis	12.00	6.00
517824	Stevens, George W	East Tawas, Mich	8.00	6.00
225088	Stevens, Asa A	Shingle House, Pa	8.00	6.00
682527	Stiers, Joseph	Lamar, Mo	8.00	6.00
681230	Stiffler, Jackson, alias Edw. Douglass.	Woodberry, Md	8.00	6.00
793940	Stilwell, Wm. T	St. Branch, Ind	12.00	8.00
515790	St. James, John	Laporte, Tex	12.00	8.00
519991	Stogsdill, James C	Clements, Kans	12.00	8.00
514730	Stone, John J	Mystic, Iowa	12.00	8.00
672580	Stone, Jordan	Columbus, Ohio	10.00	6.00
737667	Stone, Edmund A	Ashland, Mass	8.00	6.00
551806	Stone, Minor	Paris, Mo	8.00	6.00
511737	Stockford, Henry	Soldiers' Home, Grand Rapids, Mich.	12.00	8.00
626864	Stockwell, John A	Chicopee Falls, Mass	12.00	8.00
230713	Stouffer, Albert D	St. Joseph, Mo	12.00	6.00
510053	Stouffer, George D	Leisburn, Pa	12.00	6.00
372096	Strasberger, Wm	74 Hayes st., Newark, N. J	10.00	6.00
505957	Strayer, Henry G	Winterstown, Pa	8.00	6.00
172538	Strang, Charles	Shiloh, N. J	6.00	4.00
512747	Strause, William H	Ohiopyle, Pa	12.00	8.00
498340	Strauss, Jacob	North Topeka, Kans	10.00	8.00
595259	Stratton, John C	531 East Third street, Hutchinson, Kans.	12.00	6.00
509449	Strand, Ole	Ottawa, Ill	12.00	8.00
511727	Stump, John K	Mifflintown, Pa	12.00	6.00
405203	Suender, Jacob	1026 North High street, St. Louis, Mo.	8.00	6.00
506924	Suggs, John L	Monmouth, Ill	12.00	6.00
635467	Sullivan, John	17 Madison avenue, Plainfield, N. J	8.00	6.00
516353	Sullivan, Michael	354 Jersey st., Trenton, N. J	10.00	6.00
505575	Sullivan, Patrick	North Adams, Mass	8.00	6.00
511734	Sullivan, George	Maysville, Ky	12.00	8.00
512136	Surbey, Jacob S	Indianapolis, Ind	12.00	6.00
521440	Sutton, Harmon	Belvidere, Ill	8.00	6.00
515281	Sutton, William A	St. Johns, Mich	12.00	6.00
519617	Sutliff, Nathan	Ithaca, Mich	12.00	6.00
745382	Suters, Chris	1116 Howard street, Philadelphia, Pa.	8.00	6.00
715908	Sweetman, F. W	Branford, Conn	8.00	6.00
778967	Swift, William S	Pittsfield, Vt	8.00	6.00
671912	Swigert, John P	Coshocton, Ohio	8.00	6.00
701436	Tafoya, Jesus M	Las Vegas, N. Mex	12.00	8.00
395416	Taggart, John	National Military Home, Wis.	12.00	4.00
741179	Taluday, Jeptha	Marion, Ind	8.00	6.00
522639	Taley, John A	Pleasant Ridge, Ky	12.00	6.00
604046	Talford, Colman	Helena, Ark	10.00	6.00
515308	Tarter, Willis	Jabez, Ky	12.00	8.00
708976	Taylor, Daniel E	Bendersville, Pa	8.00	6.00
514022	Taylor, Theodore W	Greenwood, Mo	12.00	6.00
522165	Taylor, Thomas	National Soldiers' Home, Va	12.00	10.00
515303	Taylor, Joseph	Starling Medical College, Columbus, Ohio.	12.00	8.00
689209	Teal, Hirem	Witty, Mo	8.00	6.00
514780	Teets, Elisha	Hazelton, W. Va	12.00	8.00
758043	Tefft, John W. H	Ticonderoga, N. Y	8.00	6.00

Statement showing by laws and classes the certificate numbers, names, post-office addresses, former rates and present rates, of pensioners, etc.—Continued.

ACT OF JUNE 27, 1890—continued.

Certificate Nos.	Names.	Post-office address.	Rates.	
			Former.	Present.
550400	Temple, Carter, jr., alias Caro Hopkins.	Indianapolis, Ind	$8.00	$4.00
521837	Tennison, Geo. W	Ponce de Leon, Mo	12.00	6.00
536024	Terry, Joseph	Poland, N. Y	8.00	6.00
480617	Tester, Henry W	Vaughtsville, Tenn	8.00	6.00
523128	Thacker, Stephen	Huntington, W. Va	12.00	8.00
523115	Thelon, Albert P	Randall, Minn	12.00	8.00
519209	Thorpe, Robert F	Bluffton, Ind	12.00	6.00
517238	Thornton, Wm. W	Prestonsville, Ky	12.00	8.00
522863	Thornton, Richard	Dover, Okla	12.00	6.00
548509	Thompson, John	115 Hughes st., Baltimore, Md	8.00	6.00
731765	Thompson, Doctor	Fayette, Miss	8.00	6.00
74054	Thompson, Wm. J	Hutchinson, Kans	12.00	6.00
527459	Thompson, John	Huntington, W. Va	8.00	8.00
516839	Thompson, Thos. H	104 Short st., Harrisburg, Pa	8.00	6.00
517840	Thompson, Amos	223 South Feeder st., Trenton, N. J.	12.00	6.00
117063	Thompson, John B	State Soldiers' Home, Erie County, Ohio.	12.00	10.00
518935	Thompson, S. N	Grey Eagle, Minn	12.00	8.00
606493	Thompson, Robert	Garrison, Kans	8.00	6.00
711817	Thompson, Jacob	Kirwin, Kans	8.00	6.00
521492	Thompson, Dan'l F	Tuscumbia, Mo	12.00	8.00
514057	Thomas, George	126 Union st., Jersey City, N. J.	12.00	8.00
20957	Thomas, Lewis	McCullough st., bet. North Capitol and First, and E and F sts. NW, Washington, D. C.	12.00	6.00
718105	Thomas, Jesse	Hartford, Mich	8.00	6.00
526208	Thomas, Thomas	Sidney, Ohio	8.00	6.00
535044	Thomas, Smith	Belmont, Ohio	8.00	6.00
373725	Thomas, Lewis	Marion, Ky	12.00	10.00
512782	Thoroman, Jas. M	West Union, Ohio	12.00	8.00
608347	Thrall, Reuben R	Poultney, Vt	8.00	6.00
395270	Tichenor, Wm. R	Centertown, Ky	12.00	8.00
796452	Tillinghast, Geo. H	East Greenwich, R. I	8.00	4.00
605207	Timmons, Wm. T	Townsend, Del	8.00	6.00
513484	Tinsley, Payton	Clarksville, Mo	8.00	6.00
512791	Tippett, Henry M	Homer, Ohio	12.00	8.00
514012	Todden, Claus	Chatsworth, Ill	12.00	8.00
521479	Todd, John M	State Soldiers' Home, Ohio	10.00	6.00
573885	Tolson, Lewis	Chilton, Va	8.00	6.00
624768	Tolbert, Harrison	Springfield, Mo	8.00	6.00
527000	Tomey, John	Silver Creek, Pa	12.00	6.00
552464	Tompkins, John	Sidney, Ohio	8.00	6.00
129816	Toomey, James	112 China st., Philadelphia, Pa	10.00	8.00
794866	Townsend, L. U	Edmon, Pa	8.00	6.00
598253	Towers, Thomas P	Choptank, Md	12.00	8.00
523744	Tracey, Walter J	Almena, Mich	12.00	6.00
568234	Tracey, David	Cameron, W. Va	10.00	6.00
523121	Tracey, Jonathan	Livermore Falls, Me	12.00	6.00
522633	Tracey, Jesse D	Wauseon, Ohio	12.00	6.00
588039	Travis, Henry F	Laharpe, Kans	8.00	6.00
648757	Treadway, John	Leonard, N. C	8.00	6.00
388075	Trester, George	Aurora, Ind	10.00	6.00
843194	Tresquis, Esquipula	Penasco, N. Mex	12.00	6.00
514047	Tripner, George L	2405 Bouvier street, Philadelphia, Pa.	12.00	8.00
706514	Trotter, Martin A	Carrollton, Mo	10.00	6.00
524210	Trowbridge, C	National Military Home, Ohio.	12.00	8.00
513117	Trout, Sylvester	Tyner, Iowa	12.00	8.00
513492	Trumbull, Wm. P	Versailles, Ill	12.00	6.00
724846	Trumbo, George	Creston, Iowa	8.00	6.00
554719	Trujillo, Albino	Santa Fe, N. Mex	12.00	6.00
516140	Truax, Clarence H	Nunda, Ill	10.00	8.00
518499	Tryon, Smith	190 West Long street, Columbus, Ohio.	12.00	8.00
524712	Tucker, Geo. W	Fort Smith, Ark	12.00	6.00
512089	Tucker, George L	Stoughton, Mass	12.00	8.00
511782	Tudor, Joseph	Memphis, Mo	12.00	8.00
429506	Turk, Geo. H	Harford, N. Y	10.00	8.00
505587	Turner, John	128 Poplar street, Wilmington, Del.	12.00	6.00
515302	Turner, John F	Coldwater, Mich	12.00	8.00
539385	Turner, Samuel W	98 Maple st., Cleveland, Ohio.	8.00	6.00
694243	Turner, John	Louisville, Ky	10.00	6.00
601459	Turner, William	Paynesville, Mo	8.00	6.00
635501	Turner, Chris. C	Turner, Mo	8.00	6.00
521836	Tuttle, Thomas	Yale, Ill	12.00	8.00
514059	Twaddells, Morris	National Soldiers' Home, Va	12.00	8.00
512786	Tyler, John	Kullison, Kans	12.00	8.00
513121	Taylor, Zachariah	Riley, Ky	10.00	8.00
293845	Thomas, James C	Chapel Hill, Ky	10.00	4.00
117063	Thompson, John B	State Soldiers' Home, Erie County, Ohio.	12.00	10.00
788493	Tracey, John M	2001 Franklin avenue, St. Louis, Mo.	8.00	6.00
520638	Ulrey, David	Athens, Tenn	12.00	8.00
64702	Unwin, Emanuel	Ashland, Kans	12.00	8.00
519375	Updike, George	Lodi Center, N. Y	12.00	8.00
631316	Urioste, Felix	Santa Fe, N. Mex	12.00	6.00
523131	Utz, George	Marshalltown, Iowa	12.00	8.00
598266	Valentine, George	Wilmington, Del	8.00	6.00
560082	Van Buren, Wm. H	Le Roy, N. Y	12.00	6.00
515320	Van Arsdale, C	Cleveland, Kans	12.00	8.00
510076	Vance, Wm. W	452 East Church street, Urbana, Ohio.	12.00	8.00
648752	Vandiver, Newton	Linderville, Mo	10.00	6.00
803278	Vanhorn, William	West Middlesex, Pa	8.00	6.00
569794	Vannetten, John L	East Trumbull, Ohio	12.00	8.00
318657	Vannoy, John C	Estes, Mo	8.00	6.00
759731	Vansickle, Oliver	Chapman, Nebr	8.00	6.00

Statement showing by laws and classes the certificate numbers, names, post-office addresses, former rates and present rates, of pensioners, etc.—Continued.

ACT OF JUNE 27, 1890—continued.

Certificate Nos.	Names.	Post-office address.	Rates. Former.	Rates. Present.
734045	Varner, Noah	Ambersons Valley, Pa	$10.00	$6.00
515542	Varnbaum, Frank	Portland Mills, Pa	8.00	6.00
511109	Vertrees, Jack	Indianapolis, Ind	12.00	8.00
536077	Vice, Burke	Carlisle, Ky	12.00	8.00
588747	Vinson, Wm. H	Millerstown, Ky	8.00	6.00
516376	Vincent, Manaen	Laurel, Del	10.00	6.00
729951	Vincent, John	43 Defrees street, Washington, D. C.	8.00	6.00
523135	Voigt, Conrad	816 Clinton st., Sandusky, Ohio	12.00	8.00
517850	Volkman, Godfrey	Effingham, Ill	12.00	8.00
506079	Vose, Mordecai	Nelsonville, Ohio	10.00	6.00
517561	Van Wie, John B	Coxsackie, N. Y	6.00	2.00
403019	Wade, Harrison H	Mountville, Ohio	12.00	8.00
130193	Walbrath, Herman	1568 Alder st., Philadelphia, Pa	10.00	6.00
516160	Walker, John K	517 Twenty-third street, Denver, Colo.	12.00	6.00
521495	Walker, James	Ellsworth, Minn	12.00	8.00
608363	Walker, Andrew	Southport, Conn	8.00	6.00
517586	Walker, George A	Claremont, N. H	12.00	6.00
578703	Walker, Elijah I	Milesburg, Pa	8.00	6.00
260513	Walker, William	Upper St. Clare, Ohio	6.00	4.00
523654	Walker, Lewis	Bath, N. Y	12.00	6.00
358956	Wallingford, Thos. D	Tolesboro, Ky	8.00	6.00
551879	Wallace, William A	Stowers, Ky	12.00	8.00
516159	Wallace, William R	Vincennes, Ind	12.00	6.00
605252	Wallace, Solomon	Choswick, Pa	10.00	6.00
402865	Walters, Thomas	Pleasant Grove, Ind	12.00	8.00
269510	Walter, Jackson	National Military Home, Ohio	12.00	8.00
664869	Walter, George D	Excello, Mo	12.00	6.00
523782	Wagner, Otto	Chambersburg, Pa	8.00	6.00
518964	Wagner, George	1202 North Market street, St. Louis, Mo.	12.00	8.00
487512	Waite, Curtis M	Bellows Falls, Vt	6.00	2.00
513137	Wails, William H	Lancaster, Pa	12.00	6.00
577539	Ward, Wm. G., sr	Belvidere, N. C	12.00	8.00
523750	Ward, Richard A	Marcellus, Mich	12.00	8.00
515817	Ward, Joseph	National Soldiers' Home, Va	12.00	6.00
525267	Warden, Julius R	Clifton City, Mo	8.00	2.00
518061	Warring, John	Paris, Ky	12.00	10.00
523756	Warren, George L	Hillsboro, Ill	12.00	8.00
507170	Warner, James	Swiftwater, Pa	8.00	6.00
540936	Warfield, James	Long Grove, Ky	8.00	6.00
627114	Watkins, Geo. W	77 Chapin street, Binghamton, N. Y	8.00	6.00
481942	Watson, A. D	Lindale, Ohio	8.00	6.00
521502	Watson, Elisha	North Lansing, Mich	12.00	6.00
520667	Watson, Chas. B	National Military Home, Kans	8.00	6.00
517263	Watt, Joseph A	Stevensville, Mich	12.00	8.00
300148	Wansworth, alias Swanson, Henry.	48 Lehigh st., Wilkesbarre, Pa	12.00	10.00
589919	Wanless, S. H	Dilleys Mills, W. Va	12.00	8.00
533637	Way, Isaac L	Oregon, Mo	12.00	8.00
225533	Weaver, Benjamin	New Ringgold, Pa	6.00	4.00
518246	Webb, Edward	Gillespie, Ill	8.00	6.00
519655	Weinbeck, Joseph	144 Larned st., Detroit, Mich	12.00	6.00
507505	Weir, Rudolph	West Plains, Mo	12.00	6.00
519552	Wells, Adelbert	Whitehall, Wis	12.00	6.00
512567	Wells, Taylor	Addison, Ky	8.00	6.00
515387	Wells, Jordan W	Sligo, Mo	8.00	6.00
584364	Wells, James W	Arrington, Kans	12.00	8.00
528745	Welcome, Clay	Hannibal, Mo	12.00	6.00
508229	Welch, Wm	National Soldiers' Home, Va	12.00	8.00
584945	Welstead, John H	332 Bell st., Fremont, Nebr	8.00	6.00
638240	Westervelt, R. G	Olneyville, R. I	8.00	2.00
491161	West, Levin	256 Pine st., Baltimore, Md	10.00	6.00
517859	West, Andrew	Spring Arbor, Mich	12.00	6.00
515376	Westerman, Henry	Conesville, Iowa	8.00	6.00
198552	Wetherbee, Ozro	Munith, Mich	12.00	6.00
764315	Wheeler, Jackson	Sutersville, Pa	12.00	6.00
407041	Wheeler, George H	Chelsea, Mass	8.00	6.00
765783	Wheeler, John H	Rockland, Mass	8.00	6.00
512109	Wheeler, Absalom B	Yocum, Ark	12.00	6.00
673855	Wheeler, Bartley	Urbana, Mo	8.00	6.00
731813	White, Thomas S	Nepera Park, N. Y	8.00	6.00
514087	White, William B	Plover, Wis	12.00	8.00
516389	White, William	56 Highland street, Zanesville, Ohio.	10.00	6.00
556926	White, Henry	82 East Sixth street, Cincinnati, Ohio.	10.00	6.00
583512	White, Joseph	Eola, La	8.00	6.00
513511	Whitt, John F	Stanford, Ky	8.00	6.00
509482	Whitney, M. E	Clare, Mich	12.00	8.00
527029	Whitmarsh, Riley C	Troy, N. Y	12.00	8.00
617594	Whitaker, Amos F	617 High street, Youngstown, Ohio.	8.00	6.00
104322	Whitesel, Sam'l S	Marceline, Mo	12.00	8.00
160773	Whitehead, Geo. R	Magnolia, Miss	12.00	10.00
517852	Whitmore, Sylvanus L.	Venus, Nebr	12.00	8.00
512104	Whiker, Frederick	168 Scio st., Rochester, N. Y	12.00	8.00
789095	Wickliffe, Linden	2545 State st., Chicago, Ill	8.00	6.00
617577	Widmeyer, James	Williamsburg, Ohio	12.00	8.00
511423	Widener, Leonard	Pierce City, Mo	12.00	8.00
795430	Wieser, Thomas L	Allentown, Pa	8.00	6.00
687454	Wigger, Joseph	Elvins, Mo	10.00	6.00
509183	Wiggin, Samuel A	Pension Bureau, Wash., D. C.	12.00	6.00
577550	Wightman, Elias B	Fenton, Mich	8.00	6.00
697879	Wildey, James	Nunica, Mich	8.00	6.00
847813	Wilcox, James M	Raymond, Ill	8.00	6.00
521007	Wilcox, Charles	Simsbury, Conn	12.00	8.00
552487	Wiley, Nelson	134 Talbot st., Baltimore, Md	12.00	6.00
526263	Wiley, James	Neelyton, Pa	8.00	6.00
515289	Wilhelm, Peter	Lawrenceville, Ill	8.00	6.00
517870	Wilkinson, James C	Fort Smith, Ark	12.00	6.00

Statement showing by laws and classes the certificate numbers, names, post-office addresses, former rates and present rates, of pensioners, etc.—Continued.

ACT OF JUNE 27, 1890—continued.

Certificate Nos.	Names.	Post-office address.	Rates. Former.	Rates. Present.
393483	Wilcox, George	Belleville, Mich	$12.00	$8.00
513516	Wilson, John F	Blythedale, Mo	10.00	6.00
521513	Willys, David S	Canandaigua, N. Y	8.00	6.00
631339	Williams, James	Jonesburg, Mo	8.00	6.00
511425	Williams, Eli	Marquand, Mo	12.00	6.00
680182	Williams, Thomas D	Lexington, Okla	8.00	6.00
602926	Williams, Aaron	Gallaway, Ark	8.00	6.00
282159	Williamson, John	119 Hickory st., Columbus, Ohio	12.00	10.00
614434	Williams, Daniel H	Carratunk, Me	8.00	6.00
563757	Williams, Levin	Kingston, Md	8.00	6.00
716063	Williams, Charles H	Aldenville, Pa	8.00	6.00
528751	Williams, Earl W	Buffalo, Mo	12.00	6.00
406647	Williams, Peter	New Castle, Pa	12.00	8.00
517270	Williams, Lewis C	Marshalltown, Iowa	12.00	8.00
481951	Willis, William	Kyles Ford, Tenn	8.00	6.00
520039	Wimpfheimer, Chas.	1499 Third avenue, New York City, N. Y.	12.00	8.00
595354	Winder, Christian	Reading, Pa	8.00	6.00
512103	Wineland, William	Ilion, Ind	12.00	8.00
523157	Winlock, George	Evansville, Ind	10.00	6.00
184088	Winn, Lucomb C	Foxboro, Mass	6.00	4.00
223273	Winn, Moses	Downing, Wis	12.00	8.00
520383	Winans, William S	Matteawan, N. Y	12.00	6.00
602987	Winters, Cornelius	McCune, Kans	8.00	6.00
380447	Witt, James D	Liberty, Ky	12.00	8.00
171772	Witmyer, Fred'k	Marietta, Pa	8.00	2.00
512111	Witzel, Charles	Plymouth, Wis	12.00	8.00
522065	Wolf, Edward	153 Alum st., Cleveland, Ohio	12.00	8.00
716031	Wolcott, James W	Dansville, Mich	8.00	6.00
523146	Wolf, Peter	Stacyville, Iowa	12.00	8.00
520659	Wolford, Solomon	Vesta, Nebr	10.00	8.00
515322	Woltemate, John C	Little Rock, Mo	10.00	6.00
515341	Wonder, Benj. F	Pratt, Kans	12.00	6.00
566923	Wood, John	Claiborne, Ohio	8.00	6.00
499233	Woodle, Simon	Togus, Me	8.00	6.00
521850	Wood, James A	Crosswicks, N. J	12.00	6.00
331813	Woodbury, Benj. D	131 W. Third st., St. Paul, Minn	12.00	8.00
521843	Woodward, Wm. C	Hillsboro, Ill	12.00	6.00
524236	Woolsey, Geo. W	Superior, Nebr	12.00	6.00
549148	Wooten, Geo. C	Wallbridge, Ky	8.00	6.00
604180	Worley, Neal S	Point Cedar, Ark	12.00	6.00
160799	Worden, Charles H	932 Pennsylvania avenue, Washington, D. C.	8.00	6.00
289486	Works, Winfield F	1541 Ninth street NW., Washington, D. C.	12.00	8.00
772300	Wratten, John	40 Water street, Station C, Cincinnati, Ohio.	8.00	6.00
515383	Wright, George W	Mount Hope, Kans	12.00	8.00
526269	Wright, Joseph H	Alexis, Ill	12.00	6.00
515359	Wrightman, Wm	Pine Creek, Mich	12.00	8.00
51536	Wylie, Hawley J	665 Court st., Columbus, Ohio	12.00	6.00
633594	Wyman, John M	118 Sullivan st., Elmira, N. Y	10.00	8.00
355726	Wymer, Wm. P	Edinburg, Mo	12.00	6.00
400905	Wyrick, Martin	Abington, Ind	12.00	8.00
257990	Wilber, Charles	Ogdensburg, Pa	12.00	8.00
194772	Williamson, James	52 Richmond avenue, Port Richmond, N. Y.	10.00	8.00
515564	Yager, Jacob L	Columbus, Kans	10.00	6.00
604237	Yale, John, jr	Guilford, Conn	8.00	6.00
592728	Yancy, Antoine	8414 South Broadway, St. Louis, Mo.	8.00	6.00
579669	Yantz, John W	West Wheeling, Ohio	8.00	6.00
643783	Yarns, William P	Archibald, Pa	12.00	6.00
523161	Yates, Abram E	Collamer, N. Y	8.00	6.00
231959	Yarrington, Hiram	Byhalia, Ohio	8.00	6.00
362878	Yerian, Emanuel	Macksburg, Ohio	12.00	6.00
640979	Yewell, Green	Golconda, Ill	12.00	8.00
508435	Yocum, Joseph A	Bellaire, Ohio	12.00	6.00
195120	Yoder, William H	Ferndale, Pa	12.00	8.00
521831	Yohn, Absalom	Loysville, Pa	12.00	6.00
834236	York, Lewis C	Hill, Ill	12.00	8.00
510373	York, Marcus D. L	Flippin, Ky	12.00	8.00
353700	Young, John R	Osceola, Mo	12.00	8.00
745659	Young, Frank	Illawara, La	10.00	6.00
522674	Youngs, Rufus B	912 G st. NW., Washington, D. C.	12.00	6.00
517588	Young, Charles W	Winslow, Ind	12.00	8.00
136840	Young, John Y	Bellwood, Pa	8.00	6.00
509491	Zerbe, Jacob	Lyons, Kans	12.00	8.00
236838	Zerlant, Joseph A	Halton, Mich	12.00	6.00
511814	Ziegler, George	Unionville, Mich	12.00	8.00
516886	Zillman, Carl	Altamont, Ill	12.00	6.00
698406	Zimmerman, Henry	Waldock, Mo	10.00	6.00
517879	Zook, Alexander	Spearsville, Ind	12.00	8.00

NAVY INVALID ACT OF JUNE 27, 1890.

9343	Collins, Samuel	212 South Chester street, Baltimore, Md.	$12.00	$6.00
11177	Denney, James H	Helton, N. C	12.00	8.00
10311	Howard, Robert	Hampton, Va	12.00	6.00
8799	Inman, Stephen C	Barnegat, N. J	8.00	6.00
7968	Lee, Robert E	1343 Ward st., Baltimore, Md	8.00	6.00
8617	Soucks, Chas	Pension Bureau, Washington, D. C.	12.00	6.00
13867	Moore, Samuel W	522 Short st., Baltimore, Md	6.00	4.00
6291	Myers, John H	Lubec, Me	12.00	6.00
6181	Osterberg, Frank, alias Wm. McKay.	National Military Home, Wisconsin.	12.00	8.00
8313	Reynolds, David	Olathe, Kans	8.00	6.00
8223	Whitby, Daniel	709 County st., Portsmouth, Va	8.00	6.00

Statement showing by laws and classes the certificate numbers, names, post-office addresses, former rates and present rates, of pensioners, etc.—Continued.

GENERAL LAW.

Certificate Nos.	Names.	Post-office address.	Rates. Former.	Rates. Present.
491850	Adams, Dexter A	Otisville, Mich	$16.00	$14.00
128613	Allen, George	Athens, Ala	24.00	17.00
324277	Allen, Andrew	Dresden Center, N. Y	10.00	4.00
325429	Ames, George	Nunda, N. Y	30.00	24.00
174800	Andrews, Horatio E	Leslie, Mich	25.00	20.00
220230	Anxier, Benj. L	Berry, Ill	17.00	8.00
93080	Archer, Richard B	National Military Home, Togus, Me.	16.00	12.00
230353	Armstrong, James	Shannon City, Iowa	10.00	6.00
240115	Atkins, Wm. J	Columbia, Ky	18.00	17.00
24155	Bone, Wallace G	11 Fifth street SE., Washington, D. C.	72.00	17.00
319827	Borden, Philip	Idlewild, Ind	20.00	17.00
53553	Borts, John M	Mendon, Ill	24.00	17.00
20092	Bradshaw, Silas N	Lapeer, Mich	16.00	12.00
269527	Brakes, James A	Milford Center, Ohio	12.00	8.00
116398	Brandt, Iver A	Decorah, Iowa	24.00	17.00
28991	Bradley, Alphonzo	Bangor, Me	18.00	17.00
434475	Brainard, Albert E	Dillworth, Ohio	17.00	8.00
284108	Bressler, David	Oxford, Ohio	24.00	17.00
436424	Brewer, John S	Rodelm, Tenn	8.00	6.00
170053	Brichner, Henry I	Decorah, Iowa	17.00	14.00
139067	Briggs, William H	Aurora, Ark	17.00	12.00
414240	Brigham, Alexander	West Branch, Mich	18.00	17.00
71376	Brigham, Thomas D	54 Chambers st., Boston, Mass.	72.00	16.00
109840	Brooks, Leander B	634 Brooklyn and Seventeenth streets, Portland, Oregon.	12.00	8.00
63110	Brown, George	Palmyra, N. Y	18.00	17.00
182444	Brown, Benjamin R	Moro Plantation, Me	18.00	12.00
347427	Buckner, Wm. H	1603 Mississippi st., La Crosse Wis.	72.00	50.00
11774	Bull, Samuel	Sims, Ill	16.00	10.00
474029	Bunbury, Thomas	Barneveld, Wis	14.00	10.00
395983	Burns, William H	Kenton, Ohio	10.00	2.00
384096	Butler, Leonard	22 Railroad Sq., Nashua, N. H.	8.00	6.00
131897	Butler, William	Hampden, Mass	24.00	17.00
34569	Butt, Gabriel C	Pana, Ill	18.00	17.00
61804	Buzzell, Benj. F	Fryeburg Center, Me	18.00	17.00
73012	Bochtler, Joseph	Somonauk, Ill	31.25	30.00
110884	Baker, Thomas J	Coldwater, Mich	20.00	17.00
222045	Ball, William	38 Meadow st., Watertown, N. Y.	17.00	2.00
514868	Ballou, Chester F	Pentwater, Mich	12.00	8.00
492462	Barlow, Joseph	11 Atwood street, Newburyport, Mass.	12.00	10.00
161853	Barron, Thomas T	Sedgwick, Kans	16.00	6.00
385809	Basket, Richard	Christie, Tenn	16.00	8.00
320710	Bates, Caleb J	Batavia Station, Mich	22.00	8.00
71495	Baysmore, George	Portsmouth, Va	12.00	10.00
393734	Bayles, Benjamin F	1228 Jefferson avenue, Kalamazoo, Mich.	8.00	4.00
45387	Beauboucher, Victor	No. 3 Rue Le France, Brussels, Belgium.	72.00	30.00
382131	Beem, Daniel	Spencer, Ind	10.00	4.00
470636	Bell, Edwin	Toluca, Ill	17.00	12.00
227628	Bell, Benjamin F	Soldiers' Home, Marion, Ind.	17.00	4.00
390799	Bennett, Sylvanus	Hudson, Mich	8.00	6.00
321148	Benz, alias Barnes, Theodore.	Evansville, Ind	16.00	8.00
184567	Bibb, Jerry	La Grange, Ky	30.00	17.00
128736	Bigelow, Gilbert M	Albert Lea, Minn	24.00	12.00
514850	Bing, George W	Cheshire, Ohio	12.00	6.00
366731	Birdsall, Hiram	914 Cherry street, East Saginaw, Mich.	25.00	10.00
326349	Blagg, Benjamin F	Bluffton, Ark	16.00	4.00
133093	Blaisdell, William	Pelican Rapids, Minn	72.00	10.00
104463	Blair, Louis	Chippewa Falls, Wis	24.00	17.00
307979	Black, James W	Evansville, Ind	8.00	4.00
414407	Black, Joseph	Logan, Ill	12.00	8.00
297813	Blanchard, Jas. A	Irving, Mich	12.00	10.00
462495	Boehme, Gustav	Columbus, Ohio	14.00	4.00
18468	Bolinger, Reuben	Galatia, Colo	50.00	35.00
290719	Bondy, George	711 D street NW., Washington, D. C.	8.00	6.00
118440	Calhoun, Jonathan C	2255 Cleveland avenue, Washington, D. C.	20.00	17.00
460780	Campbell, Wm. A	East North Yarmouth, Me	17.00	12.00
490739	Canaday, Robert H	Voyage, Mo	17.00	12.00
259158	Carter, Patrick	Camp Parapet, La	20.00	2.00
96294	Carne, Henry	Brewerton, N. Y	16.00	8.00
201041	Chamberlin, E. T	Berlin, Wis	8.00	4.00
315277	Chambers, Tilman J	Smithville, Ind	18.00	17.00
260187	Childs, Henry	Milford, Ill	12.00	8.00
95076	Child, John A	Tipton, Ind	18.00	17.00
115592	Chittenden, Eli F	York, Nebr	20.00	17.00
181795	Churchill, David J	Greenway, N. Y	25.00	20.00
236534	Clapp, Charles W	North Scituate, Mass	18.00	17.00
331326	Clark, Joseph T	Saltillo, Nebr	18.00	8.00
290224	Clark, Harry	121 Main st., Winona, Minn	17.00	12.00
467613	Clausen, Peter R	Lake Mills, Iowa	10.00	6.00
493535	Clayton, Francis M	1501 S. 15th st., Buffalo, Mo	72.00	30.00
290522	Clinkenbeard, Emsley.	Omaha, Nebr	50.00	30.00
50699	Cline, William R	Winterset, Iowa	72.00	30.00
249864	Coburn, Warner C	Chillicothe, Mo	10.00	4.00
152727	Colliger, John	Livonia Station, N. Y	18.00	17.00
365638	Collins, Moses	Brookfield, Vt	12.00	10.00
215437	Conner, Francis M	South Auburn, Nebr	18.00	17.00
463166	Conner, Thomas A	Lebanon, Mo	22.00	8.00
177717	Cook, Isaac L	123 White street, Saratoga Springs, N. Y.	14.00	10.00
264632	Coots, David E	Brooklyn, Ky	18.00	17.00
328345	Corporon, Samuel	Cincinnati, Iowa	20.00	17.00

Statement showing by laws and classes the certificate numbers, names post-office addresses, former rates and present rates, of pensioners, etc,—Continued.

GENERAL LAW—continued.

Certificate Nos.	Names.	Post-office address.	Rates. Former.	Rates. Present.
256841	Corwin, George J	Breckenridge, Mich	$16.00	$10.00
40082	Cottral, James H	Sabula, Iowa	18.00	17.00
234431	Covey, Israel P	Lake Arm, Mich	14.00	12.00
140556	Covell, Robert C	Buchanan, Mich	72.00	50.00
486842	Cox, Horton	Marvin, Tenn	17.00	12.00
502332	Crafton, Clarence	Covington, Ohio	24.00	4.00
305623	Crawford, Daniel	Bentonsport, Iowa	72.00	30.00
516215	Criteser, Thomas	Roseburg, Oregon	12.00	8.00
241022	Chrichton, Archib'd	Oberlin, Kans	17.00	12.00
409835	Crooms, Josiah	Greensburg, Ind	20.00	10.00
468292	Curl, John B	North Lewisburg, Ohio	12.00	4.00
110856	Dalrymple, O. S	Farmersville, Ohio	25.00	17.00
89368	Davis, Paul W	Marietta, Ohio	18.00	17.00
58589	Davis, Gaylon, jr	114 Purchase st., Milford, Mass	16.00	12.00
119165	Davis, Norman	Marcellus, Mich	17.00	12.00
440762	Decker, Amos M	Roscoe, Mo	14.00	10.00
9803	Decker, James R	123 Lormon st., Elmira, N. Y.	18.00	17.00
140243	Deford, Franklin	Des Moines, Iowa	8.00	6.00
324925	Demby, Josiah H	Hot Springs, Ark	24.00	17.00
174865	Desilver, Jose C	Hyannis, Mass	18.00	17.00
823889	Devore, James	Rymer, W. Va	8.00	6.00
198925	Devine, John M., alias Jno. Johnson.	253 Linden st., Louisville, Ky.	18.00	12.00
115641	Dewitt, Daniel	Waterloo, Ind	22.00	17.00
217053	Dickson, Henry	Anacostia, D. C	27.00	22.00
126011	Dickerson, Jas. D	Pittsfield, Ill	24.00	12.00
146229	Dodge, Edwin H	58 Princeton street, Springfield, Mass.	22.00	4.00
483934	Doolen, John W	Joplin, Mo	8.00	6.00
749480	Doud, Martin V	P. O. Box 42, Clarenceville, N. Y.	10.00	6.00
177497	Driver, John P	Hagerstown, Md	72.00	30.00
84300	Duncan, Richard J	Meridian, Kans	72.00	30.00
517345	Duncan, Cyrus M	Cottage Grove, Oregon	8.00	6.00
94850	Dunlap, Daniel	Blairsville, Pa	14.00	10.00
118787	Dutton, John	Brandon, Vt	25.00	17.00
441683	Dysert, James	Gibson City, Ill	20.00	8.00
20841	Early, Eldridge T	Geneva, Ohio	18.00	17.00
278902	Edgell, Benj. F	Newport, Ohio	12.00	8.00
121110	Eidman, Christian	139 Devoe st., Brooklyn, N. Y.	17.00	12.00
204017	Elbert, Victor	Shelbyville, Ill	12.00	6.00
425683	Elliott, Charles D	Coquille, Oregon	72.00	30.00
836228	Erickson, Edward	Spring Water, Iowa	12.00	6.00
306599	Erskine, David, alias Wm. Thompson.	685 East 135th street, New York City.	14.00	12.00
316871	Everett, Charles L	Bellevue, Nebr	16.00	4.00
280193	Farley, Charles J	Glen Falls, N. Y	18.00	17.00
299579	Ferguson, Wm. V	Wayne, W. Va	17.00	10.00
62863	Fidler, Martin	Greenfield, Mo	18.00	17.00
243526	Fifield, William C	Marshfield, Vt	27.00	14.00
295860	Finney, Alfred D	Fairchild, Wis	8.00	6.00
725153	Fitzpatrick, John	San Gregorio, Cal	10.00	6.00
489064	Fitzpatrick, John	309 East Thirty-third st., New York, N. Y.	22.00	10.00
673125	Fletcher, Peter	305 Fourteenth st., Cairo, Ill	15.00	4.00
508307	Flowers, Lemuel S	Igo, Cal	12.00	6.00
79478	Flowers, Lyman	Zanesville, Ohio	30.00	8.00
351165	Ford, John	Wolverine, Mich	18.00	12.00
172366	Forbes, Josiah C	Marionville, Mo	20.00	16.00
467177	Fox, Thomas W	St. Elmo, Ill	6.00	2.00
127495	Frasier, Edarwd	Granby, Province of Quebec, Canada.	24.00	12.00
456755	Fretz, Enos	Yates Center, Kans	25.00	20.00
36377	Gage, Squire L	130 West Fourth street, Williamsport, Pa.	18.00	17.00
120464	Ganey, John	2023½ Mission street, San Francisco, Cal.	18.00	17.00
470680	Garrett, Lewis B	Rapidan Mills, Minn	18.00	17.00
593741	Gardner, John H	Rockport, Me	12.00	8.00
338398	Garland, Russell	Savoy, Tex	72.00	30.00
275265	Gaston, Ephraim C	Knoxville, Iowa	17.00	6.00
374353	Geraux, Joseph	Cheboygan, Mich	22.00	6.00
463210	Gile, Newell E	Norway, Kans	10.00	6.00
368325	Gillham, Philip	Bear, Ark	12.00	4.00
34900	Gilgeese, William	New Castle, Ind	22.00	6.00
50744	Goodwin, James B	11 Goodwin avenue, Glen Falls, N. Y.	20.00	12.00
25802	Gough, Thomas W	New Castle, Ind	22.00	17.00
506167	Gross, Samuel A	Grand Ronde, Oregon	12.00	6.00
8028	Guker, Peter	Benicia, Cal	18.00	17.00
388818	Haberroth, Chris	2916 Lemp ave., St. Louis, Mo.	22.00	6.00
386693	Halfmann, Henry	National Military Home, Wis.	8.00	6.00
418174	Hammer, Alanson A	Westboro, Ohio	12.00	10.00
235456	Hanks, David A	Baraboo, Wis	18.60	17.00
196600	Harman, Shephard C	Grelton, Ohio	50.00	30.00
498451	Harris, Augustine	22 Austin street, Cambridgeport, Mass.	12.00	6.00
282881	Harris, Thomas	Velpen, Ind	17.00	14.00
128927	Harrison, James C	Hazle Green, Mo	24.00	12.00
194366	Harrison, George O	Manchester, Iowa	72.00	50.00
329620	Hartley, Samuel	Greencastle, Ind	72.00	30.00
177514	Hathaway, Albert L	Conway, Mich	17.00	13.00
314581	Hay, David	Monterey, Ind	18.00	17.00
277332	Hayden, William P	Glenwood, N. Y	10.00	4.00
241543	Hazelton, Truman W	Calmar, Iowa	30.00	24.00
345611	Heeley, Michael	Almshouse, Sacramento, Cal.	30.00	8.60
109130	Heyser, Elias	Lexington, Ohio	25.00	20.00
230612	Hill, James L	Simpson, Ill	18.00	17.00
226807	Hill, Henry G	Spring Valley, Minn	24.00	12.00
169898	Hinds, Simeon D	Laconia, N. H	8.00	4.00
179755	Hinson, John	1727 William st, Keokuk, Iowa	72.00	17.00
224147	Hitchcock, Chas H	19 Fifth st. SE., Washington, D. C.	30.60	5.00

Statement showing by laws and classes the certificate numbers, names, post-office addresses, former rates and present rates, of pensioners, etc.—Continued.

GENERAL LAW—continued.

Certificate Nos.	Names.	Post-office address.	Rates. Former.	Rates. Present.
235118	Hoard, Henry	Huron, Ind	$18.00	$17.00
209458	Holvorson, John	Cresco, Iowa	17.00	4.00
267088	Honeywell, H. H	Prairieville, Mich	8.00	$4.00
313565	Hoppe, Ernst	Cresco, Iowa	30.00	12.00
24136	House, Joseph L	Minneapolis, Minn	8.00	6.00
287704	Huganin, David	Coldwater, Mich	72.00	50.00
474335	Hunter, Robert L	Soldiers' Home, Chelsea, Mass.	22.00	16.00
443303	Jackel, Julius	Cullman, Ala	10.00	6.00
363394	Jacobs, Daniel	612 E. Mason st., Springfield, Ill.	25.00	10.00
362829	Jackson, Henry	Statia, Tenn	72.00	30.00
228334	Janes, Louis	Defiance, Ohio	25.00	20.00
445305	Jennings, Stephen C	Limestone, Tenn	17.00	4.00
852192	Jones, Gains J	Cleveland, Ohio	12.00	8.00
493154	Jones, Thomas O	Prescott, Iowa	12.00	2.00
362586	Jones, William L	McGregor, Iowa	17.00	4.00
413449	Johnson, Iver	Earlville, Ill	30.00	12.00
457534	Justice, John W	Raven Rock, W. Va	14.00	6.00
303023	Jordant, Bluford	Marion, Ill	17.00	12.00
166723	Kanfy, Martin	49 Water st., Allegheny, Pa	72.00	50.00
186489	Kellhoffer, Francis	158 Camden st., Newark, N. J	50.00	30.00
40058	Kelly, Aaron W	Indian River, Me	45.00	36.00
87864	Kelly, David D	Aurora, Ind	17.00	12.00
234890	Kepley, Charles H	200 Thirty-seventh street, Chicago, Ill.	8.00	6.00
140947	Kerr, Joseph	Shreve, Ohio	8.00	6.00
153183	Kessal, George	Massillon, Ohio	18.00	10.00
277525	Kiser, Henry	Bluffton, Ind	14.00	12.00
315254	Knox, Allen	New Kirk, Okla	22.00	20.00
706093	Konkle, Josiah	Idaho Falls, Idaho	8.00	6.00
496635	Koontz, James E	Paulett, Tenn	12.00	6.00
107123	Krueger, Charles	219 E. Third st., Winona, Minn	72.00	17.00
419444	Lapini, John	334 Sixth street, SE., Washington, D. C.	72.00	30.00
475199	Lattin, Wright	Bristolville, Ohio	16.00	14.00
150220	Lawrence, Andrew	Ewing, Nebr	22.00	12.00
380597	Leise, Conrad	Wall Rose, Pa	25.00	22.00
388832	Leist, Alfred	Kingston, Ohio	17.00	8.00
73273	Leitner, Julia	Tiffin, Ohio	24.00	17.00
231183	Lightfoot, Henry	Findlay, Ohio	17.00	8.00
325503	Lingard, Edward	Kalo, Iowa	18.00	17.00
241812	Link, John, jr	Ovid, Mich	18.00	17.00
79869	Lisenbee, Andrew J	Mount Sterling, Ill	31.25	30.00
144900	Littrell, Joseph G	Lone Grove, Ind. T	14.00	8.00
435465	Livingston, Geo. S	Pension Office	12.00	8.00
10349	Long, Charles D	Lansing, Mich	72.00	50.00
191892	Longst, Jonah	English, Ind	17.00	12.00
20519	Lovitt, John	Arlington, Ill	16.00	10.00
181273	Lyon, William S	Walton, N. Y	8.00	4.00
87243	Lenix, Samuel	Webster, Ill	12.00	12.00
215243	Mack, Joseph	Altoona, Pa	24.00	10.00
364364	Marlow, Caffrey	Glenwood, Iowa	18.00	10.00
283914	Martin, John	Millsburg, Pa	36.00	37.00
69125	Martin, Alex. C	Hesperia, Mich	20.00	14.00
52481	May, James A	Lyons, Ind	14.00	10.00
11009	May, William H	9 Daniels avenu., Pittsfield, Mass.	18.00	17.00
752672	Meader, George	Moro, Oregon	8.00	6.00
170566	Miller, Samuel	247 Sandusky st., Allegheny, Pa.	18.00	17.00
204610	Miller, Henry	Delphos, Ohio	16.00	10.00
173779	——do	3736 Michigan ave., St. Louis, Mo.	8.00	6.00
462669	Miller, Abraham	Kokomo, Ind	14.00	4.00
23244	Millspaugh, D. E	951 Mitchell ave., Detroit, Mich	14.00	$6.00
229045	Miner, William	Richford, Vt	17.00	12.00
586088	Mitchell, James	Reno, Nev	12.00	8.00
361831	Mittlestedter, John	St. Joseph, Mo	25.00	12.00
271250	Mobley, John	Story, Ind	18.00	17.00
167425	Montague, Lotes C	Montague, Mass	72.00	30.00
96204	Mooney, Marion	Columbus, Ind	18.00	17.00
62330	Mooney, John	Soldiers' Home, Mich	6.00	4.00
389307	Moore, Levi W	Weston, W. Va	10.00	2.00
365910	Moore, Oliver W	Spring Valley, Minn	24.00	17.00
128156	Morhous, Throop R	Madison, Wis	50.00	30.00
73724	Morgan, Aaron	Arcola, Ill	18.00	17.00
285909	Mosteller, John	Tallula, Ill	18.00	17.00
119819	Moyer, Thomas L	Hamburg, Pa	72.00	50.00
510583	Munday, Reuben P	Goree, Tex	10.00	4.00
172476	Myers, Wm. M	Brighton, Iowa	16.00	6.00
107139	McCance, James	Sevill, Ill	72.00	30.00
363595	McCarty, Marcus L	West Union, Ill	16.00	14.00
23588	McCollum, James	Cresco, Iowa	50.00	4.00
380472	McCracken, Jas. M	Conklin, Tenn	72.00	50.00
472719	McCullock, W. J. B	Turner, Oregon	12.00	6.00
445920	McGunnigle, Wm	Murphysboro, Ill	22.00	20.00
103821	McKiddy, J. C	Princeton, N. J	72.00	50.00
95342	McMillen, Samuel	Alexandria, Tenn	30.00	17.00
510990	McMillen, Samuel	Corn, Tenn	$10.00	6.00
61995	McMillen, David A	Evansville, Ind	72.00	30.00
512048	McPherson, Eli	Kossuth, Ohio	20.00	12.00
45146	Neal, Jonathan	Fair Haven, N. Y	18.00	17.00
144535	Neely, William	Vandalia, Ill	16.00	6.00
242269	Neice, John	Econee, Ill	27.00	22.00
65178	Nelson, Andrew J	Friend, Nebr	72.00	30.00
352077	Nelson, William W	Birmingham, Iowa	18.00	17.00
130564	Newman, Richard	Buena Vista, Ohio	72.00	30.00
205521	Norris, John S	Selvin, Ind	12.00	8.00
452998	Noakes, William H	Springfield, Mo	8.00	6.00
179339	Nowlin, Elijah B	Callaway, Nebr	25.00	22.00
100872	O'Brien, James	391 Case st., St. Paul, Minn	18.00	8.00
403780	Odell, James H	Menasha, Wis	20.00	6.00

Statement showing by laws and classes the certificate numbers, names, post-office addresses, former rates and present rates, of pensioners, etc.—Continued.

GENERAL LAW—continued.

Certificate Nos.	Names.	Post-office address.	Rates. Former.	Rates. Present.
438783	Olmsted, Nelson	Sandusky, Ohio	$10.00	$6.00
444011	Oren, Noah	Carthage, Mo	14.00	6.00
332298	Oswalt, John	Milesburg, Pa	22.00	8.00
161027	Peters, Oliver	Raymore, Mo	18.00	12.00
326983	Packard, N. R	Mainsburg, Pa	22.00	17.00
235344	Pair, Albert L	Crawfordsville, Ind	17.00	10.00
492293	Patterson, John P	Alliance, Ohio	15.00	4.00
209851	Patterson, Wm. H	Cresco, Iowa	72.00	30.00
20583	Peick, Adolph	Elkport, Iowa	18.00	12.00
127372	Perkins, Charles W	Heyworth, Ill	16.00	14.00
404503	Perry, Joseph	Manchester, Ind	18.00	17.00
256125	Perry, Horace	Redfield, S. Dak	24.00	17.00
42774	Perry, Joseph	Angelica, Wis	18.00	17.00
254784	Perry, James J	Smoky Valley, Ky	22.00	17.00
178375	Perry, Oscar	Waucoma, Iowa	17.00	12.00
511694	Philbrick, Benson S	Hoquiam, Wash	12.00	10.00
495384	Phister, Michael	South Bend, Ind	20.00	8.00
187743	Piatt, Orlando N	Newtown, Conn	18.00	17.00
291332	Porter, Alex	Plainville, Ind	20.00	17.00
11612	Porter, Geo. W	Curtisville, Ind	16.00	2.00
437174	Potter, David R	Osterburg, Pa	22.00	17.00
302950	Potter, Edwin C	St. Johnsbury, Vt	18.00	17.00
248879	Pratt, James	Stilesville, Ind	12.00	4.00
313472	Preston, Stephen G	River, Ky	24.00	17.00
230136	Price, Martin L	Portland, Oregon	8.00	4.00
468460	Piersons, Chas	Pattens Mills, N. Y	72.00	30.00
334463	Price, Joseph C	Wapello, Iowa	14.00	8.00
160911	Prior, Asa	Milford, Mich	8.00	6.00
392028	Porter, Richard	Louisville, Ky	72.00	40.00
133965	Quimby, John T	Cherokee City, Ark	31.25	30.00
382063	Ramey, Francis M	Soldiers' and Sailors' Home, Quincy, Ill.	12.00	8.00
17907	Ratcliff, John G	Gaylord, Kans	18.00	17.00
409397	Rea, Howard	New Castle, Pa	17.00	50.00
464280	Redman, Henry W	Del Norte, Colo	12.00	4.00
315486	Reis, George	Mount Vernon, Ill	18.00	17.00
185028	Richards, Thos. W	New Richmond, Wis	8.00	2.00
493316	Richardson, Hiram	Pocahontas, Mo	20.00	12.00
490830	Richmond, Albert E	Landisburg, Pa	14.00	8.00
200484	Riley, Thomas J	Steamboat Rock, Iowa	30.00	17.00
118234	Rinck, Sidney	Norwood, Mo	12.00	8.00
342231	Roberts, George	Belle Center, Ohio	22.00	12.00
158577	Robinson, William J	Auburn, Cal	8.00	2.00
238988	Robinson, John	Connellsville, Pa	10.00	4.00
119050	Robinson, John E	Austin, Minn	24.00	17.00
185542	Rogers, Wm. Edgar	619 Spruce street NW., Washington, D. C.	36.00	6.00
323313	Rogerson, Wm. O	Pactolus, N. C	25.00	20.00
38708	Root, George C	90 South Main street, New Britain, Conn.	18.00	17.00
176140	Roseboom, Garrett P	Bloomington, Ill	14.00	10.00
640651	Ross, Lewis	Derry Station, Pa	20.00	8.00
51133	Rottman, Henry	Gallatin, Mo	30.00	12.00
87041	Rowe, Charles E	291 Manchester street, Manchester N. H.	18.00	17.00
496326	Rudder, Archibald A	Knoxville, Tenn	15.00	10.00
293665	Runnels, Luther	Winston, N. C	12.00	6.00
415868	Rix, Albert	Milan, Ind	12.00	10.00
390741	Richardson, Saml. M	New Matamoras, Ohio	18.00	17.00
7478	Sargent, James	Philadelphia, Pa	8.00	6.00
217156	Scott, Daniel B	Clarion, Iowa	20.00	6.00
528695	Selby, John	Jacksonville, Ill	22.00	17.00
117026	Sevier, William S	Carthage, Mo	12.00	4.00
146038	Sharp, George W	Washington, Kans	72.00	30.00
211823	Shaw, Richmond L	Elbridge, Mich	8.00	6.00
790386	Sherman, Carlos C	Seattle, W ash	8.00	6.00
314529	Shipman, Wm. H	McIntyre, Iowa	17.00	4.00
37804	Shockey, Eli	Deal, Pa	18.00	17.00
363621	Sholts, Martin V	Oregon, Wis	17.00	8.00
111945	Shotwell, Albert	West Windsor, Mich	16.00	8.00
175727	Shonkwiler, Ezra	Galford, Ohio	14.00	8.00
107704	Simpson, Isaac	Benton, Ill	18.00	17.00
276505	Slater, Delos	Michigan City, Ind	8.00	4.00
122029	Smith, George	Schoon Lake, N. Y	17.00	12.00
435552	Smith, George W	St. Paris, Ohio	8.00	6.00
359126	Smith, Madison M	360 Cincinnati street, Dayton, Ohio.	17.00	2.00
207299	Smith, Eleazer W	P. O., Lynn, Mass	18.00	17.00
165124	Snow, Henry	473 Columbus avenue, New Haven, Conn.	50.00	24.00
17826	Southall, Luther T	Glenville, W. Va	12.00	4.00
183324	Sperbeck, William E	Leando, Iowa	8.00	6.00
376453	Starling, R. H. M	McAlpine, Fla	14.00	8.00
569758	Starks, Emanuel	Chetopa, Kans	12.00	8.00
13375	Starkey, Willis L	Fairfield, Iowa	18.00	17.00
374683	Stewart, Henry	Stockport, Iowa	14.00	10.00
673308	Stewart, James	Downey, Cal	12.00	8.00
288725	Stephenson, John C	Cogg Hill, Tenn	16.00	12.00
123610	Sturdevant, De W. C	Casey, Ill	24.00	14.00
139668	Stevens, Elnathan	Daysville, Ill	18.00	17.00
184076	Stickney, Leonard	Grand Haven, Mich	12.00	6.00
348523	Stieren, Thomas	363 E. 6th st., St. Paul, Minn	8.00	6.00
455249	Stine, Henry W	Independence, Kans	22.00	16.00
352311	Stortz, John	Decorah, Iowa	24.00	17.00
196370	Strain, William R	Graysville, Ind	20.00	16.00
195996	Stratton, James M	Odebolt, Iowa	72.00	50.00
60129	Stuart, Simeon	Albion, N. Y	18.00	17.00
423755	Stuckey, Christian	Beach City, Ohio	22.00	14.00
472765	Summer, Joshua	Hillsville, Va	18.00	17.00
258580	Sutton, George W	Boscobel, Wis	25.00	17.00
767428	Sweeten, M. H	El Modena, Cal	8.00	6.00
136464	Taylor, George R	Waupaca, Wis	18.00	17.00
504022	Taylor, Frederick S	Mount Morris, Mich	12.00	4.00

Statement showing by laws and classes the certificate numbers, names, post-office addresses, former rates and present rates, of pensioners, etc,—Continued.

GENERAL LAW—continued.

Certificate Nos.	Names.	Post-office address.	Rates. Former.	Rates. Present.
179638	Taylor, James	Emporia, Kans	$72.00	$36.00
437937	Tebo, John C	Okawville, Ill	10.00	6.00
80253	Teel, Jacob H	Shoals, W. Va	18.00	17.00
90465	Temple, Francis	Chicora, Pa	18.00	17.00
63301	Tenney, Newton F	National Military Home, Ohio.	24.00	6.00
441776	Ten Eyck, Willard	St. Deroin, Nebr	22.00	8.00
56607	Tepper, William	317 Gardner st., Union, N. J	18.00	17.00
209497	Thelss, Philip	2153 William st., Phil'a, Pa	12.00	6.00
166650	Thickstur, E. E. G	Knoxville, Tenn	8.00	6.00
515812	Thiesen, John	Cascade Locks, Oregon	12.00	6.00
132127	Thorp, John J	Holly, Mich	18.00	17.00
306761	Thompson, Joseph	Cherryvale, Kans	72.00	30.00
435793	Thomas, Samuel	Pine Village, Ind	17.00	12.00
146748	Tilton, Henry F	Newport, Me	8.00	6.00
299949	Tinsman, Ell	Shelbyville, Ill	22.00	17.00
231252	Tisdale, Adoniram J	Glenwood, Mo	17.00	5.00
131796	Totman, Charles H	Ridge Hill, Mass	8.00	6.00
228825	Treu, John	Benson, Ariz	12.00	8.00
303227	Troxell, Wm. David	Ottumwa, Iowa	18.00	17.00
274697	Tucker, Peleg D	Wood River Junction, R. I	17.00	14.00
165773	Turley, Benjamin F	Gainesville, Mo	50.00	30.00
425812	Turley, Claborn C	Hartford, W. Va	22.00	17.00
439512	Turner, Nelson M	Bonham, Tex	10.00	2.00
52732	Valley, Dolph	South Ham, Quebec, Canada	24.00	8.00
285255	Van Camp, Wm. N	Grape Creek, Ill	18.00	17.00
161699	Vanneman, Theo. J	Port Deposit, Md	18.00	17.00
40075	Vanpelt, James N	Melrose, Iowa	18.00	17.00
493763	Van Poush, Vactor	Trenton, Mo	17.00	8.00
70199	Walker, William	Springfield, Vt	8.00	6.00
232986	Wallis, Newton W	Mound Valley, Kans	18.00	17.00
337238	Wagner, John	Gilman, Iowa	18.00	6.00
64953	Watkins, C. C	Crittenden, Ariz	30.00	17.00
180596	Weaver, F. A. Wm	Steeleville, Ill	8.00	6.00
427949	Weed, Henry	Goshen, Ind	24.00	17.00
373196	Wells, Clinton	Lone Tree, W. Va	8.00	4.00
114098	Wells, Mark	Hotel Northern, Grand Forks, N. Dak.	30.00	17.00
17828	Weld, Daniel W	Aplin, Ark	18.00	17.00
330639	Weldon, Thos., alias Thos. Holihan.	Decorah, Iowa	24.00	8.00
29824	Weldon, James H	Cimarron City, Okla	18.00	16.00
123559	Wetherbee, D. A	Eureka Springs, Ark	24.00	8.00
544623	White, George W	Lebanon, Ind	20.00	14.00
317077	White, Milo	Ithaca, Mich	72.00	30.00
178949	White, Henry W	Auburn, Me	72.00	50.00
425819	Whitman, John A	Stillwater, N. Y	17.00	12.00
284731	Wiedenkeller, J. S	Taylorville, Ill	8.00	4.00
216418	White, George	Wonewoc, Wis	10.00	6.00
108367	Wilson, Jacob	McLeansboro, Ill	14.00	6.00
149537	Wilson, Darling	Alma, Mich	72.00	30.00
220904	Wilson, Benjamin F	Lincoln, Nebr., 854 North Twenty-first street.	18.00	17.00
4431	Williams, Benj. H	Benton, Ill	50.00	30.00
555313	Williams, Thos	Soldiers' Home, Washington, D. C.	8.00	4.00
407420	Williams, Jefferson	Washington, Ind	20.00	17.00
269992	Winchester, Rich W	Canton, Wis	12.00	4.00
380676	Windsor, Benjamin	Versailles, Ind	17.00	6.00
307497	Winchel, Ira C	South, Ky	17.00	8.00
229229	Willett, Joseph	Clark, S. Dak	18.00	17.00
381860	Wolbert, Henry	Fontanelle, Iowa	12.00	2.00
343310	Wright, Robert	South Haven, Kans	20.00	14.00
393725	York, Leander W	Andersonville, Tenn	12.00	4.00
450258	Young, Gabriel	134 Putnam avenue, Zanesville, Ohio.	22.00	8.00
243943	Young, John W	Montrose, Pa	50.00	30.00
205933	Young, Isaac	National Military Home, Ind	16.00	8.00
186609	Yount, Thomas J	do	50.00	8.00
314675	Zeigler, Franklin	404 East Market st., York, Pa	10.00	2.00

NAVY INVALID, GENERAL LAW.

2660	Ames, Eben	12 Green st,, Revere, Mass	$14.00	$12.00
1878	Edwards, Charles	85 Prince st,, Boston, Mass	18.00	12.00
3199	Garrison, Furman M	Vineland, N. J	8.00	6.00
3731	Grace, George W	Cape May, N. J	8.00	6.00
2343	Rahier, John B	Annandale, Minn	10.00	6.00

OLD WAR.

4015	Mullin, Chambers C	Mechanicsburg, Pa	$72.00	$50.00

Statement showing the certificate numbers, names, post-office addresses, and rates of Indian wars pensioners (act of July 27, 1892) whose names were dropped from the pension roll between March 4, 1893, and May 10, 1894, for the reason that the soldiers did not perform thirty days' military or naval service, or were not mentioned in any resolution of Congress.

SURVIVORS.

Certificate Nos.	Names.	Post-office address.	Rate.
556	Gilliland, James	16 Broad street, Charleston, S. C	$8.00
57	Hubbel, Thaddeus C	Orangeburg, S. C	8.00
770	Lockwood, Jacob A	Laurens, S. C	8.00
793	Prince, Edwin C	25 Euston Home, Charleston, S. C.	8.00

Statement showing the certificate numbers, names, post-office addresses, and rates of pensioners whose names were dropped for the reason that the soldiers did not perform thirty days' military or naval service, etc.—Continued.

WIDOWS.

Certificate Nos.	Names.	Post-office address.	Rate.
1157	Groning, Sarah	Aiken, S. C	$8.00
187	James, Edith	Sumter, S. C	8.00
29	Milnor, Elizabeth R	321 East Bay st., Charleston, S. C	8.00
841	Petsch, Elizabeth Ann	453 Rutledge st., Charleston, S. C	8.00
873	Reeves, Ellen	18 Broad street, Charleston, S. C	8.00
894	Tennent, Emma Hardy	Morristown, Tenn	8.00

Statement showing the certificate numbers, names, post-office addresses, and rates of pensioners whose names were dropped from the pension roll between March 4, 1893, and March 10, 1894, for the reason that they were not the legal widows of the soldiers or sailors on account of whose deaths they were pensioned.

ARMY WIDOWS—ACT JUNE 27, 1890.

Certificate Nos.	Names.	Post-office address.	Rate.
297473	Burns, Anna	318 Mechanic street, Camden, N. J.	$8.00
346340	Burrell, Henrietta W	Newton, N. J	8.00
321264	Duvall, Ruth A	Green Spring, W. Va	12.00
306897	Duffy, Martha	2222 Clayton st., Philadelphia, Pa.	8.00
286620	Egleshoffer, Edna	Three Rivers, Mich	8.00
336215	Gallagher, Bridget	2908 North Second street, Philadelphia, Pa.	8.00
303579	Hall, Henrietta	Lewisville, near Savannah, Ga	8.00
336881	Kennedy, Minnie F	1523 Christian st., Philadelphia, Pa.	8.00
321785	King, Martha E	Grand Rapids, Mich	8.00
380907	Lambert, Amy	Aid, Ohio	8.00
376006	Lodge, Eliza J	Marshall, Ill	8.00
309404	Miller, Melissa A	Orrville, Ohio	8.00
294725	Meloon, Nancy L	Corner Morales and Press streets, New Orleans, La.	8.00
349462	Nichols, Jennie L	45 Newhall street, Lynn, Mass	8.00
282821	Napier, Nancy	Celina, Tenn	8.00
336584	Phelps, Harriet A	Providence, R. I	8.00
327366	Reynolds, Nancy	Huntington, W. Va	8.00
304972	Riley, Elizabeth V	Paris, Tenn	14.00
301861	Slack, Margaret J	Elizabethtown, Ky	8.00
367218	Smith, Mary Jane	2046 Cuthbert st., Philadelphia, Pa.	8.00
307123	Skaggs, Arbell	Dezarn, Ky	16.00
364813	Schopet, Karolina	1733 South Ninth st., St. Louis, Mo.	8.00
342521	Tucker, Sarah Ann	Greenwood, Ky	8.00
288094	Turner, Catherine	Dixon, Ill	8.00
309623	Wentz, Amanda	Lancaster, Ohio	8.00
322631	Zimmerman, Joanna	Steelton, Pa	8.00

ARMY WIDOWS—GENERAL LAW.

Certificate Nos.	Names.	Post-office address.	Rate.
150386	Arnold, Jane	Norfolk, Va	$12.00
247386	Barthelmas, Susannah	391 St. Aubin ave., Detroit, Mich	8.00
276027	Jester, Julia A	Georgetown, Del	14.00
272808	Joralemon, Ella	Fremont, Ohio	8.00
246457	Morgan, Susan D	Harpers Ferry, W. Va	12.00
259891	McLean, Margaret	Moberly, Mo	12.00
268167	Mitchell, Eliza	37 Jefferson st., Memphis, Tenn	12.00
259710	Reeman, Letitia A	Tropico, Cal	12.00
120652	Rutherford, Josephine	Clarksville, Tenn	8.00
375699	Smith, Cassie	Richmond, Ky	8.00
225070	Stone, Mary A	Clark City, Mo	12.00
320576	Taylor, Louisa	Concord, Ky	10.00
299677	Tayman, Jane	940 Sartain st., Philadelphia, Pa	17.00
288743	Williams, Mary A	155 Mason st., Cleveland, Ohio	12.00
240983	Waltz, Pauline	Angel Island, San Francisco, Cal	12.00

NAVY WIDOWS—GENERAL LAW.

4370	Brown, Johanna M	4 Ward street, Roxbury, Mass	$12.00
1940	Parker, Emmaretta	Gravesend, N. Y	12.00

NAVY WIDOWS—ACT JUNE 27, 1890.

5722	Knox, Katie	706 Madison street, Toledo, Ohio	$8.00
5204	Smith, Laura	Wayland, Mich	8.00

Statement showing the certificate numbers, names, post-office addresses, and rates of pensioners under the general law, whose names were dropped from the pension roll between March 4, 1893, and May 10, 1894, for the reason that the disabilities for which they were pensioned had ceased to exist in a pensionable degree.

Certificate Nos.	Names.	Post-office address.	Rate.
380143	Andrews, Manoah E	Westfield, Mass	$4.00
265624	Adams, Henry C	Roscoe, Ill	2.00
286388	Barks, George	Jones, Mich	8.00
824446	Beckhardt, Joseph	419 East Fifty-eighth street, New York, N. Y.	2.00
430685	Branigan, Patrick	Alleghenv, Pa	4.00

Statement showing the certificate numbers, names, post-office addresses, and rates of pensioners dropped because disabilities had ceased, etc.—Continued.

Certificate Nos.	Names.	Post-office address.	Rate.
477119	Biggs, Martin	Sedalia, Mo	$22.00
513178	Brown, James P	Berkeley, Cal	8.00
399604	Burke, James T	Round Bottom, W. Va	6.00
369504	Burris, Wm. T	Lincoln, Del	12.00
247700	Bushey, Lewis P	Preston, Iowa	8.00
89925	Cumings, Henry A	Augusta, Me	8.00
681670	Carmody, Martin	902 Montgomery st., San Francisco, Cal.	6.00
247504	Carroll, James M	Hampton, Iowa	8.00
493592	Christian, James	Leora, Mo	8.00
283364	Coggins, John	386 S. Main st., Fall River, Mass	12.00
238406	Colby, Cornelius O	29 Dexter st., South Boston, Mass	4.00
490744	Cox, Joseph J	Milo, Mo	4.00
186628	Cumber, John	Cynthiana, Ky	4.00
328348	Calor, James	Big Gully, Tenn	8.00
142724	De Haven, Joel	White Cloud, Mich	8.00
810633	Downing, Jesse W	208 Drum st., San Francisco, Cal	6.00
300012	Dabler, John	National Soldiers' Home, Va	2.00
455616	Davis, John T	Cosmopolis, Wash	15.00
383979	Due, Franklin	Marlboro, N. H	2.00
371389	Darcy, Thomas	42 Beaver street, Salem, Mass	16.00
290458	Forbert, Wm. H	Georgetown, Del	30.00
141483	Ferrell, John	846 Banklick st., Covington, Ky	6.00
365814	Eaton, William	Pittsburg, Kans	2.00
725128	Emery, Samuel B	Cedar Knoll, Pa	6.00
500362	Gerould, George	Vicksburg, Miss	20.00
727839	Green, Marvin W	Elmhurst, Cal	6.00
727065	Horton, Ballister	3135 Forest avenue, Chicago, Ill	8.00
405817	Howard, William F	Lima, Ohio	20.00
291676	Huffman, Andrew J	Lapel, Ind	4.00
284259	Huston, James K. P	Greentown, Ind	8.00
318634	Hammond, Henry	Georgetown, Del	4.00
420130	Hamilton, Samuel M	Waitsburg, Wash	12.00
840486	Hersey, Henry B	Santa Fe, N. M	6.00
420457	Hill, Samuel	Greensboro, Vt	15.00
517406	Hoskinson, William B	New Florence, Pa	8.00
760971	Hanlon, James	Bakersfield, Cal	8.00
661782	Henderson, William	1324 Vallejo street, San Francisco, Cal.	8.00
777094	Junifer, Samuel	7 Corcoran Row, D. C	4.00
18063	Jones, John	16 Chancery Lane, Philadelphia, Pa.	10.00
460156	Jackson, Alfred T	Weaverville, Cal	14.00
504129	Johnston, Rufus R	Winneconne, Wis	4.00
822437	Knight, Myron E	Strawberry Point, Iowa	2.00
559755	Kramer, Johann	Hans 28 Pollande, Post Toeplitz, Unter Koani, Austria.	17.00
428006	Kerr, Henry W	Carlinville, Ill	15.00
483723	Koehne, Frederick	308 Lincoln ave., Evansville, Ind	10.00
473166	Keith, Thomas J	Greenwood, Ind	8.00
408242	Long, Theodore K	Care West Pub. Co., St. Paul, Minn	8.00
241142	Lazzell, Uriah W	Broadlands, Ill	1.00
373784	Lobdell, Noble	2727 Lyndale avenue, Minneapolis, Minn.	30.00
188553	Martin, James	West View, Pa	2.00
112252	Miller, James L	Delblero, Pa	17.00
588553	McLane, Daniel	West Point, Ohio	6.00
438375	Mosier, John L	Gunter, Mo	15.00
765608	Mellen, Albert B	Acton, Cal	6.00
600706	Montague, Denard	149 San Pedro st., Portland, Oreg	8.00
517111	Myers, Mark H	Peel, Oregon	10.00
487407	Miller, Nicholas	2260 Main st., Wheeling, W. Va	8.00
402412	Nolan, Henry J	236 Henry st., New York, N. Y	6.00
755412	Nichols, Harvey N	Eureka, Cal	6.00
330178	Oehlrich, Peter	Butte, Mont	6.00
753688	Ozenberger, Joseph	Middletown, Cal	6.00
750506	Phillips, Thomas	Seattle, Wash	6.00
299915	Pugh, Owen	Fairport, N. Y	4.00
728993	Peterson, Solon	Waitsburg, Wash	6.00
114253	Pringle, Andrew G	Mitchell, S. Dak	8.00
116955	Peterson, Jacob R	Northville, S. Dak	4.00
126810	Ray, Alfred F	104 Marria st., East Boston, Mass	8.00
184902	Rafferty, John	605 Broadway, San Francisco, Cal	8.00
144554	Reichard, Henry	Ellsworth avenue, Pittsburg, Pa.	6.00
182817	Rogers, Luther D	Winthrop, Iowa	8.00
236445	Rundlett, James R	Augusta, Wis	14.00
369120	Ricketts, Abner Cass	Fairfield, Iowa	8.00
151763	Reinking, Henry	Ida Grove, Iowa	4.00
566759	Roberts, Thomas S	25 North Jefferson street, Grand Rapids, Mich.	6.00
439618	Randall, Alfred N	Golden, N. Mex	4.00
497357	Saal, Bola	Arago, Nebr	10.00
305939	Schaible, Solomon	Erwinna, Pa	8.00
350857	Smith, Thomas J	Hughesville, Pa	10.00
733286	Severance, Albion A	29 Clinton st., San Francisco, Cal.	6.00
834574	Swartz, John F	S. Camden, Mich	2.00
522606	Shay, John	Davis, W. Va	4.00
706428	Stocksick, Frederick	Clarence, Ill	8.00
632349	Stewart, James H	McMinnville, Oregon	10.00
334290	Sheddy, Dennis	Queensville, Ind	10.00
236720	Talley, Riley	Canton, Tex	2.00
254807	Thompson, Robert O	Belen, N. Mex	6.00
312506	Tennant, Harvy N	Warren, N. Y	9.00
278060	Thayer, Alonso H	Ames, Iowa	2.00
207728	Tomlinson, Wm	Moundsville, W. Va	6.00
11632	Welch, Henry	Augusta, Wis	2.00
296778	Wilson, Wm. H	Centerville, Md	24.00
536100	Whipple, Lucius S	Woonsocket, R. I	17.00
107236	Whipple, John C	Monroe, Mich	12.00
407155	Wayland, Albert G	Murphysboro, Ill	6.00
216039	Wooldridge, Geo. W	Edgewood, Iowa	6.00
350645	Young, Aaron	Bedford, Pa	8.00

Statement showing the certificate numbers, names, post-office addresses, and rates of pensioners dropped because disabilities had ceased, etc.—Continued.

NAVY.

Certificate Nos.	Names.	Post-office address.	Rate.
2561	Herridge, George	Lacon, Ill	$4.00
1359	Sydney, Philip	Not known	4.00

Statement showing the certificate numbers, names, post-office addresses, and rates of pensioners whose names were dropped from the pension roll between March 4, 1893, and May 10, 1894, on the ground that they were not dependent on their own labor, or the soldiers on account of whose deaths they were pensioned, for support.

ARMY WIDOWS' ACT OF JUNE 27, 1890.

Certificate Nos.	Names.	Post-office address.	Rate.
313394	Auspach, Philipena	Cedar Grove, Ind	$8.00
291067	Becker, Agnes A	Galveston, Tex	10.00
282346	Caspari, Elizabeth	St. Louis, Mo	8.00
351277	Fletcher, Mary L	Wayne, Mich	8.00
296290	Henson, Sarah C	Johnson, Ark	12.00
323186	Lockard, Rebecca	Emporia, Kans	8.00
319387	Pond, Delia M	St. Elizabeth Home, Providence, R. I.	8.00

ARMY MOTHERS, ACT OF JUNE 27, 1890.

346211	Miller, Martha	Cross Plains, Ill	$12.00
347554	Gast (formerly Sturdivant), Angelina.	Princeton Iowa	12.00
280924	Parker, Nancy J	Livingston, Iowa	12.00
288102	Van Husen, Elizabeth C	Ira Station, N. Y	12.00

ARMY FATHERS, ACT OF JUNE 27, 1890.

322956	Larzelere, Charles B	536 Beach street, Philadelphia, Pa	$12.00
322120	Lees, James	Utica, Pa	12.00
341687	Sherwood, Orsamus	Rocky River, Ohio	12.00
321058	Wilkerson, Alex. T	P. O. Box 705, Milford, Mass	12.00

ARMY MOTHERS, GENERAL LAW.

189887	Allen, Mary	Siam, Tenn	$12.00
261184	Brown, Catherine	Kurtz, Ind	12.00
224502	Byron, Bridget	Wilmington, Ill	12.00
244009	Craig, Vina, now Blackburn.	Dry Ridge, Ky	8.00
248314	Gigley, Tabiatha	Oak Hill, Ill	12.00
265487	Griffith, Orpha L	Browns Corner, Ind	12.00
366740	Morgan, Dicy A	Clay, Iowa	12.00
81858	Nearns, Mary	Louisville, Ky	12.00
280607	Sindel, Harriet N	Winameg, Ohio	12.00
273715	Sommers, Mary	Ogden, Iowa	12.00
322172	Storrs, Eunice A	Sherburn, N. Y	12.00
127391	Taylor, Ann	St. Louis, Mo	8.00
204565	Weatherly, Charlotte	Quantico, Md	12.00

ARMY FATHERS, GENERAL LAW.

254703	Haymond, James	Ironton, W. Va	$12.00
246165	Long, Annis	Taylorville, Ill	25.00
245542	Moore, George W	5357 Michigan State Prison, Jackson, Mich.	8.00
277770	McWilliams, Jesse	Taswell, Ind	12.00
207843	Powers, David	Binghamton, N. Y	12.00
266560	Tindal, Ahasuerus	Sycamore, Del	12.00

Statement showing the certificate numbers, names, post-office addresses, and rates of pensioners whose names were dropped from the pension roll between March 4, 1893, and May 10, 1894, on account of immoral conduct. (Act of August 7, 1882.)

ARMY WIDOWS, ACT JUNE 27, 1890.

Certificate Nos.	Names.	Post-office address.	Rate.
296961	Alois, Sophia	Henderson, Ky	$12.00
374107	Brummett, Amanda J	Sparksville, Ky	8.00
347312	Bloodworth, Mary E	Grand Rivers, Ky	12.00
357267	Burke, Annie F	5 Main street, Milford, Mass	8.00
372197	Busby, Louisa	Dora, Ark	10.00
346318	Burton, Mary E	349 South Alabama street, Indianapolis, Ind.	10.00
244749	Boyh, Alice	Mahaffey, Pa	8.00
283193	Coleman, Margaret	125 W. Larned st., Detroit, Mich	10.00
336803	Cooper, Alice	Louisville, Ky	8.00
356652	Cliver, Sarah A	617 Pine street, Camden, N. J	8.00
286042	Campbell, Elizabeth	Middletown, Pa	8.00
339121	Dewberry, Mary	Louisville, Ky	8.00
314398	Davis, Rachel	Camden, Miss	14.00
327507	Fielding, Mary L	Kansas City, Kans	8.00
330981	Gibson, Mary	413 Hudson st, New York, N. Y	8.00
321303	Gleason, Ellen	230 Hudson ave., Brooklyn, N. Y	8.00
311339	Holden, Sallie	Thula, Tenn	8.00

Statement showing the certificate numbers, names, post-office addresses, and rates of pensioners dropped for immoral conduct, etc.—Continued.

ARMY WIDOWS, ACT JUNE 27, 1890—continued.

Certificate Nos.	Names.	Post-office address.	Rate.
321656	Holliday, Clemmie	Prairie Station, Miss	$8.00
307560	Jourdan, Phebe L	Livingston, Mo	8.00
360800	Lloyd, Nancy N	Roland, Ark	12.00
325220	Major, Charlotte	Onancock, Va	12.00
307980	Magner, Jane	4414 Washington avenue, St. Louis, Mo.	8.00
367598	Measor, Lizzie	456 Case avenue, Cleveland, Ohio	8.00
292161	Morris, Rachel	Lincoln street, Wilkesbarre, Pa	12.00
384008	Moyes, Margaret	Illawara, La	16.00
320367	McVicker, Catherine	Clemtown, W. Va	16.00
305256	Marburger, Mary A	Linglestown, Pa	8.00
360635	Owens, Julia	155 Third avenue, Brooklyn, N. Y.	8.00
323679	Poule, Ida M	Sebec, Me	22.00
320786	Padden, Susan R	Yankee Dam, W. Va	16.00
297095	Pringle, Amy	Summerville, S. C	10.00
333318	Remore, Ellen C	309 Howard street, Winona, Minn	8.00
364989	Riddick, Hannah	144 Chapel street, Norfolk, Va	8.00
366775	Ryder, Lizzie	Denver, Colo	8.00
310803	Ruddle, Mary	Rowland, Ark	10.00
33915	Springer, Lyda	Not known	12.00
378700	Stockwell, Honor L	Washburn, Mo	8.00
347897	Smith, Margaret J	Sevierville, Tenn	8.00
279828	Stockman, Mary C	825 Rose street, Baltimore, Md	10.00
343976	Scalf, Mary A	South Watauya, Tenn	10.00
295955	Smith, Malinda	Sharpsburg, Md	8.00
330600	Stall, Lilus	East Toledo, Ohio	8.00
288095	Tobias, Rhody	Boutte, L	8.00
324986	Taylor, Kittie	Wetumpka, Ala	14.00
311465	Voltz, Frederika	306 West Randolph street, Chicago, Ill.	8.00
350544	Van Riper, Elizabeth	14 Lawrence st., Paterson, N. J	8.00
297143	Wilkinson, Julia	Mound City, Ill	8.00
346681	Walker, Sophia	Waco, Ky	8.00
323069	Walter, Mary J	27 Arthur avenue, Cortland, N. Y	8.00
360319	Weber, Sarah A	14 Wiley street, Auburn, N. Y	10.00
321485	Walker, Amy A	150 Russel street, Detroit, Mich	8.00
364778	Winnie, Margaret	St. Johnsville, N. Y	8.00
340746	Wagner, Jane	P. O. Box 355, Omaha, Nebr	8.00
291961	Wharton, Maria	Six Mile Falls, Me	16.00
285891	Williams, Henrietta	Water street, Natchez, Miss	8.00
60734	Weiderwax, Susan	Iona, Mich	12.00

ARMY WIDOWS, GENERAL LAW.

265172	Alford, Lucy Jane	111 S. Pattersonst., Lexington, Ky	$12.00
261753	Berry, Mary	Warsaw, Ky	12.00
377938	Beach, Josephine E	Mount Morris, Pa	12.00
1174	Cosgrove, Sarah	2000 Mildred st., Philadelphia, Pa	12.00
197162	Carter, Mary	Bowling Green, Ky	12.00
267352	Carter, Armead	Leavenworth, Kans	12.00
265812	Dorsett, Mary	Berden, Ill	12.00
234397	Eimer, Susanna	Friederichauser, near Frankfort-on-the-Main, Germany.	16.00
274052	Fitz, Emilia	Elkton, Mich	18.00
120784	Freeman, Josephine	Trappe, Md	12.00
232344	George, Anna M	1720 W. Third st., Dayton, Ohio	12.00
270672	Groesbeck, Hannah E	Auburn, N. Y	12.00
234240	Higgins, Mary J	Togus, Me	8.00
161216	Holt, Laura F	503 Main st., Worcester, Mass	8.00
273009	Helm, Eliza J	Reedville, W. Va	18.00
350357	Houston, Celia	226 Paso Hondo, San Antonio, Tex.	12.00
270469	Jorden, Eliza R	Upland, Md	18.00
88243	Lenigar, Delia	Sprakers, N. Y	12.00
289079	Maxwell, Mary A	15 Belden st., Norwalk, Conn	12.00
272582	Male, Alcinda	Cecil, W. Va	12.00
267500	Morey, Mary A	Potter Place, N. H	14.00
254304	Malone, Sophia	21 Springfield st., Norfolk, Va	12.00
248829	Neff, Margaret	Homer, N. Y	12.00
151669	Newton, Jennie S	502 High st., Elmira, N. Y	12.00
48885	Powell, Huldah	Berlin, Md	12.00
270948	Parslow, Catharine A	Middleburg, N. Y	12.00
277490	Reed, Emerancy A	Kennedy, N. Y	12.00
252940	Spencer, Wilhelmina	2210 Turner st., Philadelphia, Pa	12.00
212805	Vandermark, Etta J	Shickshinny, Pa	12.00
138486	Van Gelder, Malissa A	Kelloggsville, N. Y	12.00
269931	Wright, Mary F	Terre Haute, Ind	12.00
263305	Wagers, Nancy	Spring Creek, Ky	20.00
263020	Watkins, Mary Jane	Almont, Mich	16.00
202928	West, Harriet A	Topeka, Kans	12.00
209076	Wolf, Mary J	50 Mott street, Trenton, N. J	14.00

NAVY WIDOWS, GENERAL LAW.

4512	McCoy, Eliza	28 Fox street, Norfolk, Va	$12.00
4258	Wheeler, Clara	Circleville, Ohio	12.00

WIDOWS, WAR OF 1812.

33274	Benson, Sarah E	Grant, Ala	$8.00
32505	Saul, Martha	Telford, Tenn	8.00

Statement showing the certificate numbers, names, post-office addresses, and rates of army invalid pensioners under the act of June 27, 1890, whose names were dropped from the roll between March 10, 1893, and May 10, 1894, for the reason that they did not perform ninety days' military service.

Certificate Nos.	Names.	Post-office address.	Rate.
650305	Abercrombie, James	Coal Center, Pa	$12.00
558013	Burke, William H	Arcadia, Kans	12.00
733518	Brown, Morris K	New Bedford, Pa	8.00

Statement showing the certificate numbers, names, post-office addresses, and rates of pensioners dropped because they did not perform ninety days' service, etc.—Continued.

Certificate Nos.	Names.	Post-office address.	Rate.
706699	Brown, James W	Pulaski, Pa	$12.00
608804	Banister, Thomas H	Barnesville, Ohio	12.00
886281	Cook, Squire	509 Cooper street, Sedalia, Mo	6.00
633850	Clark, Elias	Barnesville, Ohio	8.00
593586	Colvin, George	do	8.00
737289	Colvig, James H	do	6.00
753943	Clay, William A	Sewellsville, Ohio	8.00
735549	Cotton, James	Pulaski, Pa	6.00
597438	Dove, Henry C	Wilton Junction, Iowa	12.00
742830	Denny, Carter B	Barnesville, Ohio	12.00
752566	Ehredt, Friedrich	2819 De Kalb street, St. Louis, Mo	12.00
452834	Frizzell, John	Sewellsville, Ohio	12.00
753146	Gregg, Lot S	Jerusalem, Ohio	8.00
825919	Gaal, Alexander	73 Conti street, New Orleans, La	12.00
769385	Hoffman, George	2700 St. Louis ave., St. Louis, Mo	12.00
712501	Hays, Charles	Barnesville, Ohio	12.00
730312	Heasley, Zachariah	West Middlesex, Pa	12.00
711239	Heed, Isaac C	Bethesda, Ohio	12.00
585271	Hager, Henry P	Zanesville, Ohio	12.00
605879	Holton, George W	Peoria, Ill	10.00
527269	Johnson, Arve	953 North Washtenaw avenue, Chicago, Ill.	8.00
749966	Kemp, John P	New Castle, Pa	12.00
811542	Lewis, Robert I	Martins Ferry, Ohio	8.00
775352	Laws, Cropper H	Middle Creek, Ohio	12.00
811823	Mars, Joseph	Gresham, Pa	12.00
751005	Major, William G	Hendrysburg, Ohio	6.00
625517	McLane, Robinson	Barnesville, Ohio	8.00
784598	Munnel, Wm. T	Sandy Lake, Pa	12.00
805542	Neal, Benjamin	New Bedford, Pa	12.00
818814	Nelson, Isaac	Kantner, Pa	12.00
634474	Perry, Isaac	Barnesville, Ohio	12.00
527382	Rogers, George W	Georgetown, Del	10.00
841565	Shue, Theodore L	Quincy, Ill	6.00
594314	Sampson, Irwin	New Wilmington, Pa	12.00
811653	Woods, Eli	Fay, Pa	10.00
602996	Wilson, Thomas H	Barnesville, Ohio	12.00
676638	Wilson, James P	Pulaski, Pa	8.00
691865	Wellons, George D	Needmore, Ind	12.00
749341	Waddell, Josephus	Sewellsville, Ohio	12.00
709867	Yocum, John D	Pasadena, Cal	12.00

ARMY WIDOWS, ETC., ACT JUNE 27, 1890.

326748	Clark, Elizabeth	Newton, Ill	$8.00
341784	Lupton, Lydia A	Barnesville, Ohio	8.00
322140	Lane, Rebecca I	do	8.00
322741	McCrumb, Emma B	New Wilmington, Pa	10.00
341288	Maris, Rachel A	2434 Chestnut ave., Kansas City, Mo.	8.00
373893	Roelker, Margaretha E	Cape Girardeau, Mo	8.00
331761	Schmidt, Dorothee	do	8.00
313938	Smith, Margaret	Iola, Kans	8.00
284555	Walsh, Mary J	47 Tremont street, Lawrence, Mass	8.00

Statement showing the certificate numbers, names, post-office addresses, and rates of general law, invalid pensioners whose names were dropped from the pension roll between March 4, 1893, and May 10, 1894, for the reason that the disabilities were not contracted in the military service.

Certificate Nos.	Names.	Post-office address.	Rate.
488873	Brown, William E	Troy, Ohio	$8.00
563080	Britton, Wiley	907 M st. NW., Washington, D. C	8.00
191284	Corrie, John B	41 W. Third street, Oswego, N. Y	6.00
151030	Clary, James	430 H street NW., Wasington, D. C	24.00
159677	Durant, Henry P	Huntsville, Ala	8.00
511750	Gitchell, John	Chesaning, Mich	24.00
472071	Geen, William	North Fork, Cal	12.00
276869	Haubrich, Jacob	630 E. Thirteenth street, New York City.	4.00
301591	Hurt, George J	Montpelier, Ky	14.00
472672	Hartenroad, David	Not known	17.00
448983	Nelson, John	Dilley, Ohio	10.00
358426	Redden, John	Newberry, Pa	72.00
367762	Sherman, Thomas	Kettle, W. Va	2.00
642698	Soule, Charles H	16 Cook street, Lynn, Mass	6.00
236280	Tarbell, Charles	Peruville, N. Y	8.00
473227	Tyrrall, John	931 Gennessee st., Kansas City, Mo.	4.00

Statement showing the certificate numbers, names, post-office addresses, and rates of pensioners whose names were dropped from the pension roll between March 4, 1893, and May 10, 1894, for the reason that the soldiers deserted or were dishonorably discharged from the military or naval service.

ARMY INVALID, ACT OF JUNE 27, 1890.

Certificate Nos.	Names.	Post-office address.	Rate.
512407	Allen, Noah	Packwaukee, Wis	$12.00
556751	Allen, Robert	Vermillion, Ohio	12.00
551460	Benjamin, Alexander	Jacksonville, Fla	10.00
775776	Brock, Green	Crab Orchard, Ky	6.00
730054	Burns, James	Not known	12.00
600437	Bullis, Ezra S	Cleveland, Ohio	12.00
673013	Barrett, William F	Bentonsport, Iowa	12.00
365873	Huffstetler, Eli	McKinley, Tenn	12.00
771742	Hamler, Andrew H	Stanhope, N. J	6.00

Statement showing the certificate numbers, names, post-office addresses, and rates of pensioners dropped because they were dishonorably discharged, etc.—Cont'd.

Certificate Nos.	Names	Post-office address.	Rate.
640304	Jennings, Jay	Box 335, Danbury, Conn	$6.00
623230	Logsdon, Wm. J	Owensboro, Ky	6.00
787899	Lopez, Cesario	Socorro, N. Mex	12.00
568778	Moodie, James	Marysville, Ohio	6.00
775370	Martinez, Roman	Anton Chico, N. Mex	12.00
345447	Morton, Daniel W	Augusta, Me	4.00
555183	Powell, Robert	Jalappa, Tenn	12.00
815230	Robinson, James	W. Pawlet, Vt	12.00
747595	Rowe, Ambrose	W. Levant, Me	8.00

ARMY INVALIDS, GENERAL LAW.

484707	Albro, Andrew	Benedict, N. Y	$4.00
243962	Baker, Jonathan	Crothersville, Ind	4.00
192022	Burrows, William	Philadelphia, Pa	4.00
421997	Benson, John	National Soldiers' Home, Va	4.00
385663	Bernard, Frank	2 Elisworth st., Hartford, Conn	4.00
212982	Barbarick, John	Sylvania, Ohio	8.00
363360	Coyle, Edward	Not known	4.00
430022	Conar, William D	Falmouth, Ky	8.00
472283	Coffin, Charles A	Bryants Pond, Me	4.00
452197	Clark, John R	Metea, Ind	4.00
113657	Chase, William	Twenty-Mile Stand, Ohio	6.00
276694	Dailey, Weaden T	Falmouth, Ky	4.00
330542	Derosia, William	Soldiers' Home, Bath, N. Y	2.00
384295	Duihagen, Isaac	682 Court street, Cincinnati, Ohio.	2.00
197247	Fogle, Wm. R. P	113 Freeman street, Brooklyn, N. Y.	6.00
474469	Feather, Stephen	Panama, Nebr., Willow street	6.00
459880	Farren, Bernard D	Bethlehem, Pa	8.00
467378	Farrell, Cornelius	Sheldon, Ind	17.00
267417	Gardner, George	Mendon, Ohio	12.00
389924	Goodwin, Henry	Warrensburg, N. Y	8.00
287483	Griswold, Geo. A	4 Pemberton, sq., Boston, Mass	4.00
402935	Hudson, Barsell C	Elizabethtown, Ind	16.00
164892	Harris, James E	Standish, Mich	4.00
425449	Hathaway, Eleazer I	Almont, Mich	2.00
300227	Harris, Chase M	North Buckfield, Me	10.00
373841	Hall, John W	Waterloo, N. Y	4.00
293630	Ingram, John	Horse Neck, W. Va	10.00
472893	Kelcher, Patrick	15 Pfeiffer street, San Francisco, Cal.	2.00
469830	Kinney, John P	Martha Furnace, Pa	4.00
364442	Ketcham, Thomas J	Port Jervis, N. Y	6.00
54369	Kincaid, Charles N	Livermore Falls, Me	6.00
427434	Keck, Charles R	32 First street, Warren, Pa	6.00
407563	Lord, Benjamin	South Rumford, Me	8.00
11428	Lowell, Horatio N	South Berwick, Me	8.00
480548	Mallison, Marcus M	Glenora, N. Y	4.00
340537	Mayer, John M	Tholheim, Germany	6.00
337323	Misell, Thomas	Concordia, Kans	8.00
470264	Morency, Peter W	Sherbrook, Canada	8.00
353048	McCloskey, Patrick	National Home, Wisconsin	4.00
175463	McCarthy, John	Spokane, Wash	6.00
405953	Ogden, John	Idana, Kans	10.00
422119	Rapp, William T	Not known	2.00
218879	Riley, John G	Grand Junction, Iowa	8.00
694488	Sutton, Augustin	Gallitzin, Pa	2.00
419748	Straw, Daniel	Candia, N. H	4.00
415124	Smith, Isaac P	Greenville, Me	6.00
287052	Smallwood, George H	Tuque, Mo	4.00
323742	Seavey, Peter C	Lennoxville, Quebec, Canada	6.00
426288	Sculley, Michael	Morris, Pa	6.00
290711	Smith, Abraham	Independence, Ind	6.00
583400	Slagle, Henry	Jeraldstown, Tenn	12.00
406780	Tyler, Joseph F	Tacoma, Wash	2.00
146740	Tolman, Zenas W	North Orange, Mass	8.00
470347	Tobin, John	Danby, Vt	8.00
14024	Toal, Michael	Garland, N. Y	2.00
372658	Vinton, Edwin F	Box 890, Pittsfield, Mass	4.00
341163	Wells, William H	Central Square, N. Y	4.00
470375	Werner, Theodore	North Vernon, Ind	8.00
19897	Whartonby, James	Not known	8.00
569805	Wilkin, Levi	Ludwick, Ohio	12.00
471563	Young, Robert	Brownsville, Pa	2.00
459078	Zimmermann, William	632 Fourth avenue, Elizabeth, N. J.	2.00

NAVY INVALID, GENERAL LAW.

5131	Perkins, William	Stow, Me	$4.00
3021	Winchester, Edwin C	Orrington, Me	17.00

ARMY WIDOWS, ETC., ACT OF JUNE 27, 1890.

284102	Herbst, Johanna	1236 Clark avenue, St. Louis, Mo.	$8.00
289738	Murphy, Mary	Sewickley, Pa	8.00

MEXICAN WAR SURVIVORS.

12037	Saunders, Henry	Pierce City, Mo	$8.00
1062	Devlin, Peter	San Quentin Prison, Cal	8.00

Statement showing the certificate numbers, names, post-office addresses, and rates of pensioners whose names were dropped from the pension roll between March 4, 1893, and May 10, 1894, for the reason that pension was fraudulently drawn after remarriage.

ARMY WIDOWS, ACT JUNE 27, 1890.

Certificate Nos.	Names.	Post-office address.	Rate.
337301	Bell, Julia A	120 John street, Cincinnati, Ohio	$8.00
310052	Browning, Martha A	Monett, Mo	8.00
220304	Garrett, Marinda	Kennedy, Ky	8.00
308355	Heide, Catharine	2 Bolliver Place, Philadelphia, Pa	8.00
323567	Harrington, Sarah	135 North Tenth street, Philadelphia, Pa.	8.00
305594	Pardee, Susan S	Wamego, Kans	8.00
305692	Quigley, Catharine	Point House Row, Greenwich, Philadelphia, Pa.	8.00
306418	Scott, Anna A., alias Fishback.	1145 Eastern avenue, Cincinnati, Ohio.	8.00
289635	Sine, Emma D	Northeast corner Twenty-fourth and Ellsworth streets, Philadelphia, Pa.	8.00
349058	Stanford, Nancy E	Sherman, Tex	8.00

ARMY WIDOWS, GENERAL LAW.

37561	Bowers, Mary	Ellsworth, Kans	$12.00
124783	Blaettler, Clara A	St. Louis, Mo	12.00
207042	Churchill, Helen	76 Eagle street, N. Adams, Mass	12.00
191861	Eliza (Indian)	Okmulgee, Ind. T	12.00
270308	Field, Julia A	Belleville, Kans	12.00
209051	Grutz, Ellen	Bridgeport, Conn	12.00
123767	McGrath, Elizabeth	Not known	12.00

Statement showing the certificate numbers, names, post-office addresses, and rates of pensioners whose names were dropped from the pension roll between March 4, 1893, and May 10, 1894, for the reasons that the declarations for pensions were invalid.

ARMY, ACT JUNE 27, 1890.

Certificate Nos.	Names.	Post-office address.	Rate.
227887	Armstead, William	50 Fenchurch st., Norfolk, Va	$12.00
708612	Artis, Thomas	Not known	6.00
443517	Buck, John	do	8.00
621171	Bush, Ephraim	Care of W. H. Miles, Park avenue, Norfolk, Va.	12.00
745252	Brock, Charles	Not known	12.00
638933	Brown, John H., alias Racho Jackson.	General delivery, Norfolk, Va	12.00
821907	Brickhouse (alias Brickus), Wilson.	73 Pulaski street, White's Row, Va.	8.00
676982	Bray, Edward	50 Fenchurch st., Norfolk, Va	6.00
745249	Bray, Wm	General delivery, Norfolk, Va	12.00
529403	Boush, Henry	50 Fenchurch st., Norfolk, Va	8.00
531080	Bowe, Calvin	do	12.00
622774	Bell, Henry	do	12.00
666844	Bailey, Solomon	Great Bridge, Va	10.00
560030	Baxter, Paul	40 James street, Norfolk, Va	12.00
319024	Cartwright, Sylvia	9 Webster's court, Norfolk, Va	8.00
583667	Carter, John	General delivery, Norfolk, Va	12.00
669958	Coston, George	National Soldiers' Home, Virginia.	6.00
690163	Corbin, John	255 Church street, Norfolk, Va	12.00
566290	Coy, John	Norfolk, Va	12.00
735550	Cuffy, James	General delivery, Norfolk, Va	12.00
732767	Cuffee, Ferebee	14 Wilson avenue, Norfolk, Va	12.00
518635	Deans, Isaac	387 Church street, Norfolk, Va	6.00
549913	Davis, Nathaniel	do	12.00
742842	Dye, Robert	General delivery, Norfolk, Va	8.00
136013	Emerson, Cuffy	Norfolk, Va	10.00
707888	Fuller, Lewis Thomas	50 Fenchurch street, Norfolk, Va	12.00
519832	Fuller, Peter	do	6.00
231821	Freeman, Samuel	Norfolk, Va	12.00
674103	Fentress, Daniel	26 Lodge street, Norfolk, Va	8.00
661723	Fentress, Henry	Box 203, Portsmouth, Va	12.00
284965	Farier, Anson	National Soldiers' Home, Va	12.00
113551	Guy, John	do	12.00
691378	Goodson, Geo	General delivery, Norfolk, Va	12.00
691379	Gregory, Benjamin	Norfolk, Va	8.00
722586	Hawkins, William	518 Harrison st., Portsmouth, Va	6.00
516277	Haynes, Geo	511 Wythe st., Portsmouth, Va	12.00
427699	Herron, Henry	50 Fenchurch st., Norfolk, Va	8.00
649070	Hodges, Geo. W	Norfolk, Va	12.00
647744	Hollowman, Geo	General delivery, Norfolk, Va	8.00
660233	Holland, John	Berkley, Va	12.00
545878	Hopkins, Henry	General delivery, Norfolk, Va	12.00
536873	Hubert, Alexander	Norfolk, Va	12.00
621408	Hughes, Stephen	Berkley, Va	12.00
602171	Holmes, Daniel	General delivery, Norfolk, Va	8.00
631848	Hopkins, Trim	Norfolk, Va	12.00
530635	Hopper, Owen	69 James st., Norfolk, Va	8.00
741915	Jordan, James H	62 Windsor court, Norfolk, Va	12.00
663860	Jones, Chas	243 Queen st., Norfolk, Va	12.00
589003	Jones, Duncan	Care of W. H. Miles, Park avenue, Norfolk, Va.	6.00
716584	Jones, Harry	629 Crawford st., Portsmouth, Va	8.00
693884	Johnson, Hilliard	50 Fenchurch st., Norfolk, Va	12.00
496583	Johnson, Richard R	Barboursville, Va	12.00
723507	Jolly, David	General delivery, Norfolk, Va	6.00
566519	James, Horatio	50 Fenchurch street, Norfolk, Va	6.00
771007	Johnston, Geo. W	do	12.00
641459	Kellum, Southey	General delivery, Norfolk, Va	12.00
509718	Kennedy, George	Care of C. P. Roper, 31 Bank st., Norfolk, Va.	6.00

Statement showing the certificate numbers, names, post-office addresses, and rates of pensioners dropped because their declarations were invalid, etc.—Continued.

ARMY, ACT JUNE 27, 1890—continued.

Certificate Nos.	Names.	Post-office address.	Rate.
541424	King, Stephen	70 St. Paul street, Norfolk, Va	$10.00
559120	Lee, Daniel	117 Brewer street, Norfolk, Va	8.00
698170	Langford, Logan	Norfolk, Va	12.00
156725	Land, Shadrack	50 Fenchurch street, Norfolk, Va.	12.00
800091	Matthews, Lemuel C	32 Marshall avenue, Norfolk, Va	6.00
552192	Mosely, Isaac	50 Fenchurch street, Norfolk, Va.	10.00
654296	Morden, Lewis	Box 203, Portsmouth, Va	8.00
721934	Miller, George	273 Queen street, Norfolk, Va	12.00
675846	Merritt, Alford	General delivery, Norfolk, Va	12.00
599857	Meads, George	50 Fenchurch street, Norfolk, Va.	6.00
676727	Manning, Isaac	Care of W. H. Miles, Park avenue, Norfolk, Va.	12.00
699491	Mathews, George	Lynnhaven, Va	6.00
548363	Maltby, Jesse	17 Fifth street, Norfolk, Va	12.00
411528	Major, William	Norfolk, Va	12.00
582281	McCoy, Ransom	Berkley, Va	6.00
688044	McCoy, Peter	31 Bank street, Norfolk, Va	8.00
671117	McCoy, Humphrey	70 Wilson street, Norfolk, Va	12.00
464436	Nimmer, Henry	Care of W. H. Miles, Park avenue, Norfolk, Va.	12.00
531384	Nelson, Arthur	Norfolk, Va	12.00
500747	Nash, Jacob	Care of C. B. Roper, 31 Bank street, Norfolk, Va.	12.00
641607	Odom, Jacob	50 Fenchurch street, Norfolk, Va.	10.00
539998	Olus, James	National Soldiers' Home, Virginia	12.00
564318	Purnell, Wm	50 Fenchurch street, Norfolk, Va.	12.00
589127	Portlock, John	7 Springfield street, Norfolk, Va.	10.00
556488	Parsons, Edward P	Care of W. H. Miles, Norfolk, Va.	8.00
643580	Randall, James	50 Fenchurch street, Norfolk, Na.	6.00
712948	Rand, John	do	12.00
733236	Riddick, Isaac	Hodges Ferry, Va	8.00
810102	Rollins, James	515 Wythe street, Portsmouth, Va	12.00
524664	Small, Henry	95 Liberty street, Norfolk, Va	10.00
747620	Smith, Jordan	National Soldiers' Home, Virginia	12.00
535947	Stiles, Joseph	31 Bank street, Norfolk, Va	12.00
730973	Stone, Thomas	General delivery, Norfolk, Va	6.00
412618	Shepherd, Wm	50 Fenchurch street, Norfolk, Va.	10.00
580526	Sivils, Henry	Berkeley, Va	12.00
530920	Sanders, John	342 Church street, Norfolk, Va	12.00
547919	Shaw, Thomas	207 Cumberland st., Norfolk, Va.	8.00
612542	Tatem, Thomas	Berkley, Va	12.00
555866	Talte, Lazarus	50 Fenchurch street, Norfolk, Va.	12.00
753730	Vann, Thomas	Hickory, Va	8.00
617565	Valentine, Daniel	50 Fenchurch street, Norfolk, Va.	12.00
745648	Wright, William	Princess Anne, Va	8.00
659722	Wilson, Randall	4 Hull street, Norfolk, Va	12.00
515351	Whitehus, John	Care of W. H. Miles, Park avenue, Norfolk, Va.	12.00
607560	Wilson, Timus	Berkley, Va	8.00
751353	Wilson, Willis	National Soldiers' Home, Va	12.00
567497	Wilkins, Ezra	General delivery, Norfolk, Va	8.00
554209	Wilkins, Jerry	National Soldiers' Home, Va	12.00
633616	Wiggins, Paul	General delivery, Norfolk, Va	8.00
556724	White, Isaac	do	10.00
536149	White, Alfred	Norfolk, Va	12.00
614467	Webb, Richard	209 Bank street, Norfolk, Va	6.00
520975	Washington, James	Norfolk, Va	8.00
690436	Walke, Louis	General delivery, Norfolk, Va	8.00
598370	Young, William	Norfolk, Va	8.00

NAVY ACT JUNE 27, 1890.

9653	Anderson, David	50 Fenchurch street, Norfolk, Va	$8.00
12969	Brown, Alexander	88 Jefferson street, Norfolk, Va	12.00
11702	Braxton, Richard	General delivery, Norfolk, Va	8.00
12119	Bray, Thomas	Norfolk, Va	6.00
12037	Holley, Jerry	Great Bridge, Va	6.00
9828	Hodges, Alexander	National Soldiers' Home, Va	6.00
7969	Read, Wm. H	100 Goff street, Norfolk, Va	10.00
9628	Templeton, Albert	17 Wilson ave., Barboursville, Va.	12.00
8067	Taylor, Logan	31 Bank street, Norfolk, Va	6.00
12090	Wilson, James	9 Washington avenue, Huntersville, Norfolk, Va.	8.00
11907	Williams, Willis	General delivery, Norfolk, Va	8.00
17513	Whalin (alias Weeland), John.	McQuillin's Store, James street, Norfolk, Va.	12.00

ARMY, GENERAL LAW.

350333	Goddard, Harrison J	Fort Atkinson, Iowa	$14.00

WIDOWS, ETC., ACT OF JUNE 27, 1890.

308936	Foeman, Ann	57 North street, Norfolk, Va	$8.00
276889	James, Rosetta	85 Newton street, Norfolk, Va	8.00
318432	Preslin, Mary	9 Suffolk street, Norfolk, Va	8.00
299178	Smith, Nancy Ann	101 Princess Ann ave., Norfolk, Va.	8.00
330601	Wilson, Harriet Ann	Bridgetown, Va	8.00

WIDOWS, ETC., NAVY.

5263	Powell, Lavinia	Not known	$8.00

Statement showing the certificate numbers, names, post-office addresses, and rates of pensioners whose names were dropped from the pension roll between March 4, 1883, and May 10, 1894, for various reasons.

CAUSES OF DEATHS NOT THE RESULTS OF DISABILITIES CONTRACTED IN THE MILITARY SERVICE.

Army widows, general law.

Certificate Nos.	Names.	Post-office address.	Rate.
342162	Arick, Louisa	Croton, Ohio	$12.00
286891	Britzinghoffer, Harriet	380 Orchard st., Newark, N. J	20.00
337714	Dolan, Annie C	13 State st., Cambridgeport, Mass	12.00
261807	Haggard, Mary E	Coffeyville, Kans	12.00
290393	Hauenstein, Catherine	Massillon, Ohio	12.00
208884	Leavitt, Bessie R	Detroit Junction, Mich	8.00
271524	Robinson, Julia A	North Freedom, Pa	12.00
271633	Shawberasso, Martha	Chesaning, Mich	12.00
252838	Skinner, Catherine	South New Berlin, N. Y	12.00

Army fathers, general law.

292340	Grantham, Wm	Albany, Mo	$12.00

DISABILITY FEIGNED.

113050	Raushenberger, Harvey	Morning Sun, Iowa	$10.00

NOT THE SOLDIERS' MOTHERS.

37110	Edwards, Mary	St. Clair, Pa	$12.00
321161	Putnam, Eunice	Galesburg, Mich	12.00
314212	Vaughn, Isabella	Bee, W. Va	12.00
315511	Walrath, Nancy	Charleston Four Corners, N. Y	12.00

NO LAW PROVIDING PENSIONS ON ACCOUNT OF SERVICES RENDERED.

Army invalids, act of June 27, 1890.

Certificate Nos.	Names.	Post-office address.	Rate.
635720	Collison, James B	Dexter, Kans	$12.00
465029	Guest, James H. E	Luna, Ala	8.00
606444	Steele, James	Clarksburg, Mo	6.00

Army invalids, general law.

496828	Fraker, Valentine	Buffalo, Mo	$30.00
488413	Gilbreath, Josiah	Langston, Ala	8.00

NOT DISABLED BY WOUNDS, ACT APRIL 24, 1816.

8142	Mize, Littleton M	Clarksville, Ga	$8.00

PENSIONERS' REQUESTS.

Army invalids, act of June 27, 1890.

709788	Clark, Joseph P	10 Center street, Baltimore, Md	$12.00
683118	McKay, Samuel A	Meadow Grove, Nebr	8.00
812570	Taylor, John G	11 W. Fayette st., Baltimore, Md	12.00
212997	Carter, John J	Titusville, Pa	10.00
107762	Goodman, William E	Germantown, Philadelphia, Pa	8.00
326734	Holdenreid, Philip	1708 S. Tenth st., St. Louis, Mo	4.50

Army widows, act of June 27, 1890.

341935	Dawson, Martha A	Hanover, Ill	$8.00
351928	Haymaker, Anna I	Murraysville, Pa	12.00
368207	Linsley, Susan W	Orleans, Mass	8.00

PENSIONERS NEVER DISCHARGED FROM THE MILITARY SERVICE.

Army invalids, act of June 27, 1890.

711404	Lewis, James	Springfield, Mo	$12.00
605245	Wilgus, Henry A	Byphalia, Ohio	12.00

PENSIONED TWICE, SECTION 4715 R. S.

Army invalids, act of June 27, 1890.

670868	Houghine, Joseph	Aiken, Ill	$8.00
681725	Parketon, George W	Rock Island, Ill	12.00

Army widows, act of June 27, 1890.

338079	Dixon, Harriet	820 Madison st., Wilmington, Del.	$8.00

Army widows, general law.

331373	Smith, Sarah	2 Crab street, Portsmouth, Va	$14.00

Statement showing the certificate numbers, names, post-office addresses, and rates of pensioners dropped for various reasons—Continued.

PENSIONED TWICE, SECTION 4715 R. S.—continued.

Navy invalids, general law.

Certificate Nos.	Names.	Post-office address.	Rate.
1659	Alexander, Charles	354 Classon ave., Brooklyn, N. R.	$9.00

PENSIONERS NOT IDENTICAL WITH SOLDIERS.

Army invalids, act of June 27, 1890.

674711	Davenport, Wm. H	Oswalt, Iowa	$12.00
604756	Johnson, William	Atlanta, Ga	12.00
668118	Johnson, William	Rockwood, Tenn	12.00
649213	Miller, Rufus	Jerome, Ga	8.00
786189	Mountz, Sylvanus B	Alliance, Ohio	6.00
558476	Ruth, Samuel	Burlingame, Pa	8.00
570933	Tillery, Andrew J	Donohoe, Tex	8.00
566157	Wilson, Henry	Philadelphia, Pa	12.00

RATED ON MEDICAL EXAMINATION OF ANOTHER SOLDIER OF SAME NAME.

545211	Martin, Joseph	Thayer, Mo	$12.00

SOLDIERS SERVED LESS THAN SIXTY DAYS IN WAR WITH MEXICO.

Survivors.

15684	Bartlett, Merrick	Quartz, Okla	$8.00
17004	Teague, John	Crowell, Tex	8.00
3909	Wood, Otis B	Pana, Ill	8.00

Widows.

7901	Crane, Mary Jane	Villisca, Iowa	$8.00

SOLDIER LIVING.

Army widows—Act of June 27, 1890.

361026	Allen, Mary	Louisville, Ky	$8.00
318230	Hall, Malinda	Benedict, Kans	8.00
286489	Hyson, Mary A	1522 William st., Baltimore, Md	8.00
300426	Johnson, Margaret	55 East Main st., Columbus, Ohio	8.00
308137	Walsh, Maria	19 Lester street, Province, R. I	8.00

Army widows—General law.

278284	Sullivan, Pytha Ann	Marianna, Fla	$12.00

Mexican war widows.

6010	Davis, Margaret	1825 L st. NW., Washington, D. C.	$8.00

SERVICE NOT ACCEPTED BY WAR DEPARTMENT.

Army invalid—Act June 27, 1890.

709187	McAfee, Robert	204 Courtland st., Baltimore, Md	$12.00

VICIOUS HABITS.

Army invalid—Act June 27, 1890.

428651	Bowman, James W	Safford, Tenn	$12.00
825293	Billy, John	Not known	6.00
508752	Bennett, Nathan	Republic, Kans	12.00
727873	Grebe, William	Mount Clemens, Mich	8.00
571981	Hatfield, John	Chippewa Lake, Ohio	8.00
602315	Littlefield, Daniel	Waterville, Me	6.00
568774	McGinley, James	National Military Home, Ohio	12.00
528638	Polmanteer, Francis	Ingleside, N. Y	12.00
857932	Pusey, John	De Graff, Ohio	6.00

Navy invalid—Act of June 27, 1890.

10730	Grayson, John, alias Robert Marshall.	225 Courtland, st., Baltimore, Md.	$12.00
7935	Phelan, John	National Soldiers' Home, Virginia	12.00

WIDOWS, MINORS, OR MOTHERS SURVIVED THE SOLDIERS.

Minor children.

236630	Gray, Marcus	Wagersville, Ky	$6.00

Statement showing the certificate numbers, names, post-office addresses, and rates of pensioners dropped for various reasons—Continued.

WIDOWS, MINORS, OR MOTHERS SURVIVED THE SOLDIERS.—continued.

Mothers.

Certificate Nos.	Names.	Post-office address.	Rate.
286608	Byers, Caroline	Louisiana, Mo	$12.00
377147	Cochrane, Phillis Ida	Soldiers' Home, Toledo, Ohio	12.00
353155	Hesket, Martha	Union City, Ind	12.00
27391	Parr, Sarah L	Rochester, Mich	12.00
307433	Robinson, Conney	Fairdale, Kans	12.00

Father.

331559	Lady, William	Brownstown, Ind	$12.00

ORGANIZATIONS WITH WHICH SOLDIERS SERVED WERE NOT IN SERVICE OF UNITED STATES.

Mexican war survivor.

5177	Nickles, Frederick	Campbellsburg, Ind	$8.00

Army widows, act of June 27, 1890.

254951	Kirtland, Mary A	Conejos, Colo	$8.00

ALLEGED SOLDIER NEVER PERFORMED MILITARY SERVICE.

Army widows, general law.

271814	Miller, Charlotte	Le Roy, Kans	$12.00

Statement showing the certificate numbers, names, post-office addresses, and rates of pensioners under the act of June 27, 1890, whose names were dropped from the pension roll between March 4, 1893, and May 10, 1894, for the reason that they were not ratably disabled for earning a support by manual labor.

Certificate Nos.	Names.	Post-office address.	Rate.
249961	Allerding, Nicholas	Hastings, Mich	$8.00
733474	Abbott, Orrin	Leipsic, Ohio	6.00
636611	Abernathy, James J	Waxahatchie, Tex	6.00
588133	Abell, Samuel C	Attilla, Ky	6.00
595422	Abrams, Benjamin F	Fort Collins, Colo	8.00
698418	Ackerman, Westervelt	7 Zimmer ave., Poughkeepsie, N. Y	6.00
581173	Adams, Benjamin	Ten Mile Hill, S. C	8.00
513533	Adams, James H	Spring Garden, Ill	12.00
781827	Adams, Charles	Unionville, Mo	6.00
678935	Adams, George W	Vibbard, Mo	6.00
661495	Adair, Amos	Chelsea, Ind. T	6.00
591393	Agard, Harrison	North Coheeton, N. Y	8.00
691886	Ake, Joseph W	Altoona, Pa	8.00
670267	Akins, John F	Warrensburg, Mo	6.00
694273	Aldrich, Thomas M	22 Warren st., Providence, R. I	10.00
558661	Alexander, William	Sedalia, Mo	6.00
514812	Allen, Robert W	Half Way, Ky	12.00
559985	Allen, Francis M	Alexandria, Tenn	12.00
544665	Allen, Atkins	Richmond, Ind	8.00
739481	Allen, Thomas M	601 North Eleventh street, Philadelphia, Pa.	6.00
688530	Allison, Cornelius W	Chester, Pa	6.00
749794	Allison, Isaac	Modena, Pa	6.00
555947	Altebery, Thomas B	Sugar Loaf, Colo	6.00
612674	Amey, William H	206 Market street, Hamburg, Pa	6.00
517885	Apple, Martin	East Allentown, Pa	6.00
599193	Anderson, John A	256 Eakin's place, Philadelphia, Pa.	6.00
735493	Amos, Charles	Pensauken, N. J	6.00
635601	Ames, William J	Stamford, N. Y	6.00
510747	Ammerman, Charles W	Greenwood, Del	6.00
561653	Amon, Philip	424 Central ave., Cleveland, Ohio	6.00
505605	Anderson, Uriah J	Vienna, Ill	6.00
692576	Anderson, Virgil	East Carondelet, Ill	6.00
612663	Anderson, Amos S	Monson, Mass	6.00
615784	Anderson, Christian H	751 East Third street, Williamsport, Pa	8.00
600375	Anderson, Jonah	67 Chappell alley, Carlisle, Pa	6.00
523815	Andrews, Charles J	182 Ames st., Grand Rapids, Mich	6.00
720284	Andrews, John	9 Federal street, Boston, Mass	6.00
525389	Andrews, William G	Denver, Colo	8.00
739476	Andrews, Lewis	Kenton, Ohio	6.00
507195	Angel, Newton J	Monoville, Tenn	12.00
510753	Archy, Anthony	Wilmington, Ohio	6.00
664228	Armstead, Mack	Florence, Ala	6.00
787447	Arnett, Alexander	Hedgesville, W. Va	8.00
528384	Austin, William S	Whitewater, Wis	8.00
636617	Austin, George M	Berlin Heights, Ohio	6.00
762948	Auspach, Thomas	Cincinnati, Ohio	8.00
553337	Arkeson, Thomas	Shasta, Cal	8.00
575981	Baker, Jonathan	Hopwood, Pa	12.00
624959	Besan, David	North Lawrence, N. Y	6.00
524331	Baker, Daniel M	State Line, Pa	8.00
525244	Blinn, George N	National Military Home, Ohio	12.00
672679	Boniphus, Curtis L	Charlotte Center, N. Y	8.00
546239	Babb, Lloyd A	Marvin, Tenn	6.00
755869	Bacon, Simeon	Wellsboro, Pa	10.00

Statement showing the certificate numbers, names, post-office addresses, and rates of pensioners because not ratably disabled, etc.—Continued.

Certificate Nos.	Name.	Post-office address.	Rate.
593446	Bachman, Zedekiah	Summit Park, Colo	$6.00
522719	Bailey, Ithamer	Cambridgeboro, Pa	6.00
660376	Bailey, Augustus	1 Belknap Place, Boston, Mass	6.00
638356	Baker, Augustus	Coosawhatchie, S. C	6.00
672680	Balmer, John	2025 Franklin ave., St. Louis, Mo	6.00
511163	Balinger, James K	Zanesville, Ohio	8.00
734127	Ballinger, Joseph C	Bakersfield, Cal	8.00
510408	Bauer, Peter	227 St. Paul street, Baltimore, Md.	12.00
724967	Bangle, Elick	Luce, Minn	6.00
773777	Bamford, Thomas	Bellaire, Ohio	8.00
610233	Bateman, William R	Rector, Ark	8.00
784077	Bates, Thurston	112 Kenyon ave., Cincinnati, Ohio.	6.00
730090	Barger, Jacob	West Freedom, Pa	8.00
738404	Barnes, James A	Market street, Paterson, N. J	6.00
626099	Barnes, Robert	227 St. Paul street, Baltimore, Md.	6.00
706669	Barndollar, John W	Beltzhoover, Pa	6.00
742263	Barr, Thomas M	Saxton, Pa	6.00
693346	Bartholemew, Silas C	384 Main street, Memphis, Tenn	6.00
638288	Barton, Lewis	Judsonia, Tenn	6.00
575967	Barton, Isaac W	Russellville, Ark	8.00
630451	Baseman, James F	227 St. Paul street, Baltimore, Md.	8.00
630450	Bass, Robert	Deer Park, Mo	8.00
692900	Baumhoff, Robert	Alpine, Mich	6.00
792799	Beachy, Urias	Ottawa, Kans	8.00
173082	Beall, Abraham R	Kimbolton, Ohio	12.00
581919	Beal, Jacob S	Ridott, Ill	8.00
518293	Beamer, Absalom	Waynesburg, Pa	8.00
544727	Beattie, Andrew	Cohoes, N. Y	6.00
573694	Beatty, Miles	Newport, Ky	8.00
509881	Beaver, John	Yeagertown, Pa	6.00
618300	Beavo, Joseph J	Dague, Ohio	6.00
587391	Beech, Frank	Lacona, N. Y	6.00
732729	Biederkellen, Fritz	Salem avenue, Cincinnati, Ohio	8.00
773076	Bellinger, Samuel	West Martinsburg, N. Y	6.00
603117	Bell, Sidney S	Gorham, N. Y	6.00
703801	Benner, Charles	Lindsey, Ohio	6.00
730088	Bennett, Harrison A	4 Willard Place, Allston, Mass	6.00
774616	Benham, Albert H	76 Birch street, Cleveland, Ohio	6.00
702340	Benabides, Teodocio	Santa Fe, N. Mex	8.00
704696	Bentley, Green S	Ravenna, Mich	6.00
604337	Bergmann, Andy	Jeffriesburg, Mo	6.00
518283	Bergmann, Charles	Soldiers and Sailors' Home, Quincy, Ill.	8.00
514133	Bernard, Albert	Market House, Nashville, Tenn	8.00
515604	Betts, Anthony	Murphysboro, Ill	12.00
745254	Bewley, Thomas J	2914 Poplar st., Philadelphia, Pa	6.00
520088	Beyer, Joseph	366 Broadway, Buffalo, N. Y	10.00
522250	Beyer, Thomas B	Ramey, Pa	6.00
679014	Billson, Caleb	Cleveland, Ohio	6.00
695750	Binzen, Frederick, alias Hirchew.	1997 Third avenue, New York City.	8.00
610169	Binder, Gustavus	109 West street, Newark, N. J	6.00
512856	Birkhead, George	Commercial Point, Ohio	6.00
595438	Bisbee, James E	Box 322, Chicopee, Mass	8.00
612737	Blackburn, James	Wellsville, Ohio	8.00
587317	Blackburn, Amos	Falmouth, Ky	8.00
563829	Blair, Benjamin D	Box 198, Union, N. Y	8.00
646218	Blanchard, Edward	Southport, N. Y	6.00
639825	Blades, Benjamin P	Douglas, Ky	6.00
697160	Blazure, Ethelbert C	Mendham, N. J	6.00
522232	Blivin, Cranston	Nichols, N. Y	6.00
517911	Bleitner, Henry	1328 S. Third st., St. Louis, Mo	12.00
516202	Blessing, Marx	Oxford, N. Y	6.00
693763	Bliton, Henry W	Delevan, N. Y	6.00
752787	Bloomer, Charles A	1629 Atlantic av., Atlantic City, N.J.	6.00
591414	Blount, Charles	Courtland, Va	6.00
558725	Blue, Richard	306 South Madison street, Bloomington, Ill.	6.00
578781	Blue, John M	Evansville, Ind	6.00
644109	Bogardus, George A	Athens, N. Y	8.00
619680	Bogart, Charles W	Canarsie, N. Y	8.00
796572	Bohl, Peter	5586 Lake avenue, Chicago, Ill	8.00
649580	Boles, William M	Webb City, Mo	6.00
697136	Bollenback, Jacob	Chattanooga, Ohio	6.00
506970	Bolin, John	Paradise, W. Va	6.00
510780	Booth, Frederick A	347 State street, Bridgeport, Conn.	12.00
563836	Boss, William	59 Annett st., New Orleans, La	6.00
619671	Bowles, Mitchael	Asbury Park, N. J	8.00
732707	Boyer, William	Mount Pleasant Mills, Pa	6.00
697208	Boyer, William	Lindsay, Ohio	6.00
536254	Boyd, Jordan	McAlmont, Ark	6.00
676093	Brady, Frank	Madisonville, Ohio	6.00
509220	Brabant, John	Pleasanton, Kans	12.00
775609	Bradley, Hiram W	Idana, Kans	6.00
597584	Bradshaw, Samuel C	Wartburg, Tenn	8.00
520075	Brandt, Wesley L	Reinbeck, Iowa	6.00
649578	Brannan, Adam J	Beech Hill, W. Va	6.00
633794	Bratt, David H	Reynolds, N. Y	6.00
774628	Breiaw, George	Etters, Pa	6.00
736094	Brent, William	Leavenworth, Kans	6.00
451087	Breningstall, Abram	Petersburg, Mich	12.00
763883	Brehm, John	Hays Landing, Miss	6.00
518281	Breitmeyer, Jacob	Louisville, Ky	10.00
518986	Brewster, Lafayette	Fair Haven, N. Y	12.00
581680	Brewer, Edwin S	Lordville, N. Y	6.00
691910	Brewer, Milton	Rudy, Ark	6.00
697184	Britton, James C	54 Governor st., Hartford, Conn	6.00
760780	Brown, Isaac A	713 Seneca st., Toledo, Ohio	6.00
776826	Brown, Isaac	Winfield, Pa	8.00
523840	Brown, George W	Fair Hope, Ohio	6.00
828648	Brown, Daniel A	North Dover, Ohio	8.00
742716	Brown, Daniel	293 E. Chicago ave., Chicago, Ill	8.00
591951	Brown, John	204 Courtland st., Baltimore, Md	6.00
758126	Brown, William H	Louisville, Colo	6.00
688214	Brown, William	919 V street, Washington, D. C	8.00
519417	Brown, Ephraim	Portland, Me	12.00

Statement showing the certificate numbers, names, post-office addresses, and rates of pensioners because not ratably disabled, etc.—Continued.

Certificate Nos.	Names.	Post-office address.	Rate.
515852	Browne, Gilbert	28 Saratoga st., E. Boston, Mass	$8.00
666080	Brown, Francis S	234 Washington street, Somerville, Mass.	6.00
658597	Brown, Harlem	Kingsbridge, New York City	8.00
508985	Brown, Edwin B	Melrose, Iowa	10.00
571776	Brown, Abraham	West Sonora, Ohio	6.00
595528	Brown, David	855 Seventh street, Louisville, Ky	6.00
533865	Broadus, John	Falmouth, Ky	8.00
825299	Broker, Henry	Gladbrook, Iowa	8.00
523215	Bronsch, Michael	Dayton Home, Ohio	12.00
522695	Brooks, Nathaniel	York, Ohio	12.00
731070	Brooks, Joseph E	10 Gardner st., Providence, R. I	6.00
518994	Brooks, Nathan T	Rowletts, Ky	12.00
590592	Bryan, Edward	1544 Austin street, St. Louis, Mo	8.00
671376	Boynton, Guy	Caledonia, Ohio	6.00
518279	Buck, Julius	745 McMillen st., Cincinnati, Ohio	6.00
511455	Buck, Jacob	Water street, Chambersburg, Pa	12.00
591401	Buck, Stephen	Fulton, N. Y	8.00
796254	Bucher, Alexander J	Arendtsville, Pa	8.00
737815	Buckley, Thomas	Thames street, Bristol, R. I	6.00
776168	Buffington, Elisha W	59 Durfee street, Fall River, Mass	6.00
621191	Bullivant, James	91 Court street, Newark, N. J	10.00
653241	Bullock, Horace	205 Nicollet avenue, Minneapolis, Minn.	8.00
587344	Bulford, John	Butler, Pa	8.00
563887	Burton, John	Oklahoma City, Okla	10.00
660953	Burns, Peter	Hughsonville, N. Y	6.00
802138	Burnett, William M	Harden, Ohio	6.00
544737	Burnett, Sherrebiah	South Newburg, Ohio	6.00
589978	Burnett, Balaam	Beaufort, S. C	8.00
749818	Burnite, John K	1231 Church street, Lebanon, Pa	6.00
614612	Burgess, Edward	Southington, Conn	6.00
643839	Burr, Byron M	94 Grace street, Jersey City, N. J	6.00
633781	Burge, Elijah	Rosbys Rock, W. Va	6.00
519419	Bush, Walter R	383 N. State st., Binghamton, N. Y	8.00
633777	Brandt, Henry	27 N. Fifth street, Lebanon, Pa	6.00
650365	Broom, Samuel S	1418 Bangor st., Philadelphia, Pa	6.00
633796	Brill, Henry	Berlin, N. J	6.00
512881	Butts, Samuel	Carbondale, Pa	12.00
790601	Baker, John T	Furnace No. 2, Va	12.00
577174	Bush, Charles	59 North street, Camden, N. J	6.00
511465	Brown, Martin L	339 N. Mulberry st., Lancaster, Pa.	12.00
598418	Brockway, Chester	Jackson, Mich	6.00
514185	Blatenberger, James	Pasadena, Cal	6.00
590627	Buller, Elliott	Bridgeport, Pa	6.00
757553	Bird, Samuel	Madisonville, Pa	6.00
763008	Beckman, Albert W	2559 N. Front st., Philadelphia, Pa	6.00
765868	Benedict, Eli	Refton, Pa	6.00
795996	Booth, John	Grubbs, Del	8.00
698437	Bury, Johann J	Bristol, Pa	6.00
617733	Boyd, Hugh	Shamokin, Pa	6.00
608880	Bender, Thomas M	135 Allen street, Philadelphia, Pa	8.00
730092	Butler, James	Benton Harbor, Mich	8.00
523844	Burket, Albert L	Berkeley Springs, W. Va	6.00
539554	Bumgardner, John	Sissonville, W. Va	6.00
614598	Brookbank, William	466 Gladstone avenue, Cincinnati, Ohio.	6.00
591914	Brockett, William	Wallingford, Conn	6.00
630453	Brown, Frederick A	Maringo, Iowa	6.00
651052	Brown, Joseph M	Circleville, Pa	8.00
452193	Brown, James M	Webster, N. Y	10.00
803336	Brannon, Batt P	Morrison, Wis	12.00
622702	Bedilion, William N	Van Buren, Pa	6.00
177976	Bader, John	806 Third avenue, Brooklyn, N. Y.	8.00
702436	Baird, Benjamin	Topeka, Kans	8.00
720300	Barrett, Joseph	Elkhart, Ind	6.00
549845	Brown, William	Mound City, Ill	8.00
514157	Biller, Ephraim E	West York, Ill	12.00
623843	Bush, James K	143 Bloomfield ave., Newark, N. J.	6.00
511471	Beebe, Edward P	Bridgeport, Conn	6.00
531632	Barrett, Cyrus A	Francestown, N. H	8.00
512418	Babcock, Daniel W	Mound, Ohio	12.00
730087	Bonner, Thomas	Laurel, Miss	8.00
731008	Brodier, Joseph	15 Hill street, Rochester, N. Y	6.00
734177	Brown, Horatio H	Soldiers' Home, Chelsea, Mass	6.00
745711	Berry, John	Jasper, Ark	6.00
750727	Beaman, Charles H	Lonaconing, Md	6.00
762588	Bailey, James T	Cordova, Ky	8.00
763040	Baca, Julian	Anton Chico, New Mex	12.00
764394	Ballard, Alonzo	Barnes, Kans	6.00
673436	Benson, Albert	Aspen Hill, Tenn	6.00
591954	Bell, Preston	Middleton, Pa	6.00
588155	Boughner, Wm. T	Berlin, Ky	6.00
671374	Bailey, John F	Housatonic, Mass	6.00
670296	Bryson, Samuel C	Union Starr, Mo	6.00
667921	Briggs, Edward C	167 Summer st., Brockton, Mass	8.00
560001	Banks, Andrew	Alert, Ohio	12.00
558691	Bennett, Wm	Covington, Ky	6.00
558036	Burns, Andrew R	Steubenville, Ohio	6.00
847389	Baker, Harrison T	Union, N. Y	6.00
845810	Baderschneider, Andrew	122 E. Fourth st., New York, N. Y.	6.00
817017	Brown, John A	Mount Hope, Conn	8.00
621997	Boykin, Adam	114 Earle street, Mobile, Ala	6.00
551913	Braxton, Joseph	100 Howard street, Covington, Ky.	6.00
539130	Browning, Regson	136 Chestnut st., Indianapolis, Ind	8.00
540272	Bumps, Eugene B	1302 N. Fourth st., St. Joseph, Mo.	6.00
547266	Brumley, Francis	Grandin, Mo	6.00
719240	Butler, James B	Augusta, Wis	6.00
682652	Baker, William	Parkville, Mo	6.00
684843	Butts, Miles	707 Cherry street, Camden, N. J	6.00
685693	Barnes, John	Spain st., near Prient, New Orleans, La.	8.00
567578	Bush, Jonas P	Whitneys Point, N. Y	6.00
710756	Blevens, Jessey	Louisiana, Mo	8.00
818622	Barnard, David	Ithaca, N. Y	8.00
758154	Boaker, Garrett	Browns Mill, N. J	6.00

Statement showing the certificate numbers, names, post-office addresses, and rates of pensioners because not ratably disabled, etc.—Continued.

Certificate Nos.	Names.	Post-office address.	Rate.
789700	Bovee, Christun	Rowlands, Pa	$6.00
569916	Blair, Horace E	Pillsbury, Minn	8.00
831862	Brinkerhoff, John I	225 Seymour street, Auburn, N. Y.	8.00
523819	Bole, Samuel C	Leechburg, Pa	6.00
523854	Buchler, George F	235 Clinton street, Camden, N. J	8.00
665360	Bibb, John	Sailors Rest, Tenn	8.00
624953	Briskill, Robert	St. Joseph, La	6.00
608842	Bailey, Mitchell	209 Montgomery street, Baltimore, Md.	8.00
596461	Bowers, Richard	Mabelvale, Ark	8.00
586321	Bursley, Henry	Dyersburg, Tenn	6.00
567023	Burks, Silas I	Valley View, Tex	6.00
385270	Brittan, James C	Troy, Ky	6.00
564379	Barnhart, William	1224 S. Paca st., Baltimore, Md	6.00
525312	Burdsall, Charles H	Prophetstown, Ill	8.00
657716	Burrs, Thompson	Indianapolis, Ind	6.00
586629	Bush, Newton	Bridgeport, Ky	6.00
649618	Buster, Andrew J	Tuscumbia, Mo	6.00
607628	Buselmyer, Frank	Frenchtown, N. J	8.00
381542	Bass, Isaac	Northville, N. Y	6.00
622744	Booth, Isaac	1332 Parker st., Philadelphia, Pa	6.00
510437	Coplin, John A	Box 49, Quincy, Ill	12.00
713494	Colver, Horace S	Boker Creek, Ohio	8.00
644514	Courter, Daniel C	Rockaway, N. J	8.00
627273	Cadot, Charles	324 E. Jersey st., Elizabeth, N. J	6.00
692619	Carroll, Thomas P	18 N. Vincent alley, Baltimore, Md	6.00
508642	Case, Jacob C	East Richland, Ohio	8.00
756008	Casady, Nicholas	Ozark, Mo	8.00
769718	Chapman, Levi O	Fort Scott, Kans	6.00
605433	Cleybourne, William H	Pittsburg, Pa	10.00
743559	Cokensparger, Wm. M	Sturgeon, Mo	6.00
767063	Collwell, Benjamin	Holmes street, Frankfort, Ky	6.00
522206	Cox, Jacob	Frewsburg, N. Y	6.00
591966	Cunningham, Thomas	Palmyra, N. Y	6.00
626196	Cupp, Jacob	Ringgold, Ga	6.00
527129	Culver, Charles	Plantsville, Conn	6.00
698524	Cullen, Matthew J	Ironton, Ohio	6.00
849103	Cullen, Patrick	147 Morgan st., Jersey City, N. J	6.00
518300	Cudney, Charles	Walkerton, Ind	12.00
759862	Cross, Frederick	Marron, Pa	6.00
675564	Crowley, Michael	939 Pacific st., Brooklyn, N. Y	6.00
608960	Clark, Charles A	Wellsville, N. Y	6.00
698027	Crispin, George W	Flemington, Pa	6.00
502019	Crawford, Daniel J	Mortimer, Kans	12.00
529573	Craig, Isaac W	26 Concord Place, Cincinnati, Ohio	6.00
579786	Craighead, James T	352 E. Chestnut street, Washington, Pa.	6.00
512249	Cozad, David	2261 E. Fifth st., Dayton, Ohio	8.00
581298	Cox, Joseph	1212 Congress alley, Louisville, Ky	6.00
514308	Covey, Eleazor J	Stanberry, Mo	8.00
539027	Couch, Samuel H	Palmetto, Mo	6.00
600591	Cotton, William	383 Gordon ave., Cleveland, Ohio	6.00
728500	Corby, William H	67 Label street, Montclair, N. J	12.00
775159	Calhoun, Cornelius	Andrew Chapel, Tenn	6.00
610368	Cortois, Burt	Cruise, Mo	6.00
755147	Corlew, Benjamin E	Brookline, Mass	8.00
695512	Cory, John A	Wickford, R. I	6.00
675561	Coss, Martin	Bridgeport, Ohio	8.00
720393	Copeland, George L	Fountain Place, Boston, Mass	6.00
538222	Copeland, Enoch	Tappan, Ohio	8.00
650383	Copp, Ferdinand	Ridgeway, Ohio	8 00
663290	Coon, Michael	Wallington, N. Y	6.00
666180	Conklin, Matthew H	102 Waverly st., Jersey City, N. J	6.00
520100	Conrad, Lee	Rolling Fork, Miss	12.00
512898	Conklin, James B	Naugatuck, Conn	8.00
620121	Comer, John	320 Ninth st., Jersey City, N. J	6.00
574062	Conaway, William N	Pocomoke, Md	8.00
696648	Coleman, Frank	8 Kirklands Lane, Charleston, S. C	6.00
660086	Cole, George W	Nevis, Clermont, N. Y	8.00
648918	Collins, Edward W	Cornish Flat, N. H	6.00
516487	Collett, Thomas	Talbott, Tenn	12.00
731181	Coggeshall, Abner	22 Bedford st., Fall River, Mass	6.00
576028	Cluck, Joseph T	Grand Rivers, Ky	10.00
564608	Cline, John W	Sunnyside, Tenn	6.00
538383	Clapp, George W	59 First st., Northampton, Mass	6.00
564627	Claypoool, Joseph R. N	Bonham, Tex	12.00
674695	Clarke, John	Belchersville, Tex	6.00
515137	Clark, Jefferson M	Wichita, Kans	6.00
519261	Clark, Henry C	Urbana, Ohio	12.00
673077	Churchill, William H	South Abington Station, Mass	8.00
511867	Chrisler, John W	Lodi, Wis	6.00
578915	Chilcote, William A	New Windsor, Md	10.00
675555	Child, Myron	Topeka, Kans	8.00
507717	Cherry, Claridon F	Chillicothe, Mo	8.00
509504	Chew, Henry	227 St. Paul street, Baltimore, Md	10.00
689444	Chenowith, William H	do	8.00
647097	Chavis, Alexander	Kenton, Ohio	6.00
719360	Chase, Simon	Leavenworth, Kans	6.00
698012	Chapman, Daniel	West Fork, Ark	8.00
730135	Champion, James A	Readyville, Tenn	6.00
739135	Chadwick, Philip W	Merritt street, Marblehead, Mass	8.00
705746	Chaffee, James S	Pompey, N. Y	6.00
514291	Chaffin, John M	Red Cloud, Nebr	6.00
570525	Chacey, Samuel H	Meriden, Kans	6.00
511806	Cecil, George H	1116 Fulton ave., Evansville, Ind	12.00
513593	Caughey, Holbert	Utica, Nebr	6.00
813343	Cashin, Richard T	Garfield, N. J	6.00
551515	Casey, John	Peoria, Kans	8.00
736136	Cash, Joseph	415 W. Second st., Wilmington, Del	6.00
631568	Carr, David C	146 Eleventh st., Louisville, Ky	6.00
739592	Carter, Theodore A	1731 Southgate st., Louisville, Ky	8.00
523009	Carter, James W	Chillicothe, Ill	6.00
574954	Carter, Bailey P	Cassady, Ky	8.00
558827	Carter, Robert	Comorn, Va	8.00
509026	Carver, Hamilton V	Chardon, Ohio	10.00
514246	Campbell, John	Manchester, N. J	12.00

Statement showing the certificate numbers, names, post-office addresses, and rates of pensioners because not ratably disabled, etc.—Continued.

Certificate Nos.	Names.	Post-office address.	Rate.
520121	Clunn, Adrian	Penns Grove, N. J	$6.00
529998	Clifford, Chas. H	Paulsboro, N. J	6.00
751476	Chrilliman, Thomas	Catasauqua, Pa	8.00
572590	Conover, Thomas H	135 Bank street, Bridgeton, N. J	6.00
516477	Coddington, James	Equinunk, Pa	6.00
714495	Carver, James H	Orvilla, Pa	6.00
734201	Cutler, Benjamin	531 Airdrie ave., Thirty-third ward, Philadelphia, Pa.	6.00
707750	Curtin, Patrick	1511 Walter st., Philadelphia, Pa	6.00
704772	Cunningham, Oliver C	76 Merrimack st., Boston, Mass	8.00
701830	Clouse, William H	532 Spruce st., Reading, Pa	6.00
696105	Conner, Oscar	Benton, Pa	6.00
631611	Clegg, James R	434 Volkman st., Philadelphia, Pa	6.00
199419	Cross, Thomas	Pemberton, N. J	8.00
806711	Cooney, Thomas P	528 Scott st., Covington, Ky	12.00
755131	Carter, Philip A	Wheeling, Mo	6.00
779447	Carney, Philip	106 Washington st., Hoboken, N. J	8.00
681458	Carter James E	New Albany, Ind	8.00
599109	Clark, David	Dubois, Pa	6.00
565340	Coy, William H	Omega, Ohio	12.00
662996	Connaway, William	1019 London st., Wilmington, Del	6.00
610338	Clarke, Myron D	South Acworth, N. H	8.00
615852	Cooper, Milton	Lickburg, Ky	8.00
625024	Carter, John	5030 Powder st., St. Louis, Mo	8.00
601877	Canedy, Joshua	Williamsburg, Ky	6.00
533892	Cox, Harry	923 E. Delaware st., Evansville, Ind	8.00
534957	Campbell, William M	Burksville, Ky	6.00
750246	Cook, Philip	Lancaster, N. Y	8.00
699729	Chester, Moses H	Church Creek, Md	8.00
697998	Crawford, Charles H	Weatherville, Md	6.00
843570	Cleveland, Wm	Shelton, Nebr	6.00
512462	Cole, Samuel	Clinton, Ohio	12.00
525880	Cope, Wm	National Military Home, Ohio	6.00
593690	Collins, Noah	Loves Station, Miss	6.00
397408	Canfield, Wm. O	Ash Grove, Mo	8.00
554425	Cole, Jas. L	Campbell, Tenn	12.00
685820	Conway, Alexander, alias John Fitz.	102 Lake View ave., Buffalo, N. Y	6.00
552775	Calhoun, Joseph	36 Factory street, Savannah, Ga	6.00
574995	Cline, John H	Ohio, Kans	6.00
728581	Chase, Geo. M	110 S. Delaware avenue, Philadelphia, Pa.	8.00
676533	Couch, James H	Paris, Ark	6.00
607777	Campbell, Chas	Lonoke, Ark	12.00
521148	Choate, Morton M	Marshalltown, Iowa	6.00
353600	Conlin, Patrick	Colusa, Cal	10.00
683986	Carter, Wm. H	78 Howard street, Cambridgeport, Mass.	6.00
516228	Cartwright, Sam'l	Burnett, Okla	6.00
668463	Caryl, Charles	Vanderbilt, Mich	6.00
645488	Carlisle, Richard	Conklin, Mich	8.00
515434	Carpenter, John H	Horton, Kans	6.00
756611	Capen, John W	45 Norfolk st., Dorchester, Mass	8.00
631573	Capito, Jacob	Bellaire, Ohio	6.00
513585	Canfield, Lorenzo B	Norman, Nebr	12.00
514911	Campbell, James M	940 Garden street, Peoria, Ill	8.00
578882	Calahan, Clifton	Dry Valley, Tenn	8.00
515968	Cairns, John A	National Military Home, Va	12.00
803058	Cady, Lorenzo	Byron Basin, Colo	8.00
511192	Cable, Samuel	Pine Station, Pa	6.00
511482	Cabasher, Alexander	1140 Eutaw street, Toledo, Ohio	8.00
557444	Cook, Lewis	Hayneville, Ala	6.00
685727	Cunningham, Thos. J	Not known	6.00
236142	Carey, Byron	Soldiers' Home, Fall River, S. Dak	12.00
520129	Dawes, Gevan	Canaan, Me	6.00
610433	Dayton, John	Hollysville, Del	8.00
749008	Dearnson, John P	Viola, Tenn	6.00
631654	Deffibaugh, George	Bellaire, Ohio	6.00
535037	Degrote, James	Walshville, Ill	8.00
511499	Dehne, August	1834 W. Lombard street, Baltimore, Md.	8.00
513754	DeHart, John D	307 W. Grand ave., Springfield, O	12.00
520134	Delbert, Daniel F	Peru, Ind., 206 East Sixth street	6.00
518316	Demarest, David	Crystal Valley, Mich	12.00
513270	Dennis, Edmon	Mobile, Ala	6.00
514937	Dennis, Nicholas	Plattsburg, Mo	6.00
664347	Denny, Alexander	Atchison, Kans	8.00
733937	Devendorf, Edwin C	876 N. Clinton st., Rochester, N. Y	6.00
726906	Devine, John	Bayne, Pa	6.00
514334	DeWitt, Charles H	Gandy, Nebr	12.00
653298	Dickson, William	Freeville, N. Y	6.00
766527	Dimond, George H	Hohokus, N. J	6.00
617107	Dixon, Henry	Cooksville, Md	6.00
521579	Dobson, John C	Virginia, Ill	10.00
665498	Doherty, Thomas	Henrietta, Tex	6.00
516962	Dolph, Henry M	Fort Madison, Ill	6.00
578950	Doll, Lewis J	Hamilton, Mo	8.00
646326	Donohue, Daniel	York Springs, Pa	6.00
734229	Donnelly, Frederick	Mildale, Conn	6.00
519776	Dorsey, Henry	1106 Twenty-third street NW., Washington, D. C.	12.00
558864	Dorne, Gilman A	46 Suffolk street, Holyoke, Mass	6.00
780194	Dominequez, Pedro	Los Colonias, N. Mex	8.00
722449	Drew, William	Hewitt, N. J	6.00
660996	Day, Martin	Athens, N. Y	6.00
511888	Dickson, William	2364 Bouvier st., Philadelphia, Pa	8.00
761376	Downing, Robert F	Corner Van Hook and Tioga sts., Camden, N. J.	6.00
730177	Dillon, John	3140 Arizona st., Philadelphia, Pa	8.00
741820	Dugan, Melnotte	2017 N. Ninth st., Philadelphia, Pa	6.00
751835	Dickel, Philip	733 N. Fourth st., Philadelphia, Pa	8.00
604471	Derry, Samuel R	1328 Delaware ave., Chester, Pa	6.00
784231	Dean, Francis M	Plymouth, Mo	6.00
516522	Donavan, James W	1116 East Sixth street, East Des Moines, Iowa.	12.00
731196	Day, Seth B	46 Plum street, Portland, Me	6.00

Statement showing the certificate numbers, names, post-office addresses, and rates of pensioners because not ratably disabled, etc.—Continued.

Certificate Nos.	Names.	Post-office address.	Rate.
738444	Downing, Edwin H	631 Maine street, Wakefield, Mass.	$6.00
672745	Duede, Charles	Epworth, Iowa	8.00
563289	Drummond, Peter	National Soldiers' Home, Va	12.00
666196	Dean, Thomas N	Orono, Me	8.00
829849	Dorr, Daniel	91 Tyler street, Boston, Mass	6.00
818015	Dustin, James	Newberry, Mich	6.00
605604	Dunaway, Andrew J	Drakes Creek, Ark	6.00
560525	Dykeman, Louis L	Ashburn, Mo	8.00
658714	Davison, John G	Brighton, Ill	8.00
553567	Dunaway, Charles N	Buffalo Hart, Ill	6.00
803268	Durway, Joseph	Fort Worth, Tex	6.00
807586	Dutcher, Timothy	Maine st., Wappingers Falls, N. Y.	6.00
712269	Day, George E	Fayville, Mass	8.00
690181	Douglass, James	Knoxville, Tenn	6.00
335084	Daniel, William C	Matville, W. Va	8.00
844412	Darling, Samuel	Johnstown, N. Y	8.00
700737	Drummond, Robert H	Virginia City, Nev	6.00
513265	Drinkard, Joshua L	Lagrange, Mo	12.00
754705	Duck, Isaac S	Loganton, Pa	8.00
774128	Duffy, John C	Bellaire, Ohio	6.00
601823	Duke, William	Owensboro, Ky	8.00
512262	Duncan, Noah	West Line, Mo	12.00
556089	Duncan, Noah	Bloomfield, Ky	8.00
510856	Duncan, Charles C	Mansfield, Ark	8.00
676577	Duncan, Joseph L	Gum City, Mo	8.00
553640	Duncan, Ellis	Bloomfield, Ky	8.00
731206	Dunn, Jamison C	Longmont, Colo	6.00
658071	Dwight, Sereno E	Stafford, Conn	6.00
828020	Doherty, Edward	32 Sterling street, Roxbury, Mass.	8.00
629776	Duncan, George W	Reagan, Tenn	12.00
578927	Drake, Peter	Blenheim, N. C	8.00
574143	Drain, John	414 Preston street, Louisville, Ky.	6.00
855595	Denler, John	312 Hickory street, Buffalo, N. Y.	6.00
526724	Dobbins, Elisha J	945 Vine street, Hamilton, Ohio	12.00
527946	Dew, Robert	Tecumseh, Nebr	12.00
682296	Doman, Jackson	Chestertown, Md	6.00
551528	Daugherty, Robert	Helena, Ark	12.00
541194	Downs, George H	Jackson, Ohio	6.00
578935	Devine, James	252 Hamilton st., New Haven, Conn.	6.00
734226	Drewel, Ernst	Krakow, Mo	6.00
558897	Davis, Samuel J	Trammel, Ky	6.00
661262	Davis, Budmon K	Beaver Falls, Pa	8.00
578394	Danner, Abraham B	Wormleyburg, Pa	8.00
539602	Danhiser, Frederick	Yates Center, Kans	8.00
522310	Davis, William B	Nixon, Tenn	6.00
532846	Demo, Adair	Turners Falls, Mass	8.00
758231	Daken, John F	Duke, Ohio	8.00
657346	Daniels, Silas W	Unionville, Conn	6.00
529472	Darling, Solomon	Brookdale, N. Y	6.00
516934	Darrell, Thomas J	Galena, Mo	10.00
789857	Davis, Erwin	Northfield Ohio	6.00
724307	Davis, James W	Beaver Creek, Wis	6.00
670359	Davis, John	St. Paul, Mo	6.00
666193	Davis, Byron H	73 Truxton street, Brooklyn, N. Y.	6.00
824595	Davis, Joseph	Pittsburg, N. H	8.00
681490	Davy, John	Cravens Landing, Tenn	6.00
685345	Davy, Henry	Satillo, Tenn	8.00
507230	De Haven, John B	Williamstown, Ohio	6.00
516963	Dodge, Torpley T	Ridgway, Ill	8.00
765466	Eberle, John J	Chillicothe, Ohio	6.00
684949	Eddy, Pinkmey	Center, W. Va	6.00
856222	Edgar, George P	Rahway, N. J	10.00
779519	Edwards, Charles	123 W. Main street, Room 11, Rochester, N. Y.	6.00
662312	Edwards, Franklin	Dugway, N. Y	8.00
513843	Elder, Clifford O	Hepler, Kans	8.00
672207	Elkins, James H	Ensley, Ala	6.00
597504	Ellerson, Irwin	Washington, N. C	8.00
603377	Embry, De Will	Leavenworth, Kans	6.00
599515	Emery, Edward	Washington, Vt	8.00
565400	Emerson, James R	Arkansas City, Kans	6.00
703188	Enghouser, Edward	Purcell avenue, north of Warsaw Park, Price Hill, Cincinnati, Ohio.	8.00
523328	Enoch, James	Macon, Mo	12.00
576736	Epler, Thompson W	Sidney, Ohio	6.00
552022	Erdley, James	Middleburg, Pa	6.00
658101	Estes, George W	North Adams, Mass	6.00
716410	Estabrook, John T	Springport, Ind	8.00
532257	Evans, George W	Middleport, Ohio	6.00
740329	Eversman, Henry	404 E. Sixteenth street, New York City.	6.00
567734	Edrington, Joseph	Louisville, Ky	6.00
588303	Epley, Andrew J	Hanson, Ky	8.00
778168	Elliott, Thomas	4128 Brown st., Philadelphia, Pa.	6.00
508486	Eves, James W	Millville, Pa	12.00
700648	Ehmann, John	1258 S. Twenty-first street, Philadelphia, Pa.	6.00
654864	Endriss, John W., alias Francis McFall.	128 Dudley st., Philadelphia, Pa	6.00
631707	Evans, George W	Franklintown, Pa	6.00
805542	Elliott, Reuben	Pittsville, Md	6.00
663326	Epps, Lewis	253 S. Bethel st., Baltimore, Md.	8.00
600713	Embley, William	Roysfield, N. J	8.00
580453	Emos, Enos	Robinson Mills, W. Va	8.00
556140	Eaton, John F	Denton, Md	6.00
693428	Evans, Thomas	West Bridgewater, Pa	6.00
681504	Eldridge, Anderson	Lane Grove, Ark	8.00
526751	Ehler, Frank	Lima, Ill	8.00
532799	Ehrhardt, Gustav	749 S. Third st., St. Louis, Mo	10.00
804167	Fosnaught, John R	522 Peffer st., Harrisburg, Pa	6.00
691962	Fasnacht, William	Mastersonville, Pa	6.00
675843	Frazier, Henry	249 S. 12th st., Philadelphia, Pa	6.00
509518	Fizone, Mordecai	912 Washington st., Norristown, Pa	6.00
525938	Flickinger, Joseph	Annville, Pa	6.00
554429	Foote, William, jr	Kaolin, Pa	6.00

Statement showing the certificate numbers, names, post-office addresses, and rates of pensioners because not ratably disabled, etc.—Continued.

Certificate Nos.	Names.	Post-office address.	Rate.
575135	Fry, Josiah W	Millersville, Pa	$6.00
708885	Falker, Nicholas	1185 Reamy st., St. Paul, Minn	8.00
722508	Fallon, John	11 Bloomfield st., Hoboken, N. J	6.00
516547	Farmer, John W	Urbana, Ohio	12.00
598604	Faron, George	Dover, Okla	8.00
509934	Farnsworth, Henry C	Chester, Nebr	10.00
724374	Farrell, John	Togus Home, Me	6.00
583763	Fate, Peter	54 Remson ave., New Brunswick, N. J.	8.00
769778	Fay, James S	Colden, N. Y	6.00
737913	Fealey, Thomas	Thompsonville, Conn	6.00
531211	Fechet, Louis	Claremore, Ark	10.00
627484	Fellows, Henry	Box 297, Bradford, Mass	6.00
522337	Fenton, Charles L	1347 Devlin st., St. Louis, Mo	12.00
521203	Fenn, Lyman	317 Main st., Cambridge, Mass	6.00
521600	Ferguson, Henry	Odin, Ill	6.00
567164	Fezler, Egbert G	East Patchogue, N. Y	8.00
724326	Filler, William	Alexis, Ill	6.00
605079	Finn, Patrick	88 Walnut st., Springfield, Ohio	8.00
510875	Finegan, Nathan	Newark, Ohio	12.00
617124	Finkle, Jacob	Sheffield, Mass	6.00
676599	Fifield, Edson H	Gardner, Ill	6.00
600748	Fields, Gabriel	Danville, Ky	8.00
590778	Fisk, Marcus M	42 John street, Springfield, Mass	6.00
755211	Fisher, Alexander	Blythedale, Pa	6.00
705880	Fisher, John	Elmwood Place, Ohio	6.00
512947	Fisher, John R	Farmland, Ind	6.00
665541	Fletcher, John	Jenkins Bridge, Va	6.00
643146	Fletcher, Gilbert L	Palermo, N. Y	6.00
571193	Floering, Christ	573 Tecumseh street, Toledo, Ohio	6.00
558134	Flora, William B	Paxton, Ill	6.00
625183	Fly, Asher	Jenkins, Mo	6.00
636804	Flynn, Henry	Solgohatchie, Ark	6.00
514973	Ford, Stephen D	Boy, Tenn	8.00
510473	Fogle, Edward	Union Bridge, Md	8.00
702652	Ford, Daniel A	Middlesex, N. Y	8.00
742352	Foreman, Stewart A	Mount Holly Springs, Pa	6.00
507756	Fosselman, John	Juniata, Pa	6.00
546352	Fountain, John R	Denton, Md	8.00
743925	Fox, Randall	Soldiers' Home, Grand Rapids, Mich.	12.00
577801	Fraction, Oscar	Kenton, Ohio	6.00
603397	Frasser, Angus	Allegan, Mich	8.00
676185	Freeman, Samuel	Howellsville, N. C	6.00
755216	French, George H	26 Liberty street, Hartford, Conn.	6.00
511208	Frost, Charles E	Rhodes, Iowa	8.00
518654	Frye, Charles T	1931 5th ave, S. Minneapolis, Minn	12.00
521595	Fry, George	Emporium, Pa	6.00
587512	Frymire, Henry	Mechanicsburg, Pa	6.00
756682	Fuller, Ebenezer Z	Ashley, Mich	6.00
511910	Fuller, Eugene M	Leeds, Iowa	12.00
745642	Funk, Hiram G	Dickson, Ark	8.00
593534	Fayette, Thomas	Between Ninth and Tenth, Johnson street, Keokuk, Iowa.	6.00
588321	Fleming, Andrew R	New Brighton, Pa	8.00
799467	Fuller, Merrill	Clefty, Ark	6.00
693419	Ferster, David	Urbana, Pa	6.00
570584	Foley, Daniel	1210 Beach st., Philadelphia, Pa	8.00
524886	Fitzsimmons, John	2801 Prairie avenue, Chicago, Ill	8.00
527201	Foster, Samuel A	Randolph, Mass	6.00
780249	Fletcher, Augustus	1009 4th st. N.W., Washington, D.C.	6.00
680909	Freeman, Alexander	Melitata, Md	6.00
563350	Fintrock, Sam'l	Versailles, Ohio	6.00
666945	Ferry, Eli, jr	Bethel, Conn	6.00
620521	Fulcher, Watson	Berger, Mo	6.00
603403	Fields, Frank	203 E. Elm alley, Columbus, Ohio	8.00
745787	Forristal, Robert	107 Grand ave., Rochester, N. Y	8.00
695459	Flemming, Wm	70 S. Royal street, Mobile, Ala	6.00
677996	Forbs, Thomas	45 William st., Grand Rapids, Mich	6.00
675178	Furry, William J	Sligo, Mo	6.00
600739	Fisher, Robert	Eminence, Ky	8.00
567766	Fields, Charles	Lignum, Va	6.00
813473	Flower, Carle W	Chandler, Okla	12.00
590086	Fisher, Reuben	Danville, Ky	6.00
560715	Foltz, Geo. W	Landisburg, Pa	12.00
672722	Fewell, John	Ottawa, Kans	6.00
549937	Felton, Isaac	207 Four-and-a-half st. NW., Washington, D. C.	8.00
629827	Fricke, Henry	St. Charles, Mo	6.00
433070	Frink, Luman	National Military Home, Kans	4.00
758944	George, Samuel	2006 Orleans st., Philadelphia, Pa.	6.00
784312	Garrison, Lewis	1124 Grayson st., Louisville, Ky	8.00
525955	Guthrie, George W	Tippecanoe, Ohio	6.00
712361	Gilbert, William H	2212 N. Sixth st., Philadelphia, Pa.	6.00
679837	Gilley, John	Pearl, La	6.00
593766	Godwin, Thomas G	Louisiana, Mo	6.00
588961	Ghant, Charles	Georgetown, Ky	6.00
605729	Green, Wm	Versailles, Ky	8.00
658763	Gibbs, William H	Ware, Mass	6.00
547445	Green, Sanford	Maysville, Ky	10.00
811285	Graf, Frederick B	138 Florence st., Cleveland, Ohio	8.00
811489	Gage, Leander T	Topeka, Kans	6.00
809131	Gill, Henry	Brinkley, Ark	6.00
592945	Gilbert, Alden J	Hadley, Mass	6.00
504749	Gunn, John	Louisville, Ky	6.00
201919	Gooden, David	Gump, Pa	12.00
513289	Girton, William	42 Spring st., Morristown, N. J	6.00
581380	Green, Ezra A	Sandy Hill, N. Y	6.00
666978	Gibbs, Albert V	Balmoral, Wis	8.00
602084	Gatens, George W	456 State street, Rochester, N. Y	8.00
323271	Gilbert, Henry N	617 Deluth avenue, Sioux Falls, S. Dak.	10.00
758960	Grigsby, Alexander	Brunswick, Tenn	12.00
696759	Grigsby, Abraham	Cartwright, Ala	6.00
672793	Gentry, Wm. M	Marshall, N. C	6.00
593768	Gould, Benjamin	Centerville, Md	8.00

Statement showing the certificate numbers, names, post-office addresses, and rates of pensioners because not ratably disabled, etc.—Continued.

Certificate Nos.	Names.	Post-office address.	Rate.
561935	Gilden, Aaron	Lonoke, Ark	$6.00
553718	Griffin, Franklin	Natchez, Miss	6.00
673535	Gose, Anderson B	Pomp, Ky	6.00
610559	Gaby, Isaac	De Witt, Ill	6.00
692962	Gibson, Richard	Box 434, Little Rock, Ark	6.00
522360	Goodrich, WilliamJ	Marshall, Ill	12.00
509561	Graham, Wm. E	Scottsville, Ky	6.00
544296	Greene, James L	Streator, Ill	8.00
605744	Greenwade, Joseph	Pee Dee, Ky	6.00
684501	Green, Benjamin	Exchange, S. C	6.00
518308	Gile, Albert E	New Haven, N. Y	6.00
509688	Groves, George L	373 Railroad avenue, Elmira, N. Y	12.00
643157	Gardiner, Robert E	279 Seventh street, Buffalo, N. Y	6.00
620544	Garrison, John T	227 St. Paul st., Baltimore, Md	6.00
600803	Griffin, Luke	Howardsville, Md	6.00
604579	Grandison, Jerry	606 Maryland avenue NE., Washington, D. C	6.00
510896	Grimes, Byron	New York State Soldiers and Sailors' Home, Bath, N. Y.	8.00
662337	Griffith, Joseph A	Griffithville, W. Va	8.00
701466	Gatchel, Aaron N	Grahams Mines, W. Va	8.00
574183	Gibbs, Paton	1251 Third street SW., Washington, D. C.	6.00
795125	Gerschwyler, Anton	Cape Girardeau, Mo	8.00
641264	Grubb, Benjamin	Holton, Kans	6.00
514408	Gentis, Daniel	Pattonsburg, Mo	8.00
662709	Goodbar, James C	Gallatin, Mo	6.00
664427	Gallop, John	Centralia, Mo	6.00
605740	Gooch, John C	Nixa, Mo	8.00
672781	Grigsby, Nathaniel	Stanley, Kans	6.00
513694	Glaze, Rollin B	852 S. Ninth street, Denver, Colo	12.00
564709	Geiser, Samuel	2112 Franklin avenue (rear), St. Louis, Mo.	8.00
665561	Guertner, William	Hastain, Mo	8.00
560165	Gurwell, William	Fanning, Kans	8.00
673547	Gennore, John H	52 Forest street, Orange, N. J	8.00
516261	Gurley, William R	Evansville, Ind	12.00
697366	Graw, Edwin	Montague, Mich	6.00
732117	Gleason, Haris C	Lancaster, Wis	6.00
613033	Grant, Frank M	Torrington, Conn	6.00
511926	Gillon, James	Birmingham, Conn	10.00
686963	Goodwill, Johnson	97 Trumbull st., Hartford, Conn	6.00
513299	Gillespie, Arthur	Germantown, Ohio	12.00
509682	Getz, Charles	Yellow Springs, Ohio	12.00
676515	George, Ford D	Fernwood, Ohio	6.00
604624	Green, George	29 Dear street, Cincinnati, Ohio	6.00
541268	Gross, George H	Fostoria, Ohio	6.00
518667	Glade, John	100 Central ave., Cleveland, Ohio	6.00
511925	Goodridge, William	Wilmington, Ohio	12.00
509052	Gardner, Samuel A	N. Clarendon, Pa	6.00
702737	Garrison, William H	Jobs Corners, Pa	6.00
570011	Gardner, Rosezell	Dunkirk, Ind	12.00
524904	Gill, William W	National Military Home, Kans	8.00
558959	Groomes, Asal	Box 250, Windsor, Ontario, Canada	8.00
566407	Green, Abram	116 N. Madison st., Topeka, Kans	8.00
507629	Granrath, John	Fredericksville, Pa	6.00
739689	Grady, Henry	Marietta, Pa	6.00
546957	Green, John R	928 Rodman st., Philadelphia, Pa	8.00
779578	Grover, Cornelius S	Lakewood, N. J	6.00
520485	Hahn, John	430 Ramge Block, Omaha, Nebr	12.00
592973	Halcom, Millard	Welchburg, Ky	8.00
535270	Hale, Jeremiah	Zalma, Mo	6.00
565561	Hall, Charles C	South Scriba, N. Y	6.00
695531	Hancock, John	Somerville, Ohio	8.00
680947	Harper, William	2 Third avenue, Pine Bluff, Ark	8.00
564759	Harris, William T	6108 S. Broadway, St. Louis, Mo	8.00
765039	Harris, Samuel	Monroe Falls, Ohio	8.00
793792	Hallowell, Joel H	77 W. Third st., Covington, Ky	8.00
618397	Hany, Anton	Elkader, Iowa	6.00
603595	Harris, George	204 Courtland st., Baltimore, Md	8.00
577901	Hardy, James	266 Codwise avenue, New Brunswick, N. J.	8.00
548812	Hatchet, William	Henderson, Ky	6.00
511945	Hall, Samuel	North Lansing, Mich	8.00
587670	Harris, William	Vine Grove, Ky	8.00
686865	Harrison, Alfred	Pleasant Hill, Mo	6.00
724417	Halwell, Francis P	478½ Grover st., Jersey City, N. J	6.00
677178	Harris, Thomas	Port Penn, Del	6.00
544310	Hampton, Wade	910 E. Tulip st., Columbus, Ohio	8.00
670078	Hartle, Bennett P	Patton, Mo	8.00
730295	Hammell, Andrew	St. Denis, Md	6.00
754333	Harris, Milan A	North Leominster, Mass	6.00
547551	Harris, Hardin	167 W. Lake street, Chicago, Ill	8.00
729542	Higgins, William H	Bainbridge, Ohio	6.00
647769	Henry, William	227 St. Paul st., Baltimore, Md	6.00
551616	Howard, Charles	Carlisle, Pa	8.00
550669	Hughs, Albert	Houston, Tex	6.00
636889	Hill, Fred	Windsor, N. C	8.00
659277	Henry, James	105 Lafayette st., Columbus, Ohio	6.00
552828	Henry, Joseph J	Huntington, Ark	6.00
528991	Henry, James	Robinsonville, Miss	6.00
605830	Hoeflinger, Louis	4040 Missouri ave., St. Louis, Mo	6.00
566491	Hicks, Calvin	Slaydens Crossing, Miss	6.00
568671	Hinkle, John	Longtown, Mo	8.00
755992	Hulbert, Alexander	Cadmus, Mich	6.00
754760	Humphreys, Albert	Cincinnati, Ohio	6.00
619906	Henderson, Thomas	45 River street, Nashville, Tenn	8.00
603557	Hooper, Squier E	Jordan, N. Y	8.00
505179	Herrick, Albert D	302 Jefferson avenue, Battle Creek, Mich.	8.00
705966	Hess, Samuel	448 W. Forty-fifth street, New York City.	6.00
561948	Hewlett, Mathew	2734 Dearborn street, Chicago, Ill	8.00
512312	Himbaugh, Peter	1715 Gallagher st., Louisville, Ky	12.00
509956	Hicks, Newton J	Spring Hill, Mo	8.00
760966	Hoover, William	1028 Fourteenth st., Paulding, Ohio	6.00

Statement showing the certificate numbers, names, post-office addresses, and rates of pensioners because not ratably disabled, etc.—Continued.

Certificate Nos.	Names.	Post-office address.	Rate.
506502	Hotchkiss, Moses	Milwaukee, Wis	$6.00
512317	Housworth, Levi W	Crittenden, Mo	12.00
514461	Hoadley, Thomas	Alexandria Bay, N. Y	12.00
511593	Hennessy, Timothy	1703 Fifth street NW., Washington, D. C.	12.00
511937	Holder, Charles	National Military Home, Virginia	12.00
621858	Hewitt, Thomas	225 Courtland st., Baltimore, Md	6.00
519297	Holston, Lemuel T	Lincoln, Del	6.00
724442	Howe, Jesse K	Hart, Mich	6.00
738517	Hyland, Michael	Hebronville, Mass	8.00
508844	Holman, Jerome B	946 N. Seventh street, Philadelphia, Pa.	6.00
511946	Hunt, Walter S	468 Broadway, New York City	6.00
688388	Hackenburg, Faris	Three Rivers, Mich	6.00
623061	Hopper, Henry L	Waldwick, N. J	6.00
649885	Holway, Augustus	East Sandwich, Mass	6.00
704089	Hudson, Miles	North Adams, Mass	8.00
666353	Horton, James W	Sims, Tenn	6.00
663833	Huber, Henry	Warrenton, Mo	6.00
688719	Hutchings, William	Leslie, Mich	8.00
685787	Hoover, Abraham	National Military Home, Virginia	6.00
547504	Henson, John	277 St. Paul street, Baltimore, Md	8.00
637720	Heoner, Henry	Lockhaven, Pa	6.00
780295	Herman, Bolzer	2021 Richmond street, Cleveland, Ohio.	6.00
600848	House, Curtis	Indian Springs, Mo	6.00
518372	Howland, Phillip E	Camden, N. Y	12.00
514447	Hockett, Joseph A	South Wabash, Ind	8.00
510527	Higgins, George H	Winston, Mo	8.00
594789	Hurd, John	Thirteenth and Victory streets, Little Rock, Ark.	8.00
726067	Hyland, William H	Chatham, N. J	6.00
571997	Huston, Jefferson	Medora, Kans	10.00
553776	Hubble, Acy M	Salem, Ark	6.00
560754	Howard, Amos	Hartford, W. Va	8.00
559031	Holman, Harrison	Elizabethtown, Ky	6.00
429588	Hill, James W	530 Market st., Wheeling, W. Va	6.00
543156	Hightower, Orlando S	Wilmington, Ohio	8.00
557596	Hays, John	Oregon, Mo	6.00
525525	Hawk, Samuel	Hartford, W. Va	8.00
520484	Henderson, L. D	Staunton, Ill	12.00
516248	Hepfer, Daniel J	Chambersburg, Pa	8.00
669227	Heine, Gerhard	478½ Grove st., Jersey City, N. J	8.00
787043	Henry, John P	Moore Station, Pa	6.00
809138	Hinchey, Thomas M	276 Bunker Hill street, Charlestown, Mass.	6.00
635167	Hiller, Peter A	Deland, Fla	8.00
619895	Hill, George T	North East, Md	12.00
515056	Haskell, Cyrus V	702 F st. NE., Washington, D. C	10.00
510199	Hallock, Amos	Storm Lake, Iowa	8.00
516613	Hayes, William A	West Plains, Mo	8.00
515973	Hanlon, James	251 Hamilton street, New Haven, Conn.	8.00
707008	Horr, Joseph H	Warwick, R. I	6.00
696801	Higgins, Scott	Scott street, Cincinnati, Ohio	6.00
422029	Hutchinson, George	Albuquerque, N. Mex	6.00
274022	Hall, Peter M	Thompsonville, Conn	6.00
683418	Hensley, Solomon	Kilgore, Ky	6.00
784388	Hege, William	Cedar Hill, Ohio	8.00
592193	Heffiefinger, William	East Penn street, Carlisle, Pa	6.00
710000	Hopkins, John W	1311 North Compton street, St. Louis, Mo.	6.00
544363	Heneshaw, Jerome J	1459 Clinton street, Buffalo, N. Y	6.00
622223	Hoff, John A	Spencer, W. Va	6.00
507636	Heudricks, William	Paola, Kans	6.00
519074	Hulse, Daniel M	130 Gorham st., Canandaigua, N. Y	12.00
515060	Herber, Cornell	Vicksburg, Miss	8.00
619112	Houck, Jason	Public Road, Walton, N. Y	6.00
213296	Hynes, Michael	21 Crescent Place, Boston, Mass	6.00
547502	Hundall, Richard	Andrews, Ind	8.00
541362	Harrison, Ephraim	135 Cove street, Norfolk, Va	12.00
509687	Hardin, Alfred	Lebanon, Ky	6.00
578379	Harrison, Covell	Salamanca, N. Y	6.00
800792	Herring, Calvin	Orangeville, Pa	8.00
744898	Henninger, Frank W	405 N. Eighth st., Allentown, Pa	6.00
675226	Heckman, Joel	Shoemakersville, Pa	8.00
510924	Hawkins, John R	Russiaville, Ind	6.00
507637	Huffnagle, Andrew J	Lancaster, Pa	8.00
407054	Hannan, Benjamin F	Montgomery Station, Pa	6.00
584628	Hazzard, Horace O	Townsend Harbor, Mass	6.00
513314	Hinckle, Jacob H	Pineville, Pa	6.00
745847	Hungerford, James M	629 Wildey st., Philadelphia, Pa	6.00
750955	Hummel, John	526 E. Norwegian street, Pottsville, Pa.	6.00
758356	Hupper, John	252 E. Frederick st., Lancaster City, Pa.	6.00
693497	Hoecht, Jacob	Franklintown, Pa	6.00
690228	Hogan, John	2814 Baltimore st., Philadelphia, Pa.	6.00
677187	Hall, John	Ravine, Pa	8.00
625343	Hawk, Jacob	1107 Division st., Trenton, N. J	10.00
625317	Hoffinger, Joseph	Camden, N. J	6.00
624228	Harmon, Andrew	2236 Dover st., Philadelphia, Pa	6.00
709006	Holmes, Richard	614 E. Girard avenue, Philadelphia, Pa.	6.00
829440	Harris, Benjamin	4633 Jefferson st., Frankford, Pa.	6.00
790090	Hawks, Henry A	Binghamton, N. Y	6.00
228435	Harlow, Simeon	Middleborough, Mass	6.00
550024	Heminger, Abraham	Manus Choice, Pa	6.00
553185	Hollebush, Daniel	Newberrytown, Pa	8.00
640198	Huffman, William H	Beaver Falls, Pa	12.00
694681	Hays, William H	Day, Mich	8.00
674811	Howard, Irwin	Ivyton, Ky	8.00
664457	Hoffman, Charles	Lodi, Cal	6.00
599686	Hubbard, Elias	Paducah, Ky	8.00
555548	Hunter, George	Wentzville, Mo	6.00

Statement showing the certificate numbers, names, post-office addresses, and rates of pensioners because not ratably disabled, etc.—Continued.

Certificate Nos.	Names.	Post-office address.	Rate.
553179	Harris, Henry	27 Debeois Court, Philadelphia, Pa	$6.00
621403	Holland, James	Harbour, Tenn	8.00
818737	Hover, William P	45 Ontario street, Albany, N. Y	6.00
838382	Howe, Charles H	Bethany, Conn	6.00
839267	Howard, David	Surrounded Hill, Ark	6.00
842145	Hubbard, John	Jordan, N. Y	6.00
628847	Hunter, Lewis	1717 Dusmenil st., Louisville, Ky	6.00
560779	Heintzelman, Charles	Ausbury, Md	6.00
571084	Hoffman, Leonard L	Orion, Mich	6.00
501553	Hunter, James R	Wells Point, Tex	6.00
504846	Harris, Charles	New Berlin, Fla	6.00
674159	Hawkins, James W	Stillwater, Okla	6.00
779606	Houghton, Edwin A	Milton, Mass	8.00
746670	Houghtailing, David S	14 Goethe st., Binghamton, N. Y	6.00
524061	Hillman, Jerome E	Northampton, Mass	12.00
524934	Hubbard, Zachariah	Vidalia, La	6.00
520069	Harmann, Byerline	Mechanicsburg, Ill	8.00
790003	Haver, James	Los Angeles, Cal	6.00
590891	Hensley, Calvin S	Ducktown, Tenn	12.00
586847	Howard, Allen	Manhattan, Ohio	12.00
553180	Hullum, Martin	Hickory Valley, Tenn	6.00
503569	Henry, Michael	Hamburg, N. Y	6.00
577870	Holland, Samuel S	527 Oxford st., Baltimore, Md	8.00
590358	Hamilton, William	47 Cannon st., Charleston, S. C	6.00
723365	Hamilton, Alexander	Van Wert, Ohio	6.00
818911	Hollingsworth, E. S	Jacksboro, Tenn	6.00
528033	Howard, Jay D	Berlin, Wis	12.00
524057	Hegeman, Jacob Z	Rhinebeck, N. Y	6.00
528037	Hamma, William	Greenock, Pa	6.00
681984	Henson, Robert	War Eagle Mills, Ark	8.00
685005	Halbert, John D	Galion, Ohio	8.00
687200	Holt, Amos	Athens, Ala	6.00
692303	Haggard, Edward	Grass Lick, Ky	6.00
523997	Hitchcock, Frederick	Hamilton, Mich	8.00
515690	Hulett, George	Beardstown, Ill	6.00
613131	Hilbert, Franz	Middletown, Conn	8.00
692365	Halstard, Daniel	399 Church street, Norfolk, Va	8.00
645984	Hitzel, Francis A	Not known	6.00
527612	Hayden, Benjamin H	Madisonville, Pa	8.00
698122	Izard, Francis	304 W. Bay st., Jacksonville, Fla	6.00
692251	Irwin, John R	Dadeville, Mo	8.00
503013	Ingram, Edmond	Scott, Ark	6.00
631925	Iden, Thomas B	Brownsville, Ohio	8.00
788714	Ireland, George W	McAlester, Ind. T	6.00
517418	Immel, Martin	Table Grove, Ill	12.00
602187	Irish, Warren W	West Falls, N. Y	6.00
783596	Isemon, William H	Fruitdale, Ohio	6.00
760514	Irving, Henry	818 N. Calhoun st., Baltimore, Md	8.00
801859	Inman, Charles	New Buffalo, Mich	6.00
694682	Ingram, William	Cramer Hill, N. J	6.00
627729	Jackson, Edward	422 N. Pearl st., Baltimore, Md	6.00
522906	Jackson, William E	Sebree, Ky	6.00
625372	Jackson, James	Quincy, Ill	8.00
602372	James, Henry	Newbern, N. C	6.00
853186	Jaramillo, Juan	Paraje, New Mexico	6.00
726136	Jasper, Thomas	Hunnewell, Ky	6.00
576203	Jaynes, George F	5728 Wabash ave., Englewood, Ill	6.00
533137	Jeffries, Alexander	Trenton, Ga	6.00
786130	Jefferson, Green B	Milledgeville, Ga	6.00
694684	Jenkins, Thomas	Jamaica, N. Y	6.00
709970	Jenkins, Edward	Westfield, Ohio	12.00
509976	Jeffs, George	Proctorsville, Vt	6.00
630862	Jennings, Cicero D	Simpson, Kans	6.00
752863	Jewett, Judson W	306 West Eleventh st., New York, N. Y.	6.00
540570	Josephson, Lehman	25 Columbia st., Brooklyn, N. Y	8.00
627722	Johnson, John	Harpersfield, Ohio	6.00
631034	Johnson, John	901 Ninth street, Fort Smith, Ark	8.00
515087	Johnson, William	National Military Home, Ohio	10.00
714822	Johnston, William	Fayette City, Pa	6.00
513760	Johnson, William J	Stuart, Iowa	12.00
627704	Johnson, Harlan P	Box 572, Newburyport, Mass	8.00
516626	Johnson, Marcus P	Allegan, Mich	6.00
582197	Johnson, Thomas	Hallsville, Mo	6.00
571306	Johnson, Alexander	Greenville, Ohio	8.00
401461	Jonas, Junius	Capac, Mich	8.00
742424	Jones, Orlando	Pleasant Hope, Mo	6.00
654760	Jones, William	Argenta, Ark	10.00
513771	Jones, William	Frontier, Mich	6.00
621450	John-i-got-pa	Whittier, N. C	8.00
722596	Judd, Edwin	Judds Corners, Mich	6.00
509975	Jones, Joseph	Mount Sterling, Ohio	6.00
669332	Jones, William	White Haven, Md	6.00
559741	Jackson, John W	Lloyds, Md	6.00
848487	Jones, Edwin	Sturgis, Mich	6.00
524977	Jones, John M	Statesville, Tenn	6.00
555040	Jones, William	Vale Summit, Md	6.00
625381	Johnson, Samuel	Bowling Green, Ky	6.00
631936	Johnson, John H	1315 Shields alley, Baltimore, Md	8.00
596731	Jackaway, William	2163 Manekin st., Philadelphia, Pa	6.00
513337	Jones, Randolph	Pennington, N. J	6.00
562841	Johnson, William	741 Sycamore street, N. J	6.00
688003	Keeble, Pleasant	Hebronville, Tenn	8.00
751003	Keating, John	Berringer, Pa	8.00
656514	Kimble, George	Oak Ridge, N. J	6.00
545964	Knight, Geo	227 St. Paul st., Baltimore, Md	6.00
488070	Kadel, Phillip	190 Booth st., Columbus, Ohio	8.00
536518	Krebs, Jacob	Soradoville, Pa	8.00
621494	Kite, Jason P	St. Paris, Ohio	6.00
561275	Knapp, Charles D	Bethlehem, N. H	6.00
537286	Kitchen, David	Rush, Ky	6.00
531861	Kirwin, Michael	Ohiowa, Nebr	6.00
612092	Knox, Wm. H	Harrington, Del	6.00
604789	Keeton, Irvin	Sumpter, Ky	6.00
634276	Kurtz, Andrew	Soldiers' Home, Bath, N. Y	8.00
672338	Kesson, James	77 Colonie street, Albany, N. Y	6.00

Statement showing the certificate numbers, names, post-office addresses, and rates of pensioners because not ratably disabled, etc.—Continued.

Certificate Nos.	Names.	Post-office address.	Rate.
571351	Koger, Amos M	Everest, Kans	$6.00
583941	Kynor, Abiathor L	Boonton, N. J	6.00
672869	Killingsworth, Juan F	Harold, Mo	6.00
768893	Kleespies, Edmund	Broadway and Farrington street, Flushing, N. Y.	6.00
725313	Koeber, John G	Bloomfield, N. J	6.00
524034	Kistner, Fridolin	Soldiers' Home, Sandusky, Ohio	6.00
798786	Kirkbride, Martin	Proctor, W. Va	8.00
282976	Katte, Julius	Richmond, Ind	6.00
513348	Keef, Daniel	Patterson, N. J	12.00
522033	Keeffer, Christian	108 New Jersey avenue NW., Washington, D. C.	12.00
623169	Keefe, John	Randolph, Mass	6.00
636948	Keenan, Thomas	461 Canal street, New York City	6.00
512998	Kelly, Bernard	700 Buttonwood street, Wilmington, Del.	8.00
515107	Kelley, John O	13 Thorn street, Rochester, N. Y	12.00
513797	Kenney, Patrick	522 Owen street, Philadelphia, Pa	6.00
520214	Kenville, alias Town, Isaac.	North Lawrence, N. Y	10.00
510956	Kern, Lorenzo	Converse, Ind	12.00
563480	Kerr, Bartolett	Rosemount, N. J	8.00
534295	Keys, Robert	Fremont, Ohio	6.00
631992	Killian, Patrick	145 N. Sixth street, Brooklyn, N. Y	6.00
631989	Kimball, Thomas	Argenta, Ark	8.00
594929	Kimmel, Theodore	Allegheny, Pa	6.00
509720	Kinneman, Wm. T	Easton, Md	8.00
774827	Kinnear, Artimus W	Seneca, Pa	6.00
801887	Kinney, Lucius M	Houghville, Ind	6.00
661848	Kingsley, Amos N	134½ Pacific ave., Jersey City, N. J	6.00
671077	Kirkland, Geo. W	Purcell, Ind. T	6.00
513790	Kirkbride, Newton	Beecher City, Ill	10.00
538642	Kittrell, Francis M	Mansfield, Mo	8.00
557648	Kline, John M	Garrison, Iowa	6.00
743517	Knapp, Charles	Kingsley, Mich	8.00
679300	Knepper, Emanuel	Latona, Ill	6.00
560645	Knight, George R	Rear 103 Essex st., Chelsea, Mass	6.00
734407	Knox, George S	Box 87, Brightwood, Mass	8.00
574350	Kreps, Lawrence	Belleville, Pa	6.00
752938	Kreidler, Mathias	70 Broadway, Cincinnati, Ohio	8.00
647148	Kretshmar, Ernst	Braidentown, Fla	6.00
708039	Knoll, Aaron	Perrysburg, Ohio	6.00
524035	Knight, John B	Pendleton, Oregon	8.00
820737	Kramer, Henry	Pottstown, Pa	6.00
598772	Keesey, Aaron	Lancaster, Pa	6.00
513784	King, Lewis	York, Pa	12.00
744956	Keltner, Levi P	Anderson, Ind	8.00
755708	Kappes, Henry	963 Warnock st., Philadelphia, Pa	6.00
651345	Kinney, Harry	130 Walnut street, Pottstown, Pa	6.00
645788	Kobel, Isaac	Milton, Pa	6.00
560253	Kiphart, Samuel	New Castle, Ky	6.00
694411	King, Stephen	Monticello, Ark	6.00
527277	Keifer, Wm. R	Nazareth, Tenn	6.00
526426	Kanney, George A	Tarentum, Pa	6.00
673632	Lemon, William J	2601 Edgemont st., Philadelphia, Pa	6.00
713835	Lefever, Henry H	Smithville, Pa	6.00
580806	Lewin, Lewis	63 E. 108th st., New York, N. Y	8.00
507444	Laws, Spencer	829 Lincoln street, Chester, Pa	6.00
784540	Leacock, John	110 N. 16th street, Philadelphia, Pa	6.00
786175	Ledley, William H. H	417 Pleasant ave., Philadelphia, Pa	6.00
513839	Love, Jeremiah	Morrow, Kans	8.00
514528	Leeper, Greenup	Atwood, Kans	12.00
569516	Landing, Joseph	Sullivan, Mo	6.00
674854	Lewallen, Eugene	Norman, Okla	8.00
692350	Lewis, John	Rosedale, Kans	6.00
551250	Lucas, James W	Ottawa, Kans	8.00
505193	Lynch, Thomas	Fort Smith, Ark	6.00
699854	Lyman, William U	Wallaceton, Pa	8.00
602316	Lyman, Henry A	Twin Lake, Mich	6.00
514522	Luzier, John	Clearfield, Pa	6.00
510564	Lutz, Levi	Amanda, Ohio	6.00
733078	Luce, George W	1425 Chestnut street, Erie, Pa	6.00
598792	Lowman, George U	Leitersburg, Md	6.00
525575	Lowe, Daniel N	Cleveland, Ky	8.00
644086	Lowry, Michael	531 W. One hundred and Eleventh street, New York, N. Y.	8.00
666442	Looby, Edward	335 First street, Troy, N. Y	8.00
617283	Long, David N	Mingo Junction, Ohio	6.00
586891	Longfield, John N	39 S. Clover street, Poughkeepsie, N. Y.	6.00
513821	Loeser, Joseph	Soldiers' Home, Grand Rapids, Mich.	12.00
620710	Little, Robert	De Wittville, N. Y	6.00
514532	Lincoln, John T	Afton, Iowa	8.00
787116	Linton, William D	Portland Station, Ohio	6.00
584003	Lindley, Samuel B	West Alexander, Pa	6.00
594949	Lightner, John	107 Starr avenue, Cleveland, Ohio	6.00
588495	Lewis, Jerry	Princeton, Ind	12.00
512615	Lewis, Ferdinand C	725 State street, Erie, Pa	12.00
511982	Lewis, Francis J	47 S. Fifth st., Ann Arbor, Mich	12.00
756019	Lewis, William H	712 N. Second st., Rockford, Ill	8.00
627812	Lewis, Jefferson	1100 Queen City ave., Cincinnati, Ohio.	6.00
793814	Levers, George	27 East Fourteenth street, Bergen Point, N. J.	8.00
713847	Leonhardt, Adam	1055 Woodland avenue, Cleveland, Ohio.	8.00
703008	Leonard, Oliver M	Lordville, N. Y	6.00
518076	Leonard, Eli	Brownsville, Pa	6.00
585377	Lelande, Joseph	219 E. Second st., Oswego, N. Y	6.00
586161	Lee, William	Natchez, Miss	6.00
513836	Lee, William	1023 Hibernia st., Milwaukee, Wis	12.00
543800	Lee, Michael	Togus Home, Me	12.00
525024	Leas, Joseph	National Soldiers' Home, Va	6.00
668669	Leasure, John T	Cumberland, Md	8.00
524059	Lean, John	Oak Hill, Wis	8.00

Statement showing the certificate numbers, names, post-office addresses, and rates of pensioners because not ratably disabled, etc.—Continued.

Certificate Nos.	Names.	Post-office address.	Rate.
519885	Lawrence, William C	Princeton, Ind	$8.00
813594	Lassard, Abraham	255 Harrison st., Pawtucket, R. I.	6.00
513830	La Rue, Criness	Jackson, Minn	6.00
693542	Larimer, Horace	Ashwood, La	6.00
545982	Larkin, Thomas	Schoharie, N. Y	6.00
589044	Langley, Egbert	1813 Chester st., Little Rock, Ark	8.00
554529	Long John S	Iuka, Miss	12.00
568758	Landis, Joseph	Patterson, Pa	6.00
522057	Landis, Emanuel G	Sterling, Ill	8.00
522042	Lambertson, Nelson	720 S. Eighth st., Hamilton, Ohio	6.00
790182	Lackey, Ira E	49 S. Jefferson st. Milford, Mass	6.00
684139	Lacy, John	Napoleonville, La	8.00
790140	Leadham, David M	Riverhead, N. Y	8.00
530161	Lassource, Jules	Lawrenceton, Mo	8.00
587742	Lewis, Abraham	Catonsville, Md	8.00
664556	Letcher, James A	Mount Lebanon, Ky	6.00
639057	Lawless, John	Curtisville, Mass	6.00
633144	Lowell, Cyrus	Prides Corner, Me	6.00
832300	Lockwood, Wm. J	142 Sylvan ave., Newark, N. J	6.00
607113	Luncford, Ephrum	Lynch, N. C	8.00
538981	Lewis, John, alias Lewis, Spillman.	822 Washington st., Springfield, Ill.	6.00
747420	Labar, William H	Tranquility, N. J	6.00
693061	Link, Taylor	Russellville, Ky	6.00
699451	Lewis, Harris H	528 St. Paul st., Baltimore, Md	8.00
668676	Lane, George	Carlisle, Pa	6.00
636137	Linthicome, John S	Madison, Md	8.00
534269	Low, William H	Little Doe, Tenn	8.00
527642	Little, Thomas O	Caseyville, Ky	6.00
757309	Lanard, George W	Croghan, N. Y	6.00
670108	Lane, Edwin D	Lanesburg, N. Y	6.00
547694	Martin, Nathaniel R	Chateau, Cherokee Nation, Ind. T.	12.00
582282	Martin, Jerry	Fayette, Miss	6.00
601102	Malin, Geo. P	Cleopatra, Ky	6.00
668726	Milvin, John W., alias Milby.	Chestertown, Md	8.00
674277	May, Henry C	Atkins, Ark	6.00
788840	Maples, James E. N	Deposit, Ala	12.00
818801	Mars, John	Welcome, La	12.00
558347	Miles, Charles H	447 Twenty-fourth street, Detroit, Mich.	6.00
528502	McClary, Robert	Portsmouth, Ohio	12.00
525619	Mansfield, Simeon	Milford, Ill	10.00
697572	Martin, James D	Gorman, Tex	6.00
425386	McHenry, Andrew J	Menominee, Mich	8.00
691477	Wooley, Stephen C	160 Rhodes street, Atlanta, Ga	8.00
752211	McKay, Wm. W	Clarksville, Ark	8.00
639111	Minnick, Franklin	Carlisle, Pa	6.00
576387	Meyer, Peter H	1117 Missouri ave., St. Louis, Mo	6.00
642455	Mead, Jacob P	Southwest Oswego, N. Y	6.00
606137	Matthews, Charles C	Little France, N. Y	6.00
621613	Mathews, Augustus	305 Ninth street NE., Washington, D. C.	8.00
579321	Malcoln, Robert	Natchez, Miss	6.00
734491	McKinny, Perry	Rhea Springs, Tenn	6.00
623314	McIlvain, James	Benwood, W. Va	8.00
573026	McGhee, David H	Ottawa, Kans	8.00
591640	Morris, Albert G	Muncie, Ind	6.00
697566	Marshall, Toney	Newberne, N. C	6.00
547451	McGoodwin, Butler	Newburg, Ky	6.00
510616	McKinney, David	Lebanon, Pa	6.00
807789	Miller, Moses	Port Republic, N. J	6.00
810264	McGregor, Philip	Pacific, Mo	6.00
546510	Maxfield, Oren G	Coopersville, Mich	10.00
539954	Morey, William	Ravenna, Mich	6.00
632062	Middleton, John	1924 W Main street, Louisville, Ky.	8.00
670536	Mowry, Benjamin S	Webster, Mass	8.00
675875	McDonald, James	Hinesboro, Ill	6.00
762137	Mason, Philip C	54 Waverly street, Everett, Mass	6.00
756375	Moore, Charles W	Natick, Mass	8.00
716675	McBride, John R	361 street, NE., Washington, D. C.	8.00
525588	Mahoney, Monroe	Chacahoula, La	8.00
524557	McCabe, Thomas	Lebanon, Ohio	6.00
524556	McMan, John	95 Willow street, Knoxville, Tenn	8.00
520839	McCool, John T	Greenwood, Ind	6.00
788279	Milton, Tanksley	Perry, Iowa	8.00
602437	Myers, John H	204 Courtland st., Baltimore, Md	8.00
742012	Musselman, Jacob J	McKees Gap, Pa	6.00
658181	Murray, John A	2532 Ninth ave., Beaver Falls, Pa	6.00
636157	Murray, Caleb	53 E street SW., Washington, D. C.	8.00
559147	Murray, Washington	Sellman, Md	6.00
630039	Murray, Adam	Le Roy, Ill	8.00
512190	Mundt, Peter A	1300 S. Second st., Clinton, Iowa	6.00
755733	Mumau, Samuel	Purchase Line, Pa	6.00
520536	Mulgrue, Patrick	National Soldiers' Home, Va	12.00
557107	Mudd, Reuben	Bealeton, Va	8.00
661925	Moss, Thomas	North Manlius, N. Y	8.00
535477	Mosher, Edwin	Conklin Forks, N. Y	6.00
836360	Mosher, William E	Zumbrota, Minn	6.00
733153	Morris, John W	Keech, Pa	6.00
786256	Morris, Samuel	Shreveport, La	8.00
630307	Morris, Ambrose	Exchange, S. C	6.00
655646	Monsees, John H. D	Smithton, Mo	6.00
712695	Morgan, Henry B	South Onondaga, N. Y	6.00
538706	Morey, Rufus H	6½ Bearus st., Binghamton, N. Y	8.00
734490	Morehouse, Geo. W	Bethel, Conn	6.00
517447	Mook, Levi	Reno, Pa	6.00
522894	Mowe, William A	Conotton, Ohio	6.00
761085	Moore, Edward C	112 Miami avenue, Detroit, Mich	8.00
838018	Moore, Patrick	315 Willow avenue, Hoboken, N. J	8.00
610980	Moore, Henry S	Laurel, Del	10.00
547727	Moore, Frederick J	Ellsworth, Ark	6.00
787946	Moorman, William	12 Theresa st., New Orleans, La	6.00
685050	Monaghan, John	202 Ogontz st., Sandusky, Ohio	8.00
695717	Moll, Samuel	Obed, Ill	8.00
529085	Molitor, Peter	2404 Couler ave., Durango, Iowa	8.00

Statement showing the certificate numbers, names, post-office addresses, and rates of pensioners because not ratably disabled, etc.—Continued.

Certificate Nos.	Names.	Post-office addresses.	Rate.
509373	Mitchell, Robert R	Corine, Tex	$12.00
506524	Miller, Esquire	Shideler, Ind	6.00
618040	Mitchell, George	622 American Bank building, Kansas City, Mo.	8.00
760093	Mitchell, Andrew	Hixton, Wis	$6.00
641533	Miskimen, James	Linton Mills, Ohio	6.00
602497	Minton, Gustavus	Mayfield, Ky	8.00
757830	Miller, Nathaniel	Gettysburg, Pa	6.00
696888	Miller, Isaac	Ansonia, Ohio	6.00
602486	Miller, Thomas E	227 St. Paul street, Baltimore, Md	6.00
564887	Miller, Richard	Murfreesboro, Tenn	8.00
518103	Mills, William	72 Lyndale avenue, Minneapolis, Minn.	12.00
757832	Miller, William	608 Second ave., New York, N. Y	6.00
756824	Miller, William	Frank, Pa	6.00
514583	Miller, George W	Fosterburg, Ill	10.00
372392	Miller, John H	Saratoga Springs, N. Y	8.00
513888	Miller, Jacob	La Rue, Ohio	8.00
755376	Miller, Henry	Camp Washington, Cincinnati, Ohio.	8.00
791747	Miles, James	810 Tatnall st., Wilmington, Del	10.00
771875	Miley, William B	Wauseon, Ohio	6.00
506140	Mike, Aaron	Beaufort, S. C	12.00
759126	Middlesworth, Jacob F	Holden, Mo	8.00
672913	Midkiff, Montgomery	Winifred, W. Va	6.00
664665	Michael, Jacob C	429 N. Eighth st., Philadelphia, Pa	6.00
518403	Merritt, Leonard B	Gap Run, Tenn	12.00
754415	Merrill, Sumner	Waubay, S. Dak	8.00
511657	Merrill, Calvin F	East Des Moines, Iowa	8.00
625568	Meixel, Jacob H	Boiling Springs, Pa	6.00
658904	Meinhart, Peter	Brockport, N. Y	6.00
684181	Meier, Henry	2234 Keokuk street, St. Louis, Mo	6.00
615182	Mehaffey, Abraham	Lancaster, Pa	6.00
553947	Medlon, Anderson	Marche, Ark	6.00
734462	Menor, William H	Atchison, Pa	8.00
686635	Mase, Judge	Maysville, S. C	6.00
520270	Maxfield, Moses	Oxford, Md	6.00
740616	Mathews, Edward	1008 Capital avenue, Omaha, Nebr	10.00
571384	Mason, Robert	Paris, Ky	6.00
609582	Mason, Moses	401 Commercial avenue, Cairo, Ill	6.00
507906	Mason, Truman	Wapello, Ill	6.00
535559	Martin, Robert	Ortonville, Mich	6.00
616209	Martin, Alexander	227 St. Paul street, Baltimore, Md	8.30
720849	Marston, Cyrus F	Chester, N. H	6.00
710283	Marsh, Franklin	Belding, Mich	6.00
765147	Marquis, Scott	Mason, Ill	6.00
660866	Markus, Peter	3634 Palm street, St. Louis, Mo	6.00
662427	Marks, Richard D	43 Fulton ave., Cincinnati, Ohio	8.00
520238	Maple, Mitchell	Carrollton, Ohio	6.00
521336	Mansfield, Charles H	908 Winnebago st., Rockford, Ill	6.00
517134	Mantlo, Thomas J	Soldiers' Home, D. C	6.00
607134	Manahan, Michael	311 E. Twenty-first street, New York, N. Y.	8.00
718734	Malerna, Peter	Eaton Rapids, Mich	8.00
509999	Maeder, Henry	Bellevue, Pa	12.00
507072	Maas, Abraham	Neosho, Mo	12.00
580120	McVicker, James M	Guysville, Ohio	10.00
522973	McPheters, Wiley	Mandale, Ohio	8.00
662407	McLaughlin, John	Bangall, N. Y	6.00
603734	McLaurine, Martin	Bunker Hill, Tenn	6.00
716735	McKillip, Hugh	Richardsville, Pa	6.00
527341	McKenney, Benj	317 Second street, Memphis Tenn	6.00
663111	McFarlane, James D	Thorndike, Mass	8.00
620070	McGlothlin, Ephraim	Columbia, Mo	6.00
508350	McGlothlin, Shaderick	Pleasanton, Kans	10.00
513024	McGee, William H	Gordonsville, Tenn	10.00
722651	McDonald, Thomas	6 Albert street, Roxbury, Mass	6.00
517126	McDevitt, John	Peru, Ind	8.00
516685	McCune, Henry	Mayette, Kans	10.00
770453	McCormick, John	National Military Home, Ohio	6.00
513862	McConaughy, John	Paulding, Ohio	8.00
686636	McCombs, Joseph T	Moundsville, W. Va	6.00
515153	McCoglin, John	511 Smith street, Toledo, Ohio	6.00
579323	McCohn, William	Cohn, Pa	8.00
760080	McClintock, Orville N	Kansas City, Mo	6.00
513342	McClelland, Hugh	Plainview, Tex	6.00
508884	McChesney, Richard	Beaver Falls, Pa	8.00
513028	McCann, Henry	National Soldiers' Home, Va	12.00
593116	McAllister, William	Dry Branch, Mo	8.00
561312	McCarty, Daniel	Alton, Mo	8.00
562151	McCarty, George	Adams, N. Y	6.00
609505	McAffee, John	Upper Sandusky, Ohio	8.00
601143	McBride, James H	Brunswick, Md	6.00
846471	Martinez, Anastacio	Santa Fe, N. Mex	6.00
798307	Madrid, José Felipe	Chaperito, N. Mex	12.00
603759	Moore, Joseph H	Gumboro, Del	8.00
594094	Mount, Henry	349 E. Jefferson st., Louisville, Ky	8.00
811552	McNeil, Daniel	Togus Home, Maine	8.00
681659	Mosher, Benjamin F	Middleboro, Mass	6.00
527301	McLaughlin, Charles	Roslyn, N. Y	6.00
686265	Martz, Andrew J	Utica, Mo	6.00
532524	Moore, John R	Puyallup, Wash	6.00
773471	Montgomery, Wm. F	Canton, Ill	6.00
556408	Miller, Henry B	Temple, Tex	8.00
748838	Mahoon, Wilson R	Eureka Springs, Ark	6.00
673225	Milburn, John W	Succasunna, N. J	6.00
788842	Mattie, Moses	1132 Pine street, Philadelphia, Pa	8.00
741531	McCormack, Chas. C	1036 Crease st., Philadelphia, Pa	8.00
727238	Maguire, William	1240 N. Tenth st., Reading, Pa	6.00
727228	Mathias, Joseph	2450 N. Fifth st., Philadelphia, Pa	6.00
718790	Morrow, Alexander	4329 Osage aeve., Philadelphia, Pa	6.00
663929	Moore, Titus	434 Linn street, Philadelphia, Pa	6.00
637026	Marembeck, Libine	Creamer Hill, N J	8.00
428596	Miller, Samuel	Sunbury, Pa	12.00
585423	Miller, Jacob	E. King st., extended, York, Pa	6.00
586232	Miley, Samuel	1300 Milan st., Philadelphia, Pa	8.00

Statement showing the certificate numbers, names, post-office addresses, and rates of pensioners because not ratably disabled, etc.—Continued.

Certificate Nos.	Names.	Post-office address.	Rate.
769879	Meier, Gustave	4437 Cresson street, Manayunk, Philadelphia, Pa.	$6.00
595991	Mitchell, James	Not known	8.00
595096	Morris, John S	Madison, Ind	6.00
553944	Nichols, John A	Milltown, Ark	6.00
579310	Norton, Martin	Big Laurel, N. C	6.00
587836	Needham, George	Galveston, Tex	12.00
681131	Newman, William	Mojave, Cal	6.00
685015	Nathan, James	Corner Bourbon and Galvey streets, New Orleans, La.	6.00
596916	Nerney, Nicholas	Attleboro, Mass	6.00
513896	Nenn, George	Soldiers and Sailors' Home, Quincy, Ill.	6.00
789400	Nolder, John	North Clarendon, Pa	8.00
604869	Nixon, Wm	225 Cortlandt st., Baltimore, Md	8.00
705255	Niple, James	Tomhannock, N. Y	6.00
794765	Nighswander, David	Fort Seneca, Ohio	6.00
496277	Nichols, Frederick H	79 Park street, Bridgeport, Conn	6.00
711541	Nichols, Guilford G	Ashland, Mo	6.00
530785	Nichols, Henson	Greenup, Ky	8.00
595064	Nealand, Armstrong	Martin's Ferry, Ohio	8.00
581558	Neal, Robert S	312 Larew's alley, Baltimore, Md	6.00
604957	Nash, Augustus W	Revere, Mass	6.00
757843	Neal, Zephania H	31 Wall street, Brockton, Mass	8.00
618531	Nebbenburg, Isaac	Coxsackie, N. Y	6.00
682086	Neil, Henry	Antioch, Ill	6.00
511025	Newell, Oran	Bellaire, Kans	12.00
516326	New, John P	Seward, Nebr	8.00
507309	Newton, Orland A	Fort Wayne, Ind	6.00
631065	Nicely, Charles S	Alma, Kans	8.00
712741	Norton, William	Box 276, Rome, Ga	8.00
520869	Norris, Joseph W	Robinson's Mills, W. Va	12.00
782008	Nott, Richard	2625 E. Thompson street, Philadelphia, Pa.	6.00
586274	Narbey, John	928 Melon st., Philadelphia, Pa	6.00
572162	Owens, George	Carbondale, Tenn	6.00
686290	Oudt, Aaron	Stuyvesant, N. Y	6.00
632184	Obier, Jesse W	Seaford, Del	8.00
535666	Odom, Turner	Jackson, N. C	6.00
812248	O'Kelly, Richard I	Newnan, Ga	6.00
545129	Osmond, Johnson	Howell, Mich	6.00
607205	Ogden, Wyatt	Louisiana, Mo	6.00
745531	Owens, Thos	75 N. Margin street, Boston, Mass	6.00
523592	Oliver, George	Muncie, Ind	6.00
645923	O'Mally, Patrick	3026 Hickory street, St. Louis, Mo	8.00
556466	O'Connor, Timothy	Dalton, Mass	6.00
618536	O'Donnell, John	132 Chester street, Buffalo, N. Y	6.00
637094	O'Gorman, Patrick	113 Park Row, New York City, N. Y	6.00
531389	Ogden, George	Russellville, Ky	6.00
516722	Olmsted, William A	Cheyenne, Wyo	8.00
512653	Orme, Thomas	Linwood, Kans	12.00
808357	Osborn, Allen	Owenton, Ky	8.00
757378	Ott, Brent	Washington, Ohio	6.00
313334	Overmire, Albert	Oak Harbor, Ohio	8.00
770519	O'Neil, Mark	1317 Clothier st., Philadelphia, Pa	6.00
523616	Perry, Robert	Robersonville, N. C	12.00
557148	Payden, Sidney F	Crisfield, Md	6.00
508923	Parker, Lewis	910 Washington st., Covington, Ky	6.00
622405	Preston, Thomas	Bengies, Md	6.00
671862	Penland, James R	Alexander, N. C	8.00
673715	Payne, Frank	Great Falls, Va	12.00
677785	Payne, James B	120 Light street, Seattle, Wash	6.00
688083	Plybon, James C	Huntington, W. Va	6.00
685513	Patten, Abraham	Marydel, Md	6.00
738103	Peaco, John	Port Deposit, Md	10.00
757862	Prill, Francis M	Findlay, Ohio	6.00
597987	Puttnam, Nathan	Whittaker, N. C	6.00
589754	Price, Joseph	Foristell, Mo	6.00
521598	Post, Edward S	Norwich, N. Y	8.00
630137	Porter, John McB	Renfrew, Pa	6.00
603863	Poper, George W	Housum, Pa	8.00
606179	Platt, William	Carrollton, Pa	6.00
604475	Phillips, Charles	227 St. Paul st., Baltimore, Md	6.00
115938	Page, Denoice C	Friend, Nebr	8.00
552671	Pierce, Wm. J	Yates Center, Kans	6.00
616833	Pigg, Thompson M	Morrisville, Mo	8.00
831239	Phillips, Melvin M	Phelps, N. Y	8.00
843439	Porter, William S	Litchfield, Ill	6.00
632204	Prettyman, Edward K	2 and 4 Sixth st., Pittsburg, Pa	8.00
640619	Phelps, Benjamin	1010 N. Eleventh st., St. Louis, Mo	6.00
730601	Putnam, Edwin H	Brattleboro, Vt	8.00
729750	Peterson, Joshua S	Moscow, W. Va	8.00
524127	Park, James A	Bluffton, Ind	6.00
780482	Pierson, Forest	South Butler, N. Y	6.00
790278	Parks, Henry	Batavia, Ark	6.00
695670	Parker, James	3 Grand View st., Providence, R. I	6.00
520884	Paar, Herman	Soldiers and Sailors' Home, Bath, N. Y.	6.00
513068	Pearson, Elias	Coache, Ind. Ter	6.00
665811	Paine, Charles	Gibson City, La	18.00
511044	Packer, Charles F	20 Elliott street, Beverly, Mass	12.00
524116	Parker, George	Essexville, Mich	2.00
513066	Parshley, Sylvester	12 Harbor street, Salem, Mass	6.00
664033	Patterson, George	Marshall, Mo	6.00
582352	Payne, George C	Bangall, N. Y	8.00
664023	Peaker, Robert	Galena, Md	6.00
790312	Peart, Charles W	13 W. Dane street, Beverly, Mass	16.00
507112	Peck, Alroy E	Butler, Mich	2.00
511550	Penn, Joseph	Blue Mills, Mo	18.00
786288	Pepper, Franklin B	West Pullman, Ill	0.00
781740	Peppard, Isaac N	Oliver st., bet. Fourteenth and Fifteenth sts., Leavenworth, Kans.	6.00
637113	Perry, David	138 Monticello avenue, Jersey City, N. J.	18.00
565566	Perry, Arista	McComb, Ohio	2.00
598099	Pettit, Charles G	Long Lick, Ky	6.00

Statement showing the certificate numbers, names, post-office addresses, and rates of pensioners because not ratably disabled, etc.—Continued.

Certificate Nos.	Names.	Post-office address.	Rate.
598934	Phillips, Loring J	Everett, Ohio	$6.00
658987	Phillipy, Albert E	77 Charlton street, New York City	8.00
509785	Phillips, Marvin	Frederick Block, Jamestown, N. Y	6.00
247642	Phillips, John W	Sharon Grove, Ky	8.00
583224	Pickering, Moses	Holderness, N. H	6.00
741559	Pierson, Jonathan B	Tipton, W. Va	6.00
640613	Pierce, John H	201 Washington st., Brighton, Mass	6.00
782033	Pillsbury, Amos H	Springfield, N. H	8.00
731579	Place, Jacob S	Steelville, Mo	6.00
538852	Plummer, Simeon	Homer, N. Y	6.00
554571	Porter, Lewis	6622 S. Broadway, St. Louis, Mo	6.00
519925	Powers, Patsey	Danby, N. Y	6.00
573203	Price, James	Indianapolis, Ind	6.00
535697	Price, John W	Stout, Ohio	6.00
769505	Prindle, Cassius M	North Huron, N. Y	6.00
665214	Probst, John L	127 Tichenor street, Newark, N. J	6.00
520877	Printt, Cyrus E	Pond Creek, Okla	12.00
636270	Pullam, William	Bonne Terre, Mo	8.00
719974	Punchard, Thomas	131 Washington avenue, Chelsea, Mass.	6.00
682809	Purcifull, William M	Licking, Mo	6.00
650080	Pursley, Benjamin	Indianapolis, Ind	6.00
546604	Poe, Jesse	Irondale, Ala	6.00
769507	Pollard, William	Erlanger, Ky	6.00
549577	Powell, John	Carthage, Mo	6.00
637107	Prouty, James H., alias Brown, George.	Liverpool, N. Y	8.00
648593	Prickett, Ira W	Vincetown, N. J	6.00
649965	Porter, Leonard D	Wittens, Ohio	6.00
813404	Pachoud, Augustus	Beaver Falls, N. Y	8.00
686301	Preston, Snowden M	11 Ewing street, Trenton, N. J	6.00
512677	Parker, Samuel J	Muncie, Ind	8.00
509123	Pugh, Samuel	Lynnville, Ind	12.00
756401	Porterfield, Robert	1427 S. Tenth st., Philadelphia, Pa	6.00
698972	Piersol, Isaac D	1840 Lehigh ave., Philadelphia, Pa.	6.00
526944	Peterson, John M	Sedalia, Ohio	6.00
685880	Patterson, Henry	Artemus, Ky	6.00
682813	Plant, Charles H	36 W. Mound st., Columbus, Ohio	8.00
657556	Quigley, Fanton	Soldiers' Home, Kearney, N. J	6.00
846296	Quinn, John	193 Twentieth st., Brooklyn, N. Y	6.00
562263	Quick, Richard	Benfield, Mich	6.00
555768	Quinn, Calvin M	Ringgold, Ga	6.00
629262	Quinn, Patrick	Portage, Wis	6.00
596104	Quint, Lorenzo A	Chebacco House, Hamilton, Mass	6.00
508903	Queenan, Henry	933 Louisiana ave., Washington, D. C.	12.00
512053	Quinn, William	Not known	6.00
568123	Rezin, James	Worton, Md	8.00
587096	Ratliff, Colbert	Lookout, Ky	12.00
564972	Rogers, William H	Fayette, N. Y	8.00
653090	Ryder, Oren B	Agnew, Mich	8.00
565889	Ross, William	Hanging Rock, Ohio	6.00
682121	Robinson, Nelson	732 Tenth street, Louisville, Ky	6.00
689997	Ruth, John	McDanieltown, Md	6.00
684697	Robinson, Noah O	Sand Run, W. Va	6.00
738234	Ross, Nelson	Webster, Mass	6.00
568126	Reynolds, Archibald	Asbury Park, N. J	8.00
574517	Riley, James	Princeton, Ky	6.00
580258	Roberson, George	Pastoria, Ark	6.00
624582	Rosier, Elby	227 St. Paul st., Baltimore, Md	6.00
781196	Ryan, James	101 Dudley st., Cincinnati, Ohio	6.00
808785	Robins, Lewis W	Saltillo, Tenn	8.00
535746	Richards, Thomas	Springville, Ky	6.00
533391	Rodgers, Josiah A	Station A, Springfield, Mo	8.00
815930	Rupert, Andrew J	Prescott, Ariz	8.00
823412	Reynolds, George F	Clifford, Mass	6.00
648633	Ronce, Augustus	Fairfield, Me	8.00
564363	Ringgold, Stephen	412 Haskill street, Camden, N. J	6.00
505888	Redman, George	1014 Twelfth street, Louisville, Ky	8.00
671193	Rucker, Henry	Pleasureville, Ky	8.00
671891	Rickey, Stephen	149 E. Twelfth st., Covington, Ky	6.00
578622	Rice, George	795 W. Sixth st., Cincinnati, Ohio	6.00
594242	Robinson, Andrew C	Poplar Bluff, Mo	6.00
596156	Red, Jules	Dorceyville, La	6.00
747056	Koss, John	Moniteau, Pa	8.00
739295	Rose, Eugene F	North Dighton, Mass	6.00
528668	Rhodes, Henry	Curveton, Ky	6.00
605043	Rafferty, Dominick, alias Foreman, Charles	Canton, Ill	6.00
727363	Raggon, Eli	Upper Sandusky, Ohio	6.00
735290	Ryder, George W	Yarmouthport, Mass	6.00
733248	Randall, Edward B	86 W. Springfield st., Boston, Mass	6.00
631149	Randolph, Edward V	Oakland avenue, Sharon, Pa	8.00
521416	Rand, John P	Sherwood, Ohio	12.00
580253	Rankin, John	Cadwallader, Ohio	6.00
519173	Ransom, William	Ingalls, Okla	6.00
633373	Ramsey, Franklin P	335 E. Castle st., Syracuse, N. Y	6.00
516101	Ramsey, William F	Osmond, Nebr	12.00
625695	Rauch, Adam	312 Lafayette ave., St. Louis, Mo	8.00
823408	Rays, George	53 Constantinople street, New Orleans, La.	6.00
692050	Ray, Clark	Devalls Bluff, Ark	6.00
706366	Reagan, Richard	Trentville, Tenn	6.00
696422	Redman, Henry	214 Mary st., Evansville, Ind	6.00
508387	Reed, Franklin	20 Hazel st., Cleveland, Ohio	10.00
654354	Reed, George S	Hale, Mo	6.00
679469	Reed, Julius	Toltec, Ark	6.00
791814	Reeser, Henry	York Haven, Pa	6.00
516091	Reiff, John	De Pere, Wis	6.00
703315	Remiore, Byron	1 Seeley st., Little Falls, N. Y	6.00
516100	Reuter, Henry M	1403 N. Second st., Harrisburg, Pa	6.00
516098	Reynolds, Thomas J	1006 Dickerson st., Philadelphia, Pa	6.00
678842	Reynolds, Orville M	Box 43, Pascoag, R. I	8.00
696598	Reynolds, William A	Northwood Center, N. H	6.00
583271	Rex, Thomas	Milford, N. Y	8.00

Statement showing the certificate numbers, names, post-office addresses, and rates of pensioners because not ratably disabled, etc.—Continued.

Certificate Nos.	Names.	Post-office address.	Rate.
721008	Rhodes, John H	112 Pennsylvania st., Providence, R. I.	$6.00
667724	Roper, Emanuel	Pine Bluff, Ark	8.00
682123	Ross, James O	Piedmont, W. Va	6.00
690359	Ross, John	228 Arlington ave., Baltimore, Md.	6.00
518442	Ross, Joel D	Rossville, Kans	6.00
521685	Ross, William B	14 Lee court, Lynn, Mass	6.00
523062	Rothenbacher, Franz	227 St Paul street, Baltimore, Md.	8.00
738106	Rothan, John	21 Klotter ave., Cincinnati, Ohio	6.00
638029	Row, John	Newburg, Pa	8.00
515771	Ruminery, George D	Fruitland, Iowa	12.00
729033	Rundell, Charles L	Earlville, Iowa	6.00
732438	Runions, Peter	72 McConnell st., Grand Rapids, Mich.	6.00
512062	Russell, Hamilton J	Bronson, Kans	
646005	Robert, Felix	Dry Run, Ohio	8.00
515215	Rahmer, Willoughby	Not known	8.00
614309	Rudolph, Adam S	Alloway, N. J	8.00
693610	Ribling, Adam	Hanover, Pa	6.00
664725	Rolls, Peter G	Peckville, Pa	6.00
516100	Reuter, Henry M	1403 N. Second st., Harrisburg, Pa.	8.00
519177	Risley, John S	Mays Landing, N. J	8.00
585529	Rogers, Emerson H	New Egypt, N. J	6.00
749224	Rile, William K	1815 Orthodox st., Philadelphia, Pa.	6.00
522575	Roninger, George	Columbiana, Ohio	12.00
684708	Rice, Wm	Fredonia, Ky	6.00
606233	Ryan, Columbus	Dorchester, Ill	8.00
729034	Reinfeld, John	286 Smith street, Rochester, N.Y.	6.00
533408	Rhodes, James	Sweet Springs, Mo	6.00
509412	Rhodes, Green	Spears, Ky	12.00
523053	Rhodes, Brainard	Manitowoc, Wis	6.00
505571	Rice, George C	Sand Lake, Mich	10.00
628094	Rice, Nathan H	Greenfield, Iowa	6.00
676815	Richards, Alfred	Grand avenue, Springfield, Ohio	6.00
506224	Richards, Alfred H	126 Second street, Elizabeth, N. J.	6.00
553313	Richardson, Solomon	Newark, Md	8.00
557775	Rigsby, Riley G	Franklin, Ky	10.00
826421	Riley, James	Little Falls, N. Y	6.00
736488	Riley, James B	Mansfield Valley, Pa	8.00
579378	Ritz, George	Dobbston, Ohio	8.00
523065	Ritter, Frank S	Laconia, N. H	12.00
691534	Rivers, George	Exchange, S. C	6.00
726467	Robbins, Thomas	Waterbury, Conn	6.00
572222	Robbins, Wm	Relief, Ky	6.00
513079	Robinson, Octavius	Superior, Wis	6.00
575594	Robinson, Jacob	Poughkeepsie, N. Y	6.00
545385	Roberts, Charles	30 Seventh avenue, Newark, N. J.	6.00
725500	Roberts, Edward	186 West street, Utica, N. Y	6.00
638266	Roberts, William	Buford, Ark	8.00
513090	Robertson, John	Greenville, Ky	6.00
796221	Rock, Joseph, jr	Valley Falls, R. I	6.00
815222	Rockwell, Edgar G	Woodport, N. J	6.00
510319	Rodenbaugh, Jacob	702 Lyon st., Des Moines, Iowa	6.00
635415	Rogers, Charles	45 Tulip st., Poughkeepsie, N. Y	6.00
521776	Rollison, Jacob	Monongahela, Pa	12.00
718901	Root, Dwight C	Oyster Bay, N. Y	8.00
521803	Simmons, Albert	Woburn, Ill	6.00
524166	Starks, William H	Williamsport, Ind	8.00
621718	Stewart, Alfred	Regan, Tenn	12.00
684722	Selsor, James H	Boston, Mo	6.00
682530	Sutherland, William H	White Bluffs, Tenn	6.00
724769	Seymour, Joseph	356 Broadway, Buffalo, N. Y	8.00
621714	Smith, Thomas	Levyville, Fla	8.00
575672	Strait, Jacob	Sipes Mill, Pa	12.00
581024	Shultz, Benjamin F	Bethesda, Pa	6.00
725622	Sears, Andrew S	Lowville, N. Y	8.00
688882	Stewart, Benjamin	Still Pond, Md	8.00
607303	Schlauzer, Anton	Cincinnati, Ohio	6.00
690413	Shropshire, John P	Astoria, Mo	6.00
535828	Smith, Jacob	Fithian, Ill	6.00
591762	Stephens, Benjamin F	California, Mo	6.00
593229	Sergeant, Stephen	Beech Spring, Va	8.00
526213	Shaffer, David R. S	Goleta, Cal	10.00
520613	Snyder, John S	Shiremanstown, Pa	12.00
698322	Snider, James	1522 Harney st., Louisville, Ky	6.00
830086	Staff, Martin	Butler, Pa	4.00
41561	Saunders, Fred A	123 South Market st., Boston, Mass	4.00
566824	Strander, Alexander	Ottawa, Kans	6.00
688121	Scott, Charles	1719 Owen street, Louisville, Ky	8.00
641733	Smith, William	Steubenville, Ohio	8.00
640731	Spoonhour, Solomon	Fayetteville, Pa	6.00
542445	Spicer, Wm. E	Lewes, Del	8.00
514758	Stein, Alexander	160 Brink avenue, Utica, N. Y	6.00
593291	Stephens, Leveran	430 Gilmore street, Baltimore, Md.	10.00
589845	Shepard, Henry	106 Elm street, Westfield, Mass	8.00
574673	Shindollar, Samuel M	Spencerville, Ohio	6.00
626932	Shisler, Amos	921 Withnell ave., St. Louis, Mo	10.00
817814	Salter, Thomas H	Glenwood Landing, N. Y	6.00
555241	Sawyer, Jesse	Peoria, Ill	6.00
632358	Scales, Thomas	51 Maiden Lane, Binghamton, N. Y.	8.00
611214	Schaefer, Frederick	13 Linden Terrace, Middletown, N. Y.	8.00
585584	Scott, Lyman L	Canandaigua, N. Y	6.00
630185	Sharp, Nehemiah	Milford, Del	8.00
524177	Sayer, Emmet	Britton, S. Dak	6.00
807676	Sandoval, David	Espanola, N. Mex	6.00
808799	Scott, John	Indianapolis, Ind	6.00
552928	Squires, John H	Columbus, Ohio	12.00
601208	Scott, Samuel D. L. D	Station A, Springfield, Mo	6.00
625813	Sanders, Curtis	Hatfield, Ind	8.00
625725	Speath, George M	20 South street, Boston, Mass	6.00
624710	Smith, Wyatt	Nebo, Mo	6.00
620154	Stiffler, Geo. C	Jameson, Mo	8.00
615470	Smith, Theodore A	Ottawa, Kans	6.00

Statement showing the certificate numbers, names, post-office addresses, and rates of pensioners because not ratably disabled, etc.—Continued.

Certificate Nos.	Names.	Post-office address.	Rate.
615433	Seiberlich, Joseph	Stoddard, Wis	$8.00
608517	Sturgis, John T	Meadville, Mo	6.00
821954	Snyder, Peter H	233 E. One hundred and twenty-eighth street, N. Y.	6.00
650880	Sherlock, John	16 Elm street, Albany, N. Y	6.00
662488	Stafford, Joseph	1104 Zane street, Louisville, Ky	6.00
662517	Schuyler, Adam	New Germantown, N. J	6.00
561004	Shultz, Daniel	86 Hill street, Cincinnati, Ohio	6.00
582420	Smith, Stephen	Bowling Green, Ky	6.00
592581	Smith, Perry W	707 Casey street, Elmira, N. Y	6.00
594310	Snyder, Albert, ticket agent, Cincinnati, Hamilton and Dayton Railroad.	Cincinnati, Ohio	10.00
594376	Stephenson, Jacob I	Everton, Mo	6.00
596235	Slaybaugh, Andrew J	880 N. Seventeenth street, St. Joseph, Mo.	8.00
570335	Shults, John W	Cosby, Tenn	6.00
768523	Snyder, Miles W	644 Michigan ave., Detroit, Mich	6.00
758589	Salisbury, Robert L	48 Bassett street, Providence, R. I.	6.00
750574	Springstead, Hiram P	Grand Rapids, Mich	6.00
746458	Smith, John J	312 S. Caroline st., Baltimore, Md	6.00
742567	Smith, John T	1428 Third street, Seattle, Wash	6.00
528316	Seymour, Joseph H	8 Grant street, Pougkeepsie, N. Y	10.00
787292	Smead, Elijah R	Bass River, Mich	6.00
806320	Spencer, James F	Jasper, Mo	8.00
735344	Sheets, Jeremiah	York Springs, Pa	6.00
777912	Schuebel, August	449 Central ave., Cincinnati, Ohio	8.00
654391	Saddler, William G	Juniata, Nebr	6.00
513982	Salmons, James R	509 S. Fourth st., St. Joseph, Mo	12.00
536714	Sanderson, James	Newton, Iowa	6.00
701434	Sandow, James	150 Beaver st., Hyde Park, Mass	6.00
584240	Sanders, Louis	912 Mulberry street, Station A, Kansas City, Mo.	6.00
662048	Sanders, Thomas H	Clinton, Mo	6.00
672585	Sanders, Gilbert	438 N. Mill street, Lexington, Ky	8.00
577096	Sanders, Austin	1627 Mason street, Springfield, Ill.	8.00
707383	Sargent, Milton	12 Church street, Lynn, Mass	8.00
515522	Saul, Michael	Soldiers' Home, Minnehaha, Minn.	8.00
597084	Sawyer, William	Toledo, Ohio	6.00
602823	Saxton, Daniel	Willoughby, Ohio	6.00
750586	Scheets, Christopher	Toledo, Ohio	8.00
612474	Schermeyer, Friedrich	72 McMicker ave., Cincinnati, Ohio.	6.00
710469	Schickley, Nicholas	North Attleboro, Mass	6.00
522154	Schaab, John	Onekama, Mich	6.00
604025	Schmidt, August	Jerseyville, Ill	6.00
592250	Schmidt, Henry	29 Hunt street, Cincinnati, Ohio	8.00
667778	Scott, Rodnell	40 State street, Charleston, S. C	6.00
572279	Scott, John H	227 St. Paul st., Baltimore, Md	6.00
784939	Sechrist, Daniel G	Akron, Ohio	8.00
543309	Sechon, Toby	Philips, Fla	8.00
517211	Sedgwick, Theodore H	918 N. Second st., Clinton, Iowa	12.00
352481	Seely, Luke D	352 Montgomery street, Syracuse, N. Y.	12.00
575708	Seitz, Stephen	Hanover Junction, Pa	6.00
610272	Seldomridge, Joseph	Lulan, Ohio	6.00
748242	Senior, Joseph	Mount Washington, Ohio	8.00
662882	Serrine, Elisha A	8 Spring street, Danbury, Conn	6.00
549965	Settles, Alexander	Carbondale, Ill	8.00
523085	Sexton, Greenberry	Garner, Ky	12.00
780570	Shaffer, Charles	Hanlin, Pa	6.00
754953	Shaffer, David S	Tyrone, Pa	6.00
515237	Shaft, Gilbert C	Oxford, Mich	8.00
831320	Sharpe, Henry S	Ocean street, Pawtucket, R. I	6.00
512132	Sharkey, Thomas	24 Louis street, Chelsea, Mass	8.00
750636	Shear, Jno. O	Kingwood, W. Va	8.00
572253	Sherman, Jacob	Kenton, Ohio	8.00
765200	Sherman, Charles	Shepherdstown, Pa	6.00
585598	Shepherd, James	Cincinnati, Ohio	6.00
533456	Sherrod, Charles	Incka, Miss	6.00
502075	Shields, Meddy W	Spring Place, Ga	6.00
514697	Shields, Amos M	Nabb, Ind	6.00
521809	Shinn, William B	Jamison, Iowa	12.00
555853	Shobe, Franklin	4303 Moffit avenue, St. Louis, Mo.	6.00
749242	Sholand, Wm	Constance, Ky	6.00
624723	Shriver, Nova Z	Altamont, Kans	6.00
512756	Shuff, James	Ashland, Ky	12.00
511760	Shue, Charles S	Constant, Kans	12.00
511738	Shunk, John C	Millheim, Pa	12.00
709238	Shuler, Alfred	Columbus, Ohio	6.00
761583	Siegel, Mathew	Cincinnati, Ohio	6.00
506779	Simpson, George	Brookville, Pa	8.00
729129	Simpson, Shebrick	New Castle, Pa	8.00
604014	Simmons, John S	57 Atlantic ave., Jersey City, N. J.	6.00
510669	Sims, John C	Birmingham, Mo	6.00
583332	Sims, Cube	Pine Bluff, Ark	8.00
661455	Singleton, Jefferson	Fayette, Miss	6.00
631282	Sinsel, Henry	Clarence, N. Y	6.00
699085	Sirles, Charles	1740 Lexington avenue, New York, N. Y.	6.00
512743	Skidmore, William H	Las Cruces, N. Mex	12.00
613593	Slider, Charles C	Brightwood, Ind	8.00
569755	Smith, William H	Topeka, Kans	6.00
693662	Sweatland, Lafayette	Ithaca, Mich	6.00
831371	Sweetland, Oscar A	KingsbridgeRoad, NewYork, N.Y.	6.00
512760	Siviler, Hiram	Rest, Kans	12.00
651561	Summers, George W	Muncie, Ind	8.00
814639	Sullivan, Dennis	Horton, Mich	6.00
805423	Strong, Charles, alias William Clark.	112 Third street, Bay City, Mich	8.00
706408	Study, John P	Tomstown, Pa	6.00
779917	Strout, William T	Denver, Colo	6.00
713065	Strong, Calvin L	East Hampden, Mass	6.00
756986	Strickland, Thomas A	Brighton, N. Y	6.00
684233	Stone, Crispen M	Jefferson, W. Va	6.00
515291	Stone, James R	Brownfield, Me	8.00

Statement showing the certificate numbers, names, post-office addresses, and rates of pensioners because not ratably disabled, etc.—Continued.

Certificate Nos.	Names.	Post-office address.	Rate.
515295	Stobaugh, James W	Mendon, Mo	$6.00
733534	Stover, Hiram F	Topeka, Kans	6.00
749273	Stricksel, Nicholas	9 Florence st., Cincinnati, Ohio	8.00
682529	Stiles, William H	Smithfield, Mo	6.00
776052	Stewart, Samuel	Mercer, Pa	8.00
517833	Stewart, John	Coshocton, Ohio	12.00
661095	Stevens, John T	Roxbury, Mass	6.00
592520	Stevens, John P	Kilgore, Ky	8.00
696435	Stevens, James F	Chemung, N. Y	6.00
239646	Steele, Samuel L	Gridley, Kans	8.00
751261	Stefan, Karl	Malcom, N. Y	8.00
659080	Stearns, Edgar E	687 Washington street, Dorchester, Mass.	6.00
671908	Steckert, George	27 Malvern street, Newark, N. J	8.00
559009	Stebbins, Aaron D	Sherman, N. Y	6.00
600160	Stark, Elias	Shinnston, W. Va	6.00
509427	Starner, William A	Alga, Pa	8.00
801380	Starr, John W	Gilman, Ill	8.00
659088	Stanton, Charles H	Moravia, N. Y	6.00
517524	Stauter, Edward	Los Angeles, Cal	6.00
552730	Smith, James M	Lexington, Tenn	12.00
507676	Stace, Edwin A	Franklin, Ohio	12.00
507684	Stack, Morris	Doniphan, Mo	8.00
647979	Spyker, Daniel	Fairweather, Ill	8.00
550885	Springmeyer, Henry	4621 Oregon avenue, St. Louis, Mo	8.00
565961	Spitznas, Christian	Frostburg, Md	6.00
512395	Spencer, Andrew K	Henderson, W. Va	12.00
625815	Spencer, Jesse	Malto, Mo	8.00
519360	Spencer, Wayne	Kinsman, Ohio	6.00
508977	Spearman, David M	138 N. Pine st., Indianapolis, Ind	6.00
638042	Soule, Charles C	Corner Pierpont and Aborn streets, Peabody, Mass.	6.00
598211	Sommers, Phillip	1601 Fulton st., Evansville, Ind	8.00
551352	Snader, Wm. H. H	227 St. Paul st., Baltimore, Md	8.00
522926	Smiley, William	Marshfield, Mo	12.00
624703	Smith, Amos	Sheffield, Iowa	6.00
611237	Smith, Levin	Queen Anne, Md	8.00
604040	Smith, Peter	43 Campbell st., Lexington, Ky	8.00
699937	Smith, Nicholas	Shelbyville, Mo	8.00
544534	Smith, Walker	Lewistown, Pa	6.00
505578	Smith, Josiah W	Coleman, Mich	12.00
559362	Smith, George H	83 Johnson street, Lynn, Mass	8.00
650919	Smith, Daniel C	132 Lake View ave., Syracuse, N.Y.	6.00
513703	Smith Daniel	Good Hope, Md	8.00
572278	Smith Daniel	Parsonburg, Md	6.00
704509	Smith, John H	Lairdsville, Pa	6.00
675378	Smith, John	Cincinnati, Ohio	6.00
532025	Smith, James M	Blair, Nebr	8.00
507128	Smith, James	Leavenworth, Kans	12.00
766828	Smith, Joseph L	1509 Spruce street, St. Louis, Mo	6.00
693533	Simmons, John	321 Division street, Camden, N. J	6.00
718099	Smith, Samuel	1502 Lawrence st., Philadelphia, Pa.	6.00
566806	Stiles, George P	Manchester, N. J	6.00
601264	Sturgis, Francis O	678 W. Chestnut st., Lancaster, Pa.	6.00
531483	Sanders, Wm. H	194 Ohio street, Terre Haute, Ind	6.00
523705	Schlaseman, Jacob	Lebanon, Pa	12.00
519193	Shutt, Casper	Ravine, Pa	6.00
597025	Snyder, Frederick	1743 Watkins st., Philadelphia, Pa.	6.00
581699	Shealington, Isaac	Phœbus, Va	6.00
581011	Sutphen, William	Point Pleasant, N. J	6.00
507683	Schafer, Adolph	145 Grand street, New York, N.Y	4.00
716892	Straub, Anthony	424 Broadway, Camden, N. J	6.00
718941	Shay, Asbury	Lebanon, Pa	6.00
722828	Schrader, William	2509 Tulip st., Philadelphia, Pa	6.00
767465	Slocum, Peter	2434 N. Fifth st., Philadelphia, Pa	6.00
798915	Cisco, George W	516 Breaker street, Scranton, Pa	6.00
802943	Slack, David	Penns Park, Pa	8.00
697746	Stevenson, Joseph	2039 Auburn st., Philadelphia, Pa	8.00
648007	Shrom, Andrew	Martindale, Pa	6.00
1291746	Shipman, Saul	Sunbury, Pa	6.00
692103	Tear, Wallace	Keokuk, Iowa	8.00
552733	Thurston, William	Owensboro, Ky	6.00
592927	Tapper, William	861 N. Twenty-sixth st., Philadelphia, Pa.	6.00
736536	Thomas, William H	Jenkintown, Pa	8.00
632450	Titlow, Benjamin F	3115 Edgemont street, Philadelphia, Pa.	8.00
735417	Tuohey, Martin	Canandaigua, N. Y	6.00
509829	Trumbull, George F	Stillman Valley, Ill	8.00
495145	Truett, Simeon	Girdletree, Md	6.00
516372	Trotter, John	Kirkwood, Mo	12.00
660808	Troy, Edward	441 W. Thirteenth st, New York, N. Y.	8.00
757477	Trostle, Emanuel H	York Springs, Pa	6.00
541776	Trout, Andrew J	Parks Mills, Md	12.00
839084	Trembly, Cyprien	Las Vegas, N. Mex	8.00
533551	Townsend, Thomas W	Mount Vernon, Ky	8.00
609647	Todd, Thos. J	419 N. Front st., Baltimore, Md	8.00
782031	Todd, James P	Charleston, W. Va	8.00
703604	Tirrell, Eri W	50 Holyoke st., Springfield, Mass	8.00
522641	Tilton, John	New Vienna, Ohio	8.00
638132	Tiffany, Lyman H	Gordon, Kans	12.00
614402	Thurlow, Amos G	East st., Ipswich, Mass	6.00
597122	Teaning, Henry	Concordia, Mo	6.00
587209	Turner, Levi	1014 Freeman ave., Kansas City, Kans.	6.00
802504	Tooms, John J	Aurora Springs, Mo	6.00
623591	Temme, William	3918 N. 22d st., St. Louis, Mo	6.00
630229	Thornton, James M	Wanamaker, Mo	8.00
513124	Thorp, Caleb G	Valverde, Colo	8.00
517235	Thornton, Francis M	Letts, Iowa	8.00
543229	Thompson, Robert	Middleport, Ohio	6.00
630216	Thompson, Jacob H	Kentmen, Del	6.00

Statement showing the certificate numbers, names, post-office addresses, and rates of pensioners because not ratably disabled, etc.—Continued.

Certificate Nos.	Names.	Post-office address.	Rate.
714256	Thompson, Barney	85 Douglass st., Brooklyn, N. Y	$8.00
665347	Thompson, James	Custom-house, Boston, Mass	6.00
556668	Thompson, Moses	Etna, Pa	8.00
699127	Thomas, Frank	503 W. Olive st., Bloomington, Ill	8.00
539021	Thomas, Peter	108 N. Jefferson st., Lexington, Ky	8.00
514034	Tetrot, Octave	Ironwood, Mich	12.00
525232	Ternest, Anthony	National Military Home, Ohio	12.00
506906	Terrill, William F	22 Arthur street, Brockton, Mass	8.00
611350	Terrants, George F	45 Tulip st., Poughkeepsie, N. Y	6.00
609943	Tellman, Fritz	New Bremen, Ohio	6.00
634758	Taylor, Samuel	2133 Clark street, Chicago, Ill	6.00
660670	Taylor, Thos	227 St. Paul street, Baltimore, Md	8.00
585635	Taylor, Joseph R	Monmouth Junction, N. J	6.00
665325	Taylor, Cyrus F	Glendale, R. I	8.00
652188	Taylor, James G	26 Woodbridge st., Hartford, Conn	6.00
598240	Tolliver, Richard	Prices Hill, Cincinnati, Ohio	8.00
588033	Talbert, Leander	Milan, Mo	6.00
580364	Tomlinson, William M	1209 E. Lexington street, Baltimore, Md.	8.00
562395	Taylor, Jesse	Ionia, Mich	6.00
606476	Taylor, Joseph H	Frazer, Ky	12.00
604089	Thomas, Green	Cadiz, Ky	8.00
604113	Turner, John	Elizabeth City, N. C	6.00
808194	Tenoris, Jose Ignacio	Santa Fe, N. Mex	6.00
704534	Thomas, George W	Armiger, Md	6.00
611332	Thompson, Philip H	Fairlee, Md	6.00
349741	Terry, Arthur T	South Park, Ky	2.00
694040	Thompson, James	623 Penn alley, Baltimore, Md	6.00
800246	Thompson, William H	Smyrna, Del	8.00
671978	Tabler, William M	Martinsburg, W. Va	6.00
524709	Tolbert, Michael	Charlotte, Mich	12.00
611311	Thompson, Joseph	Newport, Del	8.00
794879	Ulrich, John	Watsontown, Pa	6.00
714275	Upsen, Henry C	Middlebury, Ohio	8.00
657180	Upshaw, Robert	Aspen Hill, Tenn	6.00
519218	Upham, Charles E	1533 Grand avenue, East Des Moines, Iowa.	6.00
515639	Ufer, John	1024 Superior street, Chippewa Falls, Wis.	10.00
621859	Underwood, Joseph C	Columbus, Ohio	8.00
799166	Vardeman, Ivie	Granby, Mo	8.00
772210	Vanripen, William T	Caldwell, N. J	6.00
665955	Vanover, Henry	Parkers Lake, Ky	6.00
536071	Van Orden, Andrew	Harrison Station, Soldiers' Home, New Jersey.	6.00
650945	Vanimens, Frank	Taylor Falls, Minn	6.00
807378	Vunk, Robert B	Albany, Oregon	6.00
820125	Vanskiver, Andrew J	Johnstown, N. Y	8.00
643702	Van Benschoten, Edw	360 W. Forty-eighth street, New York, N. Y.	6.00
516850	Van Buskirk, Eugene	Coxsackie, N. Y	8.00
633569	Van Cott, Alfred S	Shortsville, N. Y	6.00
642811	Van Deusen, John	Portlandville, N. Y	8.00
771276	Vance, Winfield S	Fort Loudon, Pa	6.00
594408	Van Ornum, John	Chester Depot, Vt	8.00
734048	Vansant, William, jr	Asbury Park, N. J	6.00
692520	Van Valkenburg, Lauren	Lexington, N. Y	6.00
533600	Van Wormer, Jacob	Danube, N. Y	8.00
830735	Valdez, Julian	Sapello, N. Mex	6.00
557888	Vincent, John	Vincennes, Ind	8.00
630322	Vinson, William H	Carrollton, Mo	6.00
737180	Virden, James H	Harbeson, Del	8.00
578689	Vork, John D	New Holland, Mich	6.00
715253	Vosburgh, Jacob	Farmers Valley, Nebr	8.00
540230	Wright, Henry E	Sloatsburg, N. Y	8.00
591381	Wright, George E	1033 Ninth street, Denver, Colo	6.00
729225	Woodside, David B	Mansfield, Ohio	8.00
512802	Woodson, James	Box 5, Pine Bluff, Ark	12.00
662171	Wood, John B	Wolf Mountain, N. C	6.00
821333	Woolery, Reuben	Iantha, Mo	6.00
566109	Wood, Joseph A	Munden, Kans	6.00
596325	Wood, Almon B	Chicago, Ohio	8.00
608706	Womer, Porter	Worth street, Reynoldsville, Pa	6.00
779030	Wolfe, Jerome B	Ada, Ohio	6.00
673847	Withey, Richard B	Box 61, Daversport, Mass	8.00
682578	Witherell, Benjamin S	78 West st., Northampton, Mass	8.00
625902	Withers, Andrew	310 Market st., St. Louis, Mo	6.00
700481	Wise, Frank, alias Franklin Vice.	223 Nineteenth st., Detroit, Mich	8.00
588110	Wise, John L	St. Thomas, Pa	6.00
613443	Wire, John	Plainfield, Pa	6.00
639627	Winter, Alfred	11 Taft street, Cincinnati, Ohio	6.00
548537	Winlock, Baylus	213 Farmer and South streets, Vicksburg, Miss.	10.00
632530	Winesburgh, Barney	Wolf Run, W. Va	6.00
662927	Winkelmeier, Henry	Union, Mo	8.00
515825	Wine, George W	136 James avenue, Columbus, Ohio	8.00
511327	Winchester, Henry C	Kingfisher, Okla	12.00
678618	Wilson, Isaac	21 Harrison st., Cincinnati, Ohio	8.00
644310	Wilson, Charles H	227 St. Paul st., Baltimore, Md	8.00
654433	Wilson, Joseph W	Stoneham, Mass	8.00
554771	Wilson, Irving	Corydon, Ky	6.00
662537	Wilson, Charles	1608 Franklin st., St. Louis, Mo	6.00
606559	Wilson, James	225 Courtland st., Baltimore, Md	6.00
624854	Wilson, William	Aurora Springs, Mo	6.00
751379	Wilson, John	641 Rosemorkel st., Englewood, Ill	6.00
531561	Willard, Alonza B	Sebec, Me	8.00
517255	Williamson, Warren	Center, Ohio	6.00
589255	Williams, Stafford	23 Dare street, Cleveland, Ohio	10.00
518953	Williams, Abraham	Indianapolis, Ind	12.00
753489	Wiley, William	Montauk avenue, near Belmont, Brooklyn, N. Y.	8.00
514049	Williams, Martin L	P. O. Box 444, Council Bluffs, Iowa	6.00
522401	Williams, David	Dover, Okla	12.00
633598	Williams, Hanson	650 W. Hoffman st., Baltimore, Md	6.00
551005	Williams, Francis	Snow Hill, N. C	6.00

Statement showing the certificate numbers, names, post-office addresses, and rates of pensioners because not ratably disabled, etc.—Continued

Certificate Nos.	Names.	Post-office address.	Rate.
593373	Williams, Zachariah	305 Bayou street, Mobile, Ala	$6.00
596249	Williams, William H	Chaseville, Ohio	6.00
528790	Williams, George F	Ottawa, Kans	8.00
756941	Wilkinson, Joseph E	Salamanca, N. Y	6.00
646725	Wilkinson, Frank D	Washington, Pa	6.00
542565	Wiley, Stanford	Oxford, Miss	6.00
521849	Wiles, William	1927 Lincoln ave., Washington, D.C.	12.00
681316	Wickersham, Charles I.	Rookery Building, Chicago, Ill	6.00
722279	Whitney, Joseph D	North Amherst, Mass	8.00
737745	Whitrock, John J. R	Bruce, Ill	8.00
544826	Whiting, Edward	803 W. Franklin st., Baltimore, Md.	6.00
713223	White, Lovinski	Ludlow Center, Mass	6.00
628383	White, Thomas	9½ University Place, New York, N. Y.	6.00
705519	White, Jeremiah	Long Branch, N. J	6.00
733140	White, Addison D	326 Central ave., Harrison, N. J	6.00
633588	White, Charles H	Hadley, Mass	6.00
632554	White, John W	Calls, W. Va	8.00
730899	White, John	Springfield, Ohio	6.00
751392	White, James	Mount Jackson, Pa	6.00
786706	Wheeler, Philip	Westport, Mo	6.00
618699	Westcott, Oscar	Benton Harbor, Mich	6.00
702233	Werner, Frederick	Edgar, Nebr	8.00
754543	Weising, John C	Thompsonville, Conn	8.00
692550	Weeks, Samuel T	Wichita, Kans	8.00
607558	Weeks, Charles	227 St. Paul street, Baltimore, Md.	8.00
667848	Webber, Jones	109 N. Eleventh st., St. Joseph, Mo.	8.00
548034	Webb, Sam	Evansville, Ind	6.00
531560	Webb, Minor M	Black River Falls, Wis	8.00
727546	Weaver, George	65 Jefferson st., Perth Amboy, N. J	6.00
515836	Waters, Charles R	Williamsville, Ill	6.00
714308	Waterman, Henry E	Hesperia, Mich	6.00
837263	Wasson, John	1317 C st. SW., Washington, D. C.	8.00
186843	Washington, Thomas	Shelbyville, Tenn	12.00
704584	Washington, George	664 S. Diamond st., Jacksonville, Ill	6.00
516174	Washington, George	Leavenworth, Kans	8.00
510088	Warburg, John G	141, corner Brown and Short Wilkinson streets, Dayton, Ohio.	12.00
577542	Wartenberg, Alexander	Winfield, W. Va	6.00
664886	Warren, Eli	Whitakers, N. C	6.00
607499	Warren, Martin V. B	Layton Post-office, N. Y	8.00
506935	Warner, Peter	Shiremanstown, Pa	6.00
689690	Walters, Thomas	160 Spruce street, Chelsea, Mass	6.00
672022	Walters, Jacob R	Findlay, Ohio	6.00
516179	Waltz, Andrew J	Jacksonville, Fla	8.00
699174	Walz, William	Madison street, Marshall, Mich	6.00
690876	Waltz, Anthony	Akron, Ohio	8.00
681297	Walden, James	Winton, N. C	6.00
657984	Wadkins, Albert J	Tarkiln, R. I	6.00
607573	Wades, Aaron	Versailles, Ky	8.00
661479	Williams, William	Beaufort, S. C	8.00
530414	Whitaker, Thomas	Rosedale, Miss	6.00
525813	Wood, Geo	New York State Soldiers and Sailors' Home, Bath, N. Y.	8.00
527766	White, James T	Snake Creek, Ala	6.00
595344	Whiteaker, John P	Mine la Motte, Mo	6.00
589275	Woodside, Robert N	Tolu, Ky	6.00
588776	White, Murry	Richmond, Ky	6.00
672647	Whitney, Jeremiah S	Wadhams Mills, N. Y	8.00
563201	Wheeler, Stephen	2211 Michigan ave., Kansas City, Mo.	10.00
561625	Worrall, Richard S	1051 Erie ave, Williamsport, Pa	12.00
557899	White, Levi	106 E. Breckenridge st., Louisville, Ky.	8.00
557301	Wolfe, Adam	338 Johnson st., Minneapolis, Minn.	6.00
556728	Weaver, John	Lenox, Mo	6.00
667839	Weinrich, Phillip	Higginsville, Mo	6.00
660068	Woodland, John H	Bishops Head, Md	6.00
629055	Warren, Andrew	Huntsville, Ala	8.00
634871	Wood, William B	Pine Plains, N. Y	6.00
836513	Webb, James L	New Hartford, Conn	6.00
819359	Wisdom, Richard	1438 S. Broad st., Philadelphia, Pa	6.00
604166	Walker, Isom	Pottersville, Mo	6.00
620270	Waples, Thomas	62 John street, Worcester, Mass	6.00
534639	Wood, George	Maysville, Ky	8.00
637987	Weston, Lester	Frisco, Okla	8.00
551007	White, James	Watson, Mo	8.00
560355	Wernick, Adam	Martins Ferry, Ohio	6.00
815327	Williams, Louis	Pacific, Mo	6.00
813285	Westcott, Samuel B	Hills Grove, R. I	6.00
505467	Williams, Henry A	National Military Home, Togus, Me.	12.00
676428	Williams, Amos W	Independence, Mo	6.00
650261	Wright, Stephen	1018 N. Wolf st., Baltimore, Md	6.00
520982	Walsh, John	Dufferin avenue, Quebec, Canada	6.00
619573	Wing, Charles T	Clinton, Mich	6.00
304836	Woodruff, Charles H	Hanbys Station, Ky	6.00
720219	Walsh, John	Blue Springs, Nebr	6.00
740109	Weaver, John W	North Baltimore, Ohio	6.00
573915	Williams, Geo. W	Upper Waterford, Vt	6.00
734692	Wright, William	77 Main street, Gloucester, Mass	8.00
685950	Walker, Paul	Mansura, La	8.00
629509	Wright, Charles M., alias Williams.	Burlington, N. J	6.00
686448	Warner, Joseph	Glen Allen, Miss	8.00
690457	Wabb, David W	Rock Lick, W. Va	6.00
692528	Winn, Coleman D	Weston, Oregon	6.00
709578	Wilbur, George N	Taunton, Mass	6.00
698398	Welch, Abner	Upper Black Eddy, Pa	8.00
306539	Wilson, Elijah	59 Rowan street, Danbury, Conn	6.00
674564	Wise, Augustus	Nassawadox, Va	6.00
579660	Woolfolk, Amos	Mortonsville, Ky	8.00
572383	Woods, John	Ripley, Tenn	6.00
685956	Wilson, Ezra	Poplar Bluff, Mo	8.00

Statement showing the certificate numbers, names, post-office addresses, and rates of pensioners because not ratably disabled, etc.—Continued.

Certificate Nos.	Names.	Post-office address.	Rate.
675443	Winchester, Isaac A	Hutchinson, Kans	$6.00
596293	Wood, Benjamin C	Williston, Ohio	6.00
681854	Wadel, Willis	Cottondale, Fla	6.00
645303	Worden, Solomon	Shandon, Cal	6.00
586517	Wilson, John A	Gatchelville, Pa	6.00
530098	Williams, Andrew M	Woodbury, N. J	6.00
520024	Wommer, John A	Myerstown, Pa	6.00
730895	Wiesler, William B	Rear 1539 Germantown avenue, Philadelphia, Pa.	8.00
752463	Whalen, James	3705 Aspen st., Philadelphia, Pa	6.00
694883	Watson, George W	Wrightsville, Pa	6.00
637338	Westcott, Daniel	Salem, N. J	6.00
634811	West, Adam W	Halifax, Pa	6.00
603028	Welch, Jacob	Joa, Pa	6.00
752484	Wolf, William	Pine Grove, Pa	8.00
719099	White, William	432 Cameron st., Harrisburg, Pa	6.00
679597	Weitknecht, James	Topton, Pa	8.00
634803	Walker, Louis	Delta, Pa	8.00
622500	Wray, Alexander	Sunbury, Pa	6.00
820545	Williams, Isaac R	108 S. Warren street, Trenton, N. J.	6.00
662951	Wentzel, Henry R	47 Walnut street, Pottstown, Pa	8.00
690069	Williams, Hampton	Robersonville, N. C	8.00
589265	Wise, John	Glenwood, W. Va	12.00
600924	Wellman, William F	Vineland, N. J	6.00
577597	Young, Horace	Flushing, Mich	8.00
511812	Young, John A	Soldiers' Home, Michigan	12.00
515409	Yescan, Frank	Breese, Ill	6.00
534698	Young, Charles H	Medway, N. Y	6.00
510742	Younce, Philip	Troy, Ohio	10.00
608745	Young, Geo. W	Litchfield, Ill	8.00
538184	Young, Robert	Puyallup, Wash	6.00
554798	Zinn, George	Breese, Ill	12.00
742195	Zippler, John H	Not known	6.00
747716	Zenz, John	Smyrna, Del	6.00
785030	Zeller, Theodore J	Ludlow Falls, Ohio	6.00

NAVY ACT OF JUNE 27, 1890.

13062	Brown, Wm	166 Larnard st., Detroit, Mich	$6.00
11862	Brown, Geo. H	2520 Fillmore st., Philadelphia, Pa	6.00
9011	Bolser, George	16 Sherman ave., Cincinnati, Ohio	6.00
9290	Chace, Thomas W	65 Hanover st., Providence, R. I	12.00
16668	Clay, Joseph	48 C st. NW., Washington, D. C	12.00
11573	Davis, Risden	618 S. Twelfth st., Philadelphia, Pa.	6.00
13660	Engle, Henry	Corner Hull and Bly sts., Philadelphia, Pa.	6.00
8803	Evans, John	Trenton, N. J	8.00
8712	Folsom, Benj., jr	12 Westminster st., Boston, Mass	6.00
11575	Henriques, Otto R	5 Osborn Place, Elizabeth, N. J	6.00
13309	Higgins, Hugh	Gilman, Ill	8.00
9163	Kingsland, James	22 Mechanic st., Morristown, N. J	6.00
10139	Marshall, Thomas T	1434 Pierce Place, Washington, D. C.	8.00
11014	Nippard, Geo. T	1724 E. Chase st., Baltimore, Md	12.00
8509	Nunes, William A	6 Matron Place, Boston, Mass	6.00
11542	Smith, Hugh	235 Varick st., Jersey City, N. J	6.00
10131	Wallace, William	Mount Holly Springs, Pa	8.00

Mr. CULLOM. The Democratic party has not been less profuse in its professions of sympathy and aid to the soldiers and sailors than has the Republican party. There has always been, however, this vital difference: That the Republicans voted pensions and national aid and have been ready at all times to appropriate every dollar required for carrying out the party's pledges to the Union veteran, while the Democrats have either been indifferent or a majority of them have voted against the pension legislation of this country.

In the campaign of 1864, when they wanted the soldier vote, the Democratic platform said:

Resolved, That the sympathy of the Democratic party is heartily and earnestly extended to the soldiers and sailors of our Army and Navy, who are and have been in the field and on the sea under the flag of our country, and, in the event of its attaining power, they will receive all the care, protection, and regard that the brave soldiers and sailors of the Republic have so nobly earned.

All this was well said, but it was, in the light of subsequent history, a hypocritical untruth.

This bill is for the payment of pensions to surviving soldiers and sailors, and to the widows and children of soldiers and sailors who took a solemn oath upon enlistment to support and maintain the Government of the United States. They enlisted to defend and support this nation, not to support and defend the State of Illinois or the State of New York, or any other State. And the taking of that oath, the mustering into service of two millions of loyal men, meant nothing more nor less than the preservation of the Union and the utter and eternal destruction of the theory of secession and State rights. And that thing those soldiers did. That thing is what we are paying these pensions for to-day.

Mr. President, it is about time to look about us and see where we stand—consider "where we are drifting."

The Constitution and the laws of the United States as they

have been interpreted by the highest authority, and their enforcement at the point of the sword and at the cannon's mouth, certainly meant something. If they meant anything they meant that when Gen. Lee gave his sword to Gen. Grant at Appomattox State rights was dead for all time. Its supporters had thrown down the gage of battle at Fort Sumter, and when they laid down their arms in 1865 the question was settled. And by that famous apple tree there was cast to the four winds the doctrine of secession, and the word nation took a more prominent place in our vocabulary.

We are voting a hundred and fifty millions a year now to pay the men and the widows and heirs of the men who strangled State's rights and gave us a nation and a flag.

I will take occasion to remark here in relation to the present situation in our country, growing out of a conflict between labor and capital, which has culminated in riot, destruction of property, and loss of life, that I am gratified to recognize by my voice the energy, courage, and patriotism of the President of the United States, supported by the law-abiding and liberty-loving men of the country without respect to party, in his efforts to enforce the laws and crush out all lawless attempts to interfere with the business of the National Government or with the commerce of the people among the several States. This is a Government of law; it is a free Government; but freedom does not mean the right to burn, destroy, to commit crime. The situation of affairs for the last ten days has produced great anxiety in the minds of every patriotic citizen of the Republic.

I deplore the fact that such lawlessness should occur anywhere in the land, and especially in the Commonwealth which I have the honor in part to represent. However violent and threatening the situation, I believe it will soon be over and peace and good order will resume sway.

Mr. President, the burdens of the National Government rest so lightly upon the shoulders of the people, and they so seldom have occasion to even witness its power that when it is called upon to use force in the execution of the laws, a question is raised as to its right to do so. Mr. President, the national authority is paramount on every inch of American soil in the enforcement of its laws. Congress passes laws. Until they are set aside by the courts or repealed it is the duty of the President to see that they are faithfully executed. He is not called to say by your leave to governors or anybody else. But, Mr. President, I will return to the original line of my remarks.

We of this side of the Chamber are constantly charged with fighting the war over again—with bringing up unpleasant reminiscences. What is the fact? Who is responsible for such things? Are not the pensions and the pensioners always with us? Who suspends and harrasses and annoys them? What party is it that avows constant loyalty to the soldier and seizes every opportunity to give two-thirds of its votes against them?

The Democratic management of the Pension Office has been characterized as a "two-cent" policy. It minimizes everything the soldier has done; questions what he says; and holds him up to make proof of unimportant technicalities. It postpones, delays, suspects, and hesitates. A prominent Republican in another place said recently that he did not think an apothecary's scale should be used in measuring the gratitude and thankfulness of this nation and of the American people to those who preserved the Republic and made possible its greatness and wealth. And he spoke truly.

In the Fifty-first Congress a Democratic Congressman (now governor of a great State) said in his place in the House:

> I give it as my deliberate judgment, I state it as a fact, that no people on earth, since governments were instituted among men, have been so despoiled and plundered in the name of patriotism and under the guise of pension laws as have been the people of the United States.

Mr. President, has the sum of $1,500,000,000, which this people have paid to the sick and wounded and crippled remnants of the struggle which saved the Union, rid the country of the cursed institution of slavery, and crushed State rights out of existence, been paid grudgingly by our people? Shall it be said that because a few human vultures may have profited from the money appropriated for a sacred purpose that therefore it is a system of spoliation and plunder? I despise and denounce such an assumption. And I glory in the sentiment which inspired the eloquent young Iowan [Mr. DOLLIVER] who said in reply:

> I could not repress a feeling of indignation as I listened to these odious charges and heard the necessities of the veterans sneered at by Democratic members on the floor of this Congress. And I say to the gentleman from Missouri, and to you gentlemen, that the need which stands in pathetic eloquence behind the pressing urgency of the demands of the old soldiers of the United States is no badge of dishonor.

But, Mr. President, I commenced these remarks mainly for the purpose of illustrating the fact that the Republican party is responsible for our entire system of pension legislation, and that any claim of the Democratic party for either credit or responsibility for it is untrue.

There have been a few Democrats who have occasionally disregarded the dictation of party leaders and have supported with discriminating liberality the interests of pensioners. There are some to-day, and in this Congress, who have indignantly rebuked the Department officials and the party managers for maintaining a policy of delay, annoyance, and trouble toward the pensioned soldiers. Gen. DANIEL E. SICKLES and Hon. WILLIAM S. HOLMAN, both now members of the House of Representatives, are shining examples of propriety upon this question, amid a rampant majority of unfriendly Democrats.

Mr. President, a few days ago the Secretary of the Interior, in reply to a resolution offered by myself and adopted by the Senate, transmitted to the Senate the following statement, showing that there is approximately $24,385,400 of the appropriation for the payment of pensions for the fiscal year ended June 30, 1894, still unused and unexpended in the Treasury of the United States.

Before I proceed further I desire to ask leave to insert this document, which is very brief, in the body of my remarks.

The PRESIDING OFFICER. Leave will be granted if there be no objection. The Chair hears none.

The document referred to is as follows:

DEPARTMENT OF THE INTERIOR, *Washington, June 22, 1894.*

SIR: I am in receipt of Senate resolution of the 20th instant—

"That the Secretary of the Interior be directed to inform the Senate what amount of the appropriation for the payment of pensions will remain unexpended at the close of the fiscal year 1894."

In response thereto I have the honor to transmit herewith a copy of a letter from the Commissioner of Pensions, to whom the matter was referred for report, containing the desired information.

Very respectfully,

HOKE SMITH, *Secretary.*

The PRESIDENT OF THE SENATE.

DEPARTMENT OF THE INTERIOR, BUREAU OF PENSIONS,
Washington, June 21, 1894.

SIR: I have the honor to acknowledge the receipt of a resolution of the Senate of the United States, dated June 20, 1894, as follows:

Resolved, That the Secretary of the Interior be directed to inform the Senate what amount of the appropriation for the payment of pensions will remain unexpended at the close of the fiscal year 1894.

In reply I have the honor to submit the following statement:

On the 20th day of June there was an unexpended balance remaining in the United States Treasury amounting to $23,485,000. It is estimated that of the credits now in the hands of the several United States pension agents, $900,000 will be covered into the United States Treasury at the close of the present fiscal year.

This amount ($900,000) is an approximate estimate for the reason that an exact statement can not be made of the amounts that will be paid for pensions during the remainder of the present month.

I am of the opinion, therefore, that the unexpended balance of the appropriation for the payment of pensions will approximate the sum of $24,385,000.

Very respectfully,

D. I. MURPHY,
Acting Commissioner.

The SECRETARY OF THE INTERIOR.

Mr. CULLOM. In this connection I submit an editorial from an Illinois journal:

> At the end of the fiscal year, last Saturday, the Pension Bureau covered into the United States Treasury $25,000,000 which was left unexpended of the pension appropriations for the last year. Instead of this money representing a saving, as the Democrats claim, it is blood money, every dollar of it; and if it could be possible to present to the public the story of the suffering which its unjust withholding from old soldiers in want, whose applications for pensions have been purposely unacted upon in order that this money might not be paid out, it would make even a Democrat blush for the Administration that could deliberately plan and carry out such a heartless and unpatriotic policy.
>
> There is another side of the question, too, that is likely to be heard from. What right has an executive bureau of the Government to refuse to carry out the law? Congress appropriated the money to pay pensions. Senator CULLOM offered a resolution, which was passed, instructing the Commissioner of Pensions to report to the Senate the amount of the pension appropriation that remained unexpended at the close of the fiscal year. When that report is received the Democrats may look out for some plain talk on their pension policy.—*Carlinville Republican.*

The fact that this immense sum, nearly twenty-five millions of dollars, has been withheld from the thousands of beneficiaries for whom it was intended, is not chargeable to the Commissioner of Pensions, nor to the Secretary of the Interior, but it is chargeable against the Democratic party, as a matter of party policy. The Democratic party has never passed a bounty law, nor a pension law for the pensioning of Union soldiers, unless it had coupled with it some provision which should principally benefit persons who had engaged in armed rebellion against the United States.

It has come to be regarded in the South as an obligation which can not be ignored or evaded, due from Senators and Representatives in Congress to their constituents, that they shall secure Federal offices for as many ex-Confederate officers and soldiers as possible. It is a matter of public knowledge, reported in the public prints, that a Democratic citizen of Arkansas, who desires to succeed in this body one of the honorable Senators from that State, gives as a valid and sufficient reason why the sitting Senator should be retired the statement that he has failed to recognize the just wants and demands of ex-Confederate officers and soldiers by having them appointed to fat and lucrative Federal places under this Administration.

This would not be regarded in some places as a very serious blunder, but when the Senator whose course has been thus challenged comes out publicly and in indignant denial of the charge, furnishes the names of a large number of rebel officers and soldiers for whom he has obtained places in Washington and elsewhere, it would seem to be conclusive proof of his loyalty to the lost cause for a generation after its funeral.

Can anyone doubt that in a Congress composed so largely of Democrats who thus recognize the obligations they owe to the memory of Jefferson Davis, there will be a general approval of the saving of $25,000,000 from the pension appropriation, which Governor Stone, of Missouri, claims "has been plundered and despoiled from the people in the name of patriotism under the guise of pension laws?"

Can anyone wonder, when they see this Democratic determination to harass and annoy and injure the surviving veterans of the Army of the United States, existing side by side with the policy of glorifying the efforts of those who strove to destroy the Union, that the pensioner's hopes fail within him and he cries out, "My country, why hast thou forsaken me?"

The Democratic management upon pensions, as upon almost every other question of public interest, is one of obstruction and destruction. The Democratic party casts a dark shadow upon the integrity and propriety of whatever it attempts to do. When it lays its hand upon an interest or touches a public measure, that interest is palsied or that measure is tainted. Its success at the polls in 1892 struck the business of the country as with a black frost.

In Hawaii it crawled in the dirt and pulled the flag with it. On the tariff its action, so far, has been so destructive that the industrial interests of the land have been swept as by fire. To the ballot stuffer and election thief it has offered a premium. And with all this, it proffers to the American soldier the cold victuals of the tramp and pauper.

Can it go further? Let the future answer.

Mr. President, I desire to comment a little upon the document I hold in my hand. It is a report from the Secretary of the Interior in response to a resolution passed by the Senate, and is made up of lists of persons who have been suspended and reinstated, or who have been suspended or reduced, or who are now being suspended, but whose cases apparently are not entirely disposed of, and also of those entirely dropped from the rolls.

I notice in looking over this document that the changes in the Pension Office have been conducted on a kind of cheese-paring business. Take, for instance, two pages of the document which I have before me. I find here twenty-one cases where pensioners were drawing $18 a month who have been reduced $1 each. It seems to me that that was a tremendous effort on the part of these numerous special agents, who have been traveling over the country and trying to find some fault with the pensioners and the pension system to hunt up all this vast number of persons, and while they are good soldiers, while they are entitled to pensions, to cut them off just a little, in order to make a record in behalf of the Democratic policy.

It seems to me, Mr. President, that is too small a business to be encouraged by anybody, and, least of all, by a great political organization. It seems to me, also, that it ought to be stopped. If there are any thieves drawing pensions, take their pensions away; but to go over the whole list, neighborhood by neighborhood, county by county, and State by State, all over the United States, examine every man and reduce his pension 50 cents, or 75 cents, or $1, or $2 in order to make a record, seems to me to be an outrage upon the soldiers themselves, which ought not to be tolerated by the party in power.

Mr. GALLINGER. Mr. President, I regret exceedingly that other imperative duties have prevented me from making as careful and comprehensive an examination of the present status of the pension question as I had intended to do. It is a question of vital importance to our people, and especially to the brave men who fought the battles of the Union, and whose shattered and rapidly depleting ranks tell the story of their sufferings and their sacrifices. They fought, and many of them died, in defense of the flag and the Constitution, and they and their dependents have a rightful claim upon the sympathy and protection of those who make and administer the laws of the country.

On the 4th day of September, 1893, I introduced a bill (S. 834) supplemental to the act of June 27, 1890, designed to protect those on the pension roll from the then announced purpose of the Democratic Administration to suspend and drop from the list many who were drawing pensions, such action to be taken under pretense of "purging the roll."

I ask permission to incorporate the bill in my remarks without reading it.

The PRESIDING OFFICER. Permission to do so will be granted if there be no objection. The Chair hears none.

The bill referred to is as follows:

A bill (S. 834) supplemental to an act entitled "An act granting pensions to soldiers and sailors who are incapacitated for the performance of manual labor, and providing for pensions to widows, minor children, and dependent parents," approved June 27, 1890, and for other purposes.

Be it enacted, etc., That in the administration of the act of June 27, 1890, by the Secretary of the Interior and the Commissioner of Pensions, and in the rating of pensions thereunder, all claimants showing a mental or physical disability of a permanent character, not the result of their own vicious habits, and which incapacitates them from the performance of manual labor, rendering them unable to earn a support from such manual labor, in such a degree as would be rated, under former laws and the rules and regulations of the Pension Office existing at the date of the passage of said act of June 27, 1890, at or above $6 per month, shall be rated proportionally in the same manner as like disabilities of service origin are proportionally rated; and all claimants showing a pensionable disability which, if of service origin, would be rated at or above $12 per month, shall be rated at $12 per month.

SEC. 2. That whenever, in consideration of pension claims under the act of June 27, 1890, the claimant has shown that he is disabled by more than one wound, injury, or disease pensionable under said act, the accumulated degree of disability arising from all of said separate disabilities shall be the measure of the rating of the pension granted as provided in the preceding section.

SEC. 3. That the Commissioner of Pensions shall have power, as heretofore, to establish at points most convenient for pensioners and applicants for pension examining boards of three surgeons each, for the examination of applicants for pension. In selecting the members for said board surgeons having had military or naval service in the Army or Navy of the United States shall be preferred for appointment as far as practicable: *Provided, however*, That such boards shall be constituted as far as practicable of surgeons who belong to different political parties.

SEC. 4. That whenever the certificate of a board of examining surgeons shall show that a claimant for pension under the act of June 27, 1890, is suffering from disabilities which, in their opinion, probably resulted from the vicious habits of the claimant, such case shall be placed in the hands of a special examiner of the Pension Bureau, who shall make an impartial examination into the facts of the case, at which special examination the claimant shall have full opportunity of being present, confronting and cross-examining the witnesses against him, and of introducing witnesses in his own behalf. When the report of the board of examining surgeons shall show that the disabilities found are, in their opinion, the result of causes not referable to the claimant's vicious habits, such disabilities shall be presumed to be resultant from pensionable causes.

SEC. 5. That except in case of established fraud, no pension shall be suspended, withheld, withdrawn, or reduced, except after ninety days' written notice served upon the pensioner, and a full and impartial hearing and investigation had upon sworn testimony: *Provided, however*, That the certificate of a duly appointed medical examining board may be used in evidence without the same being verified by the oaths of the members of such board signing the same.

Mr. GALLINGER. The effect of the enactment into law of section 1 of the above referred to measure will be to cause applicants for pension under the act of June 27, 1890, to be rated by analogy with equivalent disabilities and rates, in existence under the old or general law at the date of the passage of such act of June 27, 1890, and when upon examination an applicant for pension under the act of June 27, 1890, is found to be disabled in such a degree as would be rated under the old or general pension law and the rules and regulations of the Pension Office, at or above $6 per month, he will be rated proportionately as though his disabilities were incurred in the service, and as though he were making application for pension under the old or general law as contradistinguished from said act of June 27, 1890, and if his condition upon examination shows a pensionable disability which, if of service origin, would be rated at or above $12 per month, he would be rated at $12 per month, or the maximum rate under the said act.

This would be a departure from the present practice of the Pension Office, which requires that an applicant for pension under the act of June 27, 1890, should show such a condition of disability as would entitle him to $30 per month under the old or general law, in order to be entitled to the maximum rate of $12 per month allowed by the said act of June 27, 1890. Whereas under this provision he will receive $12 per month if under the old law he would for same disability be rated at any rate from $12 to $30 per month and for disabilities ratable at pensionable degrees less than $12 per month—proportionately from $12 down to $6 per month.

The effect of section 2 of said act would be to give the approval of the statute to a recent ruling of the Commissioner of Pensions to the effect that where upon examination an applicant for pension under the act of June 27, 1890, is found to be disabled by more than one wound, injury, or disease pensionable under the said act, the accumulated or sum total of the degree of disability arising from all of said separate disabilities shall be considered in fixing the measure or total of the rating of the pension granted. Thus, for example, if the degree of disability to give the maximum rate (or $12 per month under the said act) is fixed at twelve-eighteenths, and upon examination an applicant is found to be suffering from rheumatism and disease of kidneys, and is rated by the examining board at four-eighteenths for rheumatism and four-eighteenths for disease of kidneys, under section 2 of this proposed measure the Commissioner of Pensions would rate the said applicant eight-eighteenths, or $8 per month.

Under section 3 the Commissioner of Pensions will have the

power to establish boards of examining surgeons at various points convenient for pensioners and applicants for pension, and said section is designed merely to enact into law a custom which has prevailed in the Department for some time of making such boards nonpartisan, or of appointing at least one of the three members of said board from the party of the political faith opposite to that of the Administration so appointing. This, as before stated, has been the practice of the Pension Office to a considerable extent for some years past, and should be sanctioned by law.

The effect of section 5 will be to prevent the rejection of an application for pension upon the mere *obiter dicta* of an examining board upon the question as to the habits of the applicant. In the event that such examining board report as their judgment that the disabilities alleged by the applicant as ground for pension are the result of vicious habits upon his part, the applicant will be afforded an opportunity to rebut such opinion by the testimony of neighbors or fellow-workmen or of those having knowledge of his private life and character, by summoning said witnesses before a special examiner of the Pension Bureau, as is now the case in claims where doubt exists from any cause as to the merits. It also, when the certificate of examining surgeons does not show origin in vicious habits, raises the presumption in favor of claimant.

Section 5 prohibits the suspension, withdrawal, or reduction of a pension except after ninety days' written notice upon the pensioner and a full and impartial hearing and investigation upon sworn testimony, provided of course the pensioner desires to avail himself of this latter privilege. The enactment of this section of the act will prevent the wholesale suspension of pensioners and the calling upon them to establish by medical or other testimony the fact that they should not have been suspended, thus having the proof postdating the conviction instead of antedating it. The effect of the enactment of this section will confirm a pensioner's right to his pension and fix by law the steps necessary to be taken to deprive him thereof, as well as the logical order or sequence in which such steps must be taken, and giving him the right, in any case where it is alleged that he is no longer disabled, to be examined by an examining board to determine the question as to whether his disability has ceased in a pensionable degree.

If that bill, or one similar in terms, could be enacted into law it would greatly facilitate the just administration of the beneficent statute of June 27, 1890, and would prevent a repetition of the abuses which have marked the administration of pension legislation by the present Secretary of the Interior and the Commissioner of Pensions, but unfortunately the bill is quietly resting in a Democratic committee room, from which it will probably never emerge.

At the time that bill was introduced I addressed the Senate at some length, claiming (statute law and Department decisions being quoted to sustain my contention) that the Commissioner of Pensions had no legal right or authority to suspend or annul pensions except in cases where the element of fraud could be clearly shown.

Since that time the Commissioner has, I think, on several different occasions, informed the country as to the policy he proposed to pursue in dealing with the matter of suspending and dropping pensioners from the roll, but I am of opinion that no one can now possibly determine what the policy of the Pension Bureau is toward the defenders of the country, and especially toward those who were pensioned under the act of June 27, 1890. Certain it is that constantly since that time the old soldiers have been harshly dealt with, and thousands of them are now suffering for the small comforts that a continuance of the pensions granted under former Administrations would have brought to them.

The newspapers have recently informed us that the Commissioner of Pensions has issued an order modifying a prior order, and providing that hereafter no investigation shall be deemed necessary except in cases where fraud has been shown. That is precisely what I contended for nearly one year ago, but during the time that has elapsed thousands of pensions have been suspended without adequate cause, and much needless suffering has thus been inflicted upon the soldiers. It is said that the new order will cause the return to the files of a large number of cases now under investigation—indeed it is estimated that many thousands will be called in. The claim is made that the order was promulgated in the interest of better business methods, and I venture to express the hope that at last some measure of justice is to be done the soldiers in this regard.

This whole business of suspending pensions except in cases where fraud manifestly existed has been utterly cruel and unjustifiable. Why, if a man steals we give him a fair trial, furnish him with counsel, provide him with every opportunity to establish his innocence, and punish him only after his guilt is fully established. If he commits murder, we try him with great deliberation, throw the whole burden of proof upon the Government, and give him the chance for appeal after appeal. But the Pension Bureau treats these battered old veterans more harshly than we treat thieves and murderers. Without trial, without warning, without even a charge, it has suspended the weakest and most helpless of them by the thousand, and required them to make good their claims by the collection of fresh evidence, a task necessarily made more difficult with the lapse of every year. And then the editors of Democratic newspapers speak of the proceeding with complacency and praise, and deprecate all criticism of it. Is it surprising that some of these shattered old men, bewildered by their disasters, have taken their own lives, while others have gone crazy and others still have sought the almshouse?

Recently a Democratic newspaper of this city published the following:

> The attacks on Commissioner Lochren show that the pension shark is still a power at Washington, but the people know very well that when pensions are costing over $150,000,000 a year at least a third of it represents robbery.

That is the solemn utterance of a Democratic newspaper at the capital of the nation, and from similar utterances from other sources it may fairly be taken as the opinion of the Democratic party. The charge is that at least one-third of all the pensioners on the rolls are frauds, not entitled to any pension at all; that is, one in three, three in every nine, five in every fifteen, eight in every twenty-four, thirty-three in every hundred represent robbery of the Government and the people, and that of the $150,000,000 and over of money paid to pensioners, at least one-third of it, or over $50,000,000 annually, is stolen outright. This is the deliberate statement of a newspaper in the city of Washington. Of course it is a base lie and libel, but it is nevertheless a common Democratic charge against the pensioners, and shows the Democratic opinion of them.

As bearing on the administration of the Pension Bureau since the incoming of Mr. Cleveland's second term, I beg to direct attention to a recent letter from the Commissioner of Pensions in response to a Senate resolution of April 14, 1894, to which the Senator from Illinois [Mr. CULLOM] has adverted. It is a remarkably instructive document, and I regret that it is too voluminous to be inserted entire in my remarks. From it we learn that the number dropped from the roll by Commissioner Lochren is 2,671, the number reduced 3,014, the number reinstated at former rate 9,509, and the number still suspended, 326.

Thus it appears that the number of cases adjudicated and allowed by former Commissioners which the present Commissioner saw fit to suspend and investigate, aggregates 15,520. Out of this number 9,509 were restored to the roll after investigation, and 2,671 were permanently dropped. It is especially interesting to note the mighty work done by this reform Administration in the matter of reducing pensions. After expending much time and money, and putting the old soldiers to great annoyance and inconvenience, hundreds of cases are reduced from $8 to $6, and many others from $12 to $10 and $8. In some instances reductions have been made from $8 to $4, in others from $6 to $4, and occasionally from $6, $8, or $12 to $2. Those reductions were made in pensions granted under the act of June 27, 1890. Under the general law the reductions were more sweeping, and a considerable saving of expenditure was made. Many cases have been reduced from $72 to $50 and $30, while I notice one reduced from $72 to $17. Another case is reduced from $50 to $4, and still another from $16 to $2. Several are reduced from $31.25 to $30, and others from $18 to $17, showing the nice discrimination that this reform Administration practices when it focuses its mighty intellect on the question of reversing the action of some former Administration on the pension question. But why spend time in analyzing these figures? To my mind it is a record that no political party can feel proud of, and beyond a peradventure it will prove to be a serious matter to those who are responsible for it.

It is to me a matter of regret that this record has been made in a bureau presided over by an old soldier. Commissioner Lochren was a brave and patriotic soldier. His administration of the Pension bureau in all other respects is most admirable. This is the one blot upon an otherwise honorable and commendable record. How is it to be accounted for?

Mr. President, it should constantly be borne in mind that Commissioner Lochren is subordinate to the Secretary of the Interior and to the President of the United States. He is but an administrative officer, subject to their superior authority. The record of discharges of old soldiers from the Interior Department, to make places for callow youths from the State of Georgia, shows the estimation in which the veteran element is

held by the Secretary of the Interior. "The old soldier racket is about played out" has more than once been uttered in that Department, and tells the story of the outrages and wrongs that are being committed on men who helped to save the Government from overthrow.

But the chief agent and instrumentality of this wretched business is no less a person than the President of the United States. His hostility to the soldiers of the Republic has been shown over and over again. His coarse and brutal vetoes of innumerable private pension bills and his veto of the dependent pension bill are not forgotten by the American people. In his heart there seems to be no soft spot for the men who made it possible for him to be President of the United States. He has sneered at, slandered, and reviled the soldiers of the Union Army, and beyond a doubt his hand of authority and power is back of all this effort to disturb the pension roll and to take from the pensioners that which they earned amid the strife and desolation of the battlefield.

And what, Mr. President, has been gained by all this disturbance and annoyance to the soldiers? A recent communication from the Acting Commissioner of Pensions, Mr. Murphy, tells us that $24,385,000 is to be saved from the last pension appropriation and covered into the Treasury of the United States; and Democratic newspapers boastingly announce that this is one of the grandest achievements of modern political history. These millions have been saved by dropping names from the rolls, by reducing others, by rejecting a large proportion of new cases, by postponing action on other meritorious claims, and by allowing minimum rates to those who have been admitted to pension.

That is the record and there is no escape from it. It is barely possible that the Republican party was too generous toward the men who fought the nation's battles, but even if so it was erring in a good cause. Statistics show that under Republican administrations eighty-three out of every one hundred cases adjudicated resulted in the granting of pensions, while seventeen out of every one hundred were rejected. Under Democratic administration of the same laws seventy-two out of every one hundred have been rejected, and only twenty-eight out of every one hundred have been allowed. The difference is so great as to be startlingly instructive, and I commend it to the consideration of both sides of this Chamber.

But we are told that nearly $25,000,000 have been "saved" to the Government in the last fiscal year in the administration of the pension laws. Thank Heaven the Republican party is not responsible for this saving. Think of it! Twenty-five million dollars taken from the old soldiers and their dependents; taken from the channels of commerce and trade, and restored to the coffers of this rich and powerful Government! There was a time, Mr. President, in the history of the Republic when this would not have been done; a time when all the revenues of the country would gladly have been given to the soldiers in pensions if they could have pledged themselves to save the Union and to bring back the flag without a star erased.

They fought the battles of the Republic, restored the Union, reëstablished our nationality, compelled obedience to our Constitution, and floated the flag over every section of our common country. Theirs was a mighty task, and right bravely did they perform it. It is too early to forget their heroism and their suffering, or to brand them, as they have been branded in certain quarters, as mercenaries and perjurers.

Beyond a doubt $25,000,000 have been saved to the Government, but think of the loss in respect for the nation and in patriotic admiration for our Government that must necessarily result. As the New York Press has well said, this so-called saving has been accomplished by a wicked warfare on the old soldiers, their widows and their orphans. It has been achieved by taking advantage of every loophole afforded by technicalities in the pension laws; by arbitrarily and unjustifiably suspending the pensions of thousands of brave veterans who depended upon their meager pittance for a livelihood; by making new and strained interpretations of the statutes, always against the pensioner, and by remorselessly cutting down or cutting off every pension for the reduction or the withholding of which hatred to the veteran could invent the shadow of a pretext.

The people want no "saving" effected by tarnishing the national honor, violating the plighted faith of the Republic, and robbing the men who gave their youth and their strength in defense of American unity and human freedom. The voters of the United States have decreed that an honorable provision should be made for those who served their country faithfully at the peril of their own lives. They have declared through the statutes enacted by their elected representatives that the widows and orphans of loyal veterans should be treated as wards of the nation. And they will inflict stern punishment at the polls upon the disloyal politicians and the unpatriotic party who are endeavoring to force the crippled Union soldier into pauperism and compel his children to beg their bread.

Not only in the matter of pensions, but also in the matter of employment, has the Union soldier fared badly under this Administration. In reference to that matter I am glad of an opportunity to quote the words of a brave Democratic soldier in defense of his comrades. At a recent reunion of the Third Army Corps, Gen. SICKLES, among other things, said:

> I think the atmosphere of Washington would be better if there were army corps reunions here oftener. Somewhat to my surprise since coming to Washington as a public man, one of my chief occupations has been to defend the defenders of the Union, and to keep them from being put out of what I consider their just positions. I had been in the city but a little while when a man came to me from the navy-yard, from which he said he had been discharged without cause. I examined his papers and found that he was one of my old men, who had been with me through twelve battles. I looked the matter up in the Department, and though there was nothing else against the old fellow, it was said that he had voted for Harrison at the last election. And I just said to the head of his Bureau: "As long as that man was with me during the war, and through all of those twelve battles, I never asked him what his politics was. And I think it is a little too late to commence now. To my mind, any man who has been through the Army or Navy and honorably discharged has a right to any politics he chooses, I don't care even if it is Coxeyism." That case was only the beginning of the work I have had to do, and since then I have been called upon to defend about three cases of the same sort each month.

In alluding to what Gen. SICKLES said, one of the most accomplished newspaper writers at the capital a few months ago wrote as follows to one of the leading papers of the country:

> Apropos to what Gen. SICKLES had to say, I have a case that is peculiarly painful to me to mention. On last Saturday a friend of mine, Maj. Ben Worrell, who in the war was an officer in a New Jersey regiment and lost a leg, shot himself through the heart on the steps of the Treasury Department. Up to January last he had been a clerk in the Department for nineteen years. Secretary Carlisle's son Logan, who is the Chief Clerk of the Department, discharged him to make room for a younger man, and one who had done some political service in the cause of Kentucky Democracy. Worrell tried to make a living in private life, but found he was fitted for nothing within his reach. In a moment of depression he ended his life. It is a very sad case.

Yes, Mr. President, that was a very sad case, and I am informed that it is one of nine suicides of old soldiers who have been dismissed from office by this Administration to make places for men most of whom know of the war of the rebellion simply as a matter of history. It is not only a sad, but a disgraceful record.

As bearing on the matter of employment of veterans in the public service, let me direct attention to a letter of the Secretary of the Interior, under date of May 28, 1894, in response to a Senate resolution, to which the Senator from Illinois [Mr. CULLOM] adverted in his speech. It is needless to say that no pretence is made in that Department to administer either the civil-service law in its spirit as regards the employés in general, or the statutory provision relating to the veteran soldiers. The former is shown by the fact that while in that Department 104 employés had been dismissed from the State of New York, 81 from Pennsylvania, and 74 from Ohio, only 6 were dismissed from Georgia; but when it came to appointments New York got 38, Pennsylvania 32, Ohio 33, and Georgia 106.

As regards the treatment of the old soldiers, the record is one of disgrace and shame. Of the 876 dismissals 185 were soldiers, while 130 more soldiers were reduced and 32 resigned by request, making a total of 347. On the other hand, only 46 soldiers were appointed and 70 received promotions. And what is true of the Interior Department applies to every other Department of the Government.

In the Department of Agriculture I am informed that the only two ex-soldiers there employed who had lost limbs in the service have been dismissed, while in the Weather Bureau 12 or 15 Union soldiers have shared the same fate.

In the Treasury Department the same process has been going on, dismissals and reductions of soldiers being the order of the day. As showing the iniquity of the system I quote from a letter in the Chicago Daily News from the pen of Hon. William E. Curtis:

> A singular incident occurred in one of the Departments. One of the oldest clerks, whose duties require long experience and technical skill, and who bears the honorable scars of a Union soldier, was called to the office of the chief clerk and asked to sign a letter that had been prepared for him. It was addressed to the head of the Department, and requested him to reduce the signer from the fourth grade, which pays $1,800 a year, to the first grade, which pays $1,200, ostensibly a voluntary surrender of one-third of his salary. The clerk declined to sign the letter, although he was told that such a measure was necessary to save him from dismissal. He responded with indignation that he had been in the Department twenty-seven years without reprimand, and that he would stand on his record. Later in the day he received his peremptory discharge, and carried it home with the air of a man who is willing to die, but not to surrender.
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> The next morning things had a different aspect. He is 60 years old. He had no property except the little house in which he lived, worth perhaps $6,000, and about $300 in the savings bank. There is no prospect of securing other employment, and he has six mouths to feed and six persons to clothe, including an invalid daughter, who requires constant medical attention. Another daughter is a widow entirely dependent upon him for support, with two little children.
>
> The old soldier surrendered. He sought a friend through whose inter-

cession he was able to have the dismissal recalled and secure a reinstatement at $1,000 a year. The clerk who takes his place at $1,800 is a young man from Georgia, unmarried, dissipated, and inexperienced. He came into the office about six months ago at a salary of $1,000, was made assistant to the old clerk, who tried to teach him his duty, but was unable to make much progress because of the young man's indifference and inattention. The latter spent most of the day telling his fellow-clerks of his flirtations and dissipations. The two clerks have now changed places. The young man is the head of the room and draws the $1,800 a year. The old man is his assistant and gets $1,000. The young man still tells of his flirtations and dissipations, and the old man does the work and thinks of his daughters and grandchildren at home.

But why prolong the recital. I have here a bundle of letters showing the hardships and wrongs imposed upon pensioners by the harsh rulings and illegal actions of the Pension Bureau. Of many of them I have personal knowledge, and know that the complaints are well founded. But I can do no more than call attention to the matter. The Government is in the hands of the Democratic party, and they must settle with the soldiers sooner or later, either by fair treatment in the Pension Bureau or at the ballot box. The men who fought to save the Government will fight for the preservation of their rights when the opportunity offers.

Mr. President, I do not know whether the appropriations carried in this bill are sufficient or not. They probably are, but I take it that it matters little whether they are adequate or inadequate. If they are not sufficient pensions can be suspended and reduced until the point is reached where the appropriations will cover the expenditures. It has been demonstrated that this can easily be done. Two hundred and fifty-one million dollars have been "saved," to use the language of our Democratic friends, in the past year. Very likely many millions will be "saved" out of this appropriation.

The record of the past year shows that the appropriation may be made as small as you please and the Secretary of the Interior and the Commissioner of Pensions will see to it that "the punishment is made to fit the crime." There is no difficulty in the way. "The old-soldier racket is about played out," according to the teachings of modern Democracy, and until the Republican party is again restored to power, the old soldier must fight his battles as best he can. It is hard and cruel, but party exigency and party folly have apparently decreed that it shall be so.

Mr. PALMER. Mr. President, I have given a good deal of attention to the subject of pensions. It seemed quite natural that when I came into the Senate that class of interests should be to some extent referred to me. I am the senior in age and in rank of members of the Senate who were in the Army of the Union. I commanded a great many troops during the war. I commanded a regiment, a brigade, a division, an army corps, a department. Until I took the command of a department in 1865 I had never performed sedentary duty of any kind whatever. I had been in the field constantly. My acquaintance among the volunteer officers and soldiers I suppose was quite as extensive as that of any other man in the country. I took a regiment into the field made up of my friends and the sons of my friends. My regiment was composed of one company from each of ten counties, counties in which I had practiced law for many years. Perhaps I knew more of the men who served with me than any other colonel who left Illinois knew of the men under him.

I feel that the claims of the soldiers to just and reasonable pensions are as well founded as are the claims of those who loaned or advanced money for the purposes of the Government. They have not the sanction of law until allowed, but they have the moral claim of those who suffered in consequence of their service, which is a claim of the very highest character. I have not at any time discovered a disposition on the part of any party in this country to evade the fair and just claims of the soldiers. On the contrary, I have found on both sides a remarkable disposition to run a race to get the good will of the old soldiers. I have heard Republicans say they are the friends of the soldier, and I have known Democrats to do their best to outvie them.

As an illustration of what I mean, I will state that when I came into the Senate I found a very active and efficient member of the Committee on Pensions, whose name I need not mention. I soon became acquainted with him, and one day I introduced by request a bill to remove the limitations of arrears of pensions. It was referred to the Committee on Pensions, I believe. When I went into the committee room this gentleman, who was not so old as I am, a stout, burly man, said, "Why did you introduce that bill?" I said, "I was asked to do it." He asked, "How much do you think it will cost?" I said, "A hundred million dollars." He said, "It will cost $200,000,000." I said, "The committee will dispose of it." "Dispose of it," said he; "it will go back into the Senate and you will have to vote for it." He went on then to name a number of Senators on both sides who would not only vote for it, but would make speeches in advocacy of it.

In fact, it has been a race among politicians as to which shall be the friend of the soldier. My colleague, for example, is a better friend of the soldier by a good deal than I am. It is true that when there was occasion for joining the society of the soldiers and putting on the uniform, my colleague would not do it. That reminds me of a story of a man who made a bet at a show. One man said that he could squeal more like a pig than the pig himself could. They put the man and the pig in a tent, and both squealed; and the judges gave the award against the pig. [Laughter.]

My colleague is ardently and passionately in love with the soldiers. If the old soldiers had any real grievance, there are men here who would mention their grievance, and they would point out where the grievance lies. I think my colleague has demonstrated his feelings. He spoke of Hawaii and the tariff. It seems not that he loves the soldiers so well, but he hates the Democrats worse. It furnishes a pretext for an attack upon the Democratic party.

It has been one of the misfortunes of this country that the question of proper pensions to soldiers has never received that deliberate care to which it is entitled and which it ought to have had. We have made it the subject of attack and complaint, and we have taunted each other in that direction.

But do Senators know who is the present Commissioner of Pensions? When I came to Washington after the accession of Mr. Cleveland, I went to him and said, "I feel more interest in the position of Commissioner of Pensions than I do in any other office at your gift." After the most careful examination, after canvassing many men my mind reverted to a distinguished soldier in the State of Minnesota. He went into the Army early. His rank was humble. He was present at Gettysburg. He went in a subordinate company officer, and amid the storm of that battle, when his regiment was practically annihilated, he came out at the head of the regiment. He is a lawyer, a judge, an upright, honest man, a true soldier who has demonstrated his devotion to his country by his share in the terrible battle of Gettysburg.

Does any man mean to intimate that he does not love his comrades, that he is sacrificing their rights? Does any man pretend that he has not given evidence of his devotion to his country and his comrades, which is unquestionable? Shall Senators who never heard a musket fired, unless it was an accident, assail the character of this eminent, brave man, this lawyer and judge, and charge him with being false to his comrades?

Mr. President, I gave his name, I referred to his service, and I will place William Lochren alongside the Senator from Illinois [Mr. CULLOM] and the Senator from New Hampshire [Mr. GALLINGER], and let the country judge which is most liable to be false or to be true to the brave men who took part in the war of the rebellion.

It is quite a common thing to abuse Mr. Smith, Secretary of the Interior. He is a young man, and I have no objection to people pitching into him. He seems to have a broad back, and I shall not take the trouble to defend him. He is an active, intelligent man. But does my colleague or the Senator from New Hampshire know of a single case where a pension has been improperly rejected? I pause for a reply. I have devoted very much time to the investigation of this question. I have known instances where claims I thought were improperly scrutinized. I do not object to scrutiny. I have gone to the Pension Office with personal testimony and with evidence I have collected demonstrating the justice of claims which were questioned.

I do not challenge the right of the Government to question the claim of anyone who makes an application for a pension. It is the right and the duty of the Government to do so. But I again ask, can either of those Senators put his finger on a single instance where a pension claim has been improperly rejected? If they can, then it will be time enough to speak and time enough to denounce this soldier, this true man, and charge him with being influenced by base prejudices against his comrades in arms.

I myself know of some cases where, in my judgment, the demands for proof were unnecessarily severe, but they have been met. I know of no cases, and I should be obliged to the Senator from New Hampshire or to my colleague if either of them will give me the name of a single soldier whose claim has been improperly rejected under the administration of William Lochren. I should be obliged to them for it, and I will pledge myself that it shall be investigated so fully that there shall not be room for doubt in respect to the rights of the pensioner.

Mr. GALLINGER. I do not care to go into a controversy of that kind, as I think it is unnecessary. But I can cite to the Senator from Illinois a great many cases where I think very great injustice has been done to the soldiers of my State. I think I can cite him to a case now. A man who for four years has not done one single hour's work, who was a soldier in the war for three years, who has the evidence of every prominent citizen in his own town, Democrat and Republican, and the affidavits of three physicians on file, has been asking for his pension. He is destitute, and is supported in part by the town. He

has been applying for a long time. The other day he was told that his pension was held up in order that inquiry might be made of his neighbors concerning his condition. That is but one of a great many cases which might be cited.

I will say, with the consent of the Senator from Illinois, because I should be very loath to unnecessarily take his time, that I made no attack upon Commissioner Lochren. I said not one word in derogation of his work. On the contrary, I said that the work of the Bureau was being admirably administered. But I did say that in my judgment his superior officers were to blame in these matters, and I believe that from the very bottom of my heart.

Mr. PALMER. That is the most serious assault upon the Commissioner of Pensions that has yet been made.

Mr. GALLINGER. I make it.

Mr. PALMER. It is an intimation that the Commissioner of Pensions would hold the pitiful office he has upon the condition of being unjust to his comrades. If that were true, and there were any improper influences brought to bear or attempted to be brought to bear upon the Commissioner of Pensions, the office would be thrown in the face of the superior who attempted it. Judge Lochren would not hold the office a moment if the condition was that he was to be unjust to his comrades. To imagine it is an insult.

Mr. GALLINGER. With the consent of the Senator from Illinois, I will state that this is the first time I have ever known that subordinate officers are not controlled by their superior officers in all these matters of administration. Nearly one year ago attention was called to the fact that thousands upon thousands of soldiers were suspended from the rolls without any charge being made against them, except such as came to the office by way of letter or something of that kind.

After ten or eleven months, after the soldiers had suffered torture such as only men who are in destitution can suffer, the Commissioner reversed that order for the better administration of his office, as it is stated. I wish to ask the Senator from Illinois if he does not think that very great injustice has been done in the matter by suspending their pensions and dropping the pensioners from the rolls arbitrarily, as has been done?

Mr. PALMER. I have no doubt in the world that injustice has been done by suspending their pensions. It was a mistake on the part of the Commissioner of Pensions—and not so much, either, on the part of the Commissioner of Pensions. I insisted that that was not the way to reach them. I think it was an improper attempt to investigate or to suspend before investigation. But that is no longer true. The restorations were made.

At the time of the accession of Mr. Cleveland to the Presidency there was throughout the country clamor against the administration of the Pension Bureau. I have been acquainted with most of the Commissioners of Pension. A distinguished citizen of my own State came into that office upon the accession of Mr. Cleveland after his first election. I know something of a Commissioner of Pensions who came from Indiana. I know that in Gen. Harrison's Administration, when the affairs of the Pension Office were conducted by Gen. Raum, the latter was assailed. I am satisfied he is an honest, manly man. I am satisfied that he was imposed upon in some instances. The administration of the Pension Bureau has sometimes been too liberal; there has been a sort of desire or effort to induce men to apply for pensions, and this miserable political feeling and the desire to get their votes have put upon the pension rolls some improper persons.

But I take it upon myself to say that, taking it on the whole, making all proper allowances for lapses of memory and mistakes, no law has been more faithfully administered than the pension laws. The administration of the present Commissioner is as honest, as manly, as true, and as much in the interest of the soldiers as that of any Administration which preceded it.

Mr. President, the only material question to me is whether there is money enough appropriated by the pending bill to pay the pensions. I should not administer the law more liberally than it is administered, but if I had my way I should amend the law, and I should make the pension system more comprehensive.

But the officer who is charged with the administration of the law must execute the law as it is. I repeat, that if I could find an instance, or could be told of an instance, where the Pension Commissioner has disregarded the rights of any single soldier, and has rejected any case that ought to be allowed, I should point it out to him—I should denounce it. But here we are met with the idea that the Republican party will, when they return to power, which is anticipated, I believe, administer the law with more liberality and benevolence. I suppose they will administer the law as it is, and not otherwise. I suppose the present Commissioner is administering the law as it is, and not otherwise.

But my colleague arraigns the Democratic party for many other things. He will have an opportunity of doing that hereafter. It is not material to me to defend the Democratic party on those points. I do not choose to waste time in that sort of skirmishing. I leave that to my colleague. His speech will go into the newspapers and do him good, I trust. When we meet on the hustings in Illinois and my colleague there charges that the pension laws are not properly administered, I shall ask him to give the name of any person, of any old soldier, whose claim William Lochren has improperly rejected; and I shall be satisfied with nothing else.

I shall not permit my comrade, this gallant man who went in at Gettysburg at the storm of battle, to be arraigned upon a mere intimation. I shall not permit it to be said again that William Lochren would hold an office under the Secretary of the Interior upon the condition that he should be unjust to his comrades. If either Mr. Smith or Mr. Cleveland has entertained ill feelings towards the soldiers, I shall not allow it to be said without contradiction that Judge Lochren has consented to be the minister of their base hates or their contemptible prejudices. It can not be so.

The pension law has been fairly administered, Mr. President. These investigations, as I said before, were commenced at a time when it was believed that there were many frauds on the pension law. There have been some reductions. I do not think much of them. But the pension appropriations are becoming less for another reason. The roll is being called daily, nightly. Every hour, every minute almost, the name of some of these veterans is called by a voice that will allow of no other answer than "here." There is no escape; the name is stricken off the roll of the soldiers of the country and placed upon a roll imperishable.

Mr. President, I am not disposed to consume time in the discussion of this question. All I meant to say was that this is unkind, unfair. This pension appropriation bill is one that makes provision for the benefit of these old soldiers. It ought to have been passed, as I think, without criticism except to suggest that it is too small or too lage; but it is no occasion for the exhibition of mere partisan prejudice and for the indulgence of mere party vituperation.

Mr. CULLOM. Mr. President, I am a little surprised at my colleague. He comes into the Senate as though he had suddenly wakened up and attacks me as having made all sorts of charges against the Commissioner of Pensions. If he had heard what I said entire he would not have made the charge. All that I have said that in any special degree reflected upon the Commissioner was the criticism I made, which appears in this document, his own report.

I ask my colleague whether he indorses the action of the Commissioner in every instance in reducing pensioners from $6 to $4, from $12 to $8, and from $18 to $17, and from $17 to $16.25? If he indorses him in that, he and I differ. I do not, and I do not believe my colleague does any more than I do.

I want to say to my colleague in addition that he himself has criticised in my hearing the action of the Administration in reference to pensions more than I have, either publicly or privately, and when he undertakes to lecture me upon what I have been doing and saying I have a right to retort upon him in the same spirit.

I have shown (and I defy my colleague to contradict it) that the policy of the Democratic party from the beginning in reference to pensions has been by a majority of the party in Congress to vote in almost every instance against every important pension bill, and I show the record and give the facts. Does my colleague dispute that? And I want to say to him that if he does not believe the laws are sufficient he is chairman of the Committee on Pensions and why does he not report a bill from that committee? That is all I have to say on that point.

My colleague comes in here with one of his old stories about the pig, and he undertakes to show in this case which is the pig. Well, my opinion is that he has proved that the pig is the man whom he said was not the pig in his story.

Referring to Mr. Lochren, I have made no unkind criticism of him whatever; but I have said (and my colleague can charge that I am bringing politics into this controversy or not, as he pleases) that the policy of the party, the Administration, the President, and all concerned, has been to stop the payment of such large amounts of pensions.

As an indication of it, when the first estimate was made the Commissioner of Pensions stated that $160,000,000 was required, but when the time came for passing the bill he had reduced it to $150,000,000; and if the policy should go on which the Administration has inaugurated in reducing pensions, as is shown

by this bill, he could have put it at $140,000,000 just as well, because there will be a surplus when this year ends, as there was $25,000,000 of surplus when the 30th of June came at the end of the last fiscal year.

It is very easy to say that we are for this bill. So am I for it. I said in the remarks I did make that I am for the bill; that I am for the appropriation of the estimate of the Commissioner. Does my colleague find any fault with that? I thought I was doing right in that. But the fault I find is that it is the policy of the party to reduce, reduce, reduce, as this document shows.

Mr. DOLPH. How many cases are recorded in that document?

Mr. CULLOM. There are 9,509 cases that were suspended in the first place. There was a wholesale suspension of pensions.

Mr. GALLINGER. They were restored, were they not?

Mr. CULLOM. They were restored.

Mr. GALLINGER. At their former rate.

Mr. CULLOM. But they were suddenly suspended. My colleague can not deny that he found fault with the Commissioner on account of that conduct. He did not believe that it was proper for the Commissioner or anybody else to suspend without notice 5,000 of the men who were drawing pensions.

Mr. DOLPH. I suppose they must have been dependent upon their pensions for their daily sustenance.

Mr. CULLOM. They were largely dependent upon their pensions for their daily sustenance. My colleague knows as well as I do that each of us received hundreds of letters appealing to us to get them back upon the rolls because they had nothing else to live upon. I appeal to my colleague now to know whether he does not condemn or did not condemn that policy upon the part of the Commissioner?

Mr. GALLINGER. If the Senator from Illinois will permit me, I will state that the entire number of suspensions, according to the document he has in his hands, is something over 15,000. Nine thousand and some odd of the 15,000, after having been tortured and annoyed and compelled to furnish other evidence than satisfied a former Commissioner of Pensions, have been restored at the old rate, and the other 6,000 have been variously taken care of. Some were dropped and some are now suspended.

Mr. CULLOM. There are 15,520 altogether, I believe, and that is what I complain of. My colleague feels very indignant and intimates that he will not allow anything of this sort to go on in the Senate without his condemnation. I believe I am a free man in the Senate, and I think I will venture to speak what I believe upon the pension question or any other without asking my colleague or anybody else.

Now, Mr. President, I do not care to take up the time of the Senate in further discussion. My purpose in the beginning, and that is all that I did, was to give a sort of historical account of the action of the two parties in the Congress of the United States from the time we began to pass pension laws, and I did it without any very severe criticism.

I simply gave the facts as they appear in the record; and then at the end I made a remark or two about this document. I say again, the policy of the Administration was not as I believe it ought to have been. My colleague may say if he chooses, "Oh, you were not in the war." Let me say I never undertook to palm myself off upon the country for anything I was not. I think I have the respect of the soldiers of my State about as much as my colleague or anybody else has, because they know I am a plain, blunt man, and say what I believe, and state what I think is the truth.

But I want to say as to the surplus of $25,000,000 that has been saved to the Government, if you please, by the Commissioner under the policy of the Administration, in my opinion a good deal of it at least ought to have gone to the people who have been pared off in the amount that they were to get, little by little, as the agents of the Department traveled around over the whole country examining into their cases.

If they had exercised the degree of liberality that in my judgment they ought to have exercised, there would not have been a surplus of twenty-five millions to turn into the Treasury. I believe in economy. I want to economize wherever we can consistently do so; but I do not believe in a system of economy which puts soldiers in the poorhouse and which results almost in starvation to those who do not go there, and who are dependent upon the mere pittance the Government gives them.

Mr. GALLINGER. Mr. President, we are somewhat accustomed, those of us who did not see service in the Army, to be lectured by the distinguished Senator from Illinois [Mr. PALMER] who was one of the bravest and grandest soldiers of the Republic. I do not know how it may have been in Illinois. In New Hampshire it was very necessary for some loyal men to stay at home and take care of the disloyal Democrats, who were almost in a majority in our State in 1860. I did some service in that line. I did not fight as the Senator from Illinois fought, but it is just possible that in certain ways I contributed my mite to the extent of my ability as loyally and as honestly to the country as he did.

If the Senator from Illinois had not got off his high horse and admitted, with a great deal of frankness and refreshing earnestness that there had been great wrongs done to the soldiers by the suspension of pensions I would have furnished the Senate with a large mass of testimony on that point, which I will not burden the RECORD with. However I do want to call attention to two or three cases. There is a case in my own State, where a man is paralyzed completely, who suffered a terrible injury in the service, and who, if he is alive to-day, can not live much longer, and yet his pension of $72 a month was cut off. He was refused that pension for months and months. He was cared for by the county. He became a public charge. I, myself, took the trouble to go 18 miles to visit him. I made a professional examination, and furnished a certificate concerning his most deplorable condition.

I will say that the Commissioner of Pensions, upon the evidence furnished, restored that man to the roll at the old rate; but think of the torture the poor man endured, and all the wrong that was committed against him in being dropped from the roll without one tittle of evidence to show he was not entitled to the pension he was drawing. That is one case of a great many in my own State which have come under my personal observation. I stand here to say (and I am glad the distinguished chairman of the Committee on Pensions corroborates what I say) that great injustice and wrong have been done to the soldiers during the present Administration in the matter of suspending arbitrarily the pensions that were granted to them by former Administrations upon sworn evidence satisfactory to the predecessors of the Commissioner.

I have here a letter from a poor old soldier out in Kansas, in the Soldiers' Home there, where he has been for fourteen months, having formerly been in the home in Virginia. He was notified through a comrade that his name was posted in the Soldiers' Home in Virginia and his pension was suspended. He had been in Kansas over a year; his pension checks had been sent to him at that point; and yet it was posted in Virginia that his pension had been suspended. He says he wrote two or three letters to the Commissioner and got no reply; that he marked them "Personal," but could not get any answer. After a time, upon entreaty from parties in the public service here, he was notified to go to Richmond, Va., for examination. He was at the Soldiers' Home in Kansas. That case may have been an oversight, but it ought never to have occurred. That man's pension ought never to have been suspended. He was restored to the roll at the old rate, but he was tormented, kept out of his pension for months, worried almost to death, writing letters here to comparative strangers, and begging them to do something for him.

Here is a letter from the Commissioner of Pensions; a very manly letter it is. In my own city a poor man who had done remarkably faithful service in the Army had been to Boston and had undergone a fearful surgical operation, not entirely successful. It was discontinued because if it had been continued to the end he would have died under the knife. He came home to find two days afterwards that his pension was suspended. A letter from his wife was written to me. I communicated it to the Pension Office. That man for weeks and months lying on a death bed, dying a few weeks afterwards, was kept out of his pension, worrying and wondering how he would get bread to support his daily needs.

I say the Commissioner of Pensions frankly acknowledged that a mistake had been made It is to his credit that he made that acknowledgement. He says that certain papers in the case were kept from him, or at least that his attention had not been called to them, that the man ought to be restored, and he was restored to his former rate of pension. A few weeks after his restoration he was again carried to Boston and died under the knife in the city hospital of that city. That pension ought never to have been taken from that man. It was a wicked and cruel thing, just as thousands of other suspended pensions have been wicked and cruel in the extreme. The Senator from Illinois [Mr. PALMER] is very anxious to have names. I do not care to give the name in that case. He can see the letter if he chooses to look at it, but I have no disposition to stir up strife unnecessarily.

I repeat to the Senator from Illinois that I made no unjust animadversions upon the Commissioner of Pensions. I think his suggestion that he is not influenced by his superior officers is one about which we can at least honestly differ.

Here is a letter signed Hale Gage from Townsend, Mass. Mr. Gage lives in that town. It shows that an increase of pension was awarded to Edmund O. Day, of Watertown, Mass., in October, 1893, and that Mr. Day died June 2, 1893.

I have in my committee room a letter from the Pension Bureau calling for further evidence in a pension case, saying that the case "is not fully proved," when the man had died ten days before the letter came from the Pension Bureau, and he died of diseases contracted in the Army, according to the evidence of his neighbors and the surgeons who attended him at the time of his return and afterwards.

Here is a case stated by John Jenkins, of 2307 Pacific street, Brooklyn, in which he says:

SIR: My brother was pensioned at $6 a month. He was unable to answer a notice from the Pension Bureau to "show cause," being too ill from the cause for which that pittance was allowed. The pension was suspended. At Chicago I received notice from the Bureau that my brother was not sufficiently disabled to entitle him to draw that amount. At that time my brother was dying of the complaint for which the pension was granted.

JOHN JENKINS.

2307 PACIFIC STREET, *Brooklyn.*

Here is another case:

CANANDAIGUA, N. Y., *August 18.*

John Shirley, a veteran of the war, who lives in Bristol, Ontario County, has had his pension cut off. He is totally disabled, and the small amount which the Government has been paying him has barely supported him. He had no other income. To prevent him from starving to death Shirley has been taken to the asylum at Ovid.

And here is another:

SIR: I have drawn $8 a month pension for three years, being totally disabled. I served three years in the Tenth Wisconsin Regiment, and never applied for a pension until crippled by age. I am 65. Two months ago Hoke Smith cut off my pension without cause and without explanation. I never knew it until the check failed to come. Then I wrote to the Secretary. After three weeks a reply came that my pension had been suspended. No cause was given. Is this fair? Is it lawful?

E. S. TALCOTT.

MERIDEN, *Conn.*

I presume it is the work of some clerk in the Bureau—I do not hold Commissioner Lochren responsible for these little matters—but here is a case where a claimant was asked to file a sworn statement, "showing when, where, and how he contracted senile debility." The Pension Bureau wanted him to file a sworn statement showing when, where, and how he contracted old age. His answer is a very good one, and I am going to read it. He says:

My age is 70; I can not say precisely when and where I contracted senile debility. It has come on quite gradually. I seemed free from it entirely at my birth; yet if I had not been born as far back as I was, I am sure I would not be suffering with it so seriously as now. The most eminent authorities are agreed that old age is of a permanent character, and I begin to feel certain that my chances of becoming younger are exceedingly slim.

They asked him to show that old age was not due to vicious habits.

In my case senile debility is not due to vicious habits; yet I have a habit of getting older each day. I have been infirm for the last ten years.

I presume that everything is being done in the Pension Office that can be done, and yet here is an answer from the Pension Bureau concerning a case that has been pending for years, a case concerning which I know quite considerable myself, and this poor soldier is told that "owing to the continuous accumulation of work in the special examination division, in which over 20,000 claims of various classes are now pending investigation, it is clearly impossible to approximate the date of final action on your claim."

I said nearly a year ago, in discussing the bill I then introduced, that it seemed to be the policy of the Pension Department instead of settling unsettled claims to unsettle settled claims. That has been the difficulty all through this administration of the Pension Bureau, and that is the reason why soldiers have a right to find fault with the administration of the bureau so far as they are concerned.

I have just one more word to say, and it is for the benefit of the distinguished Senator from Illinois [Mr. PALMER]. I wish to read an extract from a Democratic paper in his State, the Marion Press. I presume Marion is a town in Illinois, and there is no doubt it is a Democratic newspaper. The Marion Press says:

The Press desires to be fair, honest, and square in its dealings with all classes of people. It not only desires to be fair, but it is going to be, if it "takes the skin off" of somebody's carcass. So it publishes the following article in regard to the suspension of a deserving ex-soldier's pension. The article is a contribution from a private citizen to a Cairo paper. President Cleveland—

This Democratic paper says—

had better have a settlement with Hoke Smith and his Pension Commissioner, Col. Lochren, and appoint their successors. If things are to be carried on in this way until 1896 there will not be enough Democrats—Administration Democrats—

"Administration Democrats," this paper says. It qualifies the word "Democrats." That is the wing of the party, I think, to which my distinguished friend from Illinois belongs—

There will not be enough Democrats—Administration Democrats—left in Illinois to form a decent funeral procession. It is simply outrageous and a shame that worthy pensioners should be treated in this manner. But here is the article:

"Anciently, we are told, when a sacrifice is to be made, the flock from which the victim was to be selected was driven through a chute just large enough to admit one at a time. A man stood by and as one after another passed through the victim for the sacrifice was touched with a wand besmeared with paint, and thus 'spotted.' This was called 'passing under the rod.' So Pension Commissioner Lochren has corraled all the pensions under the law of June 27, 1890. And as the poor, trembling unfortunates are squirming through the Bureau chute the Commissioner stands by with wand in hand, and in ghoulish glee touches a victim now and then to serve as a sacrifice to the malice and spite entertained toward the ex-soldier for giving the 'patriots' such a sound thrashing some thirty years ago.

"The one spotted in Union County, Ill., was a corporal in Company I, Eighty-first Regiment Illinois Volunteers, and for bravery and other good qualities was detailed as a color guard (cowards, coffee coolers, thieves, and perjurers didn't get such places), the holder of certificate No. 515833, granted under the law of June 27, 1890, which allows $12 per month. On the 22d instant the rod touched him. His pension is suspended and he is modestly required to report before the board at Omaha, Nebr., only about 500 miles from his home. Of course there is nothing unreasonable about that, when we take into account that he has been under medical treatment constantly for four years, and has been able during that time to earn $16.10, about half the amount of the expenses of the trip prescribed by his honor, Mr. Lochren, and the further fact that he owns no property and has not a cent of income except what his little wife can earn by working extra hours.

Now, Mr. Lochren had as well have ordered him to go to the moon or to Jupiter. He could have gotten there as easily as to Omaha, Nebr. The animus of it all is to suspend someone's pension and then require of them impossibilities, and when they fail to comply, revoke their certificate and make their claim fraud. The long and short of it is, the cry has gone forth that there are one hundred thousand fraudulent pensions issued, and they must be found; fairly if they can, foully if they must. Mr. Lochren says that justice shall be done to all. But it seems to me that his declaration on the one hand and action on the other are as difficult to harmonize as to understand the philosophy of the Trinity or the immutability of the Godhead. We are forced to the painful conclusion that Col. Lochren is the monkey used by this Administration to claw hot chestnuts from burning embers.

Mr. President, I do not vouch for the authenticity of the statement made in that letter, but from what I know in multitudes of other cases, I have no doubt it is absolutely correct in every particular. When the Senator from Illinois goes home I hope he will take the editor of this Democratic newspaper into his keeping and administer as sound a drubbing to him as he did to his colleague and myself because we ventured to say that injustice in many respects had been done to the old soldiers of the Republic under the present reform Administration.

Mr. PALMER. Mr. President, I shall not trouble the editor of the newspaper by any notice whatever, but I am very much surprised that my friend from New Hampshire should bring that miserable story here and give it his indorsement. I can give the facts very briefly. Before I come to that, however, my colleague intimates that he is a free man. He is, beyond all doubt. All I have said to my colleague is that if he repeats these charges against Judge Lochren in Illinois I shall ask him for specifications, and I shall contradict them unless they are supported. It is his right to make the charges and my right to contradict them; and I presume we shall both exercise that right with perfect freedom.

I find by a memorandum I have in my hand, in the report of the Commissioner of Pensions, that there were in June, 1893, 966,012 pensioners. By the way, I take occasion to state to my colleague that I have criticised with the most perfect freedom the order suspending pensions. Perhaps it is not quite so delicate as it might be for my colleague to repeat our private conversation here, but I very distinctly avowed that I thought it was wrong, and I think so yet. I did not attribute it, however, to any hostility to soldiers. I suppose it was an attempt to ascertain the extent to which frauds had been practiced under the pension laws. But there were 9,509 pensioners suspended and restored at the same rates. There are now, or were at the date of this report, 273 suspended cases that had not been disposed of. There had been 3,014 pensions reduced, and there had been 2,411 dropped.

That is the history of this thing. Out of 966,000 this is the result of the investigation. It strikes me that that is not so remarkable. I am not familiar with the prior history of the operation of the pension laws, but those are the facts.

The Senator from New Hampshire and the Senator from Illinois in their assertions that the Pension Bureau has been unfriendly to soldiers, simply do them an injustice. I may say that I find men in all parties who grudge the amount of money that goes to pay pensions. A good many economical men think it is too much money to impose upon the people. A good many men, I think, feel that the pension system has been abused. I do not agree with them; but I will say (and with that I will conclude) that any attempt on the part of Republican politicians or Democratic politicians to make political capital out of our pension system is simply disgraceful. It is unstatesmanlike, and I have a good many other words on my tongue's end to characterize a thing which will at present remain unuttered. It is most disgraceful that the claims of these men and their services shall be made the shuttlecock to be bandied back and forward by politicians, by men who care nothing about them, but still are eager to get their votes and to persuade them that in some essential respect they love them better than anybody else.

The bill was reported to the Senate as amended, and the amendments were concurred in.

Mr. GALLINGER. I desire to offer an amendment to the first amendment adopted as in Committee of the Whole.

The PRESIDING OFFICER (Mr. FAULKNER in the chair). The Senator from New Hampshire desires to have the first amendment reserved.

Mr. GALLINGER. I desire to reserve that amendment.

The PRESIDING OFFICER. The amendment will be reserved. The question is on concurring in the other amendments made as in Committee of the Whole.

The amendments were concurred in.

Mr. GALLINGER. I submit an amendment to the first amendment made as in Committee of the Whole.

The PRESIDING OFFICER. The amendment of the Senator from New Hampshire to the amendment will be stated.

Mr. GALLINGER. I should like to have the amendment made as in Committee of the Whole read, and then the amendment which I propose, so that the matter may be understood by the Senator who has charge of the bill.

The PRESIDING OFFICER. The amendment made as in Committee of the Whole will first be stated.

The SECRETARY. On page 2, after line 6, the Senate as in Committee of the Whole inserted the following additional proviso:

And provided further, That so much of the act approved December 21, 1893, as provides that "any pension heretofore or that may hereafter be granted to any applicant shall be deemed and held by all officers of the United States to be a vested right in the grantee to that extent that payment thereof shall not be withheld or suspended until, after due notice to the grantee of not less than thirty days, the Commissioner of Pensions, after hearing all the evidence, shall decide to annul, vacate, modify, or set aside the decision upon which such pension was granted," shall not be held or construed to apply to any case where the pensioner is drawing more than one pension, or the title to the pension has ceased.

The PRESIDING OFFICER. The amendment submitted by the Senator from New Hampshire to the amendment will now be read.

The SECRETARY. It is proposed to add to the amendment the following:

And provided further, That this act shall not be so construed as to require the Commissioner of Pensions to annul, vacate, modify, or set aside upon a difference of opinion between said Commissioner and that of any previous Commissioner, any decision as to a rate of pension allowed upon the facts and evidence which constituted the basis of the original action.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from New Hampshire to the amendment made as in Committee of the Whole.

The amendment to the amendment was rejected.

The PRESIDING OFFICER. The question is on concurring in the amendment made as in Committee of the Whole.

The amendment was concurred in.

Mr. BRICE. The amount of appropriations made by this bill is $151,581,570; the amount of estimates made by the Department, $162,631,570; and the amount of appropriations made for the preceding fiscal year, ending June 30, 1894, $166,531,350.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

H. W. SHIPLEY.

Mr. BRICE obtained the floor.

Mr. MITCHELL of Oregon. I ask the Senator from Ohio to yield to me for the consideration of a private bill, which will take but a minute. I am sure there will be no discussion upon it.

Mr. BRICE. I yield to the Senator from Oregon, with the understanding that the bill will not lead to debate.

Mr. MITCHELL of Oregon. I ask unanimous consent for the present consideration of the bill (S. 120) for the relief of H. W. Shipley.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to pay to H. W. Shipley $2,487.38, in full compensation for work done and material furnished by him in excess of that required of him by his agreement with the Indian Bureau in the construction of a gristmill and sawmill at the Nez Perce Indian Agency, in the Territory of Idaho.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MILITARY ACADEMY APPROPRIATION BILL.

Mr. BRICE. I move that the Senate proceed to the consideration of House bill 5894, being the Military Academy appropriation bill.

The motion was agreed to; and the Senate, as in Committee of of the Whole, proceeded to consider the bill (H. R. 5894) making appropriations for the Military Academy for the fiscal year ending June 30, 1895.

The bill was reported from the Committee on Appropriations with amendments.

Mr. BRICE. I ask that the amendments of the committee be acted upon as they are reached in the reading of the bill.

The PRESIDING OFFICER. Such will be the order, in the absence of objection.

The Secretary proceeded to read the bill.

The first amendment was, on page 2, line 12, after the word "dollars," to insert:

And hereafter no graduate of the Military Academy shall be assigned or detailed to serve at said Academy as a professor, instructor, or assistant to either, within two years after his graduation, and so much of the act of June 30, 1882, as requires a longer service than two years for said assignments or details is hereby repealed.

The amendment was agreed to.

The next amendment was, on page 4, line 3, before the word "dollars," to strike out "forty-five" and insert "fifty-seven;" so as to make the clause read:

Clothing on discharge, $281.08; in all, $3,257.08.

The amendment was agreed to.

The next amendment was, on page 6, line 21, before the word "dollars," to strike out "ten" and insert "thirty," and in line 22, before the word "dollars," to strike out "two hundred and eighty" and insert "eight hundred and forty;" so as to make the clause read:

For extra pay of twenty-eight enlisted men of the cavalry detachment, employed on additional duty with the instruction battery of field artillery, United States Military Academy, at $30 each, $840.

The amendment was agreed to.

The next amendment was, on page 6, line 23, after the word "thousand," to strike out "one hundred and twenty," and insert "six hundred and eighty;" so as to make the clause read:

In all, $2,680.

The amendment was agreed to.

The next amendment was, on page 8, line 14, after the word "dollars," to insert:

Provided, That any of the foregoing sums for the department of chemistry, mineralogy, and geology not expended for the purposes named, may be used in fittings of the laboratory of the new academic building.

The amendment was agreed to.

The next amendment was, on page 9, line 11, after the word "dollars," to strike out "to be immediately available;" so as to make the clause read:

For models in flat and relief for second and third classes, $100.

The amendment was agreed to.

The next amendment was, on page 9, line 15, after the word "dollars," to strike out "to be immediately available;" so as to make the clause read:

For photographic material and apparatus, $150.

The amendment was agreed to.

The next amendment was, on page 9, line 17, after the word "dollars," to strike out "to be immediately available;" so as to make the clause read:

For ten prismatic compasses for reconnaissance work, at $15 each, $150.

The amendment was agreed to.

The next amendment was, on page 9, line 20, after the word "dollars," to strike out "to be immediately available;" so as to make the clause read:

For eighty reconnaissance boards, at $3.50 each, $280.

The amendment was agreed to.

The next amendment was, on page 9, in line 22, after the word "dollars," to strike out "to be immediately available;" so as to make the clause read:

For one case of drawing instruments, $75.

The amendment was agreed to.

The next amendment was, on page 9, line 25, after the word "dollars," to strike out "to be immediately available;" so as to make the clause read:

For twenty new drawing boards, at $2.50 each, $50.

The amendment was agreed to.

The next amendment was, on page 10, line 2, after the word "dollars," to strike out "to be immediately available;" so as to make the clause read:

For thirty new steel rulers, at $3 each, $90.

The amendment was agreed to.

The next amendment was, on page 10, line 16, after the word "dollars," to strike out "to be immediately available," and insert "in all, $350;" so as to make the clause read:

One typewriter and typewriting supplies, $100; in all, $350.

The amendment was agreed to.

The next amendment was, on page 14, line 14, before the word "thousand," to strike out "one" and insert "two;" so as to make the clause read:

For water pipe, plumbing, and repairs, $2,000.

The amendment was agreed to.

The next amendment was, on page 16, line 6, before the word

"dollars," to insert "five hundred;" so as to make the clause read:

For contingencies for Superintendent of the Academy, $1,500.

The amendment was agreed to.

The next amendment was, on page 17, to strike out lines 18 and 19, as follows:

For continuing the construction of one new reservoir, $25,000, to be immediately available.

And insert:

For cleaning and improving watersheds of reservoirs, removing the shallow flowage of reservoirs, raising, extending, repairing, and strengthening reservoir dams, and laying a new connection to the southern part of the reservation, $25,000.

Mr. BRICE. The committee recede from that amendment, and will allow the bill to remain as it originally stood when received from the House of Representatives.

The PRESIDING OFFICER. The amendment will be regarded as withdrawn.

Mr. BRICE. In that connection I wish to say that the amendment reported by the committee was drawn so as to conform to the estimate. After the bill had passed the House of Representatives and after the Senate amendment had been proposed, the Secretary of War addressed a communication to the Senate, which has been printed, and which I shall read. It is as follows:

WAR DEPARTMENT, *Washington, D. C., May 16, 1894.*

SIR: I have the honor to transmit herewith, for the information of the Senate Committee on Appropriations, copy of a communication from the Superintendent of the Military Academy, dated the 15th instant, inviting attention to the amendment as reported to the Senate, of the item for continuing the construction of one new reservoir, page 17, lines 18 to 24, of the Military Academy appropriation bill (H. R. 5894).

I concur in the recommendation of Col. Ernst that the item be restored to the shape in which it passed the House.

Very respectfully,

DANIEL S. LAMONT,
Secretary of War.

The PRESIDENT OF THE SENATE.

HEADQUARTERS UNITED STATES MILITARY ACADEMY,
West Point, N. Y., May 15, 1894.

SIR: I have the honor to invite attention to page 17, lines 18 to 24, of the Military Academy appropriation bill as it has just been reported to the Senate by the Committee on Appropriations.

As it passed the House the bill provided "for continuing the construction of one new reservoir, $25,000." It has been amended so as to provide "for cleaning and improving watersheds of reservoirs, removing the shallow flowage of reservoirs, raising, extending, repairing, and strengthening reservoir dams, and laying a new connection to the southern part of the reservation, $25,000," omitting any provision for the new reservoir.

At the time of submitting the regular annual estimates last summer the subject of the water supply and the site of the new reservoir provided in the current appropriation bill was undergoing careful study. The estimates contained an item for cleaning watersheds, etc., as provided in this amendment, but nothing additional for the new reservoir.

The result of the investigation then going on was to show that the cost of the new reservoir would largely exceed the amount then available, and that the amount which Congress would probably allow for water supply this year, understood to be $25,000, could more advantageously be applied to continuing the new reservoir than to cleaning watersheds, etc.

The matter was explained in my letters to the Adjutant-General, dated December 7, 1893, and to a member of the House Committee on Military Affairs, dated December 27, 1893, forwarded to him through the War Department. It was in accordance with these later recommendations that the bill was drawn as it passed the House.

I beg leave to suggest that the matter be brought to the attention of the Senate Committee, and that they be requested to restore the item if possible to the shape in which it passed the House.

Very respectfully, your obedient servant,

O. H. ERNST,
Colonel of Engineers, Superintendent.

The ADJUTANT-GENERAL, UNITED STATES ARMY,
Washington, D. C.

I now propose to allow the bill to stand in this respect as it was passed by the House of Representatives.

Mr. BATE. I think that ought to be done. I have been recently at West Point in an official capacity, and I know something about it. I think the committee amendment had better be receded from.

The PRESIDING OFFICER. The Chair understands that the committee amendment has been withdrawn. The reading of the bill will proceed.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 18, line 6, before the words "new reservoir," to strike out "said."

The amendment was agreed to.

The next amendment was, on page 19, line 19, after the word "available," to insert:

And the appropriation of $2,000 made by the act making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1894, for asphalt road and walk in front of and around the new gymnasium, is hereby made available for the construction of said road and walk of asphalt or other suitable material.

So as to make the clause read:

For furnishing and erecting in the natatorium of the gymnasium, in complete working order, six slate-lined compartments with six combination shower, spray, and needle baths, one gas heater, and one hot-water storage tank, $850, to be immediately available; and the appropriation of $2,000 made by the act making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1894, for asphalt road and walk in front of and around the new gymnasium, is hereby made available for the construction of said road and walk of asphalt or other suitable material.

The amendment was agreed to.

The next amendment was, on page 20, line 4, after the word "dollars," to strike out "to be immediately available;" so as to make the clause read:

For repairs, new machines, and fixtures for gymnasium, $300.

The amendment was agreed to.

The next amendment was, on page 20, line 6, after the word "dollars," to strike out "to be immediately available;" so as to make the clause read:

For new balls and pins, repairs to bowling alley, $150.

The amendment was agreed to.

The next amendment was, on page 20, line 15, after the word "dollars," to strike out "to be immediately available;" so as to make the clause read:

For general repairs to cadet barracks; for replacing partitions, racks, etc., in tenth division; for removing old baths from basement; for painting and repairing roof; for repairs to doors, locks, hinges, etc., and for flagging in area, $2,840.

The amendment was agreed to.

The next amendment was, on page 23, line 2, before the word "dollars," to strike out "one thousand" and insert "two thousand four hundred and sixty;" so as to make the clause read:

For new mangers and general repairs to interior of cavalry stables, $2,460, to be immediately available.

Mr. BRICE. I move to amend the amendment of the committee by striking out, in line 2, page 23, the words "to be immediately available."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 23, line 5, before the word "dollars," to insert "eight hundred;" so as to make the clause read:

For building a breast-high masonry wall on the east side of road from north gate to entrance of post cemetery, $1,800.

The amendment was agreed to.

The next amendment was, on page 23, line 8, after the word "dollars," to strike out "to be immediately available;" so as to make the clause read:

For new sewer from Rugertown to connect with new sewer from new soldiers' hospital to river, $2,800.

The amendment was agreed to.

The reading of the bill was continued to line 14, on page 23.

Mr. BRICE. I move to strike out the words "to be immediately available," after the word "dollars," in line 13, on page 23.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 24, line 2, before the word "hundred," to strike out "three" and insert "four;" so as to make the clause read:

For placing gas pipes and gas fixtures throughout the barracks of Company E, Battalion of Engineers, $400.

The amendment was agreed to.

The next amendment was, on page 24, after line 2, to insert:

For one steam road roller, $4,500.

The amendment was agreed to.

The next amendment was, on page 24, line 8, after the word "dollars," to strike out "to be immediately available;" so as to make the clause read:

For completing one platform for new 8-inch rifle, one platform for new 12-inch breech-loading mortar, and three front-pintle platforms in the seacoast battery, $1,966.

The amendment was agreed to.

The reading of the bill was concluded.

The bill was reported to the Senate as amended, and the amendments were concurred in.

Mr. BRICE. I think it is proper to state at this time that the total appropriations provided for in the bill are $401,283.08; the total estimates made to Congress were $463,183.58; and the total appropriations for the last fiscal year were $432,556.12.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

CANADIAN RIVER BRIDGE.

Mr. CULLOM. I ask unanimous consent for the present consideration of House bill 5601, a bridge bill, which the Senator from Missouri [Mr. VEST] would have called up if he had been in the Chamber.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 5601) to authorize the construction of a wagon and foot bridge across the South, or Main, Canadian River at or near the town of Noble, in Oklahoma Territory.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MINING CLAIMS.

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives disagreeing to the amendment of the Senate to the bill (H. R. 6558) to amend section 2324 of the Revised Statutes of the United States, relating to mining claims, and requesting a conference on the disagreeing votes of the two Houses thereon.

Mr. STEWART. I move that the Senate insist upon its amendment and accede to the request of the House of Representatives for a conference.

The motion was agreed to.

By unanimous consent, the Presiding Officer was authorized to appoint the conferees on the part of the Senate, and Mr. STEWART, Mr. BATE, and Mr. PALMER were appointed.

EXECUTIVE SESSION.

Mr. HARRIS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After 5 minutes spent in executive session, the doors were reopened, and (at 5 o'clock and 20 minutes p. m.) the Senate adjourned until to-morrow, Thursday, July 12, 1894, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate July 11, 1894.

POSTMASTERS.

Charles M. Furlow, jr., to be postmaster at Madison, in the county of Morgan and State of Georgia, in the place of John F. Boughton, whose commission will expire July 24, 1894.

John Winchester, to be postmaster at Pecatonia, in the county of Winnebago and State of Illinois, in the place of James A. Provost, whose commission will expire July 24, 1894.

J. F. McIntyre, to be postmaster at Odessa, in the county of Lafayette and State of Missouri, in the place of Christopher G. Gaston, whose commission will expire July 24, 1894.

N. Holmes Odell, to be postmaster at Tarrytown, in the county of Westchester and State of New York, in the place of James M. Requa, removed.

Reuben W. Wood, to be postmaster at Tottenville, in the county of Richmond and State of New York, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1893.

James Cary, to be postmaster at Berlin, in the county of Green Lake and State of Wisconsin, in place of Alfred L. Tucker, whose commission will expire July 17, 1894.

CONFIRMATIONS.

Executive nominations confirmed by the Senate July 11, 1894.

REGISTERS OF THE LAND OFFICE.

John W. Wehn, jr, of Wilber, Nebr., to be register of the land office at Alliance, Nebr.

James M. Barco, of Bronson, Fla., to be register of the land office at Gainesville, Fla.

POSTMASTER.

C. D. Broyles, to be postmaster at Dayton, in the county of Rhea and State of Tennessee.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *July 11, 1894.*

The House was called to order at 12 o'clock m., by Hon. JAMES KERR, Clerk of the House.

The CLERK. The Clerk is in receipt of the following communication from the Speaker:

SPEAKER'S ROOM, HOUSE OF REPRESENTATIVES,
Washington, D. C., July 10, 1894.

SIR: I am called home by sickness in my family. Hope to be able to return in a few days. It will be necessary to elect a Speaker *pro tempore*.

Very respectfully,

CHARLES F. CRISP.

Hon. JAMES KERR,
Clerk of the House of Representatives.

The CLERK. The first thing in order under the rules will be the election of a Speaker *pro tempore*. The gentleman from Mississippi.

Mr. CATCHINGS. I offer the following resolution.

The Clerk read as follows:

Resolved, That Hon JAMES D. RICHARDSON, a Representative from the State of Tennessee, be, and is hereby, elected Speaker *pro tempore* during the temporary absence of the Speaker.

The resolution was agreed to.

The CLERK. The gentleman from Tennessee, if he is present, will please come forward and take the chair.

Mr. RICHARDSON of Tennessee took the chair amid general applause.

The SPEAKER *pro tempore*. The House will be in order.

Prayer was offered by the Chaplain, Rev. E. B. BAGBY.

The Journal of yesterday's proceedings was read and approved.

NOTIFYING PRESIDENT AND SENATE OF ELECTION OF SPEAKER PRO TEMPORE.

Mr. CATCHINGS. Mr. Speaker, I offer the following resolution.

The Clerk read as follows:

Resolved, That the Clerk be directed to notify the President of the United States and the Senate that the House has elected Hon. JAMES D. RICHARDSON, a Representative from the State of Tennessee, as Speaker *pro tempore* during the temporary absence of the Speaker.

The resolution was agreed to.

LEAVE OF ABSENCE.

Mr. CATCHINGS. Mr. Speaker, I desire to ask leave of absence for my colleague, Mr. HOOKER, on account of sickness. I have just been advised that he is confined to his bed.

There was no objection, and it was so ordered.

SOUTHERN JUDICIAL DISTRICT OF MISSISSIPPI.

The SPEAKER *pro tempore* laid before the House the bill (H. R. 6447) fixing the term of the Federal district and circuit court for the southern judicial district of Mississippi to be held in Meridian, Miss., to include the counties named, with Senate amendments.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I move that the Senate amendments be concurred in.

The SPEAKER *pro tempore*. The gentleman from Mississippi moves to concur in the Senate amendments. The Clerk will first report the amendments.

The amendments were reported.

The SPEAKER *pro tempore*. The question is on the motion made by the gentleman from Mississippi. If there be no objection, the Chair will submit the question on the amendments in gross.

Mr RAY. Mr. Speaker, I want to make an inquiry of the gentleman, for information. Is that a bill that came from the Committee on the Judiciary to the House?

Mr. WILLIAMS of Mississippi. It came to the Committee on the Judiciary of the House, it passed the House, went to the Senate. The Senate has made certain amendments, by striking out certain counties which were put in this district.

Mr. RAY. I would like to know, before giving consent so far as I am concerned, whether you have conferred with all the Representatives from your State and it is satisfactory to them.

Mr. WILLIAMS of Mississippi. Yes, sir; I have conferred with them all, and in the House we struck out some counties at the request of some of them, and the balance of the bill was agreed to; and then the Senate has made certain other alterations.

Mr. RAY. These amendments make no change except in the boundaries and limit?

Mr. WILLIAMS of Mississippi. There are two amendments which the Senate adopted. One of them strikes out a couple of counties which were in my bill; another amendment strikes out a section of the bill.

Mr. RAY. What is that section?

Mr. BAILEY. I would suggest to the gentleman from New York that it is not a matter of unanimous consent, but a motion to concur in the Senate amendments to a House bill, which is in order.

Mr. WILLIAMS of Mississippi. I made the motion to concur.

Mr. RAY. I suppose it was in order; but I wanted to know something about it.

Mr. BAILEY. Oh, yes.

Mr. RAY. I did not want to make any controversy or any speech.

Mr. WILLIAMS of Mississippi. Section 10, which was stricken out by the Senate, is as follows:

That the United States shall not be at any expense in providing for a building or room for holding the terms of said court at Meridian.

Senator GEORGE, the senior Senator from Mississippi, told me the reason for doing that was the Federal Government has already appropriated for a building at Meridian, and as they had some idea that this might possibly conflict with the appropriation already made for that building (in which I did not agree with him), the section was stricken out. I make the motion to concur in the Senate amendments.

The SPEAKER *pro tempore*. Is there objection to voting on the amendments in gross? [After a pause.] The Chair hears none.

The amendments of the Senate were concurred in.

On motion of Mr. WILLIAMS of Mississippi, a motion to re-

consider the vote by which the Senate amendments were concurred in was laid on the table.

MINING CLAIMS.

The SPEAKER *pro tempore* laid before the House the bill (H. R. 6558) to amend section 2324 of the Revised Statutes of the United States, relating to mining claims.

The SPEAKER *pro tempore*. This bill has been returned from the Senate with an amendment.

Mr. WEADOCK. I move that the House nonconcur in the Senate amendment and request a conference on the disagreeing votes of the two Houses.

Mr. TRACEY. We would like to know the nature of the Senate amendment.

The SPEAKER *pro tempore*. The Clerk will report the amendment.

The Clerk read as follows:

On page 2, in lines 21 and 22 strike out the words "and the Second Congressional district of the State of Colorado."

Mr. TRACEY. I will ask the gentleman from Michigan [Mr. WEADOCK] whether he objects to the Senate amendment?

Mr. WEADOCK. We do.

The motion of Mr. WEADOCK was agreed to.

On motion of Mr. WEADOCK, a motion to reconsider the last vote was laid on the table.

The SPEAKER *pro tempore* announced the appointment of Mr. WEADOCK, Mr. TATE, and Mr. SHAW as conferees on the part of the House.

ST. PAUL, MINNEAPOLIS AND MANITOBA RAILWAY.

Mr. HALL of Minnesota. I ask unanimous consent for the present consideration of the bill which I ask the Clerk to read.

The Clerk read the bill (S. 1694) granting to the St. Paul, Minneapolis and Manitoba Railway Company the right of way through the White Earth, Leech Lake, Chippewa, and Fond du Lac Indian Reservations in the State of Minnesota.

There being no objection, the House proceeded to the consideration of the bill; which was ordered to a third reading, read the third time, and passed.

On motion of Mr. HALL of Minnesota, a motion to reconsider the vote by which the bill was passed was laid on the table.

MATHIAS PEDERSEN.

Mr. UPDEGRAFF. I ask unanimous consent for the present consideration of the bill (H. R. 5009) for the relief of Mathias Pedersen.

The bill was read.

The SPEAKER *pro tempore*. Is there objection to the present consideration of this bill?

Mr. DOCKERY. Let us have the report read.

Mr. SNODGRASS. I object.

REGISTER FOR SCHOONER BARGE ASTORIA.

Mr. CLANCY. I ask unanimous consent for the present consideration of the bill (H. R. 7197) to provide a register for the schooner barge Astoria.

The bill was read, as follows:

Be it enacted, etc., That the Commissioner of Navigation is hereby authorized and directed to cause the foreign-built ship Astoria, purchased and owned by George Grall and repaired in American ports and converted into a schooner barge, to be registered as a vessel of the United States.

Mr. PAYNE. I ask that the report be read.

The SPEAKER *pro tempore*. The report will be read, the right to object being reserved.

The report (by Mr. PIGOTT) was read, as follows:

The barge Astoria was built at Bath, in the State of Maine, sold to an English firm and registered under the British flag. In August, 1893, she was abandoned by her crew off the coast of the United States and picked up by some tugs from Charleston, S. C., and towed into Port Royal. The ship grounded on the bar there and became a wreck. She became a wreck only when she reached Port Royal. She was sold by the United States marshal; was purchased by an American citizen, and in March, 1894, was repaired in America and converted into a coal barge. The repairs cost $11,000. She had been purchased by the party who repaired her for only $1,300.

Considering all the facts, your committee report the bill admitting the vessel to American registry favorably, with the recommendation that it pass.

The SPEAKER *pro tempore*. Is there objection to the present consideration of this bill?

Mr. REED. Before consent is given, I wish to ask why this case does not come under the general law for the transfer of registry?

Mr. CLANCY. The Treasury Department has examined into this matter, and it has been found that a special act is necessary, because this vessel was a derelict previous to being wrecked. She was found at sea, outside the limit of American waters, was towed in, and afterward became a wreck.

Mr. COOMBS. The vessel was a derelict outside, as I understand.

Mr. CLANCY. I will repeat: She was picked up as a derelict, brought in, and then became a wreck.

Mr. REED. What would be the full value of the vessel when in proper condition?

Mr. CLANCY. The wreck sold for $1,300, and was repaired at an expense of $11,000.

Mr. REED. What does such a barge cost if built anew?

Mr. CLANCY. I have no knowledge of that matter. This vessel is now used as a coal barge for towing from Norfolk, Va., to New York.

Mr. BAKER of New Hampshire. She certainly has been repaired beyond the requirement of the law.

There being no objection, the House proceeded to the consideration of the bill; which was ordered to be engrossed for a third reading, was accordingly read the third time, and passed.

On motion of Mr. CLANCY, a motion to reconsider the vote by which the bill was passed was laid on the table.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed with amendments the bill (H. R. 7506) authorizing the county of Coconino, Territory of Arizona, to issue bonds for the construction of a county building at the county seat thereof; in which the concurrence of the House was requested.

PHILIP MILBAUHR.

Mr. BABCOCK. I ask unanimous consent for the present consideration of the bill (H. R. 4802) for the relief of Philip Milbauhr.

The bill was read.

Mr. BABCOCK. I ask for the reading of the report.

The SPEAKER *pro tempore*. The report will be read, subject to objection.

Mr. BYNUM. I object to the consideration of the bill.

BILOXI AND BACK BAY BRIDGE COMPANY.

Mr. STOCKDALE. I ask unanimous consent for the present consideration of the bill which I send to the desk.

The Clerk read the bill (H. R. 5478) to authorize the Biloxi and Back Bay Bridge Company to construct and maintain a bridge over that portion of the bay of Biloxi, in the State of Mississippi, known as Back Bay.

There being no objection, the House proceeded to the consideration of the bill.

An amendment reported by the committee, to insert the word "can" before the word "navigate" in line 4 of section 3, was read and agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. STOCKDALE, a motion to reconsider the vote by which the bill was passed was laid on the table.

ORDER OF BUSINESS.

Mr. LATIMER. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 6284) to prevent interference in the collection of State, county, and municipal taxes assessed against corporations and corporate property, and for other purposes.

The SPEAKER *pro tempore*. The bill will be read, after which the Chair will ask for objections.

The bill was read at length.

The SPEAKER *pro tempore*. Is there objection to the present consideration of the bill?

Mr. BARTLETT. I object.

Mr. DOCKERY and Mr. OUTHWAITE demanded the regular order.

The SPEAKER *pro tempore*. The regular order is the call of committees for reports.

BRIDGE ACROSS MISSOURI RIVER.

Mr. BARTLETT, from the Committee on Interstate and Foreign Commerce, reported back, with amendments, the bill (S. 1930) to authorize the construction of a bridge across the Missouri River at or near the city of Lexington, Mo.; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

FREE LIBRARY, WASHINGTON, D. C.

Mr. CADMUS, from the Committee on the District of Columbia, reported back the bill (H. R. 6642) to establish a free public and departmental library and reading rooms in the District of Columbia; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

SPECIAL ORDER FOR CONSIDERATION OF BILLS.

Mr. OUTHWAITE. Mr. Speaker, I am directed by the Committee on Rules to submit the report which I send to the desk.

The Clerk read as follows:

Resolved, That immediately upon the adoption of this order the Committee of the Whole be discharged from the consideration of House bill 121, and the same be considered in the House as in Committee of the Whole; that one hour's general debate be allowed, and then said bill shall be considered under the five-minutes' rule for amendment until the hour of 4:30 o'clock p. m., when the previous question shall be considered as ordered on pend-

ing amendments and the bill to its passage, when the vote shall be taken without delay or other motion.

That Thursday, the 12th instant, after the second morning hour, be assigned to the consideration of business reported by the Committee on Foreign Affairs.

This order not to interfere with the consideration of conference reports or revenue or appropriation bills.

Mr. OUTHWAITE. I demand the previous question on the adoption of the resolution.

The question was taken: and on a division (demanded by Mr. WILSON of Washington) there were—ayes 84, noes 3.

Mr. BABCOCK. No quorum.

Mr. OUTHWAITE. I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER *pro tempore* appointed Mr. OUTHWAITE and Mr. BABCOCK as tellers at the desk.

The question was taken; and there were—yeas 153, nays 52, answered "present" 8, not voting 138, as follows:

YEAS—153.

Alderson,	Cooper, Tex.	Hudson,	Pigott,
Alexander,	Cornish,	Hunter,	Reilly,
Allen,	Covert,	Ikirt,	Richards, Ohio.
Arnold,	Cox,	Izlar,	Richardson, Tenn.
Bailey,	Crawford,	Jones,	Ritchie,
Baker, Kans.	Davis,	Kyle,	Robbins,
Baldwin,	De Armond,	Lane,	Robertson, La.
Bartlett,	De Forest,	Lapham,	Ryan,
Barwig,	Denson,	Latimer,	Sayers,
Bell, Tex.	Dinsmore,	Layton,	Settle,
Berry,	Dockery,	Lester,	Shell,
Black, Ga.	Dunn,	Lockwood,	Sickles,
Black, Ill.	Dunphy,	Lynch,	Snodgrass,
Boatner,	Durborow,	Maddox,	Sorg,
Boen,	Ellis, Ky.	Maguire,	Sperry,
Branch,	English, N. J.	Mallory,	Springer,
Breckinridge, Ky.	Erdman,	Marshall,	Stone, Ky.
Bretz,	Fithian,	Martin, Ind.	Strait,
Brickner,	Forman,	McCreary, Ky.	Straus,
Brookshire,	Fyan,	McCulloch,	Talbert, S. C.
Bryan,	Goldzier,	McDearmon,	Talbott, Md.
Bynum,	Gorman,	McEttrick,	Tarsney,
Cabaniss,	Grady,	McGann,	Tate,
Cadmus,	Graham,	McKaig,	Terry,
Caminetti,	Gresham,	McLaurin,	Tracey,
Campbell,	Griffin,	McNagny,	Tucker,
Cannon, Cal.	Haines,	McRae,	Tyler,
Capehart,	Hall, Minn.	Morgan,	Updegraff,
Caruth,	Hall, Mo.	Ogden,	Warner,
Catchings,	Hammond,	O'Neil, Mass.	Weadock,
Causey,	Hare,	O'Neill, Mo.	Wells,
Clancy,	Harmer,	Outhwaite,	Wheeler, Ala.
Clark, Mo.	Harter,	Page,	Williams, Ill.
Cobb, Ala.	Hayes,	Paschal,	Williams, Miss.
Cobb, Mo.	Heard,	Patterson,	Wolverton,
Cockrell,	Henderson, N. C.	Pearson,	Woodard.
Coffeen,	Hendrix,	Pence,	
Coombs,	Hitt,	Pendleton, Tex.	
Cooper, Fla.	Holman,	Pendleton, W. Va.	

NAYS—52.

Adams, Pa.	Curtis, Kans.	Hopkins, Pa.	Perkins,
Aitken,	Curtis, N. Y.	Hull,	Pickler,
Avery,	Dalzell,	Johnson, N. Dak.	Ray,
Babcock,	Daniels,	Kem,	Russell, Conn.
Baker, N. H.	Dolliver,	Kiefer,	Shaw,
Bartholdt,	Draper,	Kilgore,	Smith,
Bingham,	Gillet, N. Y.	Lacey,	Stone, C. W.
Blair,	Grosvenor,	Lucas,	Stone, W. A.
Bowers, Cal.	Grow,	Marvin, N. Y.	Strong,
Brosius,	Hager,	Meiklejohn,	Thomas,
Bundy,	Hainer,	Mercer,	Van Voorhis, Ohio.
Cooper, Wis.	Hicks,	Murray,	Wilson, Ohio
Cousins,	Hopkins, Ill.	Northway,	Wilson, Wash.

ANSWERED "PRESENT"—8.

Broderick,	Enloe,	McCleary, Minn.	Storer,
Cannon, Ill.	Geissenhainer,	Powers,	Wright, Mass.

NOT VOTING—138.

Abbott,	Everett,	Magner,	Schermerhorn,
Adams, Ky.	Fielder,	Mahon,	Scranton,
Aldrich,	Fletcher,	Marsh,	Sherman,
Apsley,	Funk,	McAleer,	Sibley,
Bankhead,	Funston,	McCall,	Simpson,
Barnes,	Gardner,	McDannold,	Sipe,
Belden,	Gear,	McDowell,	Somers,
Bell, Colo.	Geary,	McKeighan,	Stallings,
Beltzhoover,	Gillett, Mass.	McMillin,	Stephenson,
Bland,	Goodnight,	Meredith,	Stevens,
Boutelle,	Grout,	Meyer,	Stockdale,
Bower, N. C.	Harris,	Milliken,	Swanson,
Breckinridge, Ark.	Hartman,	Money,	Sweet,
Brown,	Hatch,	Montgomery,	Tawney,
Bunn,	Haugen,	Moon,	Taylor, Ind.
Burnes,	Heiner,	Morse,	Taylor, Tenn.
Burrows,	Henderson, Ill.	Moses,	Turner, Ga.
Chickering,	Henderson, Iowa	Mutchler,	Turner, Va.
Childs,	Hepburn,	Neill,	Turpin,
Clarke, Ala.	Hermann,	Newlands,	Van Voorhis, N. Y.
Cockran,	Hines,	Oates,	Wadsworth,
Cogswell,	Hooker, Miss.	Payne,	Walker,
Conn,	Hooker, N. Y.	Paynter,	Wanger,
Cooper, Ind.	Houk,	Phillips,	Washington,
Crain,	Hulick,	Post,	Waugh,
Culberson,	Hutcheson,	Price,	Wever,
Cummings,	Johnson, Ind.	Quigg,	Wheeler, Ill.
Davey,	Johnson, Ohio	Randall,	White,
Dingley,	Kribbs,	Rayner,	Whiting,
Donovan,	Lawson,	Reed,	Wilson, W. Va.
Doolittle,	Lefever,	Reyburn,	Wise,
Edmunds,	Linton,	Richardson, Mich.	Woomer,
Ellis, Oregon	Livingston,	Robinson, Pa.	Wright, Pa.
English, Cal.	Loud,	Rusk,	
Epes,	Loudenslager,	Russell, Ga.	

So the previous question was ordered.

Mr. GEISSENHAINER. I am paired with the gentleman from Pennsylvania [Mr. WRIGHT], and withdraw my vote. I desire to be marked present.

Mr. GEAR. I am paired with the gentleman from Arkansas [Mr. BRECKINRIDGE]. If he were present he would vote aye; I should vote no.

Mr. MCNAGNY. I ask that my colleage, Mr. CONN, be excused. He left the House on account of sickness.

There was no objection.

Mr. BYNUM. I desire to ask leave of absence for my colleague, Mr. JOHNSON, on account of sickness.

There was no objection.

The following pairs were announced until further notice:

Mr. CULBERSON with Mr. GROUT.

Mr. HATCH with Mr. RANDALL.

Mr. BLAND with Mr. MORSE.

Mr. ABBOTT with Mr. MOON.

Mr. NEILL with Mr. GILLETT of Massachusetts.

Mr. PAYNTER with Mr. HAUGEN.

Mr. LIVINGSTON with Mr. HENDERSON of Iowa.

Mr. MONEY with Mr. WADSWORTH.

Mr. LOCKWOOD with Mr. VAN VOORHIS ——

Mr. BUNN with Mr. DINGLEY.

Mr. GEISSENHAINER with Mr. WRIGHT of Pennsylvania.

Mr. EDMUNDS with Mr. ALDRICH.

Mr. DONOVAN with Mr. TAYLOR of Tennessee.

Mr. BANKHEAD with Mr. MILLIKEN.

Mr. MCMILLIN with Mr. HOUK.

Mr. ENLOE with Mr. BOUTELLE.

Mr. TURPIN with Mr. PHILLIPS.

Mr. MONTGOMERY with Mr. TAWNEY.

Mr. WHITING with Mr. GILLET of New York.

Mr. OATES with Mr. SHERMAN.

Mr. LAWSON with Mr. WHITE.

Mr. RAYNOR with Mr. SCRANTON.

Mr. GOODNIGHT with Mr. ROBINSON of Pennsylvania.

Mr. BARNES with Mr. MCCLEARY of Minnesota.

Mr. SCHERMERHORN with Mr. BELDEN.

Mr. SOMERS with Mr. FUNK.

For this day:

Mr. SIPE with Mr. WALKER.

Mr. HOOKER of Mississippi with Mr. WEVER.

Mr. MUTCHLER with Mr. LOUDENSLAGER.

Mr. BRECKINRIDGE of Arkansas with Mr. GEAR.

Mr. CRAIN with Mr. CHILDS.

Mr. TAYLOR of Indiana with Mr. LEFEVER.

Mr. RUSSELL of Georgia with Mr. STEPHENSON.

Mr. BALDWIN with Mr. KIEFER, for this vote.

The result of the vote was then announced as above recorded

During the call of the roll the following message from the Senate was received:

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed with amendments bills of the following titles; in which the concurrence of the House was requested:

A bill (H. R. 6016) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1895; and

A bill (H. R. 352) to enable the people of Utah to form a constitution and State government, and to be admitted into the Union on an equal footing with the original States. [Applause on the Democratic side.]

Mr. GROSVENOR. Mr. Speaker, I dislike very much to make the suggestion, but some message has been delivered that appears to have attracted considerable attention on the other side, and yet the members sitting here around me have no more idea what it is than what is to occur within the next twenty-four hours.

Mr. WHEELER of Alabama. It is the return of a great Democratic measure from the Senate.

Mr. WILLIAM A. STONE. And like all other Democratic measures, it is kept in the dark.

Mr. GROSVENOR. I ask that the message be read from the desk.

The titles of the bills were reported from the desk.

The roll call was then resumed and concluded, as above reported.

SPECIAL ORDER FOR THE CONSIDERATION OF BILLS.

Mr. REED. Mr. Speaker, it seems to me that there never was a proposition more unjustifiable than that which is now before the House. Here is a proposition which affects in one way and another 50,000,000 acres of land, and, by the assistance of coloring put upon a map it is apparently made to affect a very

large portion of the United States. But its actual effect is large enough, without that somewhat unnecessary exaggeration.

It is not merely a question of forfeiting lands, for that perhaps might safely enough be left to the courts, which have already passed upon the question adversely to the position taken by the Committee on Public Lands; but it is absolutely a proposition to disturb the land titles of many millions of acres actually in the possession of the settlers themselves. And yet it is proposed to cut off the whole matter with two days' discussion, and by the hand of violence.

Of course, we on this side can do nothing to prevent such action being taken except to record our protest—to say that it is in violation of every reasonable system of debate, especially when you consider that this House is under no particular stress; that there is no reason in the world why we might not debate this question fully, thoroughly, and satisfactorily. The only compensation that I know of is that the public, so far as they allow themselves to be interested in this question at all, will look on and see the method adopted for carrying this bill through.

I yield to the gentleman from Ohio [Mr. GROSVENOR] five minutes.

Mr. GROSVENOR. Mr. Speaker, the House of Representatives, in conjunction with the Senate, has been in session now nearly one year. We are rapidly approaching the end of a complete year of practical session of the two Houses. And now, at this late period of time, we are called upon to vote upon a measure involving, as it necessarily will in my judgment, from fifty to one hundred and fifty lawsuits to every mile of the land-grant railways affected by the bill, and to do it upon a condition of debate such as we have at this point of our examination of the question.

I can only account for the hurry and rapidity with which this work is to be done by the existence of a consciousness on the other side of the House that we are about to close this session. And if that be true, I shall hail the fact with unqualified delight. I can myself see no particular reason why Congress should remain in session more than a very few days longer. The appropriation bills are coming very rapidly from the Senate, and I fancy there will be but slight contention between the two Houses about them.

And, Mr. Speaker, I understand and believe that the time is close at hand when the House of Representatives, purporting to represent, and being understood by the Constitution to represent, the people of the country, will have made arrangements, or if the arrangements are not quite completed now they soon will be, by which the House will retire from the position which it unfortunately took on the 1st day of last February, and the retreat will be in obedience to the demand of a superior power in this Government—a power greater than the House—and which will be all powerful and dominant upon the question of tariff reform.

The fiat has gone forth, and from the great principles of the Democratic party which have been urged, a retrogression has been ordered. We are ready now, as I understand it, to retire from the doctrine of free raw material. There is no free raw material left in the bill as it will be passed, and as you, in my judgment, are compelled to accept it or else go without tariff legislation, except free wool and free lumber, and there is no chance for any improvement upon these items of the bill. You have retired from the Democratic doctrine of ad valorem duties.

Upon all the questionable and doubtful items of the bill you have adopted specific duties, and the fiat has gone forth that you must accept them; and while you may make some wry faces, as everybody does who takes disagreeable medicine, you are, I think, fully prepared by the exhibitions of the last two or three weeks to be ready to take your medicine with a degree of complacency that will astonish the world.

Upon the great question of tariff for revenue you have abandoned that, and you have adopted a tariff for protection and trusts. It does not make any difference that my friends on the other side are opposed to these enormous concessions to the trusts of the country. You are opposed to them. I give you credit for that, but you can not help yourselves, and it is unnecessary to take a great deal of time to make your bluff.

I do not want to use language that most of the gentlemen on the other side will not understand. [Laughter.] But the bluff having been made, when the bluff is called, as it shortly will be, it is not necessary for you to stand long in exhibiting your impotency to win anything in a game like that. Therefore, in my judgment—and I offer this as a piece of advice to my friends on the other side—you have the alternative now to injure yourselves by kicking at your environments, by struggling in the mire in which you have found yourselves, or of gracefully yielding to the power that will ultimately dominate, and then you will have the pleasure of saying that you "always come downstairs that way."

So, Mr. Speaker, there is no hurry unless it is to adjust ourselves, so that after a little, after a few more efforts, after a little more demonstration of independence, after a few more struggles to pave the way to an explanation in some of the doubtful districts of the country, we can come down. There is no occasion for delay; one time is as good as another. Standing upon the order of your going is not important; you must go.

The inevitable is before us. You must have tariff legislation. You can not have it on Democratic lines. You can not have it on the lines of the Chicago platform. I regret it, inasmuch as it seems to be and will be a disappointment to many of my personal friends; but it is one of the misfortunes that you labor under, that you must abandon your ideas and flee to the mountains. You are compelled to have tariff legislation. You can not go home without it. You would stay here until the Constitution put an end to your power if you did not get tariff legislation; and when you reflect, you can get it only one way, and that is by a clear withdrawal of your attitude upon this question, why not do it at once and appeal to the Democratic party of the country and say to them, "We have learned something since the election by which you sent us to Congress."

Mr. REED. You do not mean to say that the Democratic party has learned anything? [Laughter on the Republican side.]

Mr. GROSVENOR. I can not occupy a moment of time better than to congratulate my Republican friends upon the fact that the Democratic party has learned a great deal from us. I differ from the distinguished gentleman from Maine on that subject. I listened the other day, in the course of a debate in the Senate, to the debate upon the items of barbed wire and mica and a number of other articles, and I learned from the speeches of distinguished Democratic Senators that they had learned by heart all the Republican arguments in favor of a protective tariff. They told us how the article would be cheapened by a protective duty. They told us that a protective duty upon barbed wire had and always would have the effect of cheapening it to the farmer. They spoke about the effect that would follow in taking the duty off, of it being essential to the laboring man's occupation to continue a protective duty on the productions of this country and to raise the price of labor; and ultimately this gentleman, so indoctrinated with Republican opinions on this question, finally declared that the only way to make cheap the great production of North Carolina, the production of mica, was to keep the duty on that article, and finally a protective duty on that article would make it cheaper to the consumer of this country.

Mr. REED. Did a Democrat actually say that?

Mr. GROSVENOR. Yes; a very distinguished Democratic Senator.

Mr. REED. Then I withdraw *pro tanto* my observation, because what you have said sounds very natural.

Mr. GROSVENOR. These people on the Democratic side have copied very closely Republican speeches about a protective duty upon barbed wire and a protective duty upon the product of North Carolina, and many other special products. So I say that my friends on this side can take courage and thank Providence that they have been the schoolmasters to whom Democratic Senators and Representatives have gone to school; and to the Democrats I say, when you have passed this protective bill, which you must pass, when you put a duty on coal and iron ore, which we have been telling you is necessary for a great many years, you can get our speeches and reform your speeches to conform to ours for use in your Congressional districts, and escape from the wrath to come. [Laughter and loud applause on the Republican side.]

Mr. OUTHWAITE. Does anyone else on that side desire to amuse himself?

Mr. REED. After you have got through some of us may want to amuse ourselves with you.

Mr. OUTHWAITE. Let us have a vote.

The resolution was agreed to.

FORFEITURE OF UNEARNED LAND GRANTS.

The SPEAKER *pro tempore*. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H. R. 121) to amend an act to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes, approved September 29, 1890.

ORDER OF BUSINESS.

Mr. HENDERSON of North Carolina. Mr. Speaker, I would like to call up the Post-Office appropriation bill, and agree to the Senate amendments.

The SPEAKER *pro tempore*. That could only be done by unanimous consent.

Mr. OUTHWAITE. The order excepts appropriation bills.

The SPEAKER *pro tempore*. But the gentleman's motion can

only be adopted by unanimous consent. The Chair will submit the request. The gentleman from North Carolina asks unanimous consent that the House concur in the Senate amendments to the Post-Office appropriation bill. The Clerk will read the amendments.

The amendments of the Senate were read.

Pending the reading,

Mr. REED. How much is there of that? This time ought not to be consumed.

The SPEAKER *pro tempore*. There is only one more amendment, the Chair is informed.

The reading of the Senate amendments was resumed and concluded.

Mr. BINGHAM. I think, Mr. Speaker, that that matter had better go over until to-morrow.

The SPEAKER *pro tempore*. The gentleman objects. The bill will remain on the Speaker's table.

FORFEITURE OF UNEARNED LAND GRANTS.

The SPEAKER *pro tempore*. The Clerk will report the title of the bill.

The title was again reported.

The SPEAKER *pro tempore*. Under the rule just adopted there remains one hour for general debate on the pending bill. If there be no objection, the Chair will recognize the gentleman from Arkansas [Mr. MCRAE], who is in charge of the bill, to control one-half of that time, and the gentleman from Iowa [Mr. LACEY] to control the remainder. Is there objection? The Chair hears none; and that order will be made.

Mr. MCRAE. I ask unanimous consent that the order just adopted be so modified as to allow two hours for general debate, the remainder of the time to be used under the five-minute rule.

The SPEAKER *pro tempore*. The rule just adopted allows one hour for general debate, after which the bill is to be considered in the House under the five-minute rule as in Committee of the Whole. The gentleman from Arkansas [Mr. MCRAE] asks unanimous consent that there be two hours for general debate, instead of one hour. Is there objection? The Chair hears none; and that order will be made. The Chair presumes the time allowed for general debate will be controlled equally by the gentleman from Arkansas [Mr. MCRAE] and the gentleman from Iowa [Mr. LACEY]. In the absence of objection that order will be made. The Chair hears no objection.

Mr. MCRAE. I hope the gentleman from Iowa [Mr. LACEY] will use some of his time now.

Mr. LACEY. I yield ten minutes to the gentleman from Illinois [Mr. HOPKINS].

Mr. HOPKINS of Illinois. Mr. Speaker, in 1890 a bill was brought into this House by the then chairman of the Public Lands Committee, which forfeited all lands which were unearned at that time, aggregating, as I now remember, about 50,000,000 acres. The veteran member from Indiana [Mr. HOLMAN] was a member of the House at that time; and I remember very distinctly that, in the debate which was had when that bill was under consideration, that gentleman took occasion to say in substance that the bill then pending would probably settle all legislation on this much-vexed subject; a subject that had attracted the attention of Congress and of the public for twenty-nine years. And I think it was the consensus of opinion among members of the House at that time that the passage of that bill and its enactment into law would settle this question, and settle it forever.

But it seems that the gentleman from Arkansas [Mr. MCRAE], who happens to be chairman of this committee, desires to distinguish himself by having the present bill pass this House—a bill which confiscates many million acres of land belonging to private individuals at the present time. There is no justice and no equity in this proposition. The more the bill is examined, the more carefully the facts are gone over, the more clearly it must appear to every member of this House that this bill is in the nature of a confiscation act rather than a settlement of the rights of the Government of the United States.

Mr. Speaker, the gentleman from Louisiana [Mr. BOATNER], in his argument yesterday, admitted, if I understood him correctly, that all of the grants which have been made by the Government of the United States from time to time to railroads, were grants in *presenti* with a condition-subsequent, so that the railroads acquired technically a good title, and that where the road has been constructed since the expiration of the time prescribed in the grant itself, still the railroad company has a good title to the lands, and purchasers from the railroad company under those conditions acquire an absolute title.

In making this concession the gentleman is simply in line with every Attorney-General of the United States since the time of Gen. Devens, and is in harmony with the views of every administration of the Interior Department since the days when Hon. Carl Schurz presided over that great Department. In the limited time which I have for discussion, I shall not read the opinions of Attorney-General Devens or of Mr. Schurz when he was Secretary of the Interior; but both of those distinguished gentlemen, in opinions which are found in the volume I have before me, assert that these grants are grants which are known technically as grants *in presenti* with conditions subsequent, and that the railroad companies took good titles, and that wherever the conditions were completed, whether in time or out of time, and accepted by the Government of the United States, it is not in the power of the Government, after that time, to wrest the title of that property from the railroad companies or from those who have purchased from the railroad companies.

Mr. BOATNER. Will the gentleman allow me a moment?

Mr. HOPKINS of Illinois. Yes, sir.

Mr. BOATNER. While the official opinions to which the gentleman has referred have been given as he states, yet the question between the United States and these railroad companies has never been judicially decided. If the titles are perfect in the railroad companies and their vendees, what objection can there be to passing an act which will bring about a judicial decision of this question to settle it forever?

Mr. HOPKINS of Illinois. Mr. Speaker, my first answer to the gentleman from Louisiana [Mr. BOATNER] is that I deny his proposition. I contend that this identical question has been presented to the courts and decided in accordance with the opinions previously given by the Attorneys-General of the United States. In the case of Denny *vs.* Dobson, decided in the circuit court of the United States for the district of Oregon, November 27, 1887, Mr. Justice Field adjudicated this identical question. He was sitting with the district judge out there; and this question was elaborately argued.

While I have not time to read the opinion of that learned jurist, I state without fear of successful contradiction that the identical question presented by the gentleman from Louisiana was passed upon by Judge Field; and he held that the Government of the United States is powerless to reverse these grants and take back this property from the railroad companies or from the parties to whom those companies have granted the land by proper conveyances. And that is perfectly clear in itself. A careful analysis of the statutes leads one to the conclusions reached by Judge Field in the case just referred to.

Mr. BOATNER. The gentleman misunderstood me. What I said was, that this question has not been decided in a suit in which the Government was a party. The courts have frequently maintained the doctrine that the performance of the condition out of the time bound the grantor, if permitted to be done. The courts have never decided the question, however, as to whether the Government of the United States, in the exercise of its sovereign power, can not assert its right of forfeiture.

Mr. HOPKINS of Illinois. Well, I disagree with the gentleman from Louisiana in that regard. I claim that the circuit court of Oregon, Justice Field presiding, did pass on that identical question, and decided that the railroad company acquired an indefeasible title. Now, the gentleman from Louisiana is a lawyer, and he knows what the word "indefeasible" means in that connection. It is a title which can not be abrogated or taken away from the company by the Government of the United States by any such process as is contemplated in this bill. And why should we now attempt to unsettle the tifles of thousands of the occupants of these lands by the passage of such a bill as this?

Why put the settlers, who purchased from the railroad companies, into litigation and unsettle their interests, simply because the gentleman from Louisiana says the Supreme Court of the United States has not formally passed upon the question? Even without the expression of opinion of the various Attorneys-General of the United States that have ruled upon it, and the opinion of the Secretary of the Interior, as well as the opinion of Mr. Justice Field, I would still contend, sir, that it would be grossly unjust for the Government of the United States at this late day to pass this bill.

How many miles of road are involved in this legislation? As I remember, the exact number has not been stated heretofore. I have the figures before me, and these show the fact that it affects 3,550 miles of railroad. It affects nearly twenty-five different land grants. The majority of these, with a very few exceptions, have been completed and the title has been granted by the Government of the United States.

There is another principle that I desire to call to the attention of the gentleman from Louisiana in this matter, and that is this, that where these grants were *in præsenti*, with a condition-subsequent, and the Government of the United States, after the expiration of the time limited in the grants has treated with the railroad companies as though the conditions had been complied with, the Government is now estopped from asserting any of these rights that it is claimed were reserved. There is a law

that all land-grant railroads shall carry the mails of the United States for 70 per cent of what is given to other companies.

There is another condition: that they shall transport the Army and munitions of war of the United States for 50 per cent of what is paid to other companies. With the full knowledge that these conditions were being complied with by the companies since the expiration of the time fixed in the original grants, the Government of the United States having gone on and required the railroads to carry the mails and the Army and the munitions of war at the rates specified in the law, I claim it was and is thereby estopped from asserting any right to now forfeit the lands conveyed in those grants.

The SPEAKER *pro tempore*. The time allowed to the gentleman from Illinois has expired.

Mr. HOPKINS of Illinois. I hope the gentleman from Iowa will yield to me five minutes longer.

Mr. LACEY. I yield five minutes more to the gentleman.

Mr. HOPKINS of Illinois. Mr. Speaker, I have not the time to elaborate the point I have just suggested; but there is another question raised by the gentleman from Louisiana that I desire to note. He made the statement, as I understood him on yesterday, that there is a distinction between the grant to States as trustees to convey title to the land granted for railroad purposes and those cases where the grant has been made directly to the corporations themselves.

He admitted in his argument that where the grant was direct to the company the title was good; but he contended that where it was to the States no title passed, and undertook to compare that condition, in response to an inquiry of mine, to the case of a grant by an individual of the power of attorney to another individual to do a certain thing. I stated that there was a wide distinction between his illustration and the law, but I had no opportunity to point out to him in what respect, nor have I the time now to indulge in any illustration. But I call his attention to the case of Schulenberg *vs.* Harriman, reported in 21 Wallace, where the identical question in controversy between us was passed upon by the Supreme Court of the United States.

The State of Wisconsin held certain lands under a grant of such a character as the gentleman described, and through its agent undertook to recover of Harriman for the value of logs which had been cut and taken by him on land covered by one of these grants.

Mr. BOATNER. That is, the railroad company undertook to recover?

Mr. HOPKINS of Illinois. He put in as a defense, that inasmuch as the railroad had not been completed within the ten years and that the State had not exercised its power of trustee to convey the title to the company, it was powerless in the premises, and that the wrong plaintiff had been brought into the suit; that the United States was the proper plaintiff, and that therefore the case could not be maintained against him.

The Supreme Court of the United States held that the grant was a grant *in præsenti*, with a condition-subsequent, precisely as a grant to the railroad in the first instance, and that recovery could be had for the trespass complained of, holding clearly the principle that the State after the expiration of the ten years, in the absence of any action on the part of the General Government, had the right to treat with the companies the same as it did within the limits of the ten years, and that any person acquiring title under such condition would have as indefeasible a title as if it had been conveyed within the time fixed in the original grant.

That is not set forth in the report in the exact terms I have here used, but I cite the principle laid down by the court in that case; and I go further, and say that every decision of the Supreme Court of the United States from that time down to this has been in harmony with that decision.

It is utterly useless, Mr. Speaker, aye, more than that, it is almost criminal, for this Congress, therefore, to undertake to unsettle the title to these vast areas of land in the various States where land grants have been given to the State for such purposes.

Mr. HUTCHESON. Will the gentleman yield for a question?

Mr. HOPKINS of Illinois. Yes.

Mr. HUTCHESON. I will ask the gentleman if he does not know that an individual could not raise that question, because it was a collateral question, which he had not the right to raise, and that nobody but the State or sovereignty could do it, and that the State or sovereignty always can do it?

Mr. HOPKINS of Illinois. But in the case that I have cited the Supreme Court decided that the State of Wisconsin was the proper plaintiff, and not the United States Government, as was contended by the defendant in that case.

Mr. HUTCHESON. But the principle applied that the defendant could not raise that question.

Mr. HOPKINS of Illinois. The State had to show title in the first instance in order to maintain its standing in court. Does not the gentleman know that before the value of the logs could be recovered title must be shown in the plaintiff? If the contention of the gentleman from Texas is correct there could be no recovery, because there would be no title in the State of Wisconsin. Title in the State of Wisconsin to maintain trover to recover for the value of the logs mentioned in that case would be title sufficient to convey rights to individual purchasers, or to the railway company, as the case might be.

Mr. QUIGG. Will the gentleman allow me to ask him a question?

Mr. HOPKINS of Illinois. Yes.

Mr. QUIGG. If it is true that an individual can not bring an action, does not that constitute an especial reason why we should defend his rights?

Mr. HOPKINS of Illinois. I grant that the gentleman from New York [Mr. QUIGG] is correct in his query. But, Mr. Speaker, from any and every standpoint this bill should be defeated.

As I stated in my opening remarks, when this bill forfeiting more than 50,000,000 acres of land was passed in the Fifty-first Congress, it was supposed that that would end land-grant forfeiture bills in this House forever, and thousands upon thousands of settlers have acquired title to real estate that is involved in this bill, whose title would be unsettled, and who would be compelled to go into court to assert their rights if this bill should become a law.

This bill is in the interest of land lawyers, and no other class of citizens. No fair-minded and honest man can afford to support it.

[Here the hammer fell.]

Mr. LACEY. I yield twenty minutes to the gentleman from New York [Mr. DANIELS].

Mr. DANIELS. Mr. Speaker, owing to the limited time which is allowed for discussing the important questions involved in this bill, it will be necessary to condense as much as possible the remarks which I now propose to submit to the House.

In order to determine the wisdom and justice of this bill, it is proper, in my judgment, to look back prior to the time when laws making railway grants were enacted by Congress. We may then be able to see the occasion which led to those enactments, and to the concessions which were so generally made to railway companies throughout the United States and in Territories for the construction of new and extended lines of railway.

At that time, it will be remembered, the extremities of this country were certainly more than 3,000 miles apart. There was no means of ready transit or communication between those extremities. The Northwest was increasing with population. There was a desire to make the land of those States and Territories immediately available to the people of the United States. It could not be done under the then existing mode of transit, in such a manner as to satisfy the requirements and the demands of the migrating portion of the population.

The consequence was that it became important at once for Congress to undertake in some manner to secure the construction of railways from the East to the Western portion of the country. At that time the only rules and regulations, the only obligations binding one part of the country to the other so far as the extreme West was concerned, were the provisions of the Constitution of the United States. There was no means of intercommunication or of reasonably fair transit from one part of the country to the other. Persons who went to the Northwest or to the Pacific coast for settlement were substantially isolated and cut off from the residue of the country.

In military operations there was no means of rapidly moving the Army from one part of the country to the other, and it became important, in the judgment of the people, as well as of the authorities, that some measures should be taken for the construction and extension of railways into this Western and Northwestern portion of the country. The subject was made a matter of discussion and examination, but private capital was too cautious to engage in an attempt to construct so formidable and extensive a work as a railway through to the Pacific Ocean.

It was appalled at the idea, and of course added to that was the probability that there was no fair amount of revenue that could be expected to be returned from the earnings and operations of such a railway. It could not accordingly be constructed by individual enterprise. That was entirely out of the question. And when the sentiment of the people upon the subject seemed to concenter in the necessity of the construction of railways of this character across the Continent, the attention of Congress became specially directed to it, and it was found important to consider upon what terms, so far as the public was concerned,

these great enterprises could be constructed, maintained, and carried into effect.

Where private capital was entirely inadequate to produce the range of improvements which were necessary, then it became a matter of indispensable requirement that Congress should interfere; and inasmuch as it could not advance money to aid and assist in the construction of these great works, it proposed to concede to the companies that were formed for the purpose of constructing these works a large amount of public territory, which in the end it was hoped would make these enterprises successful.

These concessions on the part of Congress to these corporations were made upon a fair and bona fide consideration. It was a necessity for the promotion of the prosperity of the country, for the purpose of securing its unity, that these railroads should be constructed. The duty was imperative on the part of Congress that some assistance of a public character should be extended to the construction of these great works, and the only means by which Congress could lend its assistance and the desire and wishes of the people could be carried into effect by the aid and assistance of Congress was to make concessions of public lands to the corporations that were proposing to construct these railways; and these concessions were made upon the consideration that if the railways were constructed the Government and the people would receive thereby a fair equivalent for the value of the lands which were conceded to the corporations to aid and assist in these great works. Besides that, Congress simply conceded every alternate section of land, with the expectation that the construction of these works would also enhance the value and salability of those sections reserved by the Government.

In all respects it acted judiciously and carefully in providing means so far as the concessions of land were concerned for the indorsement of the construction of these great enterprises. It was by this means that these corporations were brought into existence, as much at the instance of Congress and of the masses of the people of the United States as it was at the instance of the persons who were immediately connected with the construction and promotion of these enterprises.

The lands were not available at once. They could not be sold, and the money realized from them that was necessary for the purpose of creating these railways. The consequence was that the corporations went into the market and obtained subscribers to their stock, and the advancement of money, upon the faith that the Government would stand by its concession, and these people in the end would be reimbursed for their advances, and that they would be secured some measure of profit for their advances by the fact that this land should finally be sold at a profit, and their proceeds made available for the payment of the indebtedness incurred by the companies.

Now, to pass a bill of this character after the railways have been built, and to attempt to forfeit this land, if that can be done, is certainly a most transparent injustice to the companies and to the people who have advanced their moneys in this manner, and who have relied upon the faith of the United States in maintaining the concessions that were made for these objects.

But, without pursuing this subject so far as to intrench further upon the little time I have, I desire to call the attention of the House to another matter which arises here, and stands directly in the way of the enactment of a bill of this character, and it is this:

While the law provided in the case of these railways that the land should be forfeited unless the railways were constructed by a particular time specified in the law, yet when that time arrived and the railways had been partially built but were not completed, there was no action taken on the part of Congress or on the part of any Department of the Government looking to the forfeiture of these lands by reason of the fact of this delay which had intervened. On the contrary, the authorities——

Mr. DUNN. May I ask the gentleman a question? Is it not a principle of law that a limitation of that character does not run against the public, for the benefit of the people.

Mr. DANIELS. No, sir; I do not think it is. I think the public are chargeable with laches precisely the same as an individual; if they rest upon their rights without asserting them, the same as if they had no rights at all, then it is laches, and when they are in a position in which an individual can not get relief in court of chancery the people would be in precisely the same condition.

But this is what I desire to call the attention of the House to, and that is that Congress and the Departments of the Government failed to assert a right to take any advantage of this default, if a default took place, in the construction of these works, but permitted them to go on until the railways were fully constructed in many instances, and which are to be affected by this bill.

So that if the Government can forfeit the right to these lands and reinvest itself with the title. then it has not only the land which was given to aid in and indirectly devoted to the construction of the railways, but it has all the advantages of the railways too. Sir, there is no law, no administration of law, in any tribunal of this country or of England that has ever sanctioned a measure of iniquity like that

Now, take the case of an individual. Suppose my friend here has 100 acres of land that he desires to have cleared. He conveys to another person 50 acres upon the consideration that this other person shall clear the 100 acres in a certain time, and if he does not clear it within the time the deed for the 50 acres is to be void. The man fails to fulfill the contract within the time; at the expiration of the time the land is not cleared, but it is partially cleared. The man has performed in part his agreement. The man who deeded the property which was to be cleared does not intervene and make any objection to the continued prosecution of the work.

The man who received the conveyance and who holds his property subject to the right of forfeiture for his default goes on and completes the work; he clears the 100 acres. Now, will any person insist that the law would permit the grantor under such circumstances to come in and insist upon a forfeiture of the grant by reason of the nonfulfillment of the condition within the time originally specified?

Or suppose, further, that a person is engaged in building a house for another, and a contract has been made that the construction must be finished within a certain time. The builder fails to complete the work by that time, but the owner permits him to go on and finish the house. Under such circumstances the law, so far as my observation has extended, will not permit the person for whom the house was built to come in and say, after the work is finished, he having failed to make objection at the expiration of the limited time, that there had been a failure to perform the work and that under the circumstances he is entitled to take the benefit of the work done and materials furnished without paying the compensation agreed to be paid.

There are no principles which can be applied to individuals under circumstances of this character which are not equally applicable to a proceeding on the part of the United States Government. The law will not permit either a government, a corporation, or an individual to allow a person to proceed with the performance of obligations of this character after the time has expired when the performance should, by the contract, be completed, and then when the work has been done endeavor to avoid the payment of a proper consideration for the services thus rendered. The law is not chargeable with such injustice; and this is probably the first occasion when so iniquitous a measure as this has been brought before Congress for its approval.

When the act of 1890 was passed it was supposed that was the end of the attempt to forfeit the property of these railroad companies for a failure to fully construct their railways in time; and that act was made applicable only to so much of the railways as was not at the time constructed. And the committee in their report on this bill use this language with reference to that act:

It practically gave the roads all they claimed, and took back what as a rule they did not want.

Thus it is conceded by the language of the report itself that the effect of the previous act was to leave all the property in the hands of the corporations that had carried out in the best of faith these enterprises for which they were to receive these rewards, and that these companies were to remain subsequently to that time undisturbed.

Now, the principle is also well settled that Congress has no power to interefere with or disturb rights of this character by subsequent legislation. This bill has not only that avowed purpose, but it seeks to embrace in the forfeiture all the lands that were conceded and conveyed by the previous acts to railway companies which have completed their roads but failed to construct them within the time provided.

It is conceded upon the face of the bill that the work which was to be performed by these companies has since been done; that the public has received the consideration for which the lands were given; that all the advantages expected to be secured have been obtained; that no wrong has been inflicted upon the public in any respect whatever, but that it has gained everything which it expected to gain through these concessions of public property.

And now, after this result has been secured, it is proposed that Congress shall come in and say to these railway companies, "It is true that you have substantially fulfilled your obligations, with our assent, you have supplied the people and the country those railways which by the laws making these concessions of property you were to give them as a recompense for such property; yet inasmuch as you failed to complete your roads within the exact hour, or day, or month, or year when it was provided that the roads should be completed, we will forfeit all this prop-

erty and leave you to sustain the burdens to which you have been subjected in the expectation of reinbursement from the proceeds of these lands."

There is no instance, it seems to me, where there has been so flagrant an attempt on the part of the legislative body of a government of this character, or of any government, to overrule the bona fide action of individuals or corporations in constructing works for the use of the public, and to forfeit their rights and revest them in the Government on account of mere delay.

But, sir, this can not be done by legislation. If there has been a forfeiture of any part of this property, the Government of the United States is in a position to recover it. The forfeiture can not be created or declared by a bill of this character. It does not appertain to the province or jurisdiction of this House or of the legislative department of the General Government to declare a forfeiture where, in point of fact, there is no ground for such forfeiture.

Mr. BOATNER. Will the gentleman allow me right there?

Mr. DANIELS. My time is about to expire and I must proceed.

I wish to call attention to a remark made in a case decided by the supreme court of the State of Wisconsin in Rowan *vs.* The State (30 Wis., 146, 147). The subject of discussion was the constitutional provision that no person shall be deprived of life, liberty, or property without due process of law; and a corporation is a person within the meaning of this provision of the Constitution. The court in that case, construing that provision, said:

> The better and larger definition of due process of law is that it means law in its regular course of administration through courts of justice. By the law of the land the meaning is that any citizen shall hold his life, liberty, property and immunities, under the protection of general rules which govern society. And the terms law of the land, and due process of law, mean that, where rights are acquired by the citizen under the existing law, there is no power in any branch of the Government to take them away, but when they are held contrary to the existing law, or are forfeited by its violation, then they may be taken from him, not by an act of the Legislature, but in the due administration of the law itself before the judicial tribunals of the State.

According to these principles there is no room whatever for legislation of this character. Either the right to forfeit this property exists or it does not exist; and whether it does or not is a question for the courts to determine—not for the Legislature of the Union, under the authority given by the Constitution of the United States.

Mr. LACEY. I reserve the remainder of my time.

Mr. McRAE. I yield ten minutes to the gentleman from Louisiana [Mr. BOATNER].

Mr. BOATNER. Mr. Speaker, the gentleman who has just addressed the House seems to be impressed with the idea that the grantees under the several acts of Congress making appropriation of public lands in aid of railway construction have acted in the best of faith; that this beneficent policy of the Government has been productive of the most magnificent results; that the Government has obtained as the price of its lands the systems of railway which have been constructed, and that now it would be in bad faith—dishonest, so to speak—for the Government to seek to recover any of these lands after it has obtained the benefit of the construction of the roads.

Why, Mr. Speaker, the gentleman certainly can not have read and must be ignorant of the history of these railway land grants. He must be ignorant of the fact that the beneficence of the Government has been prostituted to the very basest purposes; that the land grants which have been given by the Government in aid of the construction of roads have to a great extent been filched by the corporators and the benefit of those lands converted to their own use.

Why, sir, look at the condition of these subsidized roads—these roads which the Government has aided not only with immense land grants, but with immense money subsidies. The constructors, the men who built them, the men who manipulated and handled them, are the millionaires whose wealth is the wonder of the nation, while the roads which they have built are in the hands of receivers. The land grants have not been devoted to the purposes for which they were intended by the United States when they were given, but have been diverted to the individual pockets of the men who have manipulated the roads.

Sir, the gentleman was perfectly correct when he said that in advance of the opening up of the lands, in advance of the construction of the roads, in advance of the right to sell the lands, these men issued mortgage bonds upon this property in order to secure for themselves the advantage which was to be derived therefrom if by any chance the roads should not be constructed.

In the case of the Union Pacific Railroad there was an issue of subsidy bonds to the extent of $10,000,000, divided among the corporators and stockholders as a bonus, upon which that railroad company paid 10 per cent interest for many years, the amount thus paid equaling the principal of the bonds, all of which went into the pockets of the manipulators, who were in this way taking advantage of the beneficence of the Government and prostituting to their own individual gain the aid which had been extended by the Government.

Mr. CANNON of Illinois. Is there any proposition here to forfeit any grant which was made to any State or any road that was aided by a grant of the credit of the Government or by a money grant? The gentleman has been talking about the Union and Central Pacific roads. As I understand, they are not involved in this bill.

Mr. BOATNER. I was simply replying to the argument of the gentleman from New York [Mr. DANIELS] based upon the question of good faith and honesty. He urged that it was wrong for us to take these lands, and I want to present to him and to this House the absurdity, if I may so speak, of extending equity, consideration, forbearance, beyond the terms of the contract, to corporations which are said to be soulless.

Mr. CANNON of Illinois. But you have been attacking the Union and Central Pacific roads, which received bond aid, and whose lands, as I understand, you do not propose to forfeit to the extent of an acre.

Mr. BOATNER. I have stated to the gentleman that I have brought in this illustration in opposition to the argument of the gentleman from New York that these people are entitled to consideration, equity, mercy, so to speak, at our hands.

Mr. CANNON of Illinois. But you are talking about the wrong people.

Mr. BOATNER. I think not.

Mr. CANNON of Illinois. You are talking about the wicked people that the bill does not touch. Now, why do you not address yourself to that other branch of the question?

Mr. BOATNER. If the gentleman from Illinois thinks he can make this speech better than I can, perhaps I had better yield the floor to him.

Mr. CANNON of Illinois. Well, I rather think I could. [Laughter.]

Mr. BOATNER. I expect so, from your standpoint. But doubtless as there is time on that side of the House for the consideration of this matter, you can get all the time you want, and I can not consent that you shall dictate the line of my argument for me.

I repeat now, I refer to this because of the plea made by the gentleman from New York to the House that we would be doing a great injustice by undertaking to adopt such legislation as this, in view of the fact that since these grants were made, and as an equivalent for the grants, as he seems to think, we have received the roads.

Now, Mr. Speaker, it is an absolute waste of time to argue that the courts have held that the failure by the grantee to perform the conditions-subsequent of the contract does not *ipse facto* forfeit the contract. No one denies that proposition. It is nothing more than a cause of action on the part of the grantor to claim the forfeiture by reason of such failure. It is likewise a well settled principle of law that where a grantor permits the grantee to peform the conditions-subsequent, after the time named in the contract, that he is estopped by allowing that to be done, and can not thereafter claim the forfeiture on that ground. That has been the law as between individuals, I believe, always. There is no question about that.

But the question here presented is whether the United States Government, in the exercise of its sovereign power, has not a greater right to claim the forfeiture of a contract which by its specific terms, and in unequivocal language, declares that the grant shall be null and void and of no avail whatever unless the conditions specified in the contract are complied with.

I have admitted all along that the Government of the United States can not exercise its right to the prejudice of innocent third persons. If the Government makes a grant to A B, which permits certain property to be disposed of to another party or parties, which is a grant, known in the language of the law as a grant *in præsenti*, and gives possession to A B, with authority to sell or mortgage, and the Government subsequently revokes the grant on the ground that the "condition subsequent" had not been complied with, the purchasers or mortgagers could successfully maintain that their contracts with the grantee were authorized by the act of Congress and that they were not affected by the laches or fault of the grantee.

But the condition presented here is entirely different. The Government has reserved the right in express terms to resume these grants in the event of a failure to perform the condition subsequent, and if any right may remain in the grantee then the Government has the right to resume possession by the forfeiture of the property.

Of course if the grantee has parted with it by lawful title before the right of forfeiture is exercised there is nothing to forfeit.

Now, Mr. Speaker, let me ask where is the equity in arguing that the Government shall leave that property in the hands of a corporation which has not complied with its condition, instead of taking it back for the benefit of the people? Will anyone say that the railways have not been more than sufficiently rewarded for whatever they have done in the construction of their lines? Will anyone say that the Government is under any obligation to the Union Pacific Railroad, that owes to-day not only every dollar of the subsidy bonds issued in aid of the construction of the line, but every dollar of the interest on these bonds, from the day they were issued until this time?

Will anyone say that the Government is under any obligation to the Central Pacific Railroad, or that it is under any obligation, morally or equitably, to the Northern Pacific Railroad, each of which roads received more from the Government than was sufficient to build and equip the entire line, and to leave them the property, a mere gift from the generous public of the United States?

The SPEAKER *pro tempore*. The time of the gentleman from Louisiana has expired.

Mr. BOATNER. I ask the gentleman from Arkansas to yield to me a few minutes longer.

Mr. McRAE. I yield ten minutes longer to the gentleman from Louisiana.

Mr. CANNON of Illinois. Will the gentleman from Louisiana now allow me a question as to the scope of the bill? I desire to obtain information from him.

Mr. BOATNER. Certainly.

Mr. CANNON of Illinois. Take, for instance, the Northern Pacific Road, which I understand commences at Duluth and runs substantially to the Pacific Ocean, and which was not completed in time: Does this bill forfeit all the lands along the line of that road granted by act of Congress, from Duluth clear through to Puget Sound, or only the land along the road coterminous with the line of the road that was not completed within the time fixed in the granting act?

Mr. BOATNER. This bill only forfeits the lands which were not earned within the time. The terms of the granting act provide that as the roads are constructed certain areas of the public lands shall be given to them. When another section is completed and certified, they get the additional land subsidy, and this act strikes only at that portion of the subsidy claimed to be earned beyond the time fixed in the original law or granting act.

Mr. CANNON of Illinois. Does my friend think that we have the power to forfeit from Duluth clear west?

Mr. BOATNER. Certainly you would not have the power to forfeit any except that which was not earned in the time fixed by law.

Mr. CANNON of Illinois. But was not the grant as a whole?

Mr. BOATNER. No; the grant was not as a whole, if the law provided that upon the construction of a section of 20 miles of the road so many acres of land should be granted to the road. That land was earned, even if no more road was ever constructed. Then, if another section was constructed, why, the road earned so much more land, and so on until the limit was reached. The road not constructed at the time the limit was reached did not earn the grant allowed for that portion of the road.

Mr. HERMANN. I wish to call the gentleman's attention to the fact that, as to the Northern Pacific, the time expired when the road had reached Bismarck, in Dakota; so that, under this bill, all the lands conterminous with the completed line of road westward from Dakota into the State of Washington will be forfeited, a reach of over 1,000 miles.

Mr. BOATNER. If that be the fact, it would be a misfortune to the company. It would be by the terms of the contract and by reason of the law of the case and by reason of the fact that the railroad company did not earn the land according to the terms of the donation made to it.

Mr. NORTHWAY. The original act gave them a certain length of time. They did not complete it within that time. A subsequent act of Congress extended the time. Yet this bill will reach back to the time fixed in the original act, will it not?

Mr. BOATNER. I submit to the gentleman that that is mere quibbling.

Mr. NORTHWAY. How is it?

Mr. BOATNER. This bill only forfeits the lands which were not earned in time.

Mr. NORTHWAY. Under the original act?

Mr. HOLMAN. Oh, no; under the law, whatever the law was.

Mr. BOATNER. This act refers to the acts conveying these grants. It does not refer to any particular grant. It refers to all the acts making the grants.

Now, Mr. Speaker, to come down to the question of these State grants, the gentleman from Illinois [Mr. HOPKINS] cites the case of Schulenberg *vs.* Harriman in support of his contention that Congress is powerless to revoke the grants to the States in aid of the construction of railroads. As I stated yesterday, there is a stipulation in every one of these acts to this effect:

That the lands hereby granted to said State shall be disposed of by said State only in manner following, that is to say, that a quantity of land, not exceeding 120 sections for each of said roads, and included within a continuous length of 20 miles of each of said roads, may be sold; and when the governor of said State shall certify to the Secretary of the Interior that any 20 continuous miles of any of said roads is completed, then another quantity of land hereby granted, not to exceed 120 sections for each of said roads having 20 continuous miles completed as aforesaid, and included within a a continuous length of 20 miles of each of such roads, may be sold; and so, from time to time, until said roads are completed; and if any of said roads is not completed within ten years, no further sale shall be made, and the lands unsold shall revert to the United States.

Now, I ask as a matter of common sense, if the governors of the several States had any other authority to sell this land than that conferred by the act of Congress, and if the act of Congress expressly provides that they shall sell no land after a certain time, upon what principle of law or common sense is it to be contended that the sales are valid, or that the title is carried out of the United States to the vendees of the State, or to the railroad company?

Mr. HOPKINS of Illinois. Will the gentleman allow me to interrupt him there?

Mr. BOATNER. Yes.

Mr. HOPKINS of Illinois. I desire to call the gentleman's attention to the language of the Supreme Court in the Schulenberg case, on pages 62 and 63. On page 62 I find the following:

The provision in the act of Congress of 1856, that all lands remaining unsold after ten years shall revert to the United States if the road be not then completed, is no more than a provision that the grant shall be void if a condition-subsequent be not performed.

On page 63, in speaking of that, the decision says:

A cessation of sales in that event is implied in the condition that the lands shall then revert; if the condition be not enforced the power to sell continues as before its breach, limited only by the objects of the grant and the manner of sale prescribed in the act.

Mr. BOATNER. My answer to that is, it is a clear *obiter dictum*, and that the question was not before the court.

Mr. HOPKINS of Illinois. Oh, well——

Mr. BOATNER. I admit that if that authority is law, it is dead against the position which I assume. There is no way of dodging that. I admit that if it is law; it is conclusive against the position which I take; but I say that it is not the law; that it has not the force of an adjudication, because the point it appears to decide was not involved in any question before the court. Now, if the gentleman will not interrupt me, in the Schulenberg case, which he cites, the agent of the State of Wisconsin had replevied some timber which had been cut upon railway land grants.

The parties who had the logs set up a dual defense, that the land either belonged to the railway company or belonged to the United States, that the State of Wisconsin had parted with its title to the railway company, and hence had no standing in court, or, if it had not, under the terms of the granting act the land had reverted to the United States. The question was then surely one of title, whether the United States owned the land, whether the State of Wisconsin owned the land, or whether the railway company owned the land.

The court said the railway company did not own it, because the State of Wisconsin was without power to part with the title conferred upon it by the United States, except on the terms and conditions carried by the granting act. Those terms and conditions were, as I have stated, that the land could be sold for the benefit of the road as the road was constructed, in sections, and that as the grant was the sole basis of the power of the State to sell, the State could not go beyond the conditions of the grant, which condition had not been performed.

Therefore the title of the State had not vested in the railroad. The title remained in the State simply because Congress had not forfeited it, simply because Congress had not taken it back. The State of Wisconsin held it as a trustee of Congress for certain purposes. The deed of trust or mandate, or power of attorney, authorized the State to sell within a certain time. Now, there was nothing before the court to lead the court to say that the State of Wisconsin could go on thereafter and make title to that road. That was no element of the discussion between them.

The only discussion was as to whether the land then belonged to the State, the United States, or the railroad company. The court held that the legal title was in the State, because the grant was *in præsenti*, which carries the power of disposition

upon certain terms and conditions, and Congress not having taken back the title, after the expiration of the time within which the State could sell the land, the legal title rested in the State, subject to revocation at the option of Congress.

Therefore I say that that expression of opinion of the court there is a clear *obiter dictum*, and we are entitled to have a decision of the Supreme Court upon this vital and important question.

The SPEAKER *protempore*. The time of the gentleman has expired.

Mr. HOPKINS of Illinois. Will the gentleman allow me just one minute?

Mr. McRAE. The gentleman will have to get it from the other side. I have promised all my time. I yield to the gentleman from Indiana [Mr. HOLMAN] twenty minutes.

[Mr. HOLMAN withholds his remarks for revision. See Appendix.]

Mr. BOWERS of California. Mr. Speaker, the fact that the district which I represent in this body is very largely interested in this question of the forfeiture of railroad lands—that extending through my district from north to south, nearly or quite 400 miles, and from one boundary to the other, these railroad grants have been made, and that thousands of people there are vitally interested in this matter—this is my only excuse for presuming to address the House on this occasion. As I am not a lawyer, I have no idea of contributing to the legal information of members on this question.

The whole debate thus far has been confined, I believe, to the lawyers of the House. I have taken the floor at this time in order to ascertain, if possible, what would be the effect if this bill is enacted into law; that is my only reason for presuming to take part in the discussion.

The gentleman from Alabama, who, I believe, is ranked as a good lawyer, said yesterday:

> The law does not take cognizance of the fact that the rancher is not acquainted with the law. The presumption is that all men know the law; and ignorance of the law is no foundation for equitable relief.

Mr. Speaker, the gentleman from Alabama would require the ordinary rancher or pioneer to know more law than any lawyer in this House or all of them put together.

I listened yesterday very attentively to the debate as carried on by the very able lawyers who participated in it.

Now, if these legal gentlemen had only agreed upon the effect of the bill—what it meant—it would have been perfectly clear to all of us, and we would have known whether to vote for or against the bill. But what one able lawyer declared to be the law, another able lawyer disputed and declared that the law was entirely different. And so, Mr. Speaker, I went away from the House at the close of the debate yesterday as much mystified, as much in doubt, and in fact even more so than when the debate opened, and I believe that was the condition that prevailed with everybody who heard the debate.

Now, Mr. Speaker, I desire to vote to forfeit all unearned lands granted to railroads, and I think every member of the House would vote for that proposition standing alone; that is to say, all lands that should, in justice toward all citizens, be restored to the public domain. But I hesitate to vote for this bill as it stands from the fear that it unsettles the titles to many farms and will do a great wrong to many thousands of settlers who have in years past, acting under their best judgment and always in accordance with the law, as they were led to understand by the representatives of the United States Government, have gone on to public lands or have bought lands of corporations, and built themselves homes.

Now, then, if the purpose of this bill is to forfeit the unearned lands, and is not to wrong or disturb the titles of those American citizens who have acquired their rights under the laws, its supporters can not object to making the bill as absolutely clear in this respect, protecting these settlers, as any human enactment can be. I, although not a lawyer, am pretty well satisfied that the amendment of the gentleman from Iowa [Mr. LACEY] will make the bill clear, and a refusal to incorporate this amendment, or some amendment substantially the same, I must take to mean that the object of this bill is not the forfeiture of unearned lands, but has another object. I have heard it intimated that it was somewhat in the character of a political bill, to be launched at this particular time.

I will not so regard it until I am forced to. No political consideration will influence my vote upon this bill; I will unhesitatingly vote against it, regardless of the popularity of the cry against and the denunciation of railroad corporations, unless I am convinced that it is a just bill and for a good purpose. As the bill is presented I will not vote for it, because we had the testimony yesterday of able lawyers supporting this bill, that it would in certain cases absolutely confiscate the farms and homes of many honest settlers. Here are the words of the gentleman from Louisiana [Mr. BOATNER], who is supporting this bill:

> It will not interfere with the right of any settler who has bought from a railroad company that had authority to sell, but it does propose to take back to the General Government all the lands granted to the railroad companies that have not conformed to the terms and conditions of the grant, and thereby earned the land.

"Had authority to sell." I call your special attention to these words in this connection.

It was admitted yesterday that by the terms of this bill no security was offered to anyone who had purchased more than 320 acres of land; that it absolutely confiscated all the lands purchased by anyone in excess of that amount. Now, I want to state to the House some conditions that exist in Southern and Central California. Two years ago I stopped at a small station on the Southern Pacific Railroad, and taking a carriage, drove for 10 miles across the desert plains in Kern County. As I say, it was across an absolute desert; way out upon this plain we came to a place of about 20 acres that had been improved.

A man of some wealth had gone there and put down an artesian well; got a good flow of water; threw up an embankment of the earth, 3 or 4 feet high, constructing a large reservoir; he then planted 5 acres of it to alfalfa. He was just beginning to cut his seventh crop of alfalfa from that piece of 5 acres. He had previously, that season, cut 40 tons of first-class alfalfa hay from these 5 acres. He had fruit trees of nearly all descriptions growing luxuriantly.

He had demonstrated what could be done with the desert by the aid of water and artificial irrigation. There was no other improvement within 10 miles of him. Now, then, the ordinary American citizen or individual who goes upon the public lands to make a home, could not have gone out on that desert and made that improvement.

The well cost nearly a thousand dollars. To handle that kind of land there must be some kind of an organization of a number of men. Well, the result here was this: The land as it lay was not worth a cent an acre; would not support a jack-rabbit; it is in an arid section, where the rainfall is very slight. Men of means purchased large tracts of the railroad company, not only in the grant, but in the limits of the indemnity lands. They spent many thousands of dollars in bringing the water on these lands. They then offered these lands to settlers at various prices, $10 and $20 and upwards an acre oftentimes, and hundreds of settlers have thus purchased their homes. They are in most cases given long time and a reasonable rate of interest to pay for their homes, and with the water upon that land they are as absolutely certain of succeeding as anyone in any other legitimate business can be.

These vast plains never can be settled to any extent by individual efforts. They can only be brought under cultivation in the way that they are doing it now. Now, sir, as I understand the able lawyers of the House this bill will confiscate the property of many of these settlers.

The act referred to in the bill, the act of 1890, of which I understand the gentleman from Indiana said at the time it was passed that "settled this whole question" of the protection of railroad lands. The gentleman must have been mistaken in the statement he made, otherwise there would be no reason whatever for the presentation of the pending bill.

Under that act the citizen must have possession of land—

> under deed, written contract with, or license from the State or corporation to which such grant was made, or its assignees, executed prior to January 1, 1888—

That is six years ago, and although going upon the lands, doing the best they could, settling on them under the law as far as they could get title from the Land Office, they are estopped by this bill from any rights which they may have acquired. The gentleman from Indiana said that this bill would effectually settle the matter for all time. He must have been mistaken, as this shows.

Others have gone onto the lands, in the language of this act of 1890—

> with bona fide intent to secure title thereto by purchase from the State or corporation * * * if they have made improvements prior to the 1st day of January, 1890.

That is four years ago. So that as it stands to-day every one of these people on the lands in question, that had not commenced the improvements on their lands within the four years, will find them confiscated by the provisions of this bill.

Now, I not going to consider the wrongs done in all of the years past in the granting of millions of acres of lands and the issuing of bonds to these railroads. But to punish the railroad companies and ourselves for our own negligence I do not propose to walk over the prostrate industries and assist in the destruction of the farms of thousands of settlers which, as we understand from all of the lawyers, this bill does. The railroads have secured millions of acres of good lands. This bill may re-

store some to the public domain, but it unsettles the question of titles of many settlers on the public lands.

If I understood the several able lawyers yesterday this bill provides for the absolute annulment of United States patents in certain cases. That was the argument of the gentleman from Louisiana, because it is admitted that in certain cases the land has been sold, and I believe patents granted where the railroad company was not authorized by the terms of the grant to do so.

Now, Mr. Chairman, as I have said before—perhaps it is unnecessary to repeat it—I am not a lawyer, but having in view the assertion of the gentleman from Alabama [Mr. COBB] as to the duty of everyone to know the law, I have read and have been told a great many times that the foundation of all law was a contract, and I believe that the foundation upon which all civilization rests is the sacredness of contracts, and when contracts are lightly repudiated there is no basis left for confidence between men, nor security for property or person. We should hesitate long before we unsettle the foundation of our Government. It should be known that when the Government of the United States makes a contract it must be fulfilled, unless it can clearly shown that willful and deliberate fraud has been accomplished.

It is the most serious charge that I or anyone can bring against the Democratic party to-day, that it has deliberately, by the passage of the Wilson bill, repudiated without notice the solemn contract this Government entered into with its own citizens in respect to the sugar bounty. A contract, not only implied, but expressed in words, enacted into law, fixing the time that the contract should begin to run, and the time it should end. After the citizens, relying upon the faith and contract of the United States, had expended large sums of money to build factories, and as in many parts of my district, the farmers had organized companies among themselves to build factories, had prepared and planted their land, then the Government abrogates the contract it made.

In view of this outrage, what security, what guaranty can the people of the United States have that this Government, while administered by the Democratic party, will regard any pledge, any contract, or keep faith with anyone? They can have none. If such a contract can be lightly repudiated, any other can be, and it is not surprising, perhaps, that the proposition to annul United States patents should so coolly be proposed to this House.

I am confident, Mr. Chairman, that at the first opportunity offered the people of the United States will repudiate any party that repudiates and nullifies the contracts entered into by the United States with its citizens.

And now, I repeat, if the supporters of this bill have but the single purpose in view of forfeiting the unearned land grants that should be forfeited, they will not refuse to accept the amendment of the gentleman from Iowa, which makes the bill clear. If this is not done we have reason to believe that the bill is introduced for political purposes, and I shall not vote for it. I have lived for a quarter of a century among the people who sent me here; they know my position upon the railroad question, and that no clamor will deter me from doing what I think is right in this matter. Make it clear that the rights of innocent purchasers and owners of these lands are secured and I am with you.

I was advised by a friend to vote for this bill anyway, even if not amended; that it was better to vote wrong than to vote right and be obliged to explain. Well, when I am right I can afford to explain.

One gentleman, a good lawyer and who has sat upon the bench as a judge, in conversation yesterday, admitted that the bill would unsettle the title of many farmers, but he would vote to forfeit all the lands and then let the innocent settlers and purchasers apply to the United States for relief.

But, Mr. Speaker, in view of my efforts to obtain justice for the 1,200 settlers on public lands, on the indemnity lands in California, I do not think it is a very promising outlook for the settlers to proceed that way. The United States is pretty slow. I shall not vote to add to the number of settlers to be placed in the position of those of Tulare and Kern, especially when the able lawyers of this House declare it is a bad precedent to establish, that the Government should keep faith and do justice to the settler on public lands to whom it has issued a patent.

Gentlemen talk of the robberies and wrongs committed upon the people by the railroad corporations. That these wrongs have been committed no one denies. But are we going to right these wrongs by now robbing thousands of settlers who have become innocent purchasers of these lands? And this is what this bill, without the amendment I have alluded to, admittedly does.

Mr. LACEY. I yield ten minutes to the gentleman from Vermont [Mr. POWERS.]

Mr. POWERS. Mr. Speaker, the bill pending before the House, as I understand its provisions, contemplates the absolute confiscation of more than 50,000,000 acres of land. The questions presented to us are, first, the expediency of this proposed legislation; and, secondly, the legal right of the Government to carry out the provisions of the bill proposed to be enacted.

I shall not take very much time upon the first part of this inquiry; it is enough for me to know that the Congress of the United States in past years has deemed it wise, in order to encourage the building of public thoroughfares to the Pacific Ocean, as well as in other parts of the country, to make a donation of the public land to certain corporations as an inducement to the promoters of such enterprises to carry them on; and I take it when Congress has given the public lands to a syndicate of gentlemen who have undertaken the construction of the railroad, and have gone on and constructed it, that they received that grant upon a legal and for a valuable consideration.

The suggestion was made by the gentleman from Louisiana [Mr. BOATNER] a few moments ago that all of these gentlemen had become very rich out of the proceeds of these lands, and that they had used the lands for their own private interest and purposes; that the sale of the lands had simply brought the money into their own pockets rather than those of other parties. But I submit that that consideration does not touch the merits of the bill presented. If the lands were granted to these men as an inducement to go on and construct the road, the lands belong to them, and they had a perfect right, after they had complied with the conditions they undertook to perform, to put the proceeds of the sales into their own private pockets.

If they have become wealthy in building these railroads they have done nothing more nor less than all men do who engage in enterprises of this kind. It seems to me, Mr. Speaker, that we lose sight of the point of this bill when we undertake to travel outside and to condemn the men who have built the railroads of this country. It is not my province, it is not my duty, nor have I any desire, to commend the management of railroad builders in the United States.

It is enough for me to know that, animated by a zeal that is worthy of the best of causes, they have given us four or five transcontinental lines to the Pacific Ocean. They have established a dozen States that are represented on the floor of this House; have brought them within the pale of civilization; have dotted the hillsides all over them with the homes of happy, contented families; have brought to the aggregate wealth of this country millions upon millions of dollars, and I think that these facts alone are enough to atone for the "criminality" that my friend from Louisiana [Mr. BOATNER] charges them with.

Mr. BOATNER. Mr. Speaker, does the gentleman maintain that it was right and proper for the incorporators of these roads to divert to their individual benefit the land grants which were given in aid of the construction of the roads?

Mr. POWERS. Most assuredly I do, Mr. Speaker. If the Government gave these lands to these railroad companies—and when the gentleman says "incorporators" I suppose he means the companies——

Mr. BOATNER. Yes, the managers.

Mr. POWERS. They gave these lands to them with the understanding that they should go on and build these railroads, and the lands became their property. The lands were the *quid pro quo* given them for the building of the roads, and if the lands were their property, they had the right to sell the lands and put the proceeds in their pockets.

Now, Mr. Speaker, there is another consideration connected with this matter. The great railroads of this country that have reached the stage of completion have been compelled, most of them, to execute mortgages upon their franchises, upon their properties, and I suppose it to be the fact, although I have not given special attention to the matter, that every great railroad corporation in this country that has been aided by the Government has mortgaged the lands to raise money to build the road.

Now, a mortgage is just as sacred in the eye of the law as an out-and-out deed. The rights of these mortgagees are just as complete and perfect as the right of a settler to a section of land which he has bought and upon which he has built his homestead. So that when we consider the question of expediency in connection with this bill, we are bound to recognize the equitable right of these security holders who have advanced their money by way of mortgage upon these lands, in order to enable the companies to carry out the purposes for which they were organized.

Not only that, Mr. Speaker. There are a great number of people in this country who have taken the stock of these corporations—widows, orphans, guardians, and trustees. People all over the country have invested their money in the stock of these corporations, and they have done it upon the faith and upon the trust that these lands constitute a part of the assets of the corpo-

rations, so that their money has been advanced upon the strength of that security. Now, this bill proposes to throw a cloud over their title. It proposes to impair the validity of their obligations against these companies by reducing the companies still lower in the scale of insolvency than they have already reached. So that I think, upon the score of expediency, it is entirely clear that there is no present call for the passage of this bill.

Now, upon the legal question, it is said that the Government has the right to confiscate these lands, because, forsooth, the railroad corporations did not complete their work within the specified time fixed in their charters. In other words, if they were twenty-four hours behind the time in the completion of a railroad, it is plain that we should declare a forfeiture of their land grants. Is there any sense or propriety or decency in such a proposition? It seems to me not. I do not know what the language of the various grants is. There are a great many grants, I suppose.

This bill not only reaches grants given to the roads that run across the continent, but I see by the map that was exhibited here yesterday that it covers Louisiana, Alabama, and a great many other States. I believe pretty much the whole of the States of Iowa and Minnesota are embraced within the sweeping provisions of this bill. I do not know, and I do not undertake, therefore, to argue what the provisions in the grants to these various railroad corporations were; but I have before me a copy of the act granting the charter to the Northern Pacific Railroad Company, and I undertake to say that there is no right whatever reserved to the Government to declare a forfeiture in that case.

Section 3 of the act of 1864 which chartered this company and made this land grant provides:

That there be and hereby is granted to the Northern Pacific Railroad Company,

* * * * * * *

every alternate section of public lands.

The conditions upon which that grant are made are specified in sections 8 and 9 of that act. Section 8 is:

That each and every grant, right, and privilege herein are so made and given to and accepted by said Northern Pacific Railroad Company upon and subject to the following conditions, namely: That the said company shall commence the work on said road within two years from the approval of this act by the President, and shall complete not less than 50 miles per year after the second year, and shall construct, equip, furnish, and complete the whole road by the 4th day of July, A. D. 1876.

SEC. 9. That the United States make the several conditioned grants herein, and that the said Northern Pacific Railroad Company accept the same, upon the further condition that if the said company make any breach of the conditions hereof and allow the same to continue for upwards of one year, then, in such case, at any time hereafter, the United States, by its Congress, may do any and all acts and things which may be needful and necessary to insure a speedy completion of the said road.

Now, Mr. Speaker, the only penalty named in the act granting aid to the Northern Pacific Railroad if it failed to complete its road within the stipulated time is found in the concluding words of section 9:

The United States, by its Congress, may do any and all acts and things which may be needful and necessary to insure a speedy completion of the said road.

Not a word or syllable can be found anywhere in the act that looks to a forfeiture of the land grant.

It is a matter of common knowledge to laymen as well as lawyers that penal clauses in statutes are to be strictly construed. Nothing can be added to or taken from the consequences specified, which are to follow wrongful acts or omissions of duty. If the penal clause names the consequence which is to follow, that and that alone is the only punishment available to the complaining party. In this case the right of the Government to intervene—to turn off the Northern Pacific Company, and proceed itself in any necessary way to complete the road is the one single and only possible result of the failure of the Northern Pacific Company to discharge the duty imposed upon it by the act.

If the Government had intended that a forfeiture of its land grant should follow a default in this behalf, it should have so ordained. It did not so ordain, therefore it can not now ordain it in this *ex post facto* legislation.

It may be agreed that under the wording of this penal clause in section 9 the Government might, if it deemed it necessary to the completion of the road, annul the land grant and turn it over to other parties who would complete the road. Such a contention I concede would be plausible, and I do not now stop to say that it would be illogical.

But a close inspection of this language in section 9 shows that the only right reserved under it to the Government is to do those things necessary to insure the speedy completion of the road. It is not a right to punish the company and leave the building of the road unprovided for. It is a right, and a right only, to adopt means to a particular and clearly specified end; namely, to complete an unfinished work. It follows then if the Government does not avail itself of this right—if it does not intervene while the work is uncompleted—does not enforce its reserved right to finish the work either by itself or by other agencies under its direction or by its authority, and suffers the company to go along after the law-day and complete the work, it has lost all benefit of this reservation of authority under section 9, and there is no default left upon which the penal language of the statute can operate.

I am abundantly justified, then, in repeating what I said at the outset, that so far as the Northern Pacific road is concerned there is no power now existing in Congress to declare a forfeiture of its land grant; and, this being so, am justified in replying as I did a moment since to the gentleman from Louisiana [Mr. BOATNER] that it was entirely proper for this company to do what it pleased with the proceeds of the sales of these lands. The lands were donated to the company so that the company would have assets upon which money could be raised to build the road, and now that we have the road—have the very thing we bargained for—it looks like child's play to be scolding because we made a bad bargain and somebody else made a good one.

But, Mr. Speaker, both parties, as I have pointed out, made a good bargain. On our part we have changed the colors of the northwest corner of our territorial map—have brought new States into the family, and have multiplied the fabulous millions of our national wealth many fold.

But, sir, there are humane considerations involved in this legislation that ought to condemn it in the eyes of all honest men. The bill at one blow confiscates all land granted to this company which happens to be located upon any section of the railroad which was not completed within the time specified in the act.

Many thousands of settlers are now living on these lands—have opened up farms, built homes, and set up their household gods in the honest belief that they have good titles to their possessions. You propose to turn these people off; to say to them it is true you have bought and paid for your homes in good faith; you have spent years of toil in developing your farms; you have taxed yourselves to build schoolhouses to give your children an education; you have built churches and court-houses, and have done everything and all things necessary and proper to be done to establish those houses and those communities of Christian homes that reflect more moral grandeur upon American civilization than all other agencies combined, nevertheless we are called upon to demand the forfeiture of all unearned grants of the public domain, and hence you must go. We are in the work of destroying the industries of the people, and it is but just that we supplement that work by destroying their homes.

O tempora! O mores!

The lands within reach of this confiscation are in area as large, or nearly so, as the six New England States. No confiscation in history compares with this either in vastness or in wickedness, or in inexcusableness. A part of the lands of Ireland has been confiscated four times, yet the sickening history of these confiscations has no chapters so revolting, so anarchical, so communistic as this. Cromwell boasted that he stole the lands in Ireland for the glory of God, but this steal does not have the poor justification even of a religious enthusiasm to excuse it.

I have thus far considered this bill as it is related to the Northern Pacific road, but it applies generally to all roads that have received land-grant aid. Many States West and South are affected by the provisions of the bill. I am not conversant with the language of the acts granting lands to these various roads, but gather from the debate that in some of them at least a clause expressly declaring a forfeiture of granted lands is incorporated in the act making the donation.

So far as those roads which have never been built, if any there be, are concerned there can be no objection to the proposed forfeiture; but in cases where the substantial end in view, namely, the building of a new outlet for the people, has been accomplished, there seems to be little propriety in persisting in the enforcement of a technical breach of a condition that has been acquiesced in for many years. And I suggest to the friends of this measure that they will encounter some legal obstacles in their raid that prudence would dictate as suitable matter for prayerful consideration. Merely declaring a forfeiture of a grant by legislative act does not make nor unmake title. Something more is requisite. The courts are open to the parties interested, and the justice as well as the legality of your action is subject to their review.

Now, as I remember the rule, time is never the essence of a contract unless it be so expressly stipulated. Courts are hostile to forfeitures, and courts of equity will always relieve against them by granting time for redemption or other equitable relief appropriate to the case. That these grants are contracts is too clear, at this late day, to be questioned, and that you are stand-

ing upon the ground that you can declare a forfeiture because time is the essence of your contract is equally clear.

The provision in these grants that the aided roads should be completed by a day certain or the lands should be forfeited merely presents the common case of a grant upon a condition subsequent, the breach of which by the rigorous rules of the common law, gives the right of forfeiture, but this right is always one which courts of equity will restrain and relieve against, unless the parties have stipulated that performance on the day named is the essential right bargained for.

The leading purpose of the grant was a public one; it was to open up to settlement territory then unreclaimed from nature. The Government, representing the people, made these donations to accomplish this public end. The great work of building a transcontinental railroad might or might not be accomplished in a given time. Vast sums of money, aside from that realized from the sale of public lands donated, were required. Money markets are fickle. Unexpected engineering difficulties are encountered. Hostile Indians dispute the advance of civilization, and a thousand other impediments delay the work.

All these things throw light upon the reason for and the expectations of both parties in framing the conditions of their contract, and add to this the controlling fact that the roads have been built, the great end of their construction accomplished, the long time that has elapsed since their completion, the long-continued waiver of your right to declare a forfeiture, and your acquiescence for many years in the mode of performance, not, it is true, according to the letter, but exactly, it is true, according to the spirit of your stipulations, it is easy to see that your standing in court will not be an enviable one to yourselves, and will be odious in the eyes of all fair-minded people.

The SPEAKER *pro tempore*. The time of the gentleman has expired.

Mr. BLACK of Georgia. I ask unanimous consent that the gentleman be permitted to conclude his remarks.

The SPEAKER *pro tempore*. How much time does the gentleman ask?

Mr. BLACK of Georgia. Ten minutes.

Mr. McRAE. I suggest that the time come out of the time allowed for the five-minute debate.

The SPEAKER *pro tempore*. The gentleman from Georgia asks that the general debate be extended ten minutes longer, as the Chair understands, the time to be given to the gentleman from Vermont [Mr. POWERS].

Mr. WILSON of Washington. I ask that the general debate may be extended fifteen minutes. I am more interested in this question, probably, than any other man on the floor, and I have only got four minutes.

The SPEAKER *pro tempore*. The gentleman asks unanimous consent that the general debate be extended fifteen minutes, the gentleman from Vermont [Mr. POWERS] to have ten minutes. Is there objection?

Mr. HARTMAN. Will that be taken from the time allowed in which to offer amendments?

The SPEAKER *pro tempore*. It will. Is there objection to the request?

Mr. CANNON of California. I object.

The SPEAKER *pro tempore*. Objection is made. The time of the gentleman from Vermont [Mr. POWERS] has expired.

Mr. LACEY. I yield the remainder of my time to the gentleman from Washington [Mr. WILSON].

Mr. POWERS. I ask leave to extend my remarks in the RECORD.

Mr. CANNON of Illinois. I ask unanimous consent that the gentleman may now have five or ten minutes out of the five-minute debate in which to complete his remarks.

The SPEAKER *pro tempore*. The Chair has just submitted that request.

Mr. CANNON of Illinois. No; this is only to anticipate the five-minute debate, when the gentleman can get the floor.

The SPEAKER *pro tempore*. The gentleman from Illinois [Mr. CANNON] asks unanimous consent that the gentleman from Vermont [Mr. POWERS] may have ten minutes now of the time set apart for the five-minute debate. Is there objection?

Mr. STOCKDALE. I want to ask the gentleman from Illinois [Mr. CANNON] to amend that by asking that time for the five-minute debate be extended ten minutes.

Mr. CANNON of Illinois. I am content to do that.

The SPEAKER *pro tempore*. The Chair understands the gentleman from Illinois [Mr. CANNON] to modify his request by asking that the time for the five-minute debate be extended five minutes.

Mr. McRAE. I hope the gentleman from Vermont [Mr. POWERS] may have the time he desires, but I will not consent to have the hour when the final vote is to be taken on this bill postponed.

The SPEAKER *pro tempore*. The gentleman from Arkansas [Mr. McRAE] objects.

Mr. McRAE. I do not object to granting time to the gentleman from Vermont. I want him to have the time. But I object to postponing the vote on this bill.

The SPEAKER *pro tempore*. The Chair can only submit the request. The gentleman from Vermont asks unanimous consent to extend his remarks in the RECORD.

Mr. McRAE. The request preferred by the gentleman from Illinois [Mr. CANNON] has not been submitted, that the gentleman be allowed ten minutes out of the time to be allowed for the five-minute debate.

The SPEAKER *pro tempore*. The gentleman from Illinois [Mr. CANNON] asks unanimous consent that the gentleman from Vermont [Mr. POWERS] be permitted to use ten minutes of the time set apart for debate under the five-minute rule. Is there objection?

Mr. STOCKDALE. How much time is there for offering amendments?

The SPEAKER *pro tempore*. One hour has been allowed for debate under the five-minute rule, when amendments may be offered.

Mr. STOCKDALE. The time is limited, then?

The SPEAKER *pro tempore*. It is limited to one hour under the special order.

Mr. STOCKDALE. Unless I am allowed to offer an amendment, which I regard as very important, and unless that understanding is had, I shall object.

The SPEAKER *pro tempore*. The Chair can only submit the request, which is that the gentleman from Vermont [Mr. POWERS] be allowed to use ten minutes out of the time set apart for the five-minute debate. Is there objection?

Mr. STOCKDALE. I object.

The SPEAKER *pro tempore*. The gentleman from Vermont [Mr. POWERS] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. WILSON of Washington. Mr. Speaker, the State which I have the honor to represent in part is probably more interested in any forfeiture bill that may pass Congress than any particular State in the United States; and it is regrettable, therefore, that I am limited in the observations that I wish to make to a mere five minutes. I wish to use those five minutes more in the way of inquiry as to the effect, if this bill should become law, on certain constituents and settlers of mine rather than in arguing any legal question, which has been so ably argued by the gentleman from Vermont and other gentlemen upon this floor.

Mr. Speaker, inasmuch as my venerable and learned friend from Indiana [Mr. HOLMAN] has referred to the Northern Pacific Railroad corporation, and seemed to infer that every man who lifts his voice here upon the facts is in some manner or in some way connected with that railroad, I want to say that I am in no manner or in no way, directly or indirectly, remotely or contingently, under any obligation to that company for my seat upon this floor.

I have had some experience with the public domain. I have some knowledge of that branch of the service. I have seen my country grow up when I had connection with the land office; and at all times and under all circumstances, whenever the opportunity was afforded me, I have been anxious to render service to the settlers who are developing the public domain. But the question arises in the city of Spokane, a city of 30,000, part of which is built upon an odd section of the Northern Pacific Railroad Company's land. They have parted with the title for a mere minor consideration, and the land is to-day worth, in all human probability, in round numbers, $10,000,000.

What is to become of this 320 acres if this bill passes? What title will the people get to the land on which they have their business property, their residences, and their hotels? What title can they get to the other 320 acres of land? How is it to be brought about?

The city of Tacoma is likewise situated. And all the way along the line, wherever cities or towns are built, they have been built largely through the instrumentality of the corporation on odd sections of the Northern Pacific Railroad Company's land. Who is to indemnify these people?

Now, again, it is a matter of fact that the railroad company, when they sold an odd section, they sold it upon a contract. That contract extended over a series of years, and was made on partial payments; some of it running three, some five, some nine years, at 6 per cent. How are the settlers who have paid that amount to be reimbursed for the partial payments they have already made upon those lands? That I would like to know. The railroad company is bankrupt. It can not pay a dollar. How are these people to be reimbursed for this expenditure of money that they have been making for the past ten years on these lands?

All the way along the line through my country that question is at stake. Gentlemen say Congress will do it. Why, Congress will do nothing of the kind. In the Fifty-first Congress we brought in a bill here and forfeited land in my State. I voted for that measure, because the railroad company had not built the line down the Columbia River, but you, and you, and you have charged, by the enactment of a law upon the statute books, the settlers in that 40 miles $2.50 an acre, because there was to have been a railroad built there. You have forfeited the land. You have not given the settlers any railroad, and have defeated bill after bill in this Congress to reimburse the settlers for the robbery you have made of their money.

That is the fact about it. We may as well be plain about the facts. Now, I do not believe, Mr. Speaker, and this is the truth, that until yesterday any man upon this floor with whom I conversed had ever read the grant to the Northern Pacific Railroad Company. Men have introduced bills and made arguments in this House, and yet they have never taken occasion to examine the act of 1864. Now, if you take and read that act, I do not think there is a single acre of land forfeitable. I wish it was so.

The SPEAKER *pro tempore*. The time of the gentleman has expired.

Mr. WILSON of Washington. Well, Mr. Speaker——

Mr. REED. This is not a question of sufficient importance to be debated. They do not allow it to be debated.

Mr. WILSON of Washington. Mr. Speaker, I wish to say that my people are interested in this question probably more than any other, and I want to get some answer to these propositions.

The SPEAKER *pro tempore*. The time of the gentleman has expired.

Mr. McRAE. I believe I have seventeen minutes?

The SPEAKER *pro tempore*. The gentleman has fifteen minutes of his time remaining.

Mr. McRAE. I only yielded twenty-three minutes to the gentleman from Indiana and twenty minutes to the other gentleman.

The SPEAKER *pro tempore*. The present occupant of the chair was out at the time. The Clerk informs the Chair that the gentleman has only fifteen minutes remaining.

Mr. McRAE. Mr. Speaker, I want to briefly notice some of the points that have been urged against this bill. In regard to the protection to cities, towns, and villages, I will say that it was not thought necessary when the act of September 29, 1890, was passed to make any such exception, because it was supposed that no one within the limit of any city, town, or village owned exceeding 320 acres; and if not necessary then it is not now, because the title in the present claimants are confirmed by this act to that extent; but to remove any doubt upon that point, I have already prepared, and will at the proper time offer, an amendment excepting cities, towns, and villages from the forfeiture provided for by this act.

The gentleman from Iowa [Mr. GEAR] made his argument under the erroneous assumption that the land grants to the State of Iowa are forfeited by this bill. Not an acre of land granted to that State is affected by this proposed legislation. The report upon the bill furnishes a list of the roads, giving the mileage and area of each by States, and it shows that there are no lands forfeited in the State of Iowa. There is no contention on the part of the committee that we could, if so disposed, forfeit the land of any road completed in time, and the roads in Iowa were, I think, all built within the time fixed by law. But to remove all question about that, I will move an amendment that will in express terms give such roads the full benefit of the extensions granted them by acts and resolutions after the passage of the granting acts.

The gentleman from Oregon [Mr. HERMANN] has said that the rights of settlers are not protected by this bill. The gentleman either does not know the effect of the act of 1890 or he presumes very much upon the lack of ability in this House to understand a plain proposition. The second section of that act secures to all actual settlers six months from the date of its passage the preference right to enter under the homestead law, and if that right has been previously exhausted it is in express terms revived so as to save the home of every settler upon the land claiming under the homestead law, and credits him with the time of actual settlement.

The third section of that act deals with the purchasers from the railroad or its assignees who are in possession and protects them to not exceeding 320 acres by giving them the right to purchase at $1.25 per acre, and allows credit for what has been paid to the road when it is less than that sum, and if it is more than $1.25 per acre then nothing more is required to be paid.

Mr. LACEY. Will the gentleman allow me to ask him a question in that connection?

Mr. McRAE. I have only a moment, but will yield for a question?

Mr. LACEY. Does not the bill as offered by the committee cut off absolutely every one who has bought lands since 1888 and who has taken possession since 1890?

Mr. McRAE. It does not if he is an actual settler and will reside upon it. The third section of the bill would not apply to such cases, but if there are any such bona fide settlers in possession an amendment that would protect them can be adopted, and I will make no objection to it. The second section of the act which is made applicable to this bill operates from date, and this bill expressly provides that the time shall be computed from the date of this amendatory act. The gentleman from Iowa [Mr. LACEY] has undertaken to make the House believe that if this bill is passed the railroad companies must be paid large sums of money for the transportation of mails, troops, etc. There is nothing in the grants to these companies that sustains that position, and there is no foundation for any such claims.

The grants to the railroads expressly stipulate that the mail shall be transported over the roads under the discretion of the Post-Office Department at such price as Congress may by law direct; and as a matter of fact the existing law on this subject as contained in section 4001 of the Revised Statutes was not passed I believe, until March 3, 1873, after all of the grants had been made, and after the most of the railroads were in default and subject to forfeiture. Congress has therefore reserved, and the roads have agreed that it may exercise, the right of regulating the compensation for such services rendered by them. So we see that the gentleman who has suggested that contractual relations would be disturbed certainly does not understand the law upon this point.

I think that the Department has uniformly held that companies whose railroad was constructed in whole or in part by a land grant made by Congress, on condition that the mails should be transported over the road at such prices as Congress should fix, must carry the mail along the whole line of constructed road, or at least to the line of the State to which the grant was made. In short, if the companies have accepted and used any part of the grant they can be required by Congress to carry the mails at such price as it may fix. Congress, in the exercise of its power, has required certain reductions and may extend them if it thinks proper. The roads, however, have been well paid for such transportation and there is no danger of any refund to them if this bill becomes a law.

It has been said that some of these lands are patented, and that by a measure of this kind we should not and can not disturb them. The weakness of that argument has been clearly shown by the gentleman from Louisiana [Mr. BOATNER] and the gentleman from Alabama [Mr. COBB], and all I desire to say in addition is that the grants themselves carry the title, and the patents are only the evidence of it. A patent based on a void or forfeited grant is of no value. The purchasers took with notice of the conditions expressed in the grants, and could purchase no title not granted to the railroads. If, however, we are to be influenced by such appeals, then we invite you to consider the claims of those settlers who, with patents in their possession, have been and are being ejected by the railroads or their assignees. Thousands of honest settlers, with the patents of the United States in their pockets or in their trunks, have been turned out of their homes because the patents were in conflict with prior grants. Gentlemen are very anxious to respect the patents of railroads, but manifest no concern for them when in conflict with the railroad title.

Mr. Speaker, I deny that this bill will cloud the title of the actual settler, or that it will disturb any of the rights of the bona fide purchasers who want the land for a home. It is a bill to save the homes of thousands of settlers along the lines of these roads who for five, ten, twenty, or twenty-five years have paid tribute to the railroad companies in the way of interest, rent, and high prices for lands that of right they should have had for nothing.

Mr. GEAR. The gentleman will allow me to say that the state of affairs to which he refers in Iowa was brought about by just the kind of legislation which he is now trying to enact—by conflicting acts of Congress.

Mr. McRAE. The gentleman, I think, is mistaken. It was brought about by a grant to the Des Moines River Company. In the construction of that grant the courts held that the title passed with the grant, and that it was superior to subsequent patents to settlers, notwithstanding the fact that the settlers were invited by the Department to enter and settle upon the land. I have mentioned this to show that it is the grant and not the patent that controls the title. There are many such cases involved in these railroad grants unless they are forfeited and the settlers protected, as is now proposed. Some of the settlers along the lines of these railroads have for years been agree-

ing to pay enormous prices for lands they ought to have for nothing. They have been required to pay two, three, and four times the maximum Government price for the lands in rents, interest, and partial payments, and yet have no title.

After years of toil they must now surrender their homes, and turn over their improvements to some speculative assignee of the railroad companies and abandon possession. By this bill we say to that class of settlers, who are likely to become homeless, and to others who are already homeless, that they can retain their homes if they have them or acquire them if they have none, for a nominal price, and if what they have paid the company is equal to the minimum Government price for land they shall not be required to pay anything to the Government.

The gentlemen upon the other side of the Chamber who have assumed to speak for the settlers have not presented any petitions from them, and I deny that they reflect the wishes of the settlers. I have petitions from settlers' leagues, and letters from settlers in many States, asking and begging Congress to pass this bill and save them from the greed of these corporations. It is in behalf of these people and in response to these petitions that I am asking the House to pass this bill, and the jeers and taunts of the gentleman from Illinois [Mr. HOPKINS] and the gentleman from Maine [Mr. REED] about demagogy will not deter me in the least.

Since the decision of the Supreme Court in the case of Schulenberg *vs.* Harriman (21 Wallace, 44) was rendered, in October 1874, announcing the doctrine that there must be some legislative assertion of ownership of the lands for breach of the condition, from that day to this the defaulting railroad companies have by every parliamentary method known resisted such action, and they have been strong enough in this or the other Chamber to prevent such a forfeiture. It has been as is still their purpose to prevent a resumption of the forfeited estate.

The courts say that the legal title remains in the railroads until Congress acts; but they have not decided that Congress can not resume that title for a failure to build in time. The question now is, Will Congress do its duty? The gentlemen who insist that the courts will decide that Congress can not forfeit the lands opposite constructed road show a lack of confidence in their position when they vote against this bill. If they believe the law to be as they state it, they should not be afraid to permit this question to go into the courts; and they must know that it can never go to the courts until Congress acts. If they want it settled—if the railroad companies have confidence in their title and believe that it is good—then there should be no objection to the passage of this bill, and thus carry the matter to the courts to be finally determined. The settlers will abide by the decisions of the courts, whether for or against them; but they will not be satisfied until there is a forfeiture that will give them access to the courts.

Many of our best lawyers believe that if Congress makes an affirmative declaration of forfeiture, such as we propose now, that the courts will not nullify it. The people have a right to have the judgment of the courts upon this question and there can be no settlement of it until that is given them. The able argument made by the gentleman from Vermont [Mr. POWERS], for whose ability as a lawyer I have great respect, would, if sound, defeat the forfeiture declared by the act of September 29, 1890, but no one has ever questioned the power and right of Congress to pass that law. It has been asserted by those who oppose this bill that the Government is bound by the ordinary doctrine of estoppel.

I deny that such is the law. No such rule is applicable to any sovereignty like the United States Government. Here is a decision of the Supreme Court in 93 United States Reports, page 486, on this subject to which my friend from Georgia [Mr. BLACK] now calls my attention.

In this case the court, speaking through Justice Swayne, quoted approvingly the following language:

> In a representative government, where the people do not and can not act in a body, where their power is delegated to others, and must of necessity be exercised by them, if exercised at all, the reason for applying these principles is equally cogent.

This doctrine is supported by an unbroken line of decisions and rests upon principles of sound public policy that should not be ignored. The individual has his own free volition at all times and can act any moment he feels inclined. But a Government like that of the United States, composed of different branches operating only at intervals under rules which make it difficult to act at all, and being subject to all the delays and forms and contentions of all stages of legislation, can not get out of what is often a condition of positive helplessness for long periods of time.

To illustrate the value of this principle it is only necessary to refer to the fact that in every Congress, with one exception, for twelve years past, bills similar to this have been passed by the House, but have failed of consideration or passage in some way by the Senate or in conference. If unable to protect themselves by being above laches, the United States are exposed to any big swindle that can manage to get a conditional grant or favor from the Government. From all that embarrassment the private individual is free, and it is right to hold him by estoppel, but not right to so hold a whole people, whose cumbrous and complicated machinery for legislative action renders them rich game for the rich and grasping corporations, with their intriguing officers and attorneys.

It is almost impossible to suggest an equity against a forfeiture in behalf of these delinquent railroad corporations. Some of the grants were made nearly forty years ago. Thirty years have elaped since the actual forfeiture of the grants occurred, and yet within the past few years portions of these roads have been constructed and, in some instances, completed, but scarcely any of the grants have been closed and finally adjusted. The neglect and failure of the land grant corporations to comply with the terms of their grants has been so open and notorious in my judgment, that as between the Government and them no injustice would be done if the entire grants were forfeited.

The bill leaves the rights of the purchasers and settlers as fixed and defined in the act of September 29, 1890, and will extend the same protection to purchasers and settlers on the lands forfeited by it if it should pass. It does not interfere with any special settlement provided for in that act. If then, sir, the companies did not comply with the conditions of their grants, if the title to the lands has not passed irrevocably to the companies, if Congress has the legal right to reclaim them for the people, I insist that it should do so.

No innocent settler on any of these lands, no innocent purchaser of any of them unless a speculator, is put in peril by this bill. It is a plain, naked question between the original parties to the transaction—the Government which made and the corporations which accepted the grants. No other person and no other interest is involved, and gentlemen must say by their votes whether they will stand by the people or the corporations.

The House of Representatives has for fifteen years been trying to do what we propose to do by this bill, and what I hope the Senate will promptly concur in. As my good friend from Indiana [Mr. HOLMAN] has said, the Democratic party is committed as firmly as it can be to the forfeiture of these land grants, both by action in the House of Representatives in the past and by its platform pledges. The people expect us to redeem these promises. I hope that no Democrat who has regard for these party pledges, who has regard for the interest of the homeless people whose rights are involved, who has regard for the interest of those purchasers who have been oppressed by these railroad corporations and land syndicates, will hesitate for one moment to vote for this bill. [Loud applause.]

The SPEAKER *pro tempore*. The time for general debate is exhausted. The bill will now be read by sections for amendment under the five-minute rule.

The Clerk read as follows:

Be it enacted, etc., That section 1 of an act to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes, approved September 29, 1890, be, and the same is hereby, amended so as to read as follows:

SEC. 1. That there is hereby forfeited to the United States, and the United States hereby resumes the title thereto, all lands heretofore granted to any State or to any corporation to aid in the construction of a railroad opposite to and coterminous with the portion of any such railroad not constructed and completed within the time specified in the act making the grant for the construction and completion of the whole of such railroad for the aid or benefit of which such lands were granted; and all such lands are declared to be a part of the public domain: *Provided*, That this act shall not be construed as forfeiting the right of way or station grounds of any company heretofore granted.

Mr. MCRAE. I move to amend the section just read by inserting after the word "grant," in line 14, the words "or within the time specified in any subsequent acts or resolutions extending the time."

The SPEAKER *pro tempore*. If there be no objection, this amendment will be considered as agreed to.

Mr. STOCKDALE. I want to offer an amendment to that amendment.

The SPEAKER *pro tempore*. The gentleman will send up his amendment.

Mr. STOCKDALE. It is at the Clerk's desk.

Mr. MCRAE. I do not yield the floor.

The SPEAKER *pro tempore*. The gentleman from Arkansas is entitled to the floor if he desires to speak upon his amendment.

Mr. MCRAE. I will hear the amendment of the gentleman from Mississippi [Mr. STOCKDALE].

Mr. STOCKDALE. I want to offer my amendment—not merely to have it read. There is but little time left, and I do not want to consume time unnecessarily.

Mr. McRAE. The gentleman understands that I want to have the amendments of the committee disposed of.

The SPEAKER *pro tempore*. The gentleman from Arkansas has offered the amendment just read, and is entitled to debate it if he so desires.

Mr. McRAE. I do not want to debate it; but I had an idea of moving the previous question on it.

The SPEAKER *pro tempore*. The gentleman can move the previous question.

Mr. McRAE. I will do so.

The previous question was ordered; and under the operation thereof the amendment was agreed to.

Mr. McRAE. Mr. Speaker, I propose the following amendment.

The Clerk read as follows:

Add to section 1, after the word "provided," in line 19, the words "or lands included in any city, town, or village site."

Mr. WEADOCK. I offer an amendment to the amendment.

The Clerk read as follows:

Add to the amendment just adopted: "Nor as forfeiting lands granted to any State or corporation for the construction of any railway where such State or corporation had so far constructed said railway within the time specified in the granting act or acts as to earn all the lands available under such grant or grants."

Mr. WEADOCK. Mr. Speaker, this is presented to meet the following facts:

Under the conditions of the act of June 3, 1856, and the act of July 3, 1866, which acts make the grant, the time within which construction was to be completed was limited to June 3, 1873.

The road was constructed to Gaylord, in township 31 north. All of the available lands were earned and patents issued for the same on or before May 8, 1873.

The first patent issued bears date May 4, 1869, and the last one May 8, 1873.

These patents convey to the J. L. & S. Co. every acre of land embraced within the grant that was available for the purpose.

The road was completed to Gaylord in sections of 10 miles each, each section certified by the governor as being properly constructed, and patents issued for the same currently, all in exact conformity to the conditions of the grant.

Most of the lands have been sold to farmers who now occupy them. Farms have been cleared, children born and reared to maturity on these lands.

All lands remaining unsold have been mortgaged and the proceeds used in constructing the north end of the road through an absolute wilderness, where not an acre of the grant was available.

The sales to the farmers and the mortgage rest for their title upon the patents of the United States, which were given more than twenty-one years ago.

I hope the amendment will be adopted.

Mr. McRAE. I have no objection to the amendment of the gentleman from Michigan.

The amendment to the amendment was agreed to.

The amendment of Mr. McRAE as amended was agreed to.

Mr. HARTMAN. Mr. Speaker——

Mr. LACEY. I wish to offer an amendment to the second section of the bill.

The SPEAKER *pro tempore*. That has not yet been read, and the Chair will recognize the gentleman from Montana [Mr. HARTMAN] to offer an amendment to the first section of the bill.

Mr. HARTMAN. I offer the amendment I send to the desk to be added to the first section.

The Clerk read as follows:

After section 1 insert:

"*Provided*, That in all cases where any lands have been sold to bona fide purchasers for value, the title of such lands shall not be affected or impaired by the provisions of this act; but the titles to all such lands are hereby confirmed in the holders thereof, anything herein contained to the contrary notwithstanding."

Mr. HARTMAN. I hope the gentleman from Arkansas, the chairman of the Committee on the Public Lands, will accept that amendment.

Mr. McRAE. I can not accept it.

Mr. HOPKINS of Illinois. Why?

Mr. HARTMAN. Well, my purpose in offering the amendment is simply this: I do not know whether this bill is to pass or not. If it is to pass, I hope it will pass with that provision incorporated, which will operate to prevent throwing into endless litigation thousands of people who were purchasers in good faith of the lands from the Northern Pacific Railroad Company, which runs through our State.

There are thousands of men all along the line of that road who have purchased lands from the company, who have placed upon them valuable improvements, expended years of labor in improving them, and spent a great deal of money. They have constructed irrigating ditches, which are expensive to construct; they have fenced them in, broken them, put buildings upon them, and in other ways have made for themselves, at a great expense of time and money, comfortable homes; and the result of the passage of this bill in its present form, and without that amendment, is simply to say that their title is unsettled; that the lands are to revert to the Government, and that they may homestead 320 acres of land or obtain title from the Government to that amount and no more.

I know from my own personal knowledge a large number of men who have purchased 640 acres of land, others 1,200 acres, from the railroad company, on which they have expended vast sums of money, and what will they do in the event of this enactment, or where are they to be reimbursed? Why, you say they have recourse to the Northern Pacific Railroad for the amount of money that they have paid in.

That is all very true, Mr. Speaker. They have recourse on the railroad; but as a matter of fact that road is in the hands of a receiver to-day, and is a bankrupt corporation. What sort of an inducement; what sort of an encouragement; what sort of a consolation is it to a man to say, "O, yes, you have the remedy, but when you get the judgment you can frame it and hang it up as an ornament on the walls of your house—if you have any left—for you never can collect it." That is certainly not what you desire. I know the chairman of the Committee on the Public Lands does not want to do that. I believe he is fair; he has attempted to be fair in all of the legislation proposed here, or nearly all; but certainly in this he has made a great mistake.

Furthermore, Mr. Speaker, admitting for the sake of argument that the company was solvent and that you could collect from them, what does it mean? It means that the settlers must go into the courts; that they must employ lawyers and fight their cases. It is true that if I should speak for myself I would say let it go there, because I would get my share of the business in Montana and receive the fees; but is it right to charge on these men the responsibility of going into the courts to obtain the money that they have paid to the corporations for what they had reason to believe, from the action of the Government, the corporation had a right to sell, and which corporation is now insolvent? It seems to me to be a very important amendment, and I sincerely hope that if the bill is to pass at all it will pass with the amendment.

[Here the hammer fell.]

Mr. HOPKINS of Illinois. I would like to have the gentleman in charge of the bill give the reason, if he has any, why this amendment should not be adopted.

The SPEAKER *pro tempore*. The time of the gentleman from Montana has expired.

Mr. WHEELER of Alabama. Mr. Speaker, this bill proposes to forfeit 36,000,000 acres of land which is now held by the Northern Pacific Railroad Company. One of the conditions of the grant was that the railroad should be built within twelve years from the time (July 2, 1864) when the law was enacted.

Section 8 of the act found in 13 Statutes at Large, page 365, reads as follows:

And be it further enacted, That each and every grant, right, and privilege herein are so made and given to and accepted by said Northern Pacific Railroad Company upon and subject to the following conditions, namely: That the said company shall commence the work on said road within two years from the approval of this act by the President, and shall complete not less than 50 miles per year after the second year, and shall construct, equip, furnish, and complete the whole road by July 4, A. D. 1876.

On July 1, 1868, Congress granted an extension of one year for the completion of the road.

The argument in this House was that these immense grants of land to the corporation were justified because the grantees, as a condition of the grant, bound themselves to penetrate unknown regions with no inhabitants but Indians, and that for years they would have no passenger business, no freight traffic or other sources of revenue, and that therefore this imperial grant should be donated to compensate for the immense expenditure incident to the construction of the road and the loss in its maintenance prior to the settlement of the country by white men.

Mr. Speaker, what did the railroad do? They waited until their grant had expired. They waited until our brave pioneers went into that country, braved the Indians, braved the wild beasts, cultivated the barren plains, made the country valuable, gave business to the railroad, and then, when all the purposes had ceased to exist which justified this Government donating them 40,000,000 acres of land, this great corporation, relying upon a Republican Congress and a Republican Administration, went on and built the road, or rather partly built the road, and now have the audacity to come in and ask Congress to confirm that grant.

Worse than that; the law specially excepted all lands containing minerals, and with their astute lawyers they went into the courts and obtained a decision limiting the exempted lands to

those lands which were known to be mineral lands when the act was passed! Why, Mr. Speaker, on July 2, 1864, when the act was passed no living white man knew whether the lands were mineral or not; and yet under this decision they have taken possession of the property—mineral lands and all—and have obtained the benefit of the minerals for the last fifteen years, and now the Supreme Court has reversed that decision, and I hold in my hands the recent decision, saying that these lands belong to the Government of the United States and to the people.

Mr. HERMANN. The gentleman from Alabama has referred to the grant made by a Republican Administration. I would ask him if he thinks it any worse than for a Democratic Administration, within ninety days past, to patent millions of acres of land of the same class to these corporations?

Mr. WHEELER of Alabama. No. Nothing is right that does a wrong to the people, and I do not believe that any Democratic Administration ever did anything like what is indicated by the question of the gentleman from Oregon.

Mr. WILSON of Washington. What, you do not believe it? Why, you do not want to put yourself on record on that statement.

Mr. WHEELER of Alabama. No, sir; I do not believe it.

Mr. GROSVENOR. Mr. Speaker, I move to strike out the last word.

I am glad to learn from the gentleman from Alabama [Mr. WHEELER] what I had not known before, that the pioneers went out on the Western frontiers and "braved the Indians," and "fought with the wild beasts" of Ephesus and subdued the country, and then the railroads came.

Mr. WHEELER of Alabama. That is the truth.

Mr. GROSVENOR. The statement has always seemed to me to smack of demagogy as much so as any remark I have ever heard on the floor of the House.

Mr. WHEELER of Alabama. It is a fact, no matter how the gentleman regards it. Everything is called demagogy on the Republican side of the House which seeks to defend the interests of the people. [Laughter and applause.]

Mr. GROSVENOR. Everybody who knows anything about it knows that until the Northern Pacific Railroad was actually built there was no considerable number of settlers in all that region of country. I know something about what I am talking of——

Mr. WHEELER of Alabama. And so do I.

The SPEAKER *pro tempore*. The gentleman from Ohio is entitled to the floor, and unless with his consent he can not be interrupted.

Mr. GROSVENOR. The effervescence of the gentleman from Alabama does not alter the fact.

Everybody knows that but for the construction of these roads over that country there would have been no settlement to-day. I am not advocating the passage of the bill, nor am I trying to compass its defeat; but when an argument like that is made on the floor of Congress, I think it is time that someone should make a protest.

It was because of the building of those railroads, and everybody knows it, that the grand population of the best blood of this country went out across the plains and subdued that country and built houses and churches and schoolhouses, and made that country blossom like the rose. They did it because there were railroads there, and they did it because it was impossible to have done it under any other circumstances than that; and to say that they went there and made these improvements, and that then the railroads came out there, is certainly a misrepresentation of history.

Mr. STOCKDALE. Mr. Speaker, it seems to me——

The SPEAKER *pro tempore*. The Chair desires to state that debate on the pending amendment is exhausted. Does the gentleman from Ohio withdraw his pro forma amendment?

Mr. GROSVENOR. I withdraw my pro forma amendment.

Mr. STOCKDALE. Can I offer my amendment now?

The SPEAKER *pro tempore*. That would not be in order now.

Mr. STOCKDALE. Then I move to strike out the last two words.

The SPEAKER *pro tempore*. The gentleman from Mississippi [Mr. STOCKDALE] is recognized.

Mr. STOCKDALE. Mr. Speaker, I want to say that the United States Government ought to be fairly honest.

This bill that is before the House admits that some of the people who have purchased from the railroads have good titles, and that they shall be preserved in those titles if they do not own too much land. In other words, if a man owns 320 acres of land he will be protected in his bona fide title. If he owns more, his title is to be forfeited. Now, if the bill was as proposed in the amendment that I wanted to offer, to send the question to the courts, to forfeit by a proceeding in the courts all lands that had not been properly earned by these roads under the granting acts and the acts amendatory thereof, I should much prefer it. I reported a bill of that sort when I was a member of the Public Lands Committee, and it passed the House and became a law, in reference to land grants in Oregon.

Let us reflect upon what we are about to do. We can not afford to do a bad thing to accomplish a good one. If people are the honest owners, bona fide purchasers of lands from some of these railroad companies and own them, and have improved them, Congress ought not to wipe out their titles, and then say to them go into the courts and reëstablish them.

To my mind that is not the proper thing to do, to say to a man who owns his land, and probably owns nothing else: "We will wipe out your title because we have the power, and then you can go into the courts and undo what the Congress of the United States has done."

Mr. BOATNER. Does the gentleman suppose that Congress can by an act of Congress wipe out a title?

Mr. STOCKDALE. The gentleman from Louisiana [Mr. BOATNER] has said to-day that it can, and will, as I understood him. I think it can not. I think it ought not if it could, and send a poor man to the courts to defend his title because a cloud has been put upon it.

Mr. BOATNER. If the gentleman will permit me, I will say that he has misquoted me. I said nothing of the kind. I distinctly said—if the gentleman will allow me just a moment—that if any man held a title which was legal, if a company under the terms of its grant had the right to sell, that neither this bill nor any other bill that Congress could pass would reach the title.

Mr. STOCKDALE. Mr. Speaker, there are lands in this country that were patented to the railroad companies or to the States for work done and roads built after the time limited in the granting act had expired.

The SPEAKER *pro tempore*. The time of the gentleman from Mississippi [Mr. STOCKDALE] has expired.

Mr. HOPKINS of Illinois. I ask that the gentleman have five minutes more.

Mr. LACEY. I move to strike out the last word.

The SPEAKER *pro tempore*. The gentleman from Iowa [Mr. LACEY] is recognized.

Mr. STOCKDALE. Mr. Speaker, inasmuch as I have been interrupted, I ask leave to extend my remarks in the RECORD.

The SPEAKER *pro tempore*. The gentleman from Mississippi asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. STOCKDALE. I desire to say that in some instances lands have been purchased in good faith for a valuable consideration by citizens, and the Government has issued patents to them. They have gone on and made valuable improvements upon them and put them in cultivation while holding these patents or titles under them. Such titles should not be forfeited without notice to the owners. It is contended that these people should have known that these lands were liable to forfeit and that was equal to notice.

But the Government went on and issued the patents; and Congress, of course, knew that was being done. It is also said that the object is to let the courts of the country try the validity of these titles. To that I have no objections, but think it would be fairer to require the Government to institute the suits and give the owner notice and a day in court to defend his title than to first forfeit it by legislative act, and require the owner to bring suit against the Government to reëstablish the title. The same object will be accomplished and hardship avoided.

The Congress passed such a law to forfeit the grants in the State of Oregon. I made the report for the committee, the bill originating in the Senate. I will vote for this bill, believing that it will be so amended in the Senate as to avoid the hardships I mention. I have always supported measures looking to the forfeiture of land grants not properly earned by the grantees or their assigns. But I believe it will injure any party to forfeit the title to people's farms who happen to have more than 320 acres without giving them a day in court and a chance to defend their title. Let us forfeit the lands that corporations improperly hold, but leave the farmers alone.

The amendment proposed by the committee to exempt people in cities and towns does not relieve the bill of these objections, but shows a discrimination in favor of people who are presumed to know more of land titles than the country people. The Democratic party has never indorsed the doctrine of taking lands from innocent purchasers for value without giving them compensation or even a chance to defend their titles to their homes.

Mr. LACEY. I move to strike out the last word, and I do it simply for the purpose of saying that the amendment offered by the gentleman from Montana [Mr. HARTMAN] is substantially the amendment which I announced on yesterday that I would offer, and which I discussed to the House. It is not the same in its exact verbiage, but it is substantially the same.

Mr. DOOLITTLE. Mr. Speaker, in the State which I have the honor in part to represent, the main line of the Northern Pacific Railway extends from east to west throughout the length of the State. For a portion of the distance along the line of that road we have lands that the people of that State are compelled to irrigate in order to make them productive. The people of that State have purchased those lands in large bodies. They have organized corporations for the purpose of purchasing these lands from the Northern Pacific Railway Company, and they have brought water upon those lands and irrigated them, and are now farming them.

Some of these organizations of men hold several thousands of acres each. Now, Mr. Speaker, if this amendment is not allowed to prevail, these lands in excess of 320 acres under this bill are to be taken from these men without any recourse whatever save against the Northern Pacific Railroad Company, and I desire to state to the House that at this time the consolidated bonds of this Northern Pacific Railroad Company are quoted at 25 cents, and their stock is down to about 4 cents, and has been ranging from 4 to 7 cents for the last three or four months. Now, these lands are held by these corporations, some of them, for the purpose of being cultivated in bodies.

In other cases the corporations are holding these lands with the intention of putting water on them, so that as soon as they are in condition to be made productive they can be sold to the settlers of that country. Now, in some cases these bodies of land are very extensive. I stand here in favor of honesty, and the American people represented in this Congress can afford to be honest to these people who have purchased those lands in good faith, and there ought to be no question about the disposition of Representatives here to treat these men fairly.

Now, I am for the rights of the settlers upon the lien lands in my State. I lived for eight years in Eastern Washington, and I know the burdens that these people upon those lands have carried, and carried like heroes, and I am for the rights of those people and the settlement of these questions.

Besides this I am in favor of forfeiting the lands where the railroads have not been built, and where their contracts have not been carried out with the Government of this country and with the people of that State, and I shall always stand by those people and for their interests and for their rights; but I am not for the forfeiture of lands that have been fairly and honestly earned within the meaning and the spirit of the law that granted those lands. So far as these lands are concerned within the limits of my State and elsewhere within the American Union, where absolute good faith has not been shown on the part of the company, I am in favor of their forfeiture, and I believe that the people should have the right to go on those lands and make homes thereupon.

[Here the hammer fell.]

Mr. DUNN. Mr. Speaker, I have listened to the arguments pro and con, legal and otherwise, upon this question, and I have read the reports; and as I have done so I have wondered whether this was a court of law, in which the other side advocated the interests of the railroads and this side the interests of the people. I have wondered how many advocates of the railroads find a place in this House. I have wondered if the arguments advanced are not distributed about, each one being given a point upon which he can elaborate.

Then again, the idea of charity is thrown in. The last gentleman who spoke [Mr. DOOLITTLE] said we must not disturb those people who have put their labor upon this land.

Mr. DOOLITTLE. I should like to ask the gentleman from New Jersey a question?

The SPEAKER *pro tempore*. Does the gentleman from New Jersey yield to the gentleman from Washington?

Mr. DUNN. No; I can not yield. I say if a man goes on to the property of the United States, takes the risk of putting his capital there, he knows that property belongs, not to the State nor to the railroad company, but to the whole people of this country. And when a gentleman comes in and asks this House to become a charitable institution, to recoup him for his faults, his hardihood, or his want of intelligence, it is asking too much of this House. It is one of the special pleadings set up by the friends of railroad corporations. And I never saw the advocates of a fraud yet that did not have a pretense upon which to rest it.

Some say we are going to confiscate property. Do you believe that the courts of this country will permit this Congress to confiscate property? There is no sensible man who thinks it. The people who want this bill want to go before the courts for an adjudication. That is all. The representatives of this people at one time gave a grant to certain railroads, conditioned on those railroads accomplishing certain purposes designated. The railroads failed to do this, and the gentleman from New York, who is very learned in the law, would put us in the position—because they had not accomplished what they agreed to do, and because we desire to take back this grant—that we must go into a court of justice and get out a writ of ejectment.

That is about the gentleman's argument—that the Government of the United States had made a grant of lands to certain railroads for certain purposes, and that the purposes for which they were granted having not been completed, then, before we can get back what belongs to the people, we must go to the courts and get a writ of ejectment.

Mr. BOATNER. Will the gentleman permit me to make a suggestion?

Mr. DUNN. Certainly.

Mr. BOATNER. It is that these same gentlemen who are now demanding the insertion of this amendment protecting all these titles passed an act in 1890 in which they made no such provision, and in which they were satisfied with protecting these titles to the extent of 320 acres.

Mr. DUNN. I am fully aware of that; and I can see that that is one of the subterfuges used as an argument to throw dust in the eyes of the people. I can see the specious argument advanced by those in interest along the line of that road, and I can see the arguments advanced by men who are not touched by that road in other States; and I can fairly place them as belonging to a class that sometimes used to be called the Black Horse Cavalry. They are always found about every legislative body. I do not suppose there is a man on this floor who can be charged with being the paid agent of any corporation. I do not think any gentleman can be charged with that, but I do say—

> The craven rook or pert jackdaw,
> Though neither bird of moral kind,
> Yet serve, if hanged and stuffed with straw,
> To show which way that blows the wind.

Mr. MALLORY. A parliamentary inquiry, Mr. Speaker.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. MALLORY. I want to inquire when general debate will close upon this measure?

The SPEAKER *pro tempore*. General debate was closed on this bill thirty minutes ago, and it is now being debated under the five-minute rule.

Mr. MALLORY. How long is it to be debated under the five-minute rule.

The SPEAKER *pro tempore*. Until half past 4.

Mr. MALLORY. On this amendment?

The SPEAKER *pro tempore*. Until it is disposed of.

Mr. MAHON. Mr. Speaker, I have listened attentively to the legal arguments made on this bill.

The SPEAKER *pro tempore*. Debate is exhausted on the amendment.

Mr. MAHON. I move to strike out the last two words. I will concede for the sake of the argument that the law as stated by the friends of the bill has been stated correctly. That as a matter of law the United States may have the right to repossess itself of these lands, but as a member of Congress I do not propose to vote for this measure simply because the United States may have the legal right to perpetrate a legal robbery upon innocent purchasers. I would apply the same principle to this case that I would apply between a private vendor and a private vendee.

Mr. Speaker, suppose I should sell you 500 acres of land and include in the deed a condition that within ten years you must lay it out in 10-acre lots and build a substantial fence around each lot, and that if any portion of the land were not laid off and fenced at the expiration of ten years that the title to the portion not laid out in lots and fenced should be forfeited. Now, sir, you proceed to do so, but at the end of the ten years there is a large part of the land that has not been laid off and fenced within the ten years; but after the expiration of the time, in pursuance of the condition in the deed, you lay it off in lots and fence it. You sell these lots to different parties. They pay their money for them. They go ahead and put valuable improvements upon the lots. They make them their domicile and they live there for years. I as the vendor stand by and see all this going on and wait until each man has put his last dollar into the property, not enforcing his right, or giving them notice of my claim, but instead, I stand by looking on, cognizant of the condition in the deed I made to you. I ask this House, in all common honesty and decency, would I be acting the part of an honest man after standing by and permitting these innocent people to improve the land to exercise my right under the condition in my deed to take the land from them?

I do not believe that you, Mr. Speaker, or any member of this House, would in your individual transactions perpetrate such an outrage and villainy on your neighbors. I say that under such conditions no honest man would take advantage of such a condition in a deed after he had permitted this thing to go on in that way. Now, sir, I am not willing to authorize the Gov-

ernment of the United States to do a thing that no decent and honest man of this country would do in his individual dealings with other people. On that ground, and on that ground alone, I propose to vote against the bill. If this bill is passed the Government of the United States will be authorized to perpetrate an outrage on these people, and it will be such an outrage that no decent, honest man in the United States would think of perpetrating.

I agree with the gentleman from New York [Mr. DANIELS], that if I am in possession of a tract of land, although I do not have a shadow of a title to it, that under the laws of this country being in possession there is only one way I can be ousted. The claimant must have a better title than I have; he can not rely on weakness of my title. He is also bound to go into the courts and prove that he has a better title than I have. I have a right to make my defense to his demand. No legislative body has a right to legislate me out of possession and thus deprive me of my right to assert my rights in the courts. If the amendment of the gentleman from Montana [Mr. HARTMAN] is defeated, I shall cast my vote against the bill.

Mr. BOATNER. I move to strike out the last word.

Reversing the illustration given by the gentleman who has just taken his seat, suppose, sir, that bona fide settlers upon the public lands have fenced 10 acres of land, have made substantial improvements, have built their houses, planted their orchards, established their homes, and ten, fifteen, or twenty years afterwards find that this has all been done on a railroad grant which they and officers of the Government had supposed had lapsed, and that the land belongs to the railroad instead of them.

Now, there are a great many more of that class than there are of the class to which the gentleman refers. It is astonishing, sir, that gentlemen upon that side, able lawyers as they are, will not perceive the force of the proposition that where the Government has authorized the sale of land under the circumstances which they state, this bill can not affect the title. Congress has no power to confiscate land. The law can not reach to any such extent.

The law will only reach to the extent of taking back for the Government property which has been sold by the railroad companies without lawful authority, and the people who have bought land from railroad companies, having no title to transfer simply occupy the position of all who may buy property from parties who have no title to it.

Mr. HARTMAN. Will the gentleman allow me to ask him a question?

Mr. BOATNER. Certainly.

Mr. HARTMAN. Will the gentleman say to me whether he thinks it right where a company of men have organized, as they have in my county, and purchased 33,000 acres of land from a railroad company and spent $75,000 in the construction of an irrigation ditch and $250,000 for a malting plant for the purpose of raising barley—does he think it correct, right, honest, or just to deprive them of all the money that they have put in it as well as individual settlers that I have referred to in the past?

Mr. BOATNER. Mr. Speaker, my experience is that people who invest that amount of money can get advice as to the title; and if they bought this property from the railroad company and the title is bad, they are not entitled to hold the property. They may be and are entitled in equity to be reimbursed for the value of their improvements. They would be reimbursed for the value of their improvements; but if the road had no right to sell them the land, there is no law or equity which would maintain their title. They bought with full knowledge, or opportunity to obtain it, of the title of their vendors; and if the vendors had no title to convey, then the purchasers obtained none and must suffer the consequences of their negligence or ignorance.

Mr. HARTMAN. But who will reimburse them?

Mr. BOATNER. Why, the United States, if the facts be as the gentleman states.

Mr. HARTMAN. But you make no such provision in this bill.

Mr. BOATNER. Probably so, but it would be an equitable claim, to which we must suppose Congress would give fair consideration. But let me call the attention of the gentleman to another class or case that does not seem to enlist the gentleman's sympathy.

A resolution has been for some time before the Committee on the Judiciary for consideration, introduced by the gentleman from California [Mr. BOWERS], in which it appears that a large number of his constituents who for years have been living upon property which they believed to be their own and which officers of the land office——

Mr. BOWERS of California. And for which they hold patents.

Mr. BOATNER. And for which, as the gentleman states, they hold patents, which now turns out to belong to a railroad company on account of one of those old grants supposed to have lapsed and reverted to the public domain. I ask if no sympathy is to be given to these men whose homes have been taken away and no compensation is to be given to them for improvements which they have put upon their land? They get sympathy enough, but, all the same, lose land and improvements, the result of years of labor, and do not have even the poor satisfaction of obtaining a judgment against their warrantor, who in this case would be the Government.

The railroads, by a strained construction of the law, a construction contrary to its plain letter, and contrary to the manifest intention of Congress, is permitted to evict them from their homes and compel them to pay rent for the lands they have brought into cultivation and the homes they themselves have built.

Now, sir, I lay it down as a general proposition of law which can not be refuted, that a man who buys land buys it on the faith of the public records; he can go and examine the title of his vendor; and if the vendor does not give him a good title, he has no title; and the United States can not be estopped by any such consideration as that from exercising its lawful right for the benefit of all the people.

Mr. BOWERS of California. This bill declares those patents null and void.

Mr. HARTMAN. What objection is there to my amendment?

Mr. BOATNER. The objection is just this: By the act of 1890, prepared by a Republican committee and passed by the Republican party through both Houses of Congress, and signed by a Republican President, you declared that a holding of 320 acres was all that ought to be protected. There was no protest——

[Here the hammer fell.]

Mr. HARTMAN. That was Government land.

Mr. WILSON of Washington. I move to amend by striking out the last two words.

The SPEAKER *pro tempore*. Debate is exhausted on the pending amendment.

Mr. WILSON of Washington. Then I move to strike out the last two words.

Mr. Speaker, as I stated in my preliminary remarks, I regretted exceedingly that in the general debate time sufficient was not allowed in order that this question, involving the rights to a vast amount of property, might not be discussed in a calm and dispassionate manner.

The State that I have the honor in part to represent is more interested in whatever law is enacted upon this subject than any other State in the Union. I had no opportunity to examine this bill until it was called up, and then I propounded certain inquiries and interrogatories as to what would be the effect if the same should become law. Through the center of my State the Northern Pacific main line runs, they having in the grant in place the alternate sections of the strip of country 40 miles on each side of the track. It is not denied that the railroad was completed within the time specified under the law, and it is my judgment that when the time came when the railroad company was guilty of laches, then it was the duty of the Government to step in and build the road, as contemplated under the grant of lands to the Northern Pacific Railroad Company.

This the Government did not do, but permitted the Northern Pacific Railroad Company, its associates and assigns, to continue along and build the road, and from time to time have issued patents to them for their granted lands. Only recently, in my home county in the State of Washington, the Commissioner of the General Land Office has issued patents to this corporation for a large quantity of land. What I have been more interested in since I have been in public life than anything else, and what I have desired most sincerely to accomplish, is the settlement of what is known as the lieu lands, or indemnity limits.

Under the act the Secretary of the Interior was empowered to withdraw a strip 10 miles wide opposite the granted limit for the purpose of indemnifying said company from any losses that might be obtained in the granted limit by reason of homestead or preemption settlement prior to the date of withdrawal of said lands. This withdrawal affected a large number of settlers and farmers, not only in the eastern but in the western portion of my State; especially is this so of Whitman, Columbia, and Chehalis Counties.

These people went onto the odd sections in the indemnity limits not knowing that the withdrawal of said land had taken place. They have built for themselves homes, and have been occupying the same. Many of them were upon the lands when I first entered the Territory of Washington, but it has been a long and continuous struggle in which I have been profoundly

and deeply interested, and in which I have endeavored to find if there was not some means by and through which these settlers could obtain their homes.

I have always believed that where a bona fide settler initiated in good faith settlement prior to the selection of lands by the Northern Pacific Railroad Company he had the right to take such lands under the general land laws of the United States. In other words, that they were not entitled to make selections of lands, to indemnify themselves for losses within the granted limits, and from these lands already occupied by bona fide settlers. This I have repeatedly urged in season and out of season, not only in my own State, but before the General Land Office and before the Secretary of the Interior.

I have a personal acquaintance with many of these men. I knew them in the early days of the Territory. They are brave, honorable, manly, conscientious, and law-abiding citizens, and there is no sacrifice of a personal character that I would not be swift to make if I knew by any honorable means I could be of service to them, and any devotion of time or labor upon my part in order to secure to these settlers the title to their homes that I would not cheerfully do.

In my first remarks, Mr. Speaker, I spoke of the liability to confusion that would arise, if this bill was enacted into law, to those who had purchased larger quantities of land than 320 acres, and also to what must be the inevitable result to those odd sections upon which cities and towns are located. I stated, as an illustration, my own city of Spokane, which seems to me would be led into endless confusion, and necessarily so; and also the city of Tacoma, but I am now reminded that the city of Sprague and the city of North Yakima are also built upon odd sections. I am glad to say that as soon as I called attention to the danger of passing such a sweeping measure as the one now before us, the distinguished and able chairman of the Committee on Public Lands offered an amendment excepting from the forfeiture these odd sections upon which cities, towns, and villages have been built.

I am glad that much has been accomplished. I am glad to know that I have been able to save from endless confusion and an endless amount of litigation and strife over such a large and valuable property as these cities are built upon. I sincerely hope that the other amendment, which was offered by my friend from Montana [Mr. HARTMAN], and which seems to me to be entirely fair and just, may be adopted by the House. It only gives title to those people who have purchased a greater quantity of property than 320 acres, and there are many cases where lands of this character have been purchased in large quantities.

Take for illustration the great irrigation ditches in the Yakima Valley, which have acquired property in order to sell it in smaller quantities to the settlers, and who built the ditches to make the valley rich and prosperous and happy. Are they to lose all their land except 320 acres? Without water in that valley land would be valueless; with water it is rich and prosperous, rich as any other portion of the inhabitable globe. Men are busily engaged in building irrigation ditches and making these lands produce hops and fruits, prunes, alfalfa; but if they are to be stopped in this manner it would bring a blight upon the people of that section of the State that would cause them many years to recover from.

Take the case of land purchased in 1882 by a gentleman from Chicago, I think, in a portion of Whitman and Spokane Counties. I understand that he has sold these lands for so much wheat per year. If this be true, how are these people to obtain title to this property. Take again the case where people have been some years in making their payments. How are they to recover their money if the lands are to be taken away? Take the case I have stated of the city of Spokane, where it is partially located upon odd sections. What 320 acres are to be taken and what 320 acres are to be thrown open again? What an endless confusion and what a reign of litigation it would bring. What person or individual would be able to sell his property or engage in any enterprise if this thing is to throw a cloud over all property?

I know, Mr. Speaker, that whenever a member rises and attempts to bring out the actual facts of the conditions that surround the people of his section, and is doing the best he can to serve the settlers of his section honestly and without any demagogy, only looking to the best interests of the entire country in order that his people may become more prosperous and happy, that there is always some one like the gentleman from New Jersey [Mr. DUNN], who, belonging to that class who rush in where angels fear to tread, in general terms charges everybody who lifts his voice in behalf of the people he serves with being in some manner or in some way the tool or representative of some railroad company. They roll that epithet under their tongue as a sweet morsel.

Why, Mr. Speaker, in Constantinople dogs are granted certain privileges, and among others is the right to howl. In the House of Representatives every member is entitled to howl, and some of them, like the gentleman from New Jersey, vociferates "corporations," corporations," "corporations."

Again, the gentleman from Alabama [Mr. WHEELER] states that the railroads were built after settlements were made. That shows how much a man may be mistaken who knows nothing about the question. [Laughter.]

The gentleman has stated that he did not believe any patents had been issued by the Democratic Administration. If he will take occasion to call upon the Commissioner of the General Land Office he will find how much he is mistaken in regard to this. Mr. Speaker, I wish to say to the gentleman from Alabama that I went into the State of Washington prior to the building of this railroad, and I know something about the conditions that prevailed at that time. Our population was small and the country was sparsely settled.

I did not go there to subdue any wild beasts of Ephesus that have been spoken about here so eloquently. Oh, no! I went there with somewhat of the Shakesperian idea of "bettering my condition further than at home"—not with the Tennysonian idea that I would take unto myself some savage woman and rear my dusky race. [Laughter.] And since my first advent into that State I have never lost an opportunity to render the settlers some service that in some small degree might better their condition and make them happier and more prosperous. When I first got there the cry was "Give us a railroad!" The cry went up from Macedonia "Only give us railroads!"

My friend and colleague before me was living in the same town of Colfax, and he knows how we fought through long years to get a railroad for the benefit of the settlers in that State. He knows how much labor we have performed in order to secure transportation facilities for the product of what I earnestly believe is to be the greatest wheat field upon the globe. He has joined with me and I have joined with him in early and pioneer days in always endeavoring to secure every advantage to the settlers of that section, and whatever may come I know that he will and that I will always be found working in behalf of those earlier pioneers who swelled the mere pathway of pioneers into a magnificent highway and built on the other side of the Rocky Mountains an empire for you and for me.

I have made, Mr. Speaker, certain interrogatories of the chairman of the committee, as I have before stated, and he now proposes to offer the amendment which will be adopted. I am glad I have accomplished that much. I am glad I will be able to say to my people that I have saved them an endless amount of confusion and litigation.

I have been compelled to lift my voice in behalf of the settler. I knew that I would be exposed to criticism by those who can not lift themselves from their own environments, but I have honestly endeavored to protect our people who have established their homes in that country and made that sea of grasses turn into a magnificent granary, and when I have thus lifted my voice in behalf of my people, the gentleman from New Jersey (the only Northern State that in 1864 gave a majority against Abraham Lincoln) [laughter and applause] comes here and tells us that we are "railroad hirelings."

The SPEAKER *pro tempore*. The time of the gentleman has expired.

Mr. WILSON of Washington. Mr. Speaker, I wish I had an hour.

Mr. MALLORY. Mr. Speaker, when a bill of this kind was before the House in the Fifty-second Congress I offered an amendment similar to that now pending and supported it because I believed it to be in the main, after all the considerations bearing upon the subject were borne in mind, a just provision. I am inclined to think from what I see of the temper of the House on this subject to-day that this amendment will not pass. But in the brief time allotted to me I would like to call attention to the necessity at least (if an amendment of this character be not passed) of adopting some measure that will protect those persons who have purchased lands from the parties mentioned in the bill since September 29, 1890.

I have drawn up an amendment, Mr. Speaker, which I intended to introduce in the event the pending amendment had failed. It was my purpose to propose an amendment after the word "granted," in line 19 of section 1, page 2, by inserting the following words:

Provided, however, That all persons who have, since September 29, 1890, purchased in good faith from a State or corporation any lands hereby forfeited shall retain their title to said lands so purchased, free from any claim on the part of the United States.

I do not offer that proposition or suggestion as adequate justice in the premises, but simply for the purpose of undertaking to accomplish something that looks like justice to these people.

The House is aware that in 1890 Congress passed a bill—on

the 29th of September of that year—which, whether it does by the strict rule of the law or not, nevertheless conveys the impression to the mind of the ordinary reader that it was the purpose and the intention of the act to confirm the possession of lands in individuals who had purchased them from the railroads that had completed the performance of their contracts with the Government by that date; that is to say, the 29th of September, 1890.

Now, Mr. Speaker, there was an implication that it was the intent and purpose of the Government to confirm to the individuals who held lands their titles if they held them on or after the 29th day of September, 1890, under grants from the railroads that had been completed up to that date, and my proposition is simply to say to those who acted on the faith of the promises, or implied promises, of the Government contained in that act and purchased lands from the railroads thereafter, that while those who purchased before that date may have been put on their guard by reason of the action of Congress, nevertheless that act gave a just reason to believe, at least, that these lands were to be confirmed in them, and therefore we will, as far as we are able to do so, carry out in good faith that implied promise and confirm their titles.

[Here the hammer fell.]

Mr. CANNON of Illinois. Mr. Speaker, I listened with some interest to the remarks of the gentleman from Indiana [Mr. HOLMAN] when he addressed the House on this bill.

As I understand the facts to be, various grants of land in the past have been made in aid of the construction of certain railways. Much has been said about the Northern Pacific Railway. Now, a time was fixed for the construction of these roads. Some of them were not constructed within the limits of the time fixed in the grant.

The Supreme Court of the United States has held in at least one, and as I recollect in several cases, for that matter, which have been referred to here, that the grants were made upon a condition-subsequent, and that until Congress forfeits the grants they remain in the railways; and that where the railway—as in the case cited in 21 Wallace Reports, in principle—is constructed after the time and before the forfeiture, that it does not lie in the mouth of the Government to claim a forfeiture of the lands so earned.

Now, that is justice, I apprehend, as well as law. When the Northern Pacific Railroad was constructed it was completed as far as Bismarck in the time fixed by law. The balance of the road has been constructed out of time, and constructed, too, before any forfeiture was declared; and in my judgment there is no justice or law in seeking to forfeit lands that have been earned.

But I was somewhat interested in the position taken by the gentleman from Indiana [Mr. HOLMAN]. In the past he was chairman of the Committee on the Public Lands for some four years, in the Forty-ninth and Fiftieth Congresses. What did we have then? The same effort to forfeit lands that had not been earned, and those also that had been earned. He insisted upon it.

Efforts were made to amend the bill to forfeit lands which had not been earned. But the House passed the bill under the lead of the gentleman from Indiana and the gentleman from Arkansas [Mr. MCRAE], and forfeited those which had been earned as well as those that had not been; and it failed to pass in the Senate because the Senate struck out the provision to forfeit the earned grants, and voted for the forfeiture only of those that had not been earned.

The gentleman from Indiana and the gentleman from Arkansas refused to take that which they could rightfully get, and thereby we had no legislation. What was the result? Why, the railroads went on, with no forfeiture declared, and built the roads and earned, say, 25,000,000 acres of lands, and the title became perfect. Why? Because the gentleman from Indiana and the gentleman from Arkansas and such statesmen under the lead of the Democratic party would not forfeit that which they could forfeit unless they could also forfeit that which was not lawful for them to forfeit.

There, Mr. Speaker, is the whole matter; and if it was not that I know and believe—aye, more than that, I am satisfied the gentleman from Indiana is an honest man—I would say, if I was not acquainted with him, that such an action as I have referred to would point with almost unerring certainty that he was in the service of a constituency which was seeking to build the road themselves and to withhold a forfeiture of lands to allow the roads so to do.

Mr. HOLMAN. Does not my friend know that the Northern Pacific Railway was itself on this floor urging the passage of the act of 1890?

[Here the hammer fell.]

Mr. MCRAE. I yield a half minute to the gentleman from Alabama [Mr. WHEELER].

Mr. WHEELER of Alabama. Mr. Speaker, if gentlemen will look at page 10435 of the RECORD of September 25, 1890, they will see a report by the distinguished gentleman from Maine, Mr. REED, made by him when he was chairman of the House Judiciary Committee in 1882.

Mr. REED exhausted all his great talents in this effort, but the infirmities of the case were so great that his illogical reasoning and unwarranted conclusions are apparent and striking, if not really startling.

It is only necessary to read this document to become convinced that the legal argument of the distinguished gentleman against the forfeiture of the Northern Pacific grant is utterly without foundation and that it is our duty to pass the pending bill.

Mr. MCRAE. Mr. Speaker, I hope this amendment proposed by the gentleman from Montana [Mr. HARTMAN] will not be adopted. We have no reliable information as to the extent of the sales sought to be confirmed, but I imagine that many of these companies of which the gentleman speaks have been organized by those interested in the railroads.

The effect of this amendment, if adopted, would be to confirm every speculative sale made by these companies at any time before the approval of this bill, and will inure to the enrichment and benefit of the men who accepted the grant and agreed to build the railroads within a specified time and failed.

Mr. HOLMAN. The directors and stockholders themselves?

Mr. MCRAE. Yes; they are as a general thing the directors and stockholders, as the gentleman from Indiana [Mr. HOLMAN] says. Mr. Speaker, we have sought to make this bill satisfactory to the settlers, and certainly the members of the Republican party who voted for the act of September 29, 1890, should not be heard to object to the protection given to settlers and purchasers. If the provisions made then were sufficient they are sufficient now. Four years have passed and I have not heard a solitary complaint from a single settler. They do not as a general rule own exceeding 320 acres of land. If the bill passes and it can be shown that the rights of honest settlers are affected, I know that Congress will protect them.

But let us not take this step in the dark; let us not confirm all sales without investigation or we nullify the forfeiture. We all want to protect the settler, and yet his interest may be antagonistic to that of the purchasers, and if so I am for the man who takes under the land laws. This bill protects the settlers, and as the gentleman from Louisiana [Mr. BOATNER] has said, we are not trying to protect those speculators who have undertaken to defy the Government, and who have litigated these settlers who claim under the public land laws in first one court and another until they have been bankrupted and pauperized.

We say that it is the highest duty of Congress in this hour of their distress to declare this forfeiture and enable the settlers to get a standing in court that will enable them to save their homes from the greed and avarice of the men who have organized land syndicates, and by speculative purchases have taken up all the rich land along the lines of these roads. I believe that if this amendment should pass it would confirm practically every acre of land desired by these syndicates, organized by the men who operate and own the railroad, and will give no protection to the honest settler who does not hold under them. We protect those who are in possession to the extent of 320 acres, regardless of whether the first sale was for the purpose of speculation or not, but we do not intend to confirm speculative holdings. The amendment is in the interest of the speculator and not the settlers, and I hope it will be defeated.

The SPEAKER *pro tempore*. The time of the gentleman has expired, and debate is exhausted. Under the special order, the hour of 4:30 o'clock having arrived, a vote will now be taken upon the bill and pending amendments. There is one committee amendment pending, which the Clerk will report.

The Clerk read as follows:

Add to the bill the following:

"SEC. 2. That all the rights, privileges, and preferences given, granted, or secured by the said act approved September 29, 1890, to settlers upon and purchasers of the lands forfeited thereby be, and the same are hereby, given, granted, and secured to all settlers upon and purchasers of any of the lands hereby forfeited and restored upon the same terms and conditions and for the same periods of time therein specified, computing from the date of this amendatory act."

Mr. LACEY. Mr. Speaker, should not the vote upon the amendment to the first section come first?

The SPEAKER *pro tempore*. This being a committee amendment, the Chair thinks it should be acted upon first.

Mr. LACEY. The difficulty about that is, the committee amendment would not be necessary if the amendment offered by the gentleman from Montana [Mr. HARTMAN] was adopted.

Mr. HOLMAN. Oh, yes; it would.

Mr. MCRAE. Oh, yes; it would be necessary, even if that amendment should be adopted.

Mr. LACEY. The two would be in conflict

The SPEAKER *pro tempore*. The question will first be taken on the committee amendment, and then on the amendment offered by the gentleman from Montana.

The committee amendment was agreed to.

The SPEAKER *pro tempore*. The question now is on the amendment offered by the gentleman from Montana [Mr. HARTMAN], which the Clerk will report.

The Clerk read as follows:

At the end of section 1 insert the following proviso:
"*Provided*, That in all cases where any lands have been sold to bona fide purchasers for value, the title to such lands shall not be affected or impaired by the provisions of this act; but the titles to such lands are hereby confirmed in the holders thereof, anything herein contained to the contrary notwithstanding."

The question being taken on the amendment of Mr. HARTMAN, the Speaker *pro tempore* announced that the noes seemed to have it.

Mr. HARTMAN. Division.

The House divided, and there were—ayes 92, noes 105.

Mr. HARTMAN. Yeas and nays.

The yeas and nays were ordered.

The SPEAKER *pro tempore* appointed as tellers Mr. HARTMAN and Mr. MCRAE.

Mr. POWERS of Vermont. I ask that the amendment be again reported.

The amendment was again read.

The question was taken; and there were—yeas 97, nays 113, answered "present" 2, not voting 139; as follows:

YEAS—97.

Adams, Pa.	Daniels,	Hermann,	Powers,
Aitken,	Davis,	Hicks,	Quigg,
Apsley,	Dolliver,	Hitt,	Ray,
Avery,	Doolittle,	Hooker, N. Y.	Reed,
Babcock,	Ellis, Oregon	Hopkins, Ill.	Reilly,
Baker, N. H.	English, N. J.	Hopkins, Pa.	Russell, Conn.
Bartholdt,	Fletcher,	Hull.	Sperry,
Bartlett,	Fyan,	Iziar,	Stone, W. A.
Bingham,	Geary,	Johnson, N. Dak.	Storer,
Blair,	Gillet, N. Y.	Lacey,	Straus,
Boen,	Gillett, Mass.	Lockwood,	Strong,
Bowers, Cal.	Graham,	Loud,	Sweet,
Brickner,	Griffin,	Lucas,	Tarsney,
Broderick,	Grosvenor,	Lynch,	Thomas,
Brosius,	Grow,	Mahon,	Tracey,
Bundy,	Hager,	Mallory,	Tyler,
Cannon, Ill.	Hainer,	Marsh,	Updegraff,
Childs,	Haines,	Marvin, N. Y.	Van Voorhis, Ohio
Coombs,	Harter,	Meiklejohn,	Weadock,
Cooper, Fla.	Hartman,	Mercer,	Wilson, Ohio
Cooper, Wis.	Hayes,	Northway,	Wilson, Wash.
Cousins,	Heiner,	Payne,	Wright, Mass.
Curtis, Kans.	Henderson, Ill.	Pence,	
Curtis, N. Y.	Hendrix,	Perkins,	
Dalzell,	Hepburn,	Pickler.	

NAYS—113.

Alderson,	Cockrell,	Hunter,	Pearson,
Alexander,	Coffeen,	Hutcheson,	Pendleton, Tex.
Arnold,	Cooper, Tex.	Ikirt,	Pigott,
Bailey,	Cornish,	Jones,	Richards, Ohio
Baker, Kans.	Covert,	Kem,	Richardson, Tenn.
Barwig,	Cox,	Kilgore,	Ritchie,
Bell, Colo.	Crawford,	Kyle,	Robbins,
Bell, Tex.	De Armond,	Lane,	Robertson, La.
Berry,	De Forest,	Latimer,	Ryan,
Black, Ga.	Dinsmore,	Layton,	Sayers,
Black, Ill.	Dockery,	Lester,	Shell,
Boatner,	Dunn,	Maddox,	Snodgrass,
Bower, N. C.	Durborow,	Maguire,	Sorg,
Branch,	Ellis, Ky.	Marshall,	Springer,
Bretz,	English, Cal.	Martin, Ind.	Stone, Ky.
Brookshire,	Epes,	McCreary, Ky.	Strait,
Bryan,	Erdman,	McCulloch,	Swanson,
Cabaniss,	Fithian,	McDearmon,	Talbert, S. C.
Cadmus,	Forman,	McEttrick,	Tate,
Caminetti,	Goldzier,	McKaig,	Terry,
Cannon, Cal.	Gorman,	McLaurin,	Warner,
Capehart,	Grady,	McNagny,	Wells,
Caruth,	Gresham,	McRae,	Wheeler, Ala.
Catchings,	Hall, Minn.	Morgan,	Williams, Ill.
Clancy,	Hall, Mo.	Ogden,	Williams, Miss.
Clark, Mo.	Hare,	O'Neil, Mass.	Woodard.
Clarke, Ala.	Heard,	Outhwaite.	
Cobb, Ala.	Henderson, N. C.	Paschal,	
Cobb, Mo.	Holman,	Patterson,	

ANSWERED "PRESENT"—2.

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NOT VOTING—139.

Abbott,	Bunn,	Davey,	Goodnight,
Adams, Ky.	Burnes,	Denson,	Grout,
Aldrich,	Burrows,	Dingley,	Hammond,
Allen,	Bynum,	Donovan,	Harmer,
Baldwin,	Campbell,	Draper,	Harris,
Bankhead,	Causey,	Dunphy,	Hatch,
Barnes,	Chickering,	Edmunds,	Haugen,
Belden,	Cockran,	Enloe,	Henderson, Iowa
Beltzhoover,	Cogswell,	Everett,	Hines,
Bland,	Conn,	Fielder,	Hooker, Miss.
Boutelle,	Cooper, Ind.	Funk,	Houk,
Breckinridge, Ark.	Crain,	Funston,	Hudson,
Breckinridge, Ky.	Culberson,	Gardner,	Hulick,
Brown,	Cummings,	Gear,	Johnson, Ind.
Johnson, Ohio	Money,	Rusk,	Taylor, Tenn.
Kiefer,	Montgomery,	Russell, Ga.	Tucker,
Kribbs,	Moon,	Schermerhorn,	Turner, Ga.
Lapham,	Morse,	Scranton,	Turner, Va.
Lawson,	Moses,	Settle,	Turpin,
Lefever,	Murray,	Shaw,	Van Voorhis, N. Y.
Linton,	Mutchler,	Sherman,	Wadsworth,
Livingston,	Neill,	Sibley,	Walker,
Loudenslager,	Newlands,	Sickles,	Wanger,
Magner,	Oates,	Simpson,	Washington,
McAleer,	O'Neill, Mo.	Sipe,	Waugh,
McCall,	Paynter,	Smith,	Wever,
McCleary, Minn.	Pendleton, W. Va.	Somers,	Wheeler, Ill.
McDannold,	Phillips,	Stallings,	White,
McDowell,	Post,	Stephenson,	Whiting,
McGann,	Price,	Stevens,	Wilson, W. Va.
McKeighan,	Randall,	Stockdale,	Wise,
McMillin,	Rayner,	Stone, C. W.	Wolverton,
Meredith,	Reyburn,	Talbott, Md.	Woomer,
Meyer,	Richardson, Mich.	Tawney,	Wright, Pa.
Milliken,	Robinson, Pa.	Taylor, Ind.	

So the amendment was rejected.

The following additional pairs were announced:

Until further notice:

Mr. BYNUM with Mr. JOHNSON of Indiana.

Mr. MOSES with Mr. COGSWELL.

For the rest of the day:

Mr. TALBOTT of Maryland with Mr. HARMER.

Mr. COOPER of Indiana with Mr. SHAW.

Mr. PENDLETON of West Virginia with Mr. SMITH of Illinois.

Mr. O'NEILL of Missouri with Mr. SETTLE.

Mr. MCALEER with Mr. MCCALL.

Mr. DENSON with Mr. CHICKERING.

Mr. TUCKER with Mr. DRAPER, on this question.

Mr. GEAR. Mr. Speaker, I wish to withdraw my vote. I am paired with the gentleman from Arkansas [Mr. BRECKINRIDGE]. If I were not paired I would vote for the amendment and against the bill, and the gentleman from Arkansas would vote against the amendment and for the bill.

Mr. TUCKER. Mr. Speaker, I am paired on this bill with the gentleman from Massachusetts [Mr. DRAPER]. If he were present I would vote "no" on this amendment, and for the bill.

The result of the vote was then announced as above recorded.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. MCRAE, a motion to reconsider the vote by which the bill was passed was laid on the table.

ENROLLED BILLS SIGNED.

Mr. PEARSON, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the following titles; when the Speaker *pro tempore* signed the same:

A bill (S. 1105) for the relief of Albert E. Redstone;

A bill (S. 1045) authorizing the Secretary of War to donate four obsolete gun carriages to the city of Marshalltown, Iowa;

A bill (S. 2070) to provide for the restoration to the State of Michigan two flags carried by the Twenty-second Michigan Infantry Volunteers, and now in the War Department; and

A bill (S. 190) for the benefit of sundry persons residing in the vicinity of Jefferson Barracks, Mo.

REPRINT OF BILL.

On request of Mr. CURTIS of New York, a reprint of the bill (H. R. 5350) and report 619 was ordered, the supply being exhausted.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. SMITH of Illinois, for this day, on account of sickness in family.

Mr. MCRAE. I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock p. m.) the House adjourned.

REPORTS OF COMMITTEES ON PRIVATE BILLS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

By Mr. RYAN, from the Committee on Invalid Pensions: A bill (H. R. 6640) granting an increase of pension to Mary Doubleday, widow of Bvt. Maj. Gen. Abner Doubleday. (Report No. 1224.)

By Mr. RICHARDS, from the Committee on Claims: A bill (S. 807) for the relief of Joseph Redfern and Eliza J. Redfern, his wife. (Report No. 1225.)

By Mr. HERMANN, from the Committee on War Claims: A bill (H. R. 5413) for the relief of John L. Charles. (Report No. 1226.)

By Mr. KIEFER, from the Committee on Claims: A bill (S. 1319) for the relief of E. Douglass, late Indian agent at White Earth Indian Agency. (Report No. 1227.)

By Mr. LOUD, from the same committee: A bill (S. 207) granting jurisdiction and authority to the Court of Claims in the case of the towboat Future City, her barges, cargoes, etc. (Report No. 1228.)

PUBLIC BILLS AND RESOLUTIONS.

Under clause 3 of Rule XXII, bills and resolutions of the following titles were introduced, and severally referred as follows:

By Mr. MURRAY: A bill (H. R. 7689) to establish and maintain certain normal and industrial schools with the unclaimed money in the United States Treasury of deceased colored Union soldiers—to the Committee on Education.

By Mr. COCKRELL: A bill (H. R. 7690) to amend sections 4 and 5 of an act entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations," approved March 3, 1891—to the Committee on the Judiciary.

By Mr. SWEET: A joint resolution for an investigation of differences resulting in the Chicago riots, the arbitration of future disagreements, and for other purposes—to the Committee on Rules.

PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as follows:

By Mr. ARNOLD: A bill (H. R. 7691) for the relief of William E. McDowell—to the Committee on Invalid Pensions.

By Mr. CURTIS of Kansas: A bill (H. R. 7692) for the relief of Thomas Keating—to the Committee on Military Affairs.

By Mr. HEINER of Pennsylvania: A bill (H. R. 7693) granting a pension to Lieut. Charles S. Miller, of Freeport, Pa.—to the Committee on Invalid Pensions.

By Mr. STONE of Kentucky: A bill (H. R. 7694) for the relief of T. S. Williams—to the Committee on War Claims.

By Mr. STRAUS (by request): A bill (H. R. 7695) for the relief of Thomas K. Hughes—to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. DOLLIVER: Petition of citizens of Fort Dodge, Iowa, praying that beneficiary societies, orders, or associations operating upon the lodge system be exempt from the provisions of the income tax—to the Committee on Ways and Means.

By Mr. McALEER: Papers to accompany House bill 7685—to the Committee on Claims.

By Mr. WASHINGTON: Petition of J. Baily Brown and others, of Nashville, Tenn., asking exemption of beneficiary orders, societies, etc., from the operations of the income tax—to the Committee on Ways and Means.

SENATE.

THURSDAY, *July 12, 1894.*

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

On motion of Mr. VILAS, and by unanimous consent, the reading of the Journal of yesterday's proceedings was dispensed with.

CREDENTIALS.

Mr. DANIEL. I present the credentials of Thomas Staples Martin, a Senator-elect to this body for the term beginning March 4, 1895. I wish to say that one set of credentials has already been presented. It has been deemed best that the credentials should be put in the form which has been passed upon and approved by the Senate, and that has been done.

The credentials were read and ordered to be filed.

PETITIONS AND MEMORIALS.

Mr. ALLISON. I present the memorial of John Cowdon, of New Orleans, La., remonstrating against the passage of Senate bill No. 23, to authorize the construction of bridges across the Missouri River, between its mouth and the mouth of the Dakota or James River; and across the Mississippi River, between the mouth of the Minnesota River, in the State of Minnesota, at South Port, in the State of Louisiana; and across the Illinois and Des Plaines Rivers, between the mouth of the Illinois and the city of Joliet, in the State of Illinois; and to prescribe the character, location, and dimensions of the same. I move that the memorial lie on the table, and that it be printed as a document.

The motion was agreed to.

Mr. POWER presented the petition of W. S. Barrett and 5 other citizens of Bellview, Mont., praying for the enactment of legislation to suppress the lottery traffic; which was ordered to lie on the table.

He also presented the petition of Dr. J. W. Gunn and 39 other citizens of Montana, praying that fraternal society and college journals be admitted to the mails as second-class matter; which was referred to the Committee on Post-Offices and Post-Roads.

REPORTS OF COMMITTEES.

Mr. ROACH, from the Committee on Indian Affairs, to whom was referred the amendment submitted by Mr. JONES of Arkansas on the 6th instant, intended to be proposed to the Indian appropriation bill, reported favorably thereon, and moved that it be printed, and, with the accompanying papers, referred to the Committee on Appropriations; which was agreed to.

He also, from the same committee, to whom was referred the amendment submitted by Mr. PEFFER on the 23d ultimo, intended to be proposed to the Indian appropriation bill, reported favorably thereon, and moved that it be printed, and, with the accompanying papers, referred to the Committee on Appropriations; which was agreed to.

Mr. PETTIGREW, from the Committee on Indian Affairs, to whom was referred the amendment submitted by himself May 15 last, intended to be proposed to the Indian appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

He also, from the same committee, to whom was referred the amendment submitted by himself on the 29th ultimo, intended to be proposed to the Indian appropriation bill, reported favoraby thereon, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

He also, from the same committee, to whom was referred the amendment submitted by himself on May 11th last, intended to be proposed to the Indian appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

Mr. PERKINS, from the Committtee on Naval Affairs, to whom was referred the bill (S. 1454) authorizing the Secretary of the Navy to transfer the reproductions of the caravels of Columbus to the Columbian Museum of Chicago, reported it without amendment, and submitted a report thereon.

Mr. STEWART, from the Committee on Indian Affairs, reported an amendment intended to be proposed to the Indian appropriation bill and moved that it be referred to the Committee on Appropriations; which was agreed to.

Mr. PALMER, from the Committee on Military Affairs, to whom was referred the bill (H. R. 3032) to remove the charge of desertion from the record of John A. Jack, reported it without amendment.

Mr. PASCO, from the Committee on Claims, to whom was referred the amendment submitted by Mr. TURPIE on April 27 last, intended to be proposed to the sundry civil appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

He also, from the same committee, to whom was referred the bill (H. R. 3978) for the relief of John M. Rice, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 526) making an appropriation for the benefit of the estate of William Moss, deceased, reported it without amendment, and submitted a report thereon.

Mr. GORMAN, from the Committee on Appropriations, to whom was referred the bill (H. R. 5481) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1895, and for other purposes, reported it with amendments, and submitted a report thereon.

Mr. PLATT, from the Committee on Indian Affairs, to whom was referred the bill (H. R. 2015) granting to the Columbia Irrigation Company a right of way through the Yakima Indian Reservation in Washington, reported it with amendments.

Mr. SHOUP, from the Committee on Indian Affairs, reported an amendment intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also, from the same committee, reported an amendment intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. MANDERSON, from the Committee on Military Affairs, to whom was referred the bill (S. 1549) for the relief of William H. Hugo, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the

bill (H. R. 236) to amend section 4837 of the Revised Statutes of the United States as to soldiers' homes, reported it with amendments, and submitted a report thereon.

Mr. SHOUP, from the Committee on Indian Affairs, to whom was referred the joint resolution (H. Res. 140) to confirm the enlargement of the Red Cliff Indian Reservation in the State of Wisconsin, made in 1863, and for the allotment of same, reported it without amendment, and submitted a report thereon.

Mr. BLANCHARD, from the Committee on Indian Affairs, to whom was referred the bill (S. 2153) for the relief of certain Winnebago Indians in Minnesota, reported it without amendment, and submitted a report thereon.

JOSEPH G. UTTER.

Mr. DAVIS. I am directed by the Committee on Military Affairs, to whom was referred the bill (H. R. 4671) to remove the charge of desertion standing against the name of Joseph G. Utter, to report it favorably, without amendment; and I ask for its present consideration.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. DAVIS. Senate bill 1343, a bill of similar purport, passed the Senate the other day and has gone to the other House. I move that the House of Representatives be requested to return the bill to the Senate.

The VICE-PRESIDENT. Without objection, it will be so ordered.

STATUE OF FRANCIS E. SPINNER.

Mr. VEST. I am directed by the Committee on Public Buildings and Grounds, to whom was referred the joint resolution (S. R. 67) for the erection of a statue of Francis E. Spinner at the Treasury Department building, in Washington, to report it favorably, without amendment. The Senator from Illinois [Mr. CULLOM] is interested in the passage of the joint resolution, and we see no objection to it.

Mr. CULLOM. The joint resolution proposes merely to allow the Secretary of the Treasury to locate the statue of Gen. Spinner at one of the approaches of the Treasury building, and I should like to have it passed now. I ask for its present consideration.

By unanimous consent the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILL INTRODUCED.

Mr. MARTIN (by request) introduced a bill (S. 2212) for the relief of the Western Miami tribal Indians; which was read twice by its title, and referred to the Committee on Indian Affairs.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. PLATT submitted an amendment intended to be proposed by him to the legislative, executive, and judicial appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. RANSOM submitted an amendment intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. CALL submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. HANSBROUGH submitted an amendment intended to be proposed by him to the legislative, executive, and judicial appropriation bill; which was referred to the Committee on the Judiciary, and ordered to be printed.

Mr. SHERMAN submitted an amendment intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. DUBOIS submitted an amendment intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. POWER submitted an amendment intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also submitted an amendment intended to be proposed by him to the legislative, executive, and judicial appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. DANIEL submitted an amendment intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

FORD'S THEATER DISASTER.

Mr. MANDERSON. I submit, from the Special Committee on the Ford's Theater Disaster, an amendment intended to be proposed by that committee to the sundry civil appropriation bill. I desire to state that this amendment will be accompanied by a report which will show the reasons for this partial disposition of the matter with which the special committee was charged.

There were eighteen persons instantly killed as the result of that falling building. Two died within a very short time, really within a few hours of the tragedy. Three have since died, surviving their injuries for periods ranging from four to eight months. A great many, nearly one hundred, were injured.

The committee have been as actively at work as it has been possible for them to perform labor during the last several months, and the proposition made by the committee now is as to all who were thus killed, either instantly or who died within a few hours after the disaster, to give to each one of their estates the sum of $5,000, making, as to the twenty who will be included in this amendment, the sum of $100,000. It is the desire of the committee that this appropriation shall be made upon the sundry civil appropriation bill so that the widows, the children, and those next of kin to those who have died may find what relief comes from this act of decent generosity on the part of the Government.

As to the three cases where the victims survived the accident several months, the committee will desire further time to make exploration, so as to be satisfied beyond a peradventure that the deaths were caused by this tragedy and not from other causes.

I will state that as to those who were injured a very considerable amount of testimony has already been taken, but I greatly fear that the matter can not be disposed of at the present session of Congress. I think the committee will probably find it necessary to take testimony during the recess of Congress, and we hope at the next session to dispose of all these cases.

Mr. CULLOM. The Senator has answered the question I rose to put, as to what is being done with reference to those who were injured and not killed. While upon my feet I will state that a portion of the Committee on Appropriations are now considering the sundry civil appropriation bill, and it would be well perhaps for the Senator from Nebraska, representing the special committee, to present the matter to the subcommittee.

Mr. MANDERSON. I understand that and propose to do so. I have already had some conversation upon the matter with the members of the Committee on Appropriations in charge of the sundry civil appropriation bill upon that matter. I have taken time to make this statement so that the matter may be fully understood by those who are interested. I move that the amendment be referred to the Committee on Appropriations, and printed.

The motion was agreed to.

CONSIDERATION OF THE REVENUE BILL IN CONFERENCE.

Mr. HALE. I offer a resolution which I ask may be read and lie over under the rule, and be printed.

The resolution was read, as follows:

Whereas on the 3d day of July, 1894, the bill H. R. 4864, an act to reduce taxation, to provide revenue for the Government, and for other purposes, passed the Senate with sundry amendments; and

Whereas the Senate thereupon asked for a conference with the House of Representatives upon said bill and amendments, and the following Senators were appointed as managers of such conference on the part of the Senate, to wit: Senators VOORHEES, HARRIS, VEST, JONES of Arkansas, SHERMAN, ALLISON, and ALDRICH; and

Whereas on the 7th day of July, 1894, the conference so asked for by the Senate was agreed to by the House of Representatives, and the following members of the House of Representatives were appointed as managers on the part of the conference in that body, to wit, Representatives WILSON, MCMILLIN, TURNER, MONTGOMERY, REED, BURROWS, and PAYNE; and

Whereas the legitimate object of such action, on the part of the two Houses, was an immediate and full and free conference of all the managers of the Senate and House of Representatives together: Therefore be it

Resolved, That the chairman of the managers of said conference, on the part of the Senate, is hereby directed to inform the Senate whether a full and free conference is being held upon the bill aforesaid and amendments, and if so, at what time such conference was called together.

Mr. HALE. Mr. President, I do not ask for action at present on the resolution, but that it lie over under the rule, and be printed.

The VICE-PRESIDENT. It will be so ordered.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed

the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 195) to repeal an act entitled "An act to exclude the public lands in Alabama from the operation of the laws relating to mineral land," approved March 3, 1883;

A bill (H. R. 562) for the relief of Marlin Parks;

A bill (H. R. 1314) for the relief of Mathew S. Priest; and

A bill (H. R. 6557) providing for opening the Uncompahgre and Uintah Indian Reservations in Utah.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (S. 190) for the benefit of sundry persons residing in the vicinity of Jefferson Barracks, Ill.;

A bill (S. 1045) authorizing the Secretary of War to donate four obsolete gun carriages to the city of Marshalltown, Iowa;

A bill (S. 1105) for the relief of Albert E. Redstone; and

A bill (S. 2070) to provide for the restoration to the State of Michigan two flags carried by the Twenty-second Michigan Infantry Volunteers and now in the War Department.

ORDER OF BUSINESS.

The VICE-PRESIDENT. The morning business is closed.

Mr. BLACKBURN rose.

Mr. CALL. I ask for the present consideration in the morning hour of the bill (H. R. 51) to change the boundaries of the judicial districts of the State of Florida.

Mr. BLACKBURN. I would ask the Senator from Florida——

Mr. PLATT. What was the request of the Senator from Florida?

The VICE-PRESIDENT. The Senator from Florida asks unanimous consent for the present consideration of the bill indicated by him.

Mr. CALL. I desire to move that the Senate proceed to the consideration in the morning hour of House bill No. 51.

Mr. BLACKBURN. Mr. President——

Mr. PLATT. Allow me to say one word. The Senator from Florida gave notice in the early part of the week that he would call the bill up on Friday. I wrote to the Senator from Delaware [Mr. HIGGINS], who has been interested in opposing the bill, that that notice had been given. I wish the Senator would give notice that he will move to take up the bill to-morrow, because I think that is fair.

Mr. CALL. In deference to the suggestion of the Senator from Connecticut, I give notice that I shall move to proceed to the consideration of the bill to-morrow morning in the morning hour.

Mr. BLACKBURN. Then, Mr. President——

Mr. CALL. It is the intention of the Senator from Kentucky to move to proceed to the consideration of the Army appropriation bill to-day. I desire to give notice that at the conclusion of the consideration of the Army appropriation bill I shall ask the Senate to take up the bill making appropriations for fortifications and other works of defense.

HOUSE BILLS REFERRED.

The bill (H. R. 195) to repeal an act entitled "An act to exclude the public lands in Alabama from the operation of the laws relating to mineral land," approved March 3, 1883, was read twice by its title and referred to the Committee on Public Lands.

The bill (H. R. 6557) providing for opening the Uncompahgre and Uintah Indian Reservations in Utah was read twice by its title, and referred to the Committee on Indian Affairs.

The following bills were severally read twice by their titles, and referred to the Committee on Military Affairs.

A bill (H. R. 562) for the relief of Marlin Parks; and

A bill (H. R. 1314) for the relief of Mathew S. Priest.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had, on the 11th instant, approved and signed the following acts:

An act (S. 411) for the relief of Samuel Collins; and

An act (S. 1759) to amend an act entitled "An act to authorize the Oregon and Washington Bridge Company to construct and maintain a bridge across the Columbia River, between the State of Oregon and the State of Washington, and to establish it as a post-road."

MINING CLAIMS.

Mr. STEWART submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6656) "To amend section numbered 2324 of the Revised Statutes of the United States, relating to mining claims," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same.

WILLIAM M. STEWART,
WILLIAM B. BATE,
JOHN M. PALMER,
Conferees on the part of the Senate.
THOMAS A. E. WEADOCK,
F. C. TATE,
GEORGE B. SHAW,
Conferees on the part of the House.

The report was concurred in.

ARMY APPROPRIATION BILL.

Mr. BLACKBURN. I move that the Senate proceed to the consideration of the army appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 6373) making appropriations for the support of the Army for the fiscal year ending June 30, 1895, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. BLACKBURN. In order that we may save time I ask that the formal reading of the bill be dispensed with, and that the amendments of the Committee on Appropriations be acted upon as they are reached in the reading of the bill.

The VICE-PRESIDENT. Without objection, it will be so ordered.

The Secretary proceeded to read the bill. The first amendment of the Committee on Appropriations was, under the head of "For pay of enlisted men," on page 2, after line 8, to strike out:

For general service clerks and messengers, to the number and at the rate now fixed by law, $152,800, and the Secretary of War is hereby authorized to dismiss from the service any of the general service clerks and messengers when in his judgment their employment is not necessary, and section 3 of the act approved July 29, 1886, entitled "An act for the enlistment and pay and to define the duties and liabilities of general service clerks and general service messengers in the Army," is hereby repealed.

Mr. BLACKBURN. This is simply a transfer. It will appear later in the bill.

The amendment was agreed to.

The next amendment was, on page 3, line 2, before the word "officers," to insert "such;" in line 4, before the word "officers," to insert "such," and in line 6, after the word "in," to insert "the Adjutant-General's, the Inspector-General's;" so as to make the clause read:

For additional pay to such officers for length of service, to be paid with their current monthly pay, $16,000; in all, $68,500: *Provided*, That there shall be no appointment of Assistant Adjutant-General with the rank of major until the number of such officers in that grade shall be reduced below four, and thereafter the number of such officers in that grade shall be fixed at four, and hereafter all appointments to fill vacancies in the lowest grade in the Adjutant General's, the Inspector-General's, the Quartermaster's, the subsistence, and the pay department, respectively, shall be made from the next lowest grade in the line of the Army.

Mr. MILLS. I make the point of order on the amendment reported by the committee. It is an amendment that embraces the appointment in the Adjutant-General's and Inspector-General's departments and changes the existing law. It confines the appointment of these two classes of officers exclusively to the Army. It provides that the appointments "respectively shall be made from the next lowest grade in the line of the Army." The existing law permits the President to appoint them either from civil life or from the Army.

Mr. BLACKBURN. May I ask the Senator from Texas what is his point of order? What is it he objects to?

Mr. MILLS. The amendment of the Senate committee inserts "the Adjutant-General's," and "the Inspector-General's," embracing those two classes, which are in italics. I take that to be the amendment.

Mr. BLACKBURN. Yes; that is the Senate committee amendment.

Mr. MILLS. That amendment changes the existing law. Clause 3 of Rule XVI says:

No amendment which proposes general legislation shall be received to any general appropriation bill.

This is general legislation. There can be no dispute about that.

Mr. BLACKBURN. I take issue with my friend from Texas. That is not the law as it stands to-day. The President can not, and no President ever did appoint any man either to the Adjutant-General's corps or the Inspector-General's corps from civil life. He can not do it.

Mr. MILLS. Are you proposing to make no change of the existing law at all?

Mr. BLACKBURN. We are not.

Mr. MILLS. Then there is no necessity for this amendment.

Mr. BLACKBURN. Yes, there is.

Mr. MILLS. Why?

Mr. BLACKBURN. There has never been an instance in which the nomination has been made from civil life. As the bill came to us from the other House it declared that appointments in the Quartermaster, the Subsistence, and the Pay Departments shall be made from the next lowest grade in the line of the Army. All that the Committee on Appropriations of the Senate has proposed to do is to insert the Adjutant-General's and the Inspector-General's corps. If the President in making the nominations is to be confined to the line of the Army as to the Quartermaster, the Subsistence, and the Pay Department, to which the other House says he shall be confined, then the Senate committee simply proposes that as to the Adjutant-General's and the Inspector-General's corps the same rule shall apply. That is all.

Mr. MILLS. My friend is discussing the merits. I am talking on the point of order. We shall reach the merits directly.

Mr. BLACKBURN. It makes no change in the existing law.

Mr. MILLS. But my friend will not contend, I suppose, that the President is now restricted in appointing these officers to "the next lowest grade in the line of the Army." He may be restricted to the Army, but he is not restricted to "the next lowest grade in the line of the Army," and so the provision I say changes the existing law.

Mr. BLACKBURN. I see the point the Senator makes. The point he makes is not against the amendment reported by the Senate Committee, but against the bill as it came from the House of Representatives.

Mr. Mills. No; I am making that part of it against the amendment of the Senate committee.

Mr. BLACKBURN. It is against the bill as it came from the House of Representatives that the Senator makes his point of order.

Mr. MILLS. But the committee take the provision as it came from the House of Representatives and insert "the Adjutant-General's, the Inspector-General's;" and therefore they propose when this bill is passed that appointments in the Adjutant-Generals and Inspector-General's departments shall be made from the next lowest grade in the line of the Army. That is unquestionably a change of existing law.

Mr. BLACKBURN. I do not think so.

Mr. ALLISON. I think the Inspector-General and the Adjutant-General can now be appointed by selection, but I am not clear about it.

Mr. MILLS. Are they all now required to be taken from the next lowest grade of the Army?

Mr. ALLISON. No; but the officers are to be taken from the Army. I think the chief may be appointed by selection. The provision, however, does not violate any rule of the Senate, even if we have modified it.

Mr. BLACKBURN. There is no rule of the Senate against it.

Mr. MILLS. Here is the rule which I have just read:

No amendment which proposes general legislation shall be received to any general appropriation bill.

Mr. BLACKBURN. There is no general legislation here.

Mr. PROCTOR. If the Senator from Texas will yield to me a moment, perhaps I can save him a little time.

Mr. MILLS. Certainly.

Mr. PROCTOR. I am very sure that the present law allows, as the Senator from Iowa [Mr. ALLISON] says, the chiefs of all these corps to be appointed by selection.

Mr. ALLISON. From the Army; but the present law says that in the Adjutant-General's Department—and I think it is the same in the Inspector-General's Department——

Mr. BLACKBURN. It is the same.

Mr. ALLISON. That they shall be appointed from the captains of the Army.

Mr. BLACKBURN. Of the line.

Mr. ALLISON. Of the line. It has been a subject of dispute in the War Department, and it is believed there that really the purpose and intention and the proper interpretation of the law would confine the appointments to captains in the line.

Mr. MILLS. That is not "the next lowest grade."

Mr. PROCTOR. Certainly, it is the next lowest grade. So far as the Adjutant-General and Inspector-General are concerned the House proviso limits the appointments to the captains of "line" of the Army, instead of to the captains of the Army, as the law now provides. It merely makes certain what was doubtless the intention of the present law.

Mr. MILLS. I will cut this matter short by withdrawing my point of order, and by moving to strike out in the paragraph the word "and," the last word in line 4, and the remainder of that paragraph down to the word "Army," in line 9.

The VICE-PRESIDENT. The amendment proposed by the Senator from Texas will be stated.

The SECRETARY. After the word "four," in line 4, on page 3, it is proposed to strike out the remainder of the paragraph, as follows:

And hereafter all appointments to fill vacancies in the lowest grade in the Adjutant-General's, the Inspector-General's, the Quartermaster's, the Subsistence, and the Pay Department, respectively, shall be made from the next lowest grade in the line of the Army.

Mr. BLACKBURN. Mr. President——

The VICE-PRESIDENT. The Chair will state that the question will first be taken on the amendment proposed by the committee.

Mr. MILLS. That is right.

Mr. BLACKBURN. I take it nobody objects to the amendment submitted by the committee, and I ask that it may be acted upon.

The amendment was agreed to.

The VICE-PRESIDENT. The question now is on the amendment proposed by the Senator from Texas [Mr. MILLS].

Mr. BLACKBURN. I desire to say that the law reads thus as to the Adjutant-General's corps:

SEC. 1129. All vacancies in the grade of major, in the Adjutant-General's Department, shall, when filled, be filled by selections from captains of the Army.

The same law applies to the Inspector-General. I know what the Senator from Texas wants to reach. There has never been any appointment or any nomination made either in the Adjutant-General's corps or the Subsistence corps or the Inspector-General's corps or the Quartermaster corps from civil life. There have been nominations and appointments made from civil life in the pay corps, and I am not objecting to what the Senator from Texas evidently wants to do.

The House of Representatives send this bill here declaring that the President should be restricted to the next lowest grade of officers in the line as to all these corps, except the Adjutant-General's and the Inspector-General's. The Senate Committee on Appropriations simply proposes to put those two corps in the same category. That is not in dispute. It simply means as to the pay corps, whether the President shall be permitted to make his nominations from civil life as to the paymasters in the Army. That is evidently what the Senator from Texas wants to reach, and I have no quarrel with him about it. I am entirely content to leave it; but, in order to get at it, the Senator must move to strike out, so as to put it into conference, what the House sent here, and he is not quarreling with the Senate committee at all.

Mr. MILLS. The Senator from Kentucky is right, and I will withdraw my amendment. Now, I will move to amend the bill by inserting after the word "quartermaster's," in line 7, the word "and," and after the word "subsistence," to strike out the words "and the pay."

Mr. BLACKBURN. That is what the Senator wants to do.

Mr. MILLS. So as to read:

And hereafter all appointments to fill vacancies in the lowest grade in the adjutant-general's, the inspector-general's, the quartermaster's, and the subsistence department, respectively, shall be made from the next lowest grade in the line of the Army.

From the days of the Continental Army down to the present time the citizens of the United States have had an equal opportunity with the officers of the Army to be appointed to the pay corps of the Army of the United States, and it is a fact that all the Presidents, so far as I have been able to examine the question, down to the present, have appointed more persons from civil life to the pay department of the Army than they have from the Army.

A few days ago it was proposed to disfranchise the Army in the appointment of cadets by confining the appointments to Congressional districts, where the Army and the officers of the Army have no opportunity to be represented. I then stood with a number of friends here and vindicated the right of the Army to be represented and to give to the President, as the head of the Government, the power to appoint ten general cadets at large, to be taken from the sons of officers of the Army and the Navy of the United States. My vote was controlled in that measure in order to do justice to these two great branches of the Federal Government.

Now, Mr. President, the Army are so anxious to have everything, that they have been pressing to confine every appointment within the lines of the Army and to disfranchise the whole sixty-eight or seventy million people, and to prevent them from having a single opportunity to have one of these officers appointed from civil life into the Army, and against the traditions and history of this country from before the time when the Government was born.

It is a singular fact, Mr. President, that one of the greatest military chieftains who has ever commanded the armies of the United States, second only to Washington in the estimation of the American people, Gen. Grant, I understand never appointed a single man in the pay corps from the Army—it is so reported to me—but appointed every one from civil life. A great ma-

jority of those officers have been appointed from civil life. There is really no reason why an officer of the Pay Department of the Government should come from the line of the Army. There is no Army knowledge necessary to enable one to pay the officers and soldiers of the Army.

A banker can do that as well as an educated military officer. He has nothing to do with military tactics; he has nothing to do with outpost duty; he knows nothing about provisioning an army or about mobilizing, moving, or fighting it. These are things that belong to the line officers, and, in my judgment, with the little military experience I have had, the line of the Army ought to be kept intact, and there ought to be no inducement held out to any line officer to go away from the line and into the staff, especially in the banking department of the Army. Those places ought to be open to civilians; at least, civilians ought to have an equal opportunity with the line of the Army to receive such appointments from the President of the United States.

Mr. BLACKBURN. I do not mean to combat or resist the views held by the Senator from Texas. I simply desire to call the attention of the Senate to the fact that the House of Representatives, as it passed the bill, stripped the President of the power to appoint to the Pay Corps of the Army from civil life. The Senate has nothing to do with that. The Senate Committee on Appropriations simply proposes by this amendment to put the Adjutant-General's and the Inspector-General's corps into the limitations which the bill as it came from the House prescribed for the other corps.

Let me inquire if the amendment of the committee, which has been agreed to, includes the insertion of the word "such" in line 2, on page 3, and in line 4?

The VICE-PRESIDENT. That has been agreed to as a part of the amendment of the committee. The question is on the amendment proposed by the Senator from Texas [Mr. MILLS].

Mr. PROCTOR. I do not believe in the wisdom of the amendment proposed by the Senator from Texas. If made at all, I do not see why it should not include both the Commissary's and the Quartermaster's Departments. There is no legal restriction now, and there has been none in practice, against appointing from civil life in those two departments, and there are now in both of those departments officers appointed from civil life, and they have been appointed within recent years.

I believe it to be for the best interests of the Army that the appointments in all these corps should be confined to the proper grade of the line of the Army. The opportunity for promotion in the Army is very poor at the best, but I hardly agree to the Senator's views that the Pay Department is an unimportant one. Some of the severest fighting of late years has been in attacks upon paymasters, and several soldiers have been wounded and killed in some of those engagements.

The course in European countries—and I think we must surely come to it here—is to do away with these special staff departments and have a supply corps. I hope the time may come when the commissary, quartermaster, and pay departments will be all in one and will form a supply department. I think the best minds in the Army look forward to that as a proper reorganization.

I think it is no more than right and just that those places should be saved for the line of the Army and that they should not be filled up with civilian appointments. These have not been, on the whole, the most fortunate. Without naming instances, that is very well understood.

Such appointments are made many times for favor, and no party is clean-handed in that matter; we have all shared in it.

There have been similar instances in the pay, quartermaster, and commissary departments, and if there is any point in the Senator's argument, it should include both those other departments. There should be no restriction upon either of them.

Mr. MILLS. Mr. President, if I had not known before that my friend from Vermont [Mr. PROCTOR] had been Secretary of War, his speech would have shown me that he had been in the closest kind of contact with the Army. The views which he expresses are army views, views which exist inside of a close corporation, and his views do not go outside of the Army and the army people. It is ordinary selfishness. It is not confined to the Army alone. We know that the Army are constantly pressing for everything they can get, and that every officer of the Army is constantly pressing to get every promotion he can.

It is just the same as it is in civil life with the rest of us; each is trying to find the highest point he can get. But we are here representing somebody else besides the Army. We have seventy million people who are interested, and I doubt very seriously whether this body has the right to limit the constitutional power and prerogatives of the President to give these appointments to whomsoever he pleases. He has the right to make the appointments from the Army or to select them from whatever station in life he may think proper.

But, Mr. President, the people of the United States have some right to have an open door into the Army. The Army is not alone to be consulted about this thing; there are other people interested in it. It has been the policy of this Government to make the Army popular. Of course, everybody in this country knows that a standing army is unpopular. The prejudice against it is one of the inherited prejudices which have come down to us from our fathers. It is no argument to say that because the quartermasters and commissaries are left out of this provision, this, too, should go by the board. Let them all come in if the Senator so desires.

The Senator says that some paymasters have been attacked on the plains. Whoever heard of a paymaster being killed? When a paymaster is attacked, it is the line that fights. They have to protect the paymaster, and the quartermaster, and the commissary, and all the rest of them. The paymaster is simply a banker who carries the Government funds under his charge to pay the troops. This office has been within the reach of the people of the United States for a hundred years, and the greatest men who have presided over this Government have shown that they have been in touch with the popular sentiment by appointing civilians as well as military men to these places.

Mr. HAWLEY. Mr. President, I have no objection personally to make, to leaving it possible for the President to appoint civilians to the Pay Department of the Army. It is quite possible to find some man of such experience and familiarity with paying men and with large pay rolls that he would make perhaps a better paymaster than would any person who might happen to receive an appointment from the line of the Army; but I do object to the invitation, so to speak, to appoint civilians in the Quartermaster's and Subsistence Departments.

Mr. MILLS. That is not my amendment.

Mr. HAWLEY. I know that. I have no objection to permitting the President to appoint civilians to the Pay Department, but as to the other departments I do speak for the great body of young officers, who have very slow promotion before them. It is considered an honor, a compliment, and reward to be appointed into the Quartermaster's, the Subsistence, the Adjutant-General's, or the Inspector-General's Department from the line. Those are military functions, and when a man of thirty or forty years has been many years out on the plains and amongst the hills, where he has been lonely and his surroundings have not been agreeable and there comes to be a chance for appointment as a major or a captain in the Subsistence Department, for instance, it must seem rather cold and cruel to hundreds of those gentlemen to have some personal or political friend jump into that very desirable place, which ought to be kept as a reward for gallant service. If the appointments were made from the Army it would give a chance for promotion all along the line down to the second lieutenants.

If you are going to have an Army at all, you must study the circumstances that will make it efficient and maintain its ambition and its zeal. Giving the opportunity to the officer to be promoted is a stimulus to him all the time in the faithful performance of his duty. If the President, when he has an appointment to make in the Quartermaster's Department, can range over several hundred young men of good education and character in the line of the Army, that stimulus would be constantly before them, and any one of them would be very proud indeed to get such an appointment. Now, I of course think it a great mistake as a matter of general policy to head off the possibilities of honorable promotion in the Army in that way.

Mr. BLACKBURN. I think I know what the Senator from Texas wants to reach. If I am correct it is altogether commendable, and I am just as anxious to help in that direction as he is. I have no objection to his amendment.

Mr. MILLS. Let it be adopted, then.

Mr. BLACKBURN. So far as I am concerned, I am willing to accept it and let it go into conference.

Mr. MILLS. All right.

Mr. BLACKBURN. It simply takes the pay corps out of the proposed law as the House has sent the bill to us, and leaves it where the law leaves it now.

Mr. PROCTOR. Mr. President, if the picture which the Senator from Texas has drawn of paymasters appointed because of their knowledge and skill of banking and money matters were the fact in practice, there would be something to his argument; but the fact is that such appointments when made from civil life have usually been made because of some personal favor or relationship or for political reasons, to the great injury, as I think, of the service. Now, there is an advantage even in the Pay Department in having a man appointed from the line of the Army. He is entirely in touch with the Army and is familiar

with its customs, its laws, and its traditions. He is, in my opinion, very much the better officer because of his training and education.

I will only cite against the Senator from Texas the practice of the present Commander in Chief of the Army. He has recently made appointments to the Pay Corps, and has made them from the captains of the line of the Army. I am very glad to speak in the highest terms of his appointments in the Army, not only during the present, but during his former Administration. I believe they have, on the whole, been excellent. He has shown what he believes the law ought to be by conforming to the proposed amendment.

Mr. GRAY. Mr. President, the amendment of the Senator from Texas, I understand, will practically leave the law as it is and has been for a number of years. The practice of the Executive, as cited by the Senator from Vermont, shows that it is not likely to be abused to the prejudice of the Army. If the amendment is adopted it will simply leave a larger field for selection and the opportunity of infusing new blood into the Army and bringing it more closely in touch with the people as a whole. I hope that the amendment will be adopted.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Texas.

Mr. MANDERSON. I ask that it be stated. We have been unable on this side to hear any of the discussion.

Mr. MILLS. It simply permits the President to appoint from civil life to the Pay Department as has been done for a hundred years.

The VICE-PRESIDENT. The amendment proposed by the Senator from Texas will be stated.

The SECRETARY. After the word "quartermasters," in line 3, page 5, insert the word "and," and after the word "subsistence" in the same line strike out the words "and the pay;" so as to read:

And hereafter all appointments to fill vacancies in the lowest grade in the Adjutant-General's, the Inspector-General's, the Quartermaster's and the Subsistence Departments, respectively, shall be made from the next lowest grade in the line of the Army.

Mr. MILLS. It leaves the law as it is.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Texas.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 4, line 24, after the word "thereafter," to strike out "the Chief Signal Officer of the Army shall have the rank, pay, and allowances of colonel only, and the office of Chief Signal Officer of the Army shall be filled by selection;" and insert:

The Signal Corps shall consist of one colonel, who shall be the Chief Signal Officer of the Army, and selected from the Corps, and one lieutenant-colonel, one major, and four captains (mounted), to be appointed from the Corps according to seniority, and three first lieutenants (mounted), to be appointed as now provided by law, who shall each receive the pay and allowances of like grades in the Army.

So as to make the clause read:

For additional pay to such officers for length of service, to be paid with their current monthly pay, $6,440; in all, $29,640: *Provided*, That whenever a vacancy in the grade of brigadier-general shall occur in the office of Chief Signal Officer, said vacancy shall not be filled, but said grade shall cease and determine, and thereafter the Signal Corps shall consist of one colonel, who shall be the Chief Signal Officer of the Army, and selected from the Corps, and one lieutenant-colonel, one major, and four captains (mounted), to be appointed from the Corps according to seniority, and three first lieutenants (mounted), to be appointed as now provided by law, who shall each receive the pay and allowances of like grades in the Army.

Mr. BATE. On page 5, line 3, before the word "Signal," I move to insert "the commissioned force of."

Mr. BLACKBURN. There is no objection to that amendment.

The VICE-PRESIDENT. The amendment of the Senator from Tennessee to the committee amendment will be stated.

The SECRETARY. Before the word "Signal," in line 3, page 5, insert "the commissioned force of;" so as to read:

The commissioned force of the Signal Corps shall consist of one colonel, etc.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Tennessee to the amendment of the committee.

The amendment to the amendment was agreed to.

Mr. BATE. I move to further amend the amendment by inserting at the end of line 9, page 5, after the word "Army":

The officers of the Signal Corps to retain their present commissions until regularly promoted in compliance with law.

The object I have in view in the amendment is just to let the officers remain as they are now. We do not want to deprive them of their commissions.

Mr. BLACKBURN. I object to that amendment. It puts every officer of the Signal Corps beyond the reach of courts-martial.

Mr. BATE. How?

Mr. BLACKBURN. If you are going to enact into law that the officers are to hold their commissions until regularly promoted, the power of a court-martial is defied, and not one of them could be dismissed from the service.

Mr. BATE. They have their commissions now. They are officers, and as such are amenable to any court-martial or to any other order, I think the Senator from Kentucky is entirely mistaken in that respect.

Mr. BLACKBURN. Then what is the necessity for the amendment? They hold their commissions as officers in the Army now.

Mr. BATE. Yes.

Mr. BLACKBURN. There can be no necessity for the amendment submitted by the Senator from Tennessee, unless it be to build up a muniment or fortification around these people which does not apply to anybody else.

Mr. BATE. Not at all. I think this change, so far as concerns the appointment of a lieutenant-colonel, and the promotion of the other officers, the captains and lieutenants, ought to take effect, and that is the substance of the amendment, from the date of the passage of the bill. I make that point directly, so that we may understand it.

Mr. BLACKBURN. Does the Senator offer that amendment?

Mr. BATE. I do, right now.

Mr. BLACKBURN. Then I wish to oppose it.

Mr. BATE. The Senator has opposed the amendment I have already offered, which I did not think went so far. I will read at length the amendment I propose. On page 5, at the end of line 9, I move to add:

The officers of the Signal Corps to retain their present commissions until regularly promoted in compliance with law, and for grades below that of colonel the reorganization herein provided for may be made upon the passage of this act.

That leaves it simply discretionary, of course, as to whether they shall make it now or not. The history of it, if I understand this subject——

Mr. PLATT. We can not hear anything that is said. Most of the discussion which has taken place upon the army bill has been entirely lost upon Senators on this side of the Chamber.

Mr. MANDERSON. I have not been able to hear any of it.

The VICE-PRESIDENT. The Chair requests Senators and gentlemen who have the privileges of the floor to refrain from conversation. Business will be suspended until order is restored. The Chair desires to state that there is complaint from Senators that they are absolutely unable to hear what is taking place in the Chamber.

It is a disagreeable duty to constantly call the attention of Senators and gentlemen who are upon the floor to this fact; but there is absolute necessity for it. The Senator from Tennessee will proceed.

Mr. MANDERSON I ask the Senator from Tennessee to permit the amendment that was agreed to, as I understand, by the Senator from Kentucky, in charge of the bill, and also the additional amendment, to come in at the end of the paragraph, to be read at the desk, so that we may understand them.

Mr. BLACKBURN. That is right.

Mr. BATE. I will state that the first amendment was the insertion, before the words "Signal Corps," in line 3, on page 5, of the words "commissioned force of the." That is the only amendment which has yet been made. I send to the desk the amendment which I now propose.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 5, at the end of line 9, add:

The officers of the Signal Corps to retain their present commissions until regularly promoted in compliance with law; and for grades below that of colonel the reorganization herein provided for may be made upon the passage of this act.

Mr. BATE. It is simply a question as to what time the organization shall take effect.

Mr. BLACKBURN. I do not want to interrupt the Senator from Tennessee, but I mean to make the point of order that the amendment changes existing law.

Mr. BATE. If the Senator from Kentucky does that, I shall fall back on my original amendment, which was referred to the committee.

Mr. BLACKBURN. It was not reported.

Mr. BATE. Not only that, but I shall produce the record showing that it came from the Committee on Military Affairs with the approval of every member except one, who was not present. That makes it in order, I presume. I hope the Senator will not make the point of order, because I wish to have the proposition determined on the merits.

Mr. BLACKBURN. I shall not make the point of order now.

Mr. BATE. I do not want any technicalities. If I am wrong I want the Senate to say so.

Mr. President, this is simply a question as to when the reorganization shall take effect. The tendency of it is not to remodel altogether the Signal Corps as it now exists. The Signal Corps

has been a progressive, scientific corps. It is one of the eight or ten corps in the Army. At present it has a brigadier-general at its head, Gen. Greely. There is a hiatus to-day between the brigadier-general and a major. There is no colonel; there is no lieutenant-colonel. There is a gap to be filled up; there is a want of symmetry in it, and it spoils the whole organization. It is the only corps of all the corps in the Army which is in that position.

My amendment, to which the committee have agreed so far as concerns the appointing of a lieutenant-colonel—and, by the by, the proposition comes from Gen. Greely himself, who is at the head of the organization and is a brigadier-general—proposes that when his time expires, or when the office becomes vacant, there shall be no more brigadiers-general at the head of it, but that a colonel shall be in charge of it, and that by selection. That is the committee's amendment now (it was instigated by the chief of this corps, if I am informed correctly), and it has been agreed to.

Mr. BLACKBURN. I do not know as to that.

Mr. BATE. His report, produced in the other House, shows it. Gen. Greely, I understand, has about ten or twelve years yet to serve before he could be retired on account of age. It is purely, then, discretionary with him as to whether he shall retire now or whether he shall do so under a surgeon's certificate, with the consent of the President. Here, then, would be a delay of ten or twelve years, during which doubt would exist as to what the real organization is to be.

I say it will have a demoralizing effect upon the corps. I agree with the committee that this gap should be closed by proper appointment. I do not complain that the chief shall be reduced to colonel, and that the appointment may be made by promotion from the corps. That is proper, and it is the amendment.

Now, if you have your lieutenant-colonel there and your major, and your captains, and your lieutenants, you would have it complete. The Signal Corps is one of the most useful and indispensable corps that belong to the Army. It is true, sir, it is of recent growth. It sprung up with Dr. Myer, I understand, during the late war between the States, and was utilized most effectively, the proof of which is on record by Gen. Sherman, by Gen. Thomas, by Gen. McClellan, and by others, showing that it was indispensable.

After the close of the war it was recommended that it should be organized into a separate corps, and it was so organized. It has varied in its fortunes from that time on. Generally it has been treated as a football here whenever the appropriation bills come in, and has found its existence almost entirely based upon provisions in appropriation bills, until October 1, 1890, when a bill was passed giving the Signal Corps a separate and distinctive existence, and separating it from the Weather Bureau. Now it is a part of the Army, known as the Signal Corps. The utility of it is not denied.

It is scientific and progressive. It began with the signal flag in the war. It now has its flags, its heliographs, its search-light, its telephone trains, its captive balloons, and its dirigible or steering balloons. All this is going on in a scientific way. These appliances are of great advantage in military matters, and are important to the organization and movements of armies and to give information during battles, upon which might depend the fate of nations.

Our system here has been adopted in Europe—England, France, Belgium, Austria, Russia—all have adopted the system that has been in use here, and preserve, I believe, to some extent, our hieroglyphical alphabet with its signs and symbols. In Russia they have parks for signal-corps trains, with every necessary equipment, where select men become expert by drill. It is a growing arm of the military in every civilized country. Sir, if it had existed in other days there would not have been such trouble in the management of troops during battle.

Wellington himself, upon the field of Waterloo, when the trouble culminated between all Europe and France, never would have uttered with a sigh those historic words—would that Blucher or night would come—if he had had the advantage of a signal corps. It has become indispensable in all well organized armies. It has come to stay, and will stay with us. It is scientific and progressive, and we must sustain and encourage it. That being so, the question is how shall we organize it so as to make it the most effective.

Look at it practically and see the working of this new addition to armies. It is effective in peace as well as war. See the troubles in Chicago the other day. I have here a dispatch this morning from Lieut. Allen, of the Signal Corps, who is detailed there as part of the staff of the general in command, Gen. Miles. It shows its practical utility in troubles of that kind by giving communication when wires are cut and it can be given in no other way——

Mr. HALE. Will the Senator from Tennessee permit me to ask him a question?

Mr. BATE. Yes, sir.

Mr. HALE. We can not hear on this side of the Chamber what is said. What fault does the Senator find with the details of the amendment as submitted by the Committee on Appropriations? What is the fault with the amendment?

Mr. BATE. Because it puts it off, say, twelve years before it goes into effect.

Mr. BLACKBURN. I shall answer the Senator from Tennessee in a few minutes.

Mr. HALE. Everybody recognizes the merits of the corps as eloquently presented by the Senator from Tennessee. The only question is as to details. We have not been able to hear on this side what it is the Senator proposes.

Mr. BATE. The substance of my amendment is that it shall go into effect now. If it is a good organization the symmetry should be preserved, and we should appoint these officers and let it take effect to-day; that is to say, the lieutenant-colonel should be appointed, and let the lieutenant-colonel be held in abeyance until Gen. Greely retires, or until a vacancy occurs, and then it can go into full effect.

I fear to put it off will withdraw the incentive to good conduct and official improvement upon the part of the younger men of this corps, as it would in any other corps. One of the incentives that soldiers and officers have to do their duty is to win honors and be promoted. This to some extent will withdraw that incentive. There is no opportunity for promotion in this proposed law. Therefore, Mr. President, it should take effect now so as to have this inducement given the officers, and let it go on smoothly and successfully. Do not let us degrade this corps. It costs less than any other corps. I have the proof here to show it. Every other corps, as I have said, has a brigadier-general at its head but this one.

Now, you propose to give this colonelcy, but do not let us have a gap with the lieutenant-colonel wanting. The committee have agreed to that, and the simple question, as I understand it, is narrowed down to the point as to when it shall take effect. Am I not right?

Mr. BLACKBURN. No.

Mr. BATE. That is the way I understand it.

Mr. BLACKBURN. I want to take issue with my friend from Tennessee.

Mr. BATE. I am not quite through, but I will let the Senator from Kentucky go on.

Mr. BLACKBURN. I want to take issue with the Senator from Tennessee upon each and every proposition he has stated, for I do not think that one of them is sound. He tells us about the value of this corps. I do not agree to that. We saw its present head (and I am his personal friend, and was glad to see it) given the distinction that was awarded him when he was jumped from a captain's place to a brigadier-general's place.

I was very glad to see that jump made, not because I thought it was fair, but because I like the man. I do not know many more valueless, worthless luxuries the Government is indulging in to-day than the very corps over whose exploits, never yet achieved, the Senator from Tennessee waxes so eloquent. But more than that, the Senator offers an amendment and asks the Senate to adopt it, which puts every commissioned officer in that corps beyond the reach of a court-martial, and says that they shall hold their commissions despite court-martials, despite military discipline, despite law, and that they shall not be interfered with in those commissions until they are regularly promoted. That is one objection.

There is another and a still graver objection. The Senator tells us about the lack of symmetry in this corps. I admit it, but his amendment does not tend to help it any. Here is a brigadier-general. No colonel is to be provided for until that brigadier-general shall die, or resign, or be retired. But the Senator from Tennessee wants a lieutenant-colonel. I should like to know how that would help to round out the symmetry. There would be just as much of a gap as there is to-day.

Mr. President, the truth is just this. There is an officer in that corps to-day holding the rank of major, who wants to be a lieutenant-colonel, and he objects to the word "thereafter," the first word in line 24 on page 4. I challenge the record of the War Department, I challenge the Senator from Tennessee, to find me a single man whose name is borne upon the roster of the Army, who has been promoted as fast as the major who wants to fill this gap and round out and perfect the symmetry of the Signal Corps by being made a lieutenant-colonel.

He went from a lieutenancy to a captaincy, if my memory serves me, in about three years, instead of waiting twenty years, as most lieutenants have to do. I think it was about three years that bridged him from a lieutenancy to a captaincy. It was one year that bridged him from a captaincy to majority; and two

years have not yet expired when he stands here demanding that the symmetry of the Signal Corps shall be rounded out by making him a lieutenant-colonel.

I challenge the record of the War Office for another purpose, and that is to furnish a sentence, a word, or a syllable in that officer's record that entitles him to such consideration or to any promotion at all, whether in peace or in war. If he ever smelled burning gunpowder none of us ever heard of it. If he ever rendered such conspicuous specific service or scientific service, or any other sort of service, I will withdraw all objection and agree that the Senator's amendment shall go through.

But I insist that the amendment is faulty in two respects. In the first place, it puts this corps beyond the reach of military discipline or regulation or law; secondly, it proposes a reorganization that will have but one effect, and that is to promote from a majority to a lieutenant-colonelcy a man who has already been promoted faster and for less service than any other man whose name burdens the pay roll of the Federal Army.

Mr. MANDERSON. Mr. President, if there is any one criticism that can be made with force upon the Army legislation of the last fifteen or twenty years it is that it has been in the direction of making the Army of the United States top-heavy. We have been legislating, and legislating I think at times under pressure, in the direction of the increase of the staff corps of the Army to the detriment and material damage to the line of the Army. It is not to be wondered at that we have done this thing.

The experts of the different staff corps are of course anxious for that which is dear to every soldier who loves his profession—promotion to higher rank. They like to enlarge and amplify the duties which are incumbent upon the different departments to which they belong. It is natural, and I do not find fault with them, that they use every effort and all their energy to produce the result which they desire. It has been hard to make head against these efforts in the past. The Congress of the United States has in numerous bills and sometimes by legislation upon appropriation bills met their views, as I think to the damage of the Army.

Mr. President, I really think it is about time to call a halt in that direction. I should like to see reform begin at the other end. I sympathize with the recruiting officer who during the war, when recruiting grew rather slow, proposed to raise a regiment of brigadiers. Of course everyone would be very anxious to join an organization of that character. I think the time has come when there should be enlargement and increase of the line of the Army of the United States.

Everyone who has personal acquaintance with the line of the Army knows, in the different corps of the cavalry, of the artillery, and the infantry, gray-headed men who have grown old in service, and in distinguished, arduous, difficult, and dangerous service, who have not yet reached the rank of captain. There is not the incentive there should be that the enlisted men of the Army, many of whom are well entitled to commissions, who could pass the examination required by law and who are fitted to be second lieutenants in the Army and fitted to go to higher grades by regular promotion and by proper examination—I say there is not the incentive to these men that there ought to be; but that, of course, is all apart from the proposition now under discussion.

I think that so far as the staff department of the Army is concerned, when we come to a time when the Army of the United States shall be used in actual war, instead of enlarging our staff corps we will decrease them by consolidation. We could well do that in time of peace; but unfortunately, although in peace we should prepare for war, we never do prepare for war until the emergency is upon us. I shall not go into detail as to what might be consolidated; but there is no man who has studied the question of the Army, there is no man who has had an experience in it either in time of war or in time of peace, who does not realize that many of these corps could properly be joined.

For instance, there is no reason why there should be a commissary's and a quartermaster's department entirely distinct the one from the other. There is no reason why there should not be a department of supply. It puzzles a man who has had army experience to tell as to whether a certain implement or piece of war material or matter of supply is to go to a quartermaster, a commissary, or an ordnance officer, and I think we might well have a department of supply that would consolidate some of these corps.

Mr. HALE. It is so in the Navy.

Mr. MANDERSON. Yes, it is so in the Navy of the United States and works without difficulty there, and there is no reason why it should not be so in the Army. I see no reason why the Signal Corps of the Army should be a thing apart from all the other staff departments of the Army. It could be well joined to one of them. But upon that of course we can not legislate in this bill.

Now, the proposition is by this proposed enactment that when in the case of the present brigadier-general, who is the head of the Signal Corps, there shall be a vacancy, whether that vacancy shall occur by death, by retirement, from length of service, retirement from disability, or retirement from age, then there shall be what my colleague upon the Committee on Military Affairs and its efficient chairman says is a symmetrical organization of the Signal Corps. I agree with him that if we are to have the Signal Corps as a separate department from all others, it should be of symmetrical form, the department to have a colonel at its head, and the intermediate grades of lieutenant-colonel, major, captain, and lieutenant should follow.

But I do not agree with my colleague on the committee in the belief that that necessity is now upon us; that we should at once make the change that will cause Maj. Dunwoody to be made a lieutenant-colonel; that shall cause Capt. Craig to be made a captain, and promote the lieutenants to be captains of the corps. As has been suggested by the Senator from Kentucky [Mr. BLACKBURN], promotion in the Signal Corps has been extremely rapid. Its composition is as follows:

The Chief Signal Officer, with the rank of brigadier-general, is Gen. Greely, who would probably retire from age ten or twelve years hence, who undoubtedly could at any time retire on account of disability incurred in the line of his duty in the performance of a great work with which we are all familiar, and for which the country is glad to give him credit, and has given him deserved and most distinguished honor.

Following him in the present list is Maj. Henry H. C. Dunwoody. Maj. Dunwoody entered the Army in 1862. He was made second lieutenant of the artillery in June, 1866; first lieutenant in February, 1867; captain, June, 1889; major of Signal Corps in 1890, and accepted that place in 1891.

Capt. Craig entered the Army in 1866; was made captain and quartermaster in 1888; was made captain in Signal Corps in 1890, and accepted it in 1891.

Capt. Allen was made second lieutenant in 1872; first lieutenant in 1879; captain in 1888; captain in Signal Corps in 1890, and accepted in 1891.

Capt. Thompson entered the Army in 1868; made first lieutenant in 1880; captain in 1890; accepted in 1891.

Capt. Scriven entered the Army in 1878; first lieutenant in 1885; first lieutenant Signal Corps in 1890; made captain in 1892.

Capt. Glassford was made first lieutenant in 1890, and captain in 1893.

I will not pass to the lieutenants of the corps. I have read this simply to show that the promotion of the officers of the Signal Corps has been exceptionally rapid. They have gone through these higher grades, passing those who were with them at the Military Academy, and leaving them largely to-day in the rank of first lieutenant of the Army.

Mr. President, I do not think we need to strain any point here to give immediate promotion to these gentlemen. I think with their corps thus made symmetrical, thus licked into the shape they desire, they can well afford to wait until there shall be a vacancy created either by the resignation, the retirement from disability, from length of service, or from age, of the distinguished gentleman who is now at the head of the corps.

I do not find myself differing very often with the distinguished chairman of the Committee on Military Affairs, but I think in this case it is well enough for us to make haste slowly. The Signal Corps is certainly not now so important an adjunct of the Army that it can not afford to abide its time for the rapid promotion that is bound to come in the immediate future to those who are upon the roll.

Mr. BATE. Mr. President, I do not differ very widely with my colleague on the committee who has just taken his seat, the Senator from Nebraska [Mr. MANDERSON]. The only difference between us is as to when this shall take effect. We agree, and the committee seem to agree pretty well, too, upon a partial symmetry of the Signal Corps; that is to say, that there shall be a lieutenant-colonel appointed, and that the colonel shall be appointed when the vacancy occurs, as indicated, by the resignation or removal in any way of Gen. Greely, who now holds the chief place in it.

But I think that it is proper if we are going to organize the corps after the fashion indicated by the committee that it should be done at once for the reasons which I have heretofore mentioned, and which I shall not reiterate.

I desire to say, however, in reply to some remarks which have been made in regard to this matter that Gen. Greely was appointed because of scientific services he had rendered the country; so it seems he did go from the rank of a captain to that of a brigadier-general.

That matter is a subject of criticism, but it meets, however, the approval of the Senator from Kentucky [Mr. BLACKBURN].

It is the officer whose good fortune it has been to be promoted to a majority who is jumped upon with both feet by my friend from Kentucky. He does not want to see him promoted further now, alleging that it is very rapid, and also an allusion to that fact was made by the Senator from Nebraska. He, however, read from the Army Register, which shows that this man, who is now the major in this corps, Maj. Dunwoody, received a military education and entered the Military Academy at West Point in 1862, and after four years he was a graduate, and with honor.

That is some thirty years ago. If you call getting to a majority within thirty years rapid promotion, then of course there has been rapidity of promotion in this case. But I insist that thirty years is a long period for a man who has received a military education to go from a lieutenancy up to a majority.

Therefore, there is no indecent haste in this matter, as has been intimated; and there is no excessive desire upon the part of the gentleman who holds this majority or upon the part of his friends to see him promoted, except upon the grounds of merit. Why did he get this majority? For scientific reasons in part, just as Greely was appointed brigadier-general.

Furthermore, I desire to say to the Senate and to you, Mr. President, that he won this majority, which is very rarely the case, upon competitive examination. Under the law of October, 1890, he was put to the test along with his fellows in the reorganization of the corps, and he won it fairly. He is one of the few men entitled to the straps of a major who has won his rank by a competitive examination, thus showing his superiority of the class with which he was thrown in reference to that promotion; and allow me to say there is no no class or set of officers in the Army superior to them. That is why it was done and not with indecent haste, nor by potential influence with the appointing power, but it became his by right under the law.

Maj. Dunwoody was many years a lieutenant, a short time a captain, and it was his fortune to have been detailed into a particular service, the Weather Bureau service. I might stop to read a letter addressed by the Secretary of Agriculture, who has charge of this Department, to the chairman of the Committee on Appropriations, the Senator from Missouri [Mr. COCKRELL], in regard to the capacity, fitness, and efficiency of Maj. Dunwoody for the scientific work in which he is engaged; but it might be disagreeable to him for me to do so, and therefore I decline so doing. I will say, however, it shows an efficiency that is rarely, if ever, equaled.

I repeat, he won this upon merit by a competitive examination, and upon the grounds of merit alone, and it took him thirty years to pass through the regular channels from a lieutenancy to a majority. If the Senator thinks that is rapid promotion he is welcome to do so.

Now, sir, Maj. Dunwoody belongs to this corps and he won the position, and if promotion is to take place I am for him having it. He has distinguished himself most worthily.

Mr. President, the Senator from Kentucky speaks of luxurious life in Washington. He can not lay that charge at this man's door.

Permit me to say, sir, that he is a man who is up at night in the performance of his duty without increase of pay, when you and I and all here are asleep. He is temporarily detailed to the Weather Bureau at this place—the head of that Bureau. It may be said to be a life study with him. As young as you say he is, he has grown gray in that scientific service, and is conceded to be the greatest success in his line ever known in this country or even in Europe. This is conceded, and publicly so by scientific journals on both continents. This is the man, Mr. President, whose promotion is objected to when he would win it fairly, because he holds the majority now won by competition, and under this amendment there would be an opening. It is not by selection, but under the true rule that he should be promoted in the corps to which he belongs.

Mr. President, I was pleased with the remarks of my colleague on the Military Committee, the Senator from Nebraska [Mr. MANDERSON]. He shows the necessity for this symmetry in staff organization; and I want to say in conclusion on this point that if a necessity exists, as he has so clearly shown, for symmetrical organization and for a lieutenant-colonel to be appointed to effect it, then the sooner it is accomplished the better, and therefore this amendment ought to take effect on the passage of this bill. It will not affect the force at the head of it, but it will affect all subalterns. It opens up the incentive for an officer to raise himself in the esteem of his fellow-officers and his countrymen by his proper bearing. Therefore it should be adopted now.

Mr. President, like the Senators from Kentucky and Nebraska, I do not believe in jumping over officers by staff appointment or otherwise. Who does Maj. Dunwoody jump over? He stands next in the regular order, and if the Chief Signal Officer should die or retire he would not jump, but would succeed to the place in regular order. I would not want to see the President promote him before that event took place. There are officers, and suitable ones I think, captains and lieutenants, who are placed by the choice of the President for life in good places.

This is all right, and sometimes I help to do it, and while the law lasts I want to see my friends get their part of the spoils; and if the President is pleased by certain influences to take a man and jump two hundred and eight captains and make him a major, or to take a lieutenant and jump one hundred and fifty and make him a captain, then let him do it. It is his right, and I hope my friend will be the lucky one. If this is wrong change the law.

That is the liberal view to take of this matter. The man who will likely get this promotion, should it come, is one who, as I said, spends sleepless nights and stands by the ticker until the dawn of day sending information all over this country as to the weather, and this is the result not of luxury but hard and constant study—with marked capacity for combining certain influences and working therefrom a given result. That is what he has done. It is his capacity and his scientific knowledge which have put him in the channel which caused, if you please, his rapid promotion in the service. This is the basis of it.

But I am not for the man. I am for the principle of the thing, Mr. President, regardless of any man. I want some officers to fill these places. It can not be done unless you fill up this corps. I should like to see the colonel appointed now, but the committee says not, and I yield to the judgment of the committee. I believe that now is the time to effect it, and we should not wait for an uncertainty.

The Senator from Kentucky states that they are not amenable to courts-martial. I can not see the philosophy of that. While officers are in the Army and hold commissions in the Army there is nothing that can keep them from being amenable to the courts-martial of the country and the laws of the land. There is nothing in that point, and I will not further notice it.

I do not propose to detain the Senate upon this question. I am sorry even that any debate has sprung up upon it. I agree with the committee upon all questions, except as to the time; and I shall say nothing more in regard to that, but only ask that the Senate will give due consideration to the fact that we want this corps made symmetrical. As I have said, it is indispensable, and it has been the favorite of most men who have been at the head of the Army, and it should be done.

This corps is progressive. The same thing is going on in Europe, here, and everywhere; and I want to see that expertness, if I may so speak, encouraged. It takes but a small sum; it does not create any additional expenditure, because if the brigadier-general stays there he must receive his pay.

I am perfectly willing, Mr. President, to leave this matter as it is, and hope that the Senate will take the view of it which I have taken, and be practical in what we do.

Mr. PROCTOR. I think the Senator from Tennessee [Mr. BATE] is comparatively modest in his request. If his amendment is agreed to, it only jumps this major over about one hundred and odd other majors, and nearly one hundred lieutenants-colonel.

Mr. BLACKBURN. Ninety-three.

Mr. BATE. The Senator will pardon me. If I did not say it, I meant to say, of course, in that corps. You can not show that he will jump anybody, because the bill itself provides for promotion in that corps, and there is not a man between him and that position.

Mr. PROCTOR. Very true. It does not jump over many in that corps, but I was speaking of relative rank. I say the amendment is comparatively modest, because the amendment of the Senator from Texas [Mr. MILLS] gives an opportunity to him and his friend, the Senator from Delaware [Mr. GRAY], who favored the amendment, to get, if they can, the appointment of their political or personal friends to a majority, jumping over the six hundred and fifty captains and the thousand and odd lieutenants, to say nothing about the twenty-five thousand noncommissioned officers and the rank and file of the Army.

So, to be consistent and logical, it would seem that we ought to adopt this much more modest amendment. However, as I voted against the former amendment, I must, to be perfectly consistent, vote against this amendment, much as I regret to do so.

I heartily subscribe to everything that was said by the Senator from Nebraska [Mr. MANDERSON] in regard to the organization of the Army. It seems to me entirely wrong that the staff should be strengthened, and the line, of course, comparatively weakened. It is, as the Senator from Nebraska said, top-heavy. It can be easily seen that with ten brigadiers-general

in the War Department and six in the field and with hardly sufficent commands for them that there is something wrong in the organization.

It is not, perhaps, a favorable time to suggest any important change in the staff department. I hope it may come, however, with the general reorganization of the Army. It is not now the time to propose it; but it is a time, Mr. President, when we can see the necessity of an increase in the enlisted force and the strengthening of the line of the Army. The staff positions should be so adjusted to the line that the chance for promotion and preferment will be greatest in the fighting arm of the Army.

I am obliged to oppose the amendment.

Mr. BLACKBURN. Mr. President, I am very glad this discussion has been had. The very wise and sage suggestions which have come from the Senator from Vermont [Mr. PROCTOR], and the Senator from Nebraska [Mr. MANDERSON], the one an ex-Secretary of War, and the other a member of the Committee on Military Affairs of this body, looking to a needed reorganization of the military system of this country, did not come too soon.

So far as the amendment pending is concerned, I rise to withdraw my point of order. I do not mean to make any point of order against the Senator from Tennessee [Mr. BATE]. I am entirely willing, and more than willing, that he shall always have a vote of the Senate, no matter what the rule may be; but I do not believe that his amendment should be adopted; and in his presence here, as he sits close by me, I make this statement, which I am sure he will verify, that it was I in the Committee on Appropriations who strained a point to put into the bill what the Secretary has just read in order to meet the views and wishes of the Senator from Tennessee so far as it was possible for us to do it.

If this amendment should be adopted—I do not mean to say that the Senator from Tennessee intends to do it—speaking from the standpoint of a lawyer, I declare that, in my judgment, the Signal Corps would be put beyond the reach of regulation or order under the War Department; and more, it would be not to complete the symmetry of this corps at all, because the gap would be left precisely as it stands to-day. If the Senator's amendment was agreed to, the symmetry would not be completed, the gap would stand until the present brigadier-general heading that corps should be retired, or until he should resign, or die.

For these two reasons, I hope the Senate will not agree to the amendment offered by the Senator from Tennessee. I withdraw my point of order.

Mr. BATE. Permit me to say a word. I think it is proper for us to get as near a consummation of symmetry as possible; if we can not get it entirely, let us get as near to it as we can.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Tennessee. [Putting the question]. The noes appear to have it.

Mr. BATE. I call for a division.

Mr. HALE. Let us have the yeas and nays.

Mr. BLACKBURN. I think I shall have to ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary called the roll.

Mr. MILLS. I am paired with the Senator from New Hampshire [Mr. GALLINGER].

Mr. MCPHERSON. I am paired with the Senator from Vermont [Mr. MORRILL].

Mr. CULLOM. I have a general pair with the senior Senator from Delaware [Mr. GRAY], but I shall take the liberty of voting to make a quorum. I vote "nay."

Mr. GORDON. I am authorized to vote to make a quorum, notwithstanding my pair with the Senator from Iowa [Mr. WILSON], and I vote "yea."

Mr. HANSBROUGH. I am paired with the junior Senator from Illinois [Mr. PALMER], and therefore withhold my vote.

Mr. CULLOM (after having voted in the negative). I find that there is quite a division of sentiment in the Senate in reference to the pending question, and I therefore withdraw my vote, as the Senator from Delaware [Mr. GRAY], with whom I am paired, is not present.

Mr. PUGH. I announce my pair with the senior Senator from Massachusetts [Mr. HOAR].

Mr. PLATT. I am paired with the Senator from Virginia [Mr. HUNTON], but I am authorized to vote to make a quorum, and I vote "nay."

The result was announced—yeas 21, nays 23; as follows:

YEAS—21.

Allison,	George,	Martin,	Voorhees,
Bate,	Gordon,	Pasco,	Walsh,
Blanchard,	Harris,	Perkins,	White.
Brice,	Irby,	Roach,	
Call,	Jarvis,	Stewart,	
Coke,	Jones, Ark.	Vest.	

NAYS—23.

Aldrich,	Faulkner,	McMillan,	Ransom,
Blackburn,	Gibson,	Manderson,	Sherman,
Carey,	Gorman,	Peffer,	Shoup,
Cockrell,	Hale,	Platt,	Smith,
Dolph,	Hawley,	Power,	Squire.
Dubois,	Lindsay,	Proctor,	

NOT VOTING—41.

Allen,	Frye,	McLaurin,	Pugh,
Berry,	Gallinger,	McPherson,	Quay,
Butler,	Gray,	Mills,	Teller,
Caffery,	Hansbrough,	Mitchell, Oregon	Turpie,
Camden,	Higgins,	Mitchell, Wis.	Vilas,
Cameron,	Hill,	Morgan,	Washburn.
Chandler,	Hoar,	Morrill,	Wilson,
Cullom,	Hunton,	Murphy,	Wolcott.
Daniel,	Jones, Nev.	Palmer,	
Davis,	Kyle,	Patton,	
Dixon,	Lodge,	Pettigrew,	

So the amendment was rejected.

The PRESIDING OFFICER (Mr. FAULKNER in the chair). The question is on agreeing to the amendment proposed by the Committee on Appropriations as amended.

The amendment as amended was agreed to.

The PRESIDING OFFICER. The reading of the bill will proceed.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 6, line 5, before the word "dollars," to insert "two hundred;" so as to make the clause read:

For additional pay to such officers for length of service, to be paid with their current monthly pay, $51,200; in all, $193,700.

The amendment was agreed to.

The next amendment was, on page 6, line 21, after the word "dollars," to strike out:

Provided, That hereafter no appointments shall be made to the office of assistant surgeon until the number of assistant surgeons shall be reduced below 90, and thereafter the number of officers in that grade in the medical department shall be fixed at 90.

So as to make the clause read:

For additional pay to such officers for length of service, to be paid with their current monthly pay, $106,530; in all, $525,230.

The amendment was agreed to.

The next amendment was, on page 7, line 8, after the word "dollars," to insert:

Provided, That nothing in the act entitled "An act to increase the number of officers of the Army to be detailed to colleges," approved November 3, 1893, shall be so construed as to prevent, limit, or restrict the detail of retired officers of the Army at institutions of learning under the provisions of section 1260, Revised Statutes, and the act making appropriations for the support of the Army, etc., approved May 4, 1880, nor to forbid the issue of ordnance and ordnance stores, as provided in the act approved September 26, 1888, amending section 1225, Revised Statutes, to the institutions at which retired officers may be so detailed; and said act of November 3, 1893, shall not be construed to allow the full pay of their rank to retired officers detailed under said section 1260, Revised Statutes, and the act of May 4, 1880.

Mr. MANDERSON. I desire to ask the Senator in charge of the bill whether this proviso is in the language of the bill which the Senate passed in the early days of this session? My impression is that it is in the identical language of that bill.

Mr. BLACKBURN. I will answer the Senator, without the record at my hand, but I assure him that it is in the language of the bill to which he refers, which had the approval of the Senate.

Mr. MANDERSON. I desire to say, in connection with the pending proviso, that I am glad to see it inserted here, so that it may be understood elsewhere if there should come up any question as to the wisdom of the provision, that there was certainly no intention on the part of Congress in passing the act recited as approved November 3, 1893, to cut off the detail of retired officers of the Army to educational institutions throughout the country.

Mr. BLACKBURN. That is true.

Mr. MANDERSON. And yet the construction placed upon it——

Mr. BLACKBURN. But the Senator will admit that a different construction was placed upon the law by the Department.

Mr. MANDERSON. I was about to say that the law by the executive department was so construed. The result of it was that a great many valuable military instructors were taken from those institutions, and can perhaps only be returned by way of detail if this provision shall become the law.

Mr. BLACKBURN. That is the object of the amendment.

Mr. MANDERSON. It permits such details, and provides that they shall not receive the full pay of their rank; but, of course, they can eke out whatever pay is coming to them on the retired list by any sum which any educational institution may see fit to pay for military instruction. It certainly is a very proper addendum to the existing law.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment

of the Committee on Appropriations was, on page 8, after line 13, to insert the following:

For clerks and messengers at the headquarters of the Army and at the several department headquarters; at the recruiting headquarters and depots; at the Military Academy at West Point; at the Artillery School at Fort Monroe, Va.; at the Infantry and Cavalry School at Fort Leavenworth, Kans., and at the Cavalry and Light Artillery School at Fort Riley, Kans., not exceeding 90 clerks, at $1,000 each; 25 clerks, at $1,100 each; 10 clerks, at $1,200 each, and 45 messengers, at $720 each, $152,800; and said clerks and messengers shall be employed and apportioned to the several headquarters and stations by the Secretary of War. And the "Act for the enlistment and pay and to define the duties and liabilities of 'general-service clerks' and 'general-service messengers' in the Army," approved July 29, 1886, is hereby repealed.

Mr. MANDERSON. Will the Senator from Kentucky kindly explain to the Senate what is the change in the existing law made by this provision? Is there a reduction of the number of service clerks and messengers?

Mr. BLACKBURN. No.

Mr. MANDERSON. Is there a reduction in the amount of their compensation?

Mr. BLACKBURN. No.

Mr. MANDERSON. Then, what is the provision which is repealed?

Mr. BLACKBURN. I will answer and say that this is a transposition. If the Senator will turn to page 2, from line 9 to line 18, inclusive, which was stricken out upon the recommendation of the Senate Committee on Appropriations, he will find that this is simply a transposition. The Department urged this substitution, which the committee has submitted for the consideration of the Senate.

It looks to a reduction of the force; but it does more. The point in it, and the only point in it which has any merit or which would attract any attention or excite any discussion, is that it looks to the abolition of a practice which has grown up here in the shape of a civil pension list, what are called general service clerks, made up from details from the Army and appointments from civil life, and after so many years' service they go upon the retired list.

A man appointed from civil life to a clerical position in any Department of this Government has no right to go upon the pension list or upon the retired list. It is the object of the amendment which the committee submits to put a stop to that practice. It is simply to compel the War Department to detail those clerks from the Army and not appoint them from civil life, with the chance to get upon the retired list by reason of clerical service which is not allowed to anybody else.

Mr. MANDERSON. I hope that that conclusion will not be reached. While I do not oppose this proviso, for I feel the uselessness of making head against the Committee on Appropriations in matters of this sort, I do not believe in the detailing of enlisted men of the Army for clerk service, or any other service. They enlist as soldiers.

Mr. BLACKBURN. Will the Senator from Nebraska allow me to ask him a question?

Mr. MANDERSON. Certainly. I may have misunderstood the Senator from Kentucky.

Mr. BLACKBURN. I agree with the Senator from Nebraska, but will the Senator say he does favor a practice that exists under the law to-day and that the amendment seeks to remedy, which allows a clerk appointed from civil life after thirty years of service to go upon the retired list as though he had been a soldier?

Mr. MANDERSON. No, I do not, unless the clerk assumes the position of an enlisted man, and can be held to a term of service and be called upon for military duty. Of course, in time of war it is well understood that any civil employé of the Army of the United States can be called upon for military service, and he can be compelled to perform the duties incident to his place.

But I understand the general service clerks and general service messengers are liable to removal, or can at any time quit their occupations. With that as the fact, I certainly do not believe that that class of men should ever go upon a retired list or a civil pension list for such service.

However, that which I rose to combat was the idea that there should be taken from the enlisted force of the Army men for clerk duty or for any other duty foreign to the employment for which they have been enlisted.

One of the evils which the Army has had to contend with for many years has been the use of the enlisted force not only for clerk service, but for menial service. The man who wears the uniform of the Government of the United States and who is to be called upon to protect its flag and to sustain its honor should not be the servant of anybody except the Government of the United States. You get in the Army, I think, an inferior class of men when it is understood that they can be detailed or required to perform duty which is not incident to the military service. It is an evil which we certainly ought to reach. The Army of the United States is its peacemaker. If anything were needed to exemplify and emphasize that fact it can be found in the occurrences of the last few days in this country.

The Army of the United States is small. I should not advocate its great extension, and yet, realizing the fact that it is no greater in the number of its enlisted men to-day, with nearly 70,000,000 people, than it was when this country had but 30,000,000 people, I believe there should be an increase in the number of enlisted men. It should be an increase looking to its growth in the best material that can be obtained. A move was made in the right direction by legislation had at this session of Congress, which required that none but American citizens should be enlisted in the Army of the United States, and that they should have a certain degree of intelligence.

That legislation, I think, will improve the material which will compose the Army. I think the Army should be increased within a moderate and modest number, so that incident to that increase there should come a better organization of the Army. It is an astonishing thing to me that the Congress of the United States, throughout all these years of insistence, these years of persuasion on the part of the chief military men of this country, should still hold to the obsolete in military affairs.

Commencing with Gen. Grant, when he was at the head of the Army, following him Gen. Sherman, Gen. Sheridan, Gen. Schofield, and every department commander without exception, and every man who has written upon military life in the United States, all have insisted that there should be a departure from the present single-battalion organization of the infantry of this country and that the three-battalion organization should obtain.

The attention of Congress has been called time and again to the fact that the United States, holding to the single-battalion organization, has a military organization which is shared in only by two countries. One is Persia and the other China. That is the company which we are keeping with reference to the organization of our infantry. When the time of war shall come we shall be quick to adopt the three-battallion organization, which is a necessity under the improved arm that is now used in all the armies of the world. Yet, notwithstanding the fact that in several Congresses such a bill has received the unanimous report of the Committee on Military Affairs of the Senate and has passed the Senate, it has gone elsewhere, there to sleep apparently the sleep that knows no waking.

I hope that as the result of this discussion and as the result of the events that are now or have been lately upon us the Congress of the United States will arouse itself to the importance of bettering the condition of the Army and putting it in a position where it can sustain itself with credit and not be compelled when an emergency shall arise, or war shall come upon us, to make a complete revolution in the character of its formation.

I hope I misunderstood the Senator from Kentucky in the suggestion he made that this proviso would permit enlisted men to be detailed to service as general service clerks and messengers.

Mr. BLACKBURN. No; the Senator from Nebraska did not misunderstand me, and he will not misunderstand me in this, that I sympathize with his conclusions as he has expressed them. It is not my purpose to advocate the detail of enlisted men for clerical service, but the Senator who, in conjunction with the Senator from Connecticut [Mr. HAWLEY], for so many years presided over the military affairs of this country, at least so far as the Senate has charge, knows that that has been the practice all these years. Those soldiers are detailed, and I doubt not that very competent men are found to render that service.

Neither the bill as it came from the other House nor any amendment submitted by the committee of the Senate touches that practice at all. It may be a bad practice. I am not its advocate; I am not its apologist. The only point that I make is that it is a mongrel service; it is a hybrid service. It is made of details from the line, of enlisted men and of men appointed from civil life. The amendment seeks to prevent the apointees from civil life from going upon a civil pension list after thirty years' service. That is all there is in this matter.

Mr. MANDERSON. That is a different proposition.

Mr. BLACKBURN. That is all there is in it.

Mr. MANDERSON. I am inclined to differ with my friend from Kentucky in the construction of this paragraph. I do not believe it means that you can take an enlisted man and give him a clerkship letting him remain an enlisted man in the Army and making him a clerk at $1,100 or $1,200 per annum, or make him a messenger with that compensation in addition to his other pay. That is what it would mean unless he was retired from the enlisted service.

Mr. BLACKBURN. That is what is done.

Mr. MANDERSON. It ought not to be done.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the Committee on Appropriations.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 9, line 16, after the word "troops," to insert "at stations;" so as to make the clause read:

For commutation of quarters to commissioned officers on duty without troops at stations where there are no public quarters, $165,000.

The amendment was agreed to.

The next amendment was, on page 10, line 16, after the word "that," to strike out "in disbursing this amount" and insert "hereafter;" in line 17, after the words "paid to," to strike out "an" and insert "any," and in line 18, after the word "officer," to insert "of the Army;" so as to make the clause read:

For mileage to officers when traveling on duty without troops, when authorized by law, not to exceed $140,000, to be allotted by the Secretary of War to the War Department and to the several military departments; and not more than three-fifths of said amount shall be expended during the first half of the fiscal year, and not more than one-half of the remainder during each of the remaing quarters: *Provided*, That hereafter the maximum sum to be allowed and paid to any officer of the Army shall be 4 cents per mile, distance to be computed over the shortest usually traveled routes, and in addition thereto the cost of the transportation actually paid by the officer over said route or routes, exclusive of parlor-car or sleeping-car fare and transfers.

The amendment was agreed to.

The reading of the bill was continued to the end of line 20, on page 11.

Mr. MANDERSON. The last clause of this paragraph makes a very decided change in Army regulations and in existing law. I am inclined to think that the purpose desired to be accomplished is a good one, but I fear that the pendulum has swung too far in the other direction. It will be noticed that by this wording no Army or department commander can order an inspection of any post or any part of his department.

Mr. BLACKBURN. Let me ask my friend what amendment he wants.

Mr. MANDERSON. I shall offer an amendment which I think will commend itself, because it is mild in its terms.

Mr. BLACKBURN. I do not mean to abridge or restrict the powers of a department commander. What is it that the Senator from Nebraska wants?

Mr. MANDERSON. I propose after the word "commanders" in line 16 to insert:

Or are ordered by Army and department commanders in cases of emergency.

Mr. BLACKBURN. I accept the amendment.

Mr. MANDERSON. It seems to me that is right.

Mr. BLACKBURN. It is right.

Mr. MANDERSON. I wish to say a few words in addition to show abundantly the reasons for it. These departments are very large in territory. Many of them contain numerous posts. Frequently there is an absolute necessity for an inspection. For instance, there is an outbreak of malarial fever or some other disease at one of the garrisons. An immediate inspection by the Medical Department is an absolute necessity.

Mr. BLACKBURN. I agree to that.

Mr. MANDERSON. And the usual red-tape would not have to be undergone under the amendment.

The PRESIDING OFFICER (Mr. BLANCHARD in the chair). The amendment proposed by the Senator from Nebraska will be stated.

The SECRETARY. On page 11, line 16, after the word "commands," insert "or are ordered by army and department commanders in cases of emergency."

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Nebraska.

The amendment was agreed to.

Mr. HAWLEY. I see that amendments are being made in the general text as we go along, and that we are not following the usual rule of confining the consideration in this stage to amendments reported by the committee.

I call the attention of the Senator from Kentucky to page 11, beginning with line 4. There is this provision:

That the transportation furnished by the Quartermaster's Department to officers traveling without troops shall be limited to transportation in kind, not including sleeping or parlor car accommodations, over free roads, over bond-aided Pacific railroads, and by conveyande belonging to said Department.

I do not quite understand that provision. I understand that in dealing with the free roads, on which the Government has a right to send officers, you have not a right to impose upon them the duty of giving sleeping car or parlor car accommodations to officers. But when an officer is sent on a duty which requires him to travel two or three days steadily, is he not allowed the cost of his sleeping-car accommodations?

Mr. BLACKBURN. No; he is not, under the law.

Mr. HAWLEY. What is the fact as to that?

Mr. BLACKBURN. The distinguished Senator from Connecticut, who so long presided over the Military Affairs Committee of the Senate, does not need to have me remind him that the law does not give an officer his sleeping-car fare, but it gives him his mileage, which is presumed to cover it.

Mr. HAWLEY. That is what I wanted to ascertain, whether it is allowed for in some other way.

Mr. BLACKBURN. That is the way it is allowed for.

Mr. HAWLEY. Then I understand that the mileage covers it and allows the officer to ride in such cars?

Mr. BLACKBURN. It does.

The reading of the bill was continued to line 11, on page 13.

The PRESIDING OFFICER. The Chair calls the attention of the Senator from Kentucky to line 10, on page 13, where, after the word "issue," there is a colon. Should it not simply be a comma?

Mr. BLACKBURN. The Chair is correct. I ask that the correction be made. That is a clear mistake. It should be a comma.

The PRESIDING OFFICER. That change will be made, without objection.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 13, line 25, after the word "shall," to strike out "cause to be investigated by the inspection department of the Army, or otherwise, and shall;" and on page 14, line 2, after the word "session," to strike out "as to;" so as to make the clause read:

And the Secretary of War shall report to Congress at its next regular session the number of civil employés of the Army, their distribution, the necessity for their employment, and the cost attending the same: *Provided*, That $100,000 of this appropriation shall be available for the purchase and delivery in June, 1894, of such subsistence supplies as may be required to be at posts at the beginning of the fiscal year 1895.

Mr. BLACKBURN. That is simply a correction of the text. There is nothing material in the amendment and I ask that it be agreed to.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 14, after line 9, to insert:

That the Secretary of War is hereby authorized and directed to remove to the Fort Sill military reservation, Indian Territory, the Indian prisoners of war now confined at Mount Vernon Barracks, Alabama, and for the purposes of the erection of buildings, purchase of draft animals, stock, necessary farming tools, seeds, household utensils, and other articles needed for said Indians and generally for their support and civilization, the sum of $15,000 is hereby appropriated, in addition to the sums herein appropriated, to be expended under the direction of the Secretary of War.

Mr. DUBOIS. I desire to offer an amendment to the amendment.

The PRESIDING OFFICER. The amendment of the Senator from Idaho to the amendment will be stated.

The SECRETARY. On page 14, line 11, strike out of the amendment the words "the Fort Sill military reservation, Indian Territory," and insert "such military reservation as he may select, not prohibited by existing law."

Mr. BLACKBURN. So far as I am concerned, I accept the amendment to the amendment.

I wish to state that an anomaly exists in the case of these Indians, the Geronimo band. They are now in Alabama, as prisoners of war, where they have been all these years. Sixty per cent of the number of that band to-day were born prisoners of war. It is an anomaly in the civilization of this country. More than one-half of that band of Indians at the Mount Vernon barracks in Alabama, were born into this world as prisoners of war, and are so held to-day. The purpose of the committee is to do what every Secretary of War for the last twelve years has endeavored to do, to get rid of this anomaly and send the Indians back somewhere.

I know the Senator from Idaho does not want them in his country. Nobody else wants them. But they should be turned loose. Children who are born prisoners of war ought not to be required to die of old age as prisoners of war. The Senator's amendment is a perfectly fair one, leaving it to the discretion of the Secretary of War to put these people somewhere and take them away from where they are, and so far as I am concerned I accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Idaho to the amendment of the Committee on Appropriations.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment as amended.

Mr. PLATT. I think that when this matter gets into conference perhaps some additional phraseology should be inserted to show what is to be done with these people when they are removed.

Mr. BLACKBURN. That may be.

Mr. PLATT. If they are still to be held as prisoners of war, I do not see how they are going to be educated in farming and such matters.

Mr. BLACKBURN. I take it that the conference committee will look into the matter.

Mr. PLATT. I think the whole matter should be looked into in conference.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Committee on Appropriations as amended.

The amendment as amended was agreed to.

The next amendment was, on page 15, line 10, after the word "infantry," to insert "members of the Hospital Corps;" so to as read:

QUARTERMASTER'S DEPARTMENT.

Regular supplies: For the regular supplies of the Quartermaster's Department, consisting of stoves and heating apparatus and repair and maintenance of the same, for heating offices, hospitals, and barracks and quarters; of ranges and stoves and appliances for cooking and serving food; of fuel and lights for enlisted men, guards, hospitals, storehouses, and offices, and for sale to officers; for the equipment of bakehouses to carry on post bakeries; for the necessary furniture, text-books, paper, and equipments for the post schools and libraries; for the tableware and mess furniture for kitchens and mess halls, each and all for the enlisted men of the Army; of forage in kind for the horses, mules, and oxen of the Quartermaster's Department at the several posts and stations and with the armies in the field, including its care and protection, and for the horses of the several regiments of cavalry, the batteries of artillery, and such companies of infantry, members of the Hospital Corps, and scouts as may be mounted, and for the authorized number of officers' horses, including bedding for the animals; of straw for soldiers' bedding; and of stationery, including blank books, for the Quartermaster's Department, certificates for discharged soldiers, blank forms for the Pay and Quartermaster's Departments, and for printing division and department orders and reports, $2,400,000.

The amendment was agreed to.

The next amendment was, on page 16, line 4, after the word "dollars," to insert, "but every such purchase shall be immediately reported to the Secretary of War for his approval;" so as to make the additional proviso read:

Provided further, That after advertisement all the supplies for the use of the various departments and posts of the Army shall be purchased where the same can be purchased the cheapest, quality and cost of transportation considered, except that purchases may be made in open market, in the manner common among business men, when the aggregate amount required does not exceed $200; but every such purchase shall be immediately reported to the Secretary of War for his approval.

Mr. BLACKBURN. The same amendment appears again probably more than once in the bill, and I ask that it be agreed to. It simply requires that purchases made outside of advertisement shall be at once reported to the Secretary of War.

The amendment was agreed to.

The next amendment was, on page 16, line 25, after the word "pursuit," to insert:

And no greater sum than $30 for each deserter shall be paid to any officer or citizen for such service and expenses.

On page 17, line 5, after the word "infantry," to insert "members of the Hospital Corps," and in line 6, after the word "mounted," to insert "the authorized number of officers' horses;" so as to make the clause read:

INCIDENTAL EXPENSES.

For postage; cost of telegrams on official business received and sent by officers of the Army; extra pay to soldiers employed on extra duty under the direction of the Quartermaster's Department in the erection of barracks, quarters, and storehouses, in the construction of roads, and other constant labor, for periods of not less than ten days, and as clerks for post quartermasters at military posts; for expenses of expresses to and from the frontier posts and armies in the field, of escorts to paymasters and other disbursing officers, and to trains, where military escorts can not be furnished; expenses of the interment of officers killed in action or who die when on duty in the field or at military posts or on the frontiers or when traveling under orders, and of noncommissioned officers and soldiers; authorized office furniture; hire of laborers in the Quartermaster's Department, including the hire of interpreters, spies, or guides for the Army; compensation of clerks and other employés to the officers of the Quartermaster's Department; for the apprehension, securing, and delivering of deserters and the expenses incident to their pursuit, and no greater sum than $30 for each deserter shall be paid to any officer or citizen for such service and expenses; and for the following expenditures required for the several regiments of cavalry, the batteries of light artillery, and such companies of infantry, members of the Hospital Corps, and scouts as may be mounted, the authorized number of officers' horses, and for the trains, to wit, hire of veterinary surgeons, purchase of medicine for horses and mules, picket ropes, blacksmith's tools and materials, horseshoes and blacksmith's tools for the cavalry service, and for the shoeing of horses and mules, and such additional expenditures as are necessary and authorized by law in the movements and operation of the Army and at military posts, and not expressly assigned to any other department, $600,000: *Provided*, That $200,000 of the appropriation for incidental expenses, or so much thereof as shall be necessary, shall be set aside for the payment of enlisted men on extra duty at constant labor of not less than ten days in the Quartermaster's Department, but no such payment shall be made at any greater rate per day than is fixed by law for the class of persons employed at the work done therein.

The amendment was agreed to.

The reading of the bill was continued to line 10, on page 18.

Mr. BLACKBURN. I move to insert in line 1, page 18, after the word "be," the words "required to be;" so as to read:

For the purchase of horses for the cavalry and artillery, and for the Indian scouts, and for such infantry and members of the Hospital Corps in campaigns as may be required to be mounted, and the expenses incident thereto, $100,000.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 21, line 3, before the word "dollars," to insert "one hundred thousand;" so as to make the clause read:

Barracks and quarters: For barracks and quarters for troops, storehouses for the safe keeping of military stores, for offices, and for the hire of buildings and grounds for summer cantonments, and for temporary buildings at frontier stations, for the construction of temporary buildings and stables, and for repairing public buildings at established posts, $650,000: *Provided*, That no more than $1,100,000 of the sums appropriated by this act shall be paid out for the services of civilian employés in the Quartermaster's Department, including those heretofore paid out of the funds appropriated for regular supplies, incidental expenses, barracks and quarters, Army transportation, clothing, camp and garrison equipage; that no employé paid therefrom shall receive as salary more than $150 per month, unless the same shall be specially fixed by law; and no part of the moneys so appropriated shall be paid for commutation of fuel and for quarters to officers or enlisted men.

The amendment was agreed to.

The next amendment was, on page 22, after line 4, to insert:

To enable the Secretary of War to purchase land for a rifle range at Sackets Harbor, near Madison Barracks, New York, at such sum and price as he may deem reasonable, not to exceed $10,000, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, on page 23, line 7, before the word "thousand," to strike out "sixty" and insert "seventy-five;" so as to make the clause read:

Medical and Hospital Department: For the purchase of medical and hospital supplies, including disinfectants for general post sanitation, expenses of medical purveying depots, pay of employés, medical care and treatment of officers and enlisted men of the Army and Signal Corps on duty at posts and stations for which no other provision is made, for the proper care and treatment of cases in the Army suffering from contagious and epidemic diseases, and the supply of the Army and Navy Hospital at Hot Springs, Ark., advertising, and other miscellaneous expenses of the Medical Department, $175,000; and not over $40,000 of the money appropriated by this paragraph shall be applied to the payment of civilian employés of the Medical Department.

The amendment was agreed to.

The reading of the bill was continued to line 10, on page 23.

Mr. BLACKBURN. In line 10, page 23, after the word "Department," I move on behalf of the committee and upon the request of the Department to insert the following:

And the Secretary of War is hereby authorized after due advertisement to sell, under such conditions as he may prescribe, such quantity of surplus liquors and such unserviceable medical and hospital stores, or other property at the medical supply depots at New York, St. Louis, and San Francisco, or in the custody of the medical department, as the Secretary of War may deem proper; the proceeds of such sale, after deducting expenses thereof, to be paid into the United States Treasury.

The amendment was agreed to.

The reading of the bill was continued. The next amendment of the Committee on Appropriations was, on page 23, line 17, before the word "thousand," to strike out "seven" and insert "ten," and in line 18, before the word "thousand," to strike out "twelve" and insert "fifteen;" so as to make the clause read:

Medical Museum and Library: For Army Medical Museum, preservation of specimens, and the preparation and purchase of new specimens, $5,000; for the library of the Surgeon-General's Office, $10,000; in all, $15,000.

The amendment was agreed to.

The next amendment was, on page 26, line 12, after the word "dollars," to insert:

but every such purchase shall be immediately reported to the Secretary of War for his approval;

so as to make the clause read:

Purchase of ordnance and ordnance stores and supplies may be made by the Ordnance Department in open market, in the manner common among business men, when the aggregate of the purchase does not exceed $200, but every such purchase shall be immediately reported to the Secretary of War for his approval.

The amendment was agreed to.

The next amendment was, on page 26, line 16, before the word "thousand," to strike out "twenty" and insert "ten;" so as to make the clause read:

For purchase of machine guns, improved musket caliber, of American manufacture, $10,000.

Mr. HAWLEY. I am sorry that the committee recommends a reduction. I was glad to see that the other House had put it at $20,000. That is the figure at which it rested for a number of years. There is scarcely anything in the military arm that has made such improvement and advances as these machine guns. They are now going on trial—on a competitive examination, so to speak. The competitive examination is going on in this neighborhood, down at Indian Head.

The National Guard of the several States have a great fancy, and very wisely and properly, for having a machine gun attached to each regiment, and independent of these, private persons, for the defense of their manufacturing establishments, occasionally buy a machine gun. I think myself that $20,000

would be a good figure, but I offer to compromise with the Senator on $15,000.

Mr. BLACKBURN. I will do better than that. I will say to my friend, who so long and so ably presided over the Military Affairs Committee of the Senate, and who, I am sure, knows more about this matter than I do, that when we adopted this amendment it was not with any purpose of doing any more than carrying the matter to conference, where the Senator from Connecticut might be heard. I will agree now, so far as I am concerned, either to let it go to conference and remit him to his chances to make good the merits of the measure he is advocating, or I will accept his proposition right now, and put it at $15,000.

Mr. HAWLEY. Bargain seems to be in order. If my friend will stick to it in conference, I shall be very much obliged to him to make it fifteen thousand.

Mr. BLACKBURN. I will make it good. What is the Senator's amendment?

Mr. HAWLEY. I propose to change ten thousand to fifteen tnousand.

Mr. BLACKBURN. To that I agree.

The PRESIDING OFFICER. The amendment of the Senator from Connecticut to the amendment of the committee is to strike out "ten" and insert "fifteen" before the word "thousand;" so as to read:

For purchase of machine guns, improved musket caliber, of American manufacture, $15,000.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 26, line 19, after the words "rendezvous to," to strike out "depot" and insert "military posts;" and on page 27, line 1, before the word "thousand," to strike out "and twenty;" so as to make the clause read:

For expenses of recruiting and transportation of recruits from rendezvous to military posts, including sending of recruiting parties to small towns, and not exceeding $1,200 for the payment of a clerk to the officer disbursing the appropriation; also, including the actual and necessary cost of transportation of accepted applicants from their homes to places of enlistment, when authorized by the Secretary of War, $100,000.

The amendment was agreed to.

The next amendment was, on page 27, line 16, before the word "dollars," to strike out "eleven thousand five hundred," and insert "seventeen thousand;" so as to make the clause read:

For expenses of the Signal Service of the Army, as follows: Purchase, equipment, and repair of field electric telegraphs, signal equipments, and stores; binocular glasses, telescopes, heliostats, and other necessary instruments, including absolutely necessary meteorological instruments for use on target ranges; telephone apparatus (excluding exchange service) and maintenance of the same; maintenance and repair of military telegraph lines (excluding the military telegraph line, Fort Ringgold, Texas, to Fort McIntosh, Texas), including salaries of civilian employés, supplies and general repairs, and other expenses connected with the duty of collecting and transmitting information for the Army by telegraph or otherwise, $17,000.

Mr. MILLS. I should like to ask my friend why it is that this military telegraph line from Fort Ringgold, Texas, to Fort McIntosh, Texas, is excluded? I suppose it is provided for elsewhere.

Mr. BLACKBURN. That is already provided for.

Mr. MILLS. That is what I supposed.

The amendment was agreed to.

The next amendment was, on page 27, after line 16, to insert:

For constructing and operating a military telegraph line between El Paso, Tex., and New Fort Bliss, Texas, $960.

The amendment was agreed to.

The next amendment was, on page 28, line 9, after the words "direction of the," to strike out "Adjutant-General of the Army" and insert "Secretary of War;" so as to make the clause read:

For contingent expense of the military information division, Adjutant-General's Office, and of the military attachés at the United States embassies and legations abroad, to be expended under the direction of the Secretary of War, $3,640.

The amendment was agreed to.

Mr. BLACKBURN. I ask consent of the Senate that the clerks may be allowed to correct the totals and footings, if it shall be necessary, in order to conform to the amendments which the Senate has adopted.

The PRESIDING OFFICER. Without objection that request will be considered as granted.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had agreed to the amendments of the Senate to the following bills:

A bill (H. R. 352) to enable the people of Utah to form a constitution and State government and to be admitted into the Union upon an equal footing with the original States.

A bill (H. R. 6016) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1895; and

A bill (H. R. 7506) authorizing the county of Coconino, Territory of Arizona, to issue bonds for the construction of a county building at the county seat thereof.

The message also announced that the House had passed the bill (S. 73) for the relief of William J. Cornell and Joseph M. Cornell.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 5482) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1895, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. O'NEIL of Massachusetts, Mr. WILLIAMS of Illinois, and Mr. BINGHAM, managers at the conference on the part of the House.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (S. 1694) granting to the St. Paul, Minneapolis and Manitoba Railway Company the right of way through the White Earth, Leech Lake, Chippewa, and Fond du Lac Indian reservations in the State of Minnesota; and

A bill (H. R. 1141) to remove the political disabilities of Charles Iverson Graves, of Rome, in the State of Georgia.

PENSION APPROPRIATION BILL.

The PRESIDING OFFICER (Mr. BLANCHARD in the chair) laid before the Senate the action of the House of Representatives on the amendments of the Senate to the bill (H. R. 5482) making appropriation for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1895, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. BLACKBURN. I move that the Senate insist upon its amendments to the bill, and accede to the request of the House of Representatives for a conference on the disagreeing votes of the two Houses thereon.

The motion was agreed to.

By unanimous consent, the Presiding Officer was authorized to appoint the conferees on the part of the Senate, and Mr. BRICE, Mr. GORMAN, and Mr. CULLOM was appointed.

IRRIGATION OF ARID LANDS.

Mr. MANDERSON. I ask leave at this time to present an amendment intended to be proposed by me to the sundry civil appropriation bill. The amendment is for the purpose of determining the water supply of the United States with a view to irrigation, including the investigation of underground currents, and the boring in arid and semiarid sections of experimental artesian wells. The appropriation proposed by the amendment is $25,000. I ask that the amendment may be printed and referred to the Committee on Irrigation and Reclamation of Arid Lands.

The PRESIDING OFFICER. Without objection, the amendment will be received, ordered to be printed, and referred to the Committee on Irrigation and Reclamation of Arid Lands.

Mr. MANDERSON. In connection with the amendment, I desire to read a part of a letter I have here, which comes from such a source that it should carry great weight, not only with the Committee on Irrigation, but with the Committee on Appropriations.

This matter is to those of us who live in the semiarid or arid sections of the country, comprising a part of the western portion of the States of Nebraska, Kansas, the Dakotas, and the countries about the Rocky Mountains, and west thereof, of vast importance, and there has been very great lack, it seems to me, of interest by the executive branch of the Government and by Congress in this subject-matter.

I have here a letter, which I received to-day, and which was invited by me after considerable conversation with the gentleman who wrote it, who has a high reputation in the country as a geologist, and one who has given this subject very much thought. He says:

In continuation of the matter discussed in our recent conversation, I beg to submit the following statement:

The investigations by the Geological Survey into the water resources of the country have been carried on in the past under the general appropriations, with the ultimate object of obtaining facts similar to those collected and published regarding the mineral resources.

He then goes on to state that the Secretary of the Interior has made a recommendation for the appropriation of $5,000 "for gauging the streams and determining the water supply of the United States."

He goes on to say further that this is entirely too small to

reach the purpose desired, and shows the character of survey or exploration which has already been made. I shall insert this letter in the RECORD, with leave, as part of my remarks, simply calling attention now to these facts:

Petitions and requests are constantly being received that actual tests be undertaken in all parts of the country, especially upon the Great Plains, and while it may be questionable whether or not such tests should be undertaken by the Government, there can be no doubt but that this survey should be in a position to determine whether there is reasonable probability of obtaining artesian water at different points.

The study of existing artesian conditions, made for the Census Office, demonstrated that thousands of failures could have been prevented and hundreds of thousands of dollars saved in experimental drillings had full information as to the probabilities been sought before the expenditures were made. On the other hand, it is highly probable that undiscovered artesian basins can be pointed out, or at least chances of success determined before drillings are made. This, however, can only follow upon a thorough examination of the conditions which govern the occurrence and distribution of waters.

He then goes on to recommend that the provision in the amendment I have introduced be inserted in the sundry civil appropriation bill. I ask leave to insert this letter in the RECORD, so that the Committee on Irrigation may have the benefit of the very valuable suggestions made by this gentleman.

The PRESIDING OFFICER (Mr. FAULKNER in the chair). Is there objection to the request of the Senator from Nebraska? The Chair hears none, and it is so ordered.

The letter referred to is as follows:

WASHINGTON, D. C., *July 11, 1894.*

HON. CHARLES F. MANDERSON,
United States Senate:

SIR: In continuation of the matter discussed in our recent convention, I beg to submit the following statement:

The investigations by the Geological Survey into the water resources of the country have been carried on in the past under the general appropriations, with the ultimate object of obtaining facts similar to those collected and published regarding the mineral resources. It is stated, however, that the Secretary of the Interior has decided that such work should be continued only under specific appropriations, and, being convinced of its value, has asked that the following clause be inserted in the sundry civil bill, under the head of the Geological Survey: "For gauging the streams and determining the water supply of the United States, $5,000."

This amount is recognised as being too small to carry on any extensive work, but it is to be presumed that the desire to keep down the total amount of the bill and not infringe upon other items for the Survey has necessitated this action. It is known that the Secretary of the Interior and the Director of the Survey are both favorably inclined toward the work. It rests, therefore, with Senators who are interested to increase this amount should they deem the investigation essential.

The object of the Survey has been to study certain representative streams ascertain the fluctuations of water supply, and at the same time obtain all facts accessible concerning the underground waters, their movements and availability for use. Thus the results are valuable, not only in all considerations of water power and municipal supply, but also in the questions of irrigation development now so pressing in the West. That the work is generally appreciated is shown by the numerous inquiries constantly reaching the Survey regarding the possibilities of the development of efficient supplies of water from various streams or deep wells.

Some of these questions it is possible to answer, while to satisfactorily solve other problems will require thorough examination. Questions concerning the feasibility of attempts to secure artesian waters are particularly difficult, and at the same time are of great importance to persons or localities demanding a full knowledge of the facts. Petitions and requests are constantly being received that actual tests be undertaken in all parts of the country, especially upon the Great Plains, and while it may be questionable whether or not such tests should be undertaken by the Government, there can be no doubt but that this Survey should be in a position to determine whether there is reasonable probability of obtaining artesian water at different points.

The study of existing artesian conditions, made for the Census Office, demonstrated that thousands of failures could have been prevented and hundreds of thousands of dollars saved in experimental drillings had full information as to the probabilities been sought before the expenditures were made. On the other hand, it is highly probable that undiscovered artesian basins can be pointed out, or at least chances of success determined, before drillings are made. This, however, can only follow upon a thorough examination of the conditions which govern the occurrence and distribution of waters.

It should be noted that the Survey has at this time a full equipment for carrying on the investigation of the waters flowing in streams or possibly occurring underground, and still retains a number of men trained in the especial operations and in the use of instruments, such as current meters, etc., needed for such purpose. An investigation of this character is essentially a survey, and can only be carried on efficiently by an organization similar to that of the Geological Survey.

In order to obtain results of any considerable value the item should be increased to from twenty to twenty-five thousand dollars. With this sum efficient work can be done in many localities demanding immediate attention.

The reason that the original request for $5,000 was not for a larger sum is that this amount was taken from the topographic item in order not to increase the total sum asked for. This seemed to be as much as could be spared without injury to the topographic division.

MILITARY RESERVATION TO OKLAHOMA CITY, OKLA.

Mr. MARTIN. I ask consent of the Senate for the immediate consideration of House bill 6080, which is a bill granting to the city of Oklahoma, in Oklahoma Territory, an abandoned military reservation for school purposes, with the reservation of 10 acres to a man by the name of Miller, and reserving certain rights. The bill has been thoroughly considered by the Committee on Public Lands, and has been agreed to by all the parties in interest. I should like to have it passed immediately, as it is a matter of considerable importance to the people in Oklahoma Territory.

Mr. CALL. I have given notice that I should ask the Senate to proceed to the consideration of the fortifications appropriation bill at the conclusion of the army appropriation bill. I shall not, however, object to the consideration of the bill of the Senator from Kansas, if it does not consume much time.

Mr. MARTIN. I am sure it will not.

Mr. CALL. If the bill will not consume time, I shall give way to the Senator for the present.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 6080) granting a certain military reservation to Oklahoma City, Oklahoma Territory, to aid the public free schools thereof, and for other purposes.

The bill was reported from the Committee on Public Lands with amendments.

The first amendment was, at the end of section 2, line 15, after the word "city," to insert:

That prior to the division and sale of said lands, as provided for in the third section of this act, said city of Oklahoma shall, by proper deed, convey to Benjamin S. Miller 10 acres of said land in the form of a square, as nearly as practicable, out of the northwest corner of said southwest quarter of section 34, in township numbered 12, north of range 3 west: *Provided*, That said Miller shall at the same time, by a proper instrument in writing, release and assign to said city of Oklahoma any and all right and interest that he may have in or to the remainder of said quarter section of land.

The amendment was agreed to.

The next amendment was, after the word "purchasers," in line 9, at the end of section 3, to insert:

Provided, That this act shall not be so construed as to impair or destroy any legal claim or right that any person or persons may have acquired in or to said lands or any part thereof under any of the public land laws of the United States prior to the passage of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

SOUTH CANADIAN RIVER BRIDGE.

Mr. CALL obtained the floor.

Mr. MARTIN. I ask permission of the Senator from Florida for one moment more in behalf of Oklahoma Territory, to enable me to ask the present consideration of the bill (S. 320) granting the Purcell Bridge and Transfer Company the consent of the United States to construct and maintain a bridge over the South Canadian River, at or within 1 mile of the town of Lexington, county of Cleveland, Territory of Oklahoma.

Mr. CALL. I yield, with the understanding that the bill will lead to no debate.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported from the Committee on Commerce with amendments. The first amendment was, in section 1, line 6, after the word "is," to strike out "granted the consent of the Government" and to insert "authorized;" in line 7, after the word "maintain," to strike out "for ninety years;" so as to make the section read:

That to the Purcell Bridge and Transfer Company, a corporation created under the laws of the Territory of Oklahoma by charter filed January 15, A. D. 1892, is authorized to construct and maintain a bridge, and approaches thereto, over the South Canadian River, at or within 1 mile of the town of Lexington, in the county of Cleveland, Territory of Oklahoma, to be used for the passage of foot passengers, animals, and vehicles of all kinds, for reasonable rates of tolls, to be approved from time to time by the Secretary of War.

The amendment was agreed to.

The next amendment was, in section 2, line 2, after the word "is," to strike out "constructed" and insert "commenced within one year and completed;" and in line 3, before the word "years," to strike out "four" and insert "three;" so as to make the section read:

SEC. 2. That the right herein granted shall be void unless said bridge is commenced within one year and completed within three years from the passage of this act.

The amendment was agreed to.

The next amendment was, in section 3, line 9, after the word "before," to strike out "this act shall take effect," and insert "the construction of the bridge herein authorized is commenced, the;" so as to read:

Provided, That before the construction of the bridge herein authorized is commenced the said company shall submit to the Secretary of War the plans and specifications of said bridge, showing the proposed location and structure contemplated.

The amendment was agreed to.

The next amendment was, in section 3, line 15, after the words "South Canadian River," to insert:

Provided also, That said bridge shall, at all times, be so kept and managed as to offer reasonable and proper means for the passage of vessels and other water craft through or under said structure, and for the safety of vessels passing at night there shall be displayed on said bridge, from the hours of

sunset to sunrise, such lights or other signals as may be prescribed by the Light-House Board.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, and read the third time.

Mr. CALL. I ask the Senator from Kansas if there is a clause reserving to Congress the power to alter, repeal, or amend the proposed act?

Mr. MARTIN. Yes.

Mr. CALL. Very well.

The bill was passed.

The title was amended so as to read: "A bill authorizing the Purcell Bridge and Transfer Company to construct and maintain a bridge over the South Canadian River at or within 1 mile of the town of Lexington, county of Cleveland, Territory of Oklahoma."

FORTIFICATIONS APPROPRIATION BILL.

Mr. CALL. I move that the Senate proceed to the consideration of the fortifications appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 4858) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes; which had been reported from the Committee on Appropriations with amendments.

Mr. CALL. I ask unanimous consent that the formal reading of the bill may be dispensed with and that the Senate act upon the amendments of the Committee on Appropriations as they are reached in the reading.

The PRESIDING OFFICER. In the absence of objection, it will be so ordered.

Mr. CALL. Before proceeding with the consideration of the bill, I will state that the estimates for this work furnished for 1895 were $7,438,413; the amount of the bill as received from the House of Representatives was $2,224,654. The Senate committee have recommended an increase of $829,450, and the amount as reported to the Senate is $3,054,104. I shall ask when the consideration of the bill is concluded to have inserted in the RECORD a tabular statement of the items of increase.

The Secretary proceeded to read the bill.

The first amendment of the Committee on Appropriations was, on page 1, line 9, after the word "platforms," to strike out "one" and insert "two;" so as to make the clause read:

For construction of gun and mortar platforms, $200,000.

The amendment was agreed to.

The next amendment was, on page 2, line 9, after the word "available," to strike out "twenty" and insert "forty-five;" so as to make the clause read:

Preservation and repair of fortifications: For the protection, preservation, and repair of fortifications for which there may be no special appropriation available, $45,000.

The amendment was agreed to.

The next amendment was, on page 2, line 14, before the word "construction," to insert "one-half of the cost;" and in line 15, after the word "Virginia," to strike out "the unexpended balance of $24,902.10 from the $25,000 appropriated in the sundry civil appropriation act approved March 2, 1889, 'for construction complete of a sewerage system' at Fort Monroe, is hereby reappropriated and made available," and insert "$37,500;" so as to read:

Sewerage system at Fort Monroe, Virginia: For one-half of the cost of construction of a sewerage system for all buildings at Fort Monroe, Virginia, $37,500.

The amendment was agreed to.

The next amendment was, on page 3, line 13, after the word "works," to insert "such as roads, streets, lights, sewerage, and general police;" so as to read:

Provided, That the owners of hotels and of other nonmilitary buildings now at Fort Monroe, Va., shall bear one-half of the expense of construction of the said sewer, and the Secretary of War be, and he is hereby, authorized and directed to equitably and justly apportion among, assess against, and collect from the said owners and to expend in construction of the said sewer the moiety of the estimated cost thereof; and he is also authorized and directed from time to time to cause to be assessed upon and collected from the owners of nonmilitary buildings situated within the limits of the Fort Monroe military reservation, and from individuals or corporations engaged in business thereat, such sum or sums of money as he may deem just, reasonable, and necessary for expenditure upon the repair and operation of existing works, or the construction, improvement, maintenance, and operation of such other works, such as roads, streets, lights, sewerage, and general police, as, in the opinion of the Secretary of War, should be constructed and maintained in order to protect the interests of the United States and the interests, health, and general welfare of the said nonmilitary interests now established or that may hereafter be established at Fort Monroe.

The amendment was agreed to.

The next amendment was, on page 3, line 23, after the word "expended," to insert "for the above purposes;" so as to read:

Provided further, That all funds collected as above provided, or that may be received from other incidental sources from and after this date, be, and are hereby, made special contingent funds, to be collected and expended for the above purposes in accordance with rules and regulations to be prescribed by the Secretary of War, who will render annually to Congress a detailed account of all receipts and expenditures.

The amendment was agreed to.

The next amendment was, in the appropriations for "armament of fortifications," on page 4, line 5, to increase the appropriation "for finishing and assembling 8-inch, 10-inch, and 12-inch seacoast guns at the army gun factory," from "$125,000" to "$175,000."

The amendment was agreed to.

The next amendment was, on page 4, line 19, to increase the appropriation "for sights for cannon, and for fuses," from "$3,000" to "$8,250."

The amendment was agreed to.

The next amendment was, on page 5, line 6, to increase the appropriation "for steel deck-piercing shell for 12-inch breech-loading mortars" from "$15,000" to "$30,000."

The amendment was agreed to.

The next amendment was, on page 5, line 8, to increase the appropriation "for purchase and erection of steel plates for the test of deck-piercing shell" from "$4,800" to "$8,000."

The amendment was agreed to.

The next amendment was, on page 5, line 13, to increase the appropriation "for purchase and erection of armor plates for testing armor-piercing shot," from "$10,000" to "$16,600."

The amendment was agreed to.

The next amendment was, on page 6, line 4, after the word "objects," to strike out "two hundred thousand" and insert "four hundred and twenty-six thousand six hundred;" so as to read:

To provide for payments that may become due in the purchase or manufacture of machine tools and fixtures to complete the equipment of the south wing of the army gun factory, Watervliet Arsenal, West Troy, N. Y.; steel breech-loading rifled seacoast mortars of 12-inch caliber: oil-tempered and annealed steel for high-power coast-defense guns of 8, 10, and 12-inch caliber; carriages for breech-loading rifled mortars of 12-inch caliber, and carriages for mounting new steel breech-loading 8, 10, and 12-inch guns, procured under the provisions of the fortifications act approved July 23, 1892, said payments being in excess of the moneys appropriated by said act and by the act approved February 18, 1893, for these objects, $426,600.

The amendment was agreed to.

The next amendment was, on page 6, line 18, before the word "thousand," to strike out "two hundred and twenty-five" and insert "five hundred;" so as to read:

To provide for payments that may become due in the purchase or manufacture of oil-tempered and annealed steel for high-power coast-defense guns of 8-inch, 10-inch, and 12-inch caliber; carriages for breech-loading rifled mortars of 12-inch caliber; and carriages for mounting new steel breech-loading 8-inch, 10-inch, and 12-inch guns, procured under the provisions of the fortifications act approved February 18, 1893, said payments being in excess of the money therein appropriated for these objects, $500,000.

The amendment was agreed to.

The next amendment was, on page 6 to strike out lines 22 and 23, in the following words:

For steel breech-loading rifled seacoast mortars of 12-inch caliber, $200,000

The amendment was agreed to.

The next amendment was, on page 6, line 24, after the word "purchase," to insert "under contract after due advertisement;" so as to make the clause read:

For purchase under contract after due advertisement of oil-tempered and annealed steel for high-power coast-defense guns of 8, 10, and 12 inch caliber, in quality and dimensions conforming to specifications, subject to inspection at each stage of the manufacture, and including all the parts of each caliber, $250,000.

The amendment was agreed to.

The next amendment was, to strike out lines 5 and 6, on page 7, as follows;

For carriages for breech-loading rifled mortars of 12-inch caliber, $75,000.

The amendment was agreed to.

The next amendment was, on page 7, line 8, to increase the appropriation "for carriages for mounting steel breech-loading seacoast cannon of 8, 10, and 12 inch caliber," from "$75,000" to "$100,000."

The amendment was agreed to.

The next amendment was, on page 7, line 17, before the word "thousand," to strike out "twenty" and insert "twenty-seven;" so as to make the clause read:

For current expenses and maintenance of the ordnance proving ground, Sandy Hook, New Jersey, including general repairs and alterations, and accessories incidental to testing and proving ordnance, including hire of assistants for the Ordnance Board, skilled mechanical labor, purchase of instruments and other supplies, building and repairing butts and targets, clearing and grading ranges, $27,000.

The amendment was agreed to.

The next amendment was, on page 8, after line 2, to insert:

Watertown Arsenal, Watertown, Mass.: For erection of a brick shed with slate roof, 195 by 25 feet, south of new foundry, $3,300.

The amendment was agreed to.

The next amendment was, in the appropriations for "Board of Ordnance and Fortification," on page 9, line 13, before the word "thousand," to strike out "seventy-five" and insert "one hundred and twenty-five;" so as to make the clause read:

Board of Ordnance and Fortification: To enable the Board to make all needful and proper purchases, experiments, and tests to ascertain, with a view to their utilization by the Government, the most effective guns, small arms, cartridges, projectiles, fuses, explosives, torpedoes, armor plates, and other implements and engines of war, and to purchase or caused to be manufactured under authority of the Secretary of War, such guns, carriages, armor plates, and other war materials and articles as may, in the judgment of the Board, be necessary in the proper discharge of the duty devolved upon it by the act approved September 22, 1888; to pay the salary of the civilian member of the Board of Ordnance and Fortification provided by the act of February 24, 1891, and for the necessary traveling expenses of said member when traveling on duty as contemplated in said act; for payment of the necessary expenses of the Board, including a per diem allowance to each officer detailed to serve thereon when employed on duty away from his permanent station, of $2.50 a day; and for the test of experimental guns and carriages procured in accordance with the recommendations of the Board of Ordnance and Fortification, $125,000.

The amendment was agreed to.

The reading of the bill was concluded.

Mr. CALL. By instruction of the committee I offer an amendment which has been sent to us by the Secretary of War.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 2, after line 10, insert:

For construction of a sea wall on the north shore of Sandy Hook, N. J., $7,500.

Mr. CALL. I will state that the amendment is rendered necessary by the recent storm which has destroyed the works there and the protection which they gave.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Florida.

The amendment was agreed to.

Mr. KYLE. I offer an amendment to come in at the end of line 14, on page 9.

The SECRETARY. After the word "dollars," in line 14, on page 9, insert the following proviso:

Provided, That when guns or carriages presented for experimental tests shall be claimed to be covered by letters patent, either wholly or partially, said board shall be reasonably satisfied that the persons presenting such guns or carriages for experimental tests are the real owners of the letters patent claimed to cover such guns or carriages, or improvements thereon.

Mr. KYLE. There can be no objection whatever to the amendment. It merely provides that the persons who have guns or gun carriages which they desire to have tested shall be the owners of the patents on the guns and gun carriages.

Mr. CALL. The committee have no objection to the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from South Dakota.

The amendment was agreed to.

Mr. HAWLEY. I beg leave to present an amendment to come in on page 7, after line 9.

The amendment has the approval of the Committee on Military Affairs, and has been referred to the Committee on Appropriations. It has not been reported from the Committee on Appriations and is not a part of the bill. I wish to submit it for the consideration of the Senator from Florida and the Senate.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. After the word "dollars," in line 9, page 7, insert:

To enable the Board of Ordnance and Fortification to procure and test one 10-inch pneumatic disappearing gun carriage of the Pneumatic Gun Carriage and Power Company's design, the Secretary of War is hereby authorized and directed to contract with the Pneumatic Gun Carriage and Power Company, of Washington, D. C., without advertising, for said carriage, which shall be constructed on the general plan submitted by the company to the Board of Ordnance and Fortification in its letter dated February 22, 1894, and shall be capable of being traversed and the gun elevated and depressed by either pneumatic, electric, or hand power, and the details of said plan may be modified, changed, and improved in the discretion of said company.

The same conditions relative to the platform, ammunition, and payments, etc., embodied in the contract for the Gordon 10-inch counterpoise carriage shall apply to the pneumatic carriage, and the same facilities for carrying out the contract for the counterpoise carriage shall be extended to the pneumatic carriage. The sum of $50,000 is hereby appropriated for the purchase of the said pneumatic carriage: *Provided*, That the Secretary of War, before making any payments under the said contract, shall require the company to furnish satisfactory bonds to him to return the money if the carriage is not accepted.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Connecticut.

Mr. HAWLEY. Mr. President, buying carriages for guns for coast defense is a very serious business. They are very costly to construct in order to bear the modern high-power rifle and to be operated with ease. In our days military men require that a gun carriage shall be a disappearing one, that it shall be entirely out of sight of the enemy while it is being loaded, and that it shall be easily uplifted, so as to fire over the parapet and then quickly drop down into the pit to be again loaded.

There have been two 10-inch disappearing gun carriages built by the War Department for test as to the best for use for coast defense purposes, the pneumatic disappearing gun carriage, weighing 48 tons, and the counterpoise disappearing gun carriage, weighing 300 tons. One was invented by a civilian, the other, I believe, was the invention of an officer of the Army. These are the only competitors, although as I understand there is another gun carriage being built, I am not sure of that, however. I fear I may do an injustice by failing to describe it correctly, so I will say nothing about it. They are ingenious and able men.

There are now under contract and being constructed 56 10-inch guns, according to the report of the Chief of Ordnance. The cost of the carriages for these 56 guns, according to the War Department estimates, is $35,000 each, making a total of $1,960,000. It is of some consequence then, as a matter of money, that it should be well done and if possible economically done, though the first consideration of course is excellence.

The total number of 10-inch guns required for the coast defenses, according to the official estimate, is 222, and the amount necessary to supply carriages will be in the neighborhood of $8,000,000. This is according to the elaborate plan submitted by the famous board a few years ago, which is being pursued, though with rather slow and faltering steps, especially this year, as a spirit of economy is necessarily upon us.

The two disappearing carriages of which I spoke have both been tested, accepted and paid for as working to the satisfaction of the Department. It is not yet settled which is the better and which shall be adopted uniformly.

The Board of Ordnance and Fortification has given a contract to Capt. Gordon to build another gun carriage, similar to the one which has been accepted, to cost $47,000.

The rival concern, the Pneumatic Gun Carriage Company, has taken the contract for the new Gordon carriage, which specifies times of movements, etc., and now proposes to build a carriage, in every particular superior to it, guaranteed to fire twelve rounds an hour, which is extraordinary rapidity for these heavy rifles. The company guarantees that the carriage will enable the gun to fire twelve rounds an hour to the counterpoise carriage's ten, and perhaps, the promoters say, it will fire eighteen, to maneuver the gun by one man, to the counterpoise carriage's fifteen, and the company will agree to build and deliver future carriages at a less price than that at which the Government can purchase the counterpoise carriage.

It also agrees that the carriage shall be built at its own expense and at its own risk, and it is not to cost the Government one cent if it does not work to the satisfaction of the War Department and prove superior to its competitor. I do not know how a more favorable offer could be made to the Government. If the carriage is accepted by the War Department as satisfactory, the company is to be paid $50,000, and I suppose it would naturally expect a share of the gun carriages to be built hereafter.

The two carriages for this competitive test will cost about the same. The Pneumatic Gun Carriage Company has just finished its contract with the Navy Department for installing its complete pneumatic system on the double turreted monitor Terror. That is the company in behalf of whose gun carriage I offer the amendment. It is to install a complete pneumatic system on the double turreted monitor Terror. The company furnishes four 10-inch gun-carriages, ammunition hoists, rammers, apparatus for revolving the turrets, and steering and refrigerating the ship, all to be worked by compressed air. One of the arguments made against this carriage is that compressed air is not a satisfactory medium for working these heavy carriages. They are adopting it largely, however, in the Navy.

Capt. John A. Howell, United States Navy, a man who is accepted as a very high authority indeed upon scientific questions, and especially as to matters concerning the Navy, who commanded at that time the Washington navy-yard and was president of the board of officers which recommended the contract for the pneumatic system on the Terror, and who is the inventor of the Howell torpedo, says:

The advantages peculiar to the pneumatic carriage are reduced weight of the system, since the gun is counterpoised by an air spring, weighing a few pounds, instead of weights, far exceeding the weight of the gun; this reduces all the work necessary to handle the gun in the same proportion.

The use of one fluid, air for handling the gun in all particulars, as controlling recoil, returning to battery, loading and training and elevating, if required, is in the direction of simplicity, combined with efficiency. No other system will have as high a coefficient of excellence, considering all the requisites of a disappearing gun in the coast defences.

I shall not undertake to describe to those who have not examined the matter the difference between those two plans, but I can perhaps convey the idea of a counterpoise battery. The enormous weight of the gun has to be counterbalanced by some-

thing else, even if great blocks of iron. The gun is thus depressed by swinging this great mass, whereas, with the pneumatic machine, the process bears a certain resemblance to the use of steam. Compressed air is the power necessary to elevate, depress, train, etc.

Mr. Lewis Nixon, the designer of the warship New York, late an officer of the Navy and now the naval architect of the great firm of Cramp & Co., who are successfully building ships, says:

The counterpoise carriage with its cumbrous parts, has been supplanted by the hydropneumatic carriage abroad. I am perfectly familiar with both these types, counterpoise and pneumatic, and am satisfied that the pneumatic carriage is simpler and more efficient than the standard carriage of Europe, and no more liable to derangement than the counterpoise carriage.

One man can do the work on the pneumatic carriage in elevating, traversing, and lifting the gun that must be done by fifteen men with the counterpoise. A small crew can be much more easily handled under the demoralizing effects of battle than a large one.

My opinion is, after following the development of the disappearing carriage with great interest for several years, that the use of compressed air for handling guns has passed all stages of experiment, and has demonstrated its efficiency over all other methods, as it is absolutely reliable.

I have also here, which I might quote, other opinions and a report of Capt. Fletcher, of the Navy, who went abroad and examined the matter, and who describes the use of air in handling heavy guns. I will read a brief extract from his report to the Navy Department. He says:

In certain types of disappearing carriages for land fortifications and coast defense a small reservoir of air under pressure is employed for raising the gun to the firing position after the recoil. This system was successfully applied to a 6-inch naval carriage, built some years ago by the Bureau of Ordnance. Since that date it has met with favor abroad, particularly in Italy, where it is now used for raising guns of 67 tons weight.

Now, I have no criticisms and no controversies with the able gentlemen on that great board of ordnance or with our Ordnance Department. They have comparatively limited sums of money to expend, and must do the best they can with what they have. It is my sincere judgment that it is worth while for the War Department to make the experiment with this carriage. It is not to cost the Government one dollar unless it is freely accepted by the War Department after it is built. The one which has been built and which the Government owns now, works to general satisfaction.

I think the War Department, it is my mere surmise, would probably be very glad to try both of these carriages. They have not the money, however, and their success in asking for large sums of money is not so great as to encourage them. At any rate, on behalf of the Committee on Military Affairs, I propose the amendment which has been read.

Mr. HUNTON. There seems to be a general disposition to adopt the amendment, and that being the case I do not desire to detain the Senate.

Mr. CALL. I will state that the amendment, substantially at least, is recommended by the Committee on Military Affairs. Is the amendment in the language of the amendment recommended by the Committee on Military Affairs?

Mr. HAWLEY. I so stated, but there is so much confusion in the Chamber that the Senator from Florida probably did not hear me.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Connecticut.

The amendment was agreed to.

Mr. HUNTON. I desire to offer an amendment. The bill as it now stands provides that—

The owners of hotels and other nonmilitary buildings now at Fort Monroe, Va., shall bear one-half of the expense of construction of the said sewer, and the Secretary of War be, and he is hereby, authorized and directed to equitably and justly apportion among, assess against, and collect from the said owners and to expend in construction of the said sewer the moiety of the estimated cost thereof; and he is also authorized and directed from time to time to cause to be assessed upon and collected from the owners of nonmilitary buildings situated within the limits of the Fort Monroe military reservation, and from individuals or corporations engaged in business thereat, such sum or sums of money as he may deem just, reasonable, and necessary for expenditure upon the repair and operation of existing works, or the construction, improvement, maintenance, and operation of such other works, such as roads, streets, lights, sewerage, and general police, as, in the opinion of the Secretary of War, should be constructed and maintained in order to protect the interests of the United States, and the interests, health, and general welfare of the said nonmilitary interests now established or that may hereafter be established at Fort Monroe.

That provision of the bill makes the Secretary of War the legislature to determine when public work shall be undertaken, and to determine further who shall pay for it. The owners of hotels and nonmilitary buildings at Fortress Monroe are perfectly willing to pay for the present sewerage system, which has been laid out by the Secretary of War. It meets the approbation of the citizens of that place and they are perfectly willing to pay their proportion of it; but they are not willing that the Secretary of War shall in the future determine when similar works are necessary and to assess the inhabitants of the place for such sums as he may please to pay for such works as he may determine are necessary for that place.

I beg to say to the Senate that this provision in the bill, as it came from the House, was the result of an accident. I am informed by the gentleman who represents the district in the other House that the Committee on Appropriations determined to correct that provision according to the amendment which I have offered, but by an oversight they failed to do it, and I desire to do in the Senate what the Appropriation Committee of the other House intended to do. I am authorized by the Representative of that district to say that the language of the amendment that I propose is perfectly satisfactory to the Appropriations Committee of the other House, and I therefore desire that the language of the bill shall be changed to read as follows:

Provided, That the owners of the civilian buildings and civilian interests now located at Fort Monroe, Va., shall bear the proportion of one-half of the expense of construction and maintenance of said sewer system—

That is exactly the provision of the bill, and to that provision the residents of Fort Monroe have no objection. They are perfectly willing to carry out this idea of contributing one-half to the sewerage system that has been laid out and agreed to by the military authorities, and which is acceptable to the citizens of that place—

and which proportion the Secretary of War is authorized to assess against said owners apportioned justly and equitably between them, and collect and expend the same for such construction and maintenance.

That is the language of the bill.

And the Secretary of War is hereby further authorized to assess upon vessels using the wharf at Fort Monroe, Va., one-half of the actual cost of repairs rendered necessary by the ordinary wear and tear of said wharf, and any damage done to said wharf by any vessel shall be paid for by the owner or owners of said vessel.

Provided further, That all moneys collected as above provided, or that may be received from other incidental sources from and after this date, be, and are hereby, made special contingent funds to be expended for the purpose for which the same are collected in accordance with rules and regulations to be prescribed by the Secretary of War, who will render annually to Congress a detailed account of all receipts and expenditures.

This amendment, if adopted, imposes upon the civilian property owners of Fort Monroe one-half of the present sewerage system that has been approved by the military authorities, and leaves out of the bill the authority of the Secretary of War to enter upon any future improvements which he may choose, and assess upon the citizens such sum as he may think is just and proper to assess upon them to construct future systems of sewerage, or anything else that he may think is necessary.

I ask that this amendment be adopted. It carries out the views of the Committee on Appropriations of the other House and the views of the Secretary of War. I protest earnestly that the Senate has no right to place into the hands of the Secretary of War the power for all time to assess the citizens of Fort Monroe to carry out such improvements as in his opinion may be proper and just. I ask that the amendment be adopted.

The PRESIDING OFFICER. The Senator from Virginia will please state his amendment again. Is it to strike out and insert?

Mr. HUNTON. Commencing at the word "provided," in line 22, page 2, I move to strike out all down to the next proviso in line 19, page 3, and insert what I have read.

The PRESIDING OFFICER. The Chair will call the attention of the Senator from Virginia to the fact that that part of what he read is also included in the proviso, after line 19.

Mr. HUNTON. I understand that, sir; but by striking out and inserting, as I propose, that is retained.

The PRESIDING OFFICER. Does the Senator desire to strike out to line 2 on page 4?

Mr. HUNTON. To the proviso on page 3, line 19.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. Strike out the proviso beginning in line 22, page 2, and ending at line 19, page 3, and insert the following:

Provided, That the owners of the civilian buildings and the civilian interests now located at Fort Monroe, Va., shall bear the proportion of one-half of the expense of construction and maintenance of said sewer system, and which proportion the Secretary of War is authorized to assess against said owners, apportioned justly and equitably between them, and collect and expend the same for such construction and maintenance.

And the Secretary of War is hereby further authorized to assess upon vessels using the wharf at Fort Monroe, Va., one-half the actual cost of repairs rendered necessary by the ordinary wear and tear of said wharf, and any damage done to said wharf by any vessel shall be paid for by the owner or owners of said vessel.

Provided further, That all moneys collected as above provided, or that may be received from and after this date, be, and are hereby, made special contingent funds to be expended for the purpose for which the same are collected in accordance with the rules and regulations to be prescribed by the Secretary of War, who will render annually to Congress a detailed account of all receipts and expenditures.

The PRESIDING OFFICER. The Chair understands the Senator from Virginia desires to strike out from the word "dollars" in line 22, page 2, down to and including the word "expenditures," in line 2, page 4, as his amendment covers all that subject.

Mr. HUNTON. I think not.

Mr. CALL. This amendment was before the Committee on Appropriations and was considered by them. It was understood

that the Senator from Virginia should have the privilege of moving it in the Senate without objection. Perhaps it is not subject to a point of order, inasmuch as it makes no change in existing law and does not increase the appropriation in any way. Therefore it will have to be considered upon its merits. The only change made is that it is sought to limit the discretion of the Secretary of War to the construction and maintenance of sewers, whereas the appropriation in the bill as reported to the Senate and as adopted by the Senate with the committee amendment extends it to roads, streets, and lights, giving the Secretary of War the authority to assess, as Congress might authorize, for one-half of the cost of sewers, streets, roads, and lights. The objection that is made by the mover of the amendment is that the discretion in the Secretary of War is indefinite and unlimited, and that he might assess the occupants upon the military reservation such sum as he chooses as in his opinion may be required, and that that may be a very extravagant sum.

I do not myself see that there is any danger to the occupants upon the reservation who live there without any compensation to the Government, merely as a gratuity, nor that there is any danger in the exercise of this authority by the Secretary of War to the extent of being a severe contribution imposed upon them. Therefore, I have not agreed to the amendment, but if there is any limitation put upon the power, which will allow it to extend to streets and sewers, and define the limitation clearly to be one-half of such amount as shall be authorized by Congress, I do not see that there is any great point in the contention one way or the other. Certainly the authority of the Secretary of War, whatever it is, should extend to providing not only sewerage, which, according to the report of Col. Davis, is in a dreadful condition, but also to providing for the large number of pleasure seekers and occupants who are now upon that reservation proper streets, and lights, and the usual accompaniments of a town, where the comfort and the health and the safety of the people are concerned.

That a wharf built by the Government, which is entirely a public work, a large and expensive wharf, requiring an annual appropriation for its maintenance, and the levy of rates and tolls upon those using the wharf, are the subject of contention involved in the amendment. Unless the Senator can change his amendment to such a form as to limit the discretion of the Secretary of War, as to the amount which he may demand, and apply it to roads, and streets, and lights, I am not disposed for one to agree to the amendment. With that limitation, I have no objection to it.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Virginia.

Mr. HUNTON. I am making a modification of the amendment that will be satisfactory to the Senator who has charge of the bill, and I beg that the vote be not taken until I can finish it. [A pause.]

Mr. CALL. The Senator from Virginia will read the amendment.

Mr. HUNTON. We have about agreed upon an amendment.

Mr. CALL. Let it be read at the desk.

Mr. HUNTON. I withdraw the amendment that I offered awhile ago.

The PRESIDING OFFICER. The Senator from Virginia withdraws the amendment previously offered.

Mr. HUNTON. In line 9, page 3, after the word "thereat," I move to insert "one-half of;" and in line 11, after the word "of," to strike out "existing works, or the construction, improvement, maintenance, and operation of such other works."

The PRESIDING OFFICER. The amendment will be read.

The SECRETARY. After the word "thereat," in line 9, page 3, insert "one-half of;" and in line 11, page 3, strike out "existing works, or the construction, improvement, maintenance, and operation of such other works;" so as to read:

Provided That the owners of hotels and of other nonmilitary buildings now at Fort Monroe, Va., shall bear one-half of the expense of construction of the said sewer, and the Secretary of War be, and is hereby, authorized and directed to equitably and justly apportion among, assess against, and collect from the said owners and to expend in construction of the said sewer the moiety of the estimated cost thereof; and he is also authorized and directed from time to time to cause to be assessed upon and collected from the owners of nonmilitary buildings situated within the limits of the Fort Monroe military reservation, and from individuals or corporations engaged in business thereat, one-half of such sum or sums of money as he may deem just, reasonable, and necessary for expenditure upon the repair and operation of such as roads, streets, lights, sewerage, and general police, as, in the opinion of the Secretary of War, should be constructed and maintained in order to protect the interests of the United States, and the interests, health, and general welfare of the said nonmilitary interests now established or that may hereafter be established at Fort Monroe.

Mr. CALL. I accept that amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The word "as" after "such" in line 13 will be stricken out if there be no objection. If there be no further amendment as in Committee of the Whole the bill will be reported to the Senate.

The bill was reported to the Senate as amended, and the amendments were concurred in.

Mr. CALL. I submit the following statement as to the appropriations made by the bill:

The items of increase made in the House bill are as follows:

For construction of gun and mortar platforms	$100,000
For preservation and repair of fortifications	25,000
For sewerage system at Fort Monroe, Va	37,500
For finishing and assembling 8, 10, and 12 inch seacoast guns	50,000
For sights for cannon, and for fuses	5,250
For steel deck-piercing shells for breech-loading mortars	15,000
For purchase and erection of steel plates for testing deck-piercing shell	3,200
For purchase and erection of armor plates for testing armor-piercing shot	6,600
For payments on contracts under act of July 23, 1892, for mortars, steel, and carriages	226,000
For payments on contracts under act of February 18, 1893, for mortars, steel, and carriages	275,000
For carriages for steel breech-loading seacoast cannon of 8, 10, and 12 inch caliber	25,000
For expenses of proving ground at Sandy Hook, N. J	7,000
For brick shed for storage at Watertown Arsenal, Mass	3,300
For expenses under Board of Ordnance and Fortification	50,000
Total increase	829,450
Reduction	275,000
Net increase	554,450

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed the bill (S. 1573) making an appropriation for rewriting the Consular Regulations.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 5894) making appropriations for the Military Academy for the fiscal year ending June 30, 1895, asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. WHEELER of Alabama, Mr. OUTHWAITE, and Mr. BOWERS of California managers at the conference on the part of the House.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 6108) making appropriations for the diplomatic and consular service of the United States for the fiscal year ending June 30, 1895, asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. MCCREARY of Kentucky, Mr. HOOKER of Mississippi, and Mr. HITT managers at the conference on the part of the House.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 3135) granting to the University of Utah a site off the public domain; and it was thereupon signed by the Vice-President.

DISTRICT WATER-MAIN ASSESSMENTS.

Mr. PROCTOR submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6893) to regulate water-main assessments in the District of Columbia, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment to said bill, and agree to the same with the following amendments:

In line 12, after the word "made," insert the words "and the installments paid as they become due and payable, and the taxpayer is not in default or in arrears in any manner."

And add at the end of the bill the following words: "nor for relieving any taxpayer who is in arrears for water-main assessments."

REDFIELD PROCTOR,
CHARLES J. FAULKNER,
JOHN MARTIN,
Managers on the part of the Senate.

JOHN T. HEARD,
JAMES D. RICHARDSON,
A. HARMER,
Managers on the part of the House.

The report was concurred in.

MILITARY ACADEMY APPROPRIATION BILL.

The PRESIDING OFFICER (Mr. FAULKNER in the chair) laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 5894) making appropriations for the Military Academy for the fiscal year ending June 30, 1895, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. BRICE. I move that the Senate insist upon its amend-

ments and accede to the request of the House of Representatives for a conference.

The motion was agreed to.

By unanimous consent, the Presiding Officer was authorized to appoint the conferees on the part of the Senate, and Mr. BRICE, Mr. CALL, and Mr. TELLER were appointed.

DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 6108) making appropriation for the diplomatic and consular service of the United States for the fiscal year ending June 30, 1895, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. BRICE. I move that the Senate insist upon its amendments and accede to the request of the House of Representatives for a conference on the disagreeing votes of the two Houses.

The motion was agreed to.

By unanimous consent, the Presiding Officer was authorized to appoint the conferees on the part of the Senate, and Mr. BLACKBURN, Mr. BRICE, and Mr. HALE were appointed.

RIVER AND HARBOR APPROPRIATION BILL.

Mr. RANSOM. I move that the Senate proceed to the consideration of House bill 6518, known as the river and harbor bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 6518) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, which had been reported from the Committee on Commerce with amendments.

Mr. RANSOM. I desire that the bill be read and that we pass upon the amendments of the committee as we reach them, following the usual form.

Mr. MILLS. That is, that the formal reading of the bill be dispensed with and that it be read for action on the amendments.

The PRESIDING OFFICER. If there be no objection the formal reading will be dispensed with and the amendments of the Committee will be considered as they are reached.

The Secretary proceeded to read the bill.

The first amendment of the Committee on Commerce was, on page 2, line 2, before the word "thousand," to strike out "twenty-five" and insert "thirty-one;" so as to make the clause read:

Improving harbor at Rockland, Me.: Continuing improvement, $31,000, of which $1,000 may be expended in completing a survey of the same with a view of making it available for vessels of a deeper draft.

The amendment was agreed to.

The next amendment was, on page 2, line 11, before the word "thousand," to strike out "six" and insert "eight;" so as to make the clause read:

Improving harbor at Belfast, Me.: Continuing improvement, $8,000.

The amendment was agreed to.

The next amendment was, on page 2, line 23, before the word "hundred," to strike out "one" and insert "two;" so as to make the clause read:

Improving harbor at Boston, Mass.: Continuing improvement, by deepening and widening the main channel to a depth of 27 feet and a width of 1,000 feet, $250,000, of which $10,000 may, in the discretion of the Secretary of War, be used in the further prosecution of the work in Nantasket Beach channel.

The amendment was agreed to.

The next amendment was, on page 3, line 4, before the word "dollars," to strike out "five thousand" and insert "seven thousand five hundred;" so as to make the clause read:

Improving harbor at Lynn, Mass.: Continuing improvement, $7,500: *Provided*, That the whole or any portion of this appropriation may be expended on the western channel, in the discretion of the Secretary of War.

The amendment was agreed to.

The next amendment was, on page 3, line 23, before the word "thousand," to strike out "twenty" and insert "twenty-five;" so as to make the clause read:

Improving harbor of refuge at Nantucket, Mass.: Continuing improvement, $25,000.

The amendment was agreed to.

The next amendment was, on page 4, line 7, before the word "thousand," to strike out "eight" and insert "ten;" so as to make the clause read:

Improving harbor at Scituate, Mass.: Continuing improvement, $10,000.

The amendment was agreed to.

The next amendment was, on page 4, line 16, before the word "thousand," to strike out "twenty-five" and insert "sixty;" so as to make the clause read:

Improving harbor at Gloucester, Mass.: Continuing improvement, $60,000

The amendment was agreed to.

The next amendment was, on page 4, after line 20, to insert:

Improving harbor at Wareham, Mass.: The Secretary of War is directed out of the appropriation on hand to make a resurvey of said harbor with a view to its further needed improvement.

The amendment was agreed to.

The next amendment was, on page 5, line 7, after the word "dollars," to strike out—

which, with the unexpended balance on hand, shall be expended in dredging the enlarged inner harbor westerly from the outer gap along the southerly side of the wall of the enlarged inner harbor to a depth of 9 feet,

and insert—

including dredging when necessary, and a survey and estimates of cost for further improvement of said harbor;

so as to make the clause read:

Improving harbor at Block Island, R. I.: Completing improvement, $1,000, including dredging when necessary and a survey and estimates of cost for further improvement of said harbor.

The reading of the bill was resumed.

Mr. ALDRICH. I move to amend, in line 7, on page 5, by striking out "one thousand" and inserting "two thousand five hundred." It is a small amendment, which I neglected to call to the attention of the committee, but I understand the committee have no objection to it.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 5, line 7, before the word "dollars," it is proposee to strike out "one thousand," and insert "two thousand five hundred;" so as to read:

Improving harbor at Block Island, R. I.: Completing improvement, $2,500.

Mr. RANSOM. That amendment ought to have been made by the committee.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was, on page 5, to strike out lines 21 and 22, in the following words:

Paweatuck River: The Secretary of War is directed out of the appropriation on hand to make a resurvey of said river.

The amendment was agreed to.

The next amendment was, on page 6, line 6, before the word "thousand," to insert "and twenty-five;" so as make the clause read:

Constructing breakwaters at New Haven, Conn.: Continuing construction, $125,000.

The amendment was agreed to.

The next amendment was, on page 6, after line 9, to insert:

Improving Stonington Harbor, Connecticut, by removing a part of Noyes Shoal and dredging in the inner harbor, in accordance with the report of Capt. W. H. Bixby, of the Corps of Engineers, dated June 12, 1893, $5,000.

The amendment was agreed to.

The next amendment was, on page 6, line 19, before the word "thousand," to strike out "twenty-five" and insert "thirty;" so as to make the clause read:

Improving harbor at Duck Island, on Long Island Sound, Connecticut: Continuing improvement, $30,000.

The amendment was agreed to.

The next amendment was, on page 7, after line 2, to insert:

Improving Norwalk Harbor, Connecticut: Continuing improvement, $20,000. So much of this appropriation as may be necessary may, in the discretion of the Secretary of War, be expended between the freight depot of the Danbury and Norwalk Railroad Company on the north and Jennings, so called, on the south, to remove the flats known as Ferrys Point between the channel and the established harbor line; and any unexpended balance, after completion of the above, may be used for the improvement of the sharp bend in the channel near Keysers Island at the mouth of the harbor: *Provided*, That the United States shall be subjected to no cost for any lands required to make this improvement.

The amendment was agreed to.

The next amendment was, on page 8, after line 6, to strike out:

Improving Gowanus Bay Channel, New York: Continuing improvement, $50,000; and the Secretary of War is directed to report a plan and estimates for deepening to 26 feet at mean low water the Red Hook and Gowanus Creek Channel, and the Bay Ridge Channel, and also whether, in his opinion, the interests of commerce require such a depth, or any additional depth, at this time.

The amendment was agreed to.

The next amendment was, on page 8, after line 13, to insert:

Improving Bay Ridge Channel, New York Harbor, New York: Continuing improvement by dredging out and opening the same from a point at its junction with the Gowanus Creek Channel (near Twenty-eighth street), southerly therefrom along and in front of Gowanus Bay and Bay Ridge to a point where the said Bay Ridge Channel, so to be opened, encounters a 26-foot contour or depth of water, so that the channel, so to be opened, shall be of a uniform depth of 26 feet and a width of 800 feet at low water, $100,000: *Provided*, That contracts may be entered into by the Secretary of War for such materials and work as may be necessary for the completion of the above project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate $475,800, exclusive of the amount herein appropriated.

Improving Red Hook and Gowanus Creek channels, New York: Continuing improvement under the project to obtain 21 feet of water, $50,000.

Mr. BLANCHARD. I rise to ask the chairman of the committee as to the amendment beginning in line 14, on page 8. Is there a report from any engineer officer of the War Department

recommending the proposed improvement embraced in the paragraph just read, and has any estimate been made or any plan submitted at any time for it?

Mr. RANSOM. Yes, sir. No item in the bill was more deliberately considered than the one to which the Senator refers. It underwent several changes, and it was finally adjusted to conform to what was thought to be best upon consultation with the engineers in charge and the Senators from New York.

Mr. BLANCHARD. Has it been recommended by the engineer? Col. Gillespie is the engineer in charge.

Mr. RANSOM. I am sorry I can not go into these details.

Mr. BLANCHARD. This is susceptible of an easy answer.

Mr. RANSOM. I prefer to be my own judge upon that matter, and not have the Senator from Louisiana answer for me.

I said distinctly that this amendment was the subject of discussion at least three different times, upon three different days, or perhaps more, and this was the final form accepted after consultation with the engineers in charge, the people engaged in commerce, and the Senator from New York [Mr. MURPHY], who is a member of the committee.

Mr. BLANCHARD. This particular improvement, in reference to which I made the inquiry, was reported upon adversely by Lieut. Col. Gillespie, the United States engineer officer in charge, to the last Congress. The purpose of my inquiry was to ascertain whether there had been from that officer, or any other, any subsequent favorable report upon this project, submitting plans and estimates of the work. To that inquiry no answer is given.

Mr. DOLPH. Mr. President, I understand this improvement is embraced in the text of the bill as it came from the House of Representatives, and it is fully described and recommended in the report of the Chief of Engineers on page 101.

The committee simply divided this proposed improvement, making, as it will be seen, the Bay Ridge channel 26 feet, leaving the other at Red Hook and Gowanus Creek at 21 feet, and putting the work under the contract system.

Mr. BLANCHARD. The Senator from Oregon is mistaken.

Mr. DOLPH. I do not think I am.

Mr. BLANCHARD. I think the Senotor is mistaken when he says that this particular appropriation or project is included in the text of the bill as it came from the House. I refer to the words stricken out on page 8, from line 7 to line 13, inclusive. That I understand to be the Senator's statement.

In the bill as it came from the House the item alluded to by the Senator from Oregon relates to Red Hook and Gowanus Creek channel and to Bay Ridge channel, but not to any such improvement in Bay Ridge channel as that contemplated in the paragraph of the bill to which I have called attention. The project is a new one, and I think there is no report of the engineer officer to justify its incorporation in the pending bill.

I have no disposition to oppose it, but must express dissent to the policy of adopting projects of improvement not recommended by engineers of the Government in charge.

Mr. CULLOM. I do not understand that the Senator desires to oppose the amendment, but I wish to say what the chairman of the committee has already said, that perhaps there is no item in this bill which was more thoroughly investigated and over which there was probably more discussion and more hearings than the amendment to which the Senator refers. The committee, I think, after many hearings and full hearings, determined substantially unanimously that the provision beginning in line 14, on page 8, should be adopted as an amendment to the bill.

Mr. BLANCHARD. I said I had no wish to oppose the amendment. I merely desired to state that I doubt very much the advisability of this project being in the bill. It was placed by the Senate in the river and harbor bill of 1892, and after full consideration in conference, it went out except as to a limited improvement in that channel. I know of no further report from the engineer changing his views. I repeat, the report submitted to the last Congress was adverse.

The PRESIDING OFFICER The question is on agreeing to the amendment reported by the committee, which has been read.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was, on page 9, line 9, before the word "thousand," to strike out "eight" and insert "fifteen;" so as to make the clause read:

Improving harbor at Great Sodus Bay, New York: Continuing improvement, $15,000.

The amendment was agreed to.

The next amendment was, on page 9, line 17, after the word "breakwater," to insert "and not exceeding $10,000 of which may, in the discretion of the Secretary of War, be used for removing rock to widen and deepen the inner harbor near the mouth of the Oswego River;" so as to make the clause read:

Improving harbor at Oswego, N. Y: Continuing improvement, $37,000, of which $10,000 shall be expended in repairing the breach recently made in the breakwater; and not exceeding $10,000 of which may, in the discretion of the Secretary of War, be used for removing rock to widen and deepen the inner harbor near the mouth of the Oswego River.

The amendment was agreed to.

The next amendment was, on page 9, line 24, before the word "thousand," to strike out "seventy-five" and insert "one hundred;" so as to make the clause read:

Improving New York Harbor, New York: Continuing improvement, $100,000.

The amendment was agreed to.

The next amendment was, on page 10, line 6, after the word "dollars," to insert "and the unexpended balance of the appropriations heretofore made for the improvement of the Niagara River from Tonawanda to Port Day, N. Y., is hereby transferred and appropriated for this improvement; so as to make the clause read:

Improving Tonawanda Harbor and Niagara River, New York: Continuing improvement, $50,000, and the unexpended balance of the appropriations heretofore made for the improvement of the Niagara River from Tonawanda to Port Day, N. Y., is hereby transferred and appropriated for this improvement.

Mr. CULLOM. There was a mistake made by the committee in the amendment which has just been read by the Secretary. I have received a telegram from the Senator from New York [Mr. MURPHY], who is a member of the Committee on Commerce, whose attention has been called to the matter, desiring it to be corrected. I offer the amendment which I send to the desk to take the place of the committee amendment.

Mr. DOLPH. The committee amendment should be disagreed to first.

The PRESIDING OFFICER. If there be no objection the amendment of the committee will be disagreed to. The Chair hears no objection, and the amendment is disagreed to. The amendment proposed by the Senator from Illinois will be stated.

The SECRETARY. On page 10, it is proposed to substitute for the clause from line 5 to line 10, inclusive, the following:

Improving Niagara River from Tonawanda to Fort Day, N.Y., $20,000; and the unexpended balance of the appropriation heretofore made for this improvement is hereby reappropriated.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was, on page 10, line 20, before the word "thousand," to strike out "forty" and insert "sixty;" so as to make the clause read:

Improving Buttermilk Channel, New York Harbor: Continuing improvement, $60,000.

The amendment was agreed to.

The next amendment was, on page 11, line 8, before the word "thousand," to strike out "twenty" and insert "forty;" so as to make the clause read:

Improving harbor at Raritan Bay, New Jersey: Continuing improvement, $40,000, one-half of which, in the discretion of the Secretary of War, shall be used in dredging bar between South Amboy and Great Beds Light. This appropriation shall include a survey between South Amboy and Great Beds Light, with a view to deepening the channel to 21 feet at mean low water.

The amendment was agreed to.

The next amendment was, on page 12, line 1, after the word "maintenance," to insert "and widening channel to 1,000 feet;" and in line 2, before the word "thousand," to strike out "fifty" and insert "two hundred;" so as to make the clause read:

Improving harbor at Baltimore, Md.: For maintenance and widening channel to 1,000 feet, $200,000.

The amendment was agreed to.

The next amendment was, on page 12, line 5, before the word "thousand," to strike out "seventy-five" and insert "one hundred and ten;" so as to make the clause read:

Improving harbor at Norfolk and its approaches, Virginia: Continuing improvement, $110,000.

The amendment was agreed to.

The next amendment was, on page 12, line 7, before the word "thousand," to insert "and thirty;" so as to make the clause read:

Improving harbor at Winyaw Bay, South Carolina: Continuing improvement, $130,000.

The amendment was agreed to.

The next amendment was, on page 12, after line 16, to insert:

Improving the outer bar of Brunswick, Ga., $30,000, the whole of which shall be paid to C. P. Goodyear for depth of water heretofore obtained over said outer bar. And the Secretary of War is hereby authorized to pay to said C. P. Goodyear, his heirs or assigns, upon procurement by the said Goodyear, his heirs or assigns, of a practical channel over said outer bar at Brunswick at least 100 feet in width and of a minimum depth of 23 feet at ordinary mean high tide on or before November 1, 1895, the sum of $30,000; upon the procurement as aforesaid, on or before the 1st day of January, 1897, of a depth of water in said channel over said outer bar of a minimum depth at ordinary mean high tide of 24 feet, and of said width, $40,000, to be paid in manner aforesaid; upon the procurement as aforesaid, on or before January 1, 1898, of a depth of water in said channel of a minimum depth at ordinary mean high tide of 25 feet, and of said width, $50,000, to be paid in manner aforesaid. And should the depth of 25 feet at ordinary mean high tide